THE

STATUTES AT LARGE

OF THE

UNITED STATES OF AMERICA

FROM

JANUARY 1935 TO JUNE 1936

CONCURRENT RESOLUTIONS
RECENT TREATIES AND CONVENTIONS, EXECUTIVE
PROCLAMATIONS AND AGREEMENTS

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The original of every act and joint resolution printed in this volume from page 1 to page 1089, inclusive, has the following heading:

SEVENTY-FOURTH CONGRESS OF THE UNITED STATES OF AMERICA;

AT THE FIRST SESSION,

BEGUN AND HELD AT THE CITY OF WASHINGTON ON THURSDAY, THE THIRD DAY OF JANUARY, ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE.

The original of every act and joint resolution printed in this volume from page 1091 to page 2041, inclusive, has the following heading:

SEVENTY-FOURTH CONGRESS OF THE UNITED STATES OF AMERICA;

AT THE SECOND SESSION,

BEGUN AND HELD AT THE CITY OF WASHINGTON ON FRIDAY, THE THIRD DAY OF JANUARY, ONE THOUSAND NINE HUNDRED AND THIRTY-SIX.

All bills and joint resolutions presented to the President of the United States bear the signatures of the Speaker (or of the Speaker *pro tempore*) of the House of Representatives and of the Vice President and President of the Senate (or of the President of the Senate *pro tempore*); those signatures accordingly appear on the originals of all acts and joint resolutions.

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OF THE

UNITED STATES OF AMERICA

PASSED BY THE

SEVENTY-FOURTH CONGRESS

1935–1936

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"Paducah", U. S. S., silver service. AN ACT Authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Woman's Club, of the city of Paducah, Kentucky, the silver service in use on the United States ship Paducah ..... February 25, 1936 .. 1141

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Hawaii, rights-of-way. AN ACT To authorize the Secretary of War to effect exchange of certain rights-of-way in Hawaii ..... February 28, 1936 .. 1145

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Soil Conservation and Domestic Allotment Act. AN ACT To promote the conservation and profitable use of agricultural land resources by temporary Federal aid to farmers and by providing for a permanent policy of Federal aid to States for such purposes ..... February 29, 1936 .. 1148

Federal Alcohol Administration Act, labels, etc. JOINT RESOLUTION Postponing the effective date of certain permit and labeling provisions of the Federal Alcohol Administration Act ..... February 29, 1936 .. 1152

Neutrality Act, amendment. JOINT RESOLUTION Extending and amending the joint resolution (Public Resolution Numbered 67, Seventy-fourth Congress), approved August 31, 1935 ..... February 29, 1936 .. 1152

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Tobacco Control, etc., Acts, tax liabilities, etc. AN ACT To extinguish tax liabilities and tax liens arising out of the Tobacco, Cotton, and Potato Acts ..... March 2, 1936 .. 1155

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Skagway, Alaska, bonds. AN ACT To authorize the incorporated city of Skagway, Alaska, to undertake certain municipal public works, and for such purpose to issue bonds in any sum not exceeding $12,000, and for other purposes ..... March 2, 1936 .. 1156

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Esopus Creek, etc., N. Y., flood control. AN ACT Authorizing a preliminary examination of the Esopus Creek and its tributaries of Birch, Bushnelville, Woodland, Warner Bushkill, and Beaverkill Creeks; Sawkill, Rondout, and Neversink Creeks, Ulster County; Schoharie and Catskill Creeks, Greene County; Neversink, Beaverkill, East Branch of Delaware, Willowemoc, and Lackawack Rivers, Sullivan County; Schoharie Creek and its tributaries, Schoharie County, all located in the State of New York, with a view to the controlling of floods ..... March 3, 1936 .. 1159

Los Angeles and San Gabriel Rivers, Calif., flood control. AN ACT Authorizing a preliminary examination of the San Gabriel and Los Angeles Rivers and their tributaries; to include both drainage basins and their outlets, in Los Angeles County, Los Angeles, California, with a view to the controlling of floods ..... March 6, 1936 .. 1160

Five Civilized Tribes, Okla. AN ACT To amend section 3 of the Act approved May 10, 1928, entitled "An Act to extend the period of restriction in lands of certain members of the Five Civilized Tribes, and for other purposes", as amended February 14, 1931 ..... March 12, 1936 .. 1160

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Government employees, sick leave. AN ACT To standardize sick leave and extend it to all civilian employees ..... March 14, 1936 .. 1162

Tobacco Control, etc., Acts, records and operations. JOINT RESOLUTION Authorizing the completion of certain records and operations resulting from the administration of the Kerr Tobacco Act, the Bankhead Cotton Act of 1934, and the Potato Act of 1935 (repealed), and making funds available for those and other purposes ..... March 14, 1936 .. 1163

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Spokane River, Idaho, flood control. AN ACT To provide a preliminary examination of Spokane River and its Tributaries in the State of Idaho, with a view to the control of their floods---March 18, 1936-- 1164

Coast and Geodetic Survey, director. AN ACT To amend the Act of February 16, 1929, entitled "An Act to amend the Act entitled 'An Act to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and the Public Health Service', approved June 10, 1922, as amended"---March 18, 1936-- 1164

Clarence C. Calhoun. AN ACT Limiting the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to certain counsel---March 18, 1936-- 1164

Columbia, S. C., sesquicentennial. AN ACT To authorize the coinage of 50-cent pieces in commemoration of the sesquicentennial anniversary of the founding of the capital of South Carolina at Columbia, South Carolina---March 18, 1936-- 1165

Boy Scouts of America. AN ACT To authorize the Secretary of War, the Secretary of the Navy, the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of the Treasury to lend Army, Navy, Coast Guard, and other needed equipment for use at the National Jamboree of the Boy Scouts of America; and to authorize the use of property in the District of Columbia and its environs by the Boy Scouts of America at their National Jamboree to be held during the summer of 1937---March 18, 1936-- 1165

National Boy Scout Jamboree, 1937. JOINT RESOLUTION To amend Public Resolution Numbered 31 of the Seventy-fourth Congress, first session, approved June 17, 1935, so as to extend its provisions to cover the National Boy Scout Jamboree now scheduled to be held in 1937---March 18, 1936-- 1167

"Liev Eiriksson Discovers America", painting. JOINT RESOLUTION Directing the Architect of the Capitol to accept a copy of the painting "Liev Eiriksson Discovers America"---March 18, 1936-- 1167

Associated Country Women of the World. AN ACT To aid in defraying the expenses of the Third Triennial Meeting of the Associated Country Women of the World, to be held in this country in June 1936---March 19, 1936-- 1167

Appropriations, Independent Offices, fiscal year 1937. AN ACT Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1937, and for other purposes---March 19, 1936-- 1167

The Homestead National Monument of America, Nebr. AN ACT To establish The Homestead National Monument of America in Gage County, Nebraska---March 19, 1936-- 1184

Federal Bureau of Investigation, claims. AN ACT To provide for the adjustment and settlement of certain claims arising out of the activities of the Federal Bureau of Investigation---March 20, 1936- 1184

Securities held by Reconstruction Finance Corporation. AN ACT Relating to taxation of shares of preferred stock, capital notes, and debentures of banks while owned by the Reconstruction Finance Corporation and reaffirming their immunity---March 20, 1936-- 1185

Public Health Service, facilities. AN ACT To extend the facilities of the Public Health Service to seamen on Government vessels not in the Military or Naval Establishments---March 21, 1936-- 1185

District of Columbia, emergency relief. JOINT RESOLUTION Making an additional appropriation for the fiscal year 1936 for emergency relief of residents of the District of Columbia---March 30, 1936-- 1186

Electric Home and Farm Authority. AN ACT To continue Electric Home and Farm Authority as an agency of the United States until February 1937, and for other purposes---March 31, 1936-- 1186

Cincinnati, Ohio. AN ACT To authorize the coinage of 50-cent pieces in commemoration of the fiftieth anniversary of Cincinnati, Ohio, as a center of music, and its contribution to the art of music for the past fifty years---March 31, 1936-- 1187

National Housing Act, amendment. AN ACT To amend section 2 of the National Housing Act, relating to the insurance of loans and advances for improvements upon real property, and for other purposes---April 3, 1936-- 1187

Railway Labor Act, amendment. AN ACT To amend the Railway Labor Act---April 10, 1936-- 1189

Wamsutter, Wyo., land patent. AN ACT Authorizing the Secretary of the Interior to patent certain land to the town of Wamsutter, Wyoming---April 10, 1936-- 1191

Commodity Credit Corporation. AN ACT To enable the Commodity Credit Corporation to better serve the farmers in orderly marketing, and to provide credit and facilities for carrying surpluses from season to season---April 10, 1936-- 1191

National Firearms Act, small firearms. AN ACT To exempt certain small firearms from the provisions of the National Firearms Act---April 10, 1936-- 1192

Alabama, release from responsibility, public property. AN ACT For the relief of the State of Alabama---April 10, 1936-- 1192

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Hot Springs, N. Mex., land patent. AN ACT To authorize the sale by the United States to the municipality of Hot Springs, New Mexico, of the north half of the southeast quarter and the northeast quarter of the southwest quarter of section 6, township 14 south, range 4 west, New Mexico principal meridian, New Mexico ---April 10, 1936-- 1192

Republican, etc., Rivers, flood control. AN ACT To authorize a preliminary examination of Republican River, Smoky Hill River, and minor tributaries of Kansas River, with a view to the control of their floods---April 10, 1936-- 1193

Suwannee River, Fla., flood control. AN ACT To authorize a preliminary examination of Suwannee River in the State of Florida, from Florida-Georgia State line to the Gulf of Mexico---April 10, 1936-- 1193

Enfield, Conn. AN ACT To convey certain land to the city of Enfield, Connecticut ---April 10, 1936-- 1193

District of Columbia public schools. AN ACT To amend the Teachers' Salary Act of the District of Columbia, approved June 4, 1924, as amended, in relation to raising the trade or vocational schools to the level of junior high schools, and for other purposes---April 10, 1936-- 1194

Onondaga Creek, N. Y., flood control. AN ACT To provide a preliminary examination of Onondaga Creek, in Onondaga County, State of New York, with a view to the control of its floods---April 10, 1936-- 1195

Apostle Islands, Wis., Coast Guard station. AN ACT To provide for the establishment of a Coast Guard station at or near Apostle Islands, Wisconsin---April 10, 1936-- 1195

Columbus, Ga. AN ACT Authorizing the erection of a marker suitably marking the site of the engagement fought at Columbus, Georgia, April 16, 1865---April 10, 1936-- 1195

Boy Scouts of America. AN ACT To authorize the Secretary of the Treasury to dispose of material to the sea-scout service of the Boy Scouts of America---April 10, 1936-- 1195

Gigling Military Reservation, Calif. AN ACT To authorize the Secretary of War to acquire the timber rights on the Gigling Military Reservation (now designated as Camp Ord), in California---April 10, 1936-- 1196

Bridge, Lake Sabine, Tex. AN ACT To amend the Act approved June 18, 1934, authorizing the city of Port Arthur, Texas, or the Commission thereby created and its successors, to construct, maintain, and operate a bridge over Lake Sabine, at or near Port Arthur, Texas, and to extend the times for commencing and completing the said bridge---April 10, 1936-- 1196

Bridge, Missouri River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Randolph, Missouri---April 10, 1936-- 1196

Bridges, Allegheny County, Pa. AN ACT To extend the times for commencing and completing the construction of certain bridges across the Monongahela, Allegheny, and Youghiogheny Rivers in the county of Allegheny, Pennsylvania ---April 10, 1936-- 1197

Bridge, Poquetanuck Cove, Conn. AN ACT To legalize a bridge across Poquetanuck Cove at or near Ledyard, Connecticut---April 10, 1936-- 1197

Bridge, Second Creek, Ala. AN ACT To legalize a bridge across Second Creek, Lauderdale County, Alabama---April 10, 1936-- 1198

Bankruptcy Act of 1898, amendment. AN ACT To amend chapter 9 of the Act of July 1, 1898, entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto---April 10, 1936-- 1198

Marshy Hope Creek, Md., flood control. AN ACT Authorizing a preliminary examination of Marshy Hope Creek, a tributary of the Nanticoke River, at and within a few miles of Federalsburg, Caroline County, Maryland, with a view to the controlling of floods---April 10, 1936-- 1198

Bridge, Ohio River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Ohio River between Rockport, Indiana, and Owensboro, Kentucky---April 10, 1936-- 1199

Revenue Act of 1934, amendment. AN ACT Relating to the filing of copies of income returns, and for other purposes---April 10, 1936-- 1199

Bridges, Massachusetts. AN ACT Granting the consent of Congress to the Department of Public Works of the Commonwealth of Massachusetts for the construction, maintenance, and operation of certain free highway bridges to replace bridges destroyed by flood in the Commonwealth of Massachusetts---April 10, 1936-- 1199

International Exposition of Paris, etc. JOINT RESOLUTION Accepting the invitation of the Government of France to the United States to participate in the International Exposition of Paris—Art and Technique in Modern Life, to be held at Paris, France, in 1937---April 10, 1936-- 1200

National rifle and pistol matches. AN ACT To amend section 2 of the Act entitled "An Act to amend the National Defense Act", approved May 28, 1928---April 11, 1936-- 1202

Bridge, Saint Lawrence River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Saint Lawrence River at or near Ogdensburg, New York---April 11, 1936-- 1202

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Oakland, Calif., public building. AN ACT To amend the Act entitled "An Act to provide for the construction of certain public buildings, and for other purposes", approved May 25, 1926 ---- April 11, 1936 -- 1202

Bankruptcy Act of 1898, amendment. AN ACT To amend section 80 of chapter 9 of an Act to amend the Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898 ---- April 11, 1936 -- 1203

Panama Canal, measurement of vessels. AN ACT To provide for the measurement of vessels using the Panama Canal, and for other purposes ---- April 13, 1936 -- 1204

Long Island, N. Y., tercentenary. AN ACT To authorize the coinage of 50-cent pieces in commemoration of the three-hundredth anniversary of the founding of the first settlement on Long Island, New York ---- April 13, 1936 -- 1205

Library of Congress Trust Fund Board. AN ACT To amend an Act entitled "An Act to create a Library of Congress Trust Fund Board, and for other purposes", approved March 3, 1925 ---- April 13, 1936 -- 1205

Bequest of Joseph Pennell. JOINT RESOLUTION To authorize the Librarian of Congress to accept the property devised and bequeathed to the United States of America by the last will and testament of Joseph Pennell, deceased ---- April 13, 1936 -- 1206

Reclamation and Indian irrigation projects. AN ACT To create a commission and to extend further relief to water users on United States reclamation projects and on Indian irrigation projects ---- April 14, 1936 -- 1206

Virgin Islands, coastwise laws. AN ACT To amend section 21 of the Act approved June 5, 1920, entitled "An Act to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes", as applied to the Virgin Islands of the United States ---- April 16, 1936 -- 1207

Carriage of Goods by Sea Act. AN ACT Relating to the carriage of goods by sea ---- April 16, 1936 -- 1207

United States district courts, civil suits. AN ACT To amend section 51 of the Judicial Code of the United States (U. S. C., title 28, sec. 112) ---- April 16, 1936 -- 1213

British naval officers, presentation of medals. AN ACT Authorizing the President to present the Distinguished Service Medal to Commander Percy Todd, British Navy, and the Navy Cross to Lieutenant Commander Charles A. deW. Kitcat, British Navy ---- April 17, 1936 -- 1214

Appropriations, Legislative Branch, fiscal year 1937. AN ACT Making appropriations for the Legislative Branch of the Government for the fiscal year ending June 30, 1937, and for other purposes ---- April 17, 1936 -- 1214

Rehabilitation loans, flood relief, etc. AN ACT Relating to the authority of the Reconstruction Finance Corporation to make rehabilitation loans for the repair of damages caused by floods or other catastrophes, and for other purposes -- April 17, 1936 -- 1232

Santa Barbara National Forest, Calif. AN ACT To conserve the water resources and to encourage reforestation of the watersheds of Santa Barbara County, California, by the withdrawal of certain public land, included within the Santa Barbara National Forest, California, from location and entry under the mining laws ---- April 20, 1936 -- 1234

Public lands, homestead settlers. AN ACT Granting a leave of absence to settlers of homestead lands during the year 1936 ---- April 20, 1936 -- 1235

Olympic games in California, 1932. AN ACT To exempt from taxation receipts from the operation of Olympic Games if donated to the State of California, the city of Los Angeles, and the county of Los Angeles ---- April 20, 1936 -- 1236

United States courts, jurors and witnesses. JOINT RESOLUTION To provide an additional appropriation for fees of jurors and witnesses, United States courts, for the fiscal year 1936 ---- April 20, 1936 -- 1236

District of Columbia, airport. AN ACT To establish a commercial airport for the District of Columbia ---- April 21, 1936 -- 1236

Federal Deposit Insurance Corporation. JOINT RESOLUTION Amending paragraph (4) of subsection (n) of section 12B of the Federal Reserve Act, as amended ---- April 21, 1936 -- 1237

Acting Treasurer of the United States. AN ACT To amend section 304 of the Revised Statutes, as amended ---- April 24, 1936 -- 1237

Pensacola, Fla., naval air station. AN ACT To authorize the acquisition of the railroad tracks, trestle, and right-of-way of the Gulf Power Company at the naval air station, Pensacola, Florida ---- April 24, 1936 -- 1238

Public lands, mining claims assessments. AN ACT Providing for the suspension of annual assessment work on mining claims held by location in the United States ---- April 24, 1936 -- 1238

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Indians, Alaska. AN ACT To extend certain provisions of the Act approved June 18, 1934, commonly known as the Wheeler-Howard Act (Public Law Numbered 383, Seventy-third Congress, 48 Stat. 984), to the Territory of Alaska, to provide for the designation of Indian reservations in Alaska, and for other purposes.....May 1, 1936.. 1250

Bridge, Saint Lawrence River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Saint Lawrence River at or near Alexandria Bay, New York.....May 1, 1936.. 1251

Bridge, Waccamaw River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Waccamaw River at or near Conway, South Carolina.....May 1, 1936.. 1251

Bridge, Current River. AN ACT Granting the consent of Congress to the State Highway Commission of Missouri to construct, maintain, and operate a free highway bridge across the Current River at or near Powder Mill Ford on Route Numbered Missouri 106, Shannon County, Missouri.....May 1, 1936.. 1252

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Red and Little Rivers, Ark., flood control. AN ACT To authorize a preliminary examination of the Red and Little Rivers, Arkansas, insofar as Red River affects Little River County, Arkansas, and insofar as Little River affects Little River and Sevier Counties, Arkansas, to determine the feasibility of leveeing Little River and the cost of such improvement, and also the estimated cost of repairing and strengthening the levee on Red River in Little River County, with a view to the controlling of floods ..... May 6, 1936 .. 1261

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War Department, property. AN ACT To authorize the procurement, without advertising, of certain War Department property, and for other purposes ..... May 15, 1936 .. 1277

Sabine and Neches Rivers, flood control. AN ACT To provide for a preliminary examination of the Sabine and Neches Rivers, with a view to controlling their floods and regulating, conserving, and utilizing the waters thereof, and for other purposes ..... May 15, 1936 .. 1277

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Bridgeport, Conn., centenary. AN ACT To authorize the coinage of 50-cent pieces in commemoration of the one-hundredth anniversary of the incorporation of Bridgeport, Connecticut, as a city ..... May 15, 1936.. 1277

New Jersey, release of accountability. AN ACT For the relief of the State of New Jersey ..... May 15, 1936.. 1278

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Landing of the Swedes in Delaware. JOINT RESOLUTION To authorize the coinage of 50-cent pieces in commemoration of the three-hundredth anniversary of the landing of the Swedes in Delaware ..... May 15, 1936.. 1352

Inter-American Conference. JOINT RESOLUTION To provide for participation by the United States in an Inter-American Conference to be held at Buenos Aires, Argentina, or at the capital of another American republic, in 1936 ..... May 15, 1936.. 1353

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New York City, cemetery facilities. AN ACT To authorize the acquisition of land for cemeterial purposes in the vicinity of New York City, New York ..... May 18, 1936.. 1354

War Minerals Relief Act, amendment. AN ACT To amend section 5 of the Act of March 2, 1919, generally known as the "War Minerals Relief Statutes" ..... May 18, 1936.. 1355

Military Medicine and Pharmacy Congress. JOINT RESOLUTION To provide for participation by the United States in the Ninth International Congress of Military Medicine and Pharmacy in Rumania, in 1937; and to authorize and request the President of the United States to invite the International Congress of Military Medicine and Pharmacy to hold its tenth congress in the United States in 1939, and to invite foreign countries to participate in that congress ..... May 18, 1936.. 1355

Great Lakes Exposition. JOINT RESOLUTION Providing for the importation of articles free from tariff or customs duty for the purpose of exhibition at Great Lakes Exposition to be held at Cleveland, Ohio, beginning in June 1936, and for other purposes ..... May 18, 1936.. 1356

Protection of Literary and Artistic Works, etc. JOINT RESOLUTION To authorize an appropriation for the expenses of participation by the United States in a conference at Brussels to revise the Convention for the Protection of Literary and Artistic Works concluded at Bern, September 9, 1886, and revised at Rome, June 2, 1928 ..... May 18, 1936.. 1357

Navy, Marine Corps, and Army, foreign decorations. AN ACT To authorize certain officers of the United States Navy, officers and enlisted men of the Marine Corps, and officers and enlisted men of the United States Army to accept such medals, orders, diplomas, decorations, and photographs as have been tendered them by foreign governments in appreciation of services rendered ..... May 19, 1936.. 1357

Mississippi Southern Judicial District. AN ACT To create an additional division of the United States District Court for the Southern District of Mississippi to be known as the Hattiesburg division ..... May 19, 1936.. 1362

Rural Electrification Act of 1936. AN ACT To provide for rural electrification, and for other purposes ..... May 20, 1936.. 1363

Navigation, rules concerning lights. AN ACT To amend article 3 of the "Rules Concerning Lights, and so forth", contained in the Act entitled "An Act to adopt regulations for preventing collisions upon certain harbors, rivers, and inland waters of the United States", approved June 7, 1897 ..... May 20, 1936.. 1367

Combination fishing and freighting license. AN ACT To amend section 4321, Revised Statutes (U. S. C., title 46, sec. 263), and for other purposes ..... May 20, 1936.. 1367

United Confederate Veterans Reunion, Shreveport, La., Army equipment. AN ACT To authorize the Secretary of War to lend to the Reunion Committee of the United Confederate Veterans three thousand blankets, olive drab, numbered 4, one thousand five hundred canvas cots, to be used at their annual encampment to be held at Shreveport, Louisiana, in June 1936 ..... May 20, 1936.. 1368

Clackamas County, Oreg. AN ACT To convey certain lands to Clackamas County, Oregon, for public-park purposes ..... May 21, 1936.. 1369

Northern Pacific Railroad land grants. AN ACT To supplement the Act of June 25, 1929 (ch. 41, 46 Stat. L. 41), which authorized and directed the Attorney General to institute suit against the Northern Pacific Railway Company and others ..... May 22, 1936.. 1369

Crescent City, Calif., Coast Guard station. AN ACT To provide for the establishment of a Coast Guard station at or near Crescent City, California ..... May 22, 1936.. 1370

Port Washington, Wis., Coast Guard station. AN ACT To provide for the establishment of a Coast Guard station at Port Washington, Wisconsin ..... May 22, 1936.. 1370

Rio Grande, use of waters, etc. AN ACT To amend section 4 of Public Act Numbered 286, Seventy-fourth Congress, approved August 19, 1935, as amended ..... May 22, 1936.. 1370

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"Shenandoah", dirigible. AN ACT Authorizing the erection of a memorial to those who met their death in the wreck of the dirigible Shenandoah ..... May 22, 1936 .. 1371

Buffalo, N. Y. AN ACT To authorize the Secretary of War to grant to the city of Buffalo, New York, the right and privilege to occupy and use for sewage-disposal facilities part of the lands forming the pier and dikes of the Black Rock Harbor improvement at Buffalo, New York ..... May 26, 1936 .. 1371

Virgin Islands, real property tax. AN ACT To establish an assessed valuation real property tax in the Virgin Islands of the United States ..... May 26, 1936 .. 1372

Fort Frederica National Monument, Ga. AN ACT To provide for the establishment of the Fort Frederica National Monument, at Saint Simon Island, Georgia, and for other purposes ..... May 26, 1936 .. 1373

Withholding pay due Government personnel. AN ACT To authorize withholding compensation due Government personnel ..... May 26, 1936 .. 1374

Railway Mail Service. AN ACT To provide for adjusting the compensation of division superintendents, assistant division superintendents, assistant superintendents at large, assistant superintendent in charge of car construction, chief clerks, assistant chief clerks, and clerks in charge of sections in offices of division superintendents in the Railway Mail Service, to correspond to the rates established by the Classification Act of 1923, as amended ..... May 26, 1936 .. 1374

Salem, Mass., customhouse. AN ACT To authorize the transfer of the customhouse at Salem, Massachusetts, from the jurisdiction of the Treasury Department to the Department of the Interior ..... May 26, 1936 .. 1374

Unlisted securities, etc. AN ACT To provide for the continuation of trading in unlisted securities upon national securities exchanges, for the registration of over-the-counter brokers and dealers, for the filing of current information and periodic reports by issuers, and for other purposes ..... May 27, 1936 .. 1375

Bureau of Navigation and Steamboat Inspection. AN ACT To provide for a change in the designation of the Bureau of Navigation and Steamboat Inspection, to create a marine casualty investigation board and increase efficiency in administration of the steamboat inspection laws, and for other purposes ..... May 27, 1936 .. 1380

Hernando De Soto's Expedition Commission. AN ACT Extending the time for making the report of the commission to study the subject of Hernando De Soto's Expedition ..... May 27, 1936 .. 1386

Charleston, S. C. AN ACT Authorizing the Secretary of Commerce to convey the Charleston Army Base Terminal to the city of Charleston, South Carolina .. May 27, 1936 .. 1387

Lynchburg, Va., sesquicentennial. AN ACT To authorize the coinage of 50-cent pieces in commemoration of the one hundred and fiftieth anniversary of the issuance of the charter to the city of Lynchburg, Virginia ..... May 28, 1936 .. 1387

Alaska, municipal corporations. AN ACT To authorize municipal corporations in the Territory of Alaska to incur bonded indebtedness, and for other purposes ..... May 28, 1936 .. 1388

Disabled American Veterans of the World War. AN ACT To grant a renewal of Patent Numbered 59560 relating to the emblem of the Disabled American Veterans of the World War ..... May 28, 1936 .. 1389

The Holy Name Society. AN ACT Granting a renewal of patent numbered 40029, relating to the badge of The Holy Name Society ..... May 28, 1936 .. 1389

National safety and accident prevention. AN ACT To advance a program of national safety and accident prevention ..... May 28, 1936 .. 1389

Veterans of Foreign Wars of the United States. AN ACT To incorporate the Veterans of Foreign Wars of the United States ..... May 28, 1936 .. 1390

Immigration and Naturalization Service, etc. JOINT RESOLUTION Authorizing the erection in the Department of Labor Building of a memorial to the officers of the Immigration and Naturalization Service and Immigration Border Patrol who, while on active duty, lost their lives under heroic or tragic circumstances ..... May 28, 1936 .. 1392

United States Constitution Sesquicentennial Commission. JOINT RESOLUTION To enable the United States Constitution Sesquicentennial Commission to carry out and give effect to certain approved plans, and for other purposes ..... June 1, 1936 .. 1392

Perry's Victory and International Peace Memorial National Monument. AN ACT To provide for the creation of the Perry's Victory and International Peace Memorial National Monument, on Put-in-Bay, South Bass Island, in the State of Ohio, and for other purposes ..... June 2, 1936 .. 1393

Bridge, Pascagoula River. AN ACT Granting the consent of Congress to the Mississippi State Highway Commission to construct, maintain, and operate a free highway bridge across the Pascagoula River at or near Wilkerson's Ferry, Mississippi ..... June 2, 1936 .. 1395

Second Byrd Antarctic Expedition. JOINT RESOLUTION Authorizing the presentation of silver medals to the personnel of the Second Byrd Antarctic Expedition ..... June 2, 1936 .. 1395

Marine Band. AN ACT To authorize the attendance of the Marine Band at the Arkansas Centennial Celebration, at Little Rock, Arkansas, the Texas Centennial at Dallas, Texas, and the National Confederate Reunion, at Shreveport, Louisiana, between the dates from June 6 to June 16, 1936, inclusive ..... June 3, 1936 .. 1395

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Veterans' Administration, checks. AN ACT To protect the United States against loss in the delivery through the mails of checks in payment of benefits provided for by laws administered by the Veterans' Administration---June 3, 1936-- 1396

Thomas Jefferson Memorial Commission. AN ACT To authorize the execution of plans for a permanent memorial to Thomas Jefferson---June 3, 1936-- 1397

Appropriations, Navy Department, etc., fiscal year 1937. AN ACT Making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1937, and for other purposes---June 3, 1936-- 1398

Appropriations, Department of Agriculture, fiscal year 1937. AN ACT Making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1937, and for other purposes---June 4, 1936-- 1421

Indian welfare. AN ACT To amend an Act entitled "An Act authorizing the Secretary of the Interior to arrange with States or Territories for the education, medical attention, relief of distress, and social welfare of Indians, and for other purposes."---June 4, 1936-- 1458

Delaware Indians, Okla. AN ACT To amend the last paragraph, as amended, of the Act entitled "An Act to refer the claims of the Delaware Indians to the Court of Claims, with the right of appeal to the Supreme Court of the United States", approved February 7, 1925---June 4, 1936-- 1459

Indian pueblos in New Mexico. AN ACT To authorize an appropriation to pay non-Indian claimants whose claims have been extinguished under the Act of June 7, 1924, but who have been found entitled to awards under said Act as supplemented by the Act of May 31, 1933---June 4, 1936-- 1459

Postal Service, substitute employees. AN ACT To provide for the appointment of substitute postal employees, and for other purposes---June 4, 1936-- 1460

Rogue River National Forest, Oreg. AN ACT To add certain lands to the Rogue River National Forest in the State of Oregon---June 4, 1936-- 1460

Plant quarantine. AN ACT To amend certain plant-quarantine laws---June 4, 1936-- 1461

Drainage, irrigation, etc., districts, loans. AN ACT To make lands in drainage, irrigation, and conservancy districts eligible for loans by the Federal land banks and other Federal agencies loaning on farm lands, notwithstanding the existence of prior liens of assessments made by such districts, and for other purposes--June 4, 1936-- 1461

Filipinos, emigration. AN ACT To extend the time for applying for and receiving benefits under the Act entitled "An Act to provide means by which certain Filipinos can emigrate from the United States", approved July 10, 1935---June 4, 1936-- 1462

Ammunition storage facilities. AN ACT To authorize an appropriation for improvement of ammunition storage facilities at Aliamanu, Territory of Hawaii, and Edgewood Arsenal, Maryland---June 4, 1936-- 1462

Nueces River, etc., Tex., flood control. AN ACT Providing for the examination of the Nueces River and its tributaries in the State of Texas for flood-control purposes---June 4, 1936-- 1462

Rio Grande canalization project. AN ACT Authorizing construction, operation, and maintenance of Rio Grande canalization project and authorizing appropriation for that purpose---June 4, 1936-- 1463

Agricultural Adjustment Act, correction. AN ACT To correct an error in section 16 (e) (1) of the Agricultural Adjustment Act, as amended, with respect to adjustments in taxes on stocks on hand, in the case of a reduction in processing tax--June 4, 1936-- 1464

Iowa, land for State park. AN ACT Granting to the State of Iowa for State park purposes certain land of the United States in Clayton County, Iowa---June 4, 1936-- 1464

Big Blue River, etc., flood control. AN ACT To authorize a preliminary examination of Big Blue River and its tributaries with a view to the control of their floods---June 4, 1936-- 1471

Lake Champlain Bridge Commission. JOINT RESOLUTION Granting the consent of Congress to the States of New York and Vermont to enter into an agreement amending the agreement between such States consented to by Congress in Public Resolution Numbered 9, Seventieth Congress, relating to the creation of the Lake Champlain Bridge Commission---June 4, 1936-- 1472

International Petroleum Exposition, Tulsa, Okla. JOINT RESOLUTION To permit articles imported from foreign countries for the purpose of exhibition at the International Petroleum Exposition, Tulsa, Oklahoma, to be admitted without payment of tariff, and for other purposes---June 4, 1936-- 1474

Radio facilities. AN ACT Relating to the allocation of radio facilities---June 5, 1936-- 1475

Bankruptcy Act of 1898, amendment. AN ACT To amend the Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended and supplemented---June 5, 1936-- 1475

State of Maine, duplicate check. AN ACT For the relief of the State of Maine--June 5, 1936-- 1476

Bridge, Missouri River. AN ACT To further extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Garrison, North Dakota---June 5, 1936-- 1476

Alabama judicial districts. AN ACT Relating to the jurisdiction of the judge for the northern and middle districts of Alabama---June 5, 1936-- 1476

Bridges, Red River. AN ACT To extend the times for commencing and completing the construction of certain free highway bridges across the Red River, from Moorhead, Minnesota, to Fargo, North Dakota---June 5, 1936-- 1477

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Arizona, Enabling Act, amendment. AN ACT To amend section 28 of the Enabling Act for the State of Arizona, approved June 20, 1910 ---- June 5, 1936 -- 1477

Bridge, Connecticut River. AN ACT Granting the consent of Congress to the Department of Public Works of Massachusetts to construct, maintain, and operate a free highway bridge across the Connecticut River at or near Northampton, Massachusetts ---- June 5, 1936 -- 1478

Philippine Islands, Acting High Commissioner. AN ACT To authorize the President to designate an Acting High Commissioner to the Philippine Islands -- June 5, 1936 -- 1478

Bridge, Savannah River. AN ACT Authorizing the State Highway Board of the State of Georgia to replace, reconstruct, or repair the free highway bridge across the Savannah River at or near the city of Augusta, Georgia ---- June 5, 1936 -- 1479

Limitation of shipowners' liability. AN ACT Relative to limitation of shipowners' liability ---- June 5, 1936 -- 1479

Fort Brady Reservation, Mich. AN ACT Granting authority to the Secretary of War to license the use of a certain parcel of land situated in Fort Brady Reservation to Ira D. MacLachlan Post Numbered 3, the American Legion, for fifteen years ---- June 5, 1936 -- 1481

California, park system. AN ACT To amend Public Law Numbered 425, Seventy-second Congress, providing for the selection of certain lands in the State of California for the use of the California State Park System, approved March 3, 1933 -- June 5, 1936 -- 1482

Pensacola, Fla. AN ACT Extending and continuing to January 12, 1938, the provisions of the Act entitled "An Act authorizing the Secretary of the Interior to determine and confirm by patent in the nature of a deed of quitclaim the title to lots in the city of Pensacola, Florida", approved January 12, 1925 ---- June 5, 1936 -- 1482

Colonial National Monument, Virginia. AN ACT To provide for the addition or additions of certain lands to the Colonial National Monument in the State of Virginia -- June 5, 1936 -- 1483

Virgin Islands, transportation. AN ACT Authorizing the Secretary of the Interior to furnish transportation to persons in the service of the United States in the Virgin Islands, and for other purposes ---- June 5, 1936 -- 1483

Craters of the Moon National Monument, Idaho. AN ACT To eliminate certain lands from the Craters of the Moon National Monument, Idaho ---- June 5, 1936 -- 1484

Fort McHenry, Maryland. AN ACT To amend the Act of March 3, 1925, relating to Fort McHenry ---- June 5, 1936 -- 1484

Federal Bureau of Investigation. AN ACT To fix the compensation of the Director of the Federal Bureau of Investigation ---- June 5, 1936 -- 1484

Bayou Saint John, La. AN ACT Declaring Bayou Saint John, in the city of New Orleans, Louisiana, a nonnavigable stream ---- June 5, 1936 -- 1484

Patrick Henry bicentennial. AN ACT To aid in defraying the expenses for the celebration of the bicentennial of the birth of Patrick Henry to be held at Hanover Courthouse, Virginia, July 15, 16, and 17, 1936 ---- June 5, 1936 -- 1485

Grand Army Encampment. JOINT RESOLUTION To amend the joint resolution of July 18, 1935, relating to the Seventieth National Encampment of the Grand Army of the Republic, to be held in the District of Columbia in September 1936 ---- June 5, 1936 -- 1485

Delaware River Valley tercentenary. JOINT RESOLUTION Authorizing and requesting the President to extend to the Government of Sweden and individuals an invitation to join the Government and people of the United States in the observance of the three-hundredth anniversary of the first permanent settlement in the Delaware River Valley, and for other purposes ---- June 5, 1936 -- 1486

Major General Clarence Ransom Edwards. JOINT RESOLUTION Authorizing the President of the United States to award posthumously a Distinguished Service Medal to Major General Clarence Ransom Edwards ---- June 5, 1936 -- 1487

Vocational education. AN ACT To provide for the further development of vocational education in the several States and Territories ---- June 8, 1936 -- 1488

State compacts for flood, etc., control. JOINT RESOLUTION To enable the States of Maine, New Hampshire, New York, Vermont, Massachusetts, Rhode Island, Connecticut, Pennsylvania, West Virginia, Kentucky, Indiana, Illinois, Tennessee, and Ohio to conserve and regulate the flow of and purify the waters of rivers and streams whose drainage basins lie within two or more of the said States ---- June 8, 1936 -- 1490

New York Southern Judicial District. AN ACT To provide for the appointment of two additional judges for the Southern District of New York ---- June 15, 1936 -- 1491

Commodity Exchange Act. AN ACT To amend the Grain Futures Act to prevent and remove obstructions and burdens upon interstate commerce in grains and other commodities by regulating transactions therein on commodity futures exchanges, to limit or abolish short selling, to curb manipulation, and for other purposes ---- June 15, 1936 -- 1491

The National Yeomen F. AN ACT To incorporate The National Yeomen F -- June 15, 1936 -- 1501

National Guard, etc. AN ACT To make provision for the care and treatment of members of the National Guard, Organized Reserves, Reserve Officers' Training Corps, and Citizens' Military Training Camps who are injured or contract disease while engaged in military training, and for other purposes ---- June 15, 1936 -- 1507

Mississippi River Flood Control Act, amendment. AN ACT To amend the Act entitled "An Act for the control of floods on the Mississippi River and its tributaries and for other purposes", approved May 15, 1928 ---- June 15, 1936 -- 1508

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Angus D. MacLean. AN ACT Limiting the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to counsel in certain cases.....June 15, 1936.. 1513

Coast Guard and Public Health Service. AN ACT To provide for the adjustment and settlement of certain claims for damages resulting from the operation of vessels of the Coast Guard and Public Health Service.....June 15, 1936.. 1514

Fort Bliss, Tex. AN ACT To authorize the Secretary of War to set apart as a national cemetery certain lands of the United States Military Reservation of Fort Bliss, Texas .....June 15, 1936.. 1514

Foreign decorations, etc. AN ACT Authorizing certain officers and enlisted men of the United States Army to accept such medals, orders, diplomas, decorations, and photographs as have been tendered them by foreign governments in appreciation of services rendered.....June 15, 1936.. 1515

Great Plains Forest Experiment Station. AN ACT To amend the Act entitled "An Act to insure adequate supplies of timber and other forest products for the people of the United States, to promote the full use for timber growing and other purposes of forest lands in the United States, including farm wood lots and those abandoned areas not suitable for agricultural production, and to secure the correlation and the most economical conduct of forest research in the Department of Agriculture, through research in reforestation, timber growing, protection, utilization, forest economics and related subjects, and for other purposes", approved May 22, 1928 .....June 15, 1936.. 1515

Hot Springs National Park, Ark. AN ACT To provide for the extension of the boundaries of the Hot Springs National Park in the State of Arkansas, and for other purposes .....June 15, 1936.. 1516

New York World's Fair 1939, Incorporated. JOINT RESOLUTION Authorizing the President to invite foreign countries to participate in the New York World's Fair 1939, Incorporated, in the city of New York during the year 1939.June 15, 1936.. 1516

Charles Carroll of Carrollton bicentenary. JOINT RESOLUTION Making provision for a national celebration of the bicentenary of the birth of Charles Carroll of Carrollton, wealthiest signer of the Declaration of Independence.....June 15, 1936.. 1516

San Francisco Bay Exposition, 1939. JOINT RESOLUTION Authorizing the President to invite foreign countries to participate in the San Francisco Bay Exposition in 1939 at San Francisco, California.....June 15, 1936.. 1518

Shipping Act of 1916, amendment. AN ACT Amending the Shipping Act, 1916, as amended .....June 16, 1936.. 1518

Federal Aid Highway Act of 1916, amendment. AN ACT To amend the Federal Aid Highway Act, approved July 11, 1916, as amended and supplemented, and for other purposes .....June 16, 1936.. 1519

Albany, N. Y. AN ACT To authorize the coinage of 50-cent pieces in commemoration of the two hundred and fiftieth anniversary of the founding of the city of Albany, New York.....June 16, 1936.. 1522

Elgin, Ill. AN ACT To authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the founding of the city of Elgin, Illinois, and the erection of a heroic Pioneer Memorial.....June 16, 1936.. 1523

Pennsylvania Eastern Judicial District. AN ACT Authorizing the appointment of an additional district judge for the eastern district of Pennsylvania.....June 16, 1936.. 1523

Battle of Gettysburg. AN ACT To authorize the coinage of 50-cent pieces in commemoration of the seventy-fifth anniversary of the Battle of Gettysburg.....June 16, 1936.. 1524

Army Air Corps. AN ACT To increase the efficiency of the Air Corps.....June 16, 1936.. 1524

Antitrust Act of 1914, amendment. AN ACT To amend section 2 of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914, as amended (U. S. C., title 15, sec. 13), and for other purposes.....June 19, 1936.. 1526

Jemez and Pecos pueblos, N. Mex. AN ACT To consolidate the Indian pueblos of Jemez and Pecos, New Mexico.....June 19, 1936.. 1528

Patents. AN ACT To effectuate certain provisions of the International Convention for the Protection of Industrial Property as revised at The Hague on November 6, 1925 .....June 19, 1936.. 1529

Bridge, Missouri River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Brownville, Nebraska .....June 19, 1936.. 1529

Bridge, Missouri River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Missouri River between the towns of Decatur, Nebraska, and Onawa, Iowa.....June 19, 1936.. 1530

Bridge, Missouri River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near the cities of South Sioux City, Nebraska, and Sioux City, Iowa.....June 19, 1936.. 1530

Bridge, Mississippi River. AN ACT Granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free or toll highway bridge, or a railway bridge in combination with a free or toll highway bridge, and approaches thereto across the Mississippi River at or near Baton Rouge, Louisiana .....June 19, 1936.. 1530

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Bridge, Mississippi River. AN ACT Authorizing the State of Wisconsin to construct, maintain, and operate a free highway bridge across the Mississippi River at or near La Crosse, La Crosse County, Wisconsin----June 19, 1936-- 1531

Bridge, Delaware River. AN ACT Authorizing the Interstate Bridge Commission of the State of New York and the Commonwealth of Pennsylvania to reconstruct, maintain, and operate a free highway bridge across the Delaware River between points in the village of Barryville, Sullivan County, New York, and the village of Shohola, Pike County, Pennsylvania----June 19, 1936-- 1531

Bridge, Delaware River. AN ACT Authorizing the Interstate Bridge Commission of the State of New York and the Commonwealth of Pennsylvania to reconstruct, maintain, and operate a free highway bridge across the West Branch of the Delaware River between a point in the vicinity of the village of Hancock, Delaware County, New York, and a point in the town of Buckingham, Wayne County, Pennsylvania----June 19, 1936-- 1532

Perishable Agricultural Commodities Act, 1930, amendment. AN ACT To amend the Act known as the "Perishable Agricultural Commodities Act, 1930", approved June 10, 1930, as amended----June 19, 1936-- 1533

Forest exchanges. AN ACT To extend the provisions of the Forest Exchange Act, as amended, to certain lands, so that they may become part of the Umatilla and Whitman National Forests----June 19, 1936-- 1534

Hawaii, land transfer. AN ACT To authorize the transfer of land from the War Department to the Territory of Hawaii----June 19, 1936-- 1535

Bridge, Missouri River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Arrow Rock, Missouri----June 19, 1936-- 1536

Bridge, Missouri River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Miami, Missouri----June 19, 1936-- 1536

Muhlenberg County, Kentucky. AN ACT To authorize the transfer of a certain piece of land in Muhlenberg County, Kentucky, to the State of Kentucky----June 19, 1936-- 1536

Bridge, Savannah River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Savannah River at or near Burtons Ferry, near Sylvania, Georgia----June 19, 1936-- 1537

Bridge, Chesapeake Bay. AN ACT Authorizing the Chesapeake Bay Authority to construct, maintain, and operate a toll bridge across the Chesapeake Bay, from a point in Baltimore County, Maryland, over Hart Island and Miller's Island to a point near Tolchester, Kent County, Maryland----June 19, 1936-- 1537

Bridge, Waccamaw River. AN ACT Granting the consent of Congress to the county of Horry, South Carolina, to construct, maintain, and operate a free highway bridge across the Waccamaw River, at or near Red Bluff, South Carolina----June 19, 1936-- 1538

Transportation of bonded merchandise. JOINT RESOLUTION To authorize the Secretary of the Treasury to permit the transportation of bonded merchandise by other than common carriers under certain conditions----June 19, 1936-- 1538

Sugar beets and sugarcane. JOINT RESOLUTION To modify and extend the Act entitled "An Act to include sugar beets and sugarcane as basic agricultural commodities under the Agricultural Adjustment Act, and for other purposes", approved May 9, 1934, as amended, and for other purposes----June 19, 1936-- 1539

Trade marks. AN ACT To effectuate certain provisions of the International Convention for the Protection of Industrial Property as revised at The Hague on November 6, 1925----June 20, 1936-- 1539

Steam vessels, regulation. AN ACT To amend section 4471 of the Revised Statutes of the United States, as amended----June 20, 1936-- 1540

American Legion Convention, 1936. AN ACT To authorize the Secretary of War to lend War Department equipment for use at the Eighteenth National Convention of the American Legion at Cleveland, Ohio, during the month of September 1936----June 20, 1936-- 1540

District of Columbia, pipe lines. AN ACT To permit construction, maintenance, and use of certain pipe lines for petroleum and petroleum products in the District of Columbia----June 20, 1936-- 1541

Bridges, Alabama. AN ACT To amend section 2 of the Act entitled "An Act granting the consent of Congress to the Alabama State Bridge Corporation to construct, maintain, and operate bridges across the Tennessee, Tombigbee, Warrior, Alabama, and Coosa Rivers, within the State of Alabama", approved May 26, 1928----June 20, 1936-- 1542

Restricted Indians, relief. AN ACT To relieve restricted Indians whose lands have been taxed or have been lost by failure to pay taxes, and for other purposes----June 20, 1936-- 1542

Bridge, Mississippi River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Mississippi River between New Orleans and Gretna, Louisiana----June 20, 1936-- 1542

Crow Indians, Montana. AN ACT To provide for the disposition of tribal funds now on deposit, or later placed to the credit of the Crow Tribe of Indians, Montana, and for other purposes----June 20, 1936-- 1543

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National Union Insurance Company. AN ACT To amend the charter of the National Union Insurance Company of Washington in the District of Columbia ---June 20, 1936-- 1543

Coastwise Load Line Act, 1935, amendment. AN ACT To amend the Coastwise Load Line Act, 1935---June 20, 1936-- 1543

Jicarilla Indian Reservation, N. Mex. AN ACT To reserve certain public-domain lands in New Mexico as an addition to the school reserve of the Jicarilla Indian Reservation---June 20, 1936-- 1544

Inspection of steam vessels. AN ACT To apply laws covering steam vessels to seagoing vessels of three hundred gross tons and over propelled by internal-combustion engines ---June 20, 1936-- 1544

Quarters and subsistence, Army, etc. AN ACT To amend the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1927, and for other purposes", approved April 15, 1926, so as to equalize the allowances for quarters and subsistence of enlisted men of the Army, Navy, and Marine Corps---June 20, 1936-- 1545

Government publications, printing, etc. AN ACT To amend certain Acts relating to public printing and binding and the distribution of public documents and Acts amendatory thereof---June 20, 1936-- 1545

Alaska, agriculture. AN ACT To extend the benefits of the Adams Act, the Purnell Act, and the Capper-Ketcham Act to the Territory of Alaska, and for other purposes ---June 20, 1936-- 1553

National Defense Act, amendment. AN ACT To amend section 4b of the National Defense Act, as amended, relating to certain enlisted men of the Army---June 20, 1936-- 1554

Port of New Orleans, lease. AN ACT To provide for the modification of the contract of lease entered into on June 12, 1922, between the United States and the Board of Commissioners of the Port of New Orleans---June 20, 1936-- 1555

Migratory Bird Treaty Act, amendment. AN ACT To amend the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755), to extend and adapt its provisions to the convention between the United States and the United Mexican States for the protection of migratory birds and game mammals concluded at the city of Mexico February 7, 1936, and for other purposes---June 20, 1936-- 1555

Swiss Confederation, coat of arms. AN ACT To prohibit the commercial use of the coat of arms of the Swiss Confederation pursuant to the obligation of the Government of the United States under article 28 of the Red Cross Convention signed at Geneva July 27, 1929---June 20, 1936-- 1557

Port Newark Army Base. AN ACT To provide for the sale of the Port Newark Army Base to the city of Newark, New Jersey, and for other purposes---June 20, 1936-- 1557

South Carolina judicial districts. AN ACT To amend an Act entitled "An Act to divide the eastern district of South Carolina into four divisions and the western district into five divisions" by adding a new division to the eastern district and providing for terms of said court to be held at Orangeburg, South Carolina---June 20, 1936-- 1558

Blind persons. AN ACT To authorize the operation of stands in Federal buildings by blind persons, to enlarge the economic opportunities of the blind, and for other purposes ---June 20, 1936-- 1559

Georgia Middle Judicial District. AN ACT To amend the Judicial Code to divide the middle district of Georgia into seven divisions by adding a new division to the middle district, and providing for terms of said court to be held at Thomasville, Georgia ---June 20, 1936-- 1561

United States Courts, evidence. AN ACT Relating to the admissibility in evidence of certain writings and records made in the regular course of business---June 20, 1936-- 1561

Kennebec River, Maine, flood control. AN ACT To authorize a preliminary examination of the Kennebec River, Maine, and its tributaries, with a view to the control of their floods---June 20, 1936-- 1564

Six Mile Creek, Ark., flood control. AN ACT To provide for a preliminary examination of Six Mile Creek in Logan County, Arkansas, with a view to flood control and to determine the cost of such improvement---June 20, 1936-- 1565

Allegheny and Susquehanna Rivers, Pa., flood control. AN ACT To authorize a preliminary examination of the tributaries, sources, and headwaters of the Allegheny and Susquehanna Rivers in the State of Pennsylvania, where no examination and survey has heretofore been made, with a view to the control of their floods and the regulation and conservation of their waters---June 20, 1936-- 1565

Pulaski Memorial Day. JOINT RESOLUTION Authorizing the President of the United States of America to proclaim October 11, 1936, General Pulaski's Memorial Day for the observance and commemoration of the death of Brigadier General Casimir Pulaski---June 20, 1936-- 1565

Alcoholic Beverage Control Board, D. C. JOINT RESOLUTION To ratify and confirm the appointment of Isaac Gans as a member of the Alcoholic Beverage Control Board of the District of Columbia---June 20, 1936-- 1566

Agricultural income investigation, etc. JOINT RESOLUTION To amend the joint resolution entitled "Joint resolution authorizing the Federal Trade Commission to make an investigation with respect to agricultural income and the financial and economic condition of agricultural producers generally", approved August 27, 1935 ---June 20, 1936-- 1566

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World's Poultry Congress. JOINT RESOLUTION Authorizing the Secretary of Agriculture to expend funds of the Agricultural Adjustment Administration for participation by the United States in the 1936 Sixth World's Poultry Congress--June 20, 1936-- 1568

District of Columbia, legal holiday. JOINT RESOLUTION To declare December 26, 1936, a legal holiday in the District of Columbia----------June 20, 1936-- 1568

Blackfeet Indian Reservation, Mont. JOINT RESOLUTION Authorizing distribution to the Indians of the Blackfeet Indian Reservation, Montana, of the judgment rendered by the Court of Claims in their favor----------June 20, 1936-- 1568

Fort Belknap Reservation, Mont. JOINT RESOLUTION Authorizing distribution to the Gros Ventre Indians of the Fort Belknap Reservation, Montana, of the judgment rendered by the Court of Claims in their favor----------June 20, 1936-- 1569

Veterans' Administration. JOINT RESOLUTION Authorizing the Veterans' Administration to prepare and publish a compilation of all Federal laws relating to veterans of wars of the United States----------June 20, 1936-- 1569

Flood Control Act of 1936. AN ACT Authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes----------June 22, 1936-- 1570

Appropriations, first deficiency Act, 1936. AN ACT Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1936, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1936, and June 30, 1937, and for other purposes----------June 22, 1936-- 1597

Revenue Act of 1936. AN ACT To provide revenue, equalize taxation, and for other purposes----------June 22, 1936-- 1648

Appropriations, Interior Department, fiscal year 1937. AN ACT Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1937, and for other purposes----------June 22, 1936-- 1757

Indian irrigation projects. AN ACT To authorize the Secretary of the Interior to investigate and adjust irrigation charges on irrigation lands within projects on Indian reservations, and for other purposes----------June 22, 1936-- 1803

Missouri judicial districts. AN ACT To provide for the appointment of additional district judges for the eastern and western districts of Missouri----------June 22, 1936-- 1804

Oklahoma judicial districts. AN ACT To provide for the appointment of one additional district judge for the eastern, northern, and western districts of Oklahoma----------June 22, 1936-- 1804

West Virginia judicial districts. AN ACT To provide for the appointment of an additional district judge for the northern and southern districts of West Virginia----------June 22, 1936-- 1805

Kentucky judicial districts. AN ACT To appoint one additional judge of the District Court of the United States for the Eastern and Western Districts of Kentucky----------June 22, 1936-- 1806

San Juan, etc., Rivers, surplus waters. AN ACT To provide for an examination and survey to determine the best utilization of the surplus waters of the San Juan River and the Animas River and to determine the feasibility and cost of storing such waters and of diverting them to the Rio Chama and Rio Grande----------June 22, 1936-- 1806

Walker River Indian Reservation, Nev. AN ACT To authorize the Secretary of the Interior to reserve certain lands on the public domain in Nevada for addition to the Walker River Indian Reservation----------June 22, 1936-- 1806

Organic Act of the Virgin Islands. AN ACT To provide a civil government for the Virgin Islands of the United States----------June 22, 1936-- 1807

Glacier Bay National Monument, Alaska. AN ACT To permit mining within the Glacier Bay National Monument----------June 22, 1936-- 1817

Public lands, California. AN ACT To withdraw certain public lands from settlement and entry----------June 22, 1936-- 1818

Drainage, irrigation, etc., districts. AN ACT To amend section 36 of the Emergency Farm Mortgage Act of 1933, as amended----------June 22, 1936-- 1818

California, easement in Solano County. AN ACT Authorizing the Secretary of the Navy to convey a right-of-way over certain lands situated in Solano County, California, to the State of California for State highway purposes----------June 22, 1936-- 1819

Frank Wideman. AN ACT Limiting the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to counsel in certain cases----------June 22, 1936-- 1820

Coast Guard jurisdiction. AN ACT To define the jurisdiction of the Coast Guard----------June 22, 1936-- 1820

National Archives. AN ACT To amend section 8 of the Act entitled "An Act to establish a National Archives of the United States Government, and for other purposes", approved June 19, 1934----------June 22, 1936-- 1821

Kentucky Eastern Judicial District. AN ACT To provide an additional place of holding terms of the United States district court in the eastern district of Kentucky, and to amend section 83 of the Judicial Code, as amended----------June 22, 1936-- 1822

San Carlos irrigation project, Ariz. AN ACT To amend certain provisions of the Act of March 7, 1928 (45 Stat. L. 210–212)----------June 22, 1936-- 1822

Lightship numbered 82. AN ACT To provide for the transfer of the surplus decommissioned lightship numbered 82 to United States Ship Constitution Post, Numbered 3339, Veterans of Foreign Wars----------June 22, 1936-- 1823

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Clackamas County, Oreg. AN ACT To convey certain lands to Clackamas County, Oregon, for public-park purposes.....June 22, 1936.. 1823

Inaugural ceremonies, 1937, public order. JOINT RESOLUTION To provide for the maintenance of public order and the protection of life and property in connection with the Presidential inaugural ceremonies in 1937.....June 22, 1936.. 1824

Inaugural ceremonies, 1937, permits. JOINT RESOLUTION Authorizing the granting of permits to the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1937, and for other purposes..June 22, 1936.. 1824

Seventy-fifth Congress, date of meeting. JOINT RESOLUTION Fixing the date of meeting of the Seventy-fifth Congress.....June 22, 1936.. 1826

Chippewa Indians of Minnesota. JOINT RESOLUTION To carry out the intention of Congress with reference to the claims of the Chippewa Indians of Minnesota against the United States.....June 22, 1936.. 1826

House of Representatives, contested election expenses. JOINT RESOLUTION Making appropriations for the payment of expenses incurred in an election contest for a seat in the House of Representatives from the Twentieth Congressional District of the State of New York.....June 22, 1936.. 1827

Appropriations, Treasury and Post Office Departments, fiscal year 1937. AN ACT Making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1937, and for other purposes.....June 23, 1936.. 1827

Appropriations, District of Columbia, fiscal year 1937. AN ACT Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1937, and for other purposes.....June 23, 1936.. 1854

Fort Snelling, Minn. AN ACT To authorize the Secretary of War to set apart as a national cemetery certain lands of the Fort Snelling Military Reservation, Minnesota .....June 23, 1936.. 1888

Federal Bureau of Investigation. AN ACT To extend the retirement privilege to the Director, Assistant Directors, inspectors, and special agents of the Federal Bureau of Investigation.....June 23, 1936.. 1888

Vessels, inflammable, etc., liquid cargo. AN ACT To extend the laws governing inspection of vessels, and for other purposes.....June 23, 1936.. 1889

Puerto Rico, road construction. AN ACT To extend the provisions of certain laws to the island of Puerto Rico.....June 23, 1936.. 1891

Scappoose, Oreg. AN ACT To authorize the purchase by the city of Scappoose, Oregon, of a certain tract of public land revested in the United States under the Act of June 9, 1916 (39 Stat. 218).....June 23, 1936.. 1892

Traffic conditions. AN ACT To authorize the Secretary of Agriculture to investigate and report on traffic conditions, with recommendations for corrective legislation .....June 23, 1936.. 1892

Los Angeles, Calif., public lands. AN ACT Authorizing and directing the Secretary of the Interior to sell to the city of Los Angeles, California, certain public lands in California; and granting rights-of-way over public lands and reserve lands to the city of Los Angeles in Mono County in the State of California.....June 23, 1936.. 1892

Library of Congress Trust Fund Board. AN ACT To amend an Act entitled "An Act to create a Library of Congress Trust Fund Board, and for other purposes", approved March 3, 1925.....June 23, 1936.. 1894

Park, parkway, and recreational area programs. AN ACT To authorize a study of the park, parkway, and recreational-area programs in the United States, and for other purposes.....June 23, 1936.. 1894

"Gold Star Mother's Day." JOINT RESOLUTION Designating the last Sunday in September as "Gold Star Mother's Day", and for other purposes.....June 23, 1936.. 1895

Haym Salomon memorial. JOINT RESOLUTION Authorizing the erection of a memorial to the late Haym Salomon.....June 23, 1936.. 1895

George Washington, writings of. JOINT RESOLUTION Amending section 5 of Public Resolution Numbered 6, Seventy-fourth Congress, approved March 4, 1935 .....June 23, 1936.. 1896

Division of Territories, etc., Interior Department. JOINT RESOLUTION To provide certain administrative expenses for the Division of Territories, and Island Possessions, Department of Interior, and for other purposes.....June 23, 1936.. 1896

American Embassy drafts. AN ACT To provide for interest payments on American Embassy drafts.....June 24, 1936.. 1896

Bridgeport Irrigation District. AN ACT For the relief of the Bridgeport Irrigation District .....June 24, 1936.. 1897

District of Columbia, trust companies. AN ACT To amend section 641 of the Code of Law for the District of Columbia.....June 24, 1936.. 1898

North Carolina Middle Judicial District. AN ACT To provide for a term of court at Durham, North Carolina.....June 24, 1936.. 1898

Peanuts. AN ACT To provide for the collection and publication of statistics of peanuts by the Department of Agriculture.....June 24, 1936.. 1898

Interstate transportation of strike breakers, etc. AN ACT Making it a felony to transport in interstate or foreign commerce persons to be employed to obstruct or interfere with the right of peaceful picketing during labor controversies.....June 24, 1936.. 1899

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National Defense Act, amendment. AN ACT To amend the Act of June 6, 1924, entitled "An Act to amend in certain particulars the National Defense Act of June 3, 1916, as amended, and for other purposes"---June 24, 1936-- 1900

Nevada, issue of duplicate check. AN ACT For the relief of the State of Nevada---June 24, 1936-- 1900

District of Columbia, reckless driving. AN ACT To amend the Act approved February 27, 1931, known as the District of Columbia Traffic Act---June 24, 1936-- 1901

Alameda, Calif., naval air station. AN ACT To authorize the acquisition of lands in the city of Alameda, county of Alameda, State of California, as a site for a naval air station and to authorize the construction and installation of a naval air station thereon---June 24, 1936-- 1901

National Defense Act, amendment. AN ACT To amend the National Defense Act relating to the Medical Administrative Corps---June 24, 1936-- 1902

Fort Moultrie, S. C. AN ACT Authorizing and directing the Secretary of War to lease land on the Fort Moultrie (South Carolina) Military Reservation to the owners of certain cottages thereon---June 24, 1936-- 1903

United States courts, third circuit. AN ACT Authorizing the appointment of an additional circuit judge for the third circuit---June 24, 1936-- 1903

Canal Zone Code, amendments. AN ACT To amend the Canal Zone Code---June 24, 1936-- 1903

Army Air Corps. AN ACT To provide more effectively for the national defense by further increasing the effectiveness and efficiency of the Air Corps of the Army of the United States---June 24, 1936-- 1907

Orland reclamation project, Calif. AN ACT For the relief of the Orland reclamation project, California---June 24, 1936-- 1907

United States Court for China, jurisdiction. AN ACT To extend the jurisdiction of the United States Court for China to offenses committed on the high seas---June 24, 1936-- 1909

Pensions. AN ACT To increase the pension to certain veterans of the Regular Establishment on the rolls March 19, 1933---June 24, 1936-- 1910

North Carolina Eastern Judicial District. AN ACT To amend the Act entitled "An Act to provide for the times and places for holding court for the eastern district of North Carolina", approved May 10, 1928, as amended (U. S. C., 1934 edition, title 28, sec. 179; U. S. C., Supp. I, title 28, sec. 179)---June 24, 1936-- 1910

Roanoke Island, N. C. AN ACT To authorize the coinage of 50-cent pieces in commemoration of the three hundred and fiftieth anniversary of Sir Walter Raleigh's colony on Roanoke Island, North Carolina, known in history as the Lost Colony, and the birth of Virginia Dare, the first child of English parentage to be born on the American continent---June 24, 1936-- 1911

Grand Haven Lighthouse Reservation, Mich. AN ACT To amend the Act of Congress approved May 27, 1935 (Public, Numbered 73, Seventy-fourth Congress), authorizing the Secretary of Commerce to convey to the city of Grand Haven, Michigan, certain portions of the Grand Haven Lighthouse Reservation, Michigan---June 24, 1936-- 1911

Federal land banks, etc. AN ACT To amend the Federal Farm Loan Act and the Farm Credit Act of 1935, and for other purposes---June 24, 1936-- 1912

Grasshoppers. JOINT RESOLUTION To enable the Secretary of Agriculture to apply such methods of control of grasshoppers as in his judgment may be necessary---June 24, 1936-- 1912

Pocatello, Idaho. JOINT RESOLUTION Providing for the establishment of a game management supply depot and laboratory, and for other purposes---June 24, 1936-- 1913

San Francisco, Calif., causeway, etc. JOINT RESOLUTION Granting the consent of Congress to the city and county of San Francisco to construct a causeway and highways on Yerba Buena Island in San Francisco Bay, and for other purposes--June 24, 1936-- 1913

Agricultural implements and machinery. JOINT RESOLUTION To investigate corporations engaged in the manufacture, sale, or distribution of agricultural implements and machinery---June 24, 1936-- 1914

Soil Conservation and Domestic Allotment Act, amendment. JOINT RESOLUTION Amending section 11 of the Soil Conservation and Domestic Allotment Act--June 24, 1936-- 1915

Battle of Antietam. JOINT RESOLUTION To provide for the participation of the United States in the commemoration of the seventy-fifth anniversary of the Battle of Antietam---June 24, 1936-- 1916

Battle of Gettysburg. JOINT RESOLUTION For the establishment of a commission in commemoration of the seventy-fifth anniversary of the Battle of Gettysburg in 1938---June 24, 1936-- 1916

Citizenship. AN ACT To repatriate native-born women who have heretofore lost their citizenship by marriage to an alien, and for other purposes---June 25, 1936-- 1917

District of Columbia, boiler inspection. AN ACT To provide for the inspection, control, and regulation of steam boilers and unfired pressure vessels in the District of Columbia---June 25, 1936-- 1917

Port of New York Authority. AN ACT To provide for the entry under bond of exhibits of arts, sciences, and industries, and products of the soil, mine, and sea, and all other exhibits for exposition purposes---June 25, 1936-- 1920

District of Columbia, Supreme Court. AN ACT To amend an Act of Congress approved March 3, 1863, entitled "An Act to reorganize the courts in the District of Columbia, and for other purposes"---June 25, 1936-- 1921

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Maryland-National Capital Park and Planning Commission. AN ACT Authorizing the Secretary of Agriculture to convey certain lands to the Maryland-National Capital Park and Planning Commission, of Maryland, for park, parkway, and playground purposes----June 25, 1936-- 1921

Range Livestock Experiment Station, Mont. AN ACT To authorize the Secretary of Agriculture to extend and renew for the term of ten years a lease to the Chicago, Milwaukee and Saint Paul Railway Company of a tract of land in the United States Department of Agriculture Range Livestock Experiment Station, in the State of Montana, and for a right-of-way to said tract, for the removal of gravel and ballast material, executed under the authority of the Act of Congress approved June 9, 1926 ----June 25, 1936-- 1922

Ice patrol in North Atlantic Ocean. AN ACT To promote safety at sea in the neighborhood of ice and derelicts, and for other purposes----June 25, 1936-- 1922

Coast Guard. AN ACT To amend an Act entitled "An Act to distribute the commissioned line and engineer officers of the Coast Guard in grades, and for other purposes", approved January 12, 1923----June 25, 1936-- 1924

Lawrence County, Ala. AN ACT To quiet title and possession with respect to certain lands in Lawrence County, Alabama----June 25, 1936-- 1924

Agricultural Adjustment Act, contracts. AN ACT To authorize the Secretary of Agriculture to make such adjustments and revisions found to be due on contracts entered into by the Government with crop producers under the Agricultural Adjustment Act----June 25, 1936-- 1925

Naturalization, residence requirements. AN ACT To amend the naturalization laws in respect of residence requirements, and for other purposes----June 25, 1936-- 1925

Naval construction under treaty categories. AN ACT To amend section 3 (b) of an Act entitled "An Act to establish the composition of the United States Navy with respect to the categories of vessels limited by the treaties signed at Washington, February 6, 1922, and at London, April 22, 1930, at the limits prescribed by those treaties; to authorize the construction of certain naval vessels; and for other purposes", approved March 27, 1934----June 25, 1936-- 1926

Shreveport, La., centennial. AN ACT To authorize the striking of an appropriate medal in commemoration of the one hundredth anniversary of the founding of the city of Shreveport, Louisiana, and the opening of the Red River of the West to navigation----June 25, 1936-- 1927

Indian trust funds. AN ACT To modify section 20 of the Permanent Appropriation Repeal Act, 1934, with reference to individual Indian money----June 25, 1936-- 1928

Liquor Enforcement Act of 1936. AN ACT To enforce the twenty-first amendment ----June 25, 1936-- 1928

Merchant marine, crews, etc. AN ACT To amend section 13 of the Act of March 4, 1915, entitled "An Act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea"; to maintain discipline on shipboard; and for other purposes ----June 25, 1936-- 1930

Minnesota, public lands. AN ACT To authorize the sale and conveyance by the Department of the Interior to the State of Minnesota of the southwest quarter northwest quarter section 3, township 159 north, range 35 west, fifth principal meridian, in the State of Minnesota----June 25, 1936-- 1937

Lackawanna River, Pa., flood control. AN ACT To authorize a preliminary examination of the Lackawanna River with a view to the control of its flood----June 25, 1936-- 1937

Penobscot River, Maine, flood control. AN ACT To authorize a preliminary examination of the Penobscot River, Maine, and its tributaries, with a view to the control of their floods----June 25, 1936-- 1937

Androscoggin River, flood control. AN ACT To authorize a preliminary examination of the Androscoggin River, in Maine and New Hampshire, and its tributaries, with a view to the control of their floods----June 25, 1936-- 1938

Big Sandy River, Levisa Fork, flood control. AN ACT Authorizing a preliminary examination of the Levisa Fork of Big Sandy River in the vicinity of the Breaks of Sandy ----June 25, 1936-- 1938

Federal projects, etc. AN ACT To provide more adequate protection to workmen and laborers on projects, buildings, constructions, improvements, and property wherever situated, belonging to the United States of America, by granting to the several States jurisdiction and authority to apply their State workmen's compensation laws on all property and premises belonging to the United States of America ----June 25, 1936-- 1938

Liquor Tax Administration Act. AN ACT To insure the collection of the revenue on distilled spirits, wines, and malt liquors, to provide for the more efficient and economical administration and enforcement of the laws relating to the taxation of distilled spirits, wines, and malt liquors, to amend the Federal Alcohol Administration Act, and for other purposes----June 26, 1936-- 1939

Indians of Oklahoma, lands. AN ACT To promote the general welfare of the Indians of the State of Oklahoma, and for other purposes----June 26, 1936-- 1967

Independent Offices Appropriation Act, 1935, amendment. AN ACT To amend section 23 of the Independent Offices Appropriation Act, 1935----June 26, 1936-- 1969

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Bankruptcy Act, 1898, amendment. AN ACT To amend an Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto---June 26, 1936-- 1969

Oregon, public lands. AN ACT To provide for the sale of a certain isolated tract of the public domain in the State of Oregon---June 26, 1936-- 1972

San Francisco-Oakland Bay Bridge. AN ACT To authorize the coinage of 50-cent pieces in celebration of the opening of the San Francisco-Oakland Bay Bridge---June 26, 1936-- 1972

General Land Office. AN ACT Authorizing the payment of certain salaries and expenses of employees of the General Land Office---June 26, 1936-- 1973

York County, Maine, tercentenary. AN ACT To authorize the coinage of 50-cent pieces in commemoration of the three-hundredth anniversary of the founding of York County, Maine---June 26, 1936-- 1973

Norfolk, Va. AN ACT To authorize the striking of an appropriate medal in commemoration of the three-hundredth anniversary of the original Norfolk (Virginia) land grant and the two-hundredth anniversary of the establishment of the city of Norfolk, Virginia, as a borough---June 26, 1936-- 1974

National Defense Act, amendment. AN ACT To provide a commissioned strength for the Corps of Engineers, United States Army, for the efficient performance of military and other statutory duties assigned to that corps---June 26, 1936-- 1974

Battle of Eutaw Springs, S. C. AN ACT To provide for the commemoration of the Battle of Eutaw Springs, in the State of South Carolina---June 26, 1936-- 1975

Clear Lake Watershed, Calif. AN ACT To provide for an investigation to determine whether the water rights of the United States have been violated in the Clear Lake Watershed, California, and for other purposes---June 26, 1936-- 1975

Overgrazing and soil deterioration. AN ACT To amend the Act entitled "An Act to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes", approved June 28, 1934 (48 Stat. 1269)---June 26, 1936-- 1976

Hot Springs, Ark. AN ACT Increasing the penalty for making false oaths for the purpose of bathing at the Government free bathhouse at Hot Springs, Arkansas---June 26, 1936-- 1979

Fort Pulaski National Monument, Ga. AN ACT To extend the boundaries of the Fort Pulaski National Monument, Georgia, and for other purposes---June 26, 1936-- 1979

Whitman centennial. AN ACT To authorize the striking of an appropriate medal in commemoration of the one-hundredth anniversary of the arrival of Marcus and Narcissa Whitman in the Walla Walla Valley, Washington, and the founding of the Waiilatpu Mission---June 26, 1936-- 1980

Arkansas centennial. AN ACT Providing for a change in the design of the 50-cent pieces authorized to be coined in commemoration of the one-hundredth anniversary of the admission of the State of Arkansas into the Union---June 26, 1936-- 1981

Intracoastal Waterway, Fla., flood control. AN ACT Authorizing a preliminary examination of the Intracoastal Waterway throughout Broward County, Florida---June 26, 1936-- 1981

Adjusted Compensation Payment Act, 1936, amendment. AN ACT To eliminate unnecessary expense in the administration of estates of deceased and incompetent veterans, and for other purposes---June 26, 1936-- 1982

Beaches, improvements, etc. AN ACT For the improvement and protection of the beaches along the shores of the United States---June 26, 1936-- 1982

Cooperative marketing associations. JOINT RESOLUTION To provide for an inquiry by the Court of Claims with respect to losses sustained by cooperative marketing associations in connection with stabilization activities in grain---June 26, 1936-- 1983

Indians, attorneys. JOINT RESOLUTION To define the term of certain contracts with Indian tribes---June 26, 1936-- 1984

Settlement of War Claims Act, amendment. JOINT RESOLUTION Extending for two years the time within which American claimants may make application for payment, under the Settlement of War Claims Act of 1928, of awards of the Mixed Claims Commission and the Tripartite Claims Commission, and extending until March 10, 1938, the time within which Hungarian claimants may make application for payment, under the Settlement of War Claims Act of 1928, of awards of the War Claims Arbiter---June 26, 1936-- 1984

Merchant Marine Act, 1936. AN ACT To further the development and maintenance of an adequate and well-balanced American merchant marine, to promote the commerce of the United States, to aid in the national defense, to repeal certain former legislation, and for other purposes---June 29, 1936-- 1985

Alaska Railroad, employees. AN ACT For the retirement of employees of the Alaska Railroad, Territory of Alaska, who are citizens of the United States---June 29, 1936-- 2017

Public Works Administration, housing and slum-clearance projects. AN ACT To waive any exclusive jurisdiction over premises of Public Works Administration slum-clearance and low-cost housing projects, to authorize payments to States and political subdivisions in lieu of taxes on such premises, and for other purposes---June 29, 1936-- 2025

California, public lands. AN ACT To provide for the selection of certain lands in the State of California for the use of the California State park system---June 29, 1936-- 2026

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California, public lands. AN ACT To provide for the selection of certain lands in the State of California for the use of the California State park system.....June 29, 1936.. 2027

Whitman National Monument, Wash. AN ACT To provide for the establishment of the Whitman National Monument.....June 29, 1936.. 2028

Fort Marion National Monument, Fla. AN ACT To authorize the adjustment of the boundary of the Fort Marion National Monument, Florida, in the vicinity of Fort Marion Circle, and for other purposes.....June 29, 1936.. 2029

Revenue Act of 1932, amendment. AN ACT To amend section 723 (a) of the Revenue Act of 1932, as amended.....June 29, 1936.. 2029

Lake Saint Clair, Mich., Coast Guard station. AN ACT To provide for the establishment of a Coast Guard station on Lake Saint Clair, Michigan.....June 29, 1936.. 2031

World War Veterans. AN ACT To liberalize the provisions of Public Law Numbered 484, Seventy-third Congress, to effect uniform provisions in laws administered by the Veterans' Administration, to extend the Employees' Compensation Act with limitations to certain World War Veterans and other persons, and for other purposes.....June 29, 1936.. 2031

Resettlement or rural-rehabilitation projects. AN ACT To waive any exclusive jurisdiction over premises of resettlement or rural-rehabilitation projects; to authorize payments to States, political subdivisions, and local taxing units in lieu of taxes on such premises; and for other purposes.....June 29, 1936.. 2035

Government contracts. AN ACT To provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes..June 30, 1936.. 2036

War Minerals Relief Act, amendment. AN ACT To amend section 5 of the Act of March 2, 1919, generally known as the "War Minerals Relief Act".....June 30, 1936.. 2040

Blue Ridge Parkway, Va. and S. C. AN ACT To provide for the administration and maintenance of the Blue Ridge Parkway, in the States of Virginia and North Carolina, by the Secretary of the Interior, and for other purposes.....June 30, 1936.. 2041

Congressional investigations. AN ACT To clarify section 104 of the Revised Statutes (U. S. C., title II, sec. 194).....July 13, 1936.. 2041

PUBLIC LAWS OF THE SEVENTY-FOURTH CONGRESS

OF THE

UNITED STATES OF AMERICA

Passed at the first session, which was begun and held at the city of Washington, in the District of Columbia, on Thursday, the third day of January, 1935, and was adjourned without day on Monday, the twenty-sixth day of August, 1935.

FRANKLIN D. ROOSEVELT, President; JOHN N. GARNER, Vice President; KEY PITTMAN, President of the Senate *pro tempore;* JOSEPH W. BYRNS, Speaker of the House of Representatives.

[CHAPTER 1.]

JOINT RESOLUTION

To clarify the definition of disagreement in section 19, World War Veterans' Act, 1924, as amended.

January 28, 1935.
[H. J. Res. 112.]
[Pub. Res., No. 1.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That a denial of a claim for insurance by the Administrator of Veterans' Affairs or any employee or agency of the Veterans' Administration heretofore or hereafter designated therefor by the Administrator shall constitute a disagreement for the purposes of section 19 of the World War Veterans' Act, 1924, as amended (U. S. C., Supp. VII, title 38, sec. 445). This resolution is made effective as of July 3, 1930, and shall apply to all suits now pending against the United States under the provisions of section 19 of the World War Veterans' Act, 1924, as amended, and any suit which has been dismissed solely on the ground that a denial as described in this resolution did not constitute a disagreement as defined by section 19 may be reinstated within three months from the date of enactment of this resolution.

World War Veterans' Act, amended.
Denial of an insurance claim to constitute a disagreement.
Vol. 43, pp. 612, 1302; Vol. 45, p. 964; Vol. 46, p. 992.
U. S. C., p. 1662; Supp. I, p. 229.

Reinstatement of suits.

Approved, January 28, 1935.

[CHAPTER 2.]

AN ACT

To extend the functions of the Reconstruction Finance Corporation for two years, and for other purposes.

January 31, 1935.
[S. 1175.]
[Public, No. 1.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That until February 1, 1937, or such earlier date as the President may fix by proclamation, the Reconstruction Finance Corporation is hereby authorized to continue to perform all functions which it is authorized to perform under law, and the liquidation and winding up of its affairs as provided for by section 13 of the Reconstruction Finance Corporation Act, as amended, are hereby postponed during the period that the functions of the Corporation are continued pursuant to this Act: *Provided*, That no officer or employee of the Reconstruction Finance Corporation shall receive salary at a rate in excess of $10,000 per annum, except that in the case of any position the salary of which at the date of the enactment of this Act is at the rate of $12,500 per annum such salary may continue at such rate.

Reconstruction Finance Corporation.
Authority to function continued.
Vol. 47, p. 5; Vol. 48, p. 318.

Vol. 47, p. 10; U. S. C., p. 580.

Proviso.
Salaries, officers and employees.

Vol. 48, pp. 1108, 1110. *Post*, p. 4.

SEC. 2. (a) Except as provided in section 5d of the Reconstruction Finance Corporation Act, as amended by section 10 hereof, and in section 9 of an Act entitled "An Act relating to direct loans for industrial purposes by Federal Reserve banks, and for other purposes", approved June 19, 1934, no funds shall be disbursed on any commitment or agreement hereafter made by the Reconstruction Finance Corporation to make a loan or advance, subscribe for stock, or purchase capital notes or debentures, after the expiration of one year from the date of such commitment or agreement; but within the period of such one year limitation no provision of law terminating any of the functions of the Reconstruction Finance Corporation shall be construed to prohibit disbursement of funds on commitments or agreements to make loans or advances, subscribe for preferred stock, or purchase capital notes or debentures.

Restriction on disbursement of funds; commitments hereafter made.

(b) Notwithstanding any other provision of law, disbursement may be made at any time prior to January 31, 1936, on any commitment or agreement heretofore made by the Corporation to make a loan or advance, subscribe for preferred stock, or purchase capital notes or debentures.

Commitments heretofore made.

SEC. 3. Notwithstanding any other provision of law limiting the maturity of obligations taken by it to shorter periods, the Reconstruction Finance Corporation may make loans or advances or renewals or extensions thereof to authorized borrowers or by other suitable agreement permit them to run so as to mature at such time or times as the Corporation may determine, not later than January 31, 1945: *Provided*, That in respect of loans or renewals or extensions of loans or purchases of obligations under section 5 of the Reconstruction Finance Corporation Act, as heretofore and herein amended (U. S. C., Supp. VII, title 15, ch. 14), to or of railroads, the Corporation may require as a condition of making any such loan or renewal or extension for a period longer than five years, or purchasing any such obligation maturing later than five years from the date of purchase by the Corporation, that such arrangements be made for the reduction or amortization of the indebtedness of the railroad, either in whole or in part, as may be approved by the Corporation after the prior approval of the Interstate Commerce Commission.

Loans; periods of.

Renewals or extensions.

Final maturity date.

Proviso.
Railroad loans, etc.
Vol. 47, pp. 6, 714.
U. S. C., p. 573.

Amortization provision.

Vol. 47, p. 6; U. S. C., p. 573.

SEC. 4. (a) Section 5 of the Reconstruction Finance Corporation Act, as amended (U. S. C., Supp. VII, title 15, ch. 14), is further amended by striking out all of the third sentence of the third paragraph thereof through the first colon and inserting in lieu thereof the following: "Within the foregoing limitations of this section, the Corporation, notwithstanding any limitation of law as to maturity, with the approval of the Interstate Commerce Commission, including approval of the price to be paid, may, to aid in the financing, reorganization, consolidation, maintenance, or construction thereof, purchase for itself, or for account of a railroad obligated thereon, the obligations of railroads engaged in interstate commerce, including equipment trust certificates, or guarantee the payment of the principal of, and/or interest on, such obligations, including equipment trust certificates, or, when, in the opinion of the Corporation, funds are not available on reasonable terms through private channels, make loans, upon full and adequate security, to such railroads or to receivers or trustees thereof for the purposes aforesaid: *Provided*, That in the case of loans to or the purchase or guarantee of obligations, including equipment trust certificates, of railroads not in receivership or trusteeship, the Interstate Commerce Commission shall, in connection with its approval thereof, also certify that such railroad, on the basis of present and prospective earnings, may reason-

Obligations of railroads engaged in interstate commerce.

Purchase or guarantee by Corporation.

Loans authorized.

Provisos.
Certificate required.

ably be expected to meet its fixed charges, without a reduction thereof through judicial reorganization, except that such certificate shall not be required in case of such loans made for the maintenance of, or purchase of equipment for, such railroads: *And provided further*, That for the purpose of determining the general funds of the Corporation available for further loans or commitments, such guaranties shall, to the extent of the principal amount of the obligations guaranteed, be interpreted as loans or commitments for loans: *Provided further*, That the total amount of loans and commitments to railroads, receivers, and trustees, and purchases and guaranties of obligations of railroads, under this paragraph, as amended, shall not exceed at any one time $350,000,000, in addition to loans and commitments made prior to the date of enactment of this Act and renewals of loans and commitments so made:"

Guaranties to be interpreted as loans.

Aggregate amount of loans.

(b) Section 5 of the Reconstruction Finance Corporation Act, as amended (U. S. C., Supp. VII, title 15, ch. 14), is further amended by striking out at the end of the third paragraph thereof the colon and the following: "*Provided further*, That the Corporation may make said loans to trustees of railroads which proceed to reorganize under section 77 of the Bankruptcy Act of March 3, 1933", and inserting in lieu thereof a period.

Railroad reorganization.
Provision repealed.
Vol. 48, p. 121; U. S. C., p. 573.

SEC. 5. The Reconstruction Finance Corporation Act, as amended (U. S. C., Supp. VII, title 15, ch. 14), is further amended by inserting after section 5b thereof the following new section:

Vol. 48, p. 1109.

"SEC. 5c. To assist in the reestablishment of a normal mortgage market, the Reconstruction Finance Corporation may, with the approval of the President, subscribe for or make loans upon the nonassessable stock of any class of any national mortgage association organized under Title III of the National Housing Act and of any mortgage loan company, trust company, savings and loan association, or other similar financial institution, now or hereafter incorporated under the laws of the United States, or of any State, or of the District of Columbia, the principal business of which institution is that of making loans upon mortgages, deeds of trust, or other instruments conveying, or constituting a lien upon, real estate or any interest therein. In any case in which, under the laws of its incorporation, such financial institution is not permitted to issue nonassessable stock, the Reconstruction Finance Corporation is authorized, for the purposes of this section, to purchase the legally issued capital notes or debentures of such financial institutions. The total face amount of loans outstanding, nonassessable stock subscribed for, and capital notes and debentures purchased and held by the Reconstruction Finance Corporation, under this section, shall not exceed at any one time $100,000,000. Notwithstanding any other provision of law, the Reconstruction Finance Corporation may, under such rules and regulations as it may prescribe (which regulations shall include at least sixty days' notice of any proposed sale to the issuer or maker), sell, at public or private sale, the whole or any part of the stock, capital notes, or debentures acquired by the Corporation pursuant to this section, and the preferred stock, capital notes, or debentures acquired pursuant to any other provision of law. The amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized and empowered to issue and to have outstanding at any one time under existing law is hereby increased by an amount sufficient to carry out the provisions of this section."

Loans to mortgage associations upon nonassessable stock.

Vol. 48, p. 1252.

To other loan companies.

Purchase of capital notes or debentures.

Aggregate amount of loans.

Disposal of securities acquired.

Amount of outstanding obligations increased.

SEC. 6. Section 5e (a) of the Reconstruction Finance Corporation Act, as amended, is amended (1) by inserting in the first sentence thereof after the words "the assets" and before the words "of any

Loans or purchases of assets of closed banks.
Vol. 48, p. 971.

bank", the following: ", or any portion thereof," ; and (2) by inserting in the second sentence thereof after the words "such assets" and before the words "held for the benefit" the following: ", or any portion thereof,".

Commodity Credit Corporation, continuation.

SEC. 7. Notwithstanding any other provision of law, Commodity Credit Corporation, a corporation organized under the laws of the State of Delaware as an agency of the United States pursuant to the Executive order of the President of October 16, 1933, shall continue, until April 1, 1937, or such earlier date as may be fixed by the President by Executive order, to be an agency of the United States.

Investment in capital stock.

During the continuance of such agency, the Secretary of Agriculture and the Governor of the Farm Credit Administration are authorized and directed to continue, for the use and benefit of the United States, the present investment in the capital stock of Commodity Credit Corporation, and the corporation is hereby authorized to use all its assets, including capital and net earnings therefrom, and all moneys which have been or may hereafter be allocated to or borrowed by it, in the exercise of its functions as such agency, including the making of loans on agricultural commodities.

Assets, use of.

Insurance companies. Amount for investments in, increased. Vol. 48, p. 119; U. S. C., p. 576.

SEC. 8. Section 1 of the Act entitled "An Act to authorize the Reconstruction Finance Corporation to subscribe for preferred stock and purchase the capital notes of insurance companies, and for other purposes", approved June 10, 1933, as amended (U. S. C., Supp. VII, title 15, ch. 14, sec. 605e), is amended by striking from the last sentence thereof "$50,000,000" and inserting in lieu thereof "$75,000,000".

Export-Import Banks. Continuation as United States agencies.

SEC. 9. Notwithstanding any other provision of law, the Export-Import Bank of Washington, and the Second Export-Import Bank of Washington, District of Columbia, banking corporations organized under the laws of the District of Columbia as agencies of the United States, pursuant to Executive orders of the President, shall continue, until June 16, 1937, or such earlier date as may be fixed by the President by Executive order, to be agencies of the United States, and in addition to existing charter powers, and without limitation as to the total amount of obligations thereto of any borrower, endorser, acceptor, obligor, or guarantor at any time outstanding, said banking corporations are hereby authorized and empowered to discount notes, drafts, bills of exchange, and other evidences of debt for the purpose of aiding in the financing and facilitating exports and imports and the exchange of commodities between the United States and any of its territories and insular possessions and any foreign country or the agencies or nationals thereof, and, with the approval of the Secretary of the Treasury, to borrow money and rediscount notes, drafts, bills of exchange, and other evidences of debt for the purposes aforesaid.

Powers.

Investments.

During the continuance of such agencies, the Secretary of State and the Secretary of Commerce are authorized and directed to continue, for the use and benefit of the United States, the present investment in the capital stock of said banking corporations, and they are hereby authorized to use all of their assets, including capital and net earnings therefrom, except such earnings as may be required from time to time to pay dividends upon their preferred capital stock, and to use all moneys which have been or may hereafter be allocated to or borrowed by them, in the exercise of their functions as such agencies.

Assets, use of.

Industrial, etc., loans. Vol. 48, p. 1108.

SEC. 10. Section 5d of the Reconstruction Finance Corporation Act, as amended (U. S. C., Supp. VII, title 15, ch. 14), is amended (1) by striking out all of the first sentence thereof after the word "industry" and the remainder of the first paragraph, and inserting in lieu thereof the following:

Financing sale of electrical, plumbing, etc., appliances.

", and to any institution, now or hereafter established, financing principally the sale of electrical, plumbing or air conditioning appli-

ances or equipment or other household appliances, both urban and rural. Such loans shall, in the opinion of the board of directors of the Corporation, be so secured as reasonably to assure repayment of the loans, may be made directly, or in cooperation with banks or other lending institutions, or by the purchase of participations, shall mature not later than January 31, 1945, shall be made only when deemed to offer reasonable assurance of continued or increased employment of labor, shall be made only when, in the opinion of the board of directors of the Corporation, the borrower is solvent, shall not exceed $300,000,000 in aggregate amount at any one time outstanding, and shall be subject to such terms, conditions, and restrictions as the board of directors of the Corporation may determine.";

Security.

Conditions.

and (2) by striking out from the second paragraph thereof the figures "1935" wherever they appear herein, and inserting in lieu thereof the figures "1937".

Loan-making power extended to 1937. Vol. 48, p. 1109.

SEC. 11. In all cases where the Reconstruction Finance Corporation shall hold any bonds or other evidences of indebtedness of any borrower under section 201 (a) of the Emergency Relief and Construction Act of 1932, whether heretofore or hereafter acquired, and such borrower shall be able and willing to substitute or cause to be substituted therefor any other bonds or other evidences of indebtedness, whether of the same or longer maturities or otherwise differing, which, in the judgment of said Reconstruction Finance Corporation, are more desirable than those so held, the said Reconstruction Finance Corporation is authorized to accept such bonds or other evidences of indebtedness, in exchange and substitution for such bonds or other evidences of indebtedness so held by it, upon such terms and conditions as may be agreed upon with such borrower at the time of, or in contemplation of, such exchange and substitution.

Emergency Relief and Construction Act. Vol. 47, p. 711.
Substitution of bonds.

Terms and conditions.

SEC. 12. Section 14 of an Act entitled "An Act relating to direct loans for industrial purposes by Federal Reserve banks, and for other purposes", approved June 19, 1934 (Public, Numbered 417, Seventy-third Congress), is amended to read as follows:

Vol. 48, p. 1112.

"SEC. 14. The Reconstruction Finance Corporation is authorized and empowered to make loans upon sufficient security to recognized and established corporations, individuals, and partnerships engaged in the business of mining, milling, or smelting ores. The Reconstruction Finance Corporation is authorized and empowered also to make loans to corporations, individuals, and partnerships engaged in the development of a quartz ledge, or vein, or other ore body, or placer deposit, containing gold, silver, or tin, or gold and silver, when, in the opinion of the Reconstruction Finance Corporation, there is sufficient reason to believe that, through the use of such loan in the development of a lode, ledge, or vein, or mineral deposit, or placer gravel deposit, there will be developed a sufficient quantity of ore, or placer deposits of a sufficient value to pay a profit upon mining operations: *Provided*, That not to exceed $20,000 shall be loaned to any corporation, individual, or partnership, for such development purposes: *Provided further*, That there shall not be allocated or made available for such development loans a sum in excess of $10,000,000."

Loans to milling and smelting industries. Security.

Developing ore, etc., bodies.

Provisos. Maximum loan.

Aggregate amount.

SEC. 13. Notwithstanding any other provision of law, the Reconstruction Finance Corporation is authorized and empowered to use as general funds all receipts arising from the sale or retirement of any of the stock, notes, bonds, or other securities acquired by it pursuant to any provision of law.

Use as general funds, sale receipts, etc.

Approved, January 31, 1935.

[CHAPTER 3.]

AN ACT

February 2, 1935.
[H. R. 3410.]
[Public, No. 2.]

Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1936, and for other purposes.

Independent Offices Appropriation Act, 1936.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1936, namely:

Executive office.

EXECUTIVE OFFICE

COMPENSATION OF THE PRESIDENT AND VICE PRESIDENT

Compensation.

President.

For compensation of the President of the United States, $75,000.

Vice President.

For compensation of the Vice President of the United States, $15,000.

Office of the President.

OFFICE OF THE PRESIDENT

Salaries.

Salaries: For personal services in the office of the President, including the Secretary to the President, and two assistant secretaries to the President at $9,500 each; $125,884: *Provided*, That employees of the executive departments and other establishments of the executive branch of the Government may be detailed from time to time to the office of the President of the United States for such temporary assistance as may be deemed necessary.

Proviso.
Temporary details.

Contingent expenses.

Contingent expenses: For contingent expenses of the Executive Office, including stationery, record books, telegrams, telephones, books for library, furniture and carpets for offices, automobiles, expenses of garage, including labor, special services, and miscellaneous items, to be expended in the discretion of the President, $50,350, of which $5,000 shall be immediately available.

Printing and binding.

For printing and binding, $2,700.

Traveling, etc., expenses.

Traveling expenses: For traveling and official entertainment expenses of the President of the United States, to be expended in his discretion and accounted for on his certificate solely, $25,000.

Executive Mansion, grounds.

EXECUTIVE MANSION AND GROUNDS

Care, repair, etc.
Post, p. 1600.

For the care, maintenance, repair and alteration, refurnishing, improvement, heating, and lighting, including electric power and fixtures of the Executive Mansion, the Executive Mansion greenhouses, including reconstruction, and the Executive Mansion grounds, and traveling expenses, to be expended as the President may determine, notwithstanding the provisions of any other Act, $143,298, to be immediately available.

Total, Executive Office, $437,232.

Independent Establishments.

INDEPENDENT ESTABLISHMENTS

American Battle Monuments Commission.

AMERICAN BATTLE MONUMENTS COMMISSION

All expenses.
Vol. 42, p. 1509; U. S. C., p. 1613.
Post, p. 1169.

For every expenditure requisite for or incident to the work of the American Battle Monuments Commission authorized by the Act of March 4, 1923 (U. S. C., title 36, secs. 121–133), and by Executive Order Numbered 6614 of February 26, 1934, including the acquisition of land or interest in land in foreign countries for carrying out the purposes of said Act and Executive order without submission to

the Attorney General of the United States under the provisions of section 355 of the Revised Statutes (U. S. C., title 34, sec. 520; title 40, sec. 255); employment of personal services in the District of Columbia and elsewhere; travel expenses; rent of office space in foreign countries; the maintenance, repair, and operation of motor-propelled passenger-carrying vehicles which may be furnished to the Commission by other departments of the Government or acquired by purchase; the purchase of one motor-propelled passenger-carrying vehicle at a cost not exceeding $2,400; printing, binding, engraving, lithographing, photographing, and typewriting, including the publication of information concerning the American activities, battlefields, memorials, and cemeteries in Europe; the purchase of maps, textbooks, newspapers and periodicals, $199,059: *Provided*, That notwithstanding the requirements of existing laws or regulations, and under such terms and conditions as the Commission may in its discretion deem necessary and proper, the Commission may contract for work in Europe and engage by contract or otherwise, the services of architects, firms of architects, and other technical and professional personnel: *Provided further*, That the Commission may purchase supplies and materials without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed $500: *Provided further*, That when traveling on business of the Commission officers of the Army serving as members or as secretary of the Commission may be reimbursed for expenses as provided for civilian members of the Commission: *Provided further*, That the Commission may delegate to its chairman, secretary, or officials in charge of either its Washington or Paris offices, under such terms and conditions as it may prescribe, such of its authority as it may deem necessary and proper.

R. S., sec. 355, p. 60. U. S. C., pp. 1544, 1785.

Services in the District.

Printing and binding.

Provisos.
Technical work abroad.

Minor purchases, etc., without advertising.
R. S., sec. 3709, p. 733. U. S. C., p. 1803.

Travel allowance.

Delegation of authority permitted.

BOARD OF TAX APPEALS

Board of Tax Appeals.

All expenses.
Vol. 43, p. 336; Vol. 44, p. 105; Vol. 45, p. 871; Vol. 47, p. 286.

For every expenditure requisite for and incident to the work of the Board of Tax Appeals as authorized under title IX, section 900, of the Revenue Act of 1924, approved June 2, 1924, as amended by title X of the Revenue Act of 1926, approved February 26, 1926, and title IV of the Revenue Act of 1928, approved May 29, 1928, and title IX of the Revenue Act of 1932, approved June 6, 1932, including personal services and contract stenographic reporting services, rent outside the District of Columbia, traveling expenses, car fare, stationery, furniture, office equipment, purchase and exchange of typewriters, law books and books of reference, periodicals, and all other necessary supplies, $514,000, of which amount not to exceed $477,900 may be expended for personal services in the District of Columbia.

Printing and binding.

For all printing and binding for the Board of Tax Appeals, $26,000.

Total, Board of Tax Appeals, $540,000.

CIVIL SERVICE COMMISSION

Civil Service Commission.

Commissioners and office personnel.
Post, pp. 573, 1111.

For three Commissioners and other personal services in the District of Columbia, including personal services required for examination of Presidential postmasters, and including not to exceed $2,500 for employment of expert examiners not in the Federal service on special subjects for which examiners within the service are not available, and for personal services in the field; for medical examinations; for necessary traveling expenses, including those of examiners acting under the direction of the Commission, and for

expenses of examinations and investigations held elsewhere than at Washington, including not to exceed $1,000 for expenses of attendance at meetings of public officials when specifically directed by the Commission; for furniture and other equipment and repairs thereto; rental of equipment; supplies; advertising; telegraph, telephone, and laundry service; freight and express charges; street-car fares not to exceed $300; stationery; purchase and exchange of law books, books of reference, directories, subscriptions to newspapers and periodicals, not to exceed $1,000; charts; purchase, exchange, maintenance, and repair of motor trucks, motorcycles, and bicycles; garage rent; postage stamps to prepay postage on matter addressed to Postal Union countries; special-delivery stamps; and other like miscellaneous necessary expenses not hereinbefore provided for, $2,020,000: *Provided*, That notwithstanding any provisions of law to the contrary, the Civil Service Commission is authorized to expend during the fiscal year 1936 not to exceed $2,100 of this amount for actuarial services pertaining to the civil service and Canal Zone retirement and disability funds, to be obtained by contract, without obtaining competition, at such rates of compensation as the Commission may determine to be reasonable: *Provided further*, That no details from any executive department or independent establishment in the District of Columbia or elsewhere to the Commission's central office in Washington or to any of its district offices shall be made during the fiscal year ending June 30, 1936, but this shall not affect the making of details for service as members of the boards of examiners outside the immediate offices of the district managers: *Provided further*, That the Civil Service Commission shall have power in case of emergency to transfer or detail any of its employees to or from its office or field force.

Provisos.
Actuarial services.

Details from Departments, etc., in the District forbidden.

Emergency transfers allowed.

Printing and binding.

For all printing and binding for the Civil Service Commission, including all of its bureaus, offices, institutions, and services located in Washington and elsewhere, $75,000.

CIVIL-SERVICE RETIREMENT FUND

Civil-service retirement and disability fund.
Contribution to.

For financing of the liability of the United States, created by the Act entitled "An Act for the retirement of employees in the classified civil service, and for other purposes", approved May 22, 1920, and Acts amendatory thereof (U. S. C., Supp., VII, title 5, sec. 707a), $40,000,000, which amount shall be placed to the credit of the "civil-service retirement and disability fund."

Vol. 41, p. 614; Vol. 46, p. 468.
U. S. C., p. 93.

CANAL ZONE RETIREMENT AND DISABILITY

Canal Zone retirement and disability fund.
Contribution to.

For financing of the liability of the United States, created by the Act entitled "An Act for the retirement of employees of the Panama Canal and the Panama Railroad Company, on the Isthmus of Panama, who are citizens of the United States", approved March 2, 1931, and Acts amendatory thereof (U. S. C., Supp. VII, title 48, sec. 1371n), $500,000, which amount shall be placed to the credit of the "Canal Zone retirement and disability fund."

Vol. 46, p. 1479.
U. S. C., p. 2202.

Total, Civil Service Commission, $42,595,000.

EMPLOYEES' COMPENSATION COMMISSION

Employees' Compensation Commission.

Commissioners, and office personnel.

For three Commissioners and other personal services in the District of Columbia, including not to exceed $1,000 for temporary experts and assistants in the District of Columbia and elsewhere, to be paid at a rate not exceeding $8 per day, and for personal services in the field, for furniture and other equipment and repairs thereto;

law books, books of reference, periodicals; stationery and supplies; traveling expenses; fees and mileage of witnesses; contract stenographic reporting services; rent at the seat of government and elsewhere; and miscellaneous items; $464,000.

Printing and binding.

For all printing and binding for the Employees' Compensation Commission, $5,000.

Employees' compensation fund.
Vol. 39, p. 749.
U. S. C., p. 101.

Employees' compensation fund: For the payment of compensation provided by "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916 (U. S. C., title 5, sec. 785), including medical examinations, traveling and other expenses, and loss of wages payable to employees under sections 21 and 22; all services, appliances, and supplies provided by section 9 as amended, including payments to Army and Navy hospitals; the transportation and burial expenses provided by sections 9 and 11; and advancement of costs for the enforcement of recoveries provided in sections 26 and 27 where necessary, accruing during the fiscal year 1936 or in prior fiscal years, $4,250,000.

Burial, etc., expenses.

Recoveries.

Employees compensation fund, Civil Works.

EMPLOYEES COMPENSATION FUND, CIVIL WORKS

Administrative expenses and compensation payments.

For administrative expenses and payment of compensation in connection with the administration of the benefits for employees of the Civil Works Administration in accordance with the provisions of the Act entitled "An Act making an additional appropriation to carry out the purposes of the Federal Emergency Relief Act of 1933, for continuation of the Civil Works program, and for other purposes", approved February 15, 1934 (48 Stat., p. 352), $2,081,000 of the special fund set up on the books of the Treasury pursuant to the provisions of said Act shall be available for expenditure during the fiscal year 1936.

Vol. 48, pp. 55, 352.

Employees compensation fund, Emergency Conservation Work.

EMPLOYEES COMPENSATION FUND, EMERGENCY CONSERVATION WORK

Administrative expenses and compensation payments.

For administrative expenses and payment of compensation in connection with the administration of the benefits for enrollees of the Civilian Conservation Corps in accordance with the provisions of the Act entitled "Emergency Appropriation Act, fiscal year 1935", approved June 19, 1934 (48 Stat., p. 1057), $1,056,000 of the special fund set up on the books of the Treasury pursuant to the provisions of said Act shall be available for expenditure during the fiscal year 1936.

Vol. 48, p. 1056.

Total, Employees' Compensation Commission, $4,719,000.

Federal Communications Commission.

FEDERAL COMMUNICATIONS COMMISSION

Salaries and expenses.

For seven commissioners, and for all other authorized expenditures of the Federal Communications Commission in performing the duties imposed by the Communications Act of 1934, approved June 19, 1934 (48 Stat., p. 1064), the Ship Act of 1910, approved June 24, 1910, as amended (U. S. C., title 46, secs. 484–487), the International Radiotelegraphic Convention (45 Stat., pt. 2, p. 2760), and Executive Order Numbered 3513, dated July 9, 1921, as amended under date of June 30, 1934, relating to applications for submarine cable licenses, including personal services, contract stenographic reporting services, rental of quarters, newspapers, periodicals, reference books, law books, special counsel fees, supplies and equipment, including purchase and exchange of instruments, which may be purchased without regard to section 3709 of the Revised Statutes

Vol. 48, p. 1064.
Vol. 36, p. 629; U. S. C., p. 2031.

Submarine cable licenses.
Vol. 45, p. 2760.
Post, p. 2391.

Minor purchases.
R. S., sec. 3709, p. 733.
U. S. C., p. 1803.

Maintenance, etc.

(U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed $25, improvement and care of grounds and repairs to buildings, not to exceed $5,000, traveling expenses, including expenses of attendance at meetings which in the discretion of the Commission are necessary for the efficient discharge of its responsibilities, and other necessary expenses, $1,500,000, of which amount not to exceed $1,060,000 may be expended for personal services in the District of Columbia.

Printing and binding.

For all printing and binding for the Federal Communications Commission, $25,000.

Total, Federal Communications Commission, $1,525,000.

Federal Home Loan Bank Board.

FEDERAL HOME LOAN BANK BOARD

Salaries and expenses.

For salaries and expenses of the Federal Home Loan Bank Board, including personal services in the District of Columbia, printing and binding, traveling expenses, rents, furniture and equipment, law books, books of reference, periodicals, newspapers, maps, contract stenographic reporting services, telephone and telegraphic services, and all other necessary expenses of the Board, $264,043: *Provided*, That expenditures from this appropriation shall not exceed the amounts collected and deposited in the Treasury as miscellaneous receipts from assessments upon the Federal Home Loan Banks.

Proviso.
Limitation.
Vol. 47, p. 741; Vol. 48, p. 1229.

Federal Power Commission.

FEDERAL POWER COMMISSION

Expenses.
Vol. 41, p. 1063; Vol. 46, p. 797.
U. S. C., p. 694.
Post, pp. 50, 1111.

For every expenditure requisite for and incident to the work of the Federal Power Commission as authorized by law, including personal services; traveling expenses, including expenses of attendance at meetings which in the discretion of the Commission are necessary for the efficient discharge of its responsibilities; contract stenographic reporting services; reimbursement to governmental agencies of the cost of furnishing motor-driven passenger-carrying vehicle service, and not exceeding $2,000 for law books, books of reference, newspapers, and periodicals; $308,600, of which amount not to exceed $270,000 shall be available for personal services in the District of Columbia: *Provided*, That the Commission may procure supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed $50.

Proviso.
Purchasing supplies.
R. S., sec. 3709, p. 733.
U. S. C., p. 1803.

Printing and binding.

For all printing and binding for the Federal Power Commission, $4,000.

Total, Federal Power Commission, $312,600.

Federal Trade Commission.

FEDERAL TRADE COMMISSION

Commissioners, and other expenses.
Post, pp. 573, 1111.

For five commissioners, and for all other authorized expenditures of the Federal Trade Commission in performing the duties imposed by law or in pursuance of law, including secretary to the Commission and other personal services, contract stenographic reporting services; supplies and equipment, law books, books of reference, periodicals, garage rentals, traveling expenses, including not to exceed $900 for expenses of attendance, when specifically authorized by the Commission, at meetings concerned with the work of the Federal Trade Commission, for newspapers and press clippings not to exceed $400, foreign postage, and witness fees and mileage in accordance with section 9 of the Federal Trade Commission Act; $1,373,309: *Provided*, That the Commission may procure supplies and services with-

Witness fees, etc.
Vol. 38, p. 722; U. S. C., p. 517.

Proviso.
Purchasing supplies.

out regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed $50. R. S., sec. 3709, p. 733. U. S. C., p. 1803.

For all printing and binding for the Federal Trade Commission, $30,000. Printing and binding.

Total, Federal Trade Commission, $1,403,309.

GENERAL ACCOUNTING OFFICE

General Accounting Office.

Salaries: For Comptroller General, Assistant Comptroller General, and other personal services in the District of Columbia and elsewhere, $4,725,660. Comptroller General, Assistant, and office personnel.

Contingent expenses: For traveling expenses, including stenographic reporting service outside of the District of Columbia, not exceeding $2,500, by contract or otherwise; materials, supplies, equipment, and services; rent of buildings and equipment; purchase and exchange of books, law books, books of reference, and periodicals, typewriters, calculating machines, and other office appliances, including their development, repairs, and maintenance, including one motor-propelled passenger-carrying vehicle; and miscellaneous items; $173,940: *Provided*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the General Accounting Office when the aggregate amount involved does not exceed the sum of $50. Contingent expenses. *Post*, p. 1602. *Proviso.* Minor supplies. R. S., sec. 3709, p. 733. U. S. C., p. 1803.

For all printing and binding for the General Accounting Office, including monthly and annual editions of selected decisions of the Comptroller General of the United States, $71,000. Printing and binding. *Post*, p. 1602.

Total, General Accounting Office, $4,970,600.

INTERSTATE COMMERCE COMMISSION

Interstate Commerce Commission.

SALARIES AND EXPENSES

Salaries and expenses.

General administrative expenses: For eleven commissioners, secretary, and for all other authorized expenditures necessary in the execution of laws to regulate commerce, including one chief counsel, one director of finance, and one director of traffic at $10,000 each per annum, field hearings, traveling expenses, and contract stenographic reporting services; $2,796,465, of which amount not to exceed $2,430,000 may be expended for personal services in the District of Columbia, exclusive of special counsel, for which the expenditure shall not exceed $50,000; not exceeding $3,000 for purchase and exchange of necessary books, reports, and periodicals; not exceeding $100 in the open market for the purchase of office furniture similar in class or kind to that listed in the general supply schedule. Commissioners, etc. Services in the District. Books, furniture, etc.

Regulating accounts: To enable the Interstate Commerce Commission to enforce compliance with section 20 and other sections of the Interstate Commerce Act as amended by the Act approved June 29, 1906 (U. S. C., title 49, sec. 20), and as amended by the Transportation Act, 1920 (U. S. C., title 49, sec. 20), including the employment of necessary special accounting agents or examiners, and traveling expenses, $851,976, of which amount not to exceed $170,000 may be expended for personal services in the District of Columbia: *Provided*, That for the portion of the fiscal year 1935 remaining after the date of the approval of this Act the amount which may be expended for personal services in the District of Columbia from the 1935 appropriation for the purposes included in this paragraph shall be at the annual rate of $158,000. Enforcing accounting by railroads. Vol. 34, p. 593; Vol. 36, p. 555; Vol. 41, p. 493. U. S. C., p. 2229. Services in the District. *Proviso.* Amount immediately available.

Safety of employees, etc.
Appliances, etc.
Vol. 27, p. 531; U. S. C., p. 1953.
Accidents, report of.
Vol. 36, p. 350; U. S. C., p. 1957.

Safety of employees: To enable the Interstate Commerce Commission to keep informed regarding and to enforce compliance with Acts to promote the safety of employees and travelers upon railroads; the Act requiring common carriers to make reports of accidents and authorizing investigations thereof; and to enable the Interstate Commerce Commission to investigate and test appliances intended to promote the safety of railway operation, as authorized by the joint resolution approved June 30, 1906 (U. S. C., title 45, sec. 35), and the provision of the Sundry Civil Act approved May 27, 1908 (U. S. C., title 45, secs. 36, 37), to investigate, test experimentally, and report on the use and need of any appliances or systems intended to promote the safety of railway operation, inspectors, and for traveling expenses, $514,195, of which amount not to exceed $90,000 may be expended for personal services in the District of Columbia.

Safety signals.
Vol. 34, p. 838; Vol. 35, p. 324; Vol. 38, p. 212.
U. S. C., p. 1957.

Services in the District.

Safety systems.
Vol. 41, p. 498.
U. S. C., p. 2234.

Signal safety systems: For all authorized expenditures under section 26 of the Interstate Commerce Act as amended by the Transportation Act, 1920 (U. S. C., title 49, sec. 26), with respect to the provision thereof under which carriers by railroad subject to the Act may be required to install automatic train-stop or train-control devices which comply with specifications and requirements prescribed by the Commission, including investigations and tests pertaining to block-signal and train-control systems, as authorized by the joint resolution approved June 30, 1906 (U. S. C., title 45, sec. 35), and including the employment of the necessary engineers, and for traveling expenses, $39,682, of which amount not to exceed $35,000 may be expended for personal services in the District of Columbia.

Automatic train-control devices.
Vol. 34, p. 838.
U. S. C., p. 1957.

Services in the District.

Locomotive inspection.
Vol. 36, p. 913; Vol. 38, p. 1192; Vol. 40, p. 616; Vol. 43, p. 659; Vol. 46, p. 822.
U. S. C., pp. 1955, 1956.

Locomotive inspection: For all authorized expenditures under the provisions of the Act of February 17, 1911, entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto" (U. S. C., title 45, sec. 22), as amended by the Act of March 4, 1915, extending "the same powers and duties with respect to all parts and appurtenances of the locomotives and tender" (U. S. C., title 45, sec. 30), and amendment of June 7, 1924 (U. S. C., title 45, sec. 27), providing for the appointment from time to time by the Interstate Commerce Commission of not more than fifteen inspectors in addition to the number authorized in the first paragraph of section 4 of the Act of 1911 (U. S. C., title 45, sec. 26), and the amendment of June 27, 1930 (U. S. C., Supp. VII, title 45, secs 24, 26), including such legal, technical, stenographic, and clerical help as the business of the offices of the chief inspector and his two assistants may require and for traveling expenses, $482,238, of which amount not to exceed $72,000 may be expended for personal services in the District of Columbia.

Additional inspectors.
Vol. 36, p. 914; Vol. 43, p. 659; Vol. 46, p. 823.
U. S. C., p. 1955.

Valuation of property of carriers.
Vol. 37, p. 701; Vol. 40, p. 270; Vol. 42, p. 624.

Valuation of property of carriers: To enable the Interstate Commerce Commission to carry out the objects of the Act entitled "An Act to amend an Act entitled 'An Act to regulate commerce', approved February 4, 1887, and all Acts amendatory thereof, by providing for a valuation of the several classes of property of carriers subject thereto and securing information concerning their stocks, bonds, and other securities", approved March 1, 1913, as amended by the Act of June 7, 1922 (U. S. C., title 49, sec. 19a), and by the "Emergency Railroad Transportation Act, 1933" (48 Stat., p. 221), including one director of valuation at $10,000 per annum, and traveling expenses, $1,041,100.

Stocks, etc.
U. S. C., p. 2228.
Emergency Railroad Transportation Act.
Vol. 48, p. 221.

In all, salaries and expenses, Interstate Commerce Commission, $5,725,656: *Provided*, That the Commission may procure supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed $50.

Proviso. Minor purchases. R. S., sec. 3709, p. 733. U. S. C., p. 1803.

For all printing and binding for the Interstate Commerce Commission, including reports in all cases proposing general changes in transportation rates and not to exceed $10,000 to print and furnish to the States, at cost, report form blanks, and the receipts from such reports and blanks shall be credited to this appropriation, $125,000: *Provided*, That no part of this sum shall be expended for printing the Schedule of Sailings required by section 25 of the Interstate Commerce Act.

Printing and binding.

Proviso. Schedule of Sailings excluded. Vol. 41, p. 497.

Not to exceed $2,500 of the appropriations herein made for the Interstate Commerce Commission shall be available for expenses, except membership fees, for attendance at meetings concerned with the work of the Commission.

Attendance at meetings.

Total, Interstate Commerce Commission, $5,850,656.

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

National Advisory Committee for Aeronautics.

For scientific research, technical investigations, and special reports in the field of aeronautics, including the necessary laboratory and technical assistants; contracts for personal services in the making of special investigations and in the preparation of special reports; traveling expenses of members and employees; including not to exceed $500 for expenses, except membership fees, of attendance upon meetings of technical and professional societies; office supplies and other miscellaneous expenses, including technical periodicals and books of reference; equipment, maintenance, and operation of the Langley Memorial Aeronautical Laboratory; purchase, maintenance, operation, and exchange of motor-propelled passenger-carrying vehicles, including not more than one for general administrative use in the District of Columbia; personal services in the field and the District of Columbia; in all $820,800, of which amount not to exceed $2,000 may be expended for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (46 Stat. 818), but not to exceed $1,700 for any one person and not to exceed $95,000 for personal services in the District of Columbia.

All expenses, scientific research, etc. *Post*, pp. 574, 1602.

Langley Laboratory.

Allowances. Vol. 46, p. 818.

Services in the District.

Printing and binding.

For all printing and binding for the National Advisory Committee for Aeronautics, including all of its offices, laboratories, and services located in Washington, District of Columbia, and elsewhere, $18,700.

Total, National Advisory Committee for Aeronautics, $839,500.

NATIONAL MEDIATION BOARD

National Mediation Board.

Salaries and expenses.

For three members of the Board, and for other authorized expenditures of the National Mediation Board in performing the duties imposed by law, including personal services; contract stenographic reporting services; supplies and equipment; law books and books of reference; not to exceed $200 for newspapers; periodicals; traveling expenses; and rent of quarters outside the District of Columbia; $122,950, of which amount not to exceed $91,775 may be expended for personal services in the District of Columbia.

Arbitration boards. Vol. 44, p. 582; U. S. C., p. 1969.

Arbitration boards: To enable the National Mediation Board to pay necessary expenses of arbitration boards, including compensation of members and employees of such boards, together with their necessary traveling expenses and expenses actually incurred for

subsistence while so employed, and printing of awards, together with proceedings and testimony relating thereto, as authorized by the Railway Labor Act, including also contract stenographic reporting service, and rent of quarters when suitable quarters cannot be supplied in any Federal building, $30,000, together with the unexpended balance of the appropriation available for this purpose for the fiscal year 1935.

Balance reappropriated. Vol. 48, p. 511.

Emergency boards. Vol. 44, p. 586; U. S. C., p. 1967.

Emergency boards: For expenses of emergency boards appointed by the President to investigate and report respecting disputes between carriers and their employees, as authorized by section 10, Railway Labor Act, approved May 20, 1926 (U. S. C., Supp. VII, title 45, sec. 154), $25,000, together with the unexpended balance of the appropriation available for this purpose for the fiscal year 1935.

Balance reappropriated. Vol. 48, p. 510. *Post*, p. 1177.

Printing and binding.

For all printing and binding for the National Mediation Board, $2,500.

National Railroad Adjustment Board.

NATIONAL RAILROAD ADJUSTMENT BOARD

Expenses. *Post*, pp. 23, 1603.

For authorized expenditures of the National Railroad Adjustment Board, in performing the duties imposed by law, including personal services; contract stenographic reporting services; supplies and equipment; law books and books of reference; periodicals; traveling expenses; and rent of quarters outside the District of Columbia, $156,000, of which not more than $114,000 may be expended for personal services.

Total, National Mediation Board, $336,450.

Foreign Service.

PAYMENT TO OFFICERS AND EMPLOYEES OF THE UNITED STATES IN FOREIGN COUNTRIES DUE TO APPRECIATION OF FOREIGN CURRENCIES

Losses due to appreciation of foreign currencies. Vol. 48, p. 466; U. S. C., p. 45. *Post*, pp. 71, 574, 1173.

Payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies: For the purpose of carrying into effect the provisions of the Act entitled "An Act to authorize annual appropriations to meet losses sustained by officers and employees of the United States in foreign countries due to appreciation of foreign currencies in their relation to the American dollar, and for other purposes", approved March 26, 1934, and for each and every object and purpose specified therein, $3,904,824.

Puerto Rican Hurricane Relief Commission.

PUERTO RICAN HURRICANE RELIEF COMMISSION

Administrative expenses. *Post*, p. 320.

Sums available. Vol. 45, p. 1067; Vol. 46, p. 57.

To enable the Puerto Rican Hurricane Relief Commission to continue collection and administration of moneys due the United States on account of loans made under the joint resolutions approved December 21, 1928 (45 Stat. 1067), and January 22, 1930 (46 Stat. 57), not to exceed $25,000 of any unobligated balances of appropriations made by authority of those joint resolutions, including repayment of principal and/or payments of interest on such loans, is hereby made available for administrative expenses during the fiscal year 1936.

Securities and Exchange Commission.

SECURITIES AND EXCHANGE COMMISSION

Commissioners, and all other expenses. Vol. 48, p. 885. *Post*, p. 1113.

For five commissioners, and for all other authorized expenditures of the Securities and Exchange Commission in performing the duties imposed by law or in pursuance of law and for other personal services, including employment of experts when necessary; contract stenographic reporting services; supplies and equipment; purchase and exchange of law books, books of reference, directories, periodicals, newspaper and press clippings; travel expenses, including the expense of attendance, when specifically authorized by the Commission, at

meetings concerned with the work of the Securities and Exchange Commission; garage rental; foreign postage; mileage and witness fees; rent of quarters outside the District of Columbia; rental of equipment; and other necessary expenses; $2,234,494: *Provided*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the Securities and Exchange Commission when the aggregate cost involved does not exceed the sum of $50.

Proviso. Minor purchases. R. S., sec. 3709, p. 733. U. S. C., p. 1803.

Printing and binding.

For all printing and binding for the Securities and Exchange Commission, $30,000.

Total, Securities and Exchange Commission, $2,264,494.

SMITHSONIAN INSTITUTION

Smithsonian Institution.

Administrative expenses.

For expenses of the general administrative office, Smithsonian Institution, compensation of necessary employees, traveling expenses, purchase of books and periodicals, supplies and equipment, and any other necessary expenses, $36,326.

International exchanges.

International exchanges: For the system of international exchanges between the United States and foreign countries, under the direction of the Smithsonian Institution, including necessary employees, and purchase of necessary books and periodicals, and traveling expenses, $44,262.

American ethnology.

American ethnology: For continuing ethnological researches among the American Indians and the natives of Hawaii, the excavation and preservation of archeologic remains under the direction of the Smithsonian Institution, including necessary employees, the preparation of manuscripts, drawings, and illustrations, the purchase of books and periodicals, and traveling expenses, $58,730.

Astrophysical Observatory.

Astrophysical Observatory: For maintenance of the Astrophysical Observatory, under the direction of the Smithsonian Institution, including assistants, purchase of books, periodicals, and apparatus, making necessary observations in high altitudes, repairs and alterations of buildings, preparation of manuscripts, drawings, and illustrations, traveling expenses, and miscellaneous expenses, $30,846.

National Museum.

NATIONAL MUSEUM

Equipment, etc.

For cases, furniture, fixtures, and appliances required for the exhibition and safe-keeping of collections; heating, lighting, electrical, telegraphic, and telephonic service, repairs and alterations of buildings, shops, and sheds, including approaches and all necessary material; personal services, and traveling and other necessary incidental expenses, $125,672.

Preservation of collections.

Preservation of collections: For continuing preservation, exhibition, and increase of collections from the surveying and exploring expeditions of the Government, and from other sources, including personal services, traveling expenses, purchasing and supplying uniforms to guards and elevator conductors, postage stamps and foreign postal cards and all other necessary expenses, and not exceeding $5,500 for preparation of manuscripts, drawings, and illustrations for publications, and not exceeding $3,000 for purchase of books, pamphlets, and periodicals, $594,578.

Contingent expenses.

National Gallery of Art.

NATIONAL GALLERY OF ART

Administrative expenses.

For the administration of the National Gallery of Art by the Smithsonian Institution, including compensation of necessary employees, purchase of books of reference and periodicals, traveling expenses, uniforms for guards, and necessary incidental expenses, $34,275.

PRINTING AND BINDING

Printing and binding. *Post*, p. 1604.

For all printing and binding for the Smithsonian Institution, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, $25,500, of

American Historical Association report.

which not to exceed $4,200 shall be available for printing the report of the American Historical Association.

Total, Smithsonian Institution, $950,189, of which amount not to exceed $832,000 may be expended for personal services in the District of Columbia.

Tariff Commission.

TARIFF COMMISSION

Salaries and expenses. *Post*, pp. 575, 1607.

For salaries and expenses of the Tariff Commission, including purchase and exchange of labor-saving devices, the purchase of professional and scientific books, law books, books of reference, gloves and other protective equipment for photostat and other machine operators, rent in the District of Columbia and elsewhere, subscriptions to newspapers and periodicals, and contract stenographic reporting services, as authorized by sections 330 to 341 of the Tariff Act of 1930, approved June 17, 1930 (U. S. C., Supp. VII, title 19, secs. 1330–1341), $955,000, of which amount not to exceed $870,000 may be expended for personal services in the District of Columbia; not to exceed $2,500 for expenses, except membership fees, of attendance at meetings concerned with subjects under investigation by the Commission; and not to exceed $7,500 for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., Supp. VII, title 5, sec. 118a), but not to exceed $1,700 for any one person: *Provided*, That the Commission may procure supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed $50: *Provided further*, That no part of this appropriation shall be used to pay the salary of any member of the Tariff Commission who shall hereafter participate in any proceedings under sections 336, 337, and 338 of the Tariff Act of 1930, wherein he or any member of his family has any special, direct, and pecuniary interest, or in which he has acted as attorney or special representative.

Reporting. Vol. 46, p. 696. U. S. C., p. 874. *Post*, p. 575.

Services in the District.

Living quarters. Vol. 46, p. 818; U. S. C., p. 45.

Provisos. Supplies and services. R. S., sec. 3709, p. 733. U. S. C., p. 1803.

Salary restriction. Vol. 46, p. 701.

Printing and binding.

For all printing and binding for the Tariff Commission, $15,000.

Total, Tariff Commission, $970,000.

Veterans' Administration.

VETERANS' ADMINISTRATION

Administration, medical, hospital, and domiciliary services. Salaries and expenses.

Administration, medical, hospital, and domiciliary services: For all salaries and expenses of the Veterans' Administration, including the expenses of maintenance and operation of medical, hospital, and domiciliary services of the Veterans' Administration, in carrying out the duties, powers, and functions devolving upon it pursuant to the authority contained in the Act entitled "An Act to authorize the President to consolidate and coordinate governmental activities affecting war veterans", approved July 3, 1930 (U. S. C., Supp. VII, title 38, secs. 11–11f), and any and all laws for which the Veterans' Administration is now or may hereafter be charged with administering, $86,700,000: *Provided*, That not to exceed $3,500 of this amount shall be available for expenses, except membership fees, of employees detailed by the Administrator of Veterans' Affairs to attend meetings of associations for the promotion of medical science and annual national conventions of organized war veterans: *Provided further*, That when found to be in the best interest of the United States, not to exceed $500,000 of this amount may be used for payments to State institutions caring for and maintaining veterans, suffering from neu-

Vol. 46, p. 1016. U. S. C., p. 1623.

Provisos. Membership fees.

Attendance at meetings, etc.

Payments to State institutions.

ropsychiatric ailments, who are in such institutions on the date of the enactment of this Act: *Provided further*, That this appropriation shall be available also for personal services and rentals in the District of Columbia and elsewhere, including traveling expenses; examination of estimates of appropriations in the field, including actual expenses of subsistence or per diem allowance in lieu thereof; for expenses incurred in packing, crating, drayage, and transportation of household effects and other property, not exceeding in any one case five thousand pounds, of employees when transferred from one official station to another for permanent duty and when specifically authorized by the Administrator; furnishing and laundering of such wearing apparel as may be prescribed for employees in the performance of their official duties; purchase and exchange of law books, books of reference, periodicals, and newspapers; for passenger-carrying and other motor vehicles, including purchase, maintenance, repair, and operation of same, including not more than two passenger automobiles for general administrative use of the central office in the District of Columbia; and notwithstanding any provisions of law to the contrary, the Administrator is authorized to utilize Government-owned automotive equipment in transporting children of Veterans' Administration employees located at isolated stations to and from school under such limitations as he may by regulation prescribe; and notwithstanding any provisions of law to the contrary, the Administrator is authorized to expend during the fiscal year 1936 not to exceed $2,000 for actuarial services pertaining to the Government life insurance fund, to be obtained by contract, without obtaining competition, at such rates of compensation as he may determine to be reasonable; for allotment and transfer to the Public Health Service, the War, Navy, and Interior Departments, for disbursement by them under the various headings of their applicable appropriations, of such amounts as are necessary for the care and treatment of beneficiaries of the Veterans' Administration, including minor repairs and improvements of existing facilities under their jurisdiction necessary to such care and treatment; for expenses incidental to the maintenance and operation of farms; for recreational articles and facilities at institutions maintained by the Veterans' Administration; for administrative expenses incidental to securing employment for war veterans; for funeral, burial, and other expenses incidental thereto for beneficiaries of the Veterans' Administration accruing during the fiscal year 1936 or prior fiscal years: *Provided further*, That the appropriations herein made for the care and maintenance of veterans in hospitals or homes under the jurisdiction of the Veterans' Administration shall be available for the purchase of tobacco to be furnished, subject to such regulations as the Administrator of Veterans' Affairs shall prescribe, to veterans receiving hospital treatment or domiciliary care in Veterans' Administration hospitals or homes: *Provided further*, That the appropriations herein made for medical and hospital services under the jurisdiction of the Veterans' Administration shall be available, not to exceed $10,000, for experimental purposes to determine the value of certain types of treatment: *Provided further*, That this appropriation shall be available for continuing aid to State or Territorial homes for the support of disabled volunteer soldiers and sailors, in conformity with the Act approved August 27, 1888 (U. S. C., title 24, sec. 134), as amended, for those veterans eligible for admission to Veterans' Administration facilities for domiciliary care.

Services, rentals, traveling expenses, etc.

Field expenses.

Wearing apparel.

Vehicles.

Transporting employees' children to schools.

Actuarial services.

Transfer of applicable funds.

Burial, etc., expenses.

Purchase of tobacco.

Experiments to determine value of different treatments.

Aid to State, etc., homes.
Vol. 25, p. 450; U. S. C., p. 984.

No part of this appropriation shall be expended for the purchase of any site for or toward the construction of any new hospital or home, or for the purchase of any hospital or home; and not more

Restriction on new construction, etc.

than $3,053,645 of this appropriation may be used to repair, alter, improve, or provide facilities in the several hospitals and homes under the jurisdiction of the Veterans' Administration either by contract or by the hire of temporary employees and the purchase of materials.

Printing and binding.

For printing and binding for the Veterans' Administration, including all its bureaus and functions located in Washington, District of Columbia, and elsewhere, $125,000: *Provided*, That the Administrator of Veterans' Affairs is authorized to utilize the printing and binding equipment which the various hospitals and homes of the Veterans' Administration use for occupational-therapy purposes for the purpose of doing such printing and binding as may, in his judgment, be found advisable for the use of the Veterans' Administration, notwithstanding the provisions of section 87 of the Act entitled "An Act providing for the public printing and binding and the distribution of public documents", approved January 12, 1895, and section 11 of the Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, approved March 1, 1919 (U. S. C., title 44, sec. 111).

Proviso.
Use of branch equipment.

Provisions waived.
Vol. 28, p. 622; Vol. 40, p. 1270.
U. S. C., p. 1935.

Pensions.

Pensions: For the payment of compensation, pensions, gratuities, and allowances, now authorized under any Act of Congress, or regulation of the President based thereon, or which may hereafter be authorized, including emergency officers' retirement pay and annuities, the administration of which is now or may hereafter be placed in the Veterans' Administration, $400,760,000, to be immediately available.

Military and naval insurance.

For military and naval insurance accruing during the fiscal year 1936 or in prior fiscal years, $116,910,000: *Provided*, That the appropriation made in Private Act Numbered 244, approved March 2, 1933 (47 Stat., pt. 2, p. 1740), is repealed after June 30, 1935, and the payments authorized by such Act shall thereafter be made from the appropriation for "Military and naval insurance."

Proviso.
Annie M. Eopolucci.
Payments for, to be made from "Military and naval insurance" hereafter.
Vol. 47, p. 1740.
Post, p. 1182.

Hospital and domiciliary facilities.

Hospital and domiciliary facilities: There is hereby appropriated under the authorization acts specified, the remaining balances not heretofore appropriated, as follows: $850,000 (Act of April 23, 1928, 45 Stat., p. 447); $25,000 (Act of February 20, 1929, 45 Stat., p. 1248); $50,000 (Act of February 26, 1929, 45 Stat., p. 1308); in all, $925,000, to be immediately available and to remain available until expended: *Provided*, That this amount, together with the unexpended balance of the appropriations totaling $2,000,000 made pursuant to the authorization contained in the Act approved July 3, 1930 (46 Stat. 852), is authorized to be used by the Administrator of Veterans' Affairs, with the approval of the President, for extending the facilities designated in the Acts herein mentioned or any other facilities under the jurisdiction of the Veterans' Administration, or for any of the purposes set forth in section 1 of the Act approved March 4, 1931 (46 Stat. 1550).

Appropriation for.
Vol. 45, pp. 447, 1248, 1308.

Proviso.
Extending facilities.
Sum available.

Vol. 46, p. 852.

Vol. 46, p. 1550.

Adjusted-service certificate fund.

Adjusted-service certificate fund: For an amount necessary under the World War Adjusted Compensation Act (U. S. C., title 38, secs. 591–683; U. S. C., Supp. VII, title 38, secs. 612–682), to provide for the payment of the face value of each adjusted-service certificate in twenty years from its date or on the prior death of the veteran, and to make loans to veterans and repayments to banks in accordance with section 507 of the Act, as amended (U. S. C., Supp. VII, title 38, secs. 642, 647, 650; Act July 21, 1932, 47 Stat., pp. 724–725), $100,000,000, to become available July 1, 1935, and remain available until expended.

Vol. 43, p. 121.
U. S. C., p. 1680.

Vol. 47, p. 724.
U. S. C., p. 1683.

Total, Veterans' Administration, $705,420,000: *Provided*, That no part of this appropriation shall be expended for the purchase of oleomargarine or butter substitutes except for cooking purposes.

Proviso.
Use of butter substitutes.

SEC. 2. In expending appropriations or portions of appropriations contained in this Act, for the payment of personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade except that in unusually meritorious cases of one position in a grade, advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service; or (2) to require the reduction in salary of any person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such Act; (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade, in the same or different bureau, office, or other appropriation unit; (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law; or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

Salaries limited to average rates under Classification Act.
Vol. 42, p. 1488; Vol. 45, p. 776; Vol. 46, p. 1003.
U. S. C., p. 85.

Proviso.
Restriction not applicable to clerical-mechanical service.
No reduction in fixed salary.
Vol. 42, p. 1490; U. S. C., p. 86.
Transfers to another position without reduction.
Higher rates permitted.
If only one position in a grade.

SEC. 3. During the fiscal year ending June 30, 1936, the salaries of the commissioners of the Interstate Commerce Commission and the commissioners of the United States Tariff Commission shall be at the rate of $10,000 each per annum.

Interstate Commerce Commission.
Salary rate of Commissioners.

SEC. 4. This Act may be cited as the "Independent Offices Appropriation Act, 1936."

Short title.

Approved, February 2, 1935.

[CHAPTER 4.]

JOINT RESOLUTION

February 2, 1935.
[H. J. Res. 118.]
[Pub. Res., No. 2.]

To prohibit expenditure of any moneys for housing, feeding, or transporting conventions or meetings.

Conventions or meetings.
Post, p. 387.

Whereas numerous applications are being received from various organizations requesting lodging, food, and transportation for the purpose of holding conventions or meetings at Washington and elsewhere; and

Whereas the expenditure of Government funds for such purposes is against the policy of Congress: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, unless specifically provided by law, no moneys from funds appropriated for any purpose shall be used for the purpose of lodging, feeding, conveying, or furnishing transportation to, any conventions or other form of assemblage or gathering to be held in the District of Columbia or elsewhere. This section shall not be construed to prohibit the payment of expenses of any officer or employee of the Government in the discharge of his official duties.

Unauthorized expenditures for housing, feeding, or transporting, prohibited.
Official travel, etc., not included.

The President is hereby requested to send a copy of this resolution to the heads of all Government departments and agencies which have been granted lump-sum appropriations.

Copies to Department, etc., heads.

Approved, February 2, 1935.

[CHAPTER 5.]

AN ACT

February 4, 1935.
[H. R. 4304.]
[Public, No. 3.]

To amend the Second Liberty Bond Act, as amended, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Second Liberty Bond Act, as amended, is further amended as follows:

Second Liberty Bond Act; amendment.
Vol. 40, pp. 288, 503; U. S. C., p. 1419.

The first paragraph of section 1 is amended to read as follows:

Bonds.
Issue of additional authorized.
Vol. 46, p. 1506.
Post, pp. 622, 699, 1078.

"The Secretary of the Treasury, with the approval of the President, is hereby authorized to borrow, from time to time, on the credit of the United States for the purposes of this Act, to provide for the purchase, redemption, or refunding, at or before maturity, of any outstanding bonds, notes, certificates of indebtedness, or Treasury bills of the United States, and to meet expenditures authorized for the national security and defense and other public purposes authorized by law, such sum or sums as in his judgment may be necessary, and to issue therefor bonds of the United States: *Provided*, That the face amount of bonds issued under this section and section 22 of this Act shall not exceed in the aggregate $25,000,000,000 outstanding at any one time."

Proviso.
Maximum issue.
Post, p. 21.

SEC. 2. The first sentence of subsection (a) of section 5 is amended to read as follows: "In addition to the bonds and notes authorized by sections 1, 18, and 22 of this Act, as amended, the Secretary of the Treasury is authorized, subject to the limitation imposed by section 21 of this Act, to borrow from time to time, on the credit of the United States, for the purposes of this Act, to provide for the purchase, redemption, or refunding, at or before maturity, of any outstanding bonds, notes, certificates of indebtedness or Treasury bills of the United States, and to meet public expenditures authorized by law, such sum or sums as in his judgment may be necessary, and to issue therefor (1) certificates of indebtedness of the United States at not less than par (except as provided in section 20 of this Act, as amended) and at such rate or rates of interest, payable at such time or times as he may prescribe; or, (2) Treasury bills on a discount basis and payable at maturity without interest."

Certificates of indebtedness and Treasury bills.
Vol. 46, p. 19; U. S. C., p. 1419.
Vol. 40, p. 1309; *Post*, pp. 21, 622, 699, 1078.
Issue of additional authorized.

Vol. 48, p. 343.

SEC. 3. Section 5 is further amended by striking out the final sentence of subsection (a) thereof, reading as follows: "The sum of the par value of such certificates and Treasury bills outstanding hereunder and under section 6 of the First Liberty Bond Act shall not at any one time exceed in the aggregate $10,000,000,000."

Provision repealed.

Vol. 46, p. 20; U. S. C., p. 1419.

SEC. 4. Subsection (a) of section 18 is amended to read as follows:

United States notes.
Issue of additional authorized.
Vol. 40, p. 1309; Vol. 42, p. 321.
U. S. C., p. 1419.
Post, pp. 622, 699, 1078.

"In addition to the bonds and certificates of indebtedness and war-savings certificates authorized by this Act and amendments thereto, the Secretary of the Treasury, with the approval of the President, is authorized, subject to the limitation imposed by section 21 of this Act, to borrow from time to time on the credit of the United States for the purposes of this Act, to provide for the purchase, redemption, or refunding, at or before maturity, of any outstanding bonds, notes, certificates of indebtedness, or Treasury bills of the United States, and to meet public expenditures authorized by law, such sum or sums as in his judgment may be necessary and to issue therefor notes of the United States at not less than par (except as provided in section 20 of this Act, as amended) in such form or forms and denomination or denominations, containing such terms and conditions, and at such rate or rates of interest, as the Secretary of the Treasury may prescribe, and each series of notes so issued shall be payable at such time not less than one year nor more than five years from the date of its issue as he may prescribe, and may be redeemable before maturity (at the option of the United States) in whole or in part, upon not more

Vol. 48, p. 343.

Terms and conditions.
Interest rate.

Redemption.

than one year's nor less than four months' notice, and under such rules and regulations and during such period as he may prescribe."

Certificates of indebtedness, etc.

SEC. 5. The Second Liberty Bond Act, as amended, is further amended by adding a new section, as follows:

Vol. 40, pp. 36, 290, 1309; U. S. C., p. 1421.

"SEC. 21. The face amount of certificates of indebtedness and Treasury bills authorized by section 5 of this Act, certificates of indebtedness authorized by section 6 of the First Liberty Bond Act, and notes authorized by section 18 of this Act shall not exceed in the aggregate $20,000,000,000 outstanding at any one time."

Aggregate amount of issue.

SEC. 6. The Second Liberty Bond Act, as amended, is further amended, by adding a new section, as follows:

United States Savings Bonds.

"SEC. 22. (a) The Secretary of the Treasury, with the approval of the President, is authorized to issue, from time to time, through the Postal Service or otherwise, bonds of the United States to be known as 'United States Savings Bonds.' The proceeds of the Savings Bonds shall be available to meet any public expenditures authorized by law and to retire any outstanding obligations of the United States bearing interest or issued on a discount basis. The various issues and series of the Savings Bonds shall be in such forms, shall be offered in such amounts within the limits of section 1 of this Act, as amended, and shall be issued in such manner and subject to such terms and conditions consistent with subsections (b) and (c) hereof, and including any restriction on their transfer, as the Secretary of the Treasury may from time to time prescribe.

Issue; use of proceeds from sale.

Forms, amounts, etc.

Terms and conditions.

"(b) Each Savings Bond shall be issued on a discount basis to mature not less than ten nor more than twenty years from the date as of which the bond is issued, and provision may be made for redemption before maturity upon such terms and conditions as the Secretary of the Treasury may prescribe: *Provided*, That the issue price of Savings Bonds and the terms upon which they may be redeemed prior to maturity shall be such as to afford an investment yield not in excess of three per centum per annum, compounded semiannually. The denominations of Savings Bonds shall be in terms of their maturity value and shall not be less than $25. It shall not be lawful for any one person at any one time to hold Savings Bonds issued during any one calendar year in an aggregate amount exceeding $10,000 (maturity value).

Maturity.

Redemption.

Proviso.
Issue price, redemption terms, etc.

Denominations.

Holdings limited.

General tax exemptions.

Savings bonds included.

Vol. 40, pp. 288, 291; U. S. C., p. 1418.

"(c) The provisions of section 7 of this Act, as amended (relating to the exemptions from taxation both as to principal and as to interest of bonds issued under authority of section 1 of this Act, as amended), shall apply as well to the Savings Bonds; and, for the purposes of determining taxes and tax exemptions, the increment in value represented by the difference between the price paid and the redemption value received (whether at or before maturity) shall be considered as interest. The Savings Bonds shall not bear the circulation privilege.

Circulation privilege.

Appropriation available for expenses.

Vol. 40, p. 292; Vol. 42, p. 36; U. S. C., p. 1422.

"(d) The appropriation for expenses provided by section 10 of this Act and extended by the Act of June 16, 1921 (U. S. C., title 31, secs. 760 and 761), shall be available for all necessary expenses under this section; and the Secretary of the Treasury is authorized to advance, from time to time, to the Postmaster General from such appropriation such sums as are shown to be required for the expenses of the Post Office Department, in connection with the handling of the bonds issued under this section.

Exchange of, for savings deposits.

"(e) The board of trustees of the Postal Savings System is authorized to permit, subject to such regulations as it may from time to time prescribe, the withdrawal of deposits on less than sixty days' notice for the purpose of acquiring Savings Bonds which may be offered by the Secretary of the Treasury; and in such cases to

Vol. 36, p. 817; U. S. C., p. 1761.

make payment of interest to the date of withdrawal whether or not a regular interest payment date. No further original issue of bonds authorized by section 10 of the Act approved June 25, 1910 (U. S. C., title 39, sec. 760), shall be made after July 1, 1935.

Postal Service employees as fiscal agents.

"(f) At the request of the Secretary of the Treasury the Postmaster General, under such regulations as he may prescribe, shall require the employees of the Post Office Department and of the Postal Service to perform, without extra compensation, such fiscal agency services as may be desirable and practicable in connection with the issue, delivery, safe-keeping, redemption, and payment of the Savings Bonds."

Acceptance of Government bonds as security.
Vol. 44, p. 122.

SEC. 7. Section 1126 of the Revenue Act of 1926 is amended by adding at the end thereof the following: "In order to avoid the frequent substitution of securities such rules and regulations may limit the effect of this section, in appropriate classes of cases, to bonds and notes of the United States maturing more than a year after the date of deposit of such bonds as security. The phrase 'bonds or notes of the United States' shall be deemed, for the purposes of this section, to mean any public-debt obligations of the United States and any bonds, notes, or other obligations which are unconditionally guaranteed as to both interest and principal by the United States."

Term construed.

Approved, February 4, 1935.

[CHAPTER 6.]

JOINT RESOLUTION

February 13, 1935.
[H. J. Res. 88.]
[Pub. Res., No. 3.]

Making additional appropriations for the Federal Communications Commission, the National Mediation Board, and the Securities and Exchange Commission for the fiscal year ending June 30, 1935, and for other purposes.

Additional appropriations, fiscal year 1935.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1935, for the purposes hereinafter enumerated, namely:

Senate.

SENATE

Miscellaneous items.

For miscellaneous items, exclusive of labor, fiscal year 1935, $140,000.

Inquiries and investigations.
Post, p. 571.

For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per hundred words, fiscal year 1935, $75,000: *Provided*, That no part of this appropriation shall be expended for services, personal, professional, or otherwise, in excess of the rate of $3,600 per annum: *Provided further*, That no part of this appropriation shall be expended for per diem and subsistence expenses except in accordance with the provisions of the Subsistence Expense Act of 1926, approved June 3, 1926, as amended.

Provisos.
Salary restriction.

Per diem and subsistence expenses.
Vol. 44, p. 688.
U. S. C., p. 103.

Salaries of Senators appointed to vacancies.

Salaries of Senators appointed to fill vacancies in the Senate shall commence on the day of their appointment and continue until their successors are elected and qualified: *Provided*, That when Senators have been elected during a sine die adjournment of the Senate to succeed appointees, the salaries of Senators so elected shall commence on the day following their election.

Proviso.
Elected to succeed appointees after an adjournment.

Salaries of Senators elected during a session to succeed appointees shall commence on the day they qualify: *Provided*, That when Senators have been elected during a session to succeed appointees, but have not qualified, the salaries of Senators so elected shall commence on the day following the sine die adjournment of the Senate.

Elected during session.
Proviso.
Elected but have not qualified.

When no appointments have been made the salaries of Senators elected to fill such vacancies shall commence on the day following their election.

Filling vacancy when no appointment has been made.

DISTRICT OF COLUMBIA-VIRGINIA BOUNDARY COMMISSION

District of Columbia-Virginia Boundary Commission.

For an additional amount for the purpose of carrying out the provisions of Public Act Numbered 125, Seventy-third Congress, entitled "An Act to provide for the appointment of a Commission to establish the boundary line between the District of Columbia and the Commonwealth of Virginia", approved March 21, 1934, including salaries, travel, and subsistence expenses as authorized by law, fiscal year 1935, $4,000.

Expenses.
Vol. 48, p. 453.
Post, pp. 50, 67.

FEDERAL COMMUNICATIONS COMMISSION

Federal Communications Commission.

For all authorized expenditures of the Federal Communications Commission in performing the duties imposed by the Communications Act of 1934, approved June 19, 1934 (48 Stat., 1064), the Ship Act, approved June 24, 1910, as amended (U. S. C., title 46, secs. 484–487), the International Radiotelegraphic Convention (45 Stat., pt. 2, 2760), and Executive Order Numbered 3513, dated July 9, 1921, as amended by Executive Order Numbered 6779, dated June 30, 1934, relating to applications for submarine cable licenses, including personal services, contract stenographic reporting services, rental of quarters, newspapers, periodicals, reference books, law books, special counsel fees, supplies and equipment, including purchase and exchange of instruments, which may be purchased without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed $25, improvement and care of grounds and repairs to buildings, traveling expenses, including expenses of attendance at meetings which in the discretion of the Commission are necessary for the efficient discharge of its responsibilities, and other necessary expenses, $480,000.

Expenses.
Vol. 48, p. 1064.
Vol. 36, p. 629; Vol. 37, p. 199.
U. S. C., p. 2031.
International Radiotelegraphic Convention.
Vol. 45, p. 2760.

Submarine cable licenses.

Minor purchases.
R. S., sec. 3709, p. 733.
U. S. C., p. 1803.

NATIONAL MEDIATION BOARD

National Mediation Board.

For all printing and binding for the National Mediation Board, $1,750.

Printing and binding.
Vol. 44, p. 579.

NATIONAL RAILROAD ADJUSTMENT BOARD

National Railroad Adjustment Board.

For authorized expenditures of the National Railroad Adjustment Board, in performing the duties imposed by law, including personal services; contract stenographic reporting services; supplies and equipment; law books and books of reference; periodicals; traveling expenses; and rent of quarters outside the District of Columbia, $150,000.

Expenses.
Ante, p. 14.
Post, pp. 574, 1178, 1603.

SECURITIES AND EXCHANGE COMMISSION

Securities and Exchange Commission.

For all authorized expenditures of the Securities and Exchange Commission in performing the duties imposed by law or in pursuance of law and for other personal services, including employment of experts when necessary; contract stenographic reporting services;

Expenses.
Vol. 48, p. 885.
Post, p. 1179.

supplies and equipment; purchase and exchange of law books, books of reference, directories, periodicals, newspaper and press clippings; travel expenses, including the expense of attendance, when specifically authorized by the Commission, at meetings concerned with the work of the Securities and Exchange Commission; garage rental; foreign postage; mileage and witness fees; rent of building and equipment at the seat of Government and elsewhere; and other necessary expenses; $900,000.

Printing and binding.

For all printing and binding for the Securities and Exchange Commission, $21,000.

Government officers and employees.

COMPENSATION OF GOVERNMENT OFFICERS AND EMPLOYEES

Salary reductions. Vol. 48, pp. 13, 521.

SEC. 2. (a) Section 3 (b) of title II of the Act entitled "An Act to maintain the credit of the United States Government", approved March 20, 1933, as amended, is amended by striking out "shall not exceed 5 per centum during the fiscal year ending June 30, 1935", and inserting in lieu thereof "shall not, during the portion of the fiscal year 1935 prior to April 1, 1935, exceed 5 per centum, and after March 31, 1935, there shall be no such reduction."

Vice President, Speaker, Congressional, etc., salaries. Vol. 48, p. 521.

(b) Subsections (b) and (c) of section 21 of the Independent Offices Appropriation Act, 1935, are amended by striking out "the fiscal year ending June 30, 1935", wherever such phrase appears, and inserting in lieu thereof "that portion of the fiscal year ending June 30, 1935, prior to April 1, 1935," except that this amendatory provision shall not apply to section 107 (a) (1), (2), (3), and (4) of part II of the Legislative Appropriation Act, fiscal year 1933 (relating to certain special salary reductions).

Special salary reductions. Vol. 47, p. 402.

No reduction in present rate.

(c) Nothing in this resolution shall be construed as permitting any reduction in rates of compensation in effect at the time of the passage of this resolution.

Appropriation.

(d) There is hereby appropriated so much as may be necessary for the payment of sums due and payable out of the Treasury of the United States, by reason of the discontinuance of the reduction of compensation provided for in this resolution; and limitations on amounts for personal services are hereby respectively increased in proportion to the increase in appropriations for personal services made in this subsection. In the case of officers and employees of the municipal government of the District of Columbia, such sums shall be paid out of the revenues of the District of Columbia and the Treasury of the United States in the manner prescribed by the District of Columbia Appropriation Act for the fiscal year 1935.

Limitations for personal services increased.

Government of the District of Columbia.

Division of payment. Vol. 48, p. 846.

Approved, February 13, 1935.

[CHAPTER 7.]

February 13, 1935.
[H. J. Res. 58.]
[Pub. Res., No. 4.]

JOINT RESOLUTION

To provide for defraying the expenses of the American section, International Boundary Commission, United States and Mexico.

International Boundary Commission, United States and Mexico.
Appropriation authorized for expenses of American section.
Post, pp. 74, 1463.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, in addition to amounts heretofore authorized to be appropriated, the sum of $60,000 to defray the expenses of the American section, International Boundary Commission, United States and Mexico, in the conduct of an engineering investigation, study, and report to the Secretary of State to determine the feasibility and best means of effecting the canalization of the Rio Grande from the Caballo Reservoir site in New Mexico to the

international diversion dam near El Paso, Texas, in order to facilitate Federal control of the channel of the Rio Grande and compliance by the United States with its obligations to deliver at said international diversion dam water to Mexico pursuant to the convention concluded May 21, 1906, providing for the equitable distribution of waters of the Rio Grande for irrigation purposes, including salaries and wages; fees for professional services; rents, travel expenses; per diem in lieu of actual expenses for subsistence; printing and binding; purchase, exchange, maintenance, repair, and operation of motor-propelled passenger- and freight-carrying vehicles; telephone, telegraphic, and air-mail communications; ice, equipment, supplies, and materials and other such miscellaneous expenses as the Secretary of State may deem necessary properly to carry out the investigation.

Vol. 34, p. 2953.

Approved, February 13, 1935.

[CHAPTER 8.]

AN ACT

Granting the consent of Congress to the State highway commission to construct, maintain, and operate a free highway bridge across Eleven Points River in section 17, township 23 north, range 2 west, approximately twelve miles east of Alton, on route numbered 42, Oregon County, Missouri.

February 18, 1935.
[H. R. 2874.]
[Public, No. 4.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State Highway Commission of Missouri to construct, maintain, and operate a free highway bridge and approaches thereto across Eleven Points River in section 17, township 23 north, range 2 west, approximately twelve miles east of Alton, on route numbered 42 in Oregon County, Missouri, at a point suitable to the interests of navigation, at or near Alton, Missouri, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Eleven Points River. Missouri may bridge, near Alton.

Construction. Vol. 34, p. 84.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, February 18, 1935.

[CHAPTER 9.]

AN ACT

Granting the consent of Congress to the State of Oklahoma to construct, maintain, and operate a free highway bridge across the Arkansas River south of the town of Sallisaw in Sequoyah and Le Flore Counties at a point approximately fifteen miles north of Keota in the State of Oklahoma.

February 18, 1935.
[H. R. 3057.]
[Public, No. 5.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State of Oklahoma to construct, maintain, and operate a free highway bridge and approaches thereto across the Arkansas River at a point approximately fifteen miles north of the town of Keota and suitable to the interests of navigation, in section 9, township 10 north, range 24 east, south of the town of Sallisaw, in the counties of Sequoyah and Le Flore, in the State of Oklahoma, and conformable to United States Public Works Highway Project Numbered NRS 412–B (1935), in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Arkansas River. Oklahoma may bridge, near Keota.

Construction. Vol. 34, p. 84.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, February 18, 1935.

[CHAPTER 10.]

AN ACT

February 18, 1935.
[H. R. 3465.]
[Public, No. 6.]

Permitting the laying of pipe lines across New York Avenue Northeast, in the District of Columbia.

District of Columbia. Pennsylvania Greyhound Transit Company may lay certain pipe lines.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia be, and hereby are, authorized and empowered to issue a permit to Pennsylvania Greyhound Transit Company, a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, its successors and assigns, to construct, maintain, repair, renew, and use not more than four

Location.

underground pipe lines from the parcel of real estate owned by The Philadelphia, Baltimore and Washington Railroad Company, and leased or to be leased to and occupied by Pennsylvania Greyhound Transit Company on the northerly side of New York Avenue Northeast, to the parcel of real estate owned by said Pennsylvania Greyhound Transit Company, in square 4038, parcel 142/25, in the city of Washington, District of Columbia, across and under

Conditions.

New York Avenue Northeast, under the following conditions, namely: Said pipe lines shall be laid, constructed, and located as directed by the Commissioners of the District of Columbia, and under their inspection and the cost of such inspection, and of replacing pavements, curbs, and sidewalks disturbed, shall be paid by the party or parties to whom said permit shall be granted:

Proviso.
Purposes.

Provided, That said pipe lines shall be used for the purpose of transporting petroleum and petroleum products, and for no other purpose whatsoever.

Construction and use.

SEC. 2. That all the construction and use provided for herein shall be under such regulations and rentals as the Commissioners of the District of Columbia may make and establish in connection therewith.

Title and interest.

SEC. 3. That no permission granted or enjoyed hereunder shall vest any title or interest in or to the land within the above-mentioned street.

Amendment.

SEC. 4. That Congress reserves the right to amend, alter, or repeal this Act.

Approved, February 18, 1935.

[CHAPTER 11.]

AN ACT

February 18, 1935.
[H. R. 3891.]
[Public, No. 7.]

To extend the times for commencing and completing the construction of a bridge across the Waccamaw River at Conway, South Carolina.

Waccamaw River. Time extended for bridging, at Conway, S. C.

Vol. 48, p. 55; Vol. 47, p. 42; *Post*, p. 1251.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Waccamaw River at Conway, South Carolina, authorized to be built by the State of South Carolina, by an Act of Congress approved February 10, 1932, heretofore extended by an Act of Congress approved May 12, 1933, are hereby further extended one and three years, respectively, from the date of approval hereof.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, February 18, 1935.

[CHAPTER 12.]

AN ACT

To legalize a bridge (known as "Union Street Bridge") across the Dan River at Danville, Virginia.

February 18, 1935.
[H. R. 3983.]
[Public, No. 8.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the bridge (known as the "Union Street Bridge") now being reconstructed across the Dan River at Danville, Virginia, if completed in accordance with the plans accepted by the Chief of Engineers and the Secretary of War as providing suitable facilities for navigation and operated as a free bridge shall be a lawful structure, and shall be subject to the conditions and limitations of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906 (U. S. C., title 33, secs. 491 to 498, inclusive), other than those requiring the approval of plans by the Secretary of War and the Chief of Engineers before the bridge is commenced.

Dan River.
Union Street Bridge across, at Danville, Va., legalized.

Construction.
Vol. 34, p. 84.
U. S. C., p. 1474.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, February 18, 1935.

[CHAPTER 13.]

AN ACT

Authorizing the States of Washington and Idaho to construct, maintain, and operate a free highway bridge across the Snake River between Clarkston, Washington, and Lewiston, Idaho.

February 19, 1935.
[H. R. 2030.]
[Public, No. 9.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the States of Washington and Idaho be, and are hereby, authorized to construct, maintain, and operate a free highway bridge and approaches thereto across the Snake River, at a point suitable to the interests of navigation, between Clarkston, Washington, and Lewiston, Idaho, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Snake River.
Washington and Idaho may bridge, between Clarkston, Wash., and Lewiston, Idaho.

Construction.
Vol. 34, p. 84.

SEC. 2. There is hereby conferred upon the States of Washington and Idaho all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Right to acquire real estate, etc.

Condemnation proceedings.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, February 19, 1935.

[CHAPTER 14.]

AN ACT

February 20, 1935.
[H. R. 3018.]
[Public, No. 10.]

To extend the times for commencing and completing the construction of a bridge across the Saint Lawrence River at or near Alexandria Bay, New York.

Saint Lawrence River.
Time extended for bridging, at Alexandria Bay, N. Y.
Vol. 45, p. 1552; Vol. 46, p. 1098; Vol. 47, pp. 83, 806; Vol. 48, p. 360.
Post, p. 1251.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Saint Lawrence River at or near Alexandria Bay, New York, authorized to be built by the New York Development Association, Incorporated, a corporation organized under and by virtue of the membership corporation law of the State of New York, its successors and assigns, by an Act of Congress approved March 4, 1929, and heretofore extended by an Act of Congress approved February 13, 1931, and further heretofore extended by Acts of Congress approved April 15, 1932, February 14, 1933, and February 26, 1934, are hereby further extended one and three years, respectively, from February 26, 1935.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, February 20, 1935.

[CHAPTER 15.]

AN ACT

February 20, 1935.
[H. R. 3247.]
[Public, No. 11.]

To provide for loans to farmers for crop production and harvesting during the year 1935, and for other purposes.

Loans to farmers for crop production, etc., during 1935.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Governor of the Farm Credit Administration, hereinafter in this Act referred to as the "Governor", is hereby authorized to make loans to farmers in the United States (including Alaska, Hawaii, and Puerto Rico), during the year 1935, for fallowing, for the production of crops, for harvesting of crops, and for feed for livestock, or for any of such purposes. Such loans shall be made and collected through such agencies, upon such terms and conditions, and subject to such regulations, as the Governor shall prescribe.

Feed for livestock.

Loans through agencies.

First liens required.

SEC. 2. (a) There shall be required as security for any such loan a first lien, or an agreement to give a first lien, upon all crops of which the production or harvesting, or both, is to be financed, in whole or in part, with the proceeds of such loan; or, in case of any loan for the purchase or production of feed for livestock, a first lien upon the livestock to be fed. Fees for recording, filing, and registering shall not exceed 75 cents per loan and may be deducted from the proceeds of the loan. Each loan shall bear interest at the rate of 5½ per centum per annum. For the purpose of carrying out the provisions of this Act and collecting loans made under other Acts of the same general character, including loans made by the Governor with funds appropriated by the Emergency Appropriation Act, fiscal year 1935, the Governor may use the facilities and services of the Farm Credit Administration and any institution operating under its supervision, or of any officer or officers thereof, and may pay for such services and the use of such facilities from the funds made available for the payment of necessary administrative expenses; and such institutions are hereby expressly empowered to enter into agreements with the Governor for the accomplishment of such purposes.

Fees.

Interest rate.
Collection of loans.

Vol. 48, p. 1056.

Facilities available.

Maximum loan.
Proviso.
Distressed emergency areas.

(b) The amount which may be loaned to any borrower pursuant to this Act shall not exceed $500: *Provided, however*, That in any area certified by the President of the United States to the Governor

as a distressed emergency area, the Governor may make loans without regard to the foregoing limitations as to amount, under such regulations and with such maturities as he may prescribe therefor.

Conditions prescribed.

(c) No loan shall be made under this Act to any applicant who shall not have first established to the satisfaction of the proper officer or employee of the Farm Credit Administration, under such regulations as the Governor may prescribe: (1) that such applicant is unable to procure from other sources a loan in an amount reasonably adequate to meet his needs for the purposes for which loans may be made under this Act; and (2) that such applicant is cooperating directly in the crop production control program of the Agricultural Adjustment Administration or is not proposing to increase his 1935 production of basic agricultural commodities in a manner detrimental to the success of such program.

Applicant unable to procure elsewhere.

Cooperating under Agricultural Adjustment program. Vol. 48, p. 31.

Loans declared impressed with a trust.

SEC. 3. (a) The moneys authorized to be loaned by the Governor under this Act are declared to be impressed with a trust to accomplish the purposes provided for by this Act (namely, for fallowing, production, harvesting, or feed), which trust shall continue until the moneys loaned pursuant to this Act have been used by the borrower for such purposes.

Unlawful acts. False representations.

(b) It shall be unlawful for any person to make any material false representation for the purpose of obtaining, or assisting another to obtain, a loan under the provisions of this Act; or willfully to dispose of, or assist in disposing of, except for the account of the Governor, any crops or other property upon which there exists a lien securing a loan made under the provisions of this Act.

Fee for preparing application.

(c) It shall be unlawful for any person to charge a fee for the purpose of preparing or assisting in the preparation of any papers of an applicant for a loan under the provisions of this Act.

Punishment for violations.

(d) Any person violating any of the provisions of this Act shall, upon conviction thereof, be punished by a fine of not more than $1,000, or by imprisonment for not more than six months, or both.

Officers and employees authorized.

SEC. 4. The Governor shall have power, without regard to the provisions of other laws applicable to the employment and compensation of officers and employees of the United States, to employ and fix the compensation and duties of such agents, officers, and employees as may be necessary to carry out the purposes of this Act; but the compensation of such officers and employees shall correspond, so far as the Governor deems practicable, to the rates established by the Classification Act of 1923, as amended.

Compensation. Vol. 42, p. 1488; Vol. 45, p. 776; Vol. 46, p. 1003. U. S. C., p. 85.

Sum authorized. *Post*, pp. 50, 1458.

SEC. 5. (a) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of not to exceed $60,000,000, or so much thereof as may be necessary, to carry out the provisions of this Act. Any part of such sum may be made up as follows: All unobligated balances of appropriations and funds available thereunder to enable the Secretary of Agriculture or the Governor to make advances or loans under the following Acts and Resolutions, and all repayments of such advances and loans and interest: March 3, 1921 (41 Stat. 1347); March 20, 1922 (42 Stat. 467); April 26, 1924 (43 Stat. 110); February 28, 1927 (44 Stat. 1251); February 25, 1929 (45 Stat. 1306), as amended May 17, 1929 (46 Stat. 3); March 3, 1930 (46 Stat. 78, 79); December 20, 1930 (46 Stat. 1032), as amended February 14, 1931 (46 Stat. 1160); February 23, 1931 (46 Stat. 1276); March 3, 1932 (47 Stat. 60); February 4, 1933 (47 Stat. 795); February 23, 1934 (48 Stat. 354); and June 19, 1934 (48 Stat. 1021).

Transfer of unobligated funds made available under designated acts.

Use for administrative expenses.

(b) The moneys made available under subsection (a), and all collections of both principal and interest on loans made under this Act, may be used by the Governor for making loans under this Act and

for all necessary administrative expenses in making and collecting such loans.

Printing and binding. U. S. C., p. 1803.

(c) Expenditures for printing and binding necessary in carrying out the provisions of this Act may be made without regard to the provisions of section 3709 of the Revised Statutes.

Approved, February 20, 1935.

[CHAPTER 16.]

AN ACT

February 21, 1935. [S. 932.] [Public, No. 12.]

To postpone the effective date of certain restrictions respecting air-mail contracts.

Air mail, postal service. Extension of contracts authorized. Vol. 48, pp. 938, 1243. *Post*, p. 618.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 15 of the Act entitled "An Act to revise air-mail laws, and to establish a commission to make a report to the Congress recommending an aviation policy", approved June 12, 1934, as amended, is amended by striking out "March 1, 1935" and inserting in lieu thereof "April 1, 1936".

Approved, February 21, 1935.

[CHAPTER 17.]

AN ACT

February 21, 1935. [S. 1144.] [Public, No. 13.]

To further extend the time for constructing a bridge across the Missouri River at or near Saint Charles, Missouri.

Missouri River. Time extended for bridging, at Saint Charles, Mo. Vol. 46, p. 64; Vol. 47, p. 779.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for completing the construction of a bridge across the Missouri River at or near Saint Charles, Missouri, authorized to be built by the Wabash Railway Company, its successors and assigns, by an Act of Congress approved February 7, 1930, and extended to February 7, 1935, by an Act of Congress approved January 27, 1933, is hereby further extended to February 7, 1937.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, February 21, 1935.

[CHAPTER 18.]

AN ACT

February 22, 1935. [S. 1190.] [Public, No. 14.]

To regulate interstate and foreign commerce in petroleum and its products by prohibiting the shipment in such commerce of petroleum and its products produced in violation of State law, and for other purposes.

Petroleum and its products; regulation of interstate and foreign commerce in. Policy of Congress declared. *Post*, pp. 574, 1760.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby declared to be the policy of Congress to protect interstate and foreign commerce from the diversion and obstruction of, and the burden and harmful effect upon, such commerce caused by contraband oil as herein defined, and to encourage the conservation of deposits of crude oil situated within the United States.

Definitions. "Contraband oil."

SEC. 2. As used in this Act—

(1) The term "contraband oil" means petroleum which, or any constituent part of which, was produced, transported, or withdrawn from storage in excess of the amounts permitted to be produced, transported, or withdrawn from storage under the laws of a State or under any regulation or order prescribed thereunder by any board, commission, officer, or other duly authorized agency of such State, or any of the products of such petroleum.

(2) The term "products" or "petroleum products" includes any article produced or derived in whole or in part from petroleum or any product thereof by refining, processing, manufacturing, or otherwise. "Products" or "petroleum products."

(3) The term "interstate commerce" means commerce between any point in a State and any point outside thereof, or between points within the same State but through any place outside thereof, or from any place in the United States to a foreign country, but only insofar as such commerce takes place within the United States. "Interstate commerce."

(4) The term "person" includes an individual, partnership, corporation, or joint-stock company. "Person."

SEC. 3. The shipment or transportation in interstate commerce from any State of contraband oil produced in such State is hereby prohibited. For the purposes of this section contraband oil shall not be deemed to have been produced in a State if none of the petroleum constituting such contraband oil, or from which it was produced or derived, was produced, transported, or withdrawn from storage in excess of the amounts permitted to be produced, transported, or withdrawn from storage under the laws of such State or under any regulation or order prescribed thereunder by any board, commission, officer, or other duly authorized agency of such State. Interstate commerce in contraband oil prohibited.

SEC. 4. Whenever the President finds that the amount of petroleum and petroleum products moving in interstate commerce is so limited as to be the cause, in whole or in part, of a lack of parity between supply (including imports and reasonable withdrawals from storage) and consumptive demand (including exports and reasonable additions to storage) resulting in an undue burden on or restriction of interstate commerce in petroleum and petroleum products, he shall by proclamation declare such finding, and thereupon the provisions of section 3 shall be inoperative until such time as the President shall find and by proclamation declare that the conditions which gave rise to the suspension of the operation of the provisions of such section no longer exist. If any provision of this section or the application thereof shall be held to be invalid, the validity or application of section 3 shall not be affected thereby. Suspension of provision if lack of parity between supply and demand. Proclamations to issue. Saving clause.

SEC. 5. (a) The President shall prescribe such regulations as he finds necessary or appropriate for the enforcement of the provisions of this Act, including but not limited to regulations requiring reports, maps, affidavits, and other documents relating to the production, storage, refining, processing, transporting, or handling of petroleum and petroleum products, and providing for the keeping of books and records, and for the inspection of such books and records and of properties and facilities. Regulations for enforcing provisions.

(b) Whenever the President finds it necessary or appropriate for the enforcement of the provisions of this Act he shall require certificates of clearance for petroleum and petroleum products moving or to be moved in interstate commerce from any particular area, and shall establish a board or boards for the issuance of such certificates. A certificate of clearance shall be issued by a board so established in any case where such board determines that the petroleum or petroleum products in question does not constitute contraband oil. Denial of any such certificate shall be by order of the board, and only after reasonable opportunity for hearing. Whenever a certificate of clearance is required for any area in any State, it shall be unlawful to ship or transport petroleum or petroleum products in interstate commerce from such area unless a certificate has been obtained therefor. Certificates of clearance. Establishment of issuing boards. Issue of certificate; when. Denial; hearing. Shipment from particular area without certificate unlawful.

Review, by district court, permitted.

Petition to be filed.

Service of copy.

Jurisdiction of court.

Objections to order of board.

Finding of facts by board.

Finality of decree; review.
U. S. C., pp. 1259, 1272.

(c) Any person whose application for a certificate of clearance is denied may obtain a review of the order denying such application in the United States District Court for the district wherein the board is sitting by filing in such court within thirty days after the entry of such order a written petition praying that the order of the board be modified or set aside, in whole or in part. A copy of such petition shall be forthwith served upon the board, and thereupon the board shall certify and file in the court a transcript of the record upon which the order complained of was entered. Upon the filing of such transcript, such court shall have jurisdiction to affirm, modify, or set aside such order, in whole or in part. No objection to the order of the board shall be considered by the court unless such objection shall have been urged before the board. The finding of the board as to the facts, if supported by evidence, shall be conclusive. The judgment and decree of the court shall be final, subject to review as provided in sections 128 and 240 of the Judicial Code, as amended (U. S. C., title 28, secs. 225 and 347).

Punishment for violation.

SEC. 6. Any person knowingly violating any provision of this Act or any regulation prescribed thereunder shall upon conviction be punished by a fine of not to exceed $2,000 or by imprisonment for not to exceed six months, or by both such fine and imprisonment.

Seizure and forfeiture of contraband oil.

Discretionary return.

Nature of proceedings.

Disposition of forfeited oil.

SEC. 7. (a) Contraband oil shipped or transported in interstate commerce in violation of the provisions of this Act shall be liable to be proceeded against in any district court of the United States within the jurisdiction of which the same may be found, and seized for forfeiture to the United States by a process of libel for condemnation; but in any such case the court may in its discretion, and under such terms and conditions as it shall prescribe, order the return of such contraband oil to the owner thereof where undue hardship would result from such forfeiture. The proceedings in such cases shall conform as nearly as may be to proceedings in rem in admiralty, except that either party may demand a trial by jury of any issue of fact joined in any such case, and all such proceedings shall be at the suit of and in the name of the United States. Contraband oil forfeited to the United States as provided in this section shall be used or disposed of pursuant to such rules and regulations as the President shall prescribe.

No forfeiture if possessing valid certificate.

(b) No such forfeiture shall be made in the case of contraband oil owned by any person (other than a person shipping such contraband oil in violation of the provisions of this Act) who has with respect to such contraband oil a certificate of clearance which on its face appears to be valid and to have been issued by a board created under authority of section 5, certifying that the shipment in question is not contraband oil, and such person had no reasonable ground for believing such certificate to be invalid or to have been issued as a result of fraud or misrepresentation of fact.

Liability of common carriers.

SEC. 8. No common carrier who shall refuse to accept petroleum or petroleum products from any area in which certificates of clearance are required under authority of this Act, by reason of the failure of the shipper to deliver such a certificate to such carrier, or who shall refuse to accept any petroleum or petroleum products when having reasonable ground for believing that such petroleum or petroleum products constitute contraband oil, shall be liable on account of such refusal for any penalties or damages. No common carrier shall be subject to any penalty under section 6 in any case where (1) such carrier has a certificate of clearance which on its face appears to be valid and to have been issued by a board created under authority of section 5, certifying that the shipment in question is not contraband oil, and such carrier had no reasonable ground for believing

such certificate to be invalid or to have been issued as a result of fraud or misrepresentation of fact, or (2) such carrier, as respects any shipment originating in any area where certificates of clearance are not required under authority of this Act, had no reasonable ground for believing such petroleum or petroleum products to constitute contraband oil.

Hearings, proceedings, etc., authorized.

SEC. 9. (a) Any board established under authority of section 5, and any agency designated under authority of section 11, may hold and conduct such hearings, investigations, and proceedings as may be necessary for the purposes of this Act, and for such purposes those provisions of section 21 of the Securities Exchange Act of 1934 relating to the administering of oaths and affirmations, and to the attendance and testimony of witnesses and the production of evidence (including penalties), shall apply.

Vol. 48, p. 899.

Board members; appointment.

(b) The members of any board established under authority of section 5 shall be appointed by the President, without regard to the civil service laws but subject to the Classification Act of 1923, as amended; and any such board may appoint, without regard to the civil service laws but subject to the Classification Act of 1923, as amended, such employees as may be necessary for the execution of its functions under this Act.

Vol. 42, p. 1488; Vol. 45, p. 776; Vol. 46, p. 1003.
U. S. C., p. 85.

Mandatory injunctions.

SEC. 10. (a) Upon application of the President, by the Attorney General, the United States District Courts shall have jurisdiction to issue mandatory injunctions commanding any person to comply with the provisions of this Act or any regulation issued thereunder.

Restraining orders.

(b) Whenever it shall appear to the President that any person is engaged or about to engage in any acts or practices that constitute or will constitute a violation of any provision of this Act or of any regulation thereunder, he may in his discretion, by the Attorney General, bring an action in the proper United States District Court to enjoin such acts or practices, and upon a proper showing a permanent or temporary injunction or restraining order shall be granted without bond.

Exclusive jurisdiction of United States District Courts.

(c) The United States District Courts shall have exclusive jurisdiction of violations of this Act or the regulations thereunder, and of all suits in equity and actions at law brought to enforce any liability or duty created by, or to enjoin any violation of, this Act or the regulations thereunder.

Proceedings.

Any criminal proceeding may be brought in the district wherein any act or transaction constituting the violation occurred.

Venue of actions.

Any suit or action to enforce any liability or duty created by this Act or regulations thereunder, or to enjoin any violation of this Act or any regulations thereunder, may be brought in any such district or in the district wherein the defendant is found or is an inhabitant or transacts business, and process in such cases may be served in any other district of which the defendant is an inhabitant or wherever the defendant may be found.

Judgments subject to review.
U. S. C., pp. 1259, 1272.

Judgments and decrees so rendered shall be subject to review as provided in sections 128 and 240 of the Judicial Code, as amended (U. S. C., title 28, secs. 225 and 347).

Delegation of powers, etc.

SEC. 11. Wherever reference is made in this Act to the President such reference shall be held to include, in addition to the President, any agency, officer, or employee who may be designated by the President for the execution of any of the powers and functions vested in the President under this Act.

Saving provision.

SEC. 12. If any provision of this Act, or the application thereof to any person or circumstance, shall be held invalid, the validity of the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.

Duration of Act.

SEC. 13. This Act shall cease to be in effect on June 16, 1937.

Approved, February 22, 1935.

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[CHAPTER 19.]

JOINT RESOLUTION

February 28, 1935.
[S. J. Res. 49.]
[Pub. Res., No. 5.]

Authorizing the use of public parks, reservations, and other public spaces in the District of Columbia; and the use of tents, cots, hospital appliances, flags, and other decorations, property of the United States, by Washington, D. C., 1935 Shrine Committee, Incorporated, and for other purposes.

Washington, D. C., Mystic Shrine session.
Permits granted for use of parks, etc.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, the Secretary of the Treasury, the Commissioners of the District of Columbia, the Board of Education of the District of Columbia, and the Architect of the Capitol are hereby severally authorized to grant permits to the Washington, D. C., 1935 Shrine Committee, Incorporated, a body corporate organized pursuant to the provisions of chapter 5 of title V of the Code of the District of Columbia (hereinafter referred to as the "Committee") for the use of any buildings, parks, rivers, waterways, reservations, sidewalks, or other public spaces in the District of Columbia, under his, their, or its control, respectively on the occasion of the sixty-first annual session of the Imperial Council Ancient and Arabic Order of the Nobles of the Mystic Shrine, in the month of June 1935: *Provided*, That such use will inflict no serious or permanent injury upon any such buildings, parks, rivers, waterways, reservations, sidewalks, or other public spaces, or any portion or the contents thereof, in the opinion of the person granting any such permit, in accordance with this authority: *Provided further*, That all stands, arches, or platforms that may be erected on the public spaces aforesaid, including such as may be erected in connection with any display of fireworks, shall be under the supervision of the said Washington, D. C., 1935 Shrine Committee, Incorporated, and in accordance with plans and designs to be approved by the Architect of the Capitol, the Engineer Commissioner of the District of Columbia, and the Superintendent of National Capital Parks, and that no person or corporation shall be authorized to erect or use any such stands, arches, or platforms without permission of said committee: *And provided further*, That any such buildings, parks, reservations, or other public spaces which shall be used or occupied, by the erection of stands or other structures, or otherwise, shall be promptly restored to their condition before such occupancy, and the said committee shall indemnify the United States or the District of Columbia, as the case may be, for all damage of any kind whatsoever sustained by reason of any such use or occupation.

Provisos.
Condition.

Supervision, plans, etc., of stands, etc.

Restoration after use.

Special traffic regulations.

SEC. 2. That the Commissioners of the District of Columbia are hereby authorized to designate, set aside, and regulate the use of such streets, avenues, and sidewalks in the District of Columbia, under their control, as they may deem proper and necessary, for the purpose of said session, and to make and enforce such special regulations regarding standing, movement, and operation of vehicles of whatever kind or character, and all reasonable regulations necessary to secure the preservation of public order and the protection of life and property, from the 8th day of June 1935 to the 17th day of June 1935, both inclusive. Such regulations shall be in force during said period, and shall be published in one or more daily newspapers published in the District of Columbia: *Provided*, That the expiration of said period shall not prevent the arrest or trial of any person for any violation of such regulations committed during the time same were in force and effect: *Provided, however*, That no penalty prescribed for the violation of any such regulations shall be in force until five days after the date of publication.

Proviso.
Arrests.

Effective date of prescribed penalties.

Vehicles of conveyance; regulations.

SEC. 3. That the Public Utilities Commission of the District of Columbia is hereby granted authority to make such special regulations as in the opinion of said Commission may be necessary or desirable, regulating the standing, movement, and operation of taxicabs, street cars, busses, and other vehicles of conveyance under the regulation or control of said Commission, for the period commencing the 8th day of June 1935 and ending on the 15th day of June 1935, both inclusive.

Loan of tents, camp appliances, etc.

SEC. 4. That the Secretary of War and the Secretary of the Navy are hereby authorized to loan to said committee such tents, camp appliances, trucks, motor equipment, benches, chairs, hospital furniture and utensils of all description, ambulances, horses, drivers, stretchers, Red Cross flags and poles, and other property and equipment, belonging to the United States, as in their judgment may be spared at the time of said session, consistent with the interests of the United States: *Provided*, That the said committee shall indemnify the United States for any loss or damage to any and all such property not necessarily incidental to such use: *And provided further*, That the said committee shall give approved bond to do the same.

Provisos.
Indemnity for loss, etc.
Bond.

Loan of Government flags, etc.

SEC. 5. That the Secretary of War and the Secretary of the Navy are authorized to loan to the said committee such ensigns, flags, decorations, lighting equipment, and so forth, belonging to the United States (battle flags excepted) as are not then in use, and may be suitable and proper for decorations and other purposes, which may be spared without detriment to the public service, such ensigns, flags, decorations, lighting equipment, and so forth, to be used by the committee under such regulations and restrictions as may be prescribed by the said Secretaries, or either of them: *Provided*, That the said committee shall, within five days after the close of said session, return to the said Secretaries all such ensigns, flags, decorations, lighting equipment, and so forth, thus loaned; and said committee shall indemnify the United States for any loss or damage not necessarily incident to such use.

Proviso.
Return after session.

Use of public spaces for stands, etc.

SEC. 6. That the Superintendent of National Capital Parks, subject to the approval of the Director of National Parks Service, is hereby authorized to permit the use of any or all public parks, reservations, or other public spaces in the District of Columbia, including the Monument Grounds and the Ellipse, for use by said committee for the erection of grand stands, reviewing stands, platforms, and other structures for reviewing parade or other purposes; and said committee is hereby authorized to charge reasonable fees for the use of the same provided such fees are used to aid in meeting the necessary expenses incident to the said session.

Reservations for automobiles.

SEC. 7. That the Superintendent of National Capital Parks, subject to the approval of the Director of National Parks Service, is hereby authorized to permit the use of such public parks, reservations, or other public spaces in the District of Columbia, under the control of the said Superintendent of National Capital Parks, as in the opinion of said Superintendent of National Capital Parks may be necessary, for the use by said committee for the parking of automobiles, the temporary erection of tents for entertainment, hospitals, and other purposes; and the said committee is hereby authorized to charge reasonable fees for the use of the same provided such fees are used to aid in meeting the expenses incident to the said session.

Charge allowed; condition.

Overhead conductors for special illumination.

SEC. 8. That the Commissioners of the District of Columbia are hereby authorized to permit said committee to stretch suitable overhead conductors, with sufficient supports, wherever necessary and in the nearest practicable connection with the present supply of light,

Provisos. Time limit for use.

for the purpose of effecting special illumination: *Provided*, That the said conductors shall not be used for the conveying of electrical currents after June 15, 1935, and shall, with their supports, be fully and entirely removed from the public spaces, streets, and avenues of the said city of Washington on or before June 25, 1935: *Provided further*, That the stretching and removing of the said wires shall be under the supervision of the Commissioners of the District of Columbia, who shall see that the provisions of this resolution are enforced; that all needful precautions are taken for the protection of the public; and that the pavement of any street, avenue, or alley disturbed is replaced in as good condition as before entering upon the work herein authorized: *And provided further*, That no expense or damage on account of or due to the stretching, operation, or removing of the said temporary overhead conductors shall be incurred by the United States or the District of Columbia, and that if it shall be necessary to erect wires for illuminating or other purposes over any park or reservation in the District of Columbia, the work of erection and removal of said wires shall be under the supervision of the officer in charge of said park or reservation.

Placing and removing wires.

No Government liability.

Wires over parks, etc.

Licenses to peddlers, etc.

SEC. 9. That the Commissioners of the District of Columbia are hereby authorized to grant, subject to approval of said committee and under such conditions as they may impose, special licenses to peddlers, merchants, and vendors to sell goods, wares, and merchandise on the streets, avenues, and sidewalks in the District of Columbia during said session, and to charge for such privileges such fees as they may deem proper.

Overhead wires.

SEC. 10. That the Commissioners of the District of Columbia are hereby authorized to permit the telegraph and telephone companies to extend overhead wires to such points as shall be deemed necessary by the said committee, the said wires to be taken down within ten days after the conclusion of the session.

Use of unoccupied public buildings.

SEC. 11. That the Secretary of the Interior and the Secretary of the Treasury are hereby authorized to assign to said committee for use and occupancy during said session such unoccupied public buildings or portions thereof in the District of Columbia as, in its discretion, may appear advisable: *Provided*, That any and all buildings so assigned shall be surrendered within ten days after the close of the said session: *Provided further*, That the said committee shall furnish a bond or other satisfactory assurance of indemnity against damage to said property while in its possession, incidental wear and tear excepted.

Provisos. Surrender of, after session closes. Bond.

Approved, February 28, 1935.

[CHAPTER 20.]

AN ACT

March 2, 1935. [H. R. 3982.] [Public, No. 15.]

To extend the times for commencing and completing the construction of a bridge across the Ohio River between Rockport, Indiana, and Owensboro, Kentucky.

Ohio River. Time extended for bridging, Rockport, Ind., to Owensboro, Ky. Vol. 48, p. 1016. *Post*, p. 1199.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Ohio River between Rockport, Indiana, and Owensboro, Kentucky, authorized to be built by an act of Congress approved June 18, 1934, are hereby extended one and three years, respectively, from June 18, 1935.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, March 2, 1935.

[CHAPTER 21.]

AN ACT

To authorize a transfer of forest reservation lands in Forrest and Perry Counties, Mississippi, to the State of Mississippi, or to the War Department, and for other purposes.

March 2, 1935.
[H. R. 4983.]
[Public, No. 16.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any of the lands purchased or to be purchased by the United States under the provisions of the Act approved March 1, 1911, as amended (U. S. C., title 16, secs. 513–521, inclusive; Supp. VII, title 16, secs. 513–521, inclusive), within the limits of townships 1, 2, and 3 north, ranges 9, 10, 11, 12, and 13, in Forrest and Perry Counties, State of Mississippi, are determined to be chiefly valuable and necessary for a National Guard encampment and related military purposes, the Secretary of Agriculture, with the consent and approval of the National Forest Reservation Commission established by section 4 of said Act of March 1, 1911, may, and he hereby is, authorized to convey full title to said lands to the State of Mississippi or the War Department of the United States: *Provided*, That there is paid into the Treasury of the United States, or made available by transfer on the books of said Treasury, sums of money equal to the full amounts expended by the Department of Agriculture for the purchase of said lands, and the money so paid into or transferred on the books of the Treasury shall be available for expenditure by the Secretary of Agriculture for the purchase of other lands under the provisions of said Act of March 1, 1911, as amended.

Forest reservation lands in Forrest and Perry Counties, Miss. Transfer of, authorized.
U. S. C., p. 665.

Conveyance of title.

Proviso.
Payment, etc.

Approved, March 2, 1935.

[CHAPTER 22.]

AN ACT

Granting the consent of Congress to the State of Indiana to construct, maintain, and operate a free highway bridge across the Wabash River at or near La Fayette, Indiana.

March 2, 1935.
[H. R. 5701.]
[Public, No. 17.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State of Indiana to construct, maintain, and operate a free highway bridge and approaches thereto across the Wabash River, at a point suitable to the interests of navigation, at or near La Fayette, Indiana, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Wabash River.
Indiana may bridge, at La Fayette.

Construction.
Vol. 34, p. 84.
U. S. C., p. 1474.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, March 2, 1935.

[CHAPTER 23.]

AN ACT

To amend section 824 of the Code of Laws for the District of Columbia.

March 4, 1935.
[S. 402.]
[Public, No. 18.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 824 of the Code of Laws for the District of Columbia be, and the same is hereby, amended to read as follows:

District of Columbia Code Amendment.
Vol. 31, p. 1324.

"SEC. 824. UNLAWFUL ENTRY ON PRIVATE PROPERTY.—Any person who, without lawful authority, shall enter, or attempt to enter, a private dwelling or building against the will of the lawful occupant

Unlawful entry on private property.

thereof, or being therein, without lawful authority to remain therein, shall refuse to quit the same on the demand of the lawful occupant thereof; or any person who, without lawful authority, shall enter, or attempt to enter, an unoccupied private dwelling or building against the will or consent of the lawful owner thereof, or his duly authorized agent, or being therein, without lawful authority to remain therein, shall refuse to quit the same on the demand of the lawful owner thereof or his duly authorized agent, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding $50 or imprisonment in the jail for not more than six months, or both, in the discretion of the court."

Punishment for.

Approved, March 4, 1935.

[CHAPTER 24.]

JOINT RESOLUTION

March 4, 1935.
[H. J. Res. 140.]
[Pub. Res., No. 6.]

To provide for the completion of the publication of the writings of George Washington.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That for the printing and binding at the Government Printing Office of the remaining volumes of the definitive edition of the writings of George Washington, to be printed, bound, and distributed as provided by section 1 of the Act approved March 10, 1932 (47 Stat. 63), there is hereby authorized to be appropriated such sum as the Public Printer estimates will be required for such printing and binding.

George Washington. Completion of publication of the writings of, authorized. Vol. 47, p. 63.

Sum for printing and binding. *Post*, p. 573.

Preparation of manuscript, etc.

SEC. 2. The former Director of the George Washington Bicentennial Commission, without receiving any compensation therefor, shall (a) complete the preparation of the manuscript for, and provide for the printing and binding of, the remaining unpublished volumes of such writings; (b) distribute that portion of the undistributed sets of such writings required by law to be distributed by the Commission; (c) dispose, in such manner as in his judgment will best serve the purposes for which the George Washington Bicentennial Commission was created, of such other educational material possessed by the Commission as is not required by law to be distributed in a definite way; (d) employ assistants (not to exceed five in number) in the same manner as the Commission was authorized to procure personnel; and (e) incur obligations for such miscellaneous expenses as may be necessary and/or incident to the administration of this joint resolution, and for the printing and binding authorized by section 1.

Distribution of sets.

Disposition of other material, etc.

Assistants authorized.

Obligations permitted.

Appropriation for salaries and expenses.

SEC. 3. For personal services, including services rendered since December 31, 1934, travel and necessary miscellaneous expenses, in connection with the purposes of this joint resolution, there is hereby appropriated, from any money in the Treasury not otherwise appropriated, $35,000.

Disbursing agency.

SEC. 4. Payments authorized under the provisions of this joint resolution shall be made by the Division of Disbursement, Treasury Department.

Expiration. *Post*, p. 1896.

SEC. 5. The authority granted under this joint resolution shall expire upon completion of the duties authorized hereby, and in no event later than December 31, 1936.

Approved, March 4, 1935.

[CHAPTER 28.]

AN ACT

March 6, 1935.
[H. R. 3464.]
[Public, No. 19.]

To amend certain sections of the code of law for the District of Columbia, approved March 3, 1901, as amended, relating to descent and distribution.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 380 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901, as amended (D. C. Code, title 29, sec. 288), is amended to read as follows:

District of Columbia Code Amendments.
Vol. 31, p. 1250.
Wills and administration.

"SEC. 380. If there be no child, or descendant, the whole shall go to the father and mother in equal shares, or to the survivor of them."

Distribution; to father, mother.

SEC. 2. Section 384 of such Act, as amended (D. C. Code, title 29, sec. 292), is amended to read as follows:

"SEC. 384. If there be no collaterals, the grandfathers and grandmothers, or such of them as survive, shall take alike."

To grandfathers, grandmothers.

Vol. 31, p. 1342.

SEC. 3. (A) Section 940 of such Act, as amended (D. C. Code, title 25, sec. 231), is amended to read as follows:

Property.
Course of descents generally.

"SEC. 940. COURSE OF DESCENTS GENERALLY.—On the death of any person seized of an estate in fee simple in lands, tenements, or hereditaments in the District of Columbia, and intestate thereof, the same shall descend in fee simple to such person's kindred in the following order, namely:

"First. To his child or children and their descendants, if any, equally.

"Second. If there be no child or descendant of a child, then equally to the father and mother of the intestate, or the whole to the sole surviving parent.

"Third. If there be no father or mother, then to the brothers and sisters of the intestate, and their descendants equally.

"Fourth. If there be no brother or sister, or descendant from a brother or sister, then the whole shall go to the widow or widower of the intestate.

"Fifth. If none such, then one moiety of the estate shall go to the paternal, the other to the maternal kindred of the intestate in the following order:

"Sixth. First to the grandfather and grandmother equally, but if one be dead the entire moiety to the sole surviving grandparent.

"Seventh. If none, then to the uncles and aunts of the intestate, and their descendants equally.

"Eighth. If none such, then to the great-grandfathers and great-grandmothers, in the same manner prescribed for grandfather and grandmother in subdivision 6.

"Ninth. If none, then to the brothers and sisters of the grandfathers and grandmothers, and their descendants equally.

"Tenth. And so on in other cases, without end, passing to the nearest lineal ancestors and the descendants of such ancestors.

"Eleventh. If there be no paternal kindred, the whole shall go to the maternal kindred; and if there be no maternal kindred, the whole shall go to the paternal kindred. If there be neither maternal or paternal kindred, the whole shall go to the kindred of the husband or wife of the intestate in the like course as if such husband or wife had died entitled to the estate; and if the intestate has had more husbands or wives than one, and all have died before such intestate, then the estate shall be equally divided among the kindred of the several husbands or wives in equal degree equally."

(B) Sections 941 to 951, inclusive, of such Act, as amended (D. C. Code, title 25, secs. 232 to 242, inclusive), are hereby repealed.

Vol. 31, pp. 1342-1343.

Kindred of the whole- and the half-blood.

Vol. 31, p. 1343.

Property representation.

SEC. 4. Section 954 of such Act, as amended (D. C. Code, title 25, sec. 245), is amended to read as follows:

"SEC. 954. In no case shall there be any distinction between the kindred of the whole- and the half-blood."

SEC. 5. Section 955 of such Act, as amended (D. C. Code, title 25, sec. 246), is amended to read as follows:

"SEC. 955. Whenever those entitled to share in the estate in fee simple in lands, tenements, or hereditaments in the District of Columbia, of an intestate, are all in the same degree of kindred to the intestate, they shall take per capita or by persons; and, where a part of them are dead and a part living, the issue of those dead shall take per stirpes or by stocks the shares of their deceased parents."

Approved, March 6, 1935.

[CHAPTER 29.]

JOINT RESOLUTION

March 7, 1935.
[H. J. Res. 94.]
[Pub. Res., No. 7.]

Providing for the participation of the United States in the California Pacific International Exposition to be held at San Diego, California, in 1935 and 1936; authorizing an appropriation therefor; and for other purposes.

California Pacific International Exposition. Appropriation for.
Post, pp. 50, 119, 1107, 1110.

Whereas there is to be held at San Diego, California, beginning in May 1935, the California Pacific International Exposition for the purpose of inspiring national confidence and a higher appreciation of American institutions, stimulating business and industry, assisting the Government in bringing a more abundant life to its people, creating understanding among nations, and in commemoration of the four hundredth anniversary of the discovery of the Pacific Southwest by Francisco Vasquez De Coronado; and

Whereas said exposition is worthy and deserving of the support and encouragement of the Government of the United States of America: Therefore, be it

Foreign nations; participation.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he hereby is, authorized and respectfully requested by proclamation or in such manner as he may deem proper to invite all foreign countries and nations to such proposed exposition with a request that they participate therein.

Commission created.

SEC. 2. There is hereby established a commission to be known as "The California Pacific International Exposition Commission" and to be composed of the Secretary of State, the Secretary of Agriculture, and the Secretary of Commerce; which Commission shall serve without additional compensation and shall represent the United States in connection with the holding of an international exposition known as "The California Pacific International Exposition" in San Diego, California, in the year 1935, and continuing into the year 1936.

Composition, purpose, etc.

Appointment of Federal Commissioner.

SEC. 3. There is hereby created a Federal commissioner for the California Pacific International Exposition, such commissioner to be appointed by the President upon the nomination of the Secretary of Agriculture, who shall select for this purpose an official of his Department who has had experience in, and is familiar with, the preparation and management of exhibitions, and who will serve in this capacity without additional salary. That the expenses of the Federal commissioner and such staff as he may require will be met out of the funds provided for the purposes of the Government participation in the exposition.

Qualifications; expenses.

Duties, powers, and functions.

SEC. 4. The Commission shall prescribe the duties of the Federal commissioner and shall delegate such powers and functions to him as it shall deem advisable, in order that there may be exhibited at the California Pacific International Exposition by the Government of the United States, its executive departments, independent offices, and establishments such articles and materials as illustrate the function and administrative faculty of the Government in the advancement of industry, the arts, and peace, demonstrating the nature of our institutions particularly as regards their adaptation to the wants of the people.

Employment of personnel.

Compensation.

Vol. 42, p. 1488; Vol. 45, p. 776; Vol. 46, p. 1003.

U. S. C., p. 85.

SEC. 5. The commissioner may employ such clerks, stenographers, and other assistants as may be necessary and fix their reasonable compensation within the grades and rates of compensation fixed by the Classification Act of 1923, as amended; purchase such material, contract for such labor and other services, and exercise such powers as are delegated to him by the Commission as hereinbefore provided, and in order to facilitate the functioning of his office may subdelegate such powers (authorized or delegated) to officers and employees as may be deemed advisable by the Commission.

Cooperation of executive departments, etc.

Loan of exhibits.

SEC. 6. The heads of the various executive departments and independent offices and establishments of the Government are authorized to cooperate with the commissioner in the procurement, installation, and display of exhibits; to lend to the California Pacific International Exposition, with the knowledge and consent of the commissioner, such articles, specimens, and exhibits which the commissioner shall deem to be in the interest of the United States to place with the science or other exhibits to be shown under the auspices of that corporation; to contract for such labor or other services as shall be deemed necessary, and to designate officials or employees of their departments or branches to assist the commissioner. At the close of the exposition, or when the connection of the Government of the United States therewith ceases, the commissioner shall cause all such property to be returned to the respective departments and branches from which taken, and any expenses incident to the restoration, modification, and revision of such property to a condition which will permit its use at subsequent expositions and fairs, and for the continued employment of personnel necessary to close out the fiscal and other records and prepare the required reports of the participating organizations, may be paid from the appropriation provided; and if the return of such property is not practicable, he may, with the consent of the department or branch from which it was taken, make such disposition thereof as he may deem advisable and account therefor.

Return of, at close of exposition.

Expenses of restoration, etc.

Preparation of reports.

Disposal of property when return impracticable.

Appropriation authorized.

Post, p. 50.

SEC. 7. The sum of $350,000 is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to remain available until expended, of which sum not to exceed the sum of $125,000 may be expended for the erection of such building or group of buildings, and/or for the rental of such space, as the Commission may deem adequate to carry out effectively the provisions of this resolution; for the decoration of such structure or structures; for the proper maintenance of such buildings, site, and grounds during the period of the exposition. The Commission may contract with the California Pacific International Exposition for the designing and erection of such building or buildings and/or for the rental of such space as shall be deemed proper. The remaining portion of the appropriation authorized under this resolution shall be available for the selection, purchase, preparation, assembling, transportation, installation, arrangement, safe-keeping, exhibition, demonstration, and return of such articles and materials as the Commission may decide shall be included in such Government exhibit and in the

Portion of, for construction, rental, etc.

Contracts for design, etc., of buildings, etc.

General expenses.

Personal services.

exhibits of the California Pacific International Exposition; for the compensation of the employees of the Commission in the District of Columbia and elsewhere, for the payment of salaries of officers and employees of the Government, employed by or detailed for duty with the Commission, and for their actual traveling expenses and subsistence at not to exceed $6 per day: *Provided*, That no such official or employee so designated shall receive a salary in excess of the amount which he has been receiving in the department or branch where employed plus such reasonable allowance for subsistence expenses as may be deemed proper by the commissioner; for telephone service, purchase of furniture and equipment, stationery and supplies, typewriting, adding, duplicating, and computing machines, their accessories and repairs, books of reference and periodicals, uniforms, maps, reports, documents, plans, specifications, manuscripts, newspapers and all other publications, ice and drinking water for office purposes: *Provided*, That payment for telephone service, rents, subscriptions to newspapers and periodicals, and other similar purposes may be made in advance, for the hire of a passenger-carrying automobile, its maintenance, repair, and operation, for the official use of the commissioner, for printing and binding; for entertainment of distinguished visitors, and all other expenses as may be deemed necessary by the Commission to fulfill properly the purposes of this resolution. All purchases, expenditures, and disbursements, under any appropriations which may be provided by authority of this resolution, shall be made under the direction of the Commission: *Provided*, That the Commission, as hereinbefore stipulated, may delegate these powers and functions to the commissioner, and the commissioner, with the consent of the Commission, may subdelegate them: *And provided further*, That the Commission or its delegated representative may authorize the allotment of funds to any executive department, independent office, or establishment of the Government with the consent of the heads thereof for direct expenditure by said executive department, independent office, or establishment for the purpose of defraying any expenditure which may be incurred by said executive department, independent office, or establishment in executing the duties and functions delegated to said office by the Commission; and all accounts and vouchers covering expenditures under these appropriations shall be approved by the commissioner or such assistants as he may delegate, except for such allotments as may be made to the various executive departments and establishments for direct expenditure; but these provisions shall not be construed to waive the submission of accounts and vouchers to the General Accounting Office for audit or permit any obligations to be incurred in excess of the amount authorized to be appropriated: *Provided*, That in the construction of buildings or exhibits requiring skilled and unskilled labor, the prevailing rate of wages, as provided in the Act of March 3, 1931, shall be paid.

Provisos.
Salary restriction.

Furniture, stationery, etc.

Advance payments.

Delegation of functions.

Allotment of funds to Government offices.

Approval of vouchers; exception.

Audit by General Accounting Office.

Prevailing wage rate for construction work.
Vol. 46, p. 1494; U. S. C., p. 1788.

Acceptance of contributions.

SEC. 8. The commissioner, with the approval of the Commission, may receive from any source contributions to aid in carrying out the general purposes of this resolution, but the same shall be expended and accounted for in the same manner as any appropriation which may be made under authority of this resolution. The commissioner is also authorized to receive contributions of material, or borrow material or exhibits, to aid in carrying out the general purposes of this resolution; and at the close of the exposition or when the connection of the Government of the United States therewith ceases, shall dispose of any such portion of the material contributed as may be unused, and return such borrowed property; and, under the direction of the Commission, dispose of any buildings

Disposal of buildings and property.

which may have been constructed and account therefor: *Provided*, That all disposition of materials, property, buildings, and so forth, shall be at public sale to the highest bidder and the proceeds thereof shall be covered into the Treasury of the United States.

Proviso. By auction sales.

SEC. 9. It shall be the duty of the Commission to transmit to Congress, within six months after the close of the exposition, a detailed statement of all expenditures, and such other reports as may be deemed proper, which reports shall be prepared and arranged with a view to concise statement and convenient reference.

Report to Congress.

Approved, March 7, 1935.

[CHAPTER 31.]

JOINT RESOLUTION

March 15, 1935.
[S. J. Res. 46.]
[Pub. Res., No. 8.]

Authorizing and directing the Federal Communications Commission to investigate and report on the American Telephone and Telegraph Company and on all other companies engaged directly or indirectly in telephone communication in interstate commerce, including all companies related to any of these companies through a holding company structure, or otherwise.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it is necessary, in aid of legislation by the Congress and for the use of governmental agencies, including State regulatory commissions, for the information of the general public, as an aid in providing more effective rate regulation, and for other purposes in the public interest, that accurate and comprehensive information be procured and compiled regarding the American Telephone and Telegraph Company and other telephone companies.

American Telephone and Telegraph Company, etc.
Necessity for examination, etc., declared.

SEC. 2. The Federal Communications Commission is hereby authorized and directed to investigate and report to the Congress on the following matters with respect to the American Telephone and Telegraph Company and all other companies engaged directly or indirectly in telephone communication in interstate commerce, including all of their subsidiary, affiliated, associated, and holding companies, and any other companies in which any of them have any direct or indirect financial interest, or which have any such interest in them, or in which any of their officers or directors hold any office or exert any control, or whose officers or directors hold any office or exert any control in them—

Federal Communications Commission directed to investigate and report to Congress.

Subsidiaries, holding companies, etc., included.

(a) The corporate and financial history, and the capital structure and the relationship of such company and of its subsidiary, affiliated, associated, and holding companies, including the determination of whether or not such structure may enable them to evade State or Federal regulation or taxation, or to conceal, pyramid, or absorb profits, or to do any other act contrary to the public interest.

History, structure, interrelationships, etc.

(b) The extent and character of intercompany service contracts and all transactions between the telephone companies and their subsidiaries, affiliated, associated, or holding companies, and particularly between the American Telephone and Telegraph Company and the Western Electric Company and other manufacturers of electrical communication equipment; the methods of publishing telephone directories and placing and charging for advertising therein; the cost of and sale prices of telephone equipment, material, or devices to telephone operating companies or users; the profits upon such sales and the effect of such sales upon the rates or upon the rate base of operating companies when used as a basis for telephone charges in the various States or in interstate commerce; and the probable savings to telephone operating companies and the public by purchasing equipment under a system of competitive bidding.

Service contracts, transactions, etc.

With Western Electric Company.

Equipment, etc., prices.

Failure to reduce rates, etc.

(c) The reasons for the failure generally to reduce telephone rates and charges during the years of declining prices; and the extent, if any, to which local subscribers or the users of toll service have borne the cost of the research developments for telephone equipment and appliances, radio, motion picture, and other inventions, including the maintenance and support of Bell Telephone Laboratories, Incorporated.

Effect of monopolistic control.

(d) The effect of monopolistic control upon the reasonableness of telephone rates and charges, upon the methods of competition with independent telephone companies, and upon the character of services rendered, and the alleged unfair or discriminatory practices with respect to such companies, and with respect to radio broadcasting or public speaker "hook-ups."

Mergers, etc.

(e) The effect of mergers, consolidations, and acquisitions of control by telephone companies, including the determination of whether there has been any "write-up" in the purchase price of property, equipment or intangibles, the fairness of the terms and conditions of any merger, consolidation, or acquisition, and the public interest therein, and the effect thereof upon rates or service.

Methods of accounting.

(f) The accounting methods of the companies, particularly with reference to depreciation accounting, apportionment of investment, revenues and expenses between State and interstate operations, employee pension funds, and valuation of properties for both rate and tax purposes.

Methods of competition, etc.

(g) The methods of competition with other companies or industries, including the determination of whether or not there has been any sale or refusal to buy from or sell to competing companies, or suppression of patents, and the expansion of the companies into fields other than telephone communication, including teletype service, telephoto service, telegraph service, broadcasting, motion and sound picture production and distribution, and the manufacture of electrical equipment, so far as such expansion may relate to or affect communications.

Teletype, telephoto, etc., services.

Propaganda to influence public opinion.

(h) Whether or not the companies have sought through propaganda or the expenditure of money or the control of channels of publicity to influence or control public opinion, legislative or administrative action, or elections.

"Company" defined.

SEC. 3. As used in the resolution the term "company" shall include all subsidiary, affiliated, associated, and holding companies or corporations and all companies directly or indirectly associated or connected with telephone companies, either by direct or indirect stock ownership, interlocking directorates, voting trusts, holding or investment companies, or any other direct or indirect means.

Consolidation of investigations.

SEC. 4. The inquiry into certain practices of telephone carriers subject to the Communications Act of 1934, recently instituted by the Federal Communications Commission pursuant to its Telephone Division Order Numbered 11 and Statement of November 14, 1934, may be consolidated with the investigation required by this joint resolution in the manner and to the extent deemed desirable by the Commission.

Vol. 48, p. 1080.

Hearings authorized.

SEC. 5. For the purposes of this resolution the Federal Communications Commission is hereby authorized to hold hearings; to contract for stenographic reporting service; to utilize its regular personnel, facilities, jurisdiction, and powers insofar as practicable; and to employ for the purposes of this investigation such additional experts, including engineering, accounting, legal, and other assistants as may be found necessary, without regard to the provisions of other laws applicable to the employment and compensation of officers

Expert assistants.

and employees of the United States, and to make such other expenditures, including necessary travel expenses, and expenditures for printing and binding, as it deems necessary. The Commission is also hereby authorized to have access to, upon demand, for the purposes of examination, and the right to copy, any books, papers, correspondence, memoranda, and other records of any person, partnership, company, or other organization being investigated, whether such books, papers, correspondence, memoranda, or records are in the possession of the company under investigation or are in the possession of other persons, firms, or corporations; to require by subpena the attendance and testimony of witnesses and the production of books, papers, correspondence, memoranda, and other records which the Commission deems relevant or material to the inquiry, at any designated place of hearing within the United States; to administer oaths and affirmations, to require persons, partnerships, companies, or other organizations to submit to the Commission in writing reports and answers to specific questions, furnishing such information as the Commission may require relative to the inquiry. Such reports and answers shall be made under oath or otherwise as the Commission may prescribe and shall be filed with the Commission within such reasonable period as the Commission may prescribe, unless additional time be granted in any case by the Commission. In case of contumacy or the refusal to obey any subpena or other order issued hereunder, the Commission may invoke the aid of any court of the United States, within the jurisdiction of which such inquiry is carried on, or where such party guilty of contumacy or refusal to obey resides or has his place of business, in requiring obedience to such subpena or other order and any such court of the United States shall have jurisdiction to issue its order enforcing such subpena or other order of the Commission in whole or in part; and any failure to obey such order of the court may be punished by such court as a contempt thereof. All process in such cases may be served wherever the defendant may be found.

Expenditures authorized.

Inquiries, examination of records, etc.

Sworn statements.

Court jurisdiction to compel testimony.

SEC. 6. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $750,000, to be made immediately available to the Federal Communications Commission for the purposes of the investigation and report herein authorized and directed, and the Commission shall make special reports to Congress on its progress and its findings in this investigation.

Appropriation.
Post, p. 1602.

Approved, March 15, 1935.

[CHAPTER 32.]

AN ACT

To amend the Agricultural Adjustment Act with respect to rice, and for other purposes.

March 18, 1935.
[H. R. 5221.]
[Public, No. 20.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 9 of the Agricultural Adjustment Act, as amended, is further amended by striking out the comma after the words "except that" in the second sentence and inserting in lieu thereof the following: "(1)"; and by striking out the period at the end of said second sentence and inserting a comma and the following: "and (2) in the case of rice, the Secretary of Agriculture shall, before April 1, 1935, proclaim that rental or benefit payments are to be made with respect thereto, and the processing tax shall be in effect on and after April 1, 1935."

Agricultural Adjustment Act, amendments.
Vol. 48, pp. 35, 676.
Processing tax on rice; rental or benefit payments.

Effective date.

Marketing year.
Vol. 48, p. 36.

SEC. 2. Subsection (a) of section 9 of the Agricultural Adjustment Act, as amended, is further amended by inserting at the end of the third sentence the following: "In the case of rice, the period from August 1 to July 31, both inclusive, shall be considered to be the marketing year."

Processing tax rate on rough rice.
Vol. 48, p. 671.
Post, p. 763.

SEC. 3. Subsection (b) of section 9 of the Agricultural Adjustment Act, as amended, is further amended by inserting after the words "except that" in the first sentence the following: "(1)"; by striking out the period at the end of said first sentence and the word "If" at the beginning of the second sentence and inserting in lieu thereof a comma and the words "and if"; and by striking out the period at the end of said second sentence and inserting in lieu thereof a comma and the following: "and (2) for the period from April 1, 1935, to July 31, 1936, both inclusive, the processing tax with respect to rice shall be at the rate of 1 cent per pound of rough rice, subject, however, to any modification of such rate which may be made pursuant to any other provision of this title."

Computing weight for tax purposes.
Vol. 48, p. 36.

SEC. 4. Subsection (b) of section 9 of the Agricultural Adjustment Act, as amended, is further amended by inserting after the third sentence the following: "In the case of rice, the weight to which the rate of tax shall be applied shall be the weight of rough rice when delivered to a processor, except that where the producer processes his own rice, the weight to which the rate of tax shall be applied shall be the weight of rough rice when delivered to the place of processing."

Rice excepted from certain milling provisions, under processing tax.
Vol. 48, p. 36.

SEC. 5. Subsection (d) of section 9 of the Agricultural Adjustment Act, as amended, is further amended by striking out the word "rice" and the commas which precede and follow said word in the two places in which the word occurs in paragraph (1).

Supplementary items.
Vol. 48, p. 1242.

SEC. 6. Subsection (d) of section 9 of the Agricultural Adjustment Act, as amended, is further amended by renumbering paragraph (7) as paragraph (8) and by inserting after paragraph (6) the following:

Definitions.

"(7) In the case of rice—

"Rough rice."
Vol. 48, p. 36.

"(A) The term 'rough rice' means rice in that condition which is usual and customary when delivered by the producer to a processor.

"Processing."

"(B) The term 'processing' means the cleaning, shelling, milling (including custom milling for toll as well as commercial milling), grinding, rolling, or other processing (except grinding or cracking by or for the producer thereof for feed for his own livestock, cleaning by or directly for a producer for seed purposes, and drying) of rough rice; and in the case of rough rice with respect to which a tax-payment warrant has been previously issued or applied for by application then pending, the term 'processing' means any one of the above mentioned processings or any preparation or handling in connection with the sale or other disposition thereof.

"Cooperating producer."

"(C) The term 'cooperating producer' means any person (including any share-tenant or share-cropper) whom the Secretary of Agriculture finds to be willing to participate in the 1935 production-adjustment program for rice.

"Processor."
Vol. 48, p. 39; *Post*, p. 47.

"(D) The term 'processor', as used in subsection (b–1) of section 15 of this title, means any person (including a cooperative association of producers) engaged in the processing of rice on a commercial basis (including custom milling for toll as well as commercial milling)."

Rental or benefit payments.
Vol. 48, pp. 34, 676.
Post, p. 752.

SEC. 7. Subsection (1) of section 8 of the Agricultural Adjustment Act, as amended, is amended by inserting at the end of the first sentence thereof the following new sentence: "In the case of rice, the Secretary, in exercising the discretion conferred upon him by this section to provide for rental or benefit payments, is directed to pro-

vide in any agreement entered into by him with any rice producer pursuant to this section, upon such terms and conditions as the Secretary determines will best effectuate the declared policy of the Act, that the producer may pledge for production credit in whole or in part his right to any rental or benefit payments under the terms of such agreement and that such producer may designate therein a payee to receive such rental or benefit payments."

Producer to agree to conform to policy of Act.

May designate payee to receive payments.

SEC. 8. Section 15 of the Agricultural Adjustment Act, as amended, is further amended by inserting after subsection (b) the following subsections:

Vol. 48, p. 39.

"(b–1) The Secretary of Agriculture is authorized and directed to issue tax-payment warrants, with respect to rough rice produced in 1933 and 1934 (provided the processing of such rice is not exempt from the tax, and provided no tax payment warrant has been previously issued with respect thereto or previously applied for by application then pending, sufficient to cover the tax with respect to the processing thereof at the rate in effect at the time of such issuance, to any processor with respect to any such rice which he has in his possession on March 31, 1935, and to, or at the direction of any other person with respect to any such rice which, on or after April 1, 1935, he delivers for processing or sells to a processor: *Provided*, That in case any such processor or other person is the producer of such rice (or has received such rice by gift, bequest, or descent from the producer thereof) that such processor or other person is, if eligible, a cooperating producer: *And provided further*, That in case such processor or other person is not the producer thereof (nor a person who has received such rice by gift, bequest, or descent from the producer thereof), (a) that, if the title to such rice was transferred from the producer thereof, whether by operation of law or otherwise, prior to April 1, 1935, such producer received the price prescribed in any marketing agreement, license, regulation, or administrative ruling, pursuant to this title, applicable to the sale of such rice by the producer, and (b) that, if the title to such rice was transferred from the producer thereof, whether by operation of law or otherwise, on or after April 1, 1935, such producer received at least the full market price therefor plus an amount equal to 99 per centum of the face value of tax-payment warrants sufficient to cover the tax on the processing of such rice at rate in effect at the time title was so transferred, and was, if eligible, a cooperating producer.

Tax payment warrants.
1933 and 1934 crops.
Conditions.

Rate.

To whom issued.

Provisos.
Cooperating producer requirements.

When processor is not producer.

"(b–2) The warrants authorized and directed to be issued by subsection (b–1) of this section—

Warrants.

"(1) shall be issued by the Secretary of Agriculture or his duly authorized agent in such manner, at such time or times, at such place or places, in such form, and subject to such terms and conditions with reference to the transfer thereof or the voiding of warrants fraudulently obtained and/or erroneously issued, as the Secretary of Agriculture may prescribe, and the Secretary of Agriculture is authorized to discontinue the further issuance of tax-payment warrants at any time or times and in any region or regions when he shall determine that the rice in any such region or regions can no longer be identified adequately as rice grown in 1933 or 1934; and

Issue, form, transfer, etc.

Discontinuance when crop identity no longer established.

"(2) shall be accepted by the Collector of Internal Revenue and the Secretary of the Treasury at the face value thereof in payment of any processing tax on rice.

Acceptance, in payment of processing tax.

"(b–3) (1) Any person who deals or traffics in, or purchases any such tax-payment warrant or the right of any person thereto at less than 99 per centum of its face value shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than $1,000 or imprisoned for not more than one year or both.

Penalty provisions.

Traffic in tax-payment warrants.

Unlawfully securing warrant.

"(2) Any person who, with intent to defraud, secures or attempts to secure, or aids or assists in or procures, counsels, or advises, the securing or attempting to secure any tax-payment warrant with respect to rice as to which any tax-payment warrant has been theretofore issued shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than $1,000 or imprisoned for not more than one year, or both.

Counterfeiting, etc.

"(3) Any person who with intent to defraud forges, makes, alters, or counterfeits any tax-payment warrant or any stamp, tag, or other means of identification provided for by this title or any regulation issued pursuant thereto, or makes any false entry upon such warrant or any false statement in any application for the issuance of such warrant, or who uses, sells, lends, or has in his possesion any such altered, forged, or counterfeited warrant or stamp, tag, or other means of identification, or who makes, uses, sells, or has in his possession any material in imitation of the material used in the manufacture of such warrants or stamps, tags, or other means of identification, shall, upon conviction thereof, be punished by a fine not exceeding $5,000 or by imprisonment not exceeding five years, or both.

False statements.

Furnishing information.

"(4) All producers, warehousemen, processors, and common carriers, having information with respect to rice produced in the years 1933 or 1934, may be required to furnish to the Secretary of Agriculture such information as he shall, by order, prescribe as necessary to safeguard the issuance, transfer, and/or use of tax-payment warrants.

Regulations authorized.

"(5) The Secretary of Agriculture may make regulations protecting the interests of producers (including share-tenants and sharecroppers) and others, in the issuance, holding, use, and/or transfer of such tax-payment warrants."

Equalizing tax on imports.
Vol. 48, pp. 40, 676.
Application of section to U. S. possessions.
Post, p. 768.

SEC. 9. Subsection (e) of section 15 of the Agricultural Adjustment Act, as amended, is further amended, by inserting after the word "*Provided*" the following: "(1) That in the event any of the provisions of this title have been or are hereafter made applicable to any possession of the United States in the case of any particular commodity or commodities, but not generally, this title, for the purposes of this subsection, shall be deemed applicable to such possession with respect to such commodity or commodities but shall not be deemed applicable to such possession with respect to other commodities; and (2)."

Floor stocks.
Vol. 48, pp. 40, 678, 1241.
Post, pp. 768, 1740.

SEC. 10. Section 16 of the Agricultural Adjustment Act, as amended, is further amended by relettering subsection "(C)" as subsection "(e)"; by striking out in subdivisions 3 and 4 of said subsection the words "of subsection (c) of this section" and "of subsection (c)", respectively, and inserting in each such subdivision in lieu of the words so stricken out, the words "of this subsection"; and by adding at the end of said section the following:

Tax provisions not applicable to rice.

"(f) The provisions of this section shall not be applicable with respect to rice."

Exportation of tax-paid products.
Vol. 48, pp. 40, 676.
Rice; use of tax-payment warrants.
Post, pp. 1739, 1740.

SEC. 11. Subsection (a) of section 17 of the Agricultural Adjustment Act, as amended, is further amended by inserting after the second sentence the following: "In the case of rice, a tax due under this title which has been paid by a tax-payment warrant shall be deemed for the purposes of this subsection to have been paid; and with respect to any refund authorized under this section, the amount scheduled by the Commissioner of Internal Revenue for refunding shall be paid, any provision of law notwithstanding."

Approved, March 18, 1935.

[CHAPTER 36.]

AN ACT

March 21, 1935.
[H. R. 6644.]
[Public, No. 21.]

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1935, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1935, and for other purposes.

First Deficiency Act, fiscal year 1935.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1935, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1935, and for other purposes, namely:

General appropriations.
Legislative.

TITLE I—GENERAL APPROPRIATIONS
LEGISLATIVE

House of Representatives.

HOUSE OF REPRESENTATIVES

Anthony J. Griffin.
Pay to widow.

For payment to the widow of Anthony J. Griffin, late a Representative from the State of New York, $9,500.

Henry T. Rainey.
Pay to widow.

For payment to the widow of Henry T. Rainey, late a Representative from the State of Illinois, $9,500.

Frederick Landis.
Pay to widow.

For payment to the widow of Frederick Landis, late a Representative-elect from the State of Indiana, $9,500.

The three foregoing appropriations to be disbursed by the Sergeant at Arms of the House.

Committee on Revision of the Laws.
Vol. 45, p. 1007; U. S. C., p. 3.

Committee on Revision of the Laws: For the employment of competent persons in continuing the work of compiling, codifying, and revising the laws and treaties of the United States, fiscal years 1935 and 1936, $3,000.

Architect of the Capitol.

OFFICE OF ARCHITECT OF THE CAPITOL

Air-conditioning rooms of Senate Committee on Appropriations, expenses.

Capitol Building: For the purchase and installation for the committee rooms of the Senate Committee on Appropriations of complete, improved ventilation, dehumidifying air-conditioning apparatus with automatically controlled ducts and water piping for the connection of the different units of such apparatus, and for all necessary structural alterations required for such installation, including personal services, advertising, traveling, and other necessary expenses incident thereto, $10,000, to be expended by the Architect of the Capitol without compliance with sections 3709 and 3744 of the Revised Statutes of the United States, to remain available until June 30, 1936.

Expenditure without advertising.
R. S., secs. 3709, 3744; U. S. C., pp. 1803, 1805.

Senate and House Office Buildings.
Elevators.
Vol. 48, p. 1025.

The unexpended balances on June 30, 1935, of the appropriation for the Senate Office Building and of the appropriation for the House Office Buildings, contained in the Deficiency Appropriation Act, fiscal year 1934, for installation, repair, and reconditioning of elevators, and of the portion of the appropriation "Capitol Building and Repairs, 1935", allocated for installation, repair, and reconditioning of elevators, shall continue available for the same purposes until June 30, 1936; and in addition there are appropriated, to be merged with, and to be available for the same purposes as, the appropriations hereinbefore extended for the Senate Office Building and the Capitol Building, the following respective sums: For the Senate Office Building, $5,500; and for the Capitol Building and Repairs, $4,500; in all, $10,000, to remain available until June 30,

Additional sums available.

Proviso. Allocation for Capitol elevators.

1936: *Provided*, That $6,000 of the unexpended balance of the foregoing appropriation for the House Office Buildings shall be transferred to and be available under the foregoing allocation for elevator work in the Capitol Building.

Independent offices.

INDEPENDENT OFFICES

California Pacific International Exposition.

CALIFORNIA PACIFIC INTERNATIONAL EXPOSITION

Participation, etc.

Ante, p. 40.
Post, pp. 119, 1107, 1110.

For the purpose of carrying into effect the provisions of the public resolution entitled "Joint resolution providing for the participation of the United States in the California Pacific International Exposition to be held at San Diego, California, in 1935 and 1936; authorizing an appropriation therefor; and for other purposes", approved March 7, 1935, and for each and every object thereof, and within the limits of cost specified therein, $350,000, to remain available until June 30, 1936: *Provided*, That expenses for subsistence authorized by such Act shall be on a per diem allowance basis in lieu of actual expenses and shall not exceed $5 per day for any person.

Proviso. Subsistence allowance.

D. C.-Va. Boundary Commission.

DISTRICT OF COLUMBIA-VIRGINIA BOUNDARY COMMISSION

Expenses.
Ante, p. 23.
Post, p. 67.

For the District of Columbia-Virginia Boundary Commission, including the same objects specified under this head in Public Resolution Numbered 3, approved February 13, 1935, $10,000, to continue available until December 2, 1935.

Farm Credit Administration.

FARM CREDIT ADMINISTRATION

Crop production loans.
Ante, p. 29.
Post, p. 1458.

Crop production loans: To enable the Governor of the Farm Credit Administration to carry into effect the provisions of the Act entitled "An Act to provide for loans to farmers for crop production and harvesting during the year 1935, and for other purposes", approved February 20, 1935, including personal services and rent in the District of Columbia and elsewhere; paper, printing, and binding; supplies and services, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), when the aggregate amount involved does not exceed $50; and such other expenses as may be necessary; there is hereby reappropriated and made immediately available and to remain available until June 30, 1936, for the foregoing purposes, a total of $60,000,000 from unobligated balances (to be designated by the President) under allocations from the appropriation of $525,000,000 for relief in stricken agricultural areas contained in the Emergency Appropriation Act, fiscal year 1935.

Supplies and services. R. S., sec. 3709, p. 733; U. S. C., p. 1803.

Vol. 48, p. 1056.

Federal Power Commission.

FEDERAL POWER COMMISSION

Printing and binding.
Ante, p. 10.
Post, p. 1111.

Printing and binding: For additional printing and binding, Federal Power Commission, to remain available until June 30, 1936, $25,000.

Federal Communications Commission.

FEDERAL COMMUNICATIONS COMMISSION

Grand Island, Nebr., radio station.
Additional land.
Vol. 48, p. 805.

Not to exceed $1,200 of the appropriation for the Federal Communications Commission for the fiscal year 1935 shall be available for the purchase of an additional tract of land containing approximately ten acres adjacent to that now owned by the United States at Grand Island, Nebraska, and for enclosing the same, for use in connection with the constant-frequency monitoring station located at said place, as authorized by the Act approved May 25, 1934 (48 Stat. 805).

FEDERAL TRADE COMMISSION

Federal Trade Commission.

For an additional amount for the Federal Trade Commission, including the same objects specified under this caption in Title I, Independent Offices Appropriation Act, 1935, $110,000, to remain available until June 30, 1936.

Expenses. Vol. 48, p. 513; *Ante*, p. 10.

NATIONAL ARCHIVES

National Archives.

Salaries and expenses: For the Archivist and for all other authorized expenditures of the National Archives in performing the duties imposed by law, including personal services; supplies and equipment; purchase and exchange of books and maps; contract stenographic reporting services; purchase of newspapers, periodicals, and press clippings; travel expenses, including not to exceed $500 for the expenses of attendance at meetings concerned with the work of the National Archives; purchase, exchange, maintenance, and operation of motor vehicles, including not more than one passenger-carrying automobile for the official use of the National Archives; and all other necessary expenses, fiscal year 1936, $458,000, of which not to exceed $73,000 shall be immediately available: *Provided*, That subsistence expenses payable under this appropriation shall be on a per diem allowance basis in lieu of actual expenses and shall not exceed $5 per day for any person: *Provided further*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the National Archives when the aggregate cost involved does not exceed the sum of $50.

Salaries and expenses. Vol. 48, p. 1122.

Attendance at meetings.

Provisos. Subsistence.

Minor purchases, etc. R. S., sec. 3709, p. 733; U. S. C., p. 1803.

Printing and binding: For all printing and binding for the National Archives, fiscal year 1936, $17,000, of which not to exceed $2,000 shall be immediately available.

Printing and binding.

VETERANS' ADMINISTRATION

Veterans' Administration.

Pensions: For an additional amount for the payment of pensions, gratuities, and allowances, including the same objects specified under this head in the Independent Offices Appropriation Act, 1935, $94,650,000.

Pensions. Vol. 48, p. 520.

DISTRICT OF COLUMBIA

District of Columbia.

PUBLIC SCHOOLS

Public schools.

For the purchase of additional equipment for teaching commercial classes in the junior and senior high schools, to continue available until June 30, 1936, $15,000.

Equipment for teaching commercial classes.

For the rehabilitation of the Adams Administration Building for use as an elementary-school building for instruction purposes, to continue available until June 30, 1936, $20,000.

Adams Administration Building.

DEPARTMENT OF AGRICULTURE

Department of Agriculture.

FOREST SERVICE

Forest Service.

Salaries and general expenses (fighting forest fires): For an additional amount for fighting and preventing forest fires, including the same objects specified under this head in the Agricultural Appropriation Act for the fiscal year 1935, $2,348,000.

Fighting forest fires. Vol. 48, p. 482.

Biological Survey Bureau.

BUREAU OF BIOLOGICAL SURVEY

Predatory animals, etc., control. Vol. 48, p. 489.

Salaries and expenses (control of predatory animals and injurious rodents): For an additional amount for control of predatory animals and injurious rodents, including the same objects specified under this head in the Agricultural Appropriation Act for the fiscal year 1935, $15,000.

Department of Justice.

DEPARTMENT OF JUSTICE

Attorney General's office.

OFFICE OF THE ATTORNEY GENERAL

Contingent expenses. Vol. 46, p. 1321.

Contingent expenses: For an additional amount for contingent expenses, Department of Justice, including the same objects specified under this head in the Act making appropriations for the Department of Justice for the fiscal year 1932, $1.70.

Books. Vol. 46, p. 186.

Books: For an additional amount for books, Department of Justice, including the same objects specified under this head in the Act making appropriations for the Department of Justice for the fiscal year 1931, $5.02.

Additional sum. Vol. 48, p. 536.

For an additional amount for books, Department of Justice, including the same objects specified under this head in the Department of Justice Appropriation Act, 1935, $6,000.

Miscellaneous.

MISCELLANEOUS OBJECTS, DEPARTMENT OF JUSTICE

Preparation of rules in actions at law. Vol. 48, p. 1064.

Preparation of rules in actions at law: To enable the Attorney General to cooperate with the Supreme Court in the preparation of rules in actions at law, pursuant to the Act entitled "An Act to give the Supreme Court of the United States authority to make and publish rules in actions at law", approved June 19, 1934 (48 Stat. 1064), including personal services at the seat of government or elsewhere, printing and binding, contingent expenses, and traveling expenses, to be expended under the direction of the Attorney General, $40,000, to remain available until June 30, 1936.

Division of Investigation.

DIVISION OF INVESTIGATION

Salaries and expenses. Vol. 48, pp. 537, 1035.

Salaries and expenses: The amount which may be expended for personal services in the District of Columbia from the appropriation "Salaries and expenses, Division of Investigation, 1935", is increased from $600,000 to $696,420.

United States Courts.

JUDICIAL

MARSHALS, DISTRICT ATTORNEYS, CLERKS, AND OTHER EXPENSES OF UNITED STATES COURTS

Marshals.

Salaries, fees, and expenses of marshals: For additional amounts for salaries, fees, and expenses of marshals, United States courts, including the same objects specified under this head in the Acts making appropriations for the Department of Justice for the following fiscal years:

For 1924, $230.53.

For 1931, $372.07.

District attorneys.

Salaries and expenses of district attorneys: For an additional amount for salaries and expenses of district attorneys, United States courts, including the same objects specified under this head in the Act making appropriations for the Department of Justice for the fiscal year 1933, $188.33.

Commissioners.

Fees of commissioners: For additional amounts for fees of commissioners, United States courts, including the same objects specified under this head in the Acts making appropriation for the Department of Justice for the following fiscal years:

For 1931, $471.60.

For 1932, $15,395.89.

For 1933, $28,582.02.

Conciliation commissioners.
Vol. 30, p. 544; Vol. 47, p. 1467.
U. S. C., p. 319; Supp. I, p. 47.

Conciliation commissioners: For an additional amount for fees of conciliation commissioners, and per diem allowance and traveling expenses of supervising conciliation commissioners, as authorized by the Act entitled "An Act to amend an Act entitled 'An Act to establish a uniform system of bankruptcy throughout the United States', approved July 1, 1898, and Acts amendatory thereof and supplementary thereto", as amended, $135,000, to remain available until June 30, 1936.

Supplies.

Supplies: For an additional amount for supplies for United States courts, including the same objects specified under this head in the Act making appropriations for the Department of Justice for the fiscal year 1931, 68 cents.

Penal and correctional institutions.

PENAL AND CORRECTIONAL INSTITUTIONS

Federal penitentiaries.
Leavenworth, Kans., construction, etc.

United States penitentiary, Leavenworth, Kansas, Buildings: For construction and repair of buildings, including the purchase and installation of machinery and equipment and all expenses incident thereto, to be expended so as to give the maximum amount of employment to inmates of the institution, $65,410, to remain available until June 30, 1936: *Provided*, That the use of the annex by the Bureau of Prisons, Department of Justice, is hereby continued until July 1, 1936.

Proviso.
Use of annex.

Maintenance.
Vol. 48, p. 544.

United States penitentiary, Leavenworth, Kansas, maintenance: For an additional amount for the United States penitentiary at Leavenworth, Kansas, including the same objects specified under this head in the Department of Justice Appropriation Act, 1935, $126,080.

Atlanta, Ga.

United States penitentiary, Atlanta, Georgia, maintenance: For an additional amount for the United States penitentiary at Atlanta, Georgia, including the same objects specified under this head in the Department of Justice Appropriation Act, 1935, $83,180.

McNeil Island, Wash.

United States penitentiary, McNeil Island, Washington, maintenance: For an additional amount for the United States penitentiary at McNeil Island, Washington, including the same objects specified under this head in the Department of Justice Appropriation Act, 1935, $38,715.

Northeastern Penitentiary.

United States Northeastern Penitentiary, Lewisburg, Pennsylvania, maintenance: For an additional amount for the United States penitentiary in the northeast, including the same objects specified under this head in the Department of Justice Appropriation Act, 1935, $59,180.

Industrial Reformatory.

United States Industrial Reformatory, Chillicothe, Ohio, maintenance: For an additional amount for the United States Industrial Reformatory at Chillicothe, Ohio, including the same objects specified under this head in the Department of Justice Appropriation Act, 1935, $21,705.

Southwestern Reformatory.
Vol. 48, p. 545.

United States Southwestern Reformatory, El Reno, Oklahoma, maintenance: For an additional amount for the United States Southwestern Reformatory, including the same objects specified under this head in the Department of Justice Appropriation Act, 1935, $130,500.

Federal jails.
Vol. 48, p. 545.

Federal jails, maintenance: For an additional amount for Federal jails, including the same objects specified under this head in the Department of Justice Appropriation Act, 1935, $101,015.

Prison camps.

Prison camps, maintenance: For an additional amount for prison camps, including the same objects specified under this head in the Department of Justice Appropriation Act, 1935, $13,140.

Petersburg, Va., reformatory camp.

Federal Reformatory Camp, Petersburg, Virginia, maintenance: For an additional amount for the Federal Reformatory Camp at Petersburg, Virginia, including the same objects specified under this head in the Department of Justice Appropriation Act, 1935, $36,090.

Additional, for construction.
Vol. 47, p. 1387.

Not to exceed $11,000 of the unexpended balance of the appropriation "Federal Reformatory Camp, Petersburg, Virginia, maintenance, 1934", is made available for the payment of obligations which have been incurred for construction and repair of buildings, including the purchase and installation of machinery and equipment and all expenses incident thereto, at such camp.

Support of prisoners.
Los Angeles County, Calif.
Vol. 46, p. 1329.

Support of United States prisoners: For an additional amount for support of United States prisoners, including the same objects specified under this head in the Act making appropriations for the Department of Justice for the fiscal year 1932, $35,403, to constitute settlement in full with Los Angeles County, California, for the fiscal year 1932, for the support of United States prisoners.

Navy Department.

NAVY DEPARTMENT

Secretary's office.

SECRETARY'S OFFICE

Damage claims.
Vol. 42, p. 1066.
U. S. C., p. 1550.

Claims for damages by collision with naval vessels: To pay claims for damages adjusted and determined by the Secretary of the Navy under the provisions of the Act entitled "An Act to amend the Act authorizing the Secretary of the Navy to settle claims for damages to private property arising from collisions with naval vessels", approved December 28, 1922 (U. S. C., title 34, sec. 599), as fully set forth in House Document Numbered 129, Seventy-fourth Congress, and including item numbered 6, page 4, in House Document Numbered 328, Seventy-third Congress, $3,824.66.

Elizabeth Bolger.
Vol. 48, p. 1376.

Payment to Elizabeth Bolger: For payment to Elizabeth Bolger in full settlement of all claims against the Government on account of personal injuries sustained as the result of the carelessness of the driver of a Navy automobile on April 5, 1919, in Brooklyn, New York, as authorized in the Act approved June 8, 1934 (48 Stat., 1376), $700.

Bureau of Navigation.

BUREAU OF NAVIGATION

Naval Reserve.

Naval Reserve: For an additional amount for expenses of organizing, administering, and recruiting the Naval Reserve and Naval Militia, and so forth, including the same objects specified under this head in the Naval Appropriation Act for the fiscal year 1935, $175,000.

Bureau of Supplies and Accounts.

BUREAU OF SUPPLIES AND ACCOUNTS

Pay, subsistence, and transportation.
Limitation increased.
Vol. 47, p. 1531.

Pay, subsistence, and transportation, Navy: The limitation on expenditures for "transportation of dependents of officers and enlisted men of the Navy" under the appropriation "Pay, subsistence, and transportation, Navy", for the fiscal year 1934, is hereby increased from $450,000 to $575,000.

Sue Hall Erwin.
Vol. 48, p. 1392.

Payment to Sue Hall Erwin: For payment to Sue Hall Erwin of an amount equal to six months' pay of her son, the late Marcus Erwin, Junior, ensign, United States Navy, as authorized in the Act approved June 14, 1934 (48 Stat., 1392), $750.

POST OFFICE DEPARTMENT

Post Office Department.

OUT OF THE POSTAL REVENUES

Postal Service.

OFFICE OF FIRST ASSISTANT POSTMASTER GENERAL

First Assistant Postmaster General.

Clerks, first- and second-class post offices: For an additional amount for compensation of clerks and employees at first- and second-class post offices, and so forth, including the same objects specified under this head in the Post Office Department Appropriation Act, 1935, $2,500,000.

Clerks, etc., first- and second-class offices. Vol. 48, p. 445.

City delivery carriers: For an additional amount for pay of letter carriers, City Delivery Service, fiscal year 1935, $500,000.

City delivery.

OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL

Fourth Assistant Postmaster General.

Stationery: For an additional amount for stationery for the Postal Service, and so forth, including the same objects specified under this head in the Post Office Department Appropriation Act, 1935, $49,000.

Stationery, etc. Vol. 48, p. 447.

DEPARTMENT OF STATE

Department of State.

FOREIGN INTERCOURSE

Foreign intercourse.

Allowance to widows or heirs of Foreign Service officers who die abroad: For an additional amount for allowance to widows or heirs of Foreign Service officers who die abroad, including the same objects specified under this head in the Act making appropriations for the Department of State for the fiscal year 1933, $163.82.

Allowance to widows or heirs of Foreign Service officers. Vol. 47, p. 479.

Bringing home criminals: For an additional amount for bringing home criminals, including the same objects specified under this head in the Act making appropriations for the Department of State for the fiscal year 1933, $25.

Bringing home criminals. Vol. 47, p. 487.

Bringing home persons charged with crime: For an additional amount for bringing home persons charged with crime, including the same objects specified under this head in the Act making appropriations for the Department of State for the fiscal year 1934, $125.

Bringing home persons charged with crime. Vol. 47, p. 1378.

For an additional amount for bringing home persons charged with crime, including the same objects specified under this head in Department of State Appropriation Act, 1935, $1,500.

Additional sum. Vol. 48, p. 536.

Payment to the Government of Canada on account of the sinking of the schooner I'm Alone: For payment to the Government of Canada, upon receipt by the Secretary of State of satisfactory releases from the respective claimants, in full settlement of all claims for damages resulting from the sinking of the schooner I'm Alone in the Gulf of Mexico by the United States Coast Guard on March 22, 1929, as recommended in the joint final report, dated January 5, 1935, of the Commissioners appointed by the United States and Canada pursuant to the provisions of the convention of January 23, 1924, between the United States and Great Britain, $50,666.50.

Payment to Canada. "I'm Alone", damage claim. Vol. 46, pp. 113, 1581.

Narcotics Limitation Convention: For payment of the share of the United States of the expenses for the calendar years 1933 and 1934 in connection with the Convention between the United States and other powers for Limiting the Manufacturing and Regulating the Distribution of Narcotic Drugs, signed at Geneva, July 13, 1931, $12,086, together with such additional sum, due to increases in rates of exchange, as may be necessary to pay in foreign currency the proportionate share of the United States.

Narcotics Limitation Convention. Vol. 48, p. 1543.

International Monetary and Economic Conference; General Disarmament Conference.

Balances reappropriated.

Vol. 47, pp. 538, 783; Vol. 48, pp. 278, 1041. *Post*, p. 1633.

International Monetary and Economic Conference, 1933–1935, and General Disarmament Conference, Geneva, Switzerland, 1933–1935: The unexpended balances of the appropriations "International Monetary and Economic Conference, 1933–1935", and "General Disarmament Conference, Geneva, Switzerland, 1933–1935", are hereby continued available until June 30, 1936, and are made available, in addition to the purposes for which they were appropriated, for the expenses of continued participation by the Government of the United States in the General Disarmament Conference and for participation in any naval conference which may be held under the provisions of the treaty between the United States, the British Empire, France, Italy, and Japan, agreeing to a limitation of naval armament, signed at Washington, February 6, 1922, and of the treaty between the United States of America and other powers for the limitation and reduction of naval armament, signed at London, April 22, 1930, and for any meetings or conversations in connection therewith; including personal services in the District of Columbia and elsewhere without reference to the Classification Act of 1923, as amended; stenographic reporting, translating, and other services by contract if deemed necessary, without regard to the provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses; purchase of necessary books, documents, newspapers, and periodicals; stationery; official cards; printing and binding; entertainment; hire, maintenance, and operation of motor-propelled, passenger-carrying vehicles; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which expenditures may be made for any of the purposes herein specified.

Participation in Disarmament Conference.

Naval armament limitation conference. Vol. 43, p. 1655.

Services, etc., without advertising. R. S., sec. 3709, p. 733; U. S. C., p. 1803.

Allowance to widows of officers.

Widows of Foreign Service officers: For the payment of one year's salary to the following widows of Foreign Service officers as authorized by law: *Provided*, That such portion of private Act Numbered 262, Seventy-third Congress (48 Stat., 1397), as is contained in the proviso thereof, shall apply with the same force and effect to each of these appropriations as it applies to the authorization for an appropriation in such private Act:

Proviso. Limitation on attorneys', etc., fees. Vol. 48, p. 1397.

Jeannette S. Jewell. Vol. 48, p. 1396.

To Jeannette S. Jewell (Act of June 16, 1934, 48 Stat., 1396), $7,000.

Alice M. A. Damm. Vol. 48, p. 1397.

To Alice M. A. Damm (Act of June 16, 1934, 48 Stat., 1397), $5,000.

Rosemund Pauline Lowry. Vol. 48, p. 1397.

To Rosemund Pauline Lowry (Act of June 16, 1934, 48 Stat., 1397), $4,500.

Elizabeth Millicent Trammell. Vol. 48, p. 1436.

To Elizabeth Millicent Trammell (Act of June 26, 1934, 48 Stat., 1436), $3,000.

Marcella Leahy McNerney. Vol. 48, p. 1439.

To Marcella Leahy McNerney (Act of June 26, 1934, 48 Stat., 1439), $2,500.

Cornelia Claiborne. Vol. 48, p. 1453.

To Cornelia Claiborne (Act of June 26, 1934, 48 Stat., 1453), $7,000.

Mary Seeley Watson. Vol. 48, p. 1455.

To Mary Seeley Watson (Act of June 26, 1934, 48 Stat., 1455), $5,000.

TREASURY DEPARTMENT

Treasury Department.

DIVISION OF SUPPLY

Division of Supply.

Printing and binding.

Printing and binding, Treasury Department: For an additional amount for printing and binding, Treasury Department, including the same objects specified under this head in the Act making appropriations for the Treasury Department for the fiscal year 1935, $17,500.

Stationery: For an additional amount for stationery for the Treasury Department and its several bureaus and offices and field services thereof, including the same objects specified under this head in the Treasury Department Appropriation Act, 1935, $97,000. Stationery.

COAST GUARD Coast Guard.

Pay and allowances: For an additional amount for pay and allowances, including the same objects specified under this head in the Treasury Department Appropriation Act, 1935, $371,663. Pay and allowances. Vol. 48, p. 432.

Fuel and water: For an additional amount for fuel and water, including the same objects specified under this head in the Treasury Department Appropriation Act, 1935, $335,900. Fuel and water.

Outfits: For an additional amount for outfits, including the same objects specified under this head in the Treasury Department Appropriation Act, 1935, $99,943. Outfits.

Rebuilding and repairing stations, and so forth: For an additional amount for rebuilding and repairing stations, and so forth, including the same objects specified under this head in the Treasury Department Appropriation Act, 1935, $12,970. Rebuilding and repairing stations, etc.

Communication lines: For an additional amount for communication lines, including the same objects specified under this head in the Treasury Department Appropriation Act, 1935, $27,028. Communication lines.

Contingent expenses: For an additional amount for contingent expenses, including the same objects specified under this head in the Treasury Department Appropriation Act, 1935, $10,000. Contingent expenses.

Repairs to Coast Guard vessels: For an additional amount for repairs to Coast Guard vessels, including the same objects specified under this head in the Treasury Department Appropriation Act, 1935, $475,000. Vessel, etc., repairs. Vol. 48, p. 432.

PROCUREMENT DIVISION, PUBLIC WORKS BRANCH Procurement Division, Public Works.

General expenses of public buildings: For an additional amount for general expenses of public buildings, including the same objects specified under this head in the Act approved March 15, 1934, making appropriations for the Treasury Department for the fiscal year 1935, $168,317. Public buildings. General expenses. Vol. 48, p. 438.

Rent of temporary quarters, public buildings: For an additional amount for rent of temporary quarters, for the fiscal year 1935, including the same objects specified under this head in the Deficiency Appropriation Act, fiscal year 1934, approved June 19, 1934, $15,470. Rent of temporary quarters. Vol. 48, p. 1043.

Furniture and furnishings for United States courthouse, New York, New York: The Secretary of the Treasury is hereby authorized, out of the lump-sum appropriations available for sites and construction of Federal buildings under the Act of May 25, 1926, as amended, to expend not to exceed $443,772 to provide the necessary furniture and furnishings for the United States courthouse, New York, New York, authorized by the Act of March 4, 1931 (46 Stat., p. 1598), and the Director of Procurement, Treasury Department, is hereby authorized to make contracts after advertising and competitive bidding, for the purchase of said furniture and furnishings and to make expenditures for services, supplies, material, and equipment, including the reconditioning of old furniture, and necessary travel and subsistence in connection with the purchase and inspection of commodities to be contracted for or purchased, and, when deemed desirable or advantageous by him, the said Director of Procurement is authorized to employ by contract or otherwise, without regard to civil-service laws and regulations, such temporary New York, N. Y., courthouse. Furnishings, etc. Vol. 44, p. 630. Vol. 46, p. 1598. Contracts.

outside professional or technical services as he may find necessary in furnishing those portions of the said building requiring special treatment, all within the total amount made available herein: *Provided*, That the cost of furniture and furnishings, except filing equipment in areas devoted exclusively to that purpose, shall be based upon the square-foot area of the rooms to be furnished, and shall not exceed the rates set forth herein, as follows: For District and Appellate court rooms, $1.75 per square foot; judges' private and outer offices, United States commissioners' court rooms, and the law library, $1.50 per square foot; for all other space, $1 per square foot.

Proviso.
Cost basis.

War Department.

WAR DEPARTMENT

Military activities.

MILITARY ACTIVITIES

Travel, military and civil personnel.
Vol. 48, p. 617.

Travel, military and civil personnel: For an additional amount for "Travel, military and civil personnel, War Department", including the same objects specified under this head in the War Department Appropriation Act for the fiscal year 1935, $500,000.

Pay, etc., of the Army.
Aviation increase.
Vol. 48, p. 618.

Pay, and so forth, of the Army: The limitation on the amount available for aviation increase of pay to commissioned and warrant officers of the Army, as contained in the War Department Appropriation Act, fiscal year 1935, approved April 26, 1934, is hereby increased by $150,000.

Subsistence.
Vol. 48, p. 620.

Subsistence of the Army: For an additional amount for "Subsistence of the Army", including the same objects specified under this head in the War Department Appropriation Act for the fiscal year 1935, $3,465,000.

Regular supplies of the Army.
Vol. 48, p. 621.

Regular supplies of the Army: For an additional amount for "Regular supplies of the Army", including the same objects specified under this head in the War Department Appropriation Act for the fiscal year 1935, $1,551,000.

Army transportation.
Vol. 48, p. 622.

Army transportation: For an additional amount for "Army transportation", including the same objects specified under this head in the War Department Appropriation Act for the fiscal year 1935, $877,124.

Fort Kamehameha, Hawaii.
Land for flying field.
Vol. 45, p. 750.

Acquisition of land, Fort Kamehameha, Hawaii: For acquisition of land in the vicinity of Fort Kamehameha Reservation, Territory of Hawaii, under condemnation proceedings as authorized by the Act approved May 26, 1928 (45 Stat., 750), fiscal year 1935, $1,091,238.62, together with such additional sum as may be necessary to pay interest at the rate stipulated and in accordance with the judgments rendered in condemnation to date of payments.

Ordnance Department.
Colt's Patent Fire Arms Manufacturing Company.

Ordnance Department: For payment of General Accounting Office Settlement Numbered 0301919 dated May 1, 1933, Claim Numbered 027495, in favor of the Colt's Patent Fire Arms Manufacturing Company, as follows: "Manufacture of Arms, 1926 and 1927", $1,420.59; "Manufacture of Arms, 1928 and 1929", $903.40; "Replacing Ordnance and Ordnance Stores, 1928 and 1929", $4,758.55; in all, $7,082.54.

National Guard.
Vol. 48, p. 632.

National Guard: For an additional amount for "Arming, equipping, and training the National Guard", for the procurement of forage, bedding, and so forth, for animals used by the National Guard, $125,000.

Philippine Islands.
Establishing, etc., office of U. S. High Commissioner to.
Vol. 48, p. 461.

United States High Commissioner to the Philippine Islands: For the establishment and maintenance of the office of the United States High Commissioner to the Philippine Islands as authorized by subsection 4 of section 7 of the Act approved March 24, 1934 (48 Stat. 456), including salaries and wages; rental, furnishings, equipment,

maintenance, renovation, and repair of office quarters and living quarters for the High Commissioner; supplies and equipment; purchase and exchange of law books and books of reference, periodicals, and newspapers; traveling expenses, including for persons appointed hereunder within the United States and their families, actual expenses of travel and transportation of household effects from their homes in the United States to the Philippine Islands, utilizing Government vessels whenever practicable; purchase, operation, maintenance and repair of motor vehicles, including not to exceed $4,500 for the purchase of three passenger-carrying automobiles, and all other necessary expenses, fiscal year 1936, $165,000, to be immediately available; of which amount not exceeding $10,000 shall be available for expenditure in the discretion of the High Commissioner for maintenance of his household and such other purposes as he may deem proper: *Provided*, That the salary of the legal adviser and the financial expert who may be appointed hereunder shall not exceed the annual rate of $12,000 and $10,000 each, respectively: *Provided further*, That section 3709 of the Revised Statutes (U. S. C., title 45, sec. 5), shall not apply to any purchase or service rendered under this appropriation when the aggregate amount involved does not exceed the sum of $100.

Travel, etc., expenses.

Provisos.
Salary of legal adviser and financial expert.
Minor purchases.
R. S., sec. 3709, p. 733; U. S. C., p. 1803.

TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS

Judgments and authorized claims.

DAMAGE CLAIMS

Damage claims.

SECTION 1. For the payment of claims for damages to or losses of privately owned property adjusted and determined by the following respective departments and independent establishments under the provisions of the Act entitled "An Act to provide for a method for the settlement of claims arising against the Government of the United States in sums not exceeding $1,000 in any one case", approved December 28, 1922 (U. S. C., title 31, secs. 215–217), as fully set forth in Senate Document Numbered 35 and House Document Numbered 127, Seventy-fourth Congress, as follows:

Settlement of, not in excess of $1,000.

Vol. 42, p. 1066; U. S. C., p. 1369.

Civil Works Administration, $4,250;
Farm Credit Administration, $50;
Veterans' Administration, $81.30;
Department of Agriculture, $6,699.30;
Department of Commerce, $1,111.35;
Department of the Interior, $2,882.66;
Department of Justice, $208.11;
Navy Department, $846.55;
Post Office Department (out of postal revenues), $280.11;
Treasury Department, $1,348.98;
War Department, $28,053.37;

In all, $45,811.73: *Provided*, That in House Document Numbered 127, Seventy-fourth Congress, the amount allowed in item 14, page 91, shall read "$125.20" instead of "$125" and the amount allowed in item 39, page 89, shall read "$106.59" instead of "$106.58".

Proviso.
Eugene Pittaluga. Soucie & Lisherness.

JUDGMENTS, UNITED STATES COURTS

United States courts, judgments.

SEC. 2. (a) For payment of the final judgments and decrees, including costs of suits, which have been rendered under the provisions of the Act of March 3, 1887, entitled "An Act to provide for the bringing of suits against the Government of the United States", as amended by the Judicial Code, approved March 3, 1911 (U. S. C., title 28, sec. 41, par. 20; sec. 258; secs. 761–765), certified to the

Payment of judgments; costs of suits.

Vol. 24, p. 505; U. S. C., pp. 1230, 1262, 1308.

Seventy-fourth Congress in House Document Numbered 124 under the following departments and establishments, namely:

Veterans' Administration, $1,588.51;

Department of Labor, $1,000;

War Department, $11,239.78;

Interest.

In all, $13,828.29, together with such additional sum as may be necessary to pay interest on certain judgments at the rate of 4 per centum from the date thereof until the time this appropriation is made, and to pay interest at the rate of 6 per centum per annum from November 7, 1927, until date of payment, in the cases of certain judgments as set forth in such document.

Payments; suits in admiralty.
Vol. 43, p. 1112.
U. S. C., p. 2054.

(b) For the payment of judgments, including costs of suits, rendered against the Government of the United States by United States District Courts under the provisions of an Act entitled "An Act authorizing suits against the United States in admiralty for damages caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes", approved March 3, 1925 (U. S. C., title 46, secs. 781–789), certified to the Seventy-fourth Congress in Senate Document Numbered 34 and House Document Numbered 124, under the following departments, namely:

Department of Labor, $2,918.38;

Navy Department, $79,978.18;

War Department, $10,251.60;

Interest.

In all, $93,148.16, together with such additional sum as may be necessary to pay interest, where specified in such judgments, at the rate provided by law.

Judgments under special Acts, etc.
Vol. 33, p. 422; U. S. C., p. 1399.

(c) For the payment of the judgments, including costs of suits, rendered against the Government by United States District Courts in special cases and under the provisions of certain special Acts and certified to the Seventy-fourth Congress in House Document Numbered 124, under the following departments, namely:

Navy Department.

Navy Department, $122,990.58; together with such additional sum as may be necessary to pay interest as and where specified in such judgments.

Judgment under Food Conservation Act.
Vol. 40, p. 276.

(d) For the payment of judgment, including costs of suit, rendered against the Government of the United States by the United States District Court for the District of New Jersey, under the provisions of the Act of August 10, 1917 (40 Stat., 276–279), certified to the Seventy-fourth Congress in House Document Numbered 124, as follows:

War Department, $1,000.

Time of payment.

(e) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

Interest.

(f) Payment of interest wherever provided for judgments contained in this Act shall not in any case continue for more than thirty days after the date of approval of the Act.

Judgments, Court of Claims.

JUDGMENTS, COURT OF CLAIMS

Payment of.

SEC. 3. (a) For payment of the judgments rendered by the Court of Claims and reported to the Seventy-fourth Congress in Senate Document Numbered 36 and House Document Numbered 123, under the following departments and establishments, namely:

Department of Commerce, $10,360;

Department of the Interior, $3,259.17;

Navy Department, $86,814.05;

Post Office Department, $8,956.91;
Treasury Department, $6,782.84;
War Department, $64,911.09;
In all, $181,084.06, together with such additional sum as may be necessary to pay interest on certain of the judgments as and where specified in such judgments.

(b) None of the judgments contained under this caption which have not been affirmed by the Supreme Court or otherwise become final and conclusive against the United States shall be paid until the expiration of the time within which application may be made for a writ of certiorari under subdivision (b) section 3, of the Act entitled "An Act to amend the Judicial Code, and to further define the jurisdiction of the circuit courts of appeals and of the Supreme Court, and for other purposes", approved February 13, 1925 (U. S. C., title 28, sec. 288).

Time of payment.

Vol. 43, p. 939. U. S. C., p. 1265.

AUDITED CLAIMS

Audited claims.

SEC. 4. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1932 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in House Document Numbered 122, Seventy-fourth Congress, there is appropriated as follows:

Payment of.

Vol. 18, p. 110. U. S. C., p. 1410.

Vol. 23, p. 254. U. S. C., p. 59.

LEGISLATIVE ESTABLISHMENT

For public printing and binding, Government Printing Office, $2.

Government Printing Office.

INDEPENDENT OFFICES

Independent Offices.

For operations under Mineral Act of October 5, 1918, $65,078.67.
For administrative expenses, Federal Farm Board, $4.25.
For enforcement of wireless communication laws, Federal Radio Commission, $9.
For salaries, General Accounting Office, $40.14.
For United States Tariff Commission, $36.46.
For salaries and expenses, United States Shipping Board, $175.
For general expenses, office of public buildings and public parks of the National Capital, $7.20.
For loans to farmers in storm and flood-stricken areas, Southeastern States, $200.
For Army pensions, $276.60.
For military and naval compensation, Veterans' Bureau, $90.
For military and naval compensation, Veterans' Administration, $2.21.
For medical and hospital services, Veterans' Bureau, $1,006.02.
For salaries and expenses, Veterans' Bureau, $258.13.
For salaries and expenses, Veterans' Administration, $862.87.

DEPARTMENT OF AGRICULTURE

Department of Agriculture.

For salaries and expenses, Weather Bureau, $14.04.
For salaries and expenses, Bureau of Animal Industry, $124.43.
For salaries and expenses, Bureau of Plant Industry, $99.84.
For salaries and expenses, Forest Service, $709.02.

Audited claims, continued.

For Upper Mississippi River Wildlife Refuge, $5.52.
For salaries and expenses, Bureau of Chemistry and Soils, $7.51.
For salaries and expenses, Bureau of Agricultural Economics, $4.
For salaries and expenses, Plant Quarantine and Control Administration, $16.
For eradication of scabies in sheep and goats, Indian Service (Interior transfer to Agriculture, Act February 14, 1931), $9.

Department of Commerce.

DEPARTMENT OF COMMERCE

For contingent expenses, Department of Commerce, $6.
For aircraft in Commerce, $12.06.
For air navigation facilities, $1,419.95.
For transportation of families and effects of officers and employees, Bureau of Foreign and Domestic Commerce, $83.78.
For enforcement of navigation laws, $7.50.
For retired pay, Lighthouse Service, $311.03.
For party expenses, Coast and Geodetic Survey, $1.34.
For pay, and so forth, of officers and men, vessels, Coast Survey, $147.51.
For general expenses, Lighthouse Service, $308.04.
For salaries and expenses, Patent Office, special fund, 32 cents.

Department of the Interior.

DEPARTMENT OF THE INTERIOR

For Saint Elizabeths Hospital, $85.20.
For National Park Service, $55.46.
For conservation of health among Indians, $906.89.
For Indian school support, $2,444.35.
For support and civilization of Indians, $68.75.
For support of Indians and administration of Indian property, 75 cents.
For purchase and transportation of Indian supplies, $14.52.
For relieving distress and prevention, and so forth, of diseases among Indians, $88.
For education of natives of Alaska, $104.35.
For administration of Indian forests, $40.20.

Department of Justice.

DEPARTMENT OF JUSTICE

For detection and prosecution of crimes, $24.50.
For printing and binding, Department of Justice and courts, $32.35.
For salaries and expenses, Bureau of Prohibition, $272.
For salaries, fees, and expenses of marshals, United States courts, $3,811.66.
For salaries and expenses of clerks, United States courts, $8.92.
For fees of commissioners, United States courts, $30.45.
For fees of witnesses United States courts, $64.
For fees of jurors and witnesses, United States courts, $99.90.
For pay of bailiffs, and so forth, United States courts, $99.76.
For supplies for United States courts, $9.89.
For miscellaneous expenses, United States courts, $499.69.
For support of United States prisoners, $292.37.
For salaries and expenses, Bureau of Prisons, $10.50.
For United States penitentiary, Leavenworth, Kansas, $28.
For United States penitentiary, Atlanta, Georgia, $23.75.

DEPARTMENT OF LABOR

Audited claims, continued. Department of Labor.

For employment service, Department of Labor, $30.22.
For expenses of regulating immigration, $53.97.
For immigration stations, $598.40.
For salaries and expenses, Bureau of Naturalization, $5.97.
For salaries and expenses, Bureau of Labor Statistics, $7.24.
For salaries and expenses, Bureau of Immigration, $1.99.

NAVY DEPARTMENT

Navy Department.

For increase of compensation, Naval Establishment, $403.84.
For pay, miscellaneous, $1.10.
For organizing the Naval Reserve, $24.21.
For engineering, Bureau of Engineering, $1,917.69.
For engineering, Bureau of Steam Engineering, $18.24.
For construction and repair, Bureau of Construction and Repair, 93 cents.
For ordnance and ordnance stores, Bureau of Ordnance, $133.13.
For pay, subsistence, and transportation, Navy, $23,979.27.
For pay of the Navy, $1,974.66.
For transportation, Bureau of Navigation, $38.81.
For gunnery and engineering exercises, Bureau of Navigation, $10.
For instruments and supplies, Bureau of Navigation, $2,196.
For maintenance, Bureau of Supplies and Accounts, $199.64.
For aviation, Navy, $8,407.06.
For pay, Marine Corps, $42,770.80.
For general expenses, Marine Corps, $148.64.

DEPARTMENT OF STATE

Department of State.

For allowance for clerks at consulates, $58.33.
For allowance to widows or heirs of Foreign Service officers who die abroad, $38.19.
For contingent expenses, foreign missions, $1,108.11.
For contingent expenses, United States consulates, $37.26.
For office and living quarters, Foreign Service, $24.93.
For representation, allowances to diplomatic missions and consulates, $77.97.
For salaries, Foreign Service officers, $85.42.
For transportation of Foreign Service Officers, $14.10.

TREASURY DEPARTMENT

Treasury Department.

For collecting the revenue from customs, $29,604.49.
For collecting the internal revenue, $69.51.
For enforcement of the narcotic and national prohibition acts, internal revenue, $310.82.
For salaries and expenses, Bureau of Narcotics, $4.50.
For Coast Guard, $120.
For contingent expenses, Coast Guard, $18.04.
For fuel and water, Coast Guard, $50.
For pay and allowances, Coast Guard, $5,591.19.
For repairs to Coast Guard vessels, $59.10.
For retired pay, former life-saving service, $1,295.13.
For pay of acting assistant surgeons, Public Health Service, $5.
For pay of other employees, Public Health Service, $29.33.
For pay of personnel and maintenance of hospitals, Public Health Service, $659.61.

Audited claims, continued.

For suppressing "Spanish influenza" and other communicable diseases, $2,894.

For interstate quarantine service, 55 cents.

For suppressing counterfeiting and other crimes, $1.99.

For United States penitentiary, Atlanta, Georgia (Justice transfer to Treasury, Public Health Service), 75 cents.

For compensation of employees, Bureau of Engraving and Printing, $5.60.

For increase of compensation, Treasury Department, $17.66.

For stationery, Treasury Department, $27.83.

For general expenses of public buildings, $3.50.

For operating supplies for public buildings, $33.

For remodeling and enlarging public buildings, $5,075.54.

War Department.

WAR DEPARTMENT

R. S., Sec. 4818, p. 935. U. S. C., p. 980.

For pay, and so forth, of the Army (estates of deceased soldiers, 4818 Revised Statutes), $18,556.64.

For pay, and so forth, of the Army, $35,153.19.

For pay of the Army, $9,494.45.

For pay, and so forth, of the Army, War with Spain, $1,314.45.

For mileage to officers and contract surgeons, $28.56.

For mileage of the Army, $34.69.

For increase of compensation, Military Establishment, $3,046.74.

For Army transportation, $1,959.88.

For barracks and quarters, $833.77.

For clothing and equipage, $95.55.

For general appropriations, Quartermaster Corps, $3,864.85.

For horses, draft and pack animals, $32.69.

For regular supplies of the Army, $110.40.

For subsistence of the Army, $70.46.

For supplies, services, and transportation, Quartermaster Corps, $13,437.61.

For sites for military purposes, $15.50.

For power plant, Fort Mills, Corregidor, Philippine Islands, $20,684.40.

For ordnance service and supplies, Army, $193.39.

For manufacture of arms, $23.60.

For ammunition storage facilities, Army, $126.85.

For replacing ordnance and ordnance stores, $28.45.

For signal service of the Army, $135.82.

For Air Corps, Army, $3,680.22.

For armament of fortifications, $2,812.94.

For tanks, $15.61.

For engineer operations in the field, $200.45.

For fortifications in insular possessions, $10.73.

For seacoast defenses, insular possessions, ordnance, $19.59.

For arming, equipping, and training the National Guard, $584.39.

For seacoast defenses, $1.33.

For pay of National Guard for armory drills, $206.38.

For arms, uniforms, equipment, and so forth, for field service, National Guard, $42.07.

Civilian military training camps, $35.97.

For organized reserves, $77.01.

For reserve officers' training corps, $768.55.

For disposition of remains of officers, soldiers, and civil employees, $15.

For headstones for graves of soldiers, $1.17.

For cemeterial expenses, War Department, $68.98.

POST OFFICE DEPARTMENT—POSTAL SERVICE

Audited claims, continued.
Post Office Department.

(Out of the postal revenues)

Postal service.

For balances due foreign countries, $28,560.50.
For car fare and bicycle allowance, 35 cents.
For clerks, contract stations, $9.77.
For clerks, first- and second-class post offices, $882.52.
For clerks, third-class post offices, $131.09.
For city-delivery carriers, $161.60.
For compensation to postmasters, $4,018.21.
For freight, express, or motor transportation of equipment, and so forth, $65.81.
For indemnities, domestic mail, $963.20.
For indemnities, international mail, $421.91.
For labor-saving devices, $4.
For miscellaneous items, first- and second-class post offices, $489.50.
For railroad transportation and Mail Messenger Service, $716.69.
For Railway Mail Service, traveling expenses, $39.05.
For rent, light, and fuel, $3,653.08.
For Rural Delivery Service, $278.36.
For unusual conditions at post offices, $210.
For vehicle service, $12,812.75.
For Village Delivery Service, $50.

Total, audited claims, section 4 (a), $381,945.63, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency as specified in certain of the settlements of the General Accounting Office.

Total; additional sum, increases in rate of exchange.

(b) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1932 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in Senate Document Numbered 37, Seventy-fourth Congress, there is appropriated as follows:

Additional claims, certified by General Accounting Office.
Vol. 18, p. 110; Vol. 23, p. 254.
U. S. C., pp. 1410, 59.

INDEPENDENT OFFICES

Independent Offices.

For Army pensions, $31.32.
For medical and hospital services, Veterans' Bureau, $4.50.
For salaries and expenses, Veterans' Bureau, $1.25.
For salaries and expenses, Veterans' Administration, $7.

DEPARTMENT OF COMMERCE

Department of Commerce.

For air navigation facilities, $638.40.

DEPARTMENT OF THE INTERIOR

Department of the Interior.

For education, Sioux Nation, $251.30.
For fulfilling treaties with Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota, $127.37.
For conservation of health among Indians, $85.68.

DEPARTMENT OF JUSTICE

Department of Justice.

For salaries and expenses, Bureau of Prohibition, $28.08.
For detection and prosecution of crimes, $3.
For pay of bailiffs, and so forth, United States courts, $10.
For miscellaneous expenses, United States courts, $300.
For fees of jurors and witnesses, United States courts, $3.

Audited claims, continued.
Navy Department.

NAVY DEPARTMENT

For pay of the Navy, $28.

Treasury Department.

TREASURY DEPARTMENT

For salaries and expenses, Bureau of Narcotics, $1.

For pay and allowances, Coast Guard, $1,182.86.

For freight, transportation, and so forth, Public Health Service, $47.80.

War Department.

WAR DEPARTMENT

For pay, and so forth, of the Army, $1,105.80.

For pay of the Army, $701.58.

For mileage of the Army, $18.50.

For increase of compensation, Military Establishment, $21.90.

For general appropriations, Quartermaster Corps, $297.13.

For supplies, services, and transportation, Quartermaster Corps, $71.40.

For arming, equipping, and training the National Guard, $5.

For Reserve Officers' Training Corps, $3.60.

Post Office Department.

POST OFFICE DEPARTMENT—POSTAL SERVICE

Postal service.

(Out of the postal revenues)

Railroad transportation and messenger service.

For railroad transportation and mail messenger service, $45.

Total; additional sum, increases in rate of exchange.

Total, audited claims, section 4 (b), $5,020.47, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency as specified in certain of the settlements of the General Accounting Office.

Payment of withheld interest.
Vol. 18, p. 481; Vol. 47, p. 1516; U. S. C., p. 1370.

SEC. 5. Interest withheld from claimants: For payment of interest on amounts withheld from claimants by the Comptroller General of the United States, Act March 3, 1875, as amended by section 13 of the Act of March 3, 1933 (47 Stat. 1516), as allowed by the General Accounting Office, and certified to the Seventy-fourth Congress in House Document Numbered 126, under the Treasury Department, $4,015.62.

Judgments against collectors of customs.
R. S., sec. 989, p. 185. U. S. C., p. 1314.

SEC. 6. Judgments against collectors of customs: For the payment of claims allowed by the General Accounting Office covering judgments rendered by United States District Courts against collectors of customs, where certificates of probable cause have been issued as provided for under section 989, Revised Statutes (U. S. C., title 28, sec. 842), and certified to the Seventy-fourth Congress in House Document Numbered 128, under the Department of Labor, $29,601.23.

Payments, under certain private Acts.
Harden F. Taylor.
Vol. 48, p. 1343.

SEC. 7. Claims under certain private Acts: To pay a claim allowed by the Comptroller General of the United States under the provisions of Private Act Numbered 121, Seventy-third Congress, approved May 7, 1934 (48 Stat. 1343), and certified to the Seventy-fourth Congress in House Document Numbered 125, under the Department of Commerce, $500.

Alleghany Forging Company.
Vol. 48, p. 1304.

For the payment of a claim allowed by the General Accounting Office under the provisions of Private Act Numbered 20, Seventy-third Congress, approved February 26, 1934 (48 Stat. 1304), and certified to the Seventy-fourth Congress in House Document Numbered 125, under the War Department, $174.92.

Anna H. Jones.
Vol. 48, p. 1368.

For the payment of a claim allowed by the General Accounting Office under the provisions of Private Act Numbered 185, Seventy-third Congress, approved June 5, 1934 (48 Stat. 1368), and certified to the Seventy-fourth Congress in House Document Numbered 125, under the Navy Department, $1,110.

SEC. 8. Settlement of damage claims arising from construction of Petrolia-Fort Worth gas-pipe line: For the settlement of damage claims arising from the construction of the Petrolia-Fort Worth gas-pipe line, as authorized by the Act approved April 18, 1934 (48 Stat. 1323), $7,356.75.

Petrolia-Fort Worth, Tex., gas-pipe line.
Vol. 48, p. 1323.

SEC. 9. This Act may be cited as the "First Deficiency Appropriation Act, fiscal year 1935."

Short title.

Approved, March 21, 1935.

[CHAPTER 37.]

JOINT RESOLUTION

March 21, 1935.
[H. J. Res. 134.]
[Pub. Res., No. 9.]

To continue the commission for determining the boundary line between the District of Columbia and the State of Virginia for not to exceed nine additional months, and to authorize not to exceed $10,000 additional funds for its expenses.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the commission to determine the boundary line between the District of Columbia and the State of Virginia created under the Act entitled "An Act to provide for the appointment of a commission to establish the boundary line between the District of Columbia and the Commonwealth of Virginia", approved March 21, 1934 (48 Stat. 453), as constituted on the date of enactment of this resolution, shall continue to function under such Act until the completion of its report, but not after December 1, 1935.

District of Columbia-Virginia Boundary Commission.
Functions, etc., continued.
Vol. 48, p. 453.

Time limitation.

SEC. 2. For the purpose of carrying out the provisions of such Act and the payment of salaries and compensation under such Act, the sum of $10,000 is hereby authorized to be appropriated in addition to any sums authorized prior to the date of enactment of this resolution.

Appropriation authorized.
Ante, pp. 23, 50.

Approved, March 21, 1935.

[CHAPTER 39.]

AN ACT

March 22, 1935.
[H. R. 5255.]
[Public, No. 22.]

Making appropriations for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1936, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1936, namely:

Appropriations for Departments of State and Justice, the Judiciary, and Departments of Commerce and Labor, fiscal year 1936.

TITLE I—DEPARTMENT OF STATE

Department of State.

OFFICE OF THE SECRETARY OF STATE

Salaries: For Secretary of State; Under Secretary of State, $10,000; and other personal services in the District of Columbia, including temporary employees, and not to exceed $6,500 for employees engaged on piecework at rates to be fixed by the Secretary of State; $1,813,000, of which amount, not to exceed $108,640, may be expended by the Secretary of State without regard to civil service laws and regulations or the Classification Act of 1923, as amended: *Provided*, That in expending appropriations or portions of appropriations, contained in this Act, for the payment for personal services in the District of Columbia in accordance with the Classification

Secretary, Under Secretary, and office personnel.
Post, p. 1123.
Temporary and piecework employees.

Expenditure without regard to civil service and Classification Acts.

Provisos.
Salaries limited to average rates under Classification Act.

Vol. 42, p. 1488; Vol. 45, p. 776; Vol. 46, p. 1003.
U. S. C., p. 85.
Exceptions.

Act of 1923, as amended, with the exception of the four Assistant Secretaries of State and the legal adviser of the Department of State, the Assistant to the Attorney General, the Assistant Solicitor General, and six Assistant Attorneys General, the Assistant Secretaries of Commerce, the Assistant Secretary and the Second Assistant Secretary of Labor, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, or (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, or (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

If only one position in grade.

Advances in unusually meritorious cases.

Restriction not applicable to clerical-mechanical services.

No reduction in fixed salaries.
Vol. 42, p. 1490; U. S. C., p. 86.

Higher salary rates permitted.

No reduction, if only one position in grade.

CONTINGENT EXPENSES, DEPARTMENT OF STATE

Contingent expenses.
Post, p. 1630.

For contingent and miscellaneous expenses, including stationery, furniture, fixtures; typewriters, adding machines, and other labor-saving devices, including their exchange, not exceeding $6,000; repairs and materials for repairs; purchase and exchange of books, maps, and periodicals, domestic and foreign, and when authorized by the Secretary of State for dues for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members, not exceeding $8,000; newspapers not exceeding $1,500; not to exceed $2,500 for the purchase, including exchange, of a motor-propelled passenger-carrying vehicle for the official use of the Secretary of State; maintenance, repair, and storage of motor-propelled vehicles, to be used only for official purposes (one for the Secretary of State and two for dispatching mail, and one motorcycle for the general use of the department); automobile mail wagons, including storage, repair, and exchange of same; street-car fare not exceeding $100; traveling expenses; refund of fees erroneously charged and paid for the issue of passports to persons who are exempted from the payment of such fee by section 1 of the Act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1921, approved June 4, 1920 (U. S. C., Supp. VII, title 22, sec. 214a); the examination of estimates of appropriations in the field; and other miscellaneous items not included in the foregoing, $73,000.

Books, periodicals.

Motor vehicles; purchase, repair.

Refund of passport fees erroneously charged.
Vol. 41, p. 750; Vol. 44, p. 887.
U. S. C., p. 960.

PRINTING AND BINDING

Printing and binding.
Post, p. 1631.

For all printing and binding in the Department of State, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, $121,000.

PASSPORT AGENCIES

For salaries and expenses of maintenance, and traveling expenses not to exceed $500, for not to exceed five passport agencies, $54,000, of which $1,500 shall be immediately available. Passport agencies.

COLLECTING AND EDITING OFFICIAL PAPERS OF TERRITORIES OF THE UNITED STATES Official Papers of Territories.

For the expenses of collecting, editing, copying, and arranging for publication the official papers of the Territories of the United States, including personal services in the District of Columbia and elsewhere, printing and binding, and contingent and traveling expenses, as provided by the Act approved February 28, 1929 (U. S. C., Supp. VII, title 5, secs. 168–169), $23,030: *Provided*, That the total number of copies of any volume to be printed and bound under this or any other appropriation for printing and binding of these papers shall not exceed one thousand two hundred and twenty-seven, which shall be distributed as provided in section 3 of such Act, except that each Senator shall receive not to exceed three copies and each Representative not to exceed one. Collecting, etc., for publication. Printing and binding. Vol. 45, p. 1412; U. S. C., p. 52. *Proviso.* Edition; distribution.

PROMOTION OF FOREIGN TRADE Promotion of foreign trade.

For the purpose of carrying into effect the provisions of section 4 of the Act entitled "An Act to amend the Tariff Act of 1930", approved June 12, 1934 (48 Stat. 945), including personal services without regard to civil service laws and regulations or the Classification Act of 1923, as amended, stenographic reporting services, by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), contingent expenses, printing and binding, traveling expenses, and such other expenses as the President may deem necessary, $40,000, together with not to exceed $35,000 of the unexpended balance of the appropriation for this purpose for the fiscal year 1935. Expenses, negotiating agreements. Vol. 48, p. 945. Personal services. U. S. C., pp. 81, 85. U. S. C., p. 1803. Sum reappropriated. Vol. 48, p. 1038. *Post*, p. 1311.

FOREIGN INTERCOURSE Foreign intercourse.

AMBASSADORS AND MINISTERS

Ambassadors Extraordinary and Plenipotentiary to Argentina, Brazil, Chile, Cuba, France, Germany, Great Britain, Italy, Japan, Mexico, Peru, Poland, Spain, Turkey, and Union of Soviet Socialist Republics, at $17,500 each; Salaries. Ambassadors.

Ambassador Extraordinary and Plenipotentiary to Belgium and Envoy Extraordinary and Minister Plenipotentiary to Luxemburg, $17,500;

Envoys Extraordinary and Ministers Plenipotentiary to China and the Netherlands, at $12,000 each; Ministers. China and Netherlands. *Post*, p. 590.

Envoys Extraordinary and Ministers Plenipotentiary to Albania, Austria, Bolivia, Bulgaria, Czechoslovakia, Colombia, Costa Rica, Denmark, Dominican Republic, Dominion of Canada, Ecuador, Egypt, Finland, Greece, Guatemala, Haiti, Honduras, Hungary, Irish Free State, Liberia, Nicaragua, Norway, Panama, Paraguay, Persia, Portugal, Rumania, Salvador, Siam, Union of South Africa, Sweden, Switzerland, Uruguay, Venezuela, and Yugoslavia, at $10,000 each; and to Estonia, Latvia, and Lithuania, $10,000; Other countries.

In all, not to exceed $642,500;

Provided, That no salary herein appropriated shall be paid to any official receiving any other salary from the United States Government. *Proviso.* Salary restriction.

Foreign service officers.

SALARIES OF FOREIGN SERVICE OFFICERS

Salaries.
Vol. 46, p. 1207.
U. S. C., p. 942.

For salaries of Foreign Service officers as provided in the Act approved February 23, 1931 (U. S. C., Supp. VII, title 22, secs. 3, 3a); salaries of Ambassadors, Ministers, consuls, vice consuls, and other officers of the United States for the period actually and necessarily occupied in receiving instructions and in making transits to and from their posts, and while awaiting recognition and authority to act in pursuance with the provisions of section 1740 of the Revised Statutes (U. S. C., title 22, sec. 121); and salaries of Foreign Service officers or vice consuls while acting as Chargés d'Affaires ad interim or while in charge of a consulate general or consulate during the absence of the principal officer; $3,293,395.

Instruction and transit pay.

R. S., sec. 1740, p. 309.
U. S. C., p. 952.

Chargés d'Affaires ad interim.

TRANSPORTATION OF FOREIGN SERVICE OFFICERS

Traveling expenses.
Post, p. 1631.

To pay the traveling expenses of Diplomatic, Consular, and Foreign Service officers, and other employees of the Foreign Service, including Foreign Service inspectors and under such regulations as the Secretary of State may prescribe, of their families and expenses of transportation of effects, in going to and returning from their posts, including not to exceed $35,000 for expenses incurred in connection with leaves of absence, and of the preparation and transportation of the remains of those officers and said employees of the Foreign Service, who have died or may die abroad or in transit while in the discharge of their official duties, to their former homes in this country or to a place not more distant for interment and for the ordinary expenses of such interment, and also for payment under the provisions of section 1749 of the Revised Statutes (U. S. C., title 22, sec. 130) of allowances to the widows or heirs at law of Diplomatic, Consular, and Foreign Service officers of the United States dying in foreign countries in the discharge of their duties, $427,000: *Provided*, That this appropriation shall be available also for the authorized subsistence expenses of Consular and Foreign Service officers while on temporary detail under commission: *Provided further*, That the President, in his discretion, may assign officers of the Army and the Navy for duty in the courier service of the Department of State and for the inspection of buildings owned or occupied by the United States in foreign countries under the jurisdiction of that Department, and when so assigned they may receive the same traveling expenses as are authorized for officers of the Foreign Service, payable from the applicable appropriations of the Department of State.

Leaves of absence.
Bringing home remains of officers, etc., dying abroad.

Allowances to widows, etc.
R. S., sec. 1749, p. 311.
U. S. C., p. 953.

Provisos.
Subsistence expenses, temporary details.

Assignment of Army and Navy officers for courier service.

Rent, heat, fuel, and light allowances.

ALLOWANCES FOR RENT, HEAT, FUEL, AND LIGHT, FOREIGN SERVICE

For offices and grounds.
Vol. 46, p. 818; U. S. C., p. 45.

For rent, heat, fuel, and light for the Foreign Service for offices and grounds, and, as authorized by the Act approved June 26, 1930 (U. S. C., Supp. VII, title 5, sec. 118a), for living quarters and not to exceed $1,140,000 for allowances for living quarters, including heat, fuel, and light, $2,025,000: *Provided*, That payment for rent may be made in advance: *Provided further*, That the Secretary of State may enter into leases for such offices, grounds, and living quarters for periods not exceeding ten years: *Provided further*, That no part of this appropriation shall be used for allowances for living quarters, including heat, fuel, and light in an amount exceeding $3,000 for an ambassador or a minister, and not exceeding $1,700 for any other Foreign Service officer: *Provided further*, That under this appropriation and the appropriations herein for "Contingent expenses, Foreign Service" and "Micellaneous [1] salaries and allow-

Living quarters.

Provisos.
Rent payment in advance.
Leases.

Allowances for quarters limited.

Custodial, etc., services, restriction.
Post, p. 72.

[1] So in original.

ances, Foreign Service", not more than $3,000 shall be expended for custodial service, heat, fuel, and light in any Government-owned building used for residence or residence and office purposes for an ambassador or minister, and not more than $1,700 for such purposes in the case of any other Foreign Service officer, except that at any post at which the expenditures for such purposes for the fiscal year 1933 were in excess of the limitation of $3,000 in this last proviso in the case of an ambassador or minister there may be expended during the fiscal year 1936 an amount equal to the sum so authorized to be expended during the fiscal year 1933, but in no event to exceed $5,000; and during the incumbency of a chargé d'affaires the limitation on such expenditures shall be the same as for the occupancy of the principal officer.

Exception.

COST OF LIVING ALLOWANCE, FOREIGN SERVICE OFFICERS

Cost of living allowance.
Vol. 46, p. 1207.
U. S. C., pp. 943, 945.

To carry out the provisions of the Act approved February 23, 1931 (U. S. C., Supp. VII, title 22, secs. 12, 23c), relating to allowances and additional compensation to diplomatic, consular, and Foreign Service officers and clerks when such allowances and additional compensation are necessary to enable such officers and clerks to carry on their work efficiently: *Provided*, That such allowances and additional compensation shall be granted only in the discretion of the President, and under such regulations as he may prescribe, $200,000.

Additional compensation.

Proviso.
Regulation of expenditure.

FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

Foreign Service retirement, etc., fund.

Federal contribution.
Vol. 46, p. 1211.
U. S. C., p. 944.

For financing the liability of the United States, created by the Act approved February 23, 1931 (U. S. C., Supp. VII, title 22, sec. 21), $162,400, which amount shall be placed to the credit of the "Foreign Service retirement and disability fund."

SALARIES OF CLERKS IN THE FOREIGN SERVICE

Clerks in Foreign Service.

Salaries.
Vol. 46, p. 1207.
U. S. C., p. 945.

For salaries of clerks in the Foreign Service, as provided in the Act approved February 23, 1931 (U. S. C., Supp. VII, title 22, sec. 23a), including salaries during transit to and from homes in the United States upon the beginning and after termination of service, $2,216,000.

MISCELLANEOUS SALARIES AND ALLOWANCES, FOREIGN SERVICE

Miscellaneous salaries and allowances.
Post, p. 590.

For salaries or compensation of kavasses, guards, dragomans, porters, interpreters, prison keepers, translators, archive collators, Chinese writers, messengers, couriers, telephone operators, supervisors of construction, and custodial and operating force for maintenance and operation of Government-owned and leased diplomatic and consular properties in foreign countries; compensation of agents and employees of dispatch agencies at London, New York, San Francisco, Seattle, and New Orleans, including salaries during transit to and from their homes in the United States upon the beginning and after termination of service in foreign countries; operation of motor-propelled and other passenger and non-passenger-carrying vehicles; for allowances to consular officers, who are paid in whole or in part by fees, for services necessarily rendered to American vessels and seamen, as provided in the Act of June 26, 1884 (U. S. C., title 22, sec. 89; title 46, sec. 101); and such other miscellaneous personal services as the President may deem necessary; $580,000: *Provided*, That no part of this appropriation shall be expended for salaries or wages of persons not American

Dispatch agencies.
Salaries during transit.
Vehicle maintenance.

Services to American seamen, etc.
Vol. 23, p. 56.
U. S. C., pp. 950, 1990.

Provisos.
Citizenship requirements.

citizens performing clerical services (except interpreters, translators, and messengers), whether officially designated as clerks or not, in any foreign mission: *Provided further*, That the Secretary of the Navy is authorized, upon request by the Secretary of State, to assign enlisted men of the Navy and Marine Corps to serve as custodians, under the immediate supervision of the Secretary of State or the chief of mission, whichever the Secretary of State shall direct, at embassies, legations, or consulates of the United States located in foreign countries.

Naval assignments as custodians.

Contingent expenses, Foreign Service.

CONTINGENT EXPENSES, FOREIGN SERVICE

Government-owned property. *Post*, pp. 590, 1631.

For stationery; blanks; record and other books; seals; presses; flags; signs; repairs, including minor alterations; repairs, preservation, and maintenance of Government-owned diplomatic and consular properties in foreign countries, including water, materials, supplies, tools, seeds, plants, shrubs, and similar objects; newspapers (foreign and domestic); freight; postage; telegrams; advertising; ice and drinking water for office purposes; purchase (at not to exceed $750 for any one automobile), maintenance, and hire of motor-propelled or horse-drawn passenger-carrying vehicles, and purchase, maintenance, and hire of other passenger-carrying vehicles; funds for establishment and maintenance of commissary service; uniforms; furniture, household furniture and furnishings, except as provided by the Act of May 7, 1926, as amended, for Government-owned or rented buildings, when, in the judgment of the Secretary of State, it would be in the public interest to do so, not to exceed $65,000; typewriters and exchange of same; maintenance and rental of launch for embassy in Turkey, not exceeding $3,500, including personnel for operation; rent and other expenses for dispatch agencies at London, New York, San Francisco, Seattle, and New Orleans; traveling expenses, including attendance at trade and other conferences or congresses under orders of the Secretary of State as authorized by the Act approved February 23, 1931 (U. S. C., Supp. VII, title 22, sec. 16); loss by exchange; payment in advance for telephone and other similar services, expenses of vice consulates and consular agencies for any of the foregoing objects; cost, not exceeding $350 per annum each, of the tuition of Foreign Service officers assigned for the study of the languages of Asia and eastern Europe; for relief, protection, and burial of American seamen in foreign countries, in the Panama Canal Zone, and in the Philippine Islands, and shipwrecked American seamen in the Territory of Alaska, in the Hawaiian Islands, in Puerto Rico, and in the Virgin Islands, and for expenses which may be incurred in the acknowledgement of the services of masters and crews of foreign vessels in rescuing American seamen or citizens from shipwreck or other catastrophe at sea; for expenses of maintaining in China, the former Ottoman Empire, Egypt, Ethiopia, Morocco, and Muscat institutions for incarcerating American convicts and persons declared insane by any consular court, rent of quarters for prisons, ice and drinking water for prison purposes, and for the expenses of keeping, feeding, and transportation of prisoners and persons declared insane by any consular court in China, the former Ottoman Empire, Egypt, Ethiopia, Morocco, and Muscat; for every expenditure requisite for or incident to the bringing home from foreign countries of persons charged with crime as authorized by section 5275 of the Revised Statutes (U. S. C., title 18, sec. 659); and such other miscellaneous expenses as the President may deem necessary; $853,500.

Vehicles.

Government buildings abroad. Vol. 44, p. 403; Vol. 45, p. 971. U. S. C., p. 967.

Dispatch agencies.

Attendance at trade conferences, etc. Vol. 46, p. 1209. U. S. C., p. 943.

Loss by exchange.

Language study.

Relief, etc., American seamen.

Consular prisons.

Care of insane.

Bringing home persons charged with crime. R. S., sec. 5275, p. 1022. U. S. C., p. 774.

EMERGENCIES ARISING IN THE DIPLOMATIC AND CONSULAR SERVICE

To enable the President to meet unforeseen emergencies arising in the Diplomatic and Consular Service, and to extend the commercial and other interests of the United States and to meet the necessary expenses attendant upon the execution of the Neutrality Act, to be expended pursuant to the requirement of section 291 of the Revised Statutes (U. S. C., title 31, sec. 107), $175,000.

Emergencies; diplomatic and consular service.
Post, p. 590.
Neutrality Act, expenses.
R. S., sec. 291, p. 49.
U. S. C., p. 1362.

CONTRIBUTIONS, QUOTAS, AND SO FORTH

For payment of the annual contributions, quotas and expenses, including loss by exchange, in discharge of the obligations of the United States in connection with international commissions, congresses, bureaus, and other objects, in not to exceed the respective amounts, as follows: Cape Spartel and Tangier Light, Coast of Morocco, $784; International Bureau of Weights and Measures, $4,342.50; International Bureau for Publication of Customs Tariffs, $1,318.77; Pan American Union, $189,888.58, including not to exceed $20,000 for printing and binding; International Bureau of Permanent Court of Arbitration, $1,658.25; Bureau of Interparliamentary Union for Promotion of International Arbitration, $7,500; International Institute of Agriculture at Rome, Italy, $49,911, including not to exceed $12,855 for the salary of the American member of the permanent committee (at not more than $7,500 per annum), compensation of subordinate employees without regard to the Classification Act of 1923, as amended, expenses for the maintenance of the office at Rome, including purchase of necessary books, maps, documents, and newspapers and periodicals (foreign and domestic), printing and binding, allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., Supp. VII, title 5, sec. 118a), for the use of the American member of the permanent committee, and traveling expenses to be expended under the direction of the Secretary of State; Pan American Sanitary Bureau, $30,438.41; International Office of Public Health, $3,015.62; Bureau of International Telecommunication Union, Radio Section, $5,790; Government of Panama, $250,000; International Hydrographic Bureau, $4,323.20; Inter-American Trade-Mark Bureau, $14,330.20; International Bureau for Protection of Industrial Property, $1,277.47; Gorgas Memorial Laboratory, $50,000; American International Institute for the Protection of Childhood, $2,000; International Statistical Bureau at The Hague, $2,000; International Map of the World on the Millionth Scale, $50; International Technical Committee of Aerial Legal Experts, $250; Convention Relating to Liquor Traffic in Africa, $55; International Penal and Penitentiary Commission, $4,282, including not to exceed $750 for the necessary expenses of the commissioner to represent the United States on the commission at its annual meetings, personal services without regard to the Classification Act of 1923, as amended, traveling expenses, and such other expenses as the Secretary of State may deem necessary; Permanent Association of International Road Congresses, $588; International Labor Organization, $174,630; and Implementing the Narcotics Convention of 1931, $8,037; in all $806,470, together with such additional sums, due to increases in rates of exchange as may be necessary to pay in foreign currencies the quotas and contributions required by the several treaties, conventions, or laws establishing the amount of the obligation.

Contributions, quotas, etc.
Post, p. 591.
International Institute of Agriculture.
Printing and binding.
Allowances.
Vol. 46, p. 818.
U. S. C., p. 45.
International Penal and Penitentiary Commission.

INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND MEXICO

International Boundary Commission, United States and Mexico.
Vol. 24, p. 1011; Vol. 26, p. 1512; Vol. 34, p. 2953.
Vol. 44, p. 1403; Vol. 46, p. 1162; Vol. 47, p. 480.

For expenses of meeting the obligations of the United States under the treaties of 1884, 1889, 1905, 1906, and 1933 between the United States and Mexico, and of compliance with public resolutions approved March 3, 1927, and February 14, 1931, and the Act making appropriations for the Department of State for the fiscal year 1933, including operation of gaging stations where necessary and their equipment; personal services and rent in the District of Columbia and elsewhere; fees for professional services at rates and in amounts to be determined by the Secretary of State; travel expenses, including transportation of effects; printing and binding; subscriptions to foreign and domestic newspapers and periodicals; purchase, exchange, maintenance, repair, and operation of motor-propelled, passenger- and freight-carrying vehicles; purchase of rubber boots and waders for official use of employees; purchase of ice; drilling and testing of dam sites, by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); equipment and such other miscellaneous expenses as the Secretary of State may deem proper, $119,000.

Printing and binding.

R. S., sec. 3709, p. 733.
U. S. C., p. 1803.

American section, expenses.
Ante, p. 24.
Post, p. 1463.

For an additional amount for the International Boundary Commission, United States and Mexico, for the purposes provided in Public Resolution Numbered 4 entitled "Joint resolution to provide for defraying the expenses of the American section, International Boundary Commission, United States and Mexico", approved February 13, 1935, to be immediately available, $60,000.

International Boundary Commission; United States and Canada.
Obligations under treaty with Great Britain.
Vol. 44, p. 2102.

INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND CANADA AND ALASKA AND CANADA

To enable the President to perform the obligations of the United States under the treaty between the United States and Great Britain in respect of Canada, signed February 24, 1925; for salaries and expenses, including the salary of the commissioner and salaries of the necessary engineers, clerks, and other employees for duty at the seat of government and in the field; cost of office equipment and supplies; necessary traveling expenses; commutation of subsistence to employees while on field duty, not to exceed $4 per day each, but not to exceed $1.75 per day each when a member of a field party and subsisting in camp; for payment for timber necessarily cut in keeping the boundary line clear, not to exceed $500; and for all other necessary and reasonable expenses incurred by the United States in maintaining an effective demarcation of the international boundary line between the United States and Canada and Alaska and Canada under the terms of the treaty aforesaid, including the completion of such remaining work as may be required under the award of the Alaskan Boundary Tribunal and existing treaties between the United States and Great Britain, to be disbursed under the direction of the Secretary of State, $43,000.

Boundary lines, United States and Canada and Canada and Alaska.

International Joint Commission, United States and Great Britain.

WATERWAYS TREATY, UNITED STATES AND GREAT BRITAIN: INTERNATIONAL JOINT COMMISSION, UNITED STATES AND GREAT BRITAIN

Salaries, expenses, etc.

For salaries and expenses, including salaries of commissioners and salaries of clerks and other employees appointed by the commissioners on the part of the United States, with the approval solely of the Secretary of State; for necessary traveling expenses, and for expenses incident to holding hearings and conferences at such places in Canada and the United States as shall be determined by the Commission or by the American commissioners to be necessary, including

traveling expense and compensation of necessary witnesses, making necessary transcript of testimony and proceedings; for cost of law books, books of reference and periodicals, office equipment and supplies; and for one-half of all reasonable and necessary joint expenses of the International Joint Commission incurred under the terms of the treaty between the United States and Great Britain concerning the use of boundary waters between the United States and Canada, and for other purposes, signed January 11, 1909; $30,600, to be disbursed under the direction of the Secretary of State: *Provided*, That the salaries of the American Commissioners shall not exceed $5,000 each per annum: *Provided further*, That traveling expenses of the commissioners, secretary, and necessary employees shall be allowed in accordance with the provisions of the Subsistence Expense Act of 1926, as amended (U. S. C., title 5, ch. 16).

Vol. 36, p. 2448.

Provisos.
Salary restriction.

Traveling expenses.
Vol. 44, p. 688.
U. S. C., p. 103.

For an additional amount for necessary special or technical investigations in connection with matters which fall within the scope of the jurisdiction of the International Joint Commission, including personal services in the District of Columbia or elsewhere, traveling expenses, procurement of technical and scientific equipment, and the purchase, exchange, hire, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles, $67,000, to be disbursed under the direction of the Secretary of State, who is authorized to transfer to any department or independent establishment of the Government, with the consent of the head thereof, any part of this amount for direct expenditure by such department or establishment for the purposes of this appropriation.

Special or technical investigations.

Personal services.

GENERAL AND SPECIAL CLAIMS CONVENTION, UNITED STATES AND MEXICO

Mexican general and special claims convention.
Vol. 43, pp. 1722, 1730; Vol. 48, p. 1844.
Post, p. 590.

For the expenses of settlement and adjustment of claims of the citizens of each country against the other under a convention concluded September 8, 1923, as extended, and of citizens of the United States against Mexico under a convention concluded September 10, 1923, as extended, and the protocol and convention signed April 24, 1934, between the United States and Mexico, including the expenses which, under the terms of the above agreements, are chargeable in part to the United States, the expenses of an agency of the United States to perform all necessary services in connection with the preparation of American claims and the defense of the United States in cases presented by Mexico, and of a general claims commissioner to act as a joint appraiser in appraising the claims, and for the expenses of the joint committee in determining the proper classification of claims which have heretofore been filed as both general and special claims, as provided by the agreements of April 24, 1934, including salaries of an agent and necessary counsel and other assistants and employees and rent in the District of Columbia and elsewhere, law books and books of reference, printing and binding, contingent expenses, contract stenographic reporting services, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), the employment of special counsel, translators, and other technical experts, by contract, without regard to the provisions of any statute relative to employment, traveling expenses, the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, and such other expenses in the United States and elsewhere as the President may deem proper, $164,000, together with the unexpected [1] balance of the appropriation made available for this purpose for the fiscal year 1935: *Provided*, That the salary of the American commissioners of

Preparation of claims and defenses.

Salaries.

Printing and binding.
U. S. C., p. 1803.

Provisos.
Commissioner's salaries.

[1] So in original.

Deductions.

general and special claims shall not exceed $10,000 per annum each: *Provided further*, That from any sums received from the Mexican Government in settlement of a general claim of an American citizen against it, there shall be deducted and deposited in the Treasury of the United States as miscellaneous receipts, 5 per centum thereof in reimbursement of the Government of the United States of expenses incurred by it in respect of such claim.

International Fisheries Commission.

INTERNATIONAL FISHERIES COMMISSION

Share of expenses. *Post*, p. 1321.

Vol. 47, p. 1872.

For the share of the United States of the expenses of the International Fisheries Commission, under the convention between the United States and Great Britain, concluded May 9, 1930, including salaries of two members and other employees of the Commission, traveling expenses, charter of vessels, purchase of books, periodicals, furniture, and scientific instruments, contingent expenses, rent in the District of Columbia, and such other expenses in the United States and elsewhere as the Secretary of State may deem proper, to be disbursed under the direction of the Secretary of State, $25,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1935: *Provided*, That not to exceed $700 shall be expended by the Commissioner and his staff in attending meetings of the Commission.

Proviso.
Attendance at meetings.

CLAIMS ADJUSTMENT, UNITED STATES AND TURKEY

Claims adjustment; Turkey.
Vol. 48, pp. 1018, 1041.

Such portion as may be necessary of the appropriation "Claims adjustment, United States and Turkey", contained in the Deficiency Appropriation Act, fiscal year 1934, approved June 19, 1934, and authorized by public resolution entitled "Joint resolution authorizing appropriation for expenses of representatives of United States to meet at Istanbul, Turkey, with representatives of Turkish Republic for purpose of examining claims of either Government against the other and for expense of proceedings before an umpire, if necessary", approved June 18, 1934, fiscal year 1934, to remain available until June 30, 1935, is made available as of November 1, 1934, for services which have been or which may be rendered subsequent to that date by the said representatives of the United States, and shall continue to be available in the District of Columbia until June 30, 1936, for the expenses, including all items of expenditure specified in said resolution and personal services and rent of offices in the District of Columbia, of making an examination of the claims by the said representatives of the United States to determine their merits and of preparing, in the District of Columbia, a report to enable the Secretary of State to make a distribution in final settlement of said claims, after making the deductions provided for in said resolution, of the amount received or to be received from the Turkish Government in settlement of said claims.

Sum available. *Post*, p. 1633.

Report.

Minor purchases. R. S., sec. 3709, p. 733. U. S. C., p. 1803.

Section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not apply to any purchase or service rendered payable from the foregoing appropriations when the aggregate amount involved does not exceed $100 or when the purchase or service relates to the packing of personal and household effects of Diplomatic, Consular, and Foreign Service officers and clerks for foreign shipment.

Rent restrictions.

No portion of the sums appropriated in title I of this Act shall, unless expressly authorized, be expended for rent or rental allowances in the District of Columbia or elsewhere in the United States.

Procuring information for corporations, etc.

Hereafter, whenever the Secretary of State, in his discretion, procures information on behalf of corporations, firms, and individuals, the expense of cablegrams and telephone service involved may be

charged against the respective appropriations for the service utilized; and reimbursement therefor shall be required from those for whom the information was procured and, when made, be credited to the appropriation under which the expenditure was charged.

This title may be cited as the "Department of State Appropriation Act, 1936." Short title.

TITLE II—DEPARTMENT OF JUSTICE

Department of Justice.

OFFICE OF THE ATTORNEY GENERAL

Salaries: For the Attorney General, Solicitor General, Assistant to the Attorney General, and other personal services in the District of Columbia, $1,617,500. Attorney General, Solicitor General, etc.

Contingent expenses: For stationery, furniture and repairs, floor coverings not exceeding $1,000, file holders and cases; miscellaneous expenditures, including telegraphing and telephones, postage, labor, typewriters and adding machines and the exchange thereof and repairs thereto, street-car fares not exceeding $300, newspapers, press clippings, and other necessaries ordered by the Attorney General; official transportation, including the repair, maintenance, and operation of five motor-driven passenger cars (one for the Attorney General, two for general use of the Department, two for the Bureau of Investigation for investigative work), delivery truck, and motorcycle, to be used only for official purposes; purchase, including exchange, of a motor-propelled passenger-carrying automobile for the Attorney General at not to exceed $2,500; purchase of law books, books of reference, and periodicals, including the exchange thereof; traveling and other miscellaneous and emergency expenses, authorized and approved by the Attorney General, to be expended at his discretion, $153,000: *Provided*, That this appropriation may be reimbursed for expenditures in connection with cars herein authorized for the Bureau of Investigation from the appropriation for the expenses of said Bureau when approved in writing by the Attorney General: *Provided further*, That not to exceed $2 per volume shall be paid for the current and future volumes of the United States Code, Annotated. Contingent expenses. *Post*, p. 1624. Vehicles. *Provisos.* Reimbursement for car expenses. U. S. Code, Annotated, price limitation.

Printing and binding: For printing and binding for the Department of Justice and the courts of the United States, including not to exceed $6,000 for printing and binding the decisions of the District Court of the Panama Canal Zone, $288,000. Printing and binding.

FEDERAL BUREAU OF INVESTIGATION

Federal Bureau of Investigation.

Detection and prosecution of crimes: For the detection and prosecution of crimes against the United States; for the protection of the person of the President of the United States; the acquisition, collection, classification, and preservation of identification and other records and their exchange with the duly authorized officials of the Federal Government, of States, cities, and other institutions; for investigation of the official acts, records, and accounts of marshals, attorneys, clerks of the United States courts and Territorial courts, probation officers, and United States commissioners, for which purpose all the official papers, records, and dockets of said officers, without exception, shall be examined by the agents of the Federal Bureau of Investigation at any time; and also, when requested by the presiding judge, the official acts, records, and accounts of referees Detection and prosecution of crimes. Protection of the President. Identification records. Investigations.

Matters under control of Departments of Justice and State.

and trustees of such courts; for such other investigations regarding official matters under the control of the Department of Justice and the Department of State as may be directed by the Attorney General;

Vehicles.
Post, p. 586.

hire, purchase and exchange not to exceed $50,000, maintenance, upkeep, and operation of motor-propelled passenger-carrying vehicles, to be used only on official business; for copying in the District of Columbia or elsewhere; reports of examiners at folio rates;

Supplies.

firearms and ammunition; such stationery, supplies, and equipment for use at the seat of government or elsewhere as the Attorney General may direct; not to exceed $10,000 for taxicab hire to be used exclusively for the purposes set forth in this paragraph and to be expended under the direction of the Attorney General; traveling expenses, including expenses of attendance at meetings concerned with the work of such Bureau when authorized by the Attorney

Awards for apprehending fugitives.

General; payment of awards when specifically authorized by the Attorney General for information leading to the apprehension of fugitives from justice, including not to exceed $20,000 to meet unforeseen

Emergencies.

emergencies of a confidential character, to be expended under the direction of the Attorney General, who shall make a certificate of the amount of such expenditure as he may think it advisable not to specify, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended; and including not to exceed $988,000 for personal services in the District of Columbia; $5,000,000.

Miscellaneous.

MISCELLANEOUS OBJECTS, DEPARTMENT OF JUSTICE

Conduct of customs cases.

Conduct of customs cases: Assistant Attorney General, special attorneys and counselors at law in the conduct of customs cases, to be employed and their compensation fixed by the Attorney General; necessary clerical assistance and other employees at the seat of government and elsewhere, to be employed and their compensation fixed by the Attorney General, including experts at such rates of compensation as may be authorized or approved by the Attorney General; expenses of procuring evidence, supplies, Supreme Court Reports and Digests, and Federal Reporter and Digests, traveling, and other miscellaneous and incidental expenses, to be expended under the direction of the Attorney General; in all, $140,000.

Defending suits in claims against United States.

Defending suits in claims against the United States: For necessary expenses incurred in the examination of witnesses, procuring evidence, employment of experts at such rates of compensation as may be authorized or approved by the Attorney General, and such other expenses as may be necessary in defending suits in the Court of Claims, including Indian depredation claims, and contested proceedings involving inventions, to be expended under the direction of the Attorney General, $45,000.

Taxes and Penalties Unit.
Enforcing designated Acts, etc., under.
Post, p. 1624.

Taxes and Penalties Unit: For salaries and expenses in connection with the enforcement of liability for internal-revenue taxes and penalties involving violation of the National Prohibition Act, as amended and supplemented, the determination of the remission or mitigation of forfeitures under the internal-revenue laws and of liability for internal-revenue taxes and penalties in connection with violations of the National Prohibition Act occurring prior to the repeal of the eighteenth amendment, the institution of suits upon any cause of action under the National Prohibition Act or under the internal-revenue laws involving a violation of the National Prohibition Act arising prior to, and not affected by the repeal of the

eighteenth amendment, and the compromise of any such cause of action before or after suit is brought, personal services in the District of Columbia and elsewhere, traveling expenses, and such other expenditures as may be necessary, $200,000.

Enforcement of antitrust and kindred laws: For the enforcement of antitrust and kindred laws, including experts at such rates of compensation as may be authorized or approved by the Attorney General, including not to exceed $100,020 for personal services in the District of Columbia, $420,000, together with not to exceed $15,000 of the unexpended balance of the appropriation for this purpose for the fiscal year 1935.

Enforcement of antitrust, etc., laws. U. S. C., p. 509.

BUREAU OF PRISONS

Bureau of Prisons.

Salaries and expenses: For salaries and expenses in connection with the supervision of the maintenance and care of United States prisoners, including not to exceed $204,500 for personal services in the District of Columbia and elsewhere, traveling expenses, and expenses of attendance at meetings concerned with the work of such bureau when authorized by the Attorney General, $238,000.

Salaries and expenses.

VETERANS' INSURANCE LITIGATION

Veterans' Insurance Litigation.

Salaries and expenses: For salaries and expenses incident to the defense of suits against the United States under section 19, of the World War Veterans' Act, 1924, approved June 7, 1924, as amended, or the compromise of the same under the Independent Offices Appropriation Act, 1934, approved June 16, 1933, including traveling and office expenses, law books, supplies, equipment, stenographic reporting services by contract or otherwise, including notarial fees or like services and stenographic work in taking depositions at such rates of compensation as may be authorized or approved by the Attorney General, printing and binding, the employment of experts at such rates of compensation as may be authorized or approved by the Attorney General, and personal services in the District of Columbia and elsewhere, $850,000.

Salaries and expenses.

Vol. 43, pp. 612, 1302; U. S. C., p. 1662. Vol. 48, p. 302.

JUDICIAL

Judicial.

UNITED STATES SUPREME COURT

United States Supreme Court.

Salaries: For the Chief Justice and eight Associate Justices; Reporter of the Court; and all other officers and employees, whose compensation shall be fixed by the Court, except as otherwise provided by law, and who may be employed and assigned by the Chief Justice to any office or work of the Court; $416,000.

Salaries, Chief Justice and Associate Justices. Reporter and other officers and employees.

Printing and binding: For printing and binding for the Supreme Court of the United States, $20,000, to be expended as required without allotment by quarters, and to be executed by such printer as the court may designate.

Printing and binding.

Miscellaneous expenses: For miscellaneous expenses of the Supreme Court of the United States, to be expended as the Chief Justice may direct, $25,000.

Miscellaneous expenses.

Structural and mechanical care of the building and grounds: For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon him by the Act approved May 7, 1934 (48 Stat., 668), including improvements, maintenance, repairs, equipment, supplies, materials, and appurtenances, and personal and other services, $49,080.

Care of building and grounds.

Vol. 48, p. 668.

Judges.

SALARIES OF JUDGES

Salaries of.
Post, p. 1625.

Salaries of judges: For forty-one circuit judges; one hundred and fifty district judges (including two in the Territory of Hawaii, one in the Territory of Puerto Rico, four in the Territory of Alaska, and one in the Virgin Islands); and judges retired under section 260 of the Judicial Code, as amended, and section 518 of the Tariff Act of 1930; in all, $2,195,000: *Provided*, That this appropriation shall be available for the salaries of all United States justices and circuit and district judges lawfully entitled thereto, whether active or retired.

Retired judges.
U. S. C., p. 1273.
Vol. 46, p. 737; U. S. C., p. 892.
Proviso.
Availability.

EXPENSES OF JUDGES

Expenses of judges.

Expenses of judges: For expenses of circuit and district judges of the United States and the judges of the district courts of the United States in Alaska, Puerto Rico, and Hawaii, as provided by law, $85,000.

Court of Customs and Patent Appeals.

COURT OF CUSTOMS AND PATENT APPEALS

Salaries.

Salaries: Presiding judge and four associate judges and all other officers and employees of the court, $100,040.

Contingent expenses.

Contingent expenses: For books and periodicals, including their exchange; stationery, supplies, traveling expenses; drugs, chemicals, cleansers, furniture; and for such other miscellaneous expenses as may be approved by the presiding judge, $13,500, of which $10,000 shall be available only for the compiling, editing, and printing, by contract or otherwise, of a digest of the decisions of the United States Court of Customs and Patent Appeals, without regard to the provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) and section 11 of the Act approved March 1, 1919 (U. S. C., title 44, sec. 111).

R. S., sec. 3709, p. 733.
U. S. C., p. 1803.
Vol. 40, p. 1270; U. S. C., p. 1935.

Printing and binding.

Printing and binding: For printing and binding, $6,250.

Customs Court.

UNITED STATES CUSTOMS COURT

Salaries.

Salaries: Presiding judge and eight judges; and all other officers and employees of the court, $228,280.

Contingent expenses.

Contingent expenses: For books and periodicals, including their exchange; stationery, supplies, traveling expenses; and for such other miscellaneous expenses as may be approved by the presiding judge, $15,000.

Printing and binding.

Printing and binding: For printing and binding, $1,000.

Court of Claims.

COURT OF CLAIMS

Salaries.

Salaries: Chief justice and four judges; chief clerk at not exceeding $6,500; auditor at not exceeding $5,000; and all other officers and employees of the court, $122,160.

Printing and binding.

Printing and binding: For printing and binding, $25,000.

Contingent expenses.

Contingent expenses: For stationery, court library, repairs, fuel, electric light, electric elevator, and other miscellaneous expenses, $6,000.

Commissioners, salaries and expenses.

Salaries and expenses of commissioners: For salaries of five regular commissioners and one temporary commissioner at $7,500 each, and for traveling expenses, compensation of stenographers authorized by the court, and for stenographic and other fees and charges necessary in the taking of testimony and in the performance of the duties as authorized by the Act entitled "An Act amending section 2 and repealing section 3 of the Act approved February 24, 1925 (U. S. C.,

Vol. 43, p. 964; U. S. C., p. 1263.

title 28, secs. 269, 270), entitled 'An Act to authorize the appointment of commissioners by the Court of Claims and to prescribe their powers and compensation', and for other purposes", approved June 23, 1930 (U. S. C., Supp. VII, title 28, sec. 270), $63,840. Vol. 46, p. 799; U. S. C., p. 1264.

Repairs, furnishings, and so forth: For necessary repairs, furnishings, and improvements to the Court of Claims buildings, to be expended under the supervision of the Architect of the Capitol, $15,000. Repairs, etc., to buildings.

TERRITORIAL COURTS

Territorial Courts.

Hawaii: For salaries of the chief justice and two associate justices, and for judges of the circuit courts, $88,500. Hawaii.

DISTRICT COURT, PANAMA CANAL ZONE

Salaries, District Court, Panama Canal Zone: For salaries of the officials and employees of the District Court of the United States for the Panama Canal Zone, $45,785. District Court, Panama Canal Zone.

UNITED STATES COURT FOR CHINA

United States Court for China.

United States Court for China: For salaries of the judge, district attorney, and other officers and employees of the United States Court for China; court expenses, including reference and law books, printing and binding, ice and drinking water for office purposes, traveling expenses of officers and employees of the court, and under such regulations as the Attorney General may prescribe of their families and effects, in going to and returning from their posts; preparation and transportation of remains of officers and employees who may die abroad or in transit while in the discharge of their official duties, to their former homes in the United States, or to a place not more distant for interment and for the ordinary expenses of such interment; the expense of maintaining in China, American convicts and persons declared insane by the court, rent of quarters for prisoners, ice and drinking water for prison purposes, including wages of prison keepers, and the expense of keeping, feeding, and transporting prisoners and persons declared insane by the court, $40,000. Salaries and expenses. *Post*, pp. 586, 1625. Bringing home remains of officers, etc., dying abroad.

MARSHALS AND OTHER EXPENSES OF UNITED STATES COURTS

United States Courts.

Salaries and expenses of marshals, and so forth: For salaries, fees, and expenses of United States marshals and their deputies, including services rendered in behalf of the United States or otherwise, services in Alaska in collecting evidence for the United States when so specifically directed by the Attorney General, traveling expenses, purchase, when authorized by the Attorney General, of ten motor-propelled passenger-carrying vans at not to exceed $2,000 each, and maintenance, alteration, repair, and operation of motor-propelled passenger-carrying vehicles used in connection with the transaction of the official business of the United States marshals, $3,270,000. Marshals. Salaries and expenses. *Post*, p. 1625. Services in Alaska.

Salaries and expenses of district attorneys, and so forth: For salaries, traveling, and other expenses of United States district attorneys and their regular assistants, clerks, and other employees, including the office expenses of United States district attorneys in Alaska, and for salaries of regularly appointed clerks to United States district attorneys for services rendered during vacancy in the office of the United States district attorney, $2,913,000. District attorneys. Salaries and expenses. *Post*, p. 1625.

Salaries and expenses of special attorneys, and so forth: For compensation and traveling expenses of special attorneys and assistants to the Attorney General and to United States district attorneys employed by the Attorney General to aid in special cases, and for Special attorneys. Salaries and expenses. Assistants.

Foreign counsel.

payment of foreign counsel employed by the Attorney General in special cases, $700,000: *Provided*, That the amount paid as compensation out of the funds herein appropriated to any person employed hereunder shall not exceed $10,000: *Provided further*, That reports be submitted to the Congress on the 1st day of July and January showing the names of the persons employed hereunder, the annual rate of compensation or amount of any fee paid to each together with a description of their duties.

Provisos.
Compensation limited.
Reports to Congress.

Clerks of courts.
Salaries and expenses.
Post, p. 1626.

Salaries and expenses, clerks of courts: For salaries of clerks of United States circuit courts of appeals and United States district courts, their deputies, and other assistant, traveling expenses pursuant to the Subsistence Expense Act of 1926, as amended (U. S. C., Supp. VII, title 5, secs. 821–833), and other expenses of conducting their respective offices, $2,070,000.

Vol. 44, p. 688.
U. S. C., p. 103.

Commissioners, fees.
R. S., sec. 1014, p. 189.
U. S. C., p. 770.

Fees of commissioners: For fees of the United States commissioners and other committing magistrates acting under section 1014, Revised Statutes (U. S. C., title 18, sec. 591), $350,000.

Conciliation commissioners.
Fees; per diem, etc., allowances.

Conciliation commissioners, United States courts: For fees of conciliation commissioners, and per diem allowance and traveling expenses of supervising conciliation commissioners, as authorized by the Act entitled "An Act to amend an Act entitled 'An Act to establish a uniform system of bankruptcy throughout the United States', approved July 1, 1898, and Acts amendatory thereof and supplementary thereto", approved March 3, 1933, as amended by the Act approved June 7, 1934 (48 Stat. 911), $30,000.

Vol. 30, p. 544; Vol. 47, p. 1467.
U. S. C., p. 333.
Vol. 48, p. 911.

Jurors and witnesses.
Fees, mileage, and per diem.
Post, p. 1236.

Fees of jurors and witnesses: For mileage and per diems of jurors; for mileage and per diems of witnesses and for per diems in lieu of subsistence; and for payment of the expenses of witnesses, as provided by section 850, Revised Statutes (U. S. C., title 28, sec. 604), including the expenses, mileage, and per diems of witnesses on behalf of the Government before the United States Customs Court, such payments to be made on the certification of the attorney for the United States and to be conclusive as provided by section 846, Revised Statutes (U. S. C., title 28, sec. 577), $2,100,000: *Provided*, That not to exceed $10,000 of this amount shall be available for such compensation and expenses of witnesses or informants as may be authorized or approved by the Attorney General, which approval shall be conclusive: *Provided further*, That no part of the sum herein appropriated shall be used to pay any witness more than one attendance fee for any one calendar day.

R. S., sec. 850, p. 160.
U. S. C., p. 1295.

R. S., sec. 846, p. 159; U. S. C., p. 1291.
Provisos.
Pay, etc., on approval of Attorney General.

Limitation on attendance fee.

Bailiffs.
Salaries and expenses;
Post, p. 1626.

Jury expenses.

Alaska.
Vol. 31, p. 362.
U. S. C., pp. 1226, 1289, 1293.
Jury commissioners.
Provisos.
Service restriction.

Use limited.

Salaries and expenses of bailiffs, and so forth: For bailiffs, not exceeding three bailiffs in each court, except in the southern district of New York and the northern district of Illinois; meals and lodging for jurors in United States cases, and of bailiffs in attendance upon the same, when ordered by the court, and meals and lodging for jurors in Alaska, as provided by section 193, title II, of the Act of June 6, 1900 (U. S. C., title 28, secs. 9, 557–570, 595, 596), and compensation for jury commissioners, $5 per day, not exceeding three days for any one term of court, $247,000: *Provided*, That no per diem shall be paid to any bailiff unless the court is actually in session and the judge present and presiding or present in chambers: *Provided further*, That none of this appropriation shall be used for the pay of bailiffs when deputy marshals or marshals are available for the duties ordinarily executed by bailiffs, the fact of unavailability to be determined by the certificate of the marshal.

Miscellaneous expenses.
Post, p. 1626.

Miscellaneous expenses: For such miscellaneous expenses as may be authorized or approved by the Attorney General, for the United States courts and their officers, including experts, and notarial fees or like services and stenographic work in taking depositions, at such

rates of compensation as may be authorized or approved by the Attorney General, so much as may be necessary in the discretion of the Attorney General for such expenses in the District of Alaska and in courts other than Federal courts, and traveling expenses pursuant to the Subsistence Expense Act of 1926, as amended (U. S. C., Supp., VII, title 5, ch. 16); rent of rooms for United States courts and judicial officers; supplies, including the exchange of typewriting and adding machines, for the United States courts and judicial officers, including firearms and ammunition therefor; purchase of law books, including the exchange thereof, for United States judges, district attorneys, and other judicial officers, including the libraries of the ten United States circuit courts of appeals, and the Federal Reporter and continuations thereto as issued, $1,069,000: *Provided*, That such books shall in all cases be transmitted to their successors in office; all books purchased hereunder to be marked plainly, "The Property of the United States": *Provided further*, That not to exceed $2 per volume shall be paid for the current and future volumes of the United States Code, Annotated: *Provided further*, That the maximum salary paid to any stenographer or law clerk to any circuit or district judge shall not exceed $2,500 per annum: *Provided further*, That this limitation shall not operate to reduce the compensation of any stenographer now employed nor shall the salary of any stenographer drawing more than $2,500 per annum hereafter be increased.

Alaska.

Travel expenses.

Vol. 44, p. 688.
U. S. C., p. 103.

Rent, supplies, etc.

Law books for judicial officers.

Federal Reporter.

Provisos.
Transmittal to successors.

U. S. Code, Annotated, price limitation.

Maximum salary, stenographer or law clerk.

Present stenographers not affected.

PENAL AND CORRECTIONAL INSTITUTIONS

Penal and correctional institutions.

For all services, including personal services compensated upon fee basis, supplies, materials, and equipment in connection with or incident to the subsistence and care of inmates and maintenance and upkeep of Federal penal and correctional institutions, including farm and other operations not otherwise specifically provided for in the discretion of the Attorney General; gratuities for inmates at release, provided such gratuities shall be furnished to inmates sentenced for terms of imprisonment of not less than six months, and transportation to the place of conviction or bona fide residence at the time of conviction or to such other place within the United States as may be authorized by the Attorney General; expenses of interment or transporting remains of deceased inmates to their homes in the United States; maintenance and repair of passenger-carrying vehicles; traveling expenses of institution officials and employees when traveling on official duty, including expenses of attendance at meetings concerned with the work of the several institutions when authorized by the Attorney General, and including expenses incurred in pursuing and identifying escaped inmates; traveling expenses of members of advisory boards authorized by law incurred in the discharge of their official duties; packing, crating, drayage, and transportation of household effects, not exceeding in any one case, five thousand pounds, of employees when transferred from one official station to another for permanent duty and uniforms for the guard force, when specifically authorized by the Attorney General; rewards for the capture of escaped inmates; newspapers, books, and periodicals; firearms and ammunition; tobacco for inmates; and the purchase and exchange of farm products and livestock, when authorized by the Attorney General: *Provided*, That any part of the appropriations under this heading used for payment of salaries of personnel employed in the operation of prison commissaries shall be reimbursed from commissary earnings, and such reimbursement shall be in addition to the amounts appropriated herein.

Services, supplies, etc.
Post, p. 1120.

Proviso.
Prison commissaries.

MEDICAL AND HOSPITAL SERVICE

Medical and hospital service.

Medical and hospital service: For medical relief for, and incident to the care and maintenance of, inmates of penal and correctional institutions, including personal services in the District of Columbia and elsewhere, medical, surgical, and hospital supplies, materials, equipment, and appliances, together with appliances necessary for patients, $487,500, which amount, in the discretion of the Attorney General, may be transferred to the Public Health Service for direct expenditure under the laws, appropriations, and regulations governing the Public Health Service: *Provided*, That of this appropriation not to exceed $148,090 may be expended for the hospital for defective delinquents.

Proviso.
Amount for hospital for defective delinquents.

Federal penitentiaries.
Construction and repair.

Buildings and equipment: For construction and repair of buildings, including the purchase and installation of machinery and equipment, and all expenses incident thereto, to be expended so as to give the maximum amount of employment to inmates of the institutions, as follows: United States penitentiary, Leavenworth, Kansas, $29,600; United States penitentiary, McNeil Island, Washington, $18,110; United States Southwestern Reformatory, El Reno, Oklahoma, $10,400; United States Hospital for Defective Delinquents, Springfield, Missouri, $20,000; Federal jail, Milan, Michigan, $1,890, in all, $80,000.

Leavenworth, Kans.

United States penitentiary, Leavenworth, Kansas: For the United States penitentiary at Leavenworth, Kansas, including not to exceed $607,840 for salaries and wages of all officers and employees, $1,240,670.

Atlanta, Ga.

United States penitentiary, Atlanta, Georgia: For the United States penitentiary at Atlanta, Georgia, including not to exceed $353,660 for salaries and wages of all officers and employees, $767,660.

McNeil Island, Wash.

United States penitentiary, McNeil Island, Washington: For the United States penitentiary at McNeil Island, Washington, including not to exceed $226,100 for salaries and wages of all officers and employees, $444,000.

Northeastern Penitentiary.

United States Northeastern Penitentiary: For the United States penitentiary in the Northeast, including not to exceed $342,500 for salaries and wages of all officers and employees, $633,840.

Alcatraz Island, Calif.

United States penitentiary, Alcatraz Island, California: For the United States penitentiary at Alcatraz Island, California, including not to exceed $154,000 for salaries and wages of all officers and employees, $363,000.

Federal Industrial Institution for Women, Alderson, W. Va.

Federal Industrial Institution for Women, Alderson, West Virginia: For the Federal Industrial Institution for Women at Alderson, West Virginia, including not to exceed $127,000 for salaries and wages of all officers and employees, and including also the purchase of one motor-propelled passenger-carrying vehicle, $258,520.

Industrial Reformatory, Chillicothe, Ohio.

United States Industrial Reformatory, Chillicothe, Ohio: For the United States Industrial Reformatory at Chillicothe, Ohio, including not to exceed $293,500 for salaries and wages of all officers and employees, $531,000.

Southwestern Reformatory.

United States Southwestern Reformatory: For the United States Southwestern Reformatory, including not to exceed $196,000 for salaries and wages of all officers and employees, $390,000.

Hospital for Defective Delinquents.

United States Hospital for Defective Delinquents: For the United States Hospital for Defective Delinquents, including not to exceed $132,000 for salaries and wages of all officers and employees, $305,510.

Federal jails.

Federal jails: For maintenance and operation of Federal jails, including not to exceed $300,000 for salaries and wages of all officers and employees, $528,940.

Prison camps: For the construction and repair of buildings at prison camps, the purchase and installation of machinery and equipment, and all necessary expenses incident thereto, and for the maintenance of United States prisoners at prison camps, including the maintenance, alteration, repair, and operation of a motor-propelled passenger-carrying bus, to be expended so as to give the maximum amount of employment to prisoners, $234,460 together with the unexpended balance of the appropriation for the Federal Correctional Camp, Eustis, Virginia, fiscal year 1935: *Provided*, That reimbursements from this appropriation made to the War or other departments for supplies or subsistence shall be at the net contract or invoice price notwithstanding the provisions of any other Act.

Prison camps, construction, etc.

Maintenance.

Proviso.
Reimbursements authorized.

Federal Reformatory Camp, Petersburg, Virginia: For the Federal Reformatory Camp at Petersburg, Virginia, including not to exceed $111,000 for salaries and wages of all officers and employees, $246,430.

Federal Reformatory Camp, Petersburg, Va.

National Training School for Boys, Washington, District of Columbia: For the National Training School for Boys, Washington, District of Columbia, including the purchase of one motor-propelled passenger-carrying vehicle, and expenses of a suitable attendant to accompany the remains of deceased inmates to their homes for burial; and including not to exceed $109,000 for salaries and wages of all officers and employees, $203,000.

National Training School for Boys, D. C.
Post, p. 1626.

Probation system, United States courts: For salaries and expenses of probation officers, as authorized by the Act entitled "An Act to amend the Act of March 4, 1925, chapter 521, and for other purposes," approved June 6, 1930 (U. S. C., Supp. VII, title 18, sec. 726), $631,035: *Provided*, That not to exceed $120,000 of this appropriation may be expended for traveling expenses: *Provided further*, That no part of the appropriation herein made shall be used to pay any probation officer a salary in excess of $2,600 per annum: *Provided further*, That no part of any appropriation in this Act shall be used to defray the salary or expenses of any probation officer who does not comply with the official orders, regulations, and probation standards promulgated by the Attorney General.

Probation system, United States courts.
Vol. 43, p. 1259; Vol. 46, p. 503.
U. S. C., p. 781.

Provisos.
Travel expenses.

Salary restriction.

Conditions imposed.

Support of prisoners: For support of United States prisoners, in non-Federal institutions and in the Territory of Alaska, including necessary clothing and medical aid, discharge gratuities provided by law and transportation to place of conviction or place of bona fide residence in the United States, or such other place within the United States as may be authorized by the Attorney General; and including rent, repair, alteration, and maintenance of buildings and the maintenance of prisoners therein, occupied under authority of sections 4 and 5 of the Act of May 14, 1930 (U. S. C., Supp. VII, title 18, sec. 696); support of prisoners becoming insane during imprisonment, and who continue insane after expiration of sentence, who have no friends to whom they can be sent; shipping remains of deceased prisoners to their friends or relatives in the United States, and interment of deceased prisoners whose remains are unclaimed; expenses incurred in identifying, pursuing, and returning escaped prisoners and for rewards for their recapture; and for repairs, betterments, and improvements of United States jails, including sidewalks, $1,950,000: *Provided*, That a report be submitted to Congress on the 1st day of the next regular session showing the names of the persons employed hereunder, the annual rate of compensation paid to each together with a description of their duties.

Support of prisoners.

Vol. 46, p. 326.
U. S. C., p. 785.

Proviso.
Report to Congress.

This title may be cited as the "Department of Justice Appropriation Act, 1936."

Short title.

Department of Commerce.

TITLE III—DEPARTMENT OF COMMERCE

Secretary's office.

OFFICE OF THE SECRETARY

Salaries.

Salaries: Secretary of Commerce, two Assistant Secretaries, and other personal services in the District of Columbia, including the chief clerk and superintendent, who shall be chief executive officer of the Department and who may be designated by the Secretary of Commerce to sign official papers and documents during the temporary absence of the Secretary and the Assistant Secretaries, of the Department, $350,000.

Contingent and miscellaneous expenses.

Contingent expenses: For contingent and miscellaneous expenses of the offices and bureaus of the Department, except the Patent Office, including those for which appropriations for contingent and miscellaneous expenses are specifically made, including professional and scientific books, law books, books of reference, periodicals, blank books, pamphlets, maps, newspapers (not exceeding $1,500); purchase of atlases or maps; stationery; furniture and repairs to same; carpets, matting, oilcloth, file cases, towels, ice, brooms, soap, sponges; fuel, lighting, and heating; purchase and exchange of motor trucks and bicycles and not to exceed $2,500 for purchase, including exchange, of one motor-propelled, passenger-carrying vehicle for the official use of the Secretary of Commerce; maintenance, repair, and operation of three motor-propelled passenger-carrying vehicles (one for the Secretary of Commerce and two for the general use of the Department), and motor trucks and bicycles, to be used only for official purposes; freight and express charges; postage to foreign countries; telegraph and telephone service; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; first-aid outfits for use in the buildings occupied by employees of this Department; street-car fares, not exceeding $500; and all other miscellaneous items and necessary expenses not included in the foregoing, $125,000, which sum shall constitute the appropriation for contingent expenses of the Department, except the Patent Office, and shall also be available for the purchase of necessary supplies and equipment for field services of bureaus and offices of the Department for which contingent and miscellaneous appropriations are specifically made in order to facilitate the purchase through the central purchasing office (Division of Purchases and Sales), as provided by law.

Printing and binding. *Post*, p. 582.

Printing and binding: For all printing and binding for the Department of Commerce, including all of its bureaus, offices, institutions, and services in the District of Columbia and elsewhere, except the Patent Office, $425,000: *Provided*, That an amount not to exceed $2,000 of this appropriation may be expended for salaries of persons detailed from the Government Printing Office for service as copy editors.

Bureau of Air Commerce.

BUREAU OF AIR COMMERCE

Air navigation facilities.
Establishment, etc., of aids, mail routes, etc. *Post*, p. 1618.

Air-navigation facilities: For the establishment and maintenance of aids to air navigation, including the equipment of additional air-mail routes for day and night flying; the construction of necessary lighting, radio, and other signaling and communicating structures and apparatus; repairs, alterations, and all expenses of maintenance and operation; investigation, research, and experimentation to develop and improve aids to air navigation, aircraft, aircraft power plants, and accessories; for personal services in the District of Columbia (not to exceed $123,071) and elsewhere; purchase, maintenance, operation, and repair of motor-propelled passenger-carry-

Services in the District.

ing vehicles for official use in field work, including their exchange; replacement, including exchange, of not to exceed two airplanes for service use and two for experimental purposes, maintenance, operation, and repair of airplanes, including accessories and spare parts and special clothing, wearing apparel, and suitable equipment for aviation purposes; and for the acquisition of the necessary sites by lease or grant, $5,175,000: *Provided*, That no part of this appropriation shall be used for any purpose not authorized by the Air Commerce Act of 1926 as amended.

Proviso.
Use restricted.
Vol. 44, p. 568; Vol. 45, p. 1404.
U. S. C., p. 2249.

Aircraft in commerce: To carry out the provisions of the Act approved May 20, 1926, entitled "An Act to encourage and regulate the use of aircraft in commerce, and for other purposes" (U. S. C., title 49, secs. 171–184), as amended by the Act approved February 28, 1929 (U. S. C., Supp. VII, title 49, sec. 173d), and Acts approved June 19 and 20, 1934 (48 Stat. 1113, 1116), including personal services in the District of Columbia (not to exceed $235,956), and elsewhere; rent in the District of Columbia and elsewhere; traveling expenses; contract stenographic reporting services; fees and mileage of witnesses; purchase of furniture and equipment; stationery and supplies, including medical supplies, typewriting, adding, and computing machines, accessories, and repairs; purchase, including exchange (not to exceed $2,000), maintenance, operation, and repair of motor-propelled passenger-carrying vehicles for official use in field work; purchase and replacement, including exchange, of airplanes (not to exceed $16,500); purchase of airplane motors, airplane and motor accessories and spare parts; maintenance, operation, and repair of airplanes and airplane motors; purchase of special clothing, wearing apparel, and similar equipment for aviation purposes; purchase of books of reference and periodicals; newspapers, reports, documents, plans, specifications, maps, manuscripts, and all other publications; and all other necessary expenses not included in the foregoing; in all, $734,800.

Aircraft in commerce.
Services and expenses.
Vol. 44, p. 568; Vol. 45, p. 1404; Vol. 48, pp. 1113, 1116.
U. S. C., p. 2250.

Purchase, etc., of airplanes, accessories, etc.

Appropriations herein made for aircraft in commerce and air-navigation facilities shall be available in an amount not to exceed $2,000 for expenses of attendance at meetings concerned with the promotion of civil aeronautics, and also expenses of illustrating the work of the Bureau of Air Commerce by showing of maps, charts, and graphs at such meetings, when incurred on the written authority of the Secretary of Commerce.

Attendance at meetings, etc.

BUREAU OF FOREIGN AND DOMESTIC COMMERCE

Bureau of Foreign and Domestic Commerce.

Salaries: For the director and other personal services in the District of Columbia, $321,400.

Salaries.

For carrying out the provisions of the Act approved March 3, 1927 (U. S. C., Supp. VII, title 15, secs. 197–197f), to establish in the Bureau of Foreign and Domestic Commerce of the Department of Commerce a Foreign Commerce Service of the United States, including personal services in the District of Columbia and elsewhere, the compensation of a clerk or clerks for each commercial attaché at the rate of not to exceed $3,000 per annum for each person so employed, rent outside the District of Columbia, telephone service, purchase of furniture and equipment, stationery and supplies, typewriting, adding, duplicating, and computing machines, accessories and repairs, law books, books of reference and periodicals, uniforms, maps, reports, documents, plans, specifications, manuscripts, newspapers (foreign and domestic, not exceeding $2,000), and all other publications, traveling expenses of officers and employees, ice and drinking water for office purposes, and all other incidental expenses

Foreign Commerce Service.
Vol. 44, p. 1394.
U. S. C., p. 553.

Personal services.

Rent, etc.

not included in the foregoing, to be expended under the direction of the Secretary of Commerce, and under the following heads:

Promoting commerce in Europe. *Post*, p. 582.

Promoting commerce in Europe and other areas: Investigations in Europe and other areas for the promotion and development of the foreign commerce of the United States, $363,400.

In Latin America.

Promoting commerce in Latin America: Investigations in Latin America for the promotion and development of the foreign commerce of the United States, $182,400.

In the Far East.

Promoting commerce in the Far East: Investigations in the Far East for the promotion and development of the foreign commerce of the United States, $98,000.

In Africa.

Promoting commerce in Africa: Investigations in Africa for the promotion and development of the foreign commerce of the United States, $29,200.

District and cooperative office service.

District and cooperative office service: For all expenses necessary to operate and maintain district and cooperative offices, including personal services, rent outside of the District of Columbia, traveling expenses of officers and employees, purchase of furniture and equipment, stationery and supplies, typewriting, adding, and computing machines, accessories and repairs, purchase of maps, books of reference and periodicals, reports, documents, plans, specifications, manuscripts, not exceeding $300 for newspapers, both foreign and domestic, and all other publications necessary for the promotion of the commercial interests of the United States, and all other incidental expenses not included in the foregoing, $328,000: *Provided*, That the Secretary of Commerce shall require as a condition for the opening of a new office or the continuation of an existing office, except in cases where space is available in Federal buildings or in Federal buildings for the construction of which contracts have been let, that commercial organizations in the district affected provide suitable quarters without cost to the Government on and after September 1, 1932.

Proviso. New offices.

China Trade Act. Enforcement expenses. Vol. 42, p. 849; Vol. 43, p. 995. U. S. C., p. 546.

Enforcement of China Trade Act: To carry out the provisions of the Act entitled "China Trade Act, 1922" (U. S. C., title 15, secs. 141–162), including personal services, traveling expenses of officers and employees, purchase of furniture and equipment, stationery and supplies, typewriting, adding, and computing machines, accessories and repairs, purchase of books of reference and periodicals, reports, documents, plans, specifications, maps, manuscripts, and all other publications, rent outside the District of Columbia, ice and drinking water for office purposes; and all necessary expenses not included in the foregoing, $9,000, of which amount not to exceed $3,200 may be expended for personal services in the District of Columbia: *Provided*, That payment in advance for telephone and other similar services under this appropriation is hereby authorized.

Proviso. Advance payments.

Export industries. Investigations and reports. *Post*, pp. 205, 1118.

Export industries: To enable the Bureau of Foreign and Domestic Commerce to investigate and report on domestic as well as foreign problems relating to the production, distribution, and marketing, insofar as they relate to the important export industries of the United States, including personal services, traveling expenses of officers and employees, purchase of furniture and equipment, stationery and supplies, typewriting, adding, and computing machines, accessories and repairs, books of reference and periodicals, reports, documents, plans, specifications, manuscripts, and all other publications, rent outside of the District of Columbia, ice and drinking water for office purposes, and all other incidental expenses connected therewith, $527,000, of which amount not to exceed $520,522 may be expended for personal services in the District of Columbia.

Investigating domestic commerce and raw materials.

Domestic commerce and raw materials investigations: For personal services and traveling expenses of officers and employees to enable the Bureau of Foreign and Domestic Commerce to collect and compile information regarding the disposition and handling of raw materials and manufactures within the United States; and to investigate the conditions of production and marketing of foreign raw materials essential for American industries, $224,800, of which amount not to exceed $217,700 may be expended for personal services in the District of Columbia.

Foreign raw materials.

Customs statistics.

Expenses of collecting, etc.

Vol. 42, p. 1109.

U. S. C., p. 552.

Customs statistics: For all expenses necessary for the operation of the section of customs statistics transferred to the Department of Commerce from the Treasury Department by the Act approved January 5, 1923 (U. S. C., title 15, sec. 194), including personal services; rent of or purchase of tabulating, punching, sorting, and other mechanical labor-saving machinery or devices, including adding, typewriting, billing, computing, mimeographing, multigraphing, photostat, and other duplicating machines and devices, including their exchange and repair; telegraph and telephone service; traveling expenses of officers and employees while traveling on official business; freight, express, drayage; tabulating cards, stationery, and miscellaneous office supplies; books of reference and periodicals; furniture and equipment; ice, water, heat, light, and power; street-car fare; and all other necessary and incidental expenses not included in the foregoing, $312,300, of which amount not to exceed $77,230 may be expended for personal services in the District of Columbia.

Lists of foreign buyers.

Expenses of compiling.

Lists of foreign buyers: For all necessary expenses, including personal services, purchase of furniture and equipment, stationery and supplies, typewriting, adding, and computing machines, accessories and repairs, lists of foreign buyers, books of reference, periodicals, reports, documents, plans, specifications, rent outside of the District of Columbia, traveling expenses of officers and employees, and all other incidental expenses not included in the foregoing, to enable the Bureau of Foreign and Domestic Commerce to collect and compile lists of foreign buyers, $45,000, of which amount not to exceed $34,200 may be expended for permanent personal services and not to exceed $10,080 for temporary personal services in the District of Columbia: *Provided*, That the Secretary of Commerce may make such charges as he deems reasonable for lists of foreign buyers, special statistical services, special commodity news bulletins, and World Trade Directory Reports, and the amounts collected therefrom shall be deposited in the Treasury as "Miscellaneous receipts".

Proviso.
Charge for service authorized.

Investigation of foreign trade restrictions.

Investigation of foreign trade restrictions: For all necessary expenses, including personal services, purchase of furniture and equipment, stationery and supplies, typewriting, adding, and computing machines, accessories and repairs, books of reference and periodicals, reports, documents, plans, specifications, manuscripts, and all other publications, rent outside of the District of Columbia, traveling expenses of officers and employees, and all other incidental expenses not included in the foregoing, to enable the Bureau of Foreign and Domestic Commerce to collect and compile information regarding the restrictions and regulations of trade imposed by foreign countries, $96,200, of which amount not to exceed $95,310 may be expended for personal services in the District of Columbia.

Transportation of families and effects of officers, employees.

Post, p. 583.

Transportation of families and effects of officers and employees: To pay the traveling expenses and expenses of transportation, under such regulations as the Secretary of Commerce may prescribe, of families and effects of officers and employees of the Bureau of Foreign and Domestic Commerce in going to and returning from their posts, or when traveling under the order of the Secretary of

Bringing home remains of officers, etc., dying abroad.

Commerce, and also for defraying the expenses of preparing and transporting the remains of officers and employees of the Bureau of Foreign and Domestic Commerce who may die abroad or in transit, while in the discharge of their official duties, to their former homes in this country, or to a place not more distant, for interment, and for the ordinary expenses of such interment; $35,000.

Allowance for living quarters, heat, and light.
Vol. 44, p. 1394; Vol. 46, p. 163.
U. S. C., p. 554.
Post, p. 583.

Allowances for living quarters: To enable the Secretary of Commerce, under such regulations as he may prescribe, in accordance with the provisions of the Act entitled "An Act to amend the Act entitled 'An Act to establish in the Bureau of Foreign and Domestic Commerce of the Department of Commerce, a Foreign Commerce Service of the United States, and for other purposes', approved March 3, 1927", approved April 12, 1930 (U. S. C., Supp. VII, title 15, sec. 197f), to furnish the officers in the Foreign Commerce Service of the Bureau of Foreign and Domestic Commerce stationed in a foreign country, without cost to them and within the limits of this appropriation, allowances for living quarters, heat and light, notwithstanding the provisions of section 1765 of the Revised Statutes (U. S. C., title 5, sec. 70), $103,400: *Provided*, That the maximum allowance to any officer shall not exceed $1,700.

R. S., sec. 1765, p. 314.
U. S. C., p. 40.

Proviso.
Maximum allowance.

Operation, etc., foreign-trade zones.
Vol. 48, p. 998.
U. S. C., p. 799.

Operation, and so forth, of foreign-trade zones: To enable the Secretary of Commerce to comply with the provisions of the Act entitled "An Act to provide for the establishment, operation, and maintenance of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes", approved June 18, 1934 (48 Stat., p. 998), including personal services in the District of Columbia and elsewhere, traveling expenses, contract stenographic reporting services, supplies and equipment, books of reference and periodicals, newspapers and other publications, fees and mileage of witnesses, and all other necessary expenses, $30,000.

Attendance at meetings.

Appropriations herein made for the Bureau of Foreign and Domestic Commerce shall be available in an amount not to exceed $2,500 for expenses of attendance at meetings concerned with the promotion of foreign and domestic commerce, or either, and also expenses of illustrating the work of the Bureau by showing of maps, charts, and graphs at such meetings, when incurred on the written authority of the Secretary of Commerce.

Minor purchases in foreign countries.
R. S., sec. 3709, p. 733.
U. S. C., p. 1303.

The purchase of supplies and equipment or the procurement of services for the Bureau of Foreign and Domestic Commerce, in foreign countries, may be made in open market without compliance with section 3709 of the Revised Statutes of the United States (U. S. C., title 41, sec. 5), in the manner common among business men, when the aggregate amount of the purchase or the service does not exceed $100 in any instance.

Census Bureau.

BUREAU OF THE CENSUS

Services and expenses.

For expenses for securing information for and compiling the census reports provided for by law, including personal services in the District of Columbia and elsewhere; compensation and expenses of enumerators, special agents, supervisors, supervisor's clerks, and interpreters in the District of Columbia and elsewhere; traveling expenses; the cost of transcribing State, municipal, and other records; temporary rental of quarters outside the District of Columbia; not to exceed $2,500 for the employment by contract of personal services for the preparation of monographs on census subjects; not to exceed $54,000 for constructing tabulating machines and repairs to such machinery and other mechanical appliances, including technical, mechanical, and other personal services in connection therewith

Temporary, etc., services.

in the District of Columbia and elsewhere, and the purchase of necessary machinery and supplies; and not to exceed $1,000 for expenses of attendance at meetings concerned with the collection of statistics when incurred on the written authority of the Secretary of Commerce; $1,934,000, of which amount not to exceed $1,425,000 may be expended for personal services in the District of Columbia, including not to exceed $51,000 for temporary employees who may be appointed by the Director of the Census under civil-service rules, at per diem rates to be fixed by him without regard to the provisions of the Classification Act of 1923, as amended, for the purpose of assisting in periodical inquiries.

Census of agriculture. Salaries and expenses. *Post*, p. 1337. Vol. 46, p. 25. U. S. C., p. 492.

Census of Agriculture: For salaries and necessary expenses for preparing for, taking, compiling, and publishing the Census of Agriculture of the United States for 1935, as provided by law (U. S. C., Supp. VII, title 13, p. [1] 216), including rent for quarters in and outside the District of Columbia; salaries of employees in the District of Columbia and elsewhere, including temporary employees in the District of Columbia who may be appointed by the Director of the Census under civil-service rules for any period not extending beyond December 31, 1936, at rates of pay to be fixed by the Director of the Census without regard to the provisions of the Classification Act as amended: *Provided*, That such temporary employees in the District of Columbia may be allowed leave of absence with pay at the rate of one and one-fourth days per month; for the employment by contract of personal services for the preparation of monographs in connection with the Census of Agriculture; for the compensation of supervisors, supervisors' clerks, special agents, enumerators, and interpreters, and for the necessary traveling expenses of such field employees and of detailed employees of the Bureau; the purchase of supplies and equipment, including books of reference, periodicals, maps, manuscripts, street-car fares, punch cards, and materials; the purchase, rental, repair, and exchange of typewriters, calculating machines, punching, tabulating, and sorting machines, and other office appliances; the construction of punching, tabulating, and sorting machines, including technical, mechanical, and other services in connection therewith, whether in the District of Columbia or elsewhere; purchase and exchange of motor trucks, first-aid outfits, and all other miscellaneous items and necessary expenses not included in the foregoing; printing and binding at the Government Printing Office; $1,500,000, to continue available until December 31, 1936, of which sum $500,000 shall be immediately available.

Proviso. Leave of absence to temporary employees.

Personal services.

BUREAU OF NAVIGATION AND STEAMBOAT INSPECTION

Bureau of Navigation and Steamboat Inspection.

Departmental salaries: For the director and other personal services in the District of Columbia, $123,169.

Departmental salaries.

Salaries and general expenses: For salaries of shipping commissioners, steamboat inspectors, and other personal services; to enable the Secretary of Commerce to provide and operate such motor boats and employ such persons (including temporary employees) as may be necessary for the enforcement, under his direction, of laws relating to navigation and inspection of vessels, boarding of vessels, counting of passengers on excursion boats, and to prevent overcrowding of passenger and excursion boats; to enable the Secretary of Commerce to carry out the provisions of the Act entitled "An Act to establish load lines for American vessels, and for other purposes", approved March 2, 1929 (U. S. C., Supp. VII, title 46, secs. 85–85g), and to secure uniformity in the admeasurement of vessels, including personal services; fees to witnesses; traveling expenses of the personnel of the Bureau and field offices; materials, supplies, equipment, and

General expenses. *Post*, p. 1118.

Enforcement of inspection, etc., laws.

Load lines for American vessels. Vol. 45, p. 1492. U. S. C., p. 1987.

[1] So in original.

services, including rent and janitor service; purchase, exchange, and repair of instruments; plans and specifications; insignia, braid, and chin straps; coats, caps, and aprons for stewards' departments on vessels; and other incidental expenses of field offices, including contract stenographic reporting services; $1,474,831.

Bureau of Standards.

NATIONAL BUREAU OF STANDARDS

Salaries and expenses.

Vol. 31, p. 1449. U. S. C., pp. 78, 560.

Vol. 48, p. 552.

Attendance at meeting of International Committee of Weights and Measures.

Detailed Public Health Service officers.

Supplies.

Equipment.

Operation, etc.

Testing, inspection, and information.

Salaries and expenses: For carrying out the provisions of the Act establishing the National Bureau of Standards, approved March 3, 1901 (U. S. C., title 5, secs. 591, 597; title 15, secs. 271–278), and of Acts supplementary thereto affecting the functions of the Bureau, and specifically including the functions as set forth under the Bureau of Standards in the "Department of Commerce Appropriation Act, 1935", approved April 7, 1934, and for all necessary expenses, purchases, and personnel connected with administration and operation, testing, inspection and technical information service, research and development, and standards for commerce, including rental of laboratories in the field, communication service, transportation service; travel, street-car fares not exceeding $100, expenses of the visiting committee, attendance of American member at the meeting of the International Committee of Weights and Measures, attendance at meetings concerned with standardization and research, or either, when incurred on the written authority of the Secretary of Commerce not to exceed $4,500; compensation and expenses of medical officers of the Public Health Service detailed to the National Bureau of Standards for the purpose of maintaining a first-aid station and making clinical observations; compiling and disseminating scientific and technical data; demonstrating the results of the Bureau's work by exhibits or otherwise as may be deemed most effective; purchases of supplies, materials, stationery, electric power, fuel for heat, light, and power, and accessories of all kinds needed in the work of the Bureau, including supplies for office, laboratory, shop, and plant, and cleaning and toilet supplies, gloves, goggles, rubber boots, and aprons; contingencies of all kinds; supplies for operation, maintenance and repair of motor trucks and a passenger automobile for official use, including their exchange; purchases of equipment of all kinds, including its repair and exchange, including apparatus, machines, and tools, furniture, typewriters, adding machines, and other labor-saving devices, books, periodicals, and reference books, including their exchange when not needed for permanent use; translation of technical articles when required; salary of the director and other personal services in the District of Columbia and in the field, in accordance with the Classification Act of 1923, as amended:

Operation and administration: For the general operation and administration of the Bureau; improvement and care of the grounds; plant equipment; necessary repairs and alterations to buildings; $263,000.

Testing, inspection, and information service: For calibrating and certifying measuring instruments, apparatus, and standards in terms of the national standards; the preparation and distribution of standard materials; the broadcasting of radio signals of standard frequency; the testing of equipment, materials, and supplies in connection with Government purchases; the improvement of methods of testing; advisory services to governmental agencies on scientific and technical matters; and supplying available information to the public, upon request, in the field of physics, chemistry, and engineering; $758,000.

Research and development: For the maintenance and development of national standards of measurement; the development of improved methods of measurement; the determination of physical constants and the properties of materials; the investigation of mechanisms and structures, including their economy, efficiency, and safety; the study of fluid resistance and the flow of fluids and heat; the investigation of radiation, radioactive substances, and X-rays; the study of conditions affecting radio transmission; the development of methods of chemical analysis and synthesis, and the investigation of the properties of rare substances; investigations relating to the utilization of materials, including lubricants and liquid fuels; the study of new processes and methods of fabrication; and the solutions of problems arising in connection with standards; $671,500. Research and development.

Standards for commerce: For cooperation with Government purchasing agencies, industries, and national organizations in developing specifications and facilitating their use; for encouraging the application of the latest developments in the utilization and standardization of building materials; for the development of engineering and safety codes, simplified practice recommendations, and commercial standards of quality and performance, $110,000. Standards for commerce.

During the fiscal year 1936 the head of any department or independent establishment of the Government having funds available for scientific investigations and requiring cooperative work by the National Bureau of Standards on scientific investigations within the scope of the functions of that Bureau, and which the National Bureau of Standards is unable to perform within the limits of its appropriations, may, with the approval of the Secretary of Commerce, transfer to the National Bureau of Standards such sums as may be necessary to carry on such investigations. The Secretary of the Treasury shall transfer on the books of the Treasury Department any sums which may be authorized hereunder, and such amounts shall be placed to the credit of the National Bureau of Standards for performance of work for the department or establishment from which the transfer is made, including, where necessary, compensation for personal services in the District of Columbia and in the field. Cooperative work with departments, etc., on scientific investigations. Transfer of funds authorized.

Total, National Bureau of Standards, $1,802,500, of which amount not to exceed $1,600,000 may be expended for personal services in the District of Columbia. Total. Services in the District.

BUREAU OF LIGHTHOUSES

Bureau of Lighthouses.

Salaries: For the Commissioner and other personal services in the District of Columbia, $113,800. Salaries.

General expenses: For supplies, including replacement of and necessary additions to existing equipment, repairs, maintenance, and incidental expenses of lighthouses and other lights, beacons, buoyage, fog signals, lighting of rivers heretofore authorized to be lighted, light vessels, other aids to navigation, and lighthouse tenders, including the establishment, repair, and improvement of beacons and day marks, and purchase of land for same; establishment of post lights, buoys, submarine signals, and fog signals; establishment of oil or carbide houses, not to exceed $10,000: *Provided*, That any oil or carbide house erected hereunder shall not exceed $1,000 in cost; construction of necessary outbuildings at a cost not exceeding $1,000 at any one light station in any fiscal year; improvement of grounds and buildings connected with light stations and depots; restoring light stations and depots and buildings connected therewith; *Provided* General expenses. *Post*, p. 582. Aids to navigation. *Provisos.* Limit on construction cost. Restoring stations, etc.

Limited to original purpose.

Personal services.

Transferring effects.

Rations, clothing, etc.

Travel expenses. Vol. 43, p. 1261. U. S. C., p. 1496.

Paying rewards. Vol. 35, p. 162. U. S. C., p. 1496.

Keepers.

Lighthouse vessels.

Superintendents, clerks, etc.

Retired pay. *Post*, p. 1618.

further, That such restoration shall be limited to the original purpose of the structures; wages of persons attending post lights; temporary employees and field force while engaged on works of general repair and maintenance, and laborers and mechanics at lighthouse depots; rations and provisions or commutation thereof for working parties in the field, officers and crews of light vessels and tenders, and officials and other authorized persons of the Lighthouse Service on duty on board of such tenders or vessels, and money accruing from commutation for rations and provisions for the above-named persons on board of tenders and light vessels or in working parties in the field may be paid on proper vouchers to the person having charge of the mess of such vessel or party; not exceeding $2,000 for packing, crating, and transporting personal household effects of employees when transferred from one official station to another for permanent duty; purchase of rubber boots, oilskins, rubber gloves, and coats, caps, and aprons for stewards' departments on vessels; reimbursement under rules prescribed by the Secretary of Commerce of keepers of light stations and masters of light vessels and of lighthouse tenders for rations and provisions and clothing furnished shipwrecked persons who may be temporarily provided for by them, not exceeding in all $2,000 in any fiscal year; fuel, light, and rent of quarters where necessary for keepers of lighthouses; purchase of land sites for fog signals; rent of necessary ground for all such lights and beacons as are for temporary use or to mark changeable channels and which in consequence cannot be made permanent; rent of offices, depots, and wharves; traveling expenses, including travel for the examinations authorized by the Act entitled "An Act to provide for retirement for disability in the Lighthouse Service", approved March 4, 1925 (U. S. C., title 33, sec. 765); mileage; library books for light stations and vessels, and technical books and periodicals not exceeding $200; traveling expenses of teachers while actually employed by States or private persons to instruct the children of keepers of lighthouses; all other contingent expenses of district offices and depots, including the purchase of provisions for sale to lighthouse keepers at isolated stations, and the appropriation reimbursed, purchase not to exceed $3,600, exchange, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles for official use in field work, payment of rewards for the apprehension and conviction, or for information helpful to the apprehension and conviction of persons found interfering with aids to navigation maintained by the Lighthouse Service, in violation of section 6 of the Act of May 14, 1908 (U. S. C., title 33, sec. 761); $4,025,000.

Keepers of lighthouses: For salaries of not exceeding one thousand four hundred lighthouse and fog-signal keepers and persons attending lights, exclusive of post lights, $1,850,300.

Lighthouse vessels: For salaries and wages of officers and crews of light vessels and lighthouse tenders, including temporary employment when necessary, $2,189,000.

Superintendents, clerks, and so forth: For salaries of eighteen superintendents of lighthouses, and of assistant superintendents, clerks, draftsmen, and other authorized permanent employees in the district offices and depots of the Lighthouse Service, exclusive of those regularly employed in the office of the Bureau of Lighthouses, District of Columbia, $682,900.

Retired pay: For retired pay of officers and employees engaged in the field service or on vessels of the Lighthouse Service, except persons continuously employed in district offices and shops, $570,000.

COAST AND GEODETIC SURVEY

Coast and Geodetic Survey.

For every expenditure requisite for and incident to the work of the Coast and Geodetic Survey, including maintenance, repair, exchange, and operation of motor-propelled or horse-drawn vehicles for official use in field work, purchase of motorcycles with side cars, including their exchange, not to exceed $500, surveying instruments, including their exchange, rubber boots, canvas and rubber gloves, goggles, and caps, coats, and aprons for stewards' departments on vessels, extra compensation at not to exceed $1 per day for each station to employees of the Lighthouse Service and the Weather Bureau while observing tides or currents, services of one tide observer in the District of Columbia at not to exceed $1 per day, and compensation, not otherwise appropriated for, of persons employed in the field work, for travel and other expenses incident to the execution of field work upon approval by the head of the Bureau, and for expenses (in an amount not to exceed $150) of attendance at meetings concerned with the work of the Coast and Geodetic Survey when incurred on the written authority of the Secretary of Commerce, to be expended in accordance with the regulations relating to the Coast and Geodetic Survey subscribed by the Secretary of Commerce, and under the following heads:

Expenses.

Attendance at meetings.

Field expenses, Atlantic and Gulf coast: For surveys and necessary resurveys of the Atlantic and Gulf coasts of the United States, including the coasts of outlying islands under the jurisdiction of the United States, and including the employment in the field and office of one physicist to develop survey methods based on transmission of sound through sea water, $98,500: *Provided*, That not more than $35,000 of this amount shall be expended on the coasts of said outlying islands and the Atlantic entrance to the Panama Canal.

Field expenses, Atlantic, etc., coasts.

Proviso. Outlying islands.

Pacific coast: For surveys and necessary resurveys of coasts on the Pacific Ocean under the jurisdiction of the United States, and including the employment in the field and office of one physicist to develop survey methods based on transmission of sound through sea water, $146,000.

Pacific Coast.

Tides, currents, and so forth: For continuing researches in physical hydrography, relating to harbors and bars, and for tidal and current observations on the coasts of the United States, or other coasts under the jurisdiction of the United States, $14,000.

Physical hydrography.

Coast Pilot: For compilation of the Coast Pilot, including the employment of such pilots and nautical experts, and stenographic help in the field and office as may be necessary for the same, $5,200.

Coast Pilot.

Magnetic and seismological work: For continuing magnetic and seismological observations and to establish meridian lines in connection therewith in all parts of the United States; making magnetic and seismological observations in other regions under the jurisdiction of the United States; purchase of additional magnetic and seismological instruments; lease of sites where necessary and the erection of temporary magnetic and seismological buildings; and including the employment in the field and office of such magnetic and seismological observers and stenographic services as may be necessary, $58,500.

Magnetic and seismological work.

Federal, boundary, and State surveys: For continuing lines of exact levels between the Atlantic, Pacific, and Gulf coasts; determining geographic positions by triangulation and traverse for the control of Federal, State, boundary, county, city, and other surveys and engineering works in all parts of the United States; including special geodetic surveys of first-order triangulation and leveling in regions subject to earthquakes, not exceeding $10,000; determining

Federal, boundary, and State surveys.

Ukiah and Gaithersburg observatories.

field astronomic positions and the variation of latitude, including the maintenance and operation of the latitude observatories at Ukiah, California, and Gaithersburg, Maryland, not exceeding $2,500 each; establishing lines of exact levels, determining geographic positions by triangulation and traverse, and making astronomic observations in Alaska; and continuing gravity observations in the United States and for making such observations in regions under the jurisdiction of the United States and also on islands and coasts adjacent thereto, $121,700, of which amount not to exceed $31,300, may be expended for personal services in the District of Columbia.

Alaska.

Miscellaneous.

For objects not hereinbefore named that may be deemed urgent, including the preparation or purchase of plans and specifications of vessels and the employment of such hull draftsmen in the field and office as may be necessary for the same; the reimbursement, under rules prescribed by the Seretary of Commerce, of officers of the Coast and Geodetic Survey for food, clothing, medicines, and other supplies furnished for the temporary relief of distressed persons in remote localities and to shipwrecked persons temporarily provided for by them, not to exceed a total of $500; actual necessary expenses of officers of the field force temporarily ordered to the office in the District of Columbia for consultation with the director, and not exceeding $750 for the expenses of the attendance of representatives of the Coast and Geodetic Survey who may be designated as delegates from the United States at the meetings of the International Hydrographic Bureau, and not exceeding $3,000 for special surveys that may be required by the Bureau of Lighthouses or other proper authority, $4,100.

Relief of distressed persons.

Attendance at meetings.

Vessels, repair, etc.

Vessels: For repairs of vessels, including traveling expenses of persons inspecting the repairs, and exclusive of engineer's supplies and other ship chandlery, $65,000.

Officers and men on vessels, pay.

Pay of officers and men on vessels: For all necessary employees to man and equip the vessels, including professional seamen serving as mates on vessels of the Survey, to execute the work of the Survey herein provided for and authorized by law, $484,400.

Pay and allowances, commissioned officers.

Pay, commissioned officers: For pay and allowances prescribed by law for commissioned officers on sea duty and other duty, holding relative rank with officers of the Navy, including one director with relative rank of captain, six hydrographic and geodetic engineers with relative rank of captain, ten hydrographic and geodetic engineers with relative rank of commander, seventeen hydrographic and geodetic engineers with relative rank of lieutenant commander, forty-seven hydrographic and geodetic engineers with relative rank of lieutenant, sixty-one junior hydrographic and geodetic engineers with relative rank of lieutenant (junior grade), twenty-nine aides with relative rank of ensign, and including officers retired in accordance with existing law, $760,000: *Provided*, That the Secretary of Commerce may designate one of the hydrographic and geodetic engineers to act as assistant director.

Proviso.
Assistant director.

Office force.

Office force: For personal services, $548,500.

Office expenses.

Office expenses: For purchase of new instruments (except surveying instruments), including their exchange, materials, equipment, and supplies required in the instrument shop, carpenter shop, and chart division; books, scientific and technical books, journals, books of reference, maps, charts, and subscriptions; copper plates, chart paper, printer's ink, copper, zinc, and chemicals for electrotyping and photographing; engraving, printing, photographing, rubber gloves, and electrotyping supplies; photolithographing and printing charts for immediate use; stationery for office and field parties; transportation of instruments and supplies when not charged to

party expenses; telegrams; washing; office furniture, repairs; traveling expenses of officers and others employed in the office sent on special duty in the service of the office; miscellaneous expenses, contingencies of all kinds, not exceeding $90 for street-car fares, $55,000.

Subsistence restrictions.

Appropriations herein made for the Coast and Geodetic Survey shall not be available for allowance to civilian or other officers for subsistence while on duty at Washington (except as hereinbefore provided for officers of the field force ordered to Washington for short periods for consultation with the director), except as now provided by law.

Application of airplane to field work.

Appropriations herein made for the field expenses of the Coast and Geodetic Survey shall be available for expenditures in the application of the airplane to the field work of the Coast and Geodetic Survey, and not to exceed a total of $25,000 of said appropriations shall be available for the purchase or construction of cameras and other photographic apparatus, for equipment, except airplanes, and for employment of personnel in the field and office in connection with such work.

Bureau of Fisheries.

BUREAU OF FISHERIES

Commissioner and office personnel.

Commissioner's office: For the commissioner and other personal services in the District of Columbia, $154,800.

Propagation of food fishes.

Propagation of food fishes: For maintenance, repair, alteration, improvement, equipment, and operation of fish-cultural stations, general propagation of food fishes and their distribution, including movement, maintenance, and repairs of cars, purchase of equipment (including rubber boots and oilskins) and apparatus, contingent expenses, pay of permanent employees not to exceed $387,030, temporary labor, and not to exceed $10,000 for propagation and distribution of fresh-water mussels and the necessary expenses connected therewith, and not to exceed $10,000 for the purchase, collection, and transportation of specimens and other expenses incidental to the maintenance and operation of aquarium, of which not to exceed $5,000 may be expended for personal services in the District of Columbia, $632,500.

Maintenance of vessels.

Maintenance of vessels: For maintenance and operation of vessels and launches, including purchase and repair of boats, apparatus, machinery, and other facilities required for use with the same, hire of vessels, temporary employees, and all other necessary expenses in connection therewith, including not to exceed $750 for the purchase of plans and specifications for vessels or for contract personal services for the preparation thereof, and money accruing from commutation of rations and provisions on board vessels may be paid on proper vouchers to the persons having charge of the mess of such vessels, $145,100, of which not to exceed $4,980 may be expended for pay of officers and employees of vessels of the Atlantic coast and not to exceed $75,000 for pay of officers and crews of vessels for the Alaska Fisheries Service.

Allotment for Atlantic coast and Alaska.

Commutation of rations.

Commutation of rations (not to exceed $1 per day) may be paid to officers and crews of vessels of the Bureau of Fisheries during the fiscal year 1936 under regulations prescribed by the Secretary of Commerce.

Food fishes inquiry.

Inquiry respecting food fishes: For inquiry into the cause of the decrease of food fishes in the waters of the United States, and for investigation and experiments in respect to the aquatic animals, plants, and waters, and screening of irrigation ditches in fishways, in the interests of fish culture and the fishery industries, including pay of permanent employees not to exceed $115,880, temporary

employees, maintenance, repair, improvement, equipment, and operation of biological stations, expenses of travel and preparation of reports, $164,700.

Fishery industries. Statistical studies.

Fishery industries: For collection and compilation of statistics of the fisheries and the study of their methods and relations, and the methods of preservation and utilization of fishery products, including pay of permanent employees not to exceed $25,160, compensation of temporary employees, travel and preparation of reports, including temporary employees in the District of Columbia not to exceed $1,800, and all other necessary expenses in connection therewith, including the purchase (not to exceed $500), exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles for official use in the field work of the Bureau of Fisheries, $60,800.

Alaska, general service. Seal fisheries.

Alaska, general service: For protecting the seal fisheries of Alaska, including the furnishing of food, fuel, clothing, and other necessities of life to the natives of the Pribilof Islands of Alaska; not exceeding $20,000 for construction, improvement, repair, and alteration of buildings and roads, transportation of supplies to and from the islands, expenses of travel of agents and other employees and subsistence while on said islands, hire and maintenance of vessels, purchase of sea otters, and for all expenses necessary to carry out the provisions of the Act entitled "An Act to protect the seal fisheries of Alaska, and for other purposes", approved April 21, 1910 (U. S. C., title 16, secs. 631–658), and for the protection of the fisheries of Alaska, including pay of permanent employees not to exceed $69,900, contract stenographic reporting service, travel of employees while on duty in Alaska, hire of boats, employment of temporary labor, and all other necessary expenses connected therewith, $263,300, of which $100,000 shall be immediately available.

Vol. 36, p. 326. U. S. C., p. 677.

Black bass law, enforcement. Vol. 44, p. 576; Vol. 46, p. 845. U. S. C., p. 708.

Enforcement of black bass law: To enable the Secretary of Commerce to carry into effect the Act entitled "An Act to amend the Act entitled 'An Act to regulate interstate transportation of black bass, and for other purposes', approved May 20, 1926" (U. S. C., Supp. VII, title 16, secs. 851–856), approved July 2, 1930 (46 Stat., pp. 845–847), $15,000, of which not to exceed $1,800 may be expended for personal services in the District of Columbia.

Mississippi Wild Life and Fish Refuge. Construction, maintenance, etc., expenses. Vol. 43, p. 650. U. S. C., p. 690.

Mississippi Wild Life and Fish Refuge: For construction of buildings, boats, and ponds, for purchase of equipment, including boats, for maintenance, operation, repair, and improvements, including expenditures for personal services at the seat of government and elsewhere as may be necessary, as authorized in the Act approved June 7, 1924 (U. S. C., title 16, secs. 721–731), $15,500.

Fisheries Cooperative Marketing Act. Expenses, enforcing, etc. Vol. 48, p. 1213. U. S. C., p. 571.

Fisheries Cooperative Marketing Act: To enable the Secretary of Commerce to execute the functions imposed upon him by the Act entitled "An Act authorizing associations of producers of aquatic products", approved June 25, 1934 (48 Stat., p. 1213), including traveling expenses and contract stenographic reporting services, $12,500, of which not to exceed $9,500 may be expended for personal services in the District of Columbia.

Shellfish investigation.

Shellfish investigation: To provide for the investigation, control, and eradication of marine organisms injurious to shellfish in the Atlantic and Gulf States, including purchase of equipment and supplies, including boats and floating equipment and the maintenance and operation thereof; hire and charter of vessels and boats; pay of officers and crews and other personal services, including temporary employees (not exceeding $4,000 in the District of Columbia) as may be necessary; printing and binding; and all other necessary expenses connected therewith; $100,000, of which $50,000 shall be immediately available.

Printing and binding.

Not to exceed $750 of the appropriations herein made for the Bureau of Fisheries shall be available for expenses of attendance at meetings concerned with the work of said Bureau when incurred on the written authority of the Secretary of Commerce, and not to exceed $500 shall be available for the rental of suitable quarters in the District of Columbia for laboratory and storage purposes.

Attendance at meetings.

PATENT OFFICE

Patent Office.

Salaries: For the Commissioner of Patents and other personal services in the District of Columbia, $3,420,000: *Provided*, That of the amount herein appropriated not to exceed $25,000 may be used for special and temporary services of typists certified by the Civil Service Commission, who may be employed in such numbers, at $4 per diem, as may, in the judgment of the Commissioner of Patents, be necessary to keep current the work of furnishing manuscript copies of records.

Salaries, Commissioner and office personnel.
Proviso.
Temporary typists.

Photolithographing: For producing copies of weekly issue of drawings of patents and designs; reproduction of copies of drawings and specifications of exhausted patents, designs, trade marks, and other papers, such other papers when reproduced for sale to be sold at not less than cost plus 10 per centum; reproduction of foreign patent drawings; photo prints of pending application drawings; and photostat and photographic supplies and dry mounts, $250,000.

Photolithographing, etc.

The headings of the drawings for patented cases may be multigraphed in the Patent Office for the purpose of photolithography.

Multigraphed headings.

Miscellaneous expenses: For purchase and exchange of law, professional, and other reference books and publications and scientific books; expenses of transporting publications of patents issued by the Patent Office to foreign governments; directories, furniture and filing cases; for investigating the question of public use or sale of inventions for two years or more prior to filing applications for patents, and such other questions arising in connection with applications for patents and the prior art as may be deemed necessary by the Commissioner of Patents; for expense attending defense of suits instituted against the Commissioner of Patents; for expenses (in an amount not to exceed $500) of attendance at meetings concerned with the work of the Patent Office when incurred on the written authority of the Secretary of Commerce, and for other contingent and miscellaneous expenses of the Patent Office; $50,000.

Miscellaneous expenses.

Attendance at meetings.

Printing and binding: For printing the weekly issue of patents, designs, trade marks, prints, and labels, exclusive of illustrations; and for printing, engraving illustrations, and binding the Official Gazette, including weekly and annual indices, $940,000; for miscellaneous printing and binding, $55,000; in all, $995,000.

Printing and binding.

UNITED STATES SHIPPING BOARD BUREAU

United States Shipping Board Bureau.

Salaries and expenses: To carry out the provisions of the Shipping Act, 1916, as amended, and the Merchant Marine Acts of 1920 and 1928, as amended (U. S. C., title 46, secs. 804, 805, 861–889; Supp. VII, title 46, secs. 891–891x), the Act of April 7, 1934 (48 Stat. 566–568), and Executive Order Numbered 6166 (June 10, 1933), including the compensation of attorneys, officers, naval architects, special experts, examiners, and clerks, one technical expert in connection with construction loan fund, and other employees in the District of Columbia and elsewhere; and for other expenses of the Bureau, including the rental of quarters outside the District of Columbia, traveling expenses of employees of the Bureau, while

Salaries and expenses.
Vol. 39, p. 728; Vol. 41, p. 988; Vol. 45, p. 689.
U. S. C., pp. 2055, 2062, 2068.
Vol. 48, p. 566.

upon official business away from their designated posts of duty, including not to exceed $300 for attendance at meetings or conventions of members of any society or association the purpose of which is of interest to the development and maintenance of an American merchant marine, when incurred on the written authority of the Secretary of Commerce, and for the employment by contract of expert stenographic reporters for its official reporting work, $211,000, of which amount not to exceed $204,000 may be expended for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be used to pay any salary at a rate in excess of $8,000 per annum: *Provided*, That the annual estimates of the Shipping Board Bureau for the fiscal year 1937 shall be accompanied by a statement showing the number and compensation of employees of the Fleet Corporation assigned to that Bureau: *Provided further*, That employees of the Merchant Fleet Corporation assigned to and serving with the Shipping Board Bureau whose compensation is within the range of salary prescribed for the appropriate grade to which the position has been allocated under the Classification Act of 1923, as amended, shall not be subject to reduction in salary by reason of their transfer during the fiscal year 1936 to the pay roll of the Bureau.

Provisos.
Salary restriction.
Personnel statement to accompany estimates.

Salary status, Merchant Fleet Corporation transfers.

Shipping fund.
Expenses of Merchant Fleet Corporation.

Shipping fund: For expenses of the United States Shipping Board Merchant Fleet Corporation during the fiscal year ending June 30, 1936, for administrative purposes, including the salaries of employees (not to exceed $178,400) of the Fleet Corporation assigned to the Shipping Board Bureau, miscellaneous adjustments, losses due to the maintenance and operation of ships, including operation through an agreement to pay a lump-sum compensation, for the repair of ships, for the purchase, exchange, maintenance, repair, and operation of motor vehicles for official purposes only; for the payment of premiums for liability, fire, theft, property damage, and collision insurance and for other forms of insurance, including schedule and fidelity bonds, commonly carried by commercial corporations engaged in the same or a similar business, and for carrying out the provisions of the Merchant Marine Act, 1920, and amendments thereto, (a) the amount of operating funds on hand July 1, 1935; (b) all amounts received during the fiscal year ending June 30, 1936, other than the proceeds of sales of ships and surplus property; (c) so much of the total proceeds of sales of ships and surplus property received during the fiscal year 1936, but not exceeding $2,000,000, of which sum not to exceed $1,000,000 shall be available to meet the expenses of liquidation, including the cost incident to the delivery of vessels to purchasers, the cost of maintaining the laid-up fleet, and the salaries and expenses of the personnel engaged in liquidation, and not to exceed $1,000,000 shall be available upon the written approval of the Secretary of Commerce for use for reconditioning and operating ships for carrying coal, cotton, grain, lumber, and other basic commodities to foreign ports; and (d) so much of the total proceeds of sales of ships and surplus property received during the fiscal year 1936 as is necessary for the protection of the interests of the United States in any vessel or property on which the United States holds a mortgage: *Provided*, That no part of these sums, (a), (b), (c), and (d) shall be used for the payment of claims arising out of the construction and requisitioning of vessels.

Merchant Marine Act, 1920.
Vol. 41, p. 988; Vol. 48, p. 596.
U. S. C., p. 2062.

Proviso.
Use restricted.

That portion of the special claims appropriation contained in the Independent Offices Appropriation Act for the fiscal year 1923 committed prior to July 1, 1923, and remaining unexpended on June 30, 1935, shall continue available until June 30, 1936, for the same purposes and under the same conditions.

Payment of claims.
Vol. 42, pp. 647, 1242.

Operation of ships.

To enable the United States Shipping Board Merchant Fleet Corporation to operate ships or lines of ships which have been or may be taken back from purchasers by reason of competition or other methods employed by foreign shipowners or operators, there is hereby reappropriated the unexpended balance of the appropriation of $10,000,000 made for similar purposes in the Independent Offices Appropriation Act for the fiscal year 1927: *Provided*, That no expenditure shall be made for the purposes of this paragraph from this sum without the prior approval of the President of the United States.

Vol. 44, p. 318.

Proviso.
Approval of President.

Attorneys.
Approval of contract of employment.

No part of the sums appropriated in this Act shall be used to pay the compensation of any attorney, regular or special, for the United States Shipping Board Bureau or the United States Shipping Board Merchant Fleet Corporation unless the contract of employment has been approved by the Attorney General of the United States.

Salary restriction.

No part of the funds of the United States Shipping Board Merchant Fleet Corporation shall be available to pay any salary at a rate in excess of $8,000 per annum.

Rent.

No part of the funds of the United States Shipping Board Merchant Fleet Corporation shall be available for the rent of buildings in the District of Columbia during the fiscal year 1936 if suitable space is provided for said corporation by the Office of National Parks, Buildings, and Reservations of the Department of the Interior.

Vol. 48, p. 389.

Fuel oil of foreign production.
Purchase, use, etc., restricted.

No part of the funds of the United States Shipping Board Merchant Fleet Corporation shall be available during the fiscal year 1936 for the purchase of any kind of fuel oil of foreign production for issue, delivery, or sale to ships at points either in the United States or its possessions, where oil of the production of the United States or its possessions is available, if the cost of such oil compared with foreign-oil costs be not unreasonable.

Compensation of attorneys.

Of the sums herein made available under the United States Shipping Board Bureau, not to exceed an aggregate of $150,000 shall be expended for compensation of regular attorneys employed on a yearly salary basis, including their clerical and legal assistants.

Short title.

This title may be cited as the "Department of Commerce Appropriation Act, 1936."

TITLE IV—DEPARTMENT OF LABOR

Department of Labor.

OFFICE OF THE SECRETARY

Office of the Secretary.

Salaries.

Salaries: Secretary of Labor, Assistant Secretary, Second Assistant Secretary, and other personal services in the District of Columbia, $257,000.

Promotion of health, safety, employment, etc.

Promotion of health, safety, employment, and so forth: For salaries and expenses in connection with the promotion of health, safety, employment stabilization, and amicable industrial relations for labor and industry, $125,000, of which amount not to exceed $70,000 may be expended for personal services in the District of Columbia.

Contingent expenses.

Contingent expenses: For contingent and miscellaneous expenses of the offices and bureaus of the Department, for which appropriations for contingent and miscellaneous expenses are not specifically made, including the purchase of stationery, furniture, and repairs to the same, carpets, matting, oilcloths, file cases, towels, ice, brooms, soap, sponges, laundry, street-car fares not exceeding $200; purchase, exchange, maintenance, and repair of motorcycles and motor trucks; purchase and exchange (not exceeding $2,500), maintenance, operation, and repair of a motor-propelled passenger-carrying

vehicle, to be used only for official purposes; freight and express charges; newspaper clippings not to exceed $1,200, postage to foreign countries, telegraph and telephone service, typewriters, adding machines, and other labor-saving devices; purchase of law books, books of reference, newspapers and periodicals, not exceeding $4,500; contract stenographic services; all other necessary miscellaneous items and expenses not included in the foregoing; and not to exceed $25,000 for purchase of certain supplies for the Immigration and Naturalization Service; in all, $95,000, of which $2,500 shall be immediately available: *Provided*, That section 3709 of the Revised Statutes of the United States (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the Department of Labor when the aggregate amount involved does not exceed the sum of $100.

Proviso.
Minor purchases.
R. S., sec. 3709, p. 733.
U. S. C., p. 1803.

Printing and binding.
Post, p. 1626.

Printing and binding: For printing and binding for the Department of Labor, including all its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, $230,000.

Commissioners of conciliation.
Vol. 37, p. 738.
U. S. C., p. 81.

Commissioners of conciliation: To enable the Secretary of Labor to exercise the authority vested in him by section 8 of the Act creating the Department of Labor (U. S. C., title 5, sec. 611) and to appoint commissioners of conciliation, traveling expenses, telegraph and telephone service, and not to exceed $17,260 for personal services in the District of Columbia, $207,300.

Bureau of Labor Statistics.

BUREAU OF LABOR STATISTICS

Salaries and expenses.

Salaries and expenses: For personal services, including temporary statistical clerks, stenographers and typewriters in the District of Columbia, and including also experts and temporary assistants for field service outside of the District of Columbia; traveling expenses, including expenses of attendance at meetings concerned with the work of the Bureau of Labor Statistics when incurred on the written authority of the Secretary of Labor; purchase of periodicals, documents, envelops, price quotations, and reports and materials for reports and bulletins of said Bureau, $884,600, of which amount not to exceed $640,000 may be expended for the salary of the commissioner and other personal services in the District of Columbia.

Investigating cost of living.

Investigation of cost of living in the United States: For personal services, including temporary statistical clerks, stenographers and typewriters in the District of Columbia and elsewhere; traveling expenses; supplies and equipment; telegraph and telephone service; rent of tabulating machines; and any other necessary expense in connection with the conduct of the study and printing the report, $200,000.

Immigration and Naturalization Service.

IMMIGRATION AND NATURALIZATION SERVICE

Salaries and expenses.
Post, pp. 1121, 1626.

Salaries and expenses: For enforcement of the laws regulating the immigration to, the residence in, and the exclusion and deportation from the United States of aliens and persons subject to the Chinese exclusion laws; for enforcement of the laws authorizing a uniform rule for the naturalization of aliens; salaries, transportation, traveling, and other expenses of officers, clerks, and other employees appointed to enforce said laws; care, detention, maintenance, transportation, and traveling expenses incident to the deportation and exclusion of aliens and persons subject to the Chinese exclusion laws, as authorized by law, in the United States and to, through, or in foreign countries; purchase of supplies and equipment, including alterations

Deportation, etc., of aliens.

and repairs; purchase, exchange, operation, maintenance, and repair of motor-propelled vehicles, including passenger-carrying vehicles for official use in field work; arms, ammunition and accessories; cost of reports of decisions of the Federal courts and digests thereof for official use; verifications of legal papers; refunding of head tax, maintenance bills, immigration fines, upon presentation of evidence showing conclusively that collection and deposit was made through error; mileage and fees to witnesses subpenaed on behalf of the United States, and for all other expenses necessary to enforce said laws; $9,495,000, all to be expended under the direction of the Secretary of Labor; of which amount not to exceed $540,000 may be expended for the salary of the Commissioner of Immigration and Naturalization and other personal services in the District of Columbia, including services of persons authorized by law to be detailed there for duty: *Provided*, That not to exceed $45,000 of the sum herein appropriated shall be available for the purchase, including exchange, of motor-propelled passenger-carrying vehicles: *Provided further*, That the Commissioner of Immigration and Naturalization, with the approval of the Secretary of Labor, may contract with officers and employees stationed outside of the District of Columbia whose salaries are payable from this appropriation, for the use, on official business outside of the District of Columbia, of privately owned horses, and the consideration agreed upon shall be payable from the funds herein appropriated: *Provided further*, That not to exceed $36,000 of the total amount herein appropriated shall be available for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., Supp. VII, title 5, sec. 118a), not to exceed $1,700 for any person: *Provided further*, That $60,000 of the amount herein appropriated shall be available only for the payment of extra compensation for overtime services of inspectors and employees of the Immigration and Naturalization Service for which the United States receives reimbursement in accordance with the provisions of the Act of March 2, 1931 (U. S. C., Supp. VII, title 8, secs. 109a and 109b): *Provided further*, That not to exceed $400 of the sum herein appropriated may be expended for attendance at meetings concerned with the naturalization of aliens when incurred on the written authority of the Secretary of Labor: *Provided further*, That no part of this appropriation shall be available for the compensation of assistants to clerks of United States courts: *Provided further*, That not to exceed $10,000 of the sum herein appropriated may be expended for payment of rewards, when specifically authorized by the Secretary of Labor, for information leading to the detection, arrest, or conviction of persons violating the immigration or naturalization laws.

Witness fees, etc.

Personal services in District.

Provisos.
Vehicles.

Privately owned horses.

Allowances for living quarters, etc.

Vol. 46, p. 818.
U. S. C., p. 45.

Overtime services of inspectors, etc.
Post, p. 1627.

Vol. 46, p. 1467.
U. S. C., p. 184.

Provisos.
Attendance at meetings.

Pay of assistants to clerks of courts forbidden.

Payment of rewards.

Immigration stations: For remodeling, repairing (including repairs to the ferryboat, Ellis Island), renovating buildings, and purchase of equipment, $100,000.

Immigration stations.

CHILDREN'S BUREAU

Children's Bureau.

Salaries and expenses: For expenses of investigating and reporting upon matters pertaining to the welfare of children and child life, and especially to investigate the questions of infant mortality; personal services, including experts and temporary assistants; traveling expenses, including not to exceed $3,000 for expenses of attendance at meetings for the promotion of child welfare when incurred on the written authority of the Secretary of Labor; purchase of reports and material for the publications of the Children's Bureau and for reprints from State, city, and private publications for distribution

Salaries and expenses.
Investigations.

when said reprints can be procured more cheaply than they can be printed by the Government, and other necessary expenses, $403,300, of which amount not to exceed $313,500 may be expended for personal services in the District of Columbia.

Women's Bureau.

WOMEN'S BUREAU

Salaries and expenses. Vol. 41, p. 987. U. S. C., p. 1320.

Salaries and expenses: For carrying out the provisions of the Act entitled "An Act to establish in the Department of Labor a bureau to be known as the Women's Bureau", approved June 5, 1920 (U. S. C., title 29, secs. 11–16; U. S. C., Supp. VII, title 29, secs. 12–14), including personal services in the District of Columbia, not to exceed $134,500; purchase of material for reports and educational exhibits, and traveling expenses, $153,500, of which sum not to exceed $3,000 shall be available for expenses of attendance at meetings concerned with the work of said bureau when incurred on the written authority of the Secretary of Labor.

Employment Service.

UNITED STATES EMPLOYMENT SERVICE

Providing for promotion of employment. Vol. 48, p. 113.

For carrying out the provisions of the Act entitled "An Act to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes", approved June 6, 1933; personal services and rent in the District of Columbia and elsewhere; traveling expenses,

Attendance at meetings.

including expenses of attendance at meetings concerned with the work of the United States Employment Service when specifically

Books, etc.

authorized by the Secretary of Labor; law books, books of reference and periodicals, printing and binding, supplies and equipment, telegraph and telephone service, and miscellaneous expenses, $3,200,000, of which amount not to exceed $775,000 shall be available for all administrative purposes including not to exceed $175,000 for personal

Proviso. Basis of apportionment.

services in the Department in the District of Columbia: *Provided*, That apportionments under the provisions of such Act for the fiscal year 1936 shall be on the basis of a total apportionment to all States of $3,000,000 and in order to supply the Government's apportionments to States qualifying under such Act for the first time, which are not capable of being supplied under the foregoing appropriation, there is hereby appropriated so much as may be necessary to supply such apportionments.

United States Housing Corporation.

UNITED STATES HOUSING CORPORATION

Salaries and expenses.

Salaries and expenses: For officers, clerks, and other employees, and for contingent and miscellaneous expenses, in the District of Columbia and elsewhere, including blank books, maps, stationery, file cases, towels, ice, brooms, soap, freight and express charges,

Printing and binding.

communication service, traveling expense, printing and binding not to exceed $100, and all other miscellaneous items and expenses not included in the foregoing and necessary to collect and account for the receipts from the sale of properties and the receipts from the operation of unsold properties of the United States Housing Corporation, the Bureau of Industrial Housing and Transportation, property commandeered by the United States through the Secretary of Labor, and to collect the amounts advanced to transportation facilities and others; for payment of special assessments and other utility, municipal, State, and county charges or assessments unpaid by purchasers, and which have been assessed against property in which the United States Housing Corporation has an interest, and to defray expenses incident to foreclosing mortgages, conducting

sales under deeds of trusts, or reacquiring title or possession of real property under default proceeding, including attorney fees, witness fees, court costs, charges, and other miscellaneous expenses; for the maintenance and repair of houses, buildings, and improvements which are unsold; in all, $9,300: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $4,000 per annum, and only one person may be employed at that rate: *Provided further*, That no part of the appropriations heretofore made and available for expenditure by the United States Housing Corporation shall be expended for the purposes for which appropriations are made herein.

Provisos.
Salary restriction.

Expenditures restricted.

SEC. 2. That no part of the money appropriated under this Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve of the nomination of said person.

Restriction on expenditure of appropriation.

SEC. 3. Section 323 of part II of the Legislative Appropriation Act, approved June 30, 1932, except so much thereof as suspends the per diem for expenses of subsistence for witnesses, is hereby continued in full force and effect during the fiscal year ending June 30, 1936; and for the purpose of making such section applicable to such fiscal year the figures "1933" shall be read as "1936."

Jurors and witnesses.
Per diem fees reduced.
Subsistence excepted.
Vol. 47, p. 413.

SEC. 4. This title may be cited as the "Department of Labor Appropriation Act, 1936."

Short title.

Approved, March 22, 1935.

[CHAPTER 40.]

AN ACT

April 1, 1935.
[S. 935.]
[Public, No. 23.]

To authorize the Secretary of War and the Secretary of the Navy to lend Army and Navy equipment for use at the national jamboree of the Boy Scouts of America.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War and the Secretary of the Navy are hereby authorized, at their discretion, under such rules and regulations as they may respectively prescribe, to lend to the Boy Scouts of America, a corporation chartered by Act of Congress approved June 15, 1916, for use at the national jamboree of the Boy Scouts to be held at Washington, District of Columbia, during the summer of 1935, such tents, cots, blankets, and other articles of camp equipage as may be desired by said Boy Scouts of America and available for its approximately thirty-five thousand Scouts and officials, and also furnish a camp site on the Fort Myer Military Reservation, Fort Myer, Virginia: *Provided*, That the Secretary of War or Secretary of the Navy before delivering such property shall take from such corporation a good and sufficient bond for the safe return of such property in good order and condition, and the whole without expense to the United States.

Boy Scouts of America.
Loan of camp equipment authorized.
Vol. 39, p. 227.
Post, pp. 443, 658.

Camp site to be furnished.

Proviso.
Bond required.

Approved, April 1, 1935.

[CHAPTER 41.]

AN ACT

April 5, 1935.
[S. 403.]
[Public, No. 24.]

To amend the Act of Congress approved March 1, 1899, entitled "An Act to authorize the Commissioners of the District of Columbia to remove dangerous and unsafe buildings and parts thereof, and for other purposes", and to further amend said Act by adding at the end thereof new sections numbered 5 and 6.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of March 1, 1899, is hereby amended to read as follows:

District of Columbia.
Vol. 30, p. 923, amended.

"That if in the District of Columbia any building or part of a building, staging, or other structure, or anything attached to or

Removal or repair of unsafe buildings.

Excavation.

connected with any building or other structure or excavation, shall, from any cause, be reported unsafe, the inspector of buildings shall examine such structure or excavation, and if, in his opinion, the same be unsafe, he shall immediately notify the owner, agent, or other persons having an interest in said structure or excavation, to cause the same to be made safe and secure, or that the same be removed, as may be necessary. The person or persons so notified shall be allowed until 12 o'clock noon of the day following the service of such notice in which to commence the securing or removal of the same; and he or they shall employ sufficient labor to remove or secure the said building or excavation as expeditiously as can be done: *Provided, however*, That in a case where the public safety requires immediate action the inspector of buildings may enter upon the premises, with such workmen and assistants as may be necessary, and cause the said unsafe structure or excavation to be shored up, taken down, or otherwise secured without delay, and a proper fence or boarding to be put up for the protection of passersby.

Notice to owner.

Time allowed to repair, etc.

Proviso.
Emergency action.

Failure to comply with notice to repair.

"SEC. 2. That when the public safety does not, in the judgment of the inspector of buildings, demand immediate action, if the owner, agent, or other party interested in said unsafe structure or excavation, having been notified, shall refuse or neglect to comply with the requirements of said notice within the time specified, then a careful survey of the premises shall be made by three disinterested persons, one to be appointed by the Commissioners of the District of Columbia, one by the owner or other person interested, and the third to be chosen by these two, and the report of said survey shall be reduced to writing, and a copy served upon the owner or other interested party; and if said owner or other interested party refuse or neglect to appoint a member of said board of survey within the time specified in said notice, then the survey shall be made by the inspector of buildings and the person chosen by the Commissioners, and in case of disagreement they shall choose a third person, and the determination of a majority of the three so chosen shall be final.

Board of survey to be appointed.

Report of.

Service of copy.

Refusal to comply with board's report.

"SEC. 3. That whenever the report of any such survey shall declare the structure or excavation to be unsafe, or shall state that structural repairs should be made in order to place the said structure or excavation in a fit condition for further occupancy or use, and the owner or other interested person shall for ten days neglect or refuse to cause such structure or excavation to be taken down or otherwise to be made safe, the inspector of buildings shall proceed to make such structure or excavation safe or remove the same. After the expiration of the ten days in which the owner or other interested person is given to make the structure or excavation safe, or to be taken down or removed, the owner or other interested person, having failed to comply with the provision of the report of the board of survey, shall not enter, or cause to be entered, the premises for the purpose of making the repairs ordered, or razing the building, as the case may be; or in any other way to interfere with the authorized agents of the District of Columbia in making the said structure or excavation safe, or in removing same, without first having obtained the written consent of the Commissioners of the District of Columbia or their duly authorized representatives. The inspector of buildings shall report the cost and expense of said work to the Commissioners of the said District, who shall assess the amount thereof upon the lot or ground whereon such structure or excavation stands, or stood, or was dug, and unless the said assessment is paid within ninety days from the service of notice thereof on the agent or owner of such property, the same shall bear interest

Inspector of buildings to perform work.

Interference by owner.

Assessment of cost.

at the rate of 10 per centum per annum from the date of such assessment until paid, and shall be collected as general taxes are collected in said District; but said assessment shall be without prejudice to the right which the owner may have to recover from any lessee or other person liable for repairs.

Uncovered well, excavation, etc., declared nuisance.

Abandoned vehicle, debris, etc.

"SEC. 4. That the existence on any lot or parcel of land, in the District of Columbia, of any uncovered well, cistern, dangerous hole, excavation, or of any abandoned vehicles of any description or parts thereof, miscellaneous materials or debris of any kind, including substances that have accumulated as the result of repairs to yards or any building operations, insofar as they affect the public health, comfort, safety, and welfare is hereby declared a nuisance dangerous to life and limb, and any person, corporation, partnership, syndicate, or company, owning a lot or parcel of land in said District on which such a nuisance exists who shall neglect or refuse to abate the same to the satisfaction of the Commissioners of the District of Columbia, after five days' notice from them to do so, shall, on conviction in the police court be punished by a fine of not exceeding $50 for each and every day said person, corporation, partnership, or syndicate, fails to comply with such notice. In case the owner of, or agent or other party interested in, any lot or parcel of land in the District of Columbia, on which there exists an open well, cistern, dangerous hole or excavation, or any abandoned or unused vehicles or parts thereof, or miscellaneous accumulation of material or debris which affects public safety, health, comfort, and welfare, shall fail, after notice aforesaid, to abate said nuisance within one week after the expiration of such notice, the said Commissioners may cause the lot or parcel of land on which the nuisance exists to be secured by fences or otherwise enclosed, and the removal of any abandoned vehicles, parts thereof or miscellaneous accumulation of material or debris adversely affecting the public safety, health, comfort, and welfare, and the cost and expense thereof shall be assessed by said Commissioners as a tax against the property on which such nuisance exists, and the tax so assessed shall bear interest at the rate of 10 per centum per annum until paid, and be carried on the regular tax rolls of the District of Columbia and shall be collected in the manner provided for the collection of general taxes.

Penalty for failure to abate.

Remedial action by Commissioners.

Assessment of costs.

Interest rate.

Notice; service of.

"SEC. 5. That for the purposes of this Act any notice required by law or by any regulation aforesaid to be served shall be deemed to have been served (a) if delivered to the person to be notified, or if left at the usual residence or place of business of the person to be notified, with a person of suitable age and discretion then resident therein; or (b) if no such residence or place of business can be found in said District by reasonable search, if left with any person of suitable age and discretion employed therein at the office of any agent of the person to be notified, which agent has any authority or duty with reference to the land or tenement to which said notice relates; or (c) if no such office can be found in said District by reasonable search, if forwarded by registered mail to the last known address of the person to be notified and not returned by the post-office authorities; or (d) if no address be known or can by reasonable diligence be ascertained, or if any notice forwarded as authorized by the preceding clause of this section be returned by the post-office authorities, if published on three consecutive days in a daily newspaper published in the District of Columbia; or (e) if by reason of an outstanding, unrecorded transfer of title the name of the owner in fact cannot be ascertained beyond a reasonable doubt, if served on the owner of record in the manner hereinbefore in this section

Nonresident owners.

provided; or (f) in case any owner be a nonresident of the District of Columbia, then after public notice by said Commissioners given at least twice a week for one week in one newspaper published in the District of Columbia, by advertisement, describing the property, specifying the nuisance to be abated. Any notice required by law or by any regulation aforesaid to be served on a corporation shall for the purposes of this Act be deemed to have been served on any such corporation if served on the president, secretary, treasurer, general manager, or any principal officer of such corporation in the manner hereinbefore provided for the service of notices on natural persons holding property in their own right; and, if required to be served on any foreign corporation, if served on any agent of such corporation personally, or if left with any person of suitable age and discretion residing at the usual residence or employed at the place of business of such agent in the District of Columbia. Every notice aforesaid shall be in writing or printing, or partly in writing and partly in printing; shall be addressed by name to the person to be notified; shall describe with certainty the character and location of the unlawful condition to be corrected, and shall allow a reasonable time to be specified in said notice, within which the person notified may correct such unlawful condition or show cause why he should not be required to do so.

Form of notice.

Inconsistent Acts, etc., repealed.

"SEC. 6. That all Acts and parts of Acts inconsistent with this Act, be, and the same are hereby, repealed."

Approved, April 5, 1935.

[CHAPTER 42.]

AN ACT

April 5, 1935.
[S. 406.]
[Public, No. 25.]

To amend an Act approved May 1, 1906, entitled "An Act to create a board for the condemnation of insanitary buildings in the District of Columbia, and for other purposes."

District of Columbia Code, amendment.
Vol. 34, pp. 158, 160, 161.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 7, 14, and 15 of the Act approved May 1, 1906, entitled "An Act to create a board for the condemnation of insanitary buildings in the District of Columbia, and for other purposes", are hereby amended to read as follows:

Condemned buildings.
Removal conditioned on repair costs.

"SEC. 7. That the owner or owners of any building or buildings condemned under the provisions of this Act, which cannot be so changed or repaired as to remedy the condition which led to the condemnation thereof, where the repairs and/or alterations necessary to remedy the conditions which led to the condemnation thereof cannot be made at a cost not greater than 50 per centum of the present reproduction cost of said building as may be agreed upon by a majority of said Board, shall demolish and remove such building or part of building within the time to be specified by said board in the order of condemnation. And if any owner or part owner shall fail or refuse to demolish and remove said building or part of building within the time so specified he shall be deemed guilty of a misdemeanor and liable to the penalties provided by section 13 of this Act, and such building or part of building shall be demolished and removed under the direction of the Board for the condemnation of insanitary buildings in the District of Columbia, and the cost of such demolition and removal, less the amount, if any, received from the sale of the old material, but including the cost of making good such damage to adjoining premises as may have resulted from carelessness or willful recklessness in the demolition of such building and the cost of publication, if any, herein provided for, shall be

Failure to remove; penalty.

Vol. 34, p. 160.

Assessment of costs.

assessed by the Commissioners of the District of Columbia as a tax against the premises on which such building or part of building was situated, such tax to be collected in the same manner as general taxes are collected in the District of Columbia.

Proceedings to vacate condemnation order.

"SEC. 14. That the owner or owners of any building or part of building condemned under the provisions of this Act may, within the time specified in the order of condemnation, institute proceedings in the Supreme Court of the District of Columbia, sitting as a district court, for the modification or vacation of the order of condemnation aforesaid, and the court shall give precedence to any such case, and is authorized to issue such orders and decrees as may be necessary to carry into effect the said order of condemnation as made by the Board or as modified by the court in accordance with the verdict returned as hereinafter directed. The court shall appoint a jury consisting of three disinterested persons, one of whom shall be an architect, the second, a physician or a health-officer, and the third, either a structural engineer or a competent builder, each of whom shall have the qualifications of jurors in the District of Columbia, and who, after taking the oath required of jurors in the trial of civil causes, shall proceed under the direction of the court to inspect the premises and to hear and receive evidence respecting the sanitary condition, state of repair, and state of depreciation of such building or part of building aforesaid, the present reproduction value thereof, the fitness and suitability of such building or part of building for occupancy, and the cost to place said building or part of building in a proper and lawful condition for occupancy. In such proceedings the owner or owners of the building or part of building condemned shall be considered the plaintiff and the Board shall be considered the defendant. After inspecting the premises and hearing and considering all of the testimony as hereinbefore provided, the said jury shall return to the court its verdict on a prepared form which shall contain the following questions to be answered by them:

Jury; appointment, qualifications.

Duties.

Verdict; form, contents.

"1. Condition of the building or part of buildings:

"(a) As to sanitation; and

"(b) As to state of repair.

"2. Can the building or part of building condemned be repaired and placed in a proper and lawful condition for occupancy and made to comply with all laws and regulations in force in the District of Columbia relating to buildings without exceeding 50 per centum of the present reproduction cost of such building or part of building?

"3. Is the building or part of building subject to condemnation?

Decrees of court.

"1. If the jury shall find that the building or part of building sought to be condemned should not be condemned or ordered to be repaired they shall so report to the court, who shall enter a decree directing the vacation of the order of the Board.

"2. If the jury shall find that the building or part of building is subject to condemnation and cannot be repaired and put in a safe, sanitary, and usable condition and made to comply with all laws and regulations in force and effect in the District of Columbia relating to buildings therein, they shall so report to the court who shall enter a decree directing compliance by the plaintiff with the order of the Board.

"3. If the jury shall find that the building or part of building can be repaired and put in a safe, sanitary, and usable condition, and made to comply with all laws and regulations in force and effect in the District of Columbia relating to buildings they shall so report to the court, who shall enter an order directing the plaintiff within a reasonable time to cause the said building or part of

building to be put in a safe, sanitary, and usable condition and made to comply with all the laws and regulations relative to buildings in the District of Columbia, and in the event of the failure or neglect of the plaintiff to cause the repairs or alterations necessary to be made to comply with the order of the court and the provisions of this Act, the Board shall inform the court of such fact and the court shall thereupon enter an order requiring the removal of the said building or part of building. Unless cause be shown to the court within ten days from the filing of said verdict of removal why the same should not be confirmed, the court shall ratify and confirm the same and cause judgment thereon to be entered accordingly, all the costs of the proceeding to follow the judgment. The Commissioners of the District of Columbia, or their duly authorized agents, shall proceed with the removal of the building or parts of building, as ordered by the court, and the cost of removing the building or part of building, including the cost of making good such damage to adjoining premises as may have resulted in such removal, and the cost of publication, if any may be necessary, authorized by section 10 of this Act, shall be assessed against the real estate upon which said building or part of building stood, should the owner at his expense fail to remove the same within such time as may be fixed by the court in the order confirming the verdict of said jury.

Removal of building on failure to comply with order of court.

Assessment of costs.

Jury fees.

"Each member of the jury appointed by the court as aforesaid shall receive for each day's attendance the sum of $8 to be included as part of the cost of the proceedings.

Payment of expenses.

"SEC. 15. Except as herein otherwise authorized all expenses incident to the enforcement of this Act shall be paid from appropriations made from time to time for that purpose in like manner as other appropriations for the expenses of the District of Columbia."

Approved, April 5, 1935.

[CHAPTER 43.]

April 5, 1935.
[H. R. 4538.]
[Public, No. 26.]

AN ACT

To change the designation of Leffler Place to Second Place.

District of Columbia. Name of Leffler Place changed to Second Place.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the street designated as Leffler Place Northwest, running north from Oglethorpe Street to Peabody Street Northwest, be, and the same is hereby, changed to Second Place, thereby conforming to the general practice in the naming of short streets of this character in the District of Columbia.

Approved, April 5, 1935.

[CHAPTER 44.]

April 5, 1935.
[S. J. Res. 24.]
[Pub. Res., No. 10.]

JOINT RESOLUTION

To authorize the acceptance on behalf of the United States of the bequest of the late Charlotte Taylor of the city of Saint Petersburg, State of Florida, for the benefit of Walter Reed General Hospital.

Charlotte Taylor. Acceptance of bequest of, for benefit of Walter Reed Hospital authorized.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the commanding officer Walter Reed General Hospital be, and is hereby, authorized to accept the bequest of the late Charlotte Taylor, of the city of Saint Petersburg, State of Florida, as contained in her last will and testament and such interest as may have accrued on the funds covered by such bequest, and to receipt therefor on behalf of the United States, and to deposit the funds so received in the Treasury of the United States as a special fund dedicated to the

purchase of radio equipment or similar means of entertainment for bedridden soldiers or other patients in said hospital, said fund to be subject to disbursement for such purposes upon vouchers submitted by the commanding officer Walter Reed General Hospital under authority of the Secretary of War and to be available until expended.

Approved, April 5, 1935.

[CHAPTER 46.]

AN ACT

April 8, 1935.
[H. R. 83.]
[Public, No. 27.]

To provide for the conservation and settlement of estates of absentees and absconders in the District of Columbia, and for other purposes.

District of Columbia.
Settlement of estates of absentees and absconders.
Petition; filing.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if a person entitled to or having an interest in property in the District of Columbia has disappeared or absconded from the District of Columbia, and it is not known where he is, or if such person, having a wife or minor child, dependent to any extent upon him for support, has disappeared or absconded without making sufficient provision for such support, and it is not known where he is, or if his whereabouts is known and he has been without the District of Columbia continuously for two years or longer, anyone who would under the law of the District of Columbia be entitled to administer upon the estate of such absentee if he were deceased, or if no one is known to be so entitled, any suitable person, or such wife, or someone in her or such minor's behalf, may file a petition under oath in the Supreme Court of the District of Columbia, sitting in equity, stating the name, age, occupation, and last known residence or address of such absentee, the date and circumstances of the disappearance or absconding, and the names and residence of other persons, whether members of such absentee's family or otherwise, of whom inquiry may be made, and containing a schedule of his property, real and personal, so far as known, within the District of Columbia, and praying that such property may be taken possession of and a receiver thereof appointed under the provisions of this Act. The United States attorney in and for the District of Columbia shall be made a party to every such petition and shall be given due notice of all subsequent proceedings under this law.

Contents.

Schedule of property.

Notice to United States attorney for District.

Warrant; issue of.

SEC. 2. The court may thereupon issue a warrant directed to the United States marshal in and for the District of Columbia, commanding him to take possession of the property named in said schedule and hold it subject to the order of the court and make return of said warrant as soon as may be, with a statement of his actions thereon and a schedule of the property so taken. The marshal shall post a copy of the warrant upon each parcel of land named in the schedule and cause so much of the warrant as relates to land to be recorded with the recorder of deeds of the District of Columbia. He shall receive such fees for serving the warrant as the court allows, but not more than those established by law for similar service upon a writ of attachment. If the petition is dismissed, said fees and the cost of publishing and serving the notice hereinafter provided shall be paid by the petitioner; but if a receiver is appointed, they shall be paid by the receiver and allowed in his account.

Return of.

Posting and recording.

Fees of marshal.

Costs.

Notice to interested parties.

SEC. 3. Upon the return of such warrant, the court may issue a notice reciting the substance of the petition, the warrant, and the marshal's return, which shall be addressed to such absentee and to all persons who claim of record an interest in said property, or who are known to petitioner to claim an interest in said property, and to all

whom it may concern, citing them to appear at a time and place named and show cause why a receiver of the property named in the marshal's schedule should not be appointed and said property held and disposed of under the provisions of this Act.

Return day of notice.

SEC. 4. The return day of said notice shall be not less than thirty nor more than sixty days after its date unless otherwise ordered by the court. The court shall order said notice to be published not less than once in each of three successive weeks in one or more newspapers within the District of Columbia, and a copy to be posted in a conspicuous place and upon each parcel of land named in the marshal's schedule, and a copy to be mailed to the last known address of such absentee. The court may order other and further notice to be given within or without the District of Columbia.

Publication of.

Court action if absentee appears.

SEC. 5. The absentee or any person who claims an interest in any of the property may appear and show cause why the prayer of the petition should not be granted. The court may after hearing dismiss the petition and order the property in possession of the marshal to be returned to the person entitled thereto, or it may appoint a receiver of the property which is in the possession of the marshal and named in his schedule. If a receiver is appointed, the court shall find and record the date of the disappearance or absconding of the absentee; and such receiver shall give bond to said court in such sum and with such condition as the court orders, with a corporate surety thereon approved by the court.

If receiver appointed.

Bond.

Transfer of property to receiver.

SEC. 6. After the approval of such bond the court may order the marshal to transfer and deliver to such receiver the possession of the property under the aforesaid warrant, and the receiver shall file in said court a schedule of the property received by him.

Additional property of absentee.

SEC. 7. Such receiver upon petition filed by him may be authorized and directed by the court to take possession of any additional property within the District of Columbia which belongs to such absentee and to demand and collect all debts due such absentee from any person within the District of Columbia, and hold the same as if it had been transferred and delivered to him by the marshal.

Debts due absentee.

SEC. 8. If such absentee has left no corporeal property within the District of Columbia, but there are debts and obligations due or owing to him from persons within the District of Columbia, a petition may be filed as provided in section 1, stating the nature and amount of such debts and obligations, so far as known, and praying that a receiver thereof may be appointed. The court may thereupon issue a notice as above provided, without issuing a warrant, and may, upon the return of said notice and after a summary hearing, dismiss the petition or appoint a receiver and authorize and direct him to demand and collect the debts and obligations specified in said petition. The receiver shall give bond as provided in section 5, and shall hold the proceeds of such debts and obligations and all property received by him, and distribute the same as hereinafter provided. The court may confer upon the receiver such further authority as may be conferred under section 7.

Petition may be filed.

Receiver; appointment.

Collection of debts by.

Bond.

Authority of receiver.

Conservation of property.

SEC. 9. The court may make orders for the care, custody, leasing, and investing of all property and its proceeds in the possession of the receiver. After the appointment of a receiver, upon his petition and after notice, the court may order all or part of said property, including the rights of the absentee in land, to be mortgaged, or sold at public or private sale, to supply money for payments authorized by this Act or for reinvestment approved by the court.

Use of property or proceeds.

SEC. 10. The court may order said property or its proceeds acquired by mortgage, lease, or sale to be applied in payment of charges incurred or that may be incurred in the support and maintenance of

the absentee's wife and minor children, and to the discharge of such debts and claims for alimony as may be proved against said absentee.

Adjustment of claims.

SEC. 11. The court may authorize the receiver to adjust by arbitration or compromise any demand in favor of or against the estate of such absentee.

Compensation of receiver.

SEC. 12. The receiver shall be allowed such compensation and disbursements as the court orders, to be paid out of said property or proceeds. If within fourteen years after the date of the disappearance and absconding as found and recorded by the court, such absentee appears, or an administrator, executor, assignee in insolvency, or trustee in bankruptcy of such absentee is appointed, such receiver shall account for, deliver, and pay over to him the remainder of said property. If such absentee does not appear and claim said property within such fourteen years, all his right, title, and interest in said property, real or personal, or the proceeds thereof shall cease, and no action shall be brought by him on account thereof.

Accounting; when.

When rights of absentee deemed divested.

Distribution of remainder.

SEC. 13. If at the expiration of such fourteen years said property has not been accounted for, delivered, or paid over under the provisions of the preceding section, the court shall order the distribution of the remainder to the persons to whom, and in the shares and proportions in which, it would have been distributed if such absentee had died intestate within the District of Columbia on the day fourteen years after the date of the disappearance or absconding as found and recorded by the court.

Provisions where receiver not appointed within 13 years.

SEC. 14. If such receiver is not appointed within thirteen years after the date found by the court under section 5, the time limited for accounting for, or fixed for distributing, said property or its proceeds, or for barring actions relative thereto, shall be one year after the date of the appointment of the receiver instead of the fourteen years provided in the two preceding sections; except that the time limited for accounting for, or fixed for distributing, any additional property or its proceeds within the District of Columbia coming into the possession of such receiver during such one-year period, or for barring actions relative thereto, shall be one year after the date possession is taken by such receiver.

Existing law not affected.
Vol. 31, p. 1230.

SEC. 15. Nothing in this Act contained shall be construed as repealing or modifying sections 252 or 253 of the Act of Congress entitled "An Act to establish a Code of Law for the District of Columbia", approved March 3, 1901, as amended.

Approved, April 8, 1935.

[CHAPTER 47.]

AN ACT

April 8, 1935.
[H. R. 3477.]
[Public, No. 28.]

Relating to the incorporation of Trinity College of Washington, District of Columbia, organized under and by virtue of a certificate of incorporation pursuant to the incorporation laws of the District of Columbia, as provided in subchapter 1 of chapter 18 of the Code of Laws of the District of Columbia.

Trinity College, Washington, D. C.
Incorporation approved.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the incorporation of Trinity College of Washington, District of Columbia, under chapter 18 of the Code of Laws of the District of Columbia, be, and the same is hereby, approved and confirmed, except as herein specifically altered.

Trustees.

SEC. 2. That the trustees constituting and managing the said corporation shall number not less than eight nor more than fifteen, each of whom, except the Archbishop of the Roman Catholic Archdiocese of Baltimore, shall be a member of the religious congregation of the Sisters of Notre Dame of Namur; that Julia Schumacher, Mary

Qualifications.

Funke, Alma Hummel, Rose Larkin, Margaret Sweeney, Edith Stowell, Julia Chisholm, Angela Keenan, known in the above-named religious order under and by the names respectively of Sister Berchmans Julia, Sister Odilia, Sister Marie Louis, Sister Julitta, Sister Margaret of the Trinity, Sister Mary Agnes of the Infant Jesus, Sister Julie, and Sister Angela Elizabeth, shall constitute the original board of trustees under this Act; that the person holding the office and title of Archbishop of the Roman Catholic Archdiocese of Baltimore shall be ex officio a member of the board of trustees and chairman thereof, and the person holding the office of Provincial Superior of the congregation of the Sisters of Notre Dame of Namur of the Baltimore Province shall be ex officio a member of the board and vice chairman thereof; that the successors to the trustees other than the aforesaid ex officio members shall be elected at suitable intervals by the members of the congregation of the Sisters of Notre Dame of Namur from among their number in accordance with the rules and practices of the said religious congregation now or hereafter established and obtaining; that a majority of the board of trustees shall constitute a quorum for the transaction of business and for all purposes; that at the first meeting of the board of trustees, held subsequent to this Act, the board shall elect from among themselves one member to be president, one member to be vice president, one member to be treasurer, one member to be secretary; the board of trustees shall fix the term for which the officers shall serve, their duties and authority, and shall elect their successors at such regular intervals thereafter as they may determine; and the board may elect, appoint, or employ such further minor or assistant officers and agents as they may deem necessary and expedient for the purposes of the corporation, it not being necessary that such officers or agents be members of the board.

Original board; chairman, etc.

Election of successors.

Quorum.

Officers.

Powers and authority of trustees.

SEC. 3. The board of trustees shall have the power to establish bylaws and ordinances for the conduct of the business of the corporation and to alter, repeal, or amend the same; to frame laws and regulations for the government of the faculty and students; to offer and prescribe courses in undergraduate and in graduate work; to confer the customary undergraduate and graduate degrees; to determine the subjects and branches of learning to be taught and to establish chairs, professorships, courses, schools, and departments therein. The board of trustees may create and establish a board of regents, an endowment board and such other auxiliary boards of an academic or advisory nature as may be deemed necessary and proper; and they shall have all the powers and authority heretofore granted to or invested in the trustees of the said Trinity College by chapter 18 of the Revised Statutes of the United States relating to the District of Columbia.

Affiliation with other institutions of learning.

SEC. 4. The said Trinity College may enter into affiliated agreements with any institutions of learning within or outside of the District of Columbia, for the purpose of giving students of such institutions the educational facilities of said college upon such terms as are mutually agreed upon.

Acceptance and investment of gifts, etc.

SEC. 5. The said Trinity College may receive, invest, and administer endowments and gifts of money and property absolute or subject to payments by way of annuities during the life of the donor, for the maintenance of the educational work of the institution and of any departments, school, or chair thereof, now established or which may hereafter be created or established.

Seal to be adopted.

SEC. 6. The said Trinity College shall adopt a common seal, under and by which all deeds, diplomas, and acts of the said corporation

shall pass and be authenticated, the same seal at their pleasure to break, alter, or devise a new one.

SEC. 7. No institution of learning hereafter incorporated in the District of Columbia shall use in or as its title, in whole or in part the words "Trinity College." Exclusive right to name.

SEC. 8. Nothing in this Act contained shall be so construed as to prevent Congress from altering, amending, or repealing the same. Rights reserved.

Approved, April 8, 1935.

[CHAPTER 48.]

JOINT RESOLUTION

Making appropriations for relief purposes.

April 8, 1935.
[H. J. Res. 117.]
[Pub. Res., No. 11.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to provide relief, work relief and to increase employment by providing for useful projects, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be used in the discretion and under the direction of the President, to be immediately available and to remain available until June 30, 1937, the sum of $4,000,000,000, together with the separate funds established for particular areas by proclamation of the President pursuant to section 15 (f) of the Agricultural Adjustment Act (but any amounts thereof shall be available for use only for the area for which the fund was established); not exceeding $500,000,000 in the aggregate of any savings or unexpended balances in funds of the Reconstruction Finance Corporation; and not exceeding a total of $380,000,000 of such unexpended balances as the President may determine are not required for the purposes for which authorized, of the following appropriations, namely: The appropriation of $3,300,000,000 for national industrial recovery contained in the Fourth Deficiency Act, fiscal year 1933, approved June 16, 1933 (48 Stat. 274); the appropriation of $950,000,000 for emergency relief and civil works contained in the Act approved February 15, 1934 (48 Stat. 351); the appropriation of $899,675,000 for emergency relief and public works, and the appropriation of $525,000,000 to meet the emergency and necessity for relief in stricken agricultural areas, contained in the Emergency Appropriation Act, fiscal year 1935, approved June 19, 1934 (48 Stat. 1055); and any remainder of the unobligated moneys referred to in section 4 of the Act approved March 31, 1933 (48 Stat. 22): *Provided*, That except as to such part of the appropriation made herein as the President may deem necessary for continuing relief as authorized under the Federal Emergency Relief Act of 1933, as amended, or for restoring to the Federal Emergency Administration of Public Works any sums which after December 28, 1934, were, by order of the President impounded or transferred to the Federal Emergency Relief Administration from appropriations heretofore made available to such Federal Emergency Administration of Public Works (which restoration is hereby authorized), this appropriation shall be available for the following classes of projects, and the amounts to be used for each class shall not, except as hereinafter provided, exceed the respective amounts stated, namely: (a) Highways, roads, streets, and grade-crossing elimination, $800,000,000; (b) rural rehabilitation and relief in stricken agricultural areas, and water conservation, trans-mountain water diversion and irrigation and reclamation, $500,000,000; (c) rural electrification, $100,000,000; (d) housing, $450,000,000; (e) assistance for educational, professional and clerical persons, $300,000,000; (f) Civilian Conservation Corps, $600,000,000; (g) loans or grants,

Emergency Relief Appropriation Act of 1935.
Post, p. 1134.
Purpose.
Use and availability.

Amount.

Vol. 48, p. 675.

Funds specified.

Vol. 48, p. 275.

Vol. 48, p. 351.

Vol. 48, p. 1056.

Vol. 48, p. 23.

Provisos.
Allocation of appropriation.

Projects designated.
Limitation on amount for each class.

Post, p. 596.

or both, for projects of States, Territories, Possessions, including subdivisions and agencies thereof, municipalities, and the District of Columbia, and self-liquidating projects of public bodies thereof, where, in the determination of the President, not less than twenty-five per centum of the loan or the grant, or the aggregate thereof, is to be expended for work under each particular project, $900,000,000; (h) sanitation, prevention of soil erosion, prevention of stream pollution, sea coast erosion, reforestation, forestation, flood control, rivers and harbors and miscellaneous projects, $350,000,000: *Provided further*, That not to exceed 20 per centum of the amount herein appropriated may be used by the President to increase any one or more of the foregoing limitations if he finds it necessary to do so in order to effectuate the purpose of this joint resolution: *Provided further*, That no part of the appropriation made by this joint resolution shall be expended for munitions, warships, or military or naval matériel; but this proviso shall not be construed to prevent the use of such appropriation for new buildings, reconstruction of buildings and other improvements in military or naval reservations, posts, forts, camps, cemeteries, or fortified areas, or for projects for nonmilitary or nonnaval purposes in such places.

Increased amount authorized.

Expenditure for munitions, warships, etc., prohibited.

Except as hereinafter provided, all sums allocated from the appropriation made herein for the construction of public highways and other related projects (except within or adjacent to national forests, national parks, national parkways, or other Federal reservations) shall be apportioned by the Secretary of Agriculture in the manner provided by section 204 (b) of the National Industrial Recovery Act for expenditure by the State highway departments under the provisions of the Federal Highway Act of November 9, 1921, as amended and supplemented, and subject to the provisions of section 1 of the Act of June 18, 1934 (48 Stat. 993): *Provided*, That any amounts allocated from the appropriation made herein for the elimination of existing hazards to life at railroad grade crossings, including the separation or protection of grades at crossings, the reconstruction of existing railroad grade crossing structures, and the relocation of highways to eliminate grade crossings, shall be apportioned by the Secretary of Agriculture to the several States (including the Territory of Hawaii and the District of Columbia), one-half on population as shown by the latest decennial census, one-fourth on the mileage of the Federal-aid highway system as determined by the Secretary of Agriculture, and one-fourth on the railroad mileage as determined by the Interstate Commerce Commission, to be expended by the State highway departments under the provisions of the Federal Highway Act of November 9, 1921, as amended and supplemented, and subject to the provisions of section 1 of such Act of June 18, 1934 (48 Stat. 993); but no part of the funds apportioned to any State or Territory under this joint resolution for public highways and grade crossings need be matched by the State or Territory: *And provided further*, That the President may also allot funds made available by this joint resolution for the construction, repair, and improvement of public highways in Alaska, Puerto Rico, and the Virgin Islands, and money allocated under this joint resolution to relief agencies may be expended by such agencies for the construction and improvement of roads and streets: *Provided, however*, That the expenditure of funds from the appropriation made herein for the construction of public highways and other related projects shall be subject to such rules and regulations as the President may prescribe for carrying out this paragraph and preference in the employment of labor shall be given (except in executive, administrative, supervisory, and highly skilled positions)

Public highways and related projects.
Apportionment of allocations.

Vol. 48, p. 203.

Expenditure by State highway departments.
Vol. 42, p. 212; Vol. 48, p. 993.
U. S. C., p. 969.

Provisos.
Amounts for grade crossing elimination.

Apportionment provisions.
Post, p. 1134.

Expenditure.
Vol. 42, p. 212; Vol. 48, p. 993.
U. S. C., p. 969.
Matching funds not required.

Alaska, Puerto Rico, Virgin Islands.

Allotments for highways.

Rules and regulations.

Preference in labor employment.

to persons receiving relief, where they are qualified, and the President is hereby authorized to predetermine for each State the hours of work and the rates of wages to be paid to skilled, intermediate, and unskilled labor engaged in such construction therein: *Provided further*, That rivers and harbors projects, reclamation projects (except the drilling of wells, development of springs and subsurface waters), and public buildings projects undertaken pursuant to the provisions of this joint resolution shall be carried out under the direction of the respective permanent Government departments or agencies now having jurisdiction of similar projects.

Hours of work; rates of wages.

Government direction of certain public works.

Funds made available by this joint resolution may be used, in the discretion of the President, for the purpose of making loans to finance, in whole or in part, the purchase of farm lands and necessary equipment by farmers, farm tenants, croppers, or farm laborers. Such loans shall be made on such terms as the President shall prescribe and shall be repaid in equal annual installments, or in such other manner as the President may determine.

Loans to finance purchase of farms, equipment.

Terms; repayment.

Funds made available by this joint resolution may be used, in the discretion of the President for the administration of the Agricultural Adjustment Act, as amended, during the period of twelve months after the effective date of this joint resolution.

Agricultural Adjustment Act.
Funds available for administration of.

SEC. 2. The appropriation made herein shall be available for use only in the United States and its Territories and possessions. The provisions of the Act of February 15, 1934 (48 Stat. 351), relating to disability or death compensation and benefits shall apply to those persons receiving from the appropriation made herein, for services rendered as employees of the United States, security payments in accordance with schedules established by the President: *Provided*, That so much of the sum herein appropriated as the United States Employees' Compensation Commission, with the approval of the President, estimates and certifies to the Secretary of the Treasury will be necessary for the payment of such compensation and administrative expenses shall be set aside in a special fund to be administered by the Commission for such purposes; and after June 30, 1936, such special fund shall be available for these purposes annually in such amounts as may be specified therefor in the annual appropriation Acts. The provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not apply to any purchase made or service procured in carrying out the provisions of this joint resolution when the aggregate amount involved is less than $300.

Availability limited.

Disability or death compensation.
Vol. 48, p. 351.
Benefits of, extended.
Post, p. 1601.

Proviso.
Special fund created.

Administration.

Availability.

Purchases without advertising.
R. S., sec. 3709, p. 733; U. S. C., p. 1803.

SEC. 3. In carrying out the provisions of this joint resolution the President may (a) authorize expenditures for contract stenographic reporting services; supplies and equipment; purchase and exchange of law books, books of reference, directories, periodicals, newspapers and press clippings; travel expenses, including the expense of attendance at meetings when specifically authorized; rental at the seat of government and elsewhere; purchase, operation, and maintenance of motor-propelled passenger-carrying vehicles; printing and binding; and such other expenses as he may determine necessary to the accomplishment of the objectives of this joint resolution; and (b) accept and utilize such voluntary and uncompensated services, appoint, without regard to the provisions of the civil-service laws, such officers and employees, and utilize such Federal officers and employees, and, with the consent of the State, such State and local officers and employees, as may be necessary, prescribe their authorities, duties, responsibilities, and tenure, and, without regard to the Classification Act of 1923, as amended, fix the compensation of any officers and employees so appointed.

Contingent expenses.

Rent.

Printing and binding.

Personal services.

Classification Act not to apply.

Administrator, officers. Appointment.

Any Administrator or other officer, or the members of any central board, or other agency, named to have general supervision at the seat of Government over the program and work contemplated under the appropriation made in section 1 of this joint resolution and receiving a salary of $5,000 or more per annum from such appropriation, and any State or regional administrator receiving a salary of $5,000 or more per annum from such appropriation (except persons now serving as such under other law), shall be appointed by the President, by and with the advice and consent of the Senate: *Provided*, That the provisions of section 1761 of the Revised Statutes shall not apply to any such appointee and the salary of any person so appointed shall not be increased for a period of six months after confirmation.

Confirmation.

Proviso. Salary restriction. R. S., sec. 1761, p. 313. U. S. C., p. 38.

President to prescribe duties, etc., of necessary agencies.

SEC. 4. In carrying out the provisions of this joint resolution the President is authorized to establish and prescribe the duties and functions of necessary agencies within the Government.

Real property; right to acquire, etc.

SEC. 5. In carrying out the provisions of this joint resolution the President is authorized (within the limits of the appropriation made in section 1) to acquire, by purchase or by the power of eminent domain, any real property or any interest therein, and improve, develop, grant, sell, lease (with or without the privilege of purchasing), or otherwise dispose of any such property or interest therein.

Rules, etc., to be prescribed.

SEC. 6. The President is authorized to prescribe such rules and regulations as may be necessary to carry out this joint resolution, and any willful violation of any such rule or regulation shall be punishable by fine of not to exceed $1,000.

Punishment for violation.

Rates of pay.

SEC. 7. The President shall require to be paid such rates of pay for all persons engaged upon any project financed in whole or in part, through loans or otherwise, by funds appropriated by this joint resolution, as will in the discretion of the President accomplish the purposes of this joint resolution, and not affect adversely or otherwise tend to decrease the going rates of wages paid for work of a similar nature.

The President may fix different rates of wages for various types of work on any project, which rates need not be uniform throughout the United States: *Provided, however*, That whenever permanent buildings for the use of any department of the Government of the United States, or the District of Columbia, are to be constructed by funds appropriated by this joint resolution, the provisions of the Act of March 3, 1931 (U. S. C., Supp. VII, title 40, sec. 276a), shall apply but the rates of wages shall be determined in advance of any bidding thereon.

Proviso. Government building construction.

Vol. 46, p. 1494; U. S. C., p. 1788.

Private enterprise facilities.

SEC. 8. Wherever practicable in the carrying out of the provisions of this joint resolution, full advantage shall be taken of the facilities of private enterprise.

Fraud, etc. Punishment for.

SEC. 9. Any person who knowingly and with intent to defraud the United States makes any false statement in connection with any application for any project, employment, or relief aid under the provisions of this joint resolution, or diverts, or attempts to divert, or assists in diverting for the benefit of any person or persons not entitled thereto, any moneys appropriated by this joint resolution, or any services or real or personal property acquired thereunder, or who knowingly, by means of any fraud, force, threat, intimidation, or boycott, deprives any person of any of the benefits to which he may be entitled under the provisions of this joint resolution, or attempts so to do, or assists in so doing, shall be deemed guilty of a misdemeanor and shall be fined not more than $2,000 or imprisoned not more than one year, or both.

SEC. 10. Until June 30, 1936, or such earlier date as the President by proclamation may fix, the Federal Emergency Relief Act of 1933, as amended, is continued in full force and effect.

Federal Emergency Relief Act of 1933.
Vol. 48, p. 55.

SEC. 11. No part of the funds herein appropriated shall be expended for the administrative expenses of any department, bureau, board, commission, or independent agency of the Government if such administrative expenses are ordinarily financed from annual appropriations, unless additional work is imposed thereupon by reason of this joint resolution.

Administrative expenses, restriction.

SEC. 12. The Federal Emergency Administration of Public Works established under title II of the National Industrial Recovery Act is hereby continued until June 30, 1937, and is authorized to perform such of its functions under said Act and such functions under this joint resolution as may be authorized by the President. All sums appropriated to carry out the purposes of said Act shall be available until June 30, 1937. The President is authorized to sell any securities acquired under said Act or under this joint resolution and all moneys realized from such sales shall be available to the President, in addition to the sums heretofore appropriated under this joint resolution, for the making of further loans under said Act or under this joint resolution.

Public Works Administration.
Continuance, functions, etc.
Vol. 48, p. 200.
Availability of sums appropriated.
Sale of securities.
Proceeds.

SEC. 13. (a) The acquisition of articles, materials, and supplies for the public use, with funds appropriated by this joint resolution, shall be subject to the provisions of section 2 of title III of the Treasury and Post Office Appropriation Act, fiscal year 1934; and all contracts let pursuant to the provisions of this joint resolution shall be subject to the provisions of section 3 of title III of such Act.

Articles, etc., of American manufacture.
Contracts, etc., subject to existing provisions.
Vol. 47, p. 1520.

(b) Any allocation, grant, or other distribution of funds for any project, Federal or non-Federal, from the appropriation made by this joint resolution, shall contain stipulations which will provide for the application of title III of such Act to the acquisition of articles, materials and supplies for use in carrying out such project.

SEC. 14. The authority of the President under the provisions of the Act entitled "An Act for the relief of unemployment through the performance of useful public work, and for other purposes", approved March 31, 1933, as amended, is hereby continued to and including March 31, 1937.

Unemployment Relief Act; continuance.
Vol. 48, p. 22, amended.

SEC. 15. A report of the operations under this joint resolution shall be submitted to Congress before the 10th day of January in each of the next three regular sessions of Congress, which report shall include a statement of the expenditures made and obligations incurred, by classes and amounts.

Annual reports to Congress.

SEC. 16. This joint resolution may be cited as the "Emergency Relief Appropriation Act of 1935."

Short title.

Approved, April 8, 1935, 4 p. m.

[CHAPTER 49.]

JOINT RESOLUTION

April 8, 1935.
[H. J. Res. 174.]
[Pub. Res., No. 12.]

To permit articles imported from foreign countries for the purpose of exhibition at the California Pacific International Exposition, San Diego, California, to be admitted without payment of tariff, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all articles which shall be imported from foreign countries for the purpose of exhibition at the international exposition to be held at San Diego, California, beginning in May 1935, by the California Pacific International Exposition Company, or for use in constructing, installing, or maintaining foreign buildings or exhibits at the said exhibition,

California Pacific International Exposition, San Diego, Calif.
Dutiable articles imported for exhibition, etc., purposes, admitted free, under regulations.
Ante, pp. 40, 50.

upon which articles there shall be a tariff or customs duty shall be admitted without payment of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during or within three months after the close of the said exposition, to sell within the area of the exposition any articles provided for herein, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles, which shall have suffered diminution or deterioration from incidental handling or exposure, the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry hereunder for consumption or entry under the general tariff law: *Provided further*, That imported articles provided for herein shall not be subject to any marking requirements of the general tariff laws, except when such articles are withdrawn for consumption or use in the United States, in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not sufficiently marked when imported into the United States: *Provided further*, That at any time during or within three months after the close of the exposition, any article entered hereunder may be abandoned to the Government or destroyed under customs supervision, whereupon any duties on such article shall be remitted: *Provided further*, That articles, which have been admitted without payment of duty for exhibition under any tariff law and which have remained in continuous customs custody or under a customs exhibition bond, and imported articles in bonded warehouses under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at the said exposition under such regulations as the Secretary of the Treasury shall prescribe: *And provided further*, That the California Pacific International Exposition Company shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under the provisions of this Act, and that the actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for, articles imported under the provisions of this Act, shall be reimbursed by the California Pacific International Exposition Company to the Government of the United States under regulations to be prescribed by the Secretary of the Treasury, and that receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524, Tariff Act of 1930.

Sales permitted.

Provisos.
Paying duty on articles withdrawn.

Deterioration allowance.

Marking requirements.

Articles abandoned.

Transfer privileges.

Exposition Company deemed sole consignee of merchandise.

Incurred Federal expenses reimbursable.

Deposit of, as receipts.
Vol. 46, p. 741.
U. S. C., p. 894.

Approved, April 8, 1935.

[CHAPTER 54.]

April 9, 1935.
[H. R. 5913.]
[Public, No. 29.]

AN ACT

Making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1936, and for other purposes.

War Department appropriations, fiscal year 1936.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1936, and for other purposes, namely:

TITLE I—MILITARY ACTIVITIES AND OTHER EXPENSES OF THE WAR DEPARTMENT INCIDENT THERETO

Military activities.

SALARIES, WAR DEPARTMENT

Department salaries.

For compensation for personal services in the District of Columbia, as follows:

Personal services.

Office of Secretary of War: Secretary of War, Assistant Secretary of War, and other personal services, $264,490: *Provided*, That no field-service appropriation shall be available for personal services in the War Department except as may be expressly authorized herein.

Secretary, Assistant, and other personal services.

Proviso.
Use of field service funds restricted.

Office of Chief of Staff, $217,200.

Adjutant General's office, $1,336,147.

For personal services in and without the District of Columbia, to be employed exclusively in assembling, classifying, and indexing the military personnel records of the World War, and for the purchase of necessary supplies and materials used in such work, $104,595.

Designated offices.

Office of the Inspector General, $27,220.

Office of the Judge Advocate General, $107,280.

Office of the Chief of Finance, $361,200.

Office of the Quartermaster General, $771,387.

Office of the Chief Signal Officer, $109,493.

Office of the Chief of Air Corps, $217,044.

Office of the Surgeon General, $195,953.

Office of Chief of Bureau of Insular Affairs, $66,300.

Office of Chief of Engineers, $119,592: *Provided*, That the services of skilled draftsmen, civil engineers, and such other services as the Secretary of War may deem necessary may be employed only in the office of the Chief of Engineers, to carry into effect the various appropriations for rivers and harbors, surveys, and preparation for and the consideration of river and harbor estimates and bills, to be paid from such appropriations: *Provided further*, That the expenditures on this account for the fiscal year 1936 shall not exceed $222,280; the Secretary of War shall each year, in the Budget, report to Congress the number of persons so employed, their duties, and the amount paid to each.

Provisos.
Draftsmen, etc., payable from other appropriations.

Maximum expenditure, 1936.

Report to Congress.

Office of Chief of Ordnance, $412,405.

Office of Chief of Chemical Warfare Service, $50,337.

Office of Chief of Coast Artillery, $25,680.

National Guard Bureau, War Department, $143,543.

In all, salaries, War Department, $4,529,866: *Provided*, That the number of enlisted men on duty in the offices of the Chiefs of Ordnance, Engineers, Coast Artillery, Field Artillery, Cavalry, and Infantry on March 5, 1934, shall not be increased, and in lieu of enlisted men whose services in such offices shall be terminated for any cause prior to July 1, 1936, their places may be filled by civilians, for the pay of whom, in accordance with the Classification Act of 1923, as amended, subject to such reduction as may be required by other law, the appropriation "Pay, and so forth, of the Army", shall be available.

Proviso.
Detail of enlisted men not to be increased.

Civilians to fill vacancies.

Fund available.

In expending appropriations or portions of appropriations, contained in this Act, for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the Assistant Secretary of War the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not

Restriction on exceeding average salaries.
Vol. 42, p. 1488; Vol. 45, p. 776; Vol. 46, p. 1003.
U. S. C., p. 85.

exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

Proviso.
Restriction not applicable to clerical-mechanical service.
No reduction in fixed salaries.
Vol. 42, p. 1490; U. S. C., p. 86.
Transfer to another position without reduction.
Higher salary rates allowed.
If only one position in a grade.

CONTINGENT EXPENSES, WAR DEPARTMENT

Department contingent expenses.

For stationery; purchase of professional and scientific books, law books, including their exchange; books of reference, pamphlets, periodicals, newspapers, maps; typewriting and adding machines, and other labor-saving devices, including their repair and exchange; furniture and repairs to same; carpets, linoleum, filing equipment, photo supplies, towels, ice, brooms, soap, sponges; maintenance, repair, and operation of motor trucks and one motor-propelled passenger-carrying vehicle, to be used only for official purposes; freight and express charges; street-car fares, not exceeding $750; postage to Postal Union countries; and other absolutely necessary expenses, $200,000, and it shall not be lawful to expend, unless otherwise specifically provided herein, for any bureau, office, or branch of the War Department or of the Army having or maintaining an office in the War Department proper, at Washington, District of Columbia, any sum out of appropriations contained in this Act (or accruing thereto) made for the Military Establishment for any of the purposes mentioned or authorized in this paragraph: *Provided*, That hereafter section 3709, Revised Statutes (U. S. C., title 41, sec. 5), shall not apply to any procurement under this appropriation which does not exceed $25 in amount.

Proviso.
Minor purchases.
R. S., sec. 3709, p. 733. U. S. C., p. 1803.

Surgeon General's office.

LIBRARY, SURGEON GENERAL'S OFFICE

Library expenses.

For the library of the Surgeon General's Office, including the pay of employees and the purchase of the necessary books of reference and periodicals, $70,000.

PRINTING AND BINDING, WAR DEPARTMENT

Printing and binding.

For printing and binding for the War Department, its bureaus and offices, and for all printing and binding for the field activities under the War Department, except such as may be authorized in accordance with existing law to be done elsewhere than at the Government Printing Office, $435,888: *Provided*, That the sum of $3,000, or so much thereof as may be necessary, may be used for the publication, from time to time, of bulletins prepared under the direction of the Surgeon General of the Army, for the instruction of medical officers, when approved by the Secretary of War, $37,000 shall be available exclusively for printing the Index Catalog of the Army Medical Library, and not exceeding $68,050 shall be available for printing and binding under the direction of the Chief of Engineers.

Proviso.
Medical bulletins.

MILITARY ACTIVITIES

Military activities.

CONTINGENCIES OF THE ARMY

Army contingencies.

For all emergencies and extraordinary expenses, including the employment of translators, and exclusive of all other personal services in the War Department or any of its subordinate bureaus or offices in the District of Columbia, or in the Army at large, but impossible to be anticipated or classified, to be expended on the approval or authority of the Secretary of War, and for such purposes as he may deem proper, and for examination of estimates of appropriations and of military activities in the field, $11,650.

GENERAL STAFF CORPS

General Staff Corps.

CONTINGENCIES, MILITARY INTELLIGENCE DIVISION

Military Intelligence Division.

Contingent expenses.

For contingent expenses of the Military Intelligence Division, General Staff Corps, and of the military attachés at the United States embassies and legations abroad, including the purchase of law books, professional books of reference, and subscriptions to newspapers and periodicals; for the hire of interpreters, special agents, and guides, and for such other purposes as the Secretary of War may deem proper, including $5,000 for the actual and necessary expenses of officers of the Army on duty abroad for the purpose of observing operations of armies of foreign states at war, to be paid upon certificates of the Secretary of War that the expenditures were necessary for obtaining military information, $87,000, to be expended under the direction of the Secretary of War: *Provided*, That section 3648, Revised Statutes (U. S. C., title 31, sec. 529), shall not apply to payments made from appropriations contained in this Act in compliance with the laws of foreign countries or their ministerial regulations under which the military attachés are required to operate.

Observing operations of foreign armies.

Proviso.
Conditions waived.
R. S., sec. 3648, p. 718.
U. S. C., p. 1395.

ARMY WAR COLLEGE

Army War College.

Instruction expenses.

For expenses of the Army War College, being for the purchase of the necessary special stationery; textbooks, books of reference, scientific and professional papers, newspapers, and periodicals; maps; police utensils; employment of temporary, technical, or special services, and expenses of special lecturers; for the pay of employees; and for all other absolutely necessary expenses, $63,861, and, in addition, not to exceed $35,000 may be transferred to this appropriation from other appropriations contained in this Act, to be used exclusively for or on account of preserving Government-owned moving-picture films having historical value.

Employees.

ADJUTANT GENERAL'S DEPARTMENT

Adjutant General's Department.

COMMAND AND GENERAL STAFF SCHOOL, FORT LEAVENWORTH, KANSAS

Command and General Staff School, Fort Leavenworth, Kans.

For the purchase of textbooks, books of reference, scientific and professional papers, instruments, and material for instruction; employment of temporary technical, special, and clerical services; and for other necessary expenses of instruction, at the Command and General Staff School, Fort Leavenworth, Kansas, $34,027.

FIELD EXERCISES

Field exercises.
Post, p. 1640.

For all expenses required for the conduct of special field exercises, including participation therein by the National Guard and the Organized Reserves, comprising allowances for enlisted men for

quarters and rations, movement of matériel, maintenance, and operation of structures and utilities, and any other requisite supplies and services, $446,774.

Welfare of enlisted men.

WELFARE OF ENLISTED MEN

Equipment, etc., post exchanges.

For the equipment and conduct of school, reading, lunch, and amusement rooms, service clubs, chapels, gymnasiums, and libraries, including periodicals and other publications and subscriptions for newspapers, salaries of civilians employed in the hostess and library services, transportation of books and equipment for these services, rental of films, purchase of slides for and making repairs to moving-picture outfits, and for similar and other recreational purposes at training and mobilization camps now established or which may be hereafter established, $34,940.

Finance Department.

FINANCE DEPARTMENT

Pay, etc., of the Army.

PAY, AND SO FORTH, OF THE ARMY

Officers.

Limitation.

National Guard.

Aviation increase.

Flights for nonflying officers.

Longevity.

Enlisted men.
Post, p. 1282.

Aviation increase.

Retired officers, etc.

Civil-service messengers at headquarters.

Contract surgeons, nurses, etc.

Rental allowance.

Provisos.
No allowance if occupying quarters at permanent station.
U. S. C., p. 1619.

For pay of not to exceed an average of twelve thousand commissioned officers, $33,307,100, no part of which sum shall be available after September 30, 1935, for the pay of more than eleven thousand seven hundred and fifty commissioned officers whose original commissions are dated prior to June 1, 1935; pay of officers, National Guard, $100; pay of warrant officers, $1,479,568; aviation increase to commissioned and warrant officers of the Army, including not to exceed five medical officers, $2,033,029, none of which shall be available for increased pay for making aerial flights by nonflying officers at a rate in excess of $1,440 per annum, which shall be the legal maximum rate as to such nonflying officers; additional pay to officers for length of service, $9,257,465; pay of enlisted men of the line and staff, not including the Philippine Scouts, $51,069,333, together with such additional sums as may be necessary, not exceeding $20,000,000, to defray the cost of increasing the enlisted strength of the Regular Army from an average of one hundred and eighteen thousand seven hundred and fifty to an average of one hundred and sixty-five thousand enlisted men, such additional sums to be available for the objects embraced by and in addition to other appropriations contained in this Act; pay of enlisted men of National Guard, $100; aviation increase to enlisted men of the Army, $508,782; pay of enlisted men of the Philippine Scouts, $1,050,447; additional pay for length of service to enlisted men, $4,480,400; pay of the officers on the retired list, $11,538,900; increased pay to not to exceed seven retired officers on active duty, $9,600; pay of retired enlisted men, $13,201,160; pay not to exceed sixty civil-service messengers at not to exceed $1,200 each at headquarters of the several Territorial departments, corps areas, Army and corps headquarters, Territorial districts, tactical divisions and brigades, service schools, camps, and ports of embarkation and debarkation, $72,000; pay and allowances of contract surgeons, $51,576; pay of nurses, $893,560; pay of hospital matrons, $600; rental allowances, including allowances for quarters for enlisted men on duty where public quarters are not available, $6,238,656: *Provided*, That during the fiscal year ending June 30, 1936, no rental allowance shall accrue to any officer of the Government in consequence of the provisions found in section 10, title 37, United States Code, while occupying quarters at his permanent station not under the jurisdiction of the service in which serving but which belong to the Government of the United States, or to a corporation the majority of the stock of which is owned by the

United States, in excess of the rental rate charged for such quarters on March 5, 1934; subsistence allowances, $5,841,118: *Provided further*, That, effective from and after July 1, 1935, the value of one subsistence allowance, as that term is used in section 5 of the Pay Readjustment Act of June 10, 1922 (42 Stat. 628), as amended, shall be and remain fixed at 60 cents per day; and the rate for one room for the purpose of computing the money allowance for rental of quarters authorized in section 6 of said Act shall be and remain fixed at $20 per month; interest on soldiers' deposits, $30,000; payment of exchange by officers serving in foreign countries, and when specially authorized by the Secretary of War, by officers disbursing funds pertaining to the War Department, when serving in Alaska, and all foreign money received shall be charged to and paid out by disbursing officers of the Army at the legal valuation fixed by the Secretary of the Treasury, $100; in all, $161,063,594, less $285,000 to be supplied by the Secretary of War for this purpose from funds received during the fiscal year 1936 from the purchase by enlisted men of the Army of their discharges, $160,778,594; and the money herein appropriated for "Pay, and so forth, of the Army" shall be accounted for as one fund: *Provided*, That no part of this appropriation shall be available to pay any officer detailed as a military aide to any civil officer of the United States outside of the War Department except the President: *Provided further*, That no appropriation contained in this Act shall be available for or on account of the maintenance of more than thirty-two military attachés: *Provided further*, That no appropriation contained in this Act shall be available for or on account of the maintenance of more than eighty-three bands: *Provided further*, That during the fiscal year ending June 30, 1936, no officer of the Army shall be entitled to receive an addition to his pay in consequence of the provisions of the Act approved May 11, 1908 (U. S. C., title 10, sec. 803), or of section 1261 of the Revised Statutes (U. S. C., title 10, sec. 692).

Value of a subsistence allowance.

Vol. 42, p. 628. U. S. C., p. 1619.

Rate for one room.

Loss by exchange.

Accounted for as one fund.

Provisos.
Detail as military aide restricted.

Number of military attachés limited.

Maximum number of bands.

No additional pay for furnishing mounts or service as aide.
Vol. 35, p. 108. R. S., sec. 1261, p. 220; U. S. C., pp. 264, 267.

None of the money appropriated in this Act shall be used to pay any officer on the retired list of the Army who for himself or for others engages in the selling, contracting for the sale of, negotiating for the sale of, or furnishing to the Army or the War Department any supplies, materials, equipment, lands, buildings, plants, vessels, or munitions. None of the money appropriated in this Act shall be paid to any officer on the retired list of the Army who, having been retired before reaching the age of sixty-four, is employed in the United States or its possessions by any individual, partnership, corporation, or association regularly or frequently engaged in making direct sales of any merchandise or material to the War Department or the Army.

Pay forbidden to a retired officer selling supplies to Army.

To officer retired before 64, employed by parties making sales to Department.

No appropriation for the pay of the Army shall be available for the pay of any officer or enlisted man on the active list of the Army who is engaged in any manner with any publication which is or may be issued by or for any branch or organization of the Army or military association in which officers or enlisted men have membership and which carries paid advertising of firms doing business with the War Department: *Provided, however*, That nothing herein contained shall be construed to prohibit officers from writing or disseminating articles in accordance with regulations issued by the Secretary of War.

Engaged in issuing certain service publications.

Proviso.
Exemption.

TRAVEL OF THE ARMY

For travel allowances and travel in kind, as authorized by law, for persons traveling in connection with the military and nonmilitary activities of the War Department, including mileage, transpor-

Travel allowances, etc.

tation, reimbursement of actual expenses, or per diem allowances, to officers and contract surgeons; transportation of troops; transportation, or reimbursement therefor, of nurses, enlisted men, recruits, recruiting parties, applicants for enlistment between recruiting stations and recruiting depots, rejected applicants for enlistment, general prisoners, cadets and accepted cadets from their homes to the Military Academy, discharged cadets, civilian employees, civilian witnesses before courts martial, dependents of military personnel, and attendants accompanying remains of military personnel and civilian employees; travel pay to discharged military personnel; transportation of discharged prisoners and persons discharged from Saint Elizabeths Hospital after transfer thereto from the military service, to their homes, or elsewhere as they may elect, the cost in each case not to be greater than to the place of last enlistment; hot coffee for troops traveling when supplied with cooked or travel rations; commutation of quarters and rations to enlisted men traveling on detached duty when it is impracticable to carry rations, and to applicants for enlistment and general prisoners traveling under orders; per diem allowances or actual cost of subsistence while in a travel status, to nurses, civilian employees, civilian witnesses before courts martial, and attendants accompanying remains of military personnel and civilian employees, $2,999,321, which may be increased, subject to the approval of the Director of the Bureau of the Budget, by transfers from other appropriations contained in this Act of such amounts as may be required in addition to those herein provided for travel in connection with development, procurement, production, maintenance, or construction activities; and, with such exception, no other appropriation in this Act shall be available for any expense for or incident to travel of personnel of the Regular Army or civilian employees under the War Department, except the appropriation "Contingencies of the Army" and the appropriations for the National Guard, the Organized Reserves, the Reserve Officers' Training Corps, citizens' military training camps, the National Board for the Promotion of Rifle Practice, the nonmilitary activities of the Corps of Engineers, and the Panama Canal, and except as may be provided for in the appropriation "Air Corps, Army": *Provided*, That the expert accountant, Inspector General's Department, shall be entitled to the same travel allowances as other employees of the War Department: *Provided further*, That, in addition to the authority contained in section 67, National Defense Act of June 3, 1916, as amended, a total of not to exceed $1,000 of the appropriations available to the War Department chargeable with expenses of travel shall be available for expenses incident to attendance at meetings of technical, professional, scientific, and other similar organizations, when, in the judgment of the Secretary of War, such attendance would be of benefit in the conduct of the work of the War Department.

Recruiting expenses.

Commutation of quarters, etc.

Civilians.

Increases, by transfers, allowed.

Construction activities.

Restriction.

Provisos.
Travel allowance, expert accountant.
Attendance at meetings.
Vol. 39, p. 199; Vol. 42, p. 1034; Vol. 45, p. 406.
U. S. C., p. 1431.

EXPENSES OF COURTS MARTIAL

Courts martial expenses.

For expenses of courts martial, courts of inquiry, military commissions, retiring boards, and compensation of reporters and witnesses attending same, contract stenographic reporting services, and expenses of taking depositions and securing other evidence for use before the same, $50,000.

Deserters, etc.

APPREHENSION OF DESERTERS, AND SO FORTH

Apprehension of.

For the apprehension, securing, and delivering of soldiers absent without leave and of deserters, including escaped military prisoners,

and the expenses incident to their pursuit; and no greater sum than $25 for each deserter or escaped military prisoner shall, in the discretion of the Secretary of War, be paid to any civil officer or citizen for such services and expenses; for a donation of $10 to prisoner discharged otherwise than honorably upon his release from confinement under court-martial sentence involving dishonorable discharge, $20,000.

FINANCE SERVICE

Finance Service.

For compensation of clerks and other employees of the Finance Department, including not to exceed $450 for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., Supp. VII, title 5, sec. 118a), $1,068,960.

Pay of clerks, etc. Vol. 46, p. 818. U. S. C., p. 45.

CLAIMS FOR DAMAGES TO AND LOSS OF PRIVATE PROPERTY

Private property damages.

For payment of claims not exceeding $500 each in amount for damages to or loss of private property incident to the training, practice, operation, or maintenance of the Army that have accrued, or may hereafter accrue, from time to time, $10,000: *Provided*, That settlement of such claims shall be made by the General Accounting Office, upon the approval and recommendation of the Secretary of War, where the amount of damages has been ascertained by the War Department, and payment thereof will be accepted by the owners of the property in full satisfaction of such damages.

Payment of claims.

Proviso. Settlement by General Accounting Office.

CLAIMS OF OFFICERS, ENLISTED MEN, AND NURSES OF THE ARMY FOR DESTRUCTION OF PRIVATE PROPERTY

Destruction of private property of officers, etc.

For the payment of claims of officers, enlisted men, and nurses of the Army for private property lost, destroyed, captured, abandoned, or damaged in the military service of the United States, under the provisions of an Act approved March 4, 1921 (U. S. C., title 31, secs. 218–222), $15,000.

Payment of claims. Vol. 41, p. 1436. U. S. C., p. 1369.

QUARTERMASTER CORPS

Quartermaster Corps.

Subsistence of the Army: Purchase of subsistence supplies: For issue as rations to troops, including retired enlisted men when ordered to active duty, civil employees when entitled thereto, hospital matrons, applicants for enlistment while held under observation, general prisoners of war (including Indians held by the Army as prisoners but for whose subsistence appropriation is not otherwise made), Indians employed by the Army as guides and scouts, and general prisoners at posts; ice for issue to organizations of enlisted men and officers at such places as the Secretary of War may determine, and for preservation of stores; for the subsistence of the masters, officers, crews, and employees of the vessels of the Army Tranport[1] Service; meals for recruiting parties and applicants for enlistment while under observation; for sales to officers, including members of the Officers' Reserve Corps while on active duty, and enlisted men of the Army. For payments: Of the regulation allowances of commutation in lieu of rations to enlisted men on furlough, and to enlisted men when stationed at places where rations in kind cannot be economically issued, including retired enlisted men when ordered to active duty. For payment of the regulation allowance of commutation in lieu of rations for enlisted men, applicants for enlistment while held under observation, civilian employees who are entitled to subsistence at public expense, and general prisoners while sick in hospitals, to be paid to the surgeon in charge; advertising; for providing

Subsistence of Army. Purchase of supplies, for issue as rations. *Post*, p. 1640.

Ice.

Sales to officers.

Payments. Commutation allowances.

[1] So in original.

prizes to be established by the Secretary of War for enlisted men of the Army who graduate from the Army schools for bakers and cooks, the total amount of such prizes at the various schools not to exceed $900 per annum; and for other necessary expenses incident

Subsistence supplies.

to the purchase, testing, care, preservation, issue, sale, and accounting for subsistence supplies for the Army; in all, $18,601,297: *Provided*, That none of the money appropriated in this Act shall be used for the purchase of oleomargarine or butter substitutes for other than cooking purposes, except to supply an expressed preference therefor or for use where climatic or other conditions render the use of butter impracticable.

Proviso.
Oleomargarine restriction.

Regular supplies of the Army.

Regular supplies of the Army: Regular supplies of the Quartermaster Corps, including their care and protection; field ranges, field stoves for cooking food, coffee roasters, field bakery equipment, and appliances for cooking and serving food at posts (except fixed installations in buildings), in the field and when traveling, and repair and maintenance of such equipment; authorized issues of candles and matches; authorized issues of soap, toilet paper, and towels; for the necessary furniture, textbooks, paper, and equipment for the post schools and libraries, and for schools for noncommissioned officers; for the purchase and issue of instruments, office furniture, stationery, and other authorized articles for the use of officers' schools at the several military posts; for purchase of commercial newspapers, periodicals, market reports, technical books, and so forth; for the tableware and mess furniture for kitchens and mess halls, each and all for the enlisted men, including recruits; for forage, salt, and vinegar for the horses, mules, oxen, and other draft and riding animals of the Quartermaster Corps at the several posts and stations and with the armies in the field, for the horses of the several regiments of Cavalry and batteries of Artillery and such companies of Infantry and Scouts as may be mounted, and for remounts and for the authorized number of officers' horses, including bedding for the animals; for seeds and implements required for the raising of forage at remount depots and on military reservations in the Hawaiian, Philippine, and Panama Canal Departments, and for labor and expenses incident thereto, including, when specifically authorized by the Secretary of War, the cost of irrigation; for the purchase of implements and hire of labor for harvesting hay on military reservations; for straw for soldiers' bedding, stationery, typewriters and exchange of same, including blank books and blank forms for the Army, certificates for discharged soldiers, and for printing department orders and reports, $2,673,848.

Field cooking equipment, etc.

Furniture, school supplies, etc.

Periodicals; technical books.

Forage, etc.

Seeds and implements; irrigation costs.

Bedding, stationery, etc.

Clothing and equipage.

Clothing and equipage: For cloth, woolens, materials, and for the purchase and manufacture of clothing for the Army, including retired enlisted men when ordered to active duty, for issue and for sale; for payment of commutation of clothing due to warrant officers of the mine planter service and to enlisted men; for altering and fitting clothing and washing and cleaning when necesary; for operation of laundries, existing or now under construction, including purchase and repair of laundry machinery therefor; for the authorized issues of laundry materials for use of general prisoners confined at military posts without pay or allowances, and for applicants for enlistment while held under observation; for equipment and repair of equipment of existing dry-cleaning plants, salvage and sorting storehouses, hat repairing shops, shoe repair shops, clothing repair shops, and garbage reduction works; for equipage, including authorized issues of toilet articles, barbers' and tailors' material, for use of general prisoners confined at military posts without pay or allowances and applicants for enlistment while held under obser-

Purchase, manufacture, etc.

Laundries, etc.

Repair shops.

Toilet kits, etc.

vation; issue of toilet kits to recruits upon their first enlistment, and issue of housewives to the Army; for expenses of packing and handling and similar necessaries; for a suit of citizen's outer clothing and when necessary an overcoat, the cost of all not to exceed $30, to be issued each soldier discharged otherwise than honorably, to each enlisted man convicted by civil court for an offense resulting in confinement in a penitentiary or other civil prison, and to each enlisted man ordered interned by reason of the fact that he is an alien enemy, or, for the same reason, discharged without internment; for indemnity to officers and men of the Army for clothing and bedding, and so forth, destroyed since April 22, 1898, by order of medical officers of the Army for sanitary reasons, $4,450,221, of which amount not exceeding $60,000 shall be available immediately for the procurement and transportation of fuel for the service of the fiscal year 1936: *Provided*, That laundry charges, other than for service now rendered without charge, shall be so adjusted that earnings in conjunction with the value placed upon service rendered without charge shall aggregate an amount at least equal to the cost of maintaining and operating laundries and dry-cleaning plants.

Citizen's outer clothing.

Indemnity for destroyed clothing, etc.

Fuel.

Proviso.
Laundry charges.

Incidental expenses of the Army: Postage; hire of laborers in the Quartermaster Corps, including the care of officers' mounts when the same are furnished by the Government; compensation of clerks and other employees of the Quartermaster Corps, including not to exceed $9,325 in the aggregate or $450 for any one person for allowances for living quarters, including heat, fuel, and light, as authorized by the Act of June 26, 1930 (U. S. C., Supp. VII, title 5, sec. 118a), and clerks, foremen, watchmen, and organist for the United States Disciplinary Barracks, and incidental expenses of recruiting; for the operation of coffee-roasting plants; for tests and experimental and development work and scientific research to be performed by the Bureau of Standards for the Quartermaster Corps; for inspection service and instruction furnished by the Department of Agriculture which may be transferred in advance; for such additional expenditures as are necessary and authorized by law in the movements and operation of the Army and at military posts, and not expressly assigned to any other departments, $3,539,188: *Provided*, That no appropriation contained in this Act shall be available for any expense incident to the employment of an average number of officers, enlisted men, or civilian employees greater than the largest number employed during the fiscal year ended June 30, 1929, in connection with work incident to the assurance of adequate provision for the mobilization of matériel and industrial organizations essential to war-time needs.

Incidental expenses.
Postage; laborers.

Civilian personnel.

Living quarters.
Vol. 46, p. 818.
U. S. C., p. 45.

Recruiting.

Tests, etc.

Inspection service.

Operation expenses.

Proviso.
Average number employed.

Army transportation: For transportation of Army supplies; of authorized baggage, including packing and crating; of horse equipment; and of funds for the Army; for the purchase or construction, not to exceed $10,000, alteration, operation, and repair of boats and other vessels; for wharfage, tolls, and ferriage; for drayage and cartage; for the purchase, manufacture (including both material and labor), maintenance, hire, and repair of pack saddles and harness; for the purchase, hire, operation, maintenance, and repair of wagons, carts, drays, other vehicles, and horse-drawn and motor-propelled passenger-carrying vehicles required for the transportation of troops and supplies and for official military and garrison purposes; for hire of draft and pack animals; for travel allowances to officers of National Guard on discharge from Federal service as prescribed in the Act of March 2, 1901 (U. S. C., title 10, sec. 751), and to enlisted men of National Guard on discharge from Federal service, as prescribed in amendatory Act of September 22, 1922

Transportation of supplies.
Post, p. 1640.

Drayage; pack saddles.

Vehicles.

Travel allowance, National Guard.
Vol. 31, p. 902; Vol. 42, p. 1021.
U. S. C., p. 266.

Vol. 42, p. 1021. U. S. C., p. 266.

(U. S. C., title 10, sec. 752), and to members of the National Guard who have been mustered into Federal service and discharged on account of physical disability; in all, $9,191,981, of which amount not exceeding $250,000 shall be available immediately for the procurement

Fuel.

and transportation of fuel for the service of the fiscal year 1936:

Provisos. Motor vehicles, etc.

Provided, That not to exceed $1,000,000 of this appropriation shall be available for the purchase or exchange of motor-propelled passenger-carrying vehicles and trucks, of which amount not to exceed $40,000 may be expended for the purchase of light and medium passenger-carrying automobiles at a unit cost of not to exceed $750 for light automobiles and $1,200 for medium automobiles, including the value of any vehicles exchanged, and not to exceed $75,000 may

Ambulances.

be expended for the purchase or exchange of motor-propelled ambu-

Not available except for salvaging, etc.

lances and motorcycles: *Provided further*, That no appropriation contained in this Act shall be available for any expense of any character, other than as may be incident to salvaging or scrapping, on account of any motor-propelled vehicle procured prior to Janu-

Exceptions.

ary 1, 1920, except tractors, ambulances, fire trucks, three hundred and ninety modernized Class B trucks, and vehicles in use by Reserve Officers' Training Corps units on February 19, 1935: *Provided*

Transporting private cars at public expense restricted.

further, That no appropriation contained in this Act shall be available for any expense for or incident to the transportation of privately owned automobiles except on account of the return to the United States of such privately owned automobiles as may have been transported to points outside of the continental limits of the United

Transportation costs charged to appropriation from which supplies procured.

States at public expense prior to July 14, 1932: *Provided further*, That during the fiscal year 1936 the cost of transportation from point of origin to the first point of storage or consumption of supplies, equipment, and material in connection with the manufacturing and purchasing activities of the Quartermaster Corps may be charged to the appropriations from which such supplies, equipment, and material are procured.

Horses, draft and pack animals.

HORSES, DRAFT AND PACK ANIMALS

Purchase.

For the purchase of draft and pack animals and horses within limits as to age, sex, and size to be prescribed by the Secretary of War for remounts for officers entitled to public mounts, for the United States Military Academy, and for such organizations and members of the military service as may be required to be mounted, and for all expenses incident to such purchases (including $72,155

Encouraging breeding of riding horses.

for encouragement of the breeding of riding horses suitable for the Army, in cooperation with the Bureau of Animal Industry, Department of Agriculture, including the purchase of animals for breeding purposes and their maintenance), $297,155.

Barracks, quarters, etc.

BARRACKS AND QUARTERS AND OTHER BUILDINGS AND UTILITIES

Construction, maintenance, etc.

For all expenses incident to the construction, installation, operation, and maintenance of buildings, utilities, appurtenances, and accessories necessary for the shelter, protection, and accommodation of the Army and its personnel and property, where not specifically provided for in other appropriations, including personal services, purchase and repair of furniture for quarters for officers, warrant officers, and noncommissioned officers, and officers' messes and wall lockers and refrigerators for Government-owned buildings as may be approved by the Secretary of War, care and improvement of

Rentals.

grounds, flooring and framing for tents, rental of buildings, including not to exceed $900 in the District of Columbia, provided space is not available in Government-owned buildings, and grounds for

military purposes and lodgings for recruits and applicants for enlistments, water supply, sewer and fire-alarm systems, fire apparatus, roads, walks, wharves, drainage, dredging channels, purchase of water, disposal of sewage, shooting galleries, ranges for small-arms target practice, field, mobile, and railway artillery practice, including flour for paste for marking targets, such ranges and galleries to be open as far as practicable to the National Guard and organized rifle clubs under regulations to be prescribed by the Secretary of War; warehouse and fuel handling equipment; stoves required for use of the Army for heating offices, hospitals, barracks, quarters, recruiting stations, and United States disciplinary barracks, also ranges and stoves for cooking food at posts, for post bakery and bake-oven equipment and apparatus and appliances for cooking and serving food when constituting fixed installations in buildings, including maintenance and repair of such heating and cooking appliances; for furnishing heat and light for the authorized allowance of quarters for officers, enlisted men, and warrant officers, including retired enlisted men when ordered to active duty, contract surgeons when stationed at and occupying public quarters at military posts, officers of the National Guard attending service and garrison schools, and for recruits, guards, hospitals, storehouses, offices, the buildings erected at private cost, in the operation of the Act approved May 31, 1902 (U. S. C., title 10, sec. 1346), and buildings for a similar purpose on military reservations authorized by War Department regulations; for sale of fuel to officers; fuel and engine supplies required in the operation of modern batteries at established posts, $10,549,104, and $2,500,000 of this appropriation shall be available immediately for the procurement and transportation of fuel for the service of the fiscal year 1936: *Provided*, That not more than $16,000 of the appropriations contained in this Act shall be available for rent of offices outside the District of Columbia in connection with work incident to the assurance of adequate provision for the mobilization of matériel and industrial organizations essential to war-time needs: *Provided further*, That this appropriation shall be available for the rental of offices, garages, and stables for military attachés: *Provided further*, That no part of the funds herein appropriated shall be available for construction of a permanent nature of an additional building or an extension or addition to an existing building, the cost of which in any case exceeds $20,000: *Provided further*, That the monthly rental rate to be paid out of this appropriation for stabling any animal shall not exceed $10.

Water, roads, etc.

Target practice, etc.

Warehouse and fuel handling equipment.

Stoves and cooking appliances.

Heat, light, etc.

Recreation buildings. Vol. 32, p. 282. U. S. C., p. 293.

Fuel.

Provisos.
Rent outside District.

Rentals for military attachés.

Additional construction limited.

Stabling rental.

SEWERAGE SYSTEM, FORT MONROE, VIRGINIA

Fort Monroe, Va.

Wharf, etc.

For repair and maintenance of wharf and apron of wharf, including all necessary labor and material therefor, fuel for waiting rooms; water, brooms, and shovels, $20,280; for one-third of said sum, to be supplied by the United States, $6,760.

Roads, etc.

For rakes, shovels, and brooms; repairs to roadway, pavements, macadam, and asphalt block; repairs to street crossings; repairs to street drains, and labor for cleaning roads, $8,469; for two-thirds of said sum, to be supplied by the United States, $5,646.

Sewers, supplies, etc.

For waste, oil, motor and pump repairs, sewer pipe, cement, brick, stone, supplies, and personal services, $6,690; for two-thirds of said sum, to be supplied by the United States, $4,460.

CONSTRUCTION AND REPAIR OF HOSPITALS

Hospitals.

Construction, repair, etc.

For construction and repair of hospitals at military posts already established and occupied, including all expenditures for construction

and repairs required at the Army and Navy Hospital at Hot Springs, Arkansas, and for the construction and repair of general hospitals and expenses incident thereto, and for additions needed to meet the requirements of increased garrisons, and for temporary hospitals in standing camps and cantonments; for the alteration of permanent buildings at posts for use as hospitals, construction and repair of temporary hospital buildings at permanent posts, construction and repair of temporary general hospitals, rental or purchase of grounds, and rental and alteration of buildings for use for hospital purposes in the District of Columbia and elsewhere, including necessary temporary quarters for hospital personnel, outbuildings, heating and laundry apparatus, plumbing, water and sewers, and electric work, cooking apparatus, and roads and walks for the same, $452,909.

Temporary camp hospitals, etc.

Signal Corps.

SIGNAL CORPS

Signal Service.

SIGNAL SERVICE OF THE ARMY

Telegraph and telephone systems.

Purchase, operation, etc.

Telegraph and telephone systems: Purchase, equipment, operation, and repair of military telegraph, telephone, radio, cable, and signaling systems; signal equipment and stores, heliographs, signal lanterns, flags, and other necessary instruments; wind vanes, barometers, anemometers, thermometers, and other meteorological instruments; photographic and cinematographic work performed for the Army by the Signal Corps; motorcycles, motor-driven and other vehicles for technical and official purposes in connection with the construction, operation, and maintenance of communication or signaling systems, and supplies for their operation and maintenance; professional and scientific books of reference, pamphlets, periodicals, newspapers, and maps for use of the Signal Corps and in the office of the Chief Signal Officer; telephone apparatus, including rental and payment for commercial, exchange, message, trunk-line, long-distance, and leased-line telephone service at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, excepting the local telephone service for the various bureaus of the War Department in the District of Columbia, and toll messages pertaining to the office of the Secretary of War; electric time service; the rental of commercial telegraph lines and equipment, and their operation at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, including payment for official individual telegraph messages transmitted over commercial lines; electrical installations and maintenance thereof at military posts, cantonments, camps, and stations of the Army, fire control, and direction apparatus, and material for Field Artillery; salaries of civilian employees, including those necessary as instructors at vocational schools; supplies, general repairs, reserve supplies, and other expenses connected with the collecting and transmitting of information for the Army by telegraph or otherwise; experimental investigation, research, purchase, and development, or improvements in apparatus, and maintenance of signaling and accessories thereto, including patent rights and other rights thereto, including machines, instruments, and other equipment for laboratory and repair purposes; lease, alteration, and repair of such buildings required for storing or guarding Signal Corps supplies, equipment, and personnel when not otherwise provided for, including the land therefor, the introduction of water, electric light and power, sewerage, grading, roads and walks, and other equipment required, $4,827,917.

Exceptions.

Electrical installations.

Civilian employees.

Experimental research, etc.

AIR CORPS

Air Corps.

AIR CORPS, ARMY

For creating, maintaining, and operating at established flying schools and balloon schools courses of instruction for officers, students, and enlisted men, including cost of equipment and supplies necessary for instruction, purchase of tools, equipment, materials, machines, textbooks, books of reference, scientific and professional papers, instruments, and materials for theoretical and practical instruction; for maintenance, repair, storage, and operation of airships, war balloons, and other aerial machines, including instruments, materials, gas plants, hangars, and repair shops, and appliances of every sort and description necessary for the operation, construction, or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith and the establishment of landing and take-off runways; for purchase of supplies for securing, developing, printing, and reproducing photographs in connection with aerial photography; improvement, equipment, maintenance, and operation of plants for testing and experimental work, and procuring and introducing water, electric light and power, gas, and sewerage, including maintenance, operation, and repair of such utilities at such plants; for the procurement of helium gas; for travel of officers of the Air Corps by air in connection with the administration of this appropriation, including the transportation of new aircraft from factory to first destination; salaries and wages of civilian employees as may be necessary; transportation of materials in connection with consolidation of Air Corps activities; experimental investigations and purchase and development of new types of airplanes, autogiros, and balloons, accessories thereto, and aviation engines, including plans, drawings, and specifications thereof, and the purchase of letters patent, applications for letters patent, licenses under letters patent and applications for letters patent; for the purchase, manufacture, and construction of airplanes and balloons, including instruments and appliances of every sort and description necessary for the operation, construction (airplanes and balloons), or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith; for the marking of military airways where the purchase of land is not involved; for the purchase, manufacture, and issue of special clothing, wearing apparel, and similar equipment for aviation purposes; for all necessary expenses connected with the sale or disposal of surplus or obsolete aeronautical equipment, and the rental of buildings, and other facilities for the handling or storage of such equipment; for the services of not more than four consulting engineers at experimental stations of the Air Corps as the Secretary of War may deem necessary, at rates of pay to be fixed by him not to exceed $50 a day for not exceeding fifty days each and necessary traveling expenses; purchase of special apparatus and appliances, repairs, and replacements of same used in connection with special scientific medical research in the Air Corps; for maintenance and operation of such Air Corps printing plants outside of the District of Columbia as may be authorized in accordance with law; for publications, station libraries, special furniture, supplies and equipment for offices, shops, and laboratories; for special services, including the salvaging of wrecked aircraft; for settlement of claims (not exceeding $250 each) for damage to persons and private property resulting from the operation of aircraft at home and abroad when each claim is substantiated by a survey report of a board of officers appointed by the commanding officer of the nearest aviation post and approved

Designated purposes.

Operation, etc.

Landing, etc., runways.

Helium gas.

Civilian employees.

Purchase, development, etc., of aircraft.

Special clothing, etc.

Consulting engineers.

Printing plants, etc.

Settlement of claims.

by the Chief of Air Corps and the Secretary of War, $45,383,400: *Provided*, That from the amount herein appropriated $2,500,000 shall be available immediately for the procurement of spare engines and spare parts for airplanes and engines; $10,000 shall be transferred to and made available to the Bureau of Mines on July 1, 1935, for supplying helium; and not less than $19,138,000 (including $3,000,000 for the payment of obligations incurred under the contract authorization for these purposes carried in the War Department Appropriation Act for the fiscal year 1935), to be available immediately, shall be expended for the production or purchase of new airplanes and their equipment and accessories, of which $13,666,000 shall be available exclusively for combat airplanes, their equipment and accessories: *Provided further*, That "thirty-two" shall be substituted for "seventy-six" and "$65,000" shall be substituted for "$155,582" in the proviso in the appropriation "Air Corps, Army, 1935", requiring the transfer from the Regular Army to the National Guard of airplanes of the observation type and money for their maintenance and operation: *Provided further*, That in addition to the amounts herein provided for the procurement of new airplanes and for the procurement of equipment, spare parts, and accessories for airplanes, the Chief of the Air Corps when authorized by the Secretary of War, may enter into contracts prior to July 1, 1936, for the procurement of new airplanes and for the procurement of equipment, spare parts, and accessories for airplanes to an amount not in excess of $7,686,753, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof: *Provided further*, That no available appropriation shall be used upon lighter-than-air craft, other than balloons, not in condition for safe operation on February 19, 1935, or that may become in such condition prior to July 1, 1936: *Provided further*, That the sum of $406,275 of the appropriation for Air Corps, Army, fiscal year 1933, and the sum of $1,170,000 of the appropriation for Air Corps, Army, fiscal year 1935 shall remain available until June 30, 1936, the former, however, only for the payment of obligations incurred under contracts executed prior to July 1, 1933.

Provisos.
Procurement of airplane parts.

Helium; amount, availability.
Post, p. 204.

New airplanes, etc.
Post, p. 1291.

Provisions for certain National Guard funds transfer modified.
Vol. 48, p. 627.

Contracts authorized for purchase of airplanes, etc.

Unsafe lighter-than-air craft, restriction.

Sums for incurred obligations.

Medical Department.

MEDICAL DEPARTMENT

ARMY

MEDICAL AND HOSPITAL DEPARTMENT

Supplies.

For the manufacture and purchase of medical and hospital supplies, including disinfectants, for military posts, camps, hospitals, hospital ships and transports, for laundry work for enlisted men and Army nurses while patients in a hospital, and supplies required for mosquito destruction in and about military posts in the Canal Zone; for the purchase of veterinary supplies and hire of veterinary surgeons; for expenses of medical supply depots; for medical care and treatment not otherwise provided for, including care and subsistence in private hospitals of officers, enlisted men, and civilian employees of the Army, of applicants for enlistment, and of prisoners of war and other persons in military custody or confinement, when entitled thereto by law, regulation, or contract: *Provided*, That this shall not apply to officers and enlisted men who are treated in private hospitals or by civilian physicians while on furlough; for the proper care and treatment of epidemic and contagious diseases in the Army or at military posts or stations, including measures to prevent the spread thereof, and the payment of reason-

Private treatment.

Proviso.
Not applicable, if on furlough.

Contagious, etc., diseases expenses.

able damages not otherwise provided for for bedding and clothing injured or destroyed in such prevention; for the care of insane Filipino soldiers in conformity with the Act of Congress approved May 11, 1908 (U. S. C., title 24, sec. 198); for the pay of male and female nurses, not including the Army Nurse Corps, and of cooks and other civilians employed for the proper care of sick officers and soldiers, under such regulations fixing their number, qualifications, assignments, pay, and allowances as shall have been or shall be prescribed by the Secretary of War; for the pay of civilian physicians employed to examine physically applicants for enlistment and enlisted men and to render other professional services from time to time under proper authority; for the pay of other employees of the Medical Department; for the payment of express companies and local transfers employed directly by the Medical Department for the transportation of medical and hospital supplies, including bidders' samples and water for analysis; for supplies for use in teaching the art of cooking to the enlisted force of the Medical Department; for the supply of Army and Navy Hospital at Hot Springs, Arkansas; for advertising, laundry, and all other necessary miscellaneous expenses of the Medical Department, $1,218,843.

Insane Filipino soldiers.
Vol. 35, p. 122; Vol. 39, p. 309.
U. S. C., p. 988.
Nurses.
Civilian physicians.
Transporting supplies, etc.
Hot Springs, Ark., hospital.

HOSPITAL CARE, CANAL ZONE GARRISONS

Canal Zone garrisons.

For paying the Panama Canal such reasonable charges, exclusive of subsistence, as may be approved by the Secretary of War for caring in its hospitals for officers, enlisted men, military prisoners, and civilian employees of the Army admitted thereto upon the request of proper military authority, $40,000: *Provided*, That the subsistence of the said patients, except commissioned officers, shall be paid to said hospitals out of the appropriation for subsistence of the Army at the rates provided therein for commutation of rations for enlisted patients in general hospitals.

Care of troops.
Proviso.
Subsistence payments.

ARMY MEDICAL MUSEUM

Army Medical Museum.

For Army Medical Museum, including pay of employees and the procurement, preparation, and preservation of specimens, $28,380.

Personnel; specimens.

CORPS OF ENGINEERS

Engineer Corps.

ENGINEER SERVICE, ARMY

For the design, development, procurement, maintenance, alteration, repair, installation, storage, and issue of engineer equipment, instruments, appliances, supplies, materials, tools, and machinery required in the equipment and training of troops and in military operations, including military surveys and the Engineer School; for the operation and maintenance of the Engineer School, including (a) compensation of civilian lecturers, and (b) purchase and binding of scientific and professional books, pamphlets, papers, and periodicals; for the procurement, preparation, and reproduction of maps and similar data for military purposes; for expenses incident to the Engineer service in military operations, including military surveys, and including (a) research and development of improved methods in such operations, (b) the rental of storehouses and grounds within and outside the District of Columbia, and (c) repair and alteration of buildings; for heat, light, power, water, and communication service, not otherwise provided for; and for the compensation of employees required in these activities, $409,242.

Equipment, instruments, etc.
Engineer School. Maintenance, etc.
Maps, surveys, etc.
Rent.
Operating, etc., expenses.

Ordnance Department.

ORDNANCE DEPARTMENT

Ordnance service and supplies.

ORDNANCE SERVICE AND SUPPLIES, ARMY

Manufacture, issue, etc.

Current expenses.

Vehicles.

Ammunition for military salutes.

Machine testing.

Publications.

Consulting engineers.

For manufacture, procurement, storage, and issue, including research, planning, design, development, inspection, test, alteration, maintenance, repair, and handling of ordnance material together with the machinery, supplies, and services necessary thereto; for supplies and services in connection with the general work of the Ordnance Department, comprising police and office duties, rents, tolls, fuel, light, water, advertising, stationery, typewriting, and computing machines, including their exchange, and furniture, tools, and instruments of service; to provide for training and other incidental expenses of the ordnance service; for instruction purposes, other than tuition; for the purchase, completely equipped, of trucks, and for maintenance, repair, and operation of motor-propelled and horse-drawn freight and passenger-carrying vehicles; for ammunition for military salutes at Government establishments and institutions to which the issues of arms for salutes are authorized; for services, material, tools, and appliances for operation of the testing machines and chemical laboratory in connection therewith; for publications for libraries of the Ordnance Department, including the Ordnance Office, including subscriptions to periodicals; for services of not more than four consulting engineers as the Secretary of War may deem necessary, at rates of pay to be fixed by him not to exceed $50 per day for not exceeding fifty days each, and for their necessary traveling expenses, $15,151,622.

Rock Island, Ill.

ROCK ISLAND BRIDGE, ROCK ISLAND, ILLINOIS

Operating bridges, etc.

For operating, repair, and preservation of Rock Island bridges and viaduct, and maintenance and repair of the arsenal street connecting the bridges, $32,835.

Arsenals.

REPAIRS OF ARSENALS

Repairs, etc.
Post, p. 1641.

Raritan Arsenal.

For repairs and improvements of ordnance establishments, and to meet such unforeseen expenditures as accidents or other contingencies may require, $1,068,186, of which amount there shall be available immediately $265,368 for the restoration of roofs to magazines at Raritan Arsenal.

Gages, dies, and jigs.

GAGES, DIES, AND JIGS FOR MANUFACTURE

Procuring, for armament manufacture.

Vol. 39, p. 215.
U. S. C., p. 2264.

For the development and procurement of gages, dies, jigs, and other special aids and appliances, including specifications and detailed drawings, to carry out the purpose of section 123 of the National Defense Act, approved June 3, 1916 (U. S. C., title 50, sec. 78), $79,530.

Chemical Warfare Service.

CHEMICAL WARFARE SERVICE

Purchase, manufacture, etc., of gases.

Plants, buildings, machinery, etc.

For purchase, manufacture, and test of chemical warfare gases or other toxic substances, gas masks, or other offensive or defensive materials or appliances required for gas-warfare purposes, including all necessary investigations, research, design, experimentation, and operation connected therewith; purchase of chemicals, special scientific and technical apparatus and instruments; construction, maintenance, and repair of plants, buildings, and equipment, and the machinery therefor; receiving, storing, and issuing of supplies, comprising police and office duties, rents, tolls, fuels, gasoline, lubricants, paints and oils, rope and cordage, light, water, advertising, stationery, typewriting and adding machines including their exchange,

office furniture, tools, and instruments; for incidental expenses; for civilian employees; for libraries of the Chemical Warfare Service and subscriptions to periodicals; for expenses incidental to the organization, training, and equipment of special gas troops not otherwise provided for, including the training of the Army in chemical warfare, both offensive and defensive, together with the necessary schools, tactical demonstrations, and maneuvers; for current expenses of chemical projectile filling plants and proving grounds, including construction and maintenance of rail transportation, repairs, alterations, accessories, building and repairing butts and targets, clearing and grading ranges, $1,388,330.

Civilian employees.

Special gas troops; organizing, etc.

Current expenses.

CHIEF OF INFANTRY

Chief of Infantry.

INFANTRY SCHOOL, FORT BENNING, GEORGIA

Infantry School, Fort Benning, Ga.

For the procurement of books, publications, instruments, and materials, and other necessary expenses for instruction at the Infantry School, and for pay of employees at the Infantry School and in the office of the Chief of Infantry, $63,830.

Instruction expenses.

CHIEF OF CAVALRY

Chief of Cavalry.

CAVALRY SCHOOL, FORT RILEY, KANSAS

Cavalry School, Fort Riley, Kans.

For the purchase of textbooks, books of reference, scientific and professional papers, instruments, and materials for instruction; employment of temporary, technical, special, and clerical services; and for other necessary expenses of instruction at the Cavalry School, Fort Riley, Kansas, $21,000.

Instruction expenses.

CHIEF OF FIELD ARTILLERY

Chief of Field Artillery.

INSTRUCTION IN FIELD ARTILLERY ACTIVITIES

Field Artillery activities.

For the pay of employees; the purchase of books, pamphlets, periodicals, and newspapers; procurement of supplies, materials, and equipment for instruction purposes; and other expenses necessary in the operation of the Field Artillery School of the Army, and for the instruction of the Army in Field Artillery activities, $24,654.

Instruction expenses.

CHIEF OF COAST ARTILLERY

Chief of Coast Artillery.

COAST ARTILLERY SCHOOL, FORT MONROE, VIRGINIA

Coast Artillery School, Fort Monroe, Va.

For purchase of engines, generators, motors, machines, measuring and nautical instruments, special apparatus, and materials for experimental purposes for the engineering and artillery and military art departments and enlisted specialists division; for purchase and binding of professional books treating of military and scientific subjects for library, for use of school, and for temporary use in coast defense; for incidental expenses of the school, including chemicals, stationery, printing and binding; hardware; materials; cost of special instruction of officers detailed as instructors; employment of temporary, technical, or special services; for office furniture and fixtures; for machinery; for maintenance, operation, and repair of motor trucks; and unforeseen expenses; in all, $28,000.

Instruction expenses.

Printing and binding.

SEACOAST DEFENSES

Seacoast defenses.

For all expenses incident to the preparation of plans and the construction, purchase, installation, equipment, maintenance, repair, and operation of fortifications and other works of defense, and their accessories, including personal services, maintenance of channels to

All expenses.

submarine-mine wharves, purchase of lands and rights-of-way as authorized by law, and experimental, test, and development work, as follows:

United States, $718,821;
Insular departments, $226,981;
Panama Canal, $339,168;
In all, $1,284,970.

Military Academy.

UNITED STATES MILITARY ACADEMY

Pay.

PAY OF MILITARY ACADEMY

Cadets.
Provisos.
Army detail, pay restriction.
Post, p. 1641.

Cadets: For pay of cadets, $964,080: *Provided*, That during the fiscal year ending June 30, 1936, no officer of the Army shall be entitled to receive any increase in pay or allowances because of detail or assignment to duty in any capacity at the Military Academy: *Provided*, That the duties of librarian of the United States Military Academy may be performed by an officer of the Regular Army retired from active service under the provisions of section 1251, Revised Statutes, and detailed on active duty for that purpose.

Retired Army officer as librarian.
R. S., sec. 1251, p. 218.
U. S. C., p. 274.

Civilians: For pay of employees, $265,437.

Maintenance.

MAINTENANCE, UNITED STATES MILITARY ACADEMY

Designated expenses.

For text and reference books for instruction; increase and expense of library (not exceeding $6,000); office equipment and supplies; stationery, blank books, forms, printing and binding, and periodicals; diplomas for graduates (not exceeding $1,100); expense of lectures; apparatus, equipment, supplies, and materials for purpose of instruction and athletics, and maintenance and repair thereof; musical instruments and maintenance of band; care and maintenance of organ; equipment for cadet mess; postage, telephones, and telegrams; freight and expressage; for payment of commutation of rations for the cadets of the United States Military Academy in lieu of the regular established ration; maintenance of children's school (not exceeding $12,200); contingencies for superintendent of the academy, to be expended in his discretion (not to exceed $4,000); expenses of the members of the Board of Visitors (not exceeding $1,500); contingent fund, to be expended under the direction of the Academic Board (not exceeding $500); improvement, repair, and maintenance of buildings and grounds (including roads, walls, and fences); shooting galleries and ranges; cooking, heating, and lighting apparatus and fixtures and operation and maintenance thereof; maintenance of water, sewer, and plumbing systems; maintenance of and repairs to cadet camp; fire-extinguishing apparatus; machinery and tools and repairs of same; maintenance, repair, and operation of motor-propelled vehicles; policing buildings and grounds; furniture, refrigerators, and lockers for Government-owned buildings at the academy and repair and maintenance thereof; fuel for heat, light, and power; and other necessary incidental expenses in the discretion of the superintendent; in all, $1,127,739.

Board of Visitors.

National Guard.

NATIONAL GUARD

Arming, etc.

ARMING, EQUIPPING, AND TRAINING THE NATIONAL GUARD

Forage, etc.

For procurement of forage, bedding, and so forth, for animals used by the National Guard, $602,317.

Care of animals, materials, etc.

For compensation of help for care of materials, animals, and equipment, $2,375,040.

Instruction expenses.

For expenses, camps of instruction, field and supplemental training, and including medical and hospital treatment authorized by law,

and the hire (at a rate not to exceed $1 per diem), repair, maintenance, and operation of motor-propelled passenger-carrying vehicles, $8,362,003.

Service schools, instruction, etc.

For expenses, selected officers and enlisted men, military service schools, including medical and hospital treatment authorized by law, $450,209.

Property and disbursing officers.

For pay of property and disbursing officers for the United States, $81,300.

Equipment, etc.

For general expenses, equipment, and instruction, National Guard, including medical and hospital treatment authorized by law, and the hire (at a rate not to exceed $1 per diem), repair, maintenance, and operation of motor-propelled passenger- and non-passenger-carrying vehicles, $747,238.

Travel, Army officers, etc.

For travel of officers, warrant officers, and enlisted men of the Regular Army in connection with the National Guard, $235,000: *Provided*, That not to exceed $2,000 of this sum shall be expended for travel of officers of the War Department General Staff in connection with the National Guard.

Proviso. War Department General Staff.

Transporting supplies.

For transportation of equipment and supplies, $172,864.

Army enlisted men, detail.

For expenses of enlisted men of the Regular Army on duty with the National Guard, including allowances for quarters and the hiring of quarters in kind, $245,688.

Pay, armory drills.

For pay of National Guard (armory drills), $13,828,026.

No pay to National Guard officer, etc., drawing pension.

No part of the appropriations made in this Act shall be available for pay, allowances, or traveling or other expenses of any officer or enlisted man of the National Guard who may be drawing a pension, disability allowance, disability compensation, or retired pay (where retirement has been made on account of physical disability or age) from the Government of the United States: *Provided*, That nothing in this provision shall be so construed as to prevent the application of funds herein contained to the pay, allowances, or traveling expenses of any officer or enlisted man of the National Guard who may surrender said pension, disability allowance, disability compensation, or retired pay for the period of his service in the National Guard: *Provided further*, That adjutants general who may be drawing such emoluments may be continued in a federally recognized status without pay under this Act.

Provisos. Provisions waived if pension surrendered.

Adjutants general continued in present status without pay.

Field service.

ARMS, UNIFORMS, EQUIPMENT, AND SO FORTH, FOR FIELD SERVICE, NATIONAL GUARD

Procuring arms and equipment. Requisitions from governors, etc.

To procure by purchase or manufacture and issue from time to time to the National Guard, upon requisition of the governors of the several States and Territories or the commanding general, National Guard of the District of Columbia, such military equipment and stores of all kinds and reserve supply thereof as are necessary to arm, uniform, and equip for field service the National Guard of the several States, Territories, and the District of Columbia, including motor trucks, field ambulances, and station wagons and to repair such of the aforementioned articles of equipage and military stores as are or may become damaged when, under regulations prescribed by the Secretary of War, such repair may be determined to be an economical measure and as necessary for their proper preservation and use, $6,387,638, together with such additional sums as may be necessary, not to exceed $500,000, to defray the cost of increasing the present appropriated [1] for enlisted strength of the National Guard by 5,000, and all of the sums appropriated in this Act on account of the National Guard shall be accounted for as one fund and of the total of such sums

Motor trucks, field ambulances.

Increase in enlisted strength.

Accounting.

[1] So in original.

Provisos.
Specifications for motor vehicles.

$1,500,000 shall be available immediately: *Provided*, That specifications for motor vehicles, which shall be so drawn as to admit of competition, shall to the extent otherwise practicable conform with the requirements of the National Guard as determined by the Chief of the National Guard Bureau: *Provided further*, That the value of issues made to any State, Territory, or the District of Columbia to replace property surveyed in accordance with section 87, National Defense Act of June 3, 1916, as amended, shall not be charged to the apportionments required by section 67 of that Act, but no such replacement issue shall be made in excess of receipts theretofore collected and covered into the Treasury as miscellaneous receipts pursuant to said section 87, as amended, and section 4 (a) and (b) (22) of the Permanent Appropriation Repeal Act of June 26, 1934: *Provided further*, That the Secretary of War is hereby authorized to issue surplus or reserve stores and material on hand and purchased for the United States Army such articles of clothing and equipment and Field Artillery, Engineer, and Signal material and ammunition as may be needed by the National Guard organized under the provision of the Act entitled "An Act for making further and more effectual provision for the national defense, and for other purposes", approved June 3, 1916 (U. S. C., title 32, sec. 21), as amended. This issue shall be made without charge against militia appropriations except for actual expenses incident to such issue.

Replacement of damaged property, etc.

Vol. 39, p. 204; Vol. 43, p. 1077.
U. S. C., p. 1433.
Vol. 39, p. 199; Vol. 42, p. 1034.
U. S. C., p. 1431.
Restriction.
Balances covered in.
Vol. 48, p. 1227.

Clothing, equipment, etc., from Army surplus stores.

Vol. 39, p. 199; Vol. 45, p. 406.
U. S. C., p. 1431.

Issue without charge against fund.

No increase of mounted, etc., units.

No appropriation contained in this Act shall be available for any expense for or on account of a larger number of mounted units and wagon and service companies of the National Guard than were in existence on June 30, 1932: *Provided*, That officers, warrant officers, and enlisted men of the National Guard and Organized Reserves, who, under regulations prescribed by the Secretary of War, volunteer to participate without pay as competitors in the National Rifle Matches to be held during the fiscal year 1936, may attend such matches without pay, notwithstanding any provision of law to the contrary, but shall be entitled to travel and subsistence allowances at the same rates as are provided for civilians who attend and participate in said matches.

Proviso.
Participation in National Rifle Matches.

Allowances.

Organized Reserves.

ORGANIZED RESERVES

Officers' Reserve Corps.

For pay and allowances of members of the Officers' Reserve Corps on active duty in accordance with law; mileage, reimbursement of actual traveling expenses, or per diem allowances in lieu thereof, as authorized by law: *Provided*, That the mileage allowance to members of the Officers' Reserve Corps when called into active service for training for fifteen days or less shall not exceed 4 cents per mile; pay, transportation, subsistence, clothing, and medical and hospital treatment of members of the Enlisted Reserve Corps; conducting correspondence or extension courses for instruction of members of the Reserve Corps, including necessary supplies, procurement of maps and textbooks, and transportation and traveling expenses of employees; purchase of training manuals, including Government publications and blank forms, subscriptions to magazines and periodicals of a professional or technical nature; establishment, maintenance, and operation of divisional and regimental headquarters and of camps for training of the Organized Reserves; for miscellaneous expenses incident to the administration of the Organized Reserves, including the maintenance and operation of motor-propelled passenger-carrying vehicles; for the actual and necessary expenses, or per diem in lieu thereof, at rates authorized by law, incurred by officers and enlisted men of the Regular Army traveling on duty in connection with the Organized Reserves, and

Provisos.
Mileage allowance.

Enlisted Reserve Corps.

Correspondence, etc., courses.

Training manuals.

Establishment, etc., headquarters and training camps.

Vehicles.

Travel expenses.

for travel of dependents, and packing and transportation of baggage of such personnel; for expenses incident to the use, including upkeep and depreciation costs, of supplies, equipment, and matériel furnished in accordance with law from stocks under the control of the War Department, except that not to exceed $845,725 of this appropriation shall be available for expenditure by the Chief of the Air Corps for the production and purchase of new airplanes and their equipment, spare parts, and accessories; for transportation of baggage, including packing and crating, of reserve officers ordered to active duty for not less than six months; for the medical and hospital treatment of members of the Officers' Reserve Corps and of the Enlisted Reserve Corps, who suffer personal injury or contract disease in line of duty, as provided by the Act of April 26, 1928 (U. S. C., Supp. VII, title 10, secs. 451, 455), and for such other purposes in connection therewith as are authorized by the said Act, including pay and allowances, subsistence, transportation, and burial expenses; in all, $6,372,178; and no part of such total sum shall be available for any expense incident to giving flight training to any officer of the Officers' Reserve Corps unless he shall be found physically and professionally qualified to perform aviation service as an aviation pilot, by such agency as the Secretary of War may designate: *Provided*, That not to exceed $100,000 of this appropriation may be used for establishment and maintenance of divisional and regimental headquarters.

Maintenance of supplies.

Purchase, etc., airplanes.

Baggage transportation.

Medical and hospital treatment.

Vol. 45, p. 461.
U. S. C., p. 252.

Flight training restrictions.

Proviso.
Divisional headquarters, etc.

None of the funds appropriated elsewhere in this Act, except for printing and binding, field exercises, and for pay and allowances of officers and enlisted men of the Regular Army, and for mileage, reimbursement of actual traveling expenses, or per diem allowances in lieu thereof, as authorized by law, to Air Corps reserve officers on extended active duty, shall be used for expenses in connection with the Organized Reserves, but available supplies and existing facilities at military posts shall be utilized to the fullest extent possible.

Restriction on use of other funds.

Use of available supplies.

No appropriation made in this Act shall be available for pay, allowances, or traveling or other expenses of any officer of the Organized Reserves who may be drawing a pension, disability allowance, disability compensation, or retired pay from the Government of the United States: *Provided*, That nothing in this provision shall be so construed as to prevent the application of funds herein contained to the pay, allowances, or traveling expenses of any officer or enlisted man of the Reserve Corps who may surrender said pension, disability allowance, disability compensation, or retired pay for the period of his active duty in the Reserve Corps.

No pay to officer drawing pension, etc.

Proviso.
Provisions waived if pension surrendered.

No appropriation made in this Act shall be expended for the pay of a reserve officer on active duty for a longer period than fifteen days, except such as may be detailed for duty with the War Department General Staff under section 3a and section 5 (b) of the Army Reorganization Act approved June 4, 1920 (U. S. C., title 10, secs. 26, 37), or who may be detailed for courses of instruction at the general or special service schools of the Army, or who may be detailed for duty as instructors at civilian military training camps, appropriated for in this Act, or who may be detailed for duty with tactical units of the Air Corps, as provided in section 37a of the Army Reorganization Act approved June 4, 1920 (U. S. C., title 10, sec. 369): *Provided*, That the pay and allowances of such additional officers and nurses of the Medical Reserve Corps as are required to supplement the like officers and nurses of the Regular Army in the care of beneficiaries of the United States Veterans' Administration treated in Army hospitals may be paid from the funds allotted to the War Department by that administration under existing law.

Reserve officer on active duty; pay restriction.

General Staff detail.
Vol. 41, pp. 760, 763.
U. S. C., pp. 231, 232.

Other details.

Air Corps.
Vol. 41, p. 776; U. S. C., p. 249.

Proviso.
Medical Reserve Corps for Veterans' Administration patients in Army hospitals.

Citizens' military training.

CITIZENS' MILITARY TRAINING

Reserve officers' training corps.

RESERVE OFFICERS' TRAINING CORPS

Quartermaster supplies for units of.

For the procurement, maintenance, and issue, under such regulations as may be prescribed by the Secretary of War, to institutions at which one or more units of the Reserve Officers' Training Corps are maintained, of such public animals, means of transportation, supplies, tentage, equipment, and uniforms as he may deem necessary, including cleaning and laundering of uniforms and clothing at camps; and to forage, at the expense of the United States, public animals so issued, and to pay commutation in lieu of uniforms at a rate to be fixed annually by the Secretary of War; for transporting said animals and other authorized supplies and equipment from place of issue to the several institutions and training camps and return of same to place of issue when necessary; for purchase of training manuals, including Government publications and blank forms; for the establishment and maintenance of camps for the further practical instruction of the members of the Reserve Officers' Training Corps, and for transporting members of such corps to and from such camps, and to subsist them while traveling to and from such camps and while remaining therein so far as appropriations will permit, or, in lieu of transporting them to and from such camps and subsisting them while en route, to pay them travel allowance at the rate of 5 cents per mile for the distance by the shortest usually traveled route from the places from which they are authorized to proceed to the camp and for the return travel thereto, and to pay the return travel pay in advance of the actual performance of the travel; for expenses incident to the use, including upkeep and depreciation costs, of supplies, equipment, and matériel furnished in accordance with law from stocks under the control of the War Department; for pay for students attending advanced camps at the rate prescribed for soldiers of the seventh grade of the Regular Army; for the payment of commutation of subsistence to members of the senior division of the Reserve Officers' Training Corps, at a rate not exceeding the cost of the garrison ration prescribed for the Army, as authorized in the Act approved June 3, 1916, as amended by the Act approved June 4, 1920 (U. S. C., title 10, sec. 387); for medical and hospital treatment until return to their homes and further medical treatment after arrival at their homes, subsistence during hospitalization and until furnished transportation to their homes, and transportation when fit for travel to their homes of members of the Reserve Officers' Training Corps who suffer personal injury or contract disease in line of duty while en route to or from and while at camps of instruction under the provisions of section 47a of the National Defense Act approved June 3, 1916 (U. S. C., title 10, sec. 441), as amended; and for the cost of preparation and transportation to their homes and burial expenses of the remains of members of the Reserve Officers' Training Corps who die while attending camps of instruction as provided in the Act approved April 26, 1928 (U. S. C., Supp. VII, title 10, sec. 455); for mileage, traveling expenses, or transportation, for transportation of dependents, and for packing and transportation of baggage, as authorized by law, for officers, warrant officers, and enlisted men of the Regular Army traveling on duty pertaining to or on detail to or relief from duty with the Reserve Officers' Training Corps; for the maintenance, repair, and operation of motor vehicles, $4,452,304; of which $400,000 shall be available immediately: *Provided*, That the Secretary of War is authorized to issue, without charge, in lieu of purchase, for the use of the Reserve Officers' Train-

Training camps.

Travel allowance.

Expenses for supplies.

Subsistence commutation to senior division members.

Vol. 39, p. 193; Vol. 41, p. 778. U. S. C., p. 250.

Medical, etc., treatment, in line of duty.

Vol. 41, p. 778. U. S. C., p. 251.

Burial expenses.

Vol. 43, p. 365; Vol. 45, p. 462. U. S. C., p. 252.

Transporting dependents, etc.

Vehicles.

Provisos.

Issue of Army horses.

ing Corps, so many horses now belonging to the Regular Army as he may consider desirable: *Provided*, That uniforms and other equipment or material issued to the Reserve Officers' Training Corps in accordance with law shall be furnished from surplus or reserve stocks of the War Department without payment from this appropriation, except for actual expense incurred in the manufacture or issue: *Provided further*, That in no case shall the amount paid from this appropriation for uniforms, equipment, or material furnished to the Reserve Officers' Training Corps from stocks under the control of the War Department be in excess of the price current at the time the issue is made: *Provided further*, That none of the funds appropriated in this Act shall be used for the organization or maintenance of an additional number of mounted, motor transport, or tank units in the Reserve Officers' Training Corps in excess of the number in existence on January 1, 1928: *Provided further*, That none of the funds appropriated in this Act shall be available for any expense on account of any student in Air Corps, Medical Corps, Dental Corps, or Veterinary units not a member of such units on May 5, 1932, but such stoppage of further enrollments shall not interfere with the maintenance of existing units: *Provided further*, That none of the funds appropriated elsewhere in this Act, except for printing and binding and pay and allowances of officers and enlisted men of the Regular Army, shall be used for expenses in connection with the Reserve Officers' Training Corps.

Uniforms, etc., from Army surplus stock.

Current price to govern.

Additional units forbidden.

No additional students in designated units.

Restriction on use of other funds.

MILITARY SUPPLIES AND EQUIPMENT FOR SCHOOLS AND COLLEGES

Schools and colleges.

For the procurement and issue as provided in section 55c of the Act approved June 4, 1920 (U. S. C., title 10, sec. 1180), and in section 1225, Revised Statutes, as amended, under such regulations as may be prescribed by the Secretary of War, to schools and colleges, other than those provided for in section 40 of the Act above referred to, of such arms, tentage, and equipment, and of ammunition, targets, and target materials, including the transporting of same, and the overhauling and repair of articles issued, as the Secretary of War shall deem necessary for proper military training in said schools and colleges, $8,900.

Military supplies and equipment.
Vol. 41, p. 780.
U. S. C., p. 285.
R. S., sec. 1225, p. 216.
U. S. C., p. 1579.

CITIZENS' MILITARY TRAINING CAMPS

Citizens' military training camps.

For furnishing, at the expense of the United States, to warrant officers, enlisted men, and civilians attending training camps maintained under the provisions of section 47d of the National Defense Act of June 3, 1916, as amended (U. S. C., title 10, sec. 442), uniforms, including altering, fitting, washing, and cleaning when necessary, subsistence, or subsistence allowances and transportation, or transportation allowances, as prescribed in said section 47d, as amended; for such expenditures as are authorized by said section 47d as may be necessary for the establishment and maintenance of said camps, including recruiting and advertising therefor, and the cost of maintenance, repair, and operation of passenger-carrying vehicles; for expenses incident to the use, including upkeep and depreciation costs, of supplies, equipment, and matériel furnished in accordance with law from stocks under the control of the War Department; for gymnasium and athletic supplies (not exceeding $20,000); for mileage, reimbursement of traveling expenses, or allowance in lieu thereof as authorized by law, for officers of the Regular Army and Organized Reserves, and for the travel expenses of enlisted men of the Regular Army, traveling on duty in connection with citizens' military training camps; for purchase of training

Uniforms, transportation expenses, etc.

Vol. 41, p. 779.
U. S. C., p. 251.

Maintenance.

Medical and hospital treatment.

manuals, including Government publications and blank forms; for medical and hospital treatment, subsistence, and transportation, in case of injury or disease contracted in line of duty, of members of the citizens' military training camps and for transportation and

Burials.

burial of remains of any such members who die while undergoing

Vol. 45, p. 461. U. S. C., p. 252.

training or hospital treatment, as provided in the Act of April 26, 1928 (U. S. C., Supp. VII, title 10, secs. 454, 455); in all, $2,000,000:

Provisos. Age limitation.

Provided, That the funds herein appropriated shall not be used for the training of any person in the first year or lowest course, who shall have reached his twenty-fourth birthday before the date of

Restriction on use of other funds.

enrollment: *Provided further*, That none of the funds appropriated elsewhere in this Act except for printing and binding and for pay and allowances of officers and enlisted men of the Regular Army shall be used for expenses in connection with citizens' military

Uniforms, etc., from Army surplus stocks.

training camps: *Provided further*, That uniforms and other equipment or matériel furnished in accordance with law for use at citizens' military training camps shall be furnished from surplus or reserve stocks of the War Department without payment from this appropriation, except for actual expense incurred in the manu-

Current price to govern.

facture or issue: *Provided further*, That in no case shall the amount paid from this appropriation for uniforms, equipment, or matériel furnished in accordance with law for use at citizens' military training camps from stocks under the control of the War Department be in excess of the price current at the time the issue is made.

Restriction on use of Army reserve supplies.

Under the authorizations contained in this Act no issues of reserve supplies or equipment shall be made where such issues would impair the reserves held by the War Department for two field armies or one million men.

Promotion of rifle practice.

NATIONAL BOARD FOR PROMOTION OF RIFLE PRACTICE, ARMY

Instruction expenses.

Promotion of rifle practice: For construction, equipment, and maintenance of rifle ranges, the instruction of citizens in marksmanship, and promotion of practice in the use of rifled arms; for arms, ammunition, targets and other accessories for target practice, for issue and sale in accordance with rules and regulations prescribed by the National Board for the Promotion of Rifle Practice and approved by the Secretary of War; for clerical services, including not exceeding $25,000 in the District of Columbia; for procurement

Supplies, etc.

of materials, supplies, trophies, prizes, badges and services, as

Vol. 39, p. 211; Vol. 43, p. 510; Vol. 44, p. 1095; Vol. 45, p. 786. U. S. C., p. 1443.

authorized in Section 113, Act of June 3, 1916, and in War Department Appropriation Act of June 7, 1924; for the conduct of the National Matches, including incidental travel, and for maintenance of the National Board for the Promotion of Rifle Practice, including not to exceed $7,500 for its incidental expenses as authorized by Act of May 28, 1928; to be expended under the direction of the Secretary of War, $491,054.

No pay to officer, etc., using time-measuring device.

No part of the appropriations made in this Act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch, or other time-measuring device, a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations

Cash rewards restricted.

made in this Act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant.

TITLE II—NONMILITARY ACTIVITIES OF THE WAR DEPARTMENT

Nonmilitary activities.

QUARTERMASTER CORPS

Quartermaster Corps.

CEMETERIAL EXPENSES

National cemeteries.

For maintaining and improving national cemeteries, including fuel for and pay of superintendents and the superintendent at Mexico City, laborers and other employees, purchase of tools and materials; purchase, including exchange, of one motor-propelled passenger-carrying vehicle; and for the repair, maintenance, and operation of motor vehicles; care and maintenance of the Arlington Memorial Amphitheater, chapel, and grounds in the Arlington National Cemetery; for repair to roadways but not to more than a single approach road to any national cemetery constructed under special Act of Congress; for headstones for unmarked graves of soldiers, sailors, and marines under the Acts approved March 3, 1873 (U. S. C., title 24, sec. 279), February 3, 1879 (U. S. C., title 24, sec. 280), March 9, 1906 (34 Stat., p. 56), March 14, 1914 (38 Stat., p. 768), and February 26, 1929 (U. S. C., Supp. VII, title 24, sec. 280a), and civilians interred in post cemeteries; for recovery of bodies and disposition of remains of military personnel and civilian employees of the Army under Act approved March 9, 1928 (U. S. C., Supp. VII, title 10, sec. 916); for the care, protection, and maintenance of the Confederate Mound in Oakwood Cemetery at Chicago, the Confederate Stockade Cemetery at Johnstons Island, the Confederate burial plats owned by the United States in Confederate Cemetery at North Alton, the Confederate Cemetery, Camp Chase, at Columbus, the Confederate section in Greenlawn Cemetery at Indianapolis, the Confederate Cemetery at Point Lookout, and the Confederate Cemetery at Rock Island, $677,607: *Provided*, That no railroad shall be permitted upon any right-of-way which may have been acquired by the United States leading to a national cemetery, or to encroach upon any roads or walks constructed thereon and maintained by the United States: *Provided further*, That no part of this appropriation shall be used for repairing any roadway not owned by the United States within the corporate limits of any city, town, or village.

Maintenance, etc.

Motor vehicle purchase.

Arlington, Va.

Roadways, repair, etc.

Headstones for graves. Vol. 20, p. 281; Vol. 34, p. 56; Vol. 38, p. 768; Vol. 45, p. 1307. U. S. C., p. 992.

Recovery of remains. Vol. 45, p. 251; U. S. C., p. 273.

Confederate cemeteries, etc.

Provisos.
Encroachments forbidden.

Repairs restricted.

For purchase of additional land for the extension of the Vicksburg National Cemetery, $82,000.

Vicksburg, extension.

For repairs and preservation of monuments, tablets, roads, fences, and so forth, made and constructed by the United States in Cuba and China to mark the places where American soldiers fell, $734.

Burial plots in Cuba and China.

SIGNAL CORPS

Signal Corps.

ALASKAN COMMUNICATION SYSTEM

Alaskan Communication system.

For defraying the cost of such extensions, betterments, operation, and maintenance of the Washington-Alaska Military Cable and Telegraph System as may be approved by the Secretary of War, to be available until the close of the fiscal year 1937, from the receipts of the Washington-Alaska Military Cable and Telegraph System which have been covered into the Treasury of the United States, the extent of such extensions and betterments and the cost thereof to be reported to Congress by the Secretary of War, $156,753.

Operation, extension, etc.

From receipts.

CORPS OF ENGINEERS

Engineer Corps.

RIVERS AND HARBORS

Rivers and harbors.

To be immediately available and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers:

Immediately available.

Maintenance and improvement of existing works.

For the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore authorized as may be most desirable in the interests of commerce and navigation;

Boundary waters, survey.

for survey of northern and northwestern lakes and other boundary and connecting waters as heretofore authorized, including the preparation, correction, printing, and issuing of charts and bulletins and the investigation of lake levels; for prevention of obstructive

New York Harbor, injurious deposits.

and injurious deposits within the harbor and adjacent waters of New York City;

California Débris Commission. Vol. 27, p. 507. U. S. C., p. 1484.

for expenses of the California Débris Commission in carrying on the work authorized by the Act approved March 1, 1893 (U. S. C., title 33, sec. 661);

Removing sunken vessels.

for removing sunken vessels or craft obstructing or endangering navigation as authorized by law; for operating and maintaining, keeping in repair, and continuing in use without interruption any lock, canal (except the Panama Canal), canalized river or other public works for the use and benefit of navigation belonging to the United States; for examinations, surveys, and

Printing.

contingencies of rivers and harbors; and for printing, including illustrations, as may be authorized by the Committee on Printing of the House of Representatives, either during a recess or session

Vol. 45, p. 538. U. S. C., p. 1490.

of Congress, of surveys under House Document Numbered 308, Sixty-ninth Congress, first session, and section 10 of the Flood Control Act, approved May 15, 1928 (U. S. C., Supp. VII, title 33, sec. 702j), and such surveys as may be printed during a recess of Congress shall be printed, with illustrations, as documents of the next succeeding session of Congress, and for the purchase of motor-propelled passenger-carrying vehicles and motor boats, for official use, not to exceed $155,150: *Provided*, That no funds shall be expended for any preliminary examination, survey, project, or estimate not authorized by law, $34,057,270: *Provided further*, That no appropriation under the Corps of Engineers for the fiscal year 1936 shall be available for any expenses incident to operating any power-driven boat or vessel on other than Government business: *Provided further*, That not to exceed $3,000 of the amount herein appropriated shall be available for the support and maintenance of the Permanent International Commission of the Congresses of Navigation and for the payment of the actual expenses of the properly accredited delegates of the United States to the meeting of the congresses and of the commission.

Provisos. Unauthorized projects forbidden. Power-driven boat restriction.

Permanent International Commission of the Congresses of Navigation.

Flood control. Mississippi River and tributaries. Vol. 45, p. 534; U. S. C., p. 1488.

Flood control, Mississippi River and tributaries: For prosecuting work of flood control in accordance with the provisions of the Flood Control Act, approved May 15, 1928 (U. S. C., Supp. VII, title 33, sec. 702a), and for the purchase of motor-propelled passenger-carrying vehicles and motor boats, for official use, not to exceed $45,750, $15,000,000.

Emergency fund for flood control. Vol. 45, p. 537; Vol. 46, p. 787. U. S. C., p. 1489.

Emergency fund for flood control on tributaries of Mississippi River: For rescue work and for repair or maintenance of any flood-control work on any tributaries of the Mississippi River threatened or destroyed by flood, in accordance with section 7 of Flood Control Act, approved May 15, 1928 (U. S. C., Supp. VII, title 33, sec. 702g), $499,400.

Sacramento River, Calif.; flood control. Vol. 39, p. 949; Vol. 45, p. 539. U. S. C., p. 1491.

Flood control, Sacramento River, California: For prosecuting work of flood control in accordance with the provisions of the Flood Control Act approved March 1, 1917 (U. S. C., title 33, sec. 703), as modified by the Flood Control Act approved May 15, 1928 (U. S. C., Supp. VII, title 33, sec. 704), including not to exceed $1,500 for the purchase of motor-propelled passenger-carrying vehicles and motor boats, for official use, $577,256.

Lowell Creek, Alaska; flood control. Vol. 47, p. 802.

Flood control, Lowell Creek, Alaska: For maintenance of flood-control works in accordance with the Act approved February 14, 1933 (47 Stat., p. 802), $2,000.

UNITED STATES SOLDIERS' HOME

United States Soldiers' Home.

For maintenance and operation of the United States Soldiers' Home, to be paid from the Soldiers' Home, Permanent Fund, $799,349: *Provided*, That, effective July 1, 1935, interest earned pursuant to law on funds of the Home deposited in the Treasury of the United States shall be credited to the trust fund "Soldiers' Home, Permanent Fund", and shall not be expendable except in consequence of an appropriation made by Congress.

Maintenance, etc.

Proviso. Soldiers' Home Permanent Fund; interest account.

THE PANAMA CANAL

The Panama Canal.

The limitations on the expenditure of appropriations hereinbefore made in this Act shall not apply to the appropriations for the Panama Canal.

Limitations not applicable to appropriations for.

For every expenditure requisite for and incident to the maintenance and operation, sanitation, and civil government of the Panama Canal and Canal Zone, including the following: Compensation of all officials and employees; foreign and domestic newspapers and periodicals; law books not exceeding $1,000; textbooks and books of reference; printing and binding, including printing of annual report; rent and personal services in the District of Columbia; purchase or exchange of typewriting, adding, and other machines; purchase or exchange, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles; claims for damages to vessels passing through the locks of the Panama Canal, as authorized by the Panama Canal Act; claims for losses of or damages to property arising from the conduct of authorized business operations; claims for damages to property arising from the maintenance and operation, sanitation, and civil government of the Panama Canal; acquisition of land and land under water, as authorized in the Panama Canal Act; expenses incurred in assembling, assorting, storing, repairing, and selling material, machinery, and equipment heretofore or hereafter purchased or acquired for the construction of the Panama Canal which are unserviceable or no longer needed, to be reimbursed from the proceeds of such sales; expenses incident to conducting hearings and examining estimates for appropriations on the Isthmus; expenses incident to any emergency arising because of calamity by flood, fire, pestilence, or like character not foreseen or otherwise provided for herein; traveling expenses, when prescribed by the Governor of the Panama Canal to persons engaged in field work or traveling on official business; transportation, including insurance, of public funds and securities between the United States and the Canal Zone; and for such other expenses not in the United States as the Governor of the Panama Canal may deem necessary best to promote the maintenance and operation, sanitation, and civil government of the Panama Canal, all to be expended under the direction of the Governor of the Panama Canal and accounted for as follows:

All expenses.

Objects specified.

Printing and binding.

Claims for damages to vessels.

Emergencies.

Public funds and securities, transportation and insurance.

For maintenance and operation of the Panama Canal: Salary of the Governor, $10,000; purchase, inspection, delivery, handling, and storing of materials, supplies, and equipment for issue to all departments of the Panama Canal, the Panama Railroad, other branches of the United States Government, and for authorized sales; payment in lump sums of not exceeding the amounts authorized by the Injury Compensation Act approved September 7, 1916 (U. S. C., title 5, sec. 793), to alien cripples who are now a charge upon the Panama Canal by reason of injuries sustained while employed in the construction of the Panama Canal; for continuing the construction of the

Operation, etc.
Governor's salary.
Purchase, etc., of supplies.
Post, p. 1641.

Payment to alien cripples.
Vol. 39, p. 750.
U. S. C., p. 102.

Madden Dam. Vol. 45, p. 363.

Madden Dam across the Chagres River at Alhajuela for the storage of water for use in the maintenance and operation of the Panama Canal, together with a hydroelectric plant, roadways, and such other work as in the judgment of the Governor of the Panama Canal may be necessary, to cost in the aggregate not to exceed $15,500,000; in all, $6,900,000, together with all moneys arising from the conduct of business operations authorized by the Panama Canal Act.

Sanitation, etc.

Lepers and the insane.

Deportation expenses.

For sanitation, quarantine, hospitals, and medical aid and support of the insane and of lepers and aid and support of indigent persons legally within the Canal Zone, including expenses of their deportation when practicable, and the purchase of artificial limbs or other appliances for persons who were injured in the service of the Isthmian Canal Commission or the Panama Canal prior to September 7, 1916, and including additional compensation to any officer of the United States Public Health Service detailed with the Panama Canal as chief quarantine officer, $874,616.

Chief quarantine officer.

Civil government, expenses.

For civil government of the Panama Canal and Canal Zone, including gratuities and necessary clothing for indigent discharged prisoners, $1,022,981.

Availability.

Total, Panama Canal, $8,797,597, to be available until expended.

Credits allowed.

In addition to the foregoing sums there is appropriated for the fiscal year 1936 for expenditures and reinvestment under the several heads of appropriation aforesaid, without being covered into the Treasury of the United States, all moneys received by the Panama Canal from services rendered or materials and supplies furnished to the United States, the Panama Railroad Company, the Canal Zone government, or to their employees, respectively, or to the Panama Government, from hotel and hospital supplies and services; from rentals, wharfage, and like service; from labor, materials, and supplies and other services furnished to vessels other than those passing through the canal, and to others unable to obtain the same elsewhere; from the sale of scrap and other byproducts of manufacturing and shop operations; from the sale of obsolete and unserviceable materials, supplies, and equipment purchased or acquired for the operation, maintenance, protection, sanitation, and government of the Canal and Canal Zone; and any net profits accruing from such business to the Panama Canal shall annually be covered into the Treasury of the United States.

Water, sewers, pavements, etc.

Panama and Colon.

In addition there is appropriated for the operation, maintenance, and extension of waterworks, sewers, and pavements in the cities of Panama and Colon, during the fiscal year 1936, the necessary portions of such sums as shall be paid as water rentals or directly by the Government of Panama for such expenses.

Use of Government-owned automobiles for private purposes prohibited.

SEC. 2. No part of any money appropriated by this Act shall be used for maintaining, driving, or operating any Government-owned motor-propelled passenger-carrying vehicle assigned for the exclusive use of persons other than the Secretary of War and medical officers on out-patient medical service.

Limitation on use of funds for post exchanges.

SEC. 3. No part of any appropriation made by this Act shall be used in any way to pay any expense in connection with the conduct, operation, or management of any post exchange, branch exchange, or subexchange within any State, Territory, or the District of Columbia, save and except for real assistance and convenience to military personnel and civilians employed or serving at military posts and to retired enlisted naval personnel in supplying them with articles of ordinary use, wear, and consumption not furnished by the Government.

Approved, April 9, 1935.

[CHAPTER 55.]

AN ACT

April 10, 1935.
[S. 1068.]
[Public, No. 30.]

To establish a commission for the settlement of the special claims comprehended within the terms of the convention between the United States of America and the United Mexican States concluded April 24, 1934.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a commission to be known as the "Special Mexican Claims Commission" (hereinafter referred to as the "Commission") which shall be composed of three commissioners, learned in the law, to be appointed by the President. Such Commission shall have jurisdiction to hear and determine, as hereinafter provided, conformable to the terms of the Convention of September 10, 1923, and justice and equity, all claims against the Republic of Mexico, notices of which were filed with the Special Claims Commission, United States and Mexico, established by said Convention of September 10, 1923, in which the said Commission failed to award compensation, except such claims as may be found by the Committee provided for in the special claims Convention of April 24, 1934, to be General Claims and recognized as such by the General Claims Commission. For the purpose of this Act, claims which were brought to the attention of the American agency charged with the prosecution of claims before the aforesaid Commission, prior to the expiration of the periods specified in the convention of September 10, 1923, for the filing of claims, but which, because of error or inadvertence, were not filed with or brought to the attention of the Commission within the said periods, shall be deemed to have been filed with the Commission within such periods.

Special Mexican Claims Commission. Establishment; composition, etc. *Post*, pp. 590, 1321.

Jurisdiction.

Vol. 43, p. 1723.

Vol. 48, p. 1844.

Filing claims.

(b) The President shall designate one of such commissioners as chairman of the Commission. Not more than two of such commissioners shall be members of the same political party. Each commissioner shall be a citizen of the United States, shall hold office until the functions of the Commission are terminated, and shall receive a salary at the rate of $7,500 a year. Any vacancy that may occur in the membership of the Commission shall be filled in the same manner as in the case of an original appointment. Two members of the Commission shall constitute a quorum for the transaction of its business.

Chairman.

Commissioners; qualifications.

Salary.

Vacancies.

Quorum.

SEC. 2. The Commission shall have a secretary, and such additional legal, clerical, and technical assistants as may be approved and appointed by the Secretary of State, and at the rates of compensation fixed by him.

Secretary; assistants.

SEC. 3. (a) Before taking up his duties, each commissioner shall make and subscribe a solemn oath or declaration that he will carefully and impartially examine and decide all claims according to the best of his judgment and in accordance with the evidence and the applicable principles of justice and equity, and the terms of the said convention of September 10, 1923. All decisions by the Commission, which shall be by majority vote, shall constitute a full and final disposition of the cases decided. Such decisions shall be based upon the present records in the cases and such additional evidence and written legal contentions as may be presented within such period as may be prescribed therefor by the Commission.

Oath.

Commission's decisions.

Basis of.

(b) The Commission shall have authority, in its discretion, to make independent investigations of cases. For the purpose of all investigations which, in the opinion of the Commission, are necessary and proper for carrying out the provisions of this Act, each commissioner is empowered to administer oaths and affirmations, subpena witnesses, take evidence, and require the production of books, papers, or other documents which the commissioner or the Commission deems relevant to the inquiry.

Independent investigations permitted.

Authority conferred.

Attendance of witnesses; securing evidence.

(c) Such attendance of witnesses and the production of such documentary evidence may be required from any place in the United States at any designated place of hearing. In case of disobedience to a subpena the Commission may invoke the aid of any district or territorial court of the United States or the Supreme Court of the District of Columbia in requiring the attendance and testimony of witnesses and the production of documentary evidence, and the court within the jurisdiction of which such inquiry is carried on may, in case of contumacy or refusal to obey a subpena issued to any person, issue an order requiring such person to appear before the Commission, or to produce documentary evidence if so ordered or to give evidence touching the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

Government agencies to cooperate.

(d) For the purpose of assisting the Commission in carrying out the provisions of this Act, the heads of the various departments and independent agencies and establishments of the Government are hereby directed to cooperate with the Commission and to place at its disposal such information as the Commission may from time to time request.

Percentage reduction of awards.

SEC. 4. If, after all claims have been passed upon and all awards have been entered, the Commission shall find that the total amount of such awards is greater than the amount that the Government of Mexico has agreed to pay to the Government of the United States in satisfaction of the claims, less the expenses of the Commission, it shall reduce the awards on a percentage basis to such amount, and shall enter final awards in such reduced amounts.

Meetings of Commission.

SEC. 5. The said Commission shall perform its duties in the city of Washington, beginning within fifteen days after its appointment.

Rules of procedure, etc.

It shall, as soon as practicable, make all needful rules and regulations not contravening the laws of the United States, or the provisions of this Act, for regulating the mode of procedure by and before it and for carrying into full and complete effect the provisions of this Act; it shall also, as soon as practicable, notify all claimants of record of the establishment of the Commission and of the rules of procedure adopted by it for the adjudication of the claims, including the time allowed for the filing of additional evidence and written legal contentions.

Notice to claimants.

Duration of Commission.

SEC. 6. The Commission shall complete its work within two years from the date on which it undertakes the performance of its duties, at which time all powers, rights, and duties conferred by this Act upon the Commission shall terminate.

Expenses allowed.

SEC. 7. The Commission shall be allowed the necessary actual expenses of office rent, furniture, stationery, books, printing and binding, and other necessary incidental expenses, to be certified as necessary by the Commission and approved by the Secretary of State.

Counsel fees.

SEC. 8. The Commission shall, at the time of entering an award on any claim, allow counsel or attorneys employed by the claimant or claimants, out of the amount awarded, such fees as it shall determine to be just and reasonable for the services rendered the claimant or claimants in prosecuting such claim, which allowance shall be entered as a part of said award: *Provided, however*, That the Commission shall determine just and reasonable fees, where there is a contract or agreement for services in connection with the proceedings before the Commission and with the preparations therefor, only upon the written request of the claimant or claimants, or of the counsel or attorneys, made to the Commission within ninety days after notice of the entry of an award and notice of the provisions of this section shall have been mailed by the Commission to the claimant or claimants; and payment shall be made by the Secretary of the

Proviso. Determination of amounts.

Payments.

Treasury to the person or persons to whom such allowance shall be made in the same manner as payments are made to claimants under section 9 of this Act, which shall constitute payment in full to the counsel or attorneys for prosecuting such claim; and whenever such allowance shall be made all other liens upon, or assignments, sales, or transfers of the claim or the award thereon, whether absolute or conditional, for services rendered or to be rendered by counsel or attorneys in the preparation or presentation of any claim or part or parcel thereof, shall be absolutely null and void and of no effect.

Report of Commission.
Documents to be attached.

SEC. 9. The said Commission shall, upon the completion of its work, submit a report to the Secretary of State, attaching thereto the following documents in duplicate: (a) a statement of the expenses of the Commission; (b) a list of all claims rejected; (c) a list of all claims allowed in whole or in part, together with the amount of each claim and the amount awarded by the Commission; and (d) its decisions in writing showing the reasons for the allowance or disallowance of the respective claims. Certified copies of lists (a) and (c) shall be transmitted by the Secretary of State to the Secretary of the Treasury, who shall, after making the deduction provided for in section 11 hereof, distribute in ratable proportions, among the persons in whose favor awards shall have been made, or their assignees, heirs, executors, or administrators of record, according to the proportions which their respective awards shall bear to the whole amount then available for distribution, such moneys as may have been received into the Treasury in virtue of the convention of April 24, 1934. The Secretary of the Treasury shall follow like procedure with reference to any amounts that may thereafter be received from the Government of Mexico under the convention of April 24, 1934.

Payment of awards.

Deposit of Commission's records, etc., with Department of State.

SEC. 10. As soon as the adjudication of the claims shall have been completed, the records, books, documents, and all other papers in the possession of the Commission, or members of its staff, shall be deposited with the Department of State.

Sum authorized for expenses.
Post, pp. 590, 1321.

Personal services.

Purchases, etc., without advertising.
R. S., sec. 3709, p. 733.
U. S. C., p. 1803.

Printing and binding.

Proviso.
Expenditures a first charge on money received from Government of Mexico.

SEC. 11. For the expenses of the Commission in carrying out the duties as aforesaid, the sum of $90,000, or so much thereof as may be necessary, is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, including personal services in the District of Columbia, or elsewhere, without regard to the provisions of any statute relating to employment, rent in the District of Columbia, furniture, office supplies, and equipment, including law books and books of reference, stenographic reporting and translating services, without regard to section 3709 of the Revised Statutes; traveling expenses; printing and binding; and such other necessary expenses as may be authorized by the Secretary of State: *Provided*, That any expenditures from the amount herein authorized to be appropriated shall become a first charge upon any moneys received from the Government of Mexico in settlement of these claims, and the amount of such expenditures shall be deducted from the first payment by the Government of Mexico and deposited in the Treasury of the United States as miscellaneous receipts.

Accepting unauthorized fee, etc.

Punishment for.

SEC. 12. After a fee has been fixed under section 8, any person accepting any consideration (whether or not under a contract or agreement entered into prior or subsequent to the enactment of this Act) the aggregate value of which (when added to any consideration previously received) is in excess of the amount so fixed, for services in connection with the proceedings before the Commission, or any preparations therefor, shall, upon conviction thereof, be punished by a fine of not more than four times the aggregate value of the consideration accepted by such person therefor.

Approved, April 10, 1935.

[CHAPTER 56.]

AN ACT

April 10, 1935.
[S. 1605.]
[Public, No. 31.]

Authorizing the President to present Distinguished Flying Crosses to Air Marshal Italo Balbo and General Aldo Pellegrini, of the Royal Italian Air Force.

Air Marshal Italo Balbo and General Aldo Pellegrini.
Distinguished Flying Crosses awarded to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to present Distinguished Flying Crosses to Air Marshal Italo Balbo and General Aldo Pellegrini, of the Royal Italian Air Force, in recognition of their formation flight with twenty-four seaplanes to the United States and back to Italy, which was an event of National importance, a great aeronautical achievement, and a mark of the good will between Italy and the United States.

Approved, April 10, 1935.

[CHAPTER 57.]

AN ACT

April 11, 1935.
[S. 404.]
[Public, No. 32.]

To provide for the acquisition of land in the District of Columbia in excess of that required for public projects and improvements, and for other purposes.

District of Columbia.
Authority to acquire land, in excess of public requirements, provided for.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote the orderly and proper development of the seat of government of the United States, the Commissioners of the District of Columbia, or agencies of the United States authorized by law to acquire real estate, be, and they are hereby, authorized and empowered to acquire, in the public interest, by gift, dedication, exchange, purchase, or condemnation, fee simple title to land, or rights in or on land or easements or restrictions therein, within said District, for public uses, works, and improvements authorized by Congress, in excess of that actually needed for and essential to the

Purpose.

usefulness of such public uses, works, and improvements, in order to preserve the view, appearance, light, and air and to enhance the usefulness of such public works and improvements to prevent the use of private property adjacent to such public works and improvements in such a manner as to impair the public benefit derived from the construction thereof, or to prevent inequities or hardship to the owners of adjacent private property by depriving them of the beneficial use of their property.

Excess land; disposition authorized.

SEC. 2. The Commissioners of the District of Columbia or agencies of the United States authorized by law to acquire real estate are further authorized, upon completion of public improvements, to subdivide, and sell at public or private sale, or exchange, any such

Reservation concerning future use.

excess land, and to carry out such purpose or purposes, to convey any lands acquired in excess of that actually needed and which is not essential to the usefulness of such public works, with such reservations concerning the future use and occupation of such real estate as may in their discretion be necessary to protect such public

Deposit of receipts from sales.

improvements; and any and all moneys received from any sale or transfer of land in accordance with the provisions of this Act shall be covered into the Treasury of the United States, and where the property sold was acquired under an appropriation authorized for the use of the District of Columbia, any and all moneys received from such sale shall be deposited in the Treasury to the credit of

Provisos.
Notices of intended sales.

the revenues of the District of Columbia: *Provided*, That in the event of sale as herein authorized, notice of not less than twenty days before such sale shall be published in a daily newspaper published in the District of Columbia, and notice by registered mail before such sale be mailed to the last known address of the persons listed

on the records of the assessor of the District of Columbia as the owners of the land abutting the land to be sold and sold at not less than the fair market value at the time sold as determined by appraisement of the assessor of the District of Columbia: *Provided, however*, That whenever the authorities of the United States or the District of Columbia having jurisdiction over such acquired land, or rights or easements, shall elect to retain any or all of the same for use of the United States or the District of Columbia, the said authorities are authorized to use said land, rights, or easements for park, playground, highway, or alley purposes, or for any other lawful purpose which the said authorities shall deem advantageous or in the public interest.

Authority to use, for designated purposes.

SEC. 3. That whenever land is purchased, as provided in this Act, in excess of that needed in connection with a particular project or improvement, any and all appropriations available for the payment of the purchase price, costs, and expenses incident to such project or improvement are hereby authorized for use in the payment of the purchase price, costs, and expenses of any and all excess land purchased in connection with such project or improvement, as provided in this Act.

Funds available for purchasing, etc.

SEC. 4. That whenever excess land is condemned by the Commissioners of the District of Columbia, in accordance with the provisions of this Act, the condemnation proceedings for the acquisition of such land shall be in accordance with chapter 15, subchapter 1 of chapter 15, and/or sections 1608 to 1610, inclusive, of the Code of Laws for the District of Columbia: *Provided*, That any and all appropriations available for the payment of awards, damages, and costs in condemnation proceedings under chapter 15 of the Code of Laws for the District of Columbia are hereby authorized for use in the payment of awards, damages, and costs in any and all condemnation proceedings under said chapter 15 for the acquisition of excess land, as provided in this Act: *Provided further*, That any and all appropriations available for the payment of awards, damages, and costs in condemnation proceedings under subchapter 1 of chapter 15 and/or sections 1608 to 1610, inclusive, of the Code of Laws for the District of Columbia are hereby authorized for use in the payment of awards, damages, and costs in any and all condemnation proceedings under said subchapter 1 of chapter 15 and/or said sections 1608 to 1610, inclusive, for the acquisition of excess land, as provided in this Act: *And provided further*, That in any and all cases where such excess land is condemned, no assessments for benefits shall be levied by the jury in respect to the acquisition of said excess land.

Condemnation proceedings under District of Columbia Code. Vol. 31, p. 1265; Vol. 33, p. 733.

Provisos. Appropriations available.

Particular projects.

No assessments for benefits to be levied.

SEC. 5. That whenever excess land is condemned by agencies of the United States, other than the Commissioners of the District of Columbia, as provided in this Act, the condemnation proceedings for the acquisition of such land shall be in accordance with an Act approved March 1, 1929, as amended, or any law or laws in effect at the time of such condemnation for the acquisition of land in the District of Columbia for use of the United States: *Provided*, That any and all appropriations available for the condemnation of land under said Act approved March 1, 1929, as amended, are hereby authorized for use in the payments of awards, damages, and costs in any and all condemnation proceedings under said Act, as amended, for the acquisition of excess land, as provided in this Act.

Condemnation by Federal agencies.

Vol. 45, p. 1415. U. S. C., p. 1796.

Proviso. Payment of awards, etc.

SEC. 6. That the portion of the Act approved February 25, 1907, entitled "An Act to amend an Act entitled 'An Act to amend an Act entitled "An Act to establish a Code of Laws for the District of Columbia", regulating proceedings for condemnation of land for

Assessments for benefits when dedication of part of lot. Vol. 34, p. 930; Vol. 35, p. 582.

streets'" (34 Stat. 930; ch. 1195, sec. 491g), reading: "And where part of any lot, piece, parcel, or tract of land has been dedicated for the opening, extension, widening or straightening of the street, avenue, road, or highway, the jury, in determining whether the remainder of said lot, piece, parcel, or tract is to be assessed for benefits, and the amount of benefits, if any, to be assessed thereon, shall also take into consideration the fact of such dedication and the value of the land so dedicated" is hereby repealed.

Effect on existing laws.

SEC. 7. With the exception of section 6, none of the provisions of this Act shall be construed as repealing any provisions of existing law pertaining to the condemnation or acquisition of streets, alleys, or land, or the law or laws relating to the subdividing of lands in the District of Columbia.

Saving clause.

SEC. 8. If any provision of this Act is held invalid, the remainder of the Act shall not be affected thereby.

Approved, April 11, 1935.

[CHAPTER 58.]

AN ACT

To amend section 27 of the Merchant Marine Act, 1920.

April 11, 1935.
[S. 619.]
[Public, No. 33.]

Merchant Marine Act, 1920, amendment.
Vol. 41, p. 999; U. S. C., p. 2067.
Great Lakes railroad-car ferries.
Exemption from forfeiture of certain merchandise transported on.
Post, p. 442.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 27 of the Merchant Marine Act, 1920 (U. S. C., title 46, sec. 883), as amended, is amended by striking out the final period and inserting in lieu thereof a colon and the following: "*Provided further*, That this section shall not apply to the transportation of merchandise loaded on railroad cars or to motor vehicles with or without trailers, and with their passengers or contents when accompanied by the operator thereof, when such railroad cars or motor vehicles are transported in any railroad-car ferry operated between fixed termini on the Great Lakes as part of a rail route, if such car ferry is owned by a common carrier by water and operated as part of a rail route with the approval of the Interstate Commerce Commission, and if the stock of such common carrier by water, or its predecessor, was owned or controlled by a common carrier by rail prior to June 5, 1920, and if the stock of the common carrier owning such car ferry is, with the approval of the Interstate Commerce Commission, now owned or controlled by any common carrier by rail and if such car ferry is built in and documented under the laws of the United States."

Approved, April 11, 1935.

[CHAPTER 59.]

AN ACT

To authorize the Department of Labor to continue to make special statistical studies upon payment of the cost thereof, and for other purposes.

April 11, 1935.
[S. 857.]
[Public, No. 34.]

Department of Labor.
Special statistical studies by, continued.
Vol. 48, p. 583.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to authorize the Department of Labor to make special statistical studies upon payment of the cost thereof, and for other purposes" (Seventy-third Congress, ch. 118, 48 Stat. 582), and the authority therein conferred shall be, and hereby are, extended until April 13, 1937.

Approved, April 11, 1935.

[CHAPTER 68.]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Cairo, Illinois.

April 12, 1935.
[S. 1308.]
[Public, No. 35.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of the bridge across the Ohio River at or near Cairo, Illinois, authorized to be built by the Cairo Bridge Commission by the Act of Congress entitled "An Act creating the Cairo Bridge Commission and authorizing said Commission and its successors to construct, maintain, and operate a bridge across the Ohio River at or near Cairo, Illinois", approved April 13, 1934, are hereby extended one and three years, respectively, from April 13, 1935.

Ohio River.
Time extended for bridging, at Cairo, Ill.

Vol. 48, p. 577.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, April 12, 1935.

[CHAPTER 70.]

AN ACT

To authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

April 15, 1935.
[H. R. 5576.]
[Public, No. 36.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized to proceed with the construction of the following-named public-works projects at a cost not to exceed the amount stated after each item enumerated:

Navy, public works.
Construction of designated projects authorized.
Post, p. 598.

Navy Yard, Boston, Massachusetts: Marine Barracks, South Boston, $22,000.

Yards and stations.
Boston, Mass.

Navy Yard, Mare Island, California: Storehouse and accessories, $800,000; graving dry dock, services and auxiliary construction, $3,500,000; time-signal station building and accessories, $35,000.

Mare Island, Calif.

Navy Yard, Puget Sound, Washington: Graving dry dock, services, and auxiliary construction, $4,500,000; purchase of land for foundry extension, $10,000.

Puget Sound, Wash.

Navy Yard, Pearl Harbor, Hawaii: Floating dry dock, type B, including mooring facilities and accessories, $10,000,000; floating dry dock, type D, including mooring facilities and accessories, $750,000; power-plant building and accessories, $500,000; cold-storage plant building and accessories, $595,000; industrial shop buildings and accessories, $1,400,000; barracks and mess hall for enlisted men, $225,000; quarters for officers, $72,500; latrine buildings and accessories, $16,500.

Pearl Harbor, Hawaii.

Naval Station, Balboa, Canal Zone: Quarters for officers, $176,500; storehouse and administration buildings and accessories, $200,000.

Balboa, Canal Zone.

Naval Station, Tutuila, Samoa: Quarters for chief petty officers, $48,000.

Tutuila, Samoa.

Naval Torpedo Station, Newport, Rhode Island: Carpenter-shop building and accessories, $80,000.

Newport, R. I.

Naval Proving Ground, Dahlgren, Virginia: Purchase of land for safety zones, $22,000; quarters for officers, $100,000.

Dahlgren, Va.

Naval ammunition depot, Puget Sound, Washington: Industrial building and accessories, $100,000.

Ammunition depots, Puget Sound, Wash.

Naval ammunition depots, Balboa, and Coco Solo, Canal Zone: Ammunition storage facilities, including buildings and accessories, $2,000,000.

Balboa and Coco Solo, C. Z.

San Diego, Calif.

Naval training station, San Diego, California: Trade school and auditorium buildings and accessories, $475,000; fleet school building and accessories, $120,000.

Submarine bases. Pearl Harbor, Hawaii.

Submarine base, Pearl Harbor, Hawaii: Quarters for officers, $95,500.

Coco Solo, C. Z.

Submarine base, Coco Solo, Canal Zone: Replacement of buildings and accessories, including barracks and mess hall for enlisted men, shop buildings, storehouses, dispensary, boiler plant, quarters for officers, quarters for chief petty officers, administration building, laundry, garage, and public-works shop, $2,534,500.

Air stations. Norfolk, Va.

Naval air station, Norfolk, Virginia: Barracks and mess hall for enlisted men, $500,000.

Pensacola, Fla.

Naval air station, Pensacola, Florida: Replacement of buildings and accessories, including barracks and mess hall for enlisted men, shop buildings, quarters for officers storehouses and hangars, $3,000,000.

San Diego, Calif.

Naval air station, San Diego, California: Aviation facilities and rifle range, including buildings and accessories, San Nicolas and San Clemente Islands, $247,000.

Naval air station, San Diego, California: Galley and mess hall for enlisted men, $300,000; barracks for enlisted men, $300,000; hangars, $360,000; general storehouse building and accessories, $300,000; aircraft storehouse building and accessories, $140,000; quarters for bachelor officers, $200,000; central storehouse building, West Beach, $50,000; garage, West Beach, $20,000; equipment storehouse and accessories, $30,000; magazines, $5,000; boat-repair building and accessories, $25,000; quarters for officers, $87,000.

Fleet air bases. Pearl Harbor, Hawaii.

Fleet air base, Pearl Harbor, Hawaii: Barracks and mess hall for enlisted men, $587,500; quarters for officers, $216,000; quarters for chief petty officers, $180,000; paint and oil storehouse building and accessories, $30,000; garage and fire-station buildings and accessories, $22,000; boathouse building and accessories, $25,000.

Coco Solo, C. Z.

Fleet air base, Coco Solo, Canal Zone: Hangar, $195,000; administration building and dispensary and accessories, $145,000; quarters for chief petty officers, $180,000.

Quantico, Va.

Marine barracks, Quantico, Virginia: Quarters for officers, $1,050,000; quarters for noncommissioned officers, $891,000.

Naval radio and direction-finder stations.

Naval radio and direction-finder stations: Sandy Hook, New Jersey, radio buildings and facilities, $50,000; vicinity of Washington, District of Columbia, radio receiving station including buildings and purchase of land, $175,000; Oahu, Hawaii, radio receiving station including buildings, $165,000; Balboa, Canal Zone, quarters for operators, $90,000; Cape Mala, Panama, barracks, quarters, and compass house, $50,000; Canal Zone, radio receiving station including buildings, $105,000.

Approved, April 15, 1935.

[CHAPTER 71.]

AN ACT

April 15, 1935. [H. R. 5577.] [Public, No. 37.]

To provide for aviation cadets in the Naval Reserve and Marine Corps Reserve.

Naval Reserve and Marine Corps Reserve. Aviation cadet grade created. Appointments; regulations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the grade of aviation cadet is hereby created in the Naval Reserve and Marine Corps Reserve. Aviation cadets shall be appointed by the Secretary of the Navy from male citizens of the United States under such regulations as he may prescribe: *Provided*, That each aviation cadet shall sign an agreement, with the consent of his parent or guardian,

Provisos. Service agreement.

if he be a minor, to serve for a continuous period of four years on active duty, unless sooner released: *Provided further*, That the Secretary of the Navy is authorized to discharge at any time any aviation cadet, or to release him from active duty. Aviation cadets shall, if qualified, be eligible after completion of their period of active duty, for commission in the Naval Reserve or in the Marine Corps Reserve, with date of precedence as of date of appointment as aviation cadet.

Discharge or release.

Commission.

SEC. 2. The pay of aviation cadets while on active duty undergoing training shall be at the rate of $75 per month, which pay shall include extra pay for flying risk, as provided by law. The pay of aviation cadets while on active duty not undergoing training, shall be at the rate of $125 per month, which pay shall include extra pay for flying risk, as provided by law. The determination of the Secretary of the Navy as to the period during which aviation cadets are undergoing training shall be conclusive for all purposes. Aviation cadets shall be paid, in addition, a money allowance for subsistence of $1 per day. While traveling under orders to or from active duty, or while in the performance of such duty, they shall, under such regulations of[1] the Secretary of the Navy may prescribe, receive transportation, and other necessary expenses incident to such travel, or cash in lieu thereof: *Provided*, That when traveling by air under competent orders, they shall receive the same allowances for traveling expenses as are now or may hereafter be authorized by law for officers of the Navy.

Pay.

Determination of training periods.

Subsistence and transportation allowances.

Proviso.
Travel by air.

SEC. 3. Aviation cadets shall, while undergoing training, be issued necessary uniforms and equipment at Government expense. Upon first assignment to duty after the completion of training, aviation cadets shall, in addition, be paid a uniform allowance of $150.

Uniforms and equipment; allowance.

SEC. 4. Aviation cadets shall, except as otherwise provided in this Act, be subject to all the laws and regulations prescribed for other members of the Naval Reserve or the Marine Corps Reserve. They shall take precedence next before warrant officers of the Naval Reserve or Marine Corps Reserve: *Provided*, That when aviation cadets contract sickness or disease or suffer injury in line of duty while performing active duty, they may, in the discretion of the Secretary of the Navy, be retained on such active-duty status beyond the specified date of termination thereof.

Cadets subject to regulations, etc.

Rank.

Proviso.
Illness or injury in line of duty.

SEC. 5. During their period of active duty aviation cadets will be issued Government life insurance in the amount of $10,000, the premiums on which shall be paid out of current appropriations as provided in section 7. Upon discharge or upon completion of active duty, aviation cadets will have the option of continuing such policies at their own expense.

Life insurance, during training.

Upon discharge.

SEC. 6. Aviation cadets of the Naval Reserve and Marine Corps Reserve shall, upon release from a period of active duty of four years or more be paid a lump sum of $1,500, which sum shall be in addition to any pay and allowances which they may otherwise be entitled to receive.

Payment upon release.

SEC. 7. The pay and allowances of aviation cadets of the Naval Reserve and Marine Corps Reserve and the premiums on their life insurance shall be paid from the current appropriations "Naval Reserve" and "Pay, Marine Corps", respectively.

Appropriations available.
Post, pp. 403, 414.

Approved, April 15, 1935.

[1] So in original.

[CHAPTER 72.]

AN ACT

April 17, 1935.
[H. R. 2881.]
[Public, No. 38.]

Authorizing the adjustment of contracts for the sale of timber on the national forests, and for other purposes.

National forests. Adjustment of contracts for timber sales.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is hereby authorized, upon application of the contracting parties involved, and after due notice publicly given, when such action is necessary in his judgment to prevent hardship or unemployment, and under such rules and regulations as he may prescribe, to terminate any contract made prior to June 30, 1934, for the sale of timber on national forests, without requiring the payment of damages for failure to cut all of the timber involved, except as the value of the remaining timber may have been reduced by the cutting and removal done by the purchaser: *Provided*, That all applications for action by the Secretary under the authority of this Act shall be submitted within one year from the date of its approval.

Regulations.

Proviso. Time limitation.

Approved, April 17, 1935.

[CHAPTER 73.]

AN ACT

April 18, 1935.
[H. R. 6290.]
[Public, No. 39.]

To authorize acquisition of land to provide appropriate means of access to the post-office building at Jonesboro, Arkansas.

Jonesboro, Ark. Addition to post office site, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to acquire by purchase, condemnation, or otherwise, as an addition to the post-office site at Jonesboro, Arkansas, such portion of the fifteen-foot public alley north of the site as may be necessary to provide appropriate means of access to the loading platform of the building as extended and remodeled under authority of the Act of Congress (46 Stat. 1595) approved March 4, 1931.

Vol. 46, p. 1595.

Approved, April 18, 1935.

[CHAPTER 74.]

AN ACT

April 19, 1935.
[H. R. 6359.]
[Public, No. 40.]

To amend certain provisions relating to publicity of certain statements of income.

Revenue Act of 1934, amended.
Vol. 48, p. 698.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 55 (b) of the Revenue Act of 1934 relating to filing and making public certain income statements is amended to read as follows:

Income tax returns. Publicity and inspection of.
Post, p. 1671.

" (b) (1) All income returns filed under this title for any taxable year beginning after December 31, 1934 (or copies thereof, if so prescribed by regulations made under this subsection), shall be open to inspection by any official, body, or commission, lawfully charged with the administration of any State tax law, if the inspection is for the purpose of such administration or for the purpose of obtaining information to be furnished to local taxing authorities as provided in paragraph (2). The inspection shall be permitted only upon written request of the governor of such State, designating the representative of such official, body, or commission to make the inspection on behalf of such official, body, or commission. The inspection shall be made in such manner, and at such times and places, as shall be prescribed by regulations made by the Commissioner with the approval of the Secretary.

"(2) Any information thus secured by any official, body, or commission of any State may be used only for the administration of the tax laws of such State, except that upon written request of the governor of such State any such information may be furnished to any official, body, or commission of any political subdivision of such State, lawfully charged with the administration of the tax laws of such political subdivision, but may be furnished only for the purpose of, and may be used only for, the administration of such tax laws. Any officer, employee, or agent of any State or political subdivision, who divulges (except as authorized in this subsection, or when called upon to testify in any judicial or administrative proceeding to which the State or political subdivision, or such State or local official, body, or commission, as such, is a party) any information acquired by him through an inspection permitted him or another under this subsection shall be guilty of a misdemeanor and shall upon conviction be punished by a fine of not more than $1,000, or by imprisonment for not more than one year, or both."

Use of information secured.

Penalty provisions; unlawful disclosure.

Approved, April 19, 1935.

[CHAPTER 77.]

AN ACT

To amend an Act entitled "An Act to regulate the manner in which property shall be sold under orders and decrees of any United States courts", approved March 3, 1893, as amended.

April 24, 1935.
[S. 1572.]
[Public, No. 41.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to regulate the manner in which property shall be sold under orders and decrees of any United States courts", approved March 3, 1893 (ch. 225, 27 Stat. 751, as amended; U. S. C., title 28, secs. 847, 848, and 849), be, and it is hereby amended to read as follows:

Sale of property under court order.
Vol. 27, p. 751; Vol. 48, p. 1119.
U. S. C., p. 1314.
Post, p. 390.

"SECTION 1. All real estate or any interest in land sold under any order or decree of any United States court shall be sold at public sale at the courthouse of the county, parish, or city in which the property, or the greater part thereof, is located, or upon the premises or some parcel thereof located therein, as the court rendering such order or decree of sale may direct, said sale to be upon such terms and conditions as said court shall approve: *Provided, however*, That if said property shall be situated in more than one county, State, judicial district of the United States, or judicial circuit of the United States, whether in one or more parcels, said property shall be sold as a whole or in separate parcels at public sale at the courthouse of the county, parish, or city in which the greater part thereof is located or upon the premises or some parcel thereof as the court rendering such order or decree of sale may direct: *And provided further*, That if at the time said property is offered for sale it is in the possession of a receiver or receivers, or ancillary receiver or ancillary receivers, appointed by one or more district courts of the United States, said property wherever situated shall be sold at public sale in the district of primary jurisdiction at the courthouse of the county, parish, or city situated therein in which the greater part of said property in said district is located or on the premises or some parcel thereof located in such county, parish, or city therein as the court having primary jurisdiction by such order or decree of sale may direct, unless said court shall order the sale of the properties or one or more parcels thereof in one or more ancillary districts. The United States court having primary jurisdiction shall be deemed to be the court first appointing any such receiver.

Public sale of real property.
Requirements modified.

Provisos.
If property located in different districts.

If in possession of receiver, etc.

Private sales.

"After a hearing of which notice to all interested parties shall be given by publication or otherwise as the court may direct, the court may order and decree the sale of such real estate or interest in land or any part thereof at private sale for cash or other considerations and upon such terms and conditions as the court directing the sale may approve, if it finds that the best interests of the estate will be conserved thereby: *Provided*, That before confirmation of any private sale, the court shall appoint three disinterested persons to appraise said property or, if the court deems advisable, different groups of three appraisers each to appraise properties of different classes or situate in different localities, and no private sale shall be confirmed at a price less than two-thirds of the appraised value: *Provided further*, That before confirmation of any private sale, the terms of such sale shall first be published in such newspaper or newspapers of general circulation as the court having jurisdiction may direct at least ten days before confirmation; and such private sale shall not then be confirmed by said court where a bona fide offer has been made, under such conditions as said court may prescribe, which offer shall guarantee at least a 10 per centum increase over the offered price specified in such private sale. The provisions of this section shall apply to sales and proceedings now pending in the courts of the United States as well as those commenced hereafter. The provisions of this section shall not apply to sales and proceedings under the Bankruptcy Act.

Provisos.
Appraisal before confirmation.

Terms of sale; publication.

Not confirmed, if 10% increase offered.

Pending cases included.

Exceptions.

Personal property sales.

"SEC. 2. All personal property sold under any order or decree of any court of the United States shall be sold as provided in Section 1 of this Act, unless in the opinion of the court rendering such order or decree, it would be best to sell it in some other manner. The provisions of this section shall apply to sales and proceedings now pending in the courts of the United States as well as those commenced hereafter. The provisions of this section shall not apply to sales and proceedings under the Bankruptcy Act.

Pending cases included.

Exceptions.

Necessity of public notice.

"SEC. 3. No sale of real estate ordered pursuant to the provisions of this Act by any order, judgment, or decree of any United States court, other than a private sale, shall be had without previous publication of notices of such proposed sale being ordered and had once a week for at least four weeks prior to such sale in at least one newspaper printed, regularly issued, and having a general circulation in the county, State, judicial district of the United States, or judicial circuit of the United States where the real estate proposed to be sold is situated, if such there be. If said property shall be situated in more than one county, State, judicial district of the United States, or judicial circuit of the United States, such notice shall be published in one or more of the counties, States, judicial districts of the United States, or judicial circuits of the United States where said property is situated, as the court may direct. Said notice shall be substantially in such form and contain such description of the property by reference or otherwise as the court ordering the sale shall approve. The court may, in its discretion, direct that the publication of the notice of sale herein provided for be made in such other newspapers as may seem proper. The provisions of this section shall apply to sales and proceedings now pending in the courts of the United States as well as those commenced hereafter in said courts. The provisions of this section shall not apply to sales and proceedings under the Bankruptcy Act."

If property in different districts.

Pending cases included.

Exceptions.

Approved, April 24, 1935.

[CHAPTER 78.]

JOINT RESOLUTION

April 24, 1935.
[S. J. Res. 93.]
[Pub. Res., No. 13.]

To extend the time within which contracts may be modified or canceled under the provisions of section 5 of the Independent Offices Appropriation Act, 1934.

Transportation contracts.
Time in which contracts may be modified, etc., extended.
Vol. 48, p. 305.
Post, p. 991.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Independent Offices Appropriation Act, 1934, is amended by striking out "April 30, 1935" and inserting in lieu thereof "October 31, 1935".

Approved, April 24, 1935.

[CHAPTER 79.]

JOINT RESOLUTION

April 24, 1935.
[S. J. Res. 97.]
[Pub. Res., No. 14.]

Authorizing the appropriation of funds for the maintenance of public order and the protection of life and property during the convention of the Imperial Council of the Mystic Shrine in the District of Columbia June 8, 1935, to June 17, 1935, both inclusive.

District of Columbia.
Mystic Shrine Convention, 1935.
Sum authorized to maintain order, etc.
Post, p. 217.
Ante, p. 34.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of $50,000, or so much thereof as may be necessary, is hereby authorized to be appropriated, payable wholly from the revenues of the District of Columbia, to enable the Commissioners of the District of Columbia to maintain public order and protect life and property in the District of Columbia from the 8th day of June 1935 to the 17th day of June 1935, both inclusive, including the employment of personal services, the payment of allowances, traveling expenses, hire of means of transportation, and other incidental expenses in the discretion of the said Commissioners. There is hereby further authorized to be appropriated the sum of $4,000, or so much thereof as may be necessary, payable as aforesaid, for the construction, rent maintenance, and for incidental expenses in connection with the operation of temporary public-convenience stations, first-aid stations, and information booths, including the employment of personal services in connection therewith during such period.

Additional, for public convenience, etc., stations.

Approved, April 24, 1935.

[CHAPTER 81.]

AN ACT

April 25, 1935.
[S. 93.]
[Public, No. 42.]

To authorize certain officers of the Navy and Marine Corps to administer oaths.

Navy and Marine Corps.
Certain officers authorized to administer oaths, beyond continental limits.
U. S. C., p. 1591.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in places beyond the continental limits of the United States where the Navy or Marine Corps is serving, such officers of the Navy or Marine Corps as are authorized to administer oaths for the purposes of the administration of naval justice and for other purposes of naval administration shall have the general powers of a notary public or of a consul of the United States in the administration of oaths, the execution and acknowledgment of legal instruments, the attestation of documents, and the performance of all other notarial acts.

Approved, April 25, 1935.

[CHAPTER 82.]

AN ACT

April 25, 1935.
[S. 1208.]
[Public, No. 43.]

Authorizing personnel of the naval service to whom a commemorative or special medal has been awarded to wear in lieu thereof a miniature facsimile of such medal and a ribbon symbolic of the award.

Naval service. Personnel may wear facsimile in lieu of awarded medal.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That authority is hereby granted to personnel of the Navy and Marine Corps to wear in lieu of commemorative or special medals awarded to them a miniature facsimile of such medal and a ribbon symbolic of the award thereof under such regulations as the Secretary of the Navy may prescribe.

Approved, April 25, 1935.

[CHAPTER 83.]

AN ACT

April 25, 1935.
[S. 1210.]
[Public, No. 44.]

Authorizing certain officials under the Naval Establishment to administer oaths.

Naval Establishment. Certain officials of, authorized to administer oaths.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chief clerks and inspectors attached to the office of inspectors of naval material, chief clerks attached to field services under the Naval Establishment and to navy yards, naval stations, and Marine Corps posts and stations, and such other clerks and employees attached to offices of inspectors of naval material, field services, naval stations, navy yards, and Marine Corps posts and stations, as may be designated by the Secretary of the Navy, are authorized to administer any oath required or authorized by any law of the United States, or regulation promulgated thereunder, relating to any claim against or application to the United States of officers and employees under the Naval Establishment; said persons so authorized to administer the aforesaid oaths are also authorized to administer oaths of office to officers and employees under the Naval Establishment, but no compensation or fee shall be demanded or accepted for administering any such oath or oaths.

No fee therefor.

Approved, April 25, 1935.

[CHAPTER 84.]

AN ACT

April 25, 1935.
[S. 2197.]
[Public, No. 45.]

To permit construction, maintenance, and use of certain pipe lines for petroleum and petroleum products in the District of Columbia.

District of Columbia. Smoot Sand and Gravel Corporation may construct, etc., pipe lines at designated points.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia are hereby authorized and empowered to grant permission to the Smoot Sand and Gravel Corporation, a corporation organized and existing under the laws of the State of Delaware, the owner of squares 705, 707, and east of 708, and part of square 708, in the District of Columbia, its successors and assigns, to lay down, construct, maintain, and use pipe lines for the carriage of petroleum and petroleum products from any point or points within any such square or such part of square, in and through Half Street, First Street, P Street, Q Street, R Street, Potomac Avenue, reservation 246 and reservation 247, to any point or points within any such square or such part of square, or to the pierhead line of the Anacostia River.

Supervision of construction, etc.

SEC. 2. All the construction and use provided for herein shall be under such regulations and rentals as the Commissioners of the District of Columbia may make and establish in connection therewith, and all plans and specifications for such construction shall be subject

to their approval. The Commissioners of the District of Columbia shall have full authority to designate the location and to cause such repairs or relocation of said pipe lines as the public necessity may require, any such repairs or relocation to be at the expense of the Smoot Sand and Gravel Corporation, its successors, or assigns.

SEC. 3. No permission granted or enjoyed hereunder shall vest any right, title, or interest in or to the land within the streets or reservations referred to in section 1. No property rights to vest.

SEC. 4. The right to alter, amend, or repeal this Act is hereby expressly reserved. Amendment, etc.

Approved, April 25, 1935.

[CHAPTER 85.]

AN ACT

April 27, 1935.
[H. R. 7054.]
[Public, No. 46.]

To provide for the protection of land resources against soil erosion, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby recognized that the wastage of soil and moisture resources on farm, grazing, and forest lands of the Nation, resulting from soil erosion, is a menace to the national welfare and that it is hereby declared to be the policy of Congress to provide permanently for the control and prevention of soil erosion and thereby to preserve natural resources, control floods, prevent impairment of reservoirs, and maintain the navigability of rivers and harbors, protect public health, public lands and relieve unemployment, and the Secretary of Agriculture, from now on, shall coordinate and direct all activities with relation to soil erosion and in order to effectuate this policy is hereby authorized, from time to time— Protection of land resources against soil erosion. *Post*, p. 1148.

(1) To conduct surveys, investigations, and research relating to the character of soil erosion and the preventive measures needed, to publish the results of any such surveys, investigations, or research, to disseminate information concerning such methods, and to conduct demonstrational projects in areas subject to erosion by wind or water; Surveys and investigations to be conducted.

(2) To carry out preventive measures, including, but not limited to, engineering operations, methods of cultivation, the growing of vegetation, and changes in use of land; Types of preventive measures to be employed.

(3) To cooperate or enter into agreements with, or to furnish financial or other aid to, any agency, governmental or otherwise, or any person, subject to such conditions as he may deem necessary, for the purposes of this Act; and Agreements, aid, etc., for control purposes.

(4) To acquire lands, or rights or interests therein, by purchase, gift, condemnation, or otherwise, whenever necessary for the purposes of this Act. Acquisition of lands, rights, etc., when necessary.

SEC. 2. The acts authorized in section 1 (1) and (2) may be performed—

(a) On lands owned or controlled by the United States or any of its agencies, with the cooperation of the agency having jurisdiction thereof; and Protective measures on Government-owned, etc., lands.

(b) On any other lands, upon obtaining proper consent or the necessary rights or interests in such lands. Other lands.

SEC. 3. As a condition to the extending of any benefits under this Act to any lands not owned or controlled by the United States or any of its agencies, the Secretary of Agriculture may, insofar as he may deem necessary for the purposes of this Act, require— Conditions to extending benefits.

(1) The enactment and reasonable safeguards for the enforcement of State and local laws imposing suitable permanent restrictions on Local restrictions for preventing erosion.

the use of such lands and otherwise providing for the prevention of soil erosion;

Agreements, etc., as to permanent use of lands.

(2) Agreements or covenants as to the permanent use of such lands; and

Contributions to operations.

(3) Contributions in money, services, materials, or otherwise, to any operations conferring such benefits.

SEC. 4. For the purposes of this Act, the Secretary of Agriculture may—

Cooperation of Governmental agencies.

(1) Secure the cooperation of any governmental agency;

Officers and employees.

Subject to civil service and classification laws; exception.
U. S. C., p. 85.

(2) Subject to the provisions of the civil-service laws and the Classification Act of 1923, as amended, appoint and fix the compensation of such officers and employees as he may deem necessary, except for a period not to exceed eight months from the date of this enactment, the Secretary of Agriculture may make appointments and may continue employees of the organization heretofore established for the purpose of administering those provisions of the National Industrial Recovery Act which relate to the prevention of soil erosion, without regard to the civil-service laws or regulations and the Classification Act, as amended; and any persons with technical or practical knowledge may be employed and compensated under this Act on a basis to be determined by the Civil Service Commission; and

Technical services.

Other expenses.

(3) Make expenditures for personal services and rent in the District of Columbia and elsewhere, for the purchase of law books and books of reference, for printing and binding, for the purchase, operation, and maintenance of passenger-carrying vehicles, and perform such acts, and prescribe such regulations, as he may deem proper to carry out the provisions of this Act.

Soil Conservation Service, established.
Post, p. 1601.
Powers conferred.
Vol. 48, pp. 201, 202.

SEC. 5. The Secretary of Agriculture shall establish an agency to be known as the "Soil Conservation Service", to exercise the powers conferred on him by this Act and may utilize the organization heretofore established for the purpose of administering those provisions of sections 202 and 203 of the National Industrial Recovery Act which relate to the prevention of soil erosion, together with such personnel thereof as the Secretary of Agriculture may determine, and all unexpended balances of funds heretofore allotted to said organization shall be available until June 30, 1937, and the Secretary of Agriculture shall assume all obligations incurred by said organization prior to transfer to the Department of Agriculture. Funds provided in H. J. Res. 117, "An Act making appropriation for relief purposes" (for soil erosion) shall be available for expenditure under the provisions of this Act; and in order that there may be proper coordination of erosion-control activities the Secretary of Agriculture may transfer to the agency created under this Act such functions, funds, personnel, and property of other agencies in the Department of Agriculture as he may from time to time determine.

Personal services.

Funds available.

Ante, p. 115.

Transfer of functions, etc.

Appropriation authorized.
Post, pp. 1115, 1454.

SEC. 6. There are hereby authorized to be appropriated for the purposes of this Act such sums as Congress may from time to time determine to be necessary.

Approved, April 27, 1935.

[CHAPTER 86.]

April 29, 1935.
[S. 1610.]
[Public, No. 47.]

AN ACT

Authorizing the Secretary of the Navy to accept on behalf of the United States a certain strip of land from the State of South Carolina.

Parris Island, S. C.
Vol. 44, p. 1095.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act entitled "An Act authorizing the Secretary of the Navy to accept on behalf of the United States title in fee simple to a

certain strip of land and the construction of a bridge across Archers Creek in South Carolina", approved February 14, 1927, is amended to read as follows:

Acceptance of certain strip of land for road authorized.

"That the Secretary of the Navy is hereby authorized to accept on behalf of the United States, free from encumbrances and without cost to the United States, for military purposes, the title to the following-described parcel of land, to be used for a road from Jericho Point to the Marine Corps Reservation on Parris Island, South Carolina: Starting at a point on the north bank of Archers Creek, north sixty-four degrees, twenty-nine minutes west, six thousand five hundred and sixty-three feet from monument numbered 31 at the marine barracks, Parris Island, South Carolina, thence north, thirteen degrees, forty minutes west, four thousand six hundred and five feet to a point at the mean high-water line near Jericho Point; thence north, eighty-seven degrees, thirty-nine minutes east, two hundred and four feet to a point also at the mean high-water line near Jericho Point; thence south, thirteen degrees and forty minutes east, four thousand five hundred and sixty-five feet to a point on the north bank of Archers Creek; thence south seventy-six degrees and twenty minutes west, two hundred feet to the point of beginning: *Provided, however*, That the acceptance of such tract of land by the Secretary is made upon the express condition and limitation that such tract shall be used only for military purposes, and when it shall cease to be actually used for military purposes the title and right of possession shall immediately revert to the State of South Carolina without notice, demand, or action brought."

Description.

Use restricted.

Reversionary provision.

Approved, April 29, 1935.

[CHAPTER 88.]

AN ACT

May 2, 1935.
[H. R. 6457.]
[Public, No. 48.]

To authorize the coinage of 50-cent pieces in commemoration of the one hundred and fiftieth anniversary of the founding of the city of Hudson, New York, and of the three hundredth anniversary of the founding of the city of Providence, Rhode Island, respectively.

Hudson, N. Y., and Providence, R. I.
Coinage to commemorate founding anniversaries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in commemoration of the one hundred and fiftieth anniversary of the founding of the city of Hudson, New York, there shall be coined by the Director of the Mint ten thousand silver 50-cent pieces, and in commemoration of the three hundredth anniversary of the founding of the city of Providence, Rhode Island, there shall be coined by the Director of the Mint, fifty thousand silver 50-cent pieces, in each case such coins to be of standard size, weight, and fineness of a special appropriate design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the models for master dies or other preparations for this coinage.

Numbers.

No Government expense for dies, etc.

Issue.

SEC. 2. Coins commemorating the founding of the city of Hudson, New York, shall be issued at par, and only upon the request of the committee, person, or persons duly authorized by the mayor of the city of Hudson, New York, and the coins commemorating the founding of the city of Providence, Rhode Island, shall be issued at par and only upon the request of the Providence Tercentenary Committee.

Disposal.

SEC. 3. Such coins may be disposed of at par or at a premium by the committee, person, or persons duly authorized in section 2, and all proceeds shall be used in furtherance of the commemoration of the founding of the cities of Hudson, New York, and Providence, Rhode Island, respectively.

Coinage laws applicable.

SEC. 4. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same; regulating and guarding the process of coinage; providing for the purchase of material, and for the transportation, distribution, and redemption of the coins; for the prevention of debasement or counterfeiting; for the security of the coin; or for any other purposes, whether said laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein directed.

Supervision of distribution, payment, etc.

SEC. 5. The coins authorized herein shall be issued in such numbers, and at such times as they may be requested by the committee, person or persons duly authorized by said mayor of Hudson, New York, in the case of coins issued in commemoration of the founding of that city, and by the Providence Tercentenary Committee in the case of coins commemorating the founding of the city of Providence, Rhode Island, and in each case only upon payment to the United States of the face value of such coins.

Approved, May 2, 1935.

[CHAPTER 89.]

May 3, 1935.
[S. 408.]
[Public, No. 49.]

AN ACT

To promote safety on the public highways of the District of Columbia by providing for the financial responsibility of owners and operators of motor vehicles for damages caused by motor vehicles on the public highways in the District of Columbia; to prescribe penalties for the violation of the provisions of this Act, and for other purposes.

District of Columbia. Financial responsibility of motor vehicle operators.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall in no respect be considered as a repeal of any of the provisions of the Traffic Acts for the District of Columbia but shall be construed as supplemental thereto.

Suspension of operator's permit and registration certificates; causes.

SEC. 2. The motor-vehicle operator's permit and all of the registration certificates of any person who shall by a final order or judgment have been convicted of or shall have forfeited any bond or collateral given for a violation of any of the following provisions of law, to wit—

Driving while intoxicated.
Vol. 43, p. 1124.

Driving while under the influence of intoxicating liquor or narcotic drugs, as provided in section 10 of the Act of Congress approved March 3, 1925, as amended, and commonly known as the Traffic Acts;

Leaving scene of accident.

Leaving the scene of an automobile accident in which personal injury occurs without making identity known, as provided in section 10 of said Traffic Acts;

Convictions of similar offenses in other States.

A conviction of an offense in any other State, which if committed in the District of Columbia would be a violation of any of the aforesaid provisions of the Traffic Acts of the District of Columbia;

Renewal of permit, etc.

shall be suspended by the Commissioners of the District of Columbia or their designated agent and shall remain so suspended and shall not at any time thereafter be renewed, nor shall any other motor vehicle be thereafter registered in his name until he shall give proof of his ability to respond thereafter in damages resulting from the ownership or operation of a motor vehicle and arising by reason of personal injury to or death of any one person of at least $5,000, and, subject to the aforesaid limit for each person injured or killed, of at least $10,000 for such injury to or the death of two or more persons in any one accident, and for damage to property of at least $1,000 resulting from any one accident. Such proof in said amounts shall be furnished for each motor vehicle owned or registered by such person. If any such person shall fail to furnish said proof, his operator's permit and registration certificates shall remain suspended and shall not at any time thereafter be renewed, nor shall any other

motor vehicle be thereafter registered in his name until such time as said proof be given. If such person shall not be a resident of the District of Columbia the privilege of operating any motor vehicle in the District of Columbia and the privilege of operation within the District of Columbia of any motor vehicle owned by him shall be withdrawn until he shall have furnished such proof: *Provided*, That in case of both residents and nonresidents, however, if it shall be duly established to the satisfaction of the said Commissioners or their designated agent, and the said Commissioners or their designated agent shall so find (a) that any such person so convicted, or who shall have pled guilty or forfeited bond or collateral, was, upon the occasion of the violation upon which such conviction, plea, or forfeiture was based, a chauffeur or motor-vehicle operator, however designated, in the employ of the owner of such motor vehicle; or a member of the same family and household of the owner of such motor vehicle, and (b) that there was not, at the time of such violation, or subsequent thereto, up to the date of such finding, any motor vehicle registered in the District of Columbia in the name of such person convicted, entering a plea of guilty or forfeiting bond or collateral, as aforesaid, then in such event, if the person in whose name such motor vehicle is registered shall give proof of ability to respond in damages, in accordance with the provisions of this Act (and the said Commissioners or their designated agent shall accept such proof from such person), such chauffeur or other person, as aforesaid, shall thereupon be relieved of the necessity of giving such proof in his own behalf. It shall be the duty of the clerk of the court in which any such judgment or order is rendered or other action taken to forward immediately to the said Commissioners or their designated agent a certified copy or transcript thereof, which said certified copy or transcript shall be prima facie evidence of the facts therein stated.

Nonresident operators.

Proviso.
If person convicted be an employee of car owner.

Or member of family or household.

Copy of court order to Commissioners, etc.

SEC. 3. The operator's permit and all of the registration certificates of any person, in the event of his failure to satisfy every judgment arising from an accident, or accidents, happening subsequently to the effective date of this Act and which shall have become final by expiration, without appeal, of the time within which appeal might have been perfected or by final affirmance on appeal, rendered against him by a court of competent jurisdiction in the District of Columbia or any State, or in a district court of the United States, for damages on account of personal injury, or damages to property in excess of $100, resulting from the ownership or operation of a motor vehicle by him, his agent, or any other person with the express or implied consent of the owner, shall be forthwith suspended by the said Commissioners or their designated agent upon receiving a certified copy of such final judgment or judgments from the court in which the same is or are rendered showing such judgment or judgments to have been still unsatisfied more than thirty days after the same became final, and shall remain so suspended and shall not be renewed, nor shall any other motor vehicle be thereafter registered in his name while any such judgment remains unstayed, unsatisfied, and subsisting, nor until every such judgment is satisfied or discharged, except by a discharge in bankruptcy, and until the said person gives proof of his ability to respond in damages, as required in section 4 of this Act, for future accidents. It shall be the duty of the clerk of the court in which any such judgment is rendered to forward immediately upon the expiration of said thirty days to the said Commissioners or their designated agent a certified copy of such judgment or a transcript thereof. In the event the defendant is a nonresident, it shall be the duty of the said Commissioners or their

Suspension of permit, etc.; unsatisfied final judgment.

Renewal restricted.

Certified copy of judgment to Commissioners.

Action against a nonresident.

designated agent to transmit to the Commissioner of motor vehicles (or officer in charge of the issuance of operators' permits and registration certificates) of the State of which the defendant is a resident a certified copy of the said judgment. If after such proof has been given any other such judgment shall be recovered against such person for any accident occurring before such proof was furnished, and after the effective date of this Act such permit and certificates shall again be and remain suspended while any such judgment remains unsatisfied and subsisting: *Provided, however*, That (1) when $5,000 has been credited upon any judgment or judgments rendered in excess of that amount for personal injury to or the death of one person as the result of any one accident; (2) when, subject to the limit of $5,000 for each person, the sum of $10,000 has been credited upon any judgments rendered in excess of that amount for personal injury to or the death of more than one person as the result of any one accident; or (3) when $1,000 has been credited upon any judgment or judgments rendered in excess of that amount for damage to property as the result of any one accident resulting from the ownership or operation of a motor vehicle by such judgment debtor his agent, or any other person, with his express or implied consent, then and in such event such payment or payments shall be deemed a satisfaction of such judgment or judgments for the purposes of this section only: *And provided further*, That a judgment debtor to whom this section applies may, for the sole purpose of giving authority to the Commissioners or their designated agent to authorize the judgment debtor to operate a motor vehicle thereafter, on due notice to the judgment creditor, apply to the court in which the trial judgment was obtained for the privilege of paying such judgment in installments, and the court, in its discretion and without prejudice to any other legal remedies which the judgment creditor may have, may so order, fixing the amounts and times of payment of the installments. While the judgment debtor is not in default in payment of such installments, the Commissioners or their designated agent upon his giving proof of ability to respond in damages for future accidents, as herein provided, may, in their discretion, restore or refrain from suspending his operator's permit and registration certificate or certificates; but such permit and certificate or certificates shall be suspended as hereinbefore provided if and when the Commissioners or their designated agent are satisfied that the judgment debtor has failed to comply with the terms of the court order.

Provisos.
Payments in satisfaction of judgments.

Installment payments permitted.

Discretionary restoration of permit, etc.

Owner's liability.

Whenever any motor vehicle, after the passage of this Act, shall be operated upon the public highways of the District of Columbia by any person other than the owner, with the consent of the owner, express or implied, the operator thereof shall, in case of accident, be deemed to be the agent of the owner of such motor vehicle, and the proof of the ownership of said motor vehicle shall be prima facie evidence that such person operated said motor vehicle with the consent of the owner.

Provisions respecting nonresident owners or operators.

If any such motor-vehicle owner or operator shall not be a resident of the District of Columbia, the privilege of operating any motor vehicle in the District of Columbia and the privilege of operation within the District of Columbia of any motor vehicle owned by him shall be withdrawn, while any final judgment procured against him for damages, including personal injury or death caused by the operation of any motor vehicle, in the District of Columbia or elsewhere, shall be unstayed, unsatisfied, and subsisting, for more than thirty days, and until he shall have given proof of his ability to respond in damages for future accidents as required in section 4 of this Act.

Service of process, etc.

The operation by a nonresident or by his agent of a motor vehicle on any public highway of the District of Columbia shall be deemed equivalent to an appointment by such nonresident of the director of vehicles and traffic or his successor in office to be his true and lawful attorney upon whom may be served all lawful processes in any action or proceedings against such nonresident growing out of any accident or collision in which said nonresident or his agent may be involved while operating a motor vehicle on any such public highway, and said operation shall be a signification of his agreement that any such process against him, which is so served, shall be of the same legal force and validity as if served upon him personally in the District of Columbia. Service of such process shall be made by leaving a copy of the process with a fee of $2 in the hands of the director of vehicles and traffic or in his office, and such service shall be sufficient service upon the said nonresident: *Provided*, That the plaintiff in such action shall first file in the court in which said action is commenced an undertaking in form and amount, and with one or more sureties, approved by said court, to reimburse the defendant, on the failure of the plaintiff to prevail in the action, for the expenses necessarily incurred by the defendant, including a reasonable attorney's fee in an amount to be fixed by the said court, in defending the action in the District of Columbia: *And provided further*, That notice of such service and a copy of the process are forthwith sent by registered mail by the plaintiff, or his attorney, to the defendant, and the defendant's return receipt appended to the writ and entered with the declaration, or such notice of such service and a copy of the process may be served upon the defendant in the manner provided by section 105 of the Code of Laws for the District of Columbia. The court in which the action is pending may order such continuances as may be necessary to afford the defendant a reasonable opportunity to defend the action, and no judgment by default in any such action shall be granted until at least twenty days shall have elapsed after service upon the defendant, as hereinabove provided, of a copy of the process and notice of service of said process upon the director of vehicles and traffic.

Method, fee, etc.

Provisos.
Form, etc., of undertaking; expenses.

Plaintiff to serve notice, etc., by registered mail.

Continuances.

Proof of ability to respond in damages.

SEC. 4. Proof of ability to respond in damages when required by this Act may be evidenced by the written certificate or certificates of any insurance carrier, duly authorized to do business within the District of Columbia, or in the case of a nonresident by an insurance carrier authorized to transact business in any of the several States, that it has issued to or for the benefit of the person named therein a motor-vehicle liability policy or policies as defined in this Act which, at the date of said certificate or certificates, is in full force and effect and designating therein by explicit description or by other appropriate reference all motor vehicles with respect to which coverage is granted by the policy certified to. The said Commissioners or their designated agent shall not accept any certificate or certificates unless the same shall cover all motor vehicles registered in the name of the person furnishing such proof. Additional certificates as aforesaid shall be required as a condition precedent to the registration of any additional motor vehicle or motor vehicles in the name of such person required to furnish proof as aforesaid. Said certificate or certificates shall certify that the motor-vehicle liability policy or policies therein cited shall not be canceled except upon ten days' prior written notice thereof to the said Commissioners or their designated agent.

Insurance certificates.

Bonds.

Such proof may be the bond of a surety company duly authorized to do business within the District of Columbia or a bond with at least two individual sureties, each owning unencumbered real estate in the District of Columbia, approved by a judge of a court of

record, and filed with the said Commissioners or their designated agent, which said bond shall be conditioned for the payment of the amounts specified in section 2 hereof and shall not be cancelable except after ten days' written notice to the said Commissioners or their designated agent. Such bond in the case where individual sureties are offered shall contain a schedule of the real estate of said sureties and shall constitute a lien in favor of the District of Columbia upon said real estate, which lien shall exist in favor of any holder of any final judgment thereafter rendered on account of damage to property over $100 in amount or injury to any person or persons caused by the operation of such person's motor vehicle. Said bond shall be recorded by the principal named therein among the land records of the District of Columbia before the same is filed with the Commissioners or their designated agent. If a final judgment rendered after the filing of the bond as aforesaid against the principal named in the surety or real-estate bond for damages sustained to person or property while said bond remains in force or effect shall not be satisfied within thirty days after its rendition, the judgment creditor may, for his own use and benefit and at his sole expense, bring an action in the name of the District of Columbia against the company or persons executing such bond.

Conditions prescribed.

Deposit with the Court.

Such proof of ability to respond in damages may also be evidence presented to the said Commissioners or their designated agent of a deposit by such person with the clerk of the Supreme Court of the District of Columbia of a sum of money, the amount of which money shall be $11,000. The said clerk shall accept such deposit and issue a receipt therefor. But the said clerk shall not accept a deposit of money where any judgment or judgments, therefore recovered against such person as a result of damages arising from the operation of any motor vehicle, shall not have been paid in full. Such money shall be held by the said clerk to satisfy, in accordance with the provisions of this Act, any execution issued against such person in any suit arising out of damage caused by the operation of any motor vehicle owned or operated by such person. Money so deposited shall not be subject to attachment or execution unless such attachment or execution shall arise out of a suit for damages, including injury to property, and personal injury or death, as a result of the operation of a motor vehicle.

Provisions governing.

Notice of cancelation, etc., of liability policy to be given Commissioners.

SEC. 5. The said Commissioners or their designated agent shall be notified of the cancelation or expiration of any motor-vehicle liability policy of insurance certified under the provisions of this Act or of any surety or real estate bond at least ten days before the effective date of such cancelation or expiration. In the absence of such notice of cancelation or expiration said policy of insurance shall remain in full force and effect. Upon receipt of such notice of cancelation or expiration the said Commissioners or their designated agent shall require other evidence of ability to respond in damages, and upon failure to furnish the same before the effective date of such cancelation or expiration, the operator's permit and all of the registration certificates of the person failing to comply herewith shall be suspended by the Commissioners or their designated agent and shall remain so suspended until such other evidence of ability to respond in damages shall have been given.

New evidence of ability to respond in damages required.

Penalty for failure.

Furnishing information.

SEC. 6. The director of vehicles and traffic shall, upon request, furnish any insurer, person, or surety a certified abstract of the operating record of any person subject to the provisions of this Act, which abstract shall fully designate the motor vehicles, if any, registered in the name of such person, and if there shall be no record

of any conviction of such person of a violation of any provision of any statute or regulation relating to the operation of a motor vehicle or of any injury or damage caused by such person as herein provided the said director shall so certify. The said director shall collect for each such certificate the sum of $1.

Data to injured persons.

SEC. 7. The director of vehicles and traffic shall furnish any person who may have been injured in person or property by any motor vehicle, upon written request, with all information of record in his office pertaining to the evidence of the ability of any operator or owner of any motor vehicle to respond in damages.

Surrender of operator's permit, etc.

SEC. 8. Any operator or any owner whose operator's permit or certificate of registration shall have been suspended as herein provided, shall immediately return to the director of vehicles and traffic his operator's permit, certificate of registration, and the number plates issued thereunder. If any person shall fail to return to the said director the operator's permit, certificate of registration, and the number plates issued thereunder as provided herein, the said director shall forthwith direct any member of the Metropolitan Police of the District of Columbia to secure possession thereof and to return the same to the office of the said director. Any person failing to return on demand such operator's permit or such certificate and number plates shall be guilty of a misdemeanor and shall be fined not more than $100, and each day such person shall fail to return the same shall constitute a separate offense.

Penalty provisions.

Bond, etc., may be canceled or money returned after 3 years if operator not guilty of traffic violation, etc.

SEC. 9. The said Commissioners or their designated agent may cancel such bond or return such evidence of insurance, or the clerk of the Supreme Court of the District of Columbia may, with the consent of the said Commissioners or their designated agent, return such money to the person furnishing the same, provided three years shall have elapsed since the filing of such evidence or the making of such deposit, during which period such person shall not have violated any provision of the Traffic Acts referred to in section 2, and provided no suit or judgment for damages on account of personal injury or damage to property in excess of $100 resulting from the operation of a motor vehicle by him or his agent shall then be outstanding against such person; and the affidavit of such person that he has not so violated the motor vehicle laws and that there are then outstanding against him no suits or judgments for damages as aforesaid, shall be sufficient proof thereof in the absence of evidence to the contrary then before the Commissioners or their designated agent. The said Commissioners or their designated agent may direct the return of any money to the person who furnished the same upon the acceptance and substitution of other evidence of his ability to respond in damages or, at any time after three years from the expiration of the latest registration or permit issued to such person, provided no written notice shall have been filed with the director stating that such suit had been brought against such person by reason of the ownership, maintenance, or operation of a motor vehicle and upon the filing by such person with the said Commissioners or their designated agent of an affidavit that he has abandoned his residence in the District of Columbia or that he has made bona fide sale of any and all motor vehicles owned by him and does not intend to own or operate any motor vehicle in the District of Columbia for a period of one or more years.

Ante, p. 166.

No outstanding suits, etc.

Filing affidavit of abandoning residence in the District.

Exemption.

SEC. 10. Any person who by any other law of the District of Columbia is required to make provision for the payment of loss occasioned by injury to or death of persons or damage to property shall, to the extent of such provision so made and not otherwise, be exempt from this Act.

Forging evidence of ability to respond in damages.

SEC. 11. Any person who shall forge or, without authority, sign any evidence of ability to respond in damages as required by the said Commissioners or their designated agent in the administration of this Act shall be fined not less than $100 nor more than $1,000 or imprisoned not to exceed one year, or both.

"Motor-vehicle liability policy", defined.

SEC. 12. "Motor-vehicle liability policy", as used in this Act, shall be taken to mean a policy of liability insurance issued to the person therein named as insured by an insurance carrier authorized to transact business in the District of Columbia, or in the case of a nonresident, by an insurance carrier authorized to transact business in any

Contents.

of the several States, which policy shall designate, by explicit description or by appropriate reference, all motor vehicles with respect to which coverage is intended to be granted by said policy, and shall insure the insured named therein and any other person using or responsible for the use of any such motor vehicle with the consent, express or implied, of such insured, against loss from the liability imposed upon such insured by law or upon such other person for injury to or death of any person, other than such person or persons as may be covered, as respects such injury or death by any workmen's compensation law, or damage to property except property of others in charge of the insured or the insured's employees growing out of the maintenance, use, or operation of any such motor vehicle in the United States of America; or which policy shall, in the alternative, insure the person therein named as insured against loss from the liability imposed by law upon such insured for injury to or death of any person, other than such person or persons as may be covered as respects such injury or death by any workmen's compensation law, or damage to property, except property of others in charge of the insured or the insured's employees, growing out of the operation or use by such insured of any motor vehicle, except a motor vehicle registered in the name of such insured, and occurring while such insured is personally in control, as driver or occupant, of such motor vehicle within the United States of America, to the amount or limit of $5,000, exclusive of interest and costs, on account of injury to or

Personal injury or death.

death of any one person, and, subject to the same limit as respects injury to or death of one person, of $10,000, exclusive of interest and costs, on account of any one accident resulting in injury to or death

Property damages.

of more than one person; and of $1,000 for damage to property of others, as herein provided, resulting from any one accident; or a binder pending the issuance of any such policy, or an indorsement to

Provisos.
Excess coverage allowed.

an existing policy as hereinafter provided: *Provided*, That this section shall not be construed as preventing such insurance carrier from granting any lawful coverage in excess of or in addition to the coverage herein provided for, nor from embodying in such policy any agreements, provisions, or stipulations not contrary to the provisions

Term construed.

of this Act and not otherwise contrary to law: *Provided, however*, That separate concurrent policies covering, respectively, (a) personal injury or death, as aforesaid, and (b) property damage, as aforesaid, shall be considered a motor-vehicle liability policy within the meaning of this Act.

Approval of policy by Superintendent of Insurance.

No motor-vehicle liability policy shall be issued or delivered in the District of Columbia until a copy of the form of policy shall have been on file with the Superintendent of Insurance for at least thirty days, unless sooner approved in writing by the Superintendent of Insurance, nor if within said period of thirty days the Superintendent of Insurance shall have notified the carrier in writing that in his opinion, specifying the reasons therefor, the form of policy does not comply with the laws of the District of Columbia. The Superintendent of Insurance shall approve any form of policy which dis-

closes the name, address, and business of the insured, the coverage afforded by such policy, the premium charged therefor, the policy period, the limit of liability, and the agreement that the insurance thereunder is provided in accordance with the coverage defined in this section as respects personal injury and death or property damage, or both, and is otherwise subject to all the provisions of the Act.

Provisions prescribed.

Such motor-vehicle liability policy shall be subject to the following provisions, which need not be contained therein:

Liability of company hereunder.

(a) The liability of any company under a motor-vehicle liability policy shall become absolute whenever loss or damage covered by said policy occurs, and the satisfaction by the insured of a final judgment for such loss or damage shall not be a condition precedent to the right or duty of the carrier to make payment on account of such loss or damage. No such policy shall be canceled or annulled as respects any loss or damage by any agreement between the carrier and the insured after the said insured has become responsible for such loss or damage, and any such cancelation or annulment shall be void. Upon the recovery of a final judgment against any person for any such loss or damage, if the judgment debtor was at the accrual of the cause of action insured against liability therefor under a motor-vehicle liability policy, the judgment creditor shall be entitled to have the insurance money applied to the satisfaction of the judgment. But the policy may provide that the insured, or any other person covered by the policy, shall reimburse the company for payments made on account of any accident, claim, or suit involving a breach of the terms, provisions, or conditions of the policy; and further, if the policy shall provide for limits in excess of the limits designated in this section, the insurance carrier may plead against such judgment creditor, with respect to the amount of such excess limits of liability, any defenses which it may be entitled to plead against the insured. Any such policy may further provide for the prorating of the insurance thereunder with other applicable valid and collectible insurance.

Policy not to conflict with Act.

(b) The policy, the written application therefor (if any), and any rider or endorsement which shall not conflict with the provisions of this Act shall constitute the entire contract between the parties.

Delivery of certificate, if requested.

(c) The insurance carrier shall, upon the request of the insured, deliver to the insured for filing, or at the request of the insured shall file direct, with the said Commissioners or their designated agent an appropriate certificate as set forth in section 4 hereof.

Executing binder, etc.

(d) Any carrier authorized to issue motor-vehicle liability policies as provided for in this Act may, pending the issuance of such a policy, execute an agreement, to be known as a binder; or may, in lieu of such a policy, issue an endorsement to an existing policy, each of which shall be construed to provide indemnity or protection in like manner and to the same extent as such a policy. The provisions of this section shall apply to such binders and endorsements.

Definitions.

SEC. 13. The following words, as used in this Act, shall have the following meanings:

(a) The singular shall include the plural. The masculine shall include the feminine and neuter, as requisite.

"Person".

(b) "Person" shall include individuals, partnerships, corporations, receivers, referees, trustees, executors, and administrators; and shall also include the owner of any motor vehicle as requisite, but shall not include the District of Columbia.

"Motor vehicle".

(c) "Motor vehicle" shall include trailers, motorcycles, and tractors.

"Public highway".

(d) "Public highway" shall include any street, road, or public thoroughfare.

Administrative rules.

SEC. 14. The said Commissioners shall make rules and regulations necessary for the administration of this Act.

Other processes permitted.

SEC. 15. Nothing herein shall be construed as preventing the plaintiff in any action at law from relying for security upon the other processes provided by law.

Saving provision.

SEC. 16. If any part, subdivision, or section of this Act shall be deemed unconstitutional, the validity of its remaining provisions shall not be affected thereby.

Effective date.

SEC. 17. This Act shall go into effect ninety days after its passage and approval by the President of the United States.

Approved, May 3, 1935.

[CHAPTER 90.]

AN ACT

May 3, 1935.
[H. R. 5914.]
[Public, No. 50.]

To authorize the coinage of 50-cent pieces in connection with the California-Pacific International Exposition to be held in San Diego, California, in 1935 and 1936.

California-Pacific International Exposition. Coinage directed. *Post*, p. 1262.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, to indicate the interest of the Government of the United States in the fulfillment of the ideals and purposes of the California-Pacific International Exposition, there shall be coined by the Director of the Mint silver 50-cent pieces to the number of not more than 250,000, of standard weight and fineness and of a special appropriate design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the models for master dies or other preparations for this coinage.

Number.

No Government expense.

Issue on request of Exposition Company.

SEC. 2. That the coins herein authorized shall be issued at par and only upon the request of the California-Pacific International Exposition Company or its duly authorized agent.

Disposal.

SEC. 3. Such coins may be disposed of at par or at a premium by said Exposition and all proceeds shall be used in furtherance of the California-Pacific International Exposition projects.

Coinage laws applicable.

SEC. 4. That all laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same; regulating and guarding the process of coinage; providing for the purchase of material, and for the transportation, distribution, and redemption of the coins; for the prevention of debasement or counterfeiting; for security of the coin; or for any other purposes, whether said laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein directed.

Approved, May 3, 1935.

[CHAPTER 91.]

AN ACT

May 6, 1935.
[S. 2035.]
[Public, No. 51.]

To amend an Act approved June 25, 1934, authorizing loans from the Federal Emergency Administration of Public Works, for the construction of certain municipal buildings in the District of Columbia, and for other purposes.

District of Columbia public works Act amendments. Vol. 48, p. 1215.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act approved June 25, 1934 (Public, Numbered 465, Seventy-third Congress), is hereby amended to read as follows:

Construction of certain municipal buildings.

"That the Commissioners of the District of Columbia are hereby authorized to borrow for the District of Columbia from the Federal Emergency Administration of Public Works created by the National

Industrial Recovery Act (which, for the purposes of this Act, shall be construed to include any agency created or designated by the President for similar purposes under the Emergency Relief Appropriation Act of 1935); and said Administration is authorized to lend to said Commissioners the sum of $10,750,000, or any part thereof, out of funds authorized by law for said Administration, for the acquisition, purchase, construction, establishment, and development of a tuberculosis hospital, a sewage-disposal plant, an extension of or addition to Gallinger Municipal Hospital, a jail or other enclosure for prisoners at Lorton, Virginia, and a building or buildings for the police court, the municipal court, the recorder of deeds, and the juvenile court, or any of them, said court buildings to be located on such portions or parts of Judiciary square, or the area bounded by Fourth and Fifth Streets, D and G Streets, northwest, as shall be approved by said Commissioners, and the National Capital Park and Planning Commission, or any one or more of said projects as the said Commissioners may determine; and to advance to the Children's Hospital of the District of Columbia in compensation for clinical examination of tubercular children, the sum of $100,000 or so much thereof as may be necessary for alterations and enlargement of building, equipment and accessories.

Loan authorized.

Advance to Children's Hospital.

SEC. 2. That section 3 of said Act is hereby amended by adding at the end thereof the following: *Provided*, That whenever the District of Columbia is under obligation by virtue of the provisions of section 4 of said Public Act Numbered 284, Seventy-first Congress, reimbursement shall be not less than $300,000 in any one fiscal year.

Amount of reimbursement annually. Vol. 46, p. 485.

Approved, May 6, 1935.

[CHAPTER 94.]

AN ACT

May 8, 1935.
[H. R. 7132.]
[Public, No. 52.]

To authorize the Secretary of the Navy and the Secretary of Commerce to exchange a portion of the naval station and a portion of the lighthouse reservation at Key West, Florida.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized and directed to transfer to the Secretary of Commerce buildings numbered 1 and 39, coal sheds numbered 29 and 29X, store shed numbered 29A, and coal wharf A, together with the lands under and around these structures, including a strip thirteen feet in width along the south side of building numbered 1, containing, in all, an area of approximately one hundred and thirteen thousand square feet.

Key West, Fla.
Portion of naval station transferred to Secretary of Commerce.

SEC. 2. The Secretary of Commerce is hereby authorized and directed to transfer to the Secretary of the Navy in exchange for the land and buildings referred to in section 1 hereof the old post-office building with land under and surrounding it and extending west to the road on the quay wall. The area to be transferred is approximately fifty-one thousand square feet.

Portion of lighthouse reservation transferred to Secretary of the Navy.

SEC. 3. The boundaries of the foregoing premises are to be in accordance with plat identified as drawing numbered 643, Office of Superintendent of Lighthouses, Seventh District, Key West, Florida, dated July 1, 1932, on which plat the areas are shown in colors.

Boundaries defined.

Approved, May 8, 1935.

[CHAPTER 95.]

JOINT RESOLUTION

May 8, 1935.
[H. J. Res. 273.]
[Pub. Res., No. 15.]

Extending the gratitude of the Nation to Admiral Byrd and to the members of his expedition.

Rear Admiral Byrd and members of expedition.
Extending gratitude of Nation to.

Whereas Rear Admiral Richard E. Byrd and the members of the Second Byrd Antarctic Expedition are returning home from a successful and heroic exploration of Antarctic lands, wherein they have extended our knowledge of this vast area by airplane flights, tractor and dog sled trips, making extended and valuable scientific observations; and

Whereas the members of the expedition have displayed a courage and devotion worthy of the highest traditions of American exploration, and an unswerving loyalty to the superb leadership of their commander; and

Whereas Rear Admiral Byrd has added another notable chapter to the annals of American expeditions by his genius in organizing, transporting, and providing for the subsistence of his men while they carried on a program of research in twenty-two branches of science under the most adverse conditions, and he personally displayed exceptional gallantry in his lone vigil away from the Little America base in order to make important meteorological observations: Therefore, be it

Copy of resolution.
Post, p. 1395.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the gratitude of the Nation be extended to Admiral Byrd and to the members of his expedition, and that a copy of this resolution be appropriately inscribed and presented to him and to each member of the Second Byrd Antarctic Expedition.

Approved, May 8, 1935.

[CHAPTER 96.]

JOINT RESOLUTION

May 8, 1935.
[H. J. Res. 274.]
[Pub. Res., No. 16.]

Authorizing the appointment of a special joint committee to meet with other representatives of the Government in greeting Rear Admiral Richard E. Byrd upon his return from his Second Antarctic Expedition.

Rear Admiral Byrd.
Appointment of special joint committee to greet.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That a joint committee of Congress to be composed of five members of the Senate, to be appointed by the President of the Senate, and five members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, accompanied by the Secretary of the Senate, the Clerk of the House of Representatives, the Sergeant at Arms of the Senate, and the Sergeant at Arms of the House of Representatives, is authorized to join with other officials and representatives of the Government in greeting Rear Admiral Richard E. Byrd upon his arrival at the Navy Yard on May 10, 1935.

Approved, May 8, 1935.

[CHAPTER 101.]

AN ACT

May 9, 1935.
[H. R. 6223.]
[Public, No. 53.]

Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1936, and for other purposes.

Interior Department appropriations, fiscal year 1936.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1936, namely:

OFFICE OF THE SECRETARY

Secretary's office.

SALARIES

Salaries.

Salaries: For the Secretary of the Interior, Under Secretary (which position is hereby established in the Department of the Interior with compensation at the rate of $10,000 per annum and with appointment thereto by the President, by and with the advice and consent of the Senate), First Assistant Secretary, Assistant Secretary, and other personal services in the District of Columbia, $431,590: *Provided*, That in expending appropriations or portions of appropriations, contained in this Act, for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the First Assistant Secretary and the Assistant Secretary the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

Position of Under Secretary established.

Provisos.
Salaries limited to average rates under Classification Act.
Exceptions.
Vol. 42, p. 1488; Vol. 45, p. 776; Vol. 46, p. 1003.
U. S. C., p. 85.

Restriction not applicable to clerical-mechanical service.

No reduction in fixed salaries.
Vol. 42, p. 1490; U. S. C., p. 86.

Transfer without reduction.

Payments under higher rates permitted.

If only one position in a grade.

OFFICE OF SOLICITOR

Solicitor's office.

For personal services in the District of Columbia and in the field, $284,600.

Office personnel.

DIVISION OF INVESTIGATIONS

Division of Investigations.

For investigating official matters under the control of the Department of the Interior; for protecting timber on the public lands, and for the more efficient execution of the law and rules relating to the cutting thereof; for protecting public lands from illegal and fraudulent entry or appropriation; for adjusting claims for swamp lands and indemnity for swamp lands; and for traveling expenses of agents and others employed hereunder, $391,700, including not exceeding $22,000 for personal services in the District of Columbia; not exceeding $35,000 for the purchase, exchange, operation, and maintenance of motor-propelled passenger-carrying vehicles and motor boats for the use of agents and others employed in the field service; and not to exceed $5,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Secretary of the Interior, who shall make a certificate of the amount of such expenditure as he may think it advisable not to specify, and every such certificate shall be deemed

Protecting timber and public lands.
Post, p. 583.

Swamp lands.

Traveling expenses.

Vehicles and motor boats.

Emergencies.

a sufficient voucher for the sum therein expressed to have been expended.

Grazing Control division.

DIVISION OF GRAZING CONTROL

Expenses. Vol. 48, p. 1269. *Post*, p. 1619.

For carrying out the provisions of the Act entitled "An Act to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes", approved June 28, 1934 (48 Stat. 1269), including traveling and other necessary expenses,

Traveling expenses.

not to exceed $111,080 for personal services in the District of Columbia, and not to exceed $5,000 for the purchase, exchange, operation, and maintenance of motor-propelled passenger-carrying vehicles, $150,000; for payment of subsistence and expenses of

Advisory committee expenses.

advisory committees of local stockmen, $100,000; in all, $250,000, to be immediately available and to be expended under the direction of the Secretary of the Interior.

CONTINGENT EXPENSES, DEPARTMENT OF THE INTERIOR

Department contingent expenses. *Post*, p. 583.

For contingent expenses of the office of the Secretary and the bureaus and offices of the department; furniture, carpets, ice, lumber, hardware, dry goods, advertising, telegraphing, telephone service, including personal services of temporary or emergency telephone operators; street-car fares for use by messengers not exceeding $150; expressage, diagrams, awnings, filing devices, typewriters, adding and addressing machines and other labor-saving devices, including the repair, exchange, and maintenance thereof; constructing model and other cases and furniture; postage stamps to prepay postage on foreign mail and for special-delivery and air mail stamps for use in the United States; traveling expenses, including necessary expenses of inspectors and attorneys; fuel and light; examination of estimates for appropriations in the field for any bureau, office, or

Property damages.

service of the department; not exceeding $500 for the payment of damages caused to private property by department motor vehicles; not to exceed $2,500 for the purchase of a motor-propelled passenger-

Vehicles.

carrying vehicle for the official use of the Secretary of the Interior; purchase and exchange of motor trucks, motorcycles, and bicycles, maintenance, repair, and operation of two motor-propelled passenger-carrying vehicles and motor trucks, motorcycles, and bicycles to be used only for official purposes; rent of department garage;

Disbarment proceedings.

expense of taking testimony and preparing the same in connection with disbarment proceedings instituted against persons charged with improper practices before the department, its bureaus and offices; expense of translations, and not exceeding $1,000 for contract steno-

Stationery, etc.

graphic reporting services; not exceeding $700 for newspapers; stationery, including tags, labels, index cards, cloth-lined wrappers, and specimen bags, printed in the course of manufacture, and such printed envelopes as are not supplied under contracts made by the Postmaster General, for the department and its several bureaus and offices, and other absolutely necessary expenses not hereinbefore

Additional from specified appropriations.

provided for, $94,000; and, in addition thereto, sums amounting to $41,000 for stationery supplies shall be deducted from other appropriations made for the fiscal year 1936 as follows: General Land Office, $3,500; Geological Survey, $5,500; Freedmen's Hospital, $1,000; Saint Elizabeths Hospital, $2,200; National Park Service, $10,000; Bureau of Reclamation, $10,000, any unexpended portion of which shall revert and be credited to the reclamation fund; Division of Investigations, $1,000; Bureau of Mines, $6,800; Division of Grazing Control, $1,000; and said sums so deducted shall be credited

to and constitute, together with the first-named sum of $94,000, the total appropriation for contingent expenses for the department and its several bureaus and offices for the fiscal year 1936.

For the purchase or exchange of professional and scientific books, law and medical books, and books to complete broken sets, periodicals, directories, and other books of reference relating to the business of the department, $600, and in addition there is hereby made available from any appropriations made for any bureau or office of the department not to exceed the following respective sums: Indian Service, $500; Office of Education, $2,000; Bureau of Reclamation, $2,000; Geological Survey, $2,000; National Park Service, $2,000; General Land Office, $500; Bureau of Mines, $2,000.

Professional, etc., books, periodicals, etc. *Post*, p. 583.

Sums for designated offices.

PRINTING AND BINDING

Printing and binding.

For printing and binding for the Department of the Interior, including all of its bureaus, offices, institutions, and services in the District of Columbia and elsewhere, except the Alaska Railroad, the Geological Survey, Vocational Education, and the Bureau of Reclamation, $219,000, of which $50,000 shall be for the National Park Service, $65,000 for the Bureau of Mines, and $46,500 for the Office of Education, no part of which shall be available for correspondence instruction.

For Department, bureaus, etc. *Post*, p. 583.

Not available for correspondence instruction.

COMMISSION OF FINE ARTS

Commission of Fine Arts.

For expenses made necessary by the Act entitled "An Act establishing a Commission of Fine Arts", approved May 17, 1910 (U. S. C., title 40, sec. 104), including the purchase of periodicals, maps, and books of reference, and payment of actual traveling expenses of the members and secretary of the Commission in attending meetings and committee meetings of the Commission either within or outside of the District of Columbia, to be disbursed on vouchers approved by the Commission, $9,400, of which amount not to exceed $6,200 may be expended for personal services in the District of Columbia.

Expenses. Vol. 36, p. 371; U. S. C., p. 1776.

Attending meetings.

For all printing and binding for the Commission of Fine Arts, $300.

Printing and binding.

Total, Commission of Fine Arts, $9,700.

MOUNT RUSHMORE NATIONAL MEMORIAL COMMISSION

Mount Rushmore National Memorial Commission.

Mount Rushmore National Memorial Commission: For carrying into effect the provisions of the Act creating the Mount Rushmore National Memorial Commission, approved February 25, 1929 (45 Stat., p. 1300), as amended by the Act approved June 26, 1934 (48 Stat., p. 1223), of which $20,000 shall be immediately available, $55,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1935.

Expenses. Vol. 45, p. 1300; Vol. 48, p. 1223. *Post*, pp. 962, 1760.

Sum immediately available.

PERRY'S VICTORY MEMORIAL COMMISSION

Perry's Victory Memorial Commission.

For administration, protection, maintenance, and preservation of the Perry's Victory Memorial at Put-In-Bay, Ohio, including traveling and other expenses of members of the Commission in connection with official matters pertaining to the memorial, printing and binding, personal services and the purchase of souvenirs for resale, $4,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with Section 4 of the Permanent Appropriation Repeal Act, 1934.

Administrative, etc., expenses.

Proviso. Limitation.

Vol. 48, p. 1227.

General Land Office.

GENERAL LAND OFFICE

Salaries.

SALARIES

Commissioner and office personnel.

For Commissioner of the General Land Office and other personal services in the District of Columbia, $587,700, including one clerk of grade 1, clerical, administrative, and fiscal service, who shall be designated by the President, to sign land patents.

General expenses.

GENERAL EXPENSES

Traveling expenses, maps, etc.
Ante, p. 178.

For traveling expenses of officers and employees, including employment of stenographers and other assistants when necessary; for separate maps of public-land States and Alaska, including maps showing areas designated by the Secretary of the Interior under the enlarged homestead Acts, prepared by the General Land Office; for the reproduction by photolithography or otherwise official plats of surveys; for expenses of restoration to the public domain of lands in forest reserves and of lands temporarily withdrawn for forest-reserve purposes; and for expenses of hearings or other proceedings held by order of the General Land Office to determine the character of lands, whether alleged fraudulent entries are of that character or have been made in compliance with the law, and of hearings in disbarment proceedings, $16,000.

Restoring lands, etc.

Hearings.

Surveying public lands.

Surveying public lands: For surveys and resurveys of public lands, examination of surveys heretofore made and reported to be defective or fraudulent, inspecting mineral deposits, coal fields, and timber districts, making fragmentary surveys, and such other surveys or examinations as may be required for identification of lands for purposes of evidence in any suit or proceeding in behalf of the United States, under the supervision of the Commissioner of the General Land Office and direction of the Secretary of the Interior, $700,000, including not to exceed $5,000 for the purchase, exchange, operation, and maintenance of motor-propelled passenger-carrying vehicles: *Provided*, That not to exceed $5,000 of this appropriation may be expended for salaries of employees of the field surveying service temporarily detailed to the General Land Office: *Provided further*, That not to exceed $10,000 of this appropriation may be used for the survey, classification, and sale of the lands and timber of the so-called Oregon and California Railroad lands and the Coos Bay Wagon Road lands: *Provided further*, That this appropriation may be expended for surveys made under the supervision of the Commissioner of the General Land Office, but when expended for surveys that would not otherwise be chargeable hereto, it shall be reimbursed from the applicable appropriation, fund, or special deposit.

Vehicles.

Provisos.
Temporarily detailed employees.

Oregon and California Railroad and Coos Bay Wagon Road lands.

Use for other surveys; reimbursable.

Registers; salaries, etc.

Registers: For salaries and commissions of registers of district land offices, $80,000.

Contingent expenses; land offices.

Contingent expenses of land offices: For clerk hire, rent, and other incidental expenses of the district land offices, including the expenses of depositing public money; traveling expenses of clerks detailed to examine the books and management of district land offices and to assist in the operation of said offices, and for traveling expenses of clerks transferred in the interest of the public service from one district land office to another, $160,000: *Provided*, That no expenses chargeable to the Government shall be incurred by registers in the conduct of local land offices except upon previous specific authorization by the Commissioner of the General Land Office.

Proviso.
Previous authorization of expense required.

Payments to States, from sales of lands.

Payments to States of 5 per centum of proceeds from sales of public lands: For payment to the several States of 5 per centum of

the net proceeds of sales of public lands lying within their limits, for the purpose of education, or of making public roads and improvements, $2,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Proviso. Limitation. Vol. 48, p. 1227.

Payment of proceeds of sales of Coos Bay Wagon Road grant lands and timber: For payment of 25 per centum of the balance of the proceeds from sales of the Coos Bay Wagon Road grant lands and timber within each of the counties of Coos and Douglas, Oregon, after deducting the accrued taxes in said counties and a sum equal to $2.50 per acre for the land title to which revested in the United States pursuant to the Act of February 26, 1919 (40 Stat., p. 1179), to be paid to the treasurer of the county for common schools, roads, highways, bridges, and port districts, $3,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with Section 4 of the Permanent Appropriation Repeal Act, 1934.

Coos Bay Wagon Road lands and timber.

Vol. 40, p. 1179.

Proviso. Limitation.

Payments to certain counties in Oregon in lieu of taxes on Oregon and California Grant Lands: For payment to the several counties in the State of Oregon, pursuant to the Act of July 13, 1926 (44 Stat., p. 915), amounts of money in lieu of the taxes that would have accrued against the revested Oregon and California Railroad Company grant lands if the lands had remained privately owned and taxable, $250,000: *Provided*, That payments to the counties shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Payments to certain counties in Oregon. Vol. 44, p. 915.

Proviso. Limitation.

Payment to Oklahoma from royalties, oil and gas, south half of Red River: For payment of 37½ per centum of the royalties derived from the south half of Red River in Oklahoma under the provisions of the Act of March 4, 1923 (U. S. C., title 30, sec. 233), which shall be paid to the State of Oklahoma in lieu of all State and local taxes upon tribal funds accruing under said Act, to be expended by the State in the same manner as if received under section 35 of the Act approved February 25, 1920 (U. S. C., title 30, sec. 191), $12,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Oil and gas royalties. Payment to Oklahoma. Vol. 42, p. 1448; U. S. C., p. 1350.

Vol. 41, p. 450; U. S. C., p. 1344.

Proviso. Limitation. Vol. 48, p. 1227.

BUREAU OF INDIAN AFFAIRS

Indian Affairs Bureau.

SALARIES

For the Commissioner of Indian Affairs and other personal services in the District of Columbia, $471,910.

Commissioner and office personnel.

For transportation and incidental expenses of officers and clerks of the Bureau of Indian Affairs when traveling on official duty; for radio, telegraph and telephone toll messages on business pertaining to the Indian Service sent and received by the Bureau of Indian Affairs at Washington, and for other necessary expenses of the Indian Service for which no other appropriation is available, $31,500.

General expenses. *Post*, p. 583.

For advertising, inspection, storage, and all other expenses incident to the purchase of goods and supplies for the Indian Service and for payment of railroad, pipe-line, and other transportation costs of such goods and supplies, $785,000: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within one year from the time the service is performed.

Supplies; purchase, transportation, etc.

Proviso. Restriction on payments.

Judges of Indian courts.

For pay of judges of Indian courts where tribal relations now exist, at rates to be fixed by the Commissioner of Indian Affairs, $15,000.

Police.

For pay and expenses of Indian police, including chiefs of police at not to exceed $70 per month each and privates at not to exceed $50 per month each, to be employed in maintaining order, and for purchase of equipment and supplies, $117,390.

Suppressing liquor, etc., traffic.

For the suppression of the traffic in intoxicating liquors and deleterious drugs among Indians, $55,880.

Agency buildings.
Lease, purchase, repair, etc.

For lease, purchase, repair, and improvement of agency buildings, exclusive of hospital buildings, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $144,200.

Tribal organizations, expenses.
Vol. 48, p. 984.

For expenses of organizing Indian chartered corporations, or other tribal organizations, in accordance with the provisions of the Act of June 18, 1934 (48 Stat., p. 986), including personal services, purchase of equipment and supplies, not to exceed $10,000 for printing and binding, and other necessary expenses, to be immediately available, $150,000, of which not to exceed $30,000 may be used for personal services in the District of Columbia.

Vehicles, maintenance, etc.

Vehicles, Indian Service: Not to exceed $290,000 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use of employees in the Indian field service, and the transportation of Indian school pupils, and not to exceed $160,000 of applicable appropriations may be used for the purchase and exchange of motor-propelled passenger-carrying vehicles, and that such vehicles shall be used only for official service, including the transportation of Indian school pupils.

Official business only.

Emergency allowance for fire, etc., damages.

Replacement of property destroyed by fire, flood, or storm: That to meet possible emergencies not exceeding $50,000 of the appropriations made by this Act for support of reservation and nonreservation schools, for school and agency buildings, and for conservation of health among Indians shall be available, upon approval of the Secretary of the Interior, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Indian Service above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Proviso.
Report of diversions to Congress.

Attendance at meetings.

Authorization for attending health and educational meetings: Not to exceed $7,000 shall be available from applicable funds for expenses (not membership fees) of employees of the Indian Service when authorized by the Secretary of the Interior to attend meetings of medical, health, educational, agricultural, forestry, engineering, and industrial associations in the interest of work among the Indians.

Indian lands.

INDIAN LANDS

Pueblo Indians, N. Mex.
Land and water rights; reappropriation from tribal funds.
Vol. 48, p. 367.
Post, p. 1764.

Purchase of land and water rights, and so forth, Pueblo Indians, New Mexico (tribal funds): The unexpended balances of appropriations heretofore made, from the trust funds of the several pueblos, for the purchase of land and water rights, purchase of equipment for industrial advancement and fencing, irrigating, and improving lands, are hereby continued available for the same purposes until June 30, 1936: *Provided*, That the unexpended balances of funds awarded to the Tesuque Pueblo and authorized to be used for water

Proviso.
Tesuque Pueblo.

development and irrigation, and the purchase of land, are hereby made available also for the purchase of equipment for the industrial advancement of the Indians of said pueblo.

Purchase of equipment.

Compensation to non-Indian claimants, Pueblo Indian lands, New Mexico: The unexpended balance of the appropriation contained in the Fourth Deficiency Act, fiscal year 1933, for carrying out the provisions of the Act of May 31, 1933, in settlement of the liability of the United States to non-Indian claimants on Indian pueblo grants, whose claims, extinguished under the Act of June 7, 1924, have been found by the Pueblo Lands Board to have been claims in good faith, is hereby continued available for the same purpose from June 30, 1934, until June 30, 1936.

Pueblo Indian lands, N. Mex.
Compensation to non-Indian claimants.
Vol. 48, pp. 108, 277.
Post, p. 1765.
Vol. 43, p. 636.

Purchase of land for the Navajo Indians, Arizona, reimbursable: The unexpended balance of the appropriation contained in the Deficiency Appropriation Act, fiscal year 1934, for the purchase of land, and improvements thereon, including water rights, for the Navajo Indians in Arizona, as authorized by and in conformity with the provisions of the Act of June 14, 1934 (48 Stat., p. 961), is hereby continued available for the same purposes until June 30, 1936.

Navajo Indians, Ariz.
Purchase of lands.
Vol. 48, p. 1033.
Vol. 48, p. 960.

For the acquisition of lands, interest in lands, water rights and surface rights to lands, and for expenses incident to such acquisition, in accordance with the provisions of the Act of June 18, 1934 (48 Stat., p. 985), including personal services, purchase of equipment and supplies, and other necessary expenses, to be immediately available, $1,000,000, of which not to exceed $15,000 shall be available for personal services in the District of Columbia: *Provided*, That within the States of Arizona and Wyoming no part of said sum shall be used for the acquisition of lands outside of the boundaries of existing Indian reservations.

Acquisition of lands, water rights, etc.
Vol. 48, p. 984.
Post, p. 1765.
Proviso.
Use outside reservations restricted.

Compensation to Wyandotte Indians, Oklahoma, for Seneca School lands: For compensation to the Wyandotte Tribe of Indians, Oklahoma, for all their right, title, and interest in and to the land described in section 1 of the Act of June 21, 1934 (48 Stat., p. 1184), $10,000: *Provided*, That the description of the land to be acquired as set forth in the said Act of June 21, 1934, is hereby corrected to read as follows: "East half southwest quarter, southeast quarter northwest quarter, east half southwest quarter northwest quarter, west half southwest quarter southeast quarter, section 21, township 27 north, range 24 east, Indian meridian, Oklahoma."

Seneca School lands.
Compensation to Wyandottes for interest in.
Vol. 48, p. 1184.
Proviso.
Description corrected.

The unexpended balance of the appropriation of $109,746.25 contained in the First Deficiency Act, fiscal year 1930, for payment to the loyal Shawnee Indians in settlement of their claim arising under the twelfth article of the treaty with said Indians proclaimed October 14, 1868 (15 Stat., p. 513), as authorized by and in accordance with the Act of March 4, 1929, and continued available until June 30, 1935, is hereby continued available until June 30, 1936.

Loyal Shawnee Indians, Okla.
Balance reappropriated.
Vol. 46, p. 105.
Vol. 15, p. 516; Vol. 45, p. 1550; Vol. 48, p. 367.

The Secretary of the Interior is hereby authorized and directed to withdraw from the Treasury of the United States and pay to the Sac and Fox Tribe of Indians of Missouri the amount of $9,153.20, representing the amounts remaining in two separate funds, plus $268.71 interest, which has accrued to and including December 31, 1934, on the amount of $1,141.70 derived from the sale of lands of said Indians: *Provided*, That prior to the segregation and payment of the above amount to the Indians, there shall be paid to certain attorneys who have rendered services to the Indians under an informal contract not to exceed $400, to reimburse them for expenses incurred for and on behalf of the tribe: *Provided further*, That this appropriation shall be immediately available.

Sac and Fox Indians of Missouri.
Payments to, sale of lands.
Provisos.
Attorneys' fees.
Immediately available.

Industrial assistance and advancement.

INDUSTRIAL ASSISTANCE AND ADVANCEMENT

Timber preservation, etc.

For the preservation of timber on Indian reservations and allotments other than the Menominee Indian Reservation in Wisconsin, the education of Indians in the proper care of forests, and the general administration of forestry and grazing work, including fire prevention and payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires in contravention of law on Indian lands, $225,000: *Provided*, That this appropriation shall be available for the expenses of administration of Indian forest lands from which timber is sold to the extent only that proceeds from the sales of timber from such lands are insufficient for that purpose.

Proviso. Administration of forest lands, from timber sales, etc.

Timber sales, etc.; reimbursable.

For expenses incidental to the sale of timber, and for the expenses of administration, including fire prevention, of Indian forest lands from which such timber is sold to the extent that the proceeds of such sales are sufficient for that purpose, $170,000, reimbursable to the United States as provided in the Act of February 14, 1920 (U. S. C., title 25, sec. 413): *Provided*, That this appropriation shall be available for the payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires in contravention of law: *Provided further*, That not to exceed $20,000 of the foregoing amount shall be immediately available for obligations incurred during the fiscal year 1935.

Vol. 41, p. 415; U. S. C., p. 1029.

Provisos. Rewards for information.

Portion immediately available.

Klamath Reservation, Oreg., forest insect control.

Insect control work, Klamath Indian Reservation, Oregon (tribal funds): For continuation of forest insect control work on the Klamath Indian Reservation in Oregon, $10,000, payable from funds on deposit in the Treasury to the credit of the Klamath Indians.

Emergency, forest fire suppression.

For the suppression or emergency prevention of forest fires on or threatening Indian reservations, $15,000, together with $25,000 from funds held by the United States in trust for the respective tribes of Indians interested: *Provided*, That not to exceed $50,000 of appropriations herein made for timber operations and for support and administration purposes may be transferred, upon the approval of the Secretary of the Interior, for fire suppression or emergency prevention purposes, and allotments of funds so transferred shall be made by the Secretary of the Interior only after the obligation for the expenditure has been incurred: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Provisos. Additional sums available.

Report to Congress.

Geological Survey. Supervising mining operations.

For transfer to the Geological Survey for expenditures to be made in inspecting mines and examining mineral deposits on Indian lands and in supervising mining operations on restricted, tribal, and allotted Indian lands leased under the provisions of the Acts of February 28, 1891 (U. S. C., title 25, secs. 336, 371, 397), May 27, 1908 (35 Stat., p. 312), March 3, 1909 (U. S. C., title 25, sec. 396), and other Acts authorizing the leasing of such lands for mining purposes, $62,000.

Vol. 26, p. 794; Vol. 35, pp. 312, 444, 783. U. S. C., pp. 1019, 1022, 1025.

Employment for Indians.

For the purpose of obtaining remunerative employment for Indians, $36,320.

Developing agriculture and stock raising.

For the purpose of developing agriculture and stock raising among the Indians, including necessary personnel, traveling and other expenses, and purchase of supplies and equipment, $562,170, of which not to exceed $15,000 may be used to conduct agricultural experiments and demonstrations on Indian school or agency farms and to maintain a supply of suitable plants or seed for issue to Indians, and not to exceed $60,000 may be used for the establishment, and not to exceed $15,000 may be used for the operation and maintenance, of a sheep-breeding station on the Navajo Reservation.

Experiments and demonstrations.

For the purpose of encouraging industry and self-support among the Indians and to aid them in the culture of fruits, grains, and other crops, $150,000, which sum may be used for the purchase of seeds, animals, machinery, tools, implements, and other equipment necessary, and for advances to Indians having irrigable allotments to assist them in the development and cultivation thereof, in the discretion of the Secretary of the Interior, to enable Indians to become self-supporting: *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1941, except in the case of loans on irrigable lands for permanent improvement of said lands, in which the period for repayment may run for not exceeding twenty years, in the discretion of the Secretary of the Interior: *Provided further*, That except for expenditures for the benefit of the Pima Indians, not to exceed $25,000 of the amount herein appropriated shall be expended on any other one reservation or for the benefit of any other one tribe of Indians: *Provided further*, That the Secretary of the Interior is hereby authorized, in his discretion and under such rules and regulations as he may prescribe, to make advances from this appropriation to old, disabled, or indigent Indian allottees, for their support, to remain a charge and lien against their lands until paid.

Industry among Indians.

Provisos.
Repayment.

Pima Indians, Ariz.

Advances to old, etc., allottees.

Industrial assistance (tribal funds): For the construction of homes for individual members of the tribes; the purchase for sale to them of seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support, and Indians having irrigable allotments to assist them in the development and cultivation thereof, to be immediately available, $116,000, payable from tribal funds as follows: Fort Apache, Arizona, $25,000; Fort Peck, Montana, $30,000; Pyramid Lake, Nevada, $11,000; Cheyenne River, South Dakota, $25,000; Shoshone, Wyoming, $25,000; and the unexpended balances of funds available under this head in the Interior Department Appropriation Act for the fiscal year 1935, and the Act of June 27, 1932 (47 Stat., p. 335), are hereby continued available during the fiscal year 1936: *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1941, except in the case of loans on irrigable lands for permanent improvement of said lands in which the period for repayment may run for not exceeding twenty years, in the discretion of the Secretary of the Interior, and advances to old, disabled, or indigent Indians for their support, which shall remain a charge and lien against their land until paid: *Provided further*, That advances may be made to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1936 shall be credited to the respective appropriations and be available for the purposes of this paragraph.

Industrial assistance.
Constructing homes, purchase of seed, equipment, etc.
Post, p. 1767.

Immediately available.
Allotments.

Vol. 47, p. 335; Vol. 48, p. 369.

Provisos.
Conditions for repayment.

Loans on irrigable lands.

Advances to young students.

Credits and availability.

For the establishment of a revolving fund for the purpose of making loans to Indian chartered corporations, in accordance with the Act of June 18, 1934 (48 Stat., p. 986), to be immediately available, $2,500,000, of which amount not to exceed $50,000 shall be available for personal services in the District of Columbia and in the field, for purchase of equipment and supplies, and for other necessary expenses of administering such loans.

Revolving loan fund.
Loans for economic development.
Vol. 48, p. 986.
Post, p. 1768.

San Carlos Reservation, Ariz.
Purchase of horses.

For the purchase of horses for the San Carlos Apache Indians, Arizona, to replace stock destroyed in the eradication of dourine on the San Carlos Reservation, $20,000, to be immediately available.

Water supply.

DEVELOPMENT OF WATER SUPPLY

Developing and conserving, etc.

Developing water supply: For developing and conserving water for domestic and stock purposes on lands of the Navajo and Hopi Indians in Arizona and New Mexico, the Papago Indians in Arizona, and the Pueblo Indians of New Mexico, including the purchase and installation of pumping machinery, and other necessary equipment, and for operation and maintenance thereof, $60,000.

Irrigation and drainage.

IRRIGATION AND DRAINAGE

Construction, maintenance, etc.

For the construction, repair, and maintenance of irrigation systems, and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian reservations and allotments; for operation of irrigation systems or appurtenances thereto when no other funds are applicable or available for the purpose; for drainage and protection of irrigable lands from damage by floods or loss of water rights, upon the Indian irrigation projects named below, in not to exceed the following amounts, respectively:

Allotments.

Miscellaneous projects, $12,000; Arizona: Ak Chin, $4,000; Chiu Chui, $4,000; Ganado, $1,500, together with $1,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; Navajo and Hopi, miscellaneous projects, Arizona and New Mexico, $6,500; California: Coachella Valley, $1,000; Morongo, $3,000; Pala and Rincon, $2,000; Colorado: Southern Ute, $11,000, together with $4,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; Nevada: Pyramid Lake, $3,000; Walker River, $5,000; Western Shoshone, $4,000; New Mexico: Miscellaneous Pueblos, $4,000; Zuni, $4,000; Washington: Colville, $4,000; Lummi Diking Project, $1,000, together with $1,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934;

Limitation on expenditure.
Vol. 48, p. 1227.

Administrative expenses.

For necessary miscellaneous expenses incident to the general administration of Indian irrigation projects, including pay of employees and their traveling and incidental expenses, $58,000;

Reimbursable.

In all, for irrigation on Indian reservations, not to exceed $134,000, reimbursable: *Provided*, That the foregoing amounts shall be available interchangeably, in the discretion of the Secretary of the Interior, for the necessary expenditures for damages by floods and other unforeseen exigencies, but the amount so interchanged shall not exceed in the aggregate 10 per centum of all the amounts so appropriated: *Provided further*, That the cost of irrigation projects and of operating and maintaining such projects where reimbursement thereof is required by law shall be apportioned on a per-acre basis against the lands under the respective projects and shall be collected by the Secretary of the Interior as required by such law, and any unpaid charges outstanding against such lands shall constitute a first lien thereon which shall be recited in any patent or instrument issued for such lands.

Provisos.
Sums interchangeable.

Limitation.

Apportioning costs.

Unpaid charges a first lien.

For operation and maintenance of the San Carlos project for the irrigation of lands in the Gila River Indian Reservation, Arizona, $105,000, reimbursable, together with $119,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

San Carlos project, Ariz.
Maintenance, etc.

Vol. 48, p. 1227.

For improvement, operation, and maintenance of the pumping plants and irrigation system on the Colorado River Indian Reservation, Arizona, as provided in the Act of April 4, 1910 (36 Stat., p. 273), $14,000, reimbursable, together with $24,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Colorado River Reservation, Ariz.
Irrigating tribal lands.
Vol. 36, p. 273.

Operation and maintenance, pumping plants, San Carlos Reservation, Arizona (tribal funds): For the operation and maintenance of pumping plants for the irrigation of lands on the San Carlos Reservation, in Arizona, $4,500, to be paid from the funds held by the United States in trust for the Indians of such reservation: *Provided*, That the sum so used shall be reimbursed to the tribe by the Indians benefited, under such rules and regulations as the Secretary of the Interior may prescribe.

San Carlos Reservation, Ariz.
Irrigating tribal lands.

Proviso.
Reimbursement.

For reclamation and maintenance charges on Indian lands within the Yuma Reservation, California, and on ten acres within each of the eleven Yuma homestead entries in Arizona under the Yuma reclamation project, $11,800, reimbursable, together with $13,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with Section 4 of the Permanent Appropriation Repeal Act, 1934.

Yuma Reservation, Calif.-Ariz.
Reclamation, etc., charges.

Reimbursement.

For improvements, maintenance, and operation of the Fort Hall irrigation system, Idaho, $25,000, together with $22,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Hall project, Idaho.
Maintenance, etc.

For maintenance and operation, repairs, and purchase of stored waters, irrigation systems, Fort Belknap Reservation, Montana, $14,800, reimbursable, together with $4,200 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Belknap Reservation, Mont.
Irrigating tribal lands.

For maintenance and operation of the Little Porcupine Division, the Big Porcupine Division, and not exceeding four thousand acres under the West Side Canal of the Poplar River Division, Fort Peck project, Montana, $7,000, reimbursable, together with $3,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with Section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Peck project, Mont.
Maintenance, etc.

Reimbursable.

For operation and maintenance of the irrigation systems on the Flathead Indian Reservation, Montana, $12,000, reimbursable, together with $110,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934: *Provided*, That (with the consent of the irrigation districts of the Flathead irrigation project which have executed repayment contracts with the United States as required by law) the Secretary of the Interior may modify the terms of such contracts by requiring the operation and maintenance charges (not heretofore carried into construction costs and which were dealt with in the Act of March 7, 1928 (45 Stat., pp. 212–213)), and those accruing subsequent to March 7, 1928, which were due and unpaid at the time of execution

Flathead Reservation, Mont.
Irrigating tribal lands.

Provisos.
Modifying terms of contracts.

Vol. 45, pp. 212-213.

of repayment contract, to be paid over the same period of years and in like manner as the construction costs are to be paid under the terms of the public notice issued by such Secretary on November 1, 1930, as amended April 20, 1931: *Provided*, That no interest rate shall be charged from and after the date of the passage of this Act: *Provided further*, That the first installment of such operation and maintenance charges shall be due and payable on the same date as the first installment of construction charges is due or may be due and payable, where modifications of the contracts are made pursuant hereto: *Provided further*, That the first installment of construction costs shall be due and payable in December 1938 instead of the date now fixed: *Provided further*, That the operation and maintenance cost assessable against the Jocko Valley irrigation district for the calendar year of 1935 shall be carried into the construction costs and shall be payable as other construction costs.

Interest rate.

First installment of maintenance charges.

Installment due on construction costs.

Jocko Valley irrigation district.

Crow Reservation, Mont.
Irrigating tribal lands.

For improvement, maintenance, and operation of the irrigation systems on the Crow Reservation, Montana, including maintenance assessments payable to the Two Leggins Water Users' Association and Bozeman Trail Ditch Company, Montana, properly assessable against lands allotted to the Indians and irrigable thereunder, $10,000, reimbursable, together with $30,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Reimbursable.

Newlands project, Nev.
Paying charges against Paiute lands.

For payment of annual installment of reclamation charges against Paiute Indian lands within the Newlands reclamation project, Nevada, $5,381; and for payment in advance, as provided by district law, of operation and maintenance assessments, including assessments for the operation of drains to the Truckee-Carson irrigation district, which district, under contract, is operating the Newlands reclamation project, $7,519, to be immediately available; in all, $12,900.

Navajo Reservation, N. Mex.
Hogback project, maintenance, etc.

For operation and maintenance of the Hogback irrigation project on that part of the Navajo Reservation in New Mexico under the jurisdiction of the Northern Navajo Agency, $9,000, reimbursable, together with $3,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fruitlands project. Maintenance.

For maintenance and operation of the Fruitlands irrigation project, Navajo Reservation, New Mexico, $20,000, reimbursable.

Middle Rio Grande Conservancy District, N. Mex.

For final payment to the Middle Rio Grande Conservancy District, New Mexico, in accordance with the provisions of the Act entitled "An Act authorizing the Secretary of the Interior to execute an agreement with the Middle Rio Grande Conservancy District providing for conservation, irrigation, drainage, and flood control for the Pueblo Indian lands in the Rio Grande Valley, New Mexico, and for other purposes", approved March 13, 1928 (45 Stat., p. 312), $311,452, or so much thereof as may be necessary, to be immediately available and to be reimbursed as provided in said Act.

Vol. 45, p. 312.

Klamath Reservation, Oreg.
Maintenance, etc., of projects.

Irrigation systems, Klamath Reservation, Oregon: For improvements, maintenance, and operation of miscellaneous irrigation projects on the Klamath Reservation, $2,000, to be paid from the funds held by the United States in trust for the Klamath Indians in the State of Oregon, said sum, or such part thereof as may be used, to be reimbursed to the tribe under such rules and regulations as the Secretary of the Interior may prescribe, together with $2,000 from the general fund of the Treasury, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in

accordance with Section 4 of the Permanent Appropriation Repeal Act, 1934.

Uintah, etc., Reservation, Utah. Irrigating tribal lands. Vol. 34, p. 375.

For continuing operation and maintenance and betterment of the irrigation system to irrigate allotted lands of the Uncompahgre, Uintah, and White River Utes in Utah, authorized under the Act of June 21, 1906 (34 Stat., p. 375), $25,000, reimbursable, together with $30,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Yakima Reservation, Wash. Wapato system, maintenance, etc.

For operation and maintenance of the Wapato irrigation and drainage system, and auxiliary units thereof, Yakima Indian Reservation, Washington, $1,000, reimbursable, together with $135,500 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Water payments. Vol. 38, p. 604.

For reimbursement to the reclamation fund the proportionate expense of operation and maintenance of the reservoirs for furnishing stored water to the lands in Yakima Indian Reservation, Washington, in accordance with the provisions of section 22 of the Act of August 1, 1914 (38 Stat., p. 604), $10,000.

Wind River Reservation, Wyo. Irrigating tribal lands.

For the extension of canals and laterals on the ceded portion of the Wind River Reservation, Wyoming, to provide for the irrigation of additional Indian lands, and for the Indians' pro rata share of the cost of the operation and maintenance of canals and laterals and for the Indians' pro rata share of the cost of the Big Bend drainage project on the ceded portion of that reservation, and for continuing the work of constructing an irrigation system within the diminished reservation, including the Big Wind River and Dry Creek Canals, and including the maintenance and operation of completed canals, $28,000, reimbursable, together with $15,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Reimbursable.

EDUCATION

Education.

Support of schools. *Post*, p. 1621.

For the support of Indian schools not otherwise provided for, and other educational and industrial purposes in connection therewith, including educational facilities authorized by treaty provisions, care of children of school age attending private schools and tuition for Indian pupils attending public schools, $4,609,145: *Provided*, That not to exceed $15,000 of this appropriation may be used for the support and education of deaf and dumb or blind, physically handicapped, or mentally deficient Indian children: *Provided further*, That $4,500 of this appropriation may be used for the education and civilization of the Alabama and Coushatta Indians in Texas: *Provided further*, That not more than $15,000 of the amount herein appropriated may be expended for the tuition (which may be paid in advance) of Indian pupils attending vocational or higher educational institutions, under such rules and regulations as the Secretary of the Interior may prescribe, but formal contracts shall not be required, for compliance with section 3744 of the Revised Statutes (U. S. C., title 41, sec. 16), for payment of tuition of Indian pupils attending public schools, higher educational institutions, or schools for the deaf and dumb, blind, physically handicapped, or mentally deficient.

Provisos. Deaf, dumb, or blind.

Alabamas and Coushattas, Tex.

Indian pupils in public schools.

Formal contracts not required. R. S., sec. 3744, p. 738; U. S. C., p. 1805.

Support of schools; tribal funds. Vol. 44, p. 560; U. S. C., p. 1005.

Support of Indian schools from tribal funds: For the support of Indian schools, and other educational and industrial purposes in connection therewith, other than among the Five Civilized Tribes, there shall be expended from Indian tribal funds and from school revenues arising under the Act of May 17, 1926 (U. S. C., Supp.

Red Lake, Minn., school.

VII, title 25, sec. 155a), not more than $387,580, including not to exceed $15,000 from trust funds of the Red Lake Indians; not to exceed $40,000 for tuition and other educational purposes in the Choctaw Nation; and not to exceed $48,000 for payment of tuition for Chippewa Indian children enrolled in the public schools of the State of Minnesota, payable from the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota arising under section 7 of the Act of January 14, 1889 (25 Stat., p. 645).

Chippewas of Minnesota.
Vol. 25, p. 645.

Saint Louis Boarding School, Okla.

Education, Osage Nation, Oklahoma (tribal funds): For the education of unallotted Osage Indian children in the Saint Louis Mission Boarding School, Oklahoma, $2,000, payable from funds held in trust by the United States for the Osage Tribe.

Vocational and trade schools, educational loans.
Vol. 48, p. 986.
Post, p. 1773.

For loans to Indians for the payment of tuition and other expenses in recognized vocational and trade schools, in accordance with the provisions of the Act of June 18, 1934 (48 Stat., p. 986), $175,000, reimbursable: *Provided*, That not more than $35,000 of such sum shall be available for loans to Indian students in high schools and colleges.

Proviso.
Students in secondary schools.

Summer schools, subsistence.

For subsistence of pupils retained in Government boarding schools of all classes during summer months, $45,000.

School buildings.
Lease, improvement, etc.

For lease, purchase, repair, and improvement of buildings at Indian schools not otherwise provided for, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $299,400.

Nonreservation boarding schools.
Support, etc., of designated.

For support and education of Indian pupils at the following nonreservation boarding schools in not to exceed the following amounts, respectively:

Phoenix, Ariz.

Phoenix, Arizona: For five hundred pupils, including not to exceed $1,500 for printing and issuing school paper, $170,000; for pay of superintendent, drayage, and general repairs and improvements, $24,000; in all, $194,000;

Sherman Institute, Riverside, Calif.

Sherman Institute, Riverside, California: For six hundred and fifty pupils, including not to exceed $1,000 for printing and issuing school paper, $221,000; for pay of superintendent, drayage, and general repairs and improvements, $20,000; in all, $241,000;

Haskell Institute, Lawrence, Kans.

Haskell Institute, Lawrence, Kansas: For six hundred pupils, including not to exceed $2,500 for printing and issuing school paper, $204,000; for pay of superintendent, drayage, and general repairs and improvements, including necessary drainage work, $23,000; in all, $227,000;

Pipestone, Minn.

Pipestone, Minnesota: For two hundred and fifty pupils, $82,000; for pay of superintendent, drayage, and general repairs and improvements, $15,000; in all, $97,000;

Carson City, Nev.

Carson City, Nevada: For five hundred and twenty-five pupils, $159,750; for pay of superintendent, drayage, and general repairs and improvements, $15,000; in all, $174,750;

Albuquerque, N. Mex.

Albuquerque, New Mexico: For six hundred and fifty pupils, $221,000; for pay of superintendent, drayage, and general repairs and improvements, $23,000; in all, $244,000;

Santa Fe, N. Mex.

Santa Fe, New Mexico: For four hundred and fifty pupils, $159,750; for pay of superintendent, drayage, and general repairs and improvements, $15,000; in all, $174,750;

Bismarck, N. Dak.

Bismarck, North Dakota: For one hundred pupils, $36,000; for pay of superintendent, drayage, and general repairs and improvements, $7,000; in all, $43,000;

Wahpeton, N. Dak.

Wahpeton, North Dakota: For three hundred pupils, $97,250; for pay of superintendent, drayage, and general repairs and improvements, $11,000; in all, $108,250;

Chilocco, Oklahoma: For six hundred and fifty pupils, including not to exceed $2,000 for printing and issuing school paper, $221,000; for pay of superintendent, drayage, and general repairs and improvements, $22,000; in all, $243,000; Chilocco, Okla.

Sequoyah Orphan Training School, near Tahlequah, Oklahoma: For three hundred and fifty orphan Indian children of the State of Oklahoma belonging to the restricted class, to be conducted as an industrial school under the direction of the Secretary of the Interior, $114,250; for pay of superintendent, drayage, and general repairs and improvements, $12,000; for enlarging hospital, including purchase of equipment, $24,000; for the purchase of land, $15,000; in all, $165,250; Sequoyah Orphan Training School, Okla. *Post*, p. 1621.

Carter Seminary, Oklahoma: For one hundred and sixty-five pupils, $57,525; for pay of principal, drayage, and general repairs and improvements, $6,000; in all, $63,525; Carter Seminary, Okla.

Euchee, Oklahoma: For one hundred and fifteen pupils, $39,525; for pay of principal, drayage, and general repairs and improvements, $6,000; in all, $45,525; Euchee, Okla.

Eufaula, Oklahoma: For one hundred and thirty-five pupils, $46,725; for pay of principal, drayage, and general repairs and improvements, $6,000; in all, $52,725; Eufaula, Okla.

Jones Academy, Oklahoma: For one hundred and seventy-five pupils, $61,125; for pay of principal, drayage, and general repairs and improvements, $6,000; in all, $67,125; Jones Academy, Okla.

Wheelock Academy, Oklahoma: For one hundred and thirty pupils, $45,050; for pay of principal, drayage, and general repairs and improvements, $6,000; in all, $51,050; Wheelock Academy, Okla.

Chemawa, Salem, Oregon: For three hundred pupils, including not to exceed $1,000 for printing and issuing school paper, $106,500; for local vocational training program directed from the school, $20,500; for pay of superintendent, drayage, and general repairs and improvements, including improvements to heating system and shop facilities, $60,000; in all, $187,000; Chemawa, Salem, Oreg. *Post*, p. 1775.

Flandreau, South Dakota: For four hundred and fifty pupils, $159,750; for pay of superintendent, drayage, and general repairs and improvements, $17,000; in all, $176,750; Flandreau, S. Dak.

Pierre, South Dakota: For two hundred and twenty-five pupils, $74,875; for pay of superintendent, drayage, and general repairs and improvements, $12,000; in all, $86,875; Pierre, S. Dak.

In all, for above-named nonreservation boarding schools, not to exceed $2,642,575: *Provided*, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures for similar purposes in the various boarding schools named, but not more than 10 per centum shall be added to the amount appropriated for any one of said boarding schools or for any particular item within any boarding school. Any such interchanges shall be reported to Congress in the annual Budget. Total, nonreservation boarding schools. *Proviso.* Sums interchangeable. Report to Congress.

For aid to the common schools in the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Nations and the Quapaw Agency in Oklahoma, $398,000, to be expended in the discretion of the Secretary of the Interior and under rules and regulations to be prescribed by him: *Provided*, That this appropriation shall not be subject to the limitation in section 1 of the Act of May 25, 1918 (U. S. C., title 25, sec. 297), limiting the expenditure of money to educate children of less than one-fourth Indian blood: *Provided further*, That of this appropriation not to exceed $2,500 may be expended in the printing and issuance of a paper devoted to Indian education, which paper shall be printed at an Indian school; not to exceed $10,000 may be expended under rules and regulations of the Five Civilized Tribes, Okla. Common schools. *Provisos.* Parentage limitation not applicable. Vol. 40, p. 564; U. S. C., p. 1015. Printing, etc., school paper.

Truancy officers.

Employing public-school teachers where facilities inadequate.

Secretary of the Interior, in part payment of truancy officers in any county or two or more contiguous counties where there are five hundred or more Indian children eligible to attend school, and not to exceed $10,000 may be expended in the discretion of the Secretary of the Interior for the payment of salaries of public-school teachers, employed by the State or county, in special Indian day schools in full-blood Indian communities, where there are not adequate white day schools available for their attendance.

Alaska natives.

Natives in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for support and education of the Eskimos, Aleuts, Indians, and other natives of Alaska, including necessary traveling expenses of pupils to and from industrial boarding schools in Alaska; purchase, repair, and rental of school buildings, including purchase of necessary lands; textbooks and industrial apparatus; pay and necessary traveling expenses of superintendents, teachers, physicians, and other employees; repair,

Miscellaneous expenses.

equipment, maintenance, and operation of vessels; and all other necessary miscellaneous expenses which are not included under the above special heads, including $327,380 for salaries, $17,500 for traveling expenses, $190,120 for equipment, supplies, fuel, and light, $25,000 for repairs of buildings, $63,000 for freight and operation and repair of vessels, $1,000 for rentals, and $2,000 for telephone and telegraph; in all, $626,000, to be immediately available: *Provided*, That not to exceed 10 per centum of the amounts appropriated for the various items in this paragraph shall be available interchangeably for expenditures on the objects included in this paragraph, but not more than 10 per centum shall be added to any one item of appropriation except in cases of extraordinary emergency and then only upon the written order of the Secretary of the Interior.

Proviso. Interchangeable sums.

Conservation of health.

CONSERVATION OF HEALTH

Designated expenses.

For conservation of health among Indians, including equipment, materials, and supplies; repairs and improvements to buildings and plants; compensation and traveling expenses of officers and employees and renting of quarters for them when necessary; transportation of patients and attendants to and from hospitals and sanatoria; returning to their former homes and interring the remains of

Suppressing trachoma, etc.

deceased patients; and not exceeding $1,000 for printing and binding circulars and pamphlets for use in preventing and suppressing trachoma and other contagious and infectious diseases, $3,534,620,

Allotments to specified hospitals, etc.

including not to exceed $2,604,000 for the following-named hospitals and sanatoria:

Arizona.

Arizona: Indian Oasis Hospital, $23,000; Kayenta Sanatorium, $50,000; Fort Defiance Sanatorium and Southern Navajo General Hospital, $105,000; Phoenix Sanatorium, $75,000; Pima Hospital, $27,000; Truxton Canyon Hospital, $12,000; Western Navajo Hospital, $36,500; Chin Lee Hospital, $12,500; Fort Apache Hospital, $27,000; Havasupai Hospital, $5,000; Hopi Hospital, $40,000; Leupp Hospital, $26,000; San Carlos Hospital, $19,000; Tohatchi Hospital, $13,500; Colorado River Hospital, $23,000; San Xavier Sanatorium, $42,500; Phoenix Hospital, $31,500; Winslow Sanatorium, $45,000;

California.

California: Hoopa Valley Hospital, $25,000; Soboba Hospital, $22,000; Fort Bidwell Hospital, $20,000; Fort Yuma Hospital, $20,000;

Colorado.

Colorado: Ute Mountain Hospital, $15,000; Edward T. Taylor Hospital, $25,000;

Idaho.

Idaho: Fort Lapwai Sanatorium, $85,000; Fort Hall Hospitals, $16,500;

Iowa: Sac and Fox Sanatorium, $73,000; Iowa.
Minnesota: Pipestone Hospital, $22,000; Minnesota.
Mississippi: Choctaw Hospital, $27,000; Mississippi.
Montana: Blackfeet Hospital, $29,000; Fort Peck Hospital, $22,000; Crow Agency Hospital, $28,000; Fort Belknap Hospital, $30,000; Tongue River Hospital, $30,000; Montana.
Nebraska: Winnebago Hospital, $39,000; Nebraska.
Nevada: Carson Hospital, $23,000; Walker River Hospital, $21,000; Western Shoshone Hospital, $15,000; Nevada.
New Mexico: Albuquerque Sanatorium, $100,000; Jicarilla Hospital and Sanatorium, $60,000; Mescalero Hospital, $20,000; Eastern Navajo Hospital, $32,000; Northern Navajo Hospital, $30,000; Taos Hospital, $20,000; Zuni Sanatorium, $50,000; Albuquerque Hospital, $50,000; Charles H. Burke Hospital, $8,000; Santa Fe Hospital, $40,000; Toadlena Hospital, $11,500; New Mexico.
North Carolina: Cherokee Hospital, $16,000; North Carolina.
North Dakota: Turtle Mountain Hospital, $37,500; Fort Berthold Hospital, $18,000; Fort Totten Hospital, $23,000; Standing Rock Hospital, $28,000; North Dakota.
Oklahoma: Cheyenne and Arapahoe Hospital, $36,000; Choctaw and Chickasaw Sanatorium, $55,000; Shawnee Sanatorium, $90,000; Claremore Hospital, $36,000; Clinton Hospital, $20,000; Pawnee and Ponca Hospital, $30,000; Kiowa Hospital, $97,000; Oklahoma.
Oregon: Warm Springs Hospital, $12,000; Oregon.
South Dakota: Crow Creek Hospital, $22,000; Pine Ridge Hospitals, $43,000; Rosebud Hospital, $28,000; Yankton Hospital, $15,000; South Dakota.
Utah: Uintah Hospital, $15,000; Utah.
Washington: Yakima Sanatorium, $40,000; Tacoma Sanatorium, $200,000; Tulalip Hospital, $10,000; Colville Hospital, $25,000; Washington.
Wisconsin: Hayward Hospital, $33,000; Tomah Hospital, $27,000; Wisconsin.
Wyoming: Shoshone, $25,000; Wyoming.

Provided, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures in the various hospitals named, but not more than 10 per centum shall be added to the amount appropriated for any one of said hospitals or for any particular item within any hospital, and any interchange of appropriations hereunder shall be reported to Congress in the Annual Budget: *Provided further*, That nonreservation boarding schools receiving specific appropriations shall contribute on a per diem basis for the hospitalization of pupils in hospitals located at such schools and supported from this appropriation.

Provisos.
Sums interchangeable.

Report to Congress.

Hospitalization of pupils.

For a clinical survey of tuberculosis, trachoma, and venereal and other disease conditions among Indians, $20,000: *Provided*, That in conducting such survey the cooperation of such State and other organizations engaged in similar work shall be enlisted wherever practicable and where services of physicians, nurses, or other persons are donated their travel and other expenses may be paid from this appropriation.

Clinical survey of disease conditions.
Proviso.
Local cooperation.

Support of hospitals, Chippewas in Minnesota (tribal funds): For support of hospitals maintained for the benefit of the Chippewa Indians in the State of Minnesota, $162,000, payable from the principal sum on deposit to the credit of said Indians arising under section 7 of the Act of January 14, 1889 (25 Stat., p. 645).

Chippewas in Minnesota.
Hospitals for, from tribal funds.
Vol. 25, p. 645.

Medical relief in Alaska: To enable the Secretary of the Interior, in his discretion, and under his direction through the Bureau of Indian Affairs, with the advice and cooperation of the Public Health Service, to provide for the medical and sanitary relief of

Medical relief in Alaska.

the Eskimos, Aleuts, Indians, and other natives of Alaska; purchase, repair, rental, and equipment of hospital buildings; not to exceed $4,000 for purchase of land; books and surgical apparatus; pay and necessary traveling expenses of physicians, nurses, and other employees, and all other necessary miscellaneous expenses which are not included under the above special heads, $295,000, to be available immediately.

General support and administration.

GENERAL SUPPORT AND ADMINISTRATION

Sundry agencies and reservations. *Post*, p. 1621.

For general support of Indians and administration of Indian property, including pay of employees authorized by continuing or permanent treaty provisions, $2,254,350.

Metlakahtla Indians of Alaska; Annette Islands Reserve.

For pay of employees, village improvements, relief of destitution, and such other purposes as may be requested by the town council of Metlakahtla, Annette Islands Reserve, Alaska, and approved by the Secretary of the Interior, $25,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Proviso. Limitation. Vol. 48, p. 1227.

Specified agencies, from tribal funds.

For general support of Indians and administration of Indian property under the jurisdiction of the following agencies, to be paid from the funds held by the United States in trust for the respective tribes, in not to exceed the following sums, respectively:

Arizona.

Arizona: Colorado River, $3,000; Fort Apache, $50,000; San Carlos, $55,800; Truxton Canyon, $6,500; in all, $115,300;

California.

California: Mission, $5,000;

Colorado.

Colorado: Consolidated Ute (Southern Ute, $15,000; Ute Mountain, $15,000); in all, $30,000;

Idaho.

Idaho: Fort Hall, $4,800;

Iowa.

Iowa: Sac and Fox, $2,000;

Minnesota.

Minnesota: Red Lake, $41,600; Consolidated Chippewa, $5,000, and the unexpended balance of the appropriation of $5,000 for the fiscal year 1935, for establishing a system of cooperative marketing for Indian crops, including wild rice, berries, fish, and furs, is hereby continued available for the same purpose until June 30, 1936; in all, $46,600;

Cooperative market system. Vol. 48, p. 377.

Montana.

Montana: Flathead, $10,000;

North Carolina. *Post*, p. 1778.

North Carolina: Cherokee, $58,000, to be immediately available;

Oregon.

Oregon: Klamath, $55,000;

South Dakota.

South Dakota: Cheyenne River, $73,000;

Washington.

Washington: Puyallup, $1,000 for upkeep of the Puyallup Indian cemetery; Taholah (Quinaielt), $1,000, (Quileute), $2,500; in all, $4,500;

Wisconsin.

Wisconsin: Keshena, $61,500, including $10,000 for monthly allowances, under such rules and regulations as the Secretary of the Interior may prescribe, to old and indigent members of the Menominee Tribe who reside with relatives or friends;

In all, not to exceed $465,700.

Chippewas in Minnesota. General support, etc. Vol. 25, p. 645.

Support of Chippewa Indians in Minnesota (tribal funds): For general support, administration of property, and promotion of self-support among the Chippewa Indians in the State of Minnesota, $85,000, to be paid from the principal sum on deposit to the credit of said Indians, arising under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota", approved January 14, 1889 (25 Stat., p. 645): *Provided*, That not to exceed $40,000 of the foregoing amount may be expended, in the discretion of the Secretary of the Interior, in aiding indigent Chippewa Indians upon the condition that any funds used in support of a member of the tribe shall be reimbursed out of and

Proviso. Aiding indigent.

become a lien against any individual property of which such member may now or hereafter become seized or possessed, the two preceding requirements not to apply to any old, infirm, or indigent Indian, in the discretion of the Secretary of the Interior.

Five Civilized Tribes. Expenses, etc., tribal officers.

Expenses of tribal officers, Five Civilized Tribes, Oklahoma (tribal funds): For the current fiscal year money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, salaries and contingent expenses of the governor of the Chickasaw Nation and chief of the Choctaw Nation, one mining trustee for the Choctaw and Chickasaw Nations, at salaries at the rate heretofore paid for the said governor and said chief and $4,000 for the said mining trustee, and one attorney each for the Choctaw and Chickasaw Tribes employed under contract approved by the President under existing law: *Provided*, That the expenses of the above-named officials shall be determined and limited by the Commissioner of Indian Affairs, at not to exceed $2,500 each.

Proviso. Limitation.

Osages, Okla. Agency expenses from tribal funds.

Support of Osage Agency and pay of tribal officers, Oklahoma (tribal funds): For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Oklahoma, including pay of necessary employees, the tribal attorney and his stenographer, one special attorney in tax and other matters, and pay of tribal officers; payment of damages to individual allottees; repairs to buildings, rent of quarters for employees, traveling expenses, printing, telegraphing and telephoning, and purchase, repair, and operation of automobiles, $161,000, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma: *Provided*, That $2,500 of the foregoing amount may be used to reimburse the heirs of Odell DeNoya Bighorse for attorneys' fees paid in the prosecution of a suit in the interest of the Osage Tribe as a whole.

Proviso. Payment to heirs of Odell DeNoya Bighorse.

Tribal councils, traveling, etc., expenses.

Expenses of tribal councils or committees thereof (tribal funds): For traveling and other expenses of members of tribal councils, business committees, or other tribal organizations, when engaged on business of the tribes, including visits to Washington, District of Columbia, when duly authorized or approved in advance by the Commissioner of Indian Affairs, $50,000, of which amount $10,000 shall be immediately available, payable from funds on deposit to the credit of the particular tribe interested: *Provided*, That, except for the Navajo Tribe, not more than $5,000 shall be expended from the funds of any one tribe or band of Indians for the purposes herein specified: *Provided further*, That no part of this appropriation shall be available for per diem in lieu of all other expenses of members of tribal councils, business committees or other tribal organizations, when in Washington, in excess of $6, nor for more than a thirty-day period, unless the Secretary of the Interior shall in writing approve a greater amount or a longer period.

Provisos. Tribal expenditure limited.

Per diem, etc., limitation.

Menominee Indians, Wis.; audit of tribal funds.

Timber operations.

Audit of the tribal funds of the Menominee Indians: For the purpose of making an audit of the tribal funds of the Menominee Indians, including, without limitation, an engineering audit of the timber operations on the Menominee Reservation in Wisconsin, to be immediately available, $20,000, payable from funds on deposit to the credit of said Menominee Indians: *Provided*, That to accomplish said audit the tribal council or business committee of said Menominee Indians may enter into a contract or contracts, to be approved by the Secretary of the Interior, with a firm of certified public accountants, and, with a timber engineer: *Provided further*, That this appropriation shall be available for related investigations,

Provisos. Contracts authorized.

Availability.

for services, travel, and other expenses necessary to a complete engineering and general audit, expenditures for such purposes to be paid upon presentation by attorneys acting for said Menominee Indians of itemized vouchers approved by the Commissioner of Indian Affairs.

Roads and bridges.

ROADS AND BRIDGES

Gallup-Shiprock Highway, N. Mex., maintenance, etc.

For maintenance and repair of that portion of the Gallup-Shiprock Highway within the Navajo Reservation, New Mexico, including the purchase of machinery, $20,000, reimbursable: *Provided*, That other than for supervision and engineering only Indian labor shall be employed for such maintenance and repair work.

Proviso. Indian labor.

Reservation road construction, etc. *Post*, p. 376. Vol. 45, p. 750; Vol. 48, p. 1058; U. S. C., p. 1016.

For construction, improvement, repair, and maintenance of Indian reservation roads under the provisions of the Acts of May 26, 1928 (U. S. C., Supp. VII, title 25, sec. 318a), and June 19, 1934 (48 Stat., p. 1058) $4,000,000, to remain available until expended.

Annuities and per capita payments.

ANNUITIES AND PER CAPITA PAYMENTS

Senecas, N. Y. Vol. 4, p. 442.

For fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat., p. 442), $6,000.

Six Nations, N. Y. Vol. 7, p. 46.

For fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), $4,500.

Choctaws, Okla. Vol. 7, pp. 99, 212, 213, 236; Vol. 11, p. 614.

For fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty of June 22, 1855), $3,000; for permanent annuity for support for light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), $600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $320; in all, $10,520.

Pawnees, Okla. Vol. 11, p. 729; Vol. 27, p. 644.

For fulfilling treaties with Pawnees, Oklahoma: For permanent annuity, (article 2, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), $30,000.

Indians of Sioux reservations. Vol. 25, p. 895.

For payment of Sioux benefits to Indians of the Sioux Reservations, as authorized by the Act of March 2, 1889 (25 Stat., p. 895), as amended, $190,000.

Interest; Indian trust funds.

For payment of interest on moneys held in trust for the several Indian tribes, as authorized by various Acts of Congress, $510,000.

Field service employees. Funds for, available for supplies, etc.

When, in the judgment of the Secretary of the Interior, it is necessary for accomplishment of the purposes of appropriations herein made for the Indian field service, such appropriations shall be available for purchase of ice, rubber boots for use of employees, for travel expenses of employees on official business, and for the cost of packing, crating, drayage, and transportation of personal effects of employees upon permanent change of station.

Funds available for travel expenses.

The appropriations for education of natives of Alaska and medical relief in Alaska shall be available for the payment of traveling expenses of new appointees from Seattle, Washington, to their posts of duty in Alaska, and of traveling expenses, packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station within Alaska, under regulations to be prescribed by the Secretary of the Interior.

BUREAU OF RECLAMATION

Reclamation Bureau.

The followings[1] sums are appropriated out of the special fund in the Treasury of the United States created by the Act of June 17, 1902 (U. S. C., title 43, secs. 391, 411), and therein designated "the reclamation fund", to be available immediately:

Payments, from reclamation fund.
Vol. 32, p. 388; U. S. C., pp. 1862, 1864.

Salaries: For the Commissioner of Reclamation and other personal services in the District of Columbia, $96,500; for office expenses in the District of Columbia, $15,000; in all, $111,500;

Ante, p. 178.
Commissioner, office personnel, and other expenses.
Post, p. 597.

Administrative provisions and limitations: For all expenditures authorized by the Act of June 17, 1902, and Acts amendatory thereof or supplementary thereto, known as the "reclamation law", and all other Acts under which expenditures from said fund are authorized, including not to exceed $100,000 for personal services and $15,000 for other expenses in the office of the chief engineer, $20,000 for telegraph, telephone, and other communication service, $5,000 for photographing and making photographic prints, $41,250 for personal services, and $7,500 for other expenses in the field legal offices; examination of estimates for appropriations in the field; refunds of overcollections and deposits for other purposes; not to exceed $18,000 for lithographing, engraving, printing, and binding; purchase of ice; purchase of rubber boots for official use by employees; maintenance and operation of horse-drawn and motor-propelled passenger vehicles; not to exceed $20,000 for purchase and exchange of horse-drawn and motor-propelled passenger-carrying vehicles; packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station, under regulations to be prescribed by the Secretary of the Interior; payment of damages caused to the owners of lands or other private property of any kind by reason of the operations of the United States, its officers or employees, in the survey, construction, operation, or maintenance of irrigation works, and which may be compromised by agreement between the claimant and the Secretary of the Interior, or such officers as he may designate; payment for official telephone service in the field hereafter incurred in case of official telephones installed in private houses when authorized under regulations established by the Secretary of the Interior; not to exceed $1,000 for expenses, except membership fees, of attendance, when authorized by the Secretary, upon meetings of technical and professional societies required in connection with official work of the Bureau; payment of rewards, when specifically authorized by the Secretary of the Interior, for information leading to the apprehension and conviction of persons found guilty of the theft, damage, or destruction of public property: *Provided*, That no part of said appropriations may be used for maintenance of headquarters for the Bureau of Reclamation outside the District of Columbia except for an office for the chief engineer and staff and for certain field officers of the division of public relations: *Provided further*, That the Secretary of the Interior in his administration of the Bureau of Reclamation is authorized to contract for medical attention and service for employees and to make necessary pay-roll deductions agreed to by the employees therefor: *Provided further*, That no part of any sum provided for in this Act for operation and maintenance of any project or division of a project by the Bureau of Reclamation shall be used for the irrigation of any lands within the boundaries of an irrigation district which has contracted with the Bureau of Reclamation and which is in arrears for more than twelve months in the payment of any charges due the United States, and no part of any sum provided for in this Act for

Administrative provisions and limitations.
Vol. 32, p. 388.

Expenses designated.

Vehicles.

Property damages.

Attendance at meetings, etc.

Provisos.
Headquarters offices.

Medical services for employees.

Restriction on use where district is in arrears.

[1] So in original.

such purpose shall be used for the irrigation of any lands which have contracted with the Bureau of Reclamation and which are in arrears for more than twelve months in the payment of any charges due from said lands to the United States;

Examination and inspection of projects.

Examination and inspection of projects: For examination of accounts and inspection of the works of various projects and divisions of projects operated and maintained by irrigation districts or water users' associations, and bookkeeping, accounting, clerical, legal, and other expenses incurred in accordance with contract provisions for the repayment of such expenses by the districts or associations, the unexpended balance of the appropriation for this purpose for the fiscal year 1935 is continued available for the same purpose for the fiscal year 1936;

Balance available. Vol. 48, p. 380.

Maintenance, etc., of reserved works.

Operation and maintenance of reserved works: For operation and maintenance of the reserved works of a project or division of a project when irrigation districts, water-users' associations, or Warren Act contractors have contracted to pay in advance but have failed to pay their proportionate share of the cost of such operation and maintenance, to be expended under regulations to be prescribed by the Secretary of the Interior, the unexpended balance of the appropriation for this purpose for the fiscal year 1935 is continued available for the same purpose for the fiscal year 1936;

Balance available. Vol. 48, p. 380.

Yuma project, Ariz.-Calif.

Yuma project, Arizona-California: For operation and maintenance, Reservation division, $45,000; Mesa division (Yuma auxiliary project), $25,000; in all, $70,000: *Provided*, That not to exceed $25,000 from the power revenues shall be available during the fiscal year 1936 for the operation and maintenance of the commercial system: *Provided further*, That notwithstanding the provisions of section 4 (a) and (b) of the Act of June 26, 1934 (48 Stat., p. 1224), hereafter all moneys received under the provisions of the Act of January 25, 1917 (39 Stat., p. 868), as amended, shall be paid into the Treasury of the United States and be covered into the reclamation fund, special fund, and any unexpended balance in the auxiliary reclamation fund of the Yuma project shall be transferred to and consolidated with the general reclamation fund;

Provisos. Operating commercial system.

Auxiliary fund to be covered into reclamation fund. Vol. 48, p. 1227; Vol. 39, p. 868.

Orland, Calif.

Orland project, California: For operation and maintenance, $36,000;

Boise, Idaho.

Boise project, Idaho: For operation and maintenance, $30,000;

Minidoka, Idaho.

Minidoka project, Idaho: For operation and maintenance, reserved works, $11,600: *Provided*, That not to exceed $50,000 from the power revenues shall be available during the fiscal year 1936 for the operation of the commercial system; and not to exceed $100,000 from power revenues shall be available during the fiscal year 1936 for continuation of construction, south side division;

Proviso. Operating commercial system.

North Platte, Nebr.-Wyo.

North Platte project, Nebraska-Wyoming: Not to exceed $60,000 from the power revenues shall be available during the fiscal year 1936 for the operation and maintenance of the commercial system; and not to exceed $6,000 from power revenues allocated to the Northport irrigation district under subsection I, section 4, of the Act of December 5, 1924 (U. S. C., title 43, sec. 501), shall be available during the fiscal year 1936 for payment on behalf of the Northport irrigation district, to the Farmers' irrigation district for carriage of water;

Operating commercial system.

Payment to Farmers' district for water. Vol. 43, p. 703; U. S. C., p. 1873.

Rio Grande, N. Mex.-Tex.

Rio Grande project, New Mexico-Texas: For operation and maintenance, $340,000;

Owyhee, Oreg.

Owyhee project, Oregon: For operation and maintenance, $50,000;

Klamath, Oreg.-Calif.

Klamath project, Oregon-California: For operation and maintenance, $50,000: *Provided*, That revenues received from the lease of marginal lands, Tule Lake division, shall be available for refunds to

Proviso. Revenues from Tule Lake division.

the lessees in such cases where it becomes necessary to make refunds because of flooding or other reasons within the terms of such leases;

Yakima project, Washington: For operation and maintenance, $265,000: *Provided*, That not to exceed $25,000 from power revenues shall be available during the fiscal year 1936 for operation and maintenance of the power system;

Yakima, Wash.

Proviso.
Power system.

Riverton project, Wyoming: For operation and maintenance, $25,000: *Provided*, That not to exceed $25,000 from the power revenues shall be available during the fiscal year 1936 for the operation and maintenance of the commercial system;

Riverton, Wyo.

Proviso.
Operating commercial system.

Shoshone project, Wyoming: For operation and maintenance, Willwood division, $13,000: *Provided*, That not to exceed $25,000 from power revenues shall be available during the fiscal year 1936 for the operation and maintenance of the commercial system;

Shoshone project, Wyo.

Proviso.
Operating commercial system.

Secondary and economic investigations: For cooperative and general investigations, including investigations necessary to determine the economic conditions and financial feasibility of projects and investigations and other activities relating to the reorganization, settlement of lands, and financial adjustments of existing projects, including examination of soils, classification of land, land-settlement activities, including advertising in newspapers and other publications, and obtaining general economic and settlement data, the unexpended balance of the appropriation for these purposes for the fiscal year 1935 shall remain available for the same purposes for the fiscal year 1936: *Provided*, That the expenditures from this appropriation for any reclamation project shall be considered as supplementary to the appropriation for that project and shall be accounted for and returned to the reclamation fund as other expenditures under the Reclamation Act: *Provided further*, That the expenditure of any sums from this appropriation for investigations of any nature requested by States, municipalities, or other interests shall be upon the basis of the State, municipality, or other interest advancing at least 50 per centum of the estimated cost of such investigation;

Secondary and economic investigations.

Provisos.
Expenses considered supplementary; accounting.

Division of expense for investigations.

Giving information to settlers: For the purpose of giving information and advice to settlers on reclamation projects in the selection of lands, equipment, and livestock, the preparation of land for irrigation, the selection of crops, methods of irrigation and agricultural practice, and general farm management, the cost of which shall be charged to the general reclamation fund and shall not be charged as a part of the construction or operation and maintenance cost payable by the water users under the projects; $20,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1935;

Information to settlers.

Balance available.
Vol. 48, p. 381.

Limitation of expenditures: Under the provisions of this Act no greater sum shall be expended, nor shall the United States be obligated to expend during the fiscal year 1936, on any reclamation project appropriated for herein, an amount in excess of the sum herein appropriated therefor, nor shall the whole expenditures or obligations incurred for all of such projects for the fiscal year 1936 exceed the whole amount in the "reclamation fund" for the fiscal year;

Limitation of expenditures.

Interchange of appropriations: Ten per centum of the foregoing amounts shall be available interchangeably for expenditures on the reclamation projects named; but not more than 10 per centum shall be added to the amount appropriated for any one of said projects, except that should existing works or the water supply for lands under cultivation be endangered by floods or other unusual conditions an amount sufficient to make necessary emergency repairs shall

Interchange of appropriations.

Emergency flood repairs.

become available for expenditure by further transfer of appropriation from any of said projects upon approval of the Secretary of the Interior;

Total, from reclamation fund, $1,022,100.

Yuma project, Ariz.-Calif.
Colorado River front work and levee system.
Vol. 44, p. 1016.

To defray the cost of operating and maintaining the Colorado River front work and levee system adjacent to the Yuma Federal irrigation project in Arizona and California, subject only to section 4 of the Act entitled "An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", approved January 21, 1927 (44 Stat., p. 1010), $50,000, together with the unexpended balance of the appropriation for the fiscal year 1935.

Balance available.
Vol. 48, p. 382.
Post, p. 1784.

Use for investigating new projects forbidden.

No part of any appropriation in this Act for the Bureau of Reclamation shall be used for investigations to determine the economic and financial feasibility of any new reclamation project.

Geological Survey.

GEOLOGICAL SURVEY

SALARIES

Director, and office personnel.

For the Director of the Geological Survey and other personal services in the District of Columbia, $128,060;

GENERAL EXPENSES

General expenses.
Ante, p. 178.

For every expenditure requisite for and incident to the authorized work of the Geological Survey, including personal services in the District of Columbia and in the field, including not to exceed $30,000 for the purchase and exchange, and not to exceed $55,000 for the

Vehicles.

hire, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for field use only by geologists, topographers, engineers, and land classifiers, and the Geological Survey is authorized to exchange unserviceable and worn-out passenger-carrying and freight-carrying vehicles as part payment for new freight-carrying vehicles, and including not to exceed $2,000

Travel; attendance at meetings, etc.

for necessary traveling expenses of the director and members of the Geological Survey acting under his direction, for attendance upon meetings of technical, professional, and scientific societies when required in connection with the authorized work of the Geological Survey, to be expended under the regulations from time to time prescribed by the Secretary of the Interior, and under the following heads:

Topographic surveys.

Topographic surveys: For topographic surveys in various portions of the United States, $400,000, of which amount not to exceed $175,000 may be expended for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be expended in cooperation with States or municipalities except upon the basis of the State or municipality bearing all of the expense incident thereto in excess of such an amount as is necessary for the Geological Survey to perform its share of standard topographic surveys, such share of the Geological Survey in no case exceeding 50 per centum of the cost of the survey: *Provided further*, That $225,000 of this amount shall be available only for such cooperation with States or municipalities;

Provisos.
Cooperation with States, etc.

Allotment for cooperation.

Geologic surveys.
Post, p. 1622.

Geologic surveys: For geologic surveys in the various portions of the United States and chemical and physical researches relative thereto, $450,000, of which not to exceed $270,000 may be expended for personal services in the District of Columbia;

Mineral resources of Alaska: For continuation of the investigation of the mineral resources of Alaska, $70,000, to be available immediately, of which amount not to exceed $20,000 may be expended for personal services in the District of Columbia;

Alaska, mineral resources.
Post, p. 1622.

Gaging streams: For gaging streams and determining the water supply of the United States, the investigation of underground currents and artesian wells, and the preparation of reports upon the best methods of utilizing the water resources, $650,000, of which amount not to exceed $130,000 may be expended for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be expended in cooperation with States or municipalities except upon the basis of the State or municipality bearing all of the expense incident thereto in excess of such an amount as is necessary for the Geological Survey to perform its share of general water-resource investigations, such share of the Geological Survey in no case exceeding 50 per centum of the cost of the investigation: *Provided further*, That $458,000 of this amount shall be available only for such cooperation with States or municipalities;

Gaging streams, investigations.

Provisos.
Cooperation with States, etc.

Allotment for cooperation.

Classification of lands: For the examination and classification of lands with respect to mineral character, water resources, and agricultural and grazing utility as required by the public land laws and for related administrative operations; for the preparation and publication of land classification maps and reports; for engineering supervision of power permits and grants under the jurisdiction of the Secretary of the Interior; and for performance of work of the Federal Power Commission, $150,000, of which amount not to exceed $94,000 may be expended for personal services in the District of Columbia;

Classifying lands as to mineral character, etc.

Printing and binding, and so forth: For printing and binding, $110,000; for preparation of illustrations, $17,500; and for engraving and printing geologic and topographic maps, $110,000; in all, $237,500;

Printing and binding.

Mineral leasing: For the enforcement of the provisions of the Acts of October 20, 1914 (U. S. C., title 48, sec. 435), October 2, 1917 (U. S. C., title 30, sec. 141), February 25, 1920 (U. S. C., title 30, sec. 181), and March 4, 1921 (U. S. C., title 48, sec. 444), and other Acts relating to the mining and recovery of minerals on Indian and public lands and naval petroleum reserves; and for every other expense incident thereto, including supplies, equipment, expenses of travel and subsistence, the construction, maintenance, and repair of necessary camp buildings and appurtenances thereto, $200,000 of which amount not to exceed $56,000 may be expended for personal services in the District of Columbia;

Nonmetallic Mineral Acts.
Enforcing provisions.
Vol. 38, p. 741; Vol. 40, p. 207; Vol. 41, pp. 437, 1363.
U. S. C., pp. 2140, 1341, 1342, 2141.

During the fiscal year 1936 the head of any department or independent establishment of the Government having funds available for scientific and technical investigations and requiring cooperative work by the Geological Survey on scientific and technical investigations within the scope of the functions of that bureau and which it is unable to perform within the limits of its appropriations may, with the approval of the Secretary of the Interior, transfer to the Geological Survey such sums as may be necessary to carry on such investigations. The Secretary of the Treasury shall transfer on the books of the Treasury Department any sums which may be authorized hereunder, and such amounts shall be placed to the credit of the Geological Survey for the performance of work for the department or establishment from which the transfer is made: *Provided*, That any sums transferred by any department or independent establishment of the Government to the Geological Survey for cooperative

Scientific, etc., investigations with departments, etc., by the bureau.

Credit of funds.

Provisos.
Transfer of funds.

work in connection with this appropriation may be expended in the same manner as sums appropriated herein may be expended: *Provided further*, That any funds herein appropriated for the Geological Survey for cooperative work may be utilized prior to July 1, 1935, as required to enable the Geological Survey to continue its cooperative work pending reimbursement from cooperative agencies, the amount so utilized to be repaid to the appropriation from which advanced;

Cooperative work.

Aerial photographs for aviators, etc.

During the fiscal year 1936, upon the request of the Secretary of the Interior, the Secretary of War or the Secretary of the Navy is authorized to furnish aerial photographs required for mapping projects, insofar as the furnishing of such photographs will be economical to the Federal Government and does not conflict with military or naval operations or the other parts of the regular training program of the Army, Navy, and Marine Corps flying services, and the Secretary of the Interior is authorized to reimburse the War or Navy Department for the cost of making the photographs, such cost to be confined to the actual cost of gasoline, oil, film, paper, chemicals, and the labor performed in developing the photographic negatives and the printing of copies of photographs, and the per diem expenses of the personnel authorized by law, together with such incidental expenses as care and minor repairs to plane and transportation of personnel to and from projects, and the War Department or the Navy Department, on request of the Department of the Interior, is authorized to furnish copies to any State, county, or municipal agency cooperating with the Federal Government in the mapping project for which the photographs were taken. In the event that the Director of the Geological Survey deems it advantageous to the Government, the Geological Survey is authorized to contract with civilian aerial photographic concerns for the furnishing of such photographs;

Reimbursement.

Contracts with civilians.

Transporting effects of employees.

Appropriations herein made shall be available for payment of the costs of packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station, under regulations to be prescribed by the Secretary of the Interior;

Total, United States Geological Survey, $2,285,560.

Bureau of Mines.

BUREAU OF MINES

SALARIES AND GENERAL EXPENSES

Salaries and expenses. *Ante*, p. 178.

Salaries and general expenses: For general expenses, including pay of the director and necessary assistants, clerks, and other employees, in the office of the District of Columbia, and in the field, and every other expense requisite for and incident to the general work of the Bureau in the District of Columbia, and in the field, to be expended under the direction of the Secretary of the Interior, $62,190, of which amount not to exceed $51,890 may be expended for personal services in the District of Columbia.

Mine rescue cars and stations.
Investigations.

Operating mine rescue cars and stations and investigation of mine accidents: For the investigation and improvement of mine rescue and first-aid methods and appliances and the teaching of mine safety, rescue, and first-aid methods; investigations as to the causes of mine explosions, causes of falls of roof and coal, methods of mining, especially in relation to the safety of miners, the appliances best adapted to prevent accidents, the possible improvement of conditions under which mining operations are carried on, the use of explosives and electricity, the prevention of accidents, statistical studies and reports relating to mine accidents, and other inquiries

Preventing accidents.

and technologic investigations pertinent to the mining industry; the exchange in part payment for operation, maintenance, and repair of mine rescue trucks; the construction of temporary structures and the repair, maintenance, and operation of mine rescue cars and the Government-owned mine rescue stations and appurtenances thereto; personal services, traveling expenses and subsistence, equipment, and supplies; travel and subsistence, and other incidental expenses of employees in attendance at meetings and conferences held for the purpose of promoting safety and health in the mining and allied industries; purchase not exceeding $5,000, exchange as part payment for, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles for official use in field work; purchase and exchange in part payment therefor of cooks' uniforms, goggles, gloves, rubber boots, aprons, and such other articles or equipment as may be necessary in connection with the purposes of this paragraph; including not to exceed $80,000 for personal services in the District of Columbia, $632,000: *Provided*, That of this amount not to exceed $500 may be expended for the purchase and bestowal of trophies in connection with mine rescue and first-aid contests;

Attendance at meetings, etc.

Proviso. Rescue trophies.

Testing fuel: To conduct inquiries and scientific and technologic investigations concerning the mining, preparation, treatment, and use of mineral fuels, and for investigation of mineral fuels belonging to or for the use of the United States, with a view to their most efficient utilization; to recommend to various departments such changes in selection and use of fuel as may result in greater economy, and upon request of the Director of the Bureau of the Budget, to investigate the fuel-burning equipment in use by or proposed for any of the departments, establishments, or institutions of the United States in the District of Columbia, $185,400, of which amount not to exceed $27,600 may be expended for personal services in the District of Columbia;

Testing fuel.

Mineral mining investigations: For inquiries and scientific and technologic investigations concerning the mining, preparation, treatment, and utilization of ores and mineral substances, other than fuels, with a view to improving health conditions and increasing safety, efficiency, economic development, and conserving resources through the prevention of waste in the mining, quarrying, metallurgical, and other mineral industries; to inquire into the economic conditions affecting these industries; and including all equipment, supplies, expenses of travel and subsistence, and the purchase, not to exceed $12,000, including exchange, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles for official use in field work, including not to exceed $18,800 for personal services in the District of Columbia, $288,860: *Provided*, That no part of this appropriation may be expended for an investigation in behalf of any private party;

Mineral mining investigations.

Proviso. Private work prohibited.

Oil and gas investigations: For inquiries and investigations and dissemination of information concerning the mining, preparation, treatment, and utilization of petroleum and natural gas, including economic conditions affecting the industry, with a view to economic development and conserving resources through the prevention of waste; for the purchase of newspapers relating to the oil, gas, and allied industries: *Provided*, That section 192 of the Revised Statutes (U. S. C., title 5, sec. 102) shall not apply to such purchase of newspapers from this appropriation; and for every other expense incident thereto, including supplies, equipment, expenses of travel and subsistence, purchase, not to exceed $6,000, exchange as part payment for, maintenance, and operation of motor-propelled passenger-carrying vehicles for official use in field work, purchase of laboratory

Oil and gas investigations.

Proviso. Purchase of newspapers. R. S., sec. 192, p. 30. U. S. C., p. 43.

gloves, goggles, rubber boots and aprons, $237,866, of which amount $40,000 shall be immediately available and not to exceed $17,500 may be expended for personal services in the District of Columbia;

Mining experiment stations.

Mining experiment stations: For the employment of personal services, purchase of laboratory gloves, goggles, rubber boots and aprons, the purchase not to exceed $3,000, exchange as part payment for, maintenance and operation of motor-propelled passenger-carrying vehicles for official use in field work, and all other expenses in connection with the establishment, maintenance, and operation of mining experiment stations, as provided in the Act authorizing additional mining experiment stations, approved March 3, 1915 (U. S. C., title 30, sec. 8), $195,450, of which amount not to exceed $13,140 may be expended for personal services in the District of Columbia;

Vol. 38, p. 959.
U. S. C., p. 1332.

Pittsburgh, Pa., station.

Buildings and grounds, Pittsburgh, Pennsylvania: For care and maintenance of buildings and grounds at Pittsburgh and Bruceton, Pennsylvania, including personal services, the purchase, exchange as part payment for, operation, maintenance, and repair of passenger automobiles for official use, and all other expenses requisite for and incident thereto, including not to exceed $5,000 for additions and improvements, $87,690;

Economics of mineral industries.
Investigations, etc.
Ante, p. 88; *Post*, p. 206.

Economics of mineral industries: For inquiries and investigations, and the dissemination of information concerning the economic problems of the mining, quarrying, metallurgical, and other mineral industries, with a view to assuring ample supplies and efficient distribution of the mineral products of the mines and quarries, including studies and reports relating to uses, reserves, production, distribution, stocks, consumption, prices, and marketing of mineral commodities and primary products thereof; preparation of the reports of the mineral resources of the United States, including special statistical inquiries; and including personal services in the District of Columbia and elsewhere; purchase of furniture and equipment; stationery and supplies; typewriting, adding and computing machines, accessories and repairs; newspapers; traveling expenses; purchase, not exceeding $1,200, exchange as part payment for operation, maintenance, and repair of motor-propelled passenger-carrying vehicles for official use in field work; and for all other necessary expenses not included in the foregoing, $262,855, of which amount not to exceed $210,000 may be expended for personal services in the District of Columbia;

Reports.

Statistical inquiries.

Helium production and investigations.
Ante, p. 134.
Post, p. 413.

Helium production and investigations: The sums made available for the fiscal year 1936 in the Acts making appropriations for the War and Navy Departments for the acquisition of helium from the Bureau of Mines shall be transferred to the Bureau of Mines on July 1, 1935, for operation and maintenance of the plants for the production of helium for military and naval purposes, including laboratory gloves, goggles, rubber boots and aprons, purchase, not to exceed $2,500, and exchange as part payment for maintenance, operation, and repair of motor-propelled passenger-carrying vehicles for official use in field work, and all other necessary expenses, and including $11,300 for personal services in the District of Columbia;

Gas production for helium plants.

Gas production for helium plants: For production of natural gas for helium plants, including construction, repair, maintenance, and operation of wells, pipe lines, and other facilities therefor, and including purchase, not to exceed $750, and exchange as part payment for, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles for official use in field work, $18,000:

Provided, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934;

Proviso. Expenditure limitation. Vol. 48, p. 1227.

During the fiscal year 1936 the head of any department or independent establishment of the Government having funds available for scientific investigations and requiring cooperative work by the Bureau of Mines on scientific investigations within the scope of the functions of that bureau and which it is unable to perform within the limits of its appropriations may, with the approval of the Secretary of the Interior, transfer to the Bureau of Mines such sums as may be necessary to carry on such investigations. The Secretary of the Treasury shall transfer on the books of the Treasury Department any sums which may be authorized hereunder, and such amounts shall be placed to the credit of the Bureau of Mines for the performance of work for the department or establishment from which the transfer is made: *Provided*, That any sums transferred by any department or independent establishment of the Government to the Bureau of Mines for cooperative work in connection with this appropriation may be expended in the same manner as sums appropriated herein may be expended;

Scientific investigations for departments, etc.

Proviso. Expenditure of transferred funds.

The purchase of supplies and equipment or the procurement of services for the Bureau of Mines, at the seat of government, as well as in the field outside of the District of Columbia, may be made in open market without compliance with section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) of the United States, in the manner common among business men, when the aggregate amount of the purchase or the service does not exceed $100 in any instance;

Minor purchases without advertising.

R. S., sec. 3709, p. 733. U. S. C., p. 1803.

For necessary traveling expenses of the director and employees of the Bureau, acting under his direction, for attendance upon meetings of technical, professional, and scientific societies, when required in connection with the authorized work of the Bureau of Mines and incurred on the written authority of the Secretary of the Interior, there is hereby made available from any appropriations made to the Bureau of Mines not to exceed in all, $2,000;

Attendance at meetings, etc.

Persons employed during the fiscal year 1936 in field work outside of the District of Columbia under the Bureau of Mines may be detailed temporarily for service in the District of Columbia for purposes of preparing results of their field work; all persons so detailed shall be paid in addition to their regular compensation only traveling expenses in going to and returning therefrom: *Provided*, That nothing herein shall prevent the payment to employees of the Bureau of Mines of their necessary expenses, or per diem in lieu of subsistence, while on temporary detail in the District of Columbia for purposes only of consultation or investigations on behalf of the United States. All details made hereinunder, and the purposes of each, during the preceding fiscal year shall be reported in the annual estimates of appropriations to Congress at the beginning of each regular session thereof;

Detail of field employees.

Proviso. Paying employees' expenses.

Report to Congress.

The Secretary of the Treasury may detail medical officers of the Public Health Service for cooperative health, safety, or sanitation work with the Bureau of Mines, and the compensation and expenses of the officers so detailed may be paid from the applicable appropriations made herein for the Bureau of Mines;

Details from Public Health Service.

There is hereby transferred from the Department of Commerce, Bureau of Foreign and Domestic Commerce, to the Department of the Interior, Bureau of Mines, all those activities of the Minerals Division of the Bureau of Foreign and Domestic Commerce concerned with economic and statistical analyses of mineral commodities, domestic and foreign, together with all employees, records, files,

Mineral Division, Commerce Department; transfer. *Ante*, p. 88.

Appropriation.
Ante, p. 88.

equipment, publications, and funds pertaining thereto, effective immediately; and there is hereby transferred from the appropriation, "Export Industries, Department of Commerce, 1936", to the appropriation, "Economics of Mineral Industries, Bureau of Mines, 1936", the sum of $23,700;

Total, Bureau of Mines, $1,970,311.

NATIONAL PARK SERVICE

National Park Service.

Director, and office personnel.
Accounting service.
Ante, p. 178.

Salaries: For the Director of the National Park Service and other personal services in the District of Columbia, including accounting services in checking and verifying the accounts and records of the various operators, licensees, and permittees conducting utilities and other enterprises within the national parks and monuments, and including the services of specialists and experts for investigations and examinations of lands to determine their suitability for national park and national monument purposes and members of the commission appointed under the provisions of the Act of February 21, 1925 (43 Stat., p. 959): *Provided*, That such specialists and experts may be employed for temporary service at rates to be fixed by the Secretary of the Interior to correspond to those established by the Classification Act of 1923, as amended, and without reference to the Civil Service Act of January 16, 1883, $175,380, of which amount not to exceed $20,720 may be expended for the services of field employees engaged in examination of lands and in developing the educational work of the National Park Service.

Specialists and experts.
Vol. 43, p. 958.

Proviso.
Employment without reference to Classification, etc., Acts.
U. S. C., pp. 81, 85.
Vol. 22, p. 403.
Field employees.

General expenses.

General expenses: For every expenditure requisite for and incident to the authorized work of the office of the Director of the National Park Service not herein provided for, including traveling expenses, telegrams, photographic supplies, prints, and motion-picture films, necessary expenses of attendance at meetings concerned with the work of the National Park Service when authorized by the Secretary of the Interior, and necessary expenses of field employees engaged in examination of lands and in developing the educational work of the National Park Service, $25,000: *Provided*, That necessary expenses of field employees in attendance at such meetings, when authorized by the Secretary, shall be paid from the various park and monument appropriations.

Proviso.
Field employees, expenses.

National Parks; administration.
Acadia, Me.
U. S. C., pp. 92, 93.

Acadia National Park, Maine: For administration, protection, and maintenance, including $3,000 for George B. Dorr as superintendent without regard to the requirements of the provisions of the Civil Service Retirement Act approved May 22, 1920 (U. S. C., title 5, secs. 691–693, 697–731), as amended, $3,000 for temporary clerical services for investigation of titles and preparation of abstracts thereof of lands donated to the United States for inclusion in the Acadia National Park, and not exceeding $2,050 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $46,000.

Bryce Canyon, Utah.

Bryce Canyon National Park, Utah: For administration, protection, and maintenance, including not exceeding $305 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with the general park work, $12,000.

Carlsbad Caverns, N. Mex.

Carlsbad Caverns National Park, New Mexico: For administration, protection, and maintenance, including not exceeding $1,550 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and

employees in connection with general park work, $64,000: *Provided*, That any admission fee charged for entrance to Carlsbad Caverns and any fee charged for guide service therein, shall be exempt from all taxes on admissions.

Proviso. Admittance fees, tax exempt.

Crater Lake National Park, Oregon: For administration, protection, and maintenance, including not exceeding $780 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $62,600, of which $5,000 shall be immediately available.

Crater Lake, Oreg.

General Grant National Park, California: For administration, protection, and maintenance, including not exceeding $315 for the maintenance, operation, and repair of a motor-driven passenger-carrying vehicle, $15,000.

General Grant, Calif.

Glacier National Park, Montana: For administration, protection, and maintenance, including necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to the various points in the boundary line of the Glacier National Park and the international boundary, including not exceeding $1,800 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $175,000.

Glacier, Mont.

Grand Canyon National Park, Arizona: For administration, protection, and maintenance, including not exceeding $1,060 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $113,500.

Grand Canyon, Ariz.

Grand Teton National Park, Wyoming: For administration, protection, and maintenance, including not exceeding $1,250 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $19,900.

Grand Teton, Wyo.

Great Smoky Mountains National Park, North Carolina and Tennessee: For administration, protection, and maintenance, including not to exceed $300 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for use in connection with general park work, $59,900.

Great Smoky Mountains, N. C.-Tenn.

Hawaii National Park: For administration, protection, and maintenance, including not exceeding $1,600 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $45,600.

Hawaii.

Hot Springs National Park, Arkansas: For administration, protection, maintenance, and improvement, including not exceeding $715 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $71,200.

Hot Springs, Ark.

Lassen Volcanic National Park, California: For administration, protection, and maintenance, including not exceeding $735 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $28,400.

Lassen, Calif.

Mesa Verde National Park, Colorado: For administration, protection, and maintenance, including not exceeding $1,400 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $47,250.

Mesa Verde, Colo. *Post*, p. 1822.

Mount McKinley National Park, Alaska: For administration, protection, and maintenance, $25,000.

Mount McKinley, Alaska.

Mount Rainier, Wash.

Mount Rainier National Park, Washington: For administration, protection, and maintenance, including not exceeding $1,890 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $121,800.

Platt, Okla.

Platt National Park, Oklahoma: For administration, protection, and maintenance, including not exceeding $300 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $20,600.

Rocky Mountain, Colo.

Rocky Mountain National Park, Colorado: For administration, protection, and maintenance, including not exceeding $1,590 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $82,000.

Sequoia, Calif.

Sequoia National Park, California: For administration, protection, and maintenance, including not exceeding $890 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $99,500.

Shenandoah, Va., proposed.

Proposed Shenandoah National Park, Virginia: For administration, protection, and maintenance, including not exceeding $2,000 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $39,800: *Provided*,

Proviso.
Restriction on expenditure.

That no part of this appropriation shall be available for expenditure in advance of the acceptance on behalf of the United States of title to a minimum area of one hundred and sixty thousand acres of land within the proposed Shenandoah National Park, as prescribed in the Act approved February 4, 1932 (U. S. C., Supp. VII, title 16, secs. 403b, 403d).

Vol. 47, p. 37.
U. S. C., p. 636.

Wind Cave, S. Dak.

Wind Cave National Park, South Dakota: For administration, protection, and maintenance, including not exceeding $255 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $15,900.

Yellowstone, Wyo.

Yellowstone National Park, Wyoming: For administration, protection, and maintenance, including not exceeding $5,000 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, not exceeding $15,000 for maintenance of the roads in the national forests leading out of the park from the east and south boundaries, and including feed for buffalo and other animals and salaries of buffalo keepers, $394,100.

Yosemite, Calif.

Yosemite National Park, California: For administration, protection, and maintenance, including not exceeding $2,550 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, not exceeding $2,000 for maintenance of the road in the Stanislaus National Forest connecting the Tioga Road with the Hetch Hetchy Road near Mather Station, and including necessary expenses of a comprehensive study of the problems relating to the use and enjoyment of the Yosemite National Park and the preservation of its natural features, $286,100.

Zion, Utah.

Zion National Park, Utah: For administration, protection, and maintenance, including not exceeding $620 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles

for the use of the superintendent and employees in connection with general park work, $39,800.

National monuments: For administration, protection, maintenance, and preservation of national monuments, including not exceeding $2,175 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the custodians and employees in connection with general monument work, $111,660. National monuments. Administration, etc.

National historical parks and monuments: For administration, protection, maintenance, and improvement, including not exceeding $2,000 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles, $92,300. National historical parks and monuments.

National military parks, battlefields, monuments, and cemeteries: For administration, protection, maintenance, and improvement, including not exceeding $6,800 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles, $239,600. National military parks, battlefields, etc.

Big Dry Wash Battlefield: For erection by the National Park Service in cooperation with the United States Forest Service, of a marker to commemorate the battle at Big Dry Wash, Arizona, during the Indian wars on ground owned by the United States, $500, to be immediately available. Big Dry Wash Battlefield, Ariz.

Emergency reconstruction and fighting forest fires in national parks: For reconstruction, replacement, and repair of roads, trails, bridges, buildings, and other physical improvements and of equipment in national parks or national monuments that are damaged or destroyed by flood, fire, storm, or other unavoidable causes during the fiscal year 1936, and for fighting or emergency prevention of forest fires in national parks or other areas administered by the National Park Service, or fires that endanger such areas, the unexpended balance for this purpose for the fiscal year 1935 is continued available during the fiscal year 1936, together with not to exceed $100,000 to be transferred upon the approval of the Secretary of the Interior from the various appropriations for national parks and national monuments herein contained, any such diversions of appropriations to be reported to Congress in the annual Budget: *Provided*, That the allotment of these funds to the various national parks or areas administered by the National Park Service as may be required for fire-fighting purposes shall be made by the Secretary of the Interior, and then only after the obligation for the expenditure has been incurred. Emergency reconstruction and fighting forest fires, etc. *Post*, p. 1794. Balance available. Vol. 48, p. 388. *Proviso.* Restriction on allotments.

Forest protection and fire prevention: For the control and the prevention of spread of forest insects and tree diseases, including necessary personnel and equipment for such work; and for fire-prevention measures, including necessary personnel and fire-prevention equipment, $75,000, to be immediately available. Forest insect control, fire prevention, etc.

The total of the foregoing amounts shall be available in one fund for the National Park Service: *Provided*, That 10 per centum of the foregoing amounts shall be available interchangeably and shall be reported to Congress in the annual Budget. Accounting. *Proviso.* Sums interchangeable.

Appropriations made for the national parks, national monuments, and other reservations under the jurisdiction of the National Park Service, shall be available for the giving of educational lectures therein. Lectures.

Hereafter cash collections and pay-roll deductions made for meals and quarters furnished by the National Park Service to employees of the Government in the field and to cooperating agencies may be credited as a reimbursement to the current appropriation for the administration of the park or monument in which the accommodations are furnished. Credits of receipts for meals and quarters.

Roads and trails, construction, etc.

Roads and Trails, National Park Service: For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks, monuments, and other areas administered by the National Park Service, including areas authorized to be established as national parks and monuments, and national park and monument approach roads authorized by the Act of January 31, 1931 (U. S. C., title 16, sec. 8a and 8b), as amended, including the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, $7,500,000, to be immediately available and to remain available until expended:

Vol. 46, p. 1053.
U. S. C., p. 592.

Proviso.
Services in the District.

Provided, That not to exceed $23,000 of the amount herein appropriated may be expended for personal services in the District of Columbia during the fiscal year 1936.

Public buildings and grounds, D. C.
Maintenance, etc.
Post, p. 1623.

Salaries and general expenses, public buildings and grounds in the District of Columbia: For administration, protection, maintenance, and improvement of public buildings, monuments, memorials, and grounds in the District of Columbia under the jurisdiction of the National Park Service, including the National Archives Building, Arlington Memorial Bridge, the Mount Vernon Memorial Highway, and other Federal lands authorized by the Act of May 29, 1930 (46 Stat. 482), and including the pay and allowances in accordance with the provisions of the Act of May 27, 1924, as amended, of the police force of the Mount Vernon Memorial Highway, and the purchase, at not to exceed $1,500, operation, maintenance, repair, exchange, and storage of revolvers, bicycles, motor-propelled passenger-carrying vehicles, ammunition, uniforms, and equipment necessary for this force; per diem employees at rates of pay approved by the Director, not exceeding current rates for similar services in the District of Columbia; rent of buildings; demolition of buildings; expenses incident to moving various executive departments and establishments in connection with the assignment, allocation, transfer, and survey of building space; traveling expenses and car fare; leather and rubber articles and gas masks for the protection of public property and employees; not exceeding $13,000 for uniforms for employees; and the maintenance, repair, exchange, storage, and operation of two motor-propelled passenger-carrying vehicles; $5,200,000, of which amount not to exceed $3,988,370 shall be available for personal services in the District of Columbia.

Vol. 46, p. 482.
Vol. 43, p. 174.

Miscellaneous expenses.

Salaries and expenses within the District.

Salaries and general expenses, public buildings and grounds in the District of Columbia, National Park Service, fiscal year 1935: For an additional amount for administration, protection, and maintenance of public buildings and grounds in the District of Columbia, including the same objects specified under this head in the "Department of the Interior Appropriation Act, 1935", $432,900, to be immediately available: *Provided*, That the limitation on expenditures for personal services in the District of Columbia is hereby increased from $3,114,000 to $3,231,000.

Proviso.
Amount for personal services increased.

Administration, etc., outside the District.

Salaries and Expenses, Public Buildings Outside the District of Columbia: For administration, protection, and maintenance, including improvement, repair, cleaning, heating, lighting, rental of buildings and equipment, supplies, materials, personal services, and every expenditure requisite for and incidental to such maintenance and operation of public buildings outside of the District of Columbia under the jurisdiction of the National Park Service, $415,000:

Proviso.
Services in the District.

Provided, That not to exceed $5,040 of the amount herein appropriated may be expended for personal services in the District of Columbia.

Salaries and expenses, public buildings outside the District of Columbia, National Park Service, fiscal year 1935: For an additional amount for administration, protection, and maintenance of public buildings outside the District of Columbia, including the same objects specified under this head in the "Department of the Interior Appropriation Act, 1935," $47,000, to be immediately available.

Public buildings outside the District, administration, etc.

Vol. 48, p. 389.

OFFICE OF EDUCATION

Office of Education.

SALARIES

Salaries.

For the Commissioner of Education and other personal services in the District of Columbia, $251,720.

Commissioner and office personnel.

GENERAL EXPENSES

General expenses.

For necessary traveling expenses of the commissioner and employees acting under his direction, including attendance at meetings of educational associations, societies, and other organizations; for compensation, not to exceed $500, of employees in field service; for purchase, distribution, and exchange of educational documents, motion-picture films, and lantern slides; collection, exchange, and cataloging of educational apparatus and appliances, articles of school furniture and models of school buildings illustrative of foreign and domestic systems and methods of education, and repairing the same; and other expenses not herein provided for, $15,000.

Travel, attendance at meetings, etc.

VOCATIONAL EDUCATION

Vocational education.

Salaries and Expenses: For carrying out the provisions of section 7 of the Act entitled "An Act to provide for the promotion of vocational education, and so forth", approved February 23, 1917, as amended by the Act of October 6, 1917 (U. S. C., title 20, sec. 15), $192,000.

Salaries and expenses. Vol. 40, p. 345. U. S. C., p. 906.

Salaries and expenses, further development of vocational education: For carrying out the provisions of section 2 of the Act entitled "An Act to provide for the further development of vocational education in the several States and Territories", approved May 21, 1934 (48 Stat., p. 792), $64,000.

Administration expenses; vocational education. Vol. 48, p. 792.

Further development of vocational education: For carrying out the provisions of section 1 of the Act entitled "An Act to provide for the further development of vocational education in the several States and Territories" approved May 21, 1934 (48 Stat., p. 792), $3,000,000: *Provided*, That the apportionment to the States shall be computed on the basis of not to exceed $3,084,603 for the fiscal year 1936, as authorized by the Act approved May 21, 1934.

Further development, expenses. Vol. 48, p. 792.

Proviso. Basis of apportionment.

For extending to the Territory of Hawaii the benefits of the Act entitled "An Act to provide for the promotion of vocational education, and so forth", approved February 23, 1917 (U. S. C., title 20, secs. 11–18), in accordance with the provisions of the Act entitled "An Act to extend the provisions of certain laws to the Territory of Hawaii", approved March 10, 1924 (U. S. C., title 20, sec. 29), $30,000.

Extending benefits to Hawaii. Vol. 39, p. 929; U. S. C., p. 905.

Vol. 43, p. 18; U. S. C., p. 910.

Cooperative Vocational Rehabilitation of Persons Disabled in Industry: For carrying out the provisions of the Act entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment", approved June 2, 1920 (U. S. C., title 29, sec. 35), as amended by the Act of June 5, 1924 (U. S. C., title 29, sec. 31), and

Cooperative vocational rehabilitation of persons disabled in industry.

Vol. 41, p. 735; Vol. 43, p. 431; Vol. 46, p. 524; Vol. 47, p. 448.

U. S. C., p. 1320.
Proviso.
Basis of apportionment.

the Acts of June 9, 1930, and June 30, 1932 (U. S. C., Supp. VII, title 29, secs. 31–40), $1,050,000: *Provided*, That the apportionment to the States shall be computed on the basis of not to exceed $1,097,000, as authorized by the Act approved June 2, 1920, as amended by the Acts approved June 5, 1924, June 9, 1930, and June 30, 1932.

Salaries and expenses; vocational rehabilitation.

Salaries and expenses, vocational rehabilitation: For carrying out the provisions of section 6 of the Act entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry, and so forth", approved June 2, 1920 (U. S. C., title 29, sec. 35), as amended by the Act of June 5, 1924 (U. S. C., title 29, sec. 31), and the Acts of June 9, 1930, and June 30, 1932 (U. S. C., Supp. VII, title 29, secs. 31, 40), $63,500.

Cooperative rehabilitation of disabled residents of the District of Columbia.
Vol. 45, p. 1260.

Cooperative vocational rehabilitation of disabled residents of the District of Columbia: For personal services, printing and binding, travel and subsistence, and payment of expenses of training, placement, and other phases of rehabilitating disabled residents of the District of Columbia under the provisions of the Act entitled "An Act to provide for the vocational rehabilitation of disabled residents of the District of Columbia", approved February 23, 1929 (U. S. C., Supp. VII, title 29, secs. 47–47f), $15,000.

Extending benefits to Puerto Rico.
Vol. 39, p. 930; Vol. 46, p. 1489.
U. S. C., pp. 905, 1320, 910.

For extending to Puerto Rico the benefits of the Act entitled "An Act to provide for the promotion of vocational education, and so forth", approved February 23, 1917 (U. S. C., title 20, secs. 11–18), in accordance with the provisions of the Act entitled "An Act to extend the provisions of certain laws relating to vocational education and civilian rehabilitation to Puerto Rico", approved March 3, 1931 (U. S. C., title 20, secs. 11–18; title 29, secs. 31–35; U. S. C., Supp. VII, title 20, sec. 30), $100,000.

Attendance at meetings.

Not to exceed an aggregate of $2,000 of appropriations available to the Office of Education for salaries and expenses for vocational education shall be used for expenses of attendance at meetings of educational associations and other organizations which in the discretion of the Commissioner of Education are necessary for the efficient discharge of its responsibilities.

Government in the Territories.

GOVERNMENT IN THE TERRITORIES

Alaska.

TERRITORY OF ALASKA

Governor and secretary.

Salaries of the governor and of the secretary, $15,600.

Incidental and contingent expenses.

For incidental and contingent expenses of the offices of the governor and of the secretary of the Territory, clerk hire, not to exceed $8,600; janitor service for the governor's office and the executive mansion, not to exceed $3,180; traveling expenses of the governor while absent from the capital on official business and of the secretary of the Territory while traveling on official business under direction of the governor; repair and preservation of governor's house and furniture; for care of grounds and purchase of necessary equipment; stationery, lights, water, and fuel; in all, $15,890, to be expended under the direction of the governor.

Reindeer; support of stations.

Reindeer for Alaska: For support of reindeer stations in Alaska and instruction in the care and management of reindeer, including salaries of necessary employees in Alaska, traveling expenses of employees, including expenses of new appointees from Seattle, Washington, to their posts of duty in Alaska, and expenses of packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station within Alaska, under regulations to be prescribed by the Secretary of the

Interior, purchase, erection, and repair of cabins for supervisors, herders, and apprentices, equipment, and all other necessary miscellaneous expenses, $32,940, to be available immediately.

Purchase of.

For the purchase and distribution of reindeer to natives in Alaska, $755, to be expended under the direction of the Governor of Alaska: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Proviso. Limitation. Vol. 48, p. 1227.

Public schools.

For the establishment and maintenance of public schools, Territory of Alaska, $50,000, together with the unexpended balance on June 30, 1935, for this purpose in the special fund, public schools, Alaska fund, to continue available until expended: *Provided*, That expenditures under such $50,000 shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Proviso. Limitation.

Care of insane. *Post*, p. 1623.

Insane of Alaska: For care and custody of persons legally adjudged insane in Alaska, including compensation of medical supervisor detailed from Public Health Service or otherwise employed, transportation, burial, and other expenses, $179,000: *Provided*, That authority is granted to the Secretary of the Interior to pay from this appropriation to the Sanitarium Company, of Portland, Oregon, or to other contracting institution or institutions, not to exceed $564 per capita per annum to and including January 15, 1936, and, thereafter, the per capita rate of the lowest responsible bidder, for the care and maintenance of Alaskan insane patients during the fiscal year 1936: *Provided further*, That so much of this sum as may be required shall be available for all necessary expenses in ascertaining the residence of inmates and in returning those who are not legal residents of Alaska to their legal residence or to their friends, and the Secretary of the Interior shall, so soon as practicable, return to their places of residence or to their friends all inmates not residents of Alaska at the time they became insane, and the commitment papers for any person hereafter adjudged insane shall include a statement by the committing authority as to the legal residence of such person.

Provisos. Payments.

Returning non-Alaskan residents.

Roads, bridges, trails, etc. Vol. 47, p. 446. U. S. C., p. 2128.

For the repair and maintenance of roads, tramways, ferries, bridges, and trails, Territory of Alaska, to be expended under the provisions of Public Resolution Numbered 218, approved June 30, 1932 (Supp. VII, title 48, secs. 321a–321d), $500,000, including not to exceed $3,000 for repair and maintenance of Government wharf at Juneau, Alaska, to be immediately available.

For the construction, repair, and maintenance of roads, tramways, bridges, and trails, Territory of Alaska, $150,000, to be available until expended: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Proviso. Limitation.

Alaska Railroad. Maintenance, etc.

The Alaska Railroad: For every expenditure requisite for and incident to the authorized work of the Alaska Railroad, including maintenance, operation, and improvements of railroads in Alaska; maintenance and operation of river steamers and other boats on the Yukon River and its tributaries in Alaska; operation and maintenance of ocean-going or coastwise vessels by ownership, charter, or arrangement with other branches of the Government service, for the purpose of providing additional facilities for the transportation of freight, passengers, or mail, when deemed necessary, for the benefit and development of industries and travel affecting territory tributary to the Alaska Railroad; stores for resale; payment of claims for losses and damages arising from operations, including

Operation, etc., of vessels.

claims of employees of the railroad for loss and damage resulting from wreck or accident on the railroad, not due to negligence of the claimant, limited to clothing and other necessary personal effects used in connection with his duties and not exceeding $100 in value; payment of amounts due connecting lines under traffic agreements; payment of compensation and expenses as authorized by section 42 of the Injury Compensation Act approved September 7, 1916 (U. S. C., title 5, sec. 793), to be reimbursed as therein provided, $250,000, in addition to all amounts received by the Alaska Railroad during the fiscal year 1936, to continue available until expended: *Provided*, That not to exceed $6,000 of this fund shall be available for personal services in the District of Columbia during the fiscal year 1936, and no one other than the general manager of said railroad shall be paid an annual salary out of this fund of more than $6,000: *Provided further*, That not to exceed $10,000 of such fund shall be available for printing and binding: *Provided further*, That $50,000 of such fund shall be available only for such capital expenditures as are chargeable to capital account under accounting regulations prescribed by the Interstate Commerce Commission, which amount shall be available immediately.

Vol. 39, p. 750.
U. S. C., p. 102.

Provisos.
Services in the District.

Printing and binding.
Sum available for capital expenditures.

Hawaii.

TERRITORY OF HAWAII

Governor and secretary.

Salaries of the governor and of the secretary, $15,800.

Contingent expenses.
Post, p. 1623.

For contingent expenses, to be expended by the governor for stationery, postage, and incidentals, $1,000; private secretary to the governor; temporary clerk hire, $500; for traveling expenses of the governor while absent from the capital on official business, $1,250; in all, $5,850.

Virgin Islands.

TEMPORARY GOVERNMENT FOR THE VIRGIN ISLANDS

Governor and other personal services.
Vol. 39, p. 1132; U. S. C., p. 2202.

For salaries of the governor and employees incident to the execution of the Act of March 3, 1917 (U. S. C., title 48, sec. 1391), traveling expenses of officers and employees while absent from place of duty on official business, necessary janitor service, care of Federal grounds, repair and preservation of Federal buildings and furniture, purchase of equipment, stationary,[1] lights, water, and other necessary miscellaneous expenses, including not to exceed $5,000 for purchase, including exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, and not to exceed $4,000 for personal services, household equipment and furnishings, fuel, ice, and electricity necessary in the operation of Government House at Saint Thomas and Government House at Saint Croix; $131,500.

Miscellaneous expenses.

Agricultural experiment stations.

For salaries and expenses of the agricultural experiment station and the vocational school in the Virgin Islands, including technical personnel, clerks, and other persons; scientific investigations of plants and plant industries and diseases of animals; demonstrations in practical farming; official traveling expenses; fixtures, apparatus, and supplies; clearing and fencing of land; and other necessary expenses, including not to exceed $2,000 for purchase, including exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, $35,000.

Deficits of municipal governments.
Post, p. 1623.

For defraying the deficits in the treasuries of the municipal governments because of the excess of current expenses over current revenues for the fiscal year 1936, municipality of Saint Thomas and Saint John, $80,000, and municipality of Saint Croix, $70,000; in all, $150,000.

[1] So in original.

SAINT ELIZABETHS HOSPITAL

Saint Elizabeths Hospital.

For support, clothing, and treatment in Saint Elizabeths Hospital for the Insane of insane persons from the Army, Navy, Marine Corps, and Coast Guard, insane inmates of the National Home for Disabled Volunteer Soldiers, persons charged with or convicted of crimes against the United States who are insane, all persons who have become insane since their entry into the military and naval service of the United States, insane civilians in the quartermaster service of the Army, insane persons transferred from the Canal Zone who have been admitted to the hospital and who are indigent, American citizens legally adjudged insane in the Dominion of Canada whose legal residence in one of the States, Territories, or the District of Columbia it has been impossible to establish, insane beneficiaries of the United States Employees' Compensation Commission, insane beneficiaries of the United States Veterans' Administration, and insane Indian beneficiaries of the Bureau of Indian Affairs, including not exceeding $27,000 for the purchase, exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles for the use of the superintendent, purchasing agent, and general hospital business, and including not to exceed $185,000 for repairs and improvements to buildings and grounds, $1,185,840, including maintenance and operation of necessary facilities for feeding employees and others (at not less than cost), and the proceeds therefrom shall reimburse the appropriation for the institution; and not exceeding $1,500 of this sum may be expended in the removal of patients to their friends; not exceeding $1,500 in the purchase of such books, periodicals, and newspapers, as may be required for the purposes of the hospital and for the medical library, and not exceeding $1,500 for the actual and necessary expenses incurred in the apprehension and return to the hospital of escaped patients: *Provided*, That so much of this sum as may be required shall be available for all necessary expenses in ascertaining the residence of inmates who are not or who cease to be properly chargeable to Federal maintenance in the institution and in returning them to such places of residence: *Provided further*, That no part of this appropriation shall be expended for the purchase of oleomargarine or butter substitutes except for cooking purposes: *Provided further*, That during the fiscal year 1936 the District of Columbia, or any branch of the Government requiring Saint Elizabeths Hospital to care for patients for which they are responsible, shall pay by check to the superintendent, upon his written request, either in advance or at the end of each month, all or part of the estimated or actual cost of such maintenance, as the case may be, and bills rendered by the Superintendent of Saint Elizabeths Hospital in accordance herewith shall not be subject to audit or certification in advance of payment; proper adjustments on the basis of the actual cost of the care of patients paid for in advance shall be made monthly or quarterly, as may be agreed upon between the Superintendent of Saint Elizabeths Hospital and the District of Columbia government, department, or establishments concerned. All sums paid to the Superintendent of Saint Elizabeths Hospital for the care of patients that he is authorized by law to receive shall be deposited to the credit on the books of the Treasury Department of the appropriation made for the care and maintenance of the patients at Saint Elizabeths Hospital for the year in which the support, clothing, and treatment is provided, and be subject to requisition by the disbursing agent of Saint Elizabeths Hospital, upon the approval of the Secretary of the Interior.

Maintenance, etc. *Ante*, p. 178.

Insane citizens in Canada.

Vehicles.

Repairs and improvements.

Return of escaped patients.

Provisos.
Returning inmates no longer Federal charges.

Butter substitutes.

Patients in the District.

Credit of sums paid for patients.

Columbia Institution for the Deaf.

COLUMBIA INSTITUTION FOR THE DEAF

Maintenance, etc.

For support of the institution, including salaries and incidental expenses, books and illustrative apparatus, and general repairs and improvements, and including not to exceed $5,850 for power plant, laundry, and kitchen improvements and replacement of equipment, $135,850.

Howard University.

HOWARD UNIVERSITY

Salaries.

Salaries: For payment in full or in part of the salaries of the officers, professors, teachers, and other regular employees of the university, the balance to be paid from privately contributed funds, $450,000;

General expenses. *Post*, p. 1623.

General expenses: For equipment, supplies, apparatus, furniture, cases and shelving, stationery, ice, repairs to buildings and grounds, and for other necessary expenses, including reimbursement to the appropriation for Freedmen's Hospital of actual cost of heat and light furnished, $215,000;

Total, Howard University, $665,000.

Freedmen's Hospital.

FREEDMEN'S HOSPITAL

Salaries, etc.

For officers and employees and compensation for all other professional and other services that may be required and expressly approved by the Secretary of the Interior, $204,140; for subsistence, fuel and light, clothing, to include white duck suits and white canvas shoes for the use of internes, and rubber surgical gloves, bedding, forage, medicine, medical and surgical supplies, surgical instruments, electric lights, repairs, replacement of X-ray apparatus, furniture, and maintenance and operation of passenger-carrying vehicles, including not exceeding $300 for the purchase of books, periodicals, and newspapers; and not to exceed $1,200 for the special instruction of pupil nurses, and other absolutely necessary expenses, $100,260, of which sum not to exceed 12 per centum may be transferred, with the approval of the Director of the Bureau of the Budget, to the sum herein appropriated for personal services; in all, for Freedmen's Hospital, $304,400, including reimbursement to the appropriation for Howard University of actual cost of heat and light furnished, of which amount of $304,400 one-half shall be chargeable to the District of Columbia and paid in like manner as other appropriations of the District of Columbia are paid.

Contingent expenses. *Ante*, p. 178.

Division of expenses.

Field work appropriations available for work animals, etc.

SEC. 2. Appropriations herein made for field work under the General Land Office, the Bureau of Indian Affairs, the Bureau of Reclamation, the Geological Survey, the Bureau of Mines, and the National Park Service shall be available for the hire, with or without personal services, of work animals and animal-drawn and motor-propelled vehicles and equipment.

Approved, May 9, 1935.

[CHAPTER 102.]

AN ACT

May 10, 1935. [S. 147.] [Public, No. 54.]

To alter the amount apportioned to certain States for public employment offices affiliated with the United States Employment Service.

United States Employment Service. Vol. 48, p. 114. U. S. C., p. 1324.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 (a) of the so-called "Wagner-Peyser Act" (Act of June 6, 1933, ch. 49; 48 Stat. 113, 114; U. S. Code, title 30,[1] sec. 49 (d)) be amended by adding at the end of the second sentence thereof the following

[1] So in original.

clause: ": *Provided, however*, That in apportioning said 75 per centum of amounts appropriated after January 1, 1935, under this Act, the Director shall apportion not less than $10,000 to each State." so that, as amended, section 5 (a) shall read as follows:

"For the purpose of carrying out the provisions of this Act there is hereby authorized to be appropriated (1) the sum of $1,500,000 for the fiscal year ending June 30, 1934, (2) $4,000,000 for each fiscal year thereafter up to and including the fiscal year ending June 30, 1938, (3) and thereafter such sums annually as the Congress may deem necessary. Seventy-five per centum of the amounts appropriated under this Act shall be apportioned by the director among the several States in the proportion which their population bears to the total population of the States of the United States according to the next preceding United States census, to be available for the purpose of establishing and maintaining systems of public employment offices in the several States and the political subdivisions thereof in accordance with the provisions of this Act: *Provided, however*, That in apportioning said 75 per centum of amounts appropriated after January 1, 1935, under this Act, the director shall apportion not less than $10,000 to each State. No payment shall be made in any year out of the amount of such appropriations apportioned to any State until an equal sum has been appropriated or otherwise made available for that year by the State, or by any agency thereof, including appropriations made by local subdivisions, for the purpose of maintaining public employment offices as a part of a State-controlled system of public employment offices; except that the amounts so appropriated by the State shall not be less than 25 per centum of the apportionment according to population made by the director for each State for the current year, and in no event less than $5,000. The balance of the amounts appropriated under this Act shall be available for all the purposes of this Act other than for apportionment among the several States as herein provided."

Allotment for fiscal year 1934; thereafter.

Apportionment to States.

Purpose.

Proviso. Minimum apportionment.

States to provide equal sums.

Maintenance of public employment offices; minimum.

Availability for other expenses.

Approved, May 10, 1935.

[CHAPTER 103.]

JOINT RESOLUTION

May 10, 1935.
[H. J. Res. 272.]
[Pub. Res., No. 17.]

To enable the Commissioners of the District of Columbia to defray certain expenses incident to the convention of the Imperial Council of the Mystic Shrine, June 8 to June 17, 1935, both inclusive.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That for carrying out the provisions of Public Resolution Numbered 14, Seventy-fourth Congress, approved April 24, 1935, within the limitations and for the several purposes therein expressed, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, $54,000, to be payable from the revenues of the District of Columbia.

District of Columbia. Mystic Shrine Convention.

Sum appropriated to maintain order.

Ante, pp. 34, 161.

Approved, May 10, 1935.

[CHAPTER 108.]

AN ACT

May 14, 1935.
[S. 613.]
[Public, No. 55.]

To add certain public-domain land in Montana to the Rocky Boy Indian Reservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That approximately five hundred and fifty-seven acres of public-domain land in the State of Montana, described as lots 2, 4, 6, and 8, section 25; lots 2, 4, 6, and 8, section 26; lots 2, 4, 6, and 8, section 27; lots 2, 3, and 4, section 28; lot 5, section 29, township 28 north, range 15 east; lots 2,

Rocky Boy Indian Reservation, Mont. Addition to, authorized.

Vol. 30, p. 739; Vol. 44, p. 1347.

4, 6, and 8, section 27; lots 2, 4, 6, and 8, section 28; lots 2, 4, 6, and 8, section 29, lots 5, 7, 9, and 11, section 30, township 28 north, range 16 east, of the Montana meridian, in Montana, be, and the same are hereby, withdrawn from the public domain and added to the Rocky Boy Indian Reservation: *Provided*, That the rights and claims of bona fide settlers initiated under the public-land laws prior to January 6, 1934, shall not be affected by this Act.

Proviso.
Prior rights not affected.

Approved, May 14, 1935.

[CHAPTER 109.]

AN ACT

May 14, 1935.
[S. 707.]
[Public, No. 56.]

To amend the Act of May 19, 1926, entitled "An Act to authorize the President to detail officers and enlisted men of the United States Army, Navy, and Marine Corps to assist the governments of the Latin-American Republics in military and naval matters."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of May 19, 1926 (Public, Numbered 247), be, and the same is hereby, amended by striking out the word "and" preceding the words "Santo Domingo" and inserting after the words "Santo Domingo" the words "and the Commonwealth of the Philippine Islands."

Commonwealth of the Philippine Islands.
Army, etc., details authorized to.
Vol. 44, p. 565, amended.

Approved, May 14, 1935.

[CHAPTER 110.]

AN ACT

May 14, 1935.
[H. R. 4442.]
[Public, No. 57.]

Making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1936, and for other purposes.

Treasury and Post Office Departments Appropriation Act, 1936.

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

Title I—Treasury Department.

TITLE I—TREASURY DEPARTMENT

Appropriation for fiscal year, 1936.

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury Department for the fiscal year ending June 30, 1936, namely:

Secretary's office.

OFFICE OF THE SECRETARY

Secretary, Under Secretary, Assistants, and office personnel.
Division of Research and Statistics included.
Experts.
Provisos.
Salaries limited to average rates under Classification Act; exceptions.
Vol. 42, p. 1488; Vol. 46, p. 1003.
U. S. C., p. 85.

Salaries: Secretary of the Treasury, Under Secretary of the Treasury, three Assistant Secretaries of the Treasury, and other personal services in the District of Columbia including the Division of Research and Statistics and the temporary employment of experts, $258,320: *Provided*, That in expending appropriations or portions of appropriations contained in this Act for the payment of personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the Assistant Secretaries of the Treasury and the Assistant Postmasters General the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade, but not more often than once in any fiscal year, and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical

Advances in meritorious cases.

Not applicable to clerical-mechanical service.

service, or (2) to require the reduction in salary of any person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

No reduction in fixed salaries.
Vol. 42, p. 1490; Vol. 46, p. 1005.
Transfers to another position without reduction.
Higher salary rates permitted.
No reduction if only one position in a grade.

OFFICE OF GENERAL COUNSEL

General Counsel's office.

Salaries: For the General Counsel, and other personal services in the District of Columbia, $43,000.

General Counsel, and office personnel.
Vol. 48, p. 759.

OFFICE OF CHIEF CLERK AND SUPERINTENDENT

Chief Clerk's office.

Salaries: For the chief clerk, and other personal services in the District of Columbia, including the operating force of the Treasury, Liberty Loan, and Auditors' Buildings and the Treasury Department Annex, Pennsylvania Avenue and Madison Place, and of other buildings under the control of the Treasury Department, $520,000.

Chief clerk, and office personnel.
Operating force of designated buildings.

MISCELLANEOUS AND CONTINGENT EXPENSES, TREASURY DEPARTMENT

Department contingent expenses.

For miscellaneous and contingent expenses of the office of the Secretary and the bureaus and offices of the Department, including operating expenses of the Treasury, Treasury Annex, Auditors' and Liberty Loan Buildings; newspaper clippings, financial journals, books of reference, law books, technical and scientific books, newspapers and periodicals, expenses incurred in completing imperfect series, library cards, supplies, and all other necessary expenses connected with the library; not exceeding $10,000 for traveling expenses, including the payment of actual transportation and subsistence expenses to any person whom the Secretary of the Treasury may from time to time invite to the city of Washington or elsewhere for conference and advisory purposes in furthering the work of the Department; freight, expressage, telegraph and telephone service; purchase and exchange of motor trucks and maintenance and repair of motor trucks and three passenger automobiles (one for the Secretary of the Treasury and two for general use of the Department), all to be used for official purposes only; file holders and cases; fuel, oils, grease, and heating supplies and equipment; gas and electricity for lighting, heating, and power purposes, including material, fixtures, and equipment therefor; purchase, exchange, and repair of typewriters and labor-saving machines and equipment and supplies for same; floor covering and repairs thereto; furniture and office equipment, including supplies therefor and repairs thereto; awnings, window shades, and fixtures; cleaning supplies and equipment; drafting equipment; ammonia for ice plant; flags; hand trucks, ladders; miscellaneous hardware; street-car fares not exceeding $500; thermometers; lavatory equipment and supplies; tools and sharpening same; laundry service; laboratory supplies and equipment, removal of rubbish; postage; uniforms for Treasury guards not exceeding $1,200; custody, care, protection, and expenses of sales of lands and other property of the United States, acquired and held under sections 3749 and 3750 of the Revised Statutes (U. S. C., title 40, secs. 301, 302), the examination of titles, recording of deeds, advertising, and auctioneers' fees in connection therewith; and other absolutely necessary

Operating expenses, Department buildings.
Books, periodicals, etc.
Traveling expenses.
Freight.
Fuel, lights, heat, etc.
Furniture, etc.
Sales of public property.
R. S., secs. 3749, 3750, p. 739.
U. S. C., p. 1790.

articles, supplies, and equipment not otherwise provided for; $150,300: *Provided*, That the appropriations for the Public Debt Service, Internal Revenue Service, and Division of Disbursement for the fiscal year 1936 are hereby made available for the payment of items otherwise properly chargeable to this appropriation, the provisions of section 6, Act of August 23, 1912 (U. S. C., title 31, sec. 669), to the contrary notwithstanding: *Provided further*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the Treasury Department when the aggregate amount involved does not exceed the sum of $50.

Proviso. Other funds available.

Vol. 37, p. 414; U. S. C., p. 1406.

Minor purchases without advertising. R. S., sec. 3709, p. 733; U. S. C., p. 1803.

Supply Division.

DIVISION OF SUPPLY

Chief and other personal services.

Salaries: For the Chief, Division of Supply, and other personal services in the District of Columbia, $171,000.

Printing and binding. *Post*, p. 1636.

Printing and binding: For printing and binding for the Treasury Department, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, including materials for the use of the bookbinder located in the Treasury Department, but not including work done at the New York customhouse bindery authorized by the Joint Committee on Printing in accordance with the Act of March 1, 1919 (U. S. C., title 44, sec. 111), $630,000.

Work excluded. Vol. 40, p. 1270. U. S. C., p. 1935.

Stationery. *Post*, p. 1636.

Stationery: For stationery for the Treasury Department and its several bureaus and offices, and field services thereof, including tags, labels, and index cards, printed in the course of manufacturing, packing boxes and other materials necessary for shipping stationery supplies, and cost of transportation of stationery supplies purchased free on board point of shipment and of such supplies shipped from Washington to field offices, $375,000.

Accounts and Deposits office.

OFFICE OF COMMISSIONER OF ACCOUNTS AND DEPOSITS

Commissioner, and office personnel.

Salaries: For Commissioner of Accounts and Deposits and other personal services in the District of Columbia, including the Division of Bookkeeping and Warrants, $285,920.

Division of Disbursement, salaries and expenses.

Division of Disbursement, salaries and expenses: For personal services in the District of Columbia and in the field, stationery, travel, rental of equipment, and all other necessary miscellaneous and contingent expenses, $710,700: *Provided*, That with the approval of the Director of the Bureau of the Budget there may be transferred to this appropriation from funds available for new activities or for the expansion of existing activities such sums as may be necessary to cover the additional expense incurred in performing the function of disbursement therefor.

Proviso. Transfer of funds available for new activities.

Contingent expenses, public moneys. R. S., sec. 3653, p. 719; U. S. C., p. 1396.

Contingent expenses, public moneys: For contingent expenses under the requirements of section 3653 of the Revised Statutes (U. S. C., title 31, sec. 545), for the collection, safe-keeping, transfer, and disbursement of the public money, transportation of notes, bonds, and other securities of the United States, salaries of special agents, actual expenses of examiners detailed to examine the books, accounts, and money on hand at the several depositories, including national banks acting as depositories under the requirements of section 3649 of the Revised Statutes (U. S. C., title 31, sec. 548), also including examinations of cash accounts at mints and cost of insurance on shipments of money by registered mail when necessary, $175,000.

Examination of depositories.

R. S., sec. 3649, p. 718; U. S. C., p. 1397.

Recoinage of minor coins: To enable the Secretary of the Treasury to continue the recoinage of worn and uncurrent minor coins of the United States now in the Treasury or hereafter received, and to reimburse the Treasurer of the United States for the difference between the nominal or face value of such coins and the amount the same will produce in new coins, $45,000. Recoinage of minor coins.

Recoinage of silver coins: To enable the Secretary of the Treasury to continue the recoinage of worn and uncurrent subsidiary silver coins of the United States now in the Treasury or hereafter received, and to reimburse the Treasurer of the United States for the difference between the nominal or face value of such coins and the amount the same will produce in new coins, $700,000. Recoinage of silver coins.

Relief of the indigent, Alaska: For the payment to the United States district judges in Alaska but not to exceed 10 per centum of the receipts from licenses collected outside of incorporated towns in Alaska, to be expended for the relief of persons in Alaska who are indigent and incapacitated through nonage, old age, sickness or accident, $20,000. Relief of the indigent, Alaska.

Refund of moneys erroneously received and covered: To enable the Secretary of the Treasury to meet any expenditures of the character formerly chargeable to the appropriation accounts abolished under section 18 of the Permanent Appropriation Repeal Act of 1934, approved June 26, 1934, and any other collections erroneously received and covered which are not properly chargeable to any other appropriation, $76,850. Refunding moneys erroneously received and covered. Vol. 48, p. 1231. U. S. C., p. 1413.

PUBLIC DEBT SERVICE

Public Debt Service.

Salaries and expenses: For necessary expenses connected with the administration of any public debt issues and United States paper currency issues with which the Secretary of the Treasury is charged, including the purchase of law books, directories, books of reference, pamphlets, periodicals, and newspapers, and the purchase, maintenance, operation, repair, and exchange of a motor-propelled bus or station wagon, for use of the Destruction Committee, and including the Commissioner of the Public Debt and other personal services in the District of Columbia, $2,075,000: *Provided*, That the amount to be expended for personal services in the District of Columbia shall not exceed $2,050,000: *Provided further*, That the indefinite appropriation "Expenses of loans, Act of September 24, 1917, as amended and extended" (U. S. C., title 31, secs. 760, 761), shall not be used during the fiscal year 1936 to supplement the appropriation herein made for the current work of the Public Debt Service. Salaries and expenses. Reference books, etc. Bus service for Destruction Committee. Services in the District. *Provisos.* Limitation. Restriction on using indefinite appropriation. Vol. 40, p. 292; U. S. C., p. 1422.

Distinctive paper for United States securities: For distinctive paper for United States currency, national-bank currency, and Federal Reserve bank currency, including transportation of paper, traveling, mill, and other necessary expenses, and salaries of employees, and allowance, in lieu of expenses, of officer or officers detailed from the Treasury Department, not exceeding $50 per month each when actually on duty; in all, $531,990: *Provided*, That in order to foster competition in the manufacture of distinctive paper for United States securities, the Secretary of the Treasury is authorized, in his discretion, to split the award for such paper for the fiscal year 1936 between the two bidders whose prices per pound are the lowest received after advertisement. Distinctive paper for securities. Expenses. *Proviso.* Award may be divided.

DIVISION OF APPOINTMENTS

Appointments Division.

Salaries: For the chief of the division, and other personal services in the District of Columbia, $43,880. Chief, and office personnel.

Customs Bureau.

BUREAU OF CUSTOMS

Salaries and expenses. *Post*, p. 1636.

Salaries and expenses: For collecting the revenue from customs, for the detection and prevention of frauds upon the customs revenue, and not to exceed $100,000 for the securing of evidence of violations of the customs laws; for expenses of transportation and transfer of customs receipts from points where there are no Government depositories; not to exceed $80,000 for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., Supp. VII, title 5, sec. 118a), but not to exceed $1,700 for any one person; not to exceed $5,000 for the hire of motor-propelled passenger-carrying vehicles; not to exceed $500 for subscriptions to newspapers; not to exceed $1,500 for improving, repairing, maintaining, or preserving buildings, inspection stations, office quarters, including living quarters for officers, sheds, and sites along the Canadian and Mexican borders acquired under authority of the Act of June 26, 1930 (U. S. C., Supp. VII, title 19, sec. 68); and including the purchase (not to exceed $150,000), exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles when necessary for official use in field work; $20,255,410, of which such amount as may be necessary shall be available for the cost of seizure, storage, and disposition of any merchandise, vehicle and team, automobile, boat, air or water craft, or any other conveyance seized under the provisions of the customs laws, for the purchase of arms, ammunition, and accessories, and $449,980 shall be available for personal services in the District of Columbia exclusive of ten persons from the field force authorized to be detailed under section 525 of the Tariff Act of 1930: *Provided*, That no part of this appropriation shall be expended for maintenance or repair of motor-propelled passenger-carrying vehicles for use in the District of Columbia except one for use in connection with the work of the customhouse in Georgetown: *Provided further*, That section 3648 of the Revised Statutes (U. S. C., title 31, sec. 529) shall not apply to payments made for the Bureau of Customs in foreign countries.

Transfer of receipts from points lacking Government depositories.
Living quarters. Vol. 46, p. 818; U. S. C., p. 45.

Vehicles, etc.

Quarters along borders. Vol. 46, p. 817; U. S. C., p. 799.

Seizures under customs laws.

Services in the District. Vol. 46, p. 741.

Provisos.
Motor vehicle restriction.

Advance payment restriction waived. R. S., sec. 3648, p. 718; U. S. C., p. 1395.

Refunds and drawbacks. *Post*, p. 1636.

Refunds and drawbacks: For the refund or payment of customs collections or receipts, and for the payment of debentures or drawbacks, bounties, and allowances, as authorized by law, $14,000,000.

Bureau of the Budget.

BUREAU OF THE BUDGET

Director, Assistant, personnel, and other expenses. *Post*, p. 593.

Salaries and expenses: Director, Assistant Director, and all other necessary expenses of the Bureau, including compensation of attorneys and other employees in the District of Columbia; contract stenographic reporting services, telegrams, telephone service, law books, books of reference, periodicals, stationery, furniture, office equipment, other supplies, traveling expenses, street-car fares; $160,000.

Printing and binding. *Post*, p. 1636.

For printing and binding, $32,000.

Treasurer's office.

OFFICE OF TREASURER OF THE UNITED STATES

Treasurer, Assistant, and office personnel.

Salaries: For Treasurer of the United States, Assistant Treasurer, and for other personal services in the District of Columbia, $1,160,000.

Redeeming Federal Reserve and national currency.

For personal services in the District of Columbia, in redeeming Federal Reserve and national currency, $309,700, to be reimbursed by the Federal Reserve and national banks.

Office of Comptroller of the Currency.

OFFICE OF THE COMPTROLLER OF THE CURRENCY

Comptroller, and office personnel.

Salaries: Comptroller of the Currency and other personal services in the District of Columbia, $232,520.

For personal services in the District of Columbia in connection with Federal Reserve and national currency, $51,280, to be reimbursed by the Federal Reserve and national banks. Personal services, etc.; reimbursable.

BUREAU OF INTERNAL REVENUE

Internal Revenue Bureau.

Salaries and expenses: For expenses of assessing and collecting the internal-revenue taxes and to administer the applicable provisions of the Act of October 28, 1919, as amended and supplemented (U. S. C., title 27), the Act of March 22, 1933 (U. S. C., Supp. VII, title 27, secs. 64–a to 64–o), the Act of January 11, 1934 (48 Stat. 313), Public Resolutions Numbered 40 and 41, approved June 18, 1934, (48 Stat. 1020–1021); and the internal-revenue laws pursuant to the Act of March 3, 1927 (U. S. C., Supp. VII, title 5, secs. 281–281–e), the Act of May 27, 1930 (U. S. C., Supp. VII, title 27, secs. 103–108), and Executive Order Numbered 6639, dated March 10, 1934; including the Commissioner of Internal Revenue, Assistant General Counsel for the Bureau of Internal Revenue, an assistant to the Commissioner, a special deputy commissioner, four deputy commissioners, one stamp agent (to be reimbursed by the stamp manufacturers), and the necessary officers, collectors, deputy collectors, attorneys, experts, agents, accountants, inspectors, investigators, chemists, supervisors, storekeeper-gaugers, guards, clerks, janitors, and messengers in the District of Columbia, the several collection districts, the several divisions of internal-revenue agents and the several supervisory districts, to be appointed as provided by law; the securing of evidence of violations of the Acts, the cost of chemical analyses made by others than employees of the United States and expenses incident to such chemists testifying when necessary; telegraph and telephone service, rent in the District of Columbia and elsewhere, postage, freight, express, necessary expenses incurred in making investigations in connection with the enrollment or disbarment of practitioners before the Treasury Department in internal-revenue matters, expenses of seizure and sale, and other necessary miscellaneous expenses, including stenographic reporting services; cost of acquisition and maintenance of automobiles seized for violations of internal revenue laws delivered to the Secretary of the Treasury for use in administration of the law under his jurisdiction; for the purchase (not exceeding $150,000), exchange, hire, maintenance, repair, and operation of motor-propelled or horse-drawn passenger-carrying vehicles when necessary, for official use of the Alcohol Tax Unit in field work; and the purchase of such supplies, equipment, furniture, mechanical devices, laboratory supplies, law books and books of reference; and such other articles as may be necessary for use in the District of Columbia, the several collection districts, the several divisions of internal-revenue agents, and the several supervisory districts, $48,000,000, of which amount not to exceed $9,588,000 may be expended for personal services in the District of Columbia: *Provided*, That no part of this amount shall be used in defraying the expenses of any officer designated above, subpenaed by the United States court to attend any trial before a United States court or preliminary examination before any United States commissioner, which expenses shall be paid from the appropriation for "Fees of witnesses, United States courts": *Provided further*, That not more than $100,000 of the total amount appropriated herein may be expended by the Commissioner of Internal Revenue for detecting and bringing to trial persons guilty of violating the internal-revenue laws or conniving at the same, including payments for information and detection of such violation: *Provided further*, That for the purpose of concentration, upon the initiation

Salaries and expenses. *Post*, p. 1636. Vol. 41, p. 305; Vol. 48, p. 16. U. S. C., p. 1217.

Vol. 48, pp. 313, 1020.

Vol. 44, p. 1381. U. S. C., p. 59. Vol. 46, p. 428; U. S. C., p. 1222.

Commissioner, Assistant General Counsel, and other personal services. Vol. 48, p. 1061.

Securing of evidence.

Vehicles.

Purchase, for field agents.

Provisos. Witness fees. *Ante*, p. 82.

Detection and prosecution of violations.

Concentration of distilled spirits in bonded warehouses.

of the Commissioner of Internal Revenue and under regulations prescribed by him, distilled spirits may be removed from any internal-revenue bonded warehouse to any other such warehouse, and may be bottled in bond in any such warehouse before or after payment of the tax, and the commissioner shall prescribe the form and penal sum of bond covering distilled spirits in internal-revenue bonded warehouses and in transit between such warehouses.

Vol. 48, p. 1061.

That the proviso to the paragraph under the heading "Bureau of Internal Revenue" contained in the Emergency Appropriation Act, fiscal year 1935, approved June 19, 1934, be amended to read as follows: "*Provided*, That from and after May 15, 1935, no part of the appropriation made herein, or heretofore made, shall be used to pay the salaries of persons who were dropped from the service under the Executive Order Numbered 6166 of June 10, 1933, and reinstated, transferred, or promoted to positions in the Bureau of Industrial Alcohol, or in the Alcohol Tax Unit upon certificates issued by the Civil Service Commission between January 30, 1934, and May 10, 1934, unless such persons shall have passed an appropriate open competitive examination held by the Civil Service Commission after June 19, 1934, such persons being those who were separated from the service by Executive Order of June 10, 1933, and who, under the terms of such order, were ineligible for reappointment unless such reappointments were made before December 10, 1933: *Provided further*, That inasmuch as the Treasury Department under the advice of the Attorney General, has given the proviso referred to above a construction including other employees not intended by the Congress to be included in that proviso and advising the Treasury Department that it could retain such employees without pay, there are hereby made available for salaries from December 1, 1934, to May 15, 1935, both dates inclusive, from the unexpended balances under the following titled appropriations, the sums, respectively, enumerated after each: 'Collecting the Revenue from Customs, 1935', $2,357.14, 'Collecting the Internal Revenue, 1935', $1,367,006.91, 'Salaries and Expenses, Bureau of Narcotics, 1935', $8,642.85, and 'Suppressing Counterfeiting and Other Crimes, 1935', $7,857.14, in all, $1,385,864.04, to pay all of said employees up to and including May 15, 1935: *Provided further*, That the employees, other than those heretofore designated may be retained by the Treasury Department, but those designated in the first proviso hereof shall not be retained after May 15, 1935, by the Treasury Department unless they pass an appropriate noncompetitive examination to be held by the Civil Service Commission and, if retained without having passed such noncompetitive examination, shall not be paid out of this appropriation or any other appropriation made by this Act."

Restriction on salary payments.

Competitive appointments required.

Sums made available for salaries.

Separation of employees failing to qualify.

Refunding taxes.
Vol. 45, p. 398.

Refunding internal-revenue collections: For refunding internal-revenue collections, as provided by law, including the payment of claims for the fiscal year 1936 and prior years and accounts arising under "Allowance or drawback (Internal Revenue)", "Redemption of stamps (Internal Revenue)", "Refunding legacy taxes, Act of March 30, 1928", and "Repayment of taxes on distilled spirits destroyed by casualty", $35,000,000: *Provided*, That a report shall be made to Congress by internal-revenue districts and alphabetically arranged of all disbursements hereunder in excess of $500 as required by section 3 of the Act of May 29, 1928 (U. S. C., Supp. VII, title 26, sec. 1676), including the names of all persons and corporations to whom such payments are made, together with the amount paid to each.

Proviso.
Detailed report to Congress.
Vol. 45, p. 996.
U. S. C., p. 1202.

Additional income tax on railroads in Alaska: For the payment to the Treasurer of Alaska of an amount equal to the tax of 1 per centum collected on the gross annual income of all railroad corporations doing business in Alaska, on business done in Alaska, which tax is in addition to the normal income tax collected from such corporations on net income, and the amount of such additional tax to be applicable to general Territorial purposes, $4,700.

Alaska railroads, additional tax.

BUREAU OF NARCOTICS

Narcotics Bureau.

Salaries and expenses: For expenses to enforce the Act of December 17, 1914 (U. S. C., title 26, sec. 211), as amended by the Revenue Act of 1918 (U. S. C., title 26, secs. 691–708), the Act approved February 9, 1909, as amended by the Act of May 26, 1922 (U. S. C., title 21, secs. 171–184), known as the Narcotic Drugs Import and Export Act, pursuant to the Act of March 3, 1927 (U. S. C., Supp. VII, title 5, secs. 281–281e) and the Act of June 14, 1930 (U. S. C., Supp. VII, title 5, secs. 282–282c), including the employment of executive officers, attorneys, agents, inspectors, chemists, supervisors, clerks, messengers, and other necessary employees in the field and in the Bureau of Narcotics in the District of Columbia, to be appointed as authorized by law; the securing of evidence of violations of the Acts; the costs of chemical analyses made by others than employees of the United States; the purchase of such supplies, equipment, mechanical devices, books, and such other expenditures as may be necessary in the several field offices; cost incurred by officers and employees of the Bureau of Narcotics in the seizure, storage, and disposition of property under the internal revenue laws when the same is disposed of under section 3460, Revised Statutes (U. S. C., title 26, sec. 1193); purchase (not to exceed $7,500), exchange, hire, maintenance, repair, and operation of motor-propelled or horse-drawn passenger-carrying vehicles when necessary for official use in field work; purchase of arms and ammunition, and for rental of necessary quarters in the District of Columbia and elsewhere; in all, $1,249,470, of which amount not to exceed $187,080 may be expended for personal services in the District of Columbia: *Provided*, That the Secretary of the Treasury may authorize the use by narcotic agents of motor vehicles confiscated under the provisions of the Act of March 3, 1925 (U. S. C., title 27, sec. 43), as amended, and to pay the cost of acquisition, maintenance, repair, and operation thereof: *Provided further*, That not exceeding $10,000 may be expended for the collection and dissemination of information and appeal for law observance and law enforcement, including cost of printing, purchase of newspapers, and other necessary expenses in connection therewith and not exceeding $1,500 for attendance at meetings concerned with the work of the Bureau of Narcotics: *Provided further*, That moneys expended from this appropriation for the purchase of narcotics and subsequently recovered shall be reimbursed to the appropriation for enforcement of the narcotic Acts current at the time of the deposit.

Salaries and expenses. Vol. 38, p. 785; Vol. 40, p. 1130; Vol. 35, p. 614; Vol. 42, p. 596. U. S. C., pp. 932, 1124.

Vol. 44, p. 1381; Vol. 46, p. 585. U. S. C., p. 59.

Executive officers, etc.

Securing evidence of law violations.

Seizures, etc. R. S., sec. 3460, p. 685. U. S. C., p. 1199.

Provisos.
Use of forfeited vehicles. Vol. 43, p. 1116. U. S. C., p. 823.

Law observance information.

Attendance at meetings.

Credits for sums expended.

COAST GUARD

Coast Guard.

Office of the Commandant: For personal services in the District of Columbia, $359,620.

Office personnel.

For every expenditure requisite for and incident to the authorized work of the Coast Guard, including the expense of maintenance, repair, and operation of vessels forfeited to the United States and

Service expenditures.

Vol. 43, p. 1116. U. S. C., p. 823.

delivered to the Treasury Department under the terms of the Act approved March 3, 1925 (U. S. C., title 27, sec. 41), and the maintenance, repair, exchange, and operation of motor-propelled passenger-carrying vehicles, to be used only for official purposes in the field, as follows:

Pay, etc., officers and enlisted men. *Post*, p. 1637.

Pay and allowances: For pay and allowances prescribed by law for commissioned officers, cadets, warrant officers, petty officers, and other enlisted men, active and retired, temporary cooks, surfmen, substitute surfmen, and two civilian instructors, including not to exceed $96,575 for retired pay for certain members of the former Life Saving Service authorized by the Act approved April 14, 1930 (U. S. C., title 14, sec. 178 a), and not exceeding $6,000 for cash prizes for men for excellence in gunnery, target practice, and engineering competitions, for carrying out the provisions of the Act of June 4, 1920 (U. S. C., title 34, sec. 943), rations or commutation thereof for cadets, petty officers, and other enlisted men, mileage and expenses allowed by law for officers; and traveling expenses for other persons traveling on duty under orders from the Treasury Department, including transportation of enlisted men and applicants for enlistment, with subsistence and transfers en route, or cash in lieu thereof, expenses of recruiting for the Coast Guard, rent of rendezvous, and expenses of maintaining the same; advertising for and obtaining men and apprentice seamen; transportation and packing allowances for baggage or household effects of commissioned officers, warrant officers, and enlisted men, $17,000,000;

Retired members, Life Saving Service. Vol. 46, p. 164; U. S. C., p. 506.

Cash prizes.

Death allowance.

Vol. 41, p. 824; U. S. C., p. 1570.

Traveling expenses.

Fuel and water. *Post*, p. 1637.

Fuel and Water: For fuel, lubricating oil, kerosene, and water for vessels, stations, and houses of refuge, $1,532,650;

Outfits, stores, etc. *Post*, p. 1637.

Outfits: For outfits, including repairs to portable equipment at shore units, ship chandlery, engineers' stores, and draft animals and their maintenance, $1,304,455;

Stations, houses of refuge, etc. *Post*, p. 1637.

Rebuilding and Repairing Stations: For rebuilding and repairing stations and houses of refuge, temporary leases, rent, and improvements of property for Coast Guard purposes, including use of additional land where necessary, $292,500;

Coastal communication lines. *Post*, p. 1637.

Communication Lines: For coastal communication lines and facilities and their maintenance, and communication service, $138,120;

Civilian field employees.

Civilian Employees: For compensation of civilian employees in the field, including clerks to district commanders, $245,080;

Contingent expenses.

Contingent expenses: For contingent expenses, including subsistence of shipwrecked and destitute persons succored by the Coast Guard and of prisoners while in the custody of the Coast Guard; for the recreation, amusement, comfort, contentment, and health of the enlisted men of the Coast Guard, to be expended in the discretion of the Secretary of the Treasury, not exceeding $40,000; instruments and apparatus, supplies, technical books and periodicals, services necessary to the carrying on of scientific investigation, and not exceeding $4,000 for experimental and research work; care, transportation, and burial of deceased officers and enlisted men, including those who die in Government hospitals; wharfage, towage, freight, storage, advertising, surveys, medals, labor, newspapers, and periodicals for statistical purposes; not to exceed $5,000 for cost of special instruction including maintenance of students; and all other necessary expenses which are not included under any other headings; $175,000;

Vessel, etc., repairs. *Post*, p. 1637.

Repairs to vessels: For repairs to Coast Guard vessels and boats, $1,713,890;

Total, Coast Guard, exclusive of commandant's office, $22,401,695.

Payment of reenlistment allowances. Vol. 47, p. 1519.

Section 18 of the Treasury-Post Office Appropriation Act, fiscal year 1934, is hereby continued in full force and effect during the

fiscal year ending June 30, 1936; and for the purpose of making such section applicable to such latter fiscal year, the figures "1934" shall be read as "1936".

BUREAU OF ENGRAVING AND PRINTING

Engraving and Printing Bureau.

For the work of engraving and printing, exclusive of repay work, during the fiscal year 1936 United States currency and national-bank currency, internal-revenue stamps including opium orders and special-tax stamps required under the Act of December 17, 1914 (U. S. C., title 26, sec. 211), checks, drafts, and miscellaneous work, as follows:

Work authorized for fiscal year 1936.

Vol. 38, p. 786. U. S. C., p. 1125.

Salaries and expenses: For the director, two assistant directors, and other personal services in the District of Columbia, including wages of rotary press plate printers at per diem rates and all other plate printers at piece rates to be fixed by the Secretary of the Treasury, not to exceed the rates usually paid for such work; for engravers' and printers' materials and other materials, including distinctive and nondistinctive paper, except distinctive paper for United States currency, national-bank currency and Federal Reserve bank currency; equipment of, repairs to, and maintenance of buildings and grounds and for minor alterations to buildings; directories, technical books and periodicals, and books of reference, not exceeding $300; rent of warehouse in the District of Columbia; traveling expenses not to exceed $2,000; equipment, maintenance, and supplies for the emergency room for the use of all employees in the Bureau of Engraving and Printing who may be taken suddenly ill or receive injury while on duty; miscellaneous expenses, including not to exceed $1,500 for articles approved by the Secretary of the Treasury as being necessary for the protection of the person of employees; for transfer to the Bureau of Standards for scientific investigations in connection with the work of the Bureau of Engraving and Printing, not to exceed $15,000; and for the maintenance and driving of two motor-propelled passenger-carrying vehicles; $5,988,247, to be expended under the direction of the Secretary of the Treasury.

Salaries and expenses. *Post*, p. 593.

Materials, etc.

Reference books, etc.

Miscellaneous expenses.

Scientific investigations.

Vehicles.

During the fiscal year 1936 all proceeds derived from work performed by the Bureau of Engraving and Printing, by direction of the Secretary of the Treasury, not covered and embraced in the appropriation for such Bureau for such fiscal year, instead of being covered into the Treasury as miscellaneous receipts, as provided by the Act of August 4, 1886 (U. S. C., title 31, sec. 176), shall be credited when received to the appropriation for said Bureau for the fiscal year 1936.

Proceeds of work to be credited to Bureau.

Vol. 24, p. 227. U. S. C., p. 1366.

SECRET SERVICE DIVISION

Secret Service Division.

Salaries: For the chief of the division and other personal services in the District of Columbia, $37,940.

Chief, and office personnel. *Post*, p. 594.

Suppressing counterfeiting and other crimes: For expenses incurred under the authority or with the approval of the Secretary of the Treasury in detecting, arresting, and delivering into the custody of the United States marshal having jurisdiction dealers and pretended dealers in counterfeit money and persons engaged in counterfeiting, forging, and altering United States notes, bonds, national-bank notes, Federal Reserve notes, Federal Reserve bank notes, and other obligations and securities of the United States and of foreign governments, as well as the coins of the United States and of foreign governments, and other crimes against the laws of

Suppressing counterfeiting, etc.

the United States relating to the Treasury Department and the several branches of the public service under its control; purchase (not to exceed $57,000), exchange, hire, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles when necessary; purchase of arms and ammunition; traveling expenses; and for no other purpose whatsoever, except in the performance of other duties specifically authorized by law, and in the protection of the person of the President and the members of his immediate family and of the person chosen to be President of the United States, $675,000, of which sum $57,000 shall be immediately available:

Protecting the President, etc.

Provisos.
Witness fees.

Provided, That no part of the amount herein appropriated shall be used in defraying the expenses of any person subpenaed by the United States courts to attend any trial before a United States court or preliminary examination before any United States commissioner, which expenses shall be paid from the appropriation for "Fees of witnesses, United States courts": *Provided further*, That of the amount herein appropriated, not to exceed $10,000 may be expended in the discretion of the Secretary of the Treasury for the purpose of securing information concerning violations of the laws relating to the Treasury Department, and for services or information looking toward the apprehension of criminals.

Violation of laws relating to Treasury Department, etc.

White House police.
Salaries.
Post, p. 594.

White House police: Captain, lieutenant, three sergeants, and for forty-three privates, at rates of pay provided by law; in all, $117,700.

Uniforms and equipment.
Post, p. 594.

For uniforming and equipping the White House police, including the purchase, issue, and repair of revolvers and the purchase and issue of ammunition and miscellaneous supplies, to be procured in such manner as the President in his discretion may determine, $3,000.

Public Health Service.

PUBLIC HEALTH SERVICE

Office personnel.

Salaries, office of Surgeon General: For personal services in the District of Columbia, $304,570.

Pay, allowance, etc., Surgeon General, officers, etc.

Commissioned officers, pay, and so forth: For pay, allowance, and commutation of quarters for regular commissioned medical officers, including the Surgeon General and assistant surgeons general and for other regular commissioned officers, $1,728,734.

Acting assistant surgeons.

Acting assistant surgeons, pay: For pay of acting assistant surgeons (noncommissioned medical officers), $335,000.

Other employees.

Pay of other employees: For pay of all other employees (attendants, and so forth), $1,000,000.

Freight, transportation, etc.

Freight, transportation, etc.: For freight, transportation, and traveling expenses, including allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., Supp. VII, title 5, sec. 118a), not to exceed $5,000 but not to exceed $1,700 for any one person; the expenses, except membership fees, of officers when officially detailed to attend meetings of associations for the promotion of public health, and the packing, crating, drayage, and transportation of the personal effects of commissioned officers, scientific personnel, pharmacists, and nurses of the Public Health Service, upon permanent change of station, $25,000: *Provided*, That funds expendable for transportation and traveling expenses may also be used for preparation for shipment and transportation to their former homes of remains of officers who die in line of duty.

Vol. 46, p. 818.
U. S. C., p. 45.

Proviso.
Transporting remains of officers.

National Institute of Health, maintenance.

National Institute of Health, maintenance: For maintaining the National Institute of Health, $64,000.

Books.

Books: For journals and scientific books, office of Surgeon General, $450.

Pay of personnel and maintenance of hospitals: For medical examinations, including the amount necessary for the medical inspection of aliens, as required by section 16 of the Act of February 5, 1917 (U. S. C., title 8, sec. 152), medical, surgical, and hospital services and supplies, including prosthetic and orthopedic supplies to be furnished under regulations approved by the Secretary of the Treasury, for beneficiaries (other than patients of the Veterans' Administration) of the Public Health Service and persons detained in hospitals of the Public Health Service under the immigration laws and regulations, including necessary personnel and reserve commissioned officers of the Public Health Service, personal services in the District of Columbia and elsewhere, including the furnishing and laundering of white duck coats, trousers, smocks, aprons, and caps to employees whose duties make necessary the wearing of same, maintenance, minor repairs, equipment, leases, fuel, lights, water, freight, transportation and travel, the maintenance, exchange, and operation of motor trucks and passenger motor vehicles for official use in field work (including not to exceed $3,000 for the purchase of motor-propelled passenger-carrying vehicles) and one for use in connection with the administrative work of the Public Health Service in the District of Columbia, purchase of ambulances, transportation, care, maintenance, and treatment of lepers, including transportation to their homes in the continental United States of recovered indigent leper patients, court costs, and other expenses incident to proceedings heretofore or hereafter taken for commitment of mentally incompetent persons to hospitals for the care and treatment of the insane, and reasonable burial expenses (not exceeding $100 for any patient dying in hospital), $5,658,460: *Provided*, That the Immigration Service shall permit the Public Health Service to use the hospitals at Ellis Island Immigration Station for the care of Public Health Service patients free of expense for physical upkeep, but with a charge of actual cost of fuel, light, water, telephone, and similar supplies and services, to be covered into the proper Immigration Service appropriations; and money collected by the Immigration Service on account of hospital expenses of persons detained in hospitals of the Public Health Service under the immigration laws and regulations shall be covered into the Treasury as miscellaneous receipts: *Provided further*, That no part of this sum shall be used for the quarantine service, the prevention of epidemics, or scientific work of the character provided for under the appropriations which follow.

Hospital maintenance, medical examinations, etc.
Vol. 39, p. 885; U. S. C., p. 191.
Post, p. 1637.

Services in the District.

General expenses.

Lepers, care, transportation, etc.

Insane, etc.

Provisos.
Use of Ellis Island hospitals.

Receipts covered into Treasury.

Uses forbidden.

Hereafter all collections of the Public Health Service for the care and treatment of foreign seamen or other private pay patients shall be covered in the Treasury as miscellaneous receipts.

Collections for treatment of pay patients covered into Treasury.

Quarantine service: For maintenance and ordinary expenses, exclusive of pay of officers and employees, of United States quarantine stations, including the exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles for official use in field work and not to exceed $3,500 for the purchase of motor-propelled passenger-carrying vehicles, $322,150.

Quarantine service.

Prevention of epidemics: To enable the President, in case only of threatened or actual epidemic of infectious or contagious disease, to aid State and local boards or otherwise in his discretion, in preventing and suppressing the spread of the same, and in such emergency in the execution of any quarantine laws which may be then in force, $261,668, of which $8,000 shall be immediately available for the suppression of an epidemic of typhus fever, including the purchase of newspapers and clippings from newspapers containing information relating to the prevalence of disease and the public health.

Prevention of epidemics.

Field investigations.

Field investigations: For investigations of diseases of man and conditions influencing the propagation and spread thereof, including sanitation and sewage, and the pollution of navigable streams and lakes of the United States, including personal service, and including the maintenance, repair, and operation of motor-propelled passenger-carrying vehicles for official use in field work, and not to exceed $2,250 for the purchase and exchange of motor-propelled passenger-carrying vehicles, $240,000.

Interstate quarantine service.

Interstate quarantine service: For cooperation with State and municipal health authorities in the prevention of the spread of contagious and infectious diseases in interstate traffic, $36,535.

Rural sanitation.

Rural sanitation: For special studies of, and demonstration work in, rural sanitation, including personal services, and including the maintenance, repair, and operation of motor-propelled passenger-carrying vehicles for official use in field work, $25,000: *Provided*, That no part of this appropriation shall be available for demonstration work in rural sanitation in any community unless the State, county, or municipality in which the community is located agrees to pay one-half of the expenses of such demonstration work.

Proviso.
Local contribution required.

Biologic products.
Regulating sale of viruses, etc.

Biologic products: To regulate the propagation and sale of viruses, serums, toxins, and analogous products, including arsphenamine, and for the preparation of curative and diagnostic biologic products, including personal services of reserve commissioned officers and other personnel, $45,000.

Venereal Diseases Division.
Maintenance, etc.
Vol. 40, p. 886; U. S. C., p. 1812.

Division of Venereal Diseases: For the maintenance and expenses of the Division of Venereal Diseases, established by sections 3 and 4, chapter XV, of the Act approved July 9, 1918 (U. S. C., title 42, secs. 24, 25), including personal and other services in the field and in the District of Columbia, $80,000, of which amount not to exceed $19,420 may be expended for personal services in the District of Columbia.

Services in the District.

Mental Hygiene Division.
Vol. 46, pp. 587, 819.
U. S. C., pp. 934, 937.

Division of Mental Hygiene: For carrying out the provisions of section 4 of the Act of June 14, 1930 (U. S. C., Supp. VII, title 21, secs. 196 and 225); for maintenance and operation of the Narcotic Farm, Lexington, Kentucky, in accordance with the provisions of the Act of January 19, 1929 (U. S. C., Supp. VII, title 21, secs. 221–237), including personal services in the District of Columbia and elsewhere; traveling expenses; necessary supplies and equipment; subsistence and care of inmates; expenses incurred in pursuing and identifying escaped inmates and of interment or transporting remains of deceased inmates; purchase and exchange of farm products and livestock; law books, books of reference, newspapers and periodicals; furnishing and laundering of uniforms and other distinctive wearing apparel necessary for employees in the performance of their official duties; tobacco for inmates; purchase and exchange, not to exceed $800, and maintenance, operation, and repair of motor-propelled passenger-carrying vehicles; $650,000.

Narcotic Farm, Lexington, Ky.
Vol. 45, p. 1085; U. S. C., p. 937.

Educational exhibits; preventing spread of diseases.

Educational exhibits: For the preparation of public-health exhibits designed to demonstrate the cause, prevalence, methods of spread, and measures for preventing diseases dangerous to the public health, including personal services and the cost of acquiring, transporting, and displaying exhibit material, $1,000.

Bureau of the Mint.

BUREAU OF THE MINT

OFFICE OF DIRECTOR OF THE MINT

Director, and office personnel.

Salaries: For the Director of the Mint and other personal services in the District of Columbia, $37,200.

Transportation of bullion and coin: For transportation of bullion and coin, by registered mail or otherwise, between mints and assay offices, $10,000. Transporting bullion and coin.

Contingent expenses: For assay laboratory chemicals, fuel, materials, balances, weights, and other necessaries, including books, periodicals, specimens of coins, ores, and incidentals, $700. Contingent expenses.

For examination of mints, expense in visiting mints for the purpose of superintending the annual settlements, and for special examinations and for the collection of statistics relative to the annual production and consumption of the precious metals in the United States, $4,700. Mint examinations.

Salaries and expenses, mints and assay offices: For compensation of officers and employees of the mints at Philadelphia, Pennsylvania, San Francisco, California, Denver, Colorado, and New Orleans, Louisiana, and assay offices at New York, New York, and Seattle, Washington, and for incidental and contingent expenses, including traveling expenses, new machinery, and repairs, cases and enameling for medals manufactured, net wastage in melting and refining and in coining departments, loss on sale of sweeps arising from the treatment of bullion and the manufacture of coins, not to exceed $500 for the expenses of the annual assay commission, and not exceeding $1,000 in value of specimen coins and ores for the cabinet of the mint at Philadelphia, $1,204,000. Mints and assay offices. Salaries and expenses. *Post*, pp. 594, 1637.

PROCUREMENT DIVISION—PUBLIC WORKS BRANCH

Procurement Division; Public Works Branch.

For carrying into effect the provisions of the Public Building Acts, as provided in section 6 of the Act of May 30, 1908 (U. S. C., title 31, sec. 683), and for the repair, preservation, and upkeep of all completed public buildings, the mechanical equipment and the grounds thereof, and sites acquired for buildings, maintained by the Treasury Department, and for the operation of certain completed and occupied Treasury buildings, including furniture and repairs thereof, but exclusive, with respect to operation, of marine hospitals, quarantine stations, narcotic farms, mints, branch mints, and assay offices, the Treasury, Treasury Annex, Liberty Loan, and Auditors' buildings: Repairs, preservation, etc., of completed buildings. Vol. 35, p. 537; Vol. 42, p. 21. U. S. C., p. 1407.

General administrative expenses: For architectural, engineering, mechanical, administrative, clerical, and other personal services, traveling expenses, including expenses of employees directed by the Secretary of the Treasury to attend meetings of technical and professional societies in connection with subjects related to the work of the Division of Procurement, Public Works Branch, and transportation of household goods, incident to change of headquarters of all employees engaged in field activities, not to exceed five thousand pounds at any one time, together with the necessary expenses incident to packing and draying same; advertising, testing instruments, law books, books of reference, technical periodicals and journals, drafting materials, especially prepared paper, typewriting machines, adding machines and other mechanical labor-saving devices, and exchange of same, carpets, electric-light fixtures, furniture, equipment, and repairs thereto, telegraph and telephone service, freight, expressage, and postage incident to the transportation of drawings to and from the office and such other contingencies, articles, services, or supplies as the Secretary of the Treasury may deem necessary and specially order or approve in connection with any of the work of the Procurement Division, Public Works Branch; rent in the District of Columbia and elsewhere, including ground rent of the Federal building at Salamanca, New York, for which payment may be made in General administrative expenses. Salamanca, N. Y., ground rent.

advance; $920,000, of which amount not to exceed $494,940 may be expended for personal services in the District of Columbia and not to exceed $289,060 for personal services in the field: *Provided*, That the foregoing appropriations shall not be available for the cost of surveys, plaster models, progress photographs, test pits and borings, or mill and shop inspections, but the cost thereof shall be construed to be chargeable against the construction appropriations of the respective projects to which they relate: *Provided further*, That no expenditures shall be made hereunder for transportation of operating supplies for public buildings: *Provided further*, That in no case shall the rates of compensation for the mechanical labor force in the field under this appropriation be in excess of the rates current at the time and in the place where such services are employed.

Provisos.
Cost of surveys, models, etc.

Not available for transporting supplies.

Pay rates.

Repair, preservation, etc., completed buildings.

Repair, preservation, and equipment, public buildings: For repairs, alterations, improvement, and preservation of completed Federal buildings (including Marcus Hook), the grounds and approaches thereof, wharves and piers, together with the necessary dredging adjacent thereto, and care and safeguarding, not otherwise provided for, of sites acquired for Federal buildings, including tools and materials for the use of the custodial and mechanical force, wire partitions and insect screens, installation and repair of mechanical equipment, gas and electric-light fixtures, conduits, wiring, platform scales, and tower clocks; vaults and lock-box equipment in all buildings under construction or completed, and for necessary safe equipments in buildings under the administration of the Treasury Department, including repairs thereto, and changes in, maintenance of, and repairs to the pneumatic-tube system in New York City installed under franchise of the city of New York, approved June 29, 1909, and June 11, 1928, and the payment of any obligations arising thereunder in accordance with the provisions of the Acts approved August 5, 1909 (36 Stat., p. 120), and May 15, 1928 (45 Stat., p. 533), $1,586,700: *Provided*, That the appropriation herein made shall not be available for the payment of personal services, except for work done under contract, or for temporary job labor under exigency in an amount not to exceed $100 at one time at any one building: *Provided further*, That the total expenditures for the fiscal year for the repair and preservation of buildings not reserved by the vendors on sites acquired for buildings or the enlargement of buildings and the installation and repair of the mechanical equipment thereof shall not exceed 20 per centum of the annual rental of such buildings.

Pneumatic tube, New York City.

Vol. 36, p. 120; Vol. 45, p. 533.

Provisos.
Personal service restriction.

Limitation on repairs, etc.

Construction of public buildings.

Construction of Public Buildings: For commencement, continuation, or completion of construction in connection with any or all projects authorized under the provisions of sections 3 and 5 of the Public Buildings Act, approved May 25, 1926 (U. S. C., Supp. VII, title 40, secs. 343, 345), and the Acts amendatory thereof approved February 24, 1928 (U. S. C., Supp. VII, title 40, sec. 345), and March 31, 1930 (U. S. C., Supp. VII, title 40, secs. 341–349), within the respective limits of cost fixed for such projects, $2,000,000: *Provided*, That no part of this appropriation shall be used for work on the building for the Coast Guard or some other Government activity (Apex Building), authorized by the Act of March 4, 1931 (46 Stat., p. 1605): *Provided further*, That the Government property located on the south side of Fourth Street opposite the terminus of Park Avenue in the city of Bremerton, Washington, known as the "Navy Yard Hotel site", is hereby transferred to the Treasury Department for use as a site for the post-office building authorized under the provisions of the Emergency Appropriation Act, fiscal year 1935.

Vol. 44, p. 632; Vol. 45, p. 137; Vol. 46, p. 1164; U. S. C., pp. 1792–1796.

Provisos.
Coast Guard, etc., buildings discontinued.
Vol. 46, p. 1605.

Bremerton, Wash., Navy Yard Hotel site transferred to Treasury.
Vol. 48, p. 1062.
Post, p. 1639.

Outside professional services, public buildings: To enable the Secretary of the Treasury to obtain outside professional and technical services, as provided by the Public Buildings Act approved May 25, 1926 (U. S. C., Supp. VII, title 40, sec. 342), and by the Act approved March 31, 1930 (46 Stat., p. 137), and to pay reasonable compensation for such services, and to employ appraisers, when necessary, by contract or otherwise, $100,000, to remain available until expended.

Outside professional services.
Vol. 44, p. 631; Vol. 46, p. 137.
U. S. C., p. 1794.

Operating force for public buildings: For personal services, including also telephone operators for the operation of telephone switchboards or equivalent telephone switching equipment jointly serving in each case two or more governmental activities, $1,300,000: *Provided*, That in no case shall the rates of compensation for the mechanical labor force under this appropriation be in excess of the rates current at the time and in the place where such services are employed.

Operating force.
Personal services.

Proviso.
Pay rates.

Furniture and repairs of furniture, public buildings: For furniture, carpets, and repairs of same, for certain completed and occupied Treasury buildings, and for public buildings in course of construction which are to be operated by the Public Works branch, $45,000: *Provided*, That the foregoing appropriation shall not be used for personal services except for work done under contract or for temporary job labor under exigency and not exceeding at one time the sum of $100 at any one building: *Provided further*, That all furniture now owned by the United States in other public buildings or in buildings rented by the United States shall be used, so far as practicable, whether it corresponds with the present regulation plan for furniture or not.

Furniture, etc.

Provisos.
Personal services, restriction.

Use of present furniture.

Operating supplies.
Fuel, light, power, etc.

Operating supplies, public buildings: For fuel, steam, gas for lighting and heating purposes, water, ice, lighting supplies, electric current for lighting, heating, and power purposes, telephone service for custodial forces; removal of ashes and rubbish, snow, and ice; cutting grass and weeds, washing towels, and miscellaneous items for use of the custodial forces in the care and maintenance of such public buildings, the grounds thereof, and the equipment and furnishings therein; temporary job labor under exigency not exceeding at one time the sum of $100 at any one building; miscellaneous supplies, tools, and appliances required in the operation (not embracing repairs) of the mechanical equipment, including heating, plumbing, hoisting, gas piping, ventilating, vacuum-cleaning, air-conditioning and refrigerating apparatus, electric-light plants, meters, interior pneumatic tube and intercommunicating telephone systems, conduit wiring, call bell and signal systems in such buildings, and for the transportation of articles or supplies, authorized herein; $425,000: *Provided*, That this appropriation shall be available for contracts for telephone switchboards or equivalent telephone-switching equipment jointly serving in each case two or more governmental activities in buildings under the Treasury Department where it is found that joint service is economical and in the interest of the Government, and this appropriation shall be reimbursed for the cost of such joint service from available appropriations of the offices receiving the service.

Proviso.
Contracts for joint telephone switchboards.

PROCUREMENT DIVISION—SUPPLY BRANCH

Supply Branch.

Salaries and expenses: For the Director of Procurement and other personal services in the District of Columbia and in the field service, and for miscellaneous expenses, including two three-and-one-half-ton and two one-and-one-half-ton motor trucks, office sup-

Director, office and field personnel.

plies and materials, maintenance of motor trucks, telegrams, telephone service, traveling expenses, office equipment, inspection, fuel, light, electric current, and other expenses for carrying into effect regulations governing the procurement, warehousing, and distribution by the Procurement Division of the Treasury Department of property, equipment, stores, and supplies in the District of Columbia (including not to exceed $500 to settle claims for damages caused to private property by motor vehicles used by the Procurement Division), $460,000: *Provided*, That the Secretary of the Treasury is authorized and directed during the fiscal year 1936 to transfer to this appropriation from any appropriations or funds available to the several departments and establishments of the Government such amounts as may be approved by the Director of the Bureau of the Budget, not to exceed the amount of the annual compensation of employees heretofore or hereafter transferred or detailed to the Procurement Division, Branch of Supply, respectively, from any such department or establishment, where the transfer or detail of such employees was or will be incident to a transfer of a function or functions to that Division: *Provided further*, That during the fiscal year 1936 and thereafter the general supply fund established by the Act approved February 27, 1929 (U. S. C., Supp. VII, title 41, sec. 7c) and increased by the Treasury Department Appropriation Act, 1936, shall be charged with expenditures for the purchase and transportation of fuel, storing and handling of fuel, maintenance and operation of yards and equipment, including two motor-propelled passenger-carrying vehicles for inspectors, purchase of equipment, rentals, and all other expenses requisite for and incident to the operation of the Government fuel yards, including personal services in the District of Columbia, and for the payment of outstanding obligations for such purposes previously incurred: *Provided further*, That payments during the fiscal year 1936 to the general supply fund for materials, supplies (including fuel), and services, and overhead expenses, for all issues shall be made on the books of the Treasury Department by transfer and counter-warrants prepared by the Procurement Division of the Treasury Department and countersigned by the Comptroller General, such warrants to be based solely on itemized invoices prepared by the Procurement Division at issue prices to be fixed by the Director of Procurement: *Provided further*, That advances received pursuant to law (U. S. C., Supp. VII, title 31, sec. 686) from departments and establishments of the United States Government and the Government of the District of Columbia during the fiscal year 1936 shall be credited to the general supply fund: *Provided further*, That the term "fuel" shall be held to include "fuel oil": *And provided further*, That the requirements of sections 3711 and 3713 of the Revised Statutes (U. S. C., title 40, sec. 109) relative to the weighing of coal and wood and the separate certificate as to the weight, measurement, or quantity of coal and wood purchased shall not apply to purchases by the Procurement Division at free-on-board destination outside of the District of Columbia: *Provided further*, That the reconditioning and repair of surplus property and equipment, for disposition or reissue to government service may be made at cost by the Procurement Division, payment therefor to be effected by charging the proper appropriation and crediting the appropriation "Salaries and expenses, Supply Branch, Procurement Division."

Provisos.
Transfer of available funds to Branch of Supply.

Functions transferred to.
Vol. 45, p. 1342.
U. S. C., p. 1804.

Payments for materials, etc., issued.

Advances credited to fund.
Vol. 47, p. 417.
U. S. C., p. 1407.

"Fuel" construed.

Inspection certificate, waived.
R. S., secs. 3711, 3713, pp. 733, 734.
U. S. C., p. 1776.

Cost of reconditioning equipment, etc.

Typewriter repairs.

Repairs to typewriting machines (except bookkeeping and billing machines) in the Government service in the District of Columbia may be made at cost by the Procurement Division, payment therefor

to be effected by charging the proper appropriation and crediting the appropriation "Salaries and expenses, Procurement Division, Supply Branch."

Prices of standard machines established.

No part of any money appropriated by this or any other Act shall be used during the fiscal year 1936 for the purchase of any standard typewriting machines, except bookkeeping and billing machines, at a price in excess of the following for models with carriages which will accommodate paper of the following widths, to wit: Ten inches (correspondence models), $70; twelve inches, $75; fourteen inches, $77.50; sixteen inches, $82.50; eighteen inches, $87.50; twenty inches, $94; twenty-two inches, $95; twenty-four inches, $97.50; twenty-six inches, $103.50; twenty-eight inches, $104; thirty inches, $105; thirty-two inches, $107.50; or, for standard typewriting machines distinctively quiet in operation, the maximum prices shall be as follows for models with carriages which will accommodate paper of the following widths, to wit: Ten inches, $80; twelve inches, $85; fourteen inches, $90; eighteen inches, $95: *Provided*, That standard typewriting machines distinctively quiet in operation purchased during such fiscal year by any such department, establishment, or municipal government shall only be purchased on the written order of the head thereof.

Proviso. Quiet machines.

MISCELLANEOUS ITEMS, TREASURY DEPARTMENT

Miscellaneous items.

AMERICAN PRINTING HOUSE FOR THE BLIND

American Printing House for the Blind, expenses. Vol. 44, p. 1060; U. S. C., p. 913.

To enable the American Printing House for the Blind more adequately to provide books and apparatus for the education of the blind in accordance with the provisions of the Act approved February 8, 1927 (U. S. C., Supp. VII, title 20, sec. 101), $65,000.

Short title.

This title may be cited as the "Treasury Department Appropriation Act, 1936."

TITLE II—POST OFFICE DEPARTMENT

Title II—Post Office Department.

Appropriations for fiscal year 1936. Vol. 5, p. 80. U. S. C., pp. 66, 1763.

The following sums are appropriated in conformity with the Act of July 2, 1836 (U. S. C., title 5, sec. 380, title 39, sec. 786), for the Post Office Department for the fiscal year ending June 30, 1936, namely:

Department expenses.

POST OFFICE DEPARTMENT, WASHINGTON, DISTRICT OF COLUMBIA

Postmaster General's office.

OFFICE OF THE POSTMASTER GENERAL

Postmaster General, and office personnel.

Salaries: For the Postmaster General and other personal services in the office of the Postmaster General in the District of Columbia, $228,344.

Salaries; bureaus and offices.

SALARIES IN BUREAUS AND OFFICES

Amounts.

For personal services in the District of Columbia in bureaus and offices of the Post Office Department in not to exceed the following amounts, respectively:

Office of the First Assistant Postmaster General, $348,990.
Office of the Second Assistant Postmaster General, $566,040.
Office of the Third Assistant Postmaster General, $765,000.
Office of the Fourth Assistant Postmaster General, $441,000.
Office of the Solicitor for the Post Office Department, $81,280.
Office of the chief inspector, $192,000.
Office of the purchasing agent, $39,260.
Bureau of Accounts, $94,000.

CONTINGENT EXPENSES, POST OFFICE DEPARTMENT

Department contingent expenses. *Post*, p. 1629.

For contingent and miscellaneous expenses; stationery and blank books, index and guide cards, folders and binding devices, including purchase of free penalty envelops; telegraph and telephone service, furniture and filing cabinets and repairs thereto; purchase, exchange, maintenance, and repair of tools, electrical supplies, typewriters, adding machines, and other labor-saving devices; maintenance of motor

Vehicles, etc.

trucks and of two motor-driven passenger-carrying vehicles, to be used only for official purposes (one for the Postmaster General and one for the general use of the Department); street-car fares; floor coverings; postage stamps for correspondence addressed abroad, which is not exempt under article 47 of the London Convention of the Universal Postal Union; purchase and exchange of law books, books of reference, railway guides, city directories, and books necessary to conduct the business of the Department; newspapers, not exceeding $200;

Correspondence addressed abroad. Vol. 44, pp. 2243, 2245.

Attendance at meetings.

expenses, except membership fees, of attendance at meetings or conventions concerned with postal affairs, when incurred on the written authority of the Postmaster General, not exceeding $2,000; expenses of the purchasing agent and of the Solicitor and attorneys connected with his office while traveling on business of the Department, not exceeding $800; and other expenses not otherwise provided for; $75,750.

Printing and binding. *Post*, p. 1629.

For printing and binding for the Post Office Department, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, $875,000.

Field service appropriations not to be used for department.

Appropriations hereinafter made for the field service of the Post Office Department, except as otherwise provided, shall not be expended for any of the purposes hereinbefore provided for on account of the Post Office Department in the District of Columbia:

Provisos. Travel expenses, payable from service appropriations.

Provided, That the actual and necessary expenses of officials and employees of the Post Office Department and Postal Service, when traveling on official business, may continue to be paid from the appropriations for the service in connection with which the travel is performed, and appropriations for the fiscal year 1936 of the character heretofore used for such purposes shall be available therefor:

Use in examining field estimates.

Provided further, That appropriations hereinafter made, except such as are exclusively for payment of compensation, shall be immediately available for expenses in connection with the examination of estimates for appropriations in the field including per diem allowances in lieu of actual expenses of subsistence.

Field Service.

FIELD SERVICE, POST OFFICE DEPARTMENT

Postmaster General.

OFFICE OF THE POSTMASTER GENERAL

Rewards to employees for inventions improving the service.

Rewards to postal employees for inventions: The Postmaster General is hereby authorized to pay a cash reward for any invention, suggestion, or series of suggestions for an improvement or economy in device, design, or process applicable to the Postal Service submitted by one or more employees of the Post Office Department or the Postal Service which shall be adopted for use and will clearly effect a material economy or increase efficiency, and for that purpose the

Provisos. Additional to regular pay.

sum of $500 is hereby appropriated: *Provided*, That the sums so paid to employees in accordance with this Act shall be in addition to their usual compensation:

Agreement for Government use required.

Provided further, That no employee shall be paid a reward under this appropriation until he has properly executed an agreement to the effect that the use by the United States of the invention, suggestion, or series of suggestions made by him shall not form the basis of a further claim of any nature upon the United States by him, his heirs, or assigns.

Travel, etc.

Travel expenses, Postmaster General and Assistant Postmasters General: For travel and miscellaneous expenses in the Postal Service, offices of the Postmaster General and Assistant Postmasters General, $5,000.

Damage claims.

Personal or property damage claims: To enable the Postmaster General to pay claims for damages, occurring during the fiscal year 1936, or in prior fiscal years, to persons or property in accordance with the provisions of the Deficiency Appropriation Act approved June 16, 1921 (U. S. C., title 5, sec. 392), as amended by the Act approved June 22, 1934 (48 Stat. 1207), $65,000.

Vol. 42, p. 63; Vol. 48, p. 1207.
U. S. C., p. 67.

Adjusted losses and contingencies.

Adjusted losses and contingencies, postal funds: To enable the Postmaster General to pay to postmasters, Navy mail clerks, and assistant Navy mail clerks or credit them with the amount ascertained to have been lost or destroyed during the fiscal year 1936, or prior fiscal years, through burglary, fire, or other unavoidable casualty resulting from no fault or negligence on their part, as authorized by the Act approved March 17, 1882, as amended, $50,000.

Chief Inspector's office.

OFFICE OF CHIEF INSPECTOR

Inspectors.

Salaries of Inspectors: For salaries of fifteen inspectors in charge of divisions and five hundred and forty inspectors, $2,112,000.

Traveling expenses, investigations, etc.

Traveling and miscellaneous expenses: For traveling expenses of inspectors, inspectors in charge, the chief post-office inspector, and the assistant chief post-office inspector, and for the traveling expenses of four clerks performing stenographic and clerical assistance to post-office inspectors in the investigation of important fraud cases, and for tests, exhibits, documents, photographs, office and other necessary expenses incurred by post-office inspectors in connection with their official investigations, including necessary miscellaneous expenses of division headquarters, $535,000: *Provided*, That not exceeding $18,000 of this sum shall be available for transfer by the Postmaster General to other departments and independent establishments for chemical and other investigations.

Proviso.
Allotment for chemical, etc., investigations.

Clerks at division headquarters.

Clerks, division headquarters: For compensation of one hundred and fifty-nine clerks at division headquarters, $390,000.

Rewards for detecting law violations.

Payment of rewards: For payment of rewards for the detection, arrest, and conviction of post-office burglars, robbers, and highway mail robbers, $55,000: *Provided*, That rewards may be paid in the discretion of the Postmaster General, when an offender of the class mentioned was killed in the act of committing the crime or in resisting lawful arrest: *Provided further*, That no part of this sum shall be used to pay any rewards at rates in excess of those specified in Post Office Department Order 9955, dated February 28, 1930: *Provided further*, That of the amount herein appropriated not to exceed $20,000 may be expended, in the discretion of the Postmaster General, for the purpose of securing information concerning violations of the postal laws and for services and information looking toward the apprehension of criminals.

Provisos.
Death of offender.

Rates.

Securing information.

First Assistant Postmaster General.

OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL

Compensation of postmasters.
Post, p. 1630.

Compensation to postmasters: For compensation to postmasters, including compensation as postmaster to persons who, pending the designation of an acting postmaster, assume and properly perform the duties of postmaster in the event of a vacancy in the office of postmaster of the third or fourth class, and for allowances for rent, light, fuel, and equipment to postmasters of the fourth class, $44,500,000.

Assistant postmasters.

Compensation to assistant postmasters: For compensation to assistant postmasters at first- and second-class post offices, $6,590,000.

Clerks and other employees, first- and second-class offices.

Clerks, first- and second-class post offices: For compensation to clerks and employees at first- and second-class post offices, including auxiliary clerk hire at summer and winter post offices, printers, mechanics, skilled laborers, watchmen, messengers, laborers, and substitutes, $163,000,000.

Contract station clerks.

Clerks, contract stations: For compensation to clerks in charge of contract stations, $1,450,000.

Separating mails.

Separating mails: For separating mails at third- and fourth-class post offices, $480,000.

Unusual conditions.

Unusual conditions: For unusual conditions at post offices, $75,000.

Clerks, third-class offices.

Clerks, third-class post offices: For allowances to third-class post offices to cover the cost of clerical services, $7,500,000.

Miscellaneous, first- and second-class offices.

Miscellaneous items, first- and second-class post offices: For miscellaneous items necessary and incidental to the operation and protection of post offices of the first and second classes, and the business conducted in connection therewith, not provided for in other appropriations, $1,990,000.

Village delivery.

Village delivery service: For village delivery service in towns and villages having post offices of the second or third class, and in communities adjacent to cities having city delivery, $1,595,000.

Detroit River service.

Detroit River service: For Detroit River postal service, $15,995.

Car fare and bicycle allowance.

Car fare and bicycle allowance: For car fare and bicycle allowance, including special-delivery car fare, $1,200,000.

City delivery, carriers.

City Delivery carriers: For pay of letter carriers, City Delivery Service, $117,750,000.

Special delivery.
Post, p. 1630.

Special-delivery fees: For fees to special-delivery messengers, $6,250,000.

Second Assistant Postmaster General.

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

Star routes, except Alaska.

Star-route service: For inland transportation by star routes (excepting service in Alaska), including temporary service to newly established offices, and not to exceed $100,000 for Government-operated star-route service $11,500,000.

Alaska.

Star-route service, Alaska: For inland transportation by star routes in Alaska, $190,000.

Power-boat service.

Power-boat service: For inland transportation by steamboat or other power-boat routes, including ship, steamboat, and way letters, $1,220,000.

Railroad routes and messenger service.
Post, p. 1630.
Provisos.
Freight-train conveyance.

Railroad transportation and mail messenger service: For inland transportation by railroad routes and for mail messenger service, $100,000,000: *Provided*, That not to exceed $1,500,000 of this appropriation may be expended for pay of freight and incidental charges for the transportation of mails conveyed under special arrangement in freight trains or otherwise: *Provided further*, That separate accounts be kept of the amount expended for mail messenger service: *Provided further*, That there may be expended from this appropriation for clerical and other assistance in the District of Columbia not exceeding the sum of $60,922 to carry out the provisions of section 5 of the Act of July 28, 1916 (U. S. C., title 39, sec. 562) (the space basis Act), and not exceeding the sum of $31,550 to carry out the provisions of section 214 of the Act of February 28, 1925 (U. S. C., title 39, sec. 826) (cost ascertainment).

Separate accounting, messenger service.

Services in the District.

Vol. 39, p. 429; Vol. 43, p. 1069.
U. S. C., pp. 1749, 1766.

Railway Mail Service.
Post, p. 1630.
Division superintendents.

Railway Mail Service, salaries: For fifteen division superintendents, fifteen assistant division superintendents, two assistant superintendents at large, one assistant superintendent in charge of car construction, one hundred and twenty-one chief clerks, one hundred and twenty-one assistant chief clerks, clerks in charge of sections in the

offices of division superintendents, railway postal clerks, substitute railway postal clerks, joint employees, and laborers in the Railway Mail Service, $52,500,000.

Travel allowance to railway clerks.

Railway postal clerks, travel allowance: For travel allowance to railway postal clerks and substitute railway postal clerks, $3,250,000.

Railway Mail Service, traveling expenses: For actual and necessary expenses, general superintendent and assistant general superintendent, division superintendents, assistant division superintendents, assistant superintendents, chief clerks, and assistant chief clerks, Railway Mail Service, and railway postal clerks, while actually traveling on business of the Post Office Department and away from their several designated headquarters, $60,000.

Miscellaneous.

Railway Mail Service, miscellaneous expenses: For rent, light, heat, fuel, telegraph, miscellaneous and office expenses, telephone service, badges for railway postal clerks, for the purchase or rental of arms and miscellaneous items necessary for the protection of the mails, and rental of space for terminal railway post offices for the distribution of mails when the furnishing of space for such distribution cannot, under the Postal Laws and Regulations, properly be required of railroad companies without additional compensation, and for equipment and miscellaneous items necessary to terminal railway post offices, $575,000.

Arms for mail protection.
Terminal offices, rent.

Electric and cable car service.

Electric and cable car service: For electric and cable car service, $360,000.

Foreign mails.
Vol. 41, p. 998; Vol. 45, p. 689.
U. S. C., p. 2067.

Foreign mail transportation: For transportation of foreign mails by steamship, aircraft, or otherwise (exclusive of mail carried under contracts awarded under the provisions of the Merchant Marine Act of 1928), $8,575,000: *Provided*, That not to exceed $7,000,000 of this sum may be expended for carrying foreign mail by aircraft under contracts which will not create obligations for the fiscal year 1937 in excess of $7,000,000: *Provided further*, That the Postmaster General is authorized to expend such sums as may be necessary, not to exceed $175,000, to cover the cost to the United States for maintaining sea post service on ocean steamships conveying the mails to and from the United States including the salary of the Assistant Director, Division of International Postal Service, with headquarters at New York City: *Provided further*, That not to exceed $7,500 of this sum may be available for expenses of delegates designated from the Post Office Department by the Postmaster General to the Congress of the Postal Union of the Americas and Spain to be held during the fiscal year 1936, to be expended in the discretion of the Postmaster General and accounted for on his certificate notwithstanding the provisions of any other law.

Provisos.
Aircraft allowance; restriction.

Sea post service.

Assistant Director, International Postal Service.

Delegates to Postal Union.

Foreign Mail Service, Merchant Marine Act.
Vol. 41, p. 988; Vol. 45, p. 689.
U. S. C., p. 2062.

Foreign Mail Service, Merchant Marine Act: For transportation of foreign mails under contracts authorized by the Merchant Marine Act of 1928 (U. S. C., title 46, secs. 861–889; Supp. VII, title 46, secs. 886–891x), including the cost of advertising in connection with the award of contracts authorized by said Act, $28,850,000: *Provided*, That no part of the money herein appropriated shall be paid on contract numbered 56 to the Seatrain Company.

Proviso.
Payment to Seatrain Company forbidden.

Balances due foreign countries.

Balances due foreign countries: For balances due foreign countries, fiscal year 1936 and prior years, $1,000,000.

Aircraft contract, inland service.
Post, p. 1630.

Contract Air Mail Service: For the inland transportation of mail by aircraft, as authorized by law, and for the incidental expenses thereof, including not to exceed $19,100 for supervisory officials and clerks at air-mail transfer points, and not to exceed $39,965 for personal services in the District of Columbia and incidental and travel expenses, $10,700,000.

Indemnities, international mail.

Indemnities, international mail: For payment of limited indemnity for the injury or loss of international mail in accordance with convention, treaty, or agreement stipulations, $15,000.

Rural Delivery Service.

Rural Delivery Service: For pay of rural carriers, auxiliary carriers, substitutes for rural carriers on annual and sick leave, clerks in charge of rural stations, and tolls and ferriage, Rural Delivery Service, and for the incidental expenses thereof, $94,300,000.

Third Assistant Postmaster General.

OFFICE OF THE THIRD ASSISTANT POSTMASTER GENERAL

Stamps, stamped envelops, postal cards.

Manufacture and distribution of stamps and stamped paper: For manufacture of adhesive postage stamps, special-delivery stamps, books of stamps, stamped envelops, newspaper wrappers, postal cards, and for coiling of stamps, and including not to exceed $22,100 for pay of agent and assistants to examine and distribute stamped envelops and newspaper wrappers, and for expenses of agency, $4,207,150.

Indemnities, lost domestic mail.

Indemnities, domestic mail: For payment of limited indemnity for the injury or loss of pieces of domestic registered matter, insured and collect-on-delivery mail, and for failure to remit collect-on-delivery charges, $625,000.

Unpaid money orders, more than one year old.

Unpaid money orders more than one year old: For payment of domestic money orders after one year from the last day of the month of issue of such orders, $250,000.

Fourth Assistant Postmaster General.

OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL

Stationery, etc.

Postal Savings System, supplies.

Post office stationery, equipment, and supplies: For stationery for the Postal Service, including the money-order and registry system; and also for the purchase of supplies for the Postal Savings System, including rubber stamps, canceling devices, certificates, envelops, and stamps for use in evidencing deposits, and free penalty envelops; and for the reimbursement of the Secretary of the Treasury for expenses incident to the preparation, issue, and registration of the bonds authorized by the Act of June 25, 1910 (U. S. C., title 39, sec. 760); for miscellaneous equipment and supplies, including the purchase and repair of furniture, package boxes, posts, trucks, baskets, satchels, straps, letter-box paint, baling machines, perforating machines, duplicating machines, printing presses, directories, cleaning supplies, and the manufacture, repair, and exchange of equipment, the erection and painting of letter-box equipment, and for the purchase and repair of presses and dies for use in the manufacture of letter boxes; not to exceed $10,000 for the salvage, repair, assembly, and installation in units of lock boxes obtained from public buildings demolished or no longer used for post offices and for the purchase and installation of new lock boxes to complete and supplement such units, to be furnished to post offices of the second and third classes; for postmarking, rating, money-order stamps, and electrotype plates and repairs to same; metal, rubber, and combination type, dates and figures, type holders, ink pads for canceling and stamping purposes, and for the purchase, exchange, and repair of typewriting machines, envelop-opening machines, and computing machines, copying presses, numbering machines, time recorders, letter balances, scales (exclusive of dormant or built-in platform scales in Federal buildings), test weights, and miscellaneous articles purchased and furnished directly to the Postal Service, including complete equipment and furniture for post offices in leased and rented quarters; for miscellaneous expenses in the preparation and publication of post-route maps and rural delivery maps or blueprints, including tracing for photolithographic reproduction; for other expenditures necessary and inci-

Bond expenses. Vol. 36, p. 817. U. S. C., p. 1761.

Miscellaneous equipment and supplies.

Letter boxes.

Postmarking, etc., stamps.

Post route maps.

dental to post offices of the first, second, and third classes, and offices of the fourth class having or to have rural delivery service, and for letter boxes; for the purchase of atlases and geographical and technical works not to exceed $1,500; for wrapping twine and tying devices; for expenses incident to the shipment of supplies, including hardware, boxing, packing, and not exceeding $44,500 for the pay of employees in connection therewith in the District of Columbia; for rental, purchase, exchange, and repair of canceling machines and motors, mechanical mail-handling apparatus, and other labor-saving devices, including cost of power in rented buildings and miscellaneous expenses of installation and operation of same, including not to exceed $28,000 for salaries of ten traveling mechanicians, and for traveling expenses, $2,260,000: *Provided*, That the Postmaster General may authorize the sale to the public of post-route maps and rural delivery maps or blueprints at the cost of printing and 10 per centum thereof added: *Provided further*, That no part of this appropriation shall be expended for the purchase of furniture and complete equipment for third-class post offices except lock boxes, as herein provided and miscellaneous equipment of the general character furnished such offices during the fiscal year 1931.

Twine, etc.

Provisos.
Sale of maps, etc.

Furniture, etc., third-class offices.

Equipment Shops, Washington, District of Columbia: For the purchase, manufacture, and repair of mail bags and other mail containers and attachments, mail locks, keys, chains, tools, machinery, and material necessary for same, and for incidental expenses pertaining thereto; material, machinery, and tools necessary for the manufacture and repair of such other equipment for the Postal Service as may be deemed expedient; for the expenses of maintenance and repair of the mail bag equipment shops building and equipment, including fuel, light, power, and miscellaneous supplies and services; for compensation to labor employed in the equipment shops and in the operation, care, maintenance, and protection of the equipment shops building, $850,000, of which not to exceed $539,000 may be expended for personal services in the District of Columbia: *Provided*, That out of this appropriation the Postmaster General is authorized to use as much of the sum, not exceeding $15,000, as may be deemed necessary for the purchase of material and the manufacture in the equipment shops of such small quantities of distinctive equipments as may be required by other executive departments; and for service in Alaska, Puerto Rico, Philippine Islands, Hawaii, or other island possessions.

Equipment shops, materials, etc.

Services in the District.

Proviso.
Distinctive equipment for departments, Alaska, and island possessions.

Rent, light, and fuel: For rent, light, fuel, and water, for first, second, and third class post offices, and the cost of advertising for lease proposals for such offices, $14,150,000.

Rent, light, etc., first-, second-, and third-class offices.

Pneumatic tube service: For the transmission of mail by pneumatic tubes or other similar devices in the city of New York, including the Borough of Brooklyn of the city of New York, at an annual rate not in excess of $19,500 per mile of double line of tubes, including power, labor, and all other operating expenses, $558,260.

Pneumatic tube service.

For the rental of not exceeding two miles of pneumatic tubes, not including labor and power in operating the same, for the transmission of mail in the city of Boston, Massachusetts, $24,000: *Provided*, That the provisions not inconsistent herewith of the Acts of April 21, 1902 (U. S. C., title 39, sec. 423), and May 27, 1908 (U. S. C., title 39, sec. 423), relating to the transmission of mail by pneumatic tubes or other similar devices shall be applicable hereto.

Proviso.
Provisions applicable.
Vol. 32, p. 114; Vol. 35, p. 412.
U. S. C., p. 1737.

Vehicle service: For vehicle service; the hire of vehicles; the rental of garage facilities; the purchase, exchange, and maintenance of motor vehicles; the hire of supervisors, clerical assistance,

Vehicle service.
Post, p. 1630.

mechanics, drivers, garage men, and such other employees as may be necessary in providing vehicles and vehicle service for use in the collection, transportation, and delivery of the mail, $14,200,000: *Provided*, That the Postmaster General may, in his disbursement of this appropriation, apply a part thereof to the leasing of quarters for the housing of Government-owned motor vehicles at a reasonable annual rental for a term not exceeding ten years: *Provided further*, That the Postmaster General, during the fiscal year 1936, may purchase and maintain from the appropriation "Vehicle service" such tractors and trailer trucks as may be required in the operation of the vehicle service: *Provided further*, That no part of this appropriation shall be expended for maintenance or repair of motor-propelled passenger-carrying vehicles for use in connection with the administrative work of the Post Office Department in the District of Columbia.

Provisos. Rentals.

Tractors and trailer trucks.

Motor vehicle restriction.

Transportation of equipment and supplies.

Transportation of equipment and supplies: For the transportation and delivery of equipment, materials, and supplies for the Post Office Department and Postal Service by freight, express, or motor transportation, and other incidental expenses, $265,000.

Public buildings. Operating force.

Operating force, public buildings: For personal services in connection with the operation of public buildings, including the Washington Post Office and the Customhouse Building in the District of Columbia, operated by the Post Office Department, together with the grounds thereof and the equipment and furnishings therein, including telephone operators for the operation of telephone switchboards or equivalent telephone switchboard equipment in such buildings jointly serving in each case two or more governmental activities, $12,825,000: *Provided*, That in no case shall the rates of compensation for the mechanical labor force be in excess of the rates current at the time and in the place where such services are employed.

Proviso. Pay rates, etc.

Operating supplies.

Operating supplies, public buildings: For fuel, steam, gas, and electric current for lighting, heating, and power purposes, water, ice, lighting supplies, removal of ashes and rubbish, snow and ice, cutting grass and weeds, washing towels, telephone service for custodial forces, and for miscellaneous services and supplies, tools and appliances, for the operation of completed and occupied public buildings and grounds, including mechanical and electrical equipment, but not the repair thereof, operated by the Post Office Department, including the Washington Post Office and the Customhouse Building in the District of Columbia, and for the transportation of articles and supplies authorized herein, $4,650,000: *Provided*, That the foregoing appropriation shall not be available for personal services except for work done by contract, or for temporary job labor under exigency not exceeding at one time the sum of $100 at any one building: *Provided further*, That the Postmaster General is authorized to contract for telephone service in public buildings under his administration by means of telephone switchboards or equivalent telephone-switching equipment jointly serving in each case two or more governmental activities, where he determines that joint service is economical and in the interest of the Government, and to secure reimbursement for the cost of such joint service from available appropriations for telephone expenses of the Bureaus and offices receiving the same.

Provisos. Personal services restriction.

Contracts for telephone service.

Furniture and equipment.

Furniture, carpets, and safes, public buildings: For the procurement, including transportation, of furniture, carpets, safes, and repairs of same, for use in public buildings which are now, or may hereafter be, operated by the Post Office Department, $575,000:

Provided, That the foregoing appropriation shall not be used for personal services except for work done under contract or for temporary job labor under exigency and not exceeding at one time the sum of $100 at any one building: *Provided further*, That all furniture now owned by the United States in other public buildings or in buildings rented by the United States shall be used, so far as practicable, whether it corresponds with the present regulation plan of furniture or not.

Provisos.
Personal services restriction.

Use of present furniture, etc.

Scientific investigations: In the disbursement of appropriations contained in this title for the field service of the Post Office Department the Postmaster General may transfer to the Bureau of Standards not to exceed $20,000 for scientific investigations in connection with the purchase of materials, equipment, and supplies necessary in the maintenance and operation of the Postal Service.

Scientific investigations.
Sums transferred to Standards Bureau.

Deficiency in postal revenues: If the revenues of the Post Office Department shall be insufficient to meet the appropriations made under title II of this Act, a sum equal to such deficiency in the revenues of such Department is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to supply such deficiency in the revenues of the Post Office Department for the fiscal year ending June 30, 1936, and the sum needed may be advanced to the Post Office Department upon requisition of the Postmaster General.

Sums from Treasury for field service to supply deficiencies.

SEC. 2. Appropriations for the fiscal year 1936 available for expenses of travel of civilian officers and employees of the executive departments and establishments shall be available also for expenses of travel performed by them on transfer from one official station to another when authorized by the head of the department or establishment concerned in the order directing such transfer or on reappointment heretofore or during the remainder of the fiscal year 1935 and during the fiscal year 1936 at another official station under the provisions of section 19 of Executive Order Numbered 6166 of June 10, 1933, and for the expenses incurred in packing, crating, drayage, and transportation of household effects and other property, not exceeding in any one case five thousand pounds, of employees so reappointed: *Provided*, That such expenses shall not be allowed for any transfer effected for the convenience of any officer or employee.

Appropriations for travel, etc., fiscal year 1936.

Proviso.
Transfers for convenience of officers.

SEC. 3. No appropriation available for the executive departments and independent establishments of the Government for the fiscal year ending June 30, 1936, whether contained in this Act or any other Act, shall be expended—

Restrictions on expenditures by executive departments, etc.

(a) To purchase any motor-propelled passenger-carrying vehicle (exclusive of busses, ambulances, and station wagons), at a cost, completely equipped for operation, and including the value of any vehicle exchanged, in excess of $750, unless otherwise specifically provided for in the appropriation.

Cost limitation of automobiles.

(b) For the maintenance, operation, and repair of any Government-owned motor-propelled passenger-carrying vehicle not used exclusively for official purposes; and "official purposes" shall not include the transporatation[1] of officers and employees between their domiciles and places of employment, except in cases of medical officers on out-patient medical services and except in cases of officers and employees engaged in field work the character of whose duties makes such transportation necessary and then only as to such latter cases when the same is approved by the head of the department or establishment concerned. The limitations of this subsection (b) shall not apply to any motor vehicles for official use of the President, or of the heads of the executive departments.

Maintenance, automobiles not used for official purposes.
"Official purposes", construed.

Limitations not applicable.

[1] So in original.

Maintenance cost limit.

(c) For the maintenance, upkeep, and repair (exclusive of garage rent, pay of operators, tires, fuel, and lubricants) on any one motor-propelled passenger-carrying vehicle, except busses and ambulances, in excess of one-third of the market price of a new vehicle of the same make and class and in no case in excess of $400.

Appointments after Senate rejections, etc.

SEC. 4. No part of the money appropriated under this Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate upon vote has failed to confirm the nomination of such person.

Citation of title.

SEC. 5. This title may be cited as the "Post Office Department Appropriation Act, 1936."

Approved, May 14, 1935.

[CHAPTER 111.]

JOINT RESOLUTION

May 14, 1935.
[S. J. Res. 94.]
[Pub. Res., No. 18.]

Establishing a commission for the participation of the United States in the observance of the three hundredth anniversary of the founding of the Colony of Connecticut, authorizing an appropriation to be utilized in connection with such observance, and for other purposes.

Connecticut. Commission to participate in observance of founding colony.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a commission to be known as the "United States Connecticut Tercentenary Commission" (hereinafter referred to as the "Commission") and to be composed of sixteen commissioners, as follows: Five persons to be appointed by the President of the United States, five Senators by the President of the Senate, and six Members of the House of Representatives by the Speaker of the House of Representatives. The Commission shall serve without compensation and shall select a chairman from among their number.

Composition.

No compensation.

Appropriation authorized.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $10,000, to be expended by the Commission for actual and necessary traveling expenses and subsistence, while discharging its official duties outside the District of Columbia.

Approved, May 14, 1935.

[CHAPTER 112.]

AN ACT

May 15, 1935.
[S. 2145.]
[Public, No. 58.]

Extending the time for repayment of the revolving fund for the benefit of the Crow Indians.

Crow Indians. Time extended for repaying revolving fund.
Vol. 41, p. 755; Vol. 43, p. 1301.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for repayment to the tribe of the $50,000 revolving fund for the benefit of the Crow Indians, created by the Act of June 4, 1920 (41 Stat. 755), for the purchase of seed, animals, machinery, tools, implements, and other equipment is hereby extended from June 30, 1935, to June 30, 1945, and said fund is hereby made available for such purposes for the further period of ten years from and after June 30, 1935.

Availability of fund.

Approved, May 15, 1935.

[CHAPTER 113.]

AN ACT

May 15, 1935.
[H. R. 6084.]
[Public, No. 59.]

To authorize the city of Ketchikan, Alaska, to issue bonds in any sum not to exceed $1,000,000 for the purpose of acquiring the electric light and power, water, and telephone properties of the Citizens' Light, Power and Water Company, and to finance and operate the same, and validating the preliminary proceedings with respect thereto, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the city of Ketchikan, Alaska, is hereby authorized to issue and sell its bonds in any sum not to exceed $1,000,000 for the purpose of acquiring for the said city of Ketchikan, electric light, power, water, and telephone properties of the Citizens' Light, Power and Water Company, Incorporated, and to finance and operate the same by the said city of Ketchikan. The bonds herein authorized to be issued and sold are the bonds referred to in the Act entitled "An Act to authorize the incorporated town of Ketchikan, Alaska, to issue bonds in any sum not to exceed $1,000,000 for the purpose of acquiring public-utility properties, and for other purposes", approved July 3, 1930 (46 Stat. 1011), in which Act the said city of Ketchikan, Alaska, was erroneously referred to as the "incorporated town of Ketchikan, Alaska." Such bonds when issued shall be legal and valid in all respects as general obligations of the said city of Ketchikan, Alaska, notwithstanding any defects or irregularities in the submission to a vote of the people of said city of the question with respect to the issuance or sale of said bonds, in the ordinance calling the election, in the notice of election, in the form of ballot, in taking the vote, or in any of the proceedings had or taken in connection with the issuance or sale of such bonds, and all such proceedings are hereby declared to be legal and valid, and the city is also authorized to levy any taxes which may be necessary for the payment of said bonds for which the full faith and credit of the city shall be pledged. The revenues derived from said electric light, power, water, and telephone properties, over and above the expense of maintenance, operation, and depreciation reserve thereof, shall be pledged to the payment of principal and interest of said bonds.

Ketchikan, Alaska. Bond issue authorized; purpose.

Previous authority.

Vol. 46, p. 1011.

Bonds deemed municipal obligations.

Tax levy authorized.

Revenues pledged.

SEC. 2. The bonds herein referred to and authorized to be issued and sold shall be issued in such form and detail and with such maturities as have been or hereafter shall be determined by resolution of the Common Council of the City of Ketchikan. Such bonds shall be issued in coupon form, registerable as to principal, or as to principal and interest. In case any of the officers whose signatures or countersignatures appear on the bonds or coupons shall cease to be such officers before the delivery of such bonds to the purchaser, such signatures or countersignatures shall, nevertheless, be valid and sufficient for all purposes, the same as if they had remained in office until delivery of the bonds. The proceeds of the sale of such bonds shall be disbursed only for the purposes hereinbefore mentioned, and for which such bonds were authorized to be issued under the provisions of such Act of July 3, 1930.

Bonds; form, maturities, etc.

Signatures.

Disbursement of proceeds of sale.

SEC. 3. The bonds herein authorized, when issued, are hereby declared to be valid and legally binding obligations of said city of Ketchikan, Alaska.

Bonds declared obligations.

Approved, May 15, 1935.

[CHAPTER 114.]

AN ACT

May 15, 1935.
[S. 1616.]
[Public, No. 60.]

To amend an Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory and supplementary thereto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b), as amended and supplemented, of section 4 of the Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, is amended to read as follows:

Bankruptcy Act of 1898 amendments.
Vol. 30, p. 547; Vol. 47, p. 47.
U. S. C., p. 321.
Involuntary bankruptcy; who may be adjudged.

"(b) Any natural person, except a wage earner or a farmer, any unincorporated company, and any moneyed, business, or commercial corporation (except a municipal, railroad, insurance or banking corporation, or a building and loan association) owing debts to the amount of $1,000 or over, may be adjudged an involuntary bankrupt upon default or an impartial trial, and shall be subject to the provisions and entitled to the benefits of this Act.

Liability of officers, etc., of corporation.

"The bankruptcy of a corporation or association shall not release its officers, directors, or stockholders, as such, from any liability under the laws of a State or Territory or of the United States."

Vol. 47, p. 1469.
U. S. C., p. 333.

SEC. 2. That subsection (l) of section 74 of the Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended and supplemented, is amended to read as follows:

Trustee; when may be appointed.

(l) If (1) the debtor shall fail to comply with any of the terms required of him for the protection of and indemnity against loss by the estate; or (2) the debtor has failed to make the required deposit in case of a composition; or (3) the debtor's proposal has not been accepted by the creditors; or (4) confirmation has been denied; or (5) without sufficient reason the debtor defaults in any payment required to be made under the terms of an extension proposal when

Nomination by creditors.

the court has retained jurisdiction of the debtor or his property, the court may appoint the trustee nominated by the creditors at the first meeting, and if the creditors shall have failed to so nominate, may appoint any other qualified person as trustee to liquidate the estate. The court shall in addition adjudge the debtor a bankrupt if satisfied that he commenced or prolonged the proceeding for the purpose of delaying creditors and avoiding an adjudication in bankruptcy, or if the confirmation of his proposal has been denied. No order of liquidation or adjudication shall be entered in any proceeding under this section instituted by or against a wage earner or a farmer unless the wage earner or farmer consents."

Vol. 47, p. 1473.
U. S. C., p. 336.

SEC. 3. That subsection (r) of section 75 of the Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended and supplemented, is amended to read as follows:

Term "farmer" construed.

"(r) For the purposes of this section, section 4 (b), and section 74, the term 'farmer' includes not only an individual who is primarily bona fide personally engaged in producing products of the soil, but also any individual who is primarily bona fide personally engaged in dairy farming, the production of poultry or livestock, or the production of poultry products or livestock products in their unmanufactured state, or the principal part of whose income is derived from any one or more of the foregoing operations, and includes the personal representative of a deceased farmer; and a farmer shall be deemed a resident of any county in which such operations occur."

Approved, May 15, 1935.

[CHAPTER 115.]

AN ACT

To give proper recognition to the distinguished services of Colonel William L. Keller.

May 15, 1935.
[S. 2024.]
[Public, No. 61.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in recognition of the outstanding service and contribution made to the science of medicine and surgery by Colonel William L. Keller, Medical Corps, United States Army, and to provide that his mature professional judgment and long experience may continue to remain available to the public service, the President is hereby authorized to designate the said Colonel William L. Keller, upon his retirement from the active list, as Consultant in Surgery at the United States Army Medical Center (Walter Reed Hospital), Washington, District of Columbia: *Provided*, That such designation shall be subject to the said Colonel William L. Keller's acceptance and terminable at his pleasure; and it is further provided that he shall be entitled to the full active-duty pay and allowances of the grade held by him at the time of his retirement.

Colonel William L. Keller.
May be designated Consultant in Surgery at Walter Reed Hospital.

Proviso.
Optional acceptance.

Pay and allowances.

Approved, May 15, 1935.

[CHAPTER 131.]

AN ACT

Making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1936, and for other purposes.

May 17, 1935.
[H. R. 6718.]
[Public, No. 62.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1936, namely:

Department of Agriculture, Farm Credit Administration appropriations, fiscal year, 1936.

TITLE I—DEPARTMENT OF AGRICULTURE

Title I—Department of Agriculture.

OFFICE OF THE SECRETARY

Secretary's office.

SALARIES

For the Secretary of Agriculture, Under Secretary of Agriculture, Assistant Secretary, and for other personal services in the District of Columbia, and elsewhere, $584,712: *Provided*, That in expending appropriations or portions of appropriations contained in this Act for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the Assistant Secretary, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act as amended and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided further*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation

Secretary, Under Secretary, Assistant, and other personal services.

Provisos.
Salaries limited to average rates under Classification Act.
Vol. 42, p. 1488; Vol. 45, p. 776; Vol. 46, p. 1003.
U. S. C., p. 85.

When only one position in grade.

Restriction not applicable to clerical-mechanical service.
No reduction in fixed salaries.

Vol. 42, p. 1490; U. S. C., p. 85.
Transfers to another position without reduction.
Higher rates permitted.
If only one position in a grade.
Contracts for stenographic reporting.
Purchasing options on lands.
Allowances for living quarters abroad.
Vol. 46, p. 818; U. S. C., p. 45.
Predicting future prices of cotton forbidden.

was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade, in the same or different bureau, office, or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated: *Provided further*, That the Secretary of Agriculture is authorized to contract for stenographic reporting services, and the appropriations made in this Act shall be available for such purposes: *Provided further*, That the Secretary of Agriculture is authorized to expend from appropriations available for the purchase of lands not to exceed $1 for each option to purchase any particular tract or tracts of land: *Provided further*, That not to exceed $33,400 of the appropriations available for salaries and expenses of officers and employees of the Department of Agriculture permanently stationed in foreign countries may be used for payment of allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., Supp. VII, title 5, sec. 118a), but the amount so used for any one person shall not exceed the amount permitted by law to be so used, during the fiscal year 1936, for any one person in the foreign service of the Department of Commerce: *Provided further*, That no part of the funds appropriated by this Act shall be used for the payment of any officer or employee of the Department of Agriculture who, as such officer or employee, or on behalf of the Department or any division, commission, or bureau therof, issues, or causes to be issued, any prediction, oral or written, or forecast with respect to future prices of cotton or the trend of same.

MISCELLANEOUS EXPENSES, DEPARTMENT OF AGRICULTURE

Department contingent expenses.
Motorcycle.
Dispatch agent, New York.
Provisos.
Maintenance of stationery, etc., stocks.
Maximum allotment.
Available for miscellaneous expenses.

For stationery, blank books, twine, paper, gum, dry goods, soap, brushes, brooms, mats, oils, paints, glass, lumber, hardware, ice, furniture, carpets, and mattings; for freight, express charges, advertising and press clippings, telegraphing, telephoning, postage, washing towels; for the maintenance, repair, and operation of one motorcycle and not to exceed three motor-propelled passenger-carrying vehicles (including one for the Secretary of Agriculture, one for general utility needs of the entire Department, and one for the Forest Service) and purchase and exchange of one motor-propelled passenger-carrying vehicle, at a net cost of not to exceed $1,500, for official purposes only; for the payment of the Department of Agriculture's proportionate share of the expense of the dispatch agent in New York; for official traveling expenses, including examination of estimates for appropriations in the field for any bureau, office, or service of the Department; and for other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department, which are authorized by such officer as the Secretary may designate, $116,448: *Provided*, That the Secretary of Agriculture, during the fiscal year 1936, may maintain stocks of stationery, supplies, equipment, and miscellaneous materials sufficient to meet, in whole or in part, requirements of the bureaus and offices of the Department in the city of Washington and elsewhere, but not to exceed in the aggregate, $200,000 in value at the close of the fiscal year, and the appropriations made for such bureaus and offices for such stocks shall be available to reimburse the appropriation for miscellaneous expenses

current at the time supplies are issued: *Provided further*, That the appropriations made hereunder shall be available for the payment of salaries of employees engaged in purchasing, storing, handling, packing, or shipping of supplies and blank forms, and the amount of such salaries shall be charged proportionately as a part of the cost of supplies issued, and in the case of blank forms and supplies not purchased from this appropriation the amount of such salaries shall be charged proportionately to the proper appropriation: *Provided further*, That the facilities of the central storehouse of the Department shall to the fullest extent practicable be used to make unnecessary the maintenance of separate bureau storehouse activities in the Department: *Provided further*, That a separate schedule of expenditures, transfers of funds, or other transactions hereunder shall be included in the annual Budget.

Employees handling, etc., supplies.

Use of central storehouse.

Segregation of transactions.

RENT OF BUILDINGS IN THE DISTRICT OF COLUMBIA

Rent.

For rent of buildings and parts of buildings in the District of Columbia, for use of the various bureaus, divisions, and offices of the Department of Agriculture, $63,000.

Buildings in the District.

Total, Office of the Secretary, $764,160.

OFFICE OF INFORMATION

Information Office.

SALARIES AND EXPENSES

Salaries and expenses.

For necessary expenses in connection with the publication, indexing, illustration, and distribution of bulletins, documents, and reports, including labor-saving machinery and supplies, envelopes, stationery and materials, office furniture and fixtures, photographic equipment and materials, artists' tools and supplies, telephone and telegraph service, freight and express charges; purchase and maintenance of bicycles; purchase of manuscripts; traveling expenses; electrotypes, illustrations, and other expenses not otherwise provided for, $363,282, of which not to exceed $344,260 may be used for personal services in the District of Columbia.

Services in the District.

PRINTING AND BINDING

Printing and binding.

For all printing and binding for the Department of Agriculture, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, $800,000, including the purchase of reprints of scientific and technical articles published in periodicals and journals; the Annual Report of the Secretary of Agriculture, as required by the Act approved January 12, 1895 (U. S. C., title 44, secs. 111, 212–220, 222, 241, 244, 257), and in pursuance of the Joint Resolution Numbered 13, approved March 30, 1906 (U. S. C., title 44, secs. 214, 224), and also including not to exceed $250,000 for farmers' bulletins, which shall be adapted to the interests of the people of the different sections of the country, an equal proportion of four-fifths of which shall be delivered to or sent out under the addressed franks furnished by the Senators, Representatives, and Delegates in Congress, as they shall direct, but not including work done at the field printing plants of the Weather Bureau and the Forest Service authorized by the Joint Committee on Printing, in accordance with the Act approved March 1, 1919 (U. S. C., title 44, secs. 111, 220).

Annual Report of the Secretary.
Vol. 28, p. 612; Vol. 34, p. 825; U. S. C., pp. 1935, 1944.

Farmers' bulletins.

Exception.
Vol. 40, p. 1276.
U. S. C., pp. 1935, 1945.

Total, Office of Information, $1,163,282.

Library.

LIBRARY, DEPARTMENT OF AGRICULTURE

Salaries and expenses.

Salaries and expenses: For purchase and exchange of books of reference, law books, technical and scientific books, periodicals, and for expenses incurred in completing imperfect series; not to exceed $1,200 for newspapers, and when authorized by the Secretary of Agriculture for dues for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; for salaries in the city of Washington and elsewhere; for official traveling expenses, and for library fixtures, library cards, supplies, and for all other necessary expenses, $99,812, of which amount not to exceed $70,520 may be expended for personal services in the District of Columbia.

Experiment Stations Office.

OFFICE OF EXPERIMENT STATIONS

PAYMENTS TO STATES, HAWAII, ALASKA, AND PUERTO RICO FOR AGRICULTURAL EXPERIMENT STATIONS

Support of stations. Vol. 24, p. 440. U. S. C., p. 139. Vol. 12, p. 503. U. S. C., p. 135.

To carry into effect the provisions of an Act approved March 2, 1887 (U. S. C., title 7, secs. 362, 363, 365, 368, 377–379), entitled "An Act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an Act approved July 2, 1862 (U. S. C., title 7, secs. 301–308), and of the Acts supplementary thereto", the sums apportioned to the several States, to be paid quarterly in advance, $720,000.

Allotment of additional appropriations. Vol. 34, p. 63. U. S. C., p. 139.

To carry into effect the provisions of an Act approved March 16, 1906 (U. S. C., title 7, sec. 369), entitled "An Act to provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof", and Acts supplementary thereto, the sums apportioned to the several States to be paid quarterly in advance, $720,000.

Further allotments. Vol. 43, p. 970. U. S. C., p. 139.

To carry into effect the provisions of an Act entitled "An Act to authorize the more complete endowment of agricultural experiment stations", approved February 24, 1925 (U. S. C., title 7, secs. 361, 366, 370, 371, 373–376, 380, 382), $2,880,000.

Extending benefits to Hawaii. Vol. 45, p. 571. U. S. C., p. 141.

Hawaii: To carry into effect the provisions of an Act entitled "An Act to extend the benefits of certain Acts of Congress to the Territory of Hawaii", approved May 16, 1928 (U. S. C., Supp. VII, title 7, secs. 386–386b), $30,000.

Extension work in Alaska. Vol. 45, p. 1256. U. S. C., p. 141.

Alaska: To carry into effect the provisions of an Act entitled "An Act to extend the benefits of the Hatch Act and the Smith-Lever Act to the Territory of Alaska", approved February 23, 1929 (U. S. C., Supp. VII, title 7, sec. 386c), $15,000.

Extending benefits to Puerto Rico. Vol. 46, p. 1520. U. S. C., p. 141.

Puerto Rico: To carry into effect the provisions of an Act entitled "An Act to coordinate the agricultural experiment station work and to extend the benefits of certain Acts of Congress to the Territory of Puerto Rico", approved March 4, 1931 (U. S. C., Supp. VII, title 7, secs. 386d–386f), $30,000.

In all, payments to States, Hawaii, Alaska, and Puerto Rico for agricultural experiment stations, $4,395,000.

Salaries and expenses.

SALARIES AND EXPENSES

Administration of stations, etc. Vol. 24, p. 440; Vol. 34, p. 63; Vol. 43, p. 970; Vol. 45, pp. 571, 1256; Vol. 46, p. 1520. U. S. C., p. 139.

To enable the Secretary of Agriculture to enforce the provisions of the Acts approved March 2, 1887 (U. S. C., title 7, secs. 362, 363, 365, 368, 377–379), March 16, 1906 (U. S. C., title 7, secs. 369, 375), February 24, 1925 (U. S. C., title 7, secs. 361, 366, 370, 371, 373–376, 380, 382), May 16, 1928 (U. S. C., Supp. VII, title 7, secs. 386–386b),

February 23, 1929 (U. S. C., Supp. VII, title 7, sec. 386c), and March 4, 1931 (U. S. C., Supp. VII, title 7, secs. 386d–386f), and Acts amendatory or supplementary thereto, relative to their administration and for the administration of agricultural experiment stations in Hawaii and Puerto Rico, including the employment of clerks, assistants, and other persons in the city of Washington and elsewhere, freight and express charges, official traveling expenses, office fixtures, supplies, apparatus, telegraph and telephone service, gas, electric current, and rent outside the District of Columbia, $156,235; and the Secretary of Agriculture shall prescribe the form of the annual financial statement required under the above Acts, ascertain whether the expenditures are in accordance with their provisions, coordinate the work of the Department of Agriculture with that of the State agricultural colleges and experiment stations in the lines authorized in said Acts, and make report thereon to Congress.

Territorial and insular possessions.

Outside rent.

Annual financial statements, forms.

Insular experiment stations: To enable the Secretary of Agriculture to establish and maintain agricultural experiment stations in Hawaii and Puerto Rico, including the erection of buildings, the preparation, illustration, and distribution of reports and bulletins, and all other necessary expenses, $69,311, as follows: $32,066 for Hawaii, and $37,245 for Puerto Rico: *Provided*, That the Secretary of Agriculture may, at his discretion, transfer such equipment, including the library, of the Hawaii Experiment Station, as he may deem necessary and advisable to the experiment station of the University of Hawaii, conducted jointly and in collaboration with the Federal station under the Act of May 16, 1928 (U. S. C., Supp. VII, title 7, secs. 386–386b); and the Secretary of Agriculture is authorized to sell such products as are obtained on the land belonging to the agricultural experiment stations in Hawaii and Puerto Rico, and the amount obtained from the sale thereof shall be covered into the Treasury of the United States as miscellaneous receipts.

Insular experiment stations.

Allotments.

Proviso.
Transfer of equipment authorized.
Vol. 45, p. 571.
U. S. C., p. 141.

Sale of products; use of receipts.

In all, salaries and expenses, $225,546.

Total, Office of Experiment Stations, $4,620,546, of which amount not to exceed $144,605 may be expended for personal services in the District of Columbia, and not to exceed $1,500 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Vehicles for field work.

EXTENSION SERVICE

Extension Service.

PAYMENTS TO STATES, HAWAII, AND ALASKA

For cooperative agricultural extension work, to be allotted, paid, and expended in the same manner, upon the same terms and conditions, and under the same supervision as the additional appropriations made by the Act of May 8, 1914 (U. S. C., title 7, secs. 341–348), entitled "An Act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving benefits of an Act of Congress approved July 2, 1862 (U. S. C., title 7, secs. 301–308), and of Acts supplementary thereto, and the United States Department of Agriculture", $1,580,000; and all sums appropriated by this Act for use for demonstration or extension work within any State shall be used and expended in accordance with plans mutually agreed upon by the Secretary of Agriculture and the proper officials of the college in such State which receives the benefits of said Act of May 8, 1914: *Provided*, That of the above appropriation not more than $300,000 shall be expended for purposes other than salaries of county agents.

Cooperative extension work allotments.
Vol. 38, p. 372; Vol. 45, pp. 571, 711.
U. S. C., p. 137.

Use, as mutually agreed upon.

Proviso.
County agents.

Further cooperation with State colleges. Vol. 12, p. 503; Vol. 38, p. 372; Vol. 45, p. 711. U. S. C., pp. 135, 138.

To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to provide for the further development of agricultural extension work between the agricultural colleges in the several States receiving the benefits of the Act entitled 'An Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and mechanic arts', approved July 2, 1862 (U. S. C., title 7, secs. 301–308), and all Acts supplementary thereto, and the United States Department of Agriculture", approved May 22, 1928 (U. S. C., Supp. VII, title 7, secs. 343a, 343b), $1,480,000.

Extension work in Alaska. Vol. 45, p. 1256. U. S. C., p. 141.

Alaska: To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to extend the benefits of the Hatch Act and the Smith-Lever Act to the Territory of Alaska", approved February 23, 1929 (U. S. C., Supp. VII, title 7, sec. 386c), $12,000.

Additional cooperative extension work.

Additional cooperative agricultural extension work: For additional cooperative agricultural extension work, including employment of specialists in economics and marketing, to be allotted and paid by the Secretary of Agriculture to the several States and the Territory of Hawaii in such amounts as he may deem necessary to accomplish such purposes, $1,000,000.

In all, payments to States, Hawaii, and Alaska for agricultural extension work, $4,072,000.

SALARIES AND EXPENSES

Administrative expenses.

General administrative expenses: For necessary expenses for general administrative purposes, including personal services in the District of Columbia, $13,668.

Farmers' cooperative work.

Farmers' cooperative demonstration work: For farmers' cooperative demonstration work, including special suggestions of plans and methods for more effective dissemination of the results of the work of the Department of Agriculture and the agricultural experiment stations and of improved methods of agricultural practice, at farmers' institutes and in agricultural instruction, and for such work on Government reclamation projects, and for personal services in the city of Washington and elsewhere, supplies, and all other necessary expenses, $747,248: *Provided*, That the expense of such service shall be defrayed from this appropriation and such cooperative funds as may be voluntarily contributed by State, county, and municipal agencies, associations of farmers, and individual farmers, universities, colleges, boards of trade, chambers of commerce, other local associations of business men, business organizations, and individuals within the State.

Proviso. Voluntary contributions within State accepted.

Agricultural exhibits at fairs.

Agricultural exhibits at fairs: To enable the Secretary of Agriculture to make suitable agricultural exhibits at State, interstate, and international fairs held within the United States; for the purchase of necessary supplies and equipment; for telephone and telegraph service, freight and express charges; for travel, and for every other expense necessary, including the employment of assistance in or outside the city of Washington, $85,000.

Cooperative farm forestry.

Cooperative farm forestry: For cooperation with appropriate officials of the various States or with other suitable agencies to assist the owners of farms in establishing, improving, and renewing wood lots, shelter belts, windbreaks, and other valuable forest growth, and in growing and renewing useful timber crops under the provisions of section 5 of the Act entitled "An Act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly

Timber growth. Vol. 43, p. 654. U. S. C., p. 669.

suitable therefor", approved June 7, 1924 (U. S. C., title 16, secs. 564–570), including personal services in the District of Columbia, $56,838.

In all, salaries and expenses, $902,754, of which amount not to exceed $510,536 may be expended for personal services in the District of Columbia. Services in the District.

Total, Extension Service, $4,974,754.

Grand total, office of the Secretary of Agriculture, $11,622,554.

WEATHER BUREAU

Weather Bureau.

SALARIES AND EXPENSES

For carrying into effect in the District of Columbia and elsewhere in the United States, in the West Indies, in the Panama Canal, the Caribbean Sea, and on adjacent coasts, in the Hawaiian Islands, in Bermuda, and in Alaska the provisions of an Act approved October 1, 1890 (U. S. C., title 15, secs. 311–313, 317), so far as they relate to the weather service transferred thereby to the Department of Agriculture, and the amendment thereof contained in section 5 (e) of the Air Commerce Act of 1926 (U. S. C., Supp. VII, title 15, sec. 313), for the employment of professors of meteorology, district forecasters, local forecasters, meteorologists, section directors, observers, apprentices, operators, skilled mechanics, instrument makers, foremen, assistant foremen, proofreaders, compositors, pressmen, lithographers, folders and feeders, repair men, station agents, messengers, messenger boys, laborers, special observers, display men, and other necessary employees; for fuel, gas, electricity, freight and express charges, furniture, stationery, ice, dry goods, twine, mats, oil, paints, glass, lumber, hardware, and washing towels; for advertising; for purchase, subsistence, and care of horses and vehicles, the purchase and repair of harness, for official purposes only; for instruments, shelters, apparatus, storm-warning towers and repairs thereto; for rent of offices; for repair, alterations, and improvements to existing buildings and care and preservation of grounds, including the construction of necessary outbuildings and sidewalks on public streets, abutting Weather Bureau grounds; and the erection of temporary buildings for living quarters of observers; for official traveling expenses; for telephone rentals, and for telegraphing, telephoning, and cabling reports and messages, rates to be fixed by the Secretary of Agriculture by agreement with the companies performing the service; for the maintenance and repair of Weather Bureau telegraph, telephone, and cable lines; and for every other expenditure required for the establishment, equipment, and maintenance of meteorological offices and stations and for the issuing of weather forecasts and warnings of storms, cold waves, frosts, and heavy snows, the gaging and measuring of the flow of rivers and the issuing of river forecasts and warnings; for observations and reports relating to crops; and for other necessary observations and reports, including cooperation with other bureaus of the Government and societies and institutions of learning for the dissemination of meteorological information, as follows:

Salaries and expenses.

Vol. 26, p. 653. U. S. C., p. 562.

Air Service reports. Vol. 44, p. 571. U. S. C., p. 563.

Personal services.

Contingent expenses.

Telegraphing, etc.

Issuing forecasts and warnings.

Cooperation with other bureaus, etc.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, $124,840. Chief of bureau, and office personnel.

General weather service and research: For necessary expenses incident to collecting and disseminating meteorological, climatological, and marine information, and for investigations in meteorology, climatology, seismology, evaporation, and aerology in the District General weather service and research.

Weather relationship to forest fires.
Vol. 45, p. 701.
U. S. C., p. 672.

of Columbia and elsewhere, including $3,930 for investigations of the relationship of weather conditions to forest fires, under section 6 of the Act approved May 22, 1928 (U. S. C., Supp. VII, title 16, sec. 581e), $2,040,968, of which not to exceed $800 may be expended for the contribution of the United States to the cost of the office of the secretariat of the International Meteorological Committee, and not to exceed $10,000 may be expended for the maintenance of a printing office in the city of Washington for the printing of weather maps, bulletins, circulars, forms, and other publications: *Provided*, That no printing shall be done by the Weather Bureau that can be done at the Government Office [1] without impairing the service of said Bureau.

International Meteorological Committee.

Proviso.
Printing restriction.

Western Montana, meteorological station.

Meteorological station, western Montana: For the establishment, equipment, and maintenance of a meteorological station upon a site to be selected by the Secretary for western Montana, $10,000, to be immediately available.

Horticultural protection.

Horticultural protection: For investigations, observations, and reports, forecasts, warnings, and advices for the protection of horticultural interests, $49,467.

Aerological stations.

Aerology: For the maintenance of stations for observing, measuring, and investigating atmospheric phenomena, including salaries and other expenses, in the city of Washington and elsewhere, $1,213,929.

Total, Weather Bureau, $3,439,204, of which amount not to exceed $494,419 may be expended for personal services in the District of Columbia.

Animal Industry Bureau.

BUREAU OF ANIMAL INDUSTRY

SALARIES AND EXPENSES

General expenses.
Vol. 23, p. 31.
U. S. C., pp. 142, 927.
Vol. 26, p. 833.
U. S. C., p. 1960.
Vol. 26, p. 414; Vol. 32, p. 791.
U. S. C., p. 926.

For carrying out the provisions of the Act approved May 29, 1884 (U. S. C., title 7, sec. 391; title 21, secs. 112–119, 130), establishing a Bureau of Animal Industry, and the provisions of the Act approved March 3, 1891 (U. S. C., title 45, secs. 75, 76), providing for the safe transport and humane treatment of export cattle from the United States to foreign countries, and for other purposes; the Act approved August 30, 1890 (U. S. C., title 21, secs. 101–105), providing for the importation of animals into the United States, and for other purposes; and the provisions of the Act approved February 2, 1903 (U. S. C., title 21, secs. 111–113, 120–122), to enable the Secretary of Agriculture to more effectually suppress and prevent the spread of contagious and infectious diseases of livestock, and for other purposes; and also the provisions of the Act approved March 3, 1905 (U. S. C., title 21, secs. 123–128), to enable the Secretary of Agriculture to establish and maintain quarantine districts, to permit and regulate the movement of cattle and other livestock therefrom, and for other purposes; and for carrying out the provisions of the Act of June 29, 1906 (U. S. C., title 45, secs. 71–74), entitled "An Act to prevent cruelty to animals while in transit by railroad or other means of transportation"; and for carrying out the provisions of the Act approved March 4, 1913 (U. S. C., title 21, secs. 151–158), regulating the preparation, sale, barter, exchange, or shipment of any virus, serum, toxin, or analogous products manufactured in the United States and the importation of such products intended for use in the treatment of domestic animals; and for carrying out the provisions of the Packers and Stockyards Act, approved August 15, 1921 (U. S. C., title 7, secs. 181–229); and to enable the Secretary of Agri-

Contagious diseases.
Vol. 33, p. 1264.
U. S. C., p. 929.

Cattle quarantine.

Twenty-eight hour law.
Vol. 34, p. 607.
U. S. C., p. 1960.

Animal viruses, etc.
Vol. 37, p. 832.
U. S. C., p. 931.

Packers and Stockyards Act.
Vol. 42, p. 159.
U. S. C., p. 125.

[1] So in original.

culture to collect and disseminate information concerning livestock and animal products; to prepare and disseminate reports on animal industry; to employ and pay from the appropriation herein made as many persons in the city of Washington or elsewhere as he may deem necessary; to purchase in the open market samples of all tuberculin, serums, antitoxins, or analogous products, of foreign or domestic manufacture, which are sold in the United States, for the detection, prevention, treatment, or cure of diseases of domestic animals, to test the same, and to disseminate the results of said tests in such manner as he may deem best; to purchase and destroy diseased or exposed animals, including poultry, or quarantine the same whenever in his judgment essential to prevent the spread of pleuropneumonia, tuberculosis, contagious poultry diseases, or other diseases of animals from one State to another, as follows:

Collecting, etc., livestock information.

Pay of employees.

Tuberculin, serums, etc.

Purchase and destruction of diseased animals.

Pleuropneumonia, etc.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, $178,220.

General administrative expenses.

Inspection and quarantine: For inspection and quarantine work, including all necessary expenses for the eradication of scabies in sheep and cattle, the inspection of southern cattle, the supervision of the transportation of livestock, and the inspection of vessels, the execution of the twenty-eight hour law, the inspection and quarantine of imported animals, including the establishment and maintenance of quarantine stations and repairs, alterations, improvements, or additions to buildings thereon; the inspection work relative to the existence of contagious diseases, and the mallein testing of animals, $681,174.

Inspection and quarantine work.

Mallein testing of animals.

Eradicating tuberculosis: For investigating the diseases of tuberculosis and paratuberculosis of animals, and avian tuberculosis, for their control and eradication, for the tuberculin testing of animals, and for researches concerning the causes of the diseases, their modes of spread, and methods of treatment and prevention, including demonstrations, the formation of organizations, and such other means as may be necessary, either independently or in cooperation with farmers, associations, or State, Territory, or county authorities, $2,631,616, of which $1,131,616 shall be set aside for administrative and operating expenses and $1,500,000 for the payment of indemnities: *Provided*, That in carrying out the purpose of this appropriation, if in the opinion of the Secretary of Agriculture it shall be necessary to condemn and destroy tuberculous or paratuberculous cattle, if such animals have been destroyed, condemned, or die after condemnation, he may, in his discretion, and in accordance with such rules and regulations as he may prescribe, expend in the city of Washington or elsewhere such sums as he shall determine to be necessary, within the limitations above provided, for the payment of indemnities, for the reimbursement of owners of such animals, in cooperation with such States, Territories, counties, or municipalities, as shall by law or by suitable action in keeping with its authority in the matter, and by rules and regulations adopted and enforced in pursuance thereof, provide inspection of tuberculous or paratuberculous cattle and for compensation to owners of cattle so condemned, but no part of the money hereby appropriated shall be used in compensating owners of such cattle except in cooperation with and supplementary to payments to be made by State, Territory, county, or municipality where condemnation of such cattle shall take place, nor shall any payment be made hereunder as compensation for or on account of any such animal if at the time of inspection or test, or at the time of condemnation thereof, it shall belong to or be upon the premises of any person, firm, or corporation to which

Eradicating tuberculosis, etc.

Methods, etc.

Provisos.
Indemnities for animals destroyed.

Cooperation with States, etc.

it has been sold, shipped, or delivered for the purpose of being slaughtered: *Provided further*, That out of the money hereby appropriated no payment as compensation for any cattle condemned for slaughter shall exceed one-third of the difference between the appraised value of such cattle and the value of the salvage thereof; that no payment hereunder shall exceed the amount paid or to be paid by the State, Territory, county, and municipality where the animal shall be condemned; that in no case shall any payment hereunder be more than $25 for any grade animal or more than $50 for any purebred animal, and that no payment shall be made unless the owner has complied with all lawful quarantine regulations.

Restriction on payments.

Eradicating cattle ticks.

Eradicating cattle ticks: For all necessary expenses for the eradication of southern cattle ticks, $613,940: *Provided*, That, except upon the written order of the Secretary of Agriculture, no part of this appropriation shall be used for the purchase of animals or in the purchase of materials for or in the construction of dipping vats upon land not owned solely by the United States, except at fairs or expositions where the Department of Agriculture makes exhibits or demonstrations; nor shall any part of this appropriation be used in the purchase of materials or mixtures for use in dipping vats except in experimental or demonstration work carried on by the officials or agents of the Bureau of Animal Industry.

Proviso. Limitation on purchases.

Mixtures for dipping vats.

Animal husbandry.

Animal husbandry: For all necessary expenses for investigations and experiments in animal husbandry; for experiments in animal feeding and breeding, including cooperation with the State agricultural experiment stations and other agencies, including repairs and additions to and erection of buildings absolutely necessary to carry on the experiments, including the employment of labor in the city of Washington and elsewhere, rent outside the District of Columbia, and all other necessary expenses, $757,663, including $12,500 for live-stock experiments and demonstrations at Big Springs or elsewhere in Texas, to be available only when the State of Texas, or other cooperating agency in Texas shall have appropriated an equal amount or, in the opinion of the Secretary of Agriculture, shall have furnished its equivalent in value in cooperation for the same purpose during the fiscal year ending June 30, 1936: *Provided*, That of the sum thus appropriated $231,180 may be used for experiments in poultry feeding and breeding, of which amount $40,000 may be used in cooperation with State authorities in the administration of regulations for the improvement of poultry, poultry products, and hatcheries.

Feeding, breeding, etc., experiments.

Big Springs, Tex., demonstrations, etc.

Condition.

Proviso. Poultry feeding, etc.

Animal disease investigations.

Diseases of animals: For all necessary expenses for scientific investigations of diseases of animals, including the construction of necessary buildings at Beltsville, Maryland, the maintenance of the bureau experiment station at Bethesda, Maryland, and the necessary expenses for investigations of tuberculin, serums, antitoxins, and analogous products, $381,755: *Provided*, That of said sum $74,480 may be used for researches concerning the cause, modes of spread, and methods of treatment and prevention of the disease of contagious abortion of animals.

Beltsville, Md., station.

Bethesda, Md., station.

Proviso. Contagious abortion of animals.

Hog cholera investigations, etc.

Eradicating hog cholera: For investigating the disease of hog cholera and related swine diseases, and for their control or eradication by such means as may be necessary, including demonstrations, the formation of organizations, and other methods, either independently or in cooperation with farmers' associations, State or county authorities, $373,424: *Provided*, That of said sum $218,712 shall be available for expenditure in carrying out the provisions of the Act approved March 4, 1913 (U. S. C., title 21, secs. 151–158), regulating the preparation, sale, barter, exchange, or shipment of any

Provisos. Regulating trade in viruses, etc. Vol. 37, p. 832. U. S. C., p. 931.

virus, serum, toxin, or analogous product manufactured in the United States and the importation of such products intended for use in the treatment of domestic animals: *Provided further*, That of said sum $27,520 shall be available for researches concerning the cause, modes of spread, and methods of treatment and prevention of these diseases.

Pathological researches.

Eradicating dourine: For all necessary expenses for the investigation, treatment, and eradication of dourine, $8,613.

Eradicating dourine.

Packers and Stockyards Act: For necessary expenses in carrying out the provisions of the Packers and Stockyards Act, approved August 15, 1921 (U. S. C., title 7, secs. 181–229), $331,879: *Provided*, That the Secretary of Agriculture may require reasonable bonds from every market agency and dealer, under such rules and regulations as he may prescribe to secure the performance of their obligations, and whenever, after due notice and hearing, the Secretary finds any registrant is insolvent or has violated any provisions of said Act he may issue an order suspending such registrant for a reasonable specified period. Such order of suspension shall take effect within not less than five days, unless suspended or modified or set aside by the Secretary of Agriculture or a court of competent jurisdiction: *Provided further*, That the Secretary of Agriculture may, whenever necessary, authorize the charging and collection from owners of a reasonable fee for the inspection of brands appearing upon livestock subject to the provisions of the said Act for the purpose of determining the ownership of such livestock: *Provided further*, That such fee shall not be imposed except upon written request made to the Secretary of Agriculture by the Board of Livestock Commissioners, or duly organized livestock association of the States from which such livestock have originated or been shipped to market.

Packers and Stockyards Act.
Vol. 42, p. 159.
U. S. C., p. 125.

Provisos.
Bonds from agencies and dealers.

Suspension for violation.

Fee for inspecting brands.

Not imposed unless requested.

Meat inspection: For expenses in carrying out the provisions of the Meat Inspection Act of June 30, 1906 (U. S. C., title 21, sec. 95), as amended by the Act of March 4, 1907 (U. S. C., title 21, secs. 71–94), as extended to equine meat by the Act of July 24, 1919 (U. S. C., title 21, sec. 96), and as authorized by section 2 (a) of the Act of June 26, 1934 (48 Stat. 1224), including the purchase of tags, labels, stamps, and certificates printed in course of manufacture, $5,355,135.

Meat inspection.
Vol. 34, pp. 674, 1260.
U. S. C., p. 926.

Equine meat.
Vol. 41, p. 241.
U. S. C., p. 923.

Vol. 48, p. 1225.

ERADICATION OF FOOT-AND-MOUTH AND OTHER CONTAGIOUS DISEASES OF ANIMALS

Contagious diseases of animals.

In case of an emergency arising out of the existence of foot-and-mouth disease, rinderpest, contagious pleuro-pneumonia, or other contagious or infectious disease of animals, which, in the opinion of the Secretary of Agriculture, threatens the livestock industry of the country, he may expend, in the city of Washington or elsewhere, any unexpended balances of appropriations heretofore made for this purpose in the arrest and eradication of any such disease, including the payment of claims growing out of past and future purchases and destruction, in cooperation with the States, of animals affected by or exposed to, or of materials contaminated by or exposed to, any such disease, wherever found and irrespective of ownership, under like or substantially similar circumstances, when such owner has complied with all lawful quarantine regulations: *Provided*, That the payment for animals hereafter purchased may be made on appraisement based on the meat, dairy, or breeding value, but in case of appraisement based on breeding value no appraisement of any animal shall exceed three times its meat or dairy value, and, except in case of an extraordinary emergency, to be determined by the Secretary of Agriculture, the payment by the United States Government

Emergency eradicating foot-and-mouth, etc., diseases.

Use of balances.

Payment for destroyed animals.

Provisos.
Appraisement based on meat, etc., value.

Eradicating European fowl pest.
Vol. 43, p. 682.

for any animals shall not exceed one-half of any such appraisements: *Provided further*, That the sum of $5,000 of the unexpended balance of the appropriation of $3,500,000, contained in the Second Deficiency Appropriation Act, fiscal year 1924, approved December 5, 1924, for the eradication of the foot-and-mouth disease and other contagious or infectious diseases of animals, is hereby made available during the fiscal year 1936 to enable the Secretary of Agriculture to control and eradicate the European fowl pest and similar diseases in poultry.

Total, Bureau of Animal Industry, $11,313,419, of which amount not to exceed $789,029 may be expended for departmental personal services in the District of Columbia, and not to exceed $55,325 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Services in the District.
Vehicles.

Dairy Industry Bureau.

BUREAU OF DAIRY INDUSTRY

Salaries and expenses.

SALARIES AND EXPENSES

Vol. 43, p. 243.
U. S. C., p. 142.

For carrying out the provisions of the Act approved May 29, 1924 (U. S. C., title 7, secs. 401–404), establishing a Bureau of Dairying, for salaries in the city of Washington and elsewhere, and for all other necessary expenses, as follows:

Administrative expenses.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of the chief of bureau and other personal services in the District of Columbia, $66,075.

Investigations, demonstrations, etc.

Dairy investigations: For conducting investigations, experiments, and demonstrations in dairy industry, cooperative investigations of the dairy industry in the various States, and inspection of renovated-butter factories, including repairs to buildings, not to exceed $5,000 for the construction of buildings, $570,104.

Services in the District.

Total, Bureau of Dairy Industry, $636,179, of which amount not to exceed $306,720 may be expended for personal services in the District of Columbia.

Plant Industry Bureau.

BUREAU OF PLANT INDUSTRY

Salaries and expenses.

SALARIES AND EXPENSES

Investigating fruits, plants, products, etc.

For all necessary expenses in the investigation of fruits, fruit trees, grain, cotton, tobacco, vegetables, grasses, forage, drug, medicinal, poisonous, fiber, and other plants and plant industries in cooperation with other branches of the department, the State experiment stations, and practical farmers, and for the erection of necessary farm buildings: *Provided*, That the cost of any building erected shall not exceed $1,500; for field and station expenses, including fences, drains, and other farm improvements; for repairs in the District of Columbia and elsewhere; for rent outside the District of Columbia; and for the employment of all investigators, local and special agents, agricultural explorers, experts, clerks, illustrators, assistants, and all labor and other necessary expenses in the city of Washington and elsewhere required for the investigations, experiments, and demonstrations herein authorized, as follows:

Proviso.
Cost limit for buildings.
Field, etc., expenses.

Administrative expenses.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, $189,242.

Arlington, Va., farm.

Arlington Farm: For continuing the necessary improvements to establish and maintain a general experiment farm and agricultural

station on the Arlington estate, in the State of Virginia, in accordance with the provisions of the Act of Congress approved April 18, 1900 (31 Stat., pp. 135, 136), $49,414: *Provided*, That the limitations in this Act as to the cost of farm buildings shall not apply to this paragraph.

Vol. 31, p. 135.

Proviso. Cost limitation not applicable.

Botany: For investigation, improvement, and utilization of wild plants and grazing lands, and for determining the distribution of weeds and means of their control, $76,635, of which $40,000 shall be expended for scientific investigation concerning control and eradication of bind weed and other noxious weeds.

Wild plants and grazing lands.

Cereal crops and diseases: For the investigation and improvement of cereals, including corn, and methods of cereal production and for the study and control of cereal diseases, and for the investigation of the cultivation and breeding of flax for seed purposes, including a study of flax diseases, and for the investigation and improvement of broomcorn and methods of broomcorn production, $501,923.

Cereal crops and diseases, improvement, etc.

Flax, broomcorn, etc.

Cotton and other fiber crops and diseases: For investigation of the production of cotton and other fiber crops, including the improvement by cultural methods, breeding, and selection, fiber yield and quality, and the control of diseases, $406,435, of which sum not exceeding $15,000 shall be used for experimenting in Sea Island cotton, including its hybridization with other varieties.

Cotton production and diseases.

Drug and related plants: For the investigation, testing, and improvement of plants yielding drugs, spices, poisons, oils, and related products and byproducts, $47,139.

Drug, etc., plants.

Dry-land agriculture: For the investigation and improvement of methods of crop production under subhumid, semiarid, or dry-land conditions, $215,578: *Provided*, That no part of this appropriation shall be used for the establishment of any new field station.

Dry-land agriculture.

Proviso. New field stations forbidden.

Experimental greenhouse maintenance: For maintenance and operation of experimental greenhouses and adjacent experimental grounds and plots, $78,632.

Experimental greenhouse.

Forage crops and diseases: For the purchase, propagation, testing and distribution of new and rare seeds; for the investigation and improvement of grasses, alfalfa, clover, and other forage crops, including the investigation and control of diseases, $290,346.

Forage crops and diseases.

Forest pathology: For the investigation of diseases of forest and ornamental trees and shrubs, including a study of the nature and habits of the parasitic fungi causing the chestnut-tree bark disease, the white-pine blister rust, and other epidemic tree diseases, for the purpose of discovering new methods of control and applying methods of eradication or control already discovered, and including $127,357 for investigations of diseases of forest trees and forest products, under section 3 of the Act approved May 22, 1928 (U. S. C., Supp. VII, title 16, sec. 581b), $252,092.

Forest pathology.

Vol. 45, p. 701. U. S. C., p. 672.

Fruit and vegetable crops and diseases: For investigation and control of diseases, for improvement of methods of culture, propagation, breeding, selection, and related activities concerned with the production of fruits, nuts, vegetables, ornamentals, and related plants, for investigation of methods of harvesting, packing, shipping, storing, and utilizing these products, and for studies of the physiological and related changes of such products during processes of marketing and while in commercial storage, $1,151,192.

Fruit and vegetable crops and diseases.

Genetics and biophysics: For biophysical investigations in connection with the various lines of work herein authorized, $31,675.

Genetics and biophysics.

Mycology and disease survey: For mycological collections and the maintenance of a plant-disease survey, $42,818.

Plant disease survey, etc.

National Arboretum. Vol. 44, p. 1422. U. S. C., p. 914.

National Arboretum: For the maintenance of the National Arboretum established under the provisions of the Act entitled "An Act authorizing the Secretary of Agriculture to establish a National Arboretum, and for other purposes", approved March 4, 1927 (U. S. C., Supp. VII, title 20, secs. 191–194), including the erection of buildings, salaries in the city of Washington and elsewhere, traveling expenses of employees and advisory council, and other necessary expenses, $19,307, of which such amounts as may be necessary may

Landscape architects.

be expended by contract or otherwise for the services of consulting landscape architects without reference to the Classification Act of 1923, as amended, or civil service rules.

Nematology.

Nematology: For crop technological investigations, including the study of plant-infesting nematodes, $43,961.

Plant exploration and introduction.

Plant exploration and introduction: For investigations in seed and plant introduction, including the study, collection, purchase, testing, propagation, and distribution of rare and valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants from foreign countries and from our possessions, and for experiments with reference to their introduction and cultivation in this country, $204,483.

Plant nutrition investigations.

Plant nutrition: For plant-nutrition investigations, $16,024.

Reserve stations, investigations, etc.

Plant reserve stations: For investigations and production of plants for revegetation, soil protection, and related purposes, including the study, collection, purchase, testing, improvement, propagation, distribution and utilization of trees, shrubs, grasses, and other plants, and the maintenance of supplies of promising plants for revegetation, soil protection, and related uses, $483,198.

Rubber, etc., plants.

Rubber and other tropical plants: For investigation of crops, from tropical regions, and for the study and improvement of rubber plants by cultural methods, breeding, acclimatization, adaptation, and selection, and for investigation of their diseases, $46,749.

Seed investigations. Testing commercial seeds and grasses.

Seed investigations: For studying and testing commercial seeds, including the testing of samples of seeds of grasses, clover, or alfalfa, and lawn-grass seeds secured in the open market, and where such samples are found to be adulterated or misbranded the results of the tests shall be published, together with the names of the persons by whom the seeds were offered for sale, and for carrying out the

Preventing admission, etc. Vol. 37, p. 506; Vol. 44, p. 325. U. S. C., p. 117.

provisions of the Act approved August 24, 1912 (U. S. C., title 7, secs. 111–114), entitled "An Act to regulate foreign commerce by prohibiting the admission into the United States of certain adulterated grain and seeds unfit for seeding purposes", as amended by the Act approved April 26, 1926 (U. S. C., Supp. VII, title 7, secs. 111, 115, 116), $67,293: *Provided*, That not to exceed $250 of this amount

Proviso. International Seed Testing Congress.

may be used for meeting the share of the United States in the expenses of the International Seed Testing Congress in carrying out plans for correlating the work of the various adhering governments on problems relating to seed analysis or other subjects which the congress may determine to be necessary in the interest of international seed trade.

Soil fertility investigations.

Soil-fertility investigations: For soil investigations into causes of infertility; maintenance of productivity; effects of soil composition, cultural methods, fertilizers, and soil amendments on yield and quality of crops; and the properties, composition, formation, and transformation of soil organic matter, $172,157.

Soil microbiology investigations.

Soil microbiology investigations: For investigations of the microorganisms of the soil and their activities, including the testing of

Inoculating legumes, etc.

samples procured in the open market, of cultures for inoculating legumes, other crops, or soil, and the publication of results, and if any such samples are found to be impure, nonviable, or misbranded, the results of the tests may be published, together with the names

of the manufacturers and of the persons by whom the cultures were offered for sale, $39,854.

Sugar-plant investigations: For sugar-plant investigations, including studies of diseases and the improvement of sugar beets and sugar-beet seed, $312,079. Sugar plant investigations.

Tobacco investigations: For the investigation and improvement of tobacco and the methods of tobacco production and handling, $137,744. Tobacco investigations.

Western irrigation agriculture: For investigations in connection with western irrigation agriculture, the utilization of lands reclaimed under the Reclamation Act, and other areas in the arid and semiarid regions, $122,527. Western irrigation agriculture. Utilizing reclaimed lands.

Total, Bureau of Plant Industry, $4,998,497, of which amount not to exceed $1,691,221 may be expended for departmental personal services in the District of Columbia and not to exceed $15,675 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia. Services in the District.

FOREST SERVICE

Forest Service.

SALARIES AND EXPENSES

General expenses.

To enable the Secretary of Agriculture to experiment and to make and continue investigations and report on forestry, national forests, forest fires, and lumbering, but no part of this appropriation shall be used for any experiment or test made outside the jurisdiction of the United States; to advise the owners of woodlands as to the proper care of the same; to investigate and test American timber and timber trees and their uses, and methods for the preservative treatment of timber; to seek, through investigations and the planting of native and foreign species, suitable trees for the treeless regions; to erect necessary buildings: *Provided*, That the cost of any building purchased, erected, or as improved, exclusive of the cost of constructing a water-supply or sanitary system and of connecting the same with any such building, and exclusive of the cost of any tower upon which a lookout house may be erected, shall not exceed $2,500; to pay all expenses necessary to protect, administer, and improve the national forests, including tree planting in the forest reserves to prevent erosion, drift, surface wash, and soil waste and the formation of floods, and including the payment of rewards under regulations of the Secretary of Agriculture for information leading to the arrest and conviction for violation of the laws and regulations relating to fires in or near national forests, or for the unlawful taking of, or injury to Government property; to ascertain the natural conditions upon and utilize the national forests, to transport and care for fish and game supplied to stock the national forests or the waters therein; to employ agents, clerks, assistants, and other labor required in practical forestry and in the administration of national forests in the city of Washington and elsewhere; to collate, digest, report, and illustrate the results of experiments and investigations made by the Forest Service; to purchase necessary supplies, apparatus, office fixtures, law books, reference and technical books and technical journals for officers of the Forest Service stationed outside of Washington, and for medical supplies and services and other assistance necessary for the immediate relief of artisans, laborers, and other employees engaged in any hazardous work under the Forest Service: *Provided further*, That the appropriations for the work of the Forest Service shall be available for meeting the expenses of warehouse maintenance and the procurement, care, and handling

Experiments, etc. *Post*, p. 1617.

Restricted to United States.

Provisos. Cost of buildings.

Protecting, etc., national forests.

Care of fish and game.

Supplies, etc.

Warehouse maintenance.

of supplies and materials stored therein for distribution to projects under the supervision of the Forest Service and for sale and distribution to other Government activities, the cost of such supplies and materials, including the cost of supervision, transportation, and handling, to be reimbursed to appropriations current at the time additional supplies and materials are procured for warehouse stocks from the appropriations chargeable with the cost of stock issued; to pay freight, express, telephone, and telegraph charges; for electric light and power, fuel, gas, ice, and washing towels, and official traveling and other necessary expenses, including traveling expenses for legal and fiscal officers while performing Forest Service work; and for rent outside the District of Columbia, as follows:

Outside rent.

Chief Forester and office personnel.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of the Chief Forester and other personal services in the District of Columbia, $358,300.

National forests.

NATIONAL FOREST ADMINISTRATION

Administrative, etc., expenses.

For the administration, protection, and development of the national forests, including the compensation and traveling expenses of field personnel; the purchase of materials, supplies, and equipment; the establishment and maintenance of forest tree nurseries, including the procurement of tree seed and nursery stock by purchase, production, or otherwise, seeding and tree planting and the care of plantations and young growth; the maintenance and operation of aerial fire control by contract or otherwise, but not including the purchase of landing fields or aircraft; the maintenance of roads and trails and the construction and maintenance of all other improvements necessary for the proper and economical administration, protection, development, and use of the national forests: *Provided*, That where, in the opinion of the Secretary of Agriculture, direct purchases will be more economical than construction, improvements may be purchased; the construction and maintenance of sanitary facilities and for fire preventive and other measures incident to recreational developments and use; control of destructive forest tree diseases and insects; timber cultural operations; development and application of fish and game management plans; propagation and transplanting of plants suitable for planting on semi-arid portions of the national forests; estimating and appraising of timber and other resources and development and application of plans for their effective management, sale and use; examination, classification, surveying, and appraisal of land incident to effecting exchanges authorized by law and of lands within the boundaries of the national forests that may be opened to homestead settlement and entry under the Act of June 11, 1906 (U. S. C., title 16, secs. 506–509), and the Act of August 10, 1912 (U. S. C., title 16, sec. 506), as provided by the Act of March 4, 1913 (U. S. C., title 16, sec. 512), and all other expenses necessary for the use, maintenance, improvement, protection, and general administration of the national forests and lands under contract for purchase or for the acquisition of which condemnation proceedings have been instituted under the Act of March 1, 1911 (U.S.C., title 16, sec. 521), and the Act of June 7, 1924 (U. S. C., title 16, secs. 471, 499, 505, 564–570).

Proviso. Direct purchases.

Lands opened to entry, etc.

Vol. 34, p. 233; Vol. 37, pp. 287, 342. U. S. C., pp. 664, 665.

Purchase or acquisition.

Vol. 36, p. 963; Vol. 43, p. 655; U. S. C., pp. 657–670.

Allotments.

In national forest region 1, Montana, Washington, Idaho, and South Dakota, $1,424,678: *Provided*, That the Secretary of Agriculture is authorized to use not to exceed $200 in caring for the graves of fire fighters buried at Wallace, Idaho; Newport, Washington; and Saint Maries, Idaho;

Proviso. Care of graves of fire fighters.

In national forest region 2, Colorado, Wyoming, South Dakota, Nebraska, and Oklahoma, $737,408: *Provided*, That not to exceed $1,000 of this appropriation may be expended for the maintenance of the herd of longhorned cattle on the Wichita National Forest;

Provisos.
Longhorned cattle, Wichita National Forest.

In national forest region 3, Arizona and New Mexico, $618,279;

In national forest region 4, Utah, Idaho, Wyoming, Nevada, and Colorado, $873,047;

In national forest region 5, California and Nevada, $1,252,630;

In national forest region 6, Washington, Oregon, and California, $1,274,647;

In national forest region 7, Pennsylvania, Virginia, West Virginia, New Hampshire, Maine, Puerto Rico, Kentucky, and Vermont, $417,607;

In national forest region 8, Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas, $743,945;

In national forest region 9, Michigan, Minnesota, Illinois, Iowa, Missouri, Ohio, Indiana, and Wisconsin, $566,527: *Provided*, That not to exceed $1,000 of this appropriation may be used for the repair and maintenance of the dam at Cass Lake, Minnesota;

Cass Lake, Minn., repair, etc., of dam.

In national forest region 10, Alaska, $100,809;

In all, for the use, maintenance, improvement, protection, and general administration of the national forests, $8,009,577: *Provided*, That the foregoing amounts appropriated for such purposes shall be available interchangeably in the discretion of the Secretary of Agriculture for the necessary expenditures for fire protection and other unforeseen exigencies: *Provided further*, That the amounts so interchanged shall not exceed in the aggregate 10 per centum of all the amounts so appropriated.

Aggregate.
Provisos.
Interchangeable funds for fire protection.

Limitation.

Fighting forest fires: For fighting and preventing forest fires on or threatening the national forests and for the establishment and maintenance of a patrol to prevent trespass and to guard against and check fires upon the lands revested in the United States by the Act approved June 9, 1916 (39 Stat., p. 218), and the lands known as the Coos Bay Wagon Road lands involved in the case of Southern Oregon Company against United States (numbered 2711), in the Circuit Court of Appeals of the Ninth Circuit, $100,000, which amount shall be immediately available.

Fighting forest fires.
Post, p. 1115.

Revested Oregon-California lands, etc.
Vol. 39, p. 218.

FOREST RESEARCH

Forest research.

For forest research in accordance with the provisions of sections 1, 2, 7, 8, 9, and 10 of the Act entitled "An Act to insure adequate supplies of timber and other forest products for the people of the United States, to promote the full use for timber growing and other purposes of forest lands in the United States, including farm wood lots and those abandoned areas not suitable for agricultural production, and to secure the correlation and the most economical conduct of forest research in the Department of Agriculture through research in reforestation, timber growing, protection, utilization, forest economics, and related subjects", approved May 22, 1928 (U. S. C., Supp. VII, title 16, secs. 581, 581a, 581f–581i), as follows:

Development of timber, etc.
Vol. 45, p. 699.
U. S. C., p. 672.

Forest management: Fire, silvicultural, and other forest investigations and experiments under section 2, at forest experiment stations or elsewhere, $504,494.

Forest management.
Vol. 45, p. 701.

Range investigations: Investigations and experiments to develop improved methods of management of forest and other ranges under section 7, at forest or range experiment stations or elsewhere, $154,435.

Management of ranges, etc.
Vol. 45, p. 701.

Forest products experiments. Vol. 45, p. 701.

Forest products: Experiments, investigations, and tests of forest products under section 8, at the Forest Products Laboratory, or elsewhere, $508,361.

Forest survey. Vol. 45, p. 701.

Forest survey: A comprehensive forest survey under section 9, $250,000.

Forest economics. Vol. 45, p. 702.

Forest economics: Investigations in forest economics under section 10, $73,295.

Aggregate; additional, from cooperative forest fund contributions. Vol. 43, p. 1132. U. S. C., p. 670. Vol. 38, p. 430. U. S. C., p. 663.

In all, salaries and expenses, $9,958,462; and in addition thereto there are hereby appropriated all moneys received as contributions toward cooperative work under the provisions of section 1 of the Act approved March 3, 1925 (U. S. C., title 16, sec. 572), which funds shall be covered into the Treasury and constitute a part of the special funds provided by the Act of June 30, 1914 (U. S. C., title 16, sec. 498): *Provided*, That not to exceed $485,244 may be expended for departmental personal services in the District of Columbia: *Provided further*, That not to exceed $1,000 may be expended for the contribution of the United States to the cost of the office of the secretariat of the International Union of Forest Research Stations.

Provisos. Services in the District.

International Union of Forest Research Stations, contribution.

Forest-fire prevention.

FOREST-FIRE COOPERATION

Cooperation with States, etc. Vol. 43, p. 653. U. S. C., p. 669.

For cooperation with the various States or other appropriate agencies in forest-fire prevention and suppression and the protection of timbered and cut-over lands in accordance with the provisions of sections 1, 2, and 3 of the Act entitled "An Act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote continuous production of timber on lands chiefly valuable therefor", approved June 7, 1924 (U. S. C., title 16, secs. 564–570), as amended, including also the study of the effect of tax laws and the investigation of timber insurance as provided in section 3 of said Act, $1,578,632, of which $23,788 shall be available for departmental personal services in the District of Columbia and not to exceed $1,500 for the purchase of supplies and equipment required for the purposes of said Act in the District of Columbia.

Tax laws and timber insurance.

Services in the District.

Supplies and equipment.

Forest planting stock.

COOPERATIVE DISTRIBUTION OF FOREST PLANTING STOCK

Cooperation with States, etc., in reforestation. Vol. 43, p. 654. U. S. C., p. 669.

For cooperation with the various States in the procurement, production, and distribution of forest-tree seeds and plants in establishing windbreaks, shelter belts, and farm wood lots upon denuded or nonforested lands within such cooperating States, under the provisions of section 4 of the Act entitled "An Act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor", approved June 7, 1924 (U. S. C., title 16, sec. 567), and Acts supplementary thereto, $56,379, of which amount not to exceed $1,000 may be expended for departmental personal services in the District of Columbia.

Services in the District.

National Forest Reservation Commission.

NATIONAL FOREST RESERVATION COMMISSION

Salaries and expenses. Vol. 36, p. 962. U. S. C., p. 665.

For the necessary expenses of the National Forest Reservation Commission established by section 4 of the Act approved March 1, 1911, and authorized by section 14 of said Act, including the employment of persons and means in the District of Columbia and elsewhere, $7,500.

Vehicles.

Total, Forest Service, $11,600,973, of which amount not to exceed $41,885 shall be available for the purchase of motor-propelled and

horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia, and in addition thereto there is authorized for expenditure from funds provided for carrying out the provisions of the Federal Highway Act of November 9, 1921 (U. S. C., title 23, secs. 21, 23), not to exceed $7,425 for the purchase of motor-propelled passenger-carrying vehicles for use by the Forest Service in the construction and maintenance of national forest roads.

Vol. 42, p. 217.
U. S. C., p. 972.

BUREAU OF CHEMISTRY AND SOILS

Chemistry and Soils Bureau.

SALARIES AND EXPENSES

General expenses.

For all necessary expenses connected with the investigations, experiments, and demonstrations hereinafter authorized, independently or in cooperation with other branches of the Department of Agriculture, other departments or agencies of the Federal Government, States, State agricultural experiment stations, universities and other State agencies and institutions, counties, municipalities, business or other organizations and corporations, individuals, associations, and scientific societies, including the employment of necessary persons and means in the city of Washington and elsewhere; rent outside the District of Columbia, and other necessary supplies and expenses, and for erection, alteration, and repair of buildings outside the District of Columbia at a total cost not to exceed $5,000, as follows:

Investigations, demonstrations, etc.

Employees, etc.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, $90,241.

General administrative expenses.

Agricultural chemical investigations: For conducting the investigations contemplated by the Act of May 15, 1862 (U. S. C., title 5, secs. 511, 512), relating to the application of chemistry to agriculture; for the biological, chemical, physical, microscopical, and technological investigation of foods, feeds, drugs, and insecticides and substances used in the manufacture thereof, including investigations of the physiological effects of such products; for the investigation and development of methods for the manufacture of sugars and sugar sirups and the utilization of new agricultural materials for such purposes; for investigation of the action and changes produced by micro-organisms, including molds and fungi; for investigation and development of methods for the utilization of agricultural wastes and residues, in cooperation with the Bureau of Standards, Department of Commerce, without duplication of work; for investigation and development of methods for the prevention of heating of agricultural products and the prevention of farm fires and fires in cotton gins, cotton-oil mills, grain elevators, and other structures, and to cooperate with associations and scientific societies in the development of methods of analysis, $383,930.

Chemical investigations.
Vol. 12, p. 387.
U. S. C., p. 74.

Biological, etc., investigations.

Methods of sugar manufacture, etc.

Utilizing wastes, etc.

Cooperation with scientific, etc., societies.

Color investigations: For investigation and experiment in the utilization, for coloring, medicinal, and technical purposes, of raw materials grown or produced in the United States, $69,757.

Utilizing raw materials for colorants, etc.

Plant dust explosions: For the investigation and development of methods for the prevention of grain-dust, smut-dust, and other dust explosions not otherwise provided for and resulting fires, including fires in cotton gins, cotton-oil mills, and grain elevators, $34,881.

Plant dust explosions.

Methods for preventing.

Naval stores investigations: For the investigation and demonstration of improved methods or processes of preparing naval stores, the weighing, handling, transportation, and the uses of same, $76,741.

Naval stores investigations.

Fertilizer investigations: For investigations within the United States of fertilizers, fertilizer ingredients, including phosphoric acid

Fertilizers.

and potash, and other soil amendments and their suitability for agricultural use, $269,595.

Soil types, composition, etc., investigations.

Soil chemical and physical investigations: For chemical, physical, and physical-chemical investigations of soil types, soil composition, and soil minerals, the soil solution, solubility of soil, and all chemical and physical properties of soils in their relation to soil formation, soil texture, erosibility, and soil productivity, $68,081.

Soil survey.

Soil survey: For the investigation of soils and their origin, for survey of the extent of classes and types, and for indicating upon maps and plats, by coloring or otherwise, the results of such investigations and surveys, $286,208, of which $10,000 shall be immediately available.

Services in the District.
Vehicles.

Total, Bureau of Chemistry and Soils, $1,279,434, of which amount not to exceed $963,646 may be expended for personal services in the District of Columbia, and not to exceed $1,770 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Entomology and Plant Quarantine Bureau.

BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

Salaries and expenses.

SALARIES AND EXPENSES

Investigations, etc., of insects.

For necessary expenses connected with investigations, experiments, and demonstrations for the promotion of economic entomology, for investigating and ascertaining the best means of destroying insects and related pests injurious to agriculture, for investigating and importing useful and beneficial insects and bacterial, fungal, and other diseases of insects and related pests, for investigating and ascertaining the best means of destroying insects affecting man and animals, to enable the Secretary of Agriculture to carry into effect the provisions of the Plant Quarantine Act of August 20, 1912, as amended, to conduct other activities hereinafter authorized, and for the eradication, control, and prevention of spread of injurious insects and plant pests; independently or in cooperation with other branches of the Federal Government, States, counties, municipalities, corporations, agencies, individuals, or with foreign governments; including the employment of necessary persons and means in the District of Columbia and elsewhere, rent, construction, or repair of necessary buildings outside the District of Columbia: *Provided*, That the cost for the construction of any building shall not exceed $1,500, and that the total amount expended for such construction in any one year shall not exceed $7,000, as follows:

Plant Quarantine Act, enforcement.
Vol. 37, p. 315; Vol. 39, p. 1165; Vol. 44, p. 250.
U. S. C., p. 122.

Proviso.
Cost of buildings.

General administrative expenses.

General administrative expenses: For general administrative purposes, including the salary of chief of bureau and other personal services, $162,288.

Fruit insects.

Fruit insects: For insects affecting fruits, grapes, and nuts, $399,531.

Japanese beetle.

Japanese beetle control: For the control and prevention of spread of the Japanese beetle, $350,000.

Mexican fruit fly.

Mexican fruit fly control: For the control and prevention of spread of the Mexican fruit fly, including necessary surveys and control operations in Mexico in cooperation with the Mexican Government or local Mexican authorities, $140,460.

Citrus canker eradication.

Citrus-canker eradication: For determining and applying such methods of eradication or control of the disease of citrus trees known as "citrus canker" as in the judgment of the Secretary of Agriculture may be necessary, including cooperation with such authorities of the States concerned, organizations of growers, or individuals, as

he may deem necessary to accomplish such purposes, $13,485: *Provided*, That no part of the money herein appropriated shall be used to pay the cost or value of trees or other property injured or destroyed.

Proviso. No indemnity for destroyed trees.

Phony-peach eradication: For determining and applying such methods of eradication, control, and prevention of spread of the disease of peach trees known as "phony peach" as in the judgment of the Secretary of Agriculture may be necessary, including cooperation with such authorities of the States concerned, organizations of growers, or individuals, as he may deem necessary to accomplish such purposes, including the certification of products out of the infested areas to meet the requirements of State quarantines, $49,828: *Provided*, That no part of the money herein appropriated shall be used to pay the cost or value of trees or other property injured or destroyed.

Phony-peach eradication.

Proviso. No indemnity for destroyed trees.

Date scale control: For the control and prevention of spread of Parlatoria date scale, $24,856.

Date scale control.

Forest insects: For insects affecting forests and forest products, under section 4 of the Act approved May 22, 1928 (U. S. C., Supp. VII, title 16, sec. 581c), entitled "An Act to insure adequate supplies of timber and other forest products for the people of the United States, to promote the full use for timber growing and other purposes of forest lands in the United States, including farm wood lots and those abandoned areas not suitable for agricultural production, and to secure the correlation and the most economical conduct of forest research in the Department of Agriculture, through research in reforestation, timber growing, protection, utilization, forest economics, and related subjects", and for insects affecting ornamental trees and shrubs, $160,015, of which $1,000 shall be immediately available.

Forest insects. Preventing infestation, etc. Vol. 45, p. 701. U. S. C., p. 672.

Gypsy and brown-tail moth control: For the control and prevention of spread of the gypsy and brown-tail moths, $400,000.

Gypsy and brown-tail moth control.

Blister rust control: For applying such methods of eradication, control, and prevention of spread of the white pine blister rust as in the judgment of the Secretary of Agriculture may be necessary to accomplish such purposes, and in the discretion of the Secretary of Agriculture no expenditures shall be made for these purposes until a sum or sums at least equal to such expenditures shall have been appropriated, subscribed, or contributed by State, county, or local authorities, or by individuals or organizations concerned, $250,000: *Provided*, That no part of this appropriation shall be used to pay the cost or value of trees or other property injured or destroyed.

Blister rust control.

Proviso. No indemnity for destroyed trees.

Dutch elm disease eradication: For control and prevention of spread of the Dutch elm disease in the United States, $261,156, to be immediately available: *Provided*, That no part of this appropriation shall be used to pay the cost or value of trees or other property injured or destroyed.

Dutch elm disease, eradication.

Proviso. No indemnity for destroyed trees.

Truck crop and garden insects: For insects affecting truck crops, ornamental, and garden plants, including tobacco, sugar beets, and greenhouse and bulbous crops, $361,418.

Truck and garden crops.

Cereal and forage insects: For insects affecting cereal and forage crops, including sugarcane and rice, and including research on the European corn borer, $347,229, including not exceeding $15,000 for investigation of the means of control of the Mormon cricket.

Cereal and forage insects. *Post*, p. 581. Mormon cricket control.

European corn borer control: For the control and prevention of spread of the European corn borer and for the certification of products out of the infested areas to meet the requirements of State quarantines on account of the European corn borer, $32,939.

European corn borer.

Barberry eradication.

Barberry eradication: For the eradication of the common barberry and for applying such other methods of eradication, control and prevention of spread of cereal rusts as in the judgment of the Secretary of Agriculture may be necessary to accomplish such purposes, $200,000: *Provided*, That $30,000 of this amount shall be available for expenditure only when an equal amount shall have been appropriated, subscribed, or contributed by States, counties, or local authorities, or by individuals or organizations for the accomplishment of such purposes: *Provided further*, That no part of the money herein appropriated shall be used to pay the cost or value of property injured or destroyed.

Provisos.
Local contributions required.

No indemnity for property destroyed.

Cotton insects.

Cotton insects: For insects affecting cotton, $147,244.

Pink bollworm control.

Pink bollworm control: For the control and prevention of spread of the pink bollworm, including the establishment of such cotton-free areas as may be necessary to stamp out any infestation, and for necessary surveys and control operations in Mexico in cooperation with the Mexican Government or local Mexican authorities, $276,839.

Cooperation with Mexico.

Thurberia weevil.

Thurberia weevil control: For the control and prevention of spread of the Thurberia weevil, $2,808.

Bee culture.

Bee culture: For bee culture and apiary management, $68,000.

Insects affecting man and animals.

Insects affecting man and animals: For insects affecting man, household possessions, and animals, $120,148.

Identification and classification of insects.

Insect pest survey and identification: For the identification and classification of insects, including taxonomic, morphological, and related phases of insect-pest control, the importation and exchange of useful insects, and the maintenance of an insect pest survey for the collection and dissemination of information to Federal, State, and other agencies concerned with insect-pest control, $134,798.

Disseminating information.

Control investigations.

Control investigations: For developing equipment or apparatus to aid in enforcing plant quarantines, eradication and control of plant pests, determining methods of disinfecting plants and plant products to eliminate injurious pests, determining the toxicity of insecticides, and related phases of insect pest control, $62,518.

Insecticide and fungicide investigations.

Insecticide and fungicide investigations: For the investigation and development of methods of manufacturing insecticides and fungicides, and for investigating chemical problems relating to the composition, action, and application of insecticides and fungicides, $168,984.

Transit inspection.
Vol. 37, p. 315; Vol. 44, p. 250; Vol. 45, p. 468.
U. S. C., p. 123.

Transit inspection: For the inspection in transit or otherwise of articles quarantined under the Act of August 20, 1912 (U. S. C., Supp. VII, title 7, secs. 161, 164a), as amended, and for the interception and disposition of materials found to have been transported interstate in violation of quarantines promulgated thereunder, $29,059.

Foreign plant quarantines.

Foreign plant quarantines: For enforcement of foreign plant quarantines, at the port of entry and/or port of export, and to prevent the movement of cotton and cottonseed from Mexico into the United States, including the regulation of the entry into the United States of railway cars and other vehicles, and freight, express, baggage, or other materials from Mexico, and the inspection, cleaning, and disinfection thereof, including construction and repair of necessary buildings, plants, and equipment, for the fumigation, disinfection, or cleaning of products, railway cars, or other vehicles entering the United States from Mexico, $625,956: *Provided*, That any moneys received in payment of charges fixed by the Secretary of Agriculture on account of such cleaning and disinfection shall be covered into the Treasury as miscellaneous receipts.

Mexican cotton, etc.

Cleaning, etc.

Proviso.
Receipts covered in.

Export inspection and certification.

Certification of exports: For the inspection, under such rules and regulations as the Secretary of Agriculture may prescribe, of

domestic plants and plant products when offered for export and to certify to shippers and interested parties as to the freedom of such products from injurious plant diseases and insect pests according to the sanitary requirements of the foreign countries affected and to make such reasonable charges and to use such means as may be necessary to accomplish this object, $31,862: *Provided*, That moneys received on account of such inspection and certification shall be covered into the Treasury as miscellaneous receipts.

Proviso.
Receipts covered in.

Chinch-bug control: For the application of such methods of control of chinch bugs as, in the judgment of the Secretary of Agriculture, may be necessary, in cooperation with authorities of the States concerned, organizations, or individuals, to accomplish such purposes, printing and binding, and for other expenses, to be immediately available and to remain available until December 31, 1935, $2,500,000: *Provided*, That this appropriation shall be available for expenditures of general administration and supervision, purchase and transportation of materials used for the control of chinch bugs, and such other expenses as in the discretion of the Secretary of Agriculture may be deemed necessary, and that the cooperating State shall be responsible for the local distribution and utilization of such materials on privately owned lands, including full labor costs: *Provided further*, That, in the discretion of the Secretary of Agriculture, no part of this appropriation shall be expended for chinch-bug control in any State until such State has provided the necessary organization for the cooperation herein indicated: *Provided further*, That procurements under this appropriation may be made by open-market purchases notwithstanding the provisions of section 3709 Revised Statutes (U. S. C., title 41, sec. 5): *Provided further*, That no part of this appropriation shall be used to pay the cost or value of farm animals, farm crops, or other property injured or destroyed.

Chinch-bug control.

Provisos.
Use of fund.
Vol. 48, p. 926.

State cooperation required.

Open market purchases.
R. S., sec. 3709, p. 733.
U. S. C., p. 1803.

Payments forbidden.

Screw worm control: For the determination and application of such methods of contol[1] of screw worms as, in the judgment of the Secretary of Agriculture, may be necessary, in cooperation with authorities of the States concerned, organizations, or individuals to accomplish such purposes; printing and binding; traveling expenses; research, education, and demonstration; purchase and transportation of materials; construction of treating pens and chutes, and such other expenses as may be deemed necessary, to be immediately available and to remain available until June 30, 1936, $480,000: *Provided*, That the cooperating State, organization or individual shall be responsible for the handling and treatment of livestock, including full labor costs: *Provided further*, That, in the discretion of the Secretary of Agriculture, no part of this appropriation shall be expended for control of screw worms in any State until such State or organization or individuals therein have made provision for cooperation satisfactory to him: *Provided further*, That no part of this appropriation shall be used to pay the cost or value of animals, farm crops, or other property injured or destroyed: *Provided further*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service under this appropriation when the aggregate amount involved does not exceed the sum of $100.

Screw worm control.

Provisos.
Responsibility in handling, etc., livestock.

Local cooperation.

No payment for property destroyed, etc.

Minor purchases.
R. S., sec. 3709, p. 733.
U. S. C., p. 1803

Total, Bureau of Entomology and Plant Quarantine, $7,801,421, of which amount not to exceed $828,749 may be expended for personal services in the District of Columbia, and not to exceed $44,375 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Services in the District.

Vehicles.

[1] So in original.

Biological Survey Bureau.

BUREAU OF BIOLOGICAL SURVEY

General expenses.

SALARIES AND EXPENSES

Salaries, supplies, etc.

For salaries and employment of labor in the city of Washington and elsewhere, furniture, supplies, including the purchase of bags, tags, and labels printed in the course of manufacture, traveling, and all other expenses necessary in conducting investigations and carrying out the work of the Bureau, including cooperation with Federal, State, county, or other agencies or with farm bureaus, organizations, or individuals, as follows:

General administrative expenses.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, $79,595.

Mammal and bird reservations.
Montana bison range.

Maintenance of mammal and bird reservations: For the maintenance of the Montana National Bison Range and other reservations and for the maintenance of game introduced into suitable localities on public lands, under supervision of the Biological Survey, including construction of fencing, wardens' quarters, shelters for animals, landings, roads, trails, bridges, ditches, telephone lines, rockwork, bulkheads, and other improvements necessary for the economical administration and protection of the reservations, and for the enforcement of section 84 of the Act approved March 4, 1909 (U. S. C., title 18, sec. 145), entitled "An Act to codify, revise, and amend the penal laws of the United States", and Acts amendatory thereto, and section 10 of the Migratory Bird Conservation Act of February 18, 1929 (U. S. C., Supp. VII, title 16, sec. 715i), $56,727: *Provided*, That $2,500 may be used for the purchase, capture, and transportation of game for national reservations.

Protection of reserves.
Vol. 35, p. 1104; Vol. 43, p. 98.
U. S. C., p. 731.
Vol. 45, p. 1224.
U. S. C., p. 688.

Proviso.
Game for reserves.

Food habits of birds and animals.

Food habits of birds and animals: For investigating the food habits and economic value of North American birds and animals in relation to agriculture, horticulture, and forestry, including methods of conserving beneficial and controlling injurious birds and animals, $60,640.

Control of predatory animals, etc.

Control of predatory animals and injurious rodents: For investigations, demonstrations, and cooperation in destroying animals injurious to agriculture, horticulture, forestry, animal husbandry, and wild game; and in protecting stock and other domestic animals through the suppression of rabies and other diseases in predatory wild animals, $600,000.

Fur-bearing animals.
Investigating production, etc.

Production of fur-bearing animals: For investigations, experiments, demonstrations, and cooperation in connection with the production and utilization of fur-bearing animals raised for meat and fur, in the United States and Alaska, $56,112.

Biological investigations.

Biological investigations: For biological investigations, including the relations, habits, geographic distribution, and migration of animals and plants, and the preparation of maps of the life zones, and including $15,738 for investigations of the relations of wild animal life to forests, under section 5 of the Act approved May 22, 1928 (U. S. C., Supp. VII, title 16, sec. 581d), and for investigations, experiments, and demonstrations in the establishment, improvement, and increase of the reindeer industry and of musk oxen and mountain sheep in Alaska, including the erection of necessary buildings, and other structures, $118,149.

Vol. 45, p. 701.
U. S. C., p. 672.

Reindeer, musk oxen, and mountain sheep in Alaska.

Migratory bird protection.
Vol. 40, p. 755.
U. S. C., p. 686.
Vol. 39, p. 1702.

Protection of migratory birds: For all necessary expenses for enforcing the provisions of the Migratory Bird Treaty Act of July 3, 1918 (U. S. C., title 16, secs. 703–711), to carry into effect the treaty with Great Britain for the protection of birds migrating between

the United States and Canada (39 Stat. pt. 2, p. 1702), and for cooperation with local authorities in the protection of migratory birds, and for necessary investigations connected therewith, $222,978: *Provided*, That of this sum not more than $20,500 may be used for the enforcement of sections 241, 242, 243, and 244 of the Act approved March 4, 1909 (U. S. C., title 18, secs. 391–394), entitled "An Act to codify, revise, and amend the penal laws of the United States", and for the enforcement of section 1 of the Act approved May 25, 1900 (U. S. C., title 16, sec. 701), entitled "An Act to enlarge the powers of the Department of Agriculture, prohibit the transportation by interstate commerce of game killed in violation of local laws, and for other purposes", including all necessary investigations in connection therewith.

Proviso. Traffic in injurious, etc., birds. Vol. 35, p. 1137. U. S. C., p. 753.

Carrying illegally killed game. Vol. 31, p. 187. U. S. C., p. 686.

Enforcement of Alaska game law: For the enforcement of the provisions of the Alaska game law, approved January 13, 1925 (U. S. C., title 48, secs. 192–211), and as amended by the Act of February 14, 1931 (46 Stat., pp. 1111–1115), $96,596.

Enforcing Alaska game law. Vol. 43, p. 739; Vol. 46, p. 1111. U. S. C., p. 2119.

Upper Mississippi River refuge: For the acquisition of areas of land or land and water pursuant to the Act entitled "An Act to establish the Upper Mississippi River Wildlife and Fish Refuge", approved June 7, 1924 (U. S. C., title 16, secs. 721–731), as amended, and for all necessary expenses incident thereto, including the employment of persons and means in the city of Washington and elsewhere, $1,943, which shall be available until expended, being part of the sum of $1,500,000 authorized to be appropriated for such purpose by section 10 of said Act; and for all necessary expenses of the Secretary of Agriculture authorized by section 9 of said Act, $34,683; in all, $36,626.

Upper Mississippi River Refuge. Acquiring areas for. Vol. 43, pp. 650, 1354. U. S. C., p. 690.

Bear River Migratory Bird Refuge: For administration and maintenance of the Bear River Migratory Bird Refuge established under the Act approved April 23, 1928 (U. S. C., Supp. VII, title 16, secs. 690–690h), and the resolution approved February 15, 1929 (45 Stat., p. 1186), including the construction of necessary buildings and for personal services in the District of Columbia and elsewhere, $16,559.

Bear River Migratory Bird Refuge. Maintenance, etc. Vol. 45, p. 448. U. S. C., p. 684. Vol. 45, p. 1186.

Migratory bird conservation refuges: For carrying into effect the provisions of the Act entitled "An Act to more effectively meet the obligations of the United States under the migratory-bird treaty with Great Britain (39 Stat., pt. 2, p. 1702) by lessening the dangers threatening migratory game birds from drainage and other causes by the acquisition of areas of land and water to furnish in perpetuity reservation for the adequate protection of such birds; and authorizing appropriations for the establishment of such areas, their maintenance and improvement, and for other purposes", approved February 18, 1929 (U. S. C., Supp. VII, title 16, secs. 715–715r), $77,510, authorized by section 12 of the Act, which sum is a part of the remaining $727,589 of the $1,000,000 authorized to be appropriated for the fiscal year ending June 30, 1933: *Provided*, That $10,000 of this appropriation shall be immediately available for purchase of material for repair of sand barrier excluding ocean waters from Currituck Sound, North Carolina.

Migratory bird conservation refuges. Vol. 39, p. 1702.

Acquiring areas.

Vol. 45, p. 1222. U. S. C., p. 687.

Proviso. Currituck Sound, N. C., repairs.

Total, Bureau of Biological Survey, $1,421,492, of which amount not to exceed $321,000 may be expended for personal services in the District of Columbia, and not to exceed $19,425 shall be available for the purchase of motor-propelled passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Services in the District.

Public Roads Bureau.

BUREAU OF PUBLIC ROADS

Salaries and expenses. *Post*, p. 1892.

For necessary expenses of the Bureau of Public Roads, including salaries and the employment of labor in the city of Washington and elsewhere, supplies, office and laboratory fixtures and apparatus, traveling, and other necessary expenses; for conducting research and investigational studies, either independently or in cooperation with State highway departments, or other agencies, including studies of highway administration, legislation, finance, economics, transport, construction, operation, maintenance, utilization, and safety, and of street and highway traffic control; investigations and experiments in the best methods of road making, especially by the use of local materials; studies of types of mechanical plants and appliances used for road building and maintenance and of methods of road repair and maintenance suited to the needs of different localities; and maintenance and repairs of experimental highways, including the purchase of materials and equipment; for furnishing expert advice on these subjects; for collating, reporting, and illustrating the results of same; and for preparing, publishing, and distributing bulletins and reports; to be paid from any moneys available from the administrative funds provided under the Act of July 11, 1916 (39 Stat., pp. 355–359), as amended, or as otherwise provided.

Road making investigations.

Vol. 39, p. 355; Vol. 42, p. 212. U. S. C., p. 969.

Federal-Aid Highways.

FEDERAL-AID HIGHWAY SYSTEM

Cooperating with States in constructing rural post roads.

Vol. 39, p. 355; Vol. 40, p. 1201; Vol. 42, pp. 660, 1157; Vol. 43, p. 889; Vol. 44, pp. 760, 1398. U. S. C., p. 969.

For carrying out the provisions of the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", approved July 11, 1916 (39 Stat., pp. 355–359), and all Acts amendatory thereof and supplementary thereto, to be expended in accordance with the provisions of said Act, as amended, including not to exceed $556,000 for departmental personal services in the District of Columbia, $48,559,256.14, to be immediately available and to remain available until expended, of which sum $8,559,256.14 is the remainder of the sum of $125,000,000 authorized to be appropriated for the fiscal year ending June 30, 1933, by section 1 of the Act approved April 4, 1930 (46 Stat., p. 141), and $40,000,000 is part of the sum of $125,000,000 authorized to be appropriated for the fiscal year ending June 30, 1936, by section 4 of the Act approved June 18, 1934 (48 Stat. 994): *Provided*, That the Secretary of Agriculture shall act upon projects submitted to him under his apportionment of the $125,000,000 authorized to be appropriated for the fiscal year ending June 30, 1936, by section 4 of the Act approved June 18, 1934 (Public, numbered 393, Seventy-third Congress, 48 Stat. 994), and his approval of any such project shall be deemed a contractual obligation of the Federal Government for the payment of its proportional contribution thereto: *Provided further*, That none of the money herein appropriated shall be paid to any State on account of any project on which convict labor shall be employed, except this provision shall not apply to convict labor performed by convicts on parole or probation: *Provided further*, That not to exceed $45,000 of the funds provided for carrying out the provisions of the Federal Highway Act of November 9, 1921 (U. S. C., title 23, secs. 21 and 23), shall be available for the purchase of motor-propelled passenger-carrying vehicles necessary for carrying out the provisions of said Act, including the replacement of not to exceed one such vehicle for use in the administrative work of the Bureau of Public Roads in the District of Columbia: *Provided further*, That, during the fiscal year 1936, whenever performing authorized engineering or other services in connection with the survey, construction, and main-

Vol. 46, p. 141.

Vol. 48, p. 994.

Provisos.
Aid in rural post-road construction.

Secretary's approval required.
Vol. 48, p. 994.
Post, pp. 1447, 1892.

Deemed contractual obligation.

Convict labor.

Purchase of motor vehicles.
Vol. 42, p. 217.
U. S. C., p. 972.

Deduction for depreciation, etc.

tenance, or improvement of roads for other Government agencies the charge for such services may include depreciation on engineering and road-building equipment used, and the amounts received on account of such charges shall be credited to the appropriation concerned: *Provided further*, That not to exceed $140,000 from the administrative funds authorized by the Act approved November 9, 1921, and Acts amendatory thereof or supplemental thereto, in addition to the amount remaining available under the authorization contained in the Agricultural Appropriation Act approved May 27, 1930, shall be available for the construction of a laboratory, on a site already acquired, for permanent quarters for the testing and research work of the Bureau of Public Roads.

Laboratory, construction.
Vol. 42, p. 212; Vol. 46, p. 417.
Post, p. 1448.

For the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations, under the provisions of the Act of June 24, 1930 (46 Stat. 805), and as authorized by section 6 of the Highway Act of June 18, 1934 (48 Stat. 994), $2,500,000, to be immediately available and remain available until expended.

Main roads, construction, etc.
Vol. 46, p. 805; Vol. 48, p. 994.

NATIONAL INDUSTRIAL RECOVERY HIGHWAY FUNDS

National Industrial Recovery Highway Funds.

For emergency construction of public highways and other related projects in accordance with section 1 of the Act entitled "An Act to increase employment by authorizing an appropriation to provide for emergency construction of public highways and related projects, and to amend the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, and for other purposes", approved June 18, 1934 (48 Stat. 993), the sum of $100,000,000 (being the remainder of the amount of $200,000,000 authorized to be appropriated by section I of such Act) shall be made immediately available for the foregoing purposes from the appropriation in section 1 of the Emergency Relief Appropriation Act of 1935 and continue available until expended.

Emergency construction.
Vol. 48, p. 993.
Immediately available.

The appropriation of $2,000,000 for roads on unappropriated or unreserved public lands, nontaxable Indian lands, and so forth, contained in the Act entitled "An Act to relieve destitution, to broaden the lending powers of the Reconstruction Finance Corporation, and to create employment by providing for and expediting a public-works program", approved July 21, 1932, is hereby continued available during the fiscal year 1936, and not to exceed $4,760 may be used for personal services in the District of Columbia.

Public land highways, emergency construction.
Vol. 47, p. 717.
Services in the District.

Total, Bureau of Public Roads, $51,059,256.14.

BUREAU OF AGRICULTURAL ENGINEERING

Agricultural Engineering Bureau.

SALARIES AND EXPENSES

Salaries and expenses.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, $37,600.

General administrative expenses.

Agricultural engineering: For investigations, experiments, and demonstrations involving the application of engineering principles to agriculture, independently or in cooperation with Federal, State, county, or other public agencies or with farm bureaus, organizations, or individuals; for investigating and reporting upon the utilization of water in farm irrigation and the best methods to apply in practice; the different kinds of power and appliances; the flow of water in ditches, pipes, and other conduits; the duty, apportionment, and measurement of irrigation water; the customs, regulations, and laws

Agricultural engineering.

affecting irrigation; snow surveys and forecasts of irrigation water supplies, and the drainage of farms and of swamps and other wet lands which may be made available for agricultural purposes; for preparing plans for the removal of surplus water by drainage; for developing equipment for farm irrigation and drainage; for investigating and reporting upon farm domestic water supply and drainage disposal, upon the design and construction of farm buildings and their appurtenances and of buildings for processing and storing farm products; upon farm power and mechanical farm equipment; upon the engineering problems relating to the processing, transportation, and storage of perishable and other agricultural products; and upon the engineering problems involved in adapting physical characteristics of farm land to the use of modern farm machinery; for investigations of cotton ginning under the Act approved April 19, 1930 (U. S. C., Supp. VII, title 7, secs. 424, 425); for giving expert advice and assistance in agricultural engineering; for collating, reporting, and illustrating the results of investigations and preparing, publishing, and distributing bulletins, plans, and reports; and for other necessary expenses, including travel, rent, repairs, and not to exceed $5,000 for construction of buildings, $385,669.

Cotton ginning. Vol. 46, p. 248. U. S. C., p. 144.

Services in the District.

Total, Bureau of Agricultural Engineering, $423,269, of which amount not to exceed $150,469 may be expended for personal services in the District of Columbia, and not to exceed $5,750 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Agricultural Economics Bureau.

BUREAU OF AGRICULTURAL ECONOMICS

General expenses.

SALARIES AND EXPENSES

Salaries, supplies, etc.

For salaries and the employment of labor in the city of Washington and elsewhere, furniture, supplies, traveling expenses, rent outside the District of Columbia, and all other expenses necessary in conducting investigations, experiments, and demonstrations as follows:

General administrative expenses.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, $236,306.

Farm management and practice.

Farm management and practice: To investigate and encourage the adoption of improved methods of farm management and farm practice, and for ascertaining the cost of production of the principal staple agricultural products, $344,080.

Marketing and distributing farm products.

Marketing and distributing farm products: For acquiring and diffusing among the people of the United States useful information, on subjects connected with the marketing, handling, utilization, grading, transportation, and distributing of farm and nonmanufactured food products and the purchasing of farm supplies, including the demonstration and promotion of the use of uniform standards of classification of American farm products throughout the world, including scientific and technical research into American-grown cotton and its byproducts and their present and potential uses, including new and additional commercial and scientific uses for cotton and its byproducts, and including investigations of cotton ginning under the Act approved April 19, 1930 (U. S. C., Supp. VII, title 7, secs. 424, 425), and for collecting and disseminating information on the adjustment of production to probable demand for the different farm and animal products, independently and in cooperation with other branches of the Department, State agencies, purchasing and consuming organizations, and persons engaged in

Promoting uniform standards.

Cotton and byproducts research. Vol. 46, p. 248. U. S. C., p. 144.

the marketing, handling, utilization, grading, transportation, and distributing of farm and food products, and for investigation of the economic costs of retail marketing of meat and meat products, $743,654: *Provided*, That practical forms of the grades recommended or promulgated by the Secretary for wool and mohair may be sold under such rules and regulations as he may prescribe, and the receipts therefrom deposited in the Treasury to the credit of miscellaneous receipts.

Proviso. Forms of wool and mohair grades to be sold.

Crop and livestock estimates: For collecting, compiling, abstracting, analyzing, summarizing, interpreting, and publishing data relating to agriculture, including crop and livestock estimates, acreage, yield, grades, staples of cotton, stocks, and value of farm crops, and numbers, grades, and value of livestock and livestock products on farms, in cooperation with the Extension Service and other Federal, State, and local agencies, $661,289: *Provided*, That no part of the funds herein appropriated shall be available for any expense incident to ascertaining, collating, or publishing a report stating the intention of farmers as to the acreage to be planted in cotton.

Crop and livestock estimates. Collecting, etc., data.

Proviso. Restriction on expenditure.

Foreign competition and demand: To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to promote the agriculture of the United States by expanding in the foreign field the service now rendered by the United States Department of Agriculture in acquiring and diffusing useful information regarding agriculture, and for other purposes", approved June 5, 1930 (U. S. C., Supp., VII, title 7, secs. 541–545), and for collecting and disseminating to American producers, importers, exporters, and other interested persons information relative to the world supply of and need for American agricultural products, marketing methods, conditions, prices, and other factors, a knowledge of which is necessary to the advantageous disposition of such products in foreign countries, independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations, and persons engaged in the transportation, marketing, and distribution of farm and food products, including the purchase of such books and periodicals and not to exceed $1,000 for newspapers as may be necessary in connection with this work, $298,000.

Securing information as to foreign competition and demand. Vol. 46, p. 497. U. S. C., p. 153.

Dissemination to American producers, etc.

Market inspection of farm products: For enabling the Secretary of Agriculture, independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations, boards of trade, chambers of commerce, or other associations of business men or trade organizations, and persons or corporations engaged in the production, transportation, marketing, and distribution of farm and food products, whether operating in one or more jurisdictions, to investigate and certify to shippers and other interested parties the class, quality, and condition of cotton, tobacco, fruits, and vegetables, whether raw, dried, or canned, poultry, butter, hay, and other perishable farm products when offered for interstate shipment or when received at such important central markets as the Secretary of Agriculture may from time to time designate, or at points which may be conveniently reached therefrom, under such rules and regulations as he may prescribe, including payment of such fees as will be reasonable and as nearly as may be to cover the cost for the service rendered: *Provided*, That certificates issued by the authorized agents of the department shall be received in all courts of the United States as prima facie evidence of the truth of the statements therein contained, $431,203.

Market inspection of farm products.

Certifying condition of shipment.

Proviso. Certificates as evidence.

Market news service. Collecting, publishing, etc.

Market news service: For collecting, publishing, and distributing, by telegraph, mail, or otherwise, timely information on the market supply and demand, commercial movement, location, disposition, quality, condition, and market prices of livestock, meats, fish, and animal products, dairy and poultry products, fruits and vegetables, peanuts and their products, grain, hay, feeds, tobacco, and seeds, and other agricultural products, independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations, and persons engaged in the production, transportation, marketing, and distribution of farm and food products, $1,076,492.

Cotton statistics. Vol. 44, p. 1372. U. S. C., p. 146.

Cotton grade and staple statistics: To enable the Secretary of Agriculture to carry into effect the Act entitled "An Act authorizing the Secretary of Agriculture to collect and publish statistics of the grade and staple length of cotton", approved March 3, 1927 (U. S. C., Supp. VII, title 7, secs. 471–476), $224,517.

Tobacco stocks and standards. Vol. 45, p. 1079. U. S. C., p. 152.

Tobacco stocks and standards: To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to provide for the collection and publication of statistics of tobacco by the Department of Agriculture", approved January 14, 1929 (U. S. C., Supp. VII, title 7, secs. 501–508), including the employment of persons and means in the city of Washington and elsewhere, $17,187.

Perishable Agricultural Commodities Act. Vol. 46, p. 531. U. S. C., p. 148.

Perishable agricultural commodities Act: To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to suppress unfair and fraudulent practices in the marketing of perishable agricultural commodities in interstate and foreign commerce" (U. S. C., Supp. VII, title 7, secs. 551–568), $131,466.

Cotton Futures Act. Vol. 39, p. 476; Vol. 40, p. 1351. U. S. C., p. 1130.

Cotton Standards Act. Vol. 42, p. 1517. U. S. C., p. 112.

United States Cotton Futures and United States Cotton Standards Acts: To enable the Secretary of Agriculture to carry into effect the provisions of the United States Cotton Futures Act, as amended March 4, 1919 (U. S. C., title 26, secs. 731–752), and to carry into effect the provisions of the United States Cotton Standards Act, approved March 4, 1923 (U. S. C., title 7, secs. 51–65), including all expenses necessary for the purchase of equipment and supplies; for travel; for the employment of persons in the city of Washington and elsewhere; and for all other expenses, including rent outside the District of Columbia, that may be necessary in executing the provisions of these Acts, including such means as may be necessary for effectuating agreements heretofore or hereafter made with cotton associations, cotton exchanges, and other cotton organizations in foreign countries, for the adoption, use, and observance of universal standards of cotton classification, for the arbitration or settlement of disputes with respect thereto, and for the preparation, distribution, inspection, and protection of the practical forms or copies thereof under such agreements, $477,111.

Effectuating agreements as to standards, etc., in foreign countries.

Grain Standards Act, enforcement. Vol. 39, p. 482. U. S. C., p. 114.

United States Grain Standards Act: To enable the Secretary of Agriculture to carry into effect the provisions of the United States Grain Standards Act, including rent outside the District of Columbia and the employment of such persons and means as the Secretary of Agriculture may deem necessary, in the city of Washington and elsewhere, $708,941.

Warehouse Act, administration expenses. Vol. 39, p. 486; Vol. 42, p. 1282; Vol. 46, p. 1463. U. S. C., p. 131.

United States Warehouse Act: To enable the Secretary of Agriculture to carry into effect the provisions of the United States Warehouse Act, including the payment of such rent outside the District of Columbia and the employment of such persons and means as the Secretary of Agriculture may deem necessary in the city of Washington and elsewhere, $316,665.

Standard Container, Hamper, and Produce Agency Acts: To enable the Secretary of Agriculture to carry into effect the Act entitled "An Act to fix standards for Climax baskets for grapes and other fruits and vegetables, and to fix standards for baskets and other containers for small fruits, berries, and vegetables, and for other purposes", approved August 31, 1916 (U. S. C., title 15, secs. 251–256), the Act entitled "An Act to fix standards for hampers, round stave baskets, and splint baskets for fruits and vegetables, and for other purposes", approved May 21, 1928 (U. S. C., Supp. VII, title 15, secs. 257–257i), and the Act entitled "An Act to prevent the destruction or dumping, without good and sufficient cause therefor, of farm produce received in interstate commerce by commission merchants and others and to require them truly and correctly to account for all farm produce received by them", approved March 3, 1927 (U. S. C., Supp. VII, title 7, secs. 491–497), including the purchase of such perishable farm products as may be necessary for detection of violations of the latter Act: *Provided*, That all receipts from the sale of such products shall be credited to this appropriation, and shall be reexpendable therefrom, and including the employment of such persons and means as the Secretary of Agriculture may deem necessary in the city of Washington and elsewhere, $30,238.

Standard Container, Hamper, and Produce Agency Acts.
Vol. 39, p. 673; Vol. 45, p. 685.
U. S. C., p. 557.

Vol. 44, p. 1355.
U. S. C., p. 558.

Purchase of perishable products.

Proviso.
Receipts from sales credited to appropriate fund.

In all, salaries and expenses, $5,697,149.

WOOL MARKETING STUDIES

Wool marketing studies.

Not to exceed $27,652 of the funds collected from persons, firms, or corporations which handled any part of the wool clip of 1918, which the Secretary of Agriculture finds it impracticable to distribute among woolgrowers, shall be deposited in the Treasury to the credit of a special fund which is hereby appropriated for the fiscal year 1936 for the purpose of carrying into effect the provisions of the Act entitled "An Act to authorize the appropriation for use by the Secretary of Agriculture of certain funds for wool standards, and for other purposes", approved May 17, 1928 (U. S. C., Supp. VII, title 7, secs. 415b–415d), including personal services and other necessary expenses in the District of Columbia and elsewhere.

Appropriation of certain funds.

Establishing wool standards.
U. S. C., p. 143.

Services, etc., in the District.

Total, Bureau of Agricultural Economics, $5,724,801, of which amount not to exceed $2,132,215 may be expended for personal services in the District of Columbia, and not to exceed $22,200 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Vehicles.

BUREAU OF HOME ECONOMICS

Home Economics Bureau.

SALARIES AND EXPENSES

Salaries and expenses.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, $26,135.

General administrative expenses.

Home-economics investigations: For conducting, either independently or in cooperation with other agencies, investigations of the relative utility and economy of agricultural products for food, clothing, and other uses in the home, with special suggestions of plans and methods for the more effective utilization of such products for these purposes, and for disseminating useful information on this subject, including travel and all other necessary expenses, $167,350.

Home economics investigations.

Total, Bureau of Home Economics, $193,485, of which amount not to exceed $183,880 may be expended for personal services in the District of Columbia.

Services in the District.

Grain Futures Act.

ENFORCEMENT OF THE GRAIN FUTURES ACT

Enforcement expenses. Vol. 42, p. 998. U. S. C., p. 109.

To enable the Secretary of Agriculture to carry into effect the provisions of the Grain Futures Act, approved September 21, 1922 (U. S. C., title 7, secs. 1–17), $196,500, of which amount not to exceed $51,360 may be expended for personal services in the District of Columbia.

Food and Drug Administration.

FOOD AND DRUG ADMINISTRATION

Salaries and expenses.

SALARIES AND EXPENSES

Items specified.

For all necessary expenses, for chemical apparatus, chemicals, and supplies, repairs to apparatus, gas, electric current, official traveling expenses, telegraph and telephone service, express and freight charges, for the employment of such assistants, clerks, and other persons as the Secretary of Agriculture may consider necessary for the purposes named, in the city of Washington and elsewhere, in conducting investigations; collecting, reporting, and illustrating the results of such investigations; and for rent outside the District of Columbia for carrying out the investigations and work herein authorized, as follows:

Outside rent.

General administrative expenses.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of administration and other personal services in the District of Columbia, $100,802.

Pure Food and Drugs Act, enforcement. Vol. 34, p. 768. U. S. C., p. 917.

Enforcement of the Food and Drugs Act: For enabling the Secretary of Agriculture to carry into effect the provisions of the Act of June 30, 1906 (U. S. C., title 21, secs. 1–15), entitled "An Act for preventing the manufacture, sale, or transportation of adulterated, or misbranded, or poisonous, or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes"; to cooperate with associations and scientific societies in the revision of the United States Pharmacopoeia and development of methods of analysis, and for investigating the character of the chemical and physical tests which are applied to American food products in foreign countries, and for inspecting the same before shipment when desired by the shippers or owners of these products intended for countries where chemical and physical tests are required before the said products are allowed to be sold therein, $1,540,879: *Provided*, That not more than $4,280 shall be used for travel outside the United States.

Revision of Pharmacopoeia.

Foreign tests of American food products.

Proviso. Travel allowance.

Tea Importation Act enforcement. Vol. 29, p. 604; Vol. 41, p. 712. U. S. C., p. 921.

Enforcement of the Tea Importation Act: For enabling the Secretary of Agriculture to carry into effect the provisions of the Act approved March 2, 1897 (U. S. C., title 21, secs. 41–50), entitled "An Act to prevent the importation of impure and unwholesome tea", as amended, including payment of compensation and expenses of the members of the board appointed under section 2 of the Act and all other necessary officers and employees, $40,094.

Naval Stores Act. Vol. 42, p. 1435. U. S. C., p. 116.

Naval Stores Act: For enabling the Secretary of Agriculture to carry into effect the provisions of the Naval Stores Act of March 3, 1923 (U. S. C., title 7, secs. 91–99), $34,700.

Insecticide Act, enforcement. Vol. 36, p. 331. U. S. C., p. 118.

Enforcement of the Insecticide Act: For enabling the Secretary of Agriculture to carry into effect the provisions of the Act of April 26, 1910 (U. S. C., title 7, secs. 121–134), entitled "An Act for preventing the manufacture, sale, or transportation of adulterated or misbranded Paris greens, lead arsenates, other insecticides, and also fungicides, and for regulating traffic therein, and for other purposes", $208,180.

Enforcement of the Milk Importation Act: For enabling the Secretary of Agriculture to carry into effect the provisions of an Act approved February 15, 1927 (U. S. C., Supp. VII, title 21, secs. 141–149), entitled "An Act to regulate the importation of milk and cream into the United States for the purpose of promoting the dairy industry of the United States and protecting the public health", $19,241.

Milk Importation Act, enforcement. Vol. 44, p. 1101. U. S. C., p. 930.

Enforcement of the Caustic Poison Act: For enabling the Secretary of Agriculture to carry into effect the provisions of an Act approved March 4, 1927 (U. S. C., Supp. VII, title 15, secs. 401–411), entitled "An Act to safeguard the distribution and sale of certain dangerous caustic or corrosive acids, alkalies, and other substances in interstate and foreign commerce", $24,741.

Caustic Poison Act, enforcement. Vol. 44, p. 1406. U. S. C., p. 567.

Total, Food and Drug Administration, $1,968,637, of which amount not to exceed $595,262 may be expended for personal services in the District of Columbia, and not to exceed $21,860 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Aggregate.
Services in the District.
Vehicles.

INTERCHANGE OF APPROPRIATIONS

Interchange of appropriations.

Not to exceed 10 per centum of the foregoing amounts for the miscellaneous expenses of the work of any bureau, division, or office herein provided for shall be available interchangeably for expenditures on the objects included within the general expenses of such bureau, division, or office, but no more than 10 per centum shall be added to any one item of appropriation except in cases of extraordinary emergency, and then only upon the written order of the Secretary of Agriculture: *Provided*, That a statement of any transfers of appropriations made hereunder shall be included in the annual Budget.

Proviso.
Statement to be included in Budget.

MISCELLANEOUS

Miscellaneous.

WORK FOR OTHER DEPARTMENTS

Work for other Departments.

Transfers of funds for inspection, etc., of food, authorized.

During the fiscal year 1936 the head of any department or independent establishment of the Government requiring inspections, analyses, and tests of food and other products, within the scope of the functions of the Department of Agriculture and which that Department is unable to perform within the limits of its appropriations, may, with the approval of the Secretary of Agriculture, transfer to the Department of Agriculture for direct expenditure such sums as may be necessary for the performance of such work.

EXPERIMENTS IN LIVESTOCK PRODUCTION IN SOUTHERN UNITED STATES

Livestock production in Southern States.
Cooperative experiments, etc., in developing.

To enable the Secretary of Agriculture, in cooperation with the authorities of the States concerned, or with individuals, to make such investigations and demonstrations as may be necessary in connection with the development of livestock production in the cane-sugar and cotton districts of the United States, $39,900.

Passenger vehicles.

PASSENGER-CARRYING VEHICLES

Allowance for, from lump-sum appropriations for field work.

Within the limitations specified under the several headings the lump-sum appropriations herein made for the Department of Agriculture shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of the field work of the Department of Agriculture outside the District

Provisos.
Use restricted to official service.

of Columbia: *Provided*, That such vehicles shall be used only for official service outside the District of Columbia, but this shall not prevent the continued use for official service of motor trucks in the District of Columbia: *Provided further*, That the limitation on expenditures for purchase of passenger-carrying vehicles in the field service shall be interchangeable between the various bureaus and offices of the Department, to such extent as the exigencies of the service may require: *Provided further*, That appropriations contained in this Act shall be available for the maintenance, operation, and repair of motor-propelled and horse-drawn passenger-carrying vehicles: *Provided further*, That the Secretary of Agriculture may exchange motor-propelled and horse-drawn vehicles, tractors, road equipment, and boats, and parts, accessories, tires, or equipment thereof, in whole or in part payment for vehicles, tractors, road equipment, or boats, or parts, accessories, tires, or equipment of such vehicles, tractors, road equipment, or boats purchased by him: *Provided further*, That the funds available for carrying into effect the Agricultural Adjustment Act may be used during the fiscal year 1936 for the purchase, at a cost of not to exceed $2,500, and the maintenance, repair, and operation, of one passenger-carrying vehicle for official purposes.

Interchangeable funds.

Available for maintenance, etc.

Exchanges allowed.

Purchase of automobile.

Soil erosion.

SOIL-EROSION INVESTIGATIONS

Investigations, etc.

To enable the Secretary of Agriculture to make investigation not otherwise provided for of the causes of soil erosion and the possibility of increasing the absorption of rainfall by the soil in the United States, and to devise means to be employed in the preservation of soil, the prevention or control of destructive erosion, and the conservation of rainfall by terracing or other means, independently or in cooperation with other branches of the Government, State agencies, counties, farm organizations, associations of business men, or individuals, including necessary expenses, $281,362, of which amount not to exceed $22,032 may be expended for personal services in the District of Columbia, and $875 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Beltsville Research Center.

BELTSVILLE RESEARCH CENTER

General expenses.

Additional funds.

For general administrative purposes, including maintenance, operation, repairs, and other expenses, $75,000; and, in addition thereto, this appropriation may be augmented, by transfer of funds or by reimbursement, from applicable appropriations, to cover the cost, including handling and other related charges, of services, and supplies and materials furnished, stores of which may be maintained at the Center, and the applicable appropriations may also be charged their proportionate share of the necessary general expenses of the Center not covered by this appropriation: *Provided*, That not to exceed $1,000 may be expended from this appropriation for the purchase of one passenger-carrying automobile and two motorcycles for official purposes.

Proviso.
Motor vehicles.

International production control committees.

INTERNATIONAL PRODUCTION CONTROL COMMITTEES

Expenses.

During the fiscal year 1936 the Secretary of Agriculture may expend not to exceed $10,000, from the funds available for carrying into effect the Agricultural Adjustment Act approved May 12, 1933 (48 Stat., p. 38), the share of the United States as a member of the International Wheat Advisory Committee or like events or bodies concerned with the reduction of agricultural surpluses or other objec-

Vol. 48, p. 38.

International Wheat Advisory Committee.

tives of the Agricultural Adjustment Act, together with traveling and all other necessary expenses relating thereto.

FOREST ROADS AND TRAILS

Federal highways.

For carrying out the provisions of section 23 of the Federal Highway Act approved November 9, 1921 (U. S. C., title 23, sec. 23), including not to exceed $82,320 for departmental personal services in the District of Columbia, $7,082,600, which sum is composed of $582,600, the balance of the amount authorized to be appropriated for the fiscal year 1933 by the Act approved May 5, 1930, and $6,500,000, part of the sum of $10,000,000 authorized to be appropriated for the fiscal year 1936 by the Act approved June 18, 1934: *Provided*, That the Secretary of Agriculture shall, upon the approval of this Act, apportion and prorate among the several States, Alaska, and Puerto Rico, as provided in section 23 of said Federal Highway Act, the sum of $10,000,000 authorized to be appropriated for the fiscal year ending June 30, 1936, by the Act approved June 18, 1934: *Provided further*, That the Secretary of Agriculture shall incur obligations, approve projects, or enter into contracts under his apportionment and prorating of this authorization, and his action in so doing shall be deemed a contractual obligation on the part of the Federal Government for the payment of the cost thereof: *Provided further*, That total expenditures on account of any State or Territory shall at no time exceed its authorized apportionment: *Provided further*, That this appropriation shall be available for the rental, purchase, or construction of buildings necessary for the storage of equipment and supplies used for road and trail construction and maintenance, but the total cost of any such building purchased or constructed under this authorization shall not exceed $2,500: *Provided further*, That during the fiscal year ending June 30, 1936, the expenditures on forest highways in Alaska from the amount herein appropriated shall not exceed $250,000: *Provided further*, That there shall be available from this appropriation not to exceed $15,000 for the acquisition by purchase, condemnation, gift, grant, dedication, or otherwise of land and not to exceed $200,000 for the acquisition by purchase or construction of a building or buildings for the storage and repair of Government equipment for use in the construction and maintenance of roads.

Forest roads and trails.
Vol. 42, pp. 218, 661.
U. S. C., p. 973.
Vol. 46, p. 261.

Provisos.
Apportionment among States, etc.

Contracts, etc., authorized.

Expenditure restriction.

Storage facilities.

Forest highways in Alaska.

Sites and buildings for equipment storage.

SEC. 2. The processing tax authorized by Public Act numbered 10, Seventy-third Congress (48 Stat. 31), when levied upon cotton, shall be payable ninety days after the filing of the processor's report: *Provided*, That, under regulations to be prescribed by the Secretary of the Treasury, the time for payment of such tax upon cotton may be extended, but in no case to exceed six months from the date of the filing of the report.

Cotton processing tax; payment of.
Vol. 48, p. 32.

Proviso.
Extension permitted.

This title may be cited as the "Department of Agriculture Appropriation Act, 1936."

Short title.

TITLE II—FARM CREDIT ADMINISTRATION

Title II—Farm Credit Administration.

SALARIES AND EXPENSES

Salaries and expenses.

For salaries and expenses of the Farm Credit Administration in the District of Columbia and the field; traveling expenses of officers and employees; printing and binding contingent and miscellaneous expenses, including law books, books of reference, and not to exceed $750 for periodicals, newspapers, and maps; contract stenographic reporting services, and expert services for the preparation of amortization tables; membership fees or dues in organizations which issue

Printing and binding.

publications to members only or to members at a lower price than to others, payment for which may be made in advance; purchase of manuscripts, data, and special reports by personal service without regard to the provisions of any other Act; procurement of supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed $50; purchase, exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles and motor trucks to be used only for official purposes; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; garage rental in the District of Columbia and elsewhere; payment of actual transportation expenses and not to exceed $10 per diem to cover subsistence and other expenses while in conference and en route from and to his home to any person other than an employee or a member of an advisory commodity committee who may from time to time be invited to the city of Washington and elsewhere for conference and advisory purposes in furthering the work of the Farm Credit Administration; employment of persons, firms, and others for the performance of special services, including legal services, and other miscellaneous expenses; collection of moneys due the United States on account of loans made under the provisions of the Acts of March 3, 1921 (41 Stat., p. 1347), March 20, 1922 (42 Stat., p. 467), April 26, 1924 (43 Stat., p. 110), February 28, 1927 (44 Stat., p. 1251), February 25, 1929 (45 Stat., p. 1306), as amended May 17, 1929 (46 Stat., p. 3), March 3, 1930 (46 Stat., pp. 78, 79), December 20, 1930 (46 Stat., p. 1032), February 14, 1931 (46 Stat., p. 1160), and February 23, 1931 (46 Stat., p. 1276); January 22, 1932 (47 Stat., p. 5), February 4, 1933 (47 Stat., p. 795), March 4, 1933 (47 Stat., p. 1547), May 12, 1933 (Public, No. 10, 73d Cong.), February 23, 1934 (Public, No. 97, 73d Cong.), March 10, 1934 (Public Resolution No. 16, 73d Cong.), June 19, 1934 (Public, No. 412, 73d Cong.); examination of corporations, banks, associations, credit unions, and institutions operated, supervised, or regulated by the Farm Credit Administration: *Provided*, That the expenses and salaries of employees engaged in such examinations shall be assessed against the said corporations, banks or institutions in accordance with the provisions of existing laws; in all, $4,000,000: *Provided further*, That there shall be transferred and added to this appropriation the sum of $1,975,000 from the funds made available under section 5 of the Emergency Crop Loan Act of February 23, 1934 (48 Stat. p. 354).

R. S., sec. 3709, p. 733.
U. S. C., p. 1803.

Traveling expenses.

Special services.

Collection of loans made under designated acts.

Examinations, etc.

Provisos.
Assessment for expenses.

Additional fund.
Vol. 48, p. 355.

Short title.

This title may be cited as the "Farm Credit Administration Appropriation Act, 1936."

Approved, May 17, 1935.

[CHAPTER 133.]

May 20, 1935.
[H. R. 3808.]
[Public, No. 63.]

AN ACT

Concerning the incorporated town of Seward, Territory of Alaska.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the incorporated town of Seward, Territory of Alaska, is hereby authorized and empowered (a) by contract or contracts, or by its own agents and employees, or otherwise than by contract, to construct a municipal electric system, together with all parts thereof and appurtenances thereto necessary or convenient for the generation, production, transmission, and distribution of electric energy, and to acquire by gift, purchase, or the exercise of the power of eminent domain, lands, easements, or rights in land or water rights in connection therewith; (b) to operate and maintain said system for its own

Seward, Alaska.
May construct municipal electric system.

To acquire land and water rights.

Operation, etc.

use and benefit and for the use and benefit of public and private consumers or users within and without the territorial boundaries of said town; (c) to issue its bonds to finance in whole or in part the cost of the construction of said system; (d) to prescribe and collect rates, fees, or charges for the services, facilities, and commodities furnished by said system; (e) to pledge to the punctual payment of said bonds and interest thereon all or any part of the gross or net revenues of said system (including improvements, betterments, or extensions thereto thereafter constructed or acquired); (f) to enter into contract with the United States of America or any Federal agency created or continued by or pursuant to the Emergency Relief Appropriation Act of 1935; and (g) to subscribe to and comply with all rules and regulations prescribed or continued by the President of the United States of America pursuant to the Emergency Relief Appropriation Act of 1935. The common council of said town in determining the cost of the construction of said system may include all costs and estimated costs of the issuance of said bonds, all engineering, inspection, fiscal and legal expenses, and interest which it is estimated will accrue during the construction period and for six months thereafter on money borrowed or which it is estimated will be borrowed pursuant to this Act.

Bond issue.

Service fees.

Pledge payment of obligations.

Enter contracts.

Comply with prescribed rules, etc. *Ante*, p. 115.

Construction costs.

Interest.

SEC. 2. The construction of said system may be authorized under this Act, and bonds may be authorized to be issued under this Act by resolution or resolutions of the common council of said town. Said bonds shall bear interest at such rate or rates not exceeding 6 per centum per annum, payable semiannually, may be in one or more series, may bear such date or dates, may mature at such time or times not exceeding forty years from their respective dates, may be payable in such medium of payment, at such place or places, may carry such registration privileges, may be subject to such terms of redemption, with or without premium, may be executed in such manner, may be in such form, either coupon or registered, may contain such terms, covenants and conditions, and may be declared or become due before the maturity date thereof, as such resolution or subsequent resolutions may provide. Said bonds shall be sold for not less than par and may be sold at either public or private sale. Pending the preparation of the definitive bonds, interim receipts or certificates in such form and with such provisions as the common council of said town may determine, may be issued to the purchaser or purchasers of bonds sold pursuant to this Act. Said bonds and interim receipts or certificates shall be negotiable for all purposes. Said bonds bearing the signatures of officers in office on the date of the signing thereof shall be valid and binding obligations, notwithstanding that before the delivery thereof and payment therefor any or all the persons whose signatures appear thereon shall have ceased to be officers of the town.

Common council of town may authorize construction and bond issue.

Interest rate, maturity, etc.

Bond sale, etc.

Interim receipts; certificates.

Negotiability.

SEC. 3. Any resolution or resolutions authorizing the issuance of bonds under this Act may contain covenants as to (a) the purpose or purposes to which the proceeds of sale of said bonds may be applied and the use and disposition thereof, (b) the use and disposition of the revenue of said system, including the creation and maintenance of reserves, (c) the transfer from the general funds of the town to the account or accounts of said system a sum or sums of money for furnishing such town or any of its departments, boards, or agencies with the services, facilities, and commodities of said system, (d) the issuance of other or additional bonds payable from the revenue of said system, (e) the operation and maintenance of said system, (f) the insurance to be carried thereon and the use and disposition of insurance moneys, (g) books of account

Covenants in resolution authorizing bond issue.

and the inspection and audit thereof, and (h) the terms and conditions upon which the holders of said bonds or any proportion of them or any trustee therefor shall be entitled to the appointment of a receiver by the District Court for the Territory of Alaska, which court shall have jurisdiction in such proceedings, and which receiver may enter and take possession of said system, operate and maintain the same, prescribe rates, fees, or charges, and collect, receive, and apply all revenue thereafter arising therefrom in the same manner as the town itself might do. The provisions of this Act and any such resolution or resolutions shall be a contract with the holder or holders of said bonds, and the duties of the town and of its common council and officers under this Act and any such resolution or resolutions shall be enforceable by any bondholder, by mandamus or other appropriate suit, action, or proceeding in any court of competent jurisdiction.

Enforcing provisions.

Service fees, etc.

SEC. 4. The common council of said town shall prescribe and collect reasonable rates, fees, or charges for the services, facilities, and commodities of said system, and shall revise such rates, fees, or charges from time to time whenever necessary so that said system shall be and always remain self-supporting. The rates, fees, or charges prescribed shall be such as will produce revenue at least sufficient (a) to pay when due all bonds and interest thereon, for the payment of which such revenue is or shall have been pledged, charged, or otherwise encumbered, including reserves therefor, and (b) to provide for all expenses of operation and maintenance of said system, including reserves therefor.

Rate provisions.

Redemption, etc., restrictions.

SEC. 5. No holder of any bond issued under this Act shall have the right to compel the levy of a tax by said town to pay the principal of or interest on such bonds. All bonds issued under this Act shall be payable solely from the revenues pledged to the payment thereof and shall contain a recital to that effect. Such bonds may be issued notwithstanding any debt or other limitation or restriction prescribed by any other law.

Effective date.

SEC. 6. This Act shall become effective thirty days after its passage: *Provided, however*, That none of the powers herein granted to the said town of Seward, Alaska, shall be exercised by said town in the event that the Seward Light and Power Company, a corporation, shall within one week after a copy of this Act is served on said Seward Light and Power Company, offer in writing to sell and convey to the said town of Seward all right, title, and interest in and to its electric generating plant or plants, electric distributing system, pipe lines, and water rights now owned by it and used and employed in supplying electric energy to the inhabitants of said town, said offer of sale to be for the sum of $75,000, and to guarantee that delivery of said title, free from encumbrance and debt of any kind, shall be made to said town upon payment of said sum, anytime within six months from date of said written offer to sell: *Provided further*, That said offer and agreement to convey title must be delivered by said Seward Light and Power Company, to the town clerk of said town of Seward, Alaska, within the time specified above. Service of copy of this Act on the Seward Light and Power Company shall be made by delivery thereof to its president, S. M. Graff, or any other officer of the corporation: *And provided further*, That in the event the said Seward Light and Power Company offers to sell and convey its properties as provided for in this section, the said town is authorized to purchase such properties and to issue bonds for such purpose in an amount not to exceed $75,000, such bonds to be issued in the manner provided for in this Act.

Provisos.
Restriction on exercise of powers granted.
Sale by Seward Light and Power Company of holdings.

Price.

Time limitation.

Bond issue authorized.

Approved, May 20, 1935.

[CHAPTER 134.]

JOINT RESOLUTION

May 20, 1935.
[S. J. Res. 43.]
[Pub. Res., No. 19.]

For the establishment of a commission for the construction of a Washington-Lincoln Memorial Gettysburg Boulevard connecting the present Lincoln Memorial in the city of Washington with the battlefield of Gettysburg in the State of Pennsylvania.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a commission to be known as the United States Commission for the construction of a Washington-Lincoln Memorial Gettysburg Boulevard connecting the present Lincoln Memorial in the city of Washington with the battlefield of Gettysburg in the State of Pennsylvania (hereinafter referred to as the Commission), and to be composed of thirteen commissioners, as follows: The President of the United States; Presiding Officer of the Senate, the Speaker of the House of Representatives, and the President of the Commissioners of the District of Columbia, ex officio; two persons to be appointed by the President of the United States; one Senator from the State of Maryland and one Senator from the State of Pennsylvania, to be appointed by the President pro tempore of the Senate; the Chief of the Bureau of Public Roads, Department of Agriculture; the Director, National Park Service, Department of Interior; Engineer Commissioner of the District of Columbia; and one Representative from the State of Maryland and one from the State of Pennsylvania, to be appointed by the Speaker of the House of Representatives. The commissioners shall serve without compensation and shall select a chairman from among their number.

Washington-Lincoln Memorial Gettysburg Boulevard Commission.
Establishment, composition, etc.

No compensation.

SEC. 2. That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $10,000, to be expended by the Commission in accordance with the provisions of this resolution.

Appropriation authorized.

SEC. 3. That it shall be the duty of the Commission to prepare a plan or plans in cooperation with the Bureau of Public Roads, Department of Agriculture; the Highway Departments of Pennsylvania, Maryland, and District of Columbia to further commemorate the public services of George Washington and Abraham Lincoln by the construction of a boulevard or highway connecting the present Lincoln Memorial and the Washington Monument in the city of Washington with the Gettysburg battlefield in the State of Pennsylvania; and to give due and proper consideration to any plan or plans which may be submitted to it.

Preparation of plans, etc.

SEC. 4. That the Commission, after selecting a chairman and a vice chairman from among its members, may employ a secretary and such other assistants as may be needed for clerical work connected with the duties of the Commission and may also engage the services of expert advisers, and may fix their respective compensations within the amount appropriated for such purposes.

Chairman, vice chairman and secretary.
Other personal services.

SEC. 5. That the commissioners shall be paid their actual and necessary traveling, hotel, and other expenses incurred in the discharge of their duties out of the amount appropriated.

Travel, etc., expenses.

SEC. 6. That the Commission shall on or before one year after the date of enactment of this resolution, make a report to the Congress, in order that enabling legislation may be enacted, provided such enabling legislation stipulates that the said highway or boulevard shall be constructed by the Highway Departments of Pennsylvania, Maryland, and District of Columbia, under the supervision of the Chief of the Bureau of Public Roads, Department of Agriculture, from funds provided by the said State of Pennsylvania,

Report to Congress.

Construction under Federal supervision.

the said State of Maryland and the District of Columbia, including any future allocation of Federal-aid highway funds or grants to the said States of Pennsylvania, Maryland, and to the District of Columbia. The passage of this Act does not commit the United States to build the said highway or boulevard at Federal expense, and if authorized the Federal funds for the construction of the said highway or boulevard will be the allocations that may accrue to the said States and the District of Columbia in future appropriations of Federal-aid highway and grant funds. Any appropriations under the authority of this Act shall be deducted from the next regular apportionment or allocation of Federal-aid highway funds or Federal-grant highway funds, under existing or future authorizations as determined by the Secretary of Agriculture to Pennsylvania, Maryland and the District of Columbia.

No Federal expense.

Payment from certain State, etc., allocated funds.

Duration of Commission.

SEC. 7. That the term of Commission hereby created shall expire within one year after the completion of the proposed boulevard or highway.

Effective date.

SEC. 8. This joint resolution shall take effect immediately.

Approved, May 20, 1935.

[CHAPTER 135.]

May 22, 1935.
[S. 1776.]
[Public, No. 64.]

AN ACT

Granting a leave of absence to settlers of homestead lands during the year 1935.

Public lands.
Homestead entrymen; leaves of absence, calendar year 1935.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any homestead settler or entryman who, during the calendar year 1935, should find it necessary, because of economic conditions, to leave his homestead to seek employment in order to obtain the necessaries of life for himself and family or to provide for the education of his children may, upon filing with the register of the district, his affidavit, supported by corroborating affidavits of two disinterested persons showing the necessity of such absence, be excused from compliance with the requirements of the homestead laws as to residence, cultivation, improvements, expenditures, or payment of purchase money, as the case may be, during all or any part of the calendar year 1935, and said entries shall not be open to contest or protest because of failure to comply with such requirements during such absence; except that the time of such absence shall not be deducted from the actual residence required by law, but a period equal to such absence shall be added to the statutory life of the entry: *Provided*, That any entryman holding an unperfected entry on ceded Indian lands may be excused from the requirements of residence upon the conditions provided herein, but shall not be entitled to extension of time for the payment of any installment of the purchase price of the land except upon proof satisfactory to the Secretary of the Interior that the entryman is acting in good faith and is financially unable to make the payments due, and upon payment of interest, in advance, at the rate of 4 per centum per annum on the principal of any unpaid purchase price from the date when such payment or payments became due to and inclusive of the date of the expiration of the period of relief granted hereunder.

Absence added to statutory life of entry.

Proviso.
Installment payment extension.

Interest payment.

Approved, May 22, 1935.

[CHAPTER 136.]

AN ACT

May 23, 1935.
[H. R. 4005.]
[Public, No. 65.]

To amend section 21 of the Interstate Commerce Act, as amended, with respect to the time of making the annual report of the Interstate Commerce Commission.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 21 of the Interstate Commerce Act, as amended, is amended to read as follows: "The Commission shall, on or before the 3d day of January of each year, make a report which shall be transmitted to Congress and copies of which shall be distributed as are the other reports transmitted to Congress."

Interstate Commerce Commission.
Time for making annual report.
Vol. 24, p. 387; Vol. 25, p. 862.
U. S. C., p. 2233.

Approved, May 23, 1935.

[CHAPTER 137.]

JOINT RESOLUTION

May 23, 1935.
[S. J. Res. 98.]
[Pub. Res., No. 20.]

To authorize the acceptance on behalf of the United States of the bequest of the late Major General Fred C. Ainsworth for the purpose of establishing a permanent library at the Walter Reed General Hospital to be known as the "Fred C. Ainsworth Endowment Library."

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the adjutant Walter Reed General Hospital be, and is hereby, authorized to accept the bequest of the late Major General Fred C. Ainsworth, or such amount thereof as is available, as contained in his last will and testament, and such interest as may have accrued on the funds covered by such bequest, and to receipt therefor on behalf of the United States, and to deposit the funds so received in the Treasury of the United States as a special fund dedicated to the purpose of establishing a permanent library at the Walter Reed General Hospital, to be known as the "Fred C. Ainsworth Endowment Library", said fund to be subject to disbursement for such purpose upon vouchers submitted by the adjutant Walter Reed General Hospital and to be available until expended: *Provided*, That the Treasurer of the United States, upon the written request of the adjutant Walter Reed General Hospital so to do, is authorized to invest and reinvest any part or all of the corpus of this bequest, as well as any income therefrom, in interest-bearing United States Government bonds, and retain custody thereof, if, in the judgment of the adjutant it will best serve the objects of the bequest: *Provided further*, That the Treasurer of the United States, upon the written request of the adjutant Walter Reed General Hospital so to do, is authorized to dispose of, for cash, any part or all of any bonds in which such funds may be invested, and redeposit the proceeds thereof, as well as all interest received from time to time upon any such bonds, to the credit of such special fund and subject to withdrawal and disbursement and reinvestment, as above provided for: *And provided further*, That the administration, control, and expenditure of this fund and its application to the purposes intended shall be according to the sole discretion of the adjutant Walter Reed General Hospital, and the exercise of his discretion and authority in regard thereto and his decision thereon shall not be subject to question or review except by the Secretary of War and courts of competent jurisdiction.

Walter Reed General Hospital.
Bequest of Maj. Gen. Fred C. Ainsworth; acceptance authorized.
Special fund; dedication.
Disbursement.
Provisos.
Investment authorized.
Credits and withdrawals.
Administration, control, etc., of fund.

SEC. 2. The necessary space or a separate room in any building at the Walter Reed General Hospital is authorized to be set aside for the purpose of establishing the said library.

Space to be provided.

Approved, May 23, 1935.

[CHAPTER 138.]

AN ACT

May 24, 1935.
[S. 1222.]
[Public, No. 66.]

To further extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Garrison, North Dakota.

Missouri River.
Time extended for bridging, at Garrison, N. Dak.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Missouri River at or near Garrison, North Dakota, authorized to be built by the State of North Dakota, by an Act of Congress approved February 10, 1932, heretofore extended by Acts of Congress approved February 14, 1933, and June 12, 1934, are hereby further extended one and three years, respectively, from June 12, 1935.

Vol. 47, pp. 43, 804; Vol. 48, p. 946.
Post, p. 1476.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, May 24, 1935.

[CHAPTER 139.]

AN ACT

May 24, 1935.
[S. 1342.]
[Public, No. 67.]

To revive and reenact the Act entitled "An Act granting the consent of Congress to board of county commissioners of Itasca County, Minnesota, to construct, maintain, and operate a free highway bridge across the Mississippi River at or near the road between the villages of Cohasset and Deer River, Minnesota."

Mississippi River.
Authority for bridging, between Cohasset, and Deer River, Minn., revived.
Vol. 45, p. 473.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress approved May 1, 1928, authorizing the board of county commissioners of Itasca County, Minnesota, to construct a bridge across the Mississippi River at or near the north line of section 35, township 144 north, range 25 west, on the road between the villages of Cohasset and Deer River, Minnesota, be and the same is hereby revived and reenacted: *Provided*, That this Act shall be null and void unless the actual construction of the bridge herein referred to be commenced within one year and completed within three years from the date of approval hereof.

Proviso.
Construction, etc.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, May 24, 1935.

[CHAPTER 140.]

AN ACT

May 24, 1935.
[S. 1680.]
[Public, No. 68.]

To include within the Deschutes National Forest, in the State of Oregon, certain public lands within the exchange boundaries thereof.

Deschutes National Forest, Oreg.
Vol. 42, p. 362, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act authorizing the adjustment of the boundaries of the Deschutes National Forest, in the State of Oregon, and for other purposes", approved February 2, 1922, is amended by adding at the end thereof the following new section:

Addition authorized.

"SEC. 2. Such lands in public ownership within six miles of the exterior boundaries of the Deschutes National Forest, in the State of Oregon, as may be found by the Secretaries of Agriculture and of the Interior to be chiefly valuable for national-forest purposes, may be added to the Deschutes National Forest by proclamation of the President, subject to any valid existing claims in such lands."

Proclamation.

Approved, May 24, 1935.

[CHAPTER 141.]

AN ACT

May 24, 1935.
[S. 1987.]
[Public, No. 69.]

To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Farnam Street, Omaha, Nebraska.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Missouri River at or near Farnam Street, Omaha, Nebraska, authorized to be built by the Omaha-Council Bluffs Missouri River Bridge Board of Trustees by an Act of Congress approved June 10, 1930, heretofore extended by Acts of Congress approved February 20, 1931, June 9, 1932, February 24, 1933, and March 5, 1934, are hereby further extended one and three years, respectively, from June 10, 1935.

Missouri River.
Time extended for bridging, at Omaha, Nebr.

Vol. 46, pp. 544, 1192; Vol. 47, pp. 290, 903; Vol. 48, p. 395.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, May 24, 1935.

[CHAPTER 142.]

AN ACT

May 24, 1935.
[H. R. 157.]
[Public, No. 70.]

To amend section 5296 of the Revised Statutes of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5296 of the United States Revised Statutes (U. S. C., title 18, sec. 641) is amended by adding thereto the following sentence: "The District Court of the Territory of Alaska shall be deemed a court of the United States, and the commissioners appointed by the judges of the said District Court of the Territory of Alaska under the provisions of title I, chapter 1, section 6, of the Act of June 6, 1900 (31 Stat. L., 323, 324), shall be deemed commissioners of a United States court, within the intent and meaning of this section."

Alaska.
Discharge of indigent convicts.
R. S., sec. 5296, p. 1028; U. S. C., p. 772.

Status of District Court; of commissioners.
Vol. 31, p. 324.

Approved, May 24, 1935.

[CHAPTER 143.]

AN ACT

May 24, 1935.
[H. R. 5707.]
[Public, No. 71.]

To ratify and confirm the corporate existence of the city of Nome, Alaska, and to authorize it to undertake certain municipal public works, including the construction, reconstruction, enlargement, extension, and improvement of its sewers and drains, fire-fighting system, streets and alleys, sidewalks, curbs and gutters, and a municipal building, and for such purposes to issue bonds in any sum not exceeding $100,000.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the corporate existence and present boundaries of the city of Nome, Alaska, a municipal corporation of the Territory of Alaska, second judicial division, are hereby recognized, ratified, and confirmed; and the same shall not be open to question in any court of law on the ground of destruction of records or otherwise.

Nome, Alaska.
Corporate existence of, recognized, etc.

SEC. 2. That the incorporated city of Nome, Territory of Alaska, is hereby authorized and empowered to undertake the municipal public works hereinafter specified or any one or more thereof, and for such purposes to issue bonds in any amount not exceeding in the aggregate the sum of $100,000. Said city of Nome, Alaska, is hereby authorized and empowered (a) to construct, reconstruct, enlarge, extend, and improve its sewers and drains, and for such purpose to issue bonds in any sum not exceeding $15,000; (b) to construct, reconstruct, enlarge, extend, and improve its fire-fighting system, and for such purpose to issue bonds not exceeding $35,000; (c) to construct, reconstruct enlarge, extend, and improve its streets

Bond issues authorized.

Purposes.

and alleys, and for such purpose to issue bonds not exceeding $12,000; (d) to construct, reconstruct, enlarge, extend, and improve its sidewalks, curbs, and gutters, and for such purpose to issue bonds not exceeding $20,770; and (e) to construct a municipal building, and for such purpose to issue bonds not exceeding $17,230.

Special election.

SEC. 3. Before said bonds shall be issued a special election shall be ordered by the common council of the said city of Nome, Alaska, at which election the question of whether such bonds shall be issued in the amount specified for any or all of the purposes hereinbefore set forth shall be submitted to the qualified electors of said city of Nome, Territory of Alaska, whose names appear on the last assessment roll of said city for purposes of municipal taxation. The form of the ballot shall be such that the electors may vote for or against the issuance of bonds for each of the purposes herein specified in the amounts herein authorized. Not less than twenty days' notice of such election shall be given to the public by posting notices of the same in three conspicuous places within the corporate limits of the city of Nome, Territory of Alaska, one of which shall be at the front door of the United States post office at Nome, Alaska. The election notice shall specifically state the amount of bonds proposed to be issued for each of the purposes herein specified. The registration for such election, the manner of conducting the same, and the canvass of the returns of said election shall be, as nearly as practicable, in accordance with the requirements of law in general for special elections in said municipality; and said bonds shall be issued for any or all of the purposes herein authorized only upon condition that not less than a majority of the votes cast at such election in said municipality shall be in favor of the issuance of said bonds for such purpose or purposes.

Form of ballot.

Notice.

Conduct of election.

Bonds; form, maturity, etc.

SEC. 4. The bonds herein authorized to be issued shall be coupon in form and shall mature in not to exceed thirty years from the date thereof. Such bonds may bear such date or dates, may be in such denomination or denominations, may mature in such amounts and at such time or times, not exceeding thirty years from the date thereof, may be payable in such medium of payment and at such place or places, may be sold at either public or private sale, may be nonredeemable or redeemable (either with or without premium), may carry such registration privileges as to either principal and interest, principal only, or both, as shall be prescribed by the common council of said city of Nome. The bonds shall bear the signatures of the mayor and of the clerk of the city of Nome, and shall have impressed thereon the official seal of said municipality. The coupons to be annexed to such bonds shall bear the facsimile signatures of the mayor and of the clerk of said municipality. In case any of the officers whose signatures or countersignatures appear on the bonds shall cease to be such officers before delivery of such bonds, such signatures or countersignatures, whether manual or facsimile, shall nevertheless be valid and sufficient for all purposes, the same as if said officers had remained in office until such delivery. Said bonds shall bear interest at a rate to be fixed by the common council of the city of Nome, not to exceed, however, 6 per centum per annum, payable semiannually, and said bonds shall be sold at not less than the principal amount thereof plus accrued interest.

Signatures.

Interest rate.

Sale price.

Bonds deemed municipal obligations.

SEC. 5. The bonds herein authorized to be issued shall be general obligations of the city of Nome, Territory of Alaska, payable as to both interest and principal from ad valorem taxes which shall be levied upon all of the taxable property within the corporate limits of such municipality in an amount sufficient to pay the interest on

and the principal of such bonds as and when the same become due and payable.

Use of proceeds of sales.

SEC. 6. No part of the funds arising from the sale of said bonds shall be used for any purpose or purposes other than those specified in this Act. Said bonds shall be sold only when and in such amounts as the common council of the city of Nome shall direct; and the proceeds thereof shall be distributed only for the purposes hereinbefore mentioned and under the orders and directions of said common council from time to time as such proceeds may be required for said purposes.

Contracts with United States for bond sale.
Vol. 48, p. 195.

SEC. 7. The city of Nome is hereby authorized to enter into contracts with the United States of America or any agency or instrumentality thereof under the provisions of the National Industrial Recovery Act and Acts amendatory thereof and Acts supplemental thereto, and revisions thereof, and the regulations made in pursuance thereof, and under any further Acts of the Congress of the United States to encourage public works, for the sale of bonds issued in accordance with the provisions of this Act or for the acceptance of a grant of money to aid said municipality in financing any public works herein authorized; or to enter into contracts with any persons or corporations, public or private, for the sale of such bonds; and such contracts may contain such terms and conditions as may be agreed upon by and between the common council of said city of Nome and the United States of America or any agency or instrumentality thereof or any such purchaser.

Effective date.

SEC. 8. This Act shall take effect immediately.

Approved, May 24, 1935.

[CHAPTER 144.]

JOINT RESOLUTION

May 24, 1935.
[H. J. Res. 249.]
[Pub. Res., No. 21.]

To provide for participation by the United States in the Eighth International Congress of Military Medicine and Pharmacy to be held at Brussels, Belgium, in June 1935.

Eighth Congress of Military Medicine and Pharmacy, Brussels, Belgium.
Sum authorized for participation expenses.
Post, p. 591.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $8,000, or so much thereof as may be necessary, for the expenses of participation by the United States in the Eighth International Congress of Military Medicine and Pharmacy to be held at Brussels, Belgium, in 1935, including personal services in the District of Columbia or elsewhere without reference to the Classification Act of 1923, as amended; stenographic reporting and other services by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses; purchase of necessary books, documents, newspapers, periodicals, and maps; stationery, official cards; printing and binding; entertainment; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified.

Contracts without advertising.
R. S., sec. 3709, p. 733; U. S. C., p. 1803.

Reimbursement of other funds.

Supervision of expenditures.

SEC. 2. The funds made available under this authorization shall be expended under the supervision of the Secretary of State.

Approved, May 24, 1935.

[CHAPTER 146.]

AN ACT

May 27, 1935.
[S. 1803.]
[Public, No. 72.]

To authorize the Secretary of War to pay certain expenses incident to the training, attendance, and participation of the equestrian and modern pentathlon teams in the Eleventh Olympic Games.

Eleventh Olympic Games.
Participation of Regular Army authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized to direct the training and attendance of personnel and animals of the Regular Army as participants in the Eleventh Olympic Games: *Provided*, That all expenses incident to training, attendance, and participation in the Eleventh Olympic Games, including the use of such supplies, material, and equipment as in the opinion of the Secretary of War may be necessary, may be charged to the appropriations for the support of the Army: *Provided further*, That applicable allowances which are or may be fixed by law or regulations for participation in other military activities shall not be exceeded.

Provisos.
Expenses charged to Army appropriations.

Allowance not to be exceeded.

Approved, May 27, 1935.

[CHAPTER 147.]

AN ACT

May 27, 1935.
[H. R. 4239.]
[Public, No. 73.]

Authorizing the Secretary of Commerce to convey to the city of Grand Haven, Michigan, certain portions of the Grand Haven Lighthouse Reservation, Michigan.

Grand Haven Lighthouse Reservation, Mich.
Post, p. 1911.
Portions of; conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce is hereby authorized to convey to the city of Grand Haven, State of Michigan, for use for street purposes, certain portions of the Grand Haven Lighthouse Reservation, Michigan, which are not required to be retained for lighthouse purposes. The Secretary of Commerce shall describe by metes and bounds in the deed of conveyance the exact portions of the reservation transferred. The deed of conveyance shall also contain a provision that should the city of Grand Haven, State of Michigan, cease to use the property for the purpose for which it is conveyed, title thereto shall revert to the United States.

Reversionary provision.

Rights, etc., reserved.

SEC. 2. The United States reserves the rights-of-way over, underground, or across the area to be transferred for any use whatsoever in conducting the Lighthouse Service or other activities of the Government, and, further reserves the right to be furnished by the city of Grand Haven, any and all services, conveniences, and utilities at established rates, such as transportation, gas or electric lighting facilities, water connections and sewer connections, and such other utilities as may be installed in the vicinity of and accessible to the reservation.

Approved, May 27, 1935.

[CHAPTER 148.]

AN ACT

May 27, 1935.
[H. R. 5444.]
[Public, No. 74.]

To authorize the Department of Commerce to make special statistical studies upon payment of the cost thereof, and for other purposes.

Department of Commerce.
Special statistical studies authorized; scope.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Department of Commerce be, and hereby is, authorized, within the discretion of the Secretary of Commerce, upon the written request of any person, firm, or corporation, to make special statistical studies relating to foreign trade, domestic trade, and other economic matters falling within the province of the Department of Commerce; to

prepare from its records special statistical compilations; and to furnish transcripts of its studies, tables, and other records, upon the payment of the actual cost of such work by the person, firm, or corporation requesting it.

Transcripts; cost.

SEC. 2. All moneys hereafter received by the Department of Commerce in payment of the cost of such work shall be deposited in a special account to be administered under the direction of the Secretary of Commerce. These moneys may be used, in the discretion of the Secretary of Commerce, and notwithstanding any other provision of law, for the ordinary expenses incidental to the work and/or to secure in connection therewith the special services of persons who are neither officers nor employees of the United States.

Payments; deposit.

Use.

SEC. 3. The Secretary of Commerce shall prescribe rules and regulations for the enforcement of this Act; and the Secretary of Commerce shall make a report to Congress, at the beginning of each regular session, giving a detailed statement showing (1) the name of every person, firm, or corporation for whom work has been performed under the authority of this statute; (2) the nature of the services rendered to him; (3) the price charged for these services by the Department of Commerce; and (4) the manner in which the moneys received were deposited or used.

Rules, etc., to be prescribed.

Report to Congress; contents.

Approved, May 27, 1935.

[CHAPTER 149.]

AN ACT

May 27, 1935.
[H. R. 6143.]
[Public, No. 75.]

To extend the time during which domestic animals which have crossed the boundary line into foreign countries may be returned duty free.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of subparagraph (c) of paragraph 1606 of title II of the Tariff Act of 1930, horses, mules, asses, cattle, sheep, and other domestic animals, straying across the boundary line into any foreign country, or which have been driven across such boundary line by the owner for temporary pasturage purposes only, or which may so stray or be driven before November 1, 1935, and the offspring and increase of any such animals, whether or not accompanying the parent animals, shall be admitted free of duty under regulations to be prescribed by the Secretary of the Treasury, if brought into the United States at any time before June 30, 1936.

Domestic animals.
Free admission of, when crossed international boundary line before November 1, 1935.
Vol. 46, p. 673.

Condition.

Approved, May 27, 1935.

[CHAPTER 150.]

AN ACT

May 28, 1935.
[H. R. 6021.]
[Public, No. 76.]

To provide additional home-mortgage relief, to amend the Federal Home Loan Bank Act, the Home Owners' Loan Act of 1933, and the National Housing Act, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subdivision (6) of section 2 of the Federal Home Loan Bank Act, as amended, is amended by striking out the word "three" and inserting in lieu thereof the word "four".

Additional home mortgage relief.
Federal Home Loan Bank Act, amendment.
"Home mortgage", definition modified.
Vol. 48, p. 1264.

SEC. 2. Subsection (k) of section 6 of the Federal Home Loan Bank Act, as amended, is amended to read as follows:

Dividends.
Vol. 47, p. 729; U.S.C., p. 465.

"(k) All stock of any Federal Home Loan Bank shall share in dividend distributions without preference."

Distributions, without preference.

Federal Home Loan Bank, management. Vol. 47, p. 730; U. S. C., p. 465.

SEC. 3. (a) Subsections (a), (b), and (c) of section 7 of the Federal Home Loan Bank Act, as amended, are amended, effective January 1, 1936, to comprise four subsections to read as follows:

Directors; number, qualifications.

"(a) The management of each Federal Home Loan Bank shall be vested in a board of twelve directors, all of whom shall be citizens of the United States and bona fide residents of the district in which such bank is located.

Appointments; terms of office.

"(b) Four of such directors shall be appointed by the Board and shall hold office for terms of four years; except that the terms of office of the two such directors heretofore appointed shall expire at the end of the calendar years 1936 and 1937, respectively, and the terms of office of the first two such directors hereafter appointed shall expire at the end of the calendar years 1938 and 1939, respectively.

Classification.

Elected members.

Vol. 47, p. 730.

"(c) Six of such directors, two of whom shall be known as class A directors, two of whom shall be known as class B directors, and two of whom shall be known as class C directors, shall be elected as provided in subsection (e), and shall hold office for terms of two years; except that the terms of office of the directors heretofore elected or appointed shall expire at the end of the terms for which they were elected or appointed.

"(d) Two of such directors shall be elected by the members of the Federal Home Loan Bank without regard to classes under rules and regulations to be prescribed by the Board, and shall hold office for terms of two years; except that the term of office of one of the directors first elected under this subsection shall expire at the end of the calendar year 1936."

Designated subsections relettered. Vol. 47, p. 730; U. S. C., p. 466.

(b) Section 7 of the Federal Home Loan Bank Act, as amended, is further amended, effective January 1, 1936, by relettering subsections (d), (e), (f), (g), (h), and (i) as (e), (f), (g), (h), (i), and (j), respectively.

Vol. 47, p. 731.

SEC. 4. The Federal Home Loan Bank Act, as amended, is amended by adding after section 8 a new section to read as follows:

Federal Savings and Loan Advisory Council.

"FEDERAL SAVINGS AND LOAN ADVISORY COUNCIL

Creation; membership.

"SEC. 8a. There is hereby created a Federal Savings and Loan Advisory Council, which shall consist of one member for each Federal Home Loan Bank district to be elected annually by the board of directors of the Federal Home Loan Bank in such district and six members to be appointed annually by the Board. Each such elected member shall be a resident of the district for which he is elected.

Residence.

Compensation; allowances.

All members of the Council shall serve without compensation, but shall be entitled to reimbursement from the Board for traveling expenses incurred in attendance at meetings of such Council.

Meetings, officers, etc.

The Council shall meet at Washington, District of Columbia, at least twice a year and oftener if requested by the Board. The Council may select its chairman, vice chairman, and secretary, and adopt methods of procedure, and shall have power—

Powers.

"(1) To confer with the Board and board of trustees of the Federal Savings and Loan Insurance Corporation on general business conditions, and on special conditions affecting the Federal Home Loan Banks and their members and such Corporation.

"(2) To request information, and to make recommendations, with respect to matters within the jurisdiction of the Board and the board of trustees of such Corporation."

Federal Home Loan Bank Act, amendment. Vol. 47, p. 731; Vol. 48, p. 1261; U. S. C., p. 467.

SEC. 5. Subsection (a) of section 10 of the Federal Home Loan Bank Act, as amended, is amended to read as follows:

Advances to members; security; regulations.

"(a) Each Federal Home Loan Bank is authorized to make advances to its members upon the security of home mortgages, or obligations of the United States, or obligations fully guaranteed by

the United States, subject to such regulations, restrictions, and limitations as the Board may prescribe. Any such advance shall be subject to the following limitations as to amount:

"(1) If secured by a mortgage insured under the provisions of title II of the National Housing Act, the advance may be for an amount not in excess of 90 per centum of the unpaid principal of the mortgage loan.

Limitations on amount of loans. Vol. 48, p. 1247.

"(2) If secured by a home mortgage given in respect of an amortized home mortgage loan which was for an original term of six years or more, or in cases where shares of stock, which are pledged as security for such loan, mature in a period of six years or more, the advance may be for an amount not in excess of 65 per centum of the unpaid principal of the home mortgage loan; but in no case shall the amount of the advance exceed 60 per centum of the value of the real estate securing the home mortgage loan.

"(3) If secured by a home mortgage given in respect of any other home mortgage loan, the advance shall not be for an amount in excess of 50 per centum of the unpaid principal of the home mortgage loan; but in no case shall the amount of such advance exceed 40 per centum of the value of the real estate securing the home mortgage loan.

"(4) If secured by obligations of the United States, or obligations fully guaranteed by the United States, the advance shall not be for an amount in excess of the face value of such obligations."

SEC. 6. Clauses numbered (1) and (2) of subsection (b) of section 10 of the Federal Home Loan Bank Act, as amended, are amended to read as follows: "(1) the home mortgage loan secured by it has more than twenty years to run to maturity, or (2) the home mortgage exceeds $20,000, or ".

Vol. 47, p. 732; U. S. C., p. 467.

Home mortgages as security.

SEC. 7. The Federal Home Loan Bank Act, as amended, is amended by adding after section 10a the following new section:

Vol. 47, p. 731; Vol. 48, p. 1261.

"SEC. 10b. Each Federal Home Loan Bank is authorized to make advances to nonmember mortgagees approved under title II of the National Housing Act. Such mortgagees must be chartered institutions having succession and subject to the inspection and supervision of some governmental agency, and whose principal activity in the mortgage field must consist of lending their own funds. Such advances shall not be subject to the other provisions and restrictions of this Act, but shall be made upon the security of insured mortgages, insured under title II of the National Housing Act. Advances made under the terms of this section shall be at such rates of interest and upon such terms and conditions as shall be determined by the Federal Home Loan Bank Board, but no advance may be for an amount in excess of 90 per centum of the unpaid principal of the mortgage loan given as security."

Nonmember borrowers; advances to. Vol. 48, p. 1247. Conditions.

Security.

Interest rates, terms, etc.

Amount.

SEC. 8. The first sentence of section 13 of the Federal Home Loan Bank Act, as amended, is amended to read as follows: "Any and all notes, debentures, bonds, and other such obligations issued by any bank, and consolidated Federal Home Loan Bank bonds and debentures, shall be exempt both as to principal and interest from all taxation (except surtaxes, estate, inheritance, and gift taxes) now or hereafter imposed by the United States, by any Territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority."

Tax exemptions; consolidated Federal Home Loan Bank bonds. Vol. 47, p. 735.

SEC. 9. Section 19 of the Federal Home Loan Bank Act, as amended, is amended by adding at the end thereof the following new sentence: "The receipts of the Board derived from assessments upon the Federal Home Loan Banks and from other sources (except receipts from the sale of consolidated Federal Home Loan Bank

Receipts from bank assessments. Vol. 47, p. 737; U. S. C., p. 470.

Deposit; withdrawal and use.

bonds and debentures issued under section 11) shall be deposited in the Treasury of the United States, and may be from time to time withdrawn therefrom to defray the expenses of the Board, and the salaries of its members and employees, whose employment, compensation, leave, and expenses shall be governed solely by the provisions of this Act, specific amendments thereof, and rules and regulations of the Board not inconsistent therewith."

Home Owners' Loan Act of 1933, amended.
Vol. 48, p. 129; U. S. C., p. 471.

SEC. 10. Sections 2 (c) and 4 (d) of the Home Owners' Loan Act of 1933, as amended, are amended by striking out " upon which there is located a dwelling for not more than four families, used by the owner as a home or held by him as his homestead, and having a value not exceeding $20,000 " and inserting in lieu thereof " upon which there is located a dwelling or dwellings for not more than four families, which is used in whole or in part by the owner as a home or held by him as his homestead, and which has a value of not to exceed $20,000 ".

Definitions modified. "Home mortgage"; "real estate".

Vol. 48, pp. 129, 643, 1263; U. S. C., p. 472.

SEC. 11. The first sentence of subsection (c) of section 4 of the Home Owners' Loan Act of 1933, as amended, is amended to read as follows:

Bond issue authorized.

"(c) In order to provide for applications heretofore filed, for applications filed within thirty days after this amendment takes effect, and for carrying out the other purposes of this section, the Corporation is authorized to issue bonds in an aggregate amount not to exceed $4,750,000,000, which may be exchanged as hereinafter provided, or which may be sold by the Corporation to obtain funds for carrying out the purposes of this section or for the redemption of

Aggregate amount.

Retirement of outstanding bonds authorized.

any of its outstanding bonds; and the Corporation is further authorized to increase its total bond issue for the purpose of retiring its outstanding bonds by an amount equal to the amount of the bonds to be so retired (except bonds retired from payments of principal on loans), such retirement to be at maturity or by call or purchase or exchange or any method prescribed by the Board with the approval of the Secretary of the Treasury: *Provided*, That no bonds issued under this subsection, as amended, shall have a maturity date later than 1952."

Proviso. Maturity date.

Vol. 48, p. 131.

SEC. 12. Subsection (d) of section 4 of the Home Owners' Loan Act of 1933, as amended, is amended by adding at the end thereof the following new paragraph:

Assessments upon real property for public improvements.

" For the purposes of this Act, levies of assessments upon real property, made by any special district organized in any State for public improvements, shall be treated as general-tax levies are treated. The Board shall determine the reasonableness of the total annual burden of taxes and assessments of all kinds upon any property offered as security for the payment of a loan made by the Corporation and the effect of the total levies upon the loanable value of such property, but no deduction shall be made from the loanable value of any property for levies not due at the time of making such loan in any instance where the total annual taxes and assessments borne by the said property for all purposes does not exceed a sum which, in the discretion of the Board, is a reasonable annual tax burden for such property."

Determination of reasonableness when property offered as security.

Vol. 48, p. 132.

SEC. 13. Subsection (j) of section 4 of the Home Owners' Loan Act of 1933, as amended, is amended, effective ninety days after the date of enactment of this Act, by adding at the end thereof the following new sentence: " No person shall be appointed or retained as an officer, employee, agent, or attorney, at a fixed salary, in any regional or State office of the Corporation who is an officer or director of any firm, corporation, or association engaged in lending money on real estate; nor shall any person be appointed or retained as an officer,

Field officers and employees; qualifications.

employee, agent, or attorney in any State or district office of the Corporation, who has not been a bona fide resident of the State served by such office for a period of at least one year immediately preceding the date of his appointment."

Vol. 48, p. 644.
Bond exchange where lien held by institution in liquidation.

SEC. 14. Subsection (l) of section 4 of the Home Owners' Loan Act of 1933, as amended, is amended by striking out the last comma therein and the following: " or in any case in which the home mortgage or other obligation or lien is held by an institution which is in liquidation ".

Appraisers for Corporation; qualifications.
Vol. 48, p. 131; U. S. C., p. 473.

SEC. 15. Subsection (h) of section 4 of the Home Owners' Loan Act of 1933, as amended, is amended by striking out the period at the end thereof and inserting in lieu thereof a colon and the following: " *Provided*, That no person shall be allowed to act as appraiser if he is in the employ of any company holding a loan on the property, or if he is interested in the subject matter of the loan."

Amount for cash advances, increased.
Vol. 48, pp. 645, 1264.

SEC. 16. Subsection (m) of section 4 of the Home Owners' Loan Act of 1933, as amended, is amended by striking out " $300,000,000 " and inserting in lieu thereof " $400,000,000 ".

Vol. 48, pp. 645, 1264.

SEC. 17. (a) Section 4 of the Home Owners' Loan Act of 1933, as amended, is amended by adding at the end thereof a new subsection to read as follows:

Bond, etc., purchases authorized.

"(n) The Corporation is authorized to purchase Federal Home Loan Bank bonds, debentures, or notes, or consolidated Federal Home Loan Bank bonds or debentures. The Corporation is also authorized to purchase full-paid-income shares of Federal Savings and Loan Associations after the funds made available to the Secretary of the Treasury for the purchase of such shares have been exhausted. Such purchases of shares shall be on the same terms and conditions as have been heretofore authorized by law for the purchase of such shares by the Secretary of the Treasury: *Provided*, That the total amount of such shares in any one association held by the Secretary of the Treasury and the Corporation shall not exceed the total amount of such shares heretofore authorized to be held by the Secretary of the Treasury in any one association. The Corporation is also authorized to purchase shares in any institution which is (1) a member of a Federal Home Loan Bank, or (2) whose accounts are insured under title IV of the National Housing Act, if the institution is eligible for insurance under such title; and to make deposits and purchase certificates of deposit and investment certificates in any such institution. Of the total authorized bond issue of the Corporation $300,000,000 shall be available for the purposes of this subsection, without discrimination in favor of Federally chartered associations, and bonds of the Corporation not exceeding such amount may be sold for the purposes of this subsection."

Terms and conditions.

Proviso.
Maximum amount.

Authority to purchase shares of certain institutions, etc.

Sum available; bond sale authorized.

Bond purchases of Federal Home Loan Banks; repealed.
Vol. 48, p. 646.

(b) Section 9 of the Act entitled "An Act to guarantee the bonds of the Home Owners' Loan Corporation, to amend the Home Owners' Loan Act of 1933, and for other purposes", approved April 27, 1934, is hereby repealed.

Federal savings and loan associations.
Vol. 48, p. 132; U. S. C., p. 474.

SEC. 18. Subsection (c) of section 5 of the Home Owners' Loan Act of 1933, as amended, is amended by striking out the period at the end thereof and inserting in lieu thereof a colon and the following: "*And provided further*, That any such association which is converted from a State-chartered institution may continue to make loans in the territory in which it made loans while operating under State charter."

State chartered institutions converted into, may continue local business.

Encouragement of saving and home financing.
Vol. 48, pp. 134, 647.

SEC. 19. Section 6 of the Home Owners' Loan Act of 1933, as amended, is amended (1) by striking out "$500,000" and inserting in lieu thereof "$700,000", and (2) by adding at the end of the section

the following new sentence: "The sums appropriated and made available pursuant to this section shall be used impartially in the promotion and development of local thrift and home-financing institutions, whether State or Federally chartered."

Vol. 48, p. 135.

Sec. 20. Subsection (d) of section 8 of the Home Owners' Loan Act of 1933, as amended, is amended to read as follows:

Criminal Code; application of designated provisions to Corporation.
Vol. 48, p. 135.
Vol. 35, pp. 1094, 1095, 1096, 1108, 1109.
U. S. C., pp. 724, 725, 726, 735.

"(d) The provisions of section 29, 30, 32, 35, 37, 39, 112, 113, and 117 of the Criminal Code of the United States (U. S. C., title 18, secs. 73, 74, 76, 82, 83, 88, 91, 202, 203, and 207), insofar as applicable, are extended to apply to the Home Owners' Loan Corporation, its contracts or agreements, and an association under this Act which, for the purposes herein shall be held to include advances, loans, discounts, and purchase or repurchase agreements; extensions and renewals thereof; and acceptances, releases, and substitutions of security therefor."

Vol. 48, pp. 135, 647; U. S. C., p. 475.

Sec. 21. Subsection (e) of section 8 of the Home Owners' Loan Act of 1933, as amended, is amended to read as follows:

Penalty provisions.
Soliciting unauthorized fees, etc.

"(e) No person, partnership, association, or corporation shall, directly or indirectly, solicit, contract for, charge, or receive, or attempt to solicit, contract for, charge, or receive, from any person applying to the Corporation for a loan, (1) any fee, charge, or other consideration, whether bond or cash, except ordinary fees authorized and required by the Corporation for services actually rendered for examination and perfection of title, appraisal, and like necessary services, or (2) any moneys, check, note, or other form of obligation, representing payment of any difference which may exist between the market value and the par value of the bonds of the Home Owners' Loan Corporation. Any person, partnership, association, or corporation violating the provisions of this subsection shall, upon conviction thereof, be fined not more than $5,000, or imprisoned not more than two years, or both."

Punishment for.

Federal Savings and Loan Insurance Corporation.
Franking privilege; expenditure of public funds.
Vol. 48, p. 1256.

Sec. 22. Paragraph (5) of subsection (c) of section 402 of the National Housing Act is amended by adding the following sentence at the end thereof: "The Corporation shall be entitled to the free use of the United States mails for its official business in the same manner as the executive departments of the Government, and shall determine its necessary expenditures under this Act and the manner in which the same shall be incurred, allowed, and paid, without regard to the provisions of any other law governing the expenditure of public funds."

National Housing Act; amendments.
Vol. 48, p. 1257.
Time extended for building up 5% reserve on insured accounts.

Sec. 23. Subsection (b) of section 403 of the National Housing Act is amended (1) by striking out the words "ten years" and inserting in lieu thereof the words "twenty years", and (2) by striking out the period at the end of the subsection and inserting in lieu thereof a colon and the following: "*Provided*, That for any year dividends may be declared and paid when losses are chargeable to such reserves if the declaration of such dividends in such case is approved by the Corporation."

Dividend payments.

Vol. 48, p. 1258.

Sec. 24. Subsection (d) of section 403 of the National Housing Act is amended to read as follows:

Admission fee charged applicant for insurance.

"(d) Any applicant which applies for insurance under this title after the first year of the operation of the Corporation shall pay an admission fee based upon the reserve fund of the Corporation, which, in the judgment of the Corporation, is an equitable contribution."

Insurance premiums reduced.
Vol. 48, p. 1258.

Sec. 25. (a) Subsections (a) and (b) of section 404 of the National Housing Act are amended by striking out "one-fourth" and inserting in lieu thereof "one-eighth".

(b) Section 404 of the National Housing Act is further amended by adding at the end thereof the following new subsection: Vol. 48, p. 1259.

"(c) Each insured institution which has paid a premium charge in excess of one-eighth of 1 per centum of the total amount of the accounts of its insured members and its creditor obligations shall be credited on its future premiums with an amount equal to the total amount of such excess." Credit allowed.

SEC. 26. The last sentence of section 406 (b) of the National Housing Act is amended to read as follows: "The surrender and transfer to the Corporation of an insured account in any such association which is in default shall subrogate the Corporation with respect to such insured account, but shall not affect any right which the insured member may have in the uninsured portion of his account or any right which he may have to participate in the distribution of the net proceeds remaining from the disposition of the assets of such association." Liquidation of insured institutions in default. Vol. 48, p. 1260. Distribution to shareholders.

SEC. 27. Section 406 of the National Housing Act is further amended by adding at the end thereof a new subsection to read as follows: Vol. 48, p. 1260.

"(f) In order to prevent a default in an insured institution or in order to restore an insured institution in default to normal operation as an insured institution, the Corporation is authorized, in its discretion, to make loans to, purchase the assets of, or make a contribution to, an insured institution or an insured institution in default; but no contribution shall be made to any such institution in an amount in excess of that which the Corporation finds to be reasonably necessary to save the expense of liquidating such institution." Loans to insured institutions in default. Limitation on amount.

SEC. 28. (a) The first sentence of section 2 of the National Housing Act is amended (1) by striking out "January" and inserting in lieu thereof "April", and (2) by inserting before the period at the end thereof a comma and the following: "including the installation of equipment and machinery". Vol. 48, p. 1246. Insurance of financial institutions. *Post*, pp. 722, 1188.

(b) The last sentence of section 2 of the National Housing Act is amended to read as follows: "No insurance shall be granted under this section to any such financial institution with respect to any obligation representing any such loan, advance of credit, or purchase by it (1) unless the obligation bears such interest, has such maturity, and contains such other terms, conditions, and restrictions, as the Administrator shall prescribe; and (2) unless the amount of such loan, advance of credit, or purchase is not in excess of $2,000, except that in the case of any such loan, advance of credit, or purchase made for the purpose of such financing with respect to real property improved by or to be converted into apartment or multiple family houses, hotels, office, business or other commercial buildings, hospitals, orphanages, colleges, schools, or manufacturing or industrial plants, such insurance may be granted if the amount of the loan, advance of credit, or purchase is not in excess of $50,000." Provisions governing granting of insurance.

SEC. 29. (a) Subsection (c) of section 203 of the National Housing Act is amended by adding at the end thereof the following new sentence: "In the event that the principal obligation of any mortgage accepted for insurance under this section is paid in full prior to the maturity date specified in the mortgage, the Administrator is further authorized in his discretion to require the payment by the mortgagor of a premium charge in such amount as the Administrator determines to be equitable, but not in excess of the aggregate amount of the premium charges that the mortgagee would otherwise have been required to pay if the mortgage had continued to be insured under this section until such maturity date." Premium charges. Vol. 48, p. 1248.

Mortgages and reinsurance.
Payment of annual premiums.
Vol. 48, p. 1251.

(b) The first sentence of subsection (f) of section 205 of the National Housing Act is amended by striking out the words "premium charge" and inserting in lieu thereof the words "annual premium charge".

Determination of value of mortgage.
Vol. 48, p. 1249.

Computation.

(c) The last sentence of subsection (a) of section 204 of the National Housing Act is amended to read as follows: "For the purposes of this subsection, the value of the mortgage shall be determined, in accordance with rules and regulations prescribed by the Administrator, by adding to the amount of the principal of the mortgage which is unpaid on the date of such delivery, (1) interest on such unpaid principal from the date foreclosure proceedings were instituted or the property was otherwise acquired as provided in this subsection to the date of such delivery at the rate provided for in the debentures issued to the mortgagee, less any amount received on account of interest accruing on such unpaid principal between such dates, and (2) the amount of all payments which have been made by the mortgagee for taxes and insurance on the property mortgaged."

National Mortgage Associations.
Vol. 48, p. 1253.
Limitation on business transaction.

SEC. 30. Subsection (d) of section 301 of the National Housing Act is amended to read as follows:

"(d) No association shall transact any business except such as is incidental to its organization until it has been authorized to do so by the Administrator. Each such association shall have a capital stock of a par value of not less than $2,000,000, and no authorization to commence business shall be granted by the Administrator to any such association until he is satisfied that such capital stock has been subscribed for at not less than par and paid in full in cash or Government securities at their par value."

Capital stock requirement.

Vol. 48, p. 1254.

SEC. 31. Section 302 of the National Housing Act is amended to read as follows:

Obligations, issue, etc.

"SEC. 302. Each national mortgage association is authorized to issue and have outstanding at any time notes, bonds, debentures, or other such obligations in an aggregate amount not to exceed (1) twelve times the aggregate par value of its outstanding capital stock, and in no event to exceed (2) the current face value of mortgages held by it and insured under the provisions of title II of this Act, plus the amount of its cash on hand and on deposit and the amount of its investments in bonds or obligations of, or guaranteed as to principal and interest by, the United States. No national mortgage association shall borrow money except through the issuance of such notes, bonds, debentures, or other obligations, except with the approval of the Administrator and under such rules and regulations as he shall prescribe."

Aggregate amount.

Borrowing by association restricted.

Emergency Farm Mortgage Act, 1933.
Vol. 48, pp. 48, 347; U. S. C., p. 441.

SEC. 32. Section 32 of the Emergency Farm Mortgage Act of 1933, as amended (U. S. C., title 12, sec. 1016), is further amended by inserting after the second sentence thereof the following new sentence: "For the purposes of this section, farm property may be valued at an amount representing a prudent investment, consistent with community standards and rentals, if (1) the person occupying the property is not entirely dependent upon farm income for his livelihood but receives a part of his income from other dependable sources, and (2) the farm income from the property, together with earnings from other dependable sources ordinarily available in the community to a person operating such property, would be sufficient to support his family, to pay operating expenses and fixed charges, and to discharge the interest and amortization payments on the loan."

Loans to farmers.

Valuing farm property for purposes of loans, etc.
Post, p. 313.

Approved, May 28, 1935.

[CHAPTER 151.]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Saint Lawrence River at or near Ogdensburg, New York.

May 28, 1935.
[S. 2311.]
[Public, No. 77.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Saint Lawrence River at or near Ogdensburg, New York, authorized to be built by the Saint Lawrence Bridge Commission by an Act of Congress approved June 14, 1933, heretofore extended by an Act of Congress approved June 8, 1934, are hereby further extended one and three years, respectively, from June 14, 1935.

Saint Lawrence River.
Time extended for bridging, at Ogdensburg, N. Y.
Vol. 48, pp. 141, 927.
Post, p. 1202.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, May 28, 1935.

[CHAPTER 152.]

AN ACT

To authorize the incorporated town of Petersburg, Alaska, to undertake certain municipal public works, including the filling, grading, and paving of streets and sidewalks, the construction and improvement of sewers, and construction of necessary bridges and viaducts in connection with the same, and for such purposes to issue bonds in any sum not exceeding $35,000.

May 28, 1935.
[H. R. 6085.]
[Public, No. 78.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the incorporated town of Petersburg, Territory of Alaska, is hereby authorized and empowered to undertake the municipal works hereinabove specified, to wit: The filling, regrading, and paving of streets and sidewalks, the construction and improvement of sewers, and the construction of bridges and viaducts, and for such purposes to issue bonds in any amount not exceeding in the aggregate the sum of $35,000.

Petersburg, Alaska.
May issue bonds for specified public works.

SEC. 2. Before said bonds shall be issued a special election shall be ordered by the common council of the said town of Petersburg, Alaska, at which election the question of whether such bonds shall be issued in the amount above specified for any or all of the purposes hereinbefore set forth, shall be submitted to the qualified electors of said town of Petersburg, Alaska, whose names appear on the last assessment roll of said town for purposes of municipal taxation. The form of the ballot shall be such that the electors may vote for or against the issuance of bonds for the purposes therein specified in the maximum amount herein authorized or any lesser amount. Not less than twenty days' notice of such election shall be given to the public by posting notices of the same in three conspicuous places within the corporate limits of the town of Petersburg, Alaska, one of which shall be at the front door of the United States post office at Petersburg, Alaska. The election notice shall specifically state the amount of bonds proposed to be issued for the purposes herein specified. The registration of such election, the manner of conducting the same, and the canvass of the returns of said election shall be, as nearly as practicable, in accordance with the requirements of law in general or special elections in said municipality; and said bonds shall be issued for the purposes herein authorized only upon condition that not less than 50 per centum of votes cast at such election in said municipality shall be in favor of the issuance of said bonds for such purpose.

Special election to authorize.
Notice.
Conduct of election.

SEC. 3. The bonds herein authorized to be issued shall be coupon in form and shall mature in not to exceed thirty years from the date thereof. Such bonds may bear such date or dates, may be in

Bonds; form, maturity dates, etc.

such denomination or denominations, may mature in such amounts and at such time or times, not exceeding thirty years from the date thereof, may be payable in such medium of payment and at such place or places, may be sold at either public or private sale, and may be nonredeemable or redeemable (either with or without premium), may carry such registration privileges as to principal and interest, principal only, or interest only, as shall be prescribed by the common council of said town of Petersburg. The bonds shall bear the signatures of the mayor and of the clerk of the town of Petersburg, and shall have impressed thereon the official seal of said municipality. The coupons to be annexed to such bonds shall bear the facsimile signatures of the mayor and of the town clerk of said municipality. In case any of the officers whose signatures or countersignatures appear on the bonds shall cease to be such officers before delivery of such bonds, such signatures or countersignatures, whether manual or facsimile, shall nevertheless be valid and sufficient for all purposes, the same as if said officers had remained in office until such delivery. Said bonds shall bear interest at a rate to be fixed by the common council of the town of Petersburg, not to exceed, however, 6 per centum per annum, payable semiannually, and said bonds shall be sold at not less than the principal amount thereof plus accrued interest.

Signatures.

Interest rate.

Bonds deemed municipal obligations.

SEC. 4. The bonds herein authorized to be issued shall be general obligations of the town of Petersburg, Territory of Alaska, payable as to both principal and interest from ad valorem taxes which shall be levied upon all of the taxable property within the corporate limits of such municipality in an amount sufficient to pay the interest on and the principal of such bonds as and when the same become due and payable.

Use of funds restricted.

Sale limitations.

SEC. 5. No part of the funds arising from the sale of said bonds shall be used for any purpose or purposes other than those specified in this Act. Said bonds shall be sold only when and in such amounts as the common council of the town of Petersburg shall direct; and the proceeds thereof shall be disbursed only for the purposes hereinbefore mentioned and under the orders and directions of said common council from time to time as such proceeds may be required for such purposes.

Contracts authorized with United States, for bond sale, etc.
Vol. 48, p. 200.

SEC. 6. The incorporated town of Petersburg is hereby authorized to enter into contracts with the United States of America or any agency or instrumentality thereof under the provisions of the National Industrial Recovery Act and Acts amendatory thereof and Acts supplemental thereto, and revisions thereof, and the regulations made in pursuance thereof, and under any further Acts of the Congress of the United States to encourage public works, or relieve unemployment, including the Emergency Relief Appropriation Act of 1935, for the sale of bonds issued in accordance with the provisions of this Act or for the acceptance of a grant of money to aid said municipality in financing any public works herein authorized; or to enter into contracts with any persons or corporations, public or private, for the sale of such bonds; and such contracts may contain such terms and conditions as may be agreed upon by and between the common council of said town of Petersburg, and the United States of America, or any agency or instrumentality thereof or any such purchaser.

Ante, p. 115.

Effective date.

SEC. 7. This Act shall take effect immediately.

Approved, May 28, 1935.

[CHAPTER 153.]

AN ACT

May 28, 1935.
[H. R. 6723.]
[Public, No. 79.]

To authorize the incorporated town of Valdez, Alaska, to construct a public-school building and for such purpose to issue bonds in any sum not exceeding $30,000; and to authorize said town to accept grants of money to aid it in financing any public works.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the incorporated town of Valdez, Territory of Alaska, is hereby authorized and empowered to construct a public-school building, and for such purpose to issue bonds in any amount not exceeding the sum of $30,000.

Valdez, Alaska.
May issue bonds for public-school construction.

SEC. 2. Before said bonds shall be issued a special election shall be ordered by the common council of the said town of Valdez, Alaska, at which election the question of whether such bonds shall be issued in the amount above specified for the purpose hereinbefore set forth shall be submitted to the qualified electors of said town of Valdez, Alaska, whose names appear on the last assessment roll of said town for purposes of municipal taxation. The form of the ballot shall be such that the electors may vote for or against the issuance of bonds for the purpose herein specified in the amount herein authorized. Not less than twenty days notice of such election shall be given to the public by posting notices of the same in three conspicuous places within the corporate limits of the town of Valdez, Alaska, one of which shall be at the front door of the United States post office at Valdez, Alaska. The election notice shall specifically state the amount of bonds proposed to be issued for the purpose herein specified. The registration for such election, the manner of conducting the same, and the canvass of the returns of said election shall be, as nearly as practicable, in accordance with the requirements of law in general or special elections in said municipality; and said bonds shall be issued for the purpose herein authorized only upon condition that not less than a majority of the votes cast at such election in said municipality shall be in favor of the issuance of said bonds for such purpose.

Special election to authorize.

Notice.

Conduct of election.

SEC. 3. The bonds herein authorized shall be coupon in form and shall mature in not to exceed thirty years from the date thereof. Such bonds may bear such date or dates, may be in such denomination or denominations, may mature in such amounts and at such time or times, not exceeding thirty years from the date thereof, may be payable in such medium of payment and at such place or places, may be sold at either public or private sale, may be nonredeemable or redeemable (either with or without premium), and may carry such registration privileges as to either principal and interest, principal only, or both, as shall be prescribed by the common council of said town of Valdez. The bonds shall bear the signatures of the mayor and of the clerk of the town of Valdez, and shall have impressed thereon the official seal of said municipality. The coupons to be annexed to such bonds shall bear the facsimile signatures of the mayor and of the clerk of said municipality. In case any of the officers whose signatures or countersignatures appear on the bonds shall cease to be such officers before delivery of such bonds, said signatures or countersignatures, whether manual or facsimile, shall nevertheless be valid and sufficient for all purposes, the same as if said officers had remained in office until such delivery. Said bonds shall bear interest at a rate to be fixed by the common council of the town of Valdez, not to exceed, however, 6 per centum per annum, payable semiannually, and said bonds shall be sold at not less than the principal amount plus accrued interest.

Bonds; form, maturity dates, etc.

Signatures.

Interest rate.

Bonds deemed municipal obligations.

SEC. 4. The bonds herein authorized to be issued shall be general obligations of the town of Valdez, Territory of Alaska, payable as to both interest and principal from ad valorem taxes which shall be levied upon all of the taxable property within the corporate limits of such municipality in an amount sufficient to pay the interest on and the principal of such bonds as and when the same become due and payable.

Use of funds restricted.

SEC. 5. No part of the funds arising from the sale of said bonds shall be used for any purpose or purposes other than that specified in this Act. Said bonds shall be sold only when and in such amounts as the common council of the town of Valdez shall direct; and the proceeds thereof shall be distributed only for the purpose hereinbefore mentioned and under the orders and direction of said common council from time to time as such proceeds may be required for said purpose.

Sale restrictions.

Contracts authorized with United States, for bond sales, etc.
Vol. 48, p. 200.

SEC. 6. The town of Valdez is hereby authorized to enter into contracts with the United States of America or any agency or instrumentality thereof under the provisions of the National Industrial Recovery Act and Acts amendatory thereof and Acts supplemental thereto, and revisions thereof, and the regulations made in pursuance thereof, and under any further Acts of the Congress of the United States to encourage public works, for the relief of unemployment, or for any other public purpose, including the Emergency Relief Appropriation Act of 1935, for the sale of bonds issued in accordance with the provisions of this Act, or for the acceptance of a grant of money to aid said municipality in financing any public works; or to enter into contracts with any persons or corporations, public or private, for the sale of such bonds; and such contracts may contain such terms and conditions as may be agreed upon by and between the common council of said town of Valdez and the United States of America or any agency or instrumentality thereof, or any such purchaser.

Ante, p. 115.

Effective date.

SEC. 7. This Act shall take effect immediately.

Approved, May 28, 1935.

[CHAPTER 154.]

May 28, 1935.
[H. R. 6654.]
[Public, No. 80.]

AN ACT

To increase the White House Police Force, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2(a) of the Act entitled "An Act to create the White House Police Force, and for other purposes", approved September 14, 1922 (42 Stat. 841), as amended by section 2 of the Act entitled "An Act to authorize a necessary increase in the White House Police Force", approved May 14, 1930 (46 Stat. 328), is hereby further amended to read as follows:

Executive Mansion. White House Police Force, increased.
Vol. 42, p. 841; Vol. 46, p. 328.

Compensation, grades, etc.

"SEC. 2. (a) That the White House Police Force shall consist of one captain with grade corresponding to that of captain (Metropolitan Police), one lieutenant with grade corresponding to that of lieutenant (Metropolitan Police), three sergeants with grade corresponding to that of sergeant (Metropolitan Police); and of such number of privates, with grade corresponding to that of private of the highest grade (Metropolitan Police), as may be necessary, but not exceeding 55 in number. Members of the White House Police shall be appointed from the members of the Metropolitan Police Force and the United States Park Police Force from lists furnished by the officers in charge of such forces. Vacancies shall be filled in the same manner."

Number.

Appointments from Metropolitan police and park police.

Vacancies.

Approved, May 28, 1935.

[CHAPTER 155.]

AN ACT

To authorize the Secretary of Commerce to dispose of certain lighthouse reservations, and for other purposes.

May 28, 1935.
[H. R. 7131.]
[Public, No. 81.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce is hereby authorized to convey to the State of California, for public-park purposes, the Morro Rock Lighthouse Reservation located at the entrance of Estero Bay, Coast of California, comprising about thirty and fifty-six one-hundredths acres, with the exception of three areas each one hundred feet square located, respectively, on the northern side, the highest point of the rock, and the southerly side, together with rights of ingress and egress thereto as may be necessary for the establishment and maintenance of future aids to navigation at these points. The deed of conveyance shall describe by metes and bounds insofar as practicable the portion of the reservation transferred, and the conditions imposed by section 36 of this Act.

Lighthouse reservations.
Disposal of designated, authorized.
Morro Rock, Calif.
Conveyed to State, for public park.

Post, p. 311.

SEC. 2. The Secretary of Commerce is authorized to reconvey to the State of Delaware the abandoned lighthouse reservation about ten acres in extent, known as the "Delaware Breakwater Range Rear Lighthouse Reservation", Delaware, the land being no longer required for lighthouse purposes, as stipulated in the original deed of conveyance to the United States.

Delaware Breakwater Range.
Reconveyance to State.

SEC. 3. The Secretary of Commerce is authorized to convey to the city commission of the city of Saint Augustine, Florida, for public-park purposes, that portion of the Anastasia Island Lighthouse Reservation, Florida, which is not required to be retained for lighthouse purposes, consisting of lots 1 and 2, section 21, township 7 south, range 30 east, Tallahassee, Florida, excepting that part of lot 2 between the five-acre lighthouse tract and the hard-surfaced road, together with a perpetual easement for beams of light across any part of the land that may be between the lighthouse and the sea: *Provided*, That no conveyance of the property shall be made until such time as the city commission of the city of Saint Augustine shall have agreed in writing to relieve the United States from being a party to any claims or litigation through the acquisition of the land in question by the city of Saint Augustine, and that satisfactory agreements are reached with holders of record to subdivided lands in said lots 1 and 2 prior to 1923. The deed of conveyance shall describe by metes and bounds the exact portions of the reservation transferred, and the conditions imposed by section 36 of this Act.

Anastasia Island, Fla.
Portion of, conveyed to Saint Augustine for public park.
Post, p. 896.
Description.

Proviso.
Conditions.

SEC. 4. The Secretary of Commerce is authorized to convey to the State of Florida for public-roadway purposes that portion of the Crooked River Range Lighthouse Reservation, Florida, near the southern boundary of the reservation, which is not required to be retained for lighthouse purposes, consisting of a strip of land approximately sixty-six feet in width and five hundred feet in length. The deed of conveyance shall describe by metes and bounds the portion of the reservation transferred and the conditions imposed by section 36 of this Act.

Crooked River Range, Fla.
Southern portion conveyed to State for roadway.

SEC. 5. The Secretary of Commerce is authorized to convey to the town of Castine, Maine, for public-park purposes, that portion of the Dice Head Lighthouse Reservation, Maine, which is not required for lighthouse purposes, containing about three acres and including appurtenant structures thereon, excepting the light tower and the plot of land surrounding same one hundred feet square, together with the rights of ingress and egress as may be necessary for the maintenance of the light. The deed of conveyance shall describe by

Dice Head, Me.
Portion of, conveyed to Castine, Me.

metes and bounds the portion of the reservation transferred, and the conditions imposed by section 36 of this Act.

Post, p. 311.

Blakistone Island, Md.
Transferred to Navy Department.

SEC. 6. The Secretary of Commerce is authorized to transfer to the Navy Department for naval operations the Blakistone Island Lighthouse Reservation, Maryland, which is no longer required for lighthouse purposes, comprising an area of approximately three acres.

Chatham, Mass.
Portions of, conveyed to town.

SEC. 7. The Secretary of Commerce is authorized to convey to the town of Chatham, Massachusetts, for public-park and roadway purposes the following portion of the Chatham Lighthouse Reservation no longer required for lighthouse purposes: Starting at a stone bound where land now or formerly of Luther E. Hammond meets the westerly line of Main Street, Chatham, the line runs north seventy-five degrees thirty-four minutes forty seconds west by land of said Hammond two hundred and twenty-two feet to a stone bound; thence turning, runs south no degree ten minutes ten seconds east by land of said Hammond one hundred and sixty-two feet to a stone bound; thence turning, the line runs north eighty-seven degrees eight minutes east one hundred and forty-nine and twelve one-hundredths feet by land of the United States Government to a stone bound; thence turning, the line runs south twenty-six degrees fifteen minutes west one hundred and eighty-nine and five one-hundredths feet by the United States Government land before mentioned to a stone bound; continuing on a gradual curve by the same United States Government lot one hundred and nineteen and five-tenths feet to a stone bound; continuing on a course south thirty-eight degrees forty-three minutes twenty seconds west to a stone bound; thence turning, runs south seventy-five degrees thirty-four minutes forty seconds east by land of the Chatham Beach Club to low-water mark, thence along low-water mark in a generally northeast direction to a junction of low-water mark and an extension of the first-named course; including all interest of the United States Government in the shifting sand beach easterly of the lagoon. The deed of conveyance shall describe by metes and bounds the portion of the reservation transferred to the town, and the conditions imposed by section 36 of this Act.

Description.

Marblehead, Mass.
Transferred to War Department.

SEC. 8. The Secretary of Commerce is authorized to transfer to the War Department the Marblehead Lighthouse Reservation, Massachusetts, reserving unto the Department of Commerce the light tower and an area of one hundred feet square surrounding same, together with a right-of-way by land and sea for the purpose of maintaining the light.

Minots Ledge (Shore), Mass.
Portion of, conveyed to Cohasset.

SEC. 9. The Secretary of Commerce is authorized to convey to the town of Cohasset, Massachusetts, for public-roadway purposes that portion of the Minots Ledge (Shore) Lighthouse Reservation, Massachusetts, which is not required to be retained for lighthouse purposes, consisting of a strip of land approximately thirty-five feet in width and six hundred and fifty feet in length lying adjacent to the present roadway known as "Border Street." The deed of conveyance shall describe by metes and bounds the portion of the reservation transferred to the town, and the conditions imposed by section 36 of this Act.

Newburyport Harbor, Mass.
Portion of, conveyed to City, for public park.

SEC. 10. The Secretary of Commerce is authorized to convey to the city of Newburyport, Massachusetts, for public-park purposes, that portion of the Newburyport Harbor Lighthouse Reservation which is no longer required for lighthouse purposes containing an area approximately two hundred feet by two hundred feet. The deed of conveyance shall describe by metes and bounds the portion

of the reservation transferred to this city, and the conditions imposed by section 36 of this Act. *Post*, p. 311.

Forty-Mile Point, Mich.
Portion of, conveyed to State for roadway.

SEC. 11. The Secretary of Commerce is authorized to convey to the State of Michigan for public-roadway purposes that portion of the Forty-Mile Point Lighthouse Reservation, Michigan, which is not required to be retained for lighthouse purposes comprising about four hundred and forty-five one-thousandths acre. The deed of conveyance shall describe by metes and bounds the portion of the reservation transferred to the State, and the conditions imposed by section 36 of this Act.

Grand Island Harbor Range, Mich.
Portion of, conveyed to State for roadway.

SEC. 12. The Secretary of Commerce is authorized to convey to the State of Michigan for public-roadway purposes that portion of the Grand Island Harbor Range Lighthouse Reservation, Michigan, which is not required to be retained for lighthouse purposes, consisting of a strip of land approximately one hundred and fifty feet in width and two thousand six hundred and ninety-two feet in length. The deed of conveyance shall describe by metes and bounds the portion of the reservation transferred to the State and the conditions imposed by section 36 of this Act.

Government Island, Mich.
To be included in Marquette National Forest.
Portion reserved for lighthouse purposes.

SEC. 13. The Secretary of Commerce is authorized to transfer to the Department of Agriculture for inclusion within the Marquette National Forest Purchase Unit, Government Island Lighthouse Reservation, otherwise known as "Island Numbered 6", in the Les Cheneaux Group in the north end of Lake Huron, no longer required for lighthouse purposes, containing an area of approximately two hundred and fourteen and twenty-five one-hundredths acres; reserving a small proportion of the protected water front for construction operations of the Lighthouse Service and right to reoccupy any portion thereof for lighthouse purposes.

Grosse Ile, Mich.
Transferred to Treasury Department for patrol base.

SEC. 14. The Secretary of Commerce is authorized to transfer to the Treasury Department for use as a patrol base by the Customs Service the Grosse Ile Lighthouse Reservation, Michigan, comprising eleven one-hundredths of an acre and appurtenant structures thereon, the reservation being no longer required for lighthouse purposes.

Muskegon, Mich.
Portion of, conveyed to City.
Conditions.

SEC. 15. The Secretary of Commerce is authorized to convey to the city of Muskegon, Michigan, a portion of the Muskegon Lighthouse Reservation, Michigan, consisting of one acre, located at the foot of Beach Street in the said city of Muskegon, formerly occupied by light keeper's dwelling, in exchange for a parcel of land eighty feet wide north and south by approximately five hundred feet long extending to the shore of Lake Michigan, containing ninety-two one-hundredths of an acre, lying adjacent on the south to property now occupied by light keeper's dwelling. The city of Muskegon will be required to furnish a fee-simple title, good of record and free of all encumbrances, together with abstract of title acceptable to the Attorney General of the United States.

Pointe aux Barques, Mich.
Portion of, conveyed to Huron County, for public park.

SEC. 16. The Secretary of Commerce is authorized to convey to the county of Huron, State of Michigan, for public-park purposes, that portion of the Pointe aux Barques Lighthouse Reservation, Michigan, which is not required to be retained for lighthouse purposes, comprising an area of about fifty-six and six-tenths acres and including approximately one thousand four hundred and fifty feet of shore frontage on Lake Huron. The deed of conveyance shall describe by metes and bounds the portion of the reservation transferred to the county, and the conditions imposed by section 36 of this Act.

Saint Joseph, Mich.
Conveyed to City.

SEC. 17. The Secretary of Commerce is authorized to convey to the city of Saint Joseph, State of Michigan, for public-park purposes,

the Saint Joseph Lighthouse Reservation, Michigan, which is no longer required for lighthouse purposes, comprising an area one hundred and thirty-two feet by one hundred and thirty-two feet and appurtenant structures thereon. The deed of conveyance shall describe by metes and bounds the portion of area transferred and the conditions imposed by section 36 of this Act.

Post, p. 311.

Rum Point Depot site.
Exchange of, with Atlantic County, N. J., for another location.

SEC. 18. The Secretary of Commerce is authorized to convey or exchange with the Board of Chosen Freeholders of Atlantic County, State of New Jersey, the present Rum Point Depot site for a more suitable site for lighthouse purposes.

Cape May, N. J.
Portion of, conveyed to township for roadway.

SEC. 19. The Secretary of Commerce is authorized to convey to Lower township of Cape May County, State of New Jersey, for public-roadway purposes, that portion of the Cape May Lighthouse Reservation, New Jersey, which is not required to be retained for lighthouse purposes, comprising a strip of land fifty feet in width and approximately two hundred and seventeen feet in length extending from the southeasterly to the northwesterly boundaries of the reservation. The deed of conveyance shall describe by metes and bounds the portion of the reservation transferred and the conditions imposed by section 36 of this Act.

Horton Point, N. Y.
Portion of, conveyed to Southold for public park.

SEC. 20. The Secretary of Commerce is authorized to convey to the town of Southold, State of New York, for public-park purposes, that portion of the Horton Point Lighthouse Reservation, New York, which is no longer required for lighthouse purposes, including appurtenant structures, reserving unto the United States the rights of ingress and egress by land and water for purposes of maintaining the light. The deed of conveyance shall describe by metes and bounds the portion of the reservation transferred and the conditions imposed by section 36 of this Act.

Old Field Point, N. Y.
Portion of, conveyed to village for public park.

SEC. 21. The Secretary of Commerce is authorized to convey to the village of Old Field, State of New York, for public-park purposes, that portion of the Old Field Point Lighthouse Reservation, New York, which is no longer required for lighthouse purposes, containing about seven and five-tenths acres and including appurtenant structures thereon, reserving unto the United States the rights of ingress and egress by land and water for purposes of maintaining the light. The deed of conveyance shall describe by metes and bounds the portion of the reservation transferred and the conditions imposed by section 36 of this Act.

Cape Lookout, Oreg.
Conveyed to State, for public park.

SEC. 22. The Secretary of Commerce is authorized to convey to the State of Oregon, for public-park purposes, all lands comprising the Cape Lookout Lighthouse Reservation not required for lighthouse purposes. The deed of conveyance shall describe by metes and bounds the lands so transferred and the conditions imposed by section 36 of this Act.

Heceta Head, Oreg.
Portion of, conveyed to State for public park.

SEC. 23. The Secretary of Commerce is authorized to convey to the State of Oregon, for public-park purposes, that portion of the Heceta Head Lighthouse Reservation, Oregon, which is not required to be retained for lighthouse purposes, comprising an area of about seven and forty-nine one-hundredths acres. The deed of conveyance shall describe by metes and bounds the portion of the reservation transferred to the State and the conditions imposed by section 36 of this Act.

Hilton Head, S. C.
Portion of, transferred to Department of Agriculture.

SEC. 24. The Secretary of Commerce is authorized to transfer to the Department of Agriculture the unused portion of the Hilton Head Lighthouse Reservation, South Carolina, excepting the light tower and rights of ingress and egress for purposes of maintaining the light in the tower.

Mount Pleasant, S. C.
Transferred to War Department.

SEC. 25. The Secretary of Commerce is authorized to transfer to the War Department the unused Mount Pleasant Lighthouse Reservation, South Carolina, including appurtenant structures.

Bolivar Point, Tex.
Transferred to War Department.

SEC. 26. The Secretary of Commerce is authorized to transfer to the War Department the unused Bolivar Point Lighthouse Reservation, Texas, including appurtenant structures.

Baileys Harbor Range, Wis.
Conveyed to Door County, Wis., for public park.

SEC. 27. The Secretary of Commerce is authorized to convey to the park commission of Door County, State of Wisconsin, for public-park purposes, the Baileys Harbor Range Lighthouse Reservation, Wisconsin, which is no longer required for lighthouse purposes, containing about thirty and ten one-hundredths acres and including certain appurtenant structures. The deed of conveyance shall describe by metes and bounds the land transferred and the conditions imposed by section 36 of this Act, and further provide that no part of the land shall be commercialized or otherwise objectionably used.

Post, p. 311.

Eagle Bluff, Wis.
Portion of, conveyed to State, for public park.

SEC. 28. The Secretary of Commerce is authorized to convey to the State of Wisconsin, for public-park purposes, that portion of the Eagle Bluff Lighthouse Reservation, Wisconsin, which is not required to be retained for lighthouse purposes, including certain appurtenant structures. The deed of conveyance shall describe by metes and bounds the exact portion of the reservation transferred and the conditions imposed by section 36 of this Act: *Provided*, That the Secretary of War may enter upon and utilize for the purpose of obtaining stone for river and harbor work and other uses of the Department any area within said tract which he may determine to be necessary for such purpose. Authority is also hereby granted to lease to the State of Wisconsin that portion of the reservation not transferred, for a period of twenty-five years, subject to revocation at any time by the Secretary of Commerce.

Proviso.
Utilizing structural materials.

Lease to State of portion not transferred.

Ediz Hook, Wash.
Portion of, to be sold to Port Angeles, Wash.
Vol. 38, p. 293.

SEC. 29. The Secretary of Commerce is hereby authorized to sell to the city of Port Angeles, State of Washington, that portion of the Ediz Hook Lighthouse Reservation, Washington, now leased to the city for a term of ninety-nine years under authority contained in the Act of March 9, 1914 (38 Stat. 293).

South Pier, Buffalo, N. Y.
Parcels of military reservation acquired for lighthouse purposes.

SEC. 30. The Secretary of Commerce and the Secretary of the Treasury are hereby authorized to acquire by transfer from the War Department certain unused property located adjacent to the South Pier, Buffalo Harbor, New York, which is now reserved for military purposes but not required for such purpose by the War Department, excepting therefrom the United States South Pier. Two parcels of the land containing five and thirty-six one-hundredths acres and eight and sixty-eight one-hundredths acres, respectively, may be transferred to the Secretary of Commerce for lighthouse purposes, and one parcel of land containing fourteen and fifty-five one-hundredths acres may be transferred to the Secretary of the Treasury for Coast Guard activities.

Pier retained by War Department.

Portion transferred for Coast Guard activities.

Orange County, Calif.
San Juan, etc., rocks near Laguna Beach reserved.
Vol. 46, p. 1172.

SEC. 31. That the Act of February 18, 1931 (46 Stat. 1172), entitled "An Act to reserve for public use rocks, pinnacles, reefs, and small islands along the sea coast of Orange County, California", is hereby amended to reserve for lighthouse purposes the San Juan and San Mateo Rocks and the two rocks in the vicinity of Laguna Beach, off the coast of Orange County, California.

Isle au Haut, Me.
Conveyance of portion to Charles E. Robinson.

SEC. 32. The Secretary of Commerce is authorized on behalf of the United States, upon receipt of payment in the amount of $550, to convey by quit-claim deed to Charles E. Robinson, of Isle au Haut, county of Knox, State of Maine, the Isle au Haut Lighthouse Reservation, Maine, together with the dwelling and the structures

Exceptions.

located thereon, excepting the lighthouse tower, the footbridge thereto, and its other appurtenances and attachments. The deed of conveyance shall describe by metes and bounds the exact portion of the reservation so conveyed.

Sapelo, Ga.
Transferred to Secretary of Agriculture for use of Biological Survey.

SEC. 33. The Secretary of Commerce is authorized to transfer to the Secretary of Agriculture for use of the Bureau of Biological Survey the Sapelo Lighthouse Reservation, Georgia, which is no longer required for lighthouse purposes, comprising an area of approximately one hundred and ninety-five acres with appurtenant structures thereon.

Fairport, Ohio.

SEC. 34. The Secretary of Commerce is hereby authorized in his discretion to dispose of the lighthouse reservation in the village of Fairport, Ohio, in the manner and under the conditions indicated:

Portion conveyed to village.

(1) To convey to the village of Fairport, Ohio, for public purposes all of the lighthouse reservation located at Second and High Streets in the said village and extending from Second Street north to the shore of Lake Erie, except that portion hereinafter described adjacent to Second Street on which the present lighthouse buildings are located: *Provided*, That as a condition precedent to such transfer the village of Fairport, Ohio, shall first convey to the United States of America, free of all encumbrances, the following-described parcel of land situated in the said village:

Proviso.
Land in exchange.

Description.

Beginning at the southwest corner of lot 53, which point is one hundred and thirty-two feet north eighty-nine degrees forty minutes east from an iron pin at the intersection of the east line of High Street and north line of Second Street; thence due north a distance of approximately one hundred and twenty-nine feet along the east line of lot 54 to its intersection with the southerly line of Prospect Street; thence north fifty-nine degrees fifty-five minutes east along the south line of Prospect Street, a distance of approximately seventy-six feet, to its intersection with the west line of lot 52; thence southerly along the west line of lot 52, a distance of approximately one hundred and sixty-seven feet to the north line of Second Street; thence sixty-six feet south eighty-nine degrees forty minutes west along the north line of Second Street to the place of beginning, being all of lot 53 of original plat of Grandon, now known as the "village of Fairport, Ohio."

The portion of the lighthouse reservation to be reserved from the above is rectangular in form and lies adjacent to Second Street with a frontage of two hundred feet, more or less, on the west side of High Street and of such depth along Second Street as shall be fixed by the Secretary of Commerce to adequately include all existing buildings and improvements of the Lighthouse Service on the said property.

Exchanges authorized.
Fairport, Ohio.

(2) To convey to the village of Fairport, Ohio, for public purposes, the remainder of the lighthouse reservation together with the buildings thereon reserved in condition (1) upon conveyance to the United States by the village of Fairport, Ohio, free of all encumbrances, of a parcel of land in said village, and the construction thereon without cost to the United States of a brick dwelling and necessary appurtenances to replace the buildings now used by the Lighthouse Service: *Provided*, That the size and location of the site shall be satisfactory to the Secretary of Commerce and that the proposed buildings shall be constructed and satisfactorily completed in accordance with plans and specifications to be furnished by the Secretary of Commerce.

Proviso.
Condition.

Grindel Point, Me.
Conveyed to Islesboro.

SEC. 35. The Secretary of Commerce is authorized on behalf of the United States, upon receipt of payment of the amount of $1,200, to convey by quitclaim deed to the town of Islesboro, Maine, the Grindel Point Lighthouse Reservation, Maine, containing two and

sixteen one-hundredths acres, more or less, above mean high-water line, except a tract twelve feet square between the tower and shore line which is required for lighthouse purposes, together with wooden frame dwelling and other buildings and structures thereon, except the lighthouse lantern atop the lighthouse tower, which will be removed by the Government. The Government reserves the privilege of landing at the reservation and the right to pass and repass between the shore and the plot upon which the tower is to be erected. The deed of conveyance will contain a metes and bounds description of the property to be conveyed. The said parcel of land was acquired by the United States by warranty deed dated July 11, 1849, which was recorded on July 12, 1849, in book 66, page 526, Waldo County, Maine.

Conditions imposed.

SEC. 36. Each conveyance authorized by sections 1, 3, 4, 5, 7, 9, 10, 11, 12, 16, 17, 19, 20, 21, 22, 23, 27, 28 and 37 shall be subject to the express condition that the grantee assumes the obligations imposed by such sections, including carrying out the purposes of the grant. The Secretary of Commerce may at any time, by letter addressed to its chief executive officer or officers, notify any such grantee which has not begun to perform any such obligation that the property so conveyed will revert to the United States; and if such grantee does not begin or resume the performance of such obligation within a period of six months from the date of such notice, such property shall, upon the expiration of such period, revert to the United States without further notice or demand or any suit or proceeding. The United States reserves the right to resume ownership, possession, and control, for Government purposes, of any of the property so conveyed, at any time and without the consent of the grantee.

Reversionary clause.

Grosse Point. Conveyed to Evanston, Ill., for public park.

SEC. 37. The Secretary of Commerce is authorized to convey to the city of Evanston, Illinois, for public-park purposes the Grosse Point Lighthouse Reservation, comprising an area of about one hundred feet by five hundred and thirty-five feet and appurtenant structures thereon with the exception of the brick light tower and the plot of land surrounding same about forty-five feet by sixty-five feet, together with the rights of ingress and egress, for the purpose of maintaining the light. The deed of conveyance shall describe by metes and bounds the portion of the reservation transferred, and the conditions imposed by section 36 of this Act.

Approved, May 28, 1935.

[CHAPTER 156.]

AN ACT

To authorize the disposal of surplus personal property, including buildings, of the Emergency Conservation Work.

May 29, 1935.
[S. 82.]
[Public, No. 82.]

Emergency Conservation Work.
Disposal of surplus property authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Director of Procurement, United States Treasury Department, be, and he is hereby, authorized and directed to transfer to Federal agencies, either permanent or emergency, personal property which is no longer required for use by the Emergency Conservation Work, including equipment, tools, materials, and buildings, when so declared surplus by the Director of the Emergency Conservation Work: *Provided*, That upon the recommendation of the Department under which the technical work of the camp was organized and supervised any such surplus property that is not desired by any Federal agency may be transferred without cost, except for expenses incident to transfer, to the forestry, park, conservation, or educational departments of the States, or to counties or municipalities, or to organiza-

Proviso.
Transfer to States, etc.

tions engaged in the promotion of education, recreation, and/or health.

Disposals through sales.

SEC. 2. Surplus property of the Emergency Conservation Work not required to serve any of the above purposes will be disposed of by the Director of Procurement through sale or in any other manner he may direct.

Approved, May 29, 1935.

[CHAPTER 157.]

AN ACT

May 29, 1935. [H. R. 2045.] [Public, No. 83.]

To set aside certain lands for the Chippewa Indians in the State of Minnesota.

Chippewa Indians in Minnesota. Certain lands set aside for use of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described lands are hereby withdrawn from the Minnesota National Forest Reserve under the Department of Agriculture and are hereby permanently reserved as Indian lands for the use of the Chippewas in the State of Minnesota, without in any manner affecting existing reserves for church, cemetery, or other purposes, or individual rights and interests in said lands:

Description.

South half southwest quarter northeast quarter and lots 9 to 30, inclusive, section 17, township 142 north, range 30 west, fifth principal meridian, Minnesota, containing one hundred and sixty-eight and forty-four one-hundredths acres.

Permanent reservation declared.

SEC. 2. Said lands are hereby permanently reserved in trust for the use of the Chippewa Indians of Minnesota for village site purposes.

Reimbursement from Indian funds.

SEC. 3. The Secretary of the Interior is hereby authorized to withdraw from the Chippewa tribal fund now held in trust in the Treasury of the United States a sufficient sum to reimburse the United States for any moneys paid said Chippewa Indians for these lands.

Approved, May 29, 1935.

[CHAPTER 158.]

AN ACT

May 29, 1935. [H. R. 3975.] [Public, No. 84.]

To provide for the establishment of a Coast Guard station on the coast of Georgia, at or near Sea Island Beach.

Sea Island Beach, Ga. Establishment of Coast Guard station at, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized to establish a Coast Guard station on the coast of Georgia, at or near Sea Island Beach, at such point as the Commandant of the Coast Guard may recommend.

Approved, May 29, 1935.

[CHAPTER 159.]

AN ACT

May 29, 1935. [H. R. 6954.] [Public, No. 85.]

To authorize the transfer of the Green Lake Fish Cultural Station in Hancock County, Maine, as an addition to Acadia National Park.

Green Lake Fish Cultural Station, Me. Transfer of, to Acadia National Park authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce be, and he is hereby, authorized and directed to transfer to the control and jurisdiction of the Secretary of the Interior as an addition to the Acadia National Park, established under the Act of February 26, 1919 (40 Stat. 1178), and Acts supplemental thereto, all that tract of land containing eight hundred

Vol. 40, p. 1178; Vol. 45, p. 1063.

and twenty acres, more or less, with improvements thereon if any, comprising the abandoned Green Lake Fish Cultural Station, in Hancock County, Maine, said tract being no longer needed for fish-cultural purposes: *Provided*, That such action shall be in full recognition of any outstanding lease, license, or permit, affecting said land.

Proviso. Outstanding leases, permits, etc., recognized.

Approved, May 29, 1935.

[CHAPTER 160.]

AN ACT

To amend section 128 of the Judicial Code, as amended.

May 31, 1935. [H. R. 6114.] [Public, No. 86.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph "Third" of subsection (a) of section 128 of the Judicial Code, as amended (43 Stat. 936; U. S. C., title 28, sec. 225(a)), be, and it is hereby, amended to read as follows:

Circuit courts of appeals. Vol. 43, p. 936; U. S. C., p. 1259.

"Third. In the district courts for Alaska or any division thereof, and for the Virgin Islands, in all civil cases wherein the Constitution or a statute or treaty of the United States or any authority exercised thereunder is involved; in all other civil cases wherein the value in controversy, exclusive of interest and costs, exceeds $1,000; in all criminal cases, and in all habeas corpus proceedings; and in the District Court of the Canal Zone in the cases and modes prescribed in sections 61 and 62, title 7, Canal Zone Code (48 Stat. 1122).

Review of final decisions.

Alaska and Virgin Islands.

Canal Zone. Vol. 48, p. 1122.

Approved, May 31, 1935.

[CHAPTER 164.]

AN ACT

To amend the Emergency Farm Mortgage Act of 1933, to amend the Federal Farm Loan Act, to amend the Agricultural Marketing Act, and to amend the Farm Credit Act of 1933, and for other purposes.

June 3, 1935. [S. 1384.] [Public, No. 87.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Farm Credit Act of 1935."

Farm Credit Act of 1935.

SEC. 2. (a) Section 32 of the Emergency Farm Mortgage Act of 1933, as amended (U. S. C., Supp. VII, title 12, sec. 1016), is further amended by striking out of the third sentence the following: "and made for the purpose of reducing and refinancing an existing mortgage".

Emergency Farm Mortgage Act, amendments. Farm Loan Commissioner; loans to farmers. Repayment provisions modified. Vol. 48, p. 48; U. S. C., p. 441.

(b) Such section 32, as amended, is further amended by striking out the fifth sentence and inserting in lieu thereof the following: "Loans may be made under this section for any of the purposes for which Federal land banks are authorized by law to make loans, and for the following additional purpose, and none other: Refinancing, either in connection with proceedings under chapter VIII of the Bankruptcy Act of July 1, 1898, as amended, or otherwise, any indebtedness, secured or unsecured, of the farmer, or which is secured by a lien on all or any part of the farm property accepted as security for the loan."

Purposes of loans enlarged. *Ante*, p. 300.

U. S. C., p. 333.

(c) Such section 32, as amended, is further amended by striking out the seventh sentence and inserting in lieu thereof the following: "As used in this section, (1) the term 'farmer' means any person who is at the time, or shortly to become, bona fide engaged in farming operations, either personally or through an agent or tenant, or the principal part of whose income is derived from farming operations or livestock raising, and includes a personal representative

Definitions.

"Farmer". Vol. 48, p. 48.

"Person".

"Corporation".

Restrictions on loans to corporations.

of a deceased farmer; (2) the term 'person' includes an individual or a corporation engaged in the raising of livestock; and (3) the term 'corporation' includes any incorporated association; but no such loan shall be made to a corporation (A) unless all the stock of the corporation is owned by individuals themselves personally actually engaged in the raising of livestock on the land to be mortgaged as security for the loan, except in a case where the Land Bank Commissioner permits the loan if at least 75 per centum in value and number of shares of the stock of the corporation is owned by the individuals personally actually so engaged, and (B) unless the owners of at least 75 per centum in value and number of shares of the stock of the corporation assume personal liability for the loan. No loan shall be made to any corporation which is a subsidiary of, or affiliated (either directly or through substantial identity of stock ownership) with, a corporation ineligible to procure a loan in the amount applied for."

Loans; time for making extended.
Ante, p. 300.
Vol. 48, p. 347.

(d) Such section 32, as amended, is further amended by striking out the eighth and ninth sentences and inserting in lieu thereof the following: "Until February 1, 1940, the Land Bank Commissioner shall, in his name, make loans under this section on behalf of the Federal Farm Mortgage Corporation, and may make such loans in cash or in bonds of the corporation, or if acceptable to the borrower, in consolidated farm loan bonds; but no such loans shall be made by him after February 1, 1940, except for the purpose of refinancing loans previously made by him under this section. As much as may be necessary of the assets of the corporation, including the bonds (and proceeds thereof) issued under section 4 of the Federal Farm Mortgage Corporation Act, may be used for the purposes of this section."

Form of.

Limitation on amount of bonds removed.
Vol. 48, p. 345.

Federal land banks may execute releases, etc., on behalf of Commissioner or Corporation.
Vol. 48, pp. 48, 347.

(e) Such section 32, as amended, is further amended by inserting at the end thereof the following: "Any Federal land bank, when duly authorized by the Land Bank Commissioner and the Federal Farm Mortgage Corporation, shall have the power to execute any instrument relating to any mortgage taken to secure a loan made or to be made under this section, or relating to any property included in any such mortgage, or relating to any property acquired by the Land Bank Commissioner and/or the Federal Farm Mortgage Corporation. Any such instrument heretofore or hereafter executed on behalf of the Land Bank Commissioner and/or the Federal Farm Mortgage Corporation by a Federal land bank, through its duly authorized officers, shall be conclusively presumed to have been duly authorized by the Land Bank Commissioner and the Federal Farm Mortgage Corporation."

Federal Farm Loan Act, amendments.
Vol. 39, p. 372; Vol. 48, p. 43; U. S. C., p. 429.
Post, pp. 592, 1829, 1912.

SEC. 3. (a) Effective July 1, 1935, the first sentence of paragraph "Twelfth" of section 12 of the Federal Farm Loan Act, as amended, is amended by striking out the following: "within two years after such date, shall not exceed 4½ per centum per annum for all interest payable on installment dates occurring within a period of five years commencing sixty days after the date this paragraph takes effect; and no payment of the principal portion of any installment of any such loan shall be required during such five-year period if the borrower shall not be in default with respect to any other condition or covenant of his mortgage", and inserting in lieu thereof the following: "after such date, shall not exceed 3½ per centum per annum for all interest payable on installment dates occurring within a period of one year commencing July 1, 1935, and shall not exceed 4 per centum per annum for all interest payable on installment dates

Interest rates on loans.

occurring within a period of two years commencing July 1, 1936; and no payment of the principal portion of any installment of any such loan outstanding on the date of the enactment of the Farm Credit Act of 1935 shall be required prior to July 1, 1938, if the borrower shall not be in default with respect to any other condition or covenant of his mortgage."

Payments on principal deferred.

(b) Effective July 1, 1935, the second sentence of such paragraph "Twelfth" is amended by striking out the following: "the rate of interest on such loans for such five-year period shall be 5 per centum in lieu of 4½ per centum", and inserting in lieu thereof: "the rates of interest paid for the respective periods above specified shall be one-half of 1 per centum per annum in excess of the rates of interest paid during the corresponding periods by borrowers on mortgage loans made through national farm loan associations".

Loans made by Federal Land Banks. Vol. 48, p. 43; U. S. C., p. 429.

Rates of interest.

SEC. 4. The fourth sentence of section 24 of the Federal Farm Loan Act, as amended (U. S. C., Supp. VII, title 12, sec. 913), is further amended by striking out the period at the end thereof and inserting in lieu thereof a colon and the following: "*Provided*, That the declaration and payment of any such dividend shall be subject to the approval of the Land Bank Commissioner."

National Farm Loan Associations; dividends. Vol. 39, p. 380; Vol. 47, p. 14; U. S. C., p. 438.

Proviso. Approval required.

SEC. 5. (a) Paragraph (1) of subsection (a) of section 202 of the Federal Farm Loan Act, as amended (U. S. C., Supp. VII, title 12, sec. 1031), is further amended by striking out that portion of the paragraph which follows the second semicolon and inserting in lieu thereof the following: "and to discount for, or purchase from, any production credit association or bank for cooperatives organized under the Farm Credit Act of 1933, or any production credit association in which a Production Credit Corporation organized under such Act holds stock, with its indorsement, any note, draft, bill of exchange, debenture, or other such obligation presented by such association or bank, and to make loans and advances direct to any such association or bank secured by such collateral as may be approved by the Governor of the Farm Credit Administration;".

Federal intermediate credit banks. Vol. 48, p. 271; U. S. C., p. 444.

Discounts and loans to banks for cooperatives, authorized. Vol. 48, p. 257.

Collateral required.

(b) Paragraph (3) of subsection (a) of such section 202, as amended, is further amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "at such rates of commission as may be approved by the Governor of the Farm Credit Administration."

Commission on drafts, etc., upon banks by cooperative associations. Vol. 48, p. 272.

(c) Subsection (d) of such section 202, as amended (U. S. C., Supp. VII, title 12, sec. 1034), is hereby repealed.

Rates of interest; discount rates. Vol. 42, p. 1456, repealed.

SEC. 6. (a) Subsection (a) of section 203 of the Federal Farm Loan Act (U. S. C., title 12, sec. 1041) is amended by striking out the proviso and inserting in lieu thereof the following: "*Provided*, That the aggregate amount of the outstanding debentures and similar obligations issued individually by any Federal intermediate credit bank, together with the amount of outstanding consolidated debentures issued for its benefit and account, shall not exceed ten times the surplus and paid-in capital of such bank".

Debentures. Vol. 42, p. 1456; U. S. C., p. 445.

Aggregate amount authorized.

(b) Such section 203 (U. S. C., title 12, secs. 1041–1043) is further amended by adding at the end thereof the following new subsections:

Vol. 42, p. 1456.

"(d) Whenever it shall appear desirable to issue consolidated debentures of the twelve Federal intermediate credit banks and to sell them through a common selling agency, and the Federal intermediate credit banks shall, by resolutions, consent to the same, the banks may issue and sell said debentures subject to the provisions of this section and the provisions of section 21 of Title I of this Act, insofar as applicable. As used in this Act, the term 'debentures' includes such consolidated debentures.

Consolidated debentures; issue and sale.

U. S. C., p. 445.

"Debenture" construed.

Acceptable as lawful investment for public funds.

"(e) All debentures issued by Federal intermediate credit banks shall be lawful investments, and may be accepted as security, for all fiduciary, trust, and public funds, the investment or deposit of which shall be under the authority or control of the United States or of any officer or officers thereof."

Vol. 42, p. 1456; Vol. 43, p. 1262. U. S. C., p. 445. Federal intermediate credit banks; rates of discount and interest.

SEC. 7. Subsection (a) of section 204 of the Federal Farm Loan Act, as amended (U. S. C., Supp VII, title 12, sec. 1051), is further amended to read as follows:

Approval required.

"(a) Any Federal intermediate credit bank may, with the approval of the Intermediate Credit Commissioner, from time to time establish rates of discount and interest which, except with the approval of the Governor of the Farm Credit Administration, shall not exceed by more than 1 per centum per annum the rate borne by the last preceding issue of debentures which it issued or in which it participated. Any Federal intermediate credit bank may be required by the Governor of the Farm Credit Administration to acquire, upon such terms as he may approve, loans and/or discounts of any other Federal intermediate credit bank."

Acquiring loans, etc., of other credit banks.

Vol. 42, p. 1458; U. S. C., p. 446.

SEC. 8. Section 208 of the Federal Farm Loan Act (U. S. C., title 12, secs. 1091–1094) is amended by adding at the end thereof the following new subsection:

Reports, records, etc., of executive departments, agencies.

"(e) The executive departments, boards, commissions, and independent establishments of the Government, the Reconstruction Finance Corporation, the Federal Deposit Insurance Corporation, the Federal Reserve Board, and the Federal Reserve banks are severally authorized, under such conditions as they may prescribe, to make available to any Federal intermediate credit bank, in confidence, upon the request of the Governor of the Farm Credit Administration, such reports, records, or other information as they may have available relating to the condition of any institution to which a Federal intermediate credit bank has made, or contemplates making, loans, or which it is using, or contemplates using, as a custodian of securities or other credit instruments, or as a depositary."

Availability to banks.

Agricultural Marketing Act, amendments. Vol. 46, p. 14; Vol. 48, p. 265; U. S. C., p. 454.

SEC. 9. Paragraph (2) of subsection (a) of section 7 of the Agricultural Marketing Act, as amended (U. S. C., Supp VII, title 12, sec. 1141e), is further amended to read as follows:

Loans to cooperative associations. Construction, etc., of facilities.

"(2) the construction or acquisition by purchase or lease, or refinancing the cost of such construction or acquisition, of physical facilities."

Vol. 48, p. 265.

SEC. 10. Paragraph (1) of subsection (c) of section 7 of the Agricultural Marketing Act, as amended (U. S. C., Supp. VII, title 12, sec. 1141e), is further amended to read as follows:

Amount.

"(1) No loan shall be made in an amount in excess of 60 per centum of the appraised value of the security therefor."

Vol. 48, p. 266; U. S. C., p. 455.

SEC. 11. Subsection (a) of section 8 of the Agricultural Marketing Act, as amended (U. S. C., Supp. VII, title 12, sec. 1141f), is further amended to read as follows:

Interest rates.

"(a) Loans to any cooperative association shall bear such rates of interest as the Governor of the Farm Credit Administration shall from time to time determine to be necessary for the needs of the lending agencies and shall by regulation prescribe (but in no case shall the rate of interest exceed 6 per centum per annum on the unpaid principal): *Provided, however*, That the rate of interest on any loan made under the provisions of section 7 (a) (1) hereof, other than upon the security of commodities, shall conform as nearly as may be practicable to a rate 1 per centum in excess of the prevailing interest rate paid by production credit associations to the

Proviso. Loans for merchandising agricultural commodities. Vol. 46, p. 14; Vol. 47, p. 265.

Federal intermediate credit bank of the land bank district in which the principal business office of the borrower is located; the rate of interest on any loan made upon the security of commodities shall conform, as nearly as may be practicable, to the prevailing interest rate on commodity loans charged borrowers from the Federal intermediate credit bank of the land bank district in which the principal business office of the borrower is located; and that the rate of interest on any loan made under the provisions of section 7 (a) (2) hereof shall conform as nearly as may be practicable to the prevailing rate on mortgage loans made to members of national farm loan associations."

Loans upon security of commodities.

Loans for construction of physical facilities.

Vol. 46, p. 14; Vol. 48, p. 265.

SEC. 12. Subsection (a) of section 15 of the Agricultural Marketing Act, as amended (U. S. C., Supp. VII, title 12, sec. 1141j), is further amended to read as follows:

Vol. 46, p. 18; Vol. 48, p. 266; U. S. C., p. 456.

"(a) As used in this Act, the term 'cooperative association' means any association in which farmers act together in processing, preparing for market, handling, and/or marketing the farm products of persons so engaged, and also means any association in which farmers act together in purchasing, testing, grading, processing, distributing, and/or furnishing farm supplies and/or farm business services: *Provided, however*, That such associations are operated for the mutual benefit of the members thereof as such producers or purchasers and conform to one or both of the following requirements:

"Cooperative association", defined.

Proviso. Operation for mutual benefit, etc.

"First. That no member of the association is allowed more than one vote because of the amount of stock or membership capital he may own therein; and

Requirements.

"Second. That the association does not pay dividends on stock or membership capital in excess of 8 per centum per annum.

"And in any case to the following:

"Third. That the association shall not deal in farm products, farm supplies, and farm business services with or for nonmembers in an amount greater in value than the total amount of such business transacted by it with or for members. All business transacted by any cooperative association for or on behalf of the United States or any agency or instrumentality thereof shall be disregarded in determining the volume of member and nonmember business transacted by such association."

SEC. 13. Section 34 of the Farm Credit Act of 1933 is amended to read as follows:

Farm Credit Act of 1933, amendments.

Vol. 48, p. 262.

"SEC. 34. Subject to such terms and conditions as may be prescribed by the Chairman of its Board of Directors, the Central Bank is authorized: (a) to make loans to cooperative associations, as defined in the Agricultural Marketing Act, as amended, for any of the purposes and subject to the conditions and limitations set forth in such Act, as amended; (b) to make loans (by way of discount or otherwise) to banks for cooperatives organized under section 2 of this Act; (c) to buy from, and sell to, any such bank or any Federal intermediate credit bank any note, draft, bill of exchange, debenture, or other obligations; and (d) to borrow from, and discount or rediscount paper with, any and all such banks."

Central bank for cooperatives.

Lending powers of.

Vol. 46, p. 18; Vol. 48, p. 266; U. S. C., p. 451.

Vol. 48, p. 257.

Authority to deal with Federal intermediate credit banks.

SEC. 14. Section 41 of the Farm Credit Act of 1933 (U. S. C., Supp. VII, title 12, sec. 1134c) is amended to read as follows:

Vol. 48, p. 264; U. S. C., p. 451.

"SEC. 41. Subject to such terms and conditions as may be prescribed by the Governor, the banks for cooperatives are authorized: (a) to make loans to cooperative associations as defined in the Agricultural Marketing Act, as amended, for any of the purposes and subject to the conditions and limitations set forth in such Act, as amended; (b) to make loans (by way of discount or otherwise)

Banks for cooperatives.

Lending powers of.

Authority to deal with Federal intermediate credit banks.

to any bank organized under this Act; (c) to buy from, and sell to, any such bank or any Federal intermediate credit bank any note, draft, bill of exchange, debenture, or other obligation; and (d) to borrow from, and discount or rediscount paper with, any and all such banks."

Borrowers from central bank; stock ownership.
Vol. 48, p. 263; U. S. C., p. 451.
Requirement waived when loan secured by commodities.

SEC. 15. (a) The first sentence of subsection (a) of section 35 of the Farm Credit Act of 1933 (U. S. C., Supp. VII, title 12, sec. 1134k) is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "except that, in connection with any loan made on the security of commodities, the borrower shall be required to own, at the time the loan is made, only such amount of stock as may be prescribed by rules and regulations of the Governor."

Retirement of stock upon discharge of loan.

(b) Subsection (a) of such section 35 is further amended by striking out the second sentence and inserting in lieu thereof the following: "Upon discharge of the loan, stock held by the borrowing association may be, and upon the concurrent or subsequent request of the borrowing association shall be, retired and canceled, and the association shall be paid therefor an amount equal to the amount paid for such stock or loaned to subscribe therefor, as the case may be, minus the pro rata impairment, if any, of capital and guaranty fund of the Central Bank, as determined by the Chairman of the Board of the Central Bank."

(c) Such section 35 is further amended by adding at the end thereof the following new subsection:

Stock of defaulting borrower.

"(c) In any case where the debt of a borrower to the Central Bank is in default, the bank may, in accordance with rules and regulations prescribed by the Governor, retire and cancel all or a part of the stock of the defaulting borrower at the fair book value thereof (not exceeding par), in total or partial liquidation of the debt, as the case may be."

Emergency Farm Mortgage Act of 1933, amendments.
Joint stock land banks; time for loans to, extended.
Vol. 48, p. 46; U. S. C., p. 433.

SEC. 16. (a) The first sentence of subsection (a) of section 30 of the Emergency Farm Mortgage Act of 1933 is amended by striking out the words "two years" and inserting in lieu thereof the words "four years".

(b) The fourth sentence of subsection (b) of such section 30 is amended:

Agreement required as condition for loan.

(1) By striking out the words "occurring more than sixty days after the date of enactment of this Act", and

(2) By striking out the words "a period of two years from the date of enactment of this Act" and inserting in lieu thereof the following: "a period of two years from the date of the enactment of the Farm Credit Act of 1935".

Loans to joint stock land banks for emergency purposes.
Vol. 48, p. 47.
Time for making extended.

SEC. 17. (a) The first sentence of subsection (a) of section 31 of the Emergency Farm Mortgage Act of 1933 is amended by striking out the words "for two years from the date of the enactment of this Act" and inserting in lieu thereof a comma and the following: "until May 13, 1937,".

Foreclosures.

(b) Subsection (b) of such section 31 is amended by striking out the words "such two-year period" and inserting in lieu thereof the following: "the period of postponement".

Loans to oyster planters.
Vol. 48, p. 983.

(c) The first sentence of the Act entitled "An Act to authorize production credit associations to make loans to oyster planters", approved June 18, 1934 (U. S. C., title 12, sec. 1131j), is amended

Condition removed.

by striking out the following: "who are carrying on their operations under leases of oyster beds granted by any State or political subdivision thereof".

Federal Farm Loan Act, amendments.
Vol. 39, p. 370; Vol. 41, p. 570; U. S. C., p. 428.

SEC. 18. Paragraph "Sixth" of section 12 of the Federal Farm Loan Act, as amended (U. S. C., title 12, sec. 771), is further amended by adding at the end thereof the following new sentence: "As used in this paragraph (1) the term 'person' includes an individual or a corporation engaged in the raising of livestock; and (2) the term 'corporation' includes any incorporated association; but no such loan shall be made to a corporation (A) unless all the stock of the corporation is owned by individuals themselves personally actually engaged in the raising of livestock on the farm to be mortgaged as security for the loan, except in a case where the Land Bank Commissioner permits the loan if at least 75 per centum in value and number of shares of the stock of the corporation is owned by the individuals personally actually so engaged, and (B) unless the owners of at least 75 per centum in value and number of shares of the stock of the corporation assume personal liability for the loan. No loan shall be made to any corporation which is a subsidiary of, or affiliated (either directly or through substantial identity of stock ownership) with, a corporation ineligible to procure a loan in the amount applied for."

Loan restrictions.
Terms defined.
"Person".
"Corporation".

Restrictions on loans to corporations.

Organization of national farm loan associations.
Vol. 39, p. 365; U. S. C., p. 425.

SEC. 19. (a) The first sentence of the sixth paragraph of section 7 of the Federal Farm Loan Act, as amended (U. S. C., title 12, sec. 716), is amended to read as follows: "Ten or more persons who are the owners, or about to become the owners, of farm lands qualified as security for a mortgage loan under section 12 of this Act, may unite to form a national farm-loan association."

"Person", construed.

(b) The sixth paragraph of such section 7 is further amended by adding at the end thereof the following new sentence: "As used in this section, the term 'person' includes an individual, an incorporated association, and a corporation which is eligible for a loan under section 12 of this Act."

Vol. 39, p. 368; U. S. C., p. 427.

SEC. 20. (a) The first sentence of the fifth paragraph of section 9 of the Federal Farm Loan Act, as amended (U. S. C., title 12, sec. 745), is amended by striking out the words "any natural person" and inserting in lieu thereof "any person."

Loan applicants.

"Person", construed.

(b) The fifth paragraph of such section 9 is further amended by adding at the end thereof the following new sentence: "As used in this section, the term 'person' includes an individual, an incorporated association, and a corporation which is eligible for a loan under section 12 of this Act."

Vol. 39, p. 370.

False statement in application for loans.
Vol. 39, p. 382; U. S. C., p. 440.

SEC. 21. The first sentence of the first paragraph of section 31 of the Federal Farm Loan Act, as amended (U. S. C., title 12, sec. 981), is amended to read as follows: "Any applicant for a loan under this Act, or officer or representative of any such applicant, who shall knowingly make any false statement in the application for such loan, and any member of a loan committee or any appraiser provided for in this Act who shall willfully overvalue any land offered as security for loans under this Act, shall be punished by a fine of not exceeding $5,000, or by imprisonment not exceeding one year, or both."

Punishment for.

Appraising earning power of lands for livestock raising.
Vol. 39, p. 370; U. S. C., p. 428.

SEC. 22. Paragraph "Fifth" of section 12 of the Federal Farm Loan Act, as amended (U. S. C., Supp. VII, title 12, sec. 771), is further amended by inserting after the third sentence thereof the following: "In determining the earning power of land used for the raising of livestock, due consideration shall be given to the extent to which the earning power of the fee-owned land is augmented by a lease or permit, granted by lawful authority of the United States or of any State, for the use of a portion of the public lands of the United States or of such State, where such permit or lease is in the nature of a right adjunctive to such fee-owned land, and

its availability for use as such during the terms of the loan is reasonably assured."

Persons ineligible to hold office hereunder.

SEC. 23. On and after the date of enactment of this Act no person shall be eligible for appointment or election as an administrative or executive official or as a member of the board of directors of a Federal land bank, or shall continue to hold office as such member or as an ex-officio director of a Federal intermediate credit bank or of any corporation or bank organized pursuant to the Farm Credit Act of 1933, if such person has been finally adjudged guilty of a felony, or finally adjudged liable in damages in any civil proceeding for fraud, in any State or Federal court.

Saving clause.

SEC. 24. (a) If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Right to amend, etc.

(b) The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 3, 1935.

[CHAPTER 165.]

JOINT RESOLUTION

June 3, 1935.
[S. J. Res. 88.]
[Pub. Res., No. 22.]

To abolish the Puerto Rican Hurricane Relief Commission and transfer its functions to the Secretary of the Interior.

Puerto Rican Hurricane Relief Commission, abolished.
Vol. 45, p. 1067.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Puerto Rican Hurricane Relief Commission, created by joint resolution entitled "Joint resolution for the relief of Porto Rico", approved December 21, 1928, is hereby abolished and all of the functions of the said Commission, together with its employees, records, supplies, equipment, and property of every kind, and unexpended balances of appropriations are hereby transferred to the Division of Territories and Island Possessions, Department of the Interior, to be administered under the supervision of the Secretary of the Interior: *Provided*, That personnel now temporarily assigned to the Puerto Rican Hurricane Relief Commission from the War Department and from the Department of Agriculture shall, without in any way affecting their permanent status in such Departments, continue to serve in their present capacity, but under supervision of the Secretary of the Interior, until June 30, 1935, unless sooner relieved by the Secretary of the Interior, and that the length of such service shall not be continued beyond June 30, 1935, except by special agreement between the Secretary of the Interior and the heads of the other Departments concerned.

Functions, etc., transferred to Department of the Interior.

Proviso.
Personal services continued.

Approved, June 3, 1935.

[CHAPTER 167.]

AN ACT

June 4, 1935.
[S. 1023.]
[Public, No. 88.]

To provide for the payment of a military instructor for the high-school cadets of Washington, District of Columbia.

District of Columbia.
Payment of a military instructor for high-school cadets authorized.
Vol. 39, p. 582, waived.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, one retired officer of the United States Army, acting as professor of military science and tactics at the public high schools of Washington, District of Columbia, shall be permitted to receive, in addition to his retired pay, the pay of a teacher in the public high schools of Washington, District of

Columbia, not to exceed $1,800 per annum, under appointment by the Board of Education of the District of Columbia and payable from the appropriation for the expenses of the public schools of the District of Columbia.

Approved, June 4, 1935.

[CHAPTER 168.]

AN ACT

June 4, 1935.
[H. R. 2046.]
[Public, No. 89.]

To compensate the Chippewa Indians of Minnesota for lands set aside by treaties for their future homes and later patented to the State of Minnesota under the Swamp Land Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury of the United States not otherwise appropriated, the sum of $223,162.62, said amount to be credited to the trust fund of the Chippewa Indians of Minnesota arising under the provisions of section 7 of the Act of January 14, 1889, in full payment for one hundred and seventy-eight thousand five hundred and thirty and ten one-hundredths acres of land embraced within reservations established by the treaties of March 11, 1863 (12 Stat. 1249), May 7, 1864 (13 Stat. 693), and March 19, 1867 (16 Stat. 719), for the future homes of said Indians, and later patented to the State of Minnesota under the provisions of the amendatory Swamp Land Act of March 12, 1860, without compensation to said Indians.

Chippewa Indians of Minnesota.
Compensation to, for certain treaty lands.
Vol. 25, p. 645.
Post, p. 1765.

Vol. 12, p. 1249; Vol. 13, p. 693; Vol. 16, p. 719.

Vol. 12, p. 3; U. S. C., p. 1915.

SEC. 2. That the Secretary of the Interior be, and he hereby is, authorized to determine just and proper compensation to the respective attorneys representing the Chippewa Indians of Minnesota in the prosecution of their claims against the United States for the services rendered in the prosecution of said claim, said compensation to be based upon the nature, extent, character, and value of said services, and to pay such amounts, if any, as he may find said attorneys to be entitled to receive out of the trust funds standing to the credit of the Chippewa Indians of Minnesota.

Attorneys' fees, from Indian funds.

Approved, June 4, 1935.

[CHAPTER 169.]

AN ACT

June 4, 1935.
[H. R. 4528.]
[Public, No. 90.]

To extend the times for commencing and completing the construction of a bridge across the Mississippi River between New Orleans and Gretna, Louisiana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Mississippi River between New Orleans and Gretna, Louisiana, authorized to be built by George A. Hero and Allen S. Hackett, their successors and assigns, by an Act of Congress approved March 2, 1927, heretofore extended by Acts of Congress approved March 6, 1928, February 19, 1929, June 10, 1930, March 1, 1933, and March 5, 1934, are hereby further extended one and three years, respectively, from March 2, 1935.

Mississippi River.
Time extended for bridging, between New Orleans and Gretna, La.

Vol. 44, p. 1270; Vol. 45, pp. 193, 1229; Vol. 46, p. 551; Vol. 47, p. 1415; Vol. 48, p. 396.
Post, p. 1542.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, June 4, 1935.

[CHAPTER 170.]

AN ACT

June 4, 1935.
[H. R. 5547.]
[Public, No. 91.]

To extend the times for commencing and completing the construction of a bridge across the Des Moines River at or near Saint Francisville, Missouri.

Des Moines River.
Time extended for bridging, at Saint Francisville, Mo.

Vol. 47, p. 802; Vol. 48, p. 358, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for commencing and completing the construction of a bridge across the Des Moines River at or near Saint Francisville, Missouri, authorized to be built by Roy H. Campbell, Charles H. Brown, G. H. Wilsey, and Doctor H. O. Strosnider, by an Act of Congress approved February 14, 1933, heretofore extended by an Act of Congress approved February 24, 1934, are hereby extended one and three years, respectively, from February 14, 1935.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 4, 1935.

[CHAPTER 171.]

AN ACT

June 4, 1935.
[H. R. 6834.]
[Public, No. 92.]

To revive and reenact the Act entitled "An Act authorizing Vernon W. O'Connor, of Saint Paul, Minnesota, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Rainy River at or near Baudette, Minnesota."

Rainy River.
Authority for bridging, at Baudette, Minn., revived.
Vol. 47, p. 62.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved March 8, 1932, authorizing Vernon W. O'Connor, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Rainy River, at or near Baudette, Minnesota, be, and the same is hereby, revived and reenacted: *Provided*, That this Act shall be null and void unless the actual construction of the bridge herein referred to be commenced within one year and completed within three years from the date of approval hereof.

Proviso.
Time limitations.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 4, 1935.

[CHAPTER 172.]

AN ACT

June 4, 1935.
[H. R. 6859.]
[Public, No. 93.]

Granting the consent of Congress to the State Highway Commission of North Carolina to construct, maintain, and operate a free highway bridge across Waccamaw River, at or near Old Pireway Ferry Crossing, North Carolina.

Waccamaw River.
North Carolina may bridge, at Old Pireway Ferry Crossing.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State Highway Commission of North Carolina to construct, maintain, and operate a free highway bridge and approaches thereto across Waccamaw River, at a point suitable to the interests of navigation, about two miles east of the Old Pireway Ferry Crossing, in the counties of Columbus and Brunswick, State of North Carolina, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Construction.
Vol. 34, p. 84.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 4, 1935.

[CHAPTER 173.]

AN ACT

June 4, 1935.
[H. R. 6997.]
[Public, No. 94.]

Authorizing the State of Illinois and the State of Missouri to construct, maintain, and operate a free highway bridge across the Mississippi River between Kaskaskia Island, Illinois, and Saint Marys, Missouri.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the State of Illinois and the State of Missouri be, and are hereby, authorized to construct, maintain, and operate a free highway bridge and approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, between Kaskaskia Island, Illinois, and Saint Marys, Missouri, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Mississippi River.
Illinois and Missouri may bridge, between Kaskaskia Island and Saint Marys.

Construction.
Vol. 34, p. 84.

SEC. 2. There is hereby conferred upon the State of Illinois and the State of Missouri all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Right to acquire realty, etc., for approaches, etc.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, June 4, 1935.

[CHAPTER 174.]

AN ACT

June 4, 1935.
[H. R. 7291.]
[Public, No. 95.]

To extend the times for commencing and completing the construction of a bridge across the Rio Grande at or near Boca Chica, Texas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Rio Grande, at or near Boca Chica, Texas, authorized to be built by the Boca Chica Bridge Company, by an Act of Congress approved June 10, 1932, heretofore extended by Acts of Congress approved March 1, 1933, and June 19, 1934, are hereby further extended two and four years, respectively, from June 19, 1935.

Rio Grande.
Time extended for bridging, at Boca Chica, Tex.

Vol. 47, pp. 297, 1413, amended.
Vol. 48, p. 1117.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, June 4, 1935.

[CHAPTER 175.]

AN ACT

June 5, 1935.
[H. R. 6204.]
[Public, No. 96.]

To authorize the assignment of officers of the line of the Navy for aeronautical engineering duty only, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That officers of the line of the Navy, upon application, and with the approval of the Secretary of the Navy, may be designated for the performance of aeronautical engineering duty only. The President of the United States is hereby authorized, by and with the advice and consent of

Navy.
Assignment of line officers, upon request, for aeronautical engineering duty only, authorized.

Transfer of Construction Corps officers.

the Senate, to transfer and appoint officers of the Construction Corps of the Navy who are applicants to the corresponding rank and grade in the line of the Navy for the performance of aeronautical engineering duty only. Each officer of the Construction Corps so transferred and appointed shall have the lineal position and precedence in the line which he would have held had he remained in the line or had his original appointment been in the line except that no officer shall have his existing relative rank, precedence, or seniority in the Construction Corps altered by such transfer. Any officer of the Construction Corps so transferred and appointed and any line officer designated for the performance of aeronautical engineering duty only shall be carried as an additional number in the grade in which he is serving, and to which he may hereafter be promoted, and, except as otherwise provided in this Act, the performance of duty, succession to command, selection for promotion, examination for promotion, promotion, and retirement of such officers shall be governed by the provisions of existing law and of laws hereafter enacted relating to line officers assigned to engineering duty only.

Rank and precedence.

To be carried as additional numbers.

Existing provisions to govern.

Approved, June 5, 1935.

[CHAPTER 176.]

June 5, 1935.
[H. R. 6372.]
[Public, No. 97.]

AN ACT

To authorize the coinage of 50-cent pieces in connection with the Cabeza de Vaca Expedition and the opening of the Old Spanish Trail.

Cabeza de Vaca Expedition, etc.
Coinage to commemorate, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to indicate the interest of the Government of the United States in commemorating the four hundredth anniversary of the Expedition of Cabeza de Vaca and the opening of the Old Spanish Trail, there shall be coined by the Director of the Mint silver 50-cent pieces to the number of not more than ten thousand, of standard weight and fineness and of a special appropriate design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the models for master dies or other preparations for this coinage.

No Federal expense for dies, etc.

Issue.

SEC. 2. That the coins herein authorized shall be issued at par and only upon the request of the chairman of the El Paso Museum Committee.

Disposition.

SEC. 3. Such coins may be disposed of at par or at a premium by said committee and all proceeds shall be used in furtherance of the El Paso Museum.

Coinage laws applicable.

SEC. 4. That all laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same; regulating and guarding the process of coinage; providing for the purchase of material, and for the transportation, distribution, and redemption of the coins; for the prevention of debasement or counterfeiting; for security of the coin; or for any other purposes, whether said laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein directed.

Approved, June 5, 1935.

[CHAPTER 177.]

AN ACT

June 5, 1935.
[H. R. 7873.]
[Public, No. 98.]

To give the consent and approval of Congress to the extension of the terms and provisions of the present Rio Grande compact signed at Santa Fe, New Mexico, on February 12, 1929, and heretofore approved by Act of Congress dated June 17, 1930 (Public, Numbered 370, Seventy-first Congress, 46 Stat. 767).

Rio Grande compact.

Whereas the duly accredited commissioners representing the States of Colorado, New Mexico, and Texas, respectively, signed the Rio Grande compact at Santa Fe, New Mexico, on the 12th day of February 1929, and which said compact was thereafter duly ratified by the legislature of each of the aforesaid States and approved by Act of Congress on June 17, 1930 (Public, Numbered 370, Seventy-first Congress, 46 Stat. 767); and

Vol. 46, p. 767.

Whereas the legislature of each of the aforesaid States has by appropriate legislation, and pursuant to the express provisions of article 14 of said compact, extended the said compact for the term of two years from June 1, 1935, to June 1, 1937: Now, therefore

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent and approval of Congress is hereby given to the extension of the provisions of said Rio Grande compact, and all the terms thereof for the period of two years from June 1, 1935, to June 1, 1937, as heretofore ratified by the Legislature of the State of Colorado by Act approved April 13, 1935, by the Legislature of the State of New Mexico by Act approved February 25, 1935, and by the Legislature of the State of Texas by Act approved April 18, 1935.

Consent of Congress given to extension of, for two years.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Rights reserved.

Approved, June 5, 1935.

[CHAPTER 178.]

AN ACT

June 5, 1935.
[H. R. 7874.]
[Public, No. 99.]

To change the name of the German Orphan Asylum Association of the District of Columbia to the German Orphan Home of the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the name of the German Orphan Asylum Association of the District of Columbia, which was created a body politic and corporate by the Act entitled "An Act to reincorporate and preserve all the corporate franchises and property rights of the de facto corporation known as the 'German Orphan Asylum of the District of Columbia'", approved February 6, 1901, is hereby changed to the "German Orphan Home of the District of Columbia"; but this Act shall not be construed to affect any obligations, rights, or privileges of said corporation.

District of Columbia. German Orphan Home; name change.

Vol. 31, p. 761.

Approved, June 5, 1935.

[CHAPTER 181.]

AN ACT

June 6, 1935.
[S. 1212.]
[Public, No. 100.]

To amend section 1383 of the Revised Statutes of the United States.

Navy.
R. S., sec. 1383, p. 247; U. S. C., p. 1514.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1383 of the Revised Statutes of the United States is amended to read as follows:

Bonds of officers; Supply Corps.

"SEC. 1383. Every officer of the Supply Corps of the United States Navy shall, before entering upon the duties of his office, give good and sufficient bond to the United States, to be approved by the Secretary of the Navy and in such sum as the Secretary may direct, faithfully to account for all public funds and property which he may receive. The Secretary of the Navy may, in his discretion, waive the requirements of this section in the case of officers of the Supply Corps who are not accountable for public funds or public property."

Waiver of requirement.

That section 1383 of the Revised Statutes of the United States is hereby amended by striking out the period at the end of the section, inserting in lieu thereof a colon, and by adding the following: "*Provided*, That such requirement may, in the discretion of the Secretary of the Navy, be waived in the case of such officers who are not accountable for public funds or public property."

Approved, June 6, 1935.

[CHAPTER 182.]

AN ACT

June 6, 1935.
[S. 2899.]
[Public, No. 101.]

To provide for increasing the limit of cost for the construction and equipment of an annex to the Library of Congress.

Library of Congress, annex.
Limit of cost increased.
Vol. 46, p. 584; Vol. 48, p. 202.
Post, p. 1226.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limit of cost for the construction of the annex, Library of Congress, as fixed in section 4 of the Act entitled "An Act to provide for the construction and equipment of an annex to the Library of Congress", approved June 13, 1930, is hereby increased by $2,866,340; and the Architect of the Capitol is hereby authorized to enter into a contract or contracts for such amount or so much thereof as may be necessary in addition to the contract authority heretofore fixed by law for such annex.

Approved, June 6, 1935.

[CHAPTER 183.]

AN ACT

June 6, 1935.
[H. R. 3285.]
[Public, No. 102.]

Authorizing a preliminary examination of the Oswego, Oneida, Seneca, and Clyde Rivers in Oswego, Onondaga, Oneida, Madison, Cayuga, Wayne, Seneca, Tompkins, Schuyler, Yates, and Ontario Counties, New York, with a view to the controlling of floods.

State of New York.
Survey directed for controlling floods of designated rivers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized and directed to cause a preliminary examination to be made of the Oswego, Oneida, Seneca, and Clyde Rivers in Oswego, Onondaga, Oneida, Madison, Cayuga, Wayne, Seneca, Tompkins, Schuyler, Yates, and Ontario Counties, New York, with a view to the control of floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of floods of the Mississippi River, and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Vol. 37, p. 950.

Payment of costs.

Approved, June 6, 1935.

[CHAPTER 184.]

JOINT RESOLUTION

June 6, 1935.
[H. J. Res. 107.]
[Pub. Res., No. 23.]

Authorizing the President of the United States of America to proclaim October 11, 1935, General Pulaski's Memorial Day for the observance and commemoration of the death of Brigadier General Casimir Pulaski.

General Pulaski's Memorial Day.
Observance of October 11, 1935, as, invited.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and directed to issue a proclamation calling upon officials of the Government to display the flag of the United States on all governmental buildings on October 11, 1935, and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies in commemoration of the death of General Casimir Pulaski.

Approved, June 6, 1935.

[CHAPTER 188.]

AN ACT

June 7, 1935.
[S. 1522.]
[Public, No. 103.]

To provide funds for cooperation with public-school districts in Glacier County, Montana, in the improvement and extension of school buildings to be available to both Indian and white children.

Glacier County, Mont.
Funds for public-school construction, authorized.
Post, p. 584.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $100,000, of which $60,000 is to be used for the purpose of cooperating with School District Numbered 9 in Glacier County, Montana, in the improvement and extension of high-school buildings, and $40,000 to be used in the improvement and extension of school buildings in other public-school districts in said Glacier County: *Provided*, That said schools shall be available to both white and Indian children without discrimination, except that tuition may be paid for Indian children attending in the discretion of the Secretary of the Interior: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Provisos.
Attendance of Indian pupils.

Limitation on expenditures.

Approved, June 7, 1935.

[CHAPTER 189.]

AN ACT

June 7, 1935.
[S. 1523.]
[Public, No. 104.]

To provide funds for cooperation with the public-school board at Wolf Point, Montana, in the construction or improvement of a public-school building to be available to Indian children of the Fort Peck Indian Reservation, Montana.

Wolf Point, Mont.
Funds for public-school construction, authorized.
Post, p. 584.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $50,000 for the purpose of cooperating with the public-school board of district numbered 45, town of Wolf Point, county of Roosevelt, Montana, for construction, extension and betterment of the public high-school building at Wolf Point, Montana: *Provided*, That the expenditure of any money so authorized shall be subject to the express conditions that the school maintained by the said district in the said building shall be available to all Indian children of Fort Peck Indian Reservation, Montana, on the same terms, except as to payment of tuition, as other children of said school district, and that accommodations in said enlarged building to the extent of one-half its capacity shall be

Provisos.
Attendance of Indian pupils.

available for Indian children from the Fort Peck Reservation: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Limitation on expenditures.

Approved, June 7, 1935.

[CHAPTER 190.]

AN ACT

June 7, 1935.
[S. 1524.]
[Public, No. 105.]

To provide funds for cooperation with school district numbered 23, Polson, Montana, in the improvement and extension of school buildings to be available to both Indian and white children.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $40,000 for the purpose of cooperating with school district numbered 23, Polson, Montana, in the improvement and extension of public-school buildings: *Provided*, That the schools maintained by the district shall be available to both Indian and white children without discrimination, except that tuition may be paid for Indian children attending in the discretion of the Secretary of the Interior: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Polson, Mont.
Funds for public-school construction, authorized.
Post, p. 584.

Provisos.
Attendance of Indian pupils.

Limitation on expenditures.

Approved, June 7, 1935.

[CHAPTER 191.]

AN ACT

June 7, 1935.
[S. 1525.]
[Public, No. 106.]

To provide funds for cooperation with Joint School District Numbered 28, Lake and Missoula Counties, Montana, for extension of public-school buildings to be available to Indian children of the Flathead Indian Reservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $100,000 for the purpose of cooperating with Joint School District Numbered 28, Lake and Missoula Counties, Montana, for the extension and improvement of public-school buildings, namely, at Arlee in the sum of $40,000, at Roman in the sum of $30,000, and at Saint Ignatius in the sum of $30,000: *Provided*, That the expenditure of any money so appropriated shall be subject to the condition that the schools maintained by said district shall be available to all Indian children of the Flathead Indian Reservation, Montana, on the same terms, except as payment of tuition, as other children of said school district: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Lake and Missoula Counties, Mont.
Funds for public-school construction, authorized.
Post, p. 584.

Provisos.
Attendance of Indian pupils.

Limitation on expenditures.

Approved, June 7, 1935.

[CHAPTER 192.]

AN ACT

June 7, 1935.
[S. 1526.]
[Public, No. 107.]

To provide funds for cooperation with the school board at Brockton, Montana, in the extension of the public-school building at that place to be available to Indian children of the Fort Peck Indian Reservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $40,000 for the purpose of cooperating with the public-school board of district numbered 55, town of Brockton, and county of Roosevelt, Montana, for the extension and betterment of the public-school building at

Brockton, Mont.
Funds for public-school construction, authorized.
Post, p. 584.

Brockton, Montana: *Provided*, That the expenditure of any money so appropriated shall be subject to the express conditions that the school maintained by the said school district in the said building shall be available to all Indian children of the Fort Peck Indian Reservation, Montana, on the same terms, except as to payment of tuition, as other children of said school district, and that accommodations in said enlarged building to the extent of one-half its capacity shall be available for Indian children from the Fort Peck Reservation: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Provisos.
Attendance of Indian pupils.

Limitation on expenditures.

Approved, June 7, 1935.

[CHAPTER 193.]

AN ACT

June 7, 1935.
[S. 1528.]
[Public, No. 108.]

For expenditure of funds for cooperation with the public-school board at Poplar, Montana, in the construction or improvement of public-school building to be available to Indian children of the Fort Peck Indian Reservation, Montana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated from any moneys in the Treasury not otherwise appropriated the sum of $25,000 for the purpose of cooperating with the public-school board of district numbered 9, town of Poplar, Montana: *Provided*, That the expenditure of any money so authorized shall be subject to the express conditions that the school maintained by the said school district in the said building shall be available to all Indian children of Fort Peck Indian Reservation, Montana, on the same terms, except as to payment of tuition, as other children of said school district and that accommodations in said enlarged building to the extent of one-half its capacity shall be available for Indian children from the Fort Peck Reservation: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Poplar, Mont.
Funds for public-school construction, authorized.
Post, p. 584.

Provisos.
Attendance of Indian pupils.

Limitation on expenditures.

Approved, June 7, 1935.

[CHAPTER 194.]

AN ACT

June 7, 1935.
[S. 1530.]
[Public, No. 109.]

To authorize appropriations for the completion of the public high school at Frazer, Montana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized, out of any funds in the Treasury not otherwise appropriated, the sum of $25,000 for the completion of the public high school at Frazer, Montana, and for necessary equipment in connection therewith for manual, laboratory, and other lines of training.

Frazer, Mont.
Funds for public-school construction, authorized.
Post, p. 584.

Approved, June 7, 1935.

[CHAPTER 195.]

AN ACT

June 7, 1935.
[S. 1533.]
[Public, No. 110.]

To provide funds for cooperation with Marysville School District, number 325, Snohomish County, Washington, for extension of public-school buildings to be available for Indian children.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, from any moneys in the Treasury not otherwise appropriated, the sum of $38,000 for the

Marysville, Wash.
Funds for public-school construction, authorized.
Post, p. 584.

purpose of cooperating with Marysville School District, number 325, Snohomish County, Washington, for extension and improvements of school buildings: *Provided*, That the expenditure of any moneys so appropriated shall be subject to the condition that the schools maintained by said district shall be available to all the Indian children of the district on the same terms, except as to payment of tuitions, as other children of said school district: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Provisos.
Attendance of Indian pupils.

Limitations on expenditures.

Approved, June 7, 1935.

[CHAPTER 196.]

AN ACT

June 7, 1935.
[S. 1534.]
[Public, No. 111.]

To provide funds for cooperation with the school board at Queets, Washington, in the construction of a public-school building to be available to Indian children of the village of Queets, Jefferson County, Washington.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there it[1] hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $10,000 for the purpose of cooperating with the public-school board of district numbered 20, Jefferson County, Washington, for the construction, extension, and betterment of a public-school building at Queets, Washington: *Provided*, That the expenditure of any money so appropriated shall be subject to the express conditions that the school maintained by the said school district in the said building shall be available to all Indian children of the village of Queets and Jefferson County, Washington, on the same terms, except as to payment of tuition, as other children of said school district: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Queets, Wash.
Funds for public-school construction, authorized.
Post, p. 584.

Provisos.
Attendance of Indian pupils.

Limitation on expenditures.

Approved, June 7, 1935.

[CHAPTER 197.]

AN ACT

June 7, 1935.
[S. 1535.]
[Public, No. 112.]

To provide funds for cooperation with White Swan School District, Numbered 88, Yakima County, Washington, for extension of public-school buildings to be available for Indian children of the Yakima Reservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, from any moneys in the Treasury not otherwise appropriated, the sum of $50,000 for the purpose of cooperating with White Swan School District, Numbered 88, Yakima County, Washington, for extension and improvement of public-school buildings: *Provided*, That the expenditure of any moneys so appropriated shall be subject to the condition that the schools maintained by said district shall be available to all Indian children of the district on the same terms, except as to payment of tuition, as other children of said school district: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

White Swan, Wash.
Funds for public-school construction, authorized.
Post, p. 584.

Provisos.
Attendance of Indian pupils.

Limitation on expenditures.

Approved, June 7, 1935.

[1] So in original.

[CHAPTER 198.]

AN ACT

June 7, 1935.
[S. 1536.]
[Public, No. 113.]

To provide funds for cooperation with the public-school board at Covelo, California, in the construction of public-school buildings to be available to Indian children of the Round Valley Reservation, California.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, from any funds in the Treasury not otherwise appropriated, the sum of $50,000 for the purpose of cooperating with the Round Valley Union High School District Board of School Trustees, town of Covelo, and County of Mendocino, California, for construction of a new public high-school plant at Covelo, California: *Provided*, That the expenditure of any money so appropriated shall be subject to the express conditions that the school maintained by the said school district in the said building shall be available to all Indian children on the same terms, except as to payment of tuition, as other children of said school district: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Approved, June 7, 1935.

Covelo, Calif.
Funds for public-school construction, authorized.
Post, p. 584.

Provisos.
Attendance of Indian pupils.

Limitation on expenditures.

[CHAPTER 199.]

AN ACT

June 7, 1935.
[S. 1537.]
[Public, No. 114.]

To provide funds for cooperation with the school board of Shannon County, South Dakota, in the construction of a consolidated high-school building to be available to both white and Indian children.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $125,000 for the purpose of cooperating with the public-school board of Shannon County, South Dakota, for the construction and equipment of a consolidated public high-school building, at Pine Ridge, South Dakota: *Provided*, That said school shall be conducted for both white and Indian children without discrimination, and that practical training for vocations and home economics be provided, and that the cost of education of white children shall be defrayed by the State and local public-school authorities, in accordance with such agreement or agreements as may be made between the Secretary of the Interior and State or local officials, and any and all sums of money obtained by reason of such agreement or agreements shall be available for reexpenditure for support and maintenance of said school.

Approved, June 7, 1935.

Shannon County, S. Dak.
Funds for public-school construction, authorized.
Post, p. 584.

Proviso.
Attendance of Indian pupils.

Tuition of white children.

[CHAPTER 200.]

AN ACT

June 7, 1935.
[S. 1609.]
[Public, No. 115.]

For the relief of the present leaders of the United States Navy Band and the band of the United States Marine Corps.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the date of approval of this Act the present leader of the United States Navy Band and the present leader of the band of the United States Marine Corps shall have the rank, pay, and allowances of a lieutenant in the Navy and of a captain in the Marine Corps, respectively; and in the computation of their pay and allowances all service in the Navy

Navy and Marine Corps bands.
Rank, etc., present leaders of.

Pay and allowances.

and the Marine Corps of whatever nature rendered by said leaders shall be counted as if it were commissioned service; and the said leaders of the United States Navy Band and the band of the United States Marine Corps shall, at such time as the President in his discretion may direct, be entitled to retirement as a lieutenant in the Navy and as a captain in the Marine Corps, in the same manner as other officers of the Navy and the Marine Corps of such rank and length of service, computed as stated above, would be entitled to retirement.

Retirement.

Approved, June 7, 1935.

[CHAPTER 201.]

AN ACT

June 7, 1935.
[S. 2105.]
[Public, No. 116.]

To provide for an additional number of cadets at the United States Military Academy, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter there shall be allowed at the United States Military Academy three cadets for each Senator, Representative, Delegate in Congress, and Resident Commissioner from Puerto Rico, one to be selected by the Governor of the Panama Canal Zone, from among the sons of civilians of the Panama Canal Zone and the Panama Railroad, resident on the zone, five for the District of Columbia, and one hundred and thirty-two from the United States at large, forty of whom shall be appointed on the recommendation of the academic authorities of the "honor schools" as designated by the War Department, and three of whom shall be selected from persons recommended by the Vice President, in addition to the number now authorized to be appointed from the enlisted men of the Regular Army and National Guard, and the sons of deceased officers, soldiers, sailors, and marines.

Military Academy.
Number of cadets increased.
Vol. 40, p. 894; Vol. 44, p. 704.
U. S. C., p. 281.

Selections from "honor schools".

Approved, June 7, 1935.

[CHAPTER 202.]

AN ACT

June 7, 1935.
[S. 1469.]
[Public, No. 117.]

To transfer certain lands from the Veterans' Administration to the Department of the Interior for the benefit of Yavapai Indians, Arizona.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction over that tract of land, identified under a metes-and-bounds description beginning at the intersection of the west boundary line of the former Whipple Barracks Military Reserve and the south line of section 28 in township 14 north, range 2 west, Gila and Salt Lake meridian, Arizona, thence northwesterly along said west boundary line eight hundred and eighty feet; thence northeasterly at right angles one thousand seven hundred and sixty feet; thence southeasterly parallel with the said west boundary line one thousand seven hundred and sixty feet; thence southwesterly at right angles one thousand seven hundred and sixty feet; thence northwesterly along said west boundary line eight hundred and eighty feet to point of beginning, containing approximately seventy-five acres, is hereby transferred from the Veterans' Administration to the Department of the Interior, and the title to said described lands shall remain in the United States in trust for the Yavapai Indians.

Yavapai Indians.
Transfer of certain lands to Interior Department for benefit of.
Description.

Approved, June 7, 1935.

[CHAPTER 203.]

AN ACT

Relating to undelivered parcels of the first class.

June 7, 1935.
[S. 1539.]
[Public, No. 118.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3936 of the Revised Statutes, as amended April 24, 1920 (41 Stat. 583; 39 U. S. C. 406), be amended to read as follows:

Postal service.
Return of undelivered letters, etc.
R. S., sec. 3936, p. 764; Vol. 41, p. 583.
Regulations.

"The Postmaster General may regulate the period during which undelivered letters and parcels of the first class shall remain in any post office and when they shall be returned to the dead-letter office; and he may make regulations for their return from the dead-letter office to the writers when they cannot be delivered to the parties addressed. When letters and parcels of the first class are returned from the dead-letter office to the writers, a fee of 5 cents shall be collected at the time of delivery, and in addition a charge shall be made of the minimum registry fee for the return of all ordinary dead letters containing $1 or more in cash, and parcels of the first class apparently valued at $1 or more, under such rules and regulations as the Postmaster General may prescribe."

Fees increased.

Approved, June 7, 1935.

[CHAPTER 204.]

AN ACT

To provide funds for cooperation with school district numbered 27, Big Horn County, Montana, for extension of public-school buildings to be available to Indian children.

June 7, 1935.
[H. R. 5213.]
[Public, No. 119.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, from any moneys in the Treasury not otherwise appropriated, the sum of $80,000 for the purpose of cooperating with school district numbered 27, Big Horn County, Montana, for the extension and improvement of public-school buildings: *Provided*, That the expenditure of any money so appropriated shall be subject to the condition that the schools maintained by said district shall be available to all Indian children of the school district on the same terms, except as to payment of tuition, as other children of said school district: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Big Horn County, Mont.
Funds for public-school construction, authorized.
Post, p. 584.

Provisos.
Attendance of Indian pupils.

Limitations on expenditures.

Approved, June 7, 1935.

[CHAPTER 205.]

AN ACT

To provide funds for cooperation with Harlem School District Numbered 12, Blaine County, Montana, for extension of public-school buildings and equipment to be available for Indian children.

June 7, 1935.
[H. R. 5216.]
[Public, No. 120.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, from any moneys in the Treasury not otherwise appropriated, the sum of $15,000 for the purpose of cooperating with Harlem School District Numbered 12, Blaine County, Montana, for equipment, extension, and improvements of public high-school buildings at Harlem, Montana: *Provided*, That the expenditures of any moneys so appropriated shall be subject to the condition that the schools maintained by said district shall be available to all the Indian children of the district on the same

Harlem, Mont.
Funds for public-school construction, authorized.
Post, p. 584.

Provisos.
Attendance of Indian pupils.

Limitation on expenditures.

terms, except as to payment of tuition, as other children of said school district: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Approved, June 7, 1935.

[CHAPTER 207.]

JOINT RESOLUTION

June 10, 1935.
[S. J. Res. 92.]
[Pub. Res., No. 24.]

Making final disposition of records, files, and other property of the Federal Aviation Commission.

Federal Aviation Commission.
Final disposition of records and other property of, directed.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That inasmuch as the temporary Federal Aviation Commission authorized by the Seventy-third Congress (S. 3170, Public Document Numbered 308) "for the purpose of making an immediate study and survey, and to report to Congress not later than February 1, 1935, its recommendations of a broad policy covering all phases of aviation and the relation of the United States thereto. * * *", has completed its studies and made its report to Congress, that the said Federal Aviation Commission is hereby authorized and directed to close its records, files, and accounts at the earliest possible date and not later than June 15, 1935, and to deliver all such records, files, and other property to the Interstate Commerce Commission for the use and benefit of the Interstate Commerce Commission and/or other Government agencies that may be concerned with the Federal control or supervision of aviation and/or other transportation facilities.

Pending the time that final disposition is made of the records and files they shall be open to Members of Congress and personnel will be available to June 15, 1935, to furnish information relative to the records and findings of the Commission and to appear before interested congressional committees.

Approved, June 10, 1935.

[CHAPTER 210.]

AN ACT

June 11, 1935.
[S. 448.]
[Public, No. 121.]

To authorize a preliminary examination of the Coquille River and its tributaries in the State of Oregon with a view to the control of its floods.

Coquille River, Oreg.
Survey directed for controlling floods of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized and directed to cause a preliminary examination to be made of the Coquille River and its tributaries in the State of Oregon, with a view to the control of its floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, June 11, 1935.

[CHAPTER 211.]

AN ACT

To authorize a preliminary examination of Umpqua River and its tributaries in the State of Oregon, with a view to the control of its floods.

June 11, 1935.
[S. 449.]
[Public, No. 122.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized and directed to cause a preliminary examination to be made of the Umpqua River and its tributaries in the State of Oregon, with a view to the control of its floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Umpqua River, Oreg.
Survey directed for controlling floods of.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, June 11, 1935.

[CHAPTER 212.]

AN ACT

Authorizing a preliminary examination of the Nehalem, Miami, Kilchis, Wilson, Trask, and Tillamook Rivers, in Tillamook County, Oregon, with a view to the controlling of floods.

June 11, 1935.
[S. 1317.]
[Public, No. 123.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized and directed to cause a preliminary examination to be made of the Nehalem, Miami, Kilchis, Wilson, Trask, and Tillamook Rivers, in Tillamook County, Oregon, with a view to the control of floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of floods of the Mississippi River, and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Nehalem, etc., Rivers, Oreg.
Survey directed for controlling floods of.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, June 11, 1935.

[CHAPTER 213.]

AN ACT

Authorizing a preliminary examination of Sebewaing River, in Huron County, Michigan, with a view to the controlling of floods.

June 11, 1935.
[S. 2505.]
[Public, No. 124.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of the Sebewaing River, in Huron County, Michigan, with a view to the control of floods, in accordance with the provisions of section 3 of the Act entitled "An Act to provide for control of floods of the Mississippi River, and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Sebewaing River.
Survey directed for controlling floods of.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, June 11, 1935.

[CHAPTER 214.]

AN ACT

June 11, 1935.
[H. R. 2015.]
[Public, No. 125.]

For a Coast Guard station at the eastern entrance to Cape Cod Canal, Massachusetts.

Cape Cod Canal, Mass.
Coast Guard station to be established at eastern entrance to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to establish a Coast Guard station at the eastern entrance to the Cape Cod Canal, Massachusetts, in lieu of the present Manomet Point Auxiliary Boathouse.

Approved, June 11, 1935.

[CHAPTER 215.]

AN ACT

June 11, 1935.
[H. R. 5210.]
[Public, No. 126.]

To provide funds for cooperation with school district numbered 17–H, Big Horn County, Montana, for extension of public-school buildings, to be available to Indian children.

Big Horn County, Mont.
Funds for public-school construction, authorized.
Post, p. 584.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, from any moneys in the Treasury not otherwise appropriated, the sum of $158,000 for the purpose of cooperating with school district numbered 17–H, Big Horn County, Montana, for the extension and improvement of public-school buildings at Hardin and at Crow Agency: *Provided*, That the expenditure of any moneys so appropriated shall be subject to the condition that the schools maintained by said district shall be available to all Indian children of the school district on the same terms, except as to payment of tuition, as other children of the school district: *Provided further*, That such expenditure shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Provisos.
Attendance of Indian pupils.

Limitation on expenditure.

Approved, June 11, 1935.

[CHAPTER 216.]

AN ACT

June 11, 1935.
[H. R. 6315.]
[Public, No. 127.]

To provide funds for cooperation with the school board at Medicine Lake, Montana, in construction of a public-school building to be available to Indian children of the village of Medicine Lake, Sheridan County, Montana.

Medicine Lake, Mont.
Funds for public-school construction, authorized.
Post, p. 584.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated the sum of $25,000 for the purpose of cooperating with the public-school board of district numbered 7, Sheridan County, Montana, for the construction, extension, and betterment of a public-school building at Medicine Lake, Montana: *Provided*, That the expenditure of any money so appropriated shall be subject to the express conditions that the school maintained by the said school district in the said building shall be available to all Indian children of the village of Medicine Lake, Sheridan County, Montana, on the same terms, except as to payment of tuition, as other children of said school district: *And provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Provisos.
Attendance of Indian pupils.

Limitation on expenditure.

Approved, June 11, 1935.

[CHAPTER 219.]

AN ACT

To further extend relief to water users on United States reclamation projects and on Indian irrigation projects.

June 13, 1935.
[S. 1305.]
[Public, No. 128.]

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

Reclamation projects.
Further extension of payments for water charges, authorized.
Vol. 48, p. 500.
Post, p. 1207.

SEC. 1. That all of the provisions of the Act entitled "An Act to further extend the operation of the Act entitled 'An Act for the temporary relief of water users on irrigation projects constructed and operated under the reclamation law', approved April 1, 1932", approved March 27, 1934, be, and all of the provisions thereof are hereby, further extended for the period of one year.

Water users on Indian irrigation projects.
Payments deferred.
Vol. 47, pp. 776, 1427.

SEC. 2. The Secretary of the Interior is authorized and directed to extend to water users on Indian irrigation projects during the calendar years 1934 and 1935 like relief to that provided in the Acts of January 26th, 1933 (47 Stat. 776), and March 3, 1933 (47 Stat. 1427), applicable to the calendar years 1931, 1932, and 1933.

Approved, June 13, 1935.

[CHAPTER 220.]

AN ACT

Providing for the suspension of annual assessment work on mining claims held by location in the United States.

June 13, 1935.
[S. 2536.]
[Public, No. 129.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provision of section 2324 of the Revised Statutes of the United States, which requires on each mining claim located, and until a patent has been issued therefor, not less than $100 worth of labor to be performed or improvements aggregating such amount to be made each year, be, and the same is hereby, suspended as to all mining claims in the United States during the year beginning at 12 o'clock meridian July 1, 1934, and ending at 12 o'clock meridian July 1, 1935: *Provided*, That the provisions of this Act shall not apply in the case of any claimant not entitled to exemption from the payment of a Federal income tax for the taxable year 1934: *Provided further*, That every claimant of any such mining claim, in order to obtain the benefits of this Act, shall file, or cause to be filed, in the office where the location notice or certificate is recorded, on or before 12 o'clock meridian, July 1, 1935, a notice of his desire to hold said mining claim under this Act, which notice shall state that the claimant, or claimants, were entitled to exemption from the payment of a Federal income tax for the taxable year 1934: *And provided further*, That such suspension of assessment work shall not apply to more than six lode-mining claims held by the same person, nor to more than twelve lode-mining claims held by the same partnership, association, or corporation: *And provided further*, That such suspension of assessment work shall not apply to more than six placer-mining claims not to exceed one hundred and twenty acres (in all) held by the same person, not to more than twelve placer-mining claims not to exceed two hundred and forty acres (in all) held by the same partnership, association, or corporation.

Public lands.
Mining claims assessments, suspended for fiscal year 1935.
R. S., sec. 2324, p. 426.
U. S. C., p. 1333.

Provisos.
Claimant not exempt from Federal income tax excluded.

Notice to be filed.

Number of lode-mining claims limited.

Placer-mining claims.

Approved, June 13, 1935.

[CHAPTER 221.]

AN ACT

June 13, 1935.
[S. 462.]
[Public, No. 130.]

To authorize an extension of exchange authority and addition of public lands to the Willamette National Forest in the State of Oregon.

Willamette National Forest, Oreg.
Extension of forest exchanges, authorized.
Vol. 42, p. 465; Vol. 43, p. 1090.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any lands which are in private ownership within the following-described area, which are found by the Secretary of Agriculture to be chiefly valuable for national-forest purposes, may be offered in exchange under the provisions of the Act of March 20, 1922 (42 Stat. 465), as amended by the Act of February 28, 1925 (43 Stat. 1090), and upon acceptance of title shall become parts of the Willamette National Forest; and, by proclamation of the President of the United States and upon recommendation of the Secretary of Agriculture, any lands in public ownership within such described area, not now within the national forest, found to be chiefly valuable for national-forest purposes, may be added to the Willamette National Forest, subject to any valid existing claims. Townships 16 and 17 south, ranges 3 and 4 east, and sections 31, 32, 33, 34, 35, and 36 in township 15 south, range 3 east, of the Willamette meridian.

Additions to become parts of the national forest.

Revested Oregon and California railroad grant lands.
Vol. 39, p. 218.

SEC. 2. Any lands within the above-described area which are part of the land grant to the Oregon and California Railroad Company, title to which revested in the United States under Act of June 9, 1916 (39 Stat. 218), shall remain subject to all laws relating to said revested land grant.

Approved, June 13, 1935.

[CHAPTER 222.]

AN ACT

June 13, 1935.
[S. 1513.]
[Public, No. 131.]

To add certain lands to the Siskiyou National Forest in the State of Oregon.

Siskiyou National Forest, Oreg.
Area enlarged.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundaries of the Siskiyou National Forest, in the State of Oregon, are hereby extended to include the following-described lands, subject to valid existing rights:

Additions.

Section 31, township 30 south, range 9 west.

Sections 2, 3, 4, 5, 6, 7, 8, 9, 16, 17, and 18, township 31 south, range 9 west.

Sections 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36, township 30 south, range 10 west.

All of township 31 south, range 10 west.

Sections 1, 2, 3, 9, 10, 11, 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, and 36, township 31 south, range 11 west.

All of Willamette meridian.

Conveyances to become parts of the national forest.

SEC. 2. Lands hereafter conveyed to the United States within the above-described area upon acceptance of title, shall become parts of the said Siskiyou National Forest and subject to all laws relating thereto. Any lands within the above-described area which are part of the land grant to the Oregon and California Railroad Company title to which revested in the United States under the Act of June 9, 1916 (39 Stat. 218), shall remain subject to all laws relating to said revested land grant.

Revested Oregon, etc., railroad grant lands.
Vol. 39, p. 218.

Approved, June 13, 1935.

[CHAPTER 223.]

AN ACT

To amend section 4878 of the United States Revised Statutes, as amended, relating to burials in national cemeteries.

June 13, 1935.
[S. 1712.]
[Public, No. 132.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4878 of the United States Revised Statutes, as amended, be further amended by adding at the end of said section a new sentence reading as follows: "Persons who were members of the Cabinet of the President of the United States at any time during the period between April 6, 1917, and November 11, 1918, may be buried in any national cemetery: *Provided*, That the interment is without cost to the United States."

National cemeteries; burials in.
Certain members of Cabinet.
Vol. 41, p. 552; U. S. C., p. 992.

Proviso.
Interment without Federal expense.

Approved, June 13, 1935.

[CHAPTER 224.]

AN ACT

To authorize the crediting of service rendered by personnel (active or retired) subsequently to June 30, 1932, in the computation of their active or retired pay after June 30, 1935.

June 13, 1935.
[S. 2287.]
[Public, No. 133.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the suspension during the fiscal years 1933, 1934, and 1935 of the longevity increases provided for in the tenth paragraph of section 1 of the Pay Adjustment Act of 1922, the personnel (active or retired) so affected shall be credited with service rendered subsequently to June 30, 1932, in computing their active or retired pay accruing subsequently to June 30, 1935: *Provided*, That this section shall not be construed as authorizing the payment of back longevity pay for the fiscal years 1933, 1934, and 1935 which would have been paid during such years but for the suspension aforesaid.

Pay Adjustment Act of 1922.
Vol. 42, p. 626.
U. S. C., p. 1617.
Credit for service rendered since June 1932.

Proviso.
Back longevity pay restriction.

Approved, June 13, 1935.

[CHAPTER 225.]

AN ACT

To provide for the establishment of a Coast Guard station on the coast of Virginia, at or near the north end of Hog Island, Northampton County.

June 13, 1935.
[H. R. 65.]
[Public, No. 134.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized to establish a Coast Guard station on the coast of Virginia, at or near the north end of Hog Island, Northampton County, at such point as the Commandant of the Coast Guard may recommend.

Coast Guard.
Station near Hog Island, Va., authorized.

Approved, June 13, 1935.

[CHAPTER 238.]

AN ACT

Authorizing the exchange of the lands reserved for the Seminole Indians in Florida for other lands.

June 14, 1935.
[S. 654.]
[Public, No. 135.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to exchange lands in the State of Florida reserved for the Seminole Indians by Executive order of June 28, 1911, or purchased for said Indians, or any part thereof, for lands owned by the State of Florida.

Seminole Indians in Florida.
Exchange of lands with, authorized.

Upon conveyance to the United States by the State of Florida of a sufficient title to the lands to be acquired for the use of the Seminole Indians, the Secretary of the Interior is authorized to issue a patent in fee or to make other proper conveyance to the State of Florida covering the lands granted in exchange.

Approved, June 14, 1935.

[CHAPTER 239.]

AN ACT

June 14, 1935.
[S. 2241.]
[Public, No. 136.]

To authorize an appropriation to carry out the provisions of the Act of May 3, 1928 (45 Stat. L. 484).

Sioux Indians.
Sum authorized for payments to.
Post, p. 1764.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an appropriation is hereby authorized in the sum of $79,002.19 to pay various Sioux Indians enrolled at the different agencies the amounts which have been awarded to them by the Secretary of the Interior under the Act of May 3, 1928 (45 Stat. L. 484), on account of allotments of land to which they were entitled but did not receive: *Provided*, That the Secretary of the Interior is authorized and directed to determine what attorney or attorneys have rendered services of value in behalf of said Indians and to pay such attorney or attorneys on such findings when appropriation is available the reasonable value of such services, not to exceed 10 per centum of the recovery on each individual claim, which payment shall be in full settlement for all services rendered by such attorney or attorneys to said claimants in said claims.

Vol. 45, p. 484; Vol. 47, p. 818.
Proviso.
Attorney's fees.

Limitation.

Approved, June 14, 1935.

[CHAPTER 240.]

AN ACT

June 14, 1935.
[S. 2530.]
[Public, No. 137.]

To protect American and Philippine labor and to preserve an essential industry, and for other purposes.

Importation of Philippine cordage, etc.
Limitation on amount, entering duty free, for ensuing three years.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective May 1, 1935, and for three years thereafter, the total amount of all yarns, twines, cords, cordage, rope, and cable, tarred or untarred, wholly or in chief value of Manila (abaca) or other hard fiber, produced or manufactured in the Philippine Islands, coming into the United States from the Philippine Islands, shall not exceed six million pounds during each successive twelve months period, which six million pounds shall enter the United States duty free.

Export permits.
Amount exported to be allocated under.

The amount or quantity of such articles which may be so exported to the United States shall be allocated, under export permits issued by the Government of the Philippine Islands, to the producers or manufacturers thereof. This allocation shall be made by the Governor General of the Philippine Islands prior to the inauguration of the Commonwealth of the Philippines, and thereafter by the President of said Commonwealth, unless otherwise provided by the Legislature of the Commonwealth.

Supervision.

Extension of operation of act by proclamation.

SEC. 2. Pending the final and complete withdrawal of American sovereignty over the Philippine Islands, the President of the United States may, by proclamation, at least ninety days prior to the expiration of the three year period provided in section 1 hereof, extend the operation of this Act for an additional period of three years or more, provided such extension is accepted by the President of the Commonwealth of the Philippines.

SEC. 3. On and after the expiration of the operation of this Act the articles described in section 1 coming into the United States from the Philippines shall be subject to the provisions of section 6 of the Act of Congress approved March 24, 1934, entitled "An Act to provide for the complete independence of the Philippine Islands, to provide for the adoption of a constitution and a form of government for the Philippine Islands, and for other purposes."

Provisions of Independence Act, applicability.

Vol. 48, p. 459.

SEC. 4. Except as provided herein, nothing in this Act shall be construed to modify or repeal the provisions of any existing law.

Existing law not affected.

SEC. 5. The Secretary of the Treasury shall promulgate such rules and regulations as may be necessary to enforce the provisions hereof; and this Act shall be enforced as part of the customs law.

Rules and regulations.

Approved, June 14, 1935.

[CHAPTER 241.]

AN ACT

June 14, 1935.
[H. R. 3973.]
[Public, No. 138.]

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1936, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to defray the expenses of the District of Columbia for the fiscal year ending June 30, 1936, any revenue (not including the proportionate share of the United States in any revenue arising as the result of the expenditure of appropriations made for the fiscal year 1924 and prior fiscal years) now required by law to be credited to the District of Columbia and the United States in the same proportion that each contributed to the activity or source from whence such revenue was derived shall be credited wholly to the District of Columbia, and, in addition, $5,700,000 is appropriated, out of any money in the Treasury not otherwise appropriated, to be advanced July 1, 1935, and all of the remainder out of the combined revenues of the District of Columbia, namely:

District of Columbia. Appropriations for expenses of, fiscal year 1936, from District revenues and $5,700,000 from the Treasury.

GENERAL EXPENSES

General expenses.

EXECUTIVE OFFICE

Executive office.

For personal services, $47,420, plus so much as may be necessary to compensate the Engineer Commissioner at such rate in grade 8 of the professional and scientific service of the Classification Act of 1923, as amended, as may be determined by the Board of Commissioners: *Provided*, That in expending appropriations or portions of appropriations contained in this Act for the payment of personal services in accordance with the Classification Act of 1923, as amended, with the exception of the two civilian Commissioners the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical

Office personnel. Additional, for Engineer Commissioner.

Provisos.
Salaries limited to average rates under Classification Act; exceptions.
Vol. 42, p. 1488; Vol. 45, p. 776; Vol. 46, p. 1003.
U. S. C., p. 85.

One position in a grade.

Advances in meritorious cases.

Restriction not applicable to clerical-mechanical service.

No reduction in fixed salaries. Vol. 42, p. 1490; U. S. C., p. 86. Transfer to another position without pay reduction. Higher rates permitted.

service; (2) to require the reduction in salary of any person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such Act; (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit; (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law; or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

If only one position in a grade.

Purchasing division.

Purchasing division: For personal services, $57,000.

Building inspection division. Plumbing inspection division.

Building inspection division: For personal services, $111,360.

Plumbing inspection division: For personal services, $37,390; two members of plumbing board at $150 each; in all, $37,690.

Public convenience stations.

PUBLIC CONVENIENCE STATIONS

Maintenance.

For maintenance of public convenience stations, including compensation of necessary employees, $14,000.

Care of District Building.

CARE OF THE DISTRICT BUILDING

Operating force.

For personal services, including temporary labor, and service of cleaners as necessary at not to exceed 48 cents per hour, $93,580: *Provided*, That no other appropriation made in this Act shall be available for the employment of additional assistant engineers or watchmen for the care of the District Building.

Proviso. Employment of additional assistant engineers or watchmen.

Operating supplies.

For fuel, light, power, repairs, laundry, and miscellaneous supplies, $28,300.

Assessor's office.

ASSESSOR'S OFFICE

For personal services, $225,000.

Collector's office.

COLLECTOR'S OFFICE

For personal services, $45,650.

Auditor's office.

AUDITOR'S OFFICE

Personal services. Present disbursing officer permitted other duties.

For personal services, $124,700; and the compensation of the present incumbent of the position of disbursing officer of the District of Columbia shall be exclusive of his compensation as United States property and disbursing officer for the National Guard of the District of Columbia.

Corporation Counsel's office.

OFFICE OF CORPORATION COUNSEL

Extra pay, Public Utilities Commission. *Post*, p. 576.

Corporation counsel, including extra compensation as general counsel of the Public Utilities Commission, and other personal services, $99,520.

Alcoholic Beverage Control Board.

ALCOHOLIC BEVERAGE CONTROL BOARD

Salaries and expenses. Purchase of supplies.

For personal services, street-car and bus transportation, telephone service, not exceeding $500 for the purchase of samples, and other necessary contingent and miscellaneous expenses, $40,150.

Coroner's office.

CORONER'S OFFICE

Personal services. U. S. C., p. 85.

For personal services, including deputy coroners, in accordance with the Classification Act of 1923, as amended, $10,180.

Morgue, etc., expenses. *Post*, p. 576.

For the maintenance of a non-passenger-carrying motor wagon for the morgue, jurors' fees, witness' fees, ice, disinfectants, telephone service, and other necessary supplies, repairs to the morgue, and the

necessary expenses of holding inquests, including stenographic services in taking testimony, and photographing unidentified bodies, $4,500.

OFFICE OF SUPERINTENDENT OF WEIGHTS, MEASURES, AND MARKETS

Office of Superintendent of Weights, Measures, and Markets.

For personal services, $53,800.

Personal services.

For contingent expenses, and maintenance and repairs to markets, including not to exceed $1,000 for purchase of commodities and for personal services in connection with investigation and detection of sales of short weight and measure, maintenance and repair of nonpassenger-carrying motor vehicles, not to exceed $141 (to be immediately available) as an additional amount for the purchase and exchange of one nonpassenger-carrying motor vehicle for which $530 was provided in the District of Columbia Appropriation Act for the fiscal year 1935, and not to exceed $671 for the purchase and exchange of one nonpassenger-carrying motor vehicle, $9,042.

Contingent expenses.

Vehicles.

For necessary repairs, replacements, additions and improvements to paving, plumbing, water lines, and sewerage at Municipal fish wharf and market, $5,000.

Municipal Fish Wharf, etc.

OFFICE OF CHIEF CLERK, ENGINEER DEPARTMENT

Engineer Department.

Chief Clerk's office.

For personal services, $29,340.

MUNICIPAL ARCHITECT'S OFFICE

Municipal Architect's office.

Personal services.

For personal services, $46,920.

Apportionments.

All apportionments of appropriations for the use of the municipal architect in payment of personal services employed on construction work provided for by said appropriations shall be based on an amount not exceeding 3 per centum of a total of not more than $2,000,000 of appropriations made for such construction projects and not exceeding 2¾ per centum of a total of the appropriations in excess of $2,000,000.

PUBLIC UTILITIES COMMISSION

Public Utilities Commission.

Commissioners, people's counsel, etc.

Experts.

For two commissioners, people's counsel, and for other personal services, $69,000, of which amount not to exceed $5,000 may be used for the employment of expert services by contract or otherwise and without reference to the Classification Act of 1923, as amended.

Incidental, etc., expenses.

For incidental and all other general necessary expenses authorized by law, including the purchase of newspapers, $1,500.

Issuance of orders requiring meters in taxicabs forbidden.

No part of the appropriations contained in this Act shall be used for or in connection with the preparation, issuance, publication, or enforcement of any regulation or order of the Public Utilities Commission requiring the installation of meters in taxicabs, or for or in connection with the licensing of any vehicle to be operated as a taxicab except for operation in accordance with such system of uniform zones and rates and regulations applicable thereto as shall have been prescribed by the Public Utilities Commission.

BOARD OF EXAMINERS, STEAM ENGINEERS

Examiners, steam engineers.

Salaries: Three members, at $150 each, $450.

DEPARTMENT OF INSURANCE

Insurance department.

For personal services, $24,620.

SURVEYOR'S OFFICE

Surveyor's office.

For personal services, $79,500.

Employees' compensation fund.

DISTRICT OF COLUMBIA EMPLOYEES' COMPENSATION FUND

Payments for injuries.
Vol. 41, p. 104.
Post, p. 576.

For carrying out the provisions of section 11 of the District of Columbia Appropriation Act approved July 11, 1919, extending to the employees of the government of the District of Columbia the provisions of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, $32,500.

Vol. 39, p. 742; U. S. C., p. 98.

Administrative expenses, compensation to injured employees.
Vol. 45, p. 600.
U. S. C., p. 1500.

Administrative expenses, compensation to injured employees: For the enforcement of the Act entitled "An Act to provide compensation for disability or death resulting from injury to employees in certain employments in the District of Columbia, and for other purposes", approved May 17, 1928 (U. S. C., Supp. VII, title 33, sec. 901), $53,300, for transfer to and expenditure by the Employees' Compensation Commission under its appropriations "Salaries and expenses", $53,000, and "Printing and binding", $300.

Transfer to Employees' Compensation Commission.

Retirement Act.
Contribution to, from District revenues.
Vol. 41, p. 614; Vol. 44, p. 904; Vol. 46, p. 468.
U. S. C., p. 93.

For financing of the liability of the government of the District of Columbia, created by the Act entitled "An Act for the retirement of employees in the classified civil service, and for other purposes", approved May 22, 1920, and Acts amendatory thereof (U. S. C., title 5, sec. 707a), $150,000, which amount shall be placed to the credit of the "civil service retirement and disability fund."

Vehicles and Traffic Department.

DEPARTMENT OF VEHICLES AND TRAFFIC

Personal services.

For personal services, $69,600; temporary clerk hire, $4,000; in all, $73,600.

Expenses, etc.

For purchase, installation, and modification of electric traffic lights, signals and controls, markers, painting white lines, labor, maintenance of non-passenger-carrying motor vehicles and such other expenses as may be necessary in the judgment of the Commissioners, $63,000, of which not less than $25,000 shall be expended for the purchase, installation, and modification of electric traffic-light signals: *Provided*, That no part of this or any other appropriation contained in this Act shall be expended for building, installing, and maintaining street-car loading platforms and lights of any description employed to distinguish same.

Proviso.
Not available for street-car loading platforms.

Identification plates.

For the purchase of motor vehicle identification number plates, $20,000.

Register of Wills.

REGISTER OF WILLS

Personal services.

For personal services, $73,500.

Miscellaneous expenses.

For miscellaneous and contingent expenses, telephone bills, printing, typewriters, photostat paper and supplies, including laboratory coats and photographic developing room equipment, towels, towel service, window washing, street-car tokens, furniture and equipment and repairs thereto, and purchase of books of reference, law books, and periodicals, $9,000.

Recorder of Deeds.

RECORDER OF DEEDS

Personal services.

For personal services, $104,580.

Contingent expenses.

For miscellaneous and contingent expenses, including telephone service, printing, binding, rebinding, repairing, and preservation of records; typewriters, towels, towel service, furniture and equipment and repairs thereto; books of reference, law books and periodicals, street-car tokens, postage; not exceeding $100 for rest room for sick and injured employees and the equipment of and medical supplies

for said rest room, and all other necessary incidental expenses, $12,500.

For rent of offices of the recorder of deeds, $12,600. Rent.

CONTINGENT AND MISCELLANEOUS EXPENSES

Contingent and miscellaneous expenses.

For checks, books, law books, books of reference, periodicals, newspapers, stationery; surveying instruments and implements; drawing materials; binding, rebinding, repairing, and preservation of records; ice; repairs to pound and vehicles; traveling expenses not to exceed $1,000, including payment of dues and traveling expenses in attending conventions when authorized by the Commissioners of the District of Columbia; expenses authorized by law in connection with the removal of dangerous or unsafe and insanitary buildings, including payment of a fee of $6 per diem to each member of board of survey, other than the inspector of buildings, while actually employed on surveys of dangerous or unsafe buildings; and other general necessary expenses of District offices; $26,000: *Provided*, That no part of this or any other appropriation contained in this Act shall be expended for printing or binding a schedule or list of supplies and materials for the furnishing of which contracts have been or may be awarded.

Objects specified. *Post*, p. 576.

Removing unsafe, etc., buildings.

Proviso. Printing, etc., list of supplies forbidden.

For printing and binding, $43,000, and the last proviso of this paragraph shall not apply to work which can be performed in the central duplicating section of the District of Columbia or the printing plant at the reformatory at Lorton, Virginia: *Provided*, That no part of the appropriations contained in this Act shall be available for expenditure for printing and binding unless the need for such expenditure shall have been specifically approved by the Commissioners of the District of Columbia, or by the purchasing officer and the auditor for the District of Columbia acting for such Commissioners: *Provided further*, That no part of this appropriation shall be available for expenditure unless such printing and binding is done at the Government Printing Office.

Printing and binding. Restriction not to apply to central duplicating section or Lorton plant.

Provisos. Approval of requisitions required. *Post*, p. 1611.

Work performed by Public Printer.

CENTRAL GARAGE

Central garage.

For maintenance, care, repair, and operation of passenger-carrying automobiles owned by the District of Columbia, including personal services, $58,340; for exchange of such passenger-carrying automobiles now owned by the District of Columbia as, in the judgment of the Commissioners of said District, have or shall become unserviceable, $10,000; in all, $68,340.

Automobiles, maintenance, etc.

All motor-propelled passenger-carrying vehicles owned by the District of Columbia shall be used exclusively for "official purposes" directly pertaining to the public services of said District, and shall be under the direction and control of the Commissioners, who may from time to time alter or change the assignment for use thereof or direct the joint or interchangeable use of any of the same by officials and employees of the District, except as otherwise provided in this Act; and "official purposes" shall not include the transportation of officers and employees between their domiciles and places of employment, except as to the Commissioners of the District of Columbia and in cases of officers and employees the character of whose duties makes such transportation necessary and then only as to such latter cases when the same is approved by the Commissioners: *Provided*, That no passenger-carrying automobile, except busses, patrol wagons, and ambulances, and except as otherwise specifically authorized in this Act, shall be acquired under any provision of this Act, by purchase or exchange, at a cost, including

Restriction on use of District-owned vehicles.

Under control of Commissioners.

Transportation between domicile and place of employment.

Proviso. Purchase, etc., restriction.

Transfers forbidden.

the value of a vehicle exchanged, exceeding $650. No motor vehicles shall be transferred from the police or fire departments to any other branch of the government of the District of Columbia.

Fire insurance premiums forbidden.

Appropriations in this Act shall not be used for the payment of premiums or other cost of fire insurance.

Postage.

For postage for strictly official mail matter, including the rental of postage meter equipment, $25,000.

Transportation.

The Commissioners are authorized, in their discretion, to furnish necessary transportation in connection with strictly official business of the District of Columbia by the purchase of street car and bus fares from appropriations contained in this Act: *Provided*, That the expenditures herein authorized shall be so apportioned as not to exceed a total of $9,500: *Provided further*, That the provisions of this paragraph shall not include the appropriations herein made for the fire and police departments.

Provisos.
Limitation.

Fire and police departments excepted.

Judicial expenses.

For judicial expenses, including witness fees, and expert services in District cases before the Supreme Court of said District, $1,350: *Provided*, That the Commissioners of the District of Columbia are authorized, when in their judgment such action be deemed in the public interest, to contract for stenographic reporting services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) under available appropriations contained in this Act: *Provided further*, That neither the District of Columbia nor any officer thereof acting in his official capacity for the District of Columbia shall be required to pay court costs to the clerk of the Supreme Court of the District of Columbia.

Provisos.
Contracts for reporting permitted.
R. S., sec. 3709, p. 733.
U. S. C., p. 1803.

No court costs, etc., in District Supreme Court required.

General advertising.

For general advertising, authorized and required by law, and for tax and school notices and notices of changes in regulations, $5,000: *Provided*, That this appropriation shall not be available for the payment of advertising in newspapers published outside of the District of Columbia, notwithstanding the requirement for such advertising provided by existing law.

Proviso.
Outside advertising.

Taxes in arrears.
Vol. 30, p. 250.

For advertising notice of taxes in arrears July 1, 1935, as required to be given by the Act of February 28, 1898, as amended, to be reimbursed by a charge of 50 cents for each lot or piece of property advertised, $8,000: *Provided*, That this appropriation shall not be available for the payment of advertising the delinquent tax list for more than once a week for two weeks in the regular issue of one morning or one evening newspaper published in the District of Columbia, notwithstanding the provisions of existing law.

Proviso.
Publication of delinquent list.

Employment service.

EMPLOYMENT SERVICE

For personal services and miscellaneous and contingent expenses required for maintaining a public employment service for the District of Columbia, $4,640.

Emergency fund.

EMERGENCY FUND

Expenses; restriction.

To be expended only in case of emergency, such as riot, pestilence, public insanitary conditions, calamity by flood or fire or storm, and of like character, and in all other cases of emergency not otherwise sufficiently provided for, in the discretion of the Commissioners, $1,500: *Provided*, That the certificate of the Commissioners shall be sufficient voucher for the expenditure of not to exceed $1,000 for such investigations as they may deem necessary.

Proviso.
Voucher for expenses.

Refund of erroneous collections.

REFUND OF ERRONEOUS COLLECTIONS

Payments authorized.
Vol. 36, p. 967.

To enable the Commissioners, in any case where special assessments, school tuition charges, payments for lost library books, rents, fees, or collections of any character have been erroneously covered

into the Treasury, to refund such erroneous payments, wholly or in part, including the refunding of fees paid for building permits authorized by the District of Columbia Appropriation Act approved March 2, 1911 (36 Stat., p. 967), $4,000: *Provided*, That this appropriation shall be available for such refunds of payments made within the past three years.

Building permits.

Proviso.
Restriction.

For payment of amounts collected by the District erroneously on account of taxes, fines, fees, and similar charges, which are returned to the respective parties who may have paid the same, $75,000: *Provided*, That this appropriation shall be available for refund of such erroneous payments made within the past three years only.

Erroneously collected taxes, fines, etc.

Proviso.
Restriction.

To aid in support of the National Conference of Commissioners on Uniform State Laws, $250.

Conference on Uniform State Laws.

REPAYMENT OF LOAN FROM PUBLIC WORKS ADMINISTRATION

Loan from Public Works Administration.

For reimbursement to the United States, in compliance with section 3 of the Act approved June 25, 1934 (48 Stat., p. 1215), of funds loaned under the authority of said Act, $1,000,000: *Provided*, That during the fiscal year 1936 no greater sum shall be deposited in the Treasury of the United States to the credit of the special account established under section 3 of said Act than is required by said section for reimbursement to the United States.

Reimbursement.
Vol. 48, p. 1215.

Proviso.
Amount of deposit, fiscal year 1936.

FREE PUBLIC LIBRARY

Free Public Library.

For personal services, and for substitutes and other special and temporary services, including extra services on Sundays, holidays, and Saturday half holidays, at the discretion of the librarian, $343,550.

Personal services.

Miscellaneous: For books, periodicals, newspapers, and other printed material, including payment in advance for subscription books, and society publications, $70,000: *Provided*, That the disbursing officer of the District of Columbia is authorized to advance to the librarian of the free Public Library, upon requisition previously approved by the auditor of the District of Columbia, sums of money not exceeding $25 at the first of each month, to be expended for the purchase of certain books, pamphlets, numbers of periodicals or newspapers, or other printed material, and to be accounted for on itemized vouchers.

Miscellaneous.

Proviso.
Advances for purchase of books, etc.

Accounting.

For binding, including necessary personal services, $20,000.

Binding.

For maintenance, alterations, repairs, fuel, lighting, fitting up buildings, care of grounds, maintenance of motor delivery vehicles, and other contingent expenses, including not to exceed $800 for purchase and exchange of one motor delivery vehicle, $32,625.

Contingent expenses.

For rent of suitable quarters for branch libraries in Chevy Chase and Woodridge, $4,320.

Chevy Chase and Woodridge branches.

STREET AND ROAD IMPROVEMENT AND REPAIR

Street and road improvement.

For personal services, $178,280, payable from the special fund created by section 1 of the Act entitled "An Act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924 (43 Stat., p. 106), and accretions by repayment of assessments.

Personal services.
Payable from gasoline tax fund.

Vol. 43, p. 106.

GASOLINE TAX, ROAD AND STREET IMPROVEMENTS AND REPAIRS

Gasoline tax, road and street fund.

For paving, repaving, grading, and otherwise improving streets, avenues, and roads, including personal services and the maintenance

Paving, etc., streets and roads from.

of motor vehicles used in this work, and including curbing and gutters and replacement of curb-line trees where necessary, as follows, to be paid from the special fund created by section 1 of the Act entitled "An Act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924 (43 Stat., p. 106), and accretions by repayment of assessments:

Vol. 43, p. 106.

Improvements designated.

For paving, repaving, and surfacing, including curbing and gutters where necessary, the following:

Northeast: Eighteenth Street, Otis Street to Bunker Hill Road, $37,400;

Northwest: Fourteenth Street, Alaska Avenue to Holly Street, $15,400;

Northwest: Van Buren Street, Blair Road to Piney Branch Road, $30,800;

Northeast: Eastern Avenue, Bladensburg Road to Rhode Island Avenue, $49,500;

Northeast: Shepherd Street, Thirteenth Street to Fourteenth Street, $7,000;

Northeast: Thirteenth Place, Shepherd Street to Taylor Street, $3,700;

Northwest: Quackenbos Street, Fifth Street to Seventh Street, $7,700;

Northwest: Sixth Street, Van Buren Street to Whittier Street, $5,000;

Northeast: Twentieth Street, Quincy Street to Bunker Hill Road, $11,000;

Northeast: South Dakota Avenue, Twentieth Street to approximately two hundred feet north of Quincy Street, $12,100;

Northeast: Quincy Street, Twentieth Street to South Dakota Avenue, $4,400;

Northwest: Juniper Street, Fourteenth Street to Sixteenth Street, $8,300;

Northwest: Allison Street, Seventeenth Street to Eighteenth Street, $7,700;

Grading; culverts.

For grading streets, alleys, and roads, including construction of necessary culverts and retaining walls, $50,000;

Paving center strips.

For paving the unpaved center strips of paved roadways, $15,000;

Minor changes in roadways, etc.

For minor changes in roadway and sidewalks on plans to be approved by the Commissioners of the District of Columbia to facilitate vehicular and pedestrian traffic, $5,000;

Curbs and gutters, shoulders, etc.

For construction of curbs and gutters, or concrete shoulders in connection with all forms of macadam roadways and adjustment of roadways thereto, together with resurfacing and replacing of base of such roadways where necessary, $225,000;

Surfacing, etc., pavements.

For the surfacing and resurfacing or replacement of asphalt, granite block, or concrete pavements with the same or other approved material, $375,000;

Bridges, construction, repair, etc.

For construction, maintenance, operation, and repair of bridges, including maintenance of nonpassenger-carrying motor vehicles, $65,000;

Street, etc., repairs.

For current work of repairs to streets, avenues, roads, and alleys, including the reconditioning of existing gravel streets and roads, and including the purchase, exchange, maintenance, and operation of non-passenger-carrying motor vehicles used in this work, $765,000:

Proviso.
Purchase of asphalt plant authorized.

Provided, That the Commissioners of the District of Columbia, should they deem such action to be to the advantage of the District of Columbia, are hereby authorized to purchase a municipal asphalt plant at a cost not to exceed $30,000;

This appropriation shall be available for the construction and repair of pavements of street railways in accordance with the provisions of the Merger Act, approved January 14, 1933 (47 Stat., p. 752). The proportion of the amount thus expended which under the terms of the said Act is required to be paid by the street-railway company shall be collected, upon the neglect or the refusal of such street-railway company to pay, from the said street-railway company in the manner provided by section 5 of "An Act providing a permanent form of government for the District of Columbia", approved June 11, 1878, and shall be deposited to the credit of the appropriation for the fiscal year in which it is collected;

Street railways, pavements.
Vol. 47, p. 752.

Proportion of expenses chargeable to railway company.
Vol. 20, p. 105.

For beginning the construction of a viaduct or bridge and approaches thereto in line of Michigan Avenue Northeast, pursuant to authority contained in the Act approved February 12, 1931 (Public Numbered 618, Seventy-first Congress), as now located on the permanent system of highways of the District of Columbia, between Brookland Avenue and Perry Street Northeast, over the tracks and right-of-way of the Baltimore and Ohio Railroad Company, in accordance with plans and profiles of said work to be approved by the Commissioners of the District of Columbia, including the purchase and condemnation under chapter 15 of the Code of Law for the District of Columbia, and amendments thereto, of necessary land in accordance with the highway plan, construction of and changes in sewer and water mains, personal services, and engineering and incidental expenses, $100,000: *Provided*, That one-half of the total cost, excepting land, of constructing said viaduct or bridge and approaches shall be borne and paid by the said railroad company, its successors and assigns, to the collector of taxes of the District of Columbia, to the credit of the District of Columbia, and the same shall be a valid and subsisting lien against the franchises and property of the said railroad company and shall constitute a legal indebtedness of said company in favor of the District of Columbia, and the said lien may be enforced in the name of the District of Columbia by a bill in equity brought by the said Commissioners in the Supreme Court of the District of Columbia, or by any other lawful proceeding against the said railroad company: *Provided further*, That from and after the completion of the said viaduct and approaches the highway grade crossing over the tracks and right-of-way of the said Baltimore and Ohio Railroad Company in line of present Michigan Avenue shall be forever closed against further traffic of any kind;

Michigan Avenue Northeast, construction.
Vol. 46, p. 1087.

Vol. 31, p. 1266; Vol. 45, p. 1437.

Provisos.
Division of cost.

Lien against railroad property, etc.

Enforcement.

Grade crossing closed.

For the widening, altering, and strengthening of the existing viaduct and approaches in the line of Benning Road Northeast, between Kenilworth and Minnesota Avenues over the tracks and right-of-way of the Pennsylvania Railroad Company and the Baltimore and Ohio Railroad Company, in accordance with plans and profiles to be approved by the Commissioners of the District of Columbia, including construction of and changes in sewer and water mains, personal services, and engineering and incidental expenses, $175,000;

Benning Road.
Improving existing viaduct.
Vol. 38, p. 525.

For the construction of a viaduct or bridge and approaches thereto in line of Franklin Street Northeast, over the tracks of the Baltimore and Ohio Railroad, in accordance with plans and profiles to be approved by the Commissioners of the District of Columbia, including construction of and changes in sewer and water mains, personal services, and engineering and incidental expenses, $200,000: *Provided*, That one-half of the total cost thereof shall be borne and paid by the said railroad company, its successors and assigns, to the collector of taxes of the District of Columbia to the credit of the

Franklin Street viaduct.
Construction over railroad tracks.

Proviso.
Division of costs.

Lien against railroad property, etc.

Enforcement.

District of Columbia, and the same shall be a valid and subsisting lien against the franchises and property of the said railroad company, and shall constitute a legal indebtedness of said company in favor of the District of Columbia, and the said lien may be enforced in the name of the District of Columbia by a bill in equity brought by the said Commissioners in the Supreme Court of the District of Columbia, or by any other lawful proceeding against the said railroad company;

Opening streets, etc., permanent highway system.
Vol. 37, p. 950.

To carry out the provisions of existing law which authorize the Commissioners of the District of Columbia to open, extend, straighten, or widen any street, avenue, road, or highway, except Fourteenth Street extension beyond the southern boundary of Walter Reed Hospital Reservation, in accordance with the plan of the permanent system of highways for the District of Columbia, including the procurement of chains of title, $200,000: *Provided*, That this appropriation shall be available to carry out the provisions of existing law for the opening, extension, widening, or straightening of alleys and minor streets and for the establishment of building lines in the District of Columbia;

Proviso.
Alley improvements, building lines, etc.

Disbursements, etc.

In all, not to exceed $2,375,000, to be immediately available; to be disbursed and accounted for as "Gasoline tax, road, and street improvements and repairs", and for that purpose shall constitute one fund: *Provided*, That assessments in accordance with existing law shall be made for paving and repaving roadways where such roadways are paved or repaved with funds derived from the collection of the tax on motor-vehicle fuels and accretions by repayment of assessments.

Proviso.
Assessments under existing law.

MISCELLANEOUS ROAD AND STREET IMPROVEMENTS AND REPAIRS

Assessment and permit work.

For assessment and permit work, paving of roadways under the permit system, and construction and repair of sidewalks and curbs around public reservations and municipal and United States buildings, including purchase or condemnation of streets, roads, and alleys, and of areas less than two hundred and fifty square feet at the intersection of streets, avenues, or roads in the District of Columbia, to be selected by the Commissioners, and including maintenance of non-passenger-carrying motor vehicles, $150,000.

Changing widths of sidewalks, etc.

The Commissioners of the District of Columbia are authorized and empowered, in their discretion, to fix or alter the respective widths of sidewalks and roadways (including tree spaces and parking) of all highways that may be improved under appropriations contained in this Act.

Open competition for street repair, etc., contracts.

No part of any appropriation contained in this Act shall be available for repairing, resurfacing, or newly paving any street, avenue, or roadway by private contract unless the specifications for such work shall be so prepared as to permit of fair and open competition in paving material as well as in price.

Repairs due to inferior work by contractor.

In addition to the provision of existing law requiring contractors to keep new pavements in repair for a period of one year from the date of the completion of the work, the Commissioners of the District of Columbia shall further require that where repairs are necessary during the four years following the said one-year period, due to inferior work or defective materials, such repairs shall be made at the expense of the contractor, and the bond furnished by the contractor shall be liable for such expense.

Laboratory tests.

No part of the appropriations contained in this Act shall be used for the operation of a testing laboratory of the highways department for making tests of materials in connection with any activity of the District government.

WHARVES

Wharves.

For reconstruction, where necessary, and for maintenance and repair of wharves under the control of the Commissioners of the District of Columbia, in the Washington Channel of the Potomac River, $5,000.

Reconstruction, etc.

TREES AND PARKINGS

Trees and parkings.

For personal services, $26,600.

Personal services.

For contingent expenses, including laborers, trimmers, nurserymen, repairmen, teamsters, hire of carts, wagons, or motor trucks, trees, tree boxes, tree stakes, tree straps, tree labels, planting and care of trees, and tree spaces on city and suburban streets, purchase and maintenance of non-passenger-carrying motor vehicles, and miscellaneous items, $100,000.

Contingent expenses.

SEWERS

Sewers.

For personal services, $184,710.

Personal services.

For cleaning and repairing sewers and basins; including the replacement of the following motor trucks: One at not to exceed $650; two at not to exceed $975 each; for operation and maintenance of the sewage pumping service, including repairs to boilers, machinery, and pumping stations, and employment of mechanics and laborers, purchase of coal, oil, waste, and other supplies, and for the maintenance of non-passenger-carrying motor vehicles used in this work, $222,000.

Cleaning, repair, etc. *Post*, p. 1612.

For main and pipe sewers and receiving basins, $100,000.

Main and pipe.

For suburban sewers, including the maintenance of non-passenger-carrying motor vehicles used in this work, and the replacement of the following motor trucks: Two at not to exceed $3,500 each; two at not to exceed $975 each; one at not to exceed $750; $175,000.

Suburban.

Motor trucks.

For assessment and permit work, sewers, including not to exceed $1,000 for purchase or condemnation of rights-of-way for construction, maintenance, and repair of public sewers, $200,000.

Assessment and permit work.

For the control and prevention of the spread of mosquitoes in the District of Columbia, including personal services, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles, purchase of oil, and other necessary expenses, to be immediately available, $12,000.

Mosquito control.

COLLECTION AND DISPOSAL OF REFUSE

City refuse.

For personal services, $137,270.

Personal services.

For dust prevention, sweeping, and cleaning streets, avenues, alleys, and suburban streets, under the immediate direction of the Commissioners, and for cleaning snow and ice from streets, sidewalks, crosswalks, and gutters in the discretion of the Commissioners, including services and purchase and maintenance of equipment, rent of storage rooms; maintenance and repair of garages; maintenance and repair of non-passenger-carrying motor-propelled vehicles necessary in cleaning streets and purchase of motor-propelled street-cleaning equipment; and necessary incidental expenses, $400,000: *Provided*, That appropriations contained in this Act for highways, sewers, and the water department, shall be available for snow removal when specifically and in writing ordered by the Commissioners.

Sweeping, cleaning, snow and ice removal, etc. *Post*, p. 1612.

Proviso. Use of other funds for snow removal.

To enable the Commissioners to carry out the provisions of existing law governing the collection and disposal of garbage, dead

Garbage, dead animals, ashes, etc.

animals, night soil, and miscellaneous refuse and ashes in the District of Columbia, including inspection; fencing of public and private property designated by the Commissioners as public dumps; and incidental expenses, $795,000: *Provided*, That any proceeds received from the disposal of city refuse or garbage shall be paid into the Treasury of the United States to the credit of the United States and the District of Columbia in the manner provided by law: *Provided further*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business or from apartment houses of four or more apartments in which the landlord furnishes heat to tenants.

Provisos.
Proceeds covered in; division of.

Collection restriction.

Public Playgrounds.

PUBLIC PLAYGROUNDS

Personal services.
Proviso.
Employments restricted.
Vol. 42, p. 1340.

For personal services, $113,000: *Provided*, That employments hereunder, except directors who shall be employed for twelve months, shall be distributed as to duration in accordance with corresponding employments provided for in the District of Columbia Appropriation Act for the fiscal year 1924.

Maintenance, etc.

For general maintenance, repairs, and improvements, equipment, supplies, incidental and contingent expenses of playgrounds, including labor and maintenance, and not to exceed $1,000 for purchase of one motor truck, $40,000.

Public-school playgrounds during summer.

For the maintenance and contingent expenses of keeping open during the summer months the public-school playgrounds, under the direction and supervision of the Commissioners; for special and temporary services, directors, assistants, and janitor service during the summer vacation, and, in the larger yards, daily after school hours during the school term, $26,500.

Swimming or bathing pools.

For temporary services, including superintendence, supplies, repairs, maintenance, and expenses necessary in the operation of swimming or bathing pools, $11,300.

Electrical Department.

ELECTRICAL DEPARTMENT

Personal services.

For personal services, $135,300.

Supplies, contingent expenses, etc.

For general supplies, repairs, new batteries and battery supplies, telephone rental and purchase, telephone service charges, wire and cable for extension of telegraph and telephone service, repairs of lines and instruments, purchase of poles, tools, insulators, brackets, pins, hardware, cross arms, ice, record book, stationery, extra labor, new boxes, maintenance of motor trucks, and other necessary items, including not to exceed $540 for the purchase and exchange of one non-passenger-carrying motor vehicle, $27,500.

Placing wires underground.
Police-patrol and fire-alarm systems, etc.

For placing wires of fire alarm, police patrol, and telephone services underground, extension and relocation of police-patrol and fire-alarm systems, purchase and installing additional lead-covered cables, labor, material, appurtenances, and other necessary equipment and expenses, $25,000.

Lighting, etc.

Lighting: For purchase, installation, and maintenance of public lamps, lampposts, street designations, lanterns, and fixtures of all kinds on streets, avenues, roads, alleys, and public spaces, part cost of maintenance of airport and airway lights necessary for operation of the air mail, and for all necessary expenses in connection therewith, including rental of storerooms, extra labor, operation, maintenance, and repair of motor trucks, this sum to be expended in accordance with the provisions of sections 7 and 8 of the District of Columbia Appropriation Act for the fiscal year 1912 (36 Stat., pp. 1008–1011, sec. 7), and with the provisions of the District of Colum-

Airway lights.

Vol. 36, p. 1008; Vol. 37, p. 181.

bia Appropriation Act for the fiscal year 1913 (37 Stat., pp. 181–184, sec. 7), and other laws applicable thereto, and including not to exceed $28,000 for operation and maintenance of electric traffic lights, signals, and controls, $801,000: *Provided*, That this appropriation shall not be available for the payment of rates for electric street lighting in excess of those authorized to be paid in the fiscal year 1927, and payment for electric current for new forms of street lighting shall not exceed 2 cents per kilowatt-hour for current consumed: *Provided further*, That no part of this appropriation shall be available for the payment on any contract required by law to be awarded through competitive bidding, which is not awarded to the lowest responsible bidder on specifications, and such specifications shall be so drawn as to admit of fair competition.

Provisos.
Electric street lighting rates.

Awards to lowest competitor.

PUBLIC SCHOOLS

Public Schools.

For personal services of administrative and supervisory officers in accordance with the Act fixing and regulating the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia, approved June 4, 1924 (43 Stat., pp. 367–375), including salaries of presidents of teachers colleges in the salary schedule for first assistant superintendents, $671,100.

Administrative and supervisory officers.

Vol. 43, p. 367.

For personal services of clerks and other employees, $187,880.

Personal services.

For personal services in the department of school attendance and work permits in accordance with the Act approved June 4, 1924 (43 Stat., pp. 367–375), the Act approved February 5, 1925 (43 Stat., pp. 806–808), and the Act approved May 29, 1928 (45 Stat., p. 998), $41,900.

School attendance and work permit department.
Vol. 43, pp. 367, 806; Vol. 45, p. 998.

For personal services of teachers and librarians in accordance with the Act approved June 4, 1924 (43 Stat., pp. 367–375), including for teachers colleges assistant professors in salary class eleven, and professors in salary class twelve, $6,953,100, of which not exceeding $5,000 may be expended for compensation to be fixed by the Board of Education and traveling expenses of educational consultants employed on special educational projects: *Provided*, That as teacher vacancies occur during the fiscal year 1936 in grades one to four, inclusive, of the elementary schools, such vacancies may be filled by the assignment of teachers now employed in kindergartens, and teachers employed in kindergartens are hereby made eligible to teach in the said grades: *Provided further*, That teaching vacancies that occur during the fiscal year 1936 wherever found may be filled by the assignment of teachers of special subjects and teachers not now assigned to classroom instruction, and such teachers are hereby made eligible for such assignment without further examination.

Teachers, librarians, etc.
Vol. 43, pp. 367-375.

Traveling expenses.

Provisos.
Assignment of kindergarten teachers in grades 1 to 4.

Placing unassigned teachers of special, etc., subjects.

For the instruction and supervision of children in the vacation schools and playgrounds, and supervisors and teachers of vacation schools and playgrounds may also be supervisors and teachers of day schools, $29,400.

Vacation schools.

No part of any appropriation made in this Act shall be paid to any person employed under or in connection with the public schools of the District of Columbia who shall solicit or receive, or permit to be solicited or received, on any public-school premises, any subscription or donation of money or other thing of value from any pupil enrolled in such public schools for presentation of testimonials to school officials or for any purpose except such as may be authorized by the Board of Education at a stated meeting upon the written recommendation of the superintendent of schools.

Soliciting subscriptions, etc., in schools prohibited.

Exception.

Annuities.
Vol. 41, p. 387; Vol. 44, p. 727.

To carry out the purposes of the Act approved June 11, 1926, entitled "An Act to amend the Act entitled 'An Act for the retirement of public-school teachers in the District of Columbia', approved January 15, 1920, and for other purposes" (41 Stat., pp. 387–390), $400,000.

Night schools.

NIGHT SCHOOLS

Salaries.

For teachers and janitors of night schools, including teachers of industrial, commercial, and trade instruction, and teachers and janitors of night schools may also be teachers and janitors of day schools, $91,360.

Contingent expenses.

For contingent and other necessary expenses, including equipment and purchase of all necessary articles and supplies for classes in industrial, commercial, and trade instruction, $10,000.

Deaf, dumb, and blind.

THE DEAF, DUMB, AND BLIND

Maintenance, etc., instruction.
R. S., sec. 4864, p. 942.
Post, p. 577.

For maintenance and instruction of deaf and dumb persons admitted to the Columbia Institution for the Deaf from the District of Columbia, under section 4864 of the Revised Statutes, and as provided for in the Act approved March 1, 1901 (U. S. C., title 24, sec. 238), and under a contract to be entered into with the said institution by the Commissioners, $34,500.

Colored deaf mutes.
Tuition of, under contract.

For maintenance and instruction of colored deaf-mutes of teachable age belonging to the District of Columbia, in Maryland, or some other State, under a contract to be entered into by the Commissioners, $5,000: *Provided*, That all expenditures under this appropriation shall be made under the supervision of the Board of Education.

Proviso.
Supervision of expenditure.

Blind children.
Tuition of, under contract.

For maintenance and instruction of blind children of the District of Columbia, in Maryland, or some other State, under a contract to be entered into by the Commissioners, $11,500: *Provided*, That all expenditures under this appropriation shall be made under the supervision of the Board of Education.

Proviso.
Supervision of expenditure.

Americanization work.

AMERICANIZATION WORK

Instructing foreigners of all ages.

For Americanization work and instruction of foreigners of all ages in both day and night classes, and teachers and janitors of Americanization schools may also be teachers and janitors of the day schools, $8,800.

Contingent expenses.

For contingent and other necessary expenses, including books, equipment, and supplies, $600.

Children of veterans who lost their lives during World War; instruction.
Vol. 48, p. 1125.

For carrying out the provisions of the Act of June 19, 1934 (48 Stat., p. 1125), entitled "An Act providing educational opportunities for the children of soldiers, sailors, and marines who were killed in action or died during the World War", $3,000.

Community centers.

COMMUNITY CENTER DEPARTMENT

Salaries and expenses.
Vol. 43, p. 369.

For personal services of the director, general secretaries, and community secretaries in accordance with the Act approved June 4, 1924 (43 Stat., pp. 369, 370); clerks and part-time employees, including janitors on account of meetings of parent-teacher associations and other activities, and contingent expenses, equipment, supplies, and lighting fixtures, $50,000.

Care of buildings and grounds.

CARE OF BUILDINGS AND GROUNDS

Salaries.
Smaller buildings and rented rooms.

For personal services, including care of smaller buildings and rented rooms at a rate not to exceed $96 per annum for the care of each schoolroom, other than those occupied by atypical or ungraded classes, for which service an amount not to exceed $120 per annum may be allowed, $915,360.

MISCELLANEOUS

Miscellaneous.

For the maintenance of schools for tubercular and crippled pupils, $7,500.

Schools for tubercular and crippled pupils.

For transportation for pupils attending schools for tubercular pupils, sight conservation pupils, and crippled pupils, $20,000: *Provided*, That expenditures for street-car and bus fares from this fund shall not be subject to the general limitations on the use of street-car and bus fares covered by this Act.

Transportation.

Proviso.
Car, etc., fare.

For purchase and repair of furniture, tools, machinery, material, and books, and apparatus to be used in connection with instruction in manual and vocational training, and incidental expenses connected therewith, $60,000, to be immediately available.

Manual, etc., training expenses.

For fuel, gas, and electric light and power, $300,000.

Fuel, light, and power.
Post, p. 577.

For contingent expenses, including United States flags, furniture and repairs of same, stationery, ice, paper towels, and other necessary items not otherwise provided for, and including not exceeding $8,000 for books of reference and periodicals, not exceeding $1,500 for replacement of pianos at an average cost of not to exceed $300 each, not exceeding $5,000 for labor, $119,500, to be immediately available: *Provided*, That a bond shall not be required on account of military supplies or equipment issued by the War Department for military instruction and practice by the students of high schools in the District of Columbia.

Contingent expenses.

Proviso.
No bond for Army supplies to cadets.

For completing the purchase of furniture and equipment, including pianos and window shades, for the Woodrow Wilson Senior High School, $15,000: *Provided*, That the total amount expended under this appropriation and the appropriation for this purpose contained in the District of Columbia Appropriation Act for the fiscal year 1935 shall not exceed $150,000.

Woodrow Wilson Senior High; furniture, etc.
Post, p. 577.
Proviso.
Total amount for.

No money appropriated in this Act for the purchase of furniture and equipment for the public schools of the District of Columbia shall be expended unless the requisitions of the Board of Education therefor shall be approved by the Commissioners of the District of Columbia, or by the purchasing officer and the auditor for the District of Columbia acting for the Commissioners.

Requisitions for school equipment subject to Commissioners' approval.

For completely furnishing and equipping buildings and additions to buildings as follows: Anacostia Junior High School, $41,200; Deal Junior High School addition, $11,000; Powell Junior High School gymnasium, $1,700; Browne Junior High School addition, $11,000; Grimke School addition, $2,100; in all, $67,000.

Furnishings, etc., for buildings designated.

For textbooks and other educational books and supplies as authorized by the Act of January 31, 1930 (46 Stat., p. 62), including not to exceed $7,000 for personal services, $180,000, to be immediately available.

Supplies to pupils.
Vol. 46, p. 62.

For maintenance of kindergartens, $5,600, to be immediately available.

Kindergartens.

For purchase of apparatus, fixtures, specimens, technical books, and for extending the equipment and for the maintenance of laboratories of the department of physics, chemistry, biology, and general science in the several high and junior high schools and teachers colleges, and for the installation of the same, $14,000, to be immediately available.

Supplies for general science departments.

For utensils, material, and labor, for establishment and maintenance of school gardens, including rent of grounds, $2,000.

School gardens.

The Board of Education is authorized to designate the months in which the ten salary payments now required by law shall be made to teachers assigned to the work of instruction in nature study and school gardens.

Nature study, etc., teachers.

Children of Army, Navy officers, etc., admitted free.

The children of officers and men of the United States Army, Navy, and Marine Corps, and children of other employees of the United States stationed outside the District of Columbia shall be admitted to the public schools without payment of tuition: *Provided*, That hereafter no part of any appropriation for the public schools shall be available for the payment of the salary of any person teaching or advocating Communism.

Proviso. Restriction on salary payments.

Repairs, etc., to buildings.

For repairs and improvements to school buildings and grounds, repairing and renewing heating, plumbing, and ventilating apparatus, installation and repair of electric equipment, and installation of sanitary drinking fountains, and maintenance of motor trucks, including not to exceed $1,950 for the purchase of two one and one-half ton trucks, $420,950, of which amount $100,000 shall be immediately available.

School-yard playgrounds.

For the purchase, installation, and maintenance of equipment, for school yards for the purposes of play of pupils, $7,000: *Provided*, That such playgrounds shall be kept open for play purposes in accordance with the schedule maintained for playgrounds under the jurisdiction of the playground department.

Proviso. Hours of opening.

School buildings and grounds.

BUILDINGS AND GROUNDS

John F. Cook site.

For the construction of an eight-room building on the old John F. Cook School site, $110,000.

Eliot Junior High, addition.

For the construction of an addition to the Eliot Junior High School, including ten classrooms and one gymnasium, $175,000.

Randall Junior High, addition.

For the construction of an eight-room addition to the Randall Junior High School, including remodeling of the present heating plant, $100,000.

Anacostia Junior High, addition.

For beginning construction of an addition to the Anacostia Junior High School to be used for senior high school pupils, $250,000, and the Commissioners are authorized to enter into contract or contracts for said construction at a cost not to exceed $350,000.

Woodrow Wilson High.

For the completion of construction, and for improvement of grounds of the Woodrow Wilson High School, $70,000.

Armstrong High.

For improvements at the Armstrong High School, $70,000.

Phelps Vocational, additional site.

For the purchase of additional land at the Phelps Vocational School for elementary-school purposes, $55,000.

Aggregate; accounted for as one fund.

In all, $830,000, to be immediately available and to be disbursed and accounted for as "Buildings and grounds, public schools", and for that purpose shall constitute one fund and remain available until expended: *Provided*, That no part of this appropriation shall be used for or on account of any school building not herein specified.

Proviso. Use for unauthorized projects forbidden.

Under-age instruction prohibited.

No part of the foregoing appropriations for public schools shall be used for instructing children under five years of age except children entering during the first half of the school year who will be five years of age by November 1, 1935, and children entering during the second half of the school year who will be five years of age by March 15, 1936: *Provided*, That this limitation shall not be considered as preventing the employment of a matron and the care of children under school age at the Webster School whose parent or parents are in attendance in connection with Americanization work.

Proviso. Webster School Americanization work excepted.

Building contract requirements.

None of the money appropriated by this Act shall be paid or obligated toward the construction of or addition to any building the whole and entire construction of which, exclusive of heating, lighting, plumbing, painting, and treatment of grounds, shall not have been awarded in one or a single contract, separate and apart from any other contract, project, or undertaking, to the lowest responsible bidder complying with all the legal requirements as to

a deposit of money or the execution of a bond, or both, for the faithful performance of the contract: *Provided*, That nothing herein shall be construed as repealing existing law giving the Commissioners the right to reject all bids.

Proviso.
Right to reject bids.

The plans and specifications for all buildings provided for in this Act under appropriations administered by the Commissioners of the District of Columbia shall be prepared under the supervision of the municipal architect, and those for school buildings after consultation with the Board of Education, and shall be approved by the Commissioners and shall be constructed in conformity thereto.

Preparation of plans.

The school buildings authorized and appropriated for herein shall be constructed with all doors intended to be used as exits or entrances opening outward, and each of said buildings having in excess of eight rooms shall have at least four exits. Appropriations carried in this Act shall not be used for the maintenance of school in any building unless all outside doors thereto used as exits or entrances shall open outward and be kept unlocked every school day from one-half hour before until one-half hour after school hours.

Exit, etc., requirements.

METROPOLITAN POLICE

Police.

SALARIES

For the pay and allowances of officers and members of the Metropolitan Police force, in accordance with the Act entitled "An Act to fix the salaries of the Metropolitan Police force, the United States Park Police force, and the fire department of the District of Columbia" (43 Stat., pp. 174–175), as amended by the Act of July 1, 1930 (46 Stat., pp. 839–841), including compensation at the rate of $2,100 per annum for the present assistant property clerk of the police department, $3,280,000.

Salaries, officers, etc.
Post, p. 1856.
Vol. 43, p. 174.
Vol. 46, p. 839.

For personal services, $121,700.

Personal services.

MISCELLANEOUS

Miscellaneous.

For fuel, $7,300.

Fuel.

For repairs and improvements to police stations and station grounds, $8,000.

Repairs, etc.

For miscellaneous and contingent expenses, including rewards for fugitives, purchase of gas equipment and fire arms, maintenance of card system, stationery, city directories, books of reference, periodicals, newspapers, telegraphing, telephoning, photographs, rental and maintenance of teletype system and labor-saving devices, telephone service charges, purchase, maintenance and servicing of radio broadcasting systems, purchase of equipment, gas, ice, washing, meals for prisoners, medals of award, not to exceed $300 for car tickets, furniture and repair thereto, beds and bed clothing, insignia of office, police equipments and repairs to same, and mounted equipment, flags and halyards, storage of stolen or abandoned property, and traveling and other expenses incurred in prevention and detection of crime and other necessary expenses, including expenses of harbor patrol, $69,770, of which amount not exceeding $2,000 may be expended by the major and superintendent of police for prevention and detection of crime, under his certificate, approved by the Commissioners, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended: *Provided*, That the Commissioners are authorized to employ the electrician of the District Building to repair speedometers at such cost not exceeding $250 as they may approve, payment to be in addition to his regular compensation, and such services to be performed after regular working hours.

Contingent expenses.

Radio systems.

Prevention and detection of crime.

Proviso.
Repairs to speedometers.

Motor vehicles.

For purchase, exchange, and maintenance of passenger-carrying and other motor vehicles and the replacement of those worn out in the service and condemned, $65,000.

Uniforms.

Uniforms: For furnishing uniforms and other official equipment prescribed by department regulations as necessary and requisite in the performance of duty to officers and members of the Metropolitan Police, including cleaning, alteration, and repair of articles transferred from one individual to another, $50,125.

House of Detention.

HOUSE OF DETENTION

Maintenance, etc.

For maintenance of a suitable place for the reception and detention of girls and women over seventeen years of age, arrested by the police on charge of offense against any laws in force in the District of Columbia, or held as witnesses or held pending final investigation or examination, or otherwise, including transportation, the maintenance of necessary motor vehicles, clinic supplies, food, upkeep and repair of buildings, fuel, gas, ice, laundry, supplies and equipment, electricity, and other necessary expenses, $8,400; for personal services, $9,420; in all, $17,820.

Policemen and Firemen's Relief Fund.

POLICEMEN AND FIREMEN'S RELIEF FUND

Payments from.

Proviso.
Deposit of relief funds.
Vol. 39, p. 718.

To pay the relief and other allowances as authorized by law, from the policemen and firemen's relief fund, $1,010,000: *Provided*, That commencing with July 1, 1935, and thereafter, all moneys now required to be deposited to the credit of the policemen and firemen's relief fund, District of Columbia, under section 12 of the Act approved September 1, 1916 (39 Stat. 718), as amended, shall be paid to the collector of taxes of the District of Columbia and deposited in the Treasury to the credit of the revenues of said District.

Fire Department.

FIRE DEPARTMENT

SALARIES

Salaries of officers, etc.

For the pay of officers and members of the fire department, in accordance with the Act entitled "An Act to fix the salaries of officers and members of the Metropolitan Police force, the United States Park Police force, and the fire department of the District of Columbia" (43 Stat. 175), as amended by the Act of July 1, 1930 (46 Stat. 839–841), $2,177,000.

Vol. 43, p. 175; Vol. 46, p. 839.

Personal services.

For personal services, $5,620.

Miscellaneous.

MISCELLANEOUS

Repairs, etc., to buildings.

For repairs and improvements to buildings and grounds, $20,000.

Uniforms.

Uniforms: For furnishing uniforms and other official equipment prescribed by department regulations as necessary and requisite in the performance of duty to officers and members of the fire department, including cleaning, alteration, and repair of articles transferred from one individual to another, $23,000.

Repairs to apparatus, etc.

For repairs to apparatus, motor vehicles, and other motor-driven apparatus, fire boat and for new apparatus, new motor vehicles, new appliances, employment of mechanics, helpers, and laborers in the fire department repair shop, and for the purchase of necessary supplies, materials, equipment, and tools, $45,000: *Provided*, That the Commissioners are authorized, in their discretion, to build or construct, in whole or in part, fire-fighting apparatus in the fire department repair shop.

Proviso.
Construction at repair shop.

Hose.
For hose, $29,500.

Fuel.
For fuel, $23,000.

Contingent expenses.
For contingent expenses, furniture, fixtures, oil, blacksmithing, gas and electric lighting, flags, and halyards, medals of award, and other necessary items, $20,000.

New apparatus.
For three combination hose wagons and one pumping engine, triple combination, all motor driven, $34,500.

Truck house, etc.
For house, furniture, and furnishings for a truck company on land now owned by the District of Columbia at Fourteenth Street and Rhode Island Avenue, Northeast, including the cost of necessary instruments for receiving alarms and connecting said house with fire-alarm headquarters, $77,241.

HEALTH DEPARTMENT

Health Department.

SALARIES

Salaries.

Personal services.
Post, p. 577.
For personal services, $178,500.

PREVENTION OF CONTAGIOUS DISEASES

Prevention of contagious diseases.

Contingent expenses.
Vol. 29, p. 635.
Post, p. 577.
For contingent expenses incident to the enforcement of the provisions of an Act to prevent the spread of contagious diseases in the District of Columbia, approved March 3, 1897 (29 Stat., pp. 635–641), and an Act for the prevention of scarlet fever, diphtheria, measles, whooping cough, chicken pox, epidemic cerebrospinal meningitis, and typhoid fever in the District of Columbia, approved February 9, 1907 (34 Stat., pp. 889–890), and an Act to provide for registration of all cases of tuberculosis in the District of Columbia, for free examination of sputum in suspected cases, and for preventing the spread of tuberculosis in said District of Columbia, approved May 13, 1908 (35 Stat., pp. 126–127), under the direction of the health officer of said District, manufacture of serums, including their use in indigent cases, and for the prevention of infantile paralysis and other communicable diseases, and of an Act for the prevention of venereal diseases in the District of Columbia, and for other purposes, approved February 26, 1925 (43 Stat., pp. 1001–1003), and for maintenance of disinfecting service, including salaries or compensation for personal services, when ordered in writing by the Commissioners and necessary for the enforcement and execution of said Acts, and for the prevention of such other communicable diseases as hereinbefore provided, and purchase of reference books and medical journals, $33,500: *Provided*, That any bacteriologist employed under this appropriation may be assigned by the health officer to the bacteriological examination of milk and other dairy products and of the water supplies of dairy farms, and to such other sanitary works as in the judgment of the health officer will promote the public health, whether such examinations be or be not directly related to contagious diseases.

Vol. 34, p. 889.
Tuberculosis registration.
Vol. 35, p. 126.
Infantile paralysis.
Venereal diseases.
Vol. 43, p. 1001.
Disinfecting service.
Proviso.
Bacteriological examination of milk, etc.

Tuberculosis and venereal dispensaries.
For the maintenance of a dispensary or dispensaries for the treatment of indigent persons suffering from tuberculosis and of indigent persons suffering from venereal diseases, including payment for personal services, rent, supplies, and contingent expenses, $52,000: *Provided*, That the Commissioners may accept such volunteer services as they deem expedient in connection with the establishment and maintenance of the dispensaries herein authorized: *Provided further*, That this shall not be construed to authorize the expenditure or the payment of any money on account of any such volunteer service.

Provisos.
Volunteer service.
Compensation.

Drainage of lots, etc. Vol. 29, p. 125.

Abatement of nuisances. Vol. 34, p. 114.

For enforcement of the provisions of an Act to provide for the drainage of lots in the District of Columbia, approved May 19, 1896 (29 Stat., pp. 125–126), and an Act to provide for the abatement of nuisances in the District of Columbia by the Commissioners, and for other purposes, approved April 14, 1906, $1,000.

Hygiene, etc., public schools. Free dental clinics.

Proviso. Inspectors and nurses, division of.

Hygiene and sanitation, public schools, salaries: For personal services in the conduct of hygiene and sanitation work in the public schools, including the necessary expenses of maintaining free dental clinics, $102,500: *Provided*, That of the persons employed as medical inspectors one shall be a woman, four shall be dentists, and four shall be of the colored race, and that of the graduate nurses employed as public-school nurses three shall be of the colored race.

Maintenance of laboratories, etc.

For maintenance of laboratories, including reference books and periodicals, apparatus, equipment, and necessary contingent and miscellaneous expenses, $1,800.

Preventing food, candy, etc., adulterations. Vol. 30, pp. 246, 398.

Pure Food Act. Vol. 34, p. 768.

Milk regulations. Vol. 43, p. 1004.

For contingent expenses incident to the enforcement of an Act relating to the adulteration of foods and drugs in the District of Columbia approved February 17, 1898 (30 Stat., pp. 246–248), an Act to prevent the adulteration of candy in the District of Columbia, approved May 5, 1898 (30 Stat., p. 398), an Act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes, approved June 30, 1906 (34 Stat., pp. 768–772), and an Act to regulate, within the District of Columbia, the sale of milk, cream, and ice cream, and for other purposes, approved February 27, 1925 (43 Stat., pp. 1004–1008), including traveling and other necessary expenses of dairy-farm inspectors; and including not to exceed $100 for special services in detecting adulteration of drugs and foods, including candy and milk, $6,000: *Provided*, That inspectors of dairy farms may receive an allowance for furnishing privately owned motor vehicles in the performance of official duties at the rate of not to exceed $312 per annum for each inspector.

Proviso. Dairy farms inspection; vehicle allowance.

Motor vehicles.

For maintenance and operation of motor ambulances and motor vehicles, $900.

Child welfare and hygiene.

Child welfare and hygiene: For maintaining a child hygiene service, including the establishment and maintenance of child-welfare stations for clinical examinations, advice in the care of children under six years of age, payment for personal services, rent, fuel, periodicals, and supplies, $50,000: *Provided*, That the Commissioners may accept such volunteer services as they may deem expedient in connection with the establishment and maintenance of the service herein authorized: *Provided further*, That this shall not be construed to authorize the expenditure or the payment of any money on account of any such volunteer service.

Provisos. Volunteer service.

No pay therefor.

Courts.

COURTS

Juvenile Court.

JUVENILE COURT

Salaries.

Salaries: For personal services, $59,940.

Miscellaneous.

Miscellaneous: For compensation of jurors, $2,000.

Contingent expenses.

For fuel, ice, gas, laundry work, stationery, books of reference, periodicals, typewriters and repairs thereto, preservation of records, mops, brooms, and buckets, removal of ashes and refuse, telephone service, traveling expenses, meals of jurors and prisoners, repairs to courthouse and grounds, furniture, fixtures, and equipment, and other incidental expenses not otherwise provided for, $3,000.

The disbursing officer of the District of Columbia is authorized to advance to the chief probation officer of the juvenile court upon requisition previously approved by the judge of the juvenile court and the auditor of the District of Columbia, sums of money not to exceed $50 at any one time, to be expended for transportation and traveling expenses to secure the return of absconding probationers, and to be accounted for monthly on itemized vouchers to the accounting officer of the District of Columbia.

Advances authorized for returning, etc., absconding probationers.

POLICE COURT

Police Court.

Salaries: For personal services, $100,550.

Salaries.

For law books, books of reference, directories, periodicals, stationery, preservation of records, typewriters and repairs thereto, fuel, ice, gas, electric lights and power, telephone service, laundry work, removal of ashes and rubbish, mops, brooms, buckets, dusters, sponges, painter's and plumber's supplies, toilet articles, medicines, soap and disinfectants, lodging and meals for jurors and bailiffs when ordered by the court, United States flags and halyards, and all other necessary and incidental expenses of every kind not otherwise provided for, $5,100, of which not exceeding $750 shall be available for telephone and telegraph service.

Contingent expenses.

For witness fees and compensation of jurors, $22,500.

Witness fees and jurors' compensation.

For repairs and alterations to building, $1,500.

Repairs to building.

MUNICIPAL COURT

Municipal Court.

Salaries: For personal services, including compensation of five judges without reference to the limitation in this Act restricting salaries within the grade, $77,170.

Salaries.

For compensation of jurors, $6,000: *Provided*, That deposits made on demands for jury trials in accordance with rules prescribed by the court under authority granted in section 11 of the Act approved March 3, 1921 (41 Stat., p. 1312), shall be earned unless, prior to three days before the time set for such trials, including Sundays and legal holidays, a new date for trial be set by the court, cases be discontinued or settled, or demands for jury trials be waived.

Jurors' compensation. *Proviso.* Deposits for jury trials earned unless new date set. Vol. 41, p. 1312.

For contingent expenses, including books, law books, books of reference, fuel, light, telephone, lodging and meals for jurors, and for deputy United States marshals while in attendance upon jurors, when ordered by the court; fixtures, repairs to furniture, building and building equipment, and all other necessary miscellaneous items and supplies, $3,250.

Contingent expenses.

SUPREME COURT, DISTRICT OF COLUMBIA

District Supreme Court.

Salaries: For the chief justice, eight associate justices, nine stenographers (one for the chief justice and one for each associate justice), and other personal services, $133,700.

Salaries.

Fees of jurors and witnesses: For mileage and per diem of jurors, for mileage and per diem of witnesses and for per diem in lieu of subsistence, and payment of the expenses of witnesses in said court as provided by section 850, Revised Statutes (U. S. C., title 28, sec. 604), $85,000.

Jurors and witnesses. R. S., sec. 850, p. 160. Vol. 44, p. 323. U. S. C., p. 1295.

For not exceeding twenty deputy marshals who act as bailiffs, clerks of jury commissioners, and per diems of jury commissioners, and for expenses of meals and lodging for jurors in United States cases, and of bailiffs in attendance upon same when ordered by the court, $37,400: *Provided*, That the compensation of each jury commissioner for the fiscal year 1936 shall not exceed $250.

Bailiffs, etc. Post, p. 1613.

Proviso. Jury commissioners.

Probation system.

Probation system: For personal services, $11,480; contingent expenses, $250; in all, $11,730.

Courthouse, care, etc.

Courthouse: For personal services for care and protection of the courthouse, under the direction of the United States marshal of the District of Columbia, $35,290, to be expended under the direction of the Attorney General.

Repairs, etc.

For repairs and improvements to the courthouse, including repair and maintenance of the mechanical equipment, and for labor and material and every item incident thereto, $5,000, to be expended under the direction of the Architect of the Capitol.

Court of Appeals.

COURT OF APPEALS

Salaries.

Salaries: For the chief justice and four associate justices, and all other officers and employees of the court; reporting service; and not to exceed $520 for necessary expenditures in the conduct of the clerk's office; in all, $99,300: *Provided*, That the reports of the court shall not be sold for a price exceeding that approved by the court and for not more than $6.50 per volume.

Proviso.
Sale of reports.

Care, etc., of building.

Building: For personal services for care and protection of the United States Court of Appeals Building, including one mechanician, under the direction of the Architect of the Capitol, $8,340: *Provided*, That the clerk of the court of appeals shall be the custodian of said building, under the direction and supervision of the justices of said court.

Proviso.
Custodian.

Incidental expenses.

For mops, brooms, buckets, disinfectants, removal of refuse, electrical supplies, books, and all other necessary and incidental expenses not otherwise provided for, $660.

Building repairs, etc.

For repairs and improvements to the United States Court of Appeals Building, including repair and maintenance of the mechanical equipment, and for labor and material and every item incident thereto, $1,500, to be expended under the direction of the Architect of the Capitol.

Miscellaneous.

MISCELLANEOUS

Support of convicts out of the District.

Support of convicts: For support, maintenance, and transportation of convicts transferred from District of Columbia; expenses of shipping remains of deceased convicts to their homes in the United States, and expenses of interment of unclaimed remains of deceased convicts; expenses incurred in identifying and pursuing escaped convicts and rewards for their recapture; and discharge gratuities provided by law; to be expended under the direction of the Attorney General, $60,000.

Lunacy writs. Expenses of executing.
Vol. 33, p. 740.

Writs of lunacy: For expenses attending the execution of writs de lunatico inquirendo and commitments thereunder in all cases of indigent insane persons committed or sought to be committed to Saint Elizabeths Hospital by order of the executive authority of the District of Columbia under the provisions of existing law, and expenses of commitments to the District Training School, $1,000.

Miscellaneous expenses as authorized by Attorney General.
Post, p. 1613.

Miscellaneous court expenses: For such miscellaneous expenses as may be authorized by the Attorney General for the Supreme Court of the District of Columbia and its officers, including the furnishing and collecting of evidence where the United States is or may be a party in interest, and including such expenses other than for personal services as may be authorized by the Attorney General for the United States Court of Appeals, District of Columbia, $25,000.

Printing and binding.

Printing and binding: For printing and binding for the Supreme Court and the United States Court of Appeals of the District of Columbia, except records and briefs in cases in which the United States is a party, $5,500.

PUBLIC WELFARE

Public Welfare.

BOARD OF PUBLIC WELFARE

Board of Public Welfare.
Post, p. 578.

For personal services, $115,990.

Personal services.

DIVISION OF CHILD WELFARE

Child Welfare Division.

Administration: For administrative expenses, including placing and visiting children, city directory, purchase of books of reference and periodicals not exceeding $50, and all office and sundry expenses, $3,500, and no part of the money herein appropriated shall be used for the purpose of visiting any ward of the Board of Public Welfare placed outside the District of Columbia and the States of Virginia and Maryland; and a ward placed outside said District and the States of Virginia and Maryland shall be visited not less than once a year by a voluntary agent or correspondent of said Board, and that said Board shall have power, upon proper showing, in its discretion, to discharge from guardianship any child committed to its care.

Administrative expenses.

Restriction on expenditure.

For board and care of all children committed to the guardianship of said board by the courts of the District, and for temporary care of children pending investigation or while being transferred from place to place, with authority to pay not more than $1,500 each to institutions under sectarian control and not more than $400 for burial of children dying while under charge of the board, $250,000.

Board, etc., of children.
Post, p. 1613.

To carry out the purposes of the Act entitled "An Act to provide home care for dependent children in the District of Columbia", approved June 22, 1926 (44 Stat., pp. 758–760), including not to exceed $13,060 for personal services in the District of Columbia, $163,060: *Provided*, That this appropriation shall be so apportioned by the Commissioners as to prevent a deficiency therein, and no more than $100 per month shall be paid therefrom to any one family and no more than $400 shall be paid for burial of children dying while beneficiaries under said Act.

Home care of dependent children.
Vol. 44, p. 758.

Proviso.
Apportionment restrictions.

For the maintenance, under the jurisdiction of the Board of Public Welfare, of a suitable place in a building entirely separate and apart from the house of detention for the reception and detention of children under seventeen years of age arrested by the police on charge of offense against any laws in force in the District of Columbia, or committed to the guardianship of the Board, or held as witnesses, or held temporarily, or pending hearing, or otherwise, including transportation, food, clothing, medicine, and medicinal supplies, rental, repair and upkeep of buildings, fuel, gas, electricity, ice, supplies and equipment, and other necessary expenses including not to exceed $19,120 for personal services, $36,680.

Receiving home for children under seventeen.
Maintenance, etc.
Post, p. 1613.

The disbursing officer of the District of Columbia is authorized to advance to the director of public welfare, upon requisitions previously approved by the auditor of the District of Columbia and upon such security as may be required of said director by the commissioners, sums of money not to exceed $400 at any one time, to be used for expenses in placing and visiting children, traveling on official business of the board, and for office and sundry expenses, all such expenditures to be accounted for to the accounting officers of the District of Columbia within one month on itemized vouchers properly approved.

Advances to director.

Limit.

JAIL

Jail.

Salaries: For personal services, $76,470.

Salaries.

For maintenance and support of prisoners of the District of Columbia at the jail, expenses incurred in identifying and pursuing

Maintenance, etc., of prisoners.
Post, p. 1613.

escaped prisoners and rewards for their capture; repair and improvements to buildings, cells, and locking devices; newspapers, books, and periodicals not to exceed $100; maintenance of non-passenger-carrying motor vehicle; and expense of electrocutions, $82,000.

Workhouse and Reformatory.

GENERAL ADMINISTRATION, WORKHOUSE AND REFORMATORY, DISTRICT OF COLUMBIA

Personal services.

For personal services, $389,560.

Maintenance, etc. *Post*, p. 1614.

For maintenance, care, and support of inmates, rewards for fugitives, discharge gratuities provided by law, medical supplies, newspapers, books, books of reference and periodicals, farm implements, tools, equipment, transportation expenses, purchase and maintenance of livestock and horses; purchase, exchange, maintenance, operation, and repair of non-passenger-carrying vehicles and motor bus; fuel for heating, lighting, and power, and all other necessary items, $350,000.

Fuel, etc.

Building construction, etc.

For continuing construction of buildings and inclosing walls, including equipment and furniture, to provide for the custody of such prisoners as should be confined within a walled inclosure, $100,000, to be immediately available.

Repairs.

For repairs to buildings and grounds, and maintenance of utilities, marine and railroad transportation facilities, and mechanical equipment not used in industrial enterprises, $22,000.

Working capital.

To provide a working capital fund for such industrial enterprises as may be approved by the Commissioners of the District of Columbia, $30,000: *Provided*, That the various departments and institutions of the District of Columbia and the Federal Government may purchase, at fair market prices, as determined by the Commissioners, such surplus products and services as meet their requirements; receipts from the sale of products and services shall be deposited to the credit of said working capital fund, and said fund, including all receipts credited thereto, shall be used as a revolving fund for the fiscal year 1936 for the purchase and repair of machinery, tools, and equipment, purchase of raw materials and manufacturing supplies, purchase, maintenance, and operation of non-passenger-carrying vehicles, purchase and maintenance of horses, and purchase of fuel for manufacturing purposes; for freight, personal services, and all other necessary expenses; and for the payment to inmates or their dependents of such pecuniary earnings as the Commissioners may deem proper.

Proviso.
Purchase of services and products.

Receipts deposited as a revolving fund; availability.

Water supply, filtration system. *Post*, p. 1115.

For construction of a sand filter for the permanent water supply system, to be immediately available, $25,000.

Advances authorized for returning escaped prisoners.

The disbursing officer of the District of Columbia is authorized to advance to the general superintendent of penal institutions, upon requisitions previously approved by the auditor of the District of Columbia, and upon such security as the Commissioners may require of said superintendent, sums of money not exceeding $200 at one time, to be used only for expenses in returning escaped prisoners, payable from the maintenance appropriations for the workhouse and reformatory, all such expenditures to be accounted for to the accounting officers of the District of Columbia within one month on itemized vouchers properly approved.

National Training School for Boys.

NATIONAL TRAINING SCHOOL FOR BOYS

Care, etc., of boys committed thereto.

For care and maintenance of boys committed to the National Training School for Boys by the courts of the District of Columbia under a contract to be made by the Board of Public Welfare with the authorities of said National Training School for Boys, $60,000.

NATIONAL TRAINING SCHOOL FOR GIRLS

National Training School for Girls.

Salaries and expenses.

Salaries: For personal services, $31,550.

For groceries, provisions, light, fuel, soap, oil, lamps, candles, clothing, shoes, forage, horseshoeing, medicines, medical attendance, transportation, sewing machines, fixtures, books, magazines, and other supplies which represent greater educational advantages; stationery, horses, vehicles, harness, cows, pigs, fowls, sheds, fences, repairs, typewriting, stenography, and other necessary items, and including compensation not exceeding $1,500 for additional labor or services; for identifying and pursuing escaped inmates and for rewards for their capture, for transportation and other necessary expenses incident to securing suitable homes for paroled or discharged girls, and for maintenance of non-passenger-carrying motor vehicles, $30,500.

Apprehending absconders.

MEDICAL CHARITIES

Medical Charities.

Care, etc., of indigent patients at designated hospitals.

For care and treatment of indigent patients under contracts to be made by the Board of Public Welfare with the following institutions and for not to exceed the following amounts, respectively:

Children's Hospital, $36,500.

Central Dispensary and Emergency Hospital, $55,000.

Eastern Dispensary and Casualty Hospital, $25,000.

Washington Home for Incurables, $10,000.

COLUMBIA HOSPITAL AND LYING-IN ASYLUM

Columbia Hospital.

Repairs, etc.

For general repairs, including labor and material, to be expended in the discretion and under the direction of the Architect of the Capitol, $5,000.

TUBERCULOSIS HOSPITAL

Tuberculosis Hospital.

Salaries and expenses. *Post*, p. 1614.

For personal services, $99,500.

For provisions, fuel, forage, harness, and vehicles, and repairs to same, gas, ice, shoes, clothing, dry goods, tailoring, drugs and medical supplies, furniture and bedding, kitchen utensils, medical books, books of reference, and periodicals not to exceed $200, temporary services not to exceed $1,000, maintenance of motor truck, and other necessary items, $65,000.

Repairs, etc.

For repairs and improvements to buildings and grounds, including roads and sidewalks, $3,000.

CHILDREN'S TUBERCULOSIS SANATORIUM

Children's Tuberculosis Sanatorium.

Salaries and expenses.

Salaries: For personal services, including not to exceed $1,000 for temporary labor, $77,410.

For provisions, fuel, forage, harness, and vehicles, and repairs to same, maintenance and purchase of horses and horse-drawn vehicles, gas, ice, shoes, clothing, dry goods, tailoring, drugs and medical supplies, furniture and bedding, kitchen utensils, medical books, books of reference, and periodicals not to exceed $200, maintenance of motor truck, and other necessary items, $67,000.

Repairs, etc.

For repairs and improvements to buildings and grounds, including roads and sidewalks, $2,000.

Furniture, etc.

For purchase of furniture and equipment, $40,000.

GALLINGER MUNICIPAL HOSPITAL

Gallinger Hospital.

Salaries.

Salaries: For personal services, including not to exceed $2,000 for temporary labor, $396,300.

Maintenance, etc.

For maintenance of the hospital; for maintenance of the quarantine station, smallpox hospital, and public crematorium, including expenses incident to furnishing proper containers for the reception, burial, and identification of the ashes of all human bodies of indigent persons that are cremated at the public crematorium and remain unclaimed after twelve months from the date of such cremation; for maintenance and purchase of horses and horse-drawn vehicles; for medical books, books of reference, and periodicals not to exceed $500; for maintenance of non-passenger-carrying motor vehicles; and for all other necessary expenses, $230,000.

Repairs, etc.

For repairs and improvements to buildings and grounds, $4,500.

Incidental expenses.

Purchase of books, musical instruments and music, expense of commencement exercises, entertainments, and inspection by New York State Board of Regents, and other incidental expenses of the training school for nurses, $600.

District Training School.

DISTRICT TRAINING SCHOOL

Personal services.

For personal services, including not to exceed $1,000 for temporary labor, $90,540.

Maintenance, etc.
Post, p. 1614.

For maintenance and other necessary expenses, including the maintenance of non-passenger-carrying motor vehicles, the purchase and maintenance of horses and wagons, farm machinery and implements, and not to exceed $200 for the purchase of books, books of reference, and periodicals, $84,000.

Repairs, etc.

For repairs and improvements to buildings and grounds, $5,000.

Industrial Home School for Colored Children.

INDUSTRIAL HOME SCHOOL FOR COLORED CHILDREN

Salaries.

Salaries: For personal services, $35,970; temporary labor, $500; in all, $36,470.

Maintenance, etc.
Post, p. 1614.

For maintenance, including purchase and maintenance of farm implements, horses, wagons, and harness, and maintenance of non-passenger-carrying motor vehicles, and not to exceed $1,250 for manual-training equipment and materials, $25,500.

Repairs, etc.

For repairs and improvements to buildings and grounds, $2,500.

Industrial Home School.

INDUSTRIAL HOME SCHOOL

Salaries.

Salaries: For personal services, $24,200; temporary labor, $500; in all, $24,700.

Maintenance.

For maintenance, including purchase of equipment, maintenance of non-passenger-carrying motor vehicle, $22,500.

Repairs, etc.

For repairs and improvements to buildings and grounds, $2,500.

Home for Aged and Infirm.

HOME FOR AGED AND INFIRM

Salaries.

Salaries: For personal services, $61,880; temporary labor, $2,000; in all, $63,880.

Contingent expenses.
Post, p. 1615.

For provisions, fuel, forage, harness, and vehicles and repairs to same, ice, shoes, clothing, dry goods, tailoring, drugs and medical supplies, furniture and bedding, kitchen utensils, and other necessary items, and maintenance of non-passenger-carrying motor vehicles, $70,000.

Repairs, etc.; day labor.

For repairs and improvements to buildings and grounds, such work to be performed by day labor or otherwise in the discretion of the Commissioners, $4,500.

Municipal lodging house.

MUNICIPAL LODGING HOUSE AND WOOD YARD

For personal services, $3,600; maintenance, $4,000; in all, $7,600.

EMERGENCY RELIEF

Emergency relief.

For the purpose of affording relief to residents of the District of Columbia who are unemployed or otherwise in distress because of the existing emergency, to be expended by the Board of Public Welfare of the District of Columbia by employment and direct relief, in the discretion of the Board of Commissioners and under rules and regulations to be prescribed by the board and without regard to the provisions of any other law, payable from the revenues of the District of Columbia, $2,000,000, to be immediately available, of which amount not more than $79,000 shall be available for free lunches for necessitous school children.

Wholly from District revenues.
Post, p. 1186.

TEMPORARY HOME FOR FORMER SOLDIERS AND SAILORS

Temporary home for former soldiers and sailors.

For personal services, $4,620; maintenance, $9,250; and repairs to buildings and grounds, $500; in all, $14,370, to be expended under the direction of the Commissioners; and former Union soldiers, sailors, or marines of the Civil War, former soldiers, sailors, or marines of the Spanish War, Philippine Insurrection, or China relief expedition, and former soldiers, sailors, or marines of the World War or who served prior to July 2, 1921, shall be admitted to the home, all under the supervision of a board of management.

Personal services; maintenance, etc.

Admittance.

FLORENCE CRITTENTON HOME

For care and maintenance of women and children under a contract to be made with the Florence Crittenton Home by the Board of Public Welfare, maintenance, $9,000.

Florence Crittenton Home.

SOUTHERN RELIEF SOCIETY

For care and maintenance of needy and infirm Confederate veterans, their widows and dependents, residents in the District of Columbia, under a contract to be made with the Southern Relief Society by the Board of Public Welfare, $10,000.

Southern Relief Society, for needy Confederate veterans.

NATIONAL LIBRARY FOR THE BLIND

For aid and support of the National Library for the Blind, located at 1800 D Street Northwest, to be expended under the direction of the Commissioners of the District of Columbia, $5,000.

National Library for the Blind.

COLUMBIA POLYTECHNIC INSTITUTE

To aid the Columbia Polytechnic Institute for the Blind, located at 1808 H Street Northwest, to be expended under the direction of the Commissioners of the District of Columbia, $3,000.

Columbia Polytechnic Institute.

SAINT ELIZABETHS HOSPITAL

Saint Elizabeths Hospital.

For support of indigent insane of the District of Columbia in Saint Elizabeths Hospital, as provided by law, $2,101,572.

Support of District insane.

NONRESIDENT INSANE

For deportation of nonresident insane persons, in accordance with the Act of Congress "to change the proceedings for admission to the Government Hospital for the Insane in certain cases, and for other purposes", approved January 31, 1899, including persons held in the psychopathic ward of the Gallinger Municipal Hospital, $9,000.

Deporting nonresident insane.
Vol. 30, p. 811.
Post, p. 1615.

Advances authorized to Director of Public Welfare.

In expending the foregoing sum the disbursing officer of the District of Columbia is authorized to advance to the Director of Public Welfare, upon requisitions previously approved by the auditor of the District of Columbia, and upon such security as the Commissioners may require of said director, sums of money not exceeding $300 at one time, to be used only for deportation of nonresident insane persons, and to be accounted for monthly on itemized vouchers to the accounting officer of the District of Columbia.

Limit.

RELIEF OF THE POOR

Relief of the poor.

For relief of the poor, including medical and surgical supplies, artificial limbs, and for pay of physicians to the poor, to be expended under the direction of the Board of Public Welfare, $13,000.

Ex-service men.

BURIAL OF EX-SERVICE MEN

Burial of indigent, in Arlington Cemetery, etc.

For expenses of burying in the Arlington National Cemetery, or in the cemeteries of the District of Columbia, indigent Union ex-soldiers, ex-sailors, or ex-marines, of the United States service, either Regular or Volunteer, who have been honorably discharged or retired, and who died in the District of Columbia, to be disbursed by the Secretary of War at a cost not exceeding $45 for such burial expenses in each case. exclusive of cost of grave, $450.

TRANSPORTATION OF INDIGENT PERSONS

Transporting indigent persons.

For transportation of indigent persons, including indigent veterans of the World War and their families, $3,500.

Vocational rehabilitation of disabled residents.
Vol. 45, p. 1260.

Vocational rehabilitation of disabled residents, District of Columbia: To carry out the provisions of the Act entitled "An Act to provide for the vocational rehabilitation of disabled residents of the District of Columbia, and for other purposes", approved February 23, 1929 (U. S. C., Supp. VII, title 29, secs. 47–47f), $15,000.

Militia.

MILITIA

Expenses authorized, under commanding general.

For the following, to be expended under the authority and direction of the commanding general, who is hereby authorized and empowered to make necessary contracts and leases, namely:

Personal services. Expenses of camps. *Post*, p. 1615.

For personal services, $21,200; temporary labor, $5,800; for expenses of camps, including hire of horses for officers required to be mounted, and for the payment of commutation of subsistence for enlisted men who may be detailed to guard or move the United States property at home stations on days immediately preceding and immediately following the annual encampments; damages to private property incident to encampment; reimbursement to the United States for loss of property for which the District of Columbia may be held responsible; cleaning and repairing uniforms, arms, and equipment; instruction, purchase, and maintenance of athletic, gymnastic, and recreational equipment at armory or field encampments, not to exceed $500; practice marches, drills, and parades; rent of armories, drill halls, and storehouses; fuel, light, heat, care, and repair of armories, offices, and storehouses; machinery and dock, including dredging alongside of dock; construction of buildings for storage and other purposes at target range; telephone service; printing, stationery, and postage; horses and mules for mounted organizations; maintenance and operation of passenger and non-passenger-carrying motor vehicles; street-car fares (not to exceed $200) necessarily used in the transaction of official business; not exceeding $400 for traveling expenses, including attendance at meetings or conven-

tions of associations pertaining to the National Guard; and for general incidental expenses of the service, $9,000; in all, $36,000.

ANACOSTIA RIVER AND FLATS

Anacostia Park.

For continuing the reclamation and development of Anacostia Park, in accordance with the revised plan as set forth in Senate Document Numbered 37, Sixty-eighth Congress, first session, $40,000.

Continuing development.

NATIONAL CAPITAL PARKS

National Capital Parks.

SALARIES, PUBLIC PARKS, DISTRICT OF COLUMBIA

For personal services, $350,000.

Personal services.

GENERAL EXPENSES, PUBLIC PARKS

Public parks.

General expenses: For general expenses in connection with the maintenance, care, improvement, furnishing of heat, light, and power of public parks, grounds, fountains and reservations, propagating gardens and greenhouses under the jurisdiction of the National Park Service, including not to exceed $5,000 for the maintenance of the tourists' camp on its present site in East Potomac Park, and including personal services of seasonal or intermittent employees at per diem rates of pay approved by the Director, not exceeding current rates of pay for similar employment in the District of Columbia; the hire of draft animals with or without drivers at local rates approved by the Director; the purchase and maintenance of draft animals, harness, and wagons; contingent expenses; city directories; communication service; car fare; traveling expenses; professional, scientific, technical, and law books; periodicals and reference books, blank books and forms; photographs; dictionaries and maps; leather and rubber articles for the protection of employees and property; the maintenance, repair, exchange, and operation of not to exceed two motor-propelled passenger-carrying vehicles and all necessary bicycles, motorcycles, and self-propelled machinery; the purchase, maintenance, and repair of equipment and fixtures, and so forth, $365,000: *Provided*, That not exceeding $20,000 of the amount herein appropriated may be expended for placing and maintaining portions of the parks in condition for outdoor sports and for expenses incident to the conducting of band concerts in the parks; and not exceeding $10,000 for the erection of minor auxiliary structures.

Maintenance and general expenses.

Proviso.
Outdoor sports; band concerts, etc.

PARK POLICE

Park police.

Salaries: For pay and allowances of the United States park police force, in accordance with the Act approved May 27, 1924, as amended, $175,000.

Salaries.
Vol. 43, p. 175; Vol. 44, p. 834; Vol. 46, p. 839.

For uniforming and equipping the United States park police force, including the purchase, issue, operation, maintenance, repair, exchange, and storage of revolvers, bicycles, and motor-propelled passenger-carrying vehicles, uniforms, ammunition, and radio equipment, $8,000.

Uniforms, equipment, etc.

NATIONAL CAPITAL PARK AND PLANNING COMMISSION

National Capital Park and Planning Commission.

For reimbursement to the United States in compliance with section 4 of the Act approved May 29, 1930 (46 Stat., p. 482), as amended, $300,000.

Reimbursing United States for lands acquired for park system.
Vol. 46, p. 485.

Incidental expenses.
Vol. 43, p. 463.
U. S. C., p. 1773.

For each and every purpose, except the acquisition of land, requisite for and incident to the work of the National Capital Park and Planning Commission as authorized by the Act entitled "An Act providing for a comprehensive development of the park and playground system of the National Capital", approved June 6, 1924 (U. S. C., title 40, sec. 71), as amended, including personal services in the District of Columbia, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, not to exceed $1,000 for printing and binding, not to exceed $500 for traveling expenses and carfare of employees of the commission, and not to exceed $300 for professional, scientific, technical, and reference books, and periodicals, $37,500.

National Zoological Park.

NATIONAL ZOOLOGICAL PARK

Expenses.

For roads, walks, bridges, water supply, sewerage, and drainage; grading, planting, and otherwise improving the grounds, erecting and repairing buildings and enclosures; care, subsistence, purchase, and transportation of animals; necessary employees; traveling and incidental expenses not otherwise provided for, including not to exceed $2,000 for travel and field expenses in the United States and foreign countries for the procurement of live specimens and for the care, subsistence, and transportation of specimens obtained in the course of such travel; purchase and exchange, at not to exceed $650, and maintenance and operation of one motor-propelled passenger-carrying vehicle required for official purposes; for the purchase, issue, operation, maintenance, repair, and exchange of bicycles and nonpassenger-carrying motor vehicles, revolvers and ammunition; not exceeding $2,500 for purchasing and supplying uniforms to park police, keepers, and assistant keepers; not exceeding $100 for the purchase of necessary books and periodicals, $215,000, no part of which sum shall be available for architect's fees or compensation.

Water Service.

WATER SERVICE

From water revenues.

The following sums are appropriated wholly out of the revenues of the water department for expenses of the Washington Aqueduct and its appurtenances and for expenses of water department, namely:

Washington Aqueduct.

WASHINGTON AQUEDUCT

Maintenance, etc., of, and accessories.

For operation, including salaries of all necessary employees, maintenance and repair of Washington Aqueducts and their accessories, including Dalecarlia, Georgetown, McMillan Park, first and second High Service Reservoirs, Washington Aqueduct tunnel, the filtration plants, the pumping plants and the plant for the preliminary treatment of the water supply, ordinary repairs, grading, opening ditches, and other maintenance of Conduit Road, purchase, installation, and maintenance of water meters on Federal services, purchase, care, repair, and operation of vehicles, including the purchase and exchange of one passenger-carrying motor vehicle at a cost not to exceed $650; purchase and repair of rubber boots and protective apparel, and for each and every purpose connected therewith, $450,000.

Control of Secretary of War not affected.

Nothing herein shall be construed as affecting the superintendence and control of the Secretary of War over the Washington Aqueduct, its rights, appurtenances, and fixtures connected with the same and over appropriations and expenditures therefor as now provided by law.

For revenue and inspection and distribution branches: For personal services, $176,470. Revenue, inspection and distribution.

For maintenance of the water department distribution system, including pumping stations and machinery, water mains, valves, fire and public hydrants, and all buildings and accessories, and motor trucks, and motor vehicles such as are now owned, and the replacement by purchase and exchange of the following motor-propelled vehicles: One two-passenger coupe at not to exceed $650; two trucks at not to exceed $500 each; two trucks at not to exceed $750 each; and one truck at not to exceed $3,000; purchase of fuel, oils, waste, and other materials, and the employment of all labor necessary for the proper execution of this work; and for contingent expenses, including books, blanks, stationery, printing and binding not to exceed $2,500; postage, purchase of technical reference books and periodicals not to exceed $275, and other necessary items, $7,500; in all for maintenance, $345,000, of which not exceeding $5,000 shall be available for operation of pumps at Bryant Street pumping station upon interruption of service from Dalecarlia pumping station. Operating expenses.

For extension of the water department distribution system, laying of such service mains as may be necessary under the assessment system, $225,000. Distribution expenses.

For installing and repairing water meters on services to private residences and business places as may not be required to install meters under existing regulations, as may be directed by the Commissioners; said meters at all times to remain the property of the District of Columbia, $90,000. Meters.

For installing fire and public hydrants, $20,000. Hydrants.

For replacement of old mains and divide valves in various locations, on account of inadequate size and bad condition of pipe on account of age, and laying mains in advance of pavements, $120,000, to be immediately available. Replacing mains.

During the fiscal year ending June 30, 1936, the Commissioners of the District of Columbia are authorized to allow a reduction of not to exceed 25 per centum in the water charges within the District of Columbia fixed by existing law, and the present metered allowance of seven thousand five hundred cubic feet is increased to ten thousand cubic feet during such fiscal year. Discounts allowed on water charges. Metered allowance increased.

For six thousand five hundred feet of thirty-six inch water main from Eleventh and Kenyon Streets Northwest to Seventeenth and Taylor Streets Northwest, $120,250. New mains.

For two thousand eight hundred feet of thirty-inch water main from Fourth and E Streets Southwest to Canal and E Streets Southeast, $46,200.

For seven thousand seven hundred feet of forty-eight inch water main from Second and Bryant Streets to New Jersey Avenue and L Street Northwest, $192,400.

For the purchase and installation of two twenty-five million gallon daily electrical motor driven centrifugal pumping units at the Bryant Street pumping station, including all necessary appurtenances and alterations and removal of one twelve-million gallon and one twenty-million gallon obsolete steam pumping units, $123,000. New pumping units. *Post*, p. 1615.

For the purchase and installation of one one-million-gallon daily capacity electrically driven pumping unit with all necessary appurtenances at the Anacostia pumping station, $3,000.

For the refunding of water rents and other water charges erroneously paid in the District of Columbia, to be refunded in the manner prescribed by law for the refunding of erroneously paid taxes, $3,500: Refunds of erroneous charges.

Proviso. Time limitation.

Provided, That this appropriation shall be available for such refunds of payments made within the past two years.

Construction work, etc., under Commissioners.

SEC. 2. That the services of draftsmen, assistant engineers, levelers, transitmen, rodmen, chainmen, computers, copyists, overseers, and inspectors temporarily required in connection with sewer, water, street, street-cleaning, or road work, or construction and repair of buildings and bridges, or any general or special engineering or construction work authorized by appropriations may be employed exclusively to carry into effect said appropriations when specifically and in writing ordered by the Commissioners, and all such necessary expenditures for the proper execution of said work shall be paid from and equitably charged against the sums appropriated for said work; and the Commissioners in their Budget estimates shall report the number of such employees performing such services, and their work, and the sums paid to each, and out of what appropriation:

Provisos. Expense limitation. Period of employment.

Provided, That the expenditures hereunder shall not exceed $42,000 during the fiscal year 1936: *Provided further*, That, excluding inspectors in the sewer department and one inspector in the electrical department, no person shall be employed in pursuance of the authority contained in this paragraph for a longer period than nine months in the aggregate during the fiscal year.

Temporary labor, etc.

The Commissioners, or their duly designated representatives, are further authorized to employ temporarily such laborers, skilled laborers, drivers, hostlers, and mechanics as may be required exclusively in connection with sewer, water, street, and road work, and street cleaning, or the construction and repair of buildings, and bridges, furniture and equipments, and any general or special engineering or construction or repair work, and to incur all necessary engineering and other expenses, exclusive of personal services, incidental to carrying on such work and necessary for the proper execution thereof, said laborers, skilled laborers, drivers, hostlers, and mechanics to be employed to perform such work as may not be required by law to be done under contract, and to pay for such services and expenses from the appropriations under which such services are rendered and expenses incurred.

Horses, vehicles, etc.

SEC. 3. That all horses, harness, horse-drawn vehicles necessary for use in connection with construction and supervision of sewer, street, street lighting, road work, and street-cleaning work, including maintenance of said horses and harness, and maintenance and repair of said vehicles, and purchase of all necessary articles and supplies in connection therewith, or on construction and repair of buildings and bridges, or any general or special engineering or construction work authorized by appropriations, may be purchased, hired, and

Specific authority required.

maintained, and motor trucks may be hired exclusively to carry into effect said appropriations, when specifically and in writing ordered by the Commissioners; and all such expenditures necessary for the proper execution of said work, exclusive of personal services, shall be paid from and equitably charged against the sums appropriated for said work; and the Commissioners in the Budget estimates shall report the number of horses, vehicles, and harness purchased, and horses and vehicles hired, and the sums paid for same, and out of what appropriation; and all horses owned or maintained by the District shall, so far as may be practicable, be provided for in stables

Proviso. Temporary work, etc.

owned or operated by said District: *Provided*, That such horses, horse-drawn vehicles, and carts as may be temporarily needed for hauling and excavating material in connection with works authorized by appropriations may be temporarily employed for such purposes

under the conditions named in section 2 of this Act in relation to the employment of laborers, skilled laborers, and mechanics.

Miscellaneous trust funds.
Expenses, payable from.
Vol. 33, p. 368.

SEC. 4. That the Commissioners are authorized to employ in the execution of work, the cost of which is payable from the appropriation account created in the District of Columbia Appropriation Act, approved April 27, 1904, and known as "the miscellaneous trust-fund deposits", District of Columbia, necessary personal services, horses, carts, and wagons, and to hire therefor motor trucks when specifically and in writing authorized by the Commissioners, and to incur all necessary expenses incidental to carrying on such work and necessary for the proper execution thereof, including the purchase, exchange, maintenance, and operation of motor vehicles for inspection and transportation purposes, such services and expenses to be paid from said appropriation account: *Provided*, That the Commissioners may delegate to their duly authorized representatives the employment under this section of laborers, mechanics, and artisans.

Proviso.
Employment of labor, etc.

Any person employed under any of the provisions of this Act who has been employed for ten consecutive months or more shall not be denied the leave of absence with pay for which the law provides.

Leaves of absence.

Material, supplies, vehicles, etc.
Purchase from stock of Government activities no longer needed.

SEC. 5. That the Commissioners and other responsible officials, in expending appropriations contained in this Act, so far as possible, shall purchase material, supplies, including food supplies and equipment, when needed and funds are available, in accordance with the regulations and schedules of the Procurement Division of the Treasury Department or from various services of the Government of the United States possessing material, supplies, passenger-carrying and other motor vehicles, and equipment no longer required. Surplus articles purchased from the Government, if the same have not been used, shall be paid for at a reasonable price, not to exceed actual cost, and if the same have been used, at a reasonable price based upon length of usage. The various services of the Government of the United States are authorized to sell such surplus articles to the municipal government under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts: *Provided*, That this section shall not be construed to amend, alter, or repeal the Executive order of December 8, 1918, concerning the transfer of office materials, supplies, and equipment in the District of Columbia falling into disuse because of the cessation of war activities.

Price stipulation.

Proviso.
Transfers under Executive Order.

Transfer of funds restricted.

SEC. 6. No part of the funds appropriated in this Act for any activity shall be available for transfer to any other activity or between subheads of the same activity unless specifically authorized by the Director of the Bureau of the Budget.

Limitation on rentals.

SEC. 7. No part of the funds appropriated in this Act shall be available for the payment of rental of quarters for any activity at a rate in excess of 90 per centum of the per annum rate paid by the District of Columbia for such quarters on June 30, 1933: *Provided*, That the provisions of this paragraph shall not apply to leases made prior to the passage of this Act, except when renewals thereof are made hereafter: *Provided further*, That the appropriations or portions of appropriations unexpended by reason of the operation of this paragraph shall not be used for any purpose, but shall be impounded and deposited in the Treasury to the credit of the District of Columbia.

Provisos.
Prior leases.

Unexpended balances covered in.

Approved, June 14, 1935.

[CHAPTER 242.]

AN ACT

June 14, 1935.
[H. R. 6371.]
[Public, No. 139.]

To authorize an increase in the annual appropriation for books for the adult blind.

Books for the adult blind.
Annual appropriation for, increased.
Vol. 46, p. 1487; Vol. 47, p. 1570; U. S. C., p. 16.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1, as amended, of the Act entitled "An Act to provide books for the adult blind", approved March 3, 1931 (U. S. C., Supp. VII, title 2, sec. 135a), is amended (1) by striking out "$100,000" and inserting in lieu thereof "$175,000", and (2) by inserting before the period at the end thereof a colon and the following: "*Provided*, That of said annual appropriation of $175,000, not exceeding $100,000 thereof shall be expended for books in raised characters, and not exceeding $75,000 thereof shall be expended for sound-reproduction records."

Proviso.
Division of amount.

Applicability.

SEC. 2. This Act shall be applicable with respect to the fiscal year ending June 30, 1936, and for each fiscal year thereafter.

Approved, June 14, 1935.

[CHAPTER 243.]

AN ACT

June 14, 1935.
[H. R. 6987.]
[Public, No. 140.]

Authorizing the State of Louisiana and the State of Texas to construct, maintain, and operate a free highway bridge across the Sabine River at or near a point where Louisiana Highway Numbered 7 meets Texas Highway Numbered 87.

Sabine River.
Louisiana and Texas may bridge, near junction of designated highways.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate interstate commerce, improve the Postal Service, and provide for military and other purposes, the State of Louisiana and the State of Texas be, and are hereby, authorized to construct, maintain, and operate a free highway bridge and approaches thereto across the Sabine River, at a point suitable to the interests of navigation, at or near a point where Louisiana Highway Numbered 7 meets Texas Highway Numbered 87, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Construction.
Vol. 34, p. 84.
U. S. C., p. 1474.

Right to acquire real estate, etc., for location, approaches, etc.

SEC. 2. There is hereby conferred upon the State of Louisiana and the State of Texas all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Condemnation proceedings.

Amendment.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 14, 1935.

[CHAPTER 244.]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Brownville, Nebraska.

June 14, 1935.
[H. R. 7081.]
[Public, No. 141.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge authorized by Act of Congress approved February 26, 1929, heretofore extended by Acts of Congress approved June 10, 1930, March 4, 1933, and June 12, 1934, to be built by the Brownville Bridge Company across the Missouri River, at or near Brownville, Nebraska, are hereby further extended one and three years, respectively, from June 12, 1935.

Missouri River.
Time extended for bridging, at Brownville, Nebr.
Vol. 45, p. 1309; Vol. 46, p. 551; Vol. 47, p. 1554; Vol. 48, p. 947.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, June 14, 1935.

[CHAPTER 245.]

JOINT RESOLUTION

To extend from June 16, 1935, to June 16, 1938, the period within which loans made prior to June 16, 1933, to executive officers of member banks of the Federal Reserve System may be renewed or extended.

June 14, 1935.
[H. J. Res. 320.]
[Pub. Res., No. 25.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (g) of section 22 of the Federal Reserve Act is hereby amended by striking out: "*Provided*, That loans heretofore made to any such officer may be renewed or extended not more than two years from the date this paragraph takes effect, if in accord with sound banking practice." and inserting in lieu thereof: "*Provided*, That loans made to any such officer prior to June 16, 1933, may be renewed or extended for periods expiring not more than five years from such date where the board of directors of the member bank shall have satisfied themselves that such extension or renewal is in the best interest of the bank and that the officer indebted has made reasonable effort to reduce his obligation, these findings to be evidenced by resolution of the board of directors spread upon the minute book of the bank."

Federal Reserve Act, amendment.
Vol. 48, p. 182; U. S. C., p. 398.

Post, p. 716.

Loans to executive officers of member banks.
Extension or renewal.

Approved, June 14, 1935.

[CHAPTER 246.]

JOINT RESOLUTION

To extend until April 1, 1936, certain provisions of Title I of the National Industrial Recovery Act, and for other purposes.

June 14, 1935.
[S. J. Res. 113.]
[Pub. Res., No. 26.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 (c) of Title I of the National Industrial Recovery Act is amended by striking out "at the expiration of two years after the date of enactment of this Act" and inserting in lieu thereof "on April 1, 1936".

National Industrial Recovery Act.
Duration of Act; agencies established.
Vol. 48, p. 196.
U. S. C., p. 582.

SEC. 2. All the provisions of Title I of such Act delegating power to the President to approve or prescribe codes of fair competition and providing for the enforcement of such codes are hereby repealed: *Provided*, That the exemption provided in section 5 of such title shall extend only to agreements and action thereunder (1) putting into effect the requirements of section 7 (a), including minimum wages, maximum hours, and prohibition of child labor; and (2) prohibiting unfair competitive practices which offend against existing law, including the antitrust laws, or which constitute unfair methods of competition under the Federal Trade Commission Act, as amended.

Codes of fair competition, approval, etc.; provisions repealed.

Proviso.
Exemption of agreements, etc., from operation of antitrust laws.

Vol. 38, p. 717; U. S. C., p. 514.

Approved, June 14, 1935.

[CHAPTER 247.]

JOINT RESOLUTION

June 14, 1935.
[S. J. Res. 112.]
[Pub. Res., No. 27.]

Extending the effective period of the Emergency Railroad Transportation Act, 1933

Emergency Railroad Transportation Act, 1933.
Vol. 48, p. 211.
Title I—Emergency powers; continued.
Orders of Coordinator, etc.; effectiveness of subsequent State laws.
Vol. 48, p. 215; U. S. C., p. 2256.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Title I of the Emergency Railroad Transportation Act, 1933, shall continue in full force and effect until June 17, 1936, but orders of the Coordinator or of the Commission made thereunder shall continue in effect until vacated by the Commission or set aside by other lawful authority, but notwithstanding the provisions of section 10, no such order shall operate to relieve any carrier from the effect of any State law or of any order of a State commission enacted or made after this title ceases to have effect.

Assessment on carriers.
Vol. 48, pp. 216, 954; U. S. C., p. 2256.

SEC. 2. That it shall be the duty of each carrier to pay into the fund provided for by section 14 of the Emergency Railroad Transportation Act, 1933, within twenty days after June 16, 1935, $2 for every mile of road operated by it on December 31, 1934, as reported to the Commission, and it shall be the duty of the Secretary of the Treasury to collect such assessments.

Approved, June 14, 1935.

[CHAPTER 248.]

JOINT RESOLUTION

June 14, 1935.
[S. J. Res. 130.]
[Pub. Res., No. 28.]

Making immediately available the appropriation for the fiscal year 1936 for the construction, repair, and maintenance of Indian-reservation roads.

Indian Reservation roads.
Funds for, in Interior Department Act, made immediately available.
Ante, p. 196.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the appropriation of $4,000,000 for the construction, repair, and maintenance of Indian-reservation roads, contained in the Interior Department Appropriation Act for the fiscal year ending June 30, 1936, is hereby made immediately available.

Approved, June 14, 1935.

[CHAPTER 255.]

AN ACT

June 15, 1935.
[H. R. 67.]
[Public, No. 142.]

To repeal certain laws providing that certain aliens who have filed declarations of intention to become citizens of the United States shall be considered citizens for the purposes of service and protection on American vessels.

Alien seamen declarants.
Citizenship status of certain, repealed.
Vol. 40, p. 544; U. S. C., p. 215.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subdivision "Eighth" of section 4 of the Act of June 29, 1906, entitled "An Act to establish a Bureau of Immigration and Naturalization and to provide a uniform rule for the naturalization of aliens throughout the United States", as amended by section 1 of the Act entitled "An Act to amend the naturalization laws and to repeal certain sections of the Revised Statutes of the United States and other laws relating to naturalization, and for other purposes", approved May 9, 1918 (U. S. C., title 8, sec. 376), is hereby repealed.

Effective date.

SEC. 2. This Act shall take effect ninety days after its enactment.

Approved, June 15, 1935.

[CHAPTER 256.]

AN ACT

June 15, 1935.
[S. 927.]
[Public, No. 143.]

To amend the Act entitled "An Act to give war-time rank to retired officers and former officers of the Army, Navy, Marine Corps, and/or Coast Guard of the United States", approved June 21, 1930, so as to give class B officers of the Army benefits of such Act.

War-time rank on retirement to Army, etc., officers serving during World War.
Vol. 46, p. 793; U. S. C., p. 278.
Class B officers.
Vol. 41, p. 773; U. S. C., p. 258.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act entitled "An Act to give war-time rank to retired officers and former officers of the Army, Navy, Marine Corps, and/or Coast Guard of the United States", approved June 21, 1930, is amended by striking out the words "except those retired under the provisions of section 24b of the Act of June 4, 1920."

Approved, June 15, 1935.

[CHAPTER 257.]

AN ACT

June 15, 1935.
[S. 2029.]
[Public, No. 144.]

To authorize naval and Marine Corps service of Army officers to be included in computing dates of retirement.

Army officers.
Computation of retirement date; Naval and Marine Corps service.
R. S., sec. 1243, p. 218; U. S. C., p. 275.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in computing service for the purpose of retirement of an officer of the Army, there shall be included, in addition to service now authorized by law to be included, all service in the Navy or Marine Corps which is authorized by law to be included for the purpose of retirement of an officer of the Navy or Marine Corps.

Approved, June 15, 1935.

[CHAPTER 258.]

AN ACT

June 15, 1935.
[H. R. 4448.]
[Public, No. 145.]

To provide funds for acquisition of a site, erection of buildings, and the furnishing thereof for the use of the diplomatic and consular establishments of the United States at Helsingfors, Finland.

Foreign Service Buildings Act of 1926.
Sum authorized for site, etc., at Helsingfors, Finland.
Post, p. 590.
Vol. 44, p. 403; U. S. C., p. 967.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of further carrying into effect the provisions of the Foreign Service Buildings Act of 1926, as amended, there is authorized to be appropriated, in addition to the amount authorized by such Act, an amount not to exceed $300,000 for the purpose of acquiring a site, erection of buildings, and the furnishings thereof, for the use of the diplomatic and consular establishments of the United States at Helsingfors, Finland. Sums appropriated pursuant to this Act shall be available for the purpose and be subject to the conditions and limitations of the Foreign Service Buildings Act of 1926, as amended.

Sums available.

Approved, June 15, 1935.

[CHAPTER 259.]

AN ACT

June 15, 1935.
[H. R. 5456.]
[Public, No. 146.]

Relating to the powers and duties of United States marshals.

Marshals, United States Courts.
R. S., sec. 787, p. 148; U. S. C., p. 1284.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 787 of the Revised Statutes (U. S. C., title 28, sec. 503), be, and the same is hereby, amended to read as follows:

Duties.

"SEC. 787. It shall be the duty of the marshal of each district to attend the district courts when sitting therein and to execute all lawful precepts issued under the authority of the United States; and he shall have power to command all necessary assistance in the execution of his duty."

Power to arrest without warrant in specified cases, added.

SEC. 2. That, in addition to all other powers, United States marshals and their deputies shall have the power to make arrests without warrant for any offense against the laws of the United States committed in their presence or for any felony cognizable under the laws of the United States in cases where such felony has in fact been or is being committed and they have reasonable grounds to believe that the person to be arrested has committed or is committing it. The marshals and their deputies shall also have the power to carry firearms.

Approved, June 15, 1935.

[CHAPTER 260.]

AN ACT

June 15, 1935.
[H. R. 7781.]
[Public, No. 147.]

To define the election procedure under the Act of June 18, 1934, and for other purposes.

Indians; election procedure under Act of June 18, 1934.
Vol. 48, p. 984.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in any election heretofore or hereafter held under the Act of June 18, 1934 (48 Stat. 984), on the question of excluding a reservation from the application of the said Act or on the question of adopting a constitution and bylaws or amendments thereto or on the question of ratifying a charter, the vote of a majority of those actually voting shall be necessary and sufficient to effectuate such exclusion, adoption, or ratification, as the case may be: *Provided, however*, That in each instance the total vote cast shall not be less than 30 per centum of those entitled to vote.

Proviso.
Vote requirement.

Time extended for holding election.

SEC. 2. The time for holding elections on the question of excluding a reservation from the application of said Act of June 18, 1934, is hereby extended to June 18, 1936.

Period of trust or restrictions on alienation of Indian land, extended; conditions.

SEC. 3. If the period of trust or of restriction on any Indian land has not, before the passage of this Act, been extended to a date subsequent to December 31, 1936, and if the reservation containing such lands has voted or shall vote to exclude itself from the application of the Act of June 18, 1934, the periods of trust or the restrictions on alienation of such lands are hereby extended to December 31, 1936.

Existing laws and treaty provisions effective.

SEC. 4. All laws, general and special, and all treaty provisions affecting any Indian reservation which has voted or may vote to exclude itself from the application of the Act of June 18, 1934 (48 Stat. 984), shall be deemed to have been continuously effective as to such reservation, notwithstanding the passage of said Act of June 18, 1934. Nothing in the Act of June 18, 1934, shall be construed to abrogate or impair any rights guaranteed under any existing treaty with any Indian tribe, where such tribe voted not to exclude itself from the application of said Act.

Existing rights.

Approved, June 15, 1935.

[CHAPTER 261.]

AN ACT

June 15, 1935.
[H. R. 7982.]
[Public, No. 148.]

To amend the Migratory Bird Hunting Stamp Act of March 16, 1934, and certain other Acts relating to game and other wildlife, administered by the Department of Agriculture, and for other purposes.

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

TITLE I—MIGRATORY BIRD HUNTING STAMP

Migratory Bird Hunting Stamp Act, amendments.
Vol. 48, p. 451.

SECTION 1. That section 1 of the Act entitled "An Act to supplement and support the Migratory Bird Conservation Act by providing funds for the acquisition of areas for use as migratory-bird sanctuaries, refuges, and breeding grounds, for developing and

administering such areas, for the protection of certain migratory birds, for the enforcement of the Migratory Bird Treaty Act and regulations thereunder, and for other purposes", approved March 16, 1934 (48 Stat. 451), is amended so as to read as follows:

Hunting stamps; requirement.

"That no person over sixteen years of age shall take any migratory waterfowl unless at the time of such taking he carries on his person an unexpired Federal migratory-bird hunting stamp validated by his signature written by himself in ink across the face of the stamp prior to his taking such birds; except that no such stamp shall be required for the taking of migratory waterfowl by Federal or State institutions or official agencies, or for propagation, or by the resident owner, tenant, or share cropper of the property or officially designated agencies of the Department of Agriculture for the killing, under such restrictions as the Secretary of Agriculture may by regulation prescribe, of such waterfowl when found injuring crops or other property. Any person to whom a stamp has been sold under this Act shall upon request exhibit such stamp for inspection to any officer or employee of the Department of Agriculture authorized to enforce the provisions of this Act or to any officer of any State or any political subdivision thereof authorized to enforce game laws."

Exceptions; regulations by Secretary of Agriculture.

Inspection of stamp.

SEC. 2. That section 2 of said Act is amended so as to read as follows:

Issue of, by Post Office Department.

"SEC. 2. That the stamps required by this Act shall be issued and sold by the Post Office Department under regulations prescribed by the Postmaster General: *Provided*, That the stamps shall be sold at all post offices of the first- and second-class and at such others as the Postmaster General shall direct. For each such stamp sold under the provisions of this Act there shall be collected by the Post Office Department the sum of $1. No such stamp shall be valid under any circumstances to authorize the taking of migratory waterfowl except in compliance with Federal and State laws and regulations and then only when the person so taking such waterfowl shall himself have written his signature in ink across the face of the stamp prior to such taking. Each such stamp shall expire and be void after the 30th day of June next succeeding its issuance and all such stamps remaining unsold by the Post Office Department at the expiration of said June 30 shall be destroyed by said Department. No stamp sold under this Act shall be redeemable by said Department in cash or in kind."

Proviso.
Sale of.

Fees.

Validity provisions.

Expiration date.

Unsold stamps.

Redemptions.

SEC. 3. That section 4 of said Act is amended by striking out the word "postmaster" in the second line of said section and substituting in lieu thereof the words "Post Office Department" and by striking out subdivision (b) of said section and substituting in lieu thereof the following:

Migratory bird conservation fund.
Stamp fees; accounting.
Vol. 48, p. 452.

"(b) The remainder shall be available for expenses in executing this Act, the Migratory Bird Conservation Act, the Migratory Bird Treaty Act, and any other Act to carry into effect any treaty for the protection of migratory birds, including personal services in the District of Columbia and elsewhere, and also including advance allotments to be made by the Secretary of Agriculture to the Post Office Department at such times and in such amounts as may be mutually agreed upon by the Secretary of Agriculture and the Postmaster General for direct expenditure by the Post Office Department for engraving, printing, issuing, selling, and accounting for migratory bird hunting stamps and moneys received from the sale thereof, personal services in the District of Columbia and elsewhere, and for such other expenses as may be necessary in executing the duties and functions required of the Postal Service

Funds available for administrative expenses.
Post, p. 1446.

Advances to Post Office Department.

Proviso. Cooperation with States, etc. Vol. 45, p. 1225; U. S. C., p. 687. Provision repealed. Vol. 48, p. 452.

by this Act: *Provided*, That the protection of said inviolate migratory-bird sanctuaries shall be, so far as possible, under section 17 of the Migratory Bird Conservation Act of February 18, 1929."

SEC. 4. That subdivision (c) of said section 4 of said Act is hereby repealed.

Penalty provisions.

SEC. 5. That section 5 of said Act is amended so as to read as follows:

Loan or transfer of stamp. Vol. 48, p. 452.

"SEC. 5. (a) That no person to whom has been sold a migratory-bird hunting stamp, validated as provided in section 1 of this Act, shall loan or transfer such stamp to any person during the period of its validity; nor shall any person other than the person validating such stamp use it for any purpose during such period.

Altering, counterfeiting, etc., stamps.

"(b) That no person shall alter, mutilate, imitate, or counterfeit any stamp authorized by this Act, or imitate or counterfeit any die, plate, or engraving therefor, or make, print, or knowingly use, sell, or have in his possession any such counterfeit, die, plate, or engraving."

Interstate commerce in game and other wild life.

TITLE II—INTERSTATE COMMERCE IN GAME AND OTHER WILD LIFE KILLED OR SHIPPED IN VIOLATION OF LAW

Vol. 35, p. 1137. U. S. C., p. 753.

SECTION 201. That sections 242, 243, and 244 of the Act of March 4, 1909, entitled "An Act to codify, revise, and amend the penal laws of the United States" (35 Stat. 1088), are amended to read as follows:

Unlawful shipping, etc. *Post*, p. 1445.

"SEC. 242. It shall be unlawful for any person, firm, corporation, or association to deliver or knowingly receive for shipment, transportation, or carriage, or to ship, transport, or carry, by any means whatever, from any State, Territory, or the District of Columbia to, into, or through any other State, Territory, or the District of Columbia, or to a foreign country any wild animal or bird, or the dead body or part thereof, or the egg of any such bird imported from any foreign country contrary to any law of the United States, or captured, killed, taken, purchased, sold, or possessed contrary to any such law, or captured, killed, taken, shipped, transported, carried, purchased, sold, or possessed contrary to the law of any State, Territory, or the District of Columbia, or foreign country or State, Province, or other subdivision thereof in which it was captured, killed, taken, purchased, sold, or possessed or in which it was delivered or knowingly received for shipment, transportation, or carriage, or from which it was shipped, transported, or carried; and it shall be unlawful for any person, firm, corporation, or association to transport, bring, or convey, by any means whatever, from any foreign country into the United States any wild animal or bird, or the dead body or part thereof, or the egg of any such bird captured, killed, taken, shipped, transported, or carried contrary to the law of the foreign country or State, Province, or other subdivision thereof in which it was captured, killed, taken, delivered, or knowingly received for shipment, transportation, or carriage, or from which it was shipped, transported, or carried; and no person, firm, corporation, or association shall knowingly purchase or receive any wild animal or bird, or the dead body or part thereof, or the egg of any such bird imported from any foreign country or shipped, transported, carried, brought, or conveyed, in violation of this section; nor shall any person, firm, corporation, or association purchasing or receiving any wild animal or bird, or the dead body or part thereof, or the egg of any such bird, imported from any foreign country, or shipped, transported, or carried in interstate commerce make any false record or render any account that is false in any respect in reference thereto.

Foreign trade.

"SEC. 243. All packages or containers in which wild animals or birds, or the dead bodies or parts thereof, or the eggs of any such birds are shipped, transported, carried, brought, or conveyed, by any means whatever, from one State, Territory, or the District of Columbia to, into, or through another State, Territory, or the District of Columbia, or to or from a foreign country shall be plainly and clearly marked or labeled on the outside thereof with the names and addresses of the shipper and consignee and with an accurate statement showing by number and kind the contents thereof. Marking of packages.

"SEC. 244. For each evasion or violation of, or failure to comply with, any provision of the three sections last preceding, any person, firm, corporation, or association, upon conviction thereof, shall be punished by a fine of not more than $1,000 or by imprisonment for not more than six months, or both." Penalty for violations.

SEC. 202. That any employee of the Department of Agriculture authorized by the Secretary of Agriculture to enforce the provisions of said sections 242 and 243, and any officer of the customs, shall have power to arrest any person committing a violation of any provision of said sections in his presence or view and to take such person immediately for examination or trial before an officer or court of competent jurisdiction; shall have power to execute any warrant or other process issued by an officer or court of competent jurisdiction to enforce the provisions of said sections; and shall have authority to execute any warrant to search for and seize wild animals or birds, or the dead bodies or parts thereof, or the eggs of such birds, delivered or received for shipment, transportation, or carriage, or shipped, transported, carried, brought, conveyed, purchased, or received in violation of said sections 242 and 243. Any judge of a court established under the laws of the United States or any United States commissioner may, within his jurisdiction, upon proper oath or affirmation showing probable cause, issue warrants in all such cases. Wild animals or birds, or the dead bodies or parts thereof, or the eggs of such birds, delivered or received for shipment, transportation, or carriage, or shipped, transported, carried, brought, conveyed, purchased, or received contrary to the provisions of said sections 242 and 243 shall, when found, be taken into possession and custody by any such employee or by the United States marshal or his deputy, or by any officer of the customs, and held pending disposition thereof by the court; and when so taken into possession or custody, upon conviction of the offender or upon judgment of a court of the United States that the same were delivered or received for shipment, transportation, or carriage, or were shipped, transported, carried, brought, conveyed, purchased, or received contrary to any provision of said sections 242 and 243, or were imported in violation of any law of the United States, as a part of the penalty and in addition to any fine or imprisonment imposed under aforesaid section 244, or otherwise, shall be forfeited and disposed of as directed by the court. Enforcement provisions. Warrants to issue. Seizures authorized.

TITLE III—ACQUISITION OF LANDS FOR MIGRATORY BIRD REFUGES

Acquisition of lands for refuges.

SECTION 301. That section 6 of the Migratory Bird Conservation Act, approved February 18, 1929 (45 Stat. 1222), is amended to read as follows: Vol. 45, p. 1223; U. S. C., p. 687.

"SEC. 6. That the Secretary of Agriculture may do all things and make all expenditures necessary to secure the safe title in the United States to the areas which may be acquired under this Act, but no payment shall be made for any such areas until the title thereto shall Expenditures to acquire titles, etc.

be satisfactory to the Attorney General, but the acquisition of such areas by the United States shall in no case be defeated because of rights-of-way, easements, and reservations which from their nature will in the opinion of the Secretary of Agriculture in no manner interfere with the use of the areas so encumbered for the purposes of this Act; but such rights-of-way, easements, and reservations retained by the grantor or lessor from whom the United States receives title under this or any other Act for the acquisition by the Secretary of Agriculture of areas for wildlife refuges shall be subject to rules and regulations prescribed by the Secretary of Agriculture for the occupation, use, operation, protection, and administration of such areas as inviolate sanctuaries for migratory birds or as refuges for wildlife; and it shall be expressed in the deed or lease that the use, occupation, and operation of such rights-of-way, easements, and reservations shall be subordinate to and subject to such rules and regulations as are set out in such deed or lease or, if deemed necessary by the Secretary of Agriculture, to such rules and regulations as may be prescribed by him from time to time."

Rights-of-way, easements, etc.

Reservations to be stated in instrument of conveyance.

Exchanges of lands permitted.

SEC. 302. That when the public interests will be benefited thereby the Secretary of Agriculture is authorized, in his discretion, to accept on behalf of the United States title to any land which he deems chiefly valuable for wildlife refuges, and in exchange therefor to convey by deed on behalf of the United States an equal value of lands acquired by him for like purposes, or he may authorize the grantor to cut and remove from such lands an equal value of timber, hay, or other products, or to otherwise use said lands, when compatible with the protection of the wildlife thereon, the values in each case to be determined by said Secretary. Timber or other products so granted shall be cut and removed, and other uses exercised, under the laws and regulations applicable to such refuges and under the direction of the Secretary of Agriculture and under such supervision and restrictions as he may prescribe. Any lands acquired by the Secretary of Agriculture under the terms of this section shall immediately become a part of the refuge or reservation of which the lands, timber, and other products or uses given in exchange were or are a part and shall be administered under the laws and regulations applicable to such refuge or reservation.

Removal of timber under regulation.

Administration of acquired areas.

Exchange for nonmineral public lands.

SEC. 303. That when the public interests will be benefited thereby the Secretary of the Interior is authorized, in his discretion, to accept on behalf of the United States title to any lands which, in the opinion of the Secretary of Agriculture, are chiefly valuable for migratory bird or other wildlife refuges, and in exchange therefor may patent not to exceed an equal value of surveyed or unsurveyed, unappropriated, and unreserved nonmineral public lands of the United States in the same State, the value in each case to be determined by the Secretary of Agriculture. Before any such exchange is effected notice thereof, reciting the lands involved, shall be published once each week for four successive weeks in some newspaper of general circulation in the county or counties in which may be situated the lands proposed to be granted by the United States in such exchange. Lands conveyed to the United States under this section shall be held and administered by the Secretary of Agriculture under the terms of section 10 of the aforesaid Migratory Bird Conservation Act of February 18, 1929, and all the provisions of said section of said Act are hereby extended to and shall be applicable to the lands so acquired.

Notice thereof to be published.

Administration of acquired areas.
Vol. 45, p. 1224; U. S. C., p. 688.

Existing provisions affecting transfers, etc., continued.
Vol. 45, p. 1223.

SEC. 304. That all the provisions of section 6 of the aforesaid Migratory Bird Conservation Act, as hereby amended, relating to rights-of-way, easements, and reservations shall apply equally to exchanges effected under the provisions of this Act, and in any such

exchanges the value of such rights-of-way, easements, and reservations shall be considered in determining the relation of value of the lands received by the United States to that of the land conveyed by the United States.

TITLE IV—PARTICIPATION OF STATES IN REVENUE FROM CERTAIN WILDLIFE REFUGES

Participation of States in revenue from wildlife refuges.

SECTION 401. That 25 per centum of all money received during each fiscal year from the sale or other disposition of surplus wildlife, or of timber, hay, grass, or other spontaneous products of the soil, shell, sand, or gravel, and from other privileges on refuges established under the Migratory Bird Conservation Act of February 18, 1929, or under any other law, proclamation, or Executive order, administered by the Bureau of Biological Survey of the United States Department of Agriculture, shall be paid at the end of such year by the Secretary of the Treasury to the county or counties in which such refuge is situated, to be expended for the benefit of the public schools and roads in the county or counties in which such refuge is situated: *Provided*, That when any such refuge is in more than one State or Territory or county or subdivision, the distributive share to each from the proceeds of such refuge shall be proportional to its area therein: *Provided further*, That the disposition or sale of surplus animals, and products, and the grant of privileges on said wildlife refuges may be made upon such terms and conditions as the Secretary of Agriculture shall determine to be for the best interests of government or for the advancement of knowledge and the dissemination of information regarding the conservation of wildlife, including sale in the open market, exchange for animals of the same or other kinds, and gifts or loans to public or private institutions for exhibition or propagation: *And provided further*, That out of any moneys received from the grant, sale, or disposition of such animals, products, or privileges, or as a bonus upon the exchange of such animals the Secretary of Agriculture is authorized to pay any necessary expenses incurred in connection with and for the purpose of effecting the removal, grant, disposition, sale, or exchange of such animals, products, or privileges; and in all cases such expenditures shall be deducted from the gross receipts of the refuge before the Secretary of the Treasury shall distribute the 25 per centum thereof to the States as hereinbefore provided.

Use of funds by States.

Provisos.
Distribution where refuge is in more than one State, etc.

Disposition of surplus animals, etc.

Deducting expenses.

TITLE V—ACQUISITION OF WILDLIFE REFUGES

Acquisition of wildlife refuges.
Ante, p. 115.

SECTION 501. The President of the United States is hereby authorized to allocate out of moneys appropriated to him under the terms of Public Resolution Numbered 11, Seventy-fourth Congress, approved April 8, 1935, such sum as he may deem necessary or advisable for the acquisition by purchase, or otherwise, including the necessary expenses incidental thereto, of areas of land and water or land or water for game bird and animal refuges and for migratory bird sanctuaries and refuges, to be expended in accordance with the provisions of the said Public Resolution Numbered 11.

TITLE VI—TRANSFER OF WIND CAVE NATIONAL GAME PRESERVE TO THE DEPARTMENT OF THE INTERIOR

Wind Cave National Game Preserve, S. Dak.

Abolished; transfer of property to Interior Department.

SECTION 601. That, effective July 1, 1935, the Wind Cave National Game Preserve in the State of South Dakota, be, and the same is hereby, abolished, and all the property, real or personal, comprising

the same is hereby transferred to and made a part of the Wind Cave National Park and the same shall hereafter be administered by the Secretary of the Interior as a part of said park, subject to all laws and regulations applicable thereto, for the purposes expressed in the Act of August 10, 1912 (37 Stat. 268–293), establishing said game preserve.

Vol. 37, p. 293; U. S. C., p. 681.

TITLE VII—CONTINUANCE OF APPROPRIATIONS

Continuance of appropriations.
Vol. 48, p. 274.

That there is hereby appropriated out of the unexpended balance of the sum of $3,300,000,000 appropriated by the Act of June 16, 1933 (48 Stat. 274), making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and for other purposes, the sum of $6,000,000, which shall remain available until expended, to enable the Secretary of Agriculture to acquire by purchase or otherwise such lands as may be necessary in his opinion adequately to provide for the restoration, rehabilitation, and protection of migratory waterfowl and other wildlife and to erect and construct thereon and in connection therewith such buildings, dikes, dams, canals, and other works as may be necessary; and in the execution of this Act the Secretary of Agriculture is authorized to make such expenditures for personal services in the District of Columbia and elsewhere as he shall deem necessary.

Available until expended.
Post, pp. 1116, 1447.

Services in the District of Columbia.

Approved, June 15, 1935.

[CHAPTER 265.]

June 17, 1935.
[S. 410.]
[Public, No. 149.]

AN ACT

To provide fees to be charged by the recorder of deeds of the District of Columbia, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 552 of the Code of Law for the District of Columbia, as amended, is amended to read as follows:

District of Columbia.
Vol. 31, p. 1276.

Recorder of deeds.
Fees for services.

SEC. 552. FEES.—The legal fees for the services of the recorder shall be as follows:

"For filing, recording, and indexing, or for making certified copy of any instrument containing two hundred words or less, $1, and 20 cents for each additional hundred words, to be collected at the time of filing, or when the copy is made.

"For each certificate and seal, 50 cents.

"For searching records extending back two years or less next preceding current date, 50 cents, and 15 cents for each additional year, to be paid by the party for whom the search may be made.

"For recording a plat or survey, 20 cents for each course such survey may contain.

"For recording a town plat, 25 cents for each lot such plat may contain.

"For taking any acknowledgment, 50 cents.

"For filing and indexing a bill of sale of chattels, or a mortgage or deed of trust thereof, or a conditional bill of sale of chattels or any release or satisfaction of any such, $1.50.

"For filing and indexing any other paper required by law to be filed in his office, 50 cents.

Corporations; additional fee.
Vol. 33, p. 689; Vol. 47, p. 327.

"In addition to the fees herein required, all corporations hereafter incorporated in the District of Columbia shall pay to the recorder of deeds at the time of the filing of the certificate of incor-

poration 50 cents on each thousand dollars of the amount of capital stock of the corporation as set forth in its said certificate: *Provided, however*, That the fee so paid shall not be less than $50: *Provided further*, That the recorder of deeds shall not file or record any certificate of organization of any incorporation until it has been proved to his satisfaction that all the capital stock of said company has been subscribed for in good faith, and not less than 10 per centum of the par value of the stock has been actually paid in cash, and the money derived therefrom is then in the possession of the persons named as the first board of trustees."

Provisos. Minimum fee.

Amount of paid-in capital stock required.

Approved, June 17, 1935.

[CHAPTER 266.]

AN ACT

June 17, 1935. [S. 2100.] [Public, No. 150.]

To amend an Act of Congress entitled "An Act to establish a Code of Law for the District of Columbia", approved March 3, 1901, as amended, by adding three new sections to be numbered 802 (a), 802 (b), and 802 (c), respectively.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress entitled "An Act to establish a Code of Law for the District of Columbia", approved March 3, 1901, as amended, be further amended by adding immediately following section 802 three new sections to be numbered 802 (a), 802 (b), and 802 (c), respectively.

District of Columbia Code, amendments. Offenses against the person. Vol. 31, p. 1321.

"SEC. 802. (a) NEGLIGENT HOMICIDE.—Any person who, by the operation of any vehicle at an immoderate rate of speed or in a careless, reckless, or negligent manner, but not willfully or wantonly, shall cause the death of another, shall be guilty of a misdemeanor, and shall be punished by imprisonment for not more than one year or by a fine of not more than $1,000, or both.

Negligent homicide. Punishment for.

"It shall be the duty of the coroner of the District of Columbia, upon any inquisition taken before him which results in the jury finding that negligent homicide, as defined herein, has been committed on the deceased, to require such witnesses as he thinks proper to give recognizance to appear and testify, or in default thereof to be committed to jail for appearance, in either the Supreme Court or the police court of the District of Columbia, and the coroner shall return to either said court the said inquisition, testimony, and recognizance or order by him taken or given.

Coroner's inquest.

Witnesses; appearance, testimony.

SEC. 802. (b) NEGLIGENT HOMICIDE INCLUDED IN MANSLAUGHTER WHERE DEATH DUE TO OPERATION OF VEHICLE.—The crime of negligent homicide defined in section 802 (a) shall be deemed to be included within every crime of manslaughter charged to have been committed in the operation of any vehicle, and in any case where a defendant is charged with manslaughter committed in the operation of any vehicle, if the jury shall find the defendant not guilty of the crime of manslaughter such jury may, in its discretion, render a verdict of guilty of negligent homicide.

Crime deemed included in manslaughter where death due to operation of vehicle.

"SEC. 802. (c) IMMODERATE SPEED NOT DEPENDENT ON LEGAL RATE OF SPEED.—In any prosecution under sections 802 (a) or 802 (b), whether the defendant was driving at an immoderate rate of speed shall not depend upon the rate of speed fixed by law for operating such vehicle."

Defining immoderate speed.

Approved, June 17, 1935.

[CHAPTER 267.]

AN ACT

June 17, 1935.
[H. R. 6836.]
[Public, No. 151.]

To provide for the printing and distribution of Government publications to The National Archives.

Printing Act of 1895, amendment.
Vol. 28, p. 624; U. S. C., p. 1943.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 23 of the Printing Act, approved January 12, 1895, as amended (U. S. C., title 44, ch. 7), be and is hereby, amended by adding a new section as follows:

The National Archives.
Publications to be supplied by Public Printer.

"SEC. . That there shall be printed and delivered by the Public Printer to The National Archives for official use which shall be chargeable to Congress two copies each of the following publications:

"House documents and public reports, bound; Senate documents and public reports, bound; Senate and House journals, bound; United States Code and Supplements, bound; Statutes at Large, bound; Official Register of the United States, bound; Decisions of the Supreme Court of the United States, bound; and all other documents bearing a congressional number, and all documents not bearing a congressional number printed upon order of any committee in either House of Congress, or by order of any department, bureau, independent office or establishment, commission, or officer of the Government except confidential matter, blank forms, and circular letters not of a public character; and two copies each of all public bills and resolutions in Congress in each parliamentary stage.

By Superintendent of Documents.

"The Superintendent of Documents shall furnish without cost copies of such publications as may be available for free distribution."

Approved, June 17, 1935.

[CHAPTER 268.]

JOINT RESOLUTION

June 17, 1935.
[H. J. Res. 27.]
[Pub. Res., No. 29.]

Providing for extension of cooperative work of the Geological Survey to Puerto Rico.

Puerto Rico.
Geological surveys, investigations, etc., in.
U. S. C., p. 1825.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of law authorizing the making of topographic and geological surveys and conducting investigations relating to mineral and water resources by the United States Geological Survey in various portions of the United States be, and the same are hereby, extended to authorize such surveys and investigations in Puerto Rico.

Approved, June 17, 1935.

[CHAPTER 269.]

JOINT RESOLUTION

June 17, 1935.
[H. J. Res. 204.]
[Pub. Res., No. 30.]

Authorizing the erection of a memorial to the late Jean Jules Jusserand.

Jean Jules Jusserand.
Memorial in city of Washington authorized.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to grant permission for the erection on public grounds of the United States in the city of Washington, other than those of the Capitol, the Library of Congress, and the White House, of a memorial of simple and artistic form to the late Jean Jules Jusserand, by his friends in America in memory and esteem of his fine friendship for the United States and its people during the twenty-two years of his service in Washington: *Provided*, That the site chosen and the design of the memorial shall have the approval of the National Commission of Fine Arts, and that the United States shall be put to no expense in or by the erection of the said memorial.

Proviso.
Approval of site.

No Federal expense.

Approved, June 17, 1935.

[CHAPTER 270.]

JOINT RESOLUTION

June 17, 1935.
[H. J. Res. 285.]
[Pub. Res., No. 31.]

To permit the temporary entry into the United States under certain conditions of alien participants and officials of the National Boy Scout Jamboree to be held in the United States in 1935.

National Boy Scout Jamboree, 1935.
Temporary entry of alien participants.
Post, p. 1167.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That alien Boy Scout participants, Boy Scout Officials, and Boy Scout Executives who are accredited members of delegations to the National Boy Scout Jamboree to be held in the United States in 1935, all of whom are nonimmigrants, if otherwise admissible into the United States under the immigration laws, shall be exempted from the payment of the tax of $8 prescribed by section 2 of the Immigration Act of 1917, and exempted from the fees prescribed by law to be collected in connection with executing an application for a visa and visaing the passport or other travel document of an alien for the purpose of entering the United States as a nonimmigrant, and such aliens shall not be required to present official passports issued by the governments to which they owe allegiance: *Provided*, That aliens shall be in possession of official Boy Scout identity cards issued by their own government or issued by the International Committee of the Boy Scouts indicating their Boy Scout status and nationality, and duly visaed without charge by American consular officers abroad: *And provided further*, That such aliens shall comply with regulations not inconsistent with the foregoing provisions which shall be prescribed by the Secretary of Labor and Secretary of State: *Provided, however*, That nothing herein shall relieve an alien from being required to obtain a gratis nonimmigration visa if coming to the United States as a nonimmigrant, or an immigration visa if coming to the United States as an immigrant.

Exempted from tax, etc.
Vol. 39, p. 875; U. S. C., p. 185.

Passports.

Provisos.
Identification required.

Compliance with prescribed regulations.

Visa requirements.

SEC. 2. That such aliens shall be permitted the free entry of their personal effects and their equipment to be used in connection with the National Boy Scout Jamboree, under such regulations as may be prescribed by the Secretary of the Treasury.

Free entry of personal effects.

Approved, June 17, 1935.

[CHAPTER 271.]

JOINT RESOLUTION

June 17, 1935.
[H. J. Res. 288.]
[Pub. Res., No. 32.]

Authorizing the Secretary of Agriculture to pay necessary expenses of assemblages of the 4-H Clubs, and for other purposes.

4-H Club assemblages.
Payment of necessary expenses of, permitted.
Ante, p. 19, waived.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That nothing contained in the Act of February 2, 1935 (Public Resolution Numbered 2, Seventy-fourth Congress), shall be construed to prohibit the Secretary of Agriculture from paying the necessary expenses for assemblages of the 4-H Boys and Girls Clubs, called by the Secretary of Agriculture in the District of Columbia or elsewhere, in the furtherance of the cooperative extension work of the Department.

Approved, June 17, 1935.

[CHAPTER 275.]

AN ACT

June 19, 1935.
[H. R. 2756.]
[Public, No. 152.]

Authorizing the Tlingit and Haida Indians of Alaska to bring suit in the United States Court of Claims, and conferring jurisdiction upon said court to hear, examine, adjudicate, and enter judgment upon any and all claims which said Indians may have, or claim to have, against the United States, and for other purposes.

Tlingit and Haida Indians of Alaska.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of this Act the Tlingit and Haida Indians of Alaska shall be defined to be all those Indians of the whole or mixed blood of the Tlingit and Haida Tribes who are residing in Russian America, now called the Territory of Alaska, in the region known and described as southeastern Alaska, lying east of the one hundred and forty-first meridian.

Claims of, may be submitted to Court of Claims.

SEC. 2. All claims of whatever nature, legal or equitable, which the said Tlingit and Haida Indians of Alaska may have, or claim to have, against the United States, for lands or other tribal or community property rights, taken from them by the United States without compensation therefor, or for the failure or refusal of the United States to compensate them for said lands or other tribal or community property rights, claimed to be owned by said Indians, and which the United States appropriated to its own uses and purposes without the consent of said Indians, or for the failure or refusal of the United States to protect their interests in lands or other tribal or community property in Alaska, and for loss of use of the same, at the time of the purchase of the said Russian America, now Alaska, from Russia, or at any time since that date and prior to the passage and approval of this Act, shall be submitted to the said Court of Claims by said Tlingit and Haida Indians of Alaska

Settlement and determination of amounts due.

for the settlement and determination of the equitable and just value thereof, and the amount equitably and justly due to said Indians from the United States therefor; and the loss to said Indians of their right, title, or interest, arising from occupancy and use, in lands or other tribal or community property, without just compensation therefor, shall be held sufficient ground for relief hereunder;

Jurisdiction conferred.

and jurisdiction is hereby conferred upon said Court to hear such claims and to render judgment and decree thereon for such sum as said court shall find to be equitable and just for the reasonable value of their said property, if any was so taken by the United States without the consent of the said Indians and without compensation therefor; that from the decision of the Court of Claims in any suit or suits prosecuted under the authority of this Act an appeal may be taken by either party, as in other cases, to the Supreme Court of the United States.

Presentation of claims.

SEC. 3. That the claim or claims of said Tlingit and Haida Indians of Alaska may be presented and prosecuted separately or jointly in one or more suits, by petition or petitions setting out the facts upon which they base their demands for relief and judgment or decree; the petition or petitions may be amended when necessary more fully

Time for filing suit.

or specifically to set forth their said claim or claims, and said suit or suits shall be filed in said Court of Claims within seven years

Final judgment; effect.

after the date of the passage of this Act; such suit or suits shall make the said Indians parties plaintiff and the United States party defendant, and the final judgment or decree shall conclude and for-

Authority of court.

ever settle the claim or claims so presented; the Court of Claims shall have full authority by proper orders and process to bring in and make parties to such suit or suits any and all parties deemed by it necessary or proper to the final determination of the matters in controversy; such petition or petitions may be verified by any

attorney or attorneys employed by said Indians, under contract approved by the Commissioner of Indian Affairs and the Secretary of the Interior, and said contract shall be executed in behalf of said Indians by a committee chosen by them under the direction and approval of the Commissioner of Indian Affairs and the Secretary of the Interior; verification may be upon information and belief as to the facts alleged; a true copy of the written contract or contracts by which such attorney or attorneys are employed by said Indians to represent them in such suit or suits shall be filed in said Court of Claims, as their authority by the said attorney or attorneys to so appear in said suit or suits for said Indians and to prosecute their said claim or claims in said Court of Claims.

Employment of attorneys for Indians.

SEC. 4. That if any claim or claims shall be submitted to said court it shall hear and settle the equitable and just rights therein, notwithstanding lapse of time, or statutes of limitations, or the fact that the said claim or claims have not been presented to any other tribunal, or the fact that said Tlingit and Haida Indians of Alaska may have been made citizens of the United States by the Act of Congress of June 2, 1924 (43 Stat. L. 253), or by any other law of the United States, or the fact that the said Indians, or any of them, collectively, prior to the passage and approval of this Act, may have severed their tribal relations with the said Tlingit and Haida Tribes. Any payment which may have been made by the United States or moneys heretofore or hereafter expended to date of award for the benefit of the said Tlingit and Haida Indians of Alaska, made under specific appropriations for the support, education, health, and civilization of said Indians, including purchase of lands, shall not be pleaded as an estoppel but may be pleaded by way of set-off.

Hearings and settlement of claims.

Vol. 43, p. 253; U. S. C., p. 173.

Prior payments.

SEC. 5. Official letters, papers, documents, and public records, or certified copies thereof, from the files and records of the United States, or the Territory of Alaska, and Russian documents and similar records, and historical data and books prepared by American or other standard historians or authors, relating to the subject matter in controversy in said suit or suits, may be used in evidence by either party, and the departments of the United States Government shall give the attorneys for both parties access to such papers, correspondence, and documents as are in the files.

Public records as evidence.

SEC. 6. The Court of Claims shall appoint at the proper time a commissioner or commissioners under the provisions of the Act of February 24, 1925 (43 Stat. L. 964), and Acts supplemental thereto, who shall have the aid of a stenographer to take the testimony to be used in the investigation of such claims. In addition to the present powers of such commissioner to take such testimony, he is hereby authorized to take the testimony of said Alaska Indians and their witnesses at such place or places in Alaska as are most convenient for said Indians and their witnesses; that the said Alaska Indians shall produce their witnesses in Alaska at such times and places as said commissioner shall direct, at their own expense, but the expenses of said commissioner and stenographer shall be paid by the United States out of the funds provided for such purposes in the said Act of February 24, 1925, and said supplemental Acts.

Commissioner to take testimony, etc., authorized.

Vol. 43, p. 964; U. S. C., p. 1263.

Witnesses.

Expenses.

Vol. 43, p. 965.

SEC. 7. That Tlingit and Haida Indians of Alaska who are entitled to share in any judgment or appropriation made to pay said claim or claims shall consist of all persons of Tlingit or Haida blood, living in or belonging to any local community of these tribes in the territory described in section 1 of this Act. Each tribal community shall prepare a roll of its tribal membership, which roll shall be submitted to a Tlingit and Haida central council for

Indians entitled to share in judgment.

Ante, p. 388.

Tribal roll to be prepared.

its approval. The said central council shall prepare a combined roll of all communities and submit it to the Secretary of the Interior for approval. Approval of the roll by the said Secretary of the Interior shall operate as final proof of the right of such Indian communities to share in the benefits of this Act as set forth in section 8.

Approval of roll; effect.

Apportionment of benefits.

SEC. 8. The amount of any judgment in favor of said Tlingit and Haida Indians of Alaska, after payment of attorneys fees, shall be apportioned to the different Tlingit and Haida communities listed in the roll provided for in section 7 in direct proportion to the number of names on each roll, and shall become an asset thereof, and shall be deposited in the Treasury of the United States to the credit of each community, and such funds shall bear interest at the rate of 4 per centum per annum, and shall be expended from time to time upon requisition by the said communities by and with advice and consent of the Secretary of the Interior, and under regulations as he may prescribe, for the future economic security and stability of said Indian groups, through the acquisition or creation of productive economic instruments and resources of public benefit to such Indian communities: *Provided, however*, That the interest on such funds may be used for beneficial purposes such as the relief of distress, emergency relief and health: *Provided further*, That none of the funds above indicated or the interest thereon shall ever be used for per capita payments.

Deposits and expenditures.

Provisos.
Use of interest.

Per capita payments.

Attorneys' services.

SEC. 9. That upon the final determination of any suit or suits instituted under this Act, if there is judgment for the plaintiff Indians, the Court of Claims shall inquire into the agreement or contract which said Indians have made with their attorneys for compensation for their services in said suit or suits, and if said Court of Claims shall find that such services have been faithfully performed by said attorneys, it shall make a finding to that effect and adjudge that said attorneys' compensation shall be paid as agreed upon in said contract out of the appropriation made for the payment of the sum found due to said Indians, but in no case to exceed 10 per centum of the amount of the total recovery, and said sum so found to be due to said attorneys shall be paid in full out of the sums so found due to said Indians and the remainder of said total sum due to said Indians shall be expended as provided in section 8 of this Act.

Limitation.

Notice to Attorney General, etc.

SEC. 10. A copy of the petition and other pleadings and briefs in said suit or suits brought under this Act shall be served upon the Attorney General of the United States, and he, or some attorney from the Department of Justice to be designated by him, is hereby directed to appear and defend the interests of the United States in such case or cases.

Approved, June 19, 1935.

[CHAPTER 276.]

June 19, 1935.
[S. 2688.]
[Public, No. 153.]

AN ACT

To amend an Act entitled "An Act to regulate the manner in which property shall be sold under orders and decrees of any United States courts", approved March 3, 1893, as amended.

Sale of property under court order.
Ante, p. 159, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 1, 2, and 3 of the Act entitled "An Act to regulate the manner in which property shall be sold under orders and decrees of any United States courts", approved March 3, 1893 (ch. 225, 27 Stat. 751, as amended;

U. S. C., title 28, secs. 847, 848, and 849), be, and they hereby are, amended by inserting before the period at the end of each of said sections 1, 2, and 3 the following: " or by receivers or conservators of banks, appointed by the Comptroller of the Currency ".

Sales of property of banks in liquidation excepted from provisions of Act.

Approved, June 19, 1935.

[CHAPTER 277.]

AN ACT

To amend the National Defense Act of June 3, 1916, as amended.

June 19, 1935.
[H. R. 5720.]
[Public, No. 154.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 38 of the National Defense Act of June 3, 1916, as amended be, and the same is hereby, amended by inserting the following paragraph after the third paragraph thereof:

National Defense Act amendments.
Vol. 39, p. 190; Vol. 48, p. 155; U. S. C., p. 1431.

" To the extent provided for from time to time by appropriations for this specific purpose, the President may order officers of the National Guard of the United States to active duty in an emergency at any time and for the period thereof: *Provided*, That, except in time of a national emergency expressly declared by Congress, no officer of the National Guard of the United States shall be employed on active duty for more than fifteen days in any calendar year without his own consent. When on such active duty an officer of the National Guard of the United States shall receive the same pay and allowances as an officer of the Regular Army of the same grade and length of active service, and mileage from his home to his first station and from his last station to his home, but shall not be entitled to retirement or retired pay."

National Guard of the United States.
Officers, emergency active service.

Proviso.
Restriction, without consent.

Pay and allowances.

SEC. 2. That section 58 of said Act be, and the same is hereby, amended by adding thereto another paragraph to read as follows: " : *And provided further*, That in the grades of first lieutenant and second lieutenant the number shall be unlimited."

Composition of National Guard.
Vol. 39, p. 197; Vol. 48, p. 155; U. S. C., p. 1429.
First and second lieutenant grades; number.

SEC. 3. That section 70 of said Act be, and the same is hereby, amended by adding the following paragraph at the end thereof:

Vol. 39, p. 201; Vol. 48, p. 156; U. S. C., p. 1439.

" That the oath of enlistment prescribed in this section may be taken before any officer of the National Guard authorized to administer oaths of enlistment in the National Guard of the several States, Territories, and the District of Columbia, by respective laws thereof. All oaths of enlistment heretofore administered by the officers described above are hereby validated."

Enlistment oath.

SEC. 4. That section 77 of said Act be, and the same is hereby, amended by striking out all of said section and inserting in lieu thereof the following:

Vol. 39, p. 202; Vol. 48, p. 159; U. S. C., p. 1438.

Elimination and disposition of officers.

" ELIMINATION AND DISPOSITION OF OFFICERS OF THE NATIONAL GUARD OF THE UNITED STATES.—The appointments of officers and warrant officers of the National Guard may be terminated or vacated in such manner as the several States, Territories, and the District of Columbia shall provide by law. Whenever the appointment of an officer or warrant officer of the National Guard of a State, Territory, or the District of Columbia has been vacated or terminated or upon reaching the age of sixty-four, the Federal recognition of such officer shall be withdrawn and he shall be discharged from the National Guard of the United States: *Provided*, That under such regulations as the Secretary of War may prescribe, upon termination of service in the active National Guard, an officer of the National Guard of the United States may, if he makes application therefor, transfer to the inactive National Guard and remain in the National Guard of the

Proviso.
Transfers to inactive status.

Withdrawal of Federal recognition.

United States in the same or lower grade. When Federal recognition is withdrawn from any officer or warrant officer of the National Guard of any State, Territory, or the District of Columbia, as provided in section 76 of this Act or upon reaching the age of sixty-four years, he shall thereupon cease to be a member thereof and shall be given a discharge certificate therefrom by the official authorized to appoint such officer."

Vol. 39, p. 202; Vol. 48, p. 158; U. S. C., p. 1438.

Chief, National Guard Bureau.
Eligibility to succeed himself.
Vol. 39, p. 203; Vol. 48, p. 159; U. S. C., p. 1442.

SEC. 5. That section 81 of said Act be, and the same is hereby amended, by striking out after the words "and shall" in the third sentence of said section the word "not."

Caretakers.
Number.
Vol. 39, p. 205; Vol. 44, p. 673; U. S. C., p. 1433.

SEC. 6. That section 90 of said Act be, and the same is hereby amended, following the word "provided" so as to read: "That the caretakers hereby authorized to be employed shall not exceed five for any one organization, except heavier-than-air squadrons, for each of which a maximum of thirteen is authorized, who shall be paid by the United States disbursing officer for each State, Territory, and the District of Columbia.

Compensation.

"The compensation paid to caretakers who belong to the National Guard, as herein authorized, shall be in addition to any compensation authorized for members of the National Guard under any of the provisions of the National Defense Act.

Pooling provisions.

"Under such regulations as the Secretary of War shall prescribe, the material, animals, armament, and equipment, or any part thereof, of the National Guard of any State, Territory, or the District of Columbia or organizations thereof, may be put into a common pool for care, maintenance, and storage; and the employment of caretakers therefor, not to exceed fifteen for any one pool, is hereby authorized.

"Caretakers heretofore detailed or employed in pools shall be deemed to have been regularly detailed or employed as such under the law and regulations; and all payments heretofore or hereafter made therefor are hereby validated and authorized.

Commissioned officers ineligible.
Vol. 45, p. 440.

"Commissioned officers of the National Guard shall not be employed as caretakers, except that one such officer not above the grade of captain for each heavier-than-air squadron may be employed. Either enlisted men or civilians may be employed as caretakers, but if there are as many as two caretakers in any organization, one of them shall be an enlisted man.

Pay regulations.

"The Secretary of War shall, by regulations, fix the salaries of all caretakers hereby authorized to be employed and shall also designate by whom they shall be employed."

Draft of National Guard into active service in national emergency.
Vol. 48, p. 160; U. S. C., p. 1436.

SEC. 7. That section 111 of said Act be, and is hereby amended, by striking out after the words "any or all units and" in the first sentence of said section, the words "the members thereof" and inserting in lieu thereof the word "members".

Approved, June 19, 1935.

[CHAPTER 278.]

JOINT RESOLUTION

Requesting the President to proclaim October 9 as Leif Erikson Day.

June 19, 1935.
[H. J. Res. 26.]
[Pub. Res., No. 33.]

Leif Erikson Day.
October 9, 1935, designated as.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized and requested to issue a proclamation designating October 9, 1935, as Leif Erikson Day and calling upon officials of the Government to display the flag of the United States on all Government buildings on said date and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies.

Approved, June 19, 1935.

[CHAPTER 281.]

AN ACT

To reserve eighty acres on the public domain for the use and benefit of the Kanosh Band of Indians in the State of Utah.

June 20, 1935.
[S. 380.]
[Public, No. 155.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the west half southwest quarter section 10, township 23 south, range 5 west, Salt Lake meridian, Utah, be, and the same is hereby, reserved for the sole use and occupancy of the Kanosh Band of Indians of Utah: *Provided*, That the rights and claims of any bona fide settler initiated under the public-land laws prior to the approval hereof shall not be affected by this Act.

Public lands.
Reserved for Kanosh Band of Indians, Utah.

Proviso.
Rights of bona fide settlers not affected.

Approved, June 20, 1935.

[CHAPTER 282.]

AN ACT

Transferring certain national-forest lands to the Zuni Indian Reservation, New Mexico.

June 20, 1935.
[S. 1831.]
[Public, No. 156.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the lands in townships 8 and 9 north, ranges 16 and 17 west, of the New Mexico principal meridian, New Mexico, comprising the Miller Division of the Cibola National Forest, are hereby eliminated from the Cibola National Forest and withdrawn as an addition to the Zuni Indian Reservation, subject to any valid existing rights of any persons thereto.

Zuni Indian Reservation, N. Mex.
Designated forest lands transferred to.

Approved, June 20, 1935.

[CHAPTER 283.]

AN ACT

To provide for the establishment of the Big Bend National Park in the State of Texas, and for other purposes.

June 20, 1935.
[S. 2131.]
[Public, No. 157.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when title to such lands as may be determined by the Secretary of the Interior as necessary for recreational park purposes within the boundaries to be determined by him within the area of approximately one million five hundred thousand acres, in the counties of Brewster and Presidio, in the State of Texas, known as the "Big Bend" area, shall have been vested in the United States, such lands shall be, and are hereby, established, dedicated, and set apart as a public park for the benefit and enjoyment of the people and shall be known as the "Big Bend National Park": *Provided*, That the United States shall not purchase by appropriation of public moneys any land within the aforesaid area, but such lands shall be secured by the United States only by public and private donations.

Big Bend National Park, Tex.
Establishment.

Area, location, etc.

Proviso.
Lands secured by donation only.

SEC. 2. The Secretary of the Interior is hereby authorized, in his discretion and upon submission of evidence of title satisfactory to him, to accept, on behalf of the United States, title to the lands referred to in the previous section hereof as may be deemed by him necessary or desirable for national-park purposes: *Provided*, That no land for said park shall be accepted until exclusive jurisdiction over the entire area, in form satisfactory to the Secretary of the Interior, shall have been ceded by the State of Texas to the United States.

Acceptance of title.

Proviso.
Exclusive jurisdiction required.

National Park Service to administer, etc.

SEC. 3. The administration, protection, and development of the aforesaid park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended: *Provided*, That the provisions of the Act of June 10, 1920, known as the "Federal Water Power Act", shall not apply to this park.

Vol. 39, p. 535; U. S. C., p. 591.

Proviso.
Water Power Act not applicable.
Vol. 41, p. 1063; U. S. C., p. 694.

Approved, June 20, 1935.

[CHAPTER 284.]

June 20, 1935.
[S. J. Res. 42.]
[Pub. Res., No. 34.]

JOINT RESOLUTION

To amend section 289 of the Criminal Code.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 289 of the Criminal Code (U. S. C., title 18, sec. 468) be, and it is hereby, amended to read as follows:

Criminal Code.
Vol. 35, p. 1145; Vol. 48, p. 152; U. S. C., p. 762.

"SEC. 289. Whoever, within the territorial limits of any State, organized Territory, or District, but within or upon any of the places now existing or hereafter reserved or acquired, described in section 272 of the Criminal Code (U. S. C., title 18, sec. 451), shall do or omit the doing of any act or thing which is not made penal by any laws of Congress, but which if committed or omitted within the jurisdiction of the State, Territory, or District in which such place is situated, by the laws thereof in force on April 1, 1935, and remaining in force at the time of the doing or omitting the doing of such act or thing, would be penal, shall be deemed guilty of a like offense and be subject to a like punishment.

Offenses committed in places under Federal jurisdiction.

Adoption of State laws to punish.

Approved, June 20, 1935.

[CHAPTER 286.]

June 24, 1935.
[S. 1180.]
[Public, No. 158.]

AN ACT

To amend section 4865 of the Revised Statutes, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the number of beneficiaries from the several States and Territories authorized by section 4865 of the Revised Statutes, as amended, for admission to the collegiate department of the Columbia Institution for the Deaf, be, and it hereby is, increased from one hundred and twenty-five to one hundred and forty-five.

Columbia Institution for the Deaf, D. C.
Number of beneficiaries increased.
R. S., sec. 4865, p. 942; U. S. C., p. 991.
Vol. 40, p. 680.

Approved, June 24, 1935.

[CHAPTER 287.]

June 24, 1935.
[S. 2278.]
[Public, No. 159.]

AN ACT

Authorizing the construction of buildings for the United States Representative in the Philippine Islands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated not to exceed $750,000 for the necessary housing for office and residence purposes for the establishment of the United States Representative in the Philippine Islands, including the acquisition of land, the purchase, construction, and reconstruction of buildings, and the procurement of furniture, furnishings, and equipment.

Philippine Islands.
Buildings for United States Representative in, authorized.
Post, p. 595.

Approved, June 24, 1935.

[CHAPTER 288.]

AN ACT

June 24, 1935.
[H. R. 2739.]
[Public, No. 160.]

To extend further time for naturalization to alien veterans of the World War under the Act approved May 25, 1932 (47 Stat. 165), to extend the same privileges to certain veterans of countries allied with the United States during the World War, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subdivision (a) of section 1 of the Act entitled "An Act to further amend the naturalization laws, and for other purposes", approved May 25, 1932 (47 Stat. 165; U. S. C., Supp. VII, title 8, sec. 392b (a)) shall, as herein amended, continue in force and effect to include petitions for citizenship filed prior to May 25, 1937, with any court having naturalization jurisdiction: *Provided*, That for the purposes of this Act clause (1) of subdivision (a) of section 1 of the aforesaid Act of May 25, 1932, is amended by striking out the words "all such period" and in lieu thereof inserting the words "the five years immediately preceding the filing of his petition."

Naturalization of alien veterans residing in the United States.
Vol. 47, p. 165; U. S. C., p. 218.
Extending privileges to May 25, 1937.
Proviso. Continued residence and good behavior provisions.

SEC. 2. The provisions of section 1 of this Act are hereby extended to include any alien lawfully admitted into the United States for permanent residence who departed therefrom between August , 1914,[1] and April 5, 1917, or who, having been denied entry into the military and naval forces of the United States, departed therefrom subsequent to April 5, 1917, for the purpose of serving, and actually served prior to November 11, 1918, in the military or naval forces of any of the countries allied with the United States in the World War and was discharged from such service under honorable circumstances: *Provided*, That before any applicant for citizenship under this section is admitted to citizenship, the court shall be satisfied by competent proof that he is entitled to, and has complied in all respects with, the provisions of this Act; and that he was and had been a bona fide lawfully admitted resident in the United States for two years before the passage of this Act.

Service in allied forces.
Proviso. Terms, conditions, etc.

SEC. 3. The Commissioner of Immigration and Naturalization, with the approval of the Secretary of Labor, shall prescribe such rules and regulations as may be necessary for the enforcement of this Act.

Rules to be prescribed.

Approved, June 24, 1935.

[CHAPTER 289.]

AN ACT

June 24, 1935.
[S. 1611.]
[Public, No. 161.]

To authorize an exchange of lands between the Richmond, Fredericksburg and Potomac Railroad Company and the United States at Quantico, Virginia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is authorized on behalf of the United States to accept from the Richmond, Fredericksburg and Potomac Railroad Company, a corporation of the State of Virginia, free from all encumbrances and without cost to the United States, all right, title, and interest in fee simple in and to the following lands, together with all the right, title, and interest in and to the platted streets and riparian rights in Quantico Creek as may attach to the lots conveyed in subsection (a):

Richmond, Fredericksburg and Potomac Railroad Company.
Exchange of lands with, authorized.

(a) Lots numbered 21, 22, 23, 38, 39, 51, 58, 59, 72, and 85 in the town of Carborough, county of Prince William, State of Virginia, as shown on the original plat filed with the condemnation of the above

Conveyances by railroad company.

[1] So in original.

lots by the Potomac Railroad Company, that lie to the east of a line drawn one hundred feet east from and parallel to the present center line of the Richmond, Fredericksburg and Potomac Railroad Company, purchased from the Potomac and Manassas Railroad Company by deed dated August 15, 1871, recorded January 1, 1872, in the clerk's office of Prince William County in deed book numbered 28, page 452, excepting therefrom that portion of lot numbered 22, sold by the Potomac Railroad Company to J. W. Norton by deed dated November 24, 1883, recorded in the clerk's office, Prince William County, on December 8, 1883, in deed book numbered 34, page 424, which portion is more particularly designated and described as lot numbered 22–A on plan marked "V. D. 41–4, R. F. & P. R. R. Co. Proposed exchange of lands at Quantico, Scale 1"=100 feet dated Oct. 1, 1932, revised Sept. 14, 1933", beginning at the United States Marine Corps Reservation corner numbered 154 along the boundary between the United States Marine Corps Reservation and lot numbered 23, south fifty-five degrees sixteen minutes east, a distance of thirty-eight and three-tenths feet to the corner of lot numbered 23, the place of beginning; thence along boundary line of United States Marine Corps Reservation south fifty-five degrees sixteen minutes east one hundred and thirty-one and seven-tenths feet to boundary monument numbered 153 of United States Marine Corps Reservation; thence on said boundary line north thirty-four degrees forty-four minutes east one hundred and forty-one and six-tenths feet to a point; thence leaving said boundary line north sixty-four degrees forty-six minutes west sixty feet to a point; thence north seventy-eight degrees forty-six minutes west forty-eight and five-tenths feet to a point; thence south fifty-nine degrees fifty-four minutes west sixty-four and five-tenths feet to a point; thence south thirty-four degrees forty-three minutes west fifty-three and eight-tenths feet to the point of beginning, containing three hundred and forty-eight thousandths of an acre.

(b) That certain parcel of land lying on the west side of the right-of-way north of Potomac Avenue, town of Quantico, county of Prince William, Virginia, beginning at a point where the western right-of-way line of the Richmond, Fredericksburg and Potomac Railroad Company intersects the northern curb line of Potomac Avenue; thence along said western right-of-way line in a northerly direction three hundred and sixteen and three-tenths feet to a point; thence at right angles in an easterly direction twenty feet to a point; thence by a line parallel to the present western right-of-way line and twenty feet east from it in a southerly direction one hundred and seventy-five and three-tenths feet to a point; thence at right angles in a westerly direction seven and five-tenths feet to a point; thence in a southerly direction by a line parallel to and twelve and five-tenths feet east from the present western right-of-way line, one hundred and thirty-nine feet to a point on the northern curb line of Potomac Avenue; thence in a westerly direction along said northern curb line of Potomac Avenue thirteen and two-tenths feet to the point of beginning, containing five thousand, two hundred and fifty-six square feet, subject however, to the easement for a right-of-way for ingress and egress to the rear of the building leased to the Mutual Ice Company over and through the above-described lot; said parcel being more particularly shown outlined in red on the map marked "R. F. & P. R. R. Co.,—Location Plan Buildings, Tracks, etc., Potomac Avenue; Quantico, Va., dated Nov. 13, 1931, No. 10–D–27".

Properties to become part of Marine Corps Reservation.

The above properties, when transferred to the United States shall become a part of the Marine Corps Reservation, Quantico, Virginia.

Lands transferred to railroad company, in exchange.

SEC. 2. In exchange for the above-described lands, the Secretary of the Navy is authorized to transfer by appropriate conveyance to the Richmond, Fredericksburg and Potomac Railroad Company, free from all encumbrances, and without cost to the Richmond, Fredericksburg and Potomac Railroad Company, all right, title, and interest of the United States in and to the lands contained within the Marine Corps Reservation at Quantico, Virginia, described generally as follows:

(1) Those two small parcels of land, part of what is known as the "Shipping Board Tract" as shown on the map of the United States Marine Corps Reservation, Prince William County, Virginia, dated June 25, 1920, signed Thomas J. Brady, Junior, Public Works officer, that lies to the west of a line drawn parallel to and one hundred feet east from the present center line of the Richmond, Fredericksburg and Potomac Railroad Company, and lying within the right-of-way of said railroad company, such land being shown more particularly in yellow on the map marked "V. D. 41–4—R. F. & P. R. R. Co.—Proposed exchange of land at Quantico, Scale 1"=100 feet dated Oct. 1, 1932, revised Sept. 14, 1933."

(2) That parcel of land adjoining the present eastern right-of-way line of the Richmond, Fredericksburg and Potomac Railroad Company between Fifth and Sixth Streets in the town of Quantico, Prince William County, Virginia, beginning at a point where the present southern line of Fifth Street intersects the present eastern right-of-way line of the Richmond, Fredericksburg and Potomac Railroad; thence in an easterly direction along said southern line of Fifth Street ten and thirteen one-hundredths feet to a point; thence in a southerly direction by a line parallel to and ten and thirteen one-hundredths feet east from the present eastern right-of-way line of the Richmond, Fredericksburg and Potomac Railroad fifty-six and fifty-eight one-hundredths feet to a point; thence bearing to the east by a line that is at right angles to the northern line of Sixth Street one hundred and eighty and seventeen one-hundredths feet to a point in said northern line of Sixth Street; thence in a westerly direction thirty-nine and fifty-seven one-hundredths feet to the eastern right-of-way line of the Richmond, Fredericksburg and Potomac Railroad; thence in a northerly direction along said right-of-way line two hundred and thirty-nine and fourteen one-hundredths feet to the point of beginning; containing five thousand and forty-seven square feet, all as more particularly shown in yellow on the map marked "V. D. 41–101—R. F. & P. R. R. Co. Easement desired from U. S. Govt. of Quantico, Va., dated Sept. 12, 1932".

Approved, June 24, 1935.

[CHAPTER 290.]

AN ACT

June 24, 1935.
[S. 2508.]
[Public, No. 162.]

To authorize the naturalization of certain resident alien World War veterans.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the racial limitations contained within section 2169 of the Revised Statutes of the United States, as amended (U. S. C., title 8, sec. 359), and within section 14 of the Act of May 6, 1882, as amended (U. S. C., title 8, sec. 363), any alien veteran of the World War heretofore ineligible to citizenship because not a free white person or of African nativity or of African descent may be naturalized under this Act if he—

Naturalization of certain resident alien World War veterans.
Racial limitations waived.
R. S., sec. 2169, p. 380; U. S. C., p. 214.

Eligibility requirements.

(a) Entered the service of the armed forces of the United States prior to November 11, 1918;

(b) Actually rendered service with the armed forces of the United States between April 6, 1917, and November 11, 1918;

(c) Received an honorable discharge from such service for any reason other than his alienage;

(d) Resumed his previous permanent residence in the United States or any Territory thereof; and

(e) Has maintained a permanent residence continuously since the date of discharge and is now a permanent resident of the United States or any Territory thereof; upon compliance with all the requirements of the naturalization laws, except—

Compliance with naturalization laws required.

Exceptions.

(f) No certificate of arrival and no declaration of intention shall be required;

(g) No additional residence shall be required before the filing of petition for certificate of citizenship; and

(h) The petition for certificate of citizenship shall be filed with a court having naturalization jurisdiction prior to January 1, 1937.

Certificates of citizenship heretofore granted.

Vol. 40, p. 542; Vol. 41, p. 222; U. S. C., p. 218.

SEC. 2. Certificates of citizenship heretofore issued and heretofore granted by any court having naturalization jurisdiction under the provisions of the Act of May 9, 1918, or of the Act of July 19, 1919, to any alien veteran who is eligible to be naturalized under the provisions of section 1 of this Act, and orders or judgments authorizing such certificates, are hereby declared to be valid for all purposes insofar as the race of the veteran is concerned. Such certificates may be stamped, declaring their validity under this Act, by the Commissioner of Immigration and Naturalization upon submission of satisfactory proof to establish identity.

Stamping requirement.

Certificates in lieu of lost, etc., originals.

Vol. 45, p. 1515; U. S. C., p. 220.

Certificates declared valid under the foregoing paragraph, which have been lost, mutilated, destroyed, or surrendered to any official of the United States may be replaced by a new certificate bearing date of original certificate upon compliance with the provisions of section 32 (a) of the Act of June 29, 1906, as amended.

Fees waived.

SEC. 3. On applications filed for any benefits under this Act, the requirement of fees for naturalization documents is hereby waived.

Approved, June 24, 1935.

[CHAPTER 291.]

June 24, 1935.
[H. R. 7672.]
[Public, No. 163.]

AN ACT

Making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1936, and for other purposes.

Navy Department and naval service appropriations for fiscal year 1936.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Navy Department and the naval service for the fiscal year ending June 30, 1936, namely:

Naval Establishment.

NAVAL ESTABLISHMENT

Secretary's office.

OFFICE OF THE SECRETARY

Miscellaneous expenses.

MISCELLANEOUS EXPENSES

For traveling expenses of civilian employees, including not to exceed $4,000 for the expenses of attendance, at home and abroad, upon meetings of technical, professional, scientific, and other similar organizations when, in the judgment of the Secretary of the Navy, such attendance would be of benefit in the conduct of the work of the Navy Department; not to exceed $2,000 for the part-time or

intermittent employment in the District of Columbia or elsewhere of such experts and at such rates of compensation as may be contracted for by and in the discretion of the Secretary of the Navy; expenses of courts martial, purchase of law and reference books, expenses of prisoners and prisons, courts of inquiry, boards of investigation, examining boards, clerical assistance; witnesses' fees and traveling expenses; not to exceed $15,000 for promoting accident prevention and safety in shore establishments of the Navy, to be expended in the discretion of the Secretary of the Navy; newspapers and periodicals for the naval service; all advertising of the Navy Department and its bureaus (except advertising for recruits for the Bureau of Navigation); costs of suits; relief of vessels in distress; recovery of valuables from shipwrecks; maintenance of attachés abroad, including office rental and pay of employees, and not to exceed $9,000 in the aggregate or $450 for any one person for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., Supp. VII, title 5, sec. 118a); the collection and classification of information; not to exceed $175,000 for telephone, telegraph, and teletype rentals and tolls, telegrams, radiograms, and cablegrams; postage, foreign and domestic and post-office box rentals; necessary expenses for interned persons and prisoners of war under the jurisdiction of the Navy Department, including funeral expenses for such interned persons or prisoners of war as may die while under such jurisdiction; payment of claims for damages as provided in the Act making appropriations for the naval service for the fiscal year 1920, approved July 11, 1919 (U. S. C., title 34, sec. 600); and other necessary and incidental expenses; in all, $1,062,700, of which $2,500 shall be available immediately: *Provided*, That no part of any appropriation contained in this Act shall be available for the expense of any naval district in which there may be an active navy yard, naval training station, or naval operating base, unless the commandant of the naval district shall be also the commandant of one of such establishments: *Provided further*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $511,500.

Courts martial, etc.

Accident prevention in shore establishments.

Living quarters, etc. Vol. 46, p. 818. U. S. C., p. 45.

Damage claims. Vol. 41, p. 132. U. S. C., p. 1550.

Provisos. Restriction on use in certain naval districts.

Group IV (b) employees.

CONTINGENT, NAVY

Contingent, Navy.

For all emergencies and extraordinary expenses, exclusive of personal services in the Navy Department or any of its subordinate bureaus or offices at Washington, District of Columbia, arising at home or abroad, but impossible to be anticipated or classified, to be expended on the approval and authority of the Secretary of the Navy, and for such purposes as he may deem proper, and for examination of estimates for appropriations and of naval activities in the field for any branch of the naval service, $17,500, of which $2,500 shall be available immediately.

CARE OF LEPERS, AND SO FORTH, ISLAND OF GUAM

Lepers.

Care, etc., Guam and Culion, P. I.

Naval station, island of Guam: For maintenance and care of lepers, special patients, and for other purposes, including cost of transfer of lepers from Guam to the island of Culion, in the Philippines, and their maintenance, $20,000; for educational purposes, $15,000; in all, $35,000.

Research laboratory.

NAVAL RESEARCH LABORATORY

Work of, for naval service.

For laboratory and research work and other necessary work of the naval research laboratory for the benefit of the naval service, including operation and maintenance of a laboratory, additions to equipment necessary properly to carry on work in hand, maintenance of buildings and grounds, temporary employment of such scientific and technical civilian assistants as may become necessary, and subscriptions to technical periodicals, to be expended under the direction of the Secretary of the Navy, $310,000: *Provided*, That $50,000 of this appropriation shall be available for the temporary employment of civilian scientists and technicists required on special problems: *Provided further*, That the sum to be paid out of this appropriation for employees assigned to Group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $120,000, in addition to the amount authorized by the preceding proviso.

Provisos.
Temporary employment of scientists, etc.

Group IV (b) employees.

Naval petroleum reserves.

OPERATION AND CONSERVATION OF NAVAL PETROLEUM RESERVES

Conservation and operation.
Vol. 41, p. 813.
U. S. C., p. 1544.

To enable the Secretary of the Navy to carry out the provisions contained in the Act approved June 4, 1920 (U. S. C., title 34, sec. 524), requiring him to conserve, develop, use, and operate the naval petroleum reserves, $63,000, of which amount not to exceed $15,000 shall be available for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department: *Provided*, That out of any sums appropriated for naval purposes by this Act, any portion thereof, not to exceed $10,000,000, shall be available to enable the Secretary of the Navy to protect Naval Petroleum Reserve Numbered 1, established by Executive order of September 2, 1912, pursuant to the Act of June 25, 1910 (U. S. C., title 43, secs. 141–143), by drilling wells and performing any work incident thereto, of which amount not to exceed $100,000 shall be available for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department: *Provided further*, That no part of the sum made available for the protection of this property shall be expended if a satisfactory agreement can be made with adjoining landowners to not drill offset wells for the purpose of producing oil.

Group IV (b) employees.

Provisos.
Protecting work on Reserve No. 1.

Vol. 36, p. 847.
U. S. C., p. 1832.

Group IV (b) employees.

Agreement with adjoining landowners not to drill offset wells.

Naval prison farms and prison personnel.

NAVAL PRISON FARMS AND PRISON PERSONNEL

Operation, etc.

For the operation, maintenance, and improvement of naval prison farms and for the welfare, recreation, and education of prison personnel, to be expended under such regulations as the Secretary of the Navy may prescribe, $14,270: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Proviso.
Limitation on expenditure.
Vol. 48, p. 1227.

BUREAU OF NAVIGATION

Bureau of Navigation.

Training, education, etc.

TRAINING, EDUCATION, AND WELFARE, NAVY

Post, p. 1628.
Naval War College, maintenance, etc.

Naval War College: For maintenance and operation, including repairs, improvements, and care of grounds; services of a professor of international law, $2,000; services of lecturers, $2,000; and other

civilian services; library expenses, including the purchase, binding, and repair of books and periodicals and subscriptions to newspapers and periodicals; and including contingencies of the President of the Naval War College to be expended in his discretion not exceeding $1,000; and for other necessary expenses, $120,420;

Training stations, maintenance, etc.

Naval training stations: For maintenance, operation, and other necessary expenses, including repairs, improvements, and care of grounds of the naval training stations which follow:

San Diego, California, $162,975;

Newport, Rhode Island, $115,559;

Great Lakes, Illinois, $250,000;

Norfolk, Virginia, $226,468;

Post, p. 1628.

Fleet training, gunnery, etc., prizes.

Fleet training: For trophies and badges for excellence in gunnery, target practice, communication, engineering exercises and for economy in fuel consumption to be awarded under such rules as the Secretary of the Navy may formulate; for the purpose of recording, classifying, compiling, and publishing the rules and results; for the establishment and maintenance of shooting galleries, target houses, targets, and ranges; for hiring established ranges, and for transporting equipment to and from ranges; entrance fees in matches for the rifle team, and special equipment therefor, $50,000;

Instruction expenses.

Instruction: For postgraduate instruction of officers in other than civil government and literature, and for special instruction, education, and individual training of officers and enlisted men at home and abroad, including maintenance of students abroad, except aviation training and submarine training otherwise appropriated for, $178,000: *Provided*, That no part of this or any other appropriation contained in this Act shall be available for or on account of any expense incident to giving special educational courses or postgraduate instruction to officers with view to qualifying them or better qualifying them for the performance of duties required to be performed by or in pursuance of law by officers of the Supply Corps, Construction Corps, or Corps of Civil Engineers, except present students and except such officers who are commissioned in such corps or who have not been commissioned in the line of the Navy more than three years;

Proviso. Special courses to officers.

Student and Staff Corps, limitation.

Libraries.

Libraries: For libraries, professional books, textbooks, religious books, periodicals and newspaper subscriptions for ships and shore stations not otherwise appropriated for, $58,000;

Welfare and recreation.

Welfare and recreation: For welfare and recreation of the Navy, including periodicals and newspaper subscriptions, and not exceeding $2,400 for care and operation of schools at naval stations at Guantanamo Bay and Tutuila, for the children of Naval and Marine Corps commissioned, enlisted, and civilian personnel, to be expended in the discretion of the Secretary of the Navy, under such regulations as he may prescribe, $282,200;

Naval Reserve Officers' Training Corps, operation, etc.

Naval Reserve Officers' Training Corps: For all expenses incident to the conduct of the Naval Reserve Officers' Training Corps under such regulations at [1] the President has prescribed or hereafter may prescribe under the provisions of section 22 of the Act approved March 4, 1925 (43 Stat., p. 1276; U. S. C., Title 34, sec. 821), $85,000, of which $20,000 shall be available immediately: *Provided*, That uniforms and other equipment or material issued to the Naval Reserve Officers' Training Corps in accordance with law may be furnished from surplus or reserve stocks of the Navy without payment under this appropriation, except for actual expenses incurred in the manufacture or issue;

Vol. 43, p. 1276. U. S. C., p. 1564.

Proviso. Uniforms, etc.

[1] So in original.

Training, education, etc.
Proviso.
Group IV (b) employees.

In all, training, education, and welfare, Navy, $1,528,622: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department, exclusive of temporary services, shall not exceed the following amounts, respectively: Naval War College, $77,000; Naval Training Station, San Diego, $7,500; Naval Training Station, Newport, $10,000; Naval Training Station, Great Lakes, $14,500; Naval Training Station, Norfolk, $5,500; Instruction, $26,000; Libraries, $24,000; Welfare and Recreation, $2,500.

Limitations.

State Marine Schools.

STATE MARINE SCHOOLS, ACT OF MARCH 4, 1911

Reimbursing California, Massachusetts, New York, and Pennsylvania for expenses.
Vol. 36, p. 1353.
U. S. C., p. 1578.

To reimburse the State of California, $25,000; the State of Massachusetts, $25,000; the State of New York, $25,000; and the State of Pennsylvania, $25,000, for expenses incurred in the maintenance and support of marine schools in such States as provided in the Act authorizing the establishment of marine schools, and so forth, approved March 4, 1911 (U. S. C., title 34, sec. 1121), and for the maintenance and repair of the particular vessels loaned by the United States to the said States on the date of the approval of this Act for use in connection with such State Marine Schools, $90,000, and no other vessels shall be furnished by or through the Navy Department; in all, $190,000.

Maintenance, etc., of vessel loaned.

Bureau of Navigation.

INSTRUMENTS AND SUPPLIES, BUREAU OF NAVIGATION

Instruments and supplies.

For supplies for seamen's quarters; and for the purchase of all other articles of equipage at home and abroad; and for the payment of labor in equipping vessels therewith and manufacture of such articles in the several navy yards; all pilotage and towage of ships of war; canal tolls, wharfage, dock and port charges, and other necessary incidental expenses of a similar nature; hire of launches or other small boats in Asiatic waters; quarantine expenses; services and materials in repairing, correcting, adjusting, and testing compasses on shore and on board ship; nautical and astronomical instruments and repairs to same; compasses, compass fittings, including binnacles, tripods, and other appendages of ship's compasses; logs and other appliances for measuring the ship's way and leads and other appliances for sounding; photographs, photographic instruments and materials, printing outfit and materials; music and musical instruments; commissions, warrants, diplomas, discharges, good-conduct badges, and medals for men and boys; transportation of effects of deceased officers, nurses, and enlisted men of the Navy, and of officers and men of the Naval Reserve who die while on duty; not to exceed $5,000 for contingent expenses and emergencies arising under cognizance of the Bureau of Navigation, unforeseen and impossible to classify; and for the necessary civilian electricians for gyrocompass testing and inspection, $630,000: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $36,000.

Proviso.
Group IV (b) employees.

Ocean and lake surveys.

OCEAN AND LAKE SURVEYS, BUREAU OF NAVIGATION

For hydrographic surveys, including the pay of the necessary hydrographic surveyors, cartographic draftsmen, and recorders, and for the purchase of nautical books, charts, and sailing directions,

$70,000, of which $8,000 shall be available immediately: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $27,400.

Proviso. Group IV (b) employees.

NAVAL RESERVE

Naval Reserve.

For expenses of organizing, administering, and recruiting the Naval Reserve and Naval Militia; pay and allowances of officers and enlisted men of the Naval Reserve when employed on authorized training duty; mileage for officers while traveling under orders to and from training duty; transportation of enlisted men to and from training duty, and subsistence and transfers en route, or cash in lieu thereof; subsistence of enlisted men during the actual period of training duty; subsistence of officers and enlisted men of the Fleet Naval Reserve while performing authorized training or other duty without pay; pay, mileage, and allowances of officers of the Naval Reserve and pay, allowances, subsistence and transportation with subsistence and transfers en route, or cash in lieu thereof of enlisted men of the Naval Reserve when ordered to active duty in connection with the instruction, training, and drilling of the Naval Reserve; pay of officers and enlisted men of the Fleet Naval Reserve for the performance of not to exceed forty-eight drills per annum or other equivalent instruction or duty, or appropriate duties, and administrative duties, exclusive, however, of pay, allowances, or other expenses on account of members of any class of the Naval Reserve incident to their being given flight training unless, as a condition precedent, they shall have been found by such agency as the Secretary of the Navy may designate physically and psychologically qualified to serve as pilots of naval aircraft, $7,352,825, of which amount $122,306 shall be available immediately; not more than $150,000 shall be available for maintenance and rental of armories, including pay of necessary janitors, and for wharfage; not more than $81,000 shall be available for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department; not less than $3,277,945 shall be available, in addition to other appropriations, for aviation material, equipment, fuel, and rental of hangars, and not more than $397,914 shall be available, in addition to other appropriations, for fuel and the transportation thereof, and for all other expenses in connection with the maintenance, operation, repair, and upkeep of vessels assigned for training the Naval Reserve, and of such total sum $5,062,396 shall be available exclusively for and on account of Naval and Marine Corps Reserve aviation: *Provided*, That no appropriation contained in this Act shall be available to pay more than nineteen officers of the Naval Reserve and one officer of the Marine Corps Reserve above the grade of lieutenant or captain, respectively, the pay and allowances of their grade for the performance of active duty other than the performance of drills or other equivalent instruction or duty, or appropriate duties, and the performance of fifteen days' active training duty, and other officers above such grades employed on such class of active duty (not to exceed four months in any calendar year) shall not be entitled to be paid a greater rate of pay and allowances than authorized by law for a lieutenant of the Navy or a captain of the Marine Corps entitled to not exceeding ten years' longevity pay: *Provided further*, That no appropriation made in this Act shall be available for pay, allowances, or traveling or other expenses of

Organizing, recruiting, etc., of, and Militia. *Ante*, p. 157.

Fleet Naval Reserve. Subsistence, etc.

Pay, mileage, etc.

Flight training.

Armories, wharfage, etc.

Group IV (b) employees.

Aviation material, hangars, etc.

Provisos. Reserve officers performing active duty.

Limitation.

Pay, allowances, etc., restrictions.

any officer or enlisted man of the Naval or Marine Corps Reserve who may be drawing a pension, disability allowance, disability compensation, or retired pay from the Government of the United States; and "retired pay" as here used shall not include the pay of transferred members of such reserve forces.

Naval Academy.

NAVAL ACADEMY

Pay for professors, etc.

Pay, Naval Academy: Pay for professors and others, Naval Academy: Pay of professors and instructors, including one professor as librarian, $265,400: *Provided*, That not more than $22,800 shall be paid for masters and instructors in swordsmanship and physical training.

Proviso.
Swordsmanship instruction.

Employees.

For pay of employees, $586,435: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $236,000.

Proviso.
Group IV (b) employees.

Current, etc., expenses.

Current and miscellaneous expenses, Naval Academy: For text and reference books for use of instructors; stationery, blank books and forms, models, maps, newspapers, and periodicals; apparatus and materials for instruction in physical training and athletics; expenses of lectures and entertainments, not exceeding $1,000, including pay and expenses of lecturer; chemicals, philosophical apparatus and instruments, stores, machinery, tools, fittings, apparatus, materials for instruction purposes, and purchase of and engraving of trophies and badges, $78,800; for purchase, binding, and repair of books for the library (to be purchased in the open market on the written order of the superintendent), $5,000; for expenses of the Board of Visitors to the Naval Academy, $1,000; for contingencies for the superintendent of the academy, to be expended in his discretion, not exceeding $4,000; for contingencies for the commandant of midshipmen, to be expended in his discretion, not exceeding $1,200; in all, $90,000, to be accounted for as one fund.

Lectures, etc.

Library.

Board of Visitors.

Maintenance and repairs.

Maintenance and repairs, Naval Academy: For necessary repairs of public buildings, wharves, and walls enclosing the grounds of the Naval Academy, accident prevention, improvements, repairs, and fixtures; for books, periodicals, maps, models, and drawings; purchase and repair of fire engines; fire apparatus and plants, machinery; purchase and maintenance of all horses and horse-drawn vehicles for use at the academy, including the maintenance, operation, and repair of three horse-drawn passenger-carrying vehicles to be used only for official purposes; seeds and plants; tools and repairs of the same; stationery; furniture for Government buildings and offices at the academy, including furniture for midshipmen's rooms; coal and other fuels; candles, oil, and gas; attendance on light and power plants; cleaning and clearing up station and care of buildings; attendance on fires, lights, fire engines, fire apparatus, and plants, and telephone, telegraph, and clock systems; incidental labor, advertising, water tax, postage, telephones, telegrams, tolls, and ferriage; flags and awnings; packing boxes; pay of inspectors and draftsmen; and music and astronomical instruments, $986,165: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $23,000.

Vehicles.

Proviso.
Group IV (b) employees.

NAVAL HOME, PHILADELPHIA, PENNSYLVANIA

Naval Home, Philadelphia, Pa.

For pay of employees, $90,120: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $15,500;

Personal services. *Proviso.* Group IV (b) employees.

Maintenance: For water rent, heating, and lighting; cemetery, burial expenses, and headstones; general care and improvements of grounds, buildings, walls, and fences; repairs to power-plant equipment, implements, tools, and furniture, and purchase of the same; music in chapel and entertainments for beneficiaries; stationery, books, and periodicals; transportation of indigent and destitute beneficiaries to the Naval Home, and of sick and insane beneficiaries, their attendants and necessary subsistence for both, to and from other Government hospitals; employment of such beneficiaries in and about the Naval Home as may be authorized by the Secretary of the Navy, on the recommendation of the governor; support of beneficiaries and all other contingent expenses, including the maintenance, repair, and operation of two motor-propelled vehicles, and one motor-propelled passenger-carrying vehicle, to be used only for official purposes, $99,880;

Maintenance.

In all, Naval Home, $190,000.

BUREAU OF ENGINEERING

Bureau of Engineering.

ENGINEERING

For repairs, preservation, and renewal of machinery, auxiliary machinery, and boilers of naval vessels, yard craft, and ships' boats, distilling and refrigerating apparatus; repairs, preservation, and renewals of electric interior and exterior signal communications and all electrical appliances of whatsoever nature on board naval vessels, except range finders, battle order and range transmitters and indicators, and motors and their controlling apparatus used to operate machinery belonging to other bureaus; searchlights and fire-control equipments for antiaircraft defense at shore stations; maintenance and operation of coast signal service; equipage, supplies, and materials under the cognizance of the bureau required for the maintenance and operation of naval vessels, yard craft, and ships' boats; purchase, installation, repair, and preservation of machinery, tools, and appliances in navy yards and stations, accident prevention, pay of classified field force under the bureau; incidental expenses for naval vessels, navy yards, and stations, inspectors' offices, the engineering experiment station, such as photographing, technical books and periodicals, stationery, and instruments; services, instruments, machines and auxiliaries, apparatus and supplies, and technical books and periodicals necessary to carry on experimental and research work; maintenance and equipment of buildings and grounds at the engineering experiment station, Annapolis, Maryland; payment of part time or intermittent employment in the District of Columbia or elsewhere of such scientists and technicists as may be contracted for by the Secretary of the Navy, in his discretion, at a rate of pay not exceeding $20 per diem for any person so employed; in all, $19,662,000, and in addition, $500,000 of the unobligated balance on June 30, 1935, of the appropriation "General Expenses, Marine Corps, 1933", is hereby reappropriated and made available for the purposes of this paragraph: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules

Engineering repairs, machinery, etc. Equipment supplies, etc. *Post*, p. 1628.

Annapolis, Md., engineering experiment station.

Proviso. Group IV (b) employees.

in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $1,667,000.

Bureau of Construction and Repair.

BUREAU OF CONSTRUCTION AND REPAIR

Construction and repair of vessels. *Post*, p. 1628.

For designing naval vessels, including services, instruments, apparatus, and materials necessary for experimental and research work; payment of part time or intermittent employment in the District of Columbia, or elsewhere, of such scientists and technicists as may be contracted for by the Secretary of the Navy, in his discretion, at a rate of pay not exceeding $20 per diem for any person so employed; maintenance, repairs, and alterations of vessels; care and preservation of vessels out of commission; docking of vessels; salvage and salvage services for naval floating property; construction and repair of district and yard craft; purchase and manufacture of equipage, appliances, supplies, and materials at home and abroad as required for the maintenance, repair, alteration, and operation of naval vessels and district and yard craft; carrying on work of the experimental model basin and wind tunnel; tools and appliances for all purposes in navy yards and naval stations; labor in navy yards and naval stations and elsewhere at home and abroad; accident prevention; pay of classified field force, including employees in material inspection and superintending constructors' offices; incidental expenses at navy yards and naval stations and in material inspection and superintending constructors' offices such as photographing, technical and professional books and magazines, plans, stationery, drafting instruments and other materials, $18,288,000, and in addition $500,000 of the unobligated balance on June 30, 1935, of the appropriation "General Expenses, Marine Corps, 1933", is hereby reappropriated and made available for the purposes of this paragraph: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $1,805,000.

Field force.

Amount reappropriated.

Proviso. Group IV (b) employees.

Bureau of Ordnance.

BUREAU OF ORDNANCE

ORDNANCE AND ORDNANCE STORES, BUREAU OF ORDNANCE

Procuring, etc., ordnance and ordnance stores.

For procuring, producing, preserving, and handling ordnance material, for the armament of ships; for the purchase and manufacture of torpedoes and appliances; for the purchase and manufacture of smokeless powder; for fuel, material, and labor to be used in the general work under the cognizance of the Bureau of Ordnance; for furniture at naval ammunition depots, torpedo stations, naval ordnance plants, and proving grounds; for technical books; plant appliances as now defined by the "Navy Classification of Accounts"; for machinery and machine tools; for accident prevention; for experimental work in connection with the development of ordnance material for the Navy; for maintenance of proving grounds, powder factory, torpedo stations, gun factory, ammunition depots, and naval ordnance plants, and for target practice; not to exceed $15,000 for minor improvements to buildings, grounds, and appurtenances of a character which can be performed by regular station labor; for payment of part time or intermittent employment in the District of Columbia, or elsewhere, of such scientists and technicists as may be contracted for by the Secretary of the Navy in his discretion at a rate of pay not exceeding $20 per diem for any person so

Plant appliances.

employed; for the maintenance, repair, and operation of horse-drawn and motor-propelled freight and passenger-carrying vehicles, to be used only for official purposes at naval ammunition depots, naval proving grounds, naval ordnance plants, and naval torpedo stations; for the pay of chemists, clerical, drafting, inspection, and messenger service in navy yards, naval stations, naval ordnance plants, and naval ammunition depots, and for care and operation of schools at ordnance stations at Indianhead, Maryland; Dahlgren, Virginia; and South Charleston, West Virginia, $21,200,000, and in addition $500,000 of the unobligated balance on June 30, 1935, of the appropriation "Fuel and Transportation, Bureau of Supplies and Accounts, 1934", is hereby reappropriated and made available for the purposes of this paragraph: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $1,275,000.

Operating schools at designated stations.

Proviso. Group IV (b) employees.

BUREAU OF SUPPLIES AND ACCOUNTS

Bureau of Supplies and Accounts.

PAY, SUBSISTENCE, AND TRANSPORTATION OF NAVAL PERSONNEL

Pay of naval personnel: For pay and allowances prescribed by law of officers on sea duty and other duty, and officers on waiting orders (not to exceed nine hundred and eight officers of the Medical Corps, one hundred and eighty-six officers of the Dental Corps, five hundred and fifty-six officers of the Supply Corps, eighty-three officers of the Chaplain Corps, two hundred and thirty-three officers of the Construction Corps, one hundred and nine officers of the Civil Engineer Corps, and one thousand four hundred and sixty-one warrant and commissioned warrant officers: *Provided*, That if the number of warrant and commissioned warrant officers and officers in any staff corps holding commission on July 1, 1935, is in excess of the number herein stipulated, such excess officers may be retained in the Navy until the number is reduced to the limitations imposed by this Act), pay—$32,948,940, including not to exceed $1,628,858 for increased pay for making aerial flights, no part of which shall be available for increased pay for making aerial flights by more than three rear admirals nor by nonflying officers or observers at a rate in excess of $1,440 per annum, which shall be the legal maximum rate as to such nonflying officers or observers; rental allowance, $6,685,447; subsistence allowance, $4,257,791; in all, $43,892,178; officers on the retired list, $7,717,150; for hire of quarters for officers serving with troops where there are no public quarters belonging to the Government, and where there are not sufficient quarters possessed by the United States to accommodate them, and hire of quarters for officers and enlisted men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable, $3,000; pay of enlisted men on the retired list, $6,050,042; interest on deposits by men, $3,000; pay of petty officers (not to exceed an average of seven thousand and forty chief petty officers, of which number those with a permanent appointment as chief petty officer shall not exceed an average of six thousand one hundred and fifty), seamen, landsmen, and apprentice seamen, including men in the engineer's force and men detailed for duty with the Fish Commission, enlisted men, men in trade schools, pay of enlisted men of the Hospital Corps, extra pay for men for diving, and cash prizes (not to exceed $75,000) for men for excellence in gunnery, target practice, communication, and

Pay of naval personnel.
Officers.
Post, p. 588.

Proviso. Excess to be carried.

Restriction on flights by nonflying officers.

Rental allowance.
Retired officers.
Hire of quarters.

Enlisted men.

Outfits, clothing, etc.

engineering competitions, $73,872,972; outfits for all enlisted men and apprentice seamen of the Navy on first enlistment, civilian clothing not to exceed $15 per man to men given discharges for bad conduct or undesirability or inaptitude, reimbursement in kind of clothing to persons in the Navy for losses in cases of marine or aircraft disasters or in the operation of water- or air-borne craft, and the authorized issue of clothing and equipment to the members of the Nurse Corps, $2,246,523; pay of enlisted men undergoing sentence of court martial, $64,400, and as many machinists as the President may from time to time deem necessary to appoint; pay and allowances of the Nurse Corps, including assistant superintendents, directors and assistant directors—pay, $498,320; rental allowance, $15,840; subsistence allowance, $15,152; pay retired list, $176,424; in all, $705,736; rent of quarters for members of the Nurse Corps; pay and allowances of transferred and assigned men of the Fleet Naval Reserve, $12,125,039; reimbursement for losses of property as provided in the Act approved October 6, 1917 (U. S. C., title 34, secs. 981, 982), as amended by the Act of March 3, 1927 (U. S. C., Supp. VII, title 34, sec. 983), $10,000; payment of six months' death gratuity, $100,000; in all, $146,790,040; and no part of such sum shall be available to pay active-duty pay and allowances to officers in excess of eight on the retired list, except retired officers temporarily ordered to active duty as members of retiring and selection boards as authorized by law: *Provided*, That during the fiscal year ending June 30, 1936, no officer of the Navy shall be entitled to receive an addition to his pay in consequence of the provisions of the Act approved May 13, 1908 (U. S. C., title 34, sec. 867): *Provided further*, That, except for the public quarters occupied by the Chief of Office of Naval Operations, the Superintendent of the Naval Academy, and the Commandant of the Marine Corps and messes temporarily set up on shore for officers attached to seagoing vessels, to aviation units based on seagoing vessels including officers' messes at the fleet air bases, and to landing forces and expeditions, and in addition not to exceed forty in number at such places as shall be designated by the Secretary of the Navy, no appropriation contained in this Act shall be available for the pay, allowances, or other expenses of any enlisted man or civil employee performing service in the residence or quarters of an officer or officers on shore as a cook, waiter, or other work of a character performed by a household servant, but nothing herein shall be construed as preventing the voluntary employment in any such capacity of a retired enlisted man or a transferred member of the Fleet Naval Reserve without additional expense to the Government, nor the sale of meals to officers by general messes on shore as regulated by detailed instructions from the Navy Department;

Reimbursement.

Nurse Corps.

Fleet Naval Reserve.

Property losses.
Vol. 40, p. 389; Vol. 44, p. 1368.
U. S. C., p. 1572.

Active-duty pay, etc., retired officers, etc.

Provisos.
Aids to rear admiral; pay restriction.
Vol. 35, p. 128.
U. S. C., p. 1566.

Pay and allowances, domestic service.

Enlisted men ashore as household servants.

Voluntary, etc., services.

Sales of meals to officers on shore duty.

Subsistence.
Provisions, commutation of rations, etc.

Subsistence of naval personnel: For provisions and commuted rations for enlisted men of the Navy, which commuted rations may be paid to caterers of messes in case of death or desertion, upon orders of the commanding officers, at 50 cents per diem, and midshipmen at 75 cents per diem, and commuted rations stopped on account of sick in hospital and credited at the rate of 66 cents per ration to the naval hospital fund; subsistence of men unavoidably detained or absent from vessels to which attached under orders (during which subsistence rations to be stopped on board ship and no credit for commutation therefor to be given); quarters and subsistence of men on detached duty; subsistence of members of the Naval Reserve during period of active service; subsistence in kind at hospitals and on board ship in lieu of subsistence allowance of female nurses and Navy and Marine Corps general courts-martial

Unavoidable absences.

Detached duty; Naval Reserve.

prisoners undergoing imprisonment with sentences of dishonorable discharge from the service at the expiration of such confinement; in all, $16,936,280;

Transportation and recruiting of naval personnel: For mileage and actual and necessary expenses and per diem in lieu of subsistence as authorized by law to officers of the Navy while traveling under orders, including not to exceed $2,000 for the expenses of attendance at home and abroad, upon meetings of technical, professional, scientific, and other similar organizations, when, in the judgment of the Secretary of the Navy, such attendance would be of benefit in the conduct of the work of the Navy Department, for mileage, at 5 cents per mile, to midshipmen entering the Naval Academy while proceeding from their homes to the Naval Academy for examination and appointment as midshipmen, and not more than $2,500 shall be available for transportation of midshipmen, including reimbursement of traveling expenses while traveling under orders after appointment as midshipmen; for actual traveling expenses of female nurses; for travel allowance or for transportation and subsistence as authorized by law of enlisted men upon discharge; transportation of enlisted men and apprentice seamen and applicants for enlistment at home and abroad, with subsistence and transfers en route, or cash in lieu thereof; transportation to their home, if residents of the United States, of enlisted men and apprentice seamen discharged on medical survey, with subsistence and transfers en route, or cash in lieu thereof; transportation of sick or insane enlisted men and apprentice seamen and insane supernumerary patients to hospitals, with subsistence and transfers en route, or cash in lieu thereof; apprehension and delivery of deserters and stragglers, and for railway guides and other expenses incident to transportation; expenses of recruiting for the naval service; rent of rendezvous and expenses of maintaining the same; advertising for and obtaining men and apprentice seamen; actual and necessary expenses in lieu of mileage to officers on duty with traveling recruiting parties; transportation of dependents of officers and enlisted men, including travel had during the fiscal years 1935 and 1936, but not in excess of from the last duty station to home, in connection with retirement, $818,650; expenses of funeral escorts of naval personnel; actual expenses of officers and midshipmen while on shore-patrol duty, including the hire of automobiles when necessary for the use of shore-patrol detachment; in all, $4,556,763;

Transportation.

Attendance at meetings.

Apprehending deserters, etc.

Recruiting.

Transporting dependents.

Funeral escorts.

In all, for pay, subsistence, and transportation of naval personnel, $168,283,083, of which sum $1,000,000 shall be immediately available, and the money herein specifically appropriated for "Pay, subsistence, and transportation of naval personnel", shall be disbursed and accounted for in accordance with existing law and shall constitute one fund: *Provided*, That additional commissioned, warranted, appointed, enlisted, and civilian personnel of the Medical Department of the Navy, required for the care of patients of the United States Veterans' Administration in naval hospitals, may be employed in addition to the numbers appropriated for in this Act: *Provided further*, That no part of this appropriation shall be available for the pay of any midshipmen whose admission subsequent to January 30, 1935, would result in exceeding at any time an allowance of four midshipmen for each Senator, Representative, and Delegate in Congress; of one midshipman for Puerto Rico, a native of the island, appointed on nomination of the Governor, and of four midshipmen from Puerto Rico, appointed on nomination of the Resident Commissioner; and of four midshipmen from the

Aggregate; sum immediately available.

Accounting, etc.

Provisos.
Additional medical detail for Veterans' Administration patients in naval hospitals.

Restriction on admissions to Naval Academy after January 30, 1935.

Appointments at large from enlisted men not affected.

District of Columbia: *Provided further*, That nothing herein shall be construed to repeal or modify in any way existing laws relative to the appointment of midshipmen at large, from the enlisted personnel of the naval service, or from the Naval Reserve: *Provided further*, That no part of this appropriation shall be available for the pay of any midshipman appointed from enlisted men of the Navy for admission to the Naval Academy in the class entering in the calendar year 1936 who has not served aboard a vessel of the Navy in full commission for at least nine months prior to such admission.

Sea service requirements of appointees from enlisted men.

Maintenance.

MAINTENANCE, BUREAU OF SUPPLIES AND ACCOUNTS

For equipage, supplies, and services under the cognizance of the Bureau of Supplies and Accounts, including stationery for commanding, executive, communication, and navigating officers of ships, boards and courts on ships, and chaplains; commissions, interest, and exchange; ferriage and bridge tolls; including street-car fares; rent of buildings and offices not in navy yards except for use of naval attachés and recruiting officers; accident prevention; services of civilian employees under the cognizance of the Bureau of Supplies and Accounts; freight, express, and parcel-post charges, including transportation of funds and cost of insurance on shipments of money when necessary, and ice for cooling drinking water on shore (except at naval hospitals and shops at industrial navy yards), pertaining to the Navy Department and Naval Establishment, $8,350,540: *Provided*, That no part of this or any other appropriation contained in this Act shall be available for or on account of the supply or replacement of table linen, dishes, glassware, silver, and kitchen utensils for use in the residences or quarters of officers on shore: *Provided further*, That no appropriation contained in this Act shall be available for any expense for or incident to the transportation of privately owned automobiles except on account of the return to the United States of such privately owned automobiles as may have been transported to points outside of the continental limits of the United States at public expense prior to July 1, 1932: *Provided further*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $4,400,000: *Provided further*, That, without deposit to the credit of the Treasurer of the United States and withdrawal on money requisitions, receipts of public moneys from sales or other sources by officers of the Navy and Marine Corps on disbursing duty and charged in their official accounts may be used by them as required for current expenditures, all necessary bookkeeping adjustments of appropriations, funds, and accounts to be made in the settlement of their disbursing accounts.

Freight, etc., charges.

Provisos.
Supply or replacement of kitchen, etc., ware for officers' quarters ashore forbidden.

Transporting privately owned automobiles forbidden; exception.

Group IV (b) employees.

Use of certain receipts for current expenditures; accounting.

CLOTHING, NAVAL RESERVE

Clothing and small-stores fund.
Issue to aviation cadets and Naval Reserve.

The clothing and small-stores fund shall be charged with the value of all issues of clothing and small stores made to aviation cadets and enlisted men of the Naval Reserve and the uniform gratuity paid to officers of the Naval Reserve.

Evacuation of high explosives.

EVACUATION OF HIGH EXPLOSIVES, NAVY

Handling, transporting, etc.

Toward the handling and transportation of high explosives to the naval ammunition depot, Hawthorne, Nevada, and other points, and expenses incident thereto, in accordance with the primary recom-

mendations contained in House Document Numbered 199, Seventieth Congress, first session, as modified by the Second Deficiency Act, fiscal year 1928, approved May 29, 1928 (45 Stat., p. 908), the unexpended balance of the appropriation under this head shall remain available until expended.

Vol. 45, p. 908.
Vol. 48, p. 414.

Balance continued available.

FUEL AND TRANSPORTATION, BUREAU OF SUPPLIES AND ACCOUNTS

Fuel and transportation.

Post, pp. 589, 1628.

For coal and other fuel for submarine bases and steamers' and ships' use, including expenses of transportation, storage, and handling the same and the removal of fuel refuse from ships; maintenance and general operation of machinery of naval fuel depots and fuel plants; water for all purposes on board naval vessels, and ice for the cooling of water, including the expense of transportation and storage of both, $7,812,200: *Provided*, That fuel acquired other than by purchase shall not be issued without charging the applicable appropriation with the cost of such fuel at the rate current at the time of issue for fuel purchased: *Provided further*, That the President may direct the use, wholly or in part, of fuel on hand, however acquired, to be charged at the last issue rate for fuel acquired by purchase, when, in his judgment, prices quoted for supplying fuel are excessive: *Provided further*, That no part of this appropriation shall be available, any provision in this Act to the contrary notwithstanding, for the purchase of any kind of fuel oil of foreign production for issue, delivery, or sale to ships at points either in the United States or its possessions where oil of the production of the United States or its possessions may be procurable, notwithstanding that oil of the production of the United States or its possessions may cost more than oil of foreign production, if such excess of cost, in the opinion of the Secretary of the Navy, which shall be conclusive, be not unreasonable.

Provisos.
Issue to be charged to applicable appropriation.

Prices for fuel on hand.

Restriction on use, etc., of foreign fuel oil.

BUREAU OF MEDICINE AND SURGERY

Bureau of Medicine and Surgery.

MEDICAL DEPARTMENT

Surgeons' necessaries.
Civil establishment.

For surgeons' necessaries for vessels in commission, navy yards, naval stations, and Marine Corps; and for the civil establishment at the several naval hospitals, navy yards, naval medical supply depots, Naval Medical School and dispensary, Washington, and Naval Academy; for tolls and ferriages; purchase of books and stationery; hygienic and sanitary investigation and illustration; sanitary, hygienic, administrative, and special instruction, including the issuing of naval medical bulletins and supplements; purchase and repairs of nonpassenger-carrying wagons, automobile ambulances, and harness; purchase of and feed for horses and cows; maintenance, repair, and operation of three passenger-carrying motor vehicles for naval dispensary, Washington, District of Columbia, and of one motor-propelled vehicle for official use only for the medical officer on out-patient medical service at the Naval Academy; trees, plants, care of grounds, garden tools, and seeds; incidental articles for the Naval Medical School and naval dispensary, Washington, naval medical supply depots, sick quarters at Naval Academy and marine barracks; washing for medical department at Naval Medical School and naval dispensary, Washington, naval medical supply depots, sick quarters at Naval Academy and marine barracks, dispensaries at navy yards and naval stations, and ships; and for minor repairs on buildings and grounds of the United States Naval Medical School and naval medical supply depots; rent of rooms for naval dispensary, Washington, District of Columbia, not to exceed $1,200;

Vehicles, etc.

Care, etc., of insane on Pacific Coast.

for the care, maintenance, and treatment of the insane of the Navy and Marine Corps on the Pacific coast, including supernumeraries held for transfer to Saint Elizabeths Hospital; for dental outfits and dental material; and all other necessary contingent expenses; in all, $2,179,400: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $200,000.

Proviso. Group IV (b) employees.

Care of the dead.

CARE OF THE DEAD

Interment or transporting expenses.

For the care of the dead; for funeral expenses and interment or transportation to their homes or to designated cemeteries of the remains of officers (including officers who die within the United States) and enlisted men of the Navy and Marine Corps, of members of the Nurse Corps, reservists on active or training duty, and accepted applicants for enlistment, civilian employees of the Navy Department and Naval Establishment who die outside of the continental limits of the United States, and former enlisted men who are discharged while in naval hospitals and are inmates of said hospitals on the date of their death; for funeral expenses and interment of the remains of pensioners and destitute patients who die in naval hospitals; for purchase and care of cemetery lots; for care of graves outside of the continental limits of the United States, including those in sites not owned by the United States; for removal of remains from abandoned cemeteries to naval or national cemeteries, or to their homes, including remains interred in isolated graves at home and abroad, and remains temporarily interred, $70,000: *Provided*, That the above provision shall apply in the case of officers and enlisted men of the Navy and Marine Corps on the retired list who die while on active duty.

Civilian employees dying abroad.

Proviso. Retired officers, etc., on active duty included.

Bureau of Yards and Docks.

BUREAU OF YARDS AND DOCKS

MAINTENANCE, BUREAU OF YARDS AND DOCKS

General maintenance, etc.

For the labor, materials, and supplies necessary, as determined by the Secretary of the Navy, for the general maintenance of the activities and properties now or hereafter under the cognizance of the Bureau of Yards and Docks, including accident prevention; the purchase, maintenance, repair, and operation of passenger-carrying vehicles for the Navy Department (not to exceed ten in number) and the Naval Establishment not otherwise provided for; not to exceed $1,600,000 for employees assigned to Group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department, and part-time or intermittent employment in the District of Columbia, or elsewhere, of such engineers and architects as may be contracted for by the Secretary of the Navy, in his discretion, at a rate of pay not exceeding $25 per diem for any person so employed, $7,952,800: *Provided*, That during the fiscal year 1936 the motor-propelled passenger-carrying vehicles to be purchased hereunder shall not exceed the following respective numbers and costs: One at $2,500, eight at $900 each, thirty-eight at $600 each, and four motor busses at $4,000 each: *Provided further*, That expenditures from appropriations contained in this Act for the maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, including the compensation of civilian chauffeurs and the compensation of any greater number than ninety enlisted men

Vehicles.

Group IV (b) employees.

Provisos. Limitation on vehicle purchases, etc.

Vehicle operation, etc.

detailed to such duty, shall not exceed in the aggregate $70,000, exclusive of such vehicles owned and operated by the Marine Corps in connection with expeditionary duty without the continental limits of the United States and motorcycles, and on any one vehicle shall not exceed for maintenance, upkeep, and repair, exclusive of garage rent, pay of operators, tires, fuel, and lubricants, one-third of the market price of a new vehicle of the same make or class, and in any case not more than $400.

CONTINGENT, BUREAU OF YARDS AND DOCKS

Contingent.

For contingent expenses and minor extensions and improvements of public works at navy yards and stations, $140,000.

PUBLIC WORKS, BUREAU OF YARDS AND DOCKS

Public works, etc.

For public works and public utilities, Bureau of Yards and Docks, $1,475,000, of which not to exceed $60,000 shall be available for the employment of classified personal services in the Bureau of Yards and Docks and in the field service to be engaged upon such work and to be in addition to employees otherwise provided for: *Provided*, That the Secretary of the Navy is authorized to commence, continue, or complete the construction of, or make provision for, by contract or otherwise, projects heretofore authorized and appropriated for, and the following-named public works and public utilities projects at a limit of cost not to exceed the amount stated for each project enumerated, respectively:

Proviso. Construction of authorized projects.

Navy Yard, Boston, Massachusetts: Improvement of electric system, $100,000; — Boston, Mass.

Navy Yard, Charleston, South Carolina: Shore structures and facilities for ship building, $300,000; — Charleston, S. C.

Navy Yard, Mare Island, California: Improvement of electric system, $250,000; — Mare Island, Calif.

Navy Yard, Puget Sound, Washington: Improvement of electric system, $200,000; — Puget Sound, Wash.

Navy Yard, Pearl Harbor, Hawaii: Improvement of fuel oil facilities, $50,000; services and extension of repair basin, $300,000; — Pearl Harbor, Hawaii.

Submarine Base, Coco Solo, Canal Zone: Improvement of waterfront, $50,000; — Coco Solo, C. Z.

Naval Air Station, San Diego, California: Seaplane runway, $40,000; runway to assembly shop for seaplanes, $70,000; — San Diego, Calif.

Fleet Air Base, Coco Solo, Canal Zone: Improvement of electric system, $40,000; — Coco Solo, C. Z., air base.

Naval Radio Station, Annapolis, Maryland: Extension of radio facilities, $75,000. — Annapolis, Md., radio station.

BUREAU OF AERONAUTICS

Bureau of Aeronautics.

AVIATION, NAVY

Designated aviation expenses.

For aviation, as follows: For navigational, photographic, aerological, radio, and miscellaneous equipment, including repairs thereto, for use with aircraft built or building on June 30, 1935, $498,200; for maintenance, repair, and operation of aircraft factory, air stations, fleet air bases, fleet and all other aviation activities, accident prevention, testing laboratories, for overhauling of planes, and for the purchase for aviation purposes only of special clothing, wearing apparel, and special equipment, $11,020,450, including $120,000 for the equipment of vessels with catapults and including not to exceed $10,000 for the procurement of helium, which sum of $10,000 shall be transferred to and made available to the Bureau of Mines on

Helium. *Ante*, p. 134.

July 1, 1935, in addition to which sum the Bureau of Mines may use for helium plant operation in the fiscal year 1936 the unexpended balance of funds transferred to it for such operation in the fiscal year 1935, and the bureau may lease, after competition, surplus metal cylinders acquired for use as helium containers; for continuing experiments and development work on all types of aircraft, including the payment of part-time or intermittent employment in the District of Columbia or elsewhere of such scientists and technicists as may be contracted for by the Secretary of the Navy, in his discretion, at a rate of pay not exceeding $20 per diem for any person so employed, $2,498,000; for new construction and procurement of aircraft and equipment, spare parts and accessories, Incurred obligations. $26,715,660, of which amount not to exceed $8,500,000 shall be available for the payment of obligations incurred under the contract authorizations carried in the Navy Appropriation Acts for the fiscal years 1934 and 1935 and $17,475,000 shall remain available until Accounting. June 30, 1937; in all, $40,732,310; and the money herein specifically appropriated for "Aviation" shall be disbursed and accounted for in accordance with existing law and shall constitute one fund: *Provisos.* *Provided*, That the sum to be paid out of this appropriation for Group IV (b) employees. employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Contracts for new airplanes, etc. Department shall not exceed $1,505,000: *Provided, further*, That in addition to the amount herein appropriated, the Secretary of the Navy may, prior to July 1, 1937, enter into contracts for the production and purchase of new airplanes and their equipment, spare parts, and accessories, to an amount not in excess of $6,590,000: Sum transferred for travel expenses. *Provided further*, That the Secretary of the Treasury is authorized *Ante*, p. 407. and directed, upon the request of the Secretary of the Navy, to transfer not to exceed in the aggregate $24,000 from this appropriation to the appropriations "Pay, Subsistence, and Transportation, Navy", and "Pay, Marine Corps" to cover authorized traveling expenses of officers and enlisted men in connection with flying new airplanes from contractor's works to assigned station or ship, including travel to contractor's works and return of personnel to stations of duty, and the amount so transferred shall be in addition to any limitations contained in the appropriations "Pay, Subsistence, and Transportation, Navy", and "Pay, Marine Corps": *Provided further*, Coast stations limited. That no part of this appropriation shall be expended for maintenance of more than six heavier-than-air stations on the coast of the Airplane factory construction forbidden. continental United States: *Provided further*, That no part of this appropriation shall be used for the construction of a factory for the Adjusting damage claims. manufacture of airplanes: *Provided further*, That the Secretary of the Navy is hereby authorized to consider, ascertain, adjust, determine, and pay out of this appropriation the amounts due on claims for damages which have occurred or may occur to private property growing out of the operations of naval aircraft where such claim does not exceed the sum of $500.

Marine Corps.

MARINE CORPS

PAY, MARINE CORPS

Pay, etc., officers on active list. *Ante*, p. 157.

Pay of officers, active list: For pay and allowances prescribed by law for all officers on the active list—pay and allowance, $4,117,400, including not to exceed $193,551 for increased pay for making aerial flights, none of which shall be available for increased pay for making aerial flights by nonflying officers at a rate in excess of $1,440

per annum, which shall be the legal maximum rate as to such non-flying officers; subsistence allowance, $548,814; rental allowance, $750,591; in all $5,416,805; and no part of such sum shall be available to pay active-duty pay and allowances to officers on the retired list;

For pay of officers prescribed by law on the retired list, $1,049,688; Retired officers.

Pay of enlisted men, active list: For pay and allowances of non-commissioned officers, musicians, and privates, as prescribed by law, and for the expenses of clerks of the United States Marine Corps traveling under orders, including not to exceed $250 for the expenses of attendance upon meetings of technical, professional, scientific, and other organizations, when, in the judgment of the Secretary of the Navy, such attendance would be of benefit in the conduct of the work of the Marine Corps, and including additional compensation for enlisted men of the Marine Corps, qualified as expert riflemen, sharpshooters, marksmen, or regularly detailed as gun captains, gun pointers, cooks, messmen, including interest on deposits by enlisted men, post-exchange debts of deserters, and of men discharged or sentenced to terms of imprisonment while in debt to the United States, under such rules as the Secretary of the Navy may prescribe, and the authorized travel allowance of discharged enlisted men, and for prizes for excellence in gunnery exercises and target practice, and for pay of enlisted men designated as Navy mail clerks and assistant Navy mail clerks both afloat and ashore, and for gratuities to enlisted men discharged not under honorable conditions—pay and allowances, $7,565,858; allowance for lodging and subsistence, $590,725; in all, $8,156,583; Enlisted men, active list. Pay and allowances.

For pay and allowances prescribed by law of enlisted men on the retired list, $759,744; Retired enlisted men.

Undrawn clothing: For payment to discharged enlisted men for clothing undrawn, $224,782; Undrawn clothing.

For pay and allowances of the Marine Corps Reserve (a) excluding transferred and assigned men, $518,690; (b) transferred men, $376,612; in all, $895,302; Marine Corps Reserve.

For mileage and actual and necessary expenses and per diem in lieu of subsistence as authorized by law to officers traveling under orders without troops, $90,000; Mileage, etc.

In all, $16,592,904, and the money herein specifically appropriated for pay of the Marine Corps shall be disbursed and accounted for in accordance with existing law and shall constitute one fund. Accounting.

PAY OF CIVIL EMPLOYEES, MARINE CORPS

Pay of civil force: For personal services in the District of Columbia, as follows: Civil force at headquarters.

Offices of the Major General Commandant and adjutant inspector, $105,500;

Office of paymaster, $45,168;

Office of the quartermaster, $116,000; in all, $266,668: *Provided*, That the total number of enlisted men on duty at Marine Corps headquarters on May 7, 1930, shall not be increased, and in lieu of enlisted men whose services at such headquarters shall be terminated for any cause prior to July 1, 1936, their places may be filled by civilians, for the pay of whom, in accordance with the Classification Act of 1923, as amended, either or both the appropriations "Pay, Marine Corps", and "General expenses, Marine Corps", shall be available. *Proviso.* Number of enlisted men at headquarters. Vacancies to be filled by civilians. Pay rates according to Classification Act. Vol. 42, p. 1488; Vol. 45, p. 776; Vol. 46, p. 1003. U. S. C., p. 85.

General expenses.

GENERAL EXPENSES, MARINE CORPS

Authorized work. *Post*, p. 1629.

For every expenditure requisite for, and incident to, the authorized work of the Marine Corps, other than as appropriated for under the headings of pay and salaries, as follows:

Provisions, etc.

For provisions, subsistence, board and lodging of enlisted men, recruits and recruiting parties, and applicants for enlistment, cash allowance for lodging and subsistence to enlisted men traveling on duty; ice, ice machines and their maintenance, $2,467,000;

Clothing.

For clothing for enlisted men, $720,000;

Fuel, etc.

For fuel, heat, light, and power, including sales to officers, $470,000;

Military supplies, etc. Purchase, preservation, etc.

For military supplies and equipment, including their purchase, repair, preservation, and handling; recreational, school, educational, library, musical, amusement, field sport and gymnasium supplies, equipment, services, and incidental expenses; purchase and marking

Prizes, badges, etc.

of prizes for excellence in gunnery and rifle practice, good-conduct badges, medals, and buttons awarded to officers and enlisted men by the Government for conspicuous, gallant, and special service; rental and maintenance of target ranges and entrance fees for competitions, $473,000;

Transportation, etc.

For transportation of troops and applicants for enlistment, including cash in lieu of ferriage and transfers en route; toilet kits for issue to recruits upon their first enlistment and other incidental

Dependents.

expenses of the recruiting service; and for transportation for dependents of officers and enlisted men, including travel had during the fiscal years 1935 and 1936, but not in excess of from the last duty station to home, in connection with retirement, $300,000;

Repairs, etc., to barracks, quarters, etc.

For repairs and improvements to barracks, quarters, and other public buildings at posts and stations; for the renting, leasing, and improvement of buildings in the District of Columbia, and at such other places as the public exigencies require, and the erection of temporary buildings upon the approval of the Secretary of the Navy at a total cost of not to exceed $10,000 during the year, $350,000;

Forage, etc.

For forage and stabling of public animals and the authorized number of officers' horses, $25,000.

Contingent.

For miscellaneous supplies, material, equipment, personal and other services, and for other incidental expenses for the Marine Corps not otherwise provided for; purchase, repair, and exchange of typewriters and calculating machines; purchase and repair of furni-

Vehicles, etc.

ture and fixtures; repair of motor-propelled passenger-carrying vehicles; and purchase, exchange, and repair of horse-drawn pas-

Horses, etc.

senger-carrying and other vehicles, including parts; veterinary services and medicines for public animals and the authorized number of officers' horses; purchase of mounts and horse equipment for all officers below the grade of major required to be mounted; shoeing for public animals and the authorized number of officers' horses; books, newspapers, and periodicals; printing and binding; packing

Funeral expenses.

and crating of officers' allowance of baggage; funeral expenses of officers and enlisted men and accepted applicants for enlistment and retired officers on active duty, including the transportation of their bodies, arms, and wearing apparel from the place of demise to the homes of the deceased in the United States; construction, operation, and maintenance of laundries; and for all emergencies

Proviso. Purchase, etc., automobiles, etc.

and extraordinary expenses, $1,879,300: *Provided*, That there may be expended out of this appropriation not to exceed $4,200 (including the exchange value of any vehicle that may be used as part payment) for the purchase of motor-propelled passenger-carrying vehicles, the

gross cost of any one vehicle not to be in excess of the respective amounts as follows: Three, $900 each; five motorcycles, $300 each.

Marine Corps Reserve: For clothing, including clothing for aviation cadets, subsistence, heat, light, transportation, and miscellaneous expenses, $224,238; Marine Corps Reserve.

In all, $6,908,538, to be accounted for as one fund: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $80,000. Accounting. *Proviso.* Group IV (b) employees.

INCREASE OF THE NAVY

Increase of the Navy.

Construction and machinery: On account of hulls and outfits of vessels and machinery of vessels heretofore authorized, including (1) the expenses in connection with continuing the construction of fourteen destroyers and six submarines which were commenced in the fiscal year 1935 under funds made available from the "Emergency Appropriation Act, fiscal year 1935" and (2) for the commencement of two cruisers of subcategory (b) authorized by the Act approved February 13, 1929 (45 Stat. 1165), and one aircraft carrier, fifteen destroyers, and six submarines authorized by the Act approved March 27, 1934 (48 Stat., pp. 503–505), $88,310,000, and in addition $6,000,000 in the aggregate of the unobligated balances on June 30, 1935, of the appropriations "Maintenance, Bureau of Yards and Docks, 1934", "Ordnance and Ordnance Stores, Bureau of Ordnance, 1934", "Construction and Repair, Bureau of Construction and Repair, 1934", "Engineering, Bureau of Engineering, 1934", "Maintenance, Bureau of Supplies and Accounts, 1934", "Construction and Repair, Bureau of Construction and Repair, 1933", "Pay, Subsistence, and Transportation, Navy, 1933", "Fuel and Transportation, Bureau of Supplies and Accounts, 1933", and "Aviation, Navy, 1933", are hereby reappropriated and made available for the purposes of this paragraph, and the total sum herein made available shall remain available until expended: *Provided*, The sum to be paid out of the amount available for expenditure under the head of "Construction and Machinery" for the fiscal year 1936 for employees in the field service assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $1,000,000: *Provided*, That of the appropriations contained in this Act under the head of "Increase of the Navy", there shall be available such sums as the Secretary of the Navy may from time to time determine to be necessary for the engagement of technical services, and the employment of personnel in the Navy Department and in the field, the purchase of plans, drafting and other supplies, and the expenses of printing and travel, in addition to those otherwise provided for, owing to the construction of vessels which have been, or may hereafter be authorized: *Provided further*, That the appropriation limitation on expenditures, including armor and armament, on vessels authorized on or prior to February 13, 1929, is hereby waived.

Construction and machinery; vessels heretofore authorized. *Post*, pp. 1416, 1629.

Vol. 46, p. 1055.

Vol. 45, p. 1165.

Vol. 48, p. 503.

Additional sums. Vol. 47, pp. 1537, 1528, 1527, 1532, 428, 430, 433, 437.

Available until expended.

Provisos. Group IV (b) field service.

Technical services. Miscellaneous.

Light cruisers, construction limitation waived. Vol. 45, p. 1165.

Armament, and ammunition: Toward the armor, armament, and ammunition for vessels heretofore authorized, $32,485,000, to remain available until expended, and $1,000,000 of such sum shall

Armor, etc., for vessels authorized. *Post*, p. 1417.

Proviso. Group IV (b) employees.

be available immediately: *Provided*, That the sum to be paid out of the amount available for expenditure under this head for the fiscal year 1936 for employees in the field service assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $385,000.

Purchase of foreign products, etc., forbidden.

That in the expenditure of appropriations in this Act the Secretary of the Navy shall, unless in his discretion the interest of the Government will not permit, purchase or contract for, within the limits of the United States, only articles of the growth, production, or manufacture of the United States, notwithstanding that such articles of the growth, production, or manufacture of the United States may cost more, if such excess of cost be not unreasonable.

Purchase of letters patent, etc.

The appropriations made in this Act for the purchase or manufacture of equipment or material or of a particular class of equipment or material shall be available for the purchase of letters patent, applications for letters patent, licenses under letters patent, and applications for letters patent that pertain to such equipment or material for which the appropriations are made.

Department use limited.

No part of any appropriation made for the Navy shall be expended for any of the purposes herein provided for on account of the Navy Department in the District of Columbia, including personal services of civilians and of enlisted men of the Navy, except as herein expressly authorized: *Provided*, That there may be detailed to the Bureau of Navigation not to exceed at any one time six enlisted men of the Navy: *Provided further*, That enlisted men detailed to the naval dispensary and the radio communication service shall not be regarded as detailed to the Navy Department in the District of Columbia.

Provisos. Details to Navigation Bureau.

Dispensary and radio, etc., services not regarded as Department details.

No pay to officer, etc., using time-measuring device on work of employee.

No part of the appropriations made in this Act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person or persons having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch or other time-measuring device a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this Act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant; and no part of the moneys herein appropriated for the Naval Establishment or herein made available therefor shall be used or expended under contracts hereafter made for the repair, purchase, or acquirement, by or from any private contractor, of any naval vessel, machinery, article or articles that at the time of the proposed repair, purchase, or acquirement can be repaired, manufactured, or produced in each or any of the Government navy yards or arsenals of the United States, when time and facilities permit, and when, in the judgment of the Secretary of the Navy, such repair, purchase, acquirement, or production would not involve an appreciable increase in cost to the Government: *Provided*, That nothing herein shall be construed as altering or repealing the provisos contained in the Acts to authorize the construction of certain naval vessels, approved February 13, 1929, and March 27, 1934, which provide that the first and succeeding alternate vessels in each category, except the fifteen-thousand-ton aircraft carrier, upon which work is undertaken, together with the main engines, armor, and armament shall be constructed or manufactured in the Government

Cash rewards prohibited.

Repair, etc., at other than navy yards, etc., restricted.

Proviso. Construction, etc., of first and alternate cruisers at Government yards, factories, etc., required.

Vol. 45, p. 1651; Vol. 48, p. 503.
U. S. C., p. 1541.

navy yards, naval gun factories, naval ordnance plants, or arsenals of the United States, except such material or parts as are not customarily manufactured in such Government plants.

No part of the funds herein appropriated shall be available to pay a contractor upon any contract for a naval vessel entered into under authority of this Act unless, at the time of filing his bid, he shall also file the estimates upon which such bid was based.

NAVY DEPARTMENT

Navy Department.

SALARIES

Salaries.

For compensation for personal services in the District of Columbia, as follows:

Office of the Secretary of the Navy: Secretary of the Navy, Assistant Secretary of the Navy, and other personal services, $163,380.

Secretary, Assistant, and civilian personnel in office, etc., designated.

General board, $12,560.

Naval examining and retiring boards, $10,600.

Compensation board, $6,840.

Office of Naval Records and Library, $34,080.

Office of Judge Advocate General, $116,780.

Office of Chief of Naval Operations, $70,000.

Board of Inspection and Survey, $17,240.

Office of Director of Naval Communications, $125,000.

Office of Naval Intelligence, $56,080.

Bureau of Navigation, $460,000.

Hydrographic Office, $397,000.

Naval Observatory, including $2,500 for pay of computers on piecework in preparing for publication the American Ephemeris and Nautical Almanac and in improving the tables of the planets, moon, and stars, $169,460.

American Ephemeris, etc.

Bureau of Engineering, $297,500.

Bureau of Construction and Repair, $347,479.

Bureau of Ordnance, $149,000.

Bureau of Supplies and Accounts, $765,100.

Bureau of Medicine and Surgery, $83,240.

Bureau of Yards and Docks, $276,800.

Bureau of Aeronautics, $337,000.

In all, salaries, Navy Department, $3,895,139.

Salaries limited to average rates under Classification Act. Vol. 46, p. 1003. U. S. C., p. 85.

In expending appropriations or portions of appropriations contained in this Act, for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the Assistant Secretaries of the Navy, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, (4) to

Proviso.
Restriction not applicable to clerical-mechanical service.
No reduction in fixed salaries. Vol. 42, p. 1490.
Transfers to another position without reduction.

Payments under higher rates permitted.

If only one position in a grade.

prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

CONTINGENT EXPENSES

Department contingent expenses.

Naval records of World War.

For professional and technical books and periodicals, law books, and necessary reference books, including city directories, railway guides, freight, passenger, and express tariff books and photostating, for department library; for purchase of photographs, maps, documents, and pictorial records of the Navy, photostating and other necessary incidental expenses in connection with the preparation for publication of the naval records of the war with the Central Powers of Europe; for stationery, furniture, newspapers, plans, drawings, and drawing materials; purchase and exchange of motor trucks or motor-delivery wagons, maintenance, repair, and operation of motor trucks or motor-delivery wagons; garage rent; street-car fares not exceeding $500; freight, expressage, postage, typewriters, and computing machines, and other absolutely necessary expenses of the Navy Department and its various bureaus and offices, $85,000; it shall not be lawful to expend, unless otherwise specifically provided herein, for any of the offices or bureaus of the Navy Department in the District of Columbia, any sum out of appropriations made for the naval service for any of the purposes mentioned or authorized in this paragraph.

Naval service appropriations not to be used for department expenses.

PRINTING AND BINDING

Printing and binding.

For printing and binding for the Navy Department and the Naval Establishment executed at the Government Printing Office, $410,000, including not exceeding $95,000 for the Hydrographic Office and $2,800 for the Naval Reserve Officers' Training Corps.

PRINTING HISTORICAL AND NAVAL DOCUMENTS

Historical and Naval Documents.
Vol. 48, p. 414.
Post, p. 1419.

For continuing the printing of historical and naval documents, including composition, clerical copying in the Navy Department, and other preparatory work, in accordance with the provisions of the appropriation made for the commencement of this work as contained in the Naval Appropriation Act for the fiscal year 1935, $20,000, together with the unexpended balance for this purpose for the fiscal year 1935: *Provided*, That nothing in such Act shall preclude the Public Printer from furnishing one hundred and fifty copies of each volume published to the Library of Congress.

Proviso.
Copies to Library of Congress.

Hydrographic Office.

CONTINGENT AND MISCELLANEOUS EXPENSES, HYDROGRAPHIC OFFICE

Contingent and miscellaneous expenses.

Pilot charts.

For purchase and printing of nautical books, charts, and sailing directions, copperplates, steel plates, chart paper, packing boxes, chart portfolios, electrotyping copperplates, cleaning copperplates; tools, instruments, power, and material for drawing, engraving, and printing; materials for and mounting charts; reduction of charts by photography; photolithographing charts for immediate use; transfer of photolithographic and other charts to copper; purchase of equipment for the storage of plates used in making charts and for the storage of Hydrographic Office charts and publications; purchase of one new offset press and an aerocartograph; modernization, care and repair to printing presses, furniture, instruments, and tools; extra drawing and engraving; translating from foreign languages; telegrams on public business; preparation of pilot charts and their

supplements, and printing and mailing same; purchase of data for charts and sailing directions and other nautical publications; books of reference and works and periodicals relating to hydrography, marine meteorology, navigation, surveying, oceanography, and terrestrial magnetism, and to other professional and technical subjects connected with the work of the Hydrographic Office, $93,000.

Branch offices.

For contingent expenses of branch hydrographic offices at Boston, New York, Philadelphia, Baltimore, Norfolk, Savannah, New Orleans, San Francisco, Portland (Oregon), Portland (Maine), Chicago, Cleveland, Detroit, Buffalo, Duluth, Sault Sainte Marie, Seattle, Panama, San Juan (Puerto Rico), Los Angeles, Honolulu, and Galveston, including furniture, fuel, lights, works, and periodicals, relating to hydrography, marine meteorology, navigation, surveying, oceanography and terrestrial magnetism, stationery, miscellaneous articles, rent and care of offices, care of time balls, car fare and ferriage in visiting merchant vessels, freight and express charges, telegrams, and other necessary expenses incurred in collecting the latest information for pilot charts, and for other purposes for which the offices were established, $12,160.

For services of necessary employees at branch offices, $47,220.

CONTINGENT AND MISCELLANEOUS EXPENSES, NAVAL OBSERVATORY

Naval Observatory.

Library, apparatus, etc.

For professional and scientific books, books of reference, periodicals, engravings, photographs, and fixtures for the library; for apparatus and instruments, and for repairs of the same; for repairs to buildings (including quarters), fixtures, and fences; for cleaning, repair, and upkeep of grounds and roads; furniture and furnishings for offices and quarters, gas, chemicals, paints, and stationery, including transmission of public documents through the Smithsonian exchange, foreign postage; plants, seeds, and fertilizers; for fuel, oil, grease, pipe, wire, and other materials needed for the maintenance and repair of boilers, engines, heating apparatus, electric lighting and power, and water supply; purchase and maintenance of teams; maintenance, repair, and operation of motor trucks and passenger automobiles, and of horse-drawn vehicles; telegraph and telephone service; and other absolutely necessary expenses, $21,500.

Government-owned automobiles.
Use restricted to official business.
Transportation between domicile and place of employment.

SEC. 2. No part of any money appropriated by this Act shall be used for maintaining, driving, or operating any Government-owned motor-propelled passenger-carrying vehicle not used exclusively for official purposes; and "official purposes" shall not include the transportation of officers and employees between their domiciles and places of employment except in cases of medical officers on out-patient medical service and except in cases of officers and employees engaged in field work the character of whose duties makes such transportation necessary and then only as to such latter cases when the same is approved by the head of the Department. This section shall not apply to any motor vehicle for official use of the Secretary of the Navy, and no other persons connected with the Navy Department or the naval service, except the commander in chief of the United States Asiatic Fleet, Marine Corps officers serving with expeditionary forces in foreign countries, and medical officers on out-patient medical service, shall have a Government-owned motor vehicle assigned for their exclusive use.

Exemptions.

"Permanent change of station" construed.
Vol. 41, p. 604; U. S. C., p. 266.

SEC. 3. During the fiscal year 1935 and thereafter, the words "permanent change of station" as used in section 12 of the Act approved May 18, 1920 (41 Stat. 604), as amended, shall be held to include the home of an officer or man to which he is ordered in connection with retirement.

Approved, June 24, 1935.

[CHAPTER 308.]

AN ACT

June 25, 1935.
[S. 1066.]
[Public, No. 164.]

To extend the provisions of section 2 of the Act of February 28, 1925, authorizing reservations of timber, minerals, or easements to exchanges of lands in the State of New Mexico, under the Act of February 14, 1923, and the Act of February 7, 1929.

Lincoln National Forest, N. Mex.
Reservations of timber, minerals, or easements to exchanges of lands.
Vol. 43, p. 1090; Vol. 42, p. 465.
Vol. 45, p. 1154.
U. S. C., p. 660.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of section 2 of the Act of Congress approved February 28, 1925 (43 Stat. 1090; U. S. C., title 16, sec. 486), authorizing reservations by either party to an exchange under the Act of Congress approved March 20, 1922 (42 Stat. 465; U. S. C., title 16, sec. 485), are hereby extended and made applicable to exchanges of lands under the Acts of Congress approved February 14, 1923 (42 Stat. 1245), and February 7, 1929 (45 Stat. 1154), which authorize the United States to acquire privately owned lands situated within certain townships in the Lincoln National Forest in the State of New Mexico, by exchanging therefor an equal value of unreserved and unappropriated public lands within said State.

Approved, June 25, 1935.

[CHAPTER 309.]

AN ACT

June 25, 1935.
[S. 2185.]
[Public, No. 165.]

To amend an Act entitled "An Act to accept the cession by the State of Oregon of exclusive jurisdiction over the lands embraced within the Crater Lake National Park, and for other purposes."

Crater Lake National Park, Oreg.
Vol. 39, p. 523.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6, paragraph 1, of an Act entitled "An Act to accept the cession by the State of Oregon of exclusive jurisdiction over the lands embraced within the Crater Lake National Park, and for other purposes", approved August 21, 1916 (39 Stat. L. 523), be amended so as to read:

Commissioner.
Appointment, residence, authority, etc.

"SEC. 6. That the United States District Court for Oregon shall appoint a commissioner, who shall reside within the exterior boundaries of the Crater Lake National Park or at a place reasonably adjacent to the park, the place of residence to be designated by the Secretary of the Interior, and who shall have jurisdiction to hear and act upon all complaints made of any violations of law or of the rules and regulations made by the Secretary of the Interior for the government of the park and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes authorized by this Act."

SEC. 2. That section 9 of the said Act be amended by striking out the words, "*Provided*, That the said commissioner shall reside within the exterior boundaries of said Crater Lake National Park, at a place to be designated by the court making such appointment."

Payment of accrued salary.

SEC. 3. Any commissioner heretofore appointed under authority of the said Act shall be entitled to receive the salary provided by law, which may have accrued at the date this Act becomes effective, without regard to whether such commissioner or commissioners may have resided within the exterior boundaries of the Crater Lake National Park.

Approved, June 25, 1935.

[CHAPTER 310.]

AN ACT

To repeal the limitation on the sale price of the Federal building at Main and Ervay Streets, Dallas, Texas.

June 25, 1935.
[S. 2780.]
[Public, No. 166.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso in the fifteenth paragraph under the caption "Projects outside the District of Columbia under section 5, Public Buildings Act approved May 25, 1926", of title 1 of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1929, and for other purposes", approved March 5, 1928, relating to the minimum price for which the Federal building and site at Main and Ervay Streets, Dallas, Texas, may be sold, is hereby repealed.

Dallas, Tex.
Limitation on sale price of Federal building at, repealed.
Vol. 45, p. 178.

Approved, June 25, 1935.

[CHAPTER 315.]

AN ACT

To create a national memorial military park at and in the vicinity of Kennesaw Mountain in the State of Georgia, and for other purposes.

June 26, 1935.
[H. R. 59.]
[Public, No. 167.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when title to all the lands, structures, and other property within the military battlefield area and other areas of Civil War interest at and in the vicinity of Kennesaw Mountain in the State of Georgia, as shall be designated by the Secretary of the Interior, in the exercise of his discretion, as necessary or desirable for national battlefield park purposes, shall have been vested in the United States, such areas shall be, and they are hereby, established, dedicated, and set apart as a public park for the benefit and inspiration of the people and shall be known as the "Kennesaw Mountain National Battlefield Park."

Kennesaw Mountain National Battlefield Park, Ga.
Establishment; condition.
Post, pp. 584, 1794.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land, interests in land, buildings, structures, and other property within the boundaries of said national battlefield park as determined and fixed hereunder, the title and evidence of title to lands purchased to be satisfactory to the Secretary of the Interior: *Provided*, That under such funds available therefor he may acquire on behalf of the United States by purchase when purchasable at prices deemed by him reasonable, otherwise by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within the said national battlefield park as may be necessary for the completion thereof.

Acceptance of donations, etc.

Proviso.
Acquisition of land.
Vol. 25, p. 357; U. S. C., p. 1785.

SEC. 3. Upon creation of the national battlefield park the Secretary of the Interior shall—

(a) Allow monuments and memorials to be erected in the park by and to the various organizations and individuals of either the Union or Confederate Armies, subject to the written approval of said Secretary as to the location and character of such monuments and memorials.

Erection of monuments, etc.

(b) Make such regulations as are necessary from time to time for the care and protection of the park. Any person violating such regulations shall be guilty of an offense punishable by a fine of not more than $500, or imprisonment not exceeding six months, or both.

Regulations.
Punishment for violations.

(c) Provide for the ascertainment and marking of the route of march of the Union and Confederate armies from Chattanooga, Tennessee, through Georgia, and of principal battle lines, breastworks, fortifications, and other historical features along such route,

Marking battle lines, etc.

and for the maintenance of such markers to such extent as deemed advisable and practicable.

National Park Service to administer, etc. Vol. 39, p. 535; U. S. C., p. 591.

SEC. 4. That the administration, protection, and development of the aforesaid national battlefield park shall be exercised under the direction of the Secretary of the Interior by the National Park Service subject to the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes", as amended.

Appropriation authorized. *Post*, p. 584.

SEC. 5. The sum of $100,000 is hereby authorized to be appropriated out of any sums in the Treasury not otherwise appropriated for the purposes herein designated.

Inconsistent Acts repealed.

SEC. 6. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

Approved, June 26, 1935.

[CHAPTER 316.]

JOINT RESOLUTION

June 26, 1935. [H. J. Res. 147.] [Pub. Res., No. 35.]

Authorizing the erection of a monument to Grover Cleveland in Washington, District of Columbia.

Grover Cleveland. Erection of monument to, authorized.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That authority is hereby granted to any association organized within two years from the date of the approval of this resolution for that purpose, to erect a statue of Grover Cleveland, President of the United States, 1885 to 1889 and 1893 to 1897, in the city of Washington at such place as may be designated by the Fine Arts Commission, subject to the approval of the Joint Committee on the Library, the model of the statue so to be erected and the pedestal thereof to be first approved by the said Commission and by the Joint Committee on the Library, the same to be presented by such association to the people of the United States.

Approval required.

Sum authorized for site and pedestal.

That for the preparation of the site and the erection of a pedestal upon which to place the said statue, under the direction of the Director of the National Park Service, Department of the Interior, the sum of $10,000, or so much thereof as may be necessary, is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated.

Approved, June 26, 1935.

[CHAPTER 319.]

AN ACT

June 27, 1935. [H. R. 7205.] [Public, No. 168.]

To amend the Ship Mortgage Act, 1920, otherwise known as "section 30" of the Merchant Marine Act, 1920, approved June 5, 1920, to allow the benefits of said Act to be enjoyed by owners of certain vessels of the United States of less than two hundred gross tons.

Ship Mortgage Act, 1920. Vol. 41, p. 1000; U. S. C., p. 2071.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 30, subsection D, subdivision (a), of the Act of June 5, 1920, known as the "Ship Mortgage Act, 1920", be amended by striking out the words "of two hundred gross tons and upwards", and adding immediately following the words "vessel of the United States" the following: "(other than towboat, barge, scow, lighter, car float, canal boat, or tank vessel, of less than two hundred gross tons)", and as so amended be reenacted so as to read as follows:

Mortgages of vessels. Benefits of Act extended to certain vessels of less than 200 gross tons.

"A valid mortgage which at the time it is made, includes the whole of any vessel of the United States (other than a towboat, barge, scow, lighter, car float, canal boat, or tank vessel, of less than two hundred gross tons), shall, in addition, have, in respect to such vessel and as of

the date of the compliance with all the provisions of this subdivision, the preferred status given by the provisions of subsection M, if—

"(1) The mortgage is endorsed upon the vessel's documents in accordance with the provisions of this section; Conditions.

"(2) The mortgage is recorded as provided in subsection C, together with the time and date when the mortgage is so endorsed;

"(3) An affidavit is filed with the record of such mortgage to the effect that the mortgage is made in good faith and without any design to hinder, delay, or defraud any existing or future creditor of the mortgagor or any lienor of the mortgaged vessel;

"(4) The mortgage does not stipulate that the mortgagee waives the preferred status thereof; and

"(5) The mortgagee is a citizen of the United States and for the purposes of this act the Reconstruction Finance Corporation shall, in addition to those designated in sections 37 and 38 of this Act, be deemed a citizen of the United States." Status of Reconstruction Finance Corporation. Vol. 41, p. 1008. U. S. C., p. 2055.

Approved, June 27, 1935.

[CHAPTER 320.]

AN ACT

To authorize the furnishing of steam from the central heating plant to the Federal Reserve Board, and for other purposes.

June 27, 1935. [H. R. 7652.] [Public, No. 169.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior through the National Park Service be, and he is hereby, authorized to furnish steam from the central heating plant for the use of the Federal Reserve Board on the property which has been acquired by it in squares east of 87 and east of 88 in the District of Columbia: *Provided*, That the Federal Reserve Board agrees to pay for the steam furnished at reasonable rates, not less than cost, as may be determined by the Secretary of the Interior: *Provided further*, That the Federal Reserve Board agrees to provide the necessary connections with the Government mains at its own expense and in a manner satisfactory to the Secretary of the Interior. District of Columbia. Central heating plant to furnish steam to Federal Reserve Board. *Provisos.* Payment therefor. Installation expenses.

SEC. 2. That hereafter the rates to be paid for steam furnished to the Corcoran Gallery of Art, the buildings, old and new, of the Pan American Union, the American Red Cross Buildings, and such other non-Federal public buildings as are or hereafter may be authorized to receive steam from the central heating plant shall be determined by the Secretary of the Interior. Rates for designated buildings to be determined.

SEC. 3. That all Acts and parts of Acts which may be inconsistent or in conflict with this Act are hereby repealed to the extent of such inconsistency or conflict. Inconsistent laws repealed.

Approved, June 27, 1935.

[CHAPTER 322.]

AN ACT

To authorize participation by the United States in the Interparliamentary Union.

June 28, 1935. [S. 2276.] [Public, No. 170.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an appropriation of $20,000 annually is hereby authorized, $10,000 of which shall be for the annual contribution of the United States toward the maintenance of the Bureau of the Interparliamentary Union for the promotion of international arbitration; and $10,000, or so much thereof as may be necessary, to assist in meeting the expenses Interparliamentary Union. Sum authorized for annual contribution and participation. *Ante*, p. 73; *Post*, p. 591.

of the American group of the Interparliamentary Union for each fiscal year for which an appropriation is made, such appropriation to be disbursed on vouchers to be approved by the President and the executive secretary of the American group.

Disbursements.

Annual report to Congress.

SEC. 2. That the American group of the Interparliamentary Union shall submit to the Congress a report for each fiscal year for which an appropriation is made, including its expenditures under such appropriation.

Approved, June 28, 1935.

[CHAPTER 323.]

AN ACT

June 28, 1935.
[S. 2917.]
[Public, No. 171.]

Authorizing an appropriation to effect a settlement of the remainder due on Pershing Hall, a memorial already erected in Paris, France, to the Commander in Chief, officers, and men of the Expeditionary Forces, and for other purposes.

Pershing Hall, Paris, France.
Sum authorized for settlement of indebtedness.
Payable from Army recreation fund.
Vol. 47, p. 1573.
Post, p. 594.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That $482,032.92 of the fund entitled "Recreation fund—Army", created by the War Department Appropriation Act, approved March 4, 1933, is hereby authorized to be appropriated by the Secretary of the Treasury for effecting a settlement of any indebtedness connected with Pershing Hall, a memorial already erected in Paris, France, under the auspices of the American Legion, Inc., to the commander in chief, officers, men and auxiliary services of the American Expeditionary Forces, to the end that such memorial as so freed from debt may be perpetuated:

Proviso.
Title to vest in United States Government.

Provided, That the amount herein provided shall not be used for the purposes indicated herein, until the legal title to said property shall have been vested in the Government of the United States for the use and benefit of all American officers and enlisted men of the World War.

Pershing Hall Memorial Fund, created.

SEC. 2. Any balance remaining after settlement of such indebtedness shall be retained by the Secretary of the Treasury as a special fund to be known as the "Pershing Hall Memorial Fund." The Secretary of the Treasury is authorized (a) to invest and reinvest any part or all of the corpus of this fund so remaining in interest-bearing United States Government bonds and retain custody thereof; and (b) upon request of the American Legion, Inc., the Secretary of the Treasury shall pay to the National Treasurer of the American Legion, Inc., from time to time any part of the earnings upon the fund for use in the maintenance and/or perpetuation of Pershing Hall.

Investment of funds.

Report to Congress.

SEC. 3. An itemized report shall be transmitted to the Senate and House of Representatives on the first day of each regular session of Congress of expenditures made in pursuance herewith.

Approved, June 28, 1935.

[CHAPTER 324.]

AN ACT

June 28, 1935.
[H. R. 4505.]
[Public, No. 172.]

Granting the consent of Congress to the State of Maine and the Dominion of Canada to maintain a bridge already constructed across the Saint John River between Madawaska, Maine, and Edmundston, New Brunswick, Canada.

Saint John River.
Bridge across, between Madawaska, Me., and Edmundston, N. B., legalized.
Vol. 34, p. 84.
U. S. C., p. 1474.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State of Maine and the Dominion of Canada, their successors and assigns, to maintain and operate, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters",

approved March 23, 1906, a bridge and approaches thereto already constructed across the Saint John River between Madawaska, Maine, and Edmundston, New Brunswick, Canada, which bridge is hereby declared to be a lawful structure to the same extent and in the same manner as if it had been constructed in accordance with the provisions of said Act of March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved. Amendment.

Approved, June 28, 1935.

[CHAPTER 325.]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Rio Grande at or near Rio Grande City, Texas.

June 28, 1935.
[H. R. 6630.]
[Public, No. 173.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Rio Grande, at or near Rio Grande City, Texas, authorized to be built by the Rio Grande City-Camargo Bridge Company, by an Act of Congress approved February 15, 1929, heretofore extended by Acts of Congress approved January 31, 1931, and March 2, 1933, are hereby further extended one and three years, respectively, from February 15, 1935. Rio Grande. Time extended for bridging, at Rio Grande City, Tex. Vol. 45, p. 1184; Vol. 46, p. 1055; Vol. 47, p. 1421, amended.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved. Amendment.

Approved, June 28, 1935.

[CHAPTER 326.]

AN ACT

To amend section 1 of the Act of July 8, 1932.

June 28, 1935.
[H. R. 6717.]
[Public, No. 174.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of July 8, 1932 (47 Stat., ch. 464; U. S. C., Supp. VII, title 18, sec. 338a), be amended to read as follows: Postal service. Vol. 47, p. 649; U. S. C., p. 748.

"Whoever, with intent to extort from any person any money or other thing of value, shall knowingly deposit or cause to be deposited in any post office or station thereof, or in any authorized depository for mail matter, to be sent or delivered by the post-office establishment of the United States, or shall knowingly cause to be delivered by the post-office establishment of the United States according to the direction thereon, any written or printed letter or other communication with or without a name or designating mark subscribed thereto, addressed to any other person, and containing any threat (1) to injure the person, property, or reputation of the addressee or of another or the reputation of a deceased person, or (2) to kidnap any person, or (3) to accuse the addressee or any other person of a crime, or containing any demand or request for ransom or reward for the release of any kidnaped person, shall be fined not more than $5,000 or imprisoned not more than twenty years, or both: *Provided*, That any person violating this section may be prosecuted in the judicial district in which such letter or other communication is deposited in such post office, station, or authorized depository for mail matter, or in the judicial district into which such letter or other communication was carried by the United States mail for delivery according to the direction thereon." Threatening communication; mailing. Causing delivery. Punishment for. *Proviso.* Venue of prosecution.

Approved, June 28, 1935.

[CHAPTER 327.]

AN ACT

June 28, 1935.
[H. R. 6988.]
[Public, No. 175.]

Authorizing the State of Louisiana and the State of Texas to construct, maintain, and operate a free highway bridge across the Sabine River at or near a point where Louisiana Highway Numbered 21 meets Texas Highway Numbered 45.

Sabine River.
Louisiana and Texas may bridge, at junction of designated highway.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the State of Louisiana and the State of Texas be and are hereby authorized to construct, maintain, and operate a free highway bridge and approaches thereto across the Sabine River, at a point suitable to the interests of navigation, at or near a point where Louisiana Highway Numbered 21 meets Texas Highway Numbered 45, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Construction.
Vol. 34, p. 84.
U. S. C., p. 1474.

Right to acquire realty, etc., for approaches, etc.

SEC. 2. There is hereby conferred upon the State of Louisiana and the State of Texas all rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Amendment.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 28, 1935.

[CHAPTER 328.]

AN ACT

June 28, 1935.
[H. R. 7044.]
[Public, No. 176.]

Authorizing the State of Louisiana and the State of Texas to construct, maintain, and operate a free highway bridge across the Sabine River at or near a point where Louisiana Highway Numbered 6 in Sabine Parish, Louisiana, meets Texas Highway Numbered 21 in Sabine County, Texas.

Sabine River.
Louisiana and Texas may bridge, between Sabine Parish, La., and Sabine County, Tex.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes the State of Louisiana and the State of Texas be, and are hereby, authorized to construct, maintain, and operate a free highway bridge and approaches thereto across the Sabine River, at a point suitable to the interests of navigation, at or near a point where Louisiana Highway Numbered 6 in Sabine Parish, Louisiana, meets Texas Highway Numbered 21 in Sabine County, Texas, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Construction.
Vol. 34, p. 84.
U. S. C., p. 1474.

Right to acquire realty, etc., for approaches, etc.

SEC. 2. There is hereby conferred upon the State of Louisiana and the State of Texas all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corpo-

rations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved. Amendment.

Approved, June 28, 1935.

[CHAPTER 329.]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Wabash River at or near Merom, Sullivan County, Indiana.

June 28, 1935.
[H. R. 7083.]
[Public, No. 177.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Wabash River, at or near Merom, Sullivan County, Indiana, authorized to be built by Sullivan County, Indiana, or any board or commission of said county which is or may be created or established for the purpose, by an Act of Congress approved February 10, 1932, heretofore extended by an Act of Congress approved April 30, 1934, are hereby further extended one and three years, respectively, from April 30, 1935.

Wabash River.
Time extended for bridging, at Merom, Ind.
Vol. 47, p. 44; Vol. 48, p. 654.
Post, p. 1254.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved. Amendment.

Approved, June 28, 1935.

[CHAPTER 330.]

AN ACT

To amend section 98 of the Judicial Code to provide for the inclusion of Durham County, North Carolina, in the middle district of North Carolina, and for other purposes.

June 28, 1935.
[H. R. 7874.]
[Public, No. 178.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 98 of the Judicial Code, as amended (U. S. C., Supp. VII, title 28, sec. 179), is amended (1) by striking out "Durham", in the second paragraph thereof, and (2) by inserting "Durham", immediately after the comma following the word "Davie" in the fourth paragraph of such section.

United States Courts.
North Carolina Judicial districts.
Durham County transferred to middle district.
Vol. 44, p. 1339.

SEC. 2. The Act entitled "An Act to provide for the times and places for holding court for the eastern district of North Carolina", approved May 10, 1928, as amended (U. S. C., Supp. VII, title 28, sec. 179a), is amended (1) by striking out "at Durham on the first Mondays in March and September;", and (2) by amending the second proviso to read as follows: "*And provided further*, That at Wilson it shall be made incumbent upon that place to provide suitable facilities for holding the court."

Terms of court, eastern district.
Vol. 45, p. 495; Vol. 47, p. 1350; U. S. C., p. 1249.
Terms at Durham abolished.
Court rooms at Wilson.

Approved, June 28, 1935.

[CHAPTER 331.]

AN ACT

June 28, 1935.
[H. R. 7526.]
[Public, No. 179.]

To amend the Act approved February 20, 1931 (Public, Numbered 703, Seventy-first Congress), entitled "An Act to provide for special assessments for the paving of roadways and the laying of curbs and gutters."

District of Columbia. Assessment for paving roadways, etc. Vol. 46, p. 1197, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved February 20, 1931 (Public, Numbered 703, Seventy-first Congress), entitled "An Act to provide for special assessments for the paving of roadways and the laying of curbs and gutters", be amended by adding thereto a new section as follows:

Fixing date beyond which payment of prior assessment not recognized.

"SEC. 14. (a) The provisions of sections 5, 6, and 7 hereof shall not preclude the levying of assessments hereunder if the improvement for which such prior assessment was levied, or, if the original paving, curbing, or curbing and guttering, laid at the whole cost of the owner, were completed prior to January 1, 1885.

Property abutting two or more streets. Assessment provisions inapplicable.

"(b) The provision of section 8 hereof, relating to legal assessments heretofore levied, shall not be applicable where said prior assessments were levied for any improvement completed prior to January 1, 1885."

Existing levies not affected.

SEC. 2. The provisions herein contained shall not apply to assessments levied prior to the date of approval of this Act.

Approved, June 28, 1935.

[CHAPTER 332.]

AN ACT

June 28, 1935.
[H. R. 7765.]
[Public, No. 180.]

To amend (1) An Act entitled "An Act providing a permanent form of government for the District of Columbia"; (2) an Act entitled "An Act to establish a Code of Law for the District of Columbia"; to regulate the giving of official bonds by officers and employees of the District of Columbia, and for other purposes.

District of Columbia. Bond of District Commissioners; requirement repealed. Vol. 20, p. 103.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act approved June 11, 1878 (20 Stat. 103, ch. 180), entitled "An Act providing a permanent form of government for the District of Columbia" be, and the same hereby is, amended by repealing the provision "and shall, before entering upon the duties of the office, each give bond in the sum of $50,000, with surety as is required by existing law", and said section is further amended by adding at the end thereof the following:

Bond of officers and employees.

"The said Commissioners are hereby authorized and empowered to determine which officers and employees of the District of Columbia shall hereafter be required to give, or renew, bond for the faithful discharge of their duties and to fix the penalty of any such bond:

Proviso. Financial officers, etc., not affected.

Provided, That this power of the Commissioners shall not apply to officers and employees who receive, disburse, account for, or otherwise are responsible for the handling of money, and whose bonds are now fixed by law. The provisions of the Act of Congress entitled 'An Act making appropriations to supply urgent deficiencies in appropriations for the fiscal year nineteen hundred and nine, and for other purposes', approved August 5, 1909 (36 Stat. 118, 125), relating to rates of premiums for bonds for officers and employees of the United States shall be, and are hereby, made applicable to the rates of premiums for bonds of officers and employees of the government of the District of Columbia."

Premium rates. Vol. 36, p. 125. U. S. C., p. 106.

SEC. 2. That section 1578, chapter LV, of the Act approved March 3, 1901 (31 Stat. 1424), entitled "An Act to establish a Code of Law for the District of Columbia", is hereby amended so as to read:

Surveyor. Vol. 31, p. 1424, amended.

"The surveyor shall take and subscribe an oath or affirmation before the Commissioners that he will faithfully and impartially discharge the duties of his office, which oath shall be deposited with the Commissioners of the District of Columbia."

Oath of office. Provision for furnishing bond repealed.

SEC. 3. That section 1592 of said Code of Law for the District of Columbia is amended so as to read:

Assistant surveyor. Vol. 31, p. 1426.

"The assistant surveyor shall take the same oath his principal is required to take, and may, during the continuance of his office, discharge and perform any of the official duties of his principal."

Oath and duties. Bond requirement repealed.

SEC. 4. That said Code of Law for the District of Columbia is further amended by repealing in its entirety section 1597 thereof.

Recovery for Surveyor's errors. Provision repealed. Vol. 31, p. 1427.

SEC. 5. All Acts or part of Acts inconsistent herewith are hereby repealed.

Inconsistent laws repealed.

Approved, June 28, 1935.

[CHAPTER 333.]

JOINT RESOLUTION

June 28, 1935. [H. J. Res. 324.] [Pub. Res., No. 36.]

To provide revenue, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That title IV, as amended, and parts I, II, III, and IV of title V, as amended, of the Revenue Act of 1932, are further amended by striking out "1935" wherever appearing therein, and inserting in lieu thereof "1937". Section 1001(a), as amended, of the Revenue Act of 1932, and section 2, as amended, of the Act entitled "An Act to extend the gasoline tax for one year, to modify postage rates on mail matter, and for other purposes", approved June 16, 1933, are further amended by striking out "1935" wherever appearing therein, and inserting in lieu thereof "1937".

Revenue Act of 1932. Certain excise and miscellaneous taxes continued. Vol. 47, pp. 259, 270–276. Postal rates. Vol. 47, p. 285; Vol. 48, p. 254.

Approved, June 28, 1935.

[CHAPTER 334.]

JOINT RESOLUTION

June 28, 1935. [S. J. Res. 131.] [Pub. Res., No. 37.]

Providing for the participation of the United States in the Texas Centennial Exposition and celebrations to be held in the State of Texas during the years 1935 and 1936, and authorizing the President to invite foreign countries and nations to participate therein, and for other purposes.

Texas Centennial Exposition, 1935 and 1936.

Whereas there is to be held in the State of Texas during the years 1935 and 1936 an exposition and celebrations commemorating the historic period of Texas history and celebrating a century of independence and progress; and

Preamble. *Post*, pp. 575, 1136.

Whereas the State of Texas, the city of Dallas, Texas, and the Texas Centennial Central Exposition, a corporation, are making $9,000,000 available for such exposition through appropriations and bond issues; and

Whereas such exposition is commemorative of a heroic and successful struggle to establish the independence of a Republic, and this accomplishment resulted from the efforts of patriotic Americans of all sections of our country and led to the acquisition of territory extending far beyond the borders of Texas; and

Whereas the Republic of Texas continued for nine years after the establishment of its independence and prior to its admission to the Union as a State, and foreign Governments sent their diplomatic representatives to the Republic of Texas; and

Whereas such exposition and celebrations are worthy and deserving of the support and encouragement of the United States; and the United States has aided and encouraged such expositions and celebrations in the past: Therefore be it

Participation of foreign nations.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested, by proclamation or in such manner as he may deem proper, to invite all foreign countries and nations to such proposed exposition with a request that they participate therein.

National Commission established. Composition.

SEC. 2. There is hereby established a Commission, to be known as "The United States Texas Centennial Commission" and hereinafter referred to as the "Commission" and to be composed of the Vice President, the Secretary of State, the Secretary of Agriculture, and the Secretary of Commerce; which Commission shall serve without additional compensation and shall represent the United States in connection with the holding of an exposition and celebrations during the observance of the Texas Centennial in the State of Texas during the years 1935 and 1936.

United States Commissioner General, assistant commissioners. Appointment, salaries, etc. *Post*, p. 542.

SEC. 3. There is hereby created a United States Commissioner General for the Texas Centennial Exposition and celebrations to be appointed by the President with the advice and consent of the Senate and to receive compensation at the rate of $10,000 per annum and not to exceed three assistant commissioners for said Texas Centennial Exposition and celebrations to be appointed by the Commissioner General with the approval of the Commission herein designated and to receive compensation not to exceed $7,500 per annum, respectively. The salary and expenses of the Commissioner General and such staff as he may require shall be paid out of the funds authorized to be appropriated by this joint resolution, for a period of time covering the duration of the Exposition and not to exceed a six months' period following the closing thereof.

Funds authorized.

Powers, etc., of Commissioner General.

SEC. 4. The Commission shall prescribe the duties of the United States Commissioner General and shall delegate such powers and functions to him as it shall deem advisable, in order that there may be exhibited at the Texas Centennial Exposition by the Government of the United States, its executive departments, independent offices, and establishments such articles and materials and documents and papers as may relate to this period of our history and such as illustrate the function and administrative faculty of the Government in the advancement of industry, science, invention, agriculture, the arts, and peace, and demonstrating the nature of our institutions, particularly as regards their adaptation to the needs of the people.

Exhibits of executive departments, etc.

Personal services, according to Classification Act. Vol. 42, p. 1488; Vol. 45, p. 776; Vol. 46, p. 1003. U. S. C., p. 85.

SEC. 5. The Commissioner General is authorized to appoint such clerks, stenographers, and other assistants as may be necessary, and to fix their salaries in accordance with the Classification Act of 1923, as amended; purchase such materials, contract for such labor and other services as are necessary, and exercise such powers as are delegated to him by the Commission as hereinbefore provided, and in order to facilitate the functioning of his office may subdelegate such powers (authorized or delegated) to the Assistant Commissioner or others in the employ of or detailed to the Commission as may be deemed advisable by the Commission.

Cooperation of executive departments, etc.

Exhibits to be loaned.

Contracts for labor, etc.

Return at close of exposition.

Preparation of reports.

Disposition of property.

Sum authorized.

Allotments.

Building construction, landscaping, etc.

Rental of space.

Contracts for designing, etc.

SEC. 6. The heads of the various executive departments and independent offices and establishments of the Government are authorized to cooperate with said Commissioner General in the procurement, installation, and display of exhibits, and to lend to the Commission and to the Commission of Control for Texas Centennial Celebrations and the Texas Centennial Central Exposition, with the knowledge and consent of said Commissioner General such articles, specimens, and exhibits which said Commissioner General shall deem to be in the interest of the United States and in keeping with the purposes of such exposition and celebrations to place with the science or other exhibits to be shown under the auspices of such Texas Centennial Commission or the Texas Centennial Central Exposition or the Commission of Control for Texas Centennials[1] Celebrations, to contract for such labor or other services as shall be deemed necessary, and to designate officials or employees of their departments or branches to assist said Commissioner General. At the close of the exposition, or when the connection of the Government of the United States therewith ceases, said Commissioner General shall cause all such property to be returned to the respective departments and branches from which taken, and any expenses incident to the restoration, modification and revision of such property to a condition which will permit its use at subsequent expositions, fairs, and other celebrations, and for the continued employment of personnel necessary to close out the fiscal and other records and prepare the required reports of the participating organizations, may be paid from the appropriation authorized herein; and if the return of such property is not feasible, he may, with the consent of the department or branch from which it was taken, make such disposition thereof as he may deem advisable and account therefor.

SEC. 7. The sum of $3,000,000 is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, and shall remain available until expended for the purposes of this joint resolution and any unexpended balances shall be covered back into the Treasury of the United States. Subject to the provisions of this joint resolution and any subsequent Act appropriating the money authorized herein, the Commission is authorized to make any expenditures or allotments deemed necessary by it to fulfill properly the purposes of this joint resolution and to allocate such sums to the Texas Centennial Commission, the Board of Directors of the Texas Memorial Museum, or the Commission of Control for Texas Centennial Celebrations, and the Texas Centennial Central Exposition for expenditure by such bodies in any part of the State of Texas as the Commission deems necessary and proper in carrying out the purposes of this joint resolution. And, subject to the provisions of this joint resolution and any subsequent Act appropriating the money authorized herein, the Commission is authorized to erect such building or buildings, or other structures, and to provide for the landscaping of the site or sites thereof; to grant toward the Texas Memorial Museum such sum as may be specifically provided for that purpose by the Act making the appropriation authorized by this joint resolution; to rent such space as the Commission may deem adequate to carry out effectively the provisions of this joint resolution; and to provide for the decoration of such buildings or structures, and for the proper maintenance of such buildings or structures, site and grounds during the period of the exposition. The Commission may contract with the Texas Centennial Commission or the Commission of Control for Texas Centennial Celebrations or the

[1] So in original.

Texas Centennial Central Exposition for the designing and erection of such building or buildings, structure or structures, and for the rental of such space as shall be deemed necessary and proper. The appropriation authorized under this joint resolution shall be available for the operation of the building or buildings, structure or structures, including light, heat, water, gas, janitor, and other required services; for the selection, purchase, preparation, assembling, transportation, installation, arrangement, safe-keeping, exhibition, demonstration, and return of such articles and materials as the Commission may decide shall be included in such Government exhibit and in the exhibits of the Texas Centennial Commission or the Commission of Control for Texas Centennial Celebrations or the Texas Centennial Central Exposition; for the compensation of said Commissioner General, Assistant Commissioners, and other officers and employees of the Commission in the District of Columbia and elsewhere, for the payment of salaries of officers and employees of the Government employed by or detailed for duty with the Commission, and for actual traveling expenses, including travel by air, and for per diem in lieu of actual subsistence at not to exceed $6 per day: *Provided*, That no such Government official or employee so designated shall receive a salary in excess of the amount which he has been receiving in the department or branch where employed, plus such reasonable allowance for travel, including travel by air, and subsistence expenses as may be deemed proper by the Commissioner General; for telephone service, purchase or rental of furniture and equipment, stationery and supplies, typewriting, adding, duplicating, and computing machines, their accessories and repairs, books of reference and periodicals, uniforms, maps, reports, documents, plans, specifications, manuscripts, newspapers and all other appropriate publications, and ice and drinking water for office purposes: *Provided*, That payment for telephone service, rents, subscriptions to newspapers and periodicals, and other similar purposes, may be made in advance; for the purchase and hire of passenger-carrying automobiles, their maintenance, repair, and operation, for the official use of said Commissioner General and Assistant Commissioners in the District of Columbia or elsewhere as required; for printing and binding; for entertainment of distinguished visitors; and for all other expenses as may be deemed necessary by the Commission to fulfill properly the purposes of this joint resolution. All purchases, expenditures, and disbursements of any moneys made available by authority of this joint resolution shall be made under the direction of the Commission: *Provided*, That the Commission, without release of responsibility as hereinbefore stipulated, may delegate these powers and functions to said Commissioner General, and said Commissioner General, with the consent of the Commission, may subdelegate them: *Provided further*, That the Commission or its delegated representative may allot funds authorized to be appropriated herein to any executive department, independent office, or establishment of the Government with the consent of the heads thereof, for direct expenditure by such executive department, independent office, or establishment, for the purpose of defraying any expenditure which may be incurred by such executive department, independent office, or establishment in executing the duties and functions delegated by the Commission. All accounts and vouchers covering expenditures shall be approved by said Commissioner General or by such assistants as he may designate except for such allotments as may be made to the various executive departments, independent offices, and establish-

General expenses.

Compensation of Commissioner, etc.

Detail of Government officials, etc.
Travel expenses.

Provisos.
Salary restriction.

Furniture and supplies.

Payments in advance authorized.

Supervision of purchases.

Delegation of functions.

Allotment of funds to executive departments, etc.

Approval of vouchers; exceptions.

ments for direct expenditure; but these provisions shall not be construed to waive the submission of accounts and vouchers to the General Accounting Office for audit, or permit any obligations to be incurred in excess of the amount authorized herein: *Provided*, That in the construction of buildings and exhibits requiring skilled and unskilled labor, the prevailing rate of wages, as provided in the Act of March 3, 1931, shall be paid.

Audits.

Wage rate for construction work. Vol. 46, p. 1494. U. S. C., p. 1788.

SEC. 8. The Commissioner General, with the approval of the Commission, may receive contributions from any source to aid in carrying out the purposes of this joint resolution, but such contributions shall be expended and accounted for in the same manner as the funds authorized to be appropriated by this joint resolution. The Commissioner General is also authorized to receive contributions of material, or to borrow material or exhibits, and to accept the services of any skilled and unskilled labor that may be available through State or Federal relief organizations, to aid in carrying out the general purposes of this joint resolution. At the close of the exposition and celebrations or when the connection of the Government of the United States therewith ceases, the Commissioner General shall dispose of any such portion of the material contributed as may be unused, and return such borrowed property; and, under the direction of the Commission, dispose of any buildings or structures which may have been constructed and account therefor: *Provided*, That all disposition of materials, property, buildings, and so forth, shall be at public sale to the highest bidder, and the proceeds thereof shall be covered into the Treasury of the United States.

Acceptance of contributions.

Disposal of buildings and property.

Proviso. Auction sales.

SEC. 9. It shall be the duty of the Commission to transmit to Congress, within six months after the close of the exposition, a detailed statement of all expenditures, and such other reports as may be deemed proper, which reports shall be prepared and arranged with a view to concise statement and convenient reference. Upon the transmission of such report to Congress the Commission established by and all appointments made under the authority of this joint resolution shall terminate.

Report to Congress.

Termination of Commission.

Approved, June 28, 1935.

[CHAPTER 335.]

JOINT RESOLUTION

June 28, 1935. [S. J. Res. 152.] [Pub. Res., No. 38.]

To extend to August 31, 1935, the temporary plan for deposit insurance provided for by section 12B of the Federal Reserve Act as amended.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 12B of the Federal Reserve Act, as amended, is amended (1) by striking out "July 1, 1935" wherever it appears in subsections (e), (l) and (y), and inserting in lieu thereof "August 31, 1935"; and (2) by striking "June 30, 1935" where it appears in the first sentence of the eighth paragraph of subsection (y), and inserting in lieu thereof "August 31, 1935"; and (3) by adding to subsection (y) the following additional paragraph "The deposits in banks which are on June 30, 1935, members of the fund or the fund for mutuals shall continue to be insured during such extended period to August 31, 1935, without liability on the part of such banks to further calls or assessment."

Federal Reserve Act, amendment. Federal deposit insurance, extensions. Subscriptions; insurance of deposits. Vol. 48, pp. 169, 172, 179, 969. *Post*, p. 684.

Members of the fund for mutuals; insurance continued.

Approved, June 28, 1935.

[CHAPTER 337.]

AN ACT

June 29, 1935.
[H. R. 6504.]
[Public, No. 181.]

To amend an Act entitled "An Act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor."

Foreign Service.
Vol. 46, p. 1208, amended.
U. S. C., p. 942.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 11 of the Act entitled "An Act for the grading and classification of clerks in the Foreign Service of the United States of America and providing compensation therefor", approved February 23, 1931, be, and it is hereby, amended to read as follows:

Appointments and promotions; power of President to make.

"SEC. 11. That all appointments and promotions of Foreign Service officers shall be made by the President by and with the advice and consent of the Senate and such officers may be commissioned as diplomatic or consular officers or both: *Provided*, That Foreign Service officers now or hereafter appointed or promoted during a recess of the Senate shall be paid the compensation of the position to which appointed or promoted from the date of such appointment or promotion until the end of the next session of the Senate if they have not theretofore been confirmed by the Senate, or until their rejection by the Senate before the end of its next session: *Provided further*, That if the Senate should reject or fail to confirm the promotion of a Foreign Service officer during the session following the date of such promotion, the Foreign Service officer shall automatically be reinstated in the position from which he was promoted, such reinstatement to be effective, in the event of rejection of the nomination, from the date of rejection; and in the event of failure of the Senate to act on the nomination during the session following a promotion, from the termination of that session: *And provided further*, That all official acts of such officers while serving under diplomatic or consular commissions in the Foreign Service shall be performed under their respective commissions as secretaries or as consular officers."

Provisos.
Appointments, etc., during Senate recess.
Pay provisions.

Reinstatement in former position; when.

Effective date.

Official acts under respective commissions.

Approved, June 29, 1935.

[CHAPTER 338.]

AN ACT

June 29, 1935.
[H. R. 7160.]
[Public, No. 182.]

To provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges.

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

TITLE I

Agricultural extension work and land grant colleges.
Agriculture.
Research into basic laws and principles.
Post, p. 582.

SECTION 1. The Secretary of Agriculture is authorized and directed to conduct research into laws and principles underlying basic problems of agriculture in its broadest aspects; research relating to the improvement of the quality of, and the development of new and improved methods of production of, distribution of, and new and extended uses and markets for, agricultural commodities and byproducts and manufactures thereof; and research relating to the conservation, development, and use of land and water resources for agricultural purposes. Research authorized under this section shall be in addition to research provided for under existing law (but both activities shall be coordinated so far as practicable) and shall be conducted by such agencies of the Department of Agriculture as the Secretary may designate or establish.

Agencies to be established.

Agricultural experiment stations.
Prosecution of work by.
Vol. 24, p. 440; U. S. C., p. 138.
Puerto Rico.
Vol. 46, p. 1520; U. S. C., p. 141.

SEC. 2. The Secretary is also authorized and directed to encourage research similar to that authorized under section 1 to be conducted by agricultural experiment stations established or which may hereafter be established in pursuance of the Act of March 2, 1887, providing for experiment stations, as amended and supplemented, by the allotment and payment as provided in section 5 to Puerto Rico and the States and Territories for the use of such experiment stations of sums appropriated therefor pursuant to this title.

Sums authorized for first fiscal year and each year thereafter.
Post, pp. 582, 1424.

SEC. 3. For the purposes of this title there is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $1,000,000 for the fiscal year beginning after the date of the enactment of this title, and for each of the four fiscal years thereafter $1,000,000 more than the amount authorized for the preceding fiscal year, and $5,000,000 for each fiscal year thereafter. Moneys appropriated in pursuance of this title shall also be available for the purchase and rental of land and the construction of buildings necessary for conducting research provided for in this title, for the equipment and maintenance of such buildings, and for printing and disseminating the results of research. Sums appropriated in pursuance of this title shall be in addition to, and not in substitution for, appropriations for research or other activities of the Department of Agriculture and sums appropriated or otherwise made available for agricultural experiment stations.

Availability of funds.

To be additional to existing appropriations.

Allotments.

Proviso.
Administration expenses.

SEC. 4. Forty per centum of the sums appropriated for any fiscal year under section 3 shall be available for the purposes of section 1: *Provided*, That not to exceed 2 per centum of the sums appropriated may be used for the administration of section 5 of this title. The sums available for the purposes of section 1 shall be designated as the "Special research fund, Department of Agriculture", and no part of such special fund shall be used for the prosecution of research heretofore instituted or for the prosecution of any new research project except upon approval in writing by the Secretary. One-half of such special research fund shall be used by the Secretary for the establishment and maintenance of research laboratories and facilities in the major agricultural regions at places selected by him and for the prosecution, in accordance with section 1, of research at such laboratories.

"Special research fund, Department of Agriculture," created; restriction on use.
Post, p. 1425.

Research laboratories and facilities; establishment.

Portion for agricultural stations.

State, etc., allocations.

SEC. 5. (a) Sixty per centum of the sums appropriated for any fiscal year under section 3 shall be available for the purposes of section 2. The Secretary shall allot, for each fiscal year for which an appropriation is made, to Puerto Rico and each State and Territory an amount which bears the same ratio to the total amount to be allotted as the rural population of Puerto Rico or the State or Territory bears to the rural population of Puerto Rico and all the States and Territories as determined by the last preceding decennial census. No allotment and no payment under any allotment shall be made for any fiscal year in excess of the amount which Puerto Rico or the State or Territory makes available for such fiscal year out of its own funds for research and for the establishment and maintenance of necessary facilities for the prosecution of such research. If Puerto Rico or any State or Territory fails to make available for such purposes for any fiscal year a sum equal to the total amount to which it may be entitled for such year, the remainder of such amount shall be withheld by the Secretary. The total amount so withheld may be allotted by the Secretary of Agriculture to Puerto Rico and the States and Territories which make available for such year an amount equal to that part of the total amount withheld which may be allotted to them by the Secretary of Agriculture, but

Allotment limited to amount advanced by State.

Withholding allotment.

Allocation of withheld allotment.

no such additional allotment to Puerto Rico or any State or Territory shall exceed the original allotment to Puerto Rico or such State or Territory for that year by more than 20 per centum thereof.

Disbursement of allotments.

(b) The sums authorized to be allotted to Puerto Rico and the States and Territories shall be paid annually in quarterly payments on July 1, October 1, January 1, and April 1. Such sums shall be paid by the Secretary of the Treasury upon warrant of the Secretary of Agriculture in the same manner and subject to the same administrative procedure set forth in the Act of March 2, 1887, as amended June 7, 1888.

"Territory" defined.

SEC. 6. As used in this title the term "Territory" means Alaska and Hawaii.

Rules and regulations.

SEC. 7. The Secretary of Agriculture is authorized and directed to prescribe such rules and regulations as may be necessary to carry out this Act.

Amendment.

SEC. 8. The right to alter, amend, or repeal this Act is hereby expressly reserved.

TITLE II

Cooperative State agricultural extension Act.
Vol. 38, p. 372; U. S. C., p. 137.

SECTION 21. In order to further develop the cooperative extension system as inaugurated under the Act entitled "An Act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of the Act of Congress approved July 2, 1862, and all Acts supplementary thereto, and the United States Department of Agriculture", approved May 8, 1914 (U. S. C., title 7, secs. 341–348), there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of paying the expenses of cooperative extension work in agriculture and home economics and the necessary printing and distribution of information in connection with the same, the sum of $8,000,000 for the fiscal year beginning after the date of the enactment of this title, and for the fiscal year following the first fiscal year for which an appropriation is made in pursuance of the foregoing authorization the additional sum of $1,000,000, and for each succeeding fiscal year thereafter an additional sum of $1,000,000 until the total appropriations authorized by this section shall amount to $12,000,000 annually, the authorization to continue in that amount for each succeeding fiscal year. The sums appropriated in pursuance of this section shall be paid to the several States and the Territory of Hawaii in the same manner and subject to the same conditions and limitations as the additional sums appropriated under the Act of May 8, 1914, except that (1) $980,000 shall be paid to the several States and the Territory of Hawaii in equal shares; (2) the remainder shall be paid to the several States and the Territory of Hawaii in the proportion that the farm populuation [1] of each bears to the total farm population of the several States and the Territory of Hawaii, as determined by the last preceding decennial census, and (3) the several States and the Territory of Hawaii shall not be required to offset the allotments authorized in this section. The sums appropriated pursuant to this section shall be in addition to, and not in substitution for, sums appropriated under such Act of May 8, 1914, as amended and supplemented, or sums otherwise appropriated for agricultural extension work. Allotments to any State or the Territory of Hawaii for any fiscal year from the appropriations herein authorized shall be available for payment to such State or the Territory of Hawaii only if such State or the Territory of Hawaii complies, for such fiscal year, with the provisions with reference to offset

Annual appropriation authorized to each State, etc.
Post, pp. 582, 1426.

Manner of payment, etc.

Allotments based on farm population.

Matching funds not required.

Additional to existing appropriations.

Condition imposed.

[1] So in original.

of appropriations (other than appropriations under this section) for agricultural extension work.

Agricultural and mechanic arts colleges. Vol. 12, p. 503; Vol. 44, p. 247. U. S. C., p. 135. Additional annual appropriations authorized. *Post*, pp. 585, 1797.

SEC. 22. In order to provide for the more complete endowment and support of the colleges in the several States and the Territory of Hawaii entitled to the benefits of the Act entitled "An Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts", approved July 2, 1862, as amended and supplemented (U. S. C., title 7, secs. 301–328; Supp. VII, sec. 304), there are hereby authorized to be appropriated annually, out of any money in the Treasury not otherwise appropriated, the following amounts:

(a) For the fiscal year beginning after the date of the enactment of this Act, and for each fiscal year thereafter, $980,000; and

(b) For the fiscal year following the first fiscal year for which an appropriation is made in pursuance of paragraph (a) $500,000, and for each of the two fiscal years thereafter $500,000 more than the amount authorized to be appropriated for the preceding fiscal year, and for each fiscal year thereafter $1,500,000. The sums appropriated in pursuance of paragraph (a) shall be paid annually to the several States and the Territory of Hawaii in equal shares. The sums appropriated in pursuance of paragraph (b) shall be in addition to sums appropriated in pursuance of paragraph (a) and shall be allotted and paid annually to each of the several States and the Territory of Hawaii in the proportion which the total population of each such State and the Territory of Hawaii bears to the total population of all the States and the Territory of Hawaii, as determined by the last preceding decennial census. Sums appropriated in pursuance of this section shall be in addition to sums appropriated or authorized under such Act of July 2, 1862, as amended and supplemented, and shall be applied only for the purposes of the colleges defined in such Act, as amended and supplemented. The provisions of law applicable to the use and payment of sums under the Act entitled "An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an Act of Congress approved July second, eighteen hundred and sixty-two", approved August 30, 1890, as amended and supplemented, shall apply to the use and payment of sums appropriated in pursuance of this section.

Equal division of funds.

Additions to present allotments.

Provisions for use and payments. Vol. 26, p. 417; Vol. 34, p. 1281. U. S. C., p. 136.

Approved, June 29, 1935.

[CHAPTER 346.]

AN ACT

July 1, 1935. [H. R. 5774.] [Public, No. 183.]

To authorize a preliminary examination of Rogue River and its tributaries in the State of Oregon with a view to the control of its floods.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized and directed to cause a preliminary examination to be made of the Rogue River and its tributaries in the State of Oregon, with a view to the control of its floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Rogue River. Survey of, to be made for flood control.

Vol. 39, p. 950; U. S. C., p. 1487.

Approved, July 1, 1935.

[CHAPTER 347.]

AN ACT

July 1, 1935.
[H. R. 5775.]
[Public, No. 184.]

To authorize a preliminary examination of Siuslaw River and its tributaries in the State of Oregon with a view to the control of its floods.

Siuslaw River.
Survey of, to be made for flood control.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized and directed to cause a preliminary examination to be made of the Siuslaw River and its tributaries in the State of Oregon, with a view to the control of its floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Vol. 39, p. 950; U. S. C., p. 1487.

Approved, July 1, 1935.

[CHAPTER 348.]

AN ACT

July 1, 1935.
[H. R. 5776.]
[Public, No. 185.]

To authorize a preliminary examination of Yaquina River and its tributaries in the State of Oregon with a view to the control of its floods.

Yaquina River.
Survey of, to be made for flood control.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized and directed to cause a preliminary examination to be made of the Yaquina River and its tributaries in the State of Oregon, with a view to the control of its floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Vol. 39, p. 950; U. S. C., p. 1487.

Approved, July 1, 1935.

[CHAPTER 349.]

AN ACT

July 1, 1935.
[H. R. 5777.]
[Public, No. 186.]

To authorize a preliminary examination of Siletz River and its tributaries in the State of Oregon with a view to the control of its floods.

Siletz River.
Survey of, to be made for flood control.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized and directed to cause a preliminary examination to be made of the Siletz River and its tributaries in the State of Oregon, with a view to the control of its floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of the floods of the Mississippi River, and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Vol. 39, p. 950; U. S. C., p. 1487.

Approved, July 1, 1935.

[CHAPTER 350.]

AN ACT

Authorizing a preliminary examination of Gafford Creek, Arkansas.

July 1, 1935.
[H. R. 7313.]
[Public, No. 187.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of Gafford Creek, Arkansas, with a view to the control of floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of floods of the Mississippi River, and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Gafford Creek, Ark.
Survey of, to be made for flood control.

Vol. 39, p. 950; U. S. C., p. 1487.

Approved, July 1, 1935.

[CHAPTER 351.]

AN ACT

Authorizing a preliminary examination of Point Remove Creek, Arkansas, a tributary of the Arkansas River.

July 1, 1935.
[H. R. 7314.]
[Public, No. 188.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of Point Remove Creek, Arkansas, a tributary of the Arkansas River, with a view to the control of floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of floods of the Mississippi River, and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Point Remove Creek, Ark.
Survey of, to be made for flood control.

Vol. 39, p. 950; U. S. C., p. 1487.

Approved, July 1, 1935.

[CHAPTER 352.]

AN ACT

Authorizing a preliminary examination of the Tanana River and Chena Slough, Alaska.

July 1, 1935.
[H. R. 7600.]
[Public, No. 189.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized and directed to cause a preliminary examination to be made of the Tanana River and Chena Slough in the vicinity of Fairbanks, Alaska, with a view to the control of floods in said Chena Slough, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of floods of the Mississippi River, and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Tanana River and Chena Slough, Alaska.
Survey of, to be made for flood control.

Vol. 39, p. 950; U. S. C., p. 1487.

Approved, July 1, 1935.

[CHAPTER 353.]

AN ACT

July 1, 1935.
[H. R. 7870.]
[Public, No. 190.]

To provide a preliminary examination of the Purgatoire (Picketwire) and Apishapa Rivers, in the State of Colorado, with a view to the control of their floods and the conservation of their waters.

Purgatoire and Apishapa Rivers, Colo.
Survey of, to be made for flood control.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of the Purgatoire (Picketwire) River, west of the city of Trinidad, Colorado, and the Apishapa River, west of the town of Aguilar, all in the county of Las Animas, in the State of Colorado, with a view to the control of the floods and the conservation of the waters of said rivers, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of floods of the Mississippi River, and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Vol. 39, p. 950; U. S. C., p. 1487.

Approved, July 1, 1935.

[CHAPTER 355.]

AN ACT

July 2, 1935.
[H. R. 115.]
[Public, No. 191.]

To amend section 27 of the Merchant Marine Act, 1920.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 27 of the Merchant Marine Act, 1920 (U. S. C., title 46, sec. 883), is amended to read as follows:

Merchant Marine Act, 1920, amendment.
Vol. 41, p. 999; U. S. C., p. 2067.

"SEC. 27. That no merchandise shall be transported by water, or by land and water, on penalty of forfeiture thereof, between points in the United States, including Districts, Territories, and possessions thereof embraced within the coastwise laws, either directly or via a foreign port, or for any part of the transportation, in any other vessel than a vessel built in and documented under the laws of the United States and owned by persons who are citizens of the United States, or vessels to which the privilege of engaging in the coastwise trade is extended by sections 18 or 22 of this Act: *Provided*, That no vessel having at any time acquired the lawful right to engage in the coastwise trade, either by virtue of having been built in, or documented under the laws of the United States, and later sold foreign in whole or in part, or placed under foreign registry, shall hereafter acquire the right to engage in the coastwise trade: *Provided further*, That this section shall not apply to merchandise transported between points within the continental United States, excluding Alaska, over through routes heretofore or hereafter recognized by the Interstate Commerce Commission for which routes rate tariffs have been or shall hereafter be filed with said Commission when such routes are in part over Canadian rail lines and their own or other connecting water facilities: *Provided further*, That this section shall not become effective upon the Yukon River until the Alaska Railroad shall be completed and the Shipping Board shall find that proper facilities will be furnished for transportation by persons citizens of the United States for properly handling the traffic: *Provided further*, That this section shall not apply to the transportation of merchandise loaded on railroad cars or to motor vehicles with or without trailers, and with their passengers or contents when accom-

Merchandise transported in coastwise trade in other than domestic built and documented vessels; forfeiture.

Provisos.
Domestic vessels sold foreign.

Routes excepted.

Application of, to Yukon River deferred.

Great Lakes ferriage.
Ante, p. 154.

panied by the operator thereof, when such railroad cars or motor vehicles are transported in any railroad car ferry operated between fixed termini on the Great Lakes as a part of a rail route, if such car ferry is owned by a common carrier by water and operated as part of a rail route with the approval of the Interstate Commerce Commission, and if the stock of such common carrier by water, or its predecessor, was owned or controlled by a common carrier by rail prior to June 5, 1920, and if the stock of the common carrier owning such car ferry is, with the approval of the Interstate Commerce Commission, now owned or controlled by any common carrier by rail and if such car ferry is built in and documented under the laws of the United States."

Approved, July 2, 1935.

[CHAPTER 356.]

AN ACT

July 2, 1935.
[H. R. 4764.]
[Public, No. 192.]

For the relief of the officers and men of the United States Naval and Marine Corps Reserves who performed flights in naval aircraft in connection with the search for victims and wreckage of the United States dirigible Akron.

Naval, etc., reserves.
Relief of certain officers, etc., who searched for victims of accident to dirigible "Akron."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That those officers and men of the United States Naval Reserve and the United States Marine Corps Reserve who, while on authorized active or training duty without pay, between the dates of April 4, 1933, and April 7, 1933, both dates inclusive, performed flights in naval aircraft in connection with the search for victims and wreckage of the United States dirigible Akron, shall be considered as on active duty with pay and shall be entitled to the pay and allowances prescribed by law therefor during the time of performance of such duty.

Approved, July 2, 1935.

[CHAPTER 357.]

AN ACT

July 2, 1935.
[S. 2738.]
[Public, No. 193.]

To authorize the use of park property in the District of Columbia and its environs by the Boy Scouts of America at their national jamboree.

District of Columbia.
Boy Scouts national jamboree.
Ante, p. 105, amended.
Post, p. 658.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to authorize the Secretary of War and the Secretary of the Navy to lend Army and Navy equipment for use at the national jamboree of the Boy Scouts of America", approved April 1, 1935, is amended by adding at the end thereof a new section to read as follows:

Permits for use of public spaces, etc., authorized.

"SEC. 2. The Secretary of the Interior is hereby authorized to grant permits through the National Park Service and the Superintendent of National Capital Parks for use by the said Boy Scouts of portions of parks, reservations, or other public spaces under his control in the District of Columbia and environs as in his opinion may be temporarily spared for that purpose: *Provided*, That such use will inflict no serious or permanent injury upon any of the parks, reservations, or other public spaces: *And provided further*, That the parks, reservations, or other public spaces, which shall be so used or occupied, shall be promptly restored to their original condition by the Boy Scouts, and the said Boy Scouts shall indemnify the United States for all damages of any kind whatsoever

Provisos.
Condition.

Restoration after use.

Indemnity for any damages.

Housing facilities, erection authorized.

sustained by reason of any such use or occupancy. The privileges and usages granted by the Secretary of the Interior shall include the temporary erection of tents for entertainment, hospitals, commissaries and other subsistence quarters, and other purposes; and the said Boy Scouts are hereby authorized to charge reasonable fees for the use of the same, and to sell articles at said commissaries, which sales shall be solely for the convenience of the participants in the jamboree. The net profits derived from such sales or fees shall be used exclusively to aid in meeting expenses incident to the said jamboree. The sale of foodstuffs in or about such tents or elsewhere upon the public spaces used by the Boy Scouts as authorized by this bill, shall be under the supervision of the health officer of the District of Columbia and in accordance with regulations to be prescribed by him. The use and erection of tents shall at all times be subject to the supervision of the fire marshal of the District of Columbia and shall be subject to such regulations as he may prescribe.

Supervision of District officials.

"The erection and use of tents for any purpose involving health or sanitation shall be subject to the supervision of the health officer of the District of Columbia and to such regulations as he may prescribe."

Approved, July 2, 1935.

[CHAPTER 358.]

AN ACT

July 2, 1935. [H. R. 4123.] [Public, No. 194.]

Providing for the payment of $15 to each enrolled Chippewa Indian of the Red Lake Band of Minnesota from the timber funds standing to their credit in the Treasury of the United States.

Red Lake Band of Chippewa Indians, Minn. Per capita payment to, from tribal funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to withdraw from the Treasury so much as may be necessary of the principal timber fund on deposit to the credit of the Red Lake Band of the Chippewa Indians of the State of Minnesota and to make therefrom payment of $15 to each enrolled Chippewa Indian of the Red Lake Band of Minnesota, immediately payable upon the passage of this Act under such regulations as such Secretary shall prescribe. No payment shall be made under this Act until the Chippewa Indians of the Red Lake Band of Minnesota shall, in such manner as such Secretary shall prescribe, have accepted such payments and ratified the provisions of this Act. The money paid to the Indians under this Act shall not be subject to any lien or claim of whatever nature against any of said Indians.

Acceptance, etc.

Payments not subject to any lien, etc.

Approved, July 2, 1935.

[CHAPTER 359.]

AN ACT

July 2, 1935. [H. R. 5809.] [Public, No. 195.]

To amend an Act entitled "An Act to control the manufacture, transportation, possession, and sale of alcoholic beverages in the District of Columbia."

Alcoholic Beverage Control Act, D. C., amendments. Vol. 48, pp. 325, 997. *Post*, p. 899. Alcoholic beverages; display and sales.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsections (g) and (h) of section 11 are amended by adding at the end of the first paragraph of each, the following: "All alcoholic beverages offered for sale or sold by the holder of such licenses may be displayed and dispensed in full sight of the purchaser".

Approved, July 2, 1935.

[CHAPTER 367.]

AN ACT

To authorize the transfer of certain lands in Hopkins County, Kentucky, to the Commonwealth of Kentucky.

July 3, 1935.
[H. R. 3012.]
[Public, No. 196.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs is authorized and directed to convey to the Commonwealth of Kentucky, for State park purposes exclusively, without expense to the United States, all the right, title, and interest of the United States in and to certain lands in Hopkins County, Kentucky, described as follows:

Hopkins County, Ky.
Transfer of designated lands in, to State of Kentucky, authorized.

Description.

Beginning at an iron-pipe corner marked "H. L. & I. Co.–G. W. Beshear–Alexander Estate–C. T. Kirkwood–No. '1'", in a fence line, on the southerly side of a road, about thirty feet southerly from a culvert at a right-angle turn in a road, willow pointer;

Thence north seventy-three degrees thirty-three minutes thirty seconds west one thousand nine hundred seventy-nine and eighty-six one-hundredths feet to a square stone marked "No. '2'", on a flat, at a large leaning sweetgum, sweetgum and poplar pointers;

Thence north seventy-three degrees thirty-two minutes forty seconds west one thousand three hundred sixty-five and twelve one-hundredths feet to a square-stone corner marked "No. '3'", on a flat at a fence corner, large spanish-oak and hackberry pointers; said corner numbered 3 being also a corner to the property of L. B. Lamson;

Thence north seventeen degrees thirty-two minutes fifty seconds east nine hundred eight-seven and nineteen one-hundredths feet to an iron-pipe corner marked "H. L. & I. Co.–L. B. Lamson–No. '4'", on a southerly slope, near the northwesterly edge of a flat, about two hundred feet southerly from a road, large beech and forked beech pointers;

Thence north fifty-eight degrees six minutes thirty seconds east eight hundred forty-one and eight one-hundredths feet to a square-stone corner marked "No. '5'", on top of a sandstone cliff, sweetgum and white-oak pointers, both small;

Thence north three degrees twenty-five minutes thirty seconds east three hundred thirty-four and sixty-two one-hundredths feet to a square-stone corner marked "No. '6'", on a steep southerly hillside, below a sandstone cliff, two hickory, black-oak, white-oak, and sugar-tree pointers;

Thence north seventy-five degrees seven minutes forty seconds west seven hundred sixteen and twelve one-hundredths feet to a square-stone corner marked "No. '7'", on a southerly slope, about fifty feet northerly from a sandstone canyon, two hickory, black-oak, and black-walnut pointers;

Thence south seventy-three degrees nineteen minutes fifty seconds west one thousand six hundred eight and thirty one-hundredths feet to a square-stone marked "No. '8'", on the easterly side of a drain, about fifty feet southerly from a spring, two sweetgum, black-gum, and elm pointers;

Thence north twenty-seven degrees forty-two minutes ten seconds west one thousand seventy-two and fifty one-hundredths feet to a square-stone corner marked "No. '9'", on the westerly side of a road, at a large white-oak stump, said corner numbered 9 being also a corner to the properties of . . . Purdy and G. W. Beshear;

Thence north nine degrees twenty-six minutes twenty seconds east seven hundred three and twenty one-hundredths feet to a square-stone corner marked "No. '10'", on an easterly hillside, in a steep hollow, two sweetgum, two white-oak and elm pointers;

Description—Continued.

Thence north seventy-five degrees thirty minutes forty seconds east two hundred eighty-four and six one-hundredths feet to an iron-pipe corner marked "H. L. & I. Co.–G. W. Beshear-Ira Beshear–No. '11'", on a westerly hillside, about fifty feet easterly from a deep drain, black-oak and large white-oak pointers;

Thence north seventy-four degrees forty-seven minutes thirty seconds east three hundred forty-three and forty-six one-hundredths feet to an iron-pipe corner marked "H. L. & I. Co.–Ira Beshear–Isaac Beshear–No. '12'", at a stone on an easterly hillside, about fifteen feet southerly from a fence corner, two white-oak and hickory pointers;

Thence north seventy-four degrees twenty-seven minutes fifty seconds east one thousand one hundred forty-two and seven one-hundredths feet to an iron-pipe corner marked "H. L. & I. Co.–Isaac Beshear–Emit Beshear–No. '13'", at a stone on a northwesterly ridge near the head of a hollow, small sugar-tree, hickory, and large Spanish-oak pointers;

Thence north seventy-three degrees fifty-six minutes twenty seconds east one thousand one hundred seventy-nine and seventy-four one-hundredths feet to an iron-pipe corner marked "H. L. & I. Co.–Emit Beshear–No. '14'", where a square-stone corner was located in the Bellford Road ten feet westerly from a culvert and ten feet southerly from a fence-corner post;

Thence north four degrees forty-seven minutes ten seconds east nine hundred twenty-eight and one one-hundredth feet to a square-stone corner marked "No. '15'", on a northwesterly slope, on the southerly side of a field, five black-oak and hickory pointers;

Thence north forty-eight degrees fifty-two minutes east three hundred seventy-three and sixty-eight one-hundredths feet to a square-stone corner marked "No. '16'", on the northerly side of a field, beech, sugar tree, and double black-walnut pointers, said corner numbered 16 is also corner to the property of Jas. J. Hamby;

Thence north sixty-three degrees forty-eight minutes ten seconds east two hundred seventeen and twenty-eight one-hundredths feet to a square-stone corner marked "No. '17'", on a southerly hillside, at the corner of a field, large white-oak and two sugar-tree pointers;

Thence south twenty-eight degrees fifty-five minutes ten seconds east six hundred fifty-two and sixty-one one-hundredths feet to a square-stone corner marked "No. '18'", on a westerly hillside above a drain with a sandstone bottom, two white-oak and black-oak pointers;

Thence north seventy-three degrees fifty-five minutes ten seconds east one thousand one hundred twenty-seven and ten one-hundredths feet to a square-stone corner marked "No. '19'", in the head of a hollow, southwesterly from a house, about seventy-five feet northwesterly from the Bellford Road, large white-oak, hickory, and small white-oak pointers, said corner numbered 19 is also corner to the property of J. D. Eli (now M. P. Buntin);

Thence south one degree forty-three minutes fifty seconds east two hundred eighty-four and twelve one-hundredths feet to a square-stone marked "No. '20'", on a southerly slope, large white-oak, hickory, and three small white-oak pointers;

Thence south thirty-five degrees thirty-seven minutes twenty seconds east two thousand four hundred sixty-five feet to a square-stone corner marked "No. '21'", on an easterly hillside at the northerly side of a field, hickory, dogwood, red-oak, and sassafras pointers;

Description—Continued.

Thence south sixty-one degrees forty-three minutes forty seconds west one thousand two hundred sixty-three and twenty-four one-hundredths feet to an iron-pipe corner marked "H. L. & I. Co.–W. R. Ligon–Pest House–No. '22'", on the northerly side of a large ridge, near the southerly side of an old field, three hickory and elm pointers;

Thence south sixty-one degrees forty-three minutes forty seconds west two hundred eight and seventy-six one-hundredths feet to a square-stone corner marked "No. '23'", on top of a broad ridge about one hundred and thirty-five feet northerly from the pest house, black-oak, white-oak, cedar, and two hickory pointers;

Thence south one degree six minutes ten seconds west six hundred seventy-seven and three one-hundredths feet to an iron-pipe corner marked "H. L. & I. Co.–Alexander Estate–Pest House–No. '24'", on an easterly slope about twenty feet westerly from a drain, black-oak, black-walnut, and two hickory pointers;

Thence south one degree fifty-one minutes west four hundred fifty-three and sixty-eight one-hundredths feet to an iron-pipe corner marked "H. L. & I. Co.–Alexander Estate–No. '25'", on the easterly side of a drain, beech pointer;

Thence zero degrees four minutes thirty seconds west three hundred eight and eighty-five one-hundredths feet to an iron-pipe corner marked "H. L. & I. Co.–Alexander Estate–No. '26'", about twenty-five feet westerly from a drain, large sycamore and black-walnut pointers;

Thence south thirty degrees forty-one minutes thirty seconds east four hundred ninety-seven and seventy-six one-hundredths feet to an iron-pipe corner marked "H. L. & I. Co.–Alexander Estate–No. '27'", on the easterly side of a flat on the westerly side of a drain, two sweetgum pointers;

Thence south nine degrees five minutes east one hundred eighty-four and seventy-seven one-hundredths feet to an iron-pipe corner marked "H. L. & I. Co.–Alexander Estate–No. '28'", in the westerly side of a drain, at the foot of a bank, sycamore, elm, and persimmon pointers;

Thence south twenty-five degrees twenty-four minutes thirty seconds west two hundred thirty-five and thirty-four one-hundredths feet to an iron-pipe corner marked "H. L. & I. Co.–Alexander Estate–No. '29'", on a flat on the westerly side of a drain, honey-locust pointer;

Thence south forty-seven degrees twenty-four minutes thirty seconds west two hundred thirty-three and thirty-one one-hundredths feet to an iron-pipe corner marked "H. L. & I. Co.–Alexander Estate–No. '30'", on a flat on the westerly side of a branch, on the easterly side of a road, sycamore, elm, and willow pointers;

Thence south fifteen degrees fifty-five minutes thirty seconds west four hundred thirty-seven and twenty-five one-hundredths feet to the place of beginning, containing four hundred forty-seven and fifty one-hundredths acres more or less; being the same tract or parcel of land conveyed to the Government of the United States by the Hillman Land Company, on the 30th day of March 1921, and recorded in Deed Book Numbered 109, page 537, in the Hopkins County court clerk's office.

Reversionary provision.

Such conveyance shall contain the express condition that if the Commonwealth of Kentucky shall at any time cease to use such lands for State park purposes exclusively, or shall alienate or attempt to alienate such lands, title thereto shall revert to the United States.

Approved, July 3, 1935.

[CHAPTER 368.]

AN ACT

July 3, 1935.
[H. R. 7235.]
[Public, No. 197.]

To amend the Act entitled "An Act to make provision for suitable quarters for certain Government services at El Paso, Texas, and for other purposes."

Quarters for Government services at El Paso, Tex.
Vol. 48, p. 1119, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to amend the Act to make provision for suitable quarters for certain Government services at El Paso, Texas, and for other purposes", approved June 19, 1934, is amended to read as follows:

Lease authorized when premises designated are ready for occupancy.

"That when the owners of the tract of land situated in the city and county of El Paso and State of Texas, more fully described as follows, to wit——

Description.

"Beginning at a point on the east line of South Santa Fe Street, which point is the intersection of the west line of block 21 of the Campbell Addition to the city of El Paso and the southerly line of the present levee now occupied as a right-of-way of the Rio Grande and El Paso Railroad; and which point of intersection is sixty-six and eighty-two one-hundredths feet northerly from the southwest corner of said block 21, the beginning point of this tract; thence southerly along the west line of said block 21, and the east line of South Santa Fe Street at sixty-six and eighty-two one hundredths feet past the southwest corner of said block 21 and at one hundred and thirty-six and eighty-two one-hundredths feet past the northwest corner of block 17 of the Campbell Addition and at one hundred and eighty-eight and eighty-two one-hundredths feet past the southwest corner of this tract; thence easterly at right angles to the center of an alley one hundred and thirty feet; thence northerly and parallel with the east line of South Santa Fe Street one hundred and twenty-four feet more or less to the south line of the above-mentioned levee; thence in a northwesterly direction along the south line of said levee one hundred and thirty-five feet more or less to the place of beginning being part of lots 18, 19, and 20 in block 21 of the Campbell Addition, and that part of Eleventh Street between blocks 21 and 17 having a width of seventy feet by one hundred and thirty feet, and all of lots 11 and 12 in block 17 above referred to and the west half of the alley adjoining the lots herein mentioned. The property herein described has a frontage of one hundred and eighty-eight and eighty-two one-hundredths feet on South Santa Fe Street, a width of one hundred and thirty feet on the south side, has approximately one hundred and twenty-four feet on the east side, and on the north side one hundred and thirty-five feet."

"(hereafter called the 'owners'), have agreed to erect upon such premises, or upon an equivalent area which has been approved by the Secretary of the Treasury, a building of such design, plan, and specifications as may be approved by the Secretary of the Treasury as suitable for the use of the Bureau of Immigration, the Bureau of Customs, the United States Public Health Service, and the Bureau of Plant Quarantine; the Secretary of the Treasury is authorized and directed to negotiate, and, subject to an appropriation therefor, lease such building and such premises from the owners for a term of twenty-five years after such building is ready for occupancy at a fair annual rental, subject to the limitations of section 322 of Part II of the Legislative Appropriation Act for the fiscal year ending June 30, 1933, approved June 30, 1932. Such lease shall contain a provision for a cancellation of the lease in the event that the lots on which the building is to be constructed are determined, judicially or by agreement, to be lands subject to the jurisdiction

Vol. 47, p. 412.

Provision for cancellation of lease.

of the United States of Mexico. In the event that such lands are so determined to be lands subject to the jurisdiction of the United States of Mexico and that as a result of such determination the owners or their assignees lose their title thereto and the lease is canceled, the United States shall pay to the owners or their assignees the fair value of the building at the completion of its construction (but not in excess of the actual cost of construction), less an amount equal to one-third of 1 per centum of such cost or value for each month that the lease was in effect prior to such determination.

Payment to owners.

Deduction.

SEC. 2. There is authorized to be appropriated such amounts as may be necessary to pay the installments of rent provided for in such lease."

Appropriation authorized.

Approved, July 3, 1935.

[CHAPTER 372.]

AN ACT

July 5, 1935.
[S. 1958.]
[Public, No. 198.]

To diminish the causes of labor disputes burdening or obstructing interstate and foreign commerce, to create a National Labor Relations Board, and for other purposes.

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

FINDINGS AND POLICY

National Labor Relations Act.
Findings and policy.

SECTION 1. The denial by employers of the right of employees to organize and the refusal by employers to accept the procedure of collective bargaining lead to strikes and other forms of industrial strife or unrest, which have the intent or the necessary effect of burdening or obstructing commerce by (a) impairing the efficiency, safety, or operation of the instrumentalities of commerce; (b) occurring in the current of commerce; (c) materially affecting, restraining, or controlling the flow of raw materials or manufactured or processed goods from or into the channels of commerce, or the prices of such materials or goods in commerce; or (d) causing diminution of employment and wages in such volume as substantially to impair or disrupt the market for goods flowing from or into the channels of commerce.

The inequality of bargaining power between employees who do not possess full freedom of association or actual liberty of contract, and employers who are organized in the corporate or other forms of ownership association substantially burdens and affects the flow of commerce, and tends to aggravate recurrent business depressions, by depressing wage rates and the purchasing power of wage earners in industry and by preventing the stabilization of competitive wage rates and working conditions within and between industries.

Experience has proved that protection by law of the right of employees to organize and bargain collectively safeguards commerce from injury, impairment, or interruption, and promotes the flow of commerce by removing certain recognized sources of industrial strife and unrest, by encouraging practices fundamental to the friendly adjustment of industrial disputes arising out of differences as to wages, hours, or other working conditions, and by restoring equality of bargaining power between employers and employees.

It is hereby declared to be the policy of the United States to eliminate the causes of certain substantial obstructions to the free flow of commerce and to mitigate and eliminate these obstructions when they have occurred by encouraging the practice and procedure of collective bargaining and by protecting the exercise by workers

of full freedom of association, self-organization, and designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection.

Definitions.

DEFINITIONS

SEC. 2. When used in this Act—

"Person." (1) The term "person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers.

"Employer." (2) The term "employer" includes any person acting in the interest of an employer, directly or indirectly, but shall not include the United States, or any State or political subdivision thereof, or any person subject to the Railway Labor Act, as amended from time to time, or any labor organization (other than when acting as an employer), or anyone acting in the capacity of officer or agent of such labor organization.

"Employee." (3) The term "employee" shall include any employee, and shall not be limited to the employees of a particular employer, unless the Act explicitly states otherwise, and shall include any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice, and who has not obtained any other regular and substantially equivalent employment, but shall not include any individual employed as an agricultural laborer, or in the domestic service of any family or person at his home, or any individual employed by his parent or spouse.

"Representatives." (4) The term "representatives" includes any individual or labor organization.

"Labor organization." (5) The term "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

"Commerce." (6) The term "commerce" means trade, traffic, commerce, transportation, or communication among the several States, or between the District of Columbia or any Territory of the United States and any State or other Territory, or between any foreign country and any State, Territory, or the District of Columbia, or within the District of Columbia or any Territory, or between points in the same State but through any other State or any Territory or the District of Columbia or any foreign country.

"Affecting commerce." (7) The term "affecting commerce" means in commerce, or burdening or obstructing commerce or the free flow of commerce, or having led or tending to lead to a labor dispute burdening or obstructing commerce or the free flow of commerce.

"Unfair labor practice." (8) The term "unfair labor practice" means any unfair labor practice listed in section 8.

"Labor dispute." (9) The term "labor dispute" includes any controversy concerning terms, tenure or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee.

"National Labor Relations Board." (10) The term "National Labor Relations Board" means the National Labor Relations Board created by section 3 of this Act.

(11) The term "old Board" means the National Labor Relations Board established by Executive Order Numbered 6763 of the President on June 29, 1934, pursuant to Public Resolution Numbered 44, approved June 19, 1934 (48 Stat. 1183), and reestablished and continued by Executive Order Numbered 7074 of the President of June 15, 1935, pursuant to Title I of the National Industrial Recovery Act (48 Stat. 195) as amended and continued by Senate Joint Resolution 133 [1] approved June 14, 1935.

"Old Board."

Executive Order 6763. Vol. 48, p. 1183.
Executive Order 7074. Vol. 48, p. 195.
Ante, p. 375.

NATIONAL LABOR RELATIONS BOARD

National Labor Relations Board.

SEC. 3. (a) There is hereby created a board, to be known as the "National Labor Relations Board" (hereinafter referred to as the "Board"), which shall be composed of three members, who shall be appointed by the President, by and with the advice and consent of the Senate. One of the original members shall be appointed for a term of one year, one for a term of three years, and one for a term of five years, but their successors shall be appointed for terms of five years each, except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The President shall designate one member to serve as chairman of the Board. Any member of the Board may be removed by the President, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause.

Composition; appointment.
Post, p. 1177.

Terms of office.

Chairman.

Removals.

(b) A vacancy in the Board shall not impair the right of the remaining members to exercise all the powers of the Board, and two members of the Board shall, at all times, constitute a quorum. The Board shall have an official seal which shall be judicially noticed.

Quorum, seal, etc.

(c) The Board shall at the close of each fiscal year make a report in writing to Congress and to the President stating in detail the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees and officers in the employ or under the supervision of the Board, and an account of all moneys it has disbursed.

Annual report.

SEC. 4. (a) Each member of the Board shall receive a salary of $10,000 a year, shall be eligible for reappointment, and shall not engage in any other business, vocation, or employment. The Board shall appoint, without regard for the provisions of the civil-service laws but subject to the Classification Act of 1923, as amended, an executive secretary, and such attorneys, examiners, and regional directors, and shall appoint such other employees with regard to existing laws applicable to the employment and compensation of officers and employees of the United States, as it may from time to time find necessary for the proper performance of its duties and as may be from time to time appropriated for by Congress. The Board may establish or utilize such regional, local, or other agencies, and utilize such voluntary and uncompensated services, as may from time to time be needed. Attorneys appointed under this section may, at the direction of the Board, appear for and represent the Board in any case in court. Nothing in this Act shall be construed to authorize the Board to appoint individuals for the purpose of conciliation or mediation (or for statistical work), where such service may be obtained from the Department of Labor.

Salaries.
Post, p. 1112.

Appointment of personnel.
Vol. 46, p. 1003; U. S. C., p. 85.

Attorneys, regional directors, etc.

Agencies available.

Appointment of mediators; restriction.

(b) Upon the appointment of the three original members of the Board and the designation of its chairman, the old Board shall cease

Old Board abolished.

[1] So in original.

Transfer of employees, records, etc.

to exist. All employees of the old Board shall be transferred to and become employees of the Board with salaries under the Classification Act of 1923, as amended, without acquiring by such transfer a permanent or civil service status. All records, papers, and property of the old Board shall become records, papers, and property of the Board, and all unexpended funds and appropriations for the use and maintenance of the old Board shall become funds and appropriations available to be expended by the Board in the exercise of the powers, authority, and duties conferred on it by this Act.

Expense allowances.

(c) All of the expenses of the Board, including all necessary traveling and subsistence expenses outside the District of Columbia incurred by the members or employees of the Board under its orders, shall be allowed and paid on the presentation of itemized vouchers therefor approved by the Board or by any individual it designates for that purpose.

Principal office.

SEC. 5. The principal office of the Board shall be in the District of Columbia, but it may meet and exercise any or all of its powers at any other place.

Prosecution of inquiries.

The Board may, by one or more of its members or by such agents or agencies as it may designate, prosecute any inquiry necessary to its functions in any part of the United States. A member who participates in such an inquiry shall not be disqualified from subsequently participating in a decision of the Board in the same case.

Administrative rules.

SEC. 6. (a) The Board shall have authority from time to time to make, amend, and rescind such rules and regulations as may be necessary to carry out the provisions of this Act. Such rules and regulations shall be effective upon publication in the manner which the Board shall prescribe.

RIGHTS OF EMPLOYEES

Rights of employees specified.

SEC. 7. Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities, for the purpose of collective bargaining or other mutual aid or protection.

Unfair labor practices.

SEC. 8. It shall be an unfair labor practice for an employer—

(1) To interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in section 7.

(2) To dominate or interfere with the formation or administration of any labor organization or contribute financial or other support to it: *Provided*, That subject to rules and regulations made and published by the Board pursuant to section 6 (a), an employer shall not be prohibited from permitting employees to confer with him during working hours without loss of time or pay.

(3) By discrimination in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization: *Provided*, That nothing in this Act, or in the National Industrial Recovery Act (U. S. C., Supp. VII, title 15, secs. 701–712), as amended from time to time, or in any code or agreement approved or prescribed thereunder, or in any other statute of the United States, shall preclude an employer from making an agreement with a labor organization (not established, maintained, or assisted by any action defined in this Act as an unfair labor practice) to require as a condition of employment membership therein, if such labor organization is the representative of the employees as provided in section 9 (a), in the appropriate collective bargaining unit covered by such agreement when made.

Vol. 48, p. 195; *Ante*, p. 375.

(4) To discharge or otherwise discriminate against an employee because he has filed charges or given testimony under this Act.

(5) To refuse to bargain collectively with the representatives of his employees, subject to the provisions of Section 9 (a).

REPRESENTATIVES AND ELECTIONS

Representatives and elections.

Majority rule principle in collective bargaining, etc.

SEC. 9. (a) Representatives designated or selected for the purposes of collective bargaining by the majority of the employees in a unit appropriate for such purposes, shall be the exclusive representatives of all the employees in such unit for the purposes of collective bargaining in respect to rates of pay, wages, hours of employment, or other conditions of employment: *Provided*, That any individual employee or a group of employees shall have the right at any time to present grievances to their employer.

Proviso. Individual right to present grievances.

Standards for appropriate bargaining, etc.

(b) The Board shall decide in each case whether, in order to insure to employees the full benefit of their right to self-organization and to collective bargaining, and otherwise to effectuate the policies of this Act, the unit appropriate for the purposes of collective bargaining shall be the employer unit, craft unit, plant unit, or subdivision thereof.

Representatives of employees. Method for selecting, etc.

(c) Whenever a question affecting commerce arises concerning the representation of employees, the Board may investigate such controversy and certify to the parties, in writing, the name or names of the representatives that have been designated or selected. In any such investigation, the Board shall provide for an appropriate hearing upon due notice, either in conjunction with a proceeding under section 10 or otherwise, and may take a secret ballot of employees, or utilize any other suitable method to ascertin [1] such representatives.

Hearings.

Board orders based on foregoing results.

(d) Whenever an order of the Board made pursuant to section 10 (c) is based in whole or in part upon facts certified following an investigation pursuant to subsection (c) of this section, and there is a petition for the enforcement or review of such order, such certification and the record of such investigation shall be included in the transcript of the entire record required to be filed under subsections 10 (e) or 10 (f), and thereupon the decree of the court enforcing, modifying, or setting aside in whole or in part the order of the Board shall be made and entered upon the pleadings, testimony, and proceedings set forth in such transcript.

Enforcement or review.

PREVENTION OF UNFAIR LABOR PRACTICES

Prevention of unfair labor practices, affecting commerce. Authority of Board.

SEC. 10. (a) The Board is empowered, as hereinafter provided, to prevent any person from engaging in any unfair labor practice (listed in section 8) affecting commerce. This power shall be exclusive, and shall not be affected by any other means of adjustment or prevention that has been or may be established by agreement, code, law, or otherwise.

Complaints; filing.

Service of charges.

Notice of hearing.

(b) Whenever it is charged that any person has engaged in or is engaging in any such unfair labor practice, the Board, or any agent or agency designated by the Board for such purposes, shall have power to issue and cause to be served upon such person a complaint stating the charges in that respect, and containing a notice of hearing before the Board or a member thereof, or before a designated agent or agency, at a place therein fixed, not less than five days after the serving of said complaint. Any such complaint may be amended by the member, agent, or agency conducting the hearing.

Amendment of complaint.

[1] So in original.

or the Board in its discretion at any time prior to the issuance of an order based thereon. The person so complained of shall have the right to file an answer to the original or amended complaint and to appear in person or otherwise and give testimony at the place and time fixed in the complaint. In the discretion of the member, agent or agency conducting the hearing or the Board, any other person may be allowed to intervene in the said proceeding and to present testimony. In any such proceeding the rules of evidence prevailing in courts of law or equity shall not be controlling.

Appearance and answer of accused.

Prevailing rules of evidence; effect of.

Preservation of testimony.

(c) The testimony taken by such member, agent or agency or the Board shall be reduced to writing and filed with the Board. Thereafter, in its discretion, the Board upon notice may take further testimony or hear argument. If upon all the testimony taken the Board shall be of the opinion that any person named in the complaint has engaged in or is engaging in any such unfair labor practice, then the Board shall state its findings of fact and shall issue and cause to be served on such person an order requiring such person to cease and desist from such unfair labor practice, and to take such affirmative action, including reinstatement of employees with or without back pay, as will effectuate the policies of this Act. Such order may further require such person to make reports from time to time showing the extent to which it has complied with the order. If upon all the testimony taken the Board shall be of the opinion that no person named in the complaint has engaged in or is engaging in any such unfair labor practice, then the Board shall state its findings of fact and shall issue an order dismissing the said complaint.

Cease and desist orders.

Reports of compliance; requirement.

Dismissal of complaint.

Modification, etc., of order.

(d) Until a transcript of the record in a case shall have been filed in a court, as hereinafter provided, the Board may at any time, upon reasonable notice and in such manner as it shall deem proper, modify or set aside, in whole or in part, any finding or order made or issued by it.

Enforcement.

Board authorized to petition any circuit court of appeals.

(e) The Board shall have power to petition any circuit court of appeals of the United States (including the Court of Appeals of the District of Columbia), or if all the circuit courts of appeals to which application may be made are in vacation, any district court of the United States (including the Supreme Court of the District of Columbia), within any circuit or district, respectively, wherein the unfair labor practice in question occurred or wherein such person resides or transacts business, for the enforcement of such order and for appropriate temporary relief or restraining order, and shall certify and file in the court a transcript of the entire record in the proceeding, including the pleadings and testimony upon which such order was entered and the findings and order of the Board. Upon such filing, the court shall cause notice thereof to be served upon such person, and thereupon shall have jurisdiction of the proceeding and of the question determined therein, and shall have power to grant such temporary relief or restraining order as it deems just and proper, and to make and enter upon the pleadings, testimony, and proceedings set forth in such transcript a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the Board. No objection that has not been urged before the Board, its member, agent or agency, shall be considered by the court, unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances. The findings of the Board as to the facts, if supported by evidence, shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such addi-

Temporary restraining order provided.

Papers to be filed.

Notice; jurisdiction and powers of court.

Objections; consideration of.

Findings conclusive of facts.

Additional evidence.

tional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing before the Board, its member, agent, or agency, the court may order such additional evidence to be taken before the Board, its member, agent, or agency, and to be made a part of the transcript. The Board may modify its findings as to the facts, or make new findings, by reason of additional evidence so taken and filed, and it shall file such modified or new findings, which, if supported by evidence, shall be conclusive, and shall file its recommendations, if any, for the modification or setting aside of its original order. The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to review by the appropriate circuit court of appeals if application was made to the district court as hereinabove provided, and by the Supreme Court of the United States upon writ of certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended (U. S. C., title 28, secs. 346 and 347).

Modification by Board.

Jurisdiction of court. Decree final; review allowed.

U. S. C., p. 1271.

(f) Any person aggrieved by a final order of the Board granting or denying in whole or in part the relief sought may obtain a review of such order in any circuit court of appeals of the United States in the circuit wherein the unfair labor practice in question was alleged to have been engaged in or wherein such person resides or transacts business, or in the Court of Appeals of the District of Columbia, by filing in such court a written petition praying that the order of the Board be modified or set aside. A copy of such petition shall be forthwith served upon the Board, and thereupon the aggrieved party shall file in the court a transcript of the entire record in the proceeding, certified by the Board, including the pleading and testimony upon which the order complained of was entered and the findings and order of the Board. Upon such filing, the court shall proceed in the same manner as in the case of an application by the Board under subsection (e), and shall have the same exclusive jurisdiction to grant to the Board such temporary relief or restraining order as it deems just and proper, and in like manner to make and enter a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the Board; and the findings of the Board as to the facts, if supported by evidence, shall in like manner be conclusive.

Application to set aside orders.

Procedure, etc.

(g) The commencement of proceedings under subsection (e) or (f) of this section shall not, unless specifically ordered by the court, operate as a stay of the Board's order.

Board's order not stayed by commencement of proceedings.

(h) When granting appropriate temporary relief or a restraining order, or making and entering a decree enforcing, modifying, and enforcing as so modified or setting aside in whole or in part an order of the Board, as provided in this section, the jurisdiction of courts sitting in equity shall not be limited by the Act entitled "An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes", approved March 23, 1932 (U. S. C., Supp. VII, title 29, secs. 101–115).

Jurisdiction of equity courts not impaired.

Vol. 47, p. 70. U. S. C., p. 1326.

(i) Petitions filed under this Act shall be heard expeditiously, and if possible within ten days after they have been docketed.

Expeditious hearings.

INVESTIGATORY POWERS

SEC. 11. For the purpose of all hearings and investigations, which, in the opinion of the Board, are necessary and proper for the exercise of the powers vested in it by section 9 and section 10—

Investigatory powers. *Ante*, p. 453.

(1) The Board, or its duly authorized agents or agencies, shall at all reasonable times have access to, for the purpose of examination, and the right to copy any evidence of any person being investigated

Examinations, securing evidence, etc.

Subpena powers.

or proceeded against that relates to any matter under investigation or in question. Any member of the Board shall have power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation or in question, before the Board, its member, agent, or agency

Administration of oaths, etc.

conducting the hearing or investigation. Any member of the Board, or any agent or agency designated by the Board for such purposes, may administer oaths and affirmations, examine witnesses, and receive

Witnesses, etc.

evidence. Such attendance of witnesses and the production of such evidence may be required from any place in the United States or any Territory or possession thereof, at any designated place of hearing.

Contumacy or refusal to obey subpena. Punishment for.

(2) In case of contumacy or refusal to obey a subpena issued to any person, any District Court of the United States or the United States courts of any Territory or possession, or the Supreme Court of the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Board shall have jurisdiction to issue to such person an order requiring such person to appear before the Board, its member, agent, or agency, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

Privilege of witnesses.

(3) No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to the subpena of the Board, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning

Personal immunity.

which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

Service of orders, etc.

(4) Complaints, orders, and other process and papers of the Board, its member, agent, or agency, may be served either personally or by registered mail or by telegraph or by leaving a copy thereof at the principal office or place of business of the person required to be served. The verified return by the individual so serving the same setting forth the manner of such service shall be proof of the same, and the return post office receipt or telegraph receipt therefor when registered and mailed or telegraphed as aforesaid shall be proof of

Witness fees, etc.

service of the same. Witnesses summoned before the Board, its member, agent, or agency, shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like services in the courts of the United States.

Venue provisions.

(5) All process of any court to which application may be made under this Act may be served in the judicial district wherein the defendant or other person required to be served resides or may be found.

Government agencies to assist.

(6) The several departments and agencies of the Government, when directed by the President, shall furnish the Board, upon its request, all records, papers, and information in their possession relating to any matter before the Board.

Protection of Board members, etc.

SEC. 12. Any person who shall willfully resist, prevent, impede, or interfere with any member of the Board or any of its agents or

agencies in the performance of duties pursuant to this Act shall be punished by a fine of not more than $5,000 or by imprisonment for not more than one year, or both.

LIMITATIONS

Limitations.

SEC. 13. Nothing in this Act shall be construed so as to interfere with or impede or diminish in any way the right to strike.

Right to strike.

SEC. 14. Wherever the application of the provisions of section 7 (a) of the National Industrial Recovery Act (U. S. C., Supp. VII, title 15, sec. 707 (a)), as amended from time to time, or of section 77 B, paragraphs (l) and (m) of the Act approved June 7, 1934, entitled "An Act to amend an Act entitled 'An Act to establish a uniform system of bankruptcy throughout the United States' approved July 1, 1898, and Acts amendatory thereof and supplementary thereto" (48 Stat. 922, pars. (l) and (m)), as amended from time to time, or of Public Resolution Numbered 44, approved June 19, 1934 (48 Stat. 1183), conflicts with the application of the provisions of this Act, this Act shall prevail: *Provided*, That in any situation where the provisions of this Act cannot be validly enforced, the provisions of such other Acts shall remain in full force and effect.

Conflicts with other Acts.
National Recovery Act.
Vol. 48, p. 198; U. S. C., p. 584.
Ante, p. 375.
Bankruptcy Act, amendments.
Vol. 48, p. 922.
National industrial labor boards.
Vol. 48, p. 1183.
Proviso.
Validity provision.

SEC. 15. If any provision of this Act, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of this Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

Separability clause.

SEC. 16. This Act may be cited as the "National Labor Relations Act."

Title.

Approved, July 5, 1935.

[CHAPTER 373.]

AN ACT

To incorporate The American National Theater and Academy.

July 5, 1935.
[S. 2642.]
[Public, No. 199.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Leopold Stokowski, of Philadelphia, Pennsylvania; Evelyn Price (Mrs. Eli Kirk Price), of Philadelphia, Pennsylvania; George W. Norris, of Philadelphia, Pennsylvania; Samuel S. Fleischer, of Philadelphia, Pennsylvania; Amory Hare Hutchinson, of Philadelphia, Pennsylvania; Ellen D. Cleveland (Mrs. Richard F. Cleveland), of Baltimore, Maryland; Otto T. Mallory, of Philadelphia, Pennsylvania; Roland S. Morris, of Philadelphia, Pennsylvania; Mrs. George H. Lorimer, of Philadelphia, Pennsylvania; Hugh Hampton Young, of Baltimore, Maryland; Richard F. Cleveland, of Baltimore, Maryland; J. Howard Reber, of Philadelphia, Pennsylvania; Mary Stewart French, of Philadelphia, Pennsylvania; Clara R. Mason, of Philadelphia, Pennsylvania; Katharine Dexter McCormick (Mrs. Stanley McCormick), of Chicago, Illinois; Evangeline Stokowski (Mrs. Leopold Stokowski), of New York, New York; Elsie Jenkins Symington (Mrs. Donald Symington), of Baltimore, Maryland; B. Howell Griswold, of Baltimore, Maryland; Ann Morgan, of New York, New York; John Hay Whitney, of New York, New York; Otto H. Kahn, of New York, New York; Harriet Barnes Pratt (Mrs. Harold I. Pratt), of New York, New York; Mrs. W. Murray Crane, of New York, New York; A. Conger Goodyear, of New York, New York; Alice Garrett (Mrs. John W. Garrett), of Baltimore, Maryland; John W. Garrett, of Baltimore, Maryland;

The American National Theater and Academy.
Incorporators.

Joy Montgomery Higgins, of New York, New York; Arthur Woods, of New York, New York; Helen Woods (Mrs. Arthur Woods), of New York, New York; C. Lawton Campbell, of New York, New York; John H. Finley, of New York, New York; Cass Canfield, of New York, New York; Katharine E. Canfield (Mrs. Cass Canfield), of New York, New York; William Rhinelander Stewart, of New York, New York; Dorothea Blagden (Mrs. Linzee Blagden), of New York, New York; John W. Davis, of New York, New York; Francis Anita Crane, of New York, New York; Frank L. Polk, of New York, New York; Edward M. M. Warburg, of New York, New York; William Green, of Washington, District of Columbia; Mary Chichester du Pont (Mrs. Felix du Pont), of Wilmington, Delaware; Betty Hawley, of New York, New York; Isabelle Anderson (Mrs. Larz Anderson), of Washington, District of Columbia; Mabel Boardman, of Washington, District of Columbia; Huibertje Lansing Pryn Hamlin (Mrs. Charles Hamlin), of Washington, District of Columbia; their associates and successors, duly chosen, are hereby incorporated, constituted, and declared to be a body corporate. The name of this corporation shall be "The American National Theater and Academy."

Name.

Nonprofit and without capital stock. Purposes stated.

SEC. 2. The corporation shall be nonprofit and without capital stock. Its purposes shall embrace:

(a) The presentation of theatrical productions of the highest type;

(b) The stimulation of public interest in the drama as an art belonging both to the theater and to literature and thereby to be enjoyed both on the stage and in the study;

(c) The advancement of interest in the drama throughout the United States of America by furthering in the production of the best plays, interpreted by the best actors at a minimum cost;

(d) The further development of the study of drama of the present and past in our universities, colleges, schools, and elsewhere;

(e) The sponsoring, encouraging, and developing of the art and technique of the theater through a school within the National Academy.

Corporate powers.

SEC. 3. That the corporation created by this Act shall have the following powers:

To have perpetual succession with power to sue and to be sued in the courts of law and equity; to receive, hold, own, use, mortgage, and dispose of such real estate and personal property as shall be necessary for its corporate purposes; to adopt a corporate seal and alter the same at pleasure; to adopt a constitution, bylaws, and regulations to carry out its purposes not inconsistent with the laws of the United States or any States; to establish and maintain offices and buildings for the conduct of its business; to establish State and Territorial organizations and local branches; and generally to do all such acts and things as may be necessary and proper in carrying into effect the purposes of the corporation.

Nonpolitical, etc., character.

SEC. 4. That the organization shall be nonpolitical, nonsectarian, as an organization shall not promote the candidacy of any persons seeking public office. There shall be no honorary members.

No honorary members.

Exclusive use of name.

SEC. 5. That said corporation and its State and local branches and subdivisions shall have the sole and exclusive right to have and to use in carrying out its purposes the name "The American National Theater and Academy."

Headquarters, etc.

SEC. 6. That said corporation be, and is hereby, authorized to have its headquarters and hold its meetings at such places within or without the District of Columbia as it from time to time may deem best.

SEC. 7. The corporation is hereby authorized and empowered to receive by devise, bequest, donation, or otherwise, either real or personal property, and to hold the same absolutely or in trust and to invest, reinvest, and manage the same in accordance with the provisions of its constitution and to apply said property and the income arising therefrom to the objects of its creation and according to the instructions of its donors. Property rights.

SEC. 8. That said corporation shall on or before the 1st day of January in each year make and transmit to Congress a report of its proceedings for the preceding calendar year, including a full and complete report of its receipts and expenditures: *Provided, however,* That said report shall not be printed as a public document. Report to Congress. *Proviso.* Not printed as public document.

SEC. 9. That as a condition precedent to the exercise of any power or privilege herein granted or conferred, "The American National Theater and Academy" shall file in the office of the Secretary or the properly designated officer of each State or Territory or the District of Columbia in which is located either its headquarters or branches or subdivisions thereof the name and post-office address of an authorized agent upon whom legal process or demand against "The American National Theater and Academy" may be served. State, etc., agents.

SEC. 10. That the right to repeal, alter, or amend this Act is hereby expressly reserved. Amendment.

Approved, July 5, 1935.

[CHAPTER 374.]

AN ACT

Making appropriations for the Legislative Branch of the Government for the fiscal year ending June 30, 1936, and for other purposes.

July 8, 1935.
[H. R. 8021.]
[Public, No. 200.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch of the Government for the fiscal year ending June 30, 1936, namely: Legislative Branch Appropriation Act, 1936.

SENATE

Senate.

SALARIES AND MILEAGE OF SENATORS

Senators.

For compensation of Senators, $960,000. Compensation.

For mileage of the President of the Senate and of Senators, $51,000 and hereafter the President of the Senate shall be paid mileage at the same rate and in the same manner as now allowed by law to Senators, Members of the House of Representatives, and Delegates in Congress. Mileage. Allowance to President of the Senate.

For compensation of officers, clerks, messengers, and others: Officers, clerks, messengers, etc.

OFFICE OF THE VICE PRESIDENT

Vice President's office.

Salaries: Secretary to the Vice President, $4,620; clerk, $2,400; assistant clerks—one $2,280, one $2,160; in all, $11,460. Secretary to, and clerks.

CHAPLAIN

Chaplain.

Chaplain of the Senate, $1,680.

OFFICE OF THE SECRETARY

Secretary's office.

Salaries: Secretary of the Senate, including compensation as disbursing officer of salaries of Senators and of contingent fund of the Senate, $8,000; chief clerk, who shall perform the duties of reading Secretary, assistants, clerks, etc.

clerk, $5,500 and $1,000 additional so long as the position is held by the present incumbent; financial clerk, $5,000 and $2,000 additional so long as the position is held by the present incumbent; assistant financial clerk, $4,200; Parliamentarian and Journal clerk, $5,000 and $1,000 additional so long as the position is held by the present incumbent; principal clerk, $3,600; legislative clerk, $4,000 and $1,000 additional so long as the position is held by the present incumbent; enrolling clerk, $4,000 and $1,000 additional so long as the position is held by the present incumbent; printing clerk, $3,540; chief bookkeeper, $3,600; librarian, $3,360; executive clerk, and assistant Journal clerk, at $3,180 each; first assistant librarian, and keeper of stationery, at $3,120 each; assistant librarian, and assistant keeper of stationery, at $2,400 each; clerks—one at $2,880 and $300 additional so long as the position is held by the present incumbent, four at $2,880 each, two at $2,640 each, one at $2,400, four at $2,040 each, two at $1,740 each; special officer, $2,460; two assistants in the library at $1,740 each; laborers—one at $1,620, five at $1,380 each, one in secretary's office, $1,680; in all, $123,360.

Parliamentarian and Journal clerk.

Document Room.

DOCUMENT ROOM

Superintendent, etc.

Salaries: Superintendent, $3,960; first assistant, $3,360; second assistant, $2,400; four assistants, at $1,860 each; skilled laborer, $1,380; in all, $18,540.

Committee employees.

COMMITTEE EMPLOYEES

Clerks and messengers.

Clerks and messengers to the following committees: Agriculture and Forestry—clerk, $3,900; assistant clerk, $2,880; assistant clerk, $2,580; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. Appropriations—clerk, $7,000 and $1,000 additional so long as the position is held by the present incumbent; assistant clerk, $4,200; assistant clerk, $3,900; three assistant clerks at $3,000 each; two assistant clerks at $2,220 each; messenger, $1,800. To Audit and Control the Contingent Expenses of the Senate—clerk, $3,900; assistant clerk, $2,880; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. Banking and Currency—clerk, $3,900; assistant clerk, $2,880; assistant clerk, $2,400; assistant clerk, $2,220. Civil Service—clerk, $3,900; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. Claims—clerk, $3,900; assistant clerk, $2,880; assistant clerk, $2,580; two assistant clerks at $2,220 each. Commerce—clerk, $3,900; assistant clerk, $2,880; assistant clerk, $2,580; assistant clerk, $2,400; two assistant clerks, at $2,220 each. Conference Majority of the Senate—clerk, $3,900; assistant clerk, $2,880; two assistant clerks at $2,580 each; assistant clerk, $2,220. Conference Minority of the Senate—clerk, $3,900; assistant clerk, $2,880; two assistant clerks at $2,580 each; assistant clerk, $2,220. District of Columbia—clerk, $3,900; two assistant clerks at $2,880 each; assistant clerk, $2,220; additional clerk, $1,800. Education and Labor—clerk, $3,900; assistant clerk, $2,580; assistant clerk, $2,220; additional clerk, $1,800. Enrolled Bills—clerk, $3,900; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. Expenditures in the Executive Departments—clerk, $3,900; assistant clerk, $2,580; assistant clerk, $2,220; additional clerk, $1,800. Finance—clerk, $4,200; special assistant to the committee, $3,600; assistant clerk, $2,880; assistant clerk, $2,700; assistant clerk, $2,400; two assistant clerks at $2,220 each; two experts (one for majority and one for the minority) at $3,600 each; messenger, $1,800. Foreign relations—clerk, $3,900; assistant clerk, $2,880; assistant clerk, $2,580; assistant clerk, $2,220; additional clerk, $1,800; messenger,

$1,800. Immigration—clerk, $3,900; assistant clerk, $2,580; assistant clerk, $2,220; additional clerk, $1,800. Indian Affairs—clerk, $3,900; assistant clerk, $3,600; assistant clerk, $2,880; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. Interoceanic Canals—clerk, $3,900; assistant clerk, $2,580; assistant clerk, $2,220; additional clerk, $1,800. Interstate Commerce—clerk, $3,900; assistant clerk, $3,600; assistant clerk, $2,880; two assistant clerks at $2,580 each; assistant clerk, $2,220. Irrigation and Reclamation—clerk, $3,900; assistant clerk, $2,580; assistant clerk, $2,220; two additional clerks at $1,800 each. Judiciary—clerk, $3,900; assistant clerk, $2,880; two assistant clerks at $2,580 each; assistant clerk, $2,220. Library—clerk, $3,900; two assistant clerks, at $2,400 each; assistant clerk, $2,220; additional clerk, $1,800. Manufactures—clerk, $3,900; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. Military Affairs—clerk, $3,900; assistant clerk, $2,880; assistant clerk, $2,580; assistant clerk, $2,400; two assistant clerks at $2,220 each. Mines and Mining—clerk, $3,900; assistant clerk, $2,400; assistant clerk, $2,220; two additional clerks, at $1,800 each. Naval Affairs—clerk, $3,900; assistant clerk, $2,880; assistant clerk, $2,400; two assistant clerks at $2,220 each. Patents—clerk, $3,900; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. Pensions—clerk, $3,900; assistant clerk, $2,580; four assistant clerks at $2,220 each. Post Offices and Post Roads—clerk, $3,900; assistant clerk, $2,880; four assistant clerks at $2,220 each; additional clerk, $1,800. Printing—clerk, $3,900; assistant clerk, $2,580; assistant clerk, $2,220; additional clerk, $1,800. Privileges and Elections—clerk, $3,900; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. Public Buildings and Grounds—clerk, $3,900; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. Public Lands and Surveys—clerk, $3,900; assistant clerk, $2,880; assistant clerk, $2,580; two assistant clerks at $2,220 each. Revision of the Laws—clerk, $3,900; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. Rules—clerk, $3,900 and $200 toward the preparation biennially of the Senate Manual under the direction of the Committee on Rules; assistant clerk, $2,880; assistant clerk, $2,580; assistant clerk, $2,220; additional clerk, $1,800. Territories and Insular Affairs—clerk, $3,900; assistant clerk, $2,580; two assistant clerks, at $2,220 each; assistant clerk, $2,000; additional clerk, $1,800; in all, $503,460.

CLERICAL ASSISTANCE TO SENATORS

Clerical assistance to Senators.

Allowance to Senators not chairmen of specified committees.

Ex-officio committee clerks.

Clerical assistance to Senators who are not chairmen of the committees specially provided for herein, as follows: Seventy clerks at $3,900 each; seventy assistant clerks at $2,400 each; and seventy assistant clerks at $2,220 each; such clerks and assistant clerks shall be ex-officio clerks and assistant clerks of any committee of which their Senator is chairman; seventy additional clerks at $1,800 each, one for each Senator having no more than one clerk and two assistant clerks for himself or for the committee of which he is chairman; messenger, $1,800; in all, $724,200.

OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

Office of Sergeant at Arms, etc.

Sergeant at Arms and Doorkeeper, secretaries, etc.

Clerks, messengers, etc.

Salaries: Sergeant at Arms and Doorkeeper, $8,000; two secretaries (one for the majority and one for the minority), at $5,400 each; two assistant secretaries (one for the majority and one for the minority), at $4,320 each; Deputy Sergeant at Arms and storekeeper, $4,440; clerks—one, $2,640, one, $2,100, three at $1,800 each, one, to the secretary for the majority, $1,800; messengers—one, $2,640, four (acting

as assistant doorkeepers, including one for the minority), at $2,400 each, twenty-nine (including two for minority), at $1,740 each, four, at $1,620 each, one at card door, $2,400 and $240 additional so long as the position is held by the present incumbent; two special messengers, at $1,800 each; clerk on journal work for Congressional Record to be selected by the Official Reporters, $3,360; upholsterer and locksmith, $2,400; cabinetmaker, $2,040; three carpenters, at $2,040 each;

Laborers, etc.

janitor, $2,040; five skilled laborers, $1,680 each; laborer in charge of private passage, $1,680; three female attendants in charge of ladies' retiring rooms, at $1,500 each; three attendants to women's toilet rooms, Senate Office Building, at $1,500 each; telephone operators—chief, $2,460, thirteen, at $1,560 each; laborer in charge of

Superintendent, press gallery.

Senate toilet rooms in old library space, $1,200; press gallery—superintendent, $3,660; assistant superintendent, $2,520; messengers for service to press correspondents—one, $1,920, three at $1,440 each;

Pages.

laborers—three, at $1,320 each; twenty-nine, at $1,260 each, three, at $480 each; special employees—seven, at $1,000 each; twenty-one pages for the Senate Chamber, at the rate of $4 per day each, during the session, $15,288; in all, $254,868.

Police, Senate Office Building.

Police force for Senate Office Building under the Sergeant at Arms: Lieutenant, $1,740; special officer, $1,740; thirty-one privates at $1,620 each; in all, $53,700.

Post Office.

POST OFFICE

Postmaster, assistants, etc.

Salaries: Postmaster, $3,600; assistant postmaster, $2,880; chief clerk, $2,460; wagon master, $2,040; twenty-six mail carriers, at $1,620 each; in all, $53,100.

Folding Room.

FOLDING ROOM

Salaries.

Salaries: Foreman, $2,460; assistant, $2,160; clerk, $1,740; folders—chief, $2,040, fourteen at $1,440 each; in all, $28,560.

Legislative Pay Act of 1929 amended.
Vol. 46, p. 32.
U. S. C., p. 8.

The provisions of the Legislative Pay Act of 1929 are hereby amended so as to correspond with the changes made by this Act in the designations and rates of salary of certain positions under the Senate.

Contingent expenses.

CONTINGENT EXPENSES OF THE SENATE

Automobile for Vice President.

For purchase, exchange, driving, maintenance, and operation of an automobile for the Vice President, $4,000.

Reporting debates, etc.

For reporting the debates and proceedings of the Senate, payable in equal monthly installments, $61,094, of which $754 shall be immediately available.

Furniture; cleaning, repairing, etc.

For services in cleaning, repairing, and varnishing furniture, $2,000.

Inquiries and investigations.
Post, p. 1597.

For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per hundred words, $150,000: *Provided*, That no part of this appropriation

Provisos.
Salary restriction.

shall be expended for services, personal, professional, or otherwise, in excess of the rate of $3,600 per annum: *Provided further*, That

Per diem and subsistence.
Vol. 44, p. 688.
U. S. C., p. 103.

no part of this appropriation shall be expended for per diem and subsistence expenses except in accordance with the provisions of the Subsistence Expense Act of 1926, approved June 3, 1926, as amended.

Joint Committee on Internal Revenue Taxation.
One-half expenses.

For payment of one-half of the salaries and other expenses of the Joint Committee on Internal Revenue Taxation as authorized by law, $27,000.

Folding, etc.
Post, p. 1272.

For folding speeches and pamphlets, at a rate not exceeding $1 per thousand, $10,000.

Fuel, oil, advertising, etc.

For fuel, oil, cotton waste, and advertising, exclusive of labor, $2,000.

Senate kitchens and restaurants.

For repairs, improvements, equipment, and supplies for Senate kitchens and restaurants, Capitol Building and Senate Office Building, including personal and other services, to be expended from the contingent fund of the Senate under the supervision of the Committee on Rules, United States Senate, $35,000: *Provided*, That said Committee on Rules is hereby authorized and directed hereafter to add a minimum of 10 per centum to each order in excess of 10 cents served in the said restaurants and 20 per centum to all orders served outside of said restaurants, and the proceeds accruing therefrom shall be placed in a fund to be used in the payment of any deficit incurred in the management of such kitchens and restaurants.

Proviso. Increase in prices authorized.

Outside service.

Motor vehicles.

For maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms, $7,960.

Materials for folding.

For materials for folding, $1,500.

Miscellaneous items.

For miscellaneous items, exclusive of labor, $200,000.

Packing boxes.

For packing boxes, $970.

Postage stamps.

Postage stamps: For office of Secretary, $250; office of Sergeant at Arms, $100; in all, $350.

Furniture, purchase, etc.

For the purchase of furniture, $10,000, of which $5,000 shall be used in the place vacated by the Supreme Court.

For materials for furniture and repairs of same, exclusive of labor, $3,000.

Stationery.

For stationery for Senators and for the President of the Senate, including $7,500 for stationery for committees and officers of the Senate, $19,500.

Warehouse rent.

For rent of warehouse for storage of public documents, $2,000.

Materials and supplies. Payments by check in certain cases.

Payments from the contingent fund of the Senate for materials and supplies (including fuel) hereafter purchased through the Procurement Division of the Treasury Department shall be made by check upon vouchers approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

HOUSE OF REPRESENTATIVES

House of Representatives.

SALARIES AND MILEAGE OF MEMBERS

Members.

Pay of Members, Delegates, and Resident Commissioners.

For compensation of Members of the House of Representatives, Delegates from Territories, the Resident Commissioner from Puerto Rico, and the Resident Commissioners from the Philippine Islands, $4,405,000.

Mileage.

For mileage of Representatives, the Delegate from Hawaii, and the Resident Commissioner from Puerto Rico, and for expenses of the Delegate from Alaska and the Resident Commissioners from the Philippine Islands, $175,000.

Officers, clerks, etc.

For compensation of officers, clerks, and others:

Speaker's office.

OFFICE OF THE SPEAKER

Secretary, etc. *Post*, p. 571.

Salaries: Secretary to the Speaker, $4,620; clerk to Speaker, $2,400; clerk to Speaker, $1,440; messenger to Speaker, $1,680; in all, $10,140.

Speaker's table.

THE SPEAKER'S TABLE

Parliamentarian, etc.

Salaries: Parliamentarian $4,500 and $1,500 additional so long as the position is held by the present incumbent, and for preparing Digest of the Rules, $1,000 per annum; Assistant Parliamentarian,

Preparing Digest of Rules.

$2,760 and $750 additional so long as the position is held by the present incumbent; messenger to Speaker's Table, $1,740; in all, $12,250.

Chaplain.

CHAPLAIN

Chaplain of the House of Representatives, $1,680.

Clerk's office.

OFFICE OF THE CLERK

Clerk of the House, clerks, etc.

Salaries: Clerk of the House of Representatives, including compensation as disbursing officer of the contingent fund, $8,000; Journal clerk, two reading clerks, and tally clerk, at $5,000 each; enrolling clerk, $4,000; disbursing clerk, $3,960; file clerk, $3,780; chief bill clerk, $3,540; assistant enrolling clerk, $3,180; assistant to disbursing clerk, $3,120; stationery clerk, $2,880; librarian, $2,760; assistant librarian, and assistant file clerk, at $2,520 each; assistant Journal clerk, and assistant librarian, at $2,460 each; clerks—one at $2,460, three at $2,340 each; bookkeeper, and assistant in disbursing office, at $2,160 each; four assistants to chief bill clerk at $2,100 each; stenographer to the Clerk, $1,980; assistant in stationery room, $1,740; three messengers at $1,680 each; stenographer to Journal clerk, $1,560; laborers—three at $1,440 each, nine at $1,260 each; telephone operators—assistant chief, $1,620, twenty-one at $1,560 each; substitute telephone operator, when required, at $4 per day, $1,464; property custodian and superintendent of furniture and repair shop, who shall be a skilled cabinetmaker or upholsterer and experienced in the construction and purchase of furniture, $3,960; two assistant custodians at $3,360 each; locksmith and typewriter repairer, $1,860; messenger and clock repairer, $1,740; operation, maintenance, and repair of motor vehicles, $1,200; in all, $164,684.

Committee employees.

COMMITTEE EMPLOYEES

Clerks, messengers, and janitors.

Clerks, messengers, and janitors to the following committees: Accounts—clerk, $3,300; assistant clerk, $2,460; janitor, $1,560. Agriculture—clerk, $3,300; assistant clerk, $2,460; janitor, $1,560. Appropriations—clerk, $7,000 and $1,000 additional so long as the position is held by the present incumbent; assistant clerk, $5,000 and $1,000 additional so long as the position is held by the present incumbent; three assistant clerks at $3,900 each; assistant clerk, $3,600; two assistant clerks at $3,300 each; messenger, $1,680. Banking and Currency—clerk, $2,760; assistant clerk, $1,740; janitor, $1,260. Census—clerk, $2,760; janitor, $1,260. Civil Service—clerk, $2,760; janitor, $1,260. Claims—clerk, $3,300; assistant clerk, $1,740; janitor, $1,260. Coinage, Weights, and Measures—clerk, $2,760; janitor, $1,260. Disposition of Executive Papers—clerk, $2,760. District of Columbia—clerk, $3,300; assistant clerk, $2,460; janitor, $1,260. Education—clerk, $2,760. Election of President, Vice President, and Representatives in Congress—clerk, $2,760. Elections Numbered 1—clerk, $2,760; janitor, $1,260. Elections Numbered 2—clerk, $2,760; janitor, $1,260. Elections Numbered 3—clerk, $2,760; janitor, $1,260. Enrolled Bills—clerk, $2,760; janitor, $1,260. Expenditures in Executive Departments—clerk, $3,300; janitor, $1,260. Flood Control—clerk, $2,760; janitor, $1,260. Foreign Affairs—clerk, $3,300; assistant clerk, $2,460; janitor, $1,260. Immigration and Naturalization—clerk, $3,300; janitor, $1,260. Indian Affairs—clerk, $3,300; assistant clerk, $2,460; janitor, $1,260. Insular Affairs—clerk, $2,760; janitor, $1,260. Interstate and Foreign Commerce—clerk, $3,900; additional clerk, $2,640; assistant clerk, $2,100; janitor, $1,560. Irrigation and Reclamation—clerk, $2,760; janitor, $1,260. Invalid Pensions—clerk, $3,300; assistant

clerk, $2,880; expert examiner, $2,700; stenographer, $2,640; janitor, $1,500. Judiciary—clerk, $3,900; assistant clerk, $2,160; assistant clerk, $1,980; janitor, $1,500. Labor—clerk, $2,760; janitor, $1,260. Library—clerk, $2,760; janitor, $1,260. Merchant Marine and Fisheries—clerk, $2,760; janitor, $1,260. Military Affairs—clerk, $3,300; assistant clerk, $2,100; janitor, $1,560. Mines and Mining—clerk, $2,760; janitor, $1,260. Naval Affairs—clerk, $3,300; assistant clerk, $2,100; janitor, $1,560. Patents—clerk, $2,760; janitor, $1,260. Pensions—clerk, $3,300; assistant clerk, $2,160; janitor, $1,260. Post Office and Post Roads—clerk, $3,300; assistant clerk, $2,100; janitor, $1,560. Printing—clerk, $2,760; janitor, $1,560. Public Buildings and Grounds—clerk, $3,300; assistant clerk, $1,740; janitor, $1,260. Public Lands—clerk, $2,760; assistant clerk, $1,740; janitor, $1,260. Revision of the Laws—clerk, $3,300; janitor, $1,260. Rivers and Harbors—clerk, $3,300; assistant clerk, $2,460; janitor, $1,560. Roads—clerk, $2,760; assistant clerk, $1,740; janitor, $1,260. Rules—clerk, $3,300; assistant clerk, $2,100; janitor, $1,260. Territories—clerk, $2,760; janitor, $1,260. War Claims—clerk, $3,300; assistant clerk, $1,740; janitor, $1,260. Ways and Means—clerk, $4,620; assistant clerk and stenographer, $2,640; assistant clerk, $2,580; clerk for minority, $3,180; janitors—one, $1,560; one, $1,260. World War Veterans' Legislation—clerk, $3,300; assistant clerk, $2,460; in all, $296,000.

OFFICE OF SERGEANT AT ARMS

Office of Sergeant at Arms.

Salaries: Sergeant at Arms, $8,000; Deputy Sergeant at Arms, $3,180; cashier, $4,920; two bookkeepers at $3,360 each; Deputy Sergeant at Arms in charge of pairs, pair clerk and messenger, and assistant cashier, at $2,820 each; stenographer and typewriter, $600; skilled laborer, $1,380; hire of automobile, $600; in all, $33,860.

Sergeant at Arms, deputy, cashier, etc.

Police force, House Office Building, under the Sergeant at Arms: Lieutenant, $1,740; sergeant, $1,680; thirty-seven privates at $1,620 each; in all, $63,360.

Police, House Office Building.

OFFICE OF DOORKEEPER

Doorkeeper's office.

Salaries: Doorkeeper, $6,000; special employee, $2,820; superintendent of House press gallery, $3,660; assistant to the superintendent of the House press gallery, $2,520; chief janitor, $2,700; messengers—seventeen at $1,740 each, fourteen on soldiers' roll at $1,740 each; laborers—seventeen at $1,260 each, two (cloakroom) at $1,380 each, one (cloakroom) $1,260, and seven (cloakroom) at $1,140 each; three female attendants in ladies' retiring rooms at $1,680 each, attendant for the ladies' reception room, $1,440; superintendent of folding room, $3,180; foreman of folding room, $2,640; chief clerk to superintendent of folding room, $2,460; three clerks at $2,160 each; janitor, $1,260; laborer, $1,260; thirty-one folders at $1,440 each; shipping clerk, $1,740; two drivers at $1,380 each; two chief pages at $1,980 each; two telephone pages at $1,680 each; two floor managers of telephones (one for the minority) at $3,180 each; two assistant floor managers in charge of telephones (one for the minority) at $2,100 each; forty-one pages, during the session, including ten pages for duty at the entrances to the Hall of the House, at $4 per day each, $29,848; press-gallery page, $1,920; superintendent of document room (Elmer A. Lewis), $3,960; assistant superintendent of document room, $2,760 and $420 additional so long as the position is held by the present incumbent; clerk, $2,320; assistant clerk, $2,160; eight assistants at $1,860 each; janitor, $1,440; messenger to pressroom, $1,560; maintenance and repair of folding room motor truck, $500; in all, $257,608.

Doorkeeper, special employee, etc.

Janitors, messengers, etc.

Folding room.

Pages.

Document room.

Special and minority employees.

SPECIAL AND MINORITY EMPLOYEES

Minority employees. For the minority employees authorized and named in the House Resolutions Numbered 51 and 53 of December 11, 1931: Two at $5,000 each, four at $2,820 each; in all, $21,280.

Special employees. Special employees: Assistant foreman of the folding room, authorized in the resolution of September 30, 1913, $1,980; laborer, authorized and named in the resolution of April 28, 1914, $1,380; laborer, $1,380; clerk, under the direction of the Clerk of the House, named in the resolution of February 13, 1923, $3,060; in all, $7,800.

Appointment of successors. Successors to any of the employees provided for in the two preceding paragraphs may be named by the House of Representatives at any time.

Majority floor leader. Office of majority floor leader: Legislative clerk, $3,960; clerk, $3,180; assistant clerk, $2,100; for official expenses of the majority leader, as authorized by House Resolution Numbered 101, Seventy-first Congress, adopted December 18, 1929, $2,000; in all, $11,240.

Conference minority. Conference minority: Clerk, $3,180; legislative clerk, $3,060; assistant clerk, $2,100; janitor, $1,560; in all, $9,900. The foregoing employees to be appointed by the minority leader.

Caucus rooms, messengers. Two messengers, one in the majority caucus room and one in the minority caucus room, to be appointed by the majority and minority whips, respectively, at $1,740 each; in all, $3,480.

Post Office.

POST OFFICE

Postmaster, assistant, etc. Salaries: Postmaster, $5,000; assistant postmaster, $2,880; registry and money-order clerk, $2,100; forty-one messengers (including one to superintend transportation of mails) at $1,740 each; substitute messengers and extra services of regular employees, when required, at the rate of not to exceed $145 per month each, $1,740; laborer, $1,260; in all, $84,320.

Motor vehicle. For the purchase, exchange, maintenance, and repair of motor vehicle for carrying the mails, $2,500.

OFFICIAL REPORTERS OF DEBATES

Official reporters, etc. Salaries: Six official reporters of the proceedings and debates of the House at $7,500 each; clerk, $3,360; six expert transcribers at $1,740 each; janitor, $1,440; in all, $60,240.

COMMITTEE STENOGRAPHERS

Stenographers to committees, etc. Salaries: Four stenographers to committees, at $7,000 each; janitor, $1,440; in all, $29,440.

"During the session" construed. Whenever the words "during the session" occur in the foregoing paragraphs they shall be construed to mean the one hundred and eighty-two days from January 1 to June 30, 1936, both inclusive.

Members, etc.

CLERK HIRE, MEMBERS, AND DELEGATES

Clerk hire, etc. For clerk hire necessarily employed by each Member, Delegate, and Resident Commissioner, in the discharge of his official and representative duties, in accordance with the Act entitled "An Act to fix the compensation of officers and employees of the legislative branch of the Government", approved June 20, 1929, $2,200,000.

Vol. 46, p. 33. U. S. C., p. 11.

Contingent expenses.

CONTINGENT EXPENSES OF THE HOUSE

Furniture, etc. For furniture and materials for repairs of the same, including not to exceed $27,500 for labor, tools, and machinery for furniture repair shops, $41,500.

For packing boxes, $3,500. Packing boxes.

For miscellaneous items, exclusive of salaries unless specifically ordered by the House of Representatives, including reimbursement to the official stenographers to committees for the amounts actually paid out by them for transcribing hearings, and including materials for folding, $60,000: *Provided*, That no part of any appropriation contained in this Act, except the appropriations available for heated and lighted space and janitor service and for equipment for restaurants and kitchens, shall be used for the operation of the House restaurant. Miscellaneous items. *Proviso.* Restaurant operation, restriction.

For stenographic reports of hearings of committees other than special and select committees, $25,000. Reports of hearings.

For expenses of special and select committees authorized by the House, $100,000: *Provided*, That no person shall be employed under this appropriation at a rate of compensation in excess of $3,600 per annum. Special and select committees. *Post*, p. 1267. *Proviso.* Salary restriction.

For payment of one-half of the salaries and other expenses of the Joint Committee on Internal Revenue Taxation as authorized by law, $27,000. Joint Committee on Internal Revenue Taxation. One-half expenses.

No part of the appropriations contained herein for the contingent expenses of the House of Representatives shall be used to defray the expenses of any committee consisting of more than six persons (not more than four from the House and not more than two from the Senate), nor to defray the expenses of any other person except the Sergeant at Arms of the House or a representative of his office and except the widow or minor children or both of the deceased, to attend the funeral rites and burial of any person who at the time of his or her death is a Representative, a Delegate from a Territory, or a Resident Commissioner from Puerto Rico or the Philippine Islands. Expenditures restricted. Funeral expenses limited.

For telegraph and telephone service, exclusive of personal services, $90,000. Telegraph and telephone service.

For stationery for Representatives, Delegates, and Resident Commissioners, for the second session of the Seventy-fourth Congress, and for stationery for the use of the committees and officers of the House (not to exceed $5,000), $60,000. Stationery. *Post*, p. 1110.

For medical supplies, equipment, and contingent expenses for the emergency room and for the attending physician and his assistants, including an allowance of not to exceed $30 per month each to three assistants as provided by the House resolutions adopted July 1, 1930, and January 20, 1932, $3,000. Emergency room.

Postage stamps: Postmaster, $250; Clerk, $450; Sergeant at Arms, $300; Doorkeeper, $150; in all, $1,150. Postage stamps.

For folding speeches and pamphlets, at a rate not exceeding $1 per thousand, $11,000. Folding.

For preparation and editing of the laws as authorized, by the Act approved May 29, 1928 (U. S. C., Supp. VII, title 1, sec. 59), $6,500, to be expended under the direction of the Committee on Revision of the Laws. United States Code, preparation, etc. Vol. 45, p. 1008; U. S. C., p. 4.

For assistants in compiling lists of reports to be made to Congress by public officials; compiling copy and revising proofs for the House portion of the Official Register; preparing and indexing the statistical reports of the Clerk of the House; compiling the telephone and Members' directories; preparing and indexing the daily calendars of business; preparing the official statement of Members' voting records; preparing lists of congressional nominees and statistical summary of elections; preparing and indexing questions of order printed in the Appendix to the Journal pursuant to House Rule III; for recording and filing statements of political Clerical assistance to Clerk of House. Specified objects, etc. Political committees, etc., recording of statements.

committees and candidates for election to the House of Representatives pursuant to the Federal Corrupt Practices Act, 1925 (U. S. C., title 2, secs. 241–256); and for such other assistance as the Clerk of the House may deem necessary and proper in the conduct of the business of his office, $5,000: *Provided*, That no part of this appropriation shall be used to augment the annual salary of any employee of the House of Representatives.

Vol. 43, p. 1070. U. S. C., p. 21.

Proviso. Use restricted.

Automobile for Speaker.

For exchange, driving, maintenance, repair, and operation of an automobile for the Speaker, $4,000, to be immediately available.

Henry T. Rainey; portrait.

For the purchase of a portrait of Honorable Henry T. Rainey, late Speaker of the House of Representatives, $2,500, to be immediately available and to be expended under the direction of the Committee on the Library.

Capitol Police.

CAPITOL POLICE

Salaries.

Salaries: Captain, $2,460; three lieutenants, at $1,740 each; two special officers, at $1,740 each; three sergeants, $1,680 each; fifty-two privates, at $1,620 each; one-half of said privates to be selected by the Sergeant at Arms of the Senate and one-half by the Sergeant at Arms of the House; in all, $100,440: *Provided*, That no part of any appropriation contained in this Act shall be paid as compensation to any person appointed after June 30, 1935, as an officer or member of the Capitol Police (including those for the Senate and House Office Buildings) who does not meet the standards to be prescribed for such appointees by the Capitol Police Board.

Proviso. Standards prescribed.

Uniforms, etc.

For purchasing and supplying uniforms, for maintenance and repair of motor-propelled passenger-carrying vehicles, and for contingent expenses, $10,210, of which $500 shall be immediately available for the exchange of one such vehicle.

Division of disbursement.

One-half of the foregoing amounts under "Capitol police" shall be disbursed by the Secretary of the Senate and one-half by the Clerk of the House.

Joint Committee on Printing.

JOINT COMMITTEE ON PRINTING

Clerk, assistant, etc. Vol. 28, p. 603. U. S. C., p. 1932.

Salaries: Clerk, $4,000 and $800 additional so long as the position is held by the present incumbent; inspector under section 20 of the Act approved January 12, 1895 (U. S. C., title 44, sec. 49), $2,820; assistant clerk and stenographer, $2,400; for expenses of compiling, preparing, and indexing the Congressional Directory, $1,600; in all, $11,620, one-half to be disbursed by the Secretary of the Senate and the other half to be disbursed by the Clerk of the House.

Congressional Directory.

Office of Legislative Counsel.

OFFICE OF LEGISLATIVE COUNSEL

Salaries, etc.

For salaries and expenses of maintenance of the office of Legislative Counsel as authorized by law, $75,000, of which $37,500 shall be disbursed by the Secretary of the Senate and $37,500 by the Clerk of the House of Representatives.

Statement of Appropriations.

STATEMENT OF APPROPRIATIONS

Preparing, first session of Seventy-fourth Congress.

For preparation, under the direction of the Committees on Appropriations of the Senate and House of Representatives of the statements for the first session of the Seventy-fourth Congress, showing appropriations made, indefinite appropriations, and contracts authorized, together with a chronological history of the regular appropriation bills, as required by law, $4,000, to be paid to the persons designated by the chairman of such committees to do the work.

ARCHITECT OF THE CAPITOL

Architect of the Capitol.

OFFICE OF THE ARCHITECT OF THE CAPITOL

Architect, assistant, and office personnel.

Salaries: For the Architect of the Capitol, Assistant Architect of the Capitol, and other personal services at rates of pay provided by law; and the Assistant Architect of the Capitol shall act as Architect of the Capitol during the absence or disability of that official or whenever there is no Architect; $47,500.

CAPITOL BUILDINGS AND GROUNDS

Capitol Buildings and grounds.

Maintenance, repair, etc.

Capitol Buildings: For necessary expenditures for the Capitol Building and electrical substations of the Senate and House Office Buildings, under the jurisdiction of the Architect of the Capitol, including minor improvements, maintenance, repair, equipment, supplies, material, fuel, oil, waste, and appurtenances; furnishings and office equipment; personal and other services; cleaning and repairing works of art; purchase or exchange (not to exceed $1,000), maintenance, and driving of motor-propelled passenger-carrying office vehicle; not exceeding $300 for the purchase of technical and necessary reference books, periodicals, and city directory; and pay of superintendent of meters, and $300 additional for the maintenance of an automobile for his use, who shall inspect all gas and electric meters of the Government in the District of Columbia without additional compensation, and in his absence, disability, or when there is no superintendent of meters, these duties shall be performed by any other employee designated by the Architect of the Capitol; $316,599, of which sum $28,000 shall be immediately available.

Space vacated by Supreme Court. Improvements, equipment, etc.

For repairs, improvements, and equipment for the space to be vacated in the Capitol Building by the Supreme Court of the United States, including furnishings for the Office of the Financial Clerk of the Senate, and for personal and other services and for all necessary expenses in connection therewith, to be expended by the Architect of the Capitol under the direction of the Committee on Rules of United States Senate (U. S. C., title 40, sec. 166), $36,850.

U. S. C., p. 1780.

Press gallery, enlargement.

Enlargement of accommodations for the press: For alterations in the gallery area of the Senate wing of the Capitol for the accommodation of the press and construction changes incident thereto, in accordance with plans prepared by the Architect of the Capitol, to be expended by the Architect of the Capitol under the direction of the Committee on Rules of the United States Senate, $8,000: *Provided*, That said alterations shall not include any permanent construction work in corridor areas or alter the existing walls of the Capitol.

Proviso. Alterations restricted.

Pedestals for busts.

Pedestals for busts of Vice Presidents: To enable the Architect of the Capitol to provide four marble pedestals for busts of Vice Presidents in the Capitol Building, $1,400.

Pedestals for busts: To enable the Architect of the Capitol to provide a marble pedestal for the bust of Speaker Longsworth [1], $350.

Travel allowance.

Appropriations under the control of the Architect of the Capitol shall be available for expenses of travel on official business not to exceed in the aggregate under all funds the sum of $1,750.

Improving Capitol grounds. *Post*, p. 1599.

Capitol Grounds: For care and improvement of grounds surrounding the Capitol, Senate and House Office Buildings; Capitol power plant; personal and other services; care of trees; planting; fertilizers; repairs to pavements, walks, and roadways; purchase

[1] So in original.

R. S., secs. 3709, 3744, pp. 733, 738. U. S. C., pp. 1803, 1805.

of waterproof wearing apparel; maintenance of signal lights; and for snow removal by hire of men and equipment or under contract without compliance with sections 3709 (U. S. C., title 41, sec. 5) and 3744 (U. S. C., title 41, sec. 16) of the Revised Statutes; $89,740.

Legislative garage.

Legislative garage: For maintenance, repairs, alterations, personal and other services, and all necessary incidental expenses, $9,040.

Subway, Capitol and Senate Office Buildings.

Subway transportation, Capitol and Senate Office Buildings: For repairs, rebuilding, and maintenance of the subway cars connecting the Senate Office Building with the Senate wing of the United States Capitol and for personal and other services, including maintenance of the track and electrical equipment connected therewith, $2,000.

Senate Office Building. Maintenance, etc.

Senate Office Building: For maintenance, miscellaneous items and supplies, including furniture, furnishings, and equipment and for labor and material incident thereto and repairs thereof; and for personal and other services for the care and operation of the Senate Office Building, including increase for personal services, $11,754; indirect lighting system for the Senate Office Building, $12,000; equipment for and replacement, air conditioning, $2,300; new elevator replacement parts, $2,000; rugs, $5,000; four lavoratories [1] for the Senate Office Building, $2,000; floor-scrubbing machine, $1,200; under the direction and supervision of the Senate Committee on Rules, acting through the Architect of the Capitol, who shall be its executive agent; in all, $266,569.

House Office Buildings. Maintenance, etc.

House Office Buildings: For maintenance, including equipment, miscellaneous items, and all necessary services, $347,894, of which sum $8,200 shall be immediately available.

Capitol power plant. Maintenance, etc. *Post*, p. 1599.

Capitol power plant: For lighting, heating, and power for the Capitol, Senate and House Office Buildings, Supreme Court Building, Congressional Library Buildings, and the grounds about the same, Botanic Garden, Legislative garage, folding and storage rooms of the Senate, Government Printing Office, and Washington City post office; personal and other services, engineering instruments, fuel, oil, materials, labor, advertising, and purchase of waterproof wearing apparel in connection with the maintenance and operation of the heating, lighting, and power plant, $572,560, of which sum $102,000 shall be immediately available.

Purchases independent of Procurement Division, Treasury Department. Vol. 36, p. 531. U. S. C., p. 1804.

The appropriations under the control of the Architect of the Capitol may be expended without reference to section 4 of the Act approved June 17, 1910 (U. S. C., title 41, sec. 7), concerning purchases for executive departments.

Reimbursement for current to designated buildings.

The Government Printing Office and the Washington City post office shall reimburse the Capitol power plant for heat, light, and power furnished during the fiscal year 1936 and the amounts so reimbursed shall be covered into the Treasury.

Library building and grounds.

LIBRARY BUILDING AND GROUNDS

Salaries.

Salaries: For chief engineer and all personal services at rates of pay provided by law, $46,720.

Trees, etc.

For trees, shrubs, plants, fertilizers, and skilled labor for the grounds of Library of Congress, $1,500.

Maintenance, repair, etc.

For necessary expenditures for the Library Building under the jurisdiction of the Architect of the Capitol, including minor improvements, maintenance, repair, equipment, supplies, material, appurtenances, installation, replacement, and reconditioning of elevators, and personal and other services in connection with the mechanical

[1] So in original.

and structural maintenance of such building, $139,900; and in addition thereto the unexpended balance of the appropriation of $30,300, contained in the "Deficiency Appropriation Act, fiscal year 1934", for elevator work in the Library Building, is reappropriated and made available.

Vol. 48, p. 1025. *Post*, p. 1225.

For furniture, including partitions, screens, shelving, and electrical work pertaining thereto and repairs thereof, $14,000.

Furniture, etc.

BOTANIC GARDEN

Botanic Garden.

Salaries: For the director and other personal services, $86,262; all under the direction of the Joint Committee on the Library.

Director, and personnel.

Maintenance, operation, repairs, and improvements: For all necessary expenses incident to maintaining, operating, repairing, and improving the Botanic Garden, and the nurseries, buildings, grounds, and equipment pertaining thereto, including procuring fertilizers, soils, tools, trees, shrubs, plants, and seeds; materials and miscellaneous supplies, including rubber boots and aprons when required for use by employees in connection with their work; not to exceed $25 for emergency medical supplies; disposition of waste; traveling expenses of the director and his assistants not to exceed $600; streetcar fares not exceeding $25; office equipment and contingent expenses; the prevention and eradication of insect and other pests and plant diseases by purchase of materials and procurement of personal services by contract without regard to the provisions of any other Act; repair, maintenance, operation, purchase, and exchange, of motor trucks and a passenger motor vehicle (the cost of such passenger vehicle not to exceed $750, including the amount allowed on any vehicle given in part payment therefor); purchase of botanical books, periodicals, and books of reference, not to exceed $100; repairs and improvements to director's residence; and all other necessary expenses; all under the direction of the Joint Committee on the Library; $28,725.

Maintenance, repairs, etc.

The sum of $300 may be expended at any one time by the Botanic Garden for the purchase of plants, trees, shrubs, and other nursery stock, without reference to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5).

Minor purchases without advertising. R. S., sec. 3709, p. 733; U. S. C., p. 1803.

No part of the appropriations contained herein for the Botanic Garden shall be used for the distribution, by congressional allotment, of trees, plants, shrubs, or other nursery stock.

Distribution of shrubbery, etc.

Hereafter plant material exchanges may be made with botanic gardens, institutions, municipal parks, and gardens.

Exchange of plant material with other gardens, etc.

LIBRARY OF CONGRESS

Library of Congress.

SALARIES

For the Librarian, Chief Assistant Librarian, and other personal services, $888,245.

Librarian, and personnel.

For the Register of Copyrights, assistant register, and other personal services, $249,620.

Register of Copyrights, etc.

LEGISLATIVE REFERENCE SERVICE

Legislative Reference Service.

To enable the Librarian of Congress to employ competent persons to gather, classify, and make available, in translations, indexes, digests, compilations, and bulletins, and otherwise, data for or bearing upon legislation, and to render such data serviceable to Congress and committees and Members thereof, including not to exceed $5,700 for employees engaged on piecework and work by the day or hour at rates to be fixed by the Librarian, $87,990.

Personnel.

Card indexes.

DISTRIBUTION OF CARD INDEXES

Distribution, etc.

For the distribution of card indexes and other publications of the Library, including personal services, freight charges (not exceeding $500), expressage, postage, traveling expenses connected with such distribution, expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, and including not to exceed $58,500, for employees engaged in piecework and work by the day or hour and for extra special services of regular employees at rates to be fixed by the Librarian; in all, $181,830.

TEMPORARY SERVICES

Temporary services.

For special and temporary service, including extra special services of regular employees, at rates to be fixed by the Librarian, $3,000.

State legislation.

INDEX TO STATE LEGISLATION

Preparing index and digest of.

To enable the Librarian of Congress to prepare an index to the legislation of the several States, together with a supplemental digest of the more important legislation, as authorized and directed by the Act entitled "An Act providing for the preparation of a biennial index to State legislation", approved February 10, 1927 (U. S. C., Supp. VII, title 2, secs. 164, 165), including personal and other services within and without the District of Columbia, including not to exceed $2,500 for special and temporary service at rates to be fixed by the Librarian, travel, necessary material and apparatus, and for printing and binding the indexes and digests of State legislation for official distribution only, and other printing and binding incident to the work of compilation, stationery, and incidentals, $39,700.

Vol. 44, p. 1066.
U. S. C., p. 19.

Temporary services.

SUNDAY OPENING

Sunday, etc., opening, expenses.

To enable the Library of Congress to be kept open for reference use on Sundays and on holidays within the discretion of the Librarian, including the extra services of employees and the services of additional employees under the Librarian, at rates to be fixed by the Librarian, $19,000.

Union Catalogues.

UNION CATALOGUES

Development, maintenance, etc.

To continue the development and maintenance of the Union Catalogues, including personal services within and without the District of Columbia (and not to exceed $1,400 for special and temporary service, including extra special services of regular employees, at rates to be fixed by the Librarian), travel, necessary material and apparatus, stationery, photostat supplies, and incidentals, $22,000.

Increase of the Library.

INCREASE OF THE LIBRARY

Purchase of books, etc.

For purchase of books, miscellaneous periodicals and newspapers, and all other material for the increase of the Library, including payment in advance for subscription books and society publications, and for freight, commissions, and traveling expenses, including expenses of attendance at meetings when incurred on the written authority and direction of the Librarian in the interest of collections, and all other expenses incidental to the acquisition of books, miscellaneous periodicals and newspapers, and all other material for the increase of the Library, by purchase, gift, bequest, or exchange, to continue available during the fiscal year 1937, $115,000.

Law books, etc.

For the purchase of books and for periodicals for the law library, including payment for legal society publications and for freight,

commissions, and all other expenses incidental to the acquisition of law books, $90,000, to continue available during the fiscal year 1937.

For the purchase of new books of reference for the Supreme Court, to be a part of the Library of Congress, and purchased by the Marshal of the Supreme Court, under the direction of the Chief Justice, $2,500. Reference books for Supreme Court.

To enable the Librarian of Congress to carry out the provisions of the Act entitled "An Act to provide books for the adult blind", approved March 3, 1931 (U. S. C., Supp. VII, title 2, sec. 135a), $100,000, including not exceeding $500 for necessary traveling expenses connected with such service and for expenses of attendance at meetings when incurred on the written authority and direction of the Librarian. Books for adult blind. Vol. 46, p. 1487. U. S. C., p. 16.

PRINTING AND BINDING

For miscellaneous printing and binding for the Library of Congress, including the Copyright Office, and the binding, rebinding, and repairing of library books, and for the Library Building, $258,500. Printing and binding.

For the publication of the Catalogue of Title Entries of the Copyright Office, $47,000. Catalogue of Title Entries.

For the printing of catalogue cards, $125,000. Catalogue cards.

CONTINGENT EXPENSES OF THE LIBRARY

For miscellaneous and contingent expenses, stationery, office supplies, stock, and materials directly purchased, miscellaneous traveling expenses, postage, transportation, incidental expenses connected with the administration of the Library and Copyright Office, including not exceeding $500 for expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, $9,000. Contingent expenses. Attendance at meetings.

For paper, chemicals, and miscellaneous supplies necessary for the operation of the photoduplicating machines of the Library and the making of photoduplicate prints, $5,000. Photoduplicating expenses.

LIBRARY BUILDING Library building.

Salaries: For the superintendent, disbursing officer, and other personal services, in accordance with the Classification Act of 1923, as amended, $163,262. Salaries.

For extra services of employees and additional employees under the Librarian to provide for the opening of the Library Building on Sundays and on legal holidays, at rates to be fixed by the Librarian, $5,000. Sunday, etc., opening.

For special and temporary services in connection with the custody, care, and maintenance of the Library Building, including extra special services of regular employees at the discretion of the Librarian, at rates to be fixed by the Librarian, $500. Special and temporary services.

For mail, delivery, and telephone services, rubber boots, rubber coats, and other special clothing for workmen, uniforms for guards and elevator conductors, medical supplies, equipment, and contingent expenses for the emergency room, stationery, miscellaneous supplies, and all other incidental expenses in connection with the custody and maintenance of the Library Building, $7,000. Incidentals, etc.

For any expense of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the board, $500. Trust Fund Board, expenses.

Government Printing Office.

GOVERNMENT PRINTING OFFICE

Printing and binding. *Post*, p. 1599.

To provide the Public Printer with a working capital for the following purposes for the execution of printing, binding, lithographing, mapping, engraving, and other authorized work of the Government Printing Office for the various branches of the Government: For salaries of Public Printer and Deputy Public Printer; for salaries, compensation, or wages of all necessary officers and employees additional to those herein appropriated for, including employees necessary to handle waste paper and condemned material for sale; to enable the Public Printer to comply with the provisions of law granting holidays and half holidays and Executive orders granting holidays and half holidays with pay to employees; to enable the Public Printer to comply with the provisions of law granting annual leave to employees with pay, said pay to be at the rate for their regular positions at the time the leave is granted; rental of buildings and equipment, fuel, gas, heat, electric current, gas and electric fixtures; bicycles, motor-propelled vehicles for the carriage of printing and printing supplies, and the maintenance, repair, and operation of the same, to be used only for official purposes, including operation, repair, and maintenance of motor-propelled passenger-carrying vehicles, and the purchase or exchange of two such passenger vehicles (at a cost, including the allowance on any vehicle given in part payment therefor, of not to exceed $1,000 and $750, respectively), for official use of the officers of the Government Printing Office when in writing ordered by the Public Printer; freight, expressage, telegraph and telephone service, furniture, typewriters, and carpets; traveling expenses; stationery, postage, and advertising; directories, technical books, newspapers and magazines, and books of reference (not exceeding $500); adding and numbering machines, time stamps, and other machines of similar character; rubber boots, coats, and gloves; machinery (not exceeding $300,000); equipment, and for repairs to machinery, implements, and buildings, and for minor alterations to buildings; necessary equipment, maintenance, and supplies for the emergency room for the use of all employees in the Government Printing Office who may be taken suddenly ill or receive injury while on duty; other necessary contingent and miscellaneous items authorized by the Public Printer; for expenses authorized in writing by the Joint Committee on Printing for the inspection of printing and binding equipment, material, and supplies and Government printing plants in the District of Columbia or elsewhere (not exceeding $1,000); for salaries and expenses of preparing the semimonthly and session indexes of the Congressional Record under the direction of the Joint Committee on Printing (chief indexer at $3,480, one cataloguer at $3,180, two cataloguers at $2,460 each, and one cataloguer at $2,100); and for all the necessary labor, paper, materials, and equipment needed in the prosecution and delivery and mailing of the work; in all, $3,700,000; to which sum shall be charged the printing and binding authorized to be done for Congress including supplemental and deficiency estimates of appropriations, the printing and binding for use of the Government Printing Office, and printing and binding (not exceeding $2,000) for official use of the Architect of the Capitol upon requisition of the Secretary of the Senate, in all to an amount not exceeding $2,700,000: *Provided*, That not less than $1,000,000 of such working capital shall be returned to the Treasury as an unexpended balance not later than six months after the close of the fiscal year 1936.

Public Printer, Deputy, etc.

Leaves of absence, etc.

Vehicles.

Machinery, etc.

Indexes, Congressional Record.

Proviso.
Working capital, portion of, covered in.

Purchases of materials by Government offices.
Vol. 28, p. 602; U. S. C., p. 1930.
Post, p. 1392.

Section 12 of the Printing Act, approved January 12, 1895 (U. S. C., title 44, sec. 14), is hereby amended to read as follows:

"The Joint Committee on Printing may permit the Public Printer to authorize any executive department or independent office or establishment of the Government to purchase direct for its use such printing, binding, and blank-book work, otherwise authorized by law, as the Government Printing Office is not able or suitably equipped to execute or as may be more economically or in the better interest of the Government executed elsewhere; and such Joint Committee also may authorize the Public Printer to procure services, materials, and supplies for use of the Government Printing Office without regard to the provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) whenever the aggregate amount involved is less than $50."

R. S., sec. 3709, p. 733; U. S. C., p. 1803.

Congressional work.

Printing and binding for Congress chargeable to the foregoing appropriation, when recommended to be done by the Committee on Printing of either House, shall be so recommended in a report containing an approximate estimate of the cost thereof, together with a statement from the Public Printer of estimated approximate cost of work previously ordered by Congress within the fiscal year for which this appropriation is made.

Payment for work ordered by departments, etc.

During the fiscal year 1936 any executive department or independent establishment of the Government ordering printing and binding from the Government Printing Office shall pay promptly by check to the Public Printer upon his written request, either in advance or upon completion of the work, all or part of the estimated or actual cost thereof, as the case may be, and bills rendered by the Public Printer in accordance herewith shall not be subject to audit or certification in advance of payment: *Provided*, That proper adjustments on the basis of the actual cost of delivered work paid for in advance shall be made monthly or quarterly and as may be agreed upon by the Public Printer and the department or establishment concerned. All sums paid to the Public Printer for work that he is authorized by law to do shall be deposited to the credit, on the books of the Treasury Department, of the appropriation made for the working capital of the Government Printing Office, for the year in which the work is done, and be subject to requisition by the Public Printer.

Proviso.
Adjustments of accounts.

Sums paid for work to be credited to working capital.

Estimates for departments, etc., to be incorporated in a single item.

All amounts in the Budget for the fiscal year 1937 for printing and binding for any department or establishment, so far as the Bureau of the Budget may deem practicable, shall be incorporated in a single item for printing and binding for such department or establishment and be eliminated as a part of any estimate for any other purpose. And if any amounts for printing and binding are included as a part of any estimates for any other purposes, such amounts shall be set forth in detail in a note immediately following the general estimate for printing and binding: *Provided*, That the foregoing requirements shall not apply to work to be executed at the Bureau of Engraving and Printing.

Proviso.
Engraving and Printing Bureau excepted.

Restriction on paying detailed employees.

No part of any money appropriated in this Act shall be paid to any person employed in the Government Printing Office while detailed for or performing service in the executive branch of the public service of the United States unless such detail be authorized by law.

Office of Superintendent of Documents.

OFFICE OF SUPERINTENDENT OF DOCUMENTS

Superintendent and personnel.
Vol. 46, p. 1003.
U. S. C., p. 85.

For the Superintendent of Documents, assistant superintendent, and other personal services in accordance with the Classification Act of 1923, as amended, and compensation of employees paid by the

Vol. 43, p. 658. U. S. C., p. 1931.

hour who shall be subject to the provisions of the Act entitled "An Act to regulate and fix rates of pay for employees and officers of the Government Printing Office", approved June 7, 1924 (U. S. C., title 44, sec. 40), $585,000: *Provided*, That for the purpose of conforming to section 3 of this Act this appropriation shall be considered a separate appropriation unit.

Proviso. Item a separate unit.

Contingent expenses.

For furniture and fixtures, typewriters, carpets, labor-saving machines and accessories, time stamps, adding and numbering machines, awnings, curtains, books of reference; directories, books, miscellaneous office and desk supplies, paper, twine, glue, envelops, postage, car fares, soap, towels, disinfectants, and ice; drayage, express, freight, telephone and telegraph service; traveling expenses (not to exceed $200); repairs to buildings, elevators, and machinery; preserving sanitary condition of building; light, heat, and power; stationery and office printing, including blanks, price lists, and bibliographies, $100,000; for catalogues and indexes, not exceeding $30,000; for supplying books to depository libraries, $85,000; in all, $215,000: *Provided*, That no part of this sum shall be used to supply to depository libraries any documents, books, or other printed matter not requested by such libraries, and the requests therefor shall be subject to approval by the Superintendent of Documents.

Proviso. Supplying depository libraries restricted.

Printing reports of departments.

In order to keep the expenditures for printing and binding for the fiscal year 1936 within or under the appropriations for such fiscal year, the heads of the various executive departments and independent establishments are authorized to discontinue the printing of annual or special reports under their respective jurisdictions: *Provided*, That where the printing of such reports is discontinued the original copy thereof shall be kept on file in the offices of the heads of the respective departments or independent establishments for public inspection.

Proviso. Originals to be kept.

Purchases independent of Procurement Division, Treasury Department. Vol. 28, p. 601; Vol. 36, p. 531. U. S. C., p. 1804.

Purchases may be made from the foregoing appropriation under the "Government Printing Office", as provided for in the Printing Act approved January 12, 1895, and without reference to section 4 of the Act approved June 17, 1910 (U. S. C., title 41, sec. 7), concerning purchases for executive departments.

Private vehicle restriction.

SEC. 2. No part of the funds herein appropriated shall be used for the maintenance or care of private vehicles.

Average salaries in designated offices not to be exceeded. Vol. 42, p. 1488. U. S. C., p. 85.

SEC. 3. In expending appropriations or portions of appropriations, contained in this Act, for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, the average of the salaries of the total number of persons under any grade in the Botanic Garden, the Library of Congress, or the Government Printing Office, shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade, advances may be made to rates higher than the average of the compensation rates of the grade, but not more often than once in any fiscal year, and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, (4) to prevent the payment of a salary

Proviso. Not applicable to clerical-mechanical service. Vol. 42, p. 1490. U. S. C., p. 86.

Transfer to another position without reduction.

under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

Higher salary rates allowed.

If only one position in a grade.

SEC. 4. The appropriations and authority with respect to appropriations contained herein shall be available from and including July 1, 1935, for the purposes respectively provided in such appropriations and authority. All obligations incurred during the period between June 30, 1935, and the date of the enactment of this Act in anticipation of such appropriations and authority are hereby ratified and confirmed if in accordance with the terms thereof.

Availability of appropriations since June 30, 1935.

SEC. 5. This Act may be cited as the "Legislative Branch Appropriation Act, 1936".

Short title.

Approved, July 8, 1935.

[CHAPTER 375.]

AN ACT

To create a National Park Trust Fund Board, and for other purposes.

July 10, 1935.
[S. 2074.]
[Public, No. 201.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a board is hereby created and established, to be known as the National Park Trust Fund Board (hereinafter referred to as the Board), which shall consist of the Secretary of the Treasury, the Secretary of the Interior, the Director of the National Park Service, and two persons appointed by the President for a term of five years each (the first appointments being for three and five years, respectively). Three members of the Board shall constitute a quorum for the transaction of business, and the Board shall have an official seal, which shall be judicially noticed. The Board may adopt rules and regulations in regard to its procedure and the conduct of its business.

National Park Trust Fund Board, created.

Membership, terms of office, quorum, etc.

Seal.

Procedural rules and regulations.

No compensation shall be paid to the members of the Board for their services as such members, but they shall be reimbursed for the expenses necessarily incurred by them, out of the income from the fund or funds in connection with which such expenses are incurred.

Compensation; expenses of members.

SEC. 2. The Board is hereby authorized to accept, receive, hold, and administer such gifts or bequests of personal property for the benefit of, or in connection with, the National Park Service, its activities, or its service, as may be approved by the Board, but no such gift or bequest which entails any expenditure not to be met out of the gift, bequest or the income thereof shall be accepted without the consent of Congress.

Acceptance, etc., of gifts.

The moneys or securities composing the trust funds given or bequeathed to the Board shall be receipted for by the Secretary of the Treasury, who shall invest, reinvest, or retain investments as the Board may from time to time determine. The income, as and when collected, shall be covered into the Treasury of the United States in a trust fund account to be known as the "National Park Trust Fund" subject to disbursement by the Division of Disbursement, Treasury Department, for the purposes in each case specified: *Provided, however*, That the Board is not authorized to engage in any business, nor shall the Secretary of the Treasury make any investment for account of the Board that may not lawfully be made by a trust company in the District of Columbia, except that the Secretary may make any investments directly authorized by the instrument of gift, and may retain any investments accepted by the Board.

Investment of trust funds.

Account designated as "National Park Trust Fund."

Proviso.
Restriction on investments.

Powers of Board.

SEC. 3. The Board shall have perpetual succession, with all the usual powers and obligations of a trustee, including the power to sell, except as herein limited, in respect of all property, moneys, or securities which shall be conveyed, transferred, assigned, bequeathed, delivered or paid over to it for the purposes above specified. The Board may be sued in the Supreme Court of the District of Columbia, which is hereby given jurisdiction of such suits, for the purpose of enforcing the provisions of any trust accepted by it.

Gifts for immediate disbursement, etc.

SEC. 4. Nothing in this Act shall be construed as prohibiting or restricting the Secretary of the Interior from accepting, in the name of the United States, gifts or bequests of money for immediate disbursement or other property in the interest of the National Park Service, its activities, or its service, as heretofore authorized by law.

Tax exemption.

SEC. 5. Gifts or bequests to or for the benefit of the National Park Service, including those to the Board, and the income therefrom, shall be exempt from all Federal taxes.

Report to Congress.

SEC. 6. The Board shall submit to the Congress an annual report of the moneys or securities received and held by it and of its operations.

Approved, July 10, 1935.

[CHAPTER 376.]

AN ACT

July 10, 1935.
[H. R. 6464.]
[Public, No. 202.]

To provide means by which certain Filipinos can emigrate from the United States.

Native Filipinos residing in United States.
Application for return to Philippine Islands.
Post, pp. 1121, 1462.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any native Filipino residing in any State or the District of Columbia on the effective date of this Act, who desires to return to the Philippine Islands, may apply to the Secretary of Labor, upon such form as the Secretary may prescribe, through any officer of the Immigration Service for the benefits of this Act. Upon approval of such application, the Secretary of Labor shall notify such Filipino forthwith, and shall certify to the Secretary of the Navy and the Secretary of War that such Filipino is eligible to be returned to the Philippine Islands under the terms of this Act. Every Filipino who is so certified shall be entitled, at the expense of the United States, to transportation and maintenance from his present residence to a port on the west coast of the United States, and from such port, to passage and maintenance to the port of Manila, Philippine Islands, on either Navy or Army transports, whenever space on such transports is available, or on any ship of United States registry operated by a commercial steamship company which has a contract with the Secretary of Labor as provided in section 2.

Notification on approval.

Transportation and maintenance expense.

Contracts for transportation authorized.

SEC. 2. The Secretary of Labor is hereby authorized and directed to enter into contracts with any railroad or other transportation company, for the transportation from their present residences to a port on the west coast of the United States of Filipinos eligible under section 1 to receive such transportation, and with any commercial steamship company, controlled by citizens of the United States and operating ships under United States registry, for transportation and maintenance of such Filipinos from such ports to the port of Manila, Philippine Islands, at such rates as may be agreed upon between the Secretary and such steamship, railroad, or other transportation company.

Rules and regulations.

SEC. 3. The Secretary of Labor is authorized and directed to prescribe such rules and regulations as may be necessary to carry out this Act, to enter into the necessary arrangements with the Sec-

retary of War and the Secretary of the Navy, to fix the ports on the west coast of the United States from which any Filipinos shall be transported and the dates upon which transportation shall be available from such ports, to provide for the identification of the Filipinos entitled to the benefits of this Act, and to prevent voluntary interruption of the journey between any port on the west coast of the United States and the port of Manila, Philippine Islands.

Ports and dates of departure to be fixed.

SEC. 4. No Filipino who receives the benefits of this Act shall be entitled to return to the continental United States except as a quota immigrant under the provisions of section 8 (a) (1) of the Philippine Independence Act of March 24, 1934, during the period such section 8 (a) (1) is applicable.

Reentry of beneficiaries.
Vol. 48, p. 462.

SEC. 5. There is hereby authorized to be appropriated from moneys in the Treasury not otherwise appropriated, amounts necessary to carry out the provisions of this Act. All amounts so appropriated shall be administered by the Secretary of Labor, and all expenses, including those incurred by the Navy and War Departments, shall be charged thereto.

Funds authorized.
Post, p. 1121.

Administration of.

SEC. 6. No application for the benefits of this Act shall be accepted by any officer of the Immigration Service after December 1, 1936; and all benefits under this Act shall finally terminate on December 31, 1936, unless the journey has been started on or before that date, in which case the journey to Manila shall be completed.

Time limitation.

SEC. 7. Nothing in this Act shall be construed as authority to deport any native of the Philippine Islands, and no Filipino removed from continental United States under the provisions of this Act shall hereafter be held to have been deported from the United States.

Not to be considered deportation.

Approved, July 10, 1935.

[CHAPTER 377.]

AN ACT

July 12, 1935.
[S. 2378.]
[Public, No. 203.]

Authorizing the Secretary of the Navy to accept on behalf of the United States a bequest of certain personal property of the late Doctor Malcolm Storer, of Boston, Massachusetts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to accept on behalf of the United States, without cost to the United States, a bequest of personal property, provided in the will of the late Doctor Malcolm Storer, of Boston, Massachusetts, consisting of a collection of naval medals, together with the sum of $500 to be used to cover the expense of the installation of said collection of naval medals as an exhibit at the United States Naval Academy.

Doctor Malcolm Storer.
Acceptance of bequest of, authorized.

Approved, July 12, 1935.

[CHAPTER 378.]

AN ACT

July 15, 1935.
[S. 2966.]
[Public, No. 204.]

To empower the Legislature of the Territory of Hawaii to authorize the issuance of revenue bonds, to authorize the city and county of Honolulu to issue flood-control bonds, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Legislature of the Territory of Hawaii may cause to be issued on behalf of the Territory and may authorize any political or municipal corporation or subdivision of the Territory to issue on its own behalf bonds and other obligations payable solely from the revenues derived from a public improvement or public undertaking (which revenues

Hawaii.
Authority of Legislature of, to authorize issue of revenue bonds.

may include transfers by agreement or otherwise from the regular funds of the issuer in respect of the use by it of the facilities afforded by such improvement or undertaking). The issuance of such revenue bonds shall not constitute the incurrence of an indebtedness within the meaning of section 55 of the Act of April 30, 1900, entitled "An Act to provide a government for the Territory of Hawaii", as amended, and shall not require the approval of the President of the United States.

Territorial indebtedness.
Vol. 31, p. 151.
U. S. C., p. 2149.

Approval of President not required.

Honolulu; issue of flood-control bonds.

SEC. 2. The Legislature of the Territory of Hawaii may authorize the city and county of Honolulu to issue its general obligation bonds for the purpose of financing projects for the prevention and control of floods, in a total amount of not to exceed $1,200,000, notwithstanding the existing limitation of indebtedness contained in section 55 of the Act of April 30, 1900, entitled "An Act to provide a government for the Territory of Hawaii", as amended.

Aggregate amount.

Effective date.
Validation of previous issues.

SEC. 3. This Act shall take effect immediately. All Acts of the Legislature of Hawaii heretofore authorizing the issuance of revenue bonds on behalf of the Territory or by any political or municipal corporation or any subdivision thereof, or authorizing the city and county of Honolulu to issue bonds for the control of any protection against floods, are hereby approved, ratified, and confirmed.

Approved, July 15, 1935.

[CHAPTER 379.]

AN ACT

July 15, 1935.
[S. 1206.]
[Public, No. 205.]

Authorizing the transfer of certain lands near Vallejo, California, from the United States Housing Corporation to the Navy Department for naval purposes.

Vallejo, Calif.
Transfer of certain lands near, to Navy Department, authorized.
Vol. 40, p. 550.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Housing Corporation, a corporation organized by authority of the President of the United States pursuant to the provisions of the Act entitled "An Act to authorize the President to provide housing for war needs", approved May 16, 1918, as amended, is authorized and directed to transfer, by appropriate conveyance, to the Navy Department, for naval purposes, that certain tract or parcel of land comprising twenty-nine acres, more or less, designated as the unsold portions of the tideland lot numbered 19, in Bay Terrace, near Vallejo, Solano County, California.

Approved, July 15, 1935.

[CHAPTER 380.]

AN ACT

July 15, 1935.
[S. 2230.]
[Public, No. 206.]

To authorize the Secretary of the Navy to acquire a suitable site at Pearl Harbor, Territory of Hawaii, for a rear range light.

Pearl Harbor, Hawaii.
Acquisition of site at, for rear range light authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized to acquire on behalf of the United States a perpetual easement in or use of a suitable site on lot Numbered A4–12, Pearl Harbor, Territory of Hawaii, for a rear range light for the waters of Pearl Harbor, Territory of Hawaii, and for said purpose there is hereby authorized to be appropriated the sum of $100.

Approved, July 15, 1935.

[CHAPTER 381.]

AN ACT

July 15, 1935.
[S. 2846.]
[Public, No. 207.]

Authorizing the Secretary of the Navy to accept on behalf of the United States the devise and bequest of real and personal property of the late Paul E. McDonnold, passed assistant surgeon with the rank of lieutenant commander, Medical Corps, United States Navy, retired.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to accept on behalf of the United States the devise and bequest of the real and personal property provided in the will of the late Paul E. McDonnold, passed assistant surgeon with the rank of lieutenant commander, Medical Corps, United States Navy, retired, or the proceeds from the sale thereof, for the benefit of the hospital fund, United States Navy.

Paul E. McDonnold.
Acceptance of bequest of.

SEC. 2. The funds accruing from the sale of property and the moneys authorized to be accepted by section 1 of this Act shall be deposited into the Treasury to the credit of the trust fund account "Naval hospital fund (7 s 815)", subject to the provisions of the Act of June 26, 1934 (48 Stat. 1224, ch. 756).

Funds from sale of property credited to "Naval hospital fund".
Vol. 48, p. 1224.

Approved, July 15, 1935.

[CHAPTER 382.]

JOINT RESOLUTION

July 15, 1935.
[H. J. Res. 347.]
[Pub. Res., No. 39.]

To provide for the compensation of pages of the Senate and House of Representatives from July 1, 1935, until the close of the first session of the 74th Congress.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That for the payment of pages of the Senate and House of Representatives for the period commencing July 1, 1935, and ending with the last day of the month in which the first session of the Seventy-fourth Congress adjourns sine die, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary for each of the following respective purposes:

Congressional pages.
Appropriation for pay of, until the close of present session.

Senate: For twenty-one pages for the Senate Chamber at the rate of $4 per day each.

Senate.

House of Representatives: For forty-one pages, including ten for duty at the entrances to the Hall of the House, at $4 per day each.

House of Representatives.

Approved, July 15, 1935.

[CHAPTER 383.]

AN ACT

July 16, 1935.
[H. R. 4751.]
[Public, No. 208.]

To amend sections 11 and 24 of the Interstate Commerce Act, as amended, with respect to the terms of office of members of the Interstate Commerce Commission.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Interstate Commerce Act, as amended, is amended by inserting at the end of section 11 and immediately preceding the last sentence of section 24 a new sentence as follows: "Upon the expiration of his term of office a Commissioner shall continue to serve until his successor is appointed and shall have qualified."

Interstate Commerce Act.
Terms of office of Commissioners.
Vol. 24, p. 383; Vol. 41, p. 497.
U. S. C., pp. 2221, 2228.

Approved, July 16, 1935.

[CHAPTER 384.]

AN ACT

July 17, 1935.
[S. 883.]
[Public, No. 209.]

Directing the retirement of acting assistant surgeons of the United States Navy at the age of seventy years.

Navy.
Retirement of acting assistant surgeons at 70 years, directed.
U. S. C., pp. 1513, 1527.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, The acting assistant surgeons of the United States Navy who, on the date of the passage of this Act, have reached the age of seventy years shall be placed on the retired list of the Navy with pay at the rate of three-fourths of their active-duty pay.

Approved, July 17, 1935.

[CHAPTER 386.]

AN ACT

July 18, 1935.
[H. R. 4760.]
[Public, No. 210.]

Limiting expenditures for repairs or changes to naval vessels.

Naval vessels; repairs.
Limitation on cost.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the total appropriation expenditures for repairs or changes to a vessel of the Navy undertaken in a navy yard shall not exceed $450,000 for any eighteen consecutive months: *Provided*, That if, during the overhaul of a vessel, the estimated cost for such overhaul having been approved as within the limits herein imposed, accomplishment of essential items will involve expenditures in excess of such limits, the Secretary of the Navy may, and he is hereby authorized, appropriation otherwise being available, to complete the work, and it shall thereupon be his duty to report to the Congress at the next regular session thereof the expenditures from each of the appropriations involving expenditures in excess of the authorized limit for such work: *Provided further*, That such parts of the Act for March 2, 1907, March 3, 1909, and August 29, 1916, contained in section 468, title 5 of the United States Code, as relate to statutory limit of expenditure for repairs or changes on naval vessels, are hereby repealed.

Provisos.
When repair cost underestimated.

Completion of work authorized.

Report to Congress.

Certain statutory limitations repealed.
Vol. 34, p. 1195; Vol. 35, p. 769; Vol. 39, p. 605.
U. S. C., p. 72.

Approved, July 18, 1935.

[CHAPTER 387.]

JOINT RESOLUTION

July 18, 1935.
[H. J. Res. 201.]
[Pub. Res., No. 40.]

Giving authority to the Commissioners of the District of Columbia to make special regulations for the occasion of the Seventieth National Encampment of the Grand Army of the Republic, to be held in the District of Columbia in the month of September 1936, and for other purposes, incident to said encampment.

Grand Army Encampment, District of Columbia, 1936.
Preamble.
Vol. 38, p. 1222.

Whereas at the close of the Civil War the Grand Army of the Republic marched up historic Pennsylvania Avenue while the spirited tramp, tramp, tramp of their feet became the Nation's marching song, and again in 1915, when their ranks were beginning to thin, the Capital City once more welcomed the Boys in Blue as their footsteps again resounded to the old battle tunes; and

Whereas the ranks of the three hundred thousand have dwindled away to hundreds, most of whom are in their ninetieth year; and

Whereas it is the greatest desire of their hearts to hold their seventieth national encampment in the Capital of their country in 1936, and march, for the last time, up Pennsylvania Avenue; and it should be our pleasure and privilege to invite them here and show respect to the last of our Civil War veterans, who, as our President in his last message to them said, "have lived to see the

end of sectionalism and the final healing of the scars of conflict and the achievement of a true unity of national purposes": Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia are hereby authorized and directed to make such special regulations for the occasion of the encampment of the Grand Army of the Republic, which will take place in the District of Columbia from September 21 to September 27, 1936, as they shall deem advisable for the preservation of public order and the protection of life and property, to be in force one week prior to said encampment, during said encampment, and one week subsequent thereto. Such special regulations shall be published in one or more of the daily newspapers of the District of Columbia, and no penalty prescribed for the violation of such regulations shall be enforced until five days after such publication. Any person violating any of the aforesaid regulations or the aforesaid schedule of fares shall, upon conviction thereof in the police court of the said District, be liable for such offense to a fine not to exceed $100, and in default of payment of such fine to imprisonment in the workhouse (or jail) of said District for not longer than sixty days. This resolution shall take effect immediately upon its approval, and the sum of $15,000, or as much thereof as may be necessary, payable from any money in the Treasury not otherwise appropriated and from the revenues of the District of Columbia, in equal parts, is hereby appropriated to enable the Commissioners of the District of Columbia to carry out the provisions of section 1 of this joint resolution, $1,000 of which shall be available for the construction, maintenance, and operation of public comfort stations and information booths, under the direction of said Commissioners.

District Commissioners directed to make special regulations.
Post, p. 1485.

Publication of.

Penalty for violation.

Appropriation for expenses.

SEC. 2. That the Commissioners of the District of Columbia are hereby authorized to permit the committee on illumination of the citizens' executive committee for the entertainment of the seventieth national encampment of the Grand Army of the Republic to stretch suitable conductors, with sufficient supports wherever necessary, for the purpose of effecting the said illumination within the District of Columbia: *Provided*, That the said conductors shall not be used for the conveying of electrical currents after September 27, 1936, and shall, with their supports, be fully and entirely removed from the streets and avenues of the said city of Washington on or before the 16th of October 1936: *Provided further*, That the stretching and removing of the said wires shall be under the supervision of the Commissioners of the District of Columbia, who shall see that the provisions of this resolution are enforced; that all needful precautions are taken for the protection of the public; and that the pavement of any street, avenue, or alley disturbed is replaced in as good condition as before entering upon the work herein authorized: *Provided further*, That no expense or damage on account of or due to stretching, operation, or removing of the said temporary overhead conductors shall be incurred by the United States or the District of Columbia: *And provided further*, That if it shall be necessary to erect wires for illumination purposes over any park or reservation in the District of Columbia that the work of erection and removal of said wires shall be under the supervision of the official in charge of said park or reservation.

Illumination.

Provisos.
Use of conductors limited.

Supervision, etc.

No Federal expense.

Wires over parks, etc.

SEC. 3. That the Secretary of War and the Secretary of the Navy be, and they are hereby, authorized to loan to the chairman of the subcommittee in charge of street decorations, or his successor in said

Loan of Government flags, etc.

office, for the purpose of decorating the streets of the city of Washington, District of Columbia, on the occasion of the encampment of the Grand Army of the Republic, 1936, such of the United States ensigns, flags (except battle flags), signal numbers, and so forth, belonging to the Government of the United States, as in their judgment may be spared and are not in use by the Government at the time of the encampment. The loan of the said ensigns, flags, signal numbers, and so forth, to said chairman shall not take place prior to the 11th day of September and shall be returned by him by the 16th of October 1936.

Bond required.

SEC. 4. That for the protection and return of said ensigns, flags, signal numbers, and so forth, the said chairman, or his successor in office, shall execute and deliver to the President of the United States, or to such officer as he may designate, a satisfactory bond in the penalty of $50,000, to secure just payment for any loss or damage to said ensigns, flags, and signal numbers not necessarily incident to the use specified.

Use of reservations, etc.
Post, p. 1486.

SEC. 5. That the Superintendent of National Capital Parks, subject to the approval of the Director of National Park Service, is hereby authorized to grant permits to the citizens' executive committee for the entertainment of the Grand Army of the Republic for the use of any reservation or other public spaces in the city of Washington on the occasion of the seventieth national encampment, in the month of September 1936, which, in his opinion, will inflict no serious or permanent injuries upon such reservations or public spaces, or statuary therein; and the Commissioners of the District of Columbia may designate for such and other purposes on the occasion aforesaid such streets, avenues, and sidewalks in the said city of Washington as they may deem proper and necessary: *Provided, however*, That all stands and platforms that may be erected on the public spaces aforesaid shall be under the supervision of the said citizens' executive committee and in accordance with plans and designs to be approved by the Architect of the Capitol, the Commissioner of Public Buildings and Grounds, and the building inspector of the District of Columbia: *And provided further*, That any such buildings, parks, reservations, and other public spaces which shall be used or occupied by the erection of stands or other structures, or otherwise, shall be promptly restored to their condition before such occupancy, and the said citizens' executive committee shall execute and deliver to the Commissioners of the District of Columbia a satisfactory bond with a penalty of $10,000 to secure such prompt restoration and to indemnify the District of Columbia for all damage of any kind whatsoever sustained by reason of any such use or occupancy.

Provisos.
Stands, etc.

Restoration.

Indemnity bond.

Loan of hospital tents and appliances.

SEC. 6. That the Secretary of War is hereby authorized to loan to the chairman of the medical department of the seventieth national encampment of the Grand Army of the Republic, or his successor in said office, for the purpose of caring for the sick, injured, and infirm on the occasion of the encampment of the Grand Army of the Republic in the month of September 1936, such hospital tents and camp appliances and other necessaries, hospital furniture, and utensils of all descriptions, ambulances, drivers, stretchers, attendants, and Red Cross flags and poles belonging to the Government of the United States as in his judgment may be spared and are not in use by the Government at the time of the encampment: *Provided*, That the said chairman, or his successor in said office, shall indemnify the War Department for any loss to such hospital tents and appliances as aforesaid not necessarily incident to such use.

Proviso.
Indemnity.

SEC. 7. The Public Utilities Commission of the District of Columbia is authorized and directed to establish a special schedule of fares, applicable to public conveyances in said District, during the period aforesaid. Schedule of fares for public conveyances.

Approved, July 18, 1935.

[CHAPTER 390.]

AN ACT

To authorize the conveyance of certain lands in Nome, Alaska.

July 19, 1935.
[S. 2779.]
[Public, No. 211.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to convey to the city of Nome, Alaska, the following-described two parcels of land designated as tracts A and B, respectively, and forming part of the Nome (Alaska) Customhouse site: Beginning, for the description of tract A, at stake numbered 1 or the original northwest corner of the reservation as described in Executive order dated April 16, 1907; running thence south seventy degrees east one hundred and fifty-two feet to stake numbered 2 or the original northeast corner of the reservation; thence south twenty-eight degrees fifteen minutes west two hundred and seventy feet, more or less, along the easterly boundary of said reservation, to its intersection with the northerly boundary of block K of the amended portion of the townsite of Nome, identical with the southerly boundary of Front Street, amended; thence north seventy degrees thirty-seven minutes west one hundred and two feet, more or less, along said southerly boundary of Front Street, amended, to its intersection with line 5–6 of said reservation; thence north fifty-seven degrees west thirteen feet, more or less, to stake numbered 6 of said reservation; thence north nineteen degrees twenty-one minutes east eight-seven feet, more or less, along the westerly boundary of said reservation to its intersection with the northerly boundary of Front Street, amended; thence south seventy degrees thirty-seven minutes east one hundred and eight feet, more or less, to the intersection of the northerly boundary of Front Street with the westerly boundary of Federal Way; thence north nineteen degrees twenty-three minutes east one hundred and fifty feet, to the intersection of the said westerly boundary of Federal Way with the southerly boundary of Second Avenue, amended; thence north seventy degrees thirty-seven minutes west one hundred and five feet, more or less, along the southerly boundary of Second Avenue, amended, to its intersection with the westerly boundary of the said Customhouse reservation; thence, along said boundary line, north twenty-three degrees fifty-seven minutes east thirty feet, more or less, to stake numbered 1 or the place of beginning; and, beginning for the description of tract B at stake numbered 3 or the original southeast corner of said customhouse reservation; thence north sixty-nine degrees west eighty-seven feet, to stake numbered 4 or the original southwest corner of the reservation; thence north twenty-seven degrees twenty-five minutes east forty-seven feet, more or less, along line 4–5 of said reservation to its intersection with the northerly boundary of Seashore Avenue; thence south seventy degrees thirty-seven minutes east eighty-seven feet, more or less, along said northerly boundary of Seashore Avenue, to its intersection with line 2–3 of said reservation; thence south twenty-eight degrees fifteen minutes west fifty-one feet, more or less, to said stake numbered 3 or the place of beginning; and to convey to the owner of record of lot numbered 1, block K, of the amended portion of the townsite of Nome, the following-described piece or parcel of land designated as

Nome, Alaska.
Conveyance of certain lands to, authorized.

Description.

Description—Continued.

tract C: Beginning at the northwest corner of block K of the amended portion of the townsite of Nome; running thence south seventy degrees thirty-seven minutes east eight feet, more or less, along the northerly boundary of the said block K, to its intersection with line 2–3 of the customhouse reservation; thence south twenty-eight degrees fifteen minutes west fifty-one feet, more or less, to the intersection of said line 2–3 with the westerly boundary of said block K; thence, along said westerly boundary, north nineteen degrees twenty-three minutes east fifty feet, more or less, to the northwest corner of the said block K or the place of beginning: *Provided*, That there is conveyed to the United States as an addition to the aforesaid customhouse site, the following-described three pieces or parcels of lands, designated as tracts D, E, and F respectively, in order to provide a customhouse site of uniform dimensions in connection with the amended plat of a portion of the city of Nome made subsequent to the fire which destroyed a large portion of the buildings of the said city in September 1934; beginning for the description of tract D at the northwest corner thereof, identical with the northeast corner of block C of the amended portion of the townsite of Nome; thence south seventy degrees thirty-seven minutes east ninety-five feet, more or less, along the southerly boundary of Second Avenue, amended, to its intersection with line 7–1 of the aforesaid customhouse reservation, whence corner numbered 1 of said reservation bears north twenty-three degrees fifty-seven minutes east thirty feet, more or less, distant; thence, along line 7–1 of said reservation, south twenty-three degrees fifty-seven minutes west forty-one feet, more or less, to corner numbered 7 of said reservation; thence south nineteen degrees twenty-one minutes west one hundred and eight feet, more or less, along line 5–6 of said reservation, to its intersection with the northerly boundary of Front Street, amended; thence, along said northerly boundary of Front Street, north seventy degrees thirty-seven minutes west ninety feet, more or less, to the southeast corner of block C of the amended portion of the townsite of Nome; thence, along the easterly boundary of said block C, north nineteen degrees twenty-three minutes east one hundred and fifty feet, to the northeast corner or place of beginning; and, beginning for the description of tract E at the northwest corner thereof, identical with the northeast corner of block J of the amended portion of the townsite of Nome; thence south seventy degrees thirty-seven minutes east one hundred and five feet, more or less, along the southerly boundary of Front Street, amended, to its intersection with line 5–6 of the aforesaid customhouse reservation; thence, along said line 5–6, south fifty-seven degrees east thirteen feet, more or less, to corner numbered 5 thereof; thence south twenty-seven degrees twenty-five minutes east one hundred and ten feet, more or less, along line 4–5 of said reservation, to its intersection with the northerly boundary of Seashore Avenue, of the amended portion of the townsite of Nome; thence, along said northerly boundary of Seashore Avenue, north seventy degrees thirty-seven minutes west one hundred and four feet, more or less, to the southwest corner, identical with the southeast corner of the aforesaid block J; thence, along the easterly boundary of said block J, north nineteen degrees twenty-three minutes east one hundred feet to the northwest corner or place of beginning; and, beginning for the description of tract F at the southwest corner of block K of the amended portion of the townsite of Nome; thence north seventy degrees thirty-seven minutes west eight feet, more or less, along the northerly boundary of the aforesaid Seashore Avenue, to its intersection with line 2–3 of the aforesaid customhouse reservation; thence, north twenty-eight degrees fifteen minutes east

Proviso.
Parcels in exchange.

Description.

fifty feet, more or less, along said line 2–3, to its intersection with the westerly boundary of the aforesaid block K; thence, along said westerly boundary of block K, south nineteen degrees twenty-three minutes west forty-nine feet, more or less, to the place of beginning.

SEC. 2. The transfer of this property and its use for the purposes mentioned shall be without expense to the United States of America. No Federal expense.

Approved, July 19, 1935.

[CHAPTER 402.]

AN ACT

To regulate the strength and distribution of the line of the Navy, and for other purposes.

July 22, 1935.
[H. R. 5599.]
[Public, No. 212.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the Naval Appropriation Act approved August 29, 1916 (39 Stat. 576; U. S. C., title 34, sec. 2), as provides that "hereafter the total number of commissioned officers of the active list of the line of the Navy, exclusive of commissioned warrant officers, shall be 4 per centum of the total authorized enlisted strength of the active list, exclusive of the Hospital Corps, prisoners undergoing sentence of discharge, enlisted men detailed for duty with the Naval Militia, and the Flying Corps", is hereby amended to read as follows: "Hereafter the total authorized number of commissioned officers of the active list of the line of the Navy, exclusive of commissioned warrant officers, shall be equal to 4¾ per centum of the total authorized enlisted strength of the active list, exclusive of the Hospital Corps, prisoners undergoing sentence of discharge, enlisted men detailed for duty with the Naval Militia, and the Flying Corps."

Navy.
Number of commissioned officers of line.
Vol. 39, p. 576; U. S. C., p. 1511.

Percentage increased.

SEC. 2. That so much of the Naval Appropriation Act approved August 29, 1916 (39 Stat. 576; U. S. C., title 34, sec. 4), as amended by the Act approved March 3, 1931 (46 Stat. 1482; U. S. C., Supp. VII, title 34, sec. 4), as provides: "That the total number of commissioned line officers on the active list at any one time, exclusive of commissioned warrant officers, shall be distributed in the proportion of one in the grade of rear admiral, to four in the grade of captain, to eight in the grade of commander, to fifteen in the grade of lieutenant commander, to thirty in the grade of lieutenant, to forty-two in the grades of lieutenant (junior grade) and ensign, inclusive: *Provided*, That no officer shall be reduced in rank or pay or separated from the active list of the Navy as the result of any computation made to determine the authorized number of officers in the various grades of the line", is hereby amended to read as follows: "That the total number of commissioned line officers on the active list at any one time, exclusive of commissioned warrant officers, shall be distributed in the proportion of one in the grade of rear admiral, to four in the grade of captain, to eight in the grade of commander, to fifteen in the grade of lieutenant commander, to thirty in the grade of lieutenant, to forty-two in the grades of lieutenant (junior grade) and ensign, inclusive: *Provided*, That no officer shall be reduced in rank or pay or separated from the active list of the Navy as the result of any computation made to determine the authorized number of officers in the various grades of the line: *Provided further*, That for the purpose of making any computation to determine the authorized number of officers in the various grades of the line above the grade of lieutenant (junior grade), the number of commissioned line officers on the active list, exclusive of commissioned warrant officers, shall, until June 30, 1936, be assumed to be five thousand four

Distribution of commissioned line officers among grades.
Vol. 39, p. 576; Vol. 46, p. 1482; U. S. C., p. 1512.

Total numbers.

Provisos.
No reductions in rank, etc.

Distribution in grades until June 30, 1936.

Thereafter.

hundred and ninety-nine, and after that date any computation to determine the authorized number of officers in the various grades of the line shall be based on the total number of commissioned line officers on the active list at any one time not below five thousand four hundred and ninety-nine, exclusive of commissioned warrant officers: *Provided further*, That except in time of war, the following numbers, exclusive of additional numbers in grade, in the grades as indicated shall not be exceeded: In the grade of rear admiral, fifty-eight; in the grade of captain, two hundred and forty; in the grade of commander, five hundred and fifteen: *And provided further*, That except in time of war, if any computation made to determine the authorized number of officers in the various grades of the line would, except for the immediately foregoing proviso, give a greater number of rear admirals than fifty-eight, or a greater number of captains than two hundred and forty, or a greater number of commanders than five hundred and fifteen, such excess number shall be carried in the grade of lieutenant commander and an increase in that grade above the 15 per centum of the total number of commissioned officers on the active list at any one time, exclusive of commissioned warrant officers, is hereby authorized for that purpose."

Numbers during peace time.

Excess numbers to be carried in lieutenant commander grade.

Increase authorized.

Vol. 48, p. 814.

SEC. 3. That section 4 of the Act approved May 29, 1934 (48 Stat. 814), is hereby amended to read as follows:

"That after June 30, 1936, lieutenants and lieutenants (junior grade) who shall not have been recommended for promotion to the next higher grade by the report of a line selection board as approved by the President shall, on and after June 30 next succeeding the date of the approval of said line selection board, if they have completed fourteen or seven years, respectively, of commissioned service, be carried as additional numbers in grade, but shall be included in the authorized number of commissioned officers of the active list of the line of the Navy in any grade to which later promoted. That for the purpose of extending section 3 of the Act of March 3, 1931 (46 Stat. 1483; U. S. C., Supp. VII, title 34, sec. 286a), to officers below the rank of lieutenant commander, the said section is amended so that the length of service therein prescribed shall be twenty-one years for lieutenants and fourteen years for lieutenants (junior grade): *Provided*, That lieutenants with less than twenty-one years commissioned service shall become ineligible for promotion on June 30 of the fiscal year in which they attain the age of forty-five years: *Provided further*, That no officer of said rank shall become so ineligible prior to June 30, 1936: *And provided further*, That the restriction on the number of involuntary transfers in any fiscal year to the retired list prescribed in section 7 of the Act of March 3, 1931 (46 Stat. 1484; U. S. C., Supp. VII, title 34, sec. 286e), shall not apply to the grade of lieutenant and lieutenant (junior grade)."

Lieutenants and lieutenants (junior grade), not selected for promotion.

Carried as additional numbers; included in authorized number.

Eligibility for promotion, officers below lieutenant commander grade.

Vol. 46, p. 1483; U. S. C., p. 1525.

Provisos.
Age limitation.

Involuntary transfers to retired list.

Vol. 46, p. 1484; U. S. C., p. 1525.

SEC. 4. That so much of the Act approved June 30, 1914 (38 Stat. 404), as amended by the Act approved August 29, 1916 (39 Stat. 576, 581), as further amended by the Act approved July 1, 1918 (40 Stat. 708), which, as contained in the United States Code, title 34, section 3, provides:

Number of commissioned officers of staff corps.

Vol. 38, p. 404; Vol. 39, p. 581; Vol. 40, p. 708; U. S. C., p. 1512.

"The total authorized number of commissioned officers of the active list of the following Staff Corps, exclusive of commissioned warrant officers, shall be based on percentages of the total number of commissioned officers of the active list of the line of the Navy as follows:

Provisions amended.

"Supply Corps, 12 per centum; Construction Corps, 5 per centum; Corps of Civil Engineers, 2 per centum; and the total authorized number of commissioned officers of the Medical Corps shall be sixty-five one hundredths of 1 per centum of the total authorized number

of the officers and enlisted men of the Navy and Marine Corps, including midshipmen, hospital corps, prisoners undergoing sentence of discharge, enlisted men detailed for duty with the Naval Militia, and the Flying Corps: *Provided*, That hereafter the authorized number of surgeons in the United States Navy be, and it is hereby, increased by one.

"Dental Corps: There shall be one dental officer in the Navy for each thousand of the total authorized number of officers and enlisted men of the Navy and Marine Corps.

"Corps of Chaplains: The total number of chaplains and acting chaplains in the Navy shall be one to each one thousand two hundred and fifty of the total personnel of the Navy and Marine Corps as fixed by law, including midshipmen, apprentice seamen, and naval prisoners"

is hereby amended to read as follows:

Percentages.

"The total authorized number of commissioned officers of the active list of the following staff corps, exclusive of commissioned warrant officers, shall be based on percentages of the total number of commissioned officers of the active list of the line of the Navy as follows:

Supply—Construction—and Civil Engineers Corps. Medical Corps.

"Supply Corps, 12 per centum; Construction Corps, 5 per centum; Corps of Civil Engineers, 2 per centum; and the total authorized number of commissioned officers of the Medical Corps shall be sixty-five one-hundredths of 1 per centum of the total authorized number of the officers and enlisted men of the Navy and Marine Corps, including midshipmen, Hospital Corps, prisoners undergoing sentence of discharge, enlisted men detailed for duty with the Naval Militia, and the Flying Corps: *Provided*, That hereafter the authorized number of surgeons in the United States Navy be, and it is hereby, increased by one.

Proviso. Navy surgeons; number.

Dental Corps; authorized number increased.

"Dental Corps: The total authorized number of commissioned officers of the Dental Corps shall be one for each five hundred of the actual number of officers and enlisted men of the Navy and Marine Corps.

Corps of Chaplains; authorized number.

"Corps of Chaplains: The total authorized number of chaplains and acting chaplains in the Navy shall be one to each one thousand two hundred and fifty of the total personnel of the Navy and Marine Corps as fixed by law, including midshipmen, apprentice seamen, and naval prisoners."

Promotions; captains, commanders, and lieutenant commanders.

SEC. 5. That section 3 of the Act approved March 3, 1931 (46 Stat. 1483; U. S. C., Supp. VII, title 34, sec. 286a), is hereby amended by inserting after the word "*Provided*," appearing in line 10 of said section 3 of Statutes at Large, volume 46, page 1483, the following clause: "That the term 'service in grade[1]' shall be construed to include service on the promotion list for his grade: *Provided further*,", so that the said section will read as follows: "Except as provided in section 7, captains, commanders, and lieutenant commanders who shall not have been recommended for promotion to the next higher grade by the report of a line selection board as approved by the President prior to the completion of thirty-five, twenty-eight, or twenty-one years, respectively, of commissioned service in the Navy, shall be ineligible for consideration by a line selection board, and any officer in said grade shall likewise be ineligible for consideration who on June 30 of the calendar year of the convening of the board shall have had less than four years' service in his grade: *Provided*, That the term 'service in his grade' shall be construed to include service on the promotion list for his

Vol. 46, p. 1483. U. S. C., p. 1525.

Officers not recommended for promotion; consideration by line selection board.

Provisos. "Service in his grade", construed.

[1] So in original

Naval Academy graduates. Computation of commissioned service.

grade: *Provided further*, That the commissioned service of Naval Academy graduates, for the purpose of this section only, shall be computed from June 30 of the calendar year in which the class in which they graduated completed its academic course, or, if its academic course was more or less than four years, from June 30 of the calendar year in which it would have completed an academic course of four years: *Provided further*, That except as provided in section 7, officers of any grade commissioned in the line of the Navy from sources other than the Naval Academy, shall become ineligible for consideration by a selection board when the members of the Naval Academy class next junior to them at the date of their original permanent commission as ensign or above become ineligible for consideration under the provisions of this section."

Commissioned from other than Naval Academy.

When ineligible for consideration.

Construction—Civil Engineer—and Supply Corps officers.

SEC. 6. That the President of the United States is hereby authorized, by and with the advice and consent of the Senate, to transfer and appoint officers of the line of the Navy, not above the grade of lieutenant commander, to the corresponding grade in the Construction Corps, Civil Engineer Corps, or Supply Corps, without regard to the age of the officers so transferred and appointed.

Transfers authorized.

Staff Corps officers.

SEC. 7. That the President of the United States is hereby authorized, by and with the advice and consent of the Senate, to transfer and appoint officers of the Staff Corps of the Navy not above the rank of lieutenant commander to the corresponding rank and grade in the line of the Navy and the officers so transferred and appointed shall have the lineal position and precedence in the line which they would have held had they remained in the line or had their original appointments been in the line. Any officer so transferred and appointed shall be carried as an additional number in the grade in which he is serving and to which he may hereafter be promoted.

Transfers authorized.

Rank and grade of transferred officers.

Carried as additional number.

Naval aviation. Detail of tactical and gunnery observers to duty in.

SEC. 8. That exclusive of student aviators and qualified aircraft pilots of the Navy and Marine Corps, the number of tactical and gunnery observers of the Navy and Marine Corps detailed to duty in aircraft and involving actual flying shall hereafter be in accordance with the requirements of naval aviation as determined by the Secretary of the Navy. So much of section 20 of the Act approved June 10, 1922 (42 Stat. 632), as amended by section 6 of the Act approved July 2, 1926 (44 Stat. 782; U. S. C., Supp. VII, title 37, sec. 29), which is inconsistent with or in conflict with the provision of this section, insofar as it relates to the Navy and Marine Corps, is hereby repealed.

Vol. 42, p. 632; Vol. 44, p. 782. U. S. C., p. 1622.

Navy and Marine Corps officers. Vol. 29, p. 361.

SEC. 9. The last proviso of the appropriation "Pay of the Navy," contained in the Naval Appropriation Act for the fiscal year 1897, approved June 10, 1896 (29 Stat. 361), is hereby amended to read as follows: "*And provided further*, That hereafter no payment shall be made from appropriations made by Congress to any officer in the Navy or Marine Corps on the active list while such officer is employed, after June 30, 1897, by any person or company furnishing naval supplies or war materials to the Government, and such employment is hereby made unlawful after said date: *Provided*, That no payment shall be made from appropriations made by Congress to any retired officer in the Navy or Marine Corps who for himself or for others is engaged in the selling of, contracting for the sale of, or negotiating for the sale of, to the Navy or the Navy Department, any naval supplies or war material."

Payment to, when employed by contractors, prohibited.

Retired officers.

Inconsistent laws repealed.

SEC. 10. That all laws and parts of laws which are inconsistent herewith or in conflict with the provisions hereof, insofar as they relate to the Navy and Marine Corps, are hereby repealed.

Approved, July 22, 1935.

[CHAPTER 408.]

AN ACT

July 23, 1935.
[S. 156.]
[Public, No. 213.]

Conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the city of Perth Amboy, New Jersey.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims to hear, determine, and render judgment upon the claim of the city of Perth Amboy, New Jersey, for the recovery of money expended in 1918 by the city of Perth Amboy pursuant to an alleged agreement with the United States to extend the city's water system for the purpose of supplying water to the Raritan Arsenal and Colonial Base Hospital, Numbered 2, less the present estimated value of the equipment installed under such agreement.

Perth Amboy, N. J. Claim of, against United States to be adjudicated by Court of Claims.

SEC. 2. Suit upon such claim may be instituted at any time within one year after the enactment of this Act, notwithstanding the lapse of time or any statute of limitations, except that said city shall be required to give sufficient assurance to the United States that it will preserve the facilities for furnishing water on account of which this claim is made and will not destroy or render them unfit for use except with the consent of the Secretary of War. Proceedings for the determination of such claim, and appeals from, and payment of any judgment thereon shall be in the same manner as in the case of claims over which such court has jurisdiction under section 145 of the Judicial Code, as amended.

Time for filing.

Conditions.

Procedure, appeals, etc.
Vol. 36, p. 1136.
U. S. C., p. 1261.

Approved, July 23, 1935.

[CHAPTER 409.]

AN ACT

July 23, 1935.
[S. 3038.]
[Public, No. 214.]

To authorize the transfer of certain lands in Rapides Parish, Louisiana, to the State of Louisiana for the purpose of a State highway across a portion of the Federal property occupied by the Veterans' Administration facility, Alexandria, Louisiana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to transfer to the State of Louisiana, without expense to the Government of the United States, all the right, title, and interest of the United States in and to a certain strip of land crossing the Veterans' Administration facility at Alexandria, Louisiana, along the Alexandria-Shreveport Highway, State route numbered 1, and Star route numbered 615, in sections 1 and 2, township 4 north, range 1 west, Rapides Parish, Louisiana, upon condition that it shall always be used and maintained as a public highway, said strip of land being described as follows:

State of Louisiana. Transfer of certain lands in Rapides Parish to, for highway, authorized.

Condition.

Description.

Beginning at a point in the located center line of the Alexandria-Colfax Highway at Engineer's station 152 plus 05.3, which point is in the south line of the northwest quarter of the southwest quarter of section 1, township 4 north, range 1 west, and north eighty-nine degrees fifty-four minutes east, a distance of three hundred twenty-five and five-tenths feet from the southwest corner of the said northwest quarter of the southwest quarter of section 1, township 4 north, range 1 west; thence north eighty-nine degrees, fifty-four minutes east, along the said south line of the northwest quarter of southwest quarter of section 1, a distance of fifty-one and thirty-seven one hundredths feet to a point in the easterly right-of-way line of the Alexandria-Colfax Highway, said point being fifty feet easterly and at right angles to the aforementioned center line; thence along

Description—Contd. the easterly right-of-way line of said highway, the following two courses: Northwesterly along a curve to the left having a radius of three thousand two hundred four and three one-hundredths feet, a distance of two hundred eighty-three and ninety-two one-hundredths feet to the point of tangency of said curve to the left; thence north seventeen degrees six minutes west, a distance of one thousand six hundred thirty-seven and thirty-seven one-hundredths feet to a point in the mesh wire fence enclosing residence lot, said point being fifty feet easterly and at right angles to the aforementioned center line; thence south sixty-eight degrees one minute west, along said fence line, a distance of twenty and seven one-hundredths feet to a point, said point being thirty feet easterly and at right angles to the aforementioned center line; thence along the easterly right-of-way line of the aforementioned highway, the following courses: North seventeen degrees six minutes west, a distance of one hundred twenty-one and three-tenths feet to the point of the beginning of a curve to the right; thence northwesterly along a curve to the right having a radius of five thousand six hundred ninety-nine and sixty-five one-hundredths feet, a distance of three hundred ten and four one-hundredths feet to the point of tangency of said curve to the right; thence north thirteen degrees fifty-nine minutes west, a distance of three hundred six and six-tenths feet to the point of beginning of a curve to the left; thence northwesterly along a curve to the left having a radius of seven hundred forty-six and seventy-eight one-hundredths feet, a distance of two hundred twenty-four and four-tenths feet to the point of tangency of said curve to the left; thence north thirty-one degrees twelve minutes west, a distance of six hundred twenty-six feet to the point of beginning of a curve to the left; thence northwesterly along a curve to the left having a radius of five hundred eight and thirty-four one-hundredths feet, a distance of two hundred sixty-one and forty-three one-hundredths feet to the point of tangency of said curve to the left; thence north sixty degrees forty minutes west, a distance of three hundred thirty-eight and nine-tenths feet to a point, said point being thirty feet northeasterly and at right angles to the aforementioned center line, same point also being thirty feet northeasterly and at right angles to the center line of the existing concrete highway from Alexandria toward Shreveport; thence north twenty-nine degrees twenty minutes east, a distance of ten feet to a point, said point being forty feet northeasterly and at right angles to the aforementioned center lines; thence along the easterly right-of-way of the road from Alexandria toward Shreveport, the following two courses: North sixty degrees forty minutes west, a distance of one hundred thirteen and fifteen one-hundredths feet to the point of beginning of a curve to the right; thence northwesterly along a curve to the right having a radius of four hundred and twenty-nine and sixty-four one-hundredths feet, a distance of three hundred sixty-three and seventy-nine one-hundredths feet, more or less, to a point in the north line of section 2, township 4 north, range 1 west, same being in the north boundary line of the Veterans' Administration property, said point also being forty feet easterly and at right angles to the aforementioned center line; thence along the said north line of section 2 and the north boundary line of the Veterans' Administration property and crossing the aforementioned highway, the following two courses: West a distance of forty and eighty-four one-hundredths feet to the center line of the existing concrete highway at Engineer's station 197 plus 93.8; thence west a distance of forty and seven-tenths feet to a point in a curve to the left in the westerly right-of-way line of the existing concrete highway from Alexandria

Description—Contd.

toward Shreveport, said point being forty feet westerly and at right angles to the aforementioned center line; thence southeasterly along said curve to the left having a radius of five hundred nine and sixty-four one-hundredths feet, a distance of one hundred ninety-eight and nine-tenths feet to a point, said point being forty feet westerly and at right angles to the aforementioned center line and said point also being thirty feet northeasterly and at right angles to the highway leading to Regollet; thence along the northeasterly right-of-way of said highway leading to Regollet, the following two courses: North sixty degrees forty minutes west, a distance of seventy-five and twenty-four one-hundredths feet to the point of beginning of a curve to the left; thence northwesterly along a curve to the left having a radius of one thousand three hundred three and fifty-seven one-hundredths feet, a distance of three hundred ninety-seven and fifty-eight one-hundredths feet, more or less, to a point in the north line of section 2, township 4 north, range 1 west, same being in the north boundary line of the Veterans' Administration property, said point also being thirty feet northerly and at right angles to the aforementioned center line; thence along the said north line of section 2 and the north boundary line of the Veterans' Administration property and crossing the aforementioned highway, the following two courses: West a distance of one hundred eighty-five and twenty-six one-hundredths feet to the center line of the highway leading to Regollet; thence west a distance of one hundred ninety-eight and thirty-three one-hundredths feet to a point in the westerly right-of-way line of the highway leading to Regollet; thence along the westerly right-of-way of the aforementioned highways, the following courses: South eighty-one degrees eighteen minutes east, a distance of three hundred seven and thirty-five one-hundredths feet to the point of beginning of a curve to the right, said point being thirty feet southwesterly and at right angles to the aforementioned center line; thence along a curve to the right having a radius of one thousand two hundred and forty-three and fifty-seven one-hundredths feet, a distance of four hundred forty-seven and eighty-three one-hundredths feet to the point of tangency of said curve to the right; thence south sixty degrees forty minutes east, a distance of seven hundred sixty-seven and two-tenths feet to the point of beginning of a curve to the right; thence southeasterly along a curve to the right having a radius of four hundred forty-eight and thirty-four one-hundredths feet, a distance of two hundred thirty and fifty-eight one-hundredths feet to the point of tangency of said curve to the right; thence south thirty-one degrees twelve minutes east, a distance of six hundred twenty-six feet to the point of beginning of a curve to the right; thence along a curve to the right having a radius of six hundred eight-six[1] and seventy-eight one-hundredths feet, a distance of two hundred six and thirty-seven one-hundredths feet to the point of tangency of said curve to the right; thence south thirteen degrees fifty-nine minutes east, a distance of three hundred six and six-tenths feet to the point of beginning of a curve to the left; thence along a curve to the left having a radius of five thousand seven hundred fifty-nine and sixty-five one-hundredths feet, a distance of three hundred thirteen and three-tenths feet to the point of tangency of said curve to the left; thence south seventeen degrees six minutes east, a distance of one hundred thirty-one and fifty-eight one hundredths feet to the corner of a mesh wire fence, said point being thirty feet westerly and at right angles to the center line of the Alexandria-Colfax Highway;

[1] So in original.

Description—Contd.

thence south fifty-one degrees thirty-six minutes west, along said mesh wire fence, a distance of twenty-one and forty-seven one-hundredths feet to a point, said point being fifty feet westerly and at right angles to the aforementioned center line; thence south seventeen degrees six minutes east, a distance of one thousand six hundred seventeen and eighty-eight one-hundredths feet to the point of beginning of a curve to the right; thence along a curve to the right having a radius of three thousand one hundred four and three one-hundredths feet, a distance of two hundred fifty-one and ninety-two one-hundredths feet, more or less, to the south line of the northwest quarter of the southwest quarter of section 1, township 4 north, range 1 west, same being in the southerly boundary line of the Veterans' Administration property, said point also being fifty feet westerly and at right angles to the aforementioned center line; thence along the said south line of the northwest quarter of the southwest quarter of section 1 and the south boundary line of the Veterans' Administration property, north eighty-nine degrees fifty-four minutes east, a distance of fifty-one and twenty-one one-hundredths feet to the point of beginning; containing in all nine and one hundred and eighty-eight one-thousandths acres, more or less, and being shown in detail on a map showing the right-of-way required by the Louisiana Highway Commission through lands of the Veterans' Administration facility in sections 1 and 2, township 4 north, range 1 west, Rapides Parish, Louisiana, and dated April 24, 1935.

Approved, July 23, 1935.

[CHAPTER 412.]

AN ACT

July 24, 1935.
[S. 2904.]
[Public, No. 215.]

To prohibit the interstate transportation of prison-made products in certain cases.

Prison-made products.
Interstate transportation, etc., of, in certain cases, forbidden.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be unlawful for any person knowingly to transport or cause to be transported, in any manner or by any means whatsoever, or aid or assist in obtaining transportation for or in transporting any goods, wares, and merchandise manufactured, produced, or mined wholly or in part by convicts or prisoners (except convicts or prisoners on parole or probation), or in any penal or reformatory institution, from one State, Territory, Puerto Rico, Virgin Islands, or District of the United States, or place noncontiguous but subject to the jurisdiction thereof, or from any foreign country, into any State, Territory, Puerto Rico, Virgin Islands, or District of the United States, or place noncontiguous but subject to the jurisdiction thereof, where said goods, wares, and merchandise are intended by any person interested therein to be received, possessed, sold, or in any manner used, either in the original package or otherwise in violation of any law of such State, Territory, Puerto Rico, Virgin Islands, or District of the United States, or place noncontiguous but subject to the jurisdiction thereof. Nothing herein shall apply to commodities manufactured in Federal penal and correctional institutions for use by the Federal Government.

Federal use of.

Marking requirements.

SEC. 2. All packages containing any goods, wares, and merchandise manufactured, produced, or mined wholly or in part by convicts or prisoners, except convicts or prisoners on parole or probation, or in any penal or reformatory institution, when shipped or transported in interstate or foreign commerce shall be plainly and clearly marked, so that the name and address of the shipper, the name and address of the consignee, the nature of the contents, and the name

and location of the penal or reformatory institution where produced wholly or in part may be readily ascertained on an inspection of the outside of such package.

Punishment for violation.

SEC. 3. Any person violating any provision of this Act shall for each offense, upon conviction thereof, be punished by a fine of not more than $1,000, and such goods, wares, and merchandise shall be forfeited to the United States, and may be seized and condemned by like proceedings as those provided by law for the seizure and forfeiture of property imported into the United States contrary to law.

Jurisdiction of courts.

SEC. 4. Any violation of this Act shall be prosecuted in any court having jurisdiction of crime within the district in which said violation was committed, or from, or into which any such goods, wares, or merchandise may have been carried or transported, or in any Territory, Puerto Rico, Virgin Islands, or the District of Columbia, contrary to the provisions of this Act.

Approved, July 24, 1935.

[CHAPTER 413.]

AN ACT

To amend section 114 of the Judicial Code to provide for terms of District Court for the Western District of Wisconsin to be held at Wausau, Wisconsin, and for other purposes.

July 24, 1935.
[S. 1309.]
[Public, No. 216.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 114 of the Judicial Code (U. S. C., title 28, sec. 195) is hereby amended to read as follows:

United States courts.
Vol. 36, p. 1129.
U. S. C., p. 1256.

"SEC. 114. The State of Wisconsin is divided into two districts, to be known as the eastern and western districts of Wisconsin. The eastern district shall include the territory embraced on the 1st day of July 1910 in the counties of Brown, Calumet, Dodge, Door, Florence, Fond du Lac, Forest, Green Lake, Kenosha, Kewaunee, Langlade, Manitowoc, Marinette, Marquette, Milwaukee, Oconto, Outagamie, Ozaukee, Racine, Shawano, Sheboygan, Walworth, Washington, Waukesha, Waupaca, Waushara, and Winnebago. Terms of the district court for said district shall be held in Milwaukee on the first Mondays in January and October, at Oshkosh on the second Tuesday in June, and at Green Bay on the first Tuesday in April. The western district shall include the territory embraced on the 1st day of July 1910 in the counties of Adams, Ashland, Barron, Bayfield, Buffalo, Burnett, Chippewa, Clark, Columbia, Crawford, Dane, Douglas, Dunn, Eau Claire, Grant, Green, Iowa, Iron, Jackson, Jefferson, Juneau, La Crosse, Lafayette, Lincoln, Marathon, Monroe, Oneida, Pepin, Pierce, Polk, Portage, Price, Richland, Rock, Rusk, Saint Croix, Sauk, Sawyer, Taylor, Trempealeau, Vernon, Vilas, Washburn, and Wood. Terms of the district court for said district shall be held at Madison on the first Tuesday in December, at Eau Claire on the first Tuesday in June, at La Crosse on the third Tuesday in September, at Wausau on the second Tuesday in April, and at Superior on the fourth Tuesday in January and the second Tuesday in July. The district court for each of said districts shall be open at all times for the purpose of hearing and deciding causes of admiralty and maritime jurisdiction so far as the same can be done without a jury. The clerk of the court for the western district shall maintain an office in charge of himself or a deputy at Madison, at La Crosse, at Wausau, and at Superior, which shall be kept open at all times for the transactions of the business of the court. The marshal for the western district shall appoint a deputy

Wisconsin judicial districts.
Eastern district.

Terms.

Western district.

Terms.

Admiralty, etc., jurisdiction.

Return of process at Superior.

marshal who shall reside and keep his office at Superior. All writs and other process, except criminal warrants, issued at Superior, may be made returnable at Superior; and the clerk at that place shall keep in his office the original records of all actions, prosecutions, and special proceedings so commenced and pending therein. Criminal warrants may be returned at any place within the district where court is held. Whenever warrants issued at Superior shall be returned at any other place the clerk of the court wherein the warrant is returned shall certify the same under the seal of the court, together with the plea and other proceedings had thereon and the determination of the court upon such plea or proceedings, with all papers and orders filed in reference thereto, to the clerk of the court at Superior; and the clerk at Superior shall enter upon his records a minute of the proceedings had upon the return of said warrant, certified as aforesaid. All causes and proceedings instituted in the court at Superior shall be tried therein, unless by consent of the parties, or upon the order of the court, they are transferred to another place for trial".

Criminal warrants.

Approved, July 24, 1935.

[CHAPTER 414.]

AN ACT

July 24, 1935.
[S. 2532.]
[Public, No. 217.]

To amend an Act entitled "An Act setting aside Rice Lake and contiguous lands in Minnesota for the exclusive use and benefit of the Chippewa Indians of Minnesota", approved June 23, 1926, and for other purposes.

Wild Rice Lake Indian Reserve, Minn. Vol. 44, p. 763, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act setting aside Rice Lake and contiguous lands in Minnesota for the exclusive use and benefit of the Chippewa Indians of Minnesota", approved June 23, 1926 (44 Stat. L. 763), be, and the same is hereby, amended to read as follows:

Permanent reserve created.

"That there be, and is hereby, created within the county of Clearwater, State of Minnesota, a permanent reserve to be known as 'Wild Rice Lake Indian Reserve', which reserve shall include Rice Lake and the following-described contiguous lands: Beginning at the northwest corner of the northeast quarter southeast quarter section 8, township 145 north, range 38 west, and running due east to the northeast corner of southeast quarter section 9; thence south to northeast corner of northeast quarter section 16; thence due east to northeast corner of northeast quarter section 14, township 145 north, range 38 west; thence due south to southeast corner of northeast quarter section 2, township 144 north, range 38 west; thence due west to southwest corner of northwest quarter section 3 of said township and range; thence due north to southwest corner of northwest quarter section 15, township 145 north, range 38 west; thence due west to southwest corner of northwest quarter section 16; thence due north to northwest corner of northwest quarter said section 16; thence west to southwest corner of southeast quarter southeast quarter section 8; thence north to point of beginning, which, excluding the lake bed, contains approximately four thousand five hundred acres.

Description.

Undisposed-of lands within, made part of reserve.

"SEC. 2. All unallotted and undisposed-of public or Indian lands held in trust by the United States within the area described in section 1 hereof are hereby permanently withdrawn from sale or other disposition and are made a part of said reserve; and the Secretary of the Interior is authorized to (a) accept in the name of the United States voluntary conditional grants, conditioned only upon the continued permanent use of said lands for the purpose hereinafter stated, and none other, of any lands within said reserved area now

Acquisition of other lands.
By gift.

held in public, private, State, or Indian ownership; (b) acquire by purchase any of said lands not so conditionally granted at such price as he may deem fair and equitable; or (c) acquire by condemnation any of said lands not acquired by conditional grants or by purchase, so as to vest in the United States for the purposes of this Act good title to all land included in any such reserve.

By purchase.

By condemnation.

"SEC. 3. The Secretary of the Interior is authorized, in his discretion, to establish not to exceed three additional wild-rice reserves in the State of Minnesota, which shall include wild-rice-bearing lakes situated convenient to Chippewa Indian communities or settlements, including all lands which, in the judgment of said Secretary, are necessary to the proper establishment and maintenance of said reserves and the control of the water levels of the lakes: *Provided, however*, That there shall be and hereby is excluded from said reserves any and all areas, whether of land or water, necessary or useful for the development to the maximum of water power or the improvement of navigation in the Pigeon River, an international boundary stream, and tributary lakes and streams. The Secretary is authorized to withdraw and acquire, on the same terms provided in section 2 hereof, all lands which, in his judgment, may be necessary for the proper establishment, control, maintenance, and operation of any reserve established under this section.

Additional wild rice reserves convenient to Chippewa settlements to be established.

Proviso. Areas excluded.

Necessary lands to be acquired, on same terms.

"SEC. 4. Any reserves established under this Act, including the water levels therein, shall be maintained and operated under the supervision and control of the Secretary of the Interior, in conformity with such rules and regulations as he may prescribe, for the primary purpose of conserving wild rice beds for the exclusive use and benefit of the Chippewa Indians of Minnesota. The said Secretary, upon such terms and conditions as he may deem proper, may enter into an agreement in writing with the State of Minnesota, through its department of conservation, or other proper State agency, for the administration of any reserve created under this Act, and for its use for other or different purposes, conditioned only that such other and different uses shall not impair the primary purpose for which said reserve was created and its administration in strict conformity with said rules and regulations prescribed by said Secretary.

Supervision of maintenance, etc.

State administration.

"SEC. 5. All costs of establishing the reserves herein authorized, including the acquisition of the lands, and the construction of dams or other structures to regulate the water levels, are hereby authorized to be paid by the Secretary of the Interior out of the trust funds of the Chippewa Indians of Minnesota in the Treasury of the United States."

Payment of costs, etc., from Indian trust funds.

Approved, July 24, 1935.

[CHAPTER 415.]

AN ACT

July 25, 1935.
[S. 2830.]
[Public, No. 218.]

To repeal sections 1, 2, and 3 of Public Law Numbered 203, Sixtieth Congress, approved February 3, 1909.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 1, 2, and 3 of Public Law Numbered 203, Sixtieth Congress, approved February 3, 1909, are hereby repealed; and, upon the completion by it of the substitute facilities authorized by section 2 hereof, the Philadelphia, Baltimore and Washington Railroad Company is authorized, without any further or other authority, to abandon and remove the Seventh Street substation built and maintained by it pursuant to the requirements of said Act of February 3, 1909, and

District of Columbia. Designated railroad substation to be abandoned.
Vol. 35, p. 593.

to abandon the ticket agency and baggage accommodations maintained by it pursuant to the requirements of said Act.

Enclosed shelter in lieu.

SEC. 2. That in lieu of the said substation and facilities maintained at the intersection of the Seventh Street and C Street Southwest, in the city of Washington, the Philadelphia, Baltimore and Washington Railroad Company is authorized to construct and maintain on the train platform an enclosed waiting room for passengers, with convenient means of ingress and egress leading from and to the street level below.

Area to revert to District.

SEC. 3. That the area in square south of 463 on the map of the city of Washington heretofore used for station purposes shall revert to the District of Columbia upon the completion of these improvements: *Provided*, That the said Philadelphia, Baltimore and Washington Railroad Company shall construct and maintain thereon, subject to the approval of the Commissioners of the District of Columbia, adequate walkways to the adjacent streets.

Proviso. Railroad to maintain walkways, etc.

Amendment.

SEC. 4. That Congress reserves the right to alter, amend, or repeal this Act.

Approved, July 25, 1935.

[CHAPTER 416.]

AN ACT

July 25, 1935. [H. R. 7590.] [Public, No. 219.]

To create a Central Statistical Committee and a Central Statistical Board, and for other purposes.

Central Statistical Committee and Central Statistical Board. Establishment; purpose.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there are hereby established a Central Statistical Committee (hereinafter referred to as the "Committee") and a Central Statistical Board (hereinafter referred to as the "Board") to plan and promote the improvement, development, and coordination of, and the elimination of duplication in, statistical services carried on by or subject to the supervision of the Federal Government, and, so far as may be practicable, of other statistical services in the United States.

Committee; composition of.

SEC. 2. The Committee shall consist of the Secretary of the Treasury, the Secretary of Agriculture, the Secretary of Commerce, and the Secretary of Labor.

Board; personnel of; selection.

SEC. 3. The Board shall consist of a chairman, who shall be appointed by the President, with the advice and consent of the Senate, and not to exceed thirteen additional members, who shall be selected in such manner as the President shall prescribe: *Provided*, That not less than ten of such members shall be persons already in the service of the United States. The chairman and all the members shall be persons technically trained in statistics, economics, or public administration, known in their profession as of high standing and wide experience. The chairman shall be the chief executive officer of the Board, shall receive a salary of $10,000 a year, and shall not engage in any private business, vocation, or employment: *Provided, however*, That if the chairman shall at the same time hold any other paid position in the service of the United States, he shall receive during such tenure no additional remuneration for acting as chairman of the Board. No other member of the Board shall receive compensation for his services as such member, except that the Board may provide that any such other member not at the same time holding any other paid position in the service of the United States shall, while attending or traveling to or from meetings of the Board or of committees thereof, receive a salary of not more than $25 per diem, and in addition thereto necessary traveling and subsistence expenses.

Provisos. Qualifications.

Chairman; salary, qualification.

Restriction on payment of salary.

Members of Board; expenses.

Appointment of personnel.

SEC. 4. The Board shall have authority to appoint such employees as it deems necessary for its own functions. All such employees shall be subject to the civil-service laws and the Classification Act of 1923, as amended, except that the Board may, with the consent of the Civil Service Commission, appoint and fix the compensation of any person or persons for temporary periods without regard to the civil-service laws and the Classification Act of 1923, as amended: *Provided*, That no person shall hold such temporary appointment or appointments for an aggregate period of more than 12 months. The Board may make such expenditures (including expenditures for personal services and rent at the seat of Government and elsewhere; for law books and books of reference; and for paper, printing, and binding) as may be necessary to carry out the provisions of this Act and as may be provided for by the Congress from time to time. The Board may purchase supplies or services where the aggregate amount involved is not more than $50, without regard to the provisions of section 3709 of the Revised Statutes, as amended (36 Stat. 861; U. S. C., title 41, sec. 5). There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, annually such sums as may be necessary for the expenses of the Board not to exceed $180,000, of which amount not to exceed $170,000 may be expended for personal services in the District of Columbia.

Proviso. Temporary appointments.

Expenditures authorized.

Minor purchases without advertising. Vol. 36, p. 861; U. S. C., p. 1803.

Appropriations authorized. *Post*, pp. 1110, 1169.

Duties and powers of Board.

Investigations and recommendations; statistical work.

SEC. 5. The Board shall—

(a) At the request of the President or the Committee, or may of its own motion, investigate and make recommendations with respect to any existing or proposed statistical work carried on by an agency of, or subject to the supervision of, the Federal Government;

b) Have the power, with the consent of the agency concerned, to investigate and make recommendations with respect to any existing or proposed statistical work carried on by any agency in the United States other than the agencies specified in subsection (a) of this section;

Require furnishing of reports, etc.

(c) Have the power, subject to such rules and regulations as the President or the Committee may prescribe, to require from any agency specified in subsection (a) of this section information, papers, reports, and original records concerning any existing or proposed statistical work carried on by or subject to the supervision of any such agency: *Provided*, That this subsection shall not be construed to require or to make lawful any disclosure of confidential information when such disclosure is specifically prohibited by law;

Proviso. Confidential matter excepted.

Plan economical cooperation.

(d) Plan and promote the economical operation of agencies engaged in statistical work and the elimination of unnecessary work both on the part of such agencies and on the part of persons called on by such agencies to furnish information;

Perform miscellaneous assignments.

(e) Perform such other duties consistent with section 1 of this Act as the President or the Committee may authorize, and make such reports to the Committee as the Committee may require; and

Make annual report.

(f) Make an annual report to the Committee and to the President for transmittal to Congress.

Central Statistical Board created July 27, 1933; termination of.

SEC. 6. The Central Statistical Board created by Executive Order Numbered 6225, dated July 27, 1933, as amended, shall cease to exist at such time as the Committee shall declare that seven members have qualified for membership in the Board; and thereafter all records, papers, property, and funds of the old Board shall become records, papers, property, and funds of the Board; and such employees as shall pass tests of fitness prescribed by the Civil Service Commission shall acquire classified civil-service status and shall be employees of

Transfer of records, funds, etc.

Employees.

the Board at the grades and salaries specified in their respective examinations: *Provided*, That this section shall not be construed to impair any obligation incurred by the old Board.

Proviso. Obligations of old Board.

Rules and regulations.

SEC. 7. The Board with the approval of the Committee is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Separability clause.

SEC. 8. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

Duration of Act.

SEC. 9. This Act shall cease to be in effect and the agencies established hereunder shall cease to exist at the expiration of five years after the date of enactment of this Act.

Approved, July 25, 1935.

[CHAPTER 417.]

AN ACT

July 26, 1935.
[H. R. 6323.]
[Public, No. 220.]

To provide for the custody of Federal proclamations, orders, regulations, notices, and other documents, and for the prompt and uniform printing and distribution thereof.

Federal Register Act.

Proclamations, Executive orders, etc., custody and publication.

Division to be established in the National Archives Establishment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Archivist of the United States, acting through a division established by him in the National Archives Establishment, hereinafter referred to as the "Division", is charged with the custody and, together with the Public Printer, with the prompt and uniform printing and distribution of the documents required or authorized to be published under section 5. There shall be at the head of the Division a director, appointed by the President, who shall act under the general direction of the Archivist of the United States in carrying out the provisions of this Act and the regulations prescribed hereunder, who shall receive a salary, to be fixed by the President, not to exceed $5,000 a year.

Director; appointment; salary.

Original documents and copies; filing.

Post, p. 1110.

SEC. 2. The original and two duplicate originals or certified copies of any document required or authorized to be published under section 5 shall be filed with the Division, which shall be open for that purpose during all hours of the working days when the Archives Building shall be open for official business. The Director of the Division shall cause to be noted on the original and duplicate originals or certified copies of each document the day and hour of filing thereof: *Provided*, That when the original is issued, prescribed, or promulgated outside of the District of Columbia and certified copies are filed before the filing of the original, the notation shall be of the day and hour of filing of the certified copies. Upon such filing, at least one copy shall be immediately available for public inspection in the office of the Director of the Division. The original shall be retained in the archives of the National Archives Establishment and shall be available for inspection under regulations to be prescribed by the Archivist. The Division shall transmit immediately to the Government Printing Office for printing, as provided in this Act, one duplicate original or certified copy of each document required or authorized to be published under section 5. Every Federal agency shall cause to be transmitted for filing as herein required the original and the duplicate originals or certified copies of all such documents issued, prescribed, or promulgated by the agency.

Notation thereon.

Proviso. When issued outside of District of Columbia.

Availability of copy for public inspection.

Of original document.

Copy for printing; transmission.

Federal Register; printing and distribution.

SEC. 3. All documents required or authorized to be published under section 5 shall be printed and distributed forthwith by the Government Printing Office in a serial publication designated the "Federal

Register." It shall be the duty of the Public Printer to make available the facilities of the Government Printing Office for the prompt printing and distribution of the Federal Register in the manner and at the times required in accordance with the provisions of this Act and the regulations prescribed hereunder. The contents of the daily issues shall be indexed and shall comprise all documents, required or authorized to be published, filed with the Division up to such time of the day immediately preceding the day of distribution as shall be fixed by regulations hereunder. There shall be printed with each document a copy of the notation, required to be made under section 2, of the day and hour when, upon filing with the Division, such document was made available for public inspection. Distribution shall be made by delivery or by deposit at a post office at such time in the morning of the day of distribution as shall be fixed by such regulations prescribed hereunder. The prices to be charged for the Federal Register may be fixed by the administrative committee established by section 6 without reference to the restrictions placed upon and fixed for the sale of Government publications by section 1 of the Act of May 11, 1922, and section 307 of the Act of June 30, 1932 (U. S. C., title 44, secs. 72 and 72a), and any amendments thereto.

Contents; indexing.

Copy of notation.

Distribution of.

Charges for.

Vol. 42, p. 541; Vol. 47, p. 409.

U. S. C., p. 1933.

SEC. 4. As used in this Act, unless the context otherwise requires, the term "document" means any Presidential proclamation or Executive order and any order, regulation, rule, certificate, code of fair competition, license, notice, or similar instrument issued, prescribed, or promulgated by a Federal agency; the terms "Federal agency" or "agency" mean the President of the United States, or any executive department, independent board, establishment, bureau, agency, institution, commission, or separate office of the administrative branch of the Government of the United States but not the legislative or judicial branches of the Government; and the term "person" means any individual, partnership, association, or corporation.

Definitions.

"Document."

"Federal agency"; "agency."

"Person."

SEC. 5. (a) There shall be published in the Federal Register (1) all Presidential proclamations and Executive orders, except such as have no general applicability and legal effect or are effective only against Federal agencies or persons in their capacity as officers, agents, or employees thereof; (2) such documents or classes of documents as the President shall determine from time to time have general applicability and legal effect; and (3) such documents or classes of documents as may be required so to be published by Act of the Congress: *Provided*, That for the purposes of this Act every document or order which shall prescribe a penalty shall be deemed to have general applicability and legal effect.

Documents to be published.

Proviso. When penalty provisions prescribed.

(b) In addition to the foregoing there shall also be published in the Federal Register such other documents or classes of documents as may be authorized to be published pursuant hereto by regulations prescribed hereunder with the approval of the President, but in no case shall comments or news items of any character whatsoever be authorized to be published in the Federal Register.

Authorization to publish additional documents.

News items; comments.

SEC. 6. There is established a permanent Administrative Committee of three members consisting of the Archivist or Acting Archivist, who shall be chairman, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer. The Director of the Division shall act as secretary of the committee. The committee shall prescribe, with the approval of the President, regulations for carrying out the provisions of this Act. Such regulations shall provide, among other things: (a) The manner of certification of copies required to be certified under section 2, which certification may be permitted to be based upon con-

Administrative Committee; composition.

Secretary.

Regulations to be prescribed.

firmed communications from outside of the District of Columbia; (b) the documents which shall be authorized pursuant to section 5 (b) to be published in the Federal Register; (c) the manner and form in which the Federal Register shall be printed, reprinted, compiled, indexed, bound, and distributed; (d) the number of copies of the Federal Register, which shall be printed, reprinted, and compiled, the number which shall be distributed without charge to Members of Congress, officers and employees of the United States, or any Federal agency for their official use, and the number which shall be avaiable for distribution to the public; and (e) the prices to be charged for individual copies of, and subscriptions to, the Federal Register and reprints and bound volumes thereof.

Validity of documents

SEC. 7. No document required under section 5 (a) to be published in the Federal Register shall be valid as against any person who has not had actual knowledge thereof until the duplicate originals or certified copies of the document shall have been filed with the Division and a copy made available for public inspection as provided in section 2; and, unless otherwise specifically provided by statute, such filing of any document, required or authorized to be published under section 5, shall, except in cases where notice by publication is insufficient in law, be sufficient to give notice of the contents of such document to any person subject thereto or affected thereby. The publication in the Federal Register of any document shall create a rebuttable presumption (a) that it was duly issued, prescribed, or promulgated; (b) that it was duly filed with the Division and made available for public inspection at the day and hour stated in the printed notation; (c) that the copy contained in the Federal Register is a true copy of the original; and, (d) that all requirements of this Act and the regulations prescribed hereunder relative to such document have been complied with. The contents of the Federal Register shall be judicially noticed and, without prejudice to any other mode of citation, may be cited by volume and page number.

Filing and availability requirement.

Effect of publication.

Contents of Federal Register; to be judicially noticed; citation.

Notice of hearing under an Act of Congress.

SEC. 8. Whenever notice of hearing or of opportunity to be heard is required or authorized to be given by or under an Act of the Congress, or may otherwise properly be given, the notice shall be deemed to have been duly given to all persons residing within the continental United States (not including Alaska), except in cases where notice by publication is insufficient in law, if said notice shall be published in the Federal Register at such time that the period between the publication and the date fixed in such notice for the hearing or for the termination of the opportunity to be heard shall be (a) not less than the time specifically prescribed for the publication of the notice by the appropriate Act of the Congress; or (b) not less than fifteen days when no time for publication is specifically prescribed by the Act, without prejudice, however, to the effectiveness of any notice of less than fifteen days where such shorter period is reasonable.

Payments for Federal Register; deposit. Cost of printing, etc.

SEC. 9. Every payment made for the Federal Register shall be covered into the Treasury as a miscellaneous receipt. The cost of printing, reprinting, wrapping, binding, and distributing the Federal Register and any other expenses incurred by the Government Printing Office in carrying out the duties placed upon it by this Act shall be borne by the appropriations to the Government Printing Office and such appropriations are hereby made available, and are authorized to be increased by such additional sums as are necessary for such purposes, such increases to be based upon estimates submitted by the Public Printer. The purposes for which appropriations are available and are authorized to be made under section 10 of the Act entitled "An Act to establish a National Archives

Appropriation available.
Post, pp. 1110, 1230.

Additional sums.

Vol. 48, p. 1122.

of the United States Government, and for other purposes" (48 Stat. 1122) are enlarged to cover the additional duties placed upon the National Archives Establishment by the provisions of this Act. Copies of the Federal Register mailed by the Government shall be entitled to the free use of the United States mails in the same manner as the official mail of the executive departments of the Government. The cost of mailing the Federal Register to officers and employees of Federal agencies in foreign countries shall be borne by the respective agencies.

Franking privilege.

Cost of mailing foreign.

SEC. 10. The provisions of section 2 shall become effective sixty days after the date of approval of this Act and the publication of the Federal Register shall begin within three business days thereafter: *Provided*, That the appropriations involved have been increased as required by section 9 of this Act. The limitations upon the effectiveness of documents required, under section 5 (a), to be published in the Federal Register shall not be operative as to any document issued, prescribed, or promulgated prior to the date when such document is first required by this or subsequent Act of the Congress or by Executive order to be published in the Federal Register.

Effective date of section 2; commencement of publication of Federal Register.

Proviso. Condition.

Validity of prior issued documents.

SEC. 11. Within six months after the approval of this Act each agency shall prepare and file with the committee a complete compilation of all documents which have been issued or promulgated prior to the date documents are required or authorized by this Act to be published in the Federal Register and which are still in force and effect and relied upon by the agency as authority for, or invoked or used by it in the discharge of, any of its functions or activities. The committee shall within sixty days thereafter report with respect thereto to the President, who shall determine which of such documents have general applicability and legal effect, and shall authorize the publication thereof in a special or supplemental edition or issue of the Federal Register. Such special or supplemental editions or issues shall be distributed in the same manner as regular editions or issues, and shall be included in the bound volumes of the Federal Register as supplements thereto.

Compilation of documents to be filed by Federal agencies.

Report of Committee.

Publication of supplemental edition of Federal Register.

SEC. 12. Nothing in this Act shall be construed to apply to treaties, conventions, protocols, and other international agreements, or proclamations thereof by the President.

Documents excluded from provisions of Act.

SEC. 13. All Acts or parts of Acts in conflict with this Act are hereby repealed insofar as they conflict herewith.

Repeal of inconsistent Acts.

SEC. 14. This Act may be cited as the "Federal Register Act."

Short title.

Approved, July 26, 1935.

[CHAPTER 418.]

AN ACT

July 26, 1935.
[S. 2326.]
[Public, No. 221.]

To authorize the Secretary of War to sell to the Eagle Pass and Piedras Negras Bridge Company a portion of the Eagle Pass Military Reservation, Texas, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to sell and convey to the Eagle Pass and Piedras Negras Bridge Company, its successors and assigns, on terms and conditions to be precribed by the Secretary of War the right, title and interest of the United States in that portion of the Eagle Pass Military Reservation, Texas, occupied by said company on which its improvements are located.

Eagle Pass Military Reservation, Tex.
Sale of designated portion, authorized.

Disposal of remainder.

SEC. 2. That the Secretary of War is hereby further authorized to dispose of the remainder of said reservation in accordance with and under the applicable provisions and conditions of the Act approved March 12, 1926 (44 Stat. 203), and may also include in such disposition that portion of the reservation covered by section 1 of this Act, if the Eagle Pass and Piedras Negras Bridge Company shall not elect to acquire said portion or, having made such election, shall not consummate the purchase or accept tender of the deed and pay the consideration within such time as may be fixed by the Secretary of War.

Vol. 44, p. 203.

Unsold portions may be included.

Approved, July 26, 1935.

[CHAPTER 419.]

AN ACT

July 26, 1935.
[S. 1065.]
[Public, No. 222.]

To further extend the period of time during which final proof may be offered by homestead and desert land entrymen.

Homestead, etc., entrymen.
Time extended for offering final proof.
Vol. 48, p. 274, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act entitled "An Act to extend the period of time during which final proof may be offered by homestead entrymen", approved May 13, 1932, as amended, is amended by striking out "December 31, 1934" and inserting in lieu thereof "December 31, 1935".

Approved, July 26, 1935.

[CHAPTER 420.]

AN ACT

July 26, 1935.
[S. 2965.]
[Public, No. 223.]

To amend the Hawaiian Homes Commission Act of 1920.

Hawaiian Homes Commission Act of 1920, amendments.
Vol. 42, p. 109.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 202 of an Act entitled "Hawaiian Homes Commission Act of 1920", approved July 9, 1921, be amended to read as follows:

Hawaiian Homes Commission.
Members, officers, compensation.
Removal.

"COMMISSION; MEMBERS, OFFICERS, COMPENSATION.—(a) There is hereby established a Commission to be known as the 'Hawaiian Homes Commission', and to be composed of five members. The members shall be appointed by the Governor and may be removed in the manner provided by section 80 of the Act entitled 'An Act to provide a Government for the Territory of Hawaii' approved April 30, 1900. All of the members shall have been residents of the Territory of Hawaii at least three years prior to their appointment and at least three of the members shall be descendants of not less than one-fourth part of the blood of the races inhabiting the Hawaiian Islands previous to 1778.

Vol. 31, p. 156.

Residence and racial requirements.

Vacancies.

"(b) Any vacancy in the office of an appointed member shall be filled in the same manner and under the limitations of this Act.

Chairman, executive officer, and other personnel.

"(c) One of the members shall be designated by the Governor as chairman. An executive officer and such clerical assistants as may be necessary shall be appointed by the Commission to serve at its pleasure. The executive officer shall receive an annual salary not to exceed $6,000 and shall reside habitually at the major Hawaiian Homes Settlement. Clerical assistants shall be paid in accordance with territorial practice for such services. The members of the Commission shall serve without pay, but shall receive actual expenses incurred by them in the discharge of their duties as such members. Of the originally appointed members one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, one for a term of five years. Their successors shall hold office for terms of

Salaries, etc.

Terms of appointive members.

five years except that any member appointed to fill a vacancy shall be appointed only for the unexpired term of the member whom he succeeds. A member may also be removed by the Governor for cause after due notice and public hearing."

Vol. 42, p. 115, amended.

SEC. 2. The Hawaiian Homes Commission Act of 1920 is further amended by adding a new section thereto to read as follows:

Detail of Interior Department expert.

"SEC. 224. The Secretary of the Interior shall designate from his Department some one experienced in sanitation, rehabilitation, and reclamation work to reside in the Territory of Hawaii and cooperate with the Commission in carrying out its duties. The salary of such official so designated by the Secretary of the Interior shall be paid by the Hawaiian Homes Commission while he is carrying on his duties in the Territory of Hawaii, which salary, however, shall not exceed the sum of $6,000 per annum."

Approved, July 26, 1935.

[CHAPTER 421.]

AN ACT

July 26, 1935.
[S. 3269.]
[Public, No. 224.]

To amend the Act entitled "An Act authorizing the Reconstruction Finance Corporation to make loans to nonprofit corporations for the repair of damages caused by floods or other catastrophes, and for other purposes", approved April 13, 1934.

Emergency aid for flood, etc., damages.
Benefits of Act for, extended.
Vol. 48, p. 589; *Post*, p. 1232.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first paragraph of the Act entitled "An Act authorizing the Reconstruction Finance Corporation to make loans to nonprofit corporations for the repair of damages caused by floods or other catastrophes, and for other purposes", approved April 13, 1934 (48 Stat. 589), is hereby amended by striking out the words "year 1933, and in the months of January and February 1934" and inserting in lieu thereof the words "years 1933, 1934, 1935, and 1936".

Approved, July 26, 1935.

[CHAPTER 422.]

AN ACT

July 31, 1935.
[S. 1404.]
[Public, No. 225.]

To promote the efficiency of national defense.

Regular Army and Philippine Scouts promotion lists.
Officers included; exception.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the promotion list of the Regular Army and Philippine Scouts shall include all officers on the active list in the grades of second lieutenant to colonel, inclusive, except officers of the Medical Department, chaplains, and professors of the United States Military Academy; promotion-list colonels shall be placed immediately above the lieutenant colonels on the promotion list provided for in section 24a of the Act of June 4, 1920 (U. S. C., 10:553, 41 Stat. 771), in the order of their standing on the relative rank list of colonels on the date of this Act; officers on the promotion list as above defined shall be known as promotion-list officers; all other officers, except general officers, shall be known as non-promotion-list officers: *Provided*, That nothing in this Act shall be so construed as to change the respective relative positions held by officers on the promotion list, hereinbefore prescribed, nor the method of determining the position of officers on that list as prescribed by the Act of June 4, 1920, as amended, except as hereinbefore provided.

Promotion-list colonels.
Vol. 41, p. 771; U. S. C., p. 257.

Classification of officers.

Proviso.
Relative positions to remain unchanged.

Examinations.

All promotions provided for in this Act shall be subject to the examination prescribed by existing law.

Authorized numbers of promotion-list officers.

SEC. 2. That from and after the effective date of this Act the authorized number of promotion-list officers in the grade of colonel shall be 6 per centum; the number of such officers in the grade of lieutenant colonel shall be 9 per centum; and the number of such officers in the grade of major shall be 25 per centum of the aggregate number of promotion-list officers authorized by law: *Provided*, That in making any computation under the provisions of this section whenever a final fraction of one-half or more occurs in the number of officers involved in any such computation the next higher whole number of officers shall be regarded as the authorized or required number thereof.

Proviso. Fractional numbers.

Vacancies filled from promotion-list officers. Vol. 41, p. 774.

SEC. 3. All vacancies, including original vacancies resulting from the operation of section 2 hereof, occurring on or after July 1, 1935, in the respective grades of colonel, lieutenant colonel, and major of promotion-list officers shall be filled by the promotion of promotion-list officers in the manner provided in section 24c of the said Act of June 4, 1920: *Provided*, That no promotion-list officer shall be promoted in time of peace under the provisions of this Act to the grade of colonel until he shall have completed twenty-six years' service; to the grade of lieutenant colonel until he shall have completed twenty years' service, or to the grade of major until he shall have completed fifteen years' service, the service to be counted for purposes of this proviso to be only active commissioned service of the same classes prescribed for promotion-list purposes in section 24a of the said Act of June 4, 1920; but this proviso shall not apply to lieutenant colonels and majors whose first appointments in the permanent service were in grades above those of captain and second lieutenant, respectively, or who were appointed to the Regular Army under the provisions of the first sentence of section 24 of the Act of June 3, 1916, as amended by the said Act of June 4, 1920, nor to captains whose first appointments in the permanent service were in a grade above second lieutenant, or whose present rank dates from July 1, 1920, or earlier. All officers promoted under the provisions of this paragraph shall take rank in the grade to which promoted according to the dates stated in their commissions in said grade; and when the dates of rank of two or more officers in said grade are the same, such officers shall take rank among themselves according to their standing on the promotion list.

Proviso. Promotion to grade of colonel; service requirement.

Other grades.

Vol. 41, p. 771.

Rank of promoted officers.

Captains and first lieutenants; numbers.

The number of promotion-list officers that shall be in the respective grades of captain and first lieutenant at any time after the effective date of this Act shall be such as results from the operation of the promotion system hereinafter in this pararaph prescribed. Promotion-list second lieutenants and first lieutenants shall be promoted to the respective grades of first lieutenant and captain immediately upon completing respectively three years' and ten years' commissioned service in the Regular Army, but not otherwise; and all such officers in the said grades of second lieutenant and first lieutenant, respectively, who shall have completed the said respective periods of service on or before the effective date of this Act shall be so promoted as of said date: *Provided*, That no officer shall be promoted, under the provisions of this paragraph, in advance of any officer in the same grade whose name appears above his on the promotion list.

Lieutenants; automatic promotion; service requirements.

Proviso. Order of promotion.

General line officers; chiefs, etc., of branches and nonpromotion list officers; appointment and promotion.

Veterinary Corps officers; chaplains.

SEC. 4. That general officers of the line, chiefs and assistant chiefs of branches, and all nonpromotion-list officers shall continue to be appointed and promoted as now authorized by law, except that officers of the Veterinary Corps of the Medical Department shall be promoted to, and chaplains shall be given the rank, pay, and allowances of the respective grades to and including that of colonel

upon completion of the same respective periods of service prescribed by law in force on June 30, 1935, for officers of the Medical Corps. From and after the effective date of this Act original appointments in the Veterinary Corps shall be made in the grade of first lieutenant from Reserve veterinary officers between the ages of twenty-three and thirty-two years, and officers serving in that Corps on the effective date of this Act in the grade of second lieutenant shall be promoted to the grade of first lieutenant as of said date.

Original appointments, Veterinary Corps.

Age and rank.

SEC. 5. That any officer on the active list of the Regular Army or Philippine scouts who, on the effective date of this Act or at any time thereafter, shall have completed not less than fifteen nor more than twenty-nine years' service may upon his own application be retired, in the discretion of the President with annual pay equal to the product of 2½ per centum of his active duty annual pay at the time of his retirement, multiplied by a number equal to the years of his active service not in excess of twenty-nine years: *Provided*, That the number of years of service to be credited in computing the right to retirement and retirement pay under this section shall include all service now or hereafter credited for active duty pay purposes any fractional part of a year amounting to six months or more to be counted as a complete year: *And provided further*, That any officer of the Regular Army or Philippine scouts below the grade of major who served as a commissioned officer in the Army of the United States prior to November 12, 1918, and whose application for retirement under the provisions of this section has been approved by the President shall be retired in the grade of major with retired pay computed as hereinbefore provided as for a major with the same length of service: *And provided further*, That nothing in this Act shall operate to deprive any officer of the retired rank to which he is now entitled under the provisions of law: *And provided further*, That any officer originally appointed as of July 1, 1920, at an age greater than forty-five years, may if he so elects, in lieu of retired pay at the rate hereinbefore provided, receive retired pay at the rate of 4 per centum of active duty pay for each complete year of commissioned service in the United States Army, the total to be not more than 75 per centum: *And provided further*, That all officers retired under the provisions of this section shall be placed on the unlimited retired list.

Retirement provisions; service requirement.

Pay.

Provisos.
Computation of service.

Officers below grade of major, serving prior to November 12, 1918.

Rank of officers retired heretofore.

Retired pay of officers over forty-five years of age when appointed.

Placing on unlimited retired list.

SEC. 6. That nothing in this Act shall be deemed to apply to temporary advancements in rank of commissioned officers of the Air Corps as authorized in the Act of July 2, 1926 (U. S. C., Supp. III, 19:292a, 44 Stat. 780), and officers temporarily advanced in rank under the provisions of said Act shall be counted only in the grade in which they hold permanent commissions in computing the numbers in such grades.

Air Corps officers; temporary advancements.
Vol. 44, p. 782; U. S. C., p. 242.

SEC. 7. All existing law governing the termination of active service of officers shall continue in full force and effect, except as herein modified.

Existing law respecting termination of active service.

SEC. 8. This Act shall be effective the first of the month following the date of enactment of this Act, and all laws and parts of laws, insofar as they are inconsistent with or in conflict with any of the provisions hereof, are hereby repealed as of that date.

Effective date; inconsistent laws repealed.

Approved, July 31, 1935.

[CHAPTER 423.]

AN ACT

To authorize the acquisition of land on McNeil Island.

August 2, 1935.
[S. 3059.]
[Public, No. 226.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney General is hereby authorized to acquire by condemnation proceedings all of that portion of McNeil Island which is not now owned by the United States, Gertrudis Island, and Pitt Island, all in the State of Washington, at a total cost of not to exceed $300,000.

McNeil, etc., Islands, Wash.
Acquisition of land.
Post, p. 1120.

Approved, August 2, 1935.

[CHAPTER 424.]

AN ACT

To authorize the adjustment of the boundaries of the Chelan National Forest in the State of Washington.

August 2, 1935.
[H. R. 3061.]
[Public, No. 227.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the Act of Congress approved March 20, 1922 (42 Stat. 465; U. S. C., title 16, sec. 485), be, and the same are hereby, extended and made applicable to any lands within four miles of the present boundaries of the Chelan National Forest. Lands conveyed to the United States under this Act shall, upon acceptance of title, become parts of the Chelan National Forest and subject to all laws relating thereto. Any lands in public ownership lying within the area described in this Act and found to be valuable for national-forest purposes may, upon recommendation of the Secretaries of Agriculture and of the Interior, be added to the Chelan National Forest by proclamation of the President: *Provided, however*, That nothing contained herein shall affect prior valid existing claims or entries or prior existing withdrawals or reservations.

Chelan National Forest, Wash.
Boundary adjustment.
Vol. 42, p. 465.
U. S. C., p. 660.

Proviso.
Existing rights.

Approved, August 2, 1935.

[CHAPTER 425.]

AN ACT

To provide for the appointment of additional United States judges.

August 2, 1935.
[H. R. 5917.]
[Public, No. 228.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to appoint, by and with the consent of the Senate, two additional judges of the District Court of the United States for the Southern District of California, who shall possess the same powers, perform the same duties, and receive the same compensation as the present district judges of said district, and one additional judge of the Circuit Court of the United States for the Ninth Judicial Circuit, by and with the advice and consent of the Senate.

United States courts.
California Southern District.
Additional judges for.
U. S. C., p. 1241.

Ninth Judicial Circuit, additional judge.
U. S. C., p. 1267.

SEC. 2. In the event a vacancy occurs in the office of the district judge now senior in date of commission in said district, and who was appointed under the Act of September 14, 1922, such vacancy, and succeeding vacancies in the same office, shall be filled without further action by Congress.

Vacancy, filling of.

Vol. 42, p. 838.

SEC. 3. That the President of the United States be, and he is hereby, authorized and directed to appoint, by and with the advice and consent of the Senate, an additional judge of the District Court of the United States for the Eastern District of Virginia.

Virginia Eastern District.
Additional judge for.
U. S. C., p. 1255.

Approved, August 2, 1935.

[CHAPTER 426.]

AN ACT

August 2, 1935.
[H. R. 8297.]
[Public, No. 229.]

To amend so much of the First Deficiency Appropriation Act, fiscal year 1921, approved March 1, 1921, as relates to the printing and distribution of a revised edition of Hinds' Parliamentary Precedents of the House of Representatives.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the First Deficiency Appropriation Act, fiscal year 1921 (41 Stat. 1181), approved March 1, 1921, as relates to the printing and distribution of a revised edition of Hinds' Parliamentary Precedents of the House of Representatives, is hereby amended to read as follows:

Hinds' Parliamentary Precedents of the House of Representatives.
Printing and distribution.
Vol. 41, p. 1181.
Post, p. 571.

"That Hinds' Parliamentary Precedents of the House of Representatives of the United States shall be compiled, prepared, corrected, and revised up to and including the Seventy-third Congress, by Clarence Cannon, who shall also prepare a complete index digest of the work and supervise the printing thereof; and there shall be printed and bound two thousand five hundred sets thereof, which shall be delivered to the Superintendent of Documents for distribution as follows:

Revision.

Distribution.

"To the offices of the Vice President and the Speaker of the House of Representatives, each, five sets;

"To the Washington office of each Senator, Representative, Delegate, and Resident Commissioner in the Seventy-fourth Congress, who makes written application therefor, one set;

"To the compiler of the revised precedents, one hundred sets;

"To the Parliamentarian of the House of Representatives, ten sets;

"To the Parliamentarian of the Senate, five sets;

"To the Secretary and Sergeant at Arms of the Senate, and the Clerk, Sergeant at Arms, and Doorkeeper of the House of Representatives, each, one set;

"To the offices of the superintendents of the Senate and House document rooms, each, one set;

"To the Library of Congress for international exchange and for official use in Washington, District of Columbia, not to exceed one hundred and fifty sets;

"To The National Archives, two sets;

"To each existing, or hereafter established, depository library that makes written application therefor, one set;

"To the library of each executive department, independent office, and establishment of the Government now in Washington, District of Columbia, or which may be hereafter created, and who make written application therefor, except those designated as depository libraries, and to the libraries of the municipal government of the District of Columbia, the Naval Observatory, and the Smithsonian Institution, each, one set; and

"To the library of each branch of the legislature of every State, Territory, and insular possession of the United States, one set.

Distribution for official use.

"SEC. 2. There shall also be distributed for official use, and upon delivery shall become and remain the property of the United States Government and may not be removed from the offices hereinafter designated, not to exceed one hundred and twenty-five sets, which shall have legibly stamped on the front cover and back of each volume the name of the office to which each set is furnished, as follows:

"To the office of each standing committee of the Senate and House of Representatives now in existence, or which may be hereafter created, one set;

"To the library of the Executive Office, two sets;

"To the offices of the Legislative Counsel of the Senate and House of Representatives, respectively, each, one set;

"To the library of the Senate, five sets;

"To the library of the House of Representatives, twenty-five sets;

"To the library of the Supreme Court of the United States, two sets; and

"To the offices of the Official Reporters of Debates of the Senate and House of Representatives, respectively, each, one set.

Remaining sets.

"SEC. 3. The remaining sets shall be distributed by the Superintendent of Documents, as may be authorized and directed by the Joint Committee on Printing; and, after the Seventy-fourth Congress and during each succeeding Congress until the residue is exhausted, the Superintendent of Documents shall furnish, only upon written application therefor, one set to each Senator, Representative, Delegate, and Resident Commissioner who previously had not received a set of this revised publication. The 'usual number' shall not be printed.

Sum authorized.
Post, p. 571.

"SEC. 4. That the sum of not exceeding $20,000 is hereby authorized to be appropriated to provide reimbursement for expenses incurred in connection with the revision of the precedents."

Approved, August 2, 1935.

[CHAPTER 427.]

AN ACT

August 2, 1935.
[H. R. 4410.]
[Public, No. 230.]

Granting a renewal of Patent Numbered 54296 relating to the badge of The American Legion.

American Legion.
Renewal of patent.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a certain design patent issued by the United States Patent Office of date of December 9, 1919, being Patent Numbered 54296, is hereby renewed and extended for a period of fourteen years from and after the date of approval of this Act, with all the rights and privileges pertaining to the same, being generally known as "the badge of The American Legion."

Approved, August 2, 1935.

[CHAPTER 428.]

AN ACT

August 2, 1935.
[H. R. 4413.]
[Public, No. 231.]

Granting a renewal of patent numbered 55398 relating to the badge of The American Legion Auxiliary.

American Legion Auxiliary.
Renewal of patent.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a certain design patent issued by the United States Patent Office of date June 1, 1920, being patent numbered 55398, is hereby renewed and extended for a period of fourteen years from and after the date of approval of this Act, with all the rights and privileges pertaining to the same, being generally known as "the badge of The American Legion Auxiliary."

Approved, August 2, 1935.

[CHAPTER 429.]

JOINT RESOLUTION

August 2, 1935.
[H. J. Res. 208.]
[Pub. Res., No. 41.]

To provide for the observance and celebration of the one hundred and fiftieth anniversary of the adoption of the Ordinance of 1787 and the settlement of the Northwest Territory.

Anniversary of adoption of Ordinance of 1787 and settlement of Northwest Territory. Preamble.

Whereas the famous ordinance known as the "Ordinance of 1787", adopted by the Federal Congress for the government of the territory now embracing the States of Ohio, Indiana, Michigan, Illinois, Wisconsin, and part of Minnesota, and then known as the "Northwest Territory", was so far-reaching in its effects, making such a complete change in the method of governing new communities formed by colonization, that it will always rank as one of the greatest civil documents of all time; and

Whereas the settlement of, and establishment of government in, the Northwest Territory in 1788 marked the beginning of the resistless march of the people of the United States from the eastern seaboard to the Pacific Ocean; and

Whereas the adoption of the Ordinance of 1787 followed by the settlement of the Northwest Territory under the system of government provided by such ordinance vitally shaped and determined the pattern of development of our Nation, its ideals, its Constitution, and its government; and

Whereas there is an indicative analogy between the national problems of one hundred and fifty years ago and those of the present day, making the study of the accomplishments of those early days of value to our people today; and

Whereas the one hundred and fiftieth anniversary of these two great focal events in American history occurs in 1937 and 1938: Therefore be it

Northwest Territory Celebration Commission. Establishment.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a commission to be known as the "Northwest Territory Celebration Commission" (herein after referred to as the "Commission") and to be composed of fourteen commissioners as follows: The President of the United States; two Members of the Senate, one from each of the two major parties, to be appointed by the President of the Senate; two Members of the House of Representatives, one from each of the two major parties, to be appointed by the Speaker of the House of Representatives; the Regent of the State chapter of the Daughters of the American Revolution of each of the six States formed from the Northwest Territory, namely, Ohio, Indiana, Michigan, Illinois, Wisconsin, and Minnesota; and three individuals from private life, to be appointed by the President of the United States. The commissioners shall serve without compensation and shall select a chairman from among their number.

Duties.

SEC. 2. It shall be the duty of the Commission to prepare and carry out a comprehensive plan for the observance and celebration of the one hundred and fiftieth anniversary of the adoption of the Ordinance of 1787 and the settlement of the Northwest Territory. In the preparation of such plan, the Commission shall cooperate, insofar as is possible, with the several States and particularly with the States of Ohio, Indiana, Michigan, Illinois, Wisconsin, and Minnesota, and shall take such steps as may be necessary in the coordination and correlation of plans prepared by State commissions, by agencies appointed by the governors of the several States, and by representative civic organizations.

Cooperation with States.

Appointment of personnel.
U. S. C., p. 85.

SEC. 3. (a) Without regard to the civil-service laws or the Classification Act of 1923, as amended, the Commission is authorized to appoint and prescribe the duties and fix the compensation (not to exceed $5,000 per annum) of a director and such other employees as are necessary in the execution of its functions.

Expenditures allowed.

(b) The Commission may make such expenditures as are necessary to carry out the intent and purposes of this resolution, including all necessary traveling expenses and subsistence expenses incurred by the commissioners.

Duration of Commission.

(c) The Commission shall cease to exist within six months after the date of the expiration of the celebration.

Sum authorized.
Post, p. 1603.

SEC. 4. There is authorized to be appropriated the sum of $100,000, or so much thereof as may be necessary to carry out the purposes of this joint resolution.

Approved, August 2, 1935.

[CHAPTER 430.]

JOINT RESOLUTION

August 2, 1935.
[H. J. Res. 182.]
[Pub. Res., No. 42.]

To provide for membership of the United States in the Pan American Institute of Geography and History; and to authorize the President to extend an invitation for the next general assembly of the Institute to meet in the United States in 1935, and to provide an appropriation for expenses thereof.

Pan American Institute of Geography and History.
Annual appropriation authorized for United States membership.
Post, p. 1123.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That to enable the United States to become a member of the Pan American Institute of Geography and History, there is hereby authorized to be appropriated annually the sum of $10,000 for the payment of the quota of the United States.

Invitation to hold 1935 assembly in United States.

SEC. 2. That the President be, and he is hereby, requested to extend to the Pan American Institute of Geography and History an invitation to hold the second general assembly of the Institute in the United States in the year 1935.

Appropriation authorized for expenses of meeting.
Post, p. 1123.
U. S. C., p. 85.
U. S. C., p. 1803.

SEC. 3. That the sum of $10,000, or so much thereof as may be necessary, is hereby authorized to be appropriated for the expenses of such a meeting, including personal services without reference to the Classification Act of 1923, as amended, in the District of Columbia and elsewhere; stenographic reporting and other services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 4, sec. 5 [1]); rent, traveling expenses; purchase of necessary books and documents; newspapers and periodicals; stationery; official cards; printing and binding; entertainment; hire, maintenance, and operation of motor-propelled passenger vehicles; and such other expenses as may be actually and necessarily incurred by the Goverment of the United States by reason of such invitation in the observance of proper courtesies, to be expended under the direction of the Secretary of State.

Approved, August 2, 1935.

[1] So in original.

[CHAPTER 431.]

AN ACT

August 3, 1935.
[H. R. 29.]
[Public, No. 232.]

To amend the laws relating to proctors' and marshals' fees and bonds and stipulations in suits in admiralty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 824 of the Revised Statutes (U. S. C., title 28, sec. 572) is amended by adding after the first paragraph of such section the following new paragraph:

Judicial Code, amendments.
U. S. C., p. 1290.

"On appeals in admiralty, where the amount involved is not over $1,000 a proctor's docket fee of $20; where the amount involved is from $1,000 to $5,000 a proctor's docket fee of $50; where the amount involved is over $5,000 a proctor's docket fee of $100. On such appeals cost of brief of successful party to be taxed, where amount involved is not over $1,000 at not exceeding $25; where amount involved is between $1,000 and $5,000 at not exceeding $50; where amount involved is over $5,000 at not exceeding $75."

Appeals in admiralty, proctor's docket fees.

SEC. 2. Section 829 of the Revised Statutes, as amended (U. S. C., title 28, sec. 574; Supp. VII, title 28, sec. 574), is amended by striking out of such section the paragraph which reads as follows:

U. S. C., p. 1290.

"When the debt or claim in admiralty is settled by the parties without a sale of the property, the marshal shall be entitled to a commission of 1 per centum on the first $500 of the claim or decree, and one-half of 1 per centum on the excess of any sum thereof over $500: *Provided*, That when the value of the property is less than the claim such commission shall be allowed only on the appraised value thereof." and inserting in lieu thereof the following:

Marshal's commission, provision repealed.

"In all cases in which the vessel or other property is sold by a public auctioneer or by some party other than the marshal or his deputy, the fee herein authorized to be paid to the marshal shall be reduced by the amount paid to said auctioneer or other party."

Marshal's fee reduced when sale by third party.

SEC. 3. Section 941 of the Revised Statutes, as amended (U. S. C., title 28, sec. 754), is amended by striking out the period at the end thereof and inserting in lieu thereof a colon and the following: "*Provided*, That the parties may stipulate the amount of the bond or stipulation for the release of a vessel or other property on libel in admiralty to be not more than the amount claimed in the libel, with interest, plus an allowance for libellant's costs: *Provided further*, That in the event of the inability or refusal of the parties to so stipulate the amount of the bond, the court shall fix the amount thereof, but if not so fixed then a bond shall be required in the amount hereinbefore prescribed in this section."

U. S. C., p. 1307.
Delivery bond in admiralty proceedings.

Provisos.
Amount of bond, etc.

Failure to stipulate.

Approved, August 3, 1935.

[CHAPTER 432.]

AN ACT

August 3, 1935.
[H. R. 3430.]
[Public, No. 233.]

To amend the Act approved May 14, 1930, entitled "An Act to reorganize the administration of Federal prisons; to authorize the Attorney General to contract for the care of United States prisoners; to establish Federal jails; and for other purposes."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 9 of the Act approved May 14, 1930, chapter 274 (U. S. C., title 18, sec. 753h), be, and the same is hereby, amended to read as follows:

Prisons and prisoners.
Vol. 46, p. 327; U. S. C., p. 785.

"SEC. 9. Any person committed to the custody of the Attorney General or his authorized representative, or who is confined in any penal or correctional institution pursuant to the direction of the Attorney General, or who is in custody by virtue of any process

Escapes or attempts to escape; penalties.

issued under the laws of the United States by any court, judge, or commissioner, or who is in custody of an officer of the United States pursuant to lawful arrest, who escapes or attempts to escape from such custody or institution, shall be guilty of an offense. If the custody or confinement is by virtue of an arrest on a charge of felony, or conviction of any offense whatsoever, the offense of escaping or attempting to escape therefrom shall constitute a felony and any person convicted thereof shall be punished by imprisonment for not more than five years or by a fine of not more than $5,000, or both; and if the custody or confinement is by virtue of an arrest or charge of or for a misdemeanor, and prior to conviction, the offense of escaping or attempting to escape therefrom shall constitute a misdemeanor and any person convicted thereof shall be punished by imprisonment for not more than one year or by a fine of not more than $1,000, or both. The sentence imposed hereunder shall be in addition to and independent of any sentence imposed in the case in connection with which such person is held in custody at the time of such escape or attempt to escape. If such person be under sentence at the time of such offense, the sentence imposed hereunder shall begin upon the expiration of, or upon legal release from, any sentence under which such person is held at the time of such escape or attempt to escape."

When confined on charge of felony.

Of misdemeanor.

Sentence imposed to be additional.

When to begin.

Approved, August 3, 1935.

[CHAPTER 433.]

AN ACT

August 3, 1935.
[H. R. 7050.]
[Public, No. 234.]

To amend the Act of June 27, 1930 (ch. 634, 46 Stat. 820).

United States Courts.
Pennsylvania Eastern District.
Vol. 46, p. 820; U. S. C., p. 1251.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 27, 1930 entitled "An Act to provide for terms of the United States District Court for the Eastern District of Pennsylvania" (ch. 634, 46 Stat. 820) is amended to read as follows:

Terms of court.

"Terms of the United States District Court for the Eastern Judicial District of Pennsylvania shall be held at Easton, Pennsylvania, on the first Tuesdays in June and November of each year:

Proviso.
Return of writs, etc.

Provided, however, That all writs, precepts, and processes shall be returnable to the terms at Philadelphia and all court papers shall be kept in the clerk's office at Philadelphia unless otherwise specially ordered by the court, and the terms at Philadelphia shall not be terminated or affected by the terms herein provided for at Easton."

Approved, August 3, 1935.

[CHAPTER 434.]

AN ACT

August 3, 1935.
[H. R. 7882.]
[Public, No. 235.]

To authorize the incorporated city of Anchorage, Alaska, to construct a municipal building and purchase and install a modern telephone exchange, and for such purposes to issue bonds in any sum not exceeding $75,000; and to authorize said city to accept grants of money to aid it in financing any public works.

Anchorage, Alaska.
Bond issue; purposes; aggregate amount.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the incorporated city of Anchorage, Territory of Alaska, is hereby authorized and empowered to construct a municipal building and purchase and install a modern telephone exchange, and for such purposes to issue bonds in any amount not exceeding the sum of $75,000.

Special election.

SEC. 2. Before said bonds shall be issued a special election shall be ordered by the common council of the said city of Anchorage, Alaska, at which election the question of whether such bonds shall

be issued in the amount above specified for the purpose hereinbefore set forth shall be submitted to the qualified electors of said city of Anchorage, Alaska, whose names appear on the last assessment roll of said city for purposes of municipal taxation. The form of the ballot shall be such that the electors may vote for or against the issuance of bonds for the purposes herein specified up to the amount herein authorized. Not less than twenty days' notice of such election shall be given to the public by posting notices of same in three conspicuous places within the corporate limits of the city of Anchorage, Alaska, one of which shall be at the front door of the United States post office at Anchorage, Alaska. The election notice shall specifically state the amount of bonds proposed to be issued for the purpose herein specified. The registration for such election, the manner of conducting the same, and the canvass of the returns of said election shall be, as nearly as practicable, in accordance with the requirements of law in general or special elections in said municipality; and such bonds shall be issued for the purposes herein authorized only upon condition that not less than a majority of the votes cast at such election in said municipality shall be in favor of the issuance of said bonds for such purpose.

Ballot.

Notice.

Statement in.

Registration for election; canvass of returns.

SEC. 3. The bonds herein authorized shall be coupon in form and shall mature in not to exceed thirty years from the date thereof. Such bonds may bear such date or dates, may be in such denomination or denominations, may mature in such amounts and at such time or times, not exceeding thirty years from the date thereof, may be payable in such medium of payment and at such place or places, may be sold at either public or private sale, may be nonredeemable or redeemable (either with or without premium), and may carry such registration privileges as to either principal and interest, or principal only, as shall be prescribed by the common council of said city of Anchorage. The bonds shall bear the signatures of the mayor and of the clerk of the city of Anchorage, and shall have impressed thereon the official seal of said municipality. The coupons to be annexed to such bonds shall bear the facsimile signatures of the mayor and of the clerk of said municipality. In case any of the officers whose signatures or countersignatures appear on the bonds shall cease to be such officers before delivery of such bonds, said signatures or countersignatures, whether manual or facsimile, shall nevertheless be valid and sufficient for all purposes, the same as if said officers had remained in office until such delivery. Said bonds shall bear interest at a rate to be fixed by the common council of the city of Anchorage, not to exceed, however, 6 per centum per annum, payable semiannually, and said bonds shall be sold at not less than the principal amount plus accrued interest.

Bonds; form; maturity date.

Denominations.

Registration privileges.

Signatures.

Coupons.

Validity of signatures.

Bonds; interest rate.

SEC. 4. The bonds herein authorized to be issued shall be general obligations of the city of Anchorage, Territory of Alaska, payable as to both interest and principal from ad valorem taxes which shall be levied upon all of the taxable property within the corporate limits of such municipality in an amount sufficient to pay the interest on and the principal of such bonds as and when the same become due and payable.

Issue; payment.

SEC. 5. No part of the funds arising from the sale of said bonds shall be used for any purpose or purposes other than those specified in this Act. Said bonds shall be sold only when and in such amounts as the common council of the city of Anchorage shall direct; and the proceeds thereof shall be distributed only for the purposes hereinbefore mentioned and under the orders and direction of said common council from time to time as such proceeds may be required for said purposes.

Funds from sale of; restriction on other uses.

Contracts for sale of bonds.

SEC. 6. The city of Anchorage is hereby authorized to enter into contracts with the United States of America or any agency or instrumentality thereof under the provisions of the National Industrial Recovery Act and Acts amendatory thereof and Acts supplemental thereto, and revisions thereof, and the regulations made in pursuance thereof, and under any further Acts of the Congress of the United States to encourage public works, for the relief of unemployment, or for any other public purpose, including the Emergency Relief Appropriation Act of 1935, for the sale of bonds issued in accordance with the provisions of this Act, or for the acceptance of a grant of money to aid said municipality in financing any public works; or to enter into contracts with any persons or corporations, public or private, for the sale of such bonds; and such contracts may contain such terms and conditions as may be agreed upon by and between the common council of said city of Anchorage and the United States of America or any agency or instrumentality thereof, or any such purchaser.

Terms and conditions.

SEC. 7. This Act shall take effect immediately.

Approved, August 3, 1935.

[CHAPTER 435.]

AN ACT

August 3, 1935.
[H. R. 8209.]
[Public, No. 236.]

Temporarily to exempt refunding bonds of the Government of Puerto Rico from the limitation of public indebtedness under the Organic Act.

Puerto Rico; bonds. Exemption from inclusion in computing public indebtedness.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any bonds or other obligations of Puerto Rico hereafter issued for the purpose of retiring previously outstanding bonds or obligations shall not be included in computing the public indebtedness of Puerto Rico under section 3 of the Organic Act approved March 2, 1917, as amended, until six months after their issue.

Vol. 39, p. 953.
U. S. C., p. 2163.

Approved, August 3, 1935.

[CHAPTER 436.]

AN ACT

August 3, 1935.
[H. R. 8270.]
[Public, No. 237.]

To enable the Legislature of the Territory of Hawaii to authorize the issuance of certain bonds, and for other purposes.

Hawaii.
Authority of Legislature to permit bond issues.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Legislature of the Territory of Hawaii may cause to be issued on behalf of the Territory and may authorize any political or municipal corporation or subdivision of the Territory (including the board of water supply of the city and county of Honolulu, and the board of harbor commissioners) to issue of its own behalf bonds and other obligations payable solely from the revenues derived from a public improvement or public undertaking (which revenues may include transfers by agreement or otherwise from the regular funds of the issuer in respect of the use by it of the facilities afforded by such improvement or undertaking). The issuance of such revenue bonds shall not constitute the incurrence of an indebtedness within the meaning of the Hawaiian Organic Act, and shall not require the approval of the President of the United States.

Confirmation of prior acts authorizing issues.

All Acts of the Legislature of Hawaii heretofore authorizing the issuance of revenue bonds on behalf of the Territory or by any political or municipal corporation or subdivision thereof are hereby confirmed and ratified.

SEC. 2. That the Territory of Hawaii, any provision of the Hawaiian Organic Act or of any Act of this Congress to the contrary notwithstanding, is authorized and empowered to issue bonds in the sum of not to exceed $4,803,000 of the character and in the manner provided in that certain act of the legislature of said Territory, enacted at its regular session of 1935, entitled "An Act to provide for public improvements and for the securing of Federal funds for expenditure in connection with funds hereby appropriated for such improvements." Special bond issue authorized.

Such bonds may be either term or serial bonds, maturing, in the case of the term bonds, not later than thirty years from the date of issue thereof, and, in the case of the serial bonds, payable in substantially equal annual installments, the first installment to mature not later than five years and the last installment to mature not later than thirty years, from the date of such issue. And said act of said legislature is hereby ratified and confirmed, subject to the provisions of this Act: *Provided, however*, That nothing herein contained shall be deemed to prohibit the said act of said Territory by the legislature thereof from time to time to provide for changes in the improvements authorized by said act or for the disposition of unexpended moneys appropriated by said act, and that said bonds may be issued without the approval of the President of the United States. Character of bonds. *Proviso.* Improvements.

SEC. 3. This Act shall take effect immediately. Effective date.

Approved, August 3, 1935.

[CHAPTER 438.]

AN ACT

August 5, 1935.
[H. R. 7980.]
[Public, No. 238.]

To protect the revenue of the United States and provide measures for the more effective enforcement of the laws respecting the revenue, to prevent smuggling, to authorize customs-enforcement areas, and for other purposes.

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

TITLE I

SECTION 1. (a) Whenever the President finds and declares that at any place or within any area on the high seas adjacent to but outside customs waters any vessel or vessels hover or are being kept off the coast of the United States and that, by virtue of the presence of any such vessel or vessels at such place or within such area, the unlawful introduction or removal into or from the United States of any merchandise or person is being or may be occasioned, promoted, or threatened, the place or area so found and declared shall constitute a customs-enforcement area for the purposes of this Act. Only such waters on the high seas shall be within a customs-enforcement area as the President finds and declares are in such proximity to such vessel or vessels that such unlawful introduction or removal of merchandise or persons may be carried on by or to or from such vessel or vessels. No customs-enforcement area shall include any waters more than one hundred nautical miles from the place or immediate area where the President declares such vessel or vessels are hovering or are being kept and, notwithstanding the foregoing provision, shall not include any waters more than fifty nautical miles outwards from the outer limit of customs waters. Whenever the President finds that, within any customs-enforcement area, the circumstances no longer exist which gave rise to the declaration of such area as a customs-enforcement area, he shall so declare, and thereafter, and until a further finding and declaration is made under

Anti-Smuggling Act. Customs enforcement areas; establishment authorized.

Geographical limitations.

Termination of area; when.

this subsection with respect to waters within such area, no waters within such area shall constitute a part of such customs-enforcement area. The provisions of law applying to the high seas adjacent to customs waters of the United States shall be enforced in a customs-enforcement area upon any vessel, merchandise, or person found therein.

Enforcement provisions.

(b) At any place within a customs-enforcement area the several officers of the customs may go on board of any vessel and examine the vessel and any merchandise or person on board, and bring the same into port, and, subject to regulations of the Secretary of the Treasury, it shall be their duty to pursue and seize or arrest and otherwise enforce upon such vessel, merchandise, or person, the provisions of law which are made effective thereto in pursuance of subsection (a) in the same manner as such officers are or may be authorized or required to do in like case at any place in the United States by virtue of any law respecting the revenue: *Provided*, That nothing contained in this section or in any other provision of law respecting the revenue shall be construed to authorize or to require any officer of the United States to enforce any law thereof upon the high seas upon a foreign vessel in contravention of any treaty with a foreign government enabling or permitting the authorities of the United States to board, examine, search, seize, or otherwise to enforce upon such vessel upon the high seas the laws of the United States except as such authorities are or may otherwise be enabled or permitted under special arrangement with such foreign government: *Provided further*, That none of the provisions of this Act shall be construed to relieve the Secretary of Commerce of any authority, responsibility, or jurisdiction now vested in or imposed on that officer.

Provisos.
Treaty vessels.

Jurisdiction of Secretary of Commerce.

Owner of United States vessel violating foreign smuggling laws.

SEC. 2. (a) Any person owning in whole or in part any vessel of the United States who employs, or participates in, or allows the employment of, such vessel for the purpose of smuggling, or attempting to smuggle, or assisting in smuggling, any merchandise into the territory of any foreign government in violation of the laws there in force, if under the laws of such foreign government any penalty or forfeiture is provided for violation of the laws of the United States respecting the customs revenue, and any citizen of, or person domiciled in, or any corporation incorporated in, the United States, controlling or substantially participating in the control of any such vessel, directly or indirectly, whether through ownership of corporate shares or otherwise, and allowing the employment of said vessel for any such purpose, and any person found, or discovered to have been, on board of any such vessel so employed and participating or assisting in any such purpose, shall be liable to a fine of not more than $5,000 or to imprisonment for not more than two years, or to both such fine and imprisonment.

When penalty provided for violating customs revenue laws of United States.

Punishment for.

Vessels chartered with knowledge of lessee's intent to violate provisions.

(b) It shall constitute an offense under this section to hire out or charter a vessel if the lessor or charterer has knowledge that, or if such vessel is leased or chartered under circumstances which would give rise to a reasonable belief that, the lessee or person chartering the vessel intends to employ such vessel for any of the purposes described in subsection (a) and if such vessel is, during the time such lease or charter is in effect, employed for any such purpose.

Seizure and forfeiture of vessel and cargo; United States vessels.

SEC. 3. (a) Whenever any vessel which shall have been built, purchased, fitted out in whole or in part, or held, in the United States or elsewhere, for the purpose of being employed to defraud the revenue or to smuggle any merchandise into the United States, or to smuggle any merchandise into the territory of any foreign government in violation of the laws there in force, if under the laws of such foreign government any penalty or forfeiture is provided for viola-

tion of the laws of the United States respecting the customs revenue, or whenever any vessel which shall be found, or discovered to have been, employed, or attempted to be employed, within the United States for any such purpose, or in anywise in assistance thereof, or whenever any vessel of the United States which shall be found, or discovered to have been, employed, or attempted to be employed at any place, for any such purpose, or in anywise in assistance thereof, if not subsequently forfeited to the United States or to a foreign government, is found at any place at which any such vessel may be examined by an officer of the customs in the enforcement of any law respecting the revenue, the said vessel and its cargo shall be seized and forfeited.

Vessels owned or controlled in United States.

(b) Every vessel which is documented, owned, or controlled in the United States, and every vessel of foreign registry which is, directly or indirectly, substantially owned or controlled by any citizen of, or corporation incorporated, owned, or controlled in, the United States, shall, for the purposes of this section, be deemed a vessel of the United States.

Vessels suspected of smuggling activities; presumption arising.
Vol. 46, p. 747.

(c) For the purposes of this section, the fact that a vessel has become subject to pursuit as provided in section 581 of the Tariff Act of 1930, as amended, or is a hovering vessel, or that a vessel fails, at any place within the customs waters of the United States or within a customs-enforcement area, to display lights as required by law, shall be prima facie evidence that such vessel is being, or has been, or is attempted to be employed to defraud the revenue of the United States.

Documentation of suspected vessels; refusal; appeal.

SEC. 4. Subject to appeal to the Secretary of Commerce and under such regulations as he may prescribe, whenever the collector of customs of the district in which any vessel is, or is sought to be, registered, enrolled, licensed, or numbered, is shown upon evidence which he deems sufficient that such vessel is being, or is intended to be, employed to smuggle, transport, or otherwise assist in the unlawful introduction or importation into the United States of any merchandise or person, or to smuggle any merchandise into the territory of any foreign government in violation of the laws there in force, if under the laws of such foreign government any penalty or forfeiture is provided for violation of the laws of the United States respecting the customs revenue, or whenever, from the design or fittings of any vessel or the nature of any repairs made thereon, it is apparent to such collector that such vessel has been built or adapted for the purpose of smuggling merchandise, the said collector shall revoke the registry, enrollment, license, or number of said vessel or refuse the same if application be made therefor, as the case may be. Such collector and all persons acting by or under his direction shall be indemnified from any penalties or actions for damages for carrying out the provisions of this section.

Indemnification.

Forfeited vessels; destruction.

SEC. 5. Any vessel or vehicle forfeited to the United States, whether summarily or by a decree of any court, for violation of any law respecting the revenue, may, in the discretion of the Secretary of the Treasury, if he deems it necessary to protect the revenue of the United States, be destroyed in lieu of the sale thereof under existing law.

Vessels of less than thirty net tons burden; importations on, prohibited; exceptions.

SEC. 6. Except into the districts adjoining to the Dominion of Canada, or into the districts adjacent to Mexico, no merchandise of foreign growth or manufacture subject to the payment of duties shall be brought into the United States from any foreign port or place, or from any hovering vessel, in any vessel of less than thirty net tons burden without special license granted by the Secretary of the Treasury under such conditions as he may prescribe, nor in any

other manner than by sea, except by aircraft duly licensed in accordance with law, or landed or unladen at any other port than is directed by law, under the penalty of seizure and forfeiture of all such unlicensed vessels or aircraft and of the merchandise imported therein, landed or unladen in any manner. Marks, labels, brands, or stamps, indicative of foreign origin, upon or accompanying merchandise or containers of merchandise found upon any such vessel or aircraft, shall be prima facie evidence of the foreign origin of such merchandise.

Liquor importations; certificate to accompany.

SEC. 7. In addition to any other requirement of law, every vessel, not exceeding five hundred net tons, from a foreign port or place, or which has visited a hovering vessel, shall carry a certificate for the importation into the United States of any spirits, wines, or other alcoholic liquors on board thereof (sea stores excepted), destined to the United States, said certificate to be issued by a consular officer of the United States or other authorized person pursuant to such regulations as the Secretary of State and the Secretary of the Treasury may jointly prescribe. Any spirits, wines, or other alcoholic liquors (sea stores excepted) found, or discovered to have been, upon any such vessel at any place in the United States, or within the customs waters, without said certificate on board, which are not shown to have a bona fide destination without the United States, shall be seized and forfeited and, in the case of any such merchandise so destined to a foreign port or place, a bond shall be required in double the amount of the duties to which such merchandise would be subject if imported into the United States, conditioned upon the delivery of said merchandise at such foreign port or place as may be certified by a consular officer of the United States or otherwise as provided in said regulations: *Provided*, That if the collector shall be satisfied that the certificate required for the importation of any spirits, wines, or other alcoholic liquors was issued and was lost or mislaid without fraud, or was defaced by accident, or is incorrect by reason of clerical error or other mistake, said penalties shall not be incurred nor shall such bond be required. This section shall take effect on the sixtieth day following the enactment of this Act.

Issue of.

Seizure and forfeiture when imported without certificate.

Liquor in transit to foreign port; bond.

Proviso.
Erroneous certificate.

Effective date of section.

Liability of master.

SEC. 8. (a) If the master of any vessel of the United States, not exceeding five hundred net tons, allows such vessel to be laden at any foreign port or other place without the United States with any merchandise destined to the United States and consisting of any spirits, wines, or other alcoholic liquors (sea stores excepted), which facts may be evidenced by the testimony or depositions of foreign administrative officials or certified copies of their records or by other sufficient evidence, without certificate issued for the importation of such merchandise into the United States as required by section 7, the master of such vessel shall, in addition to any other penalties provided by law, be liable to a penalty equal to the value of the said merchandise but not less than $1,000 and such vessel and such merchandise shall be seized and forfeited.

Penalty provisions.

(b) Whoever, being a citizen of the United States or a master or a member of the crew of a vessel of the United States, if such vessel does not exceed five hundred net tons, shall, with intent to defraud the revenue of the United States, procure, or aid or assist in procuring, any merchandise destined to the United States and consisting of any spirits, wines, or other alcoholic liquors, without certificate issued for the importation thereof into the United States as required by section 7, to be laden upon such vessel at any foreign port or other place without the United States, which facts may be evidenced by the testimony or depositions of foreign administrative officials or certified copies of their records or by other sufficient evi-

dence, shall, in addition to any other penalties provided by law, be liable to a fine of not more than $1,000 or to imprisonment for not more than two years, or to both such fine and imprisonment.

TITLE II

Tariff Act of 1930, amendment.
Vol. 46, p. 708; U. S. C., p. 879.

SECTION 201. Section 401 of the Tariff Act of 1930 (U. S. C., Supp. VII, title 19, sec. 1401) is amended by adding at the end thereof the following new paragraphs:

Definitions.
"Officer of the customs."

"(l) OFFICER OF THE CUSTOMS.—The term 'officer of the customs' means any officer of the Customs Service or any commissioned, warrant, or petty officer of the Coast Guard, or agent or other person authorized by law or by the Secretary of the Treasury, or appointed in writing by a collector, to perform the duties of an officer of the Customs Service.

"Customs waters."

"(m) CUSTOMS WATERS.—The term 'customs waters' means, in the case of a foreign vessel subject to a treaty or other arrangement between a foreign government and the United States enabling or permitting the authorities of the United States to board, examine, search, seize, or otherwise to enforce upon such vessel upon the high seas the laws of the United States, the waters within such distance of the coast of the United States as the said authorities are or may be so enabled or permitted by such treaty or arrangement and, in the case of every other vessel, the waters within four leagues of the coast of the United States.

"Hovering vessel."

"(n) HOVERING VESSEL.—The term 'hovering vessel' means any vessel which is found or kept off the coast of the United States within or without the customs waters, if, from the history, conduct, character, or location of the vessel, it is reasonable to believe that such vessel is being used or may be used to introduce or promote or facilitate the introduction or attempted introduction of merchandise into the United States in violation of the laws respecting the revenue.

Vol. 46, pp. 710, 714, 749.

"For the purposes of sections 432, 433, 434, 448, 585, and 586 of this Act, any vessel which has visited any hovering vessel shall be deemed to arrive or have arrived, as the case may be, from a foreign port or place."

Liability of master; additional penalties.
Vol. 46, p. 711; U. S. C., p. 881.
Vessel having on board prohibited merchandise.

SEC. 202. Section 436 of the Tariff Act of 1930 (U. S. C., Supp. VII, title 19, sec. 1436) is amended by omitting the period at the end thereof and adding the following: "and, if the vessel have, or be discovered to have had, on board any merchandise (sea stores excepted), the importation of which into the United States is prohibited, or any spirits, wines, or other alcoholic liquors, such master shall be subject to an additional fine of not more than $2,000 or to imprisonment for not more than one year, or to both such fine and imprisonment.

Master presenting false document.

"Every master who presents a forged, altered, or false document or paper on making entry of a vessel as required by section 434 or 435 of this Act, knowing the same to be forged, altered, or false and without revealing the fact, shall, in addition to any forfeiture to which in consequence the vessel may be subject, be liable to a fine of not more than $5,000 nor less than $50 or to imprisonment for not more than two years, or to both such fine and imprisonment."

Enforcement provisions.
Vol. 46, p. 747; U. S. C., p. 896.

SEC. 203 (a) Section 581 of the Tariff Act of 1930 (U. S. C., Supp. VII, title 19, sec. 1581) is amended to read as follows:

Boarding vessels.
Authority of customs officers.

"SEC. 581. BOARDING VESSELS

"(a) Any officer of the customs may at any time go on board of any vessel or vehicle at any place in the United States or within the customs waters or, as he may be authorized, within a customs-enforcement area established under the Anti-Smuggling Act, or at

any other authorized place, without as well as within his district, and examine the manifest and other documents and papers and examine, inspect, and search the vessel or vehicle and every part thereof and any person, trunk, package, or cargo on board, and to this end may hail and stop such vessel or vehicle, and use all necessary force to compel compliance.

Of officers of Commerce Department.

"(b) Officers of the Department of Commerce and other persons authorized by such department may go on board of any vessel at any place in the United States or within the customs waters and hail, stop, and board such vessel in the enforcement of the navigation laws and arrest or, in case of escape or attempted escape, pursue and arrest any person engaged in the breach or violation of the navigation laws.

Presentation of false document by master of vessel being examined.

"(c) Any master of a vessel being examined as herein provided, who presents any forged, altered, or false document or paper to the examining officer, knowing the same to be forged, altered, or false and without revealing the fact shall, in addition to any forfeiture to which in consequence the vessel may be subject, be liable to a fine of not more than $5,000 nor less than $500.

Penalties.

Vessel failing to comply with stop signal; pursuit.

"(d) Any vessel or vehicle which, at any authorized place, is required to come to a stop by any officer of the customs, or is required to come to a stop by signal made by any vessel employed in the service of the customs displaying the ensign and pennant prescribed for such vessel by the President, shall come to a stop, and upon failure to comply, a vessel so required to come to a stop shall become subject to pursuit and the master thereof shall be liable to a fine of not more than $5,000 nor less than $1,000. It shall be the duty of the several officers of the customs to pursue any vessel which may become subject to pursuit, and to board and examine the same, and to examine any person or merchandise on board, without as well as within their respective districts and at any place upon the high seas or, if permitted by the appropriate foreign authority, elsewhere where the vessel may be pursued as well as at any other authorized place.

Penalty.

Duty of customs officers to pursue.

Seizure of vessels; arrests.

"(e) If upon the examination of any vessel or vehicle it shall appear that a breach of the laws of the United States is being or has been committed so as to render such vessel or vehicle, or the merchandise, or any part thereof, on board of, or brought into the United States by, such vessel or vehicle, liable to forfeiture or to secure any fine or penalty, the same shall be seized and any person who has engaged in such breach shall be arrested.

When revenue laws violated.

"(f) It shall be the duty of the several officers of the customs to seize and secure any vessel, vehicle, or merchandise which shall become liable to seizure, and to arrest any person who shall become liable to arrest, by virtue of any law respecting the revenue, as well without as within their respective districts, and to use all necessary force to seize or arrest the same.

Vessels outside customs waters unlawfully introducing merchandise; boarding, etc.

"(g) Any vessel, within or without the customs waters, from which any merchandise is being, or has been, unlawfully introduced into the United States by means of any boat belonging to, or owned, controlled, or managed in common with, said vessel, shall be deemed to be employed within the United States and, as such, subject to the provisions of this section.

Treaty vessels; jurisdiction over.

"(h) The provisions of this section shall not be construed to authorize or require any officer of the United States to enforce any law of the United States upon the high seas upon a foreign vessel in contravention of any treaty with a foreign government enabling or permitting the authorities of the United States to board, examine,

search, seize, or otherwise to enforce upon said vessel upon the high seas the laws of the United States except as such authorities are or may otherwise be enabled or permitted under special arrangement with such foreign government."

Seizures.
R. S., sec. 3072, p. 590; U. S. C., p. 822.

(b) Section 3072 of the Revised Statutes (U. S. C., title 19, sec. 506) is hereby repealed.

Vol. 46, p. 748; U. S. C., p. 897.

SEC. 204. (a) The last paragraph of section 584 of the Tariff Act of 1930 (U. S. C., Supp. VII, title 19, sec. 1584) is amended to read as follows:

Falsity or lack of manifest.

"If any of such merchandise so found consists of heroin, morphine, or cocaine, the master of such vessel or person in charge of such vehicle or the owner of such vessel or vehicle shall be liable to a penalty of $50 for each ounce thereof so found. If any of such merchandise so found consists of smoking opium or opium prepared for smoking, the master of such vessel or person in charge of such vehicle or the owner of such vessel or vehicle shall be liable to a penalty of $25 for each ounce thereof so found. If any of such merchandise so found consists of crude opium, the master of such vessel or person in charge of such vehicle or the owner of such vessel or vehicle shall be liable to a penalty of $10 for each ounce thereof so found. Such penalties shall, notwithstanding the proviso in section 594 of this Act (relating to the immunity of vessels or vehicles used as common carriers), constitute a lien upon such vessel which may be enforced by a libel in rem; except that the master or owner of a vessel used by any person as a common carrier in the transaction of business as such common carrier shall not be liable to such penalties and the vessel shall not be held subject to the lien, if it appears to the satisfaction of the court that neither the master nor any of the officers (including licensed and unlicensed officers and petty officers) nor the owner of the vessel knew, and could not, by the exercise of the highest degree of care and diligence, have known, that such narcotic drugs were on board. Clearance of any such vessel may be withheld until such penalties are paid or until a bond, satisfactory to the collector, is given for the payment thereof. The provisions of this paragraph shall not prevent the forfeiture of any such vessel or vehicle under any other provision of law."

Unmanifested narcotics importation.
Penalty for.

Penalties to constitute lien on vessel; enforcement.
Vol. 46, p. 751.

Exception; master of vessel used as common carrier.

Withholding clearance of vessels.

Vol. 46, p. 748; U. S. C., p. 897.

(b) Section 584 of the Tariff Act of 1930 (U. S. C., Supp. VII, title 19, sec. 1584) is amended by adding at the end thereof the following new paragraph:

Vessels having prohibited merchandise or undocumented liquors on board.

"If any of such merchandise (sea stores excepted), the importation of which into the United States is prohibited, or which consists of any spirits, wines, or other alcoholic liquors for the importation of which into the United States a certificate is required under section 7 of the Anti-Smuggling Act and the required certificate be not shown, be so found upon any vessel not exceeding five hundred net tons, the vessel shall, in addition to any other penalties herein or by law provided, be seized and forfeited, and, if any manifested merchandise (sea stores excepted) consisting of any such spirits, wines, or other alcoholic liquors be found upon any such vessel and the required certificate be not shown, the master of the vessel shall be liable to the penalty herein provided in the case of merchandise not duly manifested: *Provided*, That if the collector shall be satisfied that the certificate required for the importation of any spirits, wines, or other alcoholic liquors was issued and was lost or mislaid without intentional fraud, or was defaced by accident, or is incorrect by reason of clerical error or other mistake, said penalties shall not be incurred."

Seizure and forfeiture.

Liability of master.

Proviso.
Lost or erroneous certificate.

Vol. 46, p. 749; U. S. C., p. 897.

SEC. 205. Section 586 of the Tariff Act of 1930 (U. S. C., Supp. VII, title 19, sec. 1586) is amended to read as follows:

Unlawful unlading or transshipment.

"SEC. 586. UNLAWFUL UNLADING OR TRANSSHIPMENT

Liability of master; unlawful unlading within customs waters.

"(a) The master of any vessel from a foreign port or place who allows any merchandise (including sea stores) to be unladen from such vessel at any time after its arrival within the customs waters and before such vessel has come to the proper place for the discharge of such merchandise, and before he has received a permit to unlade, shall be liable to a penalty equal to twice the value of the merchandise but not less than $1,000, and such vessel and its cargo and the merchandise so unladen shall be seized and forfeited.

Penalty provision.

Upon the high seas adjacent to customs waters for transshipment.

"(b) The master of any vessel from a foreign port or place who allows any merchandise (including sea stores), the importation of which into the United States is prohibited, or which consists of any spirits, wines, or other alcoholic liquors, to be unladen from his vessel at any place upon the high seas adjacent to the customs waters of the United States to be transshipped to or placed in or received on any vessel of any description, with knowledge, or under circumstances indicating the purpose to render it possible, that such merchandise, or any part thereof, may be introduced, or attempted to be introduced, into the United States in violation of law, shall be liable to a penalty equal to twice the value of the merchandise but not less than $1,000, and the vessel from which the merchandise is so unladen, and its cargo and such merchandise, shall be seized and forfeited.

Penalty provision.

Transshipment of prohibited cargoes on high seas to United States vessel.

"(c) The master of any vessel from a foreign port or place who allows any merchandise (including sea stores) destined to the United States, the importation of which into the United States is prohibited, or which consists of any spirits, wines, or other alcoholic liquors, to be unladen, without permit to unlade, at any place upon the high seas adjacent to the customs waters of the United States, to be transshipped to or placed in or received on any vessel of the United States or any other vessel which is owned by any person a citizen of, or domiciled in, the United States, or any corporation incorporated in the United States, shall be liable to a penalty equal to twice the value of the merchandise but not less than $1,000, and the vessel from which the merchandise is so unladen, and its cargo and such merchandise, shall be seized and forfeited.

Penalty provision.

Liability of vessel, etc., receiving prohibited transshipped cargo.

"(d) If any merchandise (including sea stores) unladen in violation of the provisions of this section is transshipped to or placed in or received on any other vessel, the master of the vessel on which such merchandise is placed, and any person aiding or assisting therein, shall be liable to a penalty equal to twice the value of the merchandise, but not less than $1,000, and such vessel, and its cargo and such merchandise, shall be seized and forfeited.

Of persons assisting in transshipment.

"(e) Whoever, at any place, if a citizen of the United States, or at any place in the United States or within one league of the coast of the United States, if a foreign national, shall engage or aid or assist in any unlading or transshipment of any merchandise in consequence of which any vessel becomes subject to forfeiture under the provisions of this section shall, in addition to any other penalties provided by law, be liable to imprisonment for not more than two years.

Exempt cargoes; notification required.

"(f) Whenever any part of the cargo or stores of a vessel has been unladen or transshipped because of accident, stress of weather, or other necessity, the master of such vessel and the master of any vessel to which such cargo or stores has been transshipped shall, as soon as possible thereafter, notify the collector of the district within which such unlading or transshipment has occurred, or the

collector within the district at which such vessel shall first arrive thereafter, and shall furnish proof that such unlading or transshipment was made necessary by accident, stress of weather, or other unavoidable cause, and if the collector is satisfied that the unlading or transshipment was in fact due to accident, stress of weather, or other necessity, the penalties described in this section shall not be incurred."

SEC. 206. Section 587 of the Tariff Act of 1930 (U. S. C., Supp. VII, title 19, sec. 1587) is amended to read as follows: Vol. 46, p. 749; U. S. C., p. 897.

Examination of hovering vessels.

"SEC. 587. EXAMINATION OF HOVERING VESSELS

Boarding, etc., by customs officers.

"(a) Any hovering vessel, or any vessel which fails (except for unavoidable cause), at any place within the customs waters or within a customs-enforcement area established under the Anti-Smuggling Act, to display lights as required by law, or which has become subject to pursuit as provided in section 581 of this Act, or which, being a foreign vessel to which subsection (h) of said section 581 applies, is permitted by special arrangement with a foreign government to be so examined without the customs waters of the United States, may at any time be boarded and examined by any officer of the customs, and the provisions of said section 581 shall apply thereto, as well without as within his district, and in examining the same, any such officer may also examine the master upon oath respecting the cargo and voyage of the vessel, and may also bring the vessel into the most convenient port of the United States to examine the cargo, and if the master of said vessel refuses to comply with the lawful directions of such officer or does not truly answer such questions as are put to him respecting the vessel, its cargo, or voyage, he shall be liable to a penalty of not more than $5,000 nor less than $500. If, upon the examination of any such vessel or its cargo by any officer of the customs, any dutiable merchandise destined to the United States is found, or discovered to have been, on board thereof, the vessel and its cargo shall be seized and forfeited. It shall be presumed that any merchandise (sea stores excepted), the importation of which into the United States is prohibited, or which consists of any spirits, wines, or other alcoholic liquors, so found, or discovered to have been, on board thereof, is destined to the United States.

Examination of master.

Penalty when master refuses to comply with directions.

Seizure and forfeiture.

"(b) If any vessel laden with cargo be found at any place in the United States or within the customs waters or within a customs-enforcement area established under the Anti-Smuggling Act and such vessel afterwards is found light or in ballast or having discharged its cargo or any part thereof, and the master is unable to give a due account of the port or place at which the cargo, or any part thereof, consisting of any merchandise the importation of which into the United States is prohibited or any spirits, wines, or other alcoholic liquors, was lawfully discharged, the vessel shall be seized and forfeited.

Vessels within customs waters having discharged prohibited cargo.

"(c) Nothing contained in this section shall be construed to render any vessel liable to forfeiture which is bona fide bound from one foreign port to another foreign port, and which is pursuing her course, wind and weather permitting."

Exempt vessels.

SEC. 207. Section 615 of the Tariff Act of 1930 (U. S. C., Supp. VII, title 19, sec. 1615) is amended by inserting a comma in place of the period at the end thereof and adding the following: "subject to the following rules of proof:

Burden of proof in forfeiture proceedings. Vol. 46, p. 757. U. S. C., p. 901. Rules.

"(1) The testimony or deposition of the officer of the customs who has boarded or required to come to a stop or seized a vessel or vehicle, or has arrested a person, shall be prima facie evidence of the place where the act in question occurred.

Testimony to fix place where act occurred.

Marks indicative of foreign origin.

"(2) Marks, labels, brands, or stamps, indicative of foreign origin, upon or accompanying mechandise[1] or containers of merchandise, shall be prima facie evidence of the foreign origin of such merchandise.

Vessels in vicinity of hovering vessel.

"(3) The fact that a vessel of any description is found, or discovered to have been, in the vicinity of any hovering vessel and under any circumstances indicating contact or communication therewith, whether by proceeding to or from such vessel, or by coming to in the vicinity of such vessel, or by delivering to or receiving from such vessel any merchandise, person, or communication, or by any other means effecting contact or communication therewith, shall be prima facie evidence that the vessel in question has visited such hovering vessel."

R. S., sec. 3062, p. 588; U. S. C., p. 821.

SEC. 208. Section 3062 of the Revised Statutes (U. S. C., title 19, sec. 483) is amended to read as follows:

Seizures and forfeitures.

"SEC. 3062. (a) All vessels, with the tackle, apparel, and furniture thereof, and all vehicles, animals, aircraft, and things with the tackle, harness, and equipment therof, used in, or employed to aid in, or to facilitate by obtaining information or otherwise, the unlading, bringing in, importation, landing, removal, concealment, harboring, or subsequent transportation of any merchandise upon the same or otherwise unlawfully introduced, or attempted to be introduced into the United States, shall be seized and forfeited.

Liability of members of crew, etc.

"(b) Any member of the crew of any such vessel and any person who assists, finances, directs, or is otherwise concerned in the unlading, bringing in, importation, landing, removal, concealment, harboring, or subsequent transportation of any such merchandise exceeding $100 in value, or into whose control or possession the same shall come without lawful excuse, shall, in addition to any other penalty, be liable to a penalty equal to the value of such goods, to be recovered in any court of competent jurisdiction, or to imprisonment for not more than five years, or both."

R. S., sec. 4197, p. 809; U. S. C., p. 1989.

SEC. 209. Section 4197 of the Revised Statutes, as amended (U. S. C., title 46, sec. 91), is amended by striking out the second sentence and inserting in lieu thereof the following:

Clearances; granting.

"If any vessel bound to a foreign port (other than a licensed yacht not engaging in any trade nor in any way violating the revenue laws of the United States) departs from any port or place in the United States without a clearance, or if the master delivers a false manifest, or does not answer truly the questions demanded of him, or, having received a clearance adds to the cargo of such vessel without having mentioned in the report outwards the intention to do so, or if the departure of the vessel is delayed beyond the second day after obtaining clearance without reporting the delay to the collector, the master or other person having the charge or command

Penalty provisions.

of such vessel shall be liable to a penalty of not more than $1,000 nor less than $500, or if the cargo consists in any part of narcotic drugs, or any spirits, wines, or other alcoholic liquors (sea stores excepted), a penalty of not more than $5,000 nor less than $1,000, for each offense, and the vessel shall be detained in any port of the United States until the said penalty is paid or secured."

Undocumented vessels; numbering. Vol. 40, p. 602; U. S. C., p. 2007. Certificate of number award.

SEC. 210. Section 1 of the Act approved June 7, 1918 (40 Stat. 602; U. S. C., title 46, sec. 288), is amended by adding at the end thereof the following new sentence: "When a number is awarded to a vessel under the provisions of this Act, a certificate of such award shall be issued by the collector, the said certificate to be at all times kept on board of such vessel and to constitute a document in lieu of enrollment or license."

[1] So in original.

TITLE III

Entry of American vessels.
Vol. 46, p. 711; U. S. C., p. 881.

SECTION 301. Section 434 of the Tariff Act of 1930 (U. S. C., Supp. VII, title 19, sec. 1434) is amended by inserting after the words "as indicated in the register" a comma and the following: "or document in lieu thereof,".

Vessels not required to enter.
Vol. 46, p. 712; U. S. C., p. 882.

SEC. 302. Subsection (3) of section 441 of the Tariff Act of 1930 (U. S. C., Supp. VII, title 19, sec. 1441 (3)) is amended to read as follows:

Yachts.

"(3) Yachts of fifteen gross tons or under not permitted by law to carry merchandise or passengers for hire and not visiting any hovering vessel, nor having at any time or, if forfeited to the United States or to a foreign government, at any time after forfeiture, become liable to seizure and forfeiture for any violation of the laws of the United States."

Departure without making report or entry.
Vol. 46, p. 749; U. S. C., p. 897.

SEC. 303. So much of section 585 of the Tariff Act of 1930 (U. S. C., Supp. VII, title 19, sec. 1585) as comes after the words "and the person in charge of such vehicle shall be liable to a fine of $500," is amended to read as follows: "and any such vessel or vehicle shall be forfeited, and any officer of the customs may cause such vessel or vehicle to be arrested and brought back to the most convenient port of the United States."

Forfeiture.

Fraudulent entry of imported merchandise; penalties, personal.
Vol. 46, p. 750; U. S. C., p. 898.

SEC. 304. (a) Section 591 of the Tariff Act of 1930 (U. S. C., Supp. VII, title 19, sec. 1591) is amended by inserting after the words "or aids or procures the making of any such false statement as to any matter material thereto without reasonable cause to believe the truth of such statement," the following: "whether or not the United States shall or may be deprived of the lawful duties, or any portion thereof, accruing upon the merchandise, or any portion thereof, embraced or referred to in such invoice, declaration, affidavit, letter, paper, or statement;".

Penalties against goods.
Vol. 46, p. 750; U. S. C., p. 898.

(b) Section 592 of the Tariff Act of 1930 (U. S. C., Supp. VII, title 19, sec. 1592) is amended by inserting after the words "or aids or procures the making of any such false statement as to any matter material thereto without reasonable cause to believe the truth of such statement," the following: "whether or not the United States shall or may be deprived of the lawful duties, or any portion thereof, accruing upon the merchandise, or any portion thereof, embraced or referred to in such invoice, declaration, affidavit, letter, paper, or statement;".

Informers, awards to.
Vol. 46, p. 758; U. S. C., p. 901.

SEC. 305. (a) Section 619 of the Tariff Act of 1930 (U. S. C., Supp. VII, title 19, sec. 1619) is amended by inserting after the words "customs laws" wherever they appear in that section the words "or the navigation laws".

Amount.

(b) Section 619 of the Tariff Act of 1930 (U. S. C., Supp. VII, title 19, sec. 1619) is amended by adding at the end thereof the following new sentence: "If any vessel, vehicle, merchandise, or baggage is forfeited to the United States, and is thereafter, in lieu of sale, destroyed under the customs or navigation laws or delivered to any governmental agency for official use, compensation of 25 per centum of the appraised value thereof may be awarded and paid by the Secretary of the Treasury under the provisions of this section, but not to exceed $50,000 in any case."

Limitation of actions to recover fines or forfeitures.
Vol. 46, p. 758; U. S. C., p. 901.

SEC. 306. So much of section 621 of the Tariff Act of 1930 (U. S. C., Supp. VII, title 19, sec. 1621) as precedes the proviso is amended to read as follows: "No suit or action to recover any pecuniary penalty or forfeiture of property accruing under the customs laws shall be instituted unless such suit or action is commenced within five years after the time when the alleged offense was discovered:".

R. S., sec. 3068, p. 589; U. S. C., p. 729.

SEC. 307. Section 3068 of the Revised Statutes (U. S. C., title 18, sec. 122) is amended to read as follows:

Masters obstructing revenue officers; penalty.

"SEC. 3068. If the master of any vessel shall obstruct or hinder, or shall intentionally cause any obstruction or hindrance to any officer in lawfully going on board such vessel, for the purpose of carrying into effect any of the revenue or navigation laws of the United States, he shall for every such offense be liable to a penalty of not more than $2,000 nor less than $500."

R. S., sec. 2764, p. 535; U. S. C., p. 500.

SEC. 308. Section 2764 of the Revised Statutes (U. S. C., title 14, sec. 64) is amended to read as follows:

Coast Guard vessels; ensign and pennant.

"SEC. 2764. (a) Coast Guard vessels shall be distinguished from other vessels by an ensign and pennant, of such design as the President shall prescribe, the same to be flown as circumstances require.

Wrongful display by other vessels; penalty.

If any vessel or boat, not employed in the service of the customs, shall, within the jurisdiction of the United States, without authority, carry or hoist any pennant or ensign prescribed for, or intended to resemble any pennant or ensign prescribed for, Coast Guard vessels, the master of the vessel so offending shall be liable to a fine of not less than $1,000 and not more than $5,000, or to imprisonment for not less than six months and not more than two years, or to both such fine and imprisonment.

Extent of United States jurisdiction.

"(b) For the purposes of this section, any place in the United States or within the customs waters of the United States as defined in the Anti-Smuggling Act, shall be deemed within the jurisdiction of the United States."

Wrongful use of official uniform or badge; penalty.

SEC. 309. Whosoever without authority shall use the uniform or badge of the Coast Guard, or the Customs Service, or of any foreign revenue service, or any uniform, clothing, or badge resembling the same, while engaged, or assisting, in any violation of any revenue law of the United States, shall be fined not more than $500 and imprisoned not more than two years.

R. S., sec. 4189, p. 808; U. S. C., p. 1983. Fraudulent documentation.

SEC. 310. Section 4189 of the Revised Statutes (U. S. C., title 46, sec. 60) is amended by striking out the words "not entitled to the benefit thereof".

R. S., sec. 4218, p. 812; U. S. C., p. 1990. Yachts; entry; manifest of dutiable articles.

SEC. 311. Section 4218 of the Revised Statutes, as amended (U. S. C., title 46, sec. 106), is amended by inserting after the words "except those of fifteen gross tons or under" the words "exempted by law,".

R. S., sec. 4336, p. 838; U. S. C., p. 2006.

SEC. 312. Section 4336 of the Revised Statutes (U. S. C., title 46, sec. 277) is amended to read as follows:

Inspection of register, enrollment, or license.

"SEC. 4336. Any officer concerned in the collection of the revenue may at all times inspect the register or enrollment or license of any vessel or any document in lieu thereof; and if the master of any such vessel shall not exhibit the same, when required by such officer, he shall be liable to a penalty of $100, unless the failure to do so is willful in which case he shall be liable to a penalty of $1,000 and to a fine of not more than $1,000 or imprisonment for not more than one year, or both."

Penalty; failure to exhibit.

R. S., sec. 4377, p. 846; U. S. C., p. 2011.

SEC. 313. Section 4377 of the Revised Statutes (U. S. C., title 46, sec. 325) is amended to read as follows:

License of vessel; penalty for violation.

"SEC. 4377. Whenever any licensed vessel is transferred, in whole or in part, to any person who is not at the time of such transfer a citizen of and resident within the United States, or is employed in any other trade than that for which she is licensed, or is employed in any trade whereby the revenue of the United States is defrauded, or is found with a forged or altered license, or one granted for any other vessel, or with merchandise of foreign growth or manufacture (sea stores excepted), or any taxable domestic spirits, wines, or other alcoholic liquors, on which the duties or taxes have not been paid or secured to be paid, such vessel with her tackle, apparel and furni-

ture, and the cargo, found on board her, shall be forfeited. But vessels which may be licensed for the mackerel fishery shall not incur such forfeiture by engaging in catching cod or fish of any other description whatever. For the purposes of this section, marks, labels, brands, or stamps, indicative of foreign origin, upon or accompanying merchandise or containers of merchandise found upon any vessel, shall be prima facie evidence of the foreign origin of such merchandise."

When licensed for mackerel fishing.

Marks of foreign origin; presumption.

SEC. 314. Section 7 of the Act approved June 19, 1886 (ch. 421, 24 Stat. 81; U. S. C., title 46, secs. 317, 319), as in part repealed by the Act of February 28, 1933 (47 Stat. 1349), is amended by striking out the period at the end of the first sentence and inserting a comma in lieu thereof, and by striking out the second sentence and inserting in lieu thereof the following: "and if she have on board any merchandise of foreign growth or manufacture (sea stores excepted), or any taxable domestic spirits, wines, or other alcoholic liquors, on which the duties or taxes have not been paid or secured to be paid, she shall, together with her tackle, apparel and furniture, and the lading found on board, be forfeited. Marks, labels, brands, or stamps, indicative of foreign origin, upon or accompanying merchandise or containers of merchandise found on board such vessel, shall be prima facie evidence of the foreign origin of such merchandise. But if the license shall have expired while the vessel was at sea, and there shall have been no opportunity to renew such license, then said fine or forfeiture shall not be incurred."

Vol. 24, p. 81; U. S. C., p. 2010.

Vol. 47, p. 1349.

Trading by unlicensed vessels.

Vessels having on board tax-unpaid goods.

Forfeiture.

Marks of foreign origin; presumption.

TITLE IV

Definitions.

SECTION 401. When used in this Act:

"United States."

(a) The term "United States", when used in a geographical sense, includes all Territories and possessions of the United States, except the Philippine Islands, the Virgin Islands, the Canal Zone, American Samoa, and the island of Guam.

"Officer of the customs."

(b) The term "officer of the customs" means any officer of the Customs Service or any commissioned, warrant, or petty officer of the Coast Guard, or agent or other person authorized by law or by the Secretary of the Treasury, or appointed in writing by a collector, to perform the duties of an officer of the Customs Service.

"Customs waters."

(c) The term "customs waters" means, in the case of a foreign vessel subject to a treaty or other arrangement between a foreign government and the United States enabling or permitting the authorities of the United States to board, examine, search, seize, or otherwise to enforce upon such vessel upon the high seas the laws of the United States, the waters within such distance of the coast of the United States as the said authorities are or may be so enabled or permitted by such treaty or arrangement and, in the case of every other vessel, the waters within four leagues of the coast of the United States.

"Hovering vessel."

(d) The term "hovering vessel" means any vessel which is found or kept off the coast of the United States within or without the customs waters, if, from the history, conduct, character, or location of the vessel, it is reasonable to believe that such vessel is being used or may be used to introduce or promote or facilitate the introduction or attempted introduction of merchandise into the United States in violation of the laws respecting the revenue.

Separability of Act.

SEC. 402. If any clause, sentence, paragraph, or part of this Act, or the application thereof to any person, or circumstances, is held invalid, the application thereof to other persons, or circumstances, and the remainder of the Act, shall not be affected thereby.

Short title.

SEC. 403. This Act may be cited as the "Anti-Smuggling Act".

Approved, August 5, 1935.

104019°—36——34

[CHAPTER 439.]

AN ACT

August 5, 1935.
[H. R. 5382.]
[Public, No. 239.]

To provide for advancement by selection in the Staff Corps of the Navy to the ranks of lieutenant commander and lieutenant; to amend the Act entitled "An Act to provide for the equalization of promotion of officers of the Staff Corps of the Navy with officers of the line" (44 Stat. 717; U. S. C., Supp. VII, title 34, secs. 348 to 348t), and for other purposes.

Navy Staff Corps.
Advancement of officers; lieutenant grades.
Vol. 44, p. 717; U. S. C., p. 1529.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of existing law as amended by this Act with reference to advancement in rank by selection in the Staff Corps are hereby extended to include and authorize advancement to the ranks of lieutenant commander and lieutenant of officers of the next lower ranks who are eligible for consideration by a selection board. Each selection board appointed to recommend staff officers of the ranks of lieutenant and lieutenant (junior grade) for advancement, shall recommend all the eligible officers of said ranks who in the opinion of at least two-thirds of the members of such board are fitted to assume the duties of the next higher rank.

Eligible officers to be recommended.

Selection boards; composition.
Vol. 43, p. 815.

SEC. 2. Boards for the selection of staff officers for recommendation for advancement to the ranks of lieutenant commander and lieutenant shall be composed of not less than six nor more than nine officers above the rank of commander on the active or retired list of the Staff Corps concerned: *Provided*, That in case there be not a sufficient number of staff officers of the corps concerned legally or physically capacitated to serve on a selection board of such corps as herein provided, officers of the line on the active list above the rank of commander may be detailed to duty on such board to constitute the required minimum membership.

Proviso.
Detail of officers of the line.

Lieutenants, etc., ineligibility for consideration.

SEC. 3. Staff officers of the ranks of lieutenant and lieutenant (junior grade) who shall not have been recommended for advancement to the next higher rank by the report of a selection board as approved by the President prior to the completion of fourteen or seven years, respectively, of commissioned service in the Navy, shall be ineligible for consideration by a selection board on June 30 of the current fiscal year: *Provided*, That no such officer shall become ineligible for consideration by reason of length of commissioned service until he shall have been twice considered by a selection board for advancement to the next higher rank.

Proviso.
To be twice considered by selection board.

Commanders, etc., ineligibility for consideration.

SEC. 4. Except as provided in section 6 of this Act, staff officers of the ranks of commander and lieutenant commander who shall not have been recommended for advancement by the report of a selection board as approved by the President prior to the completion of twenty-eight or twenty-one years, respectively, of commissioned service in the Navy, shall be ineligible for consideration by a selection board on June 30 of the current fiscal year: *Provided*, That for the purposes of this section, the length of such commissioned service for officers of the ranks of commander and lieutenant commander in the Construction Corps and Civil Engineer Corps shall be thirty or twenty-five years, respectively: *Provided further*, That no staff officer of the rank of commander or lieutenant commander shall become ineligible for consideration by reason of length of service until he shall have been considered by three selection boards for advancement to the next higher rank, at least two of which boards shall have been appointed after the date of this Act.

Provisos.
Service provisions, Construction Corps and Civil Engineer Corps.

Consideration by three selection boards.

Transfer of ineligibles to retired list.

SEC. 5. All staff officers who have not been recommended for advancement and who, after the completion of the designated periods of service as prescribed for their respective ranks and corps, become ineligible for consideration by a selection board in accordance with this Act, or who, if recommended for advancement,

undergo the required examinations for advancement and are found not professionally qualified, shall be transferred to the retired list of the Navy.

Involuntary transfers of officers in specified corps to retired list; excess number.

SEC. 6. When the number of involuntary transfers in any fiscal year from the ranks of commander and lieutenant commander in the staff corps to the retired list pursuant to this Act, exclusive of officers who have failed professionally on examination for advancement to the next higher rank, would otherwise exceed the figures in the following tabulation, the selection board concerned shall designate by name such excess of officers for retention on the active list until the end of the next fiscal year, and officers so designated shall retain their eligibility for selection and advancement during said year: Medical Corps, seven commanders and twelve lieutenant commanders; Supply Corps, four commanders and seven lieutenant commanders; Chaplain Corps, one commander and one lieutenant commander; Construction Corps, two commanders and three lieutenant commanders; Civil Engineer Corps, one commander and one lieutenant commander; Dental Corps, one commander and two lieutenant commanders. If the officers so designated are not recommended for advancement or again designated for retention on the active list, they shall be transferred to the retired list in accordance with the provisions of this Act.

Designation of officers for retention on active list; status.

Subsequent retirement.

Special boards; convening.

SEC. 7. If at the end of any fiscal year the number of involuntary transfers to the retired list from the ranks of commander or lieutenant commander of the Staff Corps would exceed the limits set forth in section 6 of this Act, and there has been no selection board convened during the fiscal year to recommend officers of those ranks for advancement in the Staff Corps concerned, special boards shall be convened by the Secretary of the Navy on or about June 1 preceding the end of the fiscal year to designate by name such excess of officers to be retained on the active list as provided in section 6 of this Act. Each such board shall be constituted as provided by law for selection boards for the Staff Corps concerned.

Designation of officers for retention on active list.

How board constituted.

Retired list; date of transfers to.

Pay, retired officers.

SEC. 8. All transfers to the retired list pursuant to this Act shall be made as of June 30 of the current fiscal year. Officers retired pursuant to this Act shall receive pay at the rate of 2½ per centum of their active-duty pay, multiplied by the number of years of service for which they were entitled to credit in computation of their longevity pay on the active list, not to exceed a total of 75 per centum of said active-duty pay: *Provided*, That a fractional year of six months or more shall be considered a full year in computing the number of years of service by which the rate of 2½ per centum is multiplied.

Proviso.
Fraction of year.

Selection boards.
Appointment of, for selection of officers for advancement to ranks of captain and commander.

SEC. 9. As soon as practicable after the date of this Act, boards for the selection of staff officers for advancement to the ranks of captain and commander shall be appointed by the Secretary of the Navy in accordance with existing law. Each such board shall recommend for advancement to the ranks hereinafter listed in the corps for which it was appointed, from those staff officers of the next lower rank in said corps who are eligible for consideration, such officers, not to exceed the number furnished it by the Secretary of the Navy. The number furnished the boards appointed in execution of this section, in addition to such numbers if any, as would otherwise be furnished such boards as the result of computations required by law for the corps and ranks concerned, shall be: For the Medical Corps, eleven for advancement to the rank of captain and eighteen for advancement to the rank of commander; for the Supply Corps, one for advancement to the rank of captain and ten for advancement to the rank of commander; for the Civil Engineer

Number to be furnished.

Corps, one for advancement to the rank of commander; for the Construction Crops[1], four for advancement to the rank of captain.

If insufficient number recommended.

If a selection board does not recommend a number of officers for advancement to any rank equal to the number furnished to that board for that rank by the Secretary of the Navy, the difference between the number actually recommended by the board and the number furnished the board by the Secretary of the Navy may be added by the Secretary of the Navy to the number furnished by him to the next succeeding board.

Vol. 44, pp. 720-721; U. S. C., p. 1531.

SEC. 10. That section 10 of the Act approved June 10, 1926 (44 Stat. 720–721; U. S. C., Supp. VII, title 34, sec. 348i), is hereby repealed.

Assignment of running mates.

If the running mate of a staff officer be promoted to a higher rank and such staff officer be considered by a selection board for such rank but fails to be selected for advancement thereto, by the report of such board as approved by the President, such staff officer shall have assigned as his new running mate the line officer not promoted who was next senior to his former running mate in the rank in which the staff officer remains; if there remain in that rank no line officer who was senior therein to such former running mate, such staff officer shall not have assigned a new running mate, but shall retain his former running mate who has been promoted: *Provided*, That if subsequently selected such staff officer when advanced to the higher rank, shall have assigned as his running mate that line officer who would have been his running mate had said staff officer been recommended by the selection board which first considered him for the higher rank; except that if the running mate who would be so assigned him be senior to the running mate of an officer in his own staff corps made next senior to him in the higher rank, as determined by the order of their selection for advancement thereto, the running mate assigned him shall be that officer who had been assigned as the running mate of said next senior staff officer on the latter's advancement, and officers of the same staff corps thereby having the same running mate shall have precedence in said higher rank as determined by the order of their selection for advancement thereto: *Provided further*, That those officers of the staff corps with the rank of captain, who when eligible for consideration by a selection board for the rank of rear admiral, are not selected, shall retain their running mates; and if subsequently advanced to the rank of rear admiral shall have running mates assigned as required by the proviso next preceding. The provisions of this section shall be applicable to the cases of all staff officers now on the active list who have been advanced or have been eligible for consideration by a selection board for advancement to the rank of commander and above since June 10, 1926: *And provided further*, That no officer shall, by virtue of this section, receive any increased pay or allowance for any period prior to the date of this Act.

Provisos.
Assignment if staff officer subsequently advanced.

Seniority provisions.

Officer resuming precedence when advanced.

Staff captains.

Applicability of provisions.

No prior increased pay.

Precedence of officers.
Vol. 44, p. 719; U. S. C., p. 1530.

SEC. 11. That section 4 of the Act approved June 10, 1926 (44 Stat. 719; U. S. C., Supp. VII, title 34, sec. 348c), is hereby amended to read as follows:

Rank of running mates.

"Hereafter all staff officers in the Navy, when of the same rank as their running mates or of the rank for which their running mates have been selected, shall take precedence with all other line and staff officers of the same rank from the dates stated in the commissions or which in due course will be stated in the commissions of their running mates in said rank, and ahead of all line officers junior to their respective running mates. Such staff officers of a higher rank than the rank held by their running mates until their

[1] So in original.

running mates have been selected for such higher rank shall take precedence with all line and staff officers of the rank then held by them in accordance with the date stated in the commission of the junior line officer in such higher rank; staff officers of a lower rank than the rank held by their running mates shall take precedence with all line and staff officers of the same rank in accordance with the dates stated in the commissions that had been held by their running mates in such lower rank, and ahead of all line officers in such rank who were junior therein to their respective running mates: *Provided*, That except as otherwise provided herein, officers having the same rank and the same date of precedence in that rank shall take precedence in the following order: (a) Line officers, (b) medical officers, (c) officers of the supply corps, (d) chaplains, (e) naval constructors, (f) civil engineers, (g) dental officers: *Provided further*, That staff officers assigned running mates in accordance with this Act, if thereafter assigned new running mates, shall have with respect to other staff officers who also have as their running mates the new running mates so assigned, the precedence held by them prior to the assignment of such new running mates.

Provisos.
Order of precedence when of same rank and date.

Staff officers assigned new running mates.

SEC. 12. If any staff officer who has been recommended for advancement to the rank of captain or commander by the report of a selection board as approved by the President fails to receive such advancement by reason of failure to qualify upon examination therefor or because of his removal from the active list for any cause, the number to be furnished the next ensuing selection board for the corps and rank concerned shall be increased accordingly.

Filling numbers when officer recommended for advancement fails to advance.

SEC. 13. That all laws or parts of laws, so far as they are inconsistent with or in conflict with the provisions of this Act, are hereby repealed.

Inconsistent laws repealed.

Approved, August 5, 1935.

[CHAPTER 440.]

AN ACT

August 5, 1935.
[H. R. 5920.]
[Public, No. 240.]

To authorize the conveyance of certain Government land to the Borough of Stroudsburg, Monroe County, Pennsylvania, for street purposes and as a part of the approach to the Stroudsburg viaduct on State Highway Route Numbered 498.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, empowered and authorized to convey, by the usual quitclaim deed, to the Borough of Stroudsburg, Monroe County, Pennsylvania, for street purposes and as a part of the approach to the Stroudsburg viaduct on State Highway Route Numbered 498 and no other, that portion of the post-office site in said borough, bounded and described as follows, to wit: Beginning at the southwest corner of the intersection of Seventh and Ann Streets, in the Borough of Stroudsburg, said corner being opposite station 1244 plus 97 and sixteen feet from the center line of the said Seventh Street; thence along the west side of said Seventh Street, south twenty degrees thirty-six minutes east one hundred and twenty-four and forty-four one hundredths feet to a point; thence by land of United States Government, of which this parcel is a part along a curved line to the right having a radius of one hundred and eighty-six and six-tenths feet, a distance of fifty-seven and fifty-four one hundredths feet and subtended by a chord north twenty-nine degrees twenty-six minutes west fifty-seven and thirty-one one hundredths feet to a point on tangent; thence by the same, north twenty degrees thirty-six minutes west, sixty-seven and ninety-six one hundredths feet to a point on the south line of Ann Street;

Borough of Stroudsburg, Pa.
Conveyance of certain land for street purposes, etc., authorized.

Description.

thence along the same, north seventy degrees twenty-four minutes east eight and eight-tenths feet to the beginning, containing twenty-one one thousandths acre: *Provided*, That the land conveyed shall be used for street purposes and as a part of the approach to the Stroudsburg viaduct on State Highway Route Numbered 498 and no other, to be cared for and maintained as are other public streets in said borough; and in the event that the premises shall cease to be so used as herein stated, the right, title, and interest in the land herein authorized to be conveyed shall revert to the United States, and the deed or instrument of conveyance shall recite such limitation and reversionary right.

Proviso. Reversionary provision.

Approved, August 5, 1935.

[CHAPTER 441.]

AN ACT

August 5, 1935. [H. R. 6768.] [Public, No. 241.]

To authorize the Secretary of War to lend War Department equipment for use at the Seventeenth National Convention of the American Legion at Saint Louis, Missouri, during the month of September 1935.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized to lend, at his discretion, to the American Legion 1935 Convention Corporation, for use at the Seventeenth National Convention of the American Legion to be held at Saint Louis, Missouri, in the month of September 1935, such tents, cots, and blankets, and other available stock out of the Army and National Guard supplies as such corporation may require to house properly Legionnaires attending such convention: *Provided*, That no expense shall be caused the United States Government by the delivery and return of such property, the same to be delivered at such time prior to the holding of such convention as may be agreed upon by the Secretary of War and the American Legion 1935 Convention Corporation: *Provided further*, That the Secretary of War, before delivering such property, shall take from such corporation a good and sufficient bond for the safe return of such property in good order and condition, and the whole without expense to the United States.

American Legion. Loan of Army equipment to, authorized.

Provisos. No Federal expense.

Bond.

Approved, August 5, 1935.

[CHAPTER 442.]

AN ACT

August 5, 1935. [H. R. 6983.] [Public, No. 242.]

To provide for the transfer of certain land in the city of Anderson, South Carolina, to such city.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to transfer to the city of Anderson, South Carolina, all the right, title, and interest of the United States in and to a certain portion of the post-office site in such city, described as follows: A strip of land, seven feet in width, fronting on north Main Street and extending for a distance of one hundred and fifty feet from Federal Street (being the entire length of the post-office site fronting on north Main Street), upon the payment by the city to the United States of such amount as the Secretary of the Treasury in his discretion considers to be the fair value of the land conveyed to the city for the street-widening purposes. Such strip of land is required by such city for the widening of north Main Street.

Anderson, S. C. Transfer of certain land to, authorized.

Payment.

Use.

Approved, August 5, 1935.

[CHAPTER 443.]

AN ACT

August 5, 1935.
[H. R. 7575.]
[Public, No. 243.]

To legalize a bridge across Black River on United States Highway Numbered 60 in the town of Poplar Bluff, Butler County, Missouri.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State Highway Commission of Missouri to maintain and operate a free highway bridge and approaches thereto already constructed across Black River on United States Highway Numbered 60 in the town of Poplar Bluff, Butler County, Missouri, as a lawful structure and subject to the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Black River.
Bridge across, at Poplar Bluff, Mo., legalized.

Construction.
Vol. 34, p. 84.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 5, 1935.

[CHAPTER 444.]

AN ACT

August 5, 1935.
[H. R. 7591.]
[Public, No. 244.]

Granting the consent of Congress to the cities of Donora and Monessen, Pennsylvania, to construct, maintain, and operate a bridge across the Monongahela River between the two cities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the cities of Donora and Monessen, Pennsylvania, to construct, maintain, and operate a bridge and approaches thereto across the Monongahela River, at a point suitable to the interests of navigation, between the two cities, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Monongahela River.
Donora and Monessen, Pa., may bridge.

Construction.
Vol. 34, p. 84.

SEC. 2. If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed twenty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the costs of the bridge and its approaches; the expenditures for maintaining, repairing, and operating the same; and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Tolls applied for operation, sinking fund, etc.

Maintenance as free bridge after amortizing costs, etc.

Record of expenditures and receipts.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 5, 1935.

[CHAPTER 445.]

AN ACT

August 5, 1935.
[H. R. 7620.]
[Public, No. 245.]

To extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near a point between Morgan and Wash Streets in the city of Saint Louis, Missouri, and a point opposite thereto in the city of East Saint Louis, Illinois.

Mississippi River.
Time extended for bridging, East Saint Louis, Ill., to Saint Louis, Mo.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Mississippi River, at or near a point between Morgan and Wash Streets in the city of Saint Louis, Missouri, and a point opposite thereto in the city of East Saint Louis, Illinois, authorized to be built by an Act of Congress approved May 3, 1934, are hereby extended one and three years, respectively, from May 3, 1935.

Vol. 48, p. 661; *Post* p. 1254.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 5, 1935.

[CHAPTER 446.]

AN ACT

August 5, 1935.
[H. R. 7809.]
[Public, No. 246.]

To extend the times for commencing and completing the construction of certain free highway bridges across the Red River, from Moorhead, Minnesota, to Fargo, North Dakota.

Red River.
Time extended for bridging, Moorhead, Minn., to Fargo, N. Dak.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of two free highway bridges across the Red River, between Moorhead, Minnesota, and Fargo, North Dakota, authorized to be built by the State Highway Departments of the States of Minnesota and North Dakota by an Act of Congress approved June 4, 1934, are hereby extended one and three years respectively, from June 4, 1935.

Vol. 48, p. 842; *Post*. p. 1477.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 5, 1935.

[CHAPTER 447.]

AN ACT

August 5, 1935.
[H. R. 8400.]
[Public, No. 247.]

Providing for the loan by the War Department of certain material and equipment to the Veterans of Foreign Wars 1935 Encampment Corporation, and for other purposes.

Veterans of Foreign Wars 1935 Encampment Corporation.
Loan of Army equipment to, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to lend, at his discretion, to the Veterans of Foreign Wars 1935 Encampment Corporation, for use at the thirty-sixth national encampment of the Veterans of Foreign Wars, to be held at New Orleans, Louisiana, in the month of September 1935, such tents, cots, and blankets, and other available stock out of the Army and National Guard supplies as such corporation may require properly to house members of the Veterans of Foreign Wars attending such encampment: *Provided*, That no expense shall be caused the United States Government by the delivery and return of such property, the same to be delivered at such time prior to the holding of such encampment as may be agreed upon by the Secretary of War and the Veterans of Foreign Wars

Provisos.
No Federal expense.

1935 Encampment Corporation: *Provided further*, That the Secretary of War, before delivering such property, shall take from such corporation a good and sufficient bond for the safe return of such property in good order and condition, and the whole without expense to the United States. Bond required.

Approved, August 5, 1935.

[CHAPTER 449.]

AN ACT

To authorize the Pennsylvania Railroad Company, by means of an overhead bridge to cross New York Avenue Northeast, to extend, construct, maintain, and operate certain industrial side tracks, and for other purposes.

August 6, 1935.
[H. R. 6656.]
[Public, No. 248.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Pennsylvania Railroad Company, operating lessee of all of the railroads and appurtenant properties of the Philadelphia, Baltimore and Washington Railroad Company in the District of Columbia, be, and it is hereby, authorized to establish switch and siding connections with its existing siding tracks in square numbered 4263 (also known as parcel 154/44) to cross West Virginia Avenue into and through square numbered 4105 along and adjacent to the existing main line tracks, thence into and through square numbered 4104 and 4099 crossing New York Avenue by means of a suitable overhead bridge thence to and through square numbered 4099 and the parcels of land known and identified on the plat books of the Surveyor's Office of the District of Columbia as parcels 153/44, 143/25, 142/25, and 142/28, to and through the square known as and numbered 4038 (portions of which are included in parcel 142/28), 4093, south of 4093, and 4098, with all switches, crossings, turnouts, extensions, spurs, and sidings, as may be or become necessary for the development of the squares and parcels of land above indicated for such uses as may be permitted in the use district or districts in which said squares and parcels of land are now or may hereafter be included as defined in the zoning regulations of the District of Columbia and shown in the official atlases of the Zoning Commission.

District of Columbia. Pennsylvania Railroad Company may bridge New York Avenue, northeast.

To establish certain industrial side tracks.

Location.

SEC. 2. Before any of the work above authorized shall be begun on the ground a plan or plans thereof shall be prepared and submitted to the Commissioners of the District of Columbia for their approval and only to the extent that such plans shall be so approved shall said work or any portion thereof be permitted or undertaken.

Plans to be submitted.

SEC. 3. Subject only to the approval of the Commissioners of the District of Columbia the crossing of any public street or alley other than New York Avenue, within the limits of the total area above noted may be at or on grade. The said railroad shall, when and as directed by the Commissioners of the District of Columbia, construct at its entire cost and expense, an additional overhead bridge for the track hereby authorized to be established over such other street located between Montello Avenue and New York Avenue as such street may now or or [1] may hereafter be shown on the Plan of the Permanent System of Highways.

Grade crossings. Vol. 44, p. 1352.

Additional bridge authorized.

Location.

SEC. 4. Nothing herein contained shall be construed as limiting or abridging the authority of the Commissioners of the District of Columbia under the Act of Congress approved March 3, 1927 (44 Stat. L. 1353), entitled "An Act to provide for the elimination of grade crossings of steam railroads in the District of Columbia, and for other purposes."

Authority of Commissioners for eliminating grade crossings.

Vol. 44, p. 1353.

SEC. 5. That Congress reserves the right to amend, alter, or repeal this Act.

Amendment.

Approved, August 6, 1935.

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[1] So in original.

[CHAPTER 450.]

AN ACT

August 7, 1935.
[H. R. 3612.]
[Public, No. 249.]

To provide for adjusting the compensation of post-office inspectors and inspectors in charge to correspond to the rates established by the Classification Act of 1923, as amended.

Postal service.
Compensation of inspectors, etc., to correspond to rates of Classification Act.
Vol. 42, p. 1488; Vol. 46, p. 1003.
U. S. C., p. 85.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to adjust the compensation of post-office inspectors and inspectors in charge in the post-office inspection service to correspond, so far as may be practicable, to the rates established by the Classification Act of 1923, as amended, for positions in the departmental service in the District of Columbia.

Appropriations made available.

Any appropriation now or hereafter available for the payment of the compensation of post-office inspectors and inspectors in charge shall be available for payment of compensation in accordance with the rates adjusted in accordance with the provisions of this Act.

Approved, August 7, 1935.

[CHAPTER 451.]

AN ACT

August 7, 1935.
[H. R. 5532.]
[Public, No. 250.]

To provide for the acquisition of a portrait of Thomas Walker Gilmer.

Thomas Walker Gilmer.
Acquisition of portrait of, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is authorized and directed to procure the painting of a portrait of Thomas Walker Gilmer, Secretary of the Navy under President John Tyler, and to add such portrait to the collection of portraits of Secretaries of the Navy in the Department.

Appropriation authorized.

SEC. 2. There is authorized to be appropriated the sum of $750 to carry out the purposes of this Act.

Approved, August 7, 1935.

[CHAPTER 452.]

AN ACT

August 7, 1935.
[H. R. 7909.]
[Public, No. 251.]

To amend the Act creating a United States Court for China and prescribing the title thereof, as amended.

United States Court for China.
Vol. 34, p. 814.
U. S. C., p. 958.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act creating a United States Court for China and prescribing the title thereof", approved June 30, 1906 (34 Stat. 814), as amended, be, and it is hereby, amended by the addition of the following sections:

Judge authorized to appoint a U. S. Commissioner.

"SEC. 10. That the judge of the United States Court for China is hereby authorized to appoint, as in the District Courts of the United States and with similar powers and tenure of office, a United States commissioner, who shall in addition to his other duties be judge of the consular court for the district of Shanghai, with all the authority and jurisdiction exercised prior to June 4, 1920, by the vice consul at Shanghai.

Duties, etc., as judge of Shanghai district.

Compensation.

Said commissioner shall receive for his services as commissioner and judge of said consular court such compensation as may be fixed by the Attorney General, not exceeding $10 per day for each day of service actually rendered.

Appointments to fill vacancies, etc.

In the event of a vacancy in the office of said commissioner or the disability or disqualification or absence of said commissioner, the judge of the United States Court for China may appoint the clerk of said court temporarily to perform the duties of commissioner and judge of the consular court for the district of Shanghai without additional compensation therefor.

Clerk may temporarily act as commissioner and judge.

"SEC. 11. The President may appoint a special judge of the United States Court for China to act temporarily when necessary— Special temporary judge allowed when necessary.

"(a) During the absence of the judge of said court;

"(b) During any period of disability or disqualification, from sickness or otherwise, to discharge his duties; or

"(c) In the event of a vacancy in the office of judge.

"Such special judge shall receive the same rate of compensation, and the same allowances for expenses and transportation when acting outside of Shanghai, as are paid and allowed the judge of said court. No compensation shall be paid to said judge excepting in the actual discharge of his duties as provided by this section." Pay, allowances, transportation, etc.

SEC. 2. All laws and parts of laws in conflict herewith are hereby repealed. Conflicting laws repealed.

Approved, August 7, 1935.

[CHAPTER 453.]

AN ACT

August 7, 1935.
[S. 2259.]
[Public, No. 252.]

To amend sections 966 and 971 of chapter 22 of the Act of Congress entitled "An Act to establish a Code of Law for the District of Columbia", approved March 3, 1901, as amended, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 966 and 968 of chapter 22 of the Act of Congress entitled "An Act to establish a Code of Law for the District of Columbia", approved March 3, 1901, as amended, are hereby repealed, and in lieu of section 966 the following section is hereby enacted, to be known as "section 966": District of Columbia Code, amendments. Vol. 31, p. 1345, amended. Divorce.

"SEC. 966. CAUSES FOR DIVORCE A VINCULO AND FOR A DIVORCE A MENSA ET THORO.—A divorce from the bond of marriage or a legal separation from the bed and board may be granted for adultery, desertion for two years, voluntary separation from bed and board for five consecutive years without cohabitation, final conviction of a felony involving moral turpitude and sentence for not less than two years to a penal institution which is served in whole or in part. A legal separation from bed and board may be granted for cruelty: *Provided*, That where a final decree of divorce from bed and board heretofore has been granted or hereafter may be granted and the separation of the parties has continued for two years since the date of such decree, the same may be enlarged into a decree of absolute divorce from the bond of marriage upon the application of the innocent spouse: *Provided further*, That marriage contracts may be declared void in the following cases: Causes for. Legal separation for cruelty. *Provisos.* Enlargement into decree of absolute divorce. Causes for annulling marriages.

"First. Where such marriage was contracted while either of the parties thereto had a former wife or husband living, unless the former marriage had been lawfully dissolved. Either party already married.

"Second. Where such marriage was contracted during the lunacy of either party (unless there has been voluntary cohabitation after the lunacy) or was procured by fraud or coercion. Contracted during lunacy or by fraud, etc.

"Third. Where either party was matrimonially incapacitated at the time of marriage and has continued so. Either party matrimonially incapacitated.

"Fourth. Where either of the parties had not arrived at the age of legal consent to the contract of marriage (unless there has been voluntary cohabitation after coming to legal age), but in such cases only at the suit of the party not capable of consenting." Under age.

SEC. 2. Section 971 of chapter 22 of said Act of Congress, as amended, is hereby amended to read as follows: Vol. 31, p. 1345, amended.

"SEC. 971. ONLY RESIDENTS DIVORCED.—No decree of nullity of marriage or divorce shall be rendered in favor of anyone who has not been a bona fide resident of the District of Columbia for at Only bona fide residents divorced.

least one year next before the application therefor, and no divorce shall be decreed in favor of any person who has not been a bona fide resident of said District for at least two years next before the application therefor for any cause which shall have occurred out of said District and prior to residence therein."

Vol. 31, p. 1347, amended.

SEC. 3. That chapter 22 of said Act of Congress, as amended, is hereby further amended by adding a new section, to be numbered 974a, as follows:

Property settlements.

"SEC. 974a. Upon the entry of a final decree of annulment or divorce a vinculo, in the absence of a valid antenuptial or postnuptial agreement in relation thereto, all property rights of the parties in joint tenancy or tenancy by the entirety shall stand dissolved and the court, in the same proceeding in which such decree is entered, shall have power and jurisdiction to award such property to the one lawfully entitled thereto or to apportion the same in such manner as shall seem equitable, just, and reasonable."

SEC. 4. That section 983a of chapter 22 of said Act of Congress, as amended, be, and it is hereby, amended and, as amended, shall read as follows:

Effective date of decree.

"SEC. 983a. No final decree annulling or dissolving a marriage shall be effective to annul or dissolve the marriage until the expiration of the time allowed for taking an appeal, nor until the final disposition of any appeal taken, and every final decree shall expressly so recite. Every decree for absolute divorce shall contain the date thereof and no such final decree shall be absolute and take effect until the expiration of six months after its date."

Approved, August 7, 1935.

[CHAPTER 454.]

August 7, 1935.
[H. R. 4901.]
[Public, No. 253.]

AN ACT

To authorize appropriations to pay the annual share of the United States as an adhering member of the International Council of Scientific Unions and associated unions.

International Council of Scientific Unions. Appropriations authorized for annual share.
Post, p. 1123.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, to be expended under the direction of the Secretary of State, in paying the annual share of the United States as an adhering member of the International Council of Scientific Unions and Associated Unions, including the International Astronomical Union, International Union of Chemistry, International Union of Geodesy and Geophysics, International Union of Mathematics, International Scientific Radio Union, International Union of Physics, and International Geographical Union, and such other international scientific unions as the Secretary of State may designate, such sum as may be necessary for the payment of such annual share, not to exceed $9,000 in any one year.

Approved, August 7, 1935.

[CHAPTER 455.]

August 7, 1935.
[H. R. 6673.]
[Public, No. 254.]

AN ACT

Providing for an annual appropriation to meet the share of the United States toward the expenses of the International Technical Committee on Aerial Legal Experts, and for participation in the meetings of the International Technical Committee of Aerial Legal Experts and the commissions established by that committee.

International Technical Committee of Aerial Legal Experts.
Vol. 46, p. 1162, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Resolution Numbered 118, Seventy-first Congress, approved February 1,[1] 1931, providing for an annual appropriation to meet the share of

[1] So in original.

the United States toward the expenses of the International Technical Committee of Aerial Legal Experts to be amended to read as follows:

"There is hereby authorized an annual appropriation to pay the pro rata share of the United States in the expenses of the International Technical Committee of Aerial Legal Experts.

Annual appropriation authorized for pro rata share of expenses.
Post, pp. 1123, 1316.

"That not to exceed the sum of $6,500, or so much thereof as may be necessary, is hereby authorized to be appropriated annually for the expenses of participation by the Government of the United States in the meetings of the International Technical Committee of Aerial Legal Experts and/or of the commissions established by that committee, including traveling expenses; personal services in the District of Columbia and elsewhere without reference to the Classification Act of 1923, as amended; stenographic and other services by contract if deemed necessary, without regard to the provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; purchase of necessary books and documents; printing and binding; official cards; entertainment; and such other expenses as may be authorized by the Secretary of State."

Services in District of Columbia.

R. S., sec. 3709, p. 733.
U. S. C., p. 1803.

SEC. 2. That the provisions of these authorizations shall terminate June 30, 1941.

Termination of authorizations.

Approved, August 7, 1935.

[CHAPTER 456.]

JOINT RESOLUTION

August 7, 1935.
[H. J. Res. 335.]
[Pub. Res., No. 43.]

To permit articles imported from foreign countries for the purpose of exhibition at the Texas Centennial Exposition and celebrations to be admitted without payment of tariff, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all articles which shall be imported from foreign countries for the purpose of exhibition at the Texas Centennial Exposition and celebrations to be held in Texas beginning in June 1936 or for use in constructing, installing, or maintaining foreign buildings or exhibits at the said exposition and celebrations, upon which articles there shall be a tariff or customs duty, shall be admitted without payment of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during or within three months after the close of the said exposition and celebrations, to sell within the area of the exposition and celebrations any articles provided for herein, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles, which shall have suffered diminution or deterioration from incidental handling or exposure, the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry hereunder for consumption or entry under the general tariff law: *Provided further*, That imported articles provided for herein shall not be subject to any marking requirements of the general tariff laws, except when such articles are withdrawn for consumption or use in the United States, in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not sufficiently marked when

Texas Centennial Exposition.
Dutiable articles imported for exhibition, etc., purposes, admitted free under regulations.
Ante, p. 431; *Post*, p. 575.

Sales permitted.

Provisos.
Duty on articles withdrawn.

Deterioration allowance.

Marking provisions.

Abandonment permitted and duties remitted.

Exhibits previously entered and under continuous customs custody, etc., transfer privileges.

Commission of Control for Texas Centennial Celebrations.
Deemed sole consignee of merchandise.

Expenses reimbursable.

Deposits as receipts.
Vol. 46, p. 741.

imported into the United States: *Provided further*, That at any time during or within three months after the close of the exposition, any article entered hereunder may be abandoned to the Government or destroyed under customs supervision, whereupon any duties on such articles shall be remitted: *Provided further*, That articles, which have been admitted without payment of duty for exhibition under any tariff law and which have remained in continuous customs custody or under a customs exhibition bond, and imported articles in bonded warehouses under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at the said exposition and celebrations under such regulations as the Secretary of the Treasury shall prescribe: *And provided further*, That the Commission of Control for Texas Centennial Celebrations and Texas Centennial Central Exposition shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under the provisions of this Act, and that the actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for, articles imported under the provisions of this Act, shall be reimbursed by the Commission of Control for Texas Centennial Celebrations and the Texas Centennial Central Exposition to the Government of the United States under regulations to be prescribed by the Secretary of the Treasury, and that receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524, Tariff Act of 1930.

Approved, August 7, 1935.

[CHAPTER 457.]

JOINT RESOLUTION

August 7, 1935.
[S. J. Res. 117.]
[Pub. Res., No. 44.]

To provide for the reappointment of Frederic A. Delano as a member of the Board of Regents of the Smithsonian Institution.

Smithsonian Institution.
Frederic A. Delano reappointed regent of.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, caused by the expiration of the term of Frederic A. Delano, of the city of Washington, on January 21, 1935, be filled by the reappointment of the recent incumbent (Frederic A. Delano) for the statutory term of six years.

Approved, August 7, 1935.

[CHAPTER 493.]

JOINT RESOLUTION

August 8, 1935.
[S. J. Res. 167.]
[Pub. Res., No. 45.]

To amend the public resolution approved June 28, 1935, entitled "Joint resolution providing for the participation of the United States in the Texas Centennial Exposition and celebrations to be held in the State of Texas during the years 1935 and 1936, and authorizing the President to invite foreign countries and nations to participate therein, and for other purposes."

Texas Centennial Exposition.
Ante, pp. 431, 541; *Post*, p. 575.

Commissioner General and staff; payment of salaries and expenses.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the last sentence of section 3 of Public Resolution Numbered 37 of the Seventy-fourth Congress, approved June 28, 1935, is hereby amended to read as follows: "The salary and expenses of the commissioner general and such staff as he may require shall be paid out of the funds authorized to be appropriated by this joint resolution for a period of time

covering the duration of the exposition and not to exceed a six months' period following the closing thereof, and for such period prior to the opening of the exposition as the commission shall determine."

Approved, August 8, 1935.

[CHAPTER 498.]

AN ACT

August 9, 1935.
[S. 1629.]
[Public, No. 255.]

To amend the Interstate Commerce Act, as amended, by providing for the regulation of the transportation of passengers and property by motor carriers operating in interstate or foreign commerce, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Interstate Commerce Act, as amended, herein referred to as "Part I", is hereby amended by inserting at the beginning thereof the caption "part I", and by substituting for the words "this Act", wherever they occur, the words "this part", but such part I may continue to be cited as the "Interstate Commerce Act", and said Interstate Commerce Act is hereby further amended by adding the following part II:

Interstate Commerce Act, amendment.
Vol. 24, p. 379; U. S. C., p. 2211.

"PART II

Part II.

"SHORT TITLE

"SEC. 201. This part may be cited as the 'Motor Carrier Act, 1935'.

Motor Carrier Act, 1935.

"DECLARATION OF POLICY AND DELEGATION OF JURISDICTION

"SEC. 202. (a) It is hereby declared to be the policy of Congress to regulate transportation by motor carriers in such manner as to recognize and preserve the inherent advantages of, and foster sound economic conditions in, such transportation and among such carriers in the public interest; promote adequate, economical, and efficient service by motor carriers, and reasonable charges therefor, without unjust discriminations, undue preferences or advantages, and unfair or destructive competitive practices; improve the relations between, and coordinate transportation by and regulation of, motor carriers and other carriers; develop and preserve a highway transportation system properly adapted to the needs of the commerce of the United States and of the national defense; and cooperate with the several States and the duly authorized officials thereof and with any organization of motor carriers in the administration and enforcement of this part.

Declaration of policy.

"(b) The provisions of this part apply to the transportation of passengers or property by motor carriers engaged in interstate or foreign commerce and to the procurement of and the provision of facilities for such transportation, and the regulation of such transportation, and of the procurement thereof, and the provision of facilities therefor, is hereby vested in the Interstate Commerce Commission.

Jurisdiction in Interstate Commerce Commission.

"(c) Nothing in this part shall be construed to affect the powers of taxation of the several States or to authorize a motor carrier to do an intrastate business on the highways of any State, or to interfere with the exclusive exercise by each State of the power of regulation of intrastate commerce by motor carriers on the highways thereof.

Powers of States.

Definitions.

"DEFINITIONS

"SEC. 203. (a) As used in this part—

"Person." "(1) The term 'person' means any individual, firm, copartnership, corporation, company, association, or joint-stock association; and includes any trustee, receiver, assignee, or personal representative thereof.

"Board"; "State board." "(2) The term 'board' or 'State board' means the commission, board, or official (by whatever name designated in the laws of a State) which, under the laws of any State in which any part of the service in interstate or foreign commerce regulated by this part is performed, has or may hereafter have jurisdiction to grant or approve certificates of public convenience and necessity or permits to motor carriers, or otherwise to regulate the business of transportation by motor vehicles, in intrastate commerce over the highways of such State.

"Commission." "(3) The term 'Commission' means the Interstate Commerce Commission.

"Joint board." "(4) The term 'joint board' means any special board constituted as provided in section 205 of this part.

"Certificate." "(5) The term 'certificate' means a certificate of public convenience and necessity issued under this part to common carriers by motor vehicle.

"Permit." "(6) The term 'permit' means a permit issued under this part to contract carriers by motor vehicle.

"License." "(7) The term 'license' means a license issued under this part to a broker.

"State." "(8) The term 'State' means any of the several States and the District of Columbia.

"Express company." "(9) The term 'express company' means any common carrier by express subject to the provisions of part I.

"Interstate commerce." "(10) The term 'interstate commerce' means commerce between any place in a State and any place in another State or between places in the same State through another State, whether such commerce moves wholly by motor vehicle or partly by motor vehicle and partly by rail, express, or water.

"Foreign commerce." "(11) The term 'foreign commerce' means commerce between any place in the United States and any place in a foreign country, or between places in the United States through any foreign country, whether such commerce moves wholly by motor vehicle or partly by motor vehicle and partly by rail, express, or water.

"Highway." "(12) The term 'highway' means the roads, highways, streets, and ways in any State.

"Motor vehicle." "(13) The term 'motor vehicle' means any vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used upon the highways in the transportation of passengers or property, but does not include any vehicle, locomotive, or car operated exclusively on a rail or rails.

"Common carrier by motor vehicle." "(14) The term 'common carrier by motor vehicle' means any person who or which undertakes, whether directly or by a lease or any other arrangement, to transport passengers or property, or any class or classes of property, for the general public in interstate or foreign commerce by motor vehicle for compensation, whether over regular or irregular routes, including such motor vehicle operations of carriers by rail or water, and of express or forwarding companies, except to the extent that these operations are subject to the provisions of part I.

"Contract carrier by motor vehicle." "(15) The term 'contract carrier by motor vehicle' means any person, not included under paragraph (14) of this section, who or which, under special and individual contracts or agreements, and

whether directly or by a lease or any other arrangement, transports passengers or property in interstate or foreign commerce by motor vehicle for compensation.

"(16) The term 'motor carrier' includes both a common carrier by motor vehicle and a contract carrier by motor vehicle. "Motor carrier."

"(17) The term 'private carrier of property by motor vehicle' means any person not included in the terms 'common carrier by motor vehicle' or 'contract carrier by motor vehicle', who or which transports in interstate or foreign commerce by motor vehicle property of which such person is the owner, lessee, or bailee, when such transportation is for the purpose of sale, lease, rent, or bailment, or in furtherance of any commercial enterprise. "Private carrier by motor vehicle."

"(18) The term 'broker' means any person not included in the term 'motor carrier' and not a bona fide employee or agent of any such carrier, who or which, as principal or agent, sells or offers for sale any transportation subject to this part, or negotiates for, or holds himself or itself out by solicitation, advertisement, or otherwise as one who sells, provides, furnishes, contracts, or arranges for such transportation. "Broker."

"(19) The 'services' and 'transportation' to which this part applies include all vehicles operated by, for, or in the interest of any motor carrier irrespective of ownership or of contract, express or implied, together with all facilities and property operated or controlled by any such carrier or carriers and used in the transportation of passengers or property in interstate or foreign commerce or in the performance of any service in connection therewith. "Services"; "transportation."

"(20) The term 'interstate operation' means any operation in interstate commerce. "Interstate operation."

"(21) The term 'foreign operation' means any operation in foreign commerce. "Foreign operation."

"(b) Nothing in this part, except the provisions of section 204 relative to qualifications and maximum hours of service of employees and safety of operation or standards of equipment shall be construed to include (1) motor vehicles employed solely in transporting school children and teachers to or from school; or (2) taxicabs, or other motor vehicles performing a bona fide taxicab service, having a capacity of not more than six passengers and not operated on a regular route or between fixed termini; or (3) motor vehicles owned or operated by or on behalf of hotels and used exclusively for the transportation of hotel patrons between hotels and local railroad or other common carrier stations; or (4) motor vehicles operated, under authorization, regulation, and control of the Secretary of the Interior, principally for the purpose of transporting persons in and about the national parks and national monuments; or (4a) motor vehicles controlled and operated by any farmer, and used in the transportation of his agricultural commodities and products thereof, or in the transportation of supplies to his farm; or (4b) motor vehicles controlled and operated by a cooperative association as defined in the Agricultural Marketing Act, approved June 15, 1929, as amended; or (5) trolley busses operated by electric power derived from a fixed overhead wire, furnishing local passenger transportation similar to street-railway service; or (6) motor vehicles used exclusively in carrying livestock, fish (including shell fish), or agricultural commodities (not including manufactured products thereof); or (7) motor vehicles used exclusively in the distribution of newspapers; nor, unless and to the extent that the Commission shall from time to time find that such application is necessary to carry out the policy of Congress enunciated in section 202, shall the provisions of this part, except the provisions of section 204 relative to qualifications

Services excluded from provisions of Act.

School busses.

Taxicabs.

Hotel busses.

Busses in national parks, etc.

Farm trucks.

Trolley busses.

Busses used for conveying livestock, etc.

Distributing newspapers.

and maximum hours of service of employees and safety of operation or standards of equipment apply to: (8) The transportation of passengers or property in interstate or foreign commerce wholly within a municipality or between contiguous municipalities or within a zone adjacent to and commercially a part of any such municipality or municipalities, except when such transportation is under a common control, management, or arrangement for a continuous carriage or shipment to or from a point without such municipality, municipalities, or zone, and provided that the motor carrier engaged in such transportation of passengers over regular or irregular route or routes in interstate commerce is also lawfully engaged in the intrastate transportation of passengers over the entire length of such interstate route or routes in accordance with the laws of each State having jurisdiction; or (9) the casual, occasional, or reciprocal transportation of passengers or property in interstate or foreign commerce for compensation by any person not engaged in transportation by motor vehicle as a regular occupation or business.

Transporting persons between contiguous municipalities.

Exception.

Casual transportation for compensation.

Commission; duties and powers.

"GENERAL DUTIES AND POWERS OF THE COMMISSION

"SEC. 204 (a) It shall be the duty of the Commission—

Regulation of common carriers; establishment of requirements.

"(1) To regulate common carriers by motor vehicle as provided in this part, and to that end the Commission may establish reasonable requirements with respect to continuous and adequate service, transportation of baggage and express, uniform systems of accounts, records, and reports, preservation of records, qualifications and maximum hours of service of employees, and safety of operation and equipment.

Regulation of contract carriers; requirements.

"(2) To regulate contract carriers by motor vehicle as provided in this part, and to that end the Commission may establish reasonable requirements with respect to uniform systems of accounts, records, and reports, preservation of records, qualifications and maximum hours of service of employees, and safety of operation and equipment.

Establishment of requirements for private carriers.

"Motor carrier", construed.

"(3) To establish for private carriers of property by motor vehicle, if need therefor is found, reasonable requirements to promote safety of operation, and to that end prescribe qualifications and maximum hours of service of employees, and standards of equipment. In the event such requirements are established, the term 'motor carrier' shall be construed to include private carriers of property by motor vehicle in the administration of sections 204 (d) and (e); 205; 220; 221; 222 (a), (b), (d), (f), and (g); and 224.

Regulation of brokers; requirements.

"(4) To regulate brokers as provided in this part, and to that end the Commission may establish reasonable requirements with respect to licensing, financial responsibility, accounts, records, reports, operations, and practices of any such person or persons.

Federal research agencies; assistance to Commission.

"(5) For the purpose of carrying out the provisions pertaining to safety, the Commission may avail itself of the assistance of any of the several research agencies of the Federal Government having special knowledge of any such matter, to conduct such scientific and technical researches, investigations, and tests as may be necessary to promote the safety of operation and equipment of motor vehicles as provided in this part; the Commission may transfer to such agency or agencies such funds as may be necessary and available to make this provision effective.

Transfer of funds.

Enforcement provision; Commission orders, rules and regulations.

"(6) To administer, execute, and enforce all other provisions of this part, to make all necessary orders in connection therewith, and to prescribe rules, regulations, and procedure for such administration; and

"(7) To inquire into the organization of motor carriers and brokers and into the management of their business, to keep itself informed as to the manner and method in which the same is conducted, and to transmit to Congress, from time to time, such recommendations as to additional legislation relating to such carriers or brokers as the Commission may deem necessary.

Organization of motor carriers and brokers; investigation of.

"(b) The provisions of any code of fair competition for any industry embracing motor carriers or for any subdivision thereof approved pursuant to the National Industrial Recovery Act or any present or future Act amendatory thereof, or supplementary thereto, or in substitution therefor, which is in conflict or inconsistent with any action under the provisions of this part, shall have no force or effect after this section becomes effective.

Invalidity of inconsistent provisions.

"(c) The Commission may from time to time establish such just and reasonable classifications of brokers or of groups of carriers included in the term 'common carrier by motor vehicle', or 'contract carrier by motor vehicle', as the special nature of the services performed by such carriers or brokers shall require; and such just and reasonable rules, regulations, and requirements, consistent with the provisions of this part, to be observed by the carriers or brokers so classified or grouped, as the Commission deems necessary or desirable in the public interest.

Classifications to be established; brokers and carriers.

Rules, regulations, and requirements.

"(d) Upon complaint in writing to the Commission by any person, State board, organization, or body politic, or upon its own initiative without complaint, the Commission may investigate whether any motor carrier or broker has failed to comply with any provision of this part, or with any requirement established pursuant thereto. If the Commission, after notice and hearing, finds upon any such investigation that the motor carrier or broker has failed to comply with any such provision or requirement, the Commission shall issue an appropriate order to compel the carrier or broker to comply therewith. Whenever the Commission is of opinion that any complaint does not state reasonable grounds for investigation and action on its part, it may dismiss such complaint.

Complaints; investigations.

Order of Commission after notice and hearing.

Dismissals.

"(e) After a decision, order, or requirement has been made by the Commission in any proceeding under this part, any party thereto may make application to the Commission for reconsideration or rehearing of the same, or of any matter determined therein, and it shall be lawful for the Commission in its discretion to grant such reconsideration or a rehearing if sufficient reason therefor be made to appear. Applications for reconsideration or rehearing shall be governed by such general rules as the Commission may prescribe. No such application shall excuse any motor carrier or broker from complying with or obeying any decision, order, or requirement of the Commission, or operate in any manner to stay or postpone the enforcement thereof, without the special order of the Commission. If, after such reconsideration or rehearing, it shall appear that the original decision, order, or requirement is in any respect unjust or unwarranted, the Commission may reverse, change, or modify the same accordingly. Any decision, order, or requirement made after such reconsideration or rehearing shall be subject to the same provisions as an original decision, order, or requirement.

Application for reconsideration or rehearing.

Rules to govern.

Not to act as stay of order.

Reversal or modification of original order.

"(f) The provisions of sections 14 and 16 (13) of part I, relating to reports, decisions, schedules, contracts, and other public records, shall apply in the administration of this part.

Vol. 24, p. 384; U. S. C., pp. 2223, 2226.

Administration.

"ADMINISTRATION

Hearings; reference to Commission member or examiner.

"SEC. 205. (a) Excepting a matter which is referred to a joint board as hereinafter provided, any matter arising in the administration of this part requiring a hearing shall be heard and decided by the Commission, or shall, by order of the Commission, be referred to a member or examiner of the Commission for hearing and the

Jurisdiction of member, etc.

recommendation of an appropriate order thereon. With respect to such matter the member or examiner shall have all the rights, duties, powers, and jurisdiction conferred by this part upon the Commission, except that the order recommended by such member or examiner shall be subject to the following provisions of this

Order of; requirements.

paragraph. Any order recommended by the member or examiner with respect to such matter shall be in writing and be accompanied by the reasons therefor, and shall be filed with the Commission.

Copies; service of.

Copies of such recommended order shall be served upon the persons

Post, p. 550.

specified in paragraph (f), who may file exceptions thereto, but

Objections; time for filing.

if no exceptions are filed within 20 days after service upon such persons, or within such further period as the Commission may authorize, such recommended order shall become the order of the Commission and become effective, unless within such period the

Consideration of.

order is stayed or postponed by the Commission. Where exceptions are filed as herein provided it shall be the duty of the Commission to consider the same and, if sufficient reason appears therefor, the Commission shall grant such review or make such orders or hold or authorize such further hearings or proceedings in the premises as may be necessary or proper to carry out the purposes of this part, or the Commission may, on its own motion, review any such matter and take action thereon as if exceptions thereto had been

Final decision.

filed. The Commission, after review upon the same record or as supplemented by a further hearing, shall decide the matter and make appropriate order thereon.

Joint boards.

"(b) The Commission shall, when operations of motor carriers or brokers conducted or proposed to be conducted involve not more than three States, and the Commission may, in its discretion, when operations of motor carriers or brokers conducted or proposed to

Proceedings referred to.

be conducted involve more than three States, refer to a joint board for appropriate proceedings thereon, any of the following matters arising in the administration of this part with respect to such operations: Applications for certificates, permits, or licenses; the suspension, change, or revocation of such certificates, permits, or licenses; applications for the approval and authorization of consolidations, mergers, and acquisitions of control or operating contracts; complaints as to violations by motor carriers or brokers of the requirements established under section 204 (a); and complaints as to rates, fares, and charges of motor carriers or the practices of

Provisos.
Determination when reference prevented.

brokers: *Provided, however*, That if the Commission is prevented by legal proceedings from referring a matter to a joint board, it may determine such matter as provided in paragraph (a) of this

Investigations and suspension proceedings.

section. The Commission, in its discretion, may also refer to a joint board any investigation and suspension proceeding or other matter not specifically mentioned above which may arise under this

Joint board; composition of.

part. The joint board to which any such matter is referred shall be composed solely of one member from each State within which the motor-carrier or brokerage operations involved in such matter

Designation of examiners to assist.

are or are proposed to be conducted: *Provided*, That the Commission may designate an examiner or examiners to advise with and assist the joint board under such rules and regulations as it

Jurisdiction of.

may prescribe. In acting upon matters so referred joint boards shall be vested with the same rights, duties, powers, and jurisdic-

tion as are hereinbefore vested in members or examiners of the Commission while acting under its orders in the administration of this part. Orders recommended by joint boards shall be filed with the Commission, and shall become orders of the Commission and become effective in the same manner, and shall be subject to the same procedure, as provided in the case of orders recommended by members or examiners under this section.

Orders of; filing; effectiveness.

"(c) Whenever there arises in the administration of this part any matter that the Commission is required to refer to a joint board, or that the Commission determines, in its discretion, to refer to a joint board, the Commission shall, if no joint board eligible to consider said matter is in existence, create a joint board to consider the matter when referred, and to recommend appropriate order thereon. The Commission shall prescribe rules governing meetings and procedure of joint boards and may, in the event of legal proceedings preventing reference to a joint board, determine the matter as provided in paragraph (a) of this section. Except as hereinafter provided, a joint board shall consist of a member from each State in which the motor carrier or brokerage operations involved are or are proposed to be conducted. The member from any such State shall be nominated by the board of such State from its own membership or otherwise; or if there is no board in such State or if the board of such State fails to make a nomination when requested by the Commission, then the Governor of such State may nominate such member. The Commission is authorized to appoint as a member upon the joint board any such nominee approved by it. If both the Board and the Governor of any State shall fail to nominate a joint board member when requested, then the joint board shall be constituted without a member from such State, if members for two or more States shall have been nominated and approved by the Commission. All decisions and recommendations by joint boards shall be by majority vote. If the board of each State from which a member of a joint board is entitled to be appointed shall waive action on any matter referred to such joint board, or if any joint board fails or refuses to act, or is unable to agree upon any matter submitted to it within forty-five days after the matter is referred to it or such other period as the Commission may authorize, or if a member shall not be nominated for more than one State (except only when the operations proposed shall be into or through territory foreign to the United States), then such matter shall be decided as in the case of any matter not required to be referred to a joint board. When any proceeding required to be referred to a joint board shall involve operations of a motor carrier conducted or proposed to be conducted into or through territory foreign to the United States, if a single State shall be involved, or if only one State shall make nomination of a joint board member through its Governor or State board, then the Commission, in such case, may receive from that State the nomination of not more than three members and may appoint such nominees to constitute the joint board. Members of joint boards when administering the provisions of this part shall receive such allowances for travel and subsistence expenses as the Commission shall provide. A joint board shall continue in existence for the consideration of matters referred to it by the Commission until such time as its existence may be terminated by the Commission. A substitution of membership upon a joint board from any State may be made at any time by nomination and appointment in the same manner as an original nomination and appointment.

Creation of.

Rules governing meetings and procedure.

Qualifications of.

Nomination of members of.

Appointment of nominee.

When no nomination made.

Decisions and recommendations; majority vote.

When proceeding involves motor carrier operating through foreign territory.

Allowances to members.

Joint boards; duration.

Substitution of membership.

"(d) Where practicable and as the Commission may by rule or order direct, hearings by any member, examiner, or joint board upon any matter referred to him or to such board shall be held at such places within the United States as are convenient to the parties.

Hearings; place of holding.

Powers of joint boards.

"(e) So far as may be necessary for the purposes of this part, the Commission and the members and examiners thereof and joint boards shall have the same power to administer oaths, and require by subpena the attendance and testimony of witnesses and the production of books, papers, tariffs, contracts, agreements, and documents, and to take testimony by deposition, relating to any matter under investigation, as the Commission has in a matter arising under part I; and any person subpenaed or testifying in connection with any matter under investigation under this part shall have the same rights, privileges, and immunities and be subject to the same duties, liabilities, and penalties as though such matter arose under part I, unless otherwise provided in this part.

Notice in connection with proceedings.

"(f) In accordance with rules prescribed by the Commission, reasonable notice shall be afforded, in connection with any proceeding under this part, to interested parties and to the board of any State, or to the governor if there be no board, in which the motor-carrier operations involved in the proceeding are or are proposed to be conducted, and opportunity for hearing and for intervention in connection with any such proceeding shall be afforded to all interested parties.

Cooperation with State authorities.

"(g) The Commission is authorized to confer with or to hold joint hearings with any authorities of any State in connection with any matter arising in any proceedings under this part. The Commission is also authorized to avail itself of the cooperation, services, records, and facilities of such State authorities as fully as may be practicable, in the enforcement or administration of any provision of this part.

Space for use of national organization of State commissions.

From any space in the Interstate Commerce Commission Building not required by the Commission, the Government authority controlling the allocation of space in public buildings shall assign for the use of the national organization of the State commissions and of their representatives suitable office space and facilities which shall be at all times available for the use of joint boards created under this part and for members and representatives of such boards cooperating with the Commission or with any other Federal commission or department under this or any other Act; and if there be no such suitable space in the Interstate Commerce Commission Building, the same shall be assigned in some other building in convenient proximity thereto.

Availability.

Appeals.

"(h) Any final order made under this part shall be subject to the same right of relief in court by any party in interest as is now provided in respect to orders of the Commission made under part I:

Proviso.
Negative order based on supposed lack of power of Commission.

Provided, That, where the Commission, in respect of any matter arising under this part, shall have issued a negative order solely because of a supposed lack of power, any such party in interest may file a bill of complaint with the appropriate District Court of the United States, convened under the Urgent Deficiency Appropriations Act, October 22, 1913, and such court, if it determines that the Commission has such power, may enforce by writ of mandatory injunction the Commission's taking of jurisdiction.

Vol. 38, p. 212.

Vol. 24, p. 285; U. S. C., p. 2227.

"(i) All the provisions of section 17 of part I shall apply to all proceedings under this part.

"(j) No member or examiner of the Commission or member of a joint board shall hold any official relation to, or own any securities of, or be in any manner pecuniarily interested in, any motor carrier or in any carrier by railroad, water, or other form of transportation.

Experts, examiners, etc.; employment and compensation.

"(k) The Commission is authorized to employ, and to fix the compensation of, such experts, assistants, special agents, examiners, attorneys, and other employees as in its judgment may be necessary or advisable for the convenience of the public and for the effective administration of this part.

"APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

Application for certificate of public convenience and necessity.

Necessity of certificate.

"SEC. 206. (a) No common carrier by motor vehicle subject to the provisions of this part shall engage in any interstate or foreign operation on any public highway, or within any reservation under the exclusive jurisdiction of the United States, unless there is in force with respect to such carrier a certificate of public convenience and necessity issued by the Commission authorizing such operations: *Provided, however*, That, subject to section 210, if any such carrier or predecessor in interest was in bona fide operation as a common carrier by motor vehicle on June 1, 1935, over the route or routes or within the territory for which application is made and has so operated since that time, or if engaged in furnishing seasonal service only, was in bona fide operation on June 1, 1935, during the season ordinarily covered by its operation, except in either instance as to interruptions of service over which the applicant or its predecessor in interest had no control, the Commission shall issue such certificate without requiring further proof that public convenience and necessity will be served by such operation, and without further proceedings, if application for such certificate is made to the Commission as provided in paragraph (b) of this section and within one hundred and twenty days after this section shall take effect, and if such carrier was registered on June 1, 1935, under any code of fair competition requiring registration, the fact of registration shall be evidence of bona fide operation to be considered in connection with the issuance of such certificate. Otherwise the application for such certificate shall be decided in accordance with the procedure provided for in section 207 (a) of this part and such certificate shall be issued or denied accordingly. Pending the determination of any such application the continuance of such operation shall be lawful: *And provided further*, That this paragraph shall not be so construed as to require any such carrier lawfully engaged in operation solely within any State to obtain from the Commission a certificate authorizing the transportation by such carrier of passengers or property in interstate or foreign commerce between places within such State if there be a board in such State having authority to grant or approve such certificates and if such carrier has obtained such certificate from such board. Such transportation shall, however, be otherwise subject to the jurisdiction of the Commission under this part.

Provisos.
When proof of public convenience and necessity waived.

Time for making application.

Registration under code of fair competition; effect.

Determination when proof not waived.

Continuation of operation provided.

Intrastate operation.

"(b) Application for certificates shall be made in writing to the Commission, be verified under oath, and shall be in such form and contain such information and be accompanied by proof of service upon such interested parties as the Commission shall, by regulation, require. Any person, not included within the provisions of paragraph (a) of this section, who or which is engaged in transportation in interstate or foreign commerce as a common carrier by motor vehicle when this section takes effect may continue such operation for a period of one hundred and twenty days thereafter without a certificate and, if application for such certificate is made to the Commission within such period, the carrier may, under such regulations as the Commission shall prescribe, continue such operation until otherwise ordered by the Commission.

Form of application.

Operation during consideration of application.

"ISSUANCE OF CERTIFICATE

Issuance of certificate.

"SEC. 207. (a) Subject to section 210, a certificate shall be issued to any qualified applicant therefor, authorizing the whole or any part of the operations covered by the application, if it is found that the applicant is fit, willing, and able properly to perform the service proposed and to conform to the provisions of this part and the

Requirements.
Post, p. 554.

requirements, rules, and regulations of the Commission thereunder, and that the proposed service, to the extent to be authorized by the certificate, is or will be required by the present or future public convenience and necessity; otherwise such application shall be denied:

Proviso. Restriction.

Provided, however, That no such certificate shall be issued to any common carrier of passengers by motor vehicle for operations over other than a regular route or routes, and between fixed termini, except as such carriers may be authorized to engage in special or charter operations.

"(b) No certificate issued under this part shall confer any proprietary or property rights in the use of the public highways.

Terms and conditions of certificate.

"TERMS AND CONDITIONS OF CERTIFICATE

Terms to be specified.

"SEC. 208. (a) Any certificate issued under section 206 or 207 shall specify the service to be rendered and the routes over which, the fixed termini, if any, between which, and the intermediate and off-route points, if any, at which, and in case of operations not over specified routes or between fixed termini, the territory within which,

Conditions and limitations to be attached.

the motor carrier is authorized to operate; and there shall, at the time of issuance and from time to time thereafter, be attached to the exercise of the privileges granted by the certificate such reasonable terms, conditions, and limitations as the public convenience and necessity may from time to time require, including terms, conditions, and limitations as to the extension of the route or routes of the carrier, and such terms and conditions as are necessary to carry out, with respect to the operations of the carrier, the requirements established by the Commission under section 204 (a) (1) and (6): *Provided, however*, That no terms, conditions, or limitations shall restrict the right of the carrier to add to his or its equipment and facilities over the routes, between the termini, or within the territory specified in the certificate, as the development of the business and the demands of the public shall require.

Ante, p. 546.

Proviso. Right to improve equipment, etc.

Deviation from regular route.

"(b) A common carrier by motor vehicle operating under any such certificate may occasionally deviate from the route over which, and/or the fixed termini between which, it is authorized to operate under the certificate, under such general or special rules and regulations as the Commission may prescribe.

Transportation of chartered parties.

"(c) Any common carrier by motor vehicle transporting passengers under a certificate issued under this part may transport in interstate or foreign commerce to any place special or chartered parties under such rules and regulations as the Commission shall have prescribed.

Of mail, baggage, etc.

"(d) A certificate for the transportation of passengers may include authority to transport in the same vehicle with the passengers, newspapers, baggage of passengers, express, or mail, or to transport baggage of passengers in a separate vehicle.

Permits for contract carriers by motor vehicle.

Necessity of.

"PERMITS FOR CONTRACT CARRIERS BY MOTOR VEHICLE

"SEC. 209. (a) No person shall engage in the business of a contract carrier by motor vehicle in interstate or foreign commerce on any public highway or within any reservation under the exclusive jurisdiction of the United States unless there is in force with respect to such carrier a permit issued by the Commission, authorizing such person to engage in such business: *Provided*, That, subject to section 210, if any such carrier or a predecessor in interest was in bona fide operation as a contract carrier by motor vehicle on July 1, 1935, over the route or routes or within the territory for which application

Provisos. When may be issued without further proceedings.

is made and has so operated since that time, or, if engaged in furnishing seasonal service, only, was in bona fide operation on July 1, 1935, during the season ordinarily covered by its operations, except in either instance as to interruptions of service over which the applicant or its predecessor in interest had no control, the Commission shall issue such permit, without further proceedings, if application for such permit is made to the Commission as provided in paragraph (b) of this section and within one hundred and twenty days after this section shall take effect and if such carrier was registered on July 1, 1935, under any code of fair competition requiring registration, the fact of registration shall be evidence of bona fide operation to be considered in connection with the issuance of such permit. Otherwise the application for such permit shall be decided in accordance with the procedure provided for in paragraph (b) of this section and such permit shall be issued or denied accordingly. Pending determination of any such application the continuance of such operation shall be lawful. Any person, not included within the foregoing provisions of this paragraph, who or which is engaged in transportation as a contract carrier by motor vehicle when this section takes effect, may continue such operation for a period of one hundred and twenty days thereafter without a permit and, if application for such permit is made within such period, the carrier may, under such regulations as the Commission shall prescribe, continue such operation until otherwise ordered by the Commission: *Provided further*, That nothing in this part shall be construed to repeal, amend, or otherwise modify any Act or Acts relating to national parks and national monuments under the administrative jurisdiction of the Secretary of the Interior, or to withdraw such authority or control as may by law be held by the Secretary of the Interior with respect to the admission and operation of motor vehicles in any national park or national monument of the United States.

Time for making application.

Registration under code of fair competition; effect.

Issue of permits, generally.

Continuation of operation pending determination.

Operation without permit.

Commission regulations.

Proviso.
Operation within national parks and monuments.

"(b) Applications for such permits shall be made to the Commission in writing, be verified under oath, and shall be in such form and contain such information and be accompanied by proof of service upon such interested parties as the Commission may, by regulations, require. Subject to section 210, a permit shall be issued to any qualified applicant therefor authorizing in whole or in part the operations covered by the application, if it appears from the applications or from any hearing held thereon, that the applicant is fit, willing, and able properly to perform the service of a contract carrier by motor vehicle, and to conform to the provisions of this part and the lawful requirements, rules, and regulations of the Commission thereunder, and that the proposed operation, to the extent authorized by the permit, will be consistent with the public interest and the policy declared in section 202 (a) of this part; otherwise such application shall be denied. The Commission shall specify in the permit the business of the contract carrier covered thereby and the scope thereof and shall attach to it, at the time of issuance, and from time to time thereafter, such reasonable terms, conditions, and limitations consistent with the character of the holder as a contract carrier as are necessary to carry out, with respect to the operations of such carrier, the requirements established by the Commission under section 204 (a) (2) and (6): *Provided, however*, That no terms, conditions, or limitations shall restrict the right of the carrier to substitute or add contracts within the scope of the permit, or to add to his or its equipment and facilities, within the scope of the permit, as the development of the business and the demands of the public may require.

Permits; application for; form; contents.

Issue of; requirements.

Ante, p. 543.

Business of contract carrier to be specified in.

Terms, conditions, and limitations to be attached.

Ante, p. 546.

Proviso.
Rights of carrier not restricted.

Dual operation.

"DUAL OPERATION

Simultaneous holding of certificate and permit.

"SEC. 210. No person, after January 1, 1936, shall at the same time hold under this part a certificate as a common carrier and a permit as a contract carrier authorizing operation for the transportation of property by motor vehicle over the same route or within the same territory, unless for good cause shown the Commission shall find that such certificate and permit may be held consistently with the public interest and with the policy declared in section 202 (a) of this part.

Brokerage licenses.

"BROKERAGE LICENSES

Conduct of business without, prohibited.

"SEC. 211. (a) No person shall for compensation sell or offer for sale transportation subject to this part or shall make any contract, agreement, or arrangement to provide, procure, furnish, or arrange for such transportation or shall hold himself or itself out by advertisement, solicitation, or otherwise as one who sells, provides, procures, contracts, or arranges for such transportation, unless such person holds a broker's license issued by the Commission to engage in such transactions: *Provided, however*, That no such person shall engage in transportation subject to this part unless he holds a certificate or permit as provided in this part. In the execution of any contract, agreement, or arrangement to sell, provide, procure, furnish, or arrange for such transportation, it shall be unlawful for such person to employ any carrier by motor vehicle who or which is not the lawful holder of an effective certificate or permit issued as provided in this part: *And provided further*, That the provisions of this paragraph shall not apply to any carrier holding a certificate or a permit under the provisions of this part or to any bona fide employee or agent of such motor carrier, so far as concerns transportation to be furnished wholly by such carrier or jointly with other motor carriers holding like certificates or permits, or with a common carrier by railroad, express, or water.

Provisos.
Requirement of certificate or permit.

Employment of carrier not holding certificate or permit, unlawful.

When provision inapplicable.

Brokerage license; issue of; requirements.

"(b) A brokerage license shall be issued to any qualified applicant therefor, authorizing the whole or any part of the operations covered by the application, if it is found that the applicant is fit, willing, and able properly to perform the service proposed and to conform to the provisions of this part and the requirements, rules, and regulations of the Commission thereunder, and that the proposed service, to the extent to be authorized by the license, is, or will be consistent with the public interest and the policy declared in section 202 (a) of this part; otherwise such application shall be denied. Any broker in operation when this section takes effect may continue such operation for a period of one hundred and twenty days thereafter without a license, and if application for such license is made within such period, the broker may, under such regulations as the Commission shall prescribe, continue such operations until otherwise ordered by the Commission.

Continuation of business.

Commission rules governing protection of travelers.

"(c) The Commission shall prescribe reasonable rules and regulations for the protection of travelers or shippers by motor vehicle, to be observed by any person holding a brokerage license, and no such license shall be issued or remain in force unless such person shall have furnished a bond or other security approved by the Commission, in such form and amount as will insure financial responsibility and the supplying of authorized transportation in accordance with contracts, agreements, or arrangements therefor.

Broker's bond.

Jurisdiction of Commission as to accounts, etc.

"(d) The Commission and its special agents and examiners shall have the same authority as to accounts, reports, and records, including inspection and preservation thereof, of any person holding a brokerage license issued under the provisions of this section, that they have under this part with respect to motor carriers subject thereto.

"SUSPENSION, CHANGE, REVOCATION, AND TRANSFER OF CERTIFICATES, PERMITS, AND LICENSES

Certificates, permits, and licenses.

"SEC. 212. (a) Certificates, permits, and licenses shall be effective from the date specified therein, and shall remain in effect until terminated as herein provided. Any such certificate, permit, or license may, upon application of the holder thereof, in the discretion of the Commission, be amended or revoked, in whole or in part, or may upon complaint, or on the Commission's own initiative, after notice and hearing, be suspended, changed, or revoked, in whole or in part, for willful failure to comply with any provision of this part, or with any lawful order, rule, or regulation of the Commission promulgated thereunder, or with any term, condition, or limitation of such certificate, permit, or license: *Provided, however*, That no such certificate, permit, or license shall be revoked (except upon application of the holder) unless the holder thereof willfully fails to comply, within a reasonable time, not less than ninety days, to be fixed by the Commission, with a lawful order of the Commission, made as provided in section 204 (d), commanding obedience to the provision of this part, or to the rule or regulation of the Commission thereunder, or to the term, condition, or limitation of such certificate, permit, or license, found by the Commission to have been violated by such holder.

Effective dates of.

Amendment; revocation.

Proviso.
Willful noncompliance with Commission's order, etc.

"(b) Except as provided in section 213, any certificate or permit may be transferred, pursuant to such rules and regulations as the Commission may prescribe.

Certificate or permit; transfer of.

"CONSOLIDATION, MERGER, AND ACQUISITION OF CONTROL

Consolidation, merger, and acquisition of control.

"SEC. 213. (a) It shall be lawful, under the conditions specified below, but under no other conditions, for two or more motor carriers which are not also carriers by railroad to consolidate or merge their properties, or any part thereof, into one corporation for the ownership, management, and/or operation of the properties theretofore in separate ownership; or for any such motor carrier or two or more such carriers jointly, to purchase, lease, or contract to operate the properties, or any part thereof, of another such carrier; or for any such motor carrier or two or more such carriers jointly, to acquire control of another such carrier through purchase of its stock; or for a person which is not a motor carrier or a carrier by railroad, or express, or water to acquire control of two or more motor carriers through ownership of their stock; or for any such person which has control of one or more motor carriers to acquire control of another such carrier through ownership of its stock; or for a carrier by railroad, express, or water to consolidate, or merge with, or acquire control of, any motor carrier or to purchase, lease, or contract to operate its properties, or any part thereof.

Lawful acts.

"(1) Whenever a consolidation, merger, purchase, lease, operating contract, or acquisition of control is proposed under this section, the carrier or carriers or the person seeking authority therefor shall present an application to the Commission, and thereupon the Commission shall notify the Governor of each State in which any part of the properties or operations of the carriers involved in the proposed transaction is situated, and also such carriers and the applicant or applicants, and other parties known to have a substantial interest in the proceeding of the time and place for a public hearing. If after such hearing the Commission finds that the transaction proposed will be consistent with the public interest and that the conditions of this section have been or will be fulfilled, it may enter an order approving and authorizing such consolidation, merger, purchase, lease, operating contract, or acquisition of control, upon

Application for; filing.

Notification required.

Hearings.

Commission's order.

such terms and conditions as it shall find to be just and reasonable and with such modifications as it may prescribe: *Provided, however*, That if a carrier other than a motor carrier is an applicant, or any person which is controlled by such a carrier other than a motor carrier or affiliated therewith within the meaning of section 5 (8) of part I, the Commission shall not enter such an order unless it finds that the transaction proposed will promote the public interest by enabling such carrier other than a motor carrier to use service by motor vehicle to public advantage in its operations and will not unduly restrain competition.

Proviso.
When carrier other than motor carrier is applicant.

Vol. 24, p. 380; U. S. C., p. 2217.

Jurisdiction over, when order permitting merger, etc., entered.

"(2) Whenever a person which is not a motor carrier is authorized, by an order entered under subparagraph (1) of this section, to acquire control of any such carrier or of two or more such carriers, such person thereafter shall, to the extent provided by the Commission, for the purposes of section 204 (a) (1), and section 220 (a) and (b), relating to accounts, records, and reports, and to the inspection of facilities and records, including the penalties applicable in the case of violations thereof, be subject to the provisions of this part.

Ante, p. 546.

Unlawful acts.

"(b) (1) It shall be unlawful for any person, except as provided in paragraph (a), to accomplish or effectuate, or to participate in accomplishing or effectuating, the control or management in a common interest of any two or more motor carriers which are not also carriers by railroad, however such result is attained, whether directly or indirectly, by use of common directors, officers, or stockholders, a holding or investment company or companies, a voting trust or trusts, or in any other manner whatsoever. It shall be unlawful to continue to maintain control or management accomplished or effectuated after the enactment of this part and in violation of this paragraph. As used in this paragraph, the words "control or management" shall be construed to include the power to exercise control or management.

Investigation by Commission.

"(2) The Commission is hereby authorized, upon complaint or upon its own initiative without complaint, but after notice and hearing, to investigate and determine whether any person is violating the provisions of paragraph (b) (1) of this section. If the Commission finds after such investigation that such person is violating the provisions of such paragraph, it shall by order require such person to take such action consistent with the provisions of this part as may be necessary, in the opinion of the Commission, to prevent further violation of such provisions.

Order of.

"Control" construed.

"(3) For the purposes of this section, wherever reference is made to control, it is immaterial whether such control is direct or indirect.

United States district courts; jurisdiction of.

"(c) The district courts of the United States shall have jurisdiction upon the application of the Commission, alleging a violation of any of the provisions of this section or disobedience of any order issued by the Commission thereunder by any person, to issue such writs of injunction or other proper process, mandatory or otherwise, as may be necessary to restrain such person from violation of such provision or to compel obedience to such order.

Supplemental orders.

"(d) The Commission may from time to time, for good cause shown, make such orders, supplemental to any order made under paragraphs (a) or (b), as it may deem necessary or appropriate.

Limitation on authority of Commission; inapplicability of provisions when not more than twenty motor vehicles involved.

"(e) Except where a carrier other than a motor carrier is an applicant or any person which is controlled by such a carrier or carriers by railroad or affiliated therewith within the meaning of section 5 (8) of part I, the provisions of this section requiring authority from the Commission for consolidation, merger, purchase, lease, operating contract, or acquisition of control shall not apply where the total number of motor vehicles involved is not more than twenty.

"(f) The carriers and any person affected by any order made under the foregoing provisions of this section shall be, and they are hereby, relieved from the operation of the 'antitrust laws', as designated in section 1 of the Act entitled 'An Act to supplement existing laws against unlawful restraints, and monopolies, and for other purposes', approved October 15, 1914, and of all other restraints or prohibitions by or imposed under authority of law, State or Federal, insofar as may be necessary to enable them to do anything authorized or required by such order.

Carriers relieved from operation of antitrust laws.
Vol. 26, p. 209; U. S. C., p. 509.

"ISSUANCE OF SECURITIES

Securities; issuance of.

"SEC. 214. Common or contract carriers by motor vehicle, corporations organized for the purpose of engaging in transportation as such carriers, and corporations authorized by order entered under section 213 (a) (1) to acquire control of any such carrier, or of two or more such carriers, shall be subject to the provisions of paragraphs 2 to 11, inclusive, of section 20a of part I of this Act (including penalties applicable in cases of violations thereof): *Provided, however*, That said provisions shall not apply to such carriers or corporations where the par value of the securities to be issued, together with the par value of the securities then outstanding, does not exceed $500,000. In the case of securities having no par value, the par value for the purpose of this section shall be the fair market value as of the date of their issue: *Provided further*, That the exemption in section 3 (a) (6) of the 'Securities Act, 1933' is hereby amended to read as follows: '(6) Any security issued by a common or contract carrier, the issuance of which is subject to the provisions of section 20a of the Interstate Commerce Act, as amended;'.

Provisions applicable to.
Vol. 41, p. 494; U. S. C., p. 2231.
Provisos.
Restriction on application of provisions.
Securities having no par value.
Securities Act, 1933; amendment.
Vol. 48, p. 76; U. S. C., p. 520.
Vol. 41, p. 494; U. S. C., p. 2231.

"SECURITY FOR THE PROTECTION OF THE PUBLIC

Security for protection of public.

"SEC. 215. No certificate or permit shall be issued to a motor carrier or remain in force, unless such carrier complies with such reasonable rules and regulations as the Commission shall prescribe governing the filing and approval of surety bonds, policies of insurance, qualifications as a self-insurer or other securities or agreements, in such reasonable amount as the Commission may require, conditioned to pay, within the amount of such surety bonds, policies of insurance, qualifications as a self-insurer or other securities or agreements, any final judgment recovered against such motor carrier for bodily injuries to or the death of any person resulting from the negligent operation, maintenance, or use of motor vehicles under such certificate or permit, or for loss or damage to property of others. The Commission may, in its discretion and under such rules and regulations as it shall prescribe, require any such common carrier to file a surety bond, policies of insurance, qualifications as a self-insurer, or other securities or agreements, in a sum to be determined by the Commission, to be conditioned upon such carrier making compensation to shippers and/or consignees for all property belong [1] to shippers and/or consignees, and coming into the possession of such carrier in connection with its transportation service. Any carrier which may be required by law to compensate a shipper and/or consignee for any loss, damage, or default for which a connecting motor common carrier is legally responsible shall be subrogated to the rights of such shipper and/or consignee under any such bond, policies of insurance, or other securities or agreements, to the extent of the sum so paid.

Surety bonds; filing and approval.
Insurance policies; qualifications as self-insurer; regulations governing.
Compensation to shippers.
Carrier subrogated to rights of shipper when payment made.

[1] So in original.

Rates, fares, and charges of common carriers by motor vehicle.

"RATES, FARES, AND CHARGES OF COMMON CARRIERS BY MOTOR VEHICLE

Duty of carriers to establish through routes; provide adequate service.

"SEC. 216. (a) It shall be the duty of every common carrier of passengers by motor vehicle to establish reasonable through routes with other such common carriers and to provide safe and adequate service, equipment, and facilities for the transportation of passengers in interstate or foreign commerce; to establish, observe, and enforce just and reasonable individual and joint rates, fares, and charges, and just and reasonable regulations and practices relating thereto, and to the issuance, form, and substance of tickets, the carrying of personal, sample, and excess baggage, the facilities for transportation, and all other matters relating to or connected with the transportation of passengers in interstate or foreign commerce; and in case of such joint rates, fares, and charges, to establish just, reasonable, and equitable divisions thereof as between the carriers participating therein which shall not unduly prefer or prejudice any of such participating carriers.

Establish joint rates, etc.

Division of.

Duty to establish facilities for property transportation.

"(b) It shall be the duty of every common carrier of property by motor vehicle to provide safe and adequate service, equipment, and facilities for the transportation of property in interstate or foreign commerce; to establish, observe, and enforce just and reasonable rates, charges, and classifications, and just and reasonable regulations and practices relating thereto and to the manner and method of presenting, marking, packing, and delivering property for transportation, the facilities for transportation, and all other matters relating to or connected with the transportation of property in interstate or foreign commerce.

Marking, packing, and delivery.

Through routes, joint rates, etc.

"(c) Common carriers of property by motor vehicle may establish reasonable through routes and joint rates, charges, and classifications with other such carriers or with common carriers by railroad and/or express and/or water; and common carriers of passengers by motor vehicle may establish reasonable through routes and joint rates, fares, or charges with common carriers by railroad and/or water. In case of such joint rates, fares, or charges it shall be the duty of the carriers parties thereto to establish just and reasonable regulations and practices in connection therewith, and just, reasonable, and equitable divisions thereof as between the carriers participating therein which shall not unduly prefer or prejudice any of such participating carriers.

Regulations in connection therewith.

Unlawful acts. Granting preferences; making unjust discriminations.

"(d) It shall be unlawful for any common carrier by motor vehicle engaged in interstate or foreign commerce to make, give, or cause any undue or unreasonable preference or advantage to any particular person, port, gateway, locality, or description of traffic in any respect whatsoever, or to subject any particular person, port, gateway, locality, or description of traffic to any unjust discrimination or any undue or unreasonable prejudice or disadvantage in any respect whatsoever: *Provided, however*, That this paragraph shall not be construed to apply to discriminations, prejudice or disadvantage to the traffic of any other carrier of whatever description.

Proviso. Not applicable to discriminations against other carriers.

Complaints.

"(e) Any person, State board, organization, or body politic may make complaint in writing to the Commission that any such rate, fare, charge, classification, rule, regulation, or practice, in effect or proposed to be put into effect, is or will be in violation of this section or of section 217. Whenever, after hearing, upon complaint or in an investigation on its own initiative, the Commission shall be of the opinion that any individual or joint rate, fare, or charge, demanded, charged, or collected by any common carrier or carriers by motor vehicle or by any common carrier or carriers by motor vehicle in conjunction with any common carrier or carriers by

Hearing.

railroad and/or express, and/or water for transportation in interstate or foreign commerce, or any classification, rule, regulation, or practice whatsoever of such carrier or carriers affecting such rate, fare, or charge or the value of the service thereunder, is or will be unjust or unreasonable, or unjustly discriminatory or unduly preferential or unduly prejudicial, it shall determine and prescribe the lawful rate, fare, or charge or the maximum or minimum, or maximum and minimum rate, fare, or charge thereafter to be observed, or the lawful classification, rule, regulation, or practice thereafter to be made effective and the Commission shall, whenever deemed by it to be necessary or desirable in the public interest, after hearing, upon complaint or upon its own initiative without a complaint, establish through routes and joint rates, fares, charges, regulations, or practices, applicable to the transportation of passengers by common carriers by motor vehicle, or the maxima or minima, or maxima and minima, to be charged, and the terms and conditions under which such through routes shall be operated: *Provided, however*, That nothing in this part shall empower the Commission to prescribe, or in any manner regulate, the rate, fare, or charge for intrastate transportation, or for any service connected therewith, for the purpose of removing discrimination against interstate commerce or for any other purpose whatever.

Determination of lawful rate, etc.

Proviso. Intrastate transportation excluded.

"(f) Whenever, after hearing, upon complaint or upon its own initiative, the Commission is of opinion that the divisions of joint rates, fares, or charges, applicable to the transportation in interstate or foreign commerce of passengers or property by common carriers by motor vehicle or by such carriers in conjunction with common carriers by railroad and/or express, and/or water are or will be unjust, unreasonable, inequitable, or unduly preferential or prejudicial as between the carriers parties thereto (whether agreed upon by such carriers, or any of them, or otherwise established), the Commission shall by order prescribe the just, reasonable, and equitable divisions thereof to be received by the several carriers, and in cases where the joint rate, fare, or charge was established pursuant to a finding or order of the Commission and the divisions thereof are found by it to have been unjust, unreasonable, or inequitable, or unduly preferential or prejudicial, the Commission may also by order determine what would have been the just, reasonable, and equitable divisions thereof to be received by the several carriers, and require adjustment to be made in accordance therewith. The order of the Commission may require the adjustment of divisions between the carriers, in accordance with the order, from the date of filing the complaint or entry of order of investigation or such other date subsequent as the Commission finds justified and, in the case of joint rates prescribed by the Commission, the order as to divisions may be made effective as a part of the original order.

Complaints respecting divisions of joint rates, etc.

Equitable division to be ordered.

Adjustment of divisions between carriers.

"(g) Whenever there shall be filed with the Commission any schedule stating a new individual or joint rate, fare, charge, or classification for the transportation of passengers or property by a common carrier or carriers by motor vehicle, or by any such carrier or carriers in conjunction with a common carrier or carriers by railroad and/or express, and/or water in interstate or foreign commerce, or any rule, regulation, or practice affecting such rate, fare, or charge, or the value of the service thereunder, the Commission is hereby authorized and empowered upon complaint of any interested party or upon its own initiative at once and, if it so orders, without answer or other formal pleading by the interested carrier or carriers, but upon reasonable notice, to enter upon a hearing concerning the lawfulness of such rate, fare, or charge, or

Schedule of new rates, etc.

Hearing to determine lawfulness; notice.

such rule, regulation, or practice, and pending such hearing and the decision thereon the Commission, by filing with such schedule and delivering to the carrier or carriers affected thereby a statement in writing of its reasons for such suspension, may suspend the operation of such schedule and defer the use of such rate, fare, or charge, or such rule, regulation, or practice, for a period of ninety days and if the proceeding has not been concluded and a final order made within such period the Commission may, from time to time, extend the period of suspension by order, but not for a longer period in the aggregate than one hundred and eighty days beyond the time when it would otherwise go into effect; and after hearing, whether completed before or after the rate, fare, charge, classification, rule, regulation, or practice goes into effect, the Commission may make such order with reference thereto as would be proper in a proceeding instituted after it had become effective. If the proceeding has not been concluded and an order made within the period of suspension, the proposed change of rate, fare, or charge, or classification, rule, regulation, or practice, shall go into effect at the end of such period: *Provided*, That this paragraph shall not apply to any initial schedule or schedules filed by any such carrier in bona fide operation when this section takes effect.

Suspension of operation of new schedule.

Proviso. Not applicable to initial schedule.

"(h) In any proceeding to determine the justness or reasonableness of any rate, fare, or charge of any such carrier, there shall not be taken into consideration or allowed as evidence or elements of value of the property of such carrier, either good will, earning power, or the certificate under which such carrier is operating; and in applying for and receiving a certificate under this part any such carrier shall be deemed to have agreed to the provisions of this paragraph, on its own behalf and on behalf of all transferees of such certificate.

Proceeding to determine just rate, etc.; elements to be considered.

"(i) In the exercise of its power to prescribe just and reasonable rates for the transportation of passengers or property by common carriers by motor vehicle the Commission shall give due consideration, among other factors, to the inherent advantages of transportation by such carriers to the effect of rates upon the movement of traffic by such carriers; to the need, in the public interest, of adequate and efficient transportation service by such carriers at the lowest cost consistent with the furnishing of such service; and to the need of revenues sufficient to enable such carriers, under honest, economical, and efficient management, to provide such service.

Factors to be considered.

"(j) Nothing in this section shall be held to extinguish any remedy or right of action not inconsistent herewith.

Remedies, rights of action.

"TARIFFS OF COMMON CARRIERS BY MOTOR VEHICLE

Tariffs of common carriers.

"SEC. 217. (a) Every common carrier by motor vehicle shall file with the Commission, and print, and keep open to public inspection, tariffs showing all the rates, fares, and charges for transportation, and all services in connection therewith, of passengers or property in interstate or foreign commerce between points on its own route and between points on its own route and points on the route of any other such carrier, or on the route of any common carrier by railroad and/or express and/or water, when a through route and joint rate shall have been established. Such rates, fares, and charges shall be stated in terms of lawful money of the United States. The tariffs required by this section shall be published, filed, and posted in such form and manner, and shall contain such information, as the Commission by regulations shall prescribe; and the Commission is

Filing; printing; inspection.

Publication, etc.

Rejection.

authorized to reject any tariff filed with it which is not in consonance with this section and with such regulations. Any tariff so rejected by the Commission shall be void and its use shall be unlawful.

Charging compensation not specified in, prohibited.

"(b) No common carrier by motor vehicle shall charge or demand or collect or receive a greater or less or different compensation for transportation or for any service in connection therewith between the points enumerated in such tariff than the rates, fares, and charges specified in the tariffs in effect at the time; and no such carrier shall refund or remit in any manner or by any device, directly or indirectly, or through any agent or broker or otherwise, any portion of the rates, fares, or charges so specified, or extend to any person any privileges or facilities for transportation in interstate or foreign commerce except such as are specified in its tariffs: *Provided*, That the provisions of sections 1 (7) and 22 (1) of part I shall apply to common carriers by motor vehicles subject to this part.

Rebates.

Proviso.
Other provisions applicable.
Vol. 24, p. 379; U. S. C., pp. 2212, 2233.

Notice of proposed change in rate, etc.

"(c) No change shall be made in any rate, fare, charge, or classification, or any rule, regulation, or practice affecting such rate, fare, charge, or classification, or the value of the service thereunder, specified in any effective tariff of a common carrier by motor vehicle, except after 30 days' notice of the proposed change filed and posted in accordance with paragraph (a) of this section. Such notice shall plainly state the change proposed to be made and the time when such change will take effect. The Commission may, in its discretion and for good cause shown, allow such change upon notice less than that herein specified or modify the requirements of this section with respect to posting and filing of tariffs either in particular instances or by general order applicable to special or peculiar circumstances or conditions.

Modification of requirements of section.

Rates, fares, and charges; publication.

"(d) No common carrier by motor vehicle, unless otherwise provided by this part, shall engage in the transportation of passengers or property unless the rates, fares, and charges upon which the same are transported by said carrier have been filed and published in accordance with the provisions of this part.

Schedules of contract carriers by motor vehicle.

" SCHEDULES OF CONTRACT CARRIERS BY MOTOR VEHICLE

Duty of carrier to file and publish; keep open for inspection.

" SEC. 218. (a) It shall be the duty of every contract carrier by motor vehicle to file with the Commission, publish, and keep open for public inspection, in the form and manner prescribed by the Commission, schedules or, in the discretion of the Commission, copies of contracts containing the minimum charges of such carrier for the transportation of passengers or property in interstate or foreign commerce, and any rule, regulation, or practice affecting such charges and the value of the service thereunder. No such contract carrier, unless otherwise provided by this part, shall engage in the transportation of passengers or property in interstate or foreign commerce unless the minimum charges for such transportation by said carrier have been published, filed, and posted in accordance with the provisions of this part. No reduction shall be made in any such charge either directly or by means of any change in any rule, regulation, or practice affecting such charge or the value of service thereunder, except after thirty days' notice of the proposed change filed in the aforesaid form and manner; but the Commission may, in its discretion and for good cause shown, allow such change upon less notice, or modify the requirements of this paragraph with respect to posting and filing of such schedules or copies of contracts, either in particular instances, or by general order applicable to special or peculiar circumstances or conditions. Such notice shall plainly state the change proposed to be made and the time when such change

Reductions.

Notice required.

Statements therein.

Compensation less than filed charges prohibited.

will take effect. No such carrier shall demand, charge, or collect a less compensation for such transportation than the charges filed in accordance with this paragraph, as affected by any rule, regulation, or practice so filed, or as may be prescribed by the Commission from time to time, and it shall be unlawful for any such carrier, by the furnishing of special services, facilities, or privileges, or by any other device whatsoever, to charge, accept, or receive less than the minimum charges so filed or prescribed: *Provided*, That any such carrier or carriers, or any class or group thereof, may apply to the Commission for relief from the provisions of this paragraph, and the Commission may, after hearing, grant such relief to such extent and for such time, and in such manner as in its judgment is consistent with the public interest and the policy declared in section 202 (a) of this part.

Proviso. Application of carriers for relief hereunder.

Complaints respecting charges, rules, etc.

"(b) Whenever, after hearing upon complaint or its own initiative, the Commission finds that any charge of any contract carrier or carriers by motor vehicle, or any rule, regulation, or practice of any such carrier or carriers affecting such charge, or the value of the service thereunder, for the transportation of passengers or property in interstate or foreign commerce, contravenes the policy declared in section 202 (a) of this part, the Commission may prescribe such minimum charge, or such rule, regulation, or practice as in its judgment may be necessary or desirable in the public interest and to promote the policy declared in said section. Such minimum charge, or such rule, regulation, or practice, so prescribed by the Commission, shall give no advantage or preference to any such carrier in competition with any common carrier by motor vehicle subject to this part, which the Commission may find to be undue or inconsistent with the public interest and the policy declared in said section, and the Commission shall give due consideration to the cost of the services rendered by such carriers and to the effect of such minimum charge, or such rules, regulations, or practices, upon the movement of traffic by such carriers. All complaints shall state fully the facts complained of and the reasons for such complaint and shall be made under oath.

Minimum charge to be prescribed.

Preferences.

Schedule of reduced rate.

"(c) Whenever there shall be filed with the Commission by any such contract carrier any schedule or contract stating a reduced charge directly, or by means of any rule, regulation, or practice, for the transportation of passengers or property in interstate or foreign commerce, the Commission is hereby authorized and empowered upon complaint of interested parties or upon its own initiative at once and, if it so orders, without answer or other formal pleading by the interested party, but upon reasonable notice, to enter upon a hearing concerning the lawfulness of such charge, or such rule, regulation, or practice, and pending such hearing and the decision thereon the Commission, by filing with such schedule or contract and delivering to the carrier affected thereby a statement in writing of its reasons for such suspension, may suspend the operation of such schedule or contract and defer the use of such charge, or such rule, regulation, or practice, for a period of ninety days, and if the proceeding has not been concluded and a final order made within such period the Commission may, from time to time, extend the period of suspension, but not for a longer period in the aggregate than one hundred and eighty days beyond the time when it would otherwise go into effect; and after hearing, whether completed before or after the charge, or rule, regulation, or practice goes into effect, the Commission may make such order with reference thereto as would be proper in a proceeding instituted after it had become effective. If the proceeding has not been concluded and an order

Hearing to determine lawfulness; notice.

Suspension of operation of new schedule.

made within the period of suspension, the proposed change in any charge or rule, regulation, or practice shall go into effect at the end of such period: *Provided*, That this paragraph shall not apply to any initial schedule or schedules, or contract or contracts, filed by any such carrier in bona fide operation when this section takes effect.

Proviso. Not applicable to initial schedule.

"RECEIPTS OR BILLS OF LADING

Receipts or bills of lading.

"SEC. 219. The provisions of section 20 (11) of part I shall apply with like force and effect to receipts or bills of lading of common carriers by motor vehicle.

Provisions applicable to.

"ACCOUNTS, RECORDS, AND REPORTS

Accounts, records, and reports.

"SEC. 220. (a) The Commission is hereby authorized to require annual, periodical, or special reports from all motor carriers, to prescribe the manner and form in which such reports shall be made, and to require from such carriers specific answers to all questions upon which the Commission may deem information to be necessary. Such reports shall be under oath whenever the Commission so requires. The Commission may also require any motor carrier to file with it a true copy of each or any contract, agreement, or arrangement between such carrier and any other carrier or person in relation to any traffic affected by the provisions of this part, to which he or it may be a party.

Authority of Commission respecting.

Contracts, agreements, etc.

"(b) The Commission may, in its discretion, prescribe the forms of any and all accounts, records, and memoranda to be kept by motor carriers and the length of time such accounts, records, and memoranda shall be preserved, including the accounts, records, and memoranda of the movement of traffic, as well as of the receipts and expenditures of money. The Commission or its duly authorized special agents or examiners shall at all times have access to all lands, buildings, or equipment of motor carriers used in connection with interstate or foreign operation and also all accounts, records, and memoranda, including all documents, papers, and correspondence now or hereafter existing, and kept, or required to be kept, by motor carriers. The special agents or examiners of the Commission shall have authority under its order to inspect and examine any and all such lands, buildings, equipment, accounts, records, and memoranda, including all documents, papers, and correspondence now or hereafter existing and kept or required to be kept by such carriers. This provision shall apply to receivers of carriers and to operating trustees and, to the extent deemed necessary by the Commission, to persons having control, direct or indirect, over or affiliated with any motor carrier.

Additional authority.

Access to lands, buildings, and carrier equipment.

Authority of special agents or examiners.

Application of provision.

"(c) As used in this section the term 'motor carriers' includes brokers.

"Motor carriers" to include brokers.

"ORDERS, NOTICES, AND SERVICE OF PROCESS

Orders, notices, and service of process.

"SEC. 221. (a) It shall be the duty of every motor carrier to file with the board of each State in which it operates under a certificate or permit issued under this part, and with the Commission, a designation in writing of the name and post-office address of a person upon whom or which service of notices or orders may be made under this part. Such designation may from time to time be changed by like writing similarly filed. Service of notices or orders in proceedings under this part may be made upon a motor carrier by personal service upon it or upon the person so designated by it, or by registered mail addressed to it or to such person at the address

Designation of agent for service of notices or orders.

Methods of making service.

Service in default of designation.

filed. In default of such designation, service of any notice or order may be made by posting in the office of the secretary or clerk of the board of the State wherein the motor carrier maintains headquarters and in the office of the secretary of the Commission. Whenever notice is given by mail as provided herein the date of mailing shall be considered as the time when notice is served.

Time when notice considered served.

Orders of Commission; effective date.

"(b) Except as otherwise provided in this part, all orders of the Commission shall take effect within such reasonable time as the Commission may prescribe and shall continue in force until its further order, or for a specified period of time, according as shall be prescribed in the order, unless the same shall be suspended or modified or set aside by the Commission, or be suspended or set aside by a court of competent jurisdiction.

Designation of agent for service of process.

"(c) Every motor carrier shall also file with the board of each State in which it operates a designation in writing of the name and post-office address of a person in such State upon whom process issued by or under the authority of any court having jurisdiction of the subject matter may be served in any proceeding at law or equity brought against such carrier. Such designation may from time to time be changed by like writing similarly filed. In the event such carrier fails to file such designation, service may be made upon any agent of such motor carrier within such State.

Service in default of designation.

"Motor carrier" to include broker.

"(d) As used in this section. the term 'motor carriers' includes brokers.

Unlawful operation.

"UNLAWFUL OPERATION

Penalty for violating provisions.

"SEC. 222. (a) Any person knowingly and willfully violating any provision of this part, or any rule, regulation, requirement, or order thereunder, or any term or condition of any certificate, permit, or license, for which a penalty is not otherwise herein provided, shall, upon conviction thereof, be fined not more than $100 for the first offense and not more than $500 for any subsequent offense. Each day of such violation shall constitute a separate offense.

Proceedings to enforce provisions; exception.

"(b) If any motor carrier or broker operates in violation of any provision of this part (except as to the reasonableness of rates, fares, or charges and the discriminatory character thereof), or any rule, regulation, requirement, or order thereunder, or of any term or condition of any certificate or permit, the Commission or its duly authorized agent may apply to the district court of the United States for any district where such motor carrier or broker operates, for the enforcement of such provision of this part, or of such rule, regulation, requirement, order, term, or condition; and such court shall have jurisdiction to enforce obedience thereto by a writ of injunction or by other process, mandatory or otherwise, restraining such carrier or broker, his or its officers, agents, employees, and representatives from further violation of such provision of this part or of such rule, regulation, requirement, order, term, or condition and enjoining upon it or them obedience thereto.

Jurisdiction of court.

Penalty for offering, procuring, etc., rebates, discriminations, etc.

"(c) Any person, whether carrier, shipper, consignee, or broker, or any officer, employee, agent, or representative thereof, who shall knowingly offer, grant, or give, or solicit, accept, or receive any rebate, concession, or discrimination in violation of any provision of this part, or who by means of any false statement or representation, or by the use of any false or fictitious bill, bill of lading, receipt, voucher, roll, account, claim, certificate, affidavit, deposition, lease, or bill of sale, or by any other means or device, shall knowingly and willfully assist, suffer or permit any person or persons, natural or artificial, to obtain transportation of passengers or property sub-

ject to this part for less than the applicable rate, fare, or charge, or who shall knowingly and willfully by any such means or otherwise fraudulently seek to evade or defeat regulation as in this part provided for motor carrier or brokers, shall be deemed guilty of a misdemeanor and upon conviction thereof be fined not more than $500 for the first offense and not more than $2,000 for any subsequent offense.

Penalty, agent or examiner divulging information.

"(d) Any special agent or examiner who divulges any fact or information which may come to his knowledge during the course of the examination of the accounts, records, and memoranda of motor carriers or brokers as provided in section 220 (b), except as he may be directed by the Commission or by a court of competent jurisdiction or judge thereof, shall be subject, upon conviction in any court of the United States of competent jurisdiction, to a fine of not more than $5,000 or imprisonment for a term not exceeding two years, or both.

Penalty for unauthorized disclosure of information respecting shipment.

"(e) It shall be unlawful for any motor carrier or broker engaged in interstate or foreign commerce or any officer, receiver, trustee, lessee, agent, or employee of such carrier, broker, or person, or for any other person authorized by such carrier, broker, or person to receive information, knowingly to disclose to, or permit to be acquired by any person other than the shipper or consignee without the consent of such shipper or consignee, any information concerning the nature, kind, quantity, destination, consignee, or routing of any property tendered or delivered to such motor carrier or broker for such transportation, which information may be used to the detriment or prejudice of such shipper or consignee, or which may improperly disclose his business transactions to a competitor; and it shall also be unlawful for any person to solicit or knowingly receive any such information which may be so used.

Information furnished in response to legal process.

"(f) Nothing in this part shall be construed to prevent the giving of such information in response to any legal process issued under the authority of any court, or to any officer or agent of the Government of the United States or of any State, Territory, or District thereof, in the exercise of his power, or to any officer or other duly authorized person seeking such information for the prosecution of persons charged with or suspected of crimes or to another carrier or broker, or its duly authorized agent, for the purpose of adjusting mutual traffic accounts in the ordinary course of business of such carriers or brokers.

Penalty; refusal to make report, keep accounts, etc.

"(g) Any motor carrier, or broker, or any officer, agent, employee, or representative thereof who shall willfully fail or refuse to make a report to the Commission as required by this part, or to keep accounts, records, and memoranda in the form and manner approved or prescribed by the Commission, or shall knowingly and willfully falsify, destroy, mutilate, or alter any such report, account, record, or memorandum, or shall knowingly and willfully file any false report, account, record, or memorandum, shall be deemed guilty of a misdemeanor and upon conviction thereof be subject for each offense to a fine of not less than $100 and not more than $5,000.

Rates and charges.

"COLLECTION OF RATES AND CHARGES

Collection of.

"SEC. 223. No common carrier by motor vehicle shall deliver or relinquish possession at destination of any freight transported by it in interstate or foreign commerce until all tariff rates and charges thereon have been paid, except under such rules and regulations as the Commission may from time to time prescribe to govern the

settlement of all such rates and charges, including rules and regulations for weekly or monthly settlement, and to prevent unjust discrimination or undue preference or prejudice: *Provided*, That the provisions of this paragraph shall not be construed to prohibit any such carrier from extending credit in connection with rates and charges on freight transported for the United States, for any department, bureau, or agency thereof, or for any State or Territory, or political subdivision thereof, or for the District of Columbia. Where any common carrier by motor vehicle is instructed by a shipper or consignor to deliver property transported by such carrier to a consignee other than the shipper or consignor, such consignee shall not be legally liable for transportation charges in respect of the transportation of such property (beyond those billed against him at the time of delivery for which he is otherwise liable) which may be found to be due after the property has been delivered to him, if the consignee (a) is an agent only and had no beneficial title in the property, and (b) prior to delivery of the property has notified the delivering carrier in writing of the fact of such agency and absence of beneficial title, and, in the case of shipment reconsigned or diverted to a point other than that specified in the original bill of lading, has also notified the delivering carrier in writing of the name and address of the beneficial owner of the property. In such cases the shipper or consignor, or, in the case of a shipment so reconsigned or diverted, the beneficial owner shall be liable for such additional charges, irrespective of any provisions to the contrary in the bill of lading or in the contract under which the shipment was made. If the consignee has given to the carrier erroneous information as to who is the beneficial owner, such consignee shall himself be liable for such additional charges, notwithstanding the foregoing provisions of this paragraph. On shipments reconsigned or diverted by an agent who has furnished the carrier with a notice of agency and the proper name and address of the beneficial owner, and where such shipments are refused or abandoned at ultimate destination, the said beneficial owner shall be liable for all legally applicable charges in connection therewith.

Proviso.
Credit extensions.

Liability for transportation charges.

Identification of interstate carriers.

"IDENTIFICATION OF INTERSTATE CARRIERS

Display of plates; regulations.

"SEC. 224. The Commission is hereby authorized, under such rules and regulations as it shall prescribe, to require the display by motor carriers upon each motor vehicle operated under a certificate or permit issued by the Commission, suitable identification plate or plates, to provide for the issuance of such plates, and to require the payment by such carriers of the reasonable cost thereof. All moneys so collected shall be paid into the Treasury of the United States. Any substitution, transfer, or use of any such identification plate or plates, except such as may be duly authorized by the Commission, is hereby prohibited and shall be unlawful.

Issue of; cost.

Deposit of receipts.

Transfer of plates unlawful.

Motor vehicle sizes, weights, etc.

"INVESTIGATION OF MOTOR VEHICLE SIZES, WEIGHTS, AND SO FORTH

Investigation of.

"SEC. 225. The Commission is hereby authorized to investigate and report on the need for Federal regulation of the sizes and weight of motor vehicles and combinations of motor vehicles and of the qualifications and maximum hours of service of employees of all motor carriers and private carriers of property by motor vehicle; and in such investigation the Commission shall avail itself of the assistance of all departments or bureaus of the Government and of any organization of motor carriers having special knowledge of any such matter.

Employees; qualifications, hours of service.

" SEPARABILITY OF PROVISIONS

Separability provision.

" SEC. 226. If any provision of this part, or the application thereof to any person, or commerce, or circumstance, is held invalid, the remainder of the part, and part, and the application of such provision to other persons, or commerce, or circumstances, shall not be affected thereby.

" TIME EFFECTIVE

Effective date.

" SEC. 227. (a) This part (except this section, which shall become effective immediately upon approval) shall take effect and be in force on and after the 1st day of October 1935: *Provided, however,* That the Commission shall, if found by it necessary or desirable in the public interest, by general or special order, postpone the taking effect of any provision of this part to such time after the 1st day of October 1935, as the Commission shall prescribe, but not beyond the 1st day of April 1936."

Proviso. Postponement authorized.

Approved, August 9, 1935.

[CHAPTER 499.]

AN ACT

To authorize the Secretary of War to grant a right-of-way for street purposes upon and across the San Antonio Arsenal, in the State of Texas.

August 9, 1935. [S. 1726.] [Public, No. 256.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to grant an easement for a right-of-way to the city of San Antonio, State of Texas, to construct and maintain a street to be known as Main Avenue, on the San Antonio Arsenal Military Reservation, Texas, on such terms and conditions as the Secretary of War may prescribe: *Provided,* That the construction and maintenance of said thoroughfare shall be without expense to the United States, and whenever the lands within said right-of-way shall cease to be used for street or highway purposes they shall revert to the United States.

San Antonio, Tex. Easement to, authorized.

Proviso. No Federal expense.

Approved, August 9, 1935.

[CHAPTER 500.]

AN ACT

To amend section 559 of title 20 of the Code of the District of Columbia as to restriction on residence of members of the fire department.

August 9, 1935. [H. R. 3641.] [Public, No. 257.]

Be enacted[1] *by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 559 of title 20 of the Code of the District of Columbia be amended to read as follows:

District of Columbia Code, amendment.

" RESTRICTIONS ON MEMBERS OF DEPARTMENT LEAVING DISTRICT; LEAVES OF ABSENCE.—No member of the fire department shall, unless on leave of absence, go beyond the confines of the District of Columbia, or be absent from duty without permission, except that nothing in this Act shall be construed to limit the right of members of the department to reside anywhere within the Washington, District of Columbia, Metropolitan District; and leaves of absence exceeding twenty days in any one year shall be without pay and require the consent of the Commissioners, and such year shall be from January 1 to December 31, both inclusive, and thirty days shall be the term of total sick leave in any year without disallowance

Fire Department members. Residence requirement.

Leave of absence.

Term of sick leave.

[1] So in original.

Extension authorized.

of pay; and leave of absence with pay of members of the Fire Department of the District of Columbia may be extended in cases of illness or injury incurred in line of duty, upon recommendation of the board of surgeons approved by the Commissioners of the District of Columbia, for such period exceeding thirty days in any calendar year as in the judgment of the Commissioners may be necessary: *Provided*, That for the purposes of this Act, Washington, District of Columbia, Metropolitan District, shall be held to include the District of Columbia and the territory adjacent thereto within a radius of twelve miles from the United States Capitol Building: *And provided further*, That any member of the fire department living outside the District of Columbia shall have and maintain a telephone at all times in his residence."

Provisos.
"Washington, District of Columbia, Metropolitan District", determined.

Telephone requirement.

Approved, August 9, 1935.

[CHAPTER 501.]

August 9, 1935.
[H. R. 3642.]
[Public, No. 258.]

AN ACT

To amend section 483 of title 20 of the Code of the District of Columbia as to residence of members of the Police Department.

District of Columbia Code, amendment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 483 of title 20 of the Code of the District of Columbia be amended to read as follows:

Residence, members of police force.

"RESIDENCE OF MEMBERS OF POLICE FORCE.—There shall be no limitation or restriction of place of residence to any member of the police force, other than residence within the Washington, District of Columbia, metropolitan district: *Provided*, That for the purposes of this Act, Washington, District of Columbia, metropolitan district, shall be held to include the District of Columbia and the territory adjacent thereto within a radius of twelve miles from the United States Capitol Building: *And provided further*, That any member of the Police Department living outside of the District of Columbia shall have and maintain a telephone at all times in his residence."

Provisos.
"Washington, District of Columbia, Metropolitan District", determined.

Telephone requirement.

Approved, August 9, 1935.

[CHAPTER 502.]

August 9, 1935.
[H. R. 7447.]
[Public, No. 259.]

AN ACT

To amend an Act to provide for a Union Railroad Station in the District of Columbia, and for other purposes.

Union Railroad Station in District of Columbia.
Vol. 32, p. 909.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of section 5 of an Act of Congress entitled "An Act to provide for a Union Railroad Station in the District of Columbia, and for other purposes", approved February 28, 1903 (Public, Numbered 122, 32 Stat. 909), which reads:

"No streets or avenues, except Ninth, Twelfth, and Fifteenth Streets, and New York Avenue, shall be opened across the railroads constructed under authority of this Act between Florida and Montana Avenues, and said Ninth, Twelfth, and Fifteenth Streets, when and as opened, shall be carried above the railroads by suitable viaduct bridges, the cost whereof, with their approaches within the limits of the right-of-way, shall be paid by the terminal company, but shall be maintained as in the case of other public highways in the District of Columbia", be, and the same is hereby, amended to read as follows:

"No streets or avenues shall be opened across the railroads constructed under the authority of this Act between Florida Avenue and an extension of the west line of Twenty-second Street Northeast from Bryant Street to New York Avenue, except New York Avenue and except as hereinafter provided; the Baltimore and Ohio Railroad Company and the Philadelphia, Baltimore and Washington Railroad Company shall construct, within two years after being directed so to do by the Commissioners of the District of Columbia, a suitable viaduct bridge above the said railroads connecting Brentwood Road and T Street Northeast, with New York Avenue at such point as may be determined by the said Commissioners between Fourth Street Northeast and the extension of Mount Olivet Road Northeast, as the same may be shown on the plan of the permanent system of highways at the time the said Commissioners direct the construction of said viaduct bridge, said viaduct bridge either to connect directly with New York Avenue at grade or to pass over said avenue with connections thereto as the said Commissioners may direct; the Baltimore and Ohio Railroad Company and the Philadelphia, Baltimore and Washington Railroad Company shall pay in equal shares the entire cost and expense of the bridge structure, including the necessary retaining walls and approaches in connection therewith, between the southerly line of New York Avenue as now publicly owned, and the southerly line of Brentwood Road as now publicly owned; the Baltimore and Ohio Railroad Company and the Philadelphia, Baltimore and Washington Railroad Company shall dedicate or cause to be dedicated to the District of Columbia such land lying between the southerly line of Brentwood Road and the northerly line of New York Avenue Northeast, as now publicly owned, as may be necessary for the location of such bridge structure and the approaches thereto in accordance with the plan of the permanent system of highways as said plan may be established at the time the Commissioners direct the construction of said viaduct bridge; the cost of maintenance of said viaduct bridge, retaining walls, and approaches is to be borne entirely by the District of Columbia; and said viaduct bridge, retaining walls, and approaches shall be constructed in accordance with plans and specifications and at a location approved by the Commissioners of said District; and the Baltimore and Ohio Railroad Company and the Philadelphia, Baltimore and Washington Railroad Company shall construct, within two years after being directed so to do by the Commissioners of the District of Columbia, a suitable subway or underpass beneath the tracks of said companies within the lines of the street connecting the intersection of New York Avenue and West Virginia Avenue Northeast, as the same may be shown on said plan of the permanent system of highways at the time said Commissioners direct the construction of said subway or underpass; the said railroad companies shall pay in equal shares the entire cost and expense of the subway or underpass structure, including the necessary retaining walls in connection therewith, and in addition thereto, so much of the approaches to said subway or underpass as lie within the limits of the said railroad companies' properties; each of said railroad companies shall dedicate or cause to be dedicated to the District of Columbia such land lying within the limits of said railroad companies' properties as may be necessary for said street in accordance with the plan of the permanent system of highways as said plan may be established at the time the Commissioners direct the construction of said subway or underpass; the cost of maintenance of said approaches is to be borne entirely by the District of Columbia; the cost of maintenance of said subway or

Restriction on opening streets within designated area.

Construction of viaduct bridges.

Construction costs.

Dedication of necessary lands.

Maintenance costs.

Plans and specifications of construction.

Subway.

Construction costs.

Dedication of necessary lands.

Maintenance costs.

Plans and specifications of construction.

underpass structure and the retaining walls is to be borne entirely by said railroad companies; and the said subway or underpass and the retaining walls and approaches shall be constructed in accordance with the plans and specifications and at a location approved by the Commissioners of said District."

Amendment of Act.

SEC. 2. Congress reserves the right to alter, amend, or repeal this Act.

Separability of provisions.

SEC. 3. If this amendatory Act or any part thereof shall be declared invalid, so much of this Act as forbids the opening of Ninth, Twelfth, and Fifteenth Streets shall be void, and the duty of the terminal company referred to in said Act of Congress approved February 28, 1903, to construct suitable viaduct bridges and the approaches thereto to carry said streets over the railroads as required by said section 5 of said Act of February 28, 1903, as originally enacted, shall remain in full force and effect and unimpaired by this amendatory Act.

Approved, August 9, 1935.

[CHAPTER 503.]

JOINT RESOLUTION

August 9, 1935.
[S. J. Res. 139.]
[Pub. Res., No. 46.]

Requesting the President to extend to the International Statistical Institute an invitation to hold its twenty-fourth session in the United States in 1939.

International Statistical Institute.

Whereas the American Statistical Association will celebrate its centenary in 1939; and

Whereas it desires to invite the International Statistical Institute, an international organization with similar objectives, to be its guest at that time; and

Whereas for fifty years the Institute has met on invitation from the Government of the country in which the meeting occurs: Therefore be it

Invitation to hold 1939 session in the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby, requested to extend to the International Statistical Institute an invitation to hold its twenty-fourth session in the United States in the year 1939.

Approved, August 9, 1935.

[CHAPTER 504.]

JOINT RESOLUTION

August 9, 1935.
[H. J. Res. 258.]
[Pub. Res., No. 47.]

To provide for certain State allotments under the Cotton Control Act.

Cotton Control Act, amendment.
Vol. 48, p. 600.
Post, pp. 777, 1106.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 (a) of the Act entitled "An Act to place the cotton industry on a sound commercial basis, to prevent unfair competition and practices in putting cotton into the channels of interstate and foreign commerce, to provide funds for paying additional benefits under the Agricultural Adjustment Act, and for other purposes", approved April 21, 1934, as amended, is amended by inserting before the period at the end of the first sentence thereof a colon and the following: "*Provided further*, That no State shall receive an allotment for any crop year beginning with the crop year 1935–1936 of less than four thousand bales of cotton if during any one of the ten crop years prior to the date of the enactment of this Act the production of such State exceeded five thousand bales".

State allotments.
Minimum allotment, crop years beginning with 1935–1936.

Approved, August 9, 1935.

[CHAPTER 508.]

AN ACT

August 12, 1935.
[H. R. 8554.]
[Public, No. 260.]

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1935, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1935, and June 30, 1936, and for other purposes.

Second Deficiency Act, fiscal year, 1935.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1935, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1935, and June 30, 1936, and for other purposes, namely:

General appropriations.
Legislative.

TITLE I—GENERAL APPROPRIATIONS
LEGISLATIVE

Senate.

SENATE

Inquiries and investigations, expenses.
Vol. 48, p. 820.

The unobligated balance of the appropriation for expenses of inquiries and investigations ordered by the Senate, contingent fund of the Senate, for the fiscal year 1935, is reappropriated and made available for the fiscal year 1936.

Furniture.

For the purchase of furniture, fiscal year 1936, $2,089.18.

Miscellaneous.

For miscellaneous items, exclusive of labor, fiscal year 1936, $50,000.

House of Representatives.

HOUSE OF REPRESENTATIVES

Cap R. Carden.
Pay to widow.

For payment to the widow of Cap R. Carden, late a Representative from the State of Kentucky, $10,000, to be disbursed by the Sergeant at Arms of the House.

Speaker's office.
Reclassification of positions under.

Speaker's office: Effective on the date of the enactment of this Act, the positions of clerk to Speaker at $2,400 and clerk to Speaker at $1,440 are abolished and in lieu thereof there are hereby established three clerical positions at $2,400 each per annum; and the appropriations for the fiscal year 1936 in the Legislative Branch Appropriation Act, 1936, for compensation of the positions hereby abolished are made available for compensation of the positions hereby created and in addition there is appropriated for the fiscal year 1936 the sum of $3,360.

Appropriation available.

Ante, p. 463.

Hinds' Parliamentary Precedents.
Expenses of compiling, etc.
Ante, p. 509.

Parliamentary Precedents: For reimbursement to Clarence Cannon for expenses incurred by him in compiling, preparing, correcting, and revising Hinds' Parliamentary Precedents of the House of Representatives up to and including the Seventy-third Congress, $20,000.

Contingent expenses.

Contingent expenses: For stenographic reports of hearings of committees other than special and select committees, for the following fiscal years:

For 1934, $55.50;

For 1935, $12,500.

Telegraph and telephone service.

For telegraph and telephone service, exclusive of personal services, fiscal year 1935, $15,000.

Architect of the Capitol.

OFFICE OF ARCHITECT OF THE CAPITOL

Capitol, Senate and House Office Buildings.
Air conditioning systems.

Air-conditioning, Capitol, Senate and House Office Buildings: For providing and installing air-conditioning systems, Capitol, Senate and House Office Buildings, including all necessary structural alterations required for such installations, fiscal years 1936 and 1937,

Expenditures included.
Vol. 36, p. 699; U. S. C., p. 1787.
Services.
Vol. 42, p. 1488; Vol. 46, p. 1003; U. S. C., p. 85.

$2,550,000, to be expended by the Architect of the Capitol and to include expenditures for material, supplies, equipment, accessories, advertising, traveling expenses, and, without regard to section 35 of the Public Buildings Act, approved June 25, 1910, as amended, or the Classification Act of 1923, as amended, the employment of necessary personnel (including professional, architectural, and engineering services).

Senate Office Building.
Construction, etc., expenses.

Senate Office Building: For letter-filing cabinets, $5,000; for fireproofing attic and wire-mesh partitions, $5,040; and two cut-off partitions with fire doors, $1,500; for remodelling and painting rooms in the Senate Office Building, $45,500; in all, fiscal year 1936, $57,040.

House Office Building.
Maintenance.

House Office Building: For an additional amount for maintenance, including the same objects specified under this head in the Legislative Branch Appropriation Act, 1935, $5,000.

Capitol Buildings.

Capitol Buildings: For an additional amount for the Capitol Buildings for the fiscal year 1936, including the same objects specified under this head in the Legislative Branch Appropriation Act, 1936, $5,000.

Capitol Power Plant.
Maintenance, etc.

Capitol Power Plant: For an additional amount for lighting, heating, and power for the Capitol, Senate and House Office Buildings, and so forth, including the same objects specified under this head in the Legislative Branch Appropriation Act, 1935, $56,100.

Feed water deaerator, heater, etc.
Sums available.
Vol. 48, p. 827.

The sum of $25,600 of the appropriation for the Capitol Power Plant, contained in the Legislative Branch Appropriation Act, 1935, is hereby continued available until June 30, 1936, and shall be available for the purchase and installation of a feed water deaerator heater, auxiliaries, and so forth, including housing and all expenses in connection therewith, together with an additional amount of $35,000, to remain available for the same purposes until June 30, 1936.

Travel expenses.
Amount increased.
Vol. 48, p. 827.

The limitation of $1,750 placed on expenses for travel on official business under the Architect of the Capitol contained in the Legislative Branch Appropriation Act, 1935, is hereby increased to $2,500.

Library of Congress.

LIBRARY OF CONGRESS

Books for adult blind.
Vol. 47, p. 1570.
U. S. C., p. 16.

Books for adult blind: For an additional sum required to enable the Librarian of Congress to carry out the provisions of the Act entitled "An Act to provide books for the adult blind", approved March 3, 1931, as amended (U. S. C., Supp. VII, title 2, sec. 135a), fiscal year 1936, $75,000.

Government Printing Office.

GOVERNMENT PRINTING OFFICE

Designated messengers on night duty.

For payment to Samuel Robinson, William Madden, Preston L. George, and William S. Houston, messengers on night duty during the first session of the Seventy-fourth Congress, $900 each; in all, $3,600, to be paid from the appropriation for printing and binding for Congress for the fiscal year 1935.

Independent Offices.

INDEPENDENT OFFICES

Executive.

EXECUTIVE

Naval oil reserves.
Expenses, canceling, etc.

Protection of interests of the United States in matters affecting oil lands in former naval reserves: For an additional amount for compensation and expenses of special counsel and for all other expense, including employment of experts and other assistants at such rates as may be authorized or approved by the President, in connection with carrying into effect the "Joint resolution directing the Secretary of the Interior to institute proceedings touching sections

Vol. 43, p. 15.

16 and 36, township 30 south, range 23 east, Mount Diablo meridian", approved February 21, 1924, $62,500, of which $36,000 shall be available for the fiscal year 1936 and no part of such sum of $36,000 shall be used to compensate any person at a rate in excess of $10,000 per annum, and $26,500, to be available for services rendered during the fiscal year 1934 and prior fiscal years, and to be expended by the President.

CIVIL SERVICE COMMISSION

Civil Service Commission.

Salaries and expenses: For an additional amount for salaries and expenses, including the same objects specified under this head in the Independent Offices Appropriation Act, 1936, $25,000.

Salaries and expenses. *Ante*, p. 7. *Post*, p. 1111.

Printing and binding: For an additional amount for printing and binding, including the same objects specified under this head in the Independent Offices Appropriation Act for the fiscal year 1935, fiscal years 1935 and 1936, $10,900.

Printing and binding.

DISTRICT OF COLUMBIA ALLEY DWELLING AUTHORITY

D. C. Alley Dwelling Authority.

Conversion of inhabited-alleys fund: The unexpended balance of the "Conversion of inhabited-alleys fund" of $500,000 established pursuant to the provisions of the District of Columbia Alley Dwelling Act, approved June 12, 1934, is hereby continued available for the purposes of said Act until June 30, 1936.

Funds for, continued available. Vol. 48, p. 930. *Post*, p. 1601.

EMPLOYEES' COMPENSATION COMMISSION

Employees' Compensation Commission.

Salaries and expenses: For an additional amount for salaries and expenses for the United States Employees' Compensation Commission, including the same objects specified under this head in the Independent Offices Appropriation Act, 1928, $1.25.

Salaries and expenses. Vol. 44, p. 1074.

FEDERAL TRADE COMMISSION

Federal Trade Commission.

Salaries and expenses: For an additional amount for the Federal Trade Commission, including the same objects specified under this head in the Independent Offices Appropriation Act, 1936, including $4,000 for printing and binding, $200,000, to remain available until December 31, 1936.

Salaries and expenses. *Ante*, p. 10. *Post*, p. 1111.

GEORGE ROGERS CLARK SESQUICENTENNIAL COMMISSION

George Rogers Clark Sesquicentennial Commission.

For payment of the General Accounting Office settlement, dated April 16, 1935, in favor of D. Frank Culbertson, vice chairman of the Commission, for per diem in lieu of subsistence and for reimbursement of expenses incurred by him when on official business during the period from January 2, 1930, to October 26, 1934, both inclusive, $1,875.67, to be payable from the unexpended balances of the appropriations continued available to the Commission during the fiscal year 1935.

D. Frank Culbertson. Payment to. Vol. 48, p. 364.

GEORGE WASHINGTON BICENTENNIAL COMMISSION

George Washington Bicentennial Commission.

For an additional amount for the George Washington Bicentennial Commission, to be available only for completing the printing and binding at the Government Printing Office of the remaining volumes of the definitive edition of the writings of George Washington as authorized by Public Resolution Numbered 6, Seventy-fourth Congress, approved March 4, 1935, $103,600, to remain available until December 31, 1936.

Definitive edition of writings of George Washington. Vol. 48, p. 1210. *Ante*, p. 38. *Post*, p. 1896.

National Advisory Committee for Aeronautics.
Expenses, scientific research, etc.
Ante, p. 13.
Post, p. 1602.

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

For an additional amount for scientific research, technical investigations, and special reports in the field of aeronautics, including the same objects specified under this head in the Independent Offices Appropriation Act, 1936, fiscal year 1936, $338,050, of which sum not to exceed $20,000 may be used for personal services in the District of Columbia.

National Capital Park and Planning Commission.
Incidental expenses.
Vol. 46, p. 482.
Post, p. 1602.

Personal services.
U. S. C., p. 85.

NATIONAL CAPITAL PARK AND PLANNING COMMISSION

For the work of the National Capital Park and Planning Commission necessary toward carrying into effect the provisions of section 4 of the Act approved May 29, 1930 (46 Stat. 482), providing for a comprehensive park, parkway, and playground system of the National Capital, and so forth; personal services in the District of Columbia, including real-estate and other technical services, at rates of pay to be fixed by the Commission not exceeding those usual for similar services and without reference to civil-service rules and the Classification Act of 1923, as amended; travel expenses; survey, searching of titles, and all other costs incident to the acquisition of land; reimbursements to be made as prescribed in such Act, as amended, fiscal year 1936, $800,000.

National Railroad Adjustment Board.

Expenses.
Ante, p. 23.
Post, pp. 1178, 1603.

NATIONAL RAILROAD ADJUSTMENT BOARD

Not to exceed $25,000 of the unexpended balance of the appropriation for the National Railroad Adjustment Board for the fiscal year 1935, contained in Public Resolution Numbered 3, Seventy-fourth Congress, approved February 13, 1935, is hereby continued available until June 30, 1936, of which amount not to exceed $12,500 shall be available for the payment of salaries and expenses of referees of the National Railroad Adjustment Board, and not to exceed $12,500 shall be available for printing and binding.

United States officers and employees in foreign countries.

PAYMENT TO OFFICERS AND EMPLOYEES OF THE UNITED STATES IN FOREIGN COUNTRIES DUE TO APPRECIATION OF FOREIGN CURRENCIES

Payments, due to appreciation of foreign currencies.
Ante, pp. 14, 71.

For an additional amount for payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies, including the same objects specified under this head in the Independent Offices Appropriation Act, 1936, $1,478,652.

Petroleum Administration.

Expenses.
Ante, p. 30.

PETROLEUM ADMINISTRATION

For administering and enforcing the provisions of the Act approved February 22, 1935 (Public, Numbered 14, Seventy-fourth Congress), entitled "An Act to regulate interstate and foreign commerce in petroleum and its products by prohibiting the shipment in such commerce of petroleum and its products produced in violation of State law, and for other purposes", and to include necessary personal services in the District of Columbia and elsewhere without regard to the civil-service laws and regulations, traveling expenses, contract stenographic reporting services, rent, stationery and office supplies, not to exceed $10,000 for printing and binding, not to exceed $1,500 for books and periodicals, not to exceed $20,000 for the purchase, exchange, hire, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, and not to exceed $20,000 for the maintenance, operation, and repair of boats, fiscal year 1936, $500,000.

RAILROAD RETIREMENT BOARD

Railroad Retirement Board.

Salaries and Expenses: For each and every expense necessary to liquidate the affairs of the former Railroad Retirement Board, as established in section 9 of the Railroad Retirement Act, approved June 27, 1934, which is hereby reestablished to effect such liquidation, including compensation of members of said Board and its employees heretofore and hereafter employed for services rendered from May 1 to 6, 1935, inclusive, and subsequently thereto but not beyond September 30, 1935; to pay any expense heretofore incurred by the Board and not yet paid, for the preparation of a report upon its activities and experiences to the President for transmission to Congress as contemplated in section 2 (b) of the Railroad Retirement Act, and for arranging for turning over the records, papers, and property of the Board to such agency as the President shall designate, fiscal years 1935 and 1936, $35,000; and in addition thereto refundment is hereby authorized to past and present members and employees of the Board of all compensation earned by them but withheld as employees' contribution to the Railroad Retirement Fund and deposited to the credit of said fund in the Treasury, and the amount necessary for this purpose is hereby appropriated from said fund: *Provided*, That no member of the Board or of its staff shall be personally liable for any action heretofore taken within the terms of the authority sought to be granted by the Railroad Retirement Act.

Salaries and expenses. Vol. 48, p. 1287. *Post*, p. 1098.

Proviso. Personal liability.

TARIFF COMMISSION

Tariff Commission.

Salaries and expenses: The sum of $19,000 of the unobligated balance of the appropriation and other funds of $877,942 for salaries and expenses of the United States Tariff Commission, 1935, contained in the Independent Offices Appropriation Act, 1935, and the Emergency Appropriation Act, fiscal year 1935, is hereby continued available for the fiscal year 1936, and the limitation of $870,000 on the amount which may be expended for personal services in the District of Columbia, contained in the Independent Offices Appropriation Act, 1936, under this head, is hereby increased to $908,000.

Salaries and expenses. Vol. 48, pp. 517, 1027. *Ante*, p. 16.

Printing and binding: The sum of $1,000 of the unobligated balance of the appropriation and other funds of $15,775 for printing and binding for the Tariff Commission, 1935, contained in the Independent Offices Appropriation Act, 1935, and the Emergency Appropriation Act, fiscal year 1935, is hereby continued available for the fiscal year 1936.

Printing and binding.

Sum of unexpended balance continued. Vol. 48, pp. 518, 1027.

TEXAS CENTENNIAL EXPOSITION

Texas Centennial Exposition.

For the purpose of carrying into effect the provisions of the public resolution entitled "Joint resolution providing for the participation of the United States in the Texas Centennial Exposition and celebrations to be held in the State of Texas during the years 1935 and 1936, and authorizing the President to invite foreign countries and nations to participate therein, and for other purposes", approved June 28, 1935, and for each and every object thereof, and within the limits of the cost specified therein, $3,000,000, said sum to include $300,000 toward the Texas Memorial Museum to be granted to the board of directors of such museum for expenditures for such purpose, to remain available until expended.

Participation expenses. *Ante*, pp. 431, 541, 542.

Sum for Texas Memorial Museum.

Thomas Jefferson Memorial Commission.

THOMAS JEFFERSON MEMORIAL COMMISSION

Expenses. Vol. 48, p. 1244.

For every expenditure requisite for and incident to the performance of the duties of the Thomas Jefferson Memorial Commission, created by Public Resolution Numbered 49, Seventy-third Congress, approved June 26, 1934 (48 Stat. 1244), including personal services without regard to the provisions of the civil-service laws and regulations, and the Classification Act of 1923, as amended, purchase or preparation of plans, designs, and estimates, printing and binding, office equipment and supplies, contract stenographic reporting service, books and periodicals, traveling expenses of members and employees of the Commission (including such expenses and allowances for members of the Commission when required to be in Washington, District of Columbia, in connection with the work of the Commission), and such other contingent and miscellaneous expenses as may be necessary, fiscal years 1935 and 1936, $15,000: *Provided*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the Commission.

Proviso. Purchases or services. R. S., sec. 3709, p. 733. U. S. C., p. 1803.

DISTRICT OF COLUMBIA

District of Columbia.

Corporation Counsel's Office.

OFFICE OF CORPORATION COUNSEL

Salaries. *Ante*, p. 342.

Salaries: For an additional amount for personal services, fiscal year 1934, $522.50.

Coroner's office.

CORONER'S OFFICE

Maintenance. *Ante*, p. 342.

Maintenance: For additional amount for maintenance, Coroner's Office, including the same objects specified under this head in the District of Columbia Appropriation Acts for the following fiscal years:

For 1934, $931.50;

For 1935, $740.

Contingent and miscellaneous expenses.

CONTINGENT AND MISCELLANEOUS EXPENSES

Judicial expenses. *Ante*, p. 345.

Judicial expenses: For an additional amount for judicial expenses, including the same objects specified under this head in the District of Columbia Appropriation Acts for the following fiscal years:

For 1934, $911.37;

For 1935, $2,095.50.

Advertising.

General advertising: For an additional amount for general advertising, including the same objects specified under this head in the District of Columbia Appropriation Acts for the following fiscal years:

For 1934, $2,515.74;

For 1935, $1,494.31.

Employees' Compensation Fund.

EMPLOYEES' COMPENSATION FUND; DISTRICT OF COLUMBIA

Burial expenses. Vol. 41, p. 104. *Ante*, p. 344.

For an additional amount for carrying out the provisions of section 11 of the District of Columbia Appropriation Act, approved July 11, 1919, extending to the employees of the government of the District of Columbia the provisions of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties. and for other purposes", approved September 7, 1916, fiscal year 1935, $6,000.

Vol. 39, p. 745.

PUBLIC SCHOOLS

Public schools.

Operating supplies. *Ante*, p. 355.

Fuel, gas, and so forth: For an additional amount for fuel, gas, and electric light and power, for the following fiscal years:

For 1934, $11,303.01;

For 1935, $45,000.

Furniture, etc. Vol. 48, p. 859. *Ante*, p. 355.

Furniture and equipment: The unexpended balance of the appropriation of $150,000, contained in the District of Columbia Appropriation Act for the fiscal year 1935, for furniture and equipment, including pianos and window shades, for the Woodrow Wilson Senior High School, is continued available for the same purposes during the fiscal year 1936: *Provided*, That the total amount expended under this appropriation and the appropriation for the same purposes in the District of Columbia Appropriation Act for the fiscal year 1936 shall not exceed $150,000.

Proviso. Limitation.

Education of deaf, dumb, and blind. *Ante*, p. 354.

Education of deaf, dumb, and blind: For an additional amount for maintenance and instruction of deaf and dumb persons admitted to the Columbia Institution for the Deaf from the District of Columbia, under section 4864 of the Revised Statutes, and as provided for in the Act approved March 1, 1901 (U. S. C., title 24, sec. 238), and under a contract entered into with the said institution by the Commissioners, fiscal year 1935, $500.

R. S., sec. 4864, p. 942. Vol. 31, p. 844; Vol. 36, p. 1422.

Fire Department.

FIRE DEPARTMENT

Fuel.

For an additional amount for fuel, fiscal year 1935, $4,000.

Health Department.

HEALTH DEPARTMENT

Salaries. *Ante*, p. 359.

Salaries: For an additional amount for personal services, fiscal year 1936, $45,000.

Contagious diseases prevention. *Ante*, p. 359.

Prevention of contagious diseases: For an additional amount for prevention of contagious diseases, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1935, $4,000.

Motor vehicles.

Maintenance of motor vehicles: For an additional amount for maintenance and operation of motor ambulances and motor vehicles, fiscal year 1935, $300.

Garfield Hospital. Isolating wards.

Garfield Hospital isolating ward: For additional amounts for isolating wards for minor contagious diseases at Garfield Memorial Hospital, maintenance, for the following fiscal years:

For 1935, $18,000;

For 1936, $3,000.

Courts and prisons.

COURTS AND PRISONS

Juvenile court.

Juvenile court: For an additional amount for witness fees and compensation of jurors, fiscal year 1935, $700.

Support of convicts out of the District.

Support of convicts: For an additional amount for support, maintenance, and transportation of convicts transferred from District of Columbia, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1934, $55,456.64.

Lunacy writs. Expenses of executing. Vol. 33, p. 740.

Writs of lunacy: For an additional amount for expenses attending the execution of writs de lunatico inquirendo and commitments thereunder in all cases of indigent insane persons committed or sought to be committed to Saint Elizabeths Hospital by order of the executive authority of the District of Columbia under the provisions of existing law, and expenses of commitments to the District Training School, including personal services, fiscal year 1934, $1,372.16.

Public welfare.

PUBLIC WELFARE

Board of Public Welfare, ambulance, etc. *Ante*, p. 363.

Board of Public Welfare: For purchase and exchange of one motor ambulance and equipment, fiscal year 1936, $1,500.

Child Welfare Division.

Division of Child Welfare: For an additional amount for board and care of all children committed to the guardianship of said Board by the courts of the District, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1935, $10,000.

Jail, maintenance, etc.

Jail: For an additional amount for maintenance and support of prisoners of the District of Columbia at the jail, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1935, $13,000.

Workhouse and reformatory.

Workhouse and reformatory: For an additional amount for maintenance, care, and support of inmates, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1935, $75,000.

National Training School for Boys.

National Training School for Boys, contract: For an additional amount for care and maintenance of boys committed to the National Training School for Boys by the courts of the District of Columbia under a contract made by the Board of Public Welfare with the authorities of such school for the following fiscal years:

For 1934, $12,590.19;

For 1935, $60,000.

National Training School for Girls.

National Training School for Girls: For an additional amount for maintenance, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1934, $122.67.

Medical charities.

Medical charities: For an additional amount for care and treatment of indigent patients under contracts made by the Board of Public Welfare with the following institutions and for not to exceed the following amounts, respectively:

Children's Hospital.

Children's Hospital: Fiscal year 1934, $8,948; fiscal year 1935, $45,000; in all, $53,948.

Emergency Hospital.

Central Dispensary and Emergency Hospital, fiscal year 1935, $20,000.

Casualty Hospital.

Eastern Dispensary and Casualty Hospital: Fiscal year 1934, $3,425.10; fiscal year 1935, $20,000; in all, $23,425.10.

Tuberculosis Hospital.

Tuberculosis Hospital: For an additional amount for provisions, including the same objects specified under this head in the District of Columbia Appropriation Acts for the following fiscal years:

For 1934, $233.20;

For 1935, $15,000.

Children's Tuberculosis Sanatorium.

Children's Tuberculosis Sanatorium: For an additional amount for provisions, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1935, $6,000.

Gallinger Municipal Hospital.

Gallinger Municipal Hospital: For an additional amount for maintenance of the hospital, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1935, $10,000.

Industrial Home School for Colored Children.

Industrial Home School for Colored Children: For an additional amount for maintenance, including the same objects specified under this head in the District of Columbia Appropriation Act for the following fiscal years:

For 1934, $210.53;

For 1935, $4,000.

Industrial Home School: For an additional amount for maintenance, including care of horses, purchase and care of wagon and harness, maintenance of nonpassenger-carrying motor vehicle, fiscal year 1935, $2,000. Industrial Home School.

Home for Aged and Infirm: For an additional amount for provisions, including the same objects specified under this head in the District of Columbia Appropriation Act for the following fiscal years: Home for Aged and Infirm.

For 1934, $593.02;

For 1935, $10,500.

Saint Elizabeths Hospital: For an additional amount for support of indigent insane of the District of Columbia in Saint Elizabeths Hospital, as provided by law, fiscal year 1935, $29,000. Saint Elizabeths Hospital.

Relief of the poor: For an additional amount for relief of the poor, including medical and surgical supplies, artificial limbs, and for pay of physicians to the poor, to be expended under the direction of the Board of Public Welfare, fiscal year 1935, $2,000. Relief of the poor.

WATER SERVICE

Water service.

Washington Aqueduct: For replacing the pumping equipment and appurtenant features of the pumping station of the McMillan Filter Plant and for each and every purpose connected therewith, fiscal year 1936, $150,000, or so much thereof as may be necessary, to be paid wholly out of the revenues of the Water Department of the District of Columbia. Washington Aqueduct. *Post*, p. 1615. Out of water revenues.

SETTLEMENT OF CLAIMS

For the payment of claims approved by the Commissioners under and in accordance with the provisions of the Act entitled "An Act authorizing the Commissioners of the District of Columbia to settle claims and suits against the District of Columbia", approved February 11, 1929 (45 Stat., 1160), as amended by the Act approved June 5, 1930 (46 Stat., 500), and reported in Senate Document Numbered 78 and House Document Numbered 177, Seventy-fourth Congress, $11,522.30. Settlement of claims and suits. Vol. 45, p. 1160; Vol. 46, p. 500.

REFUND OF ASSESSMENTS

For payment of refunds of assessments for paving streets, avenues, and roads, and laying curbs, as authorized by the provisions of section 11 of the Act entitled "An Act to provide for special assessments for the paving of roadways and the laying of curbs and gutters", approved February 20, 1931, $2,033.87. Paying refunds of street, etc., assessments. Vol. 46, p. 1199.

For payment of refunds of assessments for sewer and water mains in the subdivision of Barry Farm, pursuant to the provisions of the District of Columbia Appropriation Act for the fiscal year 1935, $18,121.98. Barry Farm subdivision. Vol. 48, p. 876.

JUDGMENTS

For the payment of final judgments, including costs, rendered against the District of Columbia, as set forth in Senate Document Numbered 77 and House Document Numbered 188, Seventy-fourth Congress, $12,749.93, together with the further sum to pay the interest at not exceeding 4 per centum per annum on such judgments, as provided by law, from the date the same became due until the date of payment. Payment of judgments.

Workmen's Compensation Act.

WORKMEN'S COMPENSATION ACT

Lyman C. Drake.
Post, p. 2084.
Vol. 45, p. 600.

Relief of Lyman C. Drake: For payment to Lyman C. Drake, under the provisions of the Act of June 19, 1935, on account of an award made by the United States Employees' Compensation Commission on September 6, 1934, under the District of Columbia Workmen's Compensation Act, case numbered 4927-91, for personal injuries sustained by the said Lyman C. Drake on April 6, 1933, while in the employ of the District of Columbia Committee on Employment, $1,316.40: *Provided*, That payment to and the receipt by the claimant of the sum herein appropriated shall be in full settlement of any and all claims arising out of said personal injuries.

Proviso.
Payment, etc., to be in full settlement.

Audited claims.

AUDITED CLAIMS

Payment of.
Vol. 18, p. 110.
U. S. C., p. 1410.

For the payment of the following claims, certified to be due by the accounting officers of the District of Columbia, under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713, p. 1022), being for the service of the fiscal year 1932 and prior fiscal years:

For contingent and miscellaneous expenses, District of Columbia, 1932, general advertising, $105.60;

For playgrounds, District of Columbia, 1932, general maintenance, $63.52;

For public schools, District of Columbia, 1931–1932, fuel, gas, and electricity, $5.53;

For buildings and grounds, public schools, District of Columbia, 1931–1932, 8-room addition to Janney School, $84.20;

For policemen and firemen's relief fund, District of Columbia, 1932, $10;

For police court, District of Columbia, 1932, witness fees, $1.50;

For writs of lunacy, District of Columbia, 1932, expenses, $450;

For contingent and miscellaneous expenses, District of Columbia, 1931, general advertising, $22.26;

For public schools, District of Columbia, 1929–1931, furniture and equipment, E. A. Paul Junior High, $8.75;

For public schools, District of Columbia, 1929–1931, furniture and equipment, 24-room building, Nineteenth and Columbia Road NW., $20;

For teachers retirement appropriated fund, District of Columbia, 1931, $31.93;

For health department, District of Columbia, 1931, dispensaries, $5.88;

For child welfare and hygiene service, District of Columbia, 1931, $4.49;

For miscellaneous expenses, Supreme Court, District of Columbia, 1931, $130;

For contingent and miscellaneous expenses, District of Columbia, 1930, contingent expenses, $3;

For Gallinger Municipal Hospital, District of Columbia, 1930, maintenance, $17.25;

For miscellaneous expenses, Supreme Court, District of Columbia, 1930, $20;

For playgrounds, District of Columbia, 1929, general maintenance, $270;

For fees of witnesses, Supreme Court, District of Columbia, 1928, $6;

For Court of Appeals report, District of Columbia, 1924, $71.50;

In all, audited claims, $1,331.41.

DIVISION OF EXPENSES

Division of expenses.

The foregoing sums for the District of Columbia, unless otherwise therein specifically provided, shall be paid as follows: Such sums as relate to the fiscal years 1921 to 1924, inclusive, 60 per centum out of the revenues of the District of Columbia and 40 per centum out of the Treasury of the United States; and such sums as relate to the fiscal years 1925 to 1936, inclusive, jointly or severally, shall be paid out of the revenues of the District of Columbia and the Treasury of the United States in the manner prescribed by the District of Columbia Appropriation Acts for such respective fiscal years.

From District revenues.
Fiscal years 1921–1924, 1925–1936.

DEPARTMENT OF AGRICULTURE

Department of Agriculture.

BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

Entomology and Plant Quarantine Bureau.

Grasshopper survey: To provide for a cooperative grasshopper survey, the sum of $25,000 of the unexpended balance of the appropriation for "Grasshopper Control, Bureau of Entomology", provided in the Agricultural Department Appropriation Act of 1935, is continued available during the fiscal year 1936 and added to the amount appropriated for "Cereal and Forage Insects" under Salaries and Expenses, Bureau of Entomology and Plant Quarantine, included in the Department of Agriculture Appropriation Act, 1936.

Grasshopper survey.
Amount available.
Vol. 48, p. 488.

Ante, p. 267.

West Indian fruit fly and black fly: For determining and applying such methods of eradication and control of the West Indian fruit fly and black fly as in the judgment of the Secretary of Agriculture may be necessary to eradicate these pests from the State of Florida, fiscal year 1936, $36,000: *Provided*, That no expenditures shall be made for these purposes until there has been provided by the State of Florida funds and means which in the judgment of the Secretary of Agriculture are fully adequate to effectively cooperate in the accomplishment of these purposes: *Provided further*, That no part of this appropriation shall be used to pay the cost or value of trees or other property destroyed.

West Indian fruit fly and black fly.

Provisos.
Cooperation by Florida.

No payment for destroyed trees, etc.

BUREAU OF BIOLOGICAL SURVEY

Biological Survey Bureau.

Maintenance of mammal and bird reservations: For an additional amount for maintenance of mammal and bird reservations, including the same objects specified under this heading in the Agricultural Appropriation Act for the fiscal year 1936, $25,000.

Game, etc., reservations.

BUREAU OF AGRICULTURAL ECONOMICS

Agricultural Economics Bureau.

Enforcement of United States Cotton Futures and United States Cotton Standards Act: For an additional amount to enable the Secretary of Agriculture to carry out the provisions of the United States Cotton Futures Act, as amended March 4, 1919 (U. S. C., title 26, secs. 731–752), and the United States Cotton Standards Act, approved March 4, 1923 (U. S. C., title 7, secs. 51–65), including the same objects specified under this head in the Department of Agriculture Appropriation Act, 1936, $10,000.

Cotton Futures and Cotton Standards Act, enforcement.

Vol. 39, p. 476; Vol. 40, p. 1351.
U. S. C., p. 1130.

Vol. 42, p. 1517.
U. S. C., p. 112.

Miscellaneous.

MISCELLANEOUS

Agricultural research, etc.

To carry into effect the provisions of an Act entitled "An Act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges", approved June 29, 1935, as follows: For special research work by the Department of Agriculture, including the employment of persons and means in the District of Columbia and elsewhere, and for payment to the several States, Hawaii, Alaska, and Puerto Rico for research work, pursuant to the authorization contained in title I of said Act, $1,000,000; and for payments to the States and the Territory of Hawaii for cooperative agricultural extension work, pursuant to the authorizations contained in section 21 of title II of said Act, $8,000,000; in all, fiscal year 1936, $9,000,000: *Provided*, That the Secretary of Agriculture is hereby authorized and directed to ascertain and certify to the Secretary of the Treasury, on or before September 1, 1935, as to Puerto Rico and each State and Territory, whether it has assented to the provisions of the Act of June 29, 1935, and is entitled to receive its share of the appropriations herein provided: *Provided further*, That the allotments due July 1, 1935, shall be payable upon such certification by the Secretary of Agriculture to the Secretary of the Treasury (U. S. C., title 5, secs. 511, 512; Act June 29, 1935).

Ante, p. 436.

Provisos.
Assent to provisions of Act by States, etc., to be reported.

Allotments to be payable on Treasury certification.
U. S. C., p. 74.

Department of Commerce.

DEPARTMENT OF COMMERCE

CONTINGENT EXPENSES

Printing and binding.
Ante, p. 86.

Printing and binding: For an additional amount for printing and binding for the Department of Commerce, including the same objects specified under this head in the Act making appropriations for the Department of Commerce for the fiscal year 1935, fiscal years 1935 and 1936, $20,000.

Bureau of Lighthouses.

BUREAU OF LIGHTHOUSES

General expenses.
Allowance for transfer of employees' effects increased.
Ante, p. 93.

General expenses, Lighthouse Service: The limitation of $2,000 in the appropriation "General Expenses, Lighthouse Service", for the fiscal year 1936, for packing, crating, and transporting personal household effects of employees when transferred from one official station to another for permanent duty, is hereby increased to $3,500.

Foreign and Domestic Commerce Bureau.

BUREAU OF FOREIGN AND DOMESTIC COMMERCE

Promoting commerce in Europe, etc.
Ante, p. 88.

Promoting commerce in Europe and other areas: For an additional amount for salaries and expenses, fiscal year 1936, including the same objects specified under this head in the Department of Commerce Appropriation Act, 1936, $30,950.

In Latin America.

Promoting commerce in Latin America: For an additional amount for salaries and expenses, fiscal year 1936, including the same objects specified under this head in the Department of Commerce Appropriation Act, 1936, $10,000.

In the Far East.

Promoting commerce in the Far East: For an additional amount for salaries and expenses, fiscal year 1936, including the same objects specified under this head in the Department of Commerce Appropriation Act, 1936, $18,800.

In Africa.

Promoting commerce in Africa: For an additional amount for salaries and expenses, fiscal year 1936, including the same objects

specified under this head in the Department of Commerce Appropriation Act, 1936, $4,550.

Transporting families and effects of officers, etc.

Transportation of families and effects of officers and employees, Bureau of Foreign and Domestic Commerce: For an additional amount for the fiscal year 1936 for the same purpose specified under this head in the Department of Commerce Appropriation Act, 1936, $3,600.

Ante, p. 89.

Allowance for living quarters.

Allowance for quarters, Foreign Commerce Service: For an additional amount for the fiscal year 1936 for the same purpose specified under this head in the Department of Commerce Appropriation Act, 1936, $3,000.

Ante, p. 90.

DEPARTMENT OF THE INTERIOR

Interior Department.

OFFICE OF THE SECRETARY

Secretary's office.

Contingent expenses.

Contingent expenses: For an additional amount for contingent expenses of the Department of the Interior, including the same objects specified under this head in the Department of the Interior Appropriation Act, fiscal year 1935, fiscal years 1935 and 1936, $10,000.

Ante, p. 178.

Library.

Library: For an additional amount for the purchase or exchange of professional and scientific books, law and medical books, and books to complete broken sets, periodicals, directories, and other books of reference relating to the business of the Department, fiscal year 1933, $50.47.

Ante, p. 179.

Printing and binding.

Printing and binding: For an additional amount for printing and binding for the Bureau of Mines, fiscal years 1935 and 1936, $8,000.

Ante, p. 179.

DIVISION OF INVESTIGATIONS

Division of Investigations.

Expenses.

Salaries and expenses: For an additional amount for salaries and expenses of the Division of Investigations, including the same objects specified under this head in the Department of the Interior Appropriation Act, fiscal year 1935, $15,000.

Ante, p. 177.

WAR MINERALS RELIEF

War minerals relief.

Administrative expenses.

Administrative expenses: For administrative expenses made necessary by section 5 of the Act entitled "An Act to provide relief in cases on contracts connected with the prosecution of the war, and for other purposes", approved March 2, 1919 (40 Stat., 1272), including personal services, without regard to the civil-service laws and regulations; traveling and subsistence expenses; supplies and all other expenses incident to the proper prosecution of this work, both in the District of Columbia and elsewhere, fiscal year 1936, $19,000.

Vol. 40, p. 1272.

BUREAU OF INDIAN AFFAIRS

Indian Affairs Bureau.

General expenses.

Transportation, etc.

General expenses: For an additional amount for transportation and incidental expenses of officers and clerks of the Bureau of Indian Affairs when traveling on official duty; for telegraph and telephone toll messages on business pertaining to the Indian Service sent and received by the Bureau of Indian Affairs at Washington, and for other necessary expenses of the Indian Service for which no other appropriation is available, fiscal year 1934, $4,800.

Ante, p. 181.

Field representatives.

Field representatives, Indian Service: For an additional amount for salaries, traveling and incidental expenses of field representatives of the Commissioner of Indian Affairs, fiscal year 1933, $46.45.

Menominee Indians, Wis.

Audit of funds.

Menominee Indians: The appropriation of $20,000 from tribal funds of the Menominee Indians, Wisconsin, for the purpose of making an audit of such funds and for other purposes, contained

in the Interior Department Appropriation Act, fiscal year 1936, approved May 9, 1935, is hereby made available for the expenses of such audit from and after February 1, 1935, and the contract or contracts for such audit may be made retroactive to February 1, 1935.

Sioux Sanatorium, etc., S. Dak. Balance reappropriated. Vol. 47, pp. 412, 783. *Post*, p. 1777.

Conservation of health among Indians (Sioux Sanatorium and employees' quarters, South Dakota): The unexpended balance of the appropriation of $375,000 (including the amount impounded under section 320 of the Act of June 30, 1932), contained in the Interior Department Appropriation Act, fiscal year 1932, and continued available by the Acts of April 22, 1932, and February 17, 1933, for the construction of the Sioux Sanatorium and employees' quarters at Pierre, South Dakota, is hereby reappropriated and made available until June 30, 1937, for such a sanatorium and employees' quarters at such place in South Dakota as the Secretary of the Interior shall select.

Public school buildings, construction. *Post*, p. 1773.

Construction, enlargement, or improvement of public-school buildings: For cooperation with public-school districts in the construction, enlargement, or improvement of local public elementary or high schools, including purchase of necessary equipment, as authorized by and in conformity with numerous Acts of the Seventy-fourth Congress approved June 7, 1935, fiscal year 1936, $931,000, as follows: Queets, Washington, $10,000 (Public, Numbered 111); Glacier County, Montana, $100,000 (Public, Numbered 103); Wolf Point, Montana, $50,000 (Public, Numbered 104); Polson, Montana, $40,000 (Public, Numbered 105); Lake and Missoula Counties, Montana, $100,000 (Public, Numbered 106); Brockton, Montana, $40,000 (Public, Numbered 107); Poplar, Montana, $25,000 (Public, Numbered 108); Marysville, Washington, $38,000 (Public, Numbered 110); Frazer, Montana, $25,000 (Public, Numbered 109); White Swan, Washington, $50,000 (Public, Numbered 112); Covelo, California, $50,000 (Public, Numbered 113); Shannon County, South Dakota, $125,000 (Public, Numbered 114); Big Horn County, Montana (district numbered 27), $80,000 (Public, Numbered 119); Blaine County, Montana, $15,000 (Public, Numbered 120); Medicine Lake, Montana, $25,000 (Public, Numbered 127); Hardin and Crow Agency, Big Horn County, Montana (district 17-H), $158,000 (Public, Numbered 126): *Provided*, That plans and specifications for construction, enlargement, or improvement of structures shall be furnished by local or State authorities, without cost to the United States, and upon approval thereof by the Commissioner of Indian Affairs actual work shall proceed under the direction of such local or State officials. Payment for work in place shall be made monthly, on vouchers properly certified by local officials of the Indian Service: *Provided further*, That any amount expended on any project hereunder shall be recouped by the United States within a period of thirty years, commencing with the date of occupancy of the project, through reducing the annual Federal tuition payments for the education of Indian pupils enrolled in public or high schools of the district involved, or by the acceptance of Indian pupils in such schools without cost to the United States; and in computing the amount of recoupment for each project interest at 3 per centum per annum shall be included on unrecouped balances.

Ante, pp. 327–331.

Ante, pp. 333, 336.

Provisos. Plans, etc.

Monthly payments.

United States to recoup expenditures.

National Park Service.

NATIONAL PARK SERVICE

Kennesaw Mountain National Battlefield Park. *Ante*, p. 423. *Post*, p. 1794.

Kennesaw Mountain National Battlefield Park: To carry out the purposes of Public Act Numbered 167, Seventy-fourth Congress, entitled "An Act to create a national memorial military park at

and in the vicinity of Kennesaw Mountain in the State of Georgia, and for other purposes", approved June 26, 1935, fiscal year 1936, $70,000.

OFFICE OF EDUCATION

Office of Education.

Agricultural, etc., college aid. *Ante*, p. 439. U. S. C., p. 135.

Further endowment of colleges of agriculture and the mechanic arts: For carrying out the provisions of section 22 of the Act entitled "An Act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges", approved June 29, 1935 (Public Act Numbered 182, Seventy-fourth Congress), fiscal year 1936, $980,000.

GOVERNMENT IN THE TERRITORIES

Government in the Territories.

Alaska. Care of insane.

Insane of Alaska: For an additional amount for care and custody of persons legally adjudged insane in Alaska, including the same objects and for the same services specified in the Interior Department Appropriation Act for the fiscal year 1935, $15,900.

Legislative expenses.

Legislative expenses, Territory of Alaska: For additional legislative expenses for the fiscal year 1935, including $29 for mileage of members, and $3,021 for printing, indexing, comparing proofs, and binding laws, printing, indexing and binding journals, stationery, supplies, printing of bills, reports, and so forth; in all, $3,050, to be expended under the direction of the Governor of Alaska.

Columbia Institution for the Deaf.

COLUMBIA INSTITUTION FOR THE DEAF

Maintenance, etc.

For an additional amount for support of the institution, including salaries and incidental expenses, books and illustrative apparatus, and general repairs and improvements, fiscal year 1935, $4,000.

Howard University.

HOWARD UNIVERSITY

Expenses.

General expenses: For an additional amount for general expenses, Howard University, fiscal year 1933, including the same objects specified under this head in the Interior Department Appropriation Act, fiscal year 1933, $240.60.

Freedmen's Hospital.

FREEDMEN'S HOSPITAL

Maintenance, etc.

For an additional amount for the maintenance and operation of Freedmen's Hospital, including the same objects specified under this head in the Department of the Interior Appropriation Act for the fiscal year 1935, fiscal years 1935 and 1936, $4,000, of which amount one-half shall be chargeable to the District of Columbia and paid in like manner as other appropriations of the District of Columbia are paid.

DEPARTMENT OF JUSTICE

Department of Justice.

OFFICE OF THE ATTORNEY GENERAL

Printing and binding.

Printing and binding: For an additional amount for printing and binding for the Department of Justice and the courts of the United States, fiscal year 1932, $198.10.

Contingent expenses.

Contingent expenses: For an additional amount for contingent expenses, Department of Justice, including the same objects specified under this head in the Department of Justice Appropriation Act for the fiscal year 1935, fiscal years 1935 and 1936, $25,000.

Federal Bureau of Investigation.

FEDERAL BUREAU OF INVESTIGATION

Purchase, etc., of automobiles.

Salaries and expenses, Federal Bureau of Investigation: That portion of the appropriation for the Federal Bureau of Investigation contained in the Department of Justice Appropriation Act, 1936, reading "hire, purchase and exchange not to exceed $50,000, maintenance, upkeep, and operation of motor-propelled passenger-carrying vehicles, to be used only on official business" is amended to read "purchase and exchange not to exceed $50,000, hire, maintenance, upkeep, and operation of motor-propelled passenger-carrying vehicles, to be used only on official business."

Ante, p. 78.

Judicial.

JUDICIAL

United States Supreme Court.
Preparing unified system of rules in equity and at law.
Post, p. 1625.

United States Supreme Court, miscellaneous expenses: For miscellaneous expenses of the Supreme Court of the United States to provide for expenses of the advisory committee appointed by the Court to assist it in the preparation of a unified system of general rules for cases in equity and actions at law in the District Courts of the United States and in the Supreme Court of the District of Columbia pursuant to the Act entitled "An Act to give the Supreme Court of the United States authority to make and publish Rules in Actions at Law", approved June 19, 1934 (48 Stat. 1064), including personal services in the District of Columbia and elsewhere and printing and binding, to be expended as the Chief Justice in his discretion may direct, including such per diem allowances in lieu of actual expenses for subsistence at rates to be fixed by him not to exceed $10 per day, fiscal years 1935 and 1936, $25,000.

Vol. 48, p. 1064.

United States Court for China.
Living quarters, etc.
Ante, p. 81.
Vol. 46, p. 818.
U. S. C., p. 45.

United States Court for China: The appropriation "Salaries and Expenses, United States Court for China, 1936", shall be available also for allowances for living quarters, including fuel, heat, and light, as authorized by the Act approved June 26, 1930 (U. S. C., Supp. VII, title 5, sec. 118a), not to exceed $1,700 for any one person.

United States Courts.

MARSHALS, DISTRICT ATTORNEYS, CLERKS, AND OTHER EXPENSES OF UNITED STATES COURTS

Marshals.

Salaries, fees, and expenses of marshals: For an additional amount for salaries, fees, and expenses of marshals, United States courts, including the same objects specified under this head in the Act making appropriations for the Department of Justice for the fiscal year 1931, $72.33.

District attorneys.

Salaries and expenses of district attorneys: For an additional amount for salaries and expenses of district attorneys, United States courts, including the same objects specified under this head in the Act making appropriations for the Department of Justice for the fiscal year 1933, $245.68.

Special assistants to Attorney General.

Payment to special assistants to Attorney General: For compensation in full to special assistants to the Attorney General for services rendered by them in the case of the United States versus Pan American Petroleum Company (B–115M, in equity) in the United States District Court for the Southern District of California, fiscal year 1936, $176,767.

Commissioners.

Fee of commissioners: For additional amounts for fees of commissioners, United States courts, including the same objects specified under this head in the Acts making appropriations for the Department of Justice for the following fiscal years:

For 1930, $1.65;

For 1931, $8;

For 1933, $2,702.32.

Fees and expenses of conciliation commissioners: For an additional amount for fees of conciliation commissioners, and per diem allowance and traveling expenses of supervising conciliation commissioners, as authorized by the Act entitled "An Act to amend an Act entitled 'An Act to establish a uniform system of bankruptcy throughout the United States', approved July 1, 1898, and Acts amendatory thereof and supplementary thereto", approved March 3, 1933, as amended, fiscal years 1935 and 1936, $209,000.

Conciliation commissioners.

Vol. 30, p. 544; Vol. 47, p. 1467. U. S. C., p. 319.

Fees of jurors and witnesses: For an additional amount for fees of jurors and witnesses, United States courts, including the same objects specified under this head in the Department of Justice Appropriation Act, fiscal year 1935, $140,000.

Jurors and witnesses.

Rent of court rooms: For an additional amount for rent of rooms for the United States courts and judicial officers, fiscal year 1935, $17,000.

Rent.

Supplies: For an additional amount for supplies for United States courts, including the same objects specified under this head in the Act making appropriations for the Department of Justice for the fiscal year 1934, $863.61.

Supplies.

PENAL AND CORRECTIONAL INSTITUTIONS

Penal and correctional institutions.

Building and equipment: For construction and repair of buildings, including the purchase and installation of machinery and equipment, and all expenses incident thereto, to be expended so as to give the maximum amount of employment to inmates of the institutions, fiscal year 1936, at the following institutions:

Construction, etc.

United States Penitentiary, Leavenworth, Kansas, $22,000;
United States Penitentiary, McNeil Island, Washington, $55,000;
United States Penitentiary, Alcatraz Island, California, $48,000;
United States Industrial Reformatory, Chillicothe, Ohio, $4,500;
United States Hospital for Defective Delinquents, $24,500.

Support of United States prisoners: For an additional amount for support of United States prisoners, including the same objects specified under this head in the Department of Justice Appropriation Act, fiscal year 1935, $390,000.

Support of United States prisoners.

United States Penitentiary, McNeil Island, Washington, buildings and equipment: The unexpended balance of the appropriation "United States Penitentiary, McNeil Island, Washington, buildings and equipment, 1935", is continued available for the same purposes until June 30, 1936.

McNeil Island, Wash. Construction, etc. Balance available. Vol. 48, p. 544.

DEPARTMENT OF LABOR

Department of Labor.

OFFICE OF THE SECRETARY

Secretary's office.

Commissioners of Conciliation, salaries and expenses: For an additional amount for salaries and expenses, including the same objects specified under this head in the Department of Labor Appropriation Act, 1936, $281,000, to be immediately available, of which not to exceed $125,000 may be expended for personal services in the District of Columbia: *Provided*, That officers and employees may be appointed and paid from the amount herein appropriated without regard to the provisions of the civil-service laws requiring competitive examinations: *Provided further*, That said officers and employees (except Commissioners of Conciliation) shall be required to take nonassembled examinations.

Commissioners of Conciliation.

Provisos. Competitive civil-service examinations waived.

Nonassembled examinations required.

Contingent expenses: For contingent and miscellaneous expenses of the offices and bureaus of the Department, for which appropriations for contingent and miscellaneous expenses are not specifically

Contingent expenses.

made, including the same objects specified under this head in the Department of Labor Appropriation Act, 1936, $5,500.

Printing and binding.

Printing and binding: For printing and binding for the Department of Labor, including the same objects specified under this head in the Department of Labor Appropriation Act, 1936, $13,500.

International Labor Organization.
Liaison with; salaries and expenses.

Liaison with the International Labor Organization, Geneva, Switzerland, salaries and expenses: For a United States Labor Commissioner and other personal services in Geneva, Switzerland; compensation of interpreters, translators, and porters; traveling expenses of employees, including transportation of employees, their families, and effects, in going to and returning from foreign posts; rent, heat, light, and fuel; hire, maintenance, and operation of motor-propelled, passenger-carrying vehicles; purchase and exchange of foreign and domestic books, periodicals, and newspapers; purchase of furniture, stationery, and supplies; printing and binding; postage; telephone and other similar expenses, for which payment may be made in advance; necessary technical or special investigations in connection with matters falling within the scope of the International Labor Organization; allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., Supp. VII, title 5, sec. 118a), not to exceed $1,700 for any person, and contingent and such other expenses in the United States and elsewhere as the Secretary of Labor may deem necessary, fiscal year 1936, $28,000.

Living quarters.
Vol. 46, p. 818.
U. S. C., p. 45.

Navy Department.

NAVY DEPARTMENT

Secretary's office.

OFFICE OF THE SECRETARY

Naval Observatory.

Contingent and miscellaneous expenses, Naval Observatory: Not to exceed $6,000 of the appropriation of $110,000 for the purchase and installation of equipment, utilities, and appurtenances for astrographic and research work and modernization of astronomical plant of the Naval Observatory, as contained in the Naval Appropriation Act for the fiscal year 1933, approved June 30, 1932, is hereby reappropriated and made available until June 30, 1936, for the payment of obligations heretofore incurred under said appropriation.

Vol. 47, p. 443.

Collision damage claims.

Claims for damages by collision with naval vessels: To pay claims for damages adjusted and determined by the Secretary of the Navy under the provisions of the Act entitled "An Act to amend the Act authorizing the Secretary of the Navy to settle claims for damages to private property arising from collision with naval vessels", approved December 28, 1922 (U. S. C., title 34, sec. 599), as fully set forth in House Document Numbered 202, Seventy-fourth Congress, $291.

Vol. 42, p. 1066; U. S. C., p. 1550.

Navy and Marine Memorial to Americans lost at sea.
Vol. 43, p. 14; Vol. 48, p. 1243.
Post, p. 1627.

Navy and Marine Memorial Monument: For payment in full for the transportation of the Navy and Marine Memorial Monument to the site on Columbia Island, District of Columbia, chosen for such memorial, for the erection of such memorial on the granite pedestal base constructed on such site, and for the landscaping and approach work of land adjacent to such base, as authorized by Public Resolution Numbered 5, approved February 16, 1924 (43 Stat. 14), as amended by Public Resolution Numbered 47, approved June 26, 1934 (48 Stat. 1243), fiscal year 1936, $13,000.

Bureau of Supplies and Accounts.

BUREAU OF SUPPLIES AND ACCOUNTS

Limitation on number of Dental Corps officers increased.
Ante, p. 407.

Pay, subsistence and transportation of naval personnel: The limitation on the number of officers of the Dental Corps contained in the Navy Department Appropriation Act approved June 24, 1935, is

hereby increased from one hundred and eighty-six officers of the Dental Corps to two hundred and thirty-four officers of the Dental Corps.

Fuel and transportation: For an additional amount for coal and other fuel for submarine bases and steamers' and ships' use, and so forth, including the same objects specified under this head in the Act making appropriations for the Navy Department and the naval service for the fiscal year 1935, $1,970,000.

Fuel and transportation.
Ante, p. 411.

BUREAU OF NAVIGATION

Bureau of Navigation.

Transportation: For travel allowances, and so forth, including the same objects specified under this head in the Naval Appropriation Act for the fiscal year 1923, $10.

Travel allowances.

BUREAU OF YARDS AND DOCKS

Bureau of Yards and Docks.

Public Works, Bureau of Yards and Docks: For the following-named public works and public-utilities projects at a limit of cost not to exceed the amount stated for each project enumerated, respectively:

Public works.

Naval Air Station, Pensacola, Florida: Barracks and mess hall, $650,000; assembly and repair shop, $675,000; quarters for student officers, $500,000; improvement to power plant and distributing systems, roads, walks, and sewer systems, $175,000;

Pensacola, Fla., air station.

Marine Barracks, Quantico, Virginia: Quarters for officers, $1,050,000;

Quantico, Va., marine barracks.

In all, $3,050,000, which, together with unexpended balances of appropriations heretofore made under this head, shall be disbursed and accounted for in accordance with existing law and shall constitute one fund: *Provided*, That of the amount herein appropriated not to exceed $90,000 shall be available for the employment of classified personal services in the Bureau of Yards and Docks and in the field service to be engaged upon such work and to be in addition to employees otherwise provided for.

Total; accounted as one fund.

Proviso.
Bureau of Yards and Docks; personal services.

POST OFFICE DEPARTMENT

Post Office Department.

OUT OF THE POSTAL REVENUES

OFFICE OF THE CHIEF INSPECTOR

Chief Inspector's office.

Payment of rewards: For an additional amount for payment of rewards, including the same objects specified under this head in the Act making appropriations for the Post Office Department for the fiscal year 1934, $15,000.

Payment of rewards.

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

Second Assistant Postmaster General.

Star-route service, Alaska: For an additional amount for inland transportation by star routes in Alaska, fiscal year 1935, $5,000.

Star routes, Alaska.

Rural Delivery Service: For an additional amount for pay of rural carriers, and so forth, including the same objects specified under this head in the Act making appropriations for the Post Office Department for the fiscal year 1935, $2,685,000.

Rural delivery service.

Foreign-mail transportation: For transportation of foreign mail by aircraft, including mail for island possessions and territories of the United States, across the Pacific Ocean between the United States and Asia, fiscal year 1936, $1,000,000, to be expended under a contract or contracts which will not create annual obligations for the fiscal year 1936 or for any subsequent fiscal year in excess of $1,850,000.

Foreign-mail transportation.

Department of State.

DEPARTMENT OF STATE

Foreign Service.
Ambassador to China.
Vol. 48, p. 530; *Ante*, p. 69.

Salaries of Ambassadors and Ministers, fiscal years 1935 and 1936: So much as may be necessary of the appropriations for salaries of Ambassadors and Ministers contained in the Department of State Appropriations Acts for the fiscal years 1935 and 1936 shall be available for the salary of an Ambassador Extraordinary and Plenipotentiary to China at the rate of $17,500 per annum.

Miscellaneous salaries and allowances.
Ante, p. 71.

Miscellaneous salaries and allowances, Foreign Service: For an additional amount for miscellaneous salaries and allowances, Foreign Service, including the same objects specified under this head in the Department of State Appropriation Act, 1936, $9,000.

Contingent expenses.
Ante, p. 72.

Contingent expenses, Foreign Service: For an additional amount for contingent expenses, Foreign Service, including the same objects specified under this head in the Department of State Appropriation Act, 1936, $41,000.

Emergencies.
Ante, p. 73.

Emergencies arising in the Diplomatic and Consular Service: For an additional amount for emergencies arising in the Diplomatic and Consular Service, including the same objects specified under this head in the Department of State Appropriation Act, 1936, $25,000.

Foreign Service Buildings Fund.
Vol. 44, p. 404.
U. S. C., p. 967.

Foreign Service buildings fund: For the purpose of further carrying into effect the provisions of the Foreign Service Buildings Act, 1926, as amended (U. S. C., Supp. VII, title 22, sec. 295), and for each and every object thereof, including the acquisition of a site, erection of buildings, and the furnishings thereof, for the use of the diplomatic and consular establishments of the United States at Helsingfors, Finland, as authorized by Public Act Numbered 145, approved June 15, 1935, $300,000, to remain available until expended.

Helsingfors, Finland.
Ante, p. 377.

International Labor Organization, Geneva, Switzerland.
Participation expenses.
Vol. 48, p. 1182.
Services, etc.
R. S., sec. 3709, p. 733.
U. S. C., p. 1803.

International Labor Organization, Geneva, Switzerland: For the expenses of participation by the Government of the United States in the General Conference and in the meetings of the Governing Body of the International Labor Organization, to be held at Geneva, Switzerland, including personal services without reference to the Classification Act of 1923, as amended, in the District of Columbia and elsewhere; stenographic reporting and translating services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses; purchase of books, documents, newspapers, periodicals, and charts; stationery; official cards; printing and binding; entertainment; hire, maintenance, and operation of motor-propelled passenger-carrying vehicles; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, fiscal year 1936, $27,300.

General and Special Claims Conventions with Mexico.
Ante, p. 75.

General and Special Claims Conventions, United States and Mexico: For an additional amount for General and Special Claims Conventions, United States and Mexico, including the same objects specified under this head in Department of State Appropriation Act, 1936, $65,120.

Special Mexican Claims Commission.
Vol. 48, p. 1844.
Ante, p. 151.
Post, p. 1321.

Special Mexican Claims Commission: For the purpose of carrying into effect the provisions of the Act entitled "An Act to establish a commission for the settlement of the special claims comprehended within the terms of the convention between the United States of America and the United Mexican States concluded April 24, 1934", approved April 10, 1935, including personal services in the District of Columbia or elsewhere, without regard to the provisions of any statute relating to employment; rent in the District of Columbia or elsewhere; furniture; office supplies, and equipment, including law books and books of reference; stenographic reporting, translating,

and other services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); traveling expenses; transportation of things; printing and binding; and such other necessary expenses as may be authorized by the Secretary of State, fiscal year 1936, $90,000.

R. S., sec. 3709, p. 733. U. S. C., p. 1803.

International Congress of Military Medicine and Pharmacy: For the expenses of participation by the United States in the Eighth International Congress of Military Medicine and Pharmacy to be held at Brussels, Belgium, in 1935, as authorized by Public Resolution Numbered 21, approved May 24, 1935, including personal services in the District of Columbia or elsewhere without reference to the Classification Act of 1923, as amended; stenographic reporting and other services by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses; purchase of necessary books, documents, newspapers, periodicals, and maps; stationery; official cards; printing and binding; entertainment; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified; to be expended under the supervision of the Secretary of State; fiscal year 1935, $8,000, to remain available until June 30, 1936.

International Congress of Military Medicine and Pharmacy. *Ante*, p. 291.

Reimbursement of other appropriations.

Mixed Claims Commission, United States and Germany: The unexpended balance of the appropriation "Mixed Claims Commission, United States and Germany, 1934–1935", contained in the Deficiency Appropriation Act, 1934, is continued available for the same purposes until June 30, 1936.

Mixed Claims Commission, United States and Germany. Unexpended balance available. Vol. 48, p. 1041.

International Institute of Agriculture at Rome, Italy, 1934: So much as may be necessary of the unexpended balance of the appropriation "International Institute of Agriculture at Rome, Italy, 1934", contained in the Independent Offices Appropriation Act, 1934, is made available to pay for publications of the International Institute of Agriculture received by the Department of Agriculture during the years 1931, 1932, 1933, and 1934.

International Institute of Agriculture. Use of balance for publications of. Vol. 48, p. 303.

Third Pan American Financial Conference, Santiago, Chile, and Commercial Conference, Buenos Aires, Argentina: The unexpended balance of the appropriation "Third Pan American Financial Conference, Santiago, Chile, and Commercial Conference, Buenos Aires, Argentina, 1934 and 1935" is continued available for the same purposes until June 30, 1936.

Third Pan American Financial Conference. Vol. 48, p. 1040.

Bureau of Interparliamentary Union for Promotion of International Arbitration: For an additional amount for United States' contributions to international commissions, congresses, and bureaus, including $2,500 for the contribution of the United States toward the maintenance of the Bureau of Interparliamentary Union for Promotion of International Arbitration in addition to the amount contained in the Department of State Appropriation Act, 1936; and $10,000 for the expenses of the American group of the Interparliamentary Union, including personal services in the District of Columbia and elsewhere without regard to the Classification Act of 1923, as amended, stenographic reporting and other services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), traveling expenses, purchase of necessary books, documents, newspapers, periodicals, and maps, stationery, official cards, printing and binding, entertainment, and other necessary expenses, to be disbursed on vouchers approved by the President and executive secretary of the American group; in all, fiscal year 1936, $12,500.

Interparliamentary Union for Promoting International Arbitration. *Ante*, pp. 73, 425.

James G. Finley.
Payment to widow of.
Post, p. 2085.

Payment to Germaine M. Finley: For payment to Germaine M. Finley, widow of James G. Finley, late a Foreign Service officer of the United States at Havre, France, of one year's salary of her deceased husband, who died while in the Foreign Service, as authorized by the Act approved June 24, 1935, $2,750.

Ransford S. Miller.
Payment to widow of.
Post, p. 2097.

Payment to Lily M. Miller: For payment to Lily M. Miller, widow of Ransford S. Miller, late American consul general, of one year's salary of her deceased husband, who died while in Foreign Service, as authorized by the Act approved June 29, 1935, $9,000.

Clarence Carrigan.
Payment to widow of.
Post, p. 2045.

Payment to Anna S. Carrigan: For payment to Anna S. Carrigan, widow of Clarence Carrigan, late American consul at Montevideo, Uruguay, of one year's salary of her deceased husband, who died of illness incurred while in the Consular Service, as authorized by the Act approved March 4, 1935, $7,000.

Hernando de Soto.
Payment to widow of.
Post, pp. 2046, 2377.

Payment to Sophie de Soto: For payment to Sophie de Soto, widow of Hernando de Soto, late American consul at Leipzig, Germany, of one year's salary of her deceased husband, who died of illness incurred while in the Consular Service, as authorized by the Act approved March 14, 1935, $6,000.

Henry S. Hitchcock.
Payment to widow of.
Post, p. 2055.

Payment to Sarah J. Hitchcock: For payment to Sarah J. Hitchcock, widow of Henry S. Hitchcock, late American Consul at Nagasaki, Japan, of one year's salary of her deceased husband, who died while in the Foreign Service, as authorized by the Act approved May 6, 1935, $5,000.

Treasury Department.

TREASURY DEPARTMENT

Secretary's office.

OFFICE OF THE SECRETARY

Payment to Federal land banks on account of interest rate reductions on mortgages.
Vol. 48, p. 43.

Payments to Federal land banks on account of reductions in interest rate on mortgages: To enable the Secretary of the Treasury to pay each Federal land bank such amount as the land bank commissioner certifies to the Secretary of the Treasury is equal to the amount by which interest payments on mortgages held by such bank have been reduced, in accordance with the provisions of section 24 of the Emergency Farm Mortgage Act of 1933, approved May 12, 1933 (48 Stat. 31), as amended by section 3 of the Farm Credit Act of 1935, approved June 3, 1935 (Public, Numbered 87), fiscal year 1936, $36,000,000: *Provided*, That the unexpended balance of the appropriation of $7,950,000 made in the Emergency Appropriation Act of June 19, 1934 (48 Stat. 1060), for the purposes of said section 24, shall be available for the purposes named herein until June 30, 1936.

Ante, p. 314.

Proviso.
Balance of appropriation continued available.
Vol. 48, p. 1060.
Post, pp. 1635, 1829.

Subscriptions to paid-in surplus of Federal land banks.
Vol. 48, p. 43.

Subscriptions to paid-in surplus of Federal land banks: To enable the Secretary of the Treasury to pay for subscriptions to the paid-in surplus of Federal land banks under section 23 of the Emergency Farm Mortgage Act of 1933, approved May 12, 1933 (48 Stat. 31), fiscal year 1936, $20,000,000: *Provided*, That the unexpended balance of the appropriation of $75,000,000 made in the Emergency Appropriation Act approved June 19, 1934 (48 Stat. 1060) for the purpose of said section 23, shall remain available until June 30, 1936.

Proviso.
Balance of appropriation continued available.
Post, pp. 1635, 1829.

Emergency Banking, Gold Reserve, and Silver Purchase Acts.
Balances of designated appropriations consolidated.
Vol. 48, pp. 1, 1060.

Expenses, Emergency Banking, Gold Reserve, and Silver Purchase Acts: The unobligated balance of the appropriation of $2,000,000 for "National Banking Emergency, Act March 9, 1933", contained in the Emergency Banking Act, approved March 9, 1933, and the unobligated balance of the appropriation of $4,500,000 for "Expenses, Emergency Banking, Gold Reserve, and Silver Purchase Acts, 1934 and 1935", contained in the Emergency Appropriation Act, fiscal year 1935, approved June 19, 1934, are hereby consolidated,

Vol. 48, p. 1178.

effective July 1, 1935, into an appropriation account, "Expenses, Emergency Banking, Gold Reserve and Silver Purchase Acts", to remain available until June 30, 1936, and to be expended under the direction of the Secretary of the Treasury for any purpose in connection with the carrying out of the provisions of the Emergency Banking Act, approved March 9, 1933 (48 Stat. 1), the Gold Reserve Act of 1934, approved January 30, 1934 (48 Stat. 337), the Silver Purchase Act of 1934, approved June 19, 1934 (48 Stat. 1178), any Executive orders, proclamations, and regulations issued under the foregoing Acts, and section 3653 of the Revised Statutes, including costs of transportation, insurance, and protection of gold coin, gold bullion, and gold certificates transferred to Federal Reserve banks and branches, United States mints and assay offices, and the Treasury, after March 9, 1933, losses sustained by Federal Reserve banks due to abrasion of gold coin, and reimbursement to Federal Reserve banks and branches for expenses incurred by them in carrying out instructions issued by the Secretary of the Treasury after March 4, 1933.

Purposes.

Vol. 48, pp. 1, 337, 1178.

Expenses of fiscal agents.
R. S., sec. 3653, p. 719.
U. S. C., p. 1396.

The Comptroller General of the United States is authorized and directed to allow credit in the accounts of Guy F. Allen, chief disbursing officer, Division of Disbursement, and J. L. Summers, disbursing clerk, Division of Disbursement, for disbursements made from the fund "Expenses, National Banking Emergency, Act March 9, 1933, Comptroller of Currency", during the period March 6, 1933, to July 1, 1934, in connection with the emergency arising out of the national banking crisis and disallowed by the Comptroller General of the United States for any reason except fraud: *Provided*, That such total credit shall not exceed the sum of $25,000.

National Banking Emergency Act expenses.

Proviso.
Limitation.

DIVISION OF SUPPLY

Division of Supply.

Printing and binding: For an additional amount for printing and binding, Treasury Department, including the same objects specified under this head in the Act making appropriations for the Treasury Department for the fiscal year 1935, fiscal years 1935 and 1936, $48,760.

Printing and binding.

OFFICE OF COMMISSIONER OF ACCOUNTS AND DEPOSITS

Office of Commissioner of Accounts and Deposits.

Payment of unclaimed moneys: To enable the Secretary of the Treasury to meet any expenditures of the character formerly chargeable to the appropriation accounts abolished under section 17 of the Permanent Appropriation Repeal Act of 1934, approved June 26, 1934, payable from the funds held by the United States in the trust fund receipt account "Unclaimed moneys of individuals whose whereabouts are unknown", fiscal year 1936, $10,000.

Payment of unclaimed moneys.
Vol. 48, p. 1231.

BUREAU OF THE BUDGET

Bureau of the Budget.

Salaries and expenses: For an additional amount for salaries and expenses, Bureau of the Budget, including the same objects specified under this head in the Treasury Department Appropriation Act, 1936, $25,000.

Salaries and expenses.
Ante, p. 222.

BUREAU OF ENGRAVING AND PRINTING

Engraving and Printing Bureau.

Salaries and expenses: For an additional amount for salaries and expenses, Bureau of Engraving and Printing, including the same objects specified under this head in the Treasury Department Appro-

Salaries and expenses.
Vol. 48, p. 432.

Proviso.
Internal revenue, etc., stamps.
Number of sheets increased.
U. S. C., p. 1124.

priation Act for the fiscal year 1935, $491,780: *Provided*, That the limitations in said Act as to the number of delivered sheets of internal-revenue stamps, including opium orders and special-tax stamps required under the Act of December 17, 1914, is increased from 97,175,283 to 132,175,283 and as to the number of delivered sheets of checks, drafts, and miscellaneous work, from 10,438,121 to 10,738,121.

Secret Service Division.

SECRET SERVICE DIVISION

White House police, salaries.
Ante, p. 228.

White House Police: For an additional amount for salaries at the rates of pay provided by law, fiscal year 1936, $28,800.

Uniforms and equipment.
Ante, p. 228.

For an additional amount for uniforming and equipping the White House Police, including the same objects specified under this head in the Treasury Department Appropriation Act, 1936, $750.

Bureau of the Mint.

BUREAU OF THE MINT

Mints and Assay Offices.
Ante, p. 231.

Salaries and expenses, Mints and Assay Offices: For an additional amount for salaries and expenses, Mints and Assay Offices, including the same objects specified under this head in the Treasury Department Appropriation Act, 1936, and in addition thereto the purchase of uniforms, arms, ammunition, and accessories for guards; procurement and installation of emergency gasoline-driven generator sets, emergency electric call systems, alarms, flood lights, radio-communication systems, tear-gas equipment, bullet-proof booths and window shields, wire screens and bars for windows, armor-plate covers for doors, heavy fences, and any other protective devices, fiscal year 1936, $150,000.

Procurement Division—Public Works Branch.

PROCUREMENT DIVISION—PUBLIC WORKS BRANCH

New York, N. Y. Old appraisers' stores.
Vol. 45, p. 1659; Vol. 46, p. 901.

New York, New York, appraisers' stores (old): The limit of cost fixed in the Second Deficiency Act, fiscal year 1930 (46 Stat. 901), for remodeling the New York, New York, appraisers' stores (old), is hereby increased from $600,000 to $604,154.31.

Relief of contractors.
Vol. 48, p. 974.
Post, p. 1843.

Payment of claims for relief of contractors, Act of June 16, 1934: To enable the Secretary of the Treasury to make payment of claims settled and certified by the Comptroller General of the United States under the provisions of the Act entitled "An Act to provide relief to Government contractors whose costs of performance were increased as a result of compliance with the Act approved June 16, 1933, and for other purposes", approved June 16, 1934 (48 Stat. 974), fiscal year 1936, $700,000.

MEMORIAL TO PERSONNEL OF AMERICAN EXPEDITIONARY FORCES

Pershing Hall, Paris, France.
Settlement of indebtedness.

For settlement of any indebtedness in connection with Pershing Hall, a memorial already erected in Paris, France, under the auspices of the American Legion, Inc., to the commander in chief, officers, men, and auxiliary services of the American Expeditionary Forces, and for the creation by the Secretary of the Treasury of a special fund to be known as the "Pershing Hall Memorial Fund", to be derived from the "Recreation fund, Army", created by the War Department Appropriation Act approved March 4, 1933: *Provided*, That the amount herein appropriated shall not be used until the legal title to said property shall have been vested in the Government of the United States for the use and benefit of all American officers and enlisted men of the World War, all as authorized by the Act approved June 28, 1935, to remain available until expended, $482,032.92.

"Pershing Hall Memorial Fund", created.
Vol. 48, p. 1573.

Proviso.
Vested title.

Ante, p. 426.

WAR DEPARTMENT

War Department.

MILITARY ACTIVITIES

Military activities.

QUARTERMASTER CORPS

Quartermaster Corps.

Subsistence of the Army: For an additional amount for "Subsistence of the Army, 1935", including the same objects specified under this head in the War Department Appropriation Act for the fiscal year 1935, $1,800,000.

Subsistence.

Claim of the Public Service Coordinated Transport of Newark, New Jersey: For payment of the claim of the Public Service Coordinated Transport of Newark, New Jersey, upon settlement and adjustment by the Comptroller General of the United States, arising out of the removal by the War Department during the late war of certain tracks, car house, storage tracks, and so forth, belonging to said company or its predecessor, as authorized and directed in Private Act Numbered 25, Seventy-fourth Congress, approved April 24, 1935, $122,422.43, or so much thereof as may be necessary.

Public Service Coordinated Transport of Newark, N. J.
Payment of claim.

Post, p. 2054.

ORDNANCE DEPARTMENT

Ordnance Department.

Seacoast defenses, insular possessions: For payment of General Accounting Office settlement, dated January 14, 1935, in favor of Wharton and Northern Railroad Company, fiscal year 1929, $117.10.

Wharton and Northern Railroad Company.

Replacing ordnance and ordnance stores: For payment of General Accounting Office settlement, dated February 6, 1935, in favor of Carlos M. Aquino, fiscal years 1926 and 1927, $23.60.

Carlos M. Aquino.

For payment of General Accounting Office Settlement Numbered 0301581, in favor of the Colt's Patent Fire Arms Manufacturing Company, chargeable to the appropriation "Replacing Ordnance and Ordnance Stores, 1926 and 1927", $812.91.

Colt's Patent Fire Arms Manufacturing Company.

NONMILITARY ACTIVITIES

Nonmilitary activities.

Construction of buildings for United States representative in the Philippine Islands: For the necessary housing for office and residence purposes for the establishment of the United States representative in the Philippine Islands, including the acquisition of land, the purchase, construction, and reconstruction of buildings, and the procurement of furniture, furnishings, and equipment, as authorized by the Act approved June 24, 1935, to remain available until expended, $750,000.

Buildings in Philippine Islands for United States representative.

Ante, p. 394.

Cemeterial expenses: For the purchase of ten thousand additional headstones, fiscal year 1936, $90,300.

Cemeterial expenses.

Protective works and measures, Lake of the Woods and Rainy River, Minnesota: For an additional amount for purchase of flowage easements and for protective works and measures along the shores of Lake of the Woods and the banks of Rainy River as authorized by sections 1 and 2 of the Act entitled "An Act to carry into effect provisions of the convention between the United States and Great Britain to regulate the level of Lake of the Woods, concluded on the 24th day of February 1925", approved May 22, 1926, including the purchase, maintenance, repair, and operation of passenger-carrying vehicles, printing and binding, and any other necessary expenses connected therewith, $125,000, to remain available until expended, and in addition thereto the unexpended balance of the appropriation of $375,000 made by the Second Deficiency Act, fiscal year 1928, approved May 29, 1928 (45 Stat. 930), as extended by the Second Deficiency Act, fiscal year 1932, approved July 1, 1932 (47 Stat. 542), is hereby continued and made available until expended.

Lake of the Woods and Rainy River, Minn.
Protective works, etc.
Vol. 44, p. 2108.

Contingent expenses.

Balances reappropriated.
Vol. 45, p. 930; Vol. 47, p. 542.

Pending Indian suits in Court of Claims.

SEC. 2. In all suits now pending in the Court of Claims by an Indian tribe or band which have not been tried or submitted, and in any suit hereafter filed in the Court of Claims by any such tribe or band, the Court of Claims is hereby directed to consider and to offset against any amount found due the said tribe or band all sums expended gratuitously by the United States for the benefit of the said tribe or band; and in all cases now pending or hereafter filed in the Court of Claims in which an Indian tribe or band is party plaintiff, wherein the duty of the court is merely to report its findings of fact and conclusions to Congress, the said Court of Claims is hereby directed to include in its report a statement of the amount of money which has been expended by the United States gratuitously for the benefit of the said tribe or band: *Provided*, That expenditures made prior to the date of the law, treaty, agreement, or Executive order under which the claims arise shall not be offset against the claims or claim asserted; and expenditures under the Act of June 18, 1934 (48 Stat. L. 984), except expenditures under appropriations made pursuant to section 5 of such Act, shall not be charged as offsets against any claim on behalf of an Indian tribe or tribes now pending in the Court of Claims or hereafter filed: *Provided further*, That funds appropriated and expended from tribal funds shall not be construed as gratuities; and this section shall not be deemed to amend or affect the various Acts granting jurisdiction to the Court of Claims to hear and determine the claims listed on page 678 of the hearings before the subcommittee of the House Committee on Appropriations on the second deficiency appropriation bill for the fiscal year 1935: *And provided further*, That no expenditure under any emergency appropriation or allotment made subsequently to March 4, 1933, and generally applicable throughout the United States for relief in stricken agricultural areas, relief from distress caused by unemployment and conditions resulting therefrom, the prosecution of public works and public projects for the relief of unemployment or to increase employment, and for work relief (including the civil-works program) shall be considered in connection with the operation of this section.

Offset against amounts due, for gratuities, etc.

Amount of Federal expense to be expressed in Court findings.

Provisos.
Pending claims not affected.

Vol. 48, p. 984.

Exceptions.

Tribal expenditures not gratuities.

Designated activities, etc., excluded.

"Civilian Conservation Corps" construed.
Ante, p. 115.

SEC. 3. The term "Civilian Conservation Corps" as used in section 1 of the Emergency Relief Appropriation Act for 1935, approved April 8, 1935, shall be construed as embracing emergency conservation work of the character carried on prior to April 1, 1935, under authority of the Act of March 31, 1933, as amended.

General Public Works.

TITLE II—GENERAL PUBLIC WORKS

TENNESSEE VALLEY AUTHORITY

Tennessee Valley Authority.

Continuance, etc., of projects.
Vol. 48, p. 58.

For the purpose of carrying out the provisions of the Act entitled "The Tennessee Valley Authority Act of 1933", approved May 18, 1933 (48 Stat. 58), including the continued construction of Norris Dam, Wheeler Dam, Pickwick Landing Dam, and the beginning of construction on a dam at or near Guntersville, Alabama, and a dam at or near Chickamauga Creek, both on the Tennessee River, and a dam on the Hiwassee River, a tributary of the Tennessee River, at or near Fowlers Bend, and the continuation of preliminary investigations as to the location and desirability of a dam at or near Aurora Landing and a dam at or near Whites Creek, and the acquisition of necessary land, the clearing of such land, relocation of highways, and the construction or purchase of transmission lines and other facilities, and all other necessary works authorized by

said Act, and for printing and binding, law books, books of reference, newspapers, periodicals, purchase, maintenance, and operation of passenger-carrying vehicles, rents in the District of Columbia and elsewhere, and all necessary salaries and expenses connected with the organization, operation, and investigations of the Tennessee Valley Authority, $36,000,000: *Provided*, That this appropriation and all appropriations, allotments, and other funds made available heretofore to the Tennessee Valley Authority, including any unexpended balances remaining from the appropriation of $50,000,000 made to the Tennessee Valley Authority by the Fourth Deficiency Act, fiscal year 1933, the allocation of $25,000,000 made to the Tennessee Valley Authority under the Emergency Appropriation Act, fiscal year 1935, and the receipts of the Tennessee Valley Authority from all sources, except as limited by section 26 of the Tennessee Valley Authority Act approved May 18, 1933 (48 Stat. 58), shall be covered into and accounted for as one fund to be known as the "Tennessee Valley Authority Fund" and shall remain available until June 30, 1936: *Provided further*, That not to exceed $1,000,000 shall be expended on the dam on the Hiwassee River.

Provisos.
Sundry appropriations to be considered one fund.
Post, p. 1607.

Vol. 48, p. 71.

Hiwassee River dam.

VETERANS' ADMINISTRATION

Veterans' Administration.

Hospital and domiciliary facilities: For hospital and domiciliary facilities, $21,250,000, to remain available until expended: *Provided*, That this amount is authorized to be used by the Administrator of Veterans' Affairs, with the approval of the President, for extending any of the facilities under the jurisdiction of the Veterans' Administration or for any of the purposes set forth in sections 1 and 2 of the Act approved March 4, 1931 (46 Stat. 1550): *Provided further*, That not to exceed 3 per centum of this amount shall be available for the employment in the District of Columbia and in the field of necessary technical and clerical assistants at the customary rates of compensation exclusively to aid in the preparation of the plans and specifications for the projects authorized herein and for the supervision of the execution thereof, and for traveling expenses, rentals in the District of Columbia, field office equipment, and supplies in connection therewith.

Hospital and domiciliary facilities.
Provisos.
Use of, in extending facilities.
Vol. 46, p. 1550.

Personal services.

DEPARTMENT OF THE INTERIOR

Interior Department.

Reclamation Bureau.

BUREAU OF RECLAMATION

Boulder Canyon project: For the continuation of construction of the Boulder Canyon Dam and incidental works in the main stream of the Colorado River at Black Canyon, to create a storage reservoir, and of a complete plant and incidental structures suitable for the fullest economic development of electrical energy from the water discharged from such reservoir; to acquire by proceedings in eminent domain or otherwise, all lands, rights-of-way, and other property necessary for such purposes; and for incidental operations, as authorized by the Boulder Canyon Project Act, approved December 21, 1928 (U. S. C., Supp. VII, title 43, ch. 12A): $14,000,000, to remain available until advanced to the Colorado River Dam fund, which amount shall be available for personal services in the District of Columbia and in the field without regard to the civil-service laws and the Classification Act of 1923, as amended, and for all other objects of expenditure that are specified for projects included in the Interior Department Appropriation Act for the fiscal year

Boulder Canyon project, construction, etc.

Vol. 45, p. 1057.
U. S. C., p. 1879.

Personal services.

Ante, p. 197.

Proviso. Investigations and reports. Vol. 45, p. 1065.

1936, under the caption "Bureau of Reclamation": *Provided*, That of this fund not to exceed $35,000, reimbursable, shall be available for investigation and reports as authorized by section 15 of the Boulder Canyon Project Act.

Navy Department.

NAVY DEPARTMENT

Bureau of Yards and Docks.

BUREAU OF YARDS AND DOCKS

Public works. *Ante*, p. 155.

Public Works, Bureau of Yards and Docks: For public works and public utilities as authorized by the Act approved April 15, 1935 (Public Act Numbered 36, Seventy-fourth Congress), and for improvement of fresh-water system at the Fleet Air Base, Pearl Harbor, Hawaii, $13,874,000, of which not to exceed $416,000 shall be available for the employment of classified personal services in the Bureau of Yards and Docks and in the field service to be engaged upon such work and to be in addition to employees otherwise provided for: *Provided*, That the Secretary of the Navy is authorized to commence, continue, or complete the construction of, or make provision for, by contract or otherwise, the following-named public-works and public-utilities projects at a limit of cost not to exceed the amount stated for each project enumerated, respectively:

Pearl Harbor Fleet Air Base, fresh water system.

Proviso. Designated projects authorized.

Pearl Harbor, floating dry dock.

Navy Yard, Pearl Harbor, Hawaii: Floating dry dock, type B, including mooring facilities and accessories, $10,000,000; floating dry dock, type D, including mooring facilities and accessories, $750,000;

Balboa, and Coco Solo, C. Z., ammunition depots.

Naval Ammunition Depots, Balboa, and Coco Solo, Canal Zone: Ammunition storage facilities, including buildings and accessories, $2,000,000;

Pearl Harbor, Fleet Air Base.

Fleet Air Base, Pearl Harbor, Hawaii: Barracks and mess hall for enlisted men, $587,000; quarters for officers, $200,000; quarters for chief petty officers, $180,000; paint and oil storehouse building and accessories, $30,000; garage and fire-station buildings and accessories, $22,000; boathouse building and accessories, $25,000; improvement of fresh-water system, $80,000.

Puget Sound, navy yard.

Navy Yard, Puget Sound, Washington: For purchase of land for foundry extension, $10,000.

Increase of the Navy.

INCREASE OF THE NAVY

Armor, etc., for authorized vessels.

Armor, armament, and ammunition: For an additional amount toward the armor, armament, and ammunition for vessels heretofore authorized, and so forth, including the same objects specified under this head in the Act making appropriations for the Navy Department for the fiscal year 1935, $6,110,000, to remain available until expended.

Department of State.

DEPARTMENT OF STATE

Foreign Service building fund. Shanghai, China.

For the erection and initial furnishing of a building on the site at Shanghai, China, owned by the Government of the United States; and for the acquisition of an embassy residence and the initial alteration, repair and furnishing thereof and the conversion by alteration, repair and furnishing of the government owned combined office and residence building, to provide office accommodations for the use of the diplomatic and consular and other establishments of the United States at Rio de Janeiro, Brazil; and for the acquisition of a legation residence and the initial alteration, repair, and furnishing thereof, at Ottawa, Canada, $1,325,000, which shall be avail-

Rio de Janeiro, Brazil.

Ottawa, Canada.

able for the purposes and subject to the applicable provisions of the Foreign Service Buildings Act of 1926, as amended (U. S. C., Supp. VII, title 22, secs. 292–299).

U. S. C., p. 967.

TREASURY DEPARTMENT

Treasury Department.

PROCUREMENT DIVISION—PUBLIC WORKS BRANCH

Procurement Division—Public Works Branch.

Public buildings outside the District of Columbia: For emergency construction of public building projects outside of the District of Columbia (including the acquisition, where necessary, by purchase, condemnation, exchange, or otherwise of sites and additional land for such buildings; the demolition of old buildings where necessary and construction, remodeling, or extension of buildings; rental of temporary quarters during construction, including moving expenses; purchase of necessary equipment for buildings and such additional administrative expenses and salaries as may be required solely for the purpose of carrying out the provisions of this paragraph), $60,000,000; such projects, including the sites therefor, to be selected by the Secretary of the Treasury and the Postmaster General, acting jointly, from the public-building projects specified in Statement Numbered 1 contained in House Report Numbered 1879 Seventy-third Congress, second session, as revised April 15, 1935, and Statement Numbered 2 attached thereto, and the projects so selected shall be carried out within the respective estimates of proposed limits of cost specified in such Statement Numbered 1 and those hereafter fixed by the Secretary of the Treasury and the Postmaster General for projects selected from Statement Numbered 2 and otherwise, except that the unobligated balance of the $2,500,000 fund established by the Emergency Appropriation Act, fiscal year 1935, approved June 19, 1934 (48 Stat. 1061), shall be available also for the augmentation of limits of cost of projects selected under the provisions of this Act in an amount not exceeding 10 per centum for any project and including $70,000 for the completion of the Oak Park (Illinois), post-office building as planned by the Treasury Department, and $56,000 for the Marquette (Michigan), post-office and courthouse building, in order to award the contract therefor to the lowest responsible bidder: *Provided*, That with a view to relieving country-wide unemployment the Secretary of the Treasury and the Postmaster General, in the selection of towns or cities in which buildings are to be constructed, shall endeavor to distribute the projects equitably throughout the country so far as may be consistent with the needs of the public service; and the Secretary of the Treasury and the Postmaster General may also select for prosecution under this appropriation such projects not included in such revised report as in their judgment are economically sound and advantageous to the public service: *Provided further*, That the Secretary of the Treasury is authorized to direct the preparation of all sketches, estimates, plans and specifications (including supervision and inspection thereof), and to enter into all contracts necessary for carrying out the purposes of this paragraph, and he is hereby authorized, when deemed by him desirable and advantageous, to employ by contract or otherwise, temporary professional, technical, or nontechnical employees, firms, or corporations to such extent as may be required to carry out the purposes of this paragraph, without reference to civil-service laws, rules, regulations, or to the Classification Act of 1923, as amended, or to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5): *Provided further*, That in the acquisition of land or sites for the purposes of Federal public buildings and in the construction of such buildings provided

Public buildings outside the District of Columbia.
Post, p. 1638.

Emergency construction fund.
Vol. 48, p. 1061.

Oak Park, Ill.

Marquette, Mich.

Provisos.
Equitable distribution of projects.

Selection of other projects.

Preparation of plans, contracts.

Technical services.

R. S., sec. 3709, p. 733.
U. S. C., p. 1803.

Acquisition of sites, building plans, etc.
Vol. 47, pp. 722-723.

for in this paragraph, the provisions of sections 305 and 306 of the Emergency Relief and Construction Act of 1932, as amended, shall apply.

Public buildings, District of Columbia. Contracts authorized.

Public buildings, District of Columbia: The Secretary of the Treasury is hereby authorized to enter into contracts for construction of the following public-building projects in the District of Columbia, in amounts not exceeding the following respective estimated limits of cost, which limits of cost shall include salaries and other expenses required solely for the purpose of carrying out said public-building projects; and the Secretary of the Treasury is authorized to direct the preparation of all sketches, estimates, plans, and specifications (including supervision and inspection thereof), and to enter into all contracts necessary for carrying out the purposes of this paragraph, and he is hereby authorized, when deemed by him desirable and advantageous, to employ, by contract or otherwise, temporary professional, technical, or nontechnical employees, firms, or corporations, to such extent as may be required to carry out the purposes of this paragraph, without reference to civil-service laws, rules, and regulations, or to the Classification Act of 1923, as amended, or to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5):

Plans, etc.

Technical, etc., services.

U. S. C., p. 85.

U. S. C., p. 1803.

Engraving and Printing Bureau, addition. *Post*, p. 1640.

Bureau of Engraving and Printing: For site and construction of an additional building for the Bureau of Engraving and Printing and other Treasury Department activities, including furniture, equipment, moving expenses, rental of temporary quarters during construction, demolition of the Economics Building located on the proposed site and, if necessary, the replacement thereof on Government-owned land, railroad sidings, and all necessary tunnels connecting the proposed building with the railroad sidings and with the main Bureau of Engraving and Printing Building, $2,000,000, within a total limit of cost not to exceed $5,500,000.

Economics Building.

Government Printing Office, annex. *Post*, p. 1639.

Government Printing Office: For necessary land and construction of annex buildings for the Government Printing Office, including rights-of-way, furniture, moving expenses, rental of temporary quarters during construction, railroad sidings, alterations to existing buildings, all necessary tunnels connecting proposed and existing buildings, demolition of existing structures, all necessary changes in mechanical equipment, $2,000,000, within a total limit of cost not to exceed $5,885,000.

General Accounting Office, extension.

General Accounting Office: For the extension on land owned by the Government and remodeling of the old Pension Office Building now occupied by the General Accounting Office, including furniture, equipment, rent of temporary quarters during construction, and moving expenses, $2,000,000, within a total limit of cost not to exceed $4,700,000.

War Department.

WAR DEPARTMENT

Quartermaster Corps.

QUARTERMASTER CORPS

Military posts, etc., construction, remodeling, etc.

Construction of buildings, utilities, and appurtenances at military posts: For construction, remodeling, reconditioning, and installation at military posts of buildings and appurtenances thereto, including interior facilities, necessary services, roads, connections to water, sewer, gas, and electric mains, and similar improvements without reference to sections 1136 and 3734, Revised Statutes (U. S. C., title 10, sec. 1339; title 40, sec. 267), including also the engagement by contract or otherwise without regard to section 3709, Revised Statutes (U. S. C., title 41, sec. 5), and without regard to the restrictions of existing law governing the employment or compensation of

U. S. C., pp. 293, 1787.

U. S. C., p. 1803.

employees of the United States, and at such rates of compensation as the Secretary of War may determine of the services of architects or firms or corporations thereof and other technical and professional personnel as may be necessary, and including also general overhead expenses of transportation, engineering, supplies, inspection and supervision, travel connected therewith, and such services as may be necessary in the office of the Quartermaster General, to remain available until expended, $9,850,000 as follows: Toward construction at the United States Military Academy, $5,324,250; toward construction of an airdrome in Hawaii, $4,525,750.

Personal services.

CORPS OF ENGINEERS

Engineer Corps.

River and Harbor Works: For an additional amount for the construction, preservation, and maintenance of works of river and harbor improvement, including the same objects specified under this head in the War Department Appropriation Act for the fiscal year 1935, $10,000,000, to remain available until expended.

River and Harbor Works.

TITLE III—JUDGMENTS AND AUTHORIZED CLAIMS

Judgments, and authorized claims.

DAMAGE CLAIMS

Damage claims.

SECTION 1. (a) For the payment of claims for damages to or losses of privately owned property adjusted and determined by the following respective departments and independent establishments under the provisions of the Act entitled "An Act to provide for a method for the settlement of claims arising against the Government of the United States in sums not exceeding $1,000 in any one case", approved December 28, 1922 (U. S. C., title 31, secs. 215–217), as fully set forth in House Document Numbered 209, Seventy-fourth Congress, as follows:

Payment of.

Vol. 42, p. 1066.

U. S. C., p. 1369.

Civil Works Administration, $1,231.03;
Federal Emergency Relief Administration, $131;
Veterans' Administration, $25;
Department of Agriculture, $5,197.49;
Department of Commerce, $465.70;
Department of the Interior, $672.96;
Department of Justice, $104.69;
Department of Labor, $36.72;
Navy Department, $279.90;
Post Office Department (out of postal revenues), $92.25;
Department of State, $19.26;
Treasury Department, $530.04;
War Department, $7,238.77;

In all, $16,024.81: *Provided*, That in such document Numbered 209 the amount allowed in item 50, page 10, shall read "$108.56" instead of "$108.06."

Proviso. Textual correction.

(b) For the payment of claims for damages to or losses of privately owned property, adjusted and determined by the following respective departments and an independent office, under the provisions of the Act entitled "An Act to provide a method for the settlement of claims arising against the Government of the United States in sums not exceeding $1,000 in any one case", approved December 28, 1922 (U. S. C., title 31, secs. 215–217), as fully set forth in Senate Document Numbered 80 of the Seventy-fourth Congress, as follows:

Settlement of, not in excess of $1,000.

Vol. 42, p. 1066.

U. S. C., p. 1369.

Federal Civil Works Administration, $2,897.71;
Department of Agriculture, $2,350.42;
Department of the Interior, $685.98;

Navy Department, $392.43;
Treasury Department, $1,086.40;
War Department, $3,091.88;
Post Office Department (payable from postal revenues), $45.03;
In all, $10,549.85.

United States courts, judgments.

JUDGMENTS, UNITED STATES COURTS

Payment of, under War Department.

SEC. 2. (a) For payment of the final judgments and decrees, including costs of suits, which have been rendered under the provisions of the Act of March 3, 1887, entitled "An Act to provide for the bringing of suits against the Government of the United States", as amended by the Judicial Code, approved March 3, 1911 (U. S. C., title 28, sec. 41, par. 20; sec. 258; secs. 761–765), certified to the Seventy-fourth Congress in House Document Numbered 205 under the following departments and establishments, namely:

U. S. C., pp. 1229, 1262, 1308.

War Department, $21,483.64;

Interest.

In all, $21,483.64, together with such additional sum as may be necessary to pay interest on certain judgments at the rate of 4 per centum from the date thereof until the time this appropriation is made.

Payment of, for suits in admiralty.

(b) For the payment of judgments, including costs of suits, rendered against the Government of the United States by United States District Courts under the provisions of an Act entitled "An Act authorizing suits against the United States in admiralty for damages caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes", approved March 3, 1925 (U. S. C., title 46, secs. 781–789, certified to the Seventy-fourth Congress in House Document Numbered 205, under the following departments, namely:

Vol. 43, p. 1112. U. S. C., p. 2054.

Navy Department, $6,151.60;
Treasury Department, $2,500;
War Department, $388;

Interest.

In all, $9,039.60, together with such additional sum as may be necessary to pay interest, where specified in such judgments, at the rate provided by law.

Judgments, in special cases.

(c) For the payment of the judgments, including costs of suits, rendered against the Government by United States District Courts in special cases and under the provisions of certain special Acts and certified to the Seventy-fourth Congress in House Document Numbered 205, under the following departments, namely:

U. S. C., p. 1399.

Department of Labor, $2,664.60;
Navy Department, $112,023.64;
In all, $114,688.24.

Time of payments.

(d) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

Interest payment restriction.

(e) Payment of interest wherever provided for judgments contained in this Act shall not in any case continue for more than thirty days after the date of approval of the Act.

Judgments, Court of Claims.

JUDGMENTS, COURT OF CLAIMS

Payment of.

SEC. 3. (a) For payment of the judgments rendered by the Court of Claims and reported to the Seventy-fourth Congress in Senate Document Numbered 83 and House Document Numbered 199, under the following departments and establishments, namely:

Department of the Interior (Indians), $622,465.57;
Navy Department, $90,361.70;

Post Office Department, $849.48;
Treasury Department, $3,995.27;
War Department, $298,145.58;
In all, $1,015,817.60.

(b) None of the judgments contained under this caption which have not been affirmed by the Supreme Court or otherwise become final and conclusive against the United States shall be paid until the expiration of the time within which application may be made for a writ of certiorari under subdivision (b) section 3, of the Act entitled "An Act to amend the Judicial Code, and to further define the jurisdiction of the circuit courts of appeals and of the Supreme Court, and for other purposes", approved February 13, 1925 (U. S. C., title 28, sec. 288). Time of payment. Vol. 43, p. 939; U. S. C., p. 1265.

(c) For payment of judgments rendered by the Court of Claims and reported to Congress in House Document Numbered 174, Seventy-second Congress, first session, as follows:
Number H–320, in favor of Tillett S. Daniel, $648; Tillett S. Daniel.
Number K–138, in favor of William B. Hetfield, $2,510.93; William B. Hetfield.
In all, $3,158.93.

AUDITED CLAIMS

Audited claims.

SEC. 4. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1932 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in House Document Numbered 210, Seventy-fourth Congress, there is appropriated as follows: Payment of. Vol. 18, p. 110. U. S. C., p. 1410.

Independent offices: For traveling expenses, Civil Service Commission, $2. Independent offices.
For Interstate Commerce Commission, $11.48.
For Federal Trade Commission, $89.60.
For agricultural credits and rehabilitation, emergency relief, $25,000.
For Army pensions, $25.83.
For medical and hospital services, Bureau of War Risk Insurance, $4.
For medical and hospital services, Veterans' Bureau, $429.97.
For salaries and expenses, Veterans' Administration, $4,257.38.
Department of Agriculture: For salaries and expenses, Weather Bureau, $279.84. Department of Agriculture.
For salaries and expenses, Bureau of Plant Industry, $1.11.
Department of Commerce: For aircraft in commerce, 17 cents. Department of Commerce.
For air navigation facilities, $22.
For general expenses, Lighthouse Service, $1.
For miscellaneous expenses, Bureau of Fisheries, $1.19.
Department of the Interior: For National Park Service, $2.75. Department of the Interior.
For Saint Elizabeths Hospital, $3.64.
For general expenses, Bureau of Mines, $10.82.
For support and civilization of Indians, $14.50.
For education of natives of Alaska, $4.90.
For conservation of health among Indians, $5.
For support of Indians and administration of Indian property, $3.49.

Department of Justice.

Department of Justice: For printing and binding, Department of Justice and courts, $31.60.

For detection and prosecution of crimes, $2.80.

For salaries and expenses, Bureau of Prohibition, $29.51.

For salaries, fees, and expenses of marshals, United States courts, $231.15.

For fees of commissioners, United States courts, $13.89.

For Federal jails, $12.60.

For salaries and expenses, Bureau of Prisons, $1.

For pay of bailiffs, and so forth, United States courts, $2.50.

Department of Labor.

Department of Labor: For expenses of regulating immigration, $14.67.

For salaries and expenses, Bureau of Immigration, 87 cents.

For salaries and expenses, Bureau of Naturalization, $2.99.

Navy Department.

Navy Department: For organizing the Naval Reserve, $1.

For engineering, Bureau of Engineering, $109,300.65.

For pay, subsistence, and transportation, Navy, $2,926.03.

For pay of the Navy, $122.51.

For maintenance, Bureau of Supplies and Accounts, $2,825.29.

For construction and repair, Bureau of Construction and Repair, $3.03.

For maintenance, Bureau of Yards and Docks, $1.43.

For aviation, Navy, $1,512.25.

For pay, Marine Corps, $3,253.53.

For general expenses, Marine Corps, $21.65.

Department of State.

Department of State: For contingent expenses, foreign missions, $407.50.

Treasury Department.

Treasury Department: For collecting the revenue from customs, $6.

For pay and allowances, Coast Guard, $218.56.

For pay of personnel and maintenance of hospitals, Public Health Service, $2,017.25.

For pay of other employees, Public Health Service, $23.47.

For quarantine service, $1.09.

For enforcement of the Narcotic and National Prohibition Acts, internal revenue, $70.60.

For operating force for public buildings, $12.86.

For operating supplies for public buildings, $37.67.

For repairs and preservation of public buildings, $7.

War Department.

War Department: For registration and selection for military service, $170.

For pay, and so forth, of the Army, $7,547.29.

For pay of the Army, $3,469.02.

For pay, and so forth, of the Army, War with Spain, $12.18.

For increase of compensation, Military Establishment, $114.26.

For Army transportation, $785.15.

For clothing and equipage, $213.89.

For general appropriations, Quartermaster Corps, $1,448.46.

For replacing clothing and equipage, $2.14.

For replacing ordnance and ordnance stores, $14.10.

For arming, equipping, and training the National Guard, $37.60.

For organized reserves, $12.32.

For Reserve Officers' Training Corps, $178.62.

For barracks and quarters, $313.72.

For terminal storage and shipping buildings, $3,200.

For regular supplies of the Army, $40.62.

For horses, draft and pack animals, $4.26.

For pay of Military Academy, $30.

For repairs of arsenals, $20.

Post Office Department—Postal Service, (out of the postal revenues): For balances due foreign countries, $3,653.86. Post Office Department.

For clerks, first- and second-class post offices, $333.43.

For compensation to postmasters, $1,183.95.

For freight, express, or motor transportation of equipment, and so forth, $62.91.

For indemnities, domestic mail, $146.66.

For indemnities, international mail, $73.94.

For personal or property-damage claims, $25.

For railroad transportation and mail messenger service, $38.79.

For rent, light, and fuel, $4,887.01.

For Rural Delivery Service, $215.03.

For vehicle service, $3,071.04.

Total, audited claims, section 4 (a), $184,588.87, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency as specified in certain of the settlements of the General Accounting Office. Total; additional sum, increases in rate of exchange.

(b) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1932 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in Senate Document Numbered 85, Seventy-fourth Congress, there is appropriated as follows: Payment of. Vol. 18, p. 110. U. S. C., p. 1410.

Independent offices: For loans to farmers in drought and storm stricken areas, emergency relief, 27 cents. Independent offices.

For salaries and expenses, United States Shipping Board, $33.

For Army pensions, $54.26.

For medical and hospital services, Veterans' Bureau, $180.28.

For salaries and expenses, Veterans' Administration, $94.45.

Department of Agriculture: For salaries and expenses, Bureau of Dairy Industry, $1.75. Department of Agriculture.

Department of Commerce: For promoting commerce, Department of Commerce, $22.01. Department of Commerce.

For air navigation facilities, $145.83.

For general expenses, Lighthouse Service, $157.13.

For salaries and expenses, Patent Office, $7.73.

For improvement and care of grounds, Bureau of Standards, $290.

For miscellaneous expenses, Bureau of Fisheries, $30.91.

Department of the Interior: For Fredericksburg and Spotsylvania County battlefields memorial, Virginia, $50. Department of the Interior.

For administration of Indian forests, $79.80.

Department of Justice: For salaries and expenses, Bureau of Prohibition, $129.14. Department of Justice.

For salaries, fees, and expenses of marshals, United States courts, $34.85.

For fees of jurors and witnesses, United States courts, $9.15.

For miscellaneous expenses, United States courts, $24.

For support of United States prisoners, $1,052.70.

Navy Department: For organizing the Naval Reserve, $3.60. Navy Department.

For ordnance and ordnance stores, Bureau of Ordnance, $797.50.

For pay, subsistence, and transportation, Navy, $56.24.

For pay of the Navy, $215.90.

For instruments and supplies, Bureau of Navigation, $136.01.

For maintenance, Bureau of Supplies and Accounts, $37.84.

For aviation, Navy, $12,336.12.
For pay, Marine Corps, $121.60.
For general expenses, Marine Corps, $1.

Department of State.

Department of State: For transportation of Foreign Service officers, $350.
For salaries of ambassadors and ministers, $7.50.
For contingent expenses, foreign missions, $99.04.

Treasury Department.

Treasury Department: For outfits, Coast Guard, $21.
For pay and allowances, Coast Guard, $1.80.
For collecting the internal revenue, $3.70.
For refunding internal revenue collections, $5.
For enforcement of narcotic and national prohibition acts, internal revenue, $20.
For mechanical equipment of public buildings, $12.65.
For operating force for public buildings, $1,338.10.
For repairs and preservation of public buildings, $278.72.
For printing and binding, Treasury Department, $5.
For operating supplies for public buildings, $8.70.

War Department.

War Department: For pay, and so forth, of the Army, $5,309.27.
For pay of the Army, $345.97.
For increase of compensation, Military Establishment, $267.34.
For general appropriations, Quartermaster Corps, $519.34.
For supplies, services, and transportation, Quartermaster Corps, $5.
For arms, uniforms, and equipment for field service, National Guard, $209.12.
For Army transportation, $130.21.
For pay of National Guard for armory drills, $64.13.
For pay, and so forth, of the Army, War with Spain, $12.99.
For registration and selection for military service, $56.50.
For organized reserves, $11.66.
For barracks and quarters, $9.75.
For clothing and equipage, $16.69.
For regular supplies of the Army, $35.64.
For ordnance service and supplies, Army, 79 cents.
For Reserve Officers' Training Corps, $28.20.

Post Office Department.

Post Office Department—Postal Service (out of the postal revenues): For city delivery carriers, $81.39.
For compensation to postmasters, $1,202.88.
For freight on stamped paper and mail bags, $3.53.
For indemnities, domestic mail, $87.21.
For indemnities, international mail, $13.50.

Total; additional sum, increases in rate of exchange.

Total, audited claims, section 4 (b), $26,665.39, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency as specified in certain of the settlements of the General Accounting Office.

Judgments against collectors of customs.

SEC. 5. Judgments against collectors of customs: For the payment of claims allowed by the General Accounting Office covering judgments rendered by United States District Courts against collectors of customs, where certificates of probable cause have been issued as provided for under section 989, Revised Statutes (U. S. C., title 28, sec. 842), and certified to the Seventy-fourth Congress in Senate Document Numbered 84, under the Department of Labor, $7,711.14.

R. S., sec. 989, p. 185. U. S. C., p. 1314.

Title.

SEC. 6. This Act may be cited as the "Second Deficiency Appropriation Act, fiscal year 1935."

Approved, August 12, 1935.

[CHAPTER 509.]

AN ACT

To amend the Interstate Commerce Act, as amended.

August 12, 1935.
[S. 1633.]
[Public, No. 261.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (1) of section 3 of the Interstate Commerce Act, as amended, is hereby amended to read as follows:

Interstate Commerce Act, amendment.
Vol. 24, p. 380; U. S. C., p. 2215.

"(1) It shall be unlawful for any common carrier subject to the provisions of this Act to make, give, or cause any undue or unreasonable preference or advantage to any particular person, company, firm, corporation, association, locality, port, port district, gateway, transit point, or any particular description of traffic, in any respect whatsoever or to subject any particular person, company, firm, corporation, association, locality, port, port district, gateway, transit point, or any particular description of traffic to any undue or unreasonable prejudice or disadvantage in any respect whatsoever."

Undue preference or prejudice prohibited.

Ports, port districts, etc.

Approved, August 12, 1935.

[CHAPTER 510.]

AN ACT

To safeguard the estates of veterans derived from payments of pension, compensation, emergency officers' retirement pay and insurance, and for other purposes.

August 12, 1935.
[H. R. 3979.]
[Public, No. 262.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 21 of the World War Veterans' Act, 1924, as amended (U. S. C., Supp. VII, title 38, sec. 450), is hereby amended to read as follows:

World War Veterans' Act, 1924, amendment.
Vol. 44, p. 791; U. S. C., p. 1664.

"SEC. 21. (1) Where any payment of compensation, adjusted compensation, pension, emergency officers' retirement pay, or insurance under any Act administered by the Veterans' Administration is to be made to a minor, other than a person in the military or naval forces of the United States, or to a person mentally incompetent, or under other legal disability adjudged by a court of competent jurisdiction, such payment may be made to the person who is constituted guardian, curator, or conservator by the laws of the State of residence of claimant, or is otherwise legally vested with the care of the claimant or his estate: *Provided*, That where in the opinion of the Administrator any guardian, curator, conservator, or other person is acting as fiduciary in such a number of cases as to make it impracticable to conserve properly the estates or to supervise the persons of the wards, the Administrator is hereby authorized to refuse to make future payments in such cases as he may deem proper: *Provided further*, That prior to receipt of notice by the Veterans' Administration that any such person is under such other legal disability adjudged by some court of competent jurisdiction, payment may be made to such person direct: *Provided further*, That where no guardian, curator, or conservator of the person under a legal disability has been appointed under the laws of the State of residence of the claimant, the Administrator shall determine the person who is otherwise legally vested with the care of the claimant or his estate.

Payments to persons under legal disability.
Post, p. 1101.

Provisos.
Authority to refuse to make payments.

Direct payments to claimant.

Determination of person legally vested with care of claimant.

"(2) Whenever it appears that any guardian, curator, conservator, or other person, in the opinion of the Administrator, is not properly executing or has not properly executed the duties of his trust or has collected or paid, or is attempting to collect or pay, fees, commissions, or allowances that are inequitable or in excess of those allowed

Misappropriation of funds by fiduciary.
Vol. 45, p. 964.

by law for the duties performed or expenses incurred, or has failed to make such payments as may be necessary for the benefit of the ward or the dependents of the ward, then and in that event the Administrator is hereby empowered by his duly authorized attorney to appear in the court which has appointed such fiduciary, or in any court having original, concurrent, or appellate jurisdiction over said cause, and make proper presentation of such matters: *Provided*, That the Administrator, in his discretion, may suspend payments to any such guardian, curator, conservator, or other person who shall neglect or refuse, after reasonable notice, to render an account to the Administrator from time to time showing the application of such payments for the benefit of such incompetent or minor beneficiary, or who shall neglect or refuse to administer the estate according to law: *Provided further*, That the Administrator is hereby authorized and empowered to appear or intervene by his duly authorized attorney in any court as an interested party in any litigation instituted by himself or otherwise, directly affecting money paid to such fiduciary under this section.

Presentation to appointing court.

Provisos.
Suspension of payments on refusal to render account.

Appearance of Administrator as interested party.

Fiduciaries; appointment; costs of investigating.

"Authority is hereby granted for the payment of any court or other expenses incident to any investigation or court proceeding for the appointment of any guardian, curator, conservator, or other person legally vested with the care of the claimant or his estate or the removal of such fiduciary and appointment of another, and of expenses in connection with the administration of such estates by such fiduciaries, or in connection with any other court proceeding hereby authorized, when such payment is authorized by the Administrator.

Payments to legal custodians.
Vol. 46, p. 993.

"(3) All or any part of the compensation, pension, emergency officers' retirement pay, or insurance the payment of which is suspended or withheld under this section may, in the discretion of the Administrator, be paid temporarily to the person having custody and control of the incompetent or minor beneficiary to be used solely for the benefit of such beneficiary, or in the case of an incompetent veteran, may be apportioned to the dependent or dependents, if any, of such veteran. Any part not so paid and any funds of a mentally incompetent or insane veteran not paid to the chief officer of the institution in which such veteran is an inmate nor apportioned to his dependent or dependents may be ordered held in the Treasury to the credit of such beneficiary. All funds so held shall be disbursed under the order and in the discretion of the Administrator for the benefit of such beneficiary or his dependents. Any balance remaining in such fund to the credit of any beneficiary may be paid to him if he recovers and is found competent, or, if a minor, attains majority, or otherwise to his guardian, curator, or conservator, or, in the event of his death, to his personal representative, except as otherwise provided by law: *Provided*, That payment will not be made to his personal representative if, under the law of the State of his last legal residence, his estate would escheat to the State: *Provided further*, That any funds in the hands of a guardian, curator, conservator, or person legally vested with the care of the beneficiary or his estate, derived from compensation, automatic or term insurance, emergency officers' retirement pay, or pension, payable under said Acts, which under the law of the State wherein the beneficiary had his last legal residence would escheat to the State, shall escheat to the United States and shall be returned by such guardian, curator, conservator, or person legally vested with the care of the beneficiary or his estate, or by the personal representative of

Disbursement of funds.

Balance remaining unpaid.

Provisos.
Payments to personal representatives.

Escheats.

the deceased beneficiary, less legal expenses of any administration necessary to determine that an escheat is in order, to the Veterans' Administration, and shall be deposited to the credit of the current appropriations provided for payment of compensation, insurance, or pension."

Misappropriation of funds by fiduciary, etc.; penalty.

SEC. 2. Whoever, being a guardian, curator, conservator, committee, or person legally vested with the responsibility or care of a claimant or his estate, or any other person having charge and custody in a fiduciary capacity of money paid under the War Risk Insurance Act, as amended, the World War Veterans' Act, 1924, as amended, the Emergency Officers' Retirement Act, as amended, the World War Adjusted Compensation Act, as amended, the pension laws in effect prior to March 20, 1933, Public Law Numbered 2, Seventy-third Congress, as amended, Public Law Numbered 484, Seventy-third Congress, or under any Act or Acts amendatory of such Acts, for the benefit of any minor, incompetent, or other beneficiary, shall lend, borrow, pledge, hypothecate, use, or exchange for other funds or property, except as authorized by law, or embezzle or in any manner misappropriate any such money or property derived therefrom in whole or in part and coming into his control in any manner whatever in the execution of his trust, or under color of his office or service as such fiduciary, shall be fined not exceeding $2,000 or imprisoned for a term not exceeding five years, or both. Any willful neglect or refusal to make and file proper accountings or reports concerning such money or property as required by law, shall be taken to be sufficient evidence, prima facie, of such embezzlement or misappropriation. Section 505 of the World War Veterans' Act, 1924, section 16 of Public Law Numbered 2, Seventy-third Congress, and section 4783 of the Revised Statutes are hereby repealed; but any offense committed before the enactment of this Act may be prosecuted and punishment may be inflicted in accordance with the terms of said sections notwithstanding the repeal of said sections.

Refusal to file accountings.

Repeals. Vol. 43, p. 1312; Vol. 48, p. 11. R. S., sec. 4783, p. 929; U. S. C., p. 1631. Prosecutions.

Assignment of payments prohibited; exemptions.

SEC. 3. Payments of benefits due or to become due shall not be assignable, and such payments made to, or on account of, a beneficiary under any of the laws relating to veterans shall be exempt from taxation, shall be exempt from the claims of creditors, and shall not be liable to attachment, levy, or seizure by or under any legal or equitable process whatever, either before or after receipt by the beneficiary. Such provisions shall not attach to claims of the United States arising under such laws nor shall the exemption herein contained as to taxation extend to any property purchased in part or wholly out of such payments. Section 4747 of the Revised Statutes and section 22 of the World War Veterans' Act, 1924, are hereby repealed, and all other Acts inconsistent herewith are hereby modified accordingly. The provisions of this section shall not be construed to prohibit the assignment by any person, to whom converted insurance shall be payable under title III of the World War Veterans' Act, 1924, of his interest in such insurance to any other member of the permitted class of beneficiaries.

Repeals. R. S., sec. 4747, p. 924; U. S. C., p. 1627. Vol. 43, p. 613; U. S. C., p. 1665.

Assignment of converted insurance.

Separability of provisions.

SEC. 4. If any provision, sentence, or clause of this Act or the application thereof to any person or circumstances, is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Effective date.

SEC. 5. That this Act shall take effect and be in force from and after its passage, but the provisions hereof shall apply to payments made heretofore under any of the Acts mentioned herein.

Approved, August 12, 1935.

[CHAPTER 511.]

AN ACT

August 12, 1935.
[H. R. 7022.]
[Public, No. 263.]

To authorize the selection, construction, installation, and modification of permanent stations and depots for the Army Air Corps and frontier air-defense bases generally.

Army Air Corps stations.
Location of essential stations; enlargement of existing, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized and directed to determine in all strategic areas of the United States, including those of Alaska and our overseas possessions and holdings, the location of such additional permanent Air Corps stations and depots as he deems essential, in connection with the existing Air Corps stations and depots and the enlargement of the same when necessary, for the effective peace-time training of the General Headquarters Air Force and the Air Corps components of our overseas garrisons. In determining the locations of new stations and depots, consideration shall be given to the following regions for the respective purposes indicated: (1) The Atlantic Northeast—to provide for training in cold weather and in fog; (2) the Atlantic Southeast and Carribbean areas—to permit training in long-range operations, especially those incident to reinforcing the Panama Canal; (3) the Southeastern States—to provide a depot essential to the maintenance of the General Headquarters Air Force; (4) the Pacific Northwest—to establish and maintain air communication with Alaska; (5) Alaska—for training under conditions of extreme cold; (6) the Rocky Mountain area—to provide a depot essential to the maintenance of the General Headquarters Air Force, and to afford, in addition, opportunity for training in operations from fields in high altitudes; and (7) such intermediate stations as will provide for transcontinental movements incident to the concentration of the General Headquarters Air Force for maneuvers.

Regions to be considered.

Selection of sites.
Requirements to be considered.

In the selection of sites for new permanent Air Corps stations and depots and in the determination of the existing stations and depots to be enlarged and/or altered, the Secretary of War shall give consideration to the following requirements:

First. The stations shall be suitably located to form the nucleus of the set-up for concentrations of General Headquarters Air Force units in war and to permit, in peace, training and effective planning, by responsible personnel in each strategic area, for the utilization and expansion, in war, of commercial, municipal, and private flying installations.

Second. In each strategic area deemed necessary, there shall be provided adequate storage facilities for munitions and other essentials to facilitate effective movements, concentrations, maintenance, and operations of the General Headquarters Air Force in peace and in war.

Third. The stations and depots shall be located with a view to affording the maximum warning against surprise attack by enemy aircraft upon our own aviation and its essential installations, consistent with maintaining, in connection with existing or contemplated addtional [1] landing fields, the full power of the General Headquarters Air Force for such close and distant operations over land and sea as may be required in the defense of the continental United States and in the defense and the reinforcement of our overseas possessions and holdings.

Fourth. The number of stations and depots shall be limited to those essential to the foregoing purposes.

[1] So in original.

Acquisition of sites.

SEC. 2. To accomplish the purposes of this Act, the Secretary of War is authorized to accept, on behalf of the United States, free of encumbrances and without cost to the United States, the title in fee simple to such lands as he may deem necessary or desirable for new permanent Air Corps stations and depots and/or the extension of or addition to existing Air Corps stations or depots; or, with the written approval of the President, to exchange for such lands existing military reservations or portions thereof; or, if it be found impracticable to secure the necessary lands by either of these methods, to purchase the same by agreement or through condemnation proceedings.

Construction of buildings and utilities.

SEC. 3. The Secretary of War is further authorized and directed to construct, install, and equip, or complete the construction, installation, and equipment, inclusive of bomb-proof protection as required, at each of said stations and depots, such buildings and utilities, technical buildings and utilities, landing fields and mats, and all utilities and appurtenances thereto, ammunition storage, fuel and oil storage and distribution systems therefor, roads, walks, aprons, docks, runways, sewer, water, power, station and aerodrome lighting, telephone and signal communications, and other essentials, including the necessary grading and removal or remodeling of existing structures and installations. He is authorized, also, to direct the necessary transportation of personnel, and purchase, renovation, and transportation of materials, as in his judgment may be required to carry out the purposes of this Act. The Secretary of War is further authorized to acquire by gift, purchase, lease, or otherwise, at such locations as may be desirable, such bombing and machine-gun ranges as may be required for the proper practice and training of tactical units.

Transportation of personnel and materials.

Acquisition of bombing and machine-gun ranges.

Appropriation authorized.
Post, pp. 1640, 1641.

SEC. 4. There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sums of money as may be necessary, to be expended under the direction of the Secretary of War for the purposes of this Act, including the expenses incident to the necessary surveys, which appropriation shall continue available until expended: *Provided*, That the provisions of section 1136, Revised Statutes (U. S. C., title 10, par. 1339), shall not apply to the construction of the aforesaid stations and depots.

Proviso.
R. S., sec. 1136, p. 206; U. S. C., p. 293.

Approved, August 12, 1935.

[CHAPTER 516.]

AN ACT

To authorize the issuance and sale to the United States of certain bonds of municipal governments in Puerto Rico, and for other purposes.

August 13, 1935.
[S. 1227.]
[Public, No. 264.]

Puerto Rico.
Sale of bonds of municipal governments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That bonds or other obligations of Puerto Rico or any municipal government therein, payable solely from revenues derived from any public improvement or undertaking (which revenues may include transfers by agreement or otherwise from the regular funds of the issuer in respect of the use by it of the facilities afforded by such improvement or undertaking), and issued and sold to the United States of America or any agency or instrumentality thereof, shall not be considered public indebtedness of the issuer within the meaning of section 3 of an Act approved March 2, 1917, entitled "An Act to provide a civil government for Porto Rico, and for other purposes", as amended.

Vol. 39, p. 953; U. S. C., p. 2163.

Approved, August 13, 1935.

[CHAPTER 517.]

AN ACT

August 13, 1935.
[S. 2193.]
[Public, No. 265.]

To provide for the construction, extension, and improvement of public-school buildings in Duchesne County, Utah.

Duchesne County, Utah; public school buildings.
Appropriation for.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $50,000 to be used by the Secretary of the Interior in making payments to the Duchesne County school district in accordance with the provisions of section 2.

Requirements.
Plans for extensions.
Estimates of cost.
Approval of plans.
Payment; conditions.

SEC. 2. The Duchesne County school district shall submit to the Secretary of the Interior for his approval (1) plans for extensions and improvements of existing public-school buildings within such county, and for the construction of such other school buildings as such district may consider necessary, and (2) estimates as to the cost of carrying out such plans. The Secretary of the Interior is authorized to approve such plans and cost estimates in whole or in part, or to require modifications or revisions thereof. Upon approval by the Secretary of any such plans and cost estimates, and upon agreement by such school district that the public schools maintained by it shall be open to Indian children who reside in such district, the Secretary shall pay to such district, but not in excess of the appropriation made in section 1, an amount equal to the approved cost estimate of carrying out such approved plan. Such amount shall be expended by such district for the purpose of carrying out such approved plan and for no other purpose.

Expenditure.

Restriction on payment.

SEC. 3. No payments shall be made to the Duchesne County school district under the provisions of this Act, unless such district maintains books, records, accounts, and memoranda and permits the examination of and produces such books, records, accounts, and memoranda, in accordance with such reasonable regulations as the Secretary of the Interior may prescribe.

Approved, August 13, 1935.

[CHAPTER 518.]

AN ACT

August 13, 1935.
[S. 2545.]
[Public, No. 266.]

To provide funds for acquisition of the property of the Haskell Students Activities Association on behalf of the Indian School known as "Haskell Institute", Lawrence, Kansas.

Haskell Institute, Lawrence, Kansas.
Appropriation authorized for.
Post, p. 1119.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $30,500 to be expended under the direction of the Secretary of the Interior for the purpose of meeting indebtedness of the Haskell Students Activities Association, and acquiring title to the property of this association for use of the Government Indian school known as "Haskell Institute", located at Lawrence, Kansas: *Provided*, That funds hereby authorized for this purpose may be used to pay off any outstanding mortgages, liens, judgments, or other valid indebtedness against the above-mentioned association: *And provided further*, That upon payment of all outstanding obligations against the Haskell Students Activities Association, not to exceed in all $30,500, the title to all property belonging to the said association shall be transferred to the United States, and upon such transfer such property shall become a part of the Government Indian School known as "Haskell Institute", Lawrence, Kansas.

Provisos.
Use of funds.

Transfer of title.

Approved, August 13, 1935.

[CHAPTER 519.]

AN ACT

August 13, 1935.
[S. 3329.]
[Public, No. 267.]

To authorize the transfer to the jurisdiction of the Secretary of the Treasury of portions of the property within the Fort Knox Military Reservation, Kentucky, for the construction thereon of certain public buildings, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to make transfers to the jurisdiction and control of the Secretary of the Treasury of such portions of the property at present included within the Fort Knox Military Reservation, Kentucky, and upon such conditions, as may be mutually agreed upon by the Secretary of War and the Secretary of the Treasury. The Secretary of the Treasury is hereby authorized to construct within the limits of the property so transferred such building or buildings, appurtenances, and approaches thereto as he may deem adequate and suitable for the use of the Treasury Department as a depository, and for use in carrying out any other functions or duties of the Treasury Department: *Provided*, That upon cessation of such use the premises or any part thereof so transferred shall revert to the jurisdiction of the War Department.

Fort Knox Military Reservation, Kentucky.
Transfer of portion, authorized.

Construction.

Proviso.
Reversionary provision.

Approved, August 13, 1935.

[CHAPTER 520.]

AN ACT

August 13, 1935.
[H. R. 4507.]
[Public, No. 268.]

To amend sections 1, 2, and 3 of the Act entitled "An Act to provide for the commemoration of the termination of the War between the States at Appomattox Court House, Virginia", approved June 18, 1930, and to establish the Appomattox Court House National Historical Monument, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 1, 2, and 3 of the Act entitled "An Act to provide for the commemoration of the termination of the War between the States at Appomattox Court House, Virginia", approved June 18, 1930, are hereby amended to read as follows:

Appomattox Court House National Historical Monument.
Vol. 46, p. 777.

"That when title to all the land, structures, and other property within a distance of one and one-half miles from the Appomattox Court House site, Virginia, as shall be designated by the Secretary of the Interior in the exercise of his discretion as necessary or desirable for national-monument purposes, shall have been vested in the United States in fee simple, such area or areas shall be, and they are hereby, established, dedicated, and set apart as a public monument for the benefit and enjoyment of the people and shall be known as the 'Appomattox Court House National Historical Monument.'

Establishment.

"SEC. 2. That there is hereby authorized to be appropriated the sum of $100,000, or so much thereof as may be necessary, to carry out the provisions of this Act as amended hereby.

Appropriation authorized.
Post, p. 1794.

"SEC. 3. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land and/or buildings, structures, and so forth, within the boundaries of said park as determined and fixed hereunder and donations of funds for the purchase and/or maintenance thereof: *Provided*, That he may acquire on behalf of the United States, by purchase when purchasable at prices deemed by him reasonable, otherwise by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within the said park as may be necessary for the completion thereof within the limits of the appropriation as authorized in Section 2."

Acquisition of land.

Proviso.
Purchases; condemnation proceedings.
Vol. 25, p. 357; U. S. C., p. 1785.

Vol. 46, p. 777.

SEC. 2. Such Act of June 18, 1930, is amended by adding at the end thereof a new section to read as follows:

Jurisdiction.

"SEC. 4. The administration, protection, and development of the Appomattox Court House National Historical Monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916, entitled 'An Act to establish a National Park Service, and for other purposes', as amended."

Vol. 39, p. 535; U. S. C., p. 591.

Approved, August 13, 1935.

[CHAPTER 521.]

AN ACT

August 13, 1935.
[H. R. 6995.]
[Public, No. 269.]

Granting pensions to veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection, their widows and dependents, and for other purposes.

Spanish-American War, Boxer Rebellion and Philippine Insurrection veterans, etc.
Reenactment of laws granting pensions to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all laws in effect on March 19, 1933, granting pensions to veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection, their widows and dependents, are hereby reenacted into law and such laws shall be effective from and after the date of the approval of this Act.

Repeals.

SEC. 2. That all Acts and parts of Acts in conflict with or inconsistent with the provisions of this Act are hereby repealed.

Approved, August 13, 1935.

[CHAPTER 522.]

JOINT RESOLUTION

August 13, 1935.
[S. J. Res. 145.]
[Pub. Res., No. 48.]

Authorizing the appropriation of funds for the maintenance of public order and the protection of life and property during the period August 16, 1935, to August 31, 1935, both inclusive.

District of Columbia.
Sum authorized for maintenance of order, August 16–31, 1935.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of $35,000, or so much thereof as may be necessary, is hereby authorized to be appropriated, payable wholly from the revenues of the District of Columbia, to maintain public order and protect life and property in the District of Columbia from the 16th day of August 1935 to the 31st of August 1935, both inclusive, including the employment of personal service, the payment of allowances, traveling expenses, hire of means of transportation, and other incidental expenses in the discretion of the said Commissioners. There is hereby further authorized to be appropriated the sum of $4,000, or so much thereof as may be necessary, payable as aforesaid, for the construction, rent, maintenance, and for incidental expenses in connection with the operation of temporary public-convenience stations, first-aid stations, and information booths, including the employment of personal services in connection therewith during such period.

For construction.

Approved, August 13, 1935.

[CHAPTER 530.]

AN ACT

August 14, 1935.
[H. R. 6511.]
[Public, No. 270.]

To amend the air-mail laws and to authorize the extension of the Air Mail Service.

Air Mail Act of 1934, amendments.
Vol. 48, pp. 933, 1243.
Post, p. 1175.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 3 of the Act entitled "An Act to revise air-mail laws, and to establish a commission to make a report to the Congress

recommending an aviation policy", approved June 12, 1934, as amended (48 Stat. 933, 1243), is amended to read as follows:

Contracts for carrying air mail.

"SEC. 3. (a) The Postmaster General is authorized to award contracts for the transportation of air mail by airplane between such points as he may designate, and for initial periods of not exceeding three years, to the lowest responsible bidders tendering sufficient guaranty for faithful performance in accordance with the terms of the advertisement at fixed rates per airplane-mile: *Provided*, That where the Postmaster General holds that a low bidder is not responsible or qualified under this Act, such bidder shall have the right to appeal to the Comptroller General, who shall speedily determine the issue, and his decision shall be final: *Provided further*, That the base rate of pay which may be bid and accepted in awarding such contracts shall in no case exceed 33⅓ cents per airplane-mile for transporting a mail load not exceeding three hundred pounds. Payment for transportation shall be at the base rate fixed in the contract for the first three hundred pounds of mail or fraction thereof plus one-tenth of such base rate for each additional one hundred pounds of mail or fraction thereof, computed at the end of each calendar month on the basis of the average mail load carried per mile over the route during such month, except that in no case shall payment exceed 40 cents per airplane-mile."

Initial contract periods.

Provisos.
Right of low bidder to appeal if refused contract.

Maximum base rate of pay.

Basis of computation.

SEC. 2. Subsection (c) of section 3 of such Act is amended to read as follows:

Vol. 48, p. 934.

"(c) If, in the opinion of the Postmaster General, the public interest requires it, he may grant extensions of any route: *Provided*, That the aggregate mileage of all such extensions on any route in effect at one time shall not exceed two hundred and fifty miles, and that the rate of pay for such extensions shall not be in excess of the rate per mile fixed for the service thus extended."

Route extensions.

Proviso.
Limitation.

SEC. 3. The first sentence of subsection (d) of section 3 of such Act is amended to read as follows:

Classification of routes.
Vol. 48, p. 934.

"The Postmaster General may designate certain routes as primary or as secondary routes. He shall designate as primary routes at least three transcontinental routes, with such termini as he may deem advisable, and, in addition thereto, such other routes as he may consider in the public interest, but no route less than seven hundred and fifty miles in length shall be designated as a primary route: *Provided*, That the present routes from Seattle to San Diego and from Newark (or New York, as the case may be) to Miami, Florida, may be held and regarded as other than primary routes: *Provided further*, That the Southern Transcontinental Route from Boston via New York (or Newark, as the case may be) and Washington to Los Angeles, shall be designated as a primary route."

Primary or secondary may be designated.

Provisos.
Coastal routes.

Designated transcontinental routes included as primary.

SEC. 4. Subsection (f) of section 3 of such Act is amended to read as follows:

Vol. 48, p. 934.

"(f) The Postmaster General shall not award contracts for air-mail routes or extend such routes in excess of an aggregate of thirty-two thousand miles, and shall not pay for air-mail transportation on such routes and extensions in excess of an annual aggregate of forty-five million airplane-miles. Subject to the foregoing, the Postmaster General shall prescribe the number and frequency of schedules, intermediate regular stops, and time of departure of all planes carrying air mail, with due regard for the volume of mail carried over each route and for connecting schedules, and he may, under such regulations as he may prescribe, authorize and, notwithstanding any other provisions of this Act, compensate for a special schedule or an extra or emergency trip in addition to any regular schedule over air-mail routes or portions thereof at the same mileage rate paid for regular

Mileage limitation, etc.

Schedules, etc.

Emergency, etc., trips.

schedules on the contract route or routes, or at a lesser rate if agreed to by the contractor and the Postmaster General, and he may utilize therefor any scheduled passenger or express flight of the contractor between the terminal points or over a portion of any route whenever the needs of the service may so require: *Provided*, That the Postmaster General may, upon application by an air-mail contractor, authorize said contractor for his own convenience to transport air mail on any nonmail schedule or plane, with the understanding that the weights of mail so transported will be credited to regular mail schedules and no mileage compensation will be claimed therefor and the miles flown in such cases will not be computed in the annual aggregate of flown mileage authorized under this section."

Proviso.
Nonmail schedule or plane.

Vol. 48, p. 935.

SEC. 5. Subsection (a) of section 6 of such Act is amended to read as follows:

Interstate Commerce Commission to fix compensation rates.

"SEC. 6 (a) The Interstate Commerce Commission is hereby empowered and directed, after notice and hearing, to fix and determine by order, as soon as practicable and from time to time, the fair and reasonable rates of compensation within the limitations of this Act for the transportation of air mail by airplane and the service connected therewith over each air-mail route, and over each section thereof covered by a separate contract, prescribing the method or methods by weight or space, or both, or otherwise, for ascertaining such rates of compensation, and to publish the same, which shall continue in force until changed by the said Commission after due notice and hearing, and so much of subsection (g) of section 3 of this Act as is in conflict with this section is hereby repealed."

Conflicting clauses repealed.
Vol. 48, p. 934.

Vol. 48, p. 936.

SEC. 6. Subsection (e) of section 6 of such Act is amended by adding at the end thereof the following:

Determining fair transportation rates.
Losses resulting from maintenance of nonmail schedules.

"In arriving at such determination the Commission shall disregard losses resulting, in the opinion of the Commission, from the unprofitable maintenance of nonmail schedules, in cases where the Commission may find that the gross receipts from such schedules fail to meet the additional operating expense occasioned thereby. In fixing and determining such rates, if it shall be contended or alleged by the holder of an air-mail contract that the rate of compensation in force for the service involved is insufficient, the burden of establishing such insufficiency and the extent thereof shall be assumed by him. In no case shall the rates fixed and determined by the said Commission hereunder exceed the limits prescribed in section 3 (a) of this Act.

Burden of proof when insufficiency of compensation rate alleged.

Rate restriction.

Report to Congress.

"The Commission is hereby authorized and directed, after having made a full and complete examination and audit of the books, and after having examined and carefully scrutinized all expenditures and purported expenditures, of the holders of the contracts hereinafter referred to, for goods, lands, commodities, and services, in order to determine whether or not such expenditures were fair and just, and were not improper, excessive, or collusive, in the cases of the eight air-mail contracts which are allowed, by a previous report of the Commission, the rate of 33⅓ cents per mile, under the provisions of the Act of June 12, 1934, on routes Numbered 7, 12, 13, 14, 19, 25, 27, and 32, and the Commission shall make a report to the Congress, not later than January 15, 1936, whether or not, in its judgment, a fair and reasonable rate of compensation on each of said eight contracts, under the other provisions and conditions of said Act, as herein amended, is in excess of 33⅓ cents per mile; together with full facts and reasons in detail why it recommends for or against any claim for increase."

SEC. 7. Subsection (b) of section 6 of such Act is amended to read as follows: Vol. 48, p. 935.

"(b) The Interstate Commerce Commission is hereby directed at least once in each calendar year from the date of the award of any contract to examine the books, accounts, contracts, and entire business records of the holder of each air-mail contract, and to review the rates of compensation being paid to such holder in order to be assured that no unreasonable profit is being derived or accruing therefrom, and in order to fix just rates. In determining what may constitute an unreasonable profit the said Commission shall take into consideration the income derived from the operation of airplanes over the routes affected, and in addition to the requirements of section 3 (f) of this Act, shall take into consideration all forms of expenditures of said companies in order to ascertain whether or not the expenditures have been upon a fair and reasonable basis on the part of said company and whether or not the said company has paid more than a fair and reasonable market value for the purchase or rent of planes, engines, or any other types or kind, or class, or goods, or services, including spare parts of all kinds, and whether or not the air-mail contracting company has purchased or rented any kind of goods, commodities, or services from any individuals who own stock in or are connected with the said contracting companies or has purchased such goods and services from any company or corporations in which any of the individuals employed by or owning stock in the air-mail contracting company have any interest or from which such purchase or rents any of the employees or stockholders of air-mail contracting companies would be directly or indirectly benefited. Within thirty days after a decision has been reached upon such review by the Interstate Commerce Commission touching such profit a full report thereof shall be made to the Postmaster General, to the Secretary of the United States Senate, and to the Clerk of the House of Representatives."

Examination of contractors' records; purpose.

Unreasonable profit; factors to be considered.

Report to be submitted.

SEC. 8. The first sentence of subsection (c) of section 6 of such Act is amended to read as follows: Vol. 48, p. 935.

"Any contract (1) let, extended, or assigned pursuant to the provisions of this Act, and in full force and effect on March 1, 1935, or (2) which may be let subsequent to such date pursuant to the provisions of this Act and shall have been satisfactorily performed by the contractor during its full initial period, shall, from and after such date, or from and after the termination of its initial period, as the case may be, be continued in effect for an indefinite period, and compensation therefor, on and after March 1, 1935, during such period of indefinite continuance, shall be paid at the rate fixed by order of the Commission under this Act, subject to such additional conditions and terms as the Commission may prescribe, upon recommendation of the Postmaster General, which shall be consistent with the requirements and limitations contained in section 1 of this Act; but any contract so continued in effect may be terminated by the Commission upon sixty days' notice, upon such hearing and notice thereof to interested parties as the Commission may determine to be reasonable; and may also be terminated, in whole or in part, by mutual agreement of the Postmaster General and the contractor, or for cause by the contractor upon sixty days' notice."

Extensions of contracts if satisfactorily performed.

Rates and conditions.

Termination, upon 60 days' notice.

Notice and hearing.

SEC. 9. Subsection (d) of section 7 of such Act is amended to read as follows: Vol. 48, p. 936.

"(d) No person shall be qualified to enter upon the performance of, or thereafter to hold an air-mail contract (1) if, at or after the time specified for the commencement of mail transportation under such

Air mail contractors. Qualifications and salaries of officers, etc., of.

contract, such person is (or, if a partnership, association, or corporation, has a member, officer, or director, or an employee performing general managerial duties, that is) an individual who has theretofore entered into any unlawful combination to prevent the making of any bids for carrying the mails: *Provided*, That whenever required by the Postmaster General or Interstate Commerce Commission the bidder shall submit an affidavit executed by the bidder, or by such of its officers, directors, or general managerial employees as the Postmaster General or Interstate Commerce Commission may designate, sworn to before an officer authorized and empowered to administer oaths, stating in such affidavit that the affiant has not entered nor proposed to enter into any combination to prevent the making of any bid for carrying the mails, nor made any agreement, or given or performed, or promised to give or perform, any consideration whatever to induce any other person to bid or not to bid for any mail contract, or (2) if it pays any officer, director, or regular employee compensation in any form, whether as salary, bonus, commission, or otherwise, at a rate exceeding $17,500 per year for full time: *Provided further*, That it shall be unlawful for any officer or regular employee to draw a salary of more than $17,500 per year from any air-mail contractor, or a salary from any other company if such salary from any company makes his total compensation more than $17,500 per year."

Provisos.
Affidavits respecting activities in regard to bidding, etc.

Salary, etc., provision.

Limitation on amount.

Vol. 48, p. 937.

SEC. 10. Section 10 of such Act is amended to read as follows:

Records and accounts; requirement.

"SEC. 10. All persons holding air-mail contracts shall be required to keep their books, records, and accounts under such regulations as may be promulgated by the Postmaster General, and he is hereby authorized, if and when he deems it advisable to do so, to examine and audit the books, records, and accounts of such contractors, and to require such contractors to submit full financial reports in such form and under such regulations as he may prescribe.

Examination by Post Office Department.

By Interstate Commerce Commission.

"Whenever an audit of the books, records, or accounts of any air-mail contractor is made by the auditors of the Interstate Commerce Commission, a full and complete report thereof shall be made to the Post Office Department within thirty days, and that report shall contain all instances in which the contractor has failed to comply with any of the provisions of the uniform system of accounts prescribed by the Post Office Department; and the Postmaster General shall, upon request, have at all times access to the records and reports of the Commission concerning air mail and air-mail contracts. There is authorized to be used from the appropriations for Contract Air Mail Service for the fiscal year ending June 30, 1936, a sum not in excess of $25,000 for the purpose of auditing the books and records of air-mail contractors by the Post Office Department."

Auditing expenses.

Vol. 48, p. 937.

SEC. 11. Section 13 of such Act is amended to read as follows:

Compensation rates, labor conditions, etc.

"SEC. 13. It shall be a condition upon the holding of any air-mail contract that the rate of compensation and the working conditions and relations for all pilots and other employees of the holder of such contract shall conform to decisions heretofore or hereafter made by the National Labor Board, or its successor in authority, notwithstanding any limitation as to the period of its effectiveness included in any such decision heretofore rendered. This section shall not be construed as restricting the right of any such employees by collective bargaining to obtain higher rates of compensation or more favorable working conditions and relations."

Collective bargaining.

Vol. 48, pp. 938, 1243.

SEC. 12. Section 15, as amended, of such Act is amended to read as follows:

Number of contracts to contractor limited.

"SEC. 15. After June 30, 1935, no person holding a contract or contracts for carrying air mail on a primary route shall be awarded or

hold any contract for carrying air mail on any other primary route, nor on more than three additional routes other than primary routes. In case one person holds several contracts covering different sections of one air-mail route as designated by the Postmaster General, such several contracts shall be counted as one contract for the purpose of the preceding sentence. It shall be unlawful for air-mail contractors, competing in parallel routes, to merge or to enter into any agreement, express or implied, which may result in common control or ownership. After June 30, 1935, no air-mail contractor shall be allowed to maintain passenger or express service off the line of his air-mail route which in any way competes with passenger or express service available upon another air-mail route, except that off-line competitive service which has been regularly maintained on and prior to July 1, 1935, and such seasonal schedules as may have been regularly maintained during the year prior to July 1, 1935, may be continued if restricted to the number of schedules and to the stops scheduled and in effect during such period or season.

Unlawful practices.

"Upon application of the Postmaster General or of any interested air-mail contractor, setting forth that the general transport business or earnings upon an air-mail route are being adversely affected by any alleged unfair practice of another air-mail contractor, or by any competitive air-transport service supplied by an air-mail contractor other than that supplied by him on the line of his prescribed air-mail route, or by any service inaugurated by him after July 1, 1935, through the scheduling of competitive nonmail flights over an air-mail route, the Interstate Commerce Commission shall, after giving reasonable notice to the air-mail contractor complained of, inquire fully into the subject matter of the allegations; and if the Commission shall find such practice or competition or any part thereof to be unfair, or that such competitive service in whole or in part is not reasonably required in the interest of public convenience and necessity, and if the Commission shall further find that in either case the receipts or expenses of an air-mail contractor are so affected thereby as to tend to increase the cost of air-mail transportation, then it shall order such practice or competitive service, or both, as the case may be, discontinued or restricted in accordance with such findings, and the respondent air-mail contractor named in the order shall comply therewith within a reasonable time to be fixed in such order. If the Commission shall find after like application, notice, and hearing that the public convenience and necessity requires additional service or schedules and such service or schedules do not tend to increase the cost of air-mail transportation, it may permit the institution and maintenance of such schedules and prescribe the frequency thereof. The compensation of any air-mail contractor shall be withheld during any period that it continues to violate any order of the Commission or any provision of this Act.

Inquiries as to alleged unfair practices authorized.

Powers of Commission.

Additional service ordered if necessary.

Withholding pay for violation.

SEC. 13. Section 6 of such Act is hereby amended by adding at the end thereof a new subsection to read as follows:

Vol. 48, p. 936.

"(f) Each holder of an air-mail contract shall file with the Interstate Commerce Commission, in such form as the Commission shall require, on July 1st and January 1st of each year, a full statement of all free transportation hereafter furnished during the preceding semiannual period to any persons, including in each case the regular tariff value thereof, the name and address of the donee, and a statement of the reason for furnishing such free transportation."

Rebates and passes.

Approved, August 14, 1935.

[CHAPTER 531.]

AN ACT

August 14, 1935.
[H. R. 7260.]
[Public, No. 271.]

To provide for the general welfare by establishing a system of Federal old-age benefits, and by enabling the several States to make more adequate provision for aged persons, blind persons, dependent and crippled children, maternal and child welfare, public health, and the administration of their unemployment compensation laws; to establish a Social Security Board; to raise revenue; and for other purposes.

Social Security Act.

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

Title I—Grants to States for old-age assistance.

TITLE I—GRANTS TO STATES FOR OLD-AGE ASSISTANCE

Appropriation.

APPROPRIATION

Amount for fiscal year 1936.
Post, p. 1113.

Subsequent fiscal years.
Post, p. 1605.

Availability to States.

Post, p. 635.

SECTION 1. For the purpose of enabling each State to furnish financial assistance, as far as practicable under the conditions in such State, to aged needy individuals, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1936, the sum of $49,750,000, and there is hereby authorized to be appropriated for each fiscal year thereafter a sum sufficient to carry out the purposes of this title. The sums made available under this section shall be used for making payments to States which have submitted, and had approved by the Social Security Board established by Title VII (hereinafter referred to as the "Board"), State plans for old-age assistance.

State old-age assistance plans.

STATE OLD-AGE ASSISTANCE PLANS

Requirements.

SEC. 2. (a) A State plan for old-age assistance must (1) provide that it shall be in effect in all political subdivisions of the State, and, if administered by them, be mandatory upon them; (2) provide for financial participation by the State; (3) either provide for the establishment or designation of a single State agency to administer the plan, or provide for the establishment or designation of a single State agency to supervise the administration of the plan; (4) provide for granting to any individual, whose claim for old-age assistance is denied, an opportunity for a fair hearing before such State agency; (5) provide such methods of administration (other than those relating to selection, tenure of office, and compensation of personnel) as are found by the Board to be necessary for the efficient operation of the plan; (6) provide that the State agency will make such reports, in such form and containing such information, as the Board may from time to time require, and comply with such provisions as the Board may from time to time find necessary to assure the correctness and verification of such reports; and (7) provide that, if the State or any of its political subdivisions collects from the estate of any recipient of old-age assistance any amount with respect to old-age assistance furnished him under the plan, one-half of the net amount so collected shall be promptly paid to the United States. Any payment so made shall be deposited in the Treasury to the credit of the appropriation for the purposes of this title.

Approval of plan by Board.

(b) The Board shall approve any plan which fulfills the conditions specified in subsection (a), except that it shall not approve any plan which imposes, as a condition of eligibility for old-age assistance under the plan—

(1) An age requirement of more than sixty-five years, except that the plan may impose, effective until January 1, 1940, an age requirement of as much as seventy years; or

(2) Any residence requirement which excludes any resident of the State who has resided therein five years during the nine years immediately preceding the application for old-age assistance and has resided therein continuously for one year immediately preceding the application; or

(3) Any citizenship requirement which excludes any citizen of the United States.

PAYMENT TO STATES

Payment to States.

SEC. 3. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for old-age assistance, for each quarter, beginning with the quarter commencing July 1, 1935, (1) an amount, which shall be used exclusively as old-age assistance, equal to one-half of the total of the sums expended during such quarter as old-age assistance under the State plan with respect to each individual who at the time of such expenditure is sixty-five years of age or older and is not an inmate of a public institution, not counting so much of such expenditure with respect to any individual for any month as exceeds $30, and (2) 5 per centum of such amount, which shall be used for paying the costs of administering the State plan or for old-age assistance, or both, and for no other purpose: *Provided*, That the State plan, in order to be approved by the Board, need not provide for financial participation before July 1, 1937 by the State, in the case of any State which the Board, upon application by the State and after reasonable notice and opportunity for hearing to the State, finds is prevented by its constitution from providing such financial participation.

Amount to be paid quarterly.

Matching funds by States.

Administrative costs.

Proviso.
Time of financial participation.

(b) The method of computing and paying such amounts shall be as follows:

Method of computing and paying amounts.

(1) The Board shall, prior to the beginning of each quarter, estimate the amount to be paid to the State for such quarter under the provisions of clause (1) of subsection (a), such estimate to be based on (A) a report filed by the State containing its estimate of the total sum to be expended in such quarter in accordance with the provisions of such clause, and stating the amount appropriated or made available by the State and its political subdivisions for such expenditures in such quarter, and if such amount is less than one-half of the total sum of such estimated expenditures, the source or sources from which the difference is expected to be derived, (B) records showing the number of aged individuals in the State, and (C) such other investigation as the Board may find necessary.

Estimate to be submitted prior to beginning of quarter.
Basis of estimates.

(2) The Board shall then certify to the Secretary of the Treasury the amount so estimated by the Board, reduced or increased, as the case may be, by any sum by which it finds that its estimate for any prior quarter was greater or less than the amount which should have been paid to the State under clause (1) of subsection (a) for such quarter, except to the extent that such sum has been applied to make the amount certified for any prior quarter greater or less than the amount estimated by the Board for such prior quarter.

Certification of amount by Board; adjustments.

(3) The Secretary of the Treasury shall thereupon, through the Division of Disbursement of the Treasury Department and prior to audit or settlement by the General Accounting Office, pay to the State, at the time or times fixed by the Board, the amount so certified, increased by 5 per centum.

Payments; prior audit by General Accounting Office waived.

Operation of State plans.

OPERATION OF STATE PLANS

Payments withheld when State not complying with approved plan; notice and hearing.

SEC. 4. In the case of any State plan for old-age assistance which has been approved by the Board, if the Board, after reasonable notice and opportunity for hearing to the State agency administering or supervising the administration of such plan, finds—

(1) that the plan has been so changed as to impose any age, residence, or citizenship requirement prohibited by section 2 (b), or that in the administration of the plan any such prohibited requirement is imposed, with the knowledge of such State agency, in a substantial number of cases; or

Ante, p. 620.

(2) that in the administration of the plan there is a failure to comply substantially with any provision required by section 2 (a) to be included in the plan;

the Board shall notify such State agency that further payments will not be made to the State until the Board is satisfied that such prohibited requirement is no longer so imposed, and that there is no longer any such failure to comply. Until it is so satisfied it shall make no further certification to the Secretary of the Treasury with respect to such State.

Administration.

ADMINISTRATION

Appropriation authorized for Board expenses.

SEC. 5. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1936, the sum of $250,000, for all necessary expenses of the Board in administering the provisions of this title.

Post, p. 1118.

Definition.

DEFINITION

"Old-age assistance."

SEC. 6. When used in this title the term "old-age assistance" means money payments to aged individuals.

Title II—Federal old-age benefits.

TITLE II—FEDERAL OLD-AGE BENEFITS

OLD-AGE RESERVE ACCOUNT

"Old-Age Reserve Account", created.

SECTION 201. (a) There is hereby created an account in the Treasury of the United States to be known as the "Old-Age Reserve Account" hereinafter in this title called the "Account". There is hereby authorized to be appropriated to the Account for each fiscal year, beginning with the fiscal year ending June 30, 1937, an amount sufficient as an annual premium to provide for the payments required under this title, such amount to be determined on a reserve basis in accordance with accepted actuarial principles, and based upon such tables of mortality as the Secretary of the Treasury shall from time to time adopt, and upon an interest rate of 3 per centum per annum compounded annually. The Secretary of the Treasury shall submit annually to the Bureau of the Budget an estimate of the appropriations to be made to the Account.

Annual appropriation.

Post, p. 1635.

Determination of amount.

Annual estimate of appropriation.

Investment of amounts credited to Account.

(b) It shall be the duty of the Secretary of the Treasury to invest such portion of the amounts credited to the Account as is not, in his judgment, required to meet current withdrawals. Such investment may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose such obligations may be acquired (1) on original issue at par, or (2) by purchase of outstanding obligations at the market price. The purposes for which obligations of the United States may be issued under the Second Liberty Bond Act, as amended, are hereby extended to authorize the issuance at par of special obligations exclusively to the Account. Such special obligations shall bear interest at the rate of 3 per centum per

Acquisition of United States obligations.

Second Liberty Bond Act.

Vol. 40, p. 503; *Ante*, p. 20; *Post*, p. 699; U. S. C., p. 1419.

Special obligations; interest rate.

annum. Obligations other than such special obligations may be acquired for the Account only on such terms as to provide an investment yield of not less than 3 per centum per annum. Other obligations; acquisition of.

(c) Any obligations acquired by the Account (except special obligations issued exclusively to the Account) may be sold at the market price, and such special obligations may be redeemed at par plus accrued interest. Sale of.

(d) The interest on, and the proceeds from the sale or redemption of, any obligations held in the Account shall be credited to and form a part of the Account. Interest and proceeds of sale credited to Account.

(e) All amounts credited to the Account shall be available for making payments required under this title. Availability.

(f) The Secretary of the Treasury shall include in his annual report the actuarial status of the Account. Annual report of actuarial status.

OLD-AGE BENEFIT PAYMENTS

Old-age benefit payments.

SEC. 202. (a) Every qualified individual (as defined in section 210) shall be entitled to receive, with respect to the period beginning on the date he attains the age of sixty-five, or on January 1, 1942, whichever is the later, and ending on the date of his death, an old-age benefit (payable as nearly as practicable in equal monthly installments) as follows: Persons entitled to receive. *Post*, p. 625.

(1) If the total wages (as defined in section 210) determined by the Board to have been paid to him, with respect to employment (as defined in section 210) after December 31, 1936, and before he attained the age of sixty-five, were not more than $3,000, the old-age benefit shall be at a monthly rate of one-half of 1 per centum of such total wages; Amounts to be paid. *Post*, p. 625.

(2) If such total wages were more than $3,000, the old-age benefit shall be at a monthly rate equal to the sum of the following:

(A) One-half of 1 per centum of $3,000; plus

(B) One-twelfth of 1 per centum of the amount by which such total wages exceeded $3,000 and did not exceed $45,000; plus

(C) One-twenty-fourth of 1 per centum of the amount by which such total wages exceeded $45,000.

(b) In no case shall the monthly rate computed under subsection (a) exceed $85. Restriction on total monthly rate.

(c) If the Board finds at any time that more or less than the correct amount has theretofore been paid to any individual under this section, then, under regulations made by the Board, proper adjustments shall be made in connection with subsequent payments under this section to the same individual. Adjustments.

(d) Whenever the Board finds that any qualified individual has received wages with respect to regular employment after he attained the age of sixty-five, the old-age benefit payable to such individual shall be reduced, for each calendar month in any part of which such regular employment occurred, by an amount equal to one month's benefit. Such reduction shall be made, under regulations prescribed by the Board, by deductions from one or more payments of old-age benefit to such individual. Reductions.

PAYMENTS UPON DEATH

Payments upon death.

SEC. 203. (a) If any individual dies before attaining the age of sixty-five, there shall be paid to his estate an amount equal to 3½ per centum of the total wages determined by the Board to have been paid to him, with respect to employment after December 31, 1936. When individual dies before receiving any benefit payment.

When recipient dies before receiving total payable benefits.

(b) If the Board finds that the correct amount of the old-age benefit payable to a qualified individual during his life under section 202 was less than 3½ per centum of the total wages by which such old-age benefit was measurable, then there shall be paid to his estate a sum equal to the amount, if any, by which such 3½ per centum exceeds the amount (whether more or less than the correct amount) paid to him during his life as old-age benefit.

Adjustments when underpaid recipient dies.

(c) If the Board finds that the total amount paid to a qualified individual under an old-age benefit during his life was less than the correct amount to which he was entitled under section 202, and that the correct amount of such old-age benefit was 3½ per centum or more of the total wages by which such old-age benefit was measurable, then there shall be paid to his estate a sum equal to the amount, if any, by which the correct amount of the old-age benefit exceeds the amount which was so paid to him during his life.

Payments to aged individuals not qualified for benefits.
Amount.

PAYMENTS TO AGED INDIVIDUALS NOT QUALIFIED FOR BENEFITS

SEC. 204. (a) There shall be paid in a lump sum to any individual who, upon attaining the age of sixty-five, is not a qualified individual, an amount equal to 3½ per centum of the total wages determined by the Board to have been paid to him, with respect to employment after December 31, 1936, and before he attained the age of sixty-five.

Restriction on other payments.

(b) After any individual becomes entitled to any payment under subsection (a), no other payment shall be made under this title in any manner measured by wages paid to him, except that any part of any payment under subsection (a) which is not paid to him before his death shall be paid to his estate.

Amounts of $500 or less payable to estates.

AMOUNTS OF $500 OR LESS PAYABLE TO ESTATES

Regulations.

SEC. 205. If any amount payable to an estate under section 203 or 204 is $500 or less, such amount may, under regulations prescribed by the Board, be paid to the persons found by the Board to be entitled thereto under the law of the State in which the deceased was domiciled, without the necessity of compliance with the requirements of law with respect to the administration of such estate.

Overpayments during life.

OVERPAYMENTS DURING LIFE

Repayment from estate of recipient.

SEC. 206. If the Board finds that the total amount paid to a qualified individual under an old-age benefit during his life was more than the correct amount to which he was entitled under section 202, and was 3½ per centum or more of the total wages by which such old-age benefit was measurable, then upon his death there shall be repaid to the United States by his estate the amount, if any, by which such total amount paid to him during his life exceeds whichever of the following is the greater: (1) Such 3½ per centum, or (2) the correct amount to which he was entitled under section 202.

Method of making payments.

METHOD OF MAKING PAYMENTS

Payment on certification of Board.

SEC. 207. The Board shall from time to time certify to the Secretary of the Treasury the name and address of each person entitled to receive a payment under this title, the amount of such payment, and the time at which it should be made, and the Secretary of the Treasury through the Division of Disbursement of the Treasury Department, and prior to audit or settlement by the General Account-

ing Office, shall make payment in accordance with the certification by the Board.

ASSIGNMENT

Assignment.

Right to receive payment not assignable; exemption from legal process.

SEC. 208. The right of any person to any future payment under this title shall not be transferable or assignable, at law or in equity, and none of the moneys paid or payable or rights existing under this title shall be subject to execution, levy, attachment, garnishment, or other legal process, or to the operation of any bankruptcy or insolvency law.

PENALTIES

Penalties.

False statements.

SEC. 209. Whoever in any application for any payment under this title makes any false statement as to any material fact, knowing such statement to be false, shall be fined not more than $1,000 or imprisoned for not more than one year, or both.

DEFINITIONS

Definitions.

SEC. 210. When used in this title—

"Wages."

(a) The term "wages" means all remuneration for employment, including the cash value of all remuneration paid in any medium other than cash; except that such term shall not include that part of the remuneration which, after remuneration equal to $3,000 has been paid to an individual by an employer with respect to employment during any calendar year, is paid to such individual by such employer with respect to employment during such calendar year.

"Employment."

(b) The term "employment" means any service, of whatever nature, performed within the United States by an employee for his employer, except—

(1) Agricultural labor;

(2) Domestic service in a private home;

(3) Casual labor not in the course of the employer's trade or business;

(4) Service performed as an officer or member of the crew of a vessel documented under the laws of the United States or of any foreign country;

(5) Service performed in the employ of the United States Government or of an instrumentality of the United States;

(6) Service performed in the employ of a State, a political subdivision thereof, or an instrumentality of one or more States or political subdivisions;

(7) Service performed in the employ of a corporation, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual.

"Qualified individual."

(c) The term "qualified individual" means any individual with respect to whom it appears to the satisfaction of the Board that—

(1) He is at least sixty-five years of age; and

(2) The total amount of wages paid to him, with respect to employment after December 31, 1936, and before he attained the age of sixty-five, was not less than $2,000; and

(3) Wages were paid to him, with respect to employment on some five days after December 31, 1936, and before he attained the age of sixty-five, each day being in a different calendar year.

Title III—Grants to States for unemployment compensation administration.

TITLE III—GRANTS TO STATES FOR UNEMPLOYMENT COMPENSATION ADMINISTRATION

Appropriation.

APPROPRIATION

Administration expenses.
Post, pp. 1113, 1605.

SECTION 301. For the purpose of assisting the States in the administration of their unemployment compensation laws, there is hereby authorized to be appropriated, for the fiscal year ending June 30, 1936, the sum of $4,000,000, and for each fiscal year thereafter the sum of $49,000,000, to be used as hereinafter provided.

Payments to States.

PAYMENTS TO STATES

Certification of amount determined by Board.

SEC. 302. (a) The Board shall from time to time certify to the Secretary of the Treasury for payment to each State which has an unemployment compensation law approved by the Board under Title IX, such amounts as the Board determines to be necessary for the proper administration of such law during the fiscal year in which such payment is to be made. The Board's determination shall be based on (1) the population of the State; (2) an estimate of the number of persons covered by the State law and of the cost of proper administration of such law; and (3) such other factors as the Board finds relevant. The Board shall not certify for payment under this section in any fiscal year a total amount in excess of the amount appropriated therefor for such fiscal year.

Basis of Board's determination.

Restriction on total amount.

Payment of certified amount; prior audit waived.

(b) Out of the sums appropriated therefor, the Secretary of the Treasury shall, upon receiving a certification under subsection (a), pay, through the Division of Disbursement of the Treasury Department and prior to audit or settlement by the General Accounting Office, to the State agency charged with the administration of such law the amount so certified.

Provisions of State laws.

PROVISIONS OF STATE LAWS

Requirements to be incorporated.

SEC. 303. (a) The Board shall make no certification for payment to any State unless it finds that the law of such State, approved by the Board under Title IX, includes provisions for—

Approved methods of administration.

(1) Such methods of administration (other than those relating to selection, tenure of office, and compensation of personnel) as are found by the Board to be reasonably calculated to insure full payment of unemployment compensation when due; and

Payment of compensation through public employment offices.

(2) Payment of unemployment compensation solely through public employment offices in the State or such other agencies as the Board may approve; and

Hearing when compensation claim denied.

(3) Opportunity for a fair hearing, before an impartial tribunal, for all individuals whose claims for unemployment compensation are denied; and

Payment to credit of Unemployment Trust Fund.

(4) The payment of all money received in the unemployment fund of such State, immediately upon such receipt, to the Secretary of the Treasury to the credit of the Unemployment Trust Fund established by section 904; and

Expenditure of requisitioned money for unemployment compensation payments.

(5) Expenditure of all money requisitioned by the State agency from the Unemployment Trust Fund, in the payment of unemployment compensation, exclusive of expenses of administration; and

Reports to Board.

(6) The making of such reports, in such form and containing such information, as the Board may from time to time require, and compliance with such provisions as the Board may from time to time find necessary to assure the correctness and verification of such reports; and

(7) Making available upon request to any agency of the United States charged with the administration of public works or assistance through public employment, the name, address, ordinary occupation and employment status of each recipient of unemployment compensation, and a statement of such recipient's rights to further compensation under such law. Information respecting recipients.

(b) Whenever the Board, after reasonable notice and opportunity for hearing to the State agency charged with the administration of the State law, finds that in the administration of the law there is— Notification to State agency of suspension of payments; when.

(1) a denial, in a substantial number of cases, of unemployment compensation to individuals entitled thereto under such law; or

(2) a failure to comply substantially with any provision specified in subsection (a);

the Board shall notify such State agency that further payments will not be made to the State until the Board is satisfied that there is no longer any such denial or failure to comply. Until it is so satisfied it shall make no further certification to the Secretary of the Treasury with respect to such State.

TITLE IV—GRANTS TO STATES FOR AID TO DEPENDENT CHILDREN

Title IV—Grants to States for aid to dependent children.

APPROPRIATION

Appropriation.

SECTION 401. For the purpose of enabling each State to furnish financial assistance, as far as practicable under the conditions in such State, to needy dependent children, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1936, the sum of $24,750,000, and there is hereby authorized to be appropriated for each fiscal year thereafter a sum sufficient to carry out the purposes of this title. The sums made available under this section shall be used for making payments to States which have submitted, and had approved by the Board, State plans for aid to dependent children. Amount authorized. *Post*, pp. 1113, 1605. Availability.

STATE PLANS FOR AID TO DEPENDENT CHILDREN

State plans for aid to dependent children. Requirements.

SEC. 402. (a) A State plan for aid to dependent children must (1) provide that it shall be in effect in all political subdivisions of the State, and, if administered by them, be mandatory upon them; (2) provide for financial participation by the State; (3) either provide for the establishment or designation of a single State agency to administer the plan, or provide for the establishment or designation of a single State agency to supervise the administration of the plan; (4) provide for granting to any individual, whose claim with respect to aid to a dependent child is denied, an opportunity for a fair hearing before such State agency; (5) provide such methods of administration (other than those relating to selection, tenure of office, and compensation of personnel) as are found by the Board to be necessary for the efficient operation of the plan; and (6) provide that the State agency will make such reports, in such form and containing such information, as the Board may from time to time require, and comply with such provisions as the Board may from time to time find necessary to assure the correctness and verification of such reports.

(b) The Board shall approve any plan which fulfills the conditions specified in subsection (a), except that it shall not approve any plan which imposes as a condition of eligibility for aid to dependent children, a residence requirement which denies aid with respect to any child residing in the State (1) who has resided in the State for one year immediately preceding the application Approval of plan by Board.

for such aid, or (2) who was born within the State within one year immediately preceding the application, if its mother has resided in the State for one year immediately preceding the birth.

Payment to States.

PAYMENT TO STATES

Amount to be paid quarterly.

SEC. 403. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to dependent children, for each quarter, beginning with the quarter commencing July 1, 1935, an amount, which shall be used exclusively for carrying out the State plan, equal to one-third of the total of the sums expended during such quarter under such plan, not counting so much of such expenditure with respect to any dependent child for any month as exceeds $18, or if there is more than one dependent child in the same home, as exceeds $18 for any month with respect to one such dependent child and $12 for such month with respect to each of the other dependent children.

To be one-third of amount expended under State plan.

When more than one dependent child.

Method of computing and paying amounts.

(b) The method of computing and paying such amounts shall be as follows:

Estimates to be submitted prior to beginning of quarter.

Basis of estimates.

(1) The Board shall, prior to the beginning of each quarter, estimate the amount to be paid to the State for such quarter under the provisions of subsection (a), such estimate to be based on (A) a report filed by the State containing its estimate of the total sum to be expended in such quarter in accordance with the provisions of such subsection and stating the amount appropriated or made available by the State and its political subdivisions for such expenditures in such quarter, and if such amount is less than two-thirds of the total sum of such estimated expenditures, the source or sources from which the difference is expected to be derived, (B) records showing the number of dependent children in the State, and (C) such other investigation as the Board may find necessary.

Certification of amount by Board; adjustments.

(2) The Board shall then certify to the Secretary of the Treasury the amount so estimated by the Board, reduced or increased, as the case may be, by any sum by which it finds that its estimate for any prior quarter was greater or less than the amount which should have been paid to the State for such quarter, except to the extent that such sum has been applied to make the amount certified for any prior quarter greater or less than the amount estimated by the Board for such prior quarter.

Payments; prior audit waived.

(3) The Secretary of the Treasury shall thereupon, through the Division of Disbursement of the Treasury Department and prior to audit or settlement by the General Accounting Office, pay to the State, at the time or times fixed by the Board, the amount so certified.

Operation of State plans.

OPERATION OF STATE PLANS

Payments withheld when State not complying with approved plan; notice and hearing.

SEC. 404. In the case of any State plan for aid to dependent children which has been approved by the Board, if the Board, after reasonable notice and opportunity for hearing to the State agency administering or supervising the administration of such plan, finds—

(1) that the plan has been so changed as to impose any residence requirement prohibited by section 402 (b), or that in the administration of the plan any such prohibited requirement is imposed, with the knowledge of such State agency, in a substantial number of cases; or

(2) that in the administration of the plan there is a failure to comply substantially with any provision required by section 402 (a) to be included in the plan;

the Board shall notify such State agency that further payments will not be made to the State until the Board is satisfied that such prohibited requirement is no longer so imposed, and that there is no longer any such failure to comply. Until it is so satisfied it shall make no further certification to the Secretary of the Treasury with respect to such State.

ADMINISTRATION

Administration.

Appropriation authorized for Board expenses.

SEC. 405. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1936, the sum of $250,000 for all necessary expenses of the Board in administering the provisions of this title.

DEFINITIONS

Definitions.

SEC. 406. When used in this title—

"Dependent child."

(a) The term "dependent child" means a child under the age of sixteen who has been deprived of parental support or care by reason of the death, continued absence from the home, or physical or mental incapacity of a parent, and who is living with his father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle, or aunt, in a place of residence maintained by one or more of such relatives as his or their own home;

"Aid to dependent children."

(b) The term "aid to dependent children" means money payments with respect to a dependent child or dependent children.

TITLE V—GRANTS TO STATES FOR MATERNAL AND CHILD WELFARE

Title V—Grants to States for maternal and child welfare.

PART 1—MATERNAL AND CHILD HEALTH SERVICES

Part 1—Maternal and child health services.

APPROPRIATION

Appropriation.

Amount authorized.

SECTION 501. For the purpose of enabling each State to extend and improve, as far as practicable under the conditions in such State, services for promoting the health of mothers and children, especially in rural areas and in areas suffering from severe economic distress, there is hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1936, the sum of $3,800,000. The sums made available under this section shall be used for making payments to States which have submitted, and had approved by the Chief of the Children's Bureau, State plans for such services.

Post, pp. 1121, 1350.

Availability to States.

ALLOTMENTS TO STATES

Allotments to States.

Amount to each State; division of balance.

SEC. 502. (a) Out of the sums appropriated pursuant to section 501 for each fiscal year the Secretary of Labor shall allot to each State $20,000, and such part of $1,800,000 as he finds that the number of live births in such State bore to the total number of live births in the United States, in the latest calendar year for which the Bureau of the Census has available statistics.

Post, p. 1121.

Additional to assist in carrying out State plan.

(b) Out of the sums appropriated pursuant to section 501 for each fiscal year the Secretary of Labor shall allot to the States $980,000 (in addition to the allotments made under subsection (a)), according to the financial need of each State for assistance in carrying out its State plan, as determined by him after taking into consideration the number of live births in such State.

Amount of allotment remaining unpaid.

(c) The amount of any allotment to a State under subsection (a) for any fiscal year remaining unpaid to such State at the end of such fiscal year shall be available for payment to such State under section 504 until the end of the second succeeding fiscal year. No payment

to a State under section 504 shall be made out of its allotment for any fiscal year until its allotment for the preceding fiscal year has been exhausted or has ceased to be available.

Approval of State plans.

APPROVAL OF STATE PLANS

Requirements.

SEC. 503. (a) A State plan for maternal and child-health services must (1) provide for financial participation by the State; (2) provide for the administration of the plan by the State health agency or the supervision of the administration of the plan by the State health agency; (3) provide such methods of administration (other than those relating to selection, tenure of office, and compensation of personnel) as are necessary for the efficient operation of the plan; (4) provide that the State health agency will make such reports, in such form and containing such information, as the Secretary of Labor may from time to time require, and comply with such provisions as he may from time to time find necessary to assure the correctness and verification of such reports; (5) provide for the extension and improvement of local maternal and child-health services administered by local child-health units; (6) provide for cooperation with medical, nursing, and welfare groups and organizations; and (7) provide for the development of demonstration services in needy areas and among groups in special need.

Approval by Chief of Children's Bureau; notification.

(b) The Chief of the Children's Bureau shall approve any plan which fulfills the conditions specified in subsection (a) and shall thereupon notify the Secretary of Labor and the State health agency of his approval.

Payment to States.

PAYMENT TO STATES

Amount to be paid quarterly.
Post, p. 1121.

SEC. 504. (a) From the sums appropriated therefor and the allotments available under section 502 (a), the Secretary of the Treasury shall pay to each State which has an approved plan for maternal and child-health services, for each quarter, beginning with the quarter commencing July 1, 1935, an amount, which shall be used exclusively for carrying out the State plan, equal to one-half of the total sum expended during such quarter for carrying out such plan.

To be one-half of amount expended under State plan.

Method of computing and paying amounts.

(b) The method of computing and paying such amounts shall be as follows:

Estimates to be submitted prior to beginning of quarter.

Basis of estimates.

(1) The Secretary of Labor shall, prior to the beginning of each quarter, estimate the amount to be paid to the State for such quarter under the provisions of subsection (a), such estimate to be based on (A) a report filed by the State containing its estimate of the total sum to be expended in such quarter in accordance with the provisions of such subsection and stating the amount appropriated or made available by the State and its political subdivisions for such expenditures in such quarter, and if such amount is less than one-half of the total sum of such estimated expenditures, the source or sources from which the difference is expected to be derived, and (B) such investigation as he may find necessary.

Certification of amount by Secretary of Labor; adjustments.

(2) The Secretary of Labor shall then certify the amount so estimated by him to the Secretary of the Treasury, reduced or increased, as the case may be, by any sum by which the Secretary of Labor finds that his estimate for any prior quarter was greater or less than the amount which should have been paid to the State for such quarter, except to the extent that such sum has been applied to make the amount certified for any prior quarter greater or less than the amount estimated by the Secretary of Labor for such prior quarter.

(3) The Secretary of the Treasury shall thereupon, through the Division of Disbursement of the Treasury Department and prior to audit or settlement by the General Accounting Office, pay to the State, at the time or times fixed by the Secretary of Labor, the amount so certified.

Payments; prior audit waived.

(c) The Secretary of Labor shall from time to time certify to the Secretary of the Treasury the amounts to be paid to the States from the allotments available under section 502 (b), and the Secretary of the Treasury shall, through the Division of Disbursement of the Treasury Department and prior to audit or settlement by the General Accounting Office, make payments of such amounts from such allotments at the time or times specified by the Secretary of Labor.

Operation of State plans.

OPERATION OF STATE PLANS

Payments withheld when State not complying with approved plan; notice and hearing.

SEC. 505. In the case of any State plan for maternal and child-health services which has been approved by the Chief of the Children's Bureau, if the Secretary of Labor, after reasonable notice and opportunity for hearing to the State agency administering or supervising the administration of such plan, finds that in the administration of the plan there is a failure to comply substantially with any provision required by section 503 to be included in the plan, he shall notify such State agency that further payments will not be made to the State until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied he shall make no further certification to the Secretary of the Treasury with respect to such State.

Part 2—Services for crippled children.

PART 2—SERVICES FOR CRIPPLED CHILDREN

Appropriation.

APPROPRIATION

Amount authorized.
Post, pp. 1121, 1350.

SEC. 511. For the purpose of enabling each State to extend and improve (especially in rural areas and in areas suffering from severe economic distress), as far as practicable under the conditions in such State, services for locating crippled children, and for providing medical, surgical, corrective, and other services and care, and facilities for diagnosis, hospitalization, and aftercare, for children who are crippled or who are suffering from conditions which lead to crippling, there is hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1936, the sum of $2,850,000. The sums made available under this section shall be used for making payments to States which have submitted, and had approved by the Chief of the Children's Bureau, State plans for such services.

Availability to States.

Allotments to States.

ALLOTMENTS TO STATES

Amount to each State; division of balance.
Post, p. 1121.

SEC. 512. (a) Out of the sums appropriated pursuant to section 511 for each fiscal year the Secretary of Labor shall allot to each State $20,000, and the remainder to the States according to the need of each State as determined by him after taking into consideration the number of crippled children in such State in need of the services referred to in section 511 and the cost of furnishing such services to them.

Amount of allotment remaining unpaid.

(b) The amount of any allotment to a State under subsection (a) for any fiscal year remaining unpaid to such State at the end of such fiscal year shall be available for payment to such State under section 514 until the end of the second succeeding fiscal year. No payment to a State under section 514 shall be made out of its allotment for any fiscal year until its allotment for the preceding fiscal year has been exhausted or has ceased to be available.

Approval of State plans.

APPROVAL OF STATE PLANS

Requirements.

SEC. 513. (a) A State plan for services for crippled children must (1) provide for financial participation by the State; (2) provide for the administration of the plan by a State agency or the supervision of the administration of the plan by a State agency; (3) provide such methods of administration (other than those relating to selection, tenure of office, and compensation of personnel) as are necessary for the efficient operation of the plan; (4) provide that the State agency will make such reports, in such form and containing such information, as the Secretary of Labor may from time to time require, and comply with such provisions as he may from time to time find necessary to assure the correctness and verification of such reports; (5) provide for carrying out the purposes specified in section 511; and (6) provide for cooperation with medical, health, nursing, and welfare groups and organizations and with any agency in such State charged with administering State laws providing for vocational rehabilitation of physically handicapped children.

Approval by Chief of Children's Bureau; notification.

(b) The Chief of the Children's Bureau shall approve any plan which fulfills the conditions specified in subsection (a) and shall thereupon notify the Secretary of Labor and the State agency of his approval.

Payment to States.

PAYMENT TO STATES

Amount to be paid quarterly.

SEC. 514. (a) From the sums appropriated therefor and the allotments available under section 512, the Secretary of the Treasury shall pay to each State which has an approved plan for services for crippled children, for each quarter, beginning with the quarter commencing July 1, 1935, an amount, which shall be used exclusively for carrying out the State plan, equal to one-half of the total sum expended during such quarter for carrying out such plan.

To be one-half of amount expended under State plan.

Method of computing and paying amounts.

(b) The method of computing and paying such amounts shall be as follows:

Estimates to be submitted prior to beginning of quarter.

(1) The Secretary of Labor shall, prior to the beginning of each quarter, estimate the amount to be paid to the State for such quarter under the provisions of subsection (a), such estimate to be

Basis of estimates.

based on (A) a report filed by the State containing its estimate of the total sum to be expended in such quarter in accordance with the provisions of such subsection and stating the amount appropriated or made available by the State and its political subdivisions for such expenditures in such quarter, and if such amount is less than one-half of the total sum of such estimated expenditures, the source or sources from which the difference is expected to be derived, and (B) such investigation as he may find necessary.

Certification of amount by Secretary of Labor; adjustments.

(2) The Secretary of Labor shall then certify the amount so estimated by him to the Secretary of the Treasury, reduced or increased, as the case may be, by any sum by which the Secretary of Labor finds that his estimate for any prior quarter was greater or less than the amount which should have been paid to the State for such quarter, except to the extent that such sum has been applied to make the amount certified for any prior quarter greater or less than the amount estimated by the Secretary of Labor for such prior quarter.

Payments; prior audit waived.

(3) The Secretary of the Treasury shall thereupon, through the Division of Disbursement of the Treasury Department and prior to audit or settlement by the General Accounting Office, pay to the State, at the time or times fixed by the Secretary of Labor, the amount so certified.

OPERATION OF STATE PLANS

Operation of State plans.

SEC. 515. In the case of any State plan for services for crippled children which has been approved by the Chief of the Children's Bureau, if the Secretary of Labor, after reasonable notice and opportunity for hearing to the State agency administering or supervising the administration of such plan, finds that in the administration of the plan there is a failure to comply substantially with any provision required by section 513 to be included in the plan, he shall notify such State agency that further payments will not be made to the State until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied he shall make no further certification to the Secretary of the Treasury with respect to such State.

Payments withheld when State not complying with approved plan; notice and hearing.

PART 3—CHILD-WELFARE SERVICES

Part 3—Child-welfare services.

SEC. 521. (a) For the purpose of enabling the United States, through the Children's Bureau, to cooperate with State public-welfare agencies in establishing, extending, and strengthening, especially in predominantly rural areas, public-welfare services (hereinafter in this section referred to as "child-welfare services") for the protection and care of homeless, dependent, and neglected children, and children in danger of becoming delinquent, there is hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1936, the sum of $1,500,000. Such amount shall be allotted by the Secretary of Labor for use by cooperating State public-welfare agencies on the basis of plans developed jointly by the State agency and the Children's Bureau, to each State, $10,000, and the remainder to each State on the basis of such plans, not to exceed such part of the remainder as the rural population of such State bears to the total rural population of the United States. The amount so allotted shall be expended for payment of part of the cost of district, county or other local child-welfare services in areas predominantly rural, and for developing State services for the encouragement and assistance of adequate methods of community child-welfare organization in areas predominantly rural and other areas of special need. The amount of any allotment to a State under this section for any fiscal year remaining unpaid to such State at the end of such fiscal year shall be available for payment to such State under this section until the end of the second succeeding fiscal year. No payment to a State under this section shall be made out of its allotment for any fiscal year until its allotment for the preceding fiscal year has been exhausted or has ceased to be available.

Appropriation authorized.
Post, pp. 1121, 1350.

Amount.
Allotments to States.

Amount to each State; division of remainder.

Expenditure.

Amount of allotment remaining unpaid.

(b) From the sums appropriated therefor and the allotments available under subsection (a) the Secretary of Labor shall from time to time certify to the Secretary of the Treasury the amounts to be paid to the States, and the Secretary of the Treasury shall, through the Division of Disbursement of the Treasury Department and prior to audit or settlement by the General Accounting Office, make payments of such amounts from such allotments at the time or times specified by the Secretary of Labor.

Certification of amounts to be paid.

Prior audit waived.

PART 4—VOCATIONAL REHABILITATION

Part 4—Vocational rehabilitation.

SEC. 531. (a) In order to enable the United States to cooperate with the States and Hawaii in extending and strengthening their programs of vocational rehabilitation of the physically disabled, and to continue to carry out the provisions and purposes of the Act entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return

Appropriation authorized.
Post, pp. 1119, 1798.

to civil employment", approved June 2, 1920, as amended (U. S. C., title 29, ch. 4; U. S. C., Supp. VII, title 29, secs. 31, 32, 34, 35, 37, 39, and 40), there is hereby authorized to be appropriated for the fiscal years ending June 30, 1936, and June 30, 1937, the sum of $841,000 for each such fiscal year in addition to the amount of the existing authorization, and for each fiscal year thereafter the sum of $1,938,000. Of the sums appropriated pursuant to such authorization for each fiscal year, $5,000 shall be apportioned to the Territory of Hawaii and the remainder shall be apportioned among the several States in the manner provided in such Act of June 2, 1920, as amended.

Apportionment to Hawaii.

Appropriation authorized for administration.

Post, pp. 1119, 1798.

(b) For the administration of such Act of June 2, 1920, as amended, by the Federal agency authorized to administer it, there is hereby authorized to be appropriated for the fiscal years ending June 30, 1936, and June 30, 1937, the sum of $22,000 for each such fiscal year in addition to the amount of the existing authorization. and for each fiscal year thereafter the sum of $102,000.

Part 5—Administration.

PART 5—ADMINISTRATION

Appropriation authorized.

Post, pp. 1122, 1349.

SEC. 541. (a) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1936, the sum of $425,000, for all necessary expenses of the Children's Bureau in administering the provisions of this title, except section 531.

Studies and investigations by Children's Bureau.

(b) The Children's Bureau shall make such studies and investigations as will promote the efficient administration of this title, except section 531.

Annual report.

(c) The Secretary of Labor shall include in his annual report to Congress a full account of the administration of this title, except section 531.

Title VI—Public Health Work.

TITLE VI—PUBLIC HEALTH WORK

Appropriation.

APPROPRIATION

Sum authorized.

Post, pp. 1126, 1841.

SECTION 601. For the purpose of assisting States, counties, health districts, and other political subdivisions of the States in establishing and maintaining adequate public-health services, including the training of personnel for State and local health work, there is hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1936, the sum of $8,000,000 to be used as hereinafter provided.

State and local public health services.

STATE AND LOCAL PUBLIC HEALTH SERVICES

Allotments to States by Surgeon General.

Amounts.

SEC. 602. (a) The Surgeon General of the Public Health Service, with the approval of the Secretary of the Treasury, shall, at the beginning of each fiscal year, allot to the States the total of (1) the amount appropriated for such year pursuant to section 601; and (2) the amounts of the allotments under this section for the preceding fiscal year remaining unpaid to the States at the end of such fiscal year. The amounts of such allotments shall be determined on the basis of (1) the population; (2) the special health problems; and (3) the financial needs; of the respective States. Upon making such allotments the Surgeon General of the Public Health Service shall certify the amounts thereof to the Secretary of the Treasury.

Determination of.

Certification to Secretary of the Treasury.

Availability of allotment remaining unpaid.

(b) The amount of an allotment to any State under subsection (a) for any fiscal year, remaining unpaid at the end of such fiscal year, shall be available for allotment to States under subsection (a) for the succeeding fiscal year, in addition to the amount appropriated for such year.

(c) Prior to the beginning of each quarter of the fiscal year, the Surgeon General of the Public Health Service shall, with the approval of the Secretary of the Treasury, determine in accordance with rules and regulations previously prescribed by such Surgeon General after consultation with a conference of the State and Territorial health authorities, the amount to be paid to each State for such quarter from the allotment to such State, and shall certify the amount so determined to the Secretary of the Treasury. Upon receipt of such certification, the Secretary of the Treasury shall, through the Division of Disbursement of the Treasury Department and prior to audit or settlement by the General Accounting Office, pay in accordance with such certification.

Determination of quarterly amounts.

Certification thereof.

Payments; prior audit waived.

(d) The moneys so paid to any State shall be expended solely in carrying out the purposes specified in section 601, and in accordance with plans presented by the health authority of such State and approved by the Surgeon General of the Public Health Service.

Expenditure.

INVESTIGATIONS

Investigations.

SEC. 603. (a) There is hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1936, the sum of $2,000,000 for expenditure by the Public Health Service for investigation of disease and problems of sanitation (including the printing and binding of the findings of such investigations), and for the pay and allowances and traveling expenses of personnel of the Public Health Service, including commissioned officers, engaged in such investigations or detailed to cooperate with the health authorities of any State in carrying out the purposes specified in section 601: *Provided*, That no personnel of the Public Health Service shall be detailed to cooperate with the health authorities of any State except at the request of the proper authorities of such State.

Sum authorized for disease and sanitation investigations.
Post, pp. 1126, 1841.

Proviso.
Detail of Public Health Service personnel.

(b) The personnel of the Public Health Service paid from any appropriation not made pursuant to subsection (a) may be detailed to assist in carrying out the purposes of this title. The appropriation from which they are paid shall be reimbursed from the appropriation made pursuant to subsection (a) to the extent of their salaries and allowances for services performed while so detailed.

Reimbursement for salaries and allowances.

(c) The Secretary of the Treasury shall include in his annual report to Congress a full account of the administration of this title.

Annual report.

TITLE VII—SOCIAL SECURITY BOARD

Title VII—Social Security Board.

ESTABLISHMENT

Establishment.

SECTION 701. There is hereby established a Social Security Board (in this Act referred to as the "Board") to be composed of three members to be appointed by the President, by and with the advice and consent of the Senate. During his term of membership on the Board, no member shall engage in any other business, vocation, or employment. Not more than two of the members of the Board shall be members of the same political party. Each member shall receive a salary at the rate of $10,000 a year and shall hold office for a term of six years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed, shall be appointed for the remainder of such term; and (2) the terms of office of the members first taking office after the date of the enactment of this Act shall expire, as designated by the President at the time of appointment, one at the end of two years, one at the end of four years, and one at the end

Composition.
Post, pp. 1114, 1604.

Restriction on other employment.

Political affiliation.

Salary; terms of office.

Vacancies.

Chairman.

of six years, after the date of the enactment of this Act. The President shall designate one of the members as the chairman of the Board.

Duties.

DUTIES OF SOCIAL SECURITY BOARD

SEC. 702. The Board shall perform the duties imposed upon it by this Act and shall also have the duty of studying and making recommendations as to the most effective methods of providing economic security through social insurance, and as to legislation and matters of administrative policy concerning old-age pensions, unemployment compensation, accident compensation, and related subjects.

Expenses.

EXPENSES OF THE BOARD

Appointment and compensation of personnel.

SEC. 703. The Board is authorized to appoint and fix the compensation of such officers and employees, and to make such expenditures, as may be necessary for carrying out its functions under this Act. Appointments of attorneys and experts may be made without regard to the civil-service laws.

Reports.

REPORTS

SEC. 704. The Board shall make a full report to Congress, at the beginning of each regular session, of the administration of the functions with which it is charged.

Title VIII—Taxes with respect to employment.

TITLE VIII—TAXES WITH RESPECT TO EMPLOYMENT

Income tax on employees.

INCOME TAX ON EMPLOYEES

Rates.

SECTION 801. In addition to other taxes, there shall be levied, collected, and paid upon the income of every individual a tax equal to the following percentages of the wages (as defined in section 811) received by him after December 31, 1936, with respect to employment (as defined in section 811) after such date:

(1) With respect to employment during the calendar years 1937, 1938, and 1939, the rate shall be 1 per centum.

(2) With respect to employment during the calendar years 1940, 1941, and 1942, the rate shall be 1½ per centum.

(3) With respect to employment during the calendar years 1943, 1944, and 1945, the rate shall be 2 per centum.

(4) With respect to employment during the calendar years 1946, 1947, and 1948, the rate shall be 2½ per centum.

(5) With respect to employment after December 31, 1948, the rate shall be 3 per centum.

Deduction of tax from wages.

DEDUCTION OF TAX FROM WAGES

Collection by employer.

SEC. 802. (a) The tax imposed by section 801 shall be collected by the employer of the taxpayer, by deducting the amount of the tax from the wages as and when paid. Every employer required so to deduct the tax is hereby made liable for the payment of such tax, and is hereby indemnified against the claims and demands of any person for the amount of any such payment made by such employer.

Liability for.

Adjustments.

(b) If more or less than the correct amount of tax imposed by section 801 is paid with respect to any wage payment, then, under regulations made under this title, proper adjustments, with respect both to the tax and the amount to be deducted, shall be made, without interest, in connection with subsequent wage payments to the same individual by the same employer.

DEDUCTIBILITY FROM INCOME TAX

Deductibility from income tax.

SEC. 803. For the purposes of the income tax imposed by Title I of the Revenue Act of 1934 or by any Act of Congress in substitution therefor, the tax imposed by section 801 shall not be allowed as a deduction to the taxpayer in computing his net income for the year in which such tax is deducted from his wages.

Vol. 48, p. 688; *Post*, p. 1014.

EXCISE TAX ON EMPLOYERS

Excise tax on employers.

SEC. 804. In addition to other taxes, every employer shall pay an excise tax, with respect to having individuals in his employ, equal to the following percentages of the wages (as defined in section 811) paid by him after December 31, 1936, with respect to employment (as defined in section 811) after such date:

Payment by.
Vol. 48, pp. 688–691.

Post, p. 639.

Rates.

(1) With respect to employment during the calendar years 1937, 1938, and 1939, the rate shall be 1 per centum.

(2) With respect to employment during the calendar years 1940, 1941, and 1942, the rate shall be 1½ per centum.

(3) With respect to employment during the calendar years 1943, 1944, and 1945, the rate shall be 2 per centum.

(4) With respect to employment during the calendar years 1946, 1947, and 1948, the rate shall be 2½ per centum.

(5) With respect to employment after December 31, 1948, the rate shall be 3 per centum.

ADJUSTMENT OF EMPLOYER'S TAX

Adjustment of employers' tax.

SEC. 805. If more or less than the correct amount of tax imposed by section 804 is paid with respect to any wage payment, then, under regulations made under this title, proper adjustments with respect to the tax shall be made, without interest, in connection with subsequent wage payments to the same individual by the same employer.

Regulations.

REFUNDS AND DEFICIENCIES

Refunds and deficiencies.

SEC. 806. If more or less than the correct amount of tax imposed by section 801 or 804 is paid or deducted with respect to any wage payment and the overpayment or underpayment of tax cannot be adjusted under section 802 (b) or 805 the amount of the overpayment shall be refunded and the amount of the underpayment shall be collected, in such manner and at such times (subject to the statutes of limitations properly applicable thereto) as may be prescribed by regulations made under this title.

COLLECTION AND PAYMENT OF TAXES

Collection and payment of taxes.

SEC. 807. (a) The taxes imposed by this title shall be collected by the Bureau of Internal Revenue under the direction of the Secretary of the Treasury and shall be paid into the Treasury of the United States as internal-revenue collections. If the tax is not paid when due, there shall be added as part of the tax interest (except in the case of adjustments made in accordance with the provisions of sections 802 (b) and 805) at the rate of one-half of 1 per centum per month from the date the tax became due until paid.

Collection.

Tax interest on payment in default.

Rate.

(b) Such taxes shall be collected and paid in such manner, at such times, and under such conditions, not inconsistent with this title (either by making and filing returns, or by stamps, coupons, tickets, books, or other reasonable devices or methods necessary or helpful in securing a complete and proper collection and payment of the tax or in securing proper identification of the taxpayer), as may be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury.

Regulations governing payment.

Provisions of law applicable.
Vol. 44, pp. 93, 99; U. S. C., pp. 1107, 1133.
Vol. 48, p. 768.

(c) All provisions of law, including penalties, applicable with respect to any tax imposed by section 600 or section 800 of the Revenue Act of 1926, and the provisions of section 607 of the Revenue Act of 1934, shall, insofar as applicable and not inconsistent with the provisions of this title, be applicable with respect to the taxes imposed by this title.

Fractional part of cent.

(d) In the payment of any tax under this title a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to 1 cent.

Rules and regulations.

RULES AND REGULATIONS

Authority to prescribe.

SEC. 808. The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall make and publish rules and regulations for the enforcement of this title.

Sale of stamps by postmasters.

SALE OF STAMPS BY POSTMASTERS

SEC. 809. The Commissioner of Internal Revenue shall furnish to the Postmaster General without prepayment a suitable quantity of stamps, coupons, tickets, books, or other devices prescribed by the Commissioner under section 807 for the collection or payment of any tax imposed by this title, to be distributed to, and kept on sale by, all post offices of the first and second classes, and such post offices of the third and fourth classes as (1) are located in county seats, or (2) are certified by the Secretary of the Treasury to the Postmaster General as necessary to the proper administration of this title. The Postmaster General may require each such postmaster to furnish bond in such increased amount as he may from time to time determine, and each such postmaster shall deposit the receipts from the sale of such stamps, coupons, tickets, books, or other devices, to the credit of, and render accounts to, the Postmaster General at such times and in such form as the Postmaster General may by regulations prescribe. The Postmaster General shall at least once a month transfer to the Treasury as internal-revenue collections all receipts so deposited together with a statement of the additional expenditures in the District of Columbia and elsewhere incurred by the Post Office Department in performing the duties imposed upon said Department by this Act, and the Secretary of the Treasury is hereby authorized and directed to advance from time to time to the credit of the Post Office Department from appropriations made for the collection of the taxes imposed by this title, such sums as may be required for such additional expenditures incurred by the Post Office Department.

Bond.

Transfer of receipts.

Penalties.

PENALTIES

Unlawful use of stamps.

SEC. 810. (a) Whoever buys, sells, offers for sale, uses, transfers, takes or gives in exchange, or pledges or gives in pledge, except as authorized in this title or in regulations made pursuant thereto, any stamp, coupon, ticket, book, or other device, prescribed by the Commissioner of Internal Revenue under section 807 for the collection or payment of any tax imposed by this title, shall be fined not more than $1,000 or imprisoned for not more than six months, or both.

Counterfeiting.

(b) Whoever, with intent to defraud, alters, forges, makes, or counterfeits any stamp, coupon, ticket, book, or other device prescribed by the Commissioner of Internal Revenue under section 807 for the collection or payment of any tax imposed by this title, or uses, sells, lends, or has in his possession any such altered, forged, or counterfeited stamp, coupon, ticket, book, or other device, or makes, uses, sells, or has in his possession any material in imitation of the

material used in the manufacture of such stamp, coupon, ticket, book, or other device, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

DEFINITIONS

Definitions.

SEC. 811. When used in this title—

"Wages."

(a) The term "wages" means all remuneration for employment, including the cash value of all remuneration paid in any medium other than cash; except that such term shall not include that part of the remuneration which, after remuneration equal to $3,000 has been paid to an individual by an employer with respect to employment during any calendar year, is paid to such individual by such employer with respect to employment during such calendar year.

"Employment."

(b) The term "employment" means any service, of whatever nature, performed within the United States by an employee for his employer, except—

(1) Agricultural labor;

(2) Domestic service in a private home;

(3) Casual labor not in the course of the employer's trade or business;

(4) Service performed by an individual who has attained the age of sixty-five;

(5) Service performed as an officer or member of the crew of a vessel documented under the laws of the United States or of any foreign country;

(6) Service performed in the employ of the United States Government or of an instrumentality of the United States;

(7) Service performed in the employ of a State, a political subdivision thereof, or an instrumentality of one or more States or political subdivisions;

(8) Service performed in the employ of a corporation, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual.

TITLE IX—TAX ON EMPLOYERS OF EIGHT OR MORE

Title IX—Tax on employers of eight or more.

IMPOSITION OF TAX

Imposition of tax.

Percentages.

SECTION 901. On and after January 1, 1936, every employer (as defined in section 907) shall pay for each calendar year an excise tax, with respect to having individuals in his employ, equal to the following percentages of the total wages (as defined in section 907) payable by him (regardless of the time of payment) with respect to employment (as defined in section 907) during such calendar year:

Post, p. 642.

(1) With respect to employment during the calendar year 1936 the rate shall be 1 per centum;

(2) With respect to employment during the calendar year 1937 the rate shall be 2 per centum;

(3) With respect to employment after December 31, 1937, the rate shall be 3 per centum.

CREDIT AGAINST TAX

Credit against tax.

Contributions into unemployment funds.

SEC. 902. The taxpayer may credit against the tax imposed by section 901 the amount of contributions, with respect to employment during the taxable year, paid by him (before the date of filing his return for the taxable year) into an unemployment fund under a

Total credit.

State law. The total credit allowed to a taxpayer under this section for all contributions paid into unemployment funds with respect to employment during such taxable year shall not exceed 90 per centum of the tax against which it is credited, and credit shall be allowed only for contributions made under the laws of States certified for the taxable year as provided in section 903.

Certification of State laws.

CERTIFICATION OF STATE LAWS

Approval; conditions.

SEC. 903. (a) The Social Security Board shall approve any State law submitted to it, within thirty days of such submission, which it finds provides that—

Payment of compensation through public employment offices.

(1) All compensation is to be paid through public employment offices in the State or such other agencies as the Board may approve;

(2) No compensation shall be payable with respect to any day of unemployment occurring within two years after the first day of the first period with respect to which contributions are required;

Payment to credit of Unemployment Trust Fund.

(3) All money received in the unemployment fund shall immediately upon such receipt be paid over to the Secretary of the Treasury to the credit of the Unemployment Trust Fund established by section 904;

Expenditure of requisitioned funds.

(4) All money withdrawn from the Unemployment Trust Fund by the State agency shall be used solely in the payment of compensation, exclusive of expenses of administration;

Refusal of employable to accept work under certain conditions.

(5) Compensation shall not be denied in such State to any otherwise eligible individual for refusing to accept new work under any of the following conditions: (A) If the position offered is vacant due directly to a strike, lockout, or other labor dispute; (B) if the wages, hours, or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality; (C) if as a condition of being employed the individual would be required to join a company union or to resign from or refrain from joining any bona fide labor organization;

Amendment of State laws.

(6) All the rights, privileges, or immunities conferred by such law or by acts done pursuant thereto shall exist subject to the power of the legislature to amend or repeal such law at any time.

Notification to Governor of State.

The Board shall, upon approving such law, notify the Governor of the State of its approval.

Annual certification by Board of approved State laws.

Restriction on approval.

(b) On December 31 in each taxable year the Board shall certify to the Secretary of the Treasury each State whose law it has previously approved, except that it shall not certify any State which, after reasonable notice and opportunity for hearing to the State agency, the Board finds has changed its law so that it no longer contains the provisions specified in subsection (a) or has with respect to such taxable year failed to comply substantially with any such provision.

Notification to Governor; when.

(c) If, at any time during the taxable year, the Board has reason to believe that a State whose law it has previously approved, may not be certified under subsection (b), it shall promptly so notify the Governor of such State.

Unemployment Trust Fund.

UNEMPLOYMENT TRUST FUND

Establishment.

SEC. 904. (a) There is hereby established in the Treasury of the United States a trust fund to be known as the "Unemployment Trust Fund", hereinafter in this title called the "Fund". The Secretary of the Treasury is authorized and directed to receive and hold in the Fund all moneys deposited therein by a State agency

Receipt of deposited funds.

from a State unemployment fund. Such deposit may be made directly with the Secretary of the Treasury or with any Federal reserve bank or member bank of the Federal Reserve System designated by him for such purpose.

Investments; duty to make.

(b) It shall be the duty of the Secretary of the Treasury to invest such portion of the Fund as is not, in his judgment, required to meet current withdrawals. Such investment may be made only in interest bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose such obligations may be acquired (1) on original issue at par, or (2) by purchase of outstanding obligations at the market price. The purposes for which obligations of the United States may be issued under the Second Liberty Bond Act, as amended, are hereby extended to authorize the issuance at par of special obligations exclusively to the Fund. Such special obligations shall bear interest at a rate equal to the average rate of interest, computed as of the end of the calendar month next preceding the date of such issue, borne by all interest-bearing obligations of the United States then forming part of the public debt; except that where such average rate is not a multiple of one-eighth of 1 per centum, the rate of interest of such special obligations shall be the multiple of one-eighth of 1 per centum next lower than such average rate. Obligations other than such special obligations may be acquired for the Fund only on such terms as to provide an investment yield not less than the yield which would be required in the case of special obligations if issued to the Fund upon the date of such acquisition.

Nature of.

Acquisition of obligations of United States.

Second Liberty Bond Act.
Vol. 40, p. 288; U. S. C., p. 1419.
Ante, pp. 20, 622; *Post*, p. 699.

Special obligations; interest rate.

Other obligations; acquisition of.

Sale of.

(c) Any obligations acquired by the Fund (except special obligations issued exclusively to the Fund) may be sold at the market price, and such special obligations may be redeemed at par plus accrued interest.

Interest and proceeds of sale credited to Fund.

(d) The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

Investment accounts.

(e) The Fund shall be invested as a single fund, but the Secretary of the Treasury shall maintain a separate book account for each State agency and shall credit quarterly on March 31, June 30, September 30, and December 31, of each year, to each account, on the basis of the average daily balance of such account, a proportionate part of the earnings of the Fund for the quarter ending on such date.

Requisitions on Fund by States; payments.

(f) The Secretary of the Treasury is authorized and directed to pay out of the Fund to any State agency such amount as it may duly requisition, not exceeding the amount standing to the account of such State agency at the time of such payment.

ADMINISTRATION, REFUNDS, AND PENALTIES

Administration, refunds, and penalties.

Taxes; collection of.

SEC. 905. (a) The tax imposed by this title shall be collected by the Bureau of Internal Revenue under the direction of the Secretary of the Treasury and shall be paid into the Treasury of the United States as internal-revenue collections. If the tax is not paid when due, there shall be added as part of the tax interest at the rate of one-half of 1 per centum per month from the date the tax became due until paid.

Interest on tax payment in default.

Returns by employers; when to be made.

(b) Not later than January 31, next following the close of the taxable year, each employer shall make a return of the tax under this title for such taxable year. Each such return shall be made under oath, shall be filed with the collector of internal revenue for the district in which is located the principal place of business of the

Form; filing.

employer, or, if he has no principal place of business in the United States, then with the collector at Baltimore, Maryland, and shall contain such information and be made in such manner as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may by regulations prescribe. All provisions of law (including penalties) applicable in respect of the taxes imposed by section 600 of the Revenue Act of 1926, shall, insofar as not inconsistent with this title, be applicable in respect of the tax imposed by this title. The Commissioner may extend the time for filing the return of the tax imposed by this title, under such rules and regulations as he may prescribe with the approval of the Secretary of the Treasury, but no such extension shall be for more than sixty days.

Provisions of law applicable.

Vol. 44, p. 93.

Extension of time for filing.

Publicity of returns.

(c) Returns filed under this title shall be open to inspection in the same manner, to the same extent, and subject to the same provisions of law, including penalties, as returns made under Title II of the Revenue Act of 1926.

Vol. 44, p. 51.

Installment payment of tax.

(d) The taxpayer may elect to pay the tax in four equal installments instead of in a single payment, in which case the first installment shall be paid not later than the last day prescribed for the filing of returns, the second installment shall be paid on or before the last day of the third month, the third installment on or before the last day of the sixth month, and the fourth installment on or before the last day of the ninth month, after such last day. If the tax or any installment thereof is not paid on or before the last day of the period fixed for its payment, the whole amount of the tax unpaid shall be paid upon notice and demand from the collector.

Extensions authorized.

(e) At the request of the taxpayer the time for payment of the tax or any installment thereof may be extended under regulations prescribed by the Commissioner with the approval of the Secretary of the Treasury, for a period not to exceed six months from the last day of the period prescribed for the payment of the tax or any installment thereof. The amount of the tax in respect of which any extension is granted shall be paid (with interest at the rate of one-half of 1 per centum per month) on or before the date of the expiration of the period of the extension.

Fractional part of cent.

(f) In the payment of any tax under this title a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to 1 cent.

Interstate commerce.

INTERSTATE COMMERCE

Persons engaged in; payments.

SEC. 906. No person required under a State law to make payments to an unemployment fund shall be relieved from compliance therewith on the ground that he is engaged in interstate commerce, or that the State law does not distinguish between employees engaged in interstate commerce and those engaged in intrastate commerce.

Definitions.

DEFINITIONS

SEC. 907. When used in this title—

"Employer."

(a) The term "employer" does not include any person unless on each of some twenty days during the taxable year, each day being in a different calendar week, the total number of individuals who were in his employ for some portion of the day (whether or not at the same moment of time) was eight or more.

"Wages."

(b) The term "wages" means all remuneration for employment, including the cash value of all remuneration paid in any medium other than cash.

(c) The term "employment" means any service, of whatever nature, performed within the United States by an employee for his employer, except— "Employment."

(1) Agricultural labor;

(2) Domestic service in a private home;

(3) Service performed as an officer or member of the crew of a vessel on the navigable waters of the United States;

(4) Service performed by an individual in the employ of his son, daughter, or spouse, and service performed by a child under the age of twenty-one in the employ of his father or mother;

(5) Service performed in the employ of the United States Government or of an instrumentality of the United States;

(6) Service performed in the employ of a State, a political subdivision thereof, or an instrumentality of one or more States or political subdivisions;

(7) Service performed in the employ of a corporation, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual.

(d) The term "State agency" means any State officer, board, or other authority, designated under a State law to administer the unemployment fund in such State. "State agency."

(e) The term "unemployment fund" means a special fund, established under a State law and administered by a State agency, for the payment of compensation. "Unemployment fund."

(f) The term "contributions" means payments required by a State law to be made by an employer into an unemployment fund, to the extent that such payments are made by him without any part thereof being deducted or deductible from the wages of individuals in his employ. "Contributions."

(g) The term "compensation" means cash benefits payable to individuals with respect to their unemployment. "Compensation."

RULES AND REGULATIONS

Rules and regulations.

SEC. 908. The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall make and publish rules and regulations for the enforcement of this title, except sections 903, 904, and 910. Authority to prescribe.

ALLOWANCE OF ADDITIONAL CREDIT

Allowance of additional credit.

SEC. 909. (a) In addition to the credit allowed under section 902, a taxpayer may, subject to the conditions imposed by section 910, credit against the tax imposed by section 901 for any taxable year after the taxable year 1937, an amount, with respect to each State law, equal to the amount, if any, by which the contributions, with respect to employment in such taxable year, actually paid by the taxpayer under such law before the date of filing his return for such taxable year, is exceeded by whichever of the following is the lesser— Deduction of contributions from tax.

(1) The amount of contributions which he would have been required to pay under such law for such taxable year if he had been subject to the highest rate applicable from time to time throughout such year to any employer under such law; or Amounts.

(2) Two and seven-tenths per centum of the wages payable by him with respect to employment with respect to which contributions for such year were required under such law.

(b) If the amount of the contributions actually so paid by the taxpayer is less than the amount which he should have paid under the State law, the additional credit under subsection (a) shall be reduced proportionately.

Total credits allowed.

(c) The total credits allowed to a taxpayer under this title shall not exceed 90 per centum of the tax against which such credits are taken.

Conditions of additional credit allowance.

CONDITIONS OF ADDITIONAL CREDIT ALLOWANCE

When credit allowance to be granted.

SEC. 910. (a) A taxpayer shall be allowed the additional credit under section 909, with respect to his contribution rate under a State law being lower, for any taxable year, than that of another employer subject to such law, only if the Board finds that under such law—

(1) Such lower rate, with respect to contributions to a pooled fund, is permitted on the basis of not less than three years of compensation experience;

(2) Such lower rate, with respect to contributions to a guaranteed employment account, is permitted only when his guaranty of employment was fulfilled in the preceding calendar year, and such guaranteed employment account amounts to not less than 7½ per centum of the total wages payable by him, in accordance with such guaranty, with respect to employment in such State in the preceding calendar year;

(3) Such lower rate, with respect to contributions to a separate reserve account, is permitted only when (A) compensation has been payable from such account throughout the preceding calendar year, and (B) such account amounts to not less than five times the largest amount of compensation paid from such account within any one of the three preceding calendar years, and (C) such account amounts to not less than 7½ per centum of the total wages payable by him (plus the total wages payable by any other employers who may be contributing to such account) with respect to employment in such State in the preceding calendar year.

Reductions.

(b) Such additional credit shall be reduced, if any contributions under such law are made by such taxpayer at a lower rate under conditions not fulfilling the requirements of subsection (a), by the amount bearing the same ratio to such additional credit as the amount of contributions made at such lower rate bears to the total of his contributions paid for such year under such law.

Definitions.

(c) As used in this section—

"Reserve account."

(1) The term "reserve account" means a separate account in an unemployment fund, with respect to an employer or group of employers, from which compensation is payable only with respect to the unemployment of individuals who were in the employ of such employer, or of one of the employers comprising the group.

"Pooled fund."

(2) The term "pooled fund" means an unemployment fund or any part thereof in which all contributions are mingled and undivided, and from which compensation is payable to all eligible individuals, except that to individuals last employed by employers with respect to whom reserve accounts are maintained by the State agency, it is payable only when such accounts are exhausted.

"Guaranteed employment account."

(3) The term "guaranteed employment account" means a separate account, in an unemployment fund, of contributions paid by an employer (or group of employers) who

(A) guarantees in advance thirty hours of wages for each of forty calendar weeks (or more, with one weekly hour deducted for each added week guaranteed) in twelve months, to all the individuals in his employ in one or more distinct establishments, except that any such individual's guaranty may commence after

a probationary period (included within twelve or less consecutive calendar weeks), and

(B) gives security or assurance, satisfactory to the State agency, for the fulfillment of such guaranties,

from which account compensation shall be payable with respect to the unemployment of any such individual whose guaranty is not fulfilled or renewed and who is otherwise eligible for compensation under the State law.

"Year of compensation experience."

(4) The term "year of compensation experience", as applied to an employer, means any calendar year throughout which compensation was payable with respect to any individual in his employ who became unemployed and was eligible for compensation.

TITLE X—GRANTS TO STATES FOR AID TO THE BLIND

Grants to States for aid to blind.

APPROPRIATION

Appropriation.

SECTION 1001. For the purpose of enabling each State to furnish financial assistance, as far as practicable under the conditions in such State, to needy individuals who are blind, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1936, the sum of $3,000,000, and there is hereby authorized to be appropriated for each fiscal year thereafter a sum sufficient to carry out the purposes of this title. The sums made available under this section shall be used for making payments to States which have submitted, and had approved by the Social Security Board, State plans for aid to the blind.

Sum authorized.
Post, pp. 1113, 1606.

Availability to States.

STATE PLANS FOR AID TO THE BLIND

State plans for aid to blind.

SEC. 1002. (a) A State plan for aid to the blind must (1) provide that it shall be in effect in all political subdivisions of the State, and, if administered by them, be mandatory upon them; (2) provide for financial participation by the State; (3) either provide for the establishment or designation of a single State agency to administer the plan, or provide for the establishment or designation of a single State agency to supervise the administration of the plan; (4) provide for granting to any individual, whose claim for aid is denied, an opportunity for a fair hearing before such State agency; (5) provide such methods of administration (other than those relating to selection, tenure of office, and compensation of personnel) as are found by the Board to be necessary for the efficient operation of the plan; (6) provide that the State agency will make such reports, in such form and containing such information, as the Board may from time to time require, and comply with such provisions as the Board may from time to time find necessary to assure the correctness and verification of such reports; and (7) provide that no aid will be furnished any individual under the plan with respect to any period with respect to which he is receiving old-age assistance under the State plan approved under section 2 of this Act.

Requirements.

(b) The Board shall approve any plan which fulfills the conditions specified in subsection (a), except that it shall not approve any plan which imposes, as a condition of eligibility for aid to the blind under the plan—

Approval by Board.

(1) Any residence requirement which excludes any resident of the State who has resided therein five years during the nine years immediately preceding the application for aid and has resided therein continuously for one year immediately preceding the application; or

(2) Any citizenship requirement which excludes any citizen of the United States.

Payment to States.

PAYMENT TO STATES

Amount to be paid quarterly.

SEC. 1003. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to the blind, for each quarter, beginning with the quarter commencing July 1, 1935, (1) an amount, which shall be used exclusively as aid to the blind, equal to one-half of the total of the sums expended during such quarter as aid to the blind under the State plan with respect to each individual who is blind and is not an inmate of a public institution, not counting so much of such expenditure with respect to any individual for any month as exceeds $30, and (2) 5 per centum of such amount, which shall be used for paying the costs of administering the State plan or for aid to the blind, or both, and for no other purpose.

Matching funds by States.

Administration costs.

Method of computing and paying amounts.

(b) The method of computing and paying such amounts shall be as follows:

Estimates to be submitted.
Basis of.

(1) The Board shall, prior to the beginning of each quarter, estimate the amount to be paid to the State for such quarter under the provisions of clause (1) of subsection (a), such estimate to be based on (A) a report filed by the State containing its estimate of the total sum to be expended in such quarter in accordance with the provisions of such clause, and stating the amount appropriated or made available by the State and its political subdivisions for such expenditures in such quarter, and if such amount is less than one-half of the total sum of such estimated expenditures, the source or sources from which the difference is expected to be derived, (B) records showing the number of blind individuals in the State, and (C) such other investigation as the Board may find necessary.

Certification of amount by Board; adjustments.

(2) The Board shall then certify to the Secretary of the Treasury the amount so estimated by the Board, reduced or increased, as the case may be, by any sum by which it finds that its estimate for any prior quarter was greater or less than the amount which should have been paid to the State under clause (1) of subsection (a) for such quarter, except to the extent that such sum has been applied to make the amount certified for any prior quarter greater or less than the amount estimated by the Board for such prior quarter.

Payments; prior audit waived.

(3) The Secretary of the Treasury shall thereupon, through the Division of Disbursement of the Treasury Department and prior to audit or settlement by the General Accounting Office, pay to the State, at the time or times fixed by the Board, the amount so certified, increased by 5 per centum.

Operation of State plans.

OPERATION OF STATE PLANS

Payments withheld when State not complying with approved plan; notice and hearing.

SEC. 1004. In the case of any State plan for aid to the blind which has been approved by the Board, if the Board, after reasonable notice and opportunity for hearing to the State agency administering or supervising the administration of such plan, finds—

(1) that the plan has been so changed as to impose any residence or citizenship requirement prohibited by section 1002 (b), or that in the administration of the plan any such prohibited requirement is imposed, with the knowledge of such State agency, in a substantial number of cases; or

(2) that in the administration of the plan there is a failure to comply substantially with any provision required by section 1002

(a) to be included in the plan;
the Board shall notify such State agency that further payments will not be made to the State until the Board is satisfied that such prohibited requirement is no longer so imposed, and that there is no longer any such failure to comply. Until it is so satisfied it shall make no further certification to the Secretary of the Treasury with respect to such State.

ADMINISTRATION

Administration.

SEC. 1005. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1936, the sum of $30,000, for all necessary expenses of the Board in administering the provisions of this title.

Appropriation authorized for Board expenses.

DEFINITION

Definition.

SEC. 1006. When used in this title the term "aid to the blind" means money payments to blind individuals.

"Aid to the blind."

TITLE XI—GENERAL PROVISIONS

General provisions.

DEFINITIONS

Definitions.

SECTION 1101. (a) When used in this Act—

(1) The term "State" (except when used in section 531) includes Alaska, Hawaii, and the District of Columbia.

"State."

(2) The term "United States" when used in a geographical sense means the States, Alaska, Hawaii, and the District of Columbia.

"United States."

(3) The term "person" means an individual, a trust or estate, a partnership, or a corporation.

"Person."

(4) The term "corporation" includes associations, joint-stock companies, and insurance companies.

"Corporation."

(5) The term "shareholder" includes a member in an association, joint-stock company, or insurance company.

"Shareholder."

(6) The term "employee" includes an officer of a corporation.

"Employee."

(b) The terms "includes" and "including" when used in a definition contained in this Act shall not be deemed to exclude other things otherwise within the meaning of the term defined.

"Includes"; "including."

(c) Whenever under this Act or any Act of Congress, or under the law of any State, an employer is required or permitted to deduct any amount from the remuneration of an employee and to pay the amount deducted to the United States, a State, or any political subdivision thereof, then for the purposes of this Act the amount so deducted shall be considered to have been paid to the employee at the time of such deduction.

Amounts deducted from remuneration of employee.

(d) Nothing in this Act shall be construed as authorizing any Federal official, agent, or representative, in carrying out any of the provisions of this Act, to take charge of any child over the objection of either of the parents of such child, or of the person standing in loco parentis to such child.

Children; care and custody.

RULES AND REGULATIONS

Rules and regulations.

SEC. 1102. The Secretary of the Treasury, the Secretary of Labor, and the Social Security Board, respectively, shall make and publish such rules and regulations, not inconsistent with this Act, as may be necessary to the efficient administration of the functions with which each is charged under this Act.

Separability of provisions.

SEPARABILITY

SEC. 1103. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances shall not be affected thereby.

Reservation of power.

RESERVATION OF POWER

SEC. 1104. The right to alter, amend, or repeal any provision of this Act is hereby reserved to the Congress.

Short title.

SHORT TITLE

SEC. 1105. This Act may be cited as the "Social Security Act".

Approved, August 14, 1935.

[CHAPTER 532.]

August 14, 1935.
[S. 12.]
[Public, No. 272.]

AN ACT

To amend the Packers and Stockyards Act.

Packers and Stockyards Act, amendments.
Vol. 42, p. 159.
U. S. C., p. 125.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act to regulate interstate and foreign commerce in livestock, livestock products, dairy products, poultry, poultry products, and eggs, and for other purposes, approved August 15, 1921 (U. S. C., title 7, secs. 181–229), is hereby amended by the addition of the following title:

Title V—Live poultry dealers and handlers.
Necessity for regulation.
Post, p. 1432.

"TITLE V—LIVE POULTRY DEALERS AND HANDLERS

"SECTION 501. The handling of the great volume of live poultry required as an article of food for the inhabitants of large centers of population is attendant with various unfair, deceptive, and fraudulent practices and devices, resulting in the producers sustaining sundry losses and receiving prices far below the reasonable value of their live poultry in comparison with prices of other commodities and in unduly and arbitrarily enhancing the cost to the consumers. Such practices and devices are an undue restraint and unjust burden upon interstate commerce and are a matter of such grave concern to the industry and to the public as to make it imperative that steps be taken to free such commerce from such burden and restraint and to protect producers and consumers against such practices and devices.

Licenses; designation of areas where required.

"SEC. 502. (a) The Secretary of Agriculture is authorized and directed to ascertain from time to time and to designate the cities where such practices and devices exist to the extent stated in the preceding section and the markets and places in or near such cities where live poultry is received, sold, and handled in sufficient quantity to constitute an important influence on the supply and price of live poultry and poultry products. On and after the effective date of such designation, which shall be publicly announced by the Secretary by publication in one or more trade journals or in the daily press or in such other manner as he may determine to be adequate for the purpose approximately thirty days prior to such date, no person other than packers as defined in title II of said Act and railroads shall engage in, furnish, or conduct any service or facility in any such designated city, place, or market in connection with the receiving, buying, or selling, on a commission basis or otherwise, marketing, feeding, watering, holding, delivering, shipping, weighing, unloading, loading on trucks, trucking, or handling in commerce of

Publication of effective date of designations.

Requirement of license thereafter.
Vol. 42, p. 160.

live poultry without a license from the Secretary of Agriculture as herein authorized valid and effective at such time. Any person who violates any provision of this subsection shall be subject to a fine of not more than $500 or imprisonment of not more than six months, or both. Penalty for violation.

"(b) Any person desiring a license shall make application to the Secretary, who may by regulation prescribe the information to be contained in such application. The Secretary shall issue a license to any applicant furnishing the required information unless he finds after opportunity for a hearing that such applicant is unfit to engage in the activity for which he has made application by reason of his having at any time within two years prior to his application engaged in any practice of the character prohibited by this Act or because he is financially unable to fulfill the obligations that he would incur as a licensee. Licenses; application. Issue. Denial.

"SEC. 503. Sections 202, 401, 402, 403, and 404 of said Act are amended by the addition of the words 'or any live poultry dealer or handler' after the word 'packer' wherever it occurs in said sections. The term 'live poultry dealer' means any person engaged in the business of buying or selling live poultry in commerce for purposes of slaughter either on his own account or as the employee or agent of the vendor or purchaser. Amendments to designated sections. Vol. 42, pp. 161, 168. "Live poultry dealer", defined.

"SEC. 504. The provisions of sections 305 to 316, both inclusive, 401, 402, 403, and 404 of said Act shall be applicable to licensees with respect to services and facilities covered by this title and the rates, charges, and rentals therefor except that the schedules of rates, charges, and rentals shall be posted in the place of business of the licensee as prescribed in regulations made by the Secretary. Licensees. Provisions applicable to. Vol. 42, pp. 164–168.

"SEC. 505. Whenever the Secretary determines, after opportunity for a hearing, that any licensee has violated or is violating any of the provisions of this title, he may publish the facts and circumstances of such violation and by order suspend the license of such offender for a period not to exceed ninety days and if the violation is flagrant or repeated he may by order revoke the license of the offender." Penalties.

Approved, August 14, 1935.

[CHAPTER 533.]

AN ACT

August 14, 1935.
[S. 3192.]
[Public, No. 273.]

To increase the limit of cost for the Department of Agriculture Extensible Building.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized to modify the contract numbered T1 SA–3167 for the construction of the Department of Agriculture Extensible Building in the District of Columbia, to reimburse the contractor for increased costs incurred as a result of the failure of the Government to deliver the site to the contractor in its entirety within the time specified, the amount of the adjustment determined upon to be subject to prior review by the Comptroller General of the United States. Department of Agriculture Extensible Building. Modifying contract for, etc., authorized.

SEC. 2. The limit of cost for the site and construction of such building as authorized in the Second Deficiency Act, fiscal year 1931 (46 Stat. 1604), is increased to $13,150,000 in lieu of $12,800,000, and there is hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act. Limit of cost increased. Vol. 44, p. 874; Vol. 46, p. 1604.

Approved, August 14, 1935.

[CHAPTER 534.]

AN ACT

August 14, 1935.
[S. 3289.]
[Public, No. 274.]

To authorize the attendance of the Marine Band at the United Confederate Veterans' 1935 reunion at Amarillo, Texas.

United Confederate Veterans' Reunion, Amarillo, Tex.
Attendance of Marine Band authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to permit the band of the United States Marine Corps to attend and give concerts at the United Confederate Veterans' reunion to be held at Amarillo, Texas, on September 3, 4, 5, and 6, 1935.

Appropriation authorized.
Post, p. 1122.

SEC. 2. For the purpose of defraying the expenses of such band in attending and giving concerts at such reunion there is authorized to be appropriated the sum of $10,000, or so much thereof as may be necessary, to carry out the provisions of this Act: *Provided*, That in addition to transportation and Pullman accommodations the leaders and members of the Marine Band be allowed not to exceed $5 per day each for actual living expenses while on this duty, and that the payment of such expenses shall be in addition to the pay and allowances to which they would be entitled while serving at their permanent station.

Proviso.
Allowances.

Approved, August 14, 1935.

[CHAPTER 535.]

AN ACT

August 14, 1935.
[H. R. 6990.]
[Public, No. 275.]

To fix the hours of duty of postal employees, and for other purposes.

Postal employees.
Compensatory time for service performed on Saturdays.
Post, p. 1266.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when the needs of the service require supervisory employees, special clerks, clerks, and laborers in first- and second-class post offices, and employees of the motor-vehicle service, and carriers in the City Delivery Service and in the village delivery service, and employees of the Railway Mail Service, clerks at Division Headquarters of Postoffice Inspectors, employees of the Stamped Envelope Agency and employees of the mail equipment shops; cleaners, janitors, telephone operators, and elevator conductors, paid from appropriations of the First Assistant Postmaster General; and all employees of the Custodial Service except charwomen and charmen and those working part time, to perform service on Saturday they shall be allowed compensatory time for such service on one day within five working days next succeeding the Saturday on which the excess service was performed: *Provided*, That employees who are granted compensatory time on Saturday for work performed the preceding Sunday or the preceding holiday shall be given the benefits of this Act on one day within five working days following the Saturday when such compensatory time was granted: *Provided further*, That the Postmaster General may, if the exigencies of the service require it, authorize the payment of overtime for service on the last three Saturdays in the calendar year in lieu of compensatory time, except cleaners, janitors, telephone operators, and elevator conductors paid from the appropriation of the First Assistant Postmaster General, and custodial employees who shall be given compensatory time in lieu of overtime pay within thirty days next succeeding: *And provided further*, That for the purpose of extending the benefits of this Act to railway postal clerks the service of said railway postal clerks assigned to road duty shall be based on an average not exceeding 6 hours and 40 minutes per day for three hundred and six days per annum, including a proper allowance for all service required

Provisos.
Sunday and holiday employment.

Overtime in lieu of compensatory time; exception.

Railway clerks assigned to road duty.

on lay-off periods as provided in Post Office Department circular letter numbered 1348, dated May 12, 1921; and railway postal clerks required to perform service in excess of six hours and forty minutes daily, as herein provided, shall be paid in cash at the annual rate of pay or granted compensatory time, at their option, for such overtime.

Cash payment or compensatory time optional.

SEC. 2. The ratio of substitute post-office clerks, substitute city letter carriers, substitute laborers, substitutes in the motor vehicle service, and substitutes in the Railway Mail Service shall be not more than one substitute for eight regular employees: *Provided*, That at post offices with receipts of more than $500,000 per annum, and less than $10,000,000 per annum, the ratio of substitutes shall not be more than one substitute for ten regular employees: *Provided further*, That at post offices with receipts of less than $500,000 the ratio shall be not more than one substitute for twelve regular employees, and at offices having less than twelve employees one substitute shall be provided: *Provided further*, That where the ratio of substitutes on the date of the enactment of this Act is in excess of the ratio provided for herein no additional substitutes shall be appointed until these ratios are established: *And provided further*, That the provisions of this Act shall not operate to furlough or dismiss any regular substitute.

Ratio of substitutes limited.

Provisos.
Proportion in larger offices.

Offices with receipts less than $500,000.

Establishment of ratios.

No regular substitute to be furloughed, etc.

SEC. 3. This Act shall take effect October 1, 1935.

Effective date.

Approved, August 14, 1935.

[CHAPTER 546.]

AN ACT

For the suppression of prostitution in the District of Columbia.

August 15, 1935.
[S. 405.]
[Public, No. 276.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall not be lawful for any person to invite, entice, persuade, or to address for the purpose of inviting, enticing, or persuading any person or persons, in or upon any avenue, street, road, highway, open space, alley, public square, or inclosure in the District of Columbia, to accompany, go with, or follow him or her to his or her residence, or to any other house or building, inclosure, or other place, for the purpose of prostitution, or any other immoral or lewd purpose, under a penalty of not more than $100 or imprisonment for not more than ninety days, or both. And it shall not be lawful for any person to invite, entice, or persuade, or address for the purpose of inviting, enticing, or persuading any person or persons from any door, window, porch, or portico of any house or building to enter any house, or go with, accompany, or follow him or her to any place whatever, for the purpose of prostitution, or any other immoral or lewd purpose, under the like penalties herein provided for the same conduct in the streets, avenues, roads, highways, or alleys, public squares, open spaces, or inclosures.

District of Columbia.
Prostitution; penalty for inviting, etc., for purposes of.
Vol. 27, p. 323; Vol. 36, p. 833, amended.

SEC. 2. Any person who frequents or lives in houses or other establishments of ill fame, or who (whether married or single) engages in or commits acts of fornication for hire, shall be considered a vagrant, and subject to the penalties provided in section 8 of an Act entitled "An Act for the preservation of the public peace and the protection of property within the District of Columbia, approved July 29, 1892", and as amended by Act of Congress approved March 3, 1909.

Residents, etc., of houses of ill fame considered vagrants.
Vol. 27, p. 323; Vol. 30, p. 723; Vol. 35, p. 711.

SEC. 3. The court may impose conditions upon any person found guilty under the aforesaid sections and so long as such person shall comply therewith to the satisfaction of the court the imposition or

Discretionary power of court to impose certain conditions, etc.

execution of sentence may be suspended for such period as the court may direct; and the court may at or before the expiration of such period remand such sentence or cause it to be executed. Conditions thus imposed by the court may include submission to medical and mental examination, diagnosis and treatment by proper public health and welfare authorities, and such other terms and conditions as the court may deem best for the protection of the community and the punishment, control, and rehabilitation of the defendant.

Assistance authorized.

The health officer of the District of Columbia, the Women's Bureau of the Police Department, the Board of Public Welfare, and the probation officers of the court are authorized and directed to perform such duties as may be directed by the court in effectuating compliance with the conditions so imposed upon any defendant.

Designated section repealed. Vol. 27, p. 323.

SEC. 4. Section 7 of the Act of Congress entitled "An Act for the preservation of the public peace and the protection of property within the District of Columbia", approved July 29, 1892, is hereby repealed.

Approved, August 15, 1935.

[CHAPTER 547.]

AN ACT

August 15, 1935. [S. 997.] [Public, No. 277.]

To provide for the establishment of a national monument on the site of Red Hill estate of Patrick Henry.

Patrick Henry National Monument, Va.; establishment. Location.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when title to the estate known as Red Hill, the estate of Patrick Henry, located in Charlotte County, Virginia, together with such buildings and other property located thereon as may be designated by the Secretary of the Interior as necessary or desirable for national monument purposes shall have been vested in the United States, said area and improvements shall be designated and set apart by proclamation of the President for the preservation as a national monument for the benefit and inspiration of the people, and shall be called the "Patrick Henry National Monument."

Proclamation.

Acceptance of donations of land and other property.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land, interests in land and/or buildings, structures, and other property within the boundaries of said national monument as determined and fixed hereunder, and donations of funds for the purchase and/or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States out of any donated funds, by purchase at prices deemed by him reasonable, or by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within said national monument as may be necessary for the completion thereof.

Proviso. Acquisition by condemnation. Vol. 25, p. 357. U. S. C., p. 1785.

Administration, etc. Vol. 39, p. 535. U. S. C., p. 591.

SEC. 3. That the administration, protection, and development of the aforesaid national monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes", as amended.

Rehabilitation of Patrick Henry's law office.

SEC. 4. The Secretary of the Interior is authorized and directed to make such alterations and repairs to the cottage used as a law office by Patrick Henry and to install therein such furniture and furnishings as may be necessary to (1) restore such cottage to the approximate condition and appearance possessed by it at the time of Patrick Henry's death, and (2) permit the use of such cottage as a museum for relics and records pertaining to Patrick Henry, and for other

Use of, as a museum permitted.

articles of national and patriotic interest. The Secretary of the Interior is authorized, in his discretion, to accept on behalf of the United States, for installation in such cottage, articles which may be offered as additions to the museum.

Acceptance of articles for.

SEC. 5. The Secretary of the Interior is authorized, in his discretion, to mark with monuments, tablets, or otherwise, historical points of interest within the boundaries of the Patrick Henry National Monument.

Marking historic points.

SEC. 6. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Appropriation authorized.

Approved, August 15, 1935.

[CHAPTER 548.]

AN ACT

Providing for the publication of statistics relating to spirits of turpentine and rosin.

August 15, 1935.
[S. 1811.]
[Public, No. 278.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized and directed to collect and/or compile and publish annually, and at such other times, and in such form and on such date or dates as he shall prescribe, statistics and essential information relating to spirits of turpentine and rosin produced, held, and used in the domestic and foreign commerce of the United States.

Spirits of turpentine and rosin.
Statistics concerning, to be published.
Post, p. 1441.

Approved, August 15, 1935.

[CHAPTER 549.]

AN ACT

To prevent the fouling of the atmosphere in the District of Columbia by smoke and other foreign substances, and for other purposes.

August 15, 1935.
[S. 2034.]
[Public, No. 279.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no person shall cause, suffer, or allow dense smoke to be discharged from any building, stationary or locomotive engine, or motor vehicle, place, or premises within the District of Columbia. All persons participating in any violation of this provision, either as proprietors, owners, tenants, managers, superintendents, captains, engineers, firemen, or motor-vehicle operators, or otherwise, shall be severally liable therefor. The owners, lessees, tenants, occupants, and managers of every building, or place in or upon which a locomotive or stationary engine, furnace, or boiler is used shall cause all ashes, cinders, rubbish, dirt, and refuse to be removed to some proper place, so that the same shall not accumulate, nor shall any persons cause, suffer, or allow cinders, dust, gas, steam, or offensive or noisome odors to escape or to be discharged from any such building, or place, to the detriment or annoyance of any person or persons not being therein or thereupon engaged.

District of Columbia.
Fouling of atmosphere by smoke, etc., substances forbidden.

Liability of participants.

Removal of ashes, etc.

SEC. 2. The Commissioners of the District of Columbia are hereby authorized and directed to make and promulgate reasonable classifications and regulations for the installation and operation of combustion and all other devices susceptible for use in such manner as to violate the purposes of this Act, and the said Commissioners may from time to time alter, amend, or rescind such regulations and promulgate such amended or additional regulations as they may in their discretion deem necessary.

Regulations.

Enforcement provisions.

SEC. 3. Enforcement of this Act shall be upon information by the corporation counsel in the police court of the District of Columbia. Any person convicted of violating this Act or any regulation of the Commissioners made hereunder shall be punished by a fine not to exceed $500 for each and every such offense.

Responsibility of Commissioners for enforcement.

SEC. 4. The Commissioners of the District of Columbia shall be responsible for the enforcement of this Act and may direct the Police Department, the Health Department, or any officer or employee of the government of the District of Columbia to perform such service as necessary in connection with such enforcement. Appropriations are hereby authorized to be made to carry out the purposes of this Act, and the Commissioners of the District of Columbia are authorized to include in their annual estimates provision for the expenses incident to such purposes and for personnel subject to the limitations of the Personnel Classification Act of 1923.

Appropriations authorized.
Post, pp. 1114, 1855.

U. S. C., p. 85.

Repeal provision.
Vol. 30, p. 812.

SEC. 5. All provisions of the Act approved February 2, 1899 (30 Stat. 812, ch. 79, sec. 5), which are inconsistent with this Act are hereby repealed.

Approved, August 15, 1935.

[CHAPTER 550.]

AN ACT

August 15, 1935.
[S. 2865.]
[Public, No. 280.]

To amend the joint resolution establishing the George Rogers Clark Sesquicentennial Commission, approved May 23, 1928.

George Rogers Clark Sesquicentennial Commission.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the joint resolution establishing the George Rogers Clark Sesquicentennial Commission, approved May 23, 1928, as amended, is hereby amended to read as follows:

Functions of, continued.
Vol. 45, p. 724; Vol. 46, p. 1459.

"SEC. 8. The Commission is continued from June 30, 1935, and shall cease and terminate June 30, 1937."

Additional appropriation.
Post, p. 1112.

SEC. 2. There is hereby authorized to be appropriated, in addition to the sums heretofore appropriated for carrying out the purposes of such joint resolution, as amended, a sum not to exceed $50,000 for carrying out such purposes.

Funds available.
Vol. 48, pp. 276, 292, 364.

SEC. 3. The unexpended balances of the appropriations heretofore made for carrying out the purposes of such joint resolution, as amended, shall be available until expended.

Approved, August 15, 1935.

[CHAPTER 551.]

AN ACT

August 15, 1935.
[H. R. 6228.]
[Public, No. 281.]

Authorizing a capital fund for the Chippewa Indian Cooperative Marketing Association.

Chippewa Indian Marketing Association.
Loan to, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States the sum of $100,000, or so much thereof as may be necessary, of the funds on deposit to the credit of the Chippewa Indians in Minnesota, and to loan such sum to the Chippewa Indian Cooperative Marketing Association. The amount so loaned to said association shall be available for all purposes, including compensation and reasonable expenses of attorneys, purchase of land and erection of suitable buildings, necessary to the businesslike operation of a cooperative marketing system to be conducted in accordance with articles of incorporation and bylaws approved by the Secretary of

Purposes.

the Interior. All funds loaned the association under this authorization shall bear interest at 4 per centum per annum and shall be repaid to the Chippewa tribal fund within a period of ten years from date of such loans. Interest rate.

SEC. 2. The use of funds hereby authorized shall not disbar the association from receiving loans from any amounts appropriated pursuant to section 10 of the Act of June 18, 1934 (48 Stat. 986), authorizing the creation of an Indian credit revolving fund. Use of revolving fund not debarred. Vol. 48, p. 986.

SEC. 3. The Secretary of the Interior shall formulate rules and regulations for carrying out the purposes of this Act. Regulations.

Approved, August 15, 1935.

[CHAPTER 552.]

AN ACT

August 15, 1935. [H. R. 8963.] [Public, No. 282.]

Granting the consent of Congress to the State of Connecticut and Middlesex County to construct, maintain, and operate a free highway bridge across the Connecticut River at or near Middletown, Connecticut.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State of Connecticut and the county of Middlesex, to construct, maintain, and operate a free highway bridge and approaches thereto across the Connecticut River, at a point suitable to the interests of navigation, at or near Middletown, Connecticut, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act. Connecticut River. Connecticut, etc., may bridge at Middletown. Construction. Vol. 34, p. 84; U. S. C., p. 1474.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved. Amendment.

Approved, August 15, 1935.

[CHAPTER 553.]

JOINT RESOLUTION

August 15, 1935. [S. J. Res. 96.] [Pub. Res., No. 49.]

To carry out the intention of Congress with reference to the claims of the Crow Tribe of Indians of Montana and any band thereof against the United States.

Whereas by the Special Jurisdictional Act approved July 3, 1926 (44 Stat. L. 807), the claims of the Crow Tribe of Indians of Montana and any band thereof against the United States were referred to the Court of Claims "with right of appeal to the Supreme Court of the United States", it being the intention that both parties should have a right of appeal to the Supreme Court; and Crow Indians, Mont. Claims of. Vol. 44, p. 807.

Whereas the Supreme Court has since decided that notwithstanding such a provision there is no right of appeal, in view of the Judicial Code, as amended, unless the Jurisdictional Act specifically provides that the Supreme Court shall review a cause on appeal, anything in the Judicial Code to the contrary notwithstanding: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the claims of the Crow Tribe of Indians and any band thereof under the said Jurisdictional Act approved July 3, 1926, shall be reviewed on the whole record by the Supreme Court of the United States on appeal from the Court of Claims, anything in the Judicial Code or amendments thereto notwithstanding: *Provided*, That said appeal shall be perfected by either party to the controversy within one year from the passage of this Act. Review by Supreme Court on appeal. Vol. 36, p. 1087; U. S. C., p. 1268. *Proviso.* Limitation.

Approved, August 15, 1935.

[CHAPTER 557.]

JOINT RESOLUTION

August 17, 1935.
[H. J. Res. 351.]
[Pub. Res., No. 50.]

Authorizing the use of public parks, reservations, and other public spaces in the District of Columbia; and the use of tents, cots, hospital appliances, flags, and other decorations, property of the United States, by Washington (District of Columbia) 1935 Improved, Benevolent, and Protective Order of Elks of the World, and for other purposes.

Washington, D. C., Elks convention.

Permits granted for use of certain buildings, parks, etc.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, the Secretary of the Treasury, the Commissioners of the District of Columbia, the Board of Education of the District of Columbia, and the Architect of the Capitol are hereby severally authorized to grant permits to the Washington (District of Columbia) 1935 General Entertainment Committee of the Improved, Benevolent, and Protective Order of Elks of the World, hereinafter referred to as the "I. B. P. O. E. of W. Committee", for the use of any buildings, parks, rivers, waterways, reservations, sidewalks, or other public spaces in the District of Columbia, under his, their, or its control, respectively, on the occasion of the annual session of the Improved, Benevolent, and Protective Order of Elks of the World in the month of August 1935: *Provided*, That such use will inflict no serious or permanent injury upon any such buildings, parks, rivers, waterways, reservations, sidewalks, or other public spaces, or any portion or the contents thereof, in the opinion of the person granting any such permit, in accordance with this authority: *Provided further*, That all stands, arches, or platforms that may be erected on the public spaces aforesaid, including such as may be erected in connection with any display of fireworks, shall be under the supervision of the said Washington (District of Columbia) Improved, Benevolent, and Protective Order of Elks of the World and in accordance with plans and designs to be approved by the Architect of the Capitol, the Engineer Commissioner of the District of Columbia, and the Superintendent of National Capital Parks, and that no person or corporation shall be authorized to erect or use any such stands, arches, or platforms without permission of said committee: *And provided further*, That any such buildings, parks, reservations, or other public spaces which shall be used or occupied, by the erection of stands or other structures, or otherwise, shall be promptly restored to their condition before such occupancy, and the said committee shall indemnify the United States or the District of Columbia, as the case may be, for all damage of any kind whatsoever sustained by reason of any such use or occupation, and the said Improved, Benevolent, and Protective Order of Elks of the World Committee shall execute and deliver to the Commissioners of the District of Columbia a satisfactory bond with penalty of $10,000 to secure such prompt restoration and such indemnification.

Provisos.
Condition.

Supervision, plans, etc., of stands, etc.

Restoration after use.

Indemnity bond.

Special traffic regulations.

SEC. 2. That the Commissioners of the District of Columbia are hereby authorized to designate, set aside, and regulate the use of such streets, avenues, and sidewalks in the District of Columbia, under their control, as they may deem proper and necessary, for the purpose of said session, and to make such special regulations regarding standing, movement, and operation of vehicles of whatever kind or character, and all reasonable regulations necessary to secure the preservation of public order and the protection of life and property, from the 16th day of August 1935 to the 2d day of September 1935, both inclusive.

Vehicles of conveyance.
Regulations governing.

SEC. 3. That the Public Utilities Commission of the District of Columbia is hereby granted authority to make such special regulations as in the opinion of said Commission may be necessary or desirable, regulating the standing, movement, and operation of taxicabs, street cars, busses, and other vehicles of conveyance under the regulation or control of said Commission, for the period commencing the 16th day of August 1935 and ending on the 2d day of September 1935, both inclusive.

Loan of tents, camp appliances, etc.

SEC. 4. That the Secretary of War and the Secretary of the Navy are hereby authorized to loan to said committee such tents, camp appliances, trucks, motor equipment, benches, chairs, hospital furniture and utensils of all description, ambulances, horses, drivers, stretchers, Red Cross flags and poles, and other property and equipment, belonging to the United States, as in their judgment may be spared at the time of said session, consistent with the interests of the United States: *Provided*, That the said committee shall indemnify the United States for any loss or damage to any and all such property not necessarily incidental to such use: *And provided further*, That the said committee shall give approved bond to do the same.

Provisos.
Indemnity for loss.

Bond.

Loan of Government flags, etc.

SEC. 5. That the Secretary of War and the Secretary of the Navy are authorized to loan to the said committee such ensigns, flags, decorations, lighting equipment, and so forth, belonging to the United States (battle flags excepted) as are not then in use, and may be suitable and proper for decorations and other purposes, which may be spared without detriment to the public service, such ensigns, flags, decorations, lighting equipment, and so forth, to be used by the committee under such regulations and restrictions as may be prescribed by the said Secretary, or either of them: *Provided*, That the said committee shall, within five days after the close of said session, return to the said Secretaries all such ensigns, flags, decorations, lighting equipment, and so forth, thus loaned; and said Committee shall indemnify the United States for any loss or damage not necessarily incident to such use.

Proviso.
Return after session.

Use of public spaces for stands, etc.

SEC. 6. That the Superintendent of National Capital Parks, subject to the approval of the Director of National Parks [1] Service, is hereby authorized to permit the use of any or all public parks, reservations, or other public spaces in the District of Columbia, including the Monument Grounds and the Ellipse, for use by said committee for the erection of grand stands, reviewing stands, platforms, and other structures for reviewing parade or other purposes; and said committee is hereby authorized to charge reasonable fees for the use of the same provided such fees are used to aid in meeting the necessary expenses incident to the said session.

Reservations for automobiles.

SEC. 7. That the Superintendent of National Capital Parks, subject to the approval of the Director of National Parks [1] Service, is hereby authorized to permit the use of such public parks, reservations, or other public spaces in the District of Columbia, under the control of the said Superintendent of National Capital Parks, as in the opinion of said Superintendent of National Capital Parks may be necessary, for the use by said committee for the parking of automobiles, the temporary erection of tents for entertainment, hospitals, and other purposes; and the said committee is hereby authorized to charge reasonable fees for the use of the same provided such fees are used to aid in meeting the expenses incident to the said session.

Charge allowed; condition.

Overhead conductors for special illumination.

SEC. 8. That the Commissioners of the District of Columbia are hereby authorized to permit said committee to stretch suitable overhead conductors, with sufficient supports, wherever necessary and in

[1] So in original.

the nearest practicable connection with the present supply of light, for the purpose of effecting special illumination: *Provided*, That the said conductors shall not be used for the conveying of electrical currents after September 2, 1935, and shall, with their supports, be fully and entirely removed from the public spaces, streets, and avenues of the said city of Washington on or before September 25, 1935: *Provided further*, That the stretching and removing of the said wires shall be under the supervision of the Commissioners of the District of Columbia, who shall see that the provisions of this resolution are enforced; that all needful precautions are taken for the protection of the public; and that the pavement of any street, avenue, or alley disturbed is replaced in as good condition as before entering upon the work herein authorized: *And provided further*, That no expense or damage on account of or due to the stretching, operation, or removing of the said temporary overhead conductors shall be incurred by the United States or the District of Columbia, and that if it shall be necessary to erect wires for illuminating or other purposes over any park or reservation in the District of Columbia the work of erection and removal of said wires shall be under the supervision of the officer in charge of said park or reservation.

Provisos.
Time limit for use.

Placing and removing wires.

No Government liability.

Wires over parks, etc.

Licenses to peddlers, etc.

SEC. 9. That the Commissioners of the District of Columbia are hereby authorized to grant, subject to approval of said committee and under such conditions as they may impose, special licenses to peddlers, merchants, and vendors to sell goods, wares, and merchandise on the streets, avenues, and sidewalks in the District of Columbia during said session, and to charge for such privileges such fees as they may deem proper.

Overhead wires.

SEC. 10. That the Commissioners of the District of Columbia are hereby authorized to permit the telegraph and telephone companies to extend overhead wires to such points as shall be deemed necessary by the said committee, the said wires to be taken down within ten days after the conclusion of the session.

Use of unoccupied public buildings.

SEC. 11. That the Secretary of the Interior and the Secretary of the Treasury are hereby authorized to assign to said committee for use and occupancy during said session such unoccupied public buildings or portions thereof in the District of Columbia as, in its discretion, may appear advisable: *Provided*, That any and all buildings so assigned shall be surrendered within ten days after the close of the said session: *Provided further*, That the said committee shall furnish a bond or other satisfactory assurance of indemnity against damage to said property while in its possession, incidental wear and tear excepted.

Provisos.
Surrender of, after session closes.
Bond.

Boy Scout jamboree.
Authority herein granted not to affect permits to.

SEC. 12. None of the authority herein granted shall be exercised by any of the officials herein mentioned, in such manner as to conflict with permits granted or arrangements heretofore made with the Boy Scouts of America under the terms of Public Act Numbered 23, Seventy-fourth Congress, approved April 1, 1935, or any amendments thereto, or with any other permits heretofore regularly granted for the use of such public space, reservations, parks, streets, or buildings.

Ante, pp. 105, 443.

Shrine Convention.
Provisions of Act applicable to.

SEC. 13. All provisions of this Act shall apply to the Thirty-fifth Annual Session of the Imperial Council Ancient Egyptian Arabic Order Nobles of the Mystic Shrine, to be held in the District of Columbia from August 16 to August 23, 1935, and to the general committee of arrangements of such session.

Approved, August 17, 1935.

[CHAPTER 558.]

AN ACT

Authorizing the filling of vacancies in certain judgeships.

August 19, 1935.
[H. R. 4665.]
[Public, No. 283.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any existing vacancy and any vacancy which may occur at any time hereafter in any of the following United States district judgeships created by the Act of September 14, 1922 (42 Stat. ch. 306, sec. 1, p. 837; U. S. C., title 28, sec. 3), and the Act of March 2, 1925 (43 Stat. ch. 397, secs. 1–3, p. 1098; U. S. C., title 28, sec. 4), are hereby authorized to be filled: Two in the District of Massachusetts; two in the Southern District of New York; one in the Eastern District of New York; one in the Western District of Pennsylvania; one in the Eastern District of Michigan; one in the Eastern District of Missouri; one in the Western District of Missouri; one in the Northern District of Ohio; one in the Southern District of California; one in the District of Minnesota; one in the Northern District of Texas; and one in the District of Arizona.

United States courts.
Vacancies in designated district judgeships to be filled.
Vol. 42, p. 837; Vol. 43, p. 1098.
U. S. C., p. 1226.

SEC. 2. That section 2 of the Act of February 26, 1919 (ch. 50, 40 Stat. 1183), be, and the same is hereby, repealed.

Vol. 40, p. 1183.
U. S. C., p. 1225.

Approved, August 19, 1935.

[CHAPTER 559.]

AN ACT

Directing the conveyance of certain lands to the regents of the University of New Mexico.

August 19, 1935.
[S. 2247.]
[Public, No. 284.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey by patent, to the regents of the University of New Mexico, for archaeological purposes, that part of the unappropriated lands belonging to the United States located in fractional section 30, township 13 north, range 4 east, New Mexico principal meridian; but if such university fails to use such lands for the purposes herein provided, or attempts to alienate such lands, title thereto shall revert to the United States.

University of New Mexico.
Land patent to, authorized.

Reversionary clause.

Approved, August 19, 1935.

[CHAPTER 560.]

AN ACT

To eliminate the requirement of cultivation in connection with certain homestead entries.

August 19, 1935.
[S. 2577.]
[Public, No. 285.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, exclusive of Alaska, the provisions of the homestead laws requiring cultivation of the land entered shall not be applicable to existing homestead entries made prior to February 5, 1935, or thereafter if based upon valid settlement prior to said date, and no patent shall be withheld for failure to cultivate such lands: *Provided*, That this Act shall not be construed to affect any provision of law requiring the cultivation of lands subject to the reclamation laws, nor to apply to entries made under the Forest Homestead Act of June 11, 1906 (34 Stat. 233).

Homestead entries, public lands.
Cultivation requirements not applicable to certain existing entries.

Proviso.
Designated conservation laws not affected.
Vol. 34, p. 233; U. S. C., p. 664.

Approved, August 19, 1935.

[CHAPTER 561.]

AN ACT

August 19, 1935.
[H. R. 6453.]
[Public, No. 286.]

To amend the Act of May 13, 1924, entitled "An Act providing for a study regarding the equitable use of the waters of the Rio Grande", and so forth, as amended by the public resolution of March 3, 1927.

Rio Grande, etc., Rivers.
Vol. 43, p. 118; Vol. 44, p. 1403, amended.
Post, p. 1317.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of May 13, 1924, entitled "An Act providing for a study regarding the equitable use of the waters of the Rio Grande below Fort Quitman, Texas, in cooperation with the United States of Mexico", as amended by the public resolution of March 3, 1927, is hereby amended to read as follows:

Study of equitable use of waters of.

"The President is hereby authorized to designate the American Commissioner on the International Boundary Commission, United States and Mexico, or other Federal agency, to cooperate with a representative or representatives of the Government of Mexico in a study regarding the equitable use of the waters of the lower Rio Grande and the lower Colorado and Tia Juana Rivers, for the purpose of obtaining information which may be used as a basis for the negotiation of a treaty with the Government of Mexico relative to the use of the waters of these rivers and to matters closely related thereto. On completion of such study the results shall be reported to the Secretary of State.

Purpose.

Report to Secretary of State.

Investigations authorized.

"SEC. 2. The Secretary of State, acting through the American Commissioner, International Boundary Commission, United States and Mexico, is further authorized to conduct technical and other investigations relating to the defining, demarcation, fencing, or monumentation of the land and water boundary between the United States and Mexico, to flood control, water resources, conservation, and utilization of water, sanitation and prevention of pollution, channel rectification, and stabilization and other related matters upon the international boundary between the United States and Mexico; and to construct and maintain fences, monuments and other demarcations of the boundary line between the United States and Mexico, and sewer systems, water systems, and electric light, power and gas systems crossing the international border, and to continue such work and operations through the American Commissioner as are now in progress and are authorized by law.

Projects below Fort Quitman, Tex.; construction, etc.

"The President is authorized and empowered to construct, operate, and maintain on the Rio Grande River below Fort Quitman, Texas, any and all works or projects which are recommended to the President as the result of such investigations and by the President are deemed necessary and proper.

Construction, etc., under treaty.

Maintenance of existing works.

"SEC. 3. (a) The President is further authorized to construct any project or works which may be provided for in a treaty entered into with Mexico and to repair, protect, maintain, or complete works now existing or now under construction or those that may be constructed under the treaty provisions aforesaid; and to construct any project or works designed to facilitate compliance with the provisions of treaties between the United States and Mexico; and (b) to operate and maintain any project or works so constructed or, subject to such rules and regulations for continuing supervision by the said American Commissioner or any Federal agency as the President may cause to be promulgated, to turn over the operation and maintenance of such project or works to any Federal agency, or any State, county, municipality, district, or other political subdivision within which such project or works may be in whole or in part situated, upon such terms, conditions, and requirements as the President may deem appropriate.

Operation, supervision, etc.

"SEC. 4. In order to carry out the provisions of this Act, the President, or any Federal agency he may designate is authorized, (a) in his discretion, to enter into agreements with any one or more of said political subdivisions, in connection with the construction of any project or works provided for in section 3 hereof, under the terms of which agreements there shall be furnished to the United States, gratuitously, except for the examination and approval of titles, the lands or easements in lands necessary for the construction, operation, and maintenance in whole or in part of any such project or works, or for the assumption by one or more of any such political subdivisions making such agreement, of the operation and maintenance of such project or works in whole or in part upon the completion thereof: *Provided, however*, That when an agreement is reached that necessary lands or easements shall be provided by any such political subdivision and for the future operation and maintenance by it of a project or works or a part thereof, in the discretion of the President the title to such lands and easements for such projects or works need not be required to be conveyed to the United States but may be required only to be vested in and remain in such political subdivision; (b) to acquire by purchase, exercise of the power of eminent domain, or by donation, any real or personal property which may be necessary; (c) to withdraw from sale, public entry or disposal of such public lands of the United States as he may find to be necessary and thereupon the Secretary of the Interior shall cause the lands so designated to be withdrawn from any public entry whatsoever, and from sale, disposal, location or settlement under the mining laws or any other law relating to the public domain and shall cause such withdrawal to appear upon the records in the appropriate land office having jurisdiction over such lands, and such lands may be used for carrying out the purposes of this Act: *Provided*, That any such withdrawal may subsequently be revoked by the President; and (d) to make or approve all necessary rules and regulations.

Agreements with political subdivisions authorized.
Post, p. 1370.

Terms.

Lands necessary for construction, maintenance, etc., of projects.

Provisos.
Easements, etc.

Acquisition of real or personal property.

Withdrawal of necessary public lands from entry, etc.

Revocation of withdrawals.

Rules and regulations.

"SEC. 5. Any moneys contributed by or received from the United Mexican States for the purpose of cooperating or assisting in carrying out the provisions of this Act shall be available for expenditure in connection with any appropriation which may be made for the purposes of this Act."

Use of receipts.

Approved, August 19, 1935.

[CHAPTER 575.]

AN ACT

August 20, 1935.
[S. 2426.]
[Public, No. 287.]

To provide for the creation of a memorial park at Tampa, in the State of Florida, to be known as "The Spanish War Memorial Park", and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when title to such lands located on Davis Island in the city of Tampa, Florida, as shall be designated by the Secretary of the Interior, in the exercise of his judgment and discretion as necessary and suitable for the purpose, shall have been vested in the United States, said area shall be set apart as The Spanish War Memorial Park, for the benefit and inspiration of the people: *Provided*, That said lands shall be donated without cost to the United States by the city of Tampa, Florida, and the Secretary of the Interior is authorized to accept such conveyance of lands.

The Spanish War Memorial Park, Tampa, Fla.; establishment.

Proviso.
No Federal cost.

SEC. 2. That there is hereby authorized to be located and constructed within said memorial park a suitable monument or memorial to commemorate the patriotic services of the American forces in the War with Spain. The cost of establishing such monument or memorial, of constructing suitable side walks and approaches, and

Erection of monument.

Cost.

of landscaping such site, may be paid from any fund or moneys available for such purpose, except from the general fund of the Treasury; and the Secretary is for that purpose further authorized and empowered to determine upon a suitable location, plan, and design for said monument or memorial, by and with the advice of the National Commission of Fine Arts.

Location; design.

Expert services.

SEC. 3. In the discharge of his duties hereunder, the Secretary of the Interior, through the National Park Service, is authorized to employ, in his discretion, by contract or otherwise, landscape architects, architects, artists, engineers, and/or other expert consultants in accordance with the usual customs of the several professions without reference to civil-service requirements or to the Classification Act of 1923, as amended, and that expenditures for such employment shall be construed to be included in any appropriations hereafter authorized for any work under the objectives of this Act.

U. S. C., p. 85.

Other memorials permitted.

SEC. 4. The Secretary of the Interior is further authorized, by and with the advice of the National Commission of Fine Arts, to authorize and permit the erection in said memorial park of suitable memorials in harmony with the monument and/or memorial herein authorized that may be desired to be constructed by Spanish War organizations, States, and/or foreign governments: *Provided*, That the design and location of such memorials must be approved by the Secretary of the Interior, by and with the advice of the National Commission of Fine Arts, before construction is undertaken.

Proviso.
Approval required.

Supervision, etc.

SEC. 5. The administration, protection, and development of the aforesaid Spanish War Memorial Park, including any and all memorials that may hereafter be erected thereon, shall be exercised under the direction of the Secretary of the Interior by the National Park Service.

Approved, August 20, 1935.

[CHAPTER 576.]

AN ACT

August 20, 1935.
[S. 2695.]
[Public, No. 288.]

To add certain lands to the Medicine Bow National Forest, Wyoming.

Medicine Bow National Forest, Wyo.
Lands added to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described lands are hereby added to the Medicine Bow National Forest, Wyoming, and made subject to all laws and regulations applicable to such forest, and subject to all valid existing rights:

Description.

Sections 4 to 9, inclusive; sections 17 to 19, inclusive, township 24 north, range 70 west, sixth principal meridian.

Sections 4 to 9, inclusive; section 18, township 25 north, range 70 west, sixth principal meridian.

Sections 6 and 7; sections 19 to 21, inclusive; sections 28 to 33, inclusive, township 26 north, range 70 west, sixth principal meridian.

South half section 7; south half section 8; south half section 9; sections 16 to 19, inclusive; sections 30 and 31, township 27 north, range 70 west, sixth principal meridian.

Sections 6, 7, 18, 19, and 30, township 28 north, range 70 west, sixth principal meridian.

Sections 1 to 4, inclusive; sections 8 to 17, inclusive; sections 20 to 28, inclusive; sections 33 to 36, inclusive, township 24 north, range 71 west, sixth principal meridian.

Sections 1 to 5, inclusive; east half section 6; east half section 7; sections 8 to 16; inclusive; sections 21 to 28, inclusive; sections 33 to 36, inclusive, township 25 north, range 71 west, sixth principal meridian.

Description—Con.

Sections 1 to 30, inclusive; east half and east half west half section 31; sections 32 to 36, inclusive, township 26 north, range 71 west, sixth principal meridian.

Sections 3 to 10, inclusive; sections 13 to 36, inclusive, township 27 north, range 71 west, sixth principal meridian.

Sections 1 to 5, inclusive; sections 8 to 15, inclusive; sections 21 to 34, inclusive, township 28 north, range 71 west, sixth principal meridian.

Sections 35 and 36, township 29 north, range 71 west, sixth principal meridian.

Sections 1 to 31, inclusive, township 26 north, range 72 west, sixth principal meridian.

Entire township, township 27 north, range 72 west, sixth principal meridian.

Sections 7 to 10, inclusive; sections 15 to 23, inclusive; sections 25 to 36, inclusive, township 28 north, range 72 west, sixth principal meridian.

Sections 2 and 3, township 25 north, range 73 west, sixth principal meridian.

Entire township, township 26 north, range 73 west, sixth principal meridian.

Entire township, township 27 north, range 73 west, sixth principal meridian.

Entire township, township 28 north, range 73 west, sixth principal meridian.

Sections 5 to 10, inclusive; sections 15 to 22, inclusive; sections 26 to 36, inclusive, township 29 north, range 73 west, sixth principal meridian.

Section 31, township 30 north, range 73 west, sixth principal meridian.

Sections 1, 12, 13, 24, 25, and 36, township 26 north, range 74 west, sixth principal meridian.

Section 1; east half section 11; sections 12 to 14, inclusive; sections 23 to 26, inclusive; north half section 35; section 36, township 27 north, range 74 west, sixth principal meridian.

Section 1; sections 5 to 8, inclusive; sections 12 to 25, inclusive; sections 27 to 31, inclusive; section 36, township 28 north, range 74 west, sixth principal meridian.

Section 1; east half section 2; sections 11 to 14, inclusive; sections 18 and 19; east half section 23; sections 24 and 25; sections 29 to 32, inclusive; section 36, township 29 north, range 74 west, sixth principal meridian.

Section 36, township 30 north, range 74 west, sixth principal meridian.

Sections 1 to 18, inclusive; sections 20 to 28, inclusive; sections 34 to 36, inclusive, township 28 north, range 75 west, sixth principal meridian.

Sections 2 to 36, inclusive, township 29 north, range 75 west, sixth principal meridian.

Sections 3 to 5, inclusive; sections 8 to 11, inclusive; sections 13 to 24, inclusive; sections 26 to 35, inclusive, township 30 north, range 75 west, sixth principal meridian.

Sections 1 to 28, inclusive; sections 35 and 36, township 29 north, range 76 west, sixth principal meridian.

Sections 2 to 10, inclusive; sections 15 to 36, inclusive, township 30 north, range 76 west, sixth principal meridian.

Sections 20 to 22, inclusive; sections 27 to 35, inclusive, township 31 north, range 76 west, sixth principal meridian.

Sections 1 to 3, inclusive; section 12; east half section 13, township 29 north, range 77 west, sixth principal meridian.

Description—Con.

Sections 1 to 3, inclusive; east half section 4; east half section 9; sections 10 to 36, inclusive, township 30 north, range 77 west, sixth principal meridian.

East half section 16; east half section 21; east half section 28; east half section 33; sections 15, 22, 26, 27, 34, 35, 36, township 31 north, range 77 west, sixth principal meridian.

Sections 13, 14, 23, and 24, township 30 north, range 78 west, sixth principal meridian.

Approved, August 20, 1935.

[CHAPTER 577.]

AN ACT

August 20, 1935.
[S. 3058.]
[Public, No. 289.]

To amend an Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto, and for other purposes.

Bankruptcy Act of 1898, amendment.
Vol. 30, p. 544; Vol. 48, p. 922.
U. S. C., p. 319.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (n) of section 77B of chapter VIII of the Act of July 1, 1898, entitled "An Act to establish a uniform system of bankruptcy throughout the United States", as amended by the Acts of February 5, 1903, June 15, 1906, June 25, 1910, March 2, 1917, January 7, 1922, May 27, 1926, February 11, 1932, March 3, 1933, and June 7, 1934, be, and it is hereby, amended to read as follows:

Corporate reorganization.
Rights, etc., of creditors on mortgage insured under National Housing Act.
Vol. 48, p. 1246.

"(n) Nothing contained in this section shall be construed or be deemed to affect or apply to the creditors of any corporation under a mortgage insured pursuant to the National Housing Act and Acts amendatory thereof and supplementary thereto or to the stockholders, creditors, or officers of any corporation operating or owning a railroad or railroads, railway or railways, owned in whole

Municipally-owned railroads.

or in part by any municipality and/or owned or operated by a municipality, or under any contract to any municipality by or on its behalf or in conjunction with such municipality under any contract, lease, agreement, certificate, or in any other manner provided by law for such operation: *Provided, however*, That this

Proviso.
Inoperative if revenue derived is not more than 20 percent.

paragraph shall not apply to or affect any corporation or the stockholders, creditors, or officers thereof, if not more than 20 per centum of its operating revenue is derived from such operations."

Approved, August 20, 1935.

[CHAPTER 578.]

JOINT RESOLUTION

August 20, 1935.
[H. J. Res. 290.]
[Pub. Res., No. 51.]

To amend an act entitled "An Act providing for the ratification of Joint Resolution Numbered 59 of the Legislature of Puerto Rico, approved by the Governor May 5, 1930, imposing an import duty on coffee imported into Puerto Rico", approved June 18, 1934.

Puerto Rico.
Preamble.

Whereas in enacting the Act approved June 18, 1934, ratifying the taxes and duties imposed by Joint Resolution Numbered 59 enacted by the Legislature of Puerto Rico, and approved by the Governor of Puerto Rico May 5, 1930, the Congress understood and intended in ratifying such Joint Resolution Numbered 59 of the Legislature of Puerto Rico that the "import duty" thereby and by subsequent acts of the Legislature of Puerto Rico "levied on all coffee imported into Puerto Rico" included and was intended to be levied upon all coffee brought into Puerto Rico whether from a foreign country or from any State, Territory, district, or possession of the United States, or other place subject to its jurisdiction: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress entitled "An Act providing for the ratification of Joint Resolution Numbered 59 of the Legislature of Puerto Rico, approved by the Governor May 5, 1930, imposing an import duty on coffee imported into Puerto Rico", approved June 18, 1934, be, and it is hereby, amended so as to read as follows:

Legislative resolution imposing import duty on coffee.
Vol. 46, p. 696; U. S. C., p. 873.
Vol. 48, p. 1017.

"That the taxes and duties imposed by the Legislature of Puerto Rico by Joint Resolution Numbered 59 approved by the Governor of Puerto Rico May 5, 1930, and by Act Numbered 77 approved by the Governor of Puerto Rico May 5, 1931, as amended by Act Numbered 7 approved by the Governor April 9, 1934, including therein such taxes and duties on coffee heretofore or hereafter brought into Puerto Rico from any State or Territory or district or possession of the United States, or other place subject to the jurisdiction of the United States, are legalized and ratified, and the collection of all such taxes and duties made under or by authority of either of said acts of the Puerto Rican Legislature, including such taxes and duties on coffee heretofore or hereafter brought into Puerto Rico from any State, Territory, district, or possession of the United States, or other place subject to the jurisdiction of the United States, is legalized, ratified, and confirmed as fully to all intents and purposes as if the same had, by prior Act of Congress, been specifically authorized and directed."

Taxes and duties imposed under, legalized and ratified.

Approved, August 20, 1935.

[CHAPTER 591.]

AN ACT

August 21, 1935.
[S. 578.]
[Public, No. 290.]

Authorizing the Secretary of the Interior to permit citizens of Bear Lake County, Idaho, to obtain timber from Lincoln County, Wyoming, for domestic purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Act entitled "An Act to repeal the timber-culture laws, and for other purposes", approved March 3, 1891, as amended, is amended by adding the following paragraph:

Public lands.
Vol. 26, p. 1099; U. S. C., p. 676.

"The Secretary of the Interior is authorized to grant permits subject to the provisions of this section, to citizens of Bear Lake County, Idaho, to cut and remove timber on the unappropriated public domain in Lincoln County, Wyoming, for domestic use in Bear Lake County, Idaho: *Provided*, That no live standing timber shall be taken without compensation."

Bear Lake County, Wyo.
Timber rights of citizens of.

Proviso.
Restriction.

Approved, August 21, 1935.

[CHAPTER 592.]

AN ACT

August 21, 1935.
[S. 739.]
[Public, No. 291.]

To provide for the establishment of a national monument on the site of Fort Stanwix in the State of New York.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when title to the site or portion thereof at Fort Stanwix, in the State of New York, together with such buildings and other property located thereon as may be designated by the Secretary of the Interior as necessary or desirable for national monument purposes, shall have been vested in the United States, said area and improvements, if any, shall be designated and set apart by proclamation of the President for preservation as a national monument for the benefit and inspiration of the people and shall be called the "Fort Stanwix

Fort Stanwix National Monument; establishment.

Proclamation.

Proviso. Area to include State reservation.

National Monument": *Provided*, That such area shall include at least that part of Fort Stanwix now belonging to the State of New York.

Acceptance of donations, etc.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land, interests in land and/or buildings, structures, and other property within the boundaries of said national monument as determined and fixed hereunder, and donations of funds for the purchase and/or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States out of any donated funds, by purchase at prices deemed by him reasonable, or by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within the said national monument as may be necessary for the completion thereof.

Proviso. Acquisition of land. Vol. 25, p. 357; U. S. C., p. 1785.

Administration, etc. Vol. 39, p. 535; U. S. C., p. 591.

SEC. 3. That the administration, protection, and development of the aforesaid national monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes", as amended.

Approved, August 21, 1935.

[CHAPTER 593.]

August 21, 1935. [S. 2073.] [Public, No. 292.]

AN ACT

To provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes.

Preservation of historic American sites, buildings, and objects.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby declared that it is a national policy to preserve for public use historic sites, buildings and objects of national significance for the inspiration and benefit of the people of the United States.

Powers and duties of Secretary of the Interior.

SEC. 2. The Secretary of the Interior (hereinafter referred to as the Secretary), through the National Park Service, for the purpose of effectuating the policy expressed in section 1 hereof, shall have the following powers and perform the following duties and functions:

Collating data, etc.

(a) Secure, collate, and preserve drawings, plans, photographs, and other data of historic and archaeologic sites, buildings, and objects.

Surveys, etc., illustrating United States history.

(b) Make a survey of historic and archaeologic sites, buildings, and objects for the purpose of determining which possess exceptional value as commemorating or illustrating the history of the United States.

Investigations and researches.

(c) Make necessary investigations and researches in the United States relating to particular sites, buildings, or objects to obtain true and accurate historical and archaeological facts and information concerning the same.

Acquisition of property, etc.

(d) For the purpose of this Act, acquire in the name of the United States by gift, purchase, or otherwise any property, personal or real, or any interest or estate therein, title to any real property to be satisfactory to the Secretary: *Provided*, That no such property which is owned by any religious or educational institution, or which is owned or administered for the benefit of the public shall be so acquired without the consent of the owner: *Provided further*, That no such property shall be acquired or contract or agreement for the acquisition thereof made which will obligate the general fund of the Treasury for the payment of such property, unless or until Congress has appropriated money which is available for that purpose.

Provisos. Property owned by religious, etc., institutions.

No Federal expense unless appropriation available.

(e) Contract and make cooperative agreements with States, municipal subdivisions, corporations, associations, or individuals, with proper bond where deemed advisable, to protect, preserve, maintain, or operate any historic or archaeologic building, site, object, or property used in connection therewith for public use, regardless as to whether the title thereto is in the United States: *Provided*, That no contract or cooperative agreement shall be made or entered into which will obligate the general fund of the Treasury unless or until Congress has appropriated money for such purpose.

Cooperative protection, etc., agreements.

Proviso. Federal obligation restriction.

(f) Restore, reconstruct, rehabilitate, preserve, and maintain historic or prehistoric sites, buildings, objects, and properties of national historical or archaeological significance and where deemed desirable establish and maintain museums in connection therewith.

Preserving antiquities and establishing museums.

(g) Erect and maintain tablets to mark or commemorate historic or prehistoric places and events of national historical or archaeological significance.

Tablets marking historic places.

(h) Operate and manage historic and archaeologic sites, buildings, and properties acquired under the provisions of this Act together with lands and subordinate buildings for the benefit of the public, such authority to include the power to charge reasonable visitation fees and grant concessions, leases, or permits for the use of land, building space, roads, or trails when necessary or desirable either to accommodate the public or to facilitate administration: *Provided*, That such concessions, leases, or permits, shall be let at competitive bidding, to the person making the highest and best bid.

Operating buildings, etc.

Proviso. Concessions, etc.

(i) When the Secretary determines that it would be administratively burdensome to restore, reconstruct, operate, or maintain any particular historic or archaeologic site, building, or property donated to the United States through the National Park Service, he may cause the same to be done by organizing a corporation for that purpose under the laws of the District of Columbia or any State.

Corporations to assist, may be organized.

(j) Develop an educational program and service for the purpose of making available to the public facts and information pertaining to American historic and archaeologic sites, buildings, and properties of national significance. Reasonable charges may be made for the dissemination of any such facts or information.

Educational program and service.

(k) Perform any and all acts, and make such rules and regulations not inconsistent with this Act as may be necessary and proper to carry out the provisions thereof. Any person violating any of the rules and regulations authorized by this Act shall be punished by a fine of not more than $500 and be adjudged to pay all cost of the proceedings.

Rules to be prescribed.

Penalty for violation.

SEC. 3. A general advisory board to be known as the "Advisory Board on National Parks, Historic Sites, Buildings, and Monuments" is hereby established, to be composed of not to exceed eleven persons, citizens of the United States, to include representatives competent in the fields of history, archaeology, architecture, and human geography, who shall be appointed by the Secretary and serve at his pleasure. The members of such board shall receive no salary but may be paid expenses incidental to travel when engaged in discharging their duties as such members.

General advisory board established.

Composition.

Expenses.

It shall be the duty of such board to advise on any matters relating to national parks and to the administration of this Act submitted to it for consideration by the Secretary. It may also recommend policies to the Secretary from time to time pertaining to national parks and to the restoration, reconstruction, conservation, and general administration of historic and archaeologic sites, buildings, and properties.

Duties.

Cooperation of Government agencies.

SEC. 4. The Secretary, in administering this Act, is authorized to cooperate with and may seek and accept the assistance of any Federal, State, or municipal department or agency, or any educational or scientific institution, or any patriotic association, or any individual.

Technical advisory committees.

(b) When deemed necessary, technical advisory committees may be established to act in an advisory capacity in connection with the restoration or reconstruction of any historic or prehistoric building or structure.

Professional, etc., services.

(c) Such professional and technical assistance may be employed without regard to the civil-service laws, and such service may be established as may be required to accomplish the purposes of this Act and for which money may be appropriated by Congress or made available by gifts for such purpose.

Jurisdiction.

SEC. 5. Nothing in this Act shall be held to deprive any State, or political subdivision thereof, of its civil and criminal jurisdiction in and over lands acquired by the United States under this Act.

Appropriation authorized.
Post, p. 1795.

SEC. 6. There is authorized to be appropriated for carrying out the purposes of this Act such sums as the Congress may from time to time determine.

Conflicting laws repealed.

SEC. 7. The provisions of this Act shall control if any of them are in conflict with any other Act or Acts relating to the same subject matter.

Approved, August 21, 1935.

[CHAPTER 594.]

AN ACT

August 21, 1935.
[S. 2156.]
[Public, No. 293.]

To extend the times for commencing and completing the construction of a bridge across the Chesapeake Bay between Baltimore and Kent Counties, Maryland.

Chesapeake Bay.
Time extended for bridging, between Baltimore and Kent Counties, Md.
Vol. 47, p. 1560; Vol. 48, p. 939.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Chesapeake Bay between Baltimore and Kent Counties, Maryland, authorized to be built by the Chesapeake Bay Bridge Company by section 11 of the Act of Congress approved March 4, 1933, and extended by Act of Congress approved June 12, 1934, are hereby further extended one and three years, respectively, from the date of approval hereof.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 21, 1935.

[CHAPTER 595.]

AN ACT

August 21, 1935.
[S. 2556.]
[Public, No. 294.]

To amend and supplement the steering rules respecting orders to helmsmen on all vessels navigating waters of the United States, and on all vessels of the United States navigating any waters or seas, in section 1 of the Act of August 19, 1890, section 1 of the Act of June 7, 1897, section 1 of the Act of February 8, 1895, and section 1 of the Act of February 19, 1895.

Navigation of vessels; steering rules.
Vol. 26, p. 320.
U. S. C., p. 1449.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of August 19, 1890 (ch. 802, 26 Stat. 320; U. S. C., title 33, secs. 61 to 141, arts. 1 to 31), is amended and supplemented by adding at the end thereof as section 142, title 33, of the United States Code the following:

"ART. 32. All orders to helmsmen shall be given as follows:

"'Right Rudder' to mean 'Direct the vessel's head to starboard.'

"'Left Rudder' to mean 'Direct the vessel's head to port.'"

SEC. 2. Section 1 of the Act of June 7, 1897 (ch. 4, 30 Stat. 96; U. S. C., title 33, secs. 154 to 231, arts. 1 to 31), is amended and supplemented by adding at the end thereof as section 232, title 33, of the United States Code the following:

Vol. 30, p. 96.
U. S. C., p. 1454.

"ART. 32. All orders to helmsmen shall be given as follows:

"'Right Rudder' to mean 'Direct the vessel's head to starboard.'

"'Left Rudder' to mean 'Direct the vessel's head to port.'"

Article 18, rule VIII, of said section 1 is amended to read as follows:

Passing signals.

"RULE VIII. When steam vessels are running in the same direction, and the vessel which is astern shall desire to pass on the right or starboard hand of the vessel ahead, she shall give one short blast of the steam whistle, as a signal of such desire, and if the vessel ahead answers with one blast, she shall direct her course to starboard, or if she shall desire to pass on the left or port side of the vessel ahead, she shall give two short blasts of the steam whistle as a signal of such desire, and if the vessel ahead answers with two blasts, shall direct her course to port; or if the vessel ahead does not think it safe for the vessel astern to attempt to pass at that point, she shall immediately signify the same by giving several short and rapid blasts of the steam whistle, not less than four, and under no circumstances shall the vessel astern attempt to pass the vessel ahead until such time as they have reached a point where it can be safely done, when said vessel ahead shall signify her willingness by blowing the proper signals.

"The vessel ahead shall in no case attempt to cross the bow or crowd upon the course of the passing vessel."

SEC. 3. Section 1 of the Act of February 8, 1895 (ch. 64, 28 Stat. 645; U. S. C., title 33, secs. 241 to 293, rules 1 to 28), is amended and supplemented by adding at the end thereof as section 294, title 33, of the United States Code the following:

Rules governing Great Lakes, etc.
Vol. 28, p. 645.
U. S. C., p. 1458.

"RULE 29. All orders to helmsmen shall be given as follows:

"'Right Rudder' to mean 'Direct the vessel's head to starboard.'

"'Left Rudder' to mean 'Direct the vessel's head to port.'"

SEC. 4. Section 1 of the Act of February 19, 1895 (ch. 102, 28 Stat. 672; U. S. C., title 33, secs. 301 to 351, rules 1 to 26), is amended and supplemented by adding at the end thereof as section 352, title 33, of the United States Code, the following:

Rules for certain inland waters.
Vol. 28, p. 672.
U. S. C., p. 1461.

"RULE 27. All orders to helmsmen shall be given as follows:

R. S., sec. 4233, p. 815.

"'Right Rudder' to mean 'Direct the vessel's head to starboard.'

"'Left Rudder' to mean 'Direct the vessel's head to port.'"

SEC. 5. The provisions of this Act shall become fully effective for all ocean and coastwise vessels on January 1, 1936, and for all vessels on the Great Lakes, bays, sounds, harbors, rivers, and lakes other than the Great Lakes, of the United States on January 1, 1937.

Effective dates.

Approved, August 21, 1935.

[CHAPTER 596.]

AN ACT

August 21, 1935.
[H. R. 7438.]
[Public, No. 295.]

To amend the Act entitled "An Act to authorize the construction and operation of certain bridges across the Monongahela, Allegheny, and Youghiogheny Rivers in the county of Allegheny, Pennsylvania", approved June 4, 1934.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That clause (c) of section 1 of the Act entitled "An Act to authorize the construction and operation of certain bridges across the Monongahela, Allegheny, and Youghiogheny Rivers in the county of Allegheny, Pennsylvania",

Bridge construction in Allegheny County, Pa.
Vol. 48, p. 837.
Post, p. 1197.

approved June 4, 1934, be, and the same is hereby, amended as follows:

Monongahela River, at Pittsburgh. Location.

"(c) Across the Monongahela River, at a point suitable to the interests of navigation, in the city of Pittsburgh, Pennsylvania, between the Smithfield Street and Point Bridges."

SEC. 2. Section 2 of said Act is amended to read as follows:

Toll charges. Vol. 48, p. 838.

"SEC. 2. If tolls are charged for the use of said bridges, or any of them, the rates of toll may be so adjusted as to provide a fund sufficient to pay such part or all of any one or more of the following items as shall not be from time to time otherwise provided for, namely: (a) The reasonable cost of maintenance, repair, and operation of said bridges, approaches, and such other public works and improvements as may be associated with said bridges and approaches or any of them in any loan agreement heretofore entered into, or hereafter to be entered into between the United States of America and said Allegheny County Authority or said county of Allegheny; and (b) the amortization, within a reasonable time and under reasonable conditions of any loan or loans, including reasonable interest, taxes, and financing charges, made or to be made in connection with the construction of said bridges, approaches. and other such associated public works and improvements."

Cost of maintenance, etc.

Amortization of loans, etc.

SEC. 3. Section 3 of said Act is amended to read as follows:

Record of expenditures and receipts. Vol. 48, p. 838.

"SEC. 3. An accurate record of the cost of said bridges, approaches, and associated public works and improvements and of all expenditures for maintaining, repairing, and operating the same and of tolls collected from time to time shall be kept and shall at all reasonable times be available for the information of all persons interested in the construction, operation, and maintenance thereof."

SEC. 4. Said Act is further amended by adding a new section, to be known as "section 4", reading as follows:

Time for bridging extended.

"SEC. 4. The times for commencing and completing said bridges and each of them and the approaches of each of them is hereby extended for periods of one and three years, respectively, from June 4, 1935."

Sections renumbered.

SEC. 5. Said Act is further amended by renumbering section 4 thereof as section 5 and section 5 thereof as section 6.

Amendment.

SEC. 6. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 21, 1935.

[CHAPTER 597.]

AN ACT

August 21, 1935. [H. R. 7659.] [Public, No. 296.]

To provide that tolls on certain bridges over navigable waters of the United States shall be just and reasonable, and for other purposes.

Bridges over navigable waters. Regulation of tolls on certain.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter tolls for passage or transit over any bridge over any of the navigable waters of the United States, if such bridge is used for purposes of travel or transportation in interstate or foreign commerce, shall be just and reasonable; but the provisions of this Act shall not apply to any bridge subject to the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, as amended, nor to any bridge built under the authority of the legislature of the State across rivers or other waterways the navigable portions of which lie wholly within the limits of a single State, nor to any bridge on which the tolls are prescribed by a contract entered into by or with any State or political subdivision thereof, or any municipality.

Not applicable to bridges subject to Act of 1906. Vol. 34, p. 84; U. S. C., p. 1474.

Built by State authority on intrastate streams.

Tolls prescribed by contract.

Secretary of War to investigate complaints.

SEC. 2. The Secretary of War is authorized, either upon complaint or upon his own initiative, to conduct an inquiry at any time for the purpose of determining whether any toll charged for passage or transit over any bridge to which this Act applies is in violation of the provisions of section 1, and if he finds, after full opportunity for hearing, that such toll is in violation of such provisions he is authorized and empowered to determine and by order to prescribe what will be the just and reasonable toll to be thereafter charged, and after such order takes effect it shall be unlawful to collect a toll for such passage or transit in excess of that so prescribed. Any such order shall take effect upon the expiration of thirty days after its issuance.

Authority to prescribe reasonable toll.

Effective date of order.

Appeals; review of order.

SEC. 3. Any order issued under section 2 may be reviewed by the Court of Appeals of the District of Columbia, or the circuit court of appeals for any judicial circuit in which the bridge in question is wholly or partly located, if a petition for such review is filed within three months after the date such order was issued. The judgment of any such court shall be final, except that it shall be subject to review by the Supreme Court of the United States upon certiorari, in the manner provided in section 240 of the Judicial Code, as amended. The review by such courts shall be limited to questions of law, and the findings of fact by the Secretary of War, if supported by substantial evidence, shall be conclusive. Upon such review, such courts shall have power to affirm or, if the order its [1] not in accordance with law, to modify or to reverse the order, with or without remanding the case for a rehearing as justice may require.

Petition.

Judgment final; review by Supreme Court.

Vol. 36, p. 1157; Vol. 43, p. 938.

U. S. C., p. 1272.

Jurisdiction of courts.

Hearings.

SEC. 4. In the execution of his functions under this Act the Secretary of War, or any officer or employee designated by him, is authorized to hold hearings, examine witnesses, and receive evidence at any place designated by him, and to administer oaths and affirmations, and require by subpena the attendance and testimony of witnesses and the production of books, papers, and documents from any place in the United States. In any case [1] disobedience to any such subpena the Secretary of War may invoke the aid of any court of the United States in requiring the attendance and testimony of witnesses and the production of books, papers, and documents. No person shall be excused from attending and testifying or from producing books, papers, and documents in any inquiry under this Act, or in obedience to any such subpena, or in any cause or proceeding, criminal or otherwise, based upon or arising under this Act, on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to criminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that any individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying. Any person who shall neglect or refuse to attend and testify, or to answer any lawful inquiry, or to produce books, papers, or documents, if in his power to do so, in obedience to a subpena or lawful requirement under this Act, shall, upon conviction thereof, be punished by a fine of not to exceed $1,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

Attendance of witnesses, etc.

Evidence.

Witness refusing to testify.

[1] So in original.

Penalty for collecting excessive tolls.

SEC. 5. In any case where there is in effect a toll prescribed by an order issued under section 2, for passage or transit over any bridge to which this Act applies, any person who demands or collects a toll for such passage or transit in excess of that so prescribed shall, upon conviction thereof, be punished by a fine of not to exceed $1,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

Approved, August 21, 1935.

[CHAPTER 598.]

AN ACT

August 21, 1935.
[H. R. 8845.]
[Public, No. 297.]

To authorize the incorporated town of Cordova, Alaska, to construct, reconstruct, enlarge, extend, improve, renew, and repair certain municipal public structures, utilities, works, and improvements, and for such purposes to issue bonds in any amount not exceeding $50,000, and for other purposes.

Cordova, Alaska.
May construct, etc., certain municipal public structures.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the incorporated town of Cordova, in the Territory of Alaska, is hereby authorized and empowered to construct, reconstruct, enlarge, extend, improve, and repair all or any part of the municipal public structures, utilities, works, and improvements in said town hereinafter mentioned, to wit: (a) School buildings; (b) wharf; (c) sewers; (d) city hall, offices, and fire-department house; and (e) such other municipal public structures, utilities, works, and improvements as may be selected and approved by the common council of said town of Cordova; and for such purposes to issue bonds in any amount not exceeding $50,000.

Bond issue.

Special election to authorize issue.

SEC. 2. Before said bonds shall be issued a special election shall be ordered by the common council of the said town of Cordova, Alaska, at which election the question of whether such bonds shall be issued in the amount above specified for the purpose hereinbefore set forth shall be submitted to the qualified electors of said town of Cordova, Alaska, whose names appear on the last assessment roll of said town for purposes of municipal taxation. The form of the ballot shall be such that the electors may vote for or against the issuance of bonds for the purposes herein specified up to the amount herein authorized. Not less than twenty days' notice of such election shall be given to the public by posting notices of same in three conspicuous places within the corporate limits of the town of Cordova, Alaska, one of which shall be at the front door of the United States post office at Cordova, Alaska. The election notice shall specifically state the amount of bonds proposed to be issued for the purposes herein specified. The registration for such election, the manner of conducting the same, and the canvass of the returns of said election shall be, as nearly as practicable, in accordance with the requirements of law in general or special elections in said municipality; and such bonds shall be issued for the purposes herein authorized only upon condition that not less than a majority of the votes cast at such election in said municipality shall be in favor of the issuance of said bonds for such purpose.

Form of ballot.

Notice to be posted.

Conduct of election.

Form, etc., of bonds.

Denominations; maturity dates.

SEC. 3. The bonds herein authorized shall be coupon in form and shall mature in not to exceed thirty years from the date thereof. Such bonds may bear such date or dates, may be in such denomination or denominations, may mature in such amounts and at such time or times, not exceeding thirty years from the date thereof, may be payable in such medium of payment and at such place or places, may

be sold at either public or private sale, may be nonredeemable or redeemable (either with or without premium), and may carry such registration privileges as to either principal and interest, or principal only, as shall be prescribed by the common council of said town of Cordova. The bonds shall bear the signatures of the mayor and of the clerk of the town of Cordova, and shall have impressed thereon the official seal of said municipality. The coupons to be annexed to such bonds shall bear the facsimile signatures of the mayor and of the clerk of said municipality. In case any of the officers whose signatures or countersignatures appear on the bonds shall cease to be such officers before delivery of such bonds, said signatures or countersignatures, whether manual or facsimile, shall nevertheless be valid and sufficient for all purposes, the same as if said officers had remained in office until such delivery. Said bonds shall bear interest at a rate to be fixed by the common council of the town of Cordova, not to exceed, however, 6 per centum per annum, payable semiannually, and said bonds shall be sold at not less than the principal amount plus accrued interest.

Signatures.

Interest rate.

SEC. 4. The bonds herein authorized to be issued shall be general obligations of the town of Cordova, Territory of Alaska, payable as to both interest and principal from ad valorem taxes which shall be levied upon all of the taxable property within the corporate limits of such municipality in an amount sufficient to pay the interest on and the principal of such bonds as and when the same become due and payable.

Bonds deemed municipal obligations.

SEC. 5. No part of the funds arising from the sale of said bonds shall be used for any purpose or purposes other than those specified in this Act. Said bonds shall be sold only when and in such amounts as the common council of the town of Cordova shall direct; and the proceeds thereof shall be distributed only for the purposes hereinbefore mentioned and under the orders and direction of said common council from time to time as such proceeds may be required for said purposes.

Use of funds restricted.

Sale limitation.

SEC. 6. The town of Cordova is hereby authorized to enter into contracts with the United States of America or any agency or instrumentality thereof under the provisions of the National Industrial Recovery Act and Acts amendatory thereof and Acts supplemental thereto, and revisions thereof, and the regulations made in pursuance thereof, and under any further Acts of the Congress of the United States to encourage public works, for the relief of unemployment, or for any other public purpose, including the Emergency Relief Appropriation Act of 1935, for the sale of bonds issued in accordance with the provisions of this Act, or for the acceptance of a grant of money to aid said municipality in financing any public works; or to enter into contracts with any persons or corporations, public or private, for the sale of such bonds; and such contracts may contain such terms and conditions as may be agreed upon by and between the common council of said town of Cordova and the United States of America or any agency or instrumentality thereof, or any such purchaser.

Contracts authorized with United States, for bond sale.
Vol. 48, pp. 200, 351.

Ante, p. 115.

SEC. 7. The Act approved April 12, 1930, to authorize the incorporated town of Cordova, Alaska, to issue bonds for the construction of a trunk-sewer system and a bulkhead or retaining wall, and for other purposes (Public, Numbered 18 [1], Seventy-first Congress, second session, 46 Stat. 161), is hereby repealed.

Vol. 46, p. 161, repealed.

Approved, August 21, 1935.

[1] So in original.

[CHAPTER 599.]

AN ACT

August 21, 1935.
[S. 3311.]
[Public, No. 297½.]

To amend an Act entitled "An Act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain", approved February 25, 1920 (41 Stat. 437; U. S. C., title 30, secs. 185, 221, 223, 226), as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 13, 14, 17, and 28 of the Act entitled "An Act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain", approved February 25, 1920 (41 Stat. 437; U. S. C., title 30, secs. 185, 221, 223, 226), as amended, are amended to read as follows:

General Leasing Act, amendments.
Vol. 41, pp. 441–442, 443, 449; Vol. 46, pp. 1007, 1523, amended.
U. S. C., pp. 1343, 1346.

Oil and gas deposits.
Prospecting permits; granting.

"SEC. 13. That the Secretary of the Interior is hereby authorized, and directed, under such necessary and proper rules and regulations as he may prescribe, to grant to any applicant qualified under this Act a prospecting permit, which shall give the exclusive right, for a period not exceeding two years, to prospect for oil or gas upon not to exceed two thousand five hundred and sixty acres of land wherein such deposits belong to the United States and are not within any known geological structure of a producing oil or gas field upon condition that the permittee shall begin drilling operations within six months from the date of the permit, and shall, within one year from and after the date of permit, drill one or more wells for oil or gas to a depth of not less than five hundred feet each, unless valuable deposits of oil or gas shall be sooner discovered, and shall, within two years from date of the permit, drill for oil or gas to an aggregate depth of not less than two thousand feet unless valuable deposits of oil or gas shall be sooner discovered: *Provided*, That said application was filed ninety days prior to the effective date of this amendatory Act. It being the intention of Congress that there shall be no discrimination as between applicants for prospecting permits, the Secretary of the Interior is directed, in every case where one or more permits have been issued, to issue permits to all other applicants for prospecting permits on the same structure, even though one or more of the permittees has developed the said structure into a producing oil or gas field, if said application for permit was filed prior to the development of such structure into a producing oil or gas field, and said applicant has otherwise complied with the law: *Provided further*, That when such permit is issued upon any structure after discovery, the royalty to be paid upon the preferential lease provided for in section 14 hereof shall be 10 per centum in amount or value of the production and the annual payment of a rental as provided in said section 14. No prospecting permit shall be granted upon any application filed after ninety days prior to the effective date of this amendatory Act. The Secretary of the Interior may, if he shall find that the permittee has been unable with the exercise of diligence to test the land in the time granted by the permit, extend any such permit for such time, not exceeding two years, and upon such conditions as he shall prescribe: *Provided*, That all permits outstanding on the effective date of this amendatory Act, which on said date shall not be subject to cancelation for violation of the law or operating regulations and which have theretofore been extended by the Secretary of the Interior, shall be, and the same are hereby, extended until December 31, 1937, subject to the applicable conditions of such prior extensions: *Provided further*, That the Secretary of the Interior is hereby authorized, to extend for an additional period of not to exceed one year any permit on which diligence has been exercised or on which drilling or prospecting has been suspended at the direction of the Secretary during the extension period hereby granted, but no exten-

Limited to two years.
Maximum area.
Conditions.
Provisos.
Date of filing applications.
No preferential permits.
Royalty to be paid when permit issued after discovery.
Time limit on applications.
Extension of permit; conditions.
Valid outstanding permits.
Conditional extension of periods.

sion of any permit beyond December 31, 1938, shall be granted under authority of this Act, or any other Act. Whether the lands sought in any such application and permit are surveyed or unsurveyed the applicant shall, prior to filing his application for permit, locate such lands in a reasonably compact form and according to the legal subdivisions of the public-land surveys if the land be surveyed; and in an approximately square or rectangular tract if the land be an unsurveyed tract, the length of which shall not exceed two and one-half times its width, and if he shall cause to be erected upon the land for which a permit is sought a monument not less than four feet high, at some conspicuous place thereon, and shall post a notice in writing on or near said monument, stating that an application for permit will be made within thirty days after date of posting said notice, the name of the applicant, the date of the notice, and such a general description of the land to be covered by such permit by reference to courses and distances from such monument and such other natural objects and permanent monuments as will reasonably identify the land, stating the amount thereof in acres, he shall during the period of thirty days following such marking and posting, be entitled to a preference right over others to a permit for the land so identified. The applicant shall, within ninety days after receiving a permit, mark each of the corners of the tract described in the permit upon the ground with substantial monuments, so that the boundaries can be readily traced on the ground, and shall post in a conspicuous place upon the lands a notice that such permit has been granted and a description of the lands covered thereby: *Provided further*, That in the Territory of Alaska prospecting permits not more than five in number may be granted to any qualified applicant for periods not exceeding four years, actual drilling operations shall begin within two years from date of permit, and oil and gas wells shall be drilled to a depth of not less than five hundred feet, unless valuable deposits of oil or gas shall be sooner discovered, within three years from date of the permit and to an aggregate depth of not less than two thousand feet unless valuable deposits of oil or gas shall be sooner discovered, within four years from date of permit: *Provided further*, That in said Territory the applicant shall have a preference right over others to a permit for land identified by temporary monuments and notice posted on or near the same for six months following such marking and posting, and upon receiving a permit he shall mark the corners of the tract described in the permit upon the ground with substantial monuments within one year after receiving such permit: *Provided further*, That any person holding a permit to prospect for oil or gas which shall not be subject to cancelation for violation of the law or operating regulations or which shall have been extended under the authority of this or any other Act, in force on or after the effective date of this amendatory Act, or for which timely and acceptable application for extension shall have been filed prior to said date, shall have the right prior to the termination of such permit to exchange the same for a lease to the area described in the permit without proof of discovery, at a royalty of not less than 12½ per centum or value of the production, to be determined by the Secretary of the Interior by general rule and under such other conditions as are fixed in section 17 of this Act: *Provided further*, That no such lease shall be subject to the acreage limitations of section 27 of this Act, as amended, until one year after the discovery of valuable deposits of oil or gas thereon: *Provided further*, That any application for any prospecting permit filed after ninety days prior to the effective date of this

Location sites.

Dimensions.

Notices; posting; contents.

Corner marks on tracts.

Drilling periods in Alaska.

Preference rights of applicant.

Exchange of valid permits for leases hereunder.

Royalty.

Acreage limitations not to apply. Vol. 41, p. 448; U. S. C., p. 1342.

Leases to supersede prospecting permits.

Rentals.

amendatory Act shall be considered as an application for lease under section 17 hereof: *And provided further*, That upon leases so granted in lieu of existing permits or granted to applicants for permits, no rentals shall be payable for the first two lease years, unless valuable deposits of oil or gas are sooner discovered within the boundaries of such lease.

Lease to permittee upon discovery.

"SEC. 14. That upon establishing to the satisfaction of the Secretary of the Interior that valuable deposits of oil or gas have been discovered within the limits of the land embraced in any permit, the permittee shall be entitled to a lease for one-fourth of the land embraced in the prospecting permit: *Provided*, That the permittee shall be granted a lease for as much as one hundred and sixty acres of said lands, if there be that number of acres within the permit. The area to be selected by the permittee, shall be in reasonably compact form and, if surveyed, to be described by the legal subdivisions of the public-land surveys; if unsurveyed, to be surveyed by the Government at the expense of the applicant for lease in accordance with rules and regulations to be prescribed by the Secretary of the Interior, and the lands leased shall be conformed to and be taken in accordance with the legal subdivisions of such surveys; deposits made to cover expense of surveys shall be deemed appropriated for that purpose, and any excess deposits may be repaid to the person or persons making such deposit or their legal representatives. Such leases shall be for a term of twenty years upon a royalty of 5 per centum in amount or value of the production and the annual payment in advance of a rental of $1 per acre, the rental paid for any one year to be credited against the royalties as they accrue for that year, and shall continue in force otherwise as prescribed in section 17 hereof for leases issued prior to the effective date of this amendatory Act. The permittee shall also be entitled to a preference right to a lease for the remainder of the land in his prospecting permit at a royalty of not less than 12½ per centum in amount or value of the production nor more than the royalty rate prescribed by regulation in force on January 1, 1935, for secondary leases issued under this section, and under such other conditions as are fixed for oil or gas leases issued under section 17 of this Act the royalty to be determined by competitive bidding or fixed by such other method as the Secretary may by regulations prescribe: *Provided further*, That the Secretary shall have the right to reject any or all bids.

Provisos.
Maximum acreage.

Location sites; dimensions.

Expenses of surveys.

Term, royalty, and rental.

Preference right to remaining area.

Minimum royalty, etc.

Rejection of bids.

Leases of known deposits to highest bidder, etc.
Vol. 46, p. 1523.

"SEC. 17. All lands subject to disposition under this Act which are known or believed to contain oil or gas deposits, except as herein otherwise provided, may be leased by the Secretary of the Interior after the effective date of this amendatory Act, to the highest responsible qualified bidder by competitive bidding under general regulations. Such lands shall be leased in units of not exceeding six hundred and forty acres, which shall be as nearly compact in form as possible. Such leases shall be conditioned upon the payment by the lessee of such bonus as may be accepted and of such royalty as may be fixed in the lease, which shall be not less than 12½ per centum in amount or value of the production and the payment in advance of a rental to be fixed in the lease of not less than 25 cents per acre per annum, which rental except as otherwise herein provided shall not be waived, suspended, or reduced unless and until a valuable deposit of oil or gas shall have been discovered within the lands leased: *Provided*, That the rental paid for any one year shall be credited against the royalties as they accrue for that year: *Provided further*, That in the event the Secretary of the Interior shall direct or shall assent to the suspension of operations or of production of oil or gas under any such lease, any payment of acreage rental as herein provided shall likewise be suspended during such period of suspension of operations or production:

Size of units limited.

Payment of bonus and royalty.

Rentals.

Provisos.
Credit of rental against accrued royalties.

Rental canceled during suspension of operations.

And provided further, That in the case of leases valuable only for the production of gas the Secretary of the Interior upon showing by the lessee that the lease cannot be successfully operated upon such rental or upon the royalty provided in the lease, may waive, suspend, or reduce such rental or reduce such royalty. Unproductive gas leases.

"The Secretary of the Interior, for the purpose of more properly conserving the oil or gas resources of any area, field, or pool, may require that leases hereafter issued under any section of this Act be conditioned upon an agreement by the lessee to operate, under such reasonable cooperative or unit plan for the development and operation of any such area, field, or pool as said Secretary may determine to be practicable and necessary or advisable, which plan shall adequately protect the rights of all parties in interest, including the United States: *Provided*, That all leases operated under such plan approved or prescribed by said Secretary shall be excepted in determining holdings or control under the provisions of any section of this Act. Conditional agreement may be required for conserving resources. Cooperative plan. *Proviso.* Effect of.

"Leases hereafter issued under this section shall be for a period of five years and so long thereafter as oil or gas is produced in paying quantities when the lands to be leased are not within any known geological structure of a producing oil or gas field, and for a period of ten years and so long thereafter as oil or gas is produced in paying quantities when the lands to be leased are within any known geological structure of a producing oil or gas field: *Provided*, That no such lease shall be deemed to expire by reasons of suspension of prospecting, drilling, or production pursuant to any order or consent of the said Secretary: *Provided further*, That the person first making application for the lease of any lands not within any known geologic structure of a producing oil or gas field who is qualified to hold a lease under this Act, including applicants for permits whose applications were filed after ninety days prior to the effective date of this amendatory Act shall be entitled to a preference right over others to a lease of such lands without competitive bidding at a royalty, in the case of oil, of 12½ per centum in amount or value of the production when the said production does not exceed fifty barrels per well per day for the calendar month and of not less than 12½ per centum in amount or value of the production when the said production exceeds fifty barrels per well per day for the calendar month, and, in the case of gas, at a royalty of 12½ per centum in amount or value of the production when the said production does not exceed five million cubic feet per well per day for the calendar month and, when the said production exceeds five million cubic feet per well per day for the calendar month, at a royalty of not less than 12½ per centum in amount or value of the production. Periods of leases. *Provisos.* Suspension of operations. Preference rights to first qualified applicants, etc. Royalty rates.

"Leases issued prior to the effective date of this amendatory Act shall continue in force and effect in accordance with the terms of such leases and the laws under which issued: *Provided*, That any such lease that has become the subject of a cooperative or unit plan of development or operation, or other plan for the conservation of the oil and gas of a single area, field, or pool, which plan has the approval of the Secretary of the Department or Departments having jurisdiction over the Government lands included in said plan as necessary or convenient in the public interest, shall continue in force beyond said period of twenty years until the termination of such plan: *And provided further*, That said Secretary or Secretaries shall report all leases so continued to Congress at the beginning of its next regular session after the date of such continuance. Existing leases to continue in force. *Provisos.* Development, under cooperative plan. Reports of leases to Congress.

"Any cooperative or unit plan of development and operation, which includes lands owned by the United States, shall contain a provision whereby authority, limited as therein provided, is vested Rights reserved to modify any unit plan, etc.

in the Secretary of the department or departments having jurisdiction over such land to alter or modify from time to time in his discretion the rate of prospecting and development and the quantity and rate of production under said plan. The Secretary of the Interior is authorized whenever he shall deem such action necessary or in the public interest, with the consent of lessee, by order to suspend or modify the drilling or producing requirements of any oil and gas lease not subject to such a cooperative or unit plan, and no lease shall be deemed to expire by reason of the suspension of production pursuant to any such order.

Suspension of drilling, etc., if necessary.

Compensation for drainage, by wells not Government owned.

"Whenever it appears to the Secretary of the Interior that wells drilled upon lands not owned by the United States are draining oil or gas from lands or deposits owned in whole or in part by the United States, the Secretary of the Interior is hereby authorized and empowered to negotiate agreements whereby the United States or the United States and its permittees, lessees, or grantees shall be compensated for such drainage, such agreements to be made with the consent of the permittees and lessees affected thereby.

Royalty reduction for small production.

"Whenever the average daily production of the oil wells on an entire leasehold or on any tract or portion thereof segregated for royalty purposes shall not exceed ten barrels per well per day, or where the cost of production of oil or gas is such as to render further production economically impracticable the Secretary of the Interior, for the purpose of encouraging the greatest ultimate recovery of oil and in the interest of conservation of natural resources, is authorized to reduce the royalty on future production when in his judgment the wells cannot be successfully operated upon the royalty fixed in the lease. The provision of this paragraph shall apply to all oil and gas leases issued under this Act, including those within an approved cooperative or unit plan of development and operation.

Applicability.

Cancelation provisions.

"Any lease issued after the effective date of this amendatory Act under the provisions of this section, except those earned as a preference right as provided in section 14 hereof, shall be subject to cancelation by the Secretary of the Interior after thirty days' notice upon the failure of the lessee to comply with any of the provisions of the lease, unless or until the land covered by any such lease is known to contain valuable deposits of oil or gas. Such notice in advance of cancelation shall be sent the lease owner by registered letter directed to the lease owner's record post-office address, and in case such letter shall be returned as undelivered, such notice shall also be posted for a period of thirty days in the United States Land Office for the district in which the land covered by such lease is situated, or in the event that there is no district land office for such leased land, then in the post office nearest such land. Leases covering lands known to contain valuable deposits of oil or gas shall be canceled only in the manner provided in section 31 of this Act.

Notice to be sent.

Rights-of-way on public domain for pipe-line purposes.

"SEC. 28. That rights-of-way through the public lands, including the forest reserves of the United States, may be granted by the Secretary of the Interior for pipe-line purposes for the transportation of oil or natural gas to any applicant possessing the qualifications provided in section 1 of this Act, to the extent of the ground occupied by the said pipe line and twenty-five feet on each side of the same under such regulations and conditions as to survey, location, application, and use as may be prescribed by the Secretary of the Interior and upon the express condition that such pipe lines shall be constructed, operated, and maintained as common carriers and shall accept, convey, transport, or purchase without discrimination, oil or natural gas produced from Government lands in the vicinity of the pipe line in such proportionate amounts as the Secretary of the Interior may, after a full hearing with due notice

Conditions.

thereof to the interested parties and a proper finding of facts, determine to be reasonable: *Provided*, That the Government shall in express terms reserve and shall provide in every lease of oil lands hereunder that the lessee, assignee, or beneficiary, if owner, or operator or owner of a controlling interest in any pipe line or of any company operating the same which may be operated accessible to the oil derived from lands under such lease, shall at reasonable rates and without discrimination accept and convey the oil of the Government or of any citizen or company not the owner of any pipe line, operating a lease or purchasing gas or oil under the provisions of this Act: *Provided further*, That no right-of-way shall hereafter be granted over said lands for the transportation of oil or natural gas except under and subject to the provisions, limitations, and conditions of this section. Failure to comply with the provisions of this section or the regulations and conditions prescribed by the Secretary of the Interior shall be ground for forfeiture of the grant by the United States district court for the district in which the property, or some part thereof, is located in an appropriate proceeding."

Provisos.
Reservation as to conveying oil of Government or of other producers.

Applicability to future grants.

Forfeiture for violation.

SEC. 2. (a) That the Secretary of the Interior is authorized to issue new leases to lessees holding oil or gas leases under any of the provisions of this Act at the time this amendatory Act becomes effective, such new leases to be in lieu of the leases then held by such lessees and to be at a royalty rate of not less than 12½ per centum in amount or value of the production and upon such other terms and conditions as the Secretary of the Interior shall by general rule prescribe: *Provided*, That no limitation of acreage not provided for under the law or regulations under which any such old lease was issued shall be applicable to any such new lease.

Issue of new leases in lieu of present holdings.

Royalty rate.

Proviso.
New limitation of acreage restricted.

(b) Nothing contained in this amendatory Act shall be construed to affect the validity of oil and gas prospecting permits or leases previously issued under the authority of the said Act of February 25, 1920, as amended, and in existence at the time this amendatory Act becomes effective, or impair any rights or privileges which have accrued under such permits or leases.

Saving clause.
Vol. 41, p. 437; Vol. 46, pp. 1007, 1523; U. S. C., p. 1342.

SEC. 3. That nothing in this amendatory Act shall be construed as affecting any lands within the borders of the naval petroleum reserves and naval oil-shale reserves or agreements concerning operations thereunder or in relation to the same, but the Secretary of the Navy is hereby authorized, with the consent of the President, to enter into agreements such as those provided for under the Act of March 4, 1931 (46 Stat. 1523), which agreement shall not, unless expressed therein, operate to extend the terms of any lease affected thereby.

Naval oil reserves, etc., not affected.

Agreements authorized.
Vol. 46, p. 1523; U. S. C., p. 1348.

Approved, August 21, 1935.

[CHAPTER 600.]

JOINT RESOLUTION

August 21, 1935.
[H. J. Res. 189.]
[Pub. Res., No. 52.]

Relating to the continuance on the pay rolls of certain employees in cases of death or resignation of Members of the House of Representatives, Delegates, and Resident Commissioners.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of the third paragraph under the heading "Clerical assistance to Senators" of section 1 of the Legislative Appropriation Act for the fiscal year ending June 30, 1928 (U. S. C., Supp. V, title 2, sec. 92a), in case of the death or resignation of a Member of the House during his term of office, the clerical assistants designated by

Clerks of deceased Member of the House.
Continuance on roll, not exceeding six months.
Vol. 44, p. 1148.
U. S. C., p. 13.

him and borne upon the clerk hire pay rolls of the House of Representatives on the date of such death or resignation shall be continued upon such pay rolls at their respective salaries until the successor to such Member of the House is elected to fill the vacancy. In no case shall such clerical assistants be continued on said pay roll for a period exceeding six months after the date of death or resignation of a Member of the House.

Placed under direction of Clerk of the House.

SEC. 2. Any clerical assistants who continue on the House pay rolls under the provisions of this joint resolution shall, while so continued, perform their duties under the direction of the Clerk of the House,

Removal for inattention to duties.

and he is hereby authorized and directed to remove from such pay rolls any such clerks who are not attending to the duties for which their services are continued.

"Member of the House" construed.

SEC. 3. As used in this joint resolution the phrase "Member of the House" shall mean a Representative, Representative-elect, Delegate, Delegate-elect, Resident Commissioner, or Resident Commissioner-elect.

Effective date.

SEC. 4. This joint resolution shall be effective as of the beginning of the Seventy-fourth Congress, January 3, 1935.

Approved, August 21, 1935.

[CHAPTER 602.]

AN ACT

August 22, 1935.
[S. 2361.]
[Public, No. 298.]

To fix the compensation of registers of district land offices.

Public lands.
Compensation of registers.
Vol. 45, p. 684; U. S. C., p. 1828.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to fix the compensation of registers of local land offices, and for other purposes", approved May 21, 1928 (45 Stat. L., ch. 661, p. 684), is hereby amended to read as follows: "That from and after the 1st day of the month following the approval of this Act the compensation of registers of district land offices shall be a salary of $2,000 per annum each, and all fees and commissions now allowed by law to such registers, but the salary, fees, and commissions of such registers shall not exceed $3,600 each per annum: *Provided*, That the salary of the register of the Juneau land district, Alaska, shall be $3,600 per annum."

Proviso.
Juneau, Alaska.

Approved, August 22, 1935.

[CHAPTER 603.]

AN ACT

August 22, 1935.
[H. R. 7955.]
[Public, No. 299.]

To establish a new division of the northern district of Georgia with terms of court to be held at Newnan, Georgia.

United States courts.
Vol. 36, p. 1108; Vol. 44, p. 671, amended.
U. S. C., p. 1241.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 77 of the Judicial Code, as amended (U. S. C., Supp. VII, title 28, sec. 150 (b)), is hereby amended to read as follows:

Georgia judicial districts.
Northern district.
Gainesville division.

"(b) The northern district shall include four divisions, constituted as follows: The Gainesville division, which shall include the territory embraced on January 1, 1925, in the counties of Banks, Barrow, Dawson, Forsyth, Habersham, Hall, Jackson, Lumpkin, Rabun, Stephens, Towns, Union, and White; the Atlanta division which shall include the territory embraced on such date in the counties of Campbell, Cherokee, Clayton, Cobb, De Kalb, Douglas, Fannin, Fulton, Gilmer, Gwinnett, Henry, Milton, Newton, Pickens, and Rockdale;

Atlanta division.

the Rome division which shall include the territory embraced on such date in the counties of Bartow, Catoosa, Chattooga, Dade, Floyd, Gordon, Murray, Paulding, Polk, Walker, and Whitfield; and the Newnan division, which shall include the territory embraced on such date in the counties of Carroll, Coweta, Fayette, Haralson, Heard, Pike, Spalding, and Troup".

Rome division.

Newnan division.

SEC. 2. Subsection (d) of such section 77, as amended (U. S. C., Supp. VII, title 28, sec. 150 (d)), is hereby amended to read as follows:

Vol. 44, p. 671. U. S. C., p. 1242.

"(d) The middle district shall include six divisions, constituted as follows: The Athens division, which shall include the territory embraced on January 1, 1925, in the counties of Clarke, Elbert, Franklin, Greene, Hart, Madison, Morgan, Oconee, Oglethorpe, and Walton; the Macon division, which shall include the territory embraced on such date in the counties of Baldwin, Bibb, Bleckley, Butts, Crawford, Hancock, Houston, Jasper, Jones, Lamar, Monroe, Peach, Pulaski, Putnam, Twiggs, Upson, Washington, and Wilkinson; the Columbus division, which shall include the territory embraced on such date in the counties of Chattahoochee, Clay, Harris, Marion, Meriweather, Muscogee, Quitman, Randolph, Stewart, Talbot, and Taylor; the Americus division, which shall include the territory embraced on such date in the counties of Crisp, Dooly, Lee, Macon, Schley, Sumter, Terrell, Webster, and Wilcox; the Albany division, which shall include the territory embraced on such date in the counties of Baker, Calhoun, Decatur, Dougherty, Early, Grady, Miller, Mitchell, Seminole, Turner, and Worth; and the Valdosta division, which shall include the territory embraced on such date in the counties of Berrien, Brooks, Colquitt, Cook, Echols, Irwin, Lanier, Lowndes, Thomas, and Tift."

Middle district. *Post*, p. 1561. Athens division.

Macon division.

Columbus division.

Americus division.

Albany division.

Valdosta division.

SEC. 3. Subsection (c) of such section 77, as amended (U. S. C., Supp. VII, title 28, sec. 150 (c)), is hereby amended to read as follows:

Vol. 44, p. 671, amended. U. S. C., p. 1242.

"(c) Terms of the district court for the Gainesville division shall be held at Gainesville on the fourth Mondays in April and November; for the Atlanta division at Atlanta on the second Monday in March and the first Monday in October; for the Rome division at Rome on the third Mondays in May and November; and for the Newnan division if suitable rooms and accommodations are furnished for holding court thereat free of cost to the Government at Newnan on the first Mondays in April and November."

Terms of court.

Approved, August 22, 1935.

[CHAPTER 604.]

AN ACT

August 22, 1935. [H. R. 8580.] [Public, No. 300.]

To amend the law with respect to the time for jury service in the police court of the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 166 of Title 18 of the Code of the District of Columbia of 1929, otherwise known as section 45, as amended, of the Code of Law for the District of Columbia, approved March 3, 1901, be, and the same is hereby, amended to read as follows:

District of Columbia Code; amendment. Vol. 31, p. 1197; Vol. 43, p. 1120.

"The jury for service in said court shall consist of twelve persons, who shall have the legal qualifications necessary for jurors in the Supreme Court of the District of Columbia, and shall receive a like

Jurors for Police Court. Terms.

compensation for their services, and such jurors shall be drawn and selected under and in pursuance of the laws concerning the drawing and selection of jurors for service in said court, and shall serve for a like term as the petit jury in the Supreme Court of the District of Columbia. When at any term of said court it shall happen that in a pending trial no verdict shall be found, nor the jury otherwise discharged before the next succeeding term of the court, the court shall proceed with the trial by the same jury, as if said term had not commenced: *Provided*, That this Act shall not be effective as to any panel or panels of jurors drawn under the existing law."

Proviso.
Panels under existing law not affected.

Approved, August 22, 1935.

[CHAPTER 605.]

AN ACT

August 22, 1935.
[H. R. 8581.]
[Public, No. 301.]

To amend the law providing for exemptions from jury service in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 360 of title 18 of the Code of the District of Columbia of 1929, otherwise known as "section 217 of the Code of Law for the District of Columbia", approved March 3, 1901, be, and the same is hereby, amended to read as follows:

District of Columbia Code; amendment.
Vol. 31, p. 1224; Vol. 35, p. 636.

"All executive and judicial officers of the Government of the United States and of the District of Columbia, all officers and enlisted men of the Army, Navy, Marine Corps, and Coast Guard of the United States in active service, those connected with the police and fire departments of the United States and of the District of Columbia, counselors and attorneys at law in actual practice, ministers of the gospel and clergymen of every denomination, practicing physicians and surgeons, keepers of hospitals, asylums, almshouses, or other charitable institutions created by or under the laws relating to the District of Columbia, captains and masters and other persons employed on vessels navigating the waters of the District of Columbia shall be exempt from jury duty, and their names shall not be placed on the jury lists.

Exemptions from jury service.

"All other persons, otherwise qualified according to law whether employed in the service of the Government of the United States or of the District of Columbia, all officers and enlisted men of the National Guard of the District of Columbia, both active and retired, all officers and enlisted men of the Military, Naval, Marine, and Coast Guard Reserve Corps of the United States, all notaries public, all postmasters and those who are the recipients or beneficiaries of a pension or other gratuity from the Federal or District Government or who have contracts with the United States or the District of Columbia, shall be qualified to serve as jurors in the District of Columbia and shall not be exempt from such service: *Provided*, That employees of the Government of the United States or of the District of Columbia in active service who are called upon to sit on juries shall not be paid for such jury service but their salary shall not be diminished during their term of service by virtue of such service, nor shall such period of service be deducted from any leave of absence authorized by law."

Proviso.
Salary provisions.

Approved, August 22, 1935.

[CHAPTER 606.]

AN ACT

August 22, 1935.
[H. R. 8668.]
[Public, No. 302.]

Providing for the establishment of a term of the District Court of the United States for the Southern District of Florida at Fort Pierce, Florida.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a term of the District Court of the United States for the Southern District of Florida shall be held annually at Fort Pierce, Florida, on the first Monday in February: *Provided*, That suitable rooms and accommodations for holding court at Fort Pierce are furnished without expense to the United States. No deputy clerk or deputy marshal of the court shall be appointed for Fort Pierce.

Florida southern judicial district.
Term of District Court at Fort Pierce.
U. S. C., p. 1241.
Proviso.
Quarters to be furnished.
No deputies.

Approved, August 22, 1935.

[CHAPTER 607.]

AN ACT

August 22, 1935.
[S. 2832.]
[Public, No. 303.]

To provide a preliminary examination of Goldsborough Creek, in Mason County, State of Washington, with a view to the control of its floods.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of Goldsborough Creek, in Mason County, State of Washington, with a view to the control of its floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of floods of the Mississippi River and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Goldsborough Creek.
Preliminary examination authorized.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, August 22, 1935.

[CHAPTER 608.]

AN ACT

August 22, 1935.
[H. R. 8710.]
[Public, No. 304.]

To authorize the Secretary of War to lend to the reunion committee of the United Confederate Veterans, three thousand blankets, olive drab, numbered 4, and three thousand canvas cots, to be used at their annual encampment to be held at Amarillo, Texas, in September 1935.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to lend, at his discretion, to the reunion committee of the United Confederate Veterans, for use at the United Confederate Veterans Encampment, to be held at Amarillo, Texas, September 3, 4, 5, and 6, 1935, ten 15-foot hospital ward tents, with all pegs, poles, and equipment necessary for their erection; three thousand olive-drab blankets, numbered 4; three thousand canvas cots; nine hundred mess kits, complete: *Provided*, That no expense shall be caused the United States Government by the delivery and return of said property, the same to be delivered from the nearest quartermaster depot at such time prior to the holding of said encampment as may be agreed upon by the Secretary of War and the Confederate reunion committee: *Provided further*, That the Secretary of War, before delivery of such property, shall take from said reunion committee of the United Confederate Veterans a good and sufficient bond for the safe return of said property in good order and condition, and the whole without expense to the United States.

United Confederate Veterans.
Loan of Army equipment for encampment at Amarillo, Tex., authorized.

Provisos.
No Government expense.

Bond.

Approved, August 22, 1935.

[CHAPTER 614.]

AN ACT

August 23, 1935.
[H. R. 7617.]
[Public, No. 305.]

To provide for the sound, effective, and uninterrupted operation of the banking system, and for other purposes.

Banking Act of 1935.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Banking Act of 1935".

Title I—Federal Deposit Insurance.

TITLE I—FEDERAL DEPOSIT INSURANCE

Federal Reserve Act, amendments.
Vol. 48, p. 168; U. S. C., p. 381.

SECTION 101. Section 12B of the Federal Reserve Act, as amended (U. S. C., Supp. VII, title 12, sec. 264), is amended to read as follows:

Federal Deposit Insurance Corporation.
Creation; duties.

"SEC. 12B. (a) There is hereby created a Federal Deposit Insurance Corporation (hereinafter referred to as the 'Corporation') which shall insure, as hereinafter provided, the deposits of all banks which are entitled to the benefits of insurance under this section, and which shall have the powers hereinafter granted.

Management of Corporation.
Directors; appointment; qualifications.

"(b) The management of the Corporation shall be vested in a board of directors consisting of three members, one of whom shall be the Comptroller of the Currency, and two of whom shall be citizens of the United States to be appointed by the President, by and with the advice and consent of the Senate. One of the appointive members shall be the chairman of the board of directors of the Corporation and not more than two of the members of such board of directors shall be members of the same political party. Each such appointive member shall hold office for a term of six years and shall receive compensation at the rate of $10,000 per annum, payable monthly out of the funds of the Corporation, but the Comptroller of the Currency shall not receive additional compensation for his services as such member. In the event of a vacancy in the office of the Comptroller of the Currency, and pending the appointment of his successor, or during the absence of the Comptroller from Washington, the Acting Comptroller of the Currency shall be a member of the board of directors in the place and stead of the Comptroller. In the event of a vacancy in the office of the chairman of the board of directors, and pending the appointment of his successor, the Comptroller of the Currency shall act as chairman. The Comptroller of the Currency shall be ineligible during the time he is in office and for two years thereafter to hold any office, position, or employment in any insured bank. The appointive members of the board of directors shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any insured bank, except that this restriction shall not apply to any appointive member who has served the full term for which he was appointed. No member of the board of directors shall be an officer or director of any bank, banking institution, trust company, or Federal Reserve bank or hold stock in any bank, banking institution, or trust company; and before entering upon his duties as a member of the board of directors he shall certify under oath that he has complied with this requirement and such certification shall be filed with the secretary of the board of directors. No member of the board of directors serving on the board of directors on the effective date shall be subject to any of the provisions of the three preceding sentences until the expiration of his present term of office.

Chairman.
Terms of office.
Compensation.
Vacancies.
Ineligibility of members to hold position in insured bank.

Definitions.
"State bank."

"(c) As used in this section—

"(1) The term 'State bank' means any bank, banking association, trust company, savings bank, or other banking institution which is engaged in the business of receiving deposits and which is incorpo-

rated under the laws of any State, Hawaii, Alaska, Puerto Rico, or the Virgin Islands, or which is operated under the Code of Law for the District of Columbia (except a national bank), and includes any unincorporated bank the deposits of which are insured on the effective date under the provisions of this section.

"State member bank"; "State nonmember bank."

"(2) The term 'State member bank' means any State bank which is a member of the Federal Reserve System, and the term 'State nonmember bank' means any State bank which is not a member of the Federal Reserve System.

"District bank."

"(3) The term 'District bank' means any State bank operating under the Code of Law for the District of Columbia.

"National member bank."

"(4) The term 'national member bank' means any national bank located in any of the States of the United States, the District of Columbia, Hawaii, Alaska, Puerto Rico, or the Virgin Islands which is a member of the Federal Reserve System.

"National nonmember bank."

"(5) The term 'national nonmember bank' means any national bank located in Hawaii, Alaska, Puerto Rico, or the Virgin Islands which is not a member of the Federal Reserve System.

"Mutual savings bank."

"(6) The term 'mutual savings bank' means a bank without capital stock transacting a savings bank business, the net earnings of which inure wholly to the benefit of its depositors after payment of obligations for any advances by its organizers.

"Savings bank."

"(7) The term 'savings bank' means a bank (other than a mutual savings bank) which transacts its ordinary banking business strictly as a savings bank under State laws imposing special requirements on such banks governing the manner of investing their funds and of conducting their business: *Provided*, That the bank maintains, until maturity date or until withdrawn, all deposits made with it (other than funds held by it in a fiduciary capacity) as time savings deposits of the specific term type or of the type where the right is reserved to the bank to require written notice before permitting withdrawal: *Provided further*, That such bank to be considered a savings bank must elect to become subject to regulations of the Corporation with respect to the redeposit of maturing deposits and prohibiting withdrawal of deposits by checking except in cases where such withdrawal is permitted by law on the effective date from specifically designated deposit accounts totaling not more than 15 per centum of the bank's total deposits.

"Insured bank."

"(8) The term 'insured bank' means any bank the deposits of which are insured in accordance with the provisions of this section; and the term 'noninsured bank' means any bank the deposits of which are not so insured.

"New bank."

"(9) The term 'new bank' means a new national banking association organized by the Corporation to assume the insured deposits of an insured bank closed on account of inability to meet the demands of its depositors and otherwise to perform temporarily the functions prescribed in this section.

"Receiver."

"(10) The term 'receiver' includes a receiver, liquidating agent, conservator, commission, person, or other agency charged by law with the duty of winding up the affairs of a bank.

"Board of directors."

"(11) The term 'board of directors' means the board of directors of the Corporation.

"Deposit."

"(12) The term 'deposit' means the unpaid balance of money or its equivalent received by a bank in the usual course of business and for which it has given or is obligated to give credit to a commercial, checking, savings, time or thrift account, or which is evidenced by its certificate of deposit, and trust funds held by such bank whether retained or deposited in any department of such bank or deposited in another bank, together with such other obligations of a bank as the

board of directors shall find and shall prescribe by its regulations to be deposit liabilities by general usage: *Provided*, That any obligation of a bank which is payable only at an office of the bank located outside the States of the United States, the District of Columbia, Hawaii, Alaska, Puerto Rico, and the Virgin Islands, shall not be a deposit for any of the purposes of this section or be included as a part of total deposits or of an insured deposit: *Provided further*, That any insured bank having its principal place of business in any of the States of the United States or in the District of Columbia which maintains a branch in Hawaii, Alaska, Puerto Rico, or the Virgin Islands may elect to exclude from insurance under this section its deposit obligations which are payable only at such branch, and upon so electing the insured bank with respect to such branch shall comply with the provisions of this section applicable to the termination of insurance by nonmember banks: *Provided further*, That the bank may elect to restore the insurance to such deposits at any time its capital stock is unimpaired.

"Insured deposit." "(13) The term 'insured deposit' means the net amount due to any deposit or deposits in an insured bank (after deducting offsets) less any part thereof which is in excess of $5,000. Such net amount shall be determined according to such regulations as the board of directors may prescribe, and in determining the amount due to any depositor there shall be added together all deposits in the bank maintained in the same capacity and the same right for his benefit either in his own name or in the names of others, except trust funds which shall be insured as provided in paragraph (9) of subsection (h) of this section.

Post, p. 690.

"Transferred deposit." "(14) The term 'transferred deposit' means a deposit in a new bank or other insured bank made available to a depositor by the Corporation as payment of the insured deposit of such depositor in a closed bank, and assumed by such new bank or other insured bank.

"Branch." "(15) The term 'branch' includes any branch bank, branch office, branch agency, additional office, or any branch place of business located in any State of the United States or in Hawaii, Alaska, Puerto Rico, or the Virgin Islands at which deposits are received or checks paid or money lent.

"Effective date." "(16) The term 'effective date' means the date of enactment of the Banking Act of 1935.

Capital stock of Corporation; subscription by United States; appropriation authorized. "(d) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $150,000,000, which shall be available for payment by the Secretary of the Treasury for capital stock of the Corporation in an equal amount, which shall be subscribed for by him on behalf of the United States.

Payments. Payments upon such subscription shall be subject to call in whole or in part by the board of directors of the Corporation. Such stock shall be in addition to the amount of capital stock required to be subscribed for by Federal Reserve banks.

Receipts. Receipts for payments by the United States for or on account of such stock shall be issued by the Corporation to the Secretary of the Treasury and shall be evidence of the stock ownership of the United States.

Capital stock; subscriptions by Federal Reserve banks; amount. Every Federal Reserve bank shall subscribe to shares of stock in the Corporation to an amount equal to one-half of the surplus of such bank on January 1, 1933, and its subscriptions shall be accompanied by a certified check payable to the Corporation in an amount equal to one-half of such subscription.

Payment. The remainder of such subscription shall be subject to call from time to time by the board of directors upon ninety days' notice. The capital stock of the Corporation shall consist of the shares subscribed for prior to the effective date.

Nominal or par value. Such stock shall be without nominal or par value, and shares issued

prior to the effective date shall be exchanged and reissued at the rate of one share for each $100 paid into the Corporation for capital stock. The consideration received by the Corporation for the capital stock shall be allocated to capital and to surplus in such amounts as the board of directors shall prescribe. Such stock shall have no vote and shall not be entitled to the payment of dividends.

Allocation of amounts received in payment for capital stock.
Voting privilege; dividends.

"(e) (1) Every operating State or national member bank, including a bank incorporated since March 10, 1933, licensed on or before the effective date by the Secretary of the Treasury shall be and continue to be, without application or approval, an insured bank and shall be subject to the provisions of this section.

Insurance provisions.
Banks licensed before effective date.

"(2) After the effective date, every national member bank which is authorized to commence or resume the business of banking, and every State bank which is converted into a national member bank or which becomes a member of the Federal Reserve System, shall be an insured bank from the time it is authorized to commence or resume business or becomes a member of the Federal Reserve System. The certificate herein prescribed shall be issued to the Corporation by the Comptroller of the Currency in the case of such national member bank, or by the Board of Governors of the Federal Reserve System in the case of such State member bank: *Provided*, That in the case of an insured bank which is admitted to membership in the Federal Reserve System or an insured State bank which is converted into a national member bank, such certificate shall not be required, and the bank shall continue as an insured bank. Such certificate shall state that the bank is authorized to transact the business of banking in the case of a national member bank, or is a member of the Federal Reserve System in the case of a State member bank, and that consideration has been given to the factors enumerated in subsection (g) of this section.

After effective date.

Certificate; issue of; requirement.

Proviso.
Exception.

Statements in certificate.

"(f) (1) Every bank which is not a member of the Federal Reserve System which on June 30, 1935 was or thereafter became a member of the Temporary Federal Deposit Insurance Fund or of the Fund For Mutuals heretofore created pursuant to the provisions of this section, shall be and continue to be, without application or approval, an insured bank and shall be subject to the provisions of this section: *Provided*, That any State nonmember bank which was admitted to the said Temporary Federal Deposit Insurance Fund or the Fund For Mutuals but which did not file on or before the effective date an October 1, 1934 certified statement and make the payments thereon required by law, shall cease to be an insured bank on August 31, 1935: *Provided further*, That no bank admitted to the said Temporary Federal Deposit Insurance Fund or the Fund For Mutuals prior to the effective date shall, after August 31, 1935, be an insured bank or have its deposits insured by the Corporation, if such bank shall have permanently discontinued its banking operations prior to the effective date.

Members of Temporary Federal Deposit Insurance Fund or Fund for Mutuals; insurance of.
Vol. 48, pp. 179, 970.

Provisos.
Banks not filing required statement or making payment.

When banking operations discontinued.

"(2) Subject to the provisions of this section, any national nonmember bank, upon application by the bank and certification by the Comptroller of the Currency in the manner prescribed in subsection (e) of this section, and any State nonmember bank, upon application to and examination by the Corporation and approval by the board of directors, may become an insured bank. Before approving the application of any such State nonmember bank, the board of directors shall give consideration to the factors enumerated in subsection (g) of this section and shall determine, upon the basis of a thorough examination of such bank, that its assets in excess of its capital requirements are adequate to enable it to meet all its liabilities to depositors and other creditors as shown by the books of the bank.

Applications for insurance, National or State nonmember banks.

Consideration by Board of Directors.

Post, p. 688.

Contents of certificate.
Ante, p. 687.
Factors for consideration when application pending.

"(g) The factors to be enumerated in the certificate required under subsection (e) and to be considered by the board of directors under subsection (f) shall be the following: The financial history and condition of the bank, the adequacy of its capital structure, its future earnings prospects, the general character of its management, the convenience and needs of the community to be served by the bank, and whether or not its corporate powers are consistent with the purposes of this section.

Assessments; rate.
Amount.

"(h) (1) The assessment rate shall be one-twelfth of 1 per centum per annum. The semiannual assessment for each insured bank shall be in the amount of the product of one-half the annual assessment rate multiplied by an assessment base which shall be the average for six months of the differences at the end of each calendar day between the total amount of liability of the bank for deposits (according to the definition of the term 'deposit' in and pursuant to paragraph (12) of subsection (c) of this section, without any deduction for indebtedness of depositors) and the total of such uncollected items as are included in such deposits and credited subject to final payment:

Ante, p. 685.

Proviso.
Regulations governing determination of daily totals of uncollected items.

Provided, however, That the daily total of such uncollected items shall be determined according to regulations prescribed by the board of directors upon a consideration of the factors of general usage and ordinary time of availability, and for the purposes of such deduction no item shall be regarded as uncollected for longer periods than those prescribed by such regulations. Each insured bank shall, as a condition to the right to deduct any specific uncollected item in determining its assessment base, maintain such records as will readily permit verification of the correctness of the particular deduction claimed.

Records to be maintained.

Certified statements; form.

The certified statements required to be filed with the Corporation under paragraphs (2), (3), and (4) of this subsection shall be in such form and set forth such supporting information as the board of directors shall prescribe.

Assessment payments; time and manner of making.

The assessment payments required from insured banks under paragraphs (2), (3), and (4) of this subsection shall be made in such manner and at such time or times as the board of directors shall prescribe, provided the time or times so prescribed shall not be later than sixty days after filing the certified statement setting forth the amount of the assessment.

Assessment rate applicable to insured mutual savings banks.
Post, p. 694.

In the event that a separate Fund For Mutuals is established as provided in subsection (l), the board of directors from time to time may fix a lower assessment rate operative for such period as the board may determine which shall be applicable to insured mutual savings banks only, and the remainder of this paragraph shall not be applicable to such banks.

Certified statements; filing; information to contain.

"(2) On or before the 15th day of July of each year, each insured bank shall file with the Corporation a certified statement under oath showing for the six months ending on the preceding June 30 the amount of the assessment base and the amount of the semiannual assessment due to the Corporation, determined in accordance with paragraph (1) of this subsection.

Assessment; semiannual payment.

Each insured bank shall pay to the Corporation the amount of the semiannual assessment it is required to certify. On or before the 15th day of January of each year after 1936 each insured bank shall file with the Corporation a similar certified statement for the six months ending on the preceding December 31 and shall pay to the Corporation the amount of the semiannual assessment it is required to certify.

Statement of payment due December 31, 1935.
Ante, p. 687.

"(3) Each bank which becomes an insured bank according to the provisions of subsection (e) or (f) of this section shall, on or before the 15th day of November 1935, file with the Corporation a certified statement under oath showing the amount of the assessment due to the Corporation for the period ending December 31, 1935, which shall be an amount equal to the product of one-third the annual assessment rate multiplied by the assessment base determined in accord-

Amount.

ance with paragraph (1) of this subsection, except that the assessment base shall be the average for the 31 days in the month of October 1935, and payment shall be made to the Corporation of the amount of the assessment so required to be certified. Each such bank shall, on or before the 15th day of January 1936, file with the Corporation a certified statement under oath showing the amount of the semiannual assessment due to the Corporation for the period ending June 30, 1936, which shall be an amount equal to the product of one-half the annual assessment rate multiplied by the assessment base determined in accordance with paragraph (1) of this subsection, except that the assessment base shall be the average for the days of the months of October, November and December of 1935, and payment shall be made to the Corporation of the amount of the assessment so required to be certified.

Payment.

Statement of payment due June 30, 1936; filing.

Amount.

Payment.

"(4) Each bank which becomes an insured bank after the effective date shall be relieved from complying with the provisions of paragraph (2) of this subsection until it has operated as an insured bank for a full semiannual period ending on June 30 or December 31 as the case may be. Each such bank, on or before the forty-fifth day after its first day of operation as an insured bank, shall file with the Corporation its first certified statement which shall be under oath and shall show the amount of the assessment base determined in accordance with paragraph (1) of this subsection, except that the assessment base shall be the average for the first thirty-one calendar days it operates as an insured bank. Each such certified statement shall also show as the amount of the first assessment due to the Corporation the prorated portion (for the period between its first day of operation as an insured bank and the next succeeding last day of June or December, as the case may be) of an amount equal to the product of one-half the annual assessment rate multiplied by the base required to be set forth on its first certified statement. Each bank which becomes an insured bank after the effective date which has not operated as an insured bank for a full semiannual period ending on June 30 or December 31, as the case may be, shall, on or before the 15th day of the first month thereafter (except that banks becoming insured in June or December shall have thirty-one additional days) file with the Corporation its second certified statement under oath showing the amount of the assessment base and the amount of the semiannual assessment due to the Corporation. Such assessment base and amount shall be determined in accordance with paragraph (1) of this subsection, except that if the bank became an insured bank in the month of December or June the assessment base shall be the average for the first thirty-one calendar days it operates as an insured bank, and except that if it became an insured bank in any other month than December or June the assessment base shall be the average for the days between its first day of operation as an insured bank and the next succeeding last day of June or December, as the case may be. Each bank required to file a certified statement under this paragraph shall pay to the Corporation the amount of the assessment the bank is required to certify.

Banks insured after effective date; provisions waived.

Certified statement to be filed.

Contents.

Computation of amount of first assessment.

Second certified statement; information to contain; time of filing.

Assessment base and amount due; determination of.
Ante, p. 688.

Payments.

"(5) Each bank which shall be and continue without application or approval an insured bank in accordance with the provisions of subsection (e) or (f) of this section, shall, in lieu of all right to refund (except as authorized in paragraph (3) of subsection (i)), be credited with any balance to which such bank shall become entitled upon the termination of the said Temporary Federal Deposit Insurance Fund or the Fund For Mutuals. The credit shall be applied by the Corporation toward the payment of the assessment next becoming due from such bank and upon succeeding assessments until the credit is exhausted.

Insured banks; balances credited to, upon termination of Funds.
Ante, p. 687.

Application of credit.

Suit to compel filing of statement.

"(6) Any insured bank which fails to file any certified statement required to be filed by it in connection with determining the amount of any assessment payable by the bank to the Corporation may be compelled to file such statement by mandatory injunction or other appropriate remedy in a suit brought for such purpose by the Corporation against the bank and any officer or officers thereof in any court of the United States of competent jurisdiction in the district or territory in which such bank is located.

Recovery by Corporation.

"(7) The Corporation, in a suit brought at law or in equity in any court of competent jurisdiction, shall be entitled to recover from any insured bank the amount of any unpaid assessment lawfully payable by such insured bank to the Corporation, whether or not such bank shall have filed any such certified statement and whether or not suit shall have been brought to compel the bank to file any such statement.

Forfeiture of privileges by national member or insured national nonmember banks.

"(8) Should any national member bank or any insured national nonmember bank fail to file any certified statement required to be filed by such bank under any provision of this subsection, or fail to pay any assessment required to be paid by such bank under any provision of this section, and should the bank not correct such failure within thirty days after written notice has been given by the Corporation to an officer of the bank, citing this paragraph, and stating that the bank has failed to file or pay as required by law, all the rights, privileges, and franchises of the bank granted to it under the National Bank Act or under the provisions of this Act, as amended, shall be thereby forfeited. Whether or not the penalty provided in this paragraph has been incurred shall be determined and adjudged in the manner provided in the sixth paragraph of section 2 of this Act, as amended. The remedies provided in this paragraph and in the two preceding paragraphs shall not be construed as limiting any other remedies against any insured bank, but shall be in addition thereto.

Vol. 38, p. 252; U. S. C., p. 405.
Remedies.

Trust funds; insurance of.

"(9) Trust funds held by an insured bank in a fiduciary capacity whether held in its trust or deposited in any other department or in another bank shall be insured in an amount not to exceed $5,000 for each trust estate, and when deposited by the fiduciary bank in another insured bank such trust funds shall be similarly insured to the fiduciary bank according to the trust estates represented. Notwithstanding any other provision of this section, such insurance shall be separate from and additional to that covering other deposits of the owners of such trust funds or the beneficiaries of such trust estates: *Provided*, That where the fiduciary bank deposits any of such trust funds in other insured banks, the amount so held by other insured banks on deposit shall not for the purpose of any certified statement required under paragraph (2), (3), or (4) of this subsection be considered to be a deposit liability of the fiduciary bank, but shall be considered to be a deposit liability of the bank in which such funds are so deposited by such fiduciary bank. The board of directors shall have power by regulation to prescribe the manner of reporting and of depositing such trust funds.

Proviso.
To be considered deposit liability of fiduciary bank.

Regulations respecting reporting and depositing.

Insured bank; termination of status as; notice required.

"(i) (1) Any insured bank (except a national member bank or State member bank) may, upon not less than ninety days' written notice to the Corporation, and to the Reconstruction Finance Corporation if it owns or holds as pledgee any preferred stock, capital notes, or debentures of such bank, terminate its status as an insured bank. Whenever the board of directors shall find that an insured bank or its directors or trustees have continued unsafe or unsound practices in conducting the business of such bank, or have knowingly or negligently permitted any of its officers or agents to violate any provision of any law or regulation to which the insured bank is

When bank continues unsound banking practices, etc.

subject, the board of directors shall first give to the Comptroller of the Currency in the case of a national bank or a District bank, to the authority having supervision of the bank in the case of a State bank, or to the Board of Governors of the Federal Reserve System in the case of a State member bank, a statement with respect to such practices or violations for the purpose of securing the correction thereof. Unless such correction shall be made within one hundred and twenty days or such shorter period of time as the Comptroller of the Currency, the State authority, or Board of Governors of the Federal Reserve System, as the case may be, shall require, the board of directors, if it shall determine to proceed further, shall give to the bank not less than thirty days' written notice of intention to terminate the status of the bank as an insured bank, and shall fix a time and place for a hearing before the board of directors or before a person designated by it to conduct such hearing, at which evidence may be produced, and upon such evidence the board of directors shall make written findings which shall be conclusive. Unless the bank shall appear at the hearing by a duly authorized representative, it shall be deemed to have consented to the termination of its status as an insured bank. If the board of directors shall find that any violation specified in such notice has been established, the board of directors may order that the insured status of the bank be terminated on a date subsequent to such finding and to the expiration of the time specified in such notice of intention. The Corporation may publish notice of such termination and the bank shall give notice of such termination to each of its depositors at his last address of record on the books of the bank, in such manner and at such time as the board of directors may find to be necessary and may order for the protection of depositors. After the termination of the insured status of any bank under the provisions of this paragraph, the insured deposits of each depositor in the bank on the date of such termination, less all subsequent withdrawals from any deposits of such depositor, shall continue for a period of two years to be insured, and the bank shall continue to pay to the Corporation assessments as in the case of an insured bank during such period. No additions to any such deposits and no new deposits in such bank made after the date of such termination shall be insured by the Corporation, and the bank shall not advertise or hold itself out as having insured deposits unless in the same connection it shall also state with equal prominence that such additions to deposits and new deposits made after such date are not so insured. Such bank shall, in all other respects, be subject to the duties and obligations of an insured bank for the period of two years from the date of such termination, and in the event that such bank shall be closed on account of inability to meet the demands of its depositors within such period of two years, the Corporation shall have the same powers and rights with respect to such bank as in case of an insured bank.

Notice to be given.

Notice of intention to terminate status when correction not made.

Hearing.

Bank failing to appear; effect.

Termination of status when specified violations established. Date.

Publication of.

Insurance of deposits thereafter.

Payment of assessments.

New deposits and additions.

Status of bank during insured period.

"(2) Whenever the insured status of a State member bank shall be terminated by action of the board of directors, the Board of Governors of the Federal Reserve System shall terminate its membership in the Federal Reserve System in accordance with the provisions of section 9 of this Act, and whenever the insured status of a national member bank shall be so terminated the Comptroller of the Currency shall appoint a receiver for the bank, which shall be the Corporation whenever the bank shall be unable to meet the demands of its depositors. Whenever a member bank shall cease to be a member of the Federal Reserve System, its status as an insured bank shall, without notice or other action by the board of directors, terminate on the date the bank shall cease to be a member of the Federal Reserve

Termination of membership in Federal Reserve System.

Vol. 38, p. 260; U. S. C., p. 390.

Appointment of receiver.

Termination of insured status when membership ceases.

System, with like effect as if its insured status had been terminated on said date by the board of directors after proceedings under paragraph (1) of this subsection.

Election of nonmember bank to discontinue insured status.

"(3) If any nonmember bank which becomes an insured bank under the provisions of paragraph (1) of subsection (f) of this section shall elect, within thirty days after the effective date, not to continue as an insured bank, and shall within such period give written notice to the Corporation of its election, in accordance with regulations to be prescribed by the board of directors, and to the Reconstruction Finance Corporation if it owns or holds as pledgee any preferred stock, capital notes, or debentures of such bank, it shall cease to be an insured bank and cease to be subject to the provisions of this section and the rights of the bank (including its right to any refund) shall be as provided by law existing prior to the effective date. The board of directors shall cause notice of termination of insurance to be given to the depositors of such bank by publication or otherwise as the board of directors may determine, and the deposits in such bank shall continue to be insured for twenty days beyond such thirty day period.

Notice required.

Notice to depositors.

Assumption of liabilities of insured bank by another insured bank.

"(4) Whenever the liabilities of an insured bank for deposits shall have been assumed by another insured bank or banks, the insured status of the bank whose liabilities are so assumed shall terminate on the date of receipt by the Corporation of satisfactory evidence of such assumption with like effect as if its insured status had been terminated on said date by the board of directors after proceedings under paragraph (1) of this subsection: *Provided*, That if the bank whose liabilities are so assumed gives to its depositors notice of such assumption within thirty days after such assumption takes effect, by publication or by any reasonable means, in accordance with regulations to be prescribed by the board of directors, the insurance of its deposits shall terminate at the end of six months from the date such assumption takes effect, and such bank shall thereupon be relieved of all future obligations to the Corporation, including the obligation to pay future assessments.

Proviso.
Termination of insurance; when; notice to depositors.

Corporate powers.

"(j) Upon the date of enactment of the Banking Act of 1933, the Corporation shall become a body corporate and as such shall have power—

Seal.

"First. To adopt and use a corporate seal.

Succession.

"Second. To have succession until dissolved by an Act of Congress.

Contracts.

"Third. To make contracts.

Suits.

"Fourth. To sue and be sued, complain and defend, in any court of law or equity, State or Federal. All suits of a civil nature at common law or in equity to which the Corporation shall be a party shall be deemed to arise under the laws of the United States: *Provided*, That any such suit to which the Corporation is a party in its capacity as receiver of a State bank and which involves only the rights or obligations of depositors, creditors, stockholders and such State bank under State law shall not be deemed to arise under the laws of the United States. No attachment or execution shall be issued against the Corporation or its property before final judgment in any suit, action, or proceeding in any State, county, municipal, or United States court. The board of directors shall designate an agent upon whom service of process may be made in any State, Territory, or jurisdiction in which any insured bank is located.

Proviso.
When Corporation a party as receiver, etc.

Issue of attachment or execution against Corporation.

Designation of agent for service of process.

Personnel; appointment; compensation; bonds; etc.

"Fifth. To appoint by its board of directors such officers and employees as are not otherwise provided for in this section, to define their duties, fix their compensation, require bonds of them and fix the penalty thereof, and to dismiss at pleasure such officers or employees. Nothing in this or any other Act shall be construed to

prevent the appointment and compensation as an officer or employee of the Corporation of any officer or employee of the United States in any board, commission, independent establishment, or executive department thereof.

Bylaws.

"Sixth. To prescribe by its board of directors, bylaws not inconsistent with law, regulating the manner in which its general business may be conducted, and the privileges granted to it by law may be exercised and enjoyed.

Exercise of powers.

"Seventh. To exercise by its board of directors, or duly authorized officers or agents, all powers specifically granted by the provisions of this section and such incidental powers as shall be necessary to carry out the powers so granted.

Examinations.

"Eighth. To make examinations of and to require information and reports from banks, as provided in this section.

Act as receiver.

"Ninth. To act as receiver.

Rules and regulations.

"Tenth. To prescribe by its board of directors such rules and regulations as it may deem necessary to carry out the provisions of this section.

Administration of Corporation.

"(k) (1) The board of directors shall administer the affairs of the Corporation fairly and impartially and without discrimination. The board of directors of the Corporation shall determine and prescribe the manner in which its obligations shall be incurred and its expenses allowed and paid. The Corporation shall be entitled to the free use of the United States mails in the same manner as the executive departments of the Government. The Corporation with the consent of any Federal Reserve bank or of any board, commission, independent establishment, or executive department of the Government, including any field service thereof, may avail itself of the use of information, services, and facilities thereof in carrying out the provisions of this section.

Franking privilege.

Cooperation of Federal agencies.

Examiners; appointment and powers.

"(2) The board of directors shall appoint examiners who shall have power, on behalf of the Corporation, to examine any insured State nonmember bank (except a District bank), any State nonmember bank making application to become an insured bank, and any closed insured bank, whenever in the judgment of the board of directors an examination of the bank is necessary. Such examiners shall have like power to examine, with the written consent of the Comptroller of the Currency, any national bank or District bank, and, with the written consent of the Board of Governors of the Federal Reserve System, any State member bank. Each such examiner shall have power to make a thorough examination of all the affairs of the bank and in doing so he shall have power to administer oaths and to examine and take and preserve the testimony of any of the officers and agents thereof, and shall make a full and detailed report of the condition of the bank to the Corporation. The board of directors in like manner shall appoint claim agents who shall have power to investigate and examine all claims for insured deposits and transferred deposits. Each claim agent shall have power to administer oaths and to examine under oath and take and preserve the testimony of any persons relating to such claims. The provisions of sections 184 to 186 (both inclusive) of the Revised Statutes (U. S. C., title 5, secs. 94 to 96) are hereby extended to examinations and investigations authorized by this paragraph.

Claim agents; appointment and powers.

R. S., secs. 184–186, p. 29; U. S. C., p. 43.

Reports of insured State nonmember banks.

Publication.

"(3) Each insured State nonmember bank (except a District bank) shall make to the Corporation reports of condition in such form and at such times as the board of directors may require. The board of directors may require such reports to be published in such manner, not inconsistent with any applicable law, as it may direct. Every such bank which fails to make or publish any such report within

Penalty on failure to publish.

such time, not less than five days, as the board of directors may require, shall be subject to a penalty of not more than $100 for each day of such failure recoverable by the Corporation for its use.

Reports of examinations and conditions; access to.

"(4) The Corporation shall have access to reports of examinations made by, and reports of condition made to, the Comptroller of the Currency or any Federal Reserve bank, may accept any report made by or to any commission, board, or authority having supervision of a State nonmember bank (except a District bank), and may furnish to the Comptroller of the Currency, to any Federal Reserve bank, and to any such commission, board, or authority, reports of examinations made on behalf of, and reports of condition made to, the Corporation.

Permanent Insurance Fund; created.

"(1) (1) The Temporary Federal Deposit Insurance Fund and the Fund For Mutuals heretofore created pursuant to the provisions of this section are hereby consolidated into a Permanent Insurance Fund for insuring deposits, and the assets therein shall be held by the Corporation for the uses and purposes of the Corporation: *Provided*,

Provisos.
Obligations to remain unimpaired.

That the obligations to and rights of the Corporation, depositors, banks, and other persons arising out of any event or transaction prior to the effective date shall remain unimpaired. On and after the effective date, the Corporation shall insure the deposits of all

Insurance of deposits of insured banks.

Deposits applicable to.

insured banks as provided in this section: *Provided*, That the insurance shall apply only to deposits of insured banks which have been made available since March 10, 1933, for withdrawal in the usual

When deposits not insured.

course of the banking business: *Provided further*, That if any insured bank shall, without the consent of the Corporation, release or modify restrictions on or deferments of deposits which had not been made available for withdrawal in the usual course of the banking business on or before the effective date, such deposits shall not be insured.

Maximum amount of insured deposits.

The maximum amount of the insured deposit of any depositor shall be $5,000. The Corporation, in the discretion of the board of directors, may open on its books solely for the benefit of mutual savings banks and depositors therein a separate Fund For Mutuals. If such Fund is opened, all assessments upon mutual savings banks shall be paid into such Fund and the Permanent Insurance Fund of the Corporation shall cease to be liable for insurance losses sustained in

Mutual savings banks; separate Fund for mutuals may be opened for benefit of.

Payments into Fund.

Proviso.
Liability for insurance losses; expenses of operation.

mutual savings banks: *Provided*, That the capital assets of the Corporation shall be so liable and all expenses of operation of the Corporation shall be allocated between such Funds on an equitable basis.

When insured bank deemed closed.

"(2) For the purposes of this section, an insured bank shall be deemed to have been closed on account of inability to meet the demands of its depositors in any case in which it has been closed for the purpose of liquidation without adequate provision being made for payment of its depositors.

Appointment of Corporation as receiver.

"(3) Notwithstanding any other provision of law, whenever any insured national bank or insured District bank shall have been closed by action of its board of directors, or by the Comptroller of the Currency, as the case may be, on account of inability to meet the demands of its depositors, the Comptroller of the Currency shall appoint the Corporation receiver for such closed bank, and no other person shall be appointed as receiver of such closed bank.

Duties of Corporation.

"(4) It shall be the duty of the Corporation as such receiver to realize upon the assets of such closed bank, having due regard to the condition of credit in the locality; to enforce the individual liability of the stockholders and directors thereof; and to wind up the affairs of such closed bank in conformity with the provisions of law relating to the liquidation of closed national banks, except as herein otherwise provided. The Corporation shall retain for its own account

Right to retain portion of amounts realized.

such portion of the amounts realized from such liquidation as it shall be entitled to receive on account of its subrogation to the claims of

depositors, and it shall pay to depositors and other creditors the net amounts available for distribution to them. With respect to any such closed bank, the Corporation as such receiver shall have all the rights, powers, and privileges now possessed by or hereafter granted by law to a receiver of an insolvent national bank.

Rights as receiver.

"(5) Whenever any insured State bank (except a District bank) shall have been closed by action of its board of directors or by the authority having supervision of such bank, as the case may be, on account of inability to meet the demands of its depositors, the Corporation shall accept appointment as receiver thereof, if such appointment is tendered by the authority having supervision of such bank and is authorized or permitted by State law. With respect to any such insured State bank, the Corporation as such receiver shall possess all the rights, powers and privileges granted by State law to a receiver of a State bank.

Closed insured State bank; acceptance of appointment as receiver.

Rights, etc.

"(6) Whenever an insured bank shall have been closed on account of inability to meet the demands of its depositors, payment of the insured deposits in such bank shall be made by the Corporation as soon as possible, subject to the provisions of paragraph (7) of this subsection, either (A) by making available to each depositor a transferred deposit in a new bank in the same community or in another insured bank in an amount equal to the insured deposit of such depositor and subject to withdrawal on demand, or (B) in such other manner as the board of directors may prescribe: *Provided*, That the Corporation, in its discretion, may require proof of claims to be filed before paying the insured deposits, and that in any case where the Corporation is not satisfied as to the validity of a claim for an insured deposit, it may require the final determination of a court of competent jurisdiction before paying such claim.

Payment of insured deposits.

Methods.

Proviso. Proof of claims.

"(7) In the case of a closed national bank or District bank, the Corporation, upon the payment of any depositor as provided in paragraph (6) of this subsection, shall be subrogated to all rights of the depositor against the closed bank to the extent of such payment. In the case of any other closed insured bank, the Corporation shall not make any payment to any depositor until the right of the Corporation to be subrogated to the rights of such depositor on the same basis as provided in the case of a closed national bank under this section shall have been recognized either by express provision of State law, by allowance of claims by the authority having supervision of such bank, by assignment of claims by depositors, or by any other effective method. In the case of any closed insured bank, such subrogation shall include the right on the part of the Corporation to receive the same dividends from the proceeds of the assets of such closed bank and recoveries on account of stockholders' liability as would have been payable to the depositor on a claim for the insured deposit, but such depositor shall retain his claim for any uninsured portion of his deposit: *Provided*, That the rights of depositors and other creditors of any State bank shall be determined in accordance with the applicable provisions of State law.

Closed national or District banks; Corporation subrogated to rights of paid depositors.

Other closed insured banks.

Right of Corporation to receive dividends.

Proviso. State laws to determine creditors' rights.

"(8) As soon as possible after the closing of an insured bank, the Corporation, if it finds that it is advisable and in the interest of the depositors of the closed bank or the public, shall organize a new national bank to assume the insured deposits of such closed bank and otherwise to perform temporarily the functions hereinafter provided for. The new bank shall have its place of business in the same community as the closed bank.

New national banks; organization.

Assumption of insured deposits of closed bank.

Place of business.

"(9) The articles of association and the organization certificate of the new bank shall be executed by representatives designated by the Corporation. No capital stock need be paid in by the Corporation.

Articles of association and organization certificate; execution.

Capital stock.

Management.

The new bank shall not have a board of directors, but shall be managed by an executive officer appointed by the board of directors of the Corporation who shall be subject to its directions. In all other respects the new bank shall be organized in accordance with the then existing provisions of law relating to the organization of national banking associations. The new bank may, with the approval of the Corporation, accept new deposits which shall be subject to withdrawal on demand and which, except where the new bank is the only bank in the community, shall not exceed $5,000 from any depositor. The new bank, without application to or approval by the Corporation, shall be an insured bank and shall maintain on deposit with the Federal Reserve bank of its district reserves in the amount required by law for member banks, but it shall not be required to subscribe for stock of the Federal Reserve bank. Funds of the new bank shall be kept on hand in cash, invested in obligations of the United States, or in obligations guaranteed as to principal and interest by the United States, or deposited with the Corporation, with a Federal Reserve bank, or, to the extent of the insurance coverage thereon, with an insured bank. The new bank, unless otherwise authorized by the Comptroller of the Currency, shall transact no business except that authorized by this section and as may be incidental to its organization. Notwithstanding any other provision of law the new bank, its franchise, property, and income shall be exempt from all taxation now or hereafter imposed by the United States, by any Territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority.

Acceptance of new deposits.

Restriction on amount.

Insured status of new bank.

Funds; cash requirement; investments.

Restriction on transaction of business.

Tax exemptions.

Payment of insured deposits; amount made available.

"(10) Upon the organization of a new bank, the Corporation shall promptly make available to it an amount equal to the estimated insured deposits of such closed bank plus the estimated amount of the expenses of operating the new bank, and shall determine as soon as possible the amount due each depositor for his insured deposit in the closed bank, and the total expenses of operation of the new bank. Upon such determination, the amounts so estimated and made available shall be adjusted to conform to the amounts so determined. Earnings of the new bank shall be paid over or credited to the Corporation in such adjustment. If any new bank, during the period it continues its status as such, sustains any losses with respect to which it is not effectively protected except by reason of being an insured bank, the Corporation shall furnish to it additional funds in the amount of such losses. The new bank shall assume as transferred deposits the payment of the insured deposits of such closed bank to each of it [1] depositors. Of the amounts so made available, the Corporation shall transfer to the new bank, in cash, such sums as may be necessary to enable it to meet its expenses of operation and immediate cash demands on such transferred deposits, and the remainder of such amounts shall be subject to withdrawal by the new bank on demand.

Earnings of new bank.

Amounts made available for payment of losses.

Cash transfers.

Capital stock of new bank; sales authorized.

"(11) Whenever in the judgment of the board of directors it is desirable to do so, the Corporation shall cause capital stock of the new bank to be offered for sale on such terms and conditions as the board of directors shall deem advisable in an amount sufficient, in the opinion of the board of directors, to make possible the conduct of the business of the new bank on a sound basis, but in no event less than that required by section 5138 of the Revised Statutes, as amended (U. S. C., Supp. VII, title 12, sec. 51), for the organization of a national bank in the place where such new bank is located. The stockholders of the closed insured bank shall be given the first opportunity to purchase any shares of common stock so offered. Upon

R. S., sec. 5138, p. 993; U. S. C., p. 355.

Priority right of stockholders of closed insured bank.

[1] So in original.

When capital stock subscribed for and paid in.

proof that an adequate amount of capital stock in the new bank has been subscribed and paid for in cash, the Comptroller of the Currency shall require the articles of association and the organization certificate to be amended to conform to the requirements for the organization of a national bank, and thereafter, when the requirements of law with respect to the organization of a national bank have been complied with, he shall issue to the bank a certificate of authority to commence business, and thereupon the bank shall cease to have the status of a new bank, shall be managed by directors elected by its own shareholders and may exercise all the powers granted by law, and it shall be subject to all the provisions of law relating to national banks. Such bank shall thereafter be an insured national bank, without certification to or approval by the Corporation.

Certificate of authority to commence business; issue.

Status as insured national bank.

When capital stock not offered for sale, etc.

"(12) If the capital stock of the new bank is not offered for sale, or if an adequate amount of capital for such new bank is not subscribed and paid for, the board of directors may offer to transfer its business to any insured bank in the same community which will take over its assets, assume its liabilities, and pay to the Corporation for such business such amount as the board of directors may deem adequate; or the board of directors in its discretion may change the location of the new bank to the office of the Corporation or to some other place or may at any time wind up its affairs as herein provided. Unless the capital stock of the new bank is sold or its assets are taken over and its liabilities are assumed by an insured bank as above provided within two years from the date of its organization, the Corporation shall wind up the affairs of such bank, after giving such notice, if any, as the Comptroller of the Currency may require, and shall certify to the Comptroller of the Currency the termination of the new bank. Thereafter the Corporation shall be liable for the obligations of such bank and shall be the owner of its assets. The provisions of sections 5220 and 5221 of the Revised Statutes (U. S. C., title 12, secs. 181 and 182) shall not apply to such new banks.

Termination of new bank.

Notice and certification.

Liability for obligations.

R. S., secs. 5220, 5221, p. 1010; U. S. C., p. 371.

Administration of receivership when Corporation is receiver.

"(m) (1) The Corporation as receiver of a closed national bank or District bank shall not be required to furnish bond and shall have the right to appoint an agent or agents to assist it in its duties as such receiver, and all fees, compensation, and expenses of liquidation and administration thereof shall be fixed by the Corporation, subject to the approval of the Comptroller of the Currency, and may be paid by it out of funds coming into its possession as such receiver. The Comptroller of the Currency is authorized and empowered to waive and relieve the Corporation from complying with any regulations of the Comptroller of the Currency with respect to receiverships where in his discretion such action is deemed advisable to simplify administration.

Discharge of insurer liability when payment of insured deposit made.

"(2) Payment of an insured deposit to any person by the Corporation shall discharge the Corporation, and payment of a transferred deposit to any person by the new bank or by an insured bank in which a transferred deposit has been made available shall discharge the Corporation and such new bank or other insured bank, to the same extent that payment to such person by the closed bank would have discharged it from liability for the insured deposit.

Limitation on insurer liability.

"(3) Except as otherwise prescribed by the board of directors, neither the Corporation nor such new bank or other insured bank shall be required to recognize as the owner of any portion of a deposit appearing on the records of the closed bank under a name other than that of the claimant, any person whose name or interest as such owner is not disclosed on the records of such closed bank as part owner of said deposit, if such recognition would increase the aggregate amount of the insured deposits in such closed bank.

Withholding amount to satisfy stockholder's liability.

"(4) The Corporation may withhold payment of such portion of the insured deposit of any depositor in a closed bank as may be required to provide for the payment of any liability of such depositor as a stockholder of the closed bank, or of any liability of such depositor to the closed bank or its receiver, which is not offset against a claim due from such bank, pending the determination and payment of such liability by such depositor or any other person liable therefor.

Depositors' claims not made timely.

"(5) If, after the Corporation shall have given at least three months' notice to the depositor by mailing a copy thereof to his last known address appearing on the records of the closed bank, any depositor in the closed bank shall fail to claim his insured deposit from the Corporation within eighteen months after the appointment of the receiver for the closed bank, or shall fail within such period to claim or arrange to continue the transferred deposit with the new bank or with the other insured bank which assumes liability therefor, all rights of the depositor against the Corporation with respect to the insured deposit, and against the new bank and such other insured bank with respect to the transferred deposit, shall be barred, and all rights of the depositor against the closed bank and its shareholders, or the receivership estate to which the Corporation may have become subrogated, shall thereupon revert to the depositor. The amount of any transferred deposits not claimed within such eighteen months' period, shall be refunded to the Corporation.

Rights against Corporation, etc., barred.

Unclaimed transferred deposits.

Money of Corporation; investment or deposit.

"(n) (1) Money of the Corporation not otherwise employed shall be invested in obligations of the United States or in obligations guaranteed as to principal and interest by the United States, except that for temporary periods, in the discretion of the board of directors, funds of the Corporation may be deposited in any Federal Reserve bank or with the Treasurer of the United States. When designated for that purpose by the Secretary of the Treasury, the Corporation shall be a depositary of public moneys, except receipts from customs, under such regulations as may be prescribed by the said Secretary, and may also be employed as a financial agent of the Government. It shall perform all such reasonable duties as depositary of public moneys and financial agent of the Government as may be required of it.

Designation of Corporation as depositary of public moneys.

Employment as Government financial agent.
Duties.

Loans to closed national and State member banks.

"(2) Nothing contained in this section shall be construed to prevent the Corporation from making loans to national banks closed by action of the Comptroller of the Currency, or by vote of their directors, or to State member banks closed by action of the appropriate State authorities, or by vote of their directors, or from entering into negotiations to secure the reopening of such banks.

Sale of assets of closed insured banks to Corporation.

Permission required.

"(3) Receivers or liquidators of insured banks closed on account of inability to meet the demands of their depositors shall be entitled to offer the assets of such banks for sale to the Corporation or as security for loans from the Corporation, upon receiving permission from the appropriate State authority in accordance with express provisions of State law in the case of insured State banks, or from the Comptroller of the Currency in the case of national banks or District banks. The proceeds of every such sale or loan shall be utilized for the same purposes and in the same manner as other funds realized from the liquidation of the assets of such banks. The Comptroller of the Currency may, in his discretion, pay dividends on proved claims at any time after the expiration of the period of advertisement made pursuant to section 5235 of the Revised Statutes (U. S. C., title 12, sec. 193), and no liability shall attach to the Comptroller of the Currency or to the receiver of any national bank by reason of any such payment for failure to pay dividends to a claimant whose claim is not proved at the time of any such payment.

Proceeds of sale or loan; use.

Dividend payments on proved claims.
Period of advertisement.
R. S., sec. 5235, p. 1012; U. S. C., p. 372.

The Corporation, in its discretion, may make loans on the security of or may purchase and liquidate or sell any part of the assets of an insured bank which is now or may hereafter be closed on account of inability to meet the demands of its depositors, but in any case in which the Corporation is acting as receiver of a closed insured bank, no such loan or purchase shall be made without the approval of a court of competent jurisdiction.

Authority of Corporation to assist closed insured banks.

"(4) Until July 1, 1936, whenever in the judgment of the board of directors such action will reduce the risk or avert a threatened loss to the Corporation and will facilitate a merger or consolidation of an insured bank with another insured bank, or will facilitate the sale of the assets of an open or closed insured bank to and assumption of its liabilities by another insured bank, the Corporation may, upon such terms and conditions as it may determine, make loans secured in whole or in part by assets of an open or closed insured bank, which loans may be in subordination to the rights of depositors and other creditors, or the Corporation may purchase any such assets or may guarantee any other insured bank against loss by reason of its assuming the liabilities and purchasing the assets of an open or closed insured bank. Any insured national bank or District bank, or, with the approval of the Comptroller of the Currency, any receiver thereof, is authorized to contract for such sales or loans and to pledge any assets of the bank to secure such loans.

Loans to avert threatened loss to Corporation; facilitate mergers. *Post*, p. 1237.

Security.

Guaranty of insured bank against loss through assumption of liabilities of closed bank.

Contracts for sales or loans.

"(o) (1) The Corporation is authorized and empowered to issue and to have outstanding its notes, debentures, bonds, or other such obligations, in a par amount aggregating not more than three times the amount received by the Corporation in payment of its capital stock and in payment of the assessments upon insured banks for the year 1936. The notes, debentures, bonds, and other such obligations issued under this subsection shall be redeemable at the option of the Corporation before maturity in such manner as may be stipulated in such obligations, and shall bear such rate or rates of interest, and shall mature at such time or times, as may be determined by the Corporation: *Provided*, That the Corporation may sell on a discount basis short-term obligations payable at maturity without interest. The notes, debentures, bonds, and other such obligations of the Corporation may be secured by assets of the Corporation in such manner as shall be prescribed by its board of directors. Such obligations may be offered for sale at such price or prices as the Corporation may determine.

Obligations of Corporation; issue and aggregate amount.

Redemption.

Interest rate; maturity.

Proviso.
Short-term obligations.

Security.

Sale price.

"(2) The Secretary of the Treasury, in his discretion, is authorized to purchase any obligations of the Corporation to be issued hereunder, and for such purpose the Secretary of the Treasury is authorized to use as a public-debt transaction the proceeds of the sale of any securities hereafter issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under the Second Liberty Bond Act, as amended, are extended to include such purchases: *Provided*, That if the Reconstruction Finance Corporation fails for any reason to purchase any of the obligations of the Corporation as provided in subsection (b) of section 5e of the Reconstruction Finance Corporation Act, as amended, the Secretary of the Treasury is authorized and directed to purchase such obligations in an amount equal to the amount of such obligations the Reconstruction Finance Corporation so fails to purchase: *Provided further*, That the Secretary of the Treasury is authorized and directed, whenever in the judgment of the board of directors of the Corporation additional funds are required for insurance purposes, to purchase obligations of the Corporation in an additional amount of

Purchase of Corporation obligations by Secretary of Treasury.

Vol. 40, p. 288; U. S. C., p. 1419.
Ante, pp. 20, 622.

Provisos.
When Reconstruction Finance Corporation fails to purchase.
Vol. 48, p. 971; *Ante*, p. 3.

Aggregate amount.

Use of proceeds by Corporation.

not to exceed $250,000,000 par value: *Provided further*, That the proceeds derived from the purchase by the Secretary of the Treasury of any such obligations shall be used by the Corporation solely in carrying out its functions with respect to such insurance. The Secretary of the Treasury may, at any time, sell any of the obligations of the Corporation acquired by him under this subsection. All redemptions, purchases, and sales by the Secretary of the Treasury of the obligations of the Corporation shall be treated as public-debt transactions of the United States.

Resale of obligations by Secretary of Treasury.

Tax exemptions; Corporation obligations.

"(p) All notes, debentures, bonds, or other such obligations issued by the Corporation shall be exempt, both as to principal and interest, from all taxation (except estate and inheritance taxes) now or hereafter imposed by the United States, by any Territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority. The Corporation, including its franchise, its capital, reserves, and surplus, and its income, shall be exempt from all taxation now or hereafter imposed by the United States, by any Territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority, except that any real property of the Corporation shall be subject to State, Territorial, county, municipal, or local taxation to the same extent according to its value as the other real property is taxed.

Franchise, etc.

Preparation of note, debenture, etc., forms.

"(q) In order that the Corporation may be supplied with such forms of notes, debentures, bonds, or other such obligations as it may need for issuance under this Act, the Secretary of the Treasury is authorized to prepare such forms as shall be suitable and approved by the Corporation, to be held in the Treasury subject to delivery, upon order of the Corporation. The engraved plate, dies, bed pieces, and other material executed in connection therewith shall remain in the custody of the Secretary of the Treasury. The Corporation shall reimburse the Secretary of the Treasury for any expenses incurred in the preparation, custody, and delivery of such notes, debentures, bonds, or other such obligations.

Custody of engraved plate, dies, etc.

Reimbursement for expenses.

Annual report of Corporation.

"(r) The Corporation shall annually make a report of its operations to the Congress as soon as practicable after the 1st day of January in each year.

Penalty provisions.

False statements.

"(s) Whoever, for the purpose of obtaining any loan from the Corporation, or any extension or renewal thereof, or the acceptance, release, or substitution of security therefor, or for the purpose of inducing the Corporation to purchase any assets, or for the purpose of obtaining the payment of any insured deposit or transferred deposit or the allowance, approval, or payment of any claim, or for the purpose of influencing in any way the action of the Corporation under this section, makes any statement, knowing it to be false, or willfully overvalues any security, shall be punished by a fine of not more than $5,000, or by imprisonment for not more than two years or both.

Willful overvaluation of securities.

Counterfeiting obligations of Corporation.

"(t) Whoever (1) falsely makes, forges, or counterfeits any obligation or coupon, in imitation of or purporting to be an obligation or coupon issued by the Corporation, or (2) passes, utters, or publishes, or attempts to pass, utter, or publish, any false, forged, or counterfeited obligation or coupon purporting to have been issued by the Corporation, knowing the same to be false, forged, or counterfeited, or (3) falsely alters any obligation or coupon issued or purporting to have been issued by the Corporation, or (4) passes, utters, or publishes, or attempts to pass, utter, or publish, as true, any falsely altered or spurious obligation or coupon, issued or purporting to have been issued by the Corporation, knowing the same to be falsely altered or spurious, shall be punished by a fine of not more than $10,000, or by imprisonment for not more than five years, or both.

Embezzlement, etc.

"(u) Whoever, being connected in any capacity with the Corporation, (1) embezzles, abstracts, purloins, or willfully misapplies any moneys, funds, securities, or other things of value, whether belonging to it or pledged, or otherwise entrusted to it, or (2) with intent to defraud the Corporation or any other body, politic or corporate, or any individual, or to deceive any officer, auditor, or examiner of the Corporation, makes any false entry in any book, report, or statement of or to the Corporation, or without being duly authorized draws any order or issues, puts forth, or assigns any note, debenture, bond, or other such obligation, or draft, bill of exchange, mortgage, judgment, or decree thereof, shall be punished by a fine of not more than $10,000, or by imprisonment for not more than five years, or both.

"Federal Deposit Insurance Corporation", exclusive use of term.

"(v) (1) No individual, association, partnership, or corporation shall use the words 'Federal Deposit Insurance Corporation', or a combination of any three of these four words, as the name or a part thereof under which he or it shall do business. No individual, association, partnership, or corporation shall advertise or otherwise represent falsely by any device whatsoever that his or its deposit liabilities are insured or in anywise guaranteed by the Federal Deposit Insurance Corporation or by the United States or any instrumentality thereof; and no insured bank shall advertise or otherwise represent falsely by any device whatsoever the extent to which or the manner in which its deposit liabilities are insured by the Federal Deposit Insurance Corporation. Every individual, partnership, association, or corporation violating this subsection shall be punished by a fine of not exceeding $1,000, or by imprisonment not exceeding one year, or both.

False advertising.

Display of sign indicating insured status.
Vol. 48, p. 970.
Advertisements.
Regulations.

"(2) Every insured bank shall display at each place of business maintained by it a sign or signs, and shall include in advertisements relating to deposits a statement to the effect that its deposits are insured by the Corporation. The board of directors shall prescribe by regulation the forms of such signs and the manner of display and the substance of such statements and the manner of use. For each day an insured bank continues to violate any provision of this paragraph or any lawful provision of said regulations, it shall be subject to a penalty of not more than $100, recoverable by the Corporation for its use.

Penalty for violation.

Restriction on dividend payment when assessment due Corporation in default.

"(3) No insured bank shall pay any dividends on its capital stock or interest on its capital notes or debentures (of such interest is required to be paid only out of net profits) while it remains in default in the payment of any assessment due to the Corporation; and any director or officer of any insured bank who participates in the declaration or payment of any such dividend shall, upon conviction, be fined not more than $1,000, or imprisoned not more than one year, or both: *Provided*, That if such default is due to a dispute between the insured bank and the Corporation over the amount of such assessment, this paragraph shall not apply, if such bank shall deposit security satisfactory to the Corporation for payment upon final determination of the issue.

Penalty for violation.

Proviso.
When amount of assessment in dispute.

Merger of insured and noninsured banks; consent required.

"(4) Unless, in addition to compliance with other provisions of law, it shall have the prior written consent of the Corporation, no insured bank shall enter into any consolidation or merger with any noninsured bank, or assume liability to pay any deposits made in any noninsured bank, or transfer assets to any noninsured bank in consideration of the assumption of liability for any portion of the deposits made in such insured bank, and no insured State nonmember bank (except a District bank) without such consent shall reduce

the amount or retire any part of its common or preferred capital stock, or retire any part of its capital notes or debentures.

Branch banks; establishing or moving to new location; consent required.

"(5) No State nonmember insured bank (except a District bank) shall establish and operate any new branch after thirty days after the effective date unless it shall have the prior written consent of the Corporation, and no branch of any State nonmember insured bank shall be moved from one location to another after thirty days after the effective date without such consent. The factors to be considered in granting or withholding the consent of the Corporation under this paragraph shall be those enumerated in subsection (g) of this section.

Indemnity protection of insured banks.

"(6) The Corporation may require any insured bank to provide protection and indemnity against burglary, defalcation, and other similar insurable losses. Whenever any insured bank refuses to comply with any such requirement the Corporation may contract for such protection and indemnity and add the cost thereof to the assessment otherwise payable by such bank.

Publication of report of examination when recommendation not complied with.

"(7) Whenever any insured bank (except a national bank or a District bank), after written notice of the recommendations of the Corporation based on a report of examination of such bank by an examiner of the Corporation, shall fail to comply with such recommendations within one hundred and twenty days after such notice, the Corporation shall have the power, and is hereby authorized, to publish only such part of such report of examination as relates to any recommendation not complied with: *Provided*, That notice of intention to make such publication shall be given to the bank at least ninety days before such publication is made.

Proviso.
Notice of intention to publish.

Payment of interest on demand deposits; regulations to prohibit.

"(8) The board of directors shall by regulation prohibit the payment of interest on demand deposits in insured nonmember banks and for such purpose it may define the term 'demand deposits'; but such exceptions from this prohibition shall be made as are now or may hereafter be prescribed with respect to deposits payable on demand in member banks by section 19 of this Act, as amended, or by regulation of the Board of Governors of the Federal Reserve System. The board of directors shall from time to time limit by regulation the rates of interest or dividends which may be paid by insured nonmember banks on time and savings deposits, but such regulations shall be consistent with the contractual obligations of such banks to their depositors. For the purpose of fixing such rates of interest or dividends, the board of directors shall by regulation prescribe different rates for such payment on time and savings deposits having different maturities, or subject to different conditions respecting withdrawal or repayment, or subject to different conditions by reason of different locations, or according to the varying discount rates of member banks in the several Federal Reserve districts. The board of directors shall by regulation define what constitutes time and savings deposits in an insured nonmember bank. Such regulations shall prohibit any insured nonmember bank from paying any time deposit before its maturity except upon such conditions and in accordance with such rules and regulations as may be prescribed by the board of directors, and from waiving any requirement of notice before payment of any savings deposit except as to all savings deposits having the same requirement. For each violation of any provision of this paragraph or any lawful provision of such regulations relating to the payment of interest or dividends on deposits or to withdrawal of deposits, the offending bank shall be subject to a penalty or [1] not more than $100, recoverable by the Corporation for its use.

Exceptions.

Time and savings deposits; regulations.

Penalty for violations.

[1] So in original.

"(w) The provisions of sections 112, 113, 114, 115, 116, and 117 of the Criminal Code of the United States (U. S. C., title 18, ch. 5, secs. 202 to 207, inclusive), insofar as applicable, are extended to apply to contracts or agreements with the Corporation under this section, which for the purposes hereof shall be held to include loans, advances, extensions, and renewals thereof, and acceptances, releases, and substitutions of security therefor, purchases or sales of assets, and all contracts and agreements pertaining to the same.

Criminal Code of United States.
Vol. 35, p. 1108; U. S. C., p. 735.
Applicable to corporate contracts and agreements.

"(x) The Secret Service Division of the Treasury Department is authorized to detect, arrest, and deliver into the custody of the United States marshal having jurisdiction any person committing any of the offenses punishable under this section.

Secret Service Division, Treasury Department.
Detection, etc., of persons violating.

"(y) (1) No State bank which during the calendar year 1941 or any succeeding calendar year shall have average deposits of $1,000,000 or more shall be an insured bank or continue to have any part of its deposits insured after July 1 of the year following any such calendar year during which it shall have had such amount of average deposits, unless such bank shall be a member of the Federal Reserve System: *Provided*, That for the purposes of this paragraph the term 'State bank' shall not include a savings bank, a mutual savings bank, a Morris Plan bank or other incorporated banking institution engaged only in a business similar to that transacted by Morris Plan banks, a State trust company doing no commercial banking business, or a bank located in Hawaii, Alaska, Puerto Rico, or the Virgin Islands.

State banks; requirement of membership.
Proviso.
"State bank" construed.

"(2) It is not the purpose of this section to discriminate, in any manner, against State nonmember, and in favor of, national or member banks; but the purpose is to provide all banks with the same opportunity to obtain and enjoy the benefits of this section. No bank shall be discriminated against because its capital stock is less than the amount required for eligibility for admission into the Federal Reserve System.

Purpose of section.
Discriminations prohibited.

"(z) The provisions of this section limiting the insurance of the deposits of any depositor to a maximum less than the full amount shall be independent and separable from each and all of the provisions of this section."

Separability provision.

TITLE II—AMENDMENTS TO THE FEDERAL RESERVE ACT

Title II—Federal Reserve Act, amendments.

SECTION 201. Paragraph "Fifth" of section 4 of the Federal Reserve Act, as amended, is amended, effective March 1, 1936, to read as follows:

Corporate powers of Federal Reserve banks.
Vol. 38, p. 254; U. S. C., p. 392.

"Fifth. To appoint by its board of directors a president, vice presidents, and such officers and employees as are not otherwise provided for in this Act, to define their duties, require bonds for them and fix the penalty thereof, and to dismiss at pleasure such officers or employees. The president shall be the chief executive officer of the bank and shall be appointed by the board of directors, with the approval of the Board of Governors of the Federal Reserve System, for a term of five years; and all other executive officers and all employees of the bank shall be directly responsible to him. The first vice president of the bank shall be appointed in the same manner and for the same term as the president, and shall, in the absence or disability of the president or during a vacancy in the office of president, serve as chief executive officer of the bank. Whenever a vacancy shall occur in the office of the president or the first vice president, it shall be filled in the manner provided for original appointments; and the person so appointed shall hold office until the expiration of the term of his predecessor."

Board of directors; appointment of officers.
President; term of office.
First vice president.
Vacancies.

Vol. 38, p. 260; U. S. C., p. 389.

SEC. 202. Section 9 of the Federal Reserve Act, as amended, is amended by inserting after the tenth paragraph thereof the following new paragraph:

Admission to membership; waiver of requirements. Vol. 40, p. 234. *Ante*, p. 703.

"In order to facilitate the admission to membership in the Federal Reserve System of any State bank which is required under subsection (y) of section 12B of this Act to become a member of the Federal Reserve System in order to be an insured bank or continue to have any part of its deposits insured under such section 12B, the Board of Governors of the Federal Reserve System may waive in whole or in part the requirements of this section relating to the admission of such bank to membership: *Provided*, That, if such bank is admitted with a capital less than that required for the organization of a national bank in the same place and its capital and surplus are not, in the judgment of the Board of Governors of the Federal Reserve System, adequate in relation to its liabilities to depositors and other creditors, the said Board may, in its discretion, require such bank to increase its capital and surplus to such amount as the Board may deem necessary within such period prescribed by the Board as in its judgment shall be reasonable in view of all the circumstances: *Provided, however*, That no such bank shall be required to increase its capital to an amount in excess of that required for the organization of a national bank in the same place."

Provisos.
When bank admitted with capital less than required for national bank organization.

Restriction.

"Board of Governors of the Federal Reserve System", established. Vol. 42, p. 620.

SEC. 203. (a) Hereafter the Federal Reserve Board shall be known as the "Board of Governors of the Federal Reserve System", and the governor and the vice governor of the Federal Reserve Board shall be known as the "chairman" and the "vice chairman", respectively, of the Board of Governors of the Federal Reserve System.

Vol. 38, p. 260; U. S. C., p. 377.

(b) The first two paragraphs of section 10 of the Federal Reserve Act, as amended, are amended to read as follows:

Board of Governors; composition and appointment.

"SEC. 10. The Board of Governors of the Federal Reserve System (hereinafter referred to as the 'Board') shall be composed of seven members, to be appointed by the President, by and with the advice and consent of the Senate, after the date of enactment of the Banking Act of 1935, for terms of fourteen years except as hereinafter provided, but each appointive member of the Federal Reserve Board in office on such date shall continue to serve as a member of the Board until February 1, 1936, and the Secretary of the Treasury and the Comptroller of the Currency shall continue to serve as members of the Board until February 1, 1936. In selecting the members of the Board, not more than one of whom shall be selected from any one Federal Reserve district, the President shall have due regard to a fair representation of the financial, agricultural, industrial, and commercial interests, and geographical divisions of the country. The members of the Board shall devote their entire time to the business of the Board and shall each receive an annual salary of $15,000, payable monthly, together with actual necessary traveling expenses.

Terms of office.

Qualifications.

Restriction on other employment; salary.

Ineligibility to hold office in member banks.

"The members of the Board shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any member bank, except that this restriction shall not apply to a member who has served the full term for which he was appointed. Upon the expiration of the term of any appointive member of the Federal Reserve Board in office on the date of enactment of the Banking Act of 1935, the President shall fix the term of the successor to such member at not to exceed fourteen years, as designated by the President at the time of nomination, but in such manner as to provide for the expiration of the term of not more than one member in any two-year period, and thereafter each member shall hold office for a term of fourteen years from the expiration of the term of his predecessor, unless sooner removed for cause

Successors to members now serving; terms of office. Vol. 48, p. 166.

by the President. Of the persons thus appointed, one shall be designated by the President as chairman and one as vice chairman of the Board, to serve as such for a term of four years. The chairman of the Board, subject to its supervision, shall be its active executive officer. Each member of the Board shall within fifteen days after notice of appointment make and subscribe to the oath of office. Upon the expiration of their terms of office, members of the Board shall continue to serve until their successors are appointed and have qualified. Any person appointed as a member of the Board after the date of enactment of the Banking Act of 1935 shall not be eligible for reappointment as such member after he shall have served a full term of fourteen years."

Chairman; vice chairman.

Oath of office.

Service of member until successor appointed.

Reappointments.

(c) The fourth paragraph of section 10 of the Federal Reserve Act, as amended, is amended by striking out the second, third, and fourth sentences thereof and inserting in lieu thereof the following: "At meetings of the Board the chairman shall preside, and, in his absence, the vice chairman shall preside. In the absence of the chairman and the vice chairman, the Board shall elect a member to act as chairman pro tempore."

Vol. 38, p. 261; Vol. 48, p. 167.

Meetings of Board; presiding officer.

(d) Section 10 of the Federal Reserve Act, as amended, is further amended by adding at the end thereof the following new paragraph:

Vol. 38, p. 261; Vol. 42, p. 620.

"The Board of Governors of the Federal Reserve System shall keep a complete record of the action taken by the Board and by the Federal Open Market Committee upon all questions of policy relating to open-market operations and shall record therein the votes taken in connection with the determination of open-market policies and the reasons underlying the action of the Board and the Committee in each instance. The Board shall keep a similar record with respect to all questions of policy determined by the Board, and shall include in its annual report to the Congress a full account of the action so taken during the preceding year with respect to open-market policies and operations and with respect to the policies determined by it and shall include in such report a copy of the records required to be kept under the provisions of this paragraph."

Records to be kept by Board.

SEC. 204. Section 10 (b) of the Federal Reserve Act, as amended, is amended to read as follows:

Vol. 47, pp. 56, 794; Vol. 48, p. 7; U. S. C., p. 394.

"SEC. 10 (b). Any Federal Reserve bank, under rules and regulations prescribed by the Board of Governors of the Federal Reserve System, may make advances to any member bank on its time or demand notes having maturities of not more than four months and which are secured to the satisfaction of such Federal Reserve bank. Each such note shall bear interest at a rate not less than one-half of 1 per centum per annum higher than the highest discount rate in effect at such Federal Reserve bank on the date of such note."

Advances to individual member banks.

Security.

Interest rate.

SEC. 205. Section 12A of the Federal Reserve Act, as amended, is amended, effective March 1, 1936, to read as follows:

Vol. 48, p. 168; U. S. C., p. 380.

"SEC. 12A. (a) There is hereby created a Federal Open Market Committee (hereinafter referred to as the 'Committee'), which shall consist of the members of the Board of Governors of the Federal Reserve System and five representatives of the Federal Reserve banks to be selected as hereinafter provided. Such representatives of the Federal Reserve banks shall be elected annually as follows: One by the boards of directors of the Federal Reserve Banks of Boston and New York, one by the boards of directors of the Federal Reserve Banks of Philadelphia and Cleveland, one by the boards of directors of the Federal Reserve Banks of Chicago and Saint Louis, one by the boards of directors of the Federal Reserve Banks of Richmond, Atlanta, and Dallas, and one by the boards of directors of the Federal Reserve Banks of Minneapolis, Kansas City, and San Francisco. An alternate to serve in the absence of each

Federal Open Market Committee. Creation; membership.

Annual election of representatives.

Alternates.

such representative shall be elected annually in the same manner. The meetings of said Committee shall be held at Washington, District of Columbia, at least four times each year upon the call of the chairman of the Board of Governors of the Federal Reserve System or at the request of any three members of the Committee.

Meetings.

Regulations governing open-market transactions.
Vol. 38, p. 264; U. S. C., p. 396.

"(b) No Federal Reserve bank shall engage or decline to engage in open-market operations under section 14 of this Act except in accordance with the direction of and regulations adopted by the Committee. The Committee shall consider, adopt, and transmit to the several Federal Reserve banks, regulations relating to the open-market transactions of such banks.

"(c) The time, character, and volume of all purchases and sales of paper described in section 14 of this Act as eligible for open-market operations shall be governed with a view to accommodating commerce and business and with regard to their bearing upon the general credit situation of the country."

Vol. 38, p. 265; U. S. C., p. 396.
Purchase and sale of obligations of the United States in open market.

SEC. 206. (a) Subsection (b) of section 14 of the Federal Reserve Act, as amended, is amended by inserting before the semicolon at the end thereof a colon and the following: *Provided*, That any bonds, notes, or other obligations which are direct obligations of the United States or which are fully guaranteed by the United States as to principal and interest may be bought and sold without regard to maturities but only in the open market".

Vol. 38, p. 265; U. S. C., p. 396.
Discount rates; establishing.

(b) Subsection (d) of section 14 of the Federal Reserve Act, as amended, is amended by adding at the end thereof the following: "but each such bank shall establish such rates every fourteen days, or oftener if deemed necessary by the Board;".

Vol. 38, p. 270; Vol. 40, p. 239; Vol. 48, p. 54; U. S. C., p. 403.
Bank reserves; maintenance; changing requirements.

SEC. 207. The sixth paragraph of section 19 of the Federal Reserve Act, as amended, is amended to read as follows:

"Notwithstanding the other provisions of this section, the Board of Governors of the Federal Reserve System, upon the affirmative vote of not less than four of its members, in order to prevent injurious credit expansion or contraction, may by regulation change the requirements as to reserves to be maintained against demand or time deposits or both by member banks in reserve and central reserve cities or by member banks not in reserve or central reserve cities or by all member banks; but the amount of the reserves required to be maintained by any such member bank as a result of any such change shall not be less than the amount of the reserves required by law to be maintained by such bank on the date of enactment of the Banking Act of 1935 nor more than twice such amount."

Amount of.

Vol. 38, p. 273; U. S. C., p. 397.
Vol. 44, p. 1232.
Loans on farm lands and improved real estate by national banks.

SEC. 208. The first paragraph of section 24 of the Federal Reserve Act, as amended, is amended to read as follows:

"SEC. 24. Any national banking association may make real-estate loans secured by first liens upon improved real estate, including improved farm land and improved business and residential properties. A loan secured by real estate within the meaning of this section shall be in the form of an obligation or obligations secured by mortgage, trust deed, or other such instrument upon real estate, and any national banking association may purchase any obligation so secured when the entire amount of such obligation is sold to the association.

Form of obligation.

Amount of loan.

The amount of any such loan hereafter made shall not exceed 50 per centum of the appraised value of the real estate offered as security and no such loan shall be made for a longer term than five years; except that (1) any such loan may be made in an amount not to exceed 60 per centum of the appraised value of the real estate offered as security and for a term not longer than ten years if the loan is secured by an amortized mortgage, deed of trust, or other such instrument under the terms of which the installment payments are sufficient

Exceptions.

to amortize 40 per centum or more of the principal of the loan within a period of not more than ten years, and (2) the foregoing limitations and restrictions shall not prevent the renewal or extension of loans heretofore made and shall not apply to real-estate loans which are insured under the provisions of Title II of the National Housing Act. No such association shall make such loans in an aggregate sum in excess of the amount of the capital stock of such association paid in and unimpaired plus the amount of its unimpaired surplus fund, or in excess of 60 per centum of the amount of its time and savings deposits, whichever is the greater. Any such association may continue hereafter as heretofore to receive time and savings deposits and to pay interest on the same, but the rate of interest which such association may pay upon such time deposits or upon savings or other deposits shall not exceed the maximum rate authorized by law to be paid upon such deposits by State banks or trust companies organized under the laws of the State in which such association is located."

Vol. 48, p. 1247.

Aggregate amount of loans.

Time and savings deposits; interest rate.

SEC. 209. Section 325 of the Revised Statutes is amended to read as follows:

R. S., sec. 325, p. 54; U. S. C., p. 349.

"SEC. 325. The Comptroller of the Currency shall be appointed by the President, by and with the advice and consent of the Senate, and shall hold his office for a term of five years unless sooner removed by the President, upon reasons to be communicated by him to the Senate; and he shall receive a salary at the rate of $15,000 a year."

Comptroller of the Currency; appointment and term of office. Removal.

Salary. *Post*, p. 1125.

TITLE III—TECHNICAL AMENDMENTS TO THE BANKING LAWS

Title III—Technical Amendments to the Banking Laws.

SECTION 301. Subsection (c) of section 2 of the Banking Act of 1933, as amended, is amended by adding at the end thereof the following paragraph:

Banking Act of 1933. Vol. 48, p. 162; U. S. C., p. 376.

"Notwithstanding the foregoing, the term 'holding company affiliate' shall not include (except for the purposes of section 23A of the Federal Reserve Act, as amended) any corporation all of the stock of which is owned by the United States, or any organization which is determined by the Board of Governors of the Federal Reserve System not to be engaged, directly or indirectly, as a business in holding the stock of, or managing or controlling, banks, banking associations, savings banks, or trust companies."

"Holding company affiliate", construed. Vol. 48, p. 183; U. S. C., p. 397.

SEC. 302. The first paragraph of section 20 of the Banking Act of 1933, as amended, is amended by inserting before the period at the end thereof a colon and the following: "*Provided*, That nothing in this paragraph shall apply to any such organization which shall have been placed in formal liquidation and which shall transact no business except such as may be incidental to the liquidation of its affairs".

Vol. 48, p. 188; U. S. C., p. 399. Member bank affiliation with securities organization; organization in liquidation.

SEC. 303. (a) Paragraph (1) of subsection (a) of section 21 of the Banking Act of 1933, as amended, is amended by inserting before the semicolon at the end thereof a colon and the following: "*Provided*, That the provisions of this paragraph shall not prohibit national banks or State banks or trust companies (whether or not members of the Federal Reserve System) or other financial institutions or private bankers from dealing in, underwriting, purchasing, and selling investment securities to the extent permitted to national banking associations by the provisions of section 5136 of the Revised Statutes, as amended (U. S. C., title 12, sec. 24; Supp. VII, title 12, sec. 24): *Provided further*, That nothing in this paragraph shall be construed as affecting in any way such right as any bank, banking association, savings bank, trust company, or other banking institution, may otherwise possess to sell, without recourse or agreement to repurchase, obligations evidencing loans on real estate".

Vol. 48, p. 189; U. S. C., p. 399. Securities dealers engaging in banking business. Exceptions from prohibition.

R. S., sec. 5136, p. 993; U. S. C., p. 352.

Sales of mortgages.

Vol. 48, p. 189; U. S. C., p. 399.

(b) Paragraph (2) of subsection (a) of such section 21 is amended to read as follows:

Persons or organizations engaging in banking business.

"(2) For any person, firm, corporation, association, business trust, or other similar organization to engage, to any extent whatever with others than his or its officers, agents or employees, in the business of receiving deposits subject to check or to repayment upon presentation of a pass book, certificate of deposit, or other evidence of debt, or upon request of the depositor, unless such person, firm, corporation, association, business trust, or other similar organization (A) shall be incorporated under, and authorized to engage in such business by, the laws of the United States or of any State, Territory, or District, or (B) shall be permitted by any State, Territory, or District to engage in such business and shall be subjected by the law of such State, Territory, or District to examination and regulation, or (C) shall submit to periodic examination by the banking authority of the State, Territory, or District where such business is carried on and shall make and publish periodic reports of its condition, exhibiting in detail its resources and liabilities, such examination and reports to be made and published at the same times and in the same manner and under the same conditions as required by the law of such State, Territory, or District in the case of incorporated banking institutions engaged in such business in the same locality."

Authority required.

Vol. 48, p. 189; U. S. C., p. 358.

SEC. 304. Section 22 of the Banking Act of 1933, as amended, is amended by adding at the end thereof the following sentences: "Such additional liability shall cease on July 1, 1937, with respect to all shares issued by any association which shall be transacting the business of banking on July 1, 1937: *Provided*, That not less than six months prior to such date, such association shall have caused notice of such prospective termination of liability to be published in a newspaper published in the city, town, or county in which such association is located, and if no newspaper is published in such city, town, or county, then in a newspaper of general circulation therein. If the association fail to give such notice as and when above provided, a termination of such additional liability may thereafter be accomplished as of the date six month[1] subsequent to publication, in the manner above provided."

Double liability on national bank stock. Termination of.

Proviso. Publication of notice.

R. S., sec. 5155, p. 996; U. S. C., p. 354. Vol. 48, p. 189.

SEC. 305. Paragraph (c) of section 5155 of the Revised Statutes, as amended (U. S. C., Supp. VII, title 12, sec. 36), is amended (1) by inserting after the first sentence thereof the following new sentence: "In any State in which State banks are permitted by statute law to maintain branches within county or greater limits, if no bank is located and doing business in the place where the proposed agency is to be located, any national banking association situated in such State may, with the approval of the Comptroller of the Currency, establish and operate, without regard to the capital requirements of this section, a seasonal agency in any resort community within the limits of the county in which the main office of such association is located, for the purpose of receiving and paying out deposits, issuing and cashing checks and drafts, and doing business incident thereto: *Provided*, That any permit issued under this sentence shall be revoked upon the opening of a State or national bank in such community."; and (2) by striking out the first word in the last sentence of such paragraph (c) and inserting in lieu thereof the following: "Except as provided in the immediately preceding sentence, no".

National bank agency; establishment in resort community.

Proviso. Revocation of permit; when. Restriction on establishing branch banks.

Vol. 48, p. 971.

SEC. 306. Section 4 of the Act entitled "An Act to amend section 12B of the Federal Reserve Act so as to extend for one year the temporary plan for deposit insurance, and for other purposes", approved June 16, 1934 (48 Stat. 969), is amended to read as follows;

[1] So in original.

"SEC. 4. So much of section 31 of the Banking Act of 1933, as amended, as relates to stock ownership by directors, trustees, or members of similar governing bodies of any national banking association, or of any State bank or trust company which is a member of the Federal Reserve System, is hereby repealed."

Vol. 48, p. 194; U. S. C., p. 359.
Stock ownership of members of governing bodies of national bank association.

SEC. 307. Effective January 1, 1936, section 32 of the Banking Act of 1933, as amended, is amended to read as follows:

Vol. 48, p. 194; U. S. C., p. 360.

"SEC. 32. No officer, director, or employee of any corporation or unincorporated association, no partner or employee of any partnership, and no individual, primarily engaged in the issue, flotation, underwriting, public sale, or distribution, at wholesale or retail, or through syndicate participation, of stocks, bonds, or other similar securities, shall serve the same time as an officer, director, or employee of any member bank except in limited classes of cases in which the Board of Governors of the Federal Reserve System may allow such service by general regulations when in the judgment of the said Board it would not unduly influence the investment policies of such member bank or the advice it gives its customers regarding investments."

Member bank officers, directors, etc.
Restriction on engaging in securities transactions.
Exception.

SEC. 308. (a) The second sentence of paragraph Seventh of section 5136 of the Revised Statutes, as amended (U. S. C., Supp. VII, title 12, sec. 24), is amended to read as follows: "The business of dealing in securities and stock by the association shall be limited to purchasing and selling such securities and stock without recourse, solely upon the order, and for the account of, customers, and in no case for its own account, and the association shall not underwrite any issue of securities or stock: *Provided*, That the association may purchase for its own account investment securities under such limitations and restrictions as the Comptroller of the Currency may by regulation prescribe. In no event shall the total amount of the investment securities of any one obligor or maker, held by the association for its own account, exceed at any time 10 per centum of its capital stock actually paid in and unimpaired and 10 per centum of its unimpaired surplus fund, except that this limitation shall not require any association to dispose of any securities lawfully held by it on the date of enactment of the Banking Act of 1935."

National Bank Act, amendments.
R. S., sec. 5136, p. 993; U. S. C., p. 352.
Vol. 48, p. 184.
Corporate powers of associations.
Security transactions.
Proviso.
Purchases by association for own account.
Total amount of investments.

(b) The fourth sentence of such paragraph Seventh is amended to read as follows: "Except as hereinafter provided or otherwise permitted by law, nothing herein contained shall authorize the purchase by the association for its own account of any shares of stock of any corporation."

Purchase of shares of any corporation.

(c) The last sentence of such paragraph Seventh is amended by inserting before the colon after the words "Home Owners' Loan Corporation" a comma and the following: "or obligations which are insured by the Federal Housing Administrator pursuant to section 207 of the National Housing Act, if the debentures to be issued in payment of such insured obligations are guaranteed as to principal and interest by the United States".

Obligations insured by Federal Housing Administration.
Vol. 48, p. 1252.

SEC. 309. Section 5138 of the Revised Statutes, as amended, (U. S. C., Supp. VII, title 12, sec. 51), is amended by adding the following sentences at the end thereof: "No such association shall hereafter be authorized to commence the business of banking until it shall have a paid-in surplus equal to 20 per centum of its capital: *Provided*, That the Comptroller of the Currency may waive this requirement as to a State bank converting into a national banking association, but each such State bank which is converted into a national banking association shall, before the declaration of a dividend on its shares of common stock, carry not less than one-half part of its net profits of the preceding half year to its surplus fund until

R. S., sec. 5138, p. 993; U. S. C., p. 355.
Vol. 48, p. 185.
Requisite amount of capital stock.
Paid-in surplus required.
Provisos.
When State bank converting into national banking association.

Amounts paid for retirement of preferred stock of converted bank.

it shall have a surplus equal to 20 per centum of its capital: *Provided*, That for the purposes of this section any amounts paid into a fund for the retirement of any preferred stock of any such converted State bank out of its net earnings for such half-year period shall be deemed to be an addition to its surplus fund if, upon the retirement of such preferred stock, the amount so paid into such retirement fund for such period may then properly be carried to surplus. In any such case the converted State bank shall be obligated to transfer to surplus the amount so paid into such retirement fund for such period on account of the preferred stock as such stock is retired."

R. S., sec. 5139, p. 993; U. S. C., p. 356. Vol. 48, p. 186.

SEC. 310. (a) The last paragraph of section 5139 of the Revised Statutes, as amended (U. S. C., Supp. VII, title 12, sec. 52), is amended to read as follows:

Stock certificates of banking associations. Conditioning transfer on the transfer of stock of another corporation.

"After the date of the enactment of the Banking Act of 1935, no certificate evidencing the stock of any such association shall bear any statement purporting to represent the stock of any other corporation, except a member bank or a corporation engaged on June 16, 1934 in holding the bank premises of such association, nor shall the ownership, sale, or transfer of any certificate representing the stock of any such association be conditioned in any manner whatsoever upon the ownership, sale, or transfer of a certificate representing the stock of any other corporation, except a member bank or a corporation engaged on June 16, 1934 in holding the bank premises of such association: *Provided*, That this section shall not operate to prevent the ownership, sale, or transfer of stock of any other corporation being conditioned upon the ownership, sale, or transfer of a certificate representing stock of a national banking association."

Proviso. Exception.

Vol. 38, p. 259; Vol. 48, p. 165; U. S. C., p. 389.

(b) The nineteenth paragraph of section 9 of the Federal Reserve Act, as amended, is amended to read as follows:

Stock certificates of State member banks. Transfer of shares.

"After the date of the enactment of the Banking Act of 1935, no certificate evidencing the stock of any State member bank shall bear any statement purporting to represent the stock of any other corporation, except a member bank or a corporation engaged on June 16, 1934 in holding the bank premises of such member bank, nor shall the ownership, sale, or transfer of any certificate representing the stock of any State member bank be conditioned in any manner whatsoever upon the ownership, sale, or transfer of a certificate representing the stock of any other corporation, except a member bank or a corporation engaged on June 16, 1934 in holding the bank premises of such member bank: *Provided*, That this section shall not operate to prevent the ownership, sale, or transfer of stock of any other corporation being conditioned upon the ownership, sale, or transfer of a certificate representing stock of a State member bank."

Proviso. Exception.

R. S., sec. 5144, p. 994; Vol. 48, p. 186; U. S. C., p. 357.

SEC. 311. (a) The first paragraph of section 5144 of the Revised Statutes, as amended (U. S. C., Supp. VII, title 12, sec. 61), is amended to read as follows:

Right of shareholders to vote.

"SEC. 5144. In all elections of directors, each shareholder shall have the right to vote the number of shares owned by him for as many persons as there are directors to be elected, or to cumulate such shares and give one candidate as many votes as the number of directors multiplied by the number of his shares shall equal, or to distribute them on the same principle among as many candidates as he shall think fit; and in deciding all other questions at meetings of shareholders, each shareholder shall be entitled to one vote on each share of stock held by him; except that (1) this shall not be construed as limiting the voting rights of holders of preferred stock under the terms and provisions of articles of association, or amendments thereto, adopted pursuant to the provisions of section 302 (a) of the Emergency Banking and Bank Conservation Act, approved

Holders of preferred stock.

March 9, 1933, as amended, (2) in the election of directors, shares of its own stock held by a national bank as sole trustee, whether registered in its own name as such trustee or in the name of its nominee, shall not be voted by the registered owner unless under the terms of the trust the manner in which such shares shall be voted may be determined by a donor or beneficiary of the trust and unless such donor or beneficiary actually directs how such shares shall be voted, (3) shares of its own stock held by a national bank and one or more persons as trustees may be voted by such other person or persons, as trustees, in the same manner as if he or they were the sole trustee, and (4) shares controlled by any holding company affiliate of a national bank shall not be voted unless such holding company affiliate shall have first obtained a voting permit as hereinafter provided, which permit is in force at the time such shares are voted, but such holding company affiliate may, without obtaining such permit, vote in favor of placing the association in voluntary liquidation or taking any other action pertaining to the voluntary liquidation of such association. Shareholders may vote by proxies duly authorized in writing; but no officer, clerk, teller, or bookkeeper of such bank shall act as proxy; and no shareholder whose liability is past due and unpaid shall be allowed to vote. Whenever shares of stock cannot be voted by reason of being held by the bank as sole trustee, such shares shall be excluded in determining whether matters voted upon by the shareholders were adopted by the requisite percentage of shares."

Stocks held in trust.

Stocks controlled by holding company affiliate.

Proxies.

(b) The first sentence of the third paragraph of such section 5144 is amended to read: "Any such holding company affiliate may make application to the Board of Governors of the Federal Reserve System for a voting permit entitling it to vote the stock controlled by it at any or all meetings of shareholders of such bank or authorizing the trustee or trustees holding the stock for its benefit or for the benefit of its shareholders so to vote the same."

R. S., sec. 5144, p. 994; U. S. C., p. 357.
Application of holding company affiliate for voting permit.

(c) Section 5144 of the Revised Statutes, as amended, is further amended by adding at the end of subsection (c) thereof the following: " and the provisions of this subsection, instead of subsection (b), shall apply to all holding company affiliates with respect to any shares of bank stock owned or controlled by them as to which there is no statutory liability imposed upon the holders of such bank stock; ".

Reserves to be maintained by.

SEC. 312. Section 5154 of the Revised Statutes, as amended (U. S. C., title 12, sec. 35), is amended by adding at the end thereof the following paragraph:

R. S., sec. 5154, p. 996; Vol. 38, p. 259; U. S. C., p. 354.

" The Comptroller of the Currency may, in his discretion and subject to such conditions as he may prescribe, permit such converting bank to retain and carry at a value determined by the Comptroller such of the assets of such converting bank as do not conform to the legal requirements relative to assets acquired and held by national banking associations."

Conversion of State banks into national banking associations.
Retention of assets not conforming to legal requirements.

SEC. 313. Section 5162 of the Revised Statutes (U. S. C., title 12, sec. 170) is amended by adding at the end thereof the following paragraph:

R. S., sec. 5162, p. 998; U. S. C., p. 370.

" The Comptroller of the Currency may designate one or more persons to countersign in his name and on his behalf such assignments or transfers of bonds as require his countersignature."

Transfer of bonds; countersigning name of Comptroller.

SEC. 314. Section 5197 of the Revised Statutes, as amended (U. S. C., Supp. VII, title 12, sec. 85), is amended by inserting after the second sentence thereof the following new sentence: " The maximum amount of interest or discount to be charged at a branch of an association located outside of the States of the United States and the District of Columbia shall be at the rate allowed by the laws of the

R. S., sec. 5197, p. 1005; Vol. 48, p. 191; U. S. C., p. 361.

Rates of interest or discount, branches outside United States.

country, territory, dependency, province, dominion, insular possession, or other political subdivision where the branch is located."

R. S., sec. 5199, p. 1005; U. S. C., p. 357.

SEC. 315. Section 5199 of the Revised Statutes (U. S. C., title 12, sec. 60), is amended to read as follows:

Dividends and surplus funds.

"SEC. 5199. The directors of any association may, semiannually, declare a dividend of so much of the net profits of the association as they shall judge expedient; but each association shall, before the declaration of a dividend on its shares of common stock, carrying not less than one-tenth part of its net profits of the preceding half year to its surplus fund until the same shall equal the amount of its common capital: *Provided*, That for the purposes of this section, any amounts paid into a fund for the retirement of any preferred stock of any such association out of its net earnings for such half-year period shall be deemed to be an addition to its surplus fund if, upon the retirement of such preferred stock, the amount so paid into such retirement fund for such period may then properly be carried to surplus. In any such case the association shall be obligated to transfer to surplus the amounts so paid into such retirement fund for such period on account of the preferred stock as such stock is retired."

Proviso.
Amounts paid for retirement of preferred stock.

R. S., sec. 5209, p. 1007; Vol. 40, p. 972; U. S. C., p. 409.

SEC. 316. Section 5209 of the Revised Statutes (U. S. C., title 12, sec. 592), is hereby amended by inserting after the words "known as the Federal Reserve Act", the words "or of any national banking association, or of any insured bank as defined in subsection (c) of section 12B of the Federal Reserve Act"; and by inserting after the words "such Federal Reserve bank or member bank", wherever they appear in such section, the words "or such national banking association or insured bank"; and by inserting after the words "or the Comptroller of the Currency", the words "or the Federal Deposit Insurance Corporation,".

Crimes by officers, etc., of insured banks.

R. S., sec. 5220, p. 1010; U. S. C., p. 371.

SEC. 317. Section 5220 of the Revised Statutes (U. S. C., title 12, sec. 181), is amended by adding at the end thereof the following paragraph:

Voluntary liquidation.
Designation of liquidating agent.

"The shareholders shall designate one or more persons to act as liquidating agent or committee, who shall conduct the liquidation in accordance with law and under the supervision of the board of directors, who shall require a suitable bond to be given by said agent or committee. The liquidating agent or committee shall render annual reports to the Comptroller of the Currency on the 31st day of December of each year showing the progress of said liquidation until the same is completed. The liquidating agent or committee shall also make an annual report to a meeting of the shareholders to be held on the date fixed in the articles of association for the annual meeting, at which meeting the shareholders may, if they see fit, by a vote representing a majority of the entire stock of the bank, remove the liquidating agent or committee and appoint one or more others in place thereof. A special meeting of the shareholders may be called at any time in the same manner as if the bank continued an active bank and at said meeting the shareholders may, by vote of the majority of the stock, remove the liquidating agent or committee. The Comptroller of the Currency is authorized to have an examination made at any time into the affairs of the liquidating bank until the claims of all creditors have been satisfied, and the expense of making such examinations shall be assessed against such bank in the same manner as in the case of examinations made pursuant to section 5240 of the Revised Statutes, as amended (U. S. C., title 12, secs. 484, 485; Supp. VII, title 12, secs. 481–483)."

Annual reports.

Special meetings of shareholders.

Examination of liquidating bank.

Assessment for expenses.

R. S., sec. 5240, p. 1013; U. S. C., p. 403.

R. S., sec. 5243, p. 1014; U. S. C., p. 408.

SEC. 318. Section 5243 of the Revised Statutes (U. S. C., title 12, sec. 583) is amended by striking out the semicolon therein and all that precedes it and substituting the following:

"SEC. 5243. The use of the word 'national', the word 'Federal' or the words 'United States', separately, in any combination thereof, or in combination with other words or syllables, as part of the name or title used by any person, corporation, firm, partnership, business trust, association or other business entity, doing the business of bankers, brokers, or trust or savings institutions is prohibited except where such institution is organized under the laws of the United States, or is otherwise permitted by the laws of the United States to use such name or title, or is lawfully using such name or title on the date when this section, as amended, takes effect;".

Exclusive use of terms.

SEC. 319. (a) Section 5 of the Federal Reserve Act, as amended, is amended by striking out the last three sentences thereof and inserting in lieu thereof the following: "When a member bank reduces its capital stock or surplus it shall surrender a proportionate amount of its holdings in the capital stock of said Federal Reserve bank. Any member bank which holds capital stock of a Federal Reserve bank in excess of the amount required on the basis of 6 per centum of its paid-up capital stock and surplus shall surrender such excess stock. When a member bank voluntarily liquidates it shall surrender all of its holdings of the capital stock of said Federal Reserve bank and be released from its stock subscription not previously called. In any such case the shares surrendered shall be canceled and the member bank shall receive in payment therefor, under regulations to be prescribed by the Board of Governors of the Federal Reserve System, a sum equal to its cash-paid subscriptions on the shares surrendered and one-half of 1 per centum a month from the period of the last dividend, not to exceed the book value thereof, less any liability of such member bank to the Federal Reserve bank."

Federal Reserve Act, amendments.
Vol. 38, p. 257; U. S. C., p. 387.
Capital stock and surplus of member bank; proportionate reduction.
When member bank voluntarily liquidates.
Cancelation of surrendered shares.

(b) Section 6 of the Federal Reserve Act, as amended, is amended by striking out the last paragraph thereof.

Vol. 38, p. 258; Vol. 46, p. 250; U. S. C., p. 387.

SEC. 320. The fifth paragraph of section 9 of the Federal Reserve Act, as amended, is amended by adding at the end thereof the following sentence: "Such reports of condition shall be in such form and shall contain such information as the Board of Governors of the Federal Reserve System may require and shall be published by the reporting banks in such manner and in accordance with such regulations as the said Board may prescribe."

Vol. 38, p. 259; Vol. 40, p. 233; U. S. C., p. 389.
Reports of condition.

SEC. 321. (a) The first sentence of paragraph (m) of section 11 of the Federal Reserve Act, as amended, is amended by inserting before the period at the end thereof a colon and the following: "*Provided*, That with respect to loans represented by obligations in the form of notes secured by not less than a like amount of bonds or notes of the United States issued since April 24, 1917, certificates of indebtedness of the United States, Treasury bills of the United States, or obligations fully guaranteed both as to principal and interest by the United States, such limitation of 10 per centum on loans to any person shall not apply, but State member banks shall be subject to the same limitations and conditions as are applicable in the case of national banks under paragraph (8) of section 5200 of the Revised Statutes, as amended (U. S. C., Supp. VII, title 12, sec. 84)".

Vol. 39, p. 752; Vol. 48, p. 167.
Loans by State member banks to borrowers on Government securities; limitations.
R. S., sec. 5200, p. 1005; U. S. C., p. 360.

(b) Paragraph (8) of section 5200 of the Revised Statutes, as amended (U. S. C., Supp. VII, title 12, sec. 84), is amended by inserting after the comma following the words "certificates of indebtedness of the United States", the words "Treasury bills of the United States, or obligations fully guaranteed both as to principal and interest by the United States".

R. S., sec. 5200, p. 1005; Vol. 44, p. 1231; U. S. C., p. 360.
Limit of liability of any person to bank.

Vol. 38, p. 263; Vol. 47, p. 715.
Discount of paper for individuals or corporations.

SEC. 322. The third paragraph of section 13 of the Federal Reserve Act, as amended, is amended by changing the words "indorsed and otherwise secured to the satisfaction of the Federal Reserve bank" in that paragraph to read "indorsed or otherwise secured to the satisfaction of the Federal Reserve bank".

Vol. 48, p. 1106.
Direct loans for industrial purposes.
Payments to Reserve banks.

SEC. 323. Subsection (e) of section 13b of the Federal Reserve Act, as amended, is amended by striking out "upon the date this section takes effect", and inserting in lieu thereof "on and after June 19, 1934"; and by striking out "the par value of the holdings of each Federal Reserve bank of Federal Deposit Insurance Corporation stock", and inserting in lieu thereof "the amount paid by each Federal Reserve bank for stock of the Federal Deposit Insurance Corporation".

Vol. 38, p. 270; Vol. 40, p. 239; U. S. C., p. 402.
Board authorized to define terms.

SEC. 324. (a) The first paragraph of section 19 of the Federal Reserve Act, as amended, is amended to read as follows:

"SEC. 19. The Board of Governors of the Federal Reserve System is authorized, for the purposes of this section, to define the terms 'demand deposits', 'gross demand deposits', 'deposits payable on demand', 'time deposits', 'savings deposits', and 'trust funds', to determine what shall be deemed to be a payment of interest, and to prescribe such rules and regulations as it may deem necessary to effectuate the purposes of this section and prevent evasions thereof: *Provided*, That, within the meaning of the provisions of this section regarding the reserves required of member banks, the term 'time deposits' shall include 'savings deposits'."

Proviso.
Time deposits to include savings deposits.

Vol. 38, p. 270; U. S. C., p. 402.

(b) The tenth paragraph of such section 19 is amended to read as follows:

Ascertainment of reserve balances required.

"In estimating the reserve balances required by this Act, member banks may deduct from the amount of their gross demand deposits the amounts of balances due from other banks (except Federal Reserve banks and foreign banks) and cash items in process of collection payable immediately upon presentation in the United States, within the meaning of these terms as defined by the Board of Governors of the Federal Reserve System."

Vol. 38, p. 270; Vol. 48, p. 181; U. S. C., p. 402.
Interest payments on demand deposits.

(c) The last two paragraphs of such section 19 are amended to read as follows:

"No member bank shall, directly or indirectly, by any device whatsoever, pay any interest on any deposit which is payable on demand: *Provided*, That nothing herein contained shall be construed as prohibiting the payment of interest in accordance with the terms of any certificate of deposit or other contract entered into in good faith which is in force on the date on which the bank becomes subject to the provisions of this paragraph; but no such certificate of deposit or other contract shall be renewed or extended unless it shall be modified to conform to this paragraph, and every member bank shall take such action as may be necessary to conform to this paragraph as soon as possible consistently with its contractual obligations: *Provided further*, That this paragraph shall not apply to any deposit of such bank which is payable only at an office thereof located outside of the States of the United States and the District of Columbia: *Provided further*, That until the expiration of two years after the date of enactment of the Banking Act of 1935 this paragraph shall not apply (1) to any deposit made by a savings bank as defined in section 12B of this Act, as amended, or by a mutual savings bank, or (2) to any deposit of public funds made by or on behalf of any State, county, school district, or other subdivision or municipality, or to any deposit of trust funds if the payment of interest with respect to such deposit of public funds or

Provisos.
Contracts made prior hereto.

Renewals prohibited.

Deposits payable foreign.

Deposits to which provisions inapplicable.

of trust funds is required by State law. So much of existing law as requires the payment of interest with respect to any funds deposited by the United States, by any Territory, District, or possession thereof (including the Philippine Islands), or by any public instrumentality, agency, or officer of the foregoing, as is inconsistent with the provisions of this section as amended, is hereby repealed.

Repeal of inconsistent laws.
Vol. 39, pp. 121, 159.

"The Board of Governors of the Federal Reserve System shall from time to time limit by regulation the rate of interest which may be paid by member banks on time and savings deposits, and shall prescribe different rates for such payment on time and savings deposits having different maturities, or subject to different conditions respecting withdrawal or repayment, or subject to different conditions by reason of different locations, or according to the varying discount rates of member banks in the several Federal Reserve districts. No member bank shall pay any time deposit before its maturity except upon such conditions and in accordance with such rules and regulations as may be prescribed by the said Board, or waive any requirement of notice before payment of any savings deposit except as to all savings deposits having the same requirement: *Provided*, That the provisions of this paragraph shall not apply to any deposit which is payable only at an office of a member bank located outside of the States of the United States and the District of Columbia."

Time and saving deposits; regulations respecting rates of interest.

Payment of time deposit before maturity; restriction.

Proviso.
Deposits payable foreign.

(d) Such section 19 is amended by adding at the end thereof the following new paragraph:

Vol. 38, p. 271.

"Notwithstanding the provisions of the First Liberty Bond Act, as amended, the Second Liberty Bond Act, as amended, and the Third Liberty Bond Act, as amended, member banks shall be required to maintain the same reserves against deposits of public moneys by the United States as they are required by this section to maintain against other deposits."

Reserves against deposits of public moneys.

SEC. 325. Section 21 of the Federal Reserve Act, as amended, is amended by adding at the end thereof the following paragraph:

Vol. 38, p. 271; U. S. C., p. 403.

"Whenever member banks are required to obtain reports from affiliates, or whenever affiliates of member banks are required to submit to examination, the Board of Governors of the Federal Reserve System or the Comptroller of the Currency, as the case may be, may waive such requirements with respect to any such report or examination of any affiliate if in the judgment of the said Board or Comptroller, respectively, such report or examination is not necessary to disclose fully the relations between such affiliate and such bank and the effect thereof upon the affairs of such bank."

Bank examinations and reports.
Reports of affiliate of member bank.

SEC. 326. (a) Subsection (a) of section 22 of the Federal Reserve Act, as amended, is amended by inserting in the first paragraph thereof after "No member bank" the following: "and no insured bank as defined in subsection (c) of section 12B of this Act"; by inserting before the period at the end of the first sentence of such paragraph "or assistant examiner, who examines or has authority to examine such bank"; and by inserting after "any member bank" in the second paragraph thereof "or insured bank"; by inserting before the period at the end thereof "or Federal Deposit Insurance Corporation examiner"; and by adding at the end of such subsection a new paragraph, as follows:

Vol. 40, p. 970; Vol. 44, p. 1232; U. S. C., p. 409.
Loans or gratuities to bank examiners prohibited.

"The provisions of this subsection shall apply to all public examiners and assistant examiners who examine member banks of the Federal Reserve System or insured banks, whether appointed by the Comptroller of the Currency, by the Board of Governors of the Federal Reserve System, by a Federal Reserve agent, by a Federal

Application of provision.

Reserve bank, or by the Federal Deposit Insurance Corporation, or appointed or elected under the laws of any State; but shall not apply to private examiners or assistant examiners employed only by a clearing-house association or by the directors of a bank."

Vol. 40, p. 970; U. S. C., p. 409.

Restriction on other employment by bank examiners.

(b) Subsection (b) of such section 22 is amended by inserting therein after "no national bank examiner" the following: "and no Federal Deposit Insurance Corporation examiner"; and by inserting after "member bank" the following: "or insured bank"; and by inserting after "from the Comptroller of the Currency," the following: "as to a national bank, the Board of Governors of the Federal Reserve System as to a State member bank, or the Federal Deposit Insurance Corporation as to any other insured bank,".

Vol. 48, p. 182; U. S. C., p. 398.

(c) Subsection (g) of such section 22 is amended to read as follows:

Loans to executive officer of member bank prohibited.

Ante, p. 375.

"(g) No executive officer of any member bank shall borrow from or otherwise become indebted to any member bank of which he is an executive officer, and no member bank shall make any loan or extend credit in any other manner to any of its own executive officers: *Provisos.*

Renewal of loans made prior to June 16, 1933.

Provided, That loans made to any such officer prior to June 16, 1933, may be renewed or extended for periods expiring not more than five years from such date where the board of directors of the member bank shall have satisfied themselves that such extension or renewal is in the best interest of the bank and that the officer indebted has made reasonable effort to reduce his obligation, these findings to be evidenced by resolution of the board of directors spread upon the minute book of the bank: *Provided further*, That with the prior approval of a majority of the entire board of directors, any member bank may extend credit to any executive officer thereof, and such officer may become indebted thereto, in an amount not exceeding $2,500. If any executive officer of any member bank borrow from or if he be or become indebted to any bank other than a member bank of which he is an executive officer, he shall make a written report to the board of directors of the member bank of which he is an executive officer, stating the date and amount of such loan or indebtedness, the security therefor, and the purpose for which the proceeds have been or are to be used. Borrowing by, or loaning to, a partnership in which one or more executive officers of a member bank are partners having either individually or together a majority interest in said partnership, shall be considered within the prohibition of this subsection. Nothing contained in this subsection shall prohibit any executive officer of a member bank from endorsing or guaranteeing for the protection of such bank any loan or other asset which shall have been previously acquired by such bank in good faith or from incurring any indebtedness to such bank for the purpose of protecting such bank against loss or giving financial assistance to it. The Board of Governors of the Federal Reserve System is authorized to define the term 'executive officer', to determine what shall be deemed to be a borrowing, indebtedness, loan, or extension of credit, for the purposes of this subsection, and to prescribe such rules and regulations as it may deem necessary to effectuate the provisions of this subsection in accordance with its purposes and to prevent evasions of such provisions. Any executive officer of a member bank accepting a loan or extension of credit which is in violation of the provisions of this subsection shall be subject to removal from office in the manner prescribed in section 30 of the Banking Act of 1933: *Provided*, That for each day that a loan or extension of credit made in violation of this subsection exists, it shall be deemed to be a continuation of such violation within the meaning of said section 30."

Loans on approval of board of directors.

Officer indebted to other member bank.

Report to board of directors.

Loans to partnerships.

Endorsement of loans by officers.

"Executive officer" to be defined.

Rules and regulations.

Penalty provision.

Proviso.

Continuation of violation.

Vol. 48, p. 193.

SEC. 327. The third paragraph of section 23A of the Federal Reserve Act, as amended, is amended to read as follows:

Vol. 48, p. 183; U. S. C., p. 397.
Loans to affiliates; restriction.
"Affiliate" construed.
Affiliates exempted from limitations.

"For the purpose of this section, the term 'affiliate' shall include holding-company affiliates as well as other affiliates, and the provisions of this section shall not apply to any affiliate (1) engaged on June 16, 1934, in holding the bank premises of the member bank with which it is affiliated or in maintaining and operating properties acquired for banking purposes prior to such date; (2) engaged solely in conducting a safe-deposit business or the business of an agricultural credit corporation or livestock loan company; (3) in the capital stock of which a national banking association is authorized to invest pursuant to section 25 of this Act, as amended, or a subsidiary of such affiliate, all the stock of which (except qualifying shares of directors in an amount not to exceed 10 per centum) is owned by such affiliate; (4) organized under section 25 (a) of this Act, as amended, or a subsidiary of such affiliate, all the stock of which (except qualifying shares of directors in an amount not to exceed 10 per centum) is owned by such affiliate; (5) engaged solely in holding obligations of the United States or obligations fully guaranteed by the United States as to principal and interest, the Federal intermediate credit banks, the Federal land banks, the Federal Home Loan Banks, or the Home Owners' Loan Corporation; (6) where the affiliate relationship has arisen out of a bona fide debt contracted prior to the date of the creation of such relationship; or (7) where the affiliate relationship exists by reason of the ownership or control of any voting shares thereof by a member bank as executor, administrator, trustee, receiver, agent, depositary, or in any other fiduciary capacity, except where such shares are held for the benefit of all or a majority of the stockholders of such member bank; but as to any such affiliate, member banks shall continue to be subject to other provisions of law applicable to loans by such banks and investments by such banks in stocks, bonds, debentures, or other such obligations. The provisions of this section shall likewise not apply to indebtedness of any affiliate for unpaid balances due a bank on assets purchased from such bank or to loans secured by, or extensions of credit against, obligations of the United States or obligations fully guaranteed by the United States as to principal and interest."

Vol. 38, p. 273; Vol. 44, p. 1232; U. S. C., p. 397.
Loans to industrial or commercial businesses exempt from restrictions on real estate loans.

SEC. 328. Section 24 of the Federal Reserve Act, as amended, is amended by adding at the end thereof the following new paragraph:

"Loans made to established industrial or commercial businesses (a) which are in whole or in part discounted or purchased or loaned against as security by a Federal Reserve bank under the provisions of section 13b of this Act, (b) for any part of which a commitment shall have been made by a Federal Reserve bank under the provisions of said section, (c) in the making of which a Federal Reserve bank participates under the provisions of said section, or (d) in which the Reconstruction Finance Corporation cooperates or purchases a participation under the provisions of section 5d of the Reconstruction Finance Corporation Act, shall not be subject to the restrictions or limitations of this section upon loans secured by real estate."

Vol. 39, p. 755; U. S. C., p. 410.
Interlocking personnel; between national bank and foreign banking corporation.

SEC. 329. Section 25 of the Federal Reserve Act, as amended, is further amended by striking out the last paragraph of such section; the paragraph of section 25 (a) of the Federal Reserve Act, as amended, which commences with the words "A majority of the shares of the capital stock of any such corporation" is amended by striking out all of said paragraph except the first sentence thereof; and the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes" (38 Stat. 730), approved October 15, 1914, as amended, is further amended (a) by

Vol. 39, p. 756; Vol. 48, p. 194; U. S. C., p. 411.

striking out section 8A thereof and (b) by substituting for the first three paragraphs of section 8 thereof the following:

Interlocking directorates and officers between banks. Vol. 41, p. 626; Vol. 45, p. 253.

"SEC. 8. No private banker or director, officer, or employee of any member bank of the Federal Reserve System or any branch thereof shall be at the same time a director, officer, or employee of any other bank, banking association, savings bank, or trust company organized under the National Bank Act or organized under the laws of any State or of the District of Columbia, or any branch thereof, except that the Board of Governors of the Federal Reserve System may by regulation permit such service as a director, officer, or employee of not more than one other such institution or branch thereof; but the foregoing prohibition shall not apply in the case of any one or more of the following or any branch thereof:

When prohibition inapplicable.

"(1) A bank, banking association, savings bank, or trust company, more than 90 per centum of the stock of which is owned directly or indirectly by the United States or by any corporation of which the United States directly or indirectly owns more than 90 per centum of the stock.

"(2) A bank, banking association, savings bank, or trust company which has been placed formally in liquidation or which is in the hands of a receiver, conservator, or other official exercising similar functions.

"(3) A corporation, principally engaged in international or foreign banking or banking in a dependency or insular possession of the United States which has entered into an agreement with the Board of Governors of the Federal Reserve System pursuant to section 25 of the Federal Reserve Act.

"(4) A bank, banking association, savings bank, or trust company, more than 50 per centum of the common stock of which is owned directly or indirectly by persons who own directly or indirectly more than 50 per centum of the common stock of such member bank.

"(5) A bank, banking association, savings bank, or trust company not located and having no branch in the same city, town, or village as that in which such member bank or any branch thereof is located, or in any city, town, or village contiguous or adjacent thereto.

"(6) A bank, banking association, savings bank, or trust company not engaged in a class or classes of business in which such member bank is engaged.

"(7) A mutual savings bank having no capital stock.

Vol. 45, p. 1536.

"Until February 1, 1939, nothing in this section shall prohibit any director, officer, or employee of any member bank of the Federal Reserve System, or any branch thereof, who is lawfully serving at the same time as a private banker or as a director, officer, or employee of any other bank, banking association, savings bank, or trust company, or any branch thereof, on the date of enactment of the Banking Act of 1935, from continuing such service.

Enforcement provision.

"The Board of Governors of the Federal Reserve System is authorized and directed to enforce compliance with this section, and to prescribe such rules and regulations as it deems necessary for that purpose."

Consolidation of national banks. Vol. 40, p. 1043; Vol. 48, p. 190; U. S. C., p. 353.

SEC. 330. (a) Section 1 of the Act of November 7, 1918, as amended (U. S. C., title 12, sec. 33; Supp. VII, title 12, sec. 33), is amended by striking out the second proviso down to and including the words "to be ascertained" and inserting in lieu thereof the following:

Dissenting shareholder; meetings.

"*And provided further*, That if such consolidation shall be voted for at said meetings by the necessary majorities of the shareholders of each of the associations proposing to consolidate, any shareholder of any of the associations so consolidated, who has voted against such consolidation at the meeting of the association of which he is a

shareholder or has given notice in writing at or prior to such meeting to the presiding officer that he dissents from the plan of consolidation, shall be entitled to receive the value of the shares so held by him if and when said consolidation shall be approved by the Comptroller of the Currency, such value to be ascertained as of the date of the Comptroller's approval".

Entitlement to value of shares held.

(b) Such section 1 is further amended by adding at the end thereof the following paragraphs:

"Publication of notice and notification by registered mail of the meeting provided for in the foregoing paragraph may be waived by unanimous action of the shareholders of the respective associations. Where a dissenting shareholder has given notice as above provided to the association of which he is a shareholder of his dissent from the plan of consolidation, and the directors thereof fail for more than thirty days thereafter to appoint an appraiser of the value of his shares, said shareholder may request the Comptroller of the Currency to appoint such appraiser to act on the appraisal committee for and on behalf of such association.

Notice of meetings.

Appointment of appraiser.

"If shares, when sold at public auction in accordance with this section, realize a price greater than their final appraised value, the excess in such sale price shall be paid to the shareholder. The consolidated association shall be liable for all liabilities of the respective consolidating associations. In the event one of the appraisers fails to agree with the others as to the value of said shares, then the valuation of the remaining appraisers shall govern."

Shares; appraisal; sale at public auction; payment to shareholder.

Liability of consolidated association.

When appraisers fail to agree.

SEC. 331. (a) Section 3 of the Act of November 7, 1918, as amended (U. S. C., Supp. VII, title 12, sec. 34 (a)), is amended by striking out the first sentence following the proviso down to and including the words "to be ascertained" and inserting in lieu thereof the following: "If such consolidation shall be voted for at said meetings by the necessary majorities of the shareholders of the association and of the State or other bank proposing to consolidate, and thereafter the consolidation shall be approved by the Comptroller of the Currency, any shareholder of either the association or the State or other bank so consolidated, who has voted against such consolidation at the meeting of the association of which he is a stockholder, or has given notice in writing at or prior to such meeting to the presiding officer that he dissents from the plan of consolidation, shall be entitled to receive the value of the shares so held by him if and when said consolidation shall be approved by the Comptroller of the Currency, such value to be ascertained as of the date of the Comptroller's approval."

Vol. 44, p. 1225; U. S. C., p. 353.

Consolidation of State bank, etc., with national bank.

Dissenting shareholder.

Entitlement to value of shares held.

(b) Such section 3 is further amended by adding at the end thereof the following paragraph:

"Where a dissenting shareholder has given notice as provided in this section to the bank of which he is a shareholder of his dissent from the plan of consolidation, and the directors thereof fail for more than thirty days thereafter to appoint an appraiser of the value of his shares, said shareholder may request the Comptroller of the Currency to appoint such appraiser to act on the appraisal committee for and on behalf of such bank. In the event one of the appraisers fails to agree with the others as to the value of said shares, then the valuation of the remaining appraisers shall govern."

Appointment of appraiser.

When appraisers fail to agree.

SEC. 332. The Act entitled "An Act to prohibit offering for sale as Federal farm-loan bonds any securities not issued under the terms of the Farm Loan Act, to limit the use of the words 'Federal', 'United States', or 'reserve', or a combination of such words, to prohibit false advertising, and for other purposes", approved May 24, 1926 (U. S. C., Supp. VII, title 12, secs. 584–588), is amended by inserting

Vol. 44, p. 628; U. S. C., p. 408.

Exclusive use of terms.

in section 2 thereof after "the words 'United States'", the following: "the words 'Deposit Insurance'"; and by inserting in said section after the words "the laws of the United States", the following: "nor to any new bank organized by the Federal Deposit Insurance Corporation as provided in section 12B of the Federal Reserve Act, as amended,"; and by striking out the period at the end of section 4 and inserting the following: "or the Federal Deposit Insurance Corporation."

Use of words "deposit insurance"; false advertising.

Vol. 48, p. 783.
Punishment for certain offenses against banks.
"Bank" construed.

SEC. 333. The Act entitled "An Act to provide punishment for certain offenses committed against banks organized or operating under laws of the United States or any member of the Federal Reserve System", approved May 18, 1934 (48 Stat. 783), is amended by striking out the period after "United States" in the first section thereof and inserting the following: "and any insured bank as defined in subsection (c) of section 12B of the Federal Reserve Act, as amended."

R. S., sec. 5143, p. 994; U. S. C., p. 357.
Vol. 38, p. 274.
Reduction of capital stock by associations.
Distribution to shareholders; approval required.

SEC. 334. Section 5143 of the Revised Statutes, as amended, is hereby amended by striking out everything following the words "Comptroller of the Currency", where such words last appear in such section, and substituting the following: "and no shareholder shall be entitled to any distribution of cash or other assets by reason of any reduction of the common capital of any association unless such distribution shall have been approved by the Comptroller of the Currency and by the affirmative vote of at least two-thirds of the shares of each class of stock outstanding, voting as classes."

R. S., sec. 5139, p. 993; U. S. C., p. 356.

SEC. 335. Section 5139 of the Revised Statutes, as amended, is amended by adding at the end of the first paragraph the following new paragraph:

National bank stock certificates; requirements respecting contents and issue.

"Certificates hereafter issued representing shares of stock of the association shall state (1) the name and location of the association, (2) the name of the holder of record of the stock represented thereby, (3) the number and class of shares which the certificate represents, and (4) if the association shall issue stock of more than one class, the respective rights, preferences, privileges, voting rights, powers, restrictions, limitations, and qualifications of each class of stock issued shall be stated in full or in summary upon the front or back of the certificates or shall be incorporated by a reference to the articles of association set forth on the front of the certificates. Every certificate shall be signed by the president and the cashier of the association, or by such other officers as the bylaws of the association shall provide, and shall be sealed with the seal of the association."

Signatures required.

Vol. 48, p. 148; U. S. C., p. 355.
Preferred stock of national banking associations.
Approval of issue required.

SEC. 336. The last sentence of section 301 of the Emergency Banking and Bank Conservation Act, approved March 9, 1933, as amended, is amended to read as follows: "No issue of preferred stock shall be valid until the par value of all stock so issued shall be paid in and notice thereof, duly acknowledged before a notary public by the president, vice president, or cashier of said association, has been transmitted to the Comptroller of the Currency and his certificate obtained specifying the amount of such issue of preferred stock and his approval thereof and that the amount has been duly paid in as a part of the capital of such association; which certificate shall be deemed to be conclusive evidence that such preferred stock has been duly and validly issued."

Banks in District of Columbia.
Vol. 47, p. 1566; Vol. 31, p. 1307.
Additional liability on shareholders.

SEC. 337. The additional liability imposed by section 4 of the Act of March 4, 1933, as amended (D. C. Code, Supp. I, title 5, sec. 300a), upon the shareholders of savings banks, savings companies, and banking institutions and the additional liability imposed by section 734 of the Act of March 3, 1901 (D. C. Code, title 5, sec. 361), upon the shareholders of trust companies, shall cease to apply on July 1,

1937, with respect to such savings banks, savings companies, banking institutions, and trust companies which shall be transacting business on such date: *Provided*, That not less than six months prior to such date, the savings bank, savings company, banking institution, or trust company, desiring to take advantage hereof, shall have caused notice of such prospective termination of liability to be published in a newspaper published in the District of Columbia and having general circulation therein. In the event of failure to give such notice as and when above provided, a termination of such additional liability may thereafter be accomplished as of the date six months subsequent to publication in the manner above provided. Each such savings bank, savings company, banking institution, and trust company shall, before the declaration of a dividend on its shares of common stock, carry not less than one-tenth part of its net profits of the preceding half year to its surplus fund until the same shall equal the amount of its common stock: *Provided*, That for the purposes of this section, any amounts paid into a fund for the retirement of any preferred stock or debentures of any such savings bank, savings company, banking institution, or trust company, out of its net earnings for such half-year period shall be deemed to be an addition to its surplus if, upon the retirement of such preferred stock or debentures, the amount so paid into such retirement fund for such period may then properly be carried to surplus. In any such case the savings bank, savings company, banking institution, or trust company shall be obligated to transfer to surplus the amount so paid into such retirement fund for such period on account of the preferred stock or debentures as such stock or debentures are retired.

Provisos.
Notice of termination; publication.

When notice not published.

Dividends and surplus fund.

Amounts paid in for retirement of preferred stock or debentures.

To be transferred to surplus.

SEC. 338. The second paragraph of section 9 of the Federal Reserve Act, as amended, is amended by striking out the period at the end thereof and adding thereto the following: "except that the approval of the Board of Governors of the Federal Reserve System, instead of the Comptroller of the Currency, shall be obtained before any State member bank may hereafter establish any branch and before any State bank hereafter admitted to membership may retain any branch established after February 25, 1927, beyond the limits of the city, town, or village in which the parent bank is situated."

Federal Reserve Act, amendment.
Vol. 38, p. 259; Vol. 44, p. 1229; U. S. C., p. 389.
Branch banks of State member bank; approval required to establish.

SEC. 339. Section 5234 of the Revised Statutes, as amended (U. S. C., title 12, sec. 192), is amended by striking out the period after the words "money so deposited" at the end of the next to the last sentence of such section and inserting in lieu of such period a colon and the following: "*Provided*, That no security in the form of deposit of United States bonds, or otherwise, shall be required in the case of such parts of the deposits as are insured under section 12B of the Federal Reserve Act, as amended."

R. S., sec. 5234, p. 1012; U. S. C., p. 371.
Default in payment of circulating notes.
Vol. 39, p. 122.

Security for insured deposits not required.

SEC. 340. Section 61 of the Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended, is amended by inserting before the period at the end thereof a colon and the following: "*Provided*, That no security in form of a bond or otherwise shall be required in the case of such part of the deposits as are insured under section 12B of the Federal Reserve Act, as amended".

Bankruptcy Act, amendment.
Vol. 30, p. 562; Vol. 47, p. 1482; U. S. C., p. 330.
Depositories for money.
Security for insured deposits not required.

SEC. 341. Section 8 of the Act entitled "An Act to establish postal savings depositories for depositing savings at interest with the security of the Government for repayment thereof, and for other purposes", approved June 25, 1910, as amended (U. S. C., title 39, sec. 758; Supp. VII, title 39, sec. 758), is amended by striking out the first sentence thereof and inserting in lieu thereof the following: "Notwithstanding any other provision of law, (1) each deposit in a postal savings depository office shall be a savings deposit, and

Vol. 36, p. 816; Vol. 48, p. 182; U. S. C., p. 1760.
Postal savings depositories.

Deposits; nature of.

Interest.

interest thereon shall be allowed and entered to the credit of the depositor once for each quarter beginning with the first day of the month following the date of such deposit, but no interest shall be allowed to any such depositor with respect to the whole or any part of the funds to his or her credit for any period of less than three months; (2) no interest shall be paid on any such deposit at a rate in excess of that which may lawfully be paid on savings deposits under regulations prescribed by the Board of Governors of the Federal Reserve System pursuant to the Federal Reserve Act, as amended, for member banks of the Federal Reserve System located in or nearest to the place where such depository office is situated; and (3) postal savings depositories may deposit funds on time in member banks of the Federal Reserve System subject to the provisions of the Federal Reserve Act, as amended, and the regulations of the Board of Governors of the Federal Reserve System, with respect to the payment of time deposits and interest thereon."

Deposit of savings in Federal Reserve banks.

Vol. 38, p. 262; Vol. 40, p. 969; U. S. C., p. 379.
National banks acting as trustees.
Access to reports of examinations.

SEC. 342. The last sentence of the third paragraph of subsection (k) of section 11 of the Federal Reserve Act, as amended (U. S. C., title 12, sec. 248 (k)), is amended to read as follows: "The State banking authorities may have access to reports of examination made by the Comptroller of the Currency insofar as such reports relate to the trust department of such bank, but nothing in this Act shall be construed as authorizing the State banking authorities to examine the books, records, and assets of such bank."

R. S., sec. 5240, p. 1013; Vol. 48, p. 192; U. S. C., p. 403.
Bank examiners.
Retirement annuities.

SEC. 343. The first sentence after the third proviso of section 5240 of the Revised Statutes, as amended (U. S. C., Supp. VII, title 12, secs. 481 and 482), is amended by striking out the word "is" after the words "whose compensation" and inserting in lieu thereof a comma and the following: "including retirement annuities to be fixed by the Comptroller of the Currency, is and shall be"; and such section 5240 is further amended by striking out "The Federal Reserve Board, upon the recommendation of the Comptroller of the Currency," and inserting in lieu thereof "The Comptroller of the Currency".

Salaries.
Vol. 38, p. 272.

National Housing Act.
Vol. 48, p. 1246.

SEC. 344. (a) Section 1 of the National Housing Act is amended by adding at the end thereof the following new sentence: "The Administrator shall, in carrying out the provisions of this title and titles II and III, be authorized, in his official capacity, to sue and be sued in any court of competent jurisdiction, State or Federal."

Suits by and against Administrator.

Ante, p. 299.
Insurance of financial institutions.
Post, pp. 1187, 1234.

(b) The first sentence of section 2 of the National Housing Act, as amended, is further amended by striking out the words "including the installation of equipment and machinery" and inserting in lieu thereof the words "and the purchase and installation of equipment and machinery on real property".

Vol. 48, p. 1248.
Limit on aggregate principal obligations.

(c) Subsection (a) of section 203 of the National Housing Act is amended by inserting the words "property and" before the word "projects" in clause (1) of such subsection.

Vol. 48, p. 1252.
Low-cost housing insurance; aggregate amount.

(d) The last sentence of section 207 of the National Housing Act is amended by inserting the words "property or" before the word "project".

Preferred stock, notes or debentures of member banks.
Consideration to be given in determining whether capital stock is impaired.

SEC. 345. If any part of the capital of a national bank, State member bank, or bank applying for membership in the Federal Reserve System consists of preferred stock, the determination of whether or not the capital of such bank is impaired and the amount of such impairment shall be based upon the par value of its stock even though the amount which the holders of such preferred stock shall be entitled to receive in the event of retirement or liquidation shall be in excess of the par value of such preferred stock. If any such bank or trust company shall have outstanding any capital

notes or debentures of the type which the Reconstruction Finance Corporation is authorized to purchase pursuant to the provisions of section 304 of the Emergency Banking and Bank Conservation Act, approved March 9, 1933, as amended, the capital of such bank may be deemed to be unimpaired if the sound value of its assets is not less than its total liabilities, including capital stock, but excluding such capital notes or debentures and any obligations of the bank expressly subordinated thereto. Notwithstanding any other provision of law, the holders of preferred stock issued by a national banking association pursuant to the provisions of the Emergency Banking and Bank Conservation Act, approved March 9, 1933, as amended, shall be entitled to receive such cumulative dividends at a rate not exceeding six per centum per annum on the purchase price received by the association for such stock and, in the event of the retirement of such stock, to receive such retirement price, not in excess of such purchase price plus all accumulated dividends, as may be provided in the articles of association with the approval of the Comptroller of the Currency. If the association is placed in voluntary liquidation, or if a conservator or a receiver is appointed therefor, no payment shall be made to the holders of common stock until the holders of preferred stock shall have been paid in full such amount as may be provided in the articles of association with the approval of the Comptroller of the Currency, not in excess of such purchase price of such preferred stock plus all accumulated dividends.

Dividends on preferred stock.
Vol. 48, p. 5.

Priority.

SEC. 346. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provision to other persons and circumstances, shall not be affected thereby.

Separability provision.

Approved, August 23, 1935.

[CHAPTER 615.]

AN ACT

August 23, 1935.
[S. 634.]
[Public, No. 306.]

To authorize the sale of a portion of the Fort Smith National Cemetery Reservation, Arkansas, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized, under such terms and conditions as he deems advisable, to sell and convey by quitclaim deed to the Midland Valley Railroad Company, its successors and assigns, the right, title, and interest of the United States in and to a tract of land containing approximately one-tenth acre, outside of the wall enclosure of the Fort Smith National Cemetery Reservation, Arkansas.

Fort Smith National Cemetery Reservation, Ark.
Sale of portion of, authorized.

SEC. 2. That the Secretary of War shall cause an appraisal to be made of the aforesaid land, the cost of such appraisal to be paid by the Midland Valley Railroad, and said land shall be sold at not less than the appraised value thereof, the proceeds from such sale to be deposited into the Treasury to the credit of the fund known as the "military post construction fund" as provided in section 4 of the Act of March 12, 1926 (44 Stat. 203).

Appraisal.

Purchase price.

Vol. 44, p. 206; U. S. C., p. 317.

Approved, August 23, 1935.

[CHAPTER 616.]

August 23, 1935.
[H. R. 4513.]
[Public, No. 307.]

AN ACT

To authorize payment of claims for unauthorized emergency treatment of World War veterans.

World War veterans.
Payment for certain unauthorized medical expenses.
Vol. 48, p. 11; U. S. C., p. 1689.
Vol. 43, pp. 620, 1307; U. S. C., p. 1670.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 17, title I, Public Law Numbered 2, Seventy-third Congress, any claim for unauthorized medical expenses under the provisions of section 202 (9) of the World War Veterans' Act, as amended (U. S. C., title 38, sec. 483), wherein claim was duly filed prior to March 20, 1933, may be adjudicated by the Veterans' Administration, and any person found entitled to reimbursement shall be paid the reasonable value of services as prescribed by the said section 202 (9).

Approved, August 23, 1935.

[CHAPTER 617.]

August 23, 1935.
[H. R. 5375.]
[Public, No. 308.]

AN ACT

Relating to the compensation of certain charwomen.

Classification Act of 1923, amendment.
Pay of certain charwomen for holidays (except Sunday) authorized.
Vol. 42, p. 1497; U. S. C., p. 87.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the fifth paragraph under the heading "Custodial Service" in section 13 of the Classification Act of 1923, as amended (U. S. C., title 5, sec. 673), is amended by inserting at the end thereof the following new sentence: "Charwomen and head charwomen shall receive for each holiday (except Sunday) upon which under existing law no work is performed by them an amount equal to the amount they would receive had they performed the same number of hours of work on such holiday as the average number of hours of work performed by them during the days in the week in which such holiday occurs."

Approved, August 23, 1935.

[CHAPTER 618.]

August 23, 1935.
[H. R. 8991.]
[Public, No. 309.]

AN ACT

To authorize the Administrator of Veterans' Affairs to exchange certain property rights now vested in the United States at Veterans' Administration facility, Perry Point, Maryland, for certain property and rights of the Pennsylvania Railroad Company in that vicinity.

Perry Point, Md.
Exchange of property, etc., Veterans' Administration and Pennsylvania Railroad Company, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to transfer and release certain property rights now vested in the United States to the Pennsylvania Railroad Company as described in section 2 of this Act in exchange for certain property and rights from the Pennsylvania Railroad Company as described in section 3 of this Act.

Property transferred by United States.

SEC. 2. (a) Title to all that certain triangular piece or parcel of land situate at Perryville, in election district numbered 7, in the county of Cecil and State of Maryland, shown as parcel numbered 3 on the P. R. R. Plan Numbered 8018, bounded and described as follows, namely:

Description.

Beginning at a point in the southerly line of land of The Philadelphia, Baltimore and Washington Railroad Company at the distance of two hundred and five feet measured southwardly and at right angles from a point in the line established as the center line of railroad of The Philadelphia, Baltimore and Washington Railroad Company, known as the "Maryland Division" · said point

Description—Con.

in center line of railroad being at the distance of four hundred and eighty-six feet, measured westwardly along said center line of railroad, from another point therein opposite the center of said railroad company's Perryville passenger station; said point of beginning also being in the northerly line of the Government reservation and south seventy-six degrees nineteen minutes west, a distance of six hundred forty-seven and six-tenths feet from a United States monument at a corner common to the said land of The Philadelphia, Baltimore and Washington Railroad Company and the land of the United States of America; thence south thirty-nine degrees eleven minutes west across the Government reservation, a distance of two hundred and fifty and nine-tenths feet to a point in the easterly line of the land of The Philadelphia, Baltimore and Washington Railroad Company; thence north twenty-one degrees thirty-seven minutes west along the boundary line between The Philadelphia, Baltimore and Washington Railroad Company and the Government reservation, a distance of one hundred fifty-two and ninety-one one-hundredths feet to a point; thence north seventy-six degrees nineteen minutes east along the northerly line of the Government reservation, a distance of two hundred twenty-one and thirteen one-hundredths feet to the point of beginning:

Containing, in all, three hundred and eighty-four one-thousandths of an acre, more or less, and being shown in detail as parcel numbered 3 on Plan Numbered 8018 of the Pennsylvania Railroad, dated June 3, 1935.

(b) Whatever easement rights the United States now has to all those two certain crossings of Stumps Road, also known as "Stumps Lane", described as follows, namely:

The southern crossing being at grade and crossing the railroad of The Philadelphia, Baltimore and Washington Railroad Company, known as the "Perryville Branch, Maryland Division"; the middle line of said Stumps Road grade crossing being at a distance of two thousand and fifteen feet, more or less, measured eastwardly along said Perryville branch line of railroad, from another point therein opposite the center of said railroad company's Perryville passenger station, and shown as grade crossing "C" on P. R. R. Plan Numbered 8018;

The northern crossing being under grade of the railroad of The Philadelphia, Baltimore and Washington Railroad Company, known as the main line Maryland Division; the middle line of said undergrade crossing being at the distance of one thousand nine hundred and ninety feet, more or less, measured eastwardly along said main line of railroad, from another point therein opposite the center of said railroad company's Perryville passenger station, and shown as undergrade crossing "D" on P. R. R. Plan Numbered 8018.

(c) Release of whatever right the United States now has to use the following described overhead bridge for vehicular traffic:

Overhead bridge being the approach to the present main entrance to the reservation, the center line of which is located westwardly a distance of two hundred ninety-one and five-tenths feet, more or less, from United States stone monument in the boundary line between the properties of the United States Government and The Philadelphia, Baltimore and Washington Railroad Company, said center line of overhead bridge also being at a distance of one hundred twenty-nine and nine-tenths feet, more or less, measured westwardly along the main line of the railroad from another point therein opposite the center of said railroad's Perryville passenger station and shown as overhead bridge "A" on Plan Numbered 8018 of the Pennsylvania Railroad, dated June 3, 1935.

By Pennsylvania Railroad Company.

SEC. 3. (a) Fees simple title, subject to the reserved right of the Pennsylvania Railroad Company, to all necessary rights of ingress, egress, and regress, on, over, and under, for the purpose of inspecting and maintaining any existing pipe or water line, to all that certain piece or parcel of land situate at Perryville, in election district numbered 7, in the county of Cecil and State of Maryland, shown as parcel numbered 1, on P. R. R. Plan Numbered 8018, bounded and described as follows, namely:

Description.

Beginning at a point in the southeasterly line of land granted by The Philadelphia, Baltimore and Washington Railroad Company to the State of Maryland by deed dated August 20, 1927, at a corner common to the land being described and common to the grant of easement parcel, shown as Parcel Numbered 2 on P. R. R. Plan Numbered 8018, to be hereinafter described, at the distance of one hundred and fourteen feet measured southwardly and at right angles from a point in the line established as the center line of railroad of The Philadelphia, Baltimore and Washington Railroad Company, known as the "Maryland Division"; said point in center line of railroad being at the distance of one thousand five hundred and fifty-nine feet, measured westwardly along said center line of railroad, from another point therein opposite the center of said railroad company's Perryville passenger station; thence south fifty-seven degrees forty-eight minutes east along the southwesterly line of grant of easement parcel Numbered 2, crossing a proposed road, a distance of four hundred and five feet to a point, said point being the southerly corner of said grant of easement parcel Numbered 2; thence south sixty-five degrees seventeen minutes east along the land of The Philadelphia, Baltimore and Washington Railroad Company, a distance of one hundred and twelve feet, more or less, to a point; thence north seventy-six degrees nineteen minutes east along the land of The Philadelphia, Baltimore and Washington Railroad Company on a line parallel with and distant one hundred feet measured southwardly and at right angles from the southerly line of the Perryville substation site, a distance of five hundred and ten feet, more or less, to a point, said point being in the westerly line of the Government reservation; thence along the lands of the Government reservation the following two courses: South twenty-one degrees thirty-seven minutes east a distance of one hundred and forty-seven feet, more or less, to a United States monument; south sixty-five degrees fifty-three minutes west a distance of five hundred and thirty-seven feet, more or less, to a point, said point being in the shore line of the Susquehanna River; thence northwestwardly, up and along said shore line of the Susquehanna River, a distance of nine hundred and twenty feet, more or less, to a point, said point being in the southerly line of the land granted by The Philadelphia, Baltimore and Washington Railroad Company to the State of Maryland; thence along the southerly and southeasterly lines of said land granted to the State of Maryland the following three courses: North seventy-seven degrees thirty-five minutes east a distance of one hundred and twenty-five feet to a point; north sixty-two degrees forty-five minutes east a distance of one hundred fifty-seven and five-tenths feet to a point; north thirty-seven degrees twenty-five minutes east a distance of sixty feet to the point of beginning:

Containing, in all, five and three hundred and eighty-seven one-thousandths acres, more or less, and being shown in detail as parcel numbered 1 on Plan Numbered 8018 of the Pennsylvania Railroad, dated June 3, 1935.

Easement for highway.

(b) Easement for purpose of building, maintaining, and using a highway and such landscaping as may be considered necessary in

the discretion of the Administrator of Veterans' Affairs to all that certain piece or parcel of land situate at Perryville, in election district numbered 7, in the county of Cecil and State of Maryland, shown as parcel numbered 2 on P. R. R. Plan Numbered 8018, bounded and described as follows, namely:

Description.

Beginning at a point in the southeasterly line of the Philadelphia and Baltimore Road (post road) at or near the northerly end of the easterly abutment of Bridge Numbered 60.07 which carries the railroad of The Philadelphia, Baltimore and Washington Railroad Company over the highway and over the Susquehanna River, at the distance of forty-three feet measured northwardly and at right angles from a point in the line established as the center line of railroad of The Philadelphia, Baltimore and Washington Railroad Company, known as the "Maryland Division"; said point in center line of railroad being at the distance of one thousand three hundred and fifty-five feet, measured westwardly along said center line of railroad, from another point therein opposite the center of said railroad company's Perryville passanger [1] station; thence south thirteen degrees forty-one minutes east along the land of The Philadelphia, Baltimore and Washington Railroad Company, passing along the face of said easterly abutment of the Bridge Numbered 60.07, crossing said center line of railroad, a distance of eighty-three feet to a point; thence south fourteen degrees forty-two minutes east along the land of The Philadelphia, Baltimore and Washington Railroad Company, a distance of three hundred seventy-seven and forty-three one-hundredths feet to a point, said point being in the northeasterly line of parcel numbered 1; thence north fifty-seven degrees forty-eight minutes west along said northeasterly line of parcel numbered 1, crossing a proposed road, a distance of four hundred and five feet to a point, said point being in the southeasterly line of land granted by The Philadelphia, Baltimore and Washington Railroad Company to the State of Maryland by deed dated August 20, 1927, said point also being the point of beginning of parcel numbered 1, and being one hundred and fourteen feet measured southwardly and at right angles from a point in said center line of railroad; thence along the southeasterly and easterly lines of said land granted by The Philadelphia, Baltimore and Washington Railroad Company to the State of Maryland the following three courses: North thirty-seven degrees twenty-five minutes east a distance of ninety and four-tenths feet to a point; north thirty degrees twenty minutes east a distance of fifty feet to a point; north twenty degrees fifteen minutes east, recrossing said center line of railroad a distance of sixty-eight feet to a point, said point being at the most northeasterly corner of said land granted to the State of Maryland, within the lines of the highway leading to the highway bridge crossing the Susquehanna River; thence north sixty-four degrees fifty-two minutes east, crossing the southeasterly line of said highway, a distance of fifty-nine feet to the point of beginning:

Containing, in all, one and one hundred eighty-two one-thousandths acres, more or less, and being shown in detail as parcel numbered 2 on Plan Numbered 8018 of the Pennsylvania Railroad, dated June 3, 1935: *Provided*, That the Pennsylvania Railroad Company shall have the right to reserve all necessary rights of ingress, egress, and regress, on, over, and under, for the purpose of operating, inspecting, and maintaining the substation catenary wires and structures, transmission wires, pipe, water lines, pump, and so forth, and to maintain and operate its railroad as at present, or as it may be relocated or widened in the future.

[1] So in original.

Old fish wharf, etc., to be razed.

SEC. 4. The Administrator of Veterans' Affairs is authorized and directed to raze the old fish wharf and fish house now located on the tract described in section 3 of this Act containing five and three hundred eighty-seven one-thousandth acres.

Approved, August 23, 1935.

[CHAPTER 619.]

AN ACT

August 23, 1935.
[S. 1988.]
[Public, No. 310.]

To extend the time for commencing and completing the construction of a bridge across the Missouri River at or near Rulo, Nebraska.

Missouri River.
Time extended for bridging, at Rulo, Nebr.
Vol. 47, p. 1555, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge authorized by an Act of Congress approved March 4, 1933, to be built by John C. Mullen, John H. Hutchings, and William Shepherd, their heirs, legal representatives, and assigns, across the Missouri River at or near Rulo, Nebraska, are hereby extended one and three years, respectively, from March 4, 1935.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 23, 1935.

[CHAPTER 620.]

AN ACT

August 23, 1935.
[S. 3050.]
[Public, No. 311.]

Granting the consent of Congress to the States of New York and Vermont to construct, maintain, and operate a bridge across Lake Champlain between Rouses Point, New York, and Alburg, Vermont.

Lake Champlain.
New York and Vermont may bridge, between Rouses Point, N. Y., and Alburg, Vt.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the States of New York and Vermont, their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across Lake Champlain at a point suitable to the interests of navigation, between Rouses Point, New York, and Alburg, Vermont, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction.
Vol. 34, p. 84; U. S. C., p. 1474.

Acquisition of real estate, etc., for location, approaches, etc.

SEC. 2. There is hereby conferred upon the States of New York and Vermont, their successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is located, upon making just compensation therefor to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation and expropriation of property in such State.

Condemnation proceedings.

Tolls authorized.

SEC. 3. The said States of New York and Vermont, their successors and assigns, are hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Tolls applied to operation, sinking fund, etc.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge, the same shall be so adjusted as to provide a fund sufficient to pay for the cost of maintaining, repairing, and operating the bridge and its approaches, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches as soon as

possible under reasonable charges, but within a period of not to exceed thirty years from the completion thereof. After a sinking fund sufficient to pay the cost of constructing the bridge and its approaches shall have been provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper care, repair, maintenance, and operation of the bridge and its approaches. An accurate record of the cost of the bridge and its approaches, the expenditures for operating, repairing, and maintaining the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Maintenance as free bridge after costs amortized.

Record of expenditures and receipts.

SEC. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 23, 1935.

[CHAPTER 621.]

AN ACT

August 23, 1935.
[S. 3060.]
[Public, No. 312.]

To amend section 6 of title I of the Act entitled "An Act to maintain the credit of the United States Government", approved March 20, 1933, as amended; to extend the time within which applications for benefits under the World War Adjusted Compensation Act, as amended, may be filed; and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Act of March 20, 1933 (Public, Numbered 2, Seventy-third Congress), as amended by the Act of June 16, 1933 (Public, Numbered 78, Seventy-third Congress), and the Act of March 28, 1934 (Public, Numbered 141, Seventy-third Congress) (38 U. S. C. 706), is hereby amended to read as follows:

Economy Act, amendments.
Vol. 48, pp. 9, 301, 525, amended.
U. S. C., p. 1688.

"SEC. 6. In addition to the pensions provided in this title the Administrator of Veterans' Affairs is hereby authorized under such limitations as he may prescribe, and within the limits of existing Veterans' Administration facilities, to furnish to men discharged from the Army, Navy, Marine Corps, or Coast Guard for disabilities incurred in line of duty or to those in receipt of pension for service-connected disability, and to veterans of any war, including the Boxer Rebellion and the Philippine Insurrection, domiciliary care where they are suffering with permanent disabilities, tuberculosis, or neuropsychiatric ailments and medical and hospital treatment for diseases or injuries: *Provided*, That any veteran of any war who was not dishonorably discharged, suffering from disability, disease, or defect, who is in need of hospitalization or domiciliary care and is unable to defray the necessary expenses therefor (including transportation to and from the Veterans' Administration facility), shall be furnished necessary hospitalization or domiciliary care (including transportation) in any Veterans' Administration facility, within the limitations existing in such facilities, irrespective of whether the disability, disease, or defect was due to service. The statement under oath of the applicant on such form as may be prescribed by the Administrator of Veterans' Affairs shall be accepted as sufficient evidence of inability to defray necessary expenses."

Domiciliary care and hospitalization of veterans.

Receiving pensions for service-connected disability added.

Proviso.
Needy veterans.

SEC. 2. Subdivsions [1] (b) and (c) of section 302, section 311, and subdivision (b) of section 604 of the World War Adjusted Compensation Act, as amended, are amended, to take effect as of January 2, 1935, by striking out "January 2, 1935", wherever it appears in such subdivisions and section, and inserting in lieu thereof "January 2, 1940".

World War Adjusted Compensation Act amendment.
Vol. 43, pp. 123, 129; Vol. 45, p. 948.
U. S. C., pp. 1681, 1682, 1686.
Post, p. 1100.
Time for making applications for benefits extended.

[1] So in original.

Payments to dependents.
Vol. 43, p. 129; U. S. C., p. 1686.
Effective date extended.

SEC. 3. Section 602 of the World War Adjusted Compensation Act, as amended, is amended, to take effect as of January 2, 1935, by striking out "January 2, 1935", wherever it appears in such section, and inserting in lieu thereof "January 2, 1940".

Vol. 45, p. 948; U. S. C., p. 1683.
Time extended for filing applications for benefits.

SEC. 4. Subdivision (b) of section 312 of the World War Adjusted Compensation Act, as amended, is amended, to take effect as of January 2, 1935, by striking out "January 2, 1935", wherever it appears in such subdivision, and inserting in lieu thereof "January 2, 1940".

Prior payments, etc., not invalidated.

SEC. 5. This Act shall not invalidate any payments made or application received, before the enactment of this Act, under the World War Adjusted Compensation Act, as amended.

Payments to dependents, regardless of changed status, unless priority of preference established.

Payments under awards heretofore or hereafter made shall be made to the dependent entitled thereto regardless of change in status, unless another dependent establishes to the satisfaction of the Director a priority of preference under such Act, as amended.

Remaining installments.

Upon the establishment of such preference the remaining installments shall be paid to such dependent, but in no case shall the total payments under title VI of such Act, as amended (except section 608), exceed the adjusted-service credit of the veteran.

Approved, August 23, 1935.

[CHAPTER 622.]

AN ACT

August 23, 1935.
[S. 3105.]
[Public, No. 313.]

To amend the Act approved June 12, 1934, relating to the granting of the consent of Congress to certain bridge construction across the Tennessee River at a point between the city of Sheffield, Alabama, and the city of Florence, Alabama.

Tennessee River.
Bridge authorization across, modified.
Vol. 48, p. 945; *Post*, p. 1254.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act granting the consent of Congress to the State of Alabama, its agent or agencies, and to Colbert County and to Lauderdale County in the State of Alabama, and to the city of Sheffield, Colbert County, Alabama, and to the city of Florence, Lauderdale County, Alabama, or to any two of them, or to either of them, to construct, maintain, and operate a bridge, and approaches thereto, across the Tennessee River at a point between the city of Sheffield, Alabama, and the city of Florence, Alabama, suitable to the interests of navigation", approved June 12, 1934, is amended to read as follows:

Alabama Highway Bridge Commission added as a construction agency.

"That the consent of Congress is hereby granted to the State of Alabama, its agent or agencies, and to Colbert County and to Lauderdale County in the State of Alabama, and to the city of Sheffield, Colbert County, Alabama, and to the city of Florence, Lauderdale County, Alabama, and to the Highway Bridge Commission, Incorporated, of Alabama, or to any two of them, or to either of them, to construct, maintain, and operate a bridge, and approaches thereto, across the Tennessee River, at a point suitable to the interests of navigation, between Colbert County and Lauderdale County in the State of Alabama, in accordance with the provisions of an Act entitled 'An Act to regulate the construction of bridges over navigable waters', approved March 2,[1] 1906.

Location modified.

Vol. 34, p. 84; U. S. C., p. 1474.

Amendment.

"SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved."

Time extension.

SEC. 2. The times for commencing and completing the construction of the bridge authorized to be built by such Act approved June 12, 1934, as amended by section 1 of this Act, are hereby extended one and three years, respectively, from the date of the enactment of this amendatory Act.

Approved, August 23, 1935.

[1] So in original.

[CHAPTER 623.]

AN ACT

August 23, 1935.
[H. R. 8026.]
[Public, No. 314.]

To establish and promote the use of standards of classification for tobacco, to provide and maintain an official tobacco inspection service, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when used in this Act—

Tobacco Inspection Act.

Definitions.

(a) "Person" includes partnerships, associations, and corporations, as well as individuals. "Person."

(b) "Secretary" means the Secretary of Agriculture of the United States. "Secretary."

(c) "Inspector" means any person employed, licensed, or authorized by the Secretary to determine and certify the type, grade, condition, or other characteristics of tobacco. "Inspector."

(d) "Sampler" means any person employed, licensed, or authorized by the Secretary to select, tag, and seal official samples of tobacco. "Sampler."

(e) "Weigher" means any person employed, licensed, or authorized by the Secretary to weigh and certify the weight of tobacco. "Weigher."

(f) "Tobacco" means tobacco in its unmanufactured form. "Tobacco."

(g) "Auction market" means a market or place to which tobacco is delivered by the producers thereof, or their agents, for sale at auction through a warehouseman or commission merchant. "Auction market."

(h) Words in the singular form shall be deemed to import the plural form when necessary. The singular form to denote plural when necessary.

(i) "Commerce" means commerce between any State, Territory, or possession, or the District of Columbia, and any place outside thereof; or between points within the same State, Territory, or possession, or the District of Columbia, but through any place outside thereof; or within any Territory or possession, or the District of Columbia. For the purposes of this Act (but not in any wise limiting the foregoing definition) a transaction in respect to tobacco shall be considered to be in commerce if such tobacco is part of that current of commerce usual in the tobacco industry whereby tobacco or products manufactured therefrom are sent from one State with the expectation that they will end their transit, after purchase, in another, including, in addition to cases within the above general description, all cases where purchase or sale is either for shipment to another State or for manufacture within the State and the shipment outside the State of the products resulting from such manufacture. Tobacco normally in such current of commerce shall not be considered out of such current through resort being had to any means or device intended to remove transactions in respect thereto from the provisions of this Act. For the purpose of this paragraph the word "State" includes Territory, the District of Columbia, possession of the United States, and foreign nations. "Commerce." "State."

Declaration of necessity of regulation.

SEC. 2. That transactions in tobacco involving the sale thereof at auction as commonly conducted at auction markets are affected with a public interest; that such transactions are carried on by tobacco producers generally and by persons engaged in the business of buying and selling tobacco in commerce; that the classification of tobacco according to type, grade, and other characteristics affects the prices received therefor by producers; that without uniform standards of classification and inspection the evaluation of tobacco is susceptible to speculation, manipulation, and control, and unreasonable fluctuations in prices and quality determinations occur which are detrimental to producers and persons handling tobacco in commerce; that such fluctuations constitute a burden upon commerce and make

the use of uniform standards of classification and inspection imperative for the protection of producers and others engaged in commerce and the public interest therein.

Investigations authorized.

SEC. 3. That the Secretary is authorized to investigate the sorting, handling, conditioning, inspection, and marketing of tobacco from time to time, and to establish standards for tobacco by which its type, grade, size, condition, or other characteristics may be determined, which standards shall be the official standards of the United States, and shall become effective immediately or upon a date specified by the Secretary: *Provided*, That the Secretary may issue tentative standards for tobacco prior to the establishment of official standards therefor, and he may modify any standards established under authority of this Act whenever, in his judgment, such action is advisable.

Determination of official standards.

Proviso.
Tentative standards authorized.

Modifications.

Demonstration of official standards, samples, etc.

SEC. 4. That the Secretary is authorized to demonstrate the official standards; to prepare and distribute, upon request, samples, illustrations, or sets thereof; and to make reasonable charges therefor: *Provided*, That in no event shall charges be in excess of the cost of said samples, illustrations, and services so rendered.

Proviso.
Charges therefor.

Auction markets; designation of.

SEC. 5. That the Secretary is authorized to designate those auction markets where tobacco bought and sold thereon at auction, or the products customarily manufactured therefrom, moves in commerce. Before any market is designated by the Secretary under this section he shall determine by referendum the desire of tobacco growers who sold tobacco at auction on such market during the preceding marketing season. The Secretary may at his discretion hold one referendum for two or more markets or for all markets in a type area. No market or group of markets shall be designated by the Secretary unless two-thirds of the growers voting favor it. The Secretary shall have access to the tobacco records of the Collector of Internal Revenue and of the several collectors of internal revenue for the purpose of obtaining the names and addresses of growers who sold tobacco on any auction market, and the Secretary shall determine from said records the eligibility of such grower to vote in such referendum, and no grower shall be eligible to vote in more than one referendum. After public notice of not less than thirty days that any auction market has been so designated by the Secretary, no tobacco shall be offered for sale at auction on such market until it shall have been inspected and certified by an authorized representative of the Secretary according to the standards established under this Act, except that the Secretary may temporarily suspend the requirement of inspection and certification at any designated market whenever he finds it impracticable to provide for such inspection and certification because competent inspectors are not obtainable or because the quantity of tobacco available for inspection is insufficient to justify the cost of such service: *Provided*, That, in the event competent inspectors are not available, or for other reasons, the Secretary is unable to provide for such inspection and certification at all auction markets within a type area, he shall first designate those auction markets where the greatest number of growers may be served with the facilities available to him. No fee or charge shall be imposed or collected for inspection or certification under this section at any designated auction market. Nothing contained in this Act shall be construed to prevent transactions in tobacco at markets not designated by the Secretary or at designated markets where the Secretary has suspended the requirement of inspection or to authorize the Secretary to close any market.

Referendum of sellers.

Determination of eligibility to vote.

Inspection and certification of tobacco prior to sale.

Temporary emergency waiver allowed.

Proviso.
Inability to provide inspection.

No inspection fee to be charged.

Right to prevent transactions.

Sampling, inspection, weighing, etc., upon request.

SEC. 6. That the Secretary, independently or in cooperation with other branches of the Government, State agencies, or persons, whether operating in one or more jurisdictions, is authorized to employ and/or

license competent persons as samplers to take official samples of tobacco, or as weighers to weigh and certify the weight of tobacco, or as inspectors of tobacco to determine and certify, upon the request of the owner or other financially interested person, the type, grade, weight, condition, and/or such other facts as the Secretary may deem necessary.

Fees.

The Secretary is authorized to fix and collect such fees or charges in the administration of this section as he may deem reasonable, and the moneys collected, except as provided in this section, shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts. Fees or charges collected under an agreement with a State, municipality, or person, or by an individual licensed to inspect or weigh or sample tobacco under this Act, may be disposed of in accordance with the terms of such agreement or license. Charges for expenses for travel and subsistence incurred by inspectors or weighers or samplers employed by the Secretary when required to be paid by the applicant for service, may be credited to the appropriation, or any other funds authorized in this Act from which they were paid.

Travel, etc, expenses.

Section construed.

This section is intended merely to provide for the furnishing of services upon request of the owner or other person financially interested in tobacco to be sampled, inspected, or weighed and shall not be construed otherwise.

Appeal inspections.

SEC. 7. That the Secretary shall provide for such reinspection or appeal inspection of tobacco as he may deem necessary for the confirmation or reversal of certificates issued under this Act. Each inspection certificate issued under this Act, unless invalidated or superseded in accordance with the regulations of the Secretary, shall be received in all courts and by all officers and employees of the United States as prima facie evidence of the truth of the statements therein contained.

Judicial recognition of inspection certificates.

Warehouse tickets. Grade to be shown.

SEC. 8. That warehousemen shall provide space on warehouse tickets or other tags or labels used by them for showing the grade of the lot covered thereby as determined by an authorized tobacco inspector under this Act. The Secretary may prescribe, by regulation, the form in which such certification of grade shall be shown, and may require that a copy of such warehouse ticket, tag, or label shall be furnished to the Secretary.

Market news service authorized.

SEC. 9. That the Secretary is authorized to collect, publish, and distribute, by telegraph, mail, or otherwise without cost to the grower, timely information on the market supply and demand, location, disposition, quality, condition, and market prices for tobacco.

Unlawful acts.

SEC. 10. It shall be unlawful—

Unauthorized use of designated words.

(a) For any person to use the words "United States", "Government", or "Federal", or any abbreviation thereof, in, or in connection with, any statement relating to the grade of tobacco when such grade is not, in fact, one of the grades for tobacco according to the standards of the United States.

Counterfeiting, etc.

(b) For any person falsely to make, issue, alter, forge, or counterfeit, or aid, cause, procure, or assist in or be a party to the false making, issuing, altering, forging, or counterfeiting of any certificate, stamp, tag, seal, label, or other writing purporting to be issued or authorized under this Act.

Issuing deceptive certificates.

(c) For any person, not an authorized inspector under this Act, to issue a certificate or report stating the type, grade, size, or condition of any lot of tobacco to be in accordance with the standards of the United States therefor which is of such color, size, arrangement, or wording as to be mistaken for a certificate issued under this Act, unless such certificate states in prominent letters in its heading that it is not issued under authority of the United States.

Misconduct, etc., of official.

(d) For any person employed, designated, or licensed by the Secretary as an inspector, sampler, or weigher of tobacco under this Act knowingly to inspect, sample, or weigh improperly, or to issue any false certificate under this Act, or to accept money or other consideration, directly or indirectly, for any neglect or improper performance of duty as an inspector, sampler or weigher.

Unduly influencing, resisting, etc., any inspector, etc.

(e) For any person improperly to influence or to attempt improperly to influence or forcibly to assault, resist, impede, or interfere with any inspector, sampler, weigher, or other person employed, designated, or licensed by the Secretary in the execution of his duties under this Act: *Provided, however*, That nothing herein shall operate to prevent the owner of tobacco from appealing or protesting, in accordance with regulations of the Secretary, the grade certified for his tobacco.

Proviso.
Appeal or protest permitted.

False representation.

(f) For any person falsely to represent or otherwise indicate that he is authorized by the Secretary to inspect, sample, or weigh tobacco under this Act.

Substitution, etc., for inspected tobacco.

(g) For any person to substitute, or attempt to substitute, following inspection or sampling or weighing under this Act, other tobacco for tobacco actually inspected or sampled or weighed, or in the case of tobacco inspected in auction warehouses for any person not so authorized by the Secretary to remove any certificate of grade from any lot of tobacco prior to the sale of such lot.

False statements.

(h) For any person falsely to represent that tobacco has been inspected, sampled, or weighed under this Act; or knowingly to have made any false representation concerning tobacco inspected under this Act; or knowing that tobacco is to be offered for inspection or sampling under this Act to load, pack, or arrange such tobacco in such manner as knowingly to conceal foreign matter or tobacco of inferior grade, quality, or condition; or for any person knowing that tobacco has been so loaded, packed, or arranged, to offer it for inspection or sampling without disclosing such knowledge to the inspector or sampler before inspection or sampling.

Altering official samples.

(i) For any person willfully to alter an official sample of tobacco by removing or plucking leaves or otherwise, or for any person knowing that an official sample of tobacco has been so altered, thereafter to represent such sample as an official sample.

Violations may be published.

SEC. 11. The Secretary is authorized to publish the facts regarding any violation of this Act.

Punishment.

SEC. 12. That any person violating any provision of sections 5 and 10 of this Act shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than $1,000, or imprisoned not more than one year, or both.

Corporations, etc.
Responsibility for acts of employees.

SEC. 13. In construing and enforcing the provisions of this Act; the act;[1] omission, or failure of any agent, officer, or other person acting for or employed by an association, partnership, corporation, or firm, within the scope of his employment or office, shall be deemed to be the act, omission, or failure of the association, partnership, corporation, or firm, as well as that of the person.

Rules and regulations to effectuate purposes of Act.
Cooperation with other agencies.

SEC. 14. That the Secretary is authorized to make such rules and regulations and hold such hearings as he may deem necessary to effectuate the purposes of this Act and may cooperate with any other Department or agency of the Government; any State, territory, district, or possession, or department, agency, or political subdivision thereof; purchasing and consuming organizations, boards of trade, chambers of commerce, or other associations of business men or trade organizations; or any person, whether operating in one or more jurisdictions in carrying on the work herein authorized; and he shall have the power to appoint, suspend, remove, and fix the compensation

Personnel.

[1] So in original.

of all officers, employees, and licensees not in conflict with existing law, except that inspectors and supervisors employed hereunder on a seasonal basis and working for periods of six months or less during any twelve-month period may be appointed without reference to the provisions of the Classification Act of 1923, as amended. The Secretary is authorized to make such expenditures for rent outside of the District of Columbia, printing, binding, telegrams, telephones, books of reference, publications, furniture, stationery, office and laboratory equipment, travel, tobacco for use in preparing and demonstrating standards, and other supplies and expenses, including reporting services, as shall be necessary to the administration of this Act in the District of Columbia and elsewhere, and as may be appropriated for by Congress; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for administering this Act.

U. S. C., p. 85.
Rent.
Expenses authorized.

Post, pp. 1115, 1450.

Hearings, administration of oaths, etc.

SEC. 15. That in carrying on the work herein authorized, the Secretary, or any officer or employee designated by him for such purpose, shall have power to hold hearings, administer oaths, sign and issue subpenas, examine witnesses, and require the production of books, records, accounts, memoranda, and papers. Upon refusal by any person to appear, testify, or produce books, records, accounts, memoranda, and papers in response to a subpena, the proper United States district court shall have power to compel obedience thereto.

Subpenas.

Separability of Act.

SEC. 16. That if any provision of this Act or the application thereof to any person or circumstance is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

Delegation of duties.

SEC. 17. That any duties devolving upon the Secretary of Agriculture by virtue of the provisions of this Act may with like force and effect be executed by such officer or officers, agent or agents, of the Department of Agriculture as the Secretary may designate for the purpose.

Short title.

SEC. 18. That this Act may be cited as "The Tobacco Inspection Act."

Approved, August 23, 1935.

[CHAPTER 624.]

JOINT RESOLUTION

August 23, 1935.
[S. J. Res. 59.]
[Pub. Res., No. 53.]

Providing for the preparation and completion of plans for a comprehensive observance of the one hundred and fiftieth anniversary of the formation of the Constitution of the United States.

United States Constitution Sesquicentennial Commission.
Establishment.
Post, p. 1392.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a commission, to be known as the "United States Constitution Sesquicentennial Commission" (hereinafter referred to as the "Commission") for the celebration of the one hundred and fiftieth anniversary of the formation of the Constitution, and to be composed of eighteen commissioners, as follows: The President of the United States; the President of the Senate and the Speaker of the House of Representatives, ex officio; five persons to be appointed by the President of the United States; five Senators to be appointed by the President of the Senate; and five Representatives by the Speaker of the House of Representatives.

Composition.

Expenses allowed.

SEC. 2. The commissioners shall receive no compensation for their services but shall be paid their actual and necessary traveling, hotel, and other expenses incurred in the discharge of their duties.

Chairman, Director, assistants, etc.

SEC. 3. The Commission shall select a chairman and appoint a Director, who shall appoint, with the approval of the Commission, such assistants and subordinates as he deems necessary.

Duties of commissioners.

SEC. 4. That it shall be the duty of the commissioners, after promulgating to the American people an address relative to the reason of its creation and of its purpose, to prepare a plan or plans and a program for the adequate celebration of the sesquicentennial anniversary, and to give due and proper consideration to any plan or plans which may be submitted to them; and to take such steps as may be necessary in the coordination and correlation of plans prepared by State's commissions, or by bodies created under appointment by the Governors of the respective States, and by representative civic bodies.

Report to Congress.

SEC. 5. That the Commission shall, on or before the 20th day of January 1936, make a report to the Congress, in order that enabling legislation may be enacted.

Duration.

SEC. 6. That the Commission hereby created shall expire December 31, 1939.

Acceptance of contributions; use restricted.

SEC. 7. That the Commission may receive from any source contributions to aid in carrying out the general purpose of this resolution, but the same shall be expended and accounted for in the same manner as any appropriation which may be made under authority of this Act.

Appropriation authorized.
Post, p. 1112.

SEC. 8. There is hereby authorized to be appropriated the sum of $10,000 to defray necessary expenses.

Approved, August 23, 1935.

[CHAPTER 625.]

August 23, 1935.
[S. J. Res. 122.]
[Pub. Res., No. 54.]

JOINT RESOLUTION

Granting the consent of Congress to the States of New York and Vermont to enter into an agreement amending the agreement between such States consented to by Congress in Public Resolution Numbered 9, Seventieth Congress, relating to the creation of the Lake Champlain Bridge Commission.

Lake Champlain.
Consent granted New York and Vermont to enter amendatory agreement respecting bridge construction across.
Vol. 45, p. 120, amended.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the States of New York and Vermont to enter into the amendatory agreement executed on March 30, 1935, by the commissioners duly appointed on the part of such States, amending the original agreement entered into by such States for the creation of the Lake Champlain Bridge Commission, which original agreement was consented to by Congress by Public Resolution Numbered 9, Seventieth Congress, approved February 16, 1928, and every part and article of such amendatory agreement is hereby ratified, approved, and confirmed: *Provided*, That nothing therein contained shall be construed as impairing or in any manner affecting any right or jurisdiction of the United States in and over the region which forms the subject of such amendatory agreement; which amendatory agreement is as follows:

Proviso.
Federal jurisdiction not impaired.

Amendatory agreement.

Whereas the States of New York and Vermont heretofore and on the 11th day of May 1927 entered into an agreement or compact, duly authorized by law, creating the Lake Champlain Bridge Commission; and

Whereas the legislatures of said States have authorized their respective commissioners to enter into an agreement or compact amending said existing agreement or compact: Now, therefore,

The said States of New York and Vermont do hereby enter into the following agreement, to wit:

Agreement—Contd.

The agreement heretofore made between the State of New York and the State of Vermont pursuant to chapter 321 of the laws of 1927 of the State of New York entitled "An Act authorizing designated authorities in behalf of the State of New York to enter into an agreement or compact with designated authorities of the State of Vermont for the creation of the Lake Champlain Bridge Commission, the establishment of the Lake Champlain Bridge Commission, and the defining of the powers and duties of such Commission and making an appropriation for such purposes", and numbered 139 of the Acts of 1927 of the State of Vermont entitled "An Act ratifying a proposed agreement or compact between the State of Vermont and the State of New York relating to the creation of the Lake Champlain Bridge Commission and providing for carrying out the provisions of said agreement or compact", is hereby amended by adding thereto the following articles:

Articles added.

ARTICLE XXII

The Lake Champlain Bridge Commission is hereby authorized to construct as speedily as possible and to maintain and operate an additional highway bridge or bridges and approaches across Lake Champlain between points to be selected by such Commission more than fifty-two miles north of the bridge heretofore constructed by such Commission: *Provided*, That if any bridge or bridges be constructed under this Act, one shall be a bridge from a point in the State of New York at or near Rouses Point to a point in the State of Vermont at Alburg, subject to such consents and approval of Federal authorities in any case as may be necessary. Such bridge so to be constructed is hereinafter sometimes referred to as "Rouses Point Bridge."

ARTICLE XXIII

The said Commission shall have power—

1. To sue and be sued.
2. To acquire, hold, and dispose of personal property.
3. To acquire lands, rights, or property for Rouses Point Bridge as is provided in article 13 hereof for the bridge heretofore constructed by it.
4. To appoint and employ officers, agents, and employees.
5. To make contracts and execute all instruments necessary or convenient.
6. To charge tolls for the use of the Rouses Point Bridge and the bridge heretofore constructed by it, subject to and in compliance with agreements made and to be made with bondholders.
7. To enter on any lands, waters, and premises for the purpose of making surveys, soundings, and examinations.
8. To construct and maintain over or along the Rouses Point Bridge or the bridge heretofore constructed by it, or either of them, telephone, telegraph, or electric wires and cables, gas mains, water mains, and other mechanical equipment not inconsistent with the use of the bridges for vehicular traffic. To contract for such construction and to lease the right to construct and/or use the same on such terms and for such consideration as it shall determine: *Provided, however*, That no lease shall be made for a period of more than ten years from the date when it is made.
9. Near or on the Rouses Point Bridge or the bridge heretofore constructed by it, to construct and maintain facilities for the public, not inconsistent with the appropriate use of the bridges, to contract

Agreement—Contd.

for such construction, and to lease the right to construct and/or use such facilities on such terms and for such considerations as it shall determine: *Provided, however*, That no lease shall be made for a period of more than ten years from the date when it is made.

10. Subject to limitations imposed by any Federal authorities and by any agreement made or to be made with bondholders, to make rules and regulations for the use of Rouses Point Bridge and the bridge heretofore constructed by it. This subdivision shall supersede the provisions of article 9 hereof.

11. To do all things necessary or convenient to carry out the powers expressly given in this agreement.

ARTICLE XXIV

The said Commission may make agreements with bondholders as to the deposit of its funds, and the security to be required therefor, and as to the withdrawal and disbursement thereof. Subject to such agreements, the Commission shall provide for deposit of its funds, security to be required therefor and the withdrawal and disbursement thereof, and if required by the Commission its deposits shall be secured and all banks and trust companies are hereby authorized to give such security for such deposits.

ARTICLE XXV

The construction of Rouses Point Bridge shall be by contract or several contracts made and executed in the same manner as provided in article 19 hereof for the contract for the construction of the bridge heretofore constructed by the Commission. The approaches may in the discretion of the Commission be constructed by its own employees.

ARTICLE XXVI

1. Such Commission shall have power and is hereby authorized from time to time to issue its negotiable bonds, in addition to those issued prior to the 1st day of March 1933, for any corporate purpose in the aggregate principal amount of not exceeding $1,000,000.

2. Said bonds shall be authorized by resolution of such Commission and shall bear such date or dates, mature at such time or times, not exceeding fifty years from their respective dates, bear interest at such rate or rates, not exceeding 5 per centum per annum payable semiannually, be in such denominations, be in such form, either coupon or registered, carry such registration privileges, be executed in such manner, be payable in such medium of payment, at such place or places, and be subject to such terms of redemption, not exceeding par and accrued interest, as such resolution or resolutions may provide. Said bonds may be sold at public or private sale for such price or prices as such Commission shall determine: *Provided*, That the interest cost to maturity of the money received for any issue of said bonds shall not exceed 5 per centum per annum.

3. Any resolution or resolutions authorizing any of said bonds may contain provisions, which shall be a part of the contract with the holders of said bonds as to—

(a) Pledging the tolls and revenues from the Rouses Point Bridge and, subject to the terms of any agreement with the holders of bonds issued by such Commission before the 1st day of March 1933 (whether contained in this agreement or in the bonds or in proceedings for the issuance of the bonds or other-

Agreement—Contd.

wise), pledging the tolls and revenues from the bridge heretofore constructed by such Commission;

(b) The rates of the tolls to be charged, and the amount to be raised in each year by tolls, and the use and disposition of the tolls and other revenues;

(c) The setting aside of reserves or sinking funds, and the regulation and disposition thereof;

(d) Limitations on the right of such Commission to restrict and regulate the use of the Rouses Point Bridge and the bridge heretofore constructed by such Commission;

(e) Limitations on the purposes to which the proceeds of sale of any issue of said bonds then or thereafter to be issued may be applied;

(f) Limitations on the issuance of additional bonds;

(g) The procedure, if any, by which the terms of any contract with holders of said bonds may be amended or abrogated, the amount of said bonds the holders of which must consent thereto, and the manner in which such consent may be given.

4. The obligation of such Commission to make payments into the State treasury of each State out of tolls and revenues from the bridge heretofore constructed by such Commission as provided in article 17 hereof is hereby terminated and annulled and the amounts which otherwise would have been so payable into the States' treasuries may be pledged to the payment of said bonds.

5. Neither the members of such Commission nor any person executing such bonds shall be liable personally on said bonds or be subject to any personal liability or accountability by reason of the issuance thereof.

6. Such Commission shall have power out of any funds available therefor to purchase any bonds issued by it at a price not more than the principal amount thereof and accrued interest. All bonds so purchased shall be canceled.

ARTICLE XXVII

1. In the event that such Commission shall default in the payment of principal of or interest on any of the bonds authorized by article 26 hereof after the same shall become due, whether at maturity or upon call for redemption, and such default shall continue for a period of thirty days, or in the event that such Commission shall fail or refuse to comply with the provisions of this agreement, or shall default in any agreement made with the holders of said bonds, the holders of 25 per centum in aggregate principal amount of said bonds then outstanding, by instrument or instruments filed in the office of the clerk of the county of Clinton, New York, or of the clerk of the court of chancery in and for the county of Grand Isle, Vermont, and proved or acknowledged in the same manner as a deed to be recorded, may appoint a trustee to represent the holders of said bonds for the purposes herein provided.

2. Such trustee may, and upon written request of the holders of 25 per centum in principal amount of said bonds then outstanding shall, in his or its own name—

(a) By mandamus or other suit, action or proceeding, at law or in equity, enforce all rights of the holders of said bonds, including the right to require such Commission and its members to collect tolls and rentals adequate to carry out any agreement as to, or pledge of, such tolls and rentals, and to require such Commission and its members to carry out any other agreement with the holders of said bonds and to perform its and their duties under this act;

Agreement—Contd.

(b) Bring suit upon said bonds;

(c) By action or suit in equity, require such Commission to account as if it were the trustee of an express trust for the holders of said bonds;

(d) By action or suit in equity enjoin any acts or things which may be unlawful or in violation of the rights of the holders of said bonds;

(e) Declare all said bonds due and payable, and if all default shall have been cured, annul such declaration and its consequences.

3. The supreme court of the State of New York and the court of chancery in and for the county of Grand Isle and the county court of Grand Isle County in the State of Vermont, each within the limits of its jurisdiction over persons and property, shall, respectively, have jurisdiction of suits, actions, and proceedings by the trustees on behalf of the bondholders. The venue of any such suits, actions, or proceedings in New York, shall be laid in Clinton County and in Vermont in Grand Isle County. Service of process of any of such courts upon any member of such Commission shall constitute service on such Commission.

4. Before declaring the principal of all such bonds due and payable the trustees shall first give thirty days' notice in writing to a member of such Commission.

5. Any such trustee shall, whether or not all said bonds have been declared due and payable, be entitled as of right to the appointment of a receiver and ancillary receiver, who may enter and take possession of the bridges or any part or parts thereof and operate and maintain the same and of any and all other property of the commission and collect and receive all tolls, rentals, and other revenues thereafter arising from said bridges and property in the same manner as the bridge authority itself might do and shall deposit all such moneys in a separate account and apply the same in such manner as the court shall direct. The court of the State to which application is first made therefor shall have jurisdiction to appoint the receiver and the court of the State to which application is thereafter made shall have jurisdiction to appoint the ancillary receiver. In any suit, action, or proceedings by the trustee the fees, counsel fees, and expenses of the trustee and of the receiver and ancillary receiver, if any shall constitute taxable disbursements and all costs and disbursements allowed by the court shall be a first charge on any tolls, rentals, and other revenues derived from the bridges.

6. Said trustee shall in addition to the foregoing have and possess all of the powers necessary or appropriate for the exercise of any functions specifically set forth herein or incident to the general representation of the holders of said bonds in the enforcement and protection of their rights.

ARTICLE XXVIII

The bonds and other obligations of such Commission shall not be a debt of the State of New York or of the State of Vermont and neither State shall be liable thereon, nor shall they be payable out of any funds other than those of such Commission.

ARTICLE XXIX

The bonds authorized by article 26 hereof shall be exempt from taxation except for transfer, estate, and inheritance taxes and are hereby made securities in which all public officers and bodies of each State and all municipalities and municipal subdivisions, all

insurance companies and associations, all savings banks and savings institutions, including savings and loan associations, administrators, guardians, executors, trustees, and other fiduciaries in each State may properly and legally invest funds in their control.

ARTICLE XXX

1. After applying all tolls and other revenues from Rouses Point Bridge and from the bridge heretofore constructed by such Commission—

(a) While any bonds of such Commission are outstanding, to meet all agreements with the holders thereof; and

(b) To meet all requirements for operation and maintenance of said bridges, such Commission shall set aside as a reserve for future operation and maintenance such sum as such Commission shall deem advisable not exceeding the estimated amount required for operation and maintenance for one year.

2. Such Commission shall pay any excess of tolls and revenues not required for said purposes annually into the treasuries of the States of New York and Vermont until the amount so paid shall equal the advances heretofore made by such States to such Commission with interest on the unpaid balance of such advances at the rate of 4 per centum per annum from the date of such advances, the amount to be paid to said States, respectively, being prorated in accordance with the respective unpaid balances of such advances.

3. It is the declared purpose of each of the contracting parties that both of said bridges will eventually be free bridges and to that end it is agreed that after the payment of all obligations which may be issued by such Commission and after the State of New York and the State of Vermont shall have been fully repaid for any and all moneys that have been advanced by them together with interest thereon, said States by concurrent legislation shall provide the method and procedure for the future operation, maintenance, and control of said bridges.

ARTICLE XXXI

The construction, maintenance, and operation of Rouses Point Bridge is in all respects for the benefit of the people of the two States, for the increase of their commerce and prosperity, and for the improvement of their health and living conditions, and such Commission shall be regarded as performing a governmental function in undertaking the said construction, maintenance, and operation and carrying out the provisions of law relating to the said bridge and shall be required to pay no taxes or assessments upon any of the property acquired by it for the construction, operation, and maintenance of such bridge, and the interest of either State in any tolls collected under this article shall be free from any State, county, municipal, or local taxation whatsoever in the other State.

ARTICLE XXXII

Such Commission shall have the power to apply to the Congress of the United States or any department of the United States for consent and approval of this agreement, as amended, and of the Rouses Point Bridge to be constructed hereunder, but in the absence of such consent by Congress and until the same shall have been secured, this agreement, as amended, shall be binding upon the State of New York when ratified by it and the State of Vermont

Agreement—Contd.

when ratified by it without the consent of Congress to cooperate for the purposes enumerated in this agreement and in the manner herein provided.

ARTICLE XXXIII

Notwithstanding anything in article 22 and all subsequent articles hereof, this agreement shall not authorize such Commission to do any act or thing which shall violate the rights of the holders of bonds issued by it prior to the 1st day of March 1933, and the provisions hereof relating to any and all rights and remedies of the holders of bonds issued under the provisions of article 26 and subsequent articles of this agreement shall not be construed to violate or to authorize the violation of any of the rights of the holders of bonds issued prior to said date.

ARTICLE XXXIV

The States of New York and Vermont do hereby pledge themselves and it is hereby agreed with those subscribing to the bonds issued by such Commission pursuant to article 26, and subsequent articles hereof, that the States will not authorize the construction or maintenance of any other highway crossing for vehicular traffic over Lake Champlain between the two States in competition with Rouses Point Bridge, nor will it limit or alter any rights vested in such Commission to establish and levy such tolls as it may deem convenient and necessary to produce sufficient revenue to meet the expense and operation of such bridge and the bridge heretofore constructed by such Commission, and to fulfill the terms of the obligations assumed by such Commission in relation to such bridges until the said bonds with interest thereon are fully met and discharged: *Provided*, That such crossing shall be construed as competitive with Rouses Point Bridge only if it shall form a highway connection for vehicular traffic between the two States across Lake Champlain north of the existing bridge heretofore constructed by such Commission. The provisions of this article shall constitute an agreement between the two States for the benefit of those holding the bonds of such Commission and such Commission may include in bonds issued by it such part of this agreement as shall seem proper as evidence of the foregoing agreement made by the two States with the holders of the said bonds.

ARTICLE XXXV

The State of New York and the State of Vermont hereby consent to the use and occupation of any lands of such States, respectively, if any, lying under the waters of Lake Champlain necessary for the construction and maintenance of Rouses Point Bridge.

In witness whereof, we have signed this compact or agreement, in duplicate, by and under the authority of chapter 201 of the Laws of 1933, as amended by chapter 355 of the Laws of 1935 of the State of New York, and by and under the authority of an act passed by the General Assembly of the State of Vermont entitled "An act authorizing an agreement or compact between the State of Vermont and the State of New York to amend the existing agreement or compact between said States creating the Lake Champlain Bridge Commission, in relation to the construction of a new bridge across Lake Champlain, the issuance of bonds by said Commission, and providing for the payment of said bonds",

Agreement—Contd.

approved by the Governor February 27, 1935, as amended by the act amending said act, approved by the Governor March 21, 1935, this 30th day of March 1935.

Mortimer Y. Ferris, Marion L. Thomas, William Berman, as commissioners upon the part of the State of New York; John J. Bennett, Junior; attorney general of the State of New York.

George Z. Thompson, William R. Warner, Ford M. Thomas, as commissioners upon the part of the State of Vermont; Lawrence C. Jones, attorney general of the State of Vermont.

In the presence of: Walter L. Moore and W. C. Foote.

Attorney General John J. Bennett, Junior, signed on the 11th day of April 1935 in the presence of Joseph M. Mesnig.

Attorney General Lawrence C. Jones signed on the 17th day of April 1935 in the presence of Elizabeth L. Barber.

Amendment, etc.

SEC. 2. The right to alter, amend, or repeal this resolution is hereby expressly reserved.

Approved, August 23, 1935.

[CHAPTER 636.]

AN ACT

August 24, 1935.
[S. 2743.]
[Public, No. 315.]

To authorize the erection of a suitable memorial to Major General George W. Goethals within the Canal Zone.

Major General George W. Goethals memorial.
Erection of, within Canal Zone authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized, through such person or persons as he may designate, to select an appropriate site within the Canal Zone and to cause to be erected thereon a suitable memorial of heroic size to Major General George W. Goethals in commemoration of his signally distinguished services in connection with the construction and operation of the Panama Canal.

Appropriation authorized.

SEC. 2. There is hereby authorized to be appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, a sum not to exceed $75,000 for every object connected with the purposes of this Act, including site development and any essential approach work.

Approved, August 24, 1935.

[CHAPTER 637.]

AN ACT

August 24, 1935.
[S. 3135.]
[Public, No. 316.]

To authorize the purchase of the Winnie Mae by the Smithsonian Institution.

Winnie Mae, airplane.
Purchase of, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Smithsonian Institution is hereby authorized and directed to purchase on behalf of the United States the airplane Winnie Mae with the original instruments used in its world trips by Wiley Post, at a price not in excess of $25,000, and cause such airplane to be placed in the Smithsonian Institution.

Appropriation authorized.
Post, p. 1604.

SEC. 2. There is hereby authorized to be appropriated the sum of $25,000, or so much thereof as may be necessary, to carry out the provisions of this Act.

Approved, August 24, 1935.

[CHAPTER 638.]

AN ACT

August 24, 1935.
[H. R. 5159.]
[Public, No. 317.]

To authorize the Postmaster General to contract for air-mail service in Alaska.

Postal service.
Vol. 43, p. 960; U. S. C., p. 1744.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of February 21, 1925 (43 Stat. 960; 39 U. S. C. 488), is amended to read as follows:

Alaska.
Emergency mail service.

"The Postmaster General may provide difficult or emergency mail service in Alaska, at a total annual cost of not exceeding $25,000, including the establishment and equipment of relay stations, in such manner as he may think advisable, without advertising therefor; and he is authorized, in his discretion, to contract, after advertisement in accordance with law, for the carriage of all classes of mail within the Territory of Alaska, by airplane, payment therefor to be made from the appropriation for star-route service in Alaska."

Air mail, for all classes, authorized.

Appropriation available.

Approved, August 24, 1935.

[CHAPTER 639.]

AN ACT

August 24, 1935.
[H. R. 5711.]
[Public, No. 318.]

To provide aid for needy blind persons of the District of Columbia and authorizing appropriations therefor.

District of Columbia.
Care of needy blind, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Board of Commissioners of the District of Columbia (hereinafter called the "Board") is hereby authorized and directed to enforce the provisions of this Act for the purpose of maintaining, supporting, and caring for needy blind persons who are residents of the said District of Columbia, citizens of the United States, and not inmates of any institution supported in whole or in part by the Federal or District Governments, and said Board shall have the power to make and enforce all proper rules and regulations therefor, including the definitions of "blindness" and of "needy individuals" and the power to make and require any reports required by the Federal Social Security Board or otherwise authorized or required by law. The said Board may entrust the carrying out of the provisions of this Act, or any of them, to any agency of the Government of the District of Columbia which said Board may designate.

Qualifications.

Powers of Commissioners.

Ante, p. 620.

"Needy blind person" defined.

SEC. 2. As used in this Act, the term "needy blind person" shall be construed to mean any person who by reason of the loss or impairment of eyesight is of such condition that he cannot be rehabilitated for self-support through the facilities offered by the Vocational Rehabilitation Service for the District of Columbia, United States Office of Education, and who is unable to provide himself with the necessities of life and who has not sufficient means of his own to maintain himself and who is otherwise qualified as further set forth in this Act, and nothing in this Act shall prevent any blind person in sound mental and physical condition who is an inmate of an institution for the care of the indigent from applying for the benefits under this Act on the condition that they leave such institution upon the granting of such relief.

Age and residence requirements.

SEC. 3. In order that any person who shall have become blind while a resident of the District of Columbia may be entitled to aid under the provisions of this Act such person must be at least sixteen years of age and a resident of the District of Columbia for one year next preceding his application for aid hereunder: *Provided*, That in order that any person whose blindness originated while he was not a resident

Provisos.
When blindness originating while not a resident.

of the District of Columbia may be entitled to aid hereunder, such person must be at least twenty-one years of age and must have been a bona fide resident of the District of Columbia for a period of five years during the nine years immediately preceding the filing of his application for aid hereunder and must have resided in the District of Columbia continuously for at least one year immediately preceding the date of the application: *And provided further*, That nothing in this Act shall be construed to repeal or render void, so far as blind persons are concerned, any existing statutes which create or define a liability on the part of certain persons to support and provide for poor relatives.

Liability of certain persons to provide for poor relatives not affected.

SEC. 4. To receive aid under this Act, the applicant shall file his application with the Board or its designated agency, accompanied by an affidavit signed by himself stating his age, sex, places of residence during the period stipulated in the District of Columbia, his financial resources, and incomes, the name and address of his next of kin, degree of blindness, how long blind, what employment he has had, his general physical condition, and such other information as the Board or its designated agency may designate.

Filing, etc., applications.

SEC. 5. No aid shall be granted hereunder until the Board or its designated agency is satisfied from the evidence of at least two reputable citizens of the District of Columbia that they know the applicant has the residential qualifications to entitle him to the aid asked for, and from the evidence of a duly licensed and practicing oculist whose duty it shall be to describe the condition of the applicant's eyes and to testify to his blindness, which evidence shall be in writing subscribed to by such witnesses, subject to the right of cross-examination by either the Board or its designated agency; and if the Board or its designated agency is satisfied by such testimony that the applicant is entitled to aid hereunder, it shall, without delay, allow such sum as it finds needed: *Provided*, That no aid shall be furnished any individual with respect to any period with respect to which he is receiving old-age assistance: *Provided further*, That in the case of a blind dependent child living with its parents or parent such aid shall not exceed $30 per month: *And provided further*, That any agency designated by the Board hereunder shall transmit to the Board a record of its actions in granting or refusing to grant aid to each blind applicant, and any blind applicant who is dissatisfied with the finding of such agency regarding his application for aid, may appeal to the Board who shall grant such applicant a full hearing, after reasonable notice, and shall then consider the application; and, if a majority of the Board in attendance at a meeting at which a quorum is present shall find that the applicant is entitled to aid under the provisions of this Act, they shall then and there award such aid as they deem proper.

Investigation and examination as to applicant's qualifications.

Provisos.
Persons receiving old-age assistance.
Blind dependent child.

Reports and appeals.

SEC. 6. The Board or its designated agency shall investigate annually, or oftener, the qualifications of blind persons who receive aid hereunder, and may increase or decrease the allowance within the limits prescribed by this Act; or if said designated agency is satisfied that any person receiving aid under this Act is not entitled to such aid, it shall discontinue such aid and shall forthwith notify such person and the Board of such action: *Provided, however*, That the person receiving such aid may take an appeal to the Board from such action as if it were an original application for aid: *And provided further*, That such an appeal must be filed within sixty days from the notification by the designated agency to the beneficiary hereunder of the intended reduction or discontinuance of aid. If any such appeal be filed, the said aid shall be restored pending the findings of the Board on said appeal.

Annual investigation to determine eligibility, etc.

Discontinuance if not entitled.

Provisos.
Appeal allowed.

Date of filing.

Restoration, pending Board's findings.

Ineligibility of person who publicly solicits alms.

SEC. 7. No person shall be eligible to receive aid under the provisions of this Act who, after receiving said aid publicly solicits alms in any manner, either by wearing, carrying, or exhibiting signs denoting blindness for the securing of alms, or by any signs calling attention to blindness exhibited on wares and merchandise, or the carrying of receptacles for the purpose of securing alms, or the doing of the same by proxy, or by stationary or house-to-house begging, or any other means of publicly securing aid.

Removals as affecting entitlement to receive benefits.

SEC. 8. Any person qualifying for and receiving aid hereunder who removes himself from the jurisdiction of the District of Columbia and thereby ceases to be a resident, shall no longer be entitled to the benefits and aid under the provisions of this Act. Absence for a reasonable length of time, as designated by the Board, shall not work a forfeiture hereunder.

Persons to whom benefits denied.

SEC. 9. The benefits hereof shall not be granted to any person between the ages of sixteen and fifty-five years who, having no occupation and being both physically and mentally capable of some useful occupation, or of receiving vocational or other training, refuses for any reason to engage in such useful occupation, or refuses to avail himself of such vocational or other training: *Provided*, That no person shall be entitled to the benefits of this Act who shall refuse to submit to any treatment or operation for blindness when such treatment or operation is recommended by three examining oculists and approved by the Board or its designated agency.

Proviso.
Refusing surgical, etc., treatments.

Persons ineligible to benefits.

SEC. 10. No person shall be eligible to the benefits of this Act who shall hereafter either intentionally deprive himself of his eyesight or assist in the destruction thereof by others; or hereafter shall lose his eyesight during the perpetration of a criminal offense; or shall hereafter lose his eyesight by reason of vicious habits.

Obligation of kindred.

SEC. 11. The kindred of any persons otherwise entitled to aid under the provisions of this Act, in line and degree of spouse, father, child, or grandchild living in the District of Columbia and of sufficient ability so to do shall be bound to support such person, in the order above named and in proportion to their respective ability.

Suit to recover amount of assistance.

If at any time during the continuance of aid the Board of Commissioners or its designated agency has reason to believe that a spouse, father, child, or grandchild is reasonably able to assist him, it shall be empowered to bring suit, after notifying such person of the amount of such aid, against such spouse, father, child, or grandchild to recover the amount of such aid provided under this Act, or such part thereof as such spouse, father, child, or grandchild was reasonably able to pay.

Estate of recipient, etc.
Aid received to be a preferred claim against.

SEC. 12. At the death of a recipient of aid under this Act, or of the last survivor of a married couple either one of whom have received aid, the total amount of aid since the first grant, together with simple interest at the rate of 3 per centum per annum, shall be deducted and allowed by the proper courts out of the proceeds of his property as a preferred claim against the estate of the person so assisted, and refunded to the Treasurer of the United States to the credit of the District of Columbia, leaving the balance for distribution among the lawful heirs in accordance with law: *Provided*, That upon sufficient cause, such as mismanagement, failure to keep in repair, or the inability of any recipient of aid properly to manage his property, the designated agency of the Board may demand the assignment or transfer of such property, or a proper part thereof, upon the first grant of such aid, or at any time thereafter that it deems advisable for the purpose of safeguarding the interest of an applicant or for the protection of the funds of the District of Colum-

Proviso.
Conservation of property, etc.

bia. Such agency shall establish such rules and regulations regarding the care, management, transfer, and sale of such property as it deems advisable and shall provide for the return of the balance of the claimant's property into his hands whenever the assistance is withdrawn or the claimant ceases to request it. Rules.

SEC. 13. Any person who attempts to obtain, or obtains, by false representation, fraud, or deceit, any allowance under this Act, or who receives any allowance knowing it to have been fraudulently obtained, or who aids or assists any person in obtaining or attempting to obtain an allowance by fraud, shall upon conviction in the police court of the District of Columbia be punished by a fine of not more than $500 or by imprisonment for not more than one year, or by both such fine and imprisonment. False representations, etc.

SEC. 14. In order to carry out the provisions of this Act there is authorized to be appropriated for the fiscal year ending June 30, 1936, the sum of $75,000, payable from the revenues of the District of Columbia, and for the fiscal year ending June 30, 1937, and annually thereafter, the Commissioners of the District of Columbia shall include in the estimate of appropriations for said District of Columbia, such an amount as may be necessary for this purpose; and the Board shall assign such personnel in the employ of the District of Columbia as may be necessary to administer this Act; and said Board or its designated agency shall keep and render separate account of the funds expended and separate statistical reports of the persons aided, under the provisions of this Act: *Provided*, That whenever necessary said Board shall appoint an acceptable member of the personnel to stand in loco parentis to any minor qualifying for aid hereunder. Appropriation authorized. *Post*, pp. 1115, 1881. Personal services. *Proviso.* Appointment of member to stand in loco parentis to minor.

SEC. 15. The Board of Commissioners or its designated agency is hereby authorized and directed to cooperate in all necessary respects with the Social Security Board of the United States Government in the administration of this Act, and to accept any sums allotted or apportioned by such Board as are available under the provisions of the Social Security Act. Federal Social Security Board. Cooperation with.

SEC. 16. The provisions of this Act are to be liberally construed to effect its objects and purposes, and if any section, subsection, or subdivision of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. Interpretation and separability provision.

Approved, August 24, 1935.

[CHAPTER 640.]

AN ACT

August 24, 1935.
[H. R. 6623.]
[Public, No. 319.]

To amend the Code of Laws for the District of Columbia in relation to providing assistance against old-age want.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the care and assistance of aged persons who are in need and whose physical or other condition or disabilities seem to render permanent their inability to provide properly for themselves is hereby declared to be a special matter of public concern and a necessity in promoting the public health and welfare. To provide such care and assistance at public expense a system of old-age assistance is hereby established for the District of Columbia. The terms "assistance" whenever used in this Act shall be construed to include relief, aid, care, or support. The pronoun "he" or "his" when used herein shall be construed to include persons of either sex. District of Columbia. Old-age assistance. Establishment of system. "Assistance" construed.

Requirements for grant of assistance.

SEC. 2. Assistance may be granted only to an applicant who (a) is a citizen of the United States; (b) has attained the age of sixty-five years or upward; (c) has resided in the District of Columbia for five years or more within the nine years immediately preceding application for assistance, and who has resided therein continuously for one year immediately preceding the said application; (d) is not at the time of making application an inmate of any prison, jail, workhouse, insane asylum, or any other public reformatory or correctional institution; (e) is not a habitual tramp or beggar; (f) has no child or other person financially able to support him and legally responsible for his support; and (g) has not made a voluntary assignment or transfer of property for the purpose of qualifying for such assistance.

Recipient not to receive other relief.

During the continuance of the old-age assistance no recipient shall receive any other relief from the District of Columbia except for medical and surgical and nursing care.

Administration.

SEC. 3. The Board of Commissioners of the District of Columbia shall administer old-age assistance under this Act through such

Forms, reports, etc.

agent or agency as it may designate. It shall prescribe the form of and print and supply the blanks for applications, reports, and affidavits, and such other forms as it may deem advisable, and shall

Regulations.

make rules and regulations necessary for the carrying out of the provisions of this Act, and shall make and render any and all reports required by the Federal Social Security Board or otherwise

Amount of assistance.

authorized or required by law. The amount of the assistance which any such person shall receive, and the manner of providing it, shall be determined by the Board of Commissioners or its designated agency, with due regard to the conditions existing in each case.

Admittance to Home for Aged in lieu of aid.

The Board of Commissioners may, in lieu of the assistance herein provided, refer any applicant to the Board of Public Welfare for admission to the Home for Aged and Infirm, whenever, in the judgment of the said Commissioners, such action may be in the public

Refusals may be reviewed by Commissioners.

interest or in the best interest of the applicant. Any applicant for old-age assistance whose claim for initial relief or modification of relief is denied may apply to the agency designated by the Commissioners for the administration of this Act for hearing and review of said claim and the determination of the designated agency on such appeal shall be final except that the Commissioners of the District of Columbia in their discretion may grant a further review of the matters embraced in the aforesaid application.

If, in the opinion of the Board of Commissioners or its designated agency, the recipient is incapable of taking care of himself or his money, it may direct the payment to any responsible person for the benefit of the pensioner, or may suspend payment if deemed advisable.

Payments; exemption from process, etc.

SEC. 4. All assistance given under this Act shall be inalienable by any assignment or transfer and shall be exempt from levy or execution under the laws of the United States and the District of Columbia.

Funeral expenses.

SEC. 5. On the death of a recipient of old-age assistance such reasonable funeral expenses as the Board of Commissioners or its designated agency may deem necessary may be paid for the burial of such person.

Applications for assistance.

SEC. 6. A person requesting assistance under this Act shall make his application therefor to the Board of Commissioners or its designated agency. The person requesting assistance may apply in person, or the application may be made by another in his behalf. The application shall be made in writing and under oath.

Investigation to be made.

SEC. 7. Upon the receipt of an application for assistance an investigation and record shall be promptly made of the circumstances of the applicant. The object of such investigation shall be to ascertain the facts supporting the application made under this Act and such other information as may be required by the rules hereunder formulated.

Periodic reviewals to ascertain recipient's circumstances.

SEC. 8. All assistance under this Act shall be reviewed from time to time as frequently as may be required by the rules hereunder formulated. After such further investigation as may be deemed necessary the amount and manner of assistance may be changed or the assistance may be withdrawn if it is found that the recipient's circumstances have changed sufficiently to warrant such action, and all cases in which relief is being extended shall be reviewed every six months. It shall be within the power of the Board of Commissioners or its designated agency at any time to cancel and revoke assistance and to suspend payments for such periods as it may deem proper.

Authority to cancel or suspend payments.

Assistance improperly obtained.

SEC. 9. If at any time the Board of Commissioners or its designated agency has reason to believe that any assistance has been improperly obtained, it shall cause special inquiry to be made. If, on inquiry, it appears that it was improperly obtained, it shall be canceled.

False representations, deemed a misdemeanor.

SEC. 10. Any person, who by means of a willfully false statement or representation, or by impersonation, or other fraudulent device, obtains or attempts to obtain, or aids or abets any person to obtain (a) assistance to which he is not justly entitled; (b) a larger amount of assistance than that to which he is justly entitled; (c) payment of any forfeited installment grant; (d) or aids or abets in the buying or in any way disposing of the property of an old-age assistance recipient, without the consent of the Board of Commissioners or its designated agency, shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than $500 or imprisoned for a period not to exceed six months, or both.

Punishment for.

Responsibility of kindred.

SEC. 11. The kindred of any persons otherwise entitled to old-age assistance under the provisions of this Act, in line and degree of spouse, father, child, or grandchild living in the District of Columbia and of sufficient ability so to do shall be bound to support such person, in the order above named and in proportion to their respective ability. If at any time during the continuance of old-age assistance the Board of Commissioners or its designated agency has reason to believe that a spouse, father, child, or grandchild is reasonably able to assist him, it shall be empowered to bring suit, after notifying such person of the amount of old-age assistance, against such spouse, father, child, or grandchild to recover the amount of assistance provided under the Act, or such part thereof as such spouse, father, child, or grandchild was reasonably able to pay.

Suit to recover amount of assistance.

Estate of recipient, etc.

Aid received to be a preferred claim against.

SEC. 12. At the death of recipient of a old-age assistance, or of the last survivor of a recipient married couple, the total amount of assistance since the first grant, together with simple interest at the rate of 3 per centum per annum, shall be deducted and allowed by the proper courts out of the proceeds of his property as a preferred claim against the estate of the person so assisted, and refunded to the Treasurer of the United States to the credit of the District of Columbia, leaving the balance for distribution among the lawful heirs in accordance with law: *Provided*, That upon sufficient cause, such as mismanagement, failure to keep in repair, or the inability of any recipient of assistance properly to manage his property, the designated agency of the Commissioners may demand the assignment or transfer of

Proviso.
Conservation of property, etc.

such property, or a proper part thereof, upon the first grant of such assistance, or at any time thereafter that it deems advisable for the purpose of safeguarding the interest of an applicant or for the protection of the funds of the District of Columbia. Such agency shall establish such rules and regulations regarding the care, management, transfer, and sale of such property as it deems advisable and shall provided [1] for the return of the balance of the claimant's property into his hands whenever the assistance is withdrawn or the claimant ceases to request it. If the District of Columbia collects from the estate of any recipient of old-age assistance any amount with respect to old-age assistance furnished him under this Act, one half of the net amount so collected shall be paid to the United States in accordance with the provisions of Title I of the Social Security Act.

Rules.

Division of refunds.

Ante, p. 620.

Annual appropriations authorized.
Post, pp. 1115, 1881.

SEC. 13. Congress shall appropriate annually and make available to the order of the Board of Commissioners of the District of Columbia such sums as may be needed to pay the share of the District of Columbia for old-age assistance, provided under this Act together with a sufficient sum to defray its share [1] administrative expenses to be incurred in connection therewith, and include such sums in the annual District of Columbia appropriation Act. Should the sums so appropriated, however, be expended or exhausted during the year for the purposes for which it was appropriated, additional sums shall be appropriated by Congress as occasion demands to carry out the provisions of this Act.

Administrative expenses.

SEC. 14. All necessary expenses incurred by the District of Columbia in carrying out the provision [1] of this Act shall be paid in the same manner as other expenses of the District of Columbia are paid.

Federal Social Security Board.
Local cooperation with, directed.

SEC. 15. The Board of Commissioners or its designated agency is hereby authorized and directed to cooperate in all necessary respects with the Social Security Board of the United States Government in the administration of this Act, and to accept any sums allotted or apportioned by such Board as are available under the provisions of the Social Security Act.

Effective date.

SEC. 16. This Act shall take effect ninety days after its passage.

Approved, August 24, 1935.

[CHAPTER 641.]

AN ACT

August 24, 1935.
[H. R. 8492.]
[Public, No. 320.]

To amend the Agricultural Adjustment Act, and for other purposes.

Agricultural Adjustment Act, amendments.
Vol. 48, p. 32; U. S. C., p. 155.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first sentence of subsection (1) of section 2 of the Agricultural Adjustment Act, as amended, is amended by striking out the first word and inserting in lieu thereof the following: "Through the exercise of the powers conferred upon the Secretary of Agriculture under this title, to", and by inserting before the period at the end thereof a semicolon and the following: "and, in the case of all commodities for which the base period is the pre-war period, August 1909 to July 1914, will also reflect current interest payments per acre on farm indebtedness secured by real estate and tax payments per acre on farm real estate, as contrasted with such interest payments and tax payments during the base period".

Declaration of policy; base periods for commodity prices.

Vol. 48, p. 32; U. S. C., p. 156.

(b) Section 2 of the Agricultural Adjustment Act, as amended, is amended by striking out subsections (2) and (3) and inserting in lieu thereof the following:

[1] So in original.

"(2) To protect the interest of the consumer by (a) approaching the level of prices which it is declared to be the policy of Congress to establish in subsection (1) of this section by gradual correction of the current level at as rapid a rate as the Secretary of Agriculture deems to be in the public interest and feasible in view of the current consumptive demand in domestic and foreign markets, and (b) authorizing no action under this title which has for its purpose the maintenance of prices to farmers above the level which it is declared to be the policy of Congress to establish in subsection (1) of this section." Protection of consumer interest.

SEC. 2. Section 8 of the Agricultural Adjustment Act, as amended, is amended by striking out everything preceding subsection (2) and inserting in lieu thereof the following: Vol. 48, p. 34; U. S. C., p. 157. Commodity benefits.

"(1) Whenever the Secretary of Agriculture has reason to believe that: Investigations by Secretary of Agriculture.

"(a) The current average farm price for any basic agricultural commodity is less than the fair exchange value thereof, or the average farm price of such commodity is likely to be less than the fair exchange value thereof for the period in which the production of such commodity during the current or next succeeding marketing year is normally marketed, and

"(b) The conditions of and factors relating to the production, marketing, and consumption of such commodity are such that the exercise of any one or more of the powers conferred upon the Secretary under subsections (2) and (3) of this section would tend to effectuate the declared policy of this title,

he shall cause an immediate investigation to be made to determine such facts. If, upon the basis of such investigation, the Secretary finds the existence of such facts, he shall proclaim such determination and shall exercise such one or more of the powers conferred upon him under subsections (2) and (3) of this section as he finds, upon the basis of an investigation, administratively practicable and best calculated to effectuate the declared policy of this title. Proclamation of findings. Exercise of conferred powers.

"(2) Subject to the provisions of subsection (1) of this section, the Secretary of Agriculture shall provide, through agreements with producers or by other voluntary methods, Agreements with producers.

"(a) For such adjustment in the acreage or in the production for market, or both, of any basic agricultural commodity, as he finds, upon the basis of the investigation made pursuant to subsection (1) of this section, will tend to effectuate the declared policy of this title, and to make such adjustment program practicable to operate and administer, and Adjustments in acreage or production.

"(b) For rental or benefit payments in connection with such agreements or methods in such amounts as he finds, upon the basis of such investigation, to be fair and reasonable and best calculated to effectuate the declared policy of this title and to make such program practicable to operate and administer, to be paid out of any moneys available for such payments or, subject to the consent of the producer, to be made in quantities of one or more basic agricultural commodities acquired by the Secretary pursuant to this title. Rental or benefit payments; amounts.

"(3) Subject to the provisions of subsection (1) of this section, the Secretary of Agriculture shall make payments, out of any moneys available for such payments, in such amounts as he finds, upon the basis of the investigation made pursuant to subsection (1) of this section, to be fair and reasonable and best calculated to effectuate the declared policy of this title: Additional payments.

"(a) To remove from the normal channels of trade and commerce quantities of any basic agricultural commodity or product thereof;

"(b) To expand domestic or foreign markets for any basic agricultural commodity or product thereof;

"(c) In connection with the production of that part of any basic agricultural commodity which is required for domestic consumption.

Investigations.

"(4) Whenever, during a period during which any of the powers conferred in subsection (2) or (3) is being exercised, the Secretary of Agriculture has reason to believe that, with respect to any basic agricultural commodity:

When it appears that current average farm price not less than fair exchange value.

"(a) The current average farm price for such commodity is not less than the fair exchange value thereof, and the average farm price for such commodity is not likely to be less than the fair exchange value thereof for the period in which the production of such commodity during the current or next succeeding marketing year is normally marketed, or

When exercise of powers would not effectuate policy.

"(b) The conditions of and factors relating to the production, marketing, and consumption of such commodity are such that none of the powers conferred in subsections (2) and (3), and no combination of such powers, would, if exercised, tend to effectuate the declared policy of this title, he shall cause an immediate investigation to be made to determine such facts. If, upon the basis of such investigation, the Secretary finds the existence of such facts, he shall proclaim such determination, and shall not exercise any of such powers with respect to such commodity after the end of the marketing year current at the time when such proclamation is made and prior to a new proclamation under subsection (1) of this section, except insofar as the exercise of such power is necessary to carry out obligations of the Secretary assumed, prior to the date of such proclamation made pursuant to this subsection, in connection with the exercise of any of the powers conferred upon him under subsections (2) or (3) of this section.

Proclamation of findings.

Exercise of powers thereafter.

Hearings; notice.

"(5) In the course of any investigation required to be made under subsection (1) or subsection (4) of this section, the Secretary of Agriculture shall hold one or more hearings, and give due notice and opportunity for interested parties to be heard.

Restriction on payments.

"(6) No payment under this title made in an agricultural commodity acquired by the Secretary in pursuance of this title shall be made in a commodity other than that in respect of which the payment is being made. For the purposes of this subsection, hogs and field corn may be considered as one commodity.

Hogs and field corn.

Sugar beets or sugarcane.

Payments when returns to producers reduced by payment of processing tax or floor stocks tax.

Vol. 48, p. 676.

"(7) In the case of sugar beets or sugarcane, in the event that it shall be established to the satisfaction of the Secretary of Agriculture that returns to growers or producers, under the contracts for the 1933–1934 crop of sugar beets or sugarcane, entered into by and between the processors and producers and/or growers thereof, were reduced by reason of the payment of the processing tax, and/or the corresponding floor stocks tax, on sugar beets or sugarcane, in addition to the foregoing rental or benefit payments, the Secretary of Agriculture shall make such payments, representing in whole or in part such tax, as the Secretary deems fair and reasonable, to producers who agree, or have agreed, to participate in the program for reduction in the acreage or reduction in the production for market, or both, of sugar beets or sugarcane.

Agreement to curtail production required.

Rice.

Agreements with producers to pledge right to rental or benefit payments.

Ante, p. 46.

"(8) In the case of rice, the Secretary of Agriculture, in exercising the power conferred upon him by subsection (2) of this section to provide for rental or benefit payments, is directed to provide in any agreement entered into by him with any rice producer pursuant to such subsection, upon such terms and conditions as the Secretary

determines will best effectuate the declared policy of this title, that the producer may pledge for production credit in whole or in part his right to any rental or benefit payments under the terms of such agreement and that such producer may designate therein a payee to receive such rental or benefit payments.

Benefit payment on stored nonperishable commodity.

"(9) Under regulations of the Secretary of Agriculture requiring adequate facilities for the storage of any nonperishable agricultural commodity on the farm, inspection and measurement of any such commodity so stored, and the locking and sealing thereof, and such other regulations as may be prescribed by the Secretary of Agriculture for the protection of such commodity and for the marketing thereof, a reasonable percentage of any benefit payment may be advanced on any such commodity so stored. In any such case, such deduction may be made from the amount of the benefit payment as the Secretary of Agriculture determines will reasonably compensate for the cost of inspection and sealing but no deduction may be made for interest."

Deduction of inspection and sealing costs.

Vol. 48, p. 38; U. S. C., p. 162.

SEC. 3. The first sentence of subsection (b) of section 12 of the Agricultural Adjustment Act, as amended, is amended to read as follows: "In addition to the foregoing, for the purpose of effectuating the declared policy of this title, a sum equal to the proceeds derived from all taxes imposed under this title is hereby appropriated to be available to the Secretary of Agriculture for (1) the acquisition of any agricultural commodity pledged as security for any loan made by any Federal agency, which loan was conditioned upon the borrower agreeing or having agreed to cooperate with a program of production adjustment or marketing adjustment adopted under the authority of this title, and (2) the following purposes under part 2 of this title: Administrative expenses, payments authorized to be made under section 8, and refunds on taxes."

Appropriation.
Sum available.

Purposes.

Vol. 48, pp. 34, 528, 672; U. S. C., p. 158.

SEC. 4. Subsection (2) of section 8 of the Agricultural Adjustment Act, as amended, is amended by designating said subsection as section 8b, by inserting said section at the end of section 8a, and by amending the first sentence thereof to read as follows: "In order to effectuate the declared policy of this title, the Secretary of Agriculture shall have the power, after due notice and opportunity for hearing, to enter into marketing agreements with processors, producers, associations of producers, and others engaged in the handling of any agricultural commodity or product thereof, only with respect to such handling as is in the current of interstate or foreign commerce or which directly burdens, obstructs, or affects, interstate or foreign commerce in such commodity or product thereof."

Marketing agreements; authority to enter.

Vol. 48, p. 35.

SEC. 5. The Agricultural Adjustment Act, as amended, is amended by striking out section 8 (3) thereof and by adding after section 8b, the following new section:

Orders.

"ORDERS

Authority to issue.

"SEC. 8c. (1) The Secretary of Agriculture shall, subject to the provisions of this section, issue, and from time to time amend, orders applicable to processors, associations of producers, and others engaged in the handling of any agricultural commodity or product thereof specified in subsection (2) of this section. Such persons are referred to in this title as 'handlers'. Such orders shall regulate, in the manner hereinafter in this section provided, only such handling of such agricultural commodity, or product thereof, as is in the current of interstate or foreign commerce, or which directly burdens, obstructs, or affects, interstate or foreign commerce in such commodity or product thereof.

"Handlers" construed.

Commodities to which orders applicable.

"COMMODITIES TO WHICH APPLICABLE

"(2) Orders issued pursuant to this section shall be applicable only to the following agricultural commodities and the products thereof (except products of naval stores), or to any regional, or market classification of any such commodity or product: Milk, fruits (including pecans and walnuts but not including apples and not including fruits, other than olives, for canning), tobacco, vegetables (not including vegetables, other than asparagus, for canning), soybeans and naval stores as included in the Naval Stores Act and standards established thereunder (including refined or partially refined oleoresin).

Enumeration.

Notice and hearing.

"NOTICE AND HEARING

"(3) Whenever the Secretary of Agriculture has reason to believe that the issuance of an order will tend to effectuate the declared policy of this title with respect to any commodity or product thereof specified in subsection (2) of this section, he shall give due notice of and an opportunity for a hearing upon a proposed order.

Finding and issue of order.

"FINDING AND ISSUANCE OF ORDER

"(4) After such notice and opportunity for hearing, the Secretary of Agriculture shall issue an order if he finds, and sets forth in such order, upon the evidence introduced at such hearing (in addition to such other findings as may be specifically required by this section) that the issuance of such order and all of the terms and conditions thereof will tend to effectuate the declared policy of this title with respect to such commodity.

Terms of orders.

"TERMS—MILK AND ITS PRODUCTS

Milk and its products.
Post, p. 756.

"(5) In the case of milk and its products, orders issued pursuant to this section shall contain one or more of the following terms and conditions, and (except as provided in subsection (7)) no others:

Classification according to use; minimum price.

"(A) Classifying milk in accordance with the form in which or the purpose for which it is used, and fixing, or providing a method for fixing, minimum prices for each such use classification which all handlers shall pay, and the time when payments shall be made, for milk purchased from producers or associations of producers. Such prices shall be uniform as to all handlers, subject only to adjustments for (1) volume, market, and production differentials customarily applied by the handlers subject to such order, (2) the grade or quality of the milk purchased, and (3) the locations at which delivery of such milk, or any use classification thereof, is made to such handlers.

Price as to handlers; adjustments.

"(B) Providing:

Payment of uniform prices to producers.

"(i) for the payment to all producers and associations of producers delivering milk to the same handler of uniform prices for all milk delivered by them: *Provided*, That, except in the case of orders covering milk products only, such provision is approved or favored by at least three-fourths of the producers who, during a representative period determined by the Secretary of Agriculture, have been engaged in the production for market of milk covered in such order or by producers who, during such representative period, have produced at least three-fourths of the volume of such milk produced for market during such period; the approval required hereunder shall be separate and apart from any other approval or disapproval provided for by this section; or

Proviso.
Approval of producers.

"(ii) for the payment to all producers and associations of producers delivering milk to all handlers of uniform prices for all milk so delivered, irrespective of the uses made of such milk by the individual handler to whom it is delivered; Uniform prices irrespective of use.

subject, in either case, only to adjustments for (a) volume, market, and production differentials customarily applied by the handlers subject to such order, (b) the grade or quality of the milk delivered, (c) the locations at which delivery of such milk is made, and (d) a further adjustment, equitably to apportion the total value of the milk purchased by any handler, or by all handlers, among producers and associations of producers, on the basis of their production of milk during a representative period of time. Adjustments.

"(C) In order to accomplish the purposes set forth in paragraphs (A) and (B) of this subsection (5), providing a method for making adjustments in payments, as among handlers (including producers who are also handlers), to the end that the total sums paid by each handler shall equal the value of the milk purchased by him at the prices fixed in accordance with paragraph (A) hereof. Total sums paid to equal value of delivered milk.

"(D) Providing that, in the case of all milk purchased by handlers from any producer who did not regularly sell milk during a period of 30 days next preceding the effective date of such order for consumption in the area covered thereby, payments to such producer, for the period beginning with the first regular delivery by such producer and continuing until the end of two full calendar months following the first day of the next succeeding calendar month, shall be made at the price for the lowest use classification specified in such order, subject to the adjustments specified in paragraph (B) of this subsection (5). Payments to new producer during first three months of delivery.

"(E) Providing (i) except as to producers for whom such services are being rendered by a cooperative marketing association, qualified as provided in paragraph (F) of this subsection (5), for market information to producers and for the verification of weights, sampling, and testing of milk purchased from producers, and for making appropriate deductions therefor from payments to producers, and (ii) for assurance of, and security for, the payment by handlers for milk purchased. Marketing information to producers; verification of weights.

"(F) Nothing contained in this subsection (5) is intended or shall be construed to prevent a cooperative marketing association qualified under the provisions of the Act of Congress of February 18, 1922, as amended, known as the 'Capper-Volstead Act', engaged in making collective sales or marketing of milk or its products for the producers thereof, from blending the net proceeds of all of its sales in all use classifications, and making distribution thereof to its producers in accordance with the contract between the association and its producers: *Provided*, That it shall not sell milk or its products to any handler for use or consumption in any market at prices less than the prices fixed pursuant to paragraph (A) of this subsection (5) for such milk. Cooperative marketing associations; contracts with producers; rights continued.

Vol. 42, p. 388; U. S. C., p. 134.

Proviso. Minimum sale price.

"(G) No marketing agreement or order applicable to milk and its products in any marketing area shall prohibit or in any manner limit, in the case of the products of milk, the marketing in that area of any milk or product thereof produced in any production area in the United States. Limitation on sales area.

Terms of orders.

"TERMS—OTHER COMMODITIES

"(6) In the case of fruits (including pecans and walnuts but not including apples and not including fruits, other than olives, for canning) and their products, tobacco and its products, vegetables (not including vegetables, other than asparagus, for canning) and their Commodities generally. Terms and conditions.

products, soybeans and their products, and naval stores as included in the Naval Stores Act and standards established thereunder (including refined or partially refined oleoresin), orders issued pursuant to this section shall contain one or more of the following terms and conditions, and (except as provided in subsection (7)) no others:

Vol. 42, p. 1435; U. S. C., p. 115.

Limitation on total quantity marketed.

"(A) Limiting, or providing methods for the limitation of, the total quantity of any such commodity or product, or of any grade, size, or quality thereof, produced during any specified period or periods, which may be marketed in or transported to any or all markets in the current of interstate or foreign commerce or so as directly to burden, obstruct, or affect interstate or foreign commerce in such commodity or product thereof, during any specified period or periods by all handlers thereof.

Allotment of amount handler may purchase.

"(B) Allotting, or providing methods for allotting, the amount of such commodity or product, or any grade, size, or quality thereof, which each handler may purchase from or handle on behalf of any and all producers thereof, during any specified period or periods,

Uniform rule required.

under a uniform rule based upon the amounts produced or sold by such producers in such prior period as the Secretary determines to be representative, or upon the current production or sales of such producers, or both, to the end that the total quantity thereof to be purchased or handled during any specified period or periods shall be apportioned equitably among producers.

Allotment of amount handler may market.

"(C) Allotting, or providing methods for allotting, the amount of any such commodity or product, or any grade, size, or quality thereof, which each handler may market in or transport to any or all markets in the current of interstate or foreign commerce or so as directly to burden, obstruct, or affect interstate or foreign commerce in such

Uniform rule required.

commodity or product thereof, under a uniform rule based upon the amounts which each such handler has available for current shipment, or upon the amounts shipped by each such handler in such prior period as the Secretary determines to be representative, or both, to the end that the total quantity of such commodity or product, or any grade, size, or quality thereof, to be marketed in or transported to any or all markets in the current of interstate or foreign commerce or so as directly to burden, obstruct, or affect interstate or foreign commerce in such commodity or product thereof, during any specified period or periods shall be equitably apportioned among all of the handlers thereof.

Surpluses; determination of extent.

"(D) Determining, or providing methods for determining, the existence and extent of the surplus of any such commodity or product, or of any grade, size, or quality thereof, and providing for the

Control and disposition.

control and disposition of such surplus, and for equalizing the burden of such surplus elimination or control among the producers and handlers thereof.

Reserve pools; establishment.

"(E) Establishing, or providing for the establishment of, reserve pools of any such commodity or product, or of any grade, size, or

Distribution of net return from.

quality thereof, and providing for the equitable distribution of the net return derived from the sale thereof among the persons beneficially interested therein.

Terms common to all orders.

"TERMS COMMON TO ALL ORDERS

"(7) In the case of the agricultural commodities and the products thereof specified in subsection (2) orders shall contain one or more of the following terms and conditions:

Unfair methods of competition.

"(A) Prohibiting unfair methods of competition and unfair trade practices in the handling thereof.

Handlers' sale price.

"(B) Providing that (except for milk and cream to be sold for consumption in fluid form) such commodity or product thereof, or

any grade, size, or quality thereof shall be sold by the handlers thereof only at prices filed by such handlers in the manner provided in such order.

Administrative agencies; selection; powers and duties.

"(C) Providing for the selection by the Secretary of Agriculture, or a method for the selection, of an agency or agencies and defining their powers and duties, which shall include only the powers:

"(i) To administer such order in accordance with its terms and provisions;

"(ii) To make rules and regulations to effectuate the terms and provisions of such order;

"(iii) To receive, investigate, and report to the Secretary of Agriculture complaints of violations of such order; and

"(iv) To recommend to the Secretary of Agriculture amendments to such order.

No person acting as a member of an agency established pursuant to this paragraph (C) shall be deemed to be acting in an official capacity, within the meaning of section 10 (g) of this title, unless such person receives compensation for his personal services from funds of the United States.

Specified terms and conditions. *Ante*, p. 754.

"(D) Incidental to, and not inconsistent with, the terms and conditions specified in subsections (5), (6), and (7) and necessary to effectuate the other provisions of such order.

Orders with marketing agreement.

"ORDERS WITH MARKETING AGREEMENT

When orders to be effective. Requirement of marketing agreement.

"(8) Except as provided in subsection (9) of this section, no order issued pursuant to this section shall become effective until the handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping the commodity or product thereof covered by such order) of not less than 50 per centum of the volume of the commodity or product thereof covered by such order which is produced or marketed within the production or marketing area defined in such order have signed a marketing agreement, entered into pursuant to section 8b of this title, which regulates the handling of such commodity or product in the same manner as such order, except that as to citrus fruits produced in any area producing what is known as California citrus fruits no order issued pursuant to this subsection (8) shall become effective until the handlers of not less than 80 per centum of the volume of such commodity or product thereof covered by such order have signed such a marketing agreement: *Provided*, That no order issued pursuant to this subsection shall be effective unless the Secretary of Agriculture determines that the issuance of such order is approved or favored:

Citrus fruits.

Proviso. Requirement of approval by producers.

"(A) By at least two-thirds of the producers who (except that as to citrus fruits produced in any area producing what is known as California citrus fruits said order must be approved or favored by three-fourths of the producers), during a representative period determined by the Secretary, have been engaged, within the production area specified in such marketing agreement or order, in the production for market of the commodity specified therein, or who, during such representative period, have been engaged in the production of such commodity for sale in the marketing area specified in such marketing agreement, or order, or

"(B) By producers who, during such representative period, have produced for market at least two-thirds of the volume of such commodity produced for market within the production area specified in such marketing agreement or order, or who, during such representative period, have produced at least two-thirds of the volume of such commodity sold within the marketing area specified in such marketing agreement or order.

Orders with or without marketing agreement.

"ORDERS WITH OR WITHOUT MARKETING AGREEMENT

Effectiveness of order on refusal of majority of handlers to sign agreement.

"(9) Any order issued pursuant to this section shall become effective in the event that, notwithstanding the refusal or failure of handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping the commodity or product thereof covered by such order) of more than 50 per centum of the volume of the commodity or product thereof (except that as to citrus fruits produced in any area producing what is known as California citrus fruits said per centum shall be 80 per centum) covered by such order which is produced or marketed within the production or marketing area defined in such order to sign a marketing agreement relating to such commodity or product thereof, on which a hearing has been held, the Secretary of Agriculture, with the approval of the President, determines:

If refusal tends to prevent effectuation of declared policy.

"(A) That the refusal or failure to sign a marketing agreement (upon which a hearing has been held) by the handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping the commodity or product thereof covered by such order) of more than 50 per centum of the volume of the commodity or product thereof (except that as to citrus fruits produced in any area producing what is known as California citrus fruits said per centum shall be 80 per centum) specified therein which is produced or marketed within the production or marketing area specified therein tends to prevent the effectuation of the declared policy of this title with respect to such commodity or product, and

If issuance advances producers' interests.

"(B) That the issuance of such order is the only practical means of advancing the interests of the producers of such commodity pursuant to the declared policy, and is approved or favored:

Approval of producers required.

"(i) By at least two-thirds of the producers (except that as to citrus fruits produced in any area producing what is known as California citrus fruits said order must be approved or favored by three-fourths of the producers) who, during a representative period determined by the Secretary, have been engaged, within the production area specified in such marketing agreement or order, in the production for market of the commodity specified therein, or who, during such representative period, have been engaged in the production of such commodity for sale in the marketing area specified in such marketing agreement, or order, or

"(ii) By producers who, during such representative period, have produced for market at least two-thirds of the volume of such commodity produced for market within the production area specified in such marketing agreement or order, or who, during such representative period, have produced at least two-thirds of the volume of such commodity sold within the marketing area specified in such marketing agreement or order.

Manner of regulation and applicability.

"MANNER OF REGULATION AND APPLICABILITY

"(10) No order shall be issued under this section unless it regulates the handling of the commodity or product covered thereby in the same manner as, and is made applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held. No order shall be issued under this title prohibiting, regulating, or restricting the advertising of any commodity or product covered thereby, nor shall any marketing agreement contain any provision prohibiting, regulating, or restricting the advertising of any commodity or product covered by such marketing agreement.

Advertising of commodities.

" REGIONAL APPLICATION

Regional application.

"(11) (A) No order shall be issued under this section which is applicable to all production areas or marketing areas, or both, of any commodity or product thereof unless the Secretary finds that the issuance of several orders applicable to the respective regional production areas or regional marketing areas, or both, as the case may be, of the commodity or product would not effectively carry out the declared policy of this title.

Issue of general order when several orders inadequate.

"(B) Except in the case of milk and its products, orders issued under this section shall be limited in their application to the smallest regional production areas or regional marketing areas, or both, as the case may be, which the Secretary finds practicable, consistently with carrying out such declared policy.

Application of orders to regional production areas.

"(C) All orders issued under this section which are applicable to the same commodity or product thereof shall, so far as practicable, prescribe such different terms, applicable to different production areas and marketing areas, as the Secretary finds necessary to give due recognition to the differences in production and marketing of such commodity or product in such areas.

Terms applicable to different areas.

" COOPERATIVE ASSOCIATION REPRESENTATION

Cooperative association representation.

"(12) Whenever, pursuant to the provisions of this section, the Secretary is required to determine the approval or disapproval of producers with respect to the issuance of any order, or any term or condition thereof, or the termination thereof, the Secretary shall consider the approval or disapproval by any cooperative association of producers, bona fide engaged in marketing the commodity or product thereof covered by such order, or in rendering services for or advancing the interests of the producers of such commodity, as the approval or disapproval of the producers who are members of, stockholders in, or under contract with, such cooperative association of producers.

Action of association considered that of producers.

" RETAILER AND PRODUCER EXEMPTION

Retailer and producer exemption.

"(13) (A) No order issued under subsection (9) of this section shall be applicable to any person who sells agricultural commodities or products thereof at retail in his capacity as such retailer, except to a retailer in his capacity as a retailer of milk and its products.

Inapplicability of orders.

"(B) No order issued under this title shall be applicable to any producer in his capacity as a producer.

" VIOLATION OF ORDER

Violation of order.

Penalty provision.

"(14) Any handler subject to an order issued under this section, or any officer, director, agent, or employee of such handler, who violates any provision of such order (other than a provision calling for payment of a pro rata share of expenses) shall, on conviction, be fined not less than $50 or more than $500 for each such violation, and each day during which such violation continues shall be deemed a separate violation: *Provided*, That if the court finds that a petition pursuant to subsection (15) of this section was filed and prosecuted by the defendant in good faith and not for delay, no penalty shall be imposed under this subsection for such violations as occurred between the date upon which the defendant's petition was filed with the Secretary, and the date upon which notice of the Secretary's ruling thereon was given to the defendant in accordance with regulations prescribed pursuant to subsection (15).

Proviso. Postponement of penalty.

Petition by handler and review.

" PETITION BY HANDLER AND REVIEW

Filing.

"(15) (A) Any handler subject to an order may file a written petition with the Secretary of Agriculture, stating that any such order or any provision of any such order or any obligation imposed in connection therewith is not in accordance with law and praying for a modification thereof or to be exempted therefrom. He shall thereupon be given an opportunity for a hearing upon such petition, in accordance with regulations made by the Secretary of Agriculture, with the approval of the President. After such hearing, the Secretary shall make a ruling upon the prayer of such petition which shall be final, if in accordance with law.

Hearing.

Ruling.

Jurisdiction of courts to review.

"(B) The District Courts of the United States (including the Supreme Court of the District of Columbia) in any district in which such handler is an inhabitant, or has his principal place of business, are hereby vested with jurisdiction in equity to review such ruling, provided a bill in equity for that purpose is filed within twenty days from the date of the entry of such ruling. Service of process in such proceedings may be had upon the Secretary by delivering to him a copy of the bill of complaint. If the court determines that such ruling is not in accordance with law, it shall remand such proceedings to the Secretary with directions either (1) to make such ruling as the court shall determine to be in accordance with law, or (2) to take such further proceedings as, in its opinion, the law requires. The pendency of proceedings instituted pursuant to this subsection (15) shall not impede, hinder, or delay the United States or the Secretary of Agriculture from obtaining relief pursuant to section 8a (6) of this title. Any proceedings brought pursuant to section 8a (6) of this title (except where brought by way of counterclaim in proceedings instituted pursuant to this subsection (15)) shall abate whenever a final decree has been rendered in proceedings between the same parties, and covering the same subject matter, instituted pursuant to this subsection (15).

Time for filing petition.
Service of process.

Remand of proceedings if ruling unlawful.

Proceedings and relief under section 8 (a).
Vol. 48, pp. 34, 675.
Post, p. 762.

Termination of orders and marketing agreements.
Orders.

" TERMINATION OF ORDERS AND MARKETING AGREEMENTS

"(16) (A) The Secretary of Agriculture shall, whenever he finds that any order issued under this section, or any provision thereof, obstructs or does not tend to effectuate the declared policy of this title, terminate or suspend the operation of such order or such provision thereof.

Marketing agreements.

"(B) The Secretary shall terminate any marketing agreement entered into under section 8b, or order issued under this section, at the end of the then current marketing period for such commodity, specified in such marketing agreement or order, whenever he finds that such termination is favored by a majority of the producers who, during a representative period determined by the Secretary, have been engaged in the production for market of the commodity specified in such marketing agreement or order, within the production area specified in such marketing agreement or order, or who, during such representative period, have been engaged in the production of such commodity for sale within the marketing area specified in such marketing agreement or order: *Provided*, That such majority have, during such representative period, produced for market more than 50 per centum of the volume of such commodity produced for market within the production area specified in such marketing agreement or order, or have, during such representative period, produced more than 50 per centum of the volume of such commodity sold in the marketing area specified in such marketing agreement or order, but such termination shall be effective only if announced on or before

When termination favored by majority producers.

Proviso.
Requirement that majority producers have produced more than 50 per centum of volume of commodity.

such date (prior to the end of the then current marketing period) as may be specified in such marketing agreement or order.

"(C) The termination or suspension of any order or amendment thereto or provision thereof, shall not be considered an order within the meaning of this section.

Termination not considered an order.

"PROVISIONS APPLICABLE TO AMENDMENTS

Provisions applicable to amendments.

"(17) The provisions of this section, section 8d, and section 8e applicable to orders shall be applicable to amendments to orders: *Provided*, That notice of a hearing upon a proposed amendment to any order issued pursuant to section 8c, given not less than three days prior to the date fixed for such hearing, shall be deemed due notice thereof."

Post, p. 762.

Proviso. Notice of hearing.

SEC. 6. The Agricultural Adjustment Act, as amended, is further amended by striking out subsection (4) of section 8 thereof and adding after section 8c thereof the following new sections:

Vol. 48, p. 35; U. S. C., p. 158.

"BOOKS AND RECORDS

Books and records.

"SEC. 8d. (1) All parties to any marketing agreement, and all handlers subject to an order, shall severally, from time to time, upon the request of the Secretary, furnish him with such information as he finds to be necessary to enable him to ascertain and determine the extent to which such agreement or order has been carried out or has effectuated the declared policy of this title, and with such information as he finds to be necessary to determine whether or not there has been any abuse of the privilege of exemptions from the antitrust laws. Such information shall be furnished in accordance with forms of reports to be prescribed by the Secretary. For the purpose of ascertaining the correctness of any report made to the Secretary pursuant to this subsection, or for the purpose of obtaining the information required in any such report, where it has been requested and has not been furnished, the Secretary is hereby authorized to examine such books, papers, records, copies of income-tax reports, accounts, correspondence, contracts, documents, or memoranda, as he deems relevant and which are within the control (1) of any such party to such marketing agreement, or any such handler, from whom such report was requested or (2) of any person having, either directly or indirectly, actual or legal control of or over such party or such handler or (3) of any subsidiary of any such party, handler, or person.

Information from parties to marketing agreement.

Form of reports. Access to books, etc.

"(2) Notwithstanding the provisions of section 7, all information furnished to or acquired by the Secretary of Agriculture pursuant to this section shall be kept confidential by all officers and employees of the Department of Agriculture and only such information so furnished or acquired as the Secretary deems relevant shall be disclosed by them, and then only in a suit or administrative hearing brought at the direction, or upon the request, of the Secretary of Agriculture, or to which he or any officer of the United States is a party, and involving the marketing agreement or order with reference to which the information so to be disclosed was furnished or acquired. Nothing in this section shall be deemed to prohibit (A) the issuance of general statements based upon the reports of a number of parties to a marketing agreement or of handlers subject to an order, which statements do not identify the information furnished by any person, or (B) the publication by direction of the Secretary, of the name of any person violating any marketing agreement or any order, together with a statement of the particular provisions

Confidential nature of information.

Issuance of general statements.

Publication of violations of marketing agreements.

Penalty for divulging information.

of the marketing agreement or order violated by such person. Any such officer or employee violating the provisions of this section shall upon conviction be subject to a fine of not more than $1,000 or to imprisonment for not more than one year, or to both, and shall be removed from office.

Determination of base period.

"DETERMINATION OF BASE PERIOD

When post-war period to be used as base period.

"SEC. 8e. In connection with the making of any marketing agreement or the issuance of any order, if the Secretary finds and proclaims that, as to any commodity specified in such marketing agreement or order, the purchasing power during the base period specified for such commodity in section 2 of this title cannot be satisfactorily determined from available statistics of the Department of Agriculture, the base period, for the purposes of such marketing agreement or order, shall be the post-war period, August 1919–July 1929, or all that portion thereof for which the Secretary finds and proclaims that the purchasing power of such commodity can be satisfactorily determined from available statistics of the Department of Agriculture."

Vol. 48, p. 35; U. S. C., p. 158.

SEC. 7. Subsection (5) of section 8 of the Agricultural Adjustment Act, as amended, is further amended by designating said subsection as section 8f, by inserting said section at the end of section 8e, and by striking out the last sentence thereof.

Removal of commodity from warehouse without cancelation of receipt.

Vol. 48, p. 672.

Sugar beets and sugarcane as basic agricultural commodity.

SEC. 8. Subsection (1) of section 8a of the Agricultural Adjustment Act, as amended, is amended as follows:

(a) by striking out the word "handlers" wherever it appears and by inserting in lieu thereof the words "persons engaged in the handling";

(b) by striking out the phrase "or in competition with" and the comma following such phrase in paragraph (B);

(c) by inserting the word "directly" before the words "to burden" in paragraph (B);

(d) by striking out the words "in any way" in paragraph (B).

Vol. 48, p. 675.

Jurisdiction vested in district court.

Ante, p. 760.

SEC. 9. Subsection (6) of section 8a of the Agricultural Adjustment Act, as amended, is amended by inserting the word "or" after the comma following the word "regulation," and by striking out the words "or license".

Vol. 48, p. 675.

Enforcement proceedings.

Investigation of violation of provisions of order.

SEC. 10. Subsection (7) of section 8a of the Agricultural Adjustment Act, as amended, is amended by inserting at the end thereof the following new sentence: "Whenever the Secretary, or such officer or employee of the Department of Agriculture as he may designate for the purpose, has reason to believe that any handler has violated, or is violating, the provisions of any order or amendment thereto issued pursuant to this title, the Secretary shall have power to institute an investigation and, after due notice to such handler, to conduct a hearing in order to determine the facts for the purpose of referring the matter to the Attorney General for appropriate action."

Hearing.

Vol. 48, pp. 35, 676; U. S. C., p. 160.

Processing tax.

SEC. 11. (a) Subsection (a) of section 9 of the Agricultural Adjustment Act, as amended, is amended by striking out all of the second sentence preceding the semicolon and inserting in lieu thereof the following: "When the Secretary of Agriculture determines that any one or more payments authorized to be made under section 8 are to be made with respect to any basic agricultural commodity, he shall proclaim such determination, and a processing tax shall be in effect with respect to such commodity from the beginning of the marketing year therefor next following the date of such proclamation".

(b) The eighth sentence of such subsection (a) is amended by striking out "rental or benefit payments" and inserting in lieu thereof: "all payments authorized under section 8 which are in effect". Termination of.

SEC. 12. Subsection (b) of section 9 of the Agricultural Adjustment Act, as amended, is amended to read as follows: Vol. 48, p. 36; U. S. C., p. 160. *Ante*, p. 46.

"TAX RATE GENERALLY Tax rate generally.

"(b) (1) The processing tax shall be at such rate as equals the difference between the current average farm price for the commodity and the fair exchange value of the commodity, plus such percentage of such difference, not to exceed 20 per centum, as the Secretary of Agriculture may determine will result in the collection, in any marketing year with respect to which such rate of tax may be in effect pursuant to the provisions of this title, of an amount of tax equal to (A) the amount of credits or refunds which he estimates will be allowed or made during such period pursuant to section 15 (c) with respect to the commodity and (B) the amount of tax which he estimates would have been collected during such period upon all processings of such commodity which are exempt from tax by reason of the fact that such processings are done by or for a State, or a political subdivision or an institution thereof, had such processings been subject to tax. If, prior to the time the tax takes effect, or at any time thereafter, the Secretary has reason to believe that the tax at such rate, or at the then existing rate, on the processing of the commodity generally or for any designated use or uses, or on the processing of the commodity in the production of any designated product or products thereof for any designated use or uses, will cause or is causing such reduction in the quantity of the commodity or products thereof domestically consumed as to result in the accumulation of surplus stocks of the commodity or products thereof or in the depression of the farm price of the commodity, then the Secretary shall cause an appropriate investigation to be made, and afford due notice and opportunity for hearing to interested parties. If thereupon the Secretary determines and proclaims that any such result will occur or is occuring, then the processing tax on the processing of the commodity generally or for any designated use or uses, or on the processing of the commodity in the production of any designated product or products thereof for any designated use or uses, shall be at such lower rate or rates as he determines and proclaims will prevent such accumulation of surplus stocks and depression of the farm price of the commodity, and the tax shall remain during its effective period at such lower rate until the Secretary, after due notice and opportunity for hearing to interested parties, determines and proclaims that an increase in the rate of such tax will not cause such accumulation of surplus stocks or depression of the farm price of the commodity. Thereafter the processing tax shall be at the highest rate which the Secretary determines will not cause such accumulation of surplus stocks or depression of the farm price of the commodity, but it shall not be higher than the rate provided in the first sentence of this paragraph. Computation. When tax rate results in surplus stocks. In depression of farm prices. Investigation to be made. Changing tax rate.

"SPECIFIC TAX RATES Specific tax rates.

"(2) In the case of wheat, cotton, field corn, hogs, peanuts, tobacco, paper, and jute, and (except as provided in paragraph (8) of this subsection) in the case of sugarcane and sugar beets, the tax on the first domestic processing of the commodity generally or for any particular use, or in the production of any designated product for any designated use, shall be levied, assessed, collected, and Commodities designated.

paid at the rate prescribed by the regulations of the Secretary of Agriculture in effect on the date of the adoption of this amendment, during the period from such date to December 31, 1937, both dates inclusive.

Rate on rice.

" SPECIFIC TAX RATE—RICE

" (3) For the period from April 1, 1935, to July 31, 1936, both inclusive, the processing tax with respect to rice shall be levied, assessed, collected, and paid at the rate of 1 cent per pound of rough rice.

On rye.

" SPECIFIC TAX RATE—MARKETING YEAR—FLOOR STOCKS—RYE

"(4) For the period from September 1, 1935, to December 31, 1937, both inclusive, the processing tax with respect to rye shall be levied, assessed, collected, and paid at the rate of 30 cents per bushel of fifty-six pounds. In the case of rye, the first marketing year shall be considered to be the period commencing September 1, 1935, and ending June 30, 1936. Subsequent marketing years shall commence on July 1 and end on June 30 of the succeeding year. The provisions of section 16 of this title shall not apply in the case of rye.

Marketing year.

Vol. 48, pp. 40, 678, 1241; *Ante*, p. 48; *Post*, pp. 768-769.

Rate on barley.

" SPECIFIC TAX RATE—FLOOR STOCKS—BARLEY

"(5) If at any time prior to December 31, 1937, a tax with respect to barley becomes effective pursuant to proclamation as provided in subsection (a) of this section, such tax shall be levied, assessed, collected, and paid during the period from the date upon which such tax becomes effective to December 31, 1937, both inclusive, at the rate of 25 cents per bushel of forty-eight pounds. The provisions of section 16 of this title shall not apply in the case of barley.

Adjustment of rate.

" ADJUSTMENT OF RATE

Decrease in rate to prevent accumulation of surplus.

"(6) (A) Any rate of tax which is prescribed in paragraph (2), (3), (4), or (5) of this subsection or which is established pursuant to this paragraph (6) on the processing of any commodity generally or for any designated use or uses, or on the processing of the commodity in the production of any designated product or products thereof for any designated use or uses, shall be decreased (including a decrease to zero) in accordance with the formulae, standards, and requirements of paragraph (1) of this subsection, in order to prevent such reduction in the quantity of such commodity or the products thereof domestically consumed as will result in the accumulation of surplus stocks of such commodity or the products thereof or in the depression of the farm price of the commodity, and shall thereafter be increased in accordance with the provisions of paragraph (1) of this subsection but subject to the provisions of subdivision (B) of this paragraph (6).

When increased rate authorized.

"(B) If the average farm price of any commodity, the rate of tax on the processing of which is prescribed in paragraph (2), (3), (4), or (5) of this subsection or is established pursuant to this paragraph (6), during any period of twelve successive months ending after July 1, 1935, consisting of the first ten months of any marketing year and the last two months of the preceding marketing year—

"(i) is equal to, or exceeds by 10 per centum or less, the fair exchange value thereof, or, in the case of tobacco, is less than the fair exchange value by not more than 10 per centum, the rate of such tax shall (subject to the provisions of subdivision (A) of this paragraph (6)) be adjusted, at the beginning of the next succeeding marketing year, to such rate as equals 20 per centum of the fair exchange value thereof.

"(ii) exceeds by more than 10 per centum, but not more than 20 per centum, the fair exchange value thereof, the rate of such tax shall (subject to the provisions of subdivision (A) of this paragraph (6)) be adjusted, at the beginning of the next succeeding marketing year, to such rate as equals 15 per centum of the fair exchange value thereof.

"(iii) exceeds by more than 20 per centum the fair exchange value thereof, the rate of such tax shall (subject to the provisions of subdivision (A) of this paragraph (6)) be adjusted, at the beginning of the next succeeding marketing year, to such rate as equals 10 per centum of the fair exchange value thereof.

Permanency of adjusted rate.
In case of rice.

"(C) Any rate of tax which has been adjusted pursuant to this paragraph (6) shall remain at such adjusted rate unless further adjusted or terminated pursuant to this paragraph (6), until December 31, 1937, or until July 31, 1936, in the case of rice.

Increase of rates according to formulae, etc.

"(D) In accordance with the formulae, standards, and requirements prescribed in this title, any rate of tax prescribed in paragraph (2), (3), (4), or (5) of this subsection or which is established pursuant to this paragraph (6) shall be increased.

Termination of tax.
Ante, p. 763.

"(E) Any tax, the rate of which is prescribed in paragraph (2), (3), (4), or (5) of this subsection or which is established pursuant to this paragraph (6), shall terminate pursuant to proclamation as provided in section 9 (a) of this title or pursuant to section 13 of this title.

Reestablishment of rates.

Any such tax with respect to any basic commodity which terminates pursuant to proclamation as provided in section 9 (a) of this title shall again become effective at the rate prescribed in paragraph (2), (3), (4), or (5) of this subsection, subject however to the provisions of subdivisions (A) and (B) of this paragraph (6), from the beginning of the marketing year for such commodity next following the date of a new proclamation by the Secretary as provided in section 9 (a) of this title, if such marketing year begins prior to December 31, 1937, or prior to July 31, 1936, in the case of rice, and shall remain at such rate until altered or terminated pursuant to the provisions of section 9 or terminated pursuant to section 13 of this title.

Determination of rates after December 31, 1937.

"(F) After December 31, 1937 (in the case of the commodities specified in paragraphs (2), (4), and (5) of this subsection), and after July 31, 1936 (in the case of rice), rates of tax shall be determined by the Secretary of Agriculture in accordance with the formulae, standards, and requirements prescribed in this title but not in this paragraph (6), and shall, subject to such formulae, standards, and requirements, thereafter be effective.

Tax rates if fixed rates held invalid.

"(G) If the applicability to any person or circumstances of any tax, the rate of which is fixed in pursuance of this paragraph (6), is finally held invalid by reason of any provision of the Constitution, or is finally held invalid by reason of the Secretary of Agriculture's exercise or failure to exercise any power conferred on him under this title, there shall be levied, assessed, collected, and paid (in lieu of all rates of tax fixed in pursuance of this paragraph (6) with respect to all tax liabilities incurred under this title on or after the effective date of each of the rates of tax fixed in pursuance of this paragraph (6)), rates of tax fixed under paragraph (2), (3), (4), or (5), and such rates shall be in effect (unless the particular tax is terminated pursuant to proclamation, as provided in section 9 (a) or pursuant to section 13) until altered by Act of Congress; except that, for any period prior to the effective date of such holding of invalidity, the amount of tax which represents the difference between the tax at the rate fixed in pursuance of this paragraph (6) and the tax at the rate fixed under paragraphs (2), (3), (4), and (5) shall not be levied, assessed, collected, or paid.

Effectiveness of rates.

Rice—special rule.

"RICE—SPECIAL RULE

Weight to which tax rate to be applied.

"(7) In the case of rice, the weight to which the rate of tax shall be applied shall be the weight of rough rice when delivered to a processor, except that, where the producer processes his own rice, the weight to which the rate of tax shall be applied shall be the weight of rough rice when delivered to the place of processing.

Sugar—special rule.

"SUGAR—SPECIAL RULE

Tax rate applied to direct-consumption sugar.
Vol. 48, p. 671.

"(8) In the case of sugar beets or sugarcane the rate of tax shall be applied to the direct-consumption sugar, resulting from the first domestic processing, translated into terms of pounds of raw value according to regulations to be issued by the Secretary of Agriculture, and in the event that the Secretary increases or decreases the rate of tax fixed by paragraph (2) of this subsection, pursuant to the provisions of paragraph (6) of this subsection, then the rate of tax to be so applied shall be the higher of the two following quotients: The difference between the current average farm price and the fair exchange value (A) of a ton of sugar beets and (B) of a ton of sugarcane, divided in the case of each commodity by the average extraction therefrom of sugar in terms of pounds of raw value (which average extraction shall be determined from available statistics of the Department of Agriculture); the rate of tax fixed by paragraph (2) of this subsection or adjusted pursuant to the provisions of paragraph (6) of this subsection shall in no event exceed the amount of the reduction by the President on a pound of sugar raw value of the rate of duty in effect on January 1, 1934, under paragraph 501 of the Tariff Act of 1930, as adjusted to the treaty of commercial reciprocity concluded between the United States and the Republic of Cuba on December 11, 1902, and/or the provisions of the Act of December 17, 1903, chapter 1.

Higher rates.

Wheat premiums.

"WHEAT PREMIUMS

Computation of current average farm price.

"(9) In computing the current average farm price in the case of wheat, premiums paid producers for protein content shall not be taken into account."

Vol. 48, p. 36; U. S. C., p. 160.

SEC. 13. Subsection (c) of section 9 of the Agricultural Adjustment Act, as amended, is amended to read as follows:

"Fair exchange value" construed.

"(c) For the purposes of part 2 of this title, the fair exchange value of a commodity shall be the price therefor that will give the commodity the same purchasing power, with respect to articles farmers buy, as such commodity had during the base period specified in section 2; and, in the case of all commodities where the base period is the pre-war period, August 1909 to July 1914, will also reflect interest payments per acre on farm indebtedness secured by real estate and tax payments per acre on farm real estate, as contrasted with such interest payments and tax payments during said base period; and the current average farm price and the fair exchange value shall be ascertained by the Secretary of Agriculture from available statistics of the Department of Agriculture. The rate of tax upon the processing of any commodity, in effect on the date on which this amendment is adopted, shall not be affected by the adoption of this amendment and shall not be required to be adjusted or altered, unless the Secretary of Agriculture finds that it is necessary to adjust or alter any such rate pursuant to section 9 (a) of this title."

Ascertainment of current average farm price and fair exchange value.

Current processing tax not affected hereby.

Vol. 48, p. 36; U. S. C., p. 160.

SEC. 14. (a) Paragraph (1) of subsection (d) of section 9 of the Agricultural Adjustment Act, as amended, is amended by inserting following the word "wheat" in the two instances in which it occurs, a comma, and the following: "rye, barley,"

"Processing" construed as to rye and barley.

(b) Paragraph (5) of subsection (d) of section 9 of the Agricultural Adjustment Act, as amended, is hereby repealed. Vol. 48, p. 36; U. S. C., p. 160.

SEC. 15. Section 9 of the Agricultural Adjustment Act, as amended, is amended by adding at the end thereof the following new subsection: Vol. 48, p. 37.

"(g) Nothing contained in this title shall be construed to authorize any tax upon the processing of any commodity which processing results in the production of newsprint." Processing tax on newsprint commodities.

SEC. 16. Subsection (b) of section 10 of the Agricultural Adjustment Act, as amended, is amended to read as follows: Vol. 48, p. 37; U. S. C., p. 161.

"(b) (1) The Secretary of Agriculture is authorized to establish, for the more effective administration of the functions vested in him by this title, State and local committees, or associations of producers, and to permit cooperative associations of producers, when in his judgment they are qualified to do so, to act as agents of their members and patrons in connection with the distribution of payments authorized to be made under section 8. The Secretary, in the administration of this title, shall accord such recognition and encouragement to producer-owned and producer-controlled cooperative associations as will be in harmony with the policy toward cooperative associations set forth in existing Acts of Congress, and as will tend to promote efficient methods of marketing and distribution. Administrative agencies; establishment. Producers' cooperative associations as agents of members.

"(2) Each order issued by the Secretary under this title shall provide that each handler subject thereto shall pay to any authority or agency established under such order such handler's pro rata share (as approved by the Secretary) of such expenses as the Secretary may find will necessarily be incurred by such authority or agency, during any period specified by him, for the maintenance and functioning of such authority or agency, other than expenses incurred in receiving, handling, holding, or disposing of any quantity of a commodity received, handled, held, or disposed of by such authority or agency for the benefit or account of persons other than handlers subject to such order. The pro rata share of the expenses payable by a cooperative association of producers shall be computed on the basis of the quantity of the agricultural commodity or product thereof covered by such order which is distributed, processed, or shipped by such cooperative association of producers. Any such authority or agency may maintain in its own name, or in the names of its members, a suit against any handler subject to an order for the collection of such handler's pro rata share of expenses. The several District Courts of the United States are hereby vested with jurisdiction to entertain such suits regardless of the amount in controversy." Agency expenses; payments by handlers. Computation of share of producers' cooperative associations. Collection of pro rata shares. Jurisdiction of courts.

SEC. 17. Subsection (e) of section 10 of the Agricultural Adjustment Act, as amended, is amended by striking out "rental or benefit payment" and inserting in lieu thereof "payment authorized to be made under section 8". Vol. 48, p. 37; U. S. C., p. 161. Review of determination of amount of payments.

SEC. 18. Section 10 of the Agricultural Adjustment Act, as amended, is amended by inserting at the end thereof the following new subsection: Vol. 48, p. 38.

"(i) The Secretary of Agriculture upon the request of the duly constituted authorities of any State is directed, in order to effectuate the declared policy of this title and in order to obtain uniformity in the formulation, administration, and enforcement of Federal and State programs relating to the regulation of the handling of agricultural commodities or products thereof, to confer with and hold joint hearings with the duly constituted authorities of any State, and is authorized to cooperate with such authorities; to accept and utilize, with the consent of the State, such State and local officers and employees as may be necessary; to avail himself of the records and Cooperation with States. Joint hearings.

facilities of such authorities; to issue orders (subject to the provisions of section 8c) complementary to orders or other regulations issued by such authorities; and to make available to such State authorities the records and facilities of the Department of Agriculture: *Provided*, That information furnished to the Secretary of Agriculture pursuant to section 8d (1) hereof shall be made available only to the extent that such information is relevant to transactions within the regulatory jurisdiction of such authorities, and then only upon a written agreement by such authorities that the information so furnished shall be kept confidential by them in a manner similar to that required of Federal officers and employees under the provisions of section 8d (2) hereof."

Proviso.
Confidential nature of information furnished.
Ante, p. 761.

Vol. 48, p. 38; U. S. C., p. 162.
Appropriation available for making payments.

SEC. 19. The first sentence of subsection (a) of section 12 of the Agricultural Adjustment Act, as amended, is amended by striking out "rental and benefit payments made with respect to reduction in acreage or reduction in production for market under part 2 of this title" and inserting in lieu thereof "payments authorized to be made under section 8".

Vol. 48, pp. 39, 677; U. S. C., p. 162.
Termination of powers.

SEC. 20. (a) The second sentence of section 13 of the Agricultural Adjustment Act, as amended, is amended by striking out "at the end of three years after the adoption of this amendment" and inserting in lieu thereof "on December 31, 1937".

Vol. 48, p. 678.

(b) Subsection (c) of section 16 of the Agricultural Adjustment Act, as amended, is amended by striking out the last sentence thereof.

Vol. 48, pp. 39, 1241; U. S. C., p. 162.
Exemptions and compensating taxes.

SEC. 21. Subsection (a) of section 15 of the Agricultural Adjustment Act, as amended, is amended by striking out the period at the end of the subsection and inserting in lieu thereof a comma and the following: "or shall credit against any tax due and payable under this title the amount of tax which would be refundable. During the period in which any certificate under this section is effective, the provisions of subsection (e) of this section shall be suspended with respect to all imported articles of the kind described in such certificate; and notwithstanding the provisions of section 21, any compensating taxes, which have heretofore, during the period in which any certificate under this section has been effective, become due and payable upon imported articles of the kind described in such certificate, shall be refunded by the Secretary of the Treasury if the same have been paid, or, if the same have not been paid the amount thereof shall be abated. Notwithstanding the provisions of section 21, the Secretary of the Treasury shall refund or credit any processing tax paid on or before June 12, 1934, with respect to such amount of cotton as was used in the manufacture of large cotton bags (as defined in the Certificate of the Secretary of Agriculture, dated June 12, 1934) between June 13 and July 7, 1934, both inclusive.".

Vol. 48, p. 973.
Post, p. 1753.

SEC. 22. Subsection (c) of section 15 of the Agricultural Adjustment Act, as amended, is amended by striking out the next to the last sentence, which reads as follows: "No refund shall be allowed under this section unless claim therefor is filed within six months after delivery of the products to the organization for charitable distribution, or use.".

Refund of tax on products for charitable distribution.

Taxes causing disadvantages in competition.
Vol. 48, p. 39; U. S. C., p. 162.
Equalizing tax imposed on imports.
Vol. 48, pp. 40, 676; U. S. C., p. 162.
Ante, p. 48.

SEC. 23. The first sentence of subsection (d) of section 15 of the Agricultural Adjustment Act, as amended, is amended by adding after the word "processors" the words "or producers".

SEC. 24. Subsection (e) of section 15 of the Agricultural Adjustment Act, as amended, is amended by inserting after the words "with respect to domestic processing of such commodity" the following: "into such an article".

Vol. 48, pp. 40, 676; U. S. C., p. 163.
Floor stocks.

SEC. 25. Subsection (a) of section 16 of the Agricultural Adjustment Act, as amended, is amended by striking out subdivision (2) thereof and inserting in lieu thereof the following:

"(2) Whenever the processing tax is wholly terminated, (A) there shall be refunded or credited in the case of a person holding such stocks with respect to which a tax under this title has been paid, or (B) there shall be credited or abated in the case of a person holding such stocks with respect to which a tax under this title is payable, where such person is the processor liable for the payment of such tax, or (C) there shall be refunded or credited (but not before the tax has been paid) in the case of a person holding such stocks with respect to which a tax under this title is payable, where such person is not the processor liable for the payment of such tax, a sum in an amount equivalent to the processing tax which would have been payable with respect to the commodity from which processed if the processing had occurred on such date: *Provided*, That in the case of any commodity with respect to which there was any increase, effective prior to June 1, 1934, in the rate of the processing tax, no such refund, credit, or abatement, shall be in an amount which exceeds the equivalent of the initial rate of the processing tax in effect with respect to such commodity."

Stocks on hand when processing tax terminates.

Sum to be refunded.

Proviso. Amount.

SEC. 26. The second sentence of subsection (b) of section 16 of the Agricultural Adjustment Act, as amended, is amended to read as follows: "Except as to flour and prepared flour, and cereal preparations made chiefly from wheat, as classified in Wheat Regulations, Series 1, Supplement 1, and as to any article processed wholly or in chief value from cotton, the tax refund, credit, or abatement provided in subsection (a) of this section shall not apply to the retail stocks of persons engaged in retail trade, nor to any article (except sugar) processed wholly or in chief value from sugar beets, sugarcane, or any product thereof, nor to any article (except flour, prepared flour and cereal preparations made chiefly from wheat, as classified in Wheat Regulations, Series 1, Supplement 1) processed wholly or in chief value from wheat, held on the date the processing tax is wholly terminated."

Tax adjustments on retail stocks of persons engaged in retail trade. Vol. 48, p. 40.

SEC. 27. (a) Paragraph (1) of subsection (e) of section 16 of the Agricultural Adjustment Act, as amended, is amended by inserting after the first word in the first sentence a comma and the following: "subsequent to June 26, 1934," by inserting in the proviso after the word "made", the following: "in the case of hogs"; and by inserting at the end of such paragraph the following: "In the case of wheat the provisions of this paragraph and of paragraph (2) of this subsection shall apply to flour, prepared flour and cereal preparations made chiefly from wheat, as classified in Wheat Regulations, Series 1, Supplement 1 only; in the case of sugarcane and sugar beets the provisions of this paragraph and of paragraph (2) of this subsection shall apply to sugar only.

Vol. 48, p. 1241; *Ante*, p. 48.

Processing tax; adjustment of rates.

Post, pp. 1464, 1740, 1753.

In case of hogs.

Of wheat.

Of sugar beets and sugarcane.

(b) Section 16 of the Agricultural Adjustment Act, as amended, is amended by adding at the end thereof the following new subsection:

Vol. 48, p. 40. Floor stocks.

"(g) No refund, credit, or abatement of any amount of any tax shall be made or allowed under this section, unless, within one hundred and twenty days after the right to such refund, credit, or abatement accrued, or within one hundred and twenty days after the date of the adoption of this amendment, whichever is the later, a claim for such refund, credit, or abatement (conforming to such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe) is filed by the person entitled to such refund, credit, or abatement, and no such claim shall be allowed for an amount less than $10."

Time for filing claims for refunds. *Post*, p. 1740.

Vol. 48, p. 676.
Exportations.
Refunds on goods exported.

SEC. 28. Subsection (a) of section 17 of the Agricultural Adjustment Act, as amended, is amended by striking out the first two sentences thereof and inserting in lieu thereof the following: "Upon the exportation to any foreign country (and/or to the Philippine Islands, the Virgin Islands, American Samoa, the Canal Zone, and the island of Guam) of any product processed wholly or partly from a commodity with respect to which product or commodity a tax has been paid or is payable under this title, the tax due and payable or due and paid shall be credited or refunded. Under regulations prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, the credit or refund shall be allowed to the consignor named in the bill of lading under which the product is exported or to the shipper or to the person liable for the tax provided the consignor waives any claim thereto in favor of such shipper or person liable for the tax."

Payments.

Vol. 48, pp. 41, 1242; U. S. C., p. 164.
Collection of taxes.

SEC. 29. (a) Subsection (b) of section 19 of the Agricultural Adjustment Act, as amended, is amended by inserting in the proviso, after the words "of the payment of" the following: "not exceeding three-fourths of the amount of the", and by adding at the end of the proviso the following: "but postponement of all taxes covered by returns under this title for a period not exceeding one hundred and eighty days may be permitted in cases in which the Secretary of the Treasury authorizes such taxes to be paid each month on the amount of the commodity marketed during the next preceding month".

Postponements.

Vol. 48, p. 41.
Returns; filing.

(b) Section 19 of the Agricultural Adjustment Act, as amended, is amended by adding at the end thereof the following new subsection:

"(d) Under regulations made by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, any person required pursuant to the provisions of this title to file a return may be required to file such return and pay the tax shown to be due thereon to the collector of internal revenue for the district in which the processing was done or the liability was incurred. Whenever the Commissioner of Internal Revenue deems it necessary, he may require any person or class of persons handling or dealing in any commodity or product thereof, with respect to which a tax is imposed under the provisions of this title, to make a return, render under oath such statements, or to keep such records, as the Commissioner deems sufficient to show whether or not such person, or any other person, is liable for the tax."

Vol. 48, pp. 41, 677.

SEC. 30. The Agricultural Adjustment Act, as amended, is amended by adding after section 20 the following new section:

Prohibitions.
Suits for recovery of taxes paid prior hereto; jurisdiction of courts.

"SEC. 21. (a) No suit, action, or proceeding (including probate, administration, receivership, and bankruptcy proceedings) shall be brought or maintained in any court if such suit, action, or proceeding is for the purpose or has the effect (1) of preventing or restraining the assessment or collection of any tax imposed or the amount of any penalty or interest accrued under this title on or after the date of the adoption of this amendment, or (2) of obtaining a declaratory judgment under the Federal Declaratory Judgments Act in connection with any such tax or such amount of any such interest or penalty. In probate, administration, receivership, bankruptcy, or other similar proceedings, the claim of the United States for any such tax or such amount of any such interest or penalty, in the amount assessed by the Commissioner of Internal Revenue, shall be allowed and ordered to be paid, but the right to claim the refund or credit thereof and to maintain such claim pursuant to the applicable provisions of law, including subsection (d) of this section, may be reserved in the court's order.

Claims of United States in bankruptcy, etc., proceedings.

"(b) The taxes imposed under this title, as determined, prescribed, proclaimed and made effective by the proclamations and certificates of the Secretary of Agriculture or of the President and by the regulations of the Secretary with the approval of the President prior to the date of the adoption of this amendment, are hereby legalized and ratified, and the assessment, levy, collection, and accrual of all such taxes (together with penalties and interest with respect thereto) prior to said date are hereby legalized and ratified and confirmed as fully to all intents and purposes as if each such tax had been made effective and the rate thereof fixed specifically by prior Act of Congress. All such taxes which have accrued and remain unpaid on the date of the adoption of this amendment shall be assessed and collected pursuant to section 19, and to the provisions of law made applicable thereby. Nothing in this section shall be construed to import illegality to any act, determination, proclamation, certificate, or regulation of the Secretary of Agriculture or of the President done or made prior to the date of the adoption of this amendment.

Taxes; imposition and collection.
Legalization and ratification.

Collection of unpaid taxes.

Acts done prior hereto.

"(c) The making of rental and benefit payments under this title, prior to the date of the adoption of this amendment, as determined, prescribed, proclaimed and made effective by the proclamations of the Secretary of Agriculture or of the President or by regulations of the Secretary, and the initiation, if formally approved by the Secretary of Agriculture prior to such date of adjustment programs under section 8 (1) of this title, and the making of agreements with producers prior to such date, and the adoption of other voluntary methods prior to such date, by the Secretary of Agriculture under this title, and rental and benefit payments made pursuant thereto, are hereby legalized and ratified, and the making of all such agreements and payments, the initiation of such programs, and the adoption of all such methods prior to such date are hereby legalized, ratified, and confirmed as fully to all intents and purposes as if each such agreement, program, method, and payment had been specifically authorized and made effective and the rate and amount thereof fixed specifically by prior Act of Congress.

Rental and benefit payments; validation of.

Agreements with producers.

"(d) (1) No recovery, recoupment, set-off, refund, or credit shall be made or allowed of, nor shall any counter claim be allowed for, any amount of any tax, penalty, or interest which accrued before, on, or after the date of the adoption of this amendment under this title (including any overpayment of such tax), unless, after a claim has been duly filed, it shall be established, in addition to all other facts required to be established, to the satisfaction of the Commissioner of Internal Revenue, and the Commissioner shall find and declare of record, after due notice by the Commissioner to such claimant and opportunity for hearing, that neither the claimant nor any person directly or indirectly under his control or having control over him, has, directly or indirectly, included such amount in the price of the article with respect to which it was imposed or of any article processed from the commodity with respect to which it was imposed, or passed on any part of such amount to the vendee or to any other person in any manner, or included any part of such amount in the charge or fee for processing, and that the price paid by the claimant or such person was not reduced by any part of such amount. In any judicial proceeding relating to such claim, a transcript of the hearing before the Commissioner shall be duly certified and filed as the record in the case and shall be so considered by the court. The provisions of this subsection shall not apply to any refund or credit authorized by subsection (a) or (c) of section 15, section 16, or section 17 of this title, or to any refund or credit

Prohibition on making refunds of taxes accruing subsequent hereto.
Post, p. 1747.

Consideration of claims.

Vol. 48, pp. 39, 676, 1241; *Ante*, pp. 48, 768.

Vol. 46, p. 696; U. S. C. p. 1107.

to the processor of any tax paid by him with respect to the provisions of section 317 of the Tariff Act of 1930.

Refunds if imposition of tax held invalid.

"(2) In the event that any tax imposed by this title is finally held invalid by reason of any provision of the Constitution, or is finally held invalid by reason of the Secretary of Agriculture's exercise or failure to exercise any power conferred on him under this title, there shall be refunded or credited to any person (not a processor or other person who paid the tax) who would have been entitled to a refund or credit pursuant to the provisions of subsections (a) and (b) of section 16, had the tax terminated by proclamation pursuant to the provisions of section 13, and in lieu thereof, a sum in an amount equivalent to the amount to which such person would have been entitled had the Act been valid and had the tax with respect to the particular commodity terminated immediately prior to the effective date of such holding of invalidity, subject, however, to the following condition: Such claimant shall establish to the satisfaction of the Commissioner, and the Commissioner shall find and declare of record, after due notice by the Commissioner to the claimant and opportunity for hearing, that the amount of the tax paid upon the processing of the commodity used in the floor stocks with respect to which the claim is made was included by the processor or other person who paid the tax in the price of such stocks (or of the material from which such stocks were made). In any judicial proceeding relating to such claim, a transcript of the hearing before the Commissioner shall be duly certified and filed as the record in the case and shall be so considered by the court. Notwithstanding any other provision of law: (1) no suit or proceeding for the recovery, recoupment, set-off, refund or credit of any tax imposed by this title, or of any penalty or interest, which is based upon the invalidity of such tax by reason of any provision of the Constitution or by reason of the Secretary of Agriculture's exercise or failure to exercise any power conferred on him under this title, shall be maintained in any court, unless prior to the expiration of six months after the date on which such tax imposed by this title has been finally held invalid a claim therefor (conforming to such regulations as the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury, may prescribe) is filed by the person entitled thereto; (2) no such suit or proceeding shall be begun before the expiration of one year from the date of filing such claim unless the Commissioner renders a decision thereon within that time, nor after the expiration of five years from the date of the payment of such tax, penalty, or sum, unless suit or proceeding is begun within two years after the disallowance of the part of such claim to which such suit or proceeding relates. The Commissioner shall within 90 days after such disallowance notify the taxpayer thereof by mail.

Ante, p. 768.

Amount.

Conditions.

Claims; consideration of.

Time for filing.

Notification of disallowance.

Jurisdiction of courts.

"(3) The District Courts of the United States shall have jurisdiction of cases to which this subsection applies, regardless of the amount in controversy, if such courts would have had jurisdiction of such cases but for limitations under the Judicial Code, as amended, on jurisdiction of such courts based upon the amount in controversy.

Access to books, records, etc.

Post, p. 1747.

"(e) In connection with the establishment, by any claimant, of the facts required to be established in subsection (d) of this section, the Commissioner of Internal Revenue is hereby authorized, by any officer or employee of the Bureau of Internal Revenue, including the field service, designated by him for that purpose, to examine any books, papers, records, or memoranda, relative to any matter affecting the findings to be made by the Commissioner pursuant to subsec-

tion (d) of this section, to require the attendance of the claimant or of any officer or employee of the claimant, or the attendance of any other person having knowledge in the premises, and to take, or cause to be taken, his testimony with reference to any such matter, with power to administer oaths to such person or persons. It shall be lawful for the Commissioner, or any collector designated by him, to summon witnesses on behalf of the United States or of any claimant to appear before the Commissioner, or before any person designated by him, at a time and place named in the summons, and to produce such books, papers, correspondence, memoranda, or other records as the Commissioner may deem relevant or material, and to give testimony or answer interrogatories, under oath, relating to any matter affecting the findings to be made by the Commissioner pursuant to subsection (d) of this section. The provisions of Revised Statutes 3174 and of Revised Statutes 3175 shall be applicable with respect to any summons issued pursuant to the provisions of this subsection. Any witness summoned under this subsection shall be paid, by the party on whose behalf such witness was summoned, the same fees and mileage as are paid witnesses in the courts of the United States. All information obtained by the Commissioner pursuant to this subsection shall be available to the Secretary of Agriculture upon written request therefor. Such information shall be kept confidential by all officers and employees of the Department of Agriculture, and any such officer or employee who violates this requirement shall, upon conviction, be subject to a fine of not more than $1,000 or to imprisonment for not more than one year, or both, and shall be removed from office.

Attendance of claimant.

Witnesses.

R. S., sec. 3174, p. 609; U. S. C., p. 1191.

Witness fees and mileage.

Availability of information.

Confidential nature.

"(f) No refund, credit, or abatement shall be made or allowed of the amount of any tax, under section 15, or section 17, unless, within one year after the right to such refund, credit, or abatement has accrued, a claim for such refund, credit, or abatement (conforming to such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe) is filed by the person entitled to such refund, credit, or abatement, except that if the right to any such refund, credit, or abatement accrued prior to the date of the adoption of this amendment, then such one year period shall be computed from the date of this amendment. No interest shall be allowed or paid, or included in any judgment, with respect to any such claim for refund or credit.

Time for filing claim for refund.
Ante, p. 771.
Post, p. 1740.

Interest payments.

"(g) The provisions of section 3226, Revised Statutes, as amended, are hereby extended to apply to any suit for the recovery of any amount of any tax, penalty, or interest, which accrued, before, on, or after the date of the adoption of this amendment under this title (whether an overpayment or otherwise), and to any suit for the recovery of any amount of tax which results from an error in the computation of the tax or from duplicate payments of any tax, or any refund or credit authorized by subsection (a) or (c) of section 15, section 16, or section 17 of this title or any refund or credit to the processor of any tax paid by him with respect to articles exported pursuant to the provisions of section 317 of the Tariff Act of 1930."

R. S., sec. 3226, p. 619; U. S. C., p. 1202.
Recovery of taxes erroneously collected.
Post, p. 1747.

SEC. 31. The Agricultural Adjustment Act, as amended, is amended by inserting after section 21 the following:

"IMPORTS

Imports.

"SEC. 22. (a) Whenever the President has reason to believe that any one or more articles are being imported into the United States under such conditions and in sufficient quantities as to render or tend to render ineffective or materially interfere with any program or

Investigations by Tariff Commission; authority of President to cause; when.
Post, p. 1152.

operation undertaken, or to reduce substantially the amount of any product processed in the United States from any commodity subject to and with respect to which an adjustment program is in operation, under this title, he shall cause an immediate investigation to be made by the United States Tariff Commission, which shall give precedence to investigations under this section to determine such facts. Such investigation shall be made after due notice and opportunity for hearing to interested parties and shall be conducted subject to such regulations as the President shall specify.

Notice required.

Proclamation imposing import restrictions.

" (b) If, on the basis of such investigation and report to him of findings and recommendations made in connection therewith, the President finds the existence of such facts, he shall by proclamation impose such limitations on the total quantities of any article or articles which may be imported as he finds and declares shown by such investigation to be necessary to prescribe in order that the entry of such article or articles will not render or tend to render ineffective or materially interfere with any program or operation undertaken, or will not reduce substantially the amount of any product processed in the United States from any commodity subject to and with respect to which an adjustment program is in operation, under this title: *Provided*, That no limitation shall be imposed on the total quantity of any article which may be imported from any country which reduces such permissible total quantity to less than 50 per centum of the average annual quantity of such article which was imported from such country during the period from July 1, 1928, to June 30, 1933, both dates inclusive.

Proviso.
Total quantity of imports.

Effective date of import restriction.

" (c) No import restriction proclaimed by the President under this section nor any revocation, suspension, or modification thereof shall become effective until fifteen days after the date of such proclamation, revocation, suspension, or modification.

Finality of President's decision.

" (d) Any decision of the President as to facts under this section shall be final.

Suspension or modification of proclamation.

" (e) After investigation, report, finding, and declaration in the manner provided in the case of a proclamation issued pursuant to subsection (b) of this section, any proclamation or provision of such proclamation may be suspended by the President whenever he finds that the circumstances requiring the proclamation or provision thereof no longer exist, or may be modified by the President whenever he finds that changed circumstances require such modification to carry out the purposes of this section."

Annual appropriation.
Amount.
Post, pp. 1151, 1755.

SEC. 32. There is hereby appropriated for each fiscal year beginning with the fiscal year ending June 30, 1936 an amount equal to 30 per centum of the gross receipts from duties collected under the customs laws during the period January 1 to December 31, both inclusive, preceding the beginning of each such fiscal year. Such sums shall be maintained in a separate fund and shall be used by the Secretary of Agriculture only to (1) encourage the exportation of agricultural commodities and products thereof by the payment of benefits in connection with the exportation thereof or of indemnities for losses incurred in connection with such exportation or by payments to producers in connection with the production of that part of any agricultural commodity required for domestic consumption; (2) encourage the domestic consumption of such commodities or products by diverting them, by the payment of benefits or indemnities or by other means, from the normal channels of trade and commerce; and (3) finance adjustments in the quantity planted or produced for market of agricultural commodities. The amounts appropriated under this section shall be expended for such of the above-specified purposes, and at such times, in such manner, and in such amounts as the Secretary of Agriculture finds will tend to increase the exportation of agricultural

Separate fund to be maintained; uses.

Expenditure.

commodities and products thereof, and increase the domestic consumption of agricultural commodities and products thereof: *Provided*, That no part of the funds appropriated by this section shall be expended pursuant to clause (3) hereof unless the Secretary of Agriculture determines that the expenditure of such part pursuant to clauses (1) and (2) is not necessary to effectuate the purposes of this section: *Provided further*, That no part of the funds appropriated by this section shall be used for the payment of benefits in connection with the exportation of unmanufactured cotton.

Provisos. Restrictions.

SEC. 33. Section 7 of Title 1 of the Agricultural Adjustment Act, as amended by section 221 of the National Industrial Recovery Act (48 Stat. 210, 15 U. S. C., art. 607), is amended by striking it out and inserting in lieu thereof the following:

Vol. 48, p. 210; U. S. C., p. 157. Cotton option contracts.

"SEC. 7. The Secretary shall sell cotton held or acquired by him pursuant to authority of this Act at his discretion subject only to the conditions and limitations of Title 1 of this Act: *Provided*, That the Secretary shall have authority to enter into option contracts with producers of cotton to sell to or for the producers such cotton held and/or acquired by him in such amounts and at such prices and upon such terms and conditions as he, the Secretary, may deem advisable, and such option contracts may be transferred or assigned in such manner as the Secretary of Agriculture may prescribe.

Sale of cotton held by Secretary of Agriculture.

Proviso. Authority to make cotton option contracts.

"Notwithstanding any provisions contained in option contracts heretofore issued and/or any provision of law, assignments made prior to January 11, 1934, of option contracts exercised prior to January 18, 1934, shall be deemed valid upon determination by the Secretary that such assignment was an assignment in good faith of the full interest in such contract and for full value and is free from evidence of fraud or speculation by the assignee.

Validity of contracts assigned prior to January 11, 1934.

"Notwithstanding any provision of existing law, the Secretary of Agriculture may, in the administration of the Agricultural Adjustment Act, make public such information as he deems necessary in order to effectuate the purposes of such Act."

Publication of information.

SEC. 34. Section 6 of the Agricultural Adjustment Act, is hereby repealed.

Vol. 48, p. 33; U. S. C., p. 157.

SEC. 35. Section 4 (b) of Title 1 of the Agricultural Adjustment Act, as amended by the Emergency Appropriation Act, fiscal year 1935, is amended by striking out the words "to be available until March 1, 1936" and inserting at the end of said section a new sentence to read as follows: "This sum shall be available until the cotton acquired by the Secretary of Agriculture under authority of Title 1 of this Act, including cotton futures, shall have been finally marketed by any agency which may have been or may be established by the Secretary of Agriculture for the handling, carrying, insuring, or marketing of any cotton acquired by the Secretary of Agriculture."

Vol. 48, p. 1058; *Ante*, p. 115.

Availability of appropriations.

SEC. 36. Section 4 (f) of Title 1 of the Agricultural Adjustment Act, as amended by the Emergency Appropriation Act, fiscal year 1935, is amended by adding at the end thereof a new paragraph to read as follows:

Vol. 48, p. 1059; *Ante*, p. 115.

"The word 'obligation' when used in this section shall include (without being limited to) administrative expenses, warehouse charges, insurance, salaries, interest, costs, commissions, and other expenses incident to handling, carrying, insuring, and marketing of said cotton."

"Obligation" construed.

SEC. 37. There is hereby authorized to be appropriated the sum of $40,000,000, of which sum $10,000,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to enable the Secretary of Agriculture, under rules and regulations to be promulgated by him and upon such terms as he may prescribe, to eliminate diseased dairy and beef cattle, including cattle suffer-

Diseased dairy and beef cattle.

Appropriation authorized for removal; sum available.

Rules and regulations.

Post, pp. 1152, 1456.

Experimentation; sums available.

ing from tuberculosis or Bang's disease, and to make payments to owners with respect thereto. The Secretary of Agriculture is authorized to use for scientific experimentation and efforts to eradicate disease in cattle, as much as he finds advisable of the funds appropriated by or in pursuance of the authorization contained in this section and the funds appropriated by the second paragraph of Public Resolution Numbered 27, Seventy-third Congress, approved May 25, 1934, to carry out section 6 of the Act entitled "An Act to amend the Agricultural Adjustment Act so as to include cattle and other products as basic agricultural commodities, and for other purposes", approved April 7, 1934. The sums appropriated or reappropriated by this section shall remain available until June 30, 1936, and such sums and the sums appropriated in pursuance of the authorization contained in this section shall be available to carry out the purposes of both this section and such section 6, and may be used for all necessary expenses in connection therewith, including the employment of persons and means in the District of Columbia and elsewhere. The unexpended balance of the funds appropriated by the second paragraph of such Public Resolution Numbered 27 to carry out the purposes of section 2 of such Act of April 7, 1934, shall remain available for the purposes of such section 2 until June 30, 1936.

Vol. 48, pp. 528, 805.

Sums to remain available until June 30, 1936.

Administrative expenses.

Vol. 48, pp. 528, 805.

Agreements and remedies not invalidated hereby.

SEC. 38. Nothing contained in this Act shall (a), invalidate any marketing agreement or license in existence on the date of the enactment hereof, or any provision thereof, or any act done pursuant thereto, either before or after the enactment of this Act, or (b) impair any remedy provided for on the date of the enactment thereof for the enforcement of any such marketing agreement or license, or (c) invalidate any agreement entered into pursuant to section 8 (1) of the Agricultural Adjustment Act prior to the enactment of this Act, or subsequent to the enactment of this Act in connection with a program the initiation of which has been formally approved by the Secretary of Agriculture under such section 8 (1) prior to the enactment of this Act, or any act done or agreed to be done or any payment made or agreed to be made in pursuance of any such agreement, either before or after the enactment of this Act, or any change in the terms and conditions of any such agreement, or any voluntary arrangements or further agreements which the Secretary finds necessary or desirable in order to complete or terminate such program pursuant to the declared policy of the Agricultural Adjustment Act: *Provided*, That the Secretary shall not prescribe, pursuant to any such agreement or voluntary arrangement, any adjustment in the acreage or in the production for market of any basic agricultural commodity to be made after July 1, 1937 except pursuant to the provisions of section 8 of the Agricultural Adjustment Act as amended by this Act.

Vol. 48, p. 34; *Ante*, p. 46.

Proviso.
Adjustments in acreage or production.

Bankhead Cotton Act (Cotton Control Act), amendments.
Vol. 48, p. 599.
Post, p. 1106.
Period of applicability of Act; cotton ginning tax.

AMENDMENTS TO BANKHEAD COTTON ACT

SEC. 39. (a) Section 2 and the first sentence of section 3 (a) of the Act entitled "An Act to place the cotton industry on a sound commercial basis, to prevent unfair competition and practices in putting cotton into the channels of interstate and foreign commerce, to provide funds for paying additional benefits under the Agricultural Adjustment Act, and for other purposes", approved April 21, 1934, as amended, are amended by inserting after the phrase "the crop year 1935–1936", wherever such phrase appears, the phrase "or the crop year 1936–1937 or the crop year 1937–1938".

(b) Section 3 (a) of such Act, as amended, is amended by adding at the end thereof the following new sentence: "In ascertaining the sentiment of the producers with respect to the crop year 1936–1937 or the crop year 1937–1938, the vote in favor of the compulsory tax features of this Act, by two-thirds of the producers voting, shall be deemed sufficient for the purposes of this subsection."

Ascertainment of sentiment of producers.
Vol. 48, p. 599.

(c) Section 5 (a) of an Act entitled "An Act to place the cotton industry on a sound commercial basis, to prevent unfair competition and practices in putting cotton into the channels of interstate and foreign commerce, to provide funds for paying additional benefits under the Agricultural Adjustment Act, and for other purposes," approved April 21, 1934, as amended, is amended by inserting after the sentence "that no State shall receive an allotment of less than 200,000 bales of cotton if in any one year of five years prior to this date the production of the State equaled 250,000 bales" the following: "And be it further provided that after the year 1935 no State shall receive an allotment of less than 80,000 bales of cotton if in any one year of five years prior to the date of the passage of said Act the production of the State equaled 100,000 bales."

Vol. 48, p. 600.

Ante, p. 570.

Minimum allotment.

(d) The action of the Secretary of Agriculture in ascertaining and proclaiming, pursuant to section 3 (a) and (b) of such Act, as amended, 10,500,000 bales as the maximum amount of cotton of the crop harvested in the crop year 1935–1936 that may be marketed exempt from payment of the tax levied by such Act, as amended, is hereby legalized and ratified, and all apportionments and other action taken pursuant to such ascertainment and proclamation are legalized and ratified and confirmed as fully to all intents and purposes as if such amount had been fixed and such apportionments and action had been authorized and made effective specifically by Act of Congress.

Validation of act establishing maximum number of tax exempt bales in 1935–1936 crop year.
Vol. 48, p. 599.

(e) Section 7 of such Act, as amended, is amended by adding at the end thereof the following new subsection:

Vol. 48, p. 601.

"(d) For each crop year subsequent to the crop year 1934–1935 in which this Act is in effect the Secretary of Agriculture shall make (1) to each farm with an established average production for the applicable base period of 956 pounds or less of lint cotton an allotment equal to the full amount of such production and (2) to each farm with an established average production for such base period of more than 956 pounds of lint cotton an allotment of not less than 956 pounds. For each crop year subsequent to the crop year 1935–1936, the amount of each such allotment (and for the crop year 1935–1936 and subsequent crop years, the additional amount required for apportionment under the provisions of the Public Resolution entitled "Public Resolution To provide for certain State allotments under the Cotton Control Act") which is in excess of the allotment which, without regard to this subsection or such Public Resolution, would have been made to any farm, shall be in addition to the national allotment and the allotments to the State and county in which such farm is situated. The first sentence of this subsection shall not be held to increase any allotment to any farm for the crop year 1935–1936 which allotment was made under regulations of the Secretary of Agriculture prior to the date of the adoption of this amendment, or to require any reallotment."

Allotments to individual farms.
Crop year subsequent to 1934–1935.

1935–1936.

Ante, p. 570.

SEC. 40. Section 17 of such Act of April 21, 1934, as amended, is amended by inserting "(a)" before the first sentence thereof and by inserting at the end thereof the following new subsection:

Vol. 48, p. 605.
Officers and employees.

"(b) Appropriations for administrative expenses under this Act are authorized to be made available to enable the Secretary of Agriculture to pay any person, who, in connection with the operation of

Appropriations for administrative expenses.

any cotton gin, incurred additional expenses in connection with the administration of this Act with respect to cotton ginned during the crop year 1935–1936 or any subsequent crop year in which this Act is in effect, and who applies to the Secretary therefor, compensation in the amount of such additional expenses, but not in excess of the rate of 25 cents per bale of such cotton ginned by such person, provided proof satisfactory to the Secretary of Agriculture is furnished that the additional expenses for which such person makes application have not been passed on in any manner whatsoever."

Vol. 48, p. 603. Exemption certificates; assignment.

SEC. 41. Section 9 (d) of such Act of April 21, 1934, as amended (relating to transfer of exemption certificates), is amended by inserting after the first sentence thereof the following new sentence. "No rule or regulation of the Secretary of Agriculture shall prohibit the transfer or assignment by a cotton producer of certificates issued or reissued to him if such transfer or assignment is to another cotton producer who is a resident of the same State."

Vol. 48, p. 599. Tax and exemptions.

SEC. 42. Section 4 of such Act of April 21, 1934, as amended, is amended by inserting at the end thereof the following new subsection:

Cotton retained for household use.

"(h) The Secretary of Agriculture is directed to exempt by regulation from the payment of the tax on the ginning of cotton as levied under authority of this Act, an amount of lint cotton not in excess of one hundred and ten pounds, produced by or for any producer and retained for domestic use in his household."

Kerr Tobacco Act (Tobacco Control Act), amendments. Vol. 48, p. 1275. *Post*, p. 1106.

AMENDMENTS TO KERR TOBACCO ACT

SEC. 43. The title of the Act entitled "An Act to place the tobacco-growing industry on a sound financial and economic basis, to prevent unfair competition and practices in the production and marketing of tobacco entering into the channels of interstate and foreign commerce, and for other purposes", approved June 28, 1934, is amended to read as follows:

Title.

"An Act to place the tobacco-growing industry on a sound financial and economic basis, to prevent unfair competition and practices in the production and marketing of tobacco entering into the channels of interstate and foreign commerce, to raise revenue, and for other purposes."

Definitions.

SEC. 44. Section 1 of said Act is amended by adding at the end thereof the following new subsections:

"Puerto Rican tobacco."

"(l) The term 'Puerto Rican tobacco' means all leaf tobacco classified as type 46 in the United States Department of Agriculture, Bureau of Agricultural Economics, Service and Regulatory Announcements Numbered 118."

"Cigar-wrapper tobacco."

"(m) The term 'cigar-wrapper tobacco' means all leaf tobacco classified in class 6 in the United States Department of Agriculture, Bureau of Agricultural Economics, Service and Regulatory Announcements Numbered 118."

Vol. 48, p. 1276. Declared policy.

SEC. 45. Section 2 of said Act is amended by inserting after the words "consumption of tobacco" a comma and the words "to raise revenue,".

Vol. 48, p. 1276. Imposition of tax; exemption.

SEC. 46. Subsection (b) of section 3 of said Act is amended by striking out the period and the remainder of the subsection following the first sentence and inserting in lieu thereof the following: "and to all tobacco harvested in the crop year 1935–1936, except Maryland tobacco, Puerto Rican tobacco, and cigar wrapper tobacco. Thereafter whenever the Secretary of Agriculture determines (1) that the imposition of the tax upon any particular type of tobacco is necessary for the orderly marketing of such tobacco in interstate and foreign

Authority to impose tax after 1935–1936 crop harvested.

commerce and to effectuate the declared policy of this Act, and (2) that two-thirds of the land engaged in the production of such type of tobacco during the crop year in which such determination is made is voted in favor of the levy of the tax upon the sale of such type of tobacco, he shall proclaim such determination at least sixty days prior to the next succeeding crop year, and the tax shall thereafter apply to the sale of tobacco of such type harvested during the crop year next following the date of such proclamation. All persons who have the right, during the crop year in which such determination is made, to sell or to receive a share of the proceeds derived from the sale of tobacco of any type produced by them, or produced on land owned or leased by them, shall be entitled to vote, and the proportion of all the votes cast in each county which are cast in favor of levying the tax upon the sale of such type of tobacco shall determine the proportion of the total amount of tobacco land in such county which shall be deemed to have been voted in favor of levying such tax. The tax provided for by subsection (a) of this section shall not apply to any tobacco harvested after April 30, 1939."

Producers' right to vote.

Duration of taxing provision.

SEC. 47. Subsection (a) of section 5 of said Act is amended by inserting after the designation "(a)" at the beginning thereof the following: "(1)"; and by inserting at the end of said subsection the following paragraph:

Vol. 48, p. 1277.

"(2) The Secretary of Agriculture shall issue to any person, who, because of religious or moral scruples, is unwilling or unable to become a contracting producer, similar tax-payment warrants covering the quantity of tobacco produced by such person: *Provided*, That the Secretary determines that such person has not planted a greater acreage of tobacco nor sold a greater quantity of tobacco than he could have planted or sold as a contracting producer."

Tax payment warrants; issue.

Proviso. Restriction.

SEC. 48. Subsection (b) of section 5 of said Act is amended by striking out the first sentence of said subsection and inserting in lieu thereof the following:

Vol. 48, p. 1277.

"There shall be available for issuance by the Secretary of Agriculture further warrants, covering an amount of tobacco of any type equal to 3 per centum of the amount of tobacco of such type covered by the warrants issuable or issued to all contracting producers under the provisions of subsection (a) of this section, to persons engaged in the production of tobacco of such type who do not enter into such contracts and as to whom the Secretary determines that no equitable allotment of tobacco acreage or production is possible under such tobacco contracts. Such warrants shall be issued, upon application therefor, upon such basis or classification as the Secretary deems will effectuate the declared policy of this Act and will be fair and just, and as will apply to all persons eligible to receive warrants under this subsection uniformly on the basis or classification adopted: *Provided*, That warrants covering two-thirds of the amount of any type of tobacco to cover which warrants are available under this subsection shall be issued, upon application therefor, only to persons who receive warrants covering one thousand five hundred pounds or less of any type of tobacco."

Warrants to persons not contracting producers. Limit on number.

Application for.

Proviso. Persons to whom may be issued.

SEC. 49. Subsection (d) of section 5 of said Act is amended to read as follows:

Vol. 48, p. 1277.

"If any tax-payment warrant is erroneously issued to any person, or if the Secretary of Agriculture determines pursuant to this subsection that any person to whom any tax-payment warrant is issued has failed to comply in any crop year with any provision of any agreement entered into by such person pursuant to the Agricultural Adjustment Act or has failed to comply with any rule or regulation issued by the Secretary of Agriculture pursuant to this Act or

Tax payment warrants; voiding and return.

the Agricultural Adjustment Act, any warrant issued during such crop year to such person shall be void upon demand in writing for the return of such warrant made by the Secretary of Agriculture to the person to whom such warrant was issued. If any tax-payment warrant which has been accepted in payment of the tax imposed by this Act upon the sale of tobacco becomes void pursuant to this subsection either before or after such acceptance, the person to whom such warrant was issued shall, notwithstanding such acceptance of such warrant, be liable for the full amount of the tax upon such sale."

When accepted in payment of tax; liability of person to whom issued.

Vol. 48, p. 1278.

SEC. 50. Section 8 of said Act is amended by striking out subsection (b) of that section and inserting in lieu thereof two new subsections as follows:

Returns respecting tobacco produced or sold; requirement.

"(b) All persons, in whatever capacity acting, including producers, warehousemen, processors of tobacco, and common carriers, having information with respect to tobacco produced or sold, may be required to make a return in regard thereto, setting forth the amount of tobacco produced, sold, or delivered, the name and address of the person who produced, sold, or delivered said tobacco, or to whom said tobacco was sold or delivered, the price paid on such sale, and any other and further information which the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury and the Secretary of Agriculture, shall by regulations prescribe as necessary for the proper administration and collection of the tax. Any person required to make any such return shall render a true and accurate return to the Commissioner of Internal Revenue.

Penalty on refusal to file.

"(c) Any person willfully failing or refusing to file any return required to be filed under this section, or filing willfully any false return, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than $1,000."

Vol. 48, p. 1278.

SEC. 51. Section 9 of said act is amended by adding at the end thereof the following new subsection:

Administrative agencies; powers.

"(c) Any person who is authorized in writing by the Secretary of Agriculture to act as his agent in the administration of this Act shall, while he is acting as such agent, have the power to administer oaths in connection with the execution of forms required by regulations issued pursuant to sections 7 and 8 of this Act, but no fee or compensation shall be charged or received by any such agent for administering such an oath."

Vol. 48, p. 1279.

Appropriation available for rental and benefit payments.

SEC. 52. The first sentence of subsection (a) of section 10 of said Act is amended to read as follows: "The proceeds heretofore and hereafter derived from the tax are hereby appropriated to be available to the Secretary of Agriculture for rental and benefit payments under the Agricultural Adjustment Act to contracting producers, for administrative expenses, refunds of taxes, redemption of tax-payment warrants heretofore or hereafter received by contracting producers subsequent to the sale of the tobacco covered by said warrants and subsequent to payment of the tax imposed upon such sale by section 3 of this Act, and other payments under this Act."

Administrative expenses, etc.

Vol. 48, p. 1279.

Refunds; presenting claims for.

SEC. 53. Subsection (a) of section 11 of said Act is amended effective as of the date of the enactment of the said Act by striking out the words "six months" and by inserting in lieu thereof the words "one year".

Vol. 48, p. 1280.

SEC. 54. Section 14 of said Act is amended to read as follows:

Offer to become contracting producer.

"The Secretary of Agriculture is directed not to refuse on the ground of lateness any offer by a tobacco producer to become a contracting producer, if such offer is filed with the Secretary of Agriculture within thirty days after the date of the proclamation by the Secretary of Agriculture, pursuant to subsection (b) of section 3 of this Act."

Appropriations available.
Ante, p. 115.

SEC. 55. There is hereby made available, out of any money appropriated by the Emergency Relief Appropriation Act of 1935, such amount as the President may allot for the development of a national program of land conservation and land utilization. The sums so allotted may be used, in the discretion and under the direction of the President, for the acquisition of submarginal lands and their use for such public purposes as the President shall prescribe.

Acquisition of submarginal lands.

In carrying out the provisions of this section, the President is authorized:

Powers of President.

(a) To make contracts and grants; and

(b) To acquire, by purchase, any real property or any interest therein (with or without reservations) in accordance with the policy herein set forth.

ANTI-HOG-CHOLERA SERUM AND HOG-CHOLERA VIRUS

Anti-hog-cholera serum and hog-cholera virus.

Declaration of policy.
Post, p. 1617.

SEC. 56. It is hereby declared to be the policy of Congress to insure the maintenance of an adequate supply of anti-hog-cholera serum and hog-cholera virus by regulating the marketing of such serum and virus in interstate and foreign commerce, and to prevent undue and excessive fluctuations and unfair methods of competition and unfair trade practices in such marketing.

Marketing agreements with manufacturers.

SEC. 57. In order to effectuate the policy declared in section 56 of this Act the Secretary of Agriculture shall have the power, after due notice and opportunity for hearing, to enter into marketing agreements with manufacturers and others engaged in the handling of anti hog-cholera serum and hog-cholera virus only with respect to such handling as is in the current of interstate or foreign commerce or which directly burdens, obstructs, or affects interstate or foreign commerce in such serum and virus. Such persons are hereafter in this Act referred to as "handlers." The making of any such agreement shall not be held to be in violation of any of the antitrust laws of the United States, and any such agreement shall be deemed to be lawful.

"Handlers" construed.

Application of antitrust laws.

Terms and conditions in agreements.

SEC. 58. Marketing agreements entered into pursuant to section 57 of this Act shall contain such one or more of the following terms and conditions and no others as the Secretary finds, upon the basis of the hearing provided for in section 57, will tend to effectuate the policy declared in section 56 of this Act:

(a) One or more of the terms and conditions specified in subsection (7) of section 8c of the Agricultural Adjustment Act, as amended.

(b) Terms and conditions requiring each manufacturer to have available on May 1 of each year a supply of completed serum equivalent to not less than 40 per centum of his previous year's sales.

Orders; issuance of; when.

SEC. 59. Whenever all the handlers of not less than 75 per centum of the volume of anti-hog-cholera serum and hog-cholera virus which is handled in the current of interstate or foreign commerce, or so as directly to burden, obstruct, or affect interstate or foreign commerce, have signed a marketing agreement entered into with the Secretary of Agriculture pursuant to section 57 of this Act, the Secretary of Agriculture shall issue an order which shall regulate only such handling in the same manner as, and contain only such terms and conditions as are contained in such marketing agreement, and shall from time to time amend such order in conformance with amendments to such marketing agreement. Such order shall terminate upon termination of such marketing agreement as provided in such marketing agreement.

Termination of.

Provisions made applicable to.
Vol. 48, p. 675; *Ante*, pp. 753, 781.

SEC. 60. Subject to the policy declared in section 56 of this act, the provisions of subsections (6), (7), (8), and (9) of section 8a and of subsections (14) and (15) of section 8c of the Agricultural Adjustment Act, as amended, are hereby made applicable in connection with orders issued pursuant to section 59 of this Act, and the provisions of section 8d of the Agricultural Adjustment Act, as amended, are hereby made applicable in connection with marketing agreements entered into pursuant to section 57 and orders issued pursuant to section 59 of this Act. The provisions of subsections (a), (b) (2), (c), (f), (h), and (i) of section 10 of the Agricultural Adjustment Act, as amended, are hereby made applicable in connection with the administration of sections 56 to 60, inclusive, of this Act.

Ante, p. 767.

Potato Control Act of 1935.

POTATO CONTROL

Potatoes as basic agricultural commodity.
Vol. 48, p. 38.

SEC. 61. Section 11 of the Agricultural Adjustment Act, as amended, is amended by adding after the word "rice" a comma and the word "potatoes" and by adding at the end of said section 11 a new sentence as follows: "As used in this title, the term 'potatoes' means all varieties of potatoes included in the species Solanum tuberosum."

"Potatoes" construed.

Base period.
Vol. 48, p. 32.

SEC. 62. Subsection 1 of section 2 of the Agricultural Adjustment Act, as amended, is amended by adding after the word "tobacco", in both the second and third sentences of said subsection, the words "and potatoes".

Title II.

TITLE II

Definitions.

DEFINITIONS

Post, pp. 1106, 1163.

SEC. 201. When used in this title, unless the context otherwise requires—

"Person."

(a) The term "person" includes an individual, a corporation, a partnership, a business trust, a joint-stock company, an association, a syndicate, group, pool, joint venture, or any other unincorporated organization or group.

"Commissioner."

(b) The term "Commissioner" means the Commissioner of Internal Revenue.

"Collector."

(c) The term "collector" means a collector of internal revenue.

"Sale."

(d) The term "sale" includes any agreement or delivery whereby the seller transfers the property in, or right to consume, potatoes to another for a consideration, and any sum of money, services, property, or anything of value whatsoever, may constitute consideration for such transfer, but does not include the transfer of the right to consume potatoes to a member of the household of a producer of such potatoes or a transfer for consumption by the household of a person employed in the farming operations of the producer of such potatoes.

"Allotment year."

(e) The term "allotment year" means the period commencing December 1 and ending November 30: *Provided*, That the first allotment year shall commence December 1, 1935, and shall end November 30, 1936.

"Change in the form of potatoes."

(f) The term "change in the form of potatoes" means an intentionally effected change in the form of potatoes in preparation for the sale of such potatoes, or any product thereof, as such change is defined by rules and regulations prescribed by the Commissioner, with the approval of the Secretary of the Treasury.

"Tax stamp."

(g) The term "tax stamp" means an appropriate stamp or other means of identifying potatoes with respect to which a tax levied by this title has been paid.

(h) The term "tax-exemption stamp" means an appropriate stamp or other means of identifying potatoes with respect to which an exemption from a tax levied by this title has been established. "Tax-exemption stamp."

(i) The term "potatoes" means all varieties of potatoes included in the species Solanum tuberosum. "Potatoes."

(j) The term "producer" means a person who has the right to sell, or to receive a share of the proceeds derived from the sale of, potatoes cultivated by him, or on land owned or leased by him. "Producer."

(k) The term "continental United States" means the several States of the United States and the District of Columbia and does not include any Territory or possession of the United States. "Continental United States."

(l) The term "operator" means any person operating his own farm, any tenant operating a farm rented for cash or for a fixed-commodity payment, any crop-share tenant, and any crop-share landlord. "Operator."

(m) The term "farm" means all the land operated by the producer as a single operating unit with work stock, farm machinery, and labor substantially separate from that of any other tract of land. "Farm."

IMPOSITION OF THE TAX

Imposition of tax.

SEC. 202. (a) There is hereby levied and assessed upon each first sale of potatoes harvested on or after December 1, 1935, in the continental United States a tax, to be paid by the seller, at the rate of three-fourths of 1 cent per pound: *Provided*, That when there is a change in the form of potatoes harvested on or after December 1, 1935, in the continental United States prior to the first sale thereof, a tax at the rate of three-fourths of 1 cent per pound, to be paid by the owner at the time such change is effected, is hereby levied and assessed upon the effecting of such change, and no tax shall be levied upon the first sale of such potatoes or any product or products thereof. Assessment; amount. *Proviso.* When change in form prior to first sale. Payment.

(b) If the Secretary of Agriculture finds at any time that the total apportionments to producers in any potato-producing region or regions (as established and defined pursuant to subsection (c) of section 209 of this title) are in excess of the probable supply of potatoes in the continental United States during the marketing periods for such region or regions, he shall proclaim such determination, and the provisions of this title shall not be operative during such marketing periods. When apportionment exceeds supply in producing region.

(c) At least thirty days prior to the beginning of each allotment year after the first allotment year, the Secretary of Agriculture shall conduct a referendum which will afford to producers of potatoes a reasonable opportunity to vote in favor of or in opposition to continuing in effect with respect to potatoes produced during the succeeding allotment year the taxes levied by subsection (a) of this section. Each producer who is entitled to an allotment for the last allotment year for which such apportionments were made shall be entitled to one vote; and such taxes shall not be in effect and the provisions of this title shall not be operative with respect to potatoes produced in such succeeding year unless the majority of the votes cast in such referendum are cast in favor of continuing such taxes in effect. Referendum at beginning of each allotment year. Entitlement to vote.

(d) If the Secretary of Agriculture determines and proclaims that the taxes levied by subsection (a) of this section will at the rate therein specified for such taxes, (1) tend to adversely affect the orderly marketing of potatoes, or (2) tend to depress the farm price Adjustment of tax rate.

of potatoes, or (3) tend to cause to producers of potatoes disadvantages in competition by reason of an excessive shift in consumption from potatoes to some other commodity or commodities, then the rate of such taxes shall for such period as the Secretary of Agriculture designates, be at the highest rate which is lower than three-fourths of 1 cent (not less than one-half of 1 cent per pound) as he finds and proclaims will not adversely affect such orderly marketing, or cause such depression of the farm price, or cause such disadvantages in competition.

Tax stamps; deposit of proceeds.

(e) The taxes levied by subsection (a) of this section shall be represented by tax stamps, and the proceeds of taxes levied under this title shall be paid into the Treasury of the United States as internal revenue collections.

Preparation.

Distribution and sale.

Bond.

Accounting.

Transfer of collections.

(f) The Commissioner shall cause to be prepared, for the payment of such taxes, tax stamps of suitable denominations and shall furnish same to the collectors of internal revenue. The Commissioner shall also furnish to the Postmaster General without prepayment a suitable quantity of such stamps to be distributed to, and kept on sale by, the various postmasters in the United States. The Postmaster General may require each such postmaster to give additional or increased bond as postmaster for the value of the stamps so furnished, and each such postmaster shall deposit the receipts from the sale of such stamps to the credit of, and render accounts to, the Postmaster General at such times and in such form as he may by regulations prescribe. The Postmaster General shall at least once monthly transfer all collections from this source to the Treasury as internal revenue collections.

Allotments.

ALLOTMENTS

Proclamation of production quantity for allotment year.

SEC. 203. The Secretary of Agriculture shall investigate probable production and market conditions for each allotment year and shall determine from available statistics of the Department of Agriculture and proclaim, at least thirty days prior to the beginning of each allotment year, the quantity of potatoes which, if produced during such year and sold during or after such year, will, in his opinion, tend to establish and maintain such balance between the production, sale, and consumption of potatoes and the marketing conditions therefor as will, in his opinion, tend to establish prices to potato producers at a level that would give potatoes a purchasing power with respect to articles that farmers buy equivalent to the purchasing power of potatoes in the period August 1919–July 1929 without reducing the total net income of potato producers from potatoes below the largest probable income of potato producers from potatoes produced during such allotment year, and without tending to cause to producers of potatoes disadvantages in competition by reason of an excessive shift in consumption from potatoes to some other commodity or commodities; and the quantity so proclaimed shall, for each allotment year, be apportioned by the Secretary of Agriculture as hereinafter provided.

Apportionment of quantity.

Determination of apportionment to each State.

Formula.

SEC. 204. When a quantity is determined in accordance with section 203 of this title, the Secretary of Agriculture shall apportion such quantity among the several States. The apportionment to each State shall be determined on the basis of the ratio that the annual average acreage of the four years in which the highest potato acreage was harvested in such State in the years 1927–1934, inclusive, multiplied by the average yield per acre for the four years that the yield of potatoes per acre for such State was highest in the years 1927–1934, inclusive, multiplied by the average annual percentage of the crop

produced in such State during the years 1929–1934, inclusive, which was sold, bears to the sum of the products of such average acreages, such average yields, and such percentages of sales for all States: *Provided*, That if the Secretary of Agriculture finds that the application of the foregoing formula alone would, because of differences in production practices and marketing practices among the several States, result in an inequitable and unfair apportionment to any State or States, not in excess of 2 per centum of the quantity of potatoes determined in accordance with section 203 of this title may be deducted from such quantity and may be used by the Secretary of Agriculture to adjust on the basis of equity and fairness the apportionments made or to be made to any State or States.

Proviso. When apportionment found unfair to any State.

SEC. 204a. The quantity determined and proclaimed by the Secretary of Agriculture pursuant to Section 203, and the quantity apportioned to each State pursuant to Section 204, may at such intervals as the Secretary of Agriculture finds necessary to effectuate the declared policy and purposes of this Act be adjusted by him: *Provided*, That the quantity so determined and proclaimed shall not be increased or decreased by more than 5 per cent.

Adjustments authorized.

Proviso. Restriction.

SEC. 205. Ninety-five per centum of the quantity of potatoes apportioned to any State pursuant to section 204 of this title shall be apportioned by the Secretary of Agriculture to farms on which potatoes have been grown within such State during any one or more years within the period 1932–1934, inclusive. Such apportionment to any farm shall be made upon application therefor and may, in order to secure equitable apportionments to producers, be made by the Secretary based upon either—

Apportionment to farms.

Application therefor.

(1) A percentage of the average sales of potatoes produced on such farm for a representative base period, prescribed by the Secretary, of any two or more years during the years 1932–1934, inclusive, providing the operators of such farm for the allotment year for which the apportionment is made produced potatoes on such farm during at least one of the base-period years. The representative base period prescribed by the Secretary and the percentage applied to the average sales of potatoes produced during such period in establishing apportionments for each farm under this paragraph shall, so far as practicable, be uniform for farms similarly situated upon the basis or classification prescribed by the Secretary of Agriculture, but in the case of any farm for which such average sales are 300 pounds or less, such average sales shall be exempt from any percentage reduction thereof and such farm shall receive an apportionment equal to such average sales; or

Methods of making apportionment.

(2) Such basis as the Secretary of Agriculture deems fair and just and will apply to all farms to which an apportionment is made under this paragraph 2 uniformly on the basis or classification adopted. In making an apportionment to a farm under this paragraph, due consideration shall be given to the quantity of potatoes produced and sold in the past by the operators who will operate such farm for the allotment year for which the apportionment is made, the quantity of potatoes produced on such farm and sold in the past, and the acreage of the farm available for the production of potatoes and which the operators are currently equipped to devote to the production of potatoes.

SEC. 206. Not in excess of 5 per centum of the quantity of potatoes apportioned to any State pursuant to section 204 of this title shall, upon application therefor, be available for apportionment by the Secretary of Agriculture to farms operated by persons engaged or evidencing a desire to engage in the production and sale of potatoes

Percentage of quantity available for apportionment to farms otherwise ineligible.

in such State and which farms are ineligible to receive an apportionment under section 205 or in respect to which the Secretary of Agriculture determines that the apportionments made pursuant to section 205 are inequitable: *Provided*, That apportionments under this section shall be made upon such basis as the Secretary of Agriculture deems fair and just and which will, so far as practicable, apply to all such farms uniformly upon the basis or classification prescribed by the Secretary. Any quantity not apportioned under this section shall be available for apportionment under section 205 of this title.

Proviso. Basis of apportionments.

Continuation of apportionments.

SEC. 207. If an apportionment is made to a farm under section 206 of this title for any allotment year, for each succeeding allotment year that the operation of such farm is continued by the operators who operated it during the allotment year for which such apportionment was made, the apportionment to such farm shall be made upon the basis provided in section 206 of this title but shall be made from the quantity available for apportionment under section 205 of this title.

Apportionment of District of Columbia.

SEC. 208. For the purposes of the apportionments to be made pursuant to sections 204, 205, 206, and 207 of this title, the District of Columbia shall be considered as a part of the State of Maryland.

Tax-exemption stamps; issue.

SEC. 209. (a) The Secretary of Agriculture, or any agent or agency designated for such purpose by the Secretary of Agriculture, shall, upon application therefor, issue for each farm tax-exemption stamps for an amount of potatoes equal to the apportionment made to such farm pursuant to sections 205, 206, and 207 of this title: *Provided*, That under such regulations as the Secretary of Agriculture shall prescribe he shall refuse to issue such tax-exemption stamps to any applicant in any allotment year in which such applicant is not a bona fide producer of potatoes. Each such tax-exemption stamp, during the period of its validity as determined pursuant to subsection (c) of this section, shall establish an exemption from the taxes imposed by subsection (a) of section 202 of this title for the amount of potatoes stated on the face of each such stamp.

Proviso. Refusal to issue.

Tax-exemption stamps; right to.

Forms of.

(b) The right to tax-exemption stamps shall be evidenced in such manner as the Secretary of Agriculture may by regulations prescribe, and such tax-exemption stamps shall be issued in such form or forms, and under such terms and conditions as may be prescribed jointly by the Secretary of Agriculture and the Secretary of the Treasury.

Potato-producing regions; establishment.

(c) The Secretary of Agriculture shall establish and define potato-producing regions for the continental United States upon the basis of the marketing periods for potatoes produced in such regions during an allotment year, and shall from time to time by regulation and upon the basis of such marketing periods for each such region, determine and fix the period during which tax-exemption stamps issued, or pursuant to subsection (g) of this section transferred, to producers in such regions for any allotment year shall be valid, provided that all tax-exemption stamps shall be valid for a period of at least the allotment year for which they are issued.

Period of validity of tax-exemption stamps.

Return of stamps erroneously issued.

(d) If any tax-exemption stamp is erroneously issued, the person to whom such stamp is so issued shall, upon demand by the Secretary of Agriculture in writing and mailed to the last-known address of such person, be obligated to return such stamp or pay to the Secretary a sum equal to the amount of the taxes imposed by subsection (a) of section 202 of this title upon the amount of potatoes covered by such stamp, at the rate in effect at the time such stamp was issued.

Assignment, etc., of stamps not actually delivered.

(e) Any sale, assignment, pledge, or transfer, and any agreement or power of attorney to sell, assign, apply, pledge, or transfer made or entered into by any person of his right to or claim for tax-

exemption stamps or any part thereof not accompanied by actual delivery of such stamps shall, for all purposes, be null and void; except agreements between landlords and share-tenants or share-croppers which, in accordance with such regulations as the Secretary of Agriculture shall prescribe, provide for a division of the tax-exemption stamps received or to be received by any such landlord, any such share-tenant or any such share-cropper, or any or all of them, in accordance with their respective shares in the potatoes or the proceeds thereof to be produced by them.

Landlord and tenant agreements.

(f) Where a farm is operated by share-tenants, or with the aid of share-croppers, tax-exemption stamps issued for an apportionment made to such farm shall be used by the landlord, the share-tenants, and/or the share-croppers in accordance with their respective shares in the potatoes produced on such farm, during the allotment year for which such apportionment is made, or the proceeds of such potatoes, and the Secretary of Agriculture shall issue regulations protecting the interests of share-croppers and tenants in the issuance and use of such tax-exemption stamps.

Farms operated by share-tenants or share-croppers.

Regulations.

(g) If accompanied by delivery thereof, tax-exemption stamps may be transferred or assigned in such manner and upon such terms and conditions, including conditions governing the consideration which must be given therefor, as the Secretary of Agriculture may determine are reasonably necessary to prevent (1) transfers and assignments which would tend to depress the market price for potatoes produced in any potato-producing area, (2) speculation in tax-exemption stamps, or (3) fraud or coercion in the transfer of such stamps, or which the Secretary of Agriculture finds to be necessary or desirable to facilitate the identification of tax-paid or tax-exempt potatoes or which the Secretary of Agriculture finds to be necessary or desirable to protect the interests of tenants and share-croppers in the issuance and use of tax-exemption stamps.

Tax-exemption stamps; assignment. Regulations.

SEC. 210. Tax-exemption stamps issued to a person, and a person's right to and claim for, tax-exemption stamps shall be exempt from the claims of the creditors of such person and from any and all process for the enforcement of such claims. The Secretary of Agriculture shall by regulation provide for the issuance to, and/or use by, the person who by devise, bequest, or descent becomes the owner of potatoes planted by a person dying during an allotment year, of the tax-exemption stamps which have been, or would have been, issued to such deceased person for such allotment year.

Exemption from claims of creditors.

PACKAGING

Packaging.

SEC. 211. (a) To facilitate the collection of the tax upon the first sale of potatoes imposed by subsection (a) of section 202 of this title, all potatoes harvested on and after December 1, 1935, and sold in the continental United States, during any period such tax is in effect, shall, in accordance with such rules and regulations as the Commissioner with the approval of the Secretary of the Treasury shall prescribe, be packed in closed and marked containers to which shall be attached or affixed tax stamps or tax-exemption stamps equal in face value to the amount of tax per pound in effect on the potatoes contained therein: *Provided*, That, subject to such regulations as the Commissioner with the approval of the Secretary of the Treasury may prescribe, packaging may be postponed beyond the time of the first sale of potatoes which are to be stored in bulk, or which are to be graded, at such places as may be designated by regulations prescribed by the Commissioner with the approval of the Secretary of

Requirement.

Affixing stamps.

Proviso. Postponement.

Time and method of packaging, affixing stamps, and breaking packages.

the Treasury. The time and method of such packaging and the time and method of attaching or affixing such stamps and the time and circumstances under which packages may be broken shall be established in accordance with such regulations as the Commissioner, with the approval of the Secretary of the Treasury, may prescribe as desirable or necessary to facilitate the collection of the taxes levied by this title. In prescribing and approving rules and regulations for the packaging of potatoes and the attaching or affixing of stamps, the Commissioner and the Secretary of the Treasury shall give due weight to the customs of the industry.

Customs of the industry.

Identification of potatoes.

(b) To facilitate the collection of the tax upon a change in the form of potatoes imposed by subsection (a) of section 202 of this title, the Commissioner, with the approval of the Secretary of the Treasury, is authorized by regulation to prescribe appropriate means of identifying potatoes, the change of form of which is subject to such tax, and for the identification of the products of such potatoes.

Rules and regulations.

RULES AND REGULATIONS

Prescribing and publishing.

SEC. 212. The Commissioner, with the approval of the Secretary of the Treasury, shall prescribe and publish such rules and regulations as he may deem needful in administering provisions of this title relating to the revenue including rules and regulations for the issue, sale, custody, production, cancelation, destruction, and disposition of tax stamps and the cancelation and destruction of tax-exemption stamps, and the substitution or replacement of tax stamps in cases of loss, destruction, or defacement thereof.

Authority of Secretary of Agriculture.

SEC. 213. The Secretary of Agriculture is authorized to make such rules and regulations as may be necessary to carry out the powers vested in him by the provisions of this title.

Returns; requirement of; filing.

SEC. 214. (a) All producers, warehousemen, processors, carriers, retailers, factors, handlers, and any other person who the Commissioner has reason to believe to have information with respect to potatoes produced, or sold, or subject to a tax on a change in the form of potatoes, may be required, under regulations prescribed jointly by the Secretary of the Treasury and the Secretary of Agriculture, to make such returns, render such statements, give such information, and keep such records as they may deem necessary for the proper administration of this title.

Refusal to file; penalty.

(b) Any person willfully failing or refusing to file such a return, render such statement, give such information, or keep such records, or filing a willfully false return, or rendering or giving willfully false statements or information or willfully keeping false records, shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than $1,000 or by imprisonment not exceeding one year, or both.

Refunds.

REFUNDS

Claims for; time for filing.

SEC. 215. (a) No refund of any tax, penalty, interest, or sum of money paid shall be allowed under this title unless claim therefor is presented within one year after the date of payment of such tax, penalty, interest, or sum.

Recovery of tax erroneously collected; jurisdiction of courts.

(b) No suit or proceeding shall be maintained in any court for the recovery of any tax under this title alleged to have been erroneously or illegally assessed or collected, or of any penalty claimed to have been collected without authority, or of any sum alleged to have been excessive or in any manner illegally or wrongfully collected until a claim for refund or credit has been duly filed with the Commissioner according to the provisions of law in that regard and the regulations of the Secretary of the Treasury established in pur-

suance thereof. No suit or proceeding shall be begun before the expiration of six months from the date of filing such claim unless the Commissioner renders a decision thereon within that time, nor after the expiration of two years from the date of payment of such tax, penalty, or sum, unless such suit or proceeding is begun within two years after the disallowance of the part of such claim to which such suit or proceeding relates. The Commissioner shall, within ninety days after such disallowance, notify the taxpayer thereof by registered mail.

Limitations.

Notification of disallowance.

(c) The amount of the taxes imposed by subsection (a) of section 202, paid by a person, which taxes would not have been paid had the tax-exemption stamps to which such person was entitled been delivered to such person prior to the payment of such taxes, shall be refunded to such person.

Refunds allowed.

APPROPRIATION

Appropriation.

SEC. 216. (a) The proceeds derived from the taxes imposed by this title are hereby authorized to be appropriated to be available to the Secretary of Agriculture for administrative expenses, for all purposes of the Agricultural Adjustment Act, as amended, for refunds of taxes and for other payments under this title. The Secretary of Agriculture and the Secretary of the Treasury shall estimate from time to time the amount of taxes which will be collected under this title during a period following any such estimate not in excess of four months, and the Secretary of the Treasury shall, out of any money in the Treasury not otherwise appropriated, advance to the Secretary of Agriculture the amounts so estimated. The amount of any such advance shall be deducted from such tax proceeds as shall subsequently become available under this subsection: *Provided*, That all taxes imposed by section 230 of this title, collected upon potatoes coming from the possessions or territories of the United States, shall not be covered into the general fund of the Treasury of the United States but shall be held as a separate fund and paid into the treasuries of the said possessions and territories, respectively, to be used and expended by the governments thereof for the benefit of agriculture.

Sum authorized for administrative expenses, refunds, etc.

Advance of estimated amount of taxes to be collected.

Deduction of advance.

Proviso.
Taxes from possessions and territories; separate fund.

Expenditure.

(b) The administrative expenses provided for under this section shall include, among others, expenditures for personal services and rent in the District of Columbia and elsewhere, for law books, periodicals, newspapers, and books of references, for contract stenographic reporting services, for the purchase or hire of vehicles, including motor vehicles, and for printing and paper in addition to allotments under the existing law.

Administrative expenses.

(c) The Secretary of Agriculture may advance or transfer to the Treasury Department, to the Post Office Department, and to any other department or agency, out of funds available for administrative expenses under this title, such sums as are required to pay administrative expenses of, and refunds made by, such departments or agencies in the administration of this title.

Transfer of funds.

(d) There is hereby authorized to be appropriated to be available to the Secretary of Agriculture such sums as may be necessary for administrative expenses, for refunds of taxes, and for other advances or payments under this title.

Appropriations authorized.

GENERAL AND PENAL PROVISIONS

General and penal provisions.

SEC. 217. If at any time the Secretary of Agriculture finds that any product or products manufactured from potatoes is of such low value, considering the quantity of potatoes used for its manufacture, that the imposition of the taxes imposed by subsection (a) of section 202

Potatoes or products of low value.

of this title would prevent wholly or in large part the use of potatoes in the manufacture of such product or products or that potatoes used for the feeding of livestock are of such low value that the imposition of such taxes would prevent wholly or in large part the sale of potatoes for any such use, the Secretary of Agriculture shall proclaim such finding and thereafter in accordance with regulations prescribed jointly by the Secretary of Agriculture and the Secretary of the Treasury, the sale, or change in form, of potatoes for such use or uses by the purchaser thereof shall be exempt from the provisions of subsection (a) of section 211, and from the taxes imposed by subsection (a) of section 202 of this title until such time as the Secretary of Agriculture, after further investigation and due notice and opportunity for hearing to the interested parties, revokes such proclamation: *Provided*, That the right to any such exemption shall be evidenced in such manner as joint regulations of the Secretary of Agriculture and the Secretary of the Treasury shall prescribe. If such purchaser uses any potatoes sold to him free of tax under this section or uses any product of such potatoes, for other than an exempt use as above specified, then he shall be liable for a tax in the same manner as if such potatoes were sold by him at a first sale.

Exemptions.
Ante, pp. 783, 787.

Proviso.
Right to exemptions.

Tax-exempt potatoes otherwise used.

Administration.
Appointment of officers, etc.

SEC. 218. The Secretary of Agriculture is authorized, in order to carry out the provisions of this title, to appoint, without regard to the provisions of the civil-service law, such officers, agents, and employees and to utilize such Federal officers and employees and, with the consent of the State, such State and local officers and employees, as he may find necessary, to prescribe their authorities, duties, responsibilities, and tenure, and, without regard to the Classification Act of 1923, as amended, to fix the compensation of any officers, agents, and employees so appointed.

Cooperation of State officers.

Compensation.

Cooperative production associations; assistance of.
Vol. 48, p. 37; U. S. C., p. 161.
Producers' associations; establishment.

SEC. 219. (a) For the more effective administration of the functions vested in him by this title, the Secretary of Agriculture is authorized to utilize committees and associations heretofore or hereafter established pursuant to subsection (b) of section 10 of the Agricultural Adjustment Act, as amended, and to establish regional, State, and local committees and associations of producers of potatoes.

Advances for administrative expenses.

(b) The Secretary of Agriculture, out of any funds appropriated for administrative expenses under this title, is authorized to advance funds to the proper fiscal officer of associations established or utilized pursuant to subsection (a) of section 219 of this title, for expenses incurred or to be incurred in the administration of this title, with the approval of the Secretary of Agriculture by such associations. Payment of such expenses of such associations shall be made upon such evidence and in such manner and at such time or times as the Secretary of Agriculture may direct, and the accounting therefor by the associations shall be solely administrative and to the Secretary of Agriculture only.

Payments.

Unlawful transactions; penalty.

SEC. 220. Any person who knowingly sells, or offers for sale, or knowingly offers to buy, or buys, potatoes not packaged as required by this title, or any person who knowingly sells, or offers for sale, or who knowingly offers to buy, or buys, potatoes to the packages of which are not affixed or attached tax-exemption stamps or tax stamps as required by this title shall, upon conviction thereof, be fined not more than $1,000. Any person convicted of a second offense under the provisions of this title may, in addition to such fine, be imprisoned for not more than one year.

Conviction of second offense.

Speculation in tax-exemption stamps; penalty.

SEC. 221. Any person who, in violation of the regulations made by the Secretary of Agriculture, speculates in tax-exemption stamps, and any person securing tax-exemption stamps from another person by fraud or coercion, shall, upon conviction thereof, be fined not

more than $1,000 or sentenced to not more than one year's imprisonment, or both.

Destruction of stamps.

SEC. 222. Whenever any potato container, to which are affixed tax stamps or tax-exemption stamps, is emptied, it shall be the duty of the person in whose hands the same is to destroy utterly the stamps affixed thereto. Any revenue officer may destroy the tax stamps or tax-exemption stamps affixed to any emptied potato package.

Unlawful acts.
Default in tax payment.
Counterfeiting.

SEC. 223. Any person who willfully violates any provision of this title, or who willfully fails to pay, when due, any tax imposed under this title, or who, with intent to defraud, falsely makes, forges, orders,[1] or counterfeits any tax stamps or tax-exemption stamps made or used under this title or who uses, sells, or has in his possession any such forged, ordered,[1] or counterfeited tax stamps or tax-exemption stamps or any plate or die used, or which may be used in the manufacture thereof, or has in his possession any tax stamp or tax-exemption stamp which should have been destroyed as required by this title, or who makes, uses, sells, or has in his possession, any paper in imitation of the paper or other substance used in the manufacture of any such tax stamp or tax-exemption stamp, or who reuses any tax stamp or tax-exemption stamp required to be destroyed by this title, or who places any potatoes in any package which has been theretofore filled or stamped or otherwise identified under this title without destroying the tax stamps and tax-exemption stamps previously affixed to such package, or who gives away or accepts from another or who sells or buys any emptied package which had been previously filled and stamped or otherwise identified under this title without destroying the tax stamps and tax-exemption stamps previously affixed or attached to such package, or who makes any false statement in any application for tax-exemption stamps under this title, or who has in his possession any tax-exemption stamps or tax stamps, obtained by him otherwise than as provided in this title, shall, upon conviction, be punished by a fine not exceeding $1,000 or by imprisonment for not exceeding six months, or both.

Possession of stamps which should have been destroyed.

Reuse of stamp.

Refilling stamped container.

Sale of stamped container.

False statements.

Penalty provision.

Regulations; violation of; penalty provision.

SEC. 224. Any person who willfully violates any regulation issued or approved pursuant to this title, for the violation of which a special penalty is not provided by law, shall, upon conviction thereof, be punished by a fine not exceeding $200.

Provisions of laws made applicable.
Vol. 44, pp. 93, 99, 121; U. S. C., pp. 1107, 1110, 1133, 1134.
Vol. 47, p. 264; U. S. C., p. 1186.

SEC. 225. All provisions of law, including penalties, applicable with respect to the taxes imposed by sections 600 and 800 of the Revenue Act of 1926, except section 1121 of the Revenue Act of 1926, and except section 614 of the Revenue Act of 1932, shall, insofar as applicable and not inconsistent with the provisions of this title, be applicable with respect to all taxes imposed by this title.

Producer's books and records; requirement.

SEC. 226. In order to facilitate the making of apportionments and the collection of the taxes imposed by this title, every producer who sells potatoes during any allotment year, or who affects a change in the form of potatoes, shall keep such books and records as the Commissioner, with the joint approval of the Secretary of the Treasury and the Secretary of Agriculture, shall by regulations require and such books and records shall be open to inspection by any authorized agent of the Secretary of Agriculture or the Commissioner.

Inspection of.

Assessment of unpaid taxes.

SEC. 227. Whenever any potatoes, upon the sale of which a tax is required to be paid, are sold, without the use of the proper stamps, or whenever a change in the form of potatoes upon which a tax is required to be paid occurs, without the payment of such tax, it shall be the duty of the Commissioner, within a period of not more than two years after such sale or change in the form, upon satisfactory

[1] So in original.

proof, to estimate the amount of the tax which has been omitted to be paid, and to make the assessment therefor, and certify the same to a collector. The tax so assessed shall be in addition to the penalties imposed by law.

Assessment additional to penalties.

Exports.

EXPORTS

Imposition of taxes waived when sold for export.

SEC. 228. Under such rules and regulations as the Commissioner, with the approval of the Secretary of the Treasury, may prescribe, the taxes imposed under subsection (a) of section 202 of this title shall not apply in respect to potatoes sold for export to any foreign country or for shipment to a possession or Territory of the United States, and in due course so exported or shipped. Under such rules and regulations the amount of any such tax erroneously or illegally collected in respect to such potatoes so exported or shipped may be refunded to the exporter or shipper of the potatoes instead of the taxpayer if the taxpayer waives any claim for the amount so to be refunded.

Refund of taxes erroneously collected.

Imports.

IMPORTS

Authority of Secretary of Agriculture.

SEC. 229. In order to secure equality between domestic and foreign producers of potatoes and in order to prevent the taxes imposed by subsection (a) of section 202 from resulting in disadvantages to producers of potatoes in the continental United States, the Secretary of Agriculture is hereby authorized and directed to, from time to time by orders and regulations—

Quotas; establishment.

(a) For each allotment year or any part thereof that the taxes imposed by subsection (a) of section 202 of this title are in effect, establish quotas for the entry or the importation into the continental United States of potatoes produced in any Territory or possession of the United States, or any foreign country. Such quotas shall be based upon that percentage of the annual average quantity of such potatoes brought or imported into the continental United States during the years 1929–1934, inclusive, which is equal to the percentage that the quantity proclaimed by the Secretary of Agriculture under section 203 of this title is of the annual average of the quantities of potatoes sold in the continental United States during the years 1929–1934, inclusive; and

Tax on imports in excess of quotas.

SEC. 230. After such quotas have been established, potatoes imported or brought into the continental United States in excess of any such quotas shall, in addition to any import duties, be subject to an internal-revenue tax equal to the amount of the tax then in effect on the first sale of potatoes produced and sold in the continental United States. The tax levied by this section shall be represented by tax stamps and shall be paid by the owner or importer prior to release from customs custody and control, or entry into the continental United States.

Packaging of imports from possessions and territories.

SEC. 231. During any period the tax imposed by subsection (a) of section 202 is in effect all potatoes imported or brought into the continental United States from any possession or Territory of the United States or from any foreign country shall, prior to release from customs custody and control, in accordance with such rules and regulations as the Commissioner, with the approval of the Secretary of the Treasury, shall prescribe as necessary or desirable to facilitate the collection of the taxes levied by this title, be packed in closed and marked containers. The time and method of such packaging and the time and method of attaching or affixing the stamps required by the preceding section shall be established in accordance with such regulations as the Commissioner shall prescribe. All sales of such potatoes, after release thereof from customs custody and control or entry in the continental United States, shall be in packages in the

Time and method.

same manner and under the same terms and conditions as required for the sales of potatoes harvested and sold in the continental United States.

Imports from Cuba.

SEC. 232. The provisions of sections 229 and 230 shall not be applicable to potatoes produced in the Republic of Cuba and imported and entered for consumption into the continental United States during the period from December 1 to the last day of the following February, inclusive, in any years: *Provided*, That if the Secretary of Agriculture at any time finds that the importation of potatoes from the Republic of Cuba during such period is, or threatens to result in, unduly depressing the potato market in or for any potato-producing area of the continental United States, he shall proclaim such findings and the provisions of sections 229 and 230 shall be applicable to all potatoes thereafter imported into the continental United States from the Republic of Cuba.

Proviso. Application of provisions to.

Short title.

SEC. 233. This title may be cited as the "Potato Act of 1935."

Approved, August 24, 1935.

[CHAPTER 642.]

AN ACT

August 24, 1935. [H. R. 8519.] [Public, No. 321.]

Requiring contracts for the construction, alteration, and repair of any public building or public work of the United States to be accompanied by a performance bond protecting the United States and by an additional bond for the protection of persons furnishing material and labor for the construction, alteration, or repair of said public buildings or public work.

Bonds of contractors for public buildings. Requirement, where contract exceeds $2,000.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) before any contract, exceeding $2,000 in amount, for the construction, alteration, or repair of any public building or public work of the United States is awarded to any person, such person shall furnish to the United States the following bonds, which shall become binding upon the award of the contract to such person, who is hereinafter designated as "contractor":

Performance bond.

(1) A performance bond with a surety or sureties satisfactory to the officer awarding such contract, and in such amount as he shall deem adequate, for the protection of the United States.

Payment bond.

(2) A payment bond with a surety or sureties satisfactory to such officer for the protection of all persons supplying labor and material in the prosecution of the work provided for in said contract for the use of each such person. Whenever the total amount payable by the terms of the contract shall be not more than $1,000,000 the said payment bond shall be in a sum of one-half the total amount payable by the terms of the contract. Whenever the total amount payable by the terms of the contract shall be more than $1,000,000 and not more than $5,000,000, the said payment bond shall be in a sum of 40 per centum of the total amount payable by the terms of the contract. Whenever the total amount payable by the terms of the contract shall be more than $5,000,000 the said payment bond shall be in the sum of $2,500,000.

Purposes, amount, etc.

Contract work in a foreign country.

(b) The contracting officer in respect of any contract is authorized to waive the requirement of a performance bond and payment bond for so much of the work under such contract as is to be performed in a foreign country if he finds that it is impracticable for the contractor to furnish such bonds.

Security for projects not herein designated.

(c) Nothing in this section shall be construed to limit the authority of any contracting officer to require a performance bond or other security in addition to those, or in cases other than the cases specified in subsection (a) of this section.

Suit on payment bond permitted.

SEC. 2. (a) Every person who has furnished labor or material in the prosecution of the work provided for in such contract, in respect of which a payment bond is furnished under this Act and who has not been paid in full therefor before the expiration of a period of ninety days after the day on which the last of the labor was done or performed by him or material was furnished or supplied by him for which such claim is made, shall have the right to sue on such payment bond for the amount, or the balance thereof, unpaid at the time of institution of such suit and to prosecute said action to final execution and judgment for the sum or sums justly due him: *Provided, however*, That any person having direct contractual relationship with a subcontractor but no contractual relationship express or implied with the contractor furnishing said payment bond shall have a right of action upon the said payment bond upon giving written notice to said contractor within ninety days from the date on which such person did or performed the last of the labor or furnished or supplied the last of the material for which such claim is made, stating with substantial accuracy the amount claimed and the name of the party to whom the material was furnished or supplied or for whom the labor was done or performed. Such notice shall be served by mailing the same by registered mail, postage prepaid, in an envelop addressed to the contractor at any place he maintains an office or conducts his business, or his residence, or in any manner in which the United States marshal of the district in which the public improvement is situated is authorized by law to serve summons.

Proviso.
Right of action of person having contractual relationship with subcontractor but not with contractor.

Service of notice.

Venue of suit.

(b) Every suit instituted under this section shall be brought in the name of the United States for the use of the person suing, in the United States District Court for any district in which the contract was to be performed and executed and not elsewhere, irrespective of the amount in controversy in such suit, but no such suit shall be commenced after the expiration of one year after the date of final settlement of such contract. The United States shall not be liable for the payment of any costs or expenses of any such suit.

Commencement of suit.

No Federal liability.

Certified copies of bond and contract.
Availability, use, cost, etc.

SEC. 3. The Comptroller General is authorized and directed to furnish, to any person making application therefor who submits an affidavit that he has supplied labor or materials for such work and payment therefor has not been made or that he is being sued on any such bond, a certified copy of such bond and the contract for which it was given, which copy shall be prima facie evidence of the contents, execution, and delivery of the original, and, in case final settlement of such contract has been made, a certified statement of the date of such settlement, which shall be conclusive as to such date upon the parties. Applicants shall pay for such certified copies and certified statements such fees as the Comptroller General fixes to cover the cost of preparation thereof.

"Person" construed.

SEC. 4. The term "person" and the masculine pronoun as used throughout this Act shall include all persons whether individuals, associations, copartnerships, or corporations.

Effective date.

SEC. 5. This act shall take effect upon the expiration of sixty days after the date of its enactment, but shall not apply to any contract awarded pursuant to any invitation for bids issued on or before the date it takes effect, or to any persons or bonds in respect of any such contract. The Act entitled "An Act for the protection of persons furnishing materials and labor for the construction of public works", approved August 13, 1894, as amended (U. S. C., title 40, sec. 270), is repealed, except that such Act shall remain in force with respect to contracts for which invitations for bids have been issued on or before the date this Act takes effect, and to persons or bonds in respect of such contracts.

Vol. 28, p. 278; Vol. 36, p. 241; Vol. 33, p. 811; Vol. 44, p. 123; U. S. C., p. 1787.

Approved, August 24, 1935.

[CHAPTER 643.]

AN ACT

To amend section 6 of the Act of February 28, 1925.

August 24, 1935.
[H. R. 8790.]
[Public, No. 322.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first paragraph of section 6 of the Act of February 28, 1925 (43 Stat. 1060; 39 U. S. C. 116), be amended to read as follows:

Postal service.
Vol. 43, p. 1060; U. S. C., p. 1716.

"That employees in the motor-vehicle service shall be classified as follows: Superintendents, $2,400, $2,600, $2,800, $3,000, $3,400, $3,600, $3,800, and $4,000 per annum: *Provided*, That at offices where the receipts are $20,000,000 and up, the salaries shall be $4,300 per annum; assistant superintendents, $2,500, $2,600, and $2,800 per annum; chiefs of records, $2,200, $2,300, $2,400, $2,500, $2,600, $2,800, and $3,000; chiefs of supplies, $2,200, $2,300, and $2,400; chief dispatchers, $2,300 and $2,500; route supervisors, $2,400, $2,500, and $2,600; dispatchers, $2,100, $2,200, and $2,300; chief mechanics, $2,400, $2,500, $2,600, $2,800, and $3,000; mechanics in charge, $2,200, $2,300, and $2,400; and special mechanics, $2,100, $2,200, and $2,300: *Provided*, That assistant superintendents shall not be authorized at offices where the salary of the superintendent is less than $3,000 per annum."

Motor vehicle employees.
Reclassification and pay.

Assistant superintendents; limitation.

Approved, August 24, 1935.

[CHAPTER 644.]

AN ACT

To authorize the transfer of the Otter Cliffs Radio Station on Mount Desert Island in the State of Maine as an addition to the Acadia National Park, and for other purposes.

August 24, 1935.
[H. R. 7938.]
[Public, No. 323.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon the removal of the Otter Cliffs Radio Station and its relocation on lands within the Acadia National Park as authorized by the Act of April 22, 1932 (47 Stat. 91), the Secretary of the Navy be, and he is hereby, authorized and directed to transfer to the control and jurisdiction of the Secretary of the Interior as an addition to the Acadia National Park all that tract of land containing approximately twelve acres on Mount Desert Island in the State of Maine now occupied by and used by the Navy Department for the purposes of the said Otter Cliffs Radio Station, and the Secretary of the Interior shall be, and he is hereby, authorized and directed to transfer to the control and jurisdiction of the Secretary of the Navy for naval radio purposes the site of the relocated radio station, with the buildings and improvements thereon, and such surrounding area as may be agreed upon by the Secretary of the Interior and the Secretary of the Navy: *Provided*, That the Secretary of the Interior shall retain the right to approve the design of the buildings and structures to be placed thereon including any additions or alterations to the present radio station.

Otter Cliffs Radio Station, Mount Desert Island, Maine.
Transfer of, as addition to Acadia National Park.
Vol. 47, p. 126.

Jurisdiction.

Proviso.
Approval of design of buildings, etc.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to construct or cause to be constructed in connection with and as a part of the road system of the Acadia National Park, a bridge or causeway and approaches thereto across the inlet or bay lying between the Otter Cliffs and the Black Woods, in the State of Maine, at a point which he may designate as most suitable to the interests of the Federal Government.

Bridge across the inlet to the Black Woods, authorized.

Approved, August 24, 1935.

[CHAPTER 645.]

AN ACT

August 24, 1935.
[H. R. 8345.]
[Public, No. 324.]

Authorizing the Secretary of the Navy to accept without cost to the United States certain lands in Duval County, State of Florida.

Duval County, Fla.
Acceptance of certain lands in, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to accept on behalf of the United States, free of all encumbrances, and without cost to the United States, a title in fee simple to the following tract of land in Duval County, in the State of Florida, to wit: Lots 20 to 29, both inclusive, in block 1, central business addition to South Jacksonville, and the foot of Hendricks Avenue (formerly known as "Ferry Street") from Commerce Street to the Saint Johns River, together with all riparian rights thereunto belonging or in anywise appertaining: *Provided*, That the cost of maintaining same for the Naval Reserves shall be paid for by the State of Florida.

Description.

Proviso.
Maintenance.

Approved, August 24, 1935.

[CHAPTER 646.]

AN ACT

August 24, 1935.
[S. 3123.]
[Public, No. 325.]

To provide for the relief of public-school districts and other public-school authorities, and for other purposes.

Public school districts, etc.
Reconstruction Finance Corporation to make loans for the benefit of certain.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Reconstruction Finance Corporation is hereby authorized and empowered to make loans out of the funds of the Corporation in an aggregate amount not exceeding $10,000,000 to or for the benefit of tax-supported public-school districts or other similar public-school authorities in charge of public schools, organized pursuant to the laws of the several States, Territories, and the District of Columbia.

Sums to be equally allocated.

Such aggregate amount shall be allocated equitably among the several States and Territories, and the District of Columbia, on the basis of demonstrated need.

Purpose of loans.

Such loans shall be made for the purpose of enabling any such district or authority which, or any State, municipality, or other public body which, is authorized to incur indebtedness for the benefit of public schools (herein referred to as the "borrower") to reduce and refinance outstanding indebtedness or obligations which have been incurred prior to the enactment of this Act for the purpose of financing the construction, operation and/or maintenance of public-school facilities.

Terms and conditions.
Vol. 47, p. 6; U. S. C., p. 573.

Such loans shall be subject to the same terms and conditions as loans made under section 5 of the Reconstruction Finance Corporation Act, as amended, except that (1) the term of any such loans shall not exceed thirty-three years; (2) each such loan shall, in the opinion of the Corporation, be reasonably and adequately secured, and, in respect to the type of security, shall be secured (a) by bonds, notes, or other obligations for the payment of which shall be pledged the full faith and credit and taxing power of the borrower or of such taxing authority as may be authorized pursuant to State law to levy assessments, taxes, or other charges for the benefit of public schools, and/or (b) by bonds, notes, or other obligations which are a lien on real property of the borrower, and/or (c) by such other collateral as may be acceptable to the Corporation; (3) the borrower shall agree not to issue during the term of the loan any other obligations so secured, and insofar as it may lawfully do so, shall agree not to assume during such term any further indebtedness for the benefit of public schools, except with the consent of the Corpora-

Security.

Borrower not to assume further indebtedness.

tion; (4) the borrower shall agree, insofar as it may lawfully do so, that so long as any part of such loan shall remain unpaid the borrower will in each year apply to the repayment of such loan or to the purchase or redemption of the obligations issued to evidence such loan, an amount equal to the amount by which the assessments, taxes and other funds received by it for the benefit of public schools exceeds (a) the cost of operation and maintenance of the public-school facilities which are financed in whole or in part by such amount of assessments, taxes or other charges, received by it; (b) the debt charges on its outstanding obligations; and (c) provisions for such reasonable reserves as may be approved by the Corporation. Repayment provisions.

No loan shall be made under this section until the Corporation (a) has caused an appraisal to be made of the taxpaying ability of the taxing district or other territory throughout which assessments, taxes, or other charges are authorized to be levied for the purpose of paying the costs of, or for the purpose of securing funds to repay indebtedness incurred to finance the construction, operation, and/or maintenance of the public-school facilities on account of which the indebtedness was incurred or obligations assumed which are to be reduced and refinanced in connection with a loan from the Corporation made under this section; (b) has been satisfied that an agreement has been entered into with the holders of outstanding bonds, notes, and/or other obligations incurred by or for the benefit of the tax-supported public-school district or other similar public-school authority in charge of public schools which indebtedness or obligations are to be reduced and refinanced in connection with a loan from the Corporation, under which agreement it will be possible to purchase, reduce, or refund all or a major portion of the aggregate of outstanding indebtedness and obligations incurred by or on behalf of such district or authority at a price determined by the Corporation to be reasonable after taking into consideration the average market price of the evidences of the indebtedness or obligations to be reduced and refinanced over the six months' period ending January 1, 1935, and under which a substantial reduction will be brought about in the aggregate of such outstanding indebtedness and obligations; and (c) has determined, in view of such appraisal of taxpaying ability and of such substantial reduction in the aggregate of such outstanding indebtedness and obligations, that the operation of the public-school facilities to refinance indebtedness or obligations incurred for the benefit of which a loan from the Corporation is applied for under this section, is economically sound and will promote the general welfare of the community. Appraisal, etc., requirements. Refinancing. Finding of economic soundness.

When any loan is authorized pursuant to the provisions of this section and it shall then or thereafter appear that repairs and necessary extensions or improvements to the public-school facilities, to refinance the indebtedness or obligations incurred for the benefit of which such loan is authorized, are necessary or desirable for the further assurance of the ability of the borrower to repay such loan, the Corporation, within the limitation as to total amount provided in this section, may make an additional loan or loans to such borrower for such purposes. Additional loans for repairs, etc.

The proceeds of any loan applied for by a borrower under this section may be paid either to such borrower or to the holders or representatives of the holders of the bonds, notes, and/or other obligations to be reduced and refinanced in connection with such loan, and such loans may be made upon promissory notes collateraled by such bonds, notes, and/or other obligations, or through the purchase of securities issued or to be issued by such borrower. Use of proceeds of loans.

Not available for payment of teachers' salaries.
Vol. 48, p. 1113.

SEC. 2. No loan shall be made by the Corporation under this Act where any part of the proceeds of such loan are to be used for purposes authorized by section 16 of the Act approved June 19, 1934 (Public, Numbered 417, Seventy-third Congress).

Approved, August 24, 1935.

[CHAPTER 647.]

JOINT RESOLUTION

August 24, 1935.
[S. J. Res. 69.]
[Pub. Res., No. 55.]

To provide for the erection of a suitable memorial to the Fourth Division, American Expeditionary Forces.

Fourth Division, American Expeditionary Forces.
Erection of memorial to.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Director of the National Park Service be, and he is hereby, authorized and directed to grant permission to the Fourth Division Memorial Association, American Expeditionary Forces, through Major General George H. Cameron, United States Army, retired, president, or his successors in office, for the erection as a gift to the people of the United States on public grounds in the District of Columbia, a memorial to the Fourth Division: *Provided*, That the design and location for the memorial shall be approved by the National Commission of Fine Arts: *Provided further*, That such monument shall be erected under the supervision of the Director of the National Park Service, of the Department of the Interior, and that the United States shall be put to no expense in or by the erection of said monument.

Provisos.
Approval of site and design required.
Supervision.

Approved, August 24, 1935.

[CHAPTER 648.]

JOINT RESOLUTION

August 24, 1935.
[H. J. Res. 276.]
[Pub. Res., No. 56.]

Authorizing the State of Arizona to transfer to the town of Benson without cost title to section 16, township 17 south, range 20 east, Gila and Salt River meridian, for school and park purposes.

State of Arizona.
May transfer certain land to town of Benson.
Statutory restrictions waived.
Vol. 36, p. 574.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 28 of the Act of Congress approved June 20, 1910 (36 Stat. 557–572), the State of Arizona is authorized to transfer without cost to the town of Benson title to section 16, township 17 south, range 20 east, Gila and Salt River meridian for park purposes.

Approved, August 24, 1935.

[CHAPTER 680.]

AN ACT

August 26, 1935.
[S. 414.]
[Public, No. 326.]

To convey certain lands and buildings to the city of Reno, Nevada.

Reno, Nev.
Conveyance of certain lands and buildings to, authorized.
Description.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to convey, by quitclaim deed, on behalf of the United States, to the city of Reno, Nevada, the hereinafter described parcels of land, located in such city, together with such buildings as may be situated thereon: (1) Beginning at the intersection of the east side line of Virginia Street with the south side line of East Front Street, in the city of Reno, Nevada, and running thence easterly and along the south side line of such East Front Street one hundred and sixty feet, thence southerly and parallel with the east side line of such Virginia Street one hundred fifteen and eighty-seven one-hundredths feet, thence deflect right eighty-one degrees forty-six minutes for a distance of one hundred thirty-three and one-tenth feet, thence deflect left twenty-one degrees seventeen minutes for a distance of thirty-two

and thirty-three one-hundredths feet to the intersection of the east side line of such Virginia Street, thence northerly and along the east side line of such Virginia Street one hundred forty-four and thirty one-hundredths feet to the place of beginning; and (2) beginning at a point on the east side line of Virginia Street, in the city of Reno, Nevada, one hundred forty-four and thirty one-hundredths feet southerly from the intersection of the east side line of such Virginia Street with the south line of such East Front Street, and running thence easterly deflecting right sixty degrees twenty-nine minutes for a distance of thirty-two and thirty-three one-hundredths feet, thence deflect right twenty-one degrees seventeen minutes for a distance of one hundred thirty-three and one-tenth feet, thence southerly and parallel with the east side line of such Virginia Street sixty-five feet, more or less, to the northerly boundary of the Truckee River, thence westerly along the northerly boundary of the Truckee River to its intersection with the east side line of such Virginia Street, thence northerly and along the east side line of such Virginia Street, sixty and two one-hundredths feet, more or less, to the point of beginning.

Purchase price.

The consideration for said conveyance is the sum of $7,500, lawful money of the United States, to be paid by the city of Reno, Nevada, to the Secretary of the Treasury upon the execution and delivery of said conveyance.

Approved, August 26, 1935.

[CHAPTER 681.]

AN ACT

August 26, 1935.
[S. 946.]
[Public, No. 327.]

To amend sections 3 and 4 of the Act of July 3, 1930, entitled "An Act for the rehabilitation of the Bitter Root irrigation project, Montana."

Bitter Root irrigation project, Mont.
Segregation authorized of repayment obligation.
Vol. 46, p. 852.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to negotiate and execute a contract with the Bitter Root Irrigation District, amending as provided herein articles 3 and 6 of the contract dated August 24, 1931, between the United States of America and said irrigation district. The amended contract shall segregate the district's obligation into two components: (1) All money advanced to the district under section 2, subsection (1) of the Act of July 3, 1930, for liquidating bonded and other outstanding indebtedness of said district; and (2) all money advanced or used under section 2, subsections (2) and (3) of said Act for construction, betterment, and repair work. All money advanced under component (1) shall be repaid to the United States within the period fixed in said contract, with interest at 4 per centum per annum until paid: *Provided*, That all interest now due and unpaid on component (1) shall be added to and merged with the principal sum advanced under that component. Nothing herein contained shall be construed as authorizing a modification in said amendatory contract of the interest charges heretofore paid by the district under the contract of August 24, 1931.

Liquidating outstanding indebtedness.

Advances for construction, etc.

Interest on first component.

Proviso.
Unpaid, to be merged with principal.

Interest not modified.

SEC. 2. The amended contract shall provide also that all money advanced or used under section 2, subsections (2) and (3) of the Act of July 3, 1930, shall be repaid to the United States without interest within the period fixed in said contract, and in the case of default in the payment when due of any installment fixed by the Secretary for repayment of money advanced or used under said section 2, subsections (2) and (3), there shall be added to the payment unpaid a penalty of one-half of 1 per centum of the amount unpaid on the 1st day of each month thereafter so long as such default shall continue.

District relieved of interest on component (2).
Vol. 46, p. 852.

Default cases excepted.

Approved, August 26, 1935.

[CHAPTER 682.]

AN ACT

August 26, 1935.
[S. 1787.]
[Public, No. 328.]

To add certain lands to the Pisgah National Forest in the State of North Carolina.

Pisgah National Forest, N. C.
Designated lands added to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the tract of land in Buncombe County, North Carolina, locally known as the "Grove Tract", acquired by the United States on December 19, 1927, for the use of the Veterans' Administration, being approximately four hundred and forty-two acres, be, and the same is hereby, added to the Pisgah National Forest and made subject to all laws and regulations relating to the use and administration of the national forests: *Provided, however*, That the tract shall be so managed as to conserve and protect the water thereon, which water shall remain available for the use of the Veterans' Administration.

Proviso.
Water conservation.

Approved, August 26, 1935.

[CHAPTER 683.]

AN ACT

August 26, 1935.
[S. 2608.]
[Public, No. 329.]

To authorize an appropriation to pay non-Indian claimants whose claims have been extinguished under the Act of June 7, 1924, but who have been found entitled to awards under said Act as supplemented by the Act of May 31, 1933.

Indian pueblos in New Mexico.
Payments to non-Indian claimants for certain extinguished claims.
Vol. 43, p. 636.
Post, p. 1765.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sum to compensate white settlers or non-Indian claimants whose claims have been extinguished under the Act of June 7, 1924 (43 Stat. L. 636), but who have been found by the Secretary of the Interior, in conformity with the proviso to section 3 of the Act of May 31, 1933 (48 Stat. L. 108, 109), to be entitled to increased compensation by reason of errors in the amount of award previously allowed, or entitled to original awards by reason of errors in the omission of legitimate claimants.

Vol. 48, p. 109.

Amounts found due.

The non-Indian claimants, or their successors, as found and reported by the Secretary of the Interior, to be compensated out of said appropriation to be disbursed under the direction of the Secretary of the Interior in the amounts found to be due them, as follows:

Within the pueblo of Isleta, $1,876.72; within the pueblo of San Ildefonso, $9,371.52; within the pueblo of San Juan, $23,122.83; within the pueblo of Santa Clara, $2,810.69; within the pueblo of Pojoaque, $2,474.13; within the pueblo of Nambe, $1,985; within the pueblo of Sandia, $368.90; within the pueblo of Picuris, $278.64; within the pueblo of Cochiti, $1,088.90; within the pueblo of Jemez, $2,000; in all, $45,377.33.

Approved, August 26, 1935.

[CHAPTER 684.]

AN ACT

August 26, 1935.
[S. 2626.]
[Public, No. 330.]

To authorize the sale of Federal buildings.

Federal buildings and sites.
Sale of abandoned, etc., authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to suitably dispose of certain Federal buildings and the sites thereof under the control of the Treasury Department, which have been supplanted by new structures, and for which the Secretary of the Treasury has determined there is no further Federal need, he is hereby authorized, in his discretion, if he deems it to be in the best interests of the Government, to sell such buildings and sites or parts of sites

to States, counties, municipalities, or other duly constituted political subdivisions of States for public use upon such terms, pursuant to such rules and regulations promulgated by him, as he deems proper, and to convey the same by the usual quitclaim deed, and he may enter into long-term contracts for the payment of the purchase price in such installments as he deems fair and reasonable and may furthermore waive any requirements for interest charges on deferred payments: *Provided*, That the total purchase price shall in no case be less than 50 per centum of the appraised value of the land, the appraisal to be made by the Treasury Department: *Provided further*, That the proceeds of the sales shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That in the event portions of any Federal building sites under the control of the Treasury Department are desired by municipalities by reason of any duly authorized, comprehensive street-widening program, the Secretary of the Treasury may deed to such municipalities, without cost, such areas needed for street uses as may be dedicated without jeopardy to the Federal interest.

Long-term contracts for payment permitted.

Provisos.
Restriction on purchase price.

Proceeds covered in.

Donations for street purposes.

Approved, August 26, 1935.

[CHAPTER 685.]

AN ACT

August 26, 1935.
[S. 2652.]
[Public, No. 331.]

To authorize the President to attach certain possessions of the United States to internal-revenue collection districts for the purpose of collecting processing taxes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (f) of section 10 of the Agricultural Adjustment Act, as amended by section 7 of the Act of May 9, 1934 (48 Stat. 670), be further amended by adding at the end of such subsection the following: "The President is authorized to attach by Executive order any or all of such possessions to any internal-revenue collection district for the purpose of carrying out the provisions of this title with respect to the collection of taxes."

Internal revenue.
Attachment of certain U. S. possessions to collection districts.
Vol. 48, pp. 37, 675, amended.

Approved, August 26, 1935.

[CHAPTER 686.]

AN ACT

August 26, 1935.
[S. 2761.]
[Public, No. 332.]

Conferring jurisdiction upon the Court of Claims to hear and determine claims of certain bands or tribes of Indians residing in the State of Oregon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred on the Court of Claims with the right of appeal to the Supreme Court of the United States by either party, as in other cases, to hear, examine, adjudicate, and render final judgment (a) in any and all legal and equitable claims, arising under or growing out of any treaty, agreement, Act of Congress, or Executive order, or for the failure of the United States to pay any money or other property due, which those Indian tribes or bands, or portions thereof, and their descendants, described in the ratified treaties of September 10, 1853 (10 Stat. 1018), September 19, 1853 (10 Stat. 1027), November 18, 1854 (10 Stat. 1122), November 25, 1854 (10 Stat. 1125), January 22, 1855 (10 Stat. 1143), and December 21, 1855 (12 Stat. 981), may have against the United States; and (b) any and all legal and equitable claims arising under or growing out of the original Indian title, claim, or rights in, to, or upon the whole or any part of the lands and their appurtenances occupied by the

Siletz, etc., Indians in Oregon.
Claims of, against United States submitted to Court of Claims.
Right of appeal.

Vol. 10, pp. 1018, 1027, 1122, 1125, 1143; Vol. 12, p. 981.

Rights referred to, in unratified treaties.

Indian tribes and bands described in the unratified treaties published in Senate Executive Document Numbered 25, Fifty-third Congress, first session (pp. 8 to 15), at and long prior to the dates thereof, except the Coos Bay, Lower Umpqua, and Siuslaw Tribes, it being the intention of this Act to include all the Indian tribes or bands and their descendants, with the exceptions named, residing in the then Territory of Oregon west of the Cascade Range at and long prior to the dates of the said unratified treaties, some of whom, in 1855, or later, were removed by the military authorities of the United States to the Coast Range, the Grande Ronde, and the Siletz Reservations in said Territory.

Tribes excepted.
Vol. 45, p. 1256.
Scope of Act defined.

Jurisdiction of court, regardless of lapse of time, etc.

SEC. 2. That if any claim or claims be submitted to said courts hereunder they shall settle the rights therein, both legal and equitable, of each and all the parties thereto, notwithstanding the lapse of time or the statutes of limitation; and any payment which may have been made under any claim or agreement shall not operate as an estoppel but may be pleaded as a set-off, and the United States shall be allowed to plead, and shall receive credit for all sums, including gratuities, paid to or expended for the benefit of the respective tribes or bands of Indians, but no expenditures for the benefit of these Indians made out of appropriations authorized by the Act of June 18, 1934 (48 Stat. L. 984), shall be considered as offsets. The claim or claims of each tribe or band may be presented separately or jointly by petition, subject, however, to amendment and consolidation in proper cases. Such action or actions shall make the petitioner or petitioners party plaintiff or plaintiffs and the United States party defendant; and any nation, tribe, or band the court may deem necessary to a final determination of such suit or suits may be joined therein by order of the court.

Set-off permitted.

Vol. 48, p. 984.

Joint or separate petitions.

Evidence.

The petition shall set forth all the facts upon which the claims are based and shall be signed and verified by the attorney or attorneys employed to prosecute such claim or claims and who are under contract with said Indians approved in accordance with existing law. Any and all claims against the United States within the purview of this Act shall be forever barred unless suit be instituted or petition filed as herein provided in the Court of Claims within five years from the date of the approval of this Act.

Official letters, papers, documents, and public records, or certified copies thereof, may be used in evidence, and the departments of the Government shall allow the attorney or attorneys access to such treaties, papers, correspondence, or records as may be needed by said attorney or attorneys.

Attorney's fee by court decree.

SEC. 3. That upon the final determination of such suit, or suits, the Court of Claims shall decree such fees not exceeding 10 per centum of the amounts recovered as it shall find reasonable to be paid the attorney or attorneys employed therein by said Indians or bands of Indians, under contracts negotiated and approved as provided by existing law, together with all necessary and proper expenditures incurred in the preparation and prosecution of the suit or suits.

Deposit of judgment to credit of Indians, with interest.

SEC. 4. The proceeds of all amounts, if any, recovered for said Indians, less attorneys' fees and expenses, shall be deposited in the Treasury of the United States to the credit of the Indians decreed by said court to be entitled thereto, and shall draw interest at the rate of 4 per centum per annum from the date of the original judgment or decree and thereafter shall be subject to appropriation by Congress.

Approved, August 26, 1935.

[CHAPTER 687.]

AN ACT

To provide for control and regulation of public-utility holding companies, and for other purposes.

August 26, 1935.
[S. 2796.]
[Public, No. 333.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the " Public Utility Act of 1935 ".

Public Utility Act of 1935.

TITLE I—CONTROL OF PUBLIC-UTILITY HOLDING COMPANIES

Title I—Control of public-utility holding companies.

NECESSITY FOR CONTROL OF HOLDING COMPANIES

Necessity.

SECTION 1. (a) Public-utility holding companies and their subsidiary companies are affected with a national public interest in that, among other things, (1) their securities are widely marketed and distributed by means of the mails and instrumentalities of interstate commerce and are sold to a large number of investors in different States; (2) their service, sales, construction, and other contracts and arrangements are often made and performed by means of the mails and instrumentalities of interstate commerce; (3) their subsidiary public-utility companies often sell and transport gas and electric energy by the use of means and instrumentalities of interstate commerce; (4) their practices in respect of and control over subsidiary companies often materially affect the interstate commerce in which those companies engage; (5) their activities extending over many States are not susceptible of effective control by any State and make difficult, if not impossible, effective State regulation of public-utility companies.

Abuses; interest adversely affected by.

(b) Upon the basis of facts disclosed by the reports of the Federal Trade Commission made pursuant to S. Res. 83 (Seventieth Congress, first session), the reports of the Committee on Interstate and Foreign Commerce, House of Representatives, made pursuant to H. Res. 59 (Seventy-second Congress, first session) and H. J. Res. 572 (Seventy-second Congress, second session) and otherwise disclosed and ascertained, it is hereby declared that the national public interest, the interest of investors in the securities of holding companies and their subsidiary companies and affiliates, and the interest of consumers of electric energy and natural and manufactured gas, are or may be adversely affected—

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Enumeration of.

(1) when such investors cannot obtain the information necessary to appraise the financial position or earning power of the issuers, because of the absence of uniform standard accounts; when such securities are issued without the approval or consent of the States having jurisdiction over subsidiary public-utility companies; when such securities are issued upon the basis of fictitious or unsound asset values having no fair relation to the sums invested in or the earning capacity of the properties and upon the basis of paper profits from intercompany transactions, or in anticipation of excessive revenues from subsidiary public-utility companies; when such securities are issued by a subsidiary public-utility company under circumstances which subject such company to the burden of supporting an overcapitalized structure and tend to prevent voluntary rate reductions;

(2) when subsidiary public-utility companies are subjected to excessive charges for services, construction work, equipment, and materials, or enter into transactions in which evils result from an absence of arm's-length bargaining or from restraint of free and independent competition; when service, management, construction,

and other contracts involve the allocation of charges among subsidiary public-utility companies in different States so as to present problems of regulation which cannot be dealt with effectively by the States;

(3) when control of subsidiary public-utility companies affects the accounting practices and rate, dividend, and other policies of such companies so as to complicate and obstruct State regulation of such companies, or when control of such companies is exerted through disproportionately small investment;

(4) when the growth and extension of holding companies bears no relation to economy of management and operation or the integration and coordination of related operating properties; or

(5) when in any other respect there is lack of economy of management and operation of public-utility companies or lack of efficiency and adequacy of service rendered by such companies, or lack of effective public regulation, or lack of economies in the raising of capital.

Effect when wide-spread.

(c) When abuses of the character above enumerated become persistent and wide-spread the holding company becomes an agency which, unless regulated, is injurious to investors, consumers, and the general public; and it is hereby declared to be the policy of this title, in accordance with which policy all the provisions of this title shall be interpreted, to meet the problems and eliminate the evils as enumerated in this section, connected with public-utility holding companies which are engaged in interstate commerce or in activities which directly affect or burden interstate commerce; and for the purpose of effectuating such policy to compel the simplification of public-utility holding-company systems and the elimination therefrom of properties detrimental to the proper functioning of such systems, and to provide as soon as practicable for the elimination of public-utility holding companies except as otherwise expressly provided in this title.

Declaration of policy.

Simplification and eliminations proposed.

Definitions.

DEFINITIONS

SEC. 2. (a) When used in this title, unless the context otherwise requires—

"Person."

(1) "Person" means an individual or company.

"Company."

(2) "Company" means a corporation, a partnership, an association, a joint-stock company, a business trust, or an organized group of persons, whether incorporated or not; or any receiver, trustee, or other liquidating agent of any of the foregoing in his capacity as such.

"Electric utility company."

(3) "Electric utility company" means any company which owns or operates facilities used for the generation, transmission, or distribution of electric energy for sale, other than sale to tenants or employees of the company operating such facilities for their own use and not for resale. The Commission, upon application, shall by order declare a company operating any such facilities not to be an electric utility company if the Commission finds that (A) such company is primarily engaged in one or more businesses other than the business of an electric utility company, and by reason of the small amount of electric energy sold by such company it is not necessary in the public interest or for the protection of investors or consumers that such company be considered an electric utility company for the purposes of this title, or (B) such company is one operating within a single State, and substantially all of its outstanding securities are owned directly or indirectly by another company to which such operating company sells or furnishes electric energy which it generates; such other company uses and

does not resell such electric energy, is engaged primarily in manufacturing (other than the manufacturing of electric energy or gas) and is not controlled by any other company; and by reason of the small amount of electric energy sold or furnished by such operating company to other persons it is not necessary in the public interest or for the protection of investors or consumers that it be considered an electric utility company for the purposes of this title. The filing of an application hereunder in good faith shall exempt such company (and the owner of the facilities operated by such company) from the application of this paragraph until the Commission has acted upon such application. As a condition to the entry of any such order, and as a part thereof, the Commission may require application to be made periodically for a renewal of such order, and may require the filing of such periodic or special reports regarding the business of the company as the Commission may find necessary or appropriate to insure that such company continues to be entitled to such exemption during the period for which such order is effective. The Commission, upon its own motion or upon application, shall revoke such order whenever it finds that the conditions specified in clause (A) or (B) are not satisfied in the case of such company. Any action of the Commission under the preceding sentence shall be by order. Application under this paragraph may be made by the company in respect of which the order is to be issued or by the owner of the facilities operated by such company. Any order issued under this paragraph shall apply equally to such company and such owner. The Commission may by rules or regulations conditionally or unconditionally provide that any specified class or classes of companies which it determines to satisfy the conditions specified in clause (A) or (B), and the owners of the facilities operated by such companies, shall not be deemed electric utility companies within the meaning of this paragraph.

"Gas utility company."

(4) "Gas utility company" means any company which owns or operates facilities used for the distribution at retail (other than distribution only in enclosed portable containers, or distribution to tenants or employees of the company operating such facilities for their own use and not for resale) of natural or manufactured gas for heat, light, or power. The Commission, upon application, shall by order declare a company operating any such facilities not to be a gas utility company if the Commission finds that (A) such company is primarily engaged in one or more businesses other than the business of a gas utility company, and (B) by reason of the small amount of natural or manufactured gas distributed at retail by such company it is not necessary in the public interest or for the protection of investors or consumers that such company be considered a gas utility company for the purposes of this title. The filing of an application hereunder in good faith shall exempt such company (and the owner of the facilities operated by such company) from the application of this paragraph until the Commission has acted upon such application. As a condition to the entry of any such order, and as a part thereof, the Commission may require application to be made periodically for a renewal of such order, and may require the filing of such periodic or special reports regarding the business of the company as the Commission may find necessary or appropriate to insure that such company continues to be entitled to such exemption during the period for which such order is effective. The Commission, upon its own motion or upon application, shall revoke such order whenever it finds that the conditions specified in clauses (A) and (B) are not satisfied in the case of such company. Any action of the Commission under the preceding sentence shall be by order.

Application under this paragraph may be made by the company in respect of which the order is to be issued or by the owner of the facilities operated by such company. Any order issued under this paragraph shall apply equally to such company and such owner. The Commission may by rules or regulations conditionally or unconditionally provide that any specified class or classes of companies which it determines to satisfy the conditions specified in clauses (A) and (B), and the owners of the facilities operated by such companies, shall not be deemed gas utility companies within the meaning of this paragraph.

"Public-utility company."

(5) "Public-utility company" means an electric utility company or a gas utility company.

"Commission."

(6) "Commission" means the Securities and Exchange Commission.

"Holding company."

(7) "Holding company" means—

(A) any company which directly or indirectly owns, controls, or holds with power to vote, 10 per centum or more of the outstanding voting securities of a public-utility company or of a company which is a holding company by virtue of this clause or clause (B), unless the Commission, as hereinafter provided, by order declares such company not to be a holding company; and

(B) any person which the Commission determines, after notice and opportunity for hearing, directly or indirectly to exercise (either alone or pursuant to an arrangement or understanding with one or more other persons) such a controlling influence over the management or policies of any public-utility or holding company as to make it necessary or appropriate in the public interest or for the protection of investors or consumers that such person be subject to the obligations, duties, and liabilities imposed in this title upon holding companies.

The Commission, upon application, shall by order declare that a company is not a holding company under clause (A) if the Commission finds that the applicant (i) does not, either alone or pursuant to an arrangement or understanding with one or more other persons, directly or indirectly control a public-utility or holding company either through one or more intermediary persons or by any means or device whatsoever, (ii) is not an intermediary company through which such control is exercised, and (iii) does not, directly or indirectly, exercise (either alone or pursuant to an arrangement or understanding with one or more other persons) such a controlling influence over the management or policies of any public-utility or holding company as to make it necessary or appropriate in the public interest or for the protection of investors or consumers that the applicant be subject to the obligations, duties, and liabilities imposed in this title upon holding companies. The filing of an application hereunder in good faith by a company other than a registered holding company shall exempt the applicant from any obligation, duty, or liability imposed in this title upon the applicant as a holding company, until the Commission has acted upon such application. Within a reasonable time after the receipt of any application hereunder, the Commission shall enter an order granting, or, after notice and opportunity for hearing, denying or otherwise disposing of, such application. As a condition to the entry of any order granting such application and as a part of any such order, the Commission may require the applicant to apply periodically for a renewal of such order and to do or refrain from doing such acts or things, in respect of exercise of voting rights, control over proxies, designation of officers and directors, existence of interlocking officers, directors and other relationships, and submission of periodic or

special reports regarding affiliations or intercorporate relationships of the applicant, as the Commission may find necessary or appropriate to ensure that in the case of the applicant the conditions specified in clauses (i), (ii), and (iii) are satisfied during the period for which such order is effective. The Commission, upon its own motion or upon application of the company affected, shall revoke the order declaring such company not to be a holding company whenever in its judgment any condition specified in clause (i), (ii), or (iii) is not satisfied in the case of such company, or modify the terms of such order whenever in its judgment such modification is necessary to ensure that in the case of such company the conditions specified in clauses (i), (ii), and (iii) are satisfied during the period for which such order is effective. Any action of the Commission under the preceding sentence shall be by order.

"Subsidiary company."

(8) "Subsidiary company" of a specified holding company means—

(A) any company 10 per centum or more of the outstanding voting securities of which are directly or indirectly owned, controlled, or held with power to vote, by such holding company (or by a company that is a subsidiary company of such holding company by virtue of this clause or clause (B)), unless the Commission, as hereinafter provided, by order declares such company not to be a subsidiary company of such holding company; and

(B) any person the management or policies of which the Commission, after notice and opportunity for hearing, determines to be subject to a controlling influence, directly or indirectly, by such holding company (either alone or pursuant to an arrangement or understanding with one or more other persons) so as to make it necessary or appropriate in the public interest or for the protection of investors or consumers that such person be subject to the obligations, duties, and liabilities imposed in this title upon subsidiary companies of holding companies.

The Commission, upon application, shall by order declare that a company is not a subsidiary company of a specified holding company under clause (A) if the Commission finds that (i) the applicant is not controlled, directly or indirectly, by such holding company (either alone or pursuant to an arrangement or understanding with one or more other persons) either through one or more intermediary persons or by any means or device whatsoever, (ii) the applicant is not an intermediary company through which such control of another company is exercised, and (iii) the management or policies of the applicant are not subject to a controlling influence, directly or indirectly, by such holding company (either alone or pursuant to an arrangement or understanding with one or more other persons) so as to make it necessary or appropriate in the public interest or for the protection of investors or consumers that the applicant be subject to the obligations, duties, and liabilities imposed in this title upon subsidiary companies of holding companies. The filing of an application hereunder in good faith shall exempt the applicant from any obligation, duty, or liability imposed in this title upon the applicant as a subsidiary company of such specified holding company until the Commission has acted upon such application. Within a reasonable time after the receipt of any application hereunder, the Commission shall enter an order granting, or, after notice and opportunity for hearing, denying or otherwise disposing of, such application. As a condition to the entry of, and as a part of, any order granting such application, the Commission may require the applicant to apply periodically for a renewal of such order and to file such periodic or

special reports regarding the affiliations or intercorporate relationships of the applicant as the Commission may find necessary or appropriate to enable it to determine whether in the case of the applicant the conditions specified in clauses (i), (ii), and (iii) are satisfied during the period for which such order is effective. The Commission, upon its own motion or upon application, shall revoke the order declaring such company not to be a subsidiary company whenever in its judgment any condition specified in clause (i), (ii), or (iii) is not satisfied in the case of such company, or modify the terms of such order whenever in its judgment such modification is necessary to ensure that in the case of such company the conditions specified in clauses (i), (ii), and (iii) are satisfied during the period for which such order is effective. Any action of the Commission under the preceding sentence shall be by order. Any application under this paragraph may be made by the holding company or the company in respect of which the order is to be entered, but as used in this paragraph the term "applicant" means only the company in respect of which the order is to be entered.

"Applicant."

"Holding-company system."

(9) "Holding-company system" means any holding company, together with all its subsidiary companies, and all mutual service companies (as defined in paragraph (13) of this subsection) of which such holding company or any subsidiary company thereof is a member company (as defined in paragraph (14) of this subsection).

"Associate company."

(10) "Associate company" of a company means any company in the same holding-company system with such company.

"Affiliate."

(11) "Affiliate" of a specified company means—

(A) any person that directly or indirectly owns, controls, or holds with power to vote, 5 per centum or more of the outstanding voting securities of such specified company;

(B) any company 5 per centum or more of whose outstanding voting securities are owned, controlled, or held with power to vote, directly or indirectly, by such specified company;

(C) any individual who is an officer or director of such specified company, or of any company which is an affiliate thereof under clause (A) of this paragraph; and

(D) any person or class of persons that the Commission determines, after appropriate notice and opportunity for hearing, to stand in such relation to such specified company that there is liable to be such an absence of arm's-length bargaining in transactions between them as to make it necessary or appropriate in the public interest or for the protection of investors or consumers that such person be subject to the obligations, duties, and liabilities imposed in this title upon affiliates of a company.

"Registered holding company."

(12) "Registered holding company" means a person whose registration is in effect under section 5.

"Mutual service company."

(13) "Mutual service company" means a company approved as a mutual service company under section 13.

"Member company."

(14) "Member company" means a company which is a member of an association or group of companies mutually served by a mutual service company.

"Director."

(15) "Director" means any director of a corporation or any individual who performs similar functions in respect of any company.

"Security."

(16) "Security" means any note, draft, stock, treasury stock, bond, debenture, certificate of interest or participation in any profit-sharing agreement or in any oil, gas, other mineral royalty or lease, any collateral-trust certificate, preorganization certificate or subscription, transferable share, investment contract, voting-trust

certificate, certificate of deposit for a security, receiver's or trustee's certificate, or, in general, any instrument commonly known as a "security"; or any certificate of interest or participation in, temporary or interim certificate for, receipt for, guaranty of, assumption of liability on, or warrant or right to subscribe to or purchase, any of the foregoing.

"Voting security."

(17) "Voting security" means any security presently entitling the owner or holder thereof to vote in the direction or management of the affairs of a company, or any security issued under or pursuant to any trust, agreement, or arrangement whereby a trustee or trustees or agent or agents for the owner or holder of such security are presently entitled to vote in the direction or management of the affairs of a company; and a specified per centum of the outstanding voting securities of a company means such amount of the outstanding voting securities of such company as entitles the holder or holders thereof to cast said specified per centum of the aggregate votes which the holders of all the outstanding voting securities of such company are entitled to cast in the direction or management of the affairs of such company.

"Utility assets."

(18) "Utility assets" means the facilities, in place, of any electric utility company or gas utility company for the production, transmission, transportation, or distribution of electric energy or natural or manufactured gas.

"Service contract."

(19) "Service contract" means any contract, agreement, or understanding whereby a person undertakes to sell or furnish, for a charge, any managerial, financial, legal, engineering, purchasing, marketing, auditing, statistical, advertising, publicity, tax, research, or any other service, information, or data.

"Sales contract."

(20) "Sales contract" means any contract, agreement, or understanding whereby a person undertakes to sell, lease, or furnish, for a charge, any goods, equipment, materials, supplies, appliances, or similar property. As used in this paragraph the term "property" does not include electric energy or natural or manufactured gas.

"Property."

"Construction contract."

(21) "Construction contract" means any contract, agreement, or understanding for the construction, extension, improvement, maintenance, or repair of the facilities or any part thereof of a company for a charge.

"Buy"; "acquire"; "acquisition"; "purchase."

(22) "Buy", "acquire", "acquisition", or "purchase" includes any purchase, acquisition by lease, exchange, merger, consolidation, or other acquisition.

"Sale"; "sell."

(23) "Sale" or "sell" includes any sale, disposition by lease, exchange or pledge, or other disposition.

"State."

(24) "State" means any State of the United States or the District of Columbia.

"United States."

(25) "United States", when used in a geographical sense, means the States.

"State commission."

(26) "State commission" means any commission, board, agency, or officer, by whatever name designated, of a State, municipality, or other political subdivision of a State which under the law of such State has jurisdiction to regulate public-utility companies.

"State securities commission."

(27) "State securities commission" means any commission, board, agency, or officer, by whatever name designated, other than a State commission as defined in paragraph (26) of this subsection, which under the law of a State has jurisdiction to regulate, approve, or control the issue or sale of a security by a company.

"Interstate commerce."

(28) "Interstate commerce" means trade, commerce, transportation, transmission, or communication among the several States or between any State and any place outside thereof.

"Integrated public-utility system."

(29) "Integrated public-utility system" means—

(A) As applied to electric utility companies, a system consisting of one or more units of generating plants and/or transmission lines and/or distributing facilities, whose utility assets, whether owned by one or more electric utility companies, are physically interconnected or capable of physical interconnection and which under normal conditions may be economically operated as a single interconnected and coordinated system confined in its operations to a single area or region, in one or more States, not so large as to impair (considering the state of the art and the area or region affected) the advantages of localized management, efficient operation, and the effectiveness of regulation; and

(B) As applied to gas utility companies, a system consisting of one or more gas utility companies which are so located and related that substantial economies may be effectuated by being operated as a single coordinated system confined in its operations to a single area or region, in one or more States, not so large as to impair (considering the state of the art and the area or region affected) the advantages of localized management, efficient operation, and the effectiveness of regulation: *Provided*, That gas utility companies deriving natural gas from a common source of supply may be deemed to be included in a single area or region.

Order declaring person to be a holding company.

(b) No person shall be deemed to be a holding company under clause (B) of paragraph (7) of subsection (a), or a subsidiary company under clause (B) of paragraph (8) of such subsection, or an affiliate under clause (D) of paragraph (11) of such subsection, unless the Commission, after appropriate notice and opportunity for hearing, has issued an order declaring such person to be a holding company, a subsidiary company, or an affiliate, or declaring a class of which such person is a member to be affiliates. Such an order shall not become effective for at least thirty days after the mailing of a copy thereof to the person thereby declared to be a holding company, subsidiary company, or affiliate; or, in the case of determination of affiliates by classes, until at least thirty days after appropriate publication thereof in such manner as the Commission shall determine. Whenever the Commission, on its own motion or upon application by the person declared to be a holding company, subsidiary company, or affiliate, finds that the circumstances which gave rise to the issuance of any such order no longer exist, the Commission shall by order revoke such order.

Subsidiary company; affiliate.

Determination of affiliates by classes; publication.

Revocation of order.

Exemptions from provisions of title.

(c) No provision in this title shall apply to, or be deemed to include, the United States, a State, or any political subdivision of a State, or any agency, authority, or instrumentality of any one or more of the foregoing, or any corporation which is wholly owned directly or indirectly by any one or more of the foregoing, or any officer, agent, or employee of any of the foregoing acting as such in the course of his official duty, unless such provision makes specific reference thereto.

Particular exemptions regarding holding companies.

POWER TO MAKE PARTICULAR EXEMPTIONS REGARDING HOLDING COMPANIES, SUBSIDIARY COMPANIES, AND AFFILIATES

Power to make.

SEC. 3. (a) The Commission, by rules and regulations upon its own motion, or by order upon application, shall exempt any holding company, and every subsidiary company thereof as such, from any provision or provisions of this title, unless and except insofar as it finds the exemption detrimental to the public interest or the interest of investors or consumers, if—

Classes of companies exempted.

(1) such holding company, and every subsidiary company thereof which is a public-utility company from which such holding company derives, directly or indirectly, any material part of its income, are predominantly intrastate in character and carry on their business substantially in a single State in which such holding company and every such subsidiary company thereof are organized;

(2) such holding company is predominantly a public-utility company whose operations as such do not extend beyond the State in which it is organized and States contiguous thereto;

(3) such holding company is only incidentally a holding company, being primarily engaged or interested in one or more businesses other than the business of a public-utility company and (A) not deriving, directly or indirectly, any material part of its income from any one or more subsidiary companies, the principal business of which is that of a public-utility company, or (B) deriving a material part of its income from any one or more such subsidiary companies, if substantially all the outstanding securities of such companies are owned, directly or indirectly, by such holding company;

(4) such holding company is temporarily a holding company solely by reason of the acquisition of securities for purposes of liquidation or distribution in connection with a bona fide debt previously contracted or in connection with a bona fide arrangement for the underwriting or distribution of securities; or

(5) such holding company is not, and derives no material part of its income, directly or indirectly, from any one or more subsidiary companies which are, a company or companies the principal business of which within the United States is that of a public-utility company.

Duty of Commission to grant exemptions.

(b) The Commission, by rules and regulations upon its own motion, or by order upon application, shall exempt any subsidiary company, as such, of a holding company from any provision or provisions of this title, the application of which to such subsidiary company the Commission finds is not necessary in the public interest or for the protection of investors, if such subsidiary company derives no material part of its income, directly or indirectly, from sources within the United States, and neither it nor any of its subsidiary companies is a public-utility company operating in the United States.

Order granting or denying application.

(c) Within a reasonable time after the receipt of an application for exemption under subsection (a) or (b), the Commission shall enter an order granting, or, after notice and opportunity for hearing, denying or otherwise disposing of such application. The filing of an application in good faith under subsection (a) by a person other than a registered holding company shall exempt the applicant from any obligation, duty, or liability imposed in this title upon the applicant as a holding company until the Commission has acted upon such application. The filing of an application in good faith under subsection (b) shall exempt the applicant from any obligation, duty, or liability imposed in this title upon the applicant as a subsidiary company until the Commission has acted upon such application. Whenever the Commission, on its own motion, or upon application by the holding company or any subsidiary company thereof exempted by any order issued under subsection (a), or by the subsidiary company exempted by any order issued under subsection (b), finds that the circumstances which gave rise to the issuance of such order no longer exist, the Commission shall by order revoke such order.

Exemption of applicants from obligations, etc., imposed by title.

Revocation of order.

Rules and regulations granting exemptions.

(d) The Commission may, by rules and regulations, conditionally or unconditionally exempt any specified class or classes of persons from the obligations, duties, or liabilities imposed upon such persons

as subsidiary companies or affiliates under any provision or provisions of this title, and may provide within the extent of any such exemption that such specified class or classes of persons shall not be deemed subsidiary companies or affiliates within the meaning of any such provision or provisions, if and to the extent that it deems the exemption necessary or appropriate in the public interest or for the protection of investors or consumers and not contrary to the purposes of this title.

Transactions by unregistered holding companies.
Unlawful acts.

TRANSACTIONS BY UNREGISTERED HOLDING COMPANIES

SEC. 4. (a) After December 1, 1935, unless a holding company is registered under section 5, it shall be unlawful for such holding company, directly or indirectly—

(1) to sell, transport, transmit, or distribute, or own or operate any utility assets for the transportation, transmission, or distribution of, natural or manufactured gas or electric energy in interstate commerce;

(2) by use of the mails or any means or instrumentality of interstate commerce, to negotiate, enter into, or take any step in the performance of, any service, sales, or construction contract undertaking to perform services or construction work for, or sell goods to, any public-utility company or holding company;

(3) to distribute or make any public offering for sale or exchange of any security of such holding company, any subsidiary company or affiliate of such holding company, any public-utility company, or any holding company, by use of the mails or any means or instrumentality of interstate commerce, or to sell any such security having reason to believe that such security, by use of the mails or any means or instrumentality of interstate commerce, will be distributed or made the subject of a public offering;

(4) by use of the mails or any means or instrumentality of interstate commerce, to acquire or negotiate for the acquisition of any security or utility assets of any subsidiary company or affiliate of such holding company, any public-utility company, or any holding company;

(5) to engage in any business in interstate commerce; or

(6) to own, control, or hold with power to vote, any security of any subsidiary company thereof that does any of the acts enumerated in paragraphs (1) to (5), inclusive, of this subsection.

Registration of holding companies having outstanding securities which were distributed interstate since January 1, 1925.

(b) Every holding company which has outstanding any security any of which, by use of the mails or any means or instrumentality of interstate commerce, has been distributed or made the subject of a public offering subsequent to January 1, 1925, and any of which security is owned or held on October 1, 1935 (or, if such company is not a holding company on that date, on the date such company becomes a holding company) by persons not resident in the State in which such holding company is organized, shall register under section 5 on or before December 1, 1935 or the thirtieth day after such company becomes a holding company, whichever date is later.

Registration of holding companies.
Requirement.

REGISTRATION OF HOLDING COMPANIES

SEC. 5. (a) On or at any time after October 1, 1935, any holding company or any person purposing to become a holding company may register by filing with the Commission a notification of registration, in such form as the Commission may by rules and regulations prescribe as necessary or appropriate in the public interest or for the protection of investors or consumers. A person shall be deemed to be registered upon receipt by the Commission of such notification of registration.

Registration statement; duty to file.

(b) It shall be the duty of every registered holding company to file with the Commission, within such reasonable time after registration as the Commission shall fix by rules and regulations or order, a registration statement in such form as the Commission shall by rules and regulations or order prescribe as necessary or appropriate in the public interest or for the protection of investors or consumers. Such registration statement shall include—

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(1) such copies of the charter or articles of incorporation, partnership, or agreement, with all amendments thereto, and the bylaws, trust indentures, mortgages, underwriting arrangements, voting-trust agreements, and similar documents, by whatever name known, of or relating to the registrant or any of its associate companies as the Commission may by rules and regulations or order prescribe as necessary or appropriate in the public interest or for the protection of investors or consumers;

(2) such information in such form and in such detail relating to, and copies of such documents of or relating to, the registrant and its associate companies as the Commission may by rules and regulations or order prescribe as necessary or appropriate in the public interest or for the protection of investors or consumers in respect of—

(A) the organization and financial structure of such companies and the nature of their business;

(B) the terms, position, rights, and privileges of the different classes of their securities outstanding;

(C) the terms and underwriting arrangements under which their securities, during not more than the five preceding years, have been offered to the public or otherwise disposed of and the relations of underwriters to, and their interest in, such companies;

(D) the directors and officers of such companies, their remuneration, their interest in the securities of, their material contracts with, and their borrowings from, any of such companies;

(E) bonus and profit-sharing arrangements;

(F) material contracts, not made in the ordinary course of business, and service, sales, and construction contracts;

(G) options in respect of securities;

(H) balance sheets for not more than the five preceding fiscal years, certified, if required by the rules and regulations of the Commission, by an independent public accountant;

(I) profit and loss statements for not more than the five preceding fiscal years, certified, if required by the rules and regulations of the Commission, by an independent public accountant;

(3) such further information or documents regarding the registrant or its associate companies or the relations between them as the Commission may by rules and regulations or order prescribe as necessary or appropriate in the public interest or for the protection of investors or consumers.

Preliminary registration statement; filing.

(c) The Commission by such rules and regulations or order as it deems necessary or appropriate in the public interest or for the protection of investors or consumers, may permit a registrant to file a preliminary registration statement without complying with the provisions of subsection (b); but every registrant shall file a complete registration statement with the Commission within such reasonable period of time as the Commission shall fix by rules and regulations or order, but not later than one year after the date of registration.

Withdrawal of registration; application for.

(d) Whenever the Commission, upon application, finds that a registered holding company has ceased to be a holding company, it shall so declare by order and upon the taking effect of such order the registration of such company shall, upon such terms and conditions as the Commission finds and in such order prescribes as necessary for the protection of investors, cease to be in effect. The denial of any such application by the Commission shall be by order.

Denial.

Security transactions by registered holding and subsidiary companies.

UNLAWFUL SECURITY TRANSACTIONS BY REGISTERED HOLDING AND SUBSIDIARY COMPANIES

Unlawful acts. *Post*, p. 815.

SEC. 6. (a) Except in accordance with a declaration effective under section 7 and with the order under such section permitting such declaration to become effective, it shall be unlawful for any registered holding company or subsidiary company thereof, by use of the mails or any means or instrumentality of interstate commerce, or otherwise, directly or indirectly (1) to issue or sell any security of such company; or (2) to exercise any privilege or right to alter the priorities, preferences, voting power, or other rights of the holders of an outstanding security of such company.

Renewal of notes or drafts.

(b) The provisions of subsection (a) shall not apply to the issue, renewal, or guaranty by a registered holding company or subsidiary company thereof of a note or draft (including the pledge of any

Conditions.

security as collateral therefor) if such note or draft (1) is not part of a public offering, (2) matures or is renewed for not more than nine months, exclusive of days of grace, after the date of such issue, renewal, or guaranty thereof, and (3) aggregates (together with all other then outstanding notes and drafts of a maturity of nine months or less, exclusive of days of grace, as to which such company is primarily or secondarily liable) not more than 5 per centum of the principal amount and par value of the other securities of such company then outstanding, or such greater per centum thereof as the Commission upon application may by order authorize as necessary or appropriate in the public interest or for the protection of investors or consumers. In the case of securities having

Securities having no principal amount or no par value.

no principal amount or no par value, the value for the purposes of this subsection shall be the fair market value as of the date of issue.

Securities issued and sold to finance business; exemption, rules.

The Commission by rules and regulations or order, subject to such terms and conditions as it deems appropriate in the public interest or for the protection of investors or consumers, shall exempt from the provisions of subsection (a) the issue or sale of any security by any subsidiary company of a registered holding company, if the issue and sale of such security are solely for the purpose of financing

Authorization required.

the business of such subsidiary company and have been expressly authorized by the State commission of the State in which such subsidiary company is organized and doing business, or if the issue and sale of such security are solely for the purpose of financing the business of such subsidiary company when such subsidiary company is not a holding company, a public-utility company, an investment company, or a fiscal or financing agency of a holding company,

Securities issued under terms of security outstanding on January 1, 1935.

a public utility company, or an investment company. The provisions of subsection (a) shall not apply to the issue, by a registered holding company or subsidiary company thereof, of a security issued pursuant to the terms of any security outstanding on January 1, 1935, giving the holder of such outstanding security the right to convert such outstanding security into another security of the same issuer or of another person, or giving the right to subscribe

Issuance of exempt securities; notification.

to another security of the same issuer or another issuer. Within ten days after any issue, sale, renewal, or guaranty exempted from the

application of subsection (a) by or under authority of this subsection, such holding company or subsidiary company thereof shall file with the Commission a certificate of notification in such form and setting forth such of the information required in a declaration under section 7 as the Commission may by rules and regulations or order prescribe as necessary or appropriate in the public interest or for the protection of investors or consumers.

Unlawful sales.

(c) It shall be unlawful, by use of the mails or any means or instrumentality of interstate commerce, or otherwise, for any registered holding company or any subsidiary company thereof, directly or indirectly,—

House to house.

(1) to sell or offer for sale or to cause to be sold or offered for sale, from house to house, any security of such holding company; or

Sales by officers and employees.

(2) to cause any officer or employee of any subsidiary company of such holding company to sell or cause to be sold any security of such holding company.

"House" construed.

As used in this subsection the term "house" shall not include an office used for business purposes.

Declarations by registered holding and subsidiary companies respecting security transactions.

DECLARATIONS BY REGISTERED HOLDING AND SUBSIDIARY COMPANIES IN RESPECT OF SECURITY TRANSACTIONS

Filing.

SEC. 7. (a) A registered holding company or subsidiary company thereof may file a declaration with the Commission, regarding any of the acts enumerated in subsection (a) of section 6, in such form as the Commission may by rules and regulations prescribe as necessary or appropriate in the public interest or for the protection of investors or consumers. Such declaration shall include—

Contents.

(1) such of the information and documents which are required to be filed in order to register a security under section 7 of the Securities Act of 1933, as amended, as the Commission may by rules and regulations or order prescribe as necessary or appropriate in the public interest or for the protection of investors or consumers; and

(2) such additional information, in such form and detail, and such documents regarding the declarant or any associate company thereof, the particular security and compliance with such State laws as may apply to the act in question as the Commission may by rules and regulations or order prescribe as necessary or appropriate in the public interest or for the protection of investors or consumers.

Effective date.

(b) A declaration filed under this section shall become effective within such reasonable period of time after the filing thereof as the Commission shall fix by rules and regulations or order, unless the Commission prior to the expiration of such period shall have issued an order to the declarant to show cause why such declaration should become effective. Within a reasonable time after an opportunity for hearing upon an order to show cause under this subsection, unless the declarant shall withdraw its declaration, the Commission shall enter an order either permitting such declaration to become effective as filed or amended, or refusing to permit such declaration to become effective. Amendments to a declaration may be made upon such terms and conditions as the Commission may prescribe.

Order of Commission.

Amendments.

Requirements for effectiveness.

(c) The Commission shall not permit a declaration regarding the issue or sale of a security to become effective unless it finds that—

(1) such security is (A) a common stock having a par value and being without preference as to dividends or distribution over, and having at least equal voting rights with, any outstanding

Requirements—Continued.

security of the declarant; (B) a bond (i) secured by a first lien on physical property of the declarant, or (ii) secured by an obligation of a subsidiary company of the declarant secured by a first lien on physical property of such subsidiary company, or (iii) secured by any other assets of the type and character which the Commission by rules and regulations or order may prescribe as appropriate in the public interest or for the protection of investors; (C) a guaranty of, or assumption of liability on, a security of another company; or (D) a receiver's or trustee's certificate duly authorized by the appropriate court or courts; or

(2) such security is to be issued or sold solely (A) for the purpose of refunding, extending, exchanging, or discharging an outstanding security of the declarant and/or a predecessor company thereof or for the purpose of effecting a merger, consolidation, or other reorganization; (B) for the purpose of financing the business of the declarant as a public-utility company; (C) for the purpose of financing the business of the declarant, when the declarant is neither a holding company nor a public-utility company; and/or (D) for necessary and urgent corporate purposes of the declarant where the requirements of the provisions of paragraph (1) would impose an unreasonable financial burden upon the declarant and are not necessary or appropriate in the public interest or for the protection of investors or consumers; or

(3) such security is one the issuance of which was authorized by the company prior to January 1, 1935, and which the Commission by rules and regulations or order authorizes as necessary or appropriate in the public interest or for the protection of investors or consumers.

Ante, p. 815; *Post*, p. 817.

(d) If the requirements of subsections (c) and (g) are satisfied, the Commission shall permit a declaration regarding the issue or sale of a security to become effective unless the Commission finds that—

(1) the security is not reasonably adapted to the security structure of the declarant and other companies in the same holding-company system;

(2) the security is not reasonably adapted to the earning power of the declarant;

(3) financing by the issue and sale of the particular security is not necessary or appropriate to the economical and efficient operation of a business in which the applicant lawfully is engaged or has an interest;

(4) the fees, commissions, or other remuneration, to whomsoever paid, directly or indirectly, in connection with the issue, sale, or distribution of the security are not reasonable;

(5) in the case of a security that is a guaranty of, or assumption of liability on, a security of another company, the circumstances are such as to constitute the making of such guaranty or the assumption of such liability an improper risk for the declarant; or

(6) the terms and conditions of the issue or sale of the security are detrimental to the public interest or the interest of investors or consumers.

Post, p. 817.

(e) If the requirements of subsection (g) are satisfied, the Commission shall permit a declaration to become effective regarding the exercise of a privilege or right to alter the priorities, preferences, voting power, or other rights of the holders of an outstanding security unless the Commission finds that such exercise of such privilege or right will result in an unfair or inequitable distribution of voting power among holders of the securities of the declarant or is otherwise detrimental to the public interest or the interest of investors or consumers.

(f) Any order permitting a declaration to become effective may contain such terms and conditions as the Commission finds necessary to assure compliance with the conditions specified in this section.

(g) If a State commission or State securities commission, having jurisdiction over any of the acts enumerated in subsection (a) of section 6, shall inform the Commission, upon request by the Commission for an opinion or otherwise, that State laws applicable to the act in question have not been complied with, the Commission shall not permit a declaration regarding the act in question to become effective until and unless the Commission is satisfied that such compliance has been effected.

Ante, p. 814.

ACQUIRING INTEREST IN ELECTRIC AND GAS UTILITY COMPANIES SERVING SAME TERRITORY

Acquiring interest in electric and gas utility companies serving same territory.

SEC. 8. Whenever a State law prohibits, or requires approval or authorization of, the ownership or operation by a single company of the utility assets of an electric utility company and a gas utility company serving substantially the same territory, it shall be unlawful for a registered holding company, or any subsidiary company thereof, by use of the mails or any means or instrumentality of interstate commerce, or otherwise,—

Restriction on holding or subsidiary companies.

(1) to take any step, without the express approval of the State commission of such State, which results in its having a direct or indirect interest in an electric utility company and a gas utility company serving substantially the same territory; or

(2) if it already has any such interest, to acquire, without the express approval of the State commission, any direct or indirect interest in an electric utility company or gas utility company serving substantially the same territory as that served by such companies in which it already has an interest.

ACQUISITION OF SECURITIES AND UTILITY ASSETS AND OTHER INTERESTS

Acquisition of securities and utility assets and other interests.

SEC. 9. (a) Unless the acquisition has been approved by the Commission under section 10, it shall be unlawful—

Restrictions on holding or subsidiary companies.

(1) for any registered holding company or any subsidiary company thereof, by use of the mails or any means or instrumentality of interstate commerce, or otherwise, to acquire, directly or indirectly, any securities or utility assets or any other interest in any business;

(2) for any person, by use of the mails or any means or instrumentality of interstate commerce, to acquire, directly or indirectly, any security of any public-utility company, if such person is an affiliate, under clause (A) of paragraph (11) of subsection (a) of section 2, of such company and of any other public utility or holding company, or will by virtue of such acquisition become such an affiliate.

(b) Subsection (a) shall not apply to—

Exceptions.

(1) the acquisition by a public-utility company of utility assets the acquisition of which has been expressly authorized by a State commission; or

(2) the acquisition by a public-utility company of securities of a subsidiary public-utility company thereof, provided that both such public-utility companies and all other public-utility companies in the same holding-company system are organized in the same State, that the business of each such company in such system is substantially confined to such State, and that the acquisition of such securities has been expressly authorized by the State commission of such State.

(c) Subsection (a) shall not apply to the acquisition by a registered holding company, or a subsidiary company thereof, of—

(1) securities of, or securities the principal or interest of which is guaranteed by, the United States, a State, or political subdivision of a State, or any agency, authority, or instrumentality of any one or more of the foregoing, or any corporation which is wholly owned, directly or indirectly, by any one or more of the foregoing;

(2) such other readily marketable securities, within the limitation of such amounts, as the Commission may by rules and regulations prescribe as appropriate for investment of current funds and as not detrimental to the public interest or the interest of investors or consumers; or

(3) such commercial paper and other securities, within such limitations, as the Commission may by rules and regulations or order prescribe as appropriate in the ordinary course of business of a registered holding company or subsidiary company thereof and as not detrimental to the public interest or the interest of investors or consumers.

Approval of acquisition of securities and utility assets and other interests.

APPROVAL OF ACQUISITION OF SECURITIES AND UTILITY ASSETS AND OTHER INTERESTS

Application for; filing.

SEC. 10. (a) A person may apply for approval of the acquisition of securities or utility assets, or of any other interest in any business, by filing an application in such form as the Commission may by rules and regulations prescribe as necessary or appropriate in the public interest or for the protection of investors and consumers. Such application shall include—

Contents.

In the case of the acquisition of securities.

(1) in the case of the acquisition of securities, such information and copies of such documents as the Commission may by rules and regulations or order prescribe as necessary or appropriate in the public interest or for the protection of investors or consumers in respect of—

(A) the security to be acquired, the consideration to be paid therefor, and compliance with such State laws as may apply in respect of the issue, sale, or acquisition thereof,

(B) the outstanding securities of the company whose security is to be acquired, the terms, position, rights, and privileges of each class and the options in respect of any such securities,

(C) the names of all security holders of record (or otherwise known to the applicant) owning, holding, or controlling 1 per centum or more of any class of security of such company, the officers and directors of such company, and their remuneration, security holdings in, material contracts with, and borrowings from such company and the offices or directorships held, and securities owned, held, or controlled, by them in other companies,

(D) the bonus, profit-sharing and voting-trust agreements, underwriting arrangements, trust indentures, mortgages, and similar documents, by whatever name known, of or relating to such company,

(E) the material contracts, not made in the ordinary course of business, and the service, sales, and construction contracts of such company,

(F) the securities owned, held, or controlled, directly or indirectly, by such company,

(G) balance sheets and profit and loss statements of such company for not more than the five preceding fiscal years, certified, if required by the rules and regulations of the Commission by an independent public accountant,

(H) any further information regarding such company and any associate company or affiliate thereof, or its relations with the applicant company, and

(I) if the applicant be not a registered holding company, any of the information and documents which may be required under section 5 from a registered holding company;

Of utility assets.

(2) in the case of the acquisition of utility assets, such information concerning such assets, the value thereof and consideration to be paid therefor, the owner or owners thereof and their relation to, agreements with, and interest in the securities of, the applicant or any associate company thereof as the Commission may by rules and regulations or order prescribe as necessary or appropriate in the public interest or for the protection of investors or consumers; and

Of any other interest.

(3) in the case of the acquisition of any other interest in any business, such information concerning such business and the interest to be acquired, and the consideration to be paid, as the Commission may by rules and regulations or order prescribe as necessary or appropriate in the public interest or for the protection of investors or consumers.

Approval of proposed acquisition.

(b) If the requirements of subsection (f) are satisfied, the Commission shall approve the acquisition unless the Commission finds that—

(1) such acquisition will tend towards interlocking relations or the concentration of control of public-utility companies, of a kind or to an extent detrimental to the public interest or the interest of investors or consumers;

(2) in case of the acquisition of securities or utility assets, the consideration, including all fees, commissions, and other remuneration, to whomsoever paid, to be given, directly or indirectly, in connection with such acquisition is not reasonable or does not bear a fair relation to the sums invested in or the earning capacity of the utility assets to be acquired or the utility assets underlying the securities to be acquired; or

(3) such acquisition will unduly complicate the capital structure of the holding-company system of the applicant or will be detrimental to the public interest or the interest of investors or consumers or the proper functioning of such holding-company system.

Conditional approval.

The Commission may condition its approval of the acquisition of securities of another company upon such a fair offer to purchase such of the other securities of the company whose security is to be acquired as the Commission may find necessary or appropriate in the public interest or for the protection of investors or consumers.

Acquisitions to be denied.

(c) Notwithstanding the provisions of subsection (b), the Commission shall not approve—

(1) an acquisition of securities or utility assets, or of any other interest, which is unlawful under the provisions of section 8 or is detrimental to the carrying out of the provisions of section 11; or

(2) the acquisition of securities or utility assets of a public-utility or holding company unless the Commission finds that such acquisition will serve the public interest by tending towards the economical and efficient development of an integrated public-utility system. This paragraph shall not apply to the acquisition of securities or utility assets of a public-utility company operating exclusively outside the United States.

Orders granting or denying approval.

Notice and hearing.

Amendment of applications.

(d) Within such reasonable time after the filing of an application under this section as the Commission shall fix by rules and regulations or order, the Commission shall enter an order either granting or, after notice and opportunity for hearing, denying approval of the acquisition unless the applicant shall withdraw its application. Amendments to an application may be made upon such terms and conditions as the Commission may prescribe.

Terms and conditions respecting acquisitions; authority of Commission to prescribe.

(e) The Commission, in any order approving the acquisition of securities or utility assets, may prescribe such terms and conditions in respect of such acquisition, including the price to be paid for such securities or utility assets, as the Commission may find necessary or appropriate in the public interest or for the protection of investors or consumers.

Approval denied until State laws complied with.

Exception.

(f) The Commission shall not approve any acquisition as to which an application is made under this section unless it appears to the satisfaction of the Commission that such State laws as may apply in respect of such acquisition have been complied with, except where the Commission finds that compliance with such State laws would be detrimental to the carrying out of the provisions of section 11.

Holding-company systems.

SIMPLIFICATION OF HOLDING-COMPANY SYSTEMS

Duty of Commission to examine corporate structure of.

SEC. 11. (a) It shall be the duty of the Commission to examine the corporate structure of every registered holding company and subsidiary company thereof, the relationships among the companies in the holding-company system of every such company and the character of the interests thereof and the properties owned or controlled thereby to determine the extent to which the corporate structure of such holding-company system and the companies therein may be simplified, unnecessary complexities therein eliminated, voting power fairly and equitably distributed among the holders of securities thereof, and the properties and business thereof confined to those necessary or appropriate to the operations of an integrated public-utility system.

Purpose.

Duty of Commission to require limitation of operations to one integrated public-utility system.

(b) It shall be the duty of the Commission, as soon as practicable after January 1, 1938:

(1) To require by order, after notice and opportunity for hearing, that each registered holding company, and each subsidiary company thereof, shall take such action as the Commission shall find necessary to limit the operations of the holding-company system of which such company is a part to a single integrated public-utility system, and to such other businesses as are reasonably incidental, or economically necessary or appropriate to the operations of such integrated public-utility system: *Provided, however*, That the Commission shall permit a registered holding company to continue to control one or more additional integrated public-utility systems, if, after notice and opportunity for hearing, it finds that—

Proviso.
Exception upon specified findings by Commission; notice and hearing.

(A) Each of such additional systems cannot be operated as an independent system without the loss of substantial economies which can be secured by the retention of control by such holding company of such system;

(B) All of such additional systems are located in one State, or in adjoining States, or in a contiguous foreign country; and

(C) The continued combination of such systems under the control of such holding company is not so large (considering the state of the art and the area or region affected) as to impair the advantages of localized management, efficient operation, or the effectiveness of regulation.

Permissive retention of interests.

The Commission may permit as reasonably incidental, or economically necessary or appropriate to the operations of one or more integrated public-utility systems the retention of an interest in any business (other than the business of a public-utility company as such) which the Commission shall find necessary or appropriate in the public interest or for the protection of investors or consumers and not detrimental to the proper functioning of such system or systems.

Duty of Commission to require simplification of corporate structure.

(2) To require by order, after notice and opportunity for hearing, that each registered holding company, and each subsidiary company thereof, shall take such steps as the Commission shall find necessary to ensure that the corporate structure or continued existence of any company in the holding-company system does not unduly or unnecessarily complicate the structure, or unfairly or inequitably distribute voting power among security holders, of such holding-company system. In carrying out the provisions of this paragraph the Commission shall require each registered holding company (and any company in the same holding-company system with such holding company) to take such action as the Commission shall find necessary in order that such holding company shall cease to be a holding company with respect to each of its subsidiary companies which itself has a subsidiary company which is a holding company. Except for the purpose of fairly and equitably distributing voting power among the security holders of such company, nothing in this paragraph shall authorize the Commission to require any change in the corporate structure or existence of any company which is not a holding company, or of any company whose principal business is that of a public-utility company.

Revocation or modification of orders; notice and hearing.

The Commission may by order revoke or modify any order previously made under this subsection, if, after notice and opportunity for hearing, it finds that the conditions upon which the order was predicated do not exist. Any order made under this subsection shall be subject to judicial review as provided in section 24.

Review.
Post, p. 834.

Compliance with orders.

(c) Any order under subsection (b) shall be complied with within one year from the date of such order; but the Commission shall, upon a showing (made before or after the entry of such order) that the applicant has been or will be unable in the exercise of due diligence to comply with such order within such time, extend such time for an additional period not exceeding one year if it finds such extension necessary or appropriate in the public interest or for the protection of investors or consumers.

Extension of time for.

Enforcement of orders.
Post, p. 832.
Jurisdiction of court.

(d) The Commission may apply to a court, in accordance with the provisions of subsection (f) of section 18, to enforce compliance with any order issued under subsection (b). In any such proceeding, the court as a court of equity may, to such extent as it deems necessary for purposes of enforcement of such order, take exclusive jurisdiction and possession of the company or companies and the assets thereof, wherever located; and the court shall have jurisdiction, in any such proceeding, to appoint a trustee, and the court may constitute and appoint the Commission as sole trustee, to hold or administer under the direction of the court the assets so possessed.

Trustee; appointment of.

Powers.

In any proceeding for the enforcement of an order of the Commission issued under subsection (b), the trustee with the approval of the court shall have power to dispose of any or all of such assets and, subject to such terms and conditions as the court may prescribe, may make such disposition in accordance with a fair and equitable reorganization plan which shall have been approved by the Commission after opportunity for hearing. Such reorganization plan may be

Reorganization plan.

proposed in the first instance by the Commission, or, subject to such rules and regulations as the Commission may deem necessary or appropriate in the public interest or for the protection of investors, by any person having a bona fide interest (as defined by the rules and regulations of the Commission) in the reorganization.

Plan for simplification and elimination; submission of, after January 1, 1936.

(e) In accordance with such rules and regulations or order as the Commission may deem necessary or appropriate in the public interest or for the protection of investors or consumers, any registered holding company or any subsidiary company of a registered holding company may, at any time after January 1, 1936, submit a plan to the Commission for the divestment of control, securities, or other assets, or for other action by such company or any subsidiary company thereof for the purpose of enabling such company or any subsidiary company thereof to comply with the provisions of subsection (b). If, after notice and opportunity for hearing, the Commission shall find such plan, as submitted or as modified, necessary to effectuate the provisions of subsection (b) and fair and equitable to the persons affected by such plan, the Commission shall make an order approving such plan; and the Commission, at the request of the company, may apply to a court, in accordance with the provisions of subsection (f) of section 18, to enforce and carry out the terms and provisions of such plan. If, upon any such application, the court, after notice and opportunity for hearing, shall approve such plan as fair and equitable and as appropriate to effectuate the provisions of section 11, the court as a court of equity may, to such extent as it deems necessary for the purpose of carrying out the terms and provisions of such plan, take exclusive jurisdiction and possession of the company or companies and the assets thereof, wherever located; and the court shall have jurisdiction to appoint a trustee, and the court may constitute and appoint the Commission as sole trustee, to hold or administer, under the direction of the court and in accordance with the plan theretofore approved by the court and the Commission, the assets so possessed.

Ante, p. 820.

Order approving plan.

Enforcement of.

Post, p. 832.

Jurisdiction of courts.

Appointment of trustee.

Commission as trustee or receiver; appointment.

(f) In any proceeding in a court of the United States, whether under this section or otherwise, in which a receiver or trustee is appointed for any registered holding company, or any subsidiary company thereof, the court may constitute and appoint the Commission as sole trustee or receiver, subject to the directions and orders of the court, whether or not a trustee or receiver shall theretofore have been appointed, and in any such proceeding the court shall not appoint any person other than the Commission as trustee or receiver without notifying the Commission and giving it an opportunity to be heard before making any such appointment. In no proceeding under this section or otherwise shall the Commission be appointed as trustee or receiver without its express consent. In any such proceeding a reorganization plan for a registered holding company or any subsidiary company thereof shall not become effective unless such plan shall have been approved by the Commission after opportunity for hearing prior to its submission to the court. Notwithstanding any other provision of law, any such reorganization plan may be proposed in the first instance by the Commission or, subject to such rules and regulations as the Commission may deem necessary or appropriate in the public interest or for the protection of investors, by any person having a bona fide interest (as defined by the rules and regulations of the Commission) in the reorganization. The Commission may, by such rules and regulations or order as it may deem necessary or appropriate in the public interest or for the protection of investors or consumers, require that any or all fees, expenses, and remuneration, to whomsoever paid, in connection

Consent required.

Reorganization plan; effective date.

Approval required.

Proposal of.

Payment of fees; approval required.

with any reorganization, dissolution, liquidation, bankruptcy, or receivership of a registered holding company or subsidiary company thereof, in any such proceeding, shall be subject to approval by the Commission.

Solicitations respecting reorganization plans.

(g) It shall be unlawful for any person to solicit or permit the use of his or its name to solicit, by use of the mails or any means or instrumentality of interstate commerce, or otherwise, any proxy, consent, authorization, power of attorney, deposit, or dissent in respect of any reorganization plan of a registered holding company or any subsidiary company thereof under this section, or otherwise, or in respect of any plan under this section for the divestment of control, securities, or other assets, or for the dissolution of any registered holding company or any subsidiary company thereof, unless—

(1) the plan has been proposed by the Commission, or the plan and such information regarding it and its sponsors as the Commission may deem necessary or appropriate in the public interest or for the protection of investors or consumers has been submitted to the Commission by a person having a bona fide interest (as defined by the rules and regulations of the Commission) in such reorganization;

(2) each such solicitation is accompanied or preceded by a copy of a report on the plan which shall be made by the Commission after an opportunity for a hearing on the plan and other plans submitted to it, or by an abstract of such report made or approved by the Commission; and

(3) each such solicitation is made not in contravention of such rules and regulations or orders as the Commission may deem necessary or appropriate in the public interest or for the protection of investors or consumers.

Nothing in this subsection or the rules and regulations thereunder shall prevent any person from appearing before the Commission or any court through an attorney or proxy.

Transactions prohibited to registered holding companies.

INTERCOMPANY LOANS; DIVIDENDS; SECURITY TRANSACTIONS; SALE OF UTILITY ASSETS; PROXIES; OTHER TRANSACTIONS

Intercompany borrowing.

SEC. 12. (a) It shall be unlawful for any registered holding company, by use of the mails or any means or instrumentality of interstate commerce, or otherwise, directly or indirectly, to borrow, or to receive any extension of credit or indemnity, from any public-utility company in the same holding-company system or from any subsidiary company of such holding company, but it shall not be unlawful under this subsection to renew, or extend the time of, any loan, credit, or indemnity outstanding on the date of the enactment of this title.

Renewals.

Intercompany loans.

(b) It shall be unlawful for any registered holding company or subsidiary company thereof, by use of the mails or any means or instrumentality of interstate commerce, or otherwise, directly or indirectly, to lend or in any manner extend its credit to or indemnify any company in the same holding-company system in contravention of such rules and regulations or orders as the Commission deems necessary or appropriate in the public interest or for the protection of investors or consumers or to prevent the circumvention of the provisions of this title or the rules, regulations, or orders thereunder.

Dividend payments.

(c) It shall be unlawful for any registered holding company or any subsidiary company thereof, by use of the mails or any means or instrumentality of interstate commerce, or otherwise, to declare or pay any dividend on any security of such company or to acquire, retire, or redeem any security of such company, in contravention of

such rules and regulations or orders as the Commission deems necessary or appropriate to protect the financial integrity of companies in holding-company systems, to safeguard the working capital of public-utility companies, to prevent the payment of dividends out of capital or unearned surplus, or to prevent the circumvention of the provisions of this title or the rules, regulations, or orders thereunder.

Intercompany security transactions.

(d) It shall be unlawful for any registered holding company, by use of the mails or any means or instrumentality of interstate commerce, or otherwise, to sell any security which it owns of any public-utility company, or any utility assets, in contravention of such rules and regulations or orders regarding the consideration to be received for such sale, maintenance of competitive conditions, fees and commissions, accounts, disclosure of interest, and similar matters as the Commission deems necessary or appropriate in the public interest or for the protection of investors or consumers or to prevent the circumvention of the provisions of this title or the rules, regulations, or orders thereunder.

Solicitation of proxies.

(e) It shall be unlawful for any person to solicit or to permit the use of his or its name to solicit, by use of the mails or any means or instrumentality of interstate commerce, or otherwise, any proxy, power of attorney, consent, or authorization regarding any security of a registered holding company or a subsidiary company thereof in contravention of such rules and regulations or orders as the Commission deems necessary or appropriate in the public interest or for the protection of investors or consumers or to prevent the circumvention of the provisions of this title or the rules, regulations, or orders thereunder.

Intercompany transactions not otherwise unlawful; rule-making power of Commission.

(f) It shall be unlawful for any registered holding company or subsidiary company thereof, by use of the mails or any means or instrumentality of interstate commerce, or otherwise, to negotiate, enter into, or take any step in the performance of any transaction not otherwise unlawful under this title, with any company in the same holding-company system or with any affiliate of a company in such holding-company system in contravention of such rules and regulations or orders regarding reports, accounts, costs, maintenance of competitive conditions, disclosure of interest, duration of contracts, and similar matters as the Commission deems necessary or appropriate in the public interest or for the protection of investors or consumers or to prevent the circumvention of the provisions of this title or the rules and regulations thereunder.

Transactions of affiliates with parent company.

(g) It shall be unlawful for any affiliate of any public-utility company, by use of the mails or any means or instrumentality of interstate commerce, or for any affiliate of any public-utility company engaged in interstate commerce, or of any registered holding company or any subsidiary company thereof, by use of the mails or any means or instrumentality of interstate commerce, or otherwise, to negotiate, enter into, or take any step in the performance of any transaction not otherwise unlawful under this title, with any such company of which it is an affiliate, in contravention of such rules and regulations or orders regarding reports, accounts, costs, maintenance of competitive conditions, disclosure of interest, duration of contracts, and similar matters as the Commission deems necessary or appropriate to prevent the circumvention of the provisions of this title.

Contributions to candidates for public office.

(h) It shall be unlawful for any registered holding company, or any subsidiary company thereof, by use of the mails or any means or instrumentality of interstate commerce, or otherwise, directly or indirectly—

(1) to make any contribution whatsoever in connection with the candidacy, nomination, election or appointment of any person for or to any office or position in the Government of the United States, a State, or any political subdivision of a State, or any agency, authority, or instrumentality of any one or more of the foregoing; or

(2) to make any contribution to or in support of any political party or any committee or agency thereof.

"Contribution" construed.

The term "contribution" as used in this subsection includes any gift, subscription, loan, advance, or deposit of money or anything of value, and includes any contract, agreement, or promise, whether or not legally enforceable, to make a contribution.

Persons retained to represent holding companies before the Congress, etc.

(i) It shall be unlawful for any person employed or retained by any registered holding company, or any subsidiary company thereof, to present, advocate, or oppose any matter affecting any registered holding company or any subsidiary company thereof, before the Congress or any Member or committee thereof, or before the Commission or Federal Power Commission, or any member, officer, or employee of either such Commission, unless such person shall file with the Commission in such form and detail and at such time as the Commission shall by rules and regulations or order prescribe as necessary or appropriate in the public interest or for the protection of investors or consumers, a statement of the subject matter in respect of which such person is retained or employed, the nature and character of such retainer or employment, and the amount of compensation received or to be received by such person, directly or indirectly, in connection therewith. It shall be the duty of every such person so employed or retained to file with the Commission within ten days after the close of each calendar month during such retainer or employment, in such form and detail as the Commission shall by rules and regulations or order prescribe as necessary or appropriate in the public interest or for the protection of investors or consumers, a statement of the expenses incurred and the compensation received by such person during such month in connection with such retainer or employment.

Statements to be filed.

Expenses incurred.

SERVICE, SALES, AND CONSTRUCTION CONTRACTS

Service, sales, and construction contracts.

Prohibition respecting holding companies.

SEC. 13. (a) After April 1, 1936, it shall be unlawful for any registered holding company, by use of the mails or any means or instrumentality of interstate commerce, or otherwise, to enter into or take any step in the performance of any service, sales, or construction contract by which such company undertakes to perform services or construction work for, or sell goods to, any associate company thereof which is a public-utility or mutual service company. This provision shall not apply to such transactions, involving special or unusual circumstances or not in the ordinary course of business, as the Commission by rules and regulations or order may conditionally or unconditionally exempt as being necessary or appropriate in the public interest or for the protection of investors or consumers.

Exemptions.

Prohibition respecting subsidiary companies.

(b) After April 1, 1936, it shall be unlawful for any subsidiary company of any registered holding company or for any mutual service company, by use of the mails or any means or instrumentality of interstate commerce, or otherwise, to enter into or take any step in the performance of any service, sales, or construction contract by which such company undertakes to perform services or construction work for, or sell goods to, any associate company thereof except in accordance with such terms and conditions and subject to such limitations and prohibitions as the Commission by rules and regulations

or order shall prescribe as necessary or appropriate in the public interest or for the protection of investors or consumers and to insure that such contracts are performed economically and efficiently for the benefit of such associate companies at cost, fairly and equitably allocated among such companies. This provision shall not apply to such transactions as the Commission by rules and regulations or order may conditionally or unconditionally exempt as being necessary or appropriate in the public interest or for the protection of investors or consumers, if such transactions (1) are with any associate company which does not derive, directly or indirectly, any material part of its income from sources within the United States and which is not a public-utility company operating within the United States, or (2) involve special or unusual circumstances or are not in the ordinary course of business.

Exemptions.

Administrative authority of Commission.

(c) The rules and regulations and orders of the Commission under this section may prescribe, among other things, such terms and conditions regarding the determination of costs and the allocation thereof among specified classes of companies and for specified classes of service, sales, and construction contracts, the duration of such contracts, the making and keeping of accounts and cost-accounting procedures, the filing of annual and other periodic and special reports, the maintenance of competitive conditions, the disclosure of interests, and similar matters, as the Commission deems necessary or appropriate in the public interest or for the protection of investors or consumers.

Mutual service companies; rules, etc., respecting.

Applications for approval.

Agreements of.

Transactions of.

(d) The rules and regulations and orders of the Commission under this section shall prescribe, among other things, such terms and conditions regarding the manner in which application may be made for approval as a mutual service company and the granting and continuance of such approval, the nature and enforcement of agreements for the sharing of expenses and distributing of revenues among member companies, and matters relating to such agreements, the nature and types of businesses and transactions in which mutual service companies may engage, and the manner of engaging therein, and the relations and transactions with member companies and affiliates, as the Commission deems necessary or appropriate in the public interest or for the protection of investors or consumers.

Approval of applications by Commission.

The Commission shall not approve, or continue the approval of, any company as a mutual service company unless the Commission finds such company is so organized as to ownership, costs, revenues, and the sharing thereof as reasonably to insure the efficient and economical performance of service, sales, or construction contracts by such company for member companies, at cost fairly and equitably allocated among such member companies, at a reasonable saving to member companies over the cost to such companies of comparable contracts performed by independent persons. The Commission, upon its own motion or at the request of a member company or a State commission, may, after notice and opportunity for hearing, by order require a reallocation or reapportionment of costs among member companies of a mutual service company if it finds the existing allocation inequitable and may require the elimination of a service or services to a member company which does not bear its fair proportion of costs or which, by reason of its size or other circumstances, does not require such service or services. The Commission, after notice and opportunity for hearing, by order shall revoke, suspend, or modify the approval given any mutual service company if it finds that such company has persistently violated any provision of this section or any rule, regulation, or order thereunder.

Order requiring reallocation or reapportionment of costs among member companies.

Notice and hearing.

Revocation of approval; notice and hearing.

(e) It shall be unlawful for any affiliate of any public-utility company engaged in interstate commerce, or of any registered holding company or subsidiary company thereof, by use of the mails or any means or instrumentality of interstate commerce, or otherwise, to enter into or take any step in the performance of any service, sales, or construction contract, by which such affiliate undertakes to perform services or construction work for, or sell goods to, any such company of which it is an affiliate, in contravention of such rules and regulations or orders regarding reports, accounts, costs, maintenance of competitive conditions, disclosure of interest, duration of contracts, and similar matters, as the Commission deems necessary or appropriate to prevent the circumvention of the provisions of this title or the rules, regulations, or orders thereunder.

Performance by affiliate of service in contravention of rules, etc., of Commission.

(f) It shall be unlawful for any person whose principal business is the performance of service, sales, or construction contracts for public-utility or holding companies, by use of the mails or any means or instrumentality of interstate commerce, to enter into or take any step in the performance of any service, sales, or construction contract with any public-utility company, or for any such person, by use of the mails or any means or instrumentality of interstate commerce, or otherwise, to enter into or take any step in the performance of any service, sales, or construction contract with any public-utility company engaged in interstate commerce, or with any registered holding company or any subsidiary company of a registered holding company, in contravention of such rules and regulations or orders regarding reports, accounts, costs, maintenance of competitive conditions, disclosure of interest, duration of contracts, and similar matters as the Commission deems necessary or appropriate in the public interest or for the protection of investors or consumers or to prevent the circumvention of the provisions of this title or the rules, regulations, or orders thereunder.

Performance by persons of service in contravention of rules, etc., of Commission.

(g) The Commission, in order to obtain information to serve as a basis for recommending further legislation, shall from time to time conduct investigations regarding the making, performance, and costs of service, sales, and construction contracts with holding companies and subsidiary companies thereof and with public-utility companies, the economies resulting therefrom, and the desirability thereof. The Commission shall report to Congress, from time to time, the results of such investigations, together with such recommendations for legislation as it deems advisable. On the basis of such investigations the Commission shall classify the different types of such contracts and the work done thereunder, and shall make recommendations from time to time regarding the standards and scope of such contracts in relation to public-utility companies of different kinds and sizes and the costs incurred thereunder and economies resulting therefrom. Such recommendations shall be made available to State commissions, public-utility companies, and to the public in such form and at such reasonable charge as the Commission may prescribe.

Investigations regarding service, sales, and construction contracts.

Reports to Congress.

Classification of contracts.

Recommendations.

PERIODIC AND OTHER REPORTS

Periodic and other reports.

SEC. 14. Every registered holding company and every mutual service company shall file with the Commission such annual, quarterly, and other periodic and special reports, the answers to such specific questions and the minutes of such directors', stockholders', and other meetings, as the Commission may by rules and regulations or order prescribe as necessary or appropriate in the public interest or for the protection of investors or consumers. Such reports, if

Requirement; rules and regulations.

Certification.

Contents.

required by the rules and regulations of the Commission, shall be certified by an independent public accountant, and shall be made and filed at such time and in such form and detail as the Commission shall prescribe. The Commission may require that there be included in reports filed with it such information and documents as it finds necessary or appropriate to keep reasonably current the information filed under section 5 or 13, and such further information concerning the financial condition, security structure, security holdings, assets, and cost thereof, wherever determinable, and affiliations of the reporting company and the associate companies, member companies, and affiliates thereof as the Commission deems necessary or appropriate in the public interest or for the protection of investors or consumers.

Accounts and records.

ACCOUNTS AND RECORDS

Requirement; holding companies.

SEC. 15. (a) Every registered holding company and every subsidiary company thereof shall make, keep, and preserve for such periods, such accounts, cost-accounting procedures, correspondence, memoranda, papers, books, and other records as the Commission deems necessary or appropriate in the public interest or for the protection of investors or consumers or for the enforcement of the provisions of this title or the rules, regulations, or orders thereunder.

Affiliates.

(b) Every affiliate of a registered holding company or of any subsidiary company thereof, or of any public-utility company engaged in interstate commerce or not so engaged, shall make, keep, and preserve for such periods, such accounts, cost-accounting procedures, correspondence, memoranda, papers, books, and other records relating to any transaction of such affiliate which is subject to any provision of this title or any rule, regulation, or order thereunder, as the Commission deems necessary or appropriate in the public interest or for the protection of investors or consumers or for the enforcement of the provisions of this title or the rules, regulations, or orders thereunder.

Mutual service companies and affiliates.

(c) Every mutual service company, and every affiliate of a mutual service company as to any transaction of such affiliate which is subject to any provision of this title or any rule, regulation, or order thereunder, shall make, keep, and preserve for such periods, such accounts, cost-accounting procedures, correspondence, memoranda, papers, books, and other records, as the Commission deems necessary or appropriate in the public interest or for the protection of investors or consumers or for the enforcement of the provisions of this title or the rules, regulations, or orders thereunder.

Persons performing service, sales, or construction contracts.

(d) Every person whose principal business is the performance of service, sales, or construction contracts for public-utility or holding companies shall make, keep, and preserve for such periods, such accounts, cost-accounting procedures, correspondence, memoranda, papers, books, and other records, relating to any transaction by such person which is subject to any provision of this title or any rule, regulation, or order thereunder, as the Commission deems necessary or appropriate in the public interest or for the protection of investors or consumers or for the enforcement of the provisions of this title or the rules and regulations thereunder.

Prescribed form of keeping records, etc., to be followed.

(e) After the Commission has prescribed the form and manner of making and keeping accounts, cost-accounting procedures, correspondence, memoranda, papers, books, and other records to be kept by any person hereunder, it shall be unlawful for any such person to keep any accounts, cost-accounting procedures, correspondence, memoranda, papers, books, or other records other than those pre-

scribed or such as may be approved by the Commission, or to keep his or its accounts, cost-accounting procedures, correspondence, memoranda, papers, books, or other records in any manner other than that prescribed or approved by the Commission.

Examination of accounts and records.

(f) All accounts, cost-accounting procedures, correspondence, memoranda, papers, books, and other records kept or required to be kept by persons subject to any provision of this section shall be subject at any time and from time to time to such reasonable periodic, special, and other examinations by the Commission, or any member or representative thereof, as the Commission may prescribe. The Commission, after notice and opportunity for hearing, may prescribe the account or accounts in which particular outlays, receipts, and other transactions shall be entered, charged, or credited and the manner in which such entry, charge, or credit shall be made, and may require an entry to be modified or supplemented so as properly to show the cost of any asset or any other cost.

Submission of accounts and records to examination; holding and subsidiary companies and affiliates.

(g) It shall be the duty of every registered holding company and of every subsidiary company thereof and of every affiliate of a company insofar as such affiliate is subject to any provision of this title or any rule, regulation, or order thereunder, to submit the accounts, cost-accounting procedures, correspondence, memoranda, papers, books, and other records of such holding company, subsidiary company, or affiliate, as the case may be, to such examinations, in person or by duly appointed attorney, by the holder of any security of such holding company, subsidiary company, or affiliate, as the case may be, as the Commission deems necessary or appropriate in the public interest or for the protection of investors or consumers.

Mutual service companies.
Persons performing service, sales, or construction contracts.

(h) It shall be the duty of every mutual service company, and of every affiliate of a mutual service company, and of every person whose principal business is the performance of service, sales, or construction contracts for public-utility or holding companies, insofar as such affiliate or such person is subject to any provision of this title or any rule, regulation, or order thereunder, to submit the accounts, cost-accounting procedures, correspondence, memoranda, papers, books, and other records of such mutual service company, affiliate, or person to such examinations, in person or by duly appointed attorney, by member companies of such mutual service company and by public-utility or holding companies for which such person performs service, sales, or construction contracts as the Commission deems necessary or appropriate in the public interest or for the protection of investors or consumers.

Uniform methods of keeping accounts.

(i) The Commission, by such rules and regulations as it deems necessary or appropriate in the public interest or for the protection of investors or consumers may prescribe for persons subject to the provisions of subsection (a), (b), (c), or (d) of this section uniform methods for keeping accounts required under any provision of this section, including, among other things, the manner in which the cost of all assets, whenever determinable, shall be shown, the methods of classifying and segregating accounts, and the manner in which cost-accounting procedures shall be maintained.

Misleading statements.

LIABILITY FOR MISLEADING STATEMENTS

Liability for.

SEC. 16. (a) Any person who shall make or cause to be made any statement in any application, report, registration statement, or document filed pursuant to any provision of this title, or any rule, regulation, or order thereunder, which statement was at the time and in the light of the circumstances under which it was made false or misleading with respect to any material fact shall be liable in the

same manner, to the same extent, and subject to the same limitations as provided in section 18 of the Securities Exchange Act of 1934 with respect to an application, report, or document filed pursuant to the Securities Exchange Act of 1934.

Vol. 48, p. 897.

Rights and remedies.

(b) The rights and remedies provided by this title, except as provided in section 17 (b), shall be in addition to any and all other rights and remedies that may exist under the Securities Act of 1933, as amended, or the Securities Exchange Act of 1934, or otherwise at law or in equity; but no person permitted to maintain a suit for damages under the provisions of this title shall recover, through satisfaction of judgment in one or more actions, a total amount in excess of his actual damages on account of the act complained of.

Vol. 48, pp. 74, 881; U. S. C., p. 525.

Amount of recovery.

Officers, directors, and other affiliates.

OFFICERS, DIRECTORS, AND OTHER AFFILIATES

Statements to be filed.

SEC. 17. (a) Every person who is an officer or director of a registered holding company shall file with the Commission in such form as the Commission shall prescribe (1) at the time of the registration of such holding company, or within ten days after such person becomes an officer or director, a statement of the securities of such registered holding company or any subsidiary company thereof of which he is, directly or indirectly, the beneficial owner, and (2) within ten days after the close of each calendar month thereafter, if there has been any change in such ownership during such month, a statement of such ownership as of the close of such calendar month and of the changes in such ownership that have occurred during such calendar month.

Security transactions by; profits.

(b) For the purpose of preventing the unfair use of information which may have been obtained by any such officer or director by reason of his relationship to such registered holding company or any subsidiary company thereof, any profit realized by any such officer or director from any purchase and sale, or any sale and purchase, of any security of such registered holding company or any subsidiary company thereof within any period of less than six months, unless such security was acquired in good faith in connection with a debt previously contracted, shall inure to and be recoverable by the holding company or subsidiary company in respect of the security of which such profit was realized, irrespective of any intention on the part of such officer or director in entering into such transaction to hold the security purchased or not to repurchase the security sold for a period of more than six months. Suit to recover such profit may be instituted at law or in equity in any court of competent jurisdiction by the company entitled thereto or by the owner of any security of such company in the name and in the behalf of such company if such company shall fail or refuse to bring such suit within sixty days after request or shall fail diligently to prosecute the same thereafter; but no such suit shall be brought more than two years after the date such profit was realized. This subsection shall not cover any transaction where such person was not an officer or director at the times of the purchase and sale, or the sale and purchase, of the security involved, or any transaction or transactions which the Commission by rules and regulations may, as necessary or appropriate in the public interest or for the protection of investors or consumers, exempt as not comprehended within the purpose of this subsection. Nothing in this subsection shall be construed to give a remedy in the case of any transaction in respect of which a remedy is given under subsection (b) of section 16 of the Securities Exchange Act of 1934.

Suit to recover profits.

Exempt transactions.

Vol. 48, p. 896.

Interlocking directorates; prohibition on.

(c) After one year from the date of the enactment of this title, no registered holding company or any subsidiary company thereof shall have, as an officer or director thereof, any executive officer, director, partner, appointee, or representative of any bank, trust company, investment banker, or banking association or firm, or any executive officer, director, partner, appointee, or representative of any corporation a majority of whose stock, having the unrestricted right to vote for the election of directors, is owned by any bank, trust company, investment banker, or banking association or firm, except in such cases as rules and regulations prescribed by the Commission may permit as not adversely affecting the public interest or the interest of investors or consumers.

Administrative provisions.

INVESTIGATIONS; INJUNCTIONS, ENFORCEMENT OF TITLE, AND PROSECUTION OF OFFENSES

Investigations by Commission.

SEC. 18. (a) The Commission, in its discretion, may investigate any facts, conditions, practices, or matters which it may deem necessary or appropriate to determine whether any person has violated or is about to violate any provision of this title or any rule or regulation thereunder, or to aid in the enforcement of the provisions of this title, in the prescribing of rules and regulations thereunder, or in obtaining information to serve as a basis for recommending further legislation concerning the matters to which this title relates. The Commission may require or permit any person to file with it a statement in writing, under oath or otherwise as it shall determine, as to any or all facts and circumstances concerning a matter which may be the subject of investigation. The Commission, in its discretion, may publish, or make available to State commissions, information concerning any such subject.

(b) The Commission upon its own motion or at the request of a State commission may investigate, or obtain any information regarding the business, financial condition, or practices of any registered holding company or subsidiary company thereof or facts, conditions, practices, or matters affecting the relations between any such company and any other company or companies in the same holding-company system.

Authority of Commission.

(c) For the purpose of any investigation or any other proceeding under this title, any member of the Commission, or any officer thereof designated by it, is empowered to administer oaths and affirmations, subpena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, contracts, agreements, or other records which the Commission deems relevant or material to the inquiry. Such attendance of witnesses and the production of any such records may be required from any place in any State or in any Territory or other place subject to the jurisdiction of the United States at any designated place of hearing.

Refusal of witness to obey subpena.

(d) In case of contumacy by, or refusal to obey a subpena issued to, any person, the Commission may invoke the aid of any court of the United States within the jurisdiction of which such investigation or proceeding is carried on, or where such person resides or carries on business, in requiring the attendance and testimony of witnesses and the production of books, papers, correspondence, memoranda, contracts, agreements, and other records. And such court may issue an order requiring such person to appear before the Commission or member or officer designated by the Commission, there to produce records, if so ordered, or to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by such court as a

Service of process.

contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found. Any person who, without just cause, shall fail or refuse to attend and testify or to answer any lawful inquiry or to produce books, papers, correspondence, memoranda, contracts, agreements, or other records, if in his or its power so to do, in obedience to the subpena of the Commission, shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not more than $1,000 or to imprisonment for a term of not more than one year, or both.

Privilege of witnesses.

(e) No person shall be excused from attending and testifying or from producing books, papers, correspondence, memoranda, contracts, agreements, or other records and documents before the Commission, or in obedience to the subpena of the Commission or any member thereof or any officer designated by it, or in any cause or proceeding instituted by the Commission, on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subject to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he is compelled to testify or produce evidence, documentary or otherwise, after having claimed his privilege against self-incrimination, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

Injunctions; restraining orders.

(f) Whenever it shall appear to the Commission that any person is engaged or about to engage in any acts or practices which constitute or will constitute a violation of the provisions of this title, or of any rule, regulation, or order thereunder, it may in its discretion bring an action in the proper district court of the United States, the Supreme Court of the District of Columbia, or the United States courts of any Territory or other place subject to the jurisdiction of the United States, to enjoin such acts or practices and to enforce compliance with this title or any rule, regulation, or order thereunder, and upon a proper showing a permanent or temporary injunction or decree or restraining order shall be granted without bond. The Commission may transmit such evidence as may be available concerning such acts or practices to the Attorney General, who, in his discretion, may institute the appropriate criminal proceedings under this title.

Writs of mandamus.

(g) Upon application of the Commission, the district courts of the United States, the Supreme Court of the District of Columbia, and the United States courts of any Territory or other place subject to the jurisdiction of the United States shall have jurisdiction to issue writs of mandamus commanding any person to comply with the provisions of this title or any rule, regulation, or order of the Commission thereunder.

Hearings.

HEARINGS BY COMMISSION

Power of Commission to hold.

SEC. 19. Hearings may be public and may be held before the Commission, any member or members thereof, or any officer or officers of the Commission designated by it, and appropriate records thereof shall be kept.

Right of interested party.

In any proceeding before the Commission, the Commission, in accordance with such rules and regulations as it may prescribe, shall admit as a party any interested State, State commission, State securities commission, municipality, or other political subdivision of a State, and may admit as a party any representative of interested consumers or security holders, or any other person whose participation in the proceedings may be in the public interest or for the protection of investors or consumers.

RULES, REGULATIONS, AND ORDERS

Rules, regulations, and orders.

SEC. 20. (a) The Commission shall have authority from time to time to make, issue, amend, and rescind such rules and regulations and such orders as it may deem necessary or appropriate to carry out the provisions of this title, including rules and regulations defining accounting, technical, and trade terms used in this title. Among other things, the Commission shall have authority, for the purposes of this title, to prescribe the form or forms in which information required in any statement, declaration, application, report, or other document filed with the Commission shall be set forth, the items or details to be shown in balance sheets, profit and loss statements, and surplus accounts, the manner in which the cost of all assets, whenever determinable, shall be shown in regard to such statements, declarations, applications, reports, and other documents filed with the Commission, or accounts required to be kept by the rules, regulations, or orders of the Commission, and the methods to be followed in the keeping of accounts and cost-accounting procedures and the preparation of reports, in the segregation and allocation of costs, in the determination of liabilities, in the determination of depreciation and depletion, in the differentiation of recurring and nonrecurring income, in the differentiation of investment and operating income, and in the keeping or preparation, where the Commission deems it necessary or appropriate, of separate or consolidated balance sheets or profit and loss statements for any companies in the same holding-company system.

Authority of Commission to make and issue.

Forms to be prescribed.

(b) In the case of the accounts of any company whose methods of accounting are prescribed under the provisions of any law of the United States or of any State, the rules and regulations or orders of the Commission in respect of accounts shall not be inconsistent with the requirements imposed by such law or any rule or regulation thereunder; nor shall anything in this title relieve any public-utility company from the duty to keep the accounts, books, records, or memoranda which may be required to be kept by the law of any State in which it operates or by the State commission of any such State. But this provision shall not prevent the Commission from imposing such additional requirements regarding reports or accounts as it may deem necessary or appropriate in the public interest or for the protection of investors or consumers.

Conflicts in accounting systems.

(c) The rules and regulations of the Commission shall be effective upon publication in the manner which the Commission shall prescribe. For the purpose of its rules, regulations, or orders the Commission may classify persons and matters within its jurisdiction and prescribe different requirements for different classes of persons or matters. Orders of the Commission under this title shall be issued only after opportunity for hearing.

Effective date of rules, regulations, and orders.

Hearing.

(d) The Commission, by such rules and regulations or order as it deems necessary or appropriate in the public interest or for the protection of investors or consumers, may authorize the filing of any information or documents required to be filed with the Commission under this title, or under the Securities Act of 1933, as amended, or under the Securities Exchange Act of 1934, by incorporating by reference any information or documents theretofore or concurrently filed with the Commission under this title or either of such Acts. No provision of this title imposing any liability shall apply to any act done or omitted in good faith in conformity with any rule, regulation, or order of the Commission, notwithstanding that such rule, regulation, or order may, after such act or omission, be amended or rescinded or be determined by judicial or other authority to be invalid for any reason.

Vol. 48, pp. 74, 881.

Effect on existing law.

Vol. 48, pp. 74, 881.

EFFECT ON EXISTING LAW

SEC. 21. Nothing in this title shall affect (1) the jurisdiction of the Commission under the Securities Act of 1933, as amended, or the Securities Exchange Act of 1934 over any person, security, or contract, or (2) the rights, obligations, duties, or liabilities of any person under such Acts; nor shall anything in this title affect the jurisdiction of any other commission, board, agency, or officer of the United States or of any State or political subdivision of any State, over any person, security, or contract, insofar as such jurisdiction does not conflict with any provision of this title or any rule, regulation, or order thereunder.

Information filed with the Commission.

INFORMATION FILED WITH THE COMMISSION

Availability to public.

SEC. 22. (a) When in the judgment of the Commission the disclosure of such information would be in the public interest or the interest of investors or consumers, the information contained in any statement, application, declaration, report, or other document filed with the Commission shall be available to the public, and copies thereof may be furnished to any person at such reasonable charge and under such reasonable limitations as the Commission may prescribe: *Provided, however*, That nothing in this title shall be construed to require, or to authorize the Commission to require, the revealing of trade secrets or processes in any application, declaration, report, or document filed with the Commission under this title.

Proviso. Trade secrets.

Objections to disclosure; filing.

(b) Any person filing such application, declaration, report, or document may make written objection to the public disclosure of information contained therein, stating the grounds for such objection, and the Commission is authorized to hear objections in any such case where it finds it advisable.

Unauthorized disclosures prohibited.

(c) It shall be unlawful for any member, officer, or employee of the Commission to disclose to any person other than a member, officer, or employee of the Commission, or to use for personal benefit, any information contained in any application, declaration, report, or document filed with the Commission which is not made available to the public pursuant to this section.

Annual reports of Commission.

ANNUAL REPORTS OF COMMISSION

Submission to Congress.

SEC. 23. The Commission shall submit annually a report to the Congress covering the work of the Commission for the preceding year and including such information, data, and recommendations for further legislation in connection with the matters covered by this title as it may find advisable.

Review of orders.

COURT REVIEW OF ORDERS

Filing petition with court.

SEC. 24. (a) Any person or party aggrieved by an order issued by the Commission under this title may obtain a review of such order in the circuit court of appeals of the United States within any circuit wherein such person resides or has his principal place of business, or in the United States Court of Appeals for the District of Columbia, by filing in such court, within sixty days after the entry of such order, a written petition praying that the order of the Commission be modified or set aside in whole or in part. A copy of such petition shall be forthwith served upon any member of the Commission, or upon any officer thereof designated by the Commission for that purpose, and thereupon the Commission shall certify and file in the court a transcript of the record upon which the order complained of was entered. Upon the filing of such transcript such court

Service of copy.

Certification and filing transcript of record.

shall have exclusive jurisdiction to affirm, modify, or set aside such order, in whole or in part. No objection to the order of the Commission shall be considered by the court unless such objection shall have been urged before the Commission or unless there were reasonable grounds for failure so to do. The findings of the Commission as to the facts, if supported by substantial evidence, shall be conclusive. If application is made to the court for leave to adduce additional evidence, and it is shown to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for failure to adduce such evidence in the proceeding before the Commission, the court may order such additional evidence to be taken before the Commission and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper. The Commission may modify its findings as to the facts by reason of the additional evidence so taken, and it shall file with the court such modified or new findings, which, if supported by substantial evidence, shall be conclusive, and its recommendation, if any, for the modification or setting aside of the original order. The judgment and decree of the court affirming, modifying, or setting aside, in whole or in part, any such order of the Commission shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended (U. S. C., title 28, secs. 346 and 347).

Consideration of objections.

Findings of fact.

Additional evidence.

Modification of findings of fact.

Finality of judgment or decree.

U. S. C., p. 1271.

(b) The commencement of proceedings under subsection (a) shall not, unless specifically ordered by the court, operate as a stay of the Commission's order.

Commencement of proceedings not to act as stay.

JURISDICTION OF OFFENSES AND SUITS

Offenses and suits.

SEC. 25. The District Courts of the United States, the Supreme Court of the District of Columbia, and the United States courts of any Territory or other place subject to the jurisdiction of the United States shall have jurisdiction of violations of this title or the rules, regulations, or orders thereunder, and, concurrently with State and Territorial courts, of all suits in equity and actions at law brought to enforce any liability or duty created by, or to enjoin any violation of, this title or the rules, regulations, or orders thereunder. Any criminal proceeding may be brought in the district wherein any act or transaction constituting the violation occurred. Any suit or action to enforce any liability or duty created by, or to enjoin any violation of, this title or rules, regulations, or orders thereunder, may be brought in any such district or in the district wherein the defendant is an inhabitant or transacts business, and process in such cases may be served in any district of which the defendant is an inhabitant or transacts business or wherever the defendant may be found. Judgments and decrees so rendered shall be subject to review as provided in sections 128 and 240 of the Judicial Code, as amended (U. S. C., title 28, secs. 225 and 347), and section 7, as amended, of the Act entitled "An Act to establish a court of appeals for the District of Columbia", approved February 9, 1893 (D. C. Code, title 18, sec. 26). No costs shall be assessed for or against the Commission in any proceeding under this title brought by or against the Commission in any court.

Jurisdiction of courts.

Criminal proceedings.

Suits to enforce liability or to enjoin violations.

Service of process.

Review of judgments or decrees.
U. S. C., pp. 1259, 1272.
Vol. 27, p. 434.

Costs.

VALIDITY OF CONTRACTS

Validity of contracts.

SEC. 26. (a) Any condition, stipulation, or provision binding any person to waive compliance with any provision of this title or with any rule, regulation, or order thereunder shall be void.

Waiver of compliance with provisions, etc., of Act.

Violating provisions of act, etc.

(b) Every contract made in violation of any provision of this title or of any rule, regulation, or order thereunder, and every contract heretofore or hereafter made, the performance of which involves the violation of, or the continuance of any relationship or practice in violation of, any provision of this title, or any rule, regulation, or order thereunder, shall be void (1) as regards the rights of any person who, in violation of any such provision, rule, regulation, or order, shall have made or engaged in the performance of any such contract, and (2) as regards the rights of any person who, not being a party to such contract, shall have acquired any right thereunder with actual knowledge of the facts by reason of which the making or performance of such contract was in violation of any such provision, rule, regulation, or order.

Limitation on application of title.

(c) Nothing in this title shall be construed (1) to affect the validity of any loan or extension of credit (or any extension or renewal thereof) made or of any lien created prior or subsequent to the enactment of this title, unless at the time of the making of such loan or extension of credit (or extension or renewal thereof) or the creating of such lien, the person making such loan or extension of credit (or extension or renewal thereof) or acquiring such lien shall have actual knowledge of facts by reason of which the making of such loan or extension of credit (or extension or renewal thereof) or the acquisition of such lien is a violation of the provisions of this title or any rule or regulation thereunder, or (2) to afford a defense to the collection of any debt or obligation or the enforcement of any lien by any person who shall have acquired such debt, obligation, or lien in good faith for value and without actual knowledge of the violation of any provision of this title or any rule or regulation thereunder affecting the legality of such debt, obligation, or lien.

LIABILITY OF CONTROLLING PERSONS; PREVENTING COMPLIANCE WITH TITLE

Liability of controlling persons.

SEC. 27. (a) It shall be unlawful for any person, directly or indirectly, to cause to be done any act or thing through or by means of any other person which it would be unlawful for such person to do under the provisions of this title or any rule, regulation, or order thereunder.

Liability for preventing compliance with provisions hereof.

(b) It shall be unlawful for any person without just cause to hinder, delay, or obstruct the making, filing, or keeping of any information, document, report, record, or account required to be made, filed, or kept under any provision of this title or any rule, regulation, or order thereunder.

Unlawful representations.

UNLAWFUL REPRESENTATIONS

Liability for.

SEC. 28. It shall be unlawful for any person in issuing, selling, or offering for sale any security of a registered holding company or subsidiary company thereof, to represent or imply in any manner whatsoever that such security has been guaranteed, sponsored, or recommended for investment by the United States or any agency or officer thereof.

Penalties.

PENALTIES

False statements.

SEC. 29. Any person who willfully violates any provision of this title or any rule, regulation, or order thereunder (other than an order of the Commission under subsection (b), (d), (e), or (f) of section 11), or any person who willfully makes any statement or entry in any application, report, document, account, or record filed or kept or required to be filed or kept under the provisions

of this title or any rule, regulation, or order thereunder, knowing such statement or entry to be false or misleading in any material respect, or any person who willfully destroys (except after such time as may be prescribed under any rules or regulations under this title), mutilates, alters, or by any means or device falsifies any account, correspondence, memorandum, book, paper, or other record kept or required to be kept under the provisions of this title or any rule, regulation, or order thereunder, shall upon conviction be fined not more than $10,000 or imprisoned not more than two years, or both, except that in the case of a violation of a provision of subsection (a) or (b) of section 4 by a holding company which is not an individual, the fine imposed upon such holding company shall be a fine not exceeding $200,000; but no person shall be convicted under this section for the violation of any rule, regulation, or order if he proves that he had no knowledge of such rule, regulation, or order.

Falsification of accounts, etc.

STUDY OF PUBLIC-UTILITY AND INVESTMENT COMPANIES

Public-utility and investment companies.

SEC. 30. The Commission is authorized and directed to make studies and investigations of public-utility companies, the territories served or which can be served by public-utility companies, and the manner in which the same are or can be served, to determine the sizes, types, and locations of public-utility companies which do or can operate most economically and efficiently in the public interest, in the interest of investors and consumers, and in furtherance of a wider and more economical use of gas and electric energy; upon the basis of such investigations and studies the Commission shall make public from time to time its recommendations as to the type and size of geographically and economically integrated public-utility systems which, having regard for the nature and character of the locality served, can best promote and harmonize the interests of the public, the investor, and the consumer. The Commission is authorized and directed to make a study of the functions and activities of investment trusts and investment companies, the corporate structures, and investment policies of such trusts and companies, the influence exerted by such trusts and companies upon companies in which they are interested, and the influence exerted by interests affiliated with the management of such trusts and companies upon their investment policies, and to report the results of its study and its recommendations to the Congress on or before January 4, 1937.

Studies and investigations.

Recommendations.

Investment trusts.

EMPLOYEES OF THE COMMISSION

Commission employees.

SEC. 31. For the purposes of this title, the Commission may select, employ, and fix the compensation of such attorneys, examiners, and other experts as shall be necessary for the transaction of the business of the Commission in respect of this title without regard to the provisions of other laws applicable to the employment and compensation of officers or employees of the United States; and the Commission may, subject to the civil-service laws, appoint such other officers and employees as are necessary in the execution of the functions of the Commission and fix their salaries in accordance with the Classification Act of 1923, as amended.

Appointment.

SEPARABILITY OF PROVISIONS

Separability of provisions.

SEC. 32. If any provision of this title or the application of such provision to any person or circumstances shall be held invalid, the remainder of the title and the application of such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

Short title.

SHORT TITLE

SEC. 33. This title may be cited as the "Public Utility Holding Company Act of 1935".

Federal Power Act.

TITLE II—AMENDMENTS TO FEDERAL WATER POWER ACT

Vol. 41, p. 1063; U. S. C., p. 694.

SECTION 201. Section 3 of the Federal Water Power Act, as amended, is amended to read as follows:

Definitions.

"SEC. 3. The words defined in this section shall have the following meanings for purposes of this Act, to wit:

"Public lands."

"(1) 'public lands' means such lands and interest in lands owned by the United States as are subject to private appropriation and disposal under public land laws. It shall not include 'reservations', as hereinafter defined;

"Reservations."

"(2) 'reservations' means national forests, tribal lands embraced within Indian reservations, military reservations, and other lands and interests in lands owned by the United States, and withdrawn, reserved, or withheld from private appropriation and disposal under the public land laws; also lands and interests in lands acquired and held for any public purposes; but shall not include national monuments or national parks;

"Corporation."

"(3) 'corporation' means any corporation, joint-stock company, partnership, association, business trust, organized group of persons, whether incorporated or not, or a receiver or receivers, trustee or trustees of any of the foregoing. It shall not include 'municipalities' as hereinafter defined;

"Person."

"(4) 'person' means an individual or a corporation;

"Licensee."

"(5) 'licensee' means any person, State, or municipality licensed under the provisions of section 4 of this Act, and any assignee or successor in interest thereof;

"State."

"(6) 'State' means a State admitted to the Union, the District of Columbia, and any organized Territory of the United States;

"Municipality."

"(7) 'municipality' means a city, county, irrigation district, drainage district, or other political subdivision or agency of a State competent under the laws thereof to carry on the business of developing, transmitting, utilizing, or distributing power;

"Navigable waters."

"(8) 'navigable waters' means those parts of streams or other bodies of water over which Congress has jurisdiction under its authority to regulate commerce with foreign nations and among the several States, and which either in their natural or improved condition notwithstanding interruptions between the navigable parts of such streams or waters by falls, shallows, or rapids compelling land carriage, are used or suitable for use for the transportation of persons or property in interstate or foreign commerce, including therein all such interrupting falls, shallows, or rapids, together with such other parts of streams as shall have been authorized by Congress for improvement by the United States or shall have been recommended to Congress for such improvement after investigation under its authority;

"Municipal purposes."

"(9) 'municipal purposes' means and includes all purposes within municipal powers as defined by the constitution or laws of the State or by the charter of the municipality;

"Government dam."

"(10) 'Government dam' means a dam or other work constructed or owned by the United States for Government purposes with or without contribution from others;

"Project."

"(11) 'project' means complete unit of improvement or development, consisting of a power house, all water conduits, all dams and appurtenant works and structures (including navigation structures)

which are a part of said unit, and all storage, diverting, or forebay reservoirs directly connected therewith, the primary line or lines transmitting power therefrom to the point of junction with the distribution system or with the interconnected primary transmission system, all miscellaneous structures used and useful in connection with said unit or any part thereof, and all water-rights, rights-of-way, ditches, dams, reservoirs, lands, or interest in lands the use and occupancy of which are necessary or appropriate in the maintenance and operation of such unit;

"Project works."

"(12) 'project works' means the physical structures of a project;

"Net investment."

"(13) 'net investment' in a project means the actual legitimate original cost thereof as defined and interpreted in the 'classification of investment in road and equipment of steam roads, issue of 1914, Interstate Commerce Commission', plus similar costs of additions thereto and betterments thereof, minus the sum of the following items properly allocated thereto, if and to the extent that such items have been accumulated during the period of the license from earnings in excess of a fair return on such investment: (a) Unappropriated surplus, (b) aggregate credit balances of current depreciation accounts, and (c) aggregate appropriations of surplus or income held in amortization, sinking fund, or similar reserves, or expended for additions or betterments or used for the purposes for which such reserves were created. The term 'cost' shall include, insofar as applicable, the elements thereof prescribed in said classification, but shall not include expenditures from funds obtained through donations by States, municipalities, individuals, or others, and said classification of investment of the Interstate Commerce Commission shall insofar as applicable be published and promulgated as a part of the rules and regulations of the Commission;

"Commission"; "Commissioner."

"(14) 'Commission' and 'Commissioner' means the Federal Power Commission, and a member thereof, respectively;

"State commission."

"(15) 'State commission' means the regulatory body of the State or municipality having jurisdiction to regulate rates and charges for the sale of electric energy to consumers within the State or municipality;

"Security."

"(16) 'security' means any note, stock, treasury stock, bond, debenture, or other evidence of interest in or indebtedness of a corporation subject to the provisions of this Act."

Vol. 41, p. 1065; U. S. C., p. 695.

SEC. 202. Section 4 of the Federal Water Power Act, as amended, is amended to read as follows:

Powers of Commission.

"SEC. 4. The Commission is hereby authorized and empowered—

Investigations.

"(a) To make investigations and to collect and record data concerning the utilization of the water resources of any region to be developed, the water-power industry and its relation to other industries and to interstate or foreign commerce, and concerning the location, capacity, development costs, and relation to markets of power sites, and whether the power from Government dams can be advantageously used by the United States for its public purposes, and what is a fair value of such power, to the extent the Commission may deem necessary or useful for the purposes of this Act.

Information to be furnished by licensee.

"(b) To determine the actual legitimate original cost of and the net investment in a licensed project, and to aid the Commission in such determinations, each licensee shall, upon oath, within a reasonable period of time to be fixed by the Commission, after the construction of the original project or any addition thereto or betterment thereof, file with the Commission in such detail as the Commission may require, a statement in duplicate showing the actual legitimate original cost of construction of such project, addition, or betterment, and of the price paid for water rights, rights-of-way, lands, or

Facilities to be available to Commission.

interest in lands. The licensee shall grant to the Commission or to its duly authorized agent or agents, at all reasonable times, free access to such project, addition, or betterment, and to all maps, profiles, contracts, reports of engineers, accounts, books, records, and all other papers and documents relating thereto. The statement of actual legitimate original cost of said project, and revisions thereof as determined by the Commission, shall be filed with the Secretary of the Treasury.

Statement of original cost of project and revisions; filing.

Cooperation with executive departments; information and assistance furnished Commission.

"(c) To cooperate with the executive departments and other agencies of State or National Governments in such investigations; and for such purpose the several departments and agencies of the National Government are authorized and directed upon the request of the Commission to furnish such records, papers, and information in their possession as may be requested by the Commission, and temporarily to detail to the Commission such officers or experts as may be necessary in such investigations.

Publication of information.

"(d) To make public from time to time the information secured hereunder and to provide for the publication of its reports and investigations in such form and manner as may be best adapted for public information and use. The Commission, on or before the 3d day of January of each year, shall submit to Congress for the fiscal year preceding a classified report showing the permits and licenses issued under this Part, and in each case the parties thereto, the terms prescribed, and the moneys received if any, or account thereof. Such report shall contain the names and show the compensation of the persons employed by the Commission.

Annual report to Congress.

Vol. 46, p. 798.

Issue of licenses for constructing, etc., power facilities.

"(e) To issue licenses to citizens of the United States, or to any association of such citizens, or to any corporation organized under the laws of the United States or any State thereof, or to any State or municipality for the purpose of constructing, operating, and maintaining dams, water conduits, reservoirs, power houses, transmission lines, or other project works necessary or convenient for the development and improvement of navigation and for the development, transmission, and utilization of power across, along, from, or in any of the streams or other bodies of water over which Congress has jurisdiction under its authority to regulate commerce with foreign nations and among the several States, or upon any part of the public lands and reservations of the United States (including the Territories), or for the purpose of utilizing the surplus water or water power from any Government dam, except as herein provided: *Provided*, That licenses shall be issued within any reservation only after a finding by the Commission that the license will not interfere or be inconsistent with the purpose for which such reservation was created or acquired, and shall be subject to and contain such conditions as the Secretary of the department under whose supervision such reservation falls shall deem necessary for the adequate protection and utilization of such reservation: *Provided further*, That no license affecting the navigable capacity of any navigable waters of the United States shall be issued until the plans of the dam or other structures affecting navigation have been approved by the Chief of Engineers and the Secretary of War. Whenever the contemplated improvement is, in the judgment of the Commission, desirable and justified in the public interest for the purpose of improving or developing a waterway or waterways for the use or benefit of interstate or foreign commerce, a finding to that effect shall be made by the Commission and shall become a part of the records of the Commission: *Provided further*, That in case the Commission shall find that any Government dam may be advantageously used by the United States for public purposes

Provisos.
Construction within reservations.

Construction on navigable waters.

Government dams.

in addition to navigation, no license therefor shall be issued until two years after it shall have reported to Congress the facts and conditions relating thereto, except that this provision shall not apply to any Government dam constructed prior to June 10, 1920: *And provided further*, That upon the filing of any application for a license which has not been preceded by a preliminary permit under subsection (f) of this section, notice shall be given and published as required by the proviso of said subsection.

Publication of application for license.

"(f) To issue preliminary permits for the purpose of enabling applicants for a license hereunder to secure the data and to perform the acts required by section 9 hereof: *Provided, however*, That upon the filing of any application for a preliminary permit by any person, association, or corporation the Commission, before granting such application, shall at once give notice of such application in writing to any State or municipality likely to be interested in or affected by such application; and shall also publish notice of such application once each week for four weeks in a daily or weekly newspaper published in the county or counties in which the project or any part thereof or the lands affected thereby are situated.

Issue of preliminary permits.

Proviso. Notice required.

Publication of application.

"(g) Upon its own motion to order an investigation of any occupancy of, or evidenced intention to occupy, for the purpose of developing electric power, public lands, reservations, or streams or other bodies of water over which Congress has jurisdiction under its authority to regulate commerce with foreign nations and among the several States by any person, corporation, State, or municipality and to issue such order as it may find appropriate, expedient, and in the public interest to conserve and utilize the navigation and water-power resources of the region."

Investigation of occupancy of power sites on waters over which Congress has jurisdiction.

SEC. 203. Section 5 of the Federal Water Power Act, as amended, is amended to read as follows:

Vol. 41, p. 1067; U. S. C., p. 696.

"SEC. 5. Each preliminary permit issued under this Part shall be for the sole purpose of maintaining priority of application for a license under the terms of this Act for such period or periods, not exceeding a total of three years, as in the discretion of the Commission may be necessary for making examinations and surveys, for preparing maps, plans, specifications, and estimates, and for making financial arrangements. Each such permit shall set forth the conditions under which priority shall be maintained. Such permits shall not be transferable, and may be canceled by order of the Commission upon failure of permittees to comply with the conditions thereof or for other good cause shown after notice and opportunity for hearing."

Preliminary permits; purpose of issue.

Nontransferability; cancelation.

SEC. 204. Section 6 of the Federal Water Power Act, as amended, is amended to read as follows:

Vol. 41, p. 1067; U. S. C., p. 696.

"SEC. 6. Licenses under this Part shall be issued for a period not exceeding fifty years. Each such license shall be conditioned upon acceptance by the licensee of all the terms and conditions of this Act and such further conditions, if any, as the Commission shall prescribe in conformity with this Act, which said terms and conditions and the acceptance thereof shall be expressed in said license. Licenses may be revoked only for the reasons and in the manner prescribed under the provisions of this Act, and may be altered or surrendered only upon mutual agreement between the licensee and the Commission after thirty days' public notice. Copies of all licenses issued under the provisions of this Part and calling for the payment of annual charges shall be deposited with the General Accounting Office, in compliance with section 3743, Revised Statutes, as amended (U. S. C., title 41, sec. 20)."

Licenses; duration.

Conditions.

Revocation.

Alteration or surrender.

Deposit of copies.

R. S., sec. 3743, p. 738; U. S. C., p. 1806.

Vol. 28, p. 210.

Vol. 41, p. 1067; U. S. C., p. 696.

SEC. 205. Section 7 of the Federal Water Power Act, as amended, is amended to read as follows:

Preferences in issuing preliminary permits or licenses.

"SEC. 7. (a) In issuing preliminary permits hereunder or licenses where no preliminary permit has been issued and in issuing licenses to new licensees under section 15 hereof the Commission shall give preference to applications therefor by States and municipalities, provided the plans for the same are deemed by the Commission equally well adapted, or shall within a reasonable time to be fixed by the Commission be made equally well adapted, to conserve and utilize in the public interest the water resources of the region; and as between other applicants, the Commission may give preference to the applicant the plans of which it finds and determines are best adapted to develop, conserve, and utilize in the public interest the water resources of the region, if it be satisfied as to the ability of the applicant to carry out such plans.

Development of water resources by United States.

"(b) Whenever, in the judgment of the Commission, the development of any water resources for public purposes should be undertaken by the United States itself, the Commission shall not approve any application for any project affecting such development, but shall cause to be made such examinations, surveys, reports, plans, and estimates of the cost of the proposed development as it may find necessary, and shall submit its findings to Congress with such recommendations as it may find appropriate concerning such development."

Vol. 41, p. 1068; U. S. C., p. 697.

SEC. 206. Section 10 of the Federal Water Power Act, as amended, is amended to read as follows:

Licenses, conditions of.

"SEC. 10. All licenses issued under this Part shall be on the following conditions:

Adaptability of project to comprehensive plan.

"(a) That the project adopted, including the maps, plans, and specifications, shall be such as in the judgment of the Commission will be best adapted to a comprehensive plan for improving or developing a waterway or waterways for the use or benefit of interstate or foreign commerce, for the improvement and utilization of water-power development, and for other beneficial public uses, including recreational purposes; and if necessary in order to secure such plan the Commission shall have authority to require the modification of any project and of the plans and specifications of the project works before approval.

Modification of project.

Alteration of approved project works; approval required.

"(b) That except when emergency shall require for the protection of navigation, life, health, or property, no substantial alteration or addition not in conformity with the approved plans shall be made to any dam or other project works constructed hereunder of an installed capacity in excess of one hundred horsepower without the prior approval of the Commission; and any emergency alteration or addition so made shall thereafter be subject to such modification and change as the Commission may direct.

Maintenance of project works.

Depreciation reserves.

"(c) That the licensee shall maintain the project works in a condition of repair adequate for the purposes of navigation and for the efficient operation of said works in the development and transmission of power, shall make all necessary renewals and replacements, shall establish and maintain adequate depreciation reserves for such purposes, shall so maintain and operate said works as not to impair navigation, and shall conform to such rules and regulations as the Commission may from time to time prescribe for the protection of life, health, and property. Each licensee hereunder shall be liable for all damages occasioned to the property of others by the construction, maintenance, or operation of the project works or of the works appurtenant or accessory thereto, constructed under the license, and in no event shall the United States be liable therefor.

Liability of licensee for damages.

"(d) That after the first twenty years of operation, out of surplus earned thereafter, if any, accumulated in excess of a specified reasonable rate of return upon the net investment of a licensee in any project or projects under license, the licensee shall establish and maintain amortization reserves, which reserves shall, in the discretion of the Commission, be held until the termination of the license or be applied from time to time in reduction of the net investment. Such specified rate of return and the proportion of such surplus earnings to be paid into and held in such reserves shall be set forth in the license.

Maintenance of amortization reserves.

"(e) That the licensee shall pay to the United States reasonable annual charges in an amount to be fixed by the Commission for the purpose of reimbursing the United States for the costs of the administration of this Part; for recompensing it for the use, occupancy, and enjoyment of its lands or other property; and for the expropriation to the Government of excessive profits until the respective States shall make provision for preventing excessive profits or for the expropriation thereof to themselves, or until the period of amortization as herein provided is reached, and in fixing such charges the Commission shall seek to avoid increasing the price to the consumers of power by such charges, and any such charges may be adjusted from time to time by the Commission as conditions may require: *Provided*, That when licenses are issued involving the use of Government dams or other structures owned by the United States or tribal lands embraced within Indian reservations the Commission shall, subject to the approval of the Secretary of the Interior in the case of such dams or structures in reclamation projects and, in the case of such tribal lands, subject to the approval of the Indian tribe having jurisdiction of such lands as provided in section 16 of the Act of June 18, 1934 (48 Stat. 984), fix a reasonable annual charge for the use thereof, and such charges may with like approval be readjusted by the Commission at the end of twenty years after the project is available for service and at periods of not less than ten years thereafter upon notice and opportunity for hearing: *Provided further*, That licenses for the development, transmission, or distribution of power by States or municipalities shall be issued and enjoyed without charge to the extent such power is sold to the public without profit or is used by such State or municipality for State or municipal purposes, except that as to projects constructed or to be constructed by States or municipalities primarily designed to provide or improve navigation, licenses therefor shall be issued without charge; and that licenses for the development, transmission, or distribution of power for domestic, mining, or other beneficial use in projects of not more than one hundred horsepower installed capacity may be issued without charge, except on tribal lands within Indian reservations; but in no case shall a license be issued free of charge for the development and utilization of power created by any Government dam and that the amount charged therefor in any license shall be such as determined by the Commission. In the event an overpayment of any charge due under this section shall be made by a licensee, the Commission is authorized to allow a credit for such overpayment when charges are due for any subsequent period.

Annual charges paid by licensee.

Provisos.
Licenses involving use of Government dams, etc.

Licenses for development, etc., of power by States, etc.

Credits for overpayments.

"(f) That whenever any licensee hereunder is directly benefited by the construction work of another licensee, a permittee, or of the United States of a storage reservoir or other headwater improvement, the Commission shall require as a condition of the license that the licensee so benefited shall reimburse the owner of such reservoir or other improvements for such part of the annual charges for interest, maintenance, and depreciation thereon as the Commission may deem

Reimbursement by licensee when benefited by project of another licensee.

Costs of determining benefits.

equitable. The proportion of such charges to be paid by any licensee shall be determined by the Commission. The licensees or permittees affected shall pay to the United States the cost of making such determination as fixed by the Commission.

Assessment when benefited by improvement constructed by United States.
Post, p. 845.

"Whenever such reservoir or other improvement is constructed by the United States the Commission shall assess similar charges against any licensee directly benefited thereby, and any amount so assessed shall be paid into the Treasury of the United States, to be reserved and appropriated as a part of the special fund for headwater improvements as provided in section 17 hereof.

Benefits to unlicensed power project.

"Whenever any power project not under license is benefited by the construction work of a licensee or permittee, the United States or any agency thereof, the Commission, after notice to the owner or owners of such unlicensed project, shall determine and fix a reasonable and equitable annual charge to be paid to the licensee or permittee on account of such benefits, or to the United States if it be the owner of such headwater improvement.

Other conditions.

"(g) Such other conditions not inconsistent with the provisions of this Act as the Commission may require.

Monopolistic combinations, etc., prohibited.

"(h) That combinations, agreements, arrangements, or understandings, express or implied, to limit the output of electrical energy, to restrain trade, or to fix, maintain, or increase prices for electrical energy or service are hereby prohibited.

Waiver of conditions, provisions, etc.

"(i) In issuing licenses for a minor part only of a complete project, or for a complete project of not more than one hundred horsepower installed capacity, the Commission may in its discretion waive such conditions, provisions, and requirements of this Part, except the license period of fifty years, as it may deem to be to the public interest to waive under the circumstances: *Provided*, That the provisions hereof shall not apply to annual charges for use of lands within Indian reservations."

Proviso.
Lands within Indian reservations.

Vol. 41, p. 1071; U. S. C., p. 698.

SEC. 207. Section 14 of the Federal Water Power Act, as amended, is amended to read as follows:

Right of Government to take over and operate projects.

Ante, p. 838.

"SEC. 14. Upon not less than two years' notice in writing from the Commission the United States shall have the right upon or after the expiration of any license to take over and thereafter to maintain and operate any project or projects as defined in section 3 hereof, and covered in whole or in part by the license, or the right to take over upon mutual agreement with the licensee all property owned and held by the licensee then valuable and serviceable in the development, transmission, or distribution of power and which is then dependent for its usefulness upon the continuance of the license, together with any lock or locks or other aids to navigation constructed at the expense of the licensee, upon the condition that before

Compensation.

taking possession it shall pay the net investment of the licensee in the project or projects taken, not to exceed the fair value of the property taken, plus such reasonable damages, if any, to property of the licensee valuable, serviceable, and dependent as above set forth

Assumption of contracts.

but not taken, as may be caused by the severance therefrom of property taken, and shall assume all contracts entered into by the licensee

Determination of amount of compensation.

with the approval of the Commission. The net investment of the licensee in the project or projects so taken and the amount of such severance damages, if any, shall be determined by the Commission after notice and opportunity for hearing. Such net investment shall not include or be affected by the value of any lands, rights-of-way, or other property of the United States licensed by the Commission under this Act, by the license or by good will, going value, or prospective revenues; nor shall the values allowed for water rights, rights-of-way, lands, or interest in lands be in excess of the actual reason-

able cost thereof at the time of acquisition by the licensee: *Provided*, That the right of the United States or any State or municipality to take over, maintain, and operate any project licensed under this Act at any time by condemnation proceedings upon payment of just compensation is hereby expressly reserved."

Proviso. Condemnation proceedings.

SEC. 208. Section 17 of the Federal Water Power Act, as amended, is amended to read as follows:

Vol. 41, p. 1072; U. S. C., p. 699.

"SEC. 17. (a) All proceeds from any Indian reservation shall be placed to the credit of the Indians of such reservation. All other charges arising from licenses hereunder, except charges fixed by the Commission for the purpose of reimbursing the United States for the costs of administration of this Part, shall be paid into the Treasury of the United States, subject to the following distribution: 12½ per centum thereof is hereby appropriated to be paid into the Treasury of the United States and credited to 'Miscellaneous receipts'; 50 per centum of the charges arising from licenses hereunder for the occupancy and use of public lands and national forests shall be paid into, reserved, and appropriated as a part of the reclamation fund created by the Act of Congress known as the Reclamation Act, approved June 17, 1902; and 37½ per centum of the charges arising from licenses hereunder for the occupancy and use of national forests and public lands from development within the boundaries of any State shall be paid by the Secretary of the Treasury to such State; and 50 per centum of the charges arising from all other licenses hereunder is hereby reserved and appropriated as a special fund in the Treasury to be expended under the direction of the Secretary of War in the maintenance and operation of dams and other navigation structures owned by the United States or in the construction, maintenance, or operation of headwater or other improvements of navigable waters of the United States. The proceeds of charges made by the Commission for the purpose of reimbursing the United States for the costs of the administration of this Part shall be paid into the Treasury of the United States and credited to miscellaneous receipts.

Charges arising from licenses; disposition.

"(b) In case of delinquency on the part of any licensee in the payment of annual charges a penalty of 5 per centum of the total amount so delinquent may be added to the total charges which shall apply for the first month or part of month so delinquent with an additional penalty of 3 per centum for each subsequent month until the total of the charges and penalties are paid or until the license is canceled and the charges and penalties satisfied in accordance with law."

Penalty charge for delinquent payment.

SEC. 209. Section 18 of the Federal Water Power Act, as amended, is amended to read as follows:

Vol. 41, p. 1073; U. S. C., p. 699.

"SEC. 18. The Commission shall require the construction, maintenance, and operation by a licensee at its own expense of such lights and signals as may be directed by the Secretary of War, and such fishways as may be prescribed by the Secretary of Commerce. The operation of any navigation facilities which may be constructed as a part of or in connection with any dam or diversion structure built under the provisions of this Act, whether at the expense of a licensee hereunder or of the United States, shall at all times be controlled by such reasonable rules and regulations in the interest of navigation, including the control of the level of the pool caused by such dam or diversion structure as may be made from time to time by the Secretary of War; and for willful failure to comply with any such rule or regulation such licensee shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in section 316 hereof."

Maintenance of lights and signals, fishways.

Navigation facilities.

Rules and regulations.

Penalty for violation. *Post*, p. 862.

Vol. 41, p. 1075; U. S. C., p. 700.

SEC. 210. Section 23 of the Federal Water Power Act, as amended, is amended to read as follows:

Preservation of rights vested prior hereto.

"SEC. 23. (a) The provisions of this Part shall not be construed as affecting any permit or valid existing right-of-way heretofore granted or as confirming or otherwise affecting any claim, or as affecting any authority heretofore given pursuant to law, but any person, association, corporation, State, or municipality holding or possessing such permit, right-of-way, or authority may apply for a license hereunder, and upon such application the Commission may issue to any such applicant a license in accordance with the provisions of this Part and in such case the provisions of this Act shall apply to such applicant as a licensee hereunder: *Provided*, That when application is made for a license under this section for a project or projects already constructed the fair value of said project or projects determined as provided in this section, shall for the purposes of this Part and of said license be deemed to be the amount to be allowed as the net investment of the applicant in such project or projects as of the date of such license, or as of the date of such determination, if license has not been issued. Such fair value shall be determined by the Commission after notice and opportunity for hearing.

Application for license.

Proviso. Determination of fair value.

Unlawful construction.

"(b) It shall be unlawful for any person, State, or municipality, for the purpose of developing electric power, to construct, operate, or maintain any dam, water conduit, reservoir, power house, or other works incidental thereto across, along, or in any of the navigable waters of the United States, or upon any part of the public lands or reservations of the United States (including the Territories), or utilize the surplus water or water power from any Government dam, except under and in accordance with the terms of a permit or valid existing right-of-way granted prior to June 10, 1920, or a license granted pursuant to this Act. Any person, association, corporation, State, or municipality intending to construct a dam or other project works across, along, over, or in any stream or part thereof, other than those defined herein as navigable waters, and over which Congress has jurisdiction under its authority to regulate commerce with foreign nations and among the several States shall before such construction file declaration of such intention with the Commission, whereupon the Commission shall cause immediate investigation of such proposed construction to be made, and if upon investigation it shall find that the interests of interstate or foreign commerce would be affected by such proposed construction, such person, association, corporation, State, or municipality shall not construct, maintain, or operate such dam or other project works until it shall have applied for and shall have received a license under the provisions of this Act. If the Commission shall not so find, and if no public lands or reservations are affected, permission is hereby granted to construct such dam or other project works in such stream upon compliance with State laws."

Declaration of intention to construct; filing.

Investigation by Commission.

Approval required.

Vol. 41, p. 1075; U. S. C., p. 700.

SEC. 211. Section 24 of the Federal Water Power Act, as amended, is amended to read as follows:

Reservation of lands included in proposed projects.

"SEC. 24. Any lands of the United States included in any proposed project under the provisions of this Part shall from the date of filing of application therefor be reserved from entry, location, or other disposal under the laws of the United States until otherwise directed by the Commission or by Congress. Notice that such application has been made, together with the date of filing thereof and a description of the lands of the United States affected thereby, shall be filed in the local land office for the district in which such

Notice to be filed.

lands are located. Whenever the Commission shall determine that the value of any lands of the United States so applied for, or heretofore or hereafter reserved or classified as power sites, will not be injured or destroyed for the purposes of power development by location, entry, or selection under the public land laws, the Secretary of the Interior, upon notice of such determination, shall declare such lands open to location, entry, or selection, for such purpose or purposes and under such restrictions as the Commission may determine, subject to and with a reservation of the right of the United States or its permittees or licensees to enter upon, occupy, and use any part or all of said lands necessary, in the judgment of the Commission, for the purposes of this Part, which right shall be expressly reserved in every patent issued for such lands; and no claim or right to compensation shall accrue from the occupation or use of any of said lands for said purposes. The United States or any licensee for any such lands hereunder may enter thereupon for the purposes of this Part, upon payment of any damages to crops, buildings, or other improvements caused thereby to the owner thereof, or upon giving a good and sufficient bond to the United States for the use and benefit of the owner to secure the payment of such damages as may be determined and fixed in an action brought upon the bond in a court of competent jurisdiction, said bond to be in the form prescribed by the Commission: *Provided*, That locations, entries, selections, or filings heretofore made for lands reserved as water-power sites, or in connection with water-power development, or electrical transmission may proceed to approval or patent under and subject to the limitations and conditions in this section contained.

Reopening for location, entry, etc.

Entry of licensee; payment for damages.

Proviso. Locations, etc., heretofore made.

SEC. 212. Sections 1 to 29, inclusive, of the Federal Water Power Act, as amended, shall constitute Part I of that Act, and sections 25 and 30 of such Act, as amended, are repealed: *Provided*, That nothing in that Act, as amended, shall be construed to repeal or amend the provisions of the amendment to the Federal Water Power Act approved March 3, 1921 (41 Stat. 1353), or the provisions of any other Act relating to national parks and national monuments.

Vol. 41, pp. 1063–1077; U. S. C., p. 693.

Proviso. Acts not affected hereby.

SEC. 213. The Federal Water Power Act, as amended, is further amended by adding thereto the following parts:

"PART II—REGULATION OF ELECTRIC UTILITY COMPANIES ENGAGED IN INTERSTATE COMMERCE

Regulation of electric utility companies engaged in interstate commerce.

"DECLARATION OF POLICY; APPLICATION OF PART; DEFINITIONS

"SECTION 201. (a) It is hereby declared that the business of transmitting and selling electric energy for ultimate distribution to the public is affected with a public interest, and that Federal regulation of matters relating to generation to the extent provided in this Part and the Part next following and of that part of such business which consists of the transmission of electric energy in interstate commerce and the sale of such energy at wholesale in interstate commerce is necessary in the public interest, such Federal regulation, however, to extend only to those matters which are not subject to regulation by the States.

Declaration of policy.

"(b) The provisions of this Part shall apply to the transmission of electric energy in interstate commerce and to the sale of electric energy at wholesale in interstate commerce, but shall not apply to any other sale of electric energy or deprive a State or State commission of its lawful authority now exercised over the exportation of hydroelectric energy which is transmitted across a State line. The Commission shall have jurisdiction over all facilities for such

Application of Part.

transmission or sale of electric energy, but shall not have jurisdiction, except as specifically provided in this Part and the Part next following, over facilities used for the generation of electric energy or over facilities used in local distribution or only for the transmission of electric energy in intrastate commerce, or over facilities for the transmission of electric energy consumed wholly by the transmitter.

Electric energy transmitted in interstate commerce, construed.

"(c) For the purpose of this Part, electric energy shall be held to be transmitted in interstate commerce if transmitted from a State and consumed at any point outside thereof; but only insofar as such transmission takes place within the United States.

Definitions.
"Sale of electric energy at wholesale."

"(d) The term 'sale of electric energy at wholesale' when used in this Part means a sale of electric energy to any person for resale.

"Public utility."

"(e) The term 'public utility' when used in this Part or in the Part next following means any person who owns or operates facilities subject to the jurisdiction of the Commission under this Part.

Exclusions from operation of Act.

"(f) No provision in this Part shall apply to, or be deemed to include, the United States, a State or any political subdivision of a State, or any agency, authority, or instrumentality of any one or more of the foregoing, or any corporation which is wholly owned, directly or indirectly, by any one or more of the foregoing, or any officer, agent, or employee of any of the foregoing acting as such in the course of his official duty, unless such provision makes specific reference thereto.

Interconnection and coordination of facilities.

"INTERCONNECTION AND COORDINATION OF FACILITIES; EMERGENCIES; TRANSMISSION TO FOREIGN COUNTRIES

Establishment of regional districts.

"SEC. 202. (a) For the purpose of assuring an abundant supply of electric energy throughout the United States with the greatest possible economy and with regard to the proper utilization and conservation of natural resources, the Commission is empowered and directed to divide the country into regional districts for the voluntary interconnection and coordination of facilities for the generation, transmission, and sale of electric energy, and it may at any time thereafter, upon its own motion or upon application, make such modifications thereof as in its judgment will promote the public

Area within district.

interest. Each such district shall embrace an area which, in the judgment of the Commission, can economically be served by such interconnected and coordinated electric facilities. It shall be the duty of the Commission to promote and encourage such interconnection and coordination within each such district and between such

Notice required.

districts. Before establishing any such district and fixing or modifying the boundaries thereof the Commission shall give notice to the State commission of each State situated wholly or in part within such district, and shall afford each such State commission reasonable opportunity to present its views and recommendations, and shall receive and consider such views and recommendations.

Establishment of physical connection of transmission facilities.

"(b) Whenever the Commission, upon application of any State commission or of any person engaged in the transmission or sale of electric energy, and after notice to each State commission and public utility affected and after opportunity for hearing, finds such action necessary or appropriate in the public interest it may by order direct a public utility (if the Commission finds that no undue burden will be placed upon such public utility thereby) to establish physical connection of its transmission facilities with the facilities of one or more other persons engaged in the transmission or sale of electric energy, to sell energy to or exchange energy with such persons:

Proviso.
Restriction on authority of Commission.

Provided, That the Commission shall have no authority to compel the enlargement of generating facilities for such purposes, nor to

compel such public utility to sell or exchange energy when to do so would impair its ability to render adequate service to its customers. The Commission may prescribe the terms and conditions of the arrangement to be made between the persons affected by any such order, including the apportionment of cost between them and the compensation or reimbursement reasonably due to any of them.

Terms and conditions respecting connection arrangement.

"(c) During the continuance of any war in which the United States is engaged, or whenever the Commission determines that an emergency exists by reason of a sudden increase in the demand for electric energy, or a shortage of electric energy or of facilities for the generation or transmission of electric energy, or of fuel or water for generating facilities, or other causes, the Commission shall have authority, either upon its own motion or upon complaint, with or without notice, hearing, or report, to require by order such temporary connections of facilities and such generation, delivery, interchange, or transmission of electric energy as in its judgment will best meet the emergency and serve the public interest. If the parties affected by such order fail to agree upon the terms of any arrangement between them in carrying out such order, the Commission, after hearing held either before or after such order takes effect, may prescribe by supplemental order such terms as it finds to be just and reasonable, including the compensation or reimbursement which should be paid to or by any such party.

Emergencies.
Authority of Commission.

"(d) During the continuance of any emergency requiring immediate action, any person engaged in the transmission or sale of electric energy and not otherwise subject to the jurisdiction of the Commission may make such temporary connections with any public utility subject to the jurisdiction of the Commission or may construct such temporary facilities for the transmission of electric energy in interstate commerce as may be necessary or appropriate to meet such emergency, and shall not become subject to the jurisdiction of the Commission by reason of such temporary connection or temporary construction: *Provided*, That such temporary connection shall be discontinued or such temporary construction removed or otherwise disposed of upon the termination of such emergency: *Provided further*, That upon approval of the Commission permanent connections for emergency use only may be made hereunder.

Temporary connection of utility not under jurisdiction of Commission.

Provisos.
Discontinuance of connection upon termination of emergency.

Permanent connections.

"(e) After six months from the date on which this Part takes effect, no person shall transmit any electric energy from the United States to a foreign country without first having secured an order of the Commission authorizing it to do so. The Commission shall issue such order upon application unless, after opportunity for hearing, it finds that the proposed transmission would impair the sufficiency of electric supply within the United States or would impede or tend to impede the coordination in the public interest of facilities subject to the jurisdiction of the Commission. The Commission may by its order grant such application in whole or in part, with such modifications and upon such terms and conditions as the Commission may find necessary or appropriate, and may from time to time, after opportunity for hearing and for good cause shown, make such supplemental orders in the premises as it may find necessary or appropriate.

Exportation of electric energy.
Authorization required.

Application and order.

"DISPOSITION OF PROPERTY; CONSOLIDATIONS; PURCHASE OF SECURITIES

Disposition of property.

"SEC. 203. (a) No public utility shall sell, lease, or otherwise dispose of the whole of its facilities subject to the jurisdiction of the Commission, or any part thereof of a value in excess of $50,000,

Restriction on.

Mergers and consolidations.
Authorization required.

or by any means whatsoever, directly or indirectly, merge or consolidate such facilities or any part thereof with those of any other person, or purchase, acquire, or take any security of any other public utility, without first having secured an order of the Commission

Application; notice required.

authorizing it to do so. Upon application for such approval the Commission shall give reasonable notice in writing to the Governor and State commission of each of the States in which the physical property affected, or any part thereof, is situated, and to such other

Approval of.

persons as it may deem advisable. After notice and opportunity for hearing, if the Commission finds that the proposed disposition, consolidation, acquisition, or control will be consistent with the public interest, it shall approve the same.

Terms and conditions of approval order.

"(b) The Commission may grant any application for an order under this section in whole or in part and upon such terms and conditions as it finds necessary or appropriate to secure the maintenance of adequate service and the coordination in the public interest of facilities subject to the jurisdiction of the Commission. The Commission may from time to time for good cause shown make such orders supplemental to any order made under this section as it may find necessary or appropriate.

Issuance of securities; assumption of liabilities.

"ISSUANCE OF SECURITIES; ASSUMPTION OF LIABILITIES

Restriction on; authorization required.

"SEC. 204. (a) No public utility shall issue any security, or assume any obligation or liability as guarantor, indorser, surety, or otherwise in respect of any security of another person, unless and until, and then only to the extent that, upon application by the public utility, the Commission by order authorizes such issue or assumption

Granting approval; conditions.

of liability. The Commission shall make such order only if it finds that such issue or assumption (a) is for some lawful object, within the corporate purposes of the applicant and compatible with the public interest, which is necessary or appropriate for or consistent with the proper performance by the applicant of service as a public utility and which will not impair its ability to perform that service, and (b) is reasonably necessary or appropriate for such purposes.

Effective date of section.

The provisions of this section shall be effective six months after this Part takes effect.

Application for approval.

"(b) The Commission, after opportunity for hearing, may grant any application under this section in whole or in part, and with such modifications and upon such terms and conditions as it may find necessary or appropriate, and may from time to time, after opportunity for hearing and for good cause shown, make such supplemental orders in the premises as it may find necessary or appropriate, and may by any such supplemental order modify the provisions of any previous order as to the particular purposes, uses, and extent to which, or the conditions under which, any security so theretofore authorized or the proceeds thereof may be applied, subject always to the requirements of subsection (a) of this section.

Use of securities or proceeds for purposes not specified in order.

"(c) No public utility shall, without the consent of the Commission, apply any security or any proceeds thereof to any purpose not specified in the Commission's order, or supplemental order, or to any purpose in excess of the amount allowed for such purpose in such order, or otherwise in contravention of such order.

Restriction on amount of capitalization.

"(d) The Commission shall not authorize the capitalization of the right to be a corporation or of any franchise, permit, or contract for consolidation, merger, or lease in excess of the amount (exclusive of any tax or annual charge) actually paid as the consideration for such right, franchise, permit, or contract.

"(e) Subsection (a) shall not apply to the issue or renewal of, or assumption of liability on, a note or draft maturing not more than one year after the date of such issue, renewal, or assumption of liability, and aggregating (together with all other then outstanding notes and drafts of a maturity of one year or less on which such public utility is primarily or secondarily liable) not more than 5 per centum of the par value of the other securities of the public utility then outstanding. In the case of securities having no par value, the par value for the purpose of this subsection shall be the fair market value as of the date of issue. Within ten days after any such issue, renewal, or assumption of liability, the public utility shall file with the Commission a certificate of notification, in such form as may be prescribed by the Commission, setting forth such matters as the Commission shall by regulation require.

Short-term financing.

Par values.

Certificate of notification or assumption of liability.

"(f) The provisions of this section shall not extend to a public utility organized and operating in a State under the laws of which its security issues are regulated by a State commission.

Security issues regulated by State commission.

"(g) Nothing in this section shall be construed to imply any guarantee or obligation on the part of the United States in respect of any securities to which the provisions of this section relate.

Guaranty.

"(h) Any public utility whose security issues are approved by the Commission under this section may file with the Securities and Exchange Commission duplicate copies of reports filed with the Federal Power Commission in lieu of the reports, information, and documents required under section 7 of the Securities Act of 1933 and sections 12 and 13 of the Securities and Exchange Act of 1934.

Duplicate copies of reports; filing.

Vol. 48, pp. 78, 892; U. S. C., pp. 522, 535.

"RATES AND CHARGES; SCHEDULES; SUSPENSION OF NEW RATES

Rates and charges.

"SEC. 205. (a) All rates and charges made, demanded, or received by any public utility for or in connection with the transmission or sale of electric energy subject to the jurisdiction of the Commission, and all rules and regulations affecting or pertaining to such rates or charges shall be just and reasonable, and any such rate or charge that is not just and reasonable is hereby declared to be unlawful.

Duty of public utility.

"(b) No public utility shall, with respect to any transmission or sale subject to the jurisdiction of the Commission, (1) make or grant any undue preference or advantage to any person or subject any person to any undue prejudice or disadvantage, or (2) maintain any unreasonable difference in rates, charges, service, facilities, or in any other respect, either as between localities or as between classes of service.

Prohibition on granting undue preferences or advantages.

"(c) Under such rules and regulations as the Commission may prescribe, every public utility shall file with the Commission, within such time and in such form as the Commission may designate, and shall keep open in convenient form and place for public inspection schedules showing all rates and charges for any transmission or sale subject to the jurisdiction of the Commission, and the classifications, practices, and regulations affecting such rates and charges, together with all contracts which in any manner affect or relate to such rates, charges, classifications, and services.

Schedule of rates and charges; filing, inspection.

"(d) Unless the Commission otherwise orders, no change shall be made by any public utility in any such rate, charge, classification, or service, or in any rule, regulation, or contract relating thereto, except after thirty days' notice to the Commission and to the public. Such notice shall be given by filing with the Commission and keeping open for public inspection new schedules stating plainly the change or changes to be made in the schedule or schedules then in force and the time when the change or changes will go into effect. The

Changes in.

Notice required.

Manner of giving notice.

Effective date of changes.

Commission, for good cause shown, may allow changes to take effect without requiring the thirty days' notice herein provided for by an order specifying the changes so to be made and the time when they shall take effect and the manner in which they shall be filed and published.

Hearings respecting lawfulness of new rate, charge, etc.

"(e) Whenever any such new schedule is filed the Commission shall have authority, either upon complaint or upon its own initiative without complaint, at once, and, if it so orders, without answer or formal pleading by the public utility, but upon reasonable notice, to enter upon a hearing concerning the lawfulness of such rate, charge, classification, or service; and, pending such hearing and the decision thereon, the Commission, upon filing with such schedules and delivering to the public utility affected thereby a statement in writing of its reasons for such suspension, may suspend the operation of such schedule and defer the use of such rate, charge, classification, or service, but not for a longer period than five months beyond the time when it would otherwise go into effect; and after full hearings, either completed before or after the rate, charge, classification, or service goes into effect, the Commission may make such orders with reference thereto as would be proper in a proceeding initiated after it had become effective. If the proceeding has not been concluded and an order made at the expiration of such five months, the proposed change of rate, charge, classification, or service shall go into effect at the end of such period, but in case of a proposed increased rate or charge, the Commission may by order require the interested public utility or public utilities to keep accurate account in detail of all amounts received by reason of such increase, specifying by whom and in whose behalf such amounts are paid, and upon completion of the hearing and decision may by further order require such public utility or public utilities to refund, with interest, to the persons in whose behalf such amounts were paid, such portion of such increased rates or charges as by its decision shall be found not justified. At any hearing involving a rate or charge sought to be increased, the burden of proof to show that the increased rate or charge is just and reasonable shall be upon the public utility, and the Commission shall give to the hearing and decision of such questions preference over other questions pending before it and decide the same as speedily as possible.

Suspension of operation of new rate, etc.

Period.

Accounts and refunds.

Burden of proof.

Fixing rates and charges.

"FIXING RATES AND CHARGES; DETERMINATION OF COST OF PRODUCTION OR TRANSMISSION

Authority of Commission.

"SEC. 206. (a) Whenever the Commission, after a hearing had upon its own motion or upon complaint, shall find that any rate, charge, or classification, demanded, observed, charged, or collected by any public utility for any transmission or sale subject to the jurisdiction of the Commission, or that any rule, regulation, practice, or contract affecting such rate, charge, or classification is unjust, unreasonable, unduly discriminatory or preferential, the Commission shall determine the just and reasonable rate, charge, classification, rule, regulation, practice, or contract to be thereafter observed and in force, and shall fix the same by order.

Determination of cost of production or transmission.

"(b) The Commission upon its own motion, or upon the request of any State commission whenever it can do so without prejudice to the efficient and proper conduct of its affairs, may investigate and determine the cost of the production or transmission of electric energy by means of facilities under the jurisdiction of the Commission in cases where the Commission has no authority to establish a rate governing the sale of such energy.

"FURNISHING OF ADEQUATE SERVICE

Furnishing of adequate service.

"SEC. 207. Whenever the Commission, upon complaint of a State commission, after notice to each State commission and public utility affected and after opportunity for hearing, shall find that any interstate service of any public utility is inadequate or insufficient, the Commission shall determine the proper, adequate, or sufficient service to be furnished, and shall fix the same by its order, rule, or regulation: *Provided*, That the Commission shall have no authority to compel the enlargement of generating facilities for such purposes, nor to compel the public utility to sell or exchange energy when to do so would impair its ability to render adequate service to its customers.

Authority of Commission.

Proviso. Restriction.

"ASCERTAINMENT OF COST OF PROPERTY

Ascertainment of cost of property.

"SEC. 208. (a) The Commission may investigate and ascertain the actual legitimate cost of the property of every public utility, the depreciation therein, and, when found necessary for rate-making purposes, other facts which bear on the determination of such cost or depreciation, and the fair value of such property.

Investigations by Commission.

"(b) Every public utility upon request shall file with the Commission an inventory of all or any part of its property and a statement of the original cost thereof, and shall keep the Commission informed regarding the cost of all additions, betterments, extensions, and new construction.

Inventories to be filed.

"USE OF JOINT BOARDS; COOPERATION WITH STATE COMMISSIONS

Joint boards.

"SEC. 209. (a) The Commission may refer any matter arising in the administration of this Part to a board to be composed of a member or members, as determined by the Commission, from the State or each of the States affected or to be affected by such matter. Any such board shall be vested with the same power and be subject to the same duties and liabilities as in the case of a member of the Commission when designated by the Commission to hold any hearings. The action of such board shall have such force and effect and its proceedings shall be conducted in such manner as the Commission shall by regulations prescribe. The board shall be appointed by the Commission from persons nominated by the State commission of each State affected, or by the Governor of such State if there is no State commission. Each State affected shall be entitled to the same number of representatives on the board unless the nominating power of such State waives such right. The Commission shall have discretion to reject the nominee from any State, but shall thereupon invite a new nomination from that State. The members of a board shall receive such allowances for expenses as the Commission shall provide. The Commission may, when in its discretion sufficient reason exists therefor, revoke any reference to such a board.

References to.

Composition of.

Powers of.

Force of actions by.

Appointments.

Rejection of nominations.

Expenses of members.

Revocation of reference.

"(b) The Commission may confer with any State commission regarding the relationship between rate structures, costs, accounts, charges, practices, classifications, and regulations of public utilities subject to the jurisdiction of such State commission and of the Commission; and the Commission is authorized, under such rules and regulations as it shall prescribe, to hold joint hearings with any State commission in connection with any matter with respect to which the Commission is authorized to act. The Commission is authorized in the administration of this Act to avail itself of such cooperation, services, records, and facilities as may be afforded by any State commission.

State commissions; cooperation with.

Joint hearings.

Information made available.

Experts, etc.

Expenses.

"(c) The Commission shall make available to the several State commissions such information and reports as may be of assistance in State regulation of public utilities. Whenever the Commission can do so without prejudice to the efficient and proper conduct of its affairs, it may upon request from a State make available to such State as witnesses any of its trained rate, valuation, or other experts, subject to reimbursement to the Commission by such State of the compensation and traveling expenses of such witnesses. All sums collected hereunder shall be credited to the appropriation from which the amounts were expended in carrying out the provisions of this subsection.

Licensees and public utilities.

"PART III—LICENSEES AND PUBLIC UTILITIES; PROCEDURAL AND ADMINISTRATIVE PROVISIONS

Accounts, records, and memoranda.

"ACCOUNTS, RECORDS, AND MEMORANDA

Duty to keep.

"SECTION 301. (a) Every licensee and public utility shall make, keep, and preserve for such periods, such accounts, records of cost-accounting procedures, correspondence, memoranda, papers, books, and other records as the Commission may by rules and regulations prescribe as necessary or appropriate for purposes of the administration of this Act, including accounts, records, and memoranda of the generation, transmission, distribution, delivery, or sale of electric energy, the furnishing of services or facilities in connection therewith, and receipts and expenditures with respect to any of the foregoing: *Provided, however*, That nothing in this Act shall relieve any public utility from keeping any accounts, memoranda, or records which such public utility may be required to keep by or under authority of the laws of any State. The Commission may prescribe a system of accounts to be kept by licensees and public utilities and may classify such licensees and public utilities and prescribe a system of accounts for each class. The Commission, after notice and opportunity for hearing, may determine by order the accounts in which particular outlays and receipts shall be entered, charged, or credited. The burden of proof to justify every accounting entry questioned by the Commission shall be on the person making, authorizing, or requiring such entry, and the Commission may suspend a charge or credit pending submission of satisfactory proof in support thereof.

Rules and regulations.

Proviso.
Records under State laws.

Accounting systems.

Justification of accounting items.

Access to accounts, records, and memoranda.

"(b) The Commission shall at all times have access to and the right to inspect and examine all accounts, records, and memoranda of licensees and public utilities, and it shall be the duty of such licensees and public utilities to furnish to the Commission, within such reasonable time as the Commission may order, any information with respect thereto which the Commission may by order require, including copies of maps, contracts, reports of engineers, and other data, records, and papers, and to grant to all agents of the Commission free access to its property and its accounts, records, and memoranda when requested so to do. No member, officer, or employee of the Commission shall divulge any fact or information which may come to his knowledge during the course of examination of books or other accounts, as hereinbefore provided, except insofar as he may be directed by the Commission or by a court.

Prohibition on divulging information.

Examination of books, accounts, and memoranda.

"(c) The books, accounts, memoranda, and records of any person who controls, directly or indirectly, a licensee or public utility subject to the jurisdiction of the Commission, and of any other company controlled by such person, insofar as they relate to transactions with or the business of such licensee or public utility, shall be subject to examination on the order of the Commission.

"RATES OF DEPRECIATION

Rates of depreciation.

"SEC. 302. (a) The Commission may, after hearing, require licensees and public utilities to carry a proper and adequate depreciation account in accordance with such rules, regulations, and forms of account as the Commission may prescribe. The Commission may, from time to time, ascertain and determine, and by order fix, the proper and adequate rates of depreciation of the several classes of property of each licensee and public utility. Each licensee and public utility shall conform its depreciation accounts to the rates so ascertained, determined, and fixed. The licensees and public utilities subject to the jurisdiction of the Commission shall not charge to operating expenses any depreciation charges on classes of property other than those prescribed by the Commission, or charge with respect to any class of property a percentage of depreciation other than that prescribed therefor by the Commission. No such licensee or public utility shall in any case include in any form under its operating or other expenses any depreciation or other charge or expenditure included elsewhere as a depreciation charge or otherwise under its operating or other expenses. Nothing in this section shall limit the power of a State commission to determine in the exercise of its jurisdiction, with respect to any public utility, the percentage rate of depreciation to be allowed, as to any class of property of such public utility, or the composite depreciation rate, for the purpose of determining rates or charges.

Depreciation account; maintenance.

Determination of rates.

Restriction on charges to operating expenses.

Determination of percentage rate of depreciation.

"(b) The Commission, before prescribing any rules or requirements as to accounts, records, or memoranda, or as to depreciation rates, shall notify each State commission having jurisdiction with respect to any public utility involved, and shall give reasonable opportunity to each such commission to present its views, and shall receive and consider such views and recommendations.

Notification to State commissions.

"REQUIREMENTS APPLICABLE TO AGENCIES OF THE UNITED STATES

Requirements applicable to agencies of the United States.

"SEC. 303. All agencies of the United States engaged in the generation and sale of electric energy for ultimate distribution to the public shall be subject, as to all facilities used for such generation and sale, and as to the electric energy sold by such agency, to the provisions of sections 301 and 302 hereof, so far as may be practicable, and shall comply with the provisions of such sections and with the rules and regulations of the Commission thereunder to the same extent as may be required in the case of a public utility.

Ante, p. 854.

"PERIODIC AND SPECIAL REPORTS

Periodic and special reports.

"SEC. 304. (a) Every licensee and every public utility shall file with the Commission such annual and other periodic or special reports as the Commission may by rules and regulations or order prescribe as necessary or appropriate to assist the Commission in the proper administration of this Act. The Commission may prescribe the manner and form in which such reports shall be made, and require from such persons specific answers to all questions upon which the Commission may need information. The Commission may require that such reports shall include, among other things, full information as to assets and liabilities, capitalization, net investment, and reduction thereof, gross receipts, interest due and paid, depreciation, and other reserves, cost of project and other facilities, cost of maintenance and operation of the project and other facilities, cost of renewals and replacement of the project works and other facilities, depreciation, generation, transmission, distribution, delivery, use, and sale of electric energy. The Commission may require

Requirement; filing.

Manner and form.

Contents.

any such person to make adequate provision for currently determining such costs and other facts. Such reports shall be made under oath unless the Commission otherwise specifies.

Unlawful interference.

"(b) It shall be unlawful for any person willfully to hinder, delay, or obstruct the making, filing, or keeping of any information, document, report, memorandum, record, or account required to be made, filed, or kept under this Act or any rule, regulation, or order thereunder.

Officials dealing in securities.

"OFFICIALS DEALING IN SECURITIES; INTERLOCKING DIRECTORATES

Restriction.

"SEC. 305. (a) It shall be unlawful for any officer or director of any public utility to receive for his own benefit, directly or indirectly, any money or thing of value in respect of the negotiation, hypothecation, or sale by such public utility of any security issued or to be issued by such public utility, or to share in any of the proceeds thereof, or to participate in the making or paying of any dividends of such public utility from any funds properly included in capital account.

Interlocking directorates.
Restriction.

"(b) After six months from the date on which this Part takes effect, it shall be unlawful for any person to hold the position of officer or director of more than one public utility or to hold the position of officer or director of a public utility and the position of officer or director of any bank, trust company, banking association, or firm that is authorized by law to underwrite or participate in the marketing of securities of a public utility, or officer or director of any company supplying electrical equipment to such public utility, unless the holding of such positions shall have been authorized by order of the Commission, upon due showing in form and manner prescribed by the Commission, that neither public nor private interests will be adversely affected thereby. The Commission shall not grant any such authorization in respect of such positions held on the date on which this Part takes effect, unless application for such authorization is filed with the Commission within sixty days after that date.

Complaints.

"COMPLAINTS

Petition containing.

"SEC. 306. Any person, State, municipality, or State commission complaining of anything done or omitted to be done by any licensee or public utility in contravention of the provisions of this Act may apply to the Commission by petition which shall briefly state the facts, whereupon a statement of the complaint thus made shall be forwarded by the Commission to such licensee or public utility, who shall be called upon to satisfy the complaint or to answer the same in writing within a reasonable time to be specified by the Commission. If such licensee or public utility shall not satisfy the complaint within the time specified or there shall appear to be any reasonable ground for investigating such complaint, it shall be the duty of the Commission to investigate the matters complained of in such manner and by such means as it shall find proper.

Copy to licensee or public utility.

Investigation by Commission.

Investigations by Commission.

"INVESTIGATIONS BY COMMISSION; ATTENDANCE OF WITNESSES; DEPOSITIONS

Authority to make.

"SEC. 307. (a) The Commission may investigate any facts, conditions, practices, or matters which it may find necessary or proper in order to determine whether any person has violated or is about to violate any provision of this Act or any rule, regulation, or order thereunder, or to aid in the enforcement of the provisions of this Act or in prescribing rules or regulations thereunder, or in obtaining

information to serve as a basis for recommending further legislation concerning the matters to which this Act relates. The Commission may permit any person to file with it a statement in writing under oath or otherwise, as it shall determine, as to any or all facts and circumstances concerning a matter which may be the subject of investigation. The Commission, in its discretion, may publish or make available to State commissions information concerning any such subject.

Filing of statements.

Publication of information.

"(b) For the purpose of any investigation or any other proceeding under this Act, any member of the Commission, or any officer designated by it, is empowered to administer oaths and affirmations, subpena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, contracts, agreements, or other records which the Commission finds relevant or material to the inquiry. Such attendance of witnesses and the production of any such records may be required from any place in the United States at any designated place of hearing. Witnesses summoned by the Commission to appear before it shall be paid the same fees and mileage that are paid witnesses in the courts of the United States.

Powers of Commission in connection with.

"(c) In case of contumacy by, or refusal to obey a subpena issued to, any person, the Commission may invoke the aid of any court of the United States within the jurisdiction of which such investigation or proceeding is carried on, or where such person resides or carries on business, in requiring the attendance and testimony of witnesses and the production of books, papers, correspondence, memoranda, contracts, agreements, and other records. Such court may issue an order requiring such person to appear before the Commission or member or officer designated by the Commission, there to produce records, if so ordered, or to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found or may be doing business. Any person who willfully shall fail or refuse to attend and testify or to answer any lawful inquiry or to produce books, papers, correspondence, memoranda, contracts, agreements, or other records, if in his or its power so to do, in obedience to the subpena of the Commission, shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not more than $1,000 or to imprisonment for a term of not more than one year, or both.

Contumacious witnesses; recourse of Commission to courts.

Penalty provision.

"(d) The testimony of any witness may be taken, at the instance of a party, in any proceeding or investigation pending before the Commission, by deposition, at any time after the proceeding is at issue. The Commission may also order testimony to be taken by deposition in any proceeding or investigation pending before it, at any stage of such proceeding or investigation. Such depositions may be taken before any person authorized to administer oaths not being of counsel or attorney to either of the parties, nor interested in the proceeding or investigation. Reasonable notice must first be given in writing by the party or his attorney proposing to take such deposition to the opposite party or his attorney of record, as either may be nearest, which notice shall state the name of the witness and the time and place of the taking of his deposition. Any person may be compelled to appear and depose, and to produce documentary evidence, in the same manner as witnesses may be compelled to appear and testify and produce documentary evidence before the Commission, as hereinbefore provided. Such testimony shall be

Depositions.

Notice required.

reduced to writing by the person taking the deposition, or under his direction, and shall, after it has been reduced to writing, be subscribed by the deponent.

Witness in foreign country.

"(e) If a witness whose testimony may be desired to be taken by deposition be in a foreign country, the deposition may be taken before an officer or person designated by the Commission, or agreed upon by the parties by stipulation in writing to be filed with the Commission. All depositions must be promptly filed with the Commission.

Witness fees.

"(f) Witnesses whose depositions are taken as authorized in this Act, and the person or officer taking the same, shall be entitled to the same fees as are paid for like services in the courts of the United States.

Securing testimony.

"(g) No person shall be excused from attending and testifying or from producing books, papers, correspondence, memoranda, contracts, agreements, or other records and documents before the Commission, or in obedience to the subpena of the Commission or any member thereof or any officer designated by it, or in any cause or proceeding instituted by the Commission, on the ground that the

Immunity from self-incrimination.

testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled to testify or produce evidence, documentary or otherwise, after having claimed his privilege against self-incrimination, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

Hearings.

"HEARINGS; RULES OF PROCEDURE

Holding before Commission.

"SEC. 308. (a) Hearings under this Act may be held before the Commission, any member or members thereof or any representative of the Commission designated by it, and appropriate records thereof

Admittance of interested party.

shall be kept. In any proceeding before it, the Commission, in accordance with such rules and regulations as it may prescribe, may admit as a party any interested State, State commission, municipality, or any representative of interested consumers or security holders, or any competitor of a party to such proceeding, or any other person whose participation in the proceeding may be in the public interest.

Rules of procedure.

"(b) All hearings, investigations, and proceedings under this Act shall be governed by rules of practice and procedure to be adopted by the Commission, and in the conduct thereof the technical rules of evidence need not be applied. No informality in any hearing, investigation, or proceeding or in the manner of taking testimony shall invalidate any order, decision, rule, or regulation issued under the authority of this Act.

Administrative powers of Commission.

"ADMINISTRATIVE POWERS OF COMMISSION; RULES, REGULATIONS, AND ORDERS

Rules, regulations, and orders.

"SEC. 309. The Commission shall have power to perform any and all acts, and to prescribe, issue, make, amend, and rescind such orders, rules, and regulations as it may find necessary or appropriate to carry out the provisions of this Act. Among other things, such rules and regulations may define accounting, technical, and trade terms used in this Act; and may prescribe the form or forms of all statements, declarations, applications, and reports to be filed with the Commission, the information which they shall contain, and the time

within which they shall be filed. Unless a different date is specified therein, rules and regulations of the Commission shall be effective thirty days after publication in the manner which the Commission shall prescribe. Orders of the Commission shall be effective on the date and in the manner which the Commission shall prescribe. For the purposes of its rules and regulations, the Commission may classify persons and matters within its jurisdiction and prescribe different requirements for different classes of persons or matters. All rules and regulations of the Commission shall be filed with its secretary and shall be kept open in convenient form for public inspection and examination during reasonable business hours.

"APPOINTMENT OF OFFICERS AND EMPLOYEES

Officers and employees.

"SEC. 310. The Commission is authorized to appoint and fix the compensation of such officers, attorneys, examiners, and experts as may be necessary for carrying out its functions under this Act, without regard to the provisions of other laws applicable to the employment and compensation of officers and employees of the United States; and the Commission may, subject to civil-service laws, appoint such other officers and employees as are necessary for carrying out such functions and fix their salaries in accordance with the Classification Act of 1923, as amended.

Appointment; compensation.

"INVESTIGATIONS RELATING TO ELECTRIC ENERGY

Investigations relating to electric energy.

"SEC. 311. In order to secure information necessary or appropriate as a basis for recommending legislation, the Commission is authorized and directed to conduct investigations regarding the generation, transmission, distribution, and sale of electric energy, however produced, throughout the United States and its possessions, whether or not otherwise subject to the jurisdiction of the Commission, including the generation, transmission, distribution, and sale of electric energy by any agency, authority, or instrumentality of the United States, or of any State or municipality or other political subdivision of a State. It shall, so far as practicable, secure and keep current information regarding the ownership, operation, management, and control of all facilities for such generation, transmission, distribution, and sale; the capacity and output thereof and the relationship between the two; the cost of generation, transmission, and distribution; the rates, charges, and contracts in respect of the sale of electric energy and its service to residential, rural, commercial, and industrial consumers and other purchasers by private and public agencies; and the relation of any or all such facts to the development of navigation, industry, commerce, and the national defense. The Commission shall report to Congress the results of investigations made under authority of this section.

Authority of Commission.

Duty to secure and keep current information.

Report to Congress.

"PUBLICATION AND SALE OF REPORTS

Reports of Commission.

"SEC. 312. The Commission may provide for the publication of its reports and decisions in such form and manner as may be best adapted for public information and use, and is authorized to sell at reasonable prices copies of all maps, atlases, and reports as it may from time to time publish. Such reasonable prices may include the cost of compilation, composition, and reproduction. The Commission is also authorized to make such charges as it deems reasonable for special statistical services and other special or periodic services. The amounts collected under this section shall be deposited in the

Publication.

Sale.

Prices.

Charges for services.

Printing contracts.

Treasury to the credit of miscellaneous receipts. All printing for the Federal Power Commission making use of engraving, lithography, and photolithography, together with the plates for the same, shall be contracted for and performed under the direction of the Commission, under such limitations and conditions as the Joint Committee on Printing may from time to time prescribe, and all other printing for the Commission shall be done by the Public Printer under such limitations and conditions as the Joint Committee on Printing may from time to time prescribe. The entire work may be done at, or ordered through, the Government Printing Office whenever, in the judgment of the Joint Committee on Printing, the same would be to the interest of the Government: *Provided*, That when the exigencies of the public service so require, the Joint Committee on Printing may authorize the Commission to make immediate contracts for engraving, lithographing, and photolithographing, without advertisement for proposals: *Provided further*, That nothing contained in this or any other Act shall prevent the Federal Power Commission from placing orders with other departments or establishments for engraving, lithographing, and photolithographing, in accordance with the provisions of sections 601 and 602 of the Act of June 30, 1932 (47 Stat. 417), providing for interdepartmental work.

Provisos.
Advertisements for proposals.

Interdepartmental work.
Vol. 47, p. 417; U. S. C., p. 1407.

Rehearings.

"REHEARINGS; COURT REVIEW OF ORDERS

Application for.

"SEC. 313. (a) Any person, State, municipality, or State commission aggrieved by an order issued by the Commission in a proceeding under this Act to which such person, State, municipality, or State commission is a party may apply for a rehearing within thirty days after the issuance of such order. The application for rehearing shall set forth specifically the ground or grounds upon which such application is based. Upon such application the Commission shall have power to grant or deny rehearing or to abrogate or modify its order without further hearing. Unless the Commission acts upon the application for rehearing within thirty days after it is filed, such application may be deemed to have been denied. No proceeding to review any order of the Commission shall be brought by any person unless such person shall have made application to the Commission for a rehearing thereon.

Grounds to be set forth.

Denials.

Proceedings to review order.

Court review of orders.

"(b) Any party to a proceeding under this Act aggrieved by an order issued by the Commission in such proceeding may obtain a review of such order in the Circuit Court of Appeals of the United States for any circuit wherein the licensee or public utility to which the order relates is located or has its principal place of business, or in the United States Court of Appeals for the District of Columbia, by filing in such court, within sixty days after the order of the Commission upon the application for rehearing, a written petition praying that the order of the Commission be modified or set aside in whole or in part. A copy of such petition shall forthwith be served upon any member of the Commission and thereupon the Commission shall certify and file with the court a transcript of the record upon which the order complained of was entered. Upon the filing of such transcript such court shall have exclusive jurisdiction to affirm, modify, or set aside such order in whole or in part. No objection to the order of the Commission shall be considered by the court unless such objection shall have been urged before the Commission in the application for rehearing unless there is reasonable ground for failure so to do. The finding of the Commission as to the facts, if supported by substantial evidence, shall be conclusive. If any party shall apply to the court for leave to adduce additional evidence, and

Petition to be filed.

Service of copy.

Jurisdiction of court.

Consideration of objections.

Findings of fact.

Leave to adduce additional evidence.

shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for failure to adduce such evidence in the proceedings before the Commission, the court may order such additional evidence to be taken before the Commission and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper. The Commission may modify its findings as to the facts by reason of the additional evidence so taken, and it shall file with the court such modified or new findings which, if supported by substantial evidence, shall be conclusive, and its recommendation, if any, for the modification or setting aside of the original order. The judgment and decree of the court, affirming, modifying, or setting aside, in whole or in part, any such order of the Commission, shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended (U. S. C., title 28, secs. 346 and 347).

Modification of findings of fact.

Finality of judgment or decree.

"(c) The filing of an application for rehearing under subsection (a) shall not, unless specifically ordered by the Commission, operate as a stay of the Commission's order. The commencement of proceedings under subsection (b) of this section shall not, unless specifically ordered by the court, operate as a stay of the Commission's order.

Filing of application not to operate as a stay.

"ENFORCEMENT OF ACT, REGULATIONS AND ORDERS

Enforcement provisions.

"SEC. 314. (a) Whenever it shall appear to the Commission that any person is engaged or about to engage in any acts or practices which constitute or will constitute a violation of the provisions of this Act, or of any rule, regulation, or order thereunder, it may in its discretion bring an action in the proper District Court of the United States, the Supreme Court of the District of Columbia, or the United States courts of any Territory or other place subject to the jurisdiction of the United States, to enjoin such acts or practices and to enforce compliance with this Act or any rule, regulation, or order thereunder, and upon a proper showing a permanent or temporary injunction or decree or restraining order shall be granted without bond. The Commission may transmit such evidence as may be available concerning such acts or practices to the Attorney General, who, in his discretion, may institute the neces sary criminal proceedings under this Act.

Injunctions.

Institution of proceedings.

"(b) Upon application of the Commission the district courts of the United States, the Supreme Court of the District of Columbia, and the United States courts of any Territory or other place subject to the jurisdiction of the United States shall have jurisdiction to issue writs of mandamus commanding any person to comply with the provisions of this Act or any rule, regulation, or order of the Commission thereunder.

Writs of mandamus.

"(c) The Commission may employ such attorneys as it finds necessary for proper legal aid and service of the Commission or its members in the conduct of their work, or for proper representation of the public interests in investigations made by it or cases or proceedings pending before it, whether at the Commission's own instance or upon complaint, or to appear for or represent the Commission in any case in court; and the expenses of such employment shall be paid out of the appropriation for the Commission.

Employment of attorneys.

"GENERAL FORFEITURE PROVISION

General forfeiture provision.

"SEC. 315. (a) Any licensee or public utility which willfully fails, within the time prescribed by the Commission, to comply with any order of the Commission, to file any report required under this

Amount of forfeiture.

Act or any rule or regulation of the Commission thereunder, to submit any information or document required by the Commission in the course of an investigation conducted under this Act, or to appear by an officer or agent at any hearing or investigation in response to a subpena issued under this Act, shall forfeit to the United States an amount not exceeding $1,000 to be fixed by the Commission after notice and opportunity for hearing. The imposition or payment of any such forfeiture shall not bar or affect any penalty prescribed in this Act but such forfeiture shall be in addition to any such penalty.

Notice and hearing.

To be additional to penalty.

Payment of forfeiture.

"(b) The forfeitures provided for in this Act shall be payable into the Treasury of the United States and shall be recoverable in a civil suit in the name of the United States, brought in the district where the person is an inhabitant or has his principal place of business, or if a licensee or public utility, in any district in which such licensee or public utility transacts business. It shall be the duty of the various district attorneys, under the direction of the Attorney General of the United States, to prosecute for the recovery of forfeitures under this Act. The costs and expenses of such prosecution shall be paid from the appropriations for the expenses of the courts of the United States.

Prosecution for recovery of.

Costs and expenses.

General penalties.

"GENERAL PENALTIES; VENUE

Willful violation of provisions hereof. Vol. 41, p. 1076.

"SEC. 316. (a) Any person who willfully and knowingly does or causes or suffers to be done any act, matter, or thing in this Act prohibited or declared to be unlawful, or who willfully and knowingly omits or fails to do any act, matter, or thing in this Act required to be done, or willfully and knowingly causes or suffers such omission or failure, shall, upon conviction thereof, be punished by a fine of not more than $5,000 or by imprisonment for not more than two years, or both.

Willful violation of rules, regulations, etc.

"(b) Any person who willfully and knowingly violates any rule, regulation, restriction, condition, or order made or imposed by the Commission under authority of this Act, or any rule or regulation imposed by the Secretary of War under authority of Part I of this Act shall, in addition to any other penalties provided by law, be punished upon conviction thereof by a fine of not exceeding $500 for each and every day during which such offense occurs.

Jurisdiction of offenses.

"JURISDICTION OF OFFENSES; ENFORCEMENT OF LIABILITIES AND DUTIES

"SEC. 317. The District Courts of the United States, the Supreme Court of the District of Columbia, and the United States courts of any Territory or other place subject to the jurisdiction of the United States shall have exclusive jurisdiction of violations of this Act or the rules, regulations, and orders thereunder, and of all suits in equity and actions at law brought to enforce any liability or duty created by, or to enjoin any violation of, this Act or any rule, regulation, or order thereunder. Any criminal proceeding shall be brought in the district wherein any act or transaction constituting the violation occurred. Any suit or action to enforce any liability or duty created by, or to enjoin any violation of, this Act or any rule, regulation, or order thereunder may be brought in any such district or in the district wherein the defendant is an inhabitant, and process in such cases may be served wherever the defendant may be found. Judgments and decrees so rendered shall be subject to review as provided in sections 128 and 240 of the Judicial Code, as amended (U. S. C., title 28, secs. 225 and 347). No costs shall be assessed against the Commission in any judicial proceeding by or against the Commission under this Act.

Enforcement of liabilities and duties.

Review of judgments and decrees. U. S. C., pp. 1259, 1272.

" CONFLICT OF JURISDICTION

Conflict of jurisdiction.

" SEC. 318. If, with respect to the issue, sale, or guaranty of a security, or assumption of obligation or liability in respect of a security, the method of keeping accounts, the filing of reports, or the acquisition or disposition of any security, capital assets, facilities, or any other subject matter, any person is subject both to a requirement of the Public Utility Holding Company Act of 1935 or of a rule, regulation, or order thereunder and to a requirement of this Act or of a rule, regulation, or order thereunder, the requirement of the Public Utility Holding Company Act of 1935 shall apply to such person, and such person shall not be subject to the requirement of this Act, or of any rule, regulation, or order thereunder, with respect to the same subject matter, unless the Securities and Exchange Commission has exempted such person from such requirement of the Public Utility Holding Company Act of 1935, in which case the requirements of this Act shall apply to such person.

Ante, p. 803.

" SEPARABILITY OF PROVISIONS

Separability of provisions.

" SEC. 319. If any provision of this Act, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of the Act, and the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

" SHORT TITLE

Short title.

" SEC. 320. This Act may be cited as the ' Federal Power Act '."

Approved, August 26, 1935.

[CHAPTER 688.]

AN ACT

August 26, 1935.
[S. 2867.]
[Public, No. 334.]

To reenact section 463 of the Act of Congress entitled "An Act to define and punish crime in the District of Alaska and to provide a code of criminal procedure for said district", approved March 3, 1899, and for other purposes.

Alaska criminal code.
Repealed section reenacted.
Vol. 30, p. 1337; Vol. 31, p. 332.
Vol. 48, p. 584.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 463 of the Act of Congress entitled "An Act to define and punish crime in the District of Alaska and to provide a code of criminal procedure for said district", approved March 3, 1899 (30 Stat. 1337 1338, as amended by the Act of June 6, 1900 (31 Stat. 332), is hereby reenacted; said section as reenacted reading as follows:

Issue of sundry licenses.

" SEC. 463. That the licenses provided for in this Act shall be issued by the clerk of the district court or any subdivision thereof in compliance with the order of the court or judge thereof duly made and entered; and the clerk of the court shall keep a full record of all applications for license and of all recommendations for and remonstrances against the granting of licenses and of the action of the court thereon: *Provided*, That the clerk of said court and each division thereof shall give bond or bonds in such amount as the Secretary of the Treasury may require and in such form as the Attorney General may approve, and all moneys received for licenses by him or them under this Act shall, except as otherwise provided by law, be covered into the Treasury of the United States, under such rules and regulations as the Secretary of the Treasury may prescribe."

Records to be kept.

Proviso.
Bond required.

SEC. 2. Any and all Acts in conflict herewith are hereby repealed to the extent of such conflict.

Conflicting laws repealed.

Approved, August 26, 1935.

[CHAPTER 689.]

AN ACT

August 26, 1935.
[S. 3286.]
[Public, No. 335.]

To abolish the oath required of customs and internal-revenue employees prior to the receipt of compensation, and for other purposes.

Customs and internal revenue employees.
Oath requirement abolished.
U. S. C., p. 798.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1790 of the Revised Statutes (U. S. C., title 19, sec. 49) is hereby repealed.

Certain authorizations to administer oaths to, amended.
Vol. 30, p. 286; U. S. C., p. 796.

SEC. 2. Section 1 of the Act entitled "An Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-nine, and for other purposes", approved March 15, 1898 (30 Stat. 277 at 286), as amended, is hereby amended by striking therefrom the following sentence: "Hereafter collectors of customs and their special deputies shall be competent to administer oaths to officers of the Revenue Marine Service and employees in the Customs Service required by sections seventeen hundred and ninety and twenty-six hundred and ninety-three of the Revised Statutes."

R. S., secs. 1790, 2693, pp. 317, 529.

Customhouse brokers.
Vol. 46, p. 759.
U. S. C., p. 902.

SEC. 3. Subdivision (a) of section 641 of the Tariff Act of 1930 (46 Stat. 759; U. S. C., Supp. VII, title 19, sec. 1641) is hereby amended by striking out "(e)" in line 17 and inserting in lieu thereof "(c)".

SEC. 4. Subdivisions (b), (c), and (d) of section 641 of such Acts are hereby amended to read as follows:

Revocation or suspension of license.

"(b) REVOCATION OR SUSPENSION.—The collector or chief officer of the customs may at any time, for good and sufficient reasons, serve notice in writing upon any customhouse broker so licensed to show cause why said license shall not be revoked or suspended, which notice shall be in the form of a statement specifically setting forth the ground of complaint.

Notice to be given.

The collector or chief officer of customs shall within ten days thereafter notify the customhouse broker in writing of a hearing to be held before him within five days upon said charges.

Hearings.

At such hearing the customhouse broker may be represented by counsel, and all proceedings including the proof of the charges and the answer thereto, shall be presented, with the right of cross-examination to both parties, and a stenographic record of the same shall be made and a copy thereof shall be delivered to the customhouse broker.

Transmittal of record to Secretary.

At the conclusion of such hearing the collector or chief officer of customs shall forthwith transmit all papers and the stenographic report of the hearing, which shall constitute the record of the case, to the Secretary of the Treasury for his action.

Authority of Secretary.

Thereupon the said Secretary of the Treasury shall have the right to revoke or suspend the license of any customhouse broker shown to be incompetent, disreputable, or who has refused to comply with the rules and regulations issued under this section, or who has, with intent to defraud, in any manner willfully and knowingly deceived, misled, or threatened any importer, exporter, claimant, or client, or prospective importer, exporter, claimant, or client, by word, circular, letter or by advertisement.

Appeal from Secretary's decision.

"An appeal may be taken by any licensed customhouse broker from any order of the Secretary of the Treasury suspending or revoking a license.

Petition to proper circuit court of appeals, etc.

Such appeal shall be taken by filing, in the circuit court of appeals of the United States within any circuit wherein such person resides or has his principal place of business, or in the United States Court of Appeals for the District of Columbia, within sixty days after the entry of such order, a written petition praying that the order of the Secretary of the Treasury be

modified or set aside in whole or in part. A copy of such petition shall be forthwith served upon the Secretary of the Treasury, or upon any officer designated by him for that purpose, and thereupon the Secretary of the Treasury shall certify and file in the court a transcript of the record upon which the order complained of was entered. Upon the filing of such transcript such court shall have exclusive jurisdiction to affirm, modify, or set aside such order, in whole or in part. No objection to the order of the Secretary of the Treasury shall be considered by the court unless such objection shall have been urged before the collector or chief officer of customs or unless there were reasonable grounds for failure so to do. The finding of the Secretary of the Treasury as to the facts, if supported by substantial evidence, shall be conclusive. If any party shall apply to the court for leave to adduce additional evidence, and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for failure to adduce such evidence in the proceeding before the collector or chief officer of customs, the court may order such additional evidence to be taken before the collector or chief officer of customs and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper. The Secretary of the Treasury may modify his findings as to the facts by reason of the additional evidence so taken, and he shall file with the court such modified or new findings, which, if supported by substantial evidence, shall be conclusive, and his recommendation, if any, for the modification or setting aside of the original order. The judgment and decree of the court affirming, modifying, or setting aside, in whole or in part, any such order of the Secretary of the Treasury shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended (U. S. C., title 28, secs. 346 and 347). The commencement of proceedings under this subsection shall, unless specifically ordered by the court, operate as a stay of the Secretary of the Treasury's order.

Procedure.

Additional evidence may be admitted.

Effect on findings.

Subject to Supreme Court review.

U. S. C., p. 1271.

Proceedings a stay of order.

"(c) PRIOR LICENSES.—Licenses issued under the Act of June 10, 1910 (36 Stat. 454; U. S. C., title 19, sec. 415), or under the provisions of subdivision (a) of this section prior to the effective date of this amendment, shall continue in force and effect, subject to suspension and revocation as provided in subdivision (b) of this section.

Force and effect of prior licenses.
Vol. 36, p. 464.
U. S. C., p. 819.

"(d) REGULATIONS BY SECRETARY.—The Secretary of the Treasury shall prescribe such rules and regulations as he may deem necessary to protect importers and the revenue of the United States, and to carry out the provisions of this section, including rules and regulations requiring the keeping of books, accounts, and records by customhouse brokers, and the inspection thereof, and of their papers, documents, and correspondence by, and the furnishing by them of information relating to their business to, any duly accredited agent of the United States."

Regulations by Secretary.

SEC. 5. Subdivision (e) of section 641 of such Act is hereby repealed.

Provision repealed.
Vol. 46, p. 760, repealed.

Approved, August 26, 1935.

[CHAPTER 690.]

AN ACT

For the relief of the State of Indiana.

August 26, 1935.
[S. 3374.]
[Public, No. 336.]

Indiana.
Issue of duplicate checks to treasurer of, in lieu of lost originals.
R. S., sec. 3646, p. 717.
U. S. C., p. 1395.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 3646, as amended, of the Revised Statutes of the United States, the Chief Disbursing Officer of the Treasury Department is authorized and directed to issue, without the requirement of an indemnity bond, duplicates of original checks numbered 66942 and 67000, drawn February 19 and February 20, 1935, in favor of "State Treasurer of Indiana, trust fund", for $2,743.34 and $5,241.35, respectively, and lost between the office of the State Treasurer of Indiana and the designated depository.

Approved, August 26, 1935.

[CHAPTER 691.]

AN ACT

August 26, 1935.
[H. R. 4339.]
[Public, No. 337.]

To facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior boundaries of the Uinta and Wasatch National Forests, Utah.

Uinta and Wasatch National Forests, Utah.
Acquisition of lands to facilitate control of soil erosion, etc.
Vol. 36, p. 962.
U. S. C., p. 665.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture, with the approval of the National Forest Reservation Commission established by section 4 of the Act of March 1, 1911 (U. S. C., title 16, sec. 513), is hereby authorized to acquire by purchase any lands within the boundaries of the Uinta and Wasatch National Forests, in the State of Utah, which, in his judgment, should become the property of the United States in order that they may be so managed with other lands of the United States as to minimize soil erosion and flood damage, and to pay for said lands from the entire receipts from the sale of natural resources or occupancy of public land within the Uinta and Wasatch National Forests, which receipts are hereby authorized to be appropriated for that purpose until said lands have been acquired.

Sums available.
Post, p. 1440.

Approved, August 26, 1935.

[CHAPTER 692.]

AN ACT

August 26, 1935.
[H. R. 5049.]
[Public, No. 338.]

Providing punishment for forging or counterfeiting any postmarking stamp.

Counterfeiting, etc., postmarking stamps.
Punishment for.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whoever shall forge or counterfeit any postmarking stamp, or impression thereof with intent to make it appear that such impression is a genuine postmark, or shall make or knowingly use or sell, or have in possession with intent to use or sell, any forged or counterfeited postmarking stamp, die, plate, or engraving, or such impression thereof, shall be fined not more than $1,000 or imprisoned not more than five years, or both.

Approved, August 26, 1935.

[CHAPTER 693.]

AN ACT

Providing for punishment for attempts to obtain mail by fraud or by deception.

August 26, 1935.
[H. R. 5162.]
[Public, No. 339.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first clause of section 194 of the Act of March 4, 1909 (35 Stat. 1125), as amended (18 U. S. C. 317), be amended to read as follows: "Whoever shall steal, take, or abstract, or by fraud or deception obtain or attempt so to obtain from or out of any mail, post office or station thereof, or other authorized depository for mail matter, or from a letter or mail carrier, any letter, postal card, package, bag, or mail, or shall abstract or remove from any such letter, package, bag, or mail, any article or thing contained therein, or shall secrete, embezzle, or destroy any such letter, postal card, package, bag, or mail, or any article or thing contained therein;".

Criminal Code amendment.
Postal offenses.
Attempts to obtain mail by fraud.
Punishment for.
Vol. 35, p. 1125; Vol. 43, p. 977.
U. S. C., p. 745.

Approved, August 26, 1935.

[CHAPTER 694.]

AN ACT

Providing for punishment for the crime of robbing or attempting to rob custodians of Government moneys or property.

August 26, 1935.
[H. R. 5360.]
[Public, No. 340.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 197 of the Act of March 4, 1909 (18 U. S. C., 320; 35 Stat. 1126), be amended to read as follows:

Criminal Code amendment.
Vol. 35, p. 1126.
U. S. C., p. 745.

"Whoever shall assault any person having lawful charge, control, or custody of any mail matter or of any money or other property of the United States, with intent to rob, steal, or purloin such mail matter, money, or other property of the United States, or any part thereof, or shall rob any such person of such mail matter, or of any money, or other property of the United States, or any part thereof, shall, for the first offense, be imprisoned not more than ten years; and if in effecting or attempting to effect such robbery he shall wound the person having custody of such mail, money, or other property of the United States, or put his life in jeopardy by the use of a dangerous weapon, or for a subsequent offense, shall be imprisoned twenty-five years."

Custodians of Government money or property.
Punishment for robbing, etc.

Approved, August 26, 1935.

[CHAPTER 695.]

AN ACT

Extending the period during which no demurrage is charged on collect-on-delivery parcels and excepting the imposition of demurrage charged on collect-on-delivery parcels exchanged between the continental and island possessions.

August 26, 1935.
[H. R. 5540.]
[Public, No. 341.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of May 23, 1930 (46 Stat. 377; 39 U. S. C., Supp. VII, sec. 246c), is hereby amended to read as follows:

Postal service.
Vol. 46, p. 377.
U. S. C., p. 1725.

"That under such regulations as the Postmaster General may prescribe, any collect-on-delivery parcel which the addressee fails to remove from the post office within twenty days from the first attempt to deliver or the first notice of arrival at the office of address may be returned to the sender, charged with the return postage, whether or not such parcel bears any specified time limit for delivery; and a demurrage charge of not exceeding 5 cents per day may be collected when delivery has not been made to either the addressee or

Collect-on-delivery matter.
Extending demurrage exemption period on.

Proviso. Exempting exchanges with island possessions.

the sender until after the expiration of the prescribed period: *Provided*, That no demurrage shall be charged on collect-on-delivery parcels exchanged between post offices in continental United States and post offices in the Territories and island possessions of the United States."

Approved, August 26, 1935.

[CHAPTER 696.]

AN ACT

August 26, 1935. [H. R. 7678.] [Public, No. 342.]

To authorize the Director of the Mint to supplement the approved design of the 50-cent piece commemorating the two hundredth anniversary of the birth of Daniel Boone, the coinage of which was authorized by Act of the Seventy-third Congress (Public, Numbered 258, S. 3355).

Daniel Boone, commemorative coin. Design. Vol. 48, p. 807, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, inasmuch as the annual change in coinage date required by law has caused the removal of the commemorative date of 1934 from the design originally approved and in use for the coinage of the 50-cent pieces commemorating the two hundredth anniversary of the birth of Daniel Boone, authorized by the Seventy-third Congress in Public Act Numbered 258 (S. 3355), the Director of the Mint, with the approval of the Secretary of the Treasury, be, and is hereby, authorized to supplement the said design so that the reverse of said 50-cent piece will show the figures "1934" immediately above the words "pioneer year".

Approved, August 26, 1935.

[CHAPTER 697.]

AN ACT

August 26, 1935. [H. R. 8598.] [Public, No. 343.]

To provide for the inspection and regulation of vessels engaged in the transportation of inflammable, explosive, and like dangerous cargoes in navigable waters of the United States.

Transportation of dangerous cargoes in navigable waters.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no vessel, regardless of size or rig, excepting public vessels of the United States, shall transport on the navigable waters of the United States, from point to point in the continental United States, any inflammable, explosive, or like dangerous cargo or anchor in such waters or go into drydock for repairs while having on board such dangerous cargo, until such vessel has been inspected by the board of local inspectors to determine that such cargo may be carried on such vessel with safety, and a permit issued to her for the presence on board of such cargo, which permit shall be framed under glass and posted in a conspicuous part of the vessel.

Inspection of vessels engaged in.

Rules, etc., to be promulgated.

The Secretary of Commerce is authorized and directed to promulgate rules and regulations concerning construction, the appliances, and apparatus for stowage, of vessels used in the transportation of inflammable, explosive, or like dangerous cargo on said vessels in order to preserve life and property while in operation or at anchor. The local board of inspectors shall not issue a permit to any vessel until it finds that said vessel is in substantial compliance with the rules and regulations promulgated by the Secretary of Commerce: *Provided*, That this Act shall not apply to a vessel covered by an unexpired certificate of inspection duly issued in accordance with law by the local inspectors of the Bureau of Marine Inspection and Navigation or, if a foreign vessel, by an unexpired certificate of

Proviso. Exemptions.

inspection issued under the authority of its own government and recognized under law or treaty by the Government of the United States.

SEC. 2. A penalty of not to exceed $500 may be imposed for each violation of any of the provisions of this Act or of any of the rules and regulations promulgated under the authority of this Act. The vessel shall be liable for the said penalty and may be seized and proceeded against, by way of libel, in the District Court of the United States for any district within which such vessel may be found. Penalty for violation.

SEC. 3. This Act shall become effective sixty days after its enactment. Effective date.

Approved, August 26, 1935.

[CHAPTER 698.]

AN ACT

To extend the provisions of veterans' laws and regulations to persons who served in Russia during the World War, and their dependents.

August 26, 1935.
[H. R. 9116.]
[Public, No. 344.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any provisions of Public Law Numbered 2, Seventy-third Congress, and the veterans' regulations issued pursuant thereto, for the purpose of payment of pension for disability not shown to have been incurred in military or naval service, the World War shall be deemed to have ended April 1, 1920, for those persons who served with the United States military forces in Russia. World War veterans. Certain provisions concerning, extended to service in Russia. Vol. 48, p. 9.

SEC. 2. Veterans who entered active military service subsequent to November 11, 1918, and who served with the United States military forces in Russia prior to April 2, 1920, and their dependents, shall be entitled to the benefits of Public Law Numbered 141, Seventy-third Congress, provided they meet the other requirements thereof. Service qualifications. Vol. 48, p. 524.

Approved, August 26, 1935.

[CHAPTER 699.]

AN ACT

Relative to the proposed survey, location, and construction of a highway to connect the northwestern part of continental United States with British Columbia, Yukon Territory, and the Territory of Alaska.

August 26, 1935.
[S. 1374.]
[Public, No. 345.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is requested, through such channels as he may deem proper, to negotiate and enter into an agreement or agreements between the Governments of the United States and of the Dominion of Canada, for the survey, location, and construction of a highway to connect the Pacific northwestern part of continental United States with British Columbia and Yukon Territory, in the Dominion of Canada, and the Territory of Alaska; in cooperation with the Government of the Dominion of Canada to cause a survey or surveys to be made to determine the most practicable route for such highway, as well as specifications and estimates of the probable cost thereof, and plans for financing its construction and maintenance. Connecting highway with British Columbia, Yukon, and Alaska. Agreement with Canada for determining route of, authorized.

SEC. 2. The President is hereby authorized, upon the conclusion of the negotiations and the execution of the agreement or agreements herein authorized, to designate such existing agency of the Government of the United States as he may select for this purpose, or such officials or agency as he may specially appoint or create for the pur- Construction provisions upon conclusion of negotiations. Agency created.

poses of this Act, to carry on the work of survey and location of the route for such highway, and of the construction thereof after such route shall have been determined and approved by the President. And such agency or officials, so designated or appointed by the President hereunder, shall be, and they are hereby, authorized and empowered to communicate directly with a like agency or officials to be appointed by the Government of the Dominion of Canada, for the purpose of coordinating and expediting the work of such survey, location, and construction of such highway.

Approved, August 26, 1935.

[CHAPTER 700.]

JOINT RESOLUTION

August 26, 1935.
[H. J. Res. 265.]
[Pub. Res., No. 57.]

Pertaining to an appropriate celebration of the four hundredth anniversary of the expedition of Hernando De Soto.

Four hundredth anniversary of expedition of Hernando De Soto.
Preamble.

Whereas we are approaching the four hundredth anniversary of the expedition of Hernando De Soto, the first and most imposing expedition ever made by Europeans into the wilds of North America; and

Whereas it is desired that this four hundredth anniversary of that great expedition be properly celebrated and markers placed at such points along the route of said expedition as may be definitely determined and established after thorough investigation; and

Whereas it is necessary to have a committee or commission to make a proper study and report back to Congress its recommendations for such a celebration: Therefore be it

Commission authorized to study and report recommendations for observance of.
Post, p. 1386.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to appoint a commission consisting of not fewer than five nor more than seven members, to make a thorough study of the subject of De Soto's expedition and to report back to the next session of Congress its recommendations for a suitable and appropriate celebration of the four hundredth anniversary of said expedition.

Appropriation authorized.

That in order to meet the necessary expenses of said commission there is hereby authorized to be appropriated, out of any money in the United States Treasury not otherwise appropriated, such sum or sums as may be necessary to pay the expenses of said commission in making this investigation, preparing and filing its reports and recommendations to Congress, not to exceed $5,000.

Approved, August 26, 1935.

[CHAPTER 701.]

JOINT RESOLUTION

August 26, 1935.
[H. J. Res. 350.]
[Pub. Res., No. 58.]

To authorize the President to extend an invitation to the World Power Conference to hold the Third World Power Conference in the United States.

Third World Power Conference.
Invitation to hold, in United States, authorized.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and hereby is, authorized and requested to extend to the World Power Conference an invitation to hold the Third World Power Conference in the United States in 1936 and 1937.

Sum for expenses.
Post, p. 1124.

SEC. 2. That the sum of $75,000, or so much thereof as may be necessary, is hereby authorized to be appropriated for the expenses of organizing and holding the Third World Power Conference, including personal services in the District of Columbia and elsewhere

Personal services.

without regard to the Classification Act of 1923, as amended, communication services, stenographic and other services by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); travel expenses, local transportation, hire of motor-propelled passenger-carrying vehicles, rent in the District of Columbia and elsewhere, printing and binding, entertainment, official cards, purchase of newspapers and periodicals, necessary books and documents, stationery, membership badges, and such other expenses as may be actually and necessarily incurred by the Government of the United States by reason of observance of appropriate courtesies in connection therewith, and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments have been made for any purposes herein specified, for the fiscal year 1936, to remain available until June 30, 1937.

R. S., sec. 3709, p. 733; U. S. C., p. 1803.

Reimbursing other appropriations.

Approved, August 26, 1935.

[CHAPTER 739.]

AN ACT

To amend section 10A of the Federal Food and Drugs Act of June 30, 1906, as amended.

August 27, 1935.
[S. 3194.]
[Public, No. 346.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 10A of the Act entitled "An Act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes", approved June 30, 1906, as amended, is amended to read as follows:

Pure Food Act, amendment.
Vol. 34, p. 771; Vol. 48, p. 1204, amended.
U. S. C., p. 920.

"SEC. 10A. The Secretary of Agriculture, upon application of any packer of any sea food for shipment or sale within the jurisdiction of this Act, may, at his discretion, designate inspectors to examine and inspect such food and the production, packing, and labeling thereof. If on such examination and inspection compliance is found with the provisions of this Act and regulations promulgated thereunder, the applicant shall be authorized or required to mark the food as provided by regulation to show such compliance. Services under this section shall be rendered only upon payment by the applicant of fees fixed by regulation in such amounts as may be necessary to provide, equip, and maintain an adequate and efficient inspection service. Receipts from such fees shall be covered into the Treasury and shall be available to the Secretary of Agriculture for expenditures incurred in carrying out the purposes of this section, including expenditures for salaries of additional inspectors when necessary to supplement the number of inspectors for whose salaries Congress has appropriated. The Secretary is hereby authorized to promulgate regulations governing the sanitary and other conditions under which the service herein provided shall be granted and maintained, and for otherwise carrying out the purposes of this section. Any person who forges, counterfeits, simulates, or falsely represents, or without proper authority uses any mark, stamp, tag, label, or other identification devices authorized or required by the provisions of this section or regulations thereunder, shall be guilty of a misdemeanor, and shall on conviction thereof be subject to imprisonment for not more than one year or a fine of not less than $1,000 nor more than $5,000, or both such imprisonment and fine."

Inspection of sea food.
Assignment of inspectors to examine methods, materials, etc., in sea-food production.
Post, p. 1454.

Payment for services.

Use of receipts.

Sanitary, etc., rules to be promulgated.

Counterfeiting labels, etc.

Punishment for.

Approved, August 27, 1935.

[CHAPTER 740.]

AN ACT

August 27, 1935.
[S. 3336.]
[Public, No. 347.]

To repeal Titles I and II of the National Prohibition Act, to reenact certain provisions of Title II thereof, to amend or repeal various liquor laws, and for other purposes.

Liquor Law Repeal and Enforcement Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Liquor Law Repeal and Enforcement Act".

Title I.

TITLE I

National Prohibition Act; repeals.
Vol. 41, p. 305; U. S. C., p. 1217.
Post, p. 1964.

SECTION 1. Titles I and II of the National Prohibition Act, approved October 28, 1919 (41 Stat. 305), and all laws amendatory of, or supplementary to, the National Prohibition Act, are hereby repealed.

Vol. 41, p. 319; U. S. C., p. 1220.
Definitions.

SEC. 2. When used in this title or in Title III of the National Prohibition Act—

"Person."

(1) The word "person" shall mean and include natural persons, firms, partnerships, corporations, and associations;

"Commissioner."

(2) The word "Commissioner" shall mean Commissioner of Internal Revenue;

"Application."

(3) The term "application" shall mean a formal written request supported by a verified statement of facts showing that the Commissioner may grant the request;

"Permit."

(4) The term "permit" shall mean a formal written authorization by the Commissioner setting forth specifically therein the things that are authorized;

"Bond."

(5) The term "bond" shall mean an obligation authorized or required by or under this title or Title III of the National Prohibition Act, or any regulation thereunder, executed in such form and for such penal sum as may be required by the Commissioner or prescribed by regulation;

"Regulation."

(6) The term "regulation" shall mean any regulation prescribed by the Commissioner with the approval of the Secretary of the Treasury for carrying out the provisions of this title or of Title III of the National Prohibition Act, and the Commissioner is authorized to make such regulations.

"Articles."

(7) The term "articles" shall mean any substance or preparation in the manufacture of which denatured alcohol or denatured rum is used.

Any Act authorized by this title or by Title III of the National Prohibition Act to be done by the Commissioner may be performed by any assistant or agent designated by him for that purpose. Records, reports, or returns required to be filed with the Commissioner may be filed with an Assistant Commissioner or other person designated by the Commissioner to receive such records, reports, or returns.

Violations of this title and of Title III of National Prohibition Act; investigations and reports.
Prosecution of offenders.
Vol. 41, p. 319.

SEC. 3. The Commissioner, his assistants, agents, and inspectors, shall investigate and report violations of this title and of Title III of the National Prohibition Act to the United States attorney for the district in which committed, who is hereby charged with the duty of prosecuting the offenders, subject to the direction of the Attorney General, as in the case of other offenses against the laws of the United States; and the Commissioner, his assistants, agents, and inspectors, may swear out warrants before United States commissioners or other officers or courts authorized to issue the same for the apprehension of such offenders, and may, subject to the control of the said United States attorney, conduct the prosecution at the committing trial for the purpose of having the offenders held for

Warrants; issue of.

the action of a grand jury. Section 1014 of the Revised Statutes is hereby made applicable in the enforcement of this title and of Title III of the National Prohibition Act. Officers mentioned in said section 1014 are authorized to issue search warrants under the limitations provided in title XI of the Act approved June 15, 1917 (40 Stat. 228; 18 U. S. C., secs. 611–633).

R. S., sec. 1014, p. 189; U. S. C., p. 770.
Applicability.
Search warrants; issue of.
Vol. 40, p. 228; U. S. C., p. 771.

SEC. 4. Any person who shall produce, withdraw, sell, transport, or use denatured alcohol, denatured rum, or articles in violation of laws or regulations now or hereafter in force pertaining thereto, and all such denatured alcohol, denatured rum, or articles shall be subject to all provisions of law pertaining to alcohol that is not denatured, including those requiring the payment of tax thereon; and the person so producing, withdrawing, selling, transporting, or using the denatured alcohol, denatured rum, or articles shall be required to pay such tax.

Illegal production, etc., of alcohol, etc.

SEC. 5. Whenever the Commissioner has reason to believe that denatured alcohol, denatured rum, or articles do not correspond with the descriptions and limitations as to such alcohol, rum, or articles provided by law and regulations, he shall cause an analysis of said alcohol, rum, or articles to be made, and if upon such analysis the Commissioner shall find that said alcohol, rum, or articles do not so correspond, he shall give not less than fifteen days' notice in writing to the person who is the manufacturer thereof to show cause why said alcohol, rum, or articles should not be dealt with as other distilled spirits, such notice to be served personally or by registered mail, as the Commissioner may determine, and shall specify the time when, the place where, and the name of the agent or official before whom such person is required to appear.

Analysis of.
Notice to manufacturer.
Service.

If the manufacturer of said alcohol, rum, or articles fails to show to the satisfaction of the Commissioner that the alcohol, rum, or articles manufactured by him correspond to the descriptions and limitations as to such alcohol, rum, or articles provided by law and regulations, his permit to manufacture and sell the same shall be revoked. The manufacturer may by appropriate proceeding in a court of equity have the action of the Commissioner reviewed, and the court may affirm, modify, or reverse the finding of the Commissioner as the facts and law of the case may warrant, and during the pendency of such proceedings may restrain the manufacture, sale, or other disposition of such alcohol, rum, or articles.

Revocation of permit to manufacture.
Review of revoking order.

SEC. 6. No one shall manufacture alcohol, procure it tax free, denature it, deal in or use specially denatured alcohol, recover completely or specially denatured alcohol, or transport specially denatured or tax-free alcohol, without first obtaining a permit from the Commissioner so to do. All such permits may be issued for one year, and shall expire on the 31st day of December next succeeding the issuance thereof: *Provided*, That the Commissioner may without formal application or new bond extend any permit granted under this title or Title III of the National Prohibition Act after August 31 in any year to December 31 of the succeeding year.

Permits to manufacture, denature, etc., alcohol.
Vol. 41, p. 319.
Duration of; expiration date.
Proviso.
Extension authorized.

Permits to purchase or procure specially denatured alcohol and tax-free alcohol shall be issued in such terms and under such conditions as the Commissioner shall by regulation prescribe.

Terms and conditions of issue.

No permit shall be issued to any person who, within one year prior to the application therefor or issuance thereof, shall not in good faith have conformed to the provisions of this title or Title III of the National Prohibition Act, or shall have violated the terms of any permit issued under this title or Title III of the National Prohibition Act, or made any false statement in the application therefor, or willfully failed to disclose any information required by regulation

Restrictions.

to be furnished, or violated any law of the United States relating to intoxicating liquor, or willfully violated any law of any State, Territory, or possession of the United States or of the District of Columbia relating to intoxicating liquor.

Permits; contents of.

Every permit shall be in writing, dated when issued, and signed by the Commissioner or his authorized agent. It shall give the name and address of the person to whom it is issued and shall designate and limit the acts that are permitted and the time when and place where such acts may be performed. No permit shall be issued until a verified, written application shall have been made therefor, setting forth the qualification of the applicant and the purpose for which the alcohol or denatured alcohol is to be used.

Application for.

Form of.

Bond.

The Commissioner may prescribe the form of all permits and applications and the facts to be set forth therein. Before any permit is granted, the Commissioner may require a bond in such form and amount as he may prescribe to insure compliance with the terms of the permit and the provisions of this title and of Title III of the National Prohibition Act. In the event of the refusal by the Commissioner of any application for a permit, the applicant may have a review of his decision before a court of equity in the manner provided in section 5 of this title.

Review of order denying issue of.

Complaints alleging violation of permits. Vol. 41, p. 319.

SEC. 7. If at any time there shall be filed with the Commissioner a complaint under oath setting forth facts showing, or if the Commissioner has reason to believe, that any person who has a permit is not in good faith conforming to the provisions of this title, or of Title III of the National Prohibition Act, or has violated the terms of such permit, or has made any false statement in the application therefor, or has willfully failed to disclose any information required by regulation to be furnished, or has violated any law of the United States or of any State, Territory, or possession of the United States or of the District of Columbia relating to intoxicating liquor, the Commissioner or his agent shall immediately issue an order citing such person to appear before him on a day named not more than thirty and not less than fifteen days from the date of service upon such permittee of a copy of the citation, which citation shall be accompanied by a copy of such complaint, or in the event that the proceedings be initiated by the Commissioner, with a statement of the facts constituting the violation charged, at which time a hearing shall be had unless continued for cause. Such hearings shall be held within the judicial district and within fifty miles of the place where the offense is alleged to have occurred, unless the parties agree on another place. If it be found that such person is not in good faith conforming to the provisions of this title, or of Title III of the National Prohibition Act, or has violated the terms of his permit, or made any false statement in the application therefor, or willfully failed to disclose any information required by regulation to be furnished, or violated any law of the United States relating to intoxicating liquor, or willfully violated any law of any State, Territory, or possession of the United States or of the District of Columbia relating to intoxicating liquor, such permit shall be revoked, and no permit shall be granted to such person within one year thereafter. Should the permit be revoked by the Commissioner, the permittee may have a review of his decision before a court of equity in the manner provided in section 5 of this title. During the pendency of such action such permit shall be temporarily revoked.

Citation for appearance.

Hearings.

Revocation of permit when allegations of complaint sustained.

Review of revoking order.

Possession of liquor or property intended for unlawful use. Vol. 41, p. 319.

SEC. 8. It shall be unlawful to have or possess any liquor or property intended for use in violating the provisions of this title, or of Title III of the National Prohibition Act, or the internal-revenue

laws, or regulations prescribed under such title or laws, or which has been so used, and no property rights shall exist in any such liquor or property. A search warrant may issue as provided in title XI of the Act approved June 15, 1917 (40 Stat. 228; 18 U. S. C., secs. 611–633), for the seizure of such liquor or property. Nothing in this section shall in any manner limit or affect any criminal or forfeiture provision of the internal-revenue laws, or of any other law. The seizure and forfeiture of any liquor or property under the provisions of this title, or under the provisions of Title III of the National Prohibition Act, and the disposition of such liquor or property subsequent to seizure and forfeiture, or the disposition of the proceeds from the sale of such liquor or property, shall be in accordance with existing laws or those hereafter in existence relating to seizures, forfeitures, and disposition of property or proceeds, for violation of the internal-revenue laws.

Issue of search warrant.
Vol. 40, p. 228; U. S. C., p. 771.

Criminal and forfeiture provisions of internal-revenue laws not affected.

SEC. 9. The Commissioner, his assistants, agents, and inspectors, and all other officers, employees, or agents of the United States, whose duty it is to enforce criminal laws, shall have all the rights, privileges, powers, and protection in the enforcement of the provisions of this title and of Title III of the National Prohibition Act, which are conferred by law for the enforcement of any laws in respect of the taxation, importation, exportation, transportation, manufacture, possession, or use of, or traffic in, intoxicating liquors.

Enforcement provisions.
Vol. 41, p. 319.

SEC. 10. Any person violating the provisions of this title or of any regulations issued thereunder, for which offense a special penalty is not prescribed, shall be liable to the penalty or penalties prescribed in section 15 of Title III of the National Prohibition Act. It shall be the duty of the prosecuting officer to ascertain, in the case of every violation of this title or the regulations made thereunder, for which offense a special penalty is not prescribed, or of Title III of the National Prohibition Act, or the regulations made thereunder, whether the defendant has been previously convicted and to plead the prior conviction in the affidavit, information, or indictment.

Penalty provisions.
Vol. 41, p. 321.
Prior convictions.

SEC. 11. No person shall be excused, on the ground that it may tend to incriminate him or subject him to a penalty or forfeiture, from attending and testifying, or producing books, papers, documents, and other evidence in obedience to a subpena of any court in any suit or proceeding based upon or growing out of any alleged violation of this title or of Title III of the National Prohibition Act; but no natural person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing as to which, in obedience to a subpena and under oath, he may so testify or produce evidence, but no person shall be exempt from prosecution and punishment for perjury committed in so testifying.

Compulsory testimony.
Vol. 41, p. 319.

Immunity from self-incrimination.

SEC. 12. In case of a sale of liquor or denatured alcohol or denatured rum where the delivery thereof was made by a common or other carrier the sale and delivery for purposes of prosecution or revocation of any permit shall be deemed to be made in the county or district wherein the delivery was made by such carrier to the consignee, his agent or employee, or in the county or district wherein the sale was made, or from which the shipment was made, and prosecution for such sale or delivery may be had in any such county or district.

Venue of actions when unlawful delivery by carrier.

SEC. 13. In any affidavit, information, or indictment for the violation of this title or of Title III of the National Prohibition Act, or of both, separate offenses may be united in separate counts and the defendant may be tried on all at one trial and the penalty for all

Joinder of separate offenses under one affidavit, information, or indictment.
Vol. 41, p. 319.

Pleadings.

offenses may be imposed. It shall not be necessary in any affidavit, information, or indictment to give the name of the purchaser or to include any defensive negative averments, but it shall be sufficient to state that the act complained of was then and there prohibited and unlawful, but this provision shall not be construed to preclude the trial court from directing the furnishing the defendant a bill of particulars when it deems it proper to do so.

Records and reports; inspection of.
Vol. 41, p. 319.

SEC. 14. All records and reports kept or filed under the provisions of this title or of Title III of the National Prohibition Act, and all liquor or property to which such records or reports relate, shall be subject to inspection at any reasonable hour by the Commissioner or any of his agents or by any public prosecutor or by any person designated by him, or by any peace officer in the State where the records or reports are kept, and copies of such records and reports duly certified by the person with whom kept or filed may be introduced in evidence with like effect as the originals thereof, and verified copies of such records shall be furnished to the Commissioner when called for.

Introduction of certified copies of, in evidence.

Conviction as bar to prosecution under other act.
Vol. 41, p. 319.

SEC. 15. If any act or offense is a violation of this title or of Title III of the National Prohibition Act, and also of any other law in regard to the manufacture or taxation of, or traffic in, intoxicating liquor, a conviction for such act or offense under the one shall be a bar to prosecution therefor under the other.

Exemption from tax payments.

SEC. 16. If distilled spirits upon which the internal-revenue tax has not been paid are lost by theft, accidental fire, or other casualty while in possession of a common carrier subject to the Transportation Act of 1920 or the Merchant Marine Act, 1920, or if lost by theft from a distillery or other bonded warehouse, and it shall be made to appear to the Commissioner that such losses did not occur as the result of negligence, connivance, collusion, or fraud on the part of the owner or person legally accountable for such distilled spirits, no tax shall be assessed or collected upon the distilled spirits so lost, nor shall any tax penalty be imposed or collected by reason of such loss, but the exemption from the tax and penalty shall only be allowed to the extent that the claimant is not indemnified against or recompensed for such loss. This provision shall apply to any claim for taxes or tax penalties that may have accrued since the passage of the National Prohibition Act or that may accrue hereafter. Nothing in this section shall be construed as in any manner limiting or restricting the provisions of Title III of the National Prohibition Act.

Vol. 41, p. 456; U. S. C., p. 2212.
Vol. 41, p. 988; U. S. C., p. 2062.

Vol. 41, p. 319; U. S. C., p. 1221.

SEC. 17. Section 3 of Title III of the National Prohibition Act (41 Stat. 319; 27 U. S. C., sec. 73) is amended to read as follows:

Establishment of warehouses.
Post, p. 1957.

"Warehouses for the storage and distribution of alcohol may be established upon filing of application and bond, and issuance of permit at such places, either in connection with the manufacturing plant or elsewhere, as the Commissioner may determine; and the entry and storage of alcohol therein, and the withdrawals of alcohol therefrom shall be made in such containers and by such means as the Commissioner by regulation may prescribe."

Vol. 41, p. 321; U. S. C., p. 1221.

SEC. 18. Section 11 of Title III of the National Prohibition Act (41 Stat. 321; 27 U. S. C., sec. 81) is amended to read as follows:

Withdrawal of alcohol for denaturation; tax free.
Post, p. 1957.

"Alcohol produced at any industrial alcohol plant or stored in any bonded warehouse may, under regulations, be withdrawn tax free as provided by existing law from such plant or warehouse for transfer to any denaturing plant for denaturation, or may, under regulations, before or after denaturation, be removed from any such plant or warehouse for any lawful tax-free purpose.

"Spirits of less proof than one hundred and sixty degrees may, under regulations, be deemed to be alcohol for the purpose of denaturation, under the provisions of this title. Spirits of less proof than 160 degrees.

"Alcohol may be withdrawn, under regulations, from any industrial plant or bonded warehouse tax free by the United States or any governmental agency thereof, or by the several States and Territories or any municipal subdivision thereof or by the District of Columbia, or for the use of any scientific university or college of learning, any laboratory for use exclusively in scientific research, or for use in any hospital or sanitarium. Withdrawals by United States, etc.

"But any person permitted to obtain alcohol tax free, except the United States and the several States and Territories and subdivisions thereof, and the District of Columbia, shall first apply for and secure a permit to purchase the same and give the bonds prescribed under section 6 of the Liquor Law Repeal and Enforcement Act, but alcohol withdrawn for nonbeverage purposes for use of the United States and the several States, Territories and subdivisions thereof, and the District of Columbia may be purchased and withdrawn subject only to such regulations as may be prescribed." Permits required.

TITLE II

SECTION 201. Any officer, agent, or employee of the United States engaged in the enforcement of any law of the United States who shall search any private dwelling used and occupied as such dwelling without a warrant directing such search, or who, while engaged in such enforcement, shall without a search warrant maliciously and without reasonable cause search any other building or property, shall be guilty of a misdemeanor and upon conviction thereof shall be fined for a first offense not more than $1,000, and for a subsequent offense not more than $1,000, or imprisoned not more than one year, or both such fine and imprisonment: *Provided*, That nothing herein contained shall apply to any officer, agent, or employee of the United States serving a warrant of arrest, or arresting or attempting to arrest any person committing or attempting to commit an offense in the presence of such officer, agent, or employee, or who has committed, or who is suspected on reasonable grounds of having committed, a felony. Illegal searches of private dwellings. Penalty. *Proviso.* Exemptions.

Whoever not being an officer, agent, or employee of the United States shall falsely represent himself to be such officer, agent, or employee, and in such assumed character shall arrest or detain any person or shall in any manner search the person, buildings, or other property of any person, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than $1,000 or imprisoned for not more than one year, or by both such fine and imprisonment. Searches and arrests by person falsely representing himself as officer. Penalty.

SEC. 202 (a) The Act of March 22, 1933 (48 Stat. 16), entitled "An Act to provide revenue by the taxation of certain nonintoxicating liquors, and for other purposes", is hereby repealed. Vol. 48, p. 16; U. S. C., p. 1167.

(b) The shipment or transportation, in any manner or by any means whatsoever, of any spirituous, vinous, malted, fermented, or other intoxicating liquor of any kind, from one State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, into any other State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, or from any foreign country into any State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, which said spirituous, vinous, malted, fermented, or other intoxicating liquor Shipment of intoxicating liquor into State in violation of its laws, prohibited. Vol. 37, p. 699; U. S. C., p. 1223.

is intended, by any person interested therein, to be received, possessed, sold, or in any manner used, either in the original package or otherwise, in violation of any law of such State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, is hereby prohibited.

Vol. 40, p. 82; U. S. C., p. 294.

SEC. 203. Section 12 of the Act of May 18, 1917 (40 Stat. 76), entitled "An Act to authorize the President to increase temporarily the Military Establishment of the United States", as amended, is hereby repealed.

Forfeiture of vehicles or aircraft seized for violation of internal-revenue laws.

SEC. 204. (a) Whenever, in any proceeding in court for the forfeiture, under the internal-revenue laws, of any vehicle or aircraft seized for a violation of the internal-revenue laws relating to liquors, such forfeiture is decreed, the court shall have exclusive jurisdiction to remit or mitigate the forfeiture.

Claims for remission or mitigation; proof to be submitted by claimant.

(b) In any such proceeding the court shall not allow the claim of any claimant for remission or mitigation unless and until he proves (1) that he has an interest in such vehicle or aircraft, as owner or otherwise, which he acquired in good faith, (2) that he had at no time any knowledge or reason to believe that it was being or would be used in the violation of laws of the United States or of any State relating to liquor, and (3) if it appears that the interest asserted by the claimant arises out of or is in any way subject to any contract or agreement under which any person having a record or reputation for violating laws of the United States or of any State relating to liquor has a right with respect to such vehicle or aircraft, that, before such claimant acquired his interest, or such other person acquired his right under such contract or agreement, whichever occurred later, the claimant, his officer or agent, was informed in answer to his inquiry, at the headquarters of the sheriff, chief of police, principal Federal internal-revenue officer engaged in the enforcement of the liquor laws, or other principal local or Federal law-enforcement officer of the locality in which such other person acquired his right under such contract or agreement, of the locality in which such other person then resided, and of each locality in which the claimant has made any other inquiry as to the character or financial standing of such other person, that such other person had no such record or reputation.

Return of vehicle or aircraft.

(c) Upon the request of any claimant whose claim for remission or mitigation is allowed and whose interest is first in the order of priority among such claims allowed in such proceeding and is of an amount in excess of, or equal to, the appraised value of such vehicle or aircraft, the court shall order its return to him; and, upon the joint request of any two or more claimants whose claims are allowed and whose interests are not subject to any prior or intervening interests claimed and allowed in such proceedings, and are of a total amount in excess of, or equal to, the appraised value of such vehicle or aircraft, the court shall order its return to such of the joint requesting claimants as is designated in such request. Such return shall be made only upon payment of all expenses incident to the seizure and forfeiture incurred by the United States. In all other cases the court shall order disposition of such vehicle or aircraft as provided in title 3 of this Act, and if such disposition be by public sale, payment from the proceeds thereof, after satisfaction of all such expenses, of any such claim in its order of priority among the claims allowed in such proceedings.

Payment of expenses incurred by United States.

Disposition of vehicles, etc., not returned.

Delivery to claimant.

(d) In any proceeding in court for the forfeiture under the internal-revenue laws of any vehicle or aircraft seized for a violation of the internal-revenue laws relating to liquor, the court shall order

delivery thereof to any claimant who shall establish his right to the immediate possession thereof, and shall execute, with one or more sureties approved by the court, and deliver to the court, a bond to the United States for the payment of a sum equal to the appraised value of such vehicle or aircraft. Such bond shall be conditioned to return such vehicle or aircraft at the time of the trial and to pay the difference between the appraised value of such vehicle or aircraft as of the time it shall have been so released on bond and the appraised value thereof as of the time of trial; and conditioned further that, if the vehicle or aircraft be not returned at the time of trial, the bond shall stand in lieu of, and be forfeited in the same manner as, such vehicle or aircraft. Notwithstanding the provisions of this subsection or any other provisions of law relating to the delivery of possession on bond of vehicles or aircraft sought to be forfeited under the internal-revenue laws, the court may, in its discretion and upon good cause shown by the United States, refuse to order such delivery of possession.

Bond required.

Refusal to order delivery.

TITLE III

Definitions.

SECTION 301. As used in this title—

"Property."

(1) "Property" means all personal property, including but not limited to vessels, vehicles, and aircraft;

"Agency."

(2) "Agency" includes any executive department, independent establishment, board, commission, bureau, service, or division of the United States, and any corporation in which the United States owns all or a majority of the stock.

"Director."

(3) "Director" means the Director of the Procurement Division of the Treasury Department of the United States.

Abandoned property; disposition.

SEC. 302. In the event that any property is or has been voluntarily abandoned to any agency in such manner as to vest title thereto in the United States, it may be retained by such agency and devoted to official use only. If such agency shall not desire so to retain such property, the head thereof shall forthwith notify the Director to that effect, and the Director shall, within a reasonable time—

(a) order such agency to deliver the property to any other agency which requests and in his judgment should be given the property, or

(b) order disposal of the property as otherwise provided by law.

Seized property forfeited to United States; disposition.

SEC. 303. In the event that any property seized by any agency is or has been forfeited to the United States otherwise than by court decree, it may, in the event that the property is not ordered by competent authority to be returned to any claimant, and in lieu of being disposed of as otherwise provided by law (including advertisement for sale, and sale), be retained by such agency and devoted to official use only. If such agency shall not desire so to retain such property, the head thereof shall forthwith notify the Director to that effect, and such property shall—

When seizing agency does not desire to retain.

(a) in the event that it is not ordered by competent authority to be returned to any claimant, and in lieu of being disposed of as otherwise provided by law (including advertisement for sale, and sale), be delivered by such agency, upon order of the Director given within a reasonable time, to any other agency which requests and in the judgment of the Director should be given the property, or

(b) upon order of the Director given within a reasonable time, be disposed of as otherwise provided by law.

Notification when property seized; request for use.

Application for property to court.

SEC. 304. In the event that proceedings are or have been commenced for the forfeiture of any property by court decree, the agency which seized such property shall forthwith notify the Director and may at the same time file with him a request for such property for its official use. The Director shall, before entry of a decree, apply to the court to order delivery of such property—

(a) to the agency filing such request; or

(b) if no such request has been filed, to any other agency which requests and in the judgment of the Director should be given such property; or

(c) if the agency which seized such property has not requested it, and no other agency has requested and in the judgment of the Director should be given such property, and if in the judgment of the Director the property may later become necessary to any agency for official use, to the seizing agency to be retained in its custody. Thereafter, the Director shall, within a reasonable time, order such agency to deliver the property to any other agency which requests and in his judgment should be given such property, or to dispose of it as otherwise provided by law,

and if forfeiture thereof is decreed, the court shall, in the event that the property is not ordered by competent authority to be returned to any claimant, order delivery accordingly. All the property for which no such application is made shall be disposed of by the court in accordance with law.

Appropriations available for maintenance of seized property.
Post, p. 1833.

SEC. 305. The appropriation available to any agency for the purchase, hire, operation, maintenance, and repair of property of any kind shall be available for the payment of expenses of operation, maintenance, and repair of property of the same kind received by it under any provision of this title for official use; for the payment of any lien recognized and allowed pursuant to law, and for the payment of all moneys found to be due any person upon the duly authorized remission or mitigation of any forfeiture; and for reimbursement of other agencies as hereafter provided. The costs of hauling, transporting, towing, and storage of such property shall be paid by the agency which has seized such property or to which it has been abandoned; and, if such property is later delivered to another agency for official use under sections 302, 303, or 304 of this title, the latter shall make reimbursement for all such costs incurred prior to the date of delivery to it of such property.

Other expenses.

Retention or delivery considered sale; informer's fees, etc.

SEC. 306. Retention or delivery of forfeited or abandoned property under this title shall be regarded as the sale thereof for the purpose of laws providing for informer's fees or remission or mitigation of any forfeiture. Any property so acquired when no longer needed for official use shall be disposed of in the same manner as other surplus property.

Authority of Director to require reports respecting abandoned property.

Rules and regulations.

SEC. 307. The Director is authorized, with the approval of the Secretary of the Treasury, (1) to require any agency, from time to time, to make a report of all property abandoned to it or seized and the disposal thereof, and (2) to make such rules and regulations as may be necessary to carry out the provisions of this title.

Vol. 43, p. 1116; Vol. 46, p. 430; U. S. C., p. 823.

SEC. 308. (a) The Act entitled "An Act relating to the use or disposal of vessels or vehicles forfeited to the United States for violation of the customs laws or the National Prohibition Act, and for other purposes" (43 Stat. 1116), approved March 3, 1925, as amended, is hereby repealed.

Inconsistent laws.

(b) Nothing contained in this title shall be construed as repealing any other laws relating to the disposition of forfeited or abandoned property, except such provisions of such laws as are directly in conflict with any provisions of this title.

(c) The following classes of property shall not be subject to allocation under sections 302, 303, or 304 of this title, but shall be disposed of in the manner otherwise provided by law: Classes of property exempt from allocation.

(1) arms or munitions of war included in section 4 of title VI of the Act entitled "An Act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes" (40 Stat. 223), approved June 15, 1917, as amended; Vol. 40, p. 223.

(2) narcotic drugs, as defined in the Narcotic Drug Import and Export Act; Vol. 42, p. 596.

(3) firearms, as defined in the National Firearms Act; and Vol. 48, p. 1236.

(4) such other classes or kinds of property as the Director, with the approval of the Secretary of the Treasury, may deem in the public interest, and may by rules and regulations provide.

Approved, August 27, 1935.

[CHAPTER 741.]

AN ACT

August 27, 1935.
[S. 3353.]
[Public, No. 348.]

Providing for the exchange of certain park lands at and near Western Avenue and West Beach Drive for other lands more suitable to the development of Rock Creek Park and the street system of the District of Columbia, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to extend Beach Parkway northward to Western Avenue as provided for by the plans of the National Capital Park and Planning Commission for the park system of the District of Columbia and to preserve the flow of water in Rock Creek Park and to extend West Beach Drive to connect Beach Drive and Rock Creek Park with Western Avenue, the Secretary of the Interior is authorized to convey by and on behalf of the United States of America to the owners of parcel 78/5, or to such party or parties as said owner or owners shall designate, the title of the United States in and to a piece of land containing approximately fifty-five thousand square feet at and near the intersection of Western Avenue and West Beach Drive as proposed in accordance with the plan of the permanent system of highways of the District of Columbia, being a part of reservation 339: *Provided*, That the owners of said parcel 78/5 shall furnish the United States of America with a good and sufficient title in fee simple, free of all encumbrances, to that piece of land lying along and east of the center line of West Beach Drive as proposed in accordance with the plan of the permanent system of highways of the District of Columbia, and extending east to the creek immediately north of the present north line of United States reservation 432 and extending north to United States reservation 339 and containing approximately fifty-eight thousand five hundred square feet: *Provided further*, That the owners of parcel 78/5 dedicate to the District of Columbia for street purposes the west half, forty-five feet in width, of West Beach Drive as proposed in accordance with the plan of the permanent system of highways of the District of Columbia, along their property immediately north of the north line of reservation 432.

District of Columbia. Exchange of certain park lands in, authorized.

Provisos. Condition.

Private property owners to dedicate strip for street purposes.

SEC. 2. The dedication and transfers provided for in section 1 are designated approximately upon plat file numbered 3.9–97 in the files of the National Capital Park and Planning Commission. The dedication and conveyances shall be by proper deed and other instruments containing full legal description by exact survey of the land exchanged and dedicated as provided for by law.

Parcels designated.

Deed, etc.

Secretary's powers not curtailed.

Vol. 47, p. 707.

SEC. 3. Nothing in this Act shall be construed as curtailing the power of the Secretary of the Interior to sell the remainder of parcel 4 as provided for in Public Law Numbered 299, Seventy-second Congress, and should the exchange and dedication as provided for in section 1 fail to become effective the Secretary of the Interior is still authorized to sell the entire area of parcel 4 as provided for in that Act.

Approved, August 27, 1935.

[CHAPTER 742.]

August 27, 1935.
[H. R. 3462.]
[Public, No. 349.]

AN ACT

To amend an Act entitled "An Act to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes, approved March 4, 1913", and for other purposes.

District of Columbia, Public Utilities Commission.
Vol. 37, pp. 985, 988, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Act entitled "An Act to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes, approved March 4, 1913", be, and the same is hereby, amended by striking therefrom all of paragraph 52, and all of paragraph 64, after the first sentence thereof, and inserting in lieu of the matter stricken the following:

Application for rehearing on Commission's order, allowed.
Limitations.

"That any public utility or any other person or corporation affected by any final order or decision of the Commission may, within thirty days after the publication thereof, file with the Commission an application in writing requesting a reconsideration of the matters involved, and stating specifically the errors claimed as grounds for such reconsideration. No public utility, or other person or corporation shall in any court urge or rely on any ground not so set forth in said application. The Commission, within thirty days after the filing of such application, shall either grant or deny it. Failure by the Commission to act upon such application within such period shall be deemed a denial thereof. If such application be granted, the Commission, after giving notice thereof to all interested parties, shall, either with or without hearing, rescind, modify, or affirm its order or decision. The filing of such an application shall act as a stay upon the execution of the order or decision of the Commission until the final action of the Commission upon the application: *Provided*, That upon written consent of the utility such order or decision shall not be stayed unless otherwise ordered by the Commission. No appeal shall lie from any order of the Commission unless an application for reconsideration shall have been first made and determined."

Commission's decision.

Application to act as stay on order's execution.

Proviso.
Exception.

Appeal restriction.

Designated sections repealed.
Vol. 37, p. 989.

SEC. 2. That said section 8 be, and the same hereby is, further amended by striking therefrom paragraphs 65, 66, 67, 68, and 69 and inserting in lieu of the matter stricken the following:

Appeal from Commission's decision.

Court jurisdiction over.

"PAR. 65. The Supreme Court of the District of Columbia shall have jurisdiction to hear and determine any appeal from an order or decision of the Commission. Any public utility, or any other person or corporation affected by any final order or decision of the Commission, other than an order fixing or determining the value of the property of a public utility in a proceeding solely for that purpose, may, within sixty days after final action by the Commission upon the petition for reconsideration, file with the clerk of the Supreme Court of the District of Columbia a petition of appeal setting forth the reasons for such appeal and the relief sought; at the same time such appellant shall file with the Commission notice

Petition to be filed.

in writing of the appeal together with a copy of the petition. Within twenty days of the receipt of such notice of appeal the Commission shall file with the clerk of the said court the record, including a transcript of all proceedings had and testimony taken before the Commission, duly certified, upon which the said order or decision of the Commission was based, together with a statement of its findings of fact and conclusions upon the said record, and a copy of the application for reconsideration and the orders entered thereon: *Provided*, That the parties, with the consent and approval of the Commission, may stipulate in writing that only certain portions of the record be transcribed and transmitted. Within this period the Commission or any other interested party shall answer, demur, or otherwise move or plead. Thereupon the appeal shall be at issue and ready for hearing. All such proceedings shall have precedence over any civil cause of a different nature pending in said court, and the Supreme Court of the District of Columbia shall always be deemed open for the hearing thereof. Any such appeal shall be heard upon the record before the Commission, and no new or additional evidence shall be received by the said court. The said court, or any justice or justices thereof, before whom any such appeal shall be heard, may require and direct the Commission to receive additional evidence upon any subject related to the issues on said appeal concerning which evidence was improperly excluded in the hearing before the Commission or upon which the record may contain no substantial evidence. Upon receipt of such requirement and direction the Commission shall receive such evidence and without unreasonable delay shall transmit to the said court the findings of fact made thereon by the Commission and the conclusions of the Commission upon the said facts.

Transcript of record, etc., to be transmitted.

Proviso. Record may be abridged.

Precedence to be given.

Evidence improperly excluded at hearing may be admitted.

"Upon the conclusion of its hearing of any such appeal the court shall either dismiss the said appeal and affirm the order or decision of the Commission or sustain the appeal and vacate the Commission's order or decision. In either event the court shall accompany its order by a statement of its reasons for its action, and in the case of the vacation of an order or decision of the Commission the statement shall relate the particulars in and the extent to which such order or decision was defective.

Court findings.

Reasons to be stated.

"Any party, including said Commission, may appeal from the order or decree of said court to the Court of Appeals of the District of Columbia, which shall thereupon have and take jurisdiction in every such appeal. Thereafter the Supreme Court of the United States may, upon a petition for certiorari granted in its discretion, review the said case.

Appeal allowed to Court of Appeals.

Certiorari to U. S. Supreme Court.

"Said Commission shall not, nor shall any of its members, officers, agents, or employees, be taxed with any costs, nor shall they or any of them be required to give any supersedeas bond or security for costs or damages on any appeal whatsoever. Said Commission, or any of its members, officers, agents, or employees, shall not be liable to suit or action or for any judgment or decree for any damages, loss, or injury claimed by any public utility or person, nor required in any case to make any deposit for costs or pay for any service to the clerks of any court or to the marshal of the United States.

No liability upon Commission for official acts, etc.

"PAR. 66. In the determination of any appeal from an order or decision of the Commission the review by the court shall be limited to questions of law, including constitutional questions; and the findings of fact by the Commission shall be conclusive unless it shall appear that such findings of the Commission are unreasonable, arbitrary or capricious.

Court review limited to questions of law.

Commission's findings of fact.

Effect of Commission's orders.

"PAR. 67. All orders and decisions of the Commission shall remain in full effect, except as provided in paragraph 64, unless and until they are suspended, superseded or rescinded by the Commission or are vacated by lawful order of the Supreme Court of the District of Columbia: *Provided*, That if in any petition made to the said court appealing from an order or decision of the Commission it be alleged that substantial and irreparable property loss would be occasioned to the petitioner by the operation of the said order pending the determination of the said appeal, the court shall set a time and place for hearing upon the said allegation after not less than three days' notice to the Commission (during which period the execution of the order or decision shall be stayed), and the said court may then, upon a clear showing of the irreparable and substantial property loss as alleged, suspend the effective date of the said order. No such suspension shall be for a greater period than sixty days without further order after notice or hearing by the court. In the event of the issuance of an order suspending the operation of any order of the Commission, the court may include therein such provision as it deems advisable for the preservation of records or accounts and the impounding or otherwise securing of moneys necessary to give effect to the order of the Commission in the event the said order is sustained.

Proviso.
Suspending order for alleged irreparable loss.

Period.

Provisions included in court order.

Court of Appeals.
Certification of appeal to.

"PAR. 68. The Supreme Court of the District of Columbia, or any justice thereof before whom an appeal from an order of the Commission is pending, may certify to the Court of Appeals of the District of Columbia any questions or propositions of law concerning which instructions are desired for the proper disposition of the appeal; and thereupon the court of appeals may either give binding instructions on the questions and propositions certified or may require that the entire record in the cause be sent up for its consideration, and thereupon shall decide the whole matter in controversy in the same manner as if it had been brought there by writ of error or appeal.

Court order.

Authority of Commission to rescind, etc., its order.

"PAR. 69. That the Commission may at any time rescind, alter, modify, or amend its order. That if, after appeal is filed, the Commission shall rescind the order or decision appealed from, the appeal shall be dismissed; if it shall alter, modify, or amend the same, such altered, modified, or amended order or decision shall take the place of the original order and the court shall proceed thereon as though the late order had been made by the Commission in the first instance.

Review.

"PAR. 69a. The method of review of the orders and decisions of the Commission provided by paragraphs 64, 65, 66, 67, 68, and 69, herein, shall be exclusive."

Vol. 37, p. 984; Vol. 44, p. 1351.

SEC. 3. That the said section 8 is hereby further amended by striking all of paragraphs 42 and 42a thereof and inserting in lieu thereof the following:

Investigation expenses to be borne by utility.

"PAR. 42. That the expenses of any investigation, valuation, revaluation, or proceeding of any nature by the Public Utilities Commission of or concerning any public utility operating in the District of Columbia, and all expenses of any litigation, including appeals, arising from any such investigation, valuation, revaluation, or proceeding, or from any order or action of the said Commission, shall be borne by the public utility investigated, valued, revalued, or otherwise affected as a special franchise tax in addition to all other taxes imposed by law, and such expenses with interest at 6 per centum per annum may be charged to operating expenses and amortized over such period as the Public Utilities Commission shall deem proper and be allowed for in the rates to be charged by such utility. When any such investigation, valuation, revaluation, or other proceeding is begun the said Public Utilities Commission may call upon the utility in question for the deposit of such reasonable sum or sums as

Interest added.

Deposit may be required.

in the opinion of said Commission, it may deem necessary from time to time until the said proceeding or the litigation arising therefrom is completed, the money so paid to be deposited in the Treasury of the United States to the credit of the appropriation account known as 'Miscellaneous trust fund deposit, District of Columbia' and to be disbursed in the manner provided for by law for other expenditures of the government of the District of Columbia, for such purposes as may be approved by the Public Utilities Commission. Any unexpended balance of such sum or sums so deposited shall be returned to the utility depositing the same: *Provided*, That the amount expended by the Commission in any valuation or rate case shall not exceed one-half of 1 per centum of the existing valuation of the company investigated, and that the amount expended in all other investigations shall not exceed one-tenth of 1 per centum of the existing valuation for any one company for any one year."

Accounting.

Proviso. Limitation on expenditure.

SEC. 4. If any provision of this Act or the application to any person or circumstances is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

Saving provision.

SEC. 5. No proceeding or litigation, except a proceeding involving solely the valuation of the property of any public utility, pending in any court in the District of Columbia on the date of the approval of this Act, shall be affected by any of the provisions hereof.

Pending proceedings not affected.

Approved, August 27, 1935.

[CHAPTER 743.]

AN ACT

To amend the Filled Milk Act.

August 27, 1935.
[H. R. 6361.]
[Public, No. 350.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of March 4, 1923, entitled "An Act to prohibit the shipment of filled milk in interstate or foreign commerce" (U. S. C., title 21, ch. 3) be, and the same is hereby, amended by adding at the end thereof the following section:

Filled Milk Act. Vol. 42, p. 1487, amended. U. S. C., p. 922.

"SEC. 4. The Secretary of Agriculture is hereby authorized and directed to make and enforce such regulations as may in his judgment be necessary to carry out the purposes of this Act."

Administration of, placed under Secretary of Agriculture. *Post*, p. 1454.

Approved, August 27, 1935.

[CHAPTER 744.]

AN ACT

To provide for the disposition, control, and use of surplus real property acquired by Federal agencies, and for other purposes.

August 27, 1935.
[S. 2888.]
[Public, No. 351.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provisions of law, whenever any real property located outside of the District of Columbia, exclusive of military or naval reservations, heretofore or hereafter acquired by any Federal agency, by judicial process or otherwise in the collection of debts, purchase, donation, condemnation, devise, forfeiture, lease, or in any other manner, is, in whole or in part, declared to be in excess of its needs by the Federal agency having control thereof, or by the President on recommendation of the Secretary of the Treasury, the Director of Procurement, with the approval of the Secretary of the Treasury, is authorized (a) to assign or reassign to any Federal agency or agencies space therein: *Provided*, That if the Federal agency to which space is assigned does not desire to occupy the space

Surplus Federal real property.
Disposition of certain, outside the District of Columbia, authorized.

By assignment of space to any Federal agency.

Proviso. Refusal to accept.

To lease, pending sale.

To sell to highest competitive bidder.

so assigned to it, the decision of the Director of Procurement shall be subject to review by the President; or (b) pending a sale, to lease such real property on such terms and for such period not in excess of five years as he may deem in the public interest; or (c) to sell the same at public sale to the highest responsible bidder upon such terms and after such public advertisement as he may deem in the public interest.

Director of Procurement to make repairs or alterations deemed necessary.

SEC. 2. Whenever after investigation it is determined by the Director of Procurement that any such real property should be used for the accommodation of any Federal agency or agencies, the Director of Procurement is authorized to make any repairs thereto or alterations thereof which he deems necessary or advisable and to maintain and operate the same. To the extent that the appropriations of the Procurement Division not otherwise allocated are inadequate for such repairs, alterations, maintenance, or operation, the Director of Procurement may require each Federal agency to which space has been assigned therein pursuant to the provisions of section 1 of this Act to pay promptly by check to the Procurement Division out of its appropriation for rent, either in advance of or upon or during occupancy of such space, all or part of the estimated or actual cost of such repairs, alterations, maintenance, and operation: *Provided*, That the total amount so to be paid shall be determined and equitably apportioned by the Director of Procurement among the Federal agencies to whom space has been so assigned: *Provided further*, That the amount so charged against any Federal agency shall be computed at a rate not in excess of that paid as rent by such agency immediately preceding such assignment for space in lieu of which space is so assigned to it, and if it is less the difference shall be deposited in the Treasury as miscellaneous receipts: *And provided further*, That in the event such space is not assigned in lieu of existing space, the amount so charged shall be computed at a rate not in excess of that which the Director of Procurement determines, with the approval of the Secretary of the Treasury, would have been paid as rent for corresponding space during the current fiscal year, and if it is less the difference shall be deposited in the Treasury as miscellaneous receipts. If a Federal agency subject to this proviso disagrees with the amount the Director of Procurement so determines would have been paid as rent, the determination of the Director of Procurement shall be subject to review by the President.

Reimbursement.

Provisos.
Equitable allocation of expenses.

Charges not to exceed rent for equivalent quarters.

Computation of charges.

Director's decision subject to review by the President.

Lease of space; terms, periods, etc.

SEC. 3. The Director of Procurement, with the approval of the Secretary of the Treasury, is further authorized to procure space by lease, on such terms and for such period not in excess of five years as he may deem in the public interest, for the housing of any Federal agency or agencies outside of the District of Columbia, except the Post Office Department, and to assign and reassign space therein in the same manner as is authorized with respect to surplus real property by section 1 of this Act, and to require the Federal agencies to whom space is assigned therein to pay the total expenditures required under such lease during its entire term in the manner specified in section 2 of this Act.

Maintenance, etc., expenses.

Administrative regulations.

SEC. 4. The Director of Procurement, with the approval of the Secretary of the Treasury, is authorized to make such regulations as may be necessary to carry out the provisions of this Act.

"Federal agency" defined.

SEC. 5. The term "Federal agency", as used in this Act, means any executive department, independent establishment, commission, board, bureau, division, or office in the executive branch, or other agency of the United States, including corporations wholly owned by the United States.

Approved, August 27, 1935.

[CHAPTER 745.]

AN ACT

August 27, 1935.
[S. 1832.]
[Public, No. 352.]

To authorize the Secretary of the Interior to provide by agreement with Middle Rio Grande Conservancy District, a subdivision of the State of New Mexico, for maintenance and operation on newly reclaimed Pueblo Indian lands in the Rio Grande Valley, New Mexico, reclaimed under previous Act of Congress, and authorizing an annual appropriation to pay the cost thereof for a period of not to exceed five years.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to enter into an agreement with Middle Rio Grande Conservancy District, a political subdivision of the State of New Mexico, to provide for operation and maintenance on newly reclaimed Pueblo Indian lands, not exceeding twelve thousand six hundred acres thereof now owned by said Indians, in the Rio Grande Valley, New Mexico, provided said lands have been benefited by improvements constructed under the Act of Congress dated March 13, 1928 (45 Stat. L., 312–313) and as therein provided, and as provided for by the provisions of the contract executed by and with the Secretary of the Interior and the said district; and there is hereby authorized to be appropriated annually for a period of not to exceed five years, such amount as may be necessary to enable the Secretary of the Interior to pay the cost to Middle Rio Grande Conservancy District of such operation and maintenance on said newly reclaimed Pueblo Indian lands as may be irrigable during any particular year, provided the per acre cost assessable against the acreage of newly reclaimed Indian lands shall not exceed the per acre cost of operating and maintaining the district works for the irrigation of the total irrigable area within the district, including the now irrigated and newly reclaimed Indian lands: *Provided*, That any sums appropriated pursuant hereto shall be reimbursable to the United States: *Provided further*, That the district shall be required by the agreement herein authorized to be executed, to deliver water without discrimination on that part of the newly reclaimed Pueblo lands on which the per acre charge or assessment has been paid: *And provided further*, That the provisions of the contract heretofore executed pursuant to the Act of March 13, 1928, requiring the district to recognize the prior and paramount water rights for the approximately eight thousand three hundred and forty-six acres of now irrigated Indian lands and of their exemption from payment of any operation and maintenance or betterment cost, shall be carried into and made a part of the agreement to be executed pursuant hereto.

Middle Rio Grande Conservancy District.
Agreement with, for maintenance on newly reclaimed Pueblo Indian lands, N. Mex., authorized.

Vol. 45, p. 312.

Appropriations authorized.

Assessment of costs.

Provisos.
Repayment.
Equitable distribution requirements.

Recognition of prior water rights of irrigated lands.

Approved, August 27, 1935.

[CHAPTER 746.]

AN ACT

For the relief of the State of Nebraska.

August 27, 1935.
[S. 1864.]
[Public, No. 353.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 3646, as amended, of the Revised Statutes of the United States, the issue of a duplicate check is hereby authorized and directed, without the requirement of an indemnity bond, said check to be a duplicate of original check numbered 15757, drawn by the disbursing clerk, Department of Agriculture, January 17, 1934, in favor of "State treasurer of Nebraska, trust fund", for $10,451.12 and lost, stolen, or miscarried in the mails.

Nebraska.
Issue of duplicate check to treasurer of, in lieu of lost original.
R. S., sec. 3646, p. 717.
U. S. C., p. 1395.

Approved, August 27, 1935.

[CHAPTER 747.]

AN ACT

August 27, 1935.
[S. 2002.]
[Public, No. 354.]

To provide for the establishment of load lines for American vessels in the coastwise trade, and for other purposes.

Coastwise Load Line Act, 1935.

Load lines established for vessels in coastwise voyage by sea.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That load lines are hereby established for merchant vessels of one hundred and fifty gross tons or over, loading at or proceeding to sea from any port or place within the United States or its possessions for a coastwise voyage by sea. By "coastwise voyage by sea" is meant a voyage on which a vessel in the usual course of her employment proceeds from one port or place in the United States or her possessions to another port or place in the United States or her possessions and passes outside the line dividing inland waters from the high seas, as defined in section 2 of the Act of February 19, 1895.

Term defined.

Vol. 28, p. 672; U. S. C., p. 1454.

Load water lines and marks; establishment. *Post*, p. 1543.

SEC. 2. The Secretary of Commerce is hereby authorized and directed in respect of the vessels defined above to establish by regulations from time to time the load water lines and marks thereof indicating the maximum depth to which such vessels may safely be loaded and in establishing such load lines due consideration shall be given to, and differentials made for, the various types and character of vessels and the trades in which they are engaged: *Provided*, That the load-line provisions of this Act shall apply to the Great Lakes and that no load line shall be established or marked on any vessel which load line gives a lesser freeboard and less buoyancy than the load line established by the International Treaty on Load Lines of 1930, and that the regulations established under this proviso shall have the force of law: *Provided further*, That in applying the load lines to vessels on the Great Lakes the Secretary of Commerce is vested with discretion to vary the load-line marks from those established by said Treaty when in his opinion the changes made by him will not be above the actual line of safety.

Provisos.
Applicable to Great Lakes.

Vol. 47, p. 2228.

Changes permitted, Great Lakes.

Marking lines on vessels.

SEC. 3 It shall be the duty of the owner and of the master of every vessel subject to this Act and to the regulations established thereunder to cause the load line or lines so established to be permanently and conspicuously marked upon the vessel in such manner as the Secretary of Commerce shall direct, and to keep the same so marked.

Appointment of American Bureau of Shipping to determine correctness.

The Secretary of Commerce shall appoint the American Bureau of Shipping, or such other American corporation or association for the survey or registry of shipping as may be selected by him, to determine whether the position and manner of marking on such vessels the load line or lines so established are in accordance with the provisions of this Act and of the regulations established thereunder: *Provided, however*, That, at the request of the shipowner, the Secretary of Commerce may appoint, for the purpose aforesaid, any other corporation or association for the survey or registry of shipping which the Secretary of Commerce may approve; or the Secretary of Commerce may appoint for said purpose any officer of the Government, who shall perform such services as may be directed by the Secretary of Commerce. The Secretary of Commerce may, in his discretion, revoke any appointment made pursuant to this section. Such corporation, association or officer shall, upon approving the position and manner of marking of such load line or lines, issue a certificate, in a form to be prescribed by the Secretary of Commerce, that the same are in accordance with the provisions of this Act and of the regulations established thereunder, and shall deliver a copy thereof to the master of the vessel. It shall be unlawful for any vessel subject to this Act and to said regulations to depart from any port or place designated in section 1 without

Proviso.
Other agencies may survey, etc., at request of shipowners.

Certificates of approval.

Unlawful for vessel to depart without.

bearing such mark or marks, approved and certified by such corporation, association, or officer, and without having on board a copy of said certificate.

Loading provisions.

SEC. 4. It shall be unlawful for any vessel subject to this Act and to the regulations established thereunder to be so loaded as to submerge the load line or lines marked pursuant to this Act and to the regulations established thereunder applicable to her voyage; or to be so loaded as to submerge under like conditions the point where such load line or lines ought to be marked pursuant to the provisions of this Act and of the regulations established thereunder; or to be so loaded as in any manner to violate the said regulations.

Exemptions of vessels of foreign country, complying with its load line laws.

SEC. 5. Whenever the Secretary of Commerce shall certify that the laws and regulations in force in any foreign country relating to load lines are equally effective with the regulations established under this Act, the Secretary of Commerce may direct, on proof that a vessel of that country has complied with such foreign laws and regulations, that such vessel and her master and owner shall be exempted from compliance with the provisions of this Act, except as hereinafter provided: *Provided*, That this section shall not apply to the vessels of any foreign country which does not similarly recognize the load lines established under this Act and the regulations made thereunder.

Proviso.
Reciprocal recognition.

Entry on log book of load line position before departing.

SEC. 6. It shall be the duty of the master of every vessel subject to this Act and to the regulations established thereunder and of every foreign vessel exempted pursuant to section 5, before departing from her loading port or place to provide a ship's record or log book and enter therein a statement of the position of the load line marked applicable to the voyage in question and the actual drafts forward and aft at the time of departing as nearly as the said drafts can be ascertained.

Detention of vessel violating provisions.

SEC. 7. If any collector of customs has reason to believe on complaint or otherwise that a vessel subject to the provisions of this Act is about to proceed on a voyage from a port in the United States or its possessions within his district without conforming to the provisions of section 3 hereof, or when loaded in violation of section 4 hereof, or that any vessel exempted pursuant to section 5 hereof is about to proceed on a voyage from such port when loaded in violation of the laws and regulations of her country with respect to load line, he may serve on the master or officer in charge of such vessel a written order detaining the vessel for the purpose of being surveyed to determine whether or not the provisions of this Act are complied with. Where the detention is on the ground that the vessel does not conform to the provisions of section 3 hereof, the collector shall cause an examination of the vessel to be made, and if from such examination it appears that the vessel is not marked with the load line established in conformity with the provisions of this Act, the collector shall so notify the master or officer in charge of such vessel and shall detain her until a load line shall have been duly established in accordance with section 3 hereof, provided that in cases of exceptional hardship, subject to regulations issued by the Secretary of Commerce, the collector may cause a proper load line to be provisionally established by one of the agencies or persons designated under section 3 hereof, which provisional load line shall constitute a compliance with the provisions of this Act only until completion of the particular voyage in which the vessel is at the time engaged. After such establishment or provisional establishment of a load line the collector shall appoint three disinterested surveyors to examine the loading of the vessel and to report to him whether such vessel is so loaded as to submerge said provisional load line and if from such report it appears that

Provisional load line in emergency permitted.

Loading of vessel to be examined by disinterested surveyors.

the vessel is so loaded, the collector may by written order served on the master or officer in charge of said vessel detain the vessel until she has been reloaded in whole or in part so as not to submerge said provisional load line or lines. Where the detention is on the ground of a supposed violation of section 4 or section 5 hereof, the collector shall appoint three disinterested surveyors to examine the vessel and her loading and to report to him and if from such report it appears that the vessel is loaded in violation of the provisions of sections 4 or 5 hereof, the collector shall so notify in writing the master or other officer in charge of such vessel and detain the vessel until she has been reloaded in whole or in part so as to conform to the provisions of sections 4 or 5 hereof. If a vessel is ordered detained by a collector acting under the provisions of this section, the master may within five days appeal to the Secretary of Commerce, who, if he so desires, may order a further survey and may affirm, set aside, or modify the order of the collector. Clearance shall be refused to any vessel which shall have been ordered detained.

Further examinations.

Appeal to Secretary of Commerce and further survey allowed.

Penalties.
Departing without proper marking.

SEC. 8. (a) If the owner or master of any vessel subject to this Act and to the regulations established thereunder shall permit her to depart from any port or place designated in section 1 without having complied with the provisions of section 3, he shall for each offense be liable to the United States in a penalty of $500. If the owner or master of any vessel exempted pursuant to section 5 shall permit her to depart from any port or place designated in section 1 without having the loadline or lines required by the laws and regulations of the country to which she belongs marked upon her as required by said law and regulations, he shall for each offense be liable to the United States in a penalty of $500. The Secretary of Commerce may, in his discretion, remit or mitigate any penalty imposed under this paragraph, or discontinue prosecution therefor on such terms as he may deem proper.

Foreign registry vessels.

Discretionary power of Secretary.

Failing to make required entry in log book.

(b) If the master of any vessel subject to this Act, or of any foreign vessel exempted pursuant to section 5, shall fail, before departing from any port or place designated in section 1, to enter in and make a part of the ship's record or log book the statement required by section 6, he shall for each offense be liable to the United States in a penalty of $100. The Secretary of Commerce may, in his discretion, remit or mitigate any penalty imposed under this paragraph.

Permitting vessel to depart or arrive with submerged load line, etc.

(c) If any person shall knowingly permit or cause or attempt to cause any vessel subject to this Act to depart or arrive, or if, being the owner, manager, agent, or master of such vessel, he shall fail to take reasonable care to prevent her from departing from or arriving at any port or place designated in section 1 when loaded in violation of section 4, or if any person shall knowingly permit or cause or attempt to cause a foreign vessel exempted pursuant to section 5 to depart or arrive, or if, being the owner, manager, agent, or master of such vessel he shall fail to take reasonable care to prevent her from departing from or arriving at any port or place designated in section 1 when loaded more deeply than permitted by the laws and regulations of the country to which she belongs, he shall, in respect of each offense, be liable to the United States, in a penalty of $500 unless the vessel's departure or arrival was, under the circumstances, reasonable and justifiable. The Secretary of Commerce may, in his discretion, remit or mitigate any penalty imposed under this paragraph.

Foreign vessels.

Permitting detained vessel to depart.

(d) If the master of any vessel or any other person shall knowingly permit or cause or attempt to cause any vessel to depart from

any port or place in the United States or its possessions in violation of any order of detention made pursuant to section 7, he shall, in respect of each offense, be guilty of a misdemeanor and shall be punished by a fine not to exceed $500 or by imprisonment not to exceed three months, or both such fine and imprisonment, in the discretion of the court.

Concealing, obliterating, etc., load line marks.

(e) If any person shall conceal, remove, alter, deface, or obliterate or shall suffer any person under his control to conceal, remove, alter, deface, or obliterate any mark or marks placed on a vessel pursuant to this Act or to the regulations established thereunder, except in the event of lawful change of said marks, or to prevent capture by an enemy, he shall in respect of each offense be guilty of a misdemeanor and shall be punished by a fine not to exceed $1,000, or by imprisonment not to exceed one year, or both such fine and imprisonment, in the discretion of the court.

Liability of vessel when owner, etc., subject to fine.

(f) Whenever the owner, manager, agent, or master of a vessel shall become subject to a fine or penalty by way of money payment pursuant to the provisions of this Act, the vessel shall also be liable therefor and may be seized and proceeded against in the district court of the United States in any district in which such vessel may be found.

Effective dates.

SEC. 9. The provisions of this Act shall become effective as to vessels of four thousand gross tons and upwards, not later than three months, and as to all other vessels subject hereto, not later than twelve months from and after the date of approval thereof.

Citation of Act.

This Act may be cited as the "Coastwise Load Line Act, 1935".

Approved, August 27, 1935.

[CHAPTER 748.]

AN ACT

August 27, 1935.
[S. 2203.]
[Public, No. 355.]

To promote the development of Indian arts and crafts and to create a board to assist therein, and for other purposes.

Development of Indian arts and crafts.
"Indian Arts and Crafts Board" created.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a board is hereby created in the Department of the Interior to be known as "Indian Arts and Crafts Board", and hereinafter referred to as the Board.

Membership, terms of office, etc.

The Board shall be composed of five commissioners, who shall be appointed by the Secretary of the Interior as soon as possible after the passage of this Act and shall continue in office, two for a term of two years, one for a term of three years, and two for a term of four years from the date of their appointment, the term of each to be designated by the Secretary of the Interior, but their successors shall be appointed for a term of four years except that any person chosen to fill a vacancy shall be appointed for the unexpired term of the commissioner whom he succeeds. Both public officers and private citizens shall be eligible for membership on the Board. The Board shall elect one of the commissioners as chairman. One or two vacancies on the Board shall not impair the right of the remaining commissioners to exercise all the powers of the Board.

Commissioners; compensation, expenses.

The commissioners shall serve without compensation: *Provided*, That each Commissioner shall be reimbursed for all actual expenses, including travel expenses, subsistence and office overhead, which the Board shall certify to have been incurred as properly incidental to the performance of his duties as a member of the Board.

Functions and duty of Board.

SEC. 2. It shall be the function and the duty of the Board to promote the economic welfare of the Indian tribes and the Indian wards of the Government through the development of Indian arts and crafts and the expansion of the market for the products of

Extending markets for products.

Technical studies, etc.

Trade marking.

Establishing standards.
Licenses for use of.

Personal services.

Proviso.
Appointments in accordance with Classification and Civil Service Acts.
Vol. 42, p. 1488; U. S. C., p. 85.

Business contracts.

Proviso.
Unauthorized acts.

Rules prescribed.

Provisos.
Regulating disbursements.
Approval of Secretary of the Interior.

Appropriation authorized for expenses.
Post, p. 1768.

Receipts to constitute special fund; expenditures therefrom.

Counterfeiting, etc.

Indian art and craftsmanship. In the execution of this function the Board shall have the following powers: (a) To undertake market research to determine the best opportunity for the sale of various products; (b) to engage in technical research and give technical advice and assistance; (c) to engage in experimentation directly or through selected agencies; (d) to correlate and encourage the activities of the various governmental and private agencies in the field; (e) to offer assistance in the management of operating groups for the furtherance of specific projects; (f) to make recommendations to appropriate agencies for loans in furtherance of the production and sale of Indian products; (g) to create Government trade marks of genuineness and quality for Indian products and the products of particular Indian tribes or groups; to establish standards and regulations for the use of such trade marks; to license corporations, associations, or individuals to use them; and to charge a fee for their use; to register them in the United States Patent Office without charge; (h) to employ executive officers, including a general manager, and such other permanent and temporary personnel as may be found necessary, and prescribe the authorities, duties, responsibilities, and tenure and fix the compensation of such officers and other employees: *Provided*, That the Classification Act of 1923, as amended, shall be applicable to all permanent employees except executive officers, and that all employees other than executive officers shall be appointed in accordance with the civil-service laws from lists of eligibles to be supplied by the Civil Service Commission; (i) as a Government agency to negotiate and execute in its own name contracts with operating groups to supply management, personnel, and supervision at cost, and to negotiate and execute in its own name such other contracts and to carry on such other business as may be necessary for the accomplishment of the duties and purposes of the Board: *Provided*, That nothing in the foregoing enumeration of powers shall be construed to authorize the Board to borrow or lend money or to deal in Indian goods.

SEC. 3. The Board shall prescribe from time to time rules and regulations governing the conduct of its business and containing such provisions as it may deem appropriate for the effective execution and administration of the powers conferred upon it by this Act: *Provided*, That before prescribing any procedure for the disbursement of money the Board shall advise and consult with the General Accounting Office: *Provided further*, That all rules and regulations proposed by the Board shall be submitted to the Secretary of the Interior and shall become effective upon his approval.

SEC. 4. There is hereby authorized to be appropriated out of any sums in the Treasury not otherwise appropriated such sums as may be necessary to defray the expenses of the Board and carry out the purposes and provisions of this Act. All income derived by the Board from any source shall be covered into the Treasury of the United States and shall constitute a special fund which is hereby appropriated and made available until expended for carrying out the purposes and provisions of this Act. Out of the funds available to it at any time the Board may authorize such expenditures, consistent with the provisions of this Act, as it may determine to be necessary for the accomplishment of the purposes and objectives of this Act.

SEC. 5. Any person who shall counterfeit or colorably imitate any Government trade mark used or devised by the Board as provided in section 2 of this Act, or shall, except as authorized by the Board, affix any such Government trade mark, or shall knowingly, willfully, and corruptly affix any reproduction, counterfeit, copy, or colorable imitation thereof upon any products, Indian or otherwise,

or to any labels, signs, prints, packages, wrappers, or receptacles intended to be used upon or in connection with the sale of such products, or any person who shall knowingly make any false statement for the purpose of obtaining the use of any such Government trade mark, shall be guilty of a misdemeanor, and upon conviction thereof shall be enjoined from further carrying on the act or acts complained of and shall be subject to a fine not exceeding $2,000, or imprisonment not exceeding six months, or both such fine and imprisonment.

False statements.

Punishment for.

SEC. 6. Any person who shall willfully offer or display for sale any goods, with or without any Government trade mark, as Indian products or Indian products of a particular Indian tribe or group, resident within the United States or the Territory of Alaska, when such person knows such goods are not Indian products or are not Indian products of the particular Indian tribe or group, shall be guilty of a misdemeanor and be subject to a fine not exceeding $2,000 or imprisonment not exceeding six months, or both such fine and imprisonment.

Fraudulent practices, etc.

Punishment for.

It shall be the duty of each district attorney, to whom the Board shall report in writing any violation of the provisions of this section which has occurred within his jurisdiction, to cause appropriate proceedings to be commenced and prosecuted in the proper courts of the United States for the enforcement of the penalties herein provided.

Enforcement provisions.

Approved, August 27, 1935.

[CHAPTER 749.]

AN ACT

August 27, 1935.
[S. 2215.]
[Public, No. 356.]

To amend the Act entitled "An Act to provide for the collection and publication of statistics of tobacco by the Department of Agriculture", approved January 14, 1929, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act entitled "An Act to provide for the collection and publication of statistics of tobacco by the Department of Agriculture", approved January 14, 1929, as amended, is hereby further amended to read as follows:

Tobacco statistics.
Vol. 45, p. 1079; Vol. 47, p. 662; U. S. C., p. 152.

"That the Secretary of Agriculture be, and he is hereby, authorized and directed to collect and publish statistics of the quantity of leaf tobacco in all forms in the United States and Puerto Rico, owned by or in the possession of dealers, manufacturers, quasi-manufacturers, growers' cooperative associations, warehousemen, brokers, holders, or owners, other than the original growers of tobacco. The statistics shall show the quantity of tobacco in such detail as to types, groups of grades, and such other subdivisions as to quality, color, and/or grade for particular types, as the Secretary of Agriculture shall deem to be practical and necessary for the purposes of this Act, shall be summarized as of January 1, April 1, July 1, and October 1 of each year, and an annual report on tobacco statistics shall be issued: *Provided*, That the Secretary of Agriculture shall not be required to collect statistics of leaf tobacco from any manufacturer of tobacco who, in the first three quarters of the preceding calendar year, according to the returns of the Commissioner of Internal Revenue or the record of the Treasurer of Puerto Rico, manufactured less than thirty-five thousand pounds of tobacco, or from any manufacturer of cigars who, during the first three quarters of the preceding calendar year, manufactured less than one hundred and eighty-five thousand cigars, or from any manufacturer of cigarettes who, during the first three quarters of the preceding year,

Collection and publication of quantity of leaf tobacco.

Details required.

Quarterly summaries and annual reports.

Provisos.
Small manufacturers

Small dealers, etc.

manufactured less than seven hundred and fifty thousand cigarettes: *And provided further*, That the Secretary of Agriculture may omit the collection of statistics from any dealer, manufacturer, growers' cooperative association, warehouseman, broker, holder, or owner who does not own and/or have in stock, in the aggregate, fifty thousand pounds or more of leaf tobacco on the date as of which the reports are made. For the purposes of this Act, any tobacco which has deteriorated on account of age or other causes to the extent that it is not merchantable or is unsuitable for use in manufacturing tobacco products shall be classified with other nondescript tobacco and reported in the 'N' group of the type to which it belongs."

Deteriorated, unmerchantable tobacco.

SEC. 2. Section 2 of the said Act of January 14, 1929, as amended, is hereby amended to read as follows:

Standards for classification.
Vol. 45, p. 1079

"SEC. 2. The Secretary of Agriculture shall establish standards for the classification of leaf tobacco, and he is authorized to demonstrate such standards, to prepare and distribute samples thereof, and to make reasonable charges therefor. He shall specify the types, groups of grades, qualities, colors, and/or grades, which shall be included in the returns required by this Act. The Secretary of Agriculture shall prepare appropriate blanks upon which the returns shall be made, shall, upon request, furnish copies to persons who are required by this Act to make returns, and such returns shall show the types, groups of grades, qualities, colors, and/or grades and such other information as the Secretary may require."

Returns and blanks.

Vol. 45, p. 1080; U. S. C., p. 153.

SEC. 3. Section 5 of the said Act of January 14, 1929, as amended, is hereby amended to read as follows:

Access to Internal Revenue records.

"SEC. 5. The Secretary of Agriculture shall have access to the tobacco records of the Commissioner of Internal Revenue and of the several collectors of internal revenue for the purpose of obtaining lists of the persons subject to this Act and for the purpose of aiding the collection of the information herein required, and the Commissioner of Internal Revenue and the several collectors of internal revenue shall cooperate with the Secretary of Agriculture in effectuating the provisions of this Act."

Saving provisions.

SEC. 4. If any provision of this Act, or the application of such provision to any person or circumstances, is held invalid, the remainder of the Act and the application of such provisions to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

Approved, August 27, 1935.

[CHAPTER 750.]

AN ACT

August 27, 1935.
[S. 2578.]
[Public, No. 357.]

Authorizing distribution of funds to the credit of the Wyandotte Indians, Oklahoma.

Wyandotte Indians, Okla.
Per capita distribution of funds authorized.
Ante, p. 182.
Vol. 48, p. 1184.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to withdraw from the Treasury all funds remaining to the credit of the Wyandotte Indians, Oklahoma, including the sum of $10,000 appropriated by the Interior Department Appropriation Act, fiscal year 1936, to compensate the Wyandotte Indians for Seneca School lands, as authorized by the act of June 21, 1934 (48 Stat. 1184), and to distribute the same per capita to members of the tribe entitled thereto:

Proviso.
Allen C. Johnson, services.

Provided, That, prior to the distribution herein authorized, there shall be paid therefrom to Allen C. Johnson or his heirs not to exceed the sum of $500 for services rendered and expenses incurred on behalf of said tribe.

Approved, August 27, 1935.

[CHAPTER 751.]

AN ACT

August 27, 1935.
[S. 2649.]
[Public, No. 358.]

To provide for a recreation area within the Prescott National Forest, Arizona.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is hereby authorized in his discretion to designate and segregate for recreational development any lands not to exceed four thousand acres within the Prescott National Forest, Arizona, which in his opinion, are available for such purpose, and he is hereby authorized to enter into such form of cooperative agreement with, or issue such permits to the city of Phoenix, Arizona, for occupancy of said area for recreation purposes as in his opinion will permit the fullest use of the lands for such purposes without interfering with the object for which the national forest was established. Lands so designated and segregated under the provisions of this Act shall not be subject to the mining laws of the United States: *Provided, however*, That such designation and segregation shall not affect valid existing mineral locations of record on the date of such segregation so long as such locations are legally maintained.

Prescott National Forest, Ariz.
Segregation of portion, for recreational uses.

Cooperative agreement with Phoenix, Ariz.

Mining laws waived.

Proviso.
Existing locations not affected.

Approved, August 27, 1935.

[CHAPTER 752.]

AN ACT

August 27, 1935.
[S. 2681.]
[Public, No. 359.]

To extend the times for commencing and completing the construction of a bridge across Lake Champlain at or near West Swanton, Vermont.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across Lake Champlain, at or near West Swanton, Vermont, authorized to be built by the State Board of Public Works of the State of Vermont, by an Act of Congress approved June 18, 1934, are hereby extended one and three years, respectively, from the date of approval hereof.

Lake Champlain.
Time extended for bridging, at West Swanton, Vt.

Vol. 48, p. 988, amended.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 27, 1935.

[CHAPTER 753.]

AN ACT

August 27, 1935.
[S. 3270.]
[Public, No. 360.]

To permit construction, maintenance, and use of certain pipe lines for petroleum and petroleum products in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia be, and are hereby, authorized and empowered to grant permission to the Decatur Corporation, a corporation organized in the State of Delaware, owner of that part of square 1067, bounded by L Street Southeast on the north, Fourteenth Street Southeast on the west, Fifteenth Street Southeast on the east, and to the right-of-way of the Philadelphia, Baltimore and Washington Railroad on the south, in the city of Washington in the District of Columbia, its successors and assigns, to lay down, construct, maintain, and use not more than five pipe lines for the carriage of petroleum and petroleum products from a point or points north of said railroad right-of-way within square 1067, in and through Fifteenth Street Southeast due south to the pier-head line of the Anacostia River.

District of Columbia.
Decatur Corporation may lay certain pipe lines.

SEC. 2. That all the construction and use provided for herein shall be under such regulations and rentals as the Commissioners

Construction and use.

of the District of Columbia may make and establish in connection therewith and all plans and specifications for such construction shall be subject to their approval. The Commissioners of the District of Columbia shall have full authority to designate the location and to cause such repairs or relocation of said pipe lines as the public necessity may require, any such repairs or relocation to be at the expense of the Decatur Corporation, its successors or assigns.

Authority of Commissioners.

SEC. 3. That no permission granted or enjoyed hereunder shall vest any title or interest in or to the land within Fifteenth Street Southeast.

Title and interest.

SEC. 4. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 27, 1935.

[CHAPTER 754.]

August 27, 1935.
[S. 3327.]
[Public, No. 361.]

AN ACT

To authorize the Secretary of Commerce to dispose of certain portions of Anastasia Island Lighthouse Reservation, Florida, and for other purposes.

Anastasia Island Lighthouse Reservation, Fla.
Disposal of certain portions of, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce is authorized to convey to the city commission of the city of Saint Augustine, Florida, for public-park purposes, that portion of the Anastasia Island Lighthouse Reservation, Florida, which is not required to be retained for lighthouse purposes, consisting of Government lots 1 and 2, section 21, township 7 south, range 30 east, Tallahassee, Florida, excepting that part of lot 2 between the five-acre lighthouse tract and the hard-surfaced road and that part of Government lots 1 and 2 to be conveyed as authorized by section 2 of this Act, reserving unto the United States of America a perpetual easement for beams of light across any part of said lands that may be between the lighthouse and the sea. The deed of conveyance shall describe by metes and bounds the exact portion of the reservation transferred and the reservation of the easement heretofore mentioned.

Easement reserved.

Quitclaim deed to designated holders of record.

SEC. 2. The Secretary of Commerce is authorized to convey by quitclaim deed unto the following-named holders of record title thereto that portion of the Anastasia Island Lighthouse Reservation contained and included in the plat of Seaside Heights recorded in the office of the clerk of the Circuit Court in and for Saint Johns County, Florida, in Map Book 2 at page 37 of the Public Records of Saint Johns County, Florida: To Annette Mathis, that portion of said reservation platted as lots 1 and 2, block A, Seaside Heights; to Mary A. Masters, lot 3, block A, Seaside Heights; to G. N. and Clara B. Weber, lots 4, 5, 6, and 7, block A, Seaside Heights; to Harry Hellas, lots 1, 2, and 3, block B, and lots 1 and 2, block C, Seaside Heights; to Robert H. Bailey, lots 1, 2, 3, and 4, block F, Seaside Heights; to Southern Real Estate Corporation, lots 4 to 7, block B, 3 to 7, block C, all of blocks D and E, Seaside Heights; all of which said lots and parcels of land, platted as aforesaid for a part of Government lot 4 based upon an erroneous Government survey are a part of and contained within Government lots 1 and 2, section 21, township 7 south, range 30 east, Tallahassee, Florida, according to correct survey of said lands.

Previous authorization repealed.
Ante, p. 305.

SEC. 3. That section 3 of an Act approved May 28, 1935 (Public, Numbered 81, Seventy-fourth Congress) (H. R. 7131), authorizing the Secretary of Commerce to convey the lands herein described, be, and the same is hereby, repealed.

Approved, August 27, 1935.

[CHAPTER 755.]

AN ACT

August 27, 1935.
[H. R. 3003.]
[Public, No. 362.]

To provide for the commemoration of the two hundredth anniversary of the Battle of Ackia, Mississippi, and the establishment of the Ackia Battleground National Monument, and for other purposes.

Ackia Battleground National Monument; establishment.
Commission; appointment, composition.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a national commission to be known as the "Ackia Battle Memorial Commission" and which shall be composed of five commissioners to be appointed by the Secretary of the Interior, one member to represent the Chickasaw Indians and one the French-speaking people of the United States, be, and is hereby, authorized and established to prepare plans and programs for the commemoration in May 1936 of the two hundredth anniversary of the Battle of Ackia. That said commissioners shall receive no compensation for their services.

Acquisition of site.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized in his discretion to acquire, by purchase or by condemnation and/or accept by donation in behalf of the United States, such lands, easements, and buildings not to exceed fifty acres, and when title satisfactory to the Secretary of the Interior shall have been vested in the United States such area or areas shall be, upon proclamation of the President, established, dedicated, and set apart as a public monument for the benefit and enjoyment of the people and shall be known as the "Ackia Battleground National Monument": *Provided*, That such area shall include the site of the Battle of Ackia.

Proviso.
Area to include battleground.

Sum authorized.
Post, pp. 1119, 1623.

SEC. 3. That there is hereby authorized to be appropriated, out of moneys in the Treasury not otherwise appropriated, the sum of $15,000 to carry out the provisions of this Act.

Supervision, etc.

SEC. 4. The administration, protection, and development of the aforesaid national monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes", as amended.

Vol. 39, p. 535.
U. S. C., p. 591.

Approved, August 27, 1935.

[CHAPTER 756.]

AN ACT

August 27, 1935.
[H. R. 6510.]
[Public, No. 363.]

To amend the District of Columbia Alcoholic Beverage Control Act.

District of Columbia Alcoholic Beverage Control Act; amendment.
Vol. 48, p. 321.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (q) of section 3 of the Act of Congress entitled "An Act to control the manufacture, transportation, possession, and sale of alcoholic beverages in the District of Columbia", approved January 24, 1934, be amended so as to read as follows:

"Tavern" defined.

"(q) The word 'tavern' means a suitable space in a suitable building approved by the Board, including such suitable space outside of the building and adjoining it, as may be approved by the Board, kept, used, maintained, advertised, or held out to the public to be a place where sandwiches or light lunches are prepared and served for consumption on the premises in such quantities as to satisfy the Board that the sale of beer and light wines intended is no more than an incident to and not the prime source of revenue of such 'tavern'."

SEC. 2. That section 6 of said Act be amended so as to read as follows:

Licenses; issue, transfer, and revocation.

"SEC. 6. The right, power, and jurisdiction to issue, transfer, revoke, and suspend all licenses under this Act shall be vested solely

in the Board, and the action of the Board on any question of fact shall be final and conclusive; except that, in case a license is revoked or is suspended for a period of more than thirty days by the Board, the licensee may, within ten days after the order of revocation, or the order of suspension for a period of more than thirty days is entered, appeal in writing to the Commissioners to review said action of the Board, the hearings on said appeal to be submitted either orally or in writing at the discretion of the Commissioners, and the Commissioners shall not be required to take evidence, either oral, written, or documentary. The decision of the Commissioners on any question of fact involved in such appeal shall be final and conclusive. Pending such appeal the license shall stand suspended unless the Commissioners shall otherwise order.

Review of action revoking or suspending.

Findings of fact.

Status of license pending appeal.

"That the right and power be vested in the Board, for good cause shown, to issue permits for the sales of stocks of beverages located in the District of Columbia by individuals, corporations or associations, partnerships, executors, administrators, being owners thereof, receivers or other representatives of a court, to persons licensed under this Act.

Permits for sales of beverage stocks.

"Said Board shall have such other authority and perform such other duties as the Commissioners may, by regulation, prescribe."

Additional authority and duties of Board.

Vol. 48, p. 324.

SEC. 3. That subsection (a) of section 11 of the said Act be amended so as to read as follows:

License classification.

Manufacturers' license, class A.

"(a) MANUFACTURERS' LICENSE, CLASS A.—To operate a rectifying plant, a distillery, or a winery. Such a license shall authorize the holder thereof to operate a rectifying plant for the manufacture of the products of rectification by purifying or combining alcohol, spirits, wine, or beer; a distillery for the manufacture of alcohol or spirits by distillation or redistillation; or a winery for the manufacture of wine; at the place therein described, but such license shall not authorize more than one of said activities, namely, that of a rectifying plant, a distillery, or a winery, and a separate license shall be required for each such plant. Such a license shall also authorize the sale from the licensed place of the products manufactured under such license by the licensee to another license holder under this Act for resale or to a dealer licensed under the laws of any State or Territory of the United States for resale. It shall not authorize the sale of beverages to any other person except as may be provided by regulations promulgated by the Commissioners under this Act. The annual fee for such license for a rectifying plant shall be $3,500; for a distillery shall be $3,500; and for a winery shall be $500: *Provided, however*, That if a manufacturer shall operate a distillery only for the manufacture of alcohol and more than 50 per centum of such alcohol is sold for nonbeverage purposes, the annual fee shall be $1,000. If said manufacturer holding a license issued at the rate last mentioned shall sell during any license period 50 per centum or more of said alcohol for beverage purposes, he shall pay to the Collector of Taxes the difference between the license fee paid and the license fee for a distiller of spirits."

Sale of licensee's product.

Regulations.

Annual fees.

Proviso.
Alcohol sold for nonbeverage purposes.

Vol. 48, p. 324.

SEC. 4. That subsection (b) of section 11 of said Act be amended so as to read as follows:

Manufacturers' license, class B.

Manufactures and sales permitted.

"(b) MANUFACTURERS' LICENSE, CLASS B.—To operate a brewery. Such a license shall authorize the holder thereof to operate a brewery for the manufacture of beer at the place therein described. It shall also authorize the sale from the licensed place of the beer manufactured under such license to another license holder under this Act for resale or to a dealer licensed under the laws of any State or Territory of the United States for resale, or to a consumer. Said manufacturer may sell beer to the consumer only in barrels, kegs,

and sealed bottles and said barrels, kegs, and bottles shall not be opened after sale, nor the contents consumed, on the premises where sold. The annual fee for such license shall be $2,500."

Annual fee.

SEC. 5. That subsection (c) of section 11 of the said Act be amended so as to read as follows:

Vol. 48, p. 325.

"(c) WHOLESALERS' LICENSE, CLASS A.—Such a license shall authorize the holder thereof to sell beverages from the place therein described to another license holder under this Act for resale or to a dealer licensed under the laws of any State or Territory of the United States for resale, and, in addition, in the case of beer or light wines, to a consumer, said beverages to be sold only in barrels, kegs, sealed bottles, and other closed containers, which said barrels, kegs, sealed bottles, and other closed containers shall not be opened after sale, nor the contents consumed, on the premises where sold. It shall not authorize the sale of beverages to any other person except as may be provided by regulations promulgated by the Commissioners under this Act.

Wholesalers' license, class A.
Sales permitted.

Prohibited.

"No holder of such a license except a wholesale druggist or a wholesale grocer shall be engaged in any business on the premises for which the license is issued other than the sale of alcoholic and nonalcoholic beverages.

Restriction on engaging in other business on premises.

"The annual fee for such license shall be $1,500."

Annual fee.

SEC. 6. That subsection (d) of section 11 of the said Act be amended so as to read as follows:

Vol. 48, p. 325.

"(d) WHOLESALERS' LICENSE, CLASS B.—Such a license shall authorize the holder thereof to sell beer and light wines from the place therein described to another license holder under this Act for resale or to a dealer licensed under the laws of any State or Territory of the United States for resale, or to a consumer in barrels, kegs, sealed bottles, and other closed containers, which said barrels, kegs, sealed bottles, and other closed containers shall not be opened after sale nor the contents consumed on the premises where sold.

Wholesalers' license, class B.
Sales permitted.

"The annual fee for such license shall be $750."

Fee.

SEC. 7. That subsection (h) of section 11 of the said Act be amended so as to read as follows:

Vol. 48, p. 326.
Ante, p. 444.

"(h) RETAILERS' LICENSE, CLASS D.—Such a license shall be issued only for a bona fide restaurant, tavern, hotel, or club, or a passenger-carrying marine vessel serving meals, light lunches, or sandwiches, or a club car or a dining car on a railroad. Such a license shall authorize the holder thereof to sell beer and light wines at the place therein described for consumption only in said place. Except in the case of clubs and hotels, no beer or light wines shall be sold or served to a customer in any closed container. In the case of restaurants, taverns, and passenger-carrying marine vessels and club cars or dining cars on a railroad, said beer and light wines shall be sold or served only to persons seated at public tables or at bona fide lunch counters, except that beer and light wines may be sold or served to assemblages of more than six individuals in a private room when such room has been previously approved by the Board. In the case of hotels, beer and light wines may be sold and served only in the private room of a registered guest or to persons seated at public tables or at bona fide lunch counters or to assemblages of more than six individuals in a private room when such room has been previously approved by the Board. And in the case of clubs, beer and light wines may be sold and served in the private room of a member, or guest of a member, or to persons seated at tables. No license shall be issued to a club which has not been established for at least three months immediately prior to the making of the application for such license.

Retailers' license, class D.
Persons eligible to receive.

Sales permitted.

Annual fees.

"The annual fee for such a license shall be $200; except that in the case of a marine vessel the fee shall be $20 per month or $200 per annum, and in the case of each railroad dining car or club car $1 per month or $10 per annum."

Vol. 48, p. 327.

SEC. 8. That section 13 of the Act be amended so as to read as follows:

Description of premises in license.

"SEC. 13. Every license shall particularly describe the place where the rights thereunder are to be exercised, and beverages shall not be manufactured or kept for sale or sold by any licensee except at the place so described in his license: *Provided, however*, That the holder of a manufacturer's or wholesaler's license or the holder of a retailer's license, class C, and class D, issued for a passenger-carrying marine vessel or club car or a dining car on a railroad may store beverages, with the consent of the Board, upon premises other than the premises designated in the license. Every annual license shall date from the 1st day of February in each year and expire on the 31st day of January next after its issuance, except as hereinafter provided. Licenses issued at any time after the beginning of the license year shall date from the first day of the month in which the license was issued and end on the last day of the license year above described, and payments shall be made of the proportionate amount of the annual license fee. Every monthly license shall date from the first day of the month in which it is issued and expire on the last day of the month named in the license. Monthly licenses shall not be issued for periods exceeding six months."

Proviso.
Exempt license holders.

License year.

Fractions of year.

Monthly license.

Vol. 48, p. 330.

SEC. 9. That section 17 of the Act be amended so as to read as follows:

Revocation or suspension of license; causes for.

"SEC. 17. If any licensee violates any of the provisions of this Act or any of the rules or regulations promulgated pursuant thereto or fails to superintend in person, or through a manager approved by the Board, the business for which the license was issued, or allows the premises with respect to which the license of such licensee was issued, to be used for any unlawful, disorderly, or immoral purpose, or knowingly employs in the sale or distribution of beverages any person who has, within five years prior thereto, been convicted of a misdemeanor under the National Prohibition Act, as amended and supplemented, or, within ten years prior thereto, been convicted of any felony, or such licensee otherwise fails to carry out in good faith the provisions of this Act, the license of said licensee may be revoked or suspended by the Board after the licensee has been given an opportunity to be heard in his defense, subject to review by the Commissioners in case of revocation or in case of suspension for a period of more than thirty days, as herein provided. In case a license issued hereunder shall be revoked or suspended, no part of the license fee shall be returned, and the Board may, in its discretion, subject to review by the Commissioners, as a part of the order of revocation provide that no license shall be granted for the same place for the period of one year next after such revocation, and in case such order shall be made no license shall, during said year, be issued for said place or to a person or persons whose license is so revoked for any other location.

Return of fees.

Denial of new license.

Notice of suspension.

"That in the event the Board at any time shall order the suspension of any license a notice shall be posted by the Board, in a conspicuous place, on the outside of the licensed premises, at or near the main street entrance thereto; which notice shall state that the license theretofore issued to the licensee has been suspended and shall state the time for which said license is suspended, and state that the suspension is ordered because of a violation of the District of Columbia Alcoholic Beverage Control Act, or of the Commissioners' Regula-

tions adopted under authority of said District of Columbia Alcoholic Beverage Control Act."

SEC. 10. That section 20 of the Act be amended so as to read as follows: Vol. 48, p. 331.

"SEC. 20. Licenses issued hereunder shall not authorize the sale or delivery of beverages, with the exception of beer and light wines, to any person under the age of twenty-one years, or beer or light wines to any person under the age of eighteen years, either for his own use or for the use of any other person; or the sale, service, or delivery of beverages to any intoxicated person, or to any person of notoriously intemperate habits, or to any person who appears to be intoxicated; and ignorance of the age of any such minor shall not be a defense to any action instituted under this section. No licensee shall be liable to any person for damages claimed to arise from refusal to sell such alcoholic beverages." Individuals to whom sales prohibited.

SEC. 11. That section 23 of the said Act be amended by the addition of a new subsection to be designated (k), and to read as follows: Vol. 48, pp. 332, 654. Tax rates.

"(k) No taxing provision of subsection (a), (c), (e), and (i) of this section shall apply in the case of a passenger-carrying marine vessel operating in and beyond the District of Columbia, or a club car or a dining car on a railroad operating in and beyond the District of Columbia, for which a retailer's license, class C or D, has been issued under this Act, except as set forth in this subsection. When not applicable.

"The tax as specified in subsection (a) of this section shall be paid on all such beverages as are sold and served by said licensee while passing through or when at rest in the District of Columbia, in the following manner: A record shall be made and kept by the licensee for each passenger-carrying marine vessel operating in and beyond the district of Columbia, and for each club car or dining car on a railroad operating in and beyond the District of Columbia, for which a retailer's license, class C or class D, has been issued under this Act, of all alcoholic beverages sold and served in the District of Columbia, which record shall be subject to inspection by the Board. Each holder of such a license shall, on or before the 10th day of each month, forward to the Board on a form to be prescribed by the Commissioners, a statement under oath, showing the quantity of each kind of beverage, except beer and nontaxable light wines, sold under such license in the District of Columbia during the preceding calendar month, to which said statement shall be attached stamps denoting the payment of the tax imposed under this Act upon the beverages set forth in said report." Payment. Records to be kept.

SEC. 12. That section 25 of the Act be amended so as to read as follows: Vol. 48, p. 333.

"SEC. 25. No licensee under this Act shall allow any person who has, within ten years prior thereto, been convicted of any felony, to sell, give, furnish, or distribute any beverage, nor allow any minor under the age of twenty-one years of age to sell, give, furnish, or distribute any beverage, except beer and light wines, or any minor under the age of eighteen years to sell, give, furnish, or distribute beer and light wines." Restriction on employment of certain individuals for dispensing alcoholic beverages.

SEC. 13. That subsection (a) of section 28 of the said Act be amended so as to read as follows: Vol. 48, p. 333.

"(a) No person shall in the District of Columbia drink any alcoholic beverage in any street, alley, park, or parking; or in any vehicle in or upon the same; or in any place to which the public is invited for which a license has not been issued hereunder permitting the sale and consumption of such alcoholic beverage upon such premises; or in any place to which the public is invited (for Drinking in public places, unlawful.

which a license under this Act has been issued) at a time when the sale of such alcoholic beverage on the premises is prohibited by this Act or by the regulations promulgated thereunder. No person shall be drunk or intoxicated in any street, alley, park, or parking, or in any vehicle in or upon the same or in any place to which the public is invited or at any public gathering and no person anywhere shall be drunk or intoxicated and disturb the peace of any person."

Vol. 48, p. 333.

SEC. 14. That subsection (b) of section 28 of the said Act be amended so as to read as follows:

Punishment for violations.

"(b) Any person violating the provisions of this section shall be punished by a fine of not more than $100 or by imprisonment for not more than thirty days or by both such fine and imprisonment in the discretion of the court for the first offense; by a fine of not more than $200 or by imprisonment for not more than sixty days or by both such fine and imprisonment in the discretion of the Court for the second offense, or by a fine of not more than $500 or by imprisonment for not more than six months or by both such fine and imprisonment in the discretion of the court for each subsequent offense."

Vol. 48, p. 330.

SEC. 15. That section 18 of the said Act is amended to read as follows:

Manufacturer of beverages; restriction on interest in business of wholesale or retail licensee.

"SEC. 18. If any manufacturer of beverages, whether licensed hereunder or not, by direct ownership, stock ownership, interlocking directors, mortgage, or lien, or by any other means shall have such a substantial interest, whether direct or indirect, in the business of any wholesale or retail licensee or in the premises on which said business is conducted as in the judgment of the Board may tend to influence such licensee to purchase beverages from such manufacturer, the Board may, in its discretion, revoke the license issued in respect of the business in which such manufacturer is interested, subject to review by the Commissioners as herein provided. No such manufacturer of beverages shall loan or give any money to any wholesale or retail licensee, or sell, rent, loan, or give to such licensee any equipment, furniture, fixtures, or property, or give or sell any service to such licensee: *Provided, however*, That with the prior approval of the Board, a manufacturer may sell, give, rent, or loan to a wholesale or retail licensee any service or article of property costing such manufacturer not more than $10. No wholesale or retail licensee shall receive or accept any loan or gift of money from any such manufacturer or purchase from, rent from, borrow or receive by gift from such manufacturer any equipment, furniture, fixtures, or property, or accept or receive any service from such manufacturer: *Provided, however*, That, with the prior approval of the Board, a wholesale or retail licensee may purchase from, rent from, borrow or receive by gift from such manufacturer any service or article of property costing such manufacturer not more than $10. Nothing herein contained, however, shall prohibit the sale of alcoholic and nonalcoholic beverages and the reasonable extension of credit therefor by a manufacturer to a wholesale or retail licensee. When used in this section the word 'manufacturer' shall include any stockholder holding directly or indirectly 25 per centum or more of the common stock or any officer of a manufacturer of beverages, if a corporation, whether licensed hereunder or not. This section shall not apply to retail licenses, class E, or to the wholesale license held by a person not licensed as a manufacturer hereunder owning an establishment for the manufacture of beverages outside of the District of Columbia."

Provisos.
Restriction on sales, gifts, or loans.

Exception.

"Manufacturer" construed.

Vol. 48, p. 331.

SEC. 16. That section 19 of the said Act is amended to read as follows:

Wholesaler of beverages; restriction on interest in business of retail licensee.

"SEC. 19. If any wholesaler of beverages, whether licensed hereunder or not, by direct ownership, stock ownership, interlocking directors, mortgage or lien or by any other means shall have such a substantial interest either direct or indirect in the business of any retail licensee or in the premises on which said business is conducted as in the judgment of the Board may tend to influence such licensee to purchase beverages from such wholesaler, the Board may in its discretion revoke the license issued in respect of the business in which such wholesaler is interested, subject to review by the Commissioners as herein provided. No such wholesaler of beverages shall lend or give any money to any retail licensee or sell to such licensee, any equipment, furniture, fixtures, or property, except merchandise sold at the fair market value for resale by such licensee, or rent, loan, or give to such licensee any equipment, furniture, fixtures, or property, or give or sell any service to such licensee: *Provided, however*, That, with the prior approval of the Board, a wholesaler may sell, give, rent, or loan to such licensee any service or article of property costing such wholesaler not more than $10. No retail licensee shall receive or accept any loan or gift of money from any such wholesaler or purchase from any such wholesaler any equipment, furniture, fixtures, or property, except merchandise purchased at the fair market value for resale, or rent from, borrow, or receive by gift from such wholesaler any equipment, furniture, fixtures, or property, or receive any service from such wholesaler: *Provided, however*, That with the prior approval of the Board, a retail licensee may purchase from, rent from, borrow or receive by gift from such wholesaler any service or article of property costing such wholesaler not more than $10. Nothing herein contained, however, shall prohibit the reasonable extension of credit by a wholesaler for merchandise sold to a retail licensee for resale as herein permitted. When used in this section the word 'wholesaler' shall include any stockholder holding directly or indirectly 25 per centum or more of the common stock or any officer of a wholesaler of beverages, if a corporation, whether licensed hereunder or not. This section shall not apply to retail licenses, class E."

Provisos.
Restriction on sales, gifts, or loans.

Exception.

"Wholesaler" construed.

Vol. 48, p. 332.
Tax rates.

SEC. 17. That section 23 of the said Act is amended by striking therefrom the words "35 cents" immediately preceding the words "for every wine-gallon of wine" and inserting in lieu thereof the words "10 cents" and by striking therefrom the words "50 cents" immediately preceding the words "for every wine-gallon of champagne or any wine artificially carbonated" and inserting in lieu thereof the words "15 cents".

Transportation of alcoholic beverages by retail licensee.

SEC. 18. The Commissioners of the District of Columbia are hereby authorized in their discretion to require by regulation that no licensee holding a retailer's license, class A, B, C, D, or E, as provided in the said Act, shall transport, or cause to be transported, in any manner whatsoever into the District of Columbia any alcoholic beverage (except the regular stock on hand in a licensed railroad club or dining car or passenger-carrying marine vessel); and said Commissioners are also authorized to permit such importation under a special permit or permits, to be issued by the Alcoholic Beverage Control Board, upon application by a licensee and upon such terms and conditions and in such manner as may be prescribed by the said Commissioners. Any such regulation, permit, or system of permits may be suspended, amended, revoked, or abolished at any time by the said Commissioners.

Permit.

Approved, August 27, 1935.

[CHAPTER 757.]

AN ACT

August 27, 1935.
[H. R. 7380.]
[Public, No. 364.]

Authorizing the Virgin Islands Company to settle valid claims of its creditors, and for other purposes.

Virgin Islands Company.
Settlement of valid claims of its creditors, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Virgin Islands Company, a nonprofit corporation created by special act of the Colonial Council of Saint Thomas and Saint John, Virgin Islands of the United States, to engage in enterprises for the rehabilitation of the Virgin Islands of the United States, is hereby authorized to pay to Phagen, Tillison and Tremble for services rendered during governmental fiscal years 1934 and 1935 in providing a general accounting and cost system for the corporation a sum not to exceed $1,736.81: *Provided*, That this Act shall not be deemed to authorize the payment of any claim out of any money other than funds belonging to or deposited to the credit of the corporation.

Proviso.
Use of funds.

Approved, August 27, 1935.

[CHAPTER 758.]

AN ACT

August 27, 1935.
[H. R. 7592.]
[Public, No. 365.]

To extend the times for commencing and completing the construction of a bridge across the Ohio River at Sistersville, West Virginia.

Ohio River.
Time extended for bridging, at Sistersville, W. Va.
Vol. 48, p. 1013; *Post*, p. 1255.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Ohio River at Sistersville, West Virginia, authorized to be built by the Sistersville Bridge Board of Trustees, by an Act of Congress approved June 18, 1934, are hereby extended one and three years, respectively, from June 18, 1935.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 27, 1935.

[CHAPTER 759.]

AN ACT

August 27, 1935.
[H. R. 7709.]
[Public, No. 366.]

To provide time credits for substitute laborers in the Post Office when appointed as regular laborers.

Postal service.
Vol. 43, p. 1060.
U. S. C., p. 1714.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Act entitled "An Act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes", approved February 28, 1925 (43 Stat. 1053; U. S. C., title 39, sec. 101), is amended by adding thereto a new paragraph to read as follows:

Time credits for substitute laborers, etc., when appointed on regular force.

"Whenever any substitute laborer, watchman, or messenger is appointed to a permanent position as laborer, watchman, or messenger, the substitute service performed by such laborer, watchman, or messenger shall be computed in determining the eligibility of such person for promotion to grade 2 on the basis of three hundred and six days of eight hours constituting a year's service. Effective at the beginning of the first quarter following approval of this Act, all laborers, watchmen, and messengers who have not progressed to grade 2 shall be promoted to that grade, provided they have the necessary credit of three hundred and six days of eight hours each constituting a year's service."

Promotions authorized.

Approved, August 27, 1935.

[CHAPTER 760.]

AN ACT

August 27, 1935.
[H. R. 7740.]
[Public, No. 367.]

Granting the consent of Congress to the State Highway Commission of Missouri to construct, maintain, and operate a free highway bridge across the Black River at or near the north line of section 2, township 24 north, range 6 east, near Poplar Bluff, Missouri.

Black River.
Missouri may bridge, near Poplar Bluff.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State Highway Commission of Missouri to construct, maintain, and operate a free highway bridge and approaches thereto across the Black River, at a point suitable to the interests of navigation, at or near the north line of section 2, township 24 north, range 6 east, near Poplar Bluff, Missouri, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction.
Vol. 34, p. 84; U. S. C., p. 1474.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 27, 1935.

[CHAPTER 761.]

AN ACT

August 27, 1935.
[H. R. 7897.]
[Public, No. 368.]

Granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Monongahela River, at or near Elizabeth, in the county of Allegheny, Commonwealth of Pennsylvania.

Monongahela River.
Pennsylvania may bridge, at Elizabeth.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge and approaches thereto across the Monongahela River, at a point suitable to the interests of navigation, at or near the Borough of Elizabeth, between Forward and Jefferson Townships, Allegheny County, in the Commonwealth of Pennsylvania, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction.
Vol. 34, p. 84; U. S. C., p. 1474.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 27, 1935.

[CHAPTER 762.]

AN ACT

August 27, 1935.
[H. R. 7924.]
[Public, No. 369.]

Granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River, at or near Port Allegheny, in the county of McKean, State of Pennsylvania.

Allegheny River.
Pennsylvania may bridge, at Port Allegheny.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge and approaches thereto across the Allegheny River, at a point suitable to the interests of navigation, at or near the borough of Port Allegheny, in Liberty Township, county of McKean, in the Commonwealth of Pennsylvania, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction.
Vol. 34, p. 84; U. S. C., p. 1474.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 27, 1935.

[CHAPTER 763.]

AN ACT

August 27, 1935.
[H. R. 7927.]
[Public, No. 370.]

To authorize the Secretary of State to lease to citizens of the United States any land heretofore or hereafter acquired under any Act, Executive order or treaty in connection with projects, in whole or in part constructed or administered by the Secretary of State through the International Boundary Commission, United States and Mexico, American section.

Mexican Boundary Commission, American section.

Secretary of State to lease to American citizens lands acquired in connection with projects through.

Sale, when no longer needed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State be, and he is hereby, authorized to lease to citizens of the United States any land heretofore or hereafter acquired under any Act, Executive order, or treaty in connection with projects, in whole or in part, constructed or administered by the Secretary of State through the said American Commissioner, or to dispose of such lands to American citizens when no longer needed, by sale at public auction, after thirty days advertisement, at a price not less than that which may be fixed by three disinterested appraisers, to be designated by the Secretary of State, or by private sale, or otherwise, at not less than such appraised value: *Provided*, That any of such land as shall have been donated to the United States and which is no longer needed may be reconveyed, without cost, to the grantor or his heirs: *Provided further*, That the lease or disposal of any land pursuant hereto may, in the discretion of the Secretary of State, be subject to reservations in favor of the United States for rights-of-way for irrigation, drainage, river work, and other purposes, and any such disposal may be conditioned upon and made subject to inclusion of such lands in any existing irrigation district in the vicinity of such lands, the proceeds of any such lease or sale to be covered into the Treasury of the United States: *And provided further*, That, in the discretion of the Secretary of State, and subject to such conditions as he may deem appropriate, conveyances of any other of such lands not needed by the United States may be made to the State to which they lie adjacent or to any similarly situated county, city, or other governmental subdivision of such State, without cost, for use for public purposes.

Provisos.
Reconveyance of donated land to grantor.

Rights-of-way for irrigation, etc.

Donations to States for public purposes.

Issue of revokable licenses for irrigation, etc.

The Secretary of State is further authorized to issue revokable licenses for public or private use for irrigation or other structures or uses not inconsistent with the use of such lands made, or to be made, by the United States, across any lands retained by the United States, and to execute all necessary leases, title instruments, and conveyances, in order to carry out the provisions of this Act.

Restoration, etc., of private structures.

Whenever the construction of any project or works undertaken or administered by the Secretary of State through the International Boundary Commission, United States and Mexico, results in the interference with or necessitates the alteration or restoration of constructed and existing irrigation or water-supply structures, sanitary or sewage disposal works, or other structures or physical property belonging to any municipal or private corporation, company, association, or individual, the Secretary of State may cause the restoration or reconstruction of such works, structures, or physical property or the construction of others in lieu thereof or he may compensate the owners thereof to the extent of the reasonable value thereof as the same may be agreed upon by the American Commissioner with such owner.

Approved, August 27, 1935.

[CHAPTER 764.]

AN ACT

August 27, 1935.
[H. R. 7928.]
[Public, No. 371.]

Granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free Highway bridge across the Allegheny River, at or near Ford City, Pennsylvania.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge and approaches thereto across the Allegheny River at a point suitable to the interests of navigation, at or near the Borough of Ford City, and between Manor and North Buffalo Townships, county of Armstrong, in the Commonwealth of Pennsylvania, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Allegheny River.
Pennsylvania may bridge, at Ford City.

Construction.
Vol. 34, p. 84; U. S. C., p. 1474.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 27, 1935.

[CHAPTER 765.]

AN ACT

August 27, 1935.
[H. R. 7932.]
[Public, No. 372.]

Granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Susquehanna River, at or near Wyalusing, in the county of Bradford, Commonwealth of Pennsylvania.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge and approaches thereto across the Susquehanna River, at a point suitable to the interests of navigation, at or near the Borough of Wyalusing, and between Wyalusing and Terry Townships, Bradford County, in the Commonwealth of Pennsylvania, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Susquehanna River.
Bridge authorized across, at Wyalusing, Pa.

Construction.
Vol. 34, p. 84; U. S. C., p. 1474.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 27, 1935.

[CHAPTER 766.]

AN ACT

August 27, 1935.
[H. R. 7979.]
[Public, No. 373.]

To extend the times for commencing and completing the construction of a bridge across Puget Sound at or near a point commonly known as "The Narrows" in the State of Washington.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across Puget Sound, State of Washington, at or near a point commonly known as "The Narrows", authorized to be built by the county of Pierce, a legal subdivision of the State of Washington, by an Act of Congress approved May 28, 1934, are hereby extended one and three years, respectively, from the date of approval hereof.

Puget Sound.
Time extended for constructing bridge across, at "The Narrows", Wash.

Vol. 48, p. 810.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 27, 1935.

[CHAPTER 767.]

AN ACT

August 27, 1935.
[H. R. 7998.]
[Public, No. 374.]

To exempt from taxation official compensation of certain foreign representatives and to provide for the deductibility from income of certain dividends on preferred stock owned by the United States or instrumentalities thereof.

Revenue Act of 1934, amendment.
Vol. 48, p. 712.
Exclusions from gross income.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 116 of the Revenue Act of 1934 relating to exclusions from gross income is amended by adding at the end thereof a new subsection reading as follows:

Compensation of employees of foreign governments.

"(h) COMPENSATION OF EMPLOYEES OF FOREIGN GOVERNMENTS.—Wages, fees, or salary of an employee of a foreign government (including a consular or other officer, or a nondiplomatic representative) received as compensation for official services to such government—

Conditions.

"(1) If such employee is not a citizen of the United States; and

"(2) If the services are of a character similar to those performed by employees of the Government of the United States in foreign countries; and

"(3) If the foreign government whose employee is claiming exemption grants an equivalent exemption to employees of the Government of the United States performing similar services in such foreign country.

Certification of names of foreign governments which grant equivalent exemption.

"The Secretary of State shall certify to the Secretary of the Treasury the names of the foreign countries which grant an equivalent exemption to the employees of the Government of the United States performing services in such foreign countries, and the character of the services performed by employees of the Government of the United States in foreign countries."

Retroactive application.

SEC. 2. The provisions of section 1 shall be retroactively applied in computing income under the provisions of the Revenue Act of 1934 and prior revenue Acts, or any of such Acts as amended, subject to the statutory period of limitations properly applicable to such Acts.

Vol. 48, p. 718.

SEC. 3. Title I of the Revenue Act of 1934, relating to income tax, is amended by adding after section 120 a new section reading as follows:

Deduction of dividends paid on certain preferred stock of certain corporations.

"SEC. 121. DEDUCTION OF DIVIDENDS PAID ON CERTAIN PREFERRED STOCK OF CERTAIN CORPORATIONS.—In computing the net income, for any taxable year beginning after December 31, 1934, of any national banking association, or of any bank or trust company organized under the laws of any State, Territory, possession of the United States, or the Canal Zone, or of any other banking corporation engaged in the business of industrial banking and under the supervision of a State banking department or of the Comptroller of the Currency, or of any incorporated domestic insurance company, there shall be allowed as a deduction from gross income, in addition to deductions otherwise provided for in this title, any dividend (not including any distribution in liquidation) paid, within such taxable year, to the United States or to any instrumentality thereof exempt from Federal income taxes, on the preferred stock of the corporation owned by the United States or such instrumentality."

Approved, August 27, 1935.

[CHAPTER 768.]

AN ACT

August 27, 1935.
[H. R. 8098.]
[Public, No. 375.]

Granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Mahoning River at or near Edinburg, in the county of Lawrence, Commonwealth of Pennsylvania.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge and approaches thereto across the Mahoning River, at a point suitable to the interests of navigation, at or near the village of Edinburg, in Mahoning Township, county of Lawrence, in the Commonwealth of Pennsylvania, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Mahoning River.
Pennsylvania may bridge, at Edinburg.

Construction.
Vol. 34, p. 84; U. S. C., p. 1474.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 27, 1935.

[CHAPTER 769.]

AN ACT

August 27, 1935.
[H. R. 8131.]
[Public, No. 376.]

To extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Owensboro, Kentucky.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Ohio River, at or near Owensboro, Kentucky, authorized to be built by the State Highway Commission of Kentucky, by an Act of Congress approved June 9, 1932, and heretofore extended by an Act of Congress approved June 9, 1933, are hereby further extended one and three years, respectively, from the date of approval hereof.

Ohio River.
Time extended for bridging, at Owensboro, Ky.

Vol. 47, p. 291; Vol. 48, p. 118, amended.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 27, 1935.

[CHAPTER 770.]

AN ACT

August 27, 1935.
[H. R. 8133.]
[Public, No. 377.]

To authorize certain homestead entrymen who are disabled World War veterans to make final proof of their entries, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any entryman under the homestead laws of the United States who on or after April 6, 1917, and prior to November 12, 1918, enlisted or was a member of the United States Army, Navy, or Marine Corps during the war with Germany, who was honorably discharged from such service, whose entry was made prior to January 1, 1935, and who because of physical or mental disabilities has been or may hereafter become unable to perform the prescribed residential and improvement and other requirements may make proof without further residence, improvement, or cultivation, at such time and place as may be authorized and under such regulations to be issued by the Secretary of the Interior, and receive patent to the land by him so entered upon.

Public lands.
Disabled World War veterans may make final proof of entries, without residential, etc., requirements.

Approved, August 27, 1935.

[CHAPTER 771.]

AN ACT

August 27, 1935.
[H. R. 8183.]
[Public, No. 378.]

Granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River at or near Emlenton, in the county of Venango, Commonwealth of Pennsylvania.

Allegheny River. Pennsylvania may bridge, at Emlenton.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge and approaches thereto across the Allegheny River, at a point suitable to the interests of navigation, at or near the borough of Emlenton, and between Richland and Scrubgrass Townships, Venango County, in the Commonwealth of Pennsylvania, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction. Vol. 34, p. 84; U. S. C., p. 1474.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 27, 1935.

[CHAPTER 772.]

AN ACT

August 27, 1935.
[H. R. 8187.]
[Public, No. 379.]

Granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River, at or near Tionesta, in Tionesta Township, and in the county of Forest, and in the Commonwealth of Pennsylvania.

Allegheny River. Pennsylvania may bridge, at Tionesta.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge and approaches thereto across the Allegheny River, at a point suitable to the interests of navigation, at or near the Borough of Tionesta, in Tionesta Township, Forest County, in the Commonwealth of Pennsylvania, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction. Vol. 34, p. 84; U. S. C., p. 1474.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 27, 1935.

[CHAPTER 773.]

AN ACT

August 27, 1935.
[H. R. 8189.]
[Public, No. 380.]

Granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River, at or near East Brady, in the counties of Clarion and Armstrong, and in the Commonwealth of Pennsylvania.

Allegheny River. Pennsylvania may bridge, at East Brady.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge and approaches thereto across the Allegheny River, at a point suitable to the interests of navigation, at or near the Borough of East Brady, between Brady Township, Clarion County, and Bradys Bend Township, Armstrong County, in the Commonwealth of Pennsylvania, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters",

Construction. Vol. 34, p. 84; U. S. C., p. 1474.

approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 27, 1935.

[CHAPTER 774.]

AN ACT

August 27, 1935.
[H. R. 8587.]
[Public, No. 381.]

To amend an Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 77 of the Act of July 1, 1898, entitled "An Act to establish a uniform system of bankruptcy throughout the United States", as amended, be, and it is hereby, amended to read as follows:

Bankruptcy Act of 1898, amendments.
Vol. 47, p. 1474; U. S. C., p. 337.

"SEC. 77. REORGANIZATION OF RAILROADS ENGAGED IN INTERSTATE COMMERCE.—(a) Any railroad corporation may file a petition stating that it is insolvent or unable to meet its debts as they mature and that it desires to effect a plan of reorganization. The petition shall be filed with the court in whose territorial jurisdiction such corporation, during the preceding six months or the greater portion thereof, has had its principal executive or operating office, and a copy of the petition shall at the same time be filed with the Interstate Commerce Commission (hereinafter called the 'Commission'): *Provided*, That when any railroad, although engaged in interstate commerce, lies wholly within one State, such proceedings shall be brought in the Federal district court of the district in which its principal operating office in such State during the preceding six months or the greater portion thereof has been located. The petition shall be accompanied by payment to the clerk of a filing fee of $100, which shall be in addition to the fees required to be collected by the clerk under other sections of this Act. Upon the filing of such a petition, the judge shall enter an order either approving it as properly filed under this section, if satisfied that such petition complies with this section and has been filed in good faith, or dismissing it, if he is not so satisfied. If the petition is so approved, the court in which such order is entered shall, during the pendency of the proceedings under this section and for the purposes thereof, have exclusive jurisdiction of the debtor and its property wherever located, and shall have and may exercise in addition to the powers conferred by this section all the powers, not inconsistent with this section, which a Federal court would have had if it had appointed a receiver in equity of the property of the debtor for any purpose. Process of the court shall extend to and be valid when served in any judicial district. The Supreme Court of the United States shall promulgate rules relating to the service of process outside of the district in which the proceeding is pending, and any other rules which it may deem advisable in order to aid district courts and circuit courts of appeal in exercising the jurisdiction herein conferred upon them. The railroad corporation shall be referred to in the proceedings as a 'debtor.' Any railroad corporation the majority of the capital stock of which having power to vote for the election of directors is owned, either directly or indirectly through an intervening medium, by any railroad corporation filing a petition as a debtor may file, with the court in which such other debtor has filed such a petition, and in the same proceeding, a petition, a

Reorganization of railroads engaged in interstate commerce.

Petiton to be filed.

Copy to Interstate Commerce Commission.

Proviso.
When railroad wholly within one State.

Filing fee.

Order of approval or dismissal.

Jurisdiction over debtor, if approved.

Service of process; Supreme Court to issue rules concerning.

"Debtor" construed.

Petition by corporation owned by railroad corporation filing same.

copy of which shall also be filed at the same time with the Commission, stating that it is insolvent or unable to meet its debts as they mature, and that it desires to effect a reorganization in connection with, or as a part of the plan of reorganization of such other debtor; and upon the filing of such petition, the judge shall enter an order either approving it as properly filed under this section, if satisfied that such petition complies with this section and has been filed in good faith, or dismissing it if not so satisfied, and thereupon such court, if it approves such petition, shall have the same jurisdiction with respect to such debtor, its property and its creditors and stockholders, as the court has with respect to such other debtor.

Court order of approval or dismissal.

Jurisdiction.

Creditors' petition.

Creditors of any railroad corporation, having claims aggregating not less than 5 per centum of all the indebtedness of such corporation as shown in the latest annual report which it has filed with the Commission at the time when the petition is filed, may, if such corporation has not filed a petition under this section, file with the court in which such corporation might file a petition under this section, a petition stating that such corporation is insolvent or unable to meet its debts as they mature and that such creditors have claims aggregating not less than 5 per centum of all such indebtedness of such corporation and propose that it shall effect a reorganization; copies of such petition shall be filed at the same time with the Commission and served upon such corporation. Such corporation shall, within ten days after such service, answer such petition. If such answer shall admit the jurisdiction of the court and the material allegations of the petition, the judge shall enter an order approving the petition as properly filed if satisfied that it complies with this section and has been filed in good faith, or dismissing it, if not so satisfied. If such answer shall deny either the jurisdiction of the court or any material allegation of the petition the judge shall summarily determine the issues presented by the pleadings without the intervention of a jury and if he shall find that the material allegations are sustained by the proofs and that the petition complies with this section and has been filed in good faith, the judge shall enter an order approving the petition; otherwise he shall dismiss the petition. If any such petition shall be so approved, the proceedings thereon shall continue with like effect as if the railroad corporation had itself filed a petition under this section. In case any petition shall be dismissed, neither the petition nor the answer of a debtor shall constitute an act of bankruptcy or an admission of insolvency or of inability to meet maturing obligations or be admissible in evidence, without the debtor's consent, in any proceedings then or thereafter pending or commenced under this Act or in any State or Federal court. If, in any case in which the issues have not already been tried under the provisions of this subdivision, any of the creditors shall, prior to the hearing provided for in paragraph (1) of subsection (c) of this section, appear and controvert the facts alleged in the petition, the judge shall determine, as soon as may be, the issues presented by the pleadings, without the intervention of a jury, and, unless the material allegations of the petition are sustained by the proofs, shall dismiss the petition.

Copies to Commission and corporation.

Answer thereto.

Judge to summarily determine issues if answer denies jurisdiction, etc.

Order approving petition; dismissal.

Proceedings.

Neither petition nor answer an act of bankruptcy.

Creditors may controvert assertions prior to hearing.

Reorganization plan.

Provisions included.

(b) A plan of reorganization within the meaning of this section (1) shall include provisions modifying or altering the rights of creditors generally, or of any class of them, secured or unsecured, either through the issuance of new securities of any character or otherwise; (2) may include provisions modifying or altering the rights of stockholders generally, or of any class of them, either through the issuance of new securities of any character, or otherwise; (3) may include, for the purpose of preserving such interests

of creditors and stockholders as are not otherwise provided for, provisions for the issuance to any such creditor or stockholder of options or warrants to receive, or to subscribe for, securities of the reorganized company in such amounts and upon such terms and conditions as may be set forth in the plan; (4) shall provide for fixed charges (including fixed interest on funded debt, interest on unfunded debt, amortization of discount on funded debt, and rent for leased railroads) in such an amount that, after due consideration of the probable prospective earnings of the property in light of its earnings experience and all other relevant facts, there shall be adequate coverage of such fixed charges by the probable earnings available for the payment thereof; (5) shall provide adequate means for the execution of the plan, which may include the transfer of any interest in or control of all or any part of the property of the debtor to another corporation or corporations, the merger or consolidation of the debtor with another corporation or corporations, the retention of all or any part of the property by the debtor, the sale of all or any part of the property of the debtor either subject to or free from any lien at not less than a fair upset price, the distribution of all or any assets, or the proceeds derived from the sale thereof, among those having an interest therein, the satisfaction or modification of any liens, indentures, or other similar interests, the curing or waiver of defaults, the extension of maturity dates of outstanding securities, the reduction in principal and/or rate of interest and alteration of other terms of such securities, the amendment of the charter of the debtor, and/or the issuance of securities of either the debtor or any such other corporation or corporations for cash, or in exchange for existing securities, or in satisfaction of claims or rights or for other appropriate purposes; and may deal with all or any part of the property of the debtor; may reject contracts of the debtor which are executory in whole or in part, including unexpired leases; and may include any other appropriate provisions not inconsistent with this section.

Executory contract or unexpired lease.

The adoption of an executory contract or unexpired lease by the trustee or trustees of a debtor shall not preclude a rejection of such contract or lease in a plan of reorganization approved hereunder, and any claim resulting from such rejection shall not have priority over any other claims against the debtor because such contract or lease had been previously adopted.

Adoption of, to vest no claim with priority.

"Securities" construed.

The term "securities" shall include evidences of indebtedness either secured or unsecured, bonds, stock, certificates of beneficial interest therein, certificates of beneficial interest in property, options, and warrants to receive, or to subscribe for, securities.

"Stockholders."

The term "stockholders" shall include the holders of voting-trust certificates.

"Creditors."

The term "creditors" shall include, for all purposes of this section all holders of claims of whatever character against the debtor or its property, whether or not such claims would otherwise constitute provable claims under this Act, including the holder of a claim under a contract executory in whole or in part including an unexpired lease.

"Claims."

The term "claims" includes debts, whether liquidated or unliquidated, securities (other than stock and option warrants to subscribe to stock), liens, or other interests of whatever character.

Priority of designated unsecured claims.

For all purposes of this section unsecured claims, which would have been entitled to priority if a receiver in equity of the property of the debtor had been appointed by a Federal court on the day of the approval of the petition, shall be entitled to such priority and the holders of such claims shall be treated as a separate class or classes of creditors.

Rejected executory contracts, etc.

In case an executory contract or unexpired lease of property shall be rejected, or shall not have been adopted by a

trustee appointed under this section, or shall have been rejected by a receiver in equity in a proceeding pending prior to the institution of a proceeding under this section, or shall be rejected by any plan, any person injured by such nonadoption or rejection shall for all purposes of this section be deemed to be a creditor of the debtor to the extent of the actual damage or injury determined in accordance with principles obtaining in equity proceedings. The provisions of section 60 of this Act shall apply to a proceeding under this section. For all purposes of this section any creditor or stockholder may act in person or by an attorney at law or by a duly authorized agent or committee subject to the provisions of subsection (p) hereof. The running of all statutes of limitation shall be suspended during the pendency of a proceeding under this section.

Rights of injured parties.

Statutes of limitation suspended.

(c) After approving the petition:

Duties of judge after approval of petition.

(1) The judge shall forthwith (and in pending proceedings immediately upon the effective date of this amendatory section) require the debtor to give such notice as the order may direct to the mortgage trustees, creditors and stockholders, and to cause publication thereof for such period and in such newspapers as the judge may direct, of a hearing to be held not later than thirty days after the date of such order, at which hearing or any adjournment thereof the judge shall appoint one or more trustees of the debtor's property. Such appointments shall become effective upon ratification thereof by the Commission without a hearing, unless the Commission shall deem a hearing necessary. Where a trustee is appointed who within one year prior thereto has been an officer, director, or employee of the debtor corporation, any subsidiary corporation, or any holding company connected therewith, the judge, subject to ratification by the Commission as herein provided, shall appoint another trustee or trustees who shall not have had any such affiliations: *Provided*, That the appointment of such additional trustee or trustees shall not be required for a debtor the annual operating revenues of which were less than $1,000,000 for the previous calendar year.

Notice of hearing.

Appointment of trustees.

Additional trustee.

Proviso.
Not required for smaller debtors.

(2) The judge shall fix the amount of the bond of every trustee. He may thereafter terminate any such appointments on cause shown, and may in that event and in the event of a vacancy from any other cause, in the manner and within the qualifications herein provided for the appointment of trustees, appoint a substitute trustee or trustees, and in the same manner and within the same qualifications may appoint an additional trustee, and shall fix the amount of the bond of every such substitute or additional trustee or trustees. The judge shall in his discretion confirm the appointment of such legal counsel for the trustees as they shall select, with power of removal. The trustee or trustees and their counsel shall receive only such compensation from the estate of the debtor as the judge may from time to time allow within such maximum limits as may be approved by the Commission as reasonable. The trustee or trustees so appointed, upon filing such bond, shall have all the title and shall exercise, subject to the control of the judge and consistently with the provisions of this section, all of the powers of a trustee appointed pursuant to section 44 of this Act or any other section of this Act, and, to the extent not inconsistent with this section, if authorized by the judge, the powers of a receiver in an equity proceeding, and, subject to the control of the judge and the jurisdiction of the Commission as provided by the Interstate Commerce Act as now or hereafter amended, the power to operate the business of the debtor. Prior to the appointment of a trustee, the debtor on behalf of the court shall continue in the possession of the property and shall

Fix amount of bond, etc.

Appointing substitute trustee.

Legal counsel.

Compensation.

Bond, powers, etc.

Possession and operation of business, etc.

operate the business thereof during such period, and shall have all the title to the property and shall exercise all power consistent with the provisions of this section, subject at all times to the control of the judge, and to such limitations, restrictions, terms, and conditions as he may from time to time impose and prescribe.

Judge may authorize issue of certificates for cash, etc.

(3) The judge may, upon not less than fifteen days' notice published in such manner and in such newspapers as the judge may in his discretion determine, which notice so determined shall be sufficient, for cause shown, and with the approval of the Commission, in accordance with section 20 (a) of the Interstate Commerce Act, as now or hereafter amended, authorize the trustee or trustees to issue certificates for cash, property, or other consideration approved by the judge, for such lawful purposes and upon such terms and conditions and with such security and such priority in payments over existing obligations, secured or unsecured, or receivership charges, as might in an equity receivership be lawful.

Require debtor to file additional schedules. Vol. 30, p. 548; U. S. C., p. 321.

(4) The judge shall require the officers of the debtor or the trustee or trustees, at such time or times as the judge may direct, and in lieu of the schedules required by section 7 of this Act, to file with the court such schedules and submit such other information as may be necessary to disclose the conduct of the debtor's affairs and the fairness of any proposed plan; and shall direct the officers of the debtor, or the trustee or trustees, within such time as the judge shall set, to prepare and file with the court a list of all known bondholders and creditors of the debtor, and the amounts and character of their debts, claims, and securities, and the last known post-office address or place of business of each bondholder and creditor, and a list of all known stockholders of the debtor, with the last known post-office address or place of business of each, which lists the judge may require to be brought down to date at any time. The contents of such lists shall not constitute admissions by the debtor or the trustees in a proceeding under this section or otherwise.

Lists to be prepared.

Not deemed admissions by debtor, etc.

Information as to holders of securities of debtor.

(5) It shall be the duty of anyone having information as to the names and addresses of the holders of any securities of the debtor to divulge such information to the trustee or trustees, upon written request therefor and, upon petition by any party in interest, and after hearing, the judge may order the production of any such information by anyone having and refusing to divulge it to any trustee, upon written request therefor. The judge may direct that the cost of preparing such information shall be borne by the debtor's estate.

Leases.

(6) If a lease of a line of railroad is rejected, and if the lessee, with the approval of the judge, shall elect no longer to operate the leased line, it shall be the duty of the lessor at the end of a period to be fixed by the judge to begin the operation of such line, unless the judge, upon the petition of the lessor, shall decree after hearing that it would be impracticable and contrary to the public interest for the lessor to operate the said line, in which event it shall be the duty of the lessee to continue operation on or for the account of the lessor until the abandonment of such line is authorized by the Commission in accordance with the provisions of section 1 of the Interstate Commerce Act as amended.

Time for filing claims.

(7) The judge shall promptly determine and fix a reasonable time within which the claims of creditors may be filed or evidenced and after which no claim not so filed or evidenced may participate except on order for cause shown, the manner in which such claims may be filed or evidenced and allowed, and for the purposes of the plan and its acceptance, after notice and hearing, the division of creditors and stockholders into classes according to the nature of

Classifications.

their respective claims and interests. Such division shall not provide for separate classification unless there be substantial differences in priorities, claims, or interests. The trustee or trustees under any mortgage, deed of trust, or indenture outstanding against the property may, within the time prescribed, file a verified claim in behalf of all bonds or securities outstanding under such mortgage, deed of trust, or indenture, in which event it shall be unnecessary for the holders of such bonds or securities to file claims in their own behalf, but nothing herein shall constitute such trustee or trustees the representative or representatives of such holders for the purpose of accepting or rejecting any plan of reorganization.

Combined claim.

Periods for filing claims, hearings, etc.

(8) The judge shall cause reasonable notice of the period in which claims may be filed, of hearings on application for the dismissal of the proceedings, or for the final allowance of fees or expenses to be given creditors and stockholders by publication or otherwise.

Reporting irregularities, etc.

(9) The judge shall direct the trustee or trustees, and may request the Commission through such of its agencies as it may designate, to report to him any facts pertaining to irregularities, fraud, misconduct, or mismanagement, as a consequence of which the debtor may have a cause of action arising therefrom against any person or corporation.

Records and accounts.

(10) The judge may direct the debtor or the trustee or trustees to keep such records and accounts, in addition to the accounts prescribed by the Commission, as will permit of such a segregation and allocation, as the necessities of the case may require, of the earnings and expenses between and to the divisions and parts of the railroad or other property of the debtor which are separately subject to the liens of the various mortgages or deeds of trust, or are separately subject to lease, and may refer to the Commission for its recommendations after hearings thereon if the parties shall so request and/or the Commission determine necessary or desirable, as to the method or formula by which such segregation and allocation shall be made; and thereafter such segregation and allocation may be made at the expense of the debtor's estate.

Reports as to property, business, etc., of debtor.

(11) The Commission may direct such of its agencies as it may designate to file in the proceedings before the Commission a report, and additional or supplemental reports at such time or times as the Commission shall designate, of such data with reference to the property, business, earnings, and corporate organization of the debtor and such other facts as the Commission, after hearing if it deems necessary, shall determine to be necessary or helpful information for the purposes of the preparation of reorganization plans, and for the purpose of aiding in determining the method or formula of allocating earnings permitted by subdivision (10) of this subsection (c). Such report or reports shall be prima facie evidence of the facts therein stated in any proceeding under this section. The actual cost of preparing said report or reports shall be certified by the Commission and shall be borne by the debtor's estate.

To be prima facie evidence of facts stated.

Administration, etc., expense allowances.

(12) Within such maximum limits as are fixed by the Commission, the judge may make an allowance, to be paid out of the debtor's estate, for the actual and reasonable expenses (including reasonable attorney's fees) incurred in connection with the proceedings and plan by parties in interest and by reorganization managers and committees or other representatives of creditors and stockholders, and within such limits may make an allowance to be paid out of the debtor's estate for the actual and reasonable expenses incurred in connection with the proceedings and plan and reasonable compensation for services in connection therewith by trustees under indentures, depositaries and such assistants as the Commission with the

approval of the judge may especially employ. Appeals from orders of the court fixing such allowances may be taken to the circuit court of appeals independently of other appeals in the proceeding and shall be heard summarily. The Commission shall, at such time or times as it may deem appropriate, after hearing, fix the maximum allowances which may be allowed by the court pursuant to the provisions of paragraph (12) of this subsection (c) and, after hearing if the Commission shall deem it necessary, the maximum compensation which may be allowed by the court pursuant to the provisions of paragraph (2) of this subsection (c).

Appeals from court orders.

Maximum compensation allowance.

(13) The judge may on his own motion or at the request of the Commission refer any matters for consideration and report, either generally or upon specified issues, to one of several special masters who shall have been previously designated to act as special masters in any proceedings under this section by order of any circuit court of appeals and may allow such master a reasonable compensation for his services and actual and reasonable expenses. The circuit court of appeals of each circuit shall designate three or more members of the bar as such special masters whom they deem qualified for such services, and shall from time to time revise such designations by changing the persons designated or their number, as the public interest may require: *Provided, however*, That there shall always be three of such special masters qualified for appointment in each circuit who shall hear any matter referred to them under this section by a judge of any district court. The debtor, any creditor or stockholder, or the duly authorized committee, attorney or agent of either or the trustee or trustees of any mortgage, deed of trust or indenture pursuant to which securities of the debtor are outstanding, shall have the right to be heard on all questions arising in the proceedings, and, upon petition therefor and cause shown, any such person or any other interested party may be permitted to intervene. The judge may, after hearing, make reasonable rules defining the matters upon which notice shall be given to other than interveners and the manner of giving such notice.

Reference to special masters.

Designation of.

Proviso. Number.

Right of debtor, creditor, etc., to be heard.

Judge may make appropriate rules.

(d) The debtor, after a petition is filed as provided in subsection (a), shall file a plan of reorganization within six months of the entry of the order by the judge approving the petition as properly filed, or if heretofore approved, then within six months of the effective date of this Act, and not thereafter unless such time is extended by the judge from time to time for cause shown, no single extension at any one time to be for more than six months. Such plan shall also be filed with the Commission at the same time. Such plans may likewise be filed at any time before, or with the consent of the Commission during, the hearings hereinafter provided for, by the trustee or trustees, or by or on behalf of the creditors being not less than 10 per centum in amount of any class of creditors, or by or on behalf of any class of stockholders being not less than 10 per centum in amount of any such class, or with the consent of the Commission by any party in interest. After the filing of such a plan, the Commission, unless such plan shall be considered by it to be prima facie impracticable, shall, after due notice to all stockholders and creditors given in such manner as it shall determine, hold public hearings, at which opportunity shall be given to any interested party to be heard, and following which the Commission shall render a report and order in which it shall approve a plan, which may be different from any which has been proposed, that will in its opinion meet with the requirements of subsections (b) and (e) of this section, and will be compatible with the public interest; or it shall render a report and order in which it shall refuse to approve

Reorganization plans.

Filing provisions.

Public hearings.

Report by Commission.

any plan. In such report the Commission shall state fully the reasons for its conclusions.

Report may be supplemented or modified.

The Commission may thereafter, upon petition for good cause shown filed within sixty days of the date of its order, and upon further hearings if the Commission shall deem necessary, in a supplemental report and order modify any plan which it has approved, stating the reasons for such modification. The Commission, if it approves a plan, shall thereupon certify the plan to the court together with a transcript of the proceedings before it and a copy of the report and order approving the plan. No plan shall be approved or confirmed by the judge in any proceeding under this section unless the plan shall first have been approved by the Commission and certified to the court.

Commission to certify plan to court, if it approves.

Notice by court to all parties in interest.
Post, p. 1969.

(e) Upon the certification of a plan by the Commission to the court, the court shall give due notice to all parties in interest of the time within which such parties may file with the court their objections to such plan, and such parties shall file, within such time as may be fixed in said notice, detailed and specific objections in writing to the plan and their claims for equitable treatment. The judge shall, after notice in such manner as he may determine to the debtor, its trustee or trustees, stockholders, creditors, and the Commission, hear all parties in interest in support of, and in opposition to, such objections to the plan and such claims for equitable treatment.

Hearings.

Approval if designated conditions met.

After such hearing, and without any hearing if no objections are filed, the judge shall approve the plan if satisfied that: (1) It complies with the provisions of subsection (b) of this section, is fair and equitable, affords due recognition to the rights of each class of creditors and stockholders, does not discriminate unfairly in favor of any class of creditors or stockholders, and will conform to the requirements of the law of the land regarding the participation of the various classes of creditors and stockholders; (2) the approximate amounts to be paid by the debtor, or by any corporation or corporations acquiring the debtor's assets, for expenses and fees incident to the reorganization, have been fully disclosed so far as they can be ascertained at the date of such hearing, are reasonable, are within such maximum limits as are fixed by the Commission, and are within such maximum limits to be subject to the approval of the judge; (3) the plan provides for the payment of all costs of administration and all other allowances made or to be made by the judge, except that allowances provided for in subsection (c), paragraph (12) of this section, may be paid in securities provided for in the plan if those entitled thereto will accept such payment, and the judge is hereby given power to approve the same.

Opinion stating reason, filed if plan disapproved.
Action to be taken.

If the judge shall not approve the plan, he shall file an opinion, stating his conclusions and the reason therefor, and he shall enter an order in which he may either dismiss the proceedings, or in his discretion and on motion of any party in interest refer the proceedings back to the Commission for further action, in which event he shall transmit to the Commission a copy of any evidence received. If the proceedings are referred back to the Commission, it shall proceed to a reconsideration of the proceedings under the provisions of subsection (d) hereof.

If plan approved; procedure.

If the judge shall approve the plan, he shall file an opinion, stating his conclusions and the reasons therefor, and enter an order to that effect, and shall send a certified copy of such opinion and order to the Commission. The plan shall then be submitted by the Commission to the creditors of each class whose claims have been filed and allowed in accordance with the requirements of subsection (c) hereof, and to the stockholders of each class,

Submission to creditors of each class whose claims allowed.

and/or to the committees or other representatives thereof, for acceptance or rejection, within such time as the Commission shall specify, together with the report or reports of the Commission thereon or such a summarization thereof as the Commission may approve, and the opinion and order of the judge: *Provided*, That submission to any class of stockholders shall not be necessary if the Commission shall have found, and the judge shall have affirmed the finding, (a) that at the time of the finding the corporation is insolvent, or that at the time of the finding the equity of such class of stockholders has no value, or that the plan provides for the payment in cash to such class of stockholders of an amount not less than the value of their equity, if any, or (b) that the interests of such class of stockholders will not be adversely and materially affected by the plan, or (c) that the debtor has pursuant to authorized corporate action accepted the plan and its stockholders are bound by such acceptance: *Provided further*, That submission to any class of creditors shall not be necessary if the Commission shall have found, and the judge shall have affirmed the finding, that the interests of such class of creditors will not be adversely and materially affected by the plan, or that at the time of the finding the interests of such class of creditors have no value, or that the plan provides for the payment in cash to such class of creditors of an amount not less than the value of their interests. For the purpose of this section the acceptance or rejection by any creditor or stockholder shall be in writing, executed by him or by his duly authorized attorney, committee, or representative. If the United States of America, or any agency thereof, or any corporation (other than the Reconstruction Finance Corporation) the majority of the stock of which is owned by the United States of America, is a creditor or stockholder, the President of the United States or any officer or agency he may designate, is hereby authorized to act in respect of the interest or claims of the United States or of such agency or other corporation. The expense of such submission shall be certified by the Commission and shall be borne by the debtor's estate. The Commission shall certify to the judge the results of such submission.

Provisos.
Corporation found insolvent.

Lacking equity value.

Interests not adversely affected.

Corporate acceptance of plan.

Submission unnecessary if class protected.

When United States is a creditor or stockholder.

Upon receipt of such certification, the judge shall confirm the plan if satisfied that it has been accepted by or on behalf of creditors of each class to which submission is required under this subsection holding more than two-thirds in amount of the total of the allowed claims of such class which have been reported in said submission as voting on said plan, and by or on behalf of stockholders of each class to which submission is required under this subsection holding more than two-thirds of the stock of such class which has been reported in said submission as voting on said plan; and that such acceptances have not been made or procured by any means forbidden by law: *Provided*, That, if the plan has not been so accepted by the creditors and stockholders, the judge may nevertheless confirm the plan if he is satisfied and finds, after hearing, that it makes adequate provision for fair and equitable treatment for the interests or claims of those rejecting it; that such rejection is not reasonably justified in the light of the respective rights and interests of those rejecting it and all the relevant facts; and that the plan conforms to the requirements of clauses (1) to (3), inclusive, of the first paragraph of this subsection (e). If the judge shall confirm the plan, he shall enter an order and file an opinion with a statement of his conclusions and his reasons therefor. If the judge shall not confirm the plan, he shall file an opinion, with a statement of his conclusions and his reasons therefor, and enter an order in which he shall either dismiss

Confirmation by court.
Conditions necessary.

Proviso.
Judge may overrule rejection if satisfied plan meets requirements.

Proceedings if not confirmed.

the proceedings, or, in his discretion and on the motion of any party in interest, refer the case back to the Commission for further proceedings, including the consideration of modifications of the plan or the proposal of new plans. In the event of such a reference back to the Commission, the proceedings with respect to any modified or new plan shall be governed by the provisions of this section in like manner as in an original proceeding hereunder.

Appraisal of property.

If it shall be necessary to determine the value of any property for any purpose under this section, the Commission shall determine such value and certify the same to the court in its report on the plan. The value of any property used in railroad operation shall be determined on a basis which will give due consideration to the earning power of the property, past, present, and prospective, and all other relevant facts. In determining such value only such effect shall be given to the present cost of reproduction new and less depreciation and original cost of the property, and the actual investment therein, as may be required under the law of the land, in light of its earning power and all other relevant facts.

Binding, upon court confirmation.

(f) Upon confirmation by the judge, the provisions of the plan and of the order of confirmation shall, subject to the right of judicial review, be binding upon the debtor, all stockholders thereof, including those who have not, as well as those who have, accepted it, and all creditors secured or unsecured, whether or not adversely affected by the plan, and whether or not their claims shall have been filed, and, if filed, whether or not approved, including creditors who have not, as well as those who have, accepted it. Upon confirmation of the plan, the debtor and any other corporation or corporations organized or to be organized for the purpose of carrying out the plan, shall have full power and authority to, and shall put into effect and carry out the plan and the orders of the judge relative thereto, under and subject to the supervision and the control of the judge, the laws of any State or the decision or order of any State authority to the contrary notwithstanding. The property dealt with by the plan, when transferred and conveyed to the debtor or to the other corporation or corporations provided for by the plan, or when retained by the debtor pursuant to the plan, shall be free and clear of all claims of the debtor, its stockholders and creditors, and the debtor shall be discharged from its debts and liabilities, except such as may consistently with the provisions of the plan be reserved in the order confirming the plan or directing such transfer and conveyance or retention, and the judge may require the trustee or trustees appointed hereunder, the debtor, any mortgagee, the trustee of any obligation of the debtor, and all other proper and necessary parties, to make any such transfer or conveyance, and may require the debtor to join in any such transfer or conveyance made by the trustee or trustees. Upon the termination of the proceedings a final decree shall be entered discharging the trustee or trustees, and making such provisions as may be equitable, by way of injunction or otherwise, and closing the case. Upon confirmation of a plan the Commission shall, without further proceedings, grant authority for the issue of any securities, assumption of obligations, transfer of any property, sale, consolidation or merger of the debtor's property, or pooling of traffic, to the extent contemplated by the plan and not inconsistent with the provisions and purposes of the Interstate Commerce Act as now or hereafter amended. The provisions of title I and of section 5 of the Securities Act of 1933, as amended, shall not apply to the issuance, sale, or exchange of any of the following securities, which securities and transactions therein shall, for the purposes of said Securities Act, be treated as if they were

Orders, etc., of court to be executed.

Property to be clear of debtor's claims.

Discharge of debtor; exception.

Final decree.

Prohibited acts under Securities Act not to affect designated transactions.
Vol. 48, pp. 77, 906; U. S. C., p. 521.

specifically mentioned in sections 3 and 4 of the said Securities Act, respectively: (1) All securities issued pursuant to any plan of reorganization confirmed by the judge in accordance with the provisions of this section; (2) all securities issued pursuant to such plan for the purpose of raising money for working capital and other purposes of such plan; (3) all securities issued by the debtor or by the trustee or trustees pursuant to subdivision (c), clause (3) of this section; (4) all certificates of deposit representing securities of, or claims against, the debtor, with the exception of such certificates of deposit as are issued by committees not subject to subsection (p) hereof. The provisions of subdivision (a) of section (14) of the Securities Exchange Act of 1934 shall not be applicable with respect to any action or matter which is within the provisions of subsection (p) hereof.

Vol. 48, p. 895.

Judge to dismiss proceedings if reorganization of debtor unduly delayed.

(g) If in the light of all the existing circumstances there is undue delay in a reasonably expeditious reorganization of the debtor, the judge, in his discretion, shall, on motion of any party in interest or on his own motion, after hearing and after consideration of the recommendation of the Commission, dismiss the proceedings. Upon the filing of such an order of dismissal, all right, title, or interest of the trustee or trustees shall vest by operation of law in the debtor unless otherwise provided by such order.

Revenue Acts of 1926 and 1932.
Vol. 44, p. 101; Vol. 47, p. 272.
U. S. C., p. 1107.

Stamp tax provisions not applicable.

(h) The provisions of subdivisions 1, 2, and 3 of schedule A of title VIII of the Revenue Act of 1926, as amended by sections 721, 722, and 723 of the Revenue Act of 1932, and the provisions of subdivisions 8 and 9 of the same schedule A as added by sections 724 and 725 of the Revenue Act of 1932, and any amendments thereto unless specifically providing to the contrary, shall not apply to the issuance, transfer, or exchange of securities or the making or delivery of conveyances to make effective any plan of reorganization confirmed under the provisions of this section.

Filing petition, when receiver appointed.

(i) If a receiver or trustee of all or any part of the property of a debtor has been appointed by a Federal or State court, whether before or after this amendatory section takes effect, a petition or answer may be filed under this section at any time thereafter by such debtor, or its creditors as provided in subsection (a) of this section, and if such petition is approved, the trustee or trustees appointed under this section, or the debtor until such trustee or trustees are appointed, shall be entitled forthwith to possession of and be vested with title to such property, and the judge shall make such orders as he may deem equitable for the protection of obligations incurred by the receiver or receivers or prior trustee or trustees and for the payment of such reasonable administrative expenses and allowances in the prior proceedings as may be fixed by the court appointing such receiver or trustee. Whether or not a receiver or trustee has been appointed by a Federal or State court prior or subsequent to the institution of a proceeding under this section and upon the dismissal of such proceeding under this section, the judge may include in the order of dismissal appropriate provisions directing the trustee or trustees, or the debtor if no trustee has been appointed, at the time of such order of dismissal, to transfer possession of the debtor's property within the territorial jurisdiction of such Federal or State court to the prior receiver or trustee, if a prior receiver or trustee has been so appointed by such Federal or State court, or to a receiver or trustee appointed by such Federal or State court, upon such terms as the court in the proceeding under this section may deem equitable for the protection of the obligations incurred by any trustee or trustees appointed under this section and for the payment of administrative expenses and allowances in the

Trustees to possess property.

Protective measures; expenses, etc.

Order directing transfer of debtor's property.

proceedings hereunder. Upon the filing of such order of dismissal all title to the property in the trust estate shall vest as therein provided. For the purposes of this section the words "Federal court" shall include the district courts of the United States and of the Territories and possessions to which this title is or may hereafter be applicable, the Supreme Court of the District of Columbia, and the United States Court of Alaska.

"Federal court" construed.

Further stay of pending suits.

(j) In addition to the provisions of section 11 of this Act for the staying of pending suits against the debtor, the judge may enjoin or stay the commencement or continuation of suits against the debtor until after final decree; and may, upon notice and for cause shown, enjoin or stay the commencement or continuance of any judicial proceeding to enforce any lien upon the estate until after final decree: *Provided*, That suits or claims for damages caused by the operation of trains, busses, or other means of transportation may be filed and prosecuted to judgment in any court of competent jurisdiction and any order staying the prosecution of any such cause of action or appeal shall be vacated. Proceedings under section 77 or under this amendatory Act shall not be grounds for the removal of any cause of action to the United States District Court which was not removable before the passage and approval of said section 77 and any order removing any cause of action or enjoining the prosecution of any such cause of action in any court is null and void and any cause of action heretofore removed from a State court on account of said section 77 shall be remanded to the court from which it was removed. The title of any owner, whether as trustee or otherwise, to rolling-stock equipment leased or conditionally sold to the debtor, and any right of such owner to take possession of such property in compliance with the provisions of any such lease or conditional sale contract, shall not be affected by the provisions of this section.

Proviso. Transportation damage claims.

Removal of causes to District Court.

Title of any owner to equipment not impaired.

Certified copy of confirming order, as evidence.

(k) A certified copy of the final order confirming a plan of reorganization, or of any other order or decree entered in a proceeding under this section, shall be evidence of the jurisdiction of the court, the regularity of the proceedings, and the fact that the order or decree was made. A certified copy of an order directing the transfer and conveyance of the property dealt with by the plan as provided in subsection (f) of this section, or as specified in an order dismissing the proceedings as provided in subsection (i), shall be evidence of the transfer and conveyance of title accordingly, and if recorded shall impart the same notice that a deed, if recorded, would impart.

Effect of proceedings hereunder.

(l) In proceedings under this section and consistent with the provisions thereof, the jurisdiction and powers of the court, the duties of the debtor and the rights and liabilities of creditors, and of all persons with respect to the debtor and its property, shall be the same as if a voluntary petition for adjudication had been filed and a decree of adjudication had been entered on the day when the debtor's petition was filed.

"Railroad corporation" construed.

(m) The term "railroad corporation" as used in this amendatory section means any common carrier by railroad engaged in the transportation of persons or property in interstate commerce, except a street, a suburban, or interurban electric railway which is not operated as a part of a general railroad system of transportation or which does not derive more than 50 per centum of its operating revenues from the transportation of freight in standard steam railroad freight equipment. Wherever used in this section the term "person" shall include an individual, corporation, partnership, association, joint-stock company, unincorporated organization, or a government or political subdivision thereof.

Claims for personal injuries to employees.

(n) In proceedings under this section, claims for personal injuries to employees of a railroad corporation, claims of personal representatives of deceased employees of a railroad corporation, arising under State or Federal laws, and claims now or hereafter payable by sureties upon supersedeas, appeal, attachment, or garnishment bonds executed by sureties without security for and in any action brought against such railroad corporation or trustee appointed pursuant to this section, shall be preferred against and paid out of the assets of such railroad corporation as operating expenses of such railroad. No judge or trustee acting under this Act shall change the wages or working conditions of railroad employees except in the manner prescribed in the Railway Labor Act, as amended June 21, 1934, or as it may be hereafter amended. No reorganization effected under this Act and no order of the court or Commission in connection therewith shall relieve any carrier from the obligation of any final judgment of any Federal or State court rendered prior to January 1, 1929, against such carrier or against one of its predecessors in title, requiring the maintenance of offices, shops, and roundhouses at any place, where such judgment was rendered on account of the making of a valid contract or contracts by such carrier or one of its predecessors in title.

Wages and working conditions.
Vol. 48, p. 1195.

Reorganization plans.
Abandonment or sale of portions.

(o) The trustee or trustees, from time to time, shall determine what lines or portions of lines of railroad and what other property of the debtor, if any, should be abandoned or sold during the pendency of the proceedings in the interest of the debtor's estate and of ultimate reorganization but without unduly or adversely affecting the public interest, and shall present to the judge petitions, in which other parties in interest may join, for authority to abandon or to sell any such property; and upon order of the judge made after a hearing pursuant to such reasonable notice by publication or otherwise as the judge may direct to parties in interest, authorizing any such abandonment or sale, but only with the approval and authorization of the Commission when required by the Interstate Commerce Act as amended February 28, 1920, or as it may be hereafter amended, the trustee or trustees shall take all steps and carry out all proceedings necessary for the consummation of any such abandonment or sale in accordance with the order of the judge. Any such order of the judge shall be a final order for the purposes of appeal. The judge may order and decree any sale of property, whether or not incident to an abandonment, under this subsection at public or private sale and subject to or free from liens. The proceeds derived from any such sales shall be received by the trustee or trustees subject, in case the property was sold free from lien, to any liens thereon at the time of sale, and shall be applied or disposed of in such manner as the judge by further order shall direct. The expense of such sale shall be borne in such manner as the judge may determine to be equitable. The judge may order the trustee or trustees of the debtor to deposit such proceeds with any mortgage trustee entitled thereto, to be applied in payment of all or part of such mortgage.

Approval, etc., necessary.
Vol. 41, p. 456; U. S. C., p. 2238.

Use of proceeds from property sales.

Proxies.

Soliciting, use, etc.

(p) It shall be unlawful for any person, during the pendency of proceedings under this section or of receivership proceedings against a railroad corporation in any State or Federal court, (a) to solicit, or permit the use of his name to solicit, from any creditor or shareholder of any railroad corporation by or against whom such proceedings have been instituted, any proxy or authorization to represent any such creditor or shareholder in such proceedings or in any matters relating to such proceedings, or to vote on his behalf for or

against, or to consent to or reject, any plan of reorganization proposed in connection with such proceedings; or (b) to use, employ, or act under or pursuant to any such proxy or authorization from any such creditor or shareholder which has been solicited or obtained prior to the institution of such proceedings; or (c) to solicit the deposit by any such creditor, or shareholder, of his claim against or interest in such railroad corporation, or any instrument evidencing the same, under any agreement authorizing anyone other than such depositor to represent such depositor in such proceedings or in any matters relating to such proceedings, including any matters relating to the deposited security or claim; or to vote such claim or interest or to consent to or reject any such plan of reorganization; or (d) to use, employ, or act under or pursuant to any such agreement with such depositor which has been solicited or obtained prior to the institution of such proceedings; unless and until, upon proper application by any person proposing to make such solicitation or to use, employ, or act under or pursuant to such proxies, authorizations, or deposit agreements, and after consideration of the terms and conditions (including provisions governing the compensation and expenses to be received by the applicant, its agents and attorneys, for their services) upon which it is proposed to make such solicitation or to use, employ, or act under or pursuant to such proxies, authorizations, or deposit agreements, the Commission after hearing by order authorizes such solicitation, use, employment, or action: *Provided, however*, That nothing contained in this section shall be applicable to or construed to prohibit any person, when not part of an organized effort, from acting in his own interest, and not for the interest of any other, through a representative or otherwise, or from authorizing a representative to act for him in any of the foregoing matters, or to prohibit groups of not more than twenty-five bona fide holders of securities or claims or groups of mutual institutions from acting together for their own interests and not for others through representatives or otherwise or from authorizing representatives of such groups to act for them in respect to any of the foregoing matters. The Commission shall make such order only if it finds that the terms and conditions upon which such solicitation, use, employment or action is proposed are reasonable, fair, and in the public interest, and conform to such rules and regulations as the Commission may provide. The Commission shall have the power to make such rules and regulations respecting such solicitation, use, employment, or action and with respect to the terms and the provisions of such proxies, authorizations, and deposit agreements, and with respect to such other matters in connection with the administration of this subsection as it deems necessary or desirable to promote the public interest, and to insure proper practices in the representation of creditors and stockholders through the use of such proxies, authorizations, or deposit agreements and in the solicitation thereof. It shall be unlawful for any person to solicit any such proxy, authorization, or the deposit of any such claim or interest or to use, employ, or act under or pursuant to any such proxy, authorization, or deposit agreement which has been solicited or obtained prior to the institution of such proceedings in violation of the rules and regulations so prescribed.

Proviso. Personal interest only.

Cooperative actions.

Rules to be prescribed.

Every application for authority shall be made in such form and contain such matters as the Commission may prescribe. Every such application shall be made under oath, signed by, or on behalf of, the applicant by a duly authorized agent having knowledge of the matters therein set forth. The Commission may modify any order authorizing such solicitation, use, employment, or action by a sup-

Form, etc., of applications.

Right to modify, etc., orders.

plemental order, but no such modification shall invalidate action previously taken, or rights or obligations which have previously arisen, in conformity with the Commission's prior order or orders authorizing such solicitation, use, employment, or action.

Investigating violations.

The Commission may, in its discretion, make such investigations as it deems necessary to determine whether any person has violated or is about to violate any provision of this subsection (p) or any rule or regulation thereunder, and may require or permit any person to file with it a statement in writing, under oath, or otherwise as the Commission shall determine, as to all the facts and circumstances concerning the matter to be investigated. The Commission is authorized, in its discretion, to publish information concerning any such violations, and to investigate any such facts, conditions, practices, or matters as it may deem necessary or proper to aid in the enforcement of the provisions of this subsection (p), in the prescribing of rules and regulations thereunder, or in securing information to serve as a basis for recommending further legislation concerning the matters to which this subsection relates.

Publication of.

Rules to be prescribed.

Punishment for violations.

Any person who willfully violates any provision of this subsection, or any rule or regulation made thereunder the violation of which is made unlawful, or any person who willfully and knowingly makes, or causes to be made, any statement in any application, report, or document required to be filed hereunder or under any rule or regulation authorized hereby, which statement is false or misleading with respect to any material fact, shall be guilty of a misdemeanor, and on conviction in any United States court having jurisdiction, shall be punished by a fine of not less than $1,000 nor more than $10,000 or by imprisonment for not less than one year nor more than three years, or by both such fine and imprisonment, in the discretion of the court; but no person shall be subject to imprisonment under this section for the violation of any rule or regulation if he proves that he had no knowledge of such rule or regulation.

Provisions not retroactive.

The provisions of this subsection (p) shall not be applicable to any person or committee which has begun to solicit, obtain, or use proxies, authorizations, or deposit agreements prior to the effective date of this amendatory section in connection with proceedings under this section as in force prior to such effective date or receivership proceedings against a railroad then pending in any State or Federal court, unless such person or committee makes application to the Commission and receives authority to act as in this subsection provided, in which event the provisions of this subsection (p) shall be applicable to such person or committee, but such authorization shall not be upon terms which shall invalidate any action theretofore taken, or any rights or obligations which have theretofore arisen: *Provided*, That with respect to committees which are not subject to this subsection (p) the judge shall scrutinize and may disregard any limitations or provisions of any deposit agreements, committee, or other authorizations affecting any creditor or stockholder acting under this section and may enforce an accounting thereunder or restrain the exercise of any power which he finds to be unfair or not consistent with public policy, including the collection of unreasonable amounts for compensation and expenses.

Terms not to invalidate previous action.

Proviso.
Court review.

Powers of Commission extended.

(q) The provisions of section 12 of the Interstate Commerce Act, as amended March 2, 1889, February 10, 1891, and February 28, 1920, shall be applicable to enable the Commission to perform its duties under this section and the provisions of such section shall apply to the debtor, any subsidiary or affiliated company, or any other person as herein defined.

Vol. 25, p. 858; Vol. 26, p. 743; Vol. 41, p. 484.
U. S. C., p. 2221.

Saving clause.

(r) If any provision of this amendatory section, or the application thereof to any person or circumstances, is held invalid, the remainder of this amendatory section, or application of such provision to other persons or circumstances, shall not be affected thereby.

Pending proceedings governed by provisions of this Act.
Vol. 47, p. 1474; U. S. C., p. 337.

(s) Proceedings pending under this section (Act of March 3, 1933) on the effective date of this amendatory section shall continue under, and be governed by, the provisions of this amendatory section: *Provided*, That the enactment of this amendatory section shall not invalidate any action taken before its effective date pursuant to this section as it existed prior to the enactment of this amendatory section.

Proviso.
Prior action not invalidated.

Approved, August 27, 1935.

[CHAPTER 775.]

AN ACT

August 27, 1935.
[H. R. 8977.]
[Public, No. 382.]

To authorize the Secretary of the Treasury to acquire a site for the erection of a post-office building at Columbus, Mississippi.

Columbus, Miss.
Acquisition of site for public building at.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury, subject to the availability of appropriated moneys therefor, is authorized, in his discretion, to acquire a new site in the city of Columbus, county of Lowndes, State of Mississippi, and to construct a post-office building thereon.

Lease authorized.

SEC. 2. That the Secretary of the Treasury may acquire such site by lease rather than by purchase, if in his discretion it is deemed desirable that the site should be located in section 16, fractional township 18, south of range 18, west of the basis meridian of Madison County, Alabama, in which section the said city of Columbus is in large part situated; in which case the Secretary of the Treasury may lease such site from the mayor and city council of the city of Columbus, at such rental as he deems reasonable, for a term of ninety-nine years from the 1st day of August 1921, renewable forever, as provided by Acts of the Legislature of Mississippi approved December 13, 1830 (Laws of Mississippi, 1830, ch. II), and March 20, 1914 (Laws of Mississippi, 1914, ch. 462), or may obtain by assignment, by condemnation, or otherwise, an existing lease, for the same term, of such site.

Appropriation authorized; limitation waived.
Vol. 47, p. 412; U. S. C., p. 1771.

SEC. 3. There is authorized to be appropriated, without regard to the limitations of section 322 of part II of the Legislative Appropriation Act for the fiscal year ending June 30, 1933, approved June 30, 1932, such amounts as may be necessary to pay the installments of rent provided for in a lease obtained pursuant to the authority contained in section 2 of this Act: *Provided*, That the first annual installment of rent and the original purchase price, if any, of such lease shall be paid out of any funds made available for the acquisition of the site and the construction of a building thereon.

Proviso.
Payment.

Approved, August 27, 1935.

[CHAPTER 776.]

JOINT RESOLUTION

August 27, 1935.
[H. J. Res. 129.]
[Pub. Res., No. 59.]

To amend the joint resolution entitled "Joint resolution for the relief of Porto Rico", approved December 21, 1928, to permit an adjudication with respect to liens of the United States arising by virtue of loans under such joint resolution.

Puerto Rican relief.
Vol. 45, p. 1067, amended.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution entitled "Joint resolution for the relief of Porto Rico", approved December 21, 1928, is hereby amended by adding at the end thereof a new section reading as follows:

"SEC. 7. (a) Upon the conditions herein prescribed for the protection of the United States, the consent of the United States is given, to be named a party in any suit which is now pending or which may hereafter be brought in any of the insular courts of the island of Puerto Rico by the Federal Land Bank of Baltimore or the Federal Farm Mortgage Corporation for the foreclosure of any mortgage or other lien upon real estate for the purpose of any mortgage or other lien upon real estate for the purpose of [1] securing an adjudication touching any junior mortgage or other junior lien the United States may have or claim by virtue of loans made pursuant to the provisions of this joint resolution. Service upon the United States shall be made by serving the process of the court with a copy of the bill of complaint upon the United States attorney for the district or division in which the suit has been or may be brought and by sending copies of the process and bill, by registered mail, to the Attorney General of the United States at Washington, District of Columbia. The United States shall have sixty days after service as above provided, or such further time as the court may allow, within which to appear and answer, plead, or demur. Any such suit brought against the United States in any insular court may be removed by the United States to the United States District Court for the district in which the suit may be pending. The removal shall be effected in the manner prescribed by section 29 of the Judicial Code (U. S. C., title 28, sec. 72): *Provided*, That the petition for removal may be filed at any time before the expiration of thirty days after the time herein or by the court allowed by the United States to answer, and no removal bond shall be required. The court to which the cause is removed may, before judgment, remand it to the insular court if it shall appear that there is no real dispute respecting the rights of the United States, or all the other parties shall concede of record the claims of the United States. Except as herein otherwise provided, a judicial sale made in pursuance of a judgment in such a suit shall have the same effect respecting the discharge of the property from liens and encumbrances held by the United States as may be provided with respect to such matters by the law of Puerto Rico and in which island the land is situated: *Provided*, That a sale to satisfy a lien inferior to one of the United States shall be made subject to and without disturbing the lien of the United States, unless the United States, by its attorneys, consents that the property may be sold free of its mortgage or lien and the proceeds divided as the parties may be entitled. In any case where the debt to the United States is due, the United States may ask, by way of affirmative relief, for the foreclosure of its own lien or mortgage and in any case where the property is sold to satisfy a first mortgage or first lien held by the United States, the United States may bid at the sale such sum not exceeding the amount of its claim with expenses of sale, as may be directed by the chief of the department, bureau, or other agency of the Government which has charge of the administration of the laws in respect of which the claim of the United States arises. No judgment for costs or other money judgment shall be rendered against the United States in any suit or proceeding which may be instituted under the provisions of this section. Nor shall the United States be or become liable for the payment of the costs of any such suit or proceeding or any part thereof: *Provided*, That if the Federal Land Bank of Baltimore or the Federal Farm Mortgage Corporation acquire the property involved in the proceedings in which the United States was made a party under the provisions of this section, any amount the Federal Land Bank of Baltimore or the Federal Farm Mortgage Corporation may receive upon the ultimate disposition of the property, exceeding the amount of its investment, but

Mortgage foreclosures, etc.

Consent to name Government party defendant in suits involving, granted.

Service of process upon United States.

Removal of suits from insular courts.

U. S. C., p. 1234.

Provisos.
Procedure.

Judicial sales; effect of.

Satisfying lien inferior to that of Government.
Exception.

Foreclosure of Government's liens, etc.

No Federal liability for costs.

Sums over certain investments to be paid to Hurricane Relief Commission.

[1] So in original.

not to exceed the amount of the Commission's lien, shall be paid by the said bank or the said corporation to the Puerto Rican Hurricane Relief Commission.

Priorities arising out of reamortization agreements.

"(b) The Hurricane Relief Commission is hereby authorized to waive any priorities it may have or claim over liens in favor of the Federal Land Bank of Baltimore, such priorities arising out of reamortization agreements entered into between the Federal Land Bank of Baltimore and its borrowers who are also indebted to the Commission.

Method of extinguishing liens without judicial proceedings.

"(c) If the Federal Land Bank of Baltimore or the Federal Farm Mortgage Corporation acquires or deems it necessary to acquire by foreclosure proceedings any real or personal property in Puerto Rico by virtue of a lien upon the said referred property duly filed of record in the jurisdiction in which the same is located, and a junior lien in favor of the United States attached to such property by virtue of loans made pursuant to the provisions of this joint resolution the said banking institution may make a written request to the Puerto Rican Hurricane Relief Commission to have the same extinguished. If after appropriate investigation, it appears to such Commission that the proceeds from the sale of the property would be insufficient to satisfy in whole or in part, the lien of the United States, or that the claim of the United States has been satisfied, or by lapse of time or otherwise has become unenforceable, such Commission shall so report to the Comptroller General, who thereupon may authorize it to issue a certificate of release, which shall operate to release the property from such lien: *Provided*, That any amount that may be realized by the Federal Land Bank of Baltimore or the Federal Farm Mortgage Corporation in the ultimate sale of this property, over and above its investment, but not to exceed the amount of the Commission's lien, shall be paid by the said bank or the said Corporation to the Puerto Rican Hurricane Relief Commission.

Issue of certificate of release.

Proviso.
Any amount over investment to be paid to Hurricane Relief Commission.

Terms defined.
"Puerto Rican Hurricane Relief Commission"; "Hurricane Relief Commission"; "Commission".

"(d) For the purposes of this section the terms 'Puerto Rican Hurricane Relief Commission', 'Hurricane Relief Commission', and 'Commission' shall be deemed to refer to the department, bureau, or other agency of the Government having charge of the administration of this resolution."

Approved August 27, 1935.

[CHAPTER 777.]

JOINT RESOLUTION

August 27, 1935.
[H. J. Res. 257.]
[Pub. Res., No. 60.]

To amend a joint resolution entitled "Joint resolution for the relief of Porto Rico", approved December 21, 1928, as amended by the Second Deficiency Act, fiscal year 1929, approved March 4, 1929.

Puerto Rican relief.
Vol. 45, p. 1067; Vol. 45, p. 1627, amended.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in carrying out the provisions of the joint resolution entitled "Joint resolution for the relief of Porto Rico", approved December 21, 1928, as amended by the Second Deficiency Act, fiscal year 1929, approved March 4, 1929, the Puerto Rican Hurricane Relief Commission or its successor is authorized, when in the judgment of the Commission or its successor it is consistent with the best interests of the United State [1], to make, in the name of the United States or in its own name for and on behalf of the United States, compositions and adjustments in any loans heretofore made by it upon the security of land or other property, real or personal, in the island of Puerto Rico, either by reduction in the rate of interest or in the indebtedness or

Puerto Rican Hurricane Relief Commission, etc., authorized to make adjustments of its loans.

[1] So in original.

by extension or other adjustment of the time for any payments of principal or interest or other indebtedness, or otherwise: *Provided*, That it shall be unlawful for any person to charge a fee for the purpose of preparing or assisting in the preparation of any papers of an applicant for the composition or adjustment of a loan under the provisions of this Act, and any person receiving or agreeing to receive a fee for any such purpose in violation of this proviso shall be guilty of a misdemeanor, and shall upon conviction thereof be punished by a fine not exceeding $1,000 or by imprisonment not exceeding six months, or both.

Proviso. Fees.

SEC. 2. That the Commission or its successor is further authorized to acquire title, either by voluntary conveyance as the result of a composition or an agreement with a debtor or in satisfaction of judgments or degrees [1] of foreclosure of mortgages or at sales under such judgments or decrees, to parcels of land or other property, real or personal, in the name of the United States or in its own name for and on behalf of the United States and also to take possession and occupy and hold and administer and to lease, sell, or otherwise dispose of as in the judgment of the Commission or its successor is consistent with the best interests of the United States any land or other property, real or personal, so acquired by it; and in the exercise of these powers may execute deeds or other necessary or appropriate instruments in the name of the United States or in its own name for and on behalf of the United States.

Acquisition and disposal of land when foreclosure necessary.

SEC. 3. The Commission or its successor is further authorized, in any case when in the judgment of the Commission or its successor it is consistent with the best interests of the United States, to subordinate the lien securing any loan heretofore made by the Commission to the lien securing any loan or loans hereafter made by the Federal Land Bank of Baltimore, or by the Land Bank Commissioner on behalf of the Federal Farm Mortgage Corporation.

Liens may be subordinated to those designated.

Approved, August 27, 1935.

[CHAPTER 778.]

JOINT RESOLUTION

August 27, 1935.
[S. J. Res. 9.]
[Pub. Res., No. 61.]

Authorizing the Federal Trade Commission to make an investigation with respect to agricultural income and the financial and economic condition of agricultural producers generally.

Agricultural income, etc., investigation. Preamble.

Whereas the decline in agricultural income and the unsatisfactory condition of agriculture and of those engaged therein is a matter of increasing concern to the Congress, and affects the general welfare of the Nation and its citizens; and

Whereas in recent years the agricultural income has decreased while the earnings and profits of concerns processing or dealing in certain lines of farm products have increased or declined only moderately; and

Whereas there has developed an increasingly large proportionate spread between the prices received by the farmer for his products and the prices paid therefor by the consumer; and

Whereas, according to the latest statistics of income published by the Bureau of Internal Revenue, twenty-two large corporations reported making over 45 per centum of the gross sales of all corporations engaged in the processing and manufacture of food products in 1931, and one hundred and two large corporations reported making 60 per centum of the gross sales of such corporations; and

[1] So in original.

Whereas it is charged that monopolistic, oppressive, and unfair methods and practices of various middlemen, warehousemen, processors, manufacturers, packers, and handlers are in whole or in part responsible for the conditions above described, and that wasteful and uneconomic methods have contributed toward bringing about these conditions; and

Whereas it is charged that said various middlemen, warehousemen, processors, manufacturers, packers, handlers, and others have violated the various antitrust laws of the United States, that they have burdened, restricted and restrained interstate and foreign commerce and adversely affected the volume and price of farm products moving in intrastate and foreign commerce; and

Whereas it is charged that many lines of processing, warehousing, and/or dealing in farm products are so dominated by a handful of large concerns as to impede the free flow of interstate and foreign commerce to the detriment of both the farmer and the consumer; and

Whereas it is charged that through the payment of high and excessive salaries and other devices said middlemen, warehousemen, processors, manufacturers, packers, and others escape just taxation by the United States, that said salaries tend unduly to diminish the tax revenues of the United States and tend to burden and restrain interstate and foreign commerce in farm products, and to divert and conceal the earnings and profits of the concerns paying said salaries, and that by various devices those receiving said salaries escape their just share of Federal taxation; and

Whereas it is believed that the Congress should consider whether new legislation should be enacted or existing legislation amended on any of the subjects hereinbefore described and in aid thereof should be informed on all of said subjects: Therefore be it

Federal Trade Commission to investigate and report upon designated subjects.

Post, pp. 1256, 1566.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Trade Commission is hereby authorized and directed to investigate and report, at the next session of Congress—

Extent of recent agricultural income decline.

First. (1) The extent of the decline in agricultural income in recent years, including the amount and percentage of such decline;

(2) The extent of the increases or decreases in recent years in the income of the principal corporations engaged in the sale, manufacturing, warehousing and/or processing of the principal farm products, and of the other principal sellers, manufacturers, warehousemen, and/or processors of the principal farm products, as compared with the decline in agricultural income, including the amount and percentage of such changes; and

(3) The proportion of total consumer cost of representative products manufactured or processed from the principal farm products which is represented by the proceeds received by (a) the farmer, (b) the manufacturers, processors, and warehousemen, and (c) the distributors and such principal farm products and such representative products manufactured therefrom.

Financial position of principal marketing, etc., corporations.

Second. The financial position of the principal corporations engaged in the manufacturing, processing warehousing, distribution, and marketing of the representative major products manufactured from such principal farm products, including—

(1) The capitalization and assets of such corporations and the means and sources of the growth of such capitalization and assets;

(2) The investment, costs, profits, and rates of return of such corporations;

(3) The salaries of the officers of such companies; and

(4) The extent to which said corporations avoid income taxes, if at all, and the extent to which officers receiving such salaries paid income taxes thereon.

Extent of control and monopoly in processing, etc., farm products.

Third. The extent of concentration of control and of monopoly in the manufacturing, processing, warehousing, distribution, and marketing of representative major farm products which is maintained or has been obtained by any corporation or other organization, including—

(1) Methods and devices used by such corporations for obtaining and maintaining their control or monopoly of the manufacturing, marketing, processing, warehousing, and distribution of such commodities, and the proportion of any such major farm commodity handled by each of the large units involved; and

(2) The extent to which fraudulent, dishonest, unfair, and injurious methods are employed in the grading, warehousing, and transportation of such farm products, including combinations, monopolies, price fixing, and manipulation of prices on the commodity exchanges.

Extent of cooperative agencies.

Fourth. The extent to which the cooperative agencies have entered into the processing, warehousing, and marketing of representative major farm products and the general effects of such cooperative agencies upon the producer and consumer.

Studies of foreign policies.

Fifth. The extent to which other countries have adopted or promoted processing, warehousing, and marketing agencies of a public, quasi-public, or cooperative sort for the simplification and cheapening of the processing, warehousing, and marketing of agricultural products, and other administrative agencies which may have been set up for the protection of the farmer-producer and the consumer.

Recommendations.

Sixth. Any conclusions and/or recommendations with regard to increasing the income of farm producers or other recommendations with regard to the improvement of the economic position of farmers or consumers growing out of the inquiry.

Agencies to cooperate.

SEC. 2. The Department of Agriculture, the National Recovery Administration, the Department of Justice, and other agencies of the Government are directed to cooperate with the Commission in such inquiry to the fullest extent possible.

Power to obtain data, etc.

SEC. 3. For the purposes of this resolution the Federal Trade Commission shall have the same right to obtain data and to inspect income-tax returns as the Committee on Ways and Means of the House of Representatives or the Committee on Finance of the Senate, and to submit any relevant or useful information thus obtained to the Congress or to either House thereof.

Jurisdiction extended.
Vol. 38, p. 717.
U. S. C., p. 514.

SEC. 4. For the purpose of carrying out this resolution the Federal Trade Commission, the Attorney General, and the courts of the United States shall have and may exercise all of the powers and jurisdiction severally conferred upon them by the Act entitled "An Act to create a Federal Trade Commission, to define its powers and duties, and for other purposes", approved September 28, 1914.

Sum authorized for salaries and expenses.
Post, p. 1257.

SEC. 5. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $150,000 which shall be available for expenditure, as the Federal Trade Commission may direct, for expenses and all necessary disbursements, including salaries, in carrying out this resolution and prosecuting litigation necessary in aid of the powers conferred hereunder.

Preliminary and final reports.

SEC. 6. The Federal Trade Commission is directed to present an interim report to the Congress on January 1, 1936, describing the progress made and the status of its work hereunder, and a final report with recommendations for legislation not later than July 1, 1936.

Approved, August 27, 1935.

[CHAPTER 779.]

JOINT RESOLUTION

August 27, 1935.
[S. J. Res. 159.]
[Pub. Res., No. 62.]

Granting the consent of Congress to the States of New York, New Jersey, and Connecticut to enter into a compact for the creation of the Interstate Sanitation District and the establishment of the Interstate Sanitation Commission.

Interstate Sanitation District.
Preamble.

Whereas the State of New York and the State of New Jersey desire to create the Interstate Sanitation District and to establish the Interstate Sanitation Commission, in accordance with the terms of a compact to which by its terms the State of Connecticut is empowered to become a party, which compact is as follows:

Tri-State Compact.

TRI-STATE COMPACT

Whereas the tremendous growth of population and the development of the territory surrounding and adjacent to the Harbor of New York has resulted in recent years in an increasingly serious pollution of the harbor, coastal, and tidal waters in such area and the tributary waters therein; and

Whereas such pollution constitutes a grave menace to the health, welfare, and recreational facilities of the people living in such area and is occasioning great economic loss; and

Whereas the control of future pollution and the abatement of existing pollution in the waters in such area is of prime importance to the people living in such area and can best be accomplished through the cooperation of the States of New Jersey and New York and Connecticut by and through a joint or common agency: Now, therefore,

Agreement by States of New York, New Jersey, and Connecticut.

The State of New York and the State of New Jersey and the State of Connecticut do agree and are bound as follows:

ARTICLE I

Abatement of existing pollution of streams.

1. Each of the signatory States pledges each to the other faithful cooperation in the control of future pollution and agrees to provide for the abatement of existing pollution in the tidal and coastal waters in the adjacent portions of the signatory States defined herein as coming within the district, and consistent with such object, to enact adequate legislation which will enable each of the signatory States to put and maintain the waters thereof in a satisfactory sanitary condition and particularly to protect public health; to render safe such waters as are now used or may later become available for bathing and recreational purposes; to abate and eliminate such pollution as becomes obnoxious or causes a nuisance; to permit the maintenance of major fish life, shellfish, and marine life in waters now available or that may by practicable means be made available for the development of such fish, shellfish, or marine life; to prevent oil, grease, or solids from being carried on the surface of the water; to prevent the formation of sludge deposits along the shores or in the waterways; and with the fulfillment of these objectives to abate and avoid incurring unecessary [1] economic loss by safeguarding the rights of the public in its varied legitimate uses of the waters of the district.

Public health measures.

Protection of marine life.

Sludge deposits.

ARTICLE II

"Interstate Sanitation District" established.

1. To that end they do agree that there shall be created, and they do hereby create, a district, to be known as the "Interstate Sanitation District" (hereinafter referred to as the "district"), which shall embrace the territory described as follows:

[1] So in original.

Jurisdiction.

All the coastal, estuarial, and tidal waters within or covering portions of the signatory States as follows:

(a) In Connecticut, Long Island Sound and estuaries and tidal waters thereof between the easterly side of New Haven Harbor at Morgan Point and the Connecticut-NewYork State boundary, and the Housatonic River up to the northerly boundary lines of the towns of Stratford and Milford.

(b) In New York, all of the tidal waters of Greater New York City; including Kill Van Kull and Arthur Kill, Long Island Sound and the estuaries and tidal waters thereof between the New York City line and the New York-Connecticut State boundary and between the New York City line and the easterly side of Port Jefferson Harbor; the Atlantic Ocean and the estuaries and tidal waters thereof between the New York City line and the easterly side of Fire Island Inlet; and the Hudson River and estuaries and tidal waters thereof between the New York-New Jersey State boundary and the northerly line of Rockland County on the westerly side and between the northerly line of New York City and the northerly line of Westchester County on the easterly side of the river.

(c) In New Jersey, the Hudson River and New York Upper Bay, and estuaries and tidal waters thereof, between the New York-New Jersey boundary and Constable Point on Constable Hook; the Kill Van Kull and Arthur Kill to the mouths of the rivers entering into the Kills; Newark Bay and the estuaries thereof up to the mouth of the Passaic River, and up to the mouth of the Hackensack River; Raritan Bay together with the Raritan River up to the Victory Bridge on said river between Perth Amboy and South Amboy, together with the Cheesequake Creek up to the New York and Long Branch Railroad bridge on said creek at Morgan; together with the Matawan Creek up to the New York and Long Branch Railroad bridge on said creek at Matawan; Sandy Hook Bay; together with the Shrewsbury River up to the passenger railroad bridge between Navesink Light and Highland Beach on said river.

ARTICLE III

Interstate Sanitation Commission created.

1. There is hereby created the Interstate Sanitation Commission (hereinafter referred to as the "commission") which shall be a body corporate and politic, having the powers, duties, and jurisdiction herein enumerated and such other and additional powers as shall be conferred upon it by the act or acts of a signatory State concurred in by the others and by the Act or Acts of Congress when necessary.

Powers, etc.

ARTICLE IV

Commissioners, number, selection, etc.

1. The commission shall consist of five commissioners from each State, each of whom shall be a resident voter of the State from which he is appointed.

The commissioners shall be chosen in the manner and for the terms provided by law of the State from which they shall be appointed, and each commissioner may be removed or suspended from office as provided by the law of the State from which he shall be appointed. The commissioners shall serve without compensation but shall be paid their actual expenses incurred incident to the performance of their duties.

ARTICLE V

Officers, etc., of commission.
Corporate authority.

1. The commission shall elect from its number a chairman and vice chairman and shall appoint and at its pleasure remove or discharge such officers and legal, clerical, expert, and other assistants as may be required to carry the provisions of this compact into effect, and shall fix and determine their duties, qualifications, and compensations.

It shall adopt a seal and suitable bylaws and shall promulgate rules and regulations for its management and control.

It may maintain one or more offices for the transaction of its business and may meet at any time or place within the signatory States.

A majority of the members from each State shall constitute a quorum for the transaction of business, the exercise of any powers, or the performance of any duties, but no action of the commission shall be binding unless at least three of the members from each State shall vote in favor thereof.

Records, reports, etc.

The commission shall keep accurate accounts of all receipts and disbursements and shall make an annual report to the governor and the legislature of each State setting forth in detail the operations and transactions conducted by it pursuant to this compact, and shall make recommendations for any legislative action deemed by it advisable, including amendments to the statutes of the signatory States which may be necessary to carry out the intent and purpose of this compact, and changes in the district which concentration of population or other cause may require.

The commission shall not incur any obligations for salaries or office or other administrative expenses prior to the making of appropriations adequate to meet the same, nor shall the commission pledge the credit of any of the signatory States except by and with the authority of the legislatures thereof. Each State reserves the right to provide hereafter by law for the examination and audit of the accounts of the commission by its comptroller or other official.

Auditing accounts.

The commissioners shall meet and organize within ten days after the effective date of this compact.

ARTICLE VI

Purity standards.

1. It is recognized by the signatory States that, where tidal waters are used for such varied purposes as bathing, navigation, shellfish culture, the development of fish life, and the disposal of wastes, no single standard of purity is practicable in all parts of the district. In order to attain the objects of this compact, the commission, after proper study and after conducting public hearings upon due notice, shall group the designated waters of the district into classes. Where local conditions shall have changed in the future to such an extent that changes in classification become necessary, the commission may, after conducting public hearings upon due notice, adopt such changes.

Classifications.

Two general classifications shall be used:

(1) Class A, in which the designated water areas are expected to be used primarily for recreational purposes, shellfish culture, or the development of fish life;

(2) Class B, in which the designated water areas are not expected to be used primarily for recreational purposes, shellfish culture, or the development of fish life.

ARTICLE VII

Discharge of sewage, etc.

1. It is agreed between the signatory States that no sewage or other polluting matters shall be discharged or permitted to flow into, or be placed in, or permitted to fall or move into the tidal waters of the district, except under the following conditions and restrictions:

(1) All sewage discharged or permitted to flow into class A waters of the district shall first have been so treated as—

(a) to remove all floating solids and at least 60 per centum of the suspended solids; and

(b) to effect a reduction of organisms of the B. coli group (intestinal bacilli) so that the probable number of such organisms shall not exceed one per cubic centimeter in more than 50 per centum of the samples of sewage effluent tested by the partially confirmed test: *Provided, however*, That in the case of discharge into waters used primarily for bathing, this bacterial standard need not be required except during the bathing season; and

(c) to effect a reduction in the oxygen demand of the sewage effluent sufficient to maintain an average dissolved-oxygen content in the tidal waters of the district and in the general vicinity of the point of discharge of the sewage into those waters, at a depth of about five feet below the surface, of not less than 50 per centum saturation during any week of the year.

(2) All sewage discharged or permitted to flow into class B waters of the district shall first have been so treated as—

(a) to remove all floating solids and at least 10 per centum of the suspended solids, or such additional percentage as may by reason of local conditions be necessary to avoid the formation of sludge deposits in the class B waters of the district; and

(b) to effect a reduction in the oxygen demand of the sewage effluent sufficient to maintain an average dissolved-oxygen content in the tidal waters of the district and in the general vicinity of the point of discharge of the sewage into those waters, at a depth of about five feet below the surface, of not less than 30 per centum saturation during any week of the year.

ARTICLE VIII

Tributary streams.

1. Each of the signatory States agrees that, insofar as waters within its jurisdiction may flow into any portion of the district, all sewage discharged or permited to flow into any stream tributary to the tidal waters of the district shall be treated to that extent, if any, which may be necessary to maintain such tributary immediately above its confluence with the tidal waters of the district in a sanitary condition at least equal to the classification requirements determined by the commission for the tidal waters of the district into which it discharges. The waters of the Hudson River, immediately above the mouth of Sparkhill Creek on the westerly side and the New York-New Jersey boundary extended on the easterly side of the river, shall be maintained in a sanitary condition at ebb tide at least equal to the sanitary condition prevailing in the waters of the river immediately below said boundary at flood tide.

ARTICLE IX

Existing laws, etc., not affected.

1. Nothing in this compact shall be construed to repeal or prevent the enactment of any legislation or the enforcement of any

requirement by any signatory State imposing any additional conditions and restrictions to further lessen or prevent the pollution of waters within its jurisdiction.

ARTICLE X

Commission's orders concerning sewage treatment.

1. Subject to the provisions of this compact, the commission, as soon as may be after its organization, after an investigation and after conducting public hearings upon due notice, shall by order prescribe the reasonable date on or before which each municipality or other entity discharging sewage into the designated waters within the district shall be treating such sewage in accordance with the standards specified in this compact. Such order may prescribe that certain specific progress shall be made at certain definite times prior to the final date fixed in such order.

It is the desire of all parties to accomplish the objects herein set forth with the least possible injury to investments which have already been made in the construction of sewage-treatment plants within the district, and where changes or additions to such plants would be necessary to conform to the standards herein adopted, a reasonable time to effect such changes or additions may, in the discretion of the commission, be granted.

ARTICLE XI

Duties and obligations of signatory States.

1. Each of the signatory States agrees that it will prohibit the pollution of the said waters within the district in accordance with the several articles of this compact, and that it will enact suitable and adequate legislation which will accomplish effectively the objects of this compact and which will enable its officers, departments, boards, and agents to accomplish satisfactorily the obligations and duties assumed by the State under the terms of this compact; and it is further agreed that the courts of the several States shall have jurisdicion [1] to enforce as against any person, corporation, municipality, or other entity or any employee, department, or subdivision of the respective signatory States any and all provisions of this compact.

Investigations authorized.

The commission shall have authority to investigate and determine if the requirements of the compact and/or the orders of the commission pursuant thereto are complied with and if satisfactory progress has not been made, to bring action in its own name in the proper court or courts to compel the enforcement of any and all of the provisions of this compact, and/or the orders of the commission pursuant thereto.

ARTICLE XII

Cooperation with States.

1. In order that future pollution be controlled and existing pollution be abated with the greatest possible economy and efficiency, the commission shall cooperate and advise with the respective State and district authorities having jurisdiction over stream pollution, with a view to coordinating their activities and securing the most satisfactory results at lower cost. For such purpose the commission may prepare a general plan of the most practicable and economical method of securing conformity with the standards herein set forth, having in view the future growth and development of the district. Such plan when completed shall be submitted to the Governor and the Legislature of each State and to the State agency or agencies or district agencies in charge of sewage problems.

[1] So in original.

The provisions of this act shall not affect the discharge from the outfall pipes of the Passaic Valley sewerage system into the waters of New York Harbor: *Provided, however*, That said discharge shall be in accordance with the terms and provisions of the stipulation entered into on April fourteenth, one thousand nine hundred and ten, between the United States of America and Passaic Valley Sewerage Commissioners.

Passaic Valley system not affected.

Proviso.
Conformity with existing stipulation.

ARTICLE XIII

1. Terms used in this compact are defined as follows:

Definitions.

"District" means the area more particularly described in article II of this compact.

"District."

"Commission" means the Interstate Sanitation Commission.

"Commission."

"Municipality" means any city, incorporated village, borough, county, town, township, district, or any municipality governed by an improvement commission, any joint sewer commission, or any other subdivision of any one of the signatory States located within the district.

"Municipality."

"Rule or regulation" means any rule or regulation established by the commission not inconsistent with the Constitution of the United States or of any signatory State, promulgated by the commission touching the abatement of pollution of the waters of the district.

"Rule or regulation."

"Tidal waters" means all those waters which ebb and flow within the designated district.

"Tidal waters."

"Dissolved oxygen" is the gaseous oxygen held in solution by the water at any given time. It is expressed as a percentage of the maximum amount of oxygen that would be required to saturate the water under the existing conditions of temperature and salinity.

"Dissolved oxygen."

"Pollution" is any foreign matter which renders waters unfit to sustain fish life and unsatisfactory for bathing.

"Pollution."

"Sewage effluent" means the treated sewage discharged from a treatment plant.

"Sewage effluent."

"Suspended solids" means those solid particles carried in suspension in the untreated sewage or sewage effluent.

"Suspended solids."

"Entity" means any organization or association owning, controlling, or operating a sewerage system or treatment plant within a municipality.

"Entity."

ARTICLE XIV

1. The signatory States agree to appropriate annually for the salaries and office and other administrative expenses such sum or sums as shall be recommended by the commission and approved by the Governors of the signatory States, the State of New York and the State of New Jersey agreeing each to appropriate 45 per centum thereof, and the State of Connecticut agreeing to appropriate 10 per centum thereof. The State of New York and the State of New Jersey obligate themselves hereunder, however, only to the extent of $15,000 each in any one year, and the State of Connecticut obligates itself hereunder only to the extent of $3,333.34 in any one year.

Payment of salaries and expenses.

ARTICLE XV

1. Should any part of this compact be held to be contrary to the constitution of any signatory State or of the United States, all other severable objects of this compact shall continue to be in full force and effect.

Separability of provisions.

ARTICLE XVI

Effective dates.

1. This compact shall become effective as to the State of New Jersey and the State of New York immediately upon the signing thereof by the representatives of such States, and thereafter it shall also become effective as to the State of Connecticut immediately upon the signing thereof by the Representatives of such State: *Provided, however*, That prior to the signing of this compact by the representatives of the State of Connecticut, the district as set forth in article II shall not embrace any territory within the jurisdiction of the State of Connecticut, nor shall the commission exercise any jurisdiction or perform any duties or acts affecting such territory; and the appropriations for salaries and office and other administrative expenses shall be borne equally by the State of New York and the State of New Jersey.

Proviso. Territory within Connecticut excluded.

Division of expenses.

Now, therefore, be it

Agreement consented to.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to the States of New York, New Jersey, and Connecticut to enter into the compact hereinbefore recited, and to each and every part and article thereof: *Provided*, That nothing contained in such compact shall be construed as empowering or in any manner affecting any right or jurisdiction of the United States in and over the region which forms the subject of such compact.

Proviso. Federal rights not affected.

Amendment.

SEC. 2. The right to alter, amend, or repeal this joint resolution is hereby expressly reserved.

Approved, August 27, 1935.

[CHAPTER 780.]

August 27, 1935. [H. J. Res. 348.] [Pub. Res., No. 63.]

JOINT RESOLUTION

Authorizing exchange of coins and currencies and immediate payment of gold-clause securities by the United States; withdrawing the right to sue the United States thereon; limiting the use of certain appropriations; and for other purposes.

United States gold clause securities. Preamble. Vol. 48, p. 112; U. S. C., p. 1389.

Whereas in order to maintain the uniform value of all coins and currencies of the United States, Public Resolution Numbered 10 of June 5, 1933, declared provisions known as "gold clauses" to be against public policy, prohibited their use in obligations thereafter incurred, and provided that money of the United States legal tender for obligations generally was legal tender for all obligations with or without gold clauses; and

Whereas the United States has paid and will continue to pay to the holders of all its securities their principal and interest, dollar for dollar, in lawful money of the United States: Now, therefore, be it

Exchange of coins and currencies.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the lawful holders of the coins or currencies of the United States shall be entitled to exchange them, dollar for dollar, for other coins or currencies which may be lawfully acquired and are legal tender for public and private debts; and that the owners of the gold clause securities of the United States shall be, at their election, entitled to receive immediate payment of the stated dollar amount thereof with interest to the date of payment or to prior maturity or to prior redemption date, whichever is earlier. The Secretary of the Treasury is authorized and directed to make such exchanges and payments upon presentation hereunder in the manner provided in regulations prescribed by him. The period within which the owners of gold-clause securities shall be entitled hereunder to receive payment prior to maturity shall expire January 1, 1936, or on such later date, not after July 1, 1936, as may be fixed by the Secretary of the Treasury.

Holders of gold bonds entitled to immediate payment of stated dollar amount thereof.

Period within which payments may be made.

SEC. 2. Any consent which the United States may have given to the assertion against it of any right, privilege, or power whether by way of suit, counterclaim, set-off, recoupment, or other affirmative action or defense in its own name or in the name of any of its officers, agents, agencies, or instrumentalities in any proceeding of any nature whatsoever (1) upon any gold-clause securities of the United States or for interest thereon, or (2) upon any coin or currency of the United States, or (3) upon any claim or demand arising out of any surrender, requisition, seizure, or acquisition of any such coin or currency or of any gold or silver and involving the effect or validity of any change in the metallic content of the dollar or other regulation of the value of money, is withdrawn: *Provided*, That this section shall not apply to any suit heretofore commenced or which may be commenced by January 1, 1936, or to any proceeding referred to in this section in which no claim is made for payment or credit in an amount in excess of the face or nominal value in dollars of the securities, coins or currencies of the United States involved in such proceeding.

Withdrawal of consent to sue Government for any claim, etc., arising hereunder.

Proviso. Suits commenced by January 1, 1936, excepted.

SEC. 3. Except in cases with respect to which consent is not withdrawn under section 2, no sums, whether heretofore or hereafter appropriated or authorized to be expended, shall be available for, or expended in, payment upon securities, coins, or currencies of the United States except on an equal and uniform dollar for dollar basis.

Conformity of appropriations to designated construction.

SEC. 4. As used in this resolution the phrase "gold clause" means a provision contained in or made with respect to an obligation which purports to give the obligee a right to require payment in gold, or in a particular kind of coin or currency of the United States, or in an amount in money of the United States measured thereby, declared to be against public policy by Public Resolution Numbered 10 of June 5, 1933; and the phrase "securities of the United States" means the domestic public debt obligations of the United States, including bonds, notes, certificates of indebtedness, and Treasury bills, and other obligations for the repayment of money, or for interest thereon, made, issued or guaranteed by the United States.

"Gold clause" defined.

"Securities of the United States."

Approved, August 27, 1935, six p. m., E. S. T.

[CHAPTER 781.]

JOINT RESOLUTION

Consenting to an interstate oil compact to conserve oil and gas.

August 27, 1935.
[H. J. Res. 407.]
[Pub. Res., No. 64.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to an interstate compact to conserve oil and gas, executed in the city of Dallas, Texas, the 16th day of February, 1935, by the representatives of the States of Oklahoma, Texas, California, and New Mexico, and there recommended for ratification by representatives of the States of Arkansas, Colorado, Illinois, Kansas, and Michigan, and since ratified by the States of New Mexico, Kansas, Oklahoma, Illinois, Colorado, and Texas, which compact has been deposited in the Department of State of the United States, and reads as follows:

Oil and gas conservation.
Consent given to an interstate compact relative to.

Text of compact.

"ARTICLE I

"This agreement may become effective within any compacting State at any time as prescribed by that State, and shall become effective within those States ratifying it whenever any three of the States of Texas, Oklahoma, California, Kansas, and New Mexico have ratified and Congress has given its consent. Any oil-producing State may become a party hereto as hereinafter provided.

"ARTICLE II

"The purpose of this compact is to conserve oil and gas by the prevention of physical waste thereof from any cause.

"ARTICLE III

"Each State bound hereby agrees that within a reasonable time it will enact laws, or if laws have been enacted, then it agrees to continue the same in force, to accomplish within reasonable limits the prevention of:

"(a) The operation of any oil well with an inefficient gas-oil ratio.

"(b) The drowning with water of any stratum capable of producing oil or gas, or both oil and gas in paying quantities.

"(c) The avoidable escape into the open air or the wasteful burning of gas from a natural-gas well.

"(d) The creation of unnecessary fire hazards.

"(e) The drilling, equipping, locating, spacing, or operating of a well or wells so as to bring about physical waste of oil or gas or loss in the ultimate recovery thereof.

"(f) The inefficient, excessive or improper use of the reservoir energy in producing any well.

"The enumeration of the foregoing subjects shall not limit the scope of the authority of any State.

"ARTICLE IV

"Each State bound hereby agrees that it will, within a reasonable time, enact statutes, or if such statutes have been enacted then that it will continue the same in force, providing in effect that oil produced in violation of its valid oil and/or gas conservation statutes or any valid rule, order or regulation promulgated thereunder, shall be denied access to commerce; and providing for stringent penalties for the waste of either oil or gas.

"ARTICLE V

"It is not the purpose of this compact to authorize the States joining herein to limit the production of oil or gas for the purpose of stabilizing or fixing the price thereof, or create or perpetuate monopoly, or to promote regimentation, but is limited to the purpose of conserving oil and gas and preventing the avoidable waste thereof within reasonable limitations.

"ARTICLE VI

"Each State joining herein shall appoint one representative to a Commission hereby constituted and designated as 'The Interstate Oil Compact Commission', the duty of which said Commission shall be to make inquiry and ascertain from time to time such methods, practices, circumstances and conditions as may be disclosed for bringing about conservation and the prevention of physical waste of oil and gas, and at such intervals as said Commission deems beneficial it shall report its findings and recommendations to the several States for adoption or rejection.

"The Commission shall have power to recommend the coordination of the exercise of the police powers of the several States within their several jurisdictions to promote the maximum ultimate recovery from the petroleum reserves of said States, and to recommend

measures for the maximum ultimate recovery of oil and gas. Said Commission shall organize and adopt suitable rules and regulations for the conduct of its business.

"No action shall be taken by the Commission except: (1) by the affirmative votes of the majority of the whole number of the compacting States, represented at any meeting, and (2) by a concurring vote of a majority in interest of the compacting States at said meeting, such interest to be determined as follows: Such vote of each State shall be in the decimal proportion fixed by the ratio of its daily average production during the preceding calendar half-year to the daily average production of the compacting States during said period.

"ARTICLE VII

"No State by joining herein shall become financially obligated to any other State, nor shall the breach of the terms hereof by any State subject such State to financial responsibility to the other States joining herein.

"ARTICLE VIII

"This compact shall expire September 1, 1937. But any State joining herein may, upon sixty days' notice, withdraw herefrom.

"The representatives of the signatory States have signed this agreement in a single original which shall be deposited in the archives of the Department of State of the United States, and a duly certified copy shall be forwarded to the Governor of each of the signatory States.

"This compact shall become effective when ratified and approved as provided in Article I. Any oil-producing State may become a party hereto by affixing its signature to a counterpart to be similarly deposited, certified and ratified.

"Done in the City of Dallas, Texas, this 16th day of February, 1935."

SEC. 2. The right to alter, amend, or repeal the provisions of section 1 is hereby expressly reserved. Powers reserved.

Approved, August 27, 1935.

[CHAPTER 791.]

AN ACT

Relative to the retirement of certain officers and employees.

August 28, 1935.
[S. 2364.]
[Public, No. 383.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all officers and employees of the United States Government or of the government of the District of Columbia who had reached the retirement age prescribed for automatic separation from the service on or before July 1, 1932, or during the month of July 1932, and who were continued in active service for a period of less than thirty-one days after June 30, 1932, shall be regarded as having been retired and entitled to annuity beginning with the day following the date of separation from active service, instead of August 1, 1932, and the United States Civil Service Commission is hereby authorized and directed to make payments accordingly from the civil-service retirement and disability fund to those persons entitled and who make application therefor.

Retirement of certain officers and employees who reached retirement age before August 1, 1932.

Approved, August 28, 1935.

[CHAPTER 792.]

AN ACT

August 28, 1935.
[S. 3002.]
[Public, No. 384.]

To amend an Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 75 of said Act, as amended, be further amended by amending the second sentence of subsection (b), so as to read as follows: "The conciliation commissioner shall receive as compensation for his services a fee of $25 for each case submitted to him, and when docketed, to be paid out of the Treasury."

Bankruptcy Act of 1898; amendment.
Vol. 30, p. 544; Vol. 47, p. 1470; Vol. 48, p. 925; U. S. C., p. 335.
Fee of conciliation commissioner; amount and payment.

Vol. 47, p. 1472; U. S. C., p. 335.

SEC. 2. That section 75 of said Act, as amended, be further amended by amending subsection (g) to read as follows:

Application for confirmation of a composition or extension proposal; filing.

"(g) An application for the confirmation of a composition or extension proposal may be filed in the court of bankruptcy after, but not before, it has been accepted in writing, by a majority in number of all creditors whose claims have been allowed, including secured creditors whose claims are affected, which number shall represent a majority in amount of such claims."

Vol. 47, p. 1472; U. S. C., p. 336.

SEC. 3. That section 75 of said Act, as amended, be further amended by amending subsection (k) to read as follows:

Effect of confirmation.

"(k) Upon its confirmation, a composition or extension proposal shall be binding upon the farmer and his secured and unsecured creditors affected thereby: *Provided*, *however*, That such extension and/or composition shall not reduce the amount of or impair the lien of any secured creditor below the fair and reasonable market value of the property securing any such lien at the time that the extension and/or composition is accepted, but nothing herein shall prevent the reduction of the future rate of interest on all debts of the debtor, whether secured or unsecured."

Proviso.
Secured creditors.

Vol. 47, p. 1473; U. S. C., p. 336.

SEC. 4. That section 75 of said Act, as amended, be further amended by amending subsection (n) to read as follows:

Jurisdiction of court over farmer and his property when petition filed.

"(n) The filing of a petition or answer with the clerk of court, or leaving it with the conciliation commissioner for the purpose of forwarding same to the clerk of court, praying for relief under section 75 of this Act, as amended, shall immediately subject the farmer and all his property, wherever located, for all the purposes of this section, to the exclusive jurisdiction of the court, including all real or personal property, or any equity or right in any such property, including, among others, contracts for purchase, contracts for deed, or conditional sales contracts, the right or the equity of redemption where the period of redemption has not or had not expired, or where a deed of trust has been given as security, or where the sale has not or had not been confirmed, or where deed had not been delivered, at the time of filing the petition.

Period of redemption or confirmation of sale; extensions authorized.

"In all cases where, at the time of filing the petition, the period of redemption has not or had not expired, or where the right under a deed of trust has not or had not become absolute, or where the sale has not or had not been confirmed, or where deed had not been delivered, the period of redemption shall be extended or the confirmation of sale withheld for the period necessary for the purpose of carrying out the provisions of this section. The words 'period of redemption' wherever they occur in this section shall include any State moratorium, whether established by legislative enactment or executive proclamation, or where the period of redemption has been extended by a judicial decree. In proceedings under this section, except as otherwise provided herein, the jurisdiction and powers

"Period of redemption" construed.

Jurisdiction and powers of court hereunder.

of the courts, the title, powers, and duties of its officers, the duties of the farmer, and the rights and liabilities of creditors, and of all persons with respect to the property of the farmer and the jurisdiction of the appellate courts, shall be the same as if a voluntary petition for adjudication had been filed and a decree of adjudication had been entered on the day when the farmer's petition, asking to be adjudged a bankrupt, was filed with the clerk of court or left with the conciliation commissioner for the purpose of forwarding same to the clerk of court."

SEC. 5. That section 75 of said Act, as amended, be further amended by amending subsection (p) to read as follows: Vol. 47, p. 1473; U. S. C., p. 336.

"(p) The prohibitions of subsection (o) shall apply to all judicial or official proceedings in any court or under the direction of any official, and shall apply to all creditors, public or private, and to all of the debtor's property, wherever located. All such property shall be under the sole jurisdiction and control of the court in bankruptcy, and subject to the payment of the debtor farmer's creditors, as provided for in section 75 of this Act." Application of enumerated prohibitions.

SEC. 6. That section 75 of said Act, as amended, be further amended by adding a new subsection (s), after subsection (r), to read as follows:

"(s) Any farmer failing to obtain the acceptance of a majority in number and amount of all creditors whose claims are affected by a composition and/or extension proposal, or if he feels aggrieved by the composition and/or extension, may amend his petition or answer, asking to be adjudged a bankrupt. Such farmer may, at the same time, or at the time of the first hearing, petition the court that all of his property, wherever located, whether pledged, encumbered, or unencumbered, be appraised, and that his unencumbered exemptions, and unencumbered interest or equity in his exemptions, as prescribed by State law, be set aside to him, and that he be allowed to retain possession, under the supervision and control of the court, of any part or parcel or all of the remainder of his property, including his encumbered exemptions, under the terms and conditions set forth in this section. Upon such a request being made, the referee, under the jurisdiction of the court, shall designate and appoint appraisers, as provided for in this Act. Such appraisers shall appraise all of the property of the debtor, wherever located, at its then fair and reasonable market value. The appraisals shall be made in all other respects with rights of objections, exceptions, and appeals, in accordance with this Act: *Provided*, That in proceedings under this section, either party may file objections, exceptions, and take appeals within four months from the date that the referee approves the appraisal. Amendment of petition or answer. Petition for appraisal of property. Appointment of appraisers. Duties. *Proviso.* Time for filing objections, exceptions, etc.

"(1) After the value of the debtor's property shall have been fixed by the appraisal herein provided, the referee shall issue an order setting aside to such debtor his unencumbered exemptions, and his unencumbered interest or equity in his exemptions, as prescribed by the State law, and shall further order that the possession, under the supervision and control of the court, of any part or parcel or all of the remainder of the debtor's property shall remain in the debtor, as herein provided for, subject to all existing mortgages, liens, pledges, or encumbrances. All such existing mortgages, liens, pledges, or encumbrances shall remain in full force and effect, and the property covered by such mortgages, liens, pledges, or encumbrances shall be subject to the payment of the claims of the secured creditors, as their interests may appear. Order setting aside unencumbered exemptions. Property to remain in debtor. Status of existing mortgages, liens, etc.

Stay of proceedings against debtor.

"(2) When the conditions set forth in this section have been complied with, the court shall stay all judicial or official proceedings in any court, or under the direction of any official, against the debtor or

Rental payments.

any of his property, for a period of three years. During such three years the debtor shall be permitted to retain possession of all or any part of his property, in the custody and under the supervision and control of the court, provided he pays a reasonable rental semian-

Time of making.

nually for that part of the property of which he retains possession. The first payment of such rental shall be made within one year of the date of the order staying proceedings, the amount and kind of such rental to be the usual customary rental in the community where the property is located, based upon the rental value, net income, and

Manner of payment; distribution.

earning capacity of the property. Such rental shall be paid into court, to be used, first, for payment of taxes and upkeep of the property, and the remainder to be distributed among the secured and unsecured creditors, and applied on their claims, as their interests

Sale of unexempt perishable property.

may appear. The court, in its discretion, if it deems it necessary to protect the creditors from loss by the estate, and/or to conserve the security, may order sold any unexempt perishable property of the debtor, or any unexempt personal property not reasonably necessary for the farming operations of the debtor, such sale to be had at

Payments on principal.

private or public sale, and may, in addition to the rental, require payments on the principal due and owing by the debtor to the secured or unsecured creditors, as their interests may appear, in accordance with the provisions of this Act, and may require such payments to be made quarterly, semiannually, or annually, not inconsistent with the protection of the rights of the creditors and the debtor's ability to pay, with a view to his financial rehabilitation.

Payment of appraised value.

"(3) At the end of three years, or prior thereto, the debtor may pay into court the amount of the appraisal of the property of which he retains possession, including the amount of encumbrances on his exemptions, up to the amount of the appraisal, less the amount paid

Provisos. Reappraisals.

on principal: *Provided*, That upon request of any secured or unsecured creditor, or upon request of the debtor, the court shall cause a reappraisal of the debtor's property, or in its discretion set a date for hearing, and after such hearing, fix the value of the property,

Payment of amount determined by reappraisal.

in accordance with the evidence submitted, and the debtor shall then pay the value so arrived at into court, less payments made on the principal, for distribution to all secured and unsecured creditors, as their interests may appear, and thereupon the court shall, by an order, turn over full possession and title of said property, free and

Sale of property at public auction upon request of secured creditor.

clear of encumbrances to the debtor: *Provided*, That upon request in writing by any secured creditor or creditors, the court shall order the property upon which such secured creditors have a lien to be sold

Redemption.

at public auction. The debtor shall have ninety days to redeem any property sold at such sale, by paying the amount for which any such property was sold, together with 5 per centum per annum interest, into court, and he may apply for his discharge, as provided for by

Limitation.

this Act. If, however, the debtor at any time fails to comply with the provisions of this section, or with any orders of the court made pursuant to this section, or is unable to refinance himself within three years, the court may order the appointment of a trustee, and order the property sold or otherwise disposed of as provided for in this Act.

"(4) The conciliation commissioner, appointed under subsection (a) of section 75 of this Act, as amended, shall continue to act, and act as referee, when the farmer debtor amends his petition or answer, asking to be adjudged a bankrupt under the provisions of subsection (s) of section 75 of this Act, and continue so to act until the case has been finally disposed of. The conciliation commissioner, as such referee, shall receive such an additional fee for his services as may be allowed by the court, not to exceed $35 in any case, to be paid out of the bankrupt's estate. No additional fees or costs of administration or supervision of any kind shall be charged to the farmer debtor when or after he amends his petition or answer, asking to be adjudged a bankrupt, under subsection (s) of section 75 of this Act, but all such additional filing fees or costs of administration or supervision shall be charged against the bankrupt's estate. Conciliation commissioners and referees appointed under section 75 of this Act shall be entitled to transmit in the mails, free of postage, under cover of a penalty envelope, all matters which relate exclusively to the business of the courts, including notices to creditors. If, at the time that the farmer debtor amends his petition or answer, asking to be adjudged a bankrupt, a receiver is in charge of any of his property, such receiver shall be divested of possession, and the property returned to the possession of such farmer, under the provisions of this Act. The provisions of this Act shall be held to apply also to partnerships, common, entirety, joint, community ownerships, or to farming corporations where at least 75 per centum of the stock is owned by actual farmers, and any such parties may join in one petition.

Conciliation commissioner; authority.

Fee.

Restriction on additional costs to farmer.

Franking privilege.

Status of receiver when petition or answer amended.

Application of provisions.

"(5) This Act shall be held to apply to all existing cases now pending in any Federal court, under this Act, as well as to future cases; and all cases that have been dismissed by any conciliation commissioner, referee, or court because of the Supreme Court decision holding the former subsection (s) unconstitutional, shall be promptly reinstated, without any additional filing fees or charges. Any farm debtor who has filed under the General Bankruptcy Act may take advantage of this section upon written request to the court; and a previous discharge of the debtor under any other section of this Act shall not be grounds for denying him the benefits of this section.

Application of Act to pending cases.

Vol. 48, p. 1279.

"(6) This Act is hereby declared to be an emergency measure and if in the judgment of the court such emergency ceases to exist in its locality, then the court, in its discretion, may shorten the stay of proceedings herein provided for and proceed to liquidate the estate.

Emergency nature of Act.

Approved, August 28, 1935.

[CHAPTER 793.]

AN ACT

August 28, 1935.
[S. 3414.]
[Public, No. 385.]

To provide for the appointment of an additional district judge in the United States District Court for the Eastern District of New York.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized and directed to appoint, by and with the advice and consent of the Senate, an additional district judge in the United States District Court for the Eastern District of New York.

U. S. District Court, Eastern District of New York.
Appointment of additional judge.

Approved, August 28, 1935.

[CHAPTER 794.]

AN ACT

August 28, 1935.
[H. R. 7167.]
[Public, No. 386.]

To provide for unemployment compensation in the District of Columbia, authorize appropriations, and for other purposes.

District of Columbia Unemployment Compensation Act.

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

Definitions.

DEFINITIONS

SECTION 1. As used in this Act, unless the context indicates otherwise—

"Employer."

(a) The term "employer" means the District, and every individual and type of organization for whom services are performed under a contract of employment.

"Employment." *Post*, p. 1138.

(b) The term "employment" means any service, of whatever nature, including employment in interstate commerce, performed after December 31, 1935, within the United States, by any individual under any contract of hire, oral or written, express or implied, so long as the greater part, as determined by the Board under regulations prescribed by it, of the service performed under such contract is performed within the District, except—

(1) domestic service in a private home;

(2) casual labor not in the course of the employer's trade or business;

(3) service performed by an individual in the employ of his son, daughter, or spouse, and service performed by a child under the age of twenty-one in the employ of his father or mother;

(4) service performed in the employ of the United States Government or of an instrumentality of the United States;

(5) service performed in the employ of a Senator, Representative, Delegate, or Resident Commissioner, insofar as such service directly assists him in carrying out his legislative duties; and

(6) service performed in the employ of the District as a school officer or teacher, or as a member of the police or fire department, or by an individual who is subject to the Act entitled "An Act for the retirement of employees in the classified Civil Service, and for other purposes", approved May 22, 1920, as amended.

Vol. 41, p. 614; Vol. 46, p. 468; U. S. C., p. 91.

"Wages."

(c) The term "wages" means all remuneration for employment, including the cash value, as determined by the Board under regulations prescribed by it, of all remuneration paid in any medium other than cash. Whenever gratuities are received by an individual in the course of his employment from persons other than his employer, the Board, under regulations prescribed by it, shall determine the average amount of such gratuities generally received by individuals performing services of that nature, and the amount so determined shall, for the purpose of the contributions required and the benefits provided under this Act, be included as a part of the wages of such individual.

"Weekly wage."

(d) The phrase "weekly wage" as applied to any individual who has been engaged in employment for at least thirty hours in each of twenty-six or more weeks within the period of one hundred and four weeks ending with the week in which such individual was last engaged in employment, means the sum obtained by dividing the total of the wages earned in all the weeks within such period in which he was engaged in employment at least thirty hours by the number of such weeks; and, as applied to any individual who has not been engaged in employment for at least thirty hours in each of twenty-six or more weeks within such period of one hundred and four weeks, means the sum obtained by dividing the total of the

wages earned in such period by the total number of weeks within such period in which he was engaged in employment.

"Totally unemployed."

(e) The phrase "totally unemployed" means that the individual concerned has performed in the particular week no services whatsoever for which remuneration (of any nature whatsoever) is payable, has not engaged in any self-employment, and is found by the Board to have been unable to engage in any self-employment in which he was formerly engaged.

"Partially unemployed."

(f) The phrase "partially unemployed" means that the individual concerned has failed to earn in the particular week remuneration (of any nature whatsoever) of at least $2 more than the benefit he would be entitled to receive under this Act with respect to such week if totally unemployed and otherwise eligible.

"Dependent relative."

(g) The phrase "dependent relative" means a mother, father, stepmother, stepfather, brother, or sister, who, because of age or physical disability, is unable to work, or a child under sixteen years of age, who is wholly or mainly supported by the individual receiving the benefit.

"Board."

(h) The term "Board" means the District Unemployment Compensation Board established by section 15[1] of this Act.

"District."

(i) The term "District" means the District of Columbia.

"Benefits."

(j) The term "benefits" means the payments to unemployed individuals provided for in section 8.

"Week."

(k) The term "week" means the period commencing at 12:01 o'clock ante meridian Sunday and ending at 12 o'clock midnight the following Saturday.

"Month."

(l) The term "month" means calendar month; except that for the purpose of computing the contributions payable with respect to any calendar month, and for that purpose only, such calendar month shall be deemed, if, and to the extent that individuals are paid on a weekly basis, to be the period covered by all the weeks which commence within such calendar month.

"Unemployment Trust Fund."
Ante, p. 640.

(m) The phrase "Unemployment Trust Fund" means the Unemployment Trust Fund established by section 904 of the Social Security Act.

"Employment office."

(n) The phrase "employment office" means a free public employment office or branch thereof in the District, operated by the United States Employment Service.

District Unemployment Fund.

DISTRICT UNEMPLOYMENT FUND

Establishment.

SEC. 2. There is hereby established the District Unemployment Fund, into which shall be paid all contributions received or collected pursuant to this Act and from which shall be paid all benefits provided for under this Act. The Fund shall be managed and controlled by the Board in the manner provided in this Act; and the Board shall keep complete and accurate accounts of the status of the Fund, and shall include a statement of such status in its yearly report to Congress.

Management and control.
Accounts.

Employer contributions.

EMPLOYER CONTRIBUTIONS

Requirement.

SEC. 3. (a) Every employer who employs one or more individuals in any employment shall for each month, beginning with the month of January 1936, pay contributions equal to the following percentages of the total wages payable (regardless of the time of payment) with respect to such employment by him during such month:

Percentages.

Calendar year 1936.

(1) With respect to employment during the calendar year 1936 the rate shall be 1 per centum;

1937.

(2) With respect to employment during the calendar year 1937 the rate shall be 2 per centum;

[1] So in original.

1938-1940.

(3) With respect to employment during the calendar years 1938, 1939, and 1940, the rate shall be 3 per centum;

Determination of rate for calendar year 1941 and thereafter.

(4) With respect to employment during the calendar year 1941 and during each succeeding calendar year, the rate applicable to any employer shall be the rate determined pursuant to subsection (b) of this section.

Method.

(b) The Board shall for each calendar year, commencing with the calendar year 1941, on the basis of the unemployment hazard attached to employment by the respective employers, (1) segregate the employers into classes, and (2) determine the rate of contribution, which shall not be less than 1½ per centum nor more than 4 per centum, to be paid by the employers of each such class: *Provided*, That in any such year the rate of contribution applicable to any employer shall be 3 per centum unless there shall have been at least three calendar years throughout which benefits were payable with respect to any individual in his employ who became unemployed and was eligible for compensation, and the estimated total contributions payable by all employers in any such calendar year shall not be less than 3 per centum of the estimated wages with respect to which such contributions are payable. In making such classifications the Board shall take into account all relevant and measurable factors which it deems to have a bearing on the unemployment hazard attached to employment by any employer, and shall apply such form of classification or such rating system as in its judgment is best calculated to rate individually the unemployment hazard most equitably for each employer or group of employers, and to encourage the stabilization of employment. The standards to be used as a basis of such classification for each calendar year shall be adopted by the Board at least sixty days prior to January 1 of such year, and shall be published in at least two newspapers of general circulation in the District once each week for three successive weeks during the month of November of the year preceding such January 1.

Proviso.
Rate of contribution applicable to employer.

Factors to be considered in making classifications.

Adoption of standards.

Method of paying employer contributions.

METHOD OF PAYING EMPLOYER CONTRIBUTIONS

Payment and collection.

SEC. 4. (a) The contributions required by section 3 shall be paid to and collected by the Board, and shall, immediately upon collection, be paid into the District Unemployment Fund.

Returns.

(b) Not later than the fifteenth day after the close of each month, every employer shall make a return of and shall pay the contributions which shall have accrued with respect to wages payable with respect to employment by him within such month. Each such return shall be made under oath (except where the amount of the contribution payable is less than $10), shall be filed with the Board, and shall contain such information and be made in such manner as the Board may by regulations prescribe. No extension of the time for filing the return or for payment of the contributions shall be allowed to any employer.

Filing; contents.

No extensions to be allowed.

Interest on contributions in default.

(c) If the contributions are not paid when due, there shall be added, as part of the contributions, interest at the rate of 1 per centum per month from the date the contributions became due until paid.

Priority of claim for contributions.

(d) In the event of the dissolution, insolvency, bankruptcy, composition, or assignment for benefit of creditors, of any employer, contributions then or thereafter due from such employer under this section shall have priority over all other claims, except taxes due the United States or the District, and wages (not exceeding $250 with respect to any individual) due for employment performed within the six months preceding such event.

(e) In payment of any contribution, a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to 1 cent. Fractional part of cent.

DISTRICT CONTRIBUTIONS

District contributions.

SEC. 5. (a) The District of Columbia shall pay contributions, in addition to its contributions as an employer, in the following amounts: For the calendar year 1936, $100,000; for the calendar year 1937, $125,000; and for the calendar year 1938, $175,000. Amounts, calendar years 1936–1938.

(b) The contributions required by this section for each calendar year shall be paid by the District to the Board, and shall, immediately upon receipt by the Board, be paid into the District Unemployment Fund. Payment.

APPROPRIATIONS

Appropriations.

SEC. 6. There is hereby authorized to be appropriated to the District for each fiscal year, commencing with the fiscal year ending June 30, 1936, such sum as may be necessary to permit the District to pay the contributions required of it under this Act. Sum authorized. *Post*, pp. 1611, 1858.

DEPOSIT IN UNEMPLOYMENT TRUST FUND

Deposit in Unemployment Trust Fund.

SEC. 7. All moneys received in the District Unemployment Fund from sources other than the Unemployment Trust Fund shall be immediately paid over to the Secretary of the Treasury to the credit of the Unemployment Trust Fund to be held in trust for the District upon the terms and conditions provided in section 904 of the Social Security Act. Payment. *Ante*, p. 640.

AMOUNT AND DURATION OF BENEFITS

Amount and duration of benefits.

SEC. 8. (a) Subject to the provisions of subsections (b) and (c) of this section, the Board shall pay, from the District Unemployment Fund, to every eligible individual (1) with respect to each week, commencing with the week beginning January 2, 1938, in which such individual was totally unemployed, a week's benefit, which shall be an amount, computed to the nearest half-dollar, equal to 40 per centum of his weekly wage, plus 10 per centum of such weekly wage if he has a dependent spouse, plus an additional 5 per centum of such weekly wage for each dependent relative: *Provided*, That in no case shall the amount paid to any such individual for any week exceed $15, or 65 per centum of his weekly wage, whichever is the lesser; and (2) with respect to each week commencing with the week beginning January 2, 1938, in which such individual was partially unemployed, an amount which when added to the total amount of remuneration (of any nature whatsoever) payable for services performed by such individual during such week, will total $2 more than the week's benefit to which he would be entitled if totally unemployed during such week. Weekly payment of benefit. Computation of amount. *Proviso.* Limitation on total amount.

(b) With respect to unemployment occurring within any period of fifty-two weeks, benefits shall be payable to every eligible unemployed individual (1) in the ratio of one-third of a week's benefit to each credit week which occurred within the period of one hundred and four weeks ending with the week in which he was last engaged in employment, until a total amount equivalent to sixteen times a week's benefit has been paid to him; and (2) after such total has been paid, in the ratio of one-twentieth of a week's benefit to each credit week which occurred within the period of two hundred and sixty weeks ending with the week in which he was last engaged in employment. Previous employment.

Payments to be charged against earliest available credit week.

(c) All payments of benefits under this section shall be charged, in accordance with the applicable ratio, against the earliest credit week or part thereof available for such purpose.

"Credit week" construed.

(d) As used in this section, the term "credit week" means a week in which the individual concerned performed some employment, against which no benefits have been charged, and with respect to which no benefits were paid to the individual: *Provided*, That any week occurring within the customary school vacation period shall not be counted as a credit week in the case of any individual who attended a school, college, or university in the last preceding school term, and returns to a school, college or university at the end of such vacation period.

Proviso.
School or college attendance.

Method of paying benefits.

METHOD OF PAYING BENEFITS

Requisition of amount required.

SEC. 9. Each week the Board shall requisition, from the moneys to the credit of the District in the Unemployment Trust Fund, the amount required to pay the benefits accruing with respect to such week. Upon receipt of the amount requisitioned, the Board shall deposit it as part of the District Unemployment Fund in the Treasury of the United States as a special deposit to be used solely to pay the benefits provided in this Act. All payments of benefits shall be made by checks drawn by the Board, shall be made at the employment offices designated by the Board, and shall be subject to a post, but not a prior, audit by the District auditor.

Deposit of amount received.

Payments.

Eligibility for benefits.

ELIGIBILITY FOR BENEFITS

Requirements.

SEC. 10. (a) An unemployed individual shall be eligible to receive benefits with respect to any week only if it has been found by the Board—

(1) that he has filed a claim for benefits in the form and at the time prescribed, and at the employment office designated, by the Board;

(2) that he has performed employment in at least thirteen weeks within the period of fifty-two weeks ending with the week in which he was last engaged in employment;

(3) that he is physically able to work;

(4) that he is available for work and has registered and inquired for work at the employment office designated by the Board, with such frequency and in such manner as the Board may by regulations prescribe: *Provided*, That failure to comply with this condition may be excused by the Board upon a showing of good cause for such failure;

(5) that he has been totally unemployed and otherwise eligible for benefits under this Act for a waiting period of at least three weeks with respect to which he received no benefits, prior to the week for which he claims benefits; and for the purpose of computing such waiting-period, two weeks of partial unemployment shall be counted as one week of total unemployment. Such weeks of unemployment need not be consecutive but may be accumulated over the period of fifty-two weeks prior to the week for which he claims benefits; and

(6) that the total or partial unemployment in such week is not directly due to a strike or jurisdictional labor dispute still in active progress in the establishment where he is partially employed or was last employed.

Regulations to be furnished employer.

(b) Copies of the regulations prescribed by the Board pursuant to paragraph (4) shall be furnished by the Board to each employer;

and each employer shall post one of such copies on each of his premises in a conspicuous and easily accessible place and shall furnish a copy to each individual who leaves his employ. Posting.

DISQUALIFICATION FOR BENEFITS

Disqualification for benefits.

SEC. 11. (a) An individual who has left his work voluntarily without good cause, as determined by the Board under regulations prescribed by it, shall not be eligible for benefits with respect to the week in which he so left nor with respect to the three weeks immediately following. When voluntarily leaving work without good cause.

(b) An individual who has been discharged for misconduct occurring in the course of his work, proved to the satisfaction of the Board, shall not be eligible for benefits with respect to the week in which such discharge occurred nor with respect to such additional number of weeks immediately following (not less than one nor more than six) as the Board may determine, under regulations prescribed by it, in proportion to the degree of such misconduct. When discharged for misconduct.

(c) If an individual otherwise eligible for benefits fails, without good cause as determined by the Board under regulations prescribed by it, either to apply for new work found by the Board to be suitable when notified by any employment office, or to accept any such work when offered to him, he shall not be eligible for benefits with respect to the week in which such failure occurred nor with respect to the three weeks immediately following. In determining whether or not work is suitable within the meaning of this subsection the Board shall consider (1) the physical fitness and prior training and experience of the individual, (2) the distance of the place of work from the individual's place of residence, and (3) the risk involved as to health, safety, or morals. Benefits shall not be denied to any otherwise eligible individual for refusing to accept new work under any of the following conditions: (1) If the position offered is vacant due directly to a strike, lockout, or other labor dispute; (2) if the wages, hours, or other conditions of the work offered are less favorable to the individual than those prevailing for similar work in the locality; (3) if as a condition of being employed the individual would be required to join a company union or to resign from or refrain from joining any bona fide labor organization. Refusal to work.

(d) If an individual under twenty-one years of age otherwise eligible for benefits fails, without good cause as determined by the Board under regulations prescribed by it, to attend courses at a vocational or other school when recommended by the manager of the employment office or by the Board and such courses are available at public expense, he shall not be eligible for benefits with respect to any week in which such failure occurred. Individual under twenty-one failing to attend vocational, etc., school.

DETERMINATION OF CLAIMS

Determination of claims.

SEC. 12. (a) As soon as possible after an individual has filed a claim for benefits, an agent of the Board designated by it for such purpose shall determine whether or not such individual is entitled thereto and, if such individual is found to be so entitled, shall determine the week with respect to which payments will commence and the amount of the payments per week. Upon such determination, the agent shall give notice thereof to such individual and to his most recent employer, and benefits shall be paid or denied accordingly; but either party may file an appeal to the Board from such determination within ten days after such notification was delivered to him or mailed to him at his last known address, and in the event Filing of claim. Notice required. Appeals.

that any such appeal is filed, no benefits shall be paid to the individual until the appeal shall have been finally decided by the Board.

Hearings.

(b) Upon the filing of any such appeal, the Board shall appoint, in its discretion, either an examiner regularly employed by it on a salary basis or an appeal tribunal, to hold hearings at which both parties shall be given opportunity to present evidence and to be heard. In the conduct of such hearings, the parties shall not be bound by rules of evidence or other technical rules of procedure, but the examiner or appeal tribunal, as the case may be, shall use due diligence to ascertain the true facts of the case.

Procedural rules.

Findings of fact and decision.

(c) On the basis of the evidence presented at such hearings, the examiner or appeal tribunal, as the case may be, shall make a finding of the facts of the case and shall render a decision in accordance therewith. Each such decision shall automatically become the decision of the Board and effective as such as of the tenth day following the date such decision was rendered, unless, before such tenth day, upon petition of either party under regulations prescribed by the Board or upon its own motion, the Board has affirmed, reversed, or modified such decision, or has set it aside and ordered a rehearing or the taking of additional evidence before the same or a different examiner or appeal tribunal, or the Board. All decisions rendered by the Board affirming, reversing, or modifying any decision of an examiner or appeal tribunal, shall become effective immediately.

Effective date.

Composition of appeal tribunal.

(d) Each appeal tribunal shall consist of an examiner regularly employed by the Board on a salary basis and a representative of employees and a representative of employers designated by the Board. No such representative shall be regularly employed by the Board or have any financial interest, direct or indirect, in the case. In no case shall the hearings proceed unless the examiner designated as a member of the appeal tribunal is present; and, if either or both of such representatives fail to appear for any such hearing, the examiner shall proceed to hear the case. Each such representative shall be paid such sum, not in excess of $10, as the Board shall by regulations prescribe, for each day on which he actively engaged, or was present and prepared to engage, in the conduct of any such hearings.

Representative of employers.

Requirement of attendance at hearing.

Compensation.

Power to administer oaths, etc.

(e) In the discharge of the duties imposed by this section, any member of the Board and any duly authorized examiner shall have power to administer oaths, take depositions, certify to official acts, and issue subpoenas to compel attendance of witnesses and the production of books, papers, correspondence, memoranda, and other records deemed necessary as evidence in connection with the disputed claim.

Record of proceedings.

(f) A full and complete record shall be kept of all proceedings in connection with a disputed claim. All testimony at every hearing on any such claim shall be taken down by a stenographer, but shall not be transcribed except upon order of the Board or in the event of an appeal pursuant to section 13. Upon any such appeal, a copy of all the testimony and of the finding of facts upon which the Board's decision was based shall be filed with the court, and the facts so found shall, if supported by the evidence, be binding on the court.

Refusals to obey subpoena.

(g) In the case of contumacy by, or refusal to obey a subpoena issued to, any person, the Board may invoke the aid of the Supreme Court of the District of Columbia in requiring the attendance and testimony of witnesses and the production of books, papers, correspondence, memoranda and other records. Such court may issue an order requiring such person to appear before the Board or officer designated by the Board, there to produce records, if so ordered, or

to give testimony touching the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof. Any person who shall, without just cause, fail or refuse to attend and testify or to answer any lawful inquiry or to produce books, papers, correspondence, memoranda and other records, if in his power so to do, in obedience to the subpoena of the Board, shall be guilty of a misdemeanor, and, upon conviction shall be subject to a fine of not more than $1,000 or to imprisonment for a term of not more than one year, or both.

Securing testimony.

(h) No person shall be excused from attending and testifying or from producing books, papers, correspondence, memoranda, and other records before the Board or in obedience to the subpoena of the Board or any member thereof or any officer designated by it, or in any cause or proceeding instituted by the Board, on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subject to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

Immunity from self-incrimination.

Witness fees.

(i) Witnesses subpenaed pursuant to this section shall be allowed fees at a rate fixed by the Board. Such fees and all other expenses of proceedings involving disputed claims shall be deemed part of the expense of administering this Act.

Court review.

COURT REVIEW

Time allowed for appeal.

SEC. 13. (a) Within thirty days after the decision of the Board has become final, either party may appeal to the Supreme Court of the District of Columbia from such decision. Upon the filing of any such appeal notice thereof shall be served upon the Board by the appellant. Such appeals shall be heard by the Court at the earliest possible date and shall be given precedence over all other civil cases. It shall not be necessary on any such appeal to enter exceptions to the rulings of the Board and no bond shall be required for entering such appeal. In no event shall an appeal act as a supersedeas.

Service of notice.

Hearing of appeal.

(b) An appeal may be taken from a decision of such Court to the United States Court of Appeals for the District.

Administration.

ADMINISTRATION

Authority of Board.

Appointment of personnel.

SEC. 14. (a) The Board is hereby authorized and directed to administer the provisions of this Act. The Board is further authorized to employ such officers, examiners, accountants, attorneys, experts, agents, and other persons, and to make such expenditures, as may be necessary to administer this Act, and to authorize any such person to do any act or acts which could lawfully be done by the Board. The Board may, in its discretion, require bond from any of its employees engaged in carrying out the provisions of this Act.

Bond.

Regulations.

Effective date.

(b) The Board is further authorized to prescribe all regulations which may be necessary to carry out the provisions of this Act. Such regulations shall become effective five days after they have been published in a newspaper of general circulation in the District.

Annual report.

(c) The Board shall each year, not later than February 1, submit to Congress a report covering the administration and operation of this Act during the preceding calendar year, and containing such recommendations as the Board wishes to make.

Recommendation to protect solvency of fund.

(d) The Board shall, whenever it believes that a change in the contribution or benefit rates is necessary to protect the solvency of the fund, at once recommend such change to Congress if in session.

Cooperation with Social Security Board. *Ante*, p. 635.

(e) The Board is hereby authorized and directed, in the administration of this Act, to cooperate to the fullest practicable extent with the Social Security Board created by the Social Security Act; to make such reports in such form and containing such information as the Social Security Board may from time to time require, and to comply with such provisions as the Social Security Board may from time to time find necessary to assure the correctness and verification of such reports; and to comply with the regulations prescribed by the Social Security Board governing the expenditure of such sums as may be allotted and paid to the District under Title III of the Social Security Act for the purpose of assisting in administering this Act.

Method of paying administrative expenses.

METHOD OF PAYING ADMINISTRATIVE EXPENSES

Deposit of receipts. *Ante*, p. 626.

SEC. 15. All moneys received by the Board from the United States under Title III of the Social Security Act or from other sources for administering this Act shall, immediately upon such receipt, be deposited in the Treasury of the United States as a special deposit to be used solely to pay such administrative expenses. All such payments of expenses shall be made by checks drawn by the Board and shall be subject to audit by the District auditor in the same manner as are payments of other expenses of the District.

Payments; audit.

District Unemployment Compensation Board.

DISTRICT UNEMPLOYMENT COMPENSATION BOARD

Establishment; composition.

SEC. 16. (a) There is hereby established the District Unemployment Compensation Board, to be composed of the Commissioners of the District as members ex-officio, and one representative of employees and one representative of employers to be appointed by the Commissioners. Each such representative shall be a resident of the District and shall hold office for a term of three years from the date of his appointment; except that (1) any representative appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed, shall be appointed only for the remainder of such term, and (2) the term of office of the first representative of employees shall be two years. The chairman of the Commissioners of the District shall be chairman of the Board.

Residence; terms of office.

Vacancy.

Chairman.

Administration of Act.

(b) The Board shall administer this Act through an executive officer to be appointed and employed by the Board. Such executive officer shall act as secretary of the Board and is hereby authorized to act in the name of the Board in all matters specifically delegated to him by the Board.

Service of Commissioners.

(c) The Commissioners of the District shall serve on the Board without additional compensation, but the representatives of employees and employers, respectively, shall be paid $10 for each day of active service.

Reciprocal agreements with States.

RECIPROCAL AGREEMENTS WITH STATES

Authority to enter.

SEC. 17. The Board is hereby authorized, upon such terms as in its judgment will not result in any loss to the District Unemployment Fund, to enter into agreements with the proper authorities under State unemployment-compensation laws whereby there shall be effected with respect to individuals who have removed from employment in the District to employment in the State covered by the agreement, or who have removed from employment in such State to employment in the District, an exchange of the rights acquired by

such individuals with respect to unemployment benefits in the place of their former employment. The terms of all such agreements entered into by the Board shall be published at least once in a newspaper of general circulation in the District.

Publication of terms.

RECORDS AND REPORTS

Records and reports.

SEC. 18. (a) Every employer shall keep true and accurate employment records of all individuals employed by him in employment, including the hours of employment and the wages payable therefor. Such records shall be open to inspection by the Board every day except Saturdays, Sundays, and legal holidays, between the hours of 9 o'clock ante meridian and 4 o'clock post meridian.

Employment records.

Inspection of.

(b) The Board may require from any such employer such reports in connection with his business, covering employment, employees, wages, hours, unemployment, and related matters, as the Board deems necessary to the effective administration of this Act. Information thus obtained shall not be published or be open to the public in any manner which will reveal the employer's identity; and any person who violates any provision of this section shall be fined not less than $20 nor more than $200 or imprisoned not longer than ninety days, or both.

Employer reports.

Confidential nature of.

Punishment for violations.

(c) Upon request therefor, the Board shall furnish to any agency of the United States or of the District charged with the administration of public works or assistance through public employment, the name, address, ordinary occupation, and employment status of each recipient of benefits and a statement of such recipient's rights to further benefits under this Act.

Information respecting beneficiary.

PROTECTION OF RIGHTS AND BENEFITS

Protection of rights and benefits.

SEC. 19. (a) No agreement by any individual to waive any of his rights under this Act, or to pay any part of the contribution payable by his employer with respect to his or any other individual's employment shall be valid; nor shall any employer make, require, or permit any deduction from the wages payable to his employees for the purpose of paying any part of the contributions required of the employer under this Act, or require or attempt to induce any individual to waive any right he may acquire under this Act. Any employer who violates any provision of this subsection shall, for each such offense, be fined not less than $100 nor more than $1,000 or be imprisoned not more than six months, or both.

Invalidity of agreements to waive rights.

Deductions from employees' wages.

Punishment for violations.

(b) No assignment of any right to benefits which are or may become due or payable under this Act shall be valid or enforceable; and the right to any such benefits shall be exempt from levy, execution, attachment, and any other remedy whatsoever provided for the collection of debt; and the benefits received by any individual shall be exempt from the payment of all debts except debts accrued for necessaries furnished to such individual or his spouse at a time when such individual was unemployed. Exemptions provided for in this subsection may not be waived.

Assignments.

Exemption of benefits from attachment, etc.

(c) No individual seeking to establish a claim for benefits shall be charged any fee whatsoever by the Board; and no person who represents any such individual in any proceeding shall charge or receive for his services a sum in excess of 10 per centum of the aggregate amount of benefits received by such individual pursuant to the decision in such proceedings. Any person who violates any provision of this subsection shall, for each such offense, be fined not more than $500 or imprisoned not more than one year, or both.

Fees for seeking to establish claim.

Penalties.

PENALTIES

False statements.

SEC. 20. (a) Whoever makes a false statement or representation, knowing it to be false, to obtain or increase any payment provided for in this Act, for himself or any other individual, shall, for each such offense, be fined not less than $20 nor more than $100 or imprisoned not more than sixty days, or both.

False employer records.

(b) Any employer, and any officer or agent of an employer, who furnishes a false record or makes a false statement or representation, knowing it to be false, to avoid the payment of any or all of the contributions required of such employer under this Act, or to prevent or reduce the payment of benefits to any individual entitled thereto, and any employer who willfully refuses to pay the contributions or to furnish any report required of him under this Act, shall, for each such offense, be fined not less than $100 nor more than $1,000 or imprisoned not more than six months, or both.

Disposition of fines.

DISPOSITION OF FINES

SEC. 21. The amount of all fines collected pursuant to the provisions of this Act shall be turned over to the Board and by it paid into the District Unemployment Fund.

Representation in court.

REPRESENTATION IN COURT

SEC. 22. (a) On the request of the Board the United States district attorney for the District shall represent the Board in any action in court arising under this Act or in connection with the administration and enforcement of its provisions, including actions for the collection of contributions due hereunder; but in any civil action the Board may be represented by its own counsel.

(b) Violations of any provision of this Act shall be prosecuted by the United States district attorney for the District.

Reservation of right to amend or repeal.

RIGHT TO AMEND OR REPEAL

SEC. 23. All the rights, privileges, or immunities conferred by this Act or by acts done pursuant thereto shall exist subject to the power of Congress to amend or repeal this Act at any time.

Separability of provisions.

SEPARABILITY OF PROVISIONS

SEC. 24. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act and the application of such provision to other persons and circumstances, shall not be affected thereby.

Short title.

SHORT TITLE

SEC. 25. This Act may be cited as the "District of Columbia Unemployment Compensation Act".

Approved, August 28, 1935.

[CHAPTER 795.]

August 28, 1935.
[H. R. 8473.]
[Public, No. 387.]

AN ACT

To provide for the compiling and publishing of the Official Register of the United States.

Official Register of the United States.
Annual publication.
Contents.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Civil Service Commission shall cause to be compiled, edited, indexed, and published each year an Official Register of the United

States, which shall contain a full and complete list of all persons occupying administrative and supervisory positions in the legislative, executive, and judicial branches of the Government, including the District of Columbia, in connection with which salaries are paid from the Treasury of the United States. The register shall show the name; official title; salary, compensation, and emoluments; legal residence and place of employment for each person listed therein: *Provided, however*, That the Official Register shall not contain the name of any postmaster or assistant postmaster, or any officer of the Army, Navy, and Marine Corps, unless such officer is assigned as an administrative officer.

Proviso. Postmasters, Army and Navy personnel.

SEC. 2. To enable the United States Civil Service Commission to compile and publish the Official Register of the United States as early as practicable after the first of June of each year, the Executive Office, the legislative and judicial branches of the Government, the Commissioners of the District of Columbia, and the head of each executive department, independent office, establishment, and commission of the Government shall, as of the 1st day of May of each year, beginning with May 1, 1936, supply to the United States Civil Service Commission the data required by this Act, upon forms approved and furnished by the Commission, in due time to permit the publication of the Official Register as herein provided; and no extra compensation shall be allowed to any officer, clerk, or employee of the United States Civil Service Commission for compiling the Official Register.

Data to be furnished by branches of the Government.

Work to be performed without additional compensation.

SEC. 3. Of the Official Register there shall be printed, bound, and delivered to the Superintendent of Documents and charged to the Congressional allotment for printing and binding a sufficient number of copies for distribution as follows: To the President of the United States, four copies, one copy of which shall be for the library of the Executive Office; to the Vice President of the United States, two copies; to each Senator, Representative, Delegate, and Resident Commissioner in Congress, three copies; to the Secretary and the Sergeant at Arms of the Senate and to the Clerk, the Sergeant at Arms, and the Doorkeeper of the House of Representatives, each one copy; to the library of the Senate and the House, each, not to exceed fifteen copies; to the library of the Supreme Court, two copies; to the Library of Congress, for international exchange and for official use in Washington, District of Columbia, not to exceed one hundred and fifty copies; to the municipal library of the District of Columbia, two copies; and to the Commissioners of the District of Columbia, ten copies. The "usual number" shall not be printed.

Distribution.

"Usual number" not printed.

SEC. 4. The head of each executive department, independent office, or establishment of the Government, not mentioned above, desiring copies of the Official Register shall issue, on or before May 1 of each year, a requisition upon the Public Printer for the number of copies of the Official Register necessary to meet its official requirements, the cost of such supply to be charged to the appropriations available for printing and binding for such executive department, independent office, or establishment.

Copies for executive departments, independent agencies, etc.

SEC. 5. That section 510 of the Revised Statutes of the United States and section 2 of the Act discontinuing the printing of certain Government publications, and for other purposes (43 Stat. 1105), approved March 3, 1925, and all Acts or parts of Acts amendatory thereof or supplementary thereto, be, and the same are hereby, repealed.

Repeals. R. S., sec. 510, p. 84. Vol. 43, p. 1105; U. S. C., p. 487.

Approved, August 28, 1935.

[CHAPTER 801.]

AN ACT

August 29, 1935.
[H. R. 1420.]
[Public, No. 388.]

To provide for the Andrew Johnson Homestead National Monument.

Andrew Johnson National Monument; establishment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when title to the site of the Andrew Johnson Homestead and the site of the tailor shop in which Andrew Johnson worked (now owned and administered by the State of Tennessee), located in Greeneville, Tennessee, together with such buildings and property located thereon as may be designated by the Secretary of the Interior as necessary or desirable for national-monument purposes shall have been vested in the United States, said area and improvements, if any, together with the burial place of Andrew Johnson, now administered as a national cemetery, shall be designated and set apart by proclamation of the President for preservation as a national monument for the benefit and inspiration of the people and shall be called the "Andrew Johnson National Monument."

Acquisition of land, etc.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to acquire on behalf of the United States out of any funds allotted and made available for this project by proper authority or out of any donated funds, by purchase at prices deemed by him reasonable, or by condemnation under the provisions of the Act of August 1, 1888 (25 Stat. 357), or to accept by donation, such land, interest in land, and/or buildings, structures, and other property within the boundaries of said national monument as determined and fixed hereunder, and he is further authorized to accept donations of funds for the purchase and/or maintenance thereof.

Vol. 25, p. 357; U. S. C., p. 1785.

Administration.
Vol. 39, p. 535; U. S. C., p. 591.

SEC. 3. That the administration, protection, and development of the aforesaid national monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended.

Approved, August 29, 1935.

[CHAPTER 802.]

AN ACT

August 29, 1935.
[S. 1994.]
[Public, No. 389.]

To amend the Inland Waterways Corporation Act, approved June 3, 1924, as amended.

Inland Waterways Corporation Act, amendment.
Vol. 43, p. 361; Vol. 45, p. 978; Vol. 48, p. 968; U. S. C., p. 2247.
Certificate of convenience when conducting a common carrier service on designated rivers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subdivision (e) of section 3 of the Act entitled "An Act to create the Inland Waterways Corporation for the purpose of carrying out the mandate and purpose of Congress as expressed in sections 201 and 500 of the Transportation Act, and for other purposes", approved June 3, 1924, as amended, is amended by striking out the words "or Snake Rivers", and inserting in lieu thereof "Snake, Sacramento, San Joaquin, or Savannah Rivers".

Approved, August 29, 1935.

[CHAPTER 803.]

AN ACT

August 29, 1935.
[S. 2521.]
[Public, No. 390.]

Amending section 5 of Public Law Numbered 264, Seventy-third Congress, approved May 29, 1934, relative to the appointment of Naval Academy graduates as ensigns in the Navy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of Public Law Numbered 264, Seventy-third Congress is hereby amended to read as follows:

Naval Academy graduates.
Vol. 48, p. 814.

"SEC. 5. That section 1 of the Act approved May 6, 1932 (47 Stat. 149; U. S. C., Supp. VII, title 34, sec. 12), is hereby amended by inserting the words 'in 1934 and hereafter' after the words 'midshipmen who', and the words '*Provided*, That all former midshipmen graduated in 1933 who received a certificate of graduation and honorable discharge or who resigned and whether they have since been married or not may, upon their own application, if physically qualified, and under such regulations as the Secretary of the Navy may prescribe, be appointed as ensigns prior to November 1, 1935, by the President and shall take rank next after the junior ensign of the Navy and among themselves in accordance with their proficiency as shown by the order of merit at date of graduation: *And provided further*,' after the words 'Naval Academy' and by striking out 'in 1932, and at least 50 per centum of all graduates in subsequent years: *Provided*', so that as amended the said section will read as follows:

Appointments as ensigns.

"'That the President of the United Stataes[1] is authorized, by and with the advice and consent of the Senate, to appoint as ensigns in the line of the Navy all midshipmen who in 1934 and hereafter graduate from the Naval Academy: *Provided*, That all former midshipmen graduated in 1933 who received a certificate of graduation and honorable discharge or who resigned and whether they have since been married or not may, upon their own application, if physically qualified, and under such regulations as the Secretary of the Navy may prescribe, be appointed as ensigns prior to November 1, 1935, by the President and shall take rank next after the junior ensign of the Navy and among themselves in accordance with their proficiency as shown by the order of merit at date of graduation: *And provided further*, That the number of such officers so appointed shall, while in excess of the total number of line officers otherwise authorized by law, be considered in excess of the number of officers in the grade of ensign as determined by any computation, and shall be excluded from any computation made for the purpose of determining the authorized number of line officers in any grade on the active list above the grade of lieutenant (junior grade) until the total number of line officers shall have been reduced below the number otherwise authorized by law.'"

Provisos.
Class of 1933.

Rank.

Number.

Approved, August 29, 1935.

[1] So in original.

[CHAPTER 804.]

AN ACT

Relative to limitation of shipowners' liability.

August 29, 1935.
[S. 3446.]
[Public, No. 391.]

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

Limitation of shipowners' liability.

LIMITATION OF SHIPOWNERS' LIABILITY

R. S., sec. 4283, p. 827; U. S. C., p. 1998.

SECTION 1. Revised Statutes 4283, United States Code, title 46, section 183, shall be amended by adding the following proviso at the end thereof: "*Provided*, That the total liability of the owner or owners of any sea-going sailing, steam, or motor vessel, whether American or foreign, other than tugs, barges, fishing vessels and their tenders, for the entire loss of life or personal injuries caused without the fault or privity of such owner or owners to any person, shall be in an amount not less than an amount equal to $60 for each ton of the tonnage of such vessel or vessels, or the amount or value of the interest of such owner in such vessel and her freight then pending, if the latter be the greater amount. The tonnage of a steam or motor vessel shall be her gross tonnage without deduction on account of engine room, and the tonnage of a sailing vessel shall be her registered tonnage, provided that there shall not be included in such tonnage any space occupied by seamen or apprentices and appropriated to their use. The owner of every sea-going vessel or share therein shall be liable in respect of every such loss of life or personal injury arising on distinct occasions to the same extent as if no other loss or injury had arisen."

Amount of liability. *Post*, p. 1479.

Tonnage of steam or motor vessel construed.

Liability of owner. *Post*, p. 1481.

SEC. 2. In respect of loss of life or bodily injury, the actual privity or knowledge of the master of a sea-going vessel (other than tugs, barges, fishing vessels and their tenders), or of the superintendent or managing agent of the owner thereof, at or prior to the commencement of each voyage, shall be deemed conclusively the privity or knowledge of the owner of such vessel.

SEC. 3. Chapter 6 of Title 48 of the Revised Statutes is amended by inserting after section 4283, as amended, the following new section:

Stipulations limiting time for filing claims and commencing suit. Unlawful acts.

"SEC. 4283A. STIPULATIONS LIMITING TIME FOR FILING CLAIMS AND COMMENCING SUIT.—(a) It shall be unlawful for the manager, agent, master, or owner of any sea-going vessel (other than tugs, barges, fishing vessels and their tenders) transporting passengers or merchandise or property from or between ports of the United States and foreign ports to provide by rule, contract, regulation, or otherwise a shorter period for giving notice of, or filing claims for loss of life or bodily injury, than six months, and for the institution of suits on such claims, than one year, such period for institution of suits to be computed from the day when the death or injury occurred.

When failure to give notice not to bar claim.

"(b) Failure to give such notice, where lawfully prescribed in such contract, shall not bar any such claim—

"(1) If the owner or master of the vessel or his agent had knowledge of the injury, damage, or loss and the court determines that the owner has not been prejudiced by the failure to give such notice; nor

"(2) If the court excuses such failure on the ground that for some satisfactory reason such notice could not be given; nor

"(3) Unless objection to such failure is raised by the owner.

Claim filed by legal representative.

"(c) If a person who is entitled to recover on any such claim is mentally incompetent or a minor, or if the action is one for wrongful death, any lawful limitation of time prescribed in such contract

shall not be applicable so long as no legal representative has been appointed for such incompetent, minor, or decedent's estate, but shall be applicable from the date of the appointment of such legal representative: *Provided, however,* That such appointment be made within three years after the date of such death or injury."

Proviso. Limitation.

Approved, August 29, 1935.

[CHAPTER 805.]

AN ACT

August 29, 1935. [S. 3085.] [Public, No. 392.]

Authorizing construction, operation, and maintenance of Rio Grande canalization project and authorizing appropriation for that purpose.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon the completion of the engineering investigation, study, and report to the Secretary of State, as heretofore authorized by Public Resolution Numbered 4, Seventy-fourth Congress, approved February 13, 1935, the Secretary of State, acting through the American Section, International Boundary Commission, United States and Mexico, in order to facilitate compliance with the convention between the United States and Mexico concluded May 21, 1906, providing for the equitable division of the waters of the Rio Grande, and to properly regulate and control, to the fullest extent possible, the water supply for use in the two countries as provided by treaty, is authorized to construct, operate, and maintain, in substantial accordance with the engineering plan contained in said report, a diversion dam in the Rio Grande wholly in the United States, with appurtenant connections to existing irrigation systems, and to acquire by donation, condemnation, or purchase such real and personal property as may be necessary therefor.

Rio Grande canalization project. Construction of diversion dam authorized. *Ante,* p. 24.

Vol. 34, p. 2953.

SEC. 2. There is authorized to be appropriated the sum of $1,000,000 for the purposes of carrying out the provisions of section 1 hereof, other than for operation and maintenance, including salaries and wages, fees for professional services; rents, travel expenses; per diem in lieu of actual subsistence; printing and binding, law books and books of reference: *Provided,* That the provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not apply to any purchase made or service procured when the aggregate amount involved is $100 or less; purchase, exchange, maintenance, repair and operation of motor-propelled passenger- and freight-carrying vehicles; hire with or without personal services, of work animals and animal-drawn and motor-propelled vehicles and equipment; acquisition by donation, condemnation, or purchase of real and personal property; transportation (including drayage) of personal effects of employees upon change of station; telephone, telegraphic, and air-mail communications; rubber boots for official use by employees; ice; equipment, services, supplies, and materials and other such miscellaneous expenses as the Secretary of State may deem necessary properly to carry out the provisions of the Act: *Provided,* That any part of any appropriation made hereunder may be transferred to, for direct expenditure by, the Department of the Interior pursuant to such arrangements therefor as may be from time to time effected between the Secretary of State and the Secretary of the Interior, or as directed by the President of the United States.

Appropriation authorized.

Provisos. Minor purchases. R. S., sec. 3709, p. 733; U. S. C., p. 1803.

Transfer of appropriations to Interior Department.

Approved, August 29, 1935.

[CHAPTER 806.]

AN ACT

August 29, 1935.
[S. 3204.]
[Public, No. 393.]

To provide additional funds for the completion of the Mount Rushmore National Memorial, in the State of South Dakota, and for other purposes.

Mount Rushmore National Memorial.
Appropriation authorized for completing.
Post, p. 1760.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, not to exceed the sum of $200,000, in addition to the amount previously authorized, for the purpose of defraying the cost of completing the Mount Rushmore National Memorial, in the State of South Dakota, including landscaping of the contiguous grounds thereof, constructing the entrances thereto, and constructing a suitable museum room in connection therewith.

Contracts authorized.

SEC. 2. The Mount Rushmore National Memorial Commission, with the approval of the Secretary of the Interior, is hereby authorized to enter into contract for the execution and completion of the work and to fix the compensations to be paid to artists, sculptors, landscape architects, and others, who may be employed by the Mount Rushmore National Memorial Commission, in the completion of the said Mount Rushmore National Memorial pursuant to the provisions of section 3 of Public Law Numbered 805, Seventieth Congress, approved February 25, 1929, as amended by section 1 of Public Law Numbered 471, Seventy-third Congress, approved June 26, 1934.

Vol. 45, p. 1300; Vol. 48, p. 1223.

Approved, August 29, 1935.

[CHAPTER 807.]

AN ACT

August 29, 1935.
[S. 3433.]
[Public, No. 394.]

Limiting the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to counsel in certain cases.

Criminal Code.
Vol. 35, p. 1107; U. S. C., p. 734.
R. S., sec. 190, p. 30; U. S. C., p. 43.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That nothing in sections 109 and 113 of an Act entitled "An Act to codify, revise, and amend the penal laws of the United States", approved March 4, 1909, as amended (U. S. C., title 18, secs. 198 and 203), or in section 190 of the Revised Statutes of the United States (U. S. C., title 5, sec. 99), or in any other Act of Congress forbidding officers or employees or former officers or employees of the United States from acting as counsel, attorney, or agent for another before any court, department, or branch of the Government or from receiving or agreeing to receive compensation therefor, shall be deemed to apply to attorneys or counselors to be specially employed, retained, or appointed by the Attorney General or under authority of the Department of Justice to assist in the conduct of the cases entitled The Farmers' Loan and Trust Company (a corporation) as trustee under a deed of trust made by William Waldorf Astor, and so forth, against Frank C. Bowers, and so forth (L 35/74 and L 35/75) pending in the United States District Court for the Southern District of New York and in the Circuit Court of Appeals for the Second Circuit, including all proceedings to review any judgment or decree that may be rendered therein, and any other case or proceeding involving the matters or any of them involved in the said cases.

Operation of designated sections limited respecting counsel in cases entitled "The Farmers' Loan and Trust Company."

Approved, August 29, 1935.

[CHAPTER 808.]

AN ACT

August 29, 1935.
[H. R. 6914.]
[Public, No. 395.]

To authorize cooperation with the several States for the purpose of stimulating the acquisition, development, and proper administration and management of State forests and coordinating Federal and State activities in carrying out a national program of forest-land management, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of stimulating the acquisition, development, and proper administration and management of State forests and of insuring coordinated effort by Federal and State agencies in carrying out a comprehensive national program of forest-land management, the Secretary of Agriculture is hereby authorized to enter into cooperative agreements with appropriate officials of any State or States for acquiring in the name of the United States, by purchase or otherwise, such forest lands within the cooperating State as in his judgment the State is adequately prepared to administer, develop, and manage as State forests in accordance with the provisions of this Act and with such other terms not inconsistent therewith as he shall prescribe, such acquisition to include the mapping, examination, appraisal, and surveying of such lands and the doing of all things necessary to perfect title thereto in the United States: *Provided*, That, since it is the declared policy of Congress to maintain and, where it is in the national interest to extend the national-forest system, nothing herein shall be construed to modify, limit, or change in any manner whatsoever the future ownership and administration by the United States of existing national forests and related facilities, or hereafter to restrict or prevent their extension through the acquisition by purchase or otherwise of additional lands for any national-forest purpose: *Provided further*, That this Act shall not be construed to limit or repeal any legislation authorizing land exchanges by the Federal Government, and private lands acquired by exchange within the limits of any area subject to a cooperative agreement of the character herein authorized shall hereafter be subject to the provisions of this Act.

Forest land management.
Cooperative agreements with State officials.

Purpose.

Provisos.
Ownership and management of existing national forests and related facilities.

Land acquired through exchanges.

SEC. 2. No cooperative agreement shall be entered into or continued in force under the authority of this Act or any land acquired hereunder turned over to the cooperating State for administration, development, and management unless the State concerned, as a consideration for the benefits extended to it thereunder, complies in a manner satisfactory to the Secretary of Agriculture with the following conditions and requirements which shall constitute a part of every such agreement:

Conditions and requirements of agreements.

(a) In order to reduce the need for public expenditures in the acquisition of lands which may be brought into public ownership through the enforcement of appropriate tax delinquency laws, and, by bringing about the handling of such lands upon a sound social and economic basis, to terminate a system of indeterminate and unsound ownership injurious to the private and public interest alike, no additional lands shall be acquired within any State by the United States under this Act after June 30, 1942, unless the State concerned has prior thereto provided by law for the reversion of title to the State or a political unit thereof of tax-delinquent lands and for blocking into State or other public forests the areas which are more suitable for public than private ownership, and which in the public interest should be devoted primarily to the production of timber crops and/or the maintenance of forests for watershed protection, and for the enforcement of such law: *Provided*, That in the administration of this Act prior to June 30, 1942, preference will be given

Restriction on acquisition of additional lands after June 30, 1942.

Requirement of State legislation.

Proviso.
Preference.

to States applying for cooperation hereunder which provide by law for such reversion of title under tax delinquency laws.

Employment of State forester; qualifications.

(b) In order to insure a stable and efficient organization for the development and administration of the lands acquired under this Act, the State shall provide for the employment of a State forester, who shall be a trained forester of recognized standing.

Plan defining State forest areas.

(c) The Secretary of Agriculture and the appropriate authorities of each cooperating State shall work out a mutually satisfactory plan defining forest areas within the State which can be most effectively and economically administered by said State, which plan shall constitute a part of the cooperative agreement between the United States and the State concerned: *Provided*, That nothing herein shall be held to prevent the Secretary of Agriculture from later agreeing with the proper State authorities to desirable modifications in such plan.

Proviso. Modifications.

Approval of proposed acquisitions by National Forest Reservation Commission. Vol. 36, p. 962; U. S. C., p. 665.

(d) No payment of Federal funds shall be made for land selected for purchase by the United States under this Act until such proposed purchase has been submitted to and approved by the National Forest Reservation Commission created by section 4 of the Act approved March 1, 1911 (36 Stat. 9661;[1] U. S. C., title 16, sec. 513).

Payment of taxes due on lands acquired under donation.

(e) Subject to the approval of the National Forest Reservation Commission, the Secretary of Agriculture is authorized to pay out of any available money appropriated for carrying out the purposes of this Act any State, county, and/or town taxes, exclusive of penalties, due or accrued on any forest lands acquired by the United States under donations from the owners thereof and which lands are to be included in a State or other public forest pursuant to this Act.

Preparation and application of standards of forest administration.

(f) The State shall prepare such standards of forest administration, development, and management as are necessary to insure maximum feasible utility for timber production and watershed protection, and are acceptable to the Secretary of Agriculture and shall apply the same to lands acquired and placed under the jurisdiction of the State pursuant to this Act.

Payment of future administration costs.

(g) That with the exception of such Federal expenditures as may be made for unemployment relief, the State shall pay without assistance from the Federal Government the entire future cost of administering, developing, and managing all forest lands acquired and over which it has been given jurisdiction under this Act.

Division of gross proceeds from lands covered by agreement.

(h) During the period any cooperative agreement made under this Act remains in force, one-half of the gross proceeds from all lands covered by said agreement and to which the United States holds title shall be paid by the State to the United States and covered into the Treasury. All such payments shall be credited to the purchase price the State is to pay the United States for said land, such purchase price to be an amount equal to the total sum expended by the United States in acquiring said lands. Upon payments of the full purchase price, either as herein provided or otherwise, title to said lands shall be transferred from the Federal Government to the State, and the Secretary of Agriculture is authorized to take such action and incur such expenditures, as may be necessary to effectuate such transfer.

Credit of payments.

Transfer of title upon payment of full purchase price.

Termination of agreement.

(i) Upon the request of the State concerned, any agreement made pursuant to this Act may be terminated by the Secretary of Agriculture. The Secretary of Agriculture may, with the consent and approval of the National Forest Reservation Commission, after due notice given the State and an opportunity for hearing by said Commission, terminate any such agreement for violations of its terms and/or the provisions of this Act. If such agreement is terminated,

Reimbursements.

[1] So in original.

the United States shall reimburse the State for so much of the State funds as have been expended in the administration, development, and management of the lands involved as the Secretary of Agriculture may decide to be fair and equitable.

(j) The State shall furnish the Secretary of Agriculture with such annual, periodic, or special reports as he may require respecting the State's operations under its agreement with him. Reports.

(k) When a State or political unit thereof acquires under tax delinquency laws title to forest lands without cost to the United States and which lands are included within a State or other public forest, the Secretary of Agriculture, on behalf of the Federal Government, may contribute annually out of any funds made available under this Act not to exceed one-half the cost of administering, developing, and managing said lands. Contributions.

SEC. 3. For the purposes of this Act, there is hereby authorized to be appropriated, a sum or sums out of any money in the Treasury not otherwise appropriated, not to exceed $5,000,000, as Congress may from time to time appropriate. Appropriation authorized.

Approved, August 29, 1935.

[CHAPTER 809.]

AN ACT

August 29, 1935.
[H. R. 7858.]
[Public, No. 396.]

To amend an Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subdivision (1) of subsection (e) of section 77B of the Act of July 1, 1898, entitled "An Act to establish a uniform system of bankruptcy throughout the United States", as amended, be, and is hereby, amended to read as follows: Bankruptcy Act of 1898; amendment. Vol. 48, p. 912. Corporate reorganizations.

"(e) (1) A plan of reorganization shall not be confirmed until it has been accepted in writing, whether before or after the filing of the petition or answer under this section, and such acceptance shall have been filed in the proceeding by or on behalf of creditors holding two-thirds in amount of the claims of each class whose claims have been allowed and would be affected by the plan and by or on behalf of stockholders of the debtor holding a majority of the stock of each class: *Provided, however*, That such acceptance shall not be requisite to the confirmation of the plan by any creditor or class of creditors, (a) whose claims are not affected by the plan, or (b) if the plan makes provision for the payment of their claims in cash in full, or (c) if provision is made in the plan for the protection of the interests, claims, or liens of such creditor or class of creditors in the manner provided in subdivision (b), clause (5), of this section: *And provided further*, That such acceptance shall not be requisite to the confirmation of the plan by any stockholder or class of stockholders (1) if the judge shall have determined either that the debtor is insolvent, or that the interests of such stockholder or stockholders will not be affected by the plan, or (2) if provision is made in the plan for the protection of the interests of such stockholder or class of stockholders in the manner provided in subdivision (b), clause (4), of this section. With such acceptance there shall be set forth, verified in such manner as the judge shall require, what, if any, contracts of the debtor are executory in whole or in part, and what unexpired leases have been rejected and surrendered. With such acceptance there shall be filed a statement, verified in such manner as the judge shall require, showing what, if any, claims and

Plan of reorganization; acceptance and confirmation.

Provisos.
Classes of creditors whose acceptance not requisite.

Classes of stockholders, etc.

Debtor's contracts and leases.

Statement of claims and shares of stock transferred by persons accepting plan.

shares of stock have been purchased or transferred by those accepting the plan after the commencement or in contemplation of the proceeding, and the circumstances of such purchase or transfer: *Provided, however*, That if the judge is satisfied that by reason of the number of securities outstanding and the extent of the public dealing therein the preparation of such a statement would be impractical, he may direct that it be not filed. If the United States of America is a creditor or stockholder, the interests or claims thereof shall be deemed to be affected by the plan, and the Secretary of the Treasury is hereby authorized to accept or reject a plan in respect of the interests or claims of the United States. If, in any reorganization proceeding under this section, the United States is a creditor on claims for taxes or customs duties (whether or not the United States has any other interest in, or claim against, the debtor, as creditor or stockholder), no plan which does not provide for the payment thereof shall be confirmed by the judge except upon the acceptance of a lesser amount by the Secretary of the Treasury certified to the court: *Provided*, That if the Secretary of the Treasury shall fail to accept or reject a plan for more than ninety days after receipt of written notice so to do from the court to which the plan has been proposed, accompanied by a certified copy of the plan, his consent shall be conclusively presumed.

Waiver of filing when statement deemed impractical.

United States as a creditor.

Authority to accept or reject plan.

Proviso.
Presumption of approval.

Approved, August 29, 1935.

[CHAPTER 810.]

August 29, 1935.
[H. R. 7974.]
[Public, No. 397.]

AN ACT

To withdraw and restore to their previous status under the control of the Territory of Hawaii certain Hawaiian homes lands now in use as an airplane landing field.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of section 203 of title 2 of the Act entitled "Hawaiian Homes Commission Act, 1920", approved July 9, 1921 (42 Stat. 108), as designates the land hereinafter described as "available lands" within the meaning of that Act, is hereby repealed and the land restored to its previous status under the control of the Territory of Hawaii.

Hawaiian Homes Commission Act, 1920.
Vol. 42, p. 109; U. S. C., p. 2157.

Restoration of certain lands to previous status.

On the Island of Molokai.

On the Island of Molokai: Those portions of Hoolehua, apana 2, and Palaau, apana 2, comprising the Molokai airplane landing field as set aside for public purposes by Executive Order Numbered 307 of the Governor of the Territory of Hawaii, dated December 15, 1927, consisting of two hundred four and nine-tenths acres, more or less, and particularly described as follows:

Description.

Beginning at a point on the southeast corner of the said land, from which the azimuth (measured clockwise from true south) and distance to United States Coast and Geodetic Survey Triangulation Station Middle Hill (Kaulapuu) is two hundred and seventy-two degrees twenty-three minutes thirty-nine seconds, twelve thousand seven hundred twenty and nine-tenths feet, thence from said point of beginning by metes and bounds; eighty-five degrees ten minutes thirty seconds, three thousand four hundred and twenty-seven feet; one hundred and eighty degrees fifty-six minutes thirty seconds, two thousand six hundred thirty and two-tenths feet; two hundred and seventy-nine degrees fifty-five minutes thirty seconds, four thousand nine hundred seven and three-tenths feet; three hundred and forty-six degrees twenty minutes, three hundred forty-two and three-tenths feet near west edge of Kakainapahao Gulch; three degrees twenty-six minutes, four hundred twenty-seven and one-tenth feet; eighty-three degrees twenty-four minutes, one thousand

four hundred sixty-eight and two-tenths feet; five degrees fifty-eight minutes, five hundred seventy-one and three-tenths feet to the point of beginning.

SEC. 2. This Act shall take effect upon its approval. Effective date.

Approved, August 29, 1935.

[CHAPTER 811.]

AN ACT

August 29, 1935.
[H. R. 8444.]
[Public, No. 398.]

To authorize the transfer of a certain military reservation to the Department of the Interior.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to transfer to the Department of the Interior the mansion site and such portions of the grounds of Belvoir, part of the estate of Lord Fairfax, located within the Belvoir Military Reservation, Virginia, as may be necessary for the restoration and operation of the historic home and grounds for the benefit and inspiration of the people: *Provided*, That upon cessation of such use the premises so transferred shall revert to the jurisdiction of the War Department: *Provided, however*, That nothing in this Act shall be construed as authorizing the transfer of any part of the said reservation which, in the judgment of the Secretary of War, is needed for the proper development, control, or use of the reservation for military purposes: *Provided further*, That upon cessation of such use the premises so transferred shall revert to the jurisdiction of the War Department: *And provided further*, That the transfer authorized by this Act shall not require discontinuance of the operation of the Fort Belvoir Fish Cultural Station, however, its removal and establishment elsewhere on the Belvoir Military Reservation, Virginia, as may be agreed upon by the Secretary of Commerce and the Secretary of War, is hereby authorized.

Belvoir Military Reservation, Va.
Transfer of part of Lord Fairfax estate authorized.

Provisos.
Reverter provision.
Restriction.
Reverter provision.
Fish cultural station.

Approved, August 29, 1935.

[CHAPTER 812.]

AN ACT

August 29, 1935.
[H. R. 8651.]
[Public, No. 399.]

To establish a retirement system for employees of carriers subject to the Interstate Commerce Act, and for other purposes.

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

Railroad Retirement Act of 1935.
Vol. 48, p. 1283.

DEFINITIONS

Definitions.

SECTION 1. For the purposes of this Act—

(a) The term "carrier" means any express company, sleeping-car company, or carrier by railroad, subject to the Interstate Commerce Act, and any company which may be directly or indirectly owned or controlled thereby or under common control therewith, and which operates any equipment or facilities or performs any service (other than trucking service) in connection with the transportation of passengers or property by railroad, or the receipt, delivery, elevation, transfer in transit, refrigeration or icing, storage, or handling of property transported by railroad, and any receiver, trustee, or other individual or body, judicial or otherwise, when in the possession of and operating the business of any such "carrier": *Provided, however*, That the term "carrier" shall not include any street, interurban, or suburban electric railway, unless such railway is operating as a part of a general steam-railroad system of transportation, but

"Carrier."

Proviso.
Street, interurban, or suburban electric railway.

shall not exclude any part of the general steam-railroad system of transportation now or hereafter operated by any other motive power. The Interstate Commerce Commission is hereby authorized and directed upon request of the Board or upon complaint of any party interested to determine after hearing whether any line operated by electric power falls within the terms of this proviso.

"Employee." (b) The term "employee" means any person (1) who shall be at the enactment hereof or shall have been at any time after the enactment hereof in the service of a carrier, or who shall be at the enactment hereof or shall have been at any time after the enactment hereof in the employment relation to a carrier, and (2) each officer or other official representative of an "employee organization", herein called "representative" who before or after the enactment hereof has performed service for a carrier, who at the enactment hereof or at any time after the enactment is or shall be duly designated and authorized to represent employees in accordance with the Railway Labor Act, and who, during, or immediately following employment by a carrier, is, shall be, or shall have been engaged in such representative service in behalf of such employees.

Persons deemed in service of carrier. (c) A person shall be deemed to be in the service of a carrier whenever he may be subject to its continuing authority to supervise and direct the manner of rendition of his service, for which service he receives compensation.

Persons in employment relation. (d) A person is in the employment relation to a carrier when furloughed or on leave of absence, and subject to call for service and ready and willing to serve, all in accordance with the established rules and practices usually in effect on railroads.

"Service period." (e) The term "service period" means the total service of a person for one or more carriers whether or not continuously performed either before or after the effective date, and includes as one month every calendar month during which such person has rendered service to a carrier for compensation and includes as one year every twelve such months. An ultimate fraction of six months or more shall be computed as one year.

"Annuity." (f) The term "annuity" means a fixed sum payable at the beginning of each month during retirement, ceasing at death except as otherwise provided in section 5 hereof or at resumption of service for which an employee receives compensation.

"Compensation." (g) The term "compensation" means any form of money remuneration for service, received by an employee from a carrier, including salaries and commissions, but shall not include free transportation nor any payment received on account of sickness, disability, pensions, or other form of relief.

"Retirement." (h) The term "retirement" means the status of cessation of compensated service with the right to receive an annuity.

"Age." (i) The term "age" means age at the latest attained birthday.

"Board." (j) The term "Board" means the Railroad Retirement Board.

"Effective date." (k) The term "effective date" means the 1st day of March 1936.

"Enactment." (l) The term "enactment" means the date on which this Act shall become a law.

Retirement.

RETIREMENT

Annuity of employee continued in service after attaining age of sixty-five. SEC. 2. Upon the attainment of sixty-five years of age and continuance in service by the employee (but not before the effective date of this Act), the annuity of such employee shall be reduced one-fifteenth for every year of such continued service beyond the age of sixty-five years; except that such reduction shall not apply during any period, beginning at the age of sixty-five and not extending beyond the age of seventy, while the employee is continued in employment under an agreement in writing between the carrier and

Exception.

employee filed with the Board, which agreement may provide for extension of employment for one year and thereafter in like manner for successive periods of one year each. Such reduction of annuity shall not apply to an employee who occupies an official position in the service of a carrier or to employees' representatives.

Employees in official positions.

ANNUITIES

Annuities.

SEC. 3. The following-described employees, after retirement whether or not then in the service of a carrier, shall be paid annuities:

Classes of persons to whom paid. *Post*, p. 1178.

(a) A person (without regard to the period of service and whether rendered before or after the enactment hereof), who either at the enactment hereof or thereafter shall be sixty-five years of age or over.

When attaining sixty-five years.

(b) A person who either at the enactment hereof or who thereafter shall be fifty years of age or over and who shall have completed a service period of thirty years. An annuity paid under this subdivision shall be reduced by one-fifteenth of such annuity for each year such employee may be less than sixty-five years of age at the time of the first annuity payment.

When attaining fifty years and completing thirty years' service. Reduction.

(c) A person who either before or after the enactment shall have completed a service period of thirty years and who shall be after the enactment hereof retired by the carrier on account of mental or physical disability. An annuity paid under this subdivision shall not be subject to the deduction specified in subdivision (b) of this section.

When having completed thirty years' service and retired because of mental or physical disability. No reduction.

The annuities hereinbefore mentioned shall be paid out of any money in the Treasury which may be appropriated for that purpose. An annuity shall begin as of a date to be specified in a written application to be signed by the employee entitled thereto, and approved by the Board, which date shall not be more than sixty days before the filing of the application, nor before the date on which the first annuity shall have become due and payable. An annuity shall not be due and payable until ninety days after the effective date hereof. The annuity shall be payable on the 1st day of the month during the lifetime of the annuitant. Such annuity shall be based upon the service period of the employee and shall be the sum of the amounts determined by multiplying the total number of years of service not exceeding thirty years by the following percentages of the monthly compensation: 2 per centum of the first $50; 1½ per centum of the next $100; and 1 per centum of the compensation in excess of $150. The "monthly compensation" shall be the average of the monthly compensation paid to the employee by the carrier, except that where applicable for service before the effective date the monthly compensation shall be the average of the monthly compensation for all pay-roll periods for which the employee shall have received compensation from any carrier out of eight consecutive calendar years of such services ended December 31, 1931. No part of any monthly compensation in excess of $300 shall be recognized in determining any annuity. Any employee who shall be entitled to an annuity with a commuted value determined by the Board of less than $300 shall be paid such value in a lump sum.

Payment.

Date annuity to begin.

Monthly payments.

Computation of amounts.

"Monthly compensation" construed.

Restriction.

Lump sum payments.

ANNUITIES TO REPRESENTATIVES

Annuities to representatives.

SEC. 4. The annuity of a representative shall be determined according to such rules and regulations as the Board shall deem just and reasonable and, as near as may be, shall be the same annuity as if the representative were still in the employ of his last former carrier.

Determination of.

Payments upon death.

PAYMENTS UPON DEATH

Amount to widow or next of kin.

SEC. 5. If a person receiving or entitled to receive an annuity shall die, the Board, for one year after the first day of the month in which the death may have occurred, shall pay, as herein provided, an annuity equal to one-half of the annuity which such person so dying may have received or may have been entitled to receive, to the widow or widower of the deceased, or if there be no widow or widower, to the dependent next of kin of the deceased. Any employee may elect, on making application for an annuity, to have the present value of the annuity apply to the payment of a reduced annuity to the employee during life and an annuity during the life of a surviving spouse. The present values and amounts of the annuity payments shall be determined on the basis of the combined annuity tables with interest at 3 per centum per annum.

Election of employee respecting payments.

Determination of present values and amounts.

Retirement Board.

RETIREMENT BOARD

Personnel.

PERSONNEL

Establishment of Board.

Post, pp. 1112, 1178, 1603.

Appointment; number.

Terms of office.

Vacancies.

SEC. 6. (a) There is hereby established as an independent agency in the executive branch of the Government a Railroad Retirement Board, to be composed of three members appointed by the President, by and with the advice and consent of the Senate. Each member shall hold office for a term of five years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of the term and the terms of office of the members first taking office after the date of enactment of this Act shall expire, as designated by the President, one at the end of two years, one at the end of three years, and one at the end of four years, after the date of enactment of this Act. One member shall be appointed from recommendations made by representatives of the employees and one member shall be appointed from recommendations made by representatives of the carriers, in both cases as the President shall direct, so as to provide representation on the Board satisfactory to the largest number, respectively, of employees and carriers concerned. One member, who shall be the chairman of the Board, shall be appointed initially, for a term of two years without recommendation by either carriers or employees and shall not be in the employment of or be pecuniarily or otherwise interested in any carrier or organization of employees. Vacancies in the Board shall not impair the powers nor affect the duties of the Board nor of the remaining members of the Board of whom a majority of those in office shall constitute a quorum for the transaction of business. Each of said members shall receive a salary of $10,000 per year, together with necessary traveling expenses and subsistence expenses, or per diem allowance in lieu thereof, while away from the principal office of the Board on duties required by this Act.

Representation of employees and carriers on Board.

Chairman; term of office; qualifications.

Effect of vacancies on Board.

Compensation of members.

Duties.

DUTIES

Duties and powers of Board; enforcement of Act.

(b) The Board shall have and exercise all the duties and powers necessary to administer this Act. The Board shall take such steps as may be necessary to enforce this Act and make and certify awards and payments.

Certification of names, etc., of persons entitled to annuity.

The Board shall from time to time certify to the Secretary of the Treasury the name and address of each person entitled to receive a payment under this Act, the amount of such payment, and the time at which it should be made, and the Secretary of the Treasury through the Division of Disbursement of the Treasury Department,

and prior to audit or settlement by the General Accounting Office, shall make payment in accordance with the certification by the Board.

Payments.

The Board shall establish and promulgate rules and regulations and provide for the adjustment of all controversial matters, with power as a Board or through any member or subordinate designated thereof, to require and compel the attendance of witnesses, administer oaths, take testimony, and make all necessary investigations in any matter involving annuities or other payments, and shall maintain such offices, provide such equipment, furnishings, supplies, services, and facilities, and employ such persons and provide for their compensation and expenses, as may be necessary to the proper discharge of its functions. All rules, regulations, or decisions of the Board shall require the approval of at least two members and shall be entered upon the records of the Board which shall be a public record. The Board shall gather, keep, compile, and publish in convenient form such records and data as may be necessary, and at intervals of not more than two years shall cause to be made actuarial surveys and analyses, to determine from time to time the payments to be required to provide for all annuities, other disbursements, and expenses, and to assure proper administration and the adequacy and permanency of the retirement system hereby established. The Board shall have power to require all carriers and employees and any officer, board, commission, or other agency of the United States to furnish such information and records as shall be necessary for the administration of this Act. The Board shall make an annual report to the President of the United States to be submitted to Congress. Witnesses summoned before the Board shall be paid the same fees and mileage that are paid witnesses in the courts of the United States.

Rules and regulations.

Approval required.

Compilation and publication of records and data.

Actuarial surveys and analyses.

Authority of Board to compel furnishing of information.

Annual report.

Witness fees.

Special report.

SPECIAL REPORT

SEC. 7. Not later than four years from the effective date, the Board, in a special report to the President of the United States to be submitted to Congress, shall make specific recommendations for such changes in the retirement system hereby created as shall assure the adequacy of said retirement system on the basis of its experience and all information and experience then available. For this purpose the Board shall from time to time make such investigations and actuarial studies as shall provide the fullest information practicable for such report and recommendations. The Board shall in a like special report to be made at the earliest practicable time, make specific recommendations with regard to the desirability and practicability of substituting the provisions for annuities and other benefits to employees under this Act for any obligation for prior service or for any existing provisions for the voluntary payment of pensions to employees subject to this Act by a carrier or any employees subject to this Act, so as to relieve such carrier from its obligations for age retirement benefits under its existing pension systems and transfer such obligations to the retirement system herein established.

Recommendations; time of making.

Investigations.

Report on existing pension systems.

It is recognized that existing individual carrier pension plans are wholly at the option of the carriers unless in any case express provision is made otherwise, and no restriction is imposed under this Act upon such plans; nor is it expected that carriers will modify existing pension plans on account of this Act beyond a reduction of current pension payments under such existing plans in amounts equal to the annuity payments currently received by the employee under this Act.

Effect of provisions hereof on existing plans.

Investigation Commission.

INVESTIGATION COMMISSION

Appointment; composition.

SEC. 8. (a) That a commission be appointed which shall be composed of three Members of the Senate designated by the President of the Senate; three Members of the House of Representatives designated by the Speaker of the House of Representatives; and three members who shall be designated by the President of the United States. The President shall designate one member to be chairman and another to be vice chairman of the Commission. The Commission is hereby authorized and directed to make, and report through the President to the Congress of the United States not later than January 1, 1936, the results of, a thorough investigation of all pertinent facts relating to a retirement annuity system applicable by law to carriers by railroad engaged in interstate commerce and particularly any and all questions for the investigation of which provision is made under the preceding section. The Commission is also authorized to hold hearings respecting desirable provisions of a sound retirement and annuity system. In the making of such investigation the Commission may consider the experience of other industries and of governments, as well as of the railroad industry, and may avail itself of the assistance of all agencies of the Federal Government. Until January 1, 1936, the duties and authority of the Board under the preceding section are limited to cooperation with and action under the direction of the Commission. With its report setting forth the results of its investigation, the Commission shall include such recommendations for legislation, if any, as it may deem necessary to give effect to its conclusions.

Chairman.

Investigations and report.

Hearings.

Assistance of Federal agencies, etc.

Recommendations.

Powers of Commission.

(b) The Commission, in the performance of its duties, is authorized to sit and act at such times and places either in the District of Columbia or elsewhere during the sessions, recesses, and adjourned periods of the Seventy-fourth Congress, to require by subpena or otherwise the attendance of such witnesses and the production and impounding of such books, papers, records, files, and documents, to have access to such books, papers, records, files, and documents of any corporation or person, to administer such oaths and to take such testimony and to make such expenditures, as it may deem advisable. The several district courts of the United States and the Supreme Court of the District of Columbia shall have jurisdiction upon application by the Commission through its attorneys to compel obedience to any order or subpena of the Commission issued pursuant to this section. The orders, writs, and processes of the Supreme Court of the District of Columbia in such matters may run and be served anywhere in the United States.

Compliance with Commission's orders, etc.

Service of court orders, writs, and processes.

Administrative provisions.

Personnel; appointment, compensation.
U. S. C., pp. 81, 85.

(c) The Commission shall maintain such offices, provide such equipment, furnishings, supplies, services, and facilities, and to employ, without regard to the provisions of the Civil Service Act such experts and clerical, stenographic, legal, and other assistance as may be necessary for the proper discharge of its duties, and without respect to the provisions of the Classification Act of 1923, as amended, fix the compensation of any person employed. The President shall fix the compensation to be paid the three members of the Commission to be appointed by the President. All expenses of the Commission for all time in which the Commission shall be actually engaged in this investigation shall be paid out of any funds in the Treasury of the United States, not otherwise appropriated, on a certificate of the chairman of the Commission, and the sum necessary for carrying out the provisions of this resolution is hereby authorized to be appropriated: *Provided*, That the total expense authorized for the purposes of the Commission shall not exceed

Compensation of members of Commission.

Expenses.

Appropriation authorized.
Post, p. 1113.

Proviso.
Total amount.

the sum of $60,000 which shall include the compensation herein authorized.

COURT JURISDICTION

Court jurisdiction.

SEC. 9. The several District Courts of the United States and the Supreme Court of the District of Columbia, respectively, shall have jurisdiction to entertain an application and to grant appropriate relief in the following cases which may arise under the provisions of this Act:

Nature of cases in which application may be entertained and relief granted.

(a) An application by an employee or other person aggrieved in or to the district court of any district wherein the Board may have established an office, to compel the Board to set aside an action or decision claimed to be in violation of a legally enforceable right of the applicant, or to take action, or to make a decision necessary for the enforcement of a legal right of the applicant.

(b) The jurisdiction herein specifically conferred upon the said Federal courts shall not be held exclusive of any jurisdiction otherwise possessed by said courts to entertain actions at law or suits in equity in aid of the enforcement of rights or obligations arising under the provisions of this Act.

(c) The Railroad Retirement Board, as hereinbefore established, shall be and constitute a body corporate and be capable of suing and being sued as such.

EXEMPTION

Exemption.

SEC. 10. No annuity payment shall be assignable or be subject to any tax or to garnishment, attachment, or other legal process under any circumstances whatsoever, nor shall the payment thereof be anticipated.

Annuity payment.

PENALTIES

Penalties.

SEC. 11. Any officer or agent of a carrier, as the word "carrier" is hereinbefore defined, or any employee as such word is hereinbefore defined, or any person whether or not of the character hereinbefore defined, who shall willfully fail or refuse to make any report or furnish any information required by the Board in the administration of this Act, or who shall knowingly make any false or fraudulent statement or report in response to any report or statement required to be made for the purpose of this Act, or who shall knowingly make or aid in making any false or fraudulent statement or claim for the purpose of receiving any award or payment under this Act, shall be punished by a fine of not less than $100 nor more than $10,000 or by imprisonment not exceeding one year.

Failure to make report or furnish information.

Making false statement or claim.

Punishment.

SEPARABILITY

Separability provision.

SEC. 12. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act or application of such provision to other persons or circumstances shall not be affected thereby.

APPROPRIATION AUTHORIZED

Appropriation authorized.

SEC. 13. The appropriation of such money from time to time out of the Treasury of the United States as may be necessary to carry this Act into effect, is hereby authorized.

SHORT TITLE

Short title.

SEC. 14. This Act may be cited as the "Railroad Retirement Act of 1935".

"Employment", as defined in Social Security Act. *Ante*, p. 625.

SEC. 15. The term "employment", as defined in subsection (b) of section 210 of Title II of the Social Security Act, shall not include service performed in the employ of a carrier as defined in subdivision (a) of section 1 of the Railroad Retirement Act of 1935.

Approved, August 29, 1935.

[CHAPTER 813.]

August 29, 1935.
[H. R. 8652.]
[Public, No. 400.]

AN ACT

To levy an excise tax upon carriers and an income tax upon their employees, and for other purposes.

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

Definitions.

DEFINITIONS

SECTION 1. That as used in this Act—

"Carrier."

(a) The term "carrier" means any express company, sleeping-car company, or carrier by railroad, subject to the Interstate Commerce Act, and any company which may be directly or indirectly owned or controlled thereby or under common control therewith, and which operates any equipment or facilities or performs any service (other than trucking service) in connection with the transportation of passengers or property by railroad, or the receipt, delivery, elevation, transfer in transit, refrigeration or icing, storage, or handling of property transported by railroad, and any receiver, trustee, or other individual or body, judicial or otherwise, when in the possession of and operating the business of any such "carrier": *Provided, however*, That the term "carrier" shall not include any street, interurban, or suburban electric railway, unless such railway is operating as a part of a general steam-railroad system of transportation, but shall not exclude any part of the general steam-railroad system of transportation now or hereafter operated by any other motive power. The Interstate Commerce Commission is hereby authorized and directed upon request of the Commissioner of Internal Revenue or upon complaint of any party interested to determine after hearing whether any line operated by electric power falls within the terms of this proviso.

Proviso. Street, interurban, or suburban electric railway.

"Employee."

(b) The term "employee" means (1) each person who at or after the enactment hereof is in the service of a carrier, and (2) each officer or other official representative of an "employee organization", herein called "representative", who before or after the effective date has performed service for a carrier, who is duly designated and authorized to represent employees under and in accordance with the Railway Labor Act, and who, during, or immediately following employment by a carrier, was or is engaged in such representative service in behalf of such employees.

Persons deemed in service of carrier.

(c) A person shall be deemed to be in the service of a carrier whenever he may be subject to its continuing authority to supervise and direct the manner of rendition of his service, for which service he receives compensation.

"Compensation."

(d) The term "compensation" means any form of money remuneration for active service, received by an employee from a carrier, including salaries and commissions, but shall not include free transportation nor any payment received on account of sickness, disability, or other form of personal relief.

"Effective date."

(e) The term "effective date" means March 1, 1936.

"Enactment."

(f) The term "enactment" means the date on which this Act may be approved by the President or be finally passed.

INCOME TAX ON EMPLOYEES

Income tax on employees.

Imposition.

SEC. 2. In addition to other taxes, there shall be levied, collected, and paid upon the income of every employee, 3½ per centum of the compensation of such employee (except a representative) not in excess of $300 per month, received by him after the effective date.

DEDUCTION OF TAX FROM WAGES

Deduction of tax from wages.

Duty of employer.

SEC. 3. (a) The tax imposed by section 2 of this Act shall be collected by the employer of the taxpayer, by deducting the amount of the tax from the compensation of the employee as and when paid. Every employer required so to deduct the tax is hereby made liable for the payment of such tax and is hereby indemnified against the claims and demands of any person for the amount of any such payment made by such employer.

Liability for payment.

Adjustment of tax authorized.

(b) If more or less than the correct amount of tax imposed by section 2 is paid with respect to any compensation payment, then, under regulations made under this Act by the Commissioner of Internal Revenue, proper adjustments, with respect both to the tax and the amount to be deducted, shall be made, without interest, in connection with subsequent wage payments to the same employee by the same employer.

EXCISE TAX ON CARRIERS

Excise tax on carriers.

Imposition.

SEC. 4. In addition to other taxes, every carrier shall pay an excise tax of 3½ per centum of the compensation not in excess of $300 per month paid by it to its employees after the effective date.

ADJUSTMENT OF TAX

Adjustment of tax authorized.

SEC. 5. If more or less than the correct amount of the tax imposed by section 4 is paid, with respect to any compensation payment, then, under regulations made by the Commissioner of Internal Revenue, proper adjustments with respect to the tax shall be made, without interest, in connection with subsequent excise-tax payments made by the same employer.

REFUNDS AND DEFICIENCIES

Refunds and deficiencies.

Rules and regulations governing.

SEC. 6. If more or less than the correct amount of the tax imposed by sections 2 or 4 of this Act is paid or deducted with respect to any compensation payment and the overpayment or underpayment of the tax cannot be adjusted under sections 3 or 5, the amount of the overpayment shall be refunded, or the amount of the underpayment shall be collected in such manner and at such times (subject to the statute of limitations properly applicable thereto) as may be prescribed by regulations under this Act as made by the Commissioner of Internal Revenue.

INCOME TAX ON EMPLOYEES' REPRESENTATIVE

Income tax on employees' representative.

Imposition.

SEC. 7. In addition to other taxes, there shall be levied, collected, and paid upon the compensation of each employees' representative received by such representative an income tax of 7 per centum annually upon that portion of the compensation of such employees' representative not in excess of $300 per month. The compensation of a representative for the purpose of ascertaining the tax thereon shall be determined according to such rules and regulations as the Commissioner of Internal Revenue shall deem just and reasonable and as near as may be shall be the same compensation as if the representative were still in the employ of the last former carrier.

Determination of compensation.

Collection and payment of taxes.

COLLECTION AND PAYMENT OF TAXES

Duty of Commissioner of Internal Revenue.

Interest charge on payments in default.

SEC. 8. (a) The taxes imposed by this Act shall be collected by the Commissioner of Internal Revenue and shall be paid into the Treasury of the United States as internal-revenue receipts. If the taxes are not paid when due, there shall be added as part of the tax (except in the case of adjustments made in accord with the provisions of this Act) interest at the rate of 6 per centum per annum, or for any part of a month, from the date the tax became due until paid.

Rules and regulations.

(b) Such taxes shall be collected and paid quarterly in such manner and under such conditions not inconsistent with this Act as may be prescribed by the Commissioner of Internal Revenue.

Provisions of law applicable.
Vol. 44, pp. 93, 99; Vol. 48, p. 768.
U. S. C., pp. 1107, 1133, 1134.

(c) All provisions of law, including penalties, applicable with respect to any tax imposed by section 600 or section 800 of the Revenue Act of 1926, and the provisions of section 607 of the Revenue Act of 1934, insofar as applicable and not inconsistent with the provisions of this Act, shall be applicable with respect to the taxes imposed by this Act.

Fractional part of cent.

(d) In the payment of any tax under this Act a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to 1 cent.

Court jurisdiction.

COURT JURISDICTION

Nature of cases in which application may be entertained and relief granted.

SEC. 9. The several Districts [1] Courts of the United States and the Supreme Court of the District of Columbia, respectively, shall have jurisdiction to entertain an application and to grant appropriate relief in the following cases which may arise under the provisions of this Act:

(a) An application by the Commissioner of Internal Revenue to compel an employee or other person residing within the jurisdiction of said court or a carrier subject to service of process within said jurisdiction, to comply with any obligations imposed on said employee, other person, or carrier under the provisions of this Act.

(b) The jurisdiction herein specifically conferred upon the said Federal courts shall not be held exclusive of any jurisdiction otherwise possessed by said courts to entertain actions at law or suits in equity in aid of the enforcement of rights or obligations arising under the provisions of this Act.

Penalties.

PENALTIES

Failure to make required report.

Fraudulent statements.

Punishment.

SEC. 10. Any person or any carrier which shall willfully fail or refuse to make any report in accordance with this Act required by the Commissioner of Internal Revenue in the administration of this Act, or which shall knowingly make any false or fraudulent statement or report in response to any report or statement required by this Act shall be punished on conviction by a fine of not less than $100 nor more than $10,000.

SOCIAL SECURITY ACT

"Employment", as defined in Social Security Act.
Ante, p. 639.

SEC. 11. The term "employment", as defined in subsection (b) of section 811 of Title VIII of the Social Security Act, shall not include service performed in the employ of a carrier as defined in subdivision (a) of section 1 of this Act.

Termination of taxes.

TERMINATION OF TAXES

SEC. 12. The taxes imposed by this Act shall not apply to any compensation received or paid after February 28, 1937.

[1] So in original.

SEPARABILITY

Separability provision.

SEC. 13. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances shall not be affected thereby.

Approved, August 29, 1935, 3 p. m.

[CHAPTER 814.]

AN ACT

August 29, 1935.
[H. R. 8870.]
[Public, No. 401.]

To further protect the revenue derived from distilled spirits, wine, and malt beverages, to regulate interstate and foreign commerce and enforce the postal laws with respect thereto, to enforce the twenty-first amendment, and for other purposes.

Federal Alcohol Administration Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the " Federal Alcohol Administration Act."

Federal Alcohol Administration.

FEDERAL ALCOHOL ADMINISTRATION

Division established.
Post, pp. 1964, 1965.

SEC. 2. (a) There is hereby created the Federal Alcohol Administration as a division in the Treasury Department.

Organization.
Administrator; appointment, compensation.

(b) The Administration shall be headed by an Administrator, who shall be appointed by the President, by and with the advice and consent of the Senate. The Administrator shall for his services receive compensation at the rate of $10,000 per annum, together with actual and necessary traveling and subsistence expenses while engaged in the exercise of his powers and duties outside the District of Columbia. No person shall be eligible to appointment, or continue in office, as Administrator if he is engaged or financially interested in, or is an officer or director of or employed by a corporation engaged in, the production or sale or other distribution of alcoholic beverages, or the financing thereof.

Expenses.

Qualifications.

Personnel; appointment, compensation.

(c) The Administrator shall, without regard to the civil-service laws and the Classification Act of 1923, as amended, appoint and fix the compensation and duties of such officers and employees as he deems necessary to carry out his powers and duties, but the compensation so fixed shall be subject to the approval of the Secretary of the Treasury. The Administrator is authorized to adopt an official seal, which shall be judicially noticed.

Official seal.

Rules and regulations.

Approval of.

(d) The Administrator is authorized and directed to prescribe such rules and regulations as may be necessary to carry out his powers and duties. All rules and regulations prescribed by the Administrator shall be subject to the approval of the Secretary of the Treasury.

Appropriations.
Post, pp. 1125, 1834.

(e) Appropriations to carry out powers and duties of the Administrator shall be available for expenditure, among other purposes, for personal services and rent in the District of Columbia and elsewhere, expenses for travel and subsistence, for law books, books of reference, magazines, periodicals, and newspapers, for contract stenographic reporting services, for subscriptions for library services, for purchase of samples for analysis or use as evidence, and for holding conferences of State and Federal liquor control officials.

Cooperation of Executive departments and agencies.

(f) The Administrator may, with the consent of the department or agency affected, utilize the services of any department or other agency of the Government to the extent necessary to carry out his powers and duties and authorize officers and employees thereof to act as his agents.

Federal Trade Commission Act; applicability of.
Vol. 38, p. 722; U. S. C., p. 517.

(g) The provisions, including penalties, of sections 9 and 10 of the Federal Trade Commission Act, as now or hereafter amended, shall be applicable to the jurisdiction, powers, and duties of the Administrator, and to any person (whether or not a corporation) subject to the provisions of laws administered by the Administrator.

Reports to Administrator.

(h) The Administrator is authorized to require, in such manner and form as he shall prescribe, such reports as are necessary to carry out his powers and duties.

To Congress.

(i) The Administrator shall make a report to Congress, at the beginning of each regular session, of the administration of the functions with which he is charged, and shall include in such report the names and compensation of all persons employed by the Administration.

Unlawful businesses without permit.

UNLAWFUL BUSINESSES WITHOUT PERMIT

SEC. 3. In order effectively to regulate interstate and foreign commerce in distilled spirits, wine, and malt beverages, to enforce the twenty-first amendment, and to protect the revenue and enforce the postal laws with respect to distilled spirits, wine, and malt beverages:

(a) It shall be unlawful, except pursuant to a basic permit issued under this Act by the Administrator—

Importation of distilled spirits, wine, or malt beverages.

(1) to engage in the business of importing into the United States distilled spirits, wine, or malt beverages; or

Interstate or foreign sale or delivery.

(2) for any person so engaged to sell, offer or deliver for sale, contract to sell, or ship, in interstate or foreign commerce, directly or indirectly or through an affiliate, distilled spirits, wine, or malt beverages so imported.

Effective date of subsection.

This subsection shall take effect sixty days after the date upon which the Administrator first appointed under this Act takes office.

(b) It shall be unlawful, except pursuant to a basic permit issued under this Act by the Administrator—

Unlawful manufacture.

(1) to engage in the business of distilling distilled spirits, producing wine, rectifying or blending distilled spirits or wine, or bottling, or warehousing and bottling, distilled spirits; or

Interstate or foreign sale or delivery through affiliate.

(2) for any person so engaged to sell, offer or deliver for sale, contract to sell, or ship, in interstate or foreign commerce, directly or indirectly or through an affiliate, distilled spirits or wine so distilled, produced, rectified, blended, or bottled, or warehoused and bottled.

Effective date of subsection.

This subsection shall take effect sixty days after the date upon which the Administrator first appointed under this Act takes office.

(c) It shall be unlawful, except pursuant to a basic permit issued under this Act by the Administrator—

Unlawful purchasing for resale at wholesale.

(1) to engage in the business of purchasing for resale at wholesale distilled spirits, wine, or malt beverages; or

Interstate or foreign sale or delivery through affiliate.

(2) for any person so engaged to receive or to sell, offer or deliver for sale, contract to sell, or ship, in interstate or foreign commerce, directly or indirectly or through an affiliate, distilled spirits, wine, or malt beverages so purchased.

Effective date of subsection.

This subsection shall take effect March 1, 1936.

Post, p. 1152.
Section not applicable to State agency, etc.

This section shall not apply to any agency of a State or political subdivision thereof or any officer or employee of any such agency, and no such agency or officer or employee shall be required to obtain a basic permit under this Act.

Permits.

PERMITS

Persons entitled to basic permit.

SEC. 4. (a) The following persons shall, on application therefor, be entitled to a basic permit:

(1) Any person who, on May 25, 1935, held a basic permit as distiller, rectifier, wine producer, or importer issued by an agency of the Federal Government.

(2) Any other person unless the Administrator finds (A) that such person (or in case of a corporation, any of its officers, directors, or principal stockholders) has, within five years prior to date of application, been convicted of a felony under Federal or State law or has, within three years prior to date of application, been convicted of a misdemeanor under any Federal law relating to liquor, including the taxation thereof; or (B) that such person is, by reason of his business experience, financial standing, or trade connections, not likely to commence operations within a reasonable period or to maintain such operations in conformity with Federal law; or (C) that the operations proposed to be conducted by such person are in violation of the law of the State in which they are to be conducted.

Refusal to issue.

(b) If upon examination of any application for a basic permit the Administrator has reason to believe that the applicant is not entitled to such permit, he shall notify the applicant thereof and, upon request by the applicant, afford him due notice and opportunity for hearing on the application. If the Administrator, after affording such notice and opportunity for hearing, finds that the applicant is not entitled to a basic permit hereunder, he shall by order deny the application stating the findings which are the basis for his order.

Notification to applicant; hearing.

Applications for.

(c) The Administrator shall prescribe the manner and form of all applications for basic permits (including the facts to be set forth therein) and the form of all basic permits, and shall specify in any basic permit the authority conferred by the permit and the conditions thereof in accordance with the provisions of this Act. To the extent deemed necessary by the Administrator for the efficient administration of this Act, separate applications and permits shall be required by the Administrator with respect to distilled spirits, wine, and malt beverages, and the various classes thereof, and with respect to the various classes of persons entitled to permits hereunder. The issuance of a basic permit under this Act shall not operate to deprive the United States of its remedy for any violation of law.

Authority conferred by permit to be specified.

Separate applications and permits; requirement.

Issue conditioned upon compliance with specified provisions.

(d) A basic permit shall be conditioned upon compliance with the requirements of section 5 (relating to unfair competition and unlawful practices) and of section 6 (relating to bulk sales and bottling), with the twenty-first amendment and laws relating to the enforcement thereof, and with all other Federal laws relating to distilled spirits, wine, and malt beverages, including taxes with respect thereto.

Post, p. 981.
Vol. 48, p. 1749.

Revocation, suspension, or annulment of permits.

(e) A basic permit shall by order of the Administrator, after due notice and opportunity for hearing to the permittee, (1) be revoked, or suspended for such period as the Administrator deems appropriate, if the Administrator finds that the permittee has willfully violated any of the conditions thereof, provided that for a first violation of the conditions thereof the permit shall be subject to suspension only; or (2) be revoked if the Administrator finds that the permittee has not engaged in the operations authorized by the permit for a period of more than two years; or (3) be annulled if the Administrator finds that the permit was procured through fraud, or misrepresentation, or concealment of material fact. The order shall state the findings which are the basis for the order.

Statement of findings in order.

Service of orders of Administrator.

(f) Orders of the Administrator with respect to any denial of application, suspension, revocation, annulment, or other proceedings, shall be served (1) in person by any officer or employee of the Administration designated by the Administrator or any internal

revenue or customs officer authorized by the Administrator for the purpose, or (2) by mailing the order by registered mail, addressed to the applicant or respondent at his last known address in the records of the Administrator.

Duration of permit.

(g) A basic permit shall continue in effect until suspended, revoked, or annulled as provided herein, or voluntarily surrendered; except that (1) if leased, sold or otherwise voluntarily transferred, the permit shall be automatically terminated thereupon, and (2) if transferred by operation of law or if actual or legal control of the permittee is acquired, directly or indirectly, whether by stock-ownership or in any other manner, by any person, then such permit shall be automatically terminated at the expiration of thirty days thereafter: *Provided*, That if within such thirty-day period application for a new basic permit is made by the transferee or permittee, respectively, then the outstanding basic permit shall continue in effect until such application is finally acted on by the Administrator.

When voluntarily transferred.

When transferred by operation of law, etc.

Proviso.

Application for new permit.

Appeal from order denying application.

Petition to be filed.

Time for filing.

Service of copy.

Filing transcript of record.

Jurisdiction of court.

Consideration of objections.

Findings of fact.

Leave to adduce additional evidence.

(h) An appeal may be taken by the permittee or applicant for a permit from any order of the Administrator denying an application for, or suspending, revoking, or annulling, a basic permit. Such appeal shall be taken by filing, in the circuit court of appeals of the United States within any circuit wherein such person resides or has his principal place of business, or in the United States Court of Appeals for the District of Columbia, within sixty days after the entry of such order, a written petition praying that the order of the Administrator be modified or set aside in whole or in part. A copy of such petition shall be forthwith served upon the Administrator, or upon any officer designated by him for that purpose, and thereupon the Administrator shall certify and file in the court a transcript of the record upon which the order complained of was entered. Upon the filing of such transcript such court shall have exclusive jurisdiction to affirm, modify, or set aside such order, in whole or in part. No objection to the order of the Administrator shall be considered by the court unless such objection shall have been urged before the Administrator or unless there were reasonable grounds for failure so to do. The finding of the Administrator as to the facts, if supported by substantial evidence, shall be conclusive. If any party shall apply to the court for leave to adduce additional evidence, and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for failure to adduce such evidence in the proceeding before the Administrator, the court may order such additional evidence to be taken before the Administrator and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper. The Administrator may modify his findings as to the facts by reason of the additional evidence so taken, and he shall file with the court such modified or new findings, which, if supported by substantial evidence, shall be conclusive, and his recommendation, if any, for the modification or setting aside of the original order. The judgment and decree of the court affirming, modifying, or setting aside, in whole or in part, any such order of the Administrator shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended (U. S. C., title 28, secs. 346 and 347). The commencement of proceedings under this subsection shall, unless specifically ordered by the court to the contrary, operate as a stay of the Administrator's order.

Modification of findings of fact.

New findings; filing.

Finality of judgment or decree.

Review.

Vol. 43, p. 938; U. S. C., p. 1271.

Commencement of proceedings to stay order of Administrator.

Limitation on power of Administrator to revoke or suspend permit.

(i) No proceeding for the suspension or revocation of a basic permit for violation of any condition thereof relating to compliance with Federal law shall be instituted by the Administrator

more than eighteen months after conviction of the violation of Federal law, or, if no conviction has been had, more than three years after the violation occurred; and no basic permit shall be suspended or revoked for a violation of any such condition thereof if the alleged violation of Federal law has been compromised by any officer of the Government authorized to compromise such violation.

UNFAIR COMPETITION AND UNLAWFUL PRACTICES

Unfair competition and unlawful practices.

SEC. 5. It shall be unlawful for any person engaged in business as a distiller, brewer, rectifier, blender, or other producer, or as an importer or wholesaler, of distilled spirits, wine, or malt beverages, or as a bottler, or warehouseman and bottler, of distilled spirits, directly or indirectly or through an affiliate:

Classes of persons to whom practices prohibited.

Prohibited practices.

(a) Exclusive outlet: To require, by agreement or otherwise, that any retailer engaged in the sale of distilled spirits, wine, or malt beverages, purchase any such products from such person to the exclusion in whole or in part of distilled spirits, wine, or malt beverages sold or offered for sale by other persons in interstate or foreign commerce, if such requirement is made in the course of interstate or foreign commerce, or if such person engages in such practice to such an extent as substantially to restrain or prevent transactions in interstate or foreign commerce in any such products, or if the direct effect of such requirement is to prevent, deter, hinder, or restrict other persons from selling or offering for sale any such products to such retailer in interstate or foreign commerce; or

Acquisition of exclusive outlet.

(b) "Tied house": To induce through any of the following means, any retailer, engaged in the sale of distilled spirits, wine, or malt beverages, to purchase any such products from such person to the exclusion in whole or in part of distilled spirits, wine, or malt beverages sold or offered for sale by other persons in interstate or foreign commerce, if such inducement is made in the course of interstate or foreign commerce, or if such person engages in the practice of using such means, or any of them, to such an extent as substantially to restrain or prevent transactions in interstate or foreign commerce in any such products, or if the direct effect of such inducement is to prevent, deter, hinder, or restrict other persons from selling or offering for sale any such products to such retailer in interstate or foreign commerce: (1) By acquiring or holding (after the expiration of any existing license) any interest in any license with respect to the premises of the retailer; or (2) by acquiring any interest in real or personal property owned, occupied, or used by the retailer in the conduct of his business; or (3) by furnishing, giving, renting, lending, or selling to the retailer, any equipment, fixtures, signs, supplies, money, services, or other thing of value, subject to such exceptions as the Administrator shall by regulation prescribe, having due regard for public health, the quantity and value of articles involved, established trade customs not contrary to the public interest and the purposes of this subsection; or (4) by paying or crediting the retailer for any advertising, display, or distribution service; or (5) by guaranteeing any loan or the repayment of any financial obligation of the retailer; or (6) by extending to the retailer credit for a period in excess of the credit period usual and customary to the industry for the particular class of transactions, as ascertained by the Administrator and prescribed by regulations by him; or (7) by requiring the retailer to take and dispose of a certain quota of any of such products; or

Inducing exclusive purchasing arrangements with retailers.

Through holding interest in retail license.

Acquiring interest in retail premises.

Furnishing things of value.

Paying, etc., for advertising, etc., service.

Guaranteeing loans, etc.

Extending credit to retailer.

Requiring retailer to take products on quota basis.

Inducing exclusive purchasing arrangements with retailers.

(c) Commercial bribery: To induce through any of the following means, any trade buyer engaged in the sale of distilled spirits, wine, or malt beverages, to purchase any such products from such person to the exclusion in whole or in part of distilled spirits, wine, or malt beverages sold or offered for sale by other persons in interstate or foreign commerce, if such inducement is made in the course of interstate or foreign commerce, or if such person engages in the practice of using such means, or any of them, to such an extent as substantially to restrain or prevent transactions in interstate or foreign commerce in any such products, or if the direct effect of such inducement is to prevent, deter, hinder, or restrict other persons from selling or offering for sale any such products to such trade buyer in interstate or foreign commerce: (1) By commercial bribery; or (2) by offering or giving any bonus, premium, or compensation to any officer, or employee, or representative of the trade buyer; or

Through commercial bribery.

Offering bonus to employee of buyer.

Consignment sales. Prohibited practices.

(d) Consignment sales: To sell, offer for sale, or contract to sell to any trade buyer engaged in the sale of distilled spirits, wine, or malt beverages, or for any such trade buyer to purchase, offer to purchase, or contract to purchase, any such products on consignment or under conditional sale or with the privilege of return or on any basis otherwise than a bona fide sale, or where any part of such transaction involves, directly or indirectly, the acquisition by such person from the trade buyer or his agreement to acquire from the trade buyer other distilled spirits, wine, or malt beverages—if such sale, purchase, offer, or contract is made in the course of interstate or foreign commerce, or if such person or trade buyer engages in such practice to such an extent as substantially to restrain or prevent transactions in interstate or foreign commerce in any such products, or if the direct effect of such sale, purchase, offer, or contract is to prevent, deter, hinder, or restrict other persons from selling or offering for sale any such products to such trade buyer in interstate or foreign commerce: *Provided*, That this subsection shall not apply to transactions involving solely the bona fide return of merchandise for ordinary and usual commercial reasons arising after the merchandise has been sold; or

Proviso. When provision inapplicable.

Labeling. Shipment or delivery of products not conforming to labeling regulations. *Post*, p. 1152.

(e) Labeling.—To sell or ship or deliver for sale or shipment, or otherwise introduce in interstate or foreign commerce, or to receive therein, or to remove from customs custody for consumption, any distilled spirits, wine, or malt beverages in bottles, unless such products are bottled, packaged, and labeled in conformity with such regulations, to be prescribed by the Administrator, with respect to packaging, marking, branding, and labeling and size and fill of container (1) as will prohibit deception of the consumer with respect to such products or the quantity thereof and as will prohibit, irrespective of falsity, such statements relating to age, manufacturing processes, analyses, guarantees, and scientific or irrelevant matters as the Administrator finds to be likely to mislead the consumer; (2) as will provide the consumer with adequate information as to the identity and quality of the products, the alcoholic content thereof (except that statements of, or statements likely to be considered as statements of, alcoholic content of malt beverages are hereby prohibited unless required by State law and except that, in case of wines, statements of alcoholic content shall be required only for wines containing more than 14 per centum of alcohol by volume), the net contents of the package, and the manufacturer or bottler or importer of the product; (3) as will require an accurate statement, in the case of distilled spirits (other than cordials, liqueurs, and specialties) produced by blending or rectification, if neutral spirits have been used in the production thereof, informing the consumer

Standards for regulations.

To prohibit deception of consumer.

To provide consumer with information respecting product.

To inform consumer respecting use of neutral spirits.

of the percentage of neutral spirits so used and of the name of the commodity from which such neutral spirits have been distilled, or in case of neutral spirits or of gin produced by a process of continuous distillation, the name of the commodity from which distilled; (4) as will prohibit statements on the label that are disparaging of a competitor's products or are false, misleading, obscene, or indecent; and (5) as will prevent deception of the consumer by use of a trade or brand name that is the name of any living individual of public prominence, or existing private or public organization, or is a name that is in simulation or is an abbreviation thereof, and as will prevent the use of a graphic, pictorial, or emblematic representation of any such individual or organization, if the use of such name or representation is likely falsely to lead the consumer to believe that the product has been indorsed, made, or used by, or produced for, or under the supervision of, or in accordance with the specifications of, such individual or organization: *Provided*, That this clause shall not apply to the use of the name of any person engaged in business as a distiller, brewer, rectifier, blender, or other producer, or as an importer, wholesaler, retailer, bottler, or warehouseman, of distilled spirits, wine, or malt beverages, nor to the use by any person of a trade or brand name used by him or his predecessor in interest prior to the date of the enactment of this Act; including regulations requiring, at time of release from customs custody, certificates issued by foreign governments covering origin, age, and identity of imported products: *Provided further*, That nothing herein nor any decision, ruling, or regulation of any Department of the Government shall deny the right of any person to use any trade name or brand of foreign origin not presently effectively registered in the United States Patent Office which has been used by such person or predecessors in the United States for a period of at least five years last past, if the use of such name or brand is qualified by the name of the locality in the United States in which the product is produced, and, in the case of the use of such name or brand on any label or in any advertisement, if such qualification is as conspicuous as such name or brand.

To prohibit disparaging statements on labels.

To prevent deception of consumer through misleading labels.

Provisos.
Limitation on application of clause.

Use of trade name or brand of foreign origin.
Post, p. 1966.

It shall be unlawful for any person to alter, mutilate, destroy, obliterate, or remove any mark, brand, or label upon distilled spirits, wine, or malt beverages held for sale in interstate or foreign commerce or after shipment therein, except as authorized by Federal law or except pursuant to regulations of the Administrator authorizing relabeling for purposes of compliance with the requirements of this subsection or of State law.

Alteration, mutilation, etc., of mark, etc., on beverages in interstate commerce.

In order to prevent the sale or shipment or other introduction of distilled spirits, wine, or malt beverages in interstate or foreign commerce, if bottled, packaged, or labeled in violation of the requirements of this subsection, no bottler, or importer of distilled spirits, wine, or malt beverages, shall, after such date as the Administrator fixes as the earliest practicable date for the application of the provisions of this subsection to any class of such persons (but not later than March 1, 1936, and only after thirty days' public notice), bottle or remove from customs custody for consumption distilled spirits, wine, or malt beverages, respectively, unless the bottler or importer, upon application to the Administrator, has obtained and has in his possession a certificate of label approval covering the distilled spirits, wine, or malt beverages, issued by the Administrator in such manner and form as he shall by regulations prescribe: *Provided*, That any such bottler shall be exempt from the requirements of this subsection if the bottler, upon application to the Administrator, shows to the satisfaction of the Administrator

Removal for consumption of beverages from customs custody.
Post, p. 1965.

Prohibited unless approved certificate of label issued.

Proviso.
Exemption when beverage not for shipment.

that the distilled spirits, wine, or malt beverages to be bottled by the applicant are not to be sold, or offered for sale, or shipped or delivered for shipment, or otherwise introduced, in interstate or foreign commerce. Officers of internal revenue and customs are authorized and directed to withhold the release of such products from the bottling plant or customs custody unless such certificates have been obtained, or unless the application of the bottler for exemption has been granted by the Administrator. The district courts of the United States, the Supreme Court of the District of Columbia, and the United States court for any Territory, shall have jurisdiction of suits to enjoin, annul, or suspend in whole or in part any final action by the Administrator upon any application under this subsection; or

Withholding release of beverage unless certificate obtained.

Jurisdiction of courts over action of Administrator upon applications.

Advertising. Prohibition on use of matter not conforming to regulations.

(f) Advertising: To publish or disseminate or cause to be published or disseminated by radio broadcast, or in any newspaper, periodical or other publication or by any sign or outdoor advertisement or any other printed or graphic matter, any advertisement of distilled spirits, wine, or malt beverages, if such advertisement is in, or is calculated to induce sales in, interstate or foreign commerce, or is disseminated by mail, unless such advertisement is in conformity with such regulations, to be prescribed by the Administrator, (1) as will prevent deception of the consumer with respect to the products advertised and as will prohibit, irrespective of falsity, such statements relating to age, manufacturing processes, analyses, guaranties, and scientific or irrelevant matters as the Administrator finds to be likely to mislead the consumer; (2) as will provide the consumer with adequate information as to the identity and quality of the products advertised, the alcoholic content thereof (except that statements of, or statements likely to be considered as statements of, alcoholic content of malt beverages are prohibited and except that, in case of wines, statements of alcoholic content shall be required only for wines containing more than 14 per centum of alcohol by volume), and the person responsible for the advertisement; (3) as will require an accurate statement, in the case of distilled spirits (other than cordials, liqueurs, and specialties) produced by blending or rectification, if neutral spirits have been used in the production thereof, informing the consumer of the percentage of neutral spirits so used and of the name of the commodity from which such neutral spirits have been distilled, or in case of neutral spirits or of gin produced by a process of continuous distillation, the name of the commodity from which distilled; (4) as will prohibit statements that are disparaging of a competitor's products or are false, misleading, obscene, or indecent; (5) as will prevent statements inconsistent with any statement on the labeling of the products advertised. This subsection shall not apply to outdoor advertising in place on June 18, 1935, but shall apply upon replacement, restoration, or renovation of any such advertising. The prohibitions of this subsection and regulations thereunder shall not apply to the publisher of any newspaper, periodical, or other publication, or radio broadcaster, unless such publisher or radio broadcaster is engaged in business as a distiller, brewer, rectifier, or other producer, or as an importer or wholesaler, of distilled spirits, wine, or malt beverages, or as a bottler, or warehouseman and bottler, of distilled spirits, directly or indirectly or through an affiliate.

To prevent deception of consumer.

To provide consumer with information respecting product.

To require accurate statement respecting neutral spirits content.

To prohibit disparaging statements.

To prevent statements inconsistent with label statements.

Outdoor advertising.

Classes of persons to whom prohibitions not applicable.

Provisions not applicable to State agencies.

The provisions of subsections (a), (b), and (c) shall not apply to any act done by an agency of a State or political subdivision thereof, or by any officer or employee of such agency.

Malt beverages; provisions applicable to interstate transactions.

In the case of malt beverages, the provisions of subsections (a), (b), (c), and (d) shall apply to transactions between a retailer or trade buyer in any State and a brewer, importer, or wholesaler of malt beverages outside such State only to the extent that the law of such State imposes similar requirements with respect to similar transactions between a retailer or trade buyer in such State and a brewer, importer, or wholesaler of malt beverages in such State, as the case may be. In the case of malt beverages, the provisions of subsections (e) and (f) shall apply to the labeling of malt beverages sold or shipped or delivered for shipment or otherwise introduced into or received in any State from any place outside thereof, or the advertising of malt beverages intended to be sold or shipped or delivered for shipment or otherwise introduced into or received in any State from any place outside thereof, only to the extent that the law of such State imposes similar requirements with respect to the labeling or advertising, as the case may be, of malt beverages not sold or shipped or delivered for shipment or otherwise introduced into or received in such State from any place outside thereof.

Labeling provisions.

Notice prior to prescribing regulations; hearings.

The Administrator shall give reasonable public notice, and afford to interested parties opportunity for hearing, prior to prescribing regulations to carry out the provisions of this section.

Bulk sales and bottling.

BULK SALES AND BOTTLING

Unlawful practices.

SEC. 6. (a) It shall be unlawful for any person—

Bulk sales of distilled spirits.

(1) To sell or offer to sell, contract to sell, or otherwise dispose of distilled spirits in bulk except, under regulations of the Administrator, for export or to the following, or to import distilled spirits in bulk except, under such regulations, for sale to or for use by the following: A distiller, rectifier of distilled spirits, person operating a bonded warehouse qualified under the internal-revenue laws or a class 8 bonded warehouse qualified under the customs laws, a winemaker for the fortification of wines, a proprietor of an industrial alcohol plant, or an agency of the United States or any State or political subdivision thereof.

Sales of warehouse receipts for distilled spirits.

(2) To sell or offer to sell, contract to sell, or otherwise dispose of warehouse receipts for distilled spirits in bulk unless such warehouse receipts require that the warehouseman shall package such distilled spirits, before delivery, in bottles labeled and marked in accordance with law, or deliver such distilled spirits in bulk only to persons to whom it is lawful to sell or otherwise dispose of distilled spirits in bulk.

Bottling distilled spirits.

(3) To bottle distilled spirits unless the bottler is a person to whom it is lawful to sell or otherwise dispose of distilled spirits in bulk.

Punishment for violations.

(b) Any person who violates the requirements of this section shall, upon conviction thereof, be fined not more than $5,000 or imprisoned for not more than one year or both, and shall forfeit to the United States all distilled spirits with respect to which the violation occurs and the containers thereof.

"In bulk" construed.

(c) The term "in bulk" means in containers having a capacity in excess of one wine gallon.

Penalties.

PENALTIES

Jurisdiction of courts.

SEC. 7. The District Courts of the United States, the Supreme Court of the District of Columbia, and the United States court for any Territory, of the District where the offense is committed or threatened or of which the offender is an inhabitant or has his principal place of business, are hereby vested with jurisdiction of any suit brought by

Violations of sections 3 and 5; punishment.

the Attorney General in the name of the United States, to prevent and restrain violations of any of the provisions of this Act. Any person violating any of the provisions of sections 3 or 5 shall be guilty of a misdemeanor and upon conviction thereof be fined not more than $1,000 for each offense.

Compromise of liabilities.

Subject to the approval of the Attorney General, the Administrator is authorized, with respect to any violation of this Act, to compromise the liability arising with respect to such violation (1) upon payment of a sum not in excess of $500 for each offense, to be collected by the Administrator and to be paid into the Treasury as miscellaneous receipts, and (2) in case of repetitious violations and in order to avoid multiplicity of criminal proceedings, upon agreement to a stipulation that the United States may, on its own motion upon five days' notice to the violator, cause a consent decree to be entered by any court of competent jurisdiction enjoining the repetition of such violation.

Interlocking directorates.

INTERLOCKING DIRECTORATES

Prohibition.

SEC. 8. (a) Except as provided in subsection (b), it shall be unlawful for any individual to take office, after the date of the enactment of this Act, as an officer or director of any company, if his doing so would make him an officer or director of more than one company engaged in business as a distiller, rectifier, or blender of distilled spirits, or of any such company and of a company which is an affiliate of any company engaged in business as a distiller, rectifier, or blender of distilled spirits, or of more than one company which is an affiliate of any company engaged in business as a distiller, rectifier, or blender of distilled spirits, unless, prior to taking such office, application made by such individual to the Administrator has been granted and after due showing has been made to him that service by such individual as officer or director of all the foregoing companies of which he is an officer or director together with service in the company with respect to which application is made will not substantially restrain or prevent competition in interstate or foreign commerce in distilled spirits. The Administrator shall, by order, grant or deny such application on the basis of the proof submitted to him and his finding thereon. The District Courts of the United States, the Supreme Court of the District of Columbia, and the United States court for any Territory shall have jurisdiction of suits to enjoin, annul, or suspend in whole or in part any final action by the Administrator upon any application under this subsection.

Exception when application approved by Administrator; showing required.

Action of Administrator on application.

Jurisdiction of courts to review.

Exceptions to prohibition.

(b) An individual may, without regard to the provisions of subsection (a), take office as an officer or director of a company described in subsection (a) while holding the position of officer or director of any other such company if such companies are affiliates at the time of his taking office and if—

Existing companies with interlocking directorates.

(1) Such companies are affiliates on the date of the enactment of this Act; or

Companies complying with State laws.

(2) Each of such companies has been organized under the law of a State to comply with a requirement thereof under which, as a condition of doing business in such State, such company must be organized under the law of such State; or

(3) One or more such companies has been organized under the law of a State to comply with a requirement thereof under which, as a condition of doing business in such State, such company must be organized under the laws of such State, and the other one or more of such companies not so organized, is in existence on the date of the enactment of this Act; or

(4) One or more of such companies has been organized under the law of a State to comply with a requirement thereof under which, as a condition of doing business in such State, such company must be organized under the law of such State, and not more than one of such companies is a company which has not been so organized and which has been organized after the date of the enactment of this Act.

"Company" construed.

(c) As used in this section, the term "company" means a corporation, joint stock company, business trust, or association, but does not include any agency of a State or political subdivision thereof or any officer or employee of any such agency.

Punishment for violation.

(d) Any individual taking office in violation of this section shall be punished by a fine of not exceeding $1,000.

Forfeited alcoholic beverages.

DISPOSAL OF FORFEITED ALCOHOLIC BEVERAGES

Delivery to Secretary of Treasury.
Post, p. 1966.

SEC. 9. (a) All distilled spirits, wine, and malt beverages forfeited, summarily or by order of court, under any law of the United States, shall be delivered to the Secretary of the Treasury to be disposed of as hereinafter provided.

Disposition.

(b) The Secretary of the Treasury shall dispose of all distilled spirits, wine, and malt beverages which have been delivered to him pursuant to subsection (a)—

(1) By delivery to such Government agencies as, in his opinion, have a need for such distilled spirits, wine, or malt beverages for medicinal, scientific, or mechanical purposes; or

(2) By gift to such eleemosynary institutions as, in his opinion, have a need for such distilled spirits, wine, or malt beverages for medicinal purposes; or

(3) By destruction.

Restriction on other disposition.

(c) No distilled spirits, wine, or malt beverages which have been seized under any law of the United States, may be disposed of in any manner whatsoever except after forfeiture and as provided in this section.

Rules and regulations.

(d) The Secretary of the Treasury is authorized to make all rules and regulations necessary to carry out the provisions of this section.

Federal Alcohol Control Administration.

FEDERAL ALCOHOL CONTROL ADMINISTRATION

Abolishment.

Transfer of records.

Effective date.

SEC. 10. The Federal Alcohol Control Administration established by Executive order under the provisions of Title I of the National Industrial Recovery Act is hereby abolished. All papers, records, and property of such Federal Alcohol Control Administration are hereby transferred to the Administrator. This section shall take effect on the date that the Administrator first appointed under this Act takes office.

Revenue Act of 1918.
Vol. 40, p. 1109; U. S. C., p. 1166.

SEC. 11. Section 610 of the Revenue Act of 1918, as amended (U. S. C., Supp. VII, title 26, sec. 1310), is amended by adding at the end thereof the following new paragraph:

Citrus-fruit wines.
Post, p. 1957.

"The provisions of the internal-revenue laws applicable to natural wine shall apply in the same manner and to the same extent to citrus-fruit wines which are the product of normal alcoholic fermentation of the juice of sound ripe citrus fruit (except lemons and limes), with or without the addition of dry cane, beet, or dextrose sugar (containing, respectively, not less than 95 per centum of actual sugar, calculated on a dry basis) for the purpose of perfecting the product according to standards, but without the addition or abstraction of other substances, except as may occur in the usual cellar treatment of clarifying or aging."

Vol. 40, p. 1110; Vol. 45, p. 868; Vol. 48, p. 314; U. S. C., p. 1164.

SEC. 12. Section 612 of the Revenue Act of 1918, as amended (U. S. C., Supp. VII, title 26, sec. 1301), is amended to read as follows:

Fortification of wines; withdrawals from fruit distillery or bonded warehouses. *Post*, p. 1957.

"SEC. 612. That under such regulations and official supervision and upon the giving of such notices, entries, bonds, and other security as the Commissioner, with the approval of the Secretary, may prescribe, any producer of wines defined under the provisions of this title may withdraw from any fruit distillery or special bonded warehouse grape brandy, or wine spirits, for the fortification of such wines on the premises where actually made, and any producer of citrus-fruit wines may similarly withdraw citrus-fruit brandy for the fortification of citrus-fruit wines on the premises where actually made: *Provided*, That there shall be levied and assessed against the producer of such wines or citrus-fruit wines a tax (in lieu of the internal-revenue tax now imposed thereon by law) of 20 cents per proof gallon of grape brandy, citrus-fruit brandy, or wine spirit whenever withdrawn and hereafter so used by him in the fortification of such wines or citrus-fruit wines during the preceding month, which assessment shall be paid by him within ten months from the date of notice thereof: *Provided further*, That nothing contained in this section shall be construed as exempting any wines, citrus-fruit wines, cordials, liqueurs, or similar compounds from the payment of any tax provided for in this title.

Provisos. Tax levy.

Restriction.

Tax-free withdrawals; regulations.

"Any such wines or citrus-fruit wines may, under such regulations as the Secretary may prescribe, be sold or removed tax free for the manufacture of vinegar, or for the production of dealcoholized wines containing less than one-half of 1 per centum of alcohol by volume.

"The taxes imposed by this section shall not apply to dealcoholized wines containing less than one-half of 1 per centum of alcohol by volume."

Vol. 40, p. 1110; Vol. 48, p. 314; U. S. C., p. 1164.

SEC. 13. Section 613 of the Revenue Act of 1918, as amended (U. S. C., Supp. VII, title 26, sec. 1300 (a) (2)), is amended by inserting after "grape brandy" a comma and the following: "or containing citrus-fruit wine fortified with citrus-fruit brandy".

Tax rate on liqueurs, etc., containing citrus-fruit wine, etc. *Post*, p. 1952.

Vol. 26, p. 621; Vol. 40, p. 1111; U. S. C., p. 1164.

SEC. 14. Section 42 of the Act entitled "An Act to reduce the revenue and equalize duties on imports, and for other purposes", approved October 1, 1890, as amended (U. S. C., Supp. VII, title 26, sec. 1302(a)), is amended by inserting at the end thereof the following new paragraph:

Fortification of pure sweet wines. *Post*, p. 1958.

Use of citrus-fruit brandy.

"The provisions of this section and section 43 shall apply to the use of citrus-fruit brandy in the preparation of fortified citrus-fruit wines in the same manner and to the same extent as such provisions apply to the use of wine spirits in the fortification of sweet wines, except that no brandy (other than a citrus-fruit brandy) may be used in the fortification of citrus-fruit wine and a citrus-fruit brandy prepared from one kind of citrus fruit may not be used for the fortification of a citrus-fruit wine prepared from another kind of citrus fruit or for the fortification of a wine prepared from any fruit other than citrus fruit."

R. S., sec. 3255, p. 627; U. S. C., p. 1148. Vol. 40, p. 1114.

SEC. 15. Section 3255 of the Revised Statutes, as amended (U. S. C., Supp. VII, title 26, sec. 1176), is amended to read as follows:

Exemption of distillers of brandy from requirements relating to spirits manufacture. *Post*, p. 1959.

"SEC. 3255. The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may exempt distillers of brandy made exclusively from apples, peaches, grapes, oranges, pears, pineapples, apricots, berries, plums, pawpaws, persimmons, prunes, figs, cherries, dates, or citrus fruits (except lemons and limes) from any provision of the internal-revenue laws relating to the manufac-

ture of spirits, except as to the tax thereon, when in his judgment it may seem expedient to do so: *Provided*, That where, in the manufacture of wine or citrus-fruit wine, artificial sweetening has been used, the wine, or the fruit pomace residuum thereof, or the citrus-fruit wine may be used in the distillation of brandy or citrus-fruit brandy, as the case may be, and such use shall not prevent the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, from exempting such distiller from any provision of the internal-revenue laws relating to the manufacture of spirits, except as to the tax thereon, when in his judgment it may seem expedient to do so: *And provided further*, That the distillers mentioned in this section may add to not less than five hundred gallons (ten barrels) of grape cheese not more than five hundred gallons of a sugar solution made from cane, beet, starch, or corn sugar, 95 per centum pure, such solution to have a saccharine strength of not to exceed 10 per centum, and may ferment the resultant mixture on a winery or distillery premises, and such fermented product shall be regarded as distilling material."

Provisos.
When artificial sweetening used in wine manufacture.

Sugar solution additions.

SEC. 16. (a) Section 1 of the Act of March 3, 1877, as amended (U. S. C., Supp. VII,[1] sec. 1250), is amended by striking out "not exceeding ten in numbers in any one collection-district," and by inserting at the end of such section the following new paragraph:

Vol. 19, p. 393; U. S. C., p. 1159.
Special bonded warehouses; number.

"The Commissioner of Internal Revenue, under such regulations as he may promulgate from time to time with the approval of the Secretary of the Treasury, may, in his discretion, establish such warehouses adjacent to distilleries, and may, in his discretion, permit the removal of brandy directly from the distillery to such warehouses, and from such warehouses to the distillery warehouse of the producing distiller."

Establishment of warehouses adjacent to distilleries; removal of brandy.

(b) Section 51 of the Act of August 27, 1894, as amended (U. S. C., Supp. VII,[1] sec. 1265), is amended by striking out "not exceeding ten in number in any one collection district," and by inserting at the end of such section the following new paragraph:

Vol. 28, p. 564; U. S. C., p. 1160.
Post, p. 1961.

"The Commissioner of Internal Revenue, under such regulations as he may promulgate from time to time with the approval of the Secretary of the Treasury, may, in his discretion, establish such warehouses adjacent to distilleries, and may, in his discretion, permit the removal of spirits directly from the distillery to such warehouses, and from such warehouses to the distillery warehouse of the producing distiller."

Removal of spirits.

MISCELLANEOUS

Miscellaneous.

SEC. 17. (a) As used in this Act—

Definitions.

(1) The term "Administrator" means the head of the Federal Alcohol Administration.

"Administrator."

(2) The term "United States" means the several States and Territories and the District of Columbia; the term "State" includes a Territory and the District of Columbia; and the term "Territory" means Alaska, Hawaii, and Puerto Rico.

"United States"; "State."

"Territory."

(3) The term "interstate or foreign commerce" means commerce between any State and any place outside thereof, or commerce within any Territory or the District of Columbia, or between points within the same State but through any place outside thereof.

"Interstate or foreign commerce."

(4) The term "person" means individual, partnership, joint stock company, business trust, association, corporation, or other form of business enterprise, including a receiver, trustee, or liquidating agent and including an officer or employee of any agency of a State or political subdivision thereof; and the term "trade buyer" means any person who is a wholesaler or retailer.

"Person."

"Trade buyer."

[1] So in original.

"Affiliate."

(5) The term "affiliate" means any one of two or more persons if one of such persons has actual or legal control, directly or indirectly, whether by stock ownership or otherwise, of the other or others of such persons; and any one of two or more persons subject to common control, actual or legal, directly or indirectly, whether by stock ownership or otherwise.

"Distilled spirits."

(6) The term "distilled spirits" means ethyl alcohol, hydrated oxide of ethyl, spirits of wine, whiskey, rum, brandy, gin, and other distilled spirits, including all dilutions and mixtures thereof, for non-industrial use.

"Wine." Vol. 40, p. 1110; U. S. C., p. 1164.

(7) The term "wine" means (1) wine as defined in section 610 and section 617 of the Revenue Act of 1918 (U. S. C., title 26, secs. 441 and 444) as now in force or hereafter amended, and (2) other alcoholic beverages not so defined, but made in the manner of wine, including sparkling and carbonated wine, wine made from condensed grape must, wine made from other agricultural products than the juice of sound, ripe grapes, imitation wine, compounds sold as wine, vermouth, cider, perry, and sake; in each instance only if containing not less than 7 per centum and not more than 24 per centum of alcohol by volume, and if for non-industrial use.

"Malt beverage."

(8) The term "malt beverage" means a beverage made by the alcoholic fermentation of an infusion or decoction, or combination of both, in potable brewing water, of malted barley with hops, or their parts, or their products, and with or without other malted cereals, and with or without the addition of unmalted or prepared cereals, other carbohydrates or products prepared therefrom, and with or without the addition of carbon dioxide, and with or without other wholesome products suitable for human food consumption.

"Bottle."

(9) The term "bottle" means any container, irrespective of the material from which made, for use for the sale of distilled spirits, wine, or malt beverages at retail.

Reservation of right to amend.

(b) The right to amend or repeal the provisions of this Act is expressly reserved.

Separability of provisions.

(c) If any provision of this Act, or the application of such provision to any person or circumstance, is held invalid, the remainder of the Act and the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

Approved, August 29, 1935.

[CHAPTER 815.]

August 29, 1935.
[S. J. Res. 163.]
[Pub. Res., No. 65.]

JOINT RESOLUTION

To authorize the acceptance of bids for Government contracts made subject to codes of fair competition.

Government contracts.
Acceptance of bids made subject to codes of fair competition.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That no bid submitted prior to the enactment of this joint resolution in response to the invitation of any executive department, independent establishment, or other agency or instrumentality of the United States, the District of Columbia, or any corporation all the stock of which is owned by the United States (all of the foregoing being hereinafter designated as "agencies of the United States"), if otherwise valid and acceptable, shall be rejected because made subject to the provisions of any code or codes of fair competition, or any related requirements (as provided in Executive Order Numbered 6646 of March 14, 1934),

Requirement.

if the bidder, with the assent of his surety, shall agree in writing that the contract, if entered into, shall, in lieu of such code provisions or other related requirements, be subject to all Acts of Congress,

enacted after the date of enactment of this joint resolution, requring [1] the observance of minimum wages, maximum hours, or limitations as to age of employees in the performance of contracts with agencies of the United States. In such cases the compensation provided for in the contract shall be reduced from that stated in the bid by the amount that the contracting officer, subject to the approval of the Comptroller General, shall find the cost of performing the contract is reduced solely by reason of the contractor not complying with the provisions of such code or codes or related requirements; and the compensation for the performance of the contract shall be increased from that fixed in the contract by the amount that the contracting officer, subject to the approval of the Comptroller General, shall find the cost of performing the contract has been increased solely by reason of compliance with such subsequent Acts of Congress, if any, relating to the performance of contracts with agencies of the United States.

Reduction of compensation stated in contract.

Increase when cost of performance increased by reason of compliance with subsequent Acts of Congress.

Approved, August 29, 1935.

[CHAPTER 816.]

JOINT RESOLUTION

August 29, 1935.
[S. J. Res. 175.]
[Pub. Res., No. 66.]

To extend the time within which contracts may be modified or canceled under the provisions of section 5 of the Independent Offices Appropriation Act, 1934.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Independent Offices Appropriation Act, 1934, as amended, be amended by striking out "October 31, 1935" and inserting in lieu thereof "March 31, 1936": *Provided*, That the right of the United States to annul any fraudulent or illegal contract or to institute suit to recover sums paid thereon is in no manner affected by this joint resolution.

Ocean mail, postal service.
Time for modification of contracts, extended.
Vol. 48, p. 305; U. S. C., p. 1806.
Ante, p. 161.
Fraudulent or illegal contracts.

Approved, August 29, 1935.

[CHAPTER 824.]

AN ACT

August 30, 1935.
[H. R. 9100.]
[Public, No. 402.]

To stabilize the bituminous coal-mining industry and promote its interstate commerce; to provide for cooperative marketing of bituminous coal; to levy a tax on bituminous coal and provide for a drawback under certain conditions; to declare the production, distribution, and use of bituminous coal to be affected with a national public interest; to conserve the bituminous coal resources of the United States; to provide for the general welfare, and for other purposes; and providing penalties.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby recognized and declared that the mining of bituminous coal and its distribution by the producers thereof in and throughout the United States are affected with a national public interest; that the service of bituminous coal in relation to the industrial activities, the transportation facilities, the health and comfort of the people of the United States; the conservation of bituminous coal deposits in the United States by controlled production and economical mining and marketing; the maintenance of just and rational relations between the public, owners, producers, and employees; the right of the public to constant and ample supplies of coal at reasonable prices; and the general welfare of the Nation require that the bituminous coal industry be regulated as herein provided.

Bituminous Coal Conservation Act of 1935.
Declaration of necessity for regulation of bituminous coal industry.

[1] So in original.

It is further recognized and declared that all production of bituminous coal and distribution by the producers thereof bear upon and directly affect its interstate commerce and render regulation of all such production and distribution imperative for the protection of such commerce and the national public service of bituminous coal and the normal governmental revenues derivable from such industry; that the excessive facilities for the production of bituminous coal and the overexpansion of the industry have led to practices and methods of production, distribution, and marketing of such coal that waste such coal resources of the Nation, disorganize the interstate commerce in such coal and portend the destruction of the industry itself, and burden and obstruct the interstate commerce in such coal, to the end that control of such production and regulation of the prices realized by the producers thereof are necessary to promote its interstate commerce, remove burdens and obstructions therefrom, and protect the national public interest therein; that practices prevailing in the production of bituminous coal directly affect its interstate commerce and require regulation for the protection of that commerce, and that the right of mine workers to organize and collectively bargain for wages, hours of labor, and conditions of employment should be guaranteed in order to prevent constant wage cutting and the establishment of disparate labor costs detrimental to fair competition in the interstate marketing of bituminous coal, and in order to avoid those obstructions to its interstate commerce that recur in the industrial disputes over labor relations at the mines.

National Bituminous Coal Commission.

NATIONAL BITUMINOUS COAL COMMISSION

Establishment; composition.
Post, p. 1761.

SEC. 2. (a) There is hereby established in the Department of the Interior a National Bituminous Coal Commission (herein referred to as "Commission"), which shall be composed of five members appointed by the President, by and with the advice and consent of the Senate, for a term of four years or until the prior termination of this title. The Commission shall annually designate its chairman, and shall have a seal which shall be judicially recognized. Any person appointed to fill a vacancy shall be appointed only for the unexpired term of his predecessor in office. The Commission shall have an office in the city of Washington, District of Columbia, and shall convene at such times and places as the majority of the Commission shall determine. The members of the Commission shall have no financial interest, direct, or indirect, in the mining, transportation, or sale of, or manufacture of equipment for, coal, oil, or gas, or in the generation, transmission, or sale of hydroelectric power, or in the manufacture of equipment for the use thereof, and shall not engage in any other business, vocation, or employment. Any Commissioner may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. The Commission shall, with due regard to the provisions of the civil-service laws or the Classification Act of 1923, as amended, appoint and fix the compensation and duties of a secretary and necessary clerical and other assistants, none of whom shall be related to any member of the Commission by marriage or within the third degree by blood. The members of the Commission shall each receive compensation at the rate of $10,000 per year and necessary traveling expenses. Such Commission shall have the power to make and promulgate all reasonable rules and regulations for carrying out the provisions of this Act, and shall annually make full report of its activities to the Secretary of the Interior for transmission to Congress. Upon all matters within its jurisdiction coming before it for determination, it shall have the power and duty

Terms of office.

Chairman; official seal.

Vacancies.

Principal office.

Qualifications.

Removals.

Secretary and other personnel.
U. S. C., p. 85.

Compensation.

Powers.

Annual report.

of hearing evidence and finding facts upon which its orders and action may be predicated, and its findings of fact supported by any substantial evidence shall be conclusive upon review thereof by any court of the United States.

Findings of fact.

(b) (1) There shall be an office in the Department of the Interior to be known as the office of the Consumers' Counsel of the National Bituminous Coal Commission. The office shall be in charge of a counsel to be appointed by the President, by and with the advice and consent of the Senate. The counsel shall have no financial interest, direct or indirect, in the mining, transportation, or sale of, or the manufacture of equipment for, coal, oil, or gas, or in the generation, transmission, or sale of hydroelectric power, or in the manufacture of equipment for the use thereof, and shall not engage in any other business, vocation, or employment. The counsel shall receive compensation at the rate of $10,000 per year and necessary traveling expenses.

Consumers' Counsel of the National Bituminous Coal Commission.
Establishment.
Post, p. 1761.
Counsel; appointment of.
Qualifications.

Compensation; expenses.

(2) It shall be the duty of the counsel to appear in the interest of the consuming public in any proceeding before the Commission and to conduct such independent investigation of matters relative to the bituminous coal industry and the administration of this Act as he may deem necessary to enable him properly to represent the consuming public in any proceeding before the Commission. In any proceeding before the Commission in which the counsel has entered an appearance, the counsel shall have the right to offer any relevant testimony and argument, oral or written, and to examine and cross-examine witnesses and parties to the proceeding, and shall have the right to have subpena or other process of the Commission issue in his behalf. Whenever the counsel finds that it is in the interest of the consuming public to have the Commission furnish any information at its command or conduct any investigation as to any matter within its authority, then the counsel shall so certify to the Commission, specifying in the certificate the information or investigation desired. Thereupon the Commission shall promptly furnish to the counsel the information or promptly conduct the investigation and place the results thereof at the disposal of the counsel.

Duties.

Rights in proceeding before Commission.

Information to be furnished.

(3) Within the limitations of such appropriations as the Congress may from time to time provide, the counsel is authorized, with due regard to the civil service laws and the Classification Act of 1923, as amended, to appoint and fix the compensation and duties of such assistants and clerks, and is authorized to make such expenditures, as may be necessary for the performance of the duties vested in him.

Appointment and compensation of assistants.
Post, p. 1119.

TAX ON BITUMINOUS COAL

Tax on bituminous coal.

SEC. 3. There is hereby imposed upon the sale or other disposal of all bituminous coal produced within the United States an excise tax of 15 per centum on the sale price at the mine, or in the case of captive coal the fair market value of such coal at the mine, such tax, subject to the later provisions of this section, to be payable to the United States by the producers of such coal, and to be payable monthly for each calendar month, on or before the first business day of the second succeeding month, and under such regulations, and in such manner, as shall be prescribed by the Commissioner of Internal Revenue: *Provided*, That in the case of captive coal produced as aforesaid, the Commissioner of Internal Revenue shall fix a price therefor at the current market price for the comparable kind, quality, and size of coals in the locality where the same is produced: *Provided further*, That any such coal producer who has filed with the National Bituminous Coal Commission his acceptance of the code provided for in section 4 of this Act, and who acts in compliance with the

Imposition; amount.

Payment.

Provisos.
Price in case of captive coal.

Drawback; entitlement to.

provisions of such code, shall be entitled to a drawback in the form of a credit upon the amount of such tax payable hereunder, equivalent to 90 per centum of the amount of such tax, to be allowed and deducted therefrom at the time settlement therefor is required, in such manner as shall be prescribed by the Commissioner of Internal Revenue. Such right or benefit of drawback shall apply to all coal sold or disposed of from and after the day of the producer's filing with the Commission his acceptance of said code in such form of agreement as the Commission may prescribe. No producer shall by reason of his acceptance of the code provided for in section 4 or of the drawback of taxes provided in section 3 of this Act be held to be precluded or estopped from contesting the constitutionality of any provision of said code, or its validity as applicable to such producer.

When right of drawback to begin.

Right of producer to contest provisions of code.

Bituminous coal code.

BITUMINOUS COAL CODE

Working agreement.

SEC. 4. The provisions of this section shall be formulated by the Commission into a working agreement, to be known as the "Bituminous Coal Code", and herein referred to as the "Code." Producers accepting and operating under its provisions are herein referred to as "Code members."

Conditions, provisions, and obligations.

For the purpose of carrying out the declared policy of this Act, the code shall contain the following conditions, provisions, and obligations which will tend to regulate interstate commerce in bituminous coal and transactions directly affecting interstate commerce in bituminous coal:

Part I—Organization and production.

PART I—ORGANIZATION AND PRODUCTION

District boards of coal producers; number.

(a) Twenty-three district boards of coal producers shall be organized. Each district board shall consist of not less than three nor more than seventeen members. The number of members of the district board shall, subject to the approval of the Commission, be determined by the majority vote of the district tonnage during the calendar year 1934 represented at a meeting of the producers of the district called for the purpose of such determination and for the election of such district board; and all known producers within the district shall be given notice of the time and place of the meeting.

Individual boards; determination of membership.

Producer members.

All but one of the members of the district board shall be producers or representatives of producers truly representative of all the mines of the district. The number of such producer members shall be an even number. One-half of such producer members shall be elected by the majority in number of the producers of the district represented at the aforesaid meeting. The other producer members shall be elected by votes cast in the proportion of the annual tonnage output for the preceding calendar year of the producers in the district, with the right on the part of the producers to vote their tonnage cumulatively: *Provided*, That not more than one officer or employee of any producer within a district shall be a member of the district board at the same time. The remaining member of each district board shall be selected by the organization of employees representing the preponderant number of employees in the industry of the district in question. The term of district board members shall be two years and until their successors are elected.

Elections.

Proviso. Restriction.

Members representing employees.

Terms of office.

Authority of Commission to increase membership of board.

In case any marketing agency comprising a substantial number of code members in any producing field within a district establishes, to the satisfaction of the Commission, that it has no representation upon the district board and that it is fairly entitled thereto, the Commission may, in its discretion, after hearing, increase the membership of such district board so as to provide for such representation.

Marketing agencies may be established or maintained within any district by a voluntary association of producers within any producing field therein, as such producing field may be defined by the district board, and function under such general rules and regulations as may be prescribed by the district board, with the approval of the Commission, for the purpose of marketing their coal with due respect for the standards of unfair competition as defined in this Act. Each such marketing agency shall impose no unreasonable or inequitable conditions of membership and shall be truly representative of at least one-third of the tonnage of any producing field or group of producing fields.

Marketing agencies; establishment.

Rules and regulations of district boards governing.

Imposition of unreasonable conditions of membership prohibited.

The term "marketing agency" or "agencies" as used in this Act shall include any trade association of coal producers complying with the requirements of a marketing agency and exercising the functions thereof.

"Marketing agency"; "agencies"; defined.

The district boards and marketing agencies shall each have power to adopt bylaws and rules of procedure, subject to approval of the Commission, and to appoint officers from their own membership, to fix their terms and compensation, to provide for reports, and to employ such committees, employees, arbitrators, and other persons necessary to effectuate their purposes. Members of the district board shall serve, as such, without compensation, but may be reimbursed for their reasonable expenses. The territorial boundaries or limits of such twenty-three districts are set forth in the schedule entitled "Schedule of Districts" and annexed to this Act: *Provided*, That the territorial boundaries or limits of any district or districts may be changed, or said districts may be divided or consolidated, after hearing, by the Commission.

Powers of district boards and marketing agencies.

Service of members of district board without compensation.

Territorial limits of districts.

Proviso. Modifications.

(b) The expense of administering the code by the respective district boards shall be borne by those subject to the jurisdiction of such boards, respectively, each paying his proportionate share, as assessed, computed on a tonnage basis, in accordance with regulations prescribed by such boards with the approval of the Commission. Such assessments may be collected by the district board by action in any court of competent jurisdiction.

Administration of codes; expenses.

Assessments and collection.

(c) Nothing contained in this Act shall constitute the members of a district board partners for any purpose. Nor shall any member of a district board be liable in any manner to any one for any act of any other member, officer, agent or employee of the district board. Nor shall any member of a district board, exercising reasonable diligence in the conduct of his duties under this Act, be liable to any one for any action or omission to act under this Act, except for his own willful misfeasance, or for nonfeasance involving moral turpitude.

Relationship and liability of members of board.

PART II—MARKETING

Part II—Marketing.

The district boards and code members shall accept and be subject to the jurisdiction of the Commission to approve or to fix minimum and maximum prices, as follows:

Minimum and maximum prices; manner of fixing; approval of commission.

(a) All code members shall, in their respective districts, report all spot orders to the district board and shall file with it copies of all contracts for the sale of coal, copies of all invoices, copies of all credit memoranda, and such other information concerning the preparation, cost, sale, and distribution of coal as the Commission may authorize or require. All such records shall be held by the district board as the confidential records of the code member filing such information.

Reports and records by code members.

Confidential nature of records.

Each district board may set up and maintain a statistical bureau, and the district board may require that such reports and other information in this subsection described shall be filed with such statistical bureau in lieu of the filing thereof with the district board.

Statistical bureaus; maintenance of.

Establishment of minimum prices by district board.

Each district board shall, from time to time on its own motion or when directed by the Commission, establish minimum prices free on board transportation facilities at the mines for kinds, qualities, and sizes of coal produced in said district, with full authority, in establishing such minimum prices, to make such classification of coals and price variations as to mines and consuming market areas as it may deem necessary and proper. In order to sustain the stabilization of wages, working conditions, and maximum hours of labor, said prices shall be established so as to yield a return per net ton for each district in a minimum price area, as such districts are identified and such area is defined in the subjoined table designated "Minimum-price area table", equal as nearly as may be to the weighted average of the total costs, per net ton, determined as hereinafter provided, of the tonnage of such minimum price area. The computation of the total costs shall include the cost of labor, supplies, power, taxes, insurance, workmen's compensation, royalties, depreciation, and depletion (as determined by the Bureau of Internal Revenue in the computation of the Federal income tax) and all other direct expenses of production, coal operators' association dues, district board assessments for Board operating expenses only levied under the code, and reasonable costs of selling and the cost of administration.

Computation of total costs.

Minimum-price-area table.

MINIMUM-PRICE-AREA TABLE

Enumeration.

Area 1: Eastern Pennsylvania, district 1; western Pennsylvania, district 2; northern West Virginia, district 3; Ohio, district 4; Michigan, district 5; Panhandle, district 6; Southern numbered 1, district 7; Southern numbered 2, district 8; West Kentucky, district 9; Illinois, district 10; Indiana, district 11; Iowa, district 12; that part of Southeastern, district 13, comprising Van Buren, Warren, and McMinn Counties in Tennessee.

Area 2: Southeastern, district 13, except Van Buren, Warren, and McMinn Counties in Tennessee.

Area 3: Arkansas-Oklahoma, district 14.

Area 4: Southwestern, district 15.

Area 5: Northern Colorado, district 16; southern Colorado, district 17; New Mexico, district 18.

Area 6: Wyoming, district 19; Utah, district 20.

Area 7: North Dakota and South Dakota, district 21.

Area 8: Montana, district 22.

Area 9: Washington, district 23.

Factors in establishing minimum prices.

The minimum prices so established shall reflect, as nearly as possible, the relative market value of the various kinds, qualities, and sizes of coal, shall be just and equitable as between producers within the district, and shall have due regard to the interests of the consuming public. The procedure for establishment of minimum prices shall be in accordance with rules and regulations to be approved by the Commission.

Schedule to be submitted to Commission.

A schedule of such minimum prices, together with the data upon which they are computed, including, but without limitation, the factors considered in determining the price relationship, shall be submitted by the district board to the Commission, which may approve, disapprove, or modify the same to conform to the requirements of this subsection, and such approval, disapproval, or modification shall be binding upon all code members within the district, subject to such modification therein as may result from the coordination provided for in the succeeding subsection (b): *Provided*, That all minimum prices established for any kind, quality, or size of coal

Action of Commission.

Provisos.
Requirement respecting minimum prices.

for shipment into any consuming market area shall be just and equitable as between producers within the district: *And provided further*, That no minimum price shall be established that permits dumping.

Dumping.

As soon as possible after its creation, each district board shall determine the weighted average of the total costs of the ascertainable tonnage produced in the district in the calendar year 1934. The district board shall adjust the average costs so determined, as may be necessary to give effect to any changes in wage rates, hours of employment, or other factors substantially affecting costs, exclusive of seasonal changes, so as to reflect as accurately as possible any change or changes which may have been established since January 1, 1934. Such determination and the computations upon which it is based shall be promptly submitted to the Commission by each district board in the respective minimum-price area. The Commission shall thereupon determine the weighted average of the total costs of the tonnage for each minimum-price area in the calendar year 1934, adjusted as aforesaid, and transmit it to all the district boards within such minimum-price area. Said weighted average of the total costs shall be taken as the basis for the establishment of minimum prices to be effective until changed by the Commission. Thereafter, upon satisfactory proof made at any time by any district board of a change in excess of 2 cents per net ton of two thousand pounds in the weighted average of the total costs in the minimum-price area, exclusive of seasonal changes, the Commission shall increase or decrease the minimum prices accordingly. The weighted average figures of total cost determined as aforesaid shall be available to the public.

District boards; determination of tonnage produced during 1934.

Adjustments to reflect changes.

Submission of determination to Commission.

Determination of weighted average of total costs.

Use as basis in establishing minimum prices.

Modifications.

Availability of weighted average of total cost to public.

Each district board shall, on its own motion or when directed by the Commission, establish reasonable rules and regulations incidental to the sale and distribution of coal by code members within the district. Such rules and regulations shall not be inconsistent with the requirements of this section and shall conform to the standards of fair competition hereinafter established. Such rules and regulations shall be submitted by the district board to the Commission with a statement of the reasons therefor, and the Commission may approve, disapprove, or modify the same, and such approval, disapproval, or modification shall be binding upon all code members within the district.

Rules respecting sales and distribution.

Action of Commission.

(b) District boards shall, under rules and regulations established by the Commission, coordinate in common consuming market areas upon a fair competitive basis the minimum prices and the rules and regulations established by them, respectively, under subsection (a) hereof. Such coordination, among other factors, but without limitation, shall take into account the various kinds, qualities, and sizes of coal, and transportation charges upon coal. All minimum prices established for any kind, quality, or size of coal for shipment into any consuming market area shall be just and equitable, and not unduly prejudicial or preferential, as between and among districts, and shall reflect, as nearly as possible, the relative market values, at points of delivery in each common consuming market area, of the various kinds, qualities and sizes of coal produced in the various districts; to the end of affording the producers in the several districts substantially the same opportunity to dispose of their coals upon a competitive basis as has heretofore existed. The minimum prices established as a result of such coordination shall not, as to any district, reduce or increase the return per net ton upon all the coal produced therein below or above the minimum return as provided in subsection (a) of this section by an amount greater than necessary to accomplish such coordination, to the end that the return per net

Coordination of minimum prices and rules in market areas.

Requirements of minimum prices.

ton upon the entire tonnage of the minimum price area shall approximate and be not less than the weighted average of the total costs per net ton of the tonnage of such minimum price area. Such coordinated prices and rules and regulations, together with the data upon which they are predicated, shall be submitted to the Commission, which may approve, disapprove, or modify the same to establish and maintain such fair competitive relationship, and such approval, disapproval, or modification shall be binding upon all code members within the affected districts. No minimum price shall be established that permits dumping. On the petition of any district board or other party in interest or on its own motion, after notice to the district boards, the Commission may at any time conduct hearings to determine whether the foregoing method of fixing minimum prices under subsection (a) is prejudicial to any district with respect to the fair opportunity of such district to market its coal. Should the Commission so find, and further find that the prejudice cannot be removed through the coordination of minimum prices as provided for in this subsection (b), then the Commission may establish a different basis for determining minimum prices in such district, to the end that fair and competitive prices shall prevail in the marketing of the coal produced in such district: *Provided*, That the minimum prices so established as to any such district shall yield a return, per net ton, not less than the weighted average of the total costs, per net ton, of the tonnage of such district.

Submission of coordinated prices and rules to Commission; action thereon.

Dumping prohibited.

Investigations to determine fairness of method of fixing minimum prices.

Establishment of different basis.

Proviso.
Minimum return.

(c) When, in the public interest, the Commission deems it necessary to establish maximum prices for coal in order to protect the consumer of coal against unreasonably high prices therefor, the Commission shall have the right to fix maximum prices free on board transportation facilities for coal in any district. Such maximum prices shall be established at a uniform increase above the minimum prices in effect within the district at the time, so that in the aggregate the maximum prices shall yield a reasonable return above the weighted average total cost of the district: *Provided*, That no maximum price shall be established for any mine which shall not return cost plus a reasonable profit.

Maximum prices; establishment by Commission to protect consumer.

Proviso.
Cost plus reasonable profit to be maintained.

(d) If any code member or district board, or any State or political subdivision of a State, shall be dissatisfied with such coordination of prices or rules and regulations, or by a failure to establish such coordination of prices or rules and regulations, or by the maximum prices established for him or it pursuant to subsection (c) of this section, he or it shall have the right, by petition, to make complaint to the Commission, and the Commission shall, under rules and regulations established by it, and after notice and hearing, make such order as may be required to effectuate the purpose of subsections (b) and (c) of this section, which order shall be binding upon all parties in interest. Pending final disposition of such petition, and upon reasonable showing of necessity therefor, the Commission may make such preliminary or temporary order as in its judgment may be appropriate, and not inconsistent with the provisions of this Act.

Complaints by code member or district board.

Notice and hearing.

Preliminary order.

(e) Subject to the exceptions provided in section 12 of this Act, no coal shall be sold or delivered at a price below the minimum or above the maximum therefor approved or established by the Commission, and the sale or delivery of coal at a price below such minimum or above such maximum shall constitute a violation of the code. Subject to the exceptions provided in section 12 of this Act, a contract for the sale of coal at a price below the minimum or above the maximum therefor approved or established by the Commission at the time of the making of the contract shall constitute a violation of the code, and such contract shall be invalid and unenforceable.

Code violations; sale, etc., of coal below minimum or above maximum prices.

Contracts for sale.

From and after the date of approval of this Act, until prices shall have been established pursuant to subsections (a) and (b) of part II of this section, no contract for the sale of coal shall be made providing for delivery for a period longer than thirty days from the date of the contract.

Restriction on contracts until prices established.

While this Act is in effect no code member shall make any contract for the sale of coal for delivery after the expiration date of this Act at a price below the minimum or above the maximum therefor approved or established by the Commission and in effect at the time of making the contract.

Prohibition on contracts for sale below minimum or above maximum prices while Act in effect.

The minimum prices established in accordance with the provisions of this section shall not apply to coal sold by a code member and shipped outside the domestic market. The domestic market shall include all points within the continental United States and Canada, and car-ferry shipments to the Island of Cuba. Bunker coal delivered to steamships for consumption thereon shall be regarded as shipped within the domestic market. Maximum prices established in accordance with the provisions of this section shall not apply to coal sold by a code member and shipped outside the continental United States.

Exemption; coal shipped outside domestic market.

Bunker coal.

Coal shipped outside continental United States.

(f) All data, reports, and other information in the possession of the National Recovery Administration in relation to bituminous coal shall be available to the Commission for the administration of this Act.

Availability of information possessed by National Recovery Administration.

(g) The price provisions of this Act shall not be evaded or violated by or through the use of docks or other storage facilities or transportation facilities, or by or through the use of subsidiaries, affiliated sales or transportation companies or other intermediaries or instrumentalities, or by or through the absorption, directly or indirectly, of any transportation or incidental charge of whatsoever kind or character, or any part thereof. The Commission is hereby authorized, after investigation and hearing, and upon notice to the interested parties, to make and issue rules and regulations to make this subsection effective.

Evasions of price provisions prohibited.

Rules and regulations.

(h) All sales and contracts for the sale of coal shall be subject to the code prices herein provided for and in effect at the time of the making of such sales and contracts. The Commission shall prescribe the price allowance to and receivable by persons who purchase coal for resale, and resell it in not less than cargo or railroad carload lots; and shall require the maintenance by such persons, in the resale of coal, of the minimum prices established under this Act.

Effectiveness of code prices.

Price allowance on resales in cargo or carload lots.

UNFAIR METHODS OF COMPETITION

Unfair methods of competition.

(i) The following practices shall be unfair methods of competition and shall constitute violations of the code:

Practices enumerated.

1. The consignment of unordered coal, or the forwarding of coal which has not actually been sold, consigned to the producer or his agent: *Provided, however*, That coal which has not actually been sold may be forwarded, consigned to the producer or his agent at rail or track yards, tidewater ports, river ports, or lake ports, or docks beyond such ports. Such limitations on the consignment of coal shall not apply to the following classes: Bunker coal, coal applicable against existing contracts, coal for storage (other than in railroad cars) by the producer or his agent in rail or track yards or on docks, wharves, or other yards for resale by the producer or his agent.

Consignment of unordered coal.

Proviso. Exception.

Classes of coal to which limitations not applicable.

Secret allowances, rebates, and concessions.

2. The adjustment of claims with purchasers of coal in such manner as to grant secret allowances, secret rebates, or secret concessions, or other price discrimination.

Prepayment of freight charges when resulting in discriminatory credit allowance.

3. The prepayment of freight charges with intent to or having the effect of granting a discriminatory credit allowance.

Granting allowances which alter prices previously agreed upon.

4. The granting in any form of adjustments, allowances, discounts, credits, or refunds to purchasers or sellers of coal, for the purposes or with the effect of altering retroactively a price previously agreed upon, in such manner as to create price discrimination.

Predating or postdating invoices.

5. The predating or postdating of any invoice or contract for the purchase or sale of coal, except to conform to a bona fide agreement for the purchase or sale entered into on the predate.

Discriminatory payments to certain purchasers.

6. The payment or allowance in any form or by any device of rebates, refunds, credits, or unearned discounts, or the extension to certain purchasers of services or privileges not extended to all purchasers under like terms and conditions, or under similar circumstances.

Commercial bribery.

7. The attempt to purchase business, or to obtain information concerning a competitor's business by concession, gifts, or bribes.

Misrepresentation of quality, etc., of products.

8. The intentional misrepresentation of any analysis or of analyses, or of sizes, or the intentional making, causing, or permitting to be made, or publishing, of any false, untrue, misleading, or deceptive statement by way of advertising, invoicing, or otherwise concerning the size, quality, character, nature, preparation, or origin of any coal bought, sold, or consigned.

Unauthorized use of competitor's trade names, etc.

9. The unauthorized use, whether in written or oral form, of trade marks, trade names, slogans, or advertising matter already adopted by a competitor, or any deceptive approximation thereof.

Inducing breach of competitor's contracts.

10. Inducing or attempting to induce, by any means or device whatsoever, a breach of contract between a competitor and his customer during the term of such contract.

Splitting commissions, etc.

11. Splitting or dividing commissions, broker's fees, or brokerage discounts, or otherwise in any manner directly or indirectly using brokerage commissions or jobbers' arrangements or sales agencies for making discounts, allowances, or rebates, or prices other than those determined under this Act, to any industrial consumer or to any retailers, or to others, whether of a like or different class.

Selling to agent of retailer, industrial consumer, etc.

12. Selling to, or through, any broker, jobber, commission account, or sales agency, which is in fact or in effect an agency or an instrumentality of a retailer or an industrial consumer or of an organization of retailers or industrial consumers, whereby they or any of them secure either directly or indirectly a discount, dividend, allowance, or rebates, or a price other than that determined in the manner prescribed by this Act.

Code violations.

13. Violations of the provisions of the code.

Sales to farmer's cooperative organization.

It shall not be an unfair method of competition or a violation of the code or any requirement of this Act (1) to sell to or through any bona fide and legitimate farmer's cooperative organization duly organized under the laws of any State, Territory, the District of Columbia, or the United States whether or not such organization grants rebates, discounts, patronage dividends, or other similar benefits to its members, (2) to sell through any intervening agency to any such cooperative organization, or (3) to pay or allow to any such cooperative organization or to any such intervening agency any discount, commission, rebate, or dividend ordinarily paid or allowed, or permitted by the code to be paid or allowed, to other purchasers for purchases in wholesale or middleman quantities.

(j) The Commission shall have jurisdiction to hear and determine written complaints made charging any violation of the code specified in this part II. It shall make and publish rules and regulations for the consideration and hearing of any such complaint, and all interested parties shall be required to conform thereto. The Commission shall make due effort toward adjustment of such complaints and shall endeavor to compose the differences of the parties, and shall make such order or orders in the premises, from time to time, as the facts and the circumstances warrant. Any such order shall be subject to review as are other orders of the commission.

Complaints charging violation of code; jurisdiction of Commission.

Rules respecting hearing.

Adjustment.

Orders of Commission.

Review.

PART III—LABOR RELATIONS

Part III—Labor Relations.

To effectuate the purposes of this Act, the district boards and code members shall accept the following conditions which shall be contained in said code:

Code conditions to be accepted by district boards and code members.

(a) Employees shall have the right to organize and bargain collectively through representatives of their own choosing, and shall be free from interference, restraint, or coercion of employers, or their agents, in the designation of such representatives or in self-organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection; and no employee and no one seeking employment shall be required as a condition of employment to join any company union.

Right of employees to organize and bargain collectively.

(b) Employees shall have the right of peaceable assemblage for the discussion of the principles of collective bargaining, shall be entitled to select their own check-weighman to inspect the weighing or measuring of coal, and shall not be required as a condition of employment to live in company houses or to trade at the store of the employer.

To assemble peaceably.

Select own check-weighman.

Living quarters, etc.

(c) A Bituminous Coal Labor Board, hereinafter referred to as "Labor Board", consisting of three members, shall be appointed by the President of the United States by and with the advice and consent of the Senate, and shall be assigned to the Department of Labor. The chairman shall be an impartial person with no financial interest in the industry, or connection with any organization of the employees. Of the other members, one shall be a representative of the producers and one shall be a representative of the organized employees, each of whom may retain his respective interest in the industry or relationship to the organization of employees. The Labor Board shall, with due regard to the provisions of the civil-service laws and the Classification Act of 1923, as amended, appoint and fix the compensation and duties of a secretary and necessary clerical and other assistants. The members shall serve for a period of four years or until the prior termination of this Act, and shall each receive compensation at the rate of $10,000 per annum and necessary traveling expenses. Any person appointed to fill a vacancy shall be appointed only for the unexpired term of his predecessor in office. Decisions of the Labor Board may be made by a majority thereof.

Bituminous Coal Labor Board.

Appointment. *Post*, p. 1627.

Chairman.

Qualifications.

Appointment of secretary, etc.

Terms of office.

Compensation.

Vacancies.

Decisions.

(d) The Labor Board shall sit at such places as its duties require, and may appoint an examiner to report evidence for its finding in any particular case. It shall notify the parties to any dispute of the time and place of the taking of evidence, or the hearing of the cause, and its finding of facts supported by any substantial evidence shall be conclusive upon review thereof by any court of the United States. It shall transmit its findings and order to the parties interested and to the Commission. The Commission shall take no action thereon for sixty days after the entry of the order of the Labor Board; and if within such sixty days an appeal is taken under the

Sessions of Labor Board.

Notification to disputants.

Findings of fact.

Copies to be forwarded.

Action of Commission.

provisions of section 16 of this Act, no action on such finding and order shall be taken by the Commission during the pendency of the appeal.

Authority of Labor Board.

(e) The Labor Board shall have authority to adjudicate disputes arising under subsections (a) and (b) of this part III, and to determine whether or not an organization of employees has been promoted, or is controlled or dominated by an employer in its organization, management, policy, or election of representatives; and for the purpose of determining who are the freely chosen representatives of the employees the Board may order and under its supervision may conduct an election of employees for that purpose. The Labor Board may order a code member to meet the representatives of its employees for the purpose of collective bargaining.

Services as mediator.

(f) The Labor Board may offer its services as mediator in any dispute between a producer and its employees where such dispute is not determined by the tribunal set up in a bona fide collective contract; and upon the written submission by the parties requesting an award on a stated matter signed by the duly accredited representatives of the employer and employees, the Labor Board may arbitrate the matter submitted.

Maximum hours of labor; agreement and acceptance.

(g) Whenever the maximum daily and weekly hours of labor are agreed upon in any contract or contracts negotiated between the producers of more than two-thirds the annual national tonnage production for the preceding calendar year and the representatives of more than one-half the mine workers employed, such maximum hours of labor shall be accepted by all the code members. The wage agreement or agreements negotiated by collective bargaining in any district or group of two or more districts, between representatives of producers of more than two-thirds of the annual tonnage production of such district or each of such districts in a contracting group during the preceding calendar year, and representatives of the majority of the mine workers therein, shall be filed with the Labor Board and shall be accepted as the minimum wages for the various classifications of labor by the code members operating in such district or group of districts.

Wage agreements.

Filing and acceptance.

Organization of the code.

ORGANIZATION OF THE CODE

Duty of Commission to formulate code and assist in organizing district board.

Acceptance of membership by producers.

SEC. 5. (a) Upon the appointment of the Commission it shall at once formulate said code and assist in the organization of the district boards as provided for in section 4, and shall prepare and supply to all coal producers forms of acceptance for membership therein. Such forms of acceptances, when executed, shall be acknowledged before any official authorized to take acknowledgments.

Revocation of acceptance.

Hearing.

(b) The membership of any such coal producer in such code and his right to a drawback on the taxes levied under section 3 of this Act, may be revoked by the Commission upon written complaint by any party in interest, after a hearing, with thirty days' written notice to the member, upon proof that such member has willfully failed or refused to comply with any duty or requirement imposed upon him by reason of his membership; and in such a hearing any party in interest, including the district boards, other code members, consumers, employees, and the Commissioner of Internal Revenue, shall be entitled to present evidence and be heard: *Provided*, That the Commission, in its discretion, may in such case make an order directing the code member to cease and desist from violations of the code and upon failure of the code member to comply with such order the Commission may reopen the case upon ten days' notice to the code member affected and proceed in the hearing thereof as above provided.

Proviso.
Cease and desist orders.

The Commission shall keep a record of the evidence heard by it in any proceeding to cancel or revoke the membership of any code member and its findings of fact if supported by any substantial evidence shall be conclusive upon any proceeding to review or restrain the action and order of the Commission in any court of the United States. Record of proceedings.

When an alleged violation of the code relates to the provisions of part III of section 4 of this Act, the Commission shall accept as conclusive the certified findings and orders of the Labor Board and inquire only into the compliance or noncompliance of the code member with respect thereto.

(c) Any producer whose membership in the code and whose right to a drawback on the taxes as provided under this Act has been canceled, shall have the right to have his membership restored upon payment by him of all taxes in full for the time during which it shall be found by the Commission that his violation of the code or of any regulation thereunder, the observance of which is required by its terms, shall have continued. In making its findings under this subsection the Commission shall state specifically (1) the period of time during which such violation continued, and (2) the amount of taxes required to be paid to bring about reinstatement as a code member. Restoration of membership.

(d) Any code member who shall be injured in his business or property by any other code member by reason of the doing of any act which is forbidden or the failure to do any act which is required by this Act or by the code, may sue therefor in any district court of the United States in the district in which the defendant resides, or is found or has an agent, without respect to the amount in controversy, and shall recover three-fold damages by him sustained, and the cost of suit, including a reasonable attorney's fee. Suits by code member producer. Damages and costs.

SEC. 6. (a) All rules, regulations, determinations, and promulgations of any district board shall be subject to review by the Commission upon appeal by any producer and upon just cause shown shall be amenable to the order of the Commission; and appeal to the Commission shall be a matter of right in all cases to every producer and to all parties in interest. The Commission may also provide rules for the determination of controversies arising under this Act by voluntary submission thereof to arbitration, which determination shall be final and conclusive. Rules, etc., of district board; review.

(b) Any person aggrieved by an order issued by the Commission or Labor Board in a proceeding to which such person is a party may obtain a review of such order in the Circuit Court of Appeals of the United States, within any circuit wherein such person resides or has his principal place of business, or in the United States Court of Appeals for the District of Columbia, by filing in such court, within sixty days after the entry of such order, a written petition praying that the order of the Commission or Labor Board be modified or set aside in whole or in part. A copy of such petition shall be forthwith served upon any member of the Commission or Labor Board, as the case may be, and thereupon the Commission or Labor Board, as the case may be, shall certify and file in the court a transcript of the record upon which the order complained of was entered. Upon the filing of such transcript such court shall have exclusive jurisdiction to affirm, modify, and enforce or set aside such order, in whole or in part. No objection to the order of the Commission or Labor Board shall be considered by the court unless such objection shall have been urged below. The finding of the Commission or Labor Board as to the facts, if supported by substantial evidence, Review of order of Commission or Labor Board. Petition to be filed. Service of copy. Certification and filing of transcript of court record. Jurisdiction of court. Consideration of objections. Findings of fact.

Additional evidence.

shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence, and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for failure to adduce such evidence in the hearing before the Commission or Labor Board, the court may order such additional evidence to be taken before the Commission or Labor Board and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper. The Commission or Labor Board, as the case may be, may modify its findings as to the facts, by reason of the additional evidence so taken, and it shall file such modified or new findings, which, if supported by substantial evidence, shall be conclusive, and its recommendation, if any, for the modification or setting aside of the original order. The judgment and decree of the court, affirming, modifying, and enforcing or setting aside, in whole or in part, any such order of the Commission or Labor Board, as the case may be, shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended (U. S. C., title 28, secs. 346 and 347).

Modification of findings of fact.

Finality of judgment and decree.

Review.
U. S. C., p. 1271.

Commencement of proceedings not to stay Commission's order.

The commencement of proceedings under this subsection shall not, unless specifically ordered by the court, operate as a stay of the Commission's order.

Enforcement of Commission's order.

(c) If any code member fails or neglects to obey any order of the Commission while the same is in effect, the Commission in its discretion may apply to the Circuit Court of Appeals of the United States within any circuit where such code member resides or carries on business, for the enforcement of its order, and shall certify and file with its application a transcript of the entire record in the proceeding, including all the testimony taken and the report and order of the Commission. Upon such filing of the application and transcript the court shall cause notice thereof to be served upon such code member and thereupon shall have jurisdiction of the proceeding and of the question determined therein, and shall have power to make and enter upon the pleadings, testimony, and proceedings set forth in such transcript a decree affirming, modifying, or setting aside the order of the Commission. The findings of the Commission as to facts, if supported by substantial evidence, shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence, and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the proceeding before the Commission, the court may order such additional evidence to be taken before the Commission and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper.

Jurisdiction of court.

Findings of fact.

Additional evidence.

Modification of findings of fact.

The Commission may modify its findings as to the facts or make new findings, by reason of the additional evidence so taken, and it shall file such modified or new findings, which if supported by substantial evidence shall be conclusive, and its recommendation, if any, for the modification or setting aside of its original order, with the return of such additional evidence. The judgment and decree of the court shall be final, except that the same shall be subject to review by the Supreme Court upon certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended (U. S. C., title 28, secs. 346 and 347).

Finality of judgment and decree.
U. S. C., p. 1271.

Review.

(d) The jurisdiction of the Circuit Court of Appeals of the United States or the United States Court of Appeals for the District of Columbia, as the case may be, to enforce, set aside, or modify orders of the Commission or Labor Board shall be exclusive.

Such proceedings in the Circuit Court of Appeals or the United States Court of Appeals for the District of Columbia, as the case may be, shall be given precedence over other cases pending therein, and shall be in every way expedited.

Laws applicable to tax provisions.

SEC. 7. All provisions of the law, including penalties and refunds, relating to the collection and disposition of internal revenue taxes, shall, insofar as applicable and not inconsistent with the provisions of this Act, be applicable with respect to taxes imposed under this Act.

General authority of Commission and of Labor Board.

SEC. 8. (a) The members of the Commission and of the Labor Board are authorized to administer oaths to witnesses appearing before their respective boards; and, for the purpose of conducting its investigations, said Commission or the said Labor Board shall have full power to issue subpenas and subpenas duces tecum, which shall be as nearly as may be in the form of subpenas issued by district courts of the United States. In case any person shall fail or refuse to obey such subpena it shall be the duty of the Commission, or the Labor Board, through its chairman, to make application to the District Court of the Unitetd [1] States setting forth the issue and service of such subpena and the refusal of the person to obey the same and requesting such court to compel such person to appear before such court and show lawful cause for such refusal. Upon the filing of such application with the clerk of such court, it shall be the duty of the judge thereof, either in term time or vacation, to forthwith enter an order of record, requiring such person to appear before such court at a time stated in said order within three days from such entry, and show cause why he should not be required to obey such subpena, and upon his failure to show cause it shall be the duty of the court to order such witness to appear before the said Commission or Labor Board and give such testimony or produce such evidence as may be lawfully required by said Commission or Labor Board. The district court, either in term time or vacation, shall have full power to punish for contempt as in other cases of refusal to obey the process and order of such court.

Refusals to obey subpena.

Contempts.

Reports.

(b) In the investigation of any complaint or violation of the code, or of any rule or regulation the observance of which is required under the terms thereof, the Commission or the Labor Board, as the case may be, shall have power to require such reports from, and shall be given access to inspect the books and records of, code members to the extent deemed necessary for the purpose of determining the complaint.

Producer nonmembers; provisions of Act, etc., applicable to.

SEC. 9. Should any producer or producers of bituminous coal not accept and maintain membership under the code set out in section 4 of this Act, he or they shall in addition to the tax herein provided and without the privilege of any drawback thereon, be held subject to other Acts of Congress regulating industries and their labor relations or providing for codes of fair competition therein: *Provided*, That the employees of all producers shall have the right of self-organization and collective bargaining through representatives of their own choosing free from the interference, restraint, or coercion of employers or their agents, all as set forth in section 4, part III (a) and (b), of this Act.

Proviso.
Employees' right of self-organization and collective bargaining.

Producers' reports; requirement.

SEC. 10. (a) The Commission may require reports from producers and may use such other sources of information available as it deems advisable, and may require producers to maintain a uniform system of accounting of costs, wages, operations, sales, profits, losses, and such other matters as may be required in the administration of this

Uniform accounting systems.

[1] So in original.

Confidential nature of information.

Act. No information obtained from a producer disclosing costs of production or sales realization shall be made public without the consent of the producer from whom the same shall have been obtained, except where such disclosure is warranted by a controversy with the producer over any order of the Commission and except that such information may be compiled in composite form in such manner as shall not be injurious to the interests of any producer and, as so compiled, may be published by the Commission.

Punishment for unlawfully divulging information.

(b) Any officer or employee of the Commission or of any district board who shall, in violation of the provisions of subsection (a), make public any information obtained by the Commission or the district board, without its authority, unless directed by a court, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding $500, or by imprisonment not exceeding six months, or by both fine and imprisonment, in the discretion of the court.

Punishment for failure to file required report.

(c) If any producer required by this Act or the code to file a report shall fail to do so within the time fixed for filing the same, and such failure shall continue for thirty days after notice of such

Forfeiture.

default, the producer shall forfeit to the United States the sum of $50 for each and every day of the continuance of such failure, which forfeiture shall be payable into the Treasury of the United States, and shall be recoverable in a civil suit in the name of the United States, brought in the district where the producer has his principal

Recovery of.

office or in any district in which he shall do business. It shall be the duty of the various district attorneys, under the direction of the Attorney General of the United States, to prosecute for the recovery of forfeiture.

State laws.

SEC. 11. State laws regulating the mining of coal not inconsistent herewith are not affected by this Act.

Coal contracted for prior to effective date hereof; minimum price.

SEC. 12. No coal may be delivered upon a contract made prior to the effective date of this Act at a price below the minimum price at the time of delivery upon such contract, as established pursuant to Part II of section 4 of this Act, and such contract shall be invalid

Proviso. Exempted contracts.

and unenforceable: *Provided*, That this prohibition shall not apply (a) to a lawful and bona fide written contract entered into prior to October 2, 1933; nor (b) to a lawful and bona fide written contract entered into subsequent to that date and prior to May 27, 1935, at not less than the minimum price current as published under the Code of Fair Competition for the Bituminous Coal Industry, pursuant to the National Industrial Recovery Act, at the time of making of such contract; nor (c) to a lawful and bona fide written contract entered into on or after May 27, 1935, and prior to the date of the approval of this Act, at not less than the minimum price for current sale as published under said code of fair competition, as at May 27, 1935.

Unlawful producer combinations.

SEC. 13. Any combination between producers creating a marketing agency for the disposal of competitive coals in interstate commerce at prices to be determined by such agency or by the agreement of the producers operating through such agency, shall be unlawful as a restraint of interstate trade and commerce within the provisions of

Vol. 26, p. 209; U. S. C., p. 509.

the Act of Congress of July 2, 1890, known as the Sherman Act, and Acts amendatory and supplemental thereto, unless such marketing agency shall have been approved by the Commission as provided in section 4 of this Act.

Restriction on coal purchases by United States, etc.

SEC. 14. (a) No bituminous coal shall be purchased by the United States, or any department or agency thereof, produced at any mine, where the producer has not complied with the provisions of the code set out in section 4 of this Act.

(b) Each contract made by the United States, or any department or agency thereof, with a contractor for any public work, or service, shall contain a provision that the contractor will buy no bituminous coal to use on or in the carrying out of such contract from any producer except such producer be a member of the code set out in section 4 of this Act as certified to by the National Bituminous Coal Commission. Government contracts; requirement.

SEC. 15. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act and the application of such provisions to other persons or circumstances shall not be affected thereby. Separability of provisions.

OTHER DUTIES OF THE COMMISSION

Other duties of the Commission.

SEC. 16. The Commission shall study and investigate the matter of increasing the uses of bituminous coal and the problems of its importation and exportation; and shall further investigate— Studies and investigations.

(1) The economic operations of mines with the view to the conservation of the national coal resources.

(2) The safe operation of mines for the purpose of minimizing working hazards, and for such purpose shall be authorized to employ the services of the Bureau of Mines.

(3) The rehabilitation of mine workers displaced from employment, and the relief of mine workers partially employed. The Commission's findings and recommendations shall be transmitted to the proper agency of the Government for relief, rehabilitation, and subsistence homesteads.

(4) The problem of marketing to lower distributing costs for the benefit of consumers.

(5) The Commission shall, as soon as reasonably possible after its appointment, investigate the necessity for the control of production of bituminous coal and methods of such control, including allotment of output to districts and producers within such districts, and shall hold hearings thereon, and shall report its conclusions and recommendations to the Secretary of the Interior for transmission by him to Congress not later than January 6, 1936.

SEC. 17. Upon substantial complaint that bituminous-coal prices are excessive, and oppressive of consumers, or that any district board, or producers' marketing agency, is operating against the public interest, or in violation of this Act, the Commission may hear such complaint, or appoint a committee to investigate the same, and its findings shall be made public; and the Commission shall make proper orders within the purview of this Act so as to correct such abuses. Complaints may be made under this section by any State or political subdivision of a State. Complaints respecting excessive coal prices. Investigation. Correction of abuses.

SEC. 18. To safeguard the interests of those concerned in the mining, transportation, selling, and consumption of coal, the Commission is hereby vested with authority to make complaint to the Interstate Commerce Commission with respect to rates, charges, tariffs and practices relating to the transportation of coal, and to prosecute the same. Before proceeding to hear and dispose of any complaint filed by another than the Commission, involving the transportation of coal, the Interstate Commerce Commission shall cause the Commission to be notified of the proceeding and, upon application of the Commission, shall permit the Commission to appear and be heard. The Interstate Commerce Commission is authorized to avail itself of the cooperation, services, records and facilities of the Commission. Complaints to Interstate Commerce Commission respecting transportation costs.

SEC. 19. The term "bituminous coal" as used in this Act shall include all bituminous, semibituminous, and subbituminous coal and Terms construed. "Bituminous coal."

"Producer." lignite. The term "producer" shall include all persons, firms, associations, corporations, trustees, and receivers engaged in mining

"Captive coal." bituminous coal. The term "captive coal" shall include all coal produced at a mine for consumption by the producer or by a subsidiary or affiliate thereof, or for use in the production of coke or other forms of manufactured fuel by such producer or subsidiary or affiliate.

Effective date of section 3. SEC. 20. Section 3 of this Act shall become effective on the 1st day of the third calendar month after the enactment of this Act, unless the Commission shall not at that time have formulated the code and

Ante, p. 993. forms of acceptance for membership therein, in which event section 3 of this Act shall become effective from and after the date when the Commission shall have formulated the code and such forms for acceptance, which date shall be promulgated by Executive order of

Of other sections. the President of the United States. All other sections of this Act shall become effective on the day of the approval of this Act.

Duration of Act. SEC. 21. This Act shall cease to be in effect and any agencies established thereunder shall cease to exist on and after four years from the date of the approval of this Act.

Appropriation authorized. SEC. 22. There is hereby authorized to be appropriated from time to time such sums as may be necessary for the administration of this Act.

Short title. SEC. 23. This Act may be cited as the "Bituminous Coal Conservation Act of 1935."

Annex to Act—Schedule of Districts.

ANNEX TO ACT—SCHEDULE OF DISTRICTS

Eastern Pennsylvania.

EASTERN PENNSYLVANIA

DISTRICT 1. The following counties in Pennsylvania: Bedford, Blair, Bradford, Cambria, Cameron, Centre, Clarion, Clearfield, Clinton, Elk, Forest, Fulton, Huntingdon, Jefferson, Lycoming, McKean, Mifflin, Potter, Somerset, Tioga.

Armstrong County, including mines served by the P. & S. R. R. on the west bank of the Allegheny River, and north of the Conemaugh division of the Pennsylvania Railroad.

Fayette County, all mines on and east of the line of Indian Creek Valley branch of the Baltimore and Ohio Railroad.

Indiana County, north of but excluding the Saltsburg branch of the Pennsylvania Railroad between Edri and Blairsville, both exclusive.

Westmoreland County, including all mines served by the Pennsylvania Railroad, Torrance, and east.

All coal-producing counties in the State of Maryland.

The following counties in West Virginia: Grant, Mineral, and Tucker.

Western Pennsylvania.

WESTERN PENNSYLVANIA

DISTRICT 2. The following counties in Pennsylvania: Allegheny, Beaver, Butler, Greene, Lawrence, Mercer, Venango, Washington.

Armstrong County, west of the Allegheny River and exclusive of mines served by the P. & S. R. R.

Indiana County, including all mines served on the Saltsburg branch of the Pennsylvania Railroad north of Conemaugh River.

Fayette County, except all mines on and east of the line of Indian Creek Valley branch of the Baltimore and Ohio Railroad.

Westmoreland County, including all mines except those served by the Pennsylvania Railroad from Torrance, east.

NORTHERN WEST VIRGINIA

Northern West Virginia.

DISTRICT 3. The following counties in West Virginia: Barbour, Braxton, Calhoun, Doddridge, Gilmer, Harrison, Jackson, Lewis, Marion, Monongalia, Pleasants, Preston, Randolph, Ritchie, Roane, Taylor, Tyler, Upshur, Webster, Wetzel, Wirt, Wood.

That part of Nicholas County including mines served by the Baltimore and Ohio Railroad and north.

OHIO

Ohio.

DISTRICT 4. All coal-producing counties in Ohio.

MICHIGAN

Michigan.

DISTRICT 5. All coal-producing counties in Michigan.

PANHANDLE

Panhandle.

DISTRICT 6. The following counties in West Virginia: Brooke, Hancock, Marshall, and Ohio.

SOUTHERN NUMBERED 1

Southern numbered 1.

DISTRICT 7. The following counties in West Virginia: Greenbrier, Mercer, Monroe, Pocahontas, Summers.

Fayette County, east of Gauley River and including the Gauley River branch of the Chesapeake and Ohio Railroad and mines served by the Virginia Railway.

McDowell County, that portion served by the Dry Fork branch of the Norfolk and Western Railroad and east thereof.

Raleigh County, excluding all mines on the Coal River branch of the Chesapeake and Ohio Railroad.

Wyoming County, that portion served by the Gilbert branch of the Virginian Railroad lying east of the mouth of Skin Fork of Guyandot River and that portion served by the main line and the Glen Rogers branch of the Virginian Railroad.

The following counties in Virginia: Montgomery, Pulaski, Wythe, Giles, Craig.

Tazewell County, that portion served by the Dry Fork branch to Cedar Bluff and from Bluestone Junction to Boissevain branch of the Norfolk and Western Railroad and Richlands-Jewell Ridge Branch of the Norfolk and Western Railroad.

Buchanan County, that portion served by the Richlands-Jewell Ridge branch of the Norfolk and Western Railroad and that portion of said county on the head waters of Dismal Creek, east of Lynn Camp Creek (a tributary of Dismal Creek).

SOUTHERN NUMBERED 2

Southern numbered 2.

DISTRICT 8. The following counties in West Virginia: Boone, Clay, Kanawha, Lincoln, Logan, Mason, Mingo, Putnam, Wayne, Cabell.

Fayette County, west of, but not including mines of the Gauley River branch of the Chesapeake and Ohio Railroad.

McDowell County, that portion not served by and lying west of the Dry Fork branch of the Norfolk and Western Railroad.

Raleigh County, all mines on the Coal River branch of the Chesapeake and Ohio Railroad and north thereof.

Nicholas County, that part south of and not served by the Baltimore and Ohio Railroad.

Wyoming County, that portion served by Gilbert branch of the Virginian Railroad lying west of the mouth of Skin Fork of Guyandot River.

The following counties in Virginia: Dickinson, Lee, Russell, Scott, Wise.

All of Buchanan County, except that portion on the head waters of Dismal Creek, east of Lynn Camp Creek (tributary of Dismal Creek) and that portion served by the Richlands-Jewell Ridge branch of the Norfolk and Western Railroad.

Tazewell County, except portions served by the Dry Fork branch of Norfolk and Western Railroad and branch from Bluestone Junction to Boissevain of Norfolk and Western Railroad and Richlands-Jewell Ridge branch of the Norfolk and Western Railroad.

The following counties in Kentucky: Bell, Boyd, Breathitt, Carter, Clay, Elliott, Floyd, Greenup, Harlan, Jackson, Johnson, Knott, Knox, Laurel, Lawrence, Lee, Letcher, Leslie, McCreary, Magoffin, Martin, Morgan, Owsley, Perry, Pike, Rockcastle, Wayne, Whitley.

The following counties in Tennessee: Anderson, Campbell, Claiborne, Cumberland, Fentress, Morgan, Overton, Roane, Scott.

The following counties in North Carolina: Lee, Chatham, Moore.

West Kentucky.

WEST KENTUCKY

DISTRICT 9. The following counties in Kentucky: Butler, Christian, Crittenden, Daviess, Hancock, Henderson, Hopkins, Logan, McLean, Muhlenberg, Ohio, Simpson, Todd, Union, Warren, Webster.

Illinois.

ILLINOIS

DISTRICT 10. All coal-producing counties in Illinois.

Indiana.

INDIANA

DISTRICT 11. All coal-producing counties in Indiana.

Iowa.

IOWA

DISTRICT 12. All coal-producing counties in Iowa.

Southeastern.

SOUTHEASTERN

DISTRICT 13. All coal-producing counties in Alabama.

The following counties in Georgia: Dade, Walker.

The following counties in Tennessee: Marion, Grundy, Hamilton, Bledsoe, Sequatchie, White, Van Buren, Warren, McMinn, Rhea.

Arkansas-Oklahoma.

ARKANSAS-OKLAHOMA

DISTRICT 14. The following counties in Arkansas: All counties in the State.

The following counties in Oklahoma: Haskell, Le Flore, Sequoyah.

Southwestern.

SOUTHWESTERN

DISTRICT 15. All coal-producing counties in Kansas. All coal-producing counties in Texas. All coal-producing counties in Missouri.

The following counties in Oklahoma: Coal, Craig, Latimer, Muskogee, Okmulgee, Pittsburg, Rogers, Tulsa, Wagoner.

Northern Colorado.

NORTHERN COLORADO

DISTRICT 16. The following counties in Colorado: Adams, Arapahoe, Boulder, Douglas, Elbert, El Paso, Jackson, Jefferson, Larimer, Weld.

SOUTHERN COLORADO

Southern Colorado.

DISTRICT 17. The following counties in Colorado: All counties not included in northern Colorado district.

The following counties in New Mexico: All coal-producing counties in the State of New Mexico, except those included in the New Mexico district.

NEW MEXICO

New Mexico.

DISTRICT 18. The following counties in New Mexico: Grant, Lincoln, McKinley, Rio Arriba, Sandoval, San Juan, San Miguel, Santa Fe, Socorro.

WYOMING

Wyoming.

DISTRICT 19. All coal-producing counties in Wyoming.

UTAH

Utah.

DISTRICT 20. All coal-producing counties in Utah.

NORTH DAKOTA-SOUTH DAKOTA

North Dakota-South Dakota.

DISTRICT 21. All coal-producing counties in North Dakota. All coal-producing counties in South Dakota.

MONTANA

Montana.

DISTRICT 22. All coal-producing counties in Montana.

WASHINGTON

Washington.

DISTRICT 23. All coal-producing counties in Washington.

Approved, August 30, 1935.

[CHAPTER 825.]

AN ACT

August 30, 1935.
[S. 3303.]
[Public, No. 403.]

To amend the Act approved March 3, 1931, relating to the rate of wages for laborers and mechanics employed by contractors and subcontractors on public buildings.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act relating to the rate of wages for laborers and mechanics employed on public buildings of the United States and the District of Columbia by contractors or subcontractors, and for other purposes", approved March 3, 1931, is amended to read as follows:

Rate of wages for laborers and mechanics employed on public buildings.
Vol. 46, p. 1494; U. S. C., p. 1788.
Post, p. 1347.

"That the advertised specifications for every contract in excess of $2,000, to which the United States or the District of Columbia is a party, for construction, alteration, and/or repair, including painting and decorating, of public buildings or public works of the United States or the District of Columbia within the geographical limits of the States of the Union or the District of Columbia, and which requires or involves the employment of mechanics and/or laborers shall contain a provision stating the minimum wages to be paid various classes of laborers and mechanics which shall be based upon the wages that will be determined by the Secretary of Labor to be prevailing for the corresponding classes of laborers and mechanics employed on projects of a character similar to the contract work in the city, town, village, or other civil subdivision of the State in which the work is to be performed, or in the District

Provision in advertised specifications respecting minimum wages.

Determination of local prevailing rate.

Stipulations in contracts respecting payments.

of Columbia if the work is to be performed there; and every contract based upon these specifications shall contain a stipulation that the contractor or his subcontractor shall pay all mechanics and laborers employed directly upon the site of the work, unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account, the full amounts accrued at time of payment, computed at wage rates not less than those stated in the advertised specifications, regardless of any contractual relationship which may be alleged to exist between the contractor or subcontractor and such laborers and mechanics, and that the scale of wages to be paid shall be posted by the contractor in a prominent and easily accessible place at the site of the work; and the further stipulation that there may be withheld from the contractor so much of accrued payments as may be considered necessary by the contracting officer to pay to laborers and mechanics employed by the contractor or any subcontractor on the work the difference between the rates of wages required by the contract to be paid laborers and mechanics on the work and the rates of wages received by such laborers and mechanics and not refunded to the contractor, subcontractors, or their agents.

Posting of wage scale.

Withholding portion of accrued payments from contractor.

Termination of right of contractor to proceed.

"SEC. 2. Every contract within the scope of this Act shall contain the further provision that in the event it is found by the contracting officer that any laborer or mechanic employed by the contractor or any subcontractor directly on the site of the work covered by the contract has been or is being paid a rate of wages less than the rate of wages required by the contract to be paid as aforesaid, the Government may, by written notice to the contractor, terminate his right to proceed with the work or such part of the work as to which there has been a failure to pay said required wages and to prosecute the work to completion by contract or otherwise, and the contractor and his sureties shall be liable to the Government for any excess costs occasioned the Government thereby.

Notice required.

Liability of contractor.

Payment of accrued payments withheld from laborers.

"SEC. 3. (a) The Comptroller General of the United States is hereby authorized and directed to pay directly to laborers and mechanics from any accrued payments withheld under the terms of the contract any wages found to be due laborers and mechanics pursuant to this Act; and the Comptroller General of the United States is further authorized and is directed to distribute a list to all departments of the Government giving the names of persons or firms whom he has found to have disregarded their obligations to employees and subcontractors. No contract shall be awarded to the persons or firms appearing on this list or to any firm, corporation, partnership, or association in which such persons or firms have an interest until three years have elapsed from the date of publication of the list containing the names of such persons or firms.

List of contractors disregarding obligations.

Prohibition on awarding contracts.

Right of action against contractor and sureties.

"(b) If the accrued payments withheld under the terms of the contract, as aforesaid, are insufficient to reimburse all the laborers and mechanics with respect to whom there has been a failure to pay the wages required pursuant to this Act, such laborers and mechanics shall have the right of action and/or of intervention against the contractor and his sureties conferred by law upon persons furnishing labor or materials, and in such proceedings it shall be no defense that such laborers and mechanics accepted or agreed to accept less than the required rate of wages or voluntarily made refunds.

Establishment of specific wage rates.

"SEC. 4. This Act shall not be construed to supersede or impair any authority otherwise granted by Federal law to provide for the establishment of specific wage rates.

"SEC. 5. This Act shall take effect thirty days after its passage, but shall not affect any contract then existing or any contract that may thereafter be entered into pursuant to invitations for bids that are outstanding at the time of the passage of this Act. Effective date.

"SEC. 6. In the event of a national emergency the President is authorized to suspend the provisions of this Act. Suspension authorized.

"SEC. 7. The funds appropriated and made available by the Emergency Relief Appropriation Act of 1935 (Public Resolution Numbered 11, Seventy-fourth Congress), are hereby made available for the fiscal year ending June 30, 1936, to the Department of Labor for expenses of the administration of this Act." Appropriation available for administrative expenses. *Ante*, p. 115.

Approved, August 30, 1935.

[CHAPTER 826.]

AN ACT

August 30, 1935. [H. R. 7199.] [Public, No. 404.]

To provide for the donation of certain Army equipment to posts of the Veterans of Foreign Wars.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the donation of certain Army equipment to posts of the American Legion", approved May 29, 1934, is amended (1) by striking out the words "of the American Legion" where they appear the first time in such Act, and adding the words "or camp of organizations composed of honorably discharged soldiers, sailors, or marines,"; (2) by striking out the comma after the word "post" where it appears in the expression "now held by such post" and adding "or camp,"; and (3) striking out the words "of the American Legion" where they appear the third time in such Act and adding the words "or camps or organizations composed of honorably discharged soldiers, sailors, or marines". Army equipment. Donations of obsolete, extended. Vol. 48, p. 815, amended.

Approved, August 30, 1935.

[CHAPTER 827.]

AN ACT

August 30, 1935. [H. R. 8511.] [Public, No. 405.]

To provide funds for cooperation with Cannon Ball School District, Sioux County, North Dakota, for extension of public-school buildings to be available for Indian children.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be expended from any moneys now available and applicable, or that may become applicable hereafter available, for construction under provisions of the National Industrial Recovery Act approved June 16, 1933, the sum of $30,000 for the purpose of cooperating with Cannon Ball School District, Sioux County, North Dakota, for extension and improvements of school buildings: *Provided*, That the expenditure of any moneys so appropriated shall be subject to the condition that the schools maintained by said district shall be available to all the Indian children of the district on the same terms, except as to payment of tuitions, as other children of said school district, subject to such further conditions as may be prescribed by the Secretary of the Interior. Sioux County, N. Dak. Cooperation with Cannon Ball District, for school building extension. Vol. 48, p. 200. *Proviso.* Available for Indian children.

Approved, August 30, 1935.

[CHAPTER 828.]

AN ACT

August 30, 1935.
[H. R. 8512.]
[Public, No. 406.]

To provide funds for cooperation with Fort Yates School District, Sioux County, North Dakota, for extension of public-school buildings to be available for Indian children.

Sioux County, N. Dak.
Cooperation with Fort Yates District, for school building construction.
Vol. 48, p. 200.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be expended from any moneys now available and applicable, or that may become applicable hereafter available, for construction under provisions of the National Industrial Recovery Act, approved June 16, 1933, the sum of $97,000 for the purpose of cooperating with Fort Yates School District, Sioux County, North Dakota, for extension and improvements of school buildings: *Provided*, That the expenditure of any moneys so appropriated shall be subject to the condition that the schools maintained by said district shall be available to all the Indian children of the district on the same terms, except as to payment of tuitions, as other children of said school district, subject to such further conditions as may be prescribed by the Secretary of the Interior.

Proviso.
Available for Indian children.

Approved, August 30, 1935.

[CHAPTER 829.]

AN ACT

August 30, 1935.
[H. R. 8974.]
[Public, No. 407.]

To provide revenue, equalize taxation, and for other purposes.

Revenue Act of 1935.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Revenue Act of 1935".

Title I—Income and Excess-profits Taxes.

TITLE I—INCOME AND EXCESS-PROFITS TAXES

Surtaxes on individuals.
Vol. 48, p. 684.
Post, p. 1673.

SEC. 101. SURTAXES ON INDIVIDUALS

Section 12(b) of the Revenue Act of 1934 is amended by striking out all after the bracket—

Rates.

"$6,080 upon surtax net incomes of $44,000; and upon surtax net incomes in excess of $44,000 and not in excess of $50,000, 27 per centum in addition of such excess."

and inserting in lieu thereof the following:

"$7,700 upon surtax net incomes of $50,000; and upon surtax net incomes in excess of $50,000 and not in excess of $56,000, 31 per centum in addition of such excess.

"$9,560 upon surtax net incomes of $56,000; and upon surtax net incomes in excess of $56,000 and not in excess of $62,000, 35 per centum in addition of such excess.

"$11,660 upon surtax net incomes of $62,000; and upon surtax net incomes in excess of $62,000 and not in excess of $68,000, 39 per centum in addition of such excess.

"$14,000 upon surtax net incomes of $68,000; and upon surtax net incomes in excess of $68,000 and not in excess of $74,000, 43 per centum in addition of such excess.

"$16,580 upon surtax net incomes of $74,000; and upon surtax net incomes in excess of $74,000 and not in excess of $80,000, 47 per centum in addition of such excess.

"$19,400 upon surtax net incomes of $80,000; and upon surtax net incomes in excess of $80,000 and not in excess of $90,000, 51 per centum in addition of such excess.

"$24,500 upon surtax net incomes of $90,000; and upon surtax net incomes in excess of $90,000 and not in excess of $100,000, 55 per centum in addition of such excess.

"$30,000 upon surtax net incomes of $100,000; and upon surtax net incomes in excess of $100,000 and not in excess of $150,000, 58 per centum in addition of such excess.

"$59,000 upon surtax net incomes of $150,000; and upon surtax net incomes in excess of $150,000 and not in excess of $200,000, 60 per centum in addition of such excess.

"$89,000 upon surtax net incomes of $200,000; and upon surtax net incomes in excess of $200,000 and not in excess of $250,000, 62 per centum in addition of such excess.

"$120,000 upon surtax net incomes of $250,000; and upon surtax net incomes in excess of $250,000 and not in excess of $300,000, 64 per centum in addition of such excess.

"$152,000 upon surtax net incomes of $300,000; and upon surtax net incomes in excess of $300,000 and not in excess of $400,000, 66 per centum in addition of such excess.

"$218,000 upon surtax net incomes of $400,000; and upon surtax net incomes in excess of $400,000 and not in excess of $500,000, 68 per centum in addition of such excess.

"$286,000 upon surtax net incomes of $500,000; and upon surtax net incomes in excess of $500,000 and not in excess of $750,000, 70 per centum in addition of such excess.

"$461,000 upon surtax net incomes of $750,000; and upon surtax net incomes in excess of $750,000 and not in excess of $1,000,000, 72 per centum in addition of such excess.

"$641,000 upon surtax net incomes of $1,000,000; and upon surtax net incomes in excess of $1,000,000 and not in excess of $2,000,000, 73 per centum in addition of such excess.

"$1,371,000 upon surtax net incomes of $2,000,000; and upon surtax net incomes in excess of $2,000,000 and not in excess of $5,000,000, 74 per centum in addition of such excess.

"$3,591,000 upon surtax net incomes of $5,000,000; and upon surtax net incomes in excess of $5,000,000, 75 per centum in addition of such excess."

SEC. 102. INCOME TAXES ON CORPORATIONS

Income tax on corporations.

(a) Section 13 (a) of the Revenue Act of 1934 is amended to read as follows: Vol. 48, p. 686.

"(a) RATE OF TAX.—There shall be levied, collected, and paid for each taxable year upon the net income (in excess of the credit against net income provided in section 26) of every corporation, a tax as follows: Rate of tax.

"Upon net incomes not in excess of $2,000, 12½ per centum.

"$250 upon net incomes of $2,000; and upon net incomes in excess of $2,000 and not in excess of $15,000, 13 per centum in addition of such excess.

"$1,940 upon net incomes of $15,000; and upon net incomes in excess of $15,000 and not in excess of $40,000, 14 per centum in addition of such excess.

"$5,440 upon net incomes of $40,000; and upon net incomes in excess of $40,000, 15 per centum in addition of such excess."

(b) Section 141(c) of the Revenue Act of 1934 is amended by striking out "except that there shall be added to the rate of tax prescribed by section 13(a) a rate of 2 per centum, but the tax at such increased rate shall be considered as imposed by section 13(a)" and by inserting in lieu thereof the following: "except that the rate of tax shall be 15¾ per centum, in lieu of the rates prescribed by section 13(a), but the tax at such rate of 15¾ per centum shall be considered as imposed by section 13(a)". Vol. 48, p. 721. Computation and payment of tax.

Vol. 48, p. 691.
Deductions from gross income.

(c) Section 23 of the Revenue Act of 1934 (relating to deductions from gross income) is amended by adding at the end thereof a new subsection as follows:

Charitable and other contributions by corporations.

"(r) CHARITABLE AND OTHER CONTRIBUTIONS BY CORPORATIONS.—In the case of a corporation, contributions or gifts made within the taxable year to or for the use of a domestic corporation, or domestic trust, or domestic community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes or the prevention of cruelty to children (but in the case of contributions or gifts to a trust, chest, fund, or foundation, only if such contributions or gifts are to be used within the United States exclusively for such purposes), no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation; to an amount which does not exceed 5 per centum of the taxpayer's net income as computed without the benefit of this subsection. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the Commissioner, with the approval of the Secretary."

Vol. 48, p. 733.
Deductions from gross income by insurance companies other than life or mutual.

(d) Section 204(c) of the Revenue Act of 1934 (relating to deductions from gross income by insurance companies other than life or mutual) is amended by adding at the end thereof a new paragraph as follows:

"(10) Charitable, and so forth, contributions, as provided in section 23(r)."

Vol. 48, p. 737.
Deductions allowed foreign corporations.

(e) Section 232 of the Revenue Act of 1934 (relating to deductions allowed foreign corporations) is amended by inserting "(a) IN GENERAL.—" before the beginning of the section and by inserting at the end thereof the following new subsection:

"(b) CHARITABLE, AND SO FORTH, CONTRIBUTIONS.—The so-called 'charitable contribution' deduction allowed by section 23(r) shall be allowed whether or not connected with income from sources within the United States."

Vol. 48, p. 724.
Payment of corporation income tax at source.

(f) Section 144 of the Revenue Act of 1934 (relating to payment of corporation income tax at source) is amended by inserting after the words "a tax equal to 13¾ per centum" the following: "thereof with respect to all payments of income made before January 1, 1936, and equal to 15 per centum thereof with respect to all payments of income made after December 31, 1935".

Amount.

Vol. 48, p. 723.
Withholding of interest on tax-free covenant bonds.

(g) Section 143(a)(1) of the Revenue Act of 1934 (relating to withholding of interest on tax-free covenant bonds) is amended by striking out clause (B) thereof and inserting in lieu thereof the following:

Foreign corporations.

"(B) in the case of such a foreign corporation, 13¾ per centum with respect to all payments of interest made before January 1, 1936, and 15 per centum with respect to all payments of interest made after December 31, 1935, and".

Vol. 48, p. 690.
Deductions from gross income.
Dividends received by corporations.

(h) Section 23(p) of the Revenue Act of 1934 (relating to the deduction of dividends received by corporations) is amended by striking out the words "the amount" and inserting in lieu thereof the following: "90 per centum of the amount".

Vol. 48, p. 724.
Payment of corporation income tax at source.

(i) Section 144 of the Revenue Act of 1934 is amended by striking out the period at the end thereof and inserting a colon and the following: "*Provided further*, That in the case of the payment, after December 31, 1935, of dividends of the class with respect to which a deduction is allowed by section 23(p), the deduction and withholding provided for in this section shall also apply to 10 per centum

Vol. 48, p. 690.

of the amount of the payment: *Provided further*, That the Commissioner, under rules and regulations prescribed by him with the approval of the Secretary, may authorize withholding under this section and section 143(a)(1)(B), in cases where the taxpayer has a taxable year ending on any other date than December 31, at the rate of 13¾ per centum (and, in the case of payments of dividends with respect to which withholding is required, may authorize such payments to be made without withholding) until the beginning of the taxpayer's first taxable year which begins after December 31, 1935." Vol. 48, p. 723.

SEC. 103. INCOME TAX ON LIFE INSURANCE COMPANIES Income tax on life insurance companies.

Sections 201(b)(1) and (2) of the Revenue Act of 1934 are amended by striking out "13¾ per centum of" and inserting in lieu thereof "a tax at the rates specified in section 13 upon". Vol. 48, p. 731. Rates of tax.

SEC. 104. INCOME TAX ON INSURANCE COMPANIES OTHER THAN LIFE OR MUTUAL Income tax on insurance companies other than life or mutual.

Sections 204(a)(1) and (2) of the Revenue Act of 1934 are amended by striking out "13¾ per centum of" and inserting in lieu thereof "a tax at the rates specified in section 13 upon". Vol. 48, p. 733. Imposition of tax; domestic companies.

SEC. 105. CAPITAL STOCK TAX Capital stock tax.

(a) For each year ending June 30, beginning with the year ending June 30, 1936, there is hereby imposed upon every domestic corporation with respect to carrying on or doing business for any part of such year an excise tax of $1.40 for each $1,000 of the adjusted declared value of its capital stock. Imposition of excise tax; domestic corporations. Vol. 48, p. 769. *Post*, p. 1733.

(b) For each year ending June 30, beginning with the year ending June 30, 1936, there is hereby imposed upon every foreign corporation with respect to carrying on or doing business in the United States for any part of such year an excise tax equivalent to $1.40 for each $1,000 of the adjusted declared value of capital employed in the transaction of its business in the United States. Foreign corporations.

(c) The taxes imposed by this section shall not apply— Exemptions.

(1) to any corporation enumerated in section 101 of the Revenue Act of 1934, as amended; Vol. 48, p. 700.

(2) to any insurance company subject to the tax imposed by section 201, 204, or 207 of such Act, as amended. Vol. 48, p. 731.

(d) Every corporation liable for tax under this section shall make a return under oath within one month after the close of the year with respect to which such tax is imposed to the collector for the district in which is located its principal place of business or, if it has no principal place of business in the United States, then to the collector at Baltimore, Maryland. Such return shall contain such information and be made in such manner as the Commissioner with the approval of the Secretary may by regulations prescribe. The tax shall, without assessment by the Commissioner or notice from the collector, be due and payable to the collector before the expiration of the period for filing the return. If the tax is not paid when due, there shall be added as part of the tax interest at the rate of 6 per centum per annum from the time when the tax became due until paid. All provisions of law (including penalties) applicable in respect of the taxes imposed by section 600 of the Revenue Act of 1926 shall, insofar as not inconsistent with this section, be applicable in respect of the taxes imposed by this section. The Commissioner may extend the time for making the returns and paying the taxes imposed by this section, under such rules and regulations as he may prescribe Returns. Contents. Payment of tax. Tax interest. Provisions of law applicable. Vol. 44, p. 93; U. S. C., pp. 1133, 1134. Extension of time for making return.

with the approval of the Secretary, but no such extension shall be for more than sixty days.

Publicity of returns. Vol. 44, p. 51.

(e) Returns required to be filed for the purpose of the tax imposed by this section shall be open to inspection in the same manner, to the same extent, and subject to the same provisions of law, including penalties, as returns made under Title II of the Revenue Act of 1926.

Determination of adjusted declared value; first year ending June 30. *Post*, p. 1733.

(f) For the first year ending June 30 in respect of which a tax is imposed by this section upon any corporation, the adjusted declared value shall be the value, as declared by the corporation in its first return under this section (which declaration of value cannot be amended), as of the close of its last income-tax taxable year ending at or prior to the close of the year for which the tax is imposed by this section (or as of the date of organization in the case of a corporation having no income-tax taxable year ending at or prior to the close of the year for which the tax is imposed by this section). For any subsequent year ending June 30, the adjusted declared value in the case of a domestic corporation shall be the original declared value plus (1) the cash and fair market value of property paid in for stock or shares, (2) paid in surplus and contributions to capital, (3) its net income, (4) the excess of its income wholly exempt from the taxes imposed by Title I of the Revenue Act of 1934, as amended, over the amount disallowed as a deduction by section 24(a)(5) of such title, and (5) the amount of the dividend deduction allowable for income tax purposes, and minus (A) the value of property distributed in liquidation to shareholders, (B) distributions of earnings or profits, and (C) the excess of the deductions allowable for income tax purposes over its gross income; adjustment being made for each income-tax taxable year included in the period from the date as of which the original declared value was declared to the close of its last income-tax taxable year ending at or prior to the close of the year for which the tax is imposed by this section. The amount of such adjustment for each such year shall be computed (on the basis of a separate return) according to the income tax law applicable to such year. For any subsequent year ending June 30, the adjusted declared value in the case of a foreign corporation shall be the original declared value adjusted (for the same income-tax taxable years as in the case of a domestic corporation), in accordance with regulations prescribed by the Commissioner with the approval of the Secretary, to reflect increases or decreases in the capital employed in the transaction of its business in the United States.

Subsequent years; domestic corporations.

Vol. 48, pp. 683, 691.

Foreign corporations.

Credit allowed in case of China Trade Act corporation. Vol. 42, p. 849; U. S. C., p. 546.

(g) For the purpose of the tax imposed by this section there shall be allowed in the case of a corporation organized under the China Trade Act, 1922, as a credit against the adjusted declared value of its capital stock, an amount equal to the proportion of such adjusted declared value which the par value of the shares of stock of the corporation, owned on the last day of the taxable year by (1) persons resident in China, the United States, or possessions of the United States, and (2) individual citizens of the United States or China wherever resident, bears to the par value of the whole number of shares of stock of the corporation outstanding on such date. For the purposes of this subsection shares of stock of a corporation shall be considered to be owned by the person in whom the equitable right to the income from such shares is in good faith vested; and as used in this subsection the term "China" shall have the same meaning as when used in the China Trade Act, 1922.

"China" construed.

Vol. 48, p. 769.

(h) The capital stock tax imposed by section 701 of the Revenue Act of 1934 shall not apply to any taxpayer with respect to any year after the year ending June 30, 1935.

SEC. 106. EXCESS-PROFITS TAX

Excess-profits tax.

(a) There is hereby imposed upon the net income of every corporation for each income-tax taxable year ending after the close of the first year in respect of which it is taxable under section 105, an excess-profits tax equal to the sum of the following:

Imposition. Vol. 48, p. 770.

6 per centum of such portion of its net income for such income-tax taxable year as is in excess of 10 per centum and not in excess of 15 per centum of the adjusted declared value;

Computation.

12 per centum of such portion of its net income for such income-tax taxable year as is in excess of 15 per centum of the adjusted declared value.

(b) The adjusted declared value shall be determined as provided in section 105 as of the close of the preceding income-tax taxable year (or as of the date of organization if it had no preceding income-tax taxable year). If the income-tax taxable year in respect of which the tax under this section is imposed is a period of less than 12 months, such adjusted declared value shall be reduced to an amount which bears the same ratio thereto as the number of months in the period bears to 12 months. For the purposes of this section the net income shall be the same as the net income for income tax purposes for the year in respect of which the tax under this section is imposed, except that there shall be deducted the amount of income tax imposed for such year by section 13 of the Revenue Act of 1934, as amended.

Determination of adjusted declared value. *Post*, p. 1733.

Vol. 48, p. 686.

(c) All provisions of law (including penalties) applicable in respect of the taxes imposed by Title I of the Revenue Act of 1934, as amended, shall, insofar as not inconsistent with this section, be applicable in respect of the tax imposed by this section, except that the provisions of section 131 of that title shall not be applicable.

Provisions of law applicable. Vol. 48, p. 683.

(d) The excess-profits tax imposed by section 702 of the Revenue Act of 1934 shall not apply to any taxpayer with respect to any income-tax taxable year ending after June 30, 1936.

Vol. 48, p. 770.

SEC. 107. TAXABLE YEARS TO WHICH APPLICABLE

Taxable years to which applicable. *Ante*, p. 1014.

The amendments made by sections 101, 102 (except subsections (f), (g), and (i) thereof), 103, and 104 shall apply only in the case of taxable years beginning after December 31, 1935.

SEC. 108. CREDIT ALLOWED CHINA TRADE ACT CORPORATIONS

Credit allowed China Trade Act corporations. Vol. 48, p. 739.

(a) Section 261(a) of the Revenue Act of 1934 is amended to read as follows:

"(a) ALLOWANCE OF CREDIT.—For the purpose only of the taxes imposed by section 13 of this Act and section 106 of the Revenue Act of 1935 there shall be allowed, in the case of a corporation organized under the China Trade Act, 1922, in addition to the credit provided in section 26, a credit against the net income of an amount equal to the proportion of the net income derived from sources within China (determined in a similar manner to that provided in section 119) which the par value of the shares of stock of the corporation owned on the last day of the taxable year by (1) persons resident in China, the United States, or possessions of the United States, and (2) individual citizens of the United States or China wherever resident, bears to the par value of the whole number of shares of stock of the corporation outstanding on such date: *Provided*, That in no case shall the diminution, by reason of such credit, of the tax imposed by such section 13 (computed without regard to this section) exceed the amount of the special dividend certified

Allowance of credit. *Ante*, p. 1015. Vol. 42, p. 849; U. S. C., p. 546.

Proviso. Limitation.

under subsection (b) of this section; and in no case shall the diminution, by reason of such credit, of the tax imposed by such section 106 (computed without regard to this section) exceed the amount by which such special dividend exceeds the diminution permitted by this section in the tax imposed by such section 13."

Taxable years to which applicable.
Vol. 48, p. 686; *Ante*, p. 1015.

(b) The amendment made by subsection (a) shall apply, with respect to the tax imposed by section 13 of the Revenue Act of 1934, as amended, only in the case of taxable years beginning after December 31, 1935.

Personal holding companies.

SEC. 109. PERSONAL HOLDING COMPANIES

Vol. 48, p. 751.

(a) Section 351(a) of the Revenue Act of 1934 is amended to read as follows:

Imposition of tax.

"(a) IMPOSITION OF TAX.—There shall be levied, collected, and paid, for each taxable year, upon the undistributed adjusted net income of every personal holding company a surtax equal to the sum of the following:

Rates.

"(1) 20 per centum of the amount thereof not in excess of $2,000; plus

"(2) 30 per centum of the amount thereof in excess of $2,000 and not in excess of $100,000; plus

"(3) 40 per centum of the amount thereof in excess of $100.000 and not in excess of $500,000; plus

"(4) 50 per centum of the amount thereof in excess of $500,000 and not in excess of $1,000,000; plus

"(5) 60 per centum of the amount thereof in excess of $1,000,000."

Vol. 48, p. 752.

(b) Section 351(b)(2)(C) of such Act is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "and distributions (not in complete or partial liquidation and not a 'dividend' as defined in section 115) made during the taxable year out of earnings or profits of such year."

Taxable years to which applicable.

(c) The amendments made by this section shall apply only in the case of taxable years beginning after December 31, 1935.

Corporate liquidations.

SEC. 110. CORPORATE LIQUIDATIONS

Vol. 48, p. 704.

(a) Section 112(b) of the Revenue Act of 1934 is amended by adding after paragraph (5) a new paragraph reading as follows:

Exchange in liquidation.

"(6) EXCHANGE IN LIQUIDATION.—No gain or loss shall be recognized upon the receipt by a corporation of property (other than money) distributed in complete liquidation of another corporation, if the corporation receiving such property on such exchange was on the date of the enactment of the Revenue Act of 1935 and has continued to be at all times until the exchange, in control of such other corporation. As used in this paragraph 'complete liquidation' includes any one of a series of distributions by a corporation in complete cancellation or redemption of all its stock in accordance with a plan of liquidation under which the transfer of the property under the liquidation is to be completed within a time specified in the plan, not exceeding five years from the close of the taxable year during which is made the first of the series of distributions under the plan. If such transfer of property is not completed within the taxable year the Commissioner may require of the taxpayer, as a condition to the non-recognition of gain under this paragraph, such bond, or waiver of the statute of limitations on assessment and collection, or both, as he may deem necessary to insure the assessment and collection of the tax if the transfer of the property is not completed in accordance with the plan. This paragraph shall not apply to any liquidation if any distribution in pursuance thereof has been made before the date of the enactment of the Revenue Act of 1935."

"Complete liquidation" construed.

(b) Section 112(c)(1) of the Revenue Act of 1934 is amended by striking out "or (5)" and inserting in lieu thereof "(5), or (6)". Vol. 48, p. 704.

(c) Section 112(e) of the Revenue Act of 1934 is amended by striking out "subsection (b)(1) to (5)" and inserting in lieu thereof "subsection (b)(1) to (6)". Vol. 48, p. 705.

(d) Section 112(i) of the Revenue Act of 1934 is amended by striking out "(4), or (5)" and inserting in lieu thereof "(4), (5), or (6)", and by striking out "(3) or (5)" and inserting in lieu thereof "(3), (5), or (6)". Vol. 48, pp. 705, 706.

(e) The amendments made by this section shall apply only in the case of taxable years beginning after December 31, 1935. Taxable years to which applicable.

TITLE II—AMENDMENTS TO ESTATE TAX

Title II—Amendments to estate tax.

SEC. 201. ESTATE TAX RATES

Estate tax rates.

(a) Section 401(b) of the Revenue Act of 1932, as amended, is amended to read as follows: Vol. 47, p. 243; Vol. 48, p. 754; U. S. C., p. 1081.

"(b) The tentative tax referred to in subsection (a) (1) of this section shall equal the sum of the following percentages of the value of the net estate:

"Upon net estates not in excess of $10,000, 2 per centum.

"$200 upon net estates of $10,000; and upon net estates in excess of $10,000 and not in excess of $20,000, 4 per centum in addition of such excess.

"$600 upon net estates of $20,000; and upon net estates in excess of $20,000 and not in excess of $30,000, 6 per centum in addition of such excess.

"$1,200 upon net estates of $30,000; and upon net estates in excess of $30,000 and not in excess of $40,000, 8 per centum in addition of such excess.

"$2,000 upon net estates of $40,000; and upon net estates in excess of $40,000 and not in excess of $50,000, 10 per centum in addition of such excess.

"$3,000 upon net estates of $50,000; and upon net estates in excess of $50,000 and not in excess of $70,000, 12 per centum in addition of such excess.

"$5,400 upon net estates of $70,000; and upon net estates in excess of $70,000 and not in excess of $100,000, 14 per centum in addition of such excess.

"$9,600 upon net estates of $100,000; and upon net estates in excess of $100,000 and not in excess of $200,000, 17 per centum in addition of such excess.

"$26,600 upon net estates of $200,000; and upon net estates in excess of $200,000 and not in excess of $400,000, 20 per centum in addition of such excess.

"$66,600 upon net estates of $400,000; and upon net estates in excess of $400,000 and not in excess of $600,000, 23 per centum in addition of such excess.

"$112,600 upon net estates of $600,000; and upon net estates in excess of $600,000 and not in excess of $800,000, 26 per centum in addition of such excess.

"$164,600 upon net estates of $800,000; and upon net estates in excess of $800,000 and not in excess of $1,000,000, 29 per centum in addition of such excess.

"$222,600 upon net estates of $1,000,000; and upon net estates in excess of $1,000,000 and not in excess of $1,500,000, 32 per centum in addition of such excess.

"$382,600 upon net estates of $1,500,000; and upon net estates in excess of $1,500,000 and not in excess of $2,000,000, 35 per centum in addition of such excess.

Estate tax rates—Continued.

"$557,600 upon net estates of $2,000,000; and upon net estates in excess of $2,000,000 and not in excess of $2,500,000, 38 per centum in addition of such excess.

"$747,600 upon net estates of $2,500,000; and upon net estates in excess of $2,500,000 and not in excess of $3,000,000, 41 per centum in addition of such excess.

"$952,600 upon net estates of $3,000,000; and upon net estates in excess of $3,000,000 and not in excess of $3,500,000, 44 per centum in addition of such excess.

"$1,172,600 upon net estates of $3,500,000; and upon net estates in excess of $3,500,000 and not in excess of $4,000,000, 47 per centum in addition of such excess.

"$1,407,600 upon net estates of $4,000,000; and upon net estates in excess of $4,000,000 and not in excess of $4,500,000, 50 per centum in addition of such excess.

"$1,657,600 upon net estates of $4,500,000; and upon net estates in excess of $4,500,000 and not in excess of $5,000,000, 53 per centum in addition of such excess.

"$1,922,600 upon net estates of $5,000,000; and upon net estates in excess of $5,000,000 and not in excess of $6,000,000, 56 per centum in addition of such excess.

"$2,482,600 upon net estates of $6,000,000; and upon net estates in excess of $6,000,000 and not in excess of $7,000,000, 59 per centum in addition of such excess.

"$3,072,600 upon net estates of $7,000,000; and upon net estates in excess of $7,000,000 and not in excess of $8,000,000, 61 per centum in addition of such excess.

"$3,682,600 upon net estates of $8,000,000; and upon net estates in excess of $8,000,000 and not in excess of $9,000,000, 63 per centum in addition of such excess.

"$4,312,600 upon net estates of $9,000,000; and upon net estates in excess of $9,000,000 and not in excess of $10,000,000, 65 per centum in addition of such excess.

"$4,962,600 upon net estates of $10,000,000; and upon net estates in excess of $10,000,000 and not in excess of $20,000,000, 67 per centum in addition of such excess.

"$11,662,600 upon net estates of $20,000,000; and upon net estates in excess of $20,000,000 and not in excess of $50,000,000, 69 per centum in addition of such excess.

"$32,362,600 upon net estates of $50,000,000; and upon net estates in excess of $50,000,000, 70 per centum in addition of such excess."

Vol. 47, p. 244.

(b) Section 401 (c) of the Revenue Act of 1932 (relating to the exemption for the purposes of the additional estate tax) is amended by striking out "$50,000" and inserting in lieu thereof "$40,000".

Vol. 47, p. 245.

(c) Section 403 of the Revenue Act of 1932, as amended, (relating to the requirement for filing return under such additional estate tax) is amended by striking out "$50,000" and inserting in lieu thereof "$40,000".

Application of amendments.

(d) The amendments made by this section shall be effective only with respect to transfers of estates of decedents dying after the date of the enactment of this Act.

Estate tax—valuation.

Vol. 44, p. 72; U. S. C., p. 1071.

SEC. 202. ESTATE TAX—VALUATION

(a) Section 302 of the Revenue Act of 1926, as amended, is amended by adding a new subdivision as follows:

Determination of value of gross estate.

"(j) If the executor so elects upon his return (if filed within the time prescribed by law or prescribed by the Commissioner in pursuance of law), the value of the gross estate shall be determined by valuing all the property included therein on the date of the

decedent's death as of the date one year after the decedent's death, except that (1) property included in the gross estate on the date of death and, within one year after the decedent's death, distributed by the executor (or, in the case of property included in the gross estate under subdivision (c), (d), or (f) of this section, distributed by the trustee under the instrument of transfer), or sold, exchanged, or otherwise disposed of, shall be included at its value as of the time of such distribution, sale, exchange, or other disposition, whichever first occurs, instead of its value as of the date one year after the decedent's death, and (2) any interest or estate which is affected by mere lapse of time shall be included at its value as of the time of death (instead of the later date) with adjustment for any difference in its value as of the later date not due to mere lapse of time. No deduction under this title of any item shall be allowed if allowance for such item is in effect given by the valuation under this subdivision. Wherever in any other subdivision or section of this title or in Title II of the Revenue Act of 1932, reference is made to the value of property at the time of the decedent's death, such reference shall be deemed to refer to the value of such property used in determining the value of the gross estate. In case of an election made by the executor under this subdivision, then for the purposes of the deduction under section 303(a)(3) or section 303(b)(3), any bequest, legacy, devise, or transfer enumerated therein shall be valued as of the date of decedent's death with adjustment for any difference in value (not due to mere lapse of time or the occurrence or nonoccurrence of a contingency) of the property as of the date one year after the decedent's death (substituting the date of sale or exchange in the case of property sold or exchanged during such one-year period)."

Vol. 47, p. 243; U. S. C., p. 1081.

(b) The amendment made by this section shall be effective only with respect to transfers of estates of decedents dying after the date of the enactment of this Act.

Application of amendment.

SEC. 203. ESTATE TAX—DUE DATE

Estate tax—due date.

(a) Section 305(a) of the Revenue Act of 1926 is amended to read as follows:

Vol. 44, p. 74; U. S. C., p. 1074.

"(a) The tax imposed by this title shall be due and payable fifteen months after the decedent's death, and shall be paid by the executor to the collector."

Time of payment.

(b) Section 305(c) of the Revenue Act of 1926 is amended to read as follows:

Vol. 44, p. 74; U. S. C., p. 1078.

"(c) If the time for the payment is thus extended there shall be collected, as a part of such amount, interest thereon at the rate of 6 per centum per annum from the expiration of three months after the due date of the tax to the expiration of the period of the extension."

Interest on extended payment.

(c) The amendments made by this section shall be effective only with respect to transfers of estates of decedents dying after the date of the enactment of this Act.

Application of amendments.

TITLE III—AMENDMENTS TO GIFT TAX

Title III—Amendments to gift tax.

SEC. 301. GIFT TAX RATES

Gift-tax schedule.

(a) The gift-tax schedule set forth in section 502 of the Revenue Act of 1932, as amended, is amended to read as follows:

Vol. 47, p. 246; U. S. C., p. 1082.

"Upon net gifts not in excess of $10,000, 1½ per centum.

"$150 upon net gifts of $10,000; and upon net gifts in excess of $10,000 and not in excess of $20,000, 3 per centum in addition of such excess.

Gift-tax schedule—Continued.

"$450 upon net gifts of $20,000; and upon net gifts in excess of $20,000 and not in excess of $30,000, 4½ per centum in addition of such excess.

"$900 upon net gifts of $30,000; and upon net gifts in excess of $30,000 and not in excess of $40,000, 6 per centum in addition of such excess.

"$1,500 upon net gifts of $40,000; and upon net gifts in excess of $40,000 and not in excess of $50,000, 7½ per centum in addition of such excess.

"$2,250 upon net gifts of $50,000; and upon net gifts in excess of $50,000 and not in excess of $70,000, 9 per centum in addition of such excess.

"$4,050 upon net gifts of $70,000; and upon net gifts in excess of $70,000 and not in excess of $100,000, 10½ per centum in addition of such excess.

"$7,200 upon net gifts of $100,000; and upon net gifts in excess of $100,000 and not in excess of $200,000, 12¾ per centum in addition of such excess.

"$19,950 upon net gifts of $200,000; and upon net gifts in excess of $200,000 and not in excess of $400,000, 15 per centum in addition of such excess.

"$49,950 upon net gifts of $400,000; and upon net gifts in excess of $400,000 and not in excess of $600,000, 17¼ per centum in addition of such excess.

"$84,450 upon net gifts of $600,000; and upon net gifts in excess of $600,000 and not in excess of $800,000, 19½ per centum in addition of such excess.

"$123,450 upon net gifts of $800,000; and upon net gifts in excess of $800,000 and not in excess of $1,000,000, 21¾ per centum in addition of such excess.

"$166,950 upon net gifts of $1,000,000; and upon net gifts in excess of $1,000,000 and not in excess of $1,500,000, 24 per centum in addition of such excess.

"$286,950 upon net gifts of $1,500,000; and upon net gifts in excess of $1,500,000 and not in excess of $2,000,000, 26¼ per centum in addition of such excess.

"$418,200 upon net gifts of $2,000,000; and upon net gifts in excess of $2,000,000 and not in excess of $2,500,000, 28½ per centum in addition of such excess.

"$560,700 upon net gifts of $2,500,000; and upon net gifts in excess of $2,500,000 and not in excess of $3,000,000, 30¾ per centum in addition of such excess.

"$714,450 upon net gifts of $3,000,000; and upon net gifts in excess of $3,000,000 and not in excess of $3,500,000, 33 per centum in addition of such excess.

"$879,450 upon net gifts of $3,500,000; and upon net gifts in excess of $3,500,000 and not in excess of $4,000,000, 35¼ per centum in addition of such excess.

"$1,055,700 upon net gifts of $4,000,000; and upon net gifts in excess of $4,000,000 and not in excess of $4,500,000, 37½ per centum in addition of such excess.

"$1,243,200 upon net gifts of $4,500,000; and upon net gifts in excess of $4,500,000 and not in excess of $5,000,000, 39¾ per centum in addition of such excess.

"$1,441,950 upon net gifts of $5,000,000; and upon net gifts in excess of $5,000,000 and not in excess of $6,000,000, 42 per centum in addition of such excess.

"$1,861,950 upon net gifts of $6,000,000; and upon net gifts in excess of $6,000,000 and not in excess of $7,000,000, 44¼ per centum in addition of such excess. Gift-tax schedule—Continued.

"$2,304,450 upon net gifts of $7,000,000; and upon net gifts in excess of $7,000,000 and not in excess of $8,000,000, 45¾ per centum in addition of such excess.

"$2,761,950 upon net gifts of $8,000,000; and upon net gifts in excess of $8,000,000 and not in excess of $9,000,000, 47¼ per centum in addition of such excess.

"$3,234,450 upon net gifts of $9,000,000; and upon net gifts in excess of $9,000,000 and not in excess of $10,000,000, 48¾ per centum in addition of such excess.

"$3,721,950 upon net gifts of $10,000,000; and upon net gifts in excess of $10,000,000 and not in excess of $20,000,000, 50¼ per centum in addition of such excess.

"$8,746,950 upon net gifts of $20,000,000; and upon net gifts in excess of $20,000,000 and not in excess of $50,000,000, 51¾ per centum in addition of such excess.

"$24,271,950 upon net gifts of $50,000,000; and upon net gifts in excess of $50,000,000, 52½ per centum in addition of such excess."

(b) Section 505 (a) (1) of the Revenue Act of 1932 (relating to the specific exemption for gift-tax purposes) is amended by striking out "$50,000" and inserting in lieu thereof "$40,000". Vol. 47, p. 247; U. S. C., p. 1083.

(c) The amendments made by subsections (a) and (b) of this section shall be applied in computing the tax for the calendar year 1936 and each calendar year thereafter (but not the tax for the calendar year 1935 or a previous calendar year), and such amendments shall be applied in all computations in respect of the calendar year 1935 and previous calendar years for the purpose of computing the tax for the calendar year 1936 or any calendar year thereafter. Application of amendments.

TITLE IV—MISCELLANEOUS PROVISIONS

Title IV—Miscellaneous provisions.

SEC. 401. AMENDMENTS TO TITLE IV OF REVENUE ACT OF 1932

Revenue Act of 1932, amendments.

(a) Section 620 (3) of the Revenue Act of 1932, as amended, is amended to read as follows: Vol. 47, p. 267; Vol. 48, p. 255. U. S. C., p. 1187. Tax-free sales.

"(3) for the exclusive use of the United States, any State, Territory of the United States, or any political subdivision of the foregoing, or the District of Columbia."

(b) Section 621(a)(3) of the Revenue Act of 1932, as amended, is amended to read as follows: Vol. 47, p. 267; Vol. 48, p. 255. U. S. C., p. 1187. Credits and refunds.

"(3) to a manufacturer, producer, or importer, in the amount of tax paid by him under this title with respect to the sale of any article to any vendee, if the manufacturer, producer, or importer has in his possession such evidence as the regulations may prescribe that on or after the first day of the second month following the date of the enactment of the Revenue Act of 1935—

"(A) such article was, by any person— Articles on which allowed.

"(i) resold for the exclusive use of the United States, any State, Territory of the United States, or any political subdivision of the foregoing, or the District of Columbia;

"(ii) used or resold for use as fuel supplies, ship's stores, sea stores, or legitimate equipment on vessels of war of the United States or of any foreign nation, vessels employed in the fisheries or in the whaling business, or actually engaged in foreign trade or trade between the Atlantic and Pacific ports of the United States or between the United States and any of its possessions;

Vol. 47, p. 267; U. S. C., p. 1186.

"(iii) in the case of products embraced in paragraph (2) of section 617(c), as amended, used or resold for use otherwise than as fuel for the propulsion of motor vehicles, motor boats, or airplanes, and otherwise than in the production of such fuel: *Provided, however*, That no credit or refund shall be allowed or made under this paragraph in the case of sales or uses of products commonly or commercially known or sold as gasoline, including casinghead and natural gasoline;

"(iv) in the case of lubricating oils, used or resold for non-lubricating purposes.

"(B) The manufacturer, producer, or importer has repaid or agreed to repay the amount of such tax to the ultimate vendor or has obtained the consent of the ultimate vendor to the allowance of the credit or refund."

Vol. 47, p. 268; U. S. C., p. 1187.

(c) Section 621(c) of the Revenue Act of 1932, as amended, is amended to read as follows:

Interest.

"(c) Interest shall be allowed at the rate of 6 per centum per annum with respect to any amount of tax under this title credited or refunded, except that no interest shall be allowed with respect to any amount of tax credited or refunded under the provisions of subsection (a) hereof, and except that no interest shall be allowed for any period prior to the first day of the second month following the date of the enactment of the Revenue Act of 1935."

Effective date of amendments.

(d) The amendments made by this section shall become effective on the 1st day of the second month following the date of the enactment of this Act.

Compensatory tax on products of certain oils.
Post, p. 1743.

SEC. 402. COMPENSATORY TAX ON PRODUCTS OF CERTAIN OILS

During any period after the thirtieth day after the date of the enactment of this Act when—

Vol. 48, p. 763.

(1) a processing tax is in effect under section 602½ of the Revenue Act of 1934, or

Vol. 47, p. 260; Vol. 48, p. 762.

(2) an import tax is in effect under section 601(c)(8) of the Revenue Act of 1932, as amended,

Imposition of tax on products manufactured from imported articles.

there is hereby imposed upon any article (not within the scope of either such tax) manufactured or produced wholly or in chief value from any one or more of the oils subject to either such tax, when such article is imported into the United States from any foreign country or from any possession of the United States or from the high seas, a compensatory tax equivalent to the tax which would be payable under such section 602½ or 601(c)(8) upon such oil or oils if imported into the United States or if processed in the United States. The tax imposed by this section shall be levied, collected, and paid in the same manner as a duty imposed by the Tariff Act of 1930, and shall be treated, for the purposes of all provisions of law (except section 336 of such Act) not inconsistent with this section, as a duty imposed by such Act. All taxes collected under this section on account of coconut oil produced from materials wholly of Philippine growth or production, shall be held as a separate fund and paid to the Treasury of the Philippine Islands, but if at any time the Philippine Government provides by any law for any subsidy to be paid to the producers of copra, coconut oil, or allied products, no further payments to the Philippine Treasury shall be made under this section.

Payment.

Coconut oil from Philippine products.

Special excise tax on carrying on liquor business.
Vol. 44, p. 95; U. S. C., p. 1062.

SEC. 403. SPECIAL EXCISE TAX ON CARRYING ON LIQUOR BUSINESS

The special excise tax imposed by section 701 of the Revenue Act of 1926 (U. S. C., title 26, sec. 206) shall not apply with respect to carrying on business after June 30, 1935.

SEC. 404. INTEREST ON DELINQUENT TAXES

Interest on delinquent taxes.

Notwithstanding any provision of law to the contrary, interest accruing during any period of time after the date of the enactment of this Act upon any internal-revenue tax (including amounts assessed or collected as a part thereof) or customs duty, not paid when due, shall be at the rate of 6 per centum per annum.

SEC. 405. DECLARATORY JUDGMENTS AS TO TAXES

Declaratory judgments as to taxes.
Vol. 48, p. 955.

(a) Paragraph (1) of section 274D of the Judicial Code (Public, Numbered 343, Seventy-third Congress) is amended by adding after the words " actual controversy " the following: "(except with respect to Federal taxes)".

Application of amendment.

(b) The amendment made by subsection (a) of this section shall apply to any proceeding now pending in any court of the United States.

SEC. 406. FAILURE TO FILE RETURNS

Failure to file returns.
Penalty.

In the case of a failure to make and file an internal-revenue tax return required by law, within the time prescribed by law or prescribed by the Commissioner in pursuance of law, if the last date so prescribed for filing the return is after the date of the enactment of this Act, if a 25 per centum addition to the tax is prescribed by existing law, then there shall be added to the tax, in lieu of such 25 per centum: 5 per centum if the failure is for not more than 30 days, with an additional 5 per centum for each additional 30 days or fraction thereof during which failure continues, not to exceed 25 per centum in the aggregate.

SEC. 407. TAXES ON CRUDE PETROLEUM

Taxes on crude petroleum.
Rate.
Vol. 48, p. 766.

Effective on the first day of the first calendar month following the date of the enactment of this Act, sections 604 and 605 of the Revenue Act of 1934 (relating to taxes on production and refining of crude petroleum) are amended by striking out " 1/10 of 1 cent per barrel " wherever appearing therein and inserting in lieu thereof " 1/25 of 1 cent per barrel ".

TITLE V—GENERAL PROVISIONS

Title V—General provisions.

SEC. 501. DEFINITIONS

Definitions.

(a) When used in this Act—

"Person."

(1) The term " person " means an individual, a trust or estate, a partnership, or a corporation.

"Corporation."

(2) The term " corporation " includes associations, joint-stock companies, and insurance companies.

"Domestic."

(3) The term " domestic " when applied to a corporation or partnership means created or organized in the United States or under the law of the United States or of any State or Territory.

"Foreign."

(4) The term " foreign " when applied to a corporation or partnership means a corporation or partnership which is not domestic.

"Stock."

(5) The term " stock " includes the share in an association, joint-stock company, or insurance company.

"Shareholder."

(6) The term " shareholder " includes a member in an association, joint-stock company, or insurance company.

"United States."

(7) The term " United States " when used in a geographical sense includes only the States, the Territories of Alaska and Hawaii, and the District of Columbia.

"Secretary."

(8) The term " Secretary " means the Secretary of the Treasury.

"Commissioner."

(9) The term " Commissioner " means the Commissioner of Internal Revenue.

"Collector."

(10) The term "collector" means collector of internal revenue.

"Includes"; "including."

(b) The terms "includes" and "including" when used in a definition contained in this Act shall not be deemed to exclude other things otherwise within the meaning of the term defined.

Separability clause.

SEC. 502. SEPARABILITY CLAUSE

If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

Effective date.

SEC. 503. EFFECTIVE DATE OF ACT

Except as otherwise provided, this Act shall take effect upon its enactment.

Approved, August 30, 1935, at 6 p. m.

[CHAPTER 830.]

August 30, 1935.
[H. R. 6250.]
[Public, No. 408.]

AN ACT

To amend the National Defense Act.

National Defense Act, amendment.
Annual call, with consent, of designated Reserve officers, for active Army duty, authorized.
Vol. 39, p. 166; U. S. C., p. 229.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to call annually, with their consent, upon application to and selection by the War Department, for a period of not more than one year for any one officer, not to exceed at any time one thousand Reserve officers of the combatant arms and the Chemical Warfare Service in the grade of second lieutenant, for active duty with the Regular Army: *Provided*, That nothing herein contained shall affect the number of reserve officers that may be called to active duty under existing laws, nor the conditions under and purposes for which they may be so called.

Proviso.
Existing laws, etc., not affected.

Fifty officers to be commissioned annually in Regular Army.

SEC. 2. That, for the period of ten years beginning July 1, 1936, the Secretary of War is authorized to select annually, in addition to the graduates from the United States Military Academy, fifty officers who shall be commissioned in the Regular Army: *Provided*, That the Secretary of War shall determine for each annual increment the number to be allotted among the promotion list branches: *And provided further*, That the number to be appointed in the promotion list branches shall be selected from such reserve officers who have received the training herein authorized or from graduates of the Army Air Corps Training Center.

Provisos.
Distribution.

Appointees to have received active training, etc.

Approved, August 30, 1935.

[CHAPTER 831.]

August 30, 1935.
[H. R. 6732.]
[Public, No. 409.]

AN ACT

Authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

River and harbor improvement.
Prosecution and supervision of work.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following works of improvement of rivers, harbors, and other waterways are hereby adopted and authorized, to be prosecuted under the direction of the Secretary of War and supervision of the Chief of Engineers, in accordance with the plans recommended in the respective reports hereinafter designated and subject to the conditions set forth in such documents; and that hereafter Federal investigations and improvements of rivers, harbors, and other waterways shall be under the jurisdiction of and shall be prosecuted by the War Department

under the direction of the Secretary of War and the supervision of the Chief of Engineers, except as otherwise specifically provided by Act of Congress:

Enumeration of projects.

Criehaven Harbor, Maine; House Document Numbered 310, Seventy-second Congress;

Saco River, Maine; Rivers and Harbors Committee Document Numbered 11, Seventy-fourth Congress;

Corea Harbor, Maine; Rivers and Harbors Committee Document Numbered 27, Seventy-fourth Congress;

Lynn Harbor, Massachusetts; Rivers and Harbors Committee Document Numbered 7, Seventy-first Congress;

Boston Harbor, Massachusetts; House Document Numbered 244, Seventy-second Congress;

Boston Harbor, Massachusetts; Rivers and Harbors Committee Document Numbered 29, Seventy-fourth Congress;

Mystic River, Massachusetts; Rivers and Harbors Committee Document Numbered 33, Seventy-fourth Congress;

Gloucester Harbor and Annisquam River, Massachusetts; Rivers and Harbors Committee Document Numbered 39, Seventy-second Congress;

Weymouth Fore River, Massachusetts; House Document Numbered 207, Seventy-second Congress;

Weymouth Back River, Massachusetts; Rivers and Harbors Committee Document Numbered 32, Seventy-second Congress;

Cape Cod Canal, Massachusetts; Rivers and Harbors Committee Document Numbered 15, Seventy-fourth Congress;

New Bedford Harbor, Massachusetts; Rivers and Harbors Committee Document Numbered 16, Seventy-fourth Congress;

Vineyard Haven Harbor, Massachusetts; Rivers and Harbors Committee Document Numbered 65, Seventy-fourth Congress;

Thames River, Connecticut; Rivers and Harbors Committee Document Numbered 18, Seventy-fourth Congress;

Connecticut River below Hartford, Connecticut; House Document Numbered 49, Seventy-third Congress;

Connecticut River, above Hartford, Connecticut: House Document Numbered 27, Seventy-third Congress;

New Haven Harbor, Connecticut; House Document Numbered 479, Seventy-second Congress;

Southport Harbor, Connecticut; Rivers and Harbors Committee Document Numbered 36, Seventy-fourth Congress;

Stamford Harbor, Connecticut; Rivers and Harbors Committee Document Numbered 8, Seventy-fourth Congress;

Connecticut River, at East Hartford, Connecticut; The Secretary of War is authorized and directed to proceed with the construction of dikes, drainage gates, suitable pumping plants, and other facilities for controlling floods on the Connecticut River at East Hartford, Connecticut, pursuant to a special survey made by the district engineer at Providence, Rhode Island, supplementing the survey in House Document Number 308, Sixty-ninth Congress, First Session, and in conformity with either Plan A or Plan B designated in the report of said supplemental survey; selection of the plan to be executed shall be made by the Secretary of War with the approval of the town of East Hartford: *Provided*, That the cost of such work shall not exceed $658,000: *Provided further*, That the prosecution of this project shall be subject to approval by the Board of Engineers for Rivers and Harbors;

Mamaroneck Harbor, New York; Rivers and Harbors Committee Document Numbered 4, Seventy-fourth Congress;

Projects—Contd.

Mattituck Harbor, New York; House Document Numbered 8, Seventy-first Congress;

Coney Island Creek, New York; Rivers and Harbors Committee Document Numbered 12, Seventy-third Congress;

Sag Harbor, New York; Rivers and Harbors Committee Document Numbered 32, Seventy-fourth Congress;

Buttermilk Channel, New York Harbor, New York; Rivers and Harbors Committee Document Numbered 55, Seventy-fourth Congress;

New York Harbor, New York; House Document Numbered 183, Seventy-third Congress;

Hudson River Channel at Weehawken and Edgewater, New Jersey: The existing project is hereby modified in accordance with the recommendations in the report submitted in Rivers and Harbors Committee Document Numbered 49, Seventy-second Congress;

Hudson River Channel, New York and New Jersey; House Document Numbered 309, Seventy-second Congress;

Tarrytown Harbor, New York; House Document Numbered 262, Seventy-second Congress;

Rondout Harbor, New York; Rivers and Harbors Committee Document Numbered 17, Seventy-third Congress;

Hudson River between Troy and Waterford, New York; Senate Document Numbered 155, Seventy-second Congress;

Great Lakes-Hudson River Waterway; Rivers and Harbors Committee Document Numbered 20, Seventy-third Congress. All Acts or parts of Acts inconsistent herewith are hereby repealed;

New York and New Jersey Channels; Rivers and Harbors Committee Document Numbered 17, Seventy-first Congress, and House Document Numbered 133, Seventy-fourth Congress;

Cut-off channel between Raritan River and Arthur Kill, New Jersey; House Document Numbered 50, Seventy-third Congress;

Rahway River, New Jersey; House Document Numbered 63, Seventy-third Congress;

Elizabeth River, New Jersey; Rivers and Harbors Committee Document Numbered 24, Seventy-second Congress;

Manasquan River, New Jersey; Commerce Committee Document, Seventy-fourth Congress;

Compton Creek, New Jersey; House Document Numbered 58, Seventy-third Congress;

Shrewsbury River, New Jersey; House Document Numbered 157, Seventy-first Congress, and Rivers and Harbors Committee Document Numbered 31, Seventy-fourth Congress;

Delaware River, between Philadelphia, Pennsylvania, and Trenton, New Jersey; Rivers and Harbors Committee Documents Numbered 11, Seventy-third Congress, and 66, Seventy-fourth Congress;

Delaware River, Pennsylvania, New Jersey, and Delaware; Rivers and Harbors Committee Document Numbered 5, Seventy-third Congress;

Wilmington Harbor, Delaware; Rivers and Harbors Committee Document Numbered 32, Seventy-third Congress;

Inland Waterway from Delaware River to Chesapeake Bay, Delaware and Maryland; House Document Numbered 201, Seventy-second Congress, and Rivers and Harbors Committee Documents Numbered 18 and 24, Seventy-third Congress;

Big Timber Creek, New Jersey; Rivers and Harbors Committee Document Numbered 15, Seventy-third Congress;

Mantua Creek, New Jersey; Rivers and Harbors Committee Document Numbered 14, Seventy-third Congress;

Projects—Contd.

Barnegat Inlet, New Jersey; Rivers and Harbors Committee Document Numbered 19, Seventy-third Congress;

Maurice River, New Jersey; House Document Numbered 275, Seventy-third Congress;

Delaware Bay Harbor of Refuge, Broadkill River, and Inland Waterway between Rehoboth Bay and Delaware Bay, Delaware; Rivers and Harbors Committee Document Numbered 56, Seventy-fourth Congress;

Ocean City Harbor and Inlet, and Sinepuxent Bay, Maryland; Rivers and Harbors Committee Documents Numbered 38, Seventy-second Congress, and 60, Seventy-fourth Congress;

Upper Thoroughfare, Deals Island, Maryland; Rivers and Harbors Committee Document Numbered 37, Seventy-second Congress;

Twitch Cove and Big Thoroughfare River, Maryland; Rivers and Harbors Committee Document Numbered 67, Seventy-fourth Congress;

Knapps Narrows, Maryland; House Document Numbered 308, Seventy-second Congress;

Annapolis Harbor, Maryland; Rivers and Harbors Committee Document Numbered 23, Seventy-third Congress;

Pocomoke River, Maryland; House Document Numbered 227, Seventy-fourth Congress;

Parish Creek, Maryland; House Document Numbered 185, Seventy-second Congress;

Honga River and Tar Bay (Barren Island Gaps), Maryland; Rivers and Harbors Document Numbered 35, Seventy-fourth Congress;

Tangier Channel, Virginia; Rivers and Harbors Committee Document Numbered 51, Seventy-second Congress;

Starlings Creek, Virginia; Rivers and Harbors Committee Document Numbered 46, Seventy-fourth Congress;

Washington Harbor; Rivers and Harbors Committee Document Numbered 22, Seventy-fourth Congress;

Potomac River, north side of Washington Channel, District of Columbia; Rivers and Harbors Committee Document Numbered 13, Seventy-third Congress: *Provided*, That the work recommended in the said document shall be prosecuted in accordance with the recommendations of the Board of Engineers for Rivers and Harbors, except that the District of Columbia shall be required to contribute the sum of $389,000 to the cost of the improvement;

Horn Harbor, Virginia; Rivers and Harbors Committee Document Numbered 22, Seventy-third Congress;

Nomini Bay and Creek, Virginia; Rivers and Harbors Committee Document Numbered 30, Seventy-second Congress;

Mill Creek, Virginia; Rivers and Harbors Committee Document Numbered 20, Seventy-fourth Congress;

Totuskey Creek, Virginia; House Document Numbered 183, Seventy-second Congress;

Mattaponi River, Virginia; Rivers and Harbors Committee Document Numbered 47, Seventy-third Congress;

Channel connecting York River, Virginia, with Back Creek at Slaight's Wharf; Rivers and Harbors Committee Document Numbered 6, Seventy-fourth Congress;

Jackson Creek, Virginia; Rivers and Harbors Committee Document Numbered 41, Seventy-third Congress;

Little Wicomico River, Virginia; Rivers and Harbors Committee Document Numbered 24, Seventy-fourth Congress;

Norfolk Harbor, Virginia; House Document Numbered 182, Seventy-third Congress;

Projects—Contd.

Hampton Creek, Virginia; Rivers and Harbors Committee Document Numbered 34, Seventy-second Congress;

Phoebus Channel, Virginia; Rivers and Harbors Committee Document Numbered 33, Seventy-second Congress;

Channel from Pamlico Sound to Beaufort Harbor, North Carolina; House Document Numbered 485, Seventy-second Congress;

Rollinson Channel, North Carolina; House Document Numbered 218, Seventy-second Congress;

Inland waterway from Beaufort, North Carolina, to Cape Fear River, including the waterway to Jacksonville, North Carolina; House Document Numbered 67, Seventy-fourth Congress;

Meherrin River, North Carolina; Rivers and Harbors Committee Document Numbered 43, Seventy-fourth Congress;

Cape Lookout Harbor of Refuge, North Carolina; House Document Numbered 528, Sixty-second Congress; from the shore line to the bell buoy, including the building up of the present breakwater and extension of the same according to said report;

Cape Fear River above Wilmington, North Carolina; House Document Numbered 786, Seventy-first Congress;

Smiths Creek, Wilmington, North Carolina; Senate Document Numbered 23, Seventy-second Congress;

Intracoastal waterway from Cape Fear River, North Carolina, to Saint Johns River, Florida; Rivers and Harbors Committee Documents Numbered 11 and 14, Seventy-second Congress;

Shipyard River, South Carolina; Rivers and Harbors Committee Document Numbered 43, Seventy-third Congress;

Waterway from Charleston to Beaufort, South Carolina; House Document Numbered 129, Seventy-second Congress;

Savannah Harbor, Georgia; House Document Numbered 276, Seventy-third Congress;

Savannah River below Augusta, Georgia; Report of the Chief of Engineers dated June 19, 1933;

Intracoastal waterway from Jacksonville to Key West, Florida; Rivers and Harbors Committee Document Numbered 44, Seventy-second Congress;

Saint Johns River, Florida, Jacksonville to the ocean; Report of the Chief of Engineers dated June 5, 1935;

Lake Worth Inlet, Florida; House Document Numbered 185, Seventy-third Congress, and Rivers and Harbors Committee Document Numbered 42, Seventy-fourth Congress;

Fort Pierce Harbor, Florida; House Document Numbered 252, Seventy-second Congress, and Rivers and Harbors Committee Document Numbered 21, Seventy-fourth Congress;

Port Everglades, Florida; Rivers and Harbors Committee Document Numbered 25, Seventy-fourth Congress;

Miami Harbor, Florida; report of the Chief of Engineers, dated August 30, 1933;

Caloosahatchee River and Lake Okeechobee drainage areas, Florida: The existing project is hereby modified to provide that the United States shall maintain all project works when completed and shall bear the cost of all drainage structures heretofore or hereafter constructed in connection with said project: *Provided*, That the total cash contribution required of local interests toward the cost of the project shall be $500,000.

Tampa Harbor, Florida; Senate Document Numbered 22, Seventy-second Congress;

Anclote River, Florida; Rivers and Harbors Committee Document Numbered 36, Seventy-third Congress;

Projects—Contd.

La Grange Bayou, Florida; Rivers and Harbors Committee Document Numbered 49, Seventy-fourth Congress;

Homossassa River, Florida; Rivers and Harbors Committee Document Numbered 30, Seventy-fourth Congress;

Caseys Pass, Florida; Report of the Chief of Engineers dated June 5, 1935;

Channel from Apalachicola River to Saint Andrews Bay, Florida; Rivers and Harbors Committee Document Numbered 52, Seventy-second Congress;

Saint Andrews Bay, Florida; House Document Numbered 33, Seventy-third Congress;

Waterway from Choctawhatchee Bay to West Bay, Florida; House Document Numbered 259, Seventy-second Congress;

Intracoastal waterway from Choctawhatchee Bay to Pensacola Bay, Florida; Rivers and Harbors Committee Document Numbered 42, Seventy-third Congress;

Pensacola Harbor, Florida; House Document Numbered 253, Seventy-second Congress;

Chickasaw Creek, Alabama; House Document Numbered 47, Seventy-third Congress: *Provided*, That no expense shall be incurred by the United States for the acquiring of any lands required for the purpose of this improvement;

Black Warrior, Warrior, and Tombigbee Rivers, Alabama; House Documents Numbered 728, Seventy-first Congress, and 56, Seventy-third Congress; and in accordance with the modifications of the recommendation in said Document Numbered 56, submitted in Rivers and Harbors Committee Documents Numbered 45, Seventy-third Congress, and 26, Seventy-fourth Congress;

Pearl River, Mississippi and Louisiana, from Jackson, Mississippi, to a point on the Pearl River between Poplarville, Mississippi, and Bogalusa, Louisiana, and with a view to providing a six-foot channel from the mouth of Pearl River to a point between Poplarville, Mississippi, and Bogalusa, Louisiana, subject to final approval by the Board of Engineers for Rivers and Harbors;

Bayou Lacombe, Louisiana; Rivers and Harbors Committee Document Numbered 53, Seventy-second Congress;

Bayou Lafourche, Louisiana; House Document Numbered 45, Seventy-third Congress: *Provided*, That the Chief of Engineers may in his discretion modify the project with respect to the selection of the outlet pass to be improved;

Waterway from the intracoastal waterway to Bayou Dulac, Louisiana; House Document Numbered 206, Seventy-second Congress;

Bayous Petit Anse and Carlin, Louisiana; House Document Numbered 225, Seventy-second Congress;

Mermentau River, Louisiana; Rivers and Harbors Committee Document Numbered 36, Seventy-second Congress;

Lake Charles Deep Water Channel, Louisiana; House Document Numbered 172, Seventy-second Congress;

Sabine-Neches Waterway, Texas; Rivers and Harbors Committee Documents Numbered 27, Seventy-second Congress, and 12, Seventy-fourth Congress: *Provided*, That no expense shall be incurred by the United States for the acquiring of any lands required for the purpose of this improvement: *Provided further*, That the Chief of Engineers is authorized and directed to construct all works necessary to prevent the escape into Sabine Lake of dredged material hereafter deposited on the lake frontage owned by the city of Port Arthur, and to construct suitable permanent protective works to prevent the erosion of the material so deposited at a cost not to

Projects—Contd.

exceed $600,000, the funds necessary for these purposes to be in addition to those provided for the project as set forth in said document;

Galveston Harbor, Texas; Rivers and Harbors Committee Documents Numbered 31, Seventy-second Congress, and 57, Seventy-fourth Congress: *Provided*, That the Chief of Engineers is authorized and directed to construct groins to protect the seawall constructed by the United States and the City of Galveston in accordance with the plans submitted in House Document Numbered 400, Seventy-third Congress, and at a cost not to exceed $234,000, the funds necessary for this purpose to be in addition to those provided for the project as set forth in said documents;

Galveston Channel, Texas; Rivers and Harbors Committee Document Numbered 61, Seventy-fourth Congress;

Channel from Galveston Harbor to Texas City, Texas; Rivers and Harbors Committee Documents Numbered 4 and 46, Seventy-third Congress, and 62, Seventy-fourth Congress;

Houston Ship Channel, Texas; Rivers and Harbors Committee Documents Numbered 28, Seventy-second Congress, and 58, Seventy-fourth Congress;

Clear Creek and Clear Lake, Texas; House Document Numbered 264, Seventy-third Congress;

Freeport Harbor, Texas; Rivers and Harbors Committee Document Numbered 15, Seventy-second Congress, and in accordance with the modification of the aforesaid report recommended in Rivers and Harbors Committee Document Numbered 29, Seventy-third Congress: *Provided*, That no expense shall be incurred by the United States for the acquiring of any lands required for the purpose of this improvement;

Channel from Aransas Pass to Corpus Christi, Texas; House Document Numbered 130, Seventy-second Congress, and Rivers and Harbors Committee Documents Numbered 13, and 63, Seventy-fourth Congress;

Channel from Pass Cavallo to Port Lavaca, Texas; Rivers and Harbors Committee Document Numbered 28, Seventy-fourth Congress;

Port Aransas, Texas; Rivers and Harbors Committee Documents Numbered 35, Seventy-second Congress, and 40, Seventy-third Congress: *Provided*, That no expense shall be incurred by the United States for the acquiring of any lands required for the purpose of this improvement;

Brazos Island Harbor, Texas: The existing project is hereby modified in accordance with the report submitted in Rivers and Harbors Committee Document Numbered 10, Seventy-second Congress;

Wolf River (Memphis Harbor), Tennessee; Rivers and Harbors Committee Document Numbered 45, Seventy-fourth Congress;

Wolf River, Tennessee; Rivers and Harbors Committee Document Numbered 26, Seventy-second Congress: *Provided*, That no expense shall be incurred by the United States for the acquiring of any lands required for the purpose of this improvement;

Mississippi River between Missouri River and Minneapolis; House Document Numbered 137, Seventy-second Congress, and Rivers and Harbors Committee Document Numbered 44, Seventy-fourth Congress;

Saint Croix River, Wisconsin and Minnesota; House Document Numbered 184, Seventy-second Congress;

Missouri River, completion of improvement from mouth to Sioux City, Iowa, and construction of Fort Peck Dam; House Document Numbered 238, Seventy-third Congress;

Projects—Contd.

Illinois Waterway, Illinois; House Documents Numbered 180 and 184, Seventy-third Congress;

Cumberland River, Kentucky and Tennessee; House Document Numbered 38, Seventy-third Congress;

Monongahela River, Pennsylvania and West Virginia; The Tygart River Reservoir project now being prosecuted by the War Department under the provisions of the National Industrial Recovery Act;

Allegheny River, Pennsylvania; House Document Numbered 721, Seventy-first Congress, and Rivers and Harbors Committee Document Numbered 16, Seventy-second Congress; and in accordance with the modification of the recommendation in said Document Numbered 721, submitted in Rivers and Harbors Committee Document Numbered 27, Seventy-third Congress;

Beaver and Mahoning Rivers, Pennsylvania and Ohio; of the width and depth provided in House Document Numbered 277, Seventy-third Congress, as a Federal project and to continue to Lake Erie at or near Ashtabula, Ohio, subject to the final approval of the whole project from the Ohio River to Lake Erie by the Board of Engineers for Rivers and Harbors;

Kanawha and Ohio Rivers, West Virginia and Ohio; House Document Numbered 31, Seventy-third Congress;

Green and Barren Rivers, Kentucky: The existing project is hereby modified in accordance with the report submitted in House Document Numbered 480, Seventy-second Congress: *Provided*, That no expense shall be incurred by the United States for the acquiring of any lands required for the purpose of this improvement;

Grand Marais Harbor, Minnesota; Rivers and Harbors Committee Document Numbered 22, Seventy-second Congress: *Provided*, That no expense shall be incurred by the United States for the acquiring of any lands required for the purpose of this improvement;

Agate Bay Harbor, Minnesota; Rivers and Harbors Committee Document Numbered 17, Seventy-second Congress: *Provided*, That no expense shall be incurred by the United States for the acquiring of any lands required for the purpose of this improvement;

Duluth-Superior Harbor, Minnesota and Wisconsin; House Document Numbered 482, Seventy-second Congress;

Ashland Harbor, Wisconsin; Rivers and Harbors Committee Document Numbered 46, Seventy-second Congress;

Keweenaw Waterway, Michigan; House Document Numbered 55, Seventy-third Congress;

Presque Isle Harbor, Michigan; House Document Numbered 473, Seventy-second Congress;

Marquette Harbor, Michigan; Rivers and Harbors Committee Document Numbered 20, Seventy-second Congress;

Menominee Harbor and River, Michigan and Wisconsin; Rivers and Harbors Committee Document Numbered 28, Seventy-third Congress;

Green Bay Harbor, Wisconsin; Rivers and Harbors Committee Document Numbered 40, Seventy-second Congress;

Sturgeon Bay and Lake Michigan Ship Canal, Wisconsin; Rivers and Harbors Committee Document Numbered 9, Seventy-fourth Congress;

Kewaunee Harbor, Wisconsin; Rivers and Harbors Committee Document Numbered 43, Seventy-second Congress;

Two Rivers Harbor, Wisconsin; House Document Numbered 727, Seventy-first Congress, and Rivers and Harbors Committee Document Numbered 25, Seventy-third Congress;

Manitowoc Harbor, Wisconsin; Rivers and Harbors Committee Document Numbered 39, Seventy-third Congress;

Projects—Contd.

Sheboygan Harbor, Wisconsin; Rivers and Harbors Committee Document Numbered 47, Seventy-fourth Congress;

Port Washington Harbor, Wisconsin; House Document Numbered 168, Seventy-second Congress: *Provided*, That no expense shall be incurred by the United States for the acquiring of any lands required for the purpose of this improvement;

Port Washington Harbor, Wisconsin; Rivers and Harbors Committee Document Numbered 41, Seventy-fourth Congress;

Milwaukee Harbor, Wisconsin; House Document Numbered 289, Seventy-second Congress;

Kenosha Harbor, Wisconsin; Rivers and Harbors Committee Document Numbered 19, Seventy-fourth Congress;

Calumet Harbor and River, Illinois and Indiana; House Document Numbered 494, Seventy-second Congress: *Provided*, That no expense shall be incurred by the United States for the acquiring of any lands required for the purpose of this improvement;

Indiana Harbor, Indiana; Rivers and Harbors Committee Document Numbered 29, Seventy-second Congress: *Provided*, That no expense shall be incurred by the United States for the acquiring of any lands required for the purpose of this improvement;

Michigan City Harbor, Indiana; Rivers and Harbors Committee Document Numbered 34, Seventy-fourth Congress;

South Haven Harbor, Michigan; Rivers and Harbors Committee Document Numbered 9, Seventy-third Congress, and report of the Chief of Engineers dated December 21, 1934: *Provided*, That no expense shall be incurred by the United States for the acquiring of any lands required for the purpose of this improvement;

Saint Joseph Harbor, Michigan; Rivers and Harbors Committee Document Numbered 52, Seventy-fourth Congress;

Holland Harbor and Black Lake, Michigan; Rivers and Harbors Committee Document Numbered 48, Seventy-fourth Congress;

Grays Reef Passage, Michigan; Rivers and Harbors Committee Document Numbered 5, Seventy-fourth Congress;

Muskegon Harbor, Michigan; Rivers and Harbors Committee Document Numbered 64, Seventy-fourth Congress;

Leland Harbor, Michigan; Rivers and Harbors Committee Document Numbered 23, Seventy-fourth Congress;

Great Lakes—Connecting waters, principal harbors, and river channels; Rivers and Harbors Committee Document Numbered 53, Seventy-fourth Congress: *Provided*, That the project for the downbound channel across Harsen's Island is not adopted or authorized herein, and the construction of said channel shall not be commenced until it is subsequently authorized by Congress;

Channel between Mackinac Island and Round Island, Michigan; Rivers and Harbors Committee Document Numbered 2, Seventy-second Congress;

Channels in Lake Saint Clair, Michigan; Rivers and Harbors Committee Document Numbered 3, Seventy-second Congress;

Detroit River, Michigan; Rivers and Harbors Committee Document Numbered 1, Seventy-second Congress;

Alpena Harbor, Michigan; Rivers and Harbors Committee Document Numbered 42, Seventy-second Congress;

Black River, Michigan; Rivers and Harbors Committee Document Numbered 54, Seventy-second Congress: *Provided*, That no expense shall be incurred by the United States for the acquiring of any lands required for the purpose of this improvement;

Rouge River, Michigan; Rivers and Harbors Committee Document Numbered 19, Seventy-second Congress, and Commerce Committee Document containing report of the Chief of Engineers dated April

Projects—Contd.

27, 1934: *Provided*, That no expense shall be incurred by the United States for the acquiring of any lands required for the purpose of this improvement;

Toledo Harbor, Ohio; Rivers and Harbors Committee Document Numbered 21, Seventy-second Congress;

Sandusky Harbor, Ohio; Rivers and Harbors Committee Document Numbered 2, Seventy-third Congress;

Huron Harbor, Ohio; House Document Numbered 478, Seventy-second Congress: *Provided*, That no expense shall be incurred by the United States for the acquiring of any lands required for the purpose of this improvement;

Lorain Harbor, Ohio; House Document Numbered 469, Seventy-second Congress, and Rivers and Harbors Committee Document Numbered 51, Seventy-fourth Congress, and Commerce Committee Document containing the report of the Chief of Engineers dated June 8, 1934: *Provided*, That no expense shall be incurred by the United States for the acquiring of any lands required for the purpose of this improvement;

Cleveland Harbor, Ohio; House Document Numbered 477, Seventy-second Congress, and Rivers and Harbors Committee Document Numbered 39, Seventy-fourth Congress;

Fairport Harbor, Ohio; House Document Numbered 472, Seventy-second Congress: *Provided*, That no expense shall be incurred by the United States for the acquiring of any lands required for the purpose of this improvement;

Ashtabula Harbor, Ohio; House Document Numbered 43, Seventy-third Congress;

Conneaut Harbor, Ohio; House Document Numbered 48, Seventy-third Congress;

Erie Harbor, Pennsylvania; House Document Numbered 52, Seventy-third Congress;

Buffalo Harbor, New York; House Document Numbered 46, Seventy-third Congress, and Rivers and Harbors Committee Document Numbered 54, Seventy-fourth Congress;

Black Rock Harbor and Tonawanda Channel, New York; House Document Numbered 28, Seventy-third Congress;

Rochester Harbor, New York; House Document Numbered 484, Seventy-second Congress;

Great Sodus Bay Harbor, New York; Rivers and Harbors Committee Document Numbered 23, Seventy-second Congress;

Oswego Harbor, New York; Rivers and Harbors Committee Document Numbered 7, Seventy-fourth Congress;

Ogdensburg Harbor, New York; House Document Numbered 266, Seventy-second Congress: *Provided*, That no expense shall be incurred by the United States for the acquiring of any lands required for the purpose of this improvement;

Santa Barbara Harbor, California; Commerce Committee Document containing the report of the Chief of Engineers dated September 25, 1934;

San Diego Harbor, California; House Document Numbered 223, Seventy-third Congress;

Los Angeles and Long Beach Harbors, California; Commerce Committee Document containing the report of the Chief of Engineers dated August 18, 1934;

San Francisco Harbor, California; Rivers and Harbors Committee Document Numbered 50, Seventy-second Congress;

Lower San Francisco Bay, California; House Document Numbered 279, Seventy-second Congress, and in accordance with the modification of said report submitted in Rivers and Harbors Committee Document Numbered 8, Seventy-third Congress;

Projects—Contd.

Redwood Creek, California; Rivers and Harbors Committee Document Numbered 10, Seventy-third Congress: *Provided*, That no expense shall be incurred by the United States for the acquiring of any lands required for the purpose of this improvement;

Richmond Harbor, California; Rivers and Harbors Committee Documents Numbered 7, Seventy-third Congress, and 10, Seventy-fourth Congress;

Napa River, California; Rivers and Harbors Committee Document Numbered 6, Seventy-second Congress: *Provided*, That no expense shall be incurred by the United States for the acquiring of any lands required by this improvement;

Monterey Harbor, California; Rivers and Harbors Committee Document Numbered 45, Seventy-second Congress;

Crescent City Harbor, California; Rivers and Harbors Committee Document Numbered 40, Seventy-fourth Congress;

Humboldt Harbor and Bay, California; Rivers and Harbors Committee Document Numbered 14, Seventy-fourth Congress;

San Joaquin River and Stockton Channel, and Suisun Bay, California; Report of the Chief of Engineers dated June 10, 1933;

Sacramento River, California; Rivers and Harbors Committee Document Numbered 35, Seventy-third Congress;

Sacramento River and tributaries, California (debris control); Rivers and Harbors Committee Document Numbered 50, Seventy-fourth Congress;

Middle River and connecting channels, California; Rivers and Harbors Committee Document Numbered 48, Seventy-second Congress: *Provided*, That no expense shall be incurred by the United States for the acquiring of any lands required for the purpose of this improvement;

Coos Bay, Oregon, Inner Harbor; Commerce Committee Document containing the report of the Chief of Engineers dated April 26, 1934;

Coquille River, bar and entrance, Oregon; Commerce Committee Document containing the report of the Chief of Engineers dated December 20, 1934;

Umpqua River, Oregon; Rivers and Harbors Committee Document Numbered 9, Seventy-second Congress;

Columbia and Lower Willamette Rivers, below Portland, Oregon, and Vancouver, Washington: The existing project is hereby modified in accordance with the reports submitted in House Documents Numbered 235 and 249, Seventy-second Congress, and Rivers and Harbors Committee Documents Numbered 6, Seventy-third Congress, and 1, Seventy-fourth Congress;

Columbia River, Oregon; construction of dam, ship lock, and works for the utilization of surplus power, at the site at Bonneville recommended in the report of the Chief of Engineers dated August 21, 1933;

Multnomah Channel, Oregon; Rivers and Harbors Committee Document Numbered 47, Seventy-second Congress;

Youngs Bay and Youngs River, Oregon; House Document Numbered 209, Seventy-second Congress;

Columbia and Snake Rivers, Oregon, Washington, and Idaho; Rivers and Harbors Committee Documents Numbered 25, Seventy-second Congress, and 16, Seventy-third Congress;

Bakers Bay, Washington; House Document Numbered 44, Seventy-third Congress;

Willapa River and Harbor, Washington; Rivers and Harbors Committee Documents Numbered 41, Seventy-second Congress, and 37, Seventy-third Congress;

Projects—Contd.

Grays Harbor and Chehalis River, Washington; House Document Numbered 53, Seventy-third Congress, and Rivers and Harbors Committee Document Numbered 2, Seventy-fourth Congress;

Olympia Harbor, Washington; Rivers and Harbors Committee Document Numbered 21, Seventy-third Congress;

Tacoma Harbor, Washington; Rivers and Harbors Committee Document Numbered 55, Seventy-second Congress;

Seattle Harbor, Washington; House Document Numbered 211, Seventy-second Congress;

Lake Washington Ship Canal, Washington; House Document Numbered 140, Seventy-second Congress;

Port Gamble Harbor, Washington; House Document Numbered 152, Seventy-second Congress;

Swinomish Slough, Washington; Report of the Chief of Engineers, dated May 24, 1933;

Wrangell Harbor, Alaska; House Document Numbered 202, Seventy-second Congress;

Wrangell Narrows, Alaska; House Document Numbered 647, Seventy-first Congress;

Dry Pass, Alaska; House Document Numbered 470, Seventieth Congress;

Stikine River; Alaska; House Document Numbered 210, Seventy-second Congress;

Kodiak Harbor, Alaska; House Document Numbered 208, Seventy-second Congress;

Petersburg Harbor, Alaska; House Document Numbered 483, Seventy-second Congress;

Egegik River, Alaska; House Document Numbered 51, Seventy-third Congress;

Cordova Harbor, Alaska; Rivers and Harbors Committee Document Numbered 33, Seventy-third Congress;

Harbor of refuge at Seward, Alaska; Rivers and Harbors Committee Document Numbered 3, Seventy-fourth Congress;

Nome Harbor, Alaska; House Document Numbered 404, Seventy-first Congress, and Rivers and Harbors Committee Document Numbered 38, Seventy-third Congress;

Sitka Harbor, Alaska; Rivers and Harbors Committee Document Numbered 59, Seventy-fourth Congress;

Honolulu Harbor, Hawaii; House Document Numbered 54, Seventy-third Congress;

Port Allen, Hawaii; House Document Numbered 30, Seventy-third Congress;

Kaunakakai Harbor, Hawaii; House Document Numbered 35, Seventy-third Congress;

San Juan Harbor, Puerto Rico; Rivers and Harbors Committee Document Numbered 38, Seventy-fourth Congress;

Mayaguez Harbor, Puerto Rico; House Document Numbered 215, Seventy-second Congress, and subject to the modification recommended in Rivers and Harbors Committee Document Numbered 1, Seventy-third Congress;

Ponce Harbor, Puerto Rico: The existing project is hereby modified in accordance with the report submitted in Rivers and Harbors Committee Document Numbered 18, Seventy-second Congress;

Arecibo Harbor, Puerto Rico; House Document Numbered 214, Seventy-third Congress.

Projects adopted for controlling floods, etc.

SEC. 2. That for the purpose of controlling floods, improving navigation, regulating the flow of the streams of the United States, providing for storage and for the delivery of the stored waters thereof, for the reclamation of public lands and Indian reservations,

and other beneficial uses, and for the generation of electric energy as a means of financially aiding and assisting such undertakings, the projects known as "Parker Dam" on the Colorado River and "Grand Coulee Dam" on the Columbia River, are hereby authorized and adopted, and all contracts and agreements which have been executed in connection therewith are hereby validated and ratified, and the President, acting through such agents as he may designate, is hereby authorized to construct, operate, and maintain dams, structures, canals, and incidental works necessary to such projects, and in connection therewith to make and enter into any and all necessary contracts including contracts amendatory of or supplemental to those hereby validated and ratified. The construction by the Secretary of the Interior of a dam in and across the Colorado River at or near Head Gate Rock, Arizona, and structures, canals, and incidental works necessary in connection therewith is hereby authorized, and none of the waters, conserved, used, or appropriated under the works hereby authorized shall be charged against the waters allocated to the upper basin by the Colorado River compact, nor shall any priority be established against such upper basin by reason of such conservation, use, or appropriation; nor shall said dam, structures, canals, and works, or any of them, be used as the basis of making any such charge, or establishing any such priority or right, and all contracts between the United States and the users of said water from or by means of said instrumentalities shall provide against the making of any such charge or claim or the establishment of any priority right or claim to any part or share of the water of the Colorado River allocated to the Upper Basin by the Colorado River compact, and all use of said instrumentalities shall be in compliance with the conditions and provisions of said Colorado River compact and the Boulder Canyon Project Act.

Construction, etc., authorized.
Post, p. 1784.

Preliminary examinations and surveys authorized.

SEC. 3. The Secretary of War is hereby authorized and directed to cause preliminary examinations and surveys to be made at the following-named localities, the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes: *Provided*, That no preliminary examination, survey, project, or estimate for new works other than those designated in this or some prior Act or joint resolution shall be made: *Provided further*, That after the regular or formal reports made as required by law on any examination, survey, project, or work under way or proposed are submitted no supplemental or additional report or estimate shall be made unless authorized by law: *And provided further*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this Act until the project for the proposed work shall have been adopted by law:

Provisos.
Restriction.

Reports.

Adoption.

Localities enumerated.

Long Cove, Maine.
Chandler River, Maine.
Ile au Haut Thoroughfare, Maine.
Eastport Harbor, Maine.
Frenchboro Harbor, Maine.
Stonington Harbor, Maine.
Bagaduce River, Maine.
Prouts Neck, Maine, with a view to the establishment of a harbor of refuge.
Hendrick's Harbor, Maine.
Saint Croix River, Maine.
Bar Harbor, Maine.
Monhegan Harbor, Maine.
Ogunquit-Perkins Cove, Maine.
Cranberry Island Harbor, Maine.

Preliminary surveys—Continued.

Kennebec River, Maine, with a view to dredging the river from Augusta to Gardiner.

Harbor at Cuttyhunk, Massachusetts.

Plum Island and Parker Rivers, Massachusetts.

Shore at Gay Head, Massachusetts, with a view to preventing further erosion.

Rock Harbor, Massachusetts.

Shore at Manomet Point, Plymouth Harbor, Massachusetts, with a view to constructing a breakwater.

Westport River, Massachusetts.

Boston Harbor, Massachusetts: Navigable waters adjacent to the shores of Winthrop and East Boston.

The Merrimack River, Massachusetts, with a view to making the river navigable from Lowell to the sea.

Lewis Bay and the Harbor at West Yarmouth, Massachusetts.

Town River, Quincy, Massachusetts.

Inner harbor, Block Island, Rhode Island.

Ash Creek, Connecticut.

Indian Neck Harbor, Connecticut.

Milford Harbor, Connecticut.

Bridgeport Harbor, Connecticut.

The Race, between Block Island Sound and Long Island, Connecticut, with a view to removing Valient Rock and other obstructions.

Westcott Cove, Stamford Harbor, Connecticut.

Noank Cove, Connecticut.

Woodmont Harbor, Connecticut.

Providence River and Harbor, Rhode Island.

Blackstone River, from Narragansett Bay at Providence, Rhode Island, to Worcester, Massachusetts.

Lake Champlain, Vermont, with a view to reopening the old channel through the South Hero sand bar in the vicinity of Milton and South Hero.

Lake Champlain, Vermont, with a view to reopening the channel between East Alburg and West Swanton.

New York State Barge Canal from Three Rivers Point to the city of Syracuse, New York.

Moriches Inlet, Long Island, New York.

Goldsmith Inlet, Long Island, New York.

Long Island Intracoastal Waterway, from East Rockaway Inlet to Great Peconic Bay, New York.

Nissequogue River, Long Island, New York.

Hashamomuck (Arshamomaque) Creek, Long Island, New York.

Irvington Harbor, New York.

Channel between Travers Island and Glen Island, New York.

Lake Montauk Harbor, Long Island, New York.

Waterway from the Hudson River at or near Piermont, New York, to a point at or near the headwaters of the Hackensack River, New Jersey.

Otter River, Vermont, with a view to making the river navigable from Vergennes to Lake Champlain.

Deep waterway to connect Lake Saint Francis on the Saint Lawrence River with the Hudson River at Albany by way of Lake Champlain, with a view to determining the advisability and cost of such a connection between the Saint Lawrence Waterway, as proposed by treaty, and the sheltered waters of the Atlantic coast between Boston, Massachusetts, and Norfolk, Virginia.

Delaware and Raritan Canal, New Jersey.

Preliminary surveys—Continued.

Sandy Hook Bay, off Atlantic Highlands, New Jersey, with a view to providing an anchorage area.

Shark River, New Jersey.

Passaic River, New Jersey, from the Eighth Street Bridge, Wallington, to the Passaic Street Bridge at Garfield.

Menantico Creek, Cumberland County, New Jersey.

Cedar Run Creek, New Jersey, from the Main Channel to Wire Creek.

New Jersey Intra-coastal waterway from Shrewsbury River to Delaware Bay above Cape May by way of the Manasquan-Barnegat Canal and including an entrance thereto through Barnegat Inlet.

Keyport Harbor, New Jersey.

Way Cake Creek, New Jersey.

West Creek, New Jersey.

Waterway across Cape May County, New Jersey, to connect the New Jersey State Inland Waterway with Delaware Bay.

Delaware River, between Easton and Stroudsburg, Pennsylvania.

Chesapeake and Delaware Canal at Chesapeake City, Maryland, with a view to providing an anchorage basin; also to determine if street improvements, in connection with changes of bridges under the existing project, should be made.

Construction of a sea-level waterway between Great Choptank Waterway and Little Choptank River, Maryland.

Wicomico River, Maryland, from Chaptico Wharf to Budd's Landing.

McCreadys Creek, Elliott, Dorchester County, Maryland.

Goose Creek, Maryland.

Channel connecting Plain Dealing Creek and Oak Creek, Maryland.

Back Creek, Anne Arundel County, Maryland.

Saint Marys River, Maryland.

Drum Point Harbor, Maryland.

Lake Conoy, Maryland, and entrance thereto from Potomac River.

Channel connecting Magothy River and Cypress Creek, Anne Arundel County, Maryland.

Channels to Lake Ogleton and Walnut Lake, Anne Arundel County, Maryland.

Farm Creek, Maryland.

Little Creek, Queen Annes County, Maryland.

Jones Creek and Nanticoke River in the vicinity of Waterview and Nanticoke, Wicomico County, Maryland.

Harbor at the mouth of Fishing Creek, at the north end of Calvert County, Maryland.

Little Island Creek, Talbot County, Maryland.

Head of Northeast River, Maryland.

Channel in Southeast Branch of Fox Creek, Dorchester County, Maryland.

Rockhall Harbor, Kent County, Maryland.

Broadwater Creek, Maryland.

Saint Jeromes Creek, Saint Marys County, Maryland.

Upper Chesapeake Bay and Susquehanna River, Havre de Grace, Maryland; for a boat basin and harbor adjoining the City Park, and a channel leading thereto from Point Concord, subject to the approval of the Board of Engineers for Rivers and Harbors.

Channel from George Island Landing, Maryland, to deep water in Chincoteague Bay.

Waterway from Little Annemessex River to Tangier Sound, Maryland, by way of Cedar Creek, a land cut, and Flat Cap Creek.

Preliminary surveys—Continued.

Waterway between Cambridge Creek and Fishing Bay, by way of Little Blackwater River, Maryland.

Black Walnut Harbor, Talbot County, Maryland.

Channel at the entrance of the Claiborne-Annapolis Ferry at Matapeake, Maryland.

Jones Creek, Wicomico County, Maryland, and Nanticoke River at and in the vicinity of Waterview.

Waterway from Pocomoke River, at or near Snow Hill, Maryland, to Chincoteague Bay.

Upper Thoroughfare, Deals Island, Maryland.

Neale Sound, Maryland.

Dogue Run, Virginia.

Coan River, Virginia.

Winter Harbor, Virginia.

Occupacia Creek, Virginia.

Chincoteague Bay, with a view to establishing a harbor of refuge at Greenbackville and Franklin City, Accomac County, Virginia, and protection of adjoining shore from storm depredation.

Inland waterway from Chesapeake Bay to Chincoteague Bay, Virginia.

Onancock River, Virginia.

Waters connecting Cherrystone Channel with Cape Charles, Virginia, with a view to establishing a harbor of refuge at Cape Charles with a minimum depth of ten feet.

Salter's Creek, Newport News, Virginia, and channel connecting with the deep waters in Hampton Roads.

Channel from Back River to the public landing in Wallace Creek, Elizabeth City County, Virginia.

Channel from Pamlico Sound to Mill Creek, North Carolina.

Channel from deep water in Back Sound, North Carolina, through Shackleford Banks, to deep water in Lookout Bight.

Vandermere Harbor and Bay River at Bayboro, North Carolina.

From Croatan Sound to Manns Harbor, North Carolina.

Drum Inlet, North Carolina; near the town of Atlantic with a view to preserving the same to a depth of twelve feet at low water.

Waterway from Charleston, South Carolina, to Columbia, South Carolina.

Ashley River, South Carolina: Municipal yacht basin and connecting channels, and channel to the grounds of the South Carolina Military Academy (the Citadel).

Pee Dee River, South Carolina, with a view to obtaining a navigable channel from the point where Jericho Creek connects the Pee Dee River with the Waccamaw River to a point approximately seventeen miles from Georgetown, where the Thoroughfare also connects the Pee Dee River with the Waccamaw River.

Lower Altamaha River and Darien Harbor, Georgia.

Waterway from the Saint Johns River to the Kissimmee River, Florida, and thence to the Okeechobee Cross-Florida Canal Channel.

Waterway from Banana River to Mosquito Lagoon, Merritt Island, Florida.

Waterway from the mouth of Tampa Bay, Florida, to the mouth of the Manatee River; thence up the Manatee River to approximately its source; thence easterly to Fort Pierce Harbor.

Saint Lucie, West Palm Beach, Hillsboro, North New River, and Miami Canals, Florida.

Melbourne Harbor and Crane Creek, Florida.

Miami Harbor, Florida.

Miami Beach, Florida, turning basin at east end of municipal channel opposite causeway docks of Peninsular Terminal Company.

Preliminary surveys—Continued.

Waterway from DeLeon Springs to Saint Johns River, Florida.

An inlet or ship channel connecting the Atlantic Ocean with the Intracoastal Waterway at or near Eau Gallie, Florida.

Oklawaha River, Florida, with a view to securing a channel six feet in depth and of suitable width to Leesburg and into Lake Harris.

Side channels or basins at Palm Beach, Courtenay, and Eau Gallie, Florida, with a view to providing connections with the intracoastal waterway.

Clearwater Harbor, Florida, including Big Pass and Little Pass.

Hillsboro Inlet, Broward County, Florida.

New River Inlet and Sound, Florida.

Sarasota Bay, Florida.

Deepening of the present channel at the northeasterly end of Charlotte Harbor and Peace River from Punta Gorda, Florida, to Cleveland, Florida.

Cut-off from Lemon Bay to Gulf of Mexico and the opening of Lemon Bay for inland waterway purposes.

Carrabelle Harbor, Florida, with a view to providing a channel of twenty-five feet across the bar and in the channel to the docks at Carrabelle.

Waterway and turning basin of suitable dimensions from Intracoastal Waterway, Jacksonville to Key West, to a point at or near Jacksonville Beach, Florida.

Daytona Beach, Florida.

Saint Lucie Inlet, Florida.

Jupiter Inlet, Florida.

Pirates Cove Channel, in Sacarma Bay, Pirates Cove, and Johnson's Pass, Florida.

Waterway from the Saint Johns River at or near Sanford, Florida, to Tampa, by way of the Kissimmee and Alafia Rivers and Tampa Bay.

Channel beginning at terminal of Seaboard Airline Railway and extending through the Bay of Naples and adjacent waters to Gordon's Pass and the jettying of Gordon's Pass. Also inside route from Seaboard Airline Railway terminals through the Bay of Naples, Dollar Bay, and adjacent waters to Big Marco Pass with the deepening of Little Marco Pass and the entrance of the pass into Rookery Bay.

Intracoastal waterway from the Caloosahatchee River to the Withlacoochee River, Florida, with a view to securing a waterway of suitable dimensions, and for the purpose of affording suitable exit to the north for craft using the Okeechobee Cross-Florida Canal.

Intracoastal waterway from Apalachicola Bay to the Withlacoochee River, Florida.

Keaton Beach, Taylor County, Florida.

Keaton Beach Harbor, Florida.

Carrabelle, Crooked, Ochlockonee Rivers, and Ochlochonee Bay, Florida.

Wakulla River, Florida.

Waterway from a point in the Grand Lagoon by way of Bayous Grand and Chico to Pensacola Bay, Florida, as an extension of the intracostal [1] waterway.

Waterway from Bon Secours Bay, Alabama, to the Gulf by way of Oyster Bay.

Waterway to connect the Tombigbee and Alabama Rivers with the Perdido River, Alabama and Florida.

[1] So in original.

Preliminary surveys—Continued.

Channel to Point Chugae, Dauphin Island, Alabama, and channel from Point Chugae to the old basin, or Indian Mounds, with a view to providing a harbor of refuge.

Mississippi Sound in the vicinity of Pass Christain, Mississippi.

Pascagoula Harbor and Horn Island Pass, Mississippi.

Boston Canal, Vermilion Parish, Louisiana.

Ship Canal from Houma, Louisiana, to the Gulf of Mexico.

Bayou DuLarge, Louisiana.

Vinton Waterway, Louisiana.

Lake Charles Deep Water Channel, Louisiana.

Lake Charles Ship Channel, Louisiana, from Lake Charles to the Gulf of Mexico at a point east of the mouth of the Calcasieu River, including proposed routes by way of the Calcasieu River, the Intracoastal Waterway, and a land cut and any other route appearing more practicable.

Grand Bayou Pass, Louisiana.

Bayou Dupre, Louisiana.

Bayous La Loutre, Saint Malo, and Yscloskey, Louisiana.

Bayou Rigaud, Louisiana.

Bayou Sennette, Louisiana.

Waterway from White Lake to Pecan Island, Louisiana.

Waterway from the Intracostal [1] Waterway, by way of the Florence Canal, to Gueydan, Vermilion Parish, Louisiana.

Bayou Saint John, Louisiana.

Houma-Terrebonne Ship Canal, Louisiana.

Franklin Canal, Saint Mary Parish, Louisiana.

Sabine-Neches Waterway, Texas, with a view to constructing revetment work to retain the spoil deposited in Sabine Lake.

Greens Bayou and Pass Palacios (Cotton Bayou), Texas.

Waterway from Offatt's Bayou to San Louis Pass, Galveston Island, Texas.

Arroyo Colorado, Texas, from Llano Grande Lake to its mouth.

Pass Cavallo, Texas, and channel from Pass Cavallo to Port O'Connor and Port Lavaca.

Jefferson-Shreveport Waterway, Texas and Louisiana, with a view to determining advisability of enlargement of existing project and of taking into consideration in this connection establishment of reservoir on Cypress River above Jefferson to assure better water supply.

White River, Arkansas.

Arkansas River, Arkansas and Oklahoma.

Black River, Arkansas and Missouri, and waterway connecting the Black River with the Mississippi River at or near Cape Girardeau.

Hatchie River, Tennessee.

Obion and Forked Deer Rivers, and South Fork of Forked Deer River, Tennessee.

Cumberland River, above Nashville, Tennessee.

Ohio River, below Ironton, Ohio, with a view to the construction of dam.

That portion of the Monongahela River in the State of Pennsylvania with a view of determining what provisions can be made to prevent the erosion of the banks and the destruction of valuable property and the consequent filling of the channel by deposition from the erosion.

Caney Creek, Grayson County, Kentucky.

Lewis Creek, Ohio County, Kentucky.

[1] So in original.

Preliminary surveys—Continued.

Grand Traverse Bay, Michigan.

At mouth of Black River or Little Girls Point (Ohmans Creek), Gogebic County, Michigan.

At the mouth of Tobacco River near Gay, Michigan, with a view to providing a harbor of refuge for small vessels.

A ship canal connecting Lake Superior and Lake Michigan from Lake Au Train in Lake Superior to Little Bay De Noc in Lake Michigan.

At mouth of Black River and at Little Girl's Point (Ohman's Creek), Gogebic County, Michigan.

With a view to establishing a harbor of refuge at Manitowoc and Two Rivers, Wisconsin, and protection of adjoining shores from storm depredation.

Big and Little Suamico Rivers, Wisconsin.

Channels in the harbors at Washington Island, Door County, Wisconsin.

Pensaukee Harbor, Wisconsin.

Fond du Lac Harbor and vicinity, Lake Winnebago, Wisconsin.

Wilmette Harbor, Illinois.

Waterway from Lake Michigan through Black Lake, by way of Zeeland, Hudsonville, and Jenison, to a point on Grand River near Grandville, thence up Grand River to Grand Rapids, with a turning basin at Grand Rapids; or any preferable alternative route between Grand Rapids and Lake Michigan.

Cheboygan Harbor and Cheboygan River, Michigan.

New Buffalo, Michigan.

Port Austin Harbor, Michigan.

Port Sanilac Harbor, Michigan.

Carvers Bay, Michigan.

Bete Grise Bay, Michigan.

Frankfort Harbor, Michigan.

Fair Haven Harbor, Michigan.

Port Huron Harbor, Michigan.

Clinton River, Michigan.

Detroit River, Michigan, with a view to providing a navigation channel of suitable width and depth located entirely on the American side of the river, and to provide a channel two hundred feet wide and eight feet deep from deep water in Detroit River, in the vicinity of Grosse Isle Light, to deep water at Sugar Island, passing east of Grosse Isle and west of Stony Island.

Waiska River, Michigan.

Crooked and Indian Rivers, Michigan.

Naubinway Harbor, Mackinac County, Michigan.

At or near Marblehead, Ohio, with a view to establishing a harbor.

At or near Put-in-Bay, Ohio, with a view to establishing a harbor.

Vermilion Harbor, Ohio.

Rocky River Harbor, Ohio.

Cattaraugus Creek, New York.

Barcelona Harbor, New York.

Deep channel waterway from Lake Ontario near Olcott, New York, to the Niagara River at Tonawanda, New York; from Lake Ontario via Eighteen Mile Creek to Lockport, New York, and from Lockport to Tonawanda via the western end of the New York State Barge Canal; with a view to determining the possibility, feasibility, practicability, and cost of development for deep channel traffic.

Cayuga Creek and Little River, Niagara Falls, New York.

Alexandria Bay Harbor, New York.

Morristown Harbor, New York.

Port Ontario Harbor, New York.

Preliminary surveys—Continued.

Olcott Harbor, New York.
Wilson Harbor, New York.
Green River, at or near Green River, Utah, with a view to preventing shore erosion, and to submit a report thereon to the Congress as soon as practicable.
Redondo Beach Harbor, California.
Santa Monica Harbor, California.
Palo Alto Harbor, San Francisco Bay, California.
Southampton Bay, California.
Richardsons Bay, California.
Russian River, California.
Old River, California.
Alsea Bay, Oregon.
Yamhill River at Lafayette, Oregon.
Columbia River, Oregon and Washington, from Tongue Point to the sea.
Seaside Harbor, Oregon.
Port Orford, Oregon.
Columbia River, at and near Hammond, Oregon, with a view to preventing erosion caused by the construction of the south jetty, and providing a protected harbor near the mouth of said river.
Willamette River, Oregon, from Eugene to Springfield.
Sandy River, near Troutdale, Oregon.
Trask River, Oregon.
Miami River, Oregon.
Kilchus River, Oregon.
Wilson River, Oregon.
Chetco Cove, Oregon.
Columbia River at Rainier, Oregon.
De Poe Bay, Oregon.
Skipanon Channel, Oregon, with a view to deepening and widening the channel to accommodate all present and prospective traffic.
Skipanon River, Oregon, with a view to modification of the existing project to provide for the needs of navigation above the railroad bridge.
Westport Slough, Oregon.
Coos River and its tributaries, Oregon, with a view to flood control and the prevention of erosion of the banks and the consequent filling of the channel.
Columbia River, Lake River, and Vancouver Lake, near Vancouver, Washington.
Elokomin Slough, or River, Washington.
Chehalis River, from the mouth of Skookumchuck River to the Grays Harbor County Line, Washington.
Shelton Harbor, Washington.
Blaine Harbor, Washington.
Duwamish River, Washington.
Bethel Harbor, Alaska.
Douglas Harbor, Alaska.
Haines Harbor, Alaska.
Juneau Harbor, Alaska.
Kake Harbor, Alaska.
Metlakatla Harbor, Alaska.
Ship canal across Prince of Wales Island, Alaska.
Sitka Harbor, Alaska.
Unalaska Harbor, Alaska.
Valdez Harbor, Alaska.
Skagway Harbor, Alaska.
Homer Harbor, Kachemak Bay, Alaska.

Preliminary surveys—Continued.

Tanana River and Chena Slough, Alaska.
Hilo Harbor, Hawaii.
Port Allen, Hawaii.
Welles Harbor, Midway Island.
Wake Island.
Aguadilla Harbor, Puerto Rico.
Guayanes Harbor, Yabucoa, Puerto Rico.
Saint Thomas Harbor, Virgin Islands.

Lake Champlain to Hudson River waterway.
Post, p. 1631.
Vol. 36, p. 2448.

SEC. 4. That the International Joint Commission created by the treaty between the United States and Great Britain relating to boundary waters between the United States and Canada, signed at Washington January 11, 1909, under the provisions of article 9 of said treaty, is requested to investigate the advisability of the improvement of a waterway from Montreal through Lake Champlain to connect with the Hudson River, together with the estimated cost thereof, and to report to the Dominion of Canada and to the Congress of the United States, with its recommendations for cooperation by the United States with the Dominion of Canada in the improvement of said river.

Reports; contents.

SEC. 5. Every report submitted to Congress in pursuance of any provision of law for preliminary examination and survey looking to the improvement of the entrance at the mouth of any river or at any inlet, in addition to other information which the Congress has directed shall be given, shall contain information concerning the configuration of the shore line and the probable effect thereon that may be expected to result from the improvement having particular reference to erosion and/or accretion for a distance of not less than ten miles on either side of the said entrance.

Vol. 44, p. 1010.

SEC. 6. That the surveys authorized pursuant to section 1 of the River and Harbor Act of January 21, 1927, and House Document Numbered 308, Sixty-ninth Congress, first session, shall be supplemented by such additional study or investigation as the Chief of Engineers finds necessary to take into account important changes in economic factors as they occur, and additional stream-flow records, or other factual data.

Sales authorized.

SEC. 7. That when any land which has been heretofore or may be hereafter purchased or acquired for the improvement of canals, rivers and harbors is no longer needed, or is no longer serviceable, it may be sold in such manner as the Secretary of War may direct, and any moneys received from such sale shall be deposited in the Treasury to the credit of miscellaneous receipts.

Amounts collected from defaulting contractors, etc.

SEC. 8. That any amounts collected from defaulting contractors or their sureties under contracts entered into in connection with river and harbor or flood-control work prosecuted by the Engineer Department, whether collected in cash or by deduction from amounts otherwise due such contractors, hereafter shall be credited in each case to the appropriation under which the contract was made.

East River; portion declared nonnavigable.

SEC. 9. That all of that portion of the East River, in the county of Brown, State of Wisconsin, extending from Baird Street, in the city of Green Bay, east and south, be, and the same is hereby, declared to be a nonnavigable stream within the meaning of the Constitution and Laws of the United States of America. That the right of Congress to alter, amend, or repeal this section is hereby expressly reserved.

West Fork of the South Branch of the Chicago River.

SEC. 10. That that portion of the West Fork of the South Branch of the Chicago River in Cook County, Illinois, lying between the west line (produced north) of the Collateral Channel of the Sanitary District of Chicago, in the northwest quarter of section 36, township 39 north, range 13 east, third principal meridian, and a line one

thousand three hundred feet east of and parallel to the west line of section 30 (section line in South Western Avenue), township 39 north, range 13 east, third principal meridian, in the city of Chicago, Illinois, as the same now exists or may hereafter be extended, is hereby declared to be a nonnavigable stream within the meaning of the Constitution and laws of the United States.

The right to alter, amend, or repeal this section is hereby expressly reserved.

Reservation of right to amend.

SEC. 11. That the Secretary of War is authorized to grant permission, on such terms as he may deem reasonable, to the City of Cascade Locks, Oregon, to make connection with the Government-owned water main at Cascade Locks and take water therefrom for use for fire-protection purposes only.

Cascade Locks water main; connection with, authorized.

SEC. 12. That the pier constructed along the west coast of Lake Huron, Michigan, at Greenbush, Michigan, by Carl E. Schmidt, of Oscoda, Michigan, be, and the same is hereby, legalized to the same extent and with like effect as to all existing or future laws and regulations of the United States as if the permit required by the existing laws of the United States in such cases made and provided had been regularly obtained prior to the construction of said pier.

Pier along Lake Huron, at Greenbush, Mich., legalized.

That the right to alter, amend, or repeal this section is hereby expressly reserved.

Reservation of right to amend.

SEC. 13. That the Court of Claims shall have jurisdiction to hear and determine claims for damages to oyster growers upon private or leased lands or bottoms arising from dredging operations and use of other machinery and equipment in making such improvements: *Provided*, That suits shall be instituted within one year after such operations shall have terminated.

Oyster growers; claims of.

Proviso. Limitation.

SEC. 14. That the Secretary of War is authorized and directed to have prepared and transmitted to Congress at the earliest practical date after January 3, 1936, a compilation of preliminary examinations, surveys, and appropriations for works of river and harbor improvement similar in general form and subject matter to that which was prepared in accordance with the Act of March 4, 1913, and printed in House Document Numbered 1491, Sixty-third Congress, third session: *Provided*, That the report to be prepared in accordance with this provision shall be a revised edition of the report printed in the document above mentioned, extended to January 1, 1936.

Report to Congress.

Vol. 37, p. 801.

Proviso. Requirement.

Approved, August 30, 1935.

[CHAPTER 832.]

AN ACT

August 30, 1935.
[H. R. 6869.]
[Public, No. 410.]

Authorizing the Chippewa Indians of Wisconsin to submit claims to the Court of Claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all claims of whatsoever nature which the Chippewa Tribe or Bands of Indians of Wisconsin may have against the United States, which have not heretofore been determined by the Court of Claims or the Supreme Court of the United States, may be submitted to the Court of Claims with the right of appeal to the Supreme Court of the United States by either party, anything in the Judicial Code of the United States or amendments thereto to the contrary notwithstanding, for determination of the amount, if any, due said Indians from the United States under any treaties, agreements, or laws of Congress, or for the misappropriation or waste of any of the funds or lands of said Indians or band or bands thereof, or for the failure of the United

Chippewa Indians of Wisconsin.
Claims of, may be submitted to Court of Claims.

Right of appeal.
U. S. C., p. 1268.

States to pay said Indians any money or other property due; and jurisdiction is hereby conferred upon the Court of Claims, with the said right of either party to appeal, to hear and determine all legal and equitable claims, if any, of said Indians against the United States, and to enter judgment thereon.

Rights, both legal and equitable, to be settled.

SEC. 2. If any claim or claims be submitted to said courts they shall settle the rights therein, both legal and equitable, of each and all of the parties thereto, notwithstanding lapse of time or statutes of limitations, and any payment which may have been made upon any claim so submitted shall not be pleaded as an estoppel, but may be pleaded as an offset in such suits or actions, and the United States shall be allowed credit for all sums heretofore paid or expended for the benefit of said Indians or any band thereof, including gratuities, and that laches shall not be pleaded as a defense thereto. The claim or claims of the Chippewa Indians of Wisconsin or band or bands thereof may be presented separately or jointly by petition, subject however, to amendment, suit to be filed within five years after the passage of this Act; and such action shall make the petitioner or petitioners party plaintiff or plaintiffs and the United States party defendant, and any band or bands of said Indians or any other Indians or band of Indians the court may deem necessary to a final determination of such suit or suits may be joined therein as the court may order. Such petition, which shall be signed by the attorney or attorneys employed by said Indians or any bands thereof, or by the State of Wisconsin in their behalf, shall set forth all the facts on which the claims for recovery are based and said petition shall be signed by the attorney or attorneys so employed, and no other verification shall be necessary. Official letters, papers, documents, and public records, or certified copies thereof, may be used in evidence, and the departments of the Government shall give to the attorney or attorneys of said Indians or bands thereof access to such treaties, papers, correspondence, or records as may be needed by the attorney or attorneys for said tribe or bands of Indians.

Offsets allowed.

Suits may be joined or presented separately.

Evidence.

Access to official records.

Attorneys' fees, etc., by court decree.

SEC. 3. Upon final determination of such suit, cause, or action, the Court of Claims shall decree such fees and necessary expenses as it shall find reasonable and proper to be paid the attorney or attorneys employed therein by said tribe or bands of Indians under contracts negotiated and approved as provided by existing law, and in no case shall the fee decreed by said Court of Claims be in excess of the amounts stipulated in the contracts approved by the Commissioner of Indian Affairs and the Secretary of the Interior, and no attorney shall have a right to represent the said Indians or any band thereof in any suit, cause, or action under the provisions of this Act until said contract shall have been so approved: *Provided*, That any attorney appearing for said Indians under any law of the State of Wisconsin authorizing him to prosecute such claims against the Federal Government shall not be required to file a contract of employment, and no compensation shall be allowed such attorney where he is so compensated by the State. The State shall be allowed out of any judgment recovered such necessary and proper expenses as the court may find to have been incurred by the attorney so employed. The fees decreed by the court to the attorney or attorneys of record, except such as shall be employed by the State, shall be paid out of any sum or sums recovered in such suits or actions, and no part of such fees shall be taken from any money in the Treasury of the United States belonging to such tribe or bands of Indians in whose behalf the suit is brought: *Provided further*, That in no case shall the fees decreed by said court amount to more than 5 per centum of the amount of the judgment recovered in such cause, to be paid only to contract attorneys, if

Contract requirement.

Provisos.
State attorneys.

No pay allowed when compensated by State.

Maximum allowance.

employed. Should an attorney be employed by the State to assist in the prosecution of any suit filed hereunder the court shall determine the value of his services on a quantum meruit basis and such amount shall be withheld from the said 10 per centum and become available to said Indians as a part of said judgment.

Award to be placed to credit of Indians, at interest.

SEC. 4. The net amount of any judgment recovered shall be placed in the Treasury of the United States to the credit of said Indians, and shall draw interest at the rate of 4 per centum per annum and shall be thereafter subject to appropriation by Congress for educational, health, industrial, and other purposes for the benefit of said Indians, including the purchase of lands and building of homes, and no part of said judgment shall be paid out in per capita payments to said Indians: *Provided*, That in making an award under this Act all gratuities paid said Indian tribe by the United States Government shall be offset against any judgment or award made to them.

Use of.

Proviso. Gratuities to Indians to be offsets.

Approved, August 30, 1935.

[CHAPTER 833.]

AN ACT

August 30, 1935. [H. R. 9070.] [Public, No. 411.]

To authorize the construction of certain bridges and to extend the times for commencing and/or completing the construction of other bridges over the navigable waters of the United States, and for other purposes.

Bridge construction, etc.

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

Mississippi River at Saint Louis, Mo.

MISSISSIPPI RIVER AT SAINT LOUIS, MISSOURI

Time extended. Vol. 46, p. 1095.

SECTION 1. That the Act entitled "An Act authorizing H. C. Brenner Realty and Finance Corporation, its successors and assigns, to construct, maintain, and operate a bridge across the Mississippi River at or near a point between Cherokee and Osage Streets, Saint Louis, Missouri", approved on February 13, 1931, be, and the same is hereby, revived and reenacted: *Provided*, That the construction herein authorized be commenced within one year and completed within three years from the date of the approval of this Act.

Proviso. Time limitation.

Delaware River between Easton, Pa., and Phillipsburg, N. J.

DELAWARE RIVER BETWEEN EASTON, PENNSYLVANIA, AND PHILLIPSBURG, NEW JERSEY

SEC. 2. (a) That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the Delaware River Joint Toll Bridge Commission of the State of Pennsylvania and the State of New Jersey, be and is hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Delaware River, at a point suitable to the interests of navigation, at or near Easton, Pennsylvania, and Phillipsburg, New Jersey, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction. Vol. 34, p. 84; U. S. C., p. 1474.

Acquisition of approaches, etc.

(b) There is hereby conferred upon the Delaware River Joint Toll Bridge Commission of the State of Pennsylvania and the State of New Jersey all such rights and powers to enter upon the lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State,

and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Toll charges.

(c) The said Delaware River Joint Toll Bridge Commission of the State of Pennsylvania and the State of New Jersey is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Vol. 34, p. 85; U. S. C., p. 1474.

Tolls applied to operation, sinking fund, etc.

(d) In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed forty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Maintenance as free bridge, etc., after amortizing costs.

Record of expenditures and receipts.

Potomac River, between Old Town, Md., and Green Spring, W. Va.

POTOMAC RIVER BETWEEN OLD TOWN, MARYLAND, AND GREEN SPRING, WEST VIRGINIA

SEC. 3. (a) That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, M. R. Carpenter, his heirs, legal representatives, and assigns, be and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Potomac River, at a point suitable to the interests of navigation, between Old Town, Maryland, and Green Spring, West Virginia, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction.
Vol. 34, p. 84.

Acquisition of approaches, etc.

(b) There is hereby conferred upon M. R. Carpenter, his heirs, legal representatives, and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Toll charges.
Vol. 34, p. 85.

(c) The said M. R. Carpenter, his heirs, legal representatives, and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Acquisition authorized after completion by either State, etc.

(d) After the completion of such bridge, as determined by the Secretary of War, either the State of Maryland, the State of West Virginia, any public agency or political subdivision of either of

such States, within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and all interest in real property necessary therefor, by purchase or by condemnation or expropriation, in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of five years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) the actual financing and promotion costs, not to exceed 10 per centum of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real property; and (4) actual expenditures for necessary improvements.

Conveyance subject only to indebtedness, etc., for construction, etc.

(e) If such bridge shall at any time be taken over or acquired by the States or public agencies or political subdivisions thereof, or by either of them as provided in subsection (d) of this section, and if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed twenty years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Tolls under State, etc., operation.

Tolls applied to operation, sinking fund, etc.

Maintenance as free bridge, etc., after amortizing costs.

Record of expenditures and receipts.

(f) M. R. Carpenter, his heirs, legal representatives, and assigns, shall within ninety days after the completion of such bridge file with the Secretary of War and with the Highway Departments of the States of Maryland and West Virginia, a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and upon request of the highway department of either of such States shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said M. R. Carpenter, his heirs, legal representatives, and assigns, shall make available all of its records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned

Sworn statement of construction cost, etc., to be filed after completion.

Investigation by Secretary of War.

Records to be available.

Findings of Secretary conclusive.

in subsection (d) of this section, subject only to review in a court of equity for fraud or gross mistake.

Right to sell, etc., conferred.

(g) The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted M. R. Carpenter, his heirs, legal representatives, and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

Ohio River at Wellsburg, W. Va.

OHIO RIVER AT WELLSBURG, WEST VIRGINIA

SEC. 4. (a) That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes the Brookewell Bridge Company, its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Ohio River, at a point suitable to the interests of navigation, at or near Wellsburg, West Virginia, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction.
Vol. 34, p. 84; U. S. C., p. 1474.

Acquisition of approaches, etc.

(b) There is hereby conferred upon the Brookewell Bridge Company, its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Tolls.
Vol. 34, p. 85; U. S. C., p. 1474.

(c) The said Brookewell Bridge Company, its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of tolls so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Acquisition authorized after completion by West Virginia, Ohio, etc.

(d) After the completion of such bridge, as determined by the Secretary of War, either the State of West Virginia, the State of Ohio, any public agency or political subdivision of either of such States, within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation or expropriation, in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation or expropriation.

Conveyance subject only to indebtedness, etc., for construction, etc.

If at any time after the expiration of five years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include goodwill, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion costs, not to exceed 10 per centum of the sum of the cost of constructing the

bridge and its approaches and acquiring such interests in real property; and (4) actual expenditures for necessary improvements.

Tolls under State, etc., operation.

(e) If such bridge shall at any time be taken over or acquired by the States or public agencies or political subdivisions thereof, or by either of them, as provided in subsection (d) of this section, and if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed twenty years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Tolls applied to operation, sinking fund, etc.

Maintenance as free bridge, etc., after amortizing costs.

Record of receipts and expenditures.

Sworn statement of construction cost, etc., to be filed after completion.

(f) The Brookewell Bridge Company, its successors and assigns, shall within ninety days after the completion of such bridge file with the Secretary of War and with the highway departments of the States of Ohio and West Virginia a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and upon the request of the highway department of either of such States shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said Brookewell Bridge Company, its successors and assigns, shall make available all of its records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in subsection (d) of this section, subject only to review in a court of equity for fraud or gross mistake.

Investigation by Secretary of War.

Findings of Secretary conclusive.

Right to sell, etc., conferred.

(g) The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to the Brookewell Bridge Company, its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

MISSISSIPPI RIVER AT NEW BOSTON, ILLINOIS

Mississippi River at New Boston, Ill.

Time extended for bridging.

Vol. 46, p. 1503; Vol. 48, p. 652, amended.

SEC. 5. That the times for commencing and completing the construction of a bridge across the Mississippi River, at or near New Boston, Illinois, authorized to be built by D. S. Prentiss, R. A. Salladay, Syl F. Histed, William M. Turner, and John H. Rahilly,

by an Act of Congress approved March 3, 1931, heretofore extended by an Act of Congress approved April 30, 1934, are hereby further extended one and three years, respectively, from April 30, 1935.

Potomac River at Dahlgren, Va.

POTOMAC RIVER AT DAHLGREN, VIRGINIA

SEC. 6. (a) That in order to facilitate interstate commerce, improve the Postal Service, and provide for military and other purposes, the George Washington Memorial Bridge Public Corporation, its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a highway or combined highway and railroad bridge and approaches thereto across the Potomac River at a point suitable to the interests of navigation from a point in the vicinity of Dahlgren in the northeastern end of King George County, in the State of Virginia, to a point south of Popes Creek, in the county of Charles, in the State of Maryland, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction.
Vol. 34, p. 84; U. S. C., p. 1474.

Acquisition of land for approaches, etc.

(b) There is hereby conferred upon the said George Washington Memorial Bridge Public Corporation, its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches and terminals as are possessed by railroad corporations for railroad purposes, or by bridge corporations for bridge purposes in the State or States in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State or States, and the proceedings therefor shall be the same as in the condemnation and expropriation of property for public purposes in such State or States.

Tolls.
Vol. 34, p. 85; U. S. C., p. 1474.

(c) The said George Washington Memorial Bridge Public Corporation, its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Acquisition authorized after completion by Virginia, Maryland, etc.

(d) After the completion of such bridge, as determined by the Secretary of War, either the State of Virginia, the State of Maryland, any public agency or political subdivision of either of such States, within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interests in real property necessary therefor, by purchase, or by condemnation or expropriation, in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation or expropriation.

Conveyance subject only to indebtedness, etc., for construction, etc.

If at any time after the expiration of twenty years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion costs (not to exceed 10 per centum of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real property); and (4) actual expenditures for necessary improvements.

Tolls under State, etc., operation.

(e) If such bridge shall at any time be taken over or acquired by the States or public agencies or political subdivisions thereof, or by either of them, as provided in subsection (d) of this section, and if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches, under economical management to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, within a period of not to exceed thirty years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for operation, repairing, and maintaining the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Tolls applied to operation, sinking fund, etc.

Maintenance as free bridge, etc., after amortizing costs.

Record of expenditures and receipts.

Sworn statement of construction cost, etc., to be filed upon completion.

(f) The said George Washington Memorial Bridge Public Corporation, its successors and assigns, shall within ninety days after the completion of such bridge file with the Secretary of War and with the Highway Departments of the States of Virginia and Maryland a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor and actual financing and promotion costs. The Secretary of War may, and upon the request of the highway department of either of such States shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said George Washington Memorial Bridge Public Corporation, its successors and assigns, shall make available all of its records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in subsection (d) of this section, subject only to review in a court of equity for fraud or gross mistake.

Investigation by Secretary of War.

Findings of Secretary conclusive.

Right to sell, etc., conferred.

(g) The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to the said George Washington Memorial Bridge Public Corporation, its successors and assigns, and any corporation to which or any persons to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

Mississippi River at Stites, Ill.

MISSISSIPPI RIVER AT STITES, ILLINOIS

Post, p. 1253.

SEC. 7. (a) That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the county of Saint Clair, in the State of Illinois, be, and is hereby, authorized to construct, maintain, and operate a bridge and

approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, at or near a point on Broadway between Florida and Mullanphy Streets in the city of Saint Louis, Missouri, and a point opposite thereto in the town of Stites, in the county of Saint Clair, State of Illinois, and connecting with Saint Clair Avenue extended in said town, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction.
Vol. 34, p. 84; U. S. C., p. 1474.

Acquisition of approaches, etc.

(b) There is hereby conferred upon the county of Saint Clair, in the State of Illinois, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Tolls.
Vol. 34, p. 85; U. S. C., p. 1474.

(c) The said county of Saint Clair, in the State of Illinois, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Tolls applied to operation, sinking fund, etc.

(d) In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed thirty years from the completion thereof.

Maintenance as free bridge, etc., after amortizing costs.

After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Record of expenditures and receipts.

Ohio River at Shawneetown, Ill.

OHIO RIVER AT SHAWNEETOWN, ILLINOIS

Time extended for bridging.
Vol. 48, p. 839, amended.

SEC. 8. That the times for commencing and completing the construction of a bridge across the Ohio River at or near Shawneetown, Gallatin County, Illinois, and a point opposite thereto in Union County, Kentucky, authorized to be built by the city of Shawneetown, Illinois, by an act of Congress approved June 4, 1934, are hereby extended one and three years, respectively, from the date of approval hereof.

Compact between Pennsylvania and New Jersey.

COMPACT BETWEEN PENNSYLVANIA AND NEW JERSEY

Consent given to, relative to bridge construction, etc.

SEC. 9. That the consent of Congress is hereby given to the compact or agreement set forth below, and to each and every term and provision thereof: *Provided*, That nothing herein contained shall

be construed to affect, impair, or diminish any right, power, or jurisdiction of the United States or of any court, department, board, bureau, officer, or official of the United States, over or in regard to any navigable waters, or any commerce between the States or with foreign countries, or any bridge, railroad, highway, pier, wharf, or other facility or improvement, or any other person, matter, or thing, forming the subject matter of the aforesaid compact or agreement or otherwise affected by the terms thereof.

The Commonwealth of Pennsylvania and the State of New Jersey do hereby solemnly covenant and agree, each with the other, as follows:

ARTICLE I

"Delaware River Joint Toll Bridge Commission" created. Functions.

There is hereby created a body corporate and politic, to be known as the "Delaware River Joint Toll Bridge Commission" (hereinafter in this agreement called the "commission"), which shall consist of the commissioners, on behalf of the Commonwealth of Pennsylvania, provided for by the Act, approved the 8th day of May 1919 (Pamphlet Laws, 148), and its supplements and amendments, for the acquisition of toll bridges over the Delaware River, and of commissioners, on behalf of the State of New Jersey, provided for by the Act, approved the 1st day of April 1912 (ch. 397), and its supplements and amendments, for the acquisition of toll bridges over the Delaware River, which said commissions have heretofore been acting as a joint commission by virture[1] of reciprocal legislation.

No action of the commission shall be binding unless a majority of the members of the commission from Pennsylvania and a majority of the members of the commission from New Jersey shall vote in favor thereof.

The commission shall constitute the public corporate instrumentality of the Commonwealth of Pennsylvania and the State of New Jersey for the following public purposes, and shall be deemed to be exercising an essential governmental function in effectuating such purpose, to wit:

(a) The administration, operation, and maintenance of the joint State-owned bridges across the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey, and located north of the present stone arch bridge of the Pennsylvania Railroad across the Delaware River from Morrisville to Trenton;

(b) The investigation of the necessity for additional bridge communications over the Delaware River north of the said railroad bridge, and the making of such studies, surveys, and estimates as may be necessary to determine the feasibility and cost of such additional bridge communications;

(c) The preparation of plans and specifications for, and location, construction, administration, operation, and maintenance of, such additional bridge communications over the Delaware River, north of the aforesaid railroad bridge, as the commission deems necessary to advance the interests of the two States and to facilitate public travel; and the issuance of bonds and obligations to provide moneys sufficient for the construction of such bridges; and the collection of tolls, rentals, and charges for the redemption of such bonds and obligations, and the payment of interest thereon;

(d) The procurement from the Government of the United States of any consents which may be requisite to enable any project within its powers to be carried out.

[1] So in original.

ARTICLE II

Powers conferred.

For the effectuation of its authorized purposes, the commission is hereby granted the following powers:

(a) To have perpetual succession.

(b) To sue and be sued.

(c) To adopt and use an official seal.

(d) To elect a chairman, vice chairman, secretary, and treasurer, and appoint an engineer. The secretary, treasurer, and engineer need not be members of the commission.

(e) To adopt suitable bylaws for the management of its affairs.

(f) To appoint such other officers, agents, and employees as it may require for the performance of its duties.

(g) To determine the qualifications and duties of its appointees, and to fix their compensation.

(h) To enter into contracts.

(i) To acquire, own, hire, use, operate, and dispose of personal property.

(j) To acquire, own, use, lease, operate, and dispose of real property and interest in real property, and to make improvements thereon.

(k) To grant the use of, by franchise, lease, and otherwise, and to make and collect charges for the use of, any property or facility owned or controlled by it.

(l) To borrow money upon its bonds or other obligations, either with or without security.

(m) To exercise the power of eminent domain.

(n) To determine the exact location, system, and character of, and all other matters in connection with, any and all improvements or facilities which it may be authorized to own, construct, establish, effectuate, maintain, operate, or control.

(o) In addition to the foregoing powers, to exercise the powers, duties, authority, and jurisdiction heretofore conferred and imposed upon the aforesaid commissions, hereby constituted a joint commission by reciprocal legislation of the Commonwealth of Pennsylvania and the State of New Jersey, with respect to the acquisition of toll bridges over the Delaware River, the management, operation, and maintenance of such bridges, and the location, construction, operation, and maintenance of additional bridge communications over the Delaware River north of the aforesaid railroad bridge of the Pennsylvania Railroad.

(p) To exercise all other powers, not inconsistent with the Constitutions of the States of Pennsylvania and New Jersey or of the United States, which may be reasonably necessary or incidental to the effectuation of its authorized purposes or to the exercise of any of the foregoing powers, except the power to levy taxes or assessments for benefits; and generally to exercise, in connection with its property and affairs and in connection with property under its control, any and all powers which might be exercised by a natural person or a private corporation in connection with similar property and affairs.

ARTICLE III

Acquisition of land.

If for any of its authorized purposes (including temporary purposes) the commission shall find it necessary or convenient to acquire for public use any real property in the Commonwealth of Pennsylvania or the State of New Jersey, whether for immediate or future use, the commission may, by resolution, determine to acquire such property by a fee simple absolute or a lesser interest, and the said determination shall not be affected by the fact that

such property has therefore been taken for or is then devoted to a public use, but the public use in the hands or under the control of the commission shall be deemed superior to the public use in the hands or under the control of any other person, association, or corporation.

If the commission is unable to agree with the owner or owners thereof upon terms for the acquisition of any such real property in the Commonwealth of Pennsylvania, for any reason whatsoever, then the commission may acquire such real property by the exercise of the right of eminent domain, in the manner provided by the Act, approved the 8th day of May 1919 (Pamphlet Laws, 148), entitled "An Act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll bridges over the Delaware River", and the Acts amendatory thereof and supplementary thereto, relating to the acquisition of interstate toll bridges over the Delaware River.

If the Commission is unable to agree with the owner or owners thereof upon terms for the acquisition of any such real property, in the State of New Jersey, for any reason whatsoever, then the commission may acquire such property by the exercise of the right of eminent domain, in the manner provided by the act of the State of New Jersey, entitled "An Act authorizing the acquisition and maintaining by the State of New Jersey, in conjunction with the State of Pennsylvania, of toll bridges across the Delaware River; and providing for free travel across the same", approved the 1st day of April 1912 (ch. 297), and the various acts amendatory thereof and supplementary thereto, relating to the acquisition of interstate toll bridges over the Delaware River.

The power of the commission to acquire real property by condemnation or the exercise of the power of eminent domain in the Commonwealth of Pennsylvania and the State of New Jersey shall be a continuing power and no exercise thereof shall be deemed to exhaust it.

The commission and its duly authorized agents and employees may enter upon any land, in the Commonwealth or the State of New Jersey, for the purpose of making such surveys, maps, or other examinations thereof, as it may deem necessary or convenient for its authorized purposes.

However, anything to the contrary contained in this compact notwithstanding, no property, now or hereafter vested in or held by any county, city, borough, village, township, or other municipality, shall be taken by the commission without the consent of such municipality, unless expressly authorized so to do by the Commonwealth or State in which such municipality is located. All counties, cities, boroughs, villages, townships and other municipalities, and all public agencies and commissions of the Commonwealth of Pennsylvania and the State of New Jersey, notwithstanding any contrary provision of law, are hereby authorized and empowered to grant and convey to the commission upon its request, but not otherwise, upon reasonable terms and conditions, any real property which may be necessary or convenient to the effectuation of its authorized purposes, including real property already devoted to public use.

Consent of participating States.

The Commonwealth of Pennsylvania and the State of New Jersey hereby consent to the use and occupation by the commission of any real property of the said two States, or of either of them, which may be or become necessary or convenient to the effectuation of the authorized purposes of the commission, including lands lying under water and lands already devoted to public use.

"Real property" defined.

The term "real property", as used in this compact, includes lands, structures, franchises, and interests in land, including lands under water and riparian rights, and any and all things and rights usually included within the said term, and includes not only fees simple and absolute but also any and all lesser interests, such as easements, rights-of-way, uses, leases, licenses, and all other incorporeal hereditaments, and every estate, interest, or right, legal or equitable, including terms of years and liens thereon by way of judgments, mortgages, or otherwise, and also claims for damage to real estate.

ARTICLE IV

Pledging credit or creating debt.

Notwithstanding any provision of this agreement, the commission shall have no power to pledge the credit of the Commonwealth of Pennsylvania, or of the State of New Jersey, or of any county, city, borough, village, township, and other municipality of said Commonwealth or State, or to create any debt against said Commonwealth or State or any such municipality.

ARTICLE V

Rules and regulations.

The commission is hereby authorized to make and enforce such rules and regulations, and to establish, levy, and collect (or to authorize by contract, franchise, liens, or otherwise, the establishment, levying, and collection of) such tolls, rates, rents, and other charges, in connection with any such bridge across the Delaware River which it may hereafter construct and operate, as it may deem necessary, proper, desirable, and reasonable, which tolls, rates, rents, and other charges shall be at least sufficient to meet interest and sinking-fund charges on bonds and obligations issued by the commission, the maintenance of such bridge, and the administrative expenses of the commission properly chargeable to such bridge. The commission is hereby authorized and empowered to pledge such tolls, rates, rents, and other revenues, or any part thereof, as security for the repayment, with interest, of any moneys borrowed by it or advanced to it for any of its authorized purposes, and as security for the satisfaction of any other obligation assumed by it in connection with such loans or advances.

ARTICLE VI

Commission's obligations not impaired.

The Commonwealth of Pennsylvania and the State of New Jersey hereby covenant and agree with each other and with the holders of any bonds or other obligations of the commission, for which tolls, rents, rates, or other revenues have been pledged, that, so long as any of said bonds or obligations remain outstanding and unpaid (unless adequate provision is otherwise made by law for the protection of those advancing moneys upon such bonds or obligations), the Commonwealth of Pennsylvania and the State of New Jersey will not diminish or impair the power of the commission to own, operate, and control said properties and facilities, or to establish, levy, and collect tolls, rents, rates, and other charges in connection with such properties and facilities.

The Commonwealth of Pennsylvania and the State of New Jersey hereby covenant and agree with each other and with the holders of any bonds or obligations of the commission, for which tolls, rents, rates, or other revenues shall have been pledged, that the said Commonwealth and State will not authorize or permit the construction, operation, and maintenance of any additional bridge or tunnel

for the transportation of passengers by vehicles over the Delaware River by any other person or body, than the commission, within a distance of ten miles in either direction from any such toll bridge, measured along the boundary line between the said Commonwealth and the said State.

ARTICLE VII

Commission's bonds made State securities.

The bonds or obligations which may be issued by the commission for any of its authorized purposes, and as security for which tolls, rents, rates, and other revenues shall have been pledged, are hereby made securities in which all State and municipal officers and bodies of the Commonwealth of Pennsylvania and the State of New Jersey, and all banks, bankers, trust companies, savings banks, savings and loan associations, investment companies, and other persons carrying on a banking business, or insurance companies, insurance associations, and other persons carrying on an insurance business, and all administrators, executors, guardians, trustees, and other fiduciaries, and all other persons whatsoever, who now or may hereafter be authorized to invest in bonds or other obligations of the Commonwealth of Pennsylvania or of the State of New Jersey, may properly and legally invest funds, including capital belonging to them or within their control; and said bonds or other obligations are hereby made securities which may properly and legally be deposited with and received by any State or municipal officer, or agency of the Commonwealth of Pennsylvania and the State of New Jersey, for any purpose for which the deposit of bonds or other obligations, either of the Commonwealth or of the State, is now or may hereafter be authorized.

ARTICLE VIII

Effectuation of purposes.

The effectuation of its authorized purposes by the commission is and will be in all respects for the benefit of the people of the Commonwealth of Pennsylvania and the State of New Jersey, and for the increase of their commerce and prosperity, and since the commission will be performing essential governmental functions in effectuating said purposes, the commission shall not be required to pay any taxes or assessments upon any property acquired or used by it for purposes authorized by this agreement; and the bonds or obligations issued by the commission, their transfer, and the income therefrom, including any profits made on the sale thereof, shall, at all times, be free from taxation within the Commonwealth of Pennsylvania and the State of New Jersey.

ARTICLE IX

Annual reports to be made.

The commission shall make annual reports to the Governors and Legislatures of the Commonwealth of Pennsylvania and the State of New Jersey, setting forth in detail its operations and transactions, and may make such additional reports, from time to time, to the Governors and legislatures as it may deem advisable.

Whenever the commission, after investigation and study, shall have concluded plans, with estimates of cost, and means of financing any new toll bridge across the Delaware River, as hereinbefore provided, it shall make to the legislatures of each State, at the next sessions thereof, a detailed report, dealing with the contemplated project; but such project may, nevertheless, be proceeded with if the legislatures of said States, or either of them, are not in session.

ARTICLE X

Free bridge after payment of cost.

Whenever particular bonds issued for any bridge or bridges, and the interest thereon, shall have been paid, or a sufficient amount shall have been provided for their payment and shall continue to be held for that purpose, the commission shall cease to charge tolls for the use of such bridge and thereafter such bridge shall be a free bridge, and shall thereafter be maintained equally at the cost of the Commonwealth of Pennsylvania and the State of New Jersey by appropriations made for such purposes, as now provided by law for the maintenance of bridges over the Delaware River acquired by the Commonwealth of Pennsylvania and the State of New Jersey.

In witness whereof, this 18th day of December 1934, A. Harry Moore has affixed his signature hereto as Governor of the State of New Jersey and caused the great seal of the State to be attached thereto.

[SEAL]

A. Harry Moore,
Governor, State of New Jersey.

And, on this 19th day of December 1934, Gifford Pinchot has affixed his signature hereto as Governor of the Commonwealth of Pennsylvania and caused the great seal of the Commonwealth to be attached thereto.

[SEAL]

Gifford Pinchot,
Governor, Commonwealth of Pennsylvania.

Missouri River at Miami, Mo.

MISSOURI RIVER AT MIAMI, MISSOURI

SEC. 10. (a) That the consent of Congress is hereby granted to the county of Saline, Missouri, to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, at or near Miami, Missouri, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction. Vol. 34, p. 84; U. S. C., p. 1474.

Tolls to be applied to operation, sinking fund, etc.

(b) If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed twenty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of tolls shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management.

Maintenance as free bridge, etc., after amortizing costs.

Record of expenditures and receipts.

An accurate record of the costs of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

Gulf of Mexico, between Cedar Point and Dauphin Island, Ala.

GULF OF MEXICO BETWEEN CEDAR POINT AND DAUPHIN ISLAND, ALABAMA

SEC. 11. That the times for commencing and completing the construction of a railroad bridge and/or a toll bridge across the water between the mainland at or near Cedar Point and Dauphin Island, Alabama, authorized to be built by the Dauphin Island Railway and

Harbor Company, its successors and assigns, by an Act of Congress approved February 25, 1927, heretofore extended by Acts of Congress approved February 7, 1930, and March 1, 1933, are hereby further extended one and three years, respectively, from February 25, 1936.

Time extended for bridging.
Vol. 44, p. 1242; Vol. 46, p. 65; Vol. 47, p. 1416; *Post*, p. 1104.

OHIO RIVER AT CANNELTON, INDIANA

Ohio River at Cannelton, Ind.

SEC. 12. (a) That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the Perry County Bridge Commission of Perry County, Indiana, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Ohio River, at a point suitable to the interests of navigation, at or near Cannelton, Indiana, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction.
Vol. 34, p. 84.

(b) There is hereby conferred upon the Perry County Bridge Commission all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Acquisition for approaches, etc.

(c) The said Perry County Bridge Commission is hereby authorized to fix and charge tolls for transit over such bridge, the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Tolls.
Vol. 34, p. 85.

(d) In fixing the rates of toll to be charged for the use of such bridge, the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed twenty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Tolls to be applied to operation, sinking fund, etc.

Maintenance as free bridge, etc., after amortizing costs.

Record of expenditures and receipts.

TENNESSEE RIVER BETWEEN DAYTON AND DECATUR, TENNESSEE

Tennessee River between Dayton and Decatur, Tenn.

SEC. 13. (a) That the consent of Congress is hereby granted to the State of Tennessee, any political subdivision thereof within or adjoining which any part of the bridge herein referred to is located, any bridge district created or to be created by the State, or any two or more of them jointly, to construct, maintain, and operate a bridge and approaches thereto across the Tennessee River at a point suitable to the interests of navigation, at or near a point between Dayton and

Construction. Vol. 34, p. 84; U. S. C., p. 1474.

Decatur, Tennessee, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Tolls to be applied to operation, sinking fund, etc.

(b) If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed thirty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the costs of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

Maintenance as free bridge, etc., after amortizing costs.

Record of expenditures and receipts.

Missouri River at Arrow Rock, Mo.

MISSOURI RIVER AT ARROW ROCK, MISSOURI

Post, p. 1536.

SEC. 14. (a) That the consent of Congress is hereby granted to J. L. Jones, Tyre W. Burton, and H. R. Turley, trustees for Howard County, Missouri, to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, at or near Arrow Rock, Missouri, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction. Vol. 34, p. 84.

Tolls to be applied to operation, sinking fund, etc.

(b) If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed twenty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the costs of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Maintenance as free bridge, etc., after amortizing costs.

Record of expenditures and receipts.

Columbia River at Astoria, Oreg.

COLUMBIA RIVER AT ASTORIA, OREGON

Time extended for bridging. Vol. 48, p. 949. *Post*, p. 1104.

SEC. 15. That the times for commencing and completing the construction of a bridge across the Columbia River, at Astoria, Clatsop County, Oregon, authorized to be built by the Oregon-Washington Bridge Board of Trustees by an Act of Congress approved June 13, 1934, are hereby extended one and three years, respectively, from June 13, 1935.

OHIO RIVER AT LOUISVILLE, KENTUCKY

Ohio River at Louisville, Ky.

SEC. 16. That in the event that the Louisville Bridge Commission shall issue bridge revenue refunding bonds for the purpose of refunding or renewing the outstanding city of Louisville Bridge Revenue 4½ per centum bonds, dated May 1, 1928, which were issued to provide funds for the construction of the bridge authorized by the Act of Congress approved February 25, 1928, entitled "An Act authorizing the city of Louisville, Kentucky, to construct, maintain, and operate a toll bridge across the Ohio River at or near said city", the rates of toll to be charged for the use of said bridge shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a fund sufficient to pay the principal and interest and the redemption premium, if any, of such bridge revenue refunding bonds, as soon as possible under reasonable charges, but within a period not exceeding twenty years from the date of approval of this Act, and such tolls shall be continued until such payment shall have been made. After a fund sufficient for such payment shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management.

Tolls to be charged in event bridge refunding bonds are issued.

Vol. 45, p. 146, amended.

Maintenance as free bridge, etc., after amortizing costs.

SAINT CLAIR RIVER AT PORT HURON, MICHIGAN

Saint Clair River at Port Huron, Mich.

SEC. 17. (a) That in order to facilitate international commerce, improve the postal service, and provide for military and other purposes, the State of Michigan, by and through its State Bridge Commission, or the successors of said commission, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Saint Clair River, so far as the United States has jurisdiction over the waters of such river, at a point suitable to the interests of navigation, at or near Port Huron, Michigan, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act, and subject to the approval of the proper authorities in the Dominion of Canada.

Construction. Vol. 34, p. 84; U. S. C., p. 1474.

(b) There is hereby conferred upon the State of Michigan and its State Bridge Commission, or the successors of said commission, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property in the State of Michigan needed for the location, construction, operation, and maintenance of such bridge and its approaches, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State of Michigan, upon making just compensation therefor to be ascertained and paid according to the laws of such State and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Acquisition of approaches, etc.

(c) The State of Michigan, by and through its State Bridge Commission, or the successors of said commission, is hereby authorized to fix and charge tolls for transit over such bridge in accordance with any laws of the State of Michigan applicable thereto, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Tolls.

Vol. 34, p. 85; U. S. C., p. 1474.

Tolls applied to operation, sinking fund, etc.

(d) In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed thirty years from the completion thereof.

Maintenance as free bridge, etc., after amortizing costs.

After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management.

Record of expenditures and receipts.

An accurate record of the cost of the bridge and its approaches; the expenditures for maintaining, repairing, and operating the same; and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Missouri River at Brownville, Nebr.

Post, p. 1529.

MISSOURI RIVER AT BROWNVILLE, NEBRASKA

SEC. 18. (a) That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the county of Atchison, State of Missouri, and the county of Nemaha, State of Nebraska, singly or jointly, be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, at or near Brownville, Nebraska, in accordance with the

Construction. Vol. 34, p. 84.

provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Acquisition of approaches, etc.

(b) There is hereby conferred upon the county of Atchison, State of Missouri, and the county of Nemaha, State of Nebraska, singly or jointly, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Tolls. Vol. 34, p. 85.

(c) The said county of Atchison, State of Missouri, and the county of Nemaha, State of Nebraska, singly or jointly, are hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Tolls applied to operation, sinking fund, etc.

(d) In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of

Maintenance as free bridge, etc., after amortizing costs.

not to exceed twenty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper mainte-

nance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Record of expenditures and receipts.

MISSISSIPPI RIVER AT NATCHEZ, MISSISSIPPI

Mississippi River at Natchez, Miss.

SEC. 19. (a) That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the city of Natchez, State of Mississippi, and the county of Adams, State of Mississippi, singly or jointly, be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, at or near Natchez, State of Mississippi, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Post, p. 1255.

Construction.
Vol. 34, p. 84.

(b) There is hereby conferred upon said city and county, acting singly or jointly, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Acquisition of approaches, etc.

(c) The said city and county, acting singly or jointly, are hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Tolls.
Vol. 34, p. 85.

(d) In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed twenty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Tolls to be applied to operation, sinking fund, etc.

Record of expenditures and receipts.

OUACHITA RIVER AT MONROE, LOUISIANA

Ouachita River at Monroe, La.

SEC. 20. That the Act approved January 26, 1925, heretofore extended by Acts of Congress approved February 6, 1928, and January 15, 1931, granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a bridge and approaches thereto across the Ouachita River, at or near Monroe,

Time extended for bridging.
Vol. 43, p. 791; Vol. 45, p. 57; Vol. 46, p. 1038, amended.

Proviso.
Time limitation.

Louisiana, be and is hereby revived and reenacted: *Provided*, That this Act shall be null and void unless the actual construction of the bridge herein referred to be commenced within one year and completed within three years from the date of approval hereof.

Red River at Alexandria, La.

RED RIVER AT ALEXANDRIA, LOUISIANA

Time extended for bridging.
Vol. 46, p. 1037, amended.

SEC. 21. That the Act approved January 15, 1931, granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a bridge and approaches thereto across the Red River, at or near Alexandria, Louisiana, be and is hereby revived and reenacted: *Provided*, That this Act shall be null and void unless the actual construction of the bridge herein referred to be commenced within one year and completed within three years from the date of approval hereof.

Proviso.
Time limitation.

Missouri River at Saint Charles, Mo.

MISSOURI RIVER AT SAINT CHARLES, MISSOURI

Time extended for bridging.
Vol. 45, p. 1511; Vol. 47, p. 82, amended.

SEC. 22. That the Act approved March 2, 1929, heretofore extended by an Act of Congress approved April 15, 1932, authorizing the Saint Louis-Kansas City Short Line Railroad Company to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, at or near Saint Charles, Missouri, be and is hereby revived and reenacted: *Provided*, That this Act shall be null and void unless the actual construction of the bridge herein referred to be commenced within one year and completed within three years from the date of approval hereof.

Proviso.
Time limitation.

Missouri River at Arrow Rock, Mo.

MISSOURI RIVER AT ARROW ROCK, MISSOURI

Time extended for bridging.
Vol. 45, p. 1511; Vol. 47, p. 82, amended.

SEC. 23. That the Act approved March 2, 1929, heretofore extended by an Act of Congress approved April 15, 1932, authorizing the Saint Louis-Kansas City Short Line Railroad Company to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, at or near Arrow Rock, Missouri, be and is hereby revived and reenacted: *Provided*, That this Act shall be null and void unless the actual construction of the bridge herein referred to be commenced within one year and completed within three years from the date of approval hereof.

Proviso.
Time limitation.

EASEMENT OVER GOVERNMENT LAND NEAR NATCHITOCHES, LOUISIANA

Natchitoches, La.
Easement over Government land near.

SEC. 24. That the Secretary of Commerce be, and he is hereby, authorized and directed to grant to the State of Louisiana an easement over a strip of land situated in the western portion of the Natchitoches (Louisiana) fisheries station property in Natchitoches Parish in said State, for State highway purposes; said strip of land, which consists of three and forty-one one-hundredths acres, more or less, to be particularly described in said grant.

Savannah River at Lincolnton, Ga.

SAVANNAH RIVER AT LINCOLNTON, GEORGIA

Time extended for bridging.
Vol. 47, p. 903, amended.

SEC. 25. That the times for commencing and completing the construction of a bridge across the Savannah River at or near Lincolnton, Georgia, authorized to be built by the State of Georgia by an Act of Congress approved February 24, 1933, are hereby extended one and three years, respectively, from February 24, 1936.

Savannah River at Burtons Ferry, Ga.

SAVANNAH RIVER AT BURTONS FERRY, GEORGIA

Time extended for bridging.
Vol. 45, p. 751; Vol. 47, p. 135; Vol. 48, p. 946.
Post, p. 1537.

SEC. 26. That the times for commencing and completing the construction of a bridge across the Savannah River at or near Burtons Ferry, near Sylvania, Georgia, authorized to be built by the South Carolina and Georgia State Highway Departments by an Act of

Congress approved May 26, 1928, heretofore revived and reenacted by an Act of Congress approved April 22, 1932, and heretofore extended by Acts of Congress approved May 27, 1933, and June 12, 1934, are hereby further extended one and three years, respectively, from the date of approval hereof.

COLORADO RIVER AT PARKER, ARIZONA

Colorado River at Parker, Ariz.

SEC. 27. (a) That in order to promote interstate commerce, improve the Postal Service, and provide for military and other purposes, the Arizona State Highway Commission be and is hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Colorado River, at a point suitable to the interests of navigation, at or near Parker, Arizona, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction. Vol. 34, p. 84; U. S. C., p. 1474.

(b) There is hereby conferred upon the Arizona State Highway Commission all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Acquisition of approaches, etc.

(c) The said Arizona State Highway Commission is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Tolls. Vol. 34, p. 85; U. S. C., p. 1474.

(d) In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed 20 years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Tolls applied to operation, sinking fund, etc.

Maintenance as free bridge after amortizing costs.

Record of expenditures and receipts.

ST. CROIX RIVER AT HUDSON, WISCONSIN

St. Croix River at Hudson, Wis.

SEC. 28 (a). That in order to facilitate interstate commerce, improve the Postal Service, and provide for military and other purposes, the Highway Commission of the State of Wisconsin and the Department of Highways of the State of Minnesota are hereby authorized to construct, maintain, and operate a free highway bridge and approaches thereto across the St. Croix River, at a point suitable to the interests of navigation, at or near the city of Hudson,

Construction. Vol. 34, p. 84.

Wisconsin, in accordance with the provisions of an act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Acquisition of approaches, etc.

(b) There is hereby conferred upon the Highway Commission of the State of Wisconsin and the Department of Highways of the State of Minnesota all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Missouri River at Decatur, Nebr. *Post*, p. 1530.

MISSOURI RIVER AT DECATUR, NEBRASKA

SEC. 29. (a) That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the county of Burt, State of Nebraska, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Missouri River at a point suitable to the interests of navigation between the towns of Decatur, Nebraska, and Onawa, Iowa, in accordance with the provisions of the Act

Construction. Vol. 34, p. 84.

entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Acquisition of approaches, etc.

(b) There is hereby conferred upon the county of Burt, State of Nebraska, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Tolls. Vol. 34, p. 85.

(c) The said county of Burt, State of Nebraska, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the anthority[1] contained in the Act of March 23, 1906.

Tolls applied to operation, sinking fund, etc.

(d) In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed 20 years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the cost of

Maintenance as free bridge after amortizing costs.

[1] So in original.

the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Record of expenditures and receipts.

MISSOURI RIVER AT SOUTH SIOUX CITY, NEBRASKA

Missouri River at South Sioux City, Nebr.

Post, p. 1530.

SEC. 30 (a). That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the county of Dakota, State of Nebraska, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, at or near the cities of South Sioux City, Nebraska, and Sioux City, Iowa, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction.
Vol. 34, p. 84.

(b) There is hereby conferred upon the county of Dakota, State of Nebraska, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Acquisition of approaches, etc.

(c) The said county of Dakota, State of Nebraska, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Tolls.
Vol. 34, p. 85.

(d) In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed 20 years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Tolls to be applied to operation, sinking fund, etc.

Maintenance as free bridge, etc., after amortizing costs.

Record of expenditures and receipts.

HUDSON RIVER AT NYACK, NEW YORK

Hudson River at Nyack, N. Y.

SEC. 31 (a). That the consent of Congress is hereby granted to the Rockland-Westchester Hudson River Crossing Authority, State of New York, to construct, maintain, and operate a highway bridge, causeway, and approaches thereto across the Hudson River, at a point suitable to the interests of navigation, in the vicinity of the village of Nyack, Rockland County, and the village of Tarrytown, Westchester

Construction.
Vol. 34, p. 84.

County, New York, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Tolls to be applied to operation, sinking fund, etc.

(b) If tolls are charged for the use of such bridge and causeway, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge, causeway, and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge, causeway, and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the completion thereof.

Maintenance as free bridge, etc., after amortizing costs.

After a sinking fund sufficient for such amortization shall have been so provided, such bridge and causeway shall thereafter be maintained and operated free of tolls, or the rates of tolls shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge, causeway, and its approaches under economical management.

Record of expenditures and receipts.

An accurate record of the cost of the bridge, causeway, and its approaches; the expenditures for maintaining, repairing, and operating the same; and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

MISSOURI RIVER AT NIOBRARA, NEBRASKA

Missouri River at Niobrara, Nebr.
Post, p. 1354.

SEC. 32. (a) That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the village board of the village of Niobrara, county of Knox, State of Nebraska, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, at or near Niobrara, Nebraska, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction.
Vol. 34, p. 84; U. S. C., p. 1474.

Acquisition of approaches, etc.

(b) There is hereby conferred upon the Village Board of the Village of Niobrara, county of Knox, State of Nebraska, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Tolls.
Vol. 34, p. 85; U. S. C., p. 1474.

(c) The said Villiage [1] Board of the Villiage [1] of Niobrara, county of Knox, State of Nebraska, is hereby authorized to fix the charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Tolls to be applied to operation, sinking fund, etc.

(d) In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge

[1] So in original.

and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed 20 years from the completion thereof. After a sinking [1] sufficient for amortization shall have been so provided, said bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Maintenance as free bridge after amortizing costs.

Record of expenditures and receipts.

SEC. 33. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 30, 1935.

[CHAPTER 836.]

AN ACT

August 31, 1935.
[H. R. 8632.]
[Public, No. 412.]

To amend an Act entitled "An Act to improve the navigability and to provide for the flood control of the Tennessee River; to provide for reforestation and the proper use of marginal lands in the Tennessee Valley; to provide for the agricultural and industrial development of said valley; to provide for the national defense by the creation of a corporation for the operation of Government properties at and near Muscle Shoals in the State of Alabama, and for other purposes", approved May 18, 1933.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subdivision (i) of section 4 of the Act entitled "An Act to improve the navigability and to provide for the flood control of the Tennessee River; to provide for reforestation and the proper use of marginal lands in the Tennessee Valley; to provide for the agricultural and industrial development of said valley; to provide for the national defense by the creation of a corporation for the operation of Government properties at and near Muscle Shoals in the State of Alabama, and for other purposes", approved May 18, 1933, be, and the same is hereby, amended by adding thereto the following proviso: "*Provided*, That nothing contained herein or elsewhere in this Act shall be construed to deprive the Corporation of the rights conferred by the Act of February 26, 1931 (46 Stat. 1422, ch. 307, secs. 1 to 5, inclusive), as now compiled in section 258a to 258e, inclusive, of Title 40 of the United States Code."

Tennessee Valley Authority Act of 1933; amendments.
Vol. 48, p. 60; U. S. C., p. 702.
Post, p. 1607.

Rights of Corporation.
Vol. 46, p. 1421; U. S. C., p. 1786.

SEC. 2. That subdivision (j) of said section 4 of said Act be, and the same is hereby, amended to read as follows:

Vol. 48, p. 61; U. S. C., p. 702.

"(j) Shall have power to construct such dams, and reservoirs, in the Tennessee River and its tributaries, as in conjunction with Wilson Dam, and Norris, Wheeler, and Pickwick Landing Dams, now under construction, will provide a nine-foot channel in the said river and maintain a water supply for the same, from Knoxville to its mouth, and will best serve to promote navigation on the Tennessee River and its tributaries and control destructive flood waters in the Tennessee and Mississippi River drainage basins; and shall have power to acquire or construct power houses, power structures, transmission lines, navigation projects, and incidental works in the Tennessee River and its tributaries, and to unite the various power installations into one or more systems by transmission lines. The directors of the Authority are hereby directed to report to Congress their recommendations not later than April 1, 1936, for the unified development of the Tennessee River system."

Powers of Corporation.
Construction of dams and reservoirs; location.

Acquisition or construction of power houses, transmission lines, etc.

Recommendations for unified development of Tennessee River system.

[1] So in original.

Vol. 48, p. 61.

SEC. 3. That said section 4 of said Act be, and the same is hereby, further amended by adding a new subdivision, (k), at the end of said section as follows:

Authority for disposal of unnecessary real property.

"(k) At any time before the expiration of five years from the date when this section, as amended, becomes law may in the name of and as agent for the United States and subject to approval of the President, dispose of any of such real property as in the judgment of the Board may be no longer necessary in carrying out the purposes of this Act, but no land shall be conveyed on which there is a permanent dam, hydraulic power plant, fertilizer plant or munitions plant, heretofore or hereafter built by or for the United States or for the Authority."

Vol. 48, p. 61; U. S. C., p. 703.

SEC. 4. That subdivision (c) of section 5 of said Act be, and the same is hereby, amended to read as follows:

Authority of Board to cooperate for use of new forms of fertilizer.

"(c)" To cooperate with National, State, district, or county experimental stations or demonstration farms, with farmers, landowners, and associations of farmers or landowners, for the use of new forms of fertilizer or fertilizer practices during the initial or experimental period of their introduction, and for promoting the prevention of soil erosion by the use of fertilizers and otherwise."

Vol. 48, p. 64.

SEC. 5. That said Act be, and the same is hereby, further amended by adding a new section after section 9 of said Act, as follows:

Regulation of stream flow at dams.

"SEC. 9a. The Board is hereby directed in the operation of any dam or reservoir in its possession and control to regulate the stream flow primarily for the purposes of promoting navigation and controlling floods. So far as may be consistent with such purposes, the Board is authorized to provide and operate facilities for the generation of electric energy at any such dam for the use of the Corporation and for the use of the United States or any agency thereof, and the Board is further authorized, whenever an opportunity is afforded, to provide and operate facilities for the generation of electric energy in order to avoid the waste of water power, to transmit and market such power as in this act provided, and thereby, so far as may be practicable, to assist in liquidating the cost or aid in the maintenance of the projects of the Authority."

Operation of facilities for power development.

Vol. 48, p. 64; U. S. C., p. 704.

SEC. 6. That section 10 of said Act be, and the same is hereby, amended by adding thereto a proviso as follows: "*Provided further*, That the Board is authorized to include in any contract for the sale of power such terms and conditions, including resale rate schedules, and to provide for such rules and regulations as in its judgment may be necessary or desirable for carrying out the purposes of this Act, and in case the purchaser shall fail to comply with any such terms and conditions, or violate any such rules and regulations, said contract may provide that it shall be voidable at the election of the Board: *Provided further*, That in order to supply farms and small villages with electric power directly as contemplated by this section, the Board in its discretion shall have power to acquire existing electric facilities used in serving such farms and small villages: *And provided further*, That the terms 'States', 'counties', and 'municipalities' as used in this Act shall be construed to include the public agencies of any of them unless the context requires a different construction."

Sales of surplus power; terms and conditions of contracts.

Voiding contract on failure to comply.

Acquisition of existing facilities.

Terms construed. "States"; "counties"; "municipalities."

Vol. 48, p. 66; U. S. C., p. 704.

SEC. 7. That said Act be, and the same is hereby, further amended by adding a new section after section 12 of said Act, as follows:

Authority of Board to extend credit for acquiring distribution facilities, etc.

"SEC. 12a. In order (1) to facilitate the disposition of the surplus power of the Corporation according to the policies set forth in this Act; (2) to give effect to the priority herein accorded to States, counties, municipalities, and nonprofit organizations in the purchase

of such power by enabling them to acquire facilities for the distribution of such power; and (3) at the same time to preserve existing distribution facilities as going concerns and avoid duplication of such facilities, the Board is authorized to advise and cooperate with and assist, by extending credit for a period of not exceeding five years to, States, Counties, municipalities and nonprofit organizations situated within transmission distance from any dam where such power is generated by the Corporation in acquiring, improving, and operating (a) existing distribution facilities and incidental works, including generating plants; and (b) interconnecting transmission lines; or in acquiring any interest in such facilities, incidental works, and lines."

SEC. 8. That said Act be, and the same is hereby, further amended by adding to section 14 of said Act the following: Vol. 48, p. 66; U.S.C., p. 705.

"The Board shall, on or before January 1, 1937, file with Congress a statement of its allocation of the value of all such properties turned over to said Board, and which have been completed prior to the end of the preceding fiscal year, and shall thereafter in its annual report to Congress file a statement of its allocation of the value of such properties as have been completed during the preceding fiscal year. Statement of allocation of properties turned over to Board; filing.

"For the purpose of accumulating data useful to the Congress in the formulation of legislative policy in matters relating to the generation, transmission, and distribution of electric energy and the production of chemicals necessary to national defense and useful in agriculture, and to the Federal Power Commission and other Federal and State agencies, and to the public, the Board shall keep complete accounts of its costs of generation, transmission, and distribution of electric energy and shall keep a complete account of the total cost of generating and transmission facilities constructed or otherwise acquired by the Corporation, and of producing such chemicals, and a description of the major components of such costs according to such uniform system of accounting for public utilities as the Federal Power Commission has, and if it have none, then it is hereby empowered and directed to prescribe such uniform system of accounting, together with records of such other physical data and operating statistics of the Authority as may be helpful in determining the actual cost and value of services, and the practices, methods, facilities, equipment, appliances, and standards and sizes, types, location, and geographical and economic integration of plants and systems best suited to promote the public interest, efficiency, and the wider and more economical use of electric energy. Such data shall be reported to the Congress by the Board from time to time with appropriate analyses and recommendations, and, so far as practicable, shall be made available to the Federal Power Commission and other Federal and State agencies which may be concerned with the administration of legislation relating to the generation, transmission, or distribution of electric energy and chemicals useful to agriculture. It is hereby declared to be the policy of this Act that, in order, as soon as practicable, to make the power projects self-supporting and self-liquidating, the surplus power shall be sold at rates which, in the opinion of the Board, when applied to the normal capacity of the Authority's power facilities, will produce gross revenues in excess of the cost of production of said power and in addition to the statement of the cost of power at each power station as required by section 9 (a) of the 'Tennessee Valley Act of 1933', the Board shall file with each annual report, a statement of the total cost of all power generated by it at all power stations during each year, the average cost of such power per kilowatt hour, the rates at which sold, and to whom sold, and copies of all contracts for the sale of power."

Accounts to be kept.

Uniform systems.

Report to Congress.

Available to Federal Power Commission.

Declaration of policy respecting sale rate of surplus power.

Statement to be included in annual report.

Vol. 48, p. 67.

SEC. 9. That said Act be and the same is hereby further amended by adding after section 15 of said Act a new section as follows:

Bond issue; aggregate amount.

"SEC. 15a. With the approval of the Secretary of the Treasury, the Corporation is authorized to issue bonds not to exceed in the aggregate $50,000,000 outstanding at any one time, which bonds may

Sale.

be sold by the Corporation to obtain funds to carry out the pro-

Forms and denominations.

visions of section 7 of this amendatory Act. Such bonds shall be in such forms and denominations, shall mature within such periods not

Redemption.

more than fifty years from the date of their issue, may be redeemable at the option of the Corporation before maturity in such manner as

Interest rates.

may be stipulated therein, shall bear such rates of interest not exceeding 3½ per centum per annum, shall be subject to such terms and conditions, shall be issued in such manner and amount, and sold at such prices, as may be prescribed by the Corporation, with the

Proviso.
Annual investment yield.

approval of the Secretary of the Treasury: *Provided*, That such bonds shall not be sold at such prices or on such terms as to afford an investment yield to the holders in excess of 3½ per centum per

Guaranty of interest and principal.

annum. Such bonds shall be fully and unconditionally guaranteed both as to interest and principal by the United States, and such guaranty shall be expressed on the face thereof, and such bonds shall be lawful investments, and may be accepted as security, for all fiduciary, trust, and public funds, the investment or deposit of which shall be under the authority or control of the United States or any

Payments by Secretary of the Treasury.

officer or officers thereof. In the event that the Corporation should not pay upon demand, when due, the principal of, or interest on, such bonds, the Secretary of the Treasury shall pay to the holder the amount thereof, which is hereby authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated, and thereupon to the extent of the amount so paid the Secretary of the Treasury shall succeed to all the rights of the holders of such bonds.

Purchases by.

The Secretary of the Treasury, in his discretion, is authorized to purchase any bonds issued hereunder, and for such purpose the Secretary of the Treasury is authorized to use as a public-debt transaction the proceeds from the sale of any securities hereafter issued

Ante, p. 20.

under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under such Act, as amended, are extended to include any purchases of the Corporation's bonds here-

Sales by.

under. The Secretary of the Treasury may, at any time, sell any of the bonds of the Corporation acquired by him under this section. All redemptions, purchases, and sales by the Secretary of the Treasury of the bonds of the Corporation shall be treated as public-debt

Purchases by Corporation.

transactions of the United States. With the approval of the Secretary of the Treasury, the Corporation shall have power to purchase

Approval of contracts by Federal Power Commission.

such bonds in the open market at any time and at any price. No bonds shall be issued hereunder to provide funds or bonds necessary for the performance of any proposed contract negotiated by the Corporation under the authority of section 7 of this amendatory Act until the proposed contract shall have been submitted to and

Consideration of proposed contracts.

approved by the Federal Power Commission. When any such proposed contract shall have been submitted to the said Commission, the matter shall be given precedence and shall be in every way expedited

Expiration of authority to issue bonds.

and the Commission's determination of the matter shall be final. The authority of the Corporation to issue bonds hereunder shall expire at the end of five years from the date when this section as amended herein becomes law, except that such bonds may be issued at any time after the expiration of said period to provide bonds or funds necessary for the performance of any contract entered into by the Corporation, prior to the expiration of said period, under the authority of section 7 of this amendatory Act."

SEC. 10. That section 26 of said Act be, and the same is hereby, amended to read as follows: Vol. 48, p. 71; U. S. C., p. 708.

"SEC. 26. Commencing July 1, 1936, the proceeds for each fiscal year derived by the Board from the sale of power or any other products manufactured by the Corporation, and from any other activities of the Corporation including the disposition of any real or personal property, shall be paid into the Treasury of the United States at the end of each calendar year, save and except such part of such proceeds as in the opinion of the Board shall be necessary for the Corporation in the operation of dams and reservoirs, in conducting its business in generating, transmitting, and distributing electric energy and in manufacturing, selling, and distributing fertilizer and fertilizer ingredients. A continuing fund of $1,000,000 is also excepted from the requirements of this section and may be withheld by the Board to defray emergency expenses and to insure continuous operation: *Provided*, That nothing in this section shall be construed to prevent the use by the Board, after June 30, 1936, of proceeds accruing prior to July 1, 1936, for the payment of obligations lawfully incurred prior to such latter date."

Proceeds from power sales, disposition of property, etc.

Deposit.

Withholding continuing fund.

Proviso.
Use of proceeds accruing prior to July 1, 1936.

SEC. 11. That said Act be, and the same is hereby, further amended by adding after section 26 of said Act a new section, as follows: Vol. 48, p. 71.

"SEC. 26a. The unified development and regulation of the Tennessee River system requires that no dam, appurtenant works, or other obstruction, affecting navigation, flood control, or public lands or reservations shall be constructed, and thereafter operated or maintained across, along, or in the said river or any of its tributaries until plans for such construction, operation, and maintenance shall have been submitted to and approved by the Board; and the construction, commencement of construction, operation, or maintenance of such structures without such approval is hereby prohibited. When such plans shall have been approved, deviation therefrom either before or after completion of such structures is prohibited unless the modification of such plans has previously been submitted to and approved by the Board.

Prohibition on constructions affecting navigation on Tennessee River system; approval required.

"In the event the Board shall, within sixty days after their formal submission to the Board, fail to approve any plans or modifications, as the case may be, for construction, operation, or maintenance of any such structures on the Little Tennessee River, the above requirements shall be deemed satisfied, if upon application to the Secretary of War, with due notice to the Corporation, and hearing thereon, such plans or modifications are approved by the said Secretary of War as reasonably adequate and effective for the unified development and regulation of the Tennessee River system.

Approval of plans when Board fails to approve.

"Such construction, commencement of construction, operation, or maintenance of any structures or parts thereof in violation of the provisions of this section may be prevented, and the removal or discontinuation thereof required by the injunction or order of any district court exercising jurisdiction in any district in which such structures or parts thereof may be situated, and the Corporation is hereby authorized to bring appropriate proceedings to this end.

Injunction to restrain violations.

"The requirements of this section shall not be construed to be a substitute for the requirements of any other law of the United States or of any State, now in effect or hereafter enacted, but shall be in addition thereto, so that any approval, license, permit, or other sanction now or hereafter required by the provisions of any such law for the construction, operation, or maintenance of any structures whatever, except such as may be constructed, operated, or maintained by the Corporation, shall be required, notwithstanding the provisions of this section."

Requirements to be additional to existing laws.

Vol. 48, p. 72.

SEC. 12. That said Act be, and the same is hereby, further amended by adding at the end of said Act a new section, as follows:

Construction of Act.

"SEC. 31. This Act shall be liberally construed to carry out the purposes of Congress to provide for the disposition of and make needful rules and regulations respecting Government properties entrusted to the Authority, provide for the national defense, improve navigation, control destructive floods, and promote interstate commerce and the general welfare, but no real estate shall be held except what is necessary in the opinion of the Board to carry out plans and projects actually decided upon requiring the use of such land: *Provided*, That any land purchased by the Authority and not necessary to carry out plans and projects actually decided upon shall be sold by the Authority as agent of the United States, after due advertisement, at public auction to the highest bidder, or at private sale as provided in section 3 of this amendatory Act."

Proviso.
Disposition of unnecessary lands.

Vol. 48, p. 61.

SEC. 13. That section 4 of said Act of May 18, 1933 (48 Stat. 58), be amended by adding subsection (l) as follows:

Power of Corporation.
Readjustment of population displaced by dam construction, etc.

"(l) Shall have power to advise and cooperate in the readjustment of the population displaced by the construction of dams, the acquisition of reservoir areas, the protection of watersheds, the acquisition of rights-of-way, and other necessary acquisitions of land, in order to effectuate the purposes of the Act; and may cooperate with Federal, State, and local agencies to that end."

Vol. 48, p. 63; U. S. C., p. 704.

SEC. 14. That subsection (b) of section 9 of said Act be and the same is hereby amended to read as follows:

Purchases and contracts for supplies; advertising.

"(b) All purchases and contracts for supplies or services, except for personal services, made by the Corporation, shall be made after advertising, in such manner and at such times sufficiently in advance of opening bids, as the Board shall determine to be adequate to insure notice and opportunity for competition: *Provided*, That advertisement shall not be required when, (1) an emergency requires immediate delivery of the supplies or performance of the services; or (2) repair parts, accessories, supplemental equipment, or services are required for supplies or services previously furnished or contracted for; or (3) the aggregate amount involved in any purchase of supplies or procurement of services does not exceed $500; in which cases such purchases of supplies or procurement of services may be made in the open market in the manner common among businessmen: *Provided further*, That in comparing bids and in making awards the Board may consider such factors as relative quality and adaptability of supplies or services, the bidder's financial responsibility, skill, experience, record of integrity in dealing, ability to furnish repairs and maintenance services, the time of delivery or performance offered, and whether the bidder has complied with the specifications.

Provisos.
When advertising waived.

Factors to be considered in comparing bids.

Audit of transactions.

"The Comptroller General of the United States shall audit the transactions of the Corporation at such times as he shall determine, but not less frequently than once each governmental fiscal year, with personnel of his selection. In such connection he and his representatives shall have free and open access to all papers, books, records, files, accounts, plants, warehouses, offices, and all other things, property, and places belonging to or under the control of or used or employed by the Corporation, and shall be afforded full facilities for counting all cash and verifying transactions with and balances in depositaries. He shall make report of each such audit in quadruplicate, one copy for the President of the United States, one for the chairman of the Board, one for public inspection at the principal office of the Corporation, and the other to be retained by him for

Access to books, etc.

Report of audit.

the uses of the Congress: *Provided*, That such report shall not be made until the Corporation shall have had reasonable opportunity to examine the exceptions and criticisms of the Comptroller General or the General Accounting Office, to point out errors therein, explain or answer the same, and to file a statement which shall be submitted by the Comptroller General with his report. The expenses for each such audit shall be paid from any appropriation or appropriations for the General Accounting Office, and such part of such expenses as may be allocated to the cost of generating, transmitting, and distributing electric energy shall be reimbursed promptly by the Corporation as billed by the Comptroller General. The Comptroller General shall make special report to the President of the United States and to the Congress of any transaction or condition found by him to be in conflict with the powers or duties entrusted to the Corporation by law."

Proviso. Examination of report.

Expenses of audit.

Special report.

SEC. 15. That the sections of this Act are hereby declared to be separable, and in the event of any one or more sections of this Act, or parts thereof, be held to be unconstitutional, such holding shall not affect the validity of other sections or parts of this Act.

Separability clause.

Approved, August 31, 1935.

[CHAPTER 837.]

JOINT RESOLUTION

August 31, 1935.
[S. J. Res. 173.]
[Pub. Res., No. 67.]

Providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states; for the registration and licensing of persons engaged in the business of manufacturing, exporting, or importing arms, ammunition, or implements of war; and restricting travel by American citizens on belligerent ships during war.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That upon the outbreak or during the progress of war between, or among, two or more foreign states, the President shall proclaim such fact, and it shall thereafter be unlawful to export arms, ammunition, or implements of war from any place in the United States, or possessions of the United States, to any port of such belligerent states, or to any neutral port for transshipment to, or for the use of, a belligerent country.

Neutrality; prohibition on export of arms and munitions of war.
Post, p. 1152.

The President, by proclamation, shall definitely enumerate the arms, ammunition, or implements of war, the export of which is prohibited by this Act.

President to definitely enumerate prohibited exports.

The President may, from time to time, by proclamation, extend such embargo upon the export of arms, ammunition, or implements of war to other states as and when they may become involved in such war.

Extension of embargo to other States.

Whoever, in violation of any of the provisions of this section, shall export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from the United States, or any of its possessions, shall be fined not more than $10,000 or imprisoned not more than five years, or both, and the property, vessel, or vehicle containing the same shall be subject to the provisions of sections 1 to 8, inclusive, title 6, chapter 30, of the Act approved June 15, 1917 (40 Stat. 223–225; U. S. C., title 22, secs. 238–245).

Penalty for violation.

Seizure and forfeiture.
Vol. 40, p. 223; U. S. C., p. 962.

In the case of the forfeiture of any arms, ammunition, or implements of war by reason of a violation of this Act, no public or private sale shall be required; but such arms, ammunition, or implements of war shall be delivered to the Secretary of War for such use or disposal thereof as shall be approved by the President of the United States.

Disposition of seized munitions.

Revocation of proclamation.

When in the judgment of the President the conditions which have caused him to issue his proclamation have ceased to exist he shall revoke the same and the provisions hereof shall thereupon cease to apply.

Duration of Act.

Except with respect to prosecutions committed or forfeitures incurred prior to March 1, 1936, this section and all proclamations issued thereunder shall not be effective after February 29, 1936.

SEC. 2. That for the purposes of this Act—

National Munitions Control Board; establishment.

Composition.

(a) The term "Board" means the National Munitions Control Board which is hereby established to carry out the provisions of this Act. The Board shall consist of the Secretary of State, who shall be chairman and executive officer of the Board; the Secretary of the Treasury; the Secretary of War; the Secretary of the Navy; and the Secretary of Commerce. Except as otherwise provided in this Act, or by other law, the administration of this Act is vested in the Department of State;

Administration of Act.

Definitions.
"United States."

(b) The term "United States" when used in a geographical sense, includes the several States and Territories, the insular possessions of the United States (including the Philippine Islands), the Canal Zone, and the District of Columbia;

"Person."

(c) The term "person" includes a partnership, company, association, or corporation, as well as a natural person.

Registration of persons engaging in manufacture or traffic in munitions.

Within ninety days after the effective date of this Act, or upon first engaging in business, every person who engages in the business of manufacturing, exporting, or importing any of the arms, ammunition, and implements of war referred to in this Act, whether as an exporter, importer, manufacturer, or dealer, shall register with the Secretary of State his name, or business name, principal place of business, and places of business in the United States, and a list of the arms, ammunition, and implements of war which he manufactures, imports, or exports.

Requirements.

Every person required to register under this section shall notify the Secretary of State of any change in the arms, ammunition, and implements of war which he exports, imports, or manufactures; and upon such notification the Secretary of State shall issue to such person an amended certificate of registration, free of charge, which shall remain valid until the date of expiration of the original certificate.

Registration fee.

Every person required to register under the provisions of this section shall pay a registration fee of $500, and upon receipt of such fee the Secretary of State shall issue a registration certificate valid for five years, which shall be renewable for further periods of five years upon the payment of each renewal of a fee of $500.

Issue of registration certificate; renewals.

Requirement of license for exporting or importing.

It shall be unlawful for any person to export, or attempt to export, from the United States any of the arms, ammunition, or implements of war referred to in this Act to any other country or to import, or attempt to import, to the United States from any other country any of the arms, ammunition, or implements of war referred to in this Act without first having obtained a license therefor.

Records to be maintained.

All persons required to register under this section shall maintain, subject to the inspection of the Board, such permanent records of manufacture for export, importation, and exportation of arms, ammunition, and implements of war as the Board shall prescribe.

Issue of licenses.

Licenses shall be issued to persons who have registered as provided for, except in cases of export or import licenses where exportation of arms, ammunition, or implements of war would be in violation of this Act or any other law of the United States, or of a treaty to which the United States is a party, in which cases such licenses shall not be issued.

Meetings of Board.

The Board shall be called by the Chairman and shall hold at least one meeting a year.

Restriction on purchases from person failing to register.

No purchase of arms, ammunition, and implements of war shall be made on behalf of the United States by any officer, executive department, or independent establishment of the Government from any person who shall have failed to register under the provisions of this Act.

Annual report of Board.

Contents.

The Board shall make an annual report to Congress, copies of which shall be distributed as are other reports transmitted to Congress. Such report shall contain such information and data collected by the Board as may be considered of value in the determination of questions connected with the control of trade in arms, ammunition, and implements of war. It shall include a list of all persons required to register under the provisions of this Act, and full information concerning the licenses issued hereunder.

Enforcement rules and regulations.

The Secretary of State shall promulgate such rules and regulations with regard to the enforcement of this section as he may deem necessary to carry out its provisions.

Proclamation of articles considered arms, ammunition, etc.
Post, pp. 3471, 3503.

The President is hereby authorized to proclaim upon recommendation of the Board from time to time a list of articles which shall be considered arms, ammunition, and implements of war for the purposes of this section.

Effective date of section.

This section shall take effect on the ninetieth day after the date of its enactment.

Carriage by American vessel of arms, etc., to port of belligerent.

SEC. 3. Whenever the President shall issue the proclamation provided for in section 1 of this Act, thereafter it shall be unlawful for any American vessel to carry any arms, ammunition, or implements of war to any port of the belligerent countries named in such proclamation as being at war, or to any neutral port for transshipment to, or for the use of, a belligerent country.

Penalty for violation.

Whoever, in violation of the provisions of this section, shall take, attempt to take, or shall authorize, hire, or solicit another to take any such vessel carrying such cargo out of port or from the jurisdiction of the United States shall be fined not more than $10,000 or imprisoned not more than five years, or both; and, in addition, such vessel, her tackle, apparel, furniture, equipment, and the arms, ammunition, and implements of war on board shall be forfeited to the United States.

Revocation of proclamation.

When the President finds the conditions which have caused him to issue his proclamation have ceased to exist, he shall revoke his proclamation, and the provisions of this section shall thereupon cease to apply.

Prohibition against vessels carrying arms, etc., out of United States ports.

SEC. 4. Whenever, during any war in which the United States is neutral, the President, or any person thereunto authorized by him, shall have cause to believe that any vessel, domestic or foreign, whether requiring clearance or not, is about to carry out of a port of the United States, or its possession, men or fuel, arms, ammunition, implements of war, or other supplies to any warship, tender, or supply ship of a foreign belligerent nation, but the evidence is not deemed sufficient to justify forbidding the departure of the vessel as provided for by section 1, title V, chapter 30, of the Act approved June 15, 1917 (40 Stat. [1]; U. S. C., title 18, sec. 31), and if, in the President's judgment, such action will serve to maintain peace between the United States and foreign nations, or to protect the commercial interests of the United States and its citizens, or to promote the security of the United States, he shall have

Vol. 40, p. 221; U. S. C., p. 721.

[1] So in original.

Bond.

the power and it shall be his duty to require the owner, master, or person in command thereof, before departing from a port of the United States, or any of its possessions, for a foreign port, to give a bond to the United States, with sufficient sureties, in such amount as he shall deem proper, conditioned that the vessel will not deliver the men, or the cargo, or any part thereof, to any warship, tender, or supply ship of a belligerent nation; and, if the President, or any person thereunto authorized by him, shall find that a vessel, domestic or foreign, in a port of the United States, or one of its possessions, has previously cleared from such port during such war and delivered its cargo or any part thereof to a warship, tender, or supply ship of a belligerent nation, he may prohibit the departure of such vessel during the duration of the war.

Prohibition of departure.

Prohibition on entry of submarines of belligerent nations.

SEC. 5. Whenever, during any war in which the United States is neutral, the President shall find that special restrictions placed on the use of the ports and territorial waters of the United States, or of its possessions, by the submarines of a foreign nation will serve to maintain peace between the United States and foreign nations, or to protect the commercial interests of the United States and its citizens, or to promote the security of the United States, and shall make proclamation thereof, it shall thereafter be unlawful for any such submarine to enter a port or the territorial waters of the United States or any of its possessions, or to depart therefrom, except under such conditions and subject to such limitations as the President may prescribe. When, in his judgment, the conditions which have caused him to issue his proclamation have ceased to exist, he shall revoke his proclamation and the provisions of this section shall thereupon cease to apply.

Proclamation.

Revocation of proclamation.

Restriction on traveling by citizens of United States aboard vessels of belligerent nations.

Post, pp. 3476, 3528.

SEC. 6. Whenever, during any war in which the United States is neutral, the President shall find that the maintenance of peace between the United States and foreign nations, or the protection of the lives of citizens of the United States, or the protection of the commercial interests of the United States and its citizens, or the security of the United States requires that the American citizens should refrain from traveling as passengers on the vessels of any belligerent nation, he shall so proclaim, and thereafter no citizen of the United States shall travel on any vessel of any belligerent nation except at his own risk, unless in accordance with such rules and regulations as the President shall prescribe: *Provided, however*, That the provisions of this section shall not apply to a citizen traveling on the vessel of a belligerent whose voyage was begun in advance of the date of the President's proclamation, and who had no opportunity to discontinue his voyage after that date: *And provided further*, That they shall not apply under ninety days after the date of the President's proclamation to a citizen returning from a foreign country to the United States or to any of its possessions. When, in the President's judgment, the conditions which have caused him to issue his proclamation have ceased to exist, he shall revoke his proclamation and the provisions of this section shall thereupon cease to apply.

Proclamation.

Provisos.
Persons in transit.

Citizens returning to United States.

Revocation of proclamation.

Penalty provision.

SEC. 7. In every case of the violation of any of the provisions of this Act where a specific penalty is not herein provided, such violator or violators, upon conviction, shall be fined not more than $10,000 or imprisoned not more than five years, or both.

Separability clause.

SEC. 8. If any of the provisions of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

SEC. 9. The sum of $25,000 is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to be expended by the Secretary of State in administering this Act.

Appropriation authorized.
Post, pp. 1124, 1153, 1315.

Approved, August 31, 1935.

[CHAPTER 839.]

AN ACT

To refer the claim of the Menominee Tribe of Indians to the Court of Claims with the absolute right of appeal to the Supreme Court of the United States.

September 3, 1935.
[S. 3210.]
[Public, No. 413.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred on the Court of Claims to hear, determine, adjudicate, and render final judgment on all legal or equitable claims of whatsoever nature which the Menominee Tribe of Indians may have against the United States, arising under or growing out of any treaties, agreements, or laws of Congress, or out of any maladministration or wrongful handling of any of the funds, land, timber, or other property or business enterprises belonging to said tribe or held in trust for it by the United States, or otherwise; including, but without limiting the generality of the foregoing, (1) a claim for damages for swamp lands which the United States allegedly purported to convey to the Menominee Tribe of Indians by a treaty ratified May 12, 1854 (10 Stat. L. 1064), but which the United States allegedly did not convey because of already having conveyed the same to the State of Wisconsin (9 Stat. L. 519); (2) claims for damages resulting from the improper or unlawful expenditures of tribal trust funds, including trust funds created by the Act of April 1, 1880, entitled "An Act to authorize the Secretary of the Interior to deposit certain funds in the United States Treasury in lieu of investment" (21 Stat. L. 70), and the Act of March 22, 1882, entitled "An Act authorizing the sale of certain logs cut by the Indians of the Menominee Reservation in Wisconsin" (22 Stat. L. 30), and the Act of June 12, 1890, entitled "An Act to authorize the sale of timber on certain lands reserved for the use of the Menominee Tribe of Indians, in the State of Wisconsin" (26 Stat. L. 146), and the Act of March 28, 1908, entitled "An Act to authorize the cutting of timber, the manufacture and sale of timber, and the preservation of the forests on the Menominee Indian Reservation in the State of Wisconsin" (35 Stat. L. 51), and the Act of February 12, 1929, entitled "An Act to authorize the payment of interest on certain funds held in trust by the United States and Indian Tribes" (45 Stat. L. 1164); (3) claims for damages allegedly caused by the United States cutting timber on the Menominee Reservation contrary to the terms and provisions of the aforesaid Act of March 28, 1908 (35 Stat. L. 51); (4) claims for damages allegedly caused by maladministration on the part of the United States as respects its management of the timber and lumber industries of the Menominee Indian Tribe, in particular, its management of the Menominee Indian mills.

Menominee Tribe of Indians.
Jurisdiction to hear claims of.

Vol. 10, p. 1064.

Vol. 9, p. 519.

Vol. 21, p. 70.

Vol. 22, p. 30.

Vol. 26, p. 146.

Vol. 35, p. 51.

Vol. 45, p. 1164.

Vol. 35, p. 51.

SEC. 2. The Menominee Tribe of Indians is hereby empowered to bring such suit, as party plaintiff, against the United States, as party defendant, by filing its petition in the Court of Claims and serving a copy thereof on the Attorney General of the United States. Such petition shall set forth the facts on which the claim for recovery is based and shall be verified by the attorney or attorneys employed by said Menominee Tribe of Indians in accordance with existing law to prosecute such claims which may be made upon information and

Petition to be filed.

Limitation of action.

belief and no other verification shall be necessary. Suit shall be instituted within two years from the date of this Act by the filing of a petition in the Court of Claims in behalf of the Menominee Tribe of Indians.

Principles of law applicable.

SEC. 3. At the trial of said suit the court shall apply as respects the United States the same principles of law as would be applied to an ordinary fiduciary and shall settle and determine the rights thereon both legal and equitable of said Menominee Tribe against the United States notwithstanding lapse of time or statute of limitations. No payment or payments which have been made by the United States upon any claim or claims therein asserted or for the account of said Menominee Tribe of Indians nor any gratuities paid to or expended for said tribe or members thereof shall apply as an estoppel against said suit but may be pleaded as offsets. No gratuities, however, paid to or expended for said tribe or members thereof prior to the Act of Congress of March 28, 1908 (35 Stat. L. 51), or paid pursuant to any emergency relief legislation enacted subsequent to January 1, 1933, or out of any appropriations authorized by the Act of June 18, 1934 (48 Stat. L. 984), shall be pleaded by the United States as offsets.

Payments heretofore made.

Evidence admitted.

SEC. 4. At the trial of such action so instituted in the Court of Claims, any letter, paper, document, map, or record in the possession of any officer or department of the United States (or a certified copy thereof) may be used in evidence, and the departments of the Government of the United States shall give full and free access to the attorneys for said tribe of Indians to such letters, papers, documents, or records as may be useful to said attorney or attorneys in the preparation for trial or trials of such action and shall afford facilities for the examination of the same and the making of copies thereof.

Appeals to Supreme Court of United States.

SEC. 5. Either party shall have the absolute right of appeal (not by writ of certiorari) from any final judgment entered by the Court of Claims to the Supreme Court of the United States and the Supreme Court of the United States is hereby invested with jurisdiction of such appeals.

Payments to Indians if determined that United States unlawfully failed to convey certain swamp lands.

SEC. 6. (a) If it shall be determined by the court that the United States in violation of the terms and provisions of the treaty ratified May 12, 1854 (10 Stat. L. 1064), unlawfully failed to convey certain swamp lands to the Menominee Tribe of Indians the court shall render judgment in favor of the Menominee Tribe of Indians for a sum equal to (1) the value of the timber removed therefrom since May 12, 1854, with interest at 4 per centum per annum from the time of such removal and (2) the present acquisition costs of such lands to the Menominee Tribe of Indians, which shall be determined by the court, with a proviso that the United States may in lieu of paying the present acquisition costs of such lands acquire and hold said lands in trust for the sole benefit and use of the Menominee Tribe of Indians.

Judgment if determined that United States unlawfully expended tribal funds, etc.

(b) If it shall be determined by the court that the United States has improperly or unlawfully expended or misappropriated tribal funds or properties of said tribe of Indians the court shall render judgment against the United States for an amount equal to the value of all such funds and property with interest thereon at the same rate per annum as provided by the Act of Congress authorizing the creation of the fund or property improperly or unlawfully expended or misappropriated from the date of the unlawful expenditures or misappropriations.

(c) If it shall be determined by the court that the United States has violated the terms and provisions of the Act of Congress of March 28, 1908 (35 Stat. L. 51), by cutting other than dead and down timber or such fully matured and ripened timber as the Forestry Service shall have properly designated, or by cutting such timber so as to prevent forest perpetuation, the court shall award as damages to the Menominee Tribe of Indians either (1) the difference between the net income that has been and will be received from the liquidation of the timber unlawfully cut and the net income which would have been and would be received from an acreage which would have produced, under selective cutting, if then cut, the same volume of timber as that unlawfully cut, from the time of the commencement of the unlawful cutting up to the time when the timber unlawfully cut shall have been replaced by replanting and the sustained yield from the said replanted timber shall be equal, acre for acre, to the sustained yield from the timber had it been selectively cut so as to perpetuate the forest, as required by law, with interest thereon at the rate of 4 per centum per annum for the same period, said period, wherever specified herein, to be deemed to be sixty years, unless otherwise determined at the trial, plus the cost of replacement of the timber on the same areas including the necessary protection until the replanted timber shall have attained the said sustained yield; or (2) the cost of replacement of timber on the respective areas thus unlawfully cut, including the necessary protection until the replanted timber shall have attained the aforesaid sustained yield plus interest at 4 per centum per annum for the same period of time on an amount equal to the reasonable value as of the date of the unlawful cutting of the timber on the areas thus cut, whichever is the greater.

Unlawfully cut timber.

(d) If it shall be determined by the court that there has been maladministration on the part of the United States as respects its management of the timber or lumber industry of the Menominee Indian Tribe, including, but without limitation, its disposal of timber and lumber products and its management of the Menominee Indian Mills, the court shall award to the Menominee Tribe of Indians as damages either (1) an amount equal to the net losses incurred during the year or years in which maladministration is found, with interest thereon at the rate of 4 per centum per annum from the respective dates of said losses, or, (2) interest at the rate of 4 per centum for the particular year or years in which maladministration is found on the capital investment of the Menominee Tribe of Indians in their standing timber, lumber, plant, buildings, equipment and all other assets used in, or about, or in any way connected, with the Menominee Indian Mills or the timber and lumber industry of the Menominee Indian Tribe, whichever is the greater. "Net losses" shall be determined by using customary and accepted principles of accounting. "Capital investment" in standing timber and lumber shall be determined by using the unit price for each species of lumber and timber as used by the United States in its accounting records at the Menominee Indian Mills at the beginning and end of each year in which maladministration is found and dividing the sum thereof by two. "Capital investment" in plant, buildings, equipment and all other assets shall be determined by using cost less depreciation at the beginning and end of each year in which maladministration is found and dividing the aggregate thereof by two. In determining "Cost less depreciation" the general ledger accounts maintained at the Menominee Indian Mills shall be accepted subject to such adjustments as may be found proper upon investigations using customary and accepted principles of accounting.

Maladministration of timber and lumber industry.

Fees upon final determination of suits.

SEC. 7. Upon the final determination of such suit, cause, or action, whether by judgment, compromise, or otherwise, the Court of Claims shall decree such fees as it shall find reasonable to be paid the attorney or attorneys employed therein by said Menominee Tribe of Indians under contracts negotiated and approved as provided by existing law: *Provided*, That in the event the claim for damages for swamp lands shall be compromised and settled by the Menominee Tribe of Indians and the United States without the assistance of the attorney or attorneys employed hereunder pursuant to a special resolution adopted by the Menominee Advisory Council authorizing the rendering of such assistance, no fees shall be paid or decreed with respect thereto: *Provided further*, That in the event the claim for damages for swamp lands shall be compromised and settled by the Menominee Tribe of Indians and the United States, prior or subsequent to the institution of suit hereunder but prior to the trial thereof, with the assistance of the attorney or attorneys employed hereunder pursuant to a special resolution adopted by the Menominee Advisory Council authorizing such attorney or attorneys to render such assistance, the Secretary of the Interior shall, for such assistance, award to said attorney or attorneys such fees, with respect thereto, as based upon a quantum meruit he shall deem reasonable. In no case shall the fee decreed by said Court of Claims and the Secretary of the Interior be in excess of the amount stipulated in the contracts approved by the Commissioner of Indian Affairs and the Secretary of the Interior. The fees decreed by the court to the attorney or attorneys shall be paid out of any sum or sums recovered in such suit or action or received by compromise and not otherwise. All actual and necessary expenses incurred by the attorney or attorneys so employed, including court costs, bills for printing required by law, or court rules, the cruising and examination of lands and timber, the auditing and tabulation of accounts, travel, and subsistence of said attorney or attorneys and his or their employees while engaged solely in the preparation or prosecution of said suit or suits, securing and taking evidence deemed material therein, the compensation of stenographers, and such clerical assistance as shall be reasonably employed solely upon work in connection therewith, fees or commissions of notaries public or commissioners, and any other expense reasonably necessary for the preparation for trial or prosecution of any such suit or suits shall be paid by the Secretary of the Interior, when approved by him, from time to time, as the same shall accrue out of the funds standing to the credit of said Menominee Tribe of Indians in the Treasury of the United States upon verified accounts submitted in such form as may be required by the Secretary of the Interior, and without regard to the outcome or success of said suit or action against the United States. The net amount of any judgment recovered shall be placed in the Treasury of the United States to the credit of the said Indians, and shall draw interest at the rate of 4 per centum per annum and shall be thereafter subject to appropriation by Congress for the benefit of said Indians, including the purchase of lands and building of homes, and no part of said judgment shall be paid out in per capita payments to said Indians.

Provisos.
If compromise effected without assistance of attorneys.

With assistance.

Restriction on amount.

Expenses.

Deposit of net amount of judgment.

Service of copy of petition.

SEC. 8. A copy of the petition in any suit instituted under this Act shall be served upon the Attorney General of the United States and he, or some attorney from the Department of Justice to be designated by him, is hereby directed to appear and defend the interests of the United States.

Approved, September 3, 1935.

[CHAPTER 840.]

AN ACT

To provide for the immediate settlement of the obligation of the Joe Graham Post of the American Legion arising out of the purchase of the Ship Island Military Reservation.

September 4, 1935.
[S. 3184.]
[Public, No. 414.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of the Act entitled "An Act providing for the sale to Joe Graham Post Numbered 119, American Legion, of the lands lying within the Ship Island Military Reservation, in the State of Mississippi", approved June 15, 1933, and the contract entered into on September 15, 1933, between the War Department and the Joe Graham Post Numbered 119, of the American Legion, Incorporated, the Secretary of War is authorized and directed to cause a reappraisal to be made of such lands and to accept, in full settlement of the obligation of said Joe Graham Post under the terms of said contract, such sum, not less than $1,658.22, as he deems fair and equitable in the light of such reappraisal.

Ship Island Military Reservation, Miss.
Vol. 48, p. 150.

Settlement of obligation of Joe Graham Post, American Legion, arising from purchase of.

Approved, September 4, 1935.

PUBLIC LAWS OF THE SEVENTY-FOURTH CONGRESS

OF THE

UNITED STATES OF AMERICA

Passed at the second session, which was begun and held at the city of Washington, in the District of Columbia, on Friday, the third day of January, 1936, and was adjourned without day on Saturday, the twentieth day of June, 1936.

FRANKLIN D. ROOSEVELT, President; JOHN N. GARNER, Vice President; KEY PITTMAN, President of the Senate *pro tempore;* JOSEPH W. BYRNS,[1] Speaker of the House of Representatives; WILLIAM B. BANKHEAD, elected Speaker of the House of Representatives June 4, 1936.

[CHAPTER 1.]

AN ACT

January 16, 1936.
[S. 2257.]
[Public, No. 415.]

To amend the Act entitled "An Act to provide additional pay for personnel of the United States Navy assigned to duty on submarines and to diving duty", to include officers assigned to duty at submarine training tanks and diving units, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide additional pay for personnel of the United States Navy assigned to duty on submarines and to diving duty" (45 Stat. 412; U. S. C., Supp. VII, title 34, sec. 886) is hereby amended by inserting after the words "submarine of the Navy" in line 3 of said Act the words "including submarines under construction for the Navy from the time builders' trials commence, or on duty at submarine escape training tanks, the Navy Deep Sea Diving School, or the Naval Experimental Diving Unit", and by inserting after the words "submarine of the Navy" in lines 6 and 7 of said Act the words "including submarines under construction for the Navy from the time builders' trials commence", so that the said Act as amended will read as follows: "That hereafter all officers of the Navy on duty on board a submarine of the Navy, including submarines under construction for the Navy from the time builders' trials commence, or on duty at submarine escape training tanks, the Navy Deep Sea Diving School, or the Naval Experimental Diving Unit, shall, while so serving, receive 25 per centum additional of the pay for their rank and service as now provided by law; and an enlisted man of the United States Navy assigned to duty aboard a submarine of the Navy, including submarines under construction for the Navy from the time builders' trials commence, or to the duty of diving, shall, in lieu of the additional pay now authorized, receive pay, under such regulations as may be prescribed by the Secretary of the Navy, at the rate of not less than $5 per month and not exceeding $30 per month, in addition to the pay and allowances of his rating and service: *Provided*, That divers employed in actual salvage operations in depths of over ninety feet shall, in addition to the foregoing, receive the sum of $5 per hour for each hour or fraction thereof so employed.

Navy.
Submarine and diving duty.

Vol. 45, p. 412.
U. S. C., p. 1567.

Additional pay provisions extended.

Proviso.
Deep-diving pay; salvage operations.

Approved, January 16, 1936.

[1] Died, June 4, 1936, 12:15 a. m.

[CHAPTER 2.]

AN ACT

January 16, 1936.
[S. 2774.]
[Public, No. 416.]

For the relief of certain officers on the retired list of the Navy and Marine Corps, who have been commended for their performance of duty in actual combat with the enemy during the World War.

Navy and Marine Corps.
Retired list rank, certain officers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all officers of the Navy and Marine Corps who have been retired or who may hereafter be retired for physical disability and who have been commended for their performance of duty in actual combat with the enemy during the World War by the head of the executive department under whose jurisdiction such duty was performed shall be placed upon the retired list with the rank of the next higher grade:

Proviso.
No pay increase.

Provided, That such promotion shall not carry with it any increase in pay.

Approved, January 16, 1936.

[CHAPTER 3.]

AN ACT

January 16, 1936.
[S. 2845.]
[Public, No. 417.]

To provide for the retirement and retirement annuities of civilian members of the teaching staffs at the United States Naval Academy and the Postgraduate School, United States Naval Academy.

Naval Academy and Postgraduate School.
Annuity policies for civilian teachers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That civilian members of the teaching staffs of the United States Naval Academy and Postgraduate School, whose employment commences from and after the date of approval of this Act, shall, as a part of their contracts of employment, be required to carry, during such employment, a deferred annuity policy, having no cash surrender or loan provision, from a joint-stock life insurance corporation, incorporated under the laws of any State of the United States, which has a charter restriction that its business must be conducted without profit to its stockholders.

Purchase of.

SEC. 2. Toward the purchase of said deferred annuity, each member of such teaching staffs shall be required to register a monthly allotment through the Navy Allotment Office, Navy Department, Washington, District of Columbia, equivalent in amount to 10 per centum of his monthly basic salary:

Proviso.
Credits.

Provided, That for each month such allotment is registered, the pay accounts of such member shall be credited monthly from such appropriations as may be made for this purpose with an additional sum equivalent to 5 per centum of his monthly basic salary.

Retiring age.

SEC. 3. The retiring age for all civilian members of the teaching staffs set forth in this Act shall be the 30th day of June following their sixty-fifth birthday, or any date between their sixty-fifth birthday and the following 30th day of June upon which their employment may be terminated:

Proviso.
Extension.

Provided, That in the discretion of the Secretary of the Navy, such retiring age may be extended to not beyond the seventieth birthday in individual and special cases.

Benefits to present faculty.

SEC. 4. Civilian members of the teaching staffs of the Naval Academy and Postgraduate School, who are so employed on the date of approval of this Act, may, at their own request, if made within sixty days thereafter to the Secretary of the Navy, participate in the benefits under the provisions of sections 1 and 2 of this Act.

Retirement provisions.

Each such member of the teaching staffs who so participates and who, upon reaching the date of retirement as set forth in section 3 of this Act has an insufficient accumulation of premium payments to his credit to have purchased for him an annuity of $1,200 per annum, shall be paid by the Secretary of the Navy from such appropriations as may

be made for such purpose such amounts that, together with his purchased annuity, will make his total annuity $1,200 per annum. Each such member of the teaching staffs, who so participates and who is forced to retire for physical incapacity prior to his reaching the prescribed retirement age, shall be paid by the Secretary of the Navy, from such appropriations as may be made for such purpose, such amounts which together with his purchased annuity, will make his total annuity equivalent to an amount, not exceeding $1,200 per annum, which would have been due him had the provisions of this Act been in effect on the date of his original employment: *Provided*, That each such member of the teaching staffs who is so employed on the date of approval of this Act and who is entitled to retirement and retirement benefits under the provisions of the Civil Service Retirement Act of 1920, as amended, may elect to continue thereunder, or he may elect to participate in the benefits under the provisions of this section; but in the event that he elects to participate in the benefits under the provisions of this section, no further deductions shall be made from his pay for credit to the civil-service retirement fund, and the Civil Service Commission shall close his account with such fund under the same provisions as though he voluntarily separated himself from the Federal service, except that the amount of such credit will be retained in the civil-service retirement fund and remain subject to claim by, and payment to, him, his beneficiary, or his estate only in the event of his separation from the Federal service by death or otherwise before retirement under the provisions of this Act, and then only in the amount by which such credit exceeds the total amount of 5 per centum of his basic salary which may have been credited to his monthly pay accounts under the provisions of section 2 of this Act.

Proviso. Alternative.

U. S. C., p. 91.

SEC. 5. Civilian members of the teaching staffs of the Naval Academy and Postgraduate School shall include instructors, assistant chief instructors, chief instructors, assistant professors, associate professors, and professors.

Scope.

SEC. 6. The Secretary of the Navy is authorized and directed to make such regulations as may be necessary to carry out the provisions of this Act. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions of this Act.

Regulations.

Appropriations authorized. *Post*, pp. 1400, 1403.

Approved, January 16, 1936.

[CHAPTER 4.]

AN ACT

January 16, 1936. [S. 2950.] [Public, No. 418.]

Granting the consent of Congress to the county of Saline, Missouri, to construct, maintain, and operate a toll bridge across the Missouri River at or near Miami, Missouri.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the county of Saline, Missouri, to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, at a point suitable to the interest of navigation, at or near Miami, Missouri, in accordance wth [1] the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Missouri River. Saline County, Mo., may bridge, at Miami. *Post*, p. 1536.

Construction. Vol. 34, p. 84; U. S. C., p. 1474.

SEC. 2. If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge

Rates of toll.

[1] So in original.

and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed twenty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of tolls shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the costs of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

Maintenance as free bridge.

Records to be kept.

Amendment.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, January 16, 1936.

[CHAPTER 7.]

January 17, 1936.
[S. 1142.]
[Public, No. 419.]

AN ACT

To reserve certain public-domain lands in Nevada and Oregon as a grazing reserve for Indians of Fort McDermitt, Nevada.

Public lands, Nev., and Oreg.
Tract reserved for Indians of Fort McDermitt, Nev.
Description.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That public-domain lands in the States of Nevada and Oregon described as lots 3, 4, and west half lot 5 of section 1; lots 1 to 9, inclusive; west half lot 10 and north half southwest quarter section 2; lots 1 to 10, inclusive, and south half section 3; lots 1 to 10, inclusive, and southeast quarter section 4; lots 1 to 4, inclusive, and lots 8, 10, 11, and 12 of section 5; north half northeast quarter section 9; north half northwest quarter and northwest quarter northeast quarter section 10, township 47 north, range 39 east, of the Mount Diablo meridian, Nevada; and southeast quarter section 20; west half southeast quarter and southeast quarter southeast quarter section 21; south half section 22; northwest quarter, southeast quarter and south half southwest quarter section 26; west half southeast quarter, west half northeast quarter and northeast quarter northeast quarter section 27; all of section 28; east half and southwest quarter section 29; all of sections 31, 32, 33, 34, 35, and southwest quarter section 36, of township 40 south, range 44 east; and all of sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, west half, northeast quarter, north half southeast quarter and southwest quarter southeast quarter section 12; west half section 13; all of sections 14, 15, 16, 17, 18, and fractional sections 19, 20, 21, 22, 23, and west half of fractional section 24 of township 41 south, range 44 east, of the Willamette meridian, in Oregon, containing approximately twenty-one thousand five hundred acres, be, and the same are hereby, withdrawn from the public domain and reserve for the use and occupancy of Indians of the former Fort McDermitt Military Reserve, Nevada: *Provided*, That the rights and claims of bona fide settlers initiated under the public land laws prior to July 7, 1933, shall not be affected by this Act.

Proviso.
Prior rights not affected.

Approved, January 17, 1936.

[CHAPTER 11.]

AN ACT

Authorizing the Secretary of War to convey to the University of Oregon certain lands forming a part of the Coos Head River and Harbor Reservation.

January 20, 1936.
[S. 978.]
[Public, No. 420.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized and directed to convey by quitclaim deed to the University of Oregon, State of Oregon, subject to the conditions hereinafter specified, the following described part of the Coos Head River and Harbor Reservation situated on the south shore of the entrance to Coos Bay in Coos County, Oregon: All of lot 3, section 2, township 26 south, range 14 west, Willamette meridian, except the west seven hundred and fifty feet of said lot heretofore conveyed to the University of Oregon: *Provided*, That such conveyance shall not be made until the Civilian Conservation Corps has relinquished the use and occupancy of said land.

Coos Head River and Harbor Reservation, Oreg.
Conveyance to University of Oregon.
Description.
Proviso.
Effective date.

SEC. 2. The lands herein authorized to be conveyed shall be used by the University of Oregon solely for scientific and educational purposes subject, however, to the right of the United States, in case of war or other emergency, to assume control of, hold, use, and occupy said lands or any part thereof for any and all military, naval, or other governmental purposes, and subject at all times to the rights of the United States stated in section 3 hereof. The deed executed by the Secretary of War under the provisions of section 1 of this Act shall contain the express condition that if the University of Oregon shall at any time attempt to alienate said lands that same shall revert to the United States.

Limited to scientific, etc., uses.
Federal rights reserved.
Reversionary provision.

SEC. 3. The lands herein authorized to be conveyed to the University of Oregon shall at all times be subject to the right of the United States to occupy and use such part thereof as are now or may hereafter be needed for jetty site or sites, for rights-of-way for tramways to such jetty site or sites, and for ingress and egress by persons engaged in river and harbor work; and the United States shall at all times have prior right to three-fourths of the natural flow of streams draining lots 2 and 3.

Prior rights, etc.

Approved, January 20, 1936.

[CHAPTER 12.]

AN ACT

To empower the health officer of the District of Columbia to authorize the opening of graves, and the disinterment and reinterment of dead bodies, in cases where death has been caused by certain contagious diseases.

January 20, 1936.
[S. 1016.]
[Public, No. 421.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 93 of title 5 of the Code of Law for the District of Columbia is hereby amended by adding thereto the following proviso: "*Provided*, That the health officer of the District of Columbia may, in his discretion, authorize the opening, under sanitary precautions, of any such grave, and the disinterment and reinterment in the same grave or other suitable burial ground, of the dead body of any person who has died of any of the contagious diseases enumerated above."

District of Columbia Code amendment.
Vol. 31, p. 1297.
Discretionary opening of graves, etc., authorized.

Approved, January 20, 1936.

[CHAPTER 13.]

AN ACT

January 20, 1936.
[S. 1277.]
[Public, No. 422.]

To amend section 24 of the Judicial Code by conferring on district courts additional jurisdiction of bills of interpleader, and of bills in the nature of interpleader.

Judicial Code amendment.
U. S. C., p. 1231.
District courts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 24 of the Judicial Code, as amended, is amended by inserting at the end thereof the following:

Original jurisdiction of bills of interpleader, etc.

"(26) ORIGINAL JURISDICTION OF BILLS OF INTERPLEADER, AND OF BILLS IN THE NATURE OF INTERPLEADER—TWENTY-SIXTH.—(a) Of suits in equity begun by bills of interpleader or bills in the nature of bills of interpleader duly verified, filed by any person, firm, corporation, association, or society having in his or its custody or possession money or property of the value of $500 or more, or having issued a note, bond, certificate, policy of insurance, or other instrument of the value or amount of $500 or more, or providing for the delivery or payment or the loan of money or property of such amount or value, or being under any obligation written or unwritten to the amount of $500 or more, if—

Adverse claimants, citizens of different States.

"(i) Two or more adverse claimants, citizens of different States, are claiming to be entitled to such money or property, or to any one or more of the benefits arising by virtue of any note, bond, certificate, policy, or other instrument, or arising by virtue of any such obligation; and

Deposit into court registry.

"(ii) The complainant (a) has deposited such money or property or has paid the amount of or the loan or other value of such instrument or the amount due under such obligation into the registry of the court, there to abide the judgment of the court; or (b) has given bond payable to the clerk of the court in such amount and with such surety as the court or judge may deem proper, conditioned upon the compliance by the complainant with the future order or decree of the court with respect to the subject matter of the controversy.

Bond, etc.

Such a suit in equity may be entertained although the titles or claims of the conflicting claimants do not have a common origin, or are not identical, but are adverse to and independent of one another.

Venue.

"(b) Such a suit may be brought in the district court of the district in which one or more of such claimants resides or reside.

Issue of process, etc.

"(c) Notwithstanding any provision of the Judicial Code to the contrary, said court shall have power to issue its process for all such claimants and to issue an order of injunction against each of them, enjoining them from instituting or prosecuting any suit or proceeding in any State court or in any United States court on account of such money or property or on such instrument or obligation until the further order of the court; which process and order of injunction shall be returnable at such time as the said court or a judge thereof shall determine and shall be addressed to and served by the United States marshals for the respective districts wherein said claimants reside or may be found.

Powers of court.

"(d) Said court shall hear and determine the cause and shall discharge the complainant from further liability; and shall make the injunction permanent and enter all such other orders and decrees as may be necessary or convenient to carry out and enforce the same.

Equitable defenses.

"(e) In any action at law in a United States District Court against any person, firm, corporation, association, or society, such defendant may set up by way of equitable defense, in accordance with section 274b of the Judicial Code (U. S. C., title 28, sec. 398), any matter which would entitle such person, firm, corporation, association, or society to file an original or ancillary bill of interpleader

Vol. 38, p. 956.
U. S. C., p. 1277.

or bill in the nature of interpleader in the same court or in any other United States District Court against the plaintiff in such action at law and one or more other adverse claimants, under the provisions of paragraph (a) of this subsection or any other provision of the Judicial Code and the rules of court made pursuant thereto. The defendant may join as parties to such equitable defense any claimant or claimants who are not already parties to such action at law. The district court in which such equitable defense is interposed shall thereby possess the powers conferred upon district courts by paragraphs (c) and (d) of this subsection and by section 274b of the Judicial Code."

Provisions repealed.

SEC. 2. The Act entitled "An Act authorizing casualty companies, surety companies, insurance companies or associations or fraternal or beneficial societies to file bills of interpleader", approved May 8, 1926 (U. S. C., Supp. III, title 28, sec. 41 (26)), is hereby repealed. Said repeal shall not affect any act done or any right, accruing or accrued in any suit or proceeding had or commenced under said Act hereby repealed, prior to the passage of this Act, but all such acts or rights, suits or proceedings shall continue and be valid and may be prosecuted and enforced in the same manner as if said Act had not been repealed hereby.

Vol. 44, p. 416.
U. S. C., p. 1231.

Existing rights protected.

Approved, January 20, 1936.

[CHAPTER 21.]

JOINT RESOLUTION

January 21, 1936.
[S. J. Res. 144.]
[Pub. Res., No. 68.]

To provide for the payment of compensation and expenses of the Railroad Retirement Board as established and operated pursuant to section 9 of the Railroad Retirement Act of June 27, 1934, and to provide for the winding up of its affairs and the disposition of its property and records, and to make an appropriation for such purposes.

Railroad Retirement Board.

Preamble.

Whereas the Railroad Retirement Board was established and organized as an independent agency in the executive branch of the Government by and pursuant to section 9 of the Railroad Retirement Act, which Act has been held by the Supreme Court of the United States to be invalid; and

Whereas the Railroad Retirement Board in the performance of its duties has acquired valuable data, records, information, and experience which should be utilized in determining the policy of Congress regarding the subjects of employment by railroads and the retirement of employees of railroads; and

Whereas the Board has records of individual employments which are of great value and should be preserved, and has, in the course of its work, received valuable records and documents which must be returned to their owners after the information contained therein shall have been noted and photostatic copies where necessary, shall have been made: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Railroad Retirement Board as established in section 9 of the Railroad Retirement Act (Public, Numbered 485, Seventy-third Congress) and the appointment and compensation of its members and the employment and compensation of its staff are hereby approved, ratified, and confirmed to all intents and purposes as if the provisions of section 9 relating thereto had on the day of their enactment been enacted as a statute distinct and separate from any other provisions of the Railroad Retirement Act, aforesaid; and no member of the Board or of its staff shall be liable for any action heretofore taken within the terms of the authority sought to be granted by the Railroad Retirement Act.

Appointment, pay, etc., confirmed.
Vol. 48, p. 1287.
U. S. C., p. 1973.

Board members, etc., liability.

Liquidation period; disposition of property and records.

SEC. 2. The Railroad Retirement Board as established by and pursuant to section 9 of the Railroad Retirement Act and section 1 hereof is hereby continued for a period of sixty days from the enactment hereof for the purpose of liquidating its affairs; returning documents in its possession to those from whom they were procured and whose property they are, after recording therefrom such information as in its judgment should be preserved or making photostatic copies thereof, where necessary; arranging for turning over the records, papers, and property of the Board to such agency as the President shall designate; and making a report upon its activities and experience to the President for transmission to Congress.

Report.

Maintenance of facilities; personnel, etc.

SEC. 3. The Board shall maintain such offices, use such equipment, furnishings, supplies, services, and facilities and employ such persons as in its judgment may be necessary for the proper discharge of its duties.

Appropriation authorized.

SEC. 4. There is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, $35,000 to pay to the Board and its employees for services heretofore rendered on, prior to, and subsequent to May 6, 1935, and for services to be rendered during the next sixty days after the enactment hereof, the compensation to which they would have been entitled for such services if the Railroad Retirement Act had been held constitutional, and to pay any expenses heretofore incurred and not yet paid and the expenses necessary in carrying out this joint resolution.

Ante, p. 575.

Refunds.

SEC. 5. The Board is hereby authorized and directed to refund to its past and present employees and to its members, all compensation earned by them but withheld as employee contributions to the railroad retirement fund, and deposited to the credit of said fund in the Treasury, and said fund is hereby appropriated and made available for such refundments accordingly.

Approved, January 21, 1936.

[CHAPTER 25.]

January 22, 1936.
[S. 1336.]
[Public, No. 423.]

AN ACT

To amend paragraph (f) of section 4 of the Communications Act of 1934.

Communications Act of 1934, amendment.
Vol. 48, p. 1067.
U. S. C., p. 2083.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (f) of section 4 of the Communications Act, 1934, is hereby amended by adding after the words "a chief engineer and not more than three assistants", the words "a chief accountant and not more than three assistants", and by adding after the words "and the chief engineer", the words "and the chief accountant", and by adding after the word "engineers" the word "accountants"; so that paragraph (f) of section 4, as amended, will read as follows:

Federal Communications Commission.
Appointment of chief accountant and assistants.

"(f) Without regard to the civil-service laws or the Classification Act of 1923, as amended, (1) the Commission may appoint and prescribe the duties and fix the salaries of a secretary, a director for each division, a chief engineer and not more than three assistants, a chief accountant and not more than three assistants, a general counsel and not more than three assistants, and temporary counsel designated by the Commission for the performance of special services; and (2) each commissioner may appoint and prescribe the duties of a secretary at an annual salary not to exceed $4,000. The general counsel and the chief engineer and the chief accountant shall each receive an annual salary of not to exceed $9,000; the secretary shall receive an annual salary of not to exceed $7,500; the director of each division shall receive an annual salary of not to exceed $7,500; and

no assistant shall receive an annual salary in excess of $7,500. The Commission shall have authority, subject to the provisions of the civil-service laws and the Classification Act of 1923, as amended, to appoint such other officers, engineers, accountants, inspectors, attorneys, examiners, and other employees as are necessary in the execution of its functions."

Other employees. U. S. C., p. 85.

Approved, January 22, 1936.

[CHAPTER 29.]

AN ACT

To amend the Act entitled "An Act forbidding the transportation of any person in interstate or foreign commerce, kidnaped, or otherwise unlawfully detained, and making such Act a felony", as amended.

January 24, 1936. [S. 2421.] [Public, No. 424.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act forbidding the transportation of any person in interstate or foreign commerce, kidnaped, or otherwise unlawfully detained, and making such act a felony", as amended (48 Stat. 781; U. S. C., title 18, secs. 408a, 408b, and 408c, be, and it is hereby, amended by the addition of the following section:

Federal Kidnaping Act, amendment. Vol. 48, p. 781; U. S. C., p. 756.

"SEC. 4. Whoever receives, possesses, or disposes of any money or other property, or any portion thereof, which has at any time been delivered as ransom or reward in connection with a violation of section 1 of this Act, knowing the same to be money or property which has been at any time delivered as such ransom or reward, shall be punished by a fine of not more than $10,000 or imprisonment in the penitentiary for not more than ten years, or both."

Knowingly handling ransom money, etc.

Punishment.

Approved, January 24, 1936.

[CHAPTER 32.]

AN ACT

To provide for the immediate payment of World War adjusted service certificates, for the cancelation of unpaid interest accrued on loans secured by such certificates, and for other purposes.

January 27, 1936. [H. R. 9870.] [Public, No. 425.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of the World War Adjusted Compensation Act, as amended (U. S. C., 1934 edition, title 38, ch. 11), the adjusted-service certificates issued under the authority of such Act are hereby declared to be immediately payable. Payments on account of such certificates shall be made in the manner hereinafter provided upon application therefor to the Administrator of Veterans' Affairs, under such rules and regulations as he may prescribe, and upon surrender of the certificates and all rights thereunder (with or without the consent of the beneficiaries thereof). The payment in each case shall be in an amount equal to the face value of the certificate, except that if, at the time of application for payment under this Act, the principal and unpaid interest accrued prior to October 1, 1931, with respect to any loan upon any such certificate has not been paid in full by the veteran (whether or not the loan has matured), then the Administrator shall (1) pay or discharge such unpaid principal and interest as is necessary to make the certificate available for payment under this Act, (2) deduct such unpaid principal and so much of such unpaid interest as accrued prior to October 1, 1931, from the amount of the face value of the certificate, and (3) certify to the Secretary of the Treasury as payable an amount equal to the difference between the face value of the certificate and the amount so deducted.

Adjusted Compensation Payment Act, 1936. U. S. C., p. 1680.

Immediate payment of certificates.

Amount.

Interest accrued since September 30, 1931.

SEC. 2. In the case of each loan heretofore made pursuant to law by the Administrator of Veterans' Affairs and/or by any national bank, or any bank or trust company incorporated under the laws of any State, Territory, possession, or the District of Columbia, upon the security of an adjusted-service certificate, any interest unpaid accrued subsequent to September 30, 1931, that has been or, in consequence of existing law, would be charged against the face value of such certificate shall be canceled insofar as the veteran is concerned, notwithstanding any provision of law to the contrary. Any interest on any such loan payable to any such bank or trust company shall be paid by the Administrator of Veterans' Affairs.

Unpaid loans held by banks, etc.

In the case of any such loan which is unpaid and held by a bank or trust company at the time of filing an application under this Act, the bank or trust company holding the note and certificate shall, upon notice from the Administrator of Veterans' Affairs, present them to the Administrator for payment to the bank or trust company in full satisfaction of its claim for the amount of unpaid principal and unpaid interest, except that if the bank or trust company, after such notice, fails to present the certificate and note to the Administrator within fifteen days after the mailing of the notice, such interest shall be paid only up to the fifteenth day after the mailing of such notice.

Application for payment.

SEC. 3. (a) An application under this Act for payment of a certificate may be made and filed at any time before the maturity of the certificate (1) personally by the veteran, or (2) in case physical or mental incapacity prevents the making or filing of a personal application, then by such representative of the veteran and in such manner as may be by regulations prescribed. An application made by a person other than a representative authorized by such regulations shall be held void.

If veteran dies after making application.

(b) If the veteran dies after the application is made and before it is filed it may be filed by any person. If the veteran dies after the application is made it shall be valid if the Administrator of Veterans' Affairs finds that it bears the bona-fide signature of the applicant, discloses an intention to claim the benefits of this Act, and is filed before payment is made to the beneficiary. If the death occurs after the application is filed but before the receipt of the payment under this Act, or if the application is filed after the death occurs but before mailing of the check in payment to the beneficiary under section 501 of the World War Adjusted Compensation Act, as amended, payment under this Act shall be made to the estate of the veteran irrespective of any beneficiary designation. If the veteran dies without making a valid application under this Act no payment under this Act shall be made. If the veteran dies on or after the passage of this Act without having filed an application under section 1, in making any settlement there shall be deducted on account of any loan made on an adjusted-service certificate only interest accuring[1] prior to October 1, 1931.

Vol. 43, p. 125. U. S. C., p. 1683.

If veteran dies without making application.

If application cannot be found.

(c) Where the records of the Veterans' Administration show that an application, disclosing an intention to claim the benefits of this Act, has been filed and the application cannot be found, such application shall be presumed, in the absence of affirmative evidence to the contrary, to have been valid when originally filed.

Optional payment. Vol. 43, p. 123. U. S. C., p. 1685. *Ante*, p. 729.

(d) If at the time this Act takes effect a veteran entitled to receive an adjusted-service certificate has not made application therefor he shall be entitled, upon application made under section 302 of the World War Adjusted Compensation Act, as amended, to

[1] So in original.

receive, at his option, under such rules and regulations as the Administrator may prescribe, either the certificate under section 501 of such Act, as amended, or payment under this Act.

Issuance of bonds.
Post, pp. 1396, 1982.

SEC. 4. The amount certified pursuant to section 1 of this Act shall be paid to the veteran or his estate on or after June 15, 1936, by the Secretary of the Treasury by the issuance of bonds of the United States, registered in the name of the veteran only, in denominations of $50 having a total face value up to the highest multiple of $50 in the amount certified as due the veteran, and the difference between the amount certified as due the veteran and the face amount of the bonds so issued shall be paid to the veteran or his estate by the Secretary of the Treasury out of the fund created by section 505 of the World War Adjusted Compensation Act, as amended. The bonds shall be dated June 15, 1936, and shall mature on June 15, 1945, but shall be redeemable at the option of the veteran or his estate at any time, at such places, including post offices, as the Secretary of the Treasury may designate. Such bonds shall be issued under the authority and subject to the provisions of the Second Liberty Bond Act, as amended, and shall not be transferable, assignable, subject to attachment, levy, or seizure under any legal or equitable process and shall be payable only to the veteran or, in case of death or incompetence of the veteran, to the representative of his estate. Interest on each bond issued hereunder shall accrue at the rate of 3 per centum per annum from June 15, 1936, to date of maturity or payment of the principal of the bond, whichever is earlier, and will be paid with such principal: *Provided, however*, That no interest will be paid on any bond redeemed prior to June 15, 1937. The provisions of this section shall be carried out subject to regulations of the Secretary of the Treasury to be issued from time to time to effectuate the purposes of this Act.

Vol. 43, p. 128.
U. S. C., p. 1685.
Date and maturity.

Optional redemption.

U. S. C., pp. 1418, 1419.

Nontransferable.

Interest.

Proviso.
Exception.

Regulations.

SEC. 5. The Secretary of the Treasury is authorized and directed to redeem from the United States Government life insurance fund all adjusted-service certificates held by that fund on account of loans made thereon, and to pay to the United States Government life insurance fund the amount of the outstanding liens against such certificates, including all interest due or accrued, together with such amounts as may be due under subdivision (m) of section 502 of the World War Adjusted Compensation Act, as amended. The Secretary of the Treasury is authorized and directed to make such payment by issuing, to the United States Government life insurance fund, bonds of the United States which shall bear interest at the rate of 4½ per centum per annum. No such bonds shall mature or be callable until the expiration of a period of at least ten years from date of issue, except that any such bond shall be redeemed by the Secretary of the Treasury and the principal and accrued interest thereon paid to the United States Government life insurance fund at any time upon certification by the Administrator of Veterans' Affairs that the amount represented by such bond is required to meet current liabilities. Bonds issued for the purposes of this section shall be issued under the Second Liberty Bond Act, as amended, subject to the provisions of this section.

U. S. Government life insurance fund.
Redemption of certificates held by.

Vol. 43, p. 126; U. S. C., p. 1685.
Exchange for bonds.

Maturity.

Provisions to apply.
U. S. C., pp. 1418, 1419.

SEC. 6. The adjusted-service certificate fund is hereby made available for payments authorized by this Act.

Availability of certificate fund.

SEC. 7. Notwithstanding the provisions of Public Law Numbered 262, Seventy-fourth Congress, approved August 12, 1935, no deductions on account of any indebtedness of the veteran to the United States, except on account of any lien against the adjusted-service certificate authorized by law, shall be made from the adjusted-service

No deductions.
Ante, p. 607.

Exception.

credit or from any amounts due under the World War Adjusted Compensation Act, as amended, or this Act.

Appropriations authorized.
Post, pp. 1125, 1182.

SEC. 8. There is hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Separability provision.

SEC. 9. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Penalty provision.

SEC. 10. Whoever knowingly makes any false or fraudulent statement of a material fact in any application, certificate, or document made under the provisions of this Act, shall, upon conviction thereof, be fined not more than $1,000, or imprisoned not more than five years, or both.

Citation of Act.

SEC. 11. This Act may be cited as the Adjusted Compensation Payment Act, 1936.

JOSEPH W. BYRNS
Speaker of the House of Representatives.

JNO. N. GARNER
Vice President of the United States and President of the Senate.

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
January 24, 1936.

Certificate of the House of Representatives.

The House of Representatives having proceeded to reconsider the bill (H. R. 9870) entitled "An Act to provide for the immediate payment of World War adjusted service certificates, for the cancelation of unpaid interest accrued on loans secured by such certificates, and for other purposes," returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was

Resolved, That the said bill pass, two-thirds of the House of Representatives agreeing to pass the same.

Attest:

SOUTH TRIMBLE
Clerk.

I certify that this Act originated in the House of Representatives.

SOUTH TRIMBLE
Clerk.

IN THE SENATE OF THE UNITED STATES,
January 16 (calendar day, January 27), 1936.

Certificate of the Senate.

The Senate having proceeded to reconsider the bill (H. R. 9870) entitled "An Act to provide for the immediate payment of World War adjusted service certificates, for the cancelation of unpaid interest accrued on loans secured by such certificates, and for other purposes", returned by the President of the United States to the House of Representatives, in which it originated, with his objections, and passed by the House on a reconsideration of the same, it was

Resolved, That the said bill do pass, two-thirds of the Senators present having voted in the affirmative.

Attest:

EDWIN A. HALSEY
Secretary.

[CHAPTER 33.]

AN ACT

Authorizing the Perry County Bridge Commission of Perry County, Indiana, to construct, maintain, and operate a toll bridge across the Ohio River at or near Cannelton, Indiana.

January 27, 1936.
[S. 2887.]
[Public, No. 426.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote interstate commerce, improve the Postal Service, and provide for military and other purposes, the Perry County Bridge Commission of Perry County, Indiana, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Ohio River, at a point suitable to the interests of navigation, at or near Cannelton, Indiana, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Ohio River.
Perry County, Ind., may bridge, at Cannelton.

Construction.
Vol. 34, p. 84.
U. S. C., p. 1474.

SEC. 2. There is hereby conferred upon the Perry County Bridge Commission all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Acquisition of approaches, etc.

SEC. 3. The said Perry County Bridge Commission is hereby authorized to fix and charge tolls for transit over such bridge, the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Toll charges.
Vol. 34, p. 85.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge, the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed twenty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Tolls to be applied to operation, sinking fund, etc.

Maintenance as free bridge after amortizing cost, etc.

Records.

SEC. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, January 27, 1936.

[CHAPTER 34.]

AN ACT

January 27, 1936.
[S. 3431.]
[Public, No. 427.]

To extend the times for commencing and completing the construction of a bridge and causeway across the water between the mainland, at or near Cedar Point, and Dauphin Island, Alabama.

Mobile Bay.
Time extended for bridging, between Cedar Point and Dauphin Island, Ala.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge and causeway between the mainland, at or near Cedar Point, and Dauphin Island, Alabama, heretofore authorized to be built by Dauphin Island Railway and Harbor Company, its successors and assigns (Mobile County, Alabama, transferee), as last extended by Public Law Numbered 399, Seventy-second Congress, approved March 1, 1933, are hereby extended one and three years, respectively, from the date of approval of this Act.

Vol. 47, p. 1416; *Ante*, p. 1064.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, January 27, 1936.

[CHAPTER 35.]

AN ACT

January 27, 1936.
[S. 3245.]
[Public, No. 428.]

To extend the times for commencing and completing the construction of a bridge across the Columbia River at Astoria, Clatsop County, Oregon.

Columbia River.
Time extended for bridging, at Astoria, Oreg.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Columbia River, at Astoria, Clatsop County, Oregon, authorized to be built by the Oregon-Washington Bridge Board of Trustees by an Act of Congress approved June 13, 1934, are hereby extended one and three years, respectively, from June 13, 1936.

Vol. 48, p. 949.
Ante, p. 1066.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, January 27, 1936.

[CHAPTER 36.]

AN ACT

January 27, 1936.
[S. 3425.]
[Public, No. 429.]

Authorizing an appropriation for payment to the Government of Norway in settlement of all claims for reimbursement on account of losses sustained by the owner and crew of the Norwegian steamer Tampen.

Norway.
Payment to, for losses due to detention of Norwegian steamer Tampen.
Post, p. 1633.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of Norway in full and final settlement of all claims for reimbursement on account of losses sustained by the owner and crew of the Norwegian steamer Tampen by reason of the detention of the vessel by the United States Coast Guard during June 1925, the sum of $8,765.

Approved, January 27, 1936.

[CHAPTER 39.]

AN ACT

To provide an official seal for the United States Veterans' Administration, and for other purposes.

January 31, 1936.
[S. 3328.]
[Public, No. 430.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs be, and he is hereby empowered and directed to cause a seal, which shall be judicially noticed, to be made and provided for the Veterans' Administration, with such device as in his judgment shall seem proper. Copies of any public documents, records, or papers belonging to or in the files of the Veterans' Administration, when authenticated by the seal and certified by the Administrator of Veterans' Affairs, or employee of the Veterans' Administration to whom proper authority shall have been delegated, in writing, by the Administrator, shall be evidence equal with the originals thereof.

United States Veterans' Administration.
Official seal; judicial notice.

Authentications.

Approved, January 31, 1936.

[CHAPTER 40.]

AN ACT

To Amend the Act of May 18, 1934, Providing Punishment for Killing or Assaulting Federal Officers.

February 8, 1936.
[H. R. 7680.]
[Public, No. 431.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act entitled "An Act to provide punishment for killing or assaulting Federal officers", approved May 18, 1934 (48 Stat. 780; U. S. C., title 18, secs. 253 and 254), be and the same is hereby, amended to read as follows:

Killing or assaulting Federal officers.
Vol. 48, p. 780.
U. S. C., p. 739.
Post, p. 1940.

"That whoever shall kill, as defined in sections 273 and 274 of the Criminal Code, any United States marshal or deputy United States marshal, special agent of the Federal Bureau of Investigation of the Department of Justice, post office inspector, Secret Service operative, any officer or enlisted man of the Coast Guard, any employee of any United States penal or correctional institution, any officer of the Customs Service or of the Internal Revenue Service, any immigrant inspector or any immigration patrol inspector, any officer or employee of the Department of Agriculture designated by the Secretary of Agriculture to enforce any Act of Congress for the protection, preservation, or restoration of game and other wild birds and animals, any officer or employee of the National Park Service, any officer or employee of, or assigned to duty in, the field service of the Division of Grazing of the Department of the Interior, or any officer or employee of the Indian field service of the United States, while engaged in the performance of his official duties, or on account of the performance of his official duties, shall be punished as provided under section 275 of the Criminal Code."

Punishment.
U. S. C., p. 761.

Approved, February 8, 1936.

[CHAPTER 41.]

AN ACT

To authorize a preliminary examination of the Arkansas River and Fourche Bayou with a view to the control of floods in the vicinity of Little Rock and North Little Rock, Arkansas.

February 8, 1936.
[H. R. 7995.]
[Public, No. 432.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of the Arkansas River and

Arkansas River and Fourche Bayou.
Survey directed for controlling floods of.

Vol. 39, p. 950.
U. S. C., p. 1487.

Fourche Bayou with a view to the control of floods in the vicinity of Little Rock and North Little Rock, Arkansas, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Approved, February 8, 1936.

[CHAPTER 42.]

AN ACT

February 10, 1936.
[S. 3934.]
[Public, No. 433.]

To repeal the Kerr Tobacco Act, the Bankhead Cotton Act of 1934, and the Potato Act of 1935.

Repeal of Tobacco Control Act, Cotton Act of 1934, Potato Act of 1935.
Vol. 48, pp. 1275, 598; *Ante*, pp. 778, 776, 782.
U. S. C., pp. 169, 165; Supp. I, pp. 32, 31, 33.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law Numbered 483, Seventy-third Congress, as amended, known as the Kerr Tobacco Act, and Public Law Numbered 169, Seventy-third Congress, as amended, known as the Bankhead Cotton Act of 1934, except section 24 thereof, and sections 201 to 233, both inclusive, of Public Law Numbered 320, Seventy-fourth Congress, known as the Potato Act of 1935, be, and the same hereby are, repealed; and all liens for taxes imposed as provided in subdivision (f) of section 4 of Public Law Numbered 169 are hereby cancelled and released.

Cancelation of tax liens.
Post, pp. 1155, 1163.

Approved, February 10, 1936.

[CHAPTER 43.]

AN ACT

February 11, 1936.
[S. 2206.]
[Public, No. 434.]

For the relief of the State of New Mexico.

State of New Mexico. Release from accountability for certain Federal property.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of New Mexico is hereby relieved from accountability for certain property belonging to the United States, of the total value of $2,839.04, which property was loaned to such State for use by the New Mexico National Guard and was unavoidably lost or destroyed, such total value representing the sum of the following items: $381.22 for property shortages listed in report of survey dated April 24, 1930; $334.53 and $62.95 for property shortages listed in two reports of survey dated April 25, 1930; $904.48 and $880.12 for property shortages listed in two reports of survey dated June 11, 1930; $11.35 for property shortages listed in report of survey dated July 11, 1930; $264.39 for property shortages listed in report of survey dated September 3, 1930.

Approved, February 11, 1936.

[CHAPTER 44.]

AN ACT

February 11, 1936.
[S. 2877.]
[Public, No. 435.]

To reimpose and extend the trust period on lands reserved for the Pala Band of Mission Indians, California.

Pala Band of Mission Indians, Calif. Trust period on lands of, extended.
Vol. 26, p. 712.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the period of trust on lands patented to the Pala Band of Mission Indians in California under authority of the Act of January 12, 1891 (26 Stat. 712), which trust expired January 5, 1935, is hereby reimposed

and extended for a period of ten years from that date: *Provided*, That further extension of the period of trust may be made by the President, in his discretion, as provided by the Act of March 2, 1917 (39 Stat. 976).

Proviso. Further extension. Vol. 39, p. 976.

Approved, February 11, 1936.

[CHAPTER 45.]

AN ACT

To authorize credit in disbursing officers' accounts covering shipment of privately-owned automobiles from October 12, 1927, to October 10, 1929.

February 11, 1936. [H. R. 3421.] [Public, No. 436.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized to allow transportation accounts for private automobiles of officers, warrant officers, nurses, enlisted men, or civilian employees shipped as their authorized baggage allowance from October 12, 1927, to October 10, 1929, and within the authorized weight allowance, at classification rates charged by the transportation companies: *Provided*, That where any amounts have been collected for shipments made during such period of the difference between classification rates and household goods rates as authorized by existing law, the payment, upon presentation of claims therefor, of amounts thus collected to those from whom collected, is authorized and directed.

Army disbursing officers. Credit allowed in accounts of, for certain shipments of automobiles.

Proviso. Refund of collections.

Approved, February 11, 1936.

[CHAPTER 46.]

AN ACT

To authorize the Secretary of Commerce to grant to the State of California an easement over certain land of the United States in Tehama County, California, for highway purposes.

February 11, 1936. [H. R. 7814.] [Public, No. 437.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce is hereby authorized to grant to the State of California an easement over a twenty-foot strip of land situated along the easterly boundary of the Mill Creek (California) fisheries station property in Tehama County in said State, for State highway purposes; said strip of land, which consists of twenty-four one-hundredths acre, more or less, to be particularly described in said grant.

State of California. Easement over certain land in Tehama County, granted to.

Approved, February 11, 1936.

[CHAPTER 47.]

AN ACT

To amend an Act entitled "An Act providing for the participation of the United States in the California Pacific International Exposition to be held at San Diego, California, in 1935 and 1936; authorizing an appropriation therefor, and for other purposes", approved March 7, 1935, to provide for participation in the California Pacific International Exposition to be held at San Diego, California, in 1936, to authorize an appropriation therefor, and for other purposes.

February 11, 1936. [H. R. 9871.] [Public, No. 438.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States continue its participation in the California Pacific International Exposition at San Diego, California, in 1936.

California Pacific International Exposition. Federal participation in, continued.

SEC. 2. For this purpose the Act entitled "An Act[1] providing for the participation of the United States in the California Pacific International Exposition to be held at San Diego, California, in 1935 and 1936; authorizing an appropriation therefor, and for other purposes", approved March 7, 1935, as hereby amended, is extended

Funds previously authorized made applicable. *Ante*, pp. 40, 50.

[1] So in original.

and made applicable to the continuance of the participation of the United States in the said exposition in 1936 in the same manner and to the same extent and for the same purposes as originally provided in said Act, except insofar as the provisions of that Act specify the erection of a building or group of buildings.

Exception.

Additional sum authorized.
Post, p. 1110.

SEC. 3. In addition to the sum of $350,000 authorized by the aforesaid Act to be appropriated for the participation of the United States in the California Pacific International Exposition to be held at San Diego, California, in 1935 and 1936, and appropriated under the section entitled "California Pacific International Exposition" of the Act entitled "An Act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1935, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1935, and for other purposes", otherwise known as Public Law Numbered 21, Seventy-fourth Congress, and approved March 21, 1935, there is hereby authorized to be appropriated the sum of $75,000.

Ante, p. 50.

Approved, February 11, 1936.

[CHAPTER 48.]

February 11, 1936.
[S. 2175.]
[Public, No. 439.]

AN ACT

To grant to the State of California a retrocession of jurisdiction over certain rights-of-way granted to the State of California over certain roads about to be constructed in the Presidio of San Francisco Military Reservation and Fort Baker Military Reservation.

State of California. Retrocession of jurisdiction over certain rights-of-way on designated reservations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby granted to the State of California a retrocession of jurisdiction over the rights-of-way covered by a certain grant from the Secretary of War to the Golden Gate Bridge and Highway District, of California, dated February 13, 1931, to extend, maintain, and operate State roads across the Presidio of San Francisco Military Reservation and the Fort Baker Military Reservation, as heretofore or hereafter amended by the Secretray [1] of War, subject to all of the terms and conditions contained in said permit as so granted and any amendments thereof as aforesaid. The land and premises over which such retrocession of jurisdiction is hereby granted shall be the whole of the rights-of-way so granted by said permit and any amendments thereof, throughout their entire length and width, and for the entire distance granted therein, together with the land crossed by any toll bridge that may be erected by such Golden Gate Bridge and Highway District to connect the Presidio of San Francisco Military Reservation with the Fort Baker Military Reservation, and embracing the said toll bridge with its approach roads over the rights-of-way so granted by said permit and any amendments thereof.

Reversionary provisions.

SEC. 2. Should the United States assume exclusive control and management of said bridge and roads, as provided in said permit and any amendments thereof, the jurisdiction herein retroceded shall be suspended and revest in the United States for the duration of such control and management. Whenever the State of California shall cease to occupy said rights-of-way and land for the purpose authorized in said permit and any amendments thereof, then the same, including all jurisdiction thereover, shall revert to the United States.

Acceptance by State.

SEC. 3. The retrocession of jurisdiction herein granted shall not take effect until the same is accepted by the Legislature of the State of California.

Approved, February 11, 1936.

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[1] So in original.

[CHAPTER 49.]

AN ACT

Making appropriations to provide urgent supplemental appropriations for the fiscal year ending June 30, 1936, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1936, and for prior fiscal years, and for other purposes.

February 11, 1936.
[H. R. 10464.]
[Public, No. 440.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to provide urgent supplemental appropriations for the fiscal year ending June 30, 1936, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1936, and for prior fiscal years, and for other purposes, namely:

Supplemental Appropriation Act, fiscal year 1936.

TITLE I—GENERAL APPROPRIATIONS

General appropriations.

LEGISLATIVE

Legislative.

SENATE

Senate.

To pay to Rose M. Long, widow of Honorable Huey P. Long, late a Senator from the State of Louisiana, $10,000.

Huey P. Long.
Pay to widow.

To pay to Margaret Huntley Schall, widow of Honorable Thomas D. Schall, late a Senator from the State of Minnesota, $10,000.

Thomas D. Schall.
Pay to widow.

Office of Sergeant at Arms and Doorkeeper: For clerk to the secretary of the minority, at the rate of $1,800 per annum from February 1 to June 30, 1936, both dates inclusive, $750.

Clerk to secretary of minority.

For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per hundred words, fiscal year 1936, $75,000: *Provided*, That no part of this appropriation shall be expended for services, personal, professional, or otherwise, in excess of the rate of $3,600 per annum: *Provided further*, That no part of this appropriation shall be expended for per diem and subsistence expenses except in accordance with the Subsistence Expense Act of 1926, approved June 3, 1926, as amended.

Inquiries and investigations; expenses.
Post, p. 1597.

Provisos.
Salary limitation.

Per diem and subsistence expenses.
Vol. 44, p. 688.
U. S. C., p. 103.

For miscellaneous items, exclusive of labor, fiscal year 1936, $100,000.

Miscellaneous.

For payment to Honorable Dennis Chavez, a Senator from the State of New Mexico, for expenses incurred, including counsel fees, in the contest resulting from the election held November 6, 1934, fiscal year 1936, $7,000.

Contested election expenses.

For payment to attorneys of record for the contestant, to wit: Grant P. Hall and George H. Williams, for services rendered and expenses incurred in the contested-election case resulting from the election of a United States Senator from West Virginia on November 6, 1934, fiscal year 1936, $600 each; in all, $1,200.

HOUSE OF REPRESENTATIVES

House of Representatives.

For payment to the widow of Henry M. Kimball, late a Representative from the State of Michigan, $10,000.

Henry M. Kimball.
Pay to widow.

For payment to the widow of Wesley Lloyd, late a Representative from the State of Washington, $10,000.

Wesley Lloyd.
Pay to widow.

For payment to the widow of Charles V. Truax, late a Representative from the State of Ohio, $10,000.

Charles V. Truax.
Pay to widow.

The three foregoing sums to be disbursed by the Sergeant at Arms of the House.

Clerk hire, Members, etc.
Vol. 48, p. 824.

Clerk hire: For an additional amount under the appropriation "Clerk hire, Members and Delegates, House of Representatives, 1935", $5,996.46.

Contingent expenses.

Ante, p. 467.

Contingent expenses: For an additional amount under the appropriation "Contingent Expenses, House of Representatives, Stationery, 1936", $250.

House Restaurant, improvements.

For repairs, improvements, and equipment for the House Restaurant, Capitol Building, including personal and other services, fiscal years 1936 and 1937, $40,000, to be expended by the Architect of the Capitol.

Library of Congress.

LIBRARY OF CONGRESS

Legislative reference.

Legislative reference: For printing the Index and Digests, prepared in the Legislative Reference Service, of bills pending in the second session of the Seventy-fourth Congress, fiscal year 1936, $3,800.

Personal services.

Care and maintenance, salaries: For an additional sum required for personal services for the fiscal year 1936, $443.55.

Government Printing Office.

GOVERNMENT PRINTING OFFICE

Federal Register, etc.

Public printing and binding: For the printing and distribution of the Federal Register and such documents as may be required to be printed and distributed by the Division of the Federal Register during the fiscal year 1936, in accordance with the provisions of Public Act Numbered 220, Seventy-fourth Congress, approved July 26, 1935, $100,000: *Provided*, That the provisions of section 2 of the Federal Register Act shall become effective thirty days after said appropriations become available and the publication of the Federal Register shall begin within two business days thereafter.

Ante, p. 500.

Proviso.
Effective date; publication.

Independent Offices.

INDEPENDENT OFFICES

CALIFORNIA PACIFIC INTERNATIONAL EXPOSITION

California Pacific International Exposition, expenses.

For the purpose of carrying into effect the provisions of the Act entitled "An Act to amend an Act entitled 'An Act providing for the participation of the United States in the California Pacific International Exposition to be held at San Diego, California, in 1935 and 1936; authorizing an appropriation therefor, and for other purposes,' approved March 7, 1935, to provide for participation in the California Pacific International Exposition to be held at San Diego, California, in 1936, to authorize an appropriation therefor, and for other purposes," approved February [1], 1936, and for each and every object authorized by said Act, $75,000, together with the unexpended balance of the appropriation for the California Pacific International Exposition held in 1935 as contained in the Act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1935, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1935, and for other purposes, to remain available until January 1, 1937.

Ante, pp. 40, 1107.

Balance reappropriated.
Ante, p. 50.

Central Statistical Board.

CENTRAL STATISTICAL BOARD

Salaries and expenses.
Ante, p. 498.

Salaries and expenses: For every expenditure requisite for and incident to the work of the Central Statistical Board as authorized by law, including travel expenses; street-car fares; materials; supplies; office equipment; services; newspapers, periodicals, and press clippings; repairs and alterations; contract stenographic

[1] So in original.

reporting services, and expenses of attendance at meetings which in the discretion of the chairman are necessary for the efficient discharge of the responsibilities of the Board, fiscal year 1936, $70,000, of which amount not to exceed $68,400 may be expended for personal services in the District of Columbia: *Provided*, That of the funds hereby appropriated there shall be available from and including January 16, 1936, such sums as may be necessary for the payment of obligations incurred by the Central Statistical Board created by Executive Order Numbered 6225, dated July 27, 1933.

Proviso. Payment of designated obligations.

Printing and binding: For all printing and binding for the Central Statistical Board, fiscal year 1936, $600.

Printing and binding.

CIVIL SERVICE COMMISSION

Civil Service Commission.

Salaries and expenses: For an additional amount for salaries and expenses, Civil Service Commission, including the same objects specified under this head in the Independent Offices Appropriation Act, 1936, fiscal year 1936, $530,000, to continue available until June 30, 1937.

Salaries and expenses. *Ante*, p. 7.

Printing and binding: For an additional amount for printing and binding for the Civil Service Commission, including the same objects specified under this head in the Independent Offices Appropriation Act, 1936, fiscal year 1936, $18,700, to continue available until June 30, 1937.

Printing and binding.

FEDERAL POWER COMMISSION

Federal Power Commission.

Salaries and expenses: For an additional amount for salaries and expenses of the Federal Power Commission, including the same objects specified under this head in the Independent Offices Appropriation Act, 1936, and, in addition thereto, rent in the District of Columbia and elsewhere; purchase and exchange, not exceeding $9,100, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, including not more than one such vehicle for general administrative use in the District of Columbia; supplies and office equipment; services; scientific instruments; expenses incurred in packing, crating, drayage, and transportation of household effects and other property, not to exceed in any case five thousand pounds, of officers and employees when transferred from one official station to another for permanent duty, when specifically authorized by the Commission; not to exceed $1,000 for purchase and exchange of law books, other books of reference, newspapers, periodicals and newspaper clippings, fiscal year 1936, $550,000, of which amount not to exceed $200,000 may be expended for personal services in the District of Columbia, exclusive of not to exceed $12,000 which may be expended for consultants and special counsel and $75,000 shall remain available until June 30, 1937, for rental of quarters in the District of Columbia.

Salaries and expenses. *Ante*, p. 10.

Printing and binding: For an additional amount for all printing and binding for the Federal Power Commission, including engraving, lithographing, and photolithographing, fiscal year 1936, $50,000.

Printing and binding.

FEDERAL TRADE COMMISSION

Federal Trade Commission.

Salaries and expenses: For an additional amount for the Federal Trade Commission, including the same objects specified under this head in the Independent Offices Appropriation Act, 1936, fiscal year 1936, $150,000.

Salaries and expenses. *Ante*, p. 10.

Printing and binding: For the printing of 10,000 additional copies of No. 71-A of Senate Document 92, Seventieth Congress, first session, $2,800.

Printing and binding.

George Rogers Clark Sesquicentennial Commission.
Establishment, etc.
Ante, p. 654.

GEORGE ROGERS CLARK SESQUICENTENNIAL COMMISSION

For carrying out the provisions of the Act approved August 15, 1935, entitled "An Act to amend the joint resolution establishing the George Rogers Clark Sesquicentennial Commission, approved May 23, 1928", fiscal years 1936 and 1937, $50,000: *Provided*, That no part of such sum shall be available until the land to be improved therewith has been acquired.

Proviso.
Condition.

Interstate Commerce Commission.

INTERSTATE COMMERCE COMMISSION

Motor transport regulation, expenses.
Ante, p. 543.

Motor transport regulation: For all authorized expenditures necessary to enable the Interstate Commerce Commission to carry out the provisions of the Motor Carrier Act, approved August 9, 1935, including one director at $10,000 per annum and other personal services in the District of Columbia and elsewhere, traveling expenses, supplies, services, and equipment, including the purchase (not to exceed $40,000), exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles when necessary for official use in field work, fiscal year 1936, $1,035,000 of which amount not exceeding $25,000 may be expended for rent in the District of Columbia provided Government-owned facilities are not available, not exceeding $75,000 may be expended for printing and binding, and not exceeding $1,000 may be expended for purchase and exchange of books, reports, and periodicals.

Personal services, etc.

National Labor Relations Board.

NATIONAL LABOR RELATIONS BOARD

Salaries and expenses.
Ante, p. 451.
Post, p. 1603.

Salaries and expenses: For three Board members, and for all other authorized and necessary expenditures of the National Labor Relations Board in performing the duties imposed by law or in pursuance of law, including rent and personal services in the District of Columbia and elsewhere, repairs and alterations, communications, contract stenographic reporting service, office supplies and equipment, law books, books of reference, newspapers, periodicals, and garage rentals, fiscal year 1936, $275,000: *Provided*, That the Board may procure supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed $50.

Proviso.
Supplies and services.
R. S., sec. 3709, p. 733.
U. S. C., p. 1803.

Printing and binding.

Printing and binding: For all printing and binding for the National Labor Relations Board, fiscal year 1936, $15,000.

Constitution, sesquicentennial.

ONE HUNDRED AND FIFTIETH ANNIVERSARY OF THE FORMATION OF THE CONSTITUTION

Observance, etc.
Ante, p. 735.

To carry out the provisions of the joint resolution entitled, "Joint resolution providing for the preparation and completion of plans for a comprehensive observance of the one hundred and fiftieth anniversary of the formation of the Constitution of the United States", approved August 23, 1935, including payment of obligations heretofore incurred for salaries and expenses, fiscal year 1936, $10,000.

Railroad Retirement Board.

RAILROAD RETIREMENT BOARD

Salaries and expenses.
Post, p. 1603.

Salaries and expenses, Railroad Retirement Board, 1936: For three Board members, and for all other authorized and necessary expenditures of the Railroad Retirement Board in performing the duties imposed by law or in pursuance of law, including rent and personal services in the District of Columbia and elsewhere, traveling expenses, printing and binding, repairs and alterations, communications, contract stenographic reporting services, office supplies and

Ante, pp. 970, 1097.

equipment, services, law books, books of reference, newspapers and periodicals, $600,000, of which sum such amount as may be necessary shall be available for payment of salaries of the Board members from and including the respective dates upon which they officially assumed duty as members of the Board and including also compensation of L. M. Eddy from October 1 to October 29, 1935, both dates inclusive, at the rate of $10,000 per annum, for services rendered preliminary to his qualification as a member of such Board: *Provided*, That the Board may procure supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed $50.

L. M. Eddy, pay.

Proviso.
Supplies and services.
R. S., sec. 3709, p. 733; U. S. C., p. 1803.

RAILROAD RETIREMENT INVESTIGATION COMMISSION

Railroad Retirement Investigation Commission.

Salaries and expenses, Railroad Retirement Investigation Commission, 1936: For three paid members of the Commission, and for all other authorized and necessary expenditures of the Commission to and including December 31, 1935, in performing the duties imposed upon it by the Railroad Retirement Act of 1935, approved August 29, 1935, including rent and personal services in the District of Columbia and elsewhere, traveling expenses, supplies, services, and equipment, $3,000, of which sum such amounts as may be necessary shall be available for payment of compensation of the paid members, as provided in section 8 of the Railroad Retirement Act of 1935, from and including the respective dates upon which they officially assumed duty as such members.

Salaries and expenses.
Ante, p. 972.

Ante, p. 967.

SECURITIES AND EXCHANGE COMMISSION

Securities and Exchange Commission.

Salaries and expenses: For an additional amount for salaries and expenses of the Securities and Exchange Commission, including the same objects specified under this head in the Independent Offices Appropriation Act, 1936, and, in addition thereto, rental of quarters in the District of Columbia, fiscal year 1936, $750,000.

Salaries and expenses.

Ante, p. 14.

Printing and binding: For an additional amount for all printing and binding, fiscal year 1936, $15,000.

Printing and binding.

SOCIAL SECURITY BOARD

Social Security Board.

Grants to States for old-age assistance: For grants to States for old-age assistance, as authorized in Title I of the Social Security Act, approved August 14, 1935, fiscal year 1936, $24,660,000.

Grants to States.
For old-age assistance.
Ante, p. 620.

Grants to States for unemployment compensation administration: For grants to States for unemployment compensation administration, as authorized in Title III of the Social Security Act, approved August 14, 1935, fiscal year 1936, $2,250,000.

Unemployment compensation administration.
Ante, p. 626.

Grants to States for aid to dependent children: For grants to States for the purpose of enabling each State to furnish financial assistance to needy dependent children, as authorized in Title IV of the Social Security Act, approved August 14, 1935, fiscal year 1936, $5,000,000.

Aid to dependent children.
Ante, p. 627.

Grants to States for aid to the blind: For grants to States for aid to the blind, as authorized in Title X of the Social Security Act, approved August 14, 1935, fiscal year 1936, $2,000,000.

Aid to the blind.
Ante, p. 645.

Payments to States for the third and fourth quarters of the fiscal year 1936 under Title I, IV, and X of the Social Security Act may be made with respect to any State plan approved under such respective titles by the Social Security Board prior to or during such period, but no such payment shall be made with respect to any plan

Cooperative financial participation.
Quarterly payments under designated titles.
Ante, pp. 620, 627, 645.

for any period prior to the quarter in which such plan was submitted to the Board for approval and in no event for any period prior to February 1, 1936.

Salaries and expenses.

Salaries and expenses, Social Security Board: For all authorized and necessary administrative expenses of the Social Security Board in the District of Columbia and in the field, including field offices, in performing the duties imposed upon it in Titles I, II, III, IV, VII, IX, and X of the Social Security Act, approved August 14, 1935, including three Board members, an executive director at a salary of $9,500 a year, a director of the old-age benefits division at a salary of $9,000 a year, and other personal services in the District of Columbia and elsewhere; travel expenses, including expenses of attendance at meetings which in the discretion of the Board are necessary for the efficient discharge of its responsibilities; supplies and equipment; services; newspapers, periodicals, and press clippings; law books and other books of reference; alterations and repairs; printing and binding; rentals in the District of Columbia or elsewhere; purchase and exchange, not to exceed $7,500, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles to be used only for official purposes in the field service, fiscal year 1936, $1,000,000, of which sum such amount as may be necessary shall be available for payment of salaries of the Board members from and including the respective dates upon which they officially assumed duty as such members and for all other administrative expenses heretofore incurred during the fiscal year 1936 in the administration of all of such titles.

Ante, pp. 620–629, 635, 639, 645.

Veterans' Administration.

VETERANS' ADMINISTRATION

Adjusted Compensation Payment Act, expenses.

Ante, p. 1099.

Administrative expenses, Adjusted Compensation Payment Act, 1936, Veterans' Administration, 1936 and 1937: For administrative expenses in carrying out the provisions of the Adjusted Compensation Payment Act, 1936, including personal services in the District of Columbia and elsewhere; supplies; equipment; traveling expenses; rentals in the District of Columbia and elsewhere; communication services; maintenance and operation of passenger-carrying motor vehicles; and for other necessary expenses to enable the Administrator of Veterans' Affairs to perform such duties as are required by said Act, fiscal years 1936 and 1937, $5,500,000.

District of Columbia.

DISTRICT OF COLUMBIA

District Supreme Court, jurors and witnesses.

Fees of jurors and witnesses, Supreme Court, District of Columbia: For mileage and per diem of jurors, for mileage and per diem of witnesses and for per diem in lieu of subsistence, and payment of the expenses of witnesses in said court as provided by section 850 of the Revised Statutes (U. S. C., title 28, sec. 604), fiscal year 1935, $3,292.92.

R. S., sec. 850, p. 160. U. S. C., p. 1295.

U. S. Court of Appeals, law clerks.

Salaries and expenses, United States Court of Appeals for the District of Columbia: For five law clerks (one for each justice of the United States Court of Appeals for the District of Columbia), at $2,500 per annum each, from February 1, 1936, to June 30, 1936, both dates inclusive, $5,208.

Smoke regulation and control.

Ante, p. 653.

Smoke regulation and control: For personal services, equipment, instruments, supplies, transportation, and other contingent expenses necessary for the enforcement of the Act entitled "An Act to prevent the fouling of the atmosphere in the District of Columbia by smoke and other foreign substances, and for other purposes", approved August 15, 1935, fiscal year 1936, $6,250.

Filtration System, Workhouse and Reformatory, District of Columbia: For an additional amount for construction of a sand filter for the permanent water supply system, fiscal year 1936, $5,250.

Workhouse, etc., water filter. *Ante*, p. 364.

Filtration System, Workhouse and Reformatory, District of Columbia: For an additional amount for construction of a permanent water supply filtration system (no year), $2,250.

Additional amount.

Assistance against old-age want, District of Columbia: To carry out the provisions of the Act entitled "An Act to amend the Code of Laws for the District of Columbia in relation to providing assistance against old-age want", approved August 24, 1935, including not to exceed $15,000 for personal services and other necessary expenses, fiscal year 1936, $120,000.

Old-age assistance. *Ante*, p. 747.

Pensions for needy blind persons, District of Columbia: To carry out the provisions of the Act entitled "An Act to provide pensions [1] for needy blind persons of the District of Columbia and authorizing appropriations therefor", approved August 24, 1935, fiscal year 1936, $22,500.

Pensions for needy blind. *Ante*, p. 744.

Settlement of claims: For the payment of the claim approved by the Commissioners under and in accordance with the provisions of the Act entitled "An Act authorizing the Commissioners of the District of Columbia to settle claims and suits against the District of Columbia", approved February 11, 1929 (45 Stat., 1160), as amended by the Act approved June 5, 1930 (46 Stat., 500), and reported in House Document Numbered 300, Seventy-fourth Congress, $1,001.94.

Settlement of claims. Vol. 45, p. 1160; Vol. 46, p. 500.

Judgment: For an additional amount for the payment of a final judgment against the District of Columbia in the case of Vesta L. Watson against the District of Columbia, Municipal Court numbered 297–691, $23.

Vesta L. Watson, payment of judgment.

The foregoing sums for the District of Columbia to be payable wholly from the revenues of such District.

Sums payable from revenues.

DEPARTMENT OF AGRICULTURE

Department of Agriculture.

FOREST SERVICE

Forest Service.

Fighting forest fires: For an additional amount for fighting and preventing forest fires, including the same objects specified under this head in the Agricultural Appropriation Act for the fiscal year 1936, $1,276,709.

Fighting forest fires. *Ante*, p. 263.

BUREAU OF AGRICULTURAL ECONOMICS

Bureau of Agricultural Economics.

Tobacco Inspection Act: Not to exceed $12,500 of the appropriation for "Salaries and expenses, Bureau of Agricultural Economics", fiscal year 1936, may be used during that fiscal year for carrying into effect the provisions of "The Tobacco Inspection Act" approved August 23, 1935 (49 Stat. 731).

Tobacco Inspection Act, administrative expenses. *Ante*, p. 731.

SOIL CONSERVATION SERVICE

Soil Conservation Service.

Salaries and expenses: For carrying into effect the provisions of the Act entitled "An Act to provide for the protection of land resources against soil erosion, and for other purposes", approved April 27, 1935, including the hire, with or without personal services, of boats and work animals and animal-drawn and motor-propelled vehicles and equipment, and the construction of such buildings as in the judgment of the Secretary of Agriculture are required to carry out the provisions of said Act, fiscal year 1936, $6,284,000:

Salaries and expenses. *Ante*, p. 163.

Building construction.

[1] So in original.

Provisos. Employing labor.

Provided, That in the discretion of the Secretary of Agriculture, any funds made available to the Soil Conservation Service from the Emergency Relief Appropriation Act of 1935 may be expended for the employment of skilled and unskilled labor and foremen without regard to the civil-service laws and the Classification Act of 1923, as amended: *Provided*, That no building shall be erected hereunder at a cost in excess of $2,500 except the following: Ten at not to exceed $8,000 each, twenty-four at not to exceed $5,000 each, eleven at not to exceed $3,750 each, and one at not to exceed $30,000.

Ante, p. 115.

U. S. C., p. 85.

Construction costs.

Biological Survey Bureau.

BUREAU OF BIOLOGICAL SURVEY

North American Wildlife Conference, expenses.

Ante, p. 384.

The sum of $12,500 of the unexpended balance of the appropriation of $6,000,000 provided by title VII of the Act entitled "An Act to amend the Migratory Bird Hunting Stamp Act of March 16, 1934, and certain other Acts relating to game and other wildlife, administered by the Department of Agriculture, and for other purposes", approved June 15, 1935 (49 Stat., pp. 378–384), is hereby made available for the payment, by the Secretary of Agriculture, of expenses in connection with the North American Wildlife Conference called by the President of the United States, held in Washington, District of Columbia, February 3–7, 1936, including the employment of persons and means in the District of Columbia and elsewhere by contract or otherwise, printing, binding, and other miscellaneous expenses: *Provided*, That no part thereof shall be available for travel or subsistence expenses.

Proviso. Restriction.

Miscellaneous.

MISCELLANEOUS

Cotton ginners, payment.

Post, p. 1352.

Payment to cotton ginners: The appropriations for carrying into effect the Act entitled "An Act to place the cotton industry on a sound commercial basis, to prevent unfair competition and practices in putting cotton into the channels of interstate and foreign commerce, to provide funds for paying additional benefits under the Agricultural Adjustment Act and for other purposes", approved April 21, 1934 (48 Stat., pp. 598–607), as amended, are hereby made available to enable the Secretary of Agriculture to carry out the provisions of section 40 of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935, and shall remain available for such purpose until expended, whether or not said Act of April 21, 1934, as amended, continues in force and effect.

Vol. 48, p. 598; *Ante*, p. 776.

U. S. C., p. 165; Supp. I, p. 31.

Ante, p. 777.

Availability.

Agricultural Adjustment, payments.

Post, pp. 1163, 1925.

Payments for Agricultural Adjustment: To enable the Secretary of Agriculture to meet all obligations and commitments (including salaries and administrative expenses) heretofore incurred under the provisions of the Agricultural Adjustment Act, as amended, or regulations heretofore issued thereunder, except refunds pursuant to section 21 (d) of that Act, an additional amount of $296,185,000, together with a sum not exceeding $700,000, equal in amount to the unexpended balances of the funds heretofore established by the President under authority of section 15 (f) of the Agricultural Adjustment Act, as amended, and directed by the Secretary of Agriculture, with the approval of the President, to be spent for the benefit of agriculture in Puerto Rico and Hawaii, said sums to remain available until expended. The expenditures authorized under this appropriation shall include rental and benefit payments, expenditures for rent and personal services in the District of Columbia and elsewhere, stenographic reporting services, supplies and equipment, past purchases and exchange of law books, books of reference, directories, periodicals, newspapers, traveling expenses,

Vol. 48, p. 31; U. S. C., p. 155; Supp. I, p. 16.

Exception.

Ante, p. 771.

Vol. 48, p. 675; U. S. C., p. 162; Supp. I, p. 26.

Expenditures in Puerto Rico and Hawaii.

printing and binding in addition to allotments under existing law, and such other expenses as may be necessary for the accomplishment of the purposes of this appropriation. No part of the sums appropriated herein shall be used for rental or benefit payments in connection with adjustment contracts entered into on or after January 6, 1936, and as to those contracts entered into prior to January 6, 1936, no part of the sums appropriated herein shall be used for rental or benefit payments in connection with adjustment contracts unless there has been partial performance by the farmer: *Provided*, That such funds shall be available for rental and benefit payments in an amount that the Secretary determines to be fair and equitable to farmers who have applied for contracts, and who prior to January 6, 1936, have in good faith made adjustments in acreage and otherwise substantially complied with the requirements of the Secretary of Agriculture in connection with a crop program, regardless of whether contracts have been signed. Funds herein made available for administrative expenses shall be available for allotment to the bureaus and offices of the Department of Agriculture and for transfer to such other agencies of the Federal or State Governments as the Secretary of Agriculture may request to cooperate with or assist in the administration of the work under this appropriation or of the Agricultural Adjustment Act, as amended, including necessary investigative work.

Restriction.

Proviso.
Rental and benefit payments.

Allotments to Government agencies.

Investigations.

The 1935 Cotton Price Adjustment Payment Plan: So much as may be necessary of the amount appropriated for the fiscal year ending June 30, 1936, by section 32 of the Act approved August 24, 1935 (49 Stat. 774), is hereby made available, to remain available until expended, to enable the Secretary of Agriculture to make the payments provided for in the 1935 cotton price adjustment payment plan (set forth in the printed forms issued by the Secretary of Agriculture, designated forms numbers C. A. P. 1 to 5 and forms supplementary thereto) to the persons and in the amounts and in the manner prescribed in said plan, except that the provisions of said plan which condition the making of payments upon the producer undertaking to cooperate in the 1936 cotton adjustment program formulated under the Agricultural Adjustment Act shall be of no force and effect, and to pay the necessary administrative expenses incurred and to be incurred in connection with the making and auditing of the payments hereby authorized by the Department of Agriculture, the Treasury Department, and the General Accounting Office, including the employment of persons and means in the city of Washington and elsewhere, in accordance with said plan: *Provided*, That applications for and the payments thereon are hereby authorized and such forms may be employed without alteration and payments made without regard to any references to any undertaking to comply with the 1936 cotton adjustment program formulated under the Agricultural Adjustment Act, as amended: *Provided further*, That payments payable hereunder to cotton producers who in 1935 operated on a farm which was not in 1935 covered by a 1934 and 1935 cotton acreage reduction contract or which in 1935 was covered by such a contract which was not complied within[1] in 1935 shall be made as soon as may be without delaying payments to producers who in 1935 operated on a farm covered by such a contract which was complied with in 1935: *Provided further*, That during the fiscal years 1936 and 1937 in carrying out clause 2 of said section 32, the Secretary of Agriculture may, if he finds that the purposes of said section will be accomplished

Cotton Price Adjustment Payment Plan, 1935.
Funds available.
Ante, p. 774.
Payments.

Cooperative plan voided.

Administrative expenses.

Provisos.
Conditions disregarded.

Producers not covered by crop reduction contracts, etc.

Purchases of agricultural commodities, etc.

[1] So in original.

R. S., sec. 3709; U. S. C., p. 1803.

thereby, purchase without regard to section 3709, Revised Statutes, agricultural commodities and products thereof, including purchases for donation to the Federal Surplus Commodities Corporation.

Agricultural commodities, exportation and domestic consumption.
Administrative expenses.
Ante, p. 774.

Administrative expenses, exportation and domestic consumption of agricultural commodities: Not to exceed $300,000 of the appropriation made for the fiscal year 1936 in section 32 of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935, is hereby made available for administrative expenses, including the employment of persons and means in the city of Washington and elsewhere, other than administrative expenses in connection with the 1935 cotton price adjustment payment plan.

Department of Commerce.

DEPARTMENT OF COMMERCE

Bureau of Navigation and Steamboat Inspection.

BUREAU OF NAVIGATION AND STEAMBOAT INSPECTION

Salaries and expenses.

Salaries and expenses: For an additional amount for departmental salaries, and for salaries and general expenses, Bureau of Navigation and Steamboat Inspection, including the same objects specified under these respective heads in the Department of Commerce Appropriation Act, 1936, $126,000.

Ante, p. 91.

Census Bureau.

BUREAU OF THE CENSUS

Social Security Act, expenses.

Salaries and expenses, Social Security Act: For salaries and necessary expenses for searching census records and supplying information incident to carrying out the provisions of the Social Security Act, approved August 14, 1935, including personal services and rentals in the District of Columbia and elsewhere; temporary employees who may be appointed by the Director of the Census under civil-service rules at rates of pay to be fixed by him without regard to the Classification Act of 1923, as amended; traveling expenses; printing and binding; supplies; services; office and mechanical equipment, including equipment for the reproduction of census records and technical, mechanical, and other services in connection therewith, fiscal year 1936, $150,000: *Provided*, That the procedure for the furnishing from census records of evidence for the establishment of age, of individuals through the expenditure of this appropriation shall be pursuant to regulations approved jointly by the Secretary of Commerce and the Social Security Board.

Ante, p. 620.

Proviso.
Establishment of age.

Foreign and Domestic Commerce Bureau.

BUREAU OF FOREIGN AND DOMESTIC COMMERCE

Export industries, investigations.

Export industries: For an additional amount for salaries and expenses, including the same objects specified under this head in the Department of Commerce Appropriation Act, 1936, and salaries of employees of the Export-Import Bank of Washington transferred to the Bureau of Foreign Commerce, fiscal year 1936, $36,000.

Ante, p. 88.

Department of the Interior.

DEPARTMENT OF THE INTERIOR

Indian Affairs Bureau.

BUREAU OF INDIAN AFFAIRS

Navajo Indians, Ariz., and N. Mex. Land, etc., leases.

Leasing of lands for Navajo Indians (tribal funds): For lease, pending purchase, of land and water rights for the use and benefit of Indians of the Navajo Tribe in Arizona and New Mexico, fiscal year 1936, $25,000, payable from funds on deposit to the credit of the Navajo Tribe.

Klamath Indians, Oreg., support.

Klamath Indians: For an additional amount for support of Indians and administration of Indian property, Klamath Reservation, Oregon, fiscal years 1936 and 1937, $4,000, payable from funds

on deposit to the credit of the Klamath Indians: *Provided*, That the foregoing amount shall be available only for fees and expenses of an attorney or firm of attorneys selected by the Klamath Tribe and employed under contract approved by the Secretary of the Interior in accordance with existing law.

Proviso. Attorneys' fees, etc.

Acquisition of the property of the Haskell Students' Activities Association: For meeting indebtedness of the Haskell Students' Activities Association and acquiring title to the property of this association for use of the Government Indian school known as Haskell Institute, located at Lawrence, Kansas, as authorized by the Act of August 13, 1935 (49 Stat. 612), fiscal year 1936, $30,500.

Haskell Institute. Acquisition of property.

Ante, p. 612.

NATIONAL PARK SERVICE

National Park Service.

Ackia National Memorial Commission and Battleground National Monument: To carry out the provisions of the Act entitled "An Act to provide for the commemoration of the two hundredth anniversary of the Battle of Ackia, Mississippi, and the establishment of the Ackia Battleground National Monument, and for other purposes", approved August 27, 1935, fiscal year 1936, $15,000.

Ackia National Memorial Commission, etc., establishment. *Ante*, p. 897.

OFFICE OF EDUCATION

Office of Education.

Grants to States for cooperative vocational rehabilitation of persons disabled in industry: For carrying out the provisions of section 531 (a) of the Social Security Act, approved August 14, 1935, for the period from February 1 to June 30, 1936, both dates inclusive, including not to exceed $2,080 for the Territory of Hawaii, $350,000.

Cooperative vocational rehabilitation, grants to States. *Ante*, p. 633.

Salaries and expenses, vocational rehabilitation, Office of Education: For carrying out the provisions of section 531 (b) of the Social Security Act, approved August 14, 1935, fiscal year 1936, $4,500.

Administrative expenses. *Ante*, p. 634.

NATIONAL BITUMINOUS COAL COMMISSION

National Bituminous Coal Commission. Salaries and expenses.

Salaries and expenses, National Bituminous Coal Commission: For all necessary expenditures of the National Bituminous Coal Commission in performing the duties imposed upon said Commission by the Bituminous Coal Conservation Act of 1935, including personal services and rent in the District of Columbia and elsewhere, traveling expenses, contract stenographic reporting services, stationery and office supplies and equipment, printing and binding, and not to exceed $2,500 for newspapers, reference books, and periodicals, fiscal year 1936, $400,000: *Provided*, That this appropriation shall be available for obligations incurred on and after September 21, 1935, including reimbursement to other appropriations of the Department of the Interior for obligations incurred on account of said Commission.

Ante, p. 991.

Proviso. Incurred obligations.

Salaries and expenses, Office of the Consumers' Counsel of the National Bituminous Coal Commission: For all necessary expenditures of the Office of the Consumers' Counsel of the National Bituminous Coal Commission in performing the duties imposed upon said Office of Consumers' Counsel by the Bituminous Coal Conservation Act of 1935, including personal services in the District of Columbia and elsewhere, traveling expenses, printing and binding, contract stenographic reporting services, rent, stationery and office supplies and equipment, and not to exceed $500 for reference books and periodicals, fiscal year 1936, $40,000: *Provided*, That this appropriation shall be available for obligations incurred on and after October 14, 1935, including reimbursement to other appropriations of the Department of the Interior or other agency of the Government for obligations incurred on account of said Office of Consumers' Counsel.

Consumers' Counsel, office expenses.

Proviso. Incurred obligations.

Department of Justice.

DEPARTMENT OF JUSTICE

Attorney General's office.

OFFICE OF THE ATTORNEY GENERAL

Rewards.
Vol. 48, p. 1035.

Payment of rewards: The unexpended balance of the appropriation "Payment of rewards under criminal laws, Department of Justice, 1934 and 1935", contained in the Deficiency Appropriation Act, fiscal year 1934, is continued available for the same purposes until June 30, 1936.

United States Courts.

UNITED STATES COURTS

District attorneys.
Sum transferred.
Vol. 48, pp. 539, 541.

Salaries and expenses of district attorneys, and so forth: The sum of $47,800 is hereby transferred from the appropriation "Salaries and expenses, Veterans' Insurance Litigation, Department of Justice, 1935", to the appropriation "Salaries, expenses of district attorneys, United States courts, 1935".

Penal, etc., institutions.

PENAL AND CORRECTIONAL INSTITUTIONS

Maintenance.
Ante, p. 83.
Federal penitentiaries.

For additional amounts for maintenance of penal and correctional institutions to supplement, respectively, the following appropriations in the Department of Justice Appropriation Act, 1936, and to include the same objects specified, respectively, under such appropriations:

Leavenworth, Kans.

For "United States Penitentiary, Leavenworth, Kansas, Maintenance, 1936", $257,120.

Atlanta, Ga.

For "United States Penitentiary, Atlanta, Georgia, Maintenance, 1936", $131,925.

McNeil Island, Wash.

For "United States Penitentiary, McNeil Island, Washington, Maintenance, 1936", $47,815.

Northeastern.

For "United States Northeastern Penitentiary, Maintenance, 1936", $32,920.

Federal Industrial Institution for Women, Alderson, W. Va.

For "Federal Industrial Institution for Women, Alderson, West Virginia, Maintenance, 1936", $42,405.

Industrial Reformatory, Chillicothe, Ohio.

For "United States Industrial Reformatory, Chillicothe, Ohio, Maintenance, 1936", $158,330.

Southwestern.

For "United States Southwestern Reformatory, Maintenance, 1936", $27,245.

Hospital for Defective Delinquents.

For "United States Hospital for Defective Delinquents, Maintenance, 1936", $18,770.

Federal jails.

For "Federal jails, Maintenance, 1936", $144,510.

Prison camps.

For "Prison camps, Maintenance, 1936", $9,025.

Federal Reformatory Camp, Petersburg, Va.

For "Federal Reformatory Camp, Petersburg, Virginia, Maintenance, 1936", $19,660.

Transfer of funds.
Ante, p. 83.

Not to exceed 10 per centum of any appropriation made available under the general heading "Penal and Correctional Institutions" for the fiscal year 1936, may be transferred, with the approval of the Director of the Bureau of the Budget, to any other appropriation or appropriations under the same general heading for such fiscal year, but no appropriation shall be increased more than 10 per centum thereby: *Provided*, That no transfers shall be made to or from appropriations for the construction of buildings or other public works or support of United States prisoners.

Proviso.
Inapplicable to construction funds.

McNeil Island, Wash.
Acquisition of land.
Ante, p. 508.

McNeil Island, Washington, Penitentiary: For the acquisition of land on McNeil Island, Gertrudis Island, and Pitt Island, in the State of Washington, in accordance with the authority contained in the Act approved August 2, 1935, $300,000.

DEPARTMENT OF LABOR

Department of Labor.

OFFICE OF THE SECRETARY

Secretary's office.

Transporting Filipinos to the Philippine Islands: For all authorized expenditures in the fiscal year 1936 and to and including December 31, 1936, necessary to enable the Secretary of Labor to administer the provisions of the Act entitled "To provide means by which certain Filipinos can emigrate from the United States", approved July 10, 1935, $100,000.

Transporting Filipinos to Philippine Islands.
Ante, p. 478.
Post, p. 1462.

IMMIGRATION AND NATURALIZATION SERVICE

Immigration and Naturalization Service.

Salaries and expenses: Not to exceed $250,000 of the unexpended balance of the appropriation made available in the Department of Labor Appropriation Act, 1935, for "Salaries and expenses, Immigration and Naturalization Service", is hereby continued available for the fiscal year 1936 for the same objects specified under this head in the Department of Labor Appropriation Act, 1936.

Salaries and expenses.

Sum reappropriated.
Vol. 48, p. 569.
Ante, p. 102.

Refund to Sam Greenfeld: For refund to Sam Greenfeld of the value of collateral, represented by Treasury bond 1936–1949 (3⅛ per centum), serial number 15597H, face value $500, together with seven matured coupons having the value of $54.68, erroneously deposited in the Treasury in connection with an immigration bond given to the United States to insure departure of Heinrich Markovic, an alien, who departed from the United States in accordance with the terms of the bond, fiscal year 1936, $554.68.

Sam Greenfeld, refund.

CHILDREN'S BUREAU

Children's Bureau.

Grants to States for maternal and child-health service: For grants to States for the purpose of enabling each State to extend and improve services for promoting the health of mothers and children, as authorized in Title V, Part 1, of the Social Security Act, approved August 14, 1935, fiscal year 1936, $1,580,000: *Provided*, That any allotment to a State pursuant to section 502 (b) shall not be included in computing for the purposes of subsections (a) and (b) of section 504 an amount expended or estimated to be expended by the State.

Grants to States.
Maternal and child-health service.
Ante, p. 629.

Proviso.
Sums excluded in computation.
Ante, p. 630.

Grants to States for services for crippled children: For the purpose of enabling each State to extend and improve services for crippled children, as authorized in Title V, Part 2, of the Social Security Act, approved August 14, 1935, fiscal year 1936, $1,187,000.

Services for crippled children.
Ante, p. 631.

Grants to States for child-welfare services: For grants to States for the purpose of enabling the United States, through the Children's Bureau, to cooperate with State public-welfare agencies in establishing, extending, and strengthening public-welfare services for the care of homeless or neglected children, as authorized in Title V, Part 3, of the Social Security Act, approved August 14, 1935, fiscal year 1936, $625,000.

Child-welfare services.

Ante, p. 633.

In the administration of Title V of the Social Security Act for the fiscal year 1936: (1) Allotments under section 502 shall be based on five-twelfths of the amounts specifically fixed for allotment, respectively, in subsections (a) and (b) thereof: (2) allotments under sections 512 (a) and 521 (a) shall be based on five-twelfths of the amount authorized to be appropriated under such subsection; and (3) sums specifically fixed for allocation to each State in sections 512 (a) and 521 (a) shall be based on five-twelfths

Basis of allotments.
Ante, p. 629.

Ante, pp. 631, 633.

Proviso. Payments, third and fourth quarters, 1936.

of the amounts so fixed, respectively, in such subsections: *Provided*, That payments to States for the third and fourth quarters of the fiscal year 1936 under Parts 1 and 2, Title V, of the Social Security Act may be made with respect to any State plan approved under such respective parts by the Chief of the Children's Bureau prior to or during such period, but no such payment shall be made with respect to any plan for any period prior to the quarter in which such plan was submitted to the Chief of the Children's Bureau for approval and in no event for any period prior to February 1, 1936.

Restriction.

Administrative expenses.

Ante, p. 629.

Salaries and expenses, maternal and child welfare: For all authorized and necessary administrative expenses of the Children's Bureau in performing the duties imposed upon it in Title V of the Social Security Act, approved August 14, 1935, including personal services, rentals, repairs, and alterations to buildings, in the District of Columbia and elsewhere; printing and binding; supplies; services; equipment; newspapers, books of reference, periodicals, and press clippings; travel expenses, including expenses of attendance at meetings and including also conferences of cooperating officials and consultants called by the Children's Bureau with the approval of the Secretary of Labor; fiscal year 1936, $150,000: *Provided*, That this appropriation shall be available for reimbursement to the appropriation "Salaries and Expenses, Children's Bureau, 1936" for administrative expenses paid therefrom since August 14, 1935, in performance of the duties imposed upon said Bureau by Title V of the Social Security Act.

Proviso. Availability.

Ante, p. 103.

Navy Department.

NAVY DEPARTMENT

Secretary's office.

OFFICE OF THE SECRETARY

Collision damage claims.

Claims for damages by collision with naval vessels: To pay claims for damages adjusted and determined by the Secretary of the Navy under the provisions of the Act entitled "An Act to amend the Act authorizing the Secretary of the Navy to settle claims for damages to private property arising from collision with naval vessels", approved December 28, 1922 (U. S. C., title 34, sec. 599), as fully set forth in House Document Numbered 297, and Senate Documents Numbered 150 and 151, Seventy-fourth Congress, $2,291.87.

Vol. 42, p. 1066. U. S. C., p. 1550.

Marine Corps.

MARINE CORPS

Marine Band; attendance, Confederate Veterans' reunion.

Expenses, Marine Band, United Confederate Veterans' reunion, Amarillo, Texas: For expenses of the United States Marine Band in attending the United Confederate Veterans' reunion held at Amarillo, Texas, September 3, to 6, 1935, as authorized by the Act approved August 14, 1935, including not to exceed $876 for reimbursement to the Confederate Reunion Committee of such city for payments for subsistence of such Band in such city upon presentation of receipts evidencing such payments, $6,876.

Ante, p. 650.

Post Office Department.

POST OFFICE DEPARTMENT

W. R. McLeod, payment.

Relief of W. R. McLeod: For payment to W. R. McLeod, former postmaster at Apopka, Florida, as reimbursement for postal funds stolen from the post office by burglars, as authorized by Private Act Numbered 327, Seventy-third Congress, approved June 22, 1934 (48 Stat. 1424), $200.

Vol. 48, p. 1424.

DEPARTMENT OF STATE

Department of State.

Salaries, Department of State: For an additional amount for salaries, Department of State, including the same objects specified under this head in the Department of State Appropriation Act, 1936, $39,330, of which amount not to exceed $30,350 may be expended by the Secretary of State without regard to civil-service laws and regulations or the Classification Act of 1923, as amended.

Salaries.

Ante, p. 67.

United States contributions to international commissions, congresses, and bureaus: For an additional amount for United States contributions to international commissions, congresses, and bureaus, including the expenses of participation by the Government of the United States in the meetings of the International Technical Committee of Aerial Legal Experts and of the commissions established by that committee, including traveling expenses; personal services in the District of Columbia and elsewhere without reference to the Classification Act of 1923, as amended; stenographic and other services by contract if deemed necessary, without regard to the provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; purchase of necessary books and documents; printing and binding; official cards; entertainment; and such other expenses as may be authorized by the Secretary of State, and including reimbursement of other appropriations from which payments have been made for any of the purposes herein specified; fiscal year 1936, $6,500.

Contributions, quotas, etc.

International Technical Committee of Aerial Legal Experts.

Services in the District.

U. S. C., p. 85.

R. S., sec. 3709, p. 733. U. S. C., p. 1803.

For an additional amount for United States contributions to international commissions, congresses, and bureaus, including $10,000 for the quota of the United States as a member of the Pan American Institute of Geography and History; and $7,000 for the expenses of the second general assembly of the Pan American Institute of Geography and History, held in the United States in the year 1935, including personal services without reference to the Classification Act of 1923, as amended, in the District of Columbia and elsewhere; stenographic reporting and other services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses; purchase of necessary books and documents; newspapers and periodicals; stationery; official cards; printing and binding; entertainment; hire, maintenance, and operation of motor-propelled passenger vehicles; and such other expenses as may be actually and necessarily incurred by the Government of the United States by reason of such invitation in the observance of proper courtesies, to be expended under the direction of the Secretary of State, and including the reimbursement of other appropriations from which payments have been made for any of the purposes herein specified; in all, fiscal year 1936, $17,000.

Pan American Institute of Geography and History.

Ante, p. 512.

R. S., sec. 3709, p. 733. U. S. C., p. 1803.

For an additional amount for United States contributions to international commissions, congresses, and bureaus, including the annual share of the United States as an adhering member of the International Council of Scientific Unions and associated unions, as follows: International Council of Scientific Unions, $19.30; International Astronomical Union, $617.60; International Union of Chemistry, $675; International Union of Geodesy and Geophysics, $2,316; International Scientific Radio Union, $154.40; International Union of Physics, $62.72; and International Geographical Union, $194.66; in all, fiscal year 1936, $4,039.68, together with such additional sums, due to increases in rates of exchange, as may be necessary to pay in foreign currencies the contributions required by the statutes of each union.

International Council of Scientific Unions.

Ante, p. 541.

Additional, for increases in rates of exchange.

Prohibition of export of arms, etc., enforcement expenses.
Ante, p. 1081.

Prohibition of export of arms and war munitions: For the expenses of administering Public Resolution Numbered 67, approved August 31, 1935, including personal services in the District of Columbia and elsewhere, stenographic reporting, translating, and other services by contract if deemed necessary, without regard to the provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent in the District of Columbia or elsewhere; traveling expenses; purchase of necessary books, documents, and periodicals; stationery; communication service; printing and binding; equipment; and such other expenses as may be authorized by the Secretary of State, fiscal year 1936, $25,000.

R. S., sec. 3709, p. 733; U. S. C., p. 1803.

Third World Power Conference.
Ante, p. 870.

Third World Power Conference: For the expenses of organizing and holding the Third World Power Conference in the United States in 1936 or 1937, including personal services in the District of Columbia and elsewhere without regard to the Classification Act of 1923, as amended, communication services, stenographic and other services by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); travel expenses, local transportation, hire of motor-propelled passenger-carrying vehicles, rent in the District of Columbia and elsewhere, printing and binding, entertainment, official cards, purchase of newspapers and periodicals, necessary books and documents, stationery, membership badges, and such other expenses as may be actually and necessarily incurred by the Government of the United States by reason of observance of appropriate courtesies in connection therewith, and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments have been made for any purposes herein specified, fiscal year 1936, to remain available until June 30, 1937, $75,000.

U. S. C., p. 85.

Travel, etc.

Availability.

Hernando De Soto's Expedition.
Expenses of Commission.
Post, p. 1635.

Commission to study the subject of Hernando De Soto's Expedition: For the expenses of a commission consisting of not fewer than five nor more than seven members, to make a thorough study of the subject of Hernando De Soto's Expedition and to report back to the second session of the Seventy-fourth Congress its recommendations for a suitable and appropriate celebration of the four hundredth anniversary of the landing of Hernando De Soto in Tampa Bay, including personal services in the District of Columbia and elsewhere without reference to the Classification Act of 1923, as amended; stenographic reporting, translating, and other services by contract if deemed necessary, without regard to the provisions of section 3709 of the Revised Statutes (U. S. C., Title 41, sec. 5); rent, traveling expenses, purchase of necessary books, documents, newspapers, and periodicals; stationery; official cards; printing and binding; and such other expenses as may be authorized by the President, including the reimbursement of other appropriations from which expenditures may be made for any of the purposes herein specified, $5,000.

U. S. C., p. 85.

R. S., sec. 3709, p. 733. U. S. C., p. 1803.

Franklin Blaine Frost.
Pay to mother.
Post, p. 2102.

Payment to Lillian G. Frost: For payment to Lillian G. Frost, mother of Franklin Blaine Frost, late vice consul and third secretary, Department of State, of one year's salary of her deceased son, who died while in the Foreign Service, as authorized by the Act approved July 18, 1935, fiscal year 1936, $3,500.

Paul Judson Gray.
Pay to widow.
Post, p. 2144.

Payment to Blanche L. Gray: For payment to Blanche L. Gray, widow of Paul Judson Gray, late third secretary, Department of State, of one year's salary of her deceased husband who died while in the Foreign Service, as authorized by the Act approved August 15, 1935, fiscal year 1936, $3,000.

TREASURY DEPARTMENT

Treasury Department.

OFFICE OF SECRETARY OF THE TREASURY

Secretary's office.

Expenses, Emergency Banking, Gold Reserve, and Silver Purchase Acts: For expenditure under the direction of the Secretary of the Treasury for any purpose in connection with the carrying out of the provisions of the Emergency Banking Act, approved March 9, 1933 (48 Stat. 1), the Gold Reserve Act of 1934, approved January 30, 1934 (48 Stat. 337), the Silver Purchase Act of 1934, approved June 19, 1934 (48 Stat. 1178), any Executive orders, proclamations, and regulations issued under the foregoing Acts, and section 3653 of the Revised Statutes, including rental at the seat of Government and elsewhere, costs of transportation, insurance, and protection of gold coin, gold bullion, and gold certificates transferred to Federal Reserve banks and branches, United States mints and assay offices, and the Treasury, after March 9, 1933, losses sustained by Federal Reserve banks due to abrasion of gold coin, and reimbursement to Federal Reserve banks and branches for expenses incurred by them in carrying out instructions issued by the Secretary of the Treasury after March 4, 1933, fiscal year 1936, $750,000.

Emergency Banking, Gold Reserve, and Silver Purchase Acts, administrative expenses.
Vol. 48, pp. 1, 337, 1178.

R. S., sec. 3653, p. 719.
U. S. C., p. 1396.

Administrative expenses, Adjusted Compensation Payment Act, 1936, Treasury Department, 1936 and 1937: For expenditure under the direction of the Secretary of the Treasury for carrying out of the provisions of the Adjusted Compensation Payment Act, 1936, in the District of Columbia and elsewhere, including the employment of necessary personnel, rental of quarters, supplies and materials, equipment, furniture, communication service, stationery, printing and engraving, postage, insurance, travel, and subsistence expenses, and such other services as may be necessary, fiscal years 1936 and 1937, $6,678,375.

Adjusted Compensation Payment Act, 1936, administrative expenses.
Ante, p. 1099.
Post, p. 1397.

OFFICE OF TREASURER OF THE UNITED STATES

Treasurer's office.

Refund to H. T. Tate: For refund to H. T. Tate of the amount of an unavailable item in his accounts as former Treasurer of the United States, plus interest, paid by him which unavailable item the Comptroller General of the United States was subsequently directed to allow in his accounts by section 2 of Private Act Numbered 190, Seventy-fourth Congress, approved August 7, 1935, $128.19.

H. T. Tate, refund.

Post, p. 2124.

FEDERAL ALCOHOL ADMINISTRATION

Federal Alcohol Administration.

Salaries and expenses, Federal Alcohol Administration: For the purpose of administering the provisions of the Act entitled "The Federal Alcohol Administration Act of August 29, 1935" (49 Stat. 977), including personal and other services and rent in the District of Columbia and elsewhere; supplies and materials; equipment; communication service; stationery; travel and subsistence expenses as authorized by law; maintenance, repair, and operation of automobiles; law books, books of reference, magazines, periodicals and newspapers; contract stenographic reporting service; the securing of evidence of violations of the Act; and miscellaneous and contingent expenses; including so much as may be necessary to pay the salary of the Administrator from and including the date upon which he officially assumed duty as such to and including December 31, 1935; fiscal year 1936, $180,000.

Salaries and expenses.
Ante, p. 977.

OFFICE OF THE COMPTROLLER OF THE CURRENCY

Salaries: For an additional amount for salary of the Comptroller of the Currency as provided by section 209 of the Banking Act of 1935, fiscal year 1936, $8,750.

Comptroller of the Currency, salary.
Ante, p. 707.

Public Health Service.

PUBLIC HEALTH SERVICE

Grants to States. Public-health work.

Grants to States for public-health work: For the purpose of assisting States, counties, health districts, and other political subdivisions of the States in establishing and maintaining adequate public-health services, including the training of personnel for State and local health work, as authorized in sections 601 and 602, Title VI, of the Social Security Act, approved August 14, 1935 (49 Stat., 634), fiscal year 1936, $3,333,000: *Provided*, That payments to States for the third and fourth quarters of the fiscal year 1936 under sections 601 and 602, Title VI, of the Social Security Act may be made with respect to any State plan approved under such title by the Surgeon General of the Public Health Service prior to or during such period, but no such payment shall be made with respect to any plan for any period prior to the quarter in which such plan was submitted to the Surgeon General for approval and in no event for any period prior to February 1, 1936: *Provided further*, That allotments under section 602 for the fiscal year 1936 may be made and shall be based on five-twelfths of the amount authorized to be appropriated for such fiscal year.

Ante, p. 634.

Provisos. Payments for third and fourth quarters, 1936.

Basis of allotments.

Diseases and sanitation investigations.

Diseases and sanitation investigations: For carrying out the provisions of section 603 of the Social Security Act, approved August 14, 1935, and section 1 of the Act of August 14, 1912, including rent and personal and other services in the District of Columbia and elsewhere, and items otherwise properly chargeable to the appropriations for printing and binding, stationery, and miscellaneous and contingent expenses for the Treasury Department, the provisions of section 6, Act of August 23, 1912 (U. S. C., title 31, sec. 669), to the contrary notwithstanding, the packing, crating, drayage, and transportation of the personal effects of commissioned officers, scientific personnel, pharmacists, and nurses of the Public Health Service upon permanent change of station, and including the purchase (not to exceed $5,000), exchange, maintenance, repair, and operation of passenger-carrying automobiles for official use in field work, fiscal year 1936, $375,000.

Ante, p. 635; Vol. 37, p. 309.

Contingent expenses.

Vol. 37, p. 414. U. S. C., p. 1406.

TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS

Judgments and authorized claims.

Damage claims.

DAMAGE CLAIMS

Payment of.

SECTION 1. (a) For the payment of claims for damages to or losses of privately owned property adjusted and determined by the following respective departments and independent establishments under the provisions of the Act entitled "An Act to provide for a method for the settlement of claims arising against the Government of the United States in sums not exceeding $1,000 in any one case", approved December 28, 1922 (U. S. C., title 31, secs. 215–217), as fully set forth in House Document Numbered 299, and Senate Document Numbered 130, Seventy-fourth Congress, as follows:

Vol. 42, p. 1066. U. S. C., p. 1369.

Civil Works Administration, except item numbered 6 on page 3 of such Document Numbered 299, $416.71;

Veterans' Administration, $43.78;

Department of Agriculture, $981.13;

Department of Interior, $839.20;

Department of Labor, $28.06;

Navy Department, $1,507.96;

Post Office Department (out of postal revenues), $82.99;

Treasury Department, $303.59;

War Department, $3,660.27;

In all, $7,863.69.

(b) For the payment of claims for damages to or losses of privately owned property adjusted and determined by the following respective departments and independent establishments under the provisions of the Act entitled "An Act to provide for a method for the settlement of claims arising against the Government of the United States in sums not exceeding $1,000 in any one case", approved December 28, 1922 (U. S. C., title 31, secs. 215–217), as fully set forth in Senate Document Numbered 152, Seventy-fourth Congress, as follows:

Vol. 42, p. 1066. U. S. C., p. 1369.

Federal Civil Works Administration, $661.05;
Federal Emergency Relief Administration, $488.96;
Works Progress Administration, $334.33;
Veterans' Administration, $21;
Department of Agriculture, $4,735.41;
Department of Commerce, $1,323.59;
Department of Interior, $567.26;
Department of Justice, $240.91;
Department of Labor, $83.66;
Navy Department, $1,073.03;
Post Office Department (out of postal revenues), $380.55;
Treasury Department, $1,494.92;
War Department, $11,676.01;
In all, $23,080.68.

JUDGMENTS, UNITED STATES COURTS

United States courts, judgments. Payment of.

SEC. 2. (a) For payment of the final judgments and decrees, including costs of suits, which have been rendered under the provisions of the Act of March 3, 1887, entitled "An Act to provide for the bringing of suits against the Government of the United States", as amended by the Judicial Code, approved March 3, 1911 (U. S. C., title 28, sec. 41, par. 20; sec. 258; secs. 761–765), certified to the Seventy-fourth Congress in House Document Numbered 298 under the following departments, namely:

Vol. 24, p. 505. U. S. C., pp. 1230, 1262, 1308.

Department of Labor, $3,194.74;
War Department, $4,177.50;
In all, $7,372.24, together with such additional sum as may be necessary to pay interest on such judgments as and when specified therein.

Interest.

(b) For the payment of judgments, including costs of suits, rendered against the Government of the United States by United States District Courts under the provisions of an Act entitled "An Act authorizing suits against the United States in admiralty for damages caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes", approved March 3, 1925 (U. S. C., title 46, secs. 781–789), certified to the Seventy-fourth Congress in House Document Numbered 298, and Senate Document Numbered 153, under the following departments, namely:

Payment of, for suits in admiralty. Vol. 43, p. 1112. U. S. C., p. 2054.

Navy Department, $500;
War Department, $905.48;
In all, $1,405.48, together with such additional sum as may be necessary to pay interest, where specified in such judgments, at the rate provided by law.

Interest.

(c) None of the judgments contained in this section shall be paid until the right of appeal shall have expired, except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

Time of payments.

(d) Payment of interest wherever provided for judgments contained in this Act shall not in any case continue for more than thirty days after the date of approval of the Act.

Interest payment restriction.

Judgments, Court of Claims.

JUDGMENTS, COURT OF CLAIMS

Payment of.

SEC. 3. (a) For payment of the judgments rendered by the Court of Claims and reported to the Seventy-fourth Congress in House Document Numbered 296, and Senate Documents Numbered 154 and 155, under the following departments and establishments, namely:

Federal Trade Commission, $3,043.06;

Veterans' Administration, $5,900;

Navy Department, $35,339.64;

Treasury Department, $1,063.29;

War Department, $696,279.87;

Interest.

In all, $741,625.86, together with such additional sum as may be necessary to pay interest on certain judgments as and when specified therein.

Time of payment.

(b) None of the judgments contained in this section which have not been affirmed by the Supreme Court or otherwise become final and conclusive against the United States shall be paid until the expiration of the time within which application may be made for a writ of certiorari under subdivision (b) of section 3, of the Act entitled "An Act to amend the Judicial Code, and to further define the jurisdiction of the circuit courts of appeals and of the Supreme Court, and for other purposes", approved February 13, 1925 (U. S. C., title 28, sec. 288).

Vol. 43, p. 939. U. S. C., p. 1265.

Audited claims.

AUDITED CLAIMS

Payment of.

SEC. 4. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1932 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in House Document Numbered 286, Seventy-fourth Congress, there is appropriated as follows:

Vol. 18, p. 110. U. S. C., p. 1410.

Vol. 23, p. 254. U. S. C., p. 59.

Independent Offices.

Independent Offices: For employees' compensation fund, $4.90.

For operations under Mineral Act of October 5, 1918, $9,829.65.

For Army pensions, $261.37.

For medical and hospital services, Veterans' Bureau $63.72.

For salaries and expenses, Veterans' Administration, $283.66.

Department of Agriculture.

Department of Agriculture: For salaries and expenses, Forest Service, $4.35.

For salaries and expenses, Forest Service, emergency construction, Act July 21, 1932, $13.05.

Department of Commerce.

Department of Commerce: For air navigation facilities, $1,074.88.

For general expenses, Lighthouse Service, $52.75.

Department of the Interior.

Department of the Interior: For reindeer for Alaska, $52.

For roads and trails, Office of National Parks, Buildings, and Reservations, emergency construction, $4,320.66.

For conservation of health among Indians, $129.73.

For purchase and transportation of Indian supplies, $15.89.

For Indian school support, $203.53.

For Indian boarding schools, $504.

For determining heirs of deceased Indian allottees, $250.

Department of Justice.

Department of Justice: For salaries and expenses, Bureau of Prohibition, $5.

For salaries, fees, and expenses of marshals, United States courts, $90.78.

For salaries and expenses, Bureau of Prisons, $1.

For fees of jurors and witnesses, United States courts, $89.12.

For pay of special assistant attorneys, United States courts, $2,752.80.

For miscellaneous expenses, United States courts, $245.57.

For support of United States prisoners, $834.61.

For printing and binding, Department of Justice and courts, $33.25.

For United States Hospital for Defective Delinquents, $7.52.

For United States Penitentiary, McNeil Island, Washington, maintenance, $72.

Department of Labor.

Department of Labor: For expenses of regulating immigration, $25.83.

Navy Department.

Navy Department: For pay, subsistence, and transportation, Navy, $5,158.28.

For pay, miscellaneous, $60.16.

For organizing the Naval Reserves, $65.83.

For pay, Marine Corps, $191.23.

For general expenses, Marine Corps, $29.80.

For aviation, Navy, $31,000.

For pay of the Navy, $178.53.

Department of State.

Department of State: For transportation of Foreign Service officers, $5,356.35.

For contingent expenses, Department of State, $1.25.

Treasury Department.

Treasury Department: For contingent expenses, Coast Guard, $44.20.

For pay and allowances, Coast Guard, $4,606.19.

For field investigations of public health, $1.50.

For pay of other employees, Public Health Service, $14.77.

For collecting the revenue from customs, $19.50.

For collecting the internal revenue, $34.40.

For enforcement of Narcotic and National Prohibition Acts, internal revenue, $180.67.

For general expenses of public buildings, $1.75.

For mechanical equipment for public buildings, $60.

For laboratory at Hamilton, Montana, Public Health Service (Public Health Service transfer to public buildings, Act May 21, 1920), $3,795.26.

War Department.

War Department: For pay, and so forth, of the Army, $4,680.32.

For pay of the Army, $1,281.56.

For increase of compensation, Military Establishment, $293.79.

For general appropriations, Quartermaster Corps, $1,226.65.

For Army transportation, $756.42.

For barracks and quarters, $465.08.

For mileage of the Army, $25.50.

For pay, and so forth, of the Army, War with Spain, $2.40.

For salaries, Office of Quartermaster General, $29.66.

For clothing and equipage, $6,540.31.

For incidental expenses of the Army, $32.50.

For regular supplies of the Army, $9.37.

For subsistence of the Army, $22.

For arming, equipping, and training the National Guard, $236.64.

For Organized Reserves, $104.13.

For National Guard, $70.90.

For Reserve Officers' Training Corps, $62.

District of Columbia.

District of Columbia: For general expenses, public parks, District of Columbia, $62.38.

Post Office Department.

Post Office Department—Postal Service (out of the postal revenues): For city-delivery carriers, $76.46.

For clerks, first- and second-class post offices, $49.03.

For compensation to postmasters, $229.25.

For indemnities, domestic mail, $42.97.
For indemnities, international mail, $48.70.
For personal or property damage claims, $109.75.
For post-office equipment and supplies, $38.61.
For railroad transportation and mail-messenger service, $72.
For vehicle service, $310.94.

Total; additional sum, increases in rates of exchange.

Total, audited claims, section 4 (a) $88,900.61, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency as specified in certain of the settlements of the General Accounting Office.

Additional audited claims.

(b) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1932 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in Senate Document Numbered 128, Seventy-fourth Congress, there is appropriated as follows:

Vol. 18, p. 110.
U. S. C., p. 1410.

Vol. 23, p. 254.
U. S. C., p. 59.

Independent Offices.

Independent Offices: For operations under Mineral Act of October 5, 1918, $32,969.06.

For salaries and expenses, Veterans' Administration, $55.76.

Department of Commerce.

Department of Commerce: For air navigation facilities, $1,800.

Department of the Interior.

Department of the Interior: For relieving distress and prevention, and so forth, of diseases among Indians, $36.70.

Department of Justice.

Department of Justice: For fees of jurors and witnesses, United States courts, $6.

Navy Department.

Navy Department: For pay of the Navy, $61.23.

For pay, subsistence, and transportation, Navy, $158.96.

Treasury Department.

Treasury Department: For collecting the revenue from customs, $14,420.50.

For pay of personnel and maintenance of hospitals, Public Health Service, $27.50.

For collecting the internal revenue, $2.

For furniture and repairs of same for public buildings, $2.34.

War Department.

War Department: For pay, and so forth, of the Army, $737.66.

For general appropriations, Quartermaster Corps, $68.09.

For supplies, services, and transportation, Quartermaster Corps, $12.99.

For National Guard, $2.84.

For pay of the Army, $158.06.

For barracks and quarters, $41.25.

For ordnance service and supplies, Army, $3.84.

For Army transportation, $63.

Total; additional sum, increases in rates of exchange.

Total, audited claims, section 4 (b), $50,627.78, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency as specified in certain of the settlements of the General Accounting Office.

Additional audited claims.

(c) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1933 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in Senate Document Numbered 157, Seventy-fourth Congress, there is appropriated as follows:

Vol. 18, p. 110.
U. S. C., p. 1410.

Vol. 23, p. 254.
U. S. C., p. 59.

Independent Offices: For traveling expenses, Civil Service Commission, $3.60. Independent Offices.

For Interstate Commerce Commission, $1.50.

For operations under Mineral Act of October 5, 1918, $40,875.20.

For Army pensions, $47.17.

For investigation of pension cases, Pension Office, $1.25.

For Navy pensions, $10.

For medical and hospital services, Veterans' Bureau, $46.57.

For salaries and expenses, Veterans' Bureau, $40.

For salaries and expenses, Veterans' Administration, $4,387.71.

Department of Agriculture: For salaries and expenses, Bureau of Dairy Industry, $7.25. Department of Agriculture.

For salaries and expenses, Bureau of Plant Industry, $19.51.

For salaries and expenses, Forest Service, $1.50.

For salaries and expenses, Bureau of Animal Industry, $536.88.

For salaries and expenses, Bureau of Entomology, $1.50.

For salaries and expenses, Bureau of Agricultural Economics, $15.

Department of Commerce: For mineral mining investigations, Bureau of Mines, $1.30. Department of Commerce.

For air navigation facilities, $1,851.18.

For expenses of the Fifteenth Census, 1932–December 31, 1932, 29 cents.

For salaries and expenses, Bureau of the Census, 42 cents.

For salaries and expenses, Patent Office, $9.90.

For testing railroad and mine scales, and so forth, Bureau of Standards, $12.50.

For general expenses, Lighthouse Service, $36.

Department of the Interior: For Geological Survey, $1.06. Department of the Interior.

For National Park Service, $88.80.

For roads and trails, Office of National Parks, building, and reservations, emergency construction, $2,954.34.

For purchase and transportation of Indian supplies, $20.24.

For education, Sioux Nation, $44.20.

For Indian school support, $157.78.

For conservation of health among Indians, $11.66.

For agriculture and stock raising among Indians, $1.86.

For support of Indians and administration of Indian property, $33.15.

For Indian boarding schools, $80.10.

Department of Justice: For fees of commissioners, United States courts, $118.80. Department of Justice.

For fees of jurors, United States courts, $21.50.

For fees of witnesses, United States courts, $6.

For detection and prosecution of crimes, $17.85.

For miscellaneous expenses, United States courts, $1,319.29.

For salaries and expenses, Bureau of Prohibition, $416.51.

For salaries, fees, and expenses of marshals, United States courts, $653.31.

For fees of jurors and witnesses, United States courts, $93.

For prison camps, $43.

For salaries and expenses, Bureau of Prisons, $1.

For support of United States prisoners, $173.81.

For United States Industrial Reformatory, Chillicothe, Ohio, maintenance, $14.09.

Department of Labor: For employment service, Department of Labor, $5.43. Department of Labor.

For salaries and expenses, Bureau of Immigration, $1.65.

Navy Department: For pay, subsistence, and transportation, Navy, $17,210.53. Navy Department.

For gunnery and engineering exercises, Bureau of Navigation, $5.
For transportation, Bureau of Navigation, $185.60.
For maintenance, Bureau of Supplies and Accounts, $101.30.
For engineering, Bureau of Engineering, $1.92.
For medical department, Bureau of Medicine and Surgery, $137.
For pay of the Navy, $2,595.10.
For pay, Marine Corps, $782.66.
For maintenance, Bureau of Yards and Docks, $243.08.

Department of State.

Department of State: For contingent expenses, foreign missions, $3.67.
For transportation of Foreign Service officers, $10.33.
For contingent expenses, United States consulates, $49.70.

Treasury Department.

Treasury Department: For collecting the revenue from customs, $2.80.
For collecting the internal revenue, $41.95.
For enforcement of Narcotic and National Prohibition Acts, internal revenue, $2.50.
For salaries and expenses, Bureau of Industrial Alcohol, $2.50.
For stationery, Treasury Department, $7.48.
For pay and allowances, Coast Guard, $9,609.29.
For contingent expenses, Coast Guard, $348.38.
For fuel and water, Coast Guard, $190.79.
For outfits, Coast Guard, $155.49.
For pay of personnel and maintenance of hospitals, Public Health Service, $47.89.
For collecting the war revenue, $115.56.
For increase of compensation, Treasury Department, $17.33.
For furniture and repairs of same for public buildings, $103.83.
For operating supplies for public buildings, 36 cents.
For repairs and preservation of public buildings, $11.17.

War Department.

War Department: For pay, and so forth, of the Army, $12,792.81.
For pay of the Army, $5,296.
For general appropriations, Quartermaster Corps, $2,708.91.
For Army transportation, $854.98.
For barracks and quarters, $296.51.
For National Guard, $722.88.
For subsistence of the Army, $1.50.
For extra-duty pay to enlisted men as clerks, and so forth, at Army division and department headquarters, $21.50.

District of Columbia.

District of Columbia: For general expenses, public parks, District of Columbia, $152.50.

Post Office Department.

Post Office Department—Postal Service (out of the postal revenues): For city-delivery carriers, $5,307.36.
For clerks, first- and second-class post offices, $2,642.90.
For clerks, third-class post offices, $257.09.
For compensation to postmasters, $6,287.28.
For freight, express, or mail transportation of equipment, 60 cents.
For foreign mail transportation (Sea post service), $10.
For indemnities, domestic mail, $333.47.
For indemnities, international mail, $215.03.
For miscellaneous items, first- and second-class post offices, $30.72.
For post office equipment and supplies, $7.25.
For Railway Mail Service, miscellaneous expenses, $629.40.
For railroad transportation and mail messenger service, $230.66.
For rent, light, and fuel, $4,082.01.
For Rural Delivery Service, $141.90.
For separating mail, $36.
For special delivery fees, $110.95.
For temporary clerks, $91.93.

For unusual conditions at post offices, $13.91.
For vehicle service, $2,616.16.
For village delivery service, $123.44.
Total, audited claims, section 4 (c), $132,183.52, together with such additional sum due to increase in rates of exchange as may be necessary to pay claims in the foreign currency as specified in certain of the settlements of the General Accounting Office. Total; additional sum, increases in rates of exchange.

(d) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1933 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in Senate Document Numbered 156, Seventy-fourth Congress, there is appropriated as follows: Additional claims. Vol. 18, p. 110. U. S. C., p. 1410. Vol. 23, p. 254. U. S. C., p. 59.

Independent Offices: For Interstate Commerce Commission, $4.35. Independent Offices.
For operations under Mineral Act of October 5, 1918, $5,748.87.
For Army pensions, $155.
For investigation of pension cases, Bureau of Pensions, $2.25.
For medical and hospital services, Veterans' Bureau, $3.25.
For salaries and expenses, Veterans' Bureau, $8.25.
For salaries and expenses, Veterans' Administration, $1,075.61.
Department of Agriculture: For salaries and expenses, Extension Service, $4. Department of Agriculture.
For salaries and expenses, Bureau of Animal Industry, $2.
Department of Commerce: For air-navigation facilities, $43.70. Department of Commerce.
For domestic commerce, Department of Commerce, $1.50.
For general expenses, Lighthouse Service, $5.70.
Department of the Interior: For industrial work and care of timber, $19. Department of the Interior.
For purchase and transportation of Indian supplies, $30.94.
Department of Justice: For salaries and expenses, Bureau of Prohibition, $41. Department of Justice.
For miscellaneous expenses, United States courts, $25.
For fees of jurors and witnesses, United States courts, $52.50.
For salaries, fees, and expenses of marshals, United States courts, $465.33.
Navy Department: For pay, subsistence, and transportation, Navy, $1,348.82. Navy Department.
For organizing the Naval Reserve, $34.30.
For pay, Marine Corps, $22.86.
Department of State: For bringing home criminals, $14.87. Department of State.
Treasury Department: For collecting the revenue from customs, $70.61. Treasury Department.
For collecting the internal revenue, $12.31.
For pay and allowances, Coast Guard, $12.75.
For fuel and water, Coast Guard, $10.50.
For suppressing counterfeiting and other crimes, $1.25.
For furniture and repairs of same for public buildings, $5.05.
War Department: For general appropriations, Quartermaster Corps, $357.61. War Department.
For arrears of pay, bounty, and so forth, $9.62.
For increase of compensation, Military Establishment, $660.02.
For National Guard, $1,099.15.
For pay of National Guard for armory drills, $133.96.
For Reserve Officers' Training Corps, $113.19.

For clothing and equipage, $155.92.
For Army transportation, $172.37.
For pay, and so forth, of the Army, $4,539.46.
For pay of the Army, $1,907.64.
For ordnance service and supplies, Army, $345.62.
For Air Corps, Army, $12.43.
For Air Service, Army, $33.
For mileage of the Army, $11.20.
For Organized Reserves, $18.05.
For arming, equipping, and training the National Guard, $101.26.
For subsistence of the Army, $99.65.
For supplies, services, and transportation, Quartermaster Corps, $7.11.
For power plant, Fort Mills, Corregidor, Philippine Islands, $3,002.
For pay of Military Academy, $182.
For clothing, camp, and garrison equipment, $12.12.
For pay, and so forth, of the Army, War with Spain, $10.

Post Office Department.

Post Office Department—Postal Service (out of the postal revenues): For indemnities, domestic mail, $60.75.

Total: additional sum, increases in rates of exchange.

Total, audited claims, section 4 (d), $22,265.70, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency as specified in certain of the settlements of the General Accounting Office.

Claims under private Acts.

SEC. 5. (a) For payment of claims allowed by the General Accounting Office pursuant to private Acts of the Seventy-fourth Congress and certified to such Congress in House Document Numbered 285, and Senate Document Numbered 158, as follows:

Post, p. 2059.

Under the War Department: For payment to claimants under the provisions of Private Act Numbered 38, approved May 15, 1935, $17,505.46;

Post, p. 2060.

For payment to the Jay Street Terminal, New York, under the provisions of Private Act Numbered 39, approved May 15, 1935, $1,097;

In all, $18,602.46.

Vol. 48, p. 1398.

(b) For payment of claim allowed by the General Accounting Office pursuant to Private Act Numbered 266 of the Seventy-third Congress and certified to the Seventy-fourth Congress in Senate Document Numbered 127, as follows:

Under the War Department, $6,937.14.

Judgments against collectors of customs.

SEC. 6. Judgments against collectors of customs: For the payment of claims allowed by the General Accounting Office covering judgments rendered by United States District Courts against collectors of customs, where certificates of probable cause have been issued as provided for under section 989, Revised Statutes (U. S. C., title 28, sec. 842), and certified to the Seventy-fourth Congress in House Document Numbered 295 and Senate Documents Numbered 129, 159, and 160 under the Department of Labor, $30,353.65

R. S., sec. 989, p. 185. U. S. C., p. 1314.

Emergency Relief Appropriation Act, 1935, amendment.

Ante, p. 115.

SEC. 7. That section 1 of the Emergency Relief Appropriation Act of 1935, approved April 8, 1935, be, and the same is hereby, amended by inserting at the end of the first proviso of the second paragraph thereof, a new proviso as follows: "*Provided further*, That the apportionment requirements of this paragraph shall not apply to loans or grants, or both, under limitation (g) of the first paragraph of this section, for public highways and related projects, including grade crossings."

Title.

SEC. 8. This Act may be cited as the "Supplemental Appropriation Act, fiscal year 1936."

Approved, February 11, 1936.

[CHAPTER 50.]

AN ACT

To provide for the leasing of restricted Indian lands of Indians of the Five Civilized Tribes in Oklahoma.

February 11, 1936.
[S. 2148.]
[Public, No. 441.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after thirty days from the date of approval of this Act the restricted lands belonging to Indians of the Five Civilized Tribes in Oklahoma of one-half or more Indian blood, enrolled or unenrolled, may be leased for periods of not to exceed five years for farming and grazing purposes, under such rules and regulations as the Secretary of the Interior may prescribe and not otherwise. Such leases shall be made by the owner or owners of such lands, if adults, subject to approval by the superintendent or other official in charge of the Five Civilized Tribes Agency, and by such superintendent or other official in charge of said agency in cases of minors and of Indians who are non compos mentis.

Five Civilized Tribes, Okla.
Leasing restricted lands of, authorized.

Approved, February 11, 1936.

[CHAPTER 51.]

AN ACT

To provide that funds allocated to Puerto Rico under the Emergency Relief Appropriation Act of 1935 may be expended for permanent rehabilitation, and for other purposes.

February 11, 1936.
[S. 3140.]
[Public, No. 442.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all sums which the President has segregated or allotted or shall segregate or allot for projects in Puerto Rico out of the money appropriated by the Emergency Relief Appropriation Act of 1935 shall constitute a special fund to provide relief and work relief and to increase employment in Puerto Rico. The fund thus established shall continue available for expenditure until June 30, 1940. All income derived from operations financed out of this fund and the proceeds of the disposition of property acquired therewith shall constitute a revolving fund, which shall remain available for expenditure for the purposes and in manner authorized herein and in the Emergency Relief Appropriation Act of 1935 until Congress shall provide otherwise, notwithstanding any limitation of time contained in the said Emergency Relief Appropriation Act of 1935. Any agency or agencies lawfully designated or established to administer funds allotted hereunder or the revolving fund herein authorized may be continued so long as the said funds or any of them remain available for expenditure.

Puerto Rico.
Special fund for rehabilitation of, provided; sources, duration, etc.
Ante, p. 115.

Revolving fund created; purposes.

Duration of administrative agencies.

Projects for rural rehabilitation in Puerto Rico may include the acquisition, development, maintenance, and operation of agricultural enterprises. A reasonable charge may be made for materials and services produced or made available by any project: *Provided*, That such materials and services may also be supplied as compensation, in whole or in part, for services rendered by persons employed upon any project.

Rural rehabilitation projects.

Charge for materials, etc., produced.
Proviso.
Use as compensation.

SEC. 2. Notwithstanding the provisions of section 15 (f) of the Agricultural Adjustment Act, as amended by section 8 of the Act of May 9, 1934, or any action taken thereunder, all or any part of the unobligated balance of taxes heretofore or hereafter collected from the processing of sugar beets or sugarcane in Puerto Rico and/or

Processing tax collections transferred to revolving fund.
Vol. 48, p. 675; U. S. C., p. 162; Supp. I, p. 26.

upon the processing in continental United States of sugar produced in or coming from Puerto Rico are hereby authorized, in the discretion of the President, to be transferred to the revolving fund authorized by this Act. Not exceeding $10,000,000 of this fund may, in the discretion of the President, be set aside in the Treasury for use as an insurance fund to insure individual agriculturists in Puerto Rico, but to the extent only of such insurance fund and its accretions, against damage by hurricane to their farm dwellings and farm buildings, growing crops, plants and trees, including trees used as shade for growing crops, warehouses and produce in barns and warehouses: *Provided*, That said fund may be so employed only during such periods as the Secretary of the Interior shall find and determine that commercial insurance is not available, and at premiums sufficiently high to keep the principal of the original insurance fund intact, and policies of insurance shall be issued hereunder only pursuant to such terms and premium rates as the Secretary of the Interior shall prescribe by regulations duly promulgated. Until otherwise provided by law all moneys collected as premiums on such insurance or otherwise in connection with the administration of such fund or the operation of such insurance activity shall constitute accretions to the fund and shall be held, together with the original insurance fund and all additions thereto, as a revolving fund for the purposes of such insurance.

Hurricane insurance fund; sum authorized for.

Proviso.
Restrictions.

Insurance premiums.

Approved, February 11, 1936.

[CHAPTER 52.]

February 11, 1936.
[H. J. Res. 459.]
[Pub. Res., No. 69.]

JOINT RESOLUTION

To amend the joint resolution entitled "Joint resolution providing for the participation of the United States in the Texas Centennial Exposition and celebrations to be held in the State of Texas during the years 1935 and 1936, and authorizing the President to invite foreign countries and nations to participate therein, and for other purposes."

Texas Centennial Exposition, 1935 and 1936.
Ante, p. 431.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Texas Centennial Commission established by the joint resolution entitled "Joint resolution providing for the participation of the United States in the Texas Centennial Exposition and celebrations to be held in the State of Texas during the years 1935 and 1936, and authorizing the President to invite foreign countries and nations to participate therein, and for other purposes", approved June 28, 1935, is authorized, in its discretion, to allocate funds from the appropriation made to carry into effect the provisions of such joint resolution, to the Texas Centennial Commission, the Commission of Control for Texas Centennial Celebrations, the Texas Centennial Central Exposition, and to any executive department, independent office, or establishment of the Government for the purchase of historic papers and paintings by contract or otherwise without regard to the provisions of section 3709 of the Revised Statutes, the construction and erection of monuments, statues, markers, buildings, and other structures or any part thereof, including purchase of sites, the restoration of historic structures, and the purchase of land in connection with historic structures. The funds so allocated may be expended by such State bodies and Government departments or establishments in any part of the State of Texas in accordance with the allocation by the Commission.

Allocation of funds by Commission, authorized.

Purchases without advertising.
R. S., sec. 3709, p. 733; U. S. C., p. 1803.

SEC. 2. Monuments, statues, markers, buildings, and other structures, erected or constructed, and lands, historic papers, and paintings purchased from funds allocated as herein provided shall become the property of the State of Texas, except that in such cases as the United States Texas Centennial Commission deems it desirable and in the public interest, any such erection, structure, land, or article shall become the property of such organization, or public or private agency as it may designate, subject to such requirements as the Commission may deem necessary or appropriate.

Disposition of monuments, etc.

Approved, February 11, 1936.

[CHAPTER 63.]

AN ACT

To increase the efficiency of the Veterinary Corps of the Regular Army.

February 12, 1936.
[S. 363.]
[Public, No. 443.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of promotion, longevity pay, and retirement there shall be credited to officers of the Veterinary Corps, and former officers of the Veterinary Corps now on the retired list, all full-time service rendered by them as veterinarians in the Quartermaster Department, Cavalry, or Field Artillery: *Provided*, That no back pay or allowances shall be held to have accrued prior to the passage of this Act.

Army Veterinary Corps.
Service credits allowed officers.

Proviso.
No back pay, etc.

Approved, February 12, 1936.

[CHAPTER 64.]

JOINT RESOLUTION

Authorizing the erection of a memorial to the early settlers whose land grants embrace the site of the Federal City.

February 12, 1936.
[H. J. Res. 307.]
[Pub. Res., No. 70.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to grant permission for the erection on public grounds of the United States in the city of Washington, other than those of the Capitol, the Library of Congress, and the White House, of a memorial of simple and artistic form and design to those early settlers whose land grants embrace the site of the Federal City, by the National Society of the Daughters of the American Colonists, a corporation, one of whose objects is the erection of memorials to commemorate historic persons, sites, or events of the colonial period of this country, in the several States and the District of Columbia: *Provided*, That the site chosen and the design of the memorial shall have the approval of the National Commission of Fine Arts, and that the United States shall be put to no expense in or by the erection of the said memorial.

District of Columbia.
Memorial to early settlers, authorized.

Proviso.
Approval of site and design.

Approved, February 12, 1936.

[CHAPTER 66.]

AN ACT

To provide further for the maintenance of United States Soldiers' Home.

February 13, 1936.
[S. 1301.]
[Public, No. 444.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter, and beginning with the first calendar month after the passage of this Act, there shall be deducted each month from the pay of each enlisted man and warrant officer on the active list of the Regular Army,

United States Soldiers' Home.
Pay deductions, Regular Army, for credit to fund for maintenance of.

exclusive of the Philippine Scouts, a sum not to exceed 25 cents, which sum shall be passed to the credit of the permanent fund, United States Soldiers Home (trust fund) in the Treasury of the United States; the exact sum to be so deducted to be fixed from time to time by the Secretary of War, within the limit prescribed above, on the recommendation of the Board of Commissioners of said Home as to the amount required to meet the needs of the Home.

Determination of amount of deduction.

Approved, February 13, 1936.

[CHAPTER 67.]

February 13, 1936.
[S. 2891.]
[Public, No. 445.]

AN ACT

To provide for the adjustment and settlement of personal injury and death cases arising in certain foreign countries.

Settlement of personal injury and death cases arising in certain foreign countries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when any act of omission of any officer, employee, or agent of the Government of the United States, including all officers, enlisted men, and employees of the Army, Navy, and Marine Corps, results in the personal injury or death of any person, not an American national, in any foreign country in which the United States exercises privileges of extraterritoriality, the Secretary of State may consider, adjust, and determine any claim, arising after the passage of this Act, for the damage occasioned by such injury or death in an amount not in excess of $1,500, United States currency, in any one case, and such amount as may be found to be due to any claimant shall be certified to Congress as a legal claim for payment out of appropriations that may be made by Congress therefor, together with a brief statement of the character of each claim, the amount claimed, and the amount allowed: *Provided*, That this authorization shall not apply to cases of persons in the employ of the United States: *Provided further*, That no claim shall be considered under this Act by the Secretary of State unless presented to him within one year from the date of the accrual of said claim: *And provided further*, That acceptance by any claimant of the amount determined under the provisions of this Act shall be deemed to be in full settlement of such claim against the Government of the United States.

Provisos.
Not to apply to United States employees.
Time limit for presenting claim.

Acceptance deemed full settlement.

Approved, February 13, 1936.

[CHAPTER 68.]

February 13, 1936.
[H. R. 10929.]
[Public, No. 446.]

AN ACT

To amend the District of Columbia Unemployment Compensation Act with respect to excepted employment.

District of Columbia Unemployment Compensation Act, amendment.
Ante, p. 946.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 (b) of the District of Columbia Unemployment Compensation Act is amended in the following respects:

(1) At the end of paragraph (5) strike out "and";

(2) At the end of paragraph (6) strike out the period and insert in lieu thereof "; and"; and

(3) After paragraph (6) insert the following new paragraph:

"(7) Service performed in the employ of the following: All religious institutions and schools maintained by them; colleges or universities, no part of the net earnings of which inures to the benefit of any private shareholder or individual."

"Employment" not to include service in religious institutions, etc.
Post, p. 1888.

Approved, February 13, 1936.

[CHAPTER 70.]

AN ACT

February 14, 1936.
[S. 3447.]
[Public, No. 447.]

To amend an Act entitled "An Act to authorize the collection and editing of official papers of the Territories of the United States now in the National Archives", approved March 3, 1925, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act to authorize the collection and editing of official papers of the Territories of the United States now in the National Archives", approved March 3, 1925, as amended by the Act approved February 28, 1929 (U. S. C., Supp. 7, title V, sec. 168a), be, and the same is hereby, amended to read as follows:

Territorial Papers of the United States.
Collection and editing for publication, amendment.
Vol. 43, p. 1104; Vol. 45, p. 1412.
U. S. C., p. 52.

"168a. The Public Printer shall print, bind, and deliver to the Superintendent of Documents, for distribution as may be directed by the Secretary of State, one thousand two hundred and twenty-seven copies of each volume of the Official Papers Relating to the Territories of the United States, of which not to exceed three copies shall be furnished to the Vice President and each Senator and one copy to each Representative, Delegate, and Resident Commissioner; four copies to the library of the Department of the Interior; and one copy of each volume to those historical associations, commissions, museums, or libraries and other nondepository libraries, which shall not exceed eight in number within each State, Territory, or insular possession, and which have been or hereafter may be designated by the Governor thereof to the Secretary of State of the United States, and the residue of the said one thousand two hundred and twenty-seven copies shall be for the Department of State for such use as the Secretary of State may deem appropriate.

Number to be printed, bound, and distributed.

"168b. In addition to the foregoing there shall be furnished to the Superintendent of Documents a sufficient number of copies of each volume for distribution to such depository libraries as may make written application therefor; and

Depository libraries.

To the Library of Congress for international exchange and for official use in Washington, District of Columbia, not to exceed one hundred and fifty copies.

International exchange, etc.

The "usual number" shall not be printed.

"Usual number" not to be printed.

"168c. The historical associations, commissions, museums, or libraries and other nondepository libraries within each State, Territory, or insular possession which have been or hereafter may be designated by the Governor thereof to receive these publications shall, during their existence, receive the succeeding volumes, the distribution of which shall be made by the Superintendent of Documents in accordance with the lists of designations transmitted to him by the Secretary of State, and a new designation may be made by the Governor only when a designated association, commission, museum, or library shall cease to exist or other designation may be authorized by law.

Succeeding volumes to historical associations, etc.

New designations.

"168d. For defraying the expenses to be incurred in carrying out the provisions of this Act, including the employment, either in or outside of the District of Columbia, of not to exceed five historical experts, especially informed on the various phases of the territorial history of the United States, without regard to the Classification Act of 1923, as amended, and the civil-service rules, and for all other purposes, including salaries for personnel, printing and binding, contingent expenses and traveling expenses, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, not more than the sum of $125,000, and under this authorization not more than $50,000 shall be appropriated for any one year."

Appropriation authorized.

U. S. C., pp. 85, 81.

Approved, February 14, 1936.

[CHAPTER 74.]

February 15, 1936.
[S. 3381.]
[Public, No. 448.]

AN ACT

To provide for the protection and preservation of domestic sources of tin.

Domestic sources of tin.
Protection, etc., of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the interest of national defense, it is hereby declared to be the policy of Congress and the purpose and intent of this Act to protect, preserve, and develop domestic sources of tin, to restrain the depletion of domestic reserves of tin-bearing materials, and to lessen the present costly and dangerously dependent position of the United States with respect to resources of tin.

Exporting tin-plate scrap, without license, forbidden.

SEC. 2. There shall not be exported from the United States after the expiration of sixty days from the enactment of this Act any tin-plate scrap, except upon license issued by the President of the United States.

Conditions and regulations.

The President is authorized to grant licenses upon such conditions and regulations as he may find necessary to assure in the public interest fair and equitable consideration to all producers of this commodity.

Penalty provision.

SEC. 3. Any violations of the provisions of this Act shall be a misdemeanor and shall be punished by a fine of not more than $500 or by imprisonment of not more than one year, or by both such fine and imprisonment.

Approved, February 15, 1936.

[CHAPTER 75.]

February 17, 1936.
[S. 2643.]
[Public, No. 449.]

AN ACT

To amend section 118 of the Judicial Code to provide for the appointment of law clerks to United States District Court judges.

Judicial Code, amendment.
U. S. C., p. 1257.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Judicial Code be, and it is hereby, amended by the addition of the following section:

District Court judges.
Appointment of law clerks by.

"SEC. 118b. Each United States District Court judge is hereby authorized to appoint a law clerk when he deems the same to be necessary, and the senior judge of the circuit court of appeals having jurisdiction over the district where the clerk is needed shall certify

Limitation on number.

to the necessity of the appointment, but there shall not be appointed more than thirty-five of such law clerks during the first fiscal year of the enactment of this amendment. Thereafter such number in excess of thirty-five per year shall be limited by the necessity of each case as hereinbefore provided.

Salary.
Appropriation authorized.

The salary of such appointed law clerk shall be at a rate not in excess of $2,750 per annum; and the appropriation of such amount as is or may be necessary to pay the salaries and travel expenses of such law clerks is hereby authorized."

Approved, February 17, 1936.

[CHAPTER 79.]

February 21, 1936.
[S. J. Res. 118.]
[Pub. Res., No. 71.]

JOINT RESOLUTION

Providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress.

Smithsonian Institution.
Roland S. Morris appointed as Regent.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, caused by the expiration of the term of Irwin B. Laughlin, on January 21, 1935, be filled by the appointment of Roland S. Morris, a citizen of Pennsylvania, for the statutory term of six years.

Approved, February 21, 1936.

[CHAPTER 80.]

AN ACT

To authorize the conveyance by the United States to the State of Michigan of the former United States lighthouse supply depot, Saint Joseph, Michigan, for State naval force purposes.

February 25, 1936.
[H. R. 5916.]
[Public, No. 450.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized and directed to convey to the State of Michigan for State naval force purposes all right, title, and interest of the United States in and to a tract of land containing one and seven hundred and twenty-four one-thousandths acres, more or less, situated in section 23, township 4 south, range 19 west, in the county of Berrien, State of Michigan, formerly embraced within the United States lighthouse supply depot at Saint Joseph, Michigan, and transferred to the control and jurisdiction of the Navy Department for naval purposes by the Act of Congress approved July 1, 1918 (40 Stat. 704, 719). Such conveyance shall contain the express condition that if said State of Michigan shall at any time cease to use such tract of land for State naval force purposes or shall alienate or attempt to alienate such tract, title thereto shall revert to the United States, and the deed or instrument of conveyance shall recite the reversionary right herein reserved.

Saint Joseph, Mich.
Conveyance of land to State, authorized.

Vol. 40, p. 719.
Reversionary provision.

Approved, February 25, 1936.

[CHAPTER 81.]

AN ACT

To provide for the transfer of certain land in the city of Charlotte, Michigan, to such city.

February 25, 1936.
[H. R. 7875.]
[Public, No. 451.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to transfer to the city of Charlotte, Michigan, all the right, title, and interest of the United States in and to a certain portion of the post-office site (such site comprising lots 1, 4, and 5, of block 31) in such city, described as follows: A strip of land six feet in width on the east side of such post-office site, and extending for a distance of one hundred seventy-five and four-tenths feet south from Lovett Street to the alley running east and west through block 31. Such strip of land is required by such city for alley purposes.

Charlotte, Mich.
Certain land transferred to.

Approved, February 25, 1936.

[CHAPTER 82.]

AN ACT

Authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Woman's Club, of the city of Paducah, Kentucky, the silver service in use on the United States ship Paducah.

February 25, 1936.
[H. R. 8872.]
[Public, No. 452.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is authorized, in his discretion, to loan to the Woman's Club, of the city of Paducah, Kentucky, for preservation and exhibition, the silver service which was in use on the United States ship Paducah: *Provided*, That no expense shall be incurred by the United States for the delivery of such silver service.

U. S. S. "Paducah."
Loan of silver service of, to Paducah, Ky., Woman's Club, authorized.

Proviso.
No Federal expense.

Approved, February 25, 1936.

[CHAPTER 83.]

JOINT RESOLUTION

February 25, 1936.
[H. J. Res. 356.]
[Pub. Res., No. 72.]

To permit articles imported from foreign countries for the purpose of exhibition at the Pan American Exposition to be held in Tampa, Florida, to be admitted without payment of tariff, and for other purposes.

Pan American Exposition, Tampa, Fla.
Dutiable articles imported for exhibition purposes, admitted free under regulations.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all articles which shall be imported from foreign countries for the purpose of exhibition at the Pan American Exposition to be held in Tampa, Florida, in 1939, by the Florida Fair and Gasparilla Association, Incorporated, or for use in construction, installing, or maintaining foreign buildings or exhibits at the said exposition, upon which articles there shall be a tariff or customs duty, shall be admitted without payment of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe;

Sales permitted.

but it shall be lawful at any time during or within three months after the close of the said exposition to sell within the area of the exposition and celebrations any articles provided for herein, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles, which shall have suffered diminution or deterioration from incidental handling or exposure, the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry hereunder for consumption or entry under the general tariff law: *Provided further*, That imported articles provided for herein shall not be subject to any marking requirements of the general tariff laws, except when such articles are withdrawn for consumption or use in the United States, in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not sufficiently marked when imported into the United States: *Provided further*, That at any time during or within three months after the close of the exposition, any article entered hereunder may be abandoned to the Government or destroyed under customs supervision, whereupon any duties on such article shall be remitted: *Provided further*, That articles, which have been admitted without payment of duty for exhibition under any tariff law and which have remained in continuous customs custody or under a customs exhibition bond, and imported articles in bonded warehouses under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at the said exposition under such regulations as the Secretary of the Treasury shall prescribe: *And provided further*, That the Florida Fair and Gasparilla Association, Incorporated, shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under the provisions of this Act, and that the actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for, articles imported under the provisions of this Act, shall be reimbursed by Florida Fair and Gasparilla Association, Incorporated, to the Government of the United States under regulations to be

Provisos.
Payment of duty on articles withdrawn.

Deterioration allowance.

Marking requirements.

Abandoned articles.

Transfer privilege.

Florida Fair and Gasparilla Association, Inc., deemed sole consignee.

Incurred Federal expenses reimbursable.

prescribed by the Secretary of the Treasury, and that receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524, Tariff Act of 1930.

Deposit of, as refunds.
Vol. 46, p. 741; U. S. C., p. 894.

Approved, February 25, 1936.

[CHAPTER 86.]

AN ACT

February 26, 1936.
[S. 3277.]
[Public, No. 453.]

Authorizing a preliminary examination of the Nehalem River and tributaries, in Clatsop, Columbia, and Washington Counties, Oregon, with a view to the controlling of floods.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized and directed to cause a preliminary examination to be made of the Nehalem River and its tributaries, in Clatsop, Columbia, and Washington Counties, Oregon, with a view to the control of floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of floods of the Mississippi River, and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Nehalem River, Oreg.
Survey for flood control, authorized.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, February 26, 1936.

[CHAPTER 87.]

AN ACT

February 26, 1936.
[H. R. 8821.]
[Public, No. 454.]

To define the crime of bribery and to provide for its punishment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whosoever corruptly, directly or indirectly, gives any money, or other bribe, present, reward, promise, contract, obligation, or security for the payment of any money, present, reward, or thing of value to any ministerial, administrative, executive, or judicial officer of the District of Columbia or any employee or other person acting in any capacity for the District of Columbia, or any agency thereof, either before or after he is qualified, with intent to influence his action on any matter which is then pending, or may by law come or be brought before him in his official capacity, or to cause him to execute any of the powers in him vested, or to perform any duties of him required, with partiality or favor, or otherwise than is required by law, or in consideration that such officer being authorized in the line of his duty to contract for any advertising or for the furnishing of any labor or material, shall directly or indirectly arrange to receive or shall receive, or shall withhold from the parties so contracted with, any portion of the contract price, whether that price be fixed by law or by agreement, or in consideration that such officer has nominated or appointed any person to any office or exercised any power in him vested, or performed any duty of him required, with partiality or favor, or otherwise contrary to law; and whosoever, being such an officer, shall receive any such money, bribe, present, or reward, promise, contract, obligation, or security, with intent or for the purpose or consideration aforesaid shall be deemed guilty of bribery and upon conviction thereof shall be punished by imprisonment for a term not less than six months nor more than five years.

District of Columbia.
Bribery defined.

Penalty provision.

Corrupting court officer, etc.

Whosoever corrupts or attempts, directly or indirectly, to corrupt any special master, auditor, juror, arbitrator, umpire, or referee, by giving, offering, or promising any gift or gratuity whatever, with intent to bias the opinion, or influence the decision of such officer, in relation to any matter pending in the court, or before an inquest, or for the decision of which such arbitrator, umpire, or referee has been chosen or appointed, and every official who receives, or offers or agrees to receive, a bribe in any of the cases above mentioned shall be guilty of bribery and upon conviction thereof shall be punished as hereinbefore provided.

Penalty provision.

Approved, February 26, 1936.

[CHAPTER 88.]

AN ACT

February 27, 1936.
[H. R. 1381.]
[Public, No. 455.]

To amend Public Law Numbered 249, Seventy-first Congress, entitled "An Act to authorize the Secretary of the Navy to dispose of material no longer needed by the Navy."

Disposal of obsolete, etc., naval equipment. Boats and boat equipment added. Vol. 46, p. 378; U. S. C., p. 1546.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law Numbered 249, Seventy-first Congress, approved May 23, 1930, entitled "An Act to authorize the Secretary of the Navy to dispose of material no longer needed by the Navy", is amended by striking out the word "and" before the word "tools" and inserting after the word "tools" a comma following by " [1] boats and boat equipment".

Approved, February 27, 1936.

[CHAPTER 89.]

AN ACT

February 27, 1936.
[H. R. 7486.]
[Public, No. 456.]

To authorize the appointment of midshipmen from among honor graduates of "honor schools" and from among members of the Naval Reserve Officers' Training Corps.

Naval Academy. Appointment of midshipmen from honor graduates of designated schools, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is authorized to appoint not more than twenty midshipmen annually to the Naval Academy from among the honor graduates of educational institutions which are designated as "honor schools" by the War Department and the members of the Naval Reserve Officers' Training Corps: *Provided*, That such appointments shall be made under such rules and regulations as the Secretary of the Navy may prescribe.

Proviso. Regulations.

Approved, February 27, 1936.

[CHAPTER 90.]

AN ACT

February 27, 1936.
[H. R. 8172.]
[Public, No. 457.]

To authorize the transfer by the United States to the county of Mohave, Arizona, of all public lands in sections 20, 28, and 30, township 20 north, range 15 west, Gila and Salt River meridian, for public park, recreational, and other municipal purposes.

Public lands. Patent to Mohave County, Ariz., for public purposes, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to patent to the county of Mohave, Arizona, upon payment by such county of any

[1] So in original.

expense or fee of any segregational surveys as may be necessary, all the land in sections 20, 28, and 30, township 20 north, range 15 west, Gila and Salt River meridian, the ownership of which rests in the United States, and subject to all existing and valid rights of every description that may have been filed and established thereon, for the purpose of enabling such county to establish a public park and recreational site and for such similar and related municipal purposes. Such conveyance shall contain the express condition that if such county shall at any time cease to use such property for such purposes, or shall alienate or attempt to alienate such property, title thereto shall revert to the United States, and further that all mineral rights shall be reserved to the United States.

Reversionary provision.

Mineral rights reserved.

Approved, February 27, 1936.

[CHAPTER 91.]

AN ACT

To authorize the Secretary of War to effect exchange of certain rights-of-way in Hawaii.

February 28, 1936.
[H. R. 3565.]
[Public, No. 458.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to convey to the trustees under the will and of the estate of S. M. Damon, deceased, all right, title, and interest in a seventy-foot right-of-way situate on the Island of Oahu, Territory of Hawaii, and described as follows:

Hawaii.
Exchange of certain rights-of-way, Island of Oahu, authorized.

Description.

Beginning at station numbered 1 close to the fence on the north side of the Government road, said station bearing true azimuth two hundred and twenty-one degrees fifty-one minutes distant one hundred eighty-four and four-tenths feet from triangulation station numbered 231 established by Company I, Engineers, United States Army, marked by a three-inch iron pipe, said Engineer triangulation station bearing by true azimuth two hundred and fifty-one degrees three minutes forty seconds distant one thousand seven hundred seventy and one-tenth feet from Salt Lake Territorial Triangulation Station; thence north forty-one degrees fifty-one minutes east one hundred forty-eight and four-tenths feet to station numbered 2; thence south fifty-five degrees seventeen minutes east two hundred forty-two and six-tenths feet to station numbered 3; thence north fifty-five degrees two minutes east two hundred eighty-four and nine-tenths feet to station numbered 4; thence north eighty-six degrees fifty minutes east three hundred sixty-four and one-tenth feet to station numbered 5; thence north eighty-two degrees fifty-six minutes east three hundred fifteen and one-tenth feet to station numbered 6; thence north seventy-seven degrees forty-four minutes east two hundred forty-one and one-tenth feet to station numbered 7; thence north forty-seven degrees fifty minutes east two hundred twenty-eight and three-tenths feet to station numbered 8; thence north one degree nineteen minutes east four hundred nineteen and two-tenths feet to station numbered 9; thence north three degrees five minutes west four hundred ninety-three and eight-tenths feet to station numbered 10; thence south eighty-five degrees fifteen minutes east two hundred thirteen and seven-tenths feet to station numbered 11; thence south thirty-nine degrees fifty minutes east three hundred fifty and seven-tenths feet to station numbered 12; thence south eighty-two degrees thirteen minutes east seventy-eight feet to station numbered 13; thence north fifty-three degrees twenty minutes east one hundred twenty-five and eight-tenths feet to station numbered 14; thence north twenty-one

Description—Contd. degrees nineteen minutes east two hundred and twenty-nine feet to station numbered 15; thence north six degrees twenty-eight minutes west two hundred ninety-three and eight-tenths feet to station numbered 16; thence north twenty-nine degrees thirty-one minutes east two hundred ninety-six and four-tenths feet to station numbered 17; thence north eighty-three degrees east three hundred and thirty feet to station numbered 18; thence south fifty-one degrees twenty minutes east one hundred and thirty-one feet to station numbered 19; thence south seventy-three degrees nineteen minutes east one hundred twenty-seven and nine-tenths feet to station numbered 20; thence north fifty-one degrees thirty-eight minutes east eighty-eight feet to station numbered 21; thence north twenty-seven degrees thirty minutes east six hundred seven and seven-tenths feet to station numbered 22; thence north sixty degrees ten minutes east four hundred twenty-one and two-tenths feet to station numbered 23; thence south eighty-seven degrees twenty-nine minutes east three hundred six and one-tenth feet to station numbered 24; thence north forty degrees thirty minutes east two hundred and eighteen feet to station numbered 25; thence north 55 degrees east three hundred and twelve feet to station numbered 26; thence south fifty-five degrees forty minutes east two hundred and seventy feet to station numbered 27; thence north seventy-eight degrees fifty-eight minutes east one hundred and twenty-four feet to station numbered 28; thence north thirty-seven degrees two minutes east two hundred eight and one-tenth feet to station numbered 29; thence north seven degrees fifty-two minutes east one hundred ninety-five and five-tenths feet to station numbered 30; thence north forty-six degrees eleven minutes east two hundred six and one-tenth feet to station numbered 31; of this right-of-way, said station numbered 31 being known as station numbered 4 of a certain tract of land situate in Moanalua and owned by the United States. The above-described station numbered 31, or numbered 4, bearing by true azimuth sixty-three degrees fifty-five minutes is distant four hundred seventy-six and seventy-seven one-hundredths feet from triangulation station numbered 209, established by Company I, Engineers, United States Army, said Engineer triangulation station being on Red Hill Ridge distant eight thousand three hundred seventy-nine and four-tenths feet, azimuth two hundred and thirty-nine degrees fifty-three minutes forty seconds from Salt Lake Territorial Triangulation Station; containing an area of twelve and sixty-four one-hundredths acres, more or less; being the same right-of-way granted to the United States of America by S. M. Damon and wife under the title "Red Hill Tract" in deed dated November 20, 1914, in exchange for the conveyance by said trustees to the United States of America of a perpetual easement for a road over and across a strip of land eighty feet wide being a portion of L. C. A. 7715, Apana 2, R. P. 7858, situate at Moanalua, Honolulu, aforesaid, bounded and described as follows:

Beginning at a point where eastern boundary of fifty-foot Kamehameha Highway right-of-way intersects the boundary of Halawa-Moanalua land section, from which the azimuth (measured clockwise from true south) and distance to United States Coast and Geodetic Survey triangulation station "Salt Lake" is thirty-three degrees three minutes forty-two seconds, one thousand nine hundred seventy-five and ten one-hundredths feet, thence from said point of beginning by metes and bounds two hundred and forty-six degrees twenty-two minutes thirty seconds, six thousand two hundred and twenty one-hundredths feet along land-court application numbered

966 to concrete monument numbered 6; three hundred and forty-four degrees forty-four minutes no seconds, one hundred thirty-five and ten one-hundredths feet along Red Hill Military Reservation to concrete monument numbered 5; three hundred and ten degrees six minutes thirty seconds, thirty-four and eighty-six one-hundredths feet along the same to concrete monument numbered 4; three hundred and ten degrees six minutes thirty seconds, thirty-four and eighty-six one-hundredths feet along the same to concrete monument numbered 3; ninety-nine degrees one minute two seconds, two hundred fifteen and forty one-hundredths feet along Moanalua land; sixty-six degrees twenty-two minutes thirty seconds, six thousand eighteen and twenty-five one-hundredths feet along the same; one hundred and forty-eight degrees no minutes no seconds, eighty and eighty-six one-hundredths feet along Kamehameha Highway right-of-way to the point of beginning; containing an area of eleven and fifty-five one-hundredths acres: *Provided*, That the Secretary of War is authorized to make such deviations in the descriptions of the lands involved as may be necessary to carry out the purpose and intent of this Act.

Description—Contd.

Proviso.
Necessary deviations authorized.

Approved, February 28, 1936.

[CHAPTER 92.]

AN ACT

February 28, 1936.
[H. R. 4292.]
[Public, No. 459.]

To authorize the Secretary of War to grant rights-of-way to the Arlington and Fairfax Railway Company across the Fort Myer Reservation, Virginia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to grant to the Arlington and Fairfax Railway Company, a corporation, organized and existing under the laws of the State of Virginia, its successors and assigns, under such terms and conditions as may be approved by the Secretary of War, rights-of-way over and across the Fort Myer Reservation, for railway purposes, with full power to locate, construct, and operate railway tracks, structures, trolley lines, signal devices, and other railway appurtenances and adjuncts, the width of such rights-of-way to be determined by the Secretary of War; provided that the land shall not be used for other than railway purposes and when the property shall cease to be so used it shall revert to the United States.

Fort Myer Reservation, Va.
Rights-of-way across, granted to Arlington and Fairfax Railway Co.

Condition.

Approved, February 28, 1936.

[CHAPTER 93.]

AN ACT

February 28, 1936.
[H. R. 8024.]
[Public, No. 460.]

To authorize the Secretary of War to dispose of material no longer needed by the Army.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized in his discretion to dispose of, without charge, except for costs of transportation handling and packing, to such schools as he may select, for use in courses of vocational training and instruction, such machinery, mechanical equipment, and tools as may be obsolete or no longer needed by the Army.

Army.
Disposal of obsolete, etc., material.

Approved, February 28, 1936.

[CHAPTER 104.]

AN ACT

February 29, 1936.
[S. 3780.]
[Public, No. 461.]

To promote the conservation and profitable use of agricultural land resources by temporary Federal aid to farmers and by providing for a permanent policy of Federal aid to States for such purposes.

Soil Conservation and Domestic Allotment Act.
Ante, p. 163.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the protection of land resources against soil erosion, and for other purposes", approved April 27, 1935, is amended by inserting at the end thereof the following:

Declaration of policy.

"SEC. 7. (a) It is hereby declared to be the policy of this Act also to secure, and the purposes of this Act shall also include, (1) preservation and improvement of soil fertility; (2) promotion of the economic use and conservation of land; (3) diminution of exploitation and wasteful and unscientific use of national soil resources; (4) the protection of rivers and harbors against the results of soil erosion in aid of maintaining the navigability of waters and water courses and in aid of flood control; and (5) reestablishment, at as rapid a rate as the Secretary of Agriculture determines to be practicable and in the general public interest, of the ratio between the purchasing power of the net income per person on farms and that of the income per person not on farms that prevailed during the five-year period August 1909–July 1914, inclusive, as determined from statistics available in the United States Department of Agriculture, and the maintenance of such ratio.

Powers conferred to assist voluntary action.

Parity of production with domestic consumption.

The powers conferred under sections 7 to 14, inclusive, of this Act shall be used to assist voluntary action calculated to effectuate the purposes specified in this section. Such powers shall not be used to discourage the production of supplies of foods and fibers sufficient to maintain normal domestic human consumption as determined by the Secretary from the records of domestic human consumption in the years 1920 to 1929, inclusive, taking into consideration increased population, quantities of any commodity that were forced into domestic consumption by decline in exports during such period, current trends in domestic consumption and exports of particular commodities, and the quantities of substitutes available for domestic consumption within any general class of food commodities.

Adequate supply of commodities to be maintained.

In carrying out the purposes of this section due regard shall be given to the maintenance of a continuous and stable supply of agricultural commodities adequate to meet consumer demand at prices fair to both producers and consumers.

Secretary of Agriculture to cooperate with States in execution of plans.

"(b) The Secretary of Agriculture shall cooperate with States, in the execution of State plans to effectuate the purposes of this section, by making grants under this section to enable them to carry out such plans.

Eligibility for payments.

"(c) Any State which submits to the Secretary, prior to such time and in such manner and form as the Secretary prescribes, a State plan to effectuate the purposes of this section shall be entitled to payments, as provided in this section, for the year to which such plan is applicable, if such plan is approved by the Secretary as provided in this section.

Requirements.

"(d) No such plan shall be approved unless by its terms:

"(1) It provides that the agency to administer the plan shall be such State agency as may be designated by the Secretary if such agency is authorized by the State, or such other State agency as is authorized by the State and approved by the Secretary;

"(2) It provides for such methods of administration, and such participation in the administration of the plan by county and community committees or associations of agricultural producers organized

for such purpose, as the Secretary finds necessary for the effective administration of the plan; and

"(3) It provides for the submission to the Secretary of such reports as he finds necessary to ascertain whether the plan is being carried out according to its terms, and for compliance with such requirements as the Secretary may prescribe to assure the correctness of and make possible the verification of such reports.

Approval provisions.

"(e) Such plan shall be approved if the Secretary finds that there is a reasonable prospect that—

"(1) Substantial accomplishment in effectuating the purposes of this section will be brought about through the operation of such plan and the plans submitted by other States, and

"(2) The operation of such plan will result in as substantial a furtherance of such accomplishment as may reasonably be achieved through the action of such State.

Allocations.

"(f) Upon approval of any State plan for any year the Secretary shall allocate to such State such sum (not in excess of the maximum amount fixed in pursuance of subsection (g) for such State for such year) as he finds necessary to carry out such plan for such year, and thereupon shall certify to the Secretary of the Treasury for payment to such agency of the State as the Secretary of Agriculture certifies is designated in the plan, and the Secretary of the Treasury shall pay to such agency, one-fourth of the amount so allocated. The remainder of the amount so allocated shall be similarly certified and paid in such installments (payable prior to the end of the calendar year) as may be provided in the plan. No such installment shall be certified for payment if the Secretary of Agriculture finds that, prior to the due date of such installment, there has been a substantial failure by the State to carry out the plan according to its terms, or that the further operation of the plan according to its terms will not tend to effectuate the purposes of this section. No amount shall be certified for payment under any such installment in excess of the amount the Secretary finds necessary for the effective carrying out of the plan during the period to which the installment relates.

Conditions.

Determination of apportionments.

"(g) On or before November 1 of each year, the Secretary shall apportion among the several States the funds which will be available for carrying out State plans during the next calendar year, and in determining the amount to be apportioned to each State, the Secretary shall take into consideration the acreage and value of the major soil depleting and major export crops produced in the respective States during a representative period and the acreage and productivity of land devoted to agricultural production (including dairy products) in the respective States during a representative period: *Provided, however*, That apportionments of funds available for carrying out the purposes specified in this section for the year 1936 may be made at any time during 1936, and apportionments for 1937 may be made at any time during 1937. Notwithstanding the making of an apportionment to any State for any calendar year, the funds apportioned to any State for which no plan has been approved for such year, and any amount apportioned to any State which is not required to carry out an approved plan for such State for such year, shall be available for carrying out the provisions of sections 7 to 14, inclusive, of this Act.

Proviso. Apportionments for 1936 and 1937.

Availability of funds.

Powers of Secretary where State plan inoperative.

"SEC. 8. (a) In order to carry out the purposes specified in section 7 (a) during the period necessary to afford a reasonable opportunity for legislative action by a sufficient number of States to assure the effectuation of such purposes by State action and in order to promote the more effective accomplishment of such purposes by State action

Exceptions.

thereafter, the Secretary shall exercise the powers conferred in this section during the period prior to January 1, 1938, except with respect to farming operations commenced in any State after the effective date of a State plan for such State approved pursuant to section 7. No such powers shall be exercised after December 31, 1937, except with respect to payments or grants in connection with farming operations carried out prior to January 1, 1938.

Specified powers of Secretary.

Payments to agricultural producers, etc.

"(b) Subject to the limitations provided in subsection (a) of this section, the Secretary shall have power to carry out the purposes specified in clauses (1), (2), (3), and (4) of section 7 (a) by making payments or grants of other aid to agricultural producers, including tenants and share-croppers, in amounts, determined by the Secretary to be fair and reasonable in connection with the effectuation of such purposes during the year with respect to which such payments or grants are made, and measured by, (1) their treatment or use of their land, or a part thereof, for soil restoration, soil conservation, or the prevention of erosion, (2) changes in the use of their land, (3) a percentage of their normal production of any one or more agricultural commodities designated by the Secretary which equals that percentage of the normal national production of such commodity or commodities required for domestic consumption, or (4) any combination of the above. In determining the amount of any payment or grant measured by (1) or (2) the Secretary shall take into consideration the productivity of the land affected by the farming practices adopted during the year with respect to which such payment is made. In carrying out the provisions of this section, the Secretary shall, as far as practicable, protect the interests of tenants and share-croppers. In carrying out the provisions of this section, the Secretary is authorized to utilize county and community committees of agricultural producers and the agricultural extension service, or other approved agencies. In carrying out the provisions of this section, the Secretary shall not have power to enter into any contract binding upon any producer or to acquire any land or any right or interest therein. In carrying out the provisions of this section, the Secretary shall, in every practicable manner, protect the interests of small producers. The Secretary in administering this section shall in every practical way encourage and provide for soil conserving and soil rebuilding practices rather than the growing of soil depleting commercial crops.

Amount of payment.

Administrative requirements and limitations.

Conditions imposed.

"(c) Any payment or grant of aid made under subsection (b) shall be conditioned upon the utilization of the land, with respect to which such payment is made, in conformity with farming practices which the Secretary finds tend to effectuate the purposes specified in clause (1), (2), (3), or (4) of section 7 (a).

Surveys, etc., authorized.

"SEC. 9. The Secretary is authorized to conduct surveys, investigations, and research relating to the conditions and factors affecting, and methods of accomplishing most effectively, the policy and purposes of section 7 (a). Notwithstanding any provision of existing law, the Secretary is authorized to make public such information as he deems necessary to carry out the provisions of this Act.

"Agricultural commodity" defined.

"SEC. 10. The term 'agricultural commodity' as used in this Act means any such commodity and any regional or market classification, type, or grade thereof.

Allotments of funds to Government agencies.

Post, pp. 1183, 1915.

"SEC. 11. All funds available for carrying out this Act shall be available for allotment to the bureaus and offices of the Department of Agriculture and for transfer to such other agencies of the Federal or State Governments as the Secretary may request to cooperate or assist in carrying out this Act.

"SEC. 12. Whenever the Secretary finds that the exercise of the powers conferred in this section will tend to carry out the purpose specified in clause (5) of section 7 (a), or will tend to provide for and maintain a continuous and stable supply of agricultural commodities adequate to meet consumer demand at prices fair to both producers and consumers, or both, he shall use such part as he deems necessary of the sums appropriated to carry out this Act for the expansion of domestic and foreign markets or for seeking new or additional markets for agricultural commodities or the products thereof or for the removal or disposition of surpluses of such commodities or the products thereof.

Use of funds for expansion of markets, etc.
Ante, p. 1148.

"SEC. 13. Notwithstanding the foregoing provisions of this Act, the Secretary is authorized and directed to provide for the execution by the Agricultural Adjustment Administration of such powers conferred upon him under sections 7 to 14, inclusive, of this Act as he deems may be appropriately exercised by such Administration, and for such purposes the provisions of law applicable to the appointment and compensation of persons employed by the Agricultural Adjustment Administration shall apply.

Agricultural Adjustment Administration, execution of powers by.

"SEC. 14. The facts constituting the bases for any payment or grant or the amount thereof authorized to be made under section 7 or 8 hereof, when officially determined in conformity with rules or regulations prescribed by the Secretary of Agriculture, shall be reviewable only by the Secretary of Agriculture.

Bases for payments; review.

"SEC. 15. To enable the Secretary of Agriculture to carry out the purposes of sections 7 and 8 there is hereby authorized to be appropriated for any fiscal year not exceeding $500,000,000.

Appropriations authorized.
Post, p. 1183.

"SEC. 16. The obligations incurred for the purpose of carrying out, for any calendar year, the provisions of sections 7 to 14, inclusive, of this Act shall not exceed $500,000,000.

Limitation on incurred obligations.

"SEC. 17. (a) This Act shall apply to the United States, the Territories of Alaska and Hawaii, and the possession of Puerto Rico, and as used in this Act, the term 'State' includes Alaska, Hawaii, and Puerto Rico.

Application of Act.

"(b) This Act may be cited as the 'Soil Conservation and Domestic Allotment Act'."

Citation of title.

SEC. 2. Section 32 of the Act to amend the Agricultural Adjustment Act, and for other purposes, approved August 24, 1935, is amended by striking out clause (3) and inserting in lieu thereof, "(3) reestablish farmers' purchasing power by making payments in connection with the normal production of any agricultural commodity for domestic consumption. Determinations by the Secretary as to what constitutes diversion and what constitutes normal channels of trade and commerce and what constitutes normal production for domestic consumption shall be final." and by striking out that part of the last sentence thereof which precedes the second proviso and inserting in lieu thereof: "The sums appropriated under this section shall be expended for such one or more of the above-specified purposes, and at such times, in such manner, and in such amounts as the Secretary of Agriculture finds will effectuate substantial accomplishment of any one or more of the purposes of this section:".

Agricultural Adjustment Act, amendment.
Ante, p. 774.
Reestablishing farmers' purchasing power.

Finality of decisions.

Expenditures.

SEC. 3. The unexpended balance of the funds appropriated by the second paragraph of Public Resolution Numbered 27, Seventy-third Congress, approved May 25, 1934, to carry out section 2 and section 6 of the Act entitled "An Act to amend the Agricultural Adjustment Act so as to include cattle and other products as basic agricultural commodities, and for other purposes", approved April 7, 1934, and the unexpended balance of the funds appropriated or reappropriated

Dairy and beef cattle industries, relief.
Authorizations extended.
Vol. 48, pp. 805, 528.
U. S. C., p. 161; Supp. I, p. 26.

Ante, p. 775.

by section 37 of Public Act Numbered 320, Seventy-fourth Congress, entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", is authorized to be made available for the purposes enumerated in said Acts until June 30, 1937. The authorization, which is limited to June 30, 1936, contained in section 37 of Public Act Numbered 320, Seventy-fourth Congress, is likewise extended so that the funds therein authorized are authorized to be made available until June 30, 1937.

Southern Great Plains area, wind erosion control; sum available.
Ante, p. 115.

SEC. 4. The sum of $2,000,000 of the unobligated balance of the appropriation for relief purposes contained in the Emergency Relief Appropriation Act of 1935, approved April 8, 1935, is hereby made available to the Secretary of Agriculture for allocation and payment to the States in the Southern Great Plains area, or to farmers therein, for wind erosion control, under plans to be approved by the Secretary of Agriculture.

Investigations extended.
Ante, p. 773.

SEC. 5. Section 22 of the Agricultural Adjustment Act, as amended, is amended by inserting after the words "this title" wherever they appear the following: "or the Soil Conservation and Domestic Allotment Act, as amended"; and by striking out the words "an adjustment" wherever they appear and inserting in lieu thereof the word "any".

Approved, February 29, 1936.

[CHAPTER 105.]

February 29, 1936.
[S. J. Res. 217.]
[Pub. Res., No. 73.]

JOINT RESOLUTION

Postponing the effective date of certain permit and labeling provisions of the Federal Alcohol Administration Act.

Federal Alcohol Administration Act, amendment.
Ante, p. 978.
Certain permit provisions extended.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 (c) of the Federal Alcohol Administration Act, approved August 29, 1935, is amended by striking out "March 1, 1936" and inserting in lieu thereof "July 1, 1936".

Labeling requirements.
Ante, p. 982.
Post, p. 1965.

SEC. 2. Section 5 (e) of such Act is amended by striking out "March 1, 1936" and inserting in lieu thereof "August 15, 1936, in the case of distilled spirits, and December 15, 1936, in the case of wine and malt beverages".

Approved, February 29, 1936.

[CHAPTER 106.]

February 29, 1936.
[H. J. Res. 491.]
[Pub. Res., No. 74.]

JOINT RESOLUTION

Extending and amending the joint resolution (Public Resolution Numbered 67, Seventy-fourth Congress), approved August 31, 1935.

Neutrality Act, amendments.
Ante, p. 1081.
Mandatory embargo upon exportation of arms, etc., to belligerents.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the joint resolution (Public Resolution Numbered 67, Seventy-fourth Congress) approved August 31, 1935, be, and the same hereby is, amended by striking out in the first section, on the second line, after the word "assembled" the following words: "That upon the outbreak or during the progress of war between", and inserting therefor the words: "Whenever the President shall find that there exists a state of war between"; and by striking out the word "may" after the word "President" and before the word "from" in the twelfth line, and inserting in lieu thereof the word "shall"; and by substituting for the last paragraph of said section the following paragraph:

Provisions extended.

"except with respect to offenses committed, or forfeitures incurred prior to May 1, 1937, this section and all proclamations issued thereunder shall not be effective after May 1, 1937."

SEC. 2. There are hereby added to said joint resolution two new sections, to be known as sections 1a and 1b, reading as follows:

Financial transactions with belligerent governments.

"SEC. 1a. Whenever the President shall have issued his proclamation as provided for in section 1 of this Act, it shall thereafter during the period of the war be unlawful for any person within the United States to purchase, sell, or exchange bonds, securities, or other obligations of the government of any belligerent country, or of any political subdivision thereof, or of any person acting for or on behalf of such government, issued after the date of such proclamation, or to make any loan or extend any credit to any such government or person: *Provided*, That if the President shall find that such action will serve to protect the commercial or other interests of the United States or its nationals, he may, in his discretion, and to such extent and under such regulation as he may prescribe, except from the operation of this section ordinary commercial credits and short-time obligations in aid of legal transactions and of a character customarily used in normal peace-time commercial transactions.

Proviso. Discretionary exemption of ordinary commercial credits, etc.

Existing obligations.

"The provisions of this section shall not apply to a renewal or adjustment of such indebtedness as may exist on the date of the President's proclamation.

Penalty provision.

"Whoever shall violate the provisions of this section or of any regulations issued hereunder shall, upon conviction thereof, be fined not more than $50,000 or imprisoned for not more than five years, or both. Should the violation be by a corporation, organization, or association, each officer or agent thereof participating in the violation may be liable to the penalty herein prescribed.

Provisions, etc., inapplicable on revocation of proclamation.

"When the President shall have revoked his proclamation as provided for in section 1 of this Act, the provisions of this section and of any regulations issued by the President hereunder shall thereupon cease to apply.

Exemption.

"SEC. 1b. This Act shall not apply to an American republic or republics engaged in war against a non-American state or states, provided the American republic is not cooperating with a non-American state or states in such war."

Ante, p. 1085.

SEC. 3. Section 9 of said joint resolution is amended to read as follows:

Appropriations authorized. *Post*, p. 1315.

"There is hereby authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions and accomplish the purposes of this Act."

Approved, February 29, 1936.

[CHAPTER 111.]

AN ACT

March 2, 1936. [S. 3035.] [Public, No. 462.]

To provide for enforcing the lien of the District of Columbia upon real estate bid off in its name when offered for sale for arrears of taxes and assessments, and for other purposes.

District of Columbia. Liens on real estate for unpaid taxes; enforcement.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any real estate in the District of Columbia has been, or shall hereafter be, offered for sale for nonpayment of taxes or assessments of any kind whatsoever, and shall have been bid off in the name of the District of Columbia, and more than two years shall have elapsed since such property was bid off as aforesaid and the same has not been redeemed as provided by law, the Commissioners of said District may, in the name of the District aforesaid, petition the Supreme Court of the District of Columbia, sitting in equity, to enforce the lien of said District for taxes or other assessments on the aforesaid

Redemption before sale.

property by decreeing a sale thereof; and up to the time of the sale hereinafter provided for such property may be redeemed by the owner or other person having an interest therein by the payment of all taxes or assessments due the District of Columbia upon said property and all legal penalties and costs thereon, together with such other expenses as may have been incurred by said District prior to, and as a result of, the filing of the action herein provided for.

Notice to owner.

SEC. 2. That before any such action shall be instituted, the aforesaid Commissioners shall cause notice to be given in the name appearing upon the records of the assessor as the owner of such property, by registered mail directed to the last known address of such person, and by publication once a week for three successive weeks in some daily newspaper published and circulated generally in the District of Columbia, against said person and "all other persons having or claiming to have any right, title, or interest in or to the real estate proposed to be proceeded against, their heirs, devisees, executors, administrators, and assigns", by such designation, to appear before them on a day certain, which day shall be at least ten days after the last publication of said notice, and show cause, if any they have,

Parties defendant.

why the said real estate should not be proceeded against. For the purpose of the proceedings herein provided for, the person appearing by the assessor's records, at the time of the first publication of notice, as the owner of such property, and any other persons who may appear in response to the publication aforesaid and claim to have an interest in such property, shall be deemed proper parties defendant

Order of the court.

in any such proceedings. Upon the filing of the petition aforesaid, the court shall enter an order directed to the person or persons named as defendants therein and "to all other persons having or claiming to have any right, title, or interest in the real estate proposed to be sold, their heirs, devisees, executors, administrators, and assigns", by such designation, directing them to appear on a day certain, which day shall be not less than thirty days after the date of the last publication of said order, and show cause, if any they have,

Validity of service and sale.

why said real estate should not be proceeded against and sold. The said order shall be published once a week for three successive weeks in some daily newspaper published and circulated generally in the District of Columbia, and such publication shall be considered as sufficient service upon such person or persons as cannot be found by the marshal within the District of Columbia or who are nonresident or unknown, their heirs, devisees, executors, administrators, and assigns; and the proceedings or sale of such real estate shall not be rendered invalid if the true owner or owners or any other person or persons having any right, title, or interest in said real estate shall not be included as a party to the suit, if it shall appear that the publication herein provided for shall have been duly made.

Court to decree sale by collector of taxes.

SEC. 3. Upon proof in said suit of the failure of the owner of any such property to redeem the same as provided by law, the court shall, without unreasonable delay, decree a sale of the property to satisfy the lien of the District of Columbia for taxes, assessments, penalties, interest, and costs, and any other costs or expenses that have been incurred by said District prior to or after the institution of suit and in connection therewith, which said costs shall include court costs, but in no such case shall there be any allowance by the court of a docket fee, attorney's fee, or trustee's commission. All such sales shall be conducted by the collector of taxes or his deputy, by public auction either in the office of said collector or in front of the premises to be sold, as the court may determine, after advertisement for ten consecutive days in some daily newspaper published and cir-

culated generally in the District of Columbia: *Provided*, That if it shall appear that there were any substantial defects in any tax sale no part of the penalties and charges incidental to such sales shall be collectible; but nothing herein contained shall in any wise affect any costs incurred by the District of Columbia in the institution and prosecution of the suit.

Proviso. No penalty if defect in tax sale.

SEC. 4. Every such sale shall be reported to and confirmed by said equity court, and no sale shall be made for an amount less than such aggregate taxes, interest, and costs incurred in the institution of suit, including advertising and sale, unless by express order of the court. Any surplus remaining from sales made under this Act shall be paid by the collector of taxes into the registry of the court, to abide its further order for payment to the person or persons entitled thereto; and any such moneys remaining unclaimed for a period of five years after confirmation of any such sale shall be paid into the Treasury of the United States and credited to the revenues of the District of Columbia. Upon confirmation of such sale by order of court and payment of the purchase price, and upon full compliance with all of the terms of sale, the clerk of the court shall execute and deliver to the purchaser a deed to the property so sold, which deed shall convey to said purchaser all of the right, title, and estate of all persons whether named in such suit or not.

Confirmation of sale.

Surplus to be paid into court.

Delivery of deed, etc.

SEC. 5. That all Acts or parts of Acts inconsistent herewith are hereby repealed.

Inconsistent Acts repealed.

Approved, March 2, 1936.

[CHAPTER 112.]

AN ACT

To extinguish tax liabilities and tax liens arising out of the Tobacco, Cotton, and Potato Acts.

March 2, 1936.
[H. R. 11138.]
[Public, No. 463.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to repeal the Kerr Tobacco Act, the Bankhead Cotton Act of 1934, and the Potato Act of 1935", approved February 10, 1936, is amended by striking out "; and all liens for taxes imposed as provided in subdivision (f) of section 4 of Public Law Numbered 169 are hereby canceled and released." and inserting in lieu thereof a period and the following: "No tax, civil penalty, or interest which accrued under any provision of law repealed by this Act and which is uncollected on the date of the enactment of this Act shall be collected; and all liens for taxes, civil penalties, or interest arising out of taxes under such provisions of law are canceled and released."

Repeal of Tobacco, Cotton, and Potato Acts, amendment. *Ante*, p. 1106. *Post*, p. 1163.

Cancelation of certain tax liens, etc.

Approved, March 2, 1936.

[CHAPTER 113.]

AN ACT

To provide for the establishment of the Richmond National Battlefield Park, in the State of Virginia, and for other purposes.

March 2, 1936.
[H. R. 1415.]
[Public, No. 464.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when title to all such lands, structures, and other property in the military battlefield area or areas in the city of Richmond, Virginia, or within five miles of the city limits of said city or within five miles of the boundary of the present Richmond Battlefield State Park, as shall be designated by the Secretary of the Interior, in the exercise of his discretion as necessary or desirable for national battlefield park purposes, shall have been vested in the United States, such area or

Richmond National Battlefield Park, Va. Establishment, when title to land, etc., acquired.

areas shall be, and they are hereby, established, dedicated, and set apart as a public park for the benefit and inspiration of the people and shall be known as the "Richmond National Battlefield Park": *Provided*, That such area or areas shall include, at least, the Richmond Battlefield Parks now belonging to the State of Virginia.

Proviso. Certain State parks to be included.

Acceptance of donations.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to accept in behalf of the United States donations of lands, interest in lands, buildings, structures and other property within the boundaries of the said park as herein authorized and donations of funds for the purchase and/or maintenance thereof, the title and evidence of title to lands purchased or otherwise acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States out of any donated funds, by purchase at prices deemed by him reasonable, or by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within the said national battlefield park as may be necessary for the completion thereof.

Proviso. Acquisition by purchase, etc. Vol. 25, p. 357; U. S. C., p. 1785.

Administration, etc.

SEC. 3. The administration, protection, and development of the aforesaid national battlefield park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes", as amended.

Vol. 39, p. 535; U. S. C., p. 591.

Approved, March 2, 1936.

[CHAPTER 114.]

March 2, 1936. [H. R. 9130.] [Public, No. 465.]

AN ACT

To authorize the incorporated city of Skagway, Alaska, to undertake certain municipal public works, and for such purpose to issue bonds in any sum not exceeding $12,000, and for other purposes.

Skagway, Alaska. Bond issue authorized for specified public works.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the incorporated city of Skagway, in the Territory of Alaska, is hereby authorized and empowered to undertake all or any part of the hereinafter described municipal public works, to wit: Construction and reconstruction of sidewalks, reconstruction and reconditioning of city hall, and regrading, construction, and reconstruction of streets and crossings, and for such purposes to issue bonds in any sum not exceeding $12,000: *Provided*, That the total amount of bonds issued and outstanding at any time under authority of this Act and under authority of Public Law Numbered 174, Seventy-third Congress, approved April 25, 1934 (48 Stat. 611), shall not exceed the sum of $40,000.

Proviso. Maximum amount.

Vol. 48, p. 611.

Special election required.

SEC. 2. Before said bonds shall be issued a special election shall be ordered by the common council of the said city of Skagway, Alaska, at which election the question of whether such bonds shall be issued in the amount above specified for the purpose hereinbefore set forth shall be submitted to the qualified electors of said city of Skagway, Alaska, whose names appear on the last assessment roll of said city for purposes of municipal taxation. The form of the ballot shall be such that the electors may vote for or against the issuance of bonds for the purposes herein specified up to the amount herein authorized. Not less than twenty days' notice of such election shall be given to the public by posting notices of same in three conspicuous places within the corporate limits of the city of Skagway, Alaska, one of which shall be at the front door of the United States post office at Skagway, Alaska. The election notice shall specifically state the amount of bonds proposed to be issued for the

Notice.

purposes herein specified. The registration for such election, the manner of conducting the same, and the canvass of the returns of said election shall be, as early as practicable, in accordance with the requirements of law in general or special elections in said municipality; and such bonds shall be issued for the purposes herein authorized only upon condition that not less than a majority of the votes cast at such election in said municipality shall be in favor of the issuance of said bonds for such purpose.

Conduct of election.

SEC. 3. The bonds herein authorized shall be coupon in form and shall mature in not to exceed thirty years from the date thereof. Such bonds may bear such date or dates, may be in such denomination or denominations, may mature in such amounts and at such time or times, not exceeding thirty years from the date thereof, may be payable in lawful money of the United States at such place or places, may be sold at either public or private sale, may be nonredeemable or redeemable (either with or without premium), and may carry such registration privileges as to either principal and interest, or principal only, as shall be prescribed by the common council of said city of Skagway. The bonds shall bear the signatures of the mayor and of the clerk of the city of Skagway, and shall have impressed thereon the official seal of said municipality. The coupons to be annexed to such bonds shall bear the facsimile signatures of the mayor and of the clerk of said municipality. In case any of the officers whose signatures or countersignatures appear on the bonds shall cease to be such officers before delivery of such bonds, said signatures or countersignatures, whether manual or facsimile, shall nevertheless be valid and sufficient for all purposes, the same as if said officers had remained in office until such delivery. Said bonds shall bear interest at a rate to be fixed by the common council of the city of Skagway, not to exceed, however, 6 per centum per annum, payable semiannually, and said bonds shall be sold at not less than the principal amount plus accrued interest.

Form, etc., of bonds.

Validity of signatures, etc.

Interest rate.

SEC. 4. The bonds herein authorized to be issued shall be general obligations of the city of Skagway, Territory of Alaska, payable as to both interest and principal from ad valorem taxes which shall be levied upon all of the taxable property within the corporate limits of such municipality in an amount sufficient to pay the interest on and the principal of such bonds as and when the same become due and payable.

Bonds deemed municipal obligations.

SEC. 5. No part of the funds arising from the sale of said bonds shall be used for any purpose or purposes other than those specified in this Act. Said bonds shall be sold only when and in such amounts as the common council of the city of Skagway shall direct; and the proceeds thereof shall be distributed only for the purposes hereinbefore mentioned and under the orders and direction of said common council from time to time as such proceeds may be required for said purposes.

Use of funds restricted.

Sale limitations.

SEC. 6. The city of Skagway is hereby authorized to enter into contracts with the United States of America or any agency or instrumentality thereof under the provisions of the National Industrial Recovery Act and Acts amendatory thereof and Acts supplemental thereto, and revisions thereof, and the regulations made in pursuance thereof, and under any further Acts of the Congress of the United States to encourage public works, for the relief of unemployment, or for any other public purpose, including the Emergency Relief Appropriation Act of 1935, for the sale of bonds issued in accordance with the provisions of this Act, or for the acceptance of a grant of money to aid said municipality in financing any public works; or to enter into contracts with any persons or corporations, public or

Contracts with United States for bond sale, etc.
Vol. 48, p. 200; U. S. C., p. 1799.

Ante, p. 115.

private, for the sale of such bonds; and such contracts may contain such terms and conditions as may be agreed upon by and between the common council of said city of Skagway and the United States of America, or any agency or instrumentality thereof, or any such purchaser.

Effective date.

SEC. 7. This Act shall take effect immediately.

Approved, March 2, 1936.

[CHAPTER 115.]

March 2, 1936.
[H. J. Res. 488.]
[Pub. Res., No. 75.]

JOINT RESOLUTION

To provide for safeguarding of traffic on Military Road.

National Airport Corporation.
Use of part of Military Road granted to.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That permission is hereby granted to the National Airport Corporation to use as a part of the runway of its airport located near the City of Washington, District of Columbia, such part of the road commonly known as Military Road as may be necessary to connect the two parts of the said airport now separated by the said road; that part of the road to be used for such runway to be determined by the Department of Commerce: *Provided*, That the part of the road hereinabove described shall continue in use as a public road and be open to the public, as contemplated by the Act of Congress approved August 24, 1912 (37 Stat. 569, 583), except when necessarily closed during its use for the landing and taking off of airplanes: *And provided further*, That the permission herein granted shall be effective only so long as the said National Airport Corporation provides, maintains, and operates such traffic signals or other safety devices as shall be approved by the Department of Commerce to protect airplane and vehicular traffic on and over the part of the road herein authorized to be used.

Provisos.
Use as public road continued.
Vol. 37, p. 583.

Conditions.

Parking, etc., prohibited.

SEC. 2. Any person who, knowingly, during its use for the landing or taking off of airplanes, enters, attempts to enter, or who at any time parks upon that part of the road herein authorized to be used shall be punished by a fine not to exceed $500, or imprisoned not to exceed six months, or both.

Penalty.

Jurisdiction over offenses.

SEC. 3. Jurisdiction over offenses committed in violation of this joint resolution is hereby vested in the nearest commissioner, judge, or court of the United States having jurisdiction in the premises.

Amendment, etc.

SEC. 4. Congress reserves the right to alter, amend, or repeal this joint resolution.

Approved, March 2, 1936.

[CHAPTER 121.]

March 3, 1936.
[S. 399.]
[Public, No. 466.]

AN ACT

To amend sections 416 and 417 of the Revised Statutes relating to the District of Columbia.

District of Columbia.
Sale of certain property in hands of police.
Vol. 29, p. 192.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 416 of the Revised Statutes relating to the District of Columbia be amended by striking out the word "fifty" where it occurs in said section, and inserting in lieu thereof the words "one hundred".

SEC. 2. That section 417 of the Revised Statutes relating to the District of Columbia be amended so as to read as follows:

Unclaimed property.
Motor vehicles.

"SEC. 417. All property, except perishable property and animals, that shall remain in the custody of the property clerk for the period of six months, with the exception of motor vehicles which shall be held for a period of three months, without any lawful claimant thereto after having been three times advertised in some daily news-

paper of general circulation published in the District of Columbia, shall be sold at public auction, and the proceeds of such sale having been retained by the said property clerk for a period of three months without a lawful claimant, shall then be paid into the policemen's fund; and all money that shall remain in his hands for said period of six months shall be so advertised, and if no lawful claimant appear shall be likewise paid into the policemen's fund."

Proceeds of sales.

Approved, March 3, 1936.

[CHAPTER 122.]

AN ACT

March 3, 1936.
[H. R. 8966.]
[Public, No. 467.]

For the relief of World War soldiers who were discharged from the Army because of minority or misrepresentation of age.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, or benefits upon honorably discharged soldiers of the United States Army, their widows and dependent children, a soldier who served as an enlisted man between April 6, 1917, and November 11, 1918, both dates inclusive, and who was discharged for fraudulent enlistment on account of minority or misrepresentation of age, shall hereafter be held and considered to have been discharged honorably from the military service on the date of his actual separation therefrom if his service otherwise was such as would have entitled him to an honorable discharge: *Provided*, That no back pay or allowance shall accrue by reason of the passage of this Act: *Provided further*, That in all such cases the War Department shall, upon request, grant to such men, or their widows, a discharge certificate showing that the soldier is held and considered to have been honorably discharged under the provisions of this Act.

Army.
World War soldiers discharged because of minority or age misrepresentation deemed honorably discharged.

Provisos.
No back pay, etc.
Issuance of certificates.

Approved, March 3, 1936.

[CHAPTER 123.]

AN ACT

March 3, 1936.
[H. R. 9062.]
[Public, No. 468.]

Authorizing a preliminary examination of the Esopus Creek and its tributaries of Birch, Bushnelville, Woodland, Warner Bushkill, and Beaverkill Creeks; Sawkill, Rondout, and Neversink Creeks, Ulster County; Schoharie and Catskill Creeks, Greene County; Neversink, Beaverkill, East Branch of Delaware, Willowemoc, and Lackawack Rivers, Sullivan County; Schoharie Creek and its tributaries, Schoharie County, all located in the State of New York, with a view to the controlling of floods.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized and directed to cause a preliminary examination to be made of Esopus Creek and its tributaries of Birch, Bushnelville, Woodland, Warner Bushkill, and Beaverkill Creeks, Sawkill, Rondout, and Neversink Creeks, Ulster County; Schoharie and Catskill Creeks, Greene County; Neversink, Beaverkill, East Branch of Delaware, Willowemoc, and Lackawack Rivers, Sullivan County; Schoharie Creek and its tributaries, Schoharie County, all located in the State of New York, with a view to the control of floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of floods of the Mississippi River, and the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Esopus Creek and tributaries, N. Y.
Survey directed for controlling floods.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, March 3, 1936.

[CHAPTER 126.]

AN ACT

March 6, 1936.
[H. R. 7147.]
[Public, No. 469.]

Authorizing a preliminary examination of the San Gabriel and Los Angeles Rivers and their tributaries; to include both drainage basins and their outlets, in Los Angeles County, Los Angeles, California, with a view to the controlling of floods.

Los Angeles and San Gabriel Rivers, Calif. Survey of, and tributaries, for controlling floods.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized and directed to cause a preliminary examination to be made of the Los Angeles and San Gabriel Rivers and their tributaries; to include both drainage basins and their outlets, in Los Angeles County, Los Angeles, California, with a view to the control of floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of the floods of the Mississippi River, and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, March 6, 1936.

[CHAPTER 138.]

AN ACT

March 12, 1936.
[S. 3227.]
[Public, No. 470.]

To amend section 3 of the Act approved May 10, 1928, entitled "An Act to extend the period of restriction in lands of certain members of the Five Civilized Tribes, and for other purposes", as amended February 14, 1931.

Five Civilized Tribes, Okla.
Vol. 45, p. 496; Vol. 46, p. 1108.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act of May 10, 1928, entitled "An Act to extend the period of restriction in lands of certain members of the Five Civilized Tribes, and for other purposes", as amended February 14, 1931, be amended to read as follows:

Taxation of minerals, etc., from restricted lands of.

"SEC. 3. That all minerals, including oil and gas, produced on or after April 26, 1931, from restricted allotted lands of members of the Five Civilized Tribes in Oklahoma, or from inherited restricted lands of full-blood Indian heirs or devisees of such lands, shall be subject to all State and Federal taxes of every kind and character the same as those produced from lands owned by other citizens of the State of Oklahoma; and the Secretary of the Interior is hereby authorized and directed to cause to be paid, from the individual Indian funds held under his supervision and control and belonging to the Indian owners of the lands, the tax or taxes so assessed against the royalty interest of the respective Indian owners in such oil, gas, and other mineral production: *Provided*, That nothing in this Act shall be construed to impose or provide for double taxation and, in those cases where the machinery or equipment used in producing oil or other minerals on restricted Indian lands are subject to the ad valorem tax of the State of Oklahoma for the fiscal year ending June 30, 1931, the gross production tax which is in lieu thereof shall not be imposed prior to July 1, 1931: *Provided further*, That in the discretion of the Secretary of the Interior, the tax or taxes due the State of Oklahoma may be paid in the manner provided by the statutes of the State of Oklahoma."

Payments.

Provisos.
Double taxation, etc.

Payments to State.

Approved, March 12, 1936.

[CHAPTER 140.]

AN ACT

March 14, 1936.
[H. R. 8458.]
[Public, No. 471.]

To provide for vacations to Government employees, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That with the exception of teachers and librarians of the public schools of the District of Columbia and officers and employees of the Panama Canal and Panama Railroad on the Isthmus of Panama, and except as provided in section 4 hereof, all civilian officers and employees of the United States wherever stationed and of the government of the District of Columbia, regardless of their tenure, in addition to any accrued leave, shall be entitled to twenty-six days' annual leave with pay each calendar year, exclusive of Sundays and holidays: *Provided*, That the part unused in any year shall be accumulated for succeeding years until it totals not exceeding sixty days. This Act shall not affect any sick leave to which employees are now or may hereafter be entitled. Temporary employees, except temporary employees engaged on construction work at hourly rates, shall be entitled to two and one-half days leave for each month of service. The annual leave herein authorized shall be granted at such times as the heads of the various departments and independent establishments may prescribe. This Act becomes effective January 1, 1936.

Vacations to Government employees.
Exceptions.

Proviso.
Accumulated leave; maximum.
Inapplicable to sick leave.
Post, p. 1162.

Temporary employees.

Effective date.

SEC. 2. Each head of a department or independent establishment shall issue general public regulations, not inconsistent with law, setting forth the hours of duty per day and per week for each group of employees. Before issuing such regulations, which shall be issued within three months from the date of approval of this Act, the heads of departments and independent establishments shall meet and consult among themselves and make such regulations as nearly uniform as possible so that all employees, temporary or permanent, in all departments and independent establishments shall receive like treatment as nearly as may be practicable: *Provided*, That heads of departments and independent establishments may appoint a subcommittee to draft such regulations.

Regulations.

Interdepartmental conference.

Proviso.
Drafting subcommittee.

SEC. 3. Each head of a department or independent establishment shall keep a record of all work performed, in excess of the work required by departmental regulations issued in conformance with section 2 hereof, for the period commencing July 1, 1936 and ending December 31, 1936, and shall report same to the Civil Service Commission at the end of each month. The Civil Service Commission shall make a report of such record to the Congress on or before January 31, 1937.

Record of overtime work.

Report to Congress.

SEC. 4. Nothing in this Act shall affect the Postmaster General and officers and employees in or under the Post Office Department: *Provided*, That officers and employees in the departmental service and in the Mail Equipment Shops of the Post Office Department shall be included within the provisions of this Act.

Post Office Department not affected.

Proviso.
Exceptions.

SEC. 5. Nothing in this Act shall be construed to prevent the continuance of any existing leave differential now obtaining for the benefit of employees of the Federal Government stationed outside the continental limits of the United States.

Service outside continental limits.

SEC. 6. The employees of any corporation created under authority of an Act of Congress which is either wholly controlled or wholly owned by the United States Government, whether or not the employees thereof are paid from funds appropriated by Congress, shall be included within the provisions of this Act.

Federal, etc., corporations.

Uniform administration.

SEC. 7. The leave of absence herein provided for shall be administered under such regulations as the President may prescribe, so as to obtain, so far as practicable, uniformity in the application of this Act.

Approved, March 14, 1936.

[CHAPTER 141.]

March 14, 1936.
[H. R. 8459.]
[Public, No. 472.]

AN ACT

To standardize sick leave and extend it to all civilian employees.

Sick leave to Government employees. Exceptions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That after January 1, 1936, except as provided in section 4 hereof, all civilian officers and employees of the United States wherever stationed and of the government of the District of Columbia, other than teachers and librarians of the public schools of the District of Columbia and officers and members but not the civilian personnel of the police and fire departments of the District of Columbia and other than officers and employees of the Panama Canal and Panama Railroad on the Isthmus of Panama, shall be entitled to sick leave with pay regardless of their tenure, as described herein.

Cumulative provision; maximum.

SEC. 2. On and after January 1, 1936, cumulative sick leave with pay, at the rate of one and one-quarter days per month, shall be granted to all civilian officers and employees, the total accumulation not to exceed ninety days.

Temporary employees.

Temporary employees, except temporary employees engaged on construction work at hourly rates, shall be entitled to one and one-quarter days sick leave for each month of service: *Provided*, That all such employees shall furnish certificates satisfactory to the head of the appropriate department or independent establishment.

Proviso. Certificates to be furnished.

Advance beyond accrued leave permitted.

SEC. 3. Administrative officers may advance thirty days sick leave with pay beyond accrued sick leave in cases of serious disability or ailments and when required by the exigencies of the situation.

Post Office Department not affected; exceptions.

SEC. 4. Nothing in this Act shall affect the Postmaster General and officers and employees in or under the Post Office Department except those serving in the departmental service and in the Mail Equipment Shops of such Department.

Service outside continental limits.

SEC. 5. Nothing in this Act shall be construed to prevent the continuance of any existing leave differential now obtaining for the benefit of employees of the Federal Government stationed outside the continental limits of the United States.

Federal, etc., corporations.

SEC. 6. The employees of any corporation created under authority of an Act of Congress which is either wholly controlled or wholly owned by the United States Government, whether or not the employees thereof are paid from funds appropriated by Congress, shall be included within the provisions of this Act.

Uniform administration.

SEC. 7. The leave of absence herein provided for shall be administered under such regulations as the President may prescribe, so as to obtain, so far as practicable, uniformity in the application of this Act.

Approved, March 14, 1936.

[CHAPTER 142.]

JOINT RESOLUTION

March 14, 1936.
[H. J. Res. 514.]
[Pub. Res., No. 76.]

Authorizing the completion of certain records and operations resulting from the administration of the Kerr Tobacco Act, the Bankhead Cotton Act of 1934, and the Potato Act of 1935 (repealed), and making funds available for those and other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That not to exceed $1,068,825 (to be available until September 1, 1936) of the appropriation of $296,185,000 for "Payments for Agricultural Adjustment" contained in the Supplemental Appropriation Act, fiscal year 1936, approved February 11, 1936 (Public Act Numbered 440, Seventy-fourth Congress), may be used by the Secretary of Agriculture for the following purposes:

Tobacco Control Act, Cotton Act of 1934, Potato Act of 1935 (repealed).
Completion of certain records and operations.
Funds available.
Ante, p. 1116.

(1) So much as may be necessary, not to exceed the sum of $1,026,000 (notwithstanding the repeal by Public Act Numbered 433, Seventy-fourth Congress, of Public Law Numbered 483, Seventy-third Congress, as amended, known as the Kerr Tobacco Act, and Public Law Numbered 169, Seventy-third Congress, as amended, known as the Bankhead Cotton Act of 1934, except section 24 thereof, and sections 201 to 233, both inclusive, of Public Law Numbered 320, Seventy-fourth Congress, known as the Potato Act of 1935), for the redemption of tax-payment warrants as provided in such Kerr Act, including administrative expenses necessary therefor; for salaries and administrative expenses incurred on or before February 10, 1936, under such three Acts, or sections of Acts, repealed; for such personal services and means in the District of Columbia and elsewhere, including rent, printing and binding, travel, and other administrative expenses incurred after that date as the Secretary of Agriculture and the Commissioner of Internal Revenue, respectively, deem necessary, in order expeditiously to complete and preserve all of the administrative records showing the various transactions and activities involved in the administration of such Acts; and, if no other funds are available, for such salaries and administrative expenses as were incurred on or before February 10, 1936, in the operation of the several cotton tax-exemption certificate pools established pursuant to regulations prescribed under said Bankhead Act, and such salaries and administrative expenses thereafter incurred as the Secretary of Agriculture finds to be necessary for the purpose of completing the work relating to and liquidating, as soon as may be, such pools.

Obligations incurred prior to repeal.
Ante, pp. 1106, 1155.
Vol. 48, p. 1275; U. S. C., p. 169; Supp. I, p. 32.
Vol. 48, p. 598; U. S. C., p. 165; Supp. I, p. 31.
Ante, p. 782.
Subsequent operations.
Liquidation of cotton tax-exemption certificate pools.

(2) So much as may be necessary, not to exceed the sum of $42,825, for salaries and necessary administrative expenses in the District of Columbia and elsewhere, to complete the work of auditing vouchers and payment of freight bills in transactions entered into by the Secretary of Agriculture with relation to the purchase and sale of seed as a result of the allocations to the Secretary of Agriculture authorizing the purchase and sale of seed made pursuant to the Emergency Appropriation Act, fiscal year 1935.

Auditing seed accounts.
Vol. 48, p. 1056.

The Secretary of Agriculture shall transfer to the Treasury Department, out of the funds made available by this joint resolution, such sums (not to exceed a total of $175,000) as are required for the Bureau of Internal Revenue to carry out the above-stated purposes.

Treasury Department.
Funds transferred to.

SEC. 2. The sum of $453,100 of the appropriation of $296,185,000 referred to in section 1 hereof shall be returned to surplus immediately upon the enactment of this joint resolution.

Sum returned to surplus.

Approved, March 14, 1936.

[CHAPTER 146.]

AN ACT

March 18, 1936.
[S. 1470.]
[Public, No. 473.]

To provide a preliminary examination of Spokane River and its Tributaries in the State of Idaho, with a view to the control of their floods.

Spokane River, Idaho.
Survey of, and tributaries, for controlling floods.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of the Spokane River and its tributaries in the State of Idaho, with a view to the control of their floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for the control of the floods of the Mississippi River, and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, March 18, 1936.

[CHAPTER 147.]

AN ACT

March 18, 1936.
[S. 3281.]
[Public, No. 474.]

To amend the Act of February 16, 1929, entitled "An Act to amend the Act entitled 'An Act to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and the Public Health Service', approved June 10, 1922, as amended."

Director of Coast and Geodetic Survey.
Vol. 45, p. 1187.
U. S. C., p. 1497.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Act of February 16, 1929, entitled "An Act to amend the Act entitled 'An Act to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and the Public Health Service', approved June 10, 1922, as amended", be amended to read as follows:

Rank, pay, and allowances.

"SEC. 5. That the Director of the Coast and Geodetic Survey shall be appointed and hold office as now authorized by law; his appointment shall not create a vacancy, and while holding said office he shall have the rank, pay, and allowances of a Chief of Bureau of the Navy Department."

Approved, March 18, 1936.

[CHAPTER 148.]

AN ACT

March 18, 1936.
[S. 3453.]
[Public, No. 475.]

Limiting the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to certain counsel.

Clarence C. Calhoun.
Restrictions respecting certain counsel waived in favor of.
Vol. 35, p. 1107; U. S. C., pp. 734, 735.
R. S., sec. 190, p. 30; U. S. C., p. 43.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That nothing in sections 109 and 113 of an Act entitled "An Act to codify, revise, and amend the penal laws of the United States", approved March 4, 1909, as amended (U. S. C., title 18, secs. 198 and 203), or in section 190 of the Revised Statutes of the United States (U. S. C., title 5, sec. 99), or in any other Act of Congress forbidding officers or employees or former officers or employees of the United States from acting as counsel, attorney, or agent for another before any court, department, or branch of the Government or from receiving or agreeing to receive compensation therefor, shall be deemed to apply to Clarence C. Calhoun, in the event he shall be employed, retained, or

appointed by the Attorney General or under authority of the Department of Justice to assist in the prosecution of litigation arising under the War Risk Insurance Act, as amended.

Approved, March 18, 1936.

[CHAPTER 149.]

AN ACT

March 18, 1936.
[H. R. 8886.]
[Public, No. 476.]

To authorize the coinage of 50-cent pieces in commemoration of the sesquicentennial anniversary of the founding of the capital of South Carolina at Columbia, South Carolina.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in commemoration of the one hundred and fiftieth anniversary of the founding of the capital of South Carolina at Columbia, South Carolina, there shall be coined by the Director of the Mint twenty-five thousand silver 50-cent pieces, such coins to be of standard size, weight, and fineness of a special appropriate design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the model for master dies or other preparations for this coinage.

Columbia, S. C. Coinage commemorating founding of, as State capital, authorized.

No Federal expense for dies, etc.

SEC. 2. Coins commemorating the founding of the capital of South Carolina at Columbia, South Carolina, shall be issued at par, and only upon the request of a committee of not less than three persons duly authorized by the mayor of the city of Columbia, South Carolina.

Issue.

SEC. 3. Such coins may be disposed of at par or at a premium by the committee, duly authorized in section 2, and all proceeds shall be used in furtherance of the commemoration of the founding of the capital of South Carolina at Columbia, South Carolina.

Disposal.

SEC. 4. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same; regulating and guarding the process of coinage; providing for the purchase of material, and for the transportation, distribution, and redemption of the coins; for the prevention of debasement or counterfeiting; for the security of the coin; or for any other purposes, whether said laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein directed.

Coinage laws applicable.

SEC. 5. The coins authorized herein shall be issued in such numbers, and at such times as they may be requested by the committee, duly authorized by said mayor of Columbia, South Carolina, only upon payment to the United States of the face value of such coins.

Number, payment, etc.

Approved, March 18, 1936.

[CHAPTER 150.]

AN ACT

March 18, 1936.
[H. R. 10265.]
[Public, No. 477.]

To authorize the Secretary of War, the Secretary of the Navy, the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of the Treasury to lend Army, Navy, Coast Guard, and other needed equipment for use at the National Jamboree of the Boy Scouts of America; and to authorize the use of property in the District of Columbia and its environs by the Boy Scouts of America at their National Jamboree to be held during the summer of 1937.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War, the Secretary of the Navy, the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of the Treasury are hereby authorized, at their discretion, under such rules and regulations as they may respectively prescribe, to lend to the Boy Scouts

Boy Scouts of America.

Loan of camp equipment authorized.

Vol. 39, p. 227; U.S.C., p. 1607.

of America, a corporation chartered by Act of Congress approved June 15, 1916, for use at the National Jamboree of the Boy Scouts of America to be held at Washington, District of Columbia, during the summer of 1937, such tents, cots, blankets, and other articles of camp equipage as may be desired by said Boy Scouts of America and available for its approximately thirty-five thousand Scouts and officials: *Provided*, That the Secretary of War, the Secretary of the Navy, the Secretary of the Interior, the Secretary of Agriculture, or the Secretary of the Treasury, before delivering such property, shall take from the Boy Scouts of America such bond and in such amount as will, in the discretion of the Secretary of the department involved, insure the safe return of such property in good order and condition, and the whole without expense to the United States.

Proviso.
Bond required.

Permits for use of public spaces, etc., authorized.

SEC. 2. The Secretary of War, the Secretary of the Navy, the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of the Treasury, the Commissioners of the District of Columbia, the Architect of the Capitol, are hereby authorized to grant permits through the proper service or bureau for use by the said Boy Scouts of portions of parks, reservations, or other public spaces and property under their control in the District of Columbia and environs as in their opinion may be temporarily spared for that purpose: *Provided*, That such use will inflict no serious or permanent injury upon any of the parks, reservations, or other public spaces: *And provided further*, That the parks, reservations, or other public spaces, which shall be so used or occupied, shall be promptly restored to their original condition by the Boy Scouts, and the said Boy Scouts shall indemnify the United States for all damages of any kind whatsoever sustained by reason of any such use or occupancy. The privileges and usages granted shall include the temporary erection of tents for entertainment, hospitals, commissaries, and other subsistence quarters, and other purposes; and the said Boy Scouts are hereby authorized to charge reasonable fees for the use of the same, and to sell articles at said commissaries, which sales shall be solely for the convenience of the participants in the jamboree. The net profits derived from such sales or fees shall be used exclusively to aid in meeting expenses incident to the said jamboree. The sale of foodstuffs in or about such tents or elsewhere upon the public spaces used by the Boy Scouts as authorized by this Act shall be under the supervision of the health officer of the District of Columbia and in accordance with regulations to be prescribed by him. The use and erection of tents shall at all times be subject to the supervision of the fire marshal of the District of Columbia and shall be subject to such regulations as he may prescribe.

Provisos.
Condition.

Restoration after use.

Indemnity for damage.

Housing, etc., facilities; erection authorized.

Fees; use of.

Supervision.

The erection and use of tents for any purpose involving health or sanitation shall be subject to the supervision of the health officer of the District of Columbia and to such regulations as he may prescribe: *Provided*, That none of the authority herein granted shall be exercised by any of the officials herein mentioned in such manner as to conflict with other permits heretofore regularly granted for the use of such public space, reservations, parks, streets, or buildings in the District of Columbia.

Proviso.
Permits to conform to local regulations.

Approved, March 18, 1936.

[CHAPTER 151.]

JOINT RESOLUTION

March 18, 1936.
[H. J. Res. 443.]
[Pub. Res., No. 77.]

To amend Public Resolution Numbered 31 of the Seventy-fourth Congress, first session, approved June 17, 1935, so as to extend its provisions to cover the National Boy Scout Jamboree now scheduled to be held in 1937.

National Boy Scout Jamboree, 1937.
Temporary entry of alien participants.
Ante, p. 387.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Resolution Numbered 31 of the first session, Seventy-fourth Congress, approved June 17, 1935, is hereby amended as follows: In section 1 of the public resolution after the words "to be held in the United States in" the figures "1935" are amended to read "1937".

Approved, March 18, 1936.

[CHAPTER 152.]

JOINT RESOLUTION

March 18, 1936.
[S. J. Res. 165.]
[Pub. Res., No. 78.]

Directing the Architect of the Capitol to accept a copy of the painting "Liev Eiriksson Discovers America".

"Liev Eiriksson Discovers America", painting.
Acceptance of copy, directed.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Architect of the Capitol is authorized and directed to accept as a gift to the people of the United States from certain Norwegian citizens a copy of the painting "Liev Eiriksson Discovers America", and to cause such copy to be hung in a suitable place at the National Capitol.

Approved, March 18, 1936.

[CHAPTER 155.]

AN ACT

March 19, 1936.
[S. 2664.]
[Public, No. 478.]

To aid in defraying the expenses of the Third Triennial Meeting of the Associated Country Women of the World, to be held in this country in June 1936.

Associated Country Women of the World.
Appropriation to aid in defraying expenses of meeting, authorized.
Post, p. 1633.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $10,000, to aid in defraying the expenses of the Third Triennial Meeting of the Associated Country Women of the World, to be held in this country in June 1936, such sum to be expended for such purposes and under such regulations as the Secretary of State shall prescribe and without regard for any other provision of law.

Approved, March 19, 1936.

[CHAPTER 156.]

AN ACT

March 19, 1936.
[H. R. 9863.]
[Public, No. 479.]

Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1937, and for other purposes.

Independent Offices Appropriation Act, 1937.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1937, namely:

Executive Office.

EXECUTIVE OFFICE

Compensation.

COMPENSATION OF THE PRESIDENT AND VICE PRESIDENT

President.
Vice President.

For compensation of the President of the United States, $75,000.

For compensation of the Vice President of the United States, $15,000.

Office of the President.

OFFICE OF THE PRESIDENT

Salaries.

Salaries: For personal services in the office of the President, including the Secretary to the President, and two assistant secretaries to the President at $9,500 each; $125,982: *Provided*, That employees of the executive departments and other establishments of the executive branch of the Government may be detailed from time to time to the office of the President of the United States for such temporary assistance as may be deemed necessary.

Proviso.
Temporary details.

Contingent expenses.

Contingent expenses: For contingent expenses of the Executive Office, including stationery, record books, telegrams, telephones, books for library, furniture and carpets for offices, automobiles, expenses of garage, including labor, special services, and miscellaneous items to be expended in the discretion of the President, $50,350.

Printing and binding.

For printing and binding, $2,700.

Traveling, etc., expenses.

Traveling expenses: For traveling and official entertainment expenses of the President of the United States, to be expended in his discretion and accounted for on his certificate solely, $25,000.

Total, Executive Office proper, $294,032.

Executive Mansion, grounds.

EXECUTIVE MANSION AND GROUNDS

Care, repair, etc.

For the care, maintenance, repair and alteration, refurnishing, improvement, heating, and lighting, including electric power and fixtures of the Executive Mansion, the Executive Mansion greenhouses, including reconstruction, and the Executive Mansion grounds, and traveling expenses, to be expended as the President may determine, notwithstanding the provisions of any other Act, $143,098.

Total, Executive Office, $437,130.

Independent Establishments.

INDEPENDENT ESTABLISHMENTS

American Battle Monuments Commission.

AMERICAN BATTLE MONUMENTS COMMISSION

All expenses.

Vol. 42, p. 1509; U. S. C., p. 1613.

Acquisition, etc., of land abroad.

R. S., sec. 355, p. 60. U. S. C., pp. 1544, 1785.

Services in the District.

Living quarters. Vol. 46, p. 818; U. S. C., p. 45.

Uniforms for caretakers.

For every expenditure requisite for or incident to the work of the American Battle Monuments Commission authorized by the Act of March 4, 1923 (U. S. C., title 36, secs. 121–133), and by Executive Order Numbered 6614 of February 26, 1934, including the acquisition of land or interest in land in foreign countries for carrying out the purposes of said Act and Executive order without submission to the Attorney General of the United States under the provisions of section 355 of the Revised Statutes (U. S. C., title 34, sec. 520; title 40, sec. 255); employment of personal services in the District of Columbia and elsewhere; including not to exceed $750 for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., Supp. VII, title 5, sec. 118a); purchase and repair of uniforms for caretakers of national cemeteries and monuments in Europe at a cost not exceeding $1,200; travel expenses; rent of office space in foreign countries; the maintenance, repair, and operation of motor-propelled passenger-carrying vehicles which may be furnished to the Commission by other departments of the Government or acquired by purchase; the purchase of one motor-propelled passenger-carrying vehicle at a cost not exceeding $750; printing, binding, engraving,

Printing, binding, etc.

lithographing, photographing, and typewriting, including the publication of information concerning the American activities, battlefields, memorials, and cemeteries in Europe; the purchase of maps, textbooks, newspapers, and periodicals, $71,000, together with $100,000 of the unexpended balances of the appropriation carried, for the American Battle Monuments Commission in the Independent Offices Appropriation Act, 1936, and of the no-year appropriations for the said Commission carried in any and all previous Acts, which unexpended sum is hereby made available for all the purposes of this appropriation: *Provided*, That notwithstanding the requirements of existing laws or regulations, and under such terms and conditions as the Commission may in its discretion deem necessary and proper, the Commission may contract for work in Europe and engage, by contract or otherwise, the services of architects, firms of architects, and other technical and professional personnel: *Provided further*, That the Commission may purchase supplies and materials without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed $500: *Provided further*, That when traveling on business of the Commission officers of the Army serving as members or as secretary of the Commission may be reimbursed for expenses as provided for civilian members of the Commission: *Provided further*, That the Commission may delegate to its chairman, secretary, or officials in charge of either its Washington or Paris offices, under such terms and conditions as it may prescribe, such of its authority as it may deem necessary and proper.

Continuing appropriations. *Ante*, p. 6.

Provisos. Technical work abroad.

Minor purchases, etc. R. S., sec. 3709, p. 733. U. S. C., p. 1803.

Traveling expenses.

Delegation of authority permitted.

BOARD OF TAX APPEALS

Board of Tax Appeals.

For every expenditure requisite for and incident to the work of the Board of Tax Appeals as authorized under title IX, section 900, of the Revenue Act of 1924, approved June 2, 1924, as amended by title X of the Revenue Act of 1926, approved February 26, 1926, and title IV of the Revenue Act of 1928, approved May 29, 1928, and title IX of the Revenue Act of 1932, approved June 6, 1932, including personal services and contract stenographic reporting services, rent outside the District of Columbia, traveling expenses, car fare, stationery, furniture, office equipment, purchase and exchange of typewriters, law books and books of reference, periodicals, and all other necessary supplies, $506,000, together with not to exceed $8,000 of the unexpended balance of the appropriation for this purpose for the fiscal year 1935, of which amount not to exceed $476,540 may be expended for personal services in the District of Columbia.

All expenses.

Vol. 43, p. 336; Vol. 44, p. 105; Vol. 45, p. 871; Vol. 47, p. 286. U. S. C., p. 1089.

Sum reappropriated. Vol. 48, p. 511.

For all printing and binding for the Board of Tax Appeals, $26,000.

Printing and binding.

Total, Board of Tax Appeals, $532,000.

CENTRAL STATISTICAL BOARD

Central Statistical Board.

For every expenditure requisite for and incident to the work of the Central Statistical Board as authorized by law, including traveling expenses; materials; supplies; office equipment; services; newspapers; periodicals and press clippings; repairs and alterations; contract stenographic reporting services and expenses of attendance at meetings which in the discretion of the chairman are necessary for the efficient discharge of the responsibilities of the Board, $173,820, of which amount not to exceed $164,160 may be expended for personal services in the District of Columbia.

All expenses. *Ante*, p. 498.

For all printing and binding for the Central Statistical Board, $1,600.

Printing and binding.

Total, Central Statistical Board, $175,420.

Civil Service Commission.

CIVIL SERVICE COMMISSION

Commissioners, and office personnel.

For three Commissioners and other personal services in the District of Columbia, including personal services required for examination of Presidential postmasters, and including not to exceed $2,500 for employment of expert examiners not in the Federal service on special subjects for which examiners within the service are not available, and for personal services in the field; for medical examinations; for necessary traveling expenses, including those of examiners acting under the direction of the Commission, and for expenses of examinations and investigations held elsewhere than at Washington, including not to exceed $1,000 for expenses of attendance at meetings of public officials when specifically directed by the Commission; for furniture and other equipment and repairs thereto; rental of equipment; supplies; advertising; telegraph, telephone, and laundry service; freight and express charges; street-car fares not to exceed $300; stationery; purchase and exchange of law books, books of reference, directories, subscriptions to newspapers and periodicals, not to exceed $1,000; charts; purchase, exchange, maintenance, and repair of motor trucks, motorcycles, and bicycles; garage rent; postage stamps to prepay postage on matter addressed to Postal Union countries; special-delivery stamps; and other like miscellaneous necessary expenses not hereinbefore provided for, $2,244,000, together with $6,000 of the unexpended balance for this purpose for the fiscal year 1935: *Provided*, That notwithstanding any provisions of law to the contrary, the Civil Service Commission is authorized to expend not to exceed $2,100 of this amount for actuarial services pertaining to the civil service and Canal Zone retirement and disability funds, to be obtained by contract, without obtaining competition, at such rates of compensation as the Commission may determine to be reasonable: *Provided further*, That no details from any executive department or independent establishment in the District of Columbia or elsewhere to the Commission's central office in Washington or to any of its district offices shall be made during the fiscal year ending June 30, 1937, but this shall not affect the making of details for service as members of the boards of examiners outside the immediate offices of the district managers: *Provided further*, That the Civil Service Commission shall have power in case of emergency to transfer or detail any of its employees to or from its office or field force.

Sum reappropriated. Vol. 48, p. 511.

Provisos. Actuarial services.

Details from departments, etc., forbidden.

Emergency transfers allowed.

Printing and binding.

For all printing and binding for the Civil Service Commission, including all of its bureaus, offices, institutions, and services located in Washington and elsewhere, $85,000.

Civil-service retirement and disability fund. Contribution to. Vol. 41, p. 614; Vol. 46, p. 468. U. S. C., p. 93.

CIVIL-SERVICE RETIREMENT FUND

For financing of the liability of the United States, created by the Act entitled "An Act for the retirement of employees in the classified civil service, and for other purposes", approved May 22, 1920, and Acts amendatory thereof (U. S. C., Supp. VII, title 5, sec. 707a), $46,050,000, which amount shall be placed to the credit of the "civil-service retirement and disability fund."

Canal Zone retirement and disability fund. Contribution to. Vol. 46, p. 1471. U. S. C., p. 2202.

CANAL ZONE RETIREMENT AND DISABILITY

For financing of the liability of the United States, created by the Act entitled "An Act for the retirement of employees of the Panama Canal and the Panama Railroad Company, on the Isthmus of Panama, who are citizens of the United States", approved March 2, 1931, and Acts amendatory thereof (U. S. C., Supp. VII, title 48, sec. 1371n), $500,000, which amount shall be placed to the credit of the "Canal Zone retirement and disability fund."

Total, Civil Service Commission, $48,879,000.

EMPLOYEES' COMPENSATION COMMISSION

Employees' Compensation Commission.

Commissioners, and office personnel.

For three Commissioners and other personal services in the District of Columbia, including not to exceed $1,000 for temporary experts and assistants in the District of Columbia and elsewhere, to be paid at a rate not exceeding $8 per day, and for personal services in the field, for furniture and other equipment and repairs thereto; law books, books of reference, periodicals; stationery and supplies; traveling expenses; fees and mileage of witnesses; contract stenographic reporting services; rent at the seat of government and elsewhere; and miscellaneous items; there is made available $463,250 from the special fund, "Employees' Compensation Fund, Civil Works, 1934 and 1935".

Amount available. Vol. 48, p. 351.

Printing and binding. Vol. 48, p. 351.

For all printing and binding for the Employees' Compensation Commission, there is made available $5,000 from the special fund, "Employees' Compensation Fund, Civil Works, 1934 and 1935".

Employees' compensation fund. Vol. 39, p. 749. U. S. C., p. 101.

Employees' compensation fund: For the payment of compensation provided by "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916 (U. S. C., title 5, sec. 785), including medical examinations, traveling and other expenses, and loss of wages payable to employees under sections 21 and 22; all services, appliances, and supplies provided by section 9 as amended, including payments to Army and Navy hospitals; the transportation and burial expenses provided by sections 9 and 11; and advancement of costs for the enforcement of recoveries provided in sections 26 and 27 where necessary, accruing during the fiscal year 1937 or in prior fiscal years, there is made available $4,750,000 from the special fund, "Employees' Compensation Fund, Civil Works, 1934 and 1935."

Burial, etc., expenses.

Recoveries.

Sum available. Vol. 48, p. 351.

EMPLOYEES' COMPENSATION FUND, CIVIL WORKS

Employees' compensation fund, Civil Works.

Administrative expenses and compensation payments. Vol. 48, p. 351.

For administrative expenses and payment of compensation in connection with the administration of the benefits for employees of the Civil Works Administration in accordance with the provisions of the Act entitled "An Act making an additional appropriation to carry out the purposes of the Federal Emergency Relief Act of 1933, for continuation of the Civil Works program, and for other purposes", approved February 15, 1934 (48 Stat., p. 352), $805,500 of the special fund set up on the books of the Treasury pursuant to the provisions of said Act shall be available for expenditure during the fiscal year 1937.

EMPLOYEES' COMPENSATION FUND, EMERGENCY CONSERVATION WORK

Employees' compensation fund, Emergency Conservation Work.

Administrative expenses and compensation payments. Vol. 48, p. 1056.

For administrative expenses and payment of compensation in connection with the administration of the benefits for enrollees of the Civilian Conservation Corps in accordance with the provisions of the Act entitled "Emergency Appropriation Act, fiscal year 1935", approved June 19, 1934 (48 Stat., p. 1057), $665,500 of the special fund set up on the books of the Treasury pursuant to the provisions of said Act shall be available for expenditure during the fiscal year 1937.

FEDERAL COMMUNICATIONS COMMISSION

Federal Communications Commission.

Salaries and expenses. Vol. 48, p. 1064; U. S. C., p. 2081. Vol. 36, p. 629; U. S. C., p. 2031.

For seven commissioners, and for all other authorized expenditures of the Federal Communications Commission in performing the duties imposed by the Communications Act of 1934, approved June 19, 1934 (48 Stat., p. 1064), the Ship Act of 1910, approved June 24, 1910, as amended (U. S. C., title 46, secs. 484–487), the Inter-

national Radiotelegraphic Convention (45 Stat., pt. 2, p. 2760), and Executive Order Numbered 3513, dated July 9, 1921, as amended under date of June 30, 1934, relating to applications for submarine cable licenses, including personal services, contract stenographic reporting services, rental of quarters, newspapers, periodicals, reference books, law books, special counsel fees, supplies and equipment, including purchase and exchange of instruments, which may be purchased without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed $25, improvement and care of grounds and repairs to buildings, not to exceed $5,000, traveling expenses, including expenses of attendance at meetings which in the discretion of the Commission are necessary for the efficient discharge of its responsibilities, and other necessary expenses, $1,450,000, of which amount not to exceed $1,030,000 may be expended for personal services in the District of Columbia.

Submarine cable licenses. Vol. 45, p. 2760. *Post*, p. 2391.

Minor purchases. R. S., sec. 3709, p. 733. U. S. C., p. 1803.

Maintenance, etc.

Printing and binding. Vol. 48, p. 512.

For all printing and binding for the Federal Communications Commission, $24,000, together with $1,000 of the unexpended balance of the appropriation for this purpose for the fiscal year 1935.

Total, Federal Communications Commission, $1,474,000.

Federal Power Commission.

FEDERAL POWER COMMISSION

Expenses. Vol. 41, p. 1063; Vol. 46, p. 797. U. S. C., p. 694.

For every expenditure requisite for and incident to the work of the Federal Power Commission as authorized by law, including traveling expenses; expenses of attendance at meetings which in the discretion of the Commission are necessary for the efficient discharge of its responsibilities; contract stenographic reporting services; rent in the District of Columbia and elsewhere; hire, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, including not more than one such vehicle for general administrative use in the District of Columbia; supplies and office equipment; services; scientific instruments; expenses incurred in packing, crating, drayage and transportation of household effects and other property (not to exceed in any case five thousand pounds) of officers and employees when transferred from one official station to another for permanent duty, when specifically authorized by the Commission; and not exceeding $5,000 for purchase and exchange of law books, other books of reference, newspapers, periodicals and newspaper clippings; $1,634,000, together with $16,000 of the unexpended balance of this appropriation for the fiscal year 1935, of which amount not to exceed $750,000 shall be available for personal services in the District of Columbia, exclusive of not to exceed $30,000 which may be expended for consultants and special counsel: *Provided*, That the Commission may procure supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed $50.

Transferring effects, etc.

Sum reappropriated. Vol. 48, p. 512.

Proviso. Minor purchases. R. S., sec. 3709, p. 733. U. S. C., p. 1803.

Printing and binding, etc.

For all printing and binding for the Federal Power Commission, including engraving, lithographing, and photolithographing, $75,000.

Total, Federal Power Commission, $1,709,000.

Federal Trade Commission.

FEDERAL TRADE COMMISSION

Commissioners, and other expenses. *Post*, p. 1602.

For five commissioners, and for all other authorized expenditures of the Federal Trade Commission in performing the duties imposed by law or in pursuance of law, including secretary to the Commission and other personal services, contract stenographic reporting services; supplies and equipment, law books, books of reference,

periodicals, garage rentals, traveling expenses, including not to exceed $900 for expenses of attendance, when specifically authorized by the Commission, at meetings concerned with the work of the Federal Trade Commission, for newspapers and press clippings not to exceed $600, foreign postage, and witness fees and mileage in accordance with section 9 of the Federal Trade Commission Act; $1,407,000: *Provided*, That the Commission may procure supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed $50.

Attendance at meetings.

Witness fees, etc.

Vol. 38, p. 722; U. S. C., p. 517.

Proviso.
Minor purchases.
R. S., sec. 3709, p. 733.
U. S. C., p. 1803.

For all printing and binding for the Federal Trade Commission, $32,000.

Printing and binding.

Total, Federal Trade Commission, $1,439,000.

FOREIGN SERVICE PAY ADJUSTMENT

Foreign service pay adjustment.

Foreign service pay adjustment of officers and employees of the United States in foreign countries due to appreciation of foreign currencies: For the purpose of carrying into effect the provisions of the Act entitled "An Act to authorize annual appropriations to meet losses sustained by officers and employees of the United States in foreign countries due to appreciation of foreign currencies in their relation to the American dollar, and for other purposes", approved March 26, 1934, and for each and every object and purpose specified therein, $1,800,000, together with $2,048,611 of the unexpended balances of the appropriations for this purpose for the fiscal years 1934, 1935, and 1936.

Losses due to foreign currency appreciation.
Vol. 48, p. 466.
U. S. C., p. 45.

Sums reappropriated.
Vol. 48, pp. 834, 1060.
Ante, p. 14.

GENERAL ACCOUNTING OFFICE

General Accounting Office.

Salaries: For Comptroller General, Assistant Comptroller General, and other personal services in the District of Columbia and elsewhere, $4,954,600.

Comptroller General, Assistant, and office personnel.

Contingent expenses: For traveling expenses, including stenographic reporting service outside of the District of Columbia, not exceeding $2,500, by contract or otherwise; materials, supplies, equipment, and services; rent of buildings and equipment; furnishing of heat and light; purchase and exchange of books, law books, books of reference, and periodicals, typewriters, calculating machines, and other office appliances, including their development, repairs, and maintenance, including one motor-propelled passenger-carrying vehicle; and miscellaneous items; $272,440: *Provided*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the General Accounting Office when the aggregate amount involved does not exceed the sum of $50.

Contingent expenses.
Post, p. 1602.

Proviso.
Minor purchases, etc.
R. S., sec. 3709, p. 733.
U. S. C., p. 1803.

For all printing and binding for the General Accounting Office, including monthly and annual editions of selected decisions of the Comptroller General of the United States, $79,800.

Printing and binding.

Total, General Accounting Office, $5,306,840.

INTERSTATE COMMERCE COMMISSION

Interstate Commerce Commission.

SALARIES AND EXPENSES

Salaries and expenses.

General administrative expenses: For eleven commissioners, secretary, and for all other authorized expenditures necessary in the execution of laws to regulate commerce, including one chief counsel, one director of finance, and one director of traffic at $10,000 each per annum, field hearings, traveling expenses, and contract stenographic

Commissioners, etc.

Sum reappropriated. Vol. 48, p. 514.
Services in the District.

reporting services; $2,426,000, together with $118,000 of the unexpended balance of the appropriation for this purpose for the fiscal year 1935, of which amount not to exceed $2,415,917 may be expended for personal services in the District of Columbia, exclusive of special counsel, for which the expenditure shall not exceed $50,000; not

Books, furniture, etc.

exceeding $3,000 for purchase and exchange of necessary books, reports, and periodicals; not exceeding $100 in the open market for the purchase of office furniture similar in class or kind to that listed in the general supply schedule: *Provided*, That not to exceed $1,000 of this amount shall be available for the payment of services rendered in making and preparing a report in connection with additions to or changes in report forms of the Interstate Commerce Commission relating to operating statistics, which amount is to be immediately available.

Proviso.
Report forms.

Enforcing accounting by railroads. Vol. 34, p. 593; Vol. 36, p. 555; Vol. 41, p. 493. U. S. C., p. 2229.

Regulating accounts: To enable the Interstate Commerce Commission to enforce compliance with section 20 and other sections of the Interstate Commerce Act as amended by the Act approved June 29, 1906 (U. S. C., title 49, sec. 20), and as amended by the Transportation Act, 1920 (U. S. C., title 49, sec. 20), including the employment of necessary special accounting agents or examiners, and traveling expenses, $847,000, together with $5,000 of the unexpended balance of the appropriation for this purpose for the fiscal year 1935, of which amount not to exceed $190,000 may be expended for personal services in the District of Columbia.

Special examiners.

Sum reappropriated. Vol. 48, p. 514.

Safety of employees, etc. Vol. 27, p. 531; U. S. C., p. 1953.

Reports of accidents. Vol. 36, p. 350; U. S. C., p. 1957.

Safety signals. Vol. 34, p. 838; Vol. 35, p. 324; Vol. 38, p. 212. U. S. C., p. 1957.

Safety of employees: To enable the Interstate Commerce Commission to keep informed regarding and to enforce compliance with Acts to promote the safety of employees and travelers upon railroads; the Act requiring common carriers to make reports of accidents and authorizing investigations thereof; and to enable the Interstate Commerce Commission to investigate and test appliances intended to promote the safety of railway operation, as authorized by the joint resolution approved June 30, 1906 (U. S. C., title 45, sec. 35), and the provision of the Sundry Civil Act approved May 27, 1908 (U. S. C., title 45, secs. 36, 37), to investigate, test experimentally, and report on the use and need of any appliances or systems intended to promote the safety of railway operation, inspectors, and for traveling expenses, $500,000, together with $6,000 of the unexpended balance of the appropriation for this purpose for the fiscal year 1935, of which amount not to exceed $90,000 may be expended for personal services in the District of Columbia.

Testing appliances. Vol. 35, p. 325. U. S. C., p. 1957.

Vol. 48, p. 514.
Services in the District.

Safety systems. Vol. 41, p. 498. U. S. C., p. 2234.

Signal safety systems: For all authorized expenditures under section 26 of the Interstate Commerce Act as amended by the Transportation Act, 1920 (U. S. C., title 49, sec. 26), with respect to the provision thereof under which carriers by railroad subject to the Act may be required to install automatic train-stop or train-control devices which comply with specifications and requirements prescribed by the Commission, including investigations and tests pertaining to block-signal and train-control systems, as authorized by the joint resolution approved June 30, 1906 (U. S. C., title 45, sec. 35), and including the employment of the necessary engineers, and for traveling expenses, $36,550, together with $2,000 of the unexpended balance of the appropriation for this purpose for the fiscal year 1935, of which amount not to exceed $35,000 may be expended for personal services in the District of Columbia.

Automatic train-control devices.

Vol. 34, p. 838. U. S. C., p. 1957.

Sum reappropriated. Vol. 48, p. 515.
Services in the District.

Locomotive inspection. Vol. 36, p. 913; Vol. 38, p. 1192; Vol. 40, p. 616; Vol. 43, p. 659; Vol. 46, p. 822. U. S. C., pp. 1955, 1956.

Locomotive inspection: For all authorized expenditures under the provisions of the Act of February 17, 1911, entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto" (U. S. C., title 45, sec. 22), as amended by the Act of March

4, 1915, extending "the same powers and duties with respect to all parts and appurtenances of the locomotives and tender" (U. S. C., title 45, sec. 30), and amendment of June 7, 1924 (U. S. C., title 45, sec. 27), providing for the appointment from time to time by the Interstate Commerce Commission of not more than fifteen inspectors in addition to the number authorized in the first paragraph of section 4 of the Act of 1911 (U. S. C., title 45, sec. 26), and the amendment of June 27, 1930 (U. S. C., Supp. VII, title 45, secs. 24, 26), including such legal, technical, stenographic, and clerical help as the business of the offices of the chief inspector and his two assistants may require and for traveling expenses, $455,000, together with $16,000 of the unexpended balance of the appropriation for this purpose for the fiscal year 1935, of which amount not to exceed $71,450 may be expended for personal services in the District of Columbia.

Additional inspectors. Vol. 36, p. 914; Vol. 43, p. 659; Vol. 46, p. 823. U. S. C., p. 1955.

Sum reappropriated. Vol. 48, p. 515.

Valuation of property of carriers: To enable the Interstate Commerce Commission to carry out the objects of the Act entitled "An Act to amend an Act entitled 'An Act to regulate commerce', approved February 4, 1887, and all Acts amendatory thereof, by providing for a valuation of the several classes of property of carriers subject thereto and securing information concerning their stocks, bonds, and other securities", approved March 1, 1913, as amended by the Act of June 7, 1922 (U. S. C., title 49, sec. 19a), and by the "Emergency Railroad Transportation Act, 1933" (48 Stat., p. 221), including one director of valuation at $10,000 per annum, and traveling expenses, $798,000, together with $2,000 of the unexpended balance of the appropriation for this purpose for the fiscal year 1935.

Valuation of property of carriers. Vol. 37, p. 701; Vol. 40, p. 270; Vol. 42, p. 624. U. S. C., p. 2228.

Emergency Railroad Transportation Act, 1933. Vol. 48, p. 221; U. S. C., p. 2228.

Sum reappropriated. Vol. 48, p. 505.

Air mail: To enable the Interstate Commerce Commission to perform the duties imposed upon it by the Act approved June 12, 1934, entitled, "An Act to revise air-mail laws, and to establish a Commission to make a report to the Congress recommending an aviation policy" (U. S. C., Supp. VII, title 39, secs. 469–469q), as amended by the Act approved August 14, 1935, entitled "An Act to amend the air-mail laws and to authorize the extension of the Air Mail Service" (49 Stat., p. 614–619), including field hearings, field audits, traveling expenses, contract stenographic reporting services; office supplies and equipment; purchase and exchange of books, reports, and periodicals; $160,000, of which amount not to exceed $130,000 may be expended for personal services in the District of Columbia, exclusive of special counsel or special aviation assistants for which the expenditure shall not exceed $20,000.

Air mail. Vol. 48, pp. 933, 1243. U. S. C., p. 1741.

Ante, p. 614.

Services in the District.

Motor transport regulation: For all authorized expenditures necessary to enable the Interstate Commerce Commission to carry out the provisions of the Motor Carrier Act, approved August 9, 1935 (49 Stat., pp. 543–567), including one director at $10,000 per annum and other personal services in the District of Columbia and elsewhere; traveling expenses; supplies; services and equipment; not to exceed $1,000 for purchase and exchange of books, reports, and periodicals; contract stenographic reporting services; purchase (not to exceed $3,250), exchange, maintenance, repair and operation of motor-propelled passenger-carrying vehicles when necessary for official use in field work; $1,700,000; of which amount not exceeding $75,000 may be expended for rent in the District of Columbia provided Government-owned facilities are not available.

Motor transport regulation, expenses.

Ante, p. 543.

In all, salaries and expenses, Interstate Commerce Commission, $6,922,550: *Provided*, That the Commission may procure supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed $50.

Proviso. Minor purchases. R. S., sec. 3709, p. 733. U. S. C., p. 1803.

For all printing and binding for the Interstate Commerce Commission, including reports in all cases proposing general changes in

Printing and binding.

transportation rates and not to exceed $10,000 to print and furnish to the States, at cost, report form blanks, and the receipts from such reports and blanks shall be credited to this appropriation, $167,000, together with $8,000 of the unexpended balance of this appropriation for the fiscal year 1935: *Provided*, That no part of this sum shall be expended for printing the Schedule of Sailings required by section 25 of the Interstate Commerce Act.

Sum reappropriated. Vol. 48, p. 514.

Proviso. Schedule of Sailings excluded. Vol. 41, p. 497; U. S. C., p. 2233.

Not to exceed $2,500 of the appropriations herein made for the Interstate Commerce Commission shall be available for expenses, except membership fees, for attendance at meetings concerned with the work of the Commission.

Attendance at meetings.

Total, Interstate Commerce Commission, $7,089,550.

National Advisory Committee for Aeronautics.

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

All expenses, scientific research, etc. *Post*, p. 1602.

For scientific research, technical investigations, and special reports in the field of aeronautics, including the necessary laboratory and technical assistants; contracts for personal services in the making of special investigations and in the preparation of special reports; traveling expenses of members and employees; including not to exceed $500 for expenses, except membership fees, of attendance upon meetings of technical and professional societies; office supplies and other miscellaneous expenses, including technical periodicals and books of reference; equipment, maintenance, and operation of the Langley Memorial Aeronautical Laboratory; purchase, maintenance, operation, and exchange of motor-propelled passenger-carrying vehicles, including not more than one for general administrative use in the District of Columbia; personal services in the field and the District of Columbia; in all $1,158,850, of which amount not to exceed $2,000 may be expended for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (46 Stat. 818), but not to exceed $1,700 for any one person and not to exceed $115,000 for personal services in the District of Columbia.

Langley Laboratory.

Allowances. Vol. 46, p. 818; U. S. C., p. 45.

Services in the District.

Printing and binding.

For all printing and binding for the National Advisory Committee for Aeronautics, including all of its offices, laboratories, and services located in Washington, District of Columbia, and elsewhere, $18,700.

Total, National Advisory Committee for Aeronautics, $1,177,550.

National Archives.

NATIONAL ARCHIVES

Salaries and expenses. Vol. 48, p. 1122.

Salaries and expenses: For the Archivist and for all other authorized expenditures of the National Archives in performing the duties imposed by law, including personal services in the District of Columbia; supplies and equipment; purchase and exchange of books, including law books, and maps; contract stenographic reporting services; purchase of newspapers, periodicals, and press clippings; travel expenses, including not to exceed $500 for the expenses of attendance at meetings concerned with the work of the National Archives; maintenance and operation of motor vehicles, including not more than one passenger-carrying automobile for official use; and all other necessary expenses, $598,000, together with $2,000 of the unexpended balance of the appropriation for this purpose for the fiscal year 1935, of which not exceeding $2,000 shall be immediately available for purchase of law books: *Provided*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the National Archives when the aggregate cost involved does not exceed the sum of $50.

Attendance at meetings.

Sum reappropriated. Vol. 48, p. 1026.

Proviso. Minor purchases. R. S., sec. 3709, p. 733. U. S. C., p. 1803.

Printing and binding.

Printing and binding: For all printing and binding for the National Archives, $17,000.

Total, National Archives, $615,000.

NATIONAL CAPITAL PARK AND PLANNING COMMISSION

National Capital Park and Planning Commission.

For each and every purpose requisite for and incident to the work of the National Capital Park and Planning Commission necessary toward carrying into effect the provisions of the Act entitled "An Act for the acquisition, establishment, and development of the George Washington Memorial Parkway along the Potomac from Mount Vernon and Fort Washington to the Great Falls, and to provide for the acquisition of lands in the District of Columbia and the States of Maryland and Virginia requisite to the comprehensive park, parkway, and playground system of the National Capital", approved May 29, 1930; personal services, including real estate and other technical services, at rates of pay to be fixed by the Commission and not exceeding those usual for similar services and without reference to civil-service rules and the Classification Act of 1923, as amended; travel expenses; expenses of surveys and searching of titles, purchase of options, and all other costs incident to the acquisition of land, $400,000, to remain available until expended; including $200,000 for the acquistion[1] of lands as authorized in section 1 (a) "For the George Washington Memorial Parkway", and $200,000 for advances and contributions to the Maryland-National Capital Park and Planning Commission as provided for in section 1 (b) of the Act.

All expenses. Vol. 46, p. 482.

Personal services. U. S. C., pp. 81, 85.

Availability. Acquisition of lands. Vol. 46, p. 482.

NATIONAL LABOR RELATIONS BOARD

National Labor Relations Board.

Salaries and expenses: For three Board members, and for all other authorized and necessary expenditures of the National Labor Relations Board in performing the duties imposed by law or in pursuance of law, including rent and personal services in the District of Columbia and elsewhere; repairs and alterations; communications; contract stenographic reporting services, and not to exceed $300 for law books; books of reference; newspapers; periodicals; operation, maintenance, and repair of one automobile; $700,000: *Provided*, That the Board may procure supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed $50.

Salaries and expenses. *Ante*, p. 451.

Proviso. Minor purchases. R. S., sec. 3709, p. 733. U. S. C., p. 1803.

Printing and binding: For all printing and binding for the National Labor Relations Board in Washington and elsewhere, $35,000.

Printing and binding.

Total, National Labor Relations Board, $735,000.

NATIONAL MEDIATION BOARD

National Mediation Board.

For three members of the Board, and for other authorized expenditures of the National Mediation Board in performing the duties imposed by law, including contract stenographic reporting services; supplies and equipment; not to exceed $200 for newspapers; and periodicals, $120,000, together with $10,000 of the unexpended balance of the appropriation for this purpose for the fiscal year 1935 and $7,000 of the unexpended balance of the appropriation for emergency boards for the fiscal year 1936, of which amount not to exceed $104,400 may be expended for personal services in the District of Columbia.

Salaries and expenses. Vol. 48, p. 1193. U. S. C., p. 1967. *Post*, p. 1603.

Sums reappropriated. Vol. 48, p. 510.

Ante, p. 14.

Arbitration boards: To enable the National Mediation Board to pay necessary expenses of arbitration boards, including compensation of members and employees of such boards, together with their

Arbitration boards.

[1] So in original.

necessary traveling expenses and expenses actually incurred for subsistence while so employed, and printing of awards, together with proceedings and testimony relating thereto, as authorized by the Railway Labor Act, including also contract stenographic reporting service, and rent of quarters when suitable quarters cannot be supplied in any Federal building, the unexpended balance of the appropriation available for this purpose for the fiscal year 1936 is hereby continued available for the fiscal year 1937.

Vol. 44, p. 582; U. S. C., p. 1969.

Unexpended balance reappropriated. *Ante*, p. 13.

Emergency boards. Vol. 44, p. 586. U. S. C., p. 1971.

Emergency boards: For expenses of emergency boards appointed by the President to investigate and report respecting disputes between carriers and their employees, as authorized by section 10, Railway Labor Act, approved May 20, 1926 (U. S. C., Supp. VII, title 45, sec. 154), all but $7,000 of the unexpended balance of the appropriation available for this purpose for the fiscal year 1936 is hereby continued available for the fiscal year 1937.

Amount reappropriated. *Ante*, p. 14.

Printing and binding.

For all printing and binding for the National Mediation Board, $1,500, together with $1,000 of the unexpended balance of the appropriation for this purpose for the fiscal year 1935.

National Railroad Adjustment Board.

NATIONAL RAILROAD ADJUSTMENT BOARD

Expenses. Vol. 48, p. 1189.

For authorized expenditures of the National Railroad Adjustment Board, in performing the duties imposed by law, including contract stenographic reporting services and supplies and equipment, $190,000, together with $25,000 of the unexpended balance of the appropriation for this purpose for the fiscal year 1935, of which $50,000 shall be available only for services of referees and not more than $101,440 may be expended for other personal services.

Sum reappropriated. *Ante*, pp. 23, 574; *Post*, p. 1603.

Printing and binding.

For all printing and binding for the National Railroad Adjustment Board, $35,000.

Total, National Mediation Board, $346,500.

Railroad Retirement Board.

RAILROAD RETIREMENT BOARD

Salaries and expenses. *Ante*, p. 970.

For salaries and expenses, Railroad Retirement Board: For three Board members and for all other authorized and necessary expenditures of the Railroad Retirement Board in performing the duties imposed by law or in pursuance of law, including rent and personal services in the District of Columbia and elsewhere, traveling expenses, repairs and alterations, contract stenographic reporting services, office supplies and equipment, services, law books, books of reference, newspapers and periodicals, $1,000,000: *Provided*, That the Board may procure supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount does not exceed $50.

Proviso. Minor purchases. R. S., sec. 3709, p. 733. U. S. C., p. 1803.

Annuities. *Ante*, p. 969.

For the payment of annuities to employees, representatives, widows, widowers or dependent next of kin of employees, as provided in sections 3, 4, and 5 of the Railroad Retirement Act of 1935 (Act Aug. 29, 1935, 49 Stat., pp. 969–970), $46,620,000 to be immediately available.

Printing and binding.

For printing and binding for the Railroad Retirement Board, $25,000.

Total, Railroad Retirement Board, $47,645,000.

Securities and Exchange Commission.

SECURITIES AND EXCHANGE COMMISSION

Commissioners, and all other expenses. Vol. 48, p. 885; U. S. C., p. 531.

For five Commissioners, and other personal services in the District of Columbia, and for all other authorized expenditures of the Securities and Exchange Commission in performing the duties imposed by law or in pursuance of law, including employment of experts when necessary; contract stenographic reporting services; supplies

and equipment; purchase and exchange of law books, books of reference, directories, periodicals, newspapers and press clippings; travel expenses, including the expense of attendance, when specifically authorized by the Commission, at meetings concerned with the work of the Securities and Exchange Commission; garage rental; foreign postage; mileage and witness fees; rent of quarters outside the District of Columbia; rental of equipment; and other necessary expenses; $4,193,000, together with $7,000 of the unexpended balance of the appropriation for this purpose for the fiscal year 1935: *Provided*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the Securities and Exchange Commission when the aggregate cost involved does not exceed the sum of $50.

Sum reappropriated. *Ante*, p. 23.

Proviso. Minor purchases. R. S., sec. 3709, p. 733. U. S. C., p. 1803.

For all printing and binding for the Securities and Exchange Commission, $45,000.

Printing and binding.

Total, Securities and Exchange Commission, $4,238,000.

SMITHSONIAN INSTITUTION

Smithsonian Institution.

For expenses of the general administrative office, Smithsonian Institution, compensation of necessary employees, traveling expenses, purchase of books and periodicals, supplies and equipment, and any other necessary expenses, $36,330.

Administrative expenses, etc.

International exchanges: For the system of international exchanges between the United States and foreign countries, under the direction of the Smithsonian Institution, including necessary employees, and purchase of necessary books and periodicals, and traveling expenses, $44,260.

International exchanges.

American ethnology: For continuing ethnological researches among the American Indians and the natives of Hawaii, the excavation and preservation of archeologic remains under the direction of the Smithsonian Insitution, including necessary employees, the preparation of manuscripts, drawings, and illustrations, the purchase of books and periodicals, and traveling expenses, $58,730.

American ethnology.

Astrophysical Observatory: For maintenance of the Astrophysical Observatory, under the direction of the Smithsonian Institution, including assistants, purchase of books, periodicals, and apparatus, making necessary observations in high altitudes, repairs and alterations of buildings, preparation of manuscripts, drawings, and illustrations, traveling expenses, and miscellaneous expenses, $30,850.

Astrophysical Observatory.

NATIONAL MUSEUM

National Museum.

For cases, furniture, fixtures, and appliances required for the exhibition and safe-keeping of collections; heating, lighting, electrical, telegraphic, and telephonic service, repairs and alterations of buildings, shops, and sheds, including approaches and all necessary material; personal services, and traveling and other necessary incidental expenses, $134,390.

Equipment, etc.

Preservation of collections: For continuing preservation, exhibition, and increase of collections from the surveying and exploring expenditions [1] of the Government, and from other sources, including personal services, traveling expenses, purchasing and supplying uniforms to guards and elevator conductors, postage stamps and foreign postal cards and all other necessary expenses, and not exceeding $5,500 for preparation of manuscripts, drawings, and illustrations for publications, and not exceeding $3,000 for purchase of books, pamphlets, and periodicals, $604,580.

Preservation of collections.

[1] So in original.

National Gallery of Art.

NATIONAL GALLERY OF ART

Administrative expenses.

For the administration of the National Gallery of Art by the Smithsonian Institution, including compensation of necessary employees, purchase of books of reference and periodicals, traveling expenses, uniforms for guards, and necessary incidental expenses, $34,275.

PRINTING AND BINDING

Printing and binding.

For all printing and binding for the Smithsonian Institution, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, $55,500, of

American Historical Association report.

which not to exceed $8,000 shall be available for printing the report of the American Historical Association.

Total, Smithsonian Institution, $998,915, of which amount not to exceed $839,740 may be expended for personal services in the District of Columbia.

Tariff Commission.

TARIFF COMMISSION

Salaries and expenses.

For salaries and expenses of the Tariff Commission, including personal services in the District of Columbia and elsewhere, purchase and exchange of labor-saving devices, the purchase of professional and scientific books, law books, books of reference, gloves and other protective equipment for photostat and other machine operators, rent in the District of Columbia and elsewhere, subscriptions to newspapers and periodicals, and contract stenographic reporting services, as authorized by sections 330 to 341 of the Tariff Act of 1930, approved June 17, 1930 (U. S. C., Supp. VII, title 19, secs. 1330–1341), $941,000, together with $4,000 of the unexpended balance of the appropriation for this purpose for the fiscal year 1935, of which amount not to exceed $2,500 may be expended for expenses, except membership fees, of attendance at meetings concerned with subjects under investigation by the Commission; and not to exceed $7,500 for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., Supp. VII, title 5, sec. 118a), but not to exceed $1,700 for any one person: *Provided*, That the Commission may procure supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed $50: *Provided further*, That no part of this appropriation shall be used to pay the salary of any member of the Tariff Commission who shall hereafter participate in any proceedings under sections 336, 337, and 338 of the Tariff Act of 1930, wherein he or any member of his family has any special, direct, and pecuniary interest, or in which he has acted as attorney or special representative.

Reporting. Vol. 46, p. 696. U. S. C., p. 874.

Sum reappropriated. Vol. 48, p. 517.

Attendance at meetings.

Living quarters. Vol. 46, p. 818; U. S. C., p. 45.

Provisos. Minor purchases. R. S., sec. 3709, p. 733. U. S. C., p. 1803.

Salary restriction. Vol. 46, p. 701; U. S. C., p. 876.

Printing and binding.

For all printing and binding for the Tariff Commission, $15,000.

Total, Tariff Commission, $956,000.

Veterans' Administration.

VETERANS' ADMINISTRATION

Administration, medical, hospital, and domiciliary services. Salaries and expenses.

Administration, medical, hospital, and domiciliary services: For all salaries and expenses of the Veterans' Administration, including the expenses of maintenance and operation of medical, hospital, and domiciliary services of the Veterans' Administration, in carrying out the duties, powers, and functions devolving upon it pursuant to the authority contained in the Act entitled "An Act to authorize the President to consolidate and coordinate governmental activities affecting war veterans", approved July 3, 1930 (U. S. C., Supp. VII, title 38, secs. 11–11f), and any and all laws for which the Veterans'

Vol. 46, p. 1016. U. S. C., p. 1623.

Administration is now or may hereafter be charged with administering, $86,500,000 together with $7,000,000 of the unexpended balance of the appropriation for this purpose for the fiscal year 1935: *Provided*, That not to exceed $3,500 of this amount shall be available for expenses, except membership fees, of employees, detailed by the Administrator of Veterans' Affairs to attend meetings of associations for the promotion of medical science and annual national conventions of organized war veterans: *Provided further*, That this appropriation shall be available also for personal services and rentals in the District of Columbia and elsewhere, including traveling expenses; examination of estimates of appropriations in the field, including actual expenses of subsistence or per diem allowance in lieu thereof; for expenses incurred in packing, crating, drayage, and transportation of household effects and other property, not exceeding in any one case five thousand pounds, of employees when transferred from one official station to another for permanent duty and when specifically authorized by the Administrator; furnishing and laundering of such wearing apparel as may be prescribed for employees in the performance of their official duties; purchase and exchange of law books, books of reference, periodicals, and newspapers; for passenger-carrying and other motor vehicles, including purchase, maintenance, repair, and operation of same, including not more than two passenger automobiles for general administrative use of the central office in the District of Columbia; and notwithstanding any provisions of law to the contrary, the Administrator is authorized to utilize Government-owned automotive equipment in transporting children of Veterans' Administration employees located at isolated stations to and from school under such limitations as he may by regulation prescribe; and notwithstanding any provisions of law to the contrary, the Administrator is authorized to expend not to exceed $2,000 of this appropriation for actuarial services pertaining to the Government life-insurance fund, to be obtained by contract, without obtaining competition, at such rates of compensation as he may determine to be reasonable; for allotment and transfer to the Public Health Service, the War, Navy, and Interior Departments, for disbursement by them under the various headings of their applicable appropriations, of such amounts as are necessary for the care and treatment of beneficiaries of the Veterans' Administration, including minor repairs and improvements of existing facilities under their jurisdiction necessary to such care and treatment; for expenses incidental to the maintenance and operation of farms; for recreational articles and facilities at institutions maintained by the Veterans' Administration; for administrative expenses incidental to securing employment for war veterans; for funeral, burial, and other expenses incidental thereto for beneficiaries of the Veterans' Administration accruing during the year for which this appropriation is made or prior fiscal years: *Provided further*, That the appropriations herein made for the care and maintenance of veterans in hospitals or homes under the jurisdiction of the Veterans' Administration shall be available for the purchase of tobacco to be furnished, subject to such regulations as the Administrator of Veterans' Affairs shall prescribe, to veterans receiving hospital treatment or domiciliary care in Veterans' Administration hospitals or homes: *Provided further*, That this appropriation shall be available for continuing aid to State or Territorial homes for the support of disabled volunteer soldiers and sailors, in conformity with the Act approved August 27, 1888 (U. S. C., title 24, sec. 134), as amended, for those veterans eligible for admission to Veterans' Administration facilities for domiciliary care.

Sum reappropriated. Vol. 48, p. 518.

Provisos.
Attendance at meetings, etc.

Services, rentals, traveling expenses, etc.

Field expenses.

Wearing apparel.

Vehicles.

Transporting employees' children to schools.

Actuarial services.

Transfer of applicable funds.

Burial, etc., expenses.

Purchase of tobacco.

Aid to State, etc., homes.
Vol. 25, p. 450.
U. S. C., p. 984.

Restriction on new construction, etc.

No part of this appropriation shall be expended for the purchase of any site for or toward the construction of any new hospital or

Improving facilities.

home, or for the purchase of any hospital or home; and not more than $3,543,656 of this appropriation may be used to repair, alter, improve, or provide facilities in the several hospitals and homes under the jurisdiction of the Veterans' Administration either by contract or by the hire of temporary employees and the purchase of materials.

Printing and binding.

For printing and binding for the Veterans' Administration, including all its bureaus and functions located in Washington, District of Columbia, and elsewhere, $130,000: *Provided*, That the Administrator of Veterans' Affairs is authorized to utilize the printing and binding equipment which the various hospitals and homes of the Veterans' Administration use for occupational therapy purposes for the purpose of doing such printing and binding as may, in his judgment, be found advisable for the use of the Veterans' Administration, notwithstanding the provisions of section 87 of the Act entitled "An Act providing for the public printing and binding and the distribution of public documents", approved January 12, 1895, and section 11 of the Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, approved March 1, 1919 (U. S. C., title 44, sec. 111).

Proviso.
Use of branch equipment.

Provisions waived.
Vol. 28, p. 622; Vol. 40, p. 1270.
U. S. C., p. 1935.

Pensions.

Pensions: For the payment of compensation, pensions, gratuities, and allowances, now authorized under any Act of Congress, or regulation of the President based thereon, or which may hereafter be authorized, including emergency officers' retirement pay and annuities, the administration of which is now or may hereafter be placed in the Veterans' Administration, $421,920,000, together with $14,000,000 of the unexpended balance of the appropriation for this purpose for the fiscal year 1935, to be immediately available.

Sum reappropriated.
Vol. 48, p. 520.

Military and naval insurance.

For military and naval insurance accruing during the fiscal year 1937 or in prior fiscal years, $80,120,000 together with $21,000,000 of the unexpended balances of the appropriations for this purpose for the fiscal years 1935 and 1936.

Sum reappropriated.
Vol. 48, p. 520.
Ante, p. 18.

Hospital and domiciliary facilities; additional.

Hospital and domiciliary facilities: For carrying out the provisions of the Act entitled "An Act to authorize an appropriation to provide additional hospital, domiciliary, and out-patient dispensary facilities for persons entitled to hospitalization under the World War Veterans' Act, 1924, as amended, and for other purposes", approved March 4, 1931 (46 Stat., p. 1550), $4,000,000; to be immediately available and to remain available until expended.

Vol. 46, p. 1550.
U. S. C., p. 1661.

Adjusted compensation payments.

Adjusted compensation payments: To carry out the provisions of the World War Adjusted Compensation Act, 1924 (Public Numbered 120, Sixty-eighth Congress), enacted May 19, 1924, as amended, and the Adjusted Compensation Payment Act, 1936 (Public Numbered 425, Seventy-fourth Congress), enacted January 27, 1936,

Vol. 43, p. 121.
U. S. C., p. 1680.
Ante, p. 1099.

Availability.

except section 5 thereof, $1,730,000,000 to the Adjusted Service Certificate Fund to be immediately available and to remain available until expended, and such amount as represents the face value of the bonds required to be paid to the United States Government life-insurance fund pursuant to section 5 of said Act is hereby directed to be charged to any moneys in the Treasury not otherwise appropriated for transfer and deposit as a public debt receipt.

Adjusted service and dependent pay.

Adjusted service and dependent pay: For payment of adjusted-service credits of not more than $50 each and the quarterly installments due to dependents of deceased veterans, as provided in the Act of May 19, 1924, as amended (U. S. C., title 38, secs. 631–632,

Vol. 43, p. 125.
U. S. C., pp. 1683, 1686.

663, 666; U. S. C., Supp. VII, secs. 661–670), $1,057,000, to be immediately available and to remain available until expended.

Total, Veterans' Administration, $2,323,727,000: *Provided*, That no part of this appropriation shall be expended for the purchase of oleomargarine or butter substitutes except for cooking purposes.

Proviso.
Butter substitutes.

SEC. 2. To enable the Secretary of Agriculture to carry into effect the provisions of sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, approved February 29, 1936 (Public No. 461, 74th Congress), including the employment of personal services and rent in the District of Columbia and elsewhere, printing and binding, purchase of law books, books of reference, periodicals and newspapers, and other necessary expenses, $440,000,000, together with not to exceed $30,000,000 of the funds made available under the head "Payments for Agricultural Adjustment" in the Supplemental Appropriation Act, fiscal year 1936, approved February 11, 1936 (Public No. 440, 74th Congress); to be immediately available and to remain available until June 30, 1938, for compliances under said Act in the calendar year 1936: *Provided*, That no part of such amount shall be available after June 30, 1937, for salaries and other administrative expenses except for payment of obligations therefor incurred prior to July 1, 1937: *Provided further*, That the Secretary of Agriculture may, in his discretion, from time to time transfer to the General Accounting Office such sums as may be necessary to pay administrative expenses of the General Accounting Office in auditing payments under this item.

Soil Conservation and Domestic Allotment Act, expenses.
Ante, p. 1148.
Post, p. 1648.

Sum transferred.
Ante, p. 1116.

Availability.

Provisos.
Salary, etc., limitation.

Transfer of sums for auditing payments.

SEC. 3. In expending appropriations or portions of appropriations contained in this Act, for the payment of personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade except that in unusually meritorious cases of one position in a grade, advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service; or (2) to require the reduction in salary of any person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such Act; (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade, in the same or different bureau, office, or other appropriation unit; (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law; or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

Salaries limited to average rates under Classification Act.
Vol. 42, p. 1488.
U. S. C., p. 85.

Proviso.
Restriction not applicable to clerical-mechanical service.
No reduction in fixed salary.
Vol. 42, p. 1490; U. S. C., p. 86.
Transfers without reduction.

Higher rates permitted.

If only one position in a grade.

SEC. 4. During the fiscal year ending June 30, 1937, the salaries of the commissioners of the Interstate Commerce Commission and the commissioners of the United States Tariff Commission shall be at the rate of $10,000 each per annum.

Interstate Commerce Commission and Tariff Commission.
Salary rate of commissioners.

SEC. 5. This Act may be cited as the "Independent Offices Appropriation Act, 1937."

Short title.

Approved, March 19, 1936.

[CHAPTER 157.]

AN ACT

March 19, 1936.
[S. 1307.]
[Public, No. 480.]

To establish The Homestead National Monument of America in Gage County, Nebraska.

The Homestead National Monument of America, Nebr. Establishment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to acquire, on behalf of the United States, by gift, purchase, or condemnation, the south half of the northwest quarter, the northeast quarter of the northwest quarter, and the southwest quarter of the northeast quarter section 26, township 4 north, range 5 east, of the sixth principal meridian, Gage County, Nebraska, the same being the first homestead entered upon under the General Homestead Act of May 20, 1862, by Daniel Freeman, and that when so acquired, the said area be designated "The Homestead National Monument of America."

Description.

Appropriation authorized.

SEC. 2. That there is authorized to be appropriated a sum not to exceed $24,000, out of any money in the Treasury not otherwise appropriated, for the purpose of acquiring said tract.

Design, purpose, etc.

SEC. 3. It shall be the duty of the Secretary of the Interior to lay out said land in a suitable and enduring manner so that the same may be maintained as an appropriate monument to retain for posterity a proper memorial emblematical of the hardships and the pioneer life through which the early settlers passed in the settlement, cultivation, and civilization of the great West. It shall be his duty to erect suitable buildings to be used as a museum in which shall be preserved literature applying to such settlement and agricultural implements used in bringing the western plains to its present high state of civilization, and to use the said tract of land for such other objects and purposes as in his judgment may perpetuate the history of the country mainly developed by the homestead law.

Erection of buildings, etc.

Annual appropriations authorized.

SEC. 4. For the purpose of carrying out the suggestions and recommendations of the Secretary of the Interior, the necessary annual appropriations therefor are hereby authorized.

Approved, March 19, 1936.

[CHAPTER 159.]

AN ACT

March 20, 1936.
[S. 2603.]
[Public, No. 481.]

To provide for the adjustment and settlement of certain claims arising out of the activities of the Federal Bureau of Investigation.

Federal Bureau of Investigation, Department of Justice. Settlement of certain claims incident to activities of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney General of the United States may consider, adjust, and determine any claim accruing after January 1, 1934, on account of damages to any person or damages to or loss of privately owned property, caused by the Director, any Assistant Director, inspector, or special agent of the Federal Bureau of Investigation of the Department of Justice acting within the scope of his employment, and such amount as may be found due to any claimant, not exceeding $500 in any one case, shall be certified to Congress as a legal claim for payment out of appropriations that may be made by Congress therefor, together with a brief statement of the character of each claim, the amount claimed, and the amount allowed: *Provided*, That this authorization shall not be construed to apply to cases of persons in the employ or service of the United States while acting within the scope of such employ or service: *Provided further*, That no claim shall be considered under this Act unless presented to the Attorney General within one year from the date of the accrual of said claim; except that any claim

Certification to Congress.

Provisos. Government employees on official duty.

Time limitation.

accruing between January 1, 1934, and the date of the approval of this Act may be presented within three months after the date of such approval: *And provided further*, That acceptance by any claimant of the amount determined to be due him under the provisions of this Act shall be deemed to be in full and final settlement of such claim against the Government of the United States.

Acceptance deemed settlement in full.

Approved, March 20, 1936.

[CHAPTER 160.]

AN ACT

March 20, 1936.
[S. 3978.]
[Public, No. 482.]

Relating to taxation of shares of preferred stock, capital notes, and debentures of banks while owned by the Reconstruction Finance Corporation and reaffirming their immunity.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 304 of the Act entitled "An Act to provide relief in the existing national emergency in banking and for other purposes", approved March 9, 1933, as amended, be further amended by adding at the end thereof the following:

Reconstruction Finance Corporation.
Vol. 48, pp. 6, 21.
U. S. C., p. 356.

"Notwithstanding any other provision of law or any privilege or consent to tax expressly or impliedly granted thereby, the shares of preferred stock of national banking associations, and the shares of preferred stock, capital notes, and debentures of State banks and trust companies, heretofore or hereafter acquired by Reconstruction Finance Corporation, and the dividends or interest derived therefrom by the Reconstruction Finance Corporation, shall not, so long as Reconstruction Finance Corporation shall continue to own the same, be subject to any taxation by the United States, by any Territory, dependency, or possession thereof, or the District of Columbia, or by any State, county, municipality, or local taxing authority, whether now, heretofore, or hereafter imposed, levied, or assessed, and whether for a past, present, or future taxing period."

Bank securities, etc., exempt from taxation while held by.

SEC. 2. Effective upon the date of enactment of this Act, interest charges on all loans by the Reconstruction Finance Corporation to closed banks and trust companies, now in force, or made subsequent to the date of enactment of this Act, shall not exceed 3½ per centum per annum on condition that the rate of interest charged debtors of such banks or trust companies shall not exceed 4½ per centum per annum; otherwise such interest rate shall be as fixed by the Reconstruction Finance Corporation: *Provided, however*, That no provision of this Act shall be construed to authorize a reduction in the rate of interest on such loans by the Reconstruction Finance Corporation retroactive from the date of enactment of this Act.

Interest charges.

Proviso.
Reductions not retroactive.

SEC. 3. If any provision, word, or phrase of this Act, or the application thereof to any condition or circumstance, is held invalid, the remainder of the Act, and the application of this Act to other conditions or circumstances, shall not be affected thereby.

Saving clause.

Approved, March 20, 1936.

[CHAPTER 161.]

AN ACT

March 21, 1936.
[S. 2625.]
[Public, No. 483.]

To extend the facilities of the Public Health Service to seamen on Government vessels not in the Military or Naval Establishments.

Be it enacted by the Senate and House of Representatives of the United States of America assembled, That hereafter seamen not enlisted or commissioned in the Military or Naval Establishments, who are not now entitled by virtue of any law to medical relief by

Public Health Service.
Facilities of, extended to seamen on certain Government vessels.

the Public Health Service, shall, when employed on vessels of the United States Government (other than those of the Panama Canal) of more than five tons' burden and on State school ships, be entitled to medical relief by the Public Health Service in the same manner and to the same extent as seamen employed on registered, enrolled, and licensed vessels are entitled. Cadets on State school ships shall also be entitled to the same medical relief as is herein granted to seamen.

Cadets on State school ships.

Approved, March 21, 1936.

[CHAPTER 162.]

JOINT RESOLUTION

March 30, 1936.
[H. J. Res. 543.]
[Pub. Res., No. 79.]

Making an additional appropriation for the fiscal year 1936 for emergency relief of residents of the District of Columbia.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That to provide an additional amount for the purpose of affording relief to residents of the District of Columbia who are unemployed or otherwise in distress because of the existing emergency, to be expended by the Board of Public Welfare of the District of Columbia by employment and direct relief, in the discretion of the Board of Commissioners and under rules and regulations to be prescribed by the Board and without regard to the provisions of any other law, there is hereby appropriated out of any money in the Treasury not otherwise appropriated the sum of $350,000, to remain available until June 30, 1936, and to be payable from the revenues of the District of Columbia.

District of Columbia. Additional sum for emergency relief appropriated.
Ante, p. 367.

Payable from District revenues.

Approved, March 30, 1936.

[CHAPTER 163.]

AN ACT

March 31, 1936.
[S. 3424.]
[Public, No. 484.]

To continue Electric Home and Farm Authority as an agency of the United States until February 1937, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of law, Electric Home and Farm Authority, a corporation organized under the laws of the District of Columbia, shall continue until February 1, 1937, or such earlier date as may be fixed by the President by Executive order, to be an agency of the United States. During the continuance of such agency, the present investment in the capital stock of such corporation, for the use and benefit of the United States, shall be continued, and such corporation is hereby authorized to use all its assets, including capital and net earnings therefrom, and all moneys which have been or may hereafter be allocated to or borrowed by it, in the exercise of its functions as such agency.

Electric Home and Farm Authority. Continuance, as Federal agency.

SEC. 2. The corporation shall file with the President and with the Congress, in December of each year, a financial statement and a complete report as to the business of the corporation covering the preceding governmental fiscal year. This report shall include an itemized statement of the cost of operation, the total number of employees and the names, salaries and duties of those receiving compensation at the rate of more than $1,500 a year.

Report, etc., to Congress.

Approved, March 31, 1936.

[CHAPTER 164.]

AN ACT

March 31, 1936.
[S. 3699.]
[Public, No. 485.]

To authorize the coinage of 50-cent pieces in commemoration of the fiftieth anniversary of Cincinnati, Ohio, as a center of music, and its contribution to the art of music for the past fifty years.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the fiftieth anniversary in 1936 of the city of Cincinnati, Ohio, as a center of music, and to commemorate Cincinnati's contribution to the art of music in the United States for the past fifty years, there shall be coined, at the mints of the United States, silver 50-cent pieces to the number of not more than fifteen thousand, such 50-cent pieces to be of the standard troy weight, composition, diameter, device, and such design as shall be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury. Such 50-cent pieces shall be legal tender in any payment to the amount of their face value.

Cincinnati, Ohio. Commemorative coinage authorized.

Number.

SEC. 2. The coins herein authorized shall be issued only upon the request of the Cincinnati Musical Center Commemorative Coin Association, of Cincinnati, Ohio, upon payment by such Cincinnati Musical Center Commemorative Coin Association of the par value of such coins, and it shall be permissible for the said Cincinnati Musical Center Commemorative Coin Association to obtain said coins upon said payment, all at one time or at separate times, and in separate amounts, as it may determine.

Issue and payment.

SEC. 3. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating the guarding and process of coinage, providing for the purchase of material and for the transportation, distribution, and redemption of coins, for the prevention of debasement or counterfeiting, for security of the coins, or for any other purposes, whether said laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized: *Provided*, That the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

Coinage laws applicable.

Proviso. No Federal expense for dies, etc.

Approved, March 31, 1936.

[CHAPTER 165.]

AN ACT

April 3, 1936.
[S. 4212.]
[Public, No. 486.]

To amend section 2 of the National Housing Act, relating to the insurance of loans and advances for improvements upon real property, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of title I of the National Housing Act, as amended, is amended, effective April 1, 1936, to read as follows:

National Housing Act, amendment. Vol. 48, p. 1246; U. S. C., p. 476.

"SEC. 2. (a) The Administrator is authorized and empowered, upon such terms and conditions as he may prescribe, to insure banks, trust companies, personal finance companies, mortgage companies, building and loan associations, installment lending companies, and other such financial institutions, which the Administrator finds to be qualified by experience or facilities and approves as eligible for credit insurance, against losses which they may sustain as a result of loans and advances of credit, and purchases of obligations representing loans and advances of credit, made by them on and after April 1, 1936, and prior to April 1, 1937, or such earlier date as the President may fix by proclamation upon his determination that

Insurance of financial institutions. *Post*, p. 1234.

Time limitation.

Renovation, etc., loans.

there no longer exists any necessity for such insurance in order to make ample credit available, for the purpose of financing alterations, repairs, and additions upon improved real property, and the purchase and installation of equipment and machinery upon such real property, by the owners thereof or by lessees of such real property under a lease expiring not less than six months after the maturity of the loan or advance of credit. In no case shall the insurance granted by the Administrator under this section to any such financial institution on the loans, advances of credit, and purchases made by such financial institution for such purposes on and after April 1, 1936, exceed 10 per centum of the total amount of such loans, advances of credit, and purchases. The total liability incurred by the Administrator for all insurance heretofore and hereafter granted under this section shall not exceed in the aggregate $100,000,000.

Limit on amount to any institution.

Limit on liability authorized to be incurred by Administrator.

Conditions prescribed.

"(b) No insurance shall be granted under this section to any such financial institution with respect to any obligation representing any such loan, advance of credit, or purchase by it (1) unless the obligation bears such interest, has such maturity, and contains such other terms, conditions, and restrictions as the Administrator shall prescribe in order to make credit available for the purposes of this title, and (2) unless the amount of such loan, advance of credit, or purchase is not in excess of $2,000, except that in the case of any such loan, advance of credit, or purchase made for the purpose of such financing with respect to real property already improved by apartment or multiple-family houses, hotels, office, business, or other commercial buildings, hospitals, orphanages, colleges, schools, churches, or manufacturing or industrial plants, or improved by some other structure which is to be converted into a structure of any of the types herein enumerated, such insurance may be granted if the amount of the loan, advance of credit, or purchase is not in excess of $50,000: *Provided*, That after April 1, 1936, no insurance shall be granted under this section to any such financial institution with respect to any obligation representing any such loan, advance of credit or purchase by it in the amount of $2,000 or less for the purpose of financing the purchase and installation of equipment and machinery upon improved real property.

Interest, etc.

Amount.

Real property improved by apartment houses, etc.

Proviso.
Equipment, etc., loans.

Authority to dispose of acquired property, etc.

"(c) Notwithstanding any other provision of law, the Administrator shall have the power, under regulations to be prescribed by him and approved by the Secretary of the Treasury, to assign or sell at public or private sale, or otherwise dispose of, any evidence of debt, contract, claim, property, or security assigned to or held by him in connection with the payment of insurance heretofore or hereafter granted under this section, and to collect or compromise all obligations assigned to or held by him and all legal or equitable rights accruing to him in connection with the payment of such insurance until such time as such obligations may be referred to the Attorney General for suit or collection.

Transfer of insurance.

"(d) The Administrator is authorized and empowered, under such regulations as he may prescribe, to transfer to any such approved financial institution any insurance in connection with any loans and advances of credit which may be sold to it by another approved financial institution."

Section repealed. Vol. 48, p. 1247; U. S. C., p. 476.

SEC. 2. Section 3 of title I of the National Housing Act, as amended, is hereby repealed.

Approved, April 3, 1936.

[CHAPTER 166.]

AN ACT

To amend the Railway Labor Act.

April 10, 1936.
[S. 2496.]
[Public, No. 487.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Railway Labor Act, approved May 20, 1926, as amended, herein referred to as "Title I", is hereby further amended by inserting after the enacting clause the caption "Title I" and by adding the following title II:

Railway Labor Act, amendments.
Vol. 44, p. 577; Vol. 48, p. 1185; U. S. C., p. 1964.

"TITLE II

Title II.

"SECTION 201. All of the provisions of title I of this Act, except the provisions of section 3 thereof, are extended to and shall cover every common carrier by air engaged in interstate or foreign commerce, and every carrier by air transporting mail for or under contract with the United States Government, and every air pilot or other person who performs any work as an employee or subordinate official of such carrier or carriers, subject to its or their continuing authority to supervise and direct the manner of rendition of his service.

Designated provisions extended to carriers by air.
Adjustment Board provisions excluded.

"SEC. 202. The duties, requirements, penalties, benefits, and privileges prescribed and established by the provisions of title I of this Act, except section 3 thereof, shall apply to said carriers by air and their employees in the same manner and to the same extent as though such carriers and their employees were specifically included within the definition of 'carrier' and 'employee', respectively, in section 1 thereof.

Application of Act to carriers by air and employees.

"SEC. 203. The parties or either party to a dispute between an employee or a group of employees and a carrier or carriers by air may invoke the services of the National Mediation Board and the jurisdiction of said Mediation Board is extended to any of the following cases:

National Mediation Board.
Adjustment of disputes.

"(a) A dispute concerning changes in rates of pay, rules, or working conditions not adjusted by the parties in conference.

Pay, working conditions, etc.

"(b) Any other dispute not referable to an adjustment board, as hereinafter provided, and not adjusted in conference between the parties, or where conferences are refused.

Other disputes.

"The National Mediation Board may proffer its services in case any labor emergency is found by it to exist at any time.

Proffer of services in emergency.

"The services of the Mediation Board may be invoked in a case under this title in the same manner and to the same extent as are the disputes covered by section 5 of title I of this Act.

Invoking of Board's services.
Vol. 48, p. 1195.

"SEC. 204. The disputes between an employee or group of employees and a carrier or carriers by air growing out of grievances, or out of the interpretation or application of agreements concerning rates of pay, rules, or working conditions, including cases pending and unadjusted on the date of approval of this Act before the National Labor Relations Board, shall be handled in the usual manner up to and including the chief operating officer of the carrier designated to handle such disputes; but, failing to reach an adjustment in this manner, the disputes may be referred by petition of the parties or by either party to an appropriate adjustment board, as hereinafter provided, with a full statement of the facts and supporting data bearing upon the disputes.

Handling employer-employee disputes.

Reference to adjustment board upon failure to agree.

"It shall be the duty of every carrier and of its employees, acting through their representatives, selected in accordance with the provisions of this title, to establish a board of adjustment of jurisdiction not exceeding the jurisdiction which may be lawfully exercised by system, group, or regional boards of adjustment, under the authority of section 3, Title I, of this Act.

Boards of adjustment; establishment; jurisdiction.

Vol. 48, p. 1189.

Employee-carrier boards of adjustment.

"Such boards of adjustment may be established by agreement between employees and carriers either on any individual carrier, or system, or group of carriers by air and any class or classes of its or their employees; or pending the establishment of a permanent National Board of Adjustment as hereinafter provided. Nothing in this Act shall prevent said carriers by air, or any class or classes of their employees, both acting through their representatives selected in accordance with provisions of this title, from mutually agreeing to the establishment of a National Board of Adjustment of temporary duration and of similarly limited jurisdiction.

National Air Transport Adjustment Board.

"SEC. 205. When, in the judgment of the National Mediation Board, it shall be necessary to have a permanent national board of adjustment in order to provide for the prompt and orderly settlement of disputes between said carriers by air, or any of them, and its or their employees, growing out of grievances or out of the interpretation or application of agreements between said carriers by air or any of them, and any class or classes of its or their employees, covering rates of pay, rules, or working conditions, the National Mediation Board is hereby empowered and directed, by its order duly made, published, and served, to direct the said carriers by air and such labor organizations of their employees, national in scope, as have been or may be recognized in accordance with the provisions of this Act, to select and designate four representatives who shall constitute a board which shall be known as the 'National Air Transport Adjustment Board.' Two members of said National Air Transport Adjustment Board shall be selected by said carriers by air and two members by the said labor organizations of the employees, within thirty days after the date of the order of the National Mediation Board, in the manner and by the procedure prescribed by title I of this Act for the selection and designation of members of the National Railroad Adjustment Board. The National Air Transport Adjustment Board shall meet within forty days after the date of the order of the National Mediation Board directing the selection and designation of its members and shall organize and adopt rules for conducting its proceedings, in the manner prescribed in section 3 of title I of this Act. Vacancies in membership or office shall be filled, members shall be appointed in case of failure of the carriers or of labor organizations of the employees to select and designate representatives, members of the National Air Transport Adjustment Board shall be compensated, hearings shall be held, findings and awards made, stated, served, and enforced, and the number and compensation of any necessary assistants shall be determined and the compensation of such employees shall be paid, all in the same manner and to the same extent as provided with reference to the National Railroad Adjustment Board by section 3 of title I of this Act. The powers and duties prescribed and established by the provisions of section 3 of title I of this Act with reference to the National Railroad Adjustment Board and the several divisions thereof are hereby conferred upon and shall be exercised and performed in like manner and to the same extent by the said National Air Transport Adjustment Board, not exceeding, however, the jurisdiction conferred upon said National Air Transport Adjustment Board by the provisions of this title. From and after the organization of the National Air Transport Adjustment Board, if any system, group, or regional board of adjustment established by any carrier or carriers by air and any class or classes of its or their employees is not satisfactory to either party thereto, the said party, upon ninety days' notice to the other party, may elect to come under the jurisdiction of the National Air Transport Adjustment Board.

Composition.

Meeting, organization, etc.

Filling vacancies, etc.

Powers conferred.

Election by employee-carrier boards to come under jurisdiction of.

"SEC. 206. All cases referred to the National Labor Relations Board, or over which the National Labor Relations Board shall have taken jurisdiction, involving any dispute arising from any cause between any common carrier by air engaged in interstate or foreign commerce or any carrier by air transporting mail for or under contract with the United States Government, and employees of such carrier or carriers, and unsettled on the date of approval of this Act, shall be handled to conclusion by the Mediation Board. The books, records, and papers of the National Labor Relations Board and of the National Labor Board pertinent to such case or cases, whether settled or unsettled, shall be transferred to the custody of the National Mediation Board.

Transfer of pending cases to Mediation Board.

Custody of papers, records, etc.

"SEC. 207. If any provision of this title or application thereof to any person or circumstance is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.

Separability provision.

"SEC. 208. There is hereby authorized to be appropriated such sums as may be necessary for expenditure by the Mediation Board in carrying out the provisions of this Act."

Appropriation authorized.

Approved, April 10, 1936.

[CHAPTER 167.]

AN ACT

April 10, 1936.
[S. 3761.]
[Public, No. 488.]

Authorizing the Secretary of the Interior to patent certain land to the town of Wamsutter, Wyoming.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon payment therefor at the rate of $1.25 per acre, the Secretary of the Interior be, and he is hereby, directed to cause patent to issue to the town of Wamsutter, Wyoming, for the northeast quarter northwest quarter section 34, township 20 north, range 94 west, of the sixth principal meridian, Wyoming, under the provisions of sections 2387 to 2389 of the Revised Statutes having reference to townsites: *Provided*, That the coal deposits contained in the land are reserved to the United States, together with the right to prospect for, mine, and remove the same.

Wamsutter, Wyo. Land patent to.

R. S., secs. 2387-2389, p. 437.
U. S. C., p. 1891.

Proviso.
Coal deposits, etc., reserved.

Approved, April 10, 1936.

[CHAPTER 168.]

AN ACT

April 10, 1936.
[S. 3908.]
[Public, No. 489.]

To enable the Commodity Credit Corporation to better serve the farmers in orderly marketing, and to provide credit and facilities for carrying surpluses from season to season.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture and the Governor of the Farm Credit Administration are hereby authorized and directed to take all necessary steps to increase the capital stock of the Commodity Credit Corporation by $97,000,000; and that the Reconstruction Finance Corporation is hereby authorized and directed to acquire $97,000,000 of the nonassessable capital stock of the Commodity Credit Corporation: *Provided*, That nothing herein shall be construed to increase the amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized and empowered under existing law to issue and to have outstanding at any one time.

Commodity Credit Corporation.
Capital stock increased.

Acquisition of stock by Reconstruction Finance Corporation authorized.

Proviso.
No increase in obligations.

Approved, April 10, 1936.

[CHAPTER 169.]

April 10, 1936.
[H. R. 3254.]
[Public, No. 490.]

AN ACT

To exempt certain small firearms from the provisions of the National Firearms Act.

National Firearms Act.
Vol. 48, p. 1236; U. S. C., p. 1135.
Certain small firearms exempted from provisions of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 1 of the National Firearms Act relating to the definition of "firearms" is amended by inserting after "definition" a comma and the following: "but does not include any rifle which is within the foregoing provisions solely by reason of the length of its barrel if the caliber of such rifle is .22 or smaller and if its barrel is sixteen inches or more in length".

Approved, April 10, 1936.

[CHAPTER 170.]

April 10, 1936.
[H. R. 3369.]
[Public, No. 491.]

AN ACT

For the relief of the State of Alabama.

State of Alabama.
Release from responsibility for loss of certain public property.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Alabama be, and is hereby, relieved from all responsibility and accountability for certain quartermaster and other property to the approximate value of $22,361.43, the property of the War Department in possession of the Alabama National Guard, which was lost, destroyed, or used for emergency relief work incident to the Elba (Alabama) flood of March 1929, and the tornadoes which occurred over large portions of said State in March 1932; and the Secretary of War is hereby authorized and directed to terminate all further accountability for said property.

Approved, April 10, 1936.

[CHAPTER 171.]

April 10, 1936.
[H. R. 7024.]
[Public, No. 492.]

AN ACT

To authorize the sale by the United States to the municipality of Hot Springs, New Mexico, of the north half of the southeast quarter and the northeast quarter of the southwest quarter of section 6, township 14 south, range 4 west, New Mexico principal meridian, New Mexico.

Hot Springs, N. Mex.
Land patent to.

Purchase price, description, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to patent to the city of Hot Springs, New Mexico, upon payment by such city of a purchase price at the rate of $1.25 per acre, the land on the north half of the southeast quarter and the northeast quarter of the southwest quarter of section 6, township 14 south, range 4 west, New Mexico principal meridian, New Mexico, for the purpose of enabling such city to establish a permanent recreational site and municipal golf course, subject to the highway right-of-way shown on a map approved by the Department of Interior on December 13, 1933, pursuant to the provisions of section 17 of the Act of November 9, 1929 [1] (42 Stat. 212).

Vol. 42, p. 216; U. S. C., p. 972.
Reversionary provision.

Such conveyance shall contain the express condition that if such city shall at any time cease to use such property for such purpose, or shall alienate or attempt to alienate such property, title thereto shall revert to the United States.

Approved, April 10, 1936.

[1] So in original.

[CHAPTER 172.]

AN ACT

To authorize a preliminary examination of Republican River, Smoky Hill River, and minor tributaries of Kansas River, with a view to the control of their floods.

April 10, 1936.
[H. R. 8030.]
[Public, No. 493.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of Republican River, Smoky Hill River, and minor tributaries of Kansas River, with a view to the control of their floods in accordance with the provisions of section 3 of an Act entitled "An Act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Republican, etc., Rivers.
Survey directed for controlling floods of.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, April 10, 1936.

[CHAPTER 173.]

AN ACT

To authorize a preliminary examination of Suwannee River in the State of Florida, from Florida-Georgia State line to the Gulf of Mexico.

April 10, 1936.
[H. R. 8300.]
[Public, No. 494.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of Suwannee River in the State of Florida, from the Florida-Georgia State line to the Gulf of Mexico, with a view to the control of its floods in accordance with the provisions of section 3 of an Act entitled "An Act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Suwannee River, Fla.
Survey directed for controlling floods of.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, April 10, 1936.

[CHAPTER 174.]

AN ACT

To convey certain land to the city of Enfield, Connecticut.

April 10, 1936.
[H. R. 8559.]
[Public, No. 495.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to convey to the Board of Selectmen of the town of Enfield of the State of Connecticut, for street purposes only, all the right, title, and interest of the United States to the following-described parcel of land which forms a part of the new post-office site at Enfield, Connecticut:

Enfield, Conn.
Conveyance of certain land to, for street purposes.

Description.

Lying and being in the town of Enfield, county of Hartford, State of Connecticut, being a strip of land fronting thirty-two feet on the northerly side of High Street and extending of that width in a northwardly direction along the westerly side of Bartley Avenue for the full depth of the post-office site, a distance of one hundred and fifty feet: *Provided, however*, That the said town of Enfield, Connecticut, shall not have the right to sell or convey the said described premises nor to devote the same to any other purpose than as hereinbefore provided; and in the event said premises shall not be used for street purposes only and cared for and maintained as are other public streets in said town, the right, title, and interest conveyed to the town of Enfield shall revert to the United States.

Proviso.
Conditions.

Approved, April 10, 1936.

[CHAPTER 175.]

AN ACT

April 10, 1936.
[H. R. 8577.]
[Public, No. 496.]

To amend the Teachers' Salary Act of the District of Columbia, approved June 4, 1924, as amended, in relation to raising the trade or vocational schools to the level of junior high schools, and for other purposes.

District of Columbia, public schools.
Trade or vocational schools; reclassification.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the purpose of this Act to raise the trade or vocational schools from the present elementary school level to the rank of junior high schools as to salary schedule; and to provide other necessary legislation relating thereto.

Salary schedule.

SEC. 2. That on and after July 1, 1936, the salaries of teachers and principals of the trade or vocational schools shall be as follows:

Teachers, class 1.

CLASS 1—TEACHERS

Group A.

Group A. A basic salary of $1,400 per year, with an annual increase in salary of $100 for eight years, or until a maximum salary of $2,200 per year is reached.

Group B.

Group B. A basic salary of $2,300 per year, with an annual increase in salary of $100 for three years, or until a maximum salary of $2,600 per year is reached.

Class 2.

CLASS 2—TEACHERS

Group A.

Group A. A basic salary of $1,600 per year, with an annual increase in salary of $100 for eight years, or until a maximum salary of $2,400 per year is reached.

Group B.

Group B. A basic salary of $2,500 per year, with an annual increase in salary of $100 for three years, or until a maximum salary of $2,800 per year is reached.

Group C.

Group C. A basic salary of $1,800 per year, with an annual increase in salary of $100 for ten years, or until a maximum salary of $2,800 per year is reached.

Group D.

Group D. A basic salary of $2,900 per year, with an annual increase in salary of $100 for three years, or until a maximum salary of $3,200 per year is reached.

CLASS 8—PRINCIPALS

Principals, class 8.

A basic salary of $3,500 per year, with an annual increase in salary of $100 for five years, or until a maximum salary of $4,000 per year is reached.

Board of Education, authority conferred on, to classify teachers, etc.

SEC. 3. That the Board of Education is hereby authorized, empowered, and directed to classify and assign the teachers and principals in the service in trade or vocational schools on July 1, 1936, to the salary classes and positions in the foregoing salary schedule for said trade or vocational schools, in accordance with such rules as the Board of Education may prescribe.

Occupational schools; establishment.

SEC. 4. That the Board of Education is authorized and empowered to establish occupational schools on the elementary school level for pupils not prepared to pursue vocational courses in the trade or vocational schools; and also to carry on trade or vocational courses on the senior high school level or in senior high schools.

Administration of Act.
Vol. 34, p. 316; Vol. 43, p. 367.

SEC. 5. The appointments, assignments, and transfers of teachers and principals authorized in this Act shall be made in accordance with the Act approved June 20, 1906, as amended. (Public, Numbered 254)

Effective date.

SEC. 6. This Act shall take effect on July 1, 1936.

Approved, April 10, 1936.

[CHAPTER 176.]

AN ACT

April 10, 1936.
[H. R. 8797.]
[Public, No. 497.]

To provide a preliminary examination of Onondaga Creek, in Onondaga County, State of New York, with a view to the control of its floods.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of Onondaga Creek, in Onondaga County, State of New York, with a view to the control of its floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for the control of floods of the Mississippi River and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Onondaga Creek, N. Y.
Survey directed for controlling floods of.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, April 10, 1936.

[CHAPTER 177.]

AN ACT

April 10, 1936.
[H. R. 8901.]
[Public, No. 498.]

To provide for the establishment of a Coast Guard station at or near Apostle Islands, Wisconsin.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to establish a Coast Guard station at or near Apostle Islands, Wisconsin, at such point as the Commandant of the Coast Guard may recommend.

Apostle Islands, Wis.
Coast Guard station established at.

Approved, April 10, 1936.

[CHAPTER 178.]

AN ACT

April 10, 1936.
[H. R. 9200.]
[Public, No. 499.]

Authorizing the erection of a marker suitably marking the site of the engagement fought at Columbus, Georgia, April 16, 1865.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to erect, or cause to be erected, in Columbus, Georgia, a suitable marker, or markers, marking the site of the engagement of Columbus fought in that city on April 16, 1865.

Columbus, Ga.
Erection of commemorative marker, authorized.

SEC. 2. There is authorized to be appropriated the sum of $1,000, or so much thereof as may be necessary, to carry out provisions of this Act.

Appropriation authorized.

Approved, April 10, 1936.

[CHAPTER 179.]

AN ACT

April 10, 1936.
[H. R. 9671.]
[Public, No. 500.]

To authorize the Secretary of the Treasury to dispose of material to the sea-scout service of the Boy Scouts of America.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized, in his discretion, to dispose of without charge, except for transportation and delivery, to the sea-scout service of the Boy Scouts of America such obsolete material as may not be needed for the Coast Guard, and such other material as may be spared at prices representing its fair value to the Coast Guard.

Boy Scouts of America.
Disposal of obsolete, etc., Coast Guard material to, authorized.

Approved, April 10, 1936.

[CHAPTER 180.]

AN ACT

April 10, 1936.
[H. R. 10182.]
[Public, No. 501.]

To authorize the Secretary of War to acquire the timber rights on the Gigling Military Reservation (now designated as Camp Ord), in California.

Gigling Military Reservation (Camp Ord), Calif.
Acquisition of timber rights reserved by former owners, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to acquire by purchase, condemnation, or otherwise, all the rights and interests which were reserved by the former owners on conveyance to the United States of the land embraced in the military reservation known as the Gigling Military Reservation (now designated as Camp Ord), in Monterey County, California, relative to the cutting of timber thereon and the preparation and removal of forest products and to terminate all easements, rights, and privileges insofar as they have application to timber operations for private benefit; and there is hereby authorized to be appropriated the sum of $25,000 to carry out the provisions of this Act.

Appropriation authorized.

Approved, April 10, 1936.

[CHAPTER 181.]

AN ACT

April 10, 1936.
[H. R. 10185.]
[Public, No. 502.]

To amend the Act approved June 18, 1934, authorizing the city of Port Arthur, Texas, or the Commission thereby created and its successors, to construct, maintain, and operate a bridge over Lake Sabine, at or near Port Arthur, Texas, and to extend the times for commencing and completing the said bridge.

Bridge over Lake Sabine, Port Arthur, Tex.
Period for amortizing cost extended.
Vol. 48, p. 1009.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Act entitled "An Act authorizing the city of Port Arthur, Texas, or the Commission hereby created and its successors, to construct, maintain, and operate a bridge over Lake Sabine, at or near Port Arthur, Texas", approved June 18, 1934, is amended by striking out the words "twenty years" and inserting in lieu thereof the words "thirty years".

Time for construction extended.

SEC. 2. That the times for commencing and completing the construction of the aforesaid bridge are hereby extended one and three years, respectively, from June 18, 1936.

Amendment.

SEC. 3. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 10, 1936.

[CHAPTER 182.]

AN ACT

April 10, 1936.
[H. R. 10187.]
[Public, No. 503.]

To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Randolph, Missouri.

Missouri River.
Time extended for bridging, at Randolph, Mo.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of the bridge across the Missouri River, at or near Randolph, Missouri, authorized to be built by The Kansas City Southern Railway Company, its successors and assigns, by an Act of Congress approved May 24, 1928, heretofore extended by Acts of Congress approved March 1, 1929, May 14, 1930, February 6, 1931, May 6, 1932, January 19, 1933, and April 9, 1934, are hereby further extended two and four years, respectively, from May 24, 1936.

Vol. 45, pp. 729, 1431; Vol. 46, pp. 328, 1064; Vol. 47, pp. 149, 772; Vol. 48, p. 572.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 10, 1936.

[CHAPTER 183.]

AN ACT

April 10, 1936.
[H. R. 10262.]
[Public, No. 504.]

To extend the times for commencing and completing the construction of certain bridges across the Monongahela, Allegheny, and Youghiogheny Rivers in the county of Allegheny, Pennsylvania.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of certain bridges, to wit:

Allegheny County, Pa.
Time for bridge construction extended, on designated projects.

(a) Across the Monongahela River, at a point suitable to the interests of navigation, from Pittsburgh to Homestead, Pennsylvania, near to, and to replace, existing Brown's Bridge,

Monongahela River, Pittsburgh to Homestead.

(b) Across the Allegheny River, at a point suitable to the interests of navigation, from Pittsburgh to O'Hara Township, Pennsylvania, near Dam Numbered 2, to replace the existing Highland Park Bridge,

Allegheny River, Pittsburgh to O'Hara Township.

(c) Across the Monongahela River, at a point suitable to the interests of navigation, in the city of Pittsburgh, Pennsylvania, between the Smithfield Street and Point Bridges,

Monongahela River at Pittsburgh.

(d) Across the Monongahela River, at a point suitable to the interests of navigation, from the Glenwood to the Hays sections of the city of Pittsburgh, Pennsylvania, to replace existing Glenwood Bridge,

(e) Across the Monongahela River, at a point suitable to the interests of navigation, from Dravosburg to McKeesport, Pennsylvania, to replace existing Dravosburg Bridge,

Dravosburg to McKeesport.

(f) Across the Youghiogheny River, at a point suitable to the interests of navigation, in the city of McKeesport, to replace existing Fifth Avenue Bridge,

Youghiogheny River at McKeesport.

(g) Across the Monongahela River, at a point suitable to the interests of navigation, from the Borough of Rankin to the Borough of Whittaker, Pennsylvania, to replace existing Rankin Bridge, [1] authorized to be built by Allegheny County Authority and the county of Allegheny, Pennsylvania, or either of them, by an Act of Congress approved June 4, 1934, amended and supplemented by an Act of Congress approved August 21, 1935, are hereby extended one and three years, respectively, from June 4, 1936.

Monongahela River, Boroughs of Rankin and Whittaker.

Vol. 48, p. 837.
Ante, p. 669.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, April 10, 1936.

[CHAPTER 184.]

AN ACT

April 10, 1936.
[H. R. 10316.]
[Public, No. 505.]

To legalize a bridge across Poquetanuck Cove at or near Ledyard, Connecticut.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State of Connecticut to maintain and operate a bridge and approaches thereto already constructed across Poquetanuck Cove at or near Ledyard, Connecticut, as a lawful structure and subject to the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Poquetanuck Cove.
Bridge across, at Ledyard, Conn., legalized.

Vol. 34, p. 84.
U. S. C., p. 1474.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, April 10, 1936.

[1] So in original.

[CHAPTER 185.]

AN ACT

April 10, 1936.
[H. R. 10465.]
[Public, No. 506.]

To legalize a bridge across Second Creek, Lauderdale County, Alabama.

Second Creek, Ala. Bridge across, in Lauderdale County, legalized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State of Alabama to maintain and operate a bridge and approaches thereto already constructed across Second Creek, Lauderdale County, Alabama, on the Florence to Athens highway in such State, as a lawful structure and subject to the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Vol. 34, p. 84.
U. S. C., p. 1474.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 10, 1936.

[CHAPTER 186.]

AN ACT

April 10, 1936.
[H. R. 10490.]
[Public, No. 507.]

To amend chapter 9 of the Act of July 1, 1898, entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto.

Bankruptcy Act of 1898, amendment.
Vol. 30, p. 541; Vol. 48, p. 798.
U. S. C., p. 346.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 79 of chapter 9 of the Act of July 1, 1898, entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto, be, and the same is hereby, amended to read as follows:

Courts of bankruptcy, additional jurisdiction.
Time extended for relief of debtors.

"SEC. 79. ADDITIONAL JURISDICTION.—Until January 1, 1940, in addition to the jurisdiction exercised in voluntary and involuntary proceedings to adjudge persons bankrupt, courts of bankruptcy shall exercise original jurisdiction in proceedings for the relief of debtors, as provided in this chapter of this Act."

Approved, April 10, 1936.

[CHAPTER 187.]

AN ACT

April 10, 1936.
[H. R. 10975.]
[Public, No. 508.]

Authorizing a preliminary examination of Marshy Hope Creek, a tributary of the Nanticoke River, at and within a few miles of Federalsburg, Caroline County, Maryland, with a view to the controlling of floods.

Marshy Hope Creek, Md.
Survey directed for controlling floods of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized and directed to cause a preliminary examination to be made of Marshy Hope Creek, a tributary of the Nanticoke River, at and within a few miles of Federalsburg, Caroline County, Maryland, with a view to the control of floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of floods of the Mississippi River, and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of river[1] and harbors.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, April 10, 1936.

[1] So in original.

[CHAPTER 188.]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Ohio River between Rockport, Indiana, and Owensboro, Kentucky.

April 10, 1936.
[H. R. 11045.]
[Public, No. 509.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Ohio River between Rockport, Indiana, and Owensboro, Kentucky, authorized to be built by the Spencer County Bridge Commission, by an Act of Congress approved June 18, 1934, are hereby extended one and three years, respectively, from June 18, 1936.

Ohio River.
Time extended for bridging, Rockport, Ind., to Owensboro, Ky.

Vol. 48, p. 1016.
Ante, p. 36.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, April 10, 1936.

[CHAPTER 189.]

AN ACT

Relating to the filing of copies of income returns, and for other purposes.

April 10, 1936.
[H. R. 11365.]
[Public, No. 510.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 54 of the Revenue Act of 1934, as amended, is amended by inserting at the end thereof the following new subsection:

Revenue Act of 1934, amendment.
Vol. 48, p. 698; U. S. C., p. 1044.

"(d) COPIES OF RETURNS.—If any person, required by law or regulations made pursuant to law to file a copy of any income return for any taxable year beginning after December 31, 1934, fails to file such copy at the time required, there shall be due and assessed against such person $5 in the case of an individual return or $10 in the case of a fiduciary, partnership, or corporation return, and the collector with whom the return is filed shall prepare such copy. Such amount shall be collected and paid, without interest, in the same manner as the amount of tax due in excess of that shown by the taxpayer upon a return in the case of a mathematical error appearing on the face of the return. In case of a person who filed a return for any taxable year not beginning after December 31, 1935, such amount of $5 or $10 shall be due and assessed only if the copy is not filed before the expiration of fifteen days after the mailing by the collector in whose office the return is filed, of a request to such person for the filing of the copy. Copies of returns filed or prepared pursuant to this subsection shall remain on file for a period of not less than two years from the date they are required to be filed, and may be destroyed at any time thereafter under the direction of the Commissioner."

Copies of income returns; failure to file.

Penalty.

Collection and payment.

Filing and disposition of returns.

Approved, April 10, 1936.

[CHAPTER 190.]

AN ACT

Granting the consent of Congress to the Department of Public Works of the Commonwealth of Massachusetts for the construction, maintenance, and operation of certain free highway bridges to replace bridges destroyed by flood in the Commonwealth of Massachusetts.

April 10, 1936.
[H. R. 11945.]
[Public, No. 511.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Department of Public Works of the Commonwealth of Massachusetts to construct, maintain, and operate the following temporary and permanent free highway bridges and approaches thereto:

Commonwealth of Massachusetts.
Bridge restorations, etc.

(1) Across the Merrimack River, at a point suitable to the interests of navigation, at or near Central Street, in the city of Lowell, Massachusetts, to replace the Central Street Bridge;

Merrimack River at Lowell.

Between Haverhill and Groveland.

(2) Across the Merrimack River, at a point suitable to the interests of navigation, between Haverhill and Groveland, Massachusetts, to replace the Groveland Bridge;

Connecticut River, between Gill and Montague.

(3) Across the Connecticut River, at a point suitable to the interests of navigation, between Gill and Montague, Massachusetts, to replace the Turners Falls Bridge;

Between Montague and Greenfield.

(4) Across the Connecticut River, at a point suitable to the interests of navigation, between Montague and Greenfield, Massachusetts, to replace the Montague City Bridge;

Between Deerfield and Sunderland.

(5) Across the Connecticut River, at a point suitable to the interests of navigation, between Deerfield and Sunderland, Massachusetts, to replace the Deerfield-Sunderland Bridge;

Between Northampton and Hadley.

(6) Across the Connecticut River, at a point suitable to the interests of navigation, between Northampton and Hadley, Massachusetts, to replace the Northampton-Hadley Bridge;

Between Holyoke and South Hadley.

(7) Across the Connecticut River, at a point suitable to the interests of navigation, between Holyoke and South Hadley, Massachusetts, to replace the Holyoke-South Hadley Bridge;

Between Springfield and Agawam.

(8) Across the Connecticut River, at a point suitable to the interests of navigation, between Springfield and Agawam, Massachusetts, to replace South End Bridge; in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Vol. 34, p. 84. U. S. C., p. 1473.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 10, 1936.

[CHAPTER 191.]

April 10, 1936. [H. J. Res. 305.] [Pub. Res., No. 80.]

JOINT RESOLUTION

Accepting the invitation of the Government of France to the United States to participate in the International Exposition of Paris—Art and Technique in Modern Life, to be held at Paris, France, in 1937.

International Exposition of Paris—Art and Technique in Modern Life, 1937. Invitation to participate accepted.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the invitation extended by the Government of France to the United States to participate in the International Exposition of Paris—Art and Technique in Modern Life, to be held at Paris, France, in 1937, is hereby accepted.

Commissioner general to represent United States; appointment authorized. Commissioner to be designated.

SEC. 2. The President is authorized to appoint a commissioner general to represent the United States in the exposition, who will serve in this capacity without compensation. The President is further authorized to designate upon the nomination of the Secretary of State a permanent Government official as commissioner, who while on this detail shall serve without additional compensation.

Expenses; duties.

The expenses of the commissioner general and the commissioner and such staff as they may require will be met out of the funds provided for the purposes of the Government participation in the exposition. Their duties shall be prescribed by the Secretary of State and shall include arrangements for providing and allotting space for exhibitors who may be willing to ship exhibits to the exposition. All arrangements with regard to such exhibit space to be provided for American exhibitors shall be made between the exposition authorities and the commissioner general, or, in the event he should delegate the authority, the commissioner. All arrangements made by exhibitors for space not provided by themselves, but made available through arrangements carried on by the commissioner general or commissioner, shall be with the latter two officials. It shall be the duty of

Exhibit arrangements.

the Secretary of State to indicate to the commissioner general and the commissioner appropriate methods of interesting possible American exhibitors in the exposition. The other departments of the Government are authorized and directed to cooperate with these officers when requested.

Cooperation of departments.

SEC. 3. The commissioner general and the commissioner may employ such clerks, stenographers, and other assistants as may be necessary and fix their reasonable compensation without regard to the Classification Act of 1923, as amended; purchase such material, contract for such labor and other services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), and exercise such powers as are delegated to them by this Act, and in order to facilitate the functioning of their officers may subdelegate their powers (authorized or delegated) to such officers and employees as may be deemed advisable.

Employees, etc.

U. S. C., p. 85.

Purchases without advertising.

R. S., sec. 3709, p. 733; U. S. C., p. 1803.

Delegation of powers.

SEC. 4. In order to defray the expenses of representation of the United States at this exposition, including personal services; transportation of things; travel and subsistence expenses; rent; printing and binding; official cards; entertainment; hire, maintenance and operation of motor-propelled passenger-carrying vehicles; and such other expenses as may be necessary in the opinion of the Secretary of State to carry out the purposes of this Act, the sum of $50,000, or so much thereof as may be necessary, is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to remain available until expended for the purposes of this joint resolution and any unexpended balances shall be covered back into the Treasury of the United States. All expenditure shall be subject to approval by the Secretary of State and payable upon his certification, provided that he is authorized in his discretion to delegate this authority to the commissioner general or the commissioner. Such expenditures shall not be subject to the provisions of any law regulating or limiting the expenditure of public money other than this Act, but this provision shall not be construed to waive the submission of accounts and vouchers to the General Accounting Office for audit, or permit any indebtedness to be incurred in excess of the amount authorized to be appropriated.

Appropriation authorized.

Post, p. 1633.

Supervision of expenditures.

SEC. 5. The heads of the various executive departments and independent offices and establishments of the Government are authorized to assist the commissioner general and the commissioner in the procurement, installation, and display of exhibits; to lend to the International Exposition of Paris—Art and Technique in Modern Life, with the knowledge and consent of the commissioner general and the commissioner, such articles, specimens, and exhibits which the commissioner shall deem to be in the interest of the United States to place with the science or other exhibits to be shown under the auspices of the exposition management; to contract for such labor or other services as shall be authorized by the commissioner general or commissioner, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); and to designate officials or employees of their departments or branches to assist the commissioner general and the commissioner.

Heads of departments, etc., to assist.

Contracts without advertising.

R. S., sec. 3709, p. 733.

U. S. C., p. 1803.

SEC. 6. The commissioner general and the commissioner, with the approval of the Secretary of State, may receive from any source contributions to aid in carrying out the general purpose of this Act, but the same shall be expended and accounted for in the same manner as any appropriation which may be made under authority of this Act. The commissioner general and the commissioner are also authorized to receive contributions of material to aid in carrying out the general purpose of this Act, and at the close of the exposition

Acceptance of contributions; expenditure, etc.

Disposition of excess.

or when the connection of the Government of the United States therewith ceases, under the direction of the Secretary of State, shall dispose of any such portion thereof as may be unused, and account therefor.

Reports to Congress.

SEC. 7. It shall be the duty of the Secretary of State to transmit to Congress within six months after the close of the exposition a detailed statement of all expenditures, together with the reports hereinbefore specified and such other reports as he may deem proper, which reports shall be prepared and arranged with a view to concise statement and convenient reference.

Approved, April 10, 1936.

[CHAPTER 207.]

AN ACT

April 11, 1936.
[S. 3860.]
[Public, No. 512.]

To amend section 2 of the Act entitled "An Act to amend the National Defense Act", approved May 28, 1928.

National rifle and pistol matches.
Coast Guard participation authorized.
Vol. 45, p. 786; U. S. C., p. 1443.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act to amend the National Defense Act", approved May 28, 1928 (45 Stat. 786; U. S. C., title 32, sec. 181b), is hereby amended by inserting the words "Coast Guard" after the words "Marine Corps," and before the words "National Guard," in the fourth line of said section.

Approved, April 11, 1936.

[CHAPTER 208.]

AN ACT

April 11, 1936.
[S. 3971.]
[Public, No. 513.]

To extend the times for commencing and completing the construction of a bridge across the Saint Lawrence River at or near Ogdensburg, New York.

Saint Lawrence River.
Time extended for bridging, at Ogdensburg, N. Y.
Vol. 48, pp. 141, 927; *Ante*, p. 301.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Saint Lawrence River at or near Ogdensburg, New York, authorized to be built by the Saint Lawrence Bridge Commission by an Act of Congress approved June 14, 1933, heretofore extended by Acts of Congress approved June 8, 1934, and May 28, 1935, are hereby further extended one and three years, respectively, from June 14, 1936.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 11, 1936.

[CHAPTER 209.]

AN ACT

April 11, 1936.
[H. R. 6645.]
[Public, No. 514.]

To amend the Act entitled "An Act to provide for the construction of certain public buildings, and for other purposes", approved May 25, 1926.

Oakland, Calif.
Disposition of old post-office building authorized.
Vol. 44, p. 630; U. S. C., p. 1793.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the construction of certain public buildings, and for other purposes", approved May 25, 1926, is amended by adding the following: "That the Secretary of the Treasury be, and he is hereby, authorized and empowered, as soon as he advantageously can do so, to sell, alter, remodel, demolish, or otherwise dispose of the old post-office building at Oakland, California, the cost of demolition or other disposition, if any, to be paid from

any unallocated moneys available for public building construction. The Secretary of the Treasury is hereby further authorized to sell all of the old post-office site situated at Broadway, Seventeenth, and Franklin Streets in Oakland, California, at such time, for such price, and upon such terms and conditions as he may deem to be to the best interests of the United States, and to convey such property to the purchaser thereof by the usual quitclaim deed, the proceeds of said sale to be covered into the Treasury as miscellaneous receipts."

Proceeds of sale covered into Treasury.

Approved, April 11, 1936.

[CHAPTER 210.]

AN ACT

April 11, 1936.
[H. R. 6982.]
[Public, No. 515.]

To amend section 80 of chapter 9 of an Act to amend the Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subparagraphs (a) and (d) of section 80 of chapter 9 of an Act to amend an Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto be, and the same are hereby, amended to read as follows:

Bankruptcy Act of 1898, amendments. Vol. 30, p. 544; Vol. 48, p. 798. U. S. C., p. 346.

"SEC. 80. MUNICIPAL DEBT READJUSTMENTS.—(a) Any municipality or other political subdivision of any State, including (but not hereby limiting the generality of the foregoing) any county, city, borough, village, parish, town, or township, unincorporated tax or special assessment district, and any school, drainage, irrigation, reclamation, levee, sewer, or paving, sanitary, port, improvement, or other districts (hereinafter referred to as a 'taxing district'), may file a petition stating that the taxing district is insolvent or unable to meet its debts as they mature, and that it desires to effect a plan of readjustment of its debts. The petition shall be filed with the court in whose territorial jurisdiction the taxing district or the major part thereof is located and for any such district having no officials of its own the petition shall be filed by the municipality or political subdivision, the officials of which have power to contract on behalf of said district or to levy the special assessments within such district. The petition shall be accompanied by payment to the clerk of a filing fee of $100, which shall be in addition to the fees required to be collected by the clerk under other chapters of this Act. The petition shall state that a plan of readjustment has been prepared, is filed and submitted with the petition, and that creditors of the taxing district owning not less than 30 per centum in the case of drainage, irrigation, reclamation, and levee districts (except as hereinafter provided) and owning not less than 51 per centum in the case of all other taxing districts in amount of the bonds, notes, and certificates of indebtedness of the taxing district affected by the plan, excluding bonds, notes, or certificates of indebtedness owned, held, or controlled by the taxing district in a fund or otherwise, have accepted it in writing. The petition shall be accompanied with such written acceptance and with a list of all known creditors of the taxing district, together with their addresses so far as known to the taxing district, and description of their respective claims showing separately those who have accepted the plan of readjustment, together with their separate addresses, the contents of which list shall not constitute admissions by the taxing districts in a proceeding under this chapter or otherwise. Upon the filing of such a petition the judge shall enter an order either approving it as properly filed under this

Municipal debt readjustments.
Petition of insolvent taxing district.

Where to be filed.

Filing fee.

Contents of petition; readjustment plan to accompany.
Consent of creditors required.

List of creditors to be furnished.

Not deemed admissions.

Order of approval or dismissal by court.

chapter, if satisfied that such petition complies with this chapter and has been filed in good faith, or dismissing it, if not so satisfied. If creditors holding 5 per centum in amount of the bonds, notes, or certificates of indebtedness shall, within ninety days after the first publication of the notice provided for in subdivision (c), clause (1), of this chapter, appear and controvert the facts alleged in the petition, the judge shall decide the issues presented, and unless the material allegations of the petition are sustained, shall dismiss the petition: *Provided, however*, That such written acceptance of not less than 30 per centum of the creditors of drainage, irrigation, reclamation, and levee districts, shall not be required in any case where a loan shall have been authorized to the petitioning taxing district by an agency of the United States Government, for the purpose of enabling any such petitioning district to reduce and refinance its outstanding indebtedness.

Judge to decide issues if 5% of creditors appear and controvert. Vol. 48, p. 809.

Proviso. Petition of drainage, etc., districts, where loans shall have been authorized for refinancing indebtedness.

Confirmation of plan.

"(d) The plan of readjustment shall not be confirmed until it has been accepted in writing, filed in the proceeding, by or on behalf of creditors holding at least 51 per centum in amount of the claims of each class in the case of drainage, irrigation, reclamation and levee districts and creditors holding two-thirds in amount of the claims of each class in the case of all other taxing districts whose claims have been allowed and would be affected by the plan, and by creditors holding 51 per centum in the case of drainage, irrigation, reclamation, and levee districts and creditors holding 75 per centum in the case of all other taxing districts in amount of the claims of all classes of the taxing district affected by the plan, but excluding claims owned, held, or controlled by a taxing district, and such plan has been accepted and approved by the taxing district in a writing filed in the proceeding, signed in its name by an authorized authority: *Provided, however*, That it shall not be requisite to the confirmation of the plan that there be such acceptance by any creditor or class of creditors (a) whose claims are not affected by the plan, or (b) if the plan makes provision for the payment of their claims in cash in full, or (c) if provision is made in the plan for the protection of the interests, claims or liens of such creditors or class of creditors."

Drainage, reclamation, etc., districts.

Other districts.

Proviso. Acceptance by certain creditors not required.

Approved, April 11, 1936.

[CHAPTER 211.]

April 13, 1936.
[S. 2288.]
[Public, No. 516.]

AN ACT

To provide for the measurement of vessels using the Panama Canal, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to appoint a neutral committee of three members, for the purpose of making an independent study and investigation of the rules for the measurement of vessels using the Panama Canal and the tolls that should be charged therefor and hold hearings thereon, at which interested parties shall have full opportunity to present their views. Such committee shall report to the President upon said matters prior to January 1, 1937, and shall make such advisory recommendations of changes and modifications of the "Rules for the Measurement of Vessels for the Panama Canal" and the determinations of tolls as it finds necessary or desirable to provide a practical, just, and equitable system of measuring such vessels and levying such tolls. Members of such committee shall be paid compensation at the rate of $825 per month, except that a member who is an officer or employee of the United States shall receive no compensation in addition to his compensation as such officer or

Panama Canal. Committee to study rules for measurement of vessels, authorized. *Post*, p. 1641.

Hearings.

Report and recommendations.

Compensation.

employee. Such committee is authorized to appoint such employees as may be necessary for the execution of its functions under this Act, the total expense thereof not to exceed $10,000. Employees.

Approved, April 13, 1936.

[CHAPTER 212.]

AN ACT

April 13, 1936.
[H. R. 11323.]
[Public, No. 517.]

To authorize the coinage of 50-cent pieces in commemoration of the three-hundredth anniversary of the founding of the first settlement on Long Island, New York.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the three-hundredth anniversary of the founding of the first settlement on Long Island, New York, there shall be coined at a mint of the United States to be designated by the Director of the Mint not to exceed one hundred thousand silver 50-cent pieces of standard size, weight, and composition, and of a special appropriate single design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

Long Island, New York.
Coinage of 50-cent pieces commemorating first settlement on, authorized.
Number.
No Federal expense.

SEC. 2. The coins herein authorized shall bear the date 1936, irrespective of the year in which they are minted or issued, shall be legal tender in any payment to the amount of their face value, and shall be issued only upon the request of the chairman or secretary of the Long Island Tercentenary Committee upon payment by him of the par value of such coins, but not less than five thousand such coins shall be issued to him at any one time and no such coins shall be issued after the expiration of one year after the date of enactment of this Act. Such coins may be disposed of at par or at a premium by such committee and the net proceeds shall be used by it in defraying the expenses incidental and appropriate to the commemoration of such event.

Date.
Issue.
Disposition.

SEC. 3. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material, and for the transportation, distribution, and redemption of coins, for the prevention of debasement or counterfeiting, for the security of the coins, or for any other purposes, whether such laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized.

Coinage laws applicable.

Approved, April 13, 1936.

[CHAPTER 213.]

AN ACT

April 13, 1936.
[H. R. 11849.]
[Public, No. 518.]

To amend an Act entitled "An Act to create a Library of Congress Trust Fund Board, and for other purposes", approved March 3, 1925.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third paragraph of the Act entitled "An Act to create a Library of Congress Trust Fund Board, and for other purposes", approved March 3, 1925, is amended to read as follows:

Library of Congress Trust Fund Board.
Vol. 43, p. 1107.
U. S. C., p. 18.

"SEC. 2. The Board is hereby authorized to accept, receive, hold, and administer such gifts, bequests, or devises of property for the benefit of, or in connection with, the Library, its collections, or its service, as may be approved by the Board and by the Joint Committee on the Library."

Acceptance of gifts, etc., for benefit of Library, authorized.

Approved, April 13, 1936.

[CHAPTER 214.]

JOINT RESOLUTION

April 13, 1936.
[H. J. Res. 526.]
[Pub. Res., No. 81.]

To authorize the Librarian of Congress to accept the property devised and bequeathed to the United States of America by the last will and testament of Joseph Pennell, deceased.

Joseph Pennell (deceased).
Acceptance of bequest of, for Library of Congress, authorized.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Librarian of Congress, with the advice and consent of the Library of Congress Trust Fund Board and the Joint Committee of Congress on the Library, is hereby authorized to accept, on behalf of the United States, the property devised and bequeathed to the United States by the last will and testament of Joseph Pennell, deceased (which will was admitted to probate by the register for the probate of wills and granting of letters of administration in and for the city and county of Philadelphia, in the Commonwealth of Pennsylvania, on the 24th day of June 1926), upon the terms and conditions set forth in the said will, if, in their judgment, such acceptance would be to the best interests of the Library.

Administrative authority of Librarian.

SEC. 2. Should the property be accepted pursuant to the authority hereinbefore granted, the Librarian of Congress is hereby authorized and directed to do all acts necessary in connection therewith: *Provided, however*, That the Librarian of Congress shall transfer the assets of the "Pennell Fund" (as designated in the said will), to the Library of Congress Trust Fund Board for administration by the said Board.

Proviso.
Transfer of assets.

Approved, April 13, 1936.

[CHAPTER 215.]

AN ACT

April 14, 1936.
[S. 4232.]
[Public, No. 519.]

To create a commission and to extend further relief to water users on United States reclamation projects and on Indian irrigation projects.

Reclamation projects.
Commission created to investigate financial, etc., conditions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby created a commission to be composed of three members, all of whom shall be appointed by the Secretary of the Interior, two from the personnel of the Department of the Interior, and one who shall be a landowner and water user under a United States reclamation project. The commission is authorized and directed to investigate the financial and economic condition of the various United States reclamation projects, with particular reference to the ability of each such project to make payments of water-right charges without undue burden on the water users, district, association, or other reclamation organization liable for such charges. Such investigation shall include an examination and consideration of any statement filed with the commission, or the Department of the Interior, by any such district, association, or other reclamation organization, or the water users thereof, and, where requested by any such district, association, or other reclamation organization, said commission shall proceed to such project and hold hearings, the proceedings of which shall be reduced to writing and filed with its report. Said commission, after having made careful investigation and study of the financial and economic condition of the various United States reclamation projects and their probable present and future ability to meet such water-right charges, shall report to the Congress, at the beginning of the Seventy-fifth Congress, with its recommendations as to the best, most feasible, and practicable comprehensive permanent plan for such water-right payments, with due consideration for the development and carrying on of the reclamation program of

Ability to pay water-right charges.

Scope, etc., of investigation.

Report and recommendations to Congress.

the United States, and having particularly in mind the probable ability of such water users, districts, associations, or other reclamation organizations to meet such water-right charges regularly and faithfully from year to year, during periods of prosperity and good prices for agricultural products as well as during periods of decline in agricultural income and unsatisfactory conditions of agriculture.

Appropriation authorized for expenses.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $5,000, which shall be available for expenditure, as the Secretary of the Interior may direct, for expenses and all necessary disbursements, including salaries, in carrying out the provisions of this Act. The commission is authorized to appoint and fix the compensation of such employees as may be necessary for carrying out its functions under this Act without regard to civil-service laws or the Classification Act of 1923, as amended.

Employees.

U. S. C., pp. 81, 85.

Relief to water users, extended.

Ante, p. 337.

SEC. 3. That all the provisions of the Act entitled "An Act to further extend relief to water users on the United States reclamation projects and on Indian irrigation projects", approved June 13, 1935, are hereby further extended for the period of one year, so far as concerns 50 per centum of the construction charges, for the calendar year 1936: *Provided, however*, That where the construction charge for the calendar year 1936 is payable in two installments the sum hereby extended shall be the amount due as the first of such installments. If payable in one installment, the due date for the 50 per centum to be paid shall not be changed.

Proviso. Construction charges, 1936.

Approved, April 14, 1936.

[CHAPTER 228.]

AN ACT

April 16, 1936. [S. 754.] [Public, No. 520.]

To amend section 21 of the Act approved June 5, 1920, entitled "An Act to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes", as applied to the Virgin Islands of the United States.

Virgin Islands of the United States.

Vol. 41, p. 997.

U. S. C., p. 2066.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 21 of the Act approved June 5, 1920 (41 Stat. L. 997), entitled "An Act to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes", is hereby amended by adding thereto the following proviso: "*And provided further*, That the coastwise laws of the United States shall not extend to the Virgin Islands of the United States until the President of the United States shall, by proclamation, declare that such coastwise laws shall extend to the Virgin Islands and fix a date for the going into effect of same."

Extension of coastwise laws to, deferred until date fixed by Presidential proclamation.

Approved, April 16, 1936.

[CHAPTER 229.]

AN ACT

April 16, 1936. [S. 1152.] [Public, No. 521.]

Relating to the carriage of goods by sea.

Carriage of Goods by Sea Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every bill of lading or similar document of title which is evidence of a contract for the carriage of goods by sea to or from ports of the United States, in foreign trade, shall have effect subject to the provisions of this Act.

Title I.

TITLE I

Terms defined.

SECTION 1. When used in this Act—

"Carrier."

(a) The term "carrier" includes the owner or the charterer who enters into a contract of carriage with a shipper.

"Contract of carriage."

(b) The term "contract of carriage" applies only to contracts of carriage covered by a bill of lading or any similar document of title, insofar as such document relates to the carriage of goods by sea, including any bill of lading or any similar document as aforesaid issued under or pursuant to a charter party from the moment at which such bill of lading or similar document of title regulates the relations between a carrier and a holder of the same.

"Goods."

(c) The term "goods" includes goods, wares, merchandise, and articles of every kind whatsoever, except live animals and cargo which by the contract of carriage is stated as being carried on deck and is so carried.

"Ship."

(d) The term "ship" means any vessel used for the carriage of goods by sea.

"Carriage of goods."

(e) The term "carriage of goods" covers the period from the time when the goods are loaded on to the time when they are discharged from the ship.

RISKS

Risks.
Post, p. 1211.

SEC. 2. Subject to the provisions of section 6, under every contract of carriage of goods by sea, the carrier in relation to the loading, handling, stowage, carriage, custody, care, and discharge of such goods, shall be subject to the responsibilities and liabilities and entitled to the rights and immunities hereinafter set forth.

RESPONSIBILITIES AND LIABILITIES

Responsibilities and liabilities.

SEC. 3. (1) The carrier shall be bound, before and at the beginning of the voyage, to exercise due diligence to—

(a) Make the ship seaworthy;

(b) Properly man, equip, and supply the ship;

(c) Make the holds, refrigerating and cooling chambers, and all other parts of the ship in which goods are carried, fit and safe for their reception, carriage, and preservation.

(2) The carrier shall properly and carefully load, handle, stow, carry, keep, care for, and discharge the goods carried.

Bill of lading; contents.

(3) After receiving the goods into his charge the carrier, or the master or agent of the carrier, shall, on demand of the shipper, issue to the shipper a bill of lading showing among other things—

Identification marks.

(a) The leading marks necessary for identification of the goods as the same are furnished in writing by the shipper before the loading of such goods starts, provided such marks are stamped or otherwise shown clearly upon the goods if uncovered, or on the cases or coverings in which such goods are contained, in such a manner as should ordinarily remain legible until the end of the voyage.

Number or weight of packages, etc.

(b) Either the number of packages or pieces, or the quantity or weight, as the case may be, as furnished in writing by the shipper.

Order and condition of goods.
Proviso.
Exceptions.

(c) The apparent order and condition of the goods: *Provided*, That no carrier, master, or agent of the carrier, shall be bound to state or show in the bill of lading any marks, number, quantity, or weight which he has reasonable ground for suspecting not accurately to represent the goods actually received, or which he has had no reasonable means of checking.

Evidence of receipt.

(4) Such a bill of lading shall be prima facie evidence of the receipt by the carrier of the goods as therein described in accordance with paragraphs (3) (a), (b), and (c), of this section: *Provided*, That nothing in this Act shall be construed as repealing or limiting the application of any part of the Act, as amended, entitled "An Act relating to bills of lading in interstate and foreign commerce", approved August 29, 1916 (U. S. C., title 49, secs. 81–124), commonly known as the "Pomerene Bills of Lading Act."

Proviso. Existing law not affected. Vol. 39, p. 538; U. S. C., p. 2242.

Accuracy of marks, etc., guaranteed by shipper; indemnity for error.

(5) The shipper shall be deemed to have guaranteed to the carrier the accuracy at the time of shipment of the marks, number, quantity, and weight, as furnished by him; and the shipper shall indemnify the carrier against all loss, damages, and expenses arising or resulting from inaccuracies in such particulars. The right of the carrier to such indemnity shall in no way limit his responsibility and liability under the contract of carriage to any person other than the shipper.

Removal to be prima facie evidence of delivery; exception.

(6) Unless notice of loss or damage and the general nature of such loss or damage be given in writing to the carrier or his agent at the port of discharge before or at the time of the removal of the goods into the custody of the person entitled to delivery thereof under the contract of carriage, such removal shall be prima facie evidence of the delivery by the carrier of the goods as described in the bill of lading. If the loss or damage is not apparent, the notice must be given within three days of the delivery.

Notice of loss when damage not apparent.

Said notice of loss or damage may be endorsed upon the receipt for the goods given by the person taking delivery thereof.

Exception.

The notice in writing need not be given if the state of the goods has at the time of their receipt been the subject of joint survey or inspection.

Failure to bring suit; discharge of liability.

In any event the carrier and the ship shall be discharged from all liability in respect of loss or damage unless suit is brought within one year after delivery of the goods or the date when the goods should have been delivered: *Provided*, That if a notice of loss or damage, either apparent or concealed, is not given as provided for in this section, that fact shall not affect or prejudice the right of the shipper to bring suit within one year after the delivery of the goods or the date when the goods should have been delivered.

Proviso. Right of shipper.

Mutual rights of inspecting, etc., goods, in case of loss.

In the case of any actual or apprehended loss or damage the carrier and the receiver shall give all reasonable facilities to each other for inspecting and tallying the goods.

"Shipped" bill of lading.

(7) After the goods are loaded the bill of lading to be issued by the carrier, master, or agent of the carrier to the shipper shall, if the shipper so demands, be a "shipped" bill of lading: *Provided*, That if the shipper shall have previously taken up any document of title to such goods, he shall surrender the same as against the issue of the "shipped" bill of lading, but at the option of the carrier such document of title may be noted at the port of shipment by the carrier, master, or agent with the name or names of the ship or ships upon which the goods have been shipped and the date or dates of shipment, and when so noted the same shall for the purpose of this section be deemed to constitute a "shipped" bill of lading.

Proviso. Substitution of. for document of title previously taken up, etc.

Covenant relieving from liability for negligence, etc., void.

(8) Any clause, covenant, or agreement in a contract of carriage relieving the carrier or the ship from liability for loss or damage to or in connection with the goods, arising from negligence, fault, or failure in the duties and obligations provided in this section, or lessening such liability otherwise than as provided in this Act, shall be null and void and of no effect. A benefit of insurance in favor of the carrier, or similar clause, shall be deemed to be a clause relieving the carrier from liability.

Rights and immunities.

RIGHTS AND IMMUNITIES

Loss from unseaworthiness.

SEC. 4. (1) Neither the carrier nor the ship shall be liable for loss or damage arising or resulting from unseaworthiness unless caused by want of due diligence on the part of the carrier to make the ship seaworthy, and to secure that the ship is properly manned, equipped, and supplied, and to make the holds, refrigerating and cool chambers, and all other parts of the ship in which goods are carried fit and safe for their reception, carriage, and preservation in accordance with the provisions of paragraph (1) of section 3. Whenever loss or damage has resulted from unseaworthiness, the burden of proving the exercise of due diligence shall be on the carrier or other persons claiming exemption under this section.

Burden of proof.

Exemption from liability from designated causes.

(2) Neither the carrier nor the ship shall be responsible for loss or damage arising or resulting from—

(a) Act, neglect, or default of the master, mariner, pilot, or the servants of the carrier in the navigation or in the management of the ship;

(b) Fire, unless caused by the actual fault or privity of the carrier;

(c) Perils, dangers, and accidents of the sea or other navigable waters;

(d) Act of God;

(e) Act of war;

(f) Act of public enemies;

(g) Arrest or restraint of princes, rulers, or people, or seizure under legal process;

(h) Quarantine restrictions;

(i) Act or omission of the shipper or owner of the goods, his agent or representative;

(j) Strikes or lockouts or stoppage or restraint of labor from whatever cause, whether partial or general: *Provided*, that nothing herein contained shall be construed to relieve a carrier from responsibility for the carrier's own acts;

Proviso. Carrier's own acts.

(k) Riots and civil commotions;

(l) Saving or attempting to save life or property at sea;

(m) Wastage in bulk or weight or any other loss or damage arising from inherent defect, quality, or vice of the goods;

(n) Insufficiency of packing;

(o) Insufficiency or inadequacy of marks;

(p) Latent defects not discoverable by due diligence; and

(q) Any other cause arising without the actual fault and privity of the carrier and without the fault or neglect of the agents or servants of the carrier, but the burden of proof shall be on the person claiming the benefit of this exception to show that neither the actual fault or privity of the carrier nor the fault or neglect of the agents or servants of the carrier contributed to the loss or damage.

Other causes not the fault of carrier; burden of proof in claiming benefits of.

Shipper not responsible for damage to carrier, etc., without fault.

(3) The shipper shall not be responsible for loss or damage sustained by the carrier or the ship arising or resulting from any cause without the act, fault, or neglect of the shipper, his agents, or his servants.

Certain deviations not deemed breach of Act or contract.

(4) Any deviation in saving or attempting to save life or property at sea, or any reasonable deviation shall not be deemed to be an infringement or breach of this Act or of the contract of carriage, and the carrier shall not be liable for any loss or damage resulting therefrom: *Provided, however*, That if the deviation is for the purpose of loading or unloading cargo or passengers it shall, prima facie, be regarded as unreasonable.

Proviso. Unreasonable deviation.

(5) Neither the carrier nor the ship shall in any event be or become liable for any loss or damage to or in connection with the transportation of goods in an amount exceeding $500 per package lawful money of the United States, or in case of goods not shipped in packages, per customary freight unit, or the equivalent of that sum in other currency, unless the nature and value of such goods have been declared by the shipper before shipment and inserted in the bill of lading. This declaration, if embodied in the bill of lading, shall be prima facie evidence, but shall not be conclusive on the carrier.

Amount of carrier's liability for loss.

By agreement between the carrier, master, or agent of the carrier, and the shipper another maximum amount than that mentioned in this paragraph may be fixed: *Provided*, That such maximum shall not be less than the figure above named. In no event shall the carrier be liable for more than the amount of damage actually sustained.

Different maximum by agreement.

Proviso. Lowest maximum.

Neither the carrier nor the ship shall be responsible in any event for loss or damage to or in connection with the transportation of the goods if the nature or value thereof has been knowingly and fraudulently misstated by the shipper in the bill of lading.

Misstatements; effect of.

(6) Goods of an inflammable, explosive, or dangerous nature to the shipment whereof the carrier, master or agent of the carrier, has not consented with knowledge of their nature and character, may at any time before discharge be landed at any place or destroyed or rendered innocuous by the carrier without compensation, and the shipper of such goods shall be liable for all damages and expenses directly or indirectly arising out of or resulting from such shipment. If any such goods shipped with such knowledge and consent shall become a danger to the ship or cargo, they may in like manner be landed at any place, or destroyed or rendered innocuous by the carrier without liability on the part of the carrier except to general average, if any.

Inflammable, etc., goods.

Treatment, disposition, etc.

SURRENDER OF RIGHTS AND IMMUNITIES AND INCREASE OF RESPONSIBILITIES AND LIABILITIES

SEC. 5. A carrier shall be at liberty to surrender in whole or in part all or any of his rights and immunities or to increase any of his responsibilities and liabilities under this Act, provided such surrender or increase shall be embodied in the bill of lading issued to the shipper.

Surrender of rights, etc., and increase of responsibilities, etc.

The provisions of this Act shall not be applicable to charter parties; but if bills of lading are issued in the case of a ship under a charter party, they shall comply with the terms of this Act. Nothing in this Act shall be held to prevent the insertion in a bill of lading of any lawful provision regarding general average.

Act not applicable to charter parties.

SPECIAL CONDITIONS

Special conditions.

SEC. 6. Notwithstanding the provisions of the preceding sections, a carrier, master or agent of the carrier, and a shipper shall, in regard to any particular goods be at liberty to enter into any agreement in any terms as to the responsibility and liability of the carrier for such goods, and as to the rights and immunities of the carrier in respect of such goods, or his obligation as to seaworthiness (so far as the stipulation regarding seaworthiness is not contrary to public policy), or the care or diligence of his servants or agents in regard to the loading, handling, stowage, carriage, custody, care, and discharge of the goods carried by sea: *Provided*, That in this case no bill of lading has been or shall be issued and that the terms agreed shall be embodied in a receipt which shall be a nonnegotiable document and shall be marked as such.

Agreements between carrier and shipper permitted.

Proviso. Terms to be embodied in nonnegotiable receipt.

Legal effect.

Any agreement so entered into shall have full legal effect: *Provided*, That this section shall not apply to ordinary commercial shipments made in the ordinary course of trade but only to other shipments where the character or condition of the property to be carried or the circumstances, terms, and conditions under which the carriage is to be performed are such as reasonably to justify a special agreement.

Proviso. Shipments excluded.

Liability for goods prior to loading and after discharge from ship.

SEC. 7. Nothing contained in this Act shall prevent a carrier or a shipper from entering into any agreement, stipulation, condition, reservation, or exemption as to the responsibility and liability of the carrier or the ship for the loss or damage to or in connection with the custody and care and handling of goods prior to the loading on and subsequent to the discharge from the ship on which the goods are carried by sea.

Rights and obligations of carrier under designated Acts.
Vol. 39, p. 728; U. S. C., p. 2054.
R. S., secs. 4281–4289, p. 826.
U. S. C., p. 1998.

SEC. 8. The provisions of this Act shall not affect the rights and obligations of the carrier under the provisions of the Shipping Act, 1916, or under the provisions of sections 4281 to 4289, inclusive, of the Revised Statutes of the United States, or of any amendments thereto; or under the provisions of any other enactment for the time being in force relating to the limitation of the liability of the owners of seagoing vessels.

Title II.

TITLE II

Discrimination between competing shippers not permitted.

SECTION 9. Nothing contained in this Act shall be construed as permitting a common carrier by water to discriminate between competing shippers similarly placed in time and circumstances, either (a) with respect to their right to demand and receive bills of lading subject to the provisions of this Act; or (b) when issuing such bills of lading, either in the surrender of any of the carrier's rights and immunities or in the increase of any of the carrier's responsibilities and liabilities pursuant to section 5, title I, of this Act; or (c) in any other way prohibited by the Shipping Act, 1916, as amended.

Ante, p. 1211.

Through bills of lading issued by railroad carriers.
Vol. 41, p. 498; U. S. C., p. 2234.
Sea carriage subject to this Act.

SEC. 10. Section 25 of the Interstate Commerce Act is hereby amended by adding the following proviso at the end of paragraph 4 thereof: "*Provided, however*, That insofar as any bill of lading authorized hereunder relates to the carriage of goods by sea, such bill of lading shall be subject to the provisions of the Carriage of Goods by Sea Act."

Where cargo weight is ascertained or accepted by third party.

SEC. 11. Where under the customs of any trade the weight of any bulk cargo inserted in the bill of lading is a weight ascertained or accepted by a third party other than the carrier or the shipper, and the fact that the weight is so ascertained or accepted is stated in the bill of lading, then, notwithstanding anything in this Act, the bill of lading shall not be deemed to be prima facie evidence against the carrier of the receipt of goods of the weight so inserted in the bill of lading, and the accuracy thereof at the time of shipment shall not be deemed to have been guaranteed by the shipper.

Existing provisions not affected.
Vol. 27, p. 445.
U. S. C., p. 1999.

SEC. 12. Nothing in this Act shall be construed as superseding any part of the Act entitled "An Act relating to navigation of vessels, bills of lading, and to certain obligations, duties, and rights in connection with the carriage of property", approved February 13, 1893, or of any other law which would be applicable in the absence of this Act, insofar as they relate to the duties, responsibilities, and liabilities of the ship or carrier prior to the time when the goods are loaded on or after the time they are discharged from the ship.

Scope of Act.
"United States" defined.

SEC. 13. This Act shall apply to all contracts for carriage of goods by sea to or from ports of the United States in foreign trade. As used in this Act the term "United States" includes its districts, terri-

tories, and possessions: *Provided*, *however*, That the Philippine Legislature may by law exclude its application to transportation to or from ports of the Philippine Islands. The term "foreign trade" means the transportation of goods between the ports of the United States and ports of foreign countries. Nothing in this Act shall be held to apply to contracts for carriage of goods by sea between any port of the United States or its possessions, and any other port of the United States or its possessions: *Provided*, *however*, That any bill of lading or similar document of title which is evidence of a contract for the carriage of goods by sea between such ports, containing an express statement that it shall be subject to the provisions of this Act, shall be subjected hereto as fully as if subject hereto by the express provisions of this Act: *Provided further*, That every bill of lading or similar document of title which is evidence of a contract for the carriage of goods by sea from ports of the United States, in foreign trade, shall contain a statement that it shall have effect subject to the provisions of this Act.

Provisos.
Action by Philippine Legislature.

"Foreign trade" defined.

Domestic coastwise, etc., trade.

Application of Act to bills of lading issued for, by agreement.

Foreign trade; statement required.

SEC. 14. Upon the certification of the Secretary of Commerce that the foreign commerce of the United States in its competition with that of foreign nations is prejudiced by the provisions, or any of them, of title I of this Act, or by the laws of any foreign country or countries relating to the carriage of goods by sea, the President of the United States may, from time to time, by proclamation, suspend any or all provisions of title I of this Act for such periods of time or indefinitely as may be designated in the proclamation. The President may at any time rescind such suspension of title I hereof, and any provisions thereof which may have been suspended shall thereby be reinstated and again apply to contracts thereafter made for the carriage of goods by sea. Any proclamation of suspension or rescission of any such suspension shall take effect on a date named therein, which date shall be not less than ten days from the issue of the proclamation.

Suspension of Title I by Presidential proclamation.

Rescission of proclamation.

Effective date.

Any contract for the carriage of goods by sea, subject to the provisions of this Act, effective during any period when title I hereof, or any part thereof, is suspended, shall be subject to all provisions of law now or hereafter applicable to that part of title I which may have thus been suspended.

Applicable laws during suspension.

SEC. 15. This Act shall take effect ninety days after the date of its approval; but nothing in this Act shall apply during a period not to exceed one year following its approval to any contract for the carriage of goods by sea, made before the date on which this Act is approved, nor to any bill of lading or similar document of title issued, whether before or after such date of approval in pursuance of any such contract as aforesaid.

Effective date.

SEC. 16. This Act may be cited as the "Carriage of Goods by Sea Act."

Citation of Act.

Approved, April 16, 1936.

[CHAPTER 230.]

AN ACT

April 16, 1936.
[S. 2524.]
[Public, No. 522.]

To amend section 51 of the Judicial Code of the United States (U. S. C., title 28, sec. 112).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 51 of the Judicial Code (U. S. C., title 28, sec. 112) is amended to read as follows:

United States district courts.
U. S. C., p. 1237.

SEC. 51. CIVIL SUITS; WHERE TO BE BROUGHT.—Except as provided in the five succeeding sections, no person shall be arrested in one district for trial in another, in any civil action before a district

Civil suits; where to be brought.

court; and, except as provided in the six succeeding sections, no civil suit shall be brought in any district court against any person by any original process or proceeding in any other district than that whereof he is an inhabitant; but where the jurisdiction is founded only on the fact that the action is between citizens of different States, suit shall be brought only in the district of the residence of either the plaintiff or the defendant; except that suit by a stockholder on behalf of a corporation may be brought in any district in which suit against the defendant or defendants in said stockholders' action, other than said corporation, might have been brought by such corporation and process in such cases may be served upon such corporation in any district wherein such corporation resides or may be found.

Suit by stockholder on behalf of corporation.

Approved, April 16, 1936.

[CHAPTER 232.]

AN ACT

April 17, 1936.
[H. R. 11053.]
[Public, No. 523.]

Authorizing the President to present the Distinguished Service Medal to Commander Percy Todd, British Navy, and the Navy Cross to Lieutenant Commander Charles A. deW. Kitcat, British Navy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to present the Distinguished Service Medal to Commander Percy Todd, British Navy, and the Navy Cross to Lieutenant Commander Charles A. deW. Kitcat, British Navy, in recognition of the skill and heroism displayed by these officers when the United States ship Fulton, en route from Hong Kong, British Crown colony, to Foochow, China, on March 14, 1934, was destroyed by fire.

Distinguished Service Medal.
Presentation of, to Comdr. Percy Todd, British Navy.
Navy Cross.
Presentation of, to Lt. Comdr. Charles A. deW. Kitcat, British Navy.

Approved, April 17, 1936.

[CHAPTER 233.]

AN ACT

April 17, 1936.
[H. R. 11691.]
[Public, No. 524.]

Making appropriations for the Legislative Branch of the Government for the fiscal year ending June 30, 1937, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch of the Government for the fiscal year ending June 30, 1937, namely:

Legislative Branch Appropriation Act, 1937.

Senate.

SENATE

Senators.

SALARIES AND MILEAGE OF SENATORS

Compensation.

For compensation of Senators, $960,000.

Mileage.

For mileage of the President of the Senate and of Senators, $51,000.

Officers, clerks, messengers, etc.

For compensation of officers, clerks, messengers, and others:

Vice President's office.

OFFICE OF THE VICE PRESIDENT

Secretary to, and clerks.

Salaries: Secretary to the Vice President, $4,620; clerk, $2,400; assistant clerks—one $2,280, one $2,160; in all, $11,460.

CHAPLAIN

Chaplain.

Chaplain of the Senate, $1,680.

OFFICE OF THE SECRETARY

Secretary's office.

Salaries: Secretary of the Senate, including compensation as disbursing officer of salaries of Senators and of contingent fund of the Senate, $8,000; Chief Clerk, who shall perform the duties of reading clerk, $5,500 and $1,000 additional so long as the position is held by the present incumbent; financial clerk, $5,000 and $2,000 additional so long as the position is held by the present incumbent; assistant financial clerk, $4,500; Parliamentarian and Journal Clerk, $5,000 and $1,000 additional so long as the position is held by the present incumbent; principal clerk, $3,600; legislative clerk, $4,000 and $1,000 additional so long as the position is held by the present incumbent; enrolling clerk, $4,000 and $1,000 additional so long as the position is held by the present incumbent; printing clerk, $3,540; chief bookkeeper, $3,600; librarian, $3,360; assistant Journal Clerk, $3,360; executive clerk, $3,180; first assistant librarian, and keeper of stationery, at $3,120 each; clerks—one at $3,180, one at $2,880 and $300 additional so long as the position is held by the present incumbent, four at $2,880 each, one at $2,640, five at $2,400 each, two at $2,040 each, two at $1,860 each, four at $1,740 each; special officer, $2,460; laborers—one at $1,620, five at $1,380 each, two in Secretary's office, at $1,680 each; in all, $130,500.

Secretary, assistants, clerks, etc.

Parliamentarian and Journal Clerk.

DOCUMENT ROOM

Document Room.

Salaries: Superintendent, $3,960; first assistant, $2,640; second assistant, $2,040; three assistants, at $2,040 each; skilled laborer, $1,380; in all, $16,140.

Superintendent, etc.

COMMITTEE EMPLOYEES

Committee employees.

Clerks and messengers.

Clerks and messengers to the following committees: Agriculture and Forestry—clerk, $3,900; assistant clerk, $2,880; assistant clerk, $2,580; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. Appropriations—clerk, $7,000 and $1,000 additional so long as the position is held by the present incumbent; assistant clerk, $4,200; assistant clerk, $3,900; three assistant clerks at $3,000 each; two assistant clerks at $2,220 each; messenger, $1,800. To Audit and Control the Contingent Expenses of the Senate—clerk, $3,900; assistant clerk, $2,880; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. Banking and Currency—clerk, $3,900; assistant clerk, $2,880; assistant clerk, $2,400; assistant clerk, $2,220. Civil Service—clerk, $3,900; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. Claims—clerk, $3,900; assistant clerk, $2,880; assistant clerk, $2,580; two assistant clerks at $2,220 each. Commerce—clerk, $3,900; assistant clerk, $2,880; assistant clerk, $2,580; assistant clerk, $2,400; two assistant clerks, at $2,220 each. Conference Majority of the Senate—clerk, $3,900; assistant clerk, $2,880; two assistant clerks at $2,580 each; assistant clerk, $2,220. Conference Minority of the Senate—clerk, $3,900; assistant clerk, $2,880; two assistant clerks at $2,580 each; assistant clerk, $2,220. District of Columbia—clerk, $3,900; two assistant clerks at $2,880 each; assistant clerk, $2,220; additional clerk, $1,800. Education and Labor—clerk, $3,900; assistant clerk, $2,580; assistant clerk, $2,220; additional clerk, $1,800. Enrolled Bills—clerk, $3,900; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. Expenditures in the Executive Departments—clerk, $3,900; assistant clerk, $2,580; assistant clerk, $2,220;

additional clerk, $1,800. Finance—clerk, $4,200; special assistant to the committee, $3,600; assistant clerk, $2,880; assistant clerk, $2,700; assistant clerk, $2,400; two assistant clerks at $2,220 each; two experts (one for majority and one for the minority) at $3,600 each; messenger, $1,800. Foreign Relations—clerk, $3,900; assistant clerk, $2,880; assistant clerk, $2,580; assistant clerk, $2,220; additional clerk, $1,800; messenger, $1,800. Immigration—clerk, $3,900; assistant clerk, $2,580; assistant clerk, $2,220; additional clerk, $1,800. Indian affairs—clerk, $3,900; assistant clerk, $3,600; assistant clerk, $2,880; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. Interoceanic Canals—clerk, $3,900; assistant clerk, $2,580; assistant clerk, $2,220; additional clerk, $1,800. Interstate Commerce—clerk, $3,900; assistant clerk, $3,600; assistant clerk, $2,880; two assistant clerks at $2,580 each; assistant clerk, $2,220. Irrigation and Reclamation—clerk, $3,900; assistant clerk, $2,580; assistant clerk, $2,220; two additional clerks at $1,800 each. Judiciary—clerk, $3,900; assistant clerk, $2,880; two assistant clerks at $2,580 each; assistant clerk, $2,220. Library—clerk, $3,900; two assistant clerks, at $2,400 each; assistant clerk, $2,220; additional clerk, $1,800. Manufactures—clerk, $3,900; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. Military Affairs—clerk, $3,900; assistant clerk, $2,880; assistant clerk, $2,580; assistant clerk, $2,400; two assistant clerks at $2,220 each. Mines and Mining—clerk, $3,900; assistant clerk, $2,400; assistant clerk, $2,220; two additional clerks, at $1,800 each. Naval Affairs—clerk, $3,900; assistant clerk, $2,880; assistant clerk, $2,400; two assistant clerks at $2,220 each. Patents—clerk, $3,900; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. Pensions—clerk, $3,900; assistant clerk, $2,580; four assistant clerks at $2,220 each. Post Offices and Post Roads—clerk, $3,900; assistant clerk, $2,880; four assistant clerks at $2,220 each; additional clerk, $1,800. Printing—clerk, $3,900; assistant clerk, $2,580; assistant clerk, $2,220; additional clerk, $1,800. Privileges and Elections—clerk, $3,900; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. Public Buildings and Grounds—clerk, $3,900; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. Public Lands and Surveys—clerk, $3,900; assistant clerk, $2,880; assistant clerk, $2,580; two assistant clerks at $2,220 each. Revision of the Laws—clerk, $3,900; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. Rules—clerk, $3,900 and $200 toward the preparation biennially of the Senate Manual under the direction of the Committee on Rules; assistant clerk, $2,880; assistant clerk, $2,580; assistant clerk, $2,220; additional clerk, $1,800. Territories and Insular Affairs—clerk, $3,900; assistant clerk, $2,580; two assistant clerks, at $2,220 each; assistant clerk, $2,000; additional clerk, $1,800; in all, $503,460.

Clerical assistance to Senators.

CLERICAL ASSISTANTS TO SENATORS

Allowance to Senators not chairmen of specified committees.

Clerical assistance to Senators who are not chairmen of the committees specially provided for herein, as follows: Seventy clerks at $3,900 each; seventy assistant clerks at $2,400 each; and seventy

Ex-officio committee clerks.

assistant clerks at $2,220 each; such clerks and assistant clerks shall be ex-officio clerks and assistant clerks of any committee of which their Senator is chairman; seventy additional clerks at $1,800 each, one for each Senator having no more than one clerk and two assistant clerks for himself or for the committee of which he is chairman; messenger, $1,800; in all, $724,200.

OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

Office of Sergeant at Arms, etc.

Salaries: Sergeant at Arms and Doorkeeper, $8,000; two secretaries (one for the majority and one for the minority), at $5,400 each; two assistant secretaries (one for the majority and one for the minority), at $4,320 each; Deputy Sergeant at Arms and storekeeper, $4,800; clerks—one $3,000, one, $2,100, one, $2,000, two at $1,800 each, one, to the secretary for the majority, $1,800; one, to the secretary of the minority, $1,800, one, $1,500; messengers—one, $2,640, four (acting as assistant doorkeepers, including one for the minority), at $2,400 each, twenty-nine (including two for minority), at $1,740 each, four, at $1,620 each, one at card door, $2,400 and $240 additional so long as the position is held by the present incumbent; two special messengers, at $1,800 each; clerk on journal work for Congressional Record to be selected by the Official Reporters, $3,360; upholsterer and locksmith, $2,400; cabinetmaker, $2,040; three carpenters, at $2,040 each; janitor, $2,400; five skilled laborers, $1,680 each; laborer in charge of private passage, $1,680; three female attendants in charge of ladies' retiring rooms, at $1,500 each; three attendants to women's toilet rooms, Senate Office Building, at $1,500 each; telephone operators—chief, $2,460, fourteen, at $1,560 each; laborer in charge of Senate toilet rooms in old library space, $1,200; press gallery—superintendent, $3,660; assistant superintendent, $2,520; messengers for service to press correspondents—one, $1,920; three at $1,440 each; laborers—three, at $1,320 each; twenty-eight, at $1,260 each, three, at $480 each; special employees—seven, at $1,000 each; twenty-one pages for the Senate Chamber, at the rate of $4 per day each, during the session, $15,204; in all, $259,664.

Sergeant at Arms and Doorkeeper, secretaries, etc.

Clerks, messengers, etc.

Laborers, etc.

Superintendent, press gallery.

Pages.

Police force for Senate Office Building under the Sergeant at Arms: Lieutenant, $1,740; special officer, $1,740; thirty-one privates at $1,620 each; in all, $53,700.

Police, Senate Office Building.

POST OFFICE

Post Office.

Salaries: Postmaster, $3,600; assistant postmaster, $2,880; chief clerk, $2,460; wagon master, $2,040; twenty-six mail carriers, at $1,620 each; in all, $53,100.

Postmaster, assistants, etc.

FOLDING ROOM

Folding Room.

Salaries: Foreman, $2,460; assistant, $2,160; clerk, $1,740; folders—chief, $2,040, fourteen at $1,440 each; in all, $28,560.

Salaries.

The provisions of the Legislative Pay Act of 1929 are hereby amended so as to correspond with the changes made by this Act in the designations and rates of salary of certain positions under the Senate.

Legislative Pay Act of 1929, amended. Vol. 46, p. 32. U. S. C., p. 8.

CONTINGENT EXPENSES OF THE SENATE

Contingent expenses.

For purchase, exchange, driving, maintenance, and operation of an automobile for the Vice President, $4,000.

Automobile for Vice President.

For reporting the debates and proceedings of the Senate, payable in equal monthly installments, $60,340.

Reporting debates, etc.

For services in cleaning, repairing, and varnishing furniture, $2,000.

Furniture; cleaning, repairing, etc.

For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per

Inquiries and investigations.

Provisos.
Salary restriction.

hundred words, $150,000: *Provided*, That no part of this appropriation shall be expended for services, personal, professional, or otherwise in excess of the rate of $3,600 per annum: *Provided further*, That no part of this appropriation shall be expended for per diem and subsistence expenses except in accordance with the provisions of the Subsistence Expense Act of 1926, approved June 3, 1926, as amended.

Per diem and subsistence.
Vol. 44, p. 688; U. S. C., p. 103.

Joint Committee on Internal Revenue Taxation; one-half expenses.

For payment of one-half of the salaries and other expenses of the Joint Committee on Internal Revenue Taxation as authorized by law, $27,000.

Folding, etc.

For folding speeches and pamphlets, at a rate not exceeding $1 per thousand, $18,000.

For materials for folding, $1,500.

Fuel, oil, advertising, etc.

For fuel, oil, cotton waste, and advertising, exclusive of labor, $2,000.

Senate kitchens and restaurants.

For repairs, improvements, equipment, and supplies for Senate kitchens and restaurants, Capitol Building and Senate Office Building, including personal and other services, to be expended from the contingent fund of the Senate, under the supervision of the Committee on Rules, United States Senate, $35,000: *Provided*, That said Committee on Rules is hereby authorized and directed hereafter to add a minimum of 10 per centum to each order in excess of 10 cents served in the said restaurants and 20 per centum to all orders served outside of said restaurants, and the proceeds accruing therefrom shall be placed in a fund to be used in the payment of any deficit incurred in the management of such kitchens and restaurants.

Proviso.
Increase in prices authorized.

Outside service.

Motor vehicles.

For maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms, $7,960.

Miscellaneous items.

For miscellaneous items, exclusive of labor, $200,000.

Packing boxes.

For packing boxes, $970.

Postage stamps.

Postage stamps: For office of Secretary, $250; office of Sergeant at Arms, $100; in all, $350.

Furniture; purchase, etc.

For the purchase of furniture, $5,000.

For materials for furniture and repairs of same, exclusive of labor, $3,000.

Stationery.

For stationery for Senators and for the President of the Senate, including $7,500 for stationery for committees and officers of the Senate, $19,500.

Warehouse rent.

For rent of warehouse for storage of public documents, $2,000.

HOUSE OF REPRESENTATIVES

House of Representatives.

SALARIES AND MILEAGE OF MEMBERS

Members.

Pay of Members, Delegates, and Resident Commissioners.

For compensation of Members of the House of Representatives, Delegates from Territories, and the Resident Commissioner from Puerto Rico, $4,385,000.

Mileage.

For mileage of Representatives, the Delegate from Hawaii, and the Resident Commissioner from Puerto Rico, and for expenses of the Delegate from Alaska, $171,000.

Officers, clerks, etc.

For compensation of officers, clerks, messengers, and others:

Speaker's office.

OFFICE OF THE SPEAKER

Secretary, etc.

Salaries: Secretary to the Speaker, $4,620; three clerks to the Speaker, at $2,400 each; messenger to Speaker, $1,680; in all, $13,500.

THE SPEAKER'S TABLE

Speaker's table.

Salaries: Parliamentarian $4,500, and $1,500 additional so long so[1] the position is held by the present incumbent, and for preparing Digest of the Rules, $1,000 per annum; Assistant Parliamentarian, $2,760 and $750 additional so long as the position is held by the present incumbent; messenger to Speaker's Table, $1,740; in all, $12,250.

Parliamentarian, etc. Preparing Digest of Rules.

CHAPLAIN

Chaplain of the House of Representatives, $1,680.

Chaplain.

OFFICE OF THE CLERK

Clerk's office.

Salaries: Clerk of the House of Representatives, including compensation as disbursing officer of the contingent fund, $8,000; Journal clerk, two reading clerks, and tally clerk, at $5,000 each; enrolling clerk, $4,000; disbursing clerk, $3,960; file clerk, $3,780; chief bill clerk, $3,540; assistant enrolling clerk, $3,180; assistant to disbursing clerk, $3,120; stationery clerk, $2,880; librarian, $2,760; assistant librarian, and assistant file clerk, at $2,520 each; assistant Journal clerk, and assistant librarian, at $2,460 each; clerks—one at $2,460, three at $2,340 each; bookkeeper, and assistant in disbursing office, at $2,160 each; four assistants to chief bill clerk at $2,100 each; stenographer to the Clerk, $1,980; assistant in stationery room, $1,740; three messengers at $1,680 each; stenographer to Journal clerk, $1,560; laborers—three at $1,440 each, nine at $1,260 each; telephone operators—assistant chief, $1,620, twenty-three at $1,560 each; substitute telephone operator, when required, at $4 per day, $1,460; property custodian and superintendent of furniture and repair shop, who shall be a skilled cabinetmaker or upholsterer and experienced in the construction and purchase of furniture, $3,960; two assistant custodians at $3,360 each; locksmith and typewriter repairer, $1,860; messenger and clock repairer, $1,740; operation, maintenance, and repair of motor vehicles, $1,200; in all, $167,800.

Clerk of the House, clerks, etc.

COMMITTEE EMPLOYEES

Committee employees.

Clerks, messengers, and janitors to the following committees: Accounts—clerk, $3,300; assistant clerk, $2,460; janitor, $1,560. Agriculture—clerk, $3,300; assistant clerk, $2,460; janitor, $1,560. Appropriations—clerk, $7,000 and $1,000 additional so long as the position is held by the present incumbent; assistant clerk, $5,000 and $1,000 additional so long as the position is held by the present incumbent; three assistant clerks at $3,900 each; assistant clerk, $3,600; two assistant clerks at $3,300 each; messenger, $1,680. Banking and Currency—clerk, $2,760; assistant clerk, $1,740; janitor, $1,260. Census—clerk, $2,760; janitor, $1,260. Civil Service—clerk, $2,760; janitor, $1,260. Claims—clerk, $3,300; assistant clerk, $1,740; janitor, $1,260. Coinage, Weights, and Measures—clerk, $2,760; janitor, $1,260. Disposition of Executive Papers—clerk, $2,760. District of Columbia—clerk, $3,300; assistant clerk, $2,460; janitor, $1,260. Education—clerk, $2,760. Election of President, Vice President, and Representatives in Congress—clerk, $2,760. Elections Numbered 1—clerk, $2,760; janitor, $1,260. Elections Numbered 2—clerk, $2,760; janitor, $1,260. Elections Numbered 3—clerk, $2,760; janitor, $1,260. Enrolled Bills—clerk, $2,760; janitor, $1,260. Expenditures in Executive Departments—clerk, $3,300; janitor, $1,260. Flood Control—

Clerks, messengers, and janitors.

[1] So in original.

clerk, $2,760; janitor, $1,260. Foreign Affairs—clerk, $3,300; assistant clerk, $2,460; janitor, $1,260. Immigration and Naturalization—clerk, $3,300; janitor, $1,260. Indian Affairs—clerk, $3,300; assistant clerk, $2,460; janitor, $1,260. Insular Affairs—clerk, $2,760; janitor, $1,260. Interstate and Foreign Commerce—clerk, $3,900; additional clerk, $2,640; assistant clerk, $2,100; janitor, $1,560. Irrigation and Reclamation—clerk, $2,760; janitor, $1,260. Invalid Pensions—clerk, $3,300; assistant clerk, $2,880; expert examiner, $2,700; stenographer, $2,640; janitor, $1,500. Judiciary—clerk, $3,900; assistant clerk, $2,160; assistant clerk, $1,980; janitor, $1,500. Labor—clerk, $2,760; janitor, $1,260. Library—clerk, $2,760; janitor, $1,260. Merchant Marine and Fisheries—clerk, $2,760; janitor, $1,260. Military Affairs—clerk, $3,300; assistant clerk, $2,100; janitor, $1,560. Mines and Mining—clerk, $2,760; janitor, $1,260. Naval Affairs—clerk, $3,300; assistant clerk, $2,100; janitor, $1,560. Patents—clerk, $2,760; janitor, $1,260. Pensions—clerk, $3,300; assistant clerk, $2,160; janitor, $1,260. Post Office and Post Roads—clerk, $3,300; assistant clerk, $2,100; janitor, $1,560. Printing—clerk, $2,760; janitor, $1,560. Public Buildings and Grounds—clerk, $3,300; assistant clerk, $1,740; janitor, $1,260. Public Lands—clerk, $2,760; assistant clerk, $1,740; janitor, $1,260. Revision of the Laws—clerk, $3,300; janitor, $1,260. Rivers and Harbors—clerk, $3,300; assistant clerk, $2,460; janitor, $1,560. Roads—clerk, $2,760; assistant clerk, $1,740; janitor, $1,260. Rules—clerk, $3,300; assistant clerk, $2,100; janitor, $1,260. Territories—clerk, $2,760; janitor, $1,260. War Claims—clerk, $3,300; assistant clerk, $1,740; janitor, $1,260. Ways and Means—clerk, $4,620; assistant clerk and stenographer, $2,640; assistant clerk, $2,580; clerk for minority, $3,180; janitors—one, $1,560; one, $1,260. World War Veterans' Legislation—clerk, $3,300; assistant clerk, $2,460; in all, $296,000.

Office of Sergeant at Arms.

OFFICE OF SERGEANT AT ARMS

Sergeant at Arms, deputy, cashier, etc.

Salaries: Sergeant at Arms, $8,000; Deputy Sergeant at Arms, $3,180; cashier, $6,000; assistant cashier, $4,000; two bookkeepers at $3,360 each; Deputy Sergeant at Arms in charge of pairs, $3,600; pair clerk and messenger, $2,820; stenographer and typewriter, $1,800; skilled laborer, $1,380; hire of automobile, $600; in all, $38,100.

Police, House Office Building.

Police force, House Office Building, under the Sergeant at Arms: Lieutenant, $1,740; sergeant, $1,680; thirty-seven privates at $1,620 each; in all, $63,360.

Doorkeeper's office.

OFFICE OF DOORKEEPER

Doorkeeper, special employee, etc.

Janitors, messengers, etc.

Folding room.

Pages.

Salaries: Doorkeeper, $6,000; special employee, $2,820; superintendent of House press gallery, $3,660; assistant to the superintendent of the House press gallery, $2,520; chief janitor, $2,700; messengers—seventeen at $1,740 each, fourteen on soldiers' roll at $1,740 each; laborers—seventeen at $1,260 each, two (cloakroom) at $1,380 each, one (cloakroom) $1,260, and seven (cloakroom) at $1,140 each; three female attendants in ladies' retiring rooms at $1,680 each, attendant for the ladies' reception room, $1,440; superintendent of folding room, $3,180; foreman of folding room, $2,640; chief clerk to superintendent of folding room, $2,460; three clerks at $2,160 each; janitor, $1,260; laborer, $1,260; thirty-one folders at $1,440 each; shipping clerk, $1,740; two drivers at $1,380 each; two chief pages at $1,980 each; two telephone pages at $1,680 each; two floor managers of telephones (one for the minority) at $3,180 each; two

assistant floor managers in charge of telephones (one for the minority) at $2,100 each; forty-seven pages, during the session, including ten pages for duty at the entrances to the Hall of the House, at $4 per day each, $34,028; press gallery page, $1,920; superintendent of document room (Elmer A. Lewis), $3,960; assistant superintendent of document room, $2,760 and $420 additional so long as the position is held by the present incumbent; clerk, $2,320; assistant clerk, $2,160; eight assistants at $1,860 each; janitor, $1,440; messenger to pressroom, $1,560; maintenance and repair of folding room motor truck, $500; in all, $261,788. Document room.

SPECIAL AND MINORITY EMPLOYEES Special and minority employees.

For the minority employees authorized and named in the House Resolutions Numbered 51 and 53 of December 11, 1931: Two at $5,000 each, three at $2,820 each; one at $3,600 (minority pair clerk, House Resolution Numbered 313 of August 7, 1935); in all, $22,060. Minority employees.

Special employees: Assistant foreman of the folding room, authorized in the resolution of September 30, 1913, $1,980; laborer, authorized and named in the resolution of April 28, 1914, $1,380; laborer, $1,380; clerk, under the direction of the Clerk of the House, named in the resolution of February 13, 1923, $3,060; in all, $7,800. Special employees.

Successors to any of the employees provided for in the two preceding paragraphs may be named by the House of Representatives at any time. Appointment of successors.

Office of majority floor leader: Legislative clerk, $3,960; clerk, $3,180; assistant clerk, $2,100; for official expenses of the majority leader, as authorized by House Resolution Numbered 101, Seventy-first Congress, adopted December 18, 1929, $2,000; in all, $11,240. Majority floor leader.

Conference minority: Clerk, $3,180; legislative clerk, $3,060; assistant clerk, $2,100; janitor, $1,560; in all, $9,900. The foregoing employees to be appointed by the minority leader. Conference minority.

Two messengers, one in the majority caucus room and one in the minority caucus room, to be appointed by the majority and minority whips, respectively, at $1,740 each; in all, $3,480. Caucus rooms, messengers.

POST OFFICE Post Office.

Salaries: Postmaster, $5,000; assistant postmaster, $2,880; registry and money-order clerk, $2,100; forty-one messengers (including one to superintend transportation of mails) at $1,740 each; substitute messengers and extra services of regular employees, when required, at the rate of not to exceed $145 per month each, $1,740; laborer, $1,260; in all, $84,320. Postmaster, assistant, etc.

For the purchase, exchange, maintenance, and repair of motor vehicles for carrying the mails, $2,500. Motor vehicles.

OFFICIAL REPORTERS OF DEBATES

Salaries: Six official reporters of the proceedings and debates of the House at $7,500 each; clerk, $3,360; six expert transcribers at $1,740 each; janitor, $1,440; in all, $60,240. Official reporters, etc.

COMMITTEE STENOGRAPHERS

Salaries: Four stenographers to committees, at $7,000 each; janitor, $1,440; in all, $29,440. Stenographers to committees, etc.

Whenever the words "during the session" occur in the foregoing paragraphs they shall be construed to mean the one hundred and eighty-one days from January 1 to June 30, 1937, both inclusive. "During the session" construed.

Members, etc.

CLERK HIRE, MEMBERS, AND DELEGATES

Clerk hire, etc.

For clerk hire necessarily employed by each Member and Delegate, and the Resident Commissioner from Puerto Rico, in the discharge of his official and representative duties, in accordance with the Act entitled "An Act to fix the compensation of officers and employees of the legislative branch of the Government", approved June 20, 1929, $2,190,000.

Vol. 46, p. 38.
U. S. C., p. 11.

Contingent expenses.

CONTINGENT EXPENSES OF THE HOUSE

Furniture, etc.

For furniture and materials for repairs of the same, including not to exceed $27,500 for labor, tools, and machinery for furniture repair shops, $43,750, of which sum $2,250 shall be available immediately.

Packing boxes.

For packing boxes, $3,500.

Miscellaneous items.

For miscellaneous items, exclusive of salaries unless specifically ordered by the House of Representatives, including reimbursement to the official stenographers to committees for the amounts actually paid out by them for transcribing hearings, and including materials for folding, $75,000, of which $15,000 shall be available immediately.

Committee reports of hearings.

For stenographic reports of hearings of committees other than special and select committees, $30,000.

Special and select committees.

For expenses of special and select committees authorized by the House, $100,000: *Provided*, That no person shall be employed under this appropriation at a rate of compensation in excess of $3,600 per annum.

Post, p. 1598.
Proviso.
Salary restriction.

Joint Committee on Internal Revenue Taxation; one-half expenses.

For payment of one-half of the salaries and other expenses of the Joint Committee on Internal Revenue Taxation as authorized by law, $27,000.

Expenditures restricted.

No part of the appropriations contained herein for the contingent expenses of the House of Representatives shall be used to defray the expenses of any committee consisting of more than six persons (not more than four from the House and not more than two from the Senate), nor to defray the expenses of any other person except the Sergeant at Arms of the House or a representative of his office and except the widow or minor children or both of the deceased, to attend the funeral rites and burial of any person who at the time of his or her death is a Representative, a Delegate from a Territory, or a Resident Commissioner from Puerto Rico.

Funeral expenses limited.

Telegraph and telephone service.

For telegraph and telephone service, exclusive of personal services, $95,000.

Stationery.

For stationery for Representatives, Delegates, and the Resident Commissioner from Puerto Rico, for the first session of the Seventy-fifth Congress, and for stationery for the use of the committees and officers of the House (not to exceed $5,000), $59,750.

Emergency room.

For medical supplies, equipment, and contingent expenses for the emergency room and for the attending physician and his assistants, including an allowance of not to exceed $30 per month each to three assistants as provided by the House resolutions adopted July 1, 1930, and January 20, 1932, $3,000.

Postage stamps.

Postage stamps: Postmaster, $250; Clerk, $450; Sergeant at Arms, $300; Doorkeeper, $150; in all, $1,150.

Folding, etc.

For folding speeches and pamphlets, at a rate not exceeding $1 per thousand, $17,000, to be available immediately.

United States Code, preparation, etc.
Vol. 45, p. 1008; U. S. C., p. 4.

For preparation and editing of the laws as authorized, by the Act approved May 29, 1928 (U. S. C., title 1, sec. 59), $6,500, to be expended under the direction of the Committee on Revision of the Laws.

Clerical assistance to Clerk of House. Specified objects, etc.

For assistants in compiling lists of reports to be made to Congress by public officials; compiling copy and revising proofs for the House portion of the Official Register; preparing and indexing the statistical reports of the Clerk of the House; compiling the telephone and Members' directories; preparing and indexing the daily calendars of business; preparing the official statement of Members' voting records; preparing lists of congressional nominees and statistical summary of elections; preparing and indexing questions of order printed in the Appendix to the Journal pursuant to House Rule III; for recording and filing statements of political committees and candidates for election to the House of Representatives pursuant to the Federal Corrupt Practices Act, 1925 (U. S. C., title 2, secs. 241–256); and for such other assistance as the Clerk of the House may deem necessary and proper in the conduct of the business of his office, $5,000: *Provided*, That no part of this appropriation shall be used to augment the annual salary of any employee of the House of Representatives.

Political committees, etc., recording of statements. Vol. 43, p. 1070. U. S. C., p. 21.

Proviso. Use restricted.

Automobile for Speaker.

For exchange, driving, maintenance, repair, and operation of an automobile for the Speaker, $4,000.

CAPITOL POLICE

Capitol Police.

Salaries.

Salaries: Captain, $2,700; three lieutenants, at $1,740 each; two special officers, at $1,740 each; three sergeants, at $1,680 each; fifty-two privates, at $1,620 each; one-half of said privates to be selected by the Sergeant at Arms of the Senate and one-half by the Sergeant at Arms of the House; in all, $100,680: *Provided*, That no part of any appropriation contained in this Act shall be paid as compensation to any person appointed after June 30, 1935, as an officer or member of the Capitol Police (including those for the Senate and House Office Buildings) who does not meet the standards to be prescribed for such appointees by the Capitol Police Board.

Proviso. Standards prescribed.

Uniforms, etc.

For purchasing and supplying uniforms, for maintenance and repair of motor-propelled passenger-carrying vehicles, and for contingent expenses, $10,000, of which $600 shall be immediately available for the exchange of two such vehicles.

Division of disbursement.

One-half of the foregoing amounts under "Capitol Police" shall be disbursed by the Secretary of the Senate and one-half by the Clerk of the House.

JOINT COMMITTEE ON PRINTING

Joint Committee on Printing.

Clerk, assistant, etc. Vol. 28, p. 603. U. S. C., p. 1932.

Salaries: Clerk, $4,000 and $800 additional so long as the position is held by the present incumbent; inspector under section 20 of the Act approved January 12, 1895 (U. S. C., title 44, sec. 49), $2,820; assistant clerk and stenographer, $2,400; for expenses of compiling, preparing, and indexing the Congressional Directory, $1,600; in all, $11,620, one-half to be disbursed by the Secretary of the Senate and the other half to be disbursed by the Clerk of the House.

Congressional Directory.

OFFICE OF LEGISLATIVE COUNSEL

Office of Legislative Counsel.

Salaries and expenses.

For salaries and expenses of maintenance of the office of Legislative Counsel, as authorized by law, $75,000, of which $37,500 shall be disbursed by the Secretary of the Senate and $37,500 by the Clerk of the House of Representatives.

Statement of Appropriations.

STATEMENT OF APPROPRIATIONS

Preparation, second session of Seventy-fourth Congress.

For preparation, under the direction of the Committees on Appropriations of the Senate and House of Representatives of the statements for the second session of the Seventy-fourth Congress, showing appropriations made, indefinite appropriations, and contracts authorized, together with a chronological history of the regular appropriation bills, as required by law, $4,000, to be paid to the persons designated by the chairman of such committees to do the work.

Architect of the Capitol.

ARCHITECT OF THE CAPITOL

OFFICE OF THE ARCHITECT OF THE CAPITOL

Architect, assistant, and office personnel.

Salaries: For the Architect of the Capitol, Assistant Architect of the Capitol, and other personal services at rates of pay provided by law; and the Assistant Architect of the Capitol shall act as Architect of the Capitol during the absence or disability of that official or whenever there is no Architect; $51,900.

Capitol Buildings and grounds.

CAPITOL BUILDINGS AND GROUNDS

Maintenance, repair, etc.

Capitol Buildings: For necessary expenditures for the Capitol Building and electrical substations of the Senate and House Office Buildings, under the jurisdiction of the Architect of the Capitol, including minor improvements, maintenance, repair, equipment, supplies, material, fuel, oil, waste, and appurtenances; furnishings and office equipment; personal and other services; cleaning and repairing works of art; purchase or exchange (not to exceed $1,000), maintenance, and driving of motor-propelled passenger-carrying office vehicle; not exceeding $300 for the purchase of technical and necessary reference books, periodicals, and city directory; and pay of superintendent of meters, and $300 additional for the maintenance of an automobile for his use, who shall inspect all gas and electric meters of the Government in the District of Columbia without additional compensation, and in his absence, disability, or when there is no superintendent of meters, these duties shall be performed by any other employee designated by the Architect of the Capitol; $416,724, of which sum $108,750 shall be immediately available for replacing switching equipment for electric substations.

Travel, etc., expenses.

Appropriations under the control of the Architect of the Capitol shall be available for expenses of travel on official business not to exceed in the aggregate under all funds the sum of $1,750.

Improving Capitol grounds.

Capitol Grounds: For care and improvement of grounds surrounding the Capitol, Senate and House Office Buildings; Capitol power plant; personal and other services; care of trees; planting; fertilizers; repairs to pavements, walks, and roadways; purchase of waterproof wearing apparel; maintenance of signal lights; and for snow removal by hire of men and equipment or under contract without compliance with sections 3709 (U. S. C., title 41, sec. 5) and 3744 (U. S. C., title 41, sec. 16) of the Revised Statutes, $120,963, of which $25,000 shall be immediately available.

R. S., secs. 3709, 3744. U. S. C., pp. 1803, 1805.

Legislative garage.

Legislative garage: For maintenance, repairs, alterations, personal and other services, and all necessary incidental expenses, $9,040.

Subway, Capitol and Senate Office Buildings.

Subway transportation, Capitol and Senate Office Buildings: For repairs, rebuilding, and maintenance of the subway cars connecting the Senate Office Building with the Senate wing of the United States Capitol and for personal and other services, including maintenance of the track and electrical equipment connected therewith, $2,000.

Senate Office Building: For maintenance, miscellaneous items and supplies, including furniture, furnishings, and equipment and for labor and material incident thereto and repairs thereof; and for personal and other services for the care and operation of the Senate Office Building, under the direction and supervision of the Senate Committee on Rules, acting through the Architect of the Capitol, who shall be its executive agent; in all, $242,069. Senate Office Building, maintenance, etc.

House Office Buildings: For maintenance, including equipment, miscellaneous items, and for all necessary services, $370,509. House Office Buildings, maintenance, etc.

Capitol power plant: For lighting, heating, and power for the Capitol, Senate and House Office Buildings, Supreme Court Building, Congressional Library Buildings, and the grounds about the same, Botanic Garden, legislative garage, folding and storage rooms of the Senate, Government Printing Office, and Washington City post office; personal and other services, engineering instruments, fuel, oil, materials, labor, advertising, and purchase of waterpoof[1] wearing apparel in connection with the maintenance and operation of the heating, lighting, and power plant, $674,360, of which sum $210,000 shall be immediately availabe[1] for construction changes and the installation of additional equipment. Capitol power plant, maintenance, etc.

The appropriations under the control of the Architect of the Capitol may be expended without reference to section 4 of the Act approved June 17, 1910 (U. S. C., title 41, sec. 7), concerning purchases for executive departments. Purchases independent of Procurement Division, Treasury Department. Vol. 36, p. 531. U. S. C., p. 1804.

The Government Printing Office and the Washington City post office shall reimburse the Capitol power plant for heat, light, and power furnished during the fiscal year 1937 and the amounts so reimbursed shall be covered into the Treasury. Reimbursement for heat, etc., to designated buildings.

LIBRARY BUILDING AND GROUNDS Library building and grounds.

Salaries: For chief engineer and all personal services at rates of pay provided by law, $46,720. Salaries.

Salaries, Sunday opening: For extra services of employees and additional employees under the Architect of the Capitol to provide for the opening of the Library Building on Sundays and on holidays, at rates to be fixed by such Architect, $2,139. Sunday opening.

For necessary expenditures for the Library Building and Grounds under the jurisdiction of the Architect of the Capitol, including minor improvements, maintenance, repair, equipment, supplies, material, and appurtenances, and personal and other services in connection with the mechanical and structural maintenance of such building and grounds, $24,500: *Provided*, That the unexpended balance on June 30, 1936, of the portion of the appropriation of $139,900 and of the reappropriation of $30,300 allocated for installation, replacement, and reconditioning of elevators, contained in the Legislative Branch Appropriation Act, 1936, shall continue available for the same purposes until June 30, 1937: *Provided further*, That the Architect of the Capitol may continue the employment under his jurisdiction of Damon W. Harding, until June 30, 1938, notwithstanding any provision of the Act entitled "An Act for the retirement of employees in the classified civil service, and for other purposes", approved May 22, 1920, and any amendment thereof, prohibiting extensions of service after the age of retirement. Maintenance, repair, etc. *Provisos.* Maintenance, etc., of elevators. *Ante*, p. 470. Damon W. Harding, continued employment. Vol. 41, p. 614. U. S. C., p. 92.

For furniture, including partitions, screens, shelving, and electrical work pertaining thereto and repairs thereof, $17,000. Furniture, etc.

[1] So in original.

Annex, construction, equipment, etc.
Vol. 46, p. 583; Vol. 48, p. 202; *Ante*, p. 326.

Annex, Library of Congress: Toward carrying out the provisions of the Act entitled "An Act to provide for the construction and equipment of an annex to the Library of Congress", approved June 13, 1930 (46 Stat. 583), as amended by the Act approved June 6, 1935 (49 Stat. 326), $2,225,000, to remain available until expended.

Botanic Garden.

BOTANIC GARDEN

Director, and personnel.

Salaries: For the director and other personal services (including not exceeding $3,000 for miscellaneous temporary labor without regard to the Classification Act of 1923, as amended), $86,262; all under the direction of the Joint Committee on the Library.

Maintenance, repairs, etc.

Maintenance, operation, repairs, and improvements: For all necessary expenses incident to maintaining, operating, repairing, and improving the Botanic Garden, and the nurseries, buildings, grounds, and equipment pertaining thereto, including procuring fertilizers, soils, tools, trees, shrubs, plants, and seeds; materials and micellaneous[1] supplies, including rubber boots and aprons when required for use by employees in connection with their work; not to exceed $25 for emergency medical supplies; disposition of waste; traveling expenses of the director and his assistants not to exceed $600; streetcar fares not exceeding $25; office equipment and contingent expenses; the prevention and eradication of insect and other pests and plant diseases by purchase of materials and procurement of personal services by contract without regard to the provisions of any other Act; repair, maintenance, operation, purchase, and exchange, of motor trucks and a passenger motor vehicle (the cost of such passenger vehicle not to exceed $750, including the amount allowed on any vehicle given in part payment therefor); purchase of botanical books, periodicals, and books of reference, not to exceed $100; repairs and improvements to director's residence; and all other necessary expenses; all under the direction of the Joint Committee on the Library; $28,725.

Minor purchases without advertising.
R. S., sec. 3709, p. 733; U. S. C., p. 1803.

The sum of $300 may be expended at any one time by the Botanic Garden for the purchase of plants, trees, shrubs, and other nursery stock, without reference to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5).

Distribution of shrubbery, etc.

No part of the appropriations contained herein for the Botanic Garden shall be used for the distribution, by congressional allotment, of trees, plants, shrubs, or other nursery stock.

Open-market purchases of supplies, etc.
R. S., secs. 3709, 3744. U. S. C., pp. 1803, 1805.

The purchase of supplies and equipment and the procurement of services at the Botanic Garden may be made in the open market without compliance with sections 3709 and 3744 of the Revised Statutes of the United States in the manner common among businessmen, when the aggregate amount of the purchase or the service does not exceed $50 in any instance.

Library of Congress.

LIBRARY OF CONGRESS

Salaries.

SALARIES

Librarian, and personnel.

For the Librarian, Chief Assistant Librarian, and other personal services, $911,365.

Register of Copyrights, etc.

For the Register of Copyrights, assistant register, and other personal services, $251,420.

[1] So in original.

LEGISLATIVE REFERENCE SERVICE

Legislative Reference Service.

To enable the Librarian of Congress to employ competent persons to gather, classify, and make available, in translations, indexes, digests, compilations, and bulletins, and otherwise, data for or bearing upon legislation, and to render such data serviceable to Congress and committees and Members thereof, including not to exceed $5,700 for employees engaged on piecework and work by the day or hour at rates to be fixed by the Librarian, $92,990.

Personnel.

DISTRIBUTION OF CARD INDEXES

Card indexes.

For the distribution of card indexes and other publications of the Library, including personal services, freight charges (not exceeding $500), expressage, postage, traveling expenses connected with such distribution, expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, and including not to exceed $58,500, for employees engaged in piecework and work by the day or hour and for extra special services of regular employees at rates to be fixed by the Librarian; in all, $182,190.

Distribution, etc.

TEMPORARY SERVICES

For special and temporary service, including extra special services of regular employees, at rates to be fixed by the Librarian, $3,000.

Temporary services.

INDEX TO STATE LEGISLATION

State legislation.

To enable the Librarian of Congress to prepare an index to the legislation of the several States, together with a supplemental digest of the more important legislation, as authorized and directed by the Act entitled "An Act providing for the preparation of a biennial index to State legislation", approved February 10, 1927 (U. S. C., title 2, secs. 164, 165), including personal and other services within and without the District of Columbia, including not to exceed $2,500 for special and temporary service at rates to be fixed by the Librarian, travel, necessary material and apparatus, and for printing and binding the indexes and digests of State legislation for official distribution only, and other printing and binding incident to the work of compilation, stationery, and incidentals, $33,000.

Preparation of index and digest of.

Vol. 44, p. 1066. U. S. C., p. 19.

Temporary services.

SUNDAY OPENING

To enable the Library of Congress to be kept open for reference use on Sundays and on holidays within the discretion of the Librarian, including the extra services of employees and the services of additional employees under the Librarian, at rates to be fixed by the Librarian, $19,300.

Sunday, etc., opening, expenses.

UNION CATALOGUES

Union Catalogues.

To continue the development and maintenance of the Union Catalogues, including personal services within and without the District of Columbia (and not to exceed $1,400 for special and temporary service, including extra special services of regular employees, at rates to be fixed by the Librarian), travel, necessary material and apparatus, stationery, photostat supplies, and incidentals, $22,000.

Development, maintenance, etc.

Increase of the Library.

INCREASE OF THE LIBRARY

Purchase of books, etc.

For purchase of books, miscellaneous periodicals and newspapers, and all other material for the increase of the Library, including payment in advance for subscription books and society publications, and for freight, commissions, and traveling expenses, including expenses of attendance at meetings when incurred on the written authority and direction of the Librarian in the interest of collections, and all other expenses incidental to the acquisition of books, miscellaneous periodicals and newspapers, and all other material for the increase of the Library, by purchase, gift, bequest, or exchange, to continue available during the fiscal year 1938, $115,000.

Law books, etc.

For the purchase of books and for periodicals for the law library, including payment for legal society publications and for freight, commissions, and all other expenses incidental to the acquisition of law books, $50,000, to continue available during the fiscal year 1938.

Reference books for Supreme Court.

For the purchase of books and periodicals for the Supreme Court, to be a part of the Library of Congress, and purchased by the Marshal of the Supreme Court, under the direction of the Chief Justice, $7,000.

Books for adult blind.
Vol. 46, p. 1487.
U. S. C., p. 16.

To enable the Librarian of Congress to carry out the provisions of the Act entitled "An Act to provide books for the adult blind", approved March 3, 1931 (U. S. C., title 2, sec. 135a), as amended, $175,000, including not exceeding $500 for necessary traveling expenses connected with such service and for expenses of attendance at meetings when incurred on the written authority and direction of the Librarian.

PRINTING AND BINDING

Printing and binding.

For miscellaneous printing and binding for the Library of Congress, including the Copyright Office, and the binding, rebinding, and repairing of library books, and for the Library Building, $258,500.

Catalogue of Title Entries.

For the publication of the Catalogue of Title Entries of the Copyright Office and the decisions of the United States courts involving copyright, $47,000.

Catalog cards.

For the printing of catalog cards, $150,000, of which amount $15,000 shall be immediately available.

CONTINGENT EXPENSES OF THE LIBRARY

Contingent expenses.

For miscellaneous and contingent expenses, stationery, office supplies, stock, and materials directly purchased, miscellaneous traveling expenses, postage, transportation, incidental expenses connected with the administration of the Library and Copyright Office, including not exceeding $500 for expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, $9,000.

Attendance at meetings.

Photoduplicating expenses.

For paper, chemicals, and miscellaneous supplies necessary for the operation of the photoduplicating machines of the Library and the making of photoduplicate prints, $5,000.

Library building.

LIBRARY BUILDING

Salaries.

Salaries: For the superintendent, disbursing officer, and other personal services, in accordance with the Classification Act of 1923, as amended, $164,260.

For extra services of employees and additional employees under the Librarian to provide for the opening of the Library Building on Sundays and on holidays, at rates to be fixed by the Librarian, $5,100. Sunday, etc., opening.

For special and temporary services in connection with the custody, care, and maintenance of the Library Building, including extra special services of regular employees at the discretion of the Librarian, at rates to be fixed by the Librarian, $500. Special and temporary services.

For mail, delivery, and telephone services, rubber boots, rubber coats, and other special clothing for workmen, uniforms for guards and elevator conductors, medical supplies, equipment, and contingent expenses for the emergency room, stationery, miscellaneous supplies, and all other incidental expenses in connection with the custody and maintenance of the Library Building, $8,900. Incidentals, etc.

For any expense of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, $500. Trust Fund Board, expenses.

GOVERNMENT PRINTING OFFICE

Government Printing Office.

To provide the Public Printer with a working capital for the following purposes for the execution of printing, binding, lithographing, mapping, engraving, and other authorized work of the Government Printing Office for the various branches of the Government: For salaries of Public Printer and Deputy Public Printer; for salaries, compensation, or wages of all necessary officers and employees additional to those herein appropriated for, including employees necessary to handle waste paper and condemned material for sale; to enable the Public Printer to comply with the provisions of law granting holidays and half holidays and Executive orders granting holidays and half holidays with pay to employees; to enable the Public Printer to comply with the provisions of law granting leave to employees with pay, said pay to be at the rate for their regular positions at the time the leave is granted; rental of buildings and equipment, fuel, gas, heat, electric current, gas and electric fixtures; bicycles, motor-propelled vehicles for the carriage of printing and printing supplies, and the maintenance, repair, and operation of the same, to be used only for official purposes, including operation, repair, and maintenance of motor-propelled passenger-carrying vehicles, and the purchase or exchange of two such passenger vehicles (at a cost, including the allowance on any vehicle given in part payment therefor, of not to exceed $1,000 and $750, respectively), for official use of the officers of the Government Printing Office when in writing ordered by the Public Printer; freight, expressage, telegraph and telephone service, furniture, typewriters, and carpets; traveling expenses; stationery, postage, and advertising; directories, technical books, newspapers and magazines, and books of reference (not exceeding $500); adding and numbering machines, time stamps, and other machines of similar character; rubber boots, coats, and gloves; machinery (not exceeding $300,000); equipment, and for repairs to machinery, implements, and buildings, and for minor alterations to buildings; necessary equipment, maintenance, and supplies for the emergency room for the use of all employees in the Government Printing Office who may be taken suddenly ill or receive injury while on duty; other necessary contingent and miscellaneous items authorized by the Public Printer; for expenses authorized in writing by the Joint Committee on Printing for the inspection of printing and binding equipment, material, and supplies and Government printing plants in the District

Printing and binding.

Public Printer, Deputy, etc.

Leaves of absence, etc.

Vehicles.

Machinery, etc.

Indexes, Congressional Record.

of Columbia or elsewhere (not exceeding $1,000); for salaries and expenses of preparing the semimonthly and session indexes of the Congressional Record under the direction of the Joint Committee on Printing (chief indexer at $3,480, one cataloguer at $3,180, two cataloguers at $2,460 each, and one cataloguer at $2,100); for the printing and distribution of the Federal Register in accordance with the provisions of the Act approved July 26, 1935; and for all the necessary labor, paper, materials, and equipment needed in the prosecution and delivery and mailing of the work; in all, $3,850,000; to which sum shall be charged the printing and binding authorized to be done for Congress including supplemental and deficiency estimates of appropriations, the printing and distribution of the Federal Register (not exceeding $150,000), the printing and binding for use of the Government Printing Office, and printing and binding (not exceeding $2,000) for official use of the Architect of the Capitol upon requisition of the Secretary of the Senate, in all to an amount not exceeding $2,850,000: *Provided*, That not less than $1,000,000 of such working capital shall be returned to the Treasury as an unexpended balance not later than six months after the close of the fiscal year 1937.

Federal Register, printing and distribution.
Ante, p. 500.

Proviso.
Working capital, return of portion as unexpended balance.

Congressional work.

Printing and binding for Congress chargeable to the foregoing appropriation, when recommended to be done by the Committee on Printing of either House, shall be so recommended in a report containing an approximate estimate of the cost thereof, together with a statement from the Public Printer of estimated approximate cost of work previously ordered by Congress within the fiscal year for which this appropriation is made.

Payment for work ordered by departments, etc.

During the fiscal year 1937 any executive department or independent establishment of the Government ordering printing and binding from the Government Printing Office shall pay promptly by check to the Public Printer upon his written request, either in advance or upon completion of the work, all or part of the estimated or actual cost thereof, as the case may be, and bills rendered by the Public Printer in accordance herewith shall not be subject to audit or certification in advance of payment: *Provided*, That proper adjustments on the basis of the actual cost of delivered work paid for in advance shall be made monthly or quarterly and as may be agreed upon by the Public Printer and the department or establishment concerned. All sums paid to the Public Printer for work that he is authorized by law to do shall be deposited to the credit, on the books of the Treasury Department, of the appropriation made for the working capital of the Government Printing Office, for the year in which the work is done, and be subject to requisition by the Public Printer.

Proviso.
Adjustments of accounts.

Sums paid for work to be credited to working capital.

Estimates for departments, etc., to be incorporated in a single item.

All amounts in the Budget for the fiscal year 1938 for printing and binding for any department or establishment, so far as the Bureau of the Budget may deem practicable, shall be incorporated in a single item for printing and binding for such department or establishment and be eliminated as a part of any estimate for any other purpose. And if any amounts for printing and binding are included as a part of any estimates for any other purposes, such amounts shall be set forth in detail in a note immediately following the general estimate for printing and binding: *Provided*, That the foregoing requirements shall not apply to work to be executed at the Bureau of Engraving and Printing.

Proviso.
Engraving and Printing Bureau excepted.

Restriction on paying detailed employees.

No part of any money appropriated in this Act shall be paid to any person employed in the Government Printing Office while detailed for or performing service in the executive branch of the

public service of the United States unless such detail be authorized by law.

OFFICE OF SUPERINTENDENT OF DOCUMENTS

Office of Superintendent of Documents.

For the Superintendent of Documents, assistant superintendent, and other personal services in accordance with the Classification Act of 1923, as amended, and compensation of employees paid by the hour who shall be subject to the provisions of the Act entitled "An Act to regulate and fix rates of pay for employees and officers of the Government Printing Office", approved June 7, 1924 (U. S. C., title 44, sec. 40), $585,000: *Provided*, That for the purpose of conforming to section 3 of this Act this appropriation shall be considered a separate appropriation unit.

Superintendent and personnel. Vol. 46, p. 1003. U. S. C., p. 85.

Vol. 43, p. 658. U. S. C., p. 1931.

Proviso. Item a separate unit.

For furniture and fixtures, typewriters, carpets, labor-saving machines and accessories, time stamps, adding and numbering machines, awnings, curtains, books of reference; directories, books, miscellaneous office and desk supplies, paper, twine, glue, envelopes, postage, car fares, soap, towels, disinfectants, and ice; drayage, express, freight, telephone and telegraph service; traveling expenses (not to exceed $200); repairs to buildings, elevators, and machinery; preserving sanitary condition of building; light, heat, and power; stationery and office printing, including blanks, price lists, bibliographies, catalogues and indexes; for supplying books to depository libraries; in all, $215,000: *Provided*, That no part of this sum shall be used to supply to depository libraries any documents, books, or other printed matter not requested by such libraries, and the requests therefor shall be subject to approval by the Superintendent of Documents.

Contingent expenses.

Proviso. Supplying depository libraries restricted.

In order to keep the expenditures for printing and binding for the fiscal year 1937 within or under the appropriations for such fiscal year, the heads of the various executive departments and independent establishments are authorized to discontinue the printing of annual or special reports under their respective jurisdictions: *Provided*, That where the printing of such reports is discontinued the original copy thereof shall be kept on file in the offices of the heads of the respective departments or independent establishments for public inspection.

Printing reports of departments.

Proviso. Originals to be kept.

Purchases may be made from the foregoing appropriation under the "Government Printing Office", as provided for in the Printing Act approved January 12, 1895, and without reference to section 4 of the Act approved June 17, 1910 (U. S. C., title 41, sec. 7), concerning purchases for executive departments.

Purchases independent of Procurement Division, Treasury Department. Vol. 28, p. 601; Vol. 36, p. 531. U. S. C., p. 1804.

SEC. 2. No part of the funds herein appropriated shall be used for the maintenance or care of private vehicles.

Private vehicle restriction.

SEC. 3. In expending appropriations or portions of appropriations, contained in this Act, for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, the average of the salaries of the total number of persons under any grade in the Botanic Garden, the Library of Congress, or the Government Printing Office, shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade, advances may be made to rates higher than the average of the compensation rates of the grade, but not more often than once in any fiscal year, and then

Average salaries in designated offices not to be exceeded. Vol. 42, p. 1488. U. S. C., p. 85.

Proviso.
Not applicable to clerical-mechanical service.
Vol. 42, p. 1490.
U. S. C., p. 86.

Transfer to another position without reduction.

Higher salary rates allowed.

If only one position in a grade.

only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service; (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act; (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit; (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law; or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

Short title.

SEC. 4. This Act may be cited as the Legislative Branch Appropriation Act, 1937.

Approved, April 17, 1936.

[CHAPTER 234.]

April 17, 1936.
[H. R. 11968.]
[Public, No. 525.]

AN ACT

Relating to the authority of the Reconstruction Finance Corporation to make rehabilitation loans for the repair of damages caused by floods or other catastrophes, and for other purposes.

Loans for flood damage repair, etc.
Vol. 48, p. 589; U. S. C., p. 577.
Ante, p. 505.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act authorizing the Reconstruction Finance Corporation to make loans to nonprofit corporations for the repair of damages caused by floods or other catastrophes, and for other purposes", approved April 13, 1934, as amended, is amended to read as follows:

Loans to municipalities, corporations, individuals, etc., authorized for rehabilitation purposes.

"That the Reconstruction Finance Corporation is authorized and empowered, through such existing agency or agencies as it may designate, to make loans to corporations, partnerships, or individuals, municipalities or political subdivisions of States or of their public agencies, including public school boards and public school districts, and water, irrigation, sewer, drainage, and flood control districts for the purpose of financing the repair, construction, reconstruction, or rehabilitation of structures or buildings, including such equipment, appliances, fixtures, machinery, and appurtenances as shall be deemed necessary or appropriate by the Reconstruction Finance Corporation, and for the purpose of financing the repair, construction, reconstruction, or rehabilitation of water, irrigation, gas, electric, sewer, drainage, flood-control, communication, or transportation systems, highways, and bridges damaged or destroyed by earthquake, conflagration, tornado, cyclone, hurricane, flood, or other catastrophe in the years 1935 or 1936, and for the purpose of financing the acquisition of structures, buildings, or property, real and personal, in replacement of structures, buildings, groins, jetties, bulkheads, or property, real and personal, destroyed or rendered unfit for use by reason of the catastrophe, when such repair, construction, reconstruction, rehabilitation, or acquisition is deemed by the Reconstruction Finance Corporation to be useful or necessary, said loans to be so secured as reasonably to assure repayment thereof.

Repairs to public works, etc., damaged during 1935 or 1936.

Replacements.

Security for loans.

"Obligations accepted hereunder shall be collateraled—

Collateral requirements.

"(a) In the case of loans for the acquisition, repair, construction, reconstruction, or rehabilitation of private real property, by the obligations of the owner of such property, secured by a lien thereon;

Private real property.

"(b) In case of loans for the repair, construction, reconstruction, or rehabilitation of privately owned water, gas, electric, communication, or transportation systems, by the obligations of the owners of

Privately owned public utilities.

such water, gas, electric, communication, or transportation systems, secured by a lien thereon; and

"(c) In case of loans for the repair, construction, reconstruction, or rehabilitation of property of municipalities or political subdivisions of States or of their public agencies, including public-school boards and public-school districts, and water, irrigation, sewer, drainage, and flood-control districts, by an obligation of such municipality, political subdivision, public agency, board, or district, payable from any source, including taxation or tax-anticipation warrants. Municipal, etc., property.

"The collateral obligations shall have maturities not exceeding ten years in case of loans made under paragraph (a) of this Act and not exceeding twenty years in case of loans under paragraphs (b) and (c) of this Act. Maturities.

"The Corporation shall prescribe such regulations as will most effectively expedite the repair, construction, reconstruction, and rehabilitation provided for by this Act and effectively carry out the emergency-relief purposes of this Act. Regulations.

"Notwithstanding any other provision of law, disbursement may be made at any time prior to January 23, 1939, on any commitment made by the Corporation under the terms of this Act, as amended. Time limit for disbursement on commitments.

"The aggregate of loans made under this Act shall not exceed $50,000,000." Aggregate amount authorized.

SEC. 2. The title of the said Act is amended to read as follows: "An Act authorizing the Reconstruction Finance Corporation to make loans for the repair of damages caused by floods or other catastrophies [1], and for other purposes." Title amended.

SEC. 3. Title I of the National Housing Act, as amended, is amended by inserting after section 5 thereof the following new section: National Housing Act, amendment. Vol. 48, p. 1247; U. S. C., p. 476.

"SEC. 6. (a) The Administrator is authorized and empowered, upon such terms and conditions as he may prescribe, to insure banks, trust companies, personal finance companies, mortgage companies, building and loan associations, installment lending companies, and other such financial institutions, heretofore or hereafter approved by the Administrator as eligible for credit insurance, against losses which they may sustain as a result of loans and advances of credit, and purchases of obligations representing loans and advances of credit, made by them subsequent to the date this section takes effect and prior to January 1, 1937, or such earlier date as the President may fix by proclamation upon his determination that the emergency no longer exists, for the purpose of financing, by the owners of real property or by lessees thereof under a lease for a period of not less than one year, the restoration, rehabilitation, rebuilding and replacement of improvements on such real property and equipment and machinery thereon which were damaged or destroyed by earthquake, conflagration, tornado, cyclone, hurricane, flood, or other catastrophe in the years 1935 or 1936, either on the same site or on a new site in the same locality where the damaged or destroyed property was located. The Administrator is authorized to grant insurance under this section to any such financial institution up to 10 per centum of the total amount of loans, advances of credit, and purchases made by such financial institution for such purpose, and any insurance reserve accumulated by any such financial institution under section 2 of this title prior to April 1, 1936, shall be applicable to the payment of any losses sustained by it as a result of loans, advances of credit, or purchases insured under this section. Insurance of financial institutions, eligible for credit insurance, against loss. Maximum amount. Application of accumulated reserve to losses.

[1] So in original.

Conditions, etc., controlling grants of insurance.

"(b) No insurance shall be granted under this section to any such financial institution with respect to any obligation representing any such loan, advance of credit, or purchase by it (1) unless the loan bears such interest, has such maturity, and contains such other terms, conditions, and restrictions, as the Administrator shall prescribe in order to make credit available for the purposes of this section; and (2) unless the amount of such loan, advance of credit, or purchase is not in excess of $2,000, except that in the case of any such loan, advance of credit, or purchase made for the purpose of such financing with respect to apartment or multiple family houses, hotels, office, business or other commercial buildings, hospitals, orphanages, colleges, schools, churches, or manufacturing or industrial plants, such insurance may be granted if the amount of the loan, advance of credit, or purchase is not in excess of $50,000."

Limit on liability incurred by Administrator.
Ante, p. 1187.

SEC. 4. (a) The third sentence of subsection (a) of section 2 of the National Housing Act, as amended, is amended to read as follows: "The total liability incurred by the Administrator for all insurance heretofore and hereafter granted under this section and section 6 shall not exceed in the aggregate $100,000,000."

Ante, pp. 722, 1188.

(b) Section 2 of such Act, as amended, is further amended by adding at the end thereof the following new subsection:

Waiver of regulations authorized.

"(e) The Administrator is authorized to waive compliance with regulations heretofore or hereafter prescribed by him with respect to the interest and maturity of and the terms, conditions, and restrictions under which loans, advances of credit, and purchases may be insured under this section and section 6, if in his judgment the enforcement of such regulations would impose an injustice upon an insured institution which has substantially complied with such regulations in good faith and refunded or credited any excess charge made, and where such waiver does not involve an increase of the obligation of the Administrator beyond the obligation which would have been involved if the regulations had been fully complied with."

No increase in obligation.

Approved, April 17, 1936.

[CHAPTER 238.]

April 20, 1936.
[H. R. 6544.]
[Public, No. 526.]

AN ACT

To conserve the water resources and to encourage reforestation of the watersheds of Santa Barbara County, California, by the withdrawal of certain public land, included within the Santa Barbara National Forest, California, from location and entry under the mining laws.

Santa Barbara National Forest, Calif.
Public lands in, withdrawn from mining entries, for conservation purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the public lands of the United States, within the boundaries of the Santa Barbara National Forest, located in the State of California and hereinafter described, are hereby withdrawn from location or entry under the mining laws of the United States:

Description.

All Government lands in sections 29, 30, 31, 32, and 33, township 7 north, range 24 west, San Bernardino meridian.

All Government lands in sections 7, 8, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, township 7 north, range 25 west, San Bernardino meridian.

All Government lands in sections 7 to 36, inclusive, township 7 north, range 26 west, San Bernardino meridian.

All Government lands in sections 1 to 36, inclusive, township 7 north, range 27 west, San Bernardino meridian.

All Government lands in sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, and 36, township 7 north, range 28 west, San Bernardino meridian.

Description—Contd.

All Government lands in sections 5, 8, and 17, township 6 north, range 24 west, San Bernardino meridian.

All Government lands in township 6 north, range 25 west, San Bernardino meridian.

All Government lands in township 6 north, range 26 west, San Bernardino meridian.

All Government lands in township 6 north, range 27 west, San Bernardino meridian, except sections 19, 30, and 31.

All Government lands in sections 1, 2, and 12, township 6 north, range 28 west, San Bernardino meridian.

All Government lands in sections 6, 7, 18, 19, 30, and 31, township 5 north, range 24 west, San Bernardino meridian.

All Government lands in township 5 north, range 25 west, San Bernardino meridian.

All Government lands in township 5 north, range 26 west, San Bernardino meridian, except in sections 31 and 32.

All Government lands in sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, township 5 north, range 27 west, San Bernardino meridian: *Provided*, That this Act shall not defeat or affect any lawful right which has already attached under the mining laws and which is hereinafter maintained in accordance with such laws: *Provided further*, That the President upon recommendation of the Secretary of the Interior and the Secretary of Agriculture, may, by Executive order, when in his judgment the public interest would best be served thereby, and after reasonable notice has been given through the Department of the Interior, restore to location and entry under the mining laws, any of the lands hereby withdrawn therefrom: *Provided further*, That any person desiring to locate and enter upon any such withdrawn lands under the mineral land laws may make such location and entry upon a showing satisfactory to the Secretary of the Interior and the Secretary of Agriculture that the lands to be entered are chiefly valuable for minerals.

Provisos. Lawful existing rights not affected.

Discretionary restoration to entry, etc., of withdrawn lands.

Location and entry.

Approved, April 20, 1936.

[CHAPTER 239.]

AN ACT

April 20, 1936. [H. R. 9997.] [Public, No. 527.]

Granting a leave of absence to settlers of homestead lands during the year 1936.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any homestead settler or entryman who, during the calendar year 1936 should find it necessary, because of economic conditions, to leave his homestead to seek employment in order to obtain the necessaries of life for himself or family or to provide for the education of his children, may, upon filing with the register of the district his affidavit, supported by corroborating affidavits of two disinterested persons, showing the necessity of such absence, be excused from compliance with the requirements of the homestead laws as to residence, cultivation, improvements, expenditures, or payment of purchase money, as the case may be, during all or any part of the calendar year 1936, and said entries shall not be open to contest or protest because of failure to comply with such requirements during such absence; except that the time of such absence shall not be deducted from the actual residence required by law, but a period equal to such absence shall be added to the statutory life of the entry: *Provided*, That any entryman holding an unperfected entry on ceded Indian lands may be excused from the requirements of residence upon the conditions provided herein, but shall not be entitled to extension of time for the payment of any installment of the purchase price of the land

Public lands. Homestead entrymen; leaves of absence, calendar year 1936.

Affidavits to be filed with register of district.

Absence added to statutory life of entry.

Proriso. Ceded Indian lands; installment payment extension.

except upon payment of interest, in advance, at the rate of 4 per centum per annum on the principal of any unpaid purchase price from the date when such payment or payments became due to and inclusive of the date of the expiration of the period of relief granted hereunder.

Installment payments deferred; interest payments.

SEC. 2. Any homestead settler or entryman, including any entryman on ceded Indian lands, who is unable to make the payments due on the purchase price of his land on account of economic conditions, shall be excused from making any such payment during the calendar year 1936 upon payment of interest, in advance, at the rate of 4 per centum per annum on the principal of any unpaid purchase price from the date when such payment or payments became due to and inclusive of the date of the expiration of the period of relief granted hereunder.

Approved, April 20, 1936.

[CHAPTER 240.]

April 20, 1936.
[H. R. 11327.]
[Public, No. 528.]

AN ACT

To exempt from taxation receipts from the operation of Olympic Games if donated to the State of California, the city of Los Angeles, and the county of Los Angeles.

Olympic Games in California, 1932.
Operating receipts tax-exempt, if donated to State or to Los Angeles.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no Federal income tax or gift tax shall now or hereafter be imposed upon any present, past, or future members of the Xth Olympiade Committee of the Games of Los Angeles U. S. A. 1932, Limited, in respect of any surplus of moneys received by such committee from the operation of the Olympic Games in California in 1932 and donated (1) by such committee, or any of its members, to the State of California, or (2) by such committee, or any of its members, through the Community Development Association, Limited, to the city of Los Angeles in such State or the county of Los Angeles in such State.

Approved, April 20, 1936.

[CHAPTER 241.]

April 20, 1936.
[H. J. Res. 568.]
[Pub. Res., No. 82.]

JOINT RESOLUTION

To provide an additional appropriation for fees of jurors and witnesses, United States courts, for the fiscal year 1936.

United States courts.
Additional appropriation for fees, jurors and witnesses, 1936.
Ante, p. 82.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That for an additional amount for fees of jurors and witnesses, United States courts, including the same objects specified under this head in the Department of Justice Appropriation Act, 1936, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $900,000 for the fiscal year 1936.

Approved, April 20, 1936.

[CHAPTER 243.]

April 21, 1936.
[H. R. 3806.]
[Public, No. 529.]

AN ACT

To establish a commercial airport for the District of Columbia.

District of Columbia Airport Commission; appointment, qualifications, duties, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby created a commission to be known as the "District of Columbia Airport Commission" (hereinafter referred to as the "Commission"), to be composed of three Members of the United States Senate,

to be appointed by the President of the Senate, three Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, and three persons to be appointed by the President of the United States, who because of their official positions are interested in the development of a commercial airport in the District of Columbia. No person shall serve on the Commission who has any financial interest direct or indirect in any site or sites for said airport which may be the subject of consideration. The Commission shall proceed immediately after its appointment and organization to examine all available data concerning potential sites for commercial airports and to inspect such potential sites, and shall select a site for such purpose with due regard to the cost of its acquisition and development, its safety, and its adaptability to the requirements of commercial aviation and national defense.

Confidential report to each House of Congress.

SEC. 2. The Commission shall preserve its decision and selection in confidence and shall make a confidential report thereon to the President of the Senate and the Speaker of the House of Representatives, or the Secretary of the Senate and the Clerk of the House of Representatives if Congress is not in session: *Provided, however,* That said report shall be made as soon as practicable.

Proviso. Time limitation.

No salary; expenses allowed.

SEC. 3. The members of the Commission shall receive no salary as such, but shall be reimbursed for actual expenses incurred in the discharge of official duties as such commissioners.

Appropriation authorized.

There is hereby authorized to be appropriated the sum of $10,000, to be charged one-half to the moneys in the Treasury to the credit of the District of Columbia and one-half to the moneys in the Treasury not otherwise appropriated, which shall be used for carrying out the purposes of this Act, including the employment of such experts and other assistants as the Commission may deem necessary.

Employment of experts, etc.

Approved, April 21, 1936.

[CHAPTER 244.]

JOINT RESOLUTION

Amending paragraph (4) of subsection (n) of section 12B of the Federal Reserve Act, as amended.

April 21, 1936.
[S. J. Res. 230.]
[Pub. Res., No. 83.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (4) of subsection (n) of section 12B of the Federal Reserve Act, as amended, is amended by striking out "July 1, 1936" and inserting in lieu thereof "July 1, 1938".

Federal Deposit Insurance Corporation. Power to make loans, etc., to avert threatened loss, extended. *Ante,* p. 699.

Approved, April 21, 1936.

[CHAPTER 245.]

AN ACT

To amend section 304 of the Revised Statutes, as amended.

April 24, 1936.
[S. 3258.]
[Public, No. 530.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 304 of the Revised Statutes, as amended (31 U. S. C., sec. 144), is further amended to read as follows:

Treasury Department. R. S., sec. 304, p. 51. U. S. C., p. 1364.

"SEC. 304. The Treasurer may, in his discretion, and with the consent of the Secretary of the Treasury, authorize the Assistant Treasurer to act in the place and discharge any or all of the duties of the Treasurer of the United States; and the Secretary of the Treasury may appoint from among the personnel of the Treasurer's Office any person to be Acting Treasurer during the absence or

Acting Treasurer, appointment, duties, etc.

Special Assistant Treasurer, appointment, authority, pay, etc.

illness of both the Treasurer and Assistant Treasurer; and the Secretary of the Treasury may at any time, on the recommendation of the Treasurer, appoint from among the clerks in the Treasurer's Office any one or more of said clerks to be a Special Assistant Treasurer, with authority to sign certificates of deposit, checks, letters, telegrams, and other official documents in connection with the business of the Treasurer's Office, and who shall serve in this capacity without additional salary: *Provided, however*, That no appointments shall be made under the provisions of this section until the official bond given by the Treasurer shall be made in terms to cover and apply to the acts and defaults of every person appointed hereunder. Each person so appointed shall, moreover, for the time being, be subject to all the liabilities and penalties prescribed by law for the official misconduct in like cases of the Treasurer."

Proviso. Bond.

Official misconduct.

Approved, April 24, 1936.

[CHAPTER 246.]

April 24, 1936. [S. 3395.] [Public, No. 531.]

AN ACT

To authorize the acquisition of the railroad tracks, trestle, and right-of-way of the Gulf Power Company at the naval air station, Pensacola, Florida.

Pensacola, Fla., naval air station. Acquisition of certain property of Gulf Power Company, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized to accept on behalf of the United States, free from encumbrance and without cost to the United States, all the right, title, and interest of the Gulf Power Company of Pensacola, Florida, in its railroad tracks located upon the United States Naval Air Station, Pensacola, Florida; its railroad trestle, including railroad tracks thereon, across Bayou Grande, beginning at the northern end of said trestle and extending across said Bayou Grande to the said naval air station; and its right-of-way forty feet wide upon which the northern end of said trestle is located, and extending from said northern end of the trestle to the north shore of said Bayou Grande, together with all sidings, equipment, and appurtenant structures.

Approved, April 24, 1936.

[CHAPTER 247.]

April 24, 1936. [S. 3669.] [Public, No. 532.]

AN ACT

Providing for the suspension of annual assessment work on mining claims held by location in the United States.

Public lands. Mining claims assessment work suspended, fiscal year 1936. R. S., sec. 2324, p. 426. U. S. C., p. 1333.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provision of section 2324 of the Revised Statutes of the United States, which requires on each mining claim located, and until a patent has been issued therefor, not less than $100 worth of labor to be performed or improvements aggregating such amount to be made each year, be, and the same is hereby, suspended as to all mining claims in the United States during the year beginning at 12 o'clock meridian July 1, 1935, and ending at 12 o'clock meridian July 1, 1936: *Provided*, That the provisions of this Act shall not apply in the case of any claimant not entitled to exemption from the payment of a Federal income tax for the taxable year 1935: *Provided further*, That every claimant of any such mining claim, in order to obtain the benefits of this Act, shall file, or cause to be filed, in the office where the location notice or certificate is recorded, on or before 12 o'clock meridian July 1, 1936, a notice of his desire to hold said mining claim under this Act, which notice shall state that the claimant, or

Provisos. Claimants not exempt from Federal income tax, excluded.

Notice to be filed.

claimants, were entitled to exemption from the payment of a Federal income tax for the taxable year 1935: *And provided further*, That such suspension of assessment work shall not apply to more than six lode-mining claims held by the same person, nor to more than twelve lode-mining claims held by the same partnership, association, or corporation: *And provided further*, That such suspension of assessment work shall not apply to more than six placer-mining claims not to exceed one hundred and twenty acres (in all) held by the same person, nor to more than twelve placer-mining claims not to exceed two hundred and forty acres (in all) held by the same partnership, association, or corporation.

Number of lode-mining claims limited.

Placer mining claims.

Approved, April 24, 1936.

[CHAPTER 248.]

AN ACT

April 25, 1936.
[S. 3720.]
[Public, No. 533.]

To authorize the Secretary of the Navy to accept on behalf of the United States the bequest of the late Henry H. Rogers, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to accept on behalf of the United States the collection of ship models, with glass exhibit cases, bequeathed the United States Naval Academy by the late Henry H. Rogers, of Southampton, Long Island, New York.

Henry H. Rogers.
Acceptance of bequest of, authorized.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to carry out the purposes of section 1 of this Act.

Appropriation authorized.
Post, p. 1628.

Approved, April 25, 1936.

[CHAPTER 249.]

AN ACT

April 25, 1936.
[H. R. 12037.]
[Public, No. 534.]

Relating to compacts and agreements among States in which tobacco is produced providing for the control of production of, or commerce in, tobacco in such States, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress of the United States of America hereby consents that any of the States in which tobacco is produced may negotiate a compact or compacts for the purpose of regulating and controlling the production of, or commerce in, any one or more kinds of tobacco therein: *Provided*, That all State acts authorizing such compact or compacts shall be essentially uniform and in no way conflicting: *Provided further*, That any compact, compacts, agreement, or agreements negotiated and agreed upon by the States referred to in the Act of the General Assembly of Virginia, approved March 13, 1936 (known as the Tobacco Control Act), or by any other State or States producing any type or types of tobacco referred to in said Act, which is in conformity with said Act and relating to the type or types of tobacco specifically referred to in said Act, shall become effective to the extent and in the manner provided for in said Act without further consent or ratification on the part of the Congress of the United States of America: *Provided, however*, That nothing herein contained shall be construed as preventing the Congress of the United States of America from hereafter withdrawing its consent to any compact or agreement entered into pursuant to this Act: *Provided further*, That nothing in this Act shall be construed to grant the consent of Congress to negotiate any compact for regulating or controlling the production of, or commerce in, tobacco for

State tobacco control compacts.
Consent given to, for regulating production, etc.
Post, p. 1617.

Provisos.
State acts to be uniform, etc.
Virginia Tobacco Control Act as a basis.

Right to withdraw consent reserved.

Price fixing, monopoly, etc.

the purpose of fixing the price thereof, or to create or perpetuate monopoly, or to promote regimentation, but such consent shall be limited to compacts for the regulation and control of production of, or commerce in, tobacco in order thereby to enable growers to receive a fair price for such tobacco.

Definitions.

SEC. 2. As used in this Act, unless otherwise stated or unless the context or subject matter clearly indicates otherwise—

"Person."

"Person" means any individual, partnership, joint-stock company, corporation, or association.

"State Act."

"State Act" means any Act of a State legislature authorizing a compact or compacts pursuant to the consent given in this Act.

"Commission."

"Commission" means the tobacco commission created by any State Act.

"Secretary."

"Secretary" means the Secretary of Agriculture of the United States.

"Kind of tobacco."

"Kind of tobacco" means one or more types of tobacco as classified in Service and Regulatory Announcement Numbered 118 of the Bureau of Agricultural Economics of the United States Department of Agriculture as listed below according to the name or names by which known:

Types designated.

Types 11, 12, 13, and 14, known as flue-cured tobacco.

Type 31, known as Burley tobacco.

Types 21, 22, 23, 24, 35, 36, and 37, known as fire-cured and dark air-cured tobacco.

Types 41, 42, 43, 44, 45, and 46, known as cigar-filler tobacco.

Types 51, 52, 53, 54, and 65, known as cigar-binder tobacco.

Types 61 and 62, known as cigar-wrapper tobacco.

"Association."

"Association" means any association of tobacco producers or other persons engaged in the tobacco industry, or both, formed under the laws of any State for the purpose of stabilizing the marketing of tobacco and providing crop protection to producers of tobacco in any State or States.

Advances to State tobacco commissions, authorized.

SEC. 3. The Secretary is authorized to make advances from time to time, from the funds hereinafter provided, to the tobacco commission established by the State act of each State which enters into a compact or compacts under the consent given by this Act in such amounts as the Secretary shall determine to be required for the payment of administrative expenses incurred by such commission, and under such terms and conditions with respect to the expenditure thereof as the Secretary shall stipulate: *Provided*, That each State act creating such commission shall provide for the repayment to the Secretary of such advances from any funds received by the commission from the sale of marketing certificates with respect to tobacco, prior to the use of such funds for any other purpose.

Proviso. Repayment.

Conferences.

SEC. 4. The Secretary shall, upon the request of the Commission of any compacting State, designate such tobacco producers or other persons engaged in the tobacco industry and such officials of the United States Department of Agriculture as he deems advisable to meet with the tobacco commissions for the different States for the purpose of advising in connection with the administration of any compact or compacts entered into pursuant to this Act.

Loans for administrative purposes, Georgia Tobacco Belt.

SEC. 5. The Secretary, from the funds hereinafter provided, is authorized to make loans for administrative purposes, upon terms and conditions stipulated by him, to such association of tobacco producers as may operate with respect to the 1936 crop in the Georgia Tobacco Belt, in a manner similar to that embodied in State Acts providing for compacts under the consent given in this Act.

Facilities available to compacting States.

SEC. 6. The Secretary is hereby authorized, upon the request of the commission of any compacting State, or at the request of any association referred to in section 5, to make available to the commission of any State or to any such association such records and information, whether published or unpublished, and such facilities of the United States Department of Agriculture as the Secretary deems appropriate in aiding such commission or association.

Appropriation authorized.
Post, p. 1617.

SEC. 7. (a) For the purpose of administering this Act there is authorized to be appropriated to the Secretary of Agriculture the sum of $300,000, or so much thereof as may be necessary for that purpose.

Repayments, disposition of.

(b) Any advances or loans which are repaid to the Secretary by any commission or association pursuant to sections 3 and 5 of this Act shall revert to the general fund of the Treasury of the United States.

Allotment and transfer of funds to Government agencies.

SEC. 8. All funds available for carrying out this Act shall be available for allotment to the bureaus and offices of the Department of Agriculture and for transfer to such other agencies of the Federal or State Governments as the Secretary may request to cooperate or assist in carrying out this Act.

Puerto Rican cigar-filler tobacco, regulation of commerce in, if designated compacts become effective.

SEC. 9. If, pursuant to this Act, any compact entered into among three or more of the States of Pennsylvania, Ohio, Wisconsin, Massachusetts, Florida, and Connecticut, becomes effective, or if any association or associations are formed, the membership of which includes at least two-thirds of the producers of cigar-filler tobacco and cigar-binder tobacco in three or more of said States, commerce in cigar-filler tobacco produced in Puerto Rico shall be regulated during the period in which any such compact remains effective or such associations continue to operate, as follows:

Determination of production for each crop year.

(a) The Secretary shall determine for each crop year, by calculations from available statistics of the United States Department of Agriculture, the quantity of cigar-filler tobacco produced in the continental United States and Puerto Rico which is likely to be consumed in all countries of the world during such crop year, increased or decreased, as the case may be, by the amount by which the world stocks of cigar-filler tobacco (produced in the continental United States and Puerto Rico) at the beginning of such crop year are less than or greater than the normal stocks of such cigar-filler tobacco, as determined by the Secretary. For the purposes of this section, the Secretary shall specify as a "crop year" such period of twelve months as he deems will facilitate the administration of this section.

"Crop year" defined.

Establishment of marketing quota.

(b) The Secretary shall determine a marketing quota for Puerto Rico for cigar-filler tobacco for each crop year in which the provisions of this section are operative. Such quota shall be that quantity of cigar-filler tobacco which bears the same proportion (subject to such adjustment, which may be cumulative from one crop year to another, not exceeding 5 per centum of said proportion in any one year, as the Secretary determines is necessary to correct for any abnormal conditions of production during any three normal crop years during the last ten years for trends in production during such crop years and for trends in consumption since such crop years) to the total quantity of cigar-filler tobacco produced in the continental United States and Puerto Rico and required for world consumption (as determined pursuant to paragraph (a) of this section) as the average production of cigar-filler tobacco in Puerto Rico in such crop years bore to the average of the total production of cigar-filler tobacco in the continental United States and Puerto Rico in such crop years.

Assignment for each farm.

(c) The Secretary shall establish for each farm in Puerto Rico for each crop year a tobacco-marketing quota, giving due consideration to the quantity of cigar-filler tobacco marketed from the crops produced on such farm and by the operator thereof in past years; to the land, labor, and equipment available for production of tobacco on such farm; to the crop-rotation practices on such farm; and to the soil and other physical factors affecting production of tobacco on such farm: *Provided*, That the total of the marketing quotas established for all farms in Puerto Rico for any crop year shall not exceed the marketing quota for Puerto Rico for such crop year.

Proviso. Limitation.

Quota adjustments.

(d) The marketing quota established for Puerto Rico and the marketing quotas established for farms in Puerto Rico for any crop year pursuant to paragraphs (b) and (c) of this section shall be subject to such uniform adjustment during the crop year, not exceeding 10 per centum of said quotas, as the Secretary shall determine to be necessary to establish and maintain normal world stocks of cigar-filler tobacco produced in the continental United States and Puerto Rico and otherwise to effectuate the purposes of this Act.

Marketing certificates, issuance of.

(e) The Secretary shall, under such terms and conditions and in accordance with such methods as may be established in regulations prescribed by him, issue, to buyers or handlers of tobacco from any farm in Puerto Rico, marketing certificates for an amount of tobacco equal to the marketing quota established for such farm, and, for any tobacco marketed in excess of such quota for such farm, sell, to the buyer or handlers of such excess tobacco, marketing certificates for a charge equal to one-third of the current market value of such tobacco, and the Secretary may require the buyer or handler of such excess tobacco to deduct the charge for marketing certificates from the price or proceeds of or advances on such tobacco.

Payments to producers.

(f) From the proceeds received from the sale of marketing certificates pursuant to paragraph (e) of this section, the Secretary shall make payments to the producers of tobacco on farms in Puerto Rico from which the sales of tobacco, because of weather or diseases or loss by fire affecting the tobacco crops thereon adversely during any crop year, are less than the marketing quotas for such farms for such crop year. Such payments shall be at a rate per pound of such deficit as shall be determined by dividing the funds remaining after deduction of such amount as the Secretary estimates to be necessary for the payment of administrative expenses incurred in administering the provisions of this section by the total number of pounds by which the sales of tobacco from all such farms fall below the marketing quotas for such farms.

Rate.

Sale, etc., without certificate prohibited.

(g) The sale, marketing, purchase, or transportation of any cigar-filler tobacco produced, sold, or marketed in Puerto Rico during any period of time when this section shall be in effect is hereby prohibited unless a marketing certificate has been issued for such tobacco by the Secretary pursuant to the provisions of this Act.

Receipts held as separate fund; use, etc.

SEC. 10. Any receipts by the Secretary under section 9 of this Act shall be held in a separate fund and used by the Secretary for the purpose of paying administrative expenses and expenditures incurred or made in connection with section 9 of this Act.

Separability provision.

SEC. 11. If any provision of this Act, or the application thereof to any person or circumstance, shall be held invalid, the validity of the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.

Rules to be prescribed.

SEC. 12. The Secretary shall prescribe such rules and regulations as he may deem necessary to carry out the provisions of this Act.

Approved, April 25, 1936.

[CHAPTER 250.]

JOINT RESOLUTION

April 25, 1936.
[S. J. Res. 233.]
[Pub. Res., No. 84.]

Providing for the participation of the United States in the Great Lakes Exposition to be held in the State of Ohio during the year 1936, and authorizing the President to invite the Dominion of Canada to participate therein, and for other purposes.

Great Lakes Exposition.
Preamble.

Whereas there is to be held in the city of Cleveland, State of Ohio, during the year 1936 an exposition to be known as the Great Lakes Exposition, dealing with industrial, agricultural, commercial, educational, and cultural progress of the eight States bordering upon the Great Lakes, namely, New York, Pennsylvania, Ohio, Michigan, Indiana, Illinois, Wisconsin, and Minnesota; and

Whereas the city of Cleveland has made available one hundred and forty acres of land centrally located, its public hall, its lakeside exhibition hall, and its stadium, valued at more than $20,000,000, its adjacent streets and properties, its lake-front grounds, and its water-front privileges on Lake Erie; and

Whereas the exposition has been incorporated not for profit and has been amply underwritten; and

Whereas such exposition is worthy and deserving of the support and encouragement of the United States; and the United States has aided and encouraged such expositions in the past: Therefore be it

Dominion of Canada invited to participate.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to invite the Dominion of Canada to participate in such proposed exposition.

Commission established.

SEC. 2. There is hereby established a commission, to be known as the United States Great Lakes Exposition Commission, and hereinafter referred to as the "Commission", and to be composed of the Secretary of State, the Secretary of Agriculture and the Secretary of Commerce; which Commission shall serve without additional compensation and shall represent the United States in connection with the holding of the Great Lakes Exposition in the State of Ohio during the year 1936.

Composition, purpose, etc.

Commissioner General and assistant; appointment, salaries, etc.

SEC. 3. There is hereby created a United States Commissioner General for the Great Lakes Exposition, to be appointed by the President with the advice and consent of the Senate, and to receive compensation at the rate of not to exceed $10,000 per annum, and not to exceed one assistant commissioner for said Great Lakes Exposition, to be appointed by the Commissioner General, with the approval of the Commission herein designated, and to receive compensation at the rate of not to exceed $7,500 per annum. The salary and expenses of the Commissioner General and such staff as he may require shall be paid out of the funds authorized to be appropriated by this joint resolution, for such period prior to the opening of the exposition as the Commissioner[1] may determine, for the duration of the exposition, and not to exceed a six months' period following the closing thereof.

Payment of salaries and expenses.

Duties and powers of Commissioner General.

SEC. 4. The Commission shall prescribe the duties of the United States Commissioner General and shall delegate such powers and functions to him as it shall deem advisable, in order that there may be exhibited at the Great Lakes Exposition by the Government of the United States, its executive departments, independent offices, and establishments such articles and materials and documents and papers as illustrate the function and administrative faculty of the Government in the advancement of industry, science, invention, agriculture, the arts, and peace, and demonstrating the nature of our institutions, particularly as regards their adaptation to the needs of the people.

[1] So in original.

Personnel; appointment; fixing of salaries, etc.
U. S. C., pp. 81, 85.

SEC. 5. The Commission and the Commissioner General are authorized to appoint, without regard to the civil-service laws, such clerks, stenographers, and other assistants as may be necessary, and to fix their salaries in accordance with the Classification Act of 1923, as amended; purchase such materials, contract for such labor and other services as are necessary, including the preparation of exhibit plans. The Commissioner General may exercise such powers as are delegated to him by the Commission as hereinbefore provided, and in order to facilitate the functioning of his office may subdelegate such powers (authorized or delegated) to the Assistant Commissioner or others in the employ of or detailed to the Commission as may be deemed advisable by the Commission.

Cooperation of executive departments, etc.

SEC. 6. The heads of the various executive departments and independent offices and establishments of the Government are authorized to cooperate with said Commissioner General in the procurement,

Exhibits to be loaned.

installation, and display of exhibits, and to lend to the Commission and the Great Lakes Exposition, with the knowledge and consent of said Commissioner General such articles, specimens, and exhibits which said Commissioner General shall deem to be in the interest of the United States and in keeping with the purposes of such exposition, to be placed with the science exhibit or other exhibits to be shown under the auspices of such Commission or the Great Lakes Exposi-

Contracts for labor, etc.

tion, to contract for such labor or other services as shall be deemed necessary, and to designate officials or employees of their depart-

Return of property at close of exposition.

ments or branches to assist said Commissioner General. At the close of the exposition, or when the connection of the Government of the United States therewith ceases, said Commissioner General shall cause all such property to be returned to the respective departments and branches from which taken, and any expenses incident to the restoration, modification and revision of such property to a condition which will permit its use at subsequent expositions, fairs, and other celebrations, and for the continued employment of personnel neces-

Preparation of reports.

sary to close out the fiscal and other records and prepare the required reports of the participating organizations, may be paid from the

Disposition of property not returned.

appropriation authorized herein; and if the return of such property is not feasible, he may, with the consent of the department or branch from which it was taken, make such disposition thereof as he may deem advisable and account therefor.

Appropriation authorized.
Post, p. 1352.

SEC. 7. The sum of $275,000 is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, and shall remain available until expended for the purposes of this joint resolution and any unexpended balances shall be cov-

Allotments of funds.

ered back into the Treasury of the United States. Subject to the provisions of this joint resolution and any subsequent Act appropriating the money authorized herein, the Commission is authorized to make any expenditures or allotments deemed necessary by it to fulfill properly the purposes of this joint resolution and to allocate such sums to the Great Lakes Exposition for expenditure by such

Rental of space.

body as the Commission deems necessary and proper in carrying out the purposes of this joint resolution. And, subject to the provisions of this joint resolution and any subsequent Act appropriating the money authorized herein, the Commission is authorized to rent such space, not to exceed thirty thousand square feet, without regard

Vol. 47, pp. 412, 1517.
U. S. C., p. 1771.

to the provisions of section 322 of Public Act Numbered 212, approved June 30, 1932 (47 Stat. 412), as it may deem adequate to

Authorized expenditures.

carry out effectively the provisions of this joint resolution during the period of the exposition. The appropriation authorized under this joint resolution shall be available for the selection, purchase, preparation, assembling, transportation, installation, arrangement,

safekeeping, exhibition, demonstration, and return of such articles and materials as the Commission may decide shall be included in such Government exhibit and in the exhibits of the Great Lakes Exposition; for the compensation of said Commissioner General, Assistant Commissioner, and other officers and employees of the Commission in the District of Columbia and elsewhere, for the payment of salaries of officers and employees of the Government employed by or detailed for duty with the Commission, and for actual traveling expenses, including travel by air, and for per diem in lieu of actual subsistence at not to exceed $5 per day: *Provided*, That no such Government official or employee so designated shall receive a salary in excess of the amount which he has been receiving in the department or branch where employed, plus such reasonable allowance for travel, including travel by air, and subsistence expenses as may be deemed proper by the Commissioner General; for telephone service, purchase or rental of furniture and equipment, stationery and supplies, typewriting, adding, duplicating, and computing machines, their accessories and repairs, books of reference and periodicals, uniforms, maps, reports, documents, plans, specifications, manuscripts, newspapers and all other appropriate publications, and ice and drinking water for office purposes: *Provided further*, That payment for telephone service, rents, subscriptions to newspapers and periodicals, and other similar purposes, may be made in advance; for the purchase and hire of passenger-carrying automobiles, their maintenance, repair, and operation, for the official use of said Commissioner General and Assistant Commissioner in the District of Columbia or elsewhere as required; for printing and binding; for entertainment of distinguished visitors; and for all other expenses as may be deemed necessary by the Commission to fulfill properly the purposes of this joint resolution. All purchases, expenditures, and disbursements of any moneys made available by authority of this joint resolution shall be made under the direction of the Commission: *Provided further*, That the Commission, without release of responsibility as hereinbefore stipulated, may delegate these powers and functions to said Commissioner General, and said Commissioner General, with the consent of the Commission, may subdelegate them: *Provided further*, That the Commission or its delegated representative may allot funds authorized to be appropriated herein to any executive department, independent office, or establishment of the Government with the consent of the heads thereof, for direct expenditure by such executive department, independent office, or establishment, for the purpose of defraying any expenditure which may be incurred by such executive department, independent office, or establishment in executing the duties and functions delegated by the Commission. All accounts and vouchers covering expenditures shall be approved by said Commissioner General or by such assistants as the Commission may designate except for such allotments as may be made to the various executive departments, independent offices, and establishments for direct expenditure; but these provisions shall not be construed to waive the submission of accounts and vouchers to the General Accounting Office for audit, or permit any obligations to be incurred in excess of the amount authorized herein: *And provided further*, That in the construction of exhibits requiring skilled and unskilled labor, the prevailing rate of wages, as provided in the Act of March 3, 1931, shall be paid.

Salaries, traveling expenses, etc.

Provisos.
Salary restriction.

Furniture, equipment, etc.

Payments in advance permitted.

Motor vehicles; purchase, hire, repair, etc.

Delegation of powers.

Allotment of funds to executive departments, etc.

Approval of vouchers; exceptions.

Wage rate for construction work.

Vol. 46, p. 1494; U. S. C., p. 1788.

SEC. 8. The Commissioner General, with the approval of the Commission, may receive contributions from any source to aid in carrying out the purposes of this joint resolution, but such contributions shall

Acceptance of contributions.

be expended and accounted for in the same manner as the funds authorized to be appropriated by this joint resolution. The Commissioner General is also authorized to receive contributions of material, or to borrow material or exhibits, and to accept the services of any skilled and unskilled labor that may be available through State or Federal relief organizations, to aid in carrying out the general purposes of this joint resolution. At the close of the exposition or when the connection of the Government of the United States therewith ceases, the Commissioner General shall dispose of any such portion of the material contributed as may be unused, and return such borrowed property; and, under the direction of the Commission, dispose of any structures which may have been constructed and account therefor: *Provided*, That all disposition of materials, property, and so forth, shall be at public sale to the highest bidder, and the proceeds thereof shall be covered into the Treasury of the United States.

Disposal of buildings and property.

Proviso. Public sales.

Report to Congress.

SEC. 9. It shall be the duty of the Commission to transmit to Congress, within six months after the close of the exposition, a detailed statement of all expenditures, and such other reports as may be deemed proper, which reports shall be prepared and arranged with a view to concise statement and convenient reference. Upon the transmission of such report to Congress the Commission established by and all appointments made under the authority of this joint resolution shall terminate.

Termination of Commission.

Approved, April 25, 1936.

[CHAPTER 251.]

May 1, 1936.
[S. 3413.]
[Public, No. 535.]

AN ACT

To give effect to the Convention between the United States and certain other countries for the regulation of whaling, concluded at Geneva, September 24, 1931, signed on the part of the United States, March 31, 1932, and for other purposes.

The Whaling Treaty Act.
Post, p. 3079.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known by the short title of "The Whaling Treaty Act".

Taking, etc., of right whales unlawful.

SEC. 2. That unless and except as permitted by regulations made as hereinafter provided, it shall be unlawful to hunt, take, capture, kill, attempt to take, capture, or kill, possess, offer for sale, sell, offer to purchase, deliver for shipment, ship, cause to be shipped, deliver for transportation, transport, cause to be transported, carry or cause to be carried by any means whatever, receive for shipment, transportation, or carriage, import or export at any time or in any manner, any right whale, or the young of any whale, excepting dolphins and porpoises; or to sell, purchase, ship, transport by any means whatever, import, or export, the products of any right whale, including oil, meat, bone, meal, or fertilizer.

Dolphins and porpoises excepted.

Killing of calves, or females with calves, prohibited.
Post, p. 3085.

SEC. 3. That it shall be unlawful to kill at any time any calves or any female whales accompanied by calves or suckling whales, protected by article 5 of the Convention for the regulation of whaling, concluded at Geneva, September 24, 1931, signed on the part of the United States, March 31, 1932.

Right whales defined.

SEC. 4. That for the purposes of this Act, right whales shall be deemed to include North Atlantic or North Cape whales, Greenland or Bowhead whales, and Pacific right whales; calves or suckling whales shall be deemed to include whales having a length less than the following dimensions: Blue or sulphurbottom, 60 feet; finbacks, 50 feet; and humpbacks, 35 feet.

Calves, etc.

Hunting, etc., regulations.

SEC. 5. That subject to the provisions and in order to carry out the purposes of the Convention, the Secretary of the Treasury and the Secretary of Commerce are authorized and directed from time to time to determine when, to what extent if at all, and by what means it is compatible with the terms of the Convention to allow hunting, taking, capturing, killing, possession, sale, purchase, shipment, transportation, carriage, import, or export of any whale or the product of any whale protected by said Convention and to make the necessary joint regulations therefor.

Effective on Executive approval.

Any regulation made under the provisions of this Act shall become effective when approved by the President.

Statistical and biological data.

The Secretary of Commerce is hereby authorized and directed to assemble and collate the statistical and biological data submitted as required by this Act or any regulation made pursuant thereto, and is further authorized and directed to conduct such statistical and biological studies as may be necessary to carry out the terms and provisions of said Convention and this Act.

Fullest use of carcass to be made.

SEC. 6. That the fullest possible use shall be made of the carcass of every whale taken by extracting the oil by boiling, or otherwise, from all blubber, from the head, the tongue, and from the tail as far forward as the outer opening of the lower intestine; and when whales are brought on shore adequate provision shall be made for utilizing the residue after the oil has been extracted.

Killing of gray whales, etc.

SEC. 7. That it shall be unlawful for any person, association, partnership, or corporation or for the owners of any vessel of American registry to kill a gray whale at any time, or to kill any whale wantonly, for sport, or without utilizing the carcass.

Whaling licenses.

SEC. 8. That before engaging in whaling, any person, association, partnership, or corporation shall obtain a whaling license from the Secretary of Commerce for each vessel or other craft engaged in the taking and killing of whales and for each floating reduction ship, shore whaling station, or other plant used in the processing of whales. In making application for such license the applicant shall:

Requirements.

(a) furnish evidence of having adequate equipment for utilization of the whale as provided in section 6 of this Act;

(b) agree to engage crews and gunners of whaling vessels on some basis not solely on number of whales taken;

(c) provide for keeping accurate records of the catch, any biological data necessary, and statistical records of production required by the Secretary of Commerce;

Fees.

(d) pay a fee of $1,000 for a license good for one year from date of issue for each floating reduction ship, shore whaling station, or other plant used in processing whales, and a fee of $250 for each vessel or other craft in excess of two engaged in the taking of whales in connection with any one such ship, station, or plant, and all moneys received for licenses shall be covered into the Treasury of the United States.

Enforcement of Act or regulations thereof.

SEC. 9. That the provisions of this Act or any regulations thereof shall be enforced primarily by the Coast Guard and the Bureau of Customs. The Secretary of the Treasury is hereby authorized when necessary to request assistance of the Secretary of the Navy, and the Secretary of the Navy may, upon request, cooperate in the enforcement of this Act. Any commander of a Coast Guard, customs, or naval vessel, who shall find a whaling vessel of United States registry violating this Act, shall have authority to seize such vessel and order it conveyed at the expense of the owners to the nearest port of the United States, and shall also have authority, in his discretion, in lieu of seizure, to impose on and collect from the

Seizure or imposition of forfeiture upon violation.

commanding officer of such whaling vessel a forfeiture of $2,500, which forfeiture shall be reported and paid forthwith to the United States District Court of the district in which is situated any port to which such whaling vessel might be conveyed for action under the terms of this Act: *Provided*, That within six months after payment of forfeiture the person or persons making such payment may institute proceedings in said district court to recover said forfeiture, less costs, on satisfactory proof said vessel did not violate any provision of this Act or any regulation made pursuant thereto. In the event of the seizure and conveyance to port, such vessel including its apparel may be forfeited to the United States by proper proceedings in the United States District Court of the said district.

Proviso. Recovery.

Forfeiture of vessel, etc.

Authority to arrest offenders.

SEC. 10. That any employee of the Treasury Department, authorized by the Secretary of the Treasury to enforce the provisions of this Act, shall have power without warrant to arrest any person committing a violation of this Act or any regulation made pursuant thereto in his presence and to take such person for examination or trial before an officer or court of competent jurisdiction, shall have power to execute any warrant or other process issued by an officer or court of competent jurisdiction for the enforcement of the provisions of this Act or any regulation made pursuant thereto, and shall have authority, with a search warrant, to search any place. All whales or parts or products thereof captured, shipped, transported, carried, imported, or possessed contrary to the provisions of this Act, or of any regulations made pursuant thereto, shall, when found, be seized by any such employee or by any marshal, deputy marshal, or commander of a Coast Guard, customs, or naval vessel, and upon conviction of the offender, or upon judgment of a court of the United States that the same were captured, shipped, transported, carried, imported, or possessed contrary to the provisions of this Act, or of any regulations made pursuant thereto, shall be forfeited to the United States and disposed of as directed by the court having jurisdiction.

Illegally captured whales; disposition.

Penalty for violation.

SEC. 11. That any person, association, partnership, or corporation who shall violate any of the provisions of said Convention, or of this Act, or who shall violate or fail to comply with any regulation made pursuant to this Act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be deprived of his license and shall be fined not more than $10,000 or imprisoned not more than six months or both.

State, etc., laws or regulations.

SEC. 12. That nothing in this Act shall be construed to prevent the several States and Territories from making or enforcing laws or regulations not inconsistent with the provisions of said Convention or of this Act, or from making or enforcing laws or regulations which shall give further protection to whales or their young, or which shall regulate the possession, transportation, or sale of whale products of any kind.

Provisions inapplicable to natives, etc.

SEC. 13. Nothing in this Act or in the regulations thereof shall apply to natives or Eskimos engaged in whaling who use only canoes or other native craft propelled by oars or sails, do not carry firearms, are not employed by others than natives or Eskimos, and are not under contract to deliver products of their whaling to any third person.

Separability clause.

SEC. 14. That if any clause, sentence, paragraph, or part of this Act shall for any reason be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SEC. 15. There is hereby authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions and accomplish the purposes of this Act and said Convention.

Appropriations authorized.

Approved, May 1, 1936.

[CHAPTER 252.]

AN ACT

May 1, 1936.
[H. R. 4016.]
[Public, No. 536.]

An Act[1] to amend section 10 and repeal section 16 of the Act entitled "An Act to regulate the distribution, promotion, retirement, and discharge of commissioned officers of the Marine Corps, and for other purposes", approved May 29, 1934 (48 Stat. 811), and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of section 10 of the Act entitled "An Act to regulate the distribution, promotion, retirement, and discharge of commissioned officers of the Marine Corps, and for other purposes", approved May 29, 1934 (48 Stat. 811), as provides: "and officers in the upper four-sevenths of the grades below brigadier general, subject to selection as established by the first section of this Act, shall be eligible for consideration by selection boards and for promotion without regard to length of service in grade: *Provided*, That no officer of the Marine Corps shall be ineligible for consideration for promotion by reason of completion of length of commissioned service until he shall have been once considered by a selection board", is hereby amended to read as follows: "and until January 1, 1938, officers in the upper three-sevenths of the grades below brigadier general, subject to selection as established by the first section of this Act, shall be eligible for consideration by selection boards without regard to length of service in grade: *Provided*, That hereafter no officer of the Marine Corps shall be ineligible for consideration by a selection board or for promotion by reason of completion of length of commissioned service or because of age without having at least once been considered by a selection board, and any officer of the Marine Corps now on a promotion list shall be eligible for promotion unless removed from said list in accordance with existing law: *Provided further*, That officers of the Marine Corps of the grade of second lieutenant and above, except those appointed or serving as major general commandant, as assistant to the major general commandant, as the head of a staff department, or whose names appear on an eligible list for appointment as head of a staff department, shall not serve on duty in the Marine Corps Headquarters, Washington, District of Columbia, more than four out of any eight consecutive years unless the President shall determine that the public interests so require."

Marine Corps, commissioned officers.
Vol. 48, p. 812; U. S. C., p. 1554.
Promotions regardless of length of service in grade.

Provisos.
No officer ineligible for promotion until at least once considered by selection board.

Service at Headquarters.

SEC. 2. That section 16 of the said Act of May 29, 1934 (48 Stat. 811), be, and the same is hereby, repealed.

Section repealed.
Vol. 48, p. 813; U. S. C., p. 1554.

SEC. 3. That officers of the Marine Corps in the grades of lieutenant colonel and major, who prior to June 30, 1935, completed the designated periods of service for their respective grades, shall retain their eligibility for consideration for selection until June 30, 1936, and such officers who on that date are not on a promotion or retention list shall be transferred to the retired list: *Provided*, That a duly constituted selection board appointed as provided by law shall be convened immediately after the approval of this Act which board, in recommending for selection for promotion the number of officers of the grades of lieutenant colonel and major directed

Lieutenant colonels and majors.

Selection for promotion, etc., and retirement of.

Proviso.
Selection board, immediate convening of, recommendations, etc.

[1] So in original.

by the Secretary of the Navy in accordance with law, shall recommend, from the officers now on the active list in those grades, four officers of the grade of lieutenant colonel and nine officers of the grade of major, who held commissions in those grades, respectively, on May 28, 1934.

Approved, May 1, 1936.

[CHAPTER 253.]

AN ACT

May 1, 1936.
[H. R. 9273.]
[Public, No. 537.]

To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Weldon Spring, Missouri.

Missouri River.
Time extended for bridging, at Weldon Spring, Mo.
Vol. 46, p. 1498; Vol. 48, p. 357.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Missouri River, at or near Weldon Spring, Missouri, authorized to be built by the State Highway Commission of Missouri, by an Act of Congress approved March 3, 1931, heretofore extended by an Act of Congress approved February 24, 1934, are hereby extended one and three years, respectively, from March 3, 1936.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, May 1, 1936.

[CHAPTER 254.]

AN ACT

May 1, 1936.
[H. R. 9866.]
[Public, No. 538.]

To extend certain provisions of the Act approved June 18, 1934, commonly known as the Wheeler-Howard Act (Public Law Numbered 383, Seventy-third Congress, 48 Stat. 984), to the Territory of Alaska, to provide for the designation of Indian reservations in Alaska, and for other purposes.

Indians, Alaska.
Certain home rule, etc., provisions extended to.
Vol. 48, pp. 984, 988.
U. S. C., p. 1031.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 1, 5, 7, 8, 15, 17, and 19 of the Act entitled "An Act to conserve and develop Indian lands and resources; to extend to Indians the right to form business and other organizations; to establish a credit system for Indians; to grant certain rights of home rule to Indians; to provide for vocational education for Indians; and for other purposes", approved June 18, 1934 (48 Stat. 984), shall hereafter apply to the Territory of Alaska: *Provided*, That groups of Indians in Alaska not heretofore recognized as bands or tribes, but having a common bond of occupation, or association, or residence within a well-defined neighborhood, community, or rural district, may organize to adopt constitutions and bylaws and to receive charters of incorporation and Federal loans under sections 16, 17, and 10 of the Act of June 18, 1934 (48 Stat. 984).

Proviso.
Groups not previously recognized as bands or tribes.

Vol. 48, pp. 987, 988, 986.

Designation of certain areas as Indian reservations.
Vol. 23, p. 26; Vol. 26, p. 1101.
U. S. C., p. 2131.

SEC. 2. That the Secretary of the Interior is hereby authorized to designate as an Indian reservation any area of land which has been reserved for the use and occupancy of Indians or Eskimos by section 8 of the Act of May 17, 1884 (23 Stat. 26), or by section 14 or section 15 of the Act of March 3, 1891 (26 Stat. 1101), or which has been heretofore reserved under any executive order and placed under the jurisdiction of the Department of the Interior or any bureau thereof, together with additional public lands adjacent thereto, within the Territory of Alaska, or any other public lands which are actually occupied by Indians or Eskimos within said

Territory: *Provided*, That the designation by the Secretary of the Interior of any such area of land as a reservation shall be effective only upon its approval by the vote, by secret ballot, of a majority of the Indian or Eskimo residents thereof who vote at a special election duly called by the Secretary of the Interior upon thirty days' notice: *Provided, however*, That in each instance the total vote cast shall not be less than 30 per centum of those entitled to vote: *Provided further*, That nothing herein contained shall affect any valid existing claim, location, or entry under the laws of the United States, whether for homestead, mineral, right-of-way, or other purpose whatsoever, or shall affect the rights of any such owner, claimant, locator, or entryman to the full use and enjoyment of the land so occupied.

Provisos.
Approval by residents.

Vote requirements.

Existing rights not affected.

Approved, May 1, 1936.

[CHAPTER 255.]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Saint Lawrence River at or near Alexandria Bay, New York.

May 1, 1936.
[H. R. 10631.]
[Public, No. 539.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Saint Lawrence River at or near Alexandria Bay, New York, authorized to be built by the New York Development Association, Incorporated, a corporation organized under and by virtue of the membership corporation law of the State of New York, its successors and assigns, by an Act of Congress approved March 4, 1929, and heretofore extended by an Act of Congress approved February 13, 1931, and further heretofore extended by Acts of Congress approved April 15, 1932, February 14, 1933, February 26, 1934, and February 20, 1935, are hereby further extended one and three years, respectively, from the date of approval hereof.

Saint Lawrence River.
Time extended for bridging, at Alexandria Bay, N. Y.

Vol. 45, p. 1552; Vol. 46, p. 1098; Vol. 47, pp. 83, 806; Vol. 48, p. 360; *Ante*, p. 28.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, May 1, 1936.

[CHAPTER 256.]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Waccamaw River at or near Conway, South Carolina.

May 1, 1936.
[H. R. 11043.]
[Public, No. 540.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Waccamaw River at or near Conway, South Carolina, authorized to be built by the State of South Carolina, by an Act of Congress approved February 10, 1932, heretofore extended by Acts of Congress approved May 12, 1933, and February 18, 1935, are hereby further extended one and three years, respectively, from the date of approval hereof.

Waccamaw River.
Time extended for bridging, at Conway, S. C.

Vol. 47, p. 42; Vol. 48, p. 55; *Ante*, p. 26.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, May 1, 1936.

[CHAPTER 257.]

AN ACT

May 1, 1936.
[H. R. 11073.]
[Public, No. 541.]

Granting the consent of Congress to the State Highway Commission of Missouri to construct, maintain, and operate a free highway bridge across the Current River at or near Powder Mill Ford on Route Numbered Missouri 106, Shannon County, Missouri.

Current River. Missouri may bridge, at Powder Mill Ford.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State Highway Commission of Missouri to construct, maintain, and operate a free highway bridge and approaches thereto across the Current River, at a point suitable to the interests of navigation, at or near Powder Mill Ford on Route Numbered Missouri 106, in Shannon County, Missouri, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction. Vol. 34, p. 84. U. S. C., p. 1474.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, May 1, 1936.

[CHAPTER 258.]

AN ACT

May 1, 1936.
[H. R. 11402.]
[Public, No. 542.]

Authorizing the Delaware River Joint Toll Bridge Commission of the State of Pennsylvania and the State of New Jersey to construct, maintain, and operate a toll bridge across the Delaware River at a point near Delaware Water Gap.

Delaware River. Delaware River Joint Toll Bridge Commission may bridge, near Delaware Water Gap.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the Delaware River Joint Toll Bridge Commission of the State of Pennsylvania and the State of New Jersey be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Delaware River, at a point suitable to the interests of navigation at or near Delaware Water Gap, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction. Vol. 34, p. 84. U. S. C., p. 1474.

Acquisition of approaches, etc.

SEC. 2. There is hereby conferred upon the Delaware River Joint Toll Bridge Commission of the State of Pennsylvania and the State of New Jersey all such rights and powers to enter upon the lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Toll charges. Vol. 34, p. 85.

SEC. 3. The said Delaware River Joint Toll Bridge Commission of the State of Pennsylvania and the State of New Jersey is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Tolls applied to operation, sinking fund, etc.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating

the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed thirty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Maintenance as free bridge after amortizing costs, etc.

Record of expenditures and receipts.

SEC. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, May 1, 1936.

[CHAPTER 259.]

AN ACT

To revive and reenact the Act entitled "An Act granting the consent of Congress to the Lamar Lumber Company to construct, maintain, and operate a railroad bridge across the West Pearl River, at or near Talisheek, Louisiana", approved June 17, 1930.

May 1, 1936.
[H. R. 11476.]
[Public, No. 543.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved June 17, 1930, granting the consent of Congress to the Lamar Lumber Company, its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the West Pearl River, at or near Talisheek, Louisiana, be, and is hereby, revived and reenacted: *Provided*, That this Act shall be null and void unless the actual construction of the bridge herein referred to be commenced within one year and completed within three years from the date of approval hereof.

West Pearl River.
Authority for bridging, at Talisheek, La., revived, etc.
Vol. 46, p. 766.

Proviso.
Time limitation.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, May 1, 1936.

[CHAPTER 260.]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Mississippi River between Saint Louis, Missouri, and Stites, Illinois.

May 1, 1936.
[H. R. 11478.]
[Public, No. 544.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Mississippi River, at or near a point on Broadway between Florida and Mullanphy Streets in the city of Saint Louis, Missouri, and a point opposite thereto in the town of Stites, in the county of Saint Clair, State of Illinois, and connecting with Saint Clair Avenue extended in said town, authorized to be built by the county of Saint Clair, Illinois, by an Act of Congress approved August 30, 1935, are hereby extended one and three years, respectively, from August 30, 1936.

Mississippi River.
Time extended for bridging, between Saint Louis, Mo., and Stites, Ill.

Ante, p. 1057.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, May 1, 1936.

[CHAPTER 261.]

AN ACT

May 1, 1936.
[H. R. 11613.]
[Public, No. 545.]

To extend the times for commencing and completing the construction of a bridge across the Tennessee River between Colbert County and Lauderdale County, Alabama.

Tennessee River.
Time extended for bridging, between Sheffield and Florence, Ala.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Tennessee River between Colbert County and Lauderdale County in the State of Alabama, authorized to be built by the State of Alabama, its agent or agencies, Colbert County and Lauderdale County in the State of Alabama, the city of Sheffield, Colbert County, Alabama, the city of Florence, Lauderdale County, Alabama, and the Highway Bridge Commission, Incorporated, of Alabama, or any two of them, or either of them, by an Act of Congress approved June 12, 1934, as amended, are hereby extended one and three years, respectively, from August 23, 1936.

Vol. 48, p. 945; *Ante*, p. 730.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, May 1, 1936.

[CHAPTER 262.]

AN ACT

May 1, 1936.
[H. R. 11644.]
[Public, No. 546.]

To extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near a point between Morgan and Wash Streets in the city of Saint Louis, Missouri, and a point opposite thereto in the city of East Saint Louis, Illinois.

Mississippi River.
Time extended for bridging, Saint Louis, Mo., to East Saint Louis, Ill.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Mississippi River, at or near a point between Morgan and Wash Streets in the city of Saint Louis, Missouri, and a point opposite thereto in the city of East Saint Louis, Illinois, authorized to be built by the city of East Saint Louis, Illinois, by an Act of Congress approved May 3, 1934, and heretofore extended by an Act of Congress approved August 5, 1935, are hereby further extended one and three years, respectively, from May 3, 1936.

Vol. 48, p. 661; *Ante*, p. 536.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, May 1, 1936.

[CHAPTER 263.]

AN ACT

May 1, 1936.
[H. R. 11685.]
[Public, No. 547.]

To extend the times for commencing and completing the construction of a bridge across the Wabash River at or near Merom, Sullivan County, Indiana.

Wabash River.
Time extended for bridging, at Merom, Ind.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Wabash River, at or near Merom, Sullivan County, Indiana, authorized to be built by Sullivan County, Indiana, or any board or commission of said county which is or may be created or established for the purpose, by an Act of Congress approved February 10, 1932, heretofore extended by Acts of Congress approved April 30, 1934, and June 28, 1935, are hereby further extended one and three years, respectively, from the date of approval hereof.

Vol. 47, p. 44; Vol. 48, p. 654; *Ante*, p. 429.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, May 1, 1936.

[CHAPTER 264.]

AN ACT

May 1, 1936.
[H. R. 11729.]
[Public, No. 548.]

To extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Natchez, Mississippi, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of the bridge across the Mississippi River, at or near Natchez, Mississippi, authorized to be built by the city of Natchez and county of Adams, State of Mississippi, by the Act of Congress approved August 30, 1935, are hereby extended one and three years, respectively, from August 30, 1936.

Mississippi River.
Time extended for bridging, at Natchez, Miss.

Ante, p. 1069.

SEC. 2. Section 19 (d) of such Act of August 30, 1935, is amended by striking out the words "twenty years" and inserting in lieu thereof the words "thirty years".

Toll charge period extended.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, May 1, 1936.

[CHAPTER 265.]

AN ACT

May 1, 1936.
[H. R. 11738.]
[Public, No. 549.]

Granting the consent of Congress to the State Highway Commission of Mississippi to construct, maintain, and operate a free highway bridge across Pearl River at or near Monticello, Mississippi.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State Highway Commission of Mississippi to construct, maintain, and operate a free highway bridge and approaches thereto across Pearl River on United States Highway Numbered 84, at a point suitable to the interests of navigation, at or near Monticello, Mississippi, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Pearl River.
Mississippi may bridge, at Monticello.

Construction.
Vol. 34, p. 84.
U. S. C., p. 1474.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, May 1, 1936.

[CHAPTER 266.]

AN ACT

May 1, 1936.
[H. R. 11772.]
[Public, No. 550.]

To extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Sistersville, West Virginia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Ohio River at or near Sistersville, West Virginia, authorized to be built by the Sistersville Bridge Board of Trustees, by an Act of Congress approved June 18, 1934, heretofore extended by an Act of Congress approved August 27, 1935, are hereby further extended one and three years, respectively, from June 18, 1936.

Ohio River.
Time extended for bridging, at Sistersville, W. Va.
Vol. 48, p. 1013; *Ante*, p. 904.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, May 1, 1936.

[CHAPTER 267.]

JOINT RESOLUTION

May 1, 1936.
[H. J. Res. 412.]
[Pub. Res., No. 85.]

To authorize an investigation of the means of increasing capacity of the Panama Canal for future needs of interoceanic shipping, and for other purposes.

Panama Canal. Investigation of means of increasing capacity, authorized.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Governor of the Panama Canal is hereby authorized and directed to investigate the means of increasing the capacity of the Panama Canal for future needs of interoceanic shipping, and to prepare designs and approximate estimates of cost of such additional locks or other structures and facilities as are needed for the purpose, and to make progress reports from time to time of the results thereof.

Approved, May 1, 1936.

[CHAPTER 268.]

JOINT RESOLUTION

May 1, 1936.
[H. J. Res. 553.]
[Pub. Res., No. 86.]

Extending the time for the Federal Trade Commission to make an investigation and file final report with respect to agricultural income and the financial and economic condition of agricultural producers generally.

Agricultural income, etc., investigation. *Ante*, p. 929.

Whereas the Federal Trade Commission was authorized under the provisions of Public Resolution Numbered 61, Seventy-fourth Congress, first session, approved August 27, 1935, to make an investigation with respect to agricultural income and the financial and economic condition of agricultural producers generally; and

Whereas the said Commission was directed to present an interim report to the Congress on January 1, 1936, describing the progress made and the status of its work under said public resolution, and a final report with recommendations for legislation not later than July 1, 1936; and

Whereas it appears that the appropriation for conducting this investigation carried in the deficiency appropriation bill failed of passage in the first session of the Seventy-fourth Congress, and was not actually made until February 11, 1936, although the resolution authorizing the investigation was introduced some eighteen months prior to the date specified for the completion of the investigation and report, and was approved August 27, 1935; and

Whereas the extensive information called for under the terms of the said public resolution has caused frequent and numerous requests for extensions of time upon the part of persons from whom such information has had to be obtained, such extensions amounting to from one to three months in addition to thirty days' time originally allowed by the Commission; and

Whereas it is learned that much of the necessary information cannot be secured by July 1, 1936; and

Whereas it appears that it will be possible for the Commission to secure and present much more comprehensive data and to present a much more thorough and accurate study and report upon the same if the time within which it is directed to complete its investigation and to submit its final report thereon with recommendations for legislation be extended: Therefore be it

Time extended for report by Federal Trade Commission.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Trade Commission be, and it is hereby, authorized and directed to proceed under the public resolution aforesaid and is directed to complete the investigation thereunder and to submit a final report to the Congress with recommendations for legislation not later than October 1, 1936.

It is hereby further provided that any unexpended balance of the appropriation of the $150,000 made in the Independent Offices Appropriation Act for the fiscal year 1936 [1] in accordance with the authority contained in Public Resolution Numbered 61, Seventy-fourth Congress, first session, is hereby made available for like purpose to and including October 1, 1936.

Unexpended balance of appropriation available.
Ante, pp. 929, 1111.

Approved, May 1, 1936.

[CHAPTER 278.]

AN ACT

To renew patent numbered 25909, relating to the badge of the United States Daughters of 1812.

May 4, 1936.
[H. R. 11562.]
[Public, No. 551.]

Be it enacted by the Senate and House of Representatives of the United States of American [1] *in Congress assembled*, That a certain design patent issued by the United States Patent Office of date August 11, 1896, being patent numbered 25909, is hereby renewed and extended for a period of fourteen years from and after the passage of this Act, with all the rights and privileges pertaining to the same as of the original patent, being generally known as the badge of the United States Daughters of 1812.

United States Daughters of 1812.
Patent on badge of, renewed.

Approved, May 4, 1936.

[CHAPTER 300.]

AN ACT

To authorize the coinage of 50-cent pieces in commemoration of the centennial celebration of Cleveland, Ohio, to be known as the Great Lakes Exposition.

May 5, 1936.
[S. 4335.]
[Public, No. 552.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the centennial anniversary in 1936 of the city of Cleveland, Ohio, to be known as the Great Lakes Exposition, and to commemorate Cleveland's contribution to the industrial progress of the United States for the past one hundred years, there shall be coined at a mint of the United States to be designated by the Director of the Mint not less than twenty-five thousand and not to exceed fifty thousand silver 50-cent pieces of standard size, weight, and composition and of a special appropriate single design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

Great Lakes Exposition.
Commemorative coinage authorized.
Ante, p. 1243.

Number.

No Federal expense.

SEC. 2. The coins herein authorized shall bear the date 1936, irrespective of the year in which they are minted or issued, shall be legal tender in any payment to the amount of their face value, and shall be issued only upon the request of the treasurer of the Cleveland Centennial Commemorative Coin Association upon payment by him of the par value of such coins, but not less than twenty-five thousand such coins shall be issued to him at any one time and no such coins shall be issued after the expiration of one year after the date of enactment of this Act. Such coins may be disposed of at par or at a premium by such Cleveland Centennial Commemorative Coin Association, and the net proceeds shall be used by it in defraying the expenses incidental and appropriate to the commemoration of such event.

Issue on request of Cleveland Centennial Commemorative Coin Association.

Disposal.

SEC. 3. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material, and for the transportation, distribution, and

Coinage laws applicable.

[1] So in original.

redemption of coins, for the prevention of debasement or counterfeiting, for the security of the coins, or for any other purposes, whether such laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized.

Approved, May 5, 1936.

[CHAPTER 301.]

AN ACT

May 5, 1936.
[H. R. 3383.]
[Public, No. 553.]

To provide a preliminary examination of the Greenbrier River and its tributaries in the State of West Virginia, with a view to the control of its floods.

Greenbrier River and tributaries, W. Va. Survey directed for controlling floods of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of the Greenbrier River and its tributaries in the State of West Virginia, with a view to the control of its floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of floods of the Mississippi River, and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, May 5, 1936.

[CHAPTER 302.]

AN ACT

May 5, 1936.
[H. R. 3384.]
[Public, No. 554.]

To provide a preliminary examination of the Cheat River and its tributaries in the State of West Virginia, with a view to the control of its floods.

Cheat River and tributaries, W. Va. Survey directed for controlling floods of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of the Cheat River and its tributaries in the State of West Virginia, with a view to the control of its floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of floods of the Mississippi River, and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, May 5, 1936.

[CHAPTER 303.]

AN ACT

May 5, 1936.
[H. R. 3385.]
[Public, No. 555.]

To provide a preliminary examination of the Potomac River and its tributaries, with a view to the control of its floods.

Potomac River and tributaries. Survey directed for controlling floods of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of the Potomac River and its tributaries, with a view to the control of its floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of floods of the Mississippi River, and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, May 5, 1936.

[CHAPTER 304.]

AN ACT

May 5, 1936.
[H. R. 10489.]
[Public, No. 556.]

To authorize the coinage of 50-cent pieces in commemoration of the two hundred and fiftieth anniversary of the founding and settlement of the city of New Rochelle, New York.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the two-hundred-and-fiftieth anniversary of the founding and settlement of the city of New Rochelle, New York, there shall be coined at a mint of the United States to be designated by the Director of the Mint not to exceed twenty-five thousand silver 50-cent pieces of standard size, weight, and composition and of a special appropriate single design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

New Rochelle, N. Y.
Coinage to commemorate founding, etc., authorized.

Number.

No Federal expense.

SEC. 2. The coins herein authorized shall bear the date 1938, irrespective of the year in which they are minted or issued, shall be legal tender in any payment to the amount of their face value, and shall be issued only upon the request of a committee of not less than three persons duly authorized by the mayor of the city of New Rochelle, New York, upon payment by it of the par value of such coins, but not less than twenty-five thousand such coins shall be issued to it at any one time and no such coins shall be issued after the expiration of one year after the date of enactment of this Act. Such coins may be disposed of at par or at a premium by such committee, and the net proceeds shall be used by it in defraying the expenses incidental and appropriate to the commemoration of such event.

Issue, on official request.

Disposal.

SEC. 3. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material, and for the transportation, distribution, and redemption of coins, for the prevention of debasement or counterfeiting, for the security of the coins, or for any other purposes, whether such laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized.

Coinage laws applicable.

Approved, May 5, 1936.

[CHAPTER 322.]

AN ACT

May 6, 1936.
[H. R. 8301.]
[Public, No. 557.]

To authorize a preliminary examination of the Marais des Cygnes River, in the State of Kansas, with a view to the control of its floods.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of the Marais des Cygnes River, in the State of Kansas, with a view to the control of its floods in accordance with the provisions of section 3 of an Act entitled "An Act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Marais des Cygnes River, Kans.
Survey directed for controlling floods of.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, May 6, 1936.

[CHAPTER 323.]

AN ACT

May 6, 1936.
[H. R. 8414.]
[Public, No. 558.]

To provide a preliminary examination of the Yakima River and its tributaries and the Walla Walla River and its tributaries in the State of Washington, with a view to the control of their floods.

Yakima and Walla Walla Rivers, and tributaries, Wash.
Survey directed for controlling floods of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of the Yakima River and its tributaries and the Walla Walla River and its tributaries in the State of Washington, with a view to the control of their floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for the control of the floods of the Mississippi River, and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof [1] be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, May 6, 1936.

[CHAPTER 324.]

AN ACT

May 6, 1936.
[H. R. 8694.]
[Public, No. 559.]

To provide a preliminary examination of Chickasawha River and its tributaries in the State of Mississippi, with a view to the control of their floods.

Chickasawha River and tributaries, Miss.
Survey directed for controlling floods of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of the Chickasawha River and its tributaries in the State of Mississippi, with a view to the control of their floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, May 6, 1936.

[CHAPTER 325.]

AN ACT

May 6, 1936.
[H. R. 9235.]
[Public, No. 560.]

To provide for a preliminary examination of the Cosatot River in Sevier County, Arkansas, to determine the feasibility of cleaning out the channel and leveeing the river and the cost of such improvements with a view to the controlling of floods.

Cosatot River, Ark.
Survey directed for controlling floods of, in Sevier County.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized and directed to cause a preliminary examination to be made of the Cosatot River in Sevier County, Arkansas, to determine the feasibility of cleaning out the channel and leveeing the river, with a view to the control of floods, in accordance with the provisions of section 3 of the Act entitled "An Act to provide for the control of floods of the Mississippi River, and the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, May 6, 1936.

[1] So in original.

[CHAPTER 326.]

AN ACT

May 6, 1936.
[H. R. 9236.]
[Public, No. 561.]

To authorize a preliminary examination of the Red and Little Rivers, Arkansas, insofar as Red River affects Little River County, Arkansas, and insofar as Little River affects Little River and Sevier Counties, Arkansas, to determine the feasibility of leveeing Little River and the cost of such improvement, and also the estimated cost of repairing and strengthening the levee on Red River in Little River County, with a view to the controlling of floods.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized and directed to cause a preliminary examination to be made of the Red and Little Rivers, Arkansas, insofar as Little River affects Little River and Sevier Counties, Arkansas, to determine the feasibility of leveeing Little River and the cost of such improvement, and also the estimated cost of repairing and strengthening the levee on Red River in Little River County, with a view to the control of floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for the control of floods of the Mississippi River, and the Sacramento River, California, and for other purposes", approved March 1, 1917, and the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Red and Little Rivers, Ark.
Survey directed for controlling floods of.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, May 6, 1936.

[CHAPTER 327.]

AN ACT

May 6, 1936.
[H. R. 9244.]
[Public, No. 562.]

Providing for the establishment of a term of the District Court of the United States for the Northern District of Florida at Panama City, Florida.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a term of the District Court of the United States for the Northern District of Florida shall be held annually at Panama City, Florida, on the first Monday in October: *Provided*, That suitable rooms and accommodations for holding court at Panama City are furnished without expense to the United States.

Panama City, Fla.
Term of U. S. District Court at, provided.

Proviso.
Accommodations, etc.

Approved, May 6, 1936.

[CHAPTER 328.]

AN ACT

May 6, 1936.
[H. R. 9249.]
[Public, No. 563.]

To provide for a preliminary examination of the Little Missouri River in Pike County, Arkansas, to determine the feasibility of cleaning out the channel and leveeing the river and the cost of such improvements with a view to the controlling of floods.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of the Little Missouri River in Pike County, Arkansas, to determine the feasibility of cleaning out the channel and leveeing the river and the cost of such improvement with a view to the control of floods, in accordance with the provisions of section 3 of the Act entitled "An Act to provide for the control of floods of the Mississippi River, and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examination, surveys, and contingencies of rivers and harbors.

Little Missouri River, Ark.
Survey directed for controlling floods of.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, May 6, 1936.

[CHAPTER 329.]

AN ACT

May 6, 1936.
[H. R. 9250.]
[Public, No. 564.]

To provide for a preliminary examination of the Petit Jean River in Scott and Logan Counties, Arkansas, to determine the feasibility of cleaning out the channel and leveeing the river and the cost of such improvements with a view to the controlling of floods.

Petit Jean River, Ark.
Survey directed for controlling floods of, in Scott and Logan Counties.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized and directed to cause a preliminary examination to be made of the Petit Jean River in Scott and Logan Counties, Arkansas, to determine the feasibility of cleaning out the channel and leveeing the river and the cost of such improvement with a view to the control of floods, in accordance with the provisions of section 3 of the Act entitled "An Act to provide for the control of floods of the Mississippi River, and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, May 6, 1936.

[CHAPTER 330.]

AN ACT

May 6, 1936.
[H. R. 9267.]
[Public, No. 565.]

To provide for a preliminary examination of Big Mulberry Creek, in Crawford County, Arkansas, from the point where it empties into the Arkansas River up a distance of eight miles, to determine the feasibility of cleaning out the channel and repairing the banks, and the cost of such improvement, with a view to the controlling of floods.

Big Mulberry Creek, Ark.
Survey directed for controlling floods of, in Crawford County.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of Big Mulberry Creek, in Crawford County, Arkansas, from the point where it empties into the Arkansas River up a distance of eight miles, to determine the feasibility of cleaning out the channel and repairing the banks, and the cost of such improvement, with a view to the control of floods, in accordance with the provision of section 3 of an Act entitled "An Act to provide for the control of floods of the Mississippi River and of the Sacramento River, California, and for other purposes", approved March 1, 1917, and the cost thereof to be paid from appropriations heretofore or hereafter made for the examinations, surveys, and contingencies of rivers and harbors.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, May 6, 1936.

[CHAPTER 331.]

AN ACT

May 6, 1936.
[H. R. 9673.]
[Public, No. 566.]

To authorize the recoinage of 50-cent pieces in connection with the California-Pacific International Exposition to be held in San Diego, California, in 1936.

California-Pacific International Exposition, 1936.
Recoinage of commemorative 50-cent pieces authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, to indicate the interest of the Government of the United States in the continuation of the California-Pacific International Exposition at San Diego, California, for the year 1936, the Director of the Mint is authorized to receive from the California-Pacific International Exposition Company, or its duly authorized agent, not to exceed one hundred and eighty thousand silver 50-cent pieces heretofore coined under authority of an Act of Congress approved May 3, 1935, and recoin the same, under the same terms and conditions as contained in said Act:

Number.

Ante, p. 174.

Provided, That the coins herein authorized shall all be of the same design, shall bear the date 1936 irrespective of the year in which they are minted or issued, and shall be coined at one of the mints of the United States to be designated by the Director of the Mint; and not less than five thousand such coins shall be issued at any one time and no such coins shall be issued after the expiration of one year after the date of enactment of this Act.

Proviso. Uniformity of design, etc.

Limitation.

SEC. 2. The United States shall not be subject to the expense of making preparations for this recoinage, and such coins shall be issued only to California-Pacific International Exposition Company, or its duly authorized agent, which may dispose of the same at par or at a premium: *Provided*, That all proceeds therefrom shall be used in furtherance of the California-Pacific international projects.

No Federal expense. Issue to Exposition Company.

Proviso. Use of proceeds.

SEC. 3. That all laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of same; regulating and guarding the process of coinage; providing for the purchase of material, and for the transportation, distribution, and redemption of the coins; for the prevention of debasement or counterfeiting; for security of the coin; or for any other purposes, whether said laws are penal or otherwise, shall, so far as applicable apply to the recoinage herein directed.

Coinage laws applicable.

Approved, May 6, 1936.

[CHAPTER 332.]

AN ACT

Authorizing a preliminary examination of Cadron Creek, Arkansas, a tributary of the Arkansas River.

May 6, 1936. [H. R. 9874.] [Public, No. 567.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of Cadron Creek, Arkansas, a tributary of the Arkansas River, with a view to the control of floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of floods of the Mississippi River, and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Cadron Creek, Ark. Survey directed for controlling floods of.

Vol. 39, p. 950. U. S. C., p. 1487.

Approved, May 6, 1936.

[CHAPTER 333.]

AN ACT

To authorize the construction of a model basin establishment, and for other purposes.

May 6, 1936. [H. R. 10135.] [Public, No. 568.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized to acquire a site at a cost not to exceed $100,000 in the vicinity of Washington, District of Columbia, and to construct thereon a model basin establishment, with buildings and appliances, in which the Bureau of Construction and Repair of the Navy Department shall conduct the work of investigating and determining the most suitable and desirable shapes and forms to be adopted for United States vessels, including aircraft and the investigation of other problems of ship design, at a cost not to exceed

Navy. Model basin establishment at Washington, D. C., authorized.

Uses, etc.

Provisos.
Experiments for private parties.

$3,500,000: *Provided*, That upon the authorization of the Secretary of the Navy experiments may be made at this establishment for private parties, who shall defray the cost thereof under such regulations as the Secretary of the Navy may from time to time prescribe: *Provided further*, That the results of such private experiments shall be regarded as confidential and shall not be divulged without the consent of such private parties, except that the right is reserved to the Secretary of the Navy to use data so obtained for governmental purposes, subject to the patent laws of the United States.

Results of, regarded as confidential.

Exception.

Approved, May 6, 1936.

[CHAPTER 334.]

AN ACT

May 6, 1936.
[H. R. 10487.]
[Public, No. 569.]

To authorize a survey of Lowell Creek, Alaska, to determine what, if any, modification should be made in the existing project for the control of its floods.

Lowell Creek, Alaska.
Survey directed for controlling floods of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized and directed to cause a survey to be made of Lowell Creek, Alaska, to determine what, if any, modification should be made in the existing project for the control of its floods, the cost of such survey to be paid from appropriations heretofore or hereafter made for flood control of Lowell Creek.

Approved, May 6, 1936.

[CHAPTER 335.]

AN ACT

May 6, 1936.
[H. R. 10583.]
[Public, No. 570.]

To authorize a preliminary examination of the San Diego River and its tributaries in the State of California, with a view to the control of its floods.

San Diego River, Calif.
Survey directed for controlling floods of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized and directed to cause a preliminary examination to be made of the San Diego River and its tributaries in the State of California, with a view to the control of its floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, May 6, 1936.

[CHAPTER 336.]

AN ACT

May 6, 1936.
[H. R. 10985.]
[Public, No. 571.]

To repeal Public Law Numbered 246 of the Seventy-second Congress.

Newark, N. J.
Act providing for sale of public building site at, repealed.
Vol. 47, p. 568.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law Numbered 246 of the Seventy-second Congress, entitled "An Act to provide for the sale of a portion of the site of the post-office and customhouse building in Newark, New Jersey, to the city of Newark for the use of a public street", be, and is hereby, repealed.

Approved, May 6, 1936.

[CHAPTER 337.]

AN ACT

Authorizing a preliminary examination of the Matanuska River in the vicinity of Matanuska, Alaska.

May 6, 1936.
[H. R. 11042.]
[Public, No. 572.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized and directed to cause a preliminary examination to be made of the Matanuska River in the vicinity of Matanuska, Alaska, with a view to the control of floods in the said Matanuska River, in accordance with the provisions of section 3 of the Act entitled "An Act to provide for control of floods of the Mississippi River and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Matanuska River, Alaska.
Survey directed for controlling floods of.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, May 6, 1936.

[CHAPTER 338.]

AN ACT

To authorize a preliminary examination of various creeks in the State of California with a view to the control of their floods.

May 6, 1936.
[H. R. 11793.]
[Public, No. 573.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of Canal Creek, Fahrens Creek, Black Rascal Creek, Bear Creek, Miles Creek, Owens Creek, Duck Creek, Mariposa Creek, Little Deadmans Creek, Big Deadmans Creek, and Burns Creek in the State of California, with a view to the control of their floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of floods of the Mississippi River and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

California.
Survey directed of various creeks in, for controlling floods.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, May 6, 1936.

[CHAPTER 339.]

AN ACT

To authorize a preliminary examination of Passaic River, New Jersey, with a view to the control of its floods.

May 6, 1936.
[H. R. 11806.]
[Public, No. 574.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized and directed to cause a preliminary examination to be made of the Passaic River in the State of New Jersey, with a view to the control of floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Passaic River, N. J.
Survey directed for controlling floods of.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, May 6, 1936.

[CHAPTER 340.]

May 6, 1936.
[H. J. Res. 215.]
[Pub. Res., No. 87.]

JOINT RESOLUTION

To amend Public Act Numbered 435, Seventy-second Congress.

Indian lands, timber sales.
Terms of existing contracts modified.
Vol. 47, p. 1568; Vol. 48, pp. 311, 397.
U. S. C., p. 1028.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the last proviso in that Public Act Numbered 435 of the Seventy-second Congress entitled "An Act to authorize the Secretary of the Interior to modify the terms of existing contracts for the sale of timber on Indian land when it is in the interest of the Indians so to do", as amended, be, and the same hereby is, amended to read as follows: "*And provided further*, That the authority granted herein shall terminate on the 4th day of September 1936: *Provided further*, That all such modified contracts shall have the approval of the tribal general council for tribal lands and of the allottee for allotted lands".

Duration of authority.
Approval required.

Approved, May 6, 1936.

[CHAPTER 370.]

May 7, 1936.
[H. R. 10193.]
[Public, No. 575.]

AN ACT

To amend the Act to fix the hours of duty of postal employees.

Postal employees.
Mail-equipment shops, compensation.
Ante, p. 650.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law Numbered 275, entitled "An Act to fix the hours of duty of postal employees, and for other purposes", approved August 14, 1935, shall be construed in its application to those employees of the mail-equipment shops covered therein to mean that the forty hours per week of labor established by the Act shall be compensated for at the same rate which had theretofore been allowed by law for forty-four hours per week.

Retroactive provision.

SEC. 2. This Act shall be retroactive in effect to and including October 1, 1935.

Approved, May 7, 1936.

[CHAPTER 371.]

May 7, 1936.
[S. J. Res. 247.]
[Pub. Res., No. 88.]

JOINT RESOLUTION

Authorizing the recognition of the three-hundredth anniversary of the founding of Harvard College and the beginning of higher education in the United States and providing for the representation of the Government and people of the United States in the observance of the anniversary.

Harvard University Tercentenary.
Preamble.

Whereas there are to be held at Cambridge, Massachusetts, and at other places during the year 1936 celebrations commemorating the three-hundredth anniversary of the founding of Harvard University, said university being the first college to be established in what are now the United States; and

Whereas, in accordance with resolutions of the president and fellows of Harvard College, there will take place in Cambridge, Massachusetts, on the 16th, 17th, and 18th of September 1936 formal ceremonies of celebration of the tercentenary, in the presence of the governing boards, faculties, students, and alumni of the university, the delegates of other institutions, distinguished guests, and a large number of friends and benefactors; and

Whereas the Commonwealth of Massachusetts and the cities of Cambridge and Boston will be officially represented at the ceremonies; and

Whereas Harvard University endeavors to foster and maintain the ideals of truth and freedom so dear to Americans: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Government and people of the United States unite with Harvard University in a fitting and appropriate observance of the three-hundredth anniversary of its founding, which marked the formal beginning of higher education in the United States.

Government participation, etc.

SEC. 2. There is hereby established a commission to be known as the United States Harvard University Tercentenary Commission (hereinafter referred to as the Commission) to be composed of fifteen commissioners, as follows: The President of the United States and four persons to be appointed by him, the President of the Senate and four Members of the Senate to be appointed by said President of the Senate, and the Speaker of the House of Representatives and four Members of the House to be appointed by said Speaker.

Commission established; composition, etc.

SEC. 3. The Commission, on behalf of the United States, shall cooperate with representatives of Harvard University, the Commonwealth of Massachusetts, and the cities of Cambridge and Boston in the appropriate observance of such anniversary, and shall extend appropriate courtesies to the delegates of foreign universities and other foreign learned bodies or individuals attending the celebration as guests of Harvard University.

Duties.

SEC. 4. The members of the Commission shall serve without compensation and shall select a chairman from among their number, but the President of the United States shall be designated the "Honorary Chairman" of the Commission.

Members to serve without pay; chairman.
President designated "Honorary Chairman".

SEC. 5. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $10,000 to be expended by the Commission for expenses, including actual and necessary traveling and subsistence expenses, incurred while discharging its functions under this resolution. The Commission shall have power to select, hire, and fix the compensation of such officers and employees as shall be necessary for the performance of its duties without regard to the provisions of other laws applicable to employment or compensation of officers or employees of the United States.

Appropriation for expenses, authorized.
Post, p. 1608.
Other personal services.

SEC. 6. Any vacancies occurring in the membership of the Commission shall be filled by the President of the United States.

Filling of vacancies.

Approved, May 7, 1936.

[CHAPTER 374.]

JOINT RESOLUTION

May 8, 1936.
[H. J. Res. 567.]
[Pub. Res., No. 89.]

To provide an additional appropriation for expenses of special and select committees of the House of Representatives for the fiscal year 1936.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That for expenses of special and select committees authorized by the House of Representatives, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $75,000 for the fiscal year 1936: *Provided*, That no person shall be employed under this appropriation at a rate of compensation in excess of $3,600 per annum.

House of Representatives.
Additional appropriation for expenses, special, etc., committees.
Ante, p. 467.
Proviso.
Salary limitation.

Approved, May 8, 1936.

[CHAPTER 376.]

AN ACT

May 11, 1936.
[S. 3950.]
[Public, No. 576.]

To aid in defraying the expenses of the Sixteenth Triennial Convention of the World's Woman's Christian Temperance Union to be held in this country in June 1937.

World's Woman's Christian Temperance Union Convention, 1937.
Contribution toward defraying expenses of, authorized.
Post, p. 1634.
Supervision of expenditure.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $10,000 to aid in defraying the expenses of the Sixteenth Triennial Convention of the World's Woman's Christian Temperance Union to be held in this country in June 1937, such sum to be expended for such purposes and under such regulations as the Secretary of State shall prescribe and without regard to any other provision of law.

Approved, May 11, 1936.

[CHAPTER 377.]

AN ACT

May 11, 1936.
[S. 3977.]
[Public, No. 577.]

To authorize the Washington Gas Light Company to alter its corporate structure, and for other purposes.

Washington Gas Light Company.
Increase in capitalization authorized.
Vol. 9, p. 722.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, provided the same shall be found by the Public Utilities Commission of the District of Columbia to be in the public interest, the Washington Gas Light Company may, for lawful corporate purposes, by a vote of two-thirds in number of the outstanding shares of stock of the company, increase its capitalization and from time to time issue such additional stock, in such amounts, for such considerations, of such classes, either with or without par value, and with such rights, privileges, and conditions, as said Commission may approve.

Issuance of stock.

All shares of capital stock of said company hereafter issued for which the agreed consideration shall have been paid to the company, and all shares of capital stock of the company heretofore issued, as well as shares into which such shares heretofore issued may be changed, shall be deemed and taken to be fully paid and nonassessable, and there shall be no liability to the company or to creditors of the company on the part of any subscriber to, or holder of, such shares.

Changes permitted in outstanding stock.

Said company may, upon obtaining approval of said Commission, change all of the shares of its capital stock at any time outstanding into the same or a different number of shares issued pursuant to the provisions of this Act, by following the same procedure and complying with the same requirements as are now prescribed in section 639a of the Code of Law for the District of Columbia, as amended (41 Stat. 1195), in respect of a change of name by a corporation.

Vol. 41, p. 1195.

Merger with Georgetown Gaslight Company, authorized.
Vol. 10, p. 786.

SEC. 2. Provided the same shall be found by said Commission to be in the public interest, said company is further authorized to consolidate or merge with The Georgetown Gaslight Company, upon such conditions as may be approved by said Commission; and upon such consolidation or merger The Georgetown Gaslight Company shall, without further proceedings, become dissolved and merged into the Washington Gas Light Company, and all property, rights, privileges, and franchises of The Georgetown Gaslight Company shall, subject to encumbrances or liens thereon to secure the bonds or other securities issued by The Georgetown Gaslight Company, and to the payment of any valid claims against, or indebtedness of, The

Georgetown Gaslight Company existing at the time of such merger, pass to and be vested in the Washington Gas Light Company as its property, with all the powers, rights, privileges, and franchises now possessed by either or both of said companies, including the right in the Washington Gas Light Company to institute and prosecute in its own name any action in connection therewith: *Provided*, That pending actions against The Georgetown Gaslight Company may continue against The Georgetown Gaslight Company until the merger of said companies, and thereafter against the Washington Gas Light Company. Actions or claims against The Georgetown Gaslight Company filed after the said merger shall be brought against the Washington Gas Light Company.

Proviso. Pending actions.

Claims, etc., filed after merger.

The Washington Gas Light Company, after such merger, shall have the full power and authority to manufacture, transmit, distribute, and sell gas in all parts of the District of Columbia and adjoining territory, for any purposes for which gas is now or may hereafter be used; and to lay, repair, and replace gas mains and pipes in any of the streets, avenues, and alleys of the District of Columbia: *Provided*, That said work and its incidents, including the replacement of pavement or roadway cut, shall be without cost or expense to the District of Columbia or to the United States: *Provided further*, That except as specifically provided in this Act nothing contained herein shall be taken or construed as altering, repealing, or changing any provision of existing charter or franchise or rights of the Washington Gas Light Company or of any statute, law, ordinance, or regulation pertaining thereto.

Corporate powers.

Provisos. No public expense for roadway cuts, etc.

Existing charter, etc., not affected.

SEC. 3. All charters, statutes, Acts and parts of Acts, laws, ordinances, and regulations inconsistent with or repugnant to the provisions of this Act, but only so far as inconsistent herewith or repugnant hereto, are hereby repealed.

Inconsistent laws, ordinances, etc., repealed.

SEC. 4. The right to alter, amend, or repeal this Act is hereby expressly reserved to the Congress.

Amendment.

Approved, May 11, 1936.

[CHAPTER 381.]

AN ACT

To amend section 981 of title 4, and section 843 of title 6 of the Canal Zone Code.

May 13, 1936.
[S. 1379.]
[Public, No. 578.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 981 of title 4, Canal Zone Code, approved June 19, 1934 (48 Stat. 1122), is amended to read as follows:

Canal Zone Code, amendments. Vol. 48, p. 1122.

"SEC. 981. It shall be lawful for the clerk of the district court, referees, and commissioners appointed by the district court, the marshal, magistrates, constables, and other officers and persons hereinafter mentioned, together with their assistants and deputies, to demand and receive the hereinafter-mentioned fees and no more. All fees collected by officers drawing a salary or compensation from the Government, other than those collected by the clerk of the district court and the marshal, shall be paid over to the collector of the Panama Canal. The clerk of the district court and the marshal shall receive, deposit, and account for all public moneys collected by them in accordance with the laws, rules, and regulations governing the receipt and disposition of moneys by clerks of United States district courts and United States marshals, respectively, in the continental United States exclusive of Alaska."

District court. Fees allowed.

Receipt and deposit, etc., of public moneys.

SEC. 2. That section 843 of title 6, Canal Zone Code, is amended to read as follows:

Clerk of court. Receipt, deposit, etc., of public moneys.

"SEC. 843. The clerk shall receive, deposit, and account for all public moneys collected by him in accordance with the laws, rules, and regulations governing the receipt and disposition of moneys by clerks of United States district courts in the continental United States, exclusive of Alaska."

Approved, May 13, 1936.

[CHAPTER 382.]

AN ACT

May 13, 1936. [S. 2040.] [Public, No. 579.]

To amend an Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, and Acts in amendment thereof.

Injuries to Government employees. Vol. 39, p. 743; Vol. 44, p. 1086. U. S. C., p. 98.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, and Acts in amendment thereof (U. S. C., title 5, sec. 756), is amended by the addition of the following paragraph:

Employees' Compensation Commission. Allowance for attendant for totally disabled employee, authorized.

"In addition to the monthly compensation the Employees' Compensation Commission may pay an injured employee awarded compensation for permanent total disability from injury an additional sum of not more than $50 a month, as the Commission may deem necessary, when the Commission shall find that the service of an attendant is necessary constantly to be used by reason of the employee being totally blind, or having lost both hands or both feet or the use thereof, or is paralyzed and unable to walk, or by reason of other total disability actually rendering him so helpless as to require constant attendance."

Approved, May 13, 1936.

[CHAPTER 383.]

AN ACT

May 13, 1936. [S. 2611.] [Public, No. 580.]

To authorize the Utah Pioneer Trails and Landmarks Association to construct and maintain a monument on the Fort Douglas Military Reservation, Salt Lake City, Utah.

Fort Douglas Military Reservation, Salt Lake City, Utah. Utah Pioneer Trails and Landmarks Association may construct, etc., monument on.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to issue a permit, under regulations to be prescribed by him, to the Utah Pioneer Trails and Landmarks Association to construct and maintain on the Fort Douglas Military Reservation, Utah, a suitable monument, including roadway and footpath thereto, to commemorate the site where Brigham Young, Mormon pioneer leader, on July 24, 1847, declared "This is the place", the location and plans to be approved by the Secretary of War, and all work to be done without expense to the United States and under such military supervision as is deemed advisable by him.

Approval of location and plans. No Government expense, etc.

Approved, May 13, 1936.

[CHAPTER 384.]

AN ACT

May 13, 1936.
[S. 3737.]
[Public, No. 581.]

To authorize the Secretary of War to acquire by donation land at or near Newburgh, in Orange County, New York, for aviation field, military, or other public purposes.

Newburgh, N. Y.
Acquisition by donation of certain land for public purposes, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to acquire by donation approximately two hundred and thirty-six acres of land at or near Newburgh, in Orange County, New York, for aviation field, military, or other public purposes: *Provided*, That in the event the donor is unable to perfect title to any land tendered as a donation, condemnation of such land is authorized in the name of the United States, and payment of any and all awards for title to such land as is condemned, together with the cost of suit, shall be made by the donor.

Proviso.
Condemnation authorized.

Approved, May 13, 1936.

[CHAPTER 385.]

AN ACT

May 13, 1936.
[H. R. 11098.]
[Public, No. 582.]

To provide for terms of the United States District Court for the Middle District of Pennsylvania to be held at Wilkes-Barre, Pennsylvania.

Pennsylvania Middle Judicial District.
Terms of District Court at Wilkes-Barre.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That terms of the United States District Court for the Middle District of Pennsylvania shall be held at Wilkes-Barre, Pennsylvania, on the second Monday of April and second Monday of September of each year: *Provided, however*, That all writs, precepts, and processes shall be returnable to the terms at Scranton and all court papers shall be kept in the clerk's office at Scranton unless otherwise specially ordered by the court, and the terms at Scranton shall not be terminated or affected by the terms herein provided for at Wilkes-Barre: *Provided further*, That this authority shall continue only during such time as suitable accommodations for holding court at Wilkes-Barre are furnished free of expense to the United States.

Provisos.
Writs, etc., returnable to terms at Scranton.

Court accommodations at Wilkes-Barre.

Approved, May 13, 1936.

[CHAPTER 386.]

AN ACT

May 13, 1936.
[H. R. 11994.]
[Public, No. 583.]

To provide for the establishment of a term of the District Court of the United States for the Western District of Oklahoma at Shawnee, Oklahoma.

Oklahoma Western Judicial District.
Term of court at Shawnee.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a term of the District Court of the United States for the Western District of Oklahoma shall be held annually at Shawnee, Oklahoma, on the first Monday in October: *Provided*, That suitable rooms and accommodations for holding court at Shawnee are furnished without expense to the United States.

Proviso.
Court accommodations.

Approved, May 13, 1936.

[CHAPTER 387.]

JOINT RESOLUTION

May 13, 1936.
[S. J. Res. 260.]
[Pub. Res., No. 90.]

To provide an additional appropriation for folding speeches and pamphlets for the Senate for the fiscal year 1936.

Senate.
Additional appropriation for folding speeches, etc.
Ante, p. 462.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That for folding speeches and pamphlets, for the Senate, at a rate not exceeding $1 per thousand, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $4,000 for the fiscal year 1936.

Approved, May 13, 1936.

[CHAPTER 390.]

AN ACT

May 15, 1936.
[S. 381.]
[Public, No. 584.]

For the relief of the Confederated Bands of Ute Indians located in Utah, Colorado, and New Mexico.

Confederated Bands of Ute Indians.
Payment for certain land authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of $161,400 be, and the same is hereby, authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Confederated Bands of Ute Indians in full compensation as to claim for principal sum for sixty-four thousand five hundred and sixty acres of land in western Colorado, taken from the said Indians by the United States and set aside as a naval oil reserve by Executive orders, dated December 6, 1916, and September 27, 1924; said sum to be placed on the books of the Treasury Department to the credit of the Confederated Bands of Ute Indians in the proportions specified by the Act of June 15, 1880 (21 Stat. L. 199), to bear interest at 4 per centum per annum and from the date of the passage of this Act.

Vol. 21, p. 199.

Interest.

Attorneys', etc., fees.

SEC. 2. The Secretary of the Treasury is hereby authorized to pay, out of said appropriation when made, such fees and expenses as the Secretary of the Interior may deem reasonable, on a quantum meruit basis, for services rendered by attorneys or agents having approved or heretofore approved contracts with said Indians, or approved assignments thereof, not to exceed, however, a total of 10 per centum of the amount appropriated hereunder, as follows:

(1) A contract with Southern Ute Band and the Ute Mountain Band approved July 7, 1928, a partial assignment of which was approved on May 28, 1929.

(2) A contract with the Uintah and White River Bands, approved on October 8, 1932, an assignment of which was approved on February 13, 1935.

(3) A contract with the Uncompahgre Band approved October 8, 1932, an assignment of which was approved on February 13, 1935.

Approved, May 15, 1936.

[CHAPTER 391.]

AN ACT

May 15, 1936.
[S. 1494.]
[Public, No. 585.]

To amend an Act entitled "An Act authorizing the Chippewa Indians of Minnesota to submit claims to the Court of Claims", approved May 14, 1926 (44 Stat. L. 555).

Chippewa Indians of Minnesota.
Suits of, before Court of Claims, amendments to pleadings permitted.
Vol. 44, p. 555.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all suits filed under the Act entitled "An Act authorizing the Chippewa Indians of Minnesota to submit claims to the Court of Claims", approved May 14, 1926 (44 Stat. L. 555), either party, with the consent of the court first had and obtained, shall have the right to

amend the pleadings at any time prior to the entry of final judgment so as to include all claims said Indians may have under said Act against the United States and any defense the United States may have thereto.

Approved, May 15, 1936.

[CHAPTER 392.]

AN ACT

May 15, 1936.
[S. 2849.]
[Public, No. 586.]

To provide funds for cooperation with Wellpinit School District Numbered 49, Stevens County, Washington, for the construction of a public-school building to be available for Indian children of the Spokane Reservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $75,000 for the purpose of cooperating with Wellpinit School District Numbered 49, Stevens County, Washington, for the construction and equipment of a public-school building in the vicinity of Wellpinit, Washington: *Provided*, That the expenditure of any money authorized to be appropriated herein shall be subject to the condition that the school maintained by said district in such building shall be available to all Indian children of the Spokane Indian Reservation on the same terms, except as to payment of tuition, as other children of said school district: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Stevens County, Wash.
Funds for public-school construction, authorized.

Provisos.
Attendance of Indian children.

Limitations on expenditures.

Approved, May 15, 1936.

[CHAPTER 393.]

AN ACT

May 15, 1936.
[S. 3161.]
[Public, No. 587.]

To amend section 13 (c) of the Act entitled "An Act to provide for the regulation of motor-vehicle traffic in the District of Columbia and so forth"[1], approved March 3, 1925, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 13 (c) of the Act entitled "An Act to provide for the regulation of motor-vehicle traffic in the District of Columbia, and so forth"[1], approved March 3, 1925, as amended, be, and the same is hereby, amended so as to read as follows:

District of Columbia Traffic Act, 1925, amendment.
Vol. 43, p. 1125.

"The Commissioners of the District of Columbia, or their designated agent, may suspend or revoke the right of any nonresident person as defined in section 8 (title 6, sec. 245 (a), D. C. Code), to operate a motor vehicle in the District of Columbia, for any cause they or their agent may deem sufficient, and the proper authority at the place of issuance of the permit, or other authority to operate a motor vehicle, shall be notified of such suspension and the reason therefor, immediately: *Provided*, That such order of suspension or revocation shall take effect ten days after its issuance, and the same be subject to review and appeal in the manner and under the same conditions as are provided for such matters in section 13 (a) (title 6, sec. 250 (a), D. C. Code)."

Suspension, etc., of rights of nonresidents to operate motor vehicles.

Notification of authority granting operating permit.

Proviso.
Effective date of order.
Review and appeal.

Approved, May 15, 1936.

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[1] So in original.

[CHAPTER 394.]

AN ACT

May 15, 1936.
[S. 3372.]
[Public, No. 588.]

To provide funds for cooperation with the public-school district at Hays, Montana, for construction and improvement of public-school buildings to be available for Indian children.

Hays, Mont.
Funds for public-school construction, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $50,000 for the purpose of cooperating with the Hays Public School District, Hays, Montana, for construction and improvement of grade- and high-school buildings: *Provided*, That said schools shall be available to both white and Indian children without discrimination, except that tuition may be paid for Indian children attending in the discretion of the Secretary of the Interior: *Provided further*, That expenditures of moneys authorized hereby shall be subject to such further conditions as may be prescribed by the Secretary of the Interior: *Provided further*, That this appropriation shall be reimbursed in not more than thirty years without interest, either through reducing the annual Federal tuition payments for the education of Indian pupils attending such school, by the acceptance of Indian pupils in such school without cost to the United States; or in such other manner as the Secretary of the Interior may direct: *And provided further*, That plans and specifications shall be furnished by local or State authorities, without cost to the United States, and upon approval thereof by the Commissioner of Indian Affairs, work shall proceed under the direction of local or State officials, payment therefor to be made monthly on the basis of work in place and upon vouchers approved by a responsible official of the Indian Service.

Provisos.
No racial discrimination.
Tuition fee, Indian children.
Expenditures.

Reimbursement of appropriation.

Plans and specifications.

Supervision and payments.

Approved, May 15, 1936.

[CHAPTER 395.]

AN ACT

May 15, 1936.
[S. 3687.]
[Public, No. 589.]

To validate payments, and to relieve the accounts of disbursing officers of the Army on account of payments made to Reserve officers on active duty for rental allowances.

Army disbursing officers.
Payments for certain rental allowances validated.
Vol. 38, p. 1069.
U. S. C., p. 264.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all payments made to military personnel of the Army on account of rental allowances, where the Secretary of War, under the authority of the Act of March 4, 1915 (28 [1] Stat. 1069; U. S. C., title 10, sec. 718), has determined that no quarters are available for such personnel, are hereby ratified and validated, and the Comptroller General of the United States is hereby directed to credit the accounts of disbursing officers of the United States with such payments, and to accept as final and conclusive in the audit of such accounts the determinations made by the Secretary of War under that Act.

Credit allowed in accounts of.

Approved, May 15, 1936.

[1] So in original.

[CHAPTER 396.]

AN ACT

May 15, 1936.
[S. 3688.]
[Public, No. 590.]

To validate payments, and to relieve disbursing officers' accounts of payments made to Reserve officers promoted while on active duty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That payments made by Army disbursing officers to Reserve officers of the Army of increased pay and allowances on account of promotion while on active duty are hereby ratified and validated, notwithstanding any construction of the Comptroller General of the provisions of section 201 of the Economy Act of June 30, 1932, as contained by section 4a, Act of March 3, 1933, and section 4a, title 2, Act of March 20, 1933, and the Comptroller General shall allow credit in the accounts of said disbursing officers for payments so made if otherwise correct.

Army disbursing officers.
Certain payments to Reserve officers by, validated.

Vol. 47, pp. 403, 1513; Vol. 48, p. 13.

Credit allowed in accounts of.

Approved, May 15, 1936.

[CHAPTER 397.]

AN ACT

May 15, 1936.
[S. 3748.]
[Public, No. 591.]

To authorize the Bureau of Mines to conduct certain studies, investigations, and experiments with respect to sub-bituminous and lignite coal, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Bureau of Mines, under the general direction of the Secretary of the Interior, is authorized to conduct investigations, studies, and experiments on its own initiative and in cooperation with individuals, State institutions, laboratories, and other organizations, with a view to (1) the development of a commercially practicable carbonization method of processing sub-bituminous and lignite coal so as to convert such coal into an all-purpose fuel, to provide fertilizers, and obtain such other byproducts thereof as may be commercially valuable; (2) the development of efficient methods, equipment, and devices for burning lignite or char therefrom; and (3) determining and developing methods for more efficient utilization of such sub-bituminous and lignite coal for purposes of generating electric power.

Sub-bituminous and lignite coal.
Bureau of Mines to conduct studies, etc., with respect to.

SEC. 2. The Bureau of Mines is further authorized, under the general direction of the Secretary of the Interior, to erect such plants, construct and purchase such machinery and equipment, and to take such other steps as it may deem necessary and proper to effectuate the purposes of this Act.

Plants, machinery, etc., authorized.

SEC. 3. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $100,000 for the purpose of carrying out the provisions of this Act. The above amount to be expended over a period of three years, as follows: $40,000 to be expended during the fiscal year ending June 30, 1937; $30,000 to be expended during the fiscal year ending June 30, 1938; and $30,000 to be expended during the fiscal year ending June 30, 1939.

Appropriation authorized.

Allocations.

Approved, May 15, 1936.

[CHAPTER 398.]

AN ACT

May 15, 1936.
[S. 3797.]
[Public, No. 592.]

To amend an Act entitled "An Act authorizing certain tribes of Indians to submit claims to the Court of Claims, and for other purposes", approved May 26, 1920.

Klamath, etc., Indians, Oreg.
Suit of, before Court of Claims, reinstated.
Vol. 41, p. 623.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the suit numbered E–346 heretofore instituted in the Court of Claims by the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians under an Act entitled "An Act authorizing certain tribes of Indians to submit claims to the Court of Claims, and for other purposes", approved May 26, 1920, jurisdiction is hereby conferred upon said court, and it is hereby authorized and directed, irrespective of any release or settlement, to reinstate and retry said case and to hear and determine the claims of the plaintiffs on the merits, and to enter judgment thereon upon the present pleadings, evidence, and findings of fact, with the right of appeal, rather than by certiorari, to the Supreme Court of the United States by either party:

Proviso.
Effect of previous payment.

Provided, That any payment heretofore made to the said Indians by the United States in connection with any release or settlement shall be charged as an offset, but shall not be treated as an estoppel.

Approved, May 15, 1936.

[CHAPTER 399.]

AN ACT

May 15, 1936.
[S. 3842.]
[Public, No. 593.]

To authorize the coinage of 50-cent pieces in commemoration of the one-hundredth anniversary of the establishment of the Territorial Government of Wisconsin, and to assist in the celebration of the Wisconsin Centennial during the year of 1936.

Wisconsin.
Coinage commemorating establishment of the Territorial Government, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the one-hundredth anniversary of the establishment of the Territorial Government of Wisconsin, and to further and give added meaning to the centennial celebration of said State during the year of 1936, there shall be coined at a mint of the United States to be

Number.

designated by the Director of the Mint not less than twenty-five thousand silver 50-cent pieces of standard size, weight, and composition and of a special appropriate single design, containing some recognized emblem of the State of Wisconsin, to be fixed by the Director of the Mint, with the approval of the Secretary of the

No Federal expense for dies, etc.

Treasury, but the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

Date, issue, etc.

SEC. 2. The coins herein authorized shall bear the date 1936, irrespective of the year in which they are minted or issued, shall be legal tender in any payment to the amount of their face value, and shall be issued only upon the request of the chairman of the Coinage Committee of the Wisconsin Centennial Celebration upon payment by him of the par value of such coins, but not less than twenty-five thousand such coins shall be issued to him at any one time and no such coins shall be issued after the expiration of one

Disposal.

year after the date of enactment of this Act. Such coins may be disposed of at par or at a premium by such committee, and the net proceeds shall be used by it, in defraying the expenses incidental and appropriate to the commemoration of such event.

Coinage laws applicable.

SEC. 3. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material, and for the transportation, distribution, and

redemption of coins, for the prevention of debasement or counterfeiting, for the security of the coins, or for any other purposes, whether such laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized.

Approved, May 15, 1936.

[CHAPTER 400.]

AN ACT

May 15, 1936.
[S. 3859.]
[Public, No. 594.]

To authorize the procurement, without advertising, of certain War Department property, and for other purposes.

War Department.
Procurement of certain articles without advertising, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever proposals are invited for the furnishing of articles of Chemical Warfare or Signal property of the War Department, the character of which or the ingredients thereof are of such a nature that the interests of the public service would be injured by publicly divulging them, the chief of the supply service concerned is authorized to purchase such articles in such manner as he may deem most economical and efficient.

Approved, May 15, 1936.

[CHAPTER 401.]

AN ACT

May 15, 1936.
[S. 4214.]
[Public, No. 595.]

To provide for a preliminary examination of the Sabine and Neches Rivers, with a view to controlling their floods and regulating, conserving, and utilizing the waters thereof, and for other purposes.

Sabine and Neches Rivers.
Survey directed for controlling floods of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of the Sabine and Neches Rivers, and their tributaries, with a view to controlling their floods and regulating, conserving, and utilizing the waters thereof, in accordance with the provisions of section 3 of the Act entitled "An Act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes", approved March 1, 1912 [1], the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, May 15, 1936.

[CHAPTER 402.]

AN ACT

May 15, 1936.
[S. 4229.]
[Public, No. 596.]

To authorize the coinage of 50-cent pieces in commemoration of the one-hundredth anniversary of the incorporation of Bridgeport, Connecticut, as a city.

Bridgeport, Conn.
Coinage commemorating incorporation of, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the one hundredth anniversary of the incorporation of the city of Bridgeport, Connecticut, there shall be coined at a mint of the United States to be designated by the Director of the Mint not less than twenty-five thousand silver 50-cent pieces of standard size, weight, and composition and of a special appropriate single design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

Number.

No Federal expense for dies, etc.

[1] So in original.

Date, issue, etc.

SEC. 2. The coins herein authorized shall bear the date 1936, irrespective of the year in which they are minted or issued, shall be legal tender in any payment to the amount of their face value, and shall be issued only upon the request of the Bridgeport Centennial, Incorporated, Bridgeport, Connecticut, upon payment by it of the par value of such coins. Such coins may be disposed of at par or at a premium by such Bridgeport Centennial, Incorporated, and the net proceeds shall be used by it in defraying the expenses incidental and appropriate to the commemoration of such event.

Disposal.

Coinage laws applicable.

SEC. 3. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material, and for the transportation, distribution, and redemption of coins, for the prevention of debasement or counterfeiting, for the security of the coins, or for any other purposes, whether such laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized.

Approved, May 15, 1936.

[CHAPTER 403.]

May 15, 1936.
[S. 4395.]
[Public, No. 597.]

AN ACT

For the relief of the State of New Jersey.

State of New Jersey, etc.
Release from accountability for certain property.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of New Jersey and David S. Hill, United States property and disbursing officer for New Jersey, are hereby relieved from accountability for certain property belonging to the United States, of the total value of $4,467.76, which property was loaned to such State for use by the New Jersey National Guard and was unavoidably lost or destroyed when issued for use in connection with the Morro Castle disaster on September 8, 1934, and providing for replacement, without cost to the State of New Jersey, of like articles for reissue to and the use of the National Guard of New Jersey.

Approved, May 15, 1936.

[CHAPTER 404.]

May 15, 1936.
[H. R. 11035.]
[Public, No. 598.]

AN ACT

Making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1937, and for other purposes.

War Department appropriations, fiscal year 1937.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1937, and for other purposes, namely:

Military activities.

TITLE I—MILITARY ACTIVITIES AND OTHER EXPENSES OF THE WAR DEPARTMENT INCIDENT THERETO

Department salaries.

SALARIES, WAR DEPARTMENT

Personal services.

For compensation for personal services in the District of Columbia, as follows:

Secretary, Assistant, and other personal services.

Office of Secretary of War: Secretary of War, Assistant Secretary of War, and other personal services, $267,280: *Provided*, That no field-service appropriation shall be available for personal services in the War Department except as may be expressly authorized herein.

Proviso.
Use of field-service funds restricted.

Office of Chief of Staff, $221,100. Designated offices.

Adjutant General's office, $1,366,747.

For personal services, to be employed exclusively in assembling, classifying, and indexing the military personnel records of the World War, and for the purchase of necessary supplies and materials used in such work, $104,595. World War personnel records.

Office of the Inspector General, $27,340.

Office of the Judge Advocate General, $108,240.

Office of the Chief of Finance, $378,780.

Office of the Quartermaster General, $771,387.

Office of the Chief Signal Officer, $122,213.

Office of the Chief of Air Corps, $221,980.

Office of the Surgeon General, $272,530.

Office of Chief of Bureau of Insular Affairs, $66,400.

Office of Chief of Engineers, $123,260: *Provided*, That the services of skilled draftsmen, civil engineers, and such other services as the Secretary of War may deem necessary may be employed only in the office of the Chief of Engineers, to carry into effect the various appropriations for rivers and harbors, surveys, and preparation for and the consideration of river and harbor estimates and bills, to be paid from such appropriations: *Provided further*, That the expenditures on this account for the fiscal year 1937 shall not exceed $323,960; the Secretary of War shall each year, in the Budget, report to Congress the number of persons so employed, their duties, and the amount paid to each. *Provisos.* Draftsmen, etc., payable from other appropriations. Maximum expenditure, 1937. Report to Congress.

Office of Chief of Ordnance, $424,160.

Office of Chief of Chemical Warfare Service, $50,337.

Office of Chief of Coast Artillery, $26,180.

National Guard Bureau, War Department, $148,403.

In all, salaries, War Department, $4,700,932: *Provided*, That the number of warrant officers and enlisted men on duty in the offices of the Chiefs of Ordnance, Engineers, Coast Artillery, Field Artillery, Cavalry, Infantry, and Chaplains on March 5, 1934, shall not be increased, and in lieu of warrant officers and enlisted men whose services in such offices shall be terminated for any cause prior to July 1, 1937, their places may be filled by civilians, for the pay of whom, in accordance with the Classification Act of 1923, as amended, the appropriation "Pay of the Army" shall be available. *Proviso.* Details not to be increased. Civilians to fill vacancies. U. S. C., p. 85. Funds available. *Post*, p. 1282.

In expending appropriations or portions of appropriations, contained in this Act, for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the Assistant Secretary of War the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, Restriction on exceeding average salaries. Vol. 42, p. 1488; Vol. 45, p. 776; Vol. 46, p. 1003. U. S. C., p. 85. Exceptions. *Proviso.* Restriction not applicable to clerical-mechanical service. No reduction in fixed salaries. Vol. 42, p. 1490; U. S. C., p. 86. Transfers without reduction.

Higher salary rates allowed.

If only one position in a grade.

or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

OFFICE OF THE SECRETARY

CONTINGENT EXPENSES, WAR DEPARTMENT

Department contingent expenses.

For stationery; purchase of professional and scientific books, law books, including their exchange; books of reference, pamphlets, periodicals, newspapers, maps; typewriting and adding machines, and other labor-saving devices, including their repair and exchange; furniture and repairs to same; carpets, linoleum, filing equipment, photo supplies, towels, ice, brooms, soap, sponges; maintenance, repair, and operation of motor trucks and one motor-propelled passenger-carrying vehicle, to be used only for official purposes; freight and express charges; street-car fares, not exceeding $750; postage to Postal Union countries; and other absolutely necessary expenses, $236,000, and it shall not be lawful to expend, unless otherwise specifically provided herein, for any bureau, office, or branch of the War Department or of the Army having or maintaining an office in the War Department proper, at Washington, District of Columbia, any sum out of appropriations contained in this Act (or accruing thereto) made for the Military Establishment for any of the purposes mentioned or authorized in this paragraph.

Surgeon General's office.

LIBRARY, SURGEON GENERAL'S OFFICE

Library expenses.

For the purchase of the necessary books of reference, periodicals, and technical supplies and equipment, $20,660.

PRINTING AND BINDING, WAR DEPARTMENT

Printing and binding.

For printing and binding for the War Department, its bureaus and offices, and for all printing and binding for the field activities under the War Department, except such as may be authorized in accordance with existing law to be done elsewhere than at the Government Printing Office, $500,000: *Provided*, That the sum of $3,000, or so much thereof as may be necessary, may be used for the publication, from time to time, of bulletins prepared under the direction of the Surgeon General of the Army, for the instruction of medical officers, when approved by the Secretary of War, and not exceeding $68,200 shall be available for printing and binding under the direction of the Chief of Engineers.

Proviso.
Medical bulletins.

For Chief of Engineers.

Military activities.

MILITARY ACTIVITIES

CONTINGENCIES OF THE ARMY

Army contingencies.

For all emergencies and extraordinary expenses, including the employment of translators, and exclusive of all other personal services in the War Department or any of its subordinate bureaus or offices in the District of Columbia, or in the Army at large, but impossible to be anticipated or classified, to be expended on the approval or authority of the Secretary of War, and for such purposes as he may deem proper, and for examination of estimates of appropriations and of military activities in the field, $11,650.

GENERAL STAFF CORPS

General Staff Corps.

CONTINGENCIES, MILITARY INTELLIGENCE DIVISION

Military Intelligence Division.

For contingent expenses of the Military Intelligence Division, General Staff Corps, and of the military attachés at the United States embassies and legations abroad, including the purchase of law books, professional books of reference, and subscriptions to newspapers and periodicals; for the hire of interpreters, special agents, and guides, and for such other purposes as the Secretary of War may deem proper, including $5,000 for the actual and necessary expenses of officers of the Army on duty abroad for the purpose of observing operations of armies of foreign states at war, to be paid upon certificates of the Secretary of War that the expenditures were necessary for obtaining military information, $87,000, to be expended under the direction of the Secretary of War: *Provided*, That section 3648, Revised Statutes (U. S. C., title 31, sec. 529), shall not apply to payments made from appropriations contained in this Act in compliance with the laws of foreign countries or their ministerial regulations under which the military attachés are required to operate.

Contingent expenses.

Observing operations of foreign armies.

Proviso.
Conditions waived.
R. S., sec. 3648, p. 718.
U. S. C., p. 1395.

ARMY WAR COLLEGE

Army War College.

For expenses of the Army War College, being for the purchase of the necessary special stationery; textbooks, books of reference, scientific and professional papers, newspapers, and periodicals; maps; police utensils; employment of temporary, technical, or special services, and expenses of special lectures; for the pay of employees; and for all other absolutely necessary expenses, $66,377.

Instruction expenses.

Employees.

ADJUTANT GENERAL'S DEPARTMENT

Adjutant General's Department.

COMMAND AND GENERAL STAFF SCHOOL, FORT LEAVENWORTH, KANSAS

For the purchase of textbooks, books of reference, scientific and professional papers, instruments, and material for instruction; employment of temporary technical, special, and clerical services; and for other necessary expenses of instruction, at the Command and General Staff School, Fort Leavenworth, Kansas, $35,027.

Command and General Staff School, Fort Leavenworth, Kans.

FIELD EXERCISES

For all expenses required for the conduct of special field exercises, including participation therein by the National Guard and the Organized Reserves, comprising allowances for enlisted men for quarters and rations, movement of matériel, maintenance, and operation of structures and utilities, and any other requisite supplies and services, and for settlement of claims (not exceeding $500 each) for damages to or loss of private property resulting from such exercises that have accrued or may hereafter accrue, when payment thereof will be accepted by the owners of the property in full satisfaction of such damages, and each claim is substantiated by a report of a board of officers appointed by the commanding officer of the troops engaged, and is approved by the Secretary of War, whose action thereon shall be conclusive, $255,321.

Field exercises.

Private property damages.

WELFARE OF ENLISTED MEN

Welfare of enlisted men.

For the equipment and conduct of school, reading, lunch, and amusement rooms, service clubs, chapels, gymnasiums, and libraries, including periodicals and other publications and subscriptions for newspapers, salaries of civilians employed in the hostess and library

Equipment, etc., post exchanges.

services, transportation of books and equipment for these services, rental of films, purchase of slides for and making repairs to moving-picture outfits, and for similar and other recreational purposes at training and mobilization camps now established or which may be hereafter established, $34,940.

Finance Department.

FINANCE DEPARTMENT

Pay of the Army.

PAY OF THE ARMY

Officers.

For pay of not to exceed an average of twelve thousand one hundred and twenty-five commissioned officers, $34,169,252: *Provided,*

Proviso. Commissioned strength increased.

That on and after July 1, 1936, there shall be authorized one thousand and thirty-three officers of the Medical Corps and one hundred and eighty-three officers of the Dental Corps, notwithstanding the provisions of the Act of June 30, 1922 (42 Stat. 721), and the authorized commissioned strength of the Regular Army is hereby increased by seventy-five in order to provide for the increases herein authorized in the number of officers in the Medical and Dental Corps; pay of officers, National Guard, $100; pay of warrant officers, $1,474,844; aviation increase to commissioned and warrant officers of the Army, including not to exceed five medical officers, $2,224,001, none of which shall be available for increased pay for making aerial flights by nonflying officers at a rate in excess of $1,440 per annum, which shall be the legal maximum rate as to such nonflying officers; additional pay to officers for length of service, $9,706,748; pay of not less than an average of one hundred and sixty-five thousand enlisted men of the line and staff, not including the Philippine Scouts, $61,383,965, and, in addition, $2,344,211 of the appropriation "Pay of the Army, 1936", which sum shall remain available until June 30, 1937, for defraying the cost of increasing the enlisted strength of the Regular Army from an average of one hundred and forty-seven thousand to an average of one hundred and sixty-five thousand enlisted men, and the attainment of such one hundred and sixty-five thousand enlisted men shall be accomplished by recruiting at the rate of one thousand five hundred men per month in addition to recruits necessary to maintain one hundred and forty-seven thousand enlisted men; pay of enlisted men of National Guard, $100; aviation increase to enlisted men of the Army, $508,782; pay of enlisted men of the Philippine Scouts, $1,050,447; additional pay for length of service to enlisted men, $4,759,614; pay of the officers on the retired list, $12,369,850; increased pay to not to exceed seven retired officers on active duty, $9,145; pay of retired enlisted men, $13,589,060; pay not to exceed sixty civil-service messengers at not to exceed $1,200 each at headquarters of the several Territorial departments, corps areas, Army and corps headquarters, Territorial districts, tactical divisions and brigades, service schools, camps, and ports of embarkation and debarkation, $72,000; pay and allowances of contract surgeons, $53,076; pay of nurses, $899,260; pay of hospital matrons, $600; rental allowances, including allowances for quarters for enlisted men on duty where public quarters are not available, $6,352,574; subsistence allowances, $5,955,042; interest on soldiers' deposits, $30,000; payment of exchange by officers serving in foreign countries, and when specially authorized by the Secretary of War, by officers disbursing funds pertaining to the War Department, when serving in Alaska, and all foreign money received shall be charged to and paid out by disbursing officers of the Army at the legal valuation fixed by the Secretary of the Treasury, $100; in all, $154,608,560, less $285,000 to be supplied by the Secretary of

Vol. 42, p. 721.

National Guard.

Aviation increase.

Flights by nonflying officers.

Longevity.

Enlisted men; increase.

Sum reappropriated. *Ante,* p. 124.

National Guard. Aviation increase. Philippine Scouts. Longevity.

Retired officers, etc.

Civil-service messengers at headquarters.

Contract surgeons, nurses, etc.

Rent, subsistence, etc.

Loss by exchange.

War for this purpose from funds received during the fiscal year 1937 from the purchase by enlisted men of the Army of their discharges, $154,323,560; and the money herein appropriated for "Pay of the Army" shall be accounted for as one fund: *Provided*, That during the fiscal year ending June 30, 1937, no officer of the Army shall be entitled to receive an addition to his pay in consequence of the provisions of the Act approved May 11, 1908 (U. S. C., title 10, sec. 803).

Accounted for as one fund.

Proviso. No additional pay for furnishing mounts or service as aide.

Vol. 35, p. 108; U. S. C., p. 267.

No payment shall be made from money appropriated in this Act to any officer on the retired list of the Army who, for himself or for others, is engaged in the selling of, contracting for the sale of, or negotiating for the sale of, to the Army or the War Department, any war materials or supplies.

Pay forbidden to a retired officer selling supplies to Army.

No appropriation for the pay of the Army shall be available for the pay of any officer or enlisted man on the active list of the Army who is engaged in any manner with any publication which is or may be issued by or for any branch or organization of the Army or military association in which officers or enlisted men have membership and which carries paid advertising of firms doing business with the War Department: *Provided, however*, That nothing herein contained shall be construed to prohibit officers from writing or disseminating articles in accordance with regulations issued by the Secretary of War.

Engaging in issuing certain service publications.

Proviso. Exemption.

TRAVEL OF THE ARMY

For travel allowances and travel in kind, as authorized by law, for persons traveling in connection with the military and nonmilitary activities of the War Department, including mileage, transportation, reimbursement of actual expenses, or per diem allowances, to officers and contract surgeons; transportation of troops; transportation, or reimbursement therefor, of nurses, enlisted men, recruits, recruiting parties, applicants for enlistment between recruiting stations and recruiting depots, rejected applicants for enlistment, general prisoners, cadets and accepted cadets from their homes to the Military Academy, discharged cadets, civilian employees, civilian witnesses before courts martial, dependents of military personnel, and attendants accompanying remains of military personnel and civilian employees; travel pay to discharged military personnel; transportation of discharged prisoners and persons discharged from Saint Elizabeths Hospital after transfer thereto from the military service, to their homes, or elsewhere as they may elect, the cost in each case not to be greater than to the place of last enlistment; hot coffee for troops traveling when supplied with cooked or travel rations; commutation of quarters and rations to enlisted men traveling on detached duty when it is impracticable to carry rations, and to applicants for enlistment and general prisoners traveling under orders; per diem allowances or actual cost of subsistence while in a travel status, to nurses, civilian employees, civilian witnesses before courts martial, and attendants accompanying remains of military personnel and civilian employees, $3,103,527, which may be increased, subject to the approval of the Director of the Bureau of the Budget, by transfers from other appropriations contained in this Act of such amounts as may be required in addition to those herein provided for travel in connection with development, procurement, production, maintenance, or construction activities; and, with such exception, no other appropriation in this Act shall be available for any expense for or incident to travel of personnel of the Regular Army or civilian employees under the War Department, except the appropriation "Contingencies of the Army" and the appropriations for the National Guard, the

Travel allowances, etc.

Recruiting expenses.

Commutation of quarters, rations, etc.

Civilians.

Increases, by transfers, allowed.

Restriction.

Organized Reserves, the Reserve Officers' Training Corps, citizens' military training camps, the National Board for the Promotion of Rifle Practice, the United States High Commissioner to the Philippine Islands, the United States Soldiers' Home, the nonmilitary activities of the Corps of Engineers, and the Panama Canal, and except as may be provided for in the appropriation "Air Corps, Army": *Provided*, That the expert accountant, Inspector General's Department, shall be entitled to the same travel allowances as other employees of the War Department: *Provided further*, That, in addition to the authority contained in section 67, National Defense Act of June 3, 1916, as amended, a total of not to exceed $2,500 of the appropriations available to the War Department chargeable with expenses of travel shall be available for expenses incident to attendance at meetings of technical, professional, scientific, and other similar organizations, when, in the judgment of the Secretary of War, such attendance would be of benefit in the conduct of the work of the War Department.

Provisos.
Travel allowance, expert accountant.

Attendance at meetings.

Vol. 39, p. 199; Vol. 42, p. 1034; Vol. 45, p. 406.
U. S. C., p. 1431.

EXPENSES OF COURTS MARTIAL

Courts martial expenses.

For expenses of courts martial, courts of inquiry, military commissions, retiring boards, and compensation of reporters and witnesses attending same, contract stenographic reporting services, and expenses of taking depositions and securing other evidence for use before the same, $50,000.

Deserters, etc.

APPREHENSION OF DESERTERS, AND SO FORTH

Apprehension of.

For the apprehension, securing, and delivering of soldiers absent without leave and of deserters, including escaped military prisoners, and the expenses incident to their pursuit; and no greater sum than $25 for each deserter or escaped military prisoner shall, in the discretion of the Secretary of War, be paid to any civil officer or citizen for such services and expenses; for a donation of $10 to prisoner discharged otherwise than honorably upon his release from confinement under court-martial sentence involving dishonorable discharge, $20,000.

Finance Service.

FINANCE SERVICE

Clerks, etc.

For compensation of clerks and other employees of the Finance Department, including not to exceed $900 for any one person for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a), $1,131,410.

Vol. 46, p. 818.
U. S. C., p. 45.

Private property damages.

CLAIMS FOR DAMAGES TO AND LOSS OF PRIVATE PROPERTY

Payment of claims.

For payment of claims, including claims of military and civilian personnel in and under the War Department, not exceeding $500 each in amount for damages to or loss of private property incident to the training, practice, operation, or maintenance of the Army that have accrued, or may hereafter accrue, from time to time, $10,000: *Provided*, That settlement of such claims shall be made by the General Accounting Office, upon the approval and recommendation of the Secretary of War, where the amount of damages has been ascertained by the War Department, and payment thereof will be accepted by the owners of the property in full satisfaction of such damages.

Proviso.
Settlement by General Accounting Office.

CLAIMS OF OFFICERS, ENLISTED MEN, AND NURSES OF THE ARMY FOR DESTRUCTION OF PRIVATE PROPERTY

Destruction of private property of officers, etc.

For the payment of claims of officers, enlisted men, and nurses of the Army for private property lost, destroyed, captured, abandoned, or damaged in the military service of the United States, under the provisions of an Act approved March 4, 1921 (U. S. C., title 31, secs. 218–222), $15,000.

Payment of claims.

Vol. 41, p. 1436.
U. S. C., p. 1369.

QUARTERMASTER CORPS

Quartermaster Corps.

Subsistence of the Army: Purchase of subsistence supplies: For issue as rations to troops, including retired enlisted men when ordered to active duty, civil employees when entitled thereto, hospital matrons, applicants for enlistment while held under observation, general prisoners of war (including Indians held by the Army as prisoners but for whose subsistence appropriation is not otherwise made), Indians employed by the Army as guides and scouts, and general prisoners at posts; ice for issue to organizations of enlisted men and offices[1] at such places as the Secretary of War may determine, and for preservation of stores; for the subsistence of the masters, officers, crews, and employees of the vessels of the Army Transport Service; meals for recruiting parties and applicants for enlistment while under observation; for sales to officers, including members of the Officers' Reserve Corps while on active duty, and enlisted men of the Army. For payments: Of the regulation allowances of commutation in lieu of rations to enlisted men on furlough, and to enlisted men when stationed at places where rations in kind cannot be economically issued, including retired enlisted men when ordered to active duty. For payment of the regulation allowance of commutation in lieu of rations for enlisted men, applicants for enlistment while held under observation, civilian employees who are entitled to subsistence at public expense, and general prisoners while sick in hospitals, to be paid to the surgeon in charge; advertising; for providing prizes to be established by the Secretary of War for enlisted men of the Army who graduate from the Army schools for bakers and cooks, the total amount of such prizes at the various schools not to exceed $900 per annum; and for other necessary expenses incident to the purchase, testing, care, preservation, issue, sale, and accounting for subsistence supplies for the Army; in all, $26,887,384, and, in addition, $501,714 of the appropriation "Pay of the Army, 1936", which shall remain available until June 30, 1937: *Provided*, That none of the money appropriated in this Act shall be used for the purchase of oleomargarine or butter substitutes for other than cooking purposes, except to supply an expressed preference therefor or for use where climatic or other conditions render the use of butter impracticable.

Subsistence of the Army.
Purchase of supplies for issue as rations.

Ice.

Sales to officers, etc.

Payments.
Commutation allowances.

Prizes, etc.

Subsistence supplies.
Ante, p. 124.

Proviso.
Oleomargarine restriction.

Regular supplies of the Army: Regular supplies of the Quartermaster Corps, including their care and protection; field ranges, field stoves for cooking food, coffee roasters, field bakery equipment, and appliances for cooking and serving food at posts (except fixed installations in buildings), in the field and when traveling, and repair and maintenance of such equipment; authorized issues of candles and matches; authorized issues of soap, toilet paper, and towels; for the necessary furniture, textbooks, paper, and equipment for the post schools and libraries, and for schools for noncommissioned officers; for the purchase and issue of instruments, office furniture, stationery, and other authorized articles for the use of

Regular supplies of the Army.

Field cooking appliances, etc.

Furniture, school supplies, etc.

[1] So in original.

Periodicals, technical books, etc.

officers' schools at the several military posts; for purchase of commercial newspapers, periodicals, market reports, technical books, and so forth; for the tableware and mess furniture for kitchens and mess halls, each and all for the enlisted men, including recruits; for forage, salt, and vinegar for the horses, mules, oxen, and other draft and riding animals of the Quartermaster Corps at the several posts and stations and with the armies in the field, for the horses of the several regiments of Cavalry and batteries of Artillery and such companies of Infantry and Scouts as may be mounted, and for remounts and for the authorized number of officers' horses, including bedding for the animals; for seeds and implements required for the raising of forage at remount depots and on military reservations in the Hawaiian, Philippine, and Panama Canal Departments, and for labor and expenses incident thereto, including, when specifically authorized by the Secretary of War, the cost of irrigation; for the purchase of implements and hire of labor for harvesting hay on military reservations; for straw for soldiers' bedding, stationery, typewriters and exchange of same, including blank books and blank forms for the Army, certificates for discharged soldiers, and for printing department orders and reports, $3,069,000.

Forage, etc.

Seeds and implements.

Bedding, stationery, etc.

Clothing and equipage.

Purchase, manufacture, etc.

Clothing and equipage: For cloth, woolens, materials, and for the purchase and manufacture of clothing for the Army, including retired enlisted men when ordered to active duty, for issue and for sale; for payment of commutation of clothing due to warrant officers of the mine planter service and to enlisted men; for altering and fitting clothing and washing and cleaning when necessary; for operation of laundries, existing or now under construction, including purchase and repair of laundry machinery therefor; for the authorized issues of laundry materials for use of general prisoners confined at military posts without pay or allowances, and for applicants for enlistment while held under observation; for equipment and repair of equipment of existing dry-cleaning plants, salvage and sorting storehouses, hat repairing shops, shoe repair shops, clothing repair shops, and garbage reduction works; for equipage, including authorized issues of toilet articles, barbers' and tailors' material, for use of general prisoners confined at military posts without pay or allowances and applicants for enlistment while held under observation; issue of toilet kits to recruits upon their first enlistment, and issue of housewives to the Army; for expenses of packing and handling and similar necessaries; for a suit of citizen's outer clothing and when necessary an overcoat, the cost of all not to exceed $30, to be issued each soldier discharged otherwise than honorably, to each enlisted man convicted by civil court for an offense resulting in confinement in a penitentiary or other civil prison, and to each enlisted man ordered interned by reason of the fact that he is an alien enemy, or, for the same reason, discharged without internment; for indemnity to officers and men of the Army for clothing and bedding, and so forth, destroyed since April 22, 1898, by order of medical officers of the Army for sanitary reasons, $6,621,779, of which amount not exceeding $60,000 shall be available immediately for the procurement and transportation of fuel for the service of the fiscal year 1937: *Provided*, That laundry charges, other than for service now rendered without charge, shall be so adjusted that earnings in conjunction with the value placed upon service rendered without charge shall aggregate an amount at least equal to the cost of maintaining and operating laundries and dry-cleaning plants.

Laundries, etc.

Repair shops.

Toilet kits.

Citizen's outer clothing.

Indemnity for destroyed clothing, etc.

Fuel.

Proviso.
Laundry charges.

Incidental expenses.

Incidental expenses of the Army: Postage; hire of laborers in the Quartermaster Corps, including the care of officers' mounts when the same are furnished by the Government; compensation of clerks and

other employees of the Quartermaster Corps, including not to exceed $900 for any one person for allowances for living quarters, including heat, fuel, and light, as authorized by the Act of June 26, 1930 (U. S. C., title 5, sec. 118a), and clerks, foremen, watchmen, and organist for the United States Disciplinary Barracks; incidental expenses of recruiting; for the operation of coffee-roasting plants; for the payment of entrance fees for Army rifle and pistol teams participating in competitions; for tests and experimental and development work and scientific research to be performed by the Bureau of Standards for the Quartermaster Corps; for inspection service and instruction furnished by the Department of Agriculture which may be transferred in advance; for such additional expenditures as are necessary and authorized by law in the movements and operation of the Army and at military posts, and not expressly assigned to any other departments, $3,562,929: *Provided*, That no appropriation contained in this Act shall be available for any expense incident to the employment of an average number of officers, enlisted men, or civilian employees greater than the largest number employed during the fiscal year ended June 30, 1929, in connection with work incident to the assurance of adequate provision for the mobilization of matériel and industrial organizations essential to war-time needs.

Living quarters.

Vol. 46, p. 818; U. S. C., p. 45.

Recruiting.

Rifle competitions, fees.

Tests, etc.

Inspection service, etc.

Operation expenses.

Proviso.
Average number employed.

Army transportation: For transportation of Army supplies; of authorized baggage, including packing and crating; of horse equipment; and of funds for the Army; for transportation on Army vessels, notwithstanding the provisions of other law, of privately owned automobiles of Regular Army personnel upon change of station; for the purchase or construction, not to exceed $786,000, alteration, operation, and repair of boats and other vessels; for wharfage, tolls, and ferriage; for drayage and cartage; for the purchase, manufacture (including both material and labor), maintenance, hire, and repair of pack saddles and harness; for the purchase, hire, operation, maintenance, and repair of wagons, carts, drays, other vehicles, and horse-drawn and motor-propelled passenger-carrying vehicles required for the transportation of troops and supplies and for official military and garrison purposes; for hire of draft and pack animals; for travel allowances to officers of National Guard on discharge from Federal service as prescribed in the Act of March 2, 1901 (U. S. C., title 10, sec. 751), and to enlisted men of National Guard on discharge from Federal service, as prescribed in amendatory Act of September 22, 1922 (U. S. C., title 10, sec. 752), and to members of the National Guard who have been mustered into Federal service and discharged on account of physical disability; in all, $12,675,819, of which amount not exceeding $250,000 shall be available immediately for the procurement and transportation of fuel for the service of the fiscal year 1937: *Provided*, That not to exceed $1,000,000 of this appropriation shall be available for the purchase or exchange of motor-propelled passenger-carrying vehicles and motor-propelled trucks, including trucks of the reconnaissance or station wagon type, of which amount not to exceed $146,000 may be expended for the purchase of light and medium passenger-carrying automobiles at a unit cost of not to exceed $750 for light automobiles and $1,200 for medium automobiles, including the value of any vehicle exchanged, and not to exceed $90,000 may be expended for the purchase or exchange of motor-propelled ambulances and motorcycles: *Provided further*, That no appropriation contained in this Act shall be available for any expense of any character, other than as may be incident to salvaging or scrapping, on account of any motor-propelled vehicle procured prior to January 1, 1920, except tanks, tractors, ambulances, fire trucks, searchlight trucks, three hundred and ninety modernized

Army transportation.

Supplies.

Privately owned automobiles.

Boats, etc.

Vehicles.

Travel allowance, National Guard.

Vol. 31, p. 902; U. S. C., p. 266.

Vol. 42, p. 1021; U. S. C., p. 266.

Fuel.

Provisos.
Motor vehicles, etc.

Ambulances and motorcycles.

Not available for designated vehicles, except for salvaging.

Exceptions.

Transportation costs chargeable to appropriations from which supplies procured.

Class B trucks, and vehicles in use by Reserve Officers' Training Corps units on February 19, 1935: *Provided further*, That during the fiscal year 1937 the cost of transportation from point of origin to the first point of storage or consumption of supplies, equipment, and material in connection with the manufacturing and purchasing activities of the Quartermaster Corps may be charged to the appropriations from which such supplies, equipment, and material are procured.

Horses, draft and pack animals.

HORSES, DRAFT AND PACK ANIMALS

Purchase.

For the purchase of draft and pack animals and horses within limits as to age, sex, and size to be prescribed by the Secretary of War for remounts for officers entitled to public mounts, for the United States Military Academy, and for such organizations and members of the military service as may be required to be mounted, and for all expenses incident to such purchases (including

Encouraging breeding of riding horses.

$72,155 for encouragement of the breeding of riding horses suitable for the Army, in cooperation with the Bureau of Animal Industry, Department of Agriculture, including the purchase of animals for breeding purposes and their maintenance), $681,337.

Barracks, quarters, etc.

BARRACKS AND QUARTERS AND OTHER BUILDINGS AND UTILITIES

Construction, maintenance, etc.

For all expenses incident to the construction, installation, operation, and maintenance of buildings, utilities, appurtenances, and accessories necessary for the shelter, protection, and accommodation of the Army and its personnel and property, where not specifically provided for in other appropriations, including personal services, purchase and repair of furniture for quarters for officers, warrant officers, and noncommissioned officers, and officers' messes and wall lockers and refrigerators for Government-owned buildings as may be approved by the Secretary of War, care and improvement of

Rentals.

grounds, flooring and framing for tents, rental of buildings, including not to exceed $900 in the District of Columbia, provided space is not available in Government-owned buildings, and grounds for military purposes, lodgings for recruits and applicants for enlist-

Water, roads, etc.

ment, water supply, sewer and fire-alarm systems, fire apparatus, roads, walks, wharves, drainage, dredging channels, purchase of

Target practice, etc.

water, disposal of sewage, shooting galleries, ranges for small-arms target practice, field, mobile, and railway artillery practice, including flour for paste for marking targets, such ranges and galleries to be open as far as practicable to the National Guard and organized rifle clubs under regulations to be prescribed by the Secretary of

Warehouse and fuel handling equipment.

War; warehouse and fuel handling equipment; stoves required for use of the Army for heating offices, hospitals, barracks, quarters,

Stoves and cooking appliances.

recruiting stations, and United States disciplinary barracks, also ranges and stoves for cooking food at posts, for post bakery and bake-oven equipment and apparatus and appliances for cooking and serving food when constituting fixed installations in buildings, including maintenance and repair of such heating and cooking

Heat, light, etc.

appliances; for furnishing heat and light for the authorized allowance of quarters for officers, enlisted men, and warrant officers, including retired enlisted men when ordered to active duty, contract surgeons when stationed at and occupying public quarters at military posts, officers of the National Guard attending service and garrison schools, and for recruits, guards, hospitals, storehouses,

Recreation buildings. Vol. 32, p. 282. U. S. C., p. 293.

offices, the buildings erected at private cost, in the operation of the Act approved May 31, 1902 (U. S. C., title 10, sec. 1346), and buildings for a similar purpose on military reservations authorized by War Department regulations; for sale of fuel to officers; fuel and engine supplies required in the operation of modern batteries

at established posts, $13,039,668, and $2,500,000 of this appropriation shall be available immediately for the procurement and transportation of fuel for the service of the fiscal year 1937: *Provided*, That not more than $16,000 of the appropriations contained in this Act shall be available for rent of offices outside the District of Columbia in connection with work incident to the assurance of adequate provision for the mobilization of matériel and industrial organizations essential to war-time needs: *Provided further*, That this appropriation shall be available for the rental of offices, garages, and stables for military attachés: *Provided further*, That no part of the funds herein appropriated shall be available for construction of a permanent nature of an additional building or an extension or addition to an existing building, the cost of which in any case exceeds $20,000: *Provided further*, That the monthly rental rate to be paid out of this appropriation for stabling any animal shall not exceed $15.

Fuel.

Provisos.
Rent outside District.

Rentals for military attachés.

Additional construction limited.

Stabling rental.

SEWERAGE SYSTEM, FORT MONROE, VIRGINIA

Fort Monroe, Va.

For repair and maintenance of wharf and apron of wharf, including all necessary labor and material therefor, fuel for waiting rooms; water, brooms, and shovels, $20,280; for one-third of said sum, to be supplied by the United States, $6,760.

Wharf, etc.

For rakes, shovels, and brooms; repairs to roadway, pavements, macadam, and asphalt block; repairs to street crossings; repairs to street drains, and labor for cleaning roads, $8,469; for two-thirds of said sum, to be supplied by the United States, $5,646.

Roads, etc.

For waste, oil, motor and pump repairs, sewer pipe, cement, brick, stone, supplies, and personal services, $6,690; for two-thirds of said sum, to be supplied by the United States, $4,460.

Sewers; supplies, etc.

In all, to be supplied by the United States, $16,866.

CONSTRUCTION AND REPAIR OF HOSPITALS

Hospitals.

For construction and repair of hospitals at military posts already established and occupied, including all expenditures for construction and repairs required at the Army and Navy Hospital at Hot Springs, Arkansas, and for the construction and repair of general hospitals and expenses incident thereto, and for additions needed to meet the requirements of increased garrisons, and for temporary hospitals in standing camps and cantonments; for the alteration of permanent buildings at posts for use as hospitals, construction and repair of temporary hospital buildings at permanent posts, construction and repair of temporary general hospitals, rental or purchase of grounds, and rental and alteration of buildings for use for hospital purposes in the District of Columbia and elsewhere, including necessary temporary quarters for hospital personnel, outbuildings, heating and laundry apparatus, plumbing, water and sewers, and electric work, cooking apparatus, and roads and walks for the same, $494,709.

Construction, repair, etc.

Temporary hospitals, etc.

ACQUISITION OF LAND

For the acquisition of land in the vicinity of West Point, New York, as authorized by the Act approved March 3, 1931 (46 Stat. 1491), or, in lieu thereof, for such extensions and alterations as may be necessary in the existing pipe line and intake employed in supplying water to the United States Military Academy, $431,000, to remain available until expended: *Provided*, That no obligation to acquire any parcel of land shall be incurred until the Comptroller General shall have approved the proposed purchase price as being reasonable.

West Point, N. Y.
Additional land, etc.

Vol. 46, p. 1491.

Proviso.
Approval by Comptroller General.

Signal Corps.

SIGNAL CORPS

Signal Service.

SIGNAL SERVICE OF THE ARMY

Telegraph and telephone systems.
Purchase, operation, etc.

Telegraph and telephone systems: Purchase, equipment, operation, and repair of military telegraph, telephone, radio, cable, and signaling systems; signal equipment and stores, heliographs, signal lanterns, flags, and other necessary instruments; wind vanes, barometers, anemometers, thermometers, and other meteorological instruments; photographic and cinematographic work performed for the Army by the Signal Corps; motorcycles, motor-driven and other vehicles for technical and official purposes in connection with the construction, operation, and maintenance of communication or signaling systems, and supplies for their operation and maintenance; professional and scientific books of reference, pamphlets, periodicals, newspapers, and maps for use of the Signal Corps and in the office of the Chief Signal Officer; telephone apparatus, including rental and payment for commercial, exchange, message, trunk-line, long-distance, and leased-line telephone service at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, excepting the local telephone service for the various bureaus of the War Department in the District of Columbia, and toll messages pertaining to the office of the Secretary of War; electric time service; the rental of commercial telegraph lines and equipment, and their operation at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, including payment for official individual telegraph messages transmitted over commercial lines; electrical installations and maintenance thereof at military posts, cantonments, camps, and stations of the Army, fire control, and direction apparatus, and material for Field Artillery; salaries of civilian employees, including those necessary as instructors at vocational schools; supplies, general repairs, reserve supplies, and other expenses connected with the collecting and transmitting of information for the Army by telegraph or otherwise; experimental investigation, research, purchase, and development, or improvements in apparatus, and maintenance of signaling and accessories thereto, including patent rights and other rights thereto, including machines, instruments, and other equipment for laboratory and repair purposes; lease, alteration, and repair of such buildings required for storing or guarding Signal Corps supplies, equipment, and personnel when not otherwise provided for, including the land therefor, the introduction of water, electric light and power, sewerage, grading, roads and walks, and other equipment required, $5,301,806.

Exceptions.

Electrical installations, etc.

Civilian employees.

Experimental investigation, etc.

Air Corps.

AIR CORPS

AIR CORPS, ARMY

Designated purposes.

For creating, maintaining, and operating at established flying schools and balloon schools courses of instruction for officers, students, and enlisted men, including cost of equipment and supplies necessary for instruction, purchase of tools, equipment, materials, machines, textbooks, books of reference, scientific and professional papers, instruments, and materials for theoretical and practical instruction; for maintenance, repair, storage, and operation of airships, war balloons, and other aerial machines, including instruments, materials, gas plants, hangars, and repair shops, and appliances of every sort

Aircraft operation, etc.

and description necessary for the operation, construction, or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith and the establishment of landing and take-off runways; for purchase of supplies for securing, developing, printing, and reproducing photographs in connection with aerial photography; improvement, equipment, maintenance, and operation of plants for testing and experimental work, and procuring and introducing water, electric light and power, gas, and sewerage, including maintenance, operation, and repair of such utilities at such plants; for the procurement of helium gas; for travel of officers of the Air Corps by air in connection with the administration of this appropriation, including the transportation of new aircraft from factory to first destination; salaries and wages of civilian employees as may be necessary; transportation of materials in connection with consolidation of Air Corps activities; experimental investigations and purchase and development of new types of airplanes, autogyros, and balloons, accessories thereto, and aviation engines, including plans, drawings, and specifications thereof, and the purchase of letters patent, applications for letters patent, and licenses under letters patent and applications for letters patent; for the purchase, manufacture, and construction of airplanes and balloons, including instruments and appliances of every sort and description necessary for the operation, construction (airplanes and balloons), or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith; for the marking of military airways where the purchase of land is not involved; for the purchase, manufacture, and issue of special clothing, wearing apparel, and similar equipment for aviation purposes; for all necessary expenses connected with the sale or disposal of surplus or obsolete aeronautical equipment, and the rental of buildings, and other facilities for the handling or storage of such equipment; for the services of not more than four consulting engineers at experimental stations of the Air Corps as the Secretary of War may deem necessary, at rates of pay to be fixed by him not to exceed $50 a day for not exceeding fifty days each and necessary traveling expenses; purchase of special apparatus and appliances, repairs, and replacements of same used in connection with special scientific medical research in the Air Corps; for maintenance and operation of such Air Corps printing plants outside of the District of Columbia as may be authorized in accordance with law; for publications, station libraries, special furniture, supplies and equipment for offices, shops, and laboratories; for special services, including the salvaging of wrecked aircraft; for settlement of claims (not exceeding $250 each) for damage to persons and private property resulting from the operation of aircraft at home and abroad when each claim is substantiated by a survey report of a board of officers appointed by the commanding officer of the nearest aviation post and approved by the Chief of Air Corps and the Secretary of War, $59,397,714: *Provided*, That $10,000 shall be transferred to and made available to the Bureau of Mines on July 1, 1936, for supplying helium; and not less than $41,055,925 (including $7,686,753 for the payment of obligations incurred under the contract authorization for these purposes carried in the War Department Appropriation Act for the fiscal year 1936), shall be expended for the production or purchase of new airplanes and their equipment and accessories, of which $29,322,602 shall be available exclusively for combat airplanes, their equipment and accessories: *Provided further*, That in addition to the amounts herein provided for the

Landing, etc., runways.

Helium gas.

Civilian employees.

Purchase, construction, etc., of aircraft.

Marking military airways.

Consulting engineers.

Printing plants, etc.

Settlement of claims.

Provisos.
Helium.
Post, p. 1790.

New airplanes.
Ante, p. 134.

Contracts authorized.

procurement of new airplanes and for the procurement of equipment, spare parts, and accessories for airplanes, the Chief of the Air Corps, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1937, for the procurement of new airplanes and for the procurement of equipment, spare parts, and accessories for airplanes to an amount not in excess of $10,669,786, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof: *Provided further*, That no part of this or any other appropriation contained in this Act shall be available for any expense incident to the use of Crissy Field, California, as an air station: *Provided further*, That no available appropriation shall be used upon lighter-than-air craft, other than balloons, not in condition for safe operation on June 30, 1936, or that may become in such condition prior to July 1, 1937: *Provided further*, That the sum of $30,000 of the appropriation for Air Corps, Army, fiscal year 1933, and the sum of $450,000 of the appropriation for Air Corps, Army, fiscal year 1934, shall remain available until June 30, 1937, for the payment of obligations incurred under contracts executed prior to July 1, 1934.

Crissy Field, Calif.
Restriction on expenditures incident to use of.

Unsafe lighter-than-air craft, restriction.

Sums available for incurred obligations.
Vol. 47, pp. 676, 1582.

Little Rock, Ark.
Conveyance of certain land to, for public purposes.

That the Secretary of War is hereby authorized and directed to convey to the city of Little Rock, Arkansas, a municipal corporation of the State of Arkansas, the land described in section 2 hereof, subject to the following conditions:

Conditions.

(1) Said property shall be at all times utilized only by the municipality for public purposes, except what is known as building numbered 19 thereon covered by existing lease and any building erected with the consent of the city of Little Rock, Arkansas, on the site of hangar numbered 1.

Federal use in emergency.

(2) In time of national emergency, upon request of the Secretary of War, the municipality shall turn over complete control and operation of the entire Little Rock Municipal Airport and the property thereon, without rental or other charge, to the United States of America, for such use and for such length of time as the emergency shall require, in the discretion of the Secretary of War.

Use of airport.

(3) That the said municipality shall at all times furnish free use of the said Little Rock Municipal Airport to all Army and Navy aircraft, together with such hangar and necessary service facilities as are available at said airport.

Airport field, hangar, etc.

(4) That the said municipality shall furnish free use of the airport field and the squadron hangar now located thereon to the One Hundred and Fifty-fourth Observation Squadron, Arkansas National Guard, or its successor as designated by the War Department, and that the said squadron during periods of intensive training under direction of the War Department, shall have right-of-way or priority in the use of the said field, and that the municipality shall continue to extend to the squadron the same free services of said field as are now extended to the squadron, including free use of the lighting system for night flights.

Improvements.

(5) The municipality shall annually expend in new and additional improvements to the airport an amount equal to the amount now paid the United States of America as rental.

Description.

SEC. 2. The land authorized to be conveyed by the Secretary of War under section 1 hereof is described as follows:

Beginning at an iron pin marking the southwest corner of the east half of the northeast quarter section 12, township 1 north, range 12 west fifth principal meridian; thence

(1) South eighty-four degrees forty-five minutes west along the east and west half-section line of said section, said line also being

Description—Contd.

the center line of Seventeenth Street, a distance of one thousand two hundred and forty-one and sixty-five one-hundredths feet to a point in the easterly right-of-way line of the Missouri Pacific Railroad; thence

(2) North thirty-four degrees fifty-six minutes west along said right-of-way line, a distance of one thousand five hundred and forty-eight and seventy-eight one-hundredths feet to a point in the center line of Thirteenth Street; thence

Along the center line of Thirteenth Street, the following three courses:

(3) North eighty-four degrees forty-six minutes east a distance of nine hundred and forty-one and four one-hundredths feet to a point;

(4) South eighty-four degrees twenty-one minutes east a distance of one hundred and seventy-nine and no hundredths feet to a point;

(5) North eighty-four degrees fifty-four minutes east a distance of eight hundred and eighty-four and thirty one-hundredths feet to a point in the center line of the Harrington Avenue, said center line also being the west line of the east half of the northeast quarter of said section 12; thence

(6) North five degrees thirty-six minutes west along said center line, a distance of one thousand and fifty-eight and eighty one-hundredths feet to a point; said point being two hundred and eighty-six and no hundredths feet from a stone monument marking the northwest corner of the east half of the northeast quarter of said section 12; thence

(7) North thirty-seven degrees thirty-five minutes east a distance of three hundred and ninety-one and sixty one-hundredths feet to a point in the north line of said section 12, distant two hundred and sixty-eight and no hundredths feet from said stone monument; thence

(8) North eighty-four degrees thirty-two minutes east along the north line of section 12, a distance of eight hundred and forty-three and eighty-five one-hundredths feet to an iron pin, said pin being two hundred and eleven and no hundredths feet from a stone monument in the northeast corner of said section 12; thence

(9) South five degrees thirty-one minutes east, a distance of two thousand six hundred and fifty-seven and seventy one-hundredths feet to an iron pin, said pin being two hundred and eleven and no hundredths feet from an iron pin in the southeast corner of the east half of the northeast quarter of section 12; thence

(10) South eighty-four degrees forty-two minutes west along the east and west half-section line of said section 12, said line also being the center line of Seventeenth Street, a distance of nine hundred and thirty-five and eighty one-hundredths feet to a point; thence

(11) North five degrees thirty-six minutes west a distance of seventy-five and ten one-hundredths feet to a point; thence

(12) South eighty-four degrees forty-two minutes west, a distance of one hundred and seventy-two and twenty one-hundredths feet to a point; thence

(13) South five degrees thirty-six minutes east, a distance of seventy-five and ten one-hundredths feet to the point of beginning.

Containing, in all, an area of one hundred and fifteen and eight-hundred-and-four one-thousandths acres, more or less, all as shown on map numbered 6490–101, entitled "Reservation Boundary Little Rock, A. I. D., Little Rock, Ark.", dated March 1928, and filed in the office of the Quartermaster General, Washington, District of Columbia.

Medical Department.

MEDICAL DEPARTMENT

ARMY

MEDICAL AND HOSPITAL DEPARTMENT

Supplies.

For the manufacture and purchase of medical and hospital supplies, including disinfectants, for military posts, camps, hospitals, hospital ships and transports, for laundry work for enlisted men and Army nurses while patients in a hospital, and supplies required for mosquito destruction in and about military posts in the Canal Zone; for the purchase of veterinary supplies and hire of veterinary surgeons; for expenses of medical supply depots; for medical care and treatment of patients, including supernumeraries, not otherwise provided for, including care and subsistence in private hospitals of officers, enlisted men, and civilian employees of the Army, of applicants for enlistment, and of prisoners of war and other persons in military custody or confinement, when entitled thereto by law, regulation, or contract: *Provided*, That this shall not apply to officers and enlisted men who are treated in private hospitals or by civilian physicians while on furlough; for the proper care and treatment of epidemic and contagious diseases in the Army or at Military posts or stations, including measures to prevent the spread thereof, and the payment of reasonable damages not otherwise provided for for bedding and clothing injured or destroyed in such prevention; for the care of insane Filipino soldiers in conformity with the Act of Congress approved May 11, 1908 (U. S. C., title 24, sec. 198); for the pay of male and female nurses, not including the Army Nurse Corps, and of cooks and other civilians employed for the proper care of sick officers and soldiers, under such regulations fixing their number, qualifications, assignments, pay, and allowances as shall have been or shall be prescribed by the Secretary of War; for the pay of civilian physicians employed to examine physically applicants for enlistment and enlisted men and to render other professional services from time to time under proper authority; for the pay of other employees of the Medical Department; for the payment of express companies and local transfers employed directly by the Medical Department for the transportation of medical and hospital supplies, including bidders' samples and water for analysis; for supplies for use in teaching the art of cooking to the enlisted force of the Medical Department; for the supply of Army and Navy Hospital at Hot Springs, Arkansas; for advertising, laundry, and all other necessary miscellaneous expenses of the Medical Department, $1,478,323.

Private treatment.

Proviso.
Not applicable, if on furlough.

Contagious, etc., diseases, expenses.

Insane Filipino soldiers.
Vol. 35, p. 122; Vol. 39, p. 309; U. S. C., p. 988.

Nurses.

Civilian physicians.

Transporting supplies, etc.

Hot Springs, Ark., hospital.

Canal Zone garrisons.

HOSPITAL CARE, CANAL ZONE GARRISONS

Care of troops.

For paying the Panama Canal such reasonable charges, exclusive of subsistence, as may be approved by the Secretary of War for caring in its hospitals for officers, enlisted men, military prisoners, and civilian employees of the Army admitted thereto upon the request of proper military authority, $50,000: *Provided*, That the subsistence of the said patients, except commissioned officers, shall be paid to said hospitals out of the appropriation for subsistence of the Army at the rates provided therein for commutation of rations for enlisted patients in general hospitals.

Proviso.
Subsistence payments.

Army Medical Museum.

ARMY MEDICAL MUSEUM

Preservation, etc., of specimens.

For the procurement, preparation, and preservation of specimens and the purchase of technical supplies and equipment, $10,000.

CORPS OF ENGINEERS

Engineer Corps.

ENGINEER SERVICE, ARMY

For the design, development, procurement, maintenance, alteration, repair, installation, storage, and issue of engineer equipment, instruments, appliances, supplies, materials, tools, and machinery required in the equipment and training of troops and in military operations, including military surveys and the Engineer School; for the operation and maintenance of the Engineer School, including (a) compensation of civilian lecturers, and (b) purchase and binding of scientific and professional books, pamphlets, papers, and periodicals; for the procurement, preparation, and reproduction of maps and similar data for military purposes; for expenses incident to the Engineer service in military operations, including military surveys, and including (a) research and development of improved methods in such operations, (b) the rental of storehouses and grounds within and outside the District of Columbia, and (c) repair and alteration of buildings; for heat, light, power, water, and communication service, not otherwise provided for; and for the compensation of employees required in these activities, $536,427.

Equipment, instruments, etc.

Engineer School, maintenance, etc.

Maps, surveys, etc.

Rent.

Operating, etc., expenses.

ORDNANCE DEPARTMENT

Ordnance Department.

ORDNANCE SERVICE AND SUPPLIES, ARMY

Ordnance service and supplies.

For manufacture, procurement, storage, and issue, including research, planning, design, development, inspection, test, alteration, maintenance, repair, and handling of ordnance material together with the machinery, supplies, and services necessary thereto; for supplies and services in connection with the general work of the Ordnance Department, comprising police and office duties, rents, tolls, fuel, light, water, advertising, stationery, typewriting and computing machines, including their exchange, and furniture, tools, and instruments of service; to provide for training and other incidental expenses of the ordnance service; for instruction purposes, other than tuition; for the purchase, completely equipped, of trucks, and for maintenance, repair, and operation of motor-propelled and horse-drawn freight and passenger-carrying vehicles; for ammunition for military salutes at Government establishments and institutions to which the issues of arms for salutes are authorized; for services, material, tools, and appliances for operation of the testing machines and chemical laboratory in connection therewith; for the development and procurement of gages, dies, jigs, and other special aids and appliances, including specifications and detailed drawings, to carry out the purpose of section 123 of the National Defense Act, as amended (U. S. C., title 50, sec. 78); for publications for libraries of the Ordnance Department, including the Ordnance Office, including subscriptions to periodicals; for services of not more than four consulting engineers as the Secretary of War may deem necessary, at rates of pay to be fixed by him not to exceed $50 per day for not exceeding fifty days each, and for their necessary traveling expenses, $16,196,370.

Manufacture, issue, etc.

Current expenses.

Vehicles.

Ammunition for military salutes.

Gages, dies, and jigs.

Vol. 39, p. 215; U. S. C., p. 2264.

Publications.

Consulting engineers.

ROCK ISLAND BRIDGE, ROCK ISLAND, ILLINOIS

Rock Island, Ill.

For operating, repair, and preservation of Rock Island bridges and viaduct, and maintenance and repair of the arsenal street connecting the bridges, $32,835.

Operating bridges, etc.

Arsenals.

REPAIRS OF ARSENALS

Repairs, etc.

For repairs and improvements of ordnance establishments, and to meet such unforeseen expenditures as accidents or other contingencies may require, $936,184.

Chemical Warfare Service.

CHEMICAL WARFARE SERVICE

Purchase, manufacture, etc., of gases.

For purchase, manufacture, and test of chemical warfare gases or other toxic substances, gas masks, or other offensive or defensive materials or appliances required for gas-warfare purposes; investigations, research, design, experimentation, and operation, purchase of chemicals, special scientific and technical apparatus and instruments, including services connected therewith; for the payment of part-time or intermittent employment of such scientists and technicists as may be contracted for by the Secretary of War, in his discretion, at a rate of pay not exceeding $20 per diem for any person so employed; for the purchase, maintenance, repair, and operation of freight- and passenger-carrying motor vehicles; construction, maintenance, and repair of plants, buildings, and equipment, and the machinery therefor; receiving, storing, and issuing of supplies, comprising police and office duties, rents, tolls, fuels, gasoline, lubricants, paints and oils, rope and cordage, light, water advertising, stationery, typewriting and adding machines including their exchange, office furniture, tools, and instruments; for incidental expenses; for civilian employees; for libraries of the Chemical Warfare Service and subscriptions to periodicals; for expenses incidental to the organization, training, and equipment of special gas troops not otherwise provided for, including the training of the Army in chemical warfare, both offensive and defensive, together with the necessary schools, tactical demonstrations, and maneuvers; for current expenses of chemical projectile filling plants and proving grounds, including construction and maintenance of rail transportation, repairs, alterations, accessories, building and repairing butts and targets, clearing and grading ranges, $1,483,608.

Part-time employment of scientists, etc.

Vehicles.

Plants, buildings, machinery, etc.

Civilian employees.

Special gas troops; organization, training, etc.

Current expenses.

Chief of Infantry.

CHIEF OF INFANTRY

Infantry School, Fort Benning, Ga.

INFANTRY SCHOOL, FORT BENNING, GEORGIA

Instruction expenses.

For the procurement of books, publications, instruments, and materials, and other necessary expenses for instruction at the Infantry School, and for pay of employees at the Infantry School and in the office of the Chief of Infantry, $63,830.

Chief of Cavalry.

CHIEF OF CAVALRY

Cavalry School, Fort Riley, Kans.

CAVALRY SCHOOL, FORT RILEY, KANSAS

Instruction expenses.

For the purchase of textbooks, books of reference, scientific and professional papers, instruments, and materials for instruction; employment of temporary, technical, special, and clerical services; and for other necessary expenses of instruction at the Cavalry School, Fort Riley, Kansas, $23,755.

Chief of Field Artillery.

CHIEF OF FIELD ARTILLERY

Field Artillery activities.

INSTRUCTION IN FIELD ARTILLERY ACTIVITIES

Instruction expenses.

For the pay of employees; the purchase of books, pamphlets, periodicals, and newspapers; procurement of supplies, materials, and equipment for instruction purposes; and other expenses necessary in the operation of the Field Artillery School of the Army, and for the instruction of the Army in Field Artillery activities, $27,191.

CHIEF OF COAST ARTILLERY

Chief of Coast Artillery.

COAST ARTILLERY SCHOOL, FORT MONROE, VIRGINIA

Coast Artillery School, Fort Monroe, Va.

Instruction expenses.

For purchase of engines, generators, motors, machines, measuring and nautical instruments, special apparatus, and materials for experimental purposes for the engineering and artillery and military art departments and enlisted specialists division; for purchase and binding of professional books treating of military and scientific subjects for library, for use of school, and for temporary use in coast defense; for incidental expenses of the school, including chemicals, stationery, printing and binding; hardware; materials; cost of special instruction of officers detailed as instructors; employment of temporary, technical, or special services; for office furniture and fixtures; for machinery; for maintenance, operation, and repair of motor trucks; and unforeseen expenses; in all, $28,000.

Printing and binding.

SEACOAST DEFENSES

Seacoast defenses.

All expenses.

For all expenses incident to the preparation of plans and the construction, purchase, installation, equipment, maintenance, repair, and operation of fortifications and other works of defense, and their accessories, including personal services, ammunition storage, maintenance of channels to submarine-mine wharves, purchase of lands and rights-of-way as authorized by law, and experimental, test, and development work, as follows:

United States, $3,915,591, of which not less than $3,150,973 shall be available exclusively toward improving the harbor defenses of the Pacific coast of continental United States;

Insular departments, $3,379,511, of which not less than $3,141,780 shall be available exclusively toward defense projects in the Hawaiian department;

Panama Canal, $1,223,892;

In all, $8,518,994.

UNITED STATES MILITARY ACADEMY

Military Academy.

PAY OF MILITARY ACADEMY

Pay.

Cadets.

Cadets: For pay of cadets, $1,375,920: *Provided*, That during the fiscal year ending June 30, 1937, no officer of the Army shall be entitled to receive any increase in pay or allowances because of detail or assignment to duty in any capacity at the Military Academy: *Provided*, That the duties of librarian of the United States Military Academy may be performed by an officer of the Regular Army retired from active service under the provisions of section 1251, Revised Statutes, and detailed on active duty for that purpose.

Provisos.

Army detail, pay restriction.

Retired Army officer as librarian.

R. S., sec. 1251, p. 218. U. S. C., p. 274.

Civilians: For pay of employees, $301,350.

Civilians.

MAINTENANCE AND OPERATION, UNITED STATES MILITARY ACADEMY

Maintenance, etc.

Designated expenses.

For text and reference books for instruction; increase and expense of library (not exceeding $6,000); office equipment and supplies; stationery, blank books, forms, printing and binding, and periodicals; diplomas for graduates; expense of lectures; apparatus, equipment, supplies, and materials for purpose of instruction and athletics, and maintenance and repair thereof; musical instruments and maintenance of band; care and maintenance of organ; equipment for cadet mess; postage, telephones, and telegrams; freight and expressage; for commutation of rations for cadets in lieu of the regular established ration; maintenance of children's school (not exceeding $12,200); contingencies for superintendent of the academy, to be

Board of Visitors.

expended in his discretion (not to exceed $4,000); expenses of the members of the Board of Visitors (not exceeding $1,500); contingent fund, to be expended under the direction of the Academic Board (not exceeding $500); improvement, repair, and maintenance of buildings and grounds (including roads, walls, and fences); shooting galleries and ranges; cooking, heating, and lighting apparatus and fixtures and operation and maintenance thereof; maintenance of water, sewer, and plumbing systems; maintenance of and repairs to cadet camp; fire-extinguishing apparatus; machinery and tools and repairs of same; maintenance, repair, and operation of motor-propelled vehicles; policing buildings and grounds; furniture, refrigerators, and lockers for Government-owned buildings at the academy and repair and maintenance thereof; fuel for heat, light, and power; and other necessary incidental expenses in the discretion of the superintendent; in all, $1,414,834: *Provided*, That not to exceed $3,750 of this amount shall be available to liquidate the indebtedness of cadets separated from the service for any reason during their first year, who at the time of their separation are in debt to the cadet store.

Proviso.
Liquidating certain debts to cadet store.

National Guard.

NATIONAL GUARD

Arming, etc.

ARMING, EQUIPPING, AND TRAINING THE NATIONAL GUARD

Forage, etc.

For procurement of forage, bedding, and so forth, for animals used by the National Guard, $512,366.

Care of animals, materials, etc.

For compensation of help for care of materials, animals, and equipment, $2,705,012.

Instruction expenses.

For expenses, camps of instruction, field and supplemental training, and including medical and hospital treatment authorized by law, and the hire (at a rate not to exceed $1 per diem), repair, maintenance, and operation of motor-propelled passenger-carrying vehicles, $8,609,071.

Service schools, instruction, etc.

For expenses, selected officers and enlisted men, military service schools, including medical and hospital treatment authorized by law, $440,209.

Property and disbursing officers.

For pay of property and disbursing officers for the United States, $81,300.

Equipment, etc.

For general expenses, equipment, and instruction, National Guard, including medical and hospital treatment authorized by law, and the hire (at a rate not to exceed $1 per diem), repair, maintenance, and operation of motor-propelled passenger- and non-passenger-carrying vehicles, $828,442.

Travel, Army officers, etc.

For travel of officers, warrant officers, and enlisted men of the Regular Army in connection with the National Guard, $248,500: *Provided*, That not to exceed $2,000 of this sum shall be expended for travel of officers of the War Department General Staff in connection with the National Guard.

Proviso.
War Department General Staff.

Transporting supplies, etc.

For transportation of equipment and supplies, $195,000.

Army enlisted men, details.

For expenses of enlisted men of the Regular Army on duty with the National Guard, including allowances for quarters and the hiring of quarters in kind, $245,688.

Pay, armory drills.

For pay of National Guard (armory drills), $13,955,653.

No pay to National Guard officer, etc., drawing pension.

No part of the appropriations made in this Act shall be available for pay, allowances, or traveling or other expenses of any officer or enlisted man of the National Guard who may be drawing a pension, disability allowance, disability compensation, or retired pay (where retirement has been made on account of physical disability or age) from the Government of the United States: *Provided*, That nothing in this provision shall be so construed as to prevent the application of funds herein contained to the pay, allowances, or traveling expenses

Provisos.
Provisions waived if pension surrendered.

of any officer or enlisted man of the National Guard who may surrender said pension, disability allowance, disability compensation, or retired pay for the period of his service in the National Guard: *Provided further*, That adjutants general who may be drawing such emoluments may be continued in a federally recognized status without pay under this Act.

Adjutants general continued in present status without pay.

ARMS, UNIFORMS, EQUIPMENT, AND SO FORTH, FOR FIELD SERVICE, NATIONAL GUARD

Field service.

To procure by purchase or manufacture and issue from time to time to the National Guard, upon requisition of the governors of the several States and Territories or the commanding general, National Guard of the District of Columbia, such military equipment and stores of all kinds and reserve supply thereof as are necessary to arm, uniform, and equip for field service the National Guard of the several States, Territories, and the District of Columbia, including motor trucks, field ambulances, and station wagons and to repair such of the aforementioned articles of equipage and military stores as are or may become damaged when, under regulations prescribed by the Secretary of War, such repair may be determined to be an economical measure and as necessary for their proper preservation and use, $10,034,915, of which $500,000 shall be available exclusively for defraying the cost of increasing the strength of the National Guard from approximately one hundred and ninety-five thousand to not exceeding an average of two hundred thousand officers and men, and all of the sums appropriated in this Act on account of the National Guard shall be accounted for as one fund and of the total of such sums $1,500,000 shall be available immediately: *Provided*, That specifications for motor vehicles, which shall be so drawn as to admit of competition, shall to the extent otherwise practicable conform with the requirements of the National Guard: *Provided further*, That the value of issues made to any State, Territory, or the District of Columbia to replace property surveyed in accordance with section 87, National Defense Act of June 3, 1916, as amended, shall not be charged to the apportionments required by section 67 of that Act, but no such replacement issue shall be made in excess of receipts theretofore collected and covered into the Treasury as miscellaneous receipts pursuant to said section 87, as amended, and section 4 (a) and (b) (22) of the Permanent Appropriation Repeal Act of June 26, 1934: *Provided further*, That the Secretary of War is hereby authorized to issue surplus or reserve stores and material on hand and purchased for the United States Army such articles of clothing and equipment and Field Artillery, Engineer, and Signal material and ammunition as may be needed by the National Guard organized under the provision of the Act entitled "An Act for making further and more effectual provision for the national defense, and for other purposes", approved June 3, 1916 (U. S. C., title 32, sec. 21), as amended. This issue shall be made without charge against National Guard appropriations except for actual expenses incident to such issue.

Procuring arms and equipment.
Requisitions from governors, etc.

Motor trucks, field ambulances, etc.

Increase in enlisted strength.

Accounting.

Provisos.
Specifications of motor vehicles.

Replacement of damaged property.
Vol. 39, p. 204; Vol. 43, p. 1077.
U. S. C., p. 1433.
Vol. 39, p. 199; Vol. 42, p. 1034.
U. S. C., p. 1431.

Vol. 48, p. 1227; U. S. C., p. 1412.

Clothing, equipment, etc., from Army surplus stores.

Vol. 39, p. 199; Vol. 45, p. 406.
U. S. C., p. 1431.

Issue without charge against fund.

No appropriation contained in this Act shall be available for any expense for or on account of a larger number of mounted units and wagon companies of the National Guard than were in existence on June 30, 1932: *Provided*, That officers, warrant officers, and enlisted men of the National Guard and Organized Reserves, who, under regulations prescribed by the Secretary of War, volunteer to participate without pay as competitors or range officers in the national matches to be held during the fiscal year 1937, may attend such matches without pay, notwithstanding any provision of law to the

No increase of mounted units, etc.

Provisos.
Participation in National Rifle Matches.

Travel and subsistence.

contrary, but shall be entitled to travel and subsistence allowances at the same rates as are provided for civilians who attend and participate in said matches, but this proviso shall not operate to prohibit the pay of such competitors or range officers, provided funds for such payment are available from the appropriation "Promotion of rifle practice, 1937," nor shall any provision in this Act operate to deprive a reserve officer ordered to active duty incident to the national matches of pay for the full period of such active duty, provided funds for such payment are available from the appropriation "Promotion of rifle practice, 1937": *Provided further*, That officers, warrant officers, and enlisted men of the National Guard and Organized Reserves may be ordered to duty, with their consent, for the care, maintenance, and operation of the ranges used in the conduct of the national matches and such officers, warrant officers, and enlisted men while so engaged shall be entitled to the same pay, subsistence, and transportation as officers, warrant officers, and enlisted men of corresponding grades of the Regular Army are entitled by law, which expense shall be provided by the appropriation "Promotion of rifle practice"; and after being duly mustered may be paid for the period from the date of leaving home rendezvous to date of return thereto as determined in advance, both dates inclusive.

Post, p. 1304.

Caretakers of ranges.

Organized Reserves.

ORGANIZED RESERVES

Officers' Reserve Corps.

For pay and allowances of members of the Officers' Reserve Corps on active duty in accordance with law; mileage, reimbursement of actual traveling expenses, or per diem allowances in lieu thereof, as authorized by law: *Provided*, That the mileage allowance to members of the Officers' Reserve Corps when called into active service for training for fifteen days or less shall not exceed 4 cents per mile; pay, transportation, subsistence, clothing, and medical and hospital treatment of members of the Enlisted Reserve Corps; conducting correspondence or extension courses for instruction of members of the Reserve Corps, including necessary supplies, procurement of maps and textbooks, and transportation and traveling expenses of employees; purchase of training manuals, including Government publications and blank forms, subscriptions to magazines and periodicals of a professional or technical nature; establishment, maintenance, and operation of divisional and regimental headquarters and of camps for training of the Organized Reserves; for miscellaneous expenses incident to the administration of the Organized Reserves, including the maintenance and operation of motor-propelled passenger-carrying vehicles and purchase of fifteen such vehicles; for the actual and necessary expenses, or per diem in lieu thereof, at rates authorized by law, incurred by officers and enlisted men of the Regular Army traveling on duty in connection with the Organized Reserves, and for travel of dependents, and packing and transportation of baggage of such personnel; for expenses incident to the use, including upkeep and depreciation costs, of supplies, equipment, and matériel furnished in accordance with law from stocks under the control of the War Department, except that not to exceed $785,775 of this appropriation shall be available for expenditure by the Chief of the Air Corps for the production and purchase of new airplanes and their equipment, spare parts, and accessories; for transportation of baggage, including packing and crating, of reserve officers ordered to active duty for not less than six months; for the medical and hospital treatment of members of the Officers' Reserve Corps and of the Enlisted Reserve Corps, who suffer personal injury or contract disease in line of duty, as provided by the Act of April 26, 1928 (U. S. C., title 10, secs. 451,

Proviso.
Mileage allowance.

Enlisted Reserve Corps.

Correspondence, etc., courses.

Training manuals.

Headquarters and training camps.

Vehicles.

Travel, etc., expenses.

Maintenance of supplies.

New airplanes.

Baggage transportation.

Medical and hospital treatment.

Vol. 45, p. 461.
U. S. C., p. 252.

455), and for such other purposes in connection therewith as are authorized by the said Act, including pay and allowances, subsistence, transportation, and burial expenses; in all, $8,574,195; and no part of such total sum shall be available for any expense incident to giving flight training to any officer of the Officers' Reserve Corps unless he shall be found physically and professionally qualified to perform aviation service as an aviation pilot, by such agency as the Secretary of War may designate: *Provided*, That not to exceed $100,000 of this appropriation may be used for establishment and maintenance of divisional and regimental headquarters.

Flight training restrictions.

Proviso. Divisional, etc., headquarters.

None of the funds appropriated elsewhere in this Act, except for printing and binding, field exercises, and for pay and allowances of officers and enlisted men of the Regular Army, and for mileage, reimbursement of actual traveling expenses, or per diem allowances in lieu thereof, as authorized by law, to Air Corps reserve officers on extended active duty, shall be used for expenses in connection with the Organized Reserves, but available supplies and existing facilities at military posts shall be utilized to the fullest extent possible.

Restriction on use of other funds.

Use of available supplies, etc.

No appropriation made in this Act shall be available for pay, allowances, or traveling or other expenses of any officer of the Organized Reserves who may be drawing a pension, disability allowance, disability compensation, or retired pay from the Government of the United States: *Provided*, That nothing in this provision shall be so construed as to prevent the application of funds herein contained to the pay, allowances, or traveling expenses of any officer or enlisted man of the Reserve Corps who may surrender said pension, disability allowance, disability compensation, or retired pay for the period of his active duty in the Reserve Corps.

No pay to officer drawing pension, etc.

Proviso. Provision waived if pension, etc., surrendered.

No appropriation made in this Act shall be expended for the pay of a reserve officer on active duty for a longer period than fifteen days, except such as may be detailed for duty with the War Department General Staff under section 3a and section 5 (b) of the Army Reorganization Act approved June 4, 1920 (U. S. C., title 10, secs. 26, 37), or who may be detailed for courses of instruction at the general or special service schools of the Army, for duty as instructors at civilian military training camps, appropriated for in this Act, or for duty with tactical units of the Air Corps, as provided in section 37a of the Army Reorganization Act approved June 4, 1920 (U. S. C., title 10, sec. 369), or who may be detailed to active duty with the Regular Army under the provisions of Public Law Numbered 408, first session, Seventy-fourth Congress: *Provided*, That the pay and allowances of such additional officers and nurses of the Medical Reserve Corps as are required to supplement the like officers and nurses of the Regular Army in the care of beneficiaries of the United States Veterans' Administration treated in Army hospitals may be paid from the funds allotted to the War Department by that administration under existing law.

Reserve officer on active duty; pay restriction.

General Staff detail excepted. Vol. 41, p. 760. U. S. C., p. 231.

Other details.

Air Corps. Vol. 41, p. 776; U. S. C., p. 249.

Ante, p. 1028.

Proviso. Medical Reserve Corps for Veterans' Administration patients in Army hospitals.

CITIZENS' MILITARY TRAINING

Citizens' Military Training.

RESERVE OFFICERS' TRAINING CORPS

Reserve Officers' Training Corps.

Quartermaster supplies for units of.

For the procurement, maintenance, and issue, under such regulations as may be prescribed by the Secretary of War, to institutions at which one or more units of the Reserve Officers' Training Corps are maintained, of such public animals, means of transportation, supplies, tentage, equipment, and uniforms as he may deem necessary, including cleaning and laundering of uniforms and clothing at camps; and to forage, at the expense of the United States, public

animals so issued, and to pay commutation in lieu of uniforms at a rate to be fixed annually by the Secretary of War; for transporting said animals and other authorized supplies and equipment from place of issue to the several institutions and training camps and return of same to place of issue when necessary; for purchase of training manuals, including Government publications and blank forms; for the establishment and maintenance of camps for the further practical instruction of the members of the Reserve Officers' Training Corps, and for transporting members of such corps to and from such camps, and to subsist them while traveling to and from such camps and while remaining therein so far as appropriations will permit, or, in lieu of transporting them to and from such camps and subsisting them while en route, to pay them travel allowance at the rate of 5 cents per mile for the distance by the shortest usually traveled route from the places from which they are authorized to proceed to the camp and for the return travel thereto, and to pay the return travel pay in advance of the actual performance of the travel; for expenses incident to the use, including upkeep and depreciation costs, of supplies, equipment, and matériel furnished in accordance with law from stocks under the control of the War Department; for pay for students attending advanced camps at the rate prescribed for soldiers of the seventh grade of the Regular Army; for the payment of commutation of subsistence to members of the senior division of the Reserve Officers' Training Corps, at a rate not exceeding the cost of the garrison ration prescribed for the Army, as authorized in the Act approved June 3, 1916, as amended by the Act approved June 4, 1920 (U. S. C., title 10, sec. 387); for medical and hospital treatment until return to their homes and further medical treatment after arrival at their homes, subsistence during hospitalization and until furnished transportation to their homes, and transportation when fit for travel to their homes of members of the Reserve Officers' Training Corps who suffer personal injury or contract disease in line of duty while en route to or from and while at camps of instruction under the provisions of section 47a of the National Defense Act approved June 3, 1916 (U. S. C., title 10, sec. 441), as amended; and for the cost of preparation and transportation to their homes and burial expenses of the remains of members of the Reserve Officers' Training Corps who die while attending camps of instruction as provided in the Act approved April 26, 1928 (U. S. C., title 10, sec. 455); for mileage, traveling expenses, or transportation, for transportation of dependents, and for packing and transportation of baggage, as authorized by law, for officers, warrant officers, and enlisted men of the Regular Army traveling on duty pertaining to or on detail to or relief from duty with the Reserve Officers' Training Corps; for the purchase, maintenance, repair, and operation of motor vehicles, including station wagons, $4,585,846; of which $400,000 shall be available immediately: *Provided*, That the Secretary of War is authorized to issue, without charge, in lieu of purchase, for the use of the Reserve Officers' Training Corps, so many horses now belonging to the Regular Army as he may consider desirable: *Provided*, That uniforms and other equipment or material issued to the Reserve Officers' Training Corps in accordance with law shall be furnished from surplus or reserve stocks of the War Department without payment from this appropriation, except for actual expense incurred in the manufacture or issue: *Provided further*, That in no case shall the amount paid from this appropriation for uniforms, equipment, or material furnished to the Reserve Officers' Training Corps from stocks under the control of the War Department be in excess of the price current

Training camps.

Travel allowance.

Expenses for supplies.

Subsistence commutation, senior division members.

Vol. 39, p. 193; Vol. 41, p. 778. U. S. C., p. 250.

Medical treatment, in line of duty.

Vol. 41, p. 778. U. S. C., p. 251.

Burial expenses.

Vol. 45, p. 46; U. S. C., p. 252.

Transporting dependents, etc.

Vehicles.

Provisos

Issue of Army horses.

Uniforms, etc., from Army surplus stock.

Current price to govern.

at the time the issue is made: *Provided further*, That none of the funds appropriated in this Act shall be used for the organization or maintenance of an additional number of mounted, motor transport, or tank units in the Reserve Officers' Training Corps in excess of the number in existence on January 1, 1928: *Provided further*, That none of the funds appropriated in this Act shall be available for any expense on account of any student in Air Corps, Dental Corps, or Veterinary units not a member of such units on May 5, 1932, but such stoppage of further enrollments shall not interfere with the maintenance of existing units: *Provided further*, That none of the funds appropriated elsewhere in this Act, except for printing and binding and pay and allowances of officers and enlisted men of the Regular Army, shall be used for expenses in connection with the Reserve Officers' Training Corps.

Additional units forbidden.

No additional students in designated units.

Restriction on use of other funds.

MILITARY SUPPLIES AND EQUIPMENT FOR SCHOOLS AND COLLEGES

Schools and colleges.

For the procurement and issue as provided in section 55c of the Act approved June 4, 1920 (U. S. C., title 10, sec. 1180), and in section 1225, Revised Statutes, as amended, under such regulations as may be prescribed by the Secretary of War, to schools and colleges, other than those provided for in section 40 of the Act above referred to, of such arms, tentage, and equipment, and of ammunition, targets, and target materials, including the transporting of same, and the overhauling and repair of articles issued, as the Secretary of War shall deem necessary for proper military training in said schools and colleges, $8,900.

Military supplies and equipment.
Vol. 41, p. 780; U. S. C., p. 285.
R. S., sec. 1225, p. 216. U. S. C., p. 1579.

CITIZENS' MILITARY TRAINING CAMPS

Citizens' military training camps.

For furnishing, at the expense of the United States, to warrant officers, enlisted men, and civilians attending training camps maintained under the provisions of section 47d of the National Defense Act of June 3, 1916, as amended (U. S. C., title 10, sec. 442), uniforms, including altering, fitting, washing, and cleaning when necessary, subsistence, or subsistence allowances and transportation, or transportation allowances, as prescribed in said section 47d, as amended; for such expenditures as are authorized by said section 47d as may be necessary for the establishment and maintenance of said camps, including recruiting and advertising therefor, and the cost of maintenance, repair, and operation of passenger-carrying vehicles; for expenses incident to the use, including upkeep and depreciation costs, of supplies, equipment, and matériel furnished in accordance with law from stocks under the control of the War Department; for gymnasium and athletic supplies (not exceeding $20,000); for mileage, reimbursement of traveling expenses, or allowance in lieu thereof as authorized by law, for officers of the Regular Army and Organized Reserves, and for the travel expenses of enlisted men of the Regular Army, traveling on duty in connection with citizens' military training camps; for purchase of training manuals, including Government publications and blank forms; for medical and hospital treatment, subsistence, and transportation, in case of injury or disease contracted in line of duty, of members of the citizens' military training camps and for transportation and burial of remains of any such members who die while undergoing training or hospital treatment, as provided in the Act of April 26, 1928 (U. S. C., title 10, secs. 454, 455); in all, $2,275,000: *Provided*, That the funds herein appropriated shall not be used for the training of any person in the first year or lowest course, who shall have reached his twenty-fourth birthday before the date of enrollment: *Provided further*,

Uniforms, transportation expenses, etc.

Vol. 41, p. 779. U. S. C., p. 251.

Maintenance.

Medical and hospital treatment.

Burials.

Vol. 45, p. 461. U. S. C., p. 252.

Provisos.
Age limitation.

Restriction on use of other funds.

That none of the funds appropriated elsewhere in this Act except for printing and binding and for pay and allowances of officers and enlisted men of the Regular Army shall be used for expenses in connection with citizens' military training camps: *Provided further*,

Uniforms, etc., from Army surplus stocks.

That uniforms and other equipment or matériel furnished in accordance with law for use at citizens' military training camps shall be furnished from surplus or reserve stocks of the War Department without payment from this appropriation, except for actual expense

Current price to govern.

incurred in the manufacture or issue: *Provided further*, That in no case shall the amount paid from this appropriation for uniforms, equipment, or matériel furnished in accordance with law for use at citizens' military training camps from stocks under the control of the War Department be in excess of the price current at the time the issue is made.

Restriction on use of Army reserve supplies.

Under the authorizations contained in this Act no issues of reserve supplies or equipment shall be made where such issues would impair the reserves held by the War Department for two field armies or one million men.

Promotion of rifle practice.

NATIONAL BOARD FOR PROMOTION OF RIFLE PRACTICE, ARMY

Instruction expenses. *Post*, p. 1641.

Promotion of rifle practice: For construction, equipment, and maintenance of rifle ranges, the instruction of citizens in marksmanship, and promotion of practice in the use of rifled arms; for arms, ammunition, targets and other accessories for target practice, for issue and sale in accordance with rules and regulations prescribed by the National Board for the Promotion of Rifle Practice and approved by the Secretary of War; for clerical services, including not exceeding $25,000 in the District of Columbia; for procurement of materials, supplies, trophies, prizes, badges, and services, as authorized in section 113, Act of June 3, 1916, and in War Department Appropriation Act of June 7, 1924; for the conduct of the National Matches, including incidental travel, and for maintenance of the National Board for the Promotion of Rifle Practice, including not to exceed $7,500 for its incidental expenses as authorized by Act of May 28, 1928; to be expended under the direction of the Secretary of War, $545,726.

Supplies, etc.

Vol. 39, p. 211; Vol. 43, p. 510. U. S. C., p. 1443.

Vol. 45, p. 786; U. S. C., p. 1443.

No pay to officer, etc., using time-measuring device.

No part of the appropriations made in this Act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch, or other time-measuring device, a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this Act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant.

Cash rewards restricted.

Nonmilitary activities.

TITLE II—NONMILITARY ACTIVITIES OF THE WAR DEPARTMENT

Quartermaster Corps.

QUARTERMASTER CORPS

CEMETERIAL EXPENSES

National cemeteries. Maintenance, etc.

For maintaining and improving national cemeteries, including fuel for and pay of superintendents and the superintendent at Mexico City, and other employees; purchase of land (not to exceed $106,000, of which $100,000 shall be available for expenditure by the Secretary

of War for the acquisition, by purchase, condemnation, or otherwise, of such suitable lands as in his judgment are required for enlargement of existing national cemetery facilities); purchase of tools and materials; purchase, including exchange, of one motor-propelled passenger-carrying vehicle; and for the repair, maintenance, and operation of motor vehicles; care and maintenance of the Arlington Memorial Amphitheater, chapel, and grounds in the Arlington National Cemetery; repair to roadways but not to more than a single approach road to any national cemetery constructed under special Act of Congress; headstones for unmarked graves of soldiers, sailors, and marines under the Acts approved March 3, 1873 (U. S. C., title 24, sec. 279), February 3, 1879 (U. S. C., title 24, sec. 280), March 9, 1906 (34 Stat., p. 56), March 14, 1914 (38 Stat., p. 768), and February 26, 1929 (U. S. C., title 24, sec. 280a), and civilians interred in post cemeteries; recovery of bodies and disposition of remains of military personnel and civilian employees of the Army under Act approved March 9, 1928 (U. S. C., title 10, sec. 916); not to exceed $734 for repairs and preservation of monuments, tablets, roads, fences, and so forth, made and constructed by the United States in Cuba and China to mark the places where American soldiers fell; care, protection, and maintenance of the Confederate Mound in Oakwood Cemetery at Chicago, the Confederate Stockade Cemetery at Johnstons Island, the Confederate burial plats owned by the United States in Confederate Cemetery at North Alton, the Confederate Cemetery, Camp Chase, at Columbus, the Confederate Cemetery at Point Lookout, and the Confederate Cemetery at Rock Island, $916,990: *Provided*, That no railroad shall be permitted upon any right-of-way which may have been acquired by the United States leading to a national cemetery, or to encroach upon any roads or walks constructed thereon and maintained by the United States: *Provided further*, That no part of this appropriation shall be used for repairing any roadway not owned by the United States within the corporate limits of any city, town, or village.

Vehicles.

Arlington, Va.

Roadway repairs, etc.

Headstones.

Vol. 20, p. 281; Vol. 34, p. 56; Vol. 38, p. 768; Vol. 45, p. 1307. U. S. C., p. 992.

Recovery of remains.

Vol. 45, p. 251. U. S. C., p. 273.

Confederate cemeteries, etc.

Provisos.
Encroachments forbidden.

Repairs restricted.

SIGNAL CORPS

Signal Corps.

ALASKA COMMUNICATION SYSTEM

Alaska Communication System.

Operation, improvement, etc.

For operation, maintenance, and improvement of the Alaska Communication System and for purchase, including exchange, and operation and maintenance of one motor-propelled passenger-carrying vehicle, $163,338, to be derived from the receipts of the Alaska Communication System which have been covered into the Treasury of the United States, and to remain available until the close of the fiscal year 1938: *Provided*, That the Secretary of War shall report to Congress the extent and cost of any extensions and betterments which may be effected under this appropriation.

From receipts.

Proviso.
Report to Congress.

UNITED STATES HIGH COMMISSIONER TO THE PHILIPPINE ISLANDS

Philippine Islands.

For the maintenance of the office of the United States High Commissioner to the Philippine Islands as authorized by subsection 4 of section 7 of the Act approved March 24, 1934 (48 Stat. 456), including salaries and wages; rental, furnishings, equipment, maintenance, renovation, and repair of office quarters and living quarters for the High Commissioner; supplies and equipment; purchase and exchange of law books and books of reference, periodicals, and newspapers; traveling expenses, including for persons appointed hereunder within the United States and their families, actual expenses of travel and transportation of household effects from their homes in the United States to the Philippine Islands, utilizing Government vessels

U. S. High Commissioner's office.

Vol. 48, p. 461; *Ante*, p. 58. U. S. C., p. 2187.

Salaries, expenses, etc.

Travel, etc., expenses.

Vehicles.

whenever practicable; operation, maintenance and repair of motor vehicles, and all other necessary expenses, $161,600, of which amount not exceeding $10,000 shall be available for expenditure in the discretion of the High Commissioner for maintenance of his household and such other purposes as he may deem proper: *Provided*, That the salary of the legal adviser and the financial expert shall not exceed the annual rate of $12,000 and $10,000 each, respectively: *Provided further*, That section 3709 of the Revised Statutes (U. S. C., title 45 [1], sec. 5), shall not apply to any purchase or service rendered under this appropriation when the aggregate amount involved does not exceed the sum of $100.

Provisos.
Salary of legal adviser and financial expert.

Minor purchases.
R. S., sec. 3709, p. 733; U. S. C., p. 1803.

Engineer Corps.

CORPS OF ENGINEERS

Rivers and harbors.

RIVERS AND HARBORS

Immediately available.

To be immediately available and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers:

Maintenance of existing works.

For the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore authorized as may be most desirable in the interests of commerce and navigation; for survey of northern and northwestern lakes and other boundary and connecting waters as heretofore authorized, including the preparation, correction, printing, and issuing of charts and bulletins and the investigation of lake levels; for prevention of obstructive and injurious deposits within the harbor and adjacent waters of New York City; for expenses of the California Débris Commission in carrying on the work authorized by the Act approved March 1, 1893 (U. S. C., title 33, sec. 661); for removing sunken vessels or craft obstructing or endangering navigation as authorized by law; for operating and maintaining, keeping in repair, and continuing in use without interruption any lock, canal (except the Panama Canal), canalized river, or other public works for the use and benefit of navigation belonging to the United States; for payment annually of tuition fees of not to exceed thirty-five student officers of the Corps of Engineers at civil technical institutions under the provisions of section 127a of the National Defense Act, as amended (U. S. C., title 10, sec. 535); for examinations, surveys, and contingencies of rivers and harbors; and for printing, including illustrations, as may be authorized by the Committee on Printing of the House of Representatives, either during a recess or session of Congress, of surveys under House Document Numbered 308, Sixty-ninth Congress, first session, and section 10 of the Flood Control Act, approved May 15, 1928 (U. S. C., title 33, sec. 702j), and such surveys as may be printed during a recess of Congress shall be printed, with illustrations, as documents of the next succeeding session of Congress, and for the purchase of motor-propelled passenger-carrying vehicles and motor boats, for official use, not to exceed $146,050: *Provided*, That no funds shall be expended for any preliminary examination, survey, project, or estimate not authorized by law, $159,427,899, of which not exceeding $6,000,000 may be expended, at the discretion of the Chief of Engineers, upon river and harbor or flood control projects heretofore specifically provided to be proceeded with in any legislative measure heretofore passed by either the Senate or the House of Representatives of the United States: *Provided further*, That from this appropriation the Secretary of War may, in his discretion and on the recommendation of the Chief of Engineers based on the recommendation by the Board for Rivers

Boundary, etc., waters survey.

New York Harbor.

California Débris Commission.
Vol. 27, p. 507.
U. S. C., p. 1484.

Removing sunken vessels.

Student officers at institutions.
Vol. 41, p. 785; Vol. 44, p. 705; U. S. C., p. 256.

Flood control surveys.
Printing.

Vol. 45, p. 538; U. S. C., p. 1490.

Provisos.
Unauthorized projects forbidden.

Maintenance of harbor channels, outside harbor lines.

[1] So in original.

and Harbors in the review of a report or reports authorized by law, expend such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality, or other public agency, outside of harbor lines and serving essential needs of general commerce and navigation, such work to be subject to the conditions recommended by the Chief of Engineers in his report or reports thereon: *Provided further*, That no appropriation under the Corps of Engineers for the fiscal year 1937 shall be available for any expenses incident to operating any power-driven boat or vessel on other than Government business: *Provided further*, That not to exceed $3,000 of the amount herein appropriated shall be available for the support and maintenance of the Permanent International Commission of the Congresses of Navigation and for the payment of the actual expenses of the properly accredited delegates of the United States to the meeting of the congresses and of the commission.

Power-driven boat restriction.

Permanent International Commission of the Congresses of Navigation.

Flood control, Mississippi River and tributaries: For prosecuting work of flood control in accordance with the provisions of the Flood Control Act, approved May 15, 1928 (U. S. C., title 33, sec. 702a), and for the purchase of motor-propelled passenger-carrying vehicles and motor boats, for official use, not to exceed $47,325, $15,000,000.

Flood control. Mississippi River and tributaries. Vol. 45, p. 534; U. S. C., p. 1488.

Emergency fund for flood control on tributaries of Mississippi River: For rescue work and for repair or maintenance of any flood-control work on any tributaries of the Mississippi River threatened or destroyed by flood, in accordance with section 7 of Flood Control Act, approved May 15, 1928 (U. S. C., title 33, sec. 702g), $811,309.

Emergency fund for flood control.

Vol. 45, p. 537; Vol. 46, p. 787. U. S. C., p. 1489.

Flood control, Sacramento River, California: For prosecuting work of flood control in accordance with the provisions of the Flood Control Act approved March 1, 1917 (U. S. C., title 33, sec. 703), as modified by the Flood Control Act approved May 15, 1928 (U. S. C., title 33, sec. 704), including not to exceed $1,500 for the purchase of motor-propelled passenger-carrying vehicles and motor boats, for official use, $800,000.

Sacramento River, Calif. Vol. 39, p. 949; Vol. 45, p. 539. U. S. C., p. 1491.

Flood control, Lowell Creek, Alaska: For maintenance of flood-control works in accordance with the Act approved February 14, 1933 (47 Stat., p. 802), $8,000.

Lowell Creek, Alaska. Vol. 47, p. 802.

Flood control, Salmon River, Alaska: For maintenance repairs to dikes in the flood-control works at the town of Hyder, Alaska, as authorized by the Act approved June 18, 1934 (48 Stat., p. 991), $800.

Salmon River, Alaska. Vol. 48, p. 991; U. S. C., p. 1491.

Flood control, Missouri River, Nebraska: For maintenance, repairs, and revetment work in the flood-control work now in progress at or near the town of Niobrara, Nebraska, to be immediately available, $130,000.

Missouri River, Nebr.

UNITED STATES SOLDIERS' HOME

United States Soldiers' Home.

For maintenance and operation of the United States Soldiers' Home, including maintenance, repair, and operation of horse-drawn and motor-propelled freight- and passenger-carrying vehicles, to be paid from the Soldiers' Home Permanent Fund, $799,105.

Maintenance, etc.

THE PANAMA CANAL

The Panama Canal.

The limitations on the expenditure of appropriations hereinbefore made in this Act shall not apply to the appropriations for the Panama Canal.

Limitations not applicable to appropriations for.

For every expenditure requisite for and incident to the maintenance and operation, sanitation, and civil government of the Panana Canal and Canal Zone, including the following: Compensation of all officials and employees; foreign and domestic newspapers and

All expenses.

Objects specified.

periodicals; law books not exceeding $1,000; textbooks and books of reference; printing and binding, including printing of annual report; rent and personal services in the District of Columbia; purchase or exchange of typewriting, adding, and other machines; purchase or exchange, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles; claims for damages to vessels passing through the locks of the Panama Canal, as authorized by the Panama Canal Act; claims for losses of or damages to property arising from the conduct of authorized business operations; claims for damages to property arising from the maintenance and operation, sanitation, and civil government of the Panama Canal; acquisition of land and land under water, as authorized in the Panama Canal Act; expenses incurred in assembling, assorting, storing, repairing, and selling material, machinery, and equipment heretofore or hereafter purchased or acquired for the construction of the Panama Canal which are unserviceable or no longer needed, to be reimbursed from the proceeds of such sale; expenses incident to conducting hearings and examining estimates for appropriations on the Isthmus; expenses incident to any emergency arising because of calamity by flood, fire, pestilence, or like character not foreseen or otherwise provided for herein; traveling expenses, when prescribed by the Governor of the Panama Canal to persons engaged in field work or traveling on official business; transportation, including insurance, of public funds and securities between the United States and the Canal Zone; and for such other expenses not in the United States as the Governor of the Panama Canal may deem necessary best to promote the maintenance and operation, sanitation, and civil government of the Panama Canal, all to be expended under the direction of the Governor of the Panama Canal and accounted for as follows:

Printing and binding.

Damage claims.

Emergencies.

Public funds and securities, transportation and insurance.

Maintenance and operation.
Governor's salary.
Supplies, equipment, etc.

For maintenance and operation of the Panama Canal: Salary of the Governor, $10,000; purchase, inspection, delivery, handling, and storing of materials, supplies, and equipment for issue to all departments of the Panama Canal, the Panama Railroad, other branches of the United States Government, and for authorized sales; payment in lump sums of not exceeding the amounts authorized by the Injury Compensation Act approved September 7, 1916 (U. S. C., title 5, sec. 793), to alien cripples who are now a charge upon the Panama Canal by reason of injuries sustained while employed in the construction of the Panama Canal; in all, $9,149,201, together with all moneys arising from the conduct of business operations authorized by the Panama Canal Act.

Payment to alien cripples.
Vol. 39, p. 750.
U. S. C., p. 102.

Sanitation, etc.
Insane, lepers, etc.
Deportation expenses.

For sanitation, quarantine, hospitals, and medical aid and support of the insane and of lepers and aid and support of indigent persons legally within the Canal Zone, including expenses of their deportation when practicable, and the purchase of artificial limbs or other appliances for persons who were injured in the service of the Isthmian Canal Commission or the Panama Canal prior to September 7, 1916, and including additional compensation to any officer of the United States Public Health Service detailed with the Panama Canal as chief quarantine officer, $899,793.

Chief quarantine officer.

Civil government expenses.

For civil government of the Panama Canal and Canal Zone, including gratuities and necessary clothing for indigent discharged prisoners, $1,073,950.

Total; availability.

Total, Panama Canal, $11,122,944, to be available until expended.

Credits allowed.

In addition to the foregoing sums there is appropriated for the fiscal year 1937 for expenditures and reinvestment under the several heads of appropriation aforesaid, without being covered into the Treasury of the United States, all moneys received by the Panama

Canal from services rendered or materials and supplies furnished to the United States, the Panama Railroad Company, the Canal Zone government, or to their employees, respectively, or to the Panama Government, from hotel and hospital supplies and services; from rentals, wharfage, and like service; from labor, materials, and supplies and other services furnished to vessels other than those passing through the canal, and to others unable to obtain the same elsewhere; from the sale of scrap and other byproducts of manufacturing and shop operations; from the sale of obsolete and unserviceable materials, supplies, and equipment purchased or acquired for the operation, maintenance, protection, sanitation, and government of the Canal and Canal Zone; and any net profits accruing from such business to the Panama Canal shall annually be covered into the Treasury of the United States.

Water, sewers, pavements, etc. Panama and Colon.

In addition there is appropriated for the operation, maintenance, and extension of waterworks, sewers, and pavements in the cities of Panama and Colon, during the fiscal year 1937, the necessary portions of such sums as shall be paid as water rentals or directly by the Government of Panama for such expenses.

Private use of Government vehicles.

SEC. 2. No part of any money appropriated by this Act shall be used for maintaining, driving, or operating any Government-owned motor-propelled passenger-carrying vehicle assigned for the exclusive use of persons other than the Secretary of War and medical officers on out-patient medical service.

Post exchanges, restriction.

SEC. 3. No part of any appropriation made by this Act shall be used in any way to pay any expense in connection with the conduct, operation, or management of any post exchange, branch exchange, or subexchange within any State, Territory, or the District of Columbia, save and except for real assistance and convenience to military personnel and civilians employed or serving at military posts and to retired enlisted naval personnel in supplying them with articles of ordinary use, wear, and consumption not furnished by the Government: *Provided*, That the commanding officer of the post at which any such exchange is situated shall certify on the monthly report of the post exchange council that such exchange was, during the period covered by such report, operated in compliance with this section.

Exception.

Proviso. Report required.

Approved, May 15, 1936.

[CHAPTER 405.]

AN ACT

May 15, 1936. [H. R. 12098.] [Public, No. 599.]

Making appropriations for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1937, and for other purposes.

Appropriations for Departments of State and Justice, the Judiciary, and Departments of Commerce and Labor, fiscal year, 1937.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1937, namely:

TITLE I—DEPARTMENT OF STATE

Department of State.

OFFICE OF THE SECRETARY OF STATE

Secretary, Under Secretary, and office personnel. *Post*, p. 1630.

Salaries: For Secretary of State; Under Secretary of State, $10,000; and other personal services in the District of Columbia, including temporary employees, and not to exceed $6,500 for employees engaged on piece work at rates to be fixed by the Secretary of State; $1,954,240, of which amount not to exceed $159,000 may be expended by the Secretary of State without regard to civil-service laws and regulations or the Classification Act of 1923, as

Temporary and piecework employees.

Expenditure without regard to civil service and Classification Acts. U. S. C., pp. 81, 85.

Provisos.
Salaries limited to average rates under Classification Act.
Vol. 42, p. 1488; Vol. 45, p. 776; Vol. 46, p. 1003.
U. S. C., p. 85.
Exceptions.

amended: *Provided*, That in expending appropriations or portions of appropriations, contained in this Act, for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the four Assistant Secretaries of State and the legal adviser of the Department of State, the Assistant to the Attorney General, the Assistant Solicitor General, and six Assistant Attorneys General, the Assistant Secretaries of Commerce, the Assistant Secretary and the Second Assistant Secretary of Labor, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, or (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, or (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

If only one position in grade.

Advances in unusually meritorious cases.

Restriction not applicable to clerical-mechanical service.
No reduction in fixed salaries.
Vol. 42, p. 1490; U. S. C., p. 86.
Transfers without reduction.

Higher salary rates permitted.

No reduction, if only one position in grade.

CONTINGENT EXPENSES, DEPARTMENT OF STATE

Contingent expenses.
Post, p. 1631.

For contingent and miscellaneous expenses, including stationery, furniture, fixtures; typewriters, adding machines, and other labor-saving devices, including their exchange, not exceeding $9,000; repairs and materials for repairs; purchase and exchange of books, maps, and periodicals, domestic and foreign, and when authorized by the Secretary of State for dues for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members, not exceeding $8,000; newspapers not exceeding $1,500; not to exceed $1,000 for teletype rentals and tolls; not to exceed $450 (including the value of any vehicle exchanged therefor) for the purchase of a motorcycle; maintenance, repair, and storage of motor-propelled vehicles, to be used only for official purposes (one for the Secretary of State and two for dispatching mail, and one motorcycle for the general use of the Department); automobile mail wagons, including storage, repair, and exchange of same; street-car fare not exceeding $100; traveling expenses; refund of fees erroneously charged and paid for the issue of passports to persons who are exempted from the payment of such fee by section 1 of the Act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1921, approved June 4, 1920 (U. S. C., title 22, secs. 214, 214a); the examination of estimates of appropriations in the field; and other miscellaneous items not included in the foregoing; $77,300.

Books, periodicals, etc.

Vehicles.

Refund of passport fees erroneously charged.
Vol. 41, p. 750; Vol. 44, p. 887.
U. S. C., p. 960.

PRINTING AND BINDING

For all printing and binding in the Department of State, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, $150,000.

Printing and binding.
Post, p. 1631.

PASSPORT AGENCIES

For salaries and expenses of maintenance, rent, and traveling expenses not to exceed $500, for not to exceed five passport agencies, $54,470, of which $1,000 shall be available immediately.

Passport agencies.

COLLECTING AND EDITING OFFICIAL PAPERS OF TERRITORIES OF THE UNITED STATES

Official papers of the Territories.

For the expenses of collecting, editing, copying, and arranging for publication the official papers of the Territories of the United States, including personal services in the District of Columbia and elsewhere, printing and binding, and contingent and traveling expenses, as provided by the Act approved February 28, 1929 (U. S. C., title 5, sec. 168–169), $26,000: *Provided*, That the total number of copies of any volume to be printed and bound under this or any other appropriation for printing and binding of these papers shall not exceed one thousand two hundred and twenty-seven, which shall be distributed as provided in section 3 of such Act, except that each Senator shall receive not to exceed three copies and each Representative not to exceed one.

Collecting, etc., for publication.

Printing and binding, etc.
Vol. 45, p. 1412; U. S. C., p. 52.

Proviso.
Limitation on number of copies to be printed, etc.; distribution.

PROMOTION OF FOREIGN TRADE

Promotion of foreign trade.

For the purpose of carrying into effect the provisions of section 4 of the Act entitled "An Act to amend the Tariff Act of 1930", approved June 12, 1934 (48 Stat. 945), including personal services without regard to civil-service laws and regulations or the Classification Act of 1923, as amended, stenographic reporting services, by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), contingent expenses, printing and binding, traveling expenses, and such other expenses as the President may deem necessary, $15,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1936.

Expenses, negotiating agreements.
Vol. 48, p. 945; U. S. C., p. 879.

Personal services.
U. S. C., pp. 81, 85.
R. S., sec. 3709, p. 733; U. S. C., p. 1803.

Unexpended balance reappropriated.
Ante, p. 69.

FOREIGN INTERCOURSE

Foreign intercourse.

AMBASSADORS AND MINISTERS

Salaries.
Ambassadors.

Ambassadors Extraordinary and Plenipotentiary to Argentina, Brazil, Chile, China, Cuba, France, Germany, Great Britain, Italy, Japan, Mexico, Peru, Poland, Spain, Turkey, and Union of Soviet Socialist Republics, at $17,500 each;

Ambassador Extraordinary and Plenipotentiary to Belgium and Envoy Extraordinary and Minister Plenipotentiary to Luxemburg, $17,500;

Ministers.

Envoy Extraordinary and Minister Plenipotentiary to the Netherlands, $12,000;

Envoys Extraordinary and Ministers Plenipotentiary to Albania, Austria, Bolivia, Bulgaria, Czechoslovakia, Colombia, Costa Rica, Denmark, Dominican Republic, Dominion of Canada, Ecuador, Egypt, Finland, Greece, Guatemala, Haiti, Honduras, Hungary, Irish Free State, Liberia, Nicaragua, Norway, Panama, Paraguay, Persia, Portugal, Rumania, Salvador, Siam, Union of South Africa, Sweden, Switzerland, Uruguay, Venezuela, and Yugoslavia, at $10,000 each; and to Estonia, Latvia, and Lithuania, $10,000;

In all, not to exceed $642,500:

Proviso. Salary restriction.

Provided, That no salary herein appropriated shall be paid to any official receiving any other salary from the United States Government.

Foreign Service officers.

SALARIES OF FOREIGN SERVICE OFFICERS

Salaries. Vol. 46, p. 1207. U. S. C., p. 942.

For salaries of Foreign Service officers as provided in the Act approved February 23, 1931 (U. S. C., title 22, secs. 3, 3a); salaries of Ambassadors, Ministers, consuls, vice consuls, and other officers of the United States for the period actually and necessarily occupied in receiving instructions and in making transits to and from their posts, and while awaiting recognition and authority to act in pursuance with the provisions of section 1740 of the Revised Statutes (U. S. C., title 22, sec. 121); and salaries of Foreign Service officers or vice consuls while acting as Chargés d'Affaires ad interim or while in charge of a consulate general or consulate during the absence of the principal officer; $3,341,500.

Instruction and transit pay. R. S., sec. 1740, p. 309. U. S. C., p. 952.

Chargés d'Affaires ad interim.

TRANSPORTATION OF FOREIGN SERVICE OFFICERS

Traveling expenses.

To pay the traveling expenses, including travel by airplane when specifically authorized by the Secretary of State, of Diplomatic, Consular, and Foreign Service officers, and other employees of the Foreign Service, including Foreign Service inspectors and under such regulations as the Secretary of State may prescribe, of their families and expenses of transportation of effects, in going to and returning from their posts, including not to exceed $100,000 for expenses incurred in connection with leaves of absence, and of the preparation and transportation of the remains of those officers and said employees of the Foreign Service, who have died or may die abroad or in transit while in the discharge of their official duties, to their former homes in this country or to a place not more distant for interment and for the ordinary expenses of such interment, and also for payment under the provisions of section 1749 of the Revised Statutes (U. S. C., title 22, sec. 130) of allowances to the widows or heirs at law of Diplomatic, Consular, and Foreign Service officers of the United States dying in foreign countries in the discharge of their duties, $546,700: *Provided*, That this appropriation shall be available also for the authorized subsistence expenses of Consular and Foreign Service officers while on temporary detail under commission.

Leaves of absence. Bringing home remains of officers, etc., dying abroad.

Allowances to widows, etc. R. S., sec. 1749, p. 311. U. S. C., p. 953.

Proviso. Subsistence on temporary detail.

Rent, heat, fuel, and light allowances.

ALLOWANCES FOR RENT, HEAT, FUEL, AND LIGHT, FOREIGN SERVICE

For offices and grounds. Vol. 46, p. 818; U. S. C., p. 45.

For rent, heat, fuel, and light for the Foreign Service for offices and grounds, and, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a), for living quarters and not to exceed $1,140,000 for allowances for living quarters, including heat, fuel, and light, $2,016,000: *Provided*, That payment for rent may be made in advance: *Provided further*, That the Secretary of State may enter into leases for such offices, grounds, and living quarters for periods not exceeding ten years: *Provided further*, That no part of this appropriation shall be used for allowances for living quarters, including heat, fuel, and light in an amount exceeding $3,000 for an ambassador, minister, or chargé d'affaires, and not exceeding $1,700 for any other Foreign Service officer: *Provided further*, That under this appropriation and the appropriations herein for "Contingent expenses, Foreign Service", and "Miscellaneous salaries and allowances, Foreign Service", not more than $5,000 shall be expended for custodial service, heat, fuel, and light in any Government-owned building used for residence or residence and office purposes for an

Living quarters.

Provisos. Rent payment in advance. Leases. Allowances for quarters limited.

Custodial, etc., service; restriction. *Post*, pp. 1313, 1314.

ambassador or minister, and not more than $1,700 for such purposes in the case of any other Foreign Service officer, and during the incumbency of a chargé d'affaires the limitation on such expenditures shall be the same as for the occupancy by the principal officer.

COST OF LIVING ALLOWANCE, FOREIGN SERVICE OFFICERS

Cost of living allowance.
Vol. 46, p. 1207.
U. S. C., pp. 943, 945.

To carry out the provisions of the Act approved February 23, 1931 (U. S. C., title 22, secs. 12, 23c), relating to allowances and additional compensation to diplomatic, consular, and Foreign Service officers and clerks when such allowances and additional compensation are necessary to enable such officers and clerks to carry on their work efficiently: *Provided*, That such allowances and additional compensation shall be granted only in the discretion of the President, and under such regulations as he may prescribe, $250,000.

Proviso.
Regulation of expenditure.

REPRESENTATION ALLOWANCES

Representation allowances.
Vol. 46, p. 1207; U. S. C., p. 943.

For representation allowances as authorized by the Act approved February 23, 1931 (U. S. C., title 22, sec. 12), $125,000.

FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

Foreign Service retirement, etc., fund.
Federal contribution.
Vol. 46, p. 1211.
U. S. C., p. 944.

For financing the liability of the United States, created by the Act approved February 23, 1931 (U. S. C., title 22, sec. 21), $185,300, which amount shall be placed to the credit of the "Foreign Service retirement and disability fund."

SALARIES OF CLERKS IN THE FOREIGN SERVICE

Clerks in Foreign Service.
Salaries.
Vol. 46, p. 1207.
U. S. C., p. 945.

For salaries of clerks in the Foreign Service, as provided in the Act approved February 23, 1931 (U. S. C., title 22, sec. 23a), including salaries during transit to and from homes in the United States upon the beginning and after termination of service, $2,234,000.

MISCELLANEOUS SALARIES AND ALLOWANCES, FOREIGN SERVICE

Miscellaneous salaries and allowances.

For salaries or compensation of kavasses, guards, dragomans, porters, interpreters, prison keepers, translators, archive collators, Chinese writers, messengers, couriers, telephone operators, supervisors of construction, and custodial and operating force for maintenance and operation of Government-owned and leased diplomatic and consular properties in foreign countries; compensation of agents and employees of dispatch agencies at London, New York, San Francisco, Seattle, and New Orleans, including salaries during transit to and from their homes in the United States upon the beginning and after termination of service in foreign countries; operation of motor-propelled and other passenger- and non-passenger-carrying vehicles; for allowances to consular officers, who are paid in whole or in part by fees, for services necessarily rendered to American vessels and seamen, as provided in the Act of June 26, 1884 (U. S. C., title 22, sec. 89; title 46, sec. 101); and such other miscellaneous personal services as the President may deem necessary, $616,000: *Provided*, That no part of this appropriation shall be expended for salaries or wages of persons not American citizens performing clerical services, (except interpreters, translators, and messengers), whether officially designated as clerks or not, in any foreign mission: *Provided further*, That the Secretary of the Navy is authorized upon request by the Secretary of State, to assign enlisted men of the Navy and Marine Corps to serve as custodians, under the immediate supervision of the Secretary of State or the chief of mission, whichever the Secretary of State shall direct, at embassies, legations, or consulates of the United States located in foreign countries.

Dispatch agencies.

Salaries during transit.

Vehicle maintenance.

Services to American seamen, etc.

Vol. 23, p. 56.
U. S. C., pp. 950, 1990.

Provisos.
Citizenship requirements.

Naval assignments as custodians.

CONTINGENT EXPENSES, FOREIGN SERVICE

Contingent expenses, Foreign Service.

For stationery; blanks; record and other books; seals; presses; flags; signs; repairs, including minor alterations; repairs, preservation, and maintenance of Government-owned diplomatic and consular properties in foreign countries, including water, materials, supplies, tools, seeds, plants, shrubs, and similar objects; newspapers (foreign and domestic); freight; postage; telegrams; advertising; ice and drinking water for office purposes; purchase (at not to exceed $750 for any one automobile), maintenance, and hire of motor-propelled or horse-drawn passenger-carrying vehicles, and purchase, maintenance, and hire of other passenger-carrying vehicles; funds for establishment and maintenance of commissary service; uniforms; furniture, household furniture and furnishings, except as provided by the Act of May 7, 1926, as amended, for Government-owned or rented buildings, when, in the judgment of the Secretary of State, it would be in the public interest to do so, not to exceed $135,500; typewriters and exchange of same; maintenance and rental of launch for embassy in Turkey, not exceeding $3,500, including personnel for operation; rent and other expenses for dispatch agencies at London, New York, San Francisco, Seattle, and New Orleans; traveling expenses, including attendance at trade and other conferences or congresses under orders of the Secretary of State as authorized by the Act approved February 23, 1931 (U. S. C., title 22, sec. 16); loss by exchange; payment in advance for telephone and other similar services, expenses of vice consulates and consular agencies for any of the foregoing objects; allowances for special instruction, education, and individual training of Foreign Service officers at home and abroad, not to exceed $10,000; cost, not exceeding $500 per annum each, of the tuition of Foreign Service officers assigned for the study of the languages of Asia and eastern Europe; for relief, protection, and burial of American seamen in foreign countries, in the Panama Canal Zone, and in the Philippine Islands, and shipwrecked American seamen in the Territory of Alaska, in the Hawaiian Islands, in Puerto Rico, and in the Virgin Islands, and for expenses which may be incurred in the acknowledgment of the services of masters and crews of foreign vessels in rescuing American seamen or citizens from shipwreck or other catastrophe at sea; for expenses of maintaining in China, the former Ottoman Empire, Egypt, Ethiopia, Morocco, and Muscat institutions for incarcerating American convicts and persons declared insane by any consular court, rent of quarters for prisons, ice and drinking water for prison purposes, and for the expenses of keeping, feeding, and transportation of prisoners and persons declared insane by any consular court in China, the former Ottoman Empire, Egypt, Ethiopia, Morocco, and Muscat; for every expenditure requisite for or incident to the bringing home from foreign countries of persons charged with crime as authorized by section 5275 of the Revised Statutes (U. S. C., title 18, sec. 659); and such other miscellaneous expenses as the President may deem necessary; $1,067,400: *Provided*, That this appropriation shall be available for reimbursement of appropriations for the Navy Department, in amounts determined by the Secretary of the Navy, for materials, supplies, equipment, and services furnished by the Navy Department, including pay, subsistence, allowances, and transportation of enlisted men of the Navy and Marine Corps who may be assigned by the Secretary of the Navy, upon request of the Secretary of State, to embassies, legations, or consular offices of the United States located in foreign countries.

Vehicles.

Government buildings abroad.
Vol. 44, p. 403; Vol. 45, p. 971.
U. S. C., p. 967.

Dispatch agencies.

Attendance at trade conferences, etc.
Vol. 46, p. 1209.
U. S. C., p. 943.

Loss by exchange.

Language study.

Relief, etc., American seamen.

Consular prisons, etc.

Care of insane.

Bringing home persons charged with crime.
R. S., sec. 5275, p. 1022.
U. S. C., p. 774.

Proviso.
Navy reimbursement.

EMERGENCIES ARISING IN THE DIPLOMATIC AND CONSULAR SERVICE

Emergencies, Diplomatic and Consular Service.
Neutrality Act expenses.
Ante, pp. 1081, 1152.
R. S., sec. 291, p. 49; U. S. C., p. 1362.

To enable the President to meet unforeseen emergencies arising in the Diplomatic and Consular Service, and to extend the commercial and other interests of the United States and to meet the necessary expenses attendant upon the execution of the Neutrality Act, to be expended pursuant to the requirement of section 291 of the Revised Statutes (U. S. C., title 31, sec. 107), $175,000.

Interchangeability provision; restriction.

Not to exceed 10 per centum of any of the foregoing appropriations under the caption "Foreign intercourse" for the fiscal year ending June 30, 1937, may be transferred, with the approval of the Director of the Bureau of the Budget, to any other foregoing appropriation or appropriations under such caption for such fiscal year, but no appropriation shall be increased more than 10 per centum thereby: *Provided*, That all such transfers and contemplated transfers shall be set forth in the Budget for the fiscal year 1938.

Proviso.
Report in Budget.

CONTRIBUTIONS, QUOTAS, AND SO FORTH

Contributions, quotas, etc.

For payment of the annual contributions, quotas, and expenses, including loss by exchange in discharge of the obligations of the United States in connection with international commissions, congresses, bureaus, and other objects, in not to exceed the respective amounts, as follows: Cape Spartel and Tangier Light, Coast of Morocco, $588; International Bureau of Weights and Measures, $4,342.50; International Bureau for Publication of Customs Tariffs, $1,318.77; Pan American Union, $191,032.37, including not to exceed $20,000 for printing and binding; International Bureau of Permanent Court of Arbitration, $1,722.57; Bureau of Interparliamentary Union for Promotion of International Arbitration, $20,000, including not to exceed $10,000 for the expenses of the American group of the Interparliamentary Union, including personal services in the District of Columbia and elsewhere without regard to the Classification Act of 1923, as amended, stenographic reporting services by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), traveling expenses, purchase of necessary books, documents, newspapers, periodicals, maps, stationery, official cards, printing and binding, entertainment, and other necessary expenses, to be disbursed on vouchers approved by the President and executive secretary of the American group; International Institute of Agriculture at Rome, Italy, $49,911, including not to exceed $12,855 for the salary of the American member of the permanent committee (at not more than $7,500 per annum), compensation of subordinate employees without regard to the Classification Act of 1923, as amended, expenses for the maintenance of the office at Rome, including purchase of necessary books, maps, documents, and newspapers and periodicals (foreign and domestic), printing and binding, allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a), for the use of the American member of the permanent committee, and traveling and other necessary expenses to be expended under the direction of the Secretary of State; Pan American Sanitary Bureau, $30,643.30; International Office of Public Health, $3,015.62; Bureau of International Telecommunication Union, Radio Section, $5,790; Government of Panama, $250,000; International Hydrographic Bureau, $4,632; Inter-American Trade-Mark Bureau, $14,330.20; International Bureau for Protection of Industrial Property, $1,472; Gorgas Memorial Laboratory, $50,000; American International Institute for the Protection of Childhood, $2,000; International Statistical

R. S., sec. 3709, p. 733; U. S. C., p. 1803.

International Institute of Agriculture.

Allowances.
Vol. 46, p. 818.
U. S. C., p. 45.

International Technical Committee of Aerial Legal Experts.
Ante, p. 540.

Bureau at The Hague, $2,000; International Map of the World on the Millionth Scale, $50; International Technical Committee of Aerial Legal Experts, $6,696, including not to exceed $6,500 for the expenses of participation by the Government of the United States in the meetings of the International Technical Committee of Aerial Legal Experts and of the commissions established by that committee, including traveling expenses, personal services in the District of Columbia and elsewhere without reference to the Classification Act of 1923, as amended, stenographic and other services by contract if deemed necessary without regard to the provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), rent, purchase of necessary books and documents, printing and binding, official cards, entertainment, and such other expenses as may be authorized by the Secretary of State; Convention Relating to Liquor Traffic in Africa, $55; International Penal and Penitentiary Commission, $4,282, including not to exceed $750 for the necessary expenses of the commissioner to represent the United States on the commission at its annual meetings, personal services without regard to the Classification Act of 1923, as amended, traveling expenses, and such other expenses as the Secretary of State may deem necessary; Permanent Association of International Road Congresses, $588; International Labor Organization, $212,951.59, including not to exceed $27,300 for the expenses of participation by the United States in the meetings of the General Conference and of the Governing Body of the International Labor Office and in such regional, industrial, or other special meetings as may be duly called by such Governing Body, including personal services, without reference to the Classification Act of 1923, as amended, in the District of Columbia and elsewhere, stenographic reporting and translating services by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), rent, traveling expenses, purchase of books, documents, newspapers, periodicals, and charts, stationery, official cards, printing and binding, entertainment, hire, maintenance, and operation of motor-propelled passenger-carrying vehicles, and such other expenses as may be authorized by the Secretary of State; Implementing the Narcotics Convention of 1931, $9,005; International Council of Scientific Unions and Associated Unions, as follows: International Council of Scientific Unions, $19.30; International Astronomical Union, $617.60; International Union of Chemistry, $675; International Union of Geodesy and Geophysics, $2,316; International Scientific Radio Union, $154.40; International Union of Physics, $62.72; International Geographical Union, $194.66; and International Union of Biological Sciences, $154.40; in all, $4,194.08; and Pan American Institute of Geography and History, $10,000; in all, $880,620, together with such additional sums, due to increase in rates of exchange as the Secretary of State may determine and certify to the Secretary of the Treasury to be necessary to pay in foreign currencies the quotas and contributions required by the several treaties, conventions, or laws establishing the amount of the obligation.

R. S., sec. 3709, p. 733. U. S. C., p. 1803.

Total; additional sum, increase in rates of exchange.

INTERNATIONAL RADIO CONSULTING COMMITTEE, RUMANIA

International Radio Consulting Committee, Rumania.
Participation expenses.

For the expenses of participation by the United States in the meeting of the International Radio Consulting Committee, to be held in Rumania in 1937, including personal services in the District of Columbia and elsewhere without reference to the Classification Act of 1923, as amended; stenographic reporting and translating services,

by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses; purchase of books, documents, newspapers, periodicals and maps; stationery; official cards; printing and binding; entertainment; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, $18,500.

R. S., sec. 3709, p. 733. U. S. C., p. 1803.

Printing and binding.

INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND MEXICO

Salaries and expenses: For expenses of meeting the obligations of the United States under the treaties of 1884, 1889, 1905, and 1906 between the United States and Mexico, and of compliance with the Act approved August 19, 1935 (49 Stat. 660) including maintenance and preservation of the rectified channel of the Rio Grande under the terms of Article XI of the Convention between the United States and Mexico, concluded February 1, 1933 (48 Stat. 1621, 1626), operation of gaging stations where necessary and their equipment; personal services and rent in the District of Columbia and elsewhere; fees for professional services at rates and in amounts to be determined by the Secretary of State; travel expenses, including transportation of effects; printing and binding; law books and books of reference; subscriptions to foreign and domestic newspapers and periodicals; purchase, exchange, maintenance, repair, and operation of motor-propelled passenger- and freight-carrying vehicles; purchase of rubber boots and waders for official use of employees; purchase of ice; drilling and testing of dam sites, by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); equipment and such other miscellaneous expenses as the Secretary of State may deem proper, $140,000.

International Boundary Commission, United States and Mexico.
Vol. 24, p. 1011; Vol. 26, p. 1512; Vol. 34, p. 2953.
Ante, p. 660.
Rio Grande, rectified channel.
Vol. 48, p. 1626.

Printing and binding.

Contracts without advertising.
R. S., sec. 3709, p. 733. U. S. C., p. 1803.

For the construction (including operation and maintenance and protection during construction) of the following projects under the supervision of the International Boundary Commission, United States and Mexico, United States section, including salaries and wages of employees, laborers, and mechanics; fees for professional services at rates and in amounts to be determined by the Secretary of State; travel expenses; rents; construction and operation of gaging stations; purchase (including exchange), maintenance, repairs, and operation of motor-propelled passenger- and freight-carrying vehicles; drilling and testing of dam sites, by contract if deemed necessary, without regard to the provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); hire, with or without personal services, of work animals, and animal-drawn and motor-propelled vehicles and equipment; acquisition by donation, purchase, or condemnation, of real and personal property, including expenses of abstracts and certificates of title; transportation of things (including drayage of personal effects of employees upon change of station); printing and binding; communication services; equipment, materials and supplies, including purchase of ice, rubber boots, and waders for official use of employees, and such other miscellaneous expenses as the Secretary of State may deem necessary:

Construction under Commission supervision.
Post, p. 1631.

Contracts without advertising.
U. S. C., p. 1803.

Rio Grande rectification project: For the rectification of the Rio Grande in the El Paso-Juarez Valley under the convention concluded February 1, 1933, between the United States and Mexico, $1,200,000, to be available immediately.

Rio Grande rectification project.
Vol. 48, p. 1621.

Lower Rio Grande flood-control project. *Ante*, p. 660.

Lower Rio Grande flood-control project: For construction, including surveys and other preliminary expenses, of the United States portion of the project for flood control on the Lower Rio Grande, as authorized by the Act approved August 19, 1935 (49 Stat. 660), $1,600,000, to be available immediately: *Provided*, That no part of this appropriation for the Lower Rio Grande flood-control project shall be expended for construction on any land, site, or easement until title thereto has been conveyed to the United States by donation and the same has been approved by the Attorney General of the United States.

Proviso. Acquisition and approval of title.

Establishment of Federal zone along international boundary. *Ante*, p. 660.

For investigations relating to the establishment of a Federal zone along the international boundary, United States and Mexico, as authorized by Public Law Numbered 286, approved August 19, 1935 (49 Stat., 660), including salaries and wages; fees for professional services; supplies and materials; communication service; travel expenses; transportation of things; hire, maintenance, and operation of motor-propelled passenger- and freight-carrying vehicles; hire with or without personal services of work animals and animal-drawn and motor-propelled vehicles and equipment; and such other expenses as the Secretary of State may deem necessary, $4,650, to be immediately available.

International Boundary Commission, United States and Canada and Alaska and Canada.

INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND CANADA AND ALASKA AND CANADA

Expenses, under treaty obligations. Vol. 44, p. 2102.

To enable the President to perform the obligations of the United States under the treaty between the United States and Great Britain in respect of Canada, signed February 24, 1925; for salaries and expenses, including the salary of the commissioner and salaries of the necessary engineers, clerks, and other employees for duty at the seat of government and in the field; cost of office equipment and supplies; necessary traveling expenses; commutation of subsistence to employees while on field duty, not to exceed $4 per day each, but not to exceed $1.75 per day each when a member of a field party and subsisting in camp; for payment for timber necessarily cut in keeping the boundary line clear, not to exceed $500; and for all other necessary and reasonable expenses incurred by the United States in maintaining an effective demarcation of the international boundary line between the United States and Canada and Alaska and Canada under the terms of the treaty aforesaid, including the completion of such remaining work as may be required under the award of the Alaskan Boundary Tribunal and existing treaties between the United States and Great Britain, and including the hire of freight- and passenger-carrying vehicles from temporary field employees, to be disbursed under the direction of the Secretary of State, $43,000.

Boundary lines, United States and Canada and Alaska and Canada.

International Joint Commission, United States and Great Britain.

WATERWAYS TREATY, UNITED STATES AND GREAT BRITAIN: INTERNATIONAL JOINT COMMISSION, UNITED STATES AND GREAT BRITAIN

Salaries, expenses, etc.

For salaries and expenses, including salaries of commissioners and salaries of clerks and other employees appointed by the commissioners on the part of the United States, with the approval solely of the Secretary of State; for necessary traveling expenses, and for expenses incident to holding hearings and conferences at such places in Canada and the United States as shall be determined by the Commission or by the American commissioners to be necessary, including travel expense and compensation of necessary witnesses, making necessary transcript of testimony and proceedings; for cost of law books, books of reference and periodicals, office equipment and supplies; and for one half of all reasonable and necessary joint expenses

of the International Joint Commission incurred under the terms of the treaty between the United States and Great Britain concerning the use of boundary waters between the United States and Canada, and for other purposes, signed January 11, 1909; $37,100, to be disbursed under the direction of the Secretary of State: *Provided*, That the salaries of the American Commissioners shall not exceed $7,500 each per annum: *Provided further*, That traveling expenses of the commissioners, secretary, and necessary employees shall be allowed in accordance with the provisions of the Subsistence Expense Act of 1926, as amended (U. S. C., title 5, secs. 821–833).

Vol. 36, p. 2448.

Provisos.
Salary restriction.

Traveling expenses.
Vol. 44, p. 688.
U. S. C., p. 103.

For an additional amount for necessary special or technical investigations in connection with matters which fall within the scope of the jurisdiction of the International Joint Commission, including personal services in the District of Columbia or elsewhere, traveling expenses, procurement of technical and scientific equipment, and the purchase, exchange, hire, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles, $65,000, to be disbursed under the direction of the Secretary of State, who is authorized to transfer to any department or independent establishment of the Government, with the consent of the head thereof, any part of this amount for direct expenditure by such department or establishment for the purposes of this appropriation.

Special or technical investigations.

Personal services.

ARBITRATION OF SMELTER-FUMES CONTROVERSY

Arbitration of smelter-fumes controversy: For the expense of the arbitration under the convention between the United States and Canada, signed April 15, 1935, of the questions set forth in article III of that convention for determining damages caused in the State of Washington from fumes discharged from the smelter of the Canadian Mining and Smelting Company at Trail, British Columbia, including the share of the United States of the honorarium of the neutral arbitrator and of other joint expenses of the two Governments; honorarium of the United States arbitrator; compensation of an agent; compensation of employees in the District of Columbia and elsewhere, without regard to the civil-service laws and regulations or to the Classification Act of 1923, as amended; stenographic reporting and translating services, by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent in the District of Columbia and elsewhere; traveling expenses and per diem (notwithstanding the provisions of any other Act); cost of necessary books and documents; stationery; official cards; printing and binding; and such other expenditures as may be authorized by the Secretary of State, and the Secretary of State is authorized to transfer to any department or independent establishment of the Government with the consent of the head thereof, any part of this amount for direct expenditure by such department or establishment for the purposes of this appropriation, $50,000, to be available immediately: *Provided*, That no salary or honorarium shall be paid from this appropriation at an annual rate in excess of $10,000: *Provided*, That the ultimate decisions under this arbitration shall be consummated within two years from the date of the passage of this Act.

Arbitration of smelter-fumes controversy.

Post, p. 3246.

Personal services.

R. S., sec. 3709, p. 733.
U. S. C., p. 1803.

Printing and binding.

Provisos.
Salary, etc., limitation.
Time restriction.

INTER-AMERICAN CONFERENCE

For the expenses of participation by the United States in an Inter-American Conference to be held at Buenos Aires, Argentina, or at the capital of another American republic, in 1936, including personal services in the District of Columbia or elsewhere without reference to the Classification Act of 1923, as amended; stenographic

Inter-American Conference.

Participation expenses.
Post, p. 1353.

reporting and other services by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses (and by indirect routes and by airplane if specifically authorized by the Secretary of State); hire, maintenance, and operation of motor-propelled passenger-carrying vehicles; equipment, purchase of necessary books, documents, newspapers, periodicals, and maps; stationery; official cards; entertainment; printing and binding; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, to be expended under the direction of the Secretary of State, $75,000, to be immediately available.

Vehicles.

Printing and binding.

GENERAL AND SPECIAL CLAIMS CONVENTIONS, UNITED STATES AND MEXICO

Mexican general and special claims conventions.
Vol. 43, pp. 1722, 1730.
Vol. 48, p. 1844.

For the expenses of settlement and adjustment of claims of the citizens of each country against the other under a convention concluded September 8, 1923, as extended, and of citizens of the United States against Mexico under a convention concluded September 10, 1923, as extended, and the protocol and convention signed April 24, 1934, between the United States and Mexico, including the expenses which, under the terms of the above agreements, are chargeable in part to the United States, the expenses of an agency of the United States to perform all necessary services in connection with the preparation of American claims and the defense of the United States in cases presented by Mexico, and of a general claims commissioner to act as a joint appraiser in appraising the claims, and for the expenses of the joint committee in determining the proper classification of claims which have heretofore been filed as both general and special claims, as provided by the agreements of April 24, 1934, including salaries of an agent and necessary counsel and other assistants and employees and rent in the District of Columbia and elsewhere, law books and books of reference, printing and binding, contingent expenses, contract stenographic reporting services, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), the employment of special counsel, translators, and other technical experts, by contract, without regard to the provisions of any statute relative to employment, traveling expenses, the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, and such other expenses in the United States and elsewhere as the President may deem proper, $124,270: *Provided*, That the salary of the American commissioners of general and special claims shall not exceed $10,000 per annum each: *Provided further*, That from any sums received from the Mexican Government in settlement of a general claim of an American citizen against it, there shall be deducted and deposited in the Treasury of the United States as miscellaneous receipts, 5 per centum thereof in reimbursement of the Government of the United States of expenses incurred by it in respect of such claim.

Preparation of claims and defenses.

Salaries, etc.

Printing and binding.

R. S., sec. 3709, p. 733.
U. S. C., p. 1803.

Provisos.
Commissioners' salaries.

Deductions.

SPECIAL MEXICAN CLAIMS COMMISSION

Special Mexican Claims Commission.

Special Mexican Claims Commission: For the purpose of carrying into effect the provisions of the Act entitled "An Act to establish a commission for the settlement of the special claims comprehended within the terms of the convention between the United States of America and the United Mexican States concluded April 24,

1934", approved April 10, 1935, including personal services in the District of Columbia or elsewhere, without regard to the provisions of any statute relating to employment; rent in the District of Columbia or elsewhere; furniture; office supplies, and equipment, including law books and books of reference; stenographic reporting and translating services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); traveling expenses; transportation of things; printing and binding; and such other necessary expenses as may be authorized by the Secretary of State, $90,000, together with the unexpended balance of the appropriation made available for this purpose in the Second Deficiency Appropriation Act, fiscal year 1936,[1] which unexpended balance is continued available until August 31, 1937.

Ante, p. 149.

Printing and binding.

Balance reappropriated.
Ante, p. 590.

INTERNATIONAL FISHERIES COMMISSION

International Fisheries Commission.

For the share of the United States of the expenses of the International Fisheries Commission, under the convention between the United States and Great Britain, concluded May 9, 1930, including salaries of two members and other employees of the Commission, traveling expenses, charter of vessels, purchase of books, periodicals, furniture, and scientific instruments, contingent expenses, rent in the District of Columbia, and such other expenses in the United States and elsewhere as the Secretary of State may deem proper, to be disbursed under the direction of the Secretary of State, $25,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1936: *Provided*, That not to exceed $700 shall be expended by the Commissioner and his staff in attending meetings of the Commission.

Share of expenses.

Vol. 47, p. 1872.

Ante, p. 76.
Proviso.
Attendance at meetings.

Section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not apply to any purchase by or service rendered for the Department of State when the aggregate amount involved does not exceed $100 or when the purchase or service relates to the packing of personal and household effects of Diplomatic, Consular, and Foreign Service officers and clerks for foreign shipment.

Minor purchases, etc.
R. S., sec. 3709, p. 733.
U. S. C., p. 1803.

Unless expressly authorized, no portion of the sums appropriated in title I of this Act shall be expended for rent or rental allowances in the District of Columbia or elsewhere in the United States.

Rental restriction.

Hereafter, whenever the Secretary of State, in his discretion, procures information on behalf of corporations, firms, and individuals, the expense of cablegrams and telephone service involved may be charged against the respective appropriations for the service utilized; and reimbursement therefor shall be required from those for whom the information was procured and, when made, be credited to the appropriation under which the expenditure was charged.

Procuring information for corporations, etc.

The President, in his discretion, may assign officers of the Army or Navy or officers or employees of the Treasury Department for duty as inspectors of buildings owned or occupied by the United States in foreign countries, or as inspectors or supervisors of buildings under construction or repair by or for the United States in foreign countries, under the jurisdiction of the Department of State, or for duty as couriers of the Department of State, and when so assigned they may receive the same traveling expenses as are authorized for officers of the Foreign Service, payable from the applicable appropriations of the Department of State.

Assignments of officers, etc., as inspectors, etc., of buildings abroad; traveling expenses.

This title may be cited as the Department of State Appropriation Act, 1937.

Short title.

[1] So in original.

Department of Justice.

TITLE II—DEPARTMENT OF JUSTICE

OFFICE OF THE ATTORNEY GENERAL

Attorney General, Solicitor General, etc.

Salaries: For the Attorney General, Solicitor General, Assistant to the Attorney General, and other personal services in the District of Columbia; $1,675,000.

Contingent expenses. *Post*, p. 1624.

Contingent expenses: For stationery, furniture and repairs, floor coverings not exceeding $1,000, file holders and cases; miscellaneous expenditures, including telegraphing and telephones, postage, labor, typewriters and adding machines and the exchange thereof and repairs thereto, street-car fares not exceeding $300, newspapers, press clippings, and other necessaries ordered by the Attorney General;

Vehicles.

official transportation, including the repair, maintenance, and operation of six motor-driven passenger cars (one for the Attorney General, three for general use of the Department, two for the Federal Bureau of Investigation for investigative work), delivery truck, and motorcycle, to be used only for official purposes; purchase, at not to exceed $750 each, including exchange, of three passenger-carrying automobiles; purchase of law books, books of reference, and periodicals, including the exchange thereof; traveling and other miscellaneous and emergency expenses, authorized and approved by the Attorney General, to be expended at his discretion,

Provisos. Reimbursement for car expenses.

$185,000: *Provided*, That this appropriation may be reimbursed for expenditures in connection with cars herein authorized for the Bureau of Investigation from the appropriation for the expenses of said Bureau when approved in writing by the Attorney General:

U. S. Code, Annotated, price limitation.

Provided further, That not to exceed $2 per volume shall be paid for the current and future volumes of the United States Code, Annotated.

Printing and binding.

Printing and binding: For printing and binding for the Department of Justice and the courts of the United States, $298,000.

Federal Bureau of Investigation.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

Detection and prosecution of crimes. Protection of the President. Identification records.

Detection and prosecution of crimes: For the detection and prosecution of crimes against the United States; for the protection of the person of the President of the United States; the acquisition, collection, classification, and preservation of identification and other records and their exchange with the duly authorized officials of

Investigations. Matters under control of Departments of Justice and State.

the Federal Government, of States, cities, and other institutions; for such other investigations regarding official matters under the control of the Department of Justice and the Department of State as

Vehicles.

may be directed by the Attorney General, purchase and exchange not to exceed $50,000, and hire, maintenance, upkeep, and operation of motor-propelled passenger-carrying vehicles, to be used only on official business; purchase and exchange at not to exceed $7,000 each, and maintenance, upkeep, and operation, of not more than four

Supplies.

armored automobiles; firearms and ammunition; such stationery, supplies, and equipment for use at the seat of government or elsewhere as the Attorney General may direct; not to exceed $10,000 for taxicab hire to be used exclusively for the purposes set forth in this paragraph and to be expended under the direction of the Attorney General; traveling expenses, including expenses of attendance at meetings concerned with the work of such Bureau when authorized

Rewards for apprehending fugitives.

by the Attorney General; payment of rewards when specifically authorized by the Attorney General for information leading to the

apprehension of fugitives from justice, including not to exceed $20,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General, who shall make a certificate of the amount of such expenditure as he may think it advisable not to specify, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended; and including not to exceed $1,181,500 for personal services in the District of Columbia; $6,025,000, of which amount $100,000 shall be immediately available: *Provided*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the Federal Bureau of Investigation in the field when the aggregate amount involved does not exceed the sum of $50.

Emergencies.

Services in the District.

Proviso. Purchases without advertising. R. S., sec. 3709, p. 733. U. S. C., p. 1803.

MISCELLANEOUS OBJECTS, DEPARTMENT OF JUSTICE

Miscellaneous.

Conduct of customs cases: Assistant Attorney General, special attorneys and counselors at law in the conduct of customs cases, to be employed and their compensation fixed by the Attorney General; necessary clerical assistance and other employees at the seat of government and elsewhere, to be employed and their compensation fixed by the Attorney General, including experts at such rates of compensation as may be authorized or approved by the Attorney General; expenses of procuring evidence, supplies, Supreme Court Reports and Digests, and Federal Reporter and Digests, traveling, and other miscellaneous and incidental expenses, to be expended under the direction of the Attorney General; in all, $140,000.

Conduct of customs cases.

Defending suits in claims against the United States: For necessary expenses incurred in the examination of witnesses, procuring evidence, employment of experts at such rates of compensation as may be authorized or approved by the Attorney General, and such other expenses as may be necessary in defending suits in the Court of Claims, including Indian depredation claims, and contested proceedings involving inventions, to be expended under the direction of the Attorney General, $45,000.

Defending suits in claims against United States.

Taxes and Penalties Unit: For salaries and expenses in connection with the enforcement of liability for internal-revenue taxes and penalties involving violation of the National Prohibition Act, as amended and supplemented, the determination of the remission or mitigation of forfeitures under the internal-revenue laws and of liability for internal-revenue taxes and penalties in connection with violations of the National Prohibition Act occurring prior to the repeal of the eighteenth amendment, the institution of suits upon any cause of action under the National Prohibition Act or under the internal-revenue laws involving a violation of the National Prohibition Act arising prior to, and not affected by the repeal of the eighteenth amendment, and the compromise of any such cause of action before or after suit is brought, personal services in the District of Columbia and elsewhere, travel expenses, and such other expenditures as may be necessary, $220,000.

Taxes and Penalties Unit. Enforcing designated Acts, etc., under.

Enforcement of antitrust and kindred laws: For the enforcement of antitrust and kindred laws, including experts at such rates of compensation as may be authorized or approved by the Attorney General, including not to exceed $100,000 for personal services in the District of Columbia, $435,000.

Enforcement of antitrust, etc., laws. U. S. C., p. 509.

Examination of judicial offices: For the investigation of the official acts, records, and accounts of marshals, attorneys, clerks of the United States courts and Territorial courts, probation officers, and United States commissioners, for which purpose all the official papers, records, and dockets of said officers, without exception, shall

Examination of judicial offices.

be examined by the agents of the Attorney General at any time; and also, when requested by the presiding judge, the official acts, records, and accounts of referees and trustees of such courts; for copying, in the District of Columbia or elsewhere, reports of examiners at folio rates; traveling expenses; in all, $75,000; to be expended under the direction of the Attorney General.

Bureau of Prisons.

BUREAU OF PRISONS

Salaries and expenses.

Salaries and expenses: For salaries and expenses in connection with the supervision of the maintenance and care of United States prisoners, including not to exceed $229,820 for personal services in the District of Columbia and elsewhere, traveling expenses, and expenses of attendance at meetings concerned with the work of such bureau when authorized by the Attorney General; $267,900.

Veterans' insurance litigation.

VETERANS' INSURANCE LITIGATION

Salaries and expenses.
Vol. 43, pp. 612, 1302; U. S. C., p. 1662.
Vol. 48, p. 302.

Salaries and expenses: For salaries and expenses incident to the defense of suits against the United States under section 19 of the World War Veterans' Act, 1924, approved June 7, 1924, as amended, or the compromise of the same under the Independent Offices Appropriation Act, 1934, approved June 16, 1933, including traveling and office expenses, law books, supplies, equipment, stenographic reporting services by contract or otherwise, including notarial fees or like services and stenographic work in taking depositions at such rates of compensation as may be authorized or approved by the Attorney General, printing and binding, the employment of experts at such rates of compensation as may be authorized or approved by the Attorney General, and personal services in the District of Columbia and elsewhere, $700,000.

Judicial.

JUDICIAL

United States Supreme Court.

UNITED STATES SUPREME COURT

Salaries, Chief Justice and Associate Justices.
Reporter, and other officers and employees.

Salaries: For the Chief Justice and eight Associate Justices; Reporter of the Court; and all other officers and employees, whose compensation shall be fixed by the Court, except as otherwise provided by law, and who may be employed and assigned by the Chief Justice to any office or work of the Court, $416,000.

Printing and binding.

Printing and binding: For printing and binding for the Supreme Court of the United States, $21,000, to be expended as required without allotment by quarters, and to be executed by such printer as the court may designate.

Miscellaneous expenses.

Miscellaneous expenses: For miscellaneous expenses of the Supreme Court of the United States, to be expended as the Chief Justice may direct, $29,000.

Care of buildings and grounds.

Vol. 48, p. 668.

R. S., secs. 3709, 3744, pp. 733, 738.
U. S. C., pp. 1803, 1805.

Structural and mechanical care of the building and grounds: For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon him by the Act approved May 7, 1934 (48 Stat. 668), including improvements, maintenance, repairs, equipment, supplies, materials, and appurtenances, and personal and other services, and for snow removal by hire of men and equipment or under contract without compliance with sections 3709 and 3744 of the Revised Statutes (U. S. C., title 41, secs. 5 and 16), $55,000.

Judges.

SALARIES OF JUDGES

Salaries.

Salaries of judges: For forty-two circuit judges; one hundred and fifty-seven district judges (including two in the Territory of Hawaii, one in the Territory of Puerto Rico, four in the Territory

of Alaska, and one in the Virgin Islands); and judges retired under section 260 of the Judicial Code, as amended, and section 518 of the Tariff Act of 1930, $2,295,000: *Provided*, That this appropriation shall be available for the salaries of all United States justices and circuit and district judges lawfully entitled thereto, whether active or retired.

Retired judges. U. S. C., p. 1273. Vol. 46, p. 737; U. S. C., p. 892. *Proviso.* Availability.

EXPENSES OF JUDGES

Expenses of judges: For expenses of circuit and district judges of the United States and the judges of the district courts of the United States in Alaska, Puerto Rico, and Hawaii, as provided by law, $85,000.

Expenses of judges.

COURT OF CUSTOMS AND PATENT APPEALS

Court of Customs and Patent Appeals.

Salaries: Presiding judge and four associate judges and all other officers and employees of the court, $101,120.

Salaries.

Contingent expenses: For books and periodicals, including their exchange; stationery, supplies, traveling expenses; rugs, chemicals, cleansers, furniture; and for such other miscellaneous expenses as may be approved by the presiding judge, $3,000.

Contingent expenses.

Printing and binding: For printing and binding, $6,000.

Printing and binding.

UNITED STATES CUSTOMS COURT

Customs Court.

Salaries: Presiding judge and eight judges; and all other officers and employees of the court, $228,280.

Salaries.

Contingent expenses: For books and periodicals, including their exchange; stationery, supplies, traveling expenses; and for such other miscellaneous expenses as may be approved by the presiding judge, $15,000.

Contingent expenses.

Printing and binding: For printing and binding, $1,000.

Printing and binding.

COURT OF CLAIMS

Court of Claims.

Salaries: Chief justice and four judges; chief clerk at not exceeding $6,500; auditor at not exceeding $5,000; and all other officers and employees of the court, $122,160.

Salaries.

Printing and binding: For printing and binding, $25,500.

Printing and binding.

Contingent expenses: For stationery, court library, repairs, fuel, electric light, electric elevator, and other miscellaneous expenses, $6,500.

Contingent expenses.

Salaries and expenses of commissioners: For salaries of five regular commissioners and one temporary commissioner at $7,500 each, and for traveling expenses, compensation of stenographers authorized by the court, and for stenographic and other fees and charges necessary in the taking of testimony and in the performance of the duties as authorized by the Act entitled "An Act amending section 2 and repealing section 3 of the Act approved February 24, 1925 (U. S. C., title 28, secs. 269, 270), entitled 'An Act to authorize the appointment of commissioners by the Court of Claims and to prescribe their powers and compensation', and for other purposes", approved June 23, 1930 (U. S. C., title 28, sec. 270), $63,840.

Commissioners, salaries and expenses. Vol. 43, p. 964. U. S. C., p. 1263. Vol. 46, p. 799. U. S. C., p. 1264.

Repairs, furnishings, and so forth: For necessary repairs, furnishings, and improvements to the Court of Claims buildings, to be expended under the supervision of the Architect of the Capitol, $16,000.

Repairs, etc., to buildings.

TERRITORIAL COURTS

Territorial Courts.

HAWAII: For salaries of the chief justice and two associate justices, and for judges of the circuit courts, $88,500.

Hawaii.

DISTRICT COURT, PANAMA CANAL ZONE

District Court, Panama Canal Zone.

Salaries, District Court, Panama Canal Zone: For salaries of the officials and employees of the District Court of the United States for the Panama Canal Zone, $45,785.

United States Court for China.

UNITED STATES COURT FOR CHINA

Salaries and expenses. *Post*, p. 1625.

Living quarters. Vol. 46, p. 818; U. S. C., p. 45.

United States Court for China: For salaries of the judge, district attorney, and other officers and employees of the United States Court for China; allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a), not to exceed $1,700 for any one person; court expenses, including reference and law books, printing and binding, ice and drinking water for office purposes, traveling expenses of officers and employees of the court, and under such regulations as the Attorney General may prescribe of their families and effects, in going to and returning from their posts; preparation and transportation of remains of officers and employees who may die abroad or in transit while in the discharge of their official duties, to their former homes in the United States, or to a place not more distant for interment and for the ordinary expenses of such interment; the expense of maintaining in China American convicts and persons declared insane by the court, rent of quarters for prisoners, ice and drinking water for prison purposes, including wages of prison keepers, and the expense of keeping, feeding, and transporting prisoners and persons declared insane by the court, $49,375.

Bringing home remains of officers, etc., dying abroad.

United States Courts.

MARSHALS, AND OTHER EXPENSES OF UNITED STATES COURTS

Marshals. Salaries and expenses. Services in Alaska.

Salaries and expenses of marshals, and so forth: For salaries, fees, and expenses of United States marshals and their deputies, including services rendered in behalf of the United States or otherwise, services in Alaska in collecting evidence for the United States when so specifically directed by the Attorney General, traveling expenses, purchase, when authorized by the Attorney General, of ten motor-propelled passenger-carrying vans at not to exceed $2,000 each, and maintenance, alteration, repair, and operation of motor-propelled passenger-carrying vehicles used in connection with the transaction of the official business of the United States marshals, $3,300,000.

District attorneys. Salaries and expenses.

Salaries and expenses of district attorneys, and so forth: For salaries, traveling, and other expenses of United States district attorneys and their regular assistants, clerks, and other employees, including the office expenses of United States district attorneys in Alaska, and for salaries of regularly appointed clerks to United States district attorneys for services rendered during vacancy in the office of the United States district attorney, $3,083,510.

Special attorneys. Salaries and expenses. Assistants.

Salaries and expenses of special attorneys, and so forth: For compensation and traveling expenses of special attorneys and assistants to the Attorney General and to United States district attorneys employed by the Attorney General to aid in special cases, and for payment of foreign counsel employed by the Attorney General in special cases, $600,000, no part of which, except for payment of foreign counsel, shall be used to pay the compensation of any persons except attorneys duly licensed and authorized to practice under the laws of any State, Territory, or the District of Columbia: *Provided*, That the amount paid as compensation out of the funds herein appropriated to any person employed hereunder shall not exceed the rate of $10,000 per annum: *Provided further*, That reports be submitted to the Congress on the 1st day of July and January

Foreign counsel; restriction.

Provisos. Compensation limitation.

Reports to Congress.

showing the names of the persons employed hereunder, the annual rate of compensation or amount of any fee paid to each together with a description of their duties.

Clerks of courts. Salaries and expenses.

Salaries and expenses, clerks of courts: For salaries of clerks of United States circuit courts of appeals and United States district courts, their deputies, and other assistants, traveling expenses pursuant to the Subsistence Expense Act of 1926, as amended (U. S. C., title 5, secs. 821–833), and other expenses of conducting their respective offices, $2,125,000.

Vol. 44, p. 688; U. S. C., p. 103.

Commissioners, fees. R. S., sec. 1014, p. 189. U. S. C., p. 770.

Fees of commissioners: For fees of the United States commissioners and other committing magistrates acting under section 1014, Revised Statutes (U. S. C., title 18, sec. 591), $350,000.

Conciliation commissioners. Fees, per diem allowances, etc. Vol. 30, p. 544; Vol. 47, p. 1467. U. S. C., p. 333.

Conciliation commissioners, United States courts: For fees of conciliation commissioners, and per-diem allowance and traveling expenses of supervising conciliation commissioners, as authorized by the Act entitled "An Act to amend an Act entitled 'An Act to establish a uniform system of bankruptcy throughout the United States', approved July 1, 1898, and Acts amendatory thereof and supplementary thereto", approved March 3, 1933, as amended, $200,000: *Provided*, That none of the money appropriated herein shall be used to pay the statutory fee of any conciliation commissioner until the case for which the fee is provided shall have been finally disposed of, and not more than one fee shall be paid in any one case.

Proviso. Payment restriction.

Jurors and witnesses. Fees, mileage, and per diem.

Fees of jurors and witnesses: For mileage and per diems of jurors; for mileage and per diems of witnesses and for per diems in lieu of subsistence; and for payment of the expenses of witnesses, as provided by section 850, Revised Statutes (U. S. C., title 28, sec. 604), including the expenses, mileage, and per diems of witnesses on behalf of the Government before the United States Customs Court, such payments to be made on the certification of the attorney for the United States and to be conclusive as provided by section 846, Revised Statutes (U. S. C., title 28, sec. 577), $3,000,000: *Provided*, That not to exceed $10,000 of this amount shall be available for such compensation and expenses of witnesses or informants as may be authorized or approved by the Attorney General, which approval shall be conclusive: *Provided further*, That no part of the sum herein appropriated shall be used to pay any witness more than one attendance fee for any one calendar day.

R. S., sec. 850, p. 160. U. S. C., p. 1295.

R. S., sec. 846, p. 159. U. S. C., p. 1291.

Provisos. Pay, etc., on approval of Attorney General.

Attendance fee, limitation.

Bailiffs. Salaries and expenses. Jury expenses.

Salaries and expenses of bailiffs, and so forth: For bailiffs, not exceeding three bailiffs in each court, except in the southern district of New York and the northern district of Illinois; meals and lodging for jurors in United States cases, and of bailiffs in attendance upon the same, when ordered by the court, and meals and lodging for jurors in Alaska, as provided by section 193, title II, of the Act of June 6, 1900 (U. S. C., title 28, secs. 9, 557–570, 595, 596), and compensation for jury commissioners, $5 per day, not exceeding three days for any one term of court, $247,000: *Provided*, That, excepting in the case of bailiffs in charge of juries over Sundays and holidays, no per diem shall be paid to any bailiff unless the court is actually in session and the judge present and presiding or present in chambers: *Provided further*, That none of this appropriation shall be used for the pay of bailiffs when deputy marshals or marshals are available for the duties ordinarily executed by bailiffs, the fact of unavailability to be determined by the certificate of the marshal.

Alaska. Vol. 31, p. 362. U. S. C., pp. 1226, 1239, 1293.

Jury commissioners.

Provisos. Service restriction.

Use limited.

Miscellaneous expenses.

Miscellaneous expenses: For such miscellaneous expenses as may be authorized or approved by the Attorney General, for the United States courts and their officers, including experts, and notarial fees or like services and stenographic work in taking depositions, at such

Alaska.

Traveling expenses. Vol. 44, p. 688; U. S. C., p. 103.

Rent, supplies, etc.

Law books for judicial officers.

Federal Reporter.

Provisos.
Transmittal to successors.

U. S. Code, Annotated; price limitation.

Maximum salary, stenographer or law clerk.

Present stenographers not affected.

rates of compensation as may be authorized or approved by the Attorney General, so much as may be necessary in the discretion of the Attorney General for such expenses in the District of Alaska and in courts other than Federal courts, and traveling expenses pursuant to the Subsistence Expense Act of 1926, as amended (U. S. C., title 5, ch. 16); rent of rooms for United States courts and judicial officers; supplies, including the exchange of typewriting and adding machines, for the United States courts and judicial officers, including firearms and ammunition therefor; purchase of law books, including the exchange thereof, for United States judges, district attorneys, and other judicial officers, including the libraries of the ten United States circuit courts of appeals, and the Federal Reporter and continuations thereto as issued, $1,040,000: *Provided*, That such books shall in all cases be transmitted to their successors in office; all books purchased hereunder to be marked plainly, "The Property of the United States": *Provided further*, That not to exceed $2 per volume shall be paid for the current and future volumes of the United States Code, Annotated: *Provided further*, That the maximum salary paid to any stenographer or law clerk to any circuit or district judge shall not exceed $2,500 per annum: *Provided further*, That this limitation shall not operate to reduce the compensation of any stenographer now employed nor shall the salary of any stenographer drawing more than $2,500 per annum hereafter be increased.

Restriction on use of designated funds.

No part of the funds appropriated by title II of this Act for salaries of judges, the Attorney General, Assistant Attorneys-General, Solicitor General, district attorneys, marshals, and clerks of court shall be used for any other purpose whatsoever, but such salaries shall be allotted out of appropriations herein made for such salaries and retained by the Department and paid to such officials severally, as and when such salaries fall due and without delay.

Penal and correctional institutions.

PENAL AND CORRECTIONAL INSTITUTIONS

Services, supplies, etc.

For all services, including personal services compensated upon fee basis, supplies, materials, and equipment in connection with or incident to the subsistence and care of inmates and maintenance and upkeep of Federal penal and correctional institutions, including farm and other operations not otherwise specifically provided for in the discretion of the Attorney General; gratuities for inmates at release, provided such gratuities shall be furnished to inmates sentenced for terms of imprisonment of not less than six months, and transportation to the place of conviction or bona-fide residence at the time of conviction or to such other place within the United States as may be authorized by the Attorney General; expenses of interment or transporting remains of deceased inmates to their homes in the United States; maintenance and repair of passenger-carrying vehicles; traveling expenses of institution officials and employees when traveling on official duty, including expenses of attendance at meetings concerned with the work of the several institutions when authorized by the Attorney General, and including expenses incurred in pursuing and identifying escaped inmates; traveling expenses of members of advisory boards authorized by law incurred in the discharge of their official duties; packing, crating, drayage, and transportation of household effects, not exceeding in any one case, five thousand pounds, of employees when transferred from one official station to another for permanent duty and uniforms for the guard force, when specifically authorized by the Attorney General; rewards for the capture of escaped inmates; newspapers, books, and periodicals; firearms and ammunition; tobacco for inmates; and the

purchase and exchange of farm products and livestock, when authorized by the Attorney General: *Provided*, That any part of the appropriations under this heading used for payment of salaries of personnel employed in the operation of prison commissaries shall be reimbursed from commissary earnings, and such reimbursement shall be in addition to the amounts appropriated herein.

Proviso. Prison commissaries.

Medical and hospital service: For medical relief for, and incident to the care and maintenance of, inmates of penal and correctional institutions, including personal services in the District of Columbia and elsewhere, medical, surgical, and hospital supplies, materials, equipment, and appliances, together with appliances necessary for patients, $500,000, which amount, in the discretion of the Attorney General, may be transferred to the Public Health Service for direct expenditure under the laws, appropriations, and regulations governing the Public Health Service: *Provided*, That of this appropriation not to exceed $144,665 may be expended for the hospital for defective delinquents.

Medical and hospital service.

Proviso. Amount for hospital for defective delinquents.

Buildings and equipment: For the acquisition of sites, construction, remodeling, and equipping necessary buildings, purchase and installation of machinery and equipment and all necessary expenses incident thereto, for establishment of three new Federal jails (not to exceed $1,700,000) and altering and adapting other Government property for prison purposes, as authorized by the Act entitled "An Act to reorganize the administration of Federal prisons; to authorize the Attorney General to contract for the care of United States prisoners; to establish Federal jails, and for other purposes", approved May 14, 1930; extensions to existing facilities and not to exceed $300,000 for construction of dwellings for prison officers at existing institutions, as authorized by the several enabling Acts authorizing the construction of the respective institutions, to be expended under the direction of the Attorney General by contract or purchase of material and hire of labor and services and utilization of labor of United States prisoners as the Attorney General may direct, $2,550,000, to be immediately available and remain available until expended.

Buildings and equipment.

Acquisition of sites, construction, remodeling, etc.

Vol. 46, p. 325; U. S. C., p. 784.

Extensions; construction of dwellings for prison officers.

United States Penitentiary, Leavenworth, Kansas: For the United States Penitentiary at Leavenworth, Kansas, including not to exceed $672,700 for salaries and wages of all officers and employees, and including not to exceed $750 for the purchase of one motor-propelled passenger-carrying vehicle, $1,566,530.

Leavenworth, Kans.

United States Penitentiary, Atlanta, Georgia: For the United States Penitentiary at Atlanta, Georgia, including not to exceed $381,140 for salaries and wages of all officers and employees, and including not to exceed $750 for the purchase of one motor-propelled passenger-carrying vehicle, $894,140.

Atlanta, Ga.

United States Penitentiary, McNeil Island, Washington: For the United States Penitentiary at McNeil Island, Washington, including not to exceed $246,880 for salaries and wages of all officers and employees, and including not to exceed $750 for the purchase of one motor-propelled passenger-carrying vehicle, $504,180.

McNeil Island, Wash.

Construction and repair: For construction and repair of buildings including (1) extension of existing facilities, $132,600, and (2) development of island area, $167,400, including the purchase and installation of machinery and equipment and all expenses incident thereto, $300,000, to be immediately available and to remain available until expended and to be expended so as to give the maximum amount of employment to inmates of the institution: *Provided*, That the ultimate cost of the project for development of the island area shall not exceed $800,000.

Construction, etc.

Proviso. Cost limitation.

Northeastern Penitentiary.

United States Northeastern Penitentiary: For the United States penitentiary in the Northeast, including not to exceed $370,810 for salaries and wages of all officers and employees, $686,350.

Alcatraz Island, Calif.

United States Penitentiary, Alcatraz Island, California: For the United States Penitentiary at Alcatraz Island, California, including not to exceed $158,240 for salaries and wages of all officers and employees, $300,000.

Federal Industrial Institution for Women, Alderson, W. Va.

Federal Industrial Institution for Women, Alderson, West Virginia: For the Federal Industrial Institution for Women at Alderson, West Virginia, including not to exceed $136,000 for salaries and wages of all officers and employees, $272,175.

Industrial Reformatory, Chillicothe, Ohio.

United States Industrial Reformatory, Chillicothe, Ohio: For the United States Industrial Reformatory at Chillicothe, Ohio, including not to exceed $321,760 for salaries and wages of all officers and employees and including not to exceed $750 for the purchase of one motor-propelled passenger-carrying vehicle, $718,460.

Southwestern Reformatory.

United States Southwestern Reformatory: For the United States Southwestern Reformatory, including not to exceed $248,430 for salaries and wages of all officers and employees, and including not to exceed $750 for the purchase of one motor-propelled passenger-carrying vehicle, $486,830.

Hospital for Defective Delinquents.

United States Hospital for Defective Delinquents: For the United States Hospital for Defective Delinquents, including not to exceed $150,560 for salaries and wages of all officers and employees, $358,010.

Federal jails.

Federal jails: For maintenance and operation of Federal jails, including not to exceed $349,450 for salaries and wages of all officers and employees and including not to exceed $750 each for the purchase of two motor-propelled passenger-carrying vehicles, $715,000.

Prison camps, construction, etc.

Maintenance.

Prison camps: For the construction and repair of buildings at prison camps, the purchase and installation of machinery and equipment, and all necessary expenses incident thereto, and for the maintenance of United States prisoners at prison camps, including the maintenance, alteration, repair, and operation of a motor-propelled passenger-carrying bus, to be expended so as to give the maximum amount of employment to prisoners, $364,950: *Provided*, That reimbursements from this appropriation made to the War or other departments for supplies or subsistence shall be at the net contract or invoice price notwithstanding the provisions of any other Act.

Proviso. Reimbursements.

Federal Reformatory Camp, Petersburg, Va.

Federal Reformatory Camp, Petersburg, Virginia: For the Federal Reformatory Camp at Petersburg, Virginia, including not to exceed $128,540 for salaries and wages of all officers and employees, and including not to exceed $750 for the purchase of one motor-propelled passenger-carrying vehicle, $270,290.

Transfer of appropriations authorized.

Not to exceed 10 per centum of any of the foregoing appropriations under the general heading "Penal and Correctional Institutions" (except those for "Medical and hospital services", "Buildings and equipment", and "Construction and repair, United States penitentiary, McNeil Island, Washington") may be transferred, with the approval of the Director of the Bureau of the Budget, to any appropriation or appropriations from which transfers are authorized to be made by this paragraph, but no appropriation shall be increased by more than 10 per centum thereby and no transfer shall be effected for the payment of personnel in any such institution.

National Training School for Boys, D. C.

National Training School for Boys, Washington, District of Columbia: For the National Training School for Boys, Washington, District of Columbia, including not to exceed $750 for the purchase of one motor-propelled passenger-carrying vehicle, and expenses of a suitable attendant to accompany the remains of deceased inmates to their homes for burial; and including not to exceed $111,000 for salaries and wages of all officers and employees, $225,000.

Probation system, United States courts: For salaries and expenses of probation officers, as authorized by the Act entitled "An Act to amend the Act of March 4, 1925, chapter 521, and for other purposes", approved June 6, 1930 (U. S. C., title 18, sec. 726), $727,540: *Provided*, That not to exceed $145,000 of this appropriation may be expended for traveling expenses: *Provided further*, That no part of the appropriation herein made shall be used to pay any probation officer a salary in excess of $2,800 per annum: *Provided further*, That no part of any appropriation in this Act shall be used to defray the salary or expenses of any probation officer who does not comply with the official orders, regulations, and probation standards promulgated by the Attorney General.

Probation system, United States courts. Vol. 43, p. 1259; Vol. 46, p. 503. U. S. C., p. 781.

Provisos. Traveling expenses. Salary restriction.

Conditions imposed.

Support of prisoners: For support of United States prisoners, in non-Federal institutions and in the Territory of Alaska, including necessary clothing and medical aid, discharge gratuities provided by law and transportation to place of conviction or place of bona fide residence in the United States, or such other place within the United States as may be authorized by the Attorney General; and including rent, repair, alteration, and maintenance of buildings and the maintenance of prisoners therein, occupied under authority of sections 4 and 5 of the Act of May 14, 1930 (U. S. C., title 18, secs. 753c, 753d); support of prisoners becoming insane during imprisonment, and who continue insane after expiration of sentence, who have no relatives or friends to whom they can be sent; shipping remains of deceased prisoners to their relatives or friends in the United States, and interment of deceased prisoners whose remains are unclaimed; expenses incurred in identifying, pursuing, and returning escaped prisoners and for rewards for their recapture; and for repairs, betterments, and improvements of United States jails, including sidewalks, $2,100,000.

Support of prisoners.

Vol. 46, p. 326. U. S. C., p. 785.

Section 323 of part II of the Legislative Appropriation Act, approved June 30, 1932, except so much thereof as suspends the per diem for expenses of subsistence for witnesses, is hereby continued in full force and effect during the fiscal year ending June 30, 1937; and for the purpose of making such section applicable to such fiscal year the figures "1933" shall be read as "1937".

Jurors and witnesses, fees reduced. Vol. 47, p. 413.

None of the money appropriated by this title shall be used to pay any witness, juror, or bailiff more than one per diem for any one day's service even though he serves in more than one of such three capacities on the same day.

Payments restricted.

This title may be cited as the Department of Justice Appropriation Act, 1937.

Short title.

TITLE III.—DEPARTMENT OF COMMERCE

Department of Commerce.

OFFICE OF THE SECRETARY

Secretary's office.

Salaries: Secretary of Commerce, two Assistant Secretaries, and other personal services in the District of Columbia, including the Chief Clerk and Superintendent, who shall be chief executive officer of the Department and who may be designated by the Secretary of Commerce to sign official papers and documents during the temporary absence of the Secretary and the Assistant Secretaries of the Department, $352,000.

Salaries.

Contingent expenses: For contingent and miscellaneous expenses of the offices and bureaus of the Department, except the Patent Office, including those for which appropriations for contingent and miscellaneous expenses are specifically made, including professional and scientific books, law books, books of reference, periodicals, blank

Contingent and miscellaneous expenses.

books, pamphlets, maps, newspapers (not exceeding $1,500); purchase of atlases or maps; stationery; furniture and repairs to same; carpets, matting, oilcloth, file cases, towels, ice, brooms, soap, sponges; fuel, lighting, and heating; purchase and exchange of motor trucks and bicycles; maintenance, repair, and operation of three motor-propelled passenger-carrying vehicles (one for the Secretary of Commerce and two for the general use of the Department), and motor trucks and bicycles, to be used only for official purposes; freight and express charges; postage to foreign countries; telegraph and telephone service; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; first-aid outfits for use in the buildings occupied by employees of this Department; street-car fares, not exceeding $500; and all other miscellaneous items and necessary expenses not included in the foregoing, $129,500, which sum shall constitute the appropriation for contingent expenses of the Department, except the Patent Office, and shall also be available for the purchase of necessary supplies and equipment for field services of bureaus and offices of the Department for which contingent and miscellaneous appropriations are specifically made in order to facilitate the purchase through the central purchasing office (Division of Purchases and Sales), as provided by law.

Printing and binding.

Printing and binding: For all printing and binding for the Department of Commerce, including all of its bureaus, offices, institutions, and services in the District of Columbia and elsewhere, except the Patent Office, $450,000: *Provided*, That an amount not to exceed $2,000 of this appropriation may be expended for salaries of persons detailed from the Government Printing Office for service as copy editors.

Proviso.
Detail of copy editors.

Purchase of letters patent, etc.

Not to exceed $10,000 of the appropriations for the Department of Commerce for the fiscal year ending June 30, 1937, for the purchase of equipment or supplies shall be available for the purchase of letters patent, applications for letters patent, and licenses under letters patent that pertain to equipment, supplies, or business which the said Department of Commerce is authorized to purchase, use, or transact when the Secretary of Commerce shall personally certify that such purchase is necessary in the public interest.

Certificate of necessity required.

Bureau of Air Commerce.

BUREAU OF AIR COMMERCE

Departmental salaries.

Departmental salaries: For personal services in the District of Columbia, $390,000.

Air-navigation facilities.

Establishment, etc., of aids, mail routes, etc.

Establishment of air-navigation facilities: For the establishment of aids to air navigation, including the equipment of additional air-mail routes for day and night flying; the construction of necessary lighting, radio, and other signaling and communicating structures and apparatus; not to exceed $50,000 for investigation, research, and experimentation to develop and improve aids to air navigation; aircraft, aircraft power plants, and accessories; for personal services in the field; purchase of motor-propelled passenger-carrying vehicles for official use in field work, including their exchange; special clothing, wearing apparel, and suitable equipment for aviation purposes; and for the acquisition of the necessary sites by lease or grant, $882,920, of which not to exceed $150,000 shall be available immediately: *Provided*, That no part of this appropriation shall be used for any purpose not authorized by the Air Commerce Act of 1926, as amended.

Proviso.
Use restricted.
Vol. 44, p. 568; Vol. 45, p. 1404; U. S. C., p. 2249.

Maintenance and operation.
Post, p. 1618.

Maintenance of air-navigation facilities: For repairs, alterations, and all expenses of maintenance and operation of air-navigation facilities, motor-propelled passenger-carrying vehicles for official use

in field work, and airplanes (including accessories and spare parts), including personal services in the field, $4,764,080.

Aircraft in commerce: To carry out the provisions of the Act approved May 20, 1926, entitled "An Act to encourage and regulate the use of aircraft in commerce, and for other purposes", as amended by the Act approved February 28, 1929, and the Acts approved June 19 and 20, 1934 (U. S. C., title 49, secs. 171–184), including personal services in the field; rent in the District of Columbia and elsewhere; traveling expenses; contract stenographic reporting services; fees and mileage of witnesses; purchase of furniture and equipment; stationery and supplies, including medical supplies, typewriting, adding, and computing machines, accessories, and repairs; replacement, including exchange (not to exceed $2,000), maintenance, operation, and repair of motor-propelled passenger-carrying vehicles for official use in field work; replacement, including exchange, of airplanes (not to exceed $16,500); purchase of airplane motors, airplane and motor accessories, and spare parts; maintenance, operation, and repair of airplanes and airplane motors; purchase of special clothing, wearing apparel, and similar equipment for aviation purposes; purchase of books of reference and periodicals; newspapers, reports, documents, plans, specifications, maps, manuscripts, and all other publications; and all other necessary expenses not included in the foregoing; in all, $733,000, of which not to exceed $175,000 shall be available immediately.

Aircraft in commerce.
Services and expenses.
Vol. 44, p. 568; Vol. 45, p. 1404; Vol. 48, pp. 1113, 1116.
U. S. C., p. 2249.
Purchase, etc., of airplanes, accessories, etc.

Appropriations herein made for aircraft in commerce shall be available in an amount not to exceed $2,000 for expenses of attendance at meetings concerned with the promotion of civil aeronautics, and also expenses of illustrating the work of the Bureau of Air Commerce by showing of maps, charts, and graphs at such meetings, when incurred on the written authority of the Secretary of Commerce.

Attendance at meetings, etc.

BUREAU OF FOREIGN AND DOMESTIC COMMERCE

Bureau of Foreign and Domestic Commerce.

Salaries: For the director and other personal services in the District of Columbia, $328,800.

Salaries.

For carrying out the provisions of the Act approved March 3, 1927 (U. S. C., Supp. VII, title 15, secs. 197–197f, 198), to establish in the Bureau of Foreign and Domestic Commerce of the Department of Commerce a Foreign Commerce Service of the United States, including personal services in the District of Columbia and elsewhere, the compensation of a clerk or clerks for each commercial attaché at the rate of not to exceed $3,000 per annum for each person so employed, rent outside the District of Columbia, telephone service, purchase of furniture and equipment, stationery and supplies, typewriting, adding, duplicating, and computing machines, accessories and repairs, law books, books of reference and periodicals, uniforms, maps, reports, documents, plans, specifications, manuscripts, newspapers (foreign and domestic, not exceeding $2,000), and all other publications, traveling expenses of officers and employees, ice and drinking water for office purposes, and all other incidental expenses not included in the foregoing, to be expended under the direction of the Secretary of Commerce, and under the following heads:

Foreign Commerce Service.
Vol. 44, p. 1394.
U. S. C., p. 553.
Personal services.
Rent, etc.

Promoting commerce in Europe and other areas: Investigations in Europe and other areas for the promotion and development of the foreign commerce of the United States, $410,000;

Promoting commerce in Europe, etc.

Promoting commerce in Latin America: Investigations in Latin America for the promotion and development of the foreign commerce of the United States, $192,400;

In Latin America.

In the Far East.

Promoting commerce in the Far East: Investigations in the Far East for the promotion and development of the foreign commerce of the United States, $123,000;

In Africa.

Promoting commerce in Africa: Investigations in Africa for the promotion and development of the foreign commerce of the United States, $33,700;

District and cooperative office service.

District and cooperative office service: For all expenses necessary to operate and maintain district and cooperative offices, including personal services, rent outside of the District of Columbia, traveling expenses of officers and employees, purchase of furniture and equipment, stationery and supplies, typewriting, adding, and computing machines, accessories and repairs, purchase of maps, books of reference and periodicals, reports, documents, plans, specifications, manuscripts, not exceeding $300 for newspapers, both foreign and domestic, and all other publications necessary for the promotion of the commercial interests of the United States, and all other incidental expenses not included in the foregoing, $329,000;

China Trade Act. Enforcement expenses. Vol. 42, p. 849; Vol. 43, p. 995. U. S. C., p. 546.

Enforcement of China Trade Act: To carry out the provisions of the Act entitled "China Trade Act, 1922" (U. S. C., title 15, secs. 141–162), including personal services, traveling expenses of officers and employees, purchase of furniture and equipment, stationery and supplies, typewriting, adding, and computing machines, accessories and repairs, purchase of books of reference and periodicals, reports, documents, plans, specifications, maps, manuscripts, and all other publications, rent outside the District of Columbia, ice and drinking water for office purposes; and all necessary expenses not included in the foregoing, $9,000, of which amount not to exceed $3,200 may be expended for personal services in the District of Columbia: *Proviso.* Advance payments. *Provided*, That payment in advance for telephone and other similar services under this appropriation is hereby authorized;

Export industries. Investigations and reports.

Export industries: To enable the Bureau of Foreign and Domestic Commerce to investigate and report on domestic as well as foreign problems relating to the production, distribution, and marketing, insofar as they relate to the important export industries of the United States, including personal services, traveling expenses of officers and employees, purchase of furniture and equipment, stationery and supplies, typewriting, adding, and computing machines, accessories and repairs, books of reference and periodicals, reports, documents, plans, specifications, manuscripts, and all other publications, rent outside of the District of Columbia, ice and drinking water for office purposes, and all other incidental expenses connected therewith, $527,000, of which amount not to exceed $520,000 may be expended for personal services in the District of Columbia;

Domestic commerce and raw materials investigations.

Domestic commerce and raw materials investigations: For personal services and traveling expenses of officers and employees, to enable the Bureau of Foreign and Domestic Commerce to collect and compile information regarding the disposition and handling of raw materials and manufactures within the United States; and to investigate the conditions of production and marketing of foreign raw materials essential for American industries, $224,800, of which amount not to exceed $218,000 may be expended for personal services in the District of Columbia;

Foreign raw materials.

Customs statistics. Expenses of collecting, etc.

Customs statistics: For all expenses necessary for the operation of the section of customs statistics transferred to the Department of Commerce from the Treasury Department by the Act approved January 5, 1923 (U. S. C., title 15, sec. 194), including personal services; rent of or purchase of tabulating, punching, sorting, and other mechanical labor-saving machinery or devices, including

Vol. 42, p. 1109. U. S. C., p. 552.

adding, typewriting, billing, computing, mimeographing, multigraphing, photostat, and other duplicating machines and devices, including their exchange and repair; telegraph and telephone service; traveling expenses of officers and employees while traveling on official business; freight, express, drayage; tabulating cards, stationery, and miscellaneous office supplies; books of reference and periodicals; furniture and equipment; ice, water, heat, light, and power; street-car fare; and all other necessary and incidental expenses not included in the foregoing, $330,000, of which amount not to exceed $77,230 may be expended for personal services in the District of Columbia;

Lists of foreign buyers.

Lists of foreign buyers: For all necessary expenses, including personal services in the District of Columbia, purchase of furniture and equipment, stationery and supplies, typewriting, adding, and computing machines, accessories and repairs, lists of foreign buyers, books of reference, periodicals, reports, documents, plans, specifications, rent outside of the District of Columbia, traveling expenses of officers and employees, and all other incidental expenses not included in the foregoing, to enable the Bureau of Foreign and Domestic Commerce to collect and compile lists of foreign buyers, $47,900: *Provided*, That the Secretary of Commerce may make such charges as he deems reasonable for lists of foreign buyers, special statistical services, special commodity news bulletins, and World Trade Directory Reports, and the amounts collected therefrom shall be deposited in the Treasury as "Miscellaneous receipts";

Expenses of compiling.

Proviso.
Charge for services authorized.

Investigation of foreign trade restrictions.

Investigation of foreign trade restrictions: For all necessary expenses, including personal services in the District of Columbia, purchase of furniture and equipment, stationery and supplies, typewriting, adding, and computing machines, accessories and repairs, books of reference and periodicals, reports, documents, plans, specifications, manuscripts, and all other publications, rent outside of the District of Columbia, traveling expenses of officers and employees, and all other incidental expenses not included in the foregoing, to enable the Bureau of Foreign and Domestic Commerce to collect and compile information regarding the restrictions and regulations of trade imposed by foreign countries, $96,200;

Transportation of families and effects of officers and employees.

Transportation of families and effects of officers and employees: To pay the traveling expenses and expenses of transportation, under such regulations as the Secretary of Commerce may prescribe, of families and effects of officers and employees of the Bureau of Foreign and Domestic Commerce in going to and returning from their posts, or when traveling under the order of the Secretary of Commerce, and also for defraying the expenses of preparing and transporting the remains of officers and employees of the Bureau of Foreign and Domestic Commerce who may die abroad or in transit, while in the discharge of their official duties, to their former homes in this country, or to a place not more distant, for interment, and for the ordinary expenses of such interment, $38,600;

Bringing home remains of officers, etc., dying abroad.

Allowances for living quarters.

Allowances for living quarters: To enable the Secretary of Commerce, under such regulations as he may prescribe, in accordance with the provisions of the Act entitled "An Act to amend the Act entitled 'An Act to establish in the Bureau of Foreign and Domestic Commerce of the Department of Commerce, a Foreign Commerce Service of the United States, and for other purposes', approved March 3, 1927", approved April 12, 1930 (U. S. C., title 15, sec. 197f), to furnish the officers in the Foreign Commerce Service of the Bureau of Foreign and Domestic Commerce stationed in a foreign country, without cost to them and within the limits of this

Vol. 44, p. 1394; Vol. 46, p. 163.
U. S. C., p. 554.

appropriation, allowances for living quarters, heat and light, notwithstanding the provisions of section 1765 of the Revised Statutes (U. S. C., title 5, sec. 70), $107,000: *Provided*, That the maximum allowance to any officer shall not exceed $1,700;

R. S., sec. 1765, p. 314. U. S. C., p. 40.
Proviso. Maximum allowance.

Operation, etc., foreign-trade zones.

Operation, and so forth, of foreign-trade zones: To enable the Secretary of Commerce to comply with the provisions of the Act entitled "An Act to provide for the establishment, operation, and maintenance of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes", approved June 18, 1934 (48 Stat., p. 998), including personal services in the District of Columbia and elsewhere, traveling expenses, contract stenographic reporting services, supplies and equipment, books of reference and periodicals, newspapers and other publications, fees and mileage of witnesses, and all other necessary expenses, $30,000.

Vol. 48, p. 998; U. S. C., p. 799.

Attendance at meetings, etc.

Appropriations herein made for the Bureau of Foreign and Domestic Commerce shall be available in an amount not to exceed $2,500 for expenses of attendance at meetings concerned with the promotion of foreign and domestic commerce, or either, and also expenses of illustrating the work of the Bureau by showing of maps, charts, and graphs at such meetings, when incurred on the written authority of the Secretary of Commerce.

Minor purchases in foreign countries.

The purchase of supplies and equipment or the procurement of services for the Bureau of Foreign and Domestic Commerce, in foreign countries, may be made in open market without compliance with section 3709 of the Revised Statutes of the United States (U. S. C., title 41, sec. 5), in the manner common among business men, when the aggregate amount of the purchase or the service does not exceed $100 in any instance.

R. S., sec. 3709, p. 733. U. S. C., p. 1803.

Census Bureau.

BUREAU OF THE CENSUS

Services and expenses.

For expenses for securing information for and compiling the census reports provided for by law, including personal services in the District of Columbia and elsewhere; compensation and expenses of enumerators, special agents, supervisors, supervisor's clerks, and interpreters in the District of Columbia and elsewhere; traveling expenses; the cost of transcribing State, municipal, and other records; temporary rental of quarters outside the District of Columbia; not to exceed $2,500 for the employment by contract of personal services for the preparation of monographs on census subjects; not to exceed $54,000 for constructing tabulating machines and repairs to such machinery and other mechanical appliances, including technical, mechanical, and other personal services in connection therewith in the District of Columbia and elsewhere, and the purchase of necessary machinery and supplies; and not to exceed $1,000 for expenses of attendance at meetings concerned with the collection of statistics when incurred on the written authority of the Secretary of Commerce; $1,900,500, of which amount not to exceed $1,450,000 may be expended for personal services in the District of Columbia, including not to exceed $51,000 for temporary employees who may be appointed by the Director of the Census under civil-service rules, at per-diem rates to be fixed by him without regard to the provisions of the Classification Act of 1923, as amended, for the purpose of assisting in periodical inquiries, and not to exceed $35,000, to be immediately available, shall be expended for printing accumulated census data.

Monographs. Tabulating machines, etc.

Services in the District.

Temporary employees.

U. S. C., p. 85.

Census of Agriculture: For an additional amount for salaries and necessary expenses of the Census Bureau for compiling and publishing the Census of Agriculture of the United States for 1935, including the same objects specified under this head in the Department of Commerce Appropriation Act, 1936, $200,000, to be available immediately, and to remain available until December 31, 1936.

Census of Agriculture.
Salaries and expenses.
Vol. 46, p. 25; U. S. C., p. 492.
Ante, p. 91.

BUREAU OF NAVIGATION AND STEAMBOAT INSPECTION

Bureau of Navigation and Steamboat Inspection.

Departmental salaries: For the director and other personal services in the District of Columbia, $179,000.

Departmental salaries.
Post, p. 1380.

Salaries and general expenses: For salaries of shipping commissioners, steamboat inspectors, and other personal services; to enable the Secretary of Commerce to provide and operate such motor boats and employ such persons (including temporary employees) as may be necessary for the enforcement, under his direction, of laws relating to navigation and inspection of vessels, boarding of vessels, counting of passengers on excursion boats to prevent overcrowding, and to secure uniformity in the admeasurement of vessels; fees to witnesses; traveling expenses of the personnel of the bureau and field offices; materials, supplies, equipment, and services, including rent and janitor service; purchase, exchange, and repair of instruments; plans and specifications; insignia, braid, and chin straps; coats, caps, and aprons for stewards' departments on vessels; and other incidental expenses of field offices, including contract stenographic reporting services, in the District of Columbia and elsewhere; $1,748,500.

General expenses.
Enforcement of inspection, etc., laws.

NATIONAL BUREAU OF STANDARDS

Bureau of Standards.

Salaries and expenses: For carrying out the provisions of the Act establishing the National Bureau of Standards, approved March 3, 1901 (U. S. C., title 5, secs. 591, 597; title 15, secs. 271–278), and of Acts supplementary thereto affecting the functions of the Bureau, and specifically including the functions as set forth under the Bureau of Standards in the "Department of Commerce Appropriation Act, 1935", approved April 7, 1934, and for all necessary expenses, purchases, and personnel connected with administration and operation, testing, inspection and technical information service, research and development, and standards for commerce, including rental of laboratories in the field, communication service, transportation service; travel, street-car fares not exceeding $100, expenses of the visiting committee, attendance of American member at the meeting of the International Committee of Weights and Measures, attendance at meetings concerned with standardization and research, or either, when incurred on the written authority of the Secretary of Commerce, not to exceed $4,500; compensation and expenses of medical officers of the Public Health Service detailed to the National Bureau of Standards for the purpose of maintaining a first-aid station and making clinical observations; compiling and disseminating scientific and technical data; demonstrating the results of the Bureau's work by exhibits or otherwise as may be deemed most effective; purchases of supplies, materials, stationery, electric power, fuel for heat, light, and power, and accessories of all kinds needed in the work of the Bureau, including supplies for office, laboratory, shop, and plant, and cleaning and toilet supplies, gloves, goggles, rubber boots, and aprons; contingencies of all kinds; supplies for operation, maintenance, and repair of motor trucks and a passenger automobile for official use, including their exchange; purchases of equipment of all kinds, including its repair and exchange, including apparatus,

Salaries and expenses.
Vol. 31, p. 1449.
U. S. C., pp. 78, 560.
Vol. 48, p. 552.
Attendance at meeting of International Committee of Weights and Measures.
Detailed Public Health Service officers.
Supplies.
Equipment.

machines, and tools, furniture, typewriters, adding machines, and other labor-saving devices, books, periodicals, and reference books, including their exchange when not needed for permanent use; translation of technical articles when required; salary of the director and other personal services in the District of Columbia and in the field, in accordance with the Classification Act of 1923, as amended.

Salaries.

Operation, etc.

Operation and administration: For the general operation and administration of the Bureau; improvement and care of the grounds; plant equipment; necessary repairs and alterations to buildings, $273,000.

Testing, inspection, and information service.

Testing, inspection, and information service: For calibrating and certifying measuring instruments, apparatus, and standards in terms of the national standards; the preparation and distribution of standard materials; the broadcasting of radio signals of standard frequency; the testing of equipment, materials, and supplies in connection with Government purchases; the improvement of methods of testing; advisory services to governmental agencies on scientific and technical matters; and supplying available information to the public, upon request, in the field of physics, chemistry, and engineering, $800,000.

Research and development.

Research and development: For the maintenance and development of national standards of measurement; the development of improved methods of measurement; the determination of physical constants and the properties of materials; the investigation of mechanisms and structures, including their economy, efficiency, and safety; the study of fluid resistance and the flow of fluids and heat; the investigation of radiation, radioactive substances, and X-rays; the study of conditions affecting radio transmission; the development of methods of chemical analysis and synthesis, and the investigation of the properties of rare substances; investigations relating to the utilization of materials, including lubricants and liquid fuels; the study of new processes and methods of fabrication; and the solutions of problems arising in connection with standards, $671,500.

Standards for commerce.

Standards for commerce: For cooperation with Government purchasing agencies, industries, and national organizations in developing specifications and facilitating their use; for encouraging the application of the latest developments in the utilization and standardization of building materials; for the development of engineering and safety codes, simplified-practice recommendations, and commercial standards of quality and performance, $110,000.

Cooperative work with departments, etc., on scientific investigations.

During the fiscal year 1937 the head of any department or independent establishment of the Government having funds available for scientific investigations and requiring cooperative work by the National Bureau of Standards on scientific investigations within the scope of the functions of that Bureau, and which the National Bureau of Standards is unable to perform within the limits of its appropriations, may, with the approval of the Secretary of Commerce, transfer to the National Bureau of Standards such sums as may be necessary to carry on such investigations. The Secretary of the Treasury shall transfer on the books of the Treasury Department any sums which may be authorized hereunder, and such amounts shall be placed to the credit of the National Bureau of Standards for performance of work for the department or establishment from which the transfer is made, including, where necessary, compensation for personal services in the District of Columbia and in the field.

Transfer of funds authorized.

Total.
Services in the District.

Total, National Bureau of Standards, $1,854,500, of which amount not to exceed $1,630,000 may be expended for personal services in the District of Columbia.

BUREAU OF LIGHTHOUSES

Bureau of Lighthouses.

Salaries: For the Commissioner and other personal services in the District of Columbia, $125,600. Salaries.

General expenses: For supplies, including replacement of and necessary additions to existing equipment, repairs, maintenance, and incidental expenses of lighthouses and other lights, beacons, buoyage, fog signals, lighting of rivers heretofore authorized to be lighted, light vessels, other aids to navigation, and lighthouse tenders, including the establishment, repair, and improvement of beacons and day marks, and purchase of land for same; establishment of post lights, buoys, submarine signals, and fog signals; not to exceed $10,000 for the purchase and placement of buoys to mark submarine obstructions off the mouth of the Cape Fear River; establishment of oil or carbide houses, not to exceed $10,000: *Provided*, That any oil or carbide house erected hereunder shall not exceed $1,000 in cost; construction of necessary outbuildings at a cost not exceeding $1,000 at anyone light station in any fiscal year; improvement of grounds and buildings connected with light stations and depots; restoring light stations and depots and buildings connected therewith: *Provided further*, That such restoration shall be limited to the original purpose of the structures; wages of persons attending post lights; temporary employees and field force while engaged on works of general repair and maintenance, and laborers and mechanics at lighthouse depots; rations and provisions or commutation thereof for working parties in the field, officers and crews of light vessels and tenders, and officials and other authorized persons of the Lighthouse Service on duty on board of such tenders or vessels, and money accruing from commutation for rations and provisions for the above-named persons on board of tenders and light vessels or in working parties in the field may be paid on proper vouchers to the person having charge of the mess of such vessel or party; not exceeding $2,500 for packing, crating, and transporting personal household effects of employees when transferred from one official station to another for permanent duty; purchase of rubber boots, oilskins, rubber gloves, goggles, and coats, caps, and aprons for stewards' departments on vessels; reimbursement under rules prescribed by the Secretary of Commerce of keepers of light stations and masters of light vessels and of lighthouse tenders for rations and provisions and clothing furnished shipwrecked persons who may be temporarily provided for by them, not exceeding in all $2,000 in any fiscal year; fuel, light, and rent of quarters where necessary for keepers of lighthouses; purchase of land sites for fog signals; rent of necessary ground for all such lights and beacons as are for temporary use or to mark changeable channels and which in consequence cannot be made permanent; rent of offices, depots, and wharves; traveling expenses, including travel for the examinations authorized by the Act entitled "An Act to provide for retirement for disability in the Lighthouse Service", approved March 4, 1925 (U. S. C., title 33, sec. 765); mileage; library books for light stations and vessels, and technical books and periodicals not exceeding $500; traveling expenses of teachers while actually employed by States or private persons to instruct the children of keepers of lighthouses; all other contingent expenses of district offices and depots, including the purchase of provisions for sale to lighthouse keepers at isolated stations, and the appropriation reimbursed; purchase (not to exceed $3,600), exchange, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles for official use in field work; payment of rewards for the apprehension and conviction, or for information helpful to the apprehension and conviction of persons found interfering with aids to navigation maintained

General expenses. Aids to navigation.

Cape Fear River, marking obstructions.

Provisos. Limitation on construction cost.

Restoring stations, etc.

Limited to original purpose.

Personal services.

Transferring effects.

Rations, clothing, etc.

Traveling expenses. Vol. 43, p. 1261. U. S. C., p. 1496.

Paying rewards.

Vol. 35, p. 162.
U. S. C., p. 1496.

by the Lighthouse Service, in violation of section 6 of the Act of May 14, 1908 (U. S. C., title 33, sec. 761); $4,424,000, of which $390,000 shall be immediately available for repairs, and so forth, due to storm and ice damage.

Keepers of lighthouses.

Keepers of lighthouses: For salaries of not exceeding one thousand four hundred lighthouse and fog-signal keepers and persons attending lights, exclusive of post lights, $1,846,000.

Lighthouse vessels.

Lighthouse vessels: For salaries and wages of officers and crews of light vessels and lighthouse tenders, including temporary employment when necessary, $2,150,000.

Superintendents, clerks, etc.

Superintendents, clerks, and so forth: For salaries of eighteen superintendents of lighthouses, and of assistant superintendents, clerks, draftsmen, and other authorized permanent employees in the district offices and depots of the Lighthouse Service, exclusive of those regularly employed in the office of the Bureau of Lighthouses, District of Columbia, $700,000.

Retired pay.

Retired pay: For retired pay of officers and employees engaged in the field service or on vessels of the Lighthouse Service, except persons continuously employed in district offices and shops, $620,000.

Coast and Geodetic Survey.

COAST AND GEODETIC SURVEY

Expenses.

For every expenditure requisite for and incident to the work of the Coast and Geodetic Survey, including maintenance, repair, exchange, and operation of motor-propelled or horse-drawn vehicles for official use in field work, purchase of motorcycles with side cars, including their exchange, not to exceed $500, surveying instruments, including their exchange, rubber boots, canvas and rubber gloves, goggles, and caps, coats, and aprons for stewards' departments on vessels, extra compensation at not to exceed $1 per day for each station to employees of the Lighthouse Service and the Weather Bureau while observing tides or currents, services of one tide observer in the District of Columbia at not to exceed $1 per day, and compensation, not otherwise appropriated for, of persons employed in the field work, for travel and other expenses incident to the execution of field work upon approval by the head of the Bureau, and for expenses in an amount not to exceed $150 of attendance at meetings concerned with the work of the Coast and Geodetic Survey when incurred on the written authority of the Secretary of Commerce, to be expended in accordance with the regulations relating to the Coast and Geodetic Survey subscribed by the Secretary of Commerce, and under the following heads:

Attendance at meetings.

Field expenses.
Atlantic, etc., coasts.

Field expenses, Atlantic and Gulf coast: For surveys and necessary resurveys of the Atlantic and Gulf coasts of the United States, including the coasts of outlying islands under the jurisdiction of the United States, and including the employment in the field and office of one physicist to develop survey methods based on transmission of sound through sea water, $119,000: *Provided*, That not more than $35,000 of this amount shall be expended on the coasts of said outlying islands and the Atlantic entrance to the Panama Canal;

Proviso.
Outlying islands.

Pacific coast.

Pacific coast: For surveys and necessary resurveys of coasts on the Pacific Ocean under the jurisdiction of the United States, and including the employment in the field and office of one physicist to develop survey methods based on transmission of sound through sea water, $158,000;

Physical hydrography.

Tides, currents, and so forth: For continuing researches in physical hydrography, relating to harbors and bars, and for tidal and current observations on the coasts of the United States, or other coasts under the jurisdiction of the United States, $13,500;

Coast Pilot: For compilation of the Coast Pilot, including the employment of such pilots and nautical experts, and stenographic help in the field and office as may be necessary for the same, $5,200; Coast Pilot.

Magnetic and seismological work: For continuing magnetic and seismological observations and to establish meridian lines in connection therewith in all parts of the United States; making magnetic and seismological observations in other regions under the jurisdiction of the United States; purchase of additional magnetic and seismological instruments; lease of sites where necessary and the erection of temporary magnetic and seismological buildings; and including the employment in the field and office of such magnetic and seismological observers and stenographic services as may be necessary, $60,000; Magnetic and seismological work.

Federal, boundary, and State surveys: For continuing lines of exact levels between the Atlantic, Pacific, and Gulf coasts; determining geographic positions by triangulation and traverse for the control of Federal, State, boundary, county, city, and other surveys and engineering works in all parts of the United States; including special geodetic surveys of first-order triangulation and leveling in regions subject to earthquakes, not exceeding $10,000; determining field astronomic positions and the variation of latitude, including the maintenance and operation of the latitude observatories at Ukiah, California, and Gaithersburg, Maryland, not exceeding $2,500 each; establishing lines of exact levels, determining geographic positions by triangulation and traverse, and making astronomic observations in Alaska; and continuing gravity observations in the United States and for making such observations in regions under the jurisdiction of the United States and also on islands and coasts adjacent thereto, $90,000, of which amount not to exceed $31,300, may be expended for personal services in the District of Columbia; Federal, boundary, and State surveys. Ukiah and Gaithersburg observatories. Alaska.

Miscellaneous objects: For objects not hereinbefore named that may be deemed urgent, including the preparation or purchase of plans and specifications of vessels and the employment of such hull draftsmen in the field and office as may be necessary for the same; the reimbursement, under rules prescribed by the Secretary of Commerce, of officers of the Coast and Geodetic Survey for food, clothing, medicines, and other supplies furnished for the temporary relief of distressed persons in remote localities and to shipwrecked persons temporarily provided for by them, not to exceed a total of $500; actual necessary expenses of officers of the field force temporarily ordered to the office in the District of Columbia for consultation with the director, and not exceeding $1,500 for the expenses of the attendance of representatives of the Coast and Geodetic Survey who may be designated as delegates from the United States at the meetings of the International Hydrographic Bureau and the International Union of Geodesy and Geophysics, and not exceeding $3,000 for special surveys that may be required by the Bureau of Lighthouses or other proper authority, $5,600; Miscellaneous. Relief of distressed persons. Attendance at meetings.

Repair of vessels: For repair of vessels, including traveling expenses of persons inspecting the repairs, and exclusive of engineer's supplies and other ship chandlery, $70,000; Vessels, repair, etc.

Pay of officers and men on vessels: For all necessary employees to man and equip the vessels, including professional seamen serving as mates on vessels of the Survey, to execute the work of the Survey herein provided for and authorized by law $547,000; Officers and men on vessels, pay.

Pay, commissioned officers: For pay and allowances prescribed by law for commissioned officers on sea duty and other duty, holding relative rank with officers of the Navy, including one director with relative rank of captain, six hydrographic and geodetic engineers Commissioned officers, pay and allowances.

with relative rank of captain, ten hydrographic and geodetic engineers with relative rank of commander, seventeen hydrographic and geodetic engineers with relative rank of lieutenant commander, forty-seven hydrographic and geodetic engineers with relative rank of lieutenant, sixty-one junior hydrographic and geodetic engineers with relative rank of lieutenant (junior grade), twenty-nine aides with relative rank of ensign, and including officers retired in accordance with existing law, $802,000: *Provided*, That the Secretary of Commerce may designate one of the hydrographic and geodetic engineers to act as assistant director;

Proviso. Assistant director.

Office force.

Office force: For personal services, $575,000;

Office expenses.

Office expenses: For purchase of new instruments (except surveying instruments), including their exchange, materials, equipment, and supplies required in the instrument shop, carpenter shop, and chart division; books, scientific and technical books, journals, books of reference, maps, charts, and subscriptions; copper plates, chart paper, printer's ink, copper, zinc, and chemicals for electrotyping and photographing; engraving, printing, photographing, rubber gloves, and electrotyping supplies; photolithographing and printing charts for immediate use; stationery for office and field parties; transportation of instruments and supplies when not charged to party expenses; telegrams; washing; office furniture, repairs; traveling expenses of officers and others employed in the office sent on special duty in the service of the office; miscellaneous expenses, contingencies of all kinds, not exceeding $90 for street-car fares, $60,000.

Subsistence restrictions.

Appropriations herein made for the Coast and Geodetic Survey shall not be available for allowance to civilian or other officers for subsistence while on duty at Washington (except as hereinbefore provided for officers of the field force ordered to Washington for short periods for consultation with the director), except as now provided by law.

Application of airplane to field work.

Appropriations herein made for the field expenses of the Coast and Geodetic Survey shall be available for expenditures in the application of the airplane to the field work of the Coast and Geodetic Survey, and not to exceed a total of $10,000 of said appropriations shall be available for the purchase or construction of cameras and other photographic apparatus, for equipment, except airplanes, and for employment of personnel in the field and office in connection with such work.

Cameras, etc.

Bureau of Fisheries.

BUREAU OF FISHERIES

Commissioner's office.

Commissioner's office: For the Commissioner and other personal services in the District of Columbia, $156,420.

Propagation of food fishes.

Propagation of food fishes: For maintenance, repair, alteration, improvement, equipment, and operation of fish-cultural stations, general propagation of food fishes and their distribution, including movement, maintenance, and repairs of cars, purchase of equipment (including rubber boots and oilskins) and apparatus, contingent expenses, pay of permanent employees not to exceed $387,030, temporary labor, and not to exceed $10,000 for propagation and distribution of fresh-water mussels and the necessary expenses connected therewith, and not to exceed $10,000 for the purchase, collection, and transportation of specimens and other expenses incidental to the maintenance and operation of aquarium, of which not to exceed $5,000 may be expended for personal services in the District of Columbia, $667,000.

Maintenance of vessels.

Maintenance of vessels: For maintenance and operation of vessels and launches, including purchase and repair of boats, apparatus, machinery, and other facilities required for use with the same, hire

of vessels, temporary employees, and all other necessary expenses in connection therewith, including not to exceed $750 for the purchase of plans and specifications for vessels or for contract personal services for the preparation thereof, and money accruing from commutation of rations and provisions on board vessels may be paid on proper vouchers to the persons having charge of the mess of such vessels, $160,000, of which not to exceed $13,460 may be expended for pay of officers and employees of vessels of the Atlantic coast, and not to exceed $75,000 for pay of officers and crews of vessels for the Alaska Fisheries Service.

Allotment for Atlantic coast and Alaska.

Commutation of rations (not to exceed $1 per day) may be paid to officers and crews of vessels of the Bureau of Fisheries during the fiscal year 1937 under regulations prescribed by the Secretary of Commerce.

Commutation of rations.

Inquiry respecting food fishes: For inquiry into the cause of the decrease of food fishes in the waters of the United States, and for investigation and experiments in respect to the aquatic animals, plants, and waters, and screening of irrigation ditches in fishways, in the interests of fish culture and the fishery industries, including pay of permanent employees not to exceed $133,200, temporary employees, maintenance, repair, improvement, equipment, and operation of biological stations, expenses of travel and preparation of reports, $172,000.

Food fishes inquiry.

Fishery industries: For collection and compilation of statistics of the fisheries and the study of their methods and relations, and the methods of preservation and utilization of fishery products, including pay of permanent employees not to exceed $36,200, compensation of temporary employees, travel and preparation of reports, including temporary employees in the District of Columbia not to exceed $1,800, and all other necessary expenses in connection therewith, including the purchase (not to exceed $500), exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles for official use in the field work of the Bureau of Fisheries, $62,000, of which $2,000 shall be immediately available for the construction of a fishery byproducts laboratory at Seattle, Washington, including the acquisition of a site.

Fishery industries. Statistical studies.

Alaska, general service: For protecting the seal fisheries of Alaska, including the furnishing of food, fuel, clothing, and other necessities of life to the natives of the Pribilof Islands of Alaska; not exceeding $20,000 for construction, improvement, repair, and alteration of buildings and roads, transportation of supplies to and from the islands, expenses of travel of agents and other employees and subsistence while on said islands, hire and maintenance of vessels, purchase of sea otters, and for all expenses necessary to carry out the provisions of the Act entitled "An Act to protect the seal fisheries of Alaska, and for other purposes", approved April 21, 1910 (U. S. C., title 16, secs. 631–658), and for the protection of the fisheries of Alaska, including pay of permanent employees not to exceed $69,900, contract stenographic reporting service, travel of employees while on duty in Alaska, hire of boats, employment of temporary labor, and all other necessary expenses connected therewith, $278,000, of which $100,000 shall be available immediately.

Alaska, general service. Seal fisheries.

Vol. 36, p. 326. U. S. C., p. 677.

Enforcement of black bass law: To enable the Secretary of Commerce to carry into effect the Act entitled "An Act to amend the Act entitled 'An Act to regulate interstate transportation of black bass, and for other purposes', approved May 20, 1926" (U. S. C., title 16, sec. 851–856), approved July 2, 1930 (46 Stat. 845–847), $15,000, of which not to exceed $1,800 may be expended for personal services in the District of Columbia.

Black bass law, enforcement.

Vol. 44, p. 576; Vol. 46, p. 845. U. S. C., p. 708.

Mississippi Wild Life and Fish Refuge. Construction, maintenance, etc. Vol. 43, p. 650. U. S. C., p. 690.

Mississippi Wild Life and Fish Refuge: For construction of buildings, boats, and ponds, for purchase of equipment, including boats, for maintenance, operation, repair, and improvements, including expenditures for personal services at the seat of government and elsewhere as may be necessary, as authorized in the Act approved June 7, 1924 (U. S. C., title 16, secs. 721–731), $18,000.

Fisheries Cooperative Marketing Act. Expenses, enforcing, etc. Vol. 48, p. 1213. U. S. C., p. 571.

Fisheries Cooperative Marketing Act: To enable the Secretary of Commerce to execute the functions imposed upon him by the Act entitled "An Act authorizing associations of producers of aquatic products", approved June 25, 1934 (48 Stat., p. 1213), including traveling expenses and contract stenographic reporting services, $12,500, of which not to exceed $9,500 may be expended for personal services in the District of Columbia.

Shellfish investigation.

Shellfish investigation: To provide for the investigation, control, and eradication of marine organisms injurious to shellfish in the Atlantic and Gulf States, including purchase of equipment and supplies, including boats and floating equipment and the maintenance and operation thereof; hire and charter of vessels and boats; pay of officers and crews and other personal services, including temporary employees (not exceeding $4,000 in the District of Columbia) as may be necessary; printing and binding; and all other necessary expenses connected therewith; $25,000.

Printing and binding.

Attendance at meetings.

Not to exceed $750 of the appropriations herein made for the Bureau of Fisheries shall be available for expenses of attendance at meetings concerned with the work of said Bureau when incurred on the written authority of the Secretary of Commerce, and not to exceed $500 shall be available for the rental of suitable quarters in the District of Columbia for laboratory and storage purposes.

Patent Office.

PATENT OFFICE

Salaries, Commissioner and office personnel. *Proviso.* Temporary typists.

Salaries: For the Commissioner of Patents and other personal services in the District of Columbia, $3,400,000: *Provided*, That of the amount herein appropriated not to exceed $25,000 may be used for special and temporary services of typists certified by the Civil Service Commission, who may be employed in such numbers, at $4 per diem, as may, in the judgment of the Commissioner of Patents, be necessary to keep current the work of furnishing manuscript copies of records.

Photolithographing.

Photolithographing: For producing copies of weekly issue of drawings of patents and designs; reproduction of copies of drawings and specifications of exhausted patents, designs, trade marks, and other papers, such other papers when reproduced for sale to be sold at not less than cost plus 10 per centum; reproduction of foreign patent drawings; photo prints of pending application drawings; and photostat and photographic supplies and dry mounts, $200,000.

Multigraphed headings.

The headings of the drawings for patented cases may be multigraphed in the Patent Office for the purpose of photolithography.

Miscellaneous expenses.

Miscellaneous expenses: For purchase and exchange of law, professional, and other reference books and publications and scientific books; expenses of transporting publications of patents issued by the Patent Office to foreign governments; directories, furniture and filing cases; for investigating the question of public use or sale of inventions for two years or more prior to filing applications for patents, and such other questions arising in connection with applications for patents and the prior art as may be deemed necessary by the Commissioner of Patents; for expense attending defense of

suits instituted against the Commissioner of Patents; for expenses (in an amount not to exceed $500) of attendance at meetings concerned with the work of the Patent Office when incurred on the written authority of the Secretary of Commerce, and for other contingent and miscellaneous expenses of the Patent Office, $45,000. Attendance at meetings.

Printing and binding: For printing the weekly issue of patents, designs, trade marks, prints, and labels, exclusive of illustrations; and for printing, engraving illustrations, and binding the Official Gazette, including weekly and annual indices, $958,700; for miscellaneous printing and binding, $56,300; in all, $1,015,000. Printing and binding.

UNITED STATES SHIPPING BOARD BUREAU

United States Shipping Board Bureau.

Salaries and expenses: To carry out the provisions of the Shipping Act, 1916, as amended, the Merchant Marine Acts of 1920 and 1928, as amended, the Intercoastal Shipping Act, 1933 (U. S. C., title 46, secs. 741–790, 801–848, 861–889, 891–891x, 911–984); and Executive Order Numbered 6166 (June 10, 1933), including the compensation of attorneys, officers, naval architects, special experts, examiners, and clerks, one technical expert in connection with construction loan fund, and other employees in the District of Columbia and elsewhere; and for other expenses of the Bureau, including the rental of quarters outside the District of Columbia, traveling expenses of employees of the Bureau, while upon official business away from their designated posts of duty, including not to exceed $300 for attendance at meetings or conventions of members of any society or association, the purpose of which is of interest to the development and maintenance of an American merchant marine, when incurred on the written authority of the Secretary of Commerce, and for the employment by contract of expert stenographic reporters for its official reporting work, $249,000, of which amount not to exceed $243,000 may be expended for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be used to pay any salary at a rate in excess of $8,000 per annum except that this limitation shall not apply to the salary of the Director of the Bureau: *Provided further*, That the annual estimates of the Shipping Board Bureau for the fiscal year 1938 shall be accompanied by a statement showing the number and compensation of employees of the Fleet Corporation assigned to that Bureau: *Provided further*, That employees of the Merchant Fleet Corporation assigned to and serving with the Shipping Board Bureau whose compensation is within the range of salary prescribed for the appropriate grade to which the position has been allocated under the Classification Act of 1923, as amended, shall not be subject to reduction in salary by reason of their transfer during the fiscal year 1937 to the pay roll of the Bureau.

Salaries and expenses. Vol. 39, p. 728; Vol. 41, p. 988; Vol. 45, p. 689. U. S. C., p. 2051.

Provisos. Salary restriction.

Personnel statement to accompany estimates.

Salary status, Merchant Fleet Corporation transfers.

Shipping fund: For expenses of the United States Shipping Board Merchant Fleet Corporation during the fiscal year ending June 30, 1937, for administrative purposes, including the salaries of employees (not to exceed $158,000) of the Fleet Corporation assigned to the Shipping Board Bureau, miscellaneous adjustments, losses due to the maintenance and operation of ships, including operation through an agreement to pay a lump-sum compensation, for the repair of ships, for the purchase, exchange, maintenance, repair, and operation of motor vehicles for official purposes only; for the payment of premiums for liability, fire, theft, property damage, and collision insurance and for other forms of insurance, including

Shipping fund. Expenses of Merchant Fleet Corporation.

schedule and fidelity bonds, commonly carried by commercial corporations engaged in the same or a similar business, and for carrying out the provisions of the Merchant Marine Act, 1920, and amendments thereto, (a) the amount of operating funds on hand July 1, 1936; (b) all amounts received during the fiscal year ending June 30, 1937, other than the proceeds of sales of ships and surplus property; (c) so much of the total proceeds of sales of ships and surplus property received during the fiscal year 1937 as is necessary to meet (1) the expenses of liquidation, including the salaries of personnel engaged thereon and the cost incident to the delivery of vessels to purchasers not to exceed $450,000, (2) the cost of maintaining the laid-up fleet not to exceed $525,000, and (3) not to exceed $1,000,000 shall be available upon the written approval of the Secretary of Commerce for use for reconditioning and operating ships for carrying coal, cotton, grain, lumber, and other basic commodities to foreign ports; and (d) so much of the total proceeds of sales of ships and surplus property received during the fiscal year 1937 as is necessary for the protection of the interests of the United States in any vessel or property on which the United States holds a mortgage: *Provided*, That no part of these sums, (a), (b), (c), and (d) shall be used for the payment of claims arising out of the construction and requisitioning of vessels.

Merchant Marine Act, 1920.
Vol. 41, p. 988.
U. S. C., p. 2062.

Reconditioning, etc., ships carrying basic commodities abroad.

Proviso.
Use restricted.

Payment of claims.
Vol. 42, pp. 647, 1242.

That portion of the special claims appropriation contained in the Independent Offices Appropriation Act for the fiscal year 1923 committed prior to July 1, 1923, and remaining unexpended on June 30, 1936, shall continue available until June 30, 1937, for the same purposes and under the same conditions.

Operation of ships.

Vol. 44, p. 318.

To enable the United States Shipping Board Merchant Fleet Corporation to operate ships or lines of ships which have been or may be taken back from purchasers by reason of competition or other methods employed by foreign shipowners or operators, there is hereby reappropriated the unexpended balance of the appropriation of $10,000,000 made for similar purposes in the Independent Offices Appropriation Act for the fiscal year 1927: *Provided*, That no expenditure shall be made for the purposes of this paragraph from this sum without the prior approval of the President of the United States.

Proviso.
Approval of President.

Attorneys.
Approval of contract of employment.

No part of the sums appropriated in this Act shall be used to pay the compensation of any attorney, regular or special, for the United States Shipping Board Bureau or the United States Shipping Board Merchant Fleet Corporation unless the contract of employment has been approved by the Attorney General of the United States.

Salary restriction.

No part of the funds of the United States Shipping Board Merchant Fleet Corporation shall be available to pay any salary at a rate in excess of $8,000 per annum.

Rent.

Vol. 48, p. 389.

No part of the funds of the United States Shipping Board Merchant Fleet Corporation shall be available for the rent of buildings in the District of Columbia during the fiscal year 1937 if suitable space is provided for said corporation by the Office of National Parks, Buildings, and Reservations of the Department of the Interior.

Fuel oil of foreign production.
Purchase, use, etc., restricted.

No part of the funds of the United States Shipping Board Merchant Fleet Corporation shall be available during the fiscal year 1937 for the purchase of any kind of fuel oil of foreign production for issue, delivery, or sale to ships at points either in the United States or its possessions, where oil of the production of the United States or its possessions is available, if the cost of such oil compared with foreign-oil costs be not unreasonable.

Of the sums herein made available under the United States Shipping Board Bureau, not to exceed an aggregate of $150,000 shall be expended for compensation of regular attorneys employed on a yearly salary basis, including their clerical and legal assistants.

Compensation of attorneys.

This title may be cited as the Department of Commerce Appropriation Act, 1937.

Short title.

TITLE IV—DEPARTMENT OF LABOR

Department of Labor.

OFFICE OF THE SECRETARY

Office of the Secretary.

Salaries: Secretary of Labor, Assistant Secretary, Second Assistant Secretary, and other personal services in the District of Columbia, $330,000: *Provided*, That persons (not exceeding ten in number) now employed in the determination of wages pursuant to the provisions of the Act entitled "An Act to amend the Act approved March 3, 1931, relating to the rate of wages for laborers and mechanics employed by contractors and subcontractors on public buildings", approved August 30, 1935, may be continued in such employment and paid from the amount herein appropriated without regard to the provisions of the civil-service laws requiring competitive examinations: *Provided further*, That said personnel (except attorneys and referees) shall be required to take nonassembled examinations.

Salaries.

Provisos.
Personnel determining wage rates, retained.
Ante, p. 1011.

Nonassembled examinations required.

Promotion of health, safety, employment, and so forth: For salaries and expenses in connection with the promotion of health, safety, employment stabilization, and amicable industrial relations for labor and industry, $140,000, of which amount not to exceed $83,580 may be expended for personal services in the District of Columbia.

Promotion of health, safety, employment, etc.

Contingent expenses: For contingent and miscellaneous expenses of the offices and bureaus of the Department, for which appropriations for contingent and miscellaneous expenses are not specifically made, including the purchase of stationery, furniture, and repairs to the same, carpets, matting, oilcloths, file cases, towels, ice, brooms, soap, sponges, laundry, street-car fares not exceeding $400; purchase, exchange, maintenance, and repair of motorcycles and motor trucks; maintenance, operation, and repair of a motor-propelled passenger-carrying vehicle, to be used only for official purposes; freight and express charges; newspaper clippings not to exceed $1,200, postage to foreign countries, telegraph and telephone service, typewriters, adding machines, and other labor-saving devices; purchase of law books, books of reference, newspapers and periodicals, not exceeding $4,500; contract stenographic services; all other necessary miscellaneous items and expenses not included in the foregoing; and not to exceed $25,000 for purchase of certain supplies for the Immigration and Naturalization Service; in all, $112,500: *Provided*, That section 3709 of the Revised Statutes of the United States (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the Department of Labor when the aggregate amount involved does not exceed the sum of $100.

Contingent expenses.

Proviso.
Minor purchases.
R. S., sec. 3709, p. 733; U. S. C., p. 1803.

Printing and binding: For printing and binding for the Department of Labor, including all its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, $250,000.

Printing and binding.

Commissioners of conciliation: To enable the Secretary of Labor to exercise the authority vested in him by section 8 of the Act creating the Department of Labor (U. S. C., title 5, sec. 611[1]) and to

Commissioners of conciliation.
Vol. 37, p. 738.
U. S. C., p. 81.

[1] So in original.

appoint commissioners of conciliation, traveling expenses, telegraph and telephone service, and not to exceed $80,000 for personal services in the District of Columbia, $408,000.

International Labor Organization, Geneva. Liaison with; expenses, etc. Vol. 48, p. 1182.

Liaison with the International Labor Organization, Geneva, Switzerland, salaries and expenses: For a United States Labor Commissioner and other personal services in Geneva, Switzerland; compensation of interpreters, translators, and porters; traveling expenses of employees, including transportation of employees, their families, and effects, in going to and returning from foreign posts; rent, heat, light, and fuel; hire, maintenance, and operation of motor-propelled passenger-carrying vehicles; purchase and exchange of foreign and domestic books, periodicals, and newspapers; purchase of furniture, stationery, and supplies; printing and binding; postage; telephone and other similar expenses, for which payment may be made in advance; necessary technical or special investigations in connection with matters falling within the scope of the International Labor Organization; allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a), not to exceed $1,700 for any person, and contingent and such other expenses in the United States and elsewhere as the Secretary of Labor may deem necessary, fiscal year 1937, $28,000.

Printing and binding, etc.

Vol. 46, p. 818; U. S. C., p. 45.

Bureau of Labor Statistics.

BUREAU OF LABOR STATISTICS

Salaries and expenses.

Salaries and expenses: For personal services, including temporary statistical clerks, stenographers, and typewriters in the District of Columbia, and including also experts and temporary assistants for field service outside of the District of Columbia; traveling expenses, including expenses of attendance at meetings concerned with the work of the Bureau of Labor Statistics when incurred on the written authority of the Secretary of Labor; purchase of periodicals, documents, envelopes, price quotations, and reports and materials for reports and bulletins of said Bureau, $850,000, of which amount not to exceed $628,500 may be expended for the salary of the Commissioner and other personal services in the District of Columbia.

Immigration and Naturalization Service.

IMMIGRATION AND NATURALIZATION SERVICE

Salaries and expenses.

Salaries and expenses: For enforcement of the laws regulating the immigration to, the residence in, and the exclusion and deportation from the United States of aliens and persons subject to the Chinese exclusion laws; for enforcement of the laws authorizing a uniform rule for the naturalization of aliens; salaries, transportation, traveling, and other expenses of officers, clerks, and other employees appointed to enforce said laws; care, detention, maintenance, transportation, and traveling expenses incident to the deportation and exclusion of aliens and persons subject to the Chinese exclusion laws, as authorized by law, in the United States and to, through, or in foreign countries; purchase of supplies and equipment, including alterations and repairs; purchase, exchange, operation, maintenance, and repair of motor-propelled vehicles, including passenger-carrying vehicles for official use in field work; arms, ammunition and accessories; cost of reports of decisions of the Federal courts and digests thereof for official use; verifications of legal papers; refunding of head tax, maintenance bills, and immigration fines, upon presentation of evidence showing conclusively that collection and deposit was made through error; mileage and fees to witnesses subpenaed on behalf of the United States, and for all other expenses necessary to enforce said laws; $9,740,000, all to be expended under the direction of the Secretary of Labor, of which

Deportation, etc., of aliens.

Vehicles.

Witness fees, etc.

amount not to exceed $545,000 may be expended for the salary of the Commissioner of Immigration and Naturalization and other personal services in the District of Columbia, including services of persons authorized by law to be detailed there for duty: *Provided*, That not to exceed $45,000 of the sum herein appropriated shall be available for the purchase, including exchange, of motor-propelled passenger-carrying vehicles: *Provided further*, That the Commissioner of Immigration and Naturalization, with the approval of the Secretary of Labor, may contract with officers and employees stationed outside of the District of Columbia, whose salaries are payable from this appropriation, for the use, on official business outside of the District of Columbia, of privately owned horses, and the consideration agreed upon shall be payable from the funds herein appropriated: *Provided further*, That not to exceed $36,000 of the total amount herein appropriated shall be available for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a), not to exceed $1,700 for any person: *Provided further*, That $100,000 of the amount herein appropriated shall be available only for the payment of extra compensation for overtime services of inspectors and employees of the Immigration and Naturalization Service for which the United States receives reimbursement in accordance with the provisions of the Act of March 2, 1931 (U. S. C., title 8, secs. 109a and 109b): *Provided further*, That not to exceed $400 of the sum herein appropriated may be expended for attendance at meetings concerned with the naturalization of aliens when incurred on the written authority of the Secretary of Labor: *Provided further*, That no part of this appropriation shall be available for the compensation of assistants to clerks of United States courts: *And provided further*, That not to exceed $10,000 of the sum herein appropriated may be expended for payment of rewards, when specifically authorized by the Secretary of Labor, for information leading to the detection, arrest, or conviction of persons violating the immigration or naturalization laws.

Services in the District.

Provisos.
Vehicles.

Privately owned horses.

Allowances for living quarters, etc.
Vol. 46, p. 818.
U. S. C., p. 45.

Overtime services of inspectors, etc.

Vol. 46, p. 1467.
U. S. C., p. 184.

Attendance at meetings.

Pay of assistants to clerks of courts forbidden.

Payment of rewards.

Immigration stations: For remodeling, repairing (including repairs to the ferryboat, Ellis Island), renovating buildings, and purchase of equipment, $110,000.

Immigration stations.

CHILDREN'S BUREAU

Children's Bureau.

Salaries and expenses: For expenses of investigating and reporting upon matters pertaining to the welfare of children and child life, and especially to investigate the questions of infant mortality; personal services, including experts and temporary assistants; traveling expenses, including not to exceed $3,000 for expenses of attendance at meetings for the promotion of child welfare when incurred on the written authority of the Secretary of Labor; purchase of reports and material for the publications of the Children's Bureau and for reprints from State, city, and private publications for distribution when said reprints can be procured more cheaply than they can be printed by the Government, and other necessary expenses, $400,000, of which amount not to exceed $313,500 may be expended for personal services in the District of Columbia.

Salaries and expenses.
Investigations.

MATERNAL AND CHILD WELFARE

Maternal and child welfare.

Salaries and expenses: For all authorized and necessary administrative expenses of the Children's Bureau in performing the duties imposed upon it by title V of the Social Security Act, approved August 14, 1935, including personal services, rentals, repairs, and

Salaries and expenses.
Ante, p. 629.

alterations to buildings, in the District of Columbia and elsewhere; printing and binding; supplies; services; equipment; newspapers, books of reference, periodicals, and press clippings; travel expenses, including expenses of attendance at meetings and attendance of cooperating officials and consultants at conferences when called by the Children's Bureau with the approval of the Secretary of Labor, $299,000.

Social Security Act. Payments under State plans.

In the administration of title V of the Social Security Act for the fiscal year 1937, payments to States for any quarter of the fiscal year 1937 under parts 1 and 2 may be made with respect to any State plan approved under such respective parts by the Chief of the Children's Bureau prior to or during such quarter, but no such payment shall be made with respect to any plan for any period prior to the quarter in which such plan was submitted to the Chief of the Children's Bureau for approval.

GRANTS TO STATES FOR MATERNAL AND CHILD-HEALTH SERVICES

Maternal and child-health services, grants to States.

Grants to States for maternal and child-health services, Children's Bureau: For grants to States for the purpose of enabling each State to extend and improve services for promoting the health of mothers and children, as authorized in title V, part 1, of the Social Security Act, approved August 14, 1935 (49 Stat. 629–631), $2,820,000: *Provided*, That in carrying out such part 1, the allotments to States and expenditures thereunder for the fiscal year 1937 are authorized to be made on the basis of a total of $3,800,000 for all States (as defined in such Act): *Provided further*, That any allotment to a State pursuant to section 502 (b) shall not be included in computing for the purposes of subsections (a) and (b) of section 504 an amount expended or estimated to be expended by the State.

Ante, p. 629.

Provisos. Basis of allotments, 1937.

Supplemental aid not included.

Ante, p. 630.

GRANTS TO STATES FOR SERVICES FOR CRIPPLED CHILDREN

Services for crippled children, grants to States.

Grants to States for services for crippled children, Children's Bureau: For the purpose of enabling each State to extend and improve services for crippled children, as authorized in title V, part 2, of the Social Security Act, approved August 14, 1935 (49 Stat., 631–633), $2,150,000: *Provided*, That in carrying out such part 2, the allotments to States (as defined in such Act) and expenditures thereunder for the fiscal year 1937 are authorized to be made on the basis of a total of $2,850,000 for all States.

Ante, p. 631.

Proviso. Basis of allotments, 1937.

GRANTS TO STATES FOR CHILD-WELFARE SERVICES

Child-welfare services, grants to States.

Grants to States for child-welfare services, Children's Bureau: For grants to States for the purpose of enabling the United States, through the Children's Bureau, to cooperate with State public-welfare agencies in establishing, extending, and strengthening public-welfare services for the care of homeless or neglected children, or children in danger of becoming delinquent, as authorized in title V, part 3, of the Social Security Act, approved August 14, 1935 (49 Stat. 633), $1,200,000: *Provided*, That in carrying out such part 3, the allotments to States (as defined in such Act) and expenditures thereunder for the fiscal year 1937 are authorized to be made on the basis of a total of $1,500,000 for all States.

Ante, p. 633.

Proviso. Basis of allotments, 1937.

Women's Bureau.

WOMEN'S BUREAU

Salaries and expenses. Vol. 41, p. 987; U. S. C., p. 1320.

Salaries and expenses: For carrying out the provisions of the Act entitled "An Act to establish in the Department of Labor a bureau to be known as the Women's Bureau", approved June 5, 1920

(U. S. C., title 29, secs 11–16), including personal services in the District of Columbia, not to exceed $134,500; purchase of material for reports and educational exhibits, and traveling expenses, $153,200, of which sum not to exceed $3,000 shall be available for expenses of attendance at meetings concerned with the work of said bureau when incurred on the written authority of the Secretary of Labor.

UNITED STATES EMPLOYMENT SERVICE

Employment Service.

For carrying out the provisions of the Act entitled "An Act to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes", approved June 6, 1933; personal services and rent in the District of Columbia and elsewhere; traveling expenses, including expenses of attendance at meetings concerned with the work of the United States Employment Service when specifically authorized by the Secretary of Labor; law books, books of reference, newspapers and periodicals, printing and binding, supplies and equipment, telegraph and telephone service, and miscellaneous expenses, $2,785,000, of which amount not to exceed $885,000 shall be available for the Veterans' Placement Service, the Farm Placement Service, District of Columbia Public Employment Center, and all other purposes, including not to exceed $197,500 for personal services in the Department in the District of Columbia, and the remainder shall be available for payment to the several States in accordance with the provisions of the said Act of June 6, 1933, as amended: *Provided*, That apportionments for the fiscal year 1937 shall be on the basis of a total apportionment to all States of $3,000,000, and in order to supply the Government's apportionments to States under such Act during the fiscal years 1936 and 1937, which are not capable of being supplied under the foregoing appropriation, there is hereby appropriated so much as may be necessary to supply such apportionments, but not more than $1,675,000.

Providing for promotion of employment.

Vol. 48, p. 113; U. S. C., p. 1324.

Attendance at meetings.

Printing and binding, etc.

Veterans' Placement Service, Farm Placement Service, D. C. Public Employment Center.

Proviso.
Basis of apportionments, 1937.

UNITED STATES HOUSING CORPORATION

United States Housing Corporation.

Salaries and expenses: For officers, clerks, and other employees, and for contingent and miscellaneous expenses, in the District of Columbia and elsewhere, including blank books, maps, stationery, file cases, towels, ice, brooms, soap, freight and express charges, communication service, travel expense, printing and binding not to exceed $100, and all other miscellaneous items and expenses not included in the foregoing and necessary to collect and account for the receipts from the sale of properties and the receipts from the operation of unsold properties of the United States Housing Corporation, the Bureau of Industrial Housing and Transportation, property commandeered by the United States through the Secretary of Labor, and to collect the amounts advanced to transportation facilities and others; for payment of special assessments and other utility, municipal, State, and county charges or assessments unpaid by purchasers, and which have been assessed against property in which the United States Housing Corporation has an interest, and to defray expenses incident to foreclosing mortgages, conducting sales under deeds of trust, or reacquiring title or possession of real property under default proceeding, including attorney fees, witness fees, court costs, charges, and other miscellaneous expenses; for the maintenance and repair of houses, buildings, and improvements which are unsold; in all, $9,000: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $4,000 per annum, and only one

Salaries and expenses.

Printing and binding.

Special assessments.

Provisos.
Salary limitation.

Expenditures restricted.

person may be employed at that rate: *Provided further*, That no part of the appropriations heretofore made and available for expenditure by the United States Housing Corporation shall be expended for the purposes for which appropriations are made herein.

Bituminous Coal Labor Board.

BITUMINOUS COAL LABOR BOARD

Salaries and expenses. *Post*, p. 1627.

Salaries and expenses: For three Board members and other personal services in the District of Columbia and elsewhere, and for all other necessary expenditures of the Bituminous Coal Labor Board in performing the duties imposed upon said Board by the Bituminous Coal Conservation Act of 1935, including supplies, stationery, telephone service, telegrams, furniture, office equipment, travel expenses, and contract stenographic reporting services, $79,300.

Printing and binding.

Printing and binding, Bituminous Coal Labor Board: For all printing and binding for the Bituminous Coal Labor Board, $2,500.

Short title.

This title may be cited as the Department of Labor Appropriation Act, 1937.

Payment restriction, persons failing to receive Senate confirmation.

SEC. 2. No part of the money appropriated under this Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve of the nomination of said person.

Payment to cotton ginners. *Ante*, p. 1116.

SEC. 3. That in passing upon applications made for compensation under the provisions of the item for "Payment to cotton ginners" contained in Title I of the Supplemental Appropriation Act, fiscal year 1936 (Public Law Numbered 440, Seventy-fourth Congress), and upon payments pursuant to such applications, the Secretary of Agriculture and the Comptroller General of the United States are authorized and directed, in the interest of saving as much administrative expense as possible and in order to avoid delay in passing upon such applications, to assume that the additional expenses incurred in connection with the administration of the Act of April 21, 1934 (49 [1] Stat., 598–607), equaled 25 cents per bale, counting round bales as half bales, during the period June 1, 1935, to February 10, 1936, inclusive: *Provided*, That no payment shall be made on any application for such compensation unless the application is filed prior to September 1, 1936.

Cotton Control Act, administrative expenses. Vol. 48, p. 598.

Proviso. Time limitation.

Great Lakes Exposition. Participation expenses. *Ante*, p. 1243.

SEC. 4. Great Lakes Exposition: For the expenses of the participation of the Government of the United States in the Great Lakes Exposition as provided for by Senate Joint Resolution Numbered 233, including the reimbursement of other appropriations from which payments may have been made for any of the purposes therein specified, to be immediately available, $275,000.

Approved, May 15, 1936.

[CHAPTER 406.]

May 15, 1936. [S. J. Res. 231.] [Pub. Res., No. 91.]

JOINT RESOLUTION

To authorize the coinage of 50-cent pieces in commemoration of the three-hundredth anniversary of the landing of the Swedes in Delaware.

Landing of the Swedes in Delaware. Commemorative coinage, authorized.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the three-hundredth anniversary of the landing of the Swedes in Delaware there shall be coined at a mint of the United States to be designated by the Director of the Mint not less than twenty-five thousand silver 50-cent pieces of standard size, weight, and composition and of a special appropriate single design, containing some

Number.

[1] So in original.

recognized emblem of the State of Delaware, to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

No Federal expense for dies, etc.

SEC. 2. The coins herein authorized shall bear the date 1936, irrespective of the year in which they are minted or issued, shall be legal tender in any payment to the amount of their face value, and shall be issued only upon the request of the president of the Delaware Swedish Tercentenary Commission upon payment by him of the par value of such coins, but not less than twenty-five thousand such coins shall be issued to him at any one time and no such coins shall be issued after the expiration of one year after the date of enactment of this Act. Such coins may be disposed of at par or at a premium by such commission, and the net proceeds shall be used by it in defraying the expenses incidental and appropriate to the commemoration of such event.

Date, issue, etc.

Disposal.

SEC. 3. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material, and for the transportation, distribution, and redemption of coins, for the prevention of debasement or counterfeiting, for the security of the coins, or for any other purposes, whether such laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized.

Coinage laws applicable.

Approved, May 15, 1936.

[CHAPTER 407.]

JOINT RESOLUTION

May 15, 1936.
[S. J. Res. 248.]
[Pub. Res., No. 92.]

To provide for participation by the United States in an Inter-American Conference to be held at Buenos Aires, Argentina, or at the capital of another American republic, in 1936.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money not otherwise appropriated, the sum of $75,000 to be used for participation by the United States in an Inter-American Conference, in pursuance of and for the purposes set forth in a letter from the President of the United States dated January 30, 1936, to be held at Buenos Aires, Argentina, or at the capital of another American republic, in 1936, including personal services in the District of Columbia or elsewhere without reference to the Classification Act of 1923, as amended; stenographic reporting and other services by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses (and by indirect routes and by airplane if specifically authorized by the Secretary of State); hire, maintenance, and operation of motor-propelled passenger-carrying vehicles; equipment, purchase of necessary books, documents, newspapers, periodicals, and maps; stationery; official cards, entertainment; printing and binding; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, to be expended under the direction of the Secretary of State, fiscal year 1936, to remain available until June 30, 1937.

Inter-American Conference, 1936.
Appropriation authorized for participation expenses.
Ante, p. 1319.

U. S. C., p. 85.
Contracts without advertising.
R. S., sec. 3709, p. 733.
U. S. C., p. 1803.

Vehicles.

Printing and binding.

Reimbursement of other appropriations.

Approved, May 15, 1936.

[CHAPTER 420.]

AN ACT

May 18, 1936.
[H. R. 10589.]
[Public, No. 600.]

To amend section 32 of the Act entitled "An Act to authorize the construction of certain bridges and to extend the times for commencing and/or completing the construction of other bridges over the navigable waters of the United States, and for other purposes", approved August 30, 1935.

Missouri River. Bridge construction at Niobrara, Nebr.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 32 of the Act entitled "An Act to authorize the construction of certain bridges and to extend the times for commencing and/or completing the construction of other bridges over the navigable waters of the United States, and for other purposes", approved August 30, 1935, is amended by striking out "the village board of the village of Niobrara, county of Knox, State of Nebraska", and inserting in lieu thereof the following: "the county of Knox, State of Nebraska".

Textual changes.
Ante, p. 1074.

SEC. 2. Subsection (b) of such section 32 is amended by striking out "the Village Board of the Village of Niobrara, county of Knox, State of Nebraska", and inserting in lieu thereof the following: "the county of Knox, State of Nebraska".

SEC. 3. (a) Subsection (c) of such section 32 is amended by striking out "The said Villiage Board of the Villiage of Niobrara, county of Knox, State of Nebraska", and inserting in lieu thereof the following: "The said county of Knox, State of Nebraska".

(b) Subsection (c) of such section 32 is further amended by striking out "to fix the charge tolls for transit" and inserting in lieu thereof the following: "to fix and charge tolls for transit".

SEC. 4. Subsection (d) of such section 32 is amended by striking out "After a sinking sufficient for amortization shall have been so provided, said bridge" and inserting in lieu thereof the following: "After a sinking fund sufficient for such amortization shall have been so provided, said bridge".

Amendment.

SEC. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, May 18, 1936.

[CHAPTER 421.]

AN ACT

May 18, 1936.
[H. R. 10847.]
[Public, No. 601.]

To authorize the acquisition of land for cemeterial purposes in the vicinity of New York City, New York.

New York City, N. Y. Acquisition of land near, for cemeterial purposes, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to acquire by purchase, condemnation, or otherwise such suitable lands in the vicinity of New York City as in his judgment are required for enlargement of existing national cemetery facilities, and the sum of $250,000, or so much thereof as may be necessary, is hereby authorized to be appropriated from any funds in the Treasury not otherwise appropriated, which sum shall remain available until expended.

Appropriation authorized.
Post, p. 1641.

Approved, May 18, 1936.

[CHAPTER 422.]

AN ACT

To amend section 5 of the Act of March 2, 1919, generally known as the "War Minerals Relief Statutes."

May 18, 1936.
[S. 1432.]
[Public, No. 602.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in any claim that has heretofore been filed within the time and in the manner provided by the Act approved March 2, 1919 (40 Stat. 1272), as amended, generally referred to as the "War Minerals Relief Statutes", in which the Supreme Court of the District of Columbia under the authority conferred upon said court by the Act approved February 13, 1929 (45 Stat. 1166), has adjudged or decreed interest payments or obligations to be losses reimbursable within the meaning of the Act of March 2, 1919 (40 Stat. 1272), as amended, the Secretary of the Interior shall open or reopen such claim and include in his adjustments and payments of losses, interest which has been paid or has accrued to the date of approval of this Act: *Provided, however*, That such losses shall be shown to the satisfaction of the Secretary of the Interior as a matter of fact to be the result of a legal obligation incurred within the statutory period as provided in said Act of March 2, 1919: *And provided further*, That the sum paid in satisfying said claims shall not exceed in total $1,250,000. It is also provided that all settlements under this Act and pursuant to its provisions shall constitute full and complete discharge of all obligations of the United States accruing under the War Minerals Act and Acts amendatory thereof.

"War Minerals Relief Statutes", amendment.
Vol. 40, p. 1272; Vol. 42, p. 322; Vol. 45, p. 1166.
Post, p. 1619.

Interest payments on certain claims under.

Provisos.
Condition.

Limitation on total amount.
Settlements; discharge of liability.

Approved, May 18, 1936.

[CHAPTER 423.]

JOINT RESOLUTION

To provide for participation by the United States in the Ninth International Congress of Military Medicine and Pharmacy in Rumania, in 1937; and to authorize and request the President of the United States to invite the International Congress of Military Medicine and Pharmacy to hold its tenth congress in the United States in 1939, and to invite foreign countries to participate in that congress.

May 18, 1936.
[H. J. Res. 538.]
[Pub. Res., No. 93.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $11,500, or so much thereof as may be necessary, for the expenses of participation by the United States in the Ninth International Congress of Military Medicine and Pharmacy to be held in Rumania in 1937, including personal services in the District of Columbia or elsewhere without reference to the Classification Act of 1923, as amended; stenographic reporting and other services by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses; purchase of necessary books, documents, newspapers, periodicals, and maps; stationery; official cards; entertainment; printing and binding, including the payment of not to exceed $500 to the Association of Military Surgeons of the United States toward the cost of printing the report of the American Delegation to the Ninth Congress; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, to be expended under the direction of the Secretary of State.

Ninth International Congress of Military Medicine and Pharmacy, Rumania, 1937.
Sum authorized for participation expenses.
Post, p. 1634.

Contracts without advertising.
R. S., sec. 3709, p. 733.
U. S. C., p. 1803.

Printing and binding; report of American Delegation.

Reimbursement of other appropriations.

Invitation to hold 10th congress in United States; foreign governments to participate.

SEC. 2. That the President be, and he is hereby, authorized and requested to extend to the International Congress of Military Medicine and Pharmacy an invitation to hold its tenth congress in the United States in 1939, and to invite foreign governments to participate in that congress.

Approved, May 18, 1936.

[CHAPTER 424.]

May 18, 1936.
[H. J. Res. 547.]
[Pub. Res., No. 94.]

JOINT RESOLUTION

Providing for the importation of articles free from tariff or customs duty for the purpose of exhibition at Great Lakes Exposition to be held at Cleveland, Ohio, beginning in June 1936, and for other purposes.

Great Lakes Exposition, Cleveland, Ohio.
Dutiable articles, imported for exhibition purposes, etc., admitted free, under regulations.
Ante, pp. 1243, 1352.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all articles which shall be imported from foreign countries for the purpose of exhibition at the international exposition to be held at Cleveland, Ohio, beginning in June 1936, by Great Lakes Exposition, or for use in constructing, installing, or maintaining foreign buildings, or exhibits at the said exhibition, upon which articles there shall be a tariff or customs duty shall be admitted without payment of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during or within three months after the close of the said exposition to sell within the area of the exposition any articles provided for herein, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles which shall have suffered diminution or deterioration from incidental handling or exposure the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry hereunder for consumption or entry under the general tariff law: *Provided further*, That imported articles provided for herein shall not be subject to any marking requirements of the general tariff laws, except when such articles are withdrawn for consumption or use in the United States, in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not sufficiently marked when imported into the United States: *Provided further*, That at any time during or within three months after the close of the exposition any article entered hereunder may be abandoned to the Government or destroyed under customs supervision, whereupon any duties on such article shall be remitted: *Provided further*, That articles which have been admitted without payment of duty for exhibition under any tariff law and which have remained in continuous customs custody or under a customs exhibition bond and imported articles in bonded warehouses under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at the said exposition under such regulations as the Secretary of the Treasury shall prescribe: *And provided further*, That Great Lakes Exposition shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under the provisions of this Act, and that the actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of,

Sales permitted.

Provisos.
Duty on articles withdrawn.

Deterioration allowance.

Marking requirements.

Articles abandoned.

Transfer privileges.

Exposition deemed sole consignee of merchandise.

Incurred Federal expenses reimbursable.

and accounting for articles imported under the provisions of this Act, shall be reimbursed by Great Lakes Exposition to the Government of the United States under regulations to be prescribed by the Secretary of the Treasury, and that receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524, Tariff Act of 1930.

Deposit of, as refunds.
Vol. 46, p. 741.
U. S. C., p. 894.

Approved, May 18, 1936.

[CHAPTER 425.]

JOINT RESOLUTION

May 18, 1936.
[H. J. Res. 569.]
[Pub. Res., No. 95.]

To authorize an appropriation for the expenses of participation by the United States in a conference at Brussels to revise the Convention for the Protection of Literary and Artistic Works concluded at Bern, September 9, 1886, and revised at Rome, June 2, 1928.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $6,500, or so much thereof as may be necessary, for the expenses of participation by the United States in the conference to convene at Brussels, Belgium, for the purpose of revising the Convention for the Protection of Literary and Artistic Works, concluded at Bern, September 9, 1886, and revised at Rome, June 2, 1928, including personal services in the District of Columbia and elsewhere without reference to the Classification Act of 1923, as amended; stenographic, reporting, and other services by contract, if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses; purchases of necessary books, documents, newspapers, periodicals, and maps; stationery; official cards; entertainment; printing and binding; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, to be expended under the direction of the Secretary of State.

Convention for the Protection of Literary and Artistic Works, conference for revision of.

Sum authorized for participation expenses.
Post, p. 1633.

Contracts without advertising.
R. S., sec. 3709, p. 733.
U. S. C., p. 1803.

Reimbursement of other appropriations.

Approved, May 18, 1936.

[CHAPTER 427.]

AN ACT

May 19, 1936.
[S. 1975.]
[Public, No. 603.]

To authorize certain officers of the United States Navy, officers and enlisted men of the Marine Corps, and officers and enlisted men of the United States Army to accept such medals, orders, diplomas, decorations, and photographs as have been tendered them by foreign governments in appreciation of services rendered.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-named officers of the United States Navy, and officers and enlisted men of the Marine Corps, are hereby authorized to accept such medals, orders, diplomas, decorations, and photographs as have been tendered them by foreign governments in appreciation of services rendered:

Navy, Marine Corps, and Army.
Acceptance of certain decorations, etc., tendered by foreign governments to designated officers, etc., authorized.

Navy.

United States Navy: Admiral William H. Standley; Rear Admiral David F. Sellers; Rear Admiral Wat T. Cluverius; Rear Admiral Hayne Ellis; Rear Admiral Ernest J. King; Rear Admiral Louis M. Nulton, retired; Rear Admiral Yates Stirling, Junior; Rear Admiral John R. Y. Blakely, retired; Rear Admiral Edward H. Campbell; Rear Admiral Walter N. Vernou; Rear Admiral Harley H. Christy; Rear Admiral Henry V. Butler; Rear Admiral Walter S. Crosley; Rear Admiral Frank B. Upham; Rear Admiral Edward

Navy—Continued.

B. Fenner; Rear Admiral George T. Pettengill; Rear Admiral Clark N. Woodward; Rear Admiral William H. Allen; Captain Reuben B. Coffey; Captain Vaughn K. Coman; Captain Gordon W. Haines; Captain Alfred G. Howe; Captain Victor A. Kimberly; Captain David M. Le Breton; Captain William R. Sayles; Captain Halsey Powell; Captain Willis W. Bradley, Junior; Captain Frank H. Roberts; Captain Arthur B. Cook; Captain Benyaurd B. Wygent; Captain Rufus F. Zogbaum, Junior; Captain Frank Jack Fletcher; Captain Matthias E. Manly; Captain Alfred W. Brown; Captain Augustine T. Beauregard; Captain Harold M. Bemis; Captain Herbert H. Michael; Captain MacGillivray Milne; Captain Milo F. Draemel; Captain Edward A. Evers, Naval Reserve; Captain Edward T. Hooper, Supply Corps; Captain Holden C. Richardson, Construction Corps, retired; Captain Kent C. Melhorn, Medical Corps; Captain Lucius W. Johnson, Medical Corps; Commander Ernest L. Gunther; Commander Hamilton V. Bryan; Commander John D. Price; Commander Harold C. Train; Commander Ward W. Waddell; Commander William W. Smith; Commander Calvin N. Cobb; Commander Patrick N. L. Bellinger; Commander Harry G. Patrick; Commander Earl W. Spencer; Commander William H. Pashley; Commander Aaron S. Merrill; Commander Douglas W. Fuller; Commander Ralph F. Wood; Commander Joel T. Boone, Medical Corps; Commander Joseph A. J. McMullin, Medical Corps; Commander Gordon D. Hale, Medical Corps; Commander Walter C. Espech, Medical Corps; Commander Maurice M. Witherspoon, Chaplain Corps; Commander Bernhard H. Bieri; Lieutenant Commander Albert S. Marley; Lieutenant Commander Charles G. Moore, Junior; Lieutenant Commander John J. Carrick, Naval Reserve; Lieutenant Commander Emil J. Carroll, Naval Reserve; Lieutenant Commander Francis G. Donebrink; Lieutenant Commander Victor C. Barringer, Junior; Lieutenant Commander Ralph A. Ofstie; Lieutenant Commander Lucien B. Green, Second, retired; Lieutenant Commander Dallas D. Dupre; Lieutenant Commander Harold B. Crow, Naval Reserve; Lieutenant Commander Edward O. McDonnell, Naval Reserve; Lieutenant Commander Schuyler F. Cumings, Naval Reserve; Lieutenant Commander Charles W. Stevenson, Supply Corps; Lieutenant Commander Charles R. O'Leary, Supply Corps; Lieutenant Commander Hardy V. Hughens, Medical Corps; Lieutenant Commander Thomas L. Morrow, Medical Corps; Lieutenant Commander Louis E. Mueller, Medical Corps; Lieutenant Commander Victor B. Riden, Medical Corps; Lieutenant Commander William M. H. Turville, Medical Corps; Lieutenant Commander Horace R. Boone, Medical Corps; Lieutenant Commander Warwick T. Brown, Medical Corps; Lieutenant Commander Vincent Hernandez, Medical Corps; Lieutenant Commander Harry S. Harding, Medical Corps; Lieutenant Commander Robert W. Wimberly, Medical Corps; Lieutenant Commander Hillard L. Weer, Medical Corps; Lieutenant Robert F. Hickey; Lieutenant Harvey R. Bowes; Lieutenant Buell F. Brandt; Lieutenant George H. De Baun; Lieutenant John M. Brewster; Lieutenant Curry E. Eason; Lieutenant Maxwell B. Saben; Lieutenant John F. Gillon; Lieutenant Colonel H. Mansfield, Chaplain Corps; Lieutenant Joseph O. Saurette; Lieutenant Robert H. Smith; Lieutenant Donald R. Tallman; Lieutenant John Davis, retired; Lieutenant Walter L. Bach, Medical Corps; Lieutenant Walter G. Kilbury, Medical Corps; Lieutenant Hugh E. Mouldin, Dental Corps; Lieutenant (Junior Grade) James H. Taylor; Lieutenant (Junior Grade) Frank E. Latauzo, Naval Reserve; Lieutenant (Junior Grade) Robert C. Douthat, Medical Corps; Lieutenant (Junior Grade)

Navy—Continued.

Freeman C. Harris, Medical Corps; Lieutenant (Junior Grade) Warren G. Wieand, Medical Corps; Lieutenant (Junior Grade) George H. Mills, Dental Corps; Ensign Howard F. Hozey, Naval Reserve Force; Chief Boatswain William C. Baker; Chief Pharmacist Roy Aikman; Chief Pharmacist Leon H. French.

Marine Corps.

United States Marine Corps: Major General James C. Breckinridge; Brigadier General George Richards; Brigadier General Rufus M. Lane, retired; Brigadier General Hugh Matthews; Brigadier General Randolph C. Barkeley; Brigadier General Frederick L. Bradman; Brigadier General Louis McCarty Little; Brigadier General Douglas C. McDougal; Brigadier General Richard T. Williams; Colonel Richard M. Cutts; Colonel Presley M. Rixey, Junior; Colonel Seth Williams; Colonel James J. Meade; Colonel Clayton S. Vogel; Colonel Calvin B. Matthews; Lieutenant Colonel Lauren S. Willis, retired; Lieutenant Colonel Jeter R. Horton; Lieutenant Colonel Franklin B. Garrett; Lieutenant Colonel Calhoun Ancrum; Lieutenant Colonel William S. Wise; Lieutenant Colonel William B. Smith; Lieutenant Colonel Charles F. M. Price; Lieutenant Colonel Ross E. Rosell; Lieutenant Colonel John Marston; Lieutenant Colonel Julian C. Smith; Lieutenant Colonel Roy E. Geiger; Lieutenant Colonel Harry Schmidt; Lieutenant Colonel De Witt Peck; Lieutenant Colonel William B. Sullivan; Lieutenant Colonel Henry L. Larsen; Lieutenant Colonel Arnold W. Jacobsen; Major Thomas S. Clarke; Major Joseph C. Fegan; Major Frederick R. Hoyt; Major Marion B. Humphrey; Major Allen H. Turnage; Major Louis M. Bourne; Major Matthew S. Kingman; Major John F. S. Norris; Major Anderson C. Deering; Major Ralph J. Mitchell; Major Samuel L. Howard; Major Oscar R. Cauldwell; Major Thomas E. Watson; Major Walter C. Sheard; Major Roger W. Peard; Major Lloyd L. Leach; Major Raphael Griffin; Major Thomas P. Cheatham; Major Louis W. Whaley; Major Leroy P. Hunt; Major Leo D. Merale; Major Lemuel C. Shepherd, Junior; Major James E. Davis; Major Alphonse De Carre; Major James T. Moore; Major Alfred N. Noble; Major Franklin A. Hart; Major William N. Beat; Major Herbert Hardy; Major Ralph E. West; Captain Graves B. Erskine; Captain Robert Yowell; Captain Francis P. Mulcahy; Captain Maurice C. Holmes; Captain Eugene F. C. Collier; Captain Otto Salzman; Captain Carl S. Schmidt; Captain Harry W. Gamble; Captain Roscoe Arnett; Captain Maurice S. Gregory; Captain James P. Smith; Captain Edward G. Kuefe; Captain Max Cox; Captain Oliver P. Smith; Captain Joseph O. Ward; Captain Edward L. Durvall, Junior; Captain John C. Wood; Captain Jacob Lienhard; Captain Victor F. Bleasdale; Captain Leonard H. Rea; Captain James P. Schwerin; Captain John H. Parker; Captain Walter S. Casper; Captain Willett Elmore; Captain Benjamin W. Gally; Captain James A. Nixson, Captain Frederick M. Howard; Captain Lee W. Brown; Captain Harold G. Major; Captain Bernard Dubel; Captain Hamilton M. H. Fleming; Captain Claude A. Phillips; Captain Harold W. Whitney; Captain Harry Paul; Captain Frank N. Costtge; Captain Byron F. Johnson; Captain William J. Livingston; Captain George E. Monson; Captain Amor L. Sims; Captain George R. Rowen; Captain Brady L. Vogt; Captain Clinton W. McLeod; Captain Roy C. Swick; Captain Reuben B. Price; Captain William J. Whaling; Captain Frank N. Gilman; Captain Monitor Watchman; Captain George L. Maynard; Captain Benjamin W. Atkinson; Captain William L. Bales; Captain Frederick C. Diebush; Captain Terrell J. Crawford; Captain John T. Walker; Captain William P. T. Hill; Captain Jesse A. Nelson; Captain Henry A. Carr; Captain William C. Hall;

Marine Corps—Continued.

Captain Edwin J. Farrell; Captain Louis E. Woods; Captain Augustus H. Fricke; Captain William S. Fellers; Captain Herbert S. Keimling; Captain Walter W. Wensinger; Captain Ernest E. Lincort; First Lieutenant William L. McKittrick; First Lieutenant Max D. Smith; First Lieutenant David A. Stafford; First Lieutenant Roy W. Conkey; First Lieutenant Harold N. Rosecrans; First Lieutenant Horace D. Palmer; First Lieutenant Hayne D. Royden; First Lieutenant Christian F. Schilt; First Lieutenant James H. Strother; First Lieutenant Ivan W. Miller; First Lieutenant John C. McQueen; First Lieutenant William W. Davies; First Lieutenant James W. Smith; First Lieutenant Lewis A. Hohn; First Lieutenant Lucian C. Whitaker; First Lieutenant Ralph E. Forsyth; First Lieutenant Pierson E. Conradt; First Lieutenant Cregon A. Williams; First Lieutenant Evans F. Carlson; First Lieutenant John W. Lakes; First Lieutenant George F. Good, Junior; First Lieutenant William R. Hughes; First Lieutenant Maxwell H. Mizell; First Lieutenant Charles W. Kail; First Lieutenant Lewis D. Fuller; First Lieutenant Joe N. Smith; First Lieutenant Herbert F. Becker; First Lieutenant Alexander W. Kreiser; First Lieutenant Edward J. Trumble; First Lieutenant James C. Brauer; First Lieutenant Francis J. Cunningham; First Lieutenant Paul A. Putnam; First Lieutenant John S. E. Young; First Lieutenant William D. Saunders; First Lieutenant Lofton R. Henderson; First Lieutenant John N. Coffman; First Lieutenant Peter P. Schrider; First Lieutenant Robert L. Griffin; First Lieutenant James P. Risely; First Lieutenant Samuel S. Jack; First Lieutenant Frank M. June; First Lieutenant Miles S. Newton; First Lieutenant Ira L. Kimes; First Lieutenant Reginald H. Ridgely; First Lieutenant Nols H. Nelson; First Lieutenant Frank C. Dailey; First Lieutenant Frank H. Wirsig; Second Lieutenant Robert L. Peterson; Second Lieutenant Kenneth H. Weir; Second Lieutenant Arthur F. Binney; Second Lieutenant Clovis C. Coffman; Second Lieutenant Perry O. Parmelee; Second Lieutenant Lester S. Hamel; Second Lieutenant Ernest E. Pollock; Second Lieutenant Frank C. Croft; Second Lieutenant Newin O. Hammond; Second Lieutenant Frank H. Schwable; Second Lieutenant Joseph H. Berry; Second Lieutenant James P. Berkeley; Second Lieutenant Peter A. McDonald; Second Lieutenant Michael M. Mahoney; Second Lieutenant Fred D. Beans; Second Lieutenant Edgar O. Price; Second Lieutenant Lebulon C. Hopkins; Second Lieutenant William A. Willis; Second Lieutenant John M. Davis; Chief Marine Gunner John F. Evans; Chief Marine Gunner Otho Wiggs; Chief Marine Gunner Jesse W. Stamper; Chief Marine Gunner Frank F. Putcarmer; Chief Marine Gunner Frank O. Lundt; Chief Marine Gunner Michael Wederczyk; Chief Marine Gunner Harold Ogden; Chief Quartermaster Clerk August F. Schonefeld; Chief Quartermaster Clerk William A. Warrell, retired; Chief Quartermaster Clerk Albert O. Woodrow; Chief Quartermaster Clerk Elmer W. Darde; Chief Pay Clerk Benjamin H. Wolever; Chief Pay Clerk Clinton A. Phillips; Chief Pay Clerk Timothy E. Murphy; Marine Gunner Kennard F. Bubier; Marine Gunner Albert S. Nunach; Marine Gunner Harry R. Baley; Marine Gunner Thomas Whitezel, Marine Gunner Walter N. Hendersen; Marine Gunner Robert S. McCook; Sergeant Major James M. Barmead; Sergeant Major Carl Svenson; Sergeant Major Charles A. White; Quartermaster Sergeant Frederick J. Widman; Quartermaster Sergeant Rupert F. Stone; Master Technical Sergeant Millard T. Shepard; Paymaster Sergeant Fred Parquette; First Sergeant Edwin C. Clarke; First Sergeant Cecil N. Bietz; First Sergeant Charles H. Gray; First Sergeant William O'Grady; First

Marine Corps—Continued.

Sergeant Alfred Sylvester; First Sergeant Harry Watkins; First Sergeant Nicholas M. Griece; First Sergeant Frederick Dalton; First Sergeant Louis N. Bertol; First Sergeant Russell O. Beard; First Sergeant Otto Poland; First Sergeant Richard Shaker; First Sergeant Charles E. Stuart; First Sergeant Frank Verdier; First Sergeant Curtis O. Whitney; Gunnery Sergeant Joseph A. Saunders; Gunnery Sergeant Bernard J. Durr; Gunnery Sergeant John J. Rogers; Sergeant Olin L. Beall; Sergeant George Washington; Sergeant Joseph L. Bonville; Sergeant Joseph Konepka; Sergeant Charles L. McIndoc; Sergeant Frank J. Murphy; Sergeant Douglas S. Catchis; Sergeant Daniel J. Donahoe; Sergeant Charles Sorenson; Private John David.

Navy.

United States Navy: Admiral William B. Caperton, retired; Rear Admiral Charles S. Freeman; Captain William D. Puleston; Captain Walter S. Anderson; Captain Stephen B. McKinney; Captain William O. Spears; Captain Augustin T. Beauregard; Commander Leo H. Thebaud; Commander Clarence Gulbranson; Captain Charles St. J. Butler, Medical Corps; Captain William S. Bainbridge, Medical Corps, Naval Reserve, retired; Commander Morton D. Willcutts, Medical Corps; Commander William Henry P. Blandy; Commander Edwin C. Ebert, Medical Corps; Lieutenant Commander Roscoe H. Hillenkoetter; Lieutenant Commander Joel J. White, Medical Corps; Lieutenant Albert L. King, Naval Reserve; Lieutenant (Junior Grade) Walter C. Ford; Captain Herbert S. Howard, Construction Corps; Lieutenant Commander Leslie C. Stevens; Lieutenant Commander William K. Vanderbilt, United States Naval Reserve.

Marine Corps.

United States Marine Corps: Colonel Robert L. Denig; Colonel Henry L. Roosevelt, Marine Corps Reserve, deceased; Colonel William C. Harllee, retired; Colonel Julius S. Turrill, retired; Lieutenant Colonel Harry L. Smith; Lieutenant Colonel William M. Small, retired; Major Andrew E. Creesy; Major Donald J. Kendall; Major Chester L. Fordney, Marine Corps Reserve; Captain Louis Cukela; First Sergeant George Nelson.

That the following-named officers and enlisted men of the United States Army are hereby authorized to accept such medals, orders, diplomas, decorations, and photographs as have been tendered them by foreign governments in appreciation of services rendered:

Army.

General Douglas MacArthur; Major General Dennis E. Nolan; Major General Malin Craig; Major General Paul B. Malone; Major General Frank Parker; Major General Frank R. McCoy; Major General Albert J. Bowley; Major General Benjamin D. Foulois; Brigadier General Frank C. Bolles; Brigadier General Casper H. Conrad, Junior; Brigadier General Andrew Moses; Brigadier General Thomas W. Darrah; Brigadier General Francis LeJ. Parker; Brigadier General Guy V. Henry; Brigadier General John W. Gulick; Brigadier General Robert C. Foy; Colonel Joseph A. Baer; Colonel Charles Burnett; Colonel W. Goff Caples; Colonel Edward Davis; Colonel Charles W. Exton; Colonel James Malcolm Graham; Colonel W. Lee Hart; Colonel Jacob C. Johnson; Colonel Roy C. Kirtland; Colonel Osmun Latrobe; Colonel E. R. Warner McCabe; Colonel Charles H. Patterson; Colonel Russell P. Reeder; Colonel Francis A. Ruggles; Colonel Frederick W. Van Duyne; Colonel Richard H. Williams; Lieutenant Colonel Frank M. Andrews; Lieutenant Colonel Lester D. Baker; Lieutenant Colonel Reginald B. Cocroft; Lieutenant Colonel John F. Curry; Lieutenant Colonel Ernest J. Dawley; Lieutenant Colonel Robert H. Fletcher, Junior; Lieutenant Colonel William W. Hicks; Lieutenant Colonel Donald C. McDonald; Lieutenant Colonel Frederick W. Manley; Lieutenant

Army—Continued.

Colonel Maxwell Murray; Lieutenant Colonel Henry C. Pratt; Lieutenant Colonel John W. N. Schulz; Lieutenant Colonel Martin C. Shallenberger; Lieutenant Colonel Daniel I. Sultan; Lieutenant Colonel Edwin M. Watson; Lieutenant Colonel Barton K. Yount; Major George E. Arneman; Major Rosenham Beam; Major Enrique M. Benitez; Major Peter C. Bullard; Major Henry B. Cheadle; Major Joseph O. Daly; Major Herbert A. Dargue; Major James A. Dorst; Major Asa N. Duncan; Major Charles R. Finley; Major Abraham Garfinckel; Major James A. Gillespie; Major Paul R. Hawley; Major Charles B. Hazeltine; Major Edgar Erskine Hume; Major George E. Lovell, Junior; Major Davenport Johnson; Major Raymond E. McQuillin; Major Joseph J. O'Hare; Major James B. Ord; Major Alvan C. Sandeford; Major Martin F. Scanlon; Major James C. R. Schwenck; Chaplain (Major) Aristeo V. Simoni; Major Julia C. Stimson; Major Robert H. Van Volkenburgh; Major Robert LeG. Walsh; Major Charles A. Willoughby; Major Walter F. Winton; Captain John R. D. Cleland; Captain Carl W. Connell; Captain Virgil N. Cordero; Captain Robert E. Cummings; Captain Thomas J. Davis; Captain Vernon C. DeVotie; Captain Fernand G. Dumont; Captain Ira C. Eaker; Captain Richard E. Elvins; Captain Muir S. Fairchild; Captain James M. Gillespie; Captain Leslie R. Groves, Junior; Captain Albert F. Hegenberger; Captain Eugene J. Heller; Captain Jack C. Hodgson; Captain Arthur B. McDaniel; Captain William J. McKiernan, Junior; Captain Eugene A. Regnier; Captain Charles McK. Robinson; Captain Timothy Sapia-Bosch; Captain Kinsley W. Slauson; Captain Bernard S. Thompson; Captain Leonard D. Weddington; Captain Ennis C. Whitehead; Captain Royden Williamson; Captain Ralph H. Wooten; First Lieutenant Joseph M. Glasgow; First Lieutenant John L. Hines, Junior; First Lieutenant Kenneth C. Nichols; First Lieutenant Benjamin B. Talley; First Lieutenant Hugh B. Waddell; Staff Sergeant Edward F. Springer; Sergeant Leslie B. Hopkins.

Approved, May 19, 1936.

[CHAPTER 428.]

AN ACT

May 19, 1936.
[H. R. 12162.]
[Public, No. 604.]

To create an additional division of the United States District Court for the Southern District of Mississippi to be known as the Hattiesburg division.

United States courts.
Vol. 36, p. 1116; U. S. C., p. 1247.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 90 of the Judicial Code, as amended (U. S. C., 1934 edition, title 28, sec. 170), is amended to read as follows:

Mississippi judicial districts.

"SEC. 90. The State of Mississippi is divided into two judicial districts to be known as the northern and southern districts of Mississippi.

Northern district.

The northern district shall include the territory embraced on the 1st day of December 1923 in the counties of Alcorn, Attala, Chickasaw, Choctaw, Clay, Itawamba, Lee, Lowndes, Monroe, Oktibbeha, Pontotoc, Prentiss, Tishomingo, and Winston, which shall constitute the eastern division of said district; also the territory embraced on the date last mentioned in the counties of Benton, Calhoun, Carroll, De Soto, Grenada, Lafayette, Marshall, Montgomery, Panola, Tate, Tippah, Union, Webster, and Yalabusha, which shall constitute the western division of said district; also the territory embraced on the date last mentioned in the counties of Bolivar, Coahoma, Leflore, Quitman, Sunflower, Tallahatchie, and Tunica, which shall constitute the Delta division of said district.

Eastern division.

Western division.

Delta division.

Terms of court.
Eastern division.

The terms of the district court for the eastern division shall be held at Aberdeen on the first Mondays in April and October; for the

western division, at Oxford on the third Monday in April and the first Monday in December; and for the Delta division, at Clarksdale on the fourth Monday in January and the third Monday in October. The southern district shall include the territory embraced on the 1st day of December 1923 in the counties of Amite, Copiah, Franklin, Hinds, Holmes, Leake, Lincoln, Madison, Pike, Rankin, Simpson, Smith, Scott, Wilkinson, and Yazoo, which shall constitute the Jackson division; also the territory embraced on the date last mentioned in the counties of Adams, Claiborne, Humphreys, Issaquena, Jefferson, Sharkey, Warren, and Washington, which shall constitute the western division; also the territory embraced on the date last mentioned in the counties of Clarke, Jasper, Kemper, Lauderdale, Neshoba, Newton, Noxubee, and Wayne, which shall constitute the eastern division; also the territory embraced on the date last mentioned in the counties of George, Hancock, Harrison, Jackson, Pearl River, and Stone, which shall constitute the southern division of said district; also the territory embraced on the date last mentioned in the counties of Covington, Forrest, Greene, Jefferson Davis, Jones, Lamar, Lawrence, Marion, Perry, and Walthall, which shall constitute the Hattiesburg division. Terms of the district court for the Jackson division shall be held at Jackson on the first Mondays in May and November; for the western division, at Vicksburg on the third Mondays in May and November; for the eastern division, at Meridian on the third Mondays in March and September; for the southern division, at Biloxi on the third Monday in February and the first Monday in June; and for the Hattiesburg division, at Hattiesburg on the second Mondays in April and October. The clerk of the court for each district shall maintain an office in charge of himself or a deputy at each place in his district at which court is now required to be held, at which he shall not himself reside, which shall be kept open at all times for the transaction of the business of the court. The marshal for each of said districts shall maintain an office in charge of himself or a deputy at each place of holding court in his district."

Western division.
Delta division.
Southern district.
Jackson division.
Western division.
Eastern division.
Southern division.
Hattiesburg division.
Terms of court.
Jackson division.
Western division.
Eastern division.
Southern division.
Hattiesburg division.
Clerks and marshals; offices.

Approved, May 19, 1936.

[CHAPTER 432.]

AN ACT

To provide for rural electrification, and for other purposes.

May 20, 1936.
[S. 3483.]
[Public, No. 605.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby created and established an agency of the United States to be known as the "Rural Electrification Administration", all of the powers of which shall be exercised by an Administrator, who shall be appointed by the President, by and with the advice and consent of the Senate, for a term of ten years, and who shall receive a salary of $10,000 per year. This Act may be cited as the "Rural Electrification Act of 1936".

Rural Electrification Act of 1936.
Rural Electrification Administration created.
Administrator; powers, appointment, etc.
Citation of title.

SEC. 2. The Administrator is authorized and empowered to make loans in the several States and Territories of the United States for rural electrification and the furnishing of electric energy to persons in rural areas who are not receiving central station service, as hereinafter provided; to make, or cause to be made, studies, investigations, and reports concerning the condition and progress of the electrification of rural areas in the several States and Territories; and to publish and disseminate information with respect thereto.

Loans in States and Territories authorized.
Studies and reports concerning rural areas; publication, etc.

Reconstruction Finance Corporation.
Loans to Administrator by, authorized.
Maximum, 1937.
Interest.

SEC. 3. (a) The Reconstruction Finance Corporation is hereby authorized and directed to make loans to the Administrator, upon his request approved by the President, not exceeding in aggregate amount $50,000,000 for the fiscal year ending June 30, 1937, with interest at 3 per centum per annum upon the security of the obligations of borrowers from the Administrator appointed pursuant to the provisions of this Act or from the Administrator of the Rural Electrification Administration established by Executive Order Numbered 7037: *Provided*, That no such loan shall be in an amount exceeding 85 per centum of the principal amount outstanding of the obligations constituting the security therefor: *And provided further*, That such obligations incurred for the purpose of financing the construction and operation of generating plants, electric transmission and distribution lines, or systems shall be fully amortized over a period not to exceed twenty-five years, and that the maturity of such obligations incurred for the purpose of financing the wiring of premises and the acquisition and installation of electrical and plumbing appliances and equipment shall not exceed two-thirds of the assured life thereof and not more than five years. The Administrator is hereby authorized to make all such endorsements, to execute all such instruments, and to do all such acts and things as shall be necessary to effect the valid transfer and assignment to the Reconstruction Finance Corporation of all such obligations.

Provisos.
Proportion to security.

Amortization of obligations.

Maturity provisions.

Assignment of obligations to Reconstruction Finance Corporation.

Appropriations authorized.

(b) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1938, and for each of the eight years thereafter, the sum of $40,000,000 for the purposes of this Act as hereinafter provided.

Allotments of portion of annual sums for loans; basis of.

(c) Fifty per centum of the annual sums herein made available or appropriated for the purposes of this Act shall be allotted yearly by the Administrator for loans in the several States in the proportion which the number of their farms not then receiving central station electric service bears to the total number of farms of the United States not then receiving such service. The Administrator shall, within ninety days after the beginning of each fiscal year, determine for each State and for the United States the number of farms not then receiving such service.

Unallotted portion; basis of loans.
Post, p. 1365.

(d) The remaining 50 per centum of such annual sums shall be available for loans in the several States and in the Territories, without allotment as hereinabove provided, in such amounts for each State and Territory as, in the opinion of the Administrator, may be effectively employed for the purposes of this Act, and to carry out the provisions of section 7: *Provided, however*, That not more than 10 per centum of said unallotted annual sums may be employed in any one State, or in all of the Territories.

Proviso.
Limitation.

Availability of unexpended balances during ensuing year.

(e) If any part of the annual sums made available for the purposes of this Act shall not be loaned or obligated during the fiscal year for which such sums are made available, such unexpended or unobligated sums shall be available for loans by the Administrator in the following year or years without allotment: *Provided, however*, That not more than 10 per centum of said sums may be employed in any one State or in all of the Territories: *And provided further*, That no loans shall be made by the Reconstruction Finance Corporation to the Administrator after June 30, 1937.

Provisos.
Limitation.

Loans to Administrator to cease June 30, 1937.

Payments covered in; exception.

(f) All moneys representing payments of principal and interest on loans made by the Administrator under this Act shall be covered into the Treasury as miscellaneous receipts, except that any such moneys representing payments of principal and interest on obligations constituting the security for loans made by the Reconstruction

Finance Corporation to the Administrator shall be paid to the Reconstruction Finance Corporation in payment of such loans.

Loans for financing generating plants, distribution lines, etc.

SEC. 4. The Administrator is authorized and empowered, from the sums hereinbefore authorized, to make loans to persons, corporations, States, Territories, and subdivisions and agencies thereof, municipalities, peoples utility districts and cooperative nonprofit, or limited-dividend associations organized under the laws of any State or Territory of the United States, for the purpose of financing the construction and operation of generating plants, electric transmission and distribution lines or systems for the furnishing of electric energy to persons in rural areas who are not receiving central station service: *Provided, however*, That the Administrator, in making such loans, shall give preference to States, Territories, and subdivisions and agencies thereof, municipalities, peoples utility districts, and cooperative, nonprofit, or limited dividend associations, the projects of which comply with the requirements of this Act. Such loans shall be on such terms and conditions relating to the expenditure of the moneys loaned and the security therefor as the Administrator shall determine and may be made payable in whole or in part out of income: *Provided, however*, That all such loans shall be self-liquidating within a period of not to exceed twenty-five years, and shall bear interest at a rate equal to the average rate of interest payable by the United States of America on its obligations, having a maturity of ten or more years after the dates thereof, issued during the last preceding fiscal year in which any such obligations were issued: *Provided further*, That no loan for the construction, operation, or enlargement of any generating plant shall be made unless the consent of the State authority having jurisdiction in the premises is first obtained. Loans under this section and section 5 shall not be made unless the Administrator finds and certifies that in his judgment the security therefor is reasonably adequate and such loan will be repaid within the time agreed.

Provisos.
Preferential loans.

Loans to be self-liquidating.

Interest.

Consent of State authority.

Security; repayment.

Wiring premises, installing appliances, etc.

SEC. 5. The Administrator is authorized and empowered, from the sums hereinbefore authorized, to make loans for the purpose of financing the wiring of the premises of persons in rural areas and the acquisition and installation of electrical and plumbing appliances and equipment. Such loans may be made to any of the borrowers of funds loaned under the provisions of section 4, or to any person, firm, or corporation supplying or installing the said wiring, appliances, or equipment. Such loans shall be for such terms, subject to such conditions, and so secured as reasonably to assure repayment thereof, and shall be at a rate of interest equal to the average rate of interest payable by the United States of America on its obligations, having a maturity of ten or more years after the dates thereof, issued during the last preceding fiscal year in which any such obligations were issued.

Loans for; terms, security, etc.

Interest.

Appropriations authorized for administrative, etc., expenses.
Post, p. 1604.

SEC. 6. For the purpose of administering this Act and for the purpose of making the studies, investigations, publications, and reports herein provided for, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as shall be necessary.

Acquisition of mortgaged, etc., property by Administrator, authorized.

SEC. 7. The Administrator is authorized and empowered to bid for and purchase at any foreclosure or other sale, or otherwise to acquire, property pledged or mortgaged to secure any loan made pursuant to this Act; to pay the purchase price and any costs and expenses incurred in connection therewith from the sums authorized in section 3 of this Act; to accept title to any property so purchased or acquired in the name of the United States of America; to operate or lease such property for such period as may be deemed necessary or

Operation, etc., of acquired property.

Sale.

advisable to protect the investment therein, but not to exceed five years after the acquisition thereof; and to sell such property so purchased or acquired, upon such terms and for such consideration as the Administrator shall determine to be reasonable.

Disposal of encumbered property, etc., by borrower.

No borrower of funds under section 4 shall, without the approval of the Administrator, sell or dispose of its property, rights, or franchises, acquired under the provisions of this Act, until any loan obtained from the Rural Electrification Administration, including all interest and charges, shall have been repaid.

Prior loans and contracts; administration may be vested in Administrator.

SEC. 8. The administration of loans and contracts entered into by the Rural Electrification Administration established by Executive Order Numbered 7037, dated May 11, 1935, may be vested by the President in the Administrator authorized to be appointed by this Act; and in such event the provisions of this Act shall apply to said loans and contracts to the extent that said provisions are not inconsistent therewith. The President may transfer to the Rural Electrification Administration created by this Act the jurisdiction and control of the records, property (including office equipment), and personnel used or employed in the exercise and performance of the functions of the Rural Electrification Administration established by such Executive order.

Transfer of records, property, and personnel.

Nonpartisan administration of Act.

SEC. 9. This Act shall be administered entirely on a nonpartisan basis, and in the appointment of officials, the selection of employees, and in the promotion of any such officials or employees, no political test or qualification shall be permitted or given consideration, but all such appointments and promotions shall be given and made on the basis of merit and efficiency. If the Administrator herein provided for is found by the President of the United States to be guilty of a violation of this section, he shall be removed from office by the President, and any appointee or selection of officials or employees made by the Administrator who is found guilty of a violation of this Act shall be removed by the Administrator.

Merit system of appointments, etc.

Removal of officials, etc., for violation.

Annual reports to Congress.

SEC. 10. The Administrator shall present annually to the Congress not later than the 20th day of January in each year a full report of his activities under this Act.

Utilization of voluntary, etc., services.

SEC. 11. In order to carry out the provisions of this Act the Administrator may accept and utilize such voluntary and uncompensated services of Federal, State, and local officers and employees as are available, and he may without regard to the provisions of civil-service laws applicable to officers and employees of the United States appoint and fix the compensation of attorneys, engineers, and experts, and he may, subject to the civil-service laws, appoint such other officers and employees as he may find necessary and prescribe their duties. The Administrator is authorized, from sums appropriated pursuant to section 6, to make such expenditures (including expenditures for personal services; supplies and equipment; lawbooks and books of reference; directories and periodicals; travel expenses; rental at the seat of government and elsewhere; the purchase, operation, or maintenance of passenger-carrying vehicles; and printing and binding) as are appropriate and necessary to carry out the provisions of this Act.

Attorneys, engineers, and experts; appointment, compensation, etc.

Expenditures authorized.

Ante, p. 1365.

Time extension on payments, authorized.

SEC. 12. The Administrator is authorized and empowered to extend the time of payment of interest or principal of any loans made by the Administrator pursuant to this Act: *Provided, however*, That with respect to any loan made under section 4, the payment of interest or principal shall not be extended more than five years after such payment shall have become due, and with respect to any loan made under section 5, the payment of principal or interest shall not be extended more than two years after such payment shall have become

Provisos.
Loans on plants, lines, etc.

due: *And provided further*, That the provisions of this section shall not apply to any obligations or the security therefor which may be held by the Reconstruction Finance Corporation under the provisions of section 3. Loans excluded. *Ante*, p. 1364.

SEC. 13. As used in this Act the term "rural area" shall be deemed to mean any area of the United States not included within the boundaries of any city, village, or borough having a population in excess of fifteen hundred inhabitants, and such term shall be deemed to include both the farm and nonfarm population thereof; the term "farm" shall be deemed to mean a farm as defined in the publications of the Bureau of the Census; the term "person" shall be deemed to mean any natural person, firm, corporation, or association; the term "Territory" shall be deemed to include any insular possession of the United States. Definitions. "Rural area." "Farm." "Person." "Territory."

SEC. 14. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby. Separability provision.

Approved, May 20, 1936.

[CHAPTER 433.]

AN ACT

To amend article 3 of the "Rules Concerning Lights, and so forth", contained in the Act entitled "An Act to adopt regulations for preventing collisions upon certain harbors, rivers, and inland waters of the United States", approved June 7, 1897.

May 20, 1936.
[H. R. 10308.]
[Public, No. 606.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of article 3 of the "Rules Concerning Lights, and so forth", contained in the Act entitled "An Act to adopt regulations for preventing collisions upon certain harbors, rivers, and inland waters of the United States", approved June 7, 1897, is amended to read as follows: Navigation. "Rules Concerning Lights, etc." Vol. 30, p. 97. U. S. C., p. 1455.

"ART. 3. A steam vessel when towing another vessel or vessels alongside shall, in addition to her side lights, carry two bright white lights in a vertical line, one over the other, not less than three feet apart, and when towing one or more vessels astern, regardless of the length of the tow, shall carry an additional bright white light three feet above or below such lights: *Provided*, That on the Red River of the North and the rivers emptying into the Gulf of Mexico and their tributaries, this article shall not affect the signal lights used on towing vessels which propel the tow by pushing at the rear of the tow." Lights of steam vessel towing another vessel alongside. When towing astern. *Proviso.* Exceptions.

Approved, May 20, 1936.

[CHAPTER 434.]

AN ACT

To amend section 4321, Revised Statutes (U. S. C., title 46, sec. 263), and for other purposes.

May 20, 1936.
[H. R. 11036.]
[Public, No. 607.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4321, Revised Statutes of the United States (U. S. C., title 46, sec. 263), be, and is hereby, amended to read as follows: Vessels in domestic commerce. R. S., sec. 4321, p. 835. U. S. C., p. 2005.

"The form of a license for carrying on the coasting trade or fisheries shall be as follows: License for coasting trade or fisheries.

"License for carrying on the (here insert 'coasting trade', 'whale fishery', 'mackerel fishery', or 'cod fishery', as the case may be). Form prescribed.

"In pursuance of title L (Revised Statutes 4311–4390), 'Regulation of Vessels in Domestic Commerce', of the Revised Statutes of the United States (inserting here the name of the husband or managing owner, with his occupation and place of abode, and the name of the master, with the place of his abode), having sworn that the (insert here the description of the vessel, whether ship, brigantine, snow, schooner, sloop, or whatever else she may be), called the (insert here the vessel's name), whereof the said (naming the master) is master, burden (insert here the number of tons, in words) tons, as appears by her enrollment, dated at (naming the district, day, month, and year, in words at length, but if she be less than twenty tons, insert, instead thereof, 'proof being had of her admeasurement'), shall not be employed in any trade, while this license shall continue in force, whereby the revenue of the United States shall be defrauded, and having also sworn (or affirmed) that this license shall not be used for any other vessel, or for any other employment, than is herein specified, license is hereby granted for the said (inserting here the description of the vessel) called the (inserting here the vessel's name), to be employed in carrying on the (inserting here 'coasting trade', 'whale fishery', 'mackerel fishery', or 'cod fishery', as the case may be), for one year from the date hereof, and no longer. Given under my hand and seal, at (naming the said district), this (inserting the particular day) day of (naming the month), in the year (specifying the number of the year in words at length);": *Provided*, That vessels of five net tons and over entitled under the laws of the United States to be enrolled and licensed or licensed for the coasting trade may be licensed for the "coasting trade and mackerel fishery", and shall be deemed to have sufficient license for engaging in the coasting trade and the taking of fish of every description, including shellfish: *Provided further*, That the provisions of sections 4364 and 4365, Revised Statutes of the United States (U. S. C., title 46, secs. 310 and 311), shall be, and are hereby, made applicable to vessels so licensed: *And provided further*, That vessels operating on the Great Lakes and their connecting and tributary waters under enrollment and license issued in conformity with the provisions of section 4318, Revised Statutes of the United States (U. S. C., title 46, sec. 258), shall be deemed to have sufficient license for engaging in the taking of fish of every description within such waters without change in the form of enrollment and license prescribed under the authority of that section.

Provisos.
Licensing for the "coasting trade and mackerel fishery."

Touching at foreign ports.
R. S., secs. 4364, 4365, p. 844; U. S. C., p. 2010.

Enrolled and licensed vessels, Great Lakes and connecting waters.
R. S., sec. 4318; U. S. C., p. 2004.

Approved, May 20, 1936.

[CHAPTER 435.]

AN ACT

May 20, 1936.
[H. R. 11302.]
[Public, No. 608.]

To authorize the Secretary of War to lend to the Reunion Committee of the United Confederate Veterans three thousand blankets, olive drab, numbered 4, one thousand five hundred canvas cots, to be used at their annual encampment to be held at Shreveport, Louisiana, in June 1936.

United Confederate Veterans, Reunion Committee.
Loan of Army equipment for encampment at Shreveport, La., authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to lend, at his discretion to the Reunion Committee of the United Confederate Veterans, for use at the United Confederate Veterans' Encampment, to be held at Shreveport, Louisiana, June 9, 10, 11, and 12, 1936, two hospital ward tents, with all pegs, poles, and equipment necessary for their erection; one storage tent complete with all equipment; one large wall tent complete with all equipment; six small wall tents

complete with all equipment; ten pyramidal tents complete with all equipment; fifty 14-quart G. I. buckets; three thousand blankets, olive drab, wool; one thousand five hundred canvas folding cots; one thousand five hundred comforters; one thousand five hundred cotton-felted pillows complete with cotton pillow cases; three thousand cotton bedsheets: *Provided*, That no expense shall be caused the United States Government by the delivery and return of said property; the same to be delivered from the nearest quartermaster depot at such time prior to the holding of said encampment as may be agreed upon by the Secretary of War and the Confederate Reunion Committee: *Provided further*, That the Secretary of War, before delivery of such property, shall take from said Reunion Committee of the United Confederate Veterans a good and sufficient bond for the safe return of said property in good order and condition, and the whole without expense to the United States.

Provisos.
No Federal expense.

Bond.

Approved, May 20, 1936.

[CHAPTER 440.]

AN ACT

To convey certain lands to Clackamas County, Oregon, for public-park purposes.

May 21, 1936.
[H. R. 5058.]
[Public, No. 609.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue a patent to Clackamas County, Oregon, on behalf of the United States, for the south half southwest quarter and the west half northeast quarter southwest quarter section 11, township 3 south, range 4 east, Willamette meridian, in the State of Oregon, containing one hundred acres, more or less, on condition that such county shall accept and use such lands solely for public-park purposes; but if such county shall at any time cease to use such lands for public-park purposes, or shall permit the use of such lands for any other purpose, or shall alienate or attempt to alienate them, they shall revert to the United States: *Provided*, That there shall be reserved to the United States, its patentees, or their transferees, the right to cut and remove therefrom the merchantable timber, reserving to Clackamas County, Oregon, when such sale is made under the provisions of the Act of June 9, 1916 (39 Stat. 218), a preference right to purchase the timber at the highest price bid.

Clackamas County, Oreg.
Conveyance of land for public-park purposes, authorized.

Reversionary provision.

Proviso.
Timber reservation.

Vol. 39, p. 218.

SEC. 2. The Secretary of the Interior shall prescribe all necessary regulations to carry into effect the foregoing provisions of this Act.

Regulations to be prescribed.

Approved, May 21, 1936.

[CHAPTER 444.]

AN ACT

To supplement the Act of June 25, 1929 (ch. 41, 46 Stat. L. 41), which authorized and directed the Attorney General to institute suit against the Northern Pacific Railway Company and others.

May 22, 1936.
[S. 4504.]
[Public, No. 610.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the suit entitled United States of America, plaintiff, against Northern Pacific Railway Company and others, defendants, numbered E-4389, instituted and pending in the District Court of the United States for the Eastern District of Washington, under the authority and direction of the Act of June 25, 1929 (ch. 41, 46 Stat. L. 41), now on reference to a special master for hearing under an order of said court entered in said suit on April 21, 1936, a direct review by the

Northern Pacific Railway Company and others.
Review by appeal to U. S. Supreme Court of certain questions in pending suit, authorized.
Vol. 46, p. 41.

Supreme Court of the United States by appeal may be had by any party to said suit of any order or decree of said district court entered upon a review of the report of the master to be made pursuant to said order of April 21, 1936, and also of the order or decree of said district court entered in said suit on October 3, 1935, as amended by an order of January 29, 1936. Such direct review by the Supreme Court of either or both of the said orders or decrees may be had by appeal taken within sixty days from the date of the order or decree of the district court entered upon a review of the report of the master to be made pursuant to the said order of April 21, 1936. The right of review of any final judgment, authorized by said Act of June 25, 1929, shall continue in force and effect.

Time limitation.

Right of review of final judgment not affected.

Approved, May 22, 1936.

[CHAPTER 445.]

May 22, 1936.
[H. R. 1398.]
[Public, No. 611.]

AN ACT

To provide for the establishment of a Coast Guard station at or near Crescent City, California.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to establish a Coast Guard station on the Pacific coast at or in the vicinity of Crescent City, California, in such locality as the Commandant of the Coast Guard may recommend.

Crescent City, Calif. Establishment of Coast Guard station at, authorized.

Approved, May 22, 1936.

[CHAPTER 446.]

May 22, 1936.
[H. R. 8370.]
[Public, No. 612.]

AN ACT

To provide for the establishment of a Coast Guard station at Port Washington, Wisconsin.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to establish a Coast Guard station on Lake Michigan at Port Washington, Wisconsin, at such point as the Commandant of the Coast Guard may recommend.

Port Washington, Wis. Establishment of Coast Guard station at, authorized.

Approved, May 22, 1936.

[CHAPTER 447.]

May 22, 1936.
[H. R. 10321.]
[Public, No. 613.]

AN ACT

To amend section 4 of Public Act Numbered 286, Seventy-fourth Congress, approved August 19, 1935, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of Public Act Numbered 286, Seventy-fourth Congress, approved August 19, 1935, is amended by striking out the words "section 3 hereof" and inserting in lieu thereof the words "section 2, paragraph 2, and section 3 of this Act".

Rio Grande, use of waters, etc. Correction in Act relating to. *Ante*, p. 661.

Approved, May 22, 1936.

[CHAPTER 448.]

AN ACT

Authorizing the erection of a memorial to those who met their death in the wreck of the dirigible Shenandoah.

May 22, 1936.
[H. R. 10544.]
[Public, No. 614.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to erect near Ava, Ohio, on the spot where the Shenandoah fell, a suitable tablet or marker to commemorate the heroic services rendered by Commander Landsdowne and other members of the crew who died when the Navy dirigible Shenandoah was destroyed.

Dirigible "Shenandoah."
Erection of memorial to dead in wreck of, authorized.
Location.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $2,500 to carry out the provisions of this Act.

Appropriation authorized.

Approved, May 22, 1936.

[CHAPTER 449.]

AN ACT

To authorize the Secretary of War to grant to the city of Buffalo, New York, the right and privilege to occupy and use for sewage-disposal facilities part of the lands forming the pier and dikes of the Black Rock Harbor improvement at Buffalo, New York.

May 26, 1936.
[S. 4317.]
[Public, No. 615.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the grant made by the Secretary of War to the city of Buffalo pursuant to the Act of Congress entitled "An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors and for other purposes", approved February 27, 1911, for the purpose of establishing a public park and landing facilities on that part of the structure known as Bird Island Pier on Niagara River lying north of Albany Street extended, in the city of Buffalo, New York, and forming a part of Black Rock Harbor improvement and the lands of the United States under water on both sides of said pier to the established harbor lines, subject to the terms, conditions, and stipulations in said grant specified, the Secretary of War is authorized to grant to the city of Buffalo, New York, also the right and privilege of occupying said lands and lands under water, and also the lands owned by the United States on the west side of Black Rock Canal, described as follows: Beginning at a point where the northerly line of property formerly owned by William H. Slade, or that line extended, intersects the United States Government property line (formerly New York State Blue Line); thence easterly parallel to the line forming the northeasterly boundary of lands heretofore granted to the city of Buffalo by the United States and known as Bird Island Pier until a point is reached in direct prolongation of the easterly boundary line of said last mentioned lands; thence southwesterly in direct line with said easterly boundary of said lands to the northeasterly corner of said lands heretofore conveyed to the city of Buffalo by the United States; thence westerly along the northeasterly boundary of said Bird Island Pier lands to said United States Government property line; thence northeasterly along said last mentioned line to the place of beginning, or so much thereof as may be necessary, for use either by the city of Buffalo or by the Buffalo Sewer Authority (created by chapter 349 of the Laws of the State of New York of 1935) for sewage-disposal facilities, on such terms, conditions, and stipulations as he may deem expedient and equitable and necessary for the protection of all the interests of the United States in and to said

Buffalo, N. Y.
Right to use certain land for public purposes, granted to.
Vol. 36, p. 935.

Description.

Proviso. State sanction.

premises: *Provided, however*, That the city of Buffalo shall have secured the sanction and consent of the State of New York through its constituted agencies.

Approved, May 26, 1936.

[CHAPTER 450.]

May 26, 1936.
[H. R. 8287.]
[Public, No. 616.]

AN ACT

To establish an assessed valuation real property tax in the Virgin Islands of the United States.

Virgin Islands. Establishment of assessed valuation real property tax.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the policy of Congress to equalize and more equitably to distribute existing taxes on real property in the Virgin Islands of the United States and to reduce the burden of taxation now imposed on land in productive use in such islands.

Based on actual value.

SEC. 2. For the calendar year 1936 and for all succeeding years all taxes on real property in the Virgin Islands shall be computed on the basis of the actual value of such property and the rate in each municipality of such islands shall be the same for all real property subject to taxation in such municipality whether or not such property is in cultivation and regardless of the use to which such property is put.

Uniform rate in each municipality.

Provisional rate.

SEC. 3. Until local tax laws conforming to the requirements of this Act are in effect in a municipality the tax on real property in such municipality for any such calendar year shall be at the rate of 1.25 per centum of the assessed value. If the legislative authority of a municipality shall fail to enact laws for the levy, assessment, collection, or enforcement of any tax imposed under authority of this Act within three months after the date of its enactment, the President shall then prescribe regulations for the levy, assessment, collection, and enforcement of such tax, which shall be in effect until the legislative authority of such municipality shall make regulations for such purposes.

President to prescribe regulations if no municipal levy, etc.

Deposit of collections.

SEC. 4. All taxes so levied and collected shall be deposited in the municipal treasury of the municipality in which such taxes are collected.

Virgin Islands Company.
Payments by, in lieu of taxes.

SEC. 5. The Virgin Islands Company shall pay annually into the municipal treasuries of the Virgin Islands in lieu of taxes an amount equal to the amount of taxes which would be payable on the real property in the Virgin Islands owned by the United States and in the possession of the Virgin Islands Company, if such real property were in private ownership and taxable, but the valuation placed upon such property for taxation purposes by the local taxing authorities shall be reduced to a reasonable amount by the Secretary of the Interior if, after investigation, he finds that such valuation is excessive and unreasonable. The Virgin Islands Company shall also pay into the municipal treasuries of the Virgin Islands amounts equal to the amounts of any taxes of general application which a private corporation similarly situated would be required to pay into the said treasuries. Similar payments shall be made with respect to any property owned by the United States in the Virgin Islands which is used for ordinary business or commercial purposes, and the income derived from any property so used shall be available for making such payments.

Other property owned by the United States.

SEC. 6. Nothing in this Act shall be construed as altering, amending, or repealing the existing exemptions from taxation of property used for educational, charitable, or religious purposes. Subject to the provisions of this Act, the legislative authority of the respective municipalities is hereby empowered to alter, amend, or repeal, subject to the approval of the Governor, any law now imposing taxes on real and personal property.

Property used for educational, religious, etc., purposes.
Amendment or repeal of existing laws.

Approved, May 26, 1936.

[CHAPTER 451.]

AN ACT

To provide for the establishment of the Fort Frederica National Monument, at Saint Simon Island, Georgia, and for other purposes.

May 26, 1936.
[H. R. 8431.]
[Public, No. 617.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when title to the site of Fort Frederica, on Saint Simon Island, Georgia, and such other related sites located thereon, as may be designated by the Secretary of the Interior, in the exercise of his discretion, as necessary or desirable for national-monument purposes, shall have been vested in the United States, said area not to exceed eighty acres shall be, and is hereby, set apart as a national monument for the benefit and inspiration of the people, and shall be called the "Fort Frederica National Monument".

Fort Frederica National Monument, Saint Simon Island, Ga. Establishment of.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land, interests in land, buildings, structures, and other property within the boundaries of the said national monument as determined and fixed hereunder, and donations of funds for the purchase and maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States out of any donated funds, either by purchase at prices deemed by him reasonable, or by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within the said national monument as may be necessary for the completion thereof.

Acceptance of donations, etc.

Proviso.
Purchase of land from donated funds.

Vol. 25, p. 357.
U. S. C., p. 1785.

SEC. 3. (a) The Secretary of the Interior is authorized, in his discretion, to maintain in some suitable structure within the national monument a museum for relics and records pertaining to Fort Frederica, and for other articles of national and patriotic interest, and in his discretion to accept, on behalf of the United States, for installation in such museum, articles which may be offered as additions to the museum.

Maintenance of museum.

(b) Any State or political subdivision thereof, organization, or individual may, with the approval of the Secretary of the Interior, erect monuments or place tablets commemorating historic events or persons connected with the history of the area, within the boundaries of the Fort Frederica National Monument.

Erection of monuments or placing of tablets.

SEC. 4. The administration, protection, and development of the aforesaid national monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes", as amended.

Administration.

Vol. 39, p. 535; U. S. C., p. 591.

Approved, May 26, 1936.

[CHAPTER 452.]

AN ACT

May 26, 1936.
[H. R. 8784.]
[Public, No. 618.]

To authorize withholding compensation due Government personnel.

Executive branch of the Government.
Withholding of compensation where payments have been made illegally, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter, whenever upon the statement of the account of any disbursing officer of the United States in the General Accounting Office credit shall have been disallowed for any payment to any person in the executive branch of the Government, otherwise entitled to compensation from the United States or from any agency or instrumentality thereof, such compensation of the payee may be withheld until full reimbursement has been accomplished under such regulations as may be prescribed by the head of the department, branch, or independent establishment (including corporations) under which such payee is entitled to receive compensation: *Provided*, That nothing contained in this Act shall be construed to repeal or in any way modify existing laws relating to the collection of the indebtedness of accountable or disbursing officers.

Proviso.
Existing laws not affected.

Approved, May 26, 1936.

[CHAPTER 453.]

AN ACT

May 26, 1936.
[H. R. 10267.]
[Public, No. 619.]

To provide for adjusting the compensation of division superintendents, assistant division superintendents, assistant superintendents at large, assistant superintendent in charge of car construction, chief clerks, assistant chief clerks, and clerks in charge of sections in offices of division superintendents in the Railway Mail Service, to correspond to the rates established by the Classification Act of 1923, as amended.

Railway Mail Service.
Adjustment of compensation.
Vol. 43, p. 1061.
U. S. C., p. 1751.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to adjust the compensation of division superintendents, assistant division superintendents, assistant superintendents at large, assistant superintendent in charge of car construction, chief clerks, assistant chief clerks, and clerks in charge of sections in offices of division superintendents, Railway Mail Service, to correspond, so far as may be practicable, to the rates established by the Classification Act of 1923, as amended, for positions in the departmental service in the District of Columbia. Any appropriation now or hereafter available for the payment of the compensation of employees in the Railway Mail Service shall be available for payment of compensation in accordance with the rates adjusted in accordance with the provisions of this Act.

U. S. C., p. 85.
Appropriations made available.

Approved, May 26, 1936.

[CHAPTER 454.]

AN ACT

May 26, 1936.
[H. R. 10934.]
[Public, No. 620.]

To authorize the transfer of the customhouse at Salem, Massachusetts, from the jurisdiction of the Treasury Department to the Department of the Interior.

Salem, Mass.
Transfer of customhouse to Department of Interior, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to transfer to the control and jurisdiction of the Secretary of the Interior the customhouse at Salem, Massachusetts, and such adjoining property, both real and personal, as may now be under the jurisdiction of the Secretary of the Treasury.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to acquire the above property for the purpose of establishing same as an historic site or otherwise preserving the buildings and grounds in connection therewith: *Provided*, That the Secretary of the Treasury may retain sufficient space in the building for the necessary operation of the Bureau of Customs.

Preservation of, as an historic site.

Proviso.
Space for Customs Bureau.

Approved, May 26, 1936.

[CHAPTER 462.]

AN ACT

To provide for the continuation of trading in unlisted securities upon national securities exchanges, for the registration of over-the-counter brokers and dealers, for the filing of current information and periodic reports by issuers, and for other purposes.

May 27, 1936.
[S. 4023.]
[Public, No. 621.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (f) of section 12 of the Securities Exchange Act of 1934 is amended to read as follows:

Securities Exchange Act of 1934, amendments.
Vol. 48, p. 894; U. S. C., p. 536.

"(f) Notwithstanding the foregoing provisions of this section, any national securities exchange, upon application to and approval of such application by the Commission and subject to the terms and conditions hereinafter set forth, (1) may continue unlisted trading privileges to which a security had been admitted on such exchange prior to March 1, 1934; or (2) may extend unlisted trading privileges to any security duly listed and registered on any other national securities exchange, but such unlisted trading privileges shall continue in effect only so long as such security shall remain listed and registered on any other national securities exchange; or (3) may extend unlisted trading privileges to any security in respect of which there is available from a registration statement and periodic reports or other data filed pursuant to rules or regulations prescribed by the Commission under this title or the Securities Act of 1933, as amended, information substantially equivalent to that available pursuant to rules or regulations of the Commission in respect of a security duly listed and registered on a national securities exchange, but such unlisted trading privileges shall continue in effect only so long as such a registration statement remains effective and such periodic reports or other data continue to be so filed.

Trading in unlisted securities upon national exchanges.
Continuance of certain categories.
Security admitted before March 1, 1934.

Listed and registered on another exchange.

Equivalent registration statement available.

"No application pursuant to this subsection shall be approved unless the Commission finds that the continuation or extension of unlisted trading privileges pursuant to such application is necessary or appropriate in the public interest or for the protection of investors. No application to extend unlisted trading privileges to any security pursuant to clause (2) or (3) of this subsection shall be approved except after appropriate notice and opportunity for hearing. No application to extend unlisted trading privileges to any security pursuant to clause (2) or (3) of this subsection shall be approved unless the applicant exchange shall establish to the satisfaction of the Commission that there exists in the vicinity of such exchange sufficiently widespread public distribution of such security and sufficient public trading activity therein to render the extension of unlisted trading privileges on such exchange thereto necessary or appropriate in the public interest or for the protection of investors. No application to extend unlisted trading privileges to any security pursuant to clause (3) of this subsection shall be approved except upon such terms and conditions as will subject the issuer thereof, the officers and directors of such issuer, and every beneficial owner of more than 10 per centum of such security to

Conditional continuance of privileges.

Notice and hearing.

Establishment to be in public interest.

Obligations imposed.

duties substantially equivalent to the duties which would arise pursuant to this title if such security were duly listed and registered on a national securities exchange; except that such terms and conditions need not be imposed in any case or class of cases in which it shall appear to the Commission that the public interest and the protection of investors would nevertheless best be served by such extension of unlisted trading privileges. In the publication or making available for publication by any national securities exchange, or by any person directly or indirectly controlled by such exchange, of quotations or transactions in securities made or effected upon such exchange, such exchange or controlled person shall clearly differentiate between quotations or transactions in listed securities, and quotations or transactions in securities for which unlisted trading privileges on such exchange have been continued or extended pursuant to this subsection. In the publication or making available for publication of such quotations or transactions otherwise than by ticker, such exchange or controlled person shall group under separate headings (A) quotations or transactions in listed securities, and (B) quotations or transactions in securities for which unlisted trading privileges on such exchange has been continued or extended pursuant to this subsection.

Exceptions.

Publication of transactions or quotations; differentiation between listed and unlisted securities.

Other than by ticker.

"The Commission shall by rules and regulations suspend unlisted trading privileges in whole or in part for any or all classes of securities for a period not exceeding twelve months, if it deems such suspension necessary or appropriate in the public interest or for the protection of investors or to prevent evasion of the purposes of this title.

Suspension of privileges when in public interest, etc.

"Unlisted trading privileges continued for any security pursuant to clause (1) of this subsection shall be terminated by order, after appropriate notice and opportunity for hearing, if it appears at any time that such security has been withdrawn from listing on any exchange by the issuer thereof, unless it shall be established to the satisfaction of the Commission that such delisting was not designed to evade the purposes of this title or unless it shall appear to the Commission that, notwithstanding any such purpose of evasion, the continuation of such unlisted trading privileges is nevertheless necessary or appropriate in the public interest or for the protection of investors. On the application of the issuer of any security for which unlisted trading privileges on any exchange have been continued or extended pursuant to this subsection, or of any broker or dealer who makes or creates a market for such security, or of any other person having a bona-fide interest in the question of termination or suspension of such unlisted trading privileges, or on its own motion, the Commission shall by order terminate, or suspend for a period not exceeding twelve months, such unlisted trading privileges for such security if the Commission finds, after appropriate notice and opportunity for hearing, that by reason of inadequate public distribution of such security in the vicinity of said exchange, or by reason of inadequate public trading activity or of the character of trading therein on said exchange, such termination or suspension is necessary or appropriate in the public interest or for the protection of investors.

Termination of privileges; notice and hearing.

Withdrawal of security by issuer; exception.

Inadequate distribution, trading activity, etc.

"In any proceeding under this subsection in which appropriate notice and opportunity for hearing are required, notice of not less than ten days to the applicant in such proceeding, to the issuer of the security involved, to the exchange which is seeking to continue or extend or has continued or extended unlisted trading privileges for such security, and to the exchange, if any, on which such security is listed and registered, shall be deemed adequate notice, and any broker or dealer who makes or creates a market for such security,

Notice, hearing, etc.

and any other person having a bona-fide interest in such proceeding, shall upon application be entitled to be heard.

"Any security for which unlisted trading privileges are continued or extended pursuant to this subsection shall be deemed to be registered on a national securities exchange within the meaning of this title. The powers and duties of the Commission under subsection (b) of section 19 of this title shall be applicable to the rules of an exchange in respect of any such security. The Commission may, by such rules and regulations as it deems necessary or appropriate in the public interest or for the protection of investors, either unconditionally or upon specified terms and conditions, or for stated periods, exempt such securities from the operation of any provision of section 13, 14, or 16 of this title."

Securities hereunder deemed registered.

Commission's powers extended.
Vol. 48, p. 898.
U. S. C., p. 538.
Exemptions permitted.

Vol. 48, pp. 894, 895, 896.

SEC. 2. Any application to continue unlisted trading privileges for any security heretofore filed by any exchange and approved by the Commission pursuant to clause (1) of subsection (f) of section 12 of the Securities Exchange Act of 1934 and rules and regulations thereunder shall be deemed to have been filed and approved pursuant to clause (1) of said subsection (f) as amended by section 1 of this Act.

Applications to continue trading privileges for security heretofore approved.
Vol. 48, p. 894.

SEC. 3. Section 15 of the Securities Exchange Act of 1934 is amended to read as follows:

Over-the-counter markets.
Vol. 48, p. 895; U. S. C., p. 536.

"SEC. 15. (a) No broker or dealer (other than one whose business is exclusively intrastate) shall make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce the purchase or sale of, any security (other than an exempted security or commercial paper, bankers' acceptances, or commercial bills) otherwise than on a national securities exchange, unless such broker or dealer is registered in accordance with subsection (b) of this section.

Use of the mails, etc., by unregistered brokers, etc.

"(b) A broker or dealer may be registered for the purposes of this section by filing with the Commission an application for registration, which shall contain such information in such detail as to such broker or dealer and any person directly or indirectly controlling or controlled by, or under direct or indirect common control with, such broker or dealer, as the Commission may by rules and regulations require as necessary or appropriate in the public interest or for the protection of investors. Except as hereinafter provided, such registration shall become effective thirty days after the receipt of such application by the Commission or within such shorter period of time as the Commission may determine.

Applications for registration; contents.

Effective date.

"An application for registration of a broker or dealer to be formed or organized may be made by a broker or dealer to which the broker or dealer to be formed or organized is to be the successor. Such application shall contain such information in such detail as to the applicant and as to the successor and any person directly or indirectly controlling or controlled by, or under direct or indirect common control with, the applicant or the successor, as the Commission may by rules and regulations require as necessary or appropriate in the public interest or for the protection of investors. Except as hereinafter provided, such registration shall become effective thirty days after the receipt of such application by the Commission or within such shorter period of time as the Commission may determine. Such registration shall terminate on the forty-fifth day after the effective date thereof, unless prior thereto the successor shall, in accordance with such rules and regulations as the Commission may prescribe, adopt such application as its own.

Application by broker or dealer to be formed or organized; contents, etc.

Effective date.

Adoption of application by successor.

"If any amendment to any application for registration pursuant to this subsection is filed prior to the effective date thereof, such amendment shall be deemed to have been filed simultaneously with

Amendments to applications.

Postponement of effective date by Commission.

and as part of such application; except that the Commission may, if it appears necessary or appropriate in the public interest or for the protection of investors, defer the effective date of any such registration as thus amended until the thirtieth day after the filing of such amendment.

Registration; denial or revocation for specified causes.

"The Commission shall, after appropriate notice and opportunity for hearing, by order deny registration to or revoke the registration of any broker or dealer if it finds that such denial or revocation is in the public interest and that (1) such broker or dealer whether prior or subsequent to becoming such, or (2) any partner, officer, director, or branch manager of such broker or dealer (or any person occupying a similar status or performing similar functions), or any person directly or indirectly controlling or controlled by such broker or dealer, whether prior or subsequent to becoming such, (A) has willfully made or caused to be made in any application for registration pursuant to this subsection or in any document supplemental thereto or in any proceeding before the Commission with respect to registration pursuant to this subsection any statement which was at the time and in the light of the circumstances under which it was made false or misleading with respect to any material fact; or (B) has been convicted within ten years preceding the filing of any such application or at any time thereafter of any felony or misdemeanor involving the purchase or sale of any security or arising out of the conduct of the business of a broker or dealer; or (C) is permanently or temporarily enjoined by order, judgment, or decree of any court of competent jurisdiction from engaging in or continuing any conduct or practice in connection with the purchase or sale of any security; or (D) has willfully violated any provision of the Securities Act of 1933, as amended, or of this title, or of any rule or regulation thereunder. Pending final determination whether any such registration shall be denied, the Commission may by order postpone the effective date of such registration for a period not to exceed fifteen days, but if, after appropriate notice and opportunity for hearing, it shall appear to the Commission to be necessary or appropriate in the public interest or for the protection of investors to postpone the effective date of such registration until final determination, the Commission shall so order. Pending final determination whether any such registration shall be revoked, the Commission shall by order suspend such registration if, after appropriate notice and opportunity for hearing, such suspension shall appear to the Commission to be necessary or appropriate in the public interest or for the protection of investors. Any registered broker or dealer may, upon such terms and conditions as the Commission may deem necessary in the public interest or for the protection of investors, withdraw from registration by filing a written notice of withdrawal with the Commission. If the Commission finds that any registered broker or dealer, or any broker or dealer for whom an application for registration is pending, is no longer in existence or has ceased to do business as a broker or dealer, the Commission shall by order cancel the registration or application of such broker or dealer.

Misleading, etc., statements in application.

Previous conviction.

Subject to court injunction, etc.

Willful violations of law, etc.

Postponement of effective date of registration.

Suspension of registration.

Withdrawal from registration by brokers, etc.

Cancelation of registration or application by Commission.

Use of mails, etc., to induce purchase or sale by fraudulent, etc., device.

"(c) No broker or dealer shall make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce the purchase or sale of, any security (other than commercial paper, banker's acceptances, or commercial bills) otherwise than on a national securities exchange, by means of any manipulative, deceptive, or other fraudulent device or contrivance. The Commission shall, for the purposes of this subsection, by rules and regulations define such devices or contrivances as are manipulative, deceptive, or otherwise fraudulent.

Definition by Commission.

"(d) Each registration statement hereafter filed pursuant to the Securities Act of 1933, as amended, shall contain an undertaking by the issuer of the issue of securities to which the registration statement relates to file with the Commission, in accordance with such rules and regulations as the Commission may prescribe as necessary or appropriate in the public interest or for the protection of investors, such supplementary and periodic information, documents, and reports as may be required pursuant to section 13 of this title in respect of a security listed and registered on a national securities exchange; but such undertaking shall become operative only if the aggregate offering price of such issue of securities, plus the aggregate value of all other securities of such issuer of the same class (as hereinafter defined) outstanding, computed upon the basis of such offering price, amounts to $2,000,000 or more. The issuer shall file such supplementary and periodic information, documents, and reports pursuant to such undertaking, except that the duty to file shall be automatically suspended if and so long as (1) such issue of securities is listed and registered on a national securities exchange, or (2) by reason of the listing and registration of any other security of such issuer on a national securities exchange, such issuer is required to file pursuant to section 13 of this title information, documents, and reports substantially equivalent to such as would be required if such issue of securities were listed and registered on a national securities exchange, or (3) the aggregate value of all outstanding securities of the class to which such issue belongs is reduced to less than $1,000,000, computed upon the basis of the offering price of the last issue of securities of said class offered to the public. For the purposes of this subsection, the term 'class' shall be construed to include all securities of an issuer which are of substantially similar character and the holders of which enjoy substantially similar rights and privileges. Nothing in this subsection shall apply to securities issued by a foreign government or political subdivision thereof or to any other security which the Commission may by rules and regulations exempt as not comprehended within the purposes of this subsection."

Registration statement.
Undertaking by issuer to furnish periodic information, etc.
Vol. 48, p. 894.
When operative.
Duty to file information suspended under designated circumstances.
"Class" construed.
Securities of foreign governments.
Other exempted securities.

SEC. 4. Subsection (a) of section 17 of such Act is amended by striking out "every broker or dealer making or creating a market for both the purchase and sale of securities through the use of the mails or of any means or instrumentality of interstate commerce", and inserting in lieu thereof "every broker or dealer registered pursuant to section 15 of this title".

Broker's accounts and records.
Vol. 48, p. 897.

SEC. 5. Subsection (a) of section 18 of such Act is amended by inserting immediately before the comma following "any rule or regulation thereunder" the following: "or any undertaking contained in a registration statement as provided in subsection (d) of section 15 of this title".

Misleading statements.
Vol. 48, p. 897.

SEC. 6. Subsection (c) of section 20 of such Act is amended by inserting immediately before the period the following: "or any undertaking contained in a registration statement as provided in subsection (d) of section 15 of this title".

Unreasonably delaying, etc., reports.
Vol. 48, p. 899.

SEC. 7. Subsection (f) of section 21 of such Act is amended by inserting immediately before the period the following: "or with any undertaking contained in a registration statement as provided in subsection (d) of section 15 of this title".

Issuance of writs of mandamus.
Vol. 48, p. 901.

SEC. 8. Subsection (a) of section 23 of such Act is amended to read as follows:

"(a) The Commission and the Board of Governors of the Federal Reserve System shall each have power to make such rules and regulations as may be necessary for the execution of the functions vested

Rules and regulations.
Vol. 48, p. 901.

in them by this title, and may for such purpose classify issuers, securities, exchanges, and other persons or matters within their respective jurisdictions. No provision of this title imposing any liability shall apply to any act done or omitted in good faith in conformity with any rule or regulation of the Commission or the Board of Governors of the Federal Reserve System, notwithstanding that such rule or regulation may, after such act or omission, be amended or rescinded or be determined by judicial or other authority to be invalid for any reason."

Acts done or omitted in good faith in conformity to regulations, etc.

Penalties.
Vol. 48, p. 904.

SEC. 9. Section 32 of such Act is amended by striking out "SEC. 32." and inserting in lieu thereof "SEC. 32. (a)"; by inserting immediately before the comma following the phrase "filed under this title or any rule or regulation thereunder" the following: "or any undertaking contained in a registration statement as provided in subsection (d) of section 15 of this title"; and by adding thereto a new subsection (b) to read as follows:

Failure to file required information, etc.

"(b) Any issuer which fails to file information, documents, or reports pursuant to an undertaking contained in a registration statement as provided in subsection (d) of section 15 of this title shall forfeit to the United States the sum of $100 for each and every day such failure to file shall continue. Such forfeiture, which shall be in lieu of any criminal penalty for such failure to file which might be deemed to arise under subsection (a) of this section, shall be payable into the Treasury of the United States and shall be recoverable in a civil suit in the name of the United States."

Status of present registered brokers, etc.

SEC. 10. All brokers and dealers for whom registration is in effect on the date of enactment of this Act in accordance with rules and regulations of the Commission prescribed pursuant to section 15 of the Securities Exchange Act of 1934 shall be deemed to be registered pursuant to section 15 of such Act as amended by section 3 of this Act.

Vol. 48, p. 895.
Ante, p. 1377.

Prior liabilities.

SEC. 11. Nothing in this Act shall be deemed to extinguish any liability which may have arisen prior to the effective date of this Act by reason of any violation of section 15 of the Securities Exchange Act of 1934 or of any rule or regulation thereunder.

Effective dates.

SEC. 12. This Act shall become effective immediately upon the enactment thereof; except that clause (2) of subsection (f) of section 12 of the Securities Exchange Act of 1934, as amended by section 1 hereof, and subsections (a) and (d) of section 15 of such Act, as amended by section 3 hereof, shall become effective ninety days after the enactment of this Act, and that clause (3) of said subsection (f), as amended by section 1 hereof, shall become effective six months after the enactment of this Act.

Ante, p. 1375.

Ante, p. 1377.

Approved, May 27, 1936.

[CHAPTER 463.]

May 27, 1936.
[H. R. 8599.]
[Public, No. 622.]

AN ACT

To provide for a change in the designation of the Bureau of Navigation and Steamboat Inspection, to create a marine casualty investigation board and increase efficiency in administration of the steamboat inspection laws, and for other purposes.

Department of Commerce.
Bureau of Navigation and Steamboat Inspection.
Change in designation of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Bureau of Navigation and Steamboat Inspection in the Department of Commerce shall hereafter be known as the "Bureau of Marine Inspection and Navigation."

SEC. 2. That section 4404 of the Revised Statutes is hereby amended to read as follows: R. S., sec. 4404, p. 853; U. S. C., p. 2014.

"SEC. 4404. There shall be seven supervising inspectors, who shall be appointed by the Secretary of Commerce. In the appointment of the supervising inspectors provided for by this section the Secretary of Commerce shall give due consideration to the reappointment of such of the present supervising inspectors as by their record of efficiency and experience have demonstrated their fitness for their positions. All vacancies occurring thereafter in the Board of Supervising Inspectors may be filled by selection from the principal traveling inspectors provided for by section 3 of this Act, or from the United States Local Inspectors. Each supervising inspector shall be entitled to a salary of not to exceed $6,000 per annum and his necessary traveling expenses while traveling on official business assigned him by competent authority, together with his actual and reasonable expenses for transportation of instruments, which shall be certified and sworn to under such instructions as shall be given by the Secretary of Commerce. Supervising inspectors. Appointment; number. Filling vacancies. Salary and expenses.

"In the case of the absence of any such supervising inspector from his official station, the Secretary of Commerce may designate some officer of the Bureau of Marine Inspection and Navigation to perform the duties of such officer during his absence." Designation of acting supervising inspectors.

SEC. 3. That there shall be in the field service of the Bureau of Marine Inspection and Navigation in the Department of Commerce not to exceed ten principal traveling inspectors to be appointed by the Secretary of Commerce, the compensation of such principal traveling inspectors to be fixed by the Secretary of Commerce at not to exceed $5,000 per annum. Each of said principal traveling inspectors shall be entitled to his necessary traveling expenses while traveling on official business. Such principal traveling inspectors shall be selected for their knowledge, skill, and practical experience in steam and motor power for navigation and shall be competent judges of the character and qualities of such vessels and of all parts of the machinery employed in such navigation. They also shall have full knowledge of the duties imposed by law on licensed officers and crews of vessels. Field service. Principal traveling inspectors; number. Compensation and expenses. Qualifications.

SEC. 4. That section 4450 of the Revised Statutes is hereby amended so as to read: R. S., sec. 4450, p. 861; U. S. C., p. 2008.

SEC. 4450. (a) The Secretary of Commerce shall prescribe rules and regulations for the investigation of marine casualties involving loss of life in order to determine whether any incompetence, misconduct, unskillfulness or willful violation of law on the part of any licensed officer, pilot, seaman, employee, owner, or agent of such owner of any vessel involved in such casualty, or any inspector, officer of the Coast Guard, or other officer or employee of the United States, or any other person, caused, or contributed to the cause of such casualty. For the purpose of investigating such a marine casualty, the Secretary of Commerce shall appoint a marine casualty investigation board or boards consisting of a chairman and two other members; the chairman shall be an officer or employee of the Department of Justice (learned in maritime laws) designated by the Attorney General; one member shall be a representative of the Bureau of Marine Inspection and Navigation designated by the Secretary of Commerce; and the other member shall be an officer of the United States Coast Guard designated by the Secretary of the Treasury. All reports shall be made to the Secretary of Commerce and such reports shall be public records and be open to inspection at reasonable times by any persons. Copies of such reports shall be sent to the Attorney General and to the Secretary of the Treasury. Investigation of marine casualties. Marine casualty investigation boards; personnel, reports, etc.

Rules and regulations.

"(b) The Secretary of Commerce shall establish rules and regulations for the investigation of marine casualties and accidents not involving loss of life, any act in violation of any of the provisions of this title or of any of the regulations issued thereunder, and all cases of acts of incompetency or misconduct committed by any licensed officer or holder of a certificate of service while acting under the authority of his license or certificate of service, whether or not any of such acts are committed in connection with any marine casualty or accident. The Secretary of Commerce shall classify marine casualties and accidents not involving loss of life according to the gravity thereof and in making such classification the Secretary shall give consideration to the extent of injuries to persons, the extent of property damage, the dangers actual or potential which such marine casualties or accidents may create to the safety of navigation or commerce. All such marine casualties or accidents classified as serious shall be investigated by a marine board appointed by the Secretary of Commerce consisting of two principal traveling inspectors and a supervising inspector of the Bureau of Marine Inspection and Navigation. Marine casualties or accidents classified as less serious shall be investigated by a marine board consisting of representatives of the Bureau of Marine Inspection and Navigation designated by the Director thereof.

Classification of marine casualties, etc.

"Serious" casualties.

"Less serious" casualties.

Other personal services.

"(c) The said boards provided for in subsections (a) and (b) of this section shall, upon the approval of the Director of the Bureau of Marine Inspection and Navigation, have authority to engage such other assistants, clerical or technical, as may be deemed necessary by the said Director. The members of said boards shall not receive any compensation in addition to that for their regular appointment but shall be entitled to their necessary traveling expenses while traveling on official business.

Investigations of violations of Act or regulations.

Incompetency or misconduct.

"(d) All acts in violation of any of the provisions of this title or of any of the regulations issued thereunder, whether or not committed in connection with any marine casualty or accident, and all acts of incompetency or misconduct, whether or not committed in connection with any marine casualty or accident, committed by any licensed officer acting under authority of his license or by any chief or assistant steward, purser, radio operator, electrician, able seaman, or lifeboat man acting under authority of a certificate of service issued to him by the Bureau of Marine Inspection and Navigation, and all marine casualties and accidents and the attendant circumstances shall be immediately investigated by the appropriate board as provided in subsections (a) and (b) of this section. Such board shall determine, as far as possible, the cause of any such casualty or accident, the persons responsible therefor, and whether or not the United States Government employees charged with the inspection of the vessel or the vessels involved and with the examination and licensing of the officers thereof have properly performed their duties in connection with such inspection, examination and licensing. In all investigations conducted under the authority of this section, any owner, licensed officer, or any holder of a certificate of service, or any other person whose conduct is under investigation, or any other party in interest, shall be allowed to be represented by counsel, to cross-examine witnesses, and to call witnesses in his own behalf, and a full and complete record of the facts and circumstances shall be submitted to the Director of the Bureau of Marine Inspection and Navigation.

Scope of investigations.

Rights of person subject to investigation.

Securing evidence.

"(e) In any investigation directed by this section a marine casualty investigation board or a marine board shall have power to summon before it witnesses and to require the production of books, papers,

documents, and any other evidence. Attendance of witnesses or the production of books, papers, documents, or any other evidence shall be compelled by a similar process as in the United States District Court. The chairman of each of said boards shall administer all necessary oaths to any witnesses summoned before said boards. Attendance of witnesses, etc.

"(f) The disbursing clerk, Department of Commerce, shall pay, on properly certified vouchers, such fees to any witness summoned under subsection (e) of this section, for his actual travel and attendance, as shall be officially certified to by the chairman of the board conducting the investigation, not exceeding the rate allowed for fees and to witnesses for travel and attendance in any District Court of the United States. Fees allowed.

"(g) In any investigation of acts of incompetency or misconduct or of any act in violation of the provisions of this title, or of any of the regulations issued thereunder, committed by any licensed officer or any holder of a certificate of service, the person whose conduct is under investigation shall be given reasonable notice of the time, place, and subject of such investigation and an opportunity to be heard in his own defense. The whole record of the testimony received by the board conducting such investigation and the findings and recommendations of such board shall be forwarded to the Director of the Bureau of Marine Inspection and Navigation, and if that officer shall find that such licensed officer or holder of certificate of service is incompetent or has been guilty of misbehavior, negligence, or unskillfulness, or has endangered life, or has willfully violated any of the provisions of this title or any of the regulations issued thereunder, he shall, in a written order reciting said findings, suspend or revoke the license or certificate of service of such officer or holder of such certificate. The person whose license or certificate of service is revoked may within thirty days appeal from the order of the said Director to the Secretary of Commerce. On such appeal the appellant shall be allowed to be represented by counsel. The Secretary of Commerce may alter or modify any finding of the board which conducted the investigation or of the Director of the Bureau of Marine Inspection and Navigation, but the decision of the Secretary of Commerce shall be based solely on the testimony received by the said board and shall recite the findings of fact on which it is based. Notice to accused. Determination of guilt by Director. Suspension or revocation of license. Appeal to Secretary of Commerce. Powers of Secretary.

"(h) If the Director of the Bureau of Marine Inspection and Navigation shall find evidence of criminal liability on the part of any licensed officer or holder of a certificate of service, he shall submit such findings to the Secretary of Commerce who, if he be satisfied that such criminal liability exists, shall refer all of the evidence and the findings in such investigation to the Attorney General for investigation by and prosecution through the Federal district attorney of the district having jurisdiction, under the provisions of the Criminal Code. Nothing in this section shall be construed as prohibiting the Federal district attorney from conducting a criminal investigation or prosecution in connection with a shipping casualty. Criminal liability. Findings, submission of, to Secretary. Prosecution. Investigations and prosecutions by Federal district attorneys.

"(i) Any attempt to coerce any witnesses, or to induce them to testify falsely in connection with a shipping casualty, or to induce them to leave the jurisdiction of the United States, shall be punishable by a fine of $5,000 or imprisonment for one year, or both such fine and imprisonment. Any person making such attempts shall be prosecuted by the Federal district attorney of the district having jurisdiction. Attempt to coerce, etc., witnesses; punishment. Prosecution.

"(j) The Secretary of Commerce shall make such regulations as may be necessary to secure the proper administration of this section." Administrative regulations.

Effective date of section.

(k) This section shall take effect ninety days from its enactment.

Technical staff established.
Personnel, qualifications.

SEC. 5. (a) That hereafter there shall be in the Bureau of Marine Inspection and Navigation a technical staff, consisting of the Director and technical members who shall be selected for their knowledge, skill, and practical experience in designing and supervising the construction and operation of vessels propelled by machinery, and they shall be competent judges of the character, strength, stability, and safety qualities of such vessels and their equipment. Such technical members shall be appointed by the Secretary of Commerce, without reference to the civil-service laws and regulations. The Director of the said Bureau with the advice and assistance of the technical staff so appointed shall pass upon all contract plans and specifications for passenger vessels of the United States of one hundred gross tons and over, propelled by machinery, as provided for by subsection (b) of this section, including the installation of tested and effective sprinkler systems, and upon arrangement plans for all material alterations to existing vessels. Such approval shall be given promptly and with due regard to the orderly progress of the work but only when the Director is satisfied, after a full and complete examination of the plans and specifications, that the vessel, when built or altered, as the case may be, can be navigated with safety to those on board. In case the said Director shall disapprove such plans and specifications, the person or persons submitting the same shall be apprised thereof the reasons for such disapproval and advised of the amendments necessary to secure such approval. The Director shall, at as early a date as practicable, and from time to time thereafter as he shall deem advisable, formulate and publish regulations and instructions for the guidance of builders of prospective vessels showing the safety characteristics of vessels which will meet the approval of the Director: *Provided*, *however*, That such regulations and instructions shall in all cases be subject to the approval of the Secretary of Commerce.

Appointment.
U. S. C., p. 81.

Supervision of contract plans, etc., for passenger vessels.

Disapproval of plans.

Safety of vessels; regulations for builders.

Proviso.
Approval by Secretary.

Certificates of inspection.
Requirements for granting.

(b) That no passenger vessel of the United States of one hundred gross tons and over, propelled by machinery, the construction or material alteration of which shall be begun subsequent to the passage of this Act, shall be granted a certificate of inspection by a board of local inspectors of the Bureau unless the said general contract plans and specifications therefor shall have been submitted at least in triplicate to and approved by the aforesaid Director before the construction of such vessel or alteration thereof shall have been commenced; nor shall any such vessel, the said plans or specifications for which have been materially altered subsequent to such approval be granted a certificate, as aforesaid, unless such altered plans and specifications shall have been submitted at least in triplicate to and approved by the said Director, prior to such change in construction having been made. No such certificate shall be granted to any such vessel which has not been constructed and equipped in accordance with said plans and specifications approved as aforesaid: *Provided*, That approved plans and certificates of the American Bureau of Shipping classed vessels may be accepted by the Director as evidence of the structural efficiency of the hull and the reliability of the machinery of such vessels, except as far as existing law places definite responsibility on the Bureau of Marine Inspection and Navigation. The American Bureau of Shipping shall continue to function in connection with the Government, its bureaus, departments, boards, and commissions, as heretofore provided under the Merchant Marine Act, June 5, 1920 (ch. 250, sec. 25; 41 Stat. 998; 46 U. S. C. Annotated, sec. 881), and as provided in the Act of March 2, 1929, entitled "An Act to establish load lines for American

Proviso.
Acceptance of approved plans, etc., of American Bureau of Shipping classed vessels.

Functions of Bureau continued.

Vol. 41, p. 998.
U. S. C., p. 2067.
Vol. 45, p. 1492.
U. S. C., p. 1987.

vessels, and for other purposes", or any similar Act hereinafter enacted.

Endorsement of approval on plans, etc.

(c) Upon the approval by the said Director of the original or modified plans and specifications for any such vessel or for any subsequent alteration of such vessel, an endorsement to that effect, signed by the Director, shall be placed upon such plans and specifications, and one copy thereof shall be delivered to the person or persons submitting the same. Whenever any inspector shall ascertain to his satisfaction that any such vessel does not conform in all material respects to said plans and specifications approved as aforesaid, he shall immediately report his conclusions to the aforesaid Director, setting forth the reasons for his belief; and if, after a preliminary examination of the facts of the case, the said Director shall be of the opinion that reasonable ground exists for believing the conclusions of such reporting officer to be correct, he shall notify the person or persons who submitted the said plans and specifications and the board of local inspectors of the Bureau who shall not issue the vessel's certificate of inspection until the discrepancy has been corrected to the satisfaction of the said Director. The final decision of the Director shall be reached with as little delay as the proper consideration of the question will permit. The owner of any vessel coming within the provisions of this Act shall notify the Director of any material alterations proposed to be made on such vessel, and should any such alteration be made on such vessel before the plans and specifications for such alteration have received the approval of the said Director the owners shall, in addition to any suspension of the certificate of inspection which the Director may determine to be necessary, incur a penalty of $500 for which the vessel shall be liable and which may be mitigated or remitted by the Secretary of Commerce on such condition as he may deem proper.

Vessel not conforming to plans, etc.

Certificate withheld until discrepancy corrected.

Owner to report proposed changes.

Penalty for violation.

(d) That the words "plans and specifications" wherever used in this Act shall be held to include prints of all general contract plans and copies of the specifications and other matters of a similar nature, as necessary to the purposes of this Act for any vessel to which this Act applies. The said plans and specifications of all passenger ships of one hundred gross tons and over shall specify for fire-retardant material in their construction so far as reasonable and practicable.

"Plans and specifications" construed.

(e) That any person or persons who shall alter, deface, obliterate, remove, or destroy any plans or specifications approved as provided in this Act, with intent to deceive or delay any officer of the United States in the discharge of his duties under this Act, shall be deemed guilty of a misdemeanor, and upon conviction thereof in any court of competent jurisdiction shall be punished by a fine of not to exceed $5,000 or by imprisonment for not to exceed five years, or by both such fine and imprisonment, in the discretion of the court.

Intentional alteration, etc., deemed a misdemeanor.

Penalty.

(f) This section shall not take effect as to vessels under five hundred gross tons until three months, nor as to vessels of five hundred gross tons and over until thirty days, after its enactment.

Effective date of section.

SEC. 6. That the Secretary of Commerce shall fix a reasonable rate of extra compensation for overtime services of local inspectors of steam vessels and their assistants, United States shipping commissioners and their deputies and assistants, who may be required to remain on duty between the hours of 5 o'clock postmeridian and 8 o'clock antemeridian or on Sundays or holidays to perform services in connection with the inspection of vessels or their equipment, supplying or signing on or discharging crews of vessels on the basis of one-half day's additional pay for each two hours or fraction thereof of at least one hour that the overtime extends beyond 5 o'clock postmeridian (but not to exceed two and one-half days'

Local inspectors of steam vessels.
Compensation for overtime services.

pay for the full period from 5 o'clock postmeridian to 8 o'clock antemeridian) and two additional days' pay for Sunday or holiday duty. The said extra compensation for overtime services shall be paid by the master, owner, or agent of such vessel to the local United States collector of customs or his representative who shall deposit such collection into the Treasury of the United States to an appropriately designated receipt account. The amount of the receipts so covered during the fiscal year 1936 is hereby authorized to be appropriated and made available for payment of extra compensation for overtime services to the several employees entitled thereto according to rates fixed therefor by the Secretary of Commerce: *Provided*, That effective July 1, 1936 and thereafter, the amounts of such collections received by the said collector of customs or his representative shall be covered into the Treasury as miscellaneous receipts; and the payments of such extra compensation to the several employees entitled thereto shall be made from the annual appropriations for salaries and expenses of the Bureau: *Provided further*, That to the extent that the annual appropriations, which are hereby authorized to be made from the general fund of the Treasury, are insufficient, there are hereby authorized to be appropriated from the general fund of the Treasury such additional amounts as may be necessary, to the extent that the amounts of such receipts are in excess of the amounts appropriated: *Provided*, That such extra compensation shall be paid if such officers or employees have been ordered to report for duty and have so reported, whether the actual inspection of the vessel or her equipment, or the supplying, or signing on, or discharging crews takes place or not: *Provided further*, That in those ports where customary working hours are other than those herein above mentioned, the local inspectors of steam vessels or United States shipping commissioners, as the case may be, are vested with authority to regulate the hours of such employees so as to agree with prevailing working hours in said ports, but nothing contained in this proviso shall be construed in any manner to alter the length of a working day for the local inspectors, their assistants, the United States shipping commissioners and their deputies and assistants, or the overtime pay herein fixed.

To be paid by ship's master, etc.

Use of receipts, fiscal year 1936.

Provisos.
Disposition, July 1, 1936, and thereafter.

Appropriations authorized to cover deficiencies.

Pay due if reporting for duty.

Working hours.

Regulations to be made.

SEC. 7. The Secretary of Commerce may make such regulations as may be necessary to carry out the purposes of this Act.

Appropriation authorized.

SEC. 8. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Inconsistent laws repealed.

SEC. 9. That all laws or parts of laws insofar as they are in conflict with this Act are hereby repealed.

Approved, May 27, 1936.

[CHAPTER 464.]

May 27, 1936.
[H. R. 11747.]
[Public, No. 623.]

AN ACT

Extending the time for making the report of the commission to study the subject of Hernando De Soto's Expedition.

Hernando De Soto's Expedition Commission.
Time for making report by, extended.
Ante, p. 870.
Post, p. 1635.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the commission to study the subject of Hernando De Soto's Expedition, appointed pursuant to the joint resolution entitled "Joint resolution pertaining to an appropriate celebration of the four-hundredth anniversary of the expedition of Hernando De Soto", approved August 26, 1935, may make its report to Congress on or before January 2, 1939.

Approved, May 27, 1936.

[CHAPTER 465.]

AN ACT

Authorizing the Secretary of Commerce to convey the Charleston Army Base Terminal to the city of Charleston, South Carolina.

May 27, 1936.
[S. 3783.]
[Public, No. 624.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce is authorized and directed to convey by quitclaim deed to the city of Charleston, South Carolina, that portion of the Charleston Quartermaster Intermediate Depot, including improvements thereon, which was transferred to the United States Shipping Board by Executive Order Numbered 3920 dated November 3, 1923, with the exception of such portion of said land as has been retransferred to the War Department by Executive order, or is now under consideration for retransfer, and also subject to all the rights and privileges now enjoyed by the War Department as specifically set forth in said Executive Order Numbered 3920, or as may hereafter be agreed upon by Secretary of War and the city of Charleston: *Provided, however*, That the charges for water and electric current furnished the War Department shall not exceed rates prevailing in the city of Charleston and vicinity for such services.

Charleston, S. C.
Conveyance of portion of Charleston Quartermaster Intermediate Depot to city, authorized.

Proviso.
Charges for water and electric current.

SEC. 2. The deed executed by the Secretary of Commerce shall include a provision prohibiting the city of Charleston from transferring the title to said property to any person, firm, or corporation and shall contain the express condition that in the event of a national emergency the property so conveyed, with all improvements placed thereon, may be taken upon order of the President by the United States for the use of the War Department during the period of such emergency.

Provisions to be stipulated in deed.

Approved, May 27, 1936.

[CHAPTER 466.]

AN ACT

To authorize the coinage of 50-cent pieces in commemoration of the one hundred and fiftieth anniversary of the issuance of the charter to the city of Lynchburg, Virginia.

May 28, 1936.
[S. 4448.]
[Public, No. 625.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the one hundred and fiftieth anniversary of the issuance of the charter to the city of Lynchburg, Virginia, there shall be coined at a mint of the United States to be designated by the Director of the Mint not to exceed twenty thousand silver 50-cent pieces of standard size, weight, and composition and of a special appropriate single design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

Lynchburg, Va.
Coinage commemorating sesquicentennial of, authorized.

Number.

No Federal expense for dies, etc.

SEC. 2. The coins herein authorized shall bear the date 1936, irrespective of the year in which they are minted or issued, shall be legal tender in any payment to the amount of their face value, and shall be issued only upon the request of the Lynchburg Sesqui-Centennial Association upon payment by it of the par value of such coins, but not less than five thousand such coins shall be issued to it at any one time and no such coins shall be issued after the expiration of one year after the date of enactment of this Act. Such coins may be disposed of at par or at a premium by such association, and the net proceeds shall be used by it in defraying the expenses incidental and appropriate to the commemoration of such event.

Issue to Lynchburg Sesqui-Centennial Association.

Disposal.

Coinage laws applicable.

SEC. 3. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material, and for the transportation, distribution, and redemption of coins, for the prevention of debasement or counterfeiting, for the security of the coins, or for any other purposes, whether such laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized.

Approved, May 28, 1936.

[CHAPTER 467.]

AN ACT

May 28, 1936.
[H. R. 8766.]
[Public, No. 626.]

To authorize municipal corporations in the Territory of Alaska to incur bonded indebtedness, and for other purposes.

Alaska.
Municipal corporations authorized to incur bonded indebtedness for public works, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That municipal corporations in the Territory of Alaska are hereby authorized to construct, improve, extend, better, repair, reconstruct, or acquire public works of a permanent character and to incur bonded indebtedness and issue negotiable bonds for any or all of such purposes: *Provided, however*, That no municipal corporation shall incur a bonded indebtedness or issue its negotiable bonds under this Act to an amount which, including existing bonded indebtedness shall exceed 10 per centum of the aggregate taxable value of the real and personal property within the corporate limits of such municipal corporation. Such public work shall include but not be limited to streets, bridges, wharves and harbor facilities, sewers and sewage-disposal plants, municipal buildings, schools, libraries, gymnasia and athletic fields, fire houses, and public utilities.

Proviso.
Limitation on amount.

Work included.

Submission and approval provisions.

SEC. 2. No bonded indebtedness shall be incurred by any municipal corporation in the Territory of Alaska unless the proposal to incur such indebtedness be first submitted to and approved by not less than 65 per centum of the qualified electors of such municipal corporation whose names appear on the last tax assessment roll or record of such municipality for purposes of municipal taxation. Not less than twenty days' notice of any such election shall be given by posting notices of the same in three conspicuous places within the corporate limits of such municipal corporation, one of which shall be posted at the front door of the United States Post Office therein. The registration for such election, the manner of conducting the same, the form of ballot, and the canvass of the returns shall be prescribed by the governing body of such municipality.

Notice of election.

Registration, ballot, etc.

Bonds; form, maturity, denominations, etc.

SEC. 3. Bonds issued pursuant to this Act shall bear such date or dates, may be in such denominations, may mature in such amounts and at such time or times, not exceeding thirty years from the date thereof, may be payable at such place or places, may be sold at either public or private sale, may be redeemable (either with or without premium) or nonredeemable, may carry such registration privileges as to either principal and interest, or principal only, and may be executed by such officers and in such manner, as shall be prescribed by the governing body of the municipality issuing the bonds. In case any of the officers whose signatures appear on the bonds or coupons shall cease to be such officers before delivery of such bonds, such signatures, whether manual or facsimile, shall, nevertheless, be valid and sufficient for all purposes, the same as if such officers had remained in office until such delivery. The bonds so issued shall bear interest at a rate to be fixed by the governing body of the municipality issuing the same, not to exceed, however, 6

Interest rate.

per centum per annum, payable semiannually. All such bonds shall be sold for not less than the principal amount thereof plus accrued interest.

Annual levy for interest payments and retirement of bonds.

SEC. 4. It shall be the duty of the governing body of every municipal corporation which incurs such bonded indebtedness to levy or cause to be levied each year during the life of such outstanding bonds, taxes in amounts sufficient to seasonably provide for payment and to pay all interest on and the principal of such obligations as they respectively accrue and mature.

Inconsistent laws repealed.
Existing indebtedness not affected.

SEC. 5. All Acts and parts of Acts in conflict herewith are hereby repealed to the extent of such conflict; but nothing contained in this Act shall affect any bonded indebtedness heretofore incurred or heretofore authorized by law. The powers conferred by this Act shall be in addition and supplemental to and the limitations imposed hereby shall not affect the powers conferred by any other law.

Powers, limitations, etc.

Approved, May 28, 1936.

[CHAPTER 468.]

AN ACT

May 28, 1936.
[H. R. 9995.]
[Public, No. 627.]

To grant a renewal of Patent Numbered 59560 relating to the emblem of the Disabled American Veterans of the World War.

Disabled American Veterans of the World War.
Patent relating to emblem of, renewed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a certain design patent issued by the United States Patent Office of date of November 1, 1921, being Patent Numbered 59560, is hereby renewed and extended for a period of fourteen years from and after the date of approval of this Act, with all the rights and privileges pertaining to the same, being generally known as the emblem of the Disabled American Veterans of the World War.

Approved, May 28, 1936.

[CHAPTER 469.]

AN ACT

May 28, 1936.
[H. R. 10194.]
[Public, No. 628.]

Granting a renewal of patent numbered 40029, relating to the badge of The Holy Name Society.

The Holy Name Society.
Patent relating to badge of, renewed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a certain design patent issued by the United States Patent Office of date of June 8, 1909, being patent numbered 40029, is hereby renewed and extended for a period of fourteen years from and after the date of approval of this Act, with all the rights and privileges pertaining to the same, being generally known as the badge of The Holy Name Society.

Approved, May 28, 1936.

[CHAPTER 470.]

AN ACT

May 28, 1936.
[H. R. 11108.]
[Public, No. 629.]

To advance a program of national safety and accident prevention.

National safety and accident prevention.
Appropriation authorized for furthering work of conference on.
Post, p. 1618.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $50,000 to be expended under the direction of the Secretary of Commerce for the furtherance of the work of the accident-prevention conference.

Authorized expenditures.

Money appropriated pursuant to this Act shall be available upon vouchers approved by the Secretary of Commerce for fostering accident-prevention work on the part of organizations engaged in the promotion of safety and accident prevention; preparation and printing of material designed to enlighten the general public in matters of safety and accident prevention, such material to be disseminated through schools, newspapers, magazines, the radio, or any other means of intercourse or communication; the preparation and attempts to obtain enactment of uniform vehicle regulations in the several States; clerical assistance for the members of the General Committee of the Accident Prevention Conference; travel expenses incurred by members of the General Committee of the Accident Prevention Conference in the furtherance of the work of the said conference.

Approved, May 28, 1936.

[CHAPTER 471.]

May 28, 1936.
[H. R. 11454.]
[Public, No. 630.]

AN ACT

To incorporate the Veterans of Foreign Wars of the United States.

Veterans of Foreign Wars of the United States incorporated.
Incorporators.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following persons, to wit: James E. Van Zandt, Altoona, Pennsylvania; Bernard K. Kearney, Gloversville, New York; Scott P. Squyres, Oklahoma City, Oklahoma; Robert B. Handy, Junior, Kansas City, Missouri; Henry F. Marquard, Chicago, Illinois; William E. Guthner, Denver, Colorado; Edward J. Neron, Sacramento, California; Joseph C. Menendez, New Orleans, Louisiana; Paul L. Foulk, Altoona, Pennsylvania; Robert E. Kernodle, Kansas City, Missouri; Walter I. Joyce, New York City, New York; George A. Ilg, Cranston, Rhode Island; James F. Daley, Hartford, Connecticut; Charles R. Haley, Pittsburgh, Pennsylvania; F. C. Devericks, Clarksburg, West Virginia; John J. Skillman, Miami, Florida; Ellie H. Schill, New Orleans, Louisiana; Gerald C. Mathias, Lagrange, Indiana; James W. Starner, Effingham, Illinois; Leon S. Pickens, Wichita, Kansas; Archie W. Nimens, Minneapolis, Minnesota; Harvey W. Snyder, Denver, Colorado; Charles O. Carlston, San Francisco, California; Walter L. Daniels, Seattle, Washington; John E. Swaim, Tulsa, Oklahoma; Peter J. Rosch, Washington, District of Columbia; and their successors, who are, or who may become, members of the Veterans of Foreign Wars of the United States, a national association of men who as soldiers, sailors, and marines have served this Nation in wars, campaigns, and expeditions on foreign soil or in hostile waters, and such national association, are hereby created and declared a body corporate, known as the Veterans of Foreign Wars of the United States.

Completion of organization.

SEC. 2. That the said persons named in section 1, or their successors, and such other persons as are duly accredited delegates from any local post or State department of the existing national association known as the Veterans of Foreign Wars of the United States, under its constitution and bylaws, are hereby authorized to meet and to complete the organization of said corporation, by the adoption of a constitution and bylaws, the election of officers, and to do all other things necessary to carry into effect and incidental to, the provisions of this Act.

Purposes.

SEC. 3. That the purposes of this corporation shall be fraternal, patriotic, historical, and educational; to preserve and strengthen comradeship among its members; to assist worthy comrades; to perpetuate the memory and history of our dead, and to assist their widows and orphans; to maintain true allegiance to the Government of the United States of America, and fidelity to its Constitution and laws; to foster true patriotism; to maintain and extend the institutions of American freedom; and to preserve and defend the United States from all her enemies, whomsoever.

Corporate powers.

SEC. 4. That the corporation created by this Act shall have the following powers: To have perpetual succession with power to sue and be sued in courts of law and equity; to receive, hold, own, use, and dispose of such real estate, personal property, money, contract, rights, and privileges as shall be deemed necessary and incidental for its corporate purposes; to adopt a corporate seal and alter the same at pleasure; to adopt, amend, apply, and administer a constitution, bylaws, and regulations to carry out its purposes, not inconsistent with the laws of the United States or of any State; to adopt, and have the exclusive right to manufacture and use such emblems and badges as may be deemed necessary in the fulfillment of the purposes of the corporation; to establish and maintain offices for the conduct of its business; to establish, regulate, or discontinue subordinate State and Territorial subdivisions and local chapters or posts; to publish a magazine or other publications, and generally to do any and all such acts and things as may be necessary and proper in carrying into effect the purposes of the corporation.

Qualifications for membership.

SEC. 5. That no person shall be a member of this corporation unless he has served honorably as an officer or enlisted man in the Army, Navy, or Marine Corps of the United States of America in any foreign war, insurrection, or expedition, which service shall be recognized as campaign-medal service and governed by the authorization of the award of a campaign badge by the Government of the United States of America.

Acquisition of assets of Veterans of Foreign Wars.

SEC. 6. That said corporation may and shall acquire all of the assets of the existing national association known as the Veterans of Foreign Wars of the United States upon discharging or satisfactorily providing for the payment discharge of all its liabilities.

Exclusive use of name, emblems, etc.

SEC. 7. That the said corporation shall have the sole and exclusive right to have and to use, in carrying out its purposes, the name "Veterans of Foreign Wars of the United States" and the sole and exclusive right to the use of its corporate seal, emblems, and badges as adopted by said corporation.

Annual report to Congress.

SEC. 8. That said corporation shall, on or before the 1st day of January in each year, make and transmit to the Congress a report of its proceedings for the preceding fiscal year, including a full and complete report of its receipts and expenditures: *Provided, however*, That said financial report shall not be printed as a public document.

Proviso. Not to be printed as public document.

Registration of State agents.

SEC. 9. That as a condition precedent to the exercise of any power or privilege herein granted or conferred, the Veterans of Foreign Wars of the United States shall file in the office of the Secretary of State of each State the name and post-office address of an authorized agent in such State upon whom legal process or demands against the Veterans of Foreign Wars of the United States may be served.

Amendment, etc.

SEC. 10. That the right to repeal, alter, or amend this Act at any time is hereby expressly reserved.

Approved, May 28, 1936.

[CHAPTER 472.]

JOINT RESOLUTION

May 28, 1936.
[H. J. Res. 439.]
[Pub. Res., No. 96.]

Authorizing the erection in the Department of Labor Building of a memorial to the officers of the Immigration and Naturalization Service and Immigration Border Patrol who, while on active duty, lost their lives under heroic or tragic circumstances.

Immigration and Naturalization Service, etc.
Erection of memorial to certain officers, authorized.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Director of the National Park Service be, and is hereby, authorized to grant permission for the erection of a memorial to the officers of the Immigration and Naturalization Service and Immigration Border Patrol who, while on active duty lost their lives under heroic or tragic circumstances.

Approval of design and site.

The design of the memorial shall be approved and the site in the Department of Labor Building shall be chosen by the Commission of Fine Arts, and the United States shall be put to no expense in or by the erection of the said memorial.

No Federal expense.

Approved, May 28, 1936.

[CHAPTER 476.]

JOINT RESOLUTION

June 1, 1936.
[H. J. Res. 525.]
[Pub. Res., No. 97.]

To enable the United States Constitution Sesquicentennial Commission to carry out and give effect to certain approved plans, and for other purposes.

United States Constitution Sesquicentennial Commission.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Constitution Sesquicentennial Commission, established for the celebration of the one-hundred-and-fiftieth anniversary of the formation of the Constitution of the United States by the joint resolution entitled "Joint resolution providing for the preparation and completion of plans for a comprehensive observance of the one-hundred-and-fiftieth anniversary of the formation of the Constitution of the United States", approved August 23, 1935 (hereinafter referred to as the Commission), is authorized and directed to prepare and publish certain historical and educational material, as specified in the approved plans of the Commission, for distribution to libraries, schools, and organized study groups, as well as to Constitution State and local commissions, and individuals.

Ante, p. 735.

Certain historical, etc., material to be prepared and published by.
Distribution.

Designated reproductions.

SEC. 2. (a) The Commission is authorized and directed to (1) prepare and provide for the general distribution of photolithographic copies of a painting of the "Signing of the Constitution" accepted by the Commission; and (2) prepare reproductions of approved portraits of the signers and the history of the Constitution, and of its time, together with their facsimile signatures and appropriate biographical sketches, for distribution to libraries, schools, organized study groups, Constitution State and local commissions, and other proper sources.

Printing, etc., outside Government Printing Office.

(b) To carry out the provisions of this section, the Commission is authorized to have printing, binding, photolithography, and other work done at establishments other than the Government Printing Office, as provided for in section 12 of the Printing Act, approved January 12, 1895 (U. S. C., title 44, sec. 14), as amended by the Act of July 8, 1935 (49 Stat. 475): *Provided*, That nothing in this Act shall preclude the furnishing of the necessary number of copies of all such publications for the use of the Library of Congress, and for international exchange, as required by the United States Code, title 44, secs. 139, 139a and 228.

Vol. 28, p. 602; *Ante*, p. 475.
U. S. C., p. 1930.
Proviso.
Copies to Library of Congress, etc.
U. S. C., pp. 1938, 1945.

Historian and other personnel.

SEC. 3. The Commission, in order to execute the functions vested in it by law, is authorized to employ, without regard to the civil-service laws, and fix the compensation, without regard to the Classi-

fication Act of 1923, as amended, of a historian and such assistants as may be needed, for stenographic, clerical, and expert services, in the District of Columbia and elsewhere.

Commemorative medals, etc.

SEC. 4. The Commission is authorized to prepare, and provide for the general distribution of, suitable medals and certificates for commemorating the celebration of the one-hundred-and-fiftieth anniversary of the formation of the Constitution.

Assistance of Government, etc., agencies.

SEC. 5. In carrying out the provisions of this resolution or any other provision of law relating to the celebration of the one-hundred-and-fiftieth anniversary of the formation of the Constitution, the Commission is authorized to procure advice and assistance from any governmental agency, including the services of technical and other personnel in the executive departments and independent establishments, and to procure advice and assistance from and cooperate with individuals and agencies, public or private. The Superintendent of Documents shall make available to the Commission the facilities of his office for the distribution of publications, posters, and other material herein authorized, if so requested.

Cooperation of Superintendent of Documents.

Franking privilege.

SEC. 6. The Commission shall have the same privilege of free transmission of official mail matter as other agencies of the United States Government.

Traveling, etc., expenses.

SEC. 7. The members and employees of the Commission shall be allowed actual traveling, subsistence, and other expenses incurred in the discharge of their duties.

Appropriation authorized.
Post, p. 1599.

SEC. 8. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $200,000 for the purpose of carrying out the provisions of this joint resolution and such sum when appropriated shall remain available until expended.

Approved, June 1, 1936.

[CHAPTER 477.]

AN ACT

June 2, 1936.
[S. 3118.]
[Public, No. 681.]

To provide for the creation of the Perry's Victory and International Peace Memorial National Monument, on Put-in-Bay, South Bass Island, in the State of Ohio, and for other purposes.

Perry's Victory and International Peace Memorial National Monument, Put-in-Bay, Ohio.
Establishment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to establish by proclamation the following-described Government lands, together with the Perry's Victory Memorial proper, its approaches, retaining walls, and all buildings, structures, and other property thereon, situated in Put-in-Bay Township, South Bass Island, Ottawa County, Lake Erie, State of Ohio, as the "Perry's Victory and International Peace Memorial National Monument", for the preservation of the historical associations connected therewith, to inculcate the lessons of international peace by arbitration and disarmament, and for the benefit and enjoyment of the people: Commencing at the intersection of the middle line of Delaware Avenue and Chapman Avenue, in the village of Put-in-Bay, and running thence south eighty-eight degrees fifty-nine minutes east in the middle line of said Delaware Avenue, and the same extended four hundred and ninety-five feet to Lake Erie; thence north forty-nine degrees fifty-nine minutes east along said lake shore three hundred and forty-six feet; thence north forty-three degrees fourteen minutes east along said lake shore two hundred and twelve feet; thence north fifty-three degrees thirteen minutes east four hundred feet along said lake shore; thence north forty-six degrees six minutes west about seven hundred and

Purposes declared.

Description.

thirty feet to Lake Erie; thence southwesterly and westerly along said lake shore to the middle line, extended, of said Chapman Avenue; thence south one degree thirty minutes west along said middle line, and the same extended, about five hundred and twenty feet to the place of beginning, and containing fourteen and twenty-five one-hundredths acres of land and known as a part of lots numbered 1 and 2, range south of county road, and a part of lot numbered 12, East Point, in South Bass Island, in the township of Put-in-Bay, county of Ottawa, State of Ohio.

Supervision.
Vol. 39, p. 535.
U. S. C., p. 591.

SEC. 2. That the administration, protection and development of the aforesaid national monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes", as amended.

Acquisition of land, etc.

SEC. 3. After the said national monument has been established as provided in section 1 hereof, the Secretary of the Interior is hereby authorized to accept donations of land, interests in land, buildings, structures, and other property as may be donated for the extension and improvement of the said national monument, and donations of funds for the purchase and maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States out of any donated funds by purchase when purchasable at prices deemed by him reasonable, otherwise by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within the said national monument as may be necessary for the completion thereof.

Proviso.
Purchase, etc., of tracts from donated funds.

Vol. 25, p. 357.
U. S. C., p. 1785.

Commission members to act as board of advisers.
Vol. 40, p. 1322.

SEC. 4. The members of the Perry's Victory Memorial Commission created by Act of Congress March 3, 1919, having by their patriotic and active interest faithfully conserved for posterity this important historical area and objects, shall hereafter act as a board of advisers, and with such other powers as the Secretary of the Interior may direct, in the maintenance of such national monument and shall consist of the present surviving and active members of the Commission provided for in said Act, namely, on the part of the United States, John A. Johnston and Hugh Rodman, and on the part of the several States: Ohio, Webster P. Huntington, Carl B. Johannsen, and A. V. Donahey; Pennsylvania, Milton W. Shreve, Thomas C. Jones, and George M. Mason; Michigan, James E. Degan; Illinois, Chesley R. Perry, William Hale Thompson, and Richard S. Folsom; Wisconsin, Charles B. Perry, A. W. Sanborn, and S. W. Randolph; New York, Charles H. Wiltsie, and Jacob Schifferdecker, Rhode Island, Harry E. Davis; Kentucky, Samuel M. Wilson, W. J. Moore, and Robert H. Winn: *Provided*, That as vacancies occur in the Commission on the part of the United States, they shall remain unfilled until only one Commissioner of the United States remains; thereafter there shall be only one Commissioner of the United States: *Provided further*, That as vacancies occur in the Commission on the part of the several States, they shall remain unfilled until only one Commissioner from each State remains; thereafter there shall be only one Commissioner from each State. After the membership of the Commission has been reduced in accordance with the provisions of this Act, vacancies shall be filled in the manner set forth in the Act of March 3, 1919. The members of the Commission shall receive no compensation or expenses, except actual traveling expenses incurred in attending meetings of the Commission upon call of the Secretary of the Interior.

Personnel.

Provisos.
Vacancies on part of United States.

Vacancies on part of States.

Traveling expenses.

SEC. 5. Employees of the Perry's Victory Memorial Commission at the time of the enactment of this legislation, may, in the discretion of the Secretary of the Interior, be employed by the National Park Service, in the administration, protection, and development of said national monument. Employees.

SEC. 6. That the provisions of the Act of March 3, 1919 (40 Stat. 1322–1324), and Acts supplemental thereof and amendatory thereto and all other Acts inconsistent with the provisions of this Act are repealed to the extent of such inconsistency. Inconsistent provisions repealed.

Approved, June 2, 1936.

[CHAPTER 478.]

AN ACT

June 2, 1936.
[S. 4533.]
[Public, No. 632.]

Granting the consent of Congress to the Mississippi State Highway Commission to construct, maintain, and operate a free highway bridge across the Pascagoula River at or near Wilkerson's Ferry, Mississippi.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Mississippi State Highway Commission to construct, maintain, and operate a free highway bridge and approaches thereto across the Pascagoula River, at a point suitable to the interests of navigation, at or near Wilkerson's Ferry, Mississippi, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906. Pascagoula River. Mississippi may bridge at Wilkerson's Ferry. Construction. Vol. 34, p. 84. U. S. C., p. 1474.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved. Amendment.

Approved, June 2, 1936.

[CHAPTER 479.]

JOINT RESOLUTION

June 2, 1936.
[S. J. Res. 209.]
[Pub. Res., No. 98.]

Authorizing the presentation of silver medals to the personnel of the Second Byrd Antarctic Expedition.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and hereby is, directed to cause to be made at the United States Mint such number of silver medals as he may deem appropriate and necessary, respectively, to be presented to the deserving personnel of the Second Byrd Antarctic Expedition that spent the winter night at Little America or who commanded either one of the expedition ships throughout the expedition, to express the high admiration in which the Congress and the American people hold their heroic and undaunted accomplishments for science, unequaled in the history of polar exploration. Second Byrd Antarctic Expedition. Medals to be presented to personnel of. *Ante*, p. 176.

Approved, June 2, 1936.

[CHAPTER 481.]

AN ACT

June 3, 1936.
[S. 4354.]
[Public, No. 633.]

To authorize the attendance of the Marine Band at the Arkansas Centennial Celebration, at Little Rock, Arkansas, the Texas Centennial, at Dallas, Texas, and the National Confederate Reunion, at Shreveport, Louisiana, between the dates from June 6 to June 16, 1936, inclusive.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to permit the band of the United States Marine Corps to attend and give concerts at the Arkansas Centennial Celebration, at Little Rock, Arkansas, the Texas Centennial at Dallas, Texas, and the National Confederate Reunion at Shreveport, Louisiana between the dates from June 6 to June 16, 1936, inclusive. Marine Band. Attendance of, at Arkansas Centennial Celebration, the Texas Centennial, and the National Confederate Reunion, authorized.

Appropriation authorized for expenses.
Post, p. 1629.

SEC. 2. For the purpose of defraying the expenses of such band in attending and giving concerts at such celebrations and reunion there is authorized to be appropriated the sum of $11,500, or so much thereof as may be necessary, to carry out the provisions of this Act: *Provided*, That in addition to transportation and Pullman accommodations the leaders and members of the Marine Band be allowed not to exceed $5 per day each for actual living expenses while on this duty, and that the payment of such expenses shall be in addition to the pay and allowances to which they would be entitled while serving at their permanent station.

Proviso.
Per diem allowance; additional to pay, etc.

Approved, June 3, 1936.

[CHAPTER 482.]

June 3, 1936.
[H. R. 9496.]
[Public, No. 634.]

AN ACT

To protect the United States against loss in the delivery through the mails of checks in payment of benefits provided for by laws administered by the Veterans' Administration.

Veterans' Administration.
Vol. 37, p. 312.
U. S. C., p. 1627.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June thirtieth, nineteen hundred and thirteen, and for other purposes", approved August 17, 1912 (37 Stat. 312; 38 U. S. C., sec. 50), is hereby amended to read as follows:

Checks issued for veterans' benefits.
Protection against loss.

"SEC. 3. Pensions, compensation, insurance, or other allowances or benefits provided for by laws administered by the Veterans' Administration shall be paid by checks drawn, pursuant to certification by the Administrator of Veterans' Affairs, by the Division of Disbursement of the Treasury Department in such form as to protect the United States against loss, without separate vouchers or receipts, and payable by the Treasurer of the United States, except in any case in which the Administrator of Veterans' Affairs may consider a voucher necessary for the protection of the Government. Such checks shall be transmitted by mail to the payee thereof at his last-known address, and the envelope or cover thereof may bear an appropriate notice of the prohibition hereafter set forth in this section.

Transmittal by mail to payee's last known address.

Delivery of, where addressee has died or removed, prohibited.

"Postmasters, delivery clerks, letter carriers, and all other postal employees are prohibited from delivering any mail addressed by the United States bearing such notice and containing any such check (except that in the case of checks in payment of allowances and benefits other than pensions, compensation, or insurance, the prohibition shall apply only insofar as the Administrator of Veterans' Affairs deems it necessary to protect the United States against loss), to any person whomsoever, if the addressee has died or removed, or in the case of a widow believed by the postal employee intrusted with the delivery of such mail to have remarried (unless such mail is addressed by the United States in the name which the widow shall have acquired by remarriage); and the postmaster in every such case shall forthwith return such mail with a statement of the reasons for so doing, and if because of death or remarriage, the date thereof, if known. Checks returned as herein provided on account of death or remarriage shall be canceled."

Exception.

Widow remarrying.

Return of mail with statement.

Cancelation of returned checks.

Adjusted Compensation Payment Act, 1936, amendment.
Ante, p. 1101.

SEC. 2. Section 4 of the Adjusted Compensation Payment Act, 1936, is hereby amended by adding at the end thereof the following paragraphs:

Issuance of bonds.
Designation of postal employees as fiscal agents.

"At the request of the Secretary of the Treasury, the Postmaster General, under such regulations as he may prescribe, shall designate postmasters and other employees of the Post Office Department and

of the Postal Service to perform, without extra compensation, such fiscal-agency services as may be desirable and practicable in connection with the redemption and payment of the bonds issued under this section; and the Postmaster General may require each such employee to furnish such bond as he may determine for the faithful performance of such fiscal-agency duties.

Bonding employees.

"The Secretary of the Treasury is authorized to advance, from time to time, to the Postmaster General, from the appropriation contained in the Supplemental Appropriation Act, fiscal year 1936, approved February 11, 1936, for 'Administrative expenses, Adjusted Compensation Payment Act, 1936, Treasury Department, 1936 and 1937', such sums as are certified by the Postmaster General to be required for the expenses of the Post Office Department in connection with the handling of the bonds issued hereunder. Such bonds, when received by postmasters for purposes of redemption and payment, shall be handled by the postmasters under such special regulations as may be promulgated by the Postmaster General. They shall be transmitted between post offices or from any post office to the Treasury Department, or fiscal agent thereof, without advance payment of any required postage. The Secretary of the Treasury shall reimburse the Postmaster General, from the aforesaid appropriation contained in said Supplemental Appropriation Act, for such postage and registry fees as may be required in connection with such transmittal. Whenever it is proved to the Secretary of the Treasury, by clear and satisfactory evidence, that any such bond is lost, stolen, or destroyed while being so transmitted, the Secretary of the Treasury may, in accordance with such rules and regulations as he may prescribe, issue a duplicate thereof without requiring the furnishing of an indemnity bond."

Transfer of sums to Post Office Department, authorized.

Ante, p. 1125.

Regulations to be prescribed for handling of bonds.

Reimbursement for postage, etc., fees.

Duplicates for lost, etc., bonds.

Approved, June 3, 1936.

[CHAPTER 483.]

AN ACT

To authorize the execution of plans for a permanent memorial to Thomas Jefferson

June 3, 1936.
[H. R. 12027.]
[Public, No. 635.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Thomas Jefferson Memorial Commission (hereinafter referred to as the Commission), heretofore created for the purpose of considering and formulating plans for designing and constructing a permanent memorial in the city of Washington, District of Columbia, to the memory of Thomas Jefferson, shall determine upon a plan and design for, and proceed with the construction of, such memorial upon a site selected by the Commission, under a contract or contracts hereby authorized to be entered into in a total sum not exceeding $3,000,000.

Thomas Jefferson Memorial Commission.
Vol. 48, p. 1243.
Post, p. 1607.

Determination of design and commencement of construction of memorial in District of Columbia, directed.
Cost limitation.

SEC. 2. In the execution of its functions the Commission—

(a) May designate as its executive agent any officer, agency, or establishment of the Federal Government qualified and equipped to act in that capacity, and any such officer, agency, or establishment so designated is authorized to act as such agent.

Designation of Federal agency as agent of Commission.

(b) May avail itself of the assistance and advice of the Commission of Fine Arts, and the Commission of Fine Arts shall, upon request, render such assistance and advice.

Assistance of Commission of Fine Arts.

(c) May make expenditures for personal services without regard to the provisions of the civil-service laws and regulations or the Classification Act of 1923, as amended, the purchase or preparation of plans, designs, and estimates, printing and binding, office equipment and supplies, contract stenographic reporting service, books

Personal services.
U. S. C., pp. 81, 85.
Miscellaneous expenses.

and periodicals, traveling expenses of members and employees of the Commission (including such expenses and allowances for members of the Commission when required to be in Washington, District of Columbia, in connection with the work of the Commission), and such other contingent and miscellaneous expenses as may be necessary: *Provided*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the Commission under authority of this subsection.

Proviso. Contracts without advertising. R. S., sec. 3709, p. 733. U. S. C., p. 1803.

Approved, June 3, 1936.

[CHAPTER 484.]

June 3, 1936. [H. R. 12527.] [Public, No. 636.]

AN ACT

Making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1937, and for other purposes.

Navy Department and naval service appropriations for fiscal year 1937.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Navy Department and the naval service for the fiscal year ending June 30, 1937, namely:

Naval Establishment.

NAVAL ESTABLISHMENT

Secretary's office.

OFFICE OF THE SECRETARY

MISCELLANEOUS EXPENSES

Miscellaneous expenses.

For traveling expenses of civilian employees, including not to exceed $2,500 for the expenses of attendance, at home and abroad, upon meetings of technical, professional, scientific, and other similar organizations when, in the judgment of the Secretary of the Navy, such attendance would be of benefit in the conduct of the work of the Navy Department; not to exceed $2,000 for the part-time or intermittent employment in the District of Columbia or elsewhere of such experts and at such rates of compensation as may be contracted for by and in the discretion of the Secretary of the Navy; expenses of courts martial, purchase of law and reference books, expenses of prisoners and prisons, courts of inquiry, boards of investigation, examining boards, clerical assistance; witnesses' fees and traveling expenses; not to exceed $15,000 for promoting accident prevention and safety in shore establishments of the Navy, to be expended in the discretion of the Secretary of the Navy; newspapers and periodicals for the naval service; all advertising of the Navy Department and its bureaus (except advertising for recruits for the Bureau of Navigation); costs of suits; relief of vessels in distress; recovery of valuables from shipwrecks; maintenance of attachés abroad, including office rental and pay of employees, and not to exceed $8,000 in the aggregate or $900 for any one person for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a); the collection and classification of information; not to exceed $185,000 for telephone, telegraph, and teletype rentals and tolls, telegrams, radiograms, and cablegrams; postage, foreign and domestic and post-office box rentals; necessary expenses for interned persons and prisoners of war under the jurisdiction of the Navy Department, including funeral expenses for such interned persons or prisoners of war as may die while under such jurisdiction; payment of claims for damages as provided in the Act making appropriations for the naval service for the fiscal year 1920, approved July 11, 1919 (U. S. C.,

Experts.

Courts martial, etc.

Accident prevention, shore establishments.

Living quarters, etc.

Vol. 46, p. 818. U. S. C., p. 45.

Damage claims. Vol. 41, p. 132. U. S. C., p. 1550.

title 34, sec. 600); and other necessary and incidental expenses; in all, $1,147,500: *Provided*, That no part of any appropriation contained in this Act shall be available for the expense of any naval district in which there may be an active navy yard, naval training station, or naval operating base, unless the commandant of the naval district shall be also the commandant of one of such establishments: *Provided further*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $515,000.

Provisos.
Restriction on use in certain naval districts.

Group IV (b) employees.

CONTINGENT, NAVY

Contingent, Navy.

For all emergencies and extraordinary expenses, exclusive of personal services, in the Navy Department or any of its subordinate bureaus or offices at Washington, District of Columbia, arising at home or abroad, but impossible to be anticipated or classified, to be expended on the approval and authority of the Secretary of the Navy, and for such purposes as he may deem proper, and for examination of estimates for appropriations and of naval activities in the field for any branch of the naval service, $17,500, of which $2,500 shall be available immediately.

CARE OF LEPERS, AND SO FORTH, ISLAND OF GUAM

Lepers, etc.

Care, etc., Guam and Culion, P. I.

Naval station, Island of Guam: For maintenance and care of lepers, special patients, and for other purposes, including cost of transfer of lepers from Guam to the Island of Culion, in the Philippines, and their maintenance, $20,000; for educational purposes, $15,000; in all, $35,000.

NAVAL RESEARCH LABORATORY

Research Laboratory.

Work of, for naval service.

For laboratory and research work and other necessary work of the Naval Research Laboratory for the benefit of the naval service, including operation and maintenance of a laboratory, additions to equipment necessary properly to carry on work in hand, maintenance of buildings and grounds, temporary employment of such scientific and technical civilian assistants as may become necessary, and subscriptions to technical periodicals, to be expended under the direction of the Secretary of the Navy, $300,000: *Provided*, That $50,000 of this appropriation shall be available for the temporary employment of civilian scientists and technicists required on special problems: *Provided further*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $120,000, in addition to the amount authorized by the preceding proviso.

Provisos.
Temporary employment of scientists, etc.

Group IV (b) employees.

OPERATION AND CONSERVATION OF NAVAL PETROLEUM RESERVES

Naval petroleum reserves.

Conservation and operation.
Vol. 41, p. 813.
U. S. C., p. 1544.

To enable the Secretary of the Navy to carry out the provisions contained in the Act approved June 4, 1920 (U. S. C., title 34, sec. 524), requiring him to conserve, develop, use, and operate the naval petroleum reserves, $62,000, of which amount not to exceed $15,000 shall be available for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service

Group IV (b) employees.

Provisos.
Protecting work on Reserve No. 1.

of the Navy Department: *Provided*, That out of any sums appropriated for naval purposes by this Act, any portion thereof, not to exceed $10,000,000, shall be available to enable the Secretary of the Navy to protect Naval Petroleum Reserve Numbered 1, established by Executive order of September 2, 1912, pursuant to the Act of June 25, 1910 (U. S. C., title 43, secs. 141–143), by drilling wells and performing any work incident thereto, of which amount not to exceed $100,000 shall be available for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department: *Provided further*, That no part of the sum made available for the protection of this property shall be expended if a satisfactory agreement can be made with adjoining landowners not to drill offset wells for the purpose of producing oil.

Vol. 36, p. 847.
U. S. C., p. 1832.

Group IV (b) employees.

Agreement with adjoining landowners not to drill offset wells.

Naval prison farms and prison personnel.

NAVAL PRISON FARMS AND PRISON PERSONNEL

Operation, etc.

For the operation, maintenance, and improvement of naval prison farms and for the welfare, recreation, and education of prison personnel, to be expended under such regulations as the Secretary of the Navy may prescribe, $14,270: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Proviso.
Limitation on expenditure.
Vol. 48, p. 1227.

BUREAU OF NAVIGATION

Bureau of Navigation.

Training, education, etc.

TRAINING, EDUCATION, AND WELFARE, NAVY

Naval War College, maintenance, etc.

Naval War College: For maintenance and operation, including repairs, improvements, and care of grounds; services of a professor of international law, $2,000; services of lecturers, $2,000; and other civilian services; library expenses, including the purchase, binding, and repair of books and periodicals and subscriptions to newspapers and periodicals; and including contingencies of the president of the Naval War College to be expended in his discretion not exceeding $1,000; and for other necessary expenses, $120,000;

Naval training stations, maintenance, etc.

Naval training stations: For maintenance, operation, and other necessary expenses, including repairs, improvements, and care of grounds of the naval training stations which follow:

San Diego, California, $160,000;

Newport, Rhode Island, $130,000;

Great Lakes, Illinois, $250,000;

Norfolk, Virginia, $235,000, of which sum $10,000 shall be available immediately;

Fleet training, gunnery, etc., prizes.

Fleet training: For trophies and badges for excellence in gunnery, target practice, communication, engineering exercises and for economy in fuel consumption to be awarded under such rules as the Secretary of the Navy may formulate; for the purpose of recording, classifying, compiling, and publishing the rules and results; for the establishment and maintenance of shooting galleries, target houses, targets, and ranges; for hiring established ranges, and for transporting equipment to and from ranges; entrance fees in matches for the rifle team, and special equipment therefor, $66,220;

Instruction expenses.
Retirement annuities.

Instruction: For postgraduate instruction of officers in other than civil government and literature, including such amounts as may be necessary to carry out the provisions of the Act approved January 16, 1936 (Public Act Numbered 417, Seventy-fourth Congress), and for special instruction, education, and individual training of officers

Ante, p. 1092.

and enlisted men at home and abroad, including maintenance of students abroad, except aviation training and submarine training otherwise appropriated for, $190,379: *Provided*, That no part of this or any other appropriation contained in this Act shall be available for or on account of any expense incident to giving special educational courses or postgraduate instruction to officers with view to qualifying them or better qualifying them for the performance of duties required to be performed by or in pursuance of law by officers of the Supply Corps, Construction Corps, or Corps of Civil Engineers, except present students and except such officers who are commissioned in such corps or who have not been commissioned in the line of the Navy more than three years prior to the commencement of such educational courses or postgraduate instruction;

Proviso. Restriction on special courses of instruction.

Exception.

Libraries: For libraries, professional books, textbooks, religious books, periodicals, and newspapers [1] subscriptions for ships and shore stations not otherwise appropriated for, $55,000;

Libraries.

Welfare and recreation: For welfare and recreation of the Navy, including periodicals and newspapers [1] subscriptions, and not exceeding $2,400 for care and operation of schools at naval stations at Guantanamo Bay and Tutuila, for the children of Naval and Marine Corps commissioned, enlisted, and civilian personnel, to be expended in the discretion of the Secretary of the Navy, under such regulations as he may prescribe, $280,000;

Welfare and recreation.

Naval Reserve Officers' Training Corps: For all expenses incident to the conduct of the Naval Reserve Officers' Training Corps under such regulations as the President has prescribed or hereafter may prescribe under the provisions of section 22 of the Act approved March 4, 1925 (43 Stat., p. 1276; U. S. C., title 34, sec. 821), $84,400, of which $20,000 shall be available immediately: *Provided*, That uniforms and other equipment or material issued to the Naval Reserve Officers' Training Corps in accordance with law may be furnished from surplus or reserve stocks of the Navy without payment under this appropriation, except for actual expenses incurred in the manufacture or issue;

Naval Reserve Officers' Training Corps, operation, etc.

Vol. 43, p. 1276. U. S. C., p. 1564.

Proviso. Uniforms, equipment, etc.

In all, training, education, and welfare, Navy, $1,570,999: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department, exclusive of temporary services, shall not exceed the following amounts, respectively: Naval War College, $77,000; Naval Training Station, San Diego, $7,500; Naval Training Station, Newport, $10,000; Naval Training Station, Great Lakes, $14,500; Naval Training Station, Norfolk, $5,500; Instruction, $26,000; Libraries, $24,000; Welfare and Recreation, $2,500.

Training, education, etc.

Proviso. Group IV (b) employees.

Limitations.

STATE MARINE SCHOOLS, ACT OF MARCH 4, 1911

State Marine Schools.

To reimburse the State of California, $25,000; the State of Massachusetts, $25,000; the State of New York, $25,000; and the State of Pennsylvania, $25,000, for expenses incurred in the maintenance and support of marine schools in such States as provided in the Act authorizing the establishment of marine schools, and so forth, approved March 4, 1911 (U. S. C., title 34, sec. 1121), and for the maintenance and repair of the particular vessels loaned by the United States to the said States on the date of the approval of this Act for use in connection with such State marine schools, $90,000, and no other vessels shall be furnished by or through the Navy Department; in all, $190,000.

Reimbursing California, Massachusetts, New York, and Pennsylvania for expenses.

Vol. 36, p. 1353. U. S. C., p. 1578.

Maintenance, etc., of vessels loaned.

[1] So in original.

INSTRUMENTS AND SUPPLIES, BUREAU OF NAVIGATION

Instruments and supplies.

For supplies for seamen's quarters; and for the purchase of all other articles of equipage at home and abroad; and for the payment of labor in equipping vessels therewith and manufacture of such articles in the several navy yards; all pilotage and towage of ships of war; canal tolls, wharfage, dock and port charges, and other necessary incidental expenses of a similar nature; hire of launches or other small boats in Asiatic waters; quarantine expenses; services and materials in repairing, correcting, adjusting, and testing compasses on shore and on board ship; nautical and astronomical instruments and repairs to same; compasses; compass fittings, including binnacles, tripods, and other appendages of ship's compasses; logs and other appliances for measuring the ship's way and leads and other appliances for sounding; photographs, photographic instruments and materials, printing outfit and materials; music and musical instruments; commissions, warrants, diplomas, discharges, good-conduct badges, and medals for men and boys; transportation of effects of deceased officers, nurses, and enlisted men of the Navy, and of officers and men of the Naval Reserve who die while on duty; not to exceed $5,000 for contingent expenses and emergencies arising under cognizance of the Bureau of Navigation, unforeseen and impossible to classify; and for the necessary civilian electricians for gyrocompass testing and inspection, $630,000: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $36,000.

Proviso. Group IV (b) employees.

OCEAN AND LAKE SURVEYS, BUREAU OF NAVIGATION

Ocean and lake surveys.

For hydrographic surveys, including the pay of the necessary hydrographic surveyors, cartographic draftsmen, and recorders, and for the purchase of nautical books, charts, and sailing directions, $70,000: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $27,400.

Proviso. Group IV (b) employees.

Naval Reserve.

NAVAL RESERVE

Organizing, recruiting, etc., of, and Militia.

For expenses of organizing, administering, and recruiting the Naval Reserve and Naval Militia, including the designing, purchasing, and engraving of trophies; pay and allowances of officers and enlisted men of the Naval Reserve when employed on authorized training duty; mileage for officers while traveling under orders to and from training duty; transportation of enlisted men to and from training duty, and subsistence and transfers en route, or cash in lieu thereof; subsistence of enlisted men during the actual period of training duty; subsistence of officers and enlisted men of the Fleet Naval Reserve while performing authorized training or other duty without pay; pay, mileage, and allowances of officers of the Naval Reserve and pay, allowances, subsistence and transportation with subsistence and transfers en route, or cash in lieu thereof of enlisted men of the Naval Reserve when ordered to active duty in connection with the instruction, training, and drilling of the Naval Reserve; pay and allowances, including travel and other allowances as authorized by law (excluding clothing and small-stores issues and uniform gratuities), of aviation cadets of the Naval Reserve when ordered

Fleet Naval Reserve, subsistence, etc.

Pay, mileage, etc.

Aviation cadets.

to active duty, including active duty undergoing training; pay of officers and enlisted men of the Fleet Naval Reserve for the performance of not to exceed forty-eight drills per annum or other equivalent instruction or duty, or appropriate duties, and administrative duties, exclusive, however, of pay, allowances, or other expenses on account of members of any class of the Naval Reserve incident to their being given flight training unless, as a condition precedent, they shall have been found by such agency as the Secretary of the Navy may designate physically and psychologically qualified to serve as pilots of naval aircraft, $7,868,469, of which amount not more than $150,000 shall be available for maintenance and rental of armories, including pay of necessary janitors, and for wharfage; not more than $81,000 shall be available for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department; not less than $3,125,471 shall be available, in addition to other appropriations, for aviation material, equipment, fuel, and rental of hangars, and not more than $397,914 shall be available, in addition to other appropriations, for fuel and the transportation thereof, and for all other expenses in connection with the maintenance, operation, repair, and upkeep of vessels assigned for training the Naval Reserve, and of such total sum $5,334,303 shall be available exclusively for and on account of Naval and Marine Corps Reserve aviation: *Provided*, That no appropriation contained in this Act shall be available to pay more than nineteen officers of the Naval Reserve and one officer of the Marine Corps Reserve above the grade of lieutenant or captain, respectively, the pay and allowances of their grade for the performance of active duty other than the performance of drills or other equivalent instruction or duty, or appropriate duties and the performance of fifteen days' active training duty, and other officers above such grades employed on such class of active duty (not to exceed four months in any calendar year) shall not be entitled to be paid a greater rate of pay and allowances than authorized by law for a lieutenant of the Navy or a captain of the Marine Corps entitled to not exceeding ten years' longevity pay: *Provided further*, That no appropriation made in this Act shall be available for pay, allowances, or traveling or other expenses of any officer or enlisted man of the Naval or Marine Corps Reserve who may be drawing a pension, disability allowance, disability compensation, or retired pay from the Government of the United States; and "retired pay" as here used shall not include the pay of transferred members of such reserve forces.

Drills.

Flight training.

Armories, wharfage, etc.

Group IV (b) employees.

Aviation material, hangars, etc.

Provisos.
Reserve officers performing active duty, restriction.

Limitation.

Pay, allowances, etc., restrictions.

NAVAL ACADEMY

Naval Academy.

Pay, Naval Academy: For pay of professors and instructors, including one professor as librarian, and such amounts as may be necessary to carry out the provisions of the Act approved January 16, 1936 (Public, Numbered 417, Seventy-fourth Congress), $281,193: *Provided*, That not more than $22,300 shall be paid for masters and instructors in swordsmanship and physical training.

Pay for professors, etc.

Annuities.
Ante, p. 1092.

Proviso.
Swordsmanship, etc., instruction.

For pay of other employees, $585,623: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules, in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department, shall not exceed $236,000.

Employees.
Proviso.
Group IV (b) employees.

Current and miscellaneous expenses, Naval Academy: For text and reference books for use of instructors; stationery, blank books and forms, models, maps, newspapers, and periodicals; apparatus

Current, etc., expenses.

and materials for instruction in physical training and athletics; expenses of lectures and entertainments, not exceeding $1,800, including pay and expenses of lecturer and visiting clergymen; chemicals, philosophical apparatus and instruments, stores, machinery, tools, fittings, apparatus, materials for instruction purposes, and purchase of and engraving of trophies and badges, $60,800; for purchase, binding, and repair of books for the library (to be purchased in the open market on the written order of the superintendent), $5,000; for expenses of the Board of Visitors to the Naval Academy, $1,000; for contingencies for the superintendent of the academy, to be expended in his discretion, not exceeding $4,000; for contingencies for the commandant of midshipmen, to be expended in his discretion, not exceeding $1,200; in all, $69,000, to be accounted for as one fund.

Lectures, etc.

Library.

Board of Visitors.

Maintenance and repairs.

Maintenance and repairs, Naval Academy: For necessary repairs of public buildings, wharves, and walls enclosing the grounds of the Naval Academy, accident prevention, improvements, repairs, and fixtures; for books, periodicals, maps, models, and drawings; purchase and repair of fire engines; fire apparatus and plants, machinery; purchase and maintenance of all horses and horse-drawn vehicles for use at the academy, including the maintenance, operation, and repair of three horse-drawn passenger-carrying vehicles to be used only for official purposes; seeds and plants; tools and repairs of the same; stationery; furniture for Government buildings and offices at the academy, including furniture for midshipmen's rooms; coal and other fuels; candles, oil, and gas; attendance on light and power plants; cleaning and clearing up station and care of buildings; attendance on fires, lights, fire engines, fire apparatus, and plants, and telephone, telegraph, and clock systems; incidental labor, advertising, water tax, postage, telephones, telegrams, tolls, and ferriage; flags and awnings; packing boxes; pay of inspectors and draftsmen; and music and astronomical instruments, $975,380: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $24,900.

Vehicles.

Proviso. Group IV (b) employees.

NAVAL HOME, PHILADELPHIA, PENNSYLVANIA

Naval Home, Philadelphia, Pa.

Personal services. *Proviso.* Group IV (b) employees.

For pay of employees, $90,120: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $15,500;

Maintenance.

Maintenance: For water rent, heating, and lighting; cemetery, burial expenses, and headstones; general care and improvements of grounds, buildings, walls, and fences; repairs to power-plant equipment, implements, tools, and furniture, and purchase of the same; music in chapel and entertainment for beneficiaries; stationery, books, and periodicals; transportation of indigent and destitute beneficiaries to the Naval Home, and of sick and insane beneficiaries, their attendants and necessary subsistence for both, to and from other Government hospitals; employment of such beneficiaries in and about the Naval Home as may be authorized by the Secretary of the Navy, on the recommendation of the governor; support of beneficiaries and all other contingent expenses, including the maintenance, repair, and operation of two motor-propelled vehicles, and one motor-propelled passenger-carrying vehicle to be used only for official purposes, $99,880;

Employment of beneficiaries.

In all, Naval Home, $190,000.

BUREAU OF ENGINEERING

Bureau of Engineering.

ENGINEERING

For repairs, preservation, and renewal of machinery, auxiliary machinery, and boilers of naval vessels, yard craft, and ships' boats, distilling and refrigerating apparatus; repairs, preservation, and renewals of electric interior and exterior signal communications and all electrical appliances of whatsoever nature on board naval vessels, except range finders, battle order and range transmitters and indicators, and motors and their controlling apparatus used to operate machinery belonging to other bureaus; searchlights and fire-control equipments for antiaircraft defense at shore stations; maintenance and operation of coast signal service; equipage, supplies, and materials under the cognizance of the Bureau required for the maintenance and operation of naval vessels, yard craft, and ships' boats; purchase, installation, repair, and preservation of machinery, tools, and appliances in navy yards and stations, accident prevention, pay of classified field force under the Bureau; incidental expenses for naval vessels, navy yards, and stations, inspectors' offices, the engineering experiment station, such as photographing, technical books and periodicals, stationery, and instruments; services, instruments, machines and auxiliaries, apparatus and supplies, and technical books and periodicals necessary to carry on experimental and research work; maintenance and equipment of buildings and grounds at the engineering experiment station, Annapolis, Maryland; payment of part time or intermittent employment in the District of Columbia or elsewhere of such scientists and technicists as may be contracted for by the Secretary of the Navy, in his discretion, at a rate of pay not exceeding $20 per diem for any persons so employed; in all, $20,500,000: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $1,724,000: *Provided further*, That not exceeding $600,000 of this appropriation shall be available for experiment, development, and test of Diesel-type engines for ship propulsion.

Engineering, repairs, machinery, etc. Equipment supplies, etc.

Annapolis, Md., engineering experiment station.

Provisos. Group IV (b) employees.

Tests of Diesel-type engines for ship propulsion.

BUREAU OF CONSTRUCTION AND REPAIR

Bureau of Construction and Repair.

For designing naval vessels, including services, instruments, apparatus, and materials necessary for experimental and research work; payment of part time or intermittent employment in the District of Columbia, or elsewhere, of such scientists and technicists as may be contracted for by the Secretary of the Navy, in his discretion, at a rate of pay not exceeding $20 per diem for any person so employed; maintenance, repairs, and alterations of vessels; care and preservation of vessels out of commission; docking of vessels; salvage and salvage services for naval floating property; construction and repair of district and yard craft; purchase and manufacture of equipage, appliances, supplies, and materials at home and abroad as required for the maintenance, repair, alteration, and operation of naval vessels and district and yard craft; carrying on work of the experimental model basin and wind tunnel; tools and appliances for all purposes in navy yards and naval stations; labor in navy yards and naval stations and elsewhere at home and abroad; accident prevention; pay of classified field force, including employees in material inspection and superintending constructors' offices; incidental expenses at navy yards and naval stations and in material inspection

Construction and repair of vessels.

Field force.

and superintending constructors' offices such as photographing, technical and professional books and magazines, plans, stationery, drafting instruments and other materials, $19,200,000: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $1,875,000.

Proviso. Group IV (b) employees.

Bureau of Ordnance.

BUREAU OF ORDNANCE

ORDNANCE AND ORDNANCE STORES, BUREAU OF ORDNANCE

Procuring, etc., ordnance and ordnance stores.

For procuring, producing, preserving, and handling ordnance material, for the armament of ships; for the purchase and manufacture of torpedoes and appliances; for the purchase and manufacture of smokeless powder; for fuel, material, and labor to be used in the general work under the cognizance of the Bureau of Ordnance; for furniture at naval ammunition depots, torpedo stations, naval ordnance plants, and proving grounds; for technical books; plant appliances as now defined by the "Navy Classification of Accounts"; for machinery and machine tools; for accident prevention; for experimental work in connection with the development of ordnance material for the Navy; for maintenance of proving grounds, powder factory, torpedo stations, gun factory, ammunition depots, and naval ordnance plants, and for target practice; not to exceed $15,000 for minor improvements to buildings, grounds, and appurtenances of a character which can be performed by regular station labor; for payment of part time or intermittent employment in the District of Columbia, or elsewhere, of such scientists and technicists as may be contracted for by the Secretary of the Navy in his discretion at a rate of pay not exceeding $20 per diem for any person so employed; for the maintenance, repair, and operation of horse-drawn and motor-propelled freight and passenger-carrying vehicles, to be used only for official purposes at naval ammunition depots, naval proving grounds, naval ordnance plants, and naval torpedo stations; for the pay of chemists, clerical, drafting, inspection, and messenger service in navy yards, naval stations, naval ordnance plants, and naval ammunition depots, and for care and operation of schools at ordnance stations at Indianhead, Maryland; Dahlgren, Virginia; and South Charleston, West Virginia, $21,700,000: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $1,300,000.

Schools at designated stations.

Proviso. Group IV (b) employees.

Bureau of Supplies and Accounts.

BUREAU OF SUPPLIES AND ACCOUNTS

PAY, SUBSISTENCE, AND TRANSPORTATION OF NAVAL PERSONNEL

Pay of naval personnel.
Officers.
Aerial flights, increased pay; restriction.

Pay of naval personnel: For pay and allowances prescribed by law of officers on sea duty and other duty, and officers on waiting orders, pay—$34,212,380, including not to exceed $1,698,034 for increased pay for making aerial flights, no part of which shall be available for increased pay for making aerial flights by more than three officers above the rank of captain and below the rank of vice-admiral nor by nonflying officers or observers at a rate in excess of $1,440 per annum, which shall be the legal maximum rate as to

such nonflying officers or observers; rental allowance, $7,271,430; subsistence allowance, $4,285,103; in all, $45,768,913; officers on the retired list, $8,297,701; for hire of quarters for officers serving with troops where there are no public quarters belonging to the Government, and where there are not sufficient quarters possessed by the United States to accommodate them, and hire of quarters for officers and enlisted men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable, $3,000; pay of enlisted men on the retired list, $6,891,254; interest on deposits by men, $3,000; pay of petty officers (not to exceed an average of seven thousand seven hundred and twenty chief petty officers, of which number those with a permanent appointment as chief petty officer shall not exceed an average of six thousand seven hundred and forty-four), seamen, landsmen, and apprentice seamen, including men in the engineer's force and men detailed for duty with the Bureau of Fisheries, enlisted men, men in trade schools, pay of enlisted men of the Hospital Corps, extra pay for men for diving, and cash prizes (not to exceed $100,000) for men for excellence in gunnery, target practice, communication, and engineering competitions, $82,293,763; outfits for all enlisted men and apprentice seamen of the Navy on first enlistment, civilian clothing not to exceed $15 per man to men given discharges for bad conduct or undesirability or inaptitude, reimbursement in kind of clothing to persons in the Navy for losses in cases of marine or aircraft disasters or in the operation of water- or air-borne craft, and the authorized issue of clothing and equipment to the members of the Nurse Corps, $1,801,426; pay of enlisted men undergoing sentence of court martial, $64,400, and as many machinists as the President may from time to time deem necessary to appoint; pay and allowances of the Nurse Corps, including assistant superintendents, directors and assistant directors—pay, $550,120; rental allowance, $23,040; subsistence allowance, $21,900; pay retired list, $215,710; in all, $810,770; rent of quarters for members of the Nurse Corps; pay and allowances of transferred and assigned men of the Fleet Naval Reserve, $13,790,890; reimbursement for losses of property as provided in the Act approved October 6, 1917 (U. S. C., title 34, secs. 981, 982), as amended by the Act of March 3, 1927 (U. S. C., title 34, sec. 983), $10,000; payment of six months' death gratuity, $150,000; in all, $159,885,117; and no part of such sum shall be available to pay active-duty pay and allowances to officers in excess of nine on the retired list, except retired officers temporarily ordered to active duty as members of retiring and selection boards as authorized by law: *Provided*, That, except for the public quarters occupied by the Chief of Office of Naval Operations, the Superintendent of the Naval Academy, and the Commandant of the Marine Corps and messes temporarily set up on shore for officers attached to seagoing vessels, to aviation units based on seagoing vessels including officers' messes at the fleet air bases, and to landing forces and expeditions, and in addition not to exceed forty in number at such places as shall be designated by the Secretary of the Navy, no appropriation contained in this Act shall be available for the pay, allowances, or other expenses of any enlisted man or civil employee performing service in the residence or quarters of an officer or officers on shore as a cook, waiter, or other work of a character performed by a household servant, but nothing herein shall be construed as preventing the voluntary employment in any such capacity of a retired enlisted man or a transferred member of the Fleet Naval Reserve without additional expense to the Government,

Rental and subsistence allowances.
Retired officers.
Hire of quarters.
Enlisted men.
Prizes, etc.
Outfits, clothing, etc.
Reimbursement for certain losses.
Nurse Corps.
Fleet Naval Reserve.
Property losses.
Vol. 40, p. 389; Vol. 44, p. 1468.
U. S. C., p. 1572.
Active-duty pay, etc., to retired officers; restriction.
Proviso.
Enlisted men ashore as household servants.
Voluntary, etc., services.

Sale of meals to officers on shore duty.

nor the sale of meals to officers by general messes on shore as regulated by detailed instructions from the Navy Department;

Subsistence.

Provisions, commutation of rations, etc.

Subsistence of naval personnel: For provisions and commuted rations for enlisted men of the Navy, which commuted rations may be paid to caterers of messes in case of death or desertion, upon orders of the commanding officers, at 50 cents per diem, and midshipmen at 75 cents per diem, and commuted rations stopped on account of sick in hospital and credited at the rate of 70 cents per ration to the naval hospital fund; subsistence of men unavoidably detained or absent from vessels to which attached under orders (during which subsistence rations to be stopped on board ship and no credit for commutation therefor to be given); quarters and subsistence of men on detached duty; subsistence of members of the Naval Reserve during period of active service; subsistence in kind at hospitals and on board ship in lieu of subsistence allowance of female nurses and Navy and Marine Corps general courts-martial prisoners undergoing imprisonment with sentences of dishonorable discharge from the service at the expiration of such confinement; in all, $18,685,345;

Unavoidable absences.

Detached duty.

Naval Reserve, etc.

Transportation.

Transportation and recruiting of naval personnel: For mileage and actual and necessary expenses and per diem in lieu of subsistence as authorized by law to officers of the Navy while traveling under orders, including not to exceed $2,000 for the expenses of attendance, at home and abroad, upon meetings of technical, professional, scientific, and other similar organizations, when, in the judgment of the Secretary of the Navy, such attendance would be of benefit in the conduct of the work of the Navy Department; for mileage, at 5 cents per mile, to midshipmen entering the Naval Academy while proceeding from their homes to the Naval Academy for examination and appointment as midshipmen, and not more than $2,500 shall be available for transportation of midshipmen, including reimbursement of traveling expenses while traveling under orders after appointment as midshipmen; for actual traveling expenses of female nurses; for travel allowance or for transportation and subsistence as authorized by law of enlisted men upon discharge; transportation of enlisted men and apprentice seamen and applicants for enlistment at home and abroad, with subsistence and transfers en route, or cash in lieu thereof; transportation to their home, if residents of the United States, of enlisted men and apprentice seamen discharged on medical survey, with subsistence and transfers en route, or cash in lieu thereof; transportation of sick or insane enlisted men and apprentice seamen and insane supernumerary patients to hospitals, with subsistence and transfers en route, or cash in lieu thereof; apprehension and delivery of deserters and stragglers, and for railway guides and other expenses incident to transportation; expenses of recruiting for the naval service; rent of rendezvous and expenses of maintaining the same; advertising for and obtaining men and apprentice seamen; actual and necessary expenses in lieu of mileage to officers on duty with traveling recruiting parties; transportation of dependents of officers and enlisted men, including travel had during the fiscal year 1937, but not in excess of from the last duty station to home, in connection with retirement, $1,235,711; expenses of funeral escorts of naval personnel; actual expenses of officers and midshipmen while on shore-patrol duty, including the hire of automobiles when necessary for the use of shore-patrol detachment: in all, $4,922,519;

Attendance at meetings.

Midshipmen, etc.

Enlisted men.

Apprehending deserters, etc.

Recruiting.

Transporting dependents.

Funeral escorts.

Aggregate; amount immediately available.

In all, for pay, subsistence, and transportation of naval personnel, $183,492,981, of which sum $1,000,000 shall be immediately available, and the money herein specifically appropriated for "Pay, subsistence, and transportation of naval personnel" shall be disbursed and

accounted for in accordance with existing law and shall constitute one fund: *Provided*, That additional commissioned, warranted, appointed, enlisted, and civilian personnel of the Medical Department of the Navy, required for the care of patients of the United States Veterans' Administration in naval hospitals, may be employed in addition to the numbers appropriated for in this Act: *Provided further*, That no part of this appropriation shall be available for the pay of any midshipmen whose admission subsequent to January 30, 1936, would result in exceeding at any time an allowance of four midshipmen for each Senator, Representative, and Delegate in Congress; of one midshipman for Puerto Rico, a native of the island, appointed on nomination of the Governor, and of four midshipmen from Puerto Rico, appointed on nomination of the Resident Commissioner; and of four midshipmen from the District of Columbia: *Provided further*, That nothing herein shall be construed to repeal or modify in any way existing laws relative to the appointment of midshipmen at large, from the enlisted personnel of the naval service, from the Naval Reserve, from honor graduates of military schools or Naval Reserve Officers' Training Corps: *Provided further*, That no part of this appropriation shall be available for the pay of any midshipman appointed from enlisted men of the Navy for admission to the Naval Academy in the class entering in the calendar year 1937 who has not served aboard a vessel of the Navy in full commission for at least nine months prior to such admission.

Accounting.

Provisos.
Additional medical detail, Veterans' Administration patients in naval hospitals.

Restriction on admissions to Naval Academy after January 30, 1936.

Appointments at large from enlisted men not affected.

Sea service requirements of appointees from enlisted men.

MAINTENANCE, BUREAU OF SUPPLIES AND ACCOUNTS

For equipage, supplies, and services under the cognizance of the Bureau of Supplies and Accounts, including stationery for commanding, executive, communication, and navigating officers of ships, boards and courts on ships, and chaplains; commissions, interest, and exchange; ferriage and bridge tolls; including street-car fares; rent of buildings and offices not in navy yards except for use of naval attachés and recruiting officers; accident prevention; services of civilian employees under the cognizance of the Bureau of Supplies and Accounts; freight, express, and parcel-post charges, including transportation of funds and cost of insurance on shipments of money when necessary; for transportation on Government-owned vessels, notwithstanding the provisions of other law, of privately owned automobiles of Regular Navy and Marine Corps personnel upon change of station, and ice for cooling drinking water on shore (except at naval hospitals and shops at industrial navy yards), pertaining to the Navy Department and Naval Establishment, $8,523,612: *Provided*, That no part of this or any other appropriation contained in this Act shall be available for or on account of the supply or replacement of table linen, dishes, glassware, silver, and kitchen utensils for use in the residences or quarters of officers on shore: *Provided further*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $4,400,000: *Provided further*, That, without deposit to the credit of the Treasurer of the United States and withdrawal on money requisitions, receipts of public moneys from sales or other sources by officers of the Navy and Marine Corps on disbursing duty and charged in their official accounts may be used by them as required for current expenditures, all necessary bookkeeping adjustments of appropriations, funds, and accounts to be made in the settlement of their disbursing accounts.

Maintenance.

Freight, etc., charges.

Provisos.
Supply or replacement of kitchen, etc., ware for officers' quarters ashore forbidden.

Group IV (b) employees.

Use of certain receipts for current expenditures; accounting.

CLOTHING, NAVAL RESERVE

Clothing and small-stores fund.

The clothing and small-stores fund shall be charged with the value of all issues of clothing and small stores made to aviation cadets and enlisted men of the Naval Reserve and the uniform gratuity paid to officers and aviation cadets of the Naval Reserve.

FUEL AND TRANSPORTATION, BUREAU OF SUPPLIES AND ACCOUNTS

Fuel and transportation.

For coal and other fuel for submarine bases and steamers' and ships' use, including expenses of transportation, storage, and handling the same and the removal of fuel refuse from ships; maintenance and general operation of machinery of naval fuel depots and fuel plants; water for all purposes on board naval vessels, and ice for the cooling of water, including the expense of transportation and storage of both, $8,437,460: *Provided*, That fuel acquired other than by purchase shall not be issued without charging the applicable appropriation with the cost of such fuel at the rate current at the time of issue for fuel purchased: *Provided further*, That the President may direct the use, wholly or in part, of fuel on hand, however acquired, to be charged at the last issue rate for fuel acquired by purchase, when, in his judgment, prices quoted for supplying fuel are excessive: *Provided further*, That no part of this appropriation shall be available, any provision in this Act to the contrary notwithstanding, for the purchase of any kind of fuel oil of foreign production for issue, delivery, or sale to ships at points either in the United States or its possessions where oil of the production of the United States or its possessions may be procurable, notwithstanding that oil of the production of the United States or its possessions may cost more than oil of foreign production, if such excess of cost, in the opinion of the Secretary of the Navy, which shall be conclusive, be not unreasonable.

Provisos.
Issue to be charged to applicable appropriation.

Prices for fuel on hand.

Restriction on use, etc., of foreign fuel oil.

BUREAU OF MEDICINE AND SURGERY

Bureau of Medicine and Surgery.

MEDICAL DEPARTMENT

Surgeons' necessaries. Civil establishment.

For surgeons' necessaries for vessels in commission, navy yards, naval stations, and Marine Corps; and for the civil establishment at the several naval hospitals, navy yards, naval medical supply depots, Naval Medical School and Dispensary, Washington, and Naval Academy; for tolls and ferriages; purchase of books and stationery; hygienic and sanitary investigation and illustration; sanitary, hygienic, administrative, and special instruction, including the issuing of naval medical bulletins and supplements; purchase and repairs of non-passenger-carrying wagons, automobile ambulances, and harness; purchase of and feed for horses and cows; maintenance, repair, and operation of three passenger-carrying motor vehicles for Naval Dispensary, Washington, District of Columbia, and of one motor-propelled vehicle for official use only for the medical officer on out-patient medical service at the Naval Academy; trees, plants, care of grounds, garden tools, and seeds; incidental articles for the Naval Medical School and Naval Dispensary, Washington, naval medical supply depots, sick quarters at Naval Academy and marine barracks; washing for medical department at Naval Medical School and Navy[1] Dispensary, Washington, naval medical supply depots, sick quarters at Naval Academy and marine barracks, dispensaries at navy yards and naval stations, and ships; and for minor repairs on buildings and grounds of the United States Naval Medical School

Vehicles, etc.

[1] So in original.

and naval medical supply depots; rent of rooms for Naval Dispensary, Washington, District of Columbia, not to exceed $1,200; for the care, maintenance, and treatment of the insane of the Navy and Marine Corps on the Pacific coast, including supernumeraries held for transfer to Saint Elizabeths Hospital; for dental outfits and dental material; and all other necessary contingent expenses; in all, $2,220,000: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $200,000.

Care, etc., of insane on Pacific coast.

Proviso. Group IV (b) employees.

CARE OF THE DEAD

Care of the dead.

For the care of the dead; for funeral expenses and interment or transportation to their homes or to designated cemeteries of the remains of officers (including officers who die within the United States) and enlisted men of the Navy and Marine Corps, of members of the Nurse Corps, reservists on active or training duty, and accepted applicants for enlistment, civilian employees of the Navy Department and Naval Establishment who die outside of the continental limits of the United States, and former enlisted men who are discharged while in naval hospitals and are inmates of said hospitals on the date of their death; for funeral expenses and interment of the remains of pensioners and destitute patients who die in naval hospitals; for purchase and care of cemetery lots; for care of graves outside of the continental limits of the United States, including those in sites not owned by the United States; for removal of remains from abandoned cemeteries to naval or national cemeteries, or to their homes, including remains interred in isolated graves at home and abroad, and remains temporarily interred, $70,000: *Provided*, That the above provision shall apply in the case of officers and enlisted men of the Navy and Marine Corps on the retired list who die while on active duty.

Interment or transportation expenses.

Civilian employees dying abroad.

Proviso. Retired officers, etc., on active duty included.

BUREAU OF YARDS AND DOCKS

Bureau of Yards and Docks.

MAINTENANCE, BUREAU OF YARDS AND DOCKS

For the labor, materials, and supplies necessary, as determined by the Secretary of the Navy, for the general maintenance of the activities and properties now or hereafter under the cognizance of the Bureau of Yards and Docks, including accident prevention; the purchase, maintenance, repair, and operation of passenger-carrying vehicles for the Navy Department (not to exceed ten in number) and the Naval Establishment not otherwise provided for; not to exceed $1,600,000 for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department, and part-time or intermittent employment in the District of Columbia, or elsewhere, of such engineers and architects as may be contracted for by the Secretary of the Navy, in his discretion, at a rate of pay not exceeding $25 per diem for any person so employed, $7,450,000: *Provided*, That during the fiscal year 1937 the motor-propelled passenger-carrying vehicles to be purchased hereunder shall not exceed the following respective numbers and costs: Ten at $1,800 each, fifty-one at $550 each, and one motor bus at $3,950: *Provided further*, That expenditures from appropriations contained in this Act for the maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, including the compensation of civilian chauffeurs and the

General maintenance, etc.

Vehicles.

Group IV (b) employees.

Provisos. Limitation on vehicle purchases.

Maintenance, operation, repair, etc.

compensation of any greater number than ninety enlisted men detailed to such duty, shall not exceed in the aggregate $90,000, exclusive of such vehicles owned and operated by the Marine Corps in connection with expeditionary duty without the continental limits of the United States, motor busses, and motorcycles, and on any one vehicle, except busses and ambulances, shall not exceed for maintenance, upkeep, and repair, exclusive of garage rent, pay of operators, tires, fuel, and lubricants, one-third of the market price of a new vehicle of the same make or class, and in any case not more than $400.

CONTINGENT, BUREAU OF YARDS AND DOCKS

Contingent.

For contingent expenses and minor extensions and improvements of public works at navy yards and stations, $140,000.

PUBLIC WORKS, BUREAU OF YARDS AND DOCKS

Public works, etc.

For public works and public utilities, Bureau of Yards and Docks, $3,395,300, which, together with the unexpended balances of appropriations heretofore made under this head, shall be disbursed and accounted for in accordance with existing law and shall constitute one fund: *Provided*, That not to exceed 2½ per centum of the aggregate amount available on July 1, 1936, shall be available for the employment of classified personal services in the Bureau of Yards and Docks and in the field service to be engaged upon such work and to be in addition to employees otherwise provided for: *Provided further*, That the Secretary of the Navy is authorized to commence, continue, or complete the construction of, or make provision for, by contract or otherwise, projects heretofore authorized and appropriated for under this head, and, in addition, the following-named public works and public utilities projects at a limit of cost not to exceed the amount stated for each project enumerated, respectively:

Provisos.
Personal services.

Construction of authorized projects.

Mare Island, Calif.

Navy Yard, Mare Island, California: For preparation of site, preliminary test pits, cofferdam, and other incidental preliminary work toward the construction of graving dock, services and auxiliary construction, $150,000;

Pearl Harbor, Hawaii.

Navy Yard, Pearl Harbor, Hawaii: Improvement of channel and harbor, including plant, $1,500,000; mooring facilities and accessories, $225,000; purchase of land for range light, $100;

Annapolis, Md.

Naval Radio Station, Annapolis, Maryland: Extension of radio facilities, including buildings and accessories, $400,000;

Norfolk, Va.

Navy Yard, Norfolk, Virginia: Improvement of power plant, $300,000; extension of machine shop, $125,000;

Naval Academy.

Buildings and Grounds, Naval Academy, Annapolis, Maryland: Increased facilities for midshipmen, including building extensions and accessories, $410,000; improvement of interior illumination, $270,000;

Key West, Fla.

Naval Station, Key West, Florida: Improvement of water front, $286,000;

San Diego, Calif.

Naval Hospital, San Diego, California: Extension of main hospital building, $260,000, to be paid from Naval Hospital Fund;

Radio receiving station, Washington, D. C.

Naval Radio Receiving Station, vicinity of Washington, District of Columbia: Service lines, improvement of grounds, and other facilites[1], $125,000;

Balboa, C. Z.

Naval Radio Receiving Station, Balboa, Canal Zone: Service lines, improvement of grounds, and other facilities, $45,000;

Summit, C. Z.

Naval Radio Station, Summit, Canal Zone: Extension of radio facilities, including buildings and accessories, $175,000;

[1] So in original.

Naval Radio Station, Lualualei, Hawaii: Extension of radio facilities, including buildings and accessories, $225,000; Lualualei, Hawaii.

Naval Operating Base, Norfolk, Virginia: Improvement of water front, $300,000; Norfolk, Va., operating base.

Navy Yards and Naval Stations: Toward improvement of electric lines to water front, $800,000. Navy yards and stations; electric lines to water front.

BUREAU OF AERONAUTICS

Bureau of Aeronautics.

AVIATION, NAVY

For aviation, as follows: For navigational, photographic, aerological, radio, and miscellaneous equipment, including repairs thereto, for use with aircraft built or building on June 30, 1936, $700,000; for maintenance, repair, and operation of aircraft factory, air stations, fleet air bases, fleet and all other aviation activities, accident prevention, testing laboratories, for overhauling of planes, and for the purchase for aviation purposes only of special clothing, wearing apparel, and special equipment, $14,408,270, including $221,000 for the equipment of vessels with catapults and including not to exceed $50,000 for the procurement of helium, which sum of $50,000 shall be transferred to and made available to the Bureau of Mines on July 1, 1936, in addition to which sum the Bureau of Mines may use for helium-plant operation in the fiscal year 1937 the unexpended balance of funds transferred to it for such operation in the fiscal year 1936, and the Bureau may lease, after competition, surplus metal cylinders acquired for use as helium containers; for continuing experiments and development work on all types of aircraft, including the payment of part-time or intermittent employment in the District of Columbia or elsewhere of such scientists and technicists as may be contracted for by the Secretary of the Navy, in his discretion, at a rate of pay not exceeding $20 per diem for any person so employed, $2,500,000; for new construction and procurement of aircraft and equipment, spare parts and accessories, $20,980,000, of which amount not to exceed $6,590,000 shall be available for the payment of obligations incurred under the contract authorization carried in the Navy Appropriation Act for the fiscal year 1936; in all, $38,588,270, and the money herein specifically appropriated for "Aviation" shall be disbursed and accounted for in accordance with existing law and shall constitute one fund: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $1,582,340: *Provided further*, That in addition to the amount herein appropriated, the Secretary of the Navy may, prior to July 1, 1937, enter into contracts for the production and purchase of new airplanes and their equipment, spare parts and accessories, to an amount not in excess of $13,000,000: *Provided further*, That the Secretary of the Treasury is authorized and directed, upon the request of the Secretary of the Navy, to transfer not to exceed in the aggregate $50,000 from this appropriation to the appropriations "Pay, subsistence, and transportation, Navy" and "Pay, Marine Corps" to cover authorized traveling expenses of officers and enlisted men in connection with flying new airplanes from contractor's works to assigned station or ship, including travel to contractor's works and return of personnel to stations of duty, and the amount so transferred shall be in addition to any limitations contained in the appropriations "Pay, Subsistence, and Transportation, Navy" and "Pay,

Designated aviation expenses.

Helium. *Post*, p. 1790.

Developing aircraft types, etc.

New construction.

Incurred obligations.

Aggregate; accounting.

Provisos. Group IV (b) employees.

Contracts for new airplanes, etc.

Sum transferred for traveling expenses.

Ante, p. 1406; *Post*, p. 1414.

Coast stations limited.

Airplane factory construction forbidden.

Adjusting damage claims.

Marine Corps": *Provided further*, That no part of this appropriation shall be expended for maintenance of more than six heavier-than-air stations on the coast of the continental United States: *Provided further*, That no part of this appropriation shall be used for the construction of a factory for the manufacture of airplanes: *Provided further*, That the Secretary of the Navy is hereby authorized to consider, ascertain, adjust, determine, and pay out of this appropriation the amounts due on claims for damages which have occurred or may occur to private property growing out of the operations of naval aircraft where such claim does not exceed the sum of $500.

Marine Corps.

MARINE CORPS

PAY, MARINE CORPS

Pay, etc., officers on active list.

Pay of officers, active list: For pay and allowances prescribed by law for all officers on the active list—pay and allowance, $4,233,706, including not to exceed $212,427 for increased pay for making aerial flights, none of which shall be available for increased pay for making aerial flights by nonflying officers at a rate in excess of $1,440 per annum, which shall be the legal maximum rate as to such nonflying officers; subsistence allowance, $573,123; rental allowance, $766,154; in all, $5,572,983; and no part of such sum shall be available to pay active-duty pay and allowances to officers on the retired list;

Retired officers.

For pay of officers prescribed by law on the retired list, $1,329,195;

Enlisted men, active list.

Pay of enlisted men, active list: For pay and allowances of non-commissioned officers, musicians, and privates, as prescribed by law, and for the expenses of clerks of the United States Marine Corps traveling under orders, including not to exceed $250 for the expenses of attendance upon meetings of technical, professional, scientific, and other organizations, when, in the judgment of the Secretary of the Navy, such attendance would be of benefit in the conduct of the work of the Marine Corps, and including additional compensation for enlisted men of the Marine Corps qualified as expert riflemen, sharpshooters, marksmen, or regularly detailed as gun captains, gun pointers, cooks, messmen, including interest on deposits by enlisted men, post-exchange debts of deserters, and of men discharged or sentenced to terms of imprisonment while in debt to the United States, under such rules as the Secretary of the Navy may prescribe, and the authorized travel allowance of discharged enlisted men, and for prizes for excellence in gunnery exercises and target practice, and for pay of enlisted men designated as Navy mail clerks and assistant Navy mail clerks both afloat and ashore, and for gratuities to

Pay and allowances.

enlisted men discharged not under honorable conditions—pay and allowances, $7,780,526; allowance for lodging and subsistence, $632,399; in all, $8,412,925;

Retired enlisted men.

For pay and allowances prescribed by law of enlisted men on the retired list, $841,600;

Undrawn clothing.

Undrawn clothing: For payment to discharged enlisted men for clothing undrawn, $200,720;

Marine Corps Reserve.

For pay and allowances of the Marine Corps Reserve (a) excluding transferred and assigned men, $793,095; (b) transferred men, $426,953; in all, $1,220,048;

Mileage, etc.

For mileage and actual and necessary expenses and per diem in lieu of subsistence as authorized by law to officers traveling under orders without troops, $146,000;

Accounting.

In all, $17,723,471, and the money herein specifically appropriated for pay of the Marine Corps shall be disbursed and accounted for in accordance with existing law and shall constitute one fund.

PAY OF CIVIL EMPLOYEES, MARINE CORPS

Civil force at headquarters.

Pay of civil force: For personal services in the District of Columbia, as follows:

Offices of the Major General Commandant and adjutant inspector, $108,380;

Office of paymaster, $45,300;

Office of the quartermaster, $118,540; in all, $272,220: *Provided*, That the total number of enlisted men on duty at Marine Corps headquarters on May 7, 1930, shall not be increased, and in lieu of enlisted men whose services at such headquarters shall be terminated for any cause prior to July 1, 1937, their places may be filled by civilians, for the pay of whom, in accordance with the Classification Act of 1923, as amended, either or both the appropriations "Pay, Marine Corps" and "General expenses, Marine Corps" shall be available.

Proviso.
Number of enlisted men at headquarters.
Vacancies to be filled by civilians.

Pay rates.
Vol. 42, p. 1488; Vol. 45, p. 776; Vol. 46, p. 1003.
U. S. C., p. 85.

GENERAL EXPENSES, MARINE CORPS

General expenses.

Authorized work.

For every expenditure requisite for, and incident to, the authorized work of the Marine Corps, other than as appropriated for under the headings of pay and salaries, as follows:

Provisions, etc.

For provisions, subsistence, board and lodging of enlisted men, recruits and recruiting parties, and applicants for enlistment, cash allowance for lodging and subsistence to enlisted men traveling on duty; ice, ice machines and their maintenance, $2,657,348;

Clothing.

For clothing for enlisted men, $889,200;

Fuel, etc.

For fuel, heat, light, and power, including sales to officers, $457,000;

Military supplies, etc.
Purchase, preservation, etc.

For military supplies and equipment, including their purchase, repair, preservation, and handling; recreational, school, educational, library, musical, amusement, field sport and gymnasium supplies, equipment, services, and incidental expenses; purchase and marking of prizes for excellence in gunnery and rifle practice, good-conduct badges, medals, and buttons awarded to officers and enlisted men by the Government for conspicuous, gallant, and special service; rental and maintenance of target ranges and entrance fees for competitions, $516,877.

Prizes, badges, etc.

Transportation, etc.

For transportation of troops and applicants for enlistment, including cash in lieu of ferriage and transfers en route; toilet kits for issue to recruits upon their first enlistment and other incidental expenses of the recruiting service; and for transportation for dependents of officers and enlisted men, including travel had during the fiscal years 1935 and 1936, but not in excess of from the last duty station to home, in connection with retirement, $300,000;

Dependents.

Repairs, etc., to barracks, quarters, etc.

For repairs and improvements to barracks, quarters, and other public buildings at posts and stations; for the renting, leasing, and improvement of buildings in the District of Columbia, and at such other places as the public exigencies require, and the erection of temporary buildings upon the approval of the Secretary of the Navy at a total cost of not to exceed $10,000 during the year, $400,000;

Forage, etc.

For forage and stabling of public animals and the authorized number of officers' horses, $25,000;

Contingent.

For miscellaneous supplies, material, equipment, personal and other services, and for other incidental expenses for the Marine Corps not otherwise provided for; purchase, repair, and exchange of typewriters and calculating machines; purchase and repair of furniture and fixtures; repair of motor-propelled passenger-carrying vehicles; and purchase, exchange, and repair of horse-drawn passenger-carrying and other vehicles, including parts; veterinary services and

Vehicles, etc.

Horses, etc.

medicines for public animals and the authorized number of officers' horses; purchase of mounts and horse equipment for all officers below the grade of major required to be mounted; shoeing for public animals and the authorized number of officers' horses; books, newspapers, and periodicals; printing and binding; packing and crating

Funeral expenses.

of officers' allowance of baggage; funeral expenses of officers and enlisted men and accepted applicants for enlistment and retired officers on active duty, including the transportation of their bodies, arms, and wearing apparel from the place of demise to the homes of the deceased in the United States; construction, operation, and maintenance of laundries; and for all emergencies and extraordinary

Proviso.
Purchase of vehicles.

expenses, $2,180,842: *Provided*, That there may be expended out of this appropriation (including the exchange value of any vehicle that may be used as part payment) for the purchase of motor-propelled passenger-carrying vehicles, the gross cost of any one vehicle not to be in excess of the respective amounts as follows: One at $1,800; two at $900 each; nine at $700 each; six station wagons at $700 each; and five motorcycles at $300 each.

Marine Corps Reserve.

Marine Corps Reserve: For clothing, including clothing for aviation cadets, subsistence, heat, light, transportation, and miscellaneous expenses, $219,308;

Accounting.
Proviso.
Group IV (b) employees.

In all, $7,645,575, to be accounted for as one fund: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $80,000.

Replacement of vessels.

REPLACEMENT OF NAVAL VESSELS

Construction and machinery.
Submarines, etc., heretofore authorized.
Vol. 39, p. 616.

Construction and machinery: On account of hulls and outfits of vessels and machinery of vessels, including the re-engining and completion of submarines 170 and 171 (39 Stat. 616), heretofore authorized and appropriated for in part under "Increase of the Navy, Construction and Machinery", including (1) the expenses in connection with continuing the construction of two aircraft carriers, one heavy cruiser, three light cruisers, twenty destroyers, four submarines, and two gunboats which were commenced in the fiscal

Vol. 48, p. 201.
Commencement of designated vessels.
Vol. 48, p. 503.

year 1934 under funds made available from the National Industrial Recovery Act, approved June 16, 1933, and (2) for the commencement of the following vessels authorized by the Act approved March 27, 1934 (48 Stat. 503–505): (a) Twelve destroyers and six submarines,

Conditional capital-ship replacement.

and (b) not more than two capital ships, as replacements of overage capital ships, to be undertaken only in the event that the President determines as a fact that capital-ship-replacement construction is commenced by any of the other signatory powers to the

Vol. 46, p. 2858.

Treaty for the Limitation and Reduction of Naval Armament signed at London, April 22, 1930, $115,300,000, and in addition the unexpended balances on June 30, 1936 of the appropriation "Increase of the Navy, Construction and Machinery" are hereby reappropriated and made available for the purposes of this paragraph, and the total sum herein made available shall remain available until expended:

Balances reappropriated.
Ante, p. 417.

Provisos.
Group IV (b) employees.

Provided, That the sum to be paid out of the amount available for expenditure under the head of "Construction and Machinery" for the fiscal year 1937 for employees in the field service assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed

Technical services, etc.

$3,870,000: *Provided further*, That, of the appropriations made available by this Act under the head of "Replacement of Naval

Vessels", there shall be available such sums as the Secretary of the Navy may from time to time determine to be necessary for the engagement of technical services, and the employment of personnel in the Navy Department and in the field, the purchase of plans, drafting and other supplies, and the expenses of printing and travel, in addition to those otherwise provided for, owing to the construction of vessels which have been, or may hereafter be authorized.

Armor, armament, and ammunition: Toward the armor, armament, and ammunition for vessels hereinbefore described under the head of "Construction and machinery", $53,200,000, and in addition the unexpended balances on June 30, 1936 of the appropriation "Increase of the Navy, Armor, Armament, and Ammunition" are hereby reappropriated and made available for the purposes of this paragraph and the total sum herein made available shall remain available until expended: *Provided*, That the sum to be paid out of the amount available for expenditure under this head for the fiscal year 1937 for employees in the field service assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $1,250,000.

Armor, ammunition, etc., for vessels.
Sums reappropriated.
Ante, p. 417.

Proviso.
Group IV (b) employees.

The appropriations made in this Act for the purchase or manufacture of equipment or material or of a particular class of equipment or material shall be available for the purchase of letters patent, applications for letters patent, licenses under letters patent, and applications for letters patent that pertain to such equipment or material for which the appropriations are made.

Purchase of letters patent, etc.

No part of any appropriation made for the Navy shall be expended for any of the purposes herein provided for on account of the Navy Department in the District of Columbia, including personal services of civilians and of enlisted men of the Navy, except as herein expressly authorized: *Provided*, That there may be detailed to the Bureau of Navigation not to exceed at any one time seven enlisted men of the Navy: *Provided further*, That enlisted men detailed to the Naval Dispensary and the Radio Communication Service shall not be regarded as detailed to the Navy Department in the District of Columbia.

Department use limited.

Provisos.
Details to Bureau of Navigation.
Designated services not regarded as details.

No part of the appropriations made in this Act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person or persons having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch or other time-measuring device a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this Act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant; and no part of the moneys herein appropriated for the Naval Establishment or herein made available therefor shall be used or expended under contracts hereafter made for the repair, purchase, or acquirement, by or from any private contractor, of any naval vessel, machinery, article or articles that at the time of the proposed repair, purchase, or acquirement can be repaired, manufactured, or produced in each or any of the Government navy yards or arsenals of the United States, when time and facilities permit, and when, in the judgment of the Secretary of the Navy, such repair, purchase, acquirement, or production

No pay to officer, etc., using time-measuring device on work of employee.

Cash rewards prohibited.

Repairs, etc., other than at navy yards, etc., restricted.

would not involve an appreciable increase in cost to the Government:

Proviso. Construction, etc., first and alternate vessels at Government yards, factories, etc., required.

Provided, That nothing herein shall be construed as altering or repealing the provisos contained in the Acts to authorize the construction of certain naval vessels, approved February 13, 1929, and March 27, 1934, which provide that the first and succeeding alternate vessels in each category, except the fifteen-thousand-ton aircraft carrier, upon which work is undertaken, together with the main engines, armor, and armament shall be constructed or manufactured in the Government navy yards, naval gun factories, naval ordnance plants, or arsenals of the United States, except such material or parts as are not customarily manufactured in such Government plants.

Vol. 45, p. 1165; Vol. 48, p. 503. U. S. C., p. 1541.

Contractors to furnish estimates.

No part of the funds herein appropriated shall be available to pay a contractor upon any contract for a naval vessel entered into under authority of this Act unless, at the time of filing his bid, he shall also file the estimates upon which such bid was based.

Navy Department.

NAVY DEPARTMENT

SALARIES

Salaries.

For compensation for personal services in the District of Columbia, as follows:

Secretary, Assistant, and civilian personnel in offices, etc., designated.

Office of the Secretary of the Navy: Secretary of the Navy, Assistant Secretary of the Navy, and other personal services, $173,330.

General board, $12,560.

Naval examining and retiring boards, $10,600.

Compensation board, $6,840.

Office of Naval Records and Library, $34,080.

Office of Judge Advocate General, $117,720.

Office of Chief of Naval Operations, $66,020.

Board of Inspection and Survey, $19,840.

Office of Director of Naval Communications, $130,000.

Office of Naval Intelligence, $61,660.

Bureau of Navigation, $473,320.

Hydrographic Office, $400,000.

American Ephemeris, etc.

Naval Observatory, including $2,500 for pay of computers on piecework in preparing for publication the American Ephemeris and Nautical Almanac and in improving the tables of the planets, moon, and stars, $171,140.

Bureau of Engineering, $307,400.

Bureau of Construction and Repair, $347,479.

Bureau of Ordnance, $149,000.

Bureau of Supplies and Accounts, $800,000.

Bureau of Medicine and Surgery, $83,720.

Bureau of Yards and Docks, $276,800.

Bureau of Aeronautics, $344,000.

In all, salaries, Navy Department, $3,985,509.

Salaries limited to average rates under Classification Act. Vol. 42, p. 1488; Vol. 45, p. 776; Vol. 46, p. 1003. U. S. C., p. 85.

In expending appropriations or portions of appropriations contained in this Act, for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the Assistant Secretaries of the Navy, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any

fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

Proviso.
Restriction not applicable to clerical-mechanical service.

No reduction in fixed salaries.
Vol. 42, p. 1490.
Transfer to another position without reduction.

Payment under higher rate permitted.

If only one position in a grade.

CONTINGENT EXPENSES

For professional and technical books and periodicals, law books, and necessary reference books, including city directories, railway guides, freight, passenger, and express tariff books and photostating, for department library; for purchase of photographs, maps, documents, and pictorial records of the Navy, photostating and other necessary incidental expenses in connection with the preparation for publication of the naval records of the war with the Central Powers of Europe; for stationery, furniture, newspapers, plans, drawings, and drawing materials; purchase and exchange of motor trucks or motor-delivery wagons, maintenance, repair, and operation of motor trucks or motor-delivery wagons; garage rent; street-car fares not exceeding $500; freight, expressage, postage, typewriters, and computing machines, and other absolutely necessary expenses of the Navy Department and its various bureaus and offices, $95,000; it shall not be lawful to expend, unless otherwise specifically provided herein, for any of the offices or bureaus of the Navy Department in the District of Columbia, any sum out of appropriations made for the naval service for any of the purposes mentioned or authorized in this paragraph.

Department contingent expenses.

Naval records of the World War.

Naval service appropriations not to be used for department expenses.

PRINTING AND BINDING

For printing and binding for the Navy Department and the Naval Establishment executed at the Government Printing Office, $415,000, including not exceeding $95,000 for the Hydrographic Office and $2,800 for the Naval Reserve Officers' Training Corps.

Printing and binding.

PRINTING HISTORICAL AND NAVAL DOCUMENTS

For continuing the printing of historical and naval documents, including composition, clerical copying in the Navy Department, and other preparatory work, in accordance with the provisions of the appropriation made for the commencement of this work as contained in the Naval Appropriation Act for the fiscal year 1935, $25,000, together with the unexpended balance for this purpose for the fiscal year 1936: *Provided*, That nothing in such Act shall preclude the Public Printer from furnishing one hundred and fifty copies of each volume published to the Library of Congress.

Historical and naval documents.

Vol. 48, p. 414.
Balance reappropriated.
Ante, p. 420.

Proviso.
Copies to Library of Congress.

CONTINGENT AND MISCELLANEOUS EXPENSES, HYDROGRAPHIC OFFICE

Hydrographic Office.

For purchase and printing of nautical books, charts, and sailing directions, copper plates, steel plates, chart paper, packing boxes, chart portfolios, electrotyping copper plates, cleaning copper plates; tools, instruments, power, and material for drawing, engraving, and printing; materials for and mounting charts; reduction of charts by photography; photolithographing charts for immediate use; transfer of photolithographic and other charts to copper; purchase

Contingent and miscellaneous expenses.

Charts, etc.

of equipment for the storage of plates used in making charts and for the storage of Hydrographic Office charts and publications; purchase of one new offset press; modernization, care, and repair to printing presses, furniture, instruments, and tools; extra drawing and engraving; translating from foreign languages; telegrams on public business; preparation of pilot charts and their supplements, and printing and mailing same; purchase of data for charts and sailing directions and other nautical publications; books of reference and works and periodicals relating to hydrography, marine meteorology, navigation, surveying, oceanography, and terrestrial magnetism, and to other professional and technical subjects connected with the work of the Hydrographic Office, $78,000.

Books, etc.

Branches.

For contingent expenses of branch hydrographic offices at Boston, New York, Philadelphia, Baltimore, Norfolk, Savannah, New Orleans, San Francisco, Portland (Oregon), Portland (Maine), Chicago, Cleveland, Detroit, Buffalo, Duluth, Sault Sainte Marie, Seattle, Panama, San Juan (Puerto Rico), Los Angeles, Honolulu, and Galveston, including furniture, fuel, lights, works, and periodicals, relating to hydrography, marine meteorology, navigation, surveying, oceanography and terrestrial magnetism, stationery, miscellaneous articles, rent and care of offices, care of time balls, carfare and ferriage in visiting merchant vessels, freight and express charges, telegrams, and other necessary expenses incurred in collecting the latest information for pilot charts, and for other purposes for which the offices were established, $11,380.

For services of necessary employees at branch offices, $47,220.

Naval Observatory.

CONTINGENT AND MISCELLANEOUS EXPENSES, NAVAL OBSERVATORY

Library.
Apparatus, etc.

For professional and scientific books, books of reference, periodicals, engravings, photographs, and fixtures for the library; for apparatus and instruments, and for repairs of the same; for repairs to buildings (including quarters), fixtures, and fences; for cleaning, repair, and upkeep of grounds and roads; furniture and furnishings for offices and quarters, gas, chemicals, paints, and stationery, including transmission of public documents through the Smithsonian exchange, foreign postage; plants, seeds, and fertilizers; for fuel, oil, grease, pipe, wire, and other materials needed for the maintenance and repair of boilers, engines, heating apparatus, electric lighting and power, and water supply; purchase and maintenance of teams; maintenance, repair, and operation of motor trucks and passenger automobiles, and of horse-drawn vehicles; telegraph and telephone service; and other absolutely necessary expenses, $23,600.

Government-owned automobiles.
Use restricted to official business.

SEC. 2. No part of any money appropriated by this Act shall be used for maintaining, driving, or operating any Government-owned motor-propelled passenger-carrying vehicle not used exclusively for official purposes; and "official purposes" shall not include the transportation of officers and employees between their domiciles and places of employment except in cases of medical officers on outpatient medical service and except in cases of officers and employees engaged in field work the character of whose duties makes such transportation necessary and then only as to such latter cases when the same is approved by the head of the Department. This section shall not apply to any motor vehicle for official use of the Secretary of the Navy, and no other persons connected with the Navy Department or the naval service, except the commander in chief of the United States Asiatic Fleet, Marine Corps officers serving with expeditionary forces in foreign countries, and medical officers on outpatient medical service, shall have a Government-owned motor vehicle assigned for their exclusive use.

Transportation between domicile and place of employment.

Exceptions.

Approved, June 3, 1936.

[CHAPTER 489.]

AN ACT

June 4, 1936.
[H. R. 11418.]
[Public, No. 637.]

Making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1937, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1937, namely:

Department of Agriculture, Farm Credit Administration appropriations, fiscal year, 1937.

TITLE I—DEPARTMENT OF AGRICULTURE

Title I—Department of Agriculture.

OFFICE OF THE SECRETARY

Secretary's office.

SALARIES

For the Secretary of Agriculture, Under Secretary of Agriculture, Assistant Secretary, and for other personal services in the District of Columbia, and elsewhere, $432,271: *Provided*, That in expending appropriations or portions of appropriations contained in this Act for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the Assistant Secretary, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act as amended and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided further*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade, in the same or different bureau, office, or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated: *Provided further*, That the Secretary of Agriculture is authorized to contract for stenographic reporting services, and the appropriations made in this Act shall be available for such purposes: *Provided further*, That the Secretary of Agriculture is authorized to expend from appropriations available for the purchase of lands not to exceed $1 for each option to purchase any particular tract or tracts of land: *Provided further*, That not to exceed $33,400 of the appropriations available for salaries and expenses of officers and employees of the Department of Agriculture permanently stationed in foreign countries may be used for payment of allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a), but the amount so used for any one person shall not exceed the amount permitted by law to be so used, during the same fiscal

Secretary, Under Secretary, Assistant, and other personal services.

Provisos.
Salaries limited to average rates under Classification Act.
Vol. 42, p. 1488; Vol. 45, p. 776; Vol. 46, p. 1003.
U. S. C., p. 85.

Where only one position in grade.

Restriction not applicable to clerical-mechanical service.
No reduction in fixed salaries.
Vol. 42, p. 1490; U. S. C., p. 86.

Transfer to another position without reduction.

Higher rates permitted.

If only one position in a grade.

Contracts for stenographic reporting.

Purchase of options on lands.

Allowances for living quarters abroad.

Vol. 46, p. 818; U. S. C., p. 45.

Use of field work appropriations extended.

year, for any one person in the foreign service of the Department of Commerce: *Provided further*, That hereafter funds available for field work in the Department of Agriculture shall be available for employment by contract or otherwise of men with equipment, boats, work animals, animal-drawn, and motor-propelled vehicles: *Provided further*, That hereafter funds available for field work in the Department of Agriculture may be used for the purchase of arms and ammunition whenever the individual purchase does not exceed $50, and for individual purchases exceeding $50, when such arms and ammunition cannot advantageously be supplied by the Secretary of War pursuant to the Act of March 3, 1879 (20 Stat. 412): *Provided further*, That no part of the funds appropriated by this Act shall be used for the payment of any officer or employee of the Department of Agriculture who, as such officer or employee, or on behalf of the Department or any division, commission, or bureau thereof, issues, or causes to be issued, any prediction, oral or written, or forecast with respect to future prices of cotton or the trend of same.

Purchase of arms and ammunition.

Vol. 20, p. 412.
U. S. C., p. 2262.

Predicting future prices of cotton forbidden.

MISCELLANEOUS EXPENSES, DEPARTMENT OF AGRICULTURE

Department contingent expenses.

For stationery, blank books, twine, paper, gum, dry goods, soap, brushes, brooms, mats, oils, paints, glass, lumber, hardware, ice, furniture, carpets, and mattings; for freight, express charges, advertising and press clippings, telegraphing, telephoning, postage, washing towels; for the maintenance, repair, and operation of one motorcycle and not to exceed three motor-propelled passenger-carrying vehicles (including one for the Secretary of Agriculture, one for general utility needs of the entire Department, and one for the Forest Service) and purchase and exchange of one motor-propelled passenger-carrying vehicle, at a net cost of not to exceed $1,500, for official purposes only; for official traveling expenses, including examination of estimates for appropriations in the field for any bureau, office, or service of the Department; and for other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department, which are authorized by such officer as the Secretary may designate, $120,748: *Provided*, That this appropriation shall be available for the payment of salaries of employees engaged in the maintenance, repair, and operation of motor transport vehicles, and that this appropriation shall be reimbursed from the appropriation made for any bureau or office for which such service is performed, in accordance with the provisions of the Act of May 11, 1922 (42 Stat., p. 508): *Provided further*, That the Secretary of Agriculture, during the fiscal year for which this appropriation is made, may maintain stocks of stationery, supplies, equipment, and miscellaneous materials sufficient to meet, in whole or in part, requirements of the bureaus and offices of the Department in the city of Washington and elsewhere, but not to exceed in the aggregate $200,000 in value at the close of the fiscal year, and the appropriations of such bureaus, offices, and agencies available for the purchase of stationery, supplies, equipment, and miscellaneous materials shall be available to reimburse the appropriation for miscellaneous expenses current at the time supplies are allotted, assigned, or issued, or when payment is received; for transfer for the purchase of inventory; and for transfer pursuant to the provisions of section 601 of the Act approved June 30, 1932 (47 Stat., pp. 417, 418): *Provided further*, That the appropriations made hereunder shall be available for the payment of salaries and expenses for purchasing, storing, handling, packing, or shipping supplies and blank forms, and there shall be charged proportionately as a part of

Vehicles.

Provisos.
Maintenance, etc., of vehicles; transfer of funds authorized.

Vol. 42, p. 508.
Maintenance of stationery, etc., stocks.

Maximum amount.

Reimbursement from other appropriations.

Vol. 47, p. 417; U. S. C., p. 1407.

Employees handling, etc., supplies.

the cost of supplies issued an amount to cover such salaries and expenses, and in the case of blank forms and supplies not purchased from this appropriation an amount to cover such salaries and expenses shall be charged proportionately to the proper appropriation: *Provided further*, That the facilities of the central storehouse of the Department shall to the fullest extent practicable be used to make unnecessary the maintenance of separate bureau storehouse activities in the Department: *Provided further*, That a separate schedule of expenditures, transfers of funds, or other transactions hereunder shall be included in the annual Budget.

Use of central storehouse.

Segregation of transactions.

RENT OF BUILDINGS IN THE DISTRICT OF COLUMBIA

Rent.

For rent of buildings and parts of buildings in the District of Columbia, for use of the various bureaus, divisions, and offices of the Department of Agriculture, $63,000.

Buildings in the District of Columbia.

Total, Office of the Secretary, $616,019.

OFFICE OF THE SOLICITOR

Solicitor's office.

For the employment of personal services in the District of Columbia and elsewhere, and for other necessary expenses, $188,801, of which not to exceed $159,001 may be expended for personal services in the District of Columbia.

Personal services and other expenses.

OFFICE OF INFORMATION

Office of Information.

SALARIES AND EXPENSES

Salaries and expenses.

For necessary expenses in connection with the publication, indexing, illustration, and distribution of bulletins, documents, and reports, including labor-saving machinery and supplies, envelopes, stationery and materials, office furniture and fixtures, photographic equipment and materials, artists' tools and supplies, telephone and telegraph service, freight and express charges; purchase and maintenance of bicycles; purchase of manuscripts; traveling expenses; electrotypes, illustrations, and other expenses not otherwise provided for, $363,282, of which not to exceed $344,260 may be used for personal services in the District of Columbia.

Services in the District.

PRINTING AND BINDING

Printing and binding.

For all printing and binding for the Department of Agriculture, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, $854,250, including the purchase of reprints of scientific and technical articles published in periodicals and journals; the Annual Report of the Secretary of Agriculture, as required by the Act approved January 12, 1895 (U. S. C., title 44, secs. 111, 212–220, 222, 241, 244, 257), and in pursuance of the Joint Resolution Numbered 13, approved March 30, 1906 (U. S. C., title 44, secs. 214, 224), and also including not to exceed $250,000 for farmers' bulletins, which shall be adapted to the interests of the people of the different sections of the country, an equal proportion of four-fifths of which shall be delivered to or sent out under the addressed franks furnished by the Senators, Representatives, and Delegates in Congress, as they shall direct, but not including work done at the field printing plants of the Weather Bureau and the Forest Service authorized by the Joint Committee on Printing, in accordance with the Act approved March 1, 1919 (U. S. C., title 44, secs. 111, 220).

Annual Report of the Secretary.

Vol. 28, p. 612; Vol. 34, p. 825.

U. S. C., pp. 1935, 1944, 1945, 1946, 1947.

Farmers' bulletins.

Exception.

Vol. 40, p. 1270.

U. S. C., pp. 1935, 1945.

Total, Office of Information, $1,217,532.

Library.

LIBRARY, DEPARTMENT OF AGRICULTURE

Salaries and expenses.

Salaries and expenses: For purchase and exchange of books of reference, law books, technical and scientific books, periodicals, and for expenses incurred in completing imperfect series; not to exceed $1,200 for newspapers, and when authorized by the Secretary of Agriculture for dues for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; for salaries in the city of Washington and elsewhere; for official traveling expenses, and for library fixtures, library cards, supplies, and for all other necessary expenses, $103,800, of which amount not to exceed $70,520 may be expended for personal services in the District of Columbia.

Services in the District.

Experiment Stations Office.

OFFICE OF EXPERIMENT STATIONS

PAYMENTS TO STATES, HAWAII, ALASKA, AND PUERTO RICO FOR AGRICULTURAL EXPERIMENT STATIONS

Support of stations. Vol. 24, p. 440. U. S. C., p. 139.

To carry into effect the provisions of an Act approved March 2, 1887 (U. S. C., title 7, secs. 362, 363, 365, 368, 377–379), entitled "An Act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an Act approved July 2, 1862 (U. S. C., title 7, secs. 301–308), and of the Acts supplementary thereto", the sums apportioned to the several States, to be paid quarterly in advance, $720,000.

College-aid land grants. Vol. 12, p. 503. U. S. C., p. 135.

Allotment of additional appropriations. Vol. 34, p. 63. U. S. C., p. 139.

To carry into effect the provisions of an Act approved March 16, 1906 (U. S. C., title 7, sec. 369), entitled "An Act to provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof", and Acts supplementary thereto, the sums apportioned to the several States to be paid quarterly in advance, $720,000.

Further allotments. Vol. 43, p. 970. U. S. C., p. 139.

To carry into effect the provisions of an Act entitled "An Act to authorize the more complete endowment of agricultural experiment stations", approved February 24, 1925 (U. S. C., title 7, secs. 361, 366, 370, 371, 373–376, 380, 382), $2,880,000.

Hawaii. Vol. 45, p. 571. U. S. C., p. 142.

Hawaii: To carry into effect the provisions of an Act entitled "An Act to extend the benefits of certain Acts of Congress to the Territory of Hawaii", approved May 16, 1928 (U. S. C., title 7, secs. 386–386b), $50,000.

Alaska. Vol. 45, p. 1256. U. S. C., p. 141.

Alaska: To carry into effect the provisions of an Act entitled "An Act to extend the benefits of the Hatch Act and the Smith-Lever Act to the Territory of Alaska", approved February 23, 1929 (U. S. C., title 7, sec. 386c), $15,000.

Puerto Rico. Vol. 46, p. 1520. U. S. C., p. 141.

Puerto Rico: To carry into effect the provisions of an Act entitled "An Act to coordinate the agricultural experiment station work and to extend the benefits of certain Acts of Congress to the Territory of Puerto Rico", approved March 4, 1931 (U. S. C., title 7, secs. 386d–386f), $35,000.

Research into basic agricultural laws and principles.

For payments to States, Hawaii, Alaska, and Puerto Rico, pursuant to authorizations contained in title 1 of an Act entitled "An Act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges", approved June 29, 1935 (49 Stat., pp. 436–439), $1,200,000.

Ante, p. 436.

Total.

In all, payments to States, Hawaii, Alaska, and Puerto Rico for agricultural experiment stations, $5,620,000.

SALARIES AND EXPENSES

Salaries and expenses.

Administration of stations, etc.
Vol. 24, p. 440; Vol. 34, p. 63; Vol. 43, p. 970; Vol. 45, pp. 571, 1256; Vol. 46, p. 1520. U. S. C., pp. 138-141.

To enable the Secretary of Agriculture to enforce the provisions of the Acts approved March 2, 1887 (U. S. C., title 7, secs. 362, 363, 365, 368, 377–379), March 16, 1906 (U. S. C., title 7, secs. 369, 375), February 24, 1925 (U. S. C., title 7, secs. 361, 366, 370, 371, 373–376, 380, 382), May 16, 1928 (U. S. C., title 7, secs. 386–386b), February 23, 1929 (U. S. C., title 7, sec. 386c), and March 4, 1931 (U. S. C., title 7, secs. 386d–386f), and Acts amendatory or supplementary thereto, relative to their administration and for the administration of agricultural experiment stations in Hawaii and Puerto Rico, including the employment of clerks, assistants, and other persons in the city of Washington and elsewhere, freight and express charges, official traveling expenses, office fixtures, supplies, apparatus, telegraph and telephone service, gas, electric current, and rent outside the District of Columbia, $161,735; and the Secretary of Agriculture shall prescribe the form of the annual financial statement required under the above Acts, ascertain whether the expenditures are in accordance with their provisions, coordinate the research work of the Department of Agriculture and coordinate the research work of the Department with that of the State agricultural colleges and experiment stations in the lines authorized in said Acts, and make report thereon to Congress.

Hawaii and Puerto Rico.

Rent.

Annual financial statements, forms.

Insular experiment stations: To enable the Secretary of Agriculture to establish and maintain agricultural experiment stations in Hawaii and Puerto Rico, including the erection of buildings, the preparation, illustration, and distribution of reports and bulletins, and all other necessary expenses, $69,311, as follows: $12,066 for Hawaii, and $57,245 for Puerto Rico: *Provided*, That the Secretary of Agriculture may, at his discretion, transfer such equipment, including the library, of the Hawaii Experiment Station, as he may deem necessary and advisable to the experiment station of the University of Hawaii, conducted jointly and in collaboration with the Federal station under the Act of May 16, 1928 (U. S. C., title 7, secs. 386–386b); and the Secretary of Agriculture is authorized to sell such products as are obtained on the land belonging to the agricultural experiment stations in Hawaii and Puerto Rico, and the amount obtained from the sale thereof shall be covered into the Treasury of the United States as miscellaneous receipts.

Insular experiment stations.

Proviso.
Transfer of equipment authorized.

Vol. 45, p. 571. U. S. C., p. 141.

Sale of products; use of receipts.

In all, salaries and expenses, $231,046.

Total, Office of Experiment Stations, $5,851,046, of which amount not to exceed $150,105 may be expended for personal services in the District of Columbia, and not to exceed $2,250 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Services in the District.

Vehicles for field work.

SPECIAL RESEARCH FUND, DEPARTMENT OF AGRICULTURE

Special research fund; administrative expenses.

For enabling the Secretary of Agriculture to carry into effect the provisions of an Act entitled "An Act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges", approved June 29, 1935 (49 Stat., pp. 436–439); for administration of the provisions of section 5 of the said Act, and for special research work, including the planning, programming, and coordination of such research, to be conducted by such agencies of

Ante, p. 436.
Administration of stations.

the Department of Agriculture as the Secretary of Agriculture may designate or establish, and to which he may make allotments from this fund, including the employment of persons and means in the District of Columbia and elsewhere, and the purchase, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia, $800,000.

Extension Service.

EXTENSION SERVICE

PAYMENTS TO STATES, HAWAII, AND ALASKA

Cooperative extension work, allotments.

Vol. 38, p. 372; Vol. 45, pp. 571, 711. U. S. C., p. 137.

Agricultural colleges. Vol. 12, p. 503. U. S. C., p. 135.

Use of funds.

For cooperative agricultural extension work, to be allotted, paid, and expended in the same manner, upon the same terms and conditions, and under the same supervision as the additional appropriations made by the Act of May 8, 1914 (U. S. C., title 7, secs. 341–348), entitled "An Act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving benefits of an Act of Congress approved July 2, 1862 (U. S. C., title 7, secs. 301–308), and of Acts supplementary thereto, and the United States Department of Agriculture", $1,185,000; and all sums appropriated by this Act for use for demonstration or extension work within any State shall be used and expended in accordance with plans mutually agreed upon by the Secretary of Agriculture and the proper officials of the college in such State which receives the benefits of said Act of May 8, 1914: *Provided*, That of the above appropriation not more than $300,000 shall be expended for purposes other than salaries of county agents.

Proviso. County agents, salaries.

Further cooperation with State colleges.

To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to provide for the further development of agricultural extension work between the agricultural colleges in the several States receiving the benefits of the Act entitled 'An Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and mechanic arts', approved July 2, 1862 (U. S. C., title 7, secs. 301–308), and all Acts supplementary thereto, and the United States Department of Agriculture", approved May 22, 1928 (U. S. C., title 7, secs. 343a, 343b), $1,480,000.

Vol. 12, p. 503; Vol. 38, p. 372; Vol. 45, p. 711; Vol. 46, p. 83. U. S. C., pp. 135, 138.

Cooperative State agricultural extension work. *Ante*, p. 438.

To enable the Secretary of Agriculture to carry into effect the provisions of section 21, title II, of the Act entitled "An Act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges", approved June 29, 1935 (49 Stat., pp. 436–439), $9,000,000.

Extension work in Alaska. Vol. 45, p. 1256. U. S. C., p. 141.

Alaska: To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to extend the benefits of the Hatch Act and the Smith-Lever Act to the Territory of Alaska", approved February 23, 1929 (U. S. C., title 7, sec. 386c), $13,918.

Additional cooperative extension work.

Additional cooperative agricultural extension work: For additional cooperative agricultural extension work, including employment of specialists in economics and marketing, to be allotted and paid by the Secretary of Agriculture to the several States and the Territory of Hawaii in such amounts as he may deem necessary to accomplish such purposes, $750,000: *Provided*, That for the fiscal year 1937 the Secretary is authorized and directed to so allot this appropriation to the several States that, taken into consideration

Proviso. Allotments for 1937.

with the allotments of other Federal funds appropriated for payments to States for cooperative extension work, the total allotment to each State from all funds so appropriated shall not be less than for the fiscal year 1936.

In all, payments to States, Hawaii, and Alaska for agricultural extension work, $12,428,918. Total.

SALARIES AND EXPENSES

General administrative expenses: For necessary expenses for general administrative purposes, including personal services in the District of Columbia, $126,246. Administrative expenses.

Farmers' cooperative demonstration work: For farmers' cooperative demonstration work, including special suggestions of plans and methods for more effective dissemination of the results of the work of the Department of Agriculture and the agricultural experiment stations and of improved methods of agricultural practice, at farmers' institutes and in agricultural instruction, and for such work on Government reclamation projects, and for personal services in the city of Washington and elsewhere, supplies, and all other necessary expenses, $554,670: *Provided*, That the expense of such service shall be defrayed from this appropriation and such cooperative funds as may be voluntarily contributed by State, county, and municipal agencies, associations of farmers, and individual farmers, universities, colleges, boards of trade, chambers of commerce, other local associations of businessmen, business organizations, and individuals within the State. Farmers' cooperative demonstration work. Farmers' institutes, etc. *Proviso.* Voluntary contributions within State accepted.

Motion pictures: For the preparation and distribution of motion and sound pictures, and sound recordings, as a means of disseminating information to farmers and others on the results of scientific research of the Department, and of teaching improved methods and practices in agriculture, home economics, and other subjects related to the work of the Department of Agriculture; including the employment of persons and means in the District of Columbia and elsewhere, $79,000. Motion and sound pictures. Preparation and distribution.

Agricultural exhibits at fairs: To enable the Secretary of Agriculture to make suitable agricultural exhibits at State, interstate, and international fairs held within the United States; for the purchase of necessary supplies and equipment; for telephone and telegraph service, freight and express charges; for travel, and for every other expense necessary, including the employment of assistance in or outside the city of Washington, $85,000. Agricultural exhibits at fairs.

Cooperative farm forestry: For cooperation with appropriate officials of the various States or with other suitable agencies to assist the owners of farms in establishing, improving, and renewing wood lots, shelter belts, windbreaks, and other valuable forest growth, and in growing and renewing useful timber crops under the provisions of section 5 of the Act entitled "An Act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor", approved June 7, 1924 (U. S. C., title 16, secs. 564–570), including personal services in the District of Columbia, $56,838. Cooperative farm forestry. Timber growth. Vol. 43, p. 654. U. S. C., p. 609.

In all, salaries and expenses, $901,754, of which amount not to exceed $582,896 may be expended for personal services in the District of Columbia. Services in the District.

Total, Extension Service, $13,330,672.

Grand total, office of the Secretary of Agriculture, $22,107,870.

Weather Bureau.

WEATHER BUREAU

SALARIES AND EXPENSES

Salaries and expenses. *Post*, p. 1617.

For carrying into effect in the District of Columbia and elsewhere in the United States, in the West Indies, in the Panama Canal, the Caribbean Sea, and on adjacent coasts, in the Hawaiian Islands, in Bermuda, and in Alaska the provisions of an Act approved October 1, 1890 (U. S. C., title 15, secs. 311–313, 317), so far as they relate to the weather service transferred thereby to the Department of Agriculture, and the amendment thereof contained in section 5 (e) of the Air Commerce Act of 1926 (U. S. C., title 15, sec. 313), for the employment of professors of meteorology, district forecasters, local forecasters, meteorologists, section directors, observers, apprentices, operators, skilled mechanics, instrument makers, foremen, assistant foremen, proofreaders, compositors, pressmen, lithographers, folders and feeders, repair men, station agents, messengers, messenger boys, laborers, special observers, display men, and other necessary employees; for fuel, gas, electricity, freight and express charges, furniture, stationery, ice, dry goods, twine, mats, oil, paints, glass, lumber, hardware, and washing towels; for advertising; for purchase, subsistence, and care of horses and vehicles, the purchase and repair of harness, for official purposes only; for instruments, shelters, apparatus, storm-warning towers and repairs thereto; for rent of offices; for repair, alterations, and improvements to existing buildings and care and preservation of grounds, including the construction of necessary outbuildings and sidewalks on public streets, abutting Weather Bureau grounds; and the erection of temporary buildings for living quarters of observers; for official traveling expenses; for telephone rentals, and for telegraphing, telephoning, and cabling reports and messages, rates to be fixed by the Secretary of Agriculture by agreement with the companies performing the service; for the maintenance and repair of Weather Bureau telegraph, telephone, and cable lines; and for every other expenditure required for the establishment, equipment, and maintenance of meteorological offices and stations and for the issuing of weather forecasts and warnings of storms, cold waves, frosts, and heavy snows, the gaging and measuring of the flow of rivers and the issuing of river forecasts and warnings; for observations and reports relating to crops; and for other necessary observations and reports, including cooperation with other bureaus of the Government and societies and institutions of learning for the dissemination of meteorological information, as follows:

Vol. 26, p. 653. U. S. C., p. 562.

Air navigation reports. Vol. 44, p. 571. U. S. C., p. 563.

Personal services.

Contingent expenses.

Telegraphing, etc.

Issuing forecasts and warnings.

Cooperation with other bureaus, etc.

Administrative expenses.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, $138,280.

General weather service and research.

General weather service and research: For necessary expenses incident to collecting and disseminating meteorological, climatological, and marine information, and for investigations in meteorology, climatology, seismology, evaporation, and aerology in the District of Columbia and elsewhere, including $3,930 for investigations of the relationship of weather conditions to forest fires, under section 6 of the Act approved May 22, 1928 (U. S. C., title 16, sec. 581e), $2,228,655, of which not to exceed $800 may be expended for the contribution of the United States to the cost of the office of the secretariat of the International Meteorological Committee, and not to exceed $10,000 may be expended for the maintenance of a printing office in the city of Washington for the printing of weather maps, bulle-

Weather relationship to forest fires. Vol. 45, p. 701. U. S. C., p. 672.

International Meteorological Committee; contribution.

Printing office.

tins, circulars, forms, and other publications: *Provided*, That no printing shall be done by the Weather Bureau that can be done at the Government Printing Office without impairing the service of said Bureau.

Proviso. Printing restrictions.

Aerology: For the maintenance of stations for observing, measuring, and investigating atmospheric phenomena, including salaries and other expenses, in the city of Washington and elsewhere, $1,494,089.

Aerological stations.

Total, Weather Bureau, $3,861,024, of which amount not to exceed $518,359 may be expended for personal services in the District of Columbia.

Services in the District.

BUREAU OF ANIMAL INDUSTRY

Animal Industry Bureau.

SALARIES AND EXPENSES

For carrying out the provisions of the Act approved May 29, 1884 (U. S. C., title 7, sec. 391; title 21, secs. 112–119, 130), establishing a Bureau of Animal Industry, and the provisions of the Act approved March 3, 1891 (U. S. C., title 45, secs. 75, 76), providing for the safe transport and humane treatment of export cattle from the United States to foreign countries, and for other purposes; the Act approved August 30, 1890 (U. S. C., title 21, secs. 101–105), providing for the importation of animals into the United States, and for other purposes; and the provisions of the Act approved February 2, 1903 (U. S. C., title 21, secs. 111–113, 120–122), to enable the Secretary of Agriculture to more effectually suppress and prevent the spread of contagious and infectious diseases of livestock, and for other purposes; and also the provisions of the Act approved March 3, 1905 (U. S. C., title 21, secs. 123–128), to enable the Secretary of Agriculture to establish and maintain quarantine districts, to permit and regulate the movement of cattle and other livestock therefrom, and for other purposes; and for carrying out the provisions of the Act of June 29, 1906 (U. S. C., title 45, secs. 71–74), entitled "An Act to prevent cruelty to animals while in transit by railroad or other means of transportation"; and for carrying out the provisions of the Act approved March 4, 1913 (U. S. C., title 21, secs. 151–158), regulating the preparation, sale, barter, exchange, or shipment of any virus, serum, toxin, or analogous products manufactured in the United States and the importation of such products intended for use in the treatment of domestic animals; and for carrying out the provisions of the Packers and Stockyards Act, approved August 15, 1921 (U. S. C., title 7, secs. 181–229); and the Secretary of Agriculture, upon application of any exporter, importer, packer, owner, agent of, or dealer in livestock, hides, skins, meat, or other animal products, may, in his discretion, make inspections and examinations at places other than the headquarters of inspectors for the convenience of said applicants and charge the applicants for the expenses of travel and subsistence incurred for such inspections and examinations, the funds derived from such charges to be deposited in the Treasury of the United States to the credit of the appropriation from which the expenses are paid; and to enable the Secretary of Agriculture to collect and disseminate information concerning livestock and animal products; to prepare and disseminate reports on animal industry; to employ and pay from the appropriation herein made as many persons in the city of Washington or elsewhere as he may deem necessary; to purchase in the open market samples of all tuberculin, serums, antitoxins, or analogous

General expenses. Vol. 23, p. 31. U. S. C., pp. 142, 927, 930. Vol. 26, p. 833. U. S. C., p. 1960. Vol. 26, p. 414. U. S. C., p. 926.

Contagious diseases, etc. Vol. 32, p. 792. U. S. C., p. 927.

Cattle quarantine. Vol. 33, p. 1264. U. S. C., p. 929.

Twenty-eight hour law. Vol. 34, p. 607. U. S. C., p. 1960.

Animal viruses, etc. Vol. 37, p. 832. U. S. C., p. 931.

Packers and Stockyards Act. Vol. 42, p. 159. U. S. C., p. 125.

Inspections other than at headquarters.

Fees credited to appropriate fund.

Collecting and disseminating information.

Pay of employees.

Tuberculin, serums, etc.

products, of foreign or domestic manufacture, which are sold in the United States, for the detection, prevention, treatment, or cure of diseases of domestic animals, to test the same, and to disseminate the results of said tests in such manner as he may deem best; to purchase and destroy diseased or exposed animals, including poultry, or quarantine the same whenever in his judgment essential to prevent the spread of pleuropneumonia, tuberculosis, contagious poultry diseases, or other diseases of animals from one State to another, as follows:

Purchase and destruction of diseased, etc., animals.

General administrative expenses.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, $178,220.

Animal husbandry.
Feeding, breeding, etc., experiments.

Animal husbandry: For all necessary expenses for investigations and experiments in animal husbandry; for experiments in animal feeding and breeding, including cooperation with the State agricultural experiment stations and other agencies, including repairs and additions to and erection of buildings absolutely necessary to carry on the experiments, including the employment of labor in the city of Washington and elsewhere, rent outside the District of Columbia, and all other necessary expenses, $769,503, including $12,500 for livestock experiments and demonstrations at Big Springs or elsewhere in Texas, to be available only when the State of Texas, or other cooperating agency in Texas shall have appropriated an equal amount or, in the opinion of the Secretary of Agriculture, shall have furnished its equivalent in value in cooperation for the same purpose during the fiscal year ending June 30, 1936: *Provided*, That of the sum thus appropriated $240,180 may be used for experiments in poultry feeding and breeding, of which amount $40,000 may be used in cooperation with State authorities in the administration of regulations for the improvement of poultry, poultry products, and hatcheries.

Big Springs, Tex., cooperative demonstrations, etc.

Condition.

Proviso.
Poultry feeding and breeding.

Animal disease investigations.
Beltsville, Md., station.
Bethesda, Md., station.

Diseases of animals: For all necessary expenses for scientific investigations of diseases of animals, including the construction of necessary buildings at Beltsville, Maryland, the maintenance of the bureau experiment station at Bethesda, Maryland, and the necessary expenses for investigations of tuberculin, serums, antitoxins, and analogous products, $437,775: *Provided*, That of said sum $78,182 may be used for researches concerning the cause, modes of spread, and methods of treatment and prevention of the disease of contagious abortion of animals.

Proviso.
Contagious abortion of animals.

Eradicating tuberculosis, etc.

Eradicating tuberculosis: For the control and eradication of the diseases of tuberculosis and paratuberculosis of animals, and avian tuberculosis, for the tuberculin testing of animals, including demonstrations, the formation of organizations, and such other means as may be necessary, either independently or in cooperation with farmers, associations, or State, Territory, or county authorities, $1,500,000, of which $1,103,116 shall be set aside for administrative and operating expenses and $396,884 for the payment of indemnities: *Provided*, That in carrying out the purpose of this appropriation, if in the opinion of the Secretary of Agriculture it shall be necessary to condemn and destroy tuberculous or paratuberculous cattle, if such animals have been destroyed, condemned, or die after condemnation, he may, in his discretion, and in accordance with such rules and regulations as he may prescribe, expend in the city of Washington or elsewhere such sums as he shall determine to be necessary, within the limitations above provided, for the payment of indemnities, for the reimbursement of owners of such animals, in cooperation with such States, Territories, counties, or municipalities, as

Provisos.
Indemnities for animals destroyed.

Cooperation with States, etc.

shall by law or by suitable action in keeping with its authority in the matter, and by rules and regulations adopted and enforced in pursuance thereof, provide inspection of tuberculous or paratuberculous cattle and for compensation to owners of cattle so condemned, but no part of the money hereby appropriated shall be used in compensating owners of such cattle except in cooperation with and supplementary to payments to be made by State, Territory, county, or municipality where condemnation of such cattle shall take place, nor shall any payment be made hereunder as compensation for or on account of any such animal if at the time of inspection or test, or at the time of condemnation thereof, it shall belong to or be upon the premises of any person, firm, or corporation to which it has been sold, shipped, or delivered for the purpose of being slaughtered: *Provided further*, That out of the money hereby appropriated no payment as compensation for any cattle condemned for slaughter shall exceed one-third of the difference between the appraised value of such cattle and the value of the salvage thereof; that no payment hereunder shall exceed the amount paid or to be paid by the State, Territory, county, and municipality where the animal shall be condemned; that in no case shall any payment hereunder be more than $25 for any grade animal or more than $50 for any purebred animal, and that no payment shall be made unless the owner has complied with all lawful quarantine regulations.

Compensation limited.

Eradicating cattle ticks: For all necessary expenses for the eradication of southern cattle ticks, $513,940: *Provided*, That, except upon the written order of the Secretary of Agriculture, no part of this appropriation shall be used for the purchase of animals or in the purchase of materials for or in the construction of dipping vats upon land not owned solely by the United States, except at fairs or expositions where the Department of Agriculture makes exhibits or demonstrations; nor shall any part of this appropriation be used in the purchase of materials or mixtures for use in dipping vats except in experimental or demonstration work carried on by the officials or agents of the Bureau of Animal Industry.

Eradicating southern cattle ticks.
Proviso.
Purchase of animals, etc., limited.

Mixtures for dipping vats.

Eradicating dourine: For all necessary expenses for the investigation, treatment, and eradication of dourine, $8,613.

Eradicating dourine.

Hog cholera control: For the control and eradication of hog cholera and related swine diseases, by such means as may be necessary, including demonstrations, the formation of organizations, and other methods, either independently or in cooperation with farmers' associations, State or county authorities, $127,192.

Hog cholera control.

Inspection and quarantine: For inspection and quarantine work, including all necessary expenses for the eradication of scabies in sheep and cattle, the inspection of southern cattle, the supervision of the transportation of livestock, and the inspection of vessels, the execution of the twenty-eight-hour law, the inspection and quarantine of imported animals, including the establishment and maintenance of quarantine stations and repairs, alterations, improvements, or additions to buildings thereon; the inspection work relative to the existence of contagious diseases, and the mallein testing of animals, $669,935.

Inspection and quarantine work.

Mallein testing of animals.

Meat inspection: For expenses in carrying out the provisions of the Meat Inspection Act of June 30, 1906 (U. S. C., title 21, sec. 95), as amended by the Act of March 4, 1907 (U. S. C., title 21, secs. 71–94), as extended to equine meat by the Act of July 24, 1919 (U. S. C., title 21, sec. 96), and as authorized by section 2 (a) of the Act of June 26, 1934 (48 Stat. 1224), including the purchase of tags, labels, stamps, and certificates printed in course of manufacture, $5,258,194.

Meat inspection.
Vol. 34, pp. 679, 1260.
U. S. C., pp. 926, 923.

Equine meat.
Vol. 41, p. 241.
U. S. C., p. 926.
Vol. 48, p. 1225.
U. S. C., p. 1411.

Virus-Serum-Toxin Act.
Vol. 37, p. 832.
U. S. C., p. 931.

Virus-Serum-Toxin Act: For carrying out the provisions of the Act approved March 4, 1913 (U. S. C., title 21, secs. 151–158), regulating the preparations, sale, barter, exchange, or shipment of any virus, serum, toxin, or analogous product manufactured in the United States and the importation of such products intended for use in the treatment of domestic animals, $218,712.

Packers and Stockyards Act.
Vol. 42, p. 159; U. S. C., p. 125.
Ante, p. 648.
Provisos.
Bonds from agencies and dealers.

Packers and Stockyards Act: For necessary expenses in carrying out the provisions of the Packers and Stockyards Act, approved August 15, 1921 (U. S. C., title 7, secs. 181–229), as amended by the Act of August 14, 1935 (49 Stat., pp. 648, 649), $381,879: *Provided*, That the Secretary of Agriculture may require reasonable bonds from every market agency and dealer, under such rules and regulations as he may prescribe to secure the performance of their obligations, and whenever, after due notice and hearing, the Secretary finds any registrant is insolvent or has violated any provisions of said Act he may issue an order suspending such registrant for a reasonable specified period. Such order of suspension shall take effect within not less than five days, unless suspended or modified or set aside by the Secretary of Agriculture or a court of competent jurisdiction: *Provided further*, That the Secretary of Agriculture may, whenever necessary, authorize the charging and collection from owners of a reasonable fee for the inspection of brands appearing upon livestock subject to the provisions of the said Act for the purpose of determining the ownership of such livestock: *Provided further*, That such fee shall not be imposed except upon written request made to the Secretary of Agriculture by the Board of Livestock Commissioners, or duly organized livestock association of the States from which such livestock have originated or been shipped to market.

Suspension for violation.

Fee for inspecting brands.

Not imposed unless requested.

Contagious diseases of animals.

ERADICATION OF FOOT-AND-MOUTH AND OTHER CONTAGIOUS DISEASES OF ANIMALS

Emergency eradication, foot-and-mouth, etc., diseases.

Use of unexpended balances.

Payment for destroyed animals.

Provisos.
Appraisement based on meat, etc., value.

Limitation.

In case of an emergency arising out of the existence of foot-and-mouth disease, rinderpest, contagious pleuropneumonia, or other contagious or infectious disease of animals, which, in the opinion of the Secretary of Agriculture, threatens the livestock industry of the country, he may expend in the city of Washington or elsewhere, any unexpended balances of appropriations heretofore made for this purpose in the arrest and eradication of any such disease, including the payment of claims growing out of past and future purchases and destruction, in cooperation with the States, of animals affected by or exposed to, or of materials contaminated by or exposed to, any such disease, wherever found and irrespective of ownership, under like or substantially similar circumstances, when such owner has complied with all lawful quarantine regulations: *Provided*, That the payment for animals hereafter purchased may be made on appraisement based on the meat, dairy, or breeding value, but in case of appraisement based on breeding value no appraisement of any animal shall exceed three times its meat or dairy value, and, except in case of an extraordinary emergency, to be determined by the Secretary of Agriculture, the payment by the United States Government for any animals shall not exceed one-half of any such appraisements: *Provided further*, That the sum of $5,000 of the unexpended balance of the appropriation of $3,500,000 contained in the Second Deficiency Appropriation Act, fiscal year 1924, approved December 5, 1924, for the eradication of the foot-and-mouth disease and other contagious or infectious diseases of animals, is hereby made available during the fiscal year 1937 to enable the Secretary of Agriculture to control and eradicate the European fowl pest and similar diseases in poultry.

Eradicating European fowl pest, etc.
Vol. 43, p. 682.

Total, Bureau of Animal Industry, $10,063,963, of which amount not to exceed $797,129 may be expended for departmental personal services in the District of Columbia, and not to exceed $54,300 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Total.
Services in the District.
Vehicles.

BUREAU OF DAIRY INDUSTRY

Dairy Industry Bureau.

SALARIES AND EXPENSES

For carrying out the provisions of the Act approved May 29, 1924 (U. S. C., title 7, secs. 401–404), establishing a Bureau of Dairying, for salaries in the city of Washington and elsewhere, and for all other necessary expenses, as follows:

Salaries and expenses.
Vol. 43, p. 243.
U. S. C., p. 142.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of the chief of bureau and other personal services in the District of Columbia, $67,995.

Administrative expenses.

Dairy investigations: For conducting investigations, experiments, and demonstrations in dairy industry, cooperative investigations of the dairy industry in the various States, and inspection of renovated-butter factories, including repairs to buildings, not to exceed $5,000 for the construction of buildings, $629,099.

Investigations, demonstrations, etc.

Total, Bureau of Dairy Industry, $697,094, of which amount not to exceed $313,020 may be expended for personal services in the District of Columbia, and not to exceed $5,400 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Services in the District.
Vehicles.

BUREAU OF PLANT INDUSTRY

Plant Industry Bureau.

SALARIES AND EXPENSES

Salaries and expenses.

For all necessary expenses in the investigation of fruits, fruit trees, grain, cotton, tobacco, vegetables, grasses, forage, drug, medicinal, poisonous, fiber, and other plants and plant industries in cooperation with other branches of the Department, the State experiment stations, and practical farmers, and for the erection of necessary farm buildings: *Provided*, That the cost of any building erected shall not exceed $1,500; for field and station expenses, including fences, drains, and other farm improvements; for repairs in the District of Columbia and elsewhere; for rent outside the District of Columbia; and for the employment of all investigators, local and special agents, agricultural explorers, experts, clerks, illustrators, assistants, and all labor and other necessary expenses in the city of Washington and elsewhere required for the investigations, experiments, and demonstrations herein authorized, as follows:

Investigating fruits, plants, products, etc.
Proviso.
Cost limit for buildings.
Field, etc., expenses.
Investigators, agents, etc.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, $189,242.

Administrative expenses.

Arlington Farm: For continuing the necessary improvements to establish and maintain a general experiment farm and agricultural station on the Arlington estate, in the State of Virginia, in accordance with the provisions of the Act of Congress approved April 18, 1900 (31 Stat., pp. 135, 136), $49,414: *Provided*, That the limitations in this Act as to the cost of farm buildings shall not apply to this paragraph.

Arlington, Va., experimental farm, etc.
Vol. 31, p. 135.
Proviso.
Cost limitation not applicable.

Wild plants and grazing lands.

Botany: For investigation, improvement, and utilization of wild plants and grazing lands, and for determining the distribution of

Eradicating noxious weeds.

weeds and means of their control, $76,635, of which $40,000 shall be expended for scientific investigation concerning control and eradication of white top, bind weed, and other noxious weeds.

Cereal crops and diseases, investigations, etc.

Flax, broomcorn, etc.

Cereal crops and diseases: For the investigation and improvement of cereals, including corn, and methods of cereal production and for the study and control of cereal diseases, and for the investigation of the cultivation and breeding of flax for seed purposes, including a study of flax diseases, and for the investigation and improvement of broomcorn and methods of broomcorn production, $520,721.

Cotton, etc., production and diseases.

Cotton and other fiber crops and diseases: For investigation of the production of cotton and other fiber crops, including the improvement by cultural methods, breeding, and selection, fiber yield

Sea Island cotton, etc.

and quality, and the control of diseases, $406,435, of which sum not exceeding $15,000 shall be used for experimenting in Sea Island cotton, including its hybridization with other varieties.

Drug, etc., plants.

Drug and related plants: For the investigation, testing, and improvement of plants yielding drugs, spices, poisons, oils, and related products and byproducts, $47,139.

Dry-land, etc., agriculture.

Dry-land agriculture: For the investigation and improvement of methods of crop production under subhumid, semiarid, or dry-land

Proviso.
New field stations forbidden.

conditions, $215,578: *Provided*, That no part of this appropriation shall be used for the establishment of any new field station.

Experimental greenhouses.

Experimental greenhouse maintenance: For maintenance and operation of experimental greenhouses and adjacent experimental grounds and plots, $78,632.

Forage crops and diseases.

Forage crops and diseases: For the purchase, propagation, testing, and distribution of new and rare seeds; for the investigation and improvement of grasses, alfalfa, clover, and other forage crops, including the investigation and control of diseases, $300,193.

Forest pathology.

Forest pathology: For the investigation of diseases of forest and ornamental trees and shrubs, including a study of the nature and habits of the parasitic fungi causing the chestnut-tree bark disease, the white-pine blister rust, and other epidemic tree diseases, for the purpose of discovering new methods of control and applying methods of eradication or control already discovered, and including $127,357 for investigations of diseases of forest trees and forest products,

Vol. 45, p. 701.
U. S. C., p. 672.

under section 3 of the Act approved May 22, 1928 (U. S. C., title 16, sec. 581b), $252,092.

Fruit and vegetable crops and diseases, investigations, etc.

Fruit and vegetable crops and diseases: For investigation and control of diseases, for improvement of methods of culture, propagation, breeding, selection, and related activities concerned with the production of fruits, nuts, vegetables, ornamentals, and related plants, for investigation of methods of harvesting, packing, shipping, storing and utilizing these products, and for studies of the physiological and related changes of such products during processes of marketing and while in commercial storage, $1,140,454, of which $3,600 shall be immediately available.

Genetics and biophysics.

Genetics and biophysics: For biophysical investigations in connection with the various lines of work herein authorized, $31,675.

Mycology and disease survey.

Mycology and disease survey: For mycological collections and the maintenance of a plant-disease survey, $45,818.

National Arboretum.
Vol. 44, p. 1422.
U. S. C., p. 914.

National Arboretum: For the maintenance of the National Arboretum established under the provisions of the Act entitled "An Act authorizing the Secretary of Agriculture to establish a National Arboretum, and for other purposes", approved March 4, 1927 (U. S. C., title 20, secs. 191–194), including the erection of buildings, salaries in the city of Washington and elsewhere, traveling expenses

of employees and advisory council, and other necessary expenses, $34,307, of which such amounts as may be necessary may be expended by contract or otherwise for the services of consulting landscape architects without reference to the Classification Act of 1923, as amended, or civil-service rules. Landscape architects.

Nematology: For crop technological investigations, including the study of plant-infesting nematodes, $43,961. Nematology.

Plant exploration and introduction: For investigations in seed and plant introduction, including the study, collection, purchase, testing, propagation, and distribution of rare and valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants from foreign countries and from our possessions, and for experiments with reference to their introduction and cultivation in this country, $204,483. Plant exploration and introduction.

Plant nutrition: For plant-nutrition investigations, $16,024. Plant nutrition investigations.

Rubber and other tropical plants: For investigation of crops, from tropical regions, and for the study and improvement of rubber plants by cultural methods, breeding, acclimatization, adaptation, and selection, and for investigation of their diseases, $46,749. Rubber, etc., plants.

Seed investigations: For studying and testing commercial seeds, including the testing of samples of seeds of grasses, clover, or alfalfa, and lawn-grass seeds secured in the open market, and where such samples are found to be adulterated or misbranded the results of the tests shall be published, together with the names of the persons by whom the seeds were offered for sale, and for carrying out the provisions of the Act approved August 24, 1912 (U. S. C., title 7, secs. 111–114), entitled "An Act to regulate foreign commerce by prohibiting the admission into the United States of certain adultered [1] grain and seeds unfit for seeding purposes", as amended by the Act approved April 26, 1926 (U. S. C., title 7, secs. 111, 115, 116), $67,293: *Provided*, That not to exceed $250 of this amount may be used for meeting the share of the United States in the expenses of the International Seed Testing Congress in carrying out plans for correlating the work of the various adhering governments on problems relating to seed analysis or other subjects which the congress may determine to be necessary in the interest of international seed trade. Seed investigations. Testing commercial seeds and grasses. Preventing admission, etc. Vol. 37, p. 506; Vol. 44, p. 325. U. S. C., p. 117. *Proviso.* International Seed Testing Congress.

Soil-fertility investigations: For soil investigations into causes of infertility; maintenance of productivity; effects of soil composition, cultural methods, fertilizers, and soil amendments on yield and quality of crops; and the properties, composition, formation, and transformation of soil organic matter, $172,157. Soil-fertility investigations.

Soil microbiology investigations: For investigations of the microorganisms of the soil and their activities, including the testing of samples procured in the open market, of cultures for inoculating legumes, other crops, or soil, and the publication of results, and if any such samples are found to be impure, nonviable, or misbranded, the results of the tests may be published, together with the names of the manufacturers and of the persons by whom the cultures were offered for sale, $39,854. Soil microbiology investigations.

Sugar-plant investigations: For sugar-plant investigations, including studies of diseases and the improvement of sugar beets and sugar-beet seed, $312,079. Sugar-plant investigations.

Tobacco investigations: For the investigation and improvement of tobacco and the methods of tobacco production and handling, $137,744. Tobacco investigations.

Western irrigation agriculture: For investigations in connection with western irrigation agriculture, the utilization of lands reclaimed Western irrigation agriculture.

[1] So in original.

Utilization of reclaimed lands.

under the Reclamation Act, and other areas in the arid and semiarid regions, $122,527.

Services in the District.

Total, Bureau of Plant Industry, $4,551,206, of which amount not to exceed $1,539,353 may be expended for departmental personal services in the District of Columbia and not to exceed $18,825 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Vehicles.

Forest Service.

FOREST SERVICE

Salaries and expenses.

SALARIES AND EXPENSES

Experiments, etc.

To enable the Secretary of Agriculture to experiment and to make and continue investigations and report on forestry, national forests,

Restricted to United States.

forest fires, and lumbering, but no part of this appropriation shall be used for any experiment or test made outside the jurisdiction of the United States; to advise the owners of woodlands as to the proper care of the same; to investigate and test American timber and timber trees and their uses, and methods for the preservative treatment of timber; to seek, through investigations and the planting of native and foreign species, suitable trees for the treeless regions;

Provisos.
Cost of buildings.

to erect necessary buildings: *Provided*, That the cost of any building purchased, erected, or as improved, exclusive of the cost of constructing a water-supply or sanitary system and of connecting the same with any such building, and exclusive of the cost of any tower upon which a look-out house may be erected, shall not exceed $5,000, with the exception that any building erected, purchased, or acquired, the cost of which was $5,000 or more, may be improved out of the appropriations made under this Act for the Forest Service by an amount not to exceed two per centum of the cost of such building as certified by the Secretary of Agriculture; to pay all expenses

Protection, etc., of national forests.

necessary to protect, administer, and improve the national forests, including tree planting in the forest reserves to prevent erosion, drift, surface wash, and soil waste and the formation of floods, and including the payment of rewards under regulations of the Secretary of Agriculture for information leading to the arrest and conviction for violation of the laws and regulations relating to fires in or near national forests, or for the unlawful taking of, or injury to, Government property; to ascertain the natural conditions upon and utilize

Care of fish and game.

the national forests, to transport and care for fish and game supplied to stock the national forests or the waters therein; to employ agents, clerks, assistants, and other labor required in practical forestry and in the administration of national forests in the city of Washington and elsewhere; to collate, digest, report, and illustrate the results of

Supplies, etc.

experiments and investigations made by the Forest Service; to purchase necessary supplies, apparatus, office fixtures, law books, reference and technical books and technical journals for officers of the Forest Service stationed outside of Washington, and for medical supplies and services and other assistance necessary for the immediate relief of artisans, laborers, and other employees engaged in any

Warehouse maintenance.

hazardous work under the Forest Service: *Provided further*, That the appropriations for the work of the Forest Service shall be available for meeting the expenses of warehouse maintenance and the procurement, care, and handling of supplies and materials stored therein for distribution to projects under the supervision of the Forest Service and for sale and distribution to other Government activities, the cost of such supplies and materials, including the cost of supervision, transportation, and handling, to be reimbursed to appropriations current at the time additional supplies and materials

are procured for warehouse stocks from the appropriations chargeable with the cost of stock issued; to pay freight, express, telephone, and telegraph charges; for electric light and power, fuel, gas, ice, and washing towels, and official traveling and other necessary expenses, including traveling expenses for legal and fiscal officers while performing Forest Service work; and for rent outside the District of Columbia, as follows:

Outside rent.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of the Chief Forester, for the necessary expenses of the National Forest Reservation Commission established by section 4 of the Act approved March 1, 1911, and authorized by section 14 of said Act, and for other personal services in the District of Columbia, $565,232.

Administrative, etc., expenses.
Chief Forester; National Forest Reservation Commission, etc.
Vol. 36, p. 962.
U. S. C., p. 665.

National Forest Administration: For the administration, protection, and development of the national forests, including the compensation and traveling expenses of field personnel; the purchase of materials, supplies, and equipment; the establishment and maintenance of forest tree nurseries, including the procurement of tree seed and nursery stock by purchase, production, or otherwise, seeding and tree planting and the care of plantations and young growth; the maintenance and operation of aerial fire control by contract or otherwise, but not including the purchase of landing fields or aircraft; the maintenance of roads and trails and the construction and maintenance of all other improvements necessary for the proper and economical administration, protection, development, and use of the national forests: *Provided*, That where, in the opinion of the Secretary of Agriculture, direct purchases will be more economical than construction, improvements may be purchased; the construction and maintenance of sanitary facilities and for fire preventive and other measures incident to recreational developments and use; control of destructive forest tree diseases and insects; timber cultural operations; development and application of fish and game management plans; propagation and transplanting of plants suitable for planting on semiarid portions of the national forests; estimating and appraising of timber and other resources and development and application of plans for their effective management, sale, and use; examination, classification, surveying, and appraisal of land incident to effecting exchanges authorized by law and of lands within the boundaries of the national forests that may be opened to homestead settlement and entry under the Act of June 11, 1906 (U. S. C., title 16, secs. 506–509), and the Act of August 10, 1912 (U. S. C., title 16, sec. 506), as provided by the Act of March 4, 1913 (U. S. C., title 16, sec. 512), and all other expenses necessary for the use, maintenance, improvement, protection, and general administration of the national forests and lands under contract for purchase or for the acquisition of which condemnation proceedings have been instituted under the Act of March 1, 1911 (U. S. C., title 16, sec. 521), and the Act of June 7, 1924 (U. S. C., title 16, secs. 471, 499, 505, 564–570).

National Forest Administration.

Nurseries.

Aerial fire control.

Proviso.
Direct purchases.

Lands opened to entry, etc.

Vol. 34, p. 233; Vol. 37, pp. 267, 842; Vol. 43, p. 1144.
U. S. C., pp. 664, 665.

Purchase or acquisition.
Vol. 36, p. 963; Vol. 43, p. 655.
U. S. C., pp. 657, 663, 666, 669.

In national forest region 1, Montana, Washington, Idaho, and South Dakota, $1,803,445: *Provided*, That the Secretary of Agriculture is authorized to use not to exceed $200 in caring for the graves of fire fighters buried at Wallace, Idaho; Newport, Washington; and Saint Maries, Idaho;

Allotments.

Proviso.
Care of graves of fire fighters.

In national forest region 2, Colorado, Wyoming, South Dakota, and Nebraska, $950,984;

In national forest region 3, Arizona and New Mexico, $964,487;

In national forest region 4, Utah, Idaho, Wyoming, Nevada, and Colorado, $1,180,069;

In national forest region 5, California and Nevada, $1,663,590;

In national forest region 6, Washington, Oregon, and California, $1,665,988;

In national forest region 7, Pennsylvania, Virginia, West Virginia, New Hampshire, Maine, Kentucky, and Vermont, $559,307;

In national forest region 8, Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Oklahoma, Puerto Rico, South Carolina, Tennessee, and Texas, $1,019,304;

In national forest region 9, Michigan, Minnesota, Illinois, Iowa, Missouri, North Dakota, Ohio, Indiana, and Wisconsin, $897,817;

In national forest region 10, Alaska, $110,959;

Aggregate.

In all, for the use, maintenance, improvement, protection, and general administration of the national forests, $10,815,950: *Provided*, That the foregoing amounts appropriated for such purposes shall be available interchangeably in the discretion of the Secretary of Agriculture for the necessary expenditures for fire protection and other unforeseen exigencies: *Provided further*, That the amounts so interchanged shall not exceed in the aggregate 10 per centum of all the amounts so appropriated.

Provisos.
Interchangeable funds for fire protection.

Limitation.

Water rights investigations, etc.

Water rights: For the investigation and establishment of water rights, including the purchase thereof or of lands or interests in lands or rights-of-way for use and protection of water rights necessary or beneficial in connection with the administration and public use of the national forests, $10,000.

Fighting forest fires.

Fighting forest fires: For fighting and preventing forest fires on or threatening the national forests and for the establishment and maintenance of a patrol to prevent trespass and to guard against and check fires upon the lands revested in the United States by the Act approved June 9, 1916 (39 Stat., p. 218), and the lands known as the Coos Bay Wagon Road lands involved in the case of Southern Oregon Company against United States (numbered 2711), in the Circuit Court of Appeals of the Ninth Circuit, $100,000, which amount shall be immediately available.

Revested Oregon-California lands, etc.
Vol. 39, p. 218.

Forest research.
Vol. 45, p. 699.
U. S. C., p. 672.

Forest research: For forest research in accordance with the provisions of sections 1, 2, 7, 8, 9, and 10 of the Act entitled "An Act to insure adequate supplies of timber and other forest products for the people of the United States, to promote the full use for timber growing and other purposes of forest lands in the United States, including farm wood lots and those abandoned areas not suitable for agricultural production, and to secure the correlation and the most economical conduct of forest research in the Department of Agriculture through research in reforestation, timber growing, protection, utilization, forest economics, and related subjects", approved May 22, 1928 (U. S. C., title 16, secs. 581, 581a, 581f–581i), as follows:

Forest management.
Vol. 45, p. 701.

Forest management: Fire, silvicultural, and other forest investigations and experiments under section 2, at forest experiment stations or elsewhere, $620,994.

Range investigations.
Vol. 45, p. 701.

Range investigations: Investigations and experiments to develop improved methods of management of forest and other ranges under section 7, at forest or range experiment stations or elsewhere, $181,935.

Forest products experiments, etc.
Vol. 45, p. 701.

Forest products: Experiments, investigations, and tests of forest products under section 8, at the Forest Products Laboratory, or elsewhere, $608,361.

Forest survey.
Vol. 45, p. 702.

Forest survey: A comprehensive forest survey under section 9, $200,000.

Forest economics.
Vol. 45, p. 702.

Forest economics: Investigations in forest economics under section 10, $91,295.

Forest influences.

Forest influences: For investigations at forest experiment stations and elsewhere for determining the possibility of increasing the

absorption of rainfall by the soil, and for devising means to be employed in the preservation of soil, the prevention or control of destructive erosion, and the conservation of rainfall on forest or range lands, $269,152: *Provided*, That $170,000 of this appropriation shall be available only for maintenance in nurseries of existing stocks and for the free distribution thereof to farmers, in liquidation of the so-called shelter belt project of trees or shrubs in the plains region undertaken heretofore pursuant to appropriations made for emergency purposes.

Preventing erosion, etc.

Proviso.
Liquidation of shelter belt project, plains region.

In all, salaries and expenses, $13,462,919; and in addition thereto there are hereby appropriated all moneys received as contributions toward cooperative work under the provisions of section 1 of the Act approved March 3, 1925 (U. S. C., title 16, sec. 572), which funds shall be covered into the Treasury and constitute a part of the special funds provided by the Act of June 30, 1914 (U. S. C., title 16, sec. 498): *Provided*, That not to exceed $795,729 may be expended for departmental personal services in the District of Columbia: *Provided further*, That not to exceed $1,000 may be expended for the contribution of the United States to the cost of the office of the secretariat of the International Union of Forest Research Stations.

Aggregate; additional from cooperative forest fund contributions.
Vol. 43, p. 1132; U. S. C., p. 670.
Vol. 38, p. 430; Vol. 45, p. 993; U. S. C., p. 663.

Provisos.
Services in the District.
International Union of Forest Research Stations, contribution.

FOREST-FIRE COOPERATION

Forest-fire prevention, etc.

For cooperation with the various States or other appropriate agencies in forest-fire prevention and suppression and the protection of timbered and cut-over lands in accordance with the provisions of sections 1, 2, and 3 of the Act entitled "An Act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote continuous production of timber on lands chiefly valuable therefor", approved June 7, 1924 (U. S. C., title 16, secs. 564–570), as amended, including also the study of the effect of tax laws and the investigation of timber insurance as provided in section 3 of said Act, $1,655,007, of which $62,020 shall be available for departmental personal services in the District of Columbia and not to exceed $2,500 for the purchase of supplies and equipment required for the purposes of said Act in the District of Columbia.

Cooperation with States, etc.

Vol. 43, p. 653.
U. S. C., p. 669.

Tax laws and timber insurance investigation.

Services in the District.

Supplies and equipment.

COOPERATIVE DISTRIBUTION OF FOREST PLANTING STOCK

Forest planting stock.

For cooperation with the various States in the procurement, production, and distribution of forest-tree seeds and plants in establishing windbreaks, shelter belts, and farm wood lots upon denuded or nonforested lands within such cooperating States, under the provisions of section 4 of the Act entitled "An Act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor", approved June 7, 1924 (U. S. C., title 16, sec. 567), and Acts supplementary thereto, $70,579, of which amount not to exceed $2,740 may be expended for departmental personal services in the District of Columbia.

Cooperation with States, etc., in reforestation.

Vol. 43, p. 654.
U. S. C., p. 669.

Services in the District.

ACQUISITION OF LANDS

For the acquisition of forest lands under the provisions of the Act approved March 1, 1911 (36 Stat., p. 961), as amended (U. S. C., title 16, secs. 500, 513, 515, 516, 517, 518, 519, 521, 552, 563), $2,500,000: *Provided*, That not to exceed $50,000 of the sum appropriated in this paragraph may be expended for departmental personal services in the District of Columbia.

Additional forest lands; acquisition, under Conservation Act.
Vol. 36, p. 961.
U. S. C., p. 663.

Proviso.
Services in the District.

Uinta and Wasatch National Forests, Utah. Facilitating control of soil erosion.

For the acquisition of land in accordance with the provisions of the Act entitled "An Act to facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior boundaries of the Uinta and Wasatch National Forests, Utah", approved August 26, 1935 (49 Stat., p. 866), not to exceed $50,000 from the entire receipts from the sale of natural resources or occupancy of public land within said national forests for that part of the fiscal year 1936 subsequent to August 31, 1935.

Ante, p. 866.

Vehicles, field work.

Total, Forest Service, $17,738,505, of which amount not to exceed $50,000 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia, and in addition thereto there is authorized for expenditure from funds provided for carrying out the provisions of the Federal Highway Act of November 9, 1921 (U. S. C., title 23, secs. 21, 23), not to exceed $15,068 for the purchase of motor-propelled passenger-carrying vehicles for use by the Forest Service in the construction and maintenance of national forest roads.

Vol. 42, p. 217. U. S. C., p. 972.

Chemistry and Soils Bureau.

BUREAU OF CHEMISTRY AND SOILS

General expenses.

SALARIES AND EXPENSES

Investigations, demonstrations, etc.

For all necessary expenses connected with the investigations, experiments, and demonstrations hereinafter authorized, independently or in cooperation with other branches of the Department of Agriculture, other departments or agencies of the Federal Government, States, State agricultural experiment stations, universities and other State agencies and institutions, counties, municipalities, business or other organizations and corporations, individuals, associations, and scientific societies, including the employment of necessary persons and means in the city of Washington and elsewhere; rent outside the District of Columbia, and other necessary supplies and expenses, and for erection, alteration, and repair of buildings outside the District of Columbia at a total cost not to exceed $5,000, as follows:

Personal services.

General administrative expenses.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, $90,241.

Agricultural chemical investigations. Vol. 12, p. 387. U. S. C., p. 74.

Agricultural chemical investigations: For conducting the investigations contemplated by the Act of May 15, 1862 (U. S. C., title 5, secs. 511, 512), relating to the application of chemistry to agriculture; for the biological, chemical, physical, microscopical, and technological investigation of foods, feeds, drugs, plant and animal products, and substances used in the manufacture thereof; for investigations of the physiological effects and for the pharmacological testing of such products and of insecticides; for the investigation and development of methods for the manufacture of sugars, sugar sirups and starches and the utilization of new agricultural materials for such purposes; for the technological investigation of the utilization of fruits and vegetables and for frozen pack investigations; for the investigation of chemicals for the control of noxious weeds and plants; and to cooperate with associations and scientific societies in the development of methods of analysis, $360,260.

Biological, etc., investigations.

Methods of sugar manufacture, etc.

Farm products and byproducts. Industrial utilization of, by chemical, etc., methods.

Industrial utilization of farm products and byproducts: For the investigation, development, experimental demonstration and application of methods for the industrial utilization of agricultural products, waste, and byproducts, and products made therefrom, except as otherwise provided for in this Act, by the application of chemical, physical, and technological methods, including the changes produced

by micro-organisms such as yeasts, bacteria, molds, and fungi; the utilization for color, medicinal, and technical purposes of substances grown or produced in the United States, $171,243.

Agricultural fires and explosive dusts: For the investigation, development, experimental demonstration, and application of methods for the prevention and control of dust explosions and fires during the harvesting, handling, milling, processing, fumigating, and storing of agricultural products, and for other dust explosions and resulting fires not otherwise provided for, including fires in grain mills and elevators, cotton gins, cotton-oil mills, and other structures; the heating, charring, and ignition of agricultural products; fires on farms and in rural communities and other explosions and fires in connection with farm and agricultural operations, $48,403. Agricultural fires and dust explosions.

Naval-stores investigations: For the investigation of naval stores (turpentine and rosin) and their components; the investigation and experimental demonstration of improved equipment, methods, or processes of preparing naval stores; the weighing, storing, handling, transportation, and utilization of naval stores; and for the assembling and compilation of data on production, distribution, and consumption of turpentine and rosin, pursuant to the Act of August 15, 1935 (49 Stat., p. 653), $79,241. Naval-stores investigations, etc. Turpentine and rosin, statistics. *Ante*, p. 653.

Soil survey: For the investigation of soils and their origin, for survey of the extent of classes and types, and for indicating upon maps and plats, by coloring or otherwise, the results of such investigations and surveys, $301,208. Soil survey.

Soil chemical and physical investigations: For chemical, physical, and physical-chemical investigations of soil types, soil composition, and soil minerals, the soil solution, solubility of soil, and all chemical and physical properties of soils in their relation to soil formation, soil texture, erosibility, and soil productivity, $78,081. Soil types, etc., chemical and physical investigations.

Fertilizer investigations: For investigations within the United States of fertilizers, fertilizer ingredients, including phosphoric acid and potash, and other soil amendments and their suitability for agricultural use, $269,595. Fertilizer investigations.

Total, Bureau of Chemistry and Soils, $1,398,272, of which amount not to exceed $1,106,747 may be expended for personal services in the District of Columbia, and not to exceed $2,420 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia. Services in the District. Vehicles.

BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

Entomology and Plant Quarantine Bureau.

SALARIES AND EXPENSES

Salaries and expenses.

For necessary expenses connected with investigations, experiments, and demonstrations for the promotion of economic entomology, for investigating and ascertaining the best means of destroying insects and related pests injurious to agriculture, for investigating and importing useful and beneficial insects and bacterial, fungal, and other diseases of insects and related pests, for investigating and ascertaining the best means of destroying insects affecting man and animals, to enable the Secretary of Agriculture to carry into effect the provisions of the Plant Quarantine Act of August 20, 1912, as amended, to conduct other activities hereinafter authorized, and for the eradication, control, and prevention of spread of injurious insects and plant pests; independently or in cooperation with other branches of the Federal Government, States, counties, municipalities, corporations, agencies, individuals, or with foreign governments; including the employment of necessary persons and means in the District of Investigations, etc., of insects. Plant Quarantine Act, enforcement. Vol. 37, p. 315. U. S. C., p. 122.

Columbia and elsewhere, rent, construction, or repair of necessary buildings outside the District of Columbia: *Provided*, That the cost for the construction of any building shall not exceed $1,500, and that the total amount expended for such construction in any one year shall not exceed $7,000, as follows:

Proviso. Cost of buildings.

General administrative expenses.

General administrative expenses: For general administrative purposes, including the salary of chief of bureau and other personal services, $162,288.

Fruit insects.

Fruit insects: For insects affecting fruits, grapes, and nuts, $399,531.

Japanese beetle.

Japanese beetle control: For the control and prevention of spread of the Japanese beetle, $350,000.

Mexican fruit fly.

Mexican fruit fly control: For the control and prevention of spread of the Mexican fruit fly, including necessary surveys and control operations in Mexico in cooperation with the Mexican Government or local Mexican authorities, $140,460.

Citrus-canker eradication.

Citrus-canker eradication: For determining and applying such methods of eradication or control of the disease of citrus trees known as "citrus canker" as in the judgment of the Secretary of Agriculture may be necessary, including cooperation with such authorities of the States concerned, organizations of growers, or individuals, as he may deem necessary to accomplish such purposes, $13,485: *Provided*, That no part of the money herein appropriated shall be used to pay the cost or value of trees or other property injured or destroyed.

Proviso. No indemnity for destroyed trees, etc.

Phony-peach eradication.

Phony-peach eradication: For determining and applying such methods of eradication, control, and prevention of spread of the disease of peach trees known as "phony peach" as in the judgment of the Secretary of Agriculture may be necessary, including cooperation with such authorities of the States concerned, organizations of growers, or individuals, as he may deem necessary to accomplish such purposes, including the certification of products out of the infested areas to meet the requirements of State quarantines, $49,828: *Provided*, That no part of the money herein appropriated shall be used to pay the cost or value of trees or other property injured or destroyed.

Proviso. No indemnity for destroyed trees.

Forest insects. Preventing infestation, etc. Vol. 45, p. 701. U. S. C., p. 672.

Forest insects: For insects affecting forests and forest products, under section 4 of the Act approved May 22, 1928 (U. S. C., title 16, sec. 581c), entitled "An Act to insure adequate supplies of timber and other forest products for the people of the United States, to promote the full use for timber growing and other purposes of forest lands in the United States, including farm wood lots and those abandoned areas not suitable for agricultural production, and to secure the correlation and the most economical conduct of forest research in the Department of Agriculture, through research in reforestation, timber growing, protection, utilization, forest economics, and related subjects", and for insects affecting ornamental trees and shrubs, $173,625, of which $400 shall be immediately available.

Gypsy and brown-tail moth control.

Gypsy and brown-tail moth control: For the control and prevention of spread of the gypsy and brown-tail moths, $400,000.

Blister rust control.

Blister rust control: For applying such methods of eradication, control, and prevention of spread of the white pine blister rust as in the judgment of the Secretary of Agriculture may be necessary to accomplish such purposes, and in the discretion of the Secretary of Agriculture no expenditures shall be made for these purposes until a sum or sums at least equal to such expenditures shall have been appropriated, subscribed, or contributed by State, county, or local authorities, or by individuals or organizations concerned,

$250,000: *Provided*, That no part of this appropriation shall be used to pay the cost or value of trees or other property injured or destroyed.

Proviso. No indemnity for destroyed trees, etc.

Dutch elm disease eradication: For control and prevention of spread of the Dutch elm disease in the United States, $261,156, to be immediately available: *Provided*, That no part of this appropriation shall be used to pay the cost or value of trees or other property injured or destroyed.

Dutch elm disease, eradication.

Proviso. No indemnity for destroyed trees, etc.

Truck crop and garden insects: For insects affecting truck crops, ornamental, and garden plants, including tobacco, sugar beets, and greenhouse and bulbous crops, $366,418.

Truck crop and garden insects.

Cereal and forage insects: For insects affecting cereal and forage crops, including sugarcane and rice, and including research on the European corn borer, $372,229, including not exceeding $15,000 for investigation of the means of control of the Mormon cricket.

Cereal and forage insects.

Mormon cricket.

European corn borer control: For the control and prevention of spread of the European corn borer and for the certification of products out of the infested areas to meet the requirements of State quarantines on account of the European corn borer, $32,939.

European corn borer control.

Barberry eradication: For the eradication of the common barberry and for applying such other methods of eradication, control and prevention of spread of cereal rusts as in the judgment of the Secretary of Agriculture may be necessary to accomplish such purposes, $200,000: *Provided*, That $30,000 of this amount shall be available for expenditure only when an equal amount shall have been appropriated, subscribed, or contributed by States, counties, or local authorities, or by individuals or organizations for the accomplishment of such purposes: *Provided further*, That no part of the money herein appropriated shall be used to pay the cost or value of property injured or destroyed.

Barberry eradication.

Provisos. State, etc., contributions.

No indemnity for property destroyed.

Cotton insects: For insects affecting cotton, $147,244.

Cotton insects.

Pink bollworm control: For the control and prevention of spread of the pink bollworm, including the establishment of such cotton-free areas as may be necessary to stamp out any infestation, and for necessary surveys and control operations in Mexico in cooperation with the Mexican Government or local Mexican authorities, $276,839.

Pink bollworm control.

Cooperation with Mexico.

Thurberia weevil control: For the control and prevention of spread of the Thurberia weevil, $2,808.

Thurberia weevil control.

Bee culture: For bee culture and apiary management, $75,500.

Bee culture.

Insects affecting man and animals: For insects affecting man, household possessions, and animals, $150,148.

Insects affecting man and animals.

Insect pest survey and identification: For the identification and classification of insects, including taxonomic, morphological, and related phases of insect pest control, the importation and exchange of useful insects, and the maintenance of an insect pest survey for the collection and dissemination of information to Federal, State, and other agencies concerned with insect pest control, $134,798.

Identification and classification of insects.

Dissemination of information.

Control investigations: For developing equipment or apparatus to aid in enforcing plant quarantines, eradication and control of plant pests, determining methods of disinfecting plants and plant products to eliminate injurious pests, determining the toxicity of insecticides, and related phases of insect pest control, $62,518.

Control investigations.

Insecticide and fungicide investigations: For the investigation and development of methods of manufacturing insecticides and fungicides, and for investigating chemical problems relating to the composition, action, and application of insecticides and fungicides, $148,984.

Insecticide and fungicide investigations.

Transit inspection. Vol. 37, p. 315; Vol. 44, p. 250; Vol. 45, p. 468. U. S. C., pp. 123, 124.

Transit inspection: For the inspection in transit or otherwise of articles quarantined under the Act of August 20, 1912 (U. S. C., title 7, secs. 161, 164a), as amended, and for the interception and disposition of materials found to have been transported interstate in violation of quarantines promulgated thereunder, $29,059.

Foreign plant quarantines. Mexican cotton, etc.

Foreign plant quarantines: For enforcement of foreign plant quarantines, at the port of entry and port of export, and to prevent the movement of cotton and cottonseed from Mexico into the United Sates, including the regulation of the entry into the United States of railway cars and other vehicles, and freight, express, baggage, or other materials from Mexico, and the inspection, cleaning, and disinfection thereof, including construction and repair of necessary buildings, plants, and equipment, for the fumigation, disinfection, or cleaning of products, railway cars, or other vehicles entering the United States from Mexico, $625,956: *Provided*, That any moneys received in payment of charges fixed by the Secretary of Agriculture on account of such cleaning and disinfection shall be covered into the Treasury as miscellaneous receipts.

Cleaning, etc.

Proviso. Receipts covered in.

Export inspection and certification.

Certification of exports: For the inspection, under such rules and regulations as the Secretary of Agriculture may prescribe, of domestic plants and plant products when offered for export and to certify to shippers and interested parties as to the freedom of such products from injurious plant diseases and insect pests according to the sanitary requirements of the foreign countries affected and to make such reasonable charges and to use such means as may be necessary to accomplish this object, $31,862: *Provided*, That moneys received on account of such inspection and certification shall be covered into the Treasury as miscellaneous receipts.

Proviso. Receipts covered in.

Screw-worm control.

Screw-worm control: For the determination and application of such methods of control of screw worms as, in the judgment of the Secretary of Agriculture, may be necessary, in cooperation with authorities of the States concerned, organizations, or individuals to accomplish such purposes; printing and binding; traveling expenses; research, education, and demonstration; purchase and transportation of materials; construction of treating pens and chutes and such other expenses as may be deemed necessary, $460,000, to be immediately available: *Provided*, That the cooperating State, organization, or individual shall be responsible for the handling and treatment of livestock, including full labor costs: *Provided further*, That, in the discretion of the Secretary of Agriculture, no part of this appropriation shall be expended for control of screw worms in any State until such State or organization, or individuals therein, have made provision for cooperation satisfactory to him: *Provided further*, That no part of this appropriation shall be used to pay the cost or value of animals, farm crops, or other property injured or destroyed.

Provisos. Responsibility in handling, etc., livestock. Local cooperation.

No payment for property destroyed, etc.

Services in the District. Vehicles.

Total, Bureau of Entomology and Plant Quarantine, $5,317,675, of which amount not to exceed $804,321 may be expended for personal services in the District of Columbia, and not to exceed $40,805 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Biological Survey Bureau.

BUREAU OF BIOLOGICAL SURVEY

General expenses.

SALARIES AND EXPENSES

Salaries, supplies, etc.

For salaries and employment of labor in the city of Washington and elsewhere, furniture, supplies, including the purchase of bags, tags, and labels printed in the course of manufacture, traveling, and

all other expenses necessary in conducting investigations and carrying out the work of the Bureau, including cooperation with Federal, State, county, or other agencies or with farm bureaus, organizations, or individuals, as follows:

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, $95,000.

General administrative expenses.

Food habits of birds and animals: For investigating the food habits and economic value of North American birds and animals in relation to agriculture, horticulture, and forestry, including methods of conserving beneficial and controlling injurious birds and animals, $60,640.

Food habits of birds and animals.

Production of fur-bearing animals: For investigations, experiments, demonstrations, and cooperation in connection with the production and utilization of fur-bearing animals raised for meat and fur, in the United States and Alaska, including not to exceed $21,500 for the purchase of the Fur-Animal Experiment Station at Saratoga Springs, New York, and the erection of necessary buildings and other structures thereon, $77,612.

Fur-bearing animals. Investigating production, etc.

Purchase of station at Saratoga Springs, N. Y.

Biological investigations: For biological investigations, including the relations, habits, geographic distribution, and migration of animals and plants, and the preparation of maps of the life zones, and including $15,738 for investigations of the relations of wild animal life to forests, under section 5 of the Act approved May 22, 1928 (U. S. C., title 16, sec. 581d), and for investigations, experiments, and demonstrations in the establishment, improvement, and increase of the reindeer industry and of musk oxen and mountain sheep in Alaska, including the erection of necessary buildings, and other structures, $138,149.

Biological investigations.

Vol. 45, p. 701. U. S. C., p. 672.

Reindeer, musk oxen, and mountain sheep in Alaska.

Control of predatory animals and injurious rodents: For investigations, demonstrations, and cooperation in destroying animals injurious to agriculture, horticulture, forestry, animal husbandry, and wild game; and in protecting stock and other domestic animals through the suppression of rabies and other diseases in predatory wild animals, $600,000.

Control of predatory, etc., animals.

Protection of migratory birds: For all necessary expenses for enforcing the provisions of the Migratory Bird Treaty Act of July 3, 1918 (U. S. C., title 16, secs. 703–711), to carry into effect the treaty with Great Britain for the protection of birds migrating between the United States and Canada (39 Stat. pt. 2, p. 1702), and for cooperation with local authorities in the protection of migratory birds, and for necessary investigations connected therewith, $300,000: *Provided*, That of this sum not more than $29,000 may be used for the enforcement of sections 241, 242, 243, and 244 of the Act approved March 4, 1909 (U. S. C., title 18, secs. 391–394), entitled "An act to codify, revise, and amend the penal laws of the United States", as amended by title II of the Act approved June 15, 1935 (49 Stat., pp. 380–381), and for the enforcement of section 1 of the Act approved May 25, 1900 (U. S. C., title 16, sec. 701), entitled "An Act to enlarge the powers of the Department of Agriculture, prohibit the transportation by interstate commerce of game killed in violation of local laws and for other purposes", including all necessary investigations in connection therewith.

Migratory bird protection. Vol. 40, p. 755; U. S. C., p. 686. Vol. 39, p. 1702.

Cooperation with local authorities.

Proviso. Traffic in injurious, etc., birds. Vol. 35, p. 1137; *Ante*, p. 380. U. S. C., p. 753.

Carrying illegally killed game. Vol. 31, p. 187. U. S. C., p. 686.

Enforcement of Alaska game law: For the enforcement of the provisions of the Alaska game law, approved January 13, 1925 (U. S. C., title 48, secs. 192–211), and as amended by the Act of February 14, 1931 (46 Stat. pp. 1111–1115), $130,798.

Enforcing Alaska game law. Vol. 43, p. 739; Vol. 46, p. 1111. U. S. C., p. 2119.

Mammal and bird reservations.

Maintenance of mammal and bird reservations: For the maintenance of the Montana National Bison Range, the upper Mississippi River Wildlife Refuge, the Bear River Migratory Bird Refuge, the Wichita National Forest and Game Preserve, to constitute and be designated and administered as the Wichita Mountains Wildlife Refuge, and other reservations and for the maintenance of game introduced into suitable localities on public lands, under supervision of the Biological Survey, including construction of fencing, wardens' quarters, shelters for animals, landings, roads, trails, bridges, ditches, telephone lines, rockwork, bulkheads, and other improvements necessary for the economical administration and protection of the reservations, and for the enforcement of section 84 of the Act approved March 4, 1909 (U. S. C., title 18, sec. 145), entitled "An Act to codify, revise, and amend the penal laws of the United States", and Acts amendatory thereto, and section 10 of the Migratory Bird Conservation Act of February 18, 1929 (U. S. C., title 16, sec. 715i), $335,772: *Provided*, That $2,500 may be used for the purchase, capture, and transportation of game for national reservations, and $1,000 may be used for the maintenance of the herd of longhorned cattle on the Wichita Mountains Wildlife Refuge.

Wichita Mountains Wildlife Refuge.

Taking eggs on bird breeding grounds.
Vol. 35, p. 1104; Vol. 43, p. 98.
U. S. C., p. 731.

Unlawful acts; law enforcement.
Vol. 45, p. 1224; U. S. C., p. 688.

Proviso.
Game for preserves.

Long-horned cattle on Wichita Mountains Wildlife Refuge.

Upper Mississippi River refuge.

Upper Mississippi River refuge: For the acquisition of areas of land or land and water pursuant to the Act entitled "An Act to establish the Upper Mississippi River Wildlife and Fish Refuge", approved June 7, 1924 (U. S. C., title 16, secs. 721–731), as amended, and for all necessary expenses incident thereto, including the employment of persons and means in the city of Washington and elsewhere, $18,500, which shall be available until expended, being part of the sum of $1,500,000 authorized to be appropriated for such purpose by section 10 of said Act.

Acquisition of areas for.
Vol. 43, p. 650.
U. S. C., p. 690.

Migratory bird conservation refuges.
Vol. 39, p. 1702.

Migratory bird conservation refuges: For carrying into effect the provisions of the Act entitled "An Act to more effectively meet the obligations of the United States under the migratory-bird treaty with Great Britain (39 Stat., pt. 2, p. 1702) by lessening the dangers threatening migratory game birds from drainage and other causes by the acquisition of areas of land and water to furnish in perpetuity reservation for the adequate protection of such birds; and authorizing appropriations for the establishment of such areas, their maintenance and improvement, and for other purposes", approved February 18, 1929 (U. S. C., title 16, secs. 715–715r), $79,753, authorized by section 12 of the Act, which sum is a part of the remaining $650,146 of the $1,000,000 authorized to be appropriated for the fiscal year ending June 30, 1933.

Vol. 45, p. 1222.
U. S. C., p. 687.

Migratory bird conservation fund.
Vol. 48, p. 451.
U. S. C., p. 689.

Migratory bird conservation fund: For carrying into effect the provisions of section 4 of the Act entitled "An Act to supplement and support the Migratory Bird Conservation Act by providing funds for the acquisition of areas for use as migratory-bird sanctuaries, refuges, and breeding grounds, for developing and administering such areas, for the protection of certain migratory birds, for the enforcement of the Migratory Bird Treaty Act and regulations thereunder, and for other purposes", approved March 16, 1934 (48 Stat., p. 451), as amended by an Act entitled "An Act to amend the Migratory Bird Hunting Stamp Act of March 16, 1934, and certain other Acts relating to game and other wildlife, administered by the Department of Agriculture, and for other purposes", approved June 15, 1935 (49 Stat., pp. 378–384), an amount equal to the sum received during the fiscal year 1937 from the proceeds from the sale of stamps, to be warranted monthly; and in addition thereto an amount equal to the unobligated balance on June 30, 1936, of the total of the proceeds received from the sale of stamps prior to July 1, 1936:

Ante, p. 378.

Receipts from stamp sales.

Balance available.

Provided, That the sum of $125,000 shall be advanced from the general fund of the Treasury on the first day of the fiscal year to the foregoing appropriation, to be returned to the surplus fund of the Treasury when the first $125,000 of revenue from the sale of stamps has been received and warranted for the fiscal year 1937.

Proviso. Advance; repayment.

Total, Bureau of Biological Survey, $1,961,224, of which amount not to exceed $530,620 may be expended for personal services in the District of Columbia, and not to exceed $53,785 shall be available for the purchase of motor-propelled passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia: *Provided*, That the appropriation of $6,000,000 contained in title VII of the Act of June 15, 1935 (49 Stat., p. 384), shall be available for the maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, and not to exceed $4,200 thereof may be expended for the purchase of such vehicles, which said sum shall be immediately available for such purpose.

Total.

Services in the District.

Purchase of vehicles for field work.

Proviso. Fund available for vehicles.

Ante, p. 384.

BUREAU OF PUBLIC ROADS

Public Roads Bureau.

For necessary expenses of the Bureau of Public Roads, including salaries and the employment of labor in the city of Washington and elsewhere, supplies, office and laboratory fixtures and apparatus, traveling, and other necessary expenses; for conducting research and investigational studies, either independently or in cooperation with State highway departments, or other agencies, including studies of highway administration, legislation, finance, economics, transport, construction, operation, maintenance, utilization, and safety, and of street and highway traffic control; investigations and experiments in the best methods of road making, especially by the use of local materials; studies of types of mechanical plants and appliances used for road building and maintenance and of methods of road repair and maintenance suited to the needs of different localities; and maintenance and repairs of experimental highways, including the purchase of materials and equipment; for furnishing expert advice on these subjects; for collating, reporting, and illustrating the results of same; and for preparing, publishing, and distributing bulletins and reports; to be paid from any moneys available from the administrative funds provided under the Act of July 11, 1916 (39 Stat., pp. 355–359), as amended, or as otherwise provided.

Salaries and expenses.

Road making experiments, etc.

Post, p. 1892.

Vol. 39, p. 355; Vol. 42, p. 212.

U. S. C., p. 969.

FEDERAL-AID HIGHWAY SYSTEM

Federal-Aid highways.

For carrying out the provisions of the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", approved July 11, 1916 (39 Stat., pp. 355–359), and all Acts amendatory thereof and supplementary thereto, to be expended in accordance with the provisions of said Act, as amended, including not to exceed $556,000 for departmental personal services in the District of Columbia, $60,000,000, to be immediately available and to remain available until expended, which sum is part of the sum of $125,000,000 authorized to be appropriated for the fiscal year 1936, by section 4 of the Act approved June 18, 1934 (48 Stat., 994): *Provided*, That none of the money herein appropriated shall be paid to any State on account of any project on which convict labor shall be employed, except this provision shall not apply to convict labor performed by convicts on parole or probation: *Provided further*, That not to exceed $45,000 of the funds provided for carrying out the provisions of the Federal Highway Act of November 9, 1921 (U. S. C., title 23, secs. 21 and 23),

Cooperating with States in constructing rural post roads.

Vol. 39, p. 355; Vol. 40, p. 1201; Vol. 42, pp. 660, 1157; Vol. 43, p. 889; Vol. 44, pp. 760, 1308.

U. S. C., p. 969.

Amount immediately available.

Vol. 48, p. 994.

Provisos. Convict labor.

Vehicles.

Vol. 42, p. 217.

U. S. C., p. 972.

shall be available for the purchase of motor-propelled passenger-carrying vehicles necessary for carrying out the provisions of said Act, including the replacement of not to exceed one such vehicle for use in the administrative work of the Bureau of Public Roads in the District of Columbia: *Provided further*, That, during the fiscal year 1937, whenever performing authorized engineering or other services in connection with the survey, construction, and maintenance, or improvement of roads for other Government agencies the charge for such services may include depreciation on engineering and road-building equipment used, and the amounts received on account of such charges shall be credited to the appropriation concerned: *Provided further*, That during the fiscal year 1937 the appropriations for the work of the Bureau of Public Roads shall be available for meeting the expenses of warehouse maintenance and the procurement, care, and handling of supplies, materials, and equipment stored therein for distribution to projects under the supervision of the Bureau of Public Roads, and for sale and distribution to other Government activities, the cost of such supplies and materials or the value of such equipment (including the cost of transportation and handling), to be reimbursed to appropriations current at the time additional supplies, materials, or equipment are procured, from the appropriation chargeable with the cost or value of such supplies, materials, or equipment: *Provided further*, That not to exceed $500,000 from the administrative funds authorized by the Act approved November 9, 1921, and Acts amendatory thereof or supplemental thereto, in addition to the amount remaining available under the authorizations contained in the Agricultural Appropriation Acts approved May 27, 1930, and May 17, 1935, shall be available for the construction of a laboratory, on a site already acquired, for permanent quarters for the testing and research work of the Bureau of Public Roads.

Depreciation on engineering, etc., equipment.

Warehouse maintenance, etc.

Reimbursing cost of material, etc.

Laboratory construction.
Vol. 42, p. 212; U. S. C., p. 969.
Vol. 46, p. 805; *Ante*, p. 273.

The authorization of $2,500,000 for the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations, under the provisions of the Act of June 24, 1930 (46 Stat., p. 805), provided for by section 6 of the Highway Act of June 18, 1934 (48 Stat., p. 994), for the fiscal year 1937, is hereby canceled for said fiscal year and made applicable to the fiscal year ending June 30, 1938.

Road construction through public lands, Federal reservations, etc.
Time extended.

Vol. 46, p. 805; Vol. 48, p. 994.

BUREAU OF AGRICULTURAL ENGINEERING

Agricultural Engineering Bureau.

SALARIES AND EXPENSES

Salaries and expenses.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, $37,600.

General administrative expenses.

Agricultural engineering: For investigations, experiments, and demonstrations involving the application of engineering principles to agriculture, independently or in cooperation with Federal, State, county, or other public agencies or with farm bureaus, organizations, or individuals; for investigating and reporting upon the utilization of water in farm irrigation and the best methods to apply in practice; the different kinds of power and appliances; the flow of water in ditches, pipes, and other conduits; the duty, apportionment, and measurement of irrigation water; the customs, regulations, and laws affecting irrigation; snow surveys and forecasts of irrigation water supplies, and the drainage of farms and of swamps and other wet lands which may be made available for agricultural purposes; for

Agricultural engineering.

preparing plans for the removal of surplus water by drainage; for developing equipment for farm irrigation and drainage; for investigating and reporting upon farm domestic water supply and drainage disposal, upon the design and construction of farm buildings and their appurtenances and of buildings for processing and storing farm products; upon farm power and mechanical farm equipment; upon the engineering problems relating to the processing, transportation, and storage of perishable and other agricultural products; and upon the engineering problems involved in adapting physical characteristics of farm land to the use of modern farm machinery; for investigations of cotton ginning under the Act approved April 19, 1930 (U. S. C., title 7, secs. 424, 425); for giving expert advice and assistance in agricultural engineering; for collating, reporting, and illustrating the results of investigations and preparing, publishing, and distributing bulletins, plans, and reports; and for other necessary expenses, including travel, rent, repairs, and not to exceed $5,000 for construction of buildings, $400,669.

Cotton ginning investigations.
Vol. 46, p. 248.
U. S. C., p. 144.

Total, Bureau of Agricultural Engineering, $438,269, of which amount not to exceed $160,220 may be expended for personal services in the District of Columbia, and not to exceed $3,000 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Total.
Services in the District.
Vehicles.

BUREAU OF AGRICULTURAL ECONOMICS

Agricultural Economics Bureau.

SALARIES AND EXPENSES

General expenses.

For salaries and the employment of labor in the city of Washington and elsewhere, furniture, supplies, traveling expenses, rent outside the District of Columbia, and all other expenses necessary in conducting investigations, experiments, and demonstrations as follows:

Salaries, supplies, etc.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, $236,306.

General administrative expenses.

Farm management and practice: To investigate and encourage the adoption of improved methods of farm management and farm practice, and for ascertaining the cost of production of the principal staple agricultural products, $356,580.

Farm management and practice.

Marketing and distributing farm products: For acquiring and diffusing among the people of the United States useful information on subjects connected with the marketing, handling, utilization, grading, transportation, and distributing of farm and nonmanufactured food products and the purchasing of farm supplies, including the demonstration and promotion of the use of uniform standards of classification of American farm products throughout the world, including scientific and technical research into American-grown cotton and its byproducts and their present and potential uses, including new and additional commercial and scientific uses for cotton and its byproducts, and including investigations of cotton ginning under the Act approved April 19, 1930 (U. S. C., title 7, secs. 424, 425), and for collecting and disseminating information on the adjustment of production to probable demand for the different farm and animal products, independently and in cooperation with other branches of the Department, State agencies, purchasing and consuming organizations, and persons engaged in the marketing, handling, utilization, grading, transportation, and distributing of farm and food products, and for investigation of the economic costs of retail marketing of

Marketing and distributing farm products.

Promoting uniform standards.

Cotton and byproducts research.

Vol. 46, p. 248.
U. S. C., p. 144.

Proviso.
Forms of wool and mohair grades to be sold.

meat and meat products, $756,154: *Provided*, That practical forms of the grades recommended or promulgated by the Secretary for wool and mohair may be sold under such rules and regulations as he may prescribe, and the receipts therefrom deposited in the Treasury to the credit of miscellaneous receipts.

Crop and livestock estimates.
Collecting, etc., data.

Crop and livestock estimates: For collecting, compiling, abstracting, analyzing, summarizing, interpreting, and publishing data relating to agriculture, including crop and livestock estimates, acreage, yield, grades, staples of cotton, stocks, and value of farm crops, and numbers, grades, and value of livestock and livestock products on farms, in cooperation with the Extension Service and other Federal, State, and local agencies, $686,289: *Provided*, That no part of the funds herein appropriated shall be available for any expense incident to ascertaining, collating, or publishing a report stating the intention of farmers as to the acreage to be planted in cotton.

Proviso.
Restriction on expenditure.

Securing information as to foreign competition and demand.
Vol. 46, p. 497.
U. S. C., p. 153.

Foreign competition and demand: To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to promote the agriculture of the United States by expanding in the foreign field the service now rendered by the United States Department of Agriculture in acquiring and diffusing useful information regarding agriculture, and for other purposes", approved June 5, 1930 (U. S. C., title 7, secs. 541–545), and for collecting and disseminating to American producers, importers, exporters, and other interested persons information relative to the world supply of and need for American agricultural products, marketing methods, conditions, prices, and other factors, a knowledge of which is necessary to the advantageous disposition of such products in foreign countries, independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations, and persons engaged in the transportation, marketing, and distribution of farm and food products, including the purchase of such books and periodicals and not to exceed $1,000 for newspapers as may be necessary in connection with this work, $298,000.

Dissemination to American producers, etc.

Market inspection of farm products.

Market inspection of farm products: For enabling the Secretary of Agriculture, independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations, boards of trade, chambers of commerce, or other associations of businessmen or trade organizations, and persons or corporations engaged in the production, transportation, marketing, and distribution of farm and food products, whether operating in one or more jurisdictions, to investigate and certify to shippers and other interested parties the class, quality, and condition of cotton, tobacco, fruits, and vegetables, whether raw, dried, or canned, poultry, butter, hay, and other perishable farm products when offered for interstate shipment or when received at such important central markets as the Secretary of Agriculture may from time to time designate, or at points which may be conveniently reached therefrom, under such rules and regulations as he may prescribe, including payment of such fees as will be reasonable and as nearly as may be to cover the cost for the service rendered: *Provided*, That certificates issued by the authorized agents of the department shall be received in all courts of the United States as prima facie evidence of the truth of the statements therein contained, $378,533.

Certifying condition of shipment.

Proviso.
Certificates as evidence.

Tobacco Inspection Act.
Ante, p. 731.

Tobacco Inspection Act: To enable the Secretary of Agriculture to carry into effect the provisions of an Act entitled "An Act to establish and promote the use of standards of classification for tobacco, to provide and maintain an official tobacco inspection service, and for other purposes", approved August 23, 1935 (49 Stat., pp. 731–735), $250,000.

Market news service: For collecting, publishing, and distributing, by telegraph, mail, or otherwise, timely information on the market supply and demand, commercial movement, location, disposition, quality, condition, and market prices of livestock, meats, fish, and animal products, dairy and poultry products, fruits and vegetables, peanuts and their products, grain, hay, feeds, tobacco, cottonseed, and seeds, and other agricultural products, independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations, and persons engaged in the production, transportation, marketing, and distribution of farm and food products, $1,062,057.

Market news service. Collecting, publishing, etc.

Perishable Agricultural Commodities Act: To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to suppress unfair and fraudulent practices in the marketing of perishable agricultural commodities in interstate and foreign commerce" (U. S. C., title 7, secs. 499a–499r), $137,666.

Perishable Agricultural Commodities Act.

Vol. 46, p. 531.
U. S. C., p. 148.

Standard Container, Hamper, and Produce Agency Acts: To enable the Secretary of Agriculture to carry into effect the Act entitled "An Act to fix standards for Climax baskets for grapes and other fruits and vegetables, and to fix standards for baskets and other containers for small fruits, berries, and vegetables, and for other purposes", approved August 31, 1916 (U. S. C., title 15, secs. 251–256), the Act entitled "An Act to fix standards for hampers, round stave baskets, and splint baskets for fruits and vegetables, and for other purposes", approved May 21, 1928 (U. S. C., title 15, secs. 257–257i), and the Act entitled "An Act to prevent the destruction or dumping, without good and sufficient cause therefor, of farm produce received in interstate commerce by commission merchants and others and to require them truly and correctly to account for all farm produce received by them", approved March 3, 1927 (U. S. C., title 7, secs. 491–497), including the employment of such persons and means as the Secretary of Agriculture may deem necessary in the city of Washington and elsewhere, $30,238.

Standard Container, Hamper, and Produce Agency Acts.

Vol. 39, p. 673; Vol. 45, p. 685; Vol. 48, p. 930.
U. S. C., p. 557.

Vol. 44, p. 1355.
U. S. C., p. 147.

Tobacco stocks and standards: To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to provide for the collection and publication of statistics of tobacco by the Department of Agriculture", approved January 14, 1929 (U. S. C., title 7, secs. 501–508), including the employment of persons and means in the city of Washington and elsewhere, $17,187.

Tobacco stocks and standards, statistics.

Vol. 45, p. 1079; Vol. 47, p. 662.
U. S. C., p. 152.

Cotton grade and staple statistics: To enable the Secretary of Agriculture to carry into effect the Act entitled "An Act authorizing the Secretary of Agriculture to collect and publish statistics of the grade and staple length of cotton", approved March 3, 1927 (U. S. C., title 7, secs. 471–476), $224,517.

Cotton statistics.

Vol. 44, p. 1372.
U. S. C., p. 146.

United States Cotton Futures and United States Cotton Standards Acts: To enable the Secretary of Agriculture to carry into effect the provisions of the United States Cotton Futures Act, as amended March 4, 1919 (U. S. C., title 26, secs. 1090–1106), and to carry into effect the provisions of the United States Cotton Standards Act, approved March 4, 1923 (U. S. C., title 7, secs. 51–65), including all expenses necessary for the purchase of equipment and supplies; for travel; for the employment of persons in the city of Washington and elsewhere; and for all other expenses, including rent outside the District of Columbia, that may be necessary in executing the provisions of these Acts, including such means as may be necessary for effectuating agreements heretofore or hereafter made with cotton associations, cotton exchanges, and other cotton organizations in foreign countries, for the adoption, use, and observance of universal standards of cotton classification, for the arbitration

Cotton Futures Act.

Vol. 39, p. 476; Vol. 40, p. 1351.
U. S. C., p. 1130.

Cotton Standards Act.

Vol. 42, p. 1517.
U. S. C., p. 112.

Effectuating agreements as to standards, etc., in foreign countries.

or settlement of disputes with respect thereto, and for the preparation, distribution, inspection, and protection of the practical forms or copies thereof under such agreements, $487,111.

Grain Standards Act, enforcement. Vol. 39, p. 482. U. S. C., p. 114.

United States Grain Standards Act: To enable the Secretary of Agriculture to carry into effect the provisions of the United States Grain Standards Act, including rent outside the District of Columbia and the employment of such persons and means as the Secretary of Agriculture may deem necessary, in the city of Washington and elsewhere, $723,941.

Warehouse Act, administration. Vol. 39, p. 486. U. S. C., p. 131.

United States Warehouse Act: To enable the Secretary of Agriculture to carry into effect the provisions of the United States Warehouse Act, including the payment of such rent outside the District of Columbia and the employment of such persons and means as the Secretary of Agriculture may deem necessary in the city of Washington and elsewhere, $321,665.

In all, salaries and expenses, $5,966,244.

Wool marketing studies.

WOOL MARKETING STUDIES

Appropriation of certain funds.

Not to exceed $26,652 of the funds collected from persons, firms, or corporations which handled any part of the wool clip of 1918, which the Secretary of Agriculture finds it impracticable to distribute among woolgrowers, shall be deposited in the Treasury to the credit of a special fund which is hereby appropriated for the fiscal year 1937 for the purpose of carrying into effect the provisions of the Act entitled "An Act to authorize the appropriation for use by the Secretary of Agriculture of certain funds for wool standards, and for other purposes", approved May 17, 1928 (U. S. C., title 7, secs. 415b–415d), including personal services and other necessary expenses in the District of Columbia and elsewhere.

Establishing wool standards. Vol. 45, p. 593. U. S. C., p. 143.

Services in the District.

Vehicles.

Total, Bureau of Agricultural Economics, $5,992,896, of which amount not to exceed $2,182,160 may be expended for personal services in the District of Columbia, and not to exceed $30,300 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Home Economics Bureau.

BUREAU OF HOME ECONOMICS

Salaries and expenses.

SALARIES AND EXPENSES

General administrative expenses.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of Chief of Bureau and other personal services in the District of Columbia, $31,735.

Home-economics investigations.

Home-economics investigations: For conducting, either independently or in cooperation with other agencies, investigations of the relative utility and economy of agricultural products for food, clothing, and other uses in the home, with special suggestions of plans and methods for the more effective utilization of such products for these purposes, and for disseminating useful information on this subject, including travel and all other necessary expenses, $187,350.

Services in the District.

Total, Bureau of Home Economics, $219,085, of which amount not to exceed $204,620 may be expended for personal services in the District of Columbia.

Grain Futures Act.

ENFORCEMENT OF THE GRAIN FUTURES ACT

Enforcement expenses. Vol. 42, p. 998. U. S. C., p. 109.

To enable the Secretary of Agriculture to carry into effect the provisions of the Grain Futures Act, approved September 21, 1922 (U. S. C., title 7, secs. 1–17), $196,500, of which amount not to exceed $50,740 may be expended for personal services in the District of Columbia.

FOOD AND DRUG ADMINISTRATION

Food and Drug Administration.

SALARIES AND EXPENSES

Salaries and expenses.

For all necessary expenses, for chemical apparatus, chemicals, and supplies, repairs to apparatus, gas, electric current, official traveling expenses, telegraph and telephone service, express and freight charges, for the employment of such assistants, clerks, and other persons as the Secretary of Agriculture may consider necessary for the purposes named, in the city of Washington and elsewhere, in conducting investigations; collecting, reporting, and illustrating the results of such investigations; and for rent outside the District of Columbia for carrying out the investigations and work herein authorized, as follows:

Items specified.

Outside rent.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of administration and other personal services in the District of Columbia, $100,802.

General administrative expenses.

Enforcement of the Food and Drugs Act: For enabling the Secretary of Agriculture to carry into effect the provisions of the Act of June 30, 1906 (U. S. C., title 21, secs. 1–15), entitled "An Act for preventing the manufacture, sale, or transportation of adulterated, or misbranded, or poisonous, or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes", as amended; to cooperate with associations and scientific societies in the revision of the United States pharmacopoeia and development of methods of analysis, and for investigating the character of the chemical and physical tests which are applied to American food products in foreign countries, and for inspecting the same before shipment when desired by the shippers or owners of these products intended for countries where chemical and physical tests are required before the said products are allowed to be sold therein, $1,600,000: *Provided*, That not more than $4,280 shall be used for travel outside the United States.

Food and Drugs Act, enforcement. Vol. 34, p. 768. U. S. C., p. 917.

Revision of Pharmacopoeia, etc.

Foreign tests of American food products.

Proviso. Travel restriction.

Enforcement of the Tea Importation Act: For enabling the Secretary of Agriculture to carry into effect the provisions of the Act approved March 2, 1897 (U. S. C., title 21, secs. 41–50), entitled "An Act to prevent the importation of impure and unwholesome tea", as amended, including payment of compensation and expenses of the members of the board appointed under section 2 of the Act and all other necessary officers and employees, $40,094.

Tea Importation Act, enforcement. Vol. 29, p. 604; Vol. 41, p. 712. U. S. C., p. 921.

Naval Stores Act: For enabling the Secretary of Agriculture to carry into effect the provisions of the Naval Stores Act of March 3, 1923 (U. S. C., title 7, secs. 91–99), $34,700.

Naval Stores Act. Vol. 42, p. 1435. U. S. C., p. 116.

Enforcement of the Insecticide Act: For enabling the Secretary of Agriculture to carry into effect the provisions of the Act of April 26, 1910 (U. S. C., title 7, secs. 121–134), entitled "An Act for preventing the manufacture, sale, or transportation of adulterated or misbranded paris greens, lead arsenates, other insecticides, and also fungicides, and for regulating traffic therein, and for other purposes", $208,180.

Insecticide Act, enforcement. Vol. 36, p. 331. U. S. C., p. 118.

Enforcement of the Milk Importation Act: For enabling the Secretary of Agriculture to carry into effect the provisions of an Act approved February 15, 1927 (U. S. C., title 21, secs. 141–149), entitled "An Act to regulate the importation of milk and cream into the United States for the purpose of promoting the dairy industry of the United States and protecting the public health", $19,241.

Milk Importation Act, enforcement. Vol. 44, p. 1101. U. S. C., p. 930.

Enforcement of the Caustic Poison Act: For enabling the Secretary of Agriculture to carry into effect the provisions of an Act approved March 4, 1927 (U. S. C., title 15, secs. 401–411), entitled

Caustic Poison Act, enforcement. Vol. 44, p. 1406. U. S. C., p. 557.

"An Act to safeguard the distribution and sale of certain dangerous caustic or corrosive acids, alkalies, and other substances in interstate and foreign commerce", $24,741.

Filled Milk Act, enforcement. Vol. 42, p. 1486; *Ante*, p. 885. U. S. C., p. 922.

Enforcement of the Filled Milk Act: For enabling the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to prohibit the shipment of filled milk in interstate or foreign commerce", approved March 4, 1923 (U. S. C., title 21, secs. 61–63), as amended by the Act of August 27, 1935 (49 Stat., p. 885), $10,000.

Sea-Food Inspectors Act, enforcement.

Enforcement of the Sea-Food Inspectors Act: For personal services of sea-food inspectors designated to examine and inspect sea food and the production, packing, and labeling thereof upon the application of any packer of any sea food for shipment or sale within the jurisdiction of the Federal Food and Drugs Act, in accordance with the provisions of an Act entitled "An Act to amend section 10A of the Federal Food and Drugs Act of June 30, 1906, as amended", approved August 27, 1935 (49 Stat., p. 871), $40,000.

Ante, p. 871.

Total, Food and Drug Administration, $2,077,758, of which amount not to exceed $601,512 may be expended for personal services in the District of Columbia, and not to exceed $20,000 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Services in the District.

Vehicles.

SOIL CONSERVATION SERVICE

Soil Conservation Service.

SALARIES AND EXPENSES

General expenses.

Salaries and expenses. *Ante*, p. 163.

Salaries and expenses, Soil Conservation Service: To carry out the provisions of an Act entitled "An Act to provide for the protection of land resources against soil erosion and for other purposes", approved April 27, 1935 (49 Stat., pp. 163–164), which provides for a national program of erosion control and soil and moisture conservation to be carried out directly and in cooperation with other agencies; including printing and binding, purchase of books and periodicals, rent in the District of Columbia, furnishing of subsistence to employees, training of employees, and the purchase and erection of permanent buildings: *Provided*, That the cost of any building purchased, erected, or as improved, exclusive of the cost of constructing a water supply or sanitary system and connecting the same with any such building, shall not exceed $2,500 except where buildings are acquired in conjunction with land being purchased for other purposes and except for thirty-four buildings to be constructed at a cost not to exceed $15,000 per building: *Provided further*, That during the fiscal year 1937 the appropriations for the work of the Soil Conservation Service shall be available for meeting the expenses of warehouse maintenance and the procurement, care, and handling of supplies, materials, and equipment stored therein for distribution to projects under the supervision of the Soil Conservation Service and for sale and distribution to other Government activities, the cost of such supplies and materials or the value of such equipment (including the cost of transportation and handling), to be reimbursed to appropriations current at the time additional supplies, materials, or equipment are procured from the appropriations chargeable with the cost or value of such supplies, materials, or equipment; as follows:

Printing and binding, etc.

Provisos. Cost of buildings.

Warehouse maintenance, etc.

General administrative expenses.

General administrative expenses: For necessary expenses for general administrative purposes including the salary of the chief of the Soil Conservation Service and other personal services in the District of Columbia, $475,000.

Soil and moisture conservation and land-use investigations: For research and investigations into the character, cause, extent, history, and effects of erosion and soil and moisture depletion and methods for soil and moisture conservation, including construction, operation, and maintenance of experimental watersheds, stations, laboratories, plots, and installations, and other necessary expenses, $1,540,780.

Soil and moisture conservation and land-use investigations.

Soil and moisture conservation operations, demonstrations, and information: For carrying out preventive measures to conserve soil and moisture; including such special measures as may be necessary to prevent floods and the siltation of reservoirs, the establishment and operation of erosion nurseries, the making of conservation plans and surveys, the dissemination of information, and other necessary expenses, $22,853,485.

Operations, demonstrations, and information.

Total, Soil Conservation Service, $24,869,265, of which not to exceed $1,608,640 may be expended for personal services in the District of Columbia, and not to exceed $62,500 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Services in the District.

Vehicles.

INTERCHANGE OF APPROPRIATIONS

Not to exceed 10 per centum of the foregoing amounts for the miscellaneous expenses of the work of any bureau, division, or office herein provided for shall be available interchangeably for expenditures on the objects included within the general expenses of such bureau, division, or office, but no more than 10 per centum shall be added to any one item of appropriation except in cases of extraordinary emergency, and then only upon the written order of the Secretary of Agriculture: *Provided*, That a statement of any transfers of appropriations made hereunder shall be included in the annual Budget.

Interchange of appropriations.

Proviso.
Statement to be included in Budget.

MISCELLANEOUS

Miscellaneous.

WORK FOR OTHER DEPARTMENTS

Work for other Departments.

During the fiscal year 1937 the head of any department or independent establishment of the Government requiring inspections, analyses, and tests of food and other products, within the scope of the functions of the Department of Agriculture and which that Department is unable to perform within the limits of its appropriations, may, with the approval of the Secretary of Agriculture, transfer to the Department of Agriculture for direct expenditure such sums as may be necessary for the performance of such work.

Transfer of funds for inspection, etc., of food, authorized.

PASSENGER-CARRYING VEHICLES

Passenger vehicles.

Within the limitations specified under the several headings the lump-sum appropriations herein made for the Department of Agriculture shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of the field work of the Department of Agriculture outside the District of Columbia: *Provided*, That such vehicles shall be used only for official service outside the District of Columbia, but this shall not prevent the continued use for official service of motor trucks in the District of Columbia: *Provided further*, That the limitation on expenditures for purchase of passenger-carrying vehicles in the field service shall be interchangeable between the various bureaus and offices of the Department, to such extent as the exigencies of the service may require: *Provided further*, That appropriations contained in this Act shall be available for the maintenance, operation,

Purchase of, from lump-sum appropriations, for field work.

Provisos.
Use restricted to official service.

Interchangeable funds.

Available for maintenance, etc.

Exchanges allowed.

and repair of motor-propelled and horse-drawn passenger-carrying vehicles: *Provided further*, That the Secretary of Agriculture may exchange motor-propelled and horse-drawn vehicles, tractors, road equipment, and boats, and parts, accessories, tires, or equipment thereof, in whole or in part payment for vehicles, tractors, road equipment, or boats, or parts, accessories, tires, or equipment of such vehicles, tractors, road equipment, or boats purchased by him: *Provided further*, That the funds available to the Agricultural Adjustment Administration may be used during the fiscal year for which appropriations are herein made for the maintenance, repair, and operation of one passenger-carrying vehicle for official purposes in the District of Columbia.

Agricultural Adjustment Administration.
Maintenance, etc., of automobile.

Beltsville Research Center.

BELTSVILLE RESEARCH CENTER

General expenses.
Additional funds.

For general administrative purposes, including maintenance, operation, repairs, and other expenses, $75,000; and, in addition thereto, this appropriation may be augmented, by transfer of funds or by reimbursement, from applicable appropriations, to cover the cost, including handling and other related charges, of services, and supplies, equipment and materials furnished, stores of which may be maintained at the Center, and the applicable appropriations may also be charged their proportionate share of the necessary general expenses of the Center not covered by this appropriation: *Provided*, That not to exceed $600 may be expended from this appropriation for the purchase of one passenger-carrying automobile for official purposes.

Proviso.
Purchase of automobile.

International production control committees.
Expenses.

INTERNATIONAL PRODUCTION CONTROL COMMITTEES

During the fiscal year 1937 the Secretary of Agriculture may expend not to exceed $10,000 from the funds available to the Agricultural Adjustment Administration for the share of the United States as a member of the International Wheat Advisory Committee or like events or bodies concerned with the reduction of agricultural surpluses or other objectives of the Agricultural Adjustment Administration, together with traveling and all other necessary expenses relating thereto.

International Wheat Advisory Committee.

Diseased cattle, elimination of.

ELIMINATION OF DISEASED CATTLE, DEPARTMENT OF AGRICULTURE

Expenses.
Ante, p. 775.
Amount reappropriated.
Vol. 48, p. 805.

For carrying into effect the provisions of section 37 of the Act entitled "An Act to amend the Agricultural Adjustment Act and for other purposes", approved August 24, 1935 (49 Stat., pp. 750–793), $21,364,000 of the unobligated balance of the funds appropriated by Public Resolution Numbered 27, Seventy-third Congress, and reappropriated by said section 37 of the Act approved August 24, 1935, together with any unobligated balance of the appropriation made for the same purposes for the fiscal year 1936 by said section 37, which balances are hereby continued available for obligation during the fiscal year 1937, for the elimination of diseased dairy and beef cattle, including cattle suffering from tuberculosis or Bang's disease, for payments to owners with respect thereto, and for other purposes, as authorized by said section 37, including the employment of persons and means in the District of Columbia and elsewhere, printing and binding, the purchase, maintenance, operation, and repair of passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia, and other necessary expenses.

Payments to owners.

Printing and binding.

FOREST ROADS AND TRAILS

Federal highways.

For carrying out the provisions of section 23 of the Federal Highway Act approved November 9, 1921 (U. S. C., title 23, sec. 23), including not to exceed $95,240 for departmental personal services in the District of Columbia, $8,000,000, which sum is composed of $3,500,000, the balance of the amount authorized to be appropriated for the fiscal year 1936, by the Act approved June 18, 1934, and $4,500,000, part of the sum of $10,000,000 authorized to be appropriated for the fiscal year 1937 by the Act approved June 18, 1934: *Provided*, That the Secretary of Agriculture shall, upon the approval of this Act, apportion, and prorate among the several States, Alaska, and Puerto Rico, as provided in section 23 of said Federal Highway Act, the sum of $10,000,000 authorized to be appropriated for the fiscal year ending June 30, 1937, by the Act approved June 18, 1934: *Provided further*, That the Secretary of Agriculture shall incur obligations, approve projects, or enter into contracts under his apportionment and prorating of this authorization, and his action in so doing shall be deemed a contractual obligation on the part of the Federal Government for the payment of the cost thereof: *Provided further*, That total expenditures on account of any State or Territory shall at no time exceed its authorized apportionment: *Provided further*, That this appropriation shall be available for the rental, purchase, or construction of buildings necessary for the storage of equipment and supplies used for road and trail construction and maintenance, but the total cost of any such building purchased or constructed under this authorization shall not exceed $2,500: *Provided further*, That during the fiscal year ending June 30, 1937, the expenditures on forest highways in Alaska from the amount herein appropriated shall not exceed $250,000.

Forest roads and trails. Vol. 42, pp. 218, 661. U. S. C., p. 973.

Vol. 48, p. 993.

Provisos. Prorating of sum.

Contracts authorized.

Expenditure restriction.

Availability of appropriation.

Forest highways in Alaska.

This title may be cited as the Department of Agriculture Appropriation Act, 1937.

Short title.

TITLE II—FARM CREDIT ADMINISTRATION

Title II—Farm Credit Administration.

SALARIES AND EXPENSES

Salaries and expenses.

For salaries and expenses of the Farm Credit Administration in the District of Columbia and the field; traveling expenses of officers and employees including not to exceed $5,000 for travel incurred under proper authority attending meetings or conventions of members of organizations at which matters of importance to the work of the Farm Credit Administration are to be discussed or transacted; printing and binding contingent and miscellaneous expenses, including law books, books of reference, and not to exceed $750 for periodicals, newspapers, and maps; contract stenographic reporting services, and expert services for the preparation of amortization tables; membership fees or dues in organizations which issue publications to members only or to members at a lower price than to others, payment for which may be made in advance; purchase of manuscripts, data, and special reports by personal service without regard to the provisions of any other Act; procurement of supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed $50; purchase, exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles and motor trucks including the purchase and exchange of one passenger-carrying automobile at a net cost of not to exceed $1,500, to be used only for official purposes; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; garage rental in the

Travel expenses.

Printing and binding.

R. S., sec. 3709, p. 733; U. S. C., p. 1803.

Vehicles.

Transportation and subsistence.

District of Columbia and elsewhere; payment of actual transportation expenses and not to exceed $10 per diem to cover subsistence and other expenses while in conference and en route from and to his home to any person other than an employee or a member of an advisory commodity committee who may from time to time be invited to the city of Washington and elsewhere for conference and advisory purposes in furthering the work of the Farm Credit Administration;

Special services.

employment of persons, firms, and others for the performance of special services, including legal services, and other miscellaneous

Collection of loans under designated Acts.

expenses; collection of moneys due the United States on account of loans made under the provisions of the Acts of March 3, 1921 (41 Stat., p. 1347), March 20, 1922 (42 Stat., p. 467), April 26, 1924 (43 Stat., p. 110), February 28, 1927 (44 Stat., p. 1251), February 25, 1929 (45 Stat., p. 1306), as amended May 17, 1929 (46 Stat., p. 3), March 3, 1930 (46 Stat., pp. 78, 79), December 20, 1930 (46 Stat., p. 1032), February 14, 1931 (46 Stat., p. 1160), and February 23, 1931 (46 Stat., p. 1276); January 22, 1932 (47 Stat., p. 5), February 4, 1933 (47 Stat., p. 795), March 4, 1933 (47 Stat., p. 1547), February 23, 1934 (Public, No. 97, 73d Cong.), March 10, 1934 (Public Resolution No. 16, 73d Cong.), June 19, 1934 (Public, No. 412, 73d Cong.), February 20, 1935 (Public, No. 11, 74th Cong.), March 21, 1935

Examinations, etc.

(Public, No. 21, 74th Cong.); examination of corporations, banks, associations, credit unions, and institutions operated, supervised, or

Provisos.
Assessment for expenses.

regulated by the Farm Credit Administration: *Provided*, That the expenses and salaries of employees engaged in such examinations shall be assessed against the said corporations, banks or institutions in accordance with the provisions of existing laws; in all, $4,000,000:

Additional funds.

Provided further, That there shall be transferred and added to this appropriation the sum of $400,000 from the funds made available under section 5 of the Emergency Crop Loan Act of February 23,

Vol. 48, p. 355.

1934 (48 Stat., p. 354), the sum of $1,100,000 from the funds made available under the Emergency Appropriation Act, fiscal year 1935,

Vol. 48, pp. 1021, 1056.

approved June 19, 1934 (48 Stat., pp. 1021, 1056), and the sum of $1,450,000 from the funds made available under section 5 (a) of the

Ante, pp. 29, 49.

Emergency Crop Loan Act of February 20, 1935 (Public, Numbered 11, Seventy-fourth Congress; Public, Numbered 21, Seventy-fourth Congress).

Citation of title.

This title may be cited as the Farm Credit Administration Appropriation Act, 1937.

Approved, June 4, 1936.

[CHAPTER 490.]

AN ACT

June 4, 1936.
[S. 3452.]
[Public, No. 638.]

To amend an Act entitled "An Act authorizing the Secretary of the Interior to arrange with States or Territories for the education, medical attention, relief of distress, and social welfare of Indians, and for other purposes."

Indian welfare, etc.
Vol. 48, p. 596.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of April 16, 1934 (48 Stat. 596), entitled "An Act authorizing the Secretary of the Interior to arrange with States or Territories for the education, medical attention, relief of distress, and social welfare of Indians, and for other purposes", be, and the same hereby is amended to read as follows:

Contracts with States, etc., for education, etc., of Indians.

"That the Secretary of the Interior be, and hereby is, authorized, in his discretion, to enter into a contract or contracts with any State or Territory, or political subdivision thereof, or with any State university, college, or school, or with any appropriate State or private corporation, agency, or institution, for the education, medical

attention, agricultural assistance, and social welfare, including relief of distress, of Indians in such State or Territory, through the agencies of the State or Territory or of the corporations and organizations hereinbefore named, and to expend under such contract or contracts, moneys appropriated by Congress for the education, medical attention, agricultural assistance, and social welfare, including relief of distress, of Indians in such State or Territory.

Expenditure of Federal funds.

"SEC. 2. That the Secretary of the Interior, in making any contract herein authorized, may permit such contracting party to utilize, for the purposes of this Act, existing school buildings, hospitals, and other facilities, and all equipment therein or appertaining thereto, including livestock and other personal property owned by the Government, under such terms and conditions as may be agreed upon for their use and maintenance.

Utilization of existing facilities.

"SEC. 3. That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations, including minimum standards of service, as may be necessary and proper for the purpose of carrying the provisions of this Act into effect: *Provided*, That such minimum standards of service are not less than the highest maintained by the States or Territories within which said contract or contracts, as herein provided, are to be effective.

Powers of Secretary.

Minimum standards of service.

Proviso. Rating.

"SEC. 4. That the Secretary of the Interior shall report annually to the Congress any contract or contracts made under the provisions of this Act, and the moneys expended thereunder."

Annual report to Congress.

Approved, June 4, 1936.

[CHAPTER 491.]

AN ACT

June 4, 1936. [S. 4184.] [Public, No. 639.]

To amend the last paragraph, as amended, of the Act entitled "An Act to refer the claims of the Delaware Indians to the Court of Claims, with the right of appeal to the Supreme Court of the United States", approved February 7, 1925.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last paragraph, as amended, of the Act entitled "An Act to refer the claims of the Delaware Indians to the Court of Claims, with the right of appeal to the Supreme Court of the United States", approved February 7, 1925, is amended by striking out the following: "and in no event to be more than $25,000 in any one claim".

Delaware Indians, Okla. Limitation on certain attorneys' fees amended. Vol. 43, p. 812; Vol. 44, p. 1388.

Approved, June 4, 1936.

[CHAPTER 492.]

AN ACT

June 4, 1936. [S. 4296.] [Public, No. 640.]

To authorize an appropriation to pay non-Indian claimants whose claims have been extinguished under the Act of June 7, 1924, but who have been found entitled to awards under said Act as supplemented by the Act of May 31, 1933.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sum to compensate white settlers or non-Indian claimants whose claims have been extinguished under the Act of June 7, 1924 (43 Stat. L. 636), but who have been found by the Secretary of the Interior, in conformity with the proviso to section 3 of the Act of May 31, 1933 (48 Stat. L. 108, 109), to be entitled to increased compensation by reason of errors in the amount of award previously allowed or entitled to original awards by reason of errors in the omission of legitimate claimants. The non-Indian

Indian pueblos in New Mexico. Payments to non-Indian claimants for certain extinguished claims.

Vol. 43, p. 636.

Vol. 48, p. 109.

claimants, or their successors, as found and reported by the Secretary of the Interior, to be compensated out of said appropriation to be disbursed under the direction of the Secretary of the Interior in the amounts found to be due them, as follows: Within the Pueblo of Nambe, $456.40; within the Pueblo of San Ildefonso, $141.88; within the Pueblo of Cochiti, $936.55; within the Pueblo of Sandia, $1,292.21; within the Pueblo of San Juan, $244.20; in all, $3,071.24.

Amounts found due.

Approved, June 4, 1936.

[CHAPTER 493.]

AN ACT

June 4, 1936.
[H. R. 7688.]
[Public, No. 641.]

To provide for the appointment of substitute postal employees, and for other purposes.

Postal Service.
Substitute employees.
Ratio of, to regular employees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the ratio of classified substitute railway postal clerks, classified substitute post-office clerks, classified substitute city letter carriers, classified substitute village letter carriers, classified substitute laborers, watchmen, and messengers, and classified substitutes in the Motor Vehicle Service, to regular railway postal clerks, post-office clerks, city letter carriers, village letter carriers, laborers, watchmen, and messengers, and employees of the Motor Vehicle Service, shall be not more than one classified substitute to six regular employees, or fraction thereof, respectively, except that in offices having fewer than six regular employees there may be one substitute clerk and one substitute carrier, and one substitute in the Motor Vehicle Service: *Provided*, That where the ratio of substitutes is now in excess of these ratios, no additional classified substitutes shall be appointed until these ratios are established: *Provided further*, That the provisions of this Act shall not operate to furlough or dismiss (1) any classified substitute railway postal clerks, post-office clerks, city letter carriers, village letter carriers, or laborers, watchmen, or messengers; or (2) any classified substitutes in the Motor Vehicle Service.

Provisos.
Excess of present ratios.

No classified substitute to be furloughed, etc.

Approved, June 4, 1936.

[CHAPTER 494.]

AN ACT

June 4, 1936.
[H. R. 8312.]
[Public, No. 642.]

To add certain lands to the Rogue River National Forest in the State of Oregon.

Rogue River National Forest, Oreg.
Lands added to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of forest management and municipal watershed protection, the following-described lands are hereby added to and made a part of the Rogue River National Forest in the State of Oregon and shall hereafter be administered subject to all the laws and regulations governing the national forests: Sections 31 to 35, inclusive, township 39 south, range 1 west; sections 2 to 11, inclusive, and sections 14 to 36, inclusive, township 40 south, range 1 west; section 1, and sections 11 to 36, inclusive, township 40 south, range 2 west, all Willamette base and meridian: *Provided*, That this action shall, as to all lands which are at this date legally appropriated under the public-land laws or reserved for any purpose, be subject to and shall not interfere with or defeat legal rights under such appropriation, nor prevent the use for such public purposes of lands so reserved so long as such appropriation is legally maintained or such reservation remains in force.

Description.

Proviso.
Prior legal rights not affected.

SEC. 2. That when the Secretary of Agriculture finds that merchantable timber may be cut without detriment to the purity or depletion of the water supply from such of the above-described lands title to which has been revested in the United States under the Act of Congress approved June 9, 1916 (39 Stat. 218), said Secretary is hereby authorized to dispose of such merchantable timber on such lands in accordance with the rules and regulations of the Secretary of Agriculture for the national forests and the entire proceeds of any such sale shall be deposited in the Treasury of the United States in a special fund designated "The Oregon and California Land Grant Fund", referred to in section 10 of the said Act of June 9, 1916, and be disposed of in the manner therein designated.

Cutting of merchantable timber on revested lands.

Vol. 39, p. 218.

Disposal of.

Deposit of receipts.

Approved, June 4, 1936.

[CHAPTER 495.]

AN ACT

To amend certain plant-quarantine laws.

June 4, 1936.
[H. R. 8495.]
[Public, No. 643.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third sentence of the second paragraph under the subheading "Enforcement of the Plant Quarantine Act" under the heading "Miscellaneous" of the Act entitled "An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and sixteen", approved March 4, 1915, is amended to read as follows: "If the plants or plant products (including seed) are found upon inspection to be free from injurious pests and not in violation of a plant-quarantine law or plant-quarantine regulation of the United States Department of Agriculture or of the State of destination pertaining to such injurious pests, or if infected shall be disinfected by said official, they shall upon payment of postage therefor be returned to the postmaster at the place of inspection to be forward [1] to the person to whom they are addressed; but if found to be infected with injurious pests and incapable of satisfactory disinfection or in violation of a plant-quarantine law or plant-quarantine regulation of the United States Department of Agriculture or of the State of destination pertaining to such injurious pests, the State inspector shall so notify the postmaster at the place of inspection who shall promptly notify the sender of said plants or plant products that they will be returned to him upon his request and at his expense, or in default of such request that they will be turned over to the State authorities for destruction."

Plant quarantine.
Vol. 38, p. 1113.

Shipments of plants by mail; inspection by State officials.

Disposition of plants, etc., found free of injurious pests.

Disposition of infected plants.

Approved, June 4, 1936.

[CHAPTER 496.]

AN ACT

To make lands in drainage, irrigation, and conservancy districts eligible for loans by the Federal land banks and other Federal agencies loaning on farm lands, notwithstanding the existence of prior liens of assessments made by such districts, and for other purposes.

June 4, 1936.
[H. R. 9009.]
[Public, No. 644.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Farm Credit Administration, the Federal Farm Mortgage Corporation, the Federal land banks, the Land Bank Commissioner, and any lending or financing agency established by or under the Farm Credit Act of 1933, as amended, or the Federal Farm Loan Act, as amended, are

Farm Credit Administration, etc.
Loans by, on lands in drainage, irrigation, and conservancy districts.
Vol. 48, pp. 257, 344.
U. S. C., pp. 419, 442.

[1] So in original.

authorized to make loans or acquire mortgages on lands in any drainage, irrigation, or conservancy district, notwithstanding the existence of any prior lien or charge arising out of an assessment for special benefits made by such district, in any case where (1) such land is otherwise eligible for a loan, (2) such assessment is payable over a period of years, and (3) reasonable security exists for the repayment of the loan, taking into consideration all facts and values, including the term and size of the loan, the integrity of the applicant, and the increased earning capacity of the lands arising from the improvements or benefits in respect of which the assessment was made.

Terms and conditions.

Approved, June 4, 1936.

[CHAPTER 497.]

AN ACT

June 4, 1936.
[H. R. 9991.]
[Public, No. 645.]

To extend the time for applying for and receiving benefits under the Act entitled "An Act to provide means by which certain Filipinos can emigrate from the United States", approved July 10, 1935.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Act entitled "An Act to provide means by which certain Filipinos can emigrate from the United States", approved July 10, 1935, is amended to read as follows:

Emigration of Filipinos from the United States.
Ante, p. 479.

"SEC. 6. No application for the benefits of this Act shall be accepted by any officer of the Immigration Service after December 1, 1937; and all benefits under this Act shall finally terminate on December 31, 1937, unless the journey has been started on or before that date, in which case the journey to Manila shall be completed."

Time extended for filing application for benefits, etc.

Approved, June 4, 1936.

[CHAPTER 498.]

AN ACT

June 4, 1936.
[H. R. 10849.]
[Public, No. 646.]

To authorize an appropriation for improvement of ammunition storage facilities at Aliamanu, Territory of Hawaii, and Edgewood Arsenal, Maryland.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $2,694,171, as follows: Aliamanu, Territory of Hawaii, $1,580,000; Edgewood Arsenal, Maryland (Bush River project), $1,114,171; including the necessary construction and installation of buildings, roads, railroads, and fences, utilities and appurtenances incident thereto, and including also the moving and reconditioning of Ordnance and Chemical Warfare Service stores, as may be necessary to provide safe and adequate storage for munitions.

Ammunition storage facilities.
Appropriation authorized for improvement at places designated.

Approved, June 4, 1936.

[CHAPTER 499.]

AN ACT

June 4, 1936.
[H. R. 11006.]
[Public, No. 647.]

Providing for the examination of the Nueces River and its tributaries in the State of Texas for flood-control purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized and directed to cause a preliminary examination of the Nueces River in the State of Texas, with a view

Nueces River, Tex.
Survey directed for controlling floods of.

to the control of its floods, in acccordance with the provisions of section 3 of an Act entitled "An Act to provide for control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, June 4, 1936.

[CHAPTER 500.]

AN ACT

June 4, 1936.
[H. R. 11768.]
[Public, No. 648.]

Authorizing construction, operation, and maintenance of Rio Grande canalization project and authorizing appropriation for that purpose.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon the completion of the engineering investigation, study, and report to the Secretary of State, as heretofore authorized by Public Resolution Numbered 4, Seventy-fourth Congress, approved February 13, 1935, the Secretary of State, acting through the American Section, International Boundary Commission, United States and Mexico, in order to facilitate compliance with the convention between the United States and Mexico concluded May 21, 1906, providing for the equitable division of the waters of the Rio Grande, and to properly regulate and control, to the fullest extent possible, the water supply for use in the two countries as provided by treaty, is authorized to construct, operate, and maintain, in substantial accordance with the engineering plan contained in said report, works for the canalization of the Rio Grande from the Caballo Reservoir site in New Mexico to the international dam near El Paso, Texas, and to acquire by donation, condemnation, or purchase such real and personal property as may be necessary therefor.

Rio Grande canalization project.
Construction, operation, and maintenance of, authorized.
Ante, pp. 24, 74.

Vol. 34, p. 2953.

Location of project.

Acquisition of property.

SEC. 2. There is authorized to be appropriated the sum of $3,000,000 for the purposes of carrying out the provisions of section 1 hereof, other than for operation and maintenance, including salaries and wages, fees for professional services; rents; travel expenses; per diem in lieu of actual subsistence; printing and binding, law books, and books of reference: *Provided*, That the amount herein authorized to be appropriated shall include so much as may be necessary for completion of construction of the diversion dam in the Rio Grande wholly in the United States, in addition to the $1,000,000 authorized to be appropriated for this purpose by the Act of August 29, 1935 (49 Stat. 961): *Provided further*, That the total cost of construction of said diversion dam and canalization works shall not exceed $4,000,000: *Provided further*, That the provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not apply to any purchase made or service procured when the aggregate amount involved is $100 or less; purchase, exchange, maintenance, repair and operation of motor-propelled passenger- and freight-carrying vehicles; hire with or without personal services, of work animals and animal-drawn and motor-propelled vehicles and equipment; acquisition by donation, condemnation, or purchase of real and personal property; transportation (including drayage) of personal effects of employees upon change of station; telephone, telegraphic, and air-mail communication; rubber boots for official use by employees; ice; equipment, services, supplies, and materials and other such miscellaneous expenses as the Secretary of State may deem necessary properly to carry out the provisions of the Act: *And provided further*, That any part of any appropriation made hereunder may be transferred to, for direct expenditure by, the Department of the

Appropriation authorized.

Proviso.
Diversion dam, completion.

Ante, p. 961.

Cost limitation.

Minor purchases.
R. S., sec. 3709, p. 733.
U. S. C., p. 1803.

Vehicles.

Transportation, etc.

Miscellaneous expenses.

Transfer of funds authorized.

Interior pursuant to such arrangements therefor as may be from time to time effected between the Secretary of State and the Secretary of the Interior, or as directed by the President of the United States.

Approved, June 4, 1936.

[CHAPTER 501.]

AN ACT

June 4, 1936.
[H. R. 11821.]
[Public, No. 649.]

To correct an error in section 16 (e) (1) of the Agricultural Adjustment Act, as amended, with respect to adjustments in taxes on stocks on hand, in the case of a reduction in processing tax.

Agricultural Adjustment Act; processing tax.
Correcting error respecting taxes on stocks on hand.
Ante, p. 769.
Post, p. 1739.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (1) of subsection (e) of section 16 of the Agricultural Adjustment Act, as amended, is amended by striking out "subsequent to June 26, 1934" and inserting in lieu thereof "on or after June 1, 1934".

Approved, June 4, 1936.

[CHAPTER 502.]

AN ACT

June 4, 1936.
[H. R. 11929.]
[Public, No. 650.]

Granting to the State of Iowa for State park purposes certain land of the United States in Clayton County, Iowa.

State of Iowa.
Grant of certain lands to, for State park.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby granted to the State of Iowa, upon the conditions and limitations hereinafter expressed, the following-described land of the United States lying and being in the Upper Mississippi River Wild Life and Fish Refuge, in Clayton County, Iowa, aggregating five hundred and forty-four and twenty-seven one-hundredths acres, more or less, to be held and administered by said State for the purposes of a State public park:

Description.

Lots 2, 3, and 4, section 35, township 95 north, range 3 west, fifth principal meridian (excepting, however, from said lot 2 a strip of land on the north side eight chains wide at the east end and twelve chains wide at the west end, containing twenty-eight and seventy-two one-hundredths acres, more or less; and also excepting from said lots 2, 3, and 4, a strip of land containing six and twenty-five one-hundredths acres, more or less, being the right-of-way of the Chicago, Milwaukee, Saint Paul and Pacific Railway), the parcel hereby conveyed containing according to survey one hundred twenty-seven and seventy-three one-hundredths acres, more or less.

Lot 21, block 11; lot 21, block 13; lots 7, 8, 12, 14, and 17, block 14; and lots 4, 5, 6, 7, 8, and 9, block 42; all situate in the James McGregor, Junior, addition to the town of McGregor, Iowa, containing according to survey one and fifty-seven one-hundredths acres, more or less.

A parcel of land in sections 22 and 27, township 95 north, range 3 west, fifth principal meridian, described as follows:

Beginning at corner 1, the center of section 27, an established fence corner; thence south eighty-nine degrees twenty-three minutes east, with quarter-section line, eighteen and ninety-three one-hundredths chains to corner 2, a two-by-two-by-fifteen-inch oak stake beside fence corner of land formerly owned by Pearl Johnson; thence with boundary of land formerly owned by Pearl Johnson, north forty-four degrees east seven and ninety-eight one-hundredths chains to corner 3, an elm post five inches in diameter, four feet above ground; thence south fifty-four degrees east exactly five chains to corner 4,

Description—Continued.

an elm post four inches in diameter, four feet above ground; thence south forty-four degrees west exactly four chains to corner 5, an elm stake three inches in diameter, one foot above ground; thence south eighty-nine degrees twenty-three minutes east, with quarter-section line and leaving land formerly owned by Pearl Johnson, fourteen and sixty one-hundredths chains to corner 6, the quarter-corner between sections 26 and 27, a six-by-six-by-forty-eight-inch post above ground, scribed "US", and a one-and-one-half-by-fifteen-inch iron pipe above ground, in a mound of stone, a ten-inch red oak bears north thirty-five degrees west thirty-eight one-hundredths, blazed and scribed "BT 5–2"; thence north, with the line between sections 26 and 27, thirty-seven and ninety one-hundredths chains approximate, a four-by-four-by-forty-eight-inch fir post in mound of stone on southwest side of road, exactly forty chains to the line between sections 22 and 27, exactly forty-three chains to corner 7, a point on west bank of the Mississippi River and in the east line of section 22; thence north twenty-eight degrees eleven minutes west, with west bank of the Mississippi River, five and thirty one-hundredths chains to corner 8, in the south line of "C" Street of the town of McGregor; thence south eighty-six degrees forty-eight minutes west, with south line of "C" Street, four and twenty one-hundredths chains to corner 9, a two-by-two-by-twelve-inch ash stake, above ground, at a point determined as the northeast corner of the unnumbered town lot owned by Eva Jordan; thence south three degrees twelve minutes east, with the east line of the Eva Jordan lot as determined by this survey, one and fifty-one one-hundredths chains to corner 10, a two-by-two-by-twelve-inch ash stake; thence with four lines in rear of block 14, south eighty-six degrees forty-eight minutes west, ten and twenty-seven one-hundredths chains to corner 11, a point; thence south seventy-seven degrees twenty-one minutes west, four and nineteen one-hundredths chains to corner 12, a point; thence north forty-nine degrees thirty-eight minutes west, forty-two one-hundredths chain to corner 13, the east corner of lot 19, block 14, a four-by-four-by-thirty-six-inch fir post above ground in a mound of stone, scribed "US Corner 5–8"; thence south forty degrees twenty-two minutes west, six and nineteen one-hundredths chains to the line between sections 22 and 27, six and thirty-three one-hundredths chains to corner 14, the east corner of lot 1, block 13, a seven-by-seven-by-thirty-six-inch butternut post above ground, scribed "US 5–9", in a mound of stone; thence south forty-nine degrees thirty-eight minutes east, one and fifty-one one-hundredths chains to corner 15, a nine-inch white oak tree with a five-by-five-by-twenty-four-inch ironwood post above ground, scribed "US 5–10", in a mound of stone, beside it, a fifteen-inch red oak bears north fifty degrees east eighteen one-hundredths, blazed and scribed "BT 5–10"; thence south forty degrees twenty-two minutes west, one and fifty-one one-hundredths chains to corner 16, an eight-by-eight-by thirty-six-inch ironwood post above ground, scribed "US 5–11", in mound of stone; thence north forty-nine degrees thirty-eight minutes west, one and fifty-one one-hundredths chains to corner 17, a one-by-four-by-thirty-six-inch oak stake above ground, at the east corner of lot 3, block 13; thence south forty degrees twenty-two minutes west eighteen and seventy-five one-hundredths chains to corner 18, the east corner of lot 5, block 11; thence south forty-nine degrees thirty-eight minutes east one and fifty-nine one-hundredths chains to corner 19, a two-by-two-by-twelve-inch elm stake above ground, in mound of stone; thence south naught degrees twenty-four minutes east, one and sixty-six one-hundredths chains to corner 20, a two-by-two-by-twelve-inch elm stake; thence south twenty degrees east one and

Description—Continued.

eleven one-hundredths chains to corner 21, a two-by-two-by-twelve-inch oak stake on the north line of Fayette Street; thence east, with the north line of Fayette Street, two and eighty-three one-hundredths chains to corner 22, at the intersection with the east line of State Street; thence south naught degrees twenty-four minutes east, with the east line of State Street, nine and nine one-hundredths chains to corner 23, at the intersection with the south line of Howard Street, a four-by-four-by-thirty-six-inch fir post above ground scribed "US Cor 5–18", beside a twenty-four-inch red oak; thence west six and thirty-six one-hundredths chains to corner 24, in the quarter-section line between the northwest quarter and the northeast quarter of section 27, a four-by-four-by-thirty-six-inch fir post above ground, scribed "US Cor 5–19", a fourteen-inch white oak bears south twenty degrees east sixty one-hundredths, blazed and scribed "BT–19"; thence south naught degrees twenty-four minutes east, with the quarter-section line between the northwest quarter and the northeast quarter of section 27, four and fifty-three one-hundredths chains to corner 25, a four-by-four-by-thirty-six-inch fir post above ground, scribed "US Cor 5–20", an eight-inch hickory bears north eighty-five degrees west fifty one-hundredths, blazed and scribed "BT 5–20"; thence north seventy degrees thirty-seven minutes west four and thirty-six one-hundredths chains to corner 26, a two-by-two-by-twelve-inch elm stake above ground; thence south nineteen degrees twenty-three minutes west, with line in rear of block 42 seventy-six one hundredths chain to the northeast corner of lot 1, block 42, eight and forty-two one-hundredths chains to corner 27, in the quarter-section line, a six-by-six-by-forty-eight-inch post above ground, in mound of stone; thence south eighty-nine degrees twenty-three minutes east six and eighty-five one-hundredths chains to the place of beginning (excepting therefrom a circular piece of ground, two and twenty-seven one-hundredths chains in diameter surrounding the McGregor City Water Reservoir, containing forty-one one-hundredths acre, more or less; and a strip of land containing one and fifty one-hundredths acres, more or less, being the right-of-way of the Chicago, Milwaukee, Saint Paul and Pacific Railway), the parcel hereby conveyed containing according to survey one hundred and fifty-two and thirty-five one-hundredths acres, more or less.

Lots 6, 7, 8, 12, 13, 14, 15, 16, 17, and 18, block 30; lots 1, 2, 3, 4, 5, 6, 7, west half lot 9, all of lots 10, 11, 12, 13, 14, and 15, block 33; lots 1, 2, 3, 4, 5, 9, 10, 11, and 12, block 36, all situate in the James McGregor, Junior, addition to the town of McGregor, containing according to survey three and seventy-two one-hundredths acres, more or less.

A certain parcel of land in the northwest quarter section 27, township 95 north, range 3 west, fifth principal meridian, described as follows:

Beginning at corner 1, the quarter-corner between sections 27 and 28, an established fence corner with a one-and-one-half-by-twelve-inch iron pipe above ground, beside it; thence south eighty-nine degrees twenty-three minutes east, with the quarter-section line between the northwest quarter and the southwest quarter of section 27 eleven and sixteen one-hundredths chains to corner 2, an established fence corner; thence north eighteen degrees fourteen minutes east, thirteen and thirty-one one-hundredths chains to corner 3, an established fence corner with a four-by-four-by-thirty-six-inch hickory post above ground, scribed "US 6–3", beside it, a ten-inch hickory bears north twenty-five degrees west forty-two one-hundredths blazed and scribed "BT 6–3"; thence south seventy degrees fifty-seven minutes east three and ninety-three one-hundredths chains

Description—Continued.

to corner 4, the northwest corner of lot 1, block 37, town of McGregor, thence north nineteen degrees three minutes east, with rear line of block 36, ten and ninety-three one-hundredths chains to corner 5, a two-by-two-by-twelve-inch ash stake above ground, marked "US 6–5", in the south line of Elm Street; thence north sixty-eight degrees fifty-five minutes west, with south line of Elm Street, ten and forty-four one-hundredths chains to corner 6, a three-by-three-by-twelve-inch ash stake above ground, marked "US 6–6", at the northeast corner of lot 1, block 33; thence south twenty-one degrees five minutes west, with two lines in rear of block 33 one and fifty-five one-hundredths chains to corner 7, a four-by-four-by-thirty-six-inch fir post above ground, scribed "US Cor 6–7", an eight-inch hickory bears south thirty degrees west seventy one-hundredths blazed and scribed "BT 6–7"; thence south seventy-three degrees twenty-five minutes west twelve and eighty one-hundredths chains to corner 8, a point in Spring Creek on the line between sections 27 and 28, a witness corner falls fifteen one-hundredths east on bank of creek, a four-by-four-by-forty-inch fir post above ground, scribed "US Cor 6–8", in a mound of stone, a thirty-inch elm bears south eighteen one-hundredths; thence south no degrees two minutes east, with line between sections 27 and 28, twenty and twenty-five one-hundredths chains to the place of beginning, containing according to survey thirty-eight and fifty-five one-hundredths acres, more or less.

Lots 13, 14, 15, and 16, block 18; lots 1, 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, and the east 20 feet of lot 15, block 26, all situate in the James McGregor, Junior, addition to the town of McGregor, Iowa, containing according to survey one and eighty-four one-hundredths acres, more or less.

A certain parcel of real estate in sections 22 and 27, township 95 north, range 3 west, fifth principal meridian, described as follows:

Beginning at corner 1, the point where the line between sections 21 and 22 intersects the south line of the Giard claim, an established fence corner; thence south naught degrees two minutes east, with line between sections 21 and 22, nine and seven one-hundredths chains to corner 2, a point in fence line; thence south sixty-nine degrees eleven minutes east, parallel to and three and forty one-hundredths chains northeast of the northeast side of block 27, ten and thirteen one-hundredths chains to the line between sections 22 and 27, eighteen and seven one-hundredths chains to corner 3, the west side of Cemetery Road and northeast corner of the Chapin lands, a four-by-four-by-thirty-six-inch fir post above ground, scribed "US Cor 1–3", beside an established fence corner; thence south twenty degrees forty-nine minutes west three and forty-one one-hundredths chains to corner 4, the northeast corner of lot 17, block 26; thence south sixty-nine degrees eleven minutes east, with the rear line of block 26, twelve and twelve one-hundredths chains to corner 5, a one-by-twelve-inch iron pipe above ground at the rear corner to blocks 18 and 26; thence south eighty-two degrees twenty-two minutes east, with rear line of block 18, two and eighty-five one-hundredths chains to corner 6, a one-by-twelve-inch pipe above ground and an eight-by-eight-by-forty-eight-inch oak post above ground, scribed "US 1–6", in mound of stones; thence north forty-nine degrees forty-seven minutes west one and forty-seven one-hundredths chains to corner 7, a five-by-five-by-twenty-four-inch basswood post above ground, scribed "US 1–7", in mound of stones; thence north forty degrees thirteen minutes east three and three one-hundredths chains to corner 8, a five-by-five-by-thirty-inch basswood post above ground, scribed "US 1–8", in mound of stones; thence south forty-nine degrees forty-seven minutes east three and

Description—Continued.

twenty-seven one-hundredths chains to corner 9, a two-by-two-by-fifteen-inch oak stake above ground, at the rear corner common to lots 4 and 5, block 18; thence north forty degrees thirteen minutes east with rear line of blocks 18 and 17, twelve and fifty-one one-hundredths chains to the line between sections 27 and 22, fourteen and forty-six one-hundredths chains to corner 10, a two-by-two-by-fifteen-inch oak stake above ground; thence north forty-nine degrees forty-seven minutes west two and eleven one-hundredths chains to corner 11, a two-by-two-by-fifteen-inch oak stake above ground; thence north forty degrees thirteen minutes east one and fourteen one-hundredths chains to corner 12, a two-by-two-by-twelve-inch oak stake above ground, on the line between lots 5 and 6, block 20; thence north forty-nine degrees forty-seven minutes west one and ninety-six one-hundredths chains to corner 13, the rear corner common to lots 5 and 6, block 20; thence south forty degrees thirteen minutes west with rear line of said lot 6, one and twenty-five one-hundredths chains to corner 14, an established fence corner on the northwest side of lot 6, block 20; thence north fifty-nine degrees twelve minutes west one and forty-four one-hundredths chains to corner 15, a stake; thence north thirty degrees forty-eight minutes east one and fifty-one one-hundredths chains to corner 16, in the rear line of block 21 at a point one and seventy one-hundredths chains westerly of the south corner of lot 1, block 21; thence north fifty-nine degrees twelve minutes west with the rear line of block 21, fifteen and nineteen one-hundredths chains to corner 17, a seven-by-seven-by-forty-eight-inch oak post above ground, scribed "US 1–17", on the south line of the Giard claim; thence south eighty-seven degrees forty-nine minutes west, with the south line of the Giard claim, twenty-five and eighty-six one-hundredths chains to the place of beginning (excepting, however, therefrom, twelve and nineteen one-hundredths acres, more or less, described as follows: Beginning at corner 1, a chiseled cross and mound of stones, on the extreme southwest point of the rock bluff northwest from what is known as Market Square in the town of McGregor, the intersection of Garnavillo Avenue and Buell Avenue bears south ten degrees thirty-five minutes east, five and eighty-eight one-hundredths chains distant; thence north twenty-four degrees forty minutes west seven and ninety-four one-hundredths chains to corner 2, an established fence corner; thence north forty-four degrees ten minutes east six and seventeen one hundredths chains to corner 3, a four-by-four-by-thirty-six-inch fir post above ground, scribed "US 3–X", in a mound of stones; thence north exactly sixty-four degrees east three and fifty one-hundredths chains to corner 4, a four-by-four-by-forty-two-inch fir post above ground, scribed "US 4–X", in mound of stones, on rock point at brink of bluff; thence south fifty-three degrees fifty minutes east ten and forty-seven one-hundredths chains to corner 5, a three-by-three-by-thirty-six-inch oak post above ground and a two-by-twelve-inch iron pipe above ground, in mound of stones which is on brink of bluff over brick school house, thence south exactly thirty-four degrees west two and thirty-four one-hundredths chains to corner 6, a four-by-four-by-forty-two-inch fir post above ground, scribed "US 6–X", in mound of stones and beside a chiseled cross on a large boulder; thence south exactly fifty-five degrees west four and seventy one-hundredths chains to corner 7, a three-by-three-by-eighteen-inch oak stake above ground; thence south seventy-one degrees fifty-five minutes west seven and seventy-seven one-hundredths chains to the place of beginning) the parcel hereby conveyed containing, according to survey, fifty-three and fifty-eight one-hundredths acres, more or less, subject to any

Description—Continued.

existing rights or easements for roads over or across the above-described land.

Lots 4, 5, and 6, block 46, in the James McGregor, Junior, addition, to the town of McGregor, Iowa, containing according to survey thirty-four one-hundredths acre, more or less.

A certain parcel of land in the southeast one hundred and sixty acres of the Giard Claim, and within what would be section 22, township 95 north, range 3 west, fifth principal meridian, described as follows:

Beginning at corner 1, the rear corner common to lots 9 and 10, block 3, town of McGregor, or one and fifty-one one-hundredths chains northwesterly from the south corner of the Goodie Garden Confectionary Building; thence north forty-eight degrees fifty-three minutes west, six and eight one-hundredths chains to corner 2, a one-by-twelve-inch galvanized iron pipe above ground, in a mound of stone; thence north seventy-nine degrees five minutes west, eight and thirty-four one-hundredths chains to corner 3, in the rear line of block 46 and sixty-nine one-hundredths chain southeast of the north corner of said block 46; thence south thirty-eight degrees fifty-three minutes east, with the rear line of blocks 46 and 45, six and twenty-six one-hundredths chains to corner 4, the rear corner common to lots 8 and 9, block 45; thence south twenty-one degrees forty-three minutes east, with two rear lines of block 45, three and seventeen one-hundredths chains to corner 5, a point; thence south forty-nine degrees thirty-eight minutes east, two and sixty-two one-hundredths chains to corner 6, the east corner of lot 1, block 45, a four-by-four-by-thirty-six-inch hickory post above ground, scribed "US 3–5," a ten-inch oak bears north forty-five degrees east, twenty-nine one-hundredths chains blazed and scribed "BT 3–5", an eight-inch hickory bears north fifty-five degrees west, thirty one-hundredths chain, blazed and scribed "BT 3–5"; thence south forty degrees twenty-two minutes west, with the southeast line of block 45, one and fifty-one one-hundredths chains to corner 7, the south corner of lot 1, block 45; thence north eighty-eight degrees fifty-nine minutes east, with the north line of "A" street, two and thirty-four one-hundredths chains to corner 8, in the rear line of block 3; thence north forty degrees twenty-two minutes east, with the rear line of block 3, six and fifty-six one-hundredths chains to the place of beginning, containing according to survey six and eleven one-hundredths acres, more or less.

A certain parcel of land, situated in lot 9 of the southeast one hundred and sixty acres of the Giard Claim and within what would be section 22, township 95 north, range 3 west, fifth principal meridian, described as follows:

Beginning at corner 1, a point in the north line of said lot 9 and eleven and thirty-five one-hundredths chains east of the northwest corner thereof, being the north corner common to the Munn lands and the Lorang property, a five-by-five-by-forty-eight-inch white oak post above ground, in a mound of stone, a twenty-inch white oak bears south sixty-seven degrees east, sixty one-hundredths chain, blazed and scribed "BT 2–1", a ten-inch hickory bears south six degrees east, eighty-nine one-hundredths chain, blazed and scribed "BT–21"; thence north eighty-nine degrees fifty-nine minutes east, with the north line of said lot 9, twenty and eighty-seven one-hundredths chains to corner 2, a ten-by-ten-by-thirty-two-inch oak post above ground, scribed "US 2–2", and a one-and-one-half-by-fifteen-inch pipe above ground, in a mound of stone, at the northeast corner of said lot 9, a sixteen-inch white oak bears south twenty degrees west, thirty-six one-hundredths chain, blazed and scribed

Description—Continued. "BT 2–2"; thence south eight degrees thirty-five minutes east, with line between lot 9 and lot 8 of southeast one hundred and sixty acres of Giard Claim, six and eighty-nine one-hundredths chains to corner 3, the northwest corner of lot 7, a one-by-twelve-inch iron pipe above ground, between trees with old blazes, a ten-inch twin black oak bears south thirty-eight degrees west, eight one-hundredths chain, scribed "BT 2–3", an eighteen-inch black oak bears north ten degrees west, thirty-four one-hundredths chain, scribed "BT 2–3"; thence south fifty-eight degrees fourteen minutes west with line between Munn lands and property of the Northeastern Iowa Outers Association, twenty and four one-hundredths chains to corner 4, a six-by-six-by-forty-two-inch basswood post above ground, in a mound of stones, in the line between lots 9 and 10, a twelve-inch butternut bears south twenty-eight degrees east, thirty-five one-hundredths chain, blazed and scribed "BT 2–4", a twenty-inch sycamore bears north sixty-eight degrees east, forty-one one-hundredths chain, blazed and scribed "BT 2–4"; thence north twenty-nine degrees fifty-one minutes west, with two lines common to lots 9 and 10, nine and eleven one-hundredths chains to corner 5, a point in said line; thence north sixty-nine degrees fifteen minutes west, thirty-five one-hundredths chain to corner 6, a five-by-thirty-six-inch ash post above ground, in mound of stone, the south corner common to the Munn lands and the Lorang property; thence north, with the line between Lorang and leaving the line between lots 9 and 10, three and forty-six one-hundredths chains to a four-by-four-by-forty-two-inch fir post above ground, scribed "US 3.46" with arrow pointing south, being on the north side of the Heights Road, nine and thirty-three one-hundredths chains to the place of beginning, containing twenty-six and sixty-two one-hundredths acres, more or less, subject to any existing rights or easements for roads over or across the land above described.

Lots 4, 5, 6, 7, 8, and 9, block 48, in James McGregor, Junior, addition to the town of McGregor, Iowa (excepting therefrom a strip of land being the right-of-way of the Chicago, Milwaukee, Saint Paul and Pacific Railway), the parcel hereby conveyed containing according to survey sixty-nine one-hundredths acres, more or less.

Lot 7, excepting a strip one chain in width along the west side, in the southeast one hundred and sixty acres of the Giard Claim and within what would be section 22, township 95 north, range 3 west, fifth principal meridian, described as follows:

Beginning at corner 1, a two-by-twelve-inch iron pipe above ground, in a mound of stone, and on the north line of said lot 7, one chain easterly from the northwest corner thereof; thence south nine degrees seventeen minutes east, parallel with and one chain east of the west line of lot 7, six and nineteen one-hundredths chains to corner 2, a point on brink of cliff in the south line of lot 7; thence north eighty-two degrees thirty minutes east, with line between lot 7 and lot 6, three and eight one-hundredths chains to a four-by-four-by-thirty-six-inch fir post above ground, scribed "US 4–3", in mound of stone, on west side of McGregor-Marquette Road, four and forty-four one-hundredths chains to corner 3, the corner common to lots 6 and 7 and block 48 of the James McGregor, Junior, addition to the town of McGregor; thence north eight degrees fifteen minutes west, with the line between lot 7 and block 48, five and seventy-two one-hundredths chains to corner 4, the corner common to lots 7 and 8 and block 48 of the town of McGregor; thence south eighty-eight degrees thirty minutes west, with the line between lots 7 and 8, one and eighty-four one-hundredths chains to a four-by-four-by-thirty-

six-inch fir post above ground, scribed "US 4–4", in mound of stone, on west side of McGregor-Marquette Road, four and fifty-eight one-hundredths chains to the place of beginning, containing, according to survey, two and sixty-eight one-hundredths acres, more or less, subject to existing easements for roads and railroads. Description—Continued.

A strip of land four and one-half chains wide along the north side of lot 1, section 11, township 94 north, range 3 west, fifth principal meridian (excepting therefrom a strip of land containing sixty-five one-hundredths acres, being the right-of-way of the Chicago, Milwaukee, Saint Paul and Pacific Railway), the parcel thereby conveyed containing according to survey ten and eighty-nine one-hundredths acres, more or less.

Lot 4, section 11, township 94 north, range 3 west, fifth principal meridian (excepting therefrom a strip of land containing three and nine one-hundredths acres being the right-of-way of the Chicago, Milwaukee, Saint Paul and Pacific Railway), the parcel hereby conveyed containing according to survey forty-two and thirty-six one-hundredths acres, more or less.

Lot 1 and the north half of lot 2, section 23, township 94 north, range 3 west, fifth principal meridian (excepting therefrom a strip of land containing seven and fifty-six one-hundredths acres, being the right-of-way of the Chicago, Milwaukee, Saint Paul and Pacific Railway), the parcel hereby conveyed containing according to survey seventy-five and twenty-four one-hundredths acres, more or less.

Conditions imposed.

The State shall improve and maintain the said land for such purpose, and not otherwise, and shall provide adequate conveniences for the public. No fee or other charge shall ever be imposed or exacted for admission of the public to the park or for use and enjoyment of the park by the public under such reasonable regulations as may be prescribed by the State or its authorized officials. The State shall sedulously safeguard the wildlife in the park from molestation and destruction, and shall do everything reasonably necessary to safeguard the park from injury by fire, or otherwise, and shall preserve the timber and other natural growth in the park from depredation and destruction. In the event the State shall fail to maintain the aforesaid granted land as a State park under the conditions and limitations herein prescribed, or upon abandonment of the park by the State, said land and all improvements thereon shall revert to the United States.

Safeguarding wildlife, etc.

Reversionary provision.

Approved, June 4, 1936.

[CHAPTER 503.]

AN ACT

To authorize a preliminary examination of Big Blue River and its tributaries with a view to the control of their floods.

June 4, 1936.
[H. R. 12370.]
[Public, No. 651.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized and directed to cause a preliminary examination to be made of Big Blue River, an affluent of the Kansas River, and its tributaries with a view to the control of their floods in accordance with the provisions of section 3 of an Act entitled "An Act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Big Blue River.
Survey of, and tributaries, directed for controlling floods of.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, June 4, 1936.

[CHAPTER 504.]

JOINT RESOLUTION

June 4, 1936.
[S. J. Res. 262.]
[Pub. Res., No. 99.]

Granting the consent of Congress to the States of New York and Vermont to enter into an agreement amending the agreement between such States consented to by Congress in Public Resolution Numbered 9, Seventieth Congress, relating to the creation of the Lake Champlain Bridge Commission.

Lake Champlain Bridge Commission.
Consent granted New York and Vermont to enter an amendatory agreement relating to, for bridge construction.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the States of New York and Vermont to enter into the amendatory agreement executed on April 1, 1936, by the commissioners duly appointed on the part of such States, amending the original agreement entered into by such States for the creation of the Lake Champlain Bridge Commission, which original agreement was consented to by Congress by Public Resolution Numbered 9, Seventieth Congress, approved February 16, 1928, and every part and article of such amendatory agreement is hereby ratified, approved, and confirmed: *Providing*, That nothing therein contained shall be construed as impairing or in any manner affecting any right or jurisdiction of the United States in and over the region which forms the subject of such amendatory agreement; which amendatory agreement is as follows:

Vol. 45, p. 120.

Proviso.
Federal jurisdiction not impaired.

Agreement.

Whereas, The states of New York and Vermont heretofore and on the 11th day of May, 1927, entered into an agreement or compact, duly authorized by law, creating the Lake Champlain bridge commission, and

Whereas, The legislatures of said states have authorized their respective commissioners to enter into an agreement of compact amending said existing agreement or compact. Now, therefore,

The said states of New York and Vermont do hereby enter into the following agreement, to wit:

The agreement heretofore made between the state of New York and the state of Vermont pursuant to chapter three hundred and twenty-one of the laws of nineteen twenty-seven of the state of New York, entitled: "An act authorizing designated authorities in behalf of the state of New York to enter into an agreement or compact with designated authorities of the state of Vermont for the creation of the Lake Champlain bridge commission, the establishment of the Lake Champlain bridge commission, and the defining of the powers and duties of such commission and making an appropriation for such purposes" and number one hundred thirty-nine of the acts of nineteen twenty-seven of the state of Vermont entitled: "An act ratifying a proposed agreement or compact between the state of Vermont and the state of New York relating to the creation of the Lake Champlain bridge commission and providing for carrying out the provisions of said agreement or compact," as the same was amended by the agreement or compact entered into the 30th day of March, 1935, by and under the authority of Chapter 201 of the Laws of 1933, as amended by Chapter 355 of the Laws of 1935 of the State of New York, and by and under the authority of No. 209 of the Acts of the General Assembly of the State of Vermont of 1935, entitled "An Act authorizing an agreement or compact between the State of Vermont and the State of New York to amend the existing agreement or compact between said States creating the Lake Champlain Bridge Commission, in relation to the construction of a new bridge across Lake Champlain, the issuance of bonds by said Commission, and providing for the payment of said bonds," approved by the Governor February 27, 1935, as amended by No. 210 of the Acts of 1935 of the General Assembly of the State of Vermont, approved by the Governor March 21, 1935, is hereby amended by adding thereto the following articles:

ARTICLE XXXVI

The Lake Champlain bridge commission shall have power and is hereby authorized to issue its negotiable bonds in addition to those issued prior to March first, nineteen hundred thirty-three, for the purpose of refunding its bonds issued before said date, provided, however, that the aggregate principal amount of such bonds so issued to pay off and refund its bonds issued before said date shall not exceed the aggregate principal amount of the bonds so retired.

ARTICLE XXXVII

Such commission shall have power and is hereby authorized to call for payment and to pay its bonds issued before March first, nineteen hundred thirty-three, in accordance with the terms under which said bonds were issued and for such purposes to use any funds which it has or shall have in reserves and sinking fund and investments at the time said bonds are called for payment, notwithstanding any provision heretofore set forth in this or any previous compact or agreement.

ARTICLE XXXVIII

The bonds issued under authority of article XXXVI shall be authorized by resolution of such commission and shall bear such date or dates, mature at such time or times, not exceeding fifty years from their respective dates, bear interest at such rate or rates, not exceeding five per centum per annum payable semi-annually, be in such denominations, be in such form, either coupon or registered, carry such registration privileges, be executed in such manner, be payable in such medium of payment, at such place or places, and be subject to such terms of redemption as such resolution or resolutions may provide. Said bonds may be sold at public or private sale for such price or prices as such commission shall determine, provided that the interest cost to maturity of the money received for any issue of said bonds shall not exceed five per centum per annum.

2. Neither the members of such commission nor any person executing said bonds shall be liable personally on said bonds or be subject to any personal liability or accountability by reason of the issuance thereof.

3. The bonds issued under the authority of article XXXVI shall constitute a first lien upon the property, tolls and revenues pledged to secure the bonds issued by such commission prior to March first, nineteen hundred thirty-three, and subject to the terms of any agreement made or to be made with holders of bonds issued by such commission under article XXVI of the amendments to this compact shall be a lien upon the tolls and revenues of the bridge referred to as the Rouses Point Bridge, and in accordance with subdivision four of article XXVI of the amendments to this compact any of such tolls and revenues which would otherwise have been payable into the state treasuries of the two states may be pledged to the payment of said bonds.

4. Said bonds shall not be a debt of the state of New York or of the state of Vermont and neither state shall be liable thereon, nor shall they be payable out of any funds other than those of such commission.

5. Said bonds shall be exempt from taxation and are hereby made securities in which all public officers and bodies of each state and of its municipal subdivisions, all insurance companies and associations, all savings banks and savings institutions, including savings and loan associations, executors, administrators, guardians, trustees,

Agreement—Continued.

and all other fiduciaries in each state may properly and legally invest the funds within their control.

6. Such commission shall have power out of any funds available therefor to purchase any bonds issued by it at a price not more than the redemption price thereof at the time of such purchase with accrued interest.

ARTICLE XXXIX

Such commission shall have the power to apply to the congress of the United States or any department of the United States for consent or approval of this compact as amended, but in the absence of such consent by congress and until the same shall have been secured, this compact, as amended, shall be binding upon the state of New York when ratified by it and the state of Vermont when ratified by it without the consent of congress to cooperate for the purposes enumerated in this agreement and in the manner herein provided and for all purposes that it legally may be.

IN WITNESS WHEREOF, by and under the authority of Chapters 73 and 219 of the Laws of 1936, of the State of New York, and by and under the authority of Public Act No. 19 of the Acts and Resolves passed by the General Assembly of the State of Vermont at the Special Session 1935–1936, approved by the Governor December 14, 1935, we have signed this compact or agreement, in duplicate, this 1st day of April, 1936.

Amendment.

SEC. 2. The right to alter, amend, or repeal this joint resolution is hereby expressly reserved.

Approved, June 4, 1936.

[CHAPTER 505.]

JOINT RESOLUTION

June 4, 1936.
[H. J. Res. 497.]
[Pub. Res., No. 100.]

To permit articles imported from foreign countries for the purpose of exhibition at the International Petroleum Exposition, Tulsa, Oklahoma, to be admitted without payment of tariff, and for other purposes.

International Petroleum Exposition, Tulsa, Okla.
Dutiable articles imported for exhibition, etc., purposes, admitted free, under regulations.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all articles which shall be imported from foreign countries for exhibition at the International Petroleum Exposition to be held at Tulsa, Oklahoma, from May 16 to May 23, 1936, or for use in constructing, installing, or maintaining foreign buildings or exhibits at the said exposition upon which articles there shall be a tariff or customs duty shall be admitted without payment of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during or within three months after the close of the said exposition to sell within the area of the exposition any articles provided for herein, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe:

Sales permitted.

Provisos.
Duty on articles withdrawn.

Provided, That all such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles, which shall have suffered diminution or deterioration from incidental handling or exposure, the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry hereunder for consumption or entry under the general tariff law: *Provided further*, That imported articles provided for herein shall not be subject to any marking requirements of the general tariff laws, except when such articles are withdrawn for consumption or use in the United States,

Deterioration allowance.

Marking requirements.

in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not sufficiently marked when imported into the United States: *Provided further*, That at any time during or within three months after the close of the exposition any article entered hereunder may be abandoned to the Government or destroyed under customs supervision, whereupon any duties on such article shall be remitted: *Provided further*, That articles, which have been admitted without payment of duty for exhibition under any tariff law and which have remained in continuous customs custody or under a customs exhibition bond, and imported articles in bonded warehouses under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at the said exposition under such regulations as the Secretary of the Treasury shall prescribe: *And provided further*, That the International Petroleum Exposition shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under the provisions of this Act, and that the actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for, articles imported under the provisions of this Act, shall be reimbursed by the International Petroleum Exposition to the Government of the United States under regulations to be prescribed by the Secretary of the Treasury, and that receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524, Tariff Act of 1930.

Abandoned articles.

Transfer privilege.

Exposition deemed sole consignee of merchandise.

Incurred Federal expenses reimbursable.

Deposit of, as refunds.
Vol. 46, p. 741.

Approved, June 4, 1936.

[CHAPTER 511.]

AN ACT

Relating to the allocation of radio facilities.

June 5, 1936.
[S. 2243.]
[Public, No. 652.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 302 of the Communications Act of 1934 is hereby repealed.

Communications Act of 1934, amendments.
Zone divisions; repeal.
Vol. 48, pp. 1081, 1083; U. S. C., pp. 2089, 2090.

SEC. 2. Subsection (b) of section 307 of such Act is amended to read as follows:

"(b) In considering applications for licenses, and modifications and renewals thereof, when and insofar as there is demand for the same, the Commission shall make such distribution of licenses, frequencies, hours of operation, and of power among the several States and communities as to provide a fair, efficient, and equitable distribution of radio service to each of the same."

Equitable allocation of radio licenses, etc.

Approved, June 5, 1936.

[CHAPTER 512.]

AN ACT

To amend the Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended and supplemented.

June 5, 1936.
[S. 2303.]
[Public, No. 653.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That clause (6½) of subsection (a) of section 63 of the Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended and supplemented, is

Bankruptcy Act of 1898, amendments.
Vol. 48, p. 924; U. S. C., p. 330.
Claims founded on negligence.

Estates pending on June 7, 1934, and in process of settlement.

amended by inserting immediately after the words "whether voluntary or involuntary" a colon and the following: "*Provided*, That the provisions of this clause (6½) shall apply to estates that were pending on June 7, 1934, and are in process of settlement."

Proving of claims. Vol. 44, p. 666; U. S. C., p. 329.

SEC. 2. Notwithstanding the provisions of subsection (n) of section 57 of such Act of July 1, 1898, as amended and supplemented, claims covered by the amendatory proviso of section 1 of this Act may be proved against the estate of the bankrupt at any time within sixty days after the date of enactment of this Act.

Approved, June 5, 1936.

[CHAPTER 513.]

AN ACT

For the relief of the State of Maine.

June 5, 1936.
[S. 3043.]
[Public, No. 654.]

State of Maine. Issue of duplicate checks to Treasurer of, in lieu of lost originals. R. S., sec. 3646, p. 717. U. S. C., p. 1395.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 3646, as amended, of the Revised Statutes of the United States, the Chief Disbursing Officer of the Treasury Department is authorized and directed to issue, without the requirement of an indemnity bond, a duplicate of original check numbered 66562 and a duplicate of original check numbered 66563, drawn February 12, 1935, under his symbol 79088, in favor of "Treasurer, State of Maine (trust fund)" for $7,075 and $11,275, respectively, and lost, stolen, or miscarried in the mails.

Approved, June 5, 1936.

[CHAPTER 514.]

AN ACT

June 5, 1936.
[S. 3885.]
[Public, No. 655.]

To further extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Garrison, North Dakota.

Missouri River. Time extended for bridging, at Garrison, N. Dak. Vol. 47, pp. 43, 804; Vol. 48, p. 946; *Ante*, p. 288.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Missouri River, at or near Garrison, North Dakota, authorized to be built by the State of North Dakota, by an Act of Congress approved February 10, 1932, heretofore extended by Acts of Congress approved February 14, 1933, June 12, 1934, and May 24, 1935, are hereby further extended one and three years, respectively, from June 12, 1936.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 5, 1936.

[CHAPTER 515.]

AN ACT

June 5, 1936.
[S. 3477.]
[Public, No. 656.]

Relating to the jurisdiction of the judge for the northern and middle districts of Alabama.

Alabama judicial districts. Jurisdiction of judge for northern and middle districts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the date of enactment of this Act, except as hereinafter provided, the jurisdiction of the present district judge for the northern and middle districts of Alabama, and his successors, shall be confined to the middle district of such State.

SEC. 2. (a) If the trial of any case has been entered upon in the northern district of Alabama before said district judge for the northern and middle districts of Alabama and has not been concluded on or before the date of enactment of this Act, the jurisdiction in such northern district of said judge shall be deemed to be extended as to such trial until it has been concluded. Pending trials in northern district, jurisdiction extended until conclusion.

(b) The said judge shall have power, notwithstanding his absence from such northern district, to decide all matters which have been submitted to him within such district, to decide motions for new trials, settle bills of exceptions, certify or authenticate narratives of testimony, or perform any other act required by law or the rules to be performed in order to prepare any case so tried by him for review in an appellate court; and his action thereon in writing filed with the clerk of the court where the trial or hearing was had shall be as valid as if such action had been taken by him within such district and prior to the date of enactment of this Act. Powers continued.

SEC. 3. Nothing in this Act shall be construed to alter or amend any provision of law relating to the designation and assignment of a district judge to hold court in a district other than his own. Assignment to hold court in another district.

Approved, June 5, 1936.

[CHAPTER 516.]

AN ACT

To extend the times for commencing and completing the construction of certain free highway bridges across the Red River, from Moorhead, Minnesota, to Fargo, North Dakota.

June 5, 1936.
[S. 3945.]
[Public, No. 657.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of two free highway bridges across the Red River, between Moorhead, Minnesota, and Fargo, North Dakota, authorized to be built by the State Highway Departments of the States of Minnesota and North Dakota by an Act of Congress approved June 4, 1934, heretofore extended by an Act of Congress approved August 5, 1935, are hereby further extended one and three years, respectively, from June 4, 1936. Red River. Time extended for bridging, Moorhead, Minn., to Fargo, N. Dak. Vol. 48, p. 842; *Ante*, p. 536.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved. Amendment.

Approved, June 5, 1936.

[CHAPTER 517.]

AN ACT

To amend section 28 of the Enabling Act for the State of Arizona, approved June 20, 1910.

June 5, 1936.
[S. 4230.]
[Public, No. 658.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 28 of the Act entitled "An Act to enable the people of New Mexico to form a constitution and state government and be admitted into the Union on an equal footing with the original States; and to enable the people of Arizona to form a constitution and state government and be admitted into the Union on an equal footing with the original States", approved June 20, 1910, is amended (1) by striking out the proviso in the third paragraph thereof and inserting in lieu thereof the following: "*Provided*, That nothing herein contained shall prevent said State of Arizona from leasing in a manner as the State legislature may direct, any of said lands referred to in this Enabling Act, State of Arizona, amendment. Restrictions on power to dispose of certain lands modified. Vol. 36, p. 574. *Proviso.* Leases for grazing, etc.

For mineral development.

Sale of grants at appraised value.

section for grazing and agricultural purposes for a term of ten years or less, or from leasing any of said lands for mineral purposes (including leases for exploration of oil and gas and extraction thereof) for a term of twenty years or less"; (2) by striking out in the fourth paragraph thereof "nor in any case less than the minimum price hereinafter fixed,"; (3) by striking out in the fifth paragraph thereof "three dollars per acre" and inserting in lieu thereof "their appraised value"; and (4) by inserting between the fifth and sixth paragraphs thereof the following new paragraph:

Exchanges for public or privately-owned lands, authorized.

Proviso.

Public lands, subject to approval.

"The State of Arizona is authorized to exchange any lands owned by it for other lands, public or private, under such regulations as the legislature thereof may prescribe: *Provided*, That such exchanges involving public lands may be made only as authorized by Acts of Congress and regulations thereunder."

Approved, June 5, 1936.

[CHAPTER 518.]

June 5, 1936.
[S. 4326.]
[Public, No. 659.]

AN ACT

Granting the consent of Congress to the Department of Public Works of Massachusetts to construct, maintain, and operate a free highway bridge across the Connecticut River at or near Northampton, Massachusetts.

Connecticut River. Massachusetts may bridge, at Northampton.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Department of Public Works, Commonwealth of Massachusetts, to construct, maintain, and operate a free highway bridge and approaches thereto across the Connecticut River, at a point suitable to the interests of navigation, at or near the city of Northampton, Massachusetts, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Construction.
Vol. 34, p. 84.
U. S. C., p. 1474.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 5, 1936.

[CHAPTER 519.]

June 5, 1936.
[S. 4340.]
[Public, No. 660.]

AN ACT

To authorize the President to designate an Acting High Commismissioner[1] to the Philippine Islands.

Philippine Islands. Designation of Acting High Commissioner to, in event of vacancy, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized, in his discretion, to designate a member of the staff of the United States High Commissioner to the Philippine Islands or an officer of the Army or Navy of the United States, to act as the High Commissioner in the event of a vacancy in said office, or the temporary disability or absence of the High Commissioner, and the official so designated shall have all the powers and perform all the duties of the High Commissioner during such vacancy, disability, or absence.

Powers and duties.

Approved, June 5, 1936.

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[1] So in original.

[CHAPTER 520.]

AN ACT

June 5, 1936.
[S. 4549.]
[Public, No. 661.]

Authorizing the State Highway Board of the State of Georgia to replace, reconstruct, or repair the free highway bridge across the Savannah River at or near the city of Augusta, Georgia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the State Highway Board of the State of Georgia is hereby authorized to replace, reconstruct, or repair the free highway bridge and approaches thereto across the Savannah River, known as the North Augusta Bridge, at or near the city of Augusta, Georgia, and to maintain and operate such bridge as a free highway bridge, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Savannah River.
Georgia may bridge, at Augusta.

Maintenance as free highway bridge.
Construction.
Vol. 34, p. 84; U. S. C., p. 1474.

SEC. 2. There is hereby conferred upon the State Highway Board of the State of Georgia all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, replacement, reconstruction, repair, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Acquisition of real estate, etc., for location, approaches, etc.

Condemnation proceedings.

SEC. 3. The authority granted by this Act shall cease and be null and void unless the replacement, reconstruction, or repair authorized herein is actually commenced within two years and completed within four years from the date of the enactment of this Act.

Time limitation.

SEC. 4. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, June 5, 1936.

[CHAPTER 521.]

AN ACT

June 5, 1936.
[S. 4555.]
[Public, No. 662.]

Relative to limitation of shipowners' liability.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4283 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 46, sec. 183; Supp. I, title 46, sec. 183), is hereby amended to read as follows:

Limitation of shipowners' liability.
R. S., sec. 4283, p. 827.
U. S. C., p. 1998; Supp. I, p. 273.
Ante, p. 960.

"SEC. 4283. (a) The liability of the owner of any vessel, whether American or foreign, for any embezzlement, loss, or destruction by any person of any property, goods, or merchandise shipped or put on board of such vessel, or for any loss, damage, or injury by collision, or for any act, matter, or thing, loss, damage, or forfeiture, done, occasioned, or incurred, without the privity or knowledge of such owner or owners, shall not, except in the cases provided for in subsection (b) of this section, exceed the amount or value of the interest of such owner in such vessel, and her freight then pending.

Liability of owner; amount.

"(b) In the case of any seagoing vessel, if the amount of the owner's liability as limited under subsection (a) is insufficient to pay all losses in full, and the portion of such amount applicable to the payment of losses in respect of loss of life or bodily injury is less

Seagoing vessels; liability when owner's interest insufficient to pay losses in full.

than $60 per ton of such vessel's tonnage, such portion shall be increased to an amount equal to $60 per ton, to be available only for the payment of losses in respect of loss of life or bodily injury. If such portion so increased is insufficient to pay such losses in full, they shall be paid therefrom in proportion to their respective amounts.

Proportionate payment if amount insufficient for full settlement.

Tonnage construed.

"(c) For the purposes of this section the tonnage of a seagoing steam or motor vessel shall be her gross tonnage without deduction on account of engine room, and the tonnage of a seagoing sailing vessel shall be her registered tonnage: *Provided*, That there shall not be included in such tonnage any space occupied by seamen or apprentices and appropriated to their use.

Proviso. Space excluded.

Injuries, etc., arising on distinct occasions.

"(d) The owner of any such seagoing vessel shall be liable in respect of loss of life or bodily injury arising on distinct occasions to the same extent as if no other loss of life or bodily injury had arisen.

Privity or knowledge of master, etc., imputed to owner.

"(e) In respect of loss of life or bodily injury the privity or knowledge of the master of a seagoing vessel or of the superintendent or managing agent of the owner thereof, at or prior to the commencement of each voyage, shall be deemed conclusively the privity or knowledge of the owner of such vessel.

"Seagoing vessel" construed.

"(f) As used in subsections (b), (c), (d), and (e) of this section and in section 4283A, the term 'seagoing vessel' shall not include pleasure yachts, tugs, towboats, towing vessels, tank vessels, fishing vessels or their tenders, self-propelled lighters, nondescript self-propelled vessels, canal boats, scows, car floats, barges, lighters, or nondescript non-self-propelled vessels, even though the same may be seagoing vessels within the meaning of such term as used in section 4289 of this chapter, as amended."

SEC. 2. Chapter 6 of title 48 of the Revised Statutes, as amended, is hereby amended by inserting after section 4283A the following new section:

Stipulations limiting liability for negligence invalid.

"SEC. 4283B. STIPULATIONS LIMITING LIABILITY FOR NEGLIGENCE INVALID.—It shall be unlawful for the manager, agent, master, or owner of any vessel transporting passengers between ports of the United States or between any such port and a foreign port to insert in any rule, regulation, contract, or agreement any provision or limitation (1) purporting, in the event of loss of life or bodily injury arising from the negligence or fault of such owner or his servants, to relieve such owner, master, or agent from liability, or from liability beyond any stipulated amount, for such loss or injury, or (2) purporting in such event to lessen, weaken, or avoid the right of any claimant to a trial by court of competent jurisdiction on the question of liability for such loss or injury, or the measure of damages therefor. All such provisions or limitations contained in any such rule, regulation, contract, or agreement are hereby declared to be against public policy and shall be null and void and of no effect."

SEC. 3. Section 4285 of the Revised Statutes (U. S. C., 1934 ed., title 46, sec. 185) is hereby amended to read as follows:

Proceedings to limit liability.

"SEC. 4285. The vessel owner, within six months after a claimant shall have given to or filed with such owner written notice of claim, may petition a district court of the United States of competent jurisdiction for limitation of liability within the provisions of this

Deposit of security.

chapter, as amended, and the owner (a) shall deposit with the court, for the benefit of claimants, a sum equal to the amount or value of the interest of such owner in the vessel and freight, or approved security therefor, and in addition such sums, or approved security therefor, as the court may from time to time fix as necessary to carry

Optional transfer of interest to a trustee.

out the provisions of section 4283, as amended, or (b) at his option shall transfer, for the benefit of claimants, to a trustee to be

appointed by the court his interest in the vessel and freight, together with such sums, or approved security therefor, as the court may from time to time fix as necessary to carry out the provisions of section 4283, as amended. Upon compliance with the requirements of this section all claims and proceedings against the owner with respect to the matter in question shall cease."

Termination of claims against owner.

SEC. 4. Section 4289 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 46, sec. 188), is hereby amended to read as follows:

R. S., sec. 4289, p. 827. U. S. C., p. 1998.

"SEC. 4289. Except as otherwise specifically provided therein, the provisions of the nine preceding sections and of section 18 of the Act entitled 'An Act to remove certain burdens on the American merchant marine and encourage the American foreign carrying trade and for other purposes', approved June 26, 1884 (23 Stat. 57; U. S. C., 1934 ed., title 46, sec. 189), shall apply to all seagoing vessels, and also to all vessels used on lakes or rivers or in inland navigation, including canal boats, barges, and lighters."

Application of provisions to all seagoing vessels, etc. Vol. 23, p. 57. U. S. C., p. 1999.

SEC. 5. Section 2 of the Act entitled "An Act relative to limitation of shipowners' liability", approved August 29, 1935 (U. S. C., 1934 ed., Supp. I,[1] sec. 183a), is hereby repealed.

Section repealed. *Ante*, p. 960. U. S. C., Supp. I, p. 273.

Approved, June 5, 1936.

[CHAPTER 522.]

AN ACT

June 5, 1936. [H. R. 190.] [Public, No. 663.]

Granting authority to the Secretary of War to license the use of a certain parcel of land situated in Fort Brady Reservation to Ira D. MacLachlan Post Numbered 3, the American Legion, for fifteen years.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to grant to Ira D. MacLachlan Post Numbered 3, the American Legion, Sault Sainte Marie, Michigan, a license to use and occupy a certain piece or parcel of land, with the building thereon, described as follows:

Fort Brady Reservation, Mich. License to use land in, granted to Ira D. MacLachlan Post, American Legion.

"Beginning at a point in the easterly boundary of Fort Brady Reservation two hundred and forty-eight and nine-tenths feet northward from the southeast corner of the reservation; thence north sixty-five degrees fifty-nine minutes west forty-nine and eight-tenths feet to the easterly edge of a roadway; thence north no degrees no minutes one hundred and forty-four and eight-tenths feet along the easterly edge of the roadway; thence south sixty-five degrees fifty-nine minutes east one hundred and eight and eight-tenths feet to the easterly boundary of Fort Brady Reservation; thence south twenty-four degrees one minute west one hundred and thirty-two and three-tenths feet along the easterly boundary of Fort Brady Reservation to the point of beginning."

Description.

for a period of fifteen years from the date of the issuance of such license.

Term of license.

SEC. 2. The issuance of such license shall be held to constitute a cancelation of the license under which the Ira D. MacLachlan Post Numbered 3, the American Legion, is now entitled to the use and occupation of such piece or parcel of land.

Cancelation of present license.

SEC. 3. The license issued as required by this Act shall be granted subject to the following conditions:

Conditions imposed.

1. That the building shall be used for the sole purpose of a clubhouse for the local American Legion Post of Sault Sainte Marie, Michigan.

Use of building.

2. That the building shall be kept in good repair, with proper sewerage connections to the river; that any use that may be made of the building or adjacent grounds shall in no way interfere with

Upkeep, etc.

[1] So in original.

Changes subject to official approval.

operations of the United States at the locality; and that no changes shall be made in the building or grounds without the prior consent of the district engineer of the Engineer Corps in charge of the locality.

Damage claims.

3. No claim shall be made against the United States by the licensee for any damage to any property of the licensee on said premises.

4. The licensee will protect the United States against any claim for personal injury or damage to property resulting from the use of said premises by the licensee.

Restoration, etc., upon relinquishment.

5. That the licensee shall, on or before the expiration or relinquishment of this license, vacate said premises, and remove all its property therefrom, and restore the building thereon and the adjacent premises to a condition satisfactory to the district engineer, or other competent military authority.

Amendment.

SEC. 6. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 5, 1936.

[CHAPTER 523.]

AN ACT

June 5, 1936.
[H. R. 1997.]
[Public, No. 664.]

To amend Public Law Numbered 425, Seventy-second Congress, providing for the selection of certain lands in the State of California for the use of the California State Park System, approved March 3, 1933.

California.
Lands for State Park System.
Vol. 47, p. 1487.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the selection of certain lands in the State of California for the use of the California State Park System", approved March 3, 1933, is hereby amended by striking out the period at the end thereof and inserting in lieu thereof a colon and the following: "*Provided further*, That in order to consolidate park areas and/or to eliminate private holdings therefrom, lands patented hereunder may be exchanged, subject to the mineral reservation in the United States as hereinbefore provided, with the approval of, and under rules prescribed by, the Secretary of the Interior for privately owned lands in the area hereinbefore described of approximately equal value containing the natural features sought to be preserved hereby, and the lands so acquired shall be subject to all the conditions and reservations prescribed by this Act, including the reversionary clause hereinbefore set out."

Exchanges for privately owned lands, authorized.

Mineral reservation.

Reversionary clause.

Approved, June 5, 1936.

[CHAPTER 524.]

AN ACT

June 5, 1936.
[H. R. 2737.]
[Public, No. 665.]

Extending and continuing to January 12, 1938, the provisions of the Act entitled "An Act authorizing the Secretary of the Interior to determine and confirm by patent in the nature of a deed of quitclaim the title to lots in the city of Pensacola, Florida", approved January 12, 1925.

Pensacola, Fla.
Authority to make quitclaim deeds to holders of certain lots, extended.
Vol. 43, p. 738.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the Act entitled "An Act authorizing the Secretary of the Interior to determine and confirm by patent in the nature of a deed of quitclaim the title to lots in the city of Pensacola, Florida", approved January 12, 1925, are hereby extended and continued to January 12, 1938: *Provided*, That there be paid to the Commissioner of the General Land Office a fee of $5 for each lot described in an application for a deed of quitclaim under such Act, which fee shall be considered earned, irrespective of the action taken on the application.

Proviso.
Fee.

Approved, June 5, 1936.

[CHAPTER 525.]

AN ACT

To provide for the addition or additions of certain lands to the Colonial National Monument in the State of Virginia.

June 5, 1936.
[H. R. 5722.]
[Public, No. 666.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to acquire by purchase and/or accept by donation, in behalf of the United States, such lands, easements, and buildings comprising the former Governor Berkeley's mansion and homestead in James City County and Carter's Grove mansion and homestead in the same county, and the Rosewell mansion and homestead in Gloucester County as are desirable for the proper rounding out of the boundaries and for the administrative control of the Colonial National Monument, and such lands as are necessary for parkways, not to exceed five hundred feet wide, to connect said mansions to the said Colonial National Monument, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That the said acquisition of lands and/or improvements shall be made only from such funds as may be appropriated pursuant to the authorization of the Act of March 3, 1931 (46 Stat. 1490).

Colonial National Monument, Va.
Lands, etc., added to.

Description.

Parkways.

Proviso.
Limitation on expenditures.
Vol. 46, p. 1490.

SEC. 2. That the area now within the Colonial National Monument, together with such additions as may hereafter be made thereto, pursuant to section 1 hereof, shall be known as the "Colonial National Historical Park", under which name the aforesaid national park shall be entitled to receive and to use all moneys heretofore or hereafter appropriated for the Colonial National Monument.

To be known hereafter as "Colonial National Historical Park."

SEC. 3. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

Inconsistent provisions repealed.

Approved, June 5, 1936.

[CHAPTER 526.]

AN ACT

Authorizing the Secretary of the Interior to furnish transportation to persons in the service of the United States in the Virgin Islands, and for other purposes.

June 5, 1936.
[H. R. 7025.]
[Public, No. 667.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to furnish to persons appointed from the continental United States for employment in the service of the United States in the Virgin Islands, and to persons who may be discharged without prejudice or, after a period of service of not less than one year, may resign from the service of the United States in the Virgin Islands, free transportation between a port in the United States and the post of duty in the Virgin Islands. The Secretary of the Interior is further authorized to furnish to persons appointed from the continental United States and employed in the service of the United States in the Virgin Islands free transportation from the post of duty to a port in the continental United States and return for the purpose of taking leave, but not more frequently in the case of any persons than once during each two-year period of service.

Virgin Islands.
Transportation to be furnished United States employees in.

On leaves of absence; limitation.

The Secretary of the Interior is further authorized to provide free transportation of the bodies of deceased persons formerly appointed from the continental United States for employment in the service of the United States in the Virgin Islands, from the post of duty previously held in the Virgin Islands to such destination in the continental United States as may be requested by the deceased person's nearest relatives and/or friends.

Bringing home remains, etc.

Approved, June 5, 1936.

[CHAPTER 527.]

AN ACT

June 5, 1936.
[H. R. 7930.]
[Public, No. 668.]

To eliminate certain lands from the Craters of the Moon National Monument, Idaho.

Craters of the Moon National Monument, Idaho.
Lands eliminated from.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the north half and north half of the south half section 16, township 2 north, range 24 east, Boise meridian, Idaho, be, and the same are hereby, eliminated from the Craters of the Moon National Monument.

Approved, June 5, 1936.

[CHAPTER 528.]

AN ACT

June 5, 1936.
[H. R. 8074.]
[Public, No. 669.]

To amend the Act of March 3, 1925, relating to Fort McHenry.

Fort McHenry, Md.
Area enlarged.
Vol. 43, p. 1109.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress entitled "An Act to repeal and reenact chapter 100 (1914, Public, Numbered 108), to provide for the restoration of Fort McHenry, in the State of Maryland, and its permanent preservation as a national park and perpetual national memorial shrine as the birthplace of the immortal 'Star-Spangled Banner', written by Francis Scott Key, for the appropriation of the necessary funds, and for other purposes", approved March 3, 1925 (43 Stat. 1109), be, and the same is hereby, amended by striking out from the third paragraph the words "six hundred and fifty feet" and inserting in lieu thereof the following words "six hundred and eighty feet".

Approved, June 5, 1936.

[CHAPTER 529.]

AN ACT

June 5, 1936.
[H. R. 11616.]
[Public, No. 670.]

To fix the compensation of the Director of the Federal Bureau of Investigation.

Federal Bureau of Investigation, Department of Justice.
Compensation of Director.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective on the first day of the first month next following the approval of this Act, the compensation of the Director of the Federal Bureau of Investigation of the Department of Justice shall be $10,000 per annum.

Approved, June 5, 1936.

[CHAPTER 530.]

AN ACT

June 5, 1936.
[H. R. 11792.]
[Public, No. 671.]

Declaring Bayou Saint John, in the city of New Orleans, Louisiana, a nonnavigable stream.

Bayou Saint John.
Declared nonnavigable, in New Orleans, La.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Bayou Saint John, in the city of New Orleans, Louisiana, be, and the same is hereby, declared to be not a navigable water of the United States within the meaning of the laws enacted by Congress for the preservation and protection of such waters.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 5, 1936.

[CHAPTER 531.]

AN ACT

To aid in defraying the expenses for the celebration of the bicentennial of the birth of Patrick Henry to be held at Hanover Courthouse, Virginia, July 15, 16, and 17, 1936.

June 5, 1936.
[H. R. 12870.]
[Public, No. 672.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $10,000 to aid in defraying the expenses for the celebration of the bicentennial of the birth of Patrick Henry to be held at Hanover Courthouse, Virginia, July 15, 16, and 17, 1936, such sum to be expended for such purposes by the Patrick Henry Bi-Centennial, Incorporated, Ashland, Hanover County, Virginia, and without regard to any other provision of law.

Patrick Henry bicentennial.
Appropriation authorized for celebration of.
Post, p. 1600.

Approved, June 5, 1936.

[CHAPTER 532.]

JOINT RESOLUTION

To amend the joint resolution of July 18, 1935, relating to the Seventieth National Encampment of the Grand Army of the Republic, to be held in the District of Columbia in September 1936.

June 5, 1936.
[H. J. Res. 465.]
[Pub. Res., No. 101.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the joint resolution entitled "Joint resolution giving authority to the Commissioners of the District of Columbia to make special regulations for the occasion of the Seventieth National Encampment of the Grand Army of the Republic to be held in the District of Columbia in the month of September 1936, and for other purposes, incident to the said encampment", approved July 18, 1935, is hereby amended to read as follows:

Grand Army Encampment, District of Columbia, 1936.
Ante, p. 482.

"That the Commissioners of the District of Columbia are hereby authorized and directed to make such special regulations for the occasion of the encampment of the Grand Army of the Republic which shall take place in the District of Columbia during the month of September 1936 as they shall deem advisable for the preservation of public order and the protection of life and property, to be in force one week prior to said encampment, during said encampment, and one week subsequent thereto, such special regulations shall be published in one or more of the daily newspapers of the District of Columbia, and no penalty prescribed for the violation of such regulations shall be enforced until five days after such publication. Any person violating any of the aforesaid regulations, or the aforesaid schedule of fares shall, upon conviction thereof in the police court of the said District, be liable for such offense to a fine not to exceed $100, and, in default of payment of such fine, to imprisonment in the workhouse (or jail) of said District for not longer than sixty days. This resolution shall take effect immediately upon its approval, and the sum of $15,000 or as much thereof as may be necessary, payable from any money in the Treasury not otherwise appropriated, and from the revenues of the District of Columbia in equal parts, is hereby appropriated. The Commissioners of the District of Columbia are hereby authorized in conjunction with the Citizens' Executive Committee of the Grand Army of the Republic, who shall be appointed by the said Commissioners, to expend the said sum of $15,000 to carry out the provisions of section 1 of this joint resolution, and for such expenses incident to the encampment as the said Commissioners, in their discretion and judgment, may deem advisable."

District Commissioners directed to make special regulations.

Publication of.

Penalty for violation.

Appropriation.

Expenditure.

Citizens' Executive Committee.

Ante, p. 484.

SEC. 2. That portion of section 5 of such joint resolution of July 18, 1935, which precedes the first proviso, is amended to read as follows:

Use of reservations.

"SEC. 5. That the Superintendent of National Capital Parks, subject to the approval of the Director of National Park Service, is hereby authorized to grant permits to the citizens' executive committee for the entertainment of the Grand Army of the Republic for the use of any reservation or other public spaces in the city of Washington on the occasion of the seventieth national encampment, in the month of September 1936, which, in his opinion, will inflict no serious or permanent injuries upon such reservations or public spaces, or statuary therein; and the Commissioners of the District of Columbia may designate for such and other purposes on the occasion aforesaid such streets, avenues, and sidewalks in the said city of Washington as they may deem proper and necessary for the erection of reviewing stands, platforms, or other structures, and that no person or corporation shall be authorized to erect or use such stands, platforms, or other structures without permission of said committee:".

Reviewing stands, etc.; unauthorized erection, use, etc.

Approved, June 5, 1936.

[CHAPTER 533.]

June 5, 1936.
[H. J. Res. 499.]
[Pub. Res., No. 102.]

JOINT RESOLUTION

Authorizing and requesting the President to extend to the Government of Sweden and individuals an invitation to join the Government and people of the United States in the observance of the three-hundredth anniversary of the first permanent settlement in the Delaware River Valley, and for other purposes.

Delaware River Valley tercentenary.
Preamble.

Whereas there is to be held at Wilmington, Delaware, and Philadelphia, Pennsylvania, and at several places in other States, during the year 1938, celebrations commemorating the three-hundredth anniversary of the first permanent settlement in the Delaware River Valley, said settlement being also the first settlement of the colony of New Sweden, which embraced parts of the present States of Delaware, Pennsylvania, and New Jersey; and

Whereas, in accordance with a resolution of the General Assembly of the State of Delaware, approved March 20, 1935, the Governor of said State has appointed a commission of eleven members, designated as the Delaware Swedish Tercentenary Commission, with authority "to prepare plans for a fitting celebration by the State of Delaware on the occasion of the three-hundredth anniversary in 1938 of the founding of the first permanent settlement and the establishment of the first permanent government upon the soil of Delaware * * *; and to cooperate with other commissions or committees representing the city of Wilmington; historical, patriotic, and other societies of the State of Delaware and other States; the governments of other States; and the National Governments of the United States and Sweden"; and

Whereas at its annual meeting held in Harrisburg, Pennsylvania, on January 17, 1935, the Pennsylvania Federation of Historical Societies (embracing seventy-three constituent historical societies) adopted the following resolution:

"Whereas plans are in preparation to celebrate the tercentenary of the landing of the Swedes on the Delaware and the establishment of the first permanent white settlement, and the first government in Pennsylvania, in 1638: Now therefore, be it

"*Resolved*, That this Federation pledge its hearty endorsement to such commemoration; and

"*Resolved further*, That the President be authorized to appoint such committee or committees to represent this Federation as may be necessary and to cooperate with similar New Jersey, Delaware, Swedish, or other committees."

Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That when, in the opinion of the President of the United States, it shall be appropriate for him to do so, the President be, and he is hereby, authorized and requested to extend to the Government of Sweden and such individuals as the President may determine an invitation to unite with the Goverment and people of the United States in a fitting and appropriate observance of the three-hundredth anniversary of the first permanent settlement of Swedish colonists in Delaware, Pennsylvania, and New Jersey.

President requested to extend invitation to Sweden, etc., to unite in observance of.

SEC. 2. There is hereby established a commission to be known as the United States Delaware Valley Tercentenary Commission (hereinafter referred to as the "Commission") to be composed of fifteen commissioners, as follows: Five persons to be appointed by the President of the United States, five Members of the Senate to be appointed by the President of the Senate, and five Members of the House of Representatives to be appointed by the Speaker of the House of Representatives. The Commission, on behalf of the United States, shall cooperate with representatives of the States of Delaware and Pennsylvania in the appropriate observance of such anniversary, and shall extend appropriate courtesies to such representatives of the Government of Sweden, and other persons, as may respond to the invitation of the President extended as hereinbefore provided. The members of the Commission shall serve without compensation and shall select a chairman from among their number.

Commission established.
Composition, duties, etc.

SEC. 3. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $10,000 to be expended by the Commission for expenses, including actual and necessary traveling and subsistence expenses incurred while discharging its functions under this resolution.

Appropriation authorized.

Approved, June 5, 1936.

[CHAPTER 534.]

JOINT RESOLUTION

June 5, 1936.
[H. J. Res. 570.]
[Pub. Res., No. 103.]

Authorizing the President of the United States to award posthumously a Distinguished Service Medal to Major General Clarence Ransom Edwards.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized to award, posthumously, in the name of Congress, a Distinguished Service Medal to Major General Clarence Ransom Edwards, who died February 14, 1931, after having organized the Twenty-sixth Division, and commanded it with distinction during all but eighteen days of its active service at the front. The high qualities of leadership and unfailing devotion to duty displayed by him were responsible for the marked esprit and morale of his command. To his marked tactical ability and energy are largely due the brilliant successes achieved by the Twenty-sixth National Guard Division during its operations against the enemy from February 4, 1918, to November 11, 1918.

Maj. Gen. Clarence Ransom Edwards.
Distinguished Service Medal awarded to.

Approved, June 5, 1936.

[CHAPTER 541.]

AN ACT

June 8, 1936.
[H. R. 12120.]
[Public, No. 673.]

To provide for the further development of vocational education in the several States and Territories.

Vocational education.
Appropriation authorized for further development, fiscal year 1938, and thereafter.
Provisos.
Allotments; matching by State or local funds, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of providing for the further development of vocational education in the several States and Territories there is hereby authorized to be appropriated for the fiscal year beginning July 1, 1937, and annually thereafter, the sum of $12,000,000: *Provided*, That the several States and Territories shall be required to match by State or local funds or both 50 per centum of the appropriations authorized under the provisions of this section until June 30, 1942, 60 per centum for the year ending June 30, 1943, 70 per centum for the year ending June 30, 1944, 80 per centum for the year ending June 30, 1945, 90 per centum for the year ending June 30, 1946, and annually thereafter 100 per centum of the appropriations authorized under the provisions of this section.

Bases of apportionments.
Farm population.

One-third of this sum each year shall be allotted to the States and Territories in the proportion that their farm population bears to the total farm population of the United States and Territories, according to the United States census last preceding the end of the fiscal year in which any such allotment is made, and shall be used for the salaries and necessary travel expenses of teachers, supervisors, and directors of agricultural subjects in such States and Territories.

Rural population.

One-third of the sum appropriated for each fiscal year shall be allotted to the States and Territories in the proportion that their rural population bears to the total rural population of the United States and Territories, according to the United States census last preceding the end of the fiscal year in which any such allotment is to be made, and shall be used for the salaries and travel expenses of teachers, supervisors, and directors of home-economics subjects in such States and Territories.

Nonfarm population.

One-third of the sum appropriated for each fiscal year shall be allotted to the States and Territories in the proportion that their nonfarm population bears to the total nonfarm population of the United States and Territories, according to the United States census last preceding the end of the fiscal year in which any such allotment is to be made, and shall be used for the salaries and necessary travel expenses of teachers, supervisors, and directors of trade and industrial subjects, in such States and Territories: *Provided further*, That the allotment of funds to any State or Territory for each of the three purposes enumerated in this section shall be not less than a minimum of $20,000 for any fiscal year, 50 per centum of which shall be matched by State or local funds or both, and there is hereby authorized to be appropriated for the fiscal year beginning July 1, 1937, and annually thereafter the sum of $175,000, or so much thereof as may be needed, which shall be used for the purpose of providing the minimum allotments to the States and Territories provided for in this section.

Minimum allotment.
State or local cooperation.

Teacher training in distributive occupational subjects; allotments to, and cooperation by, States and Territories.

SEC. 2. In addition to the sum authorized to be appropriated by section 1 hereof, there is hereby authorized to be appropriated, and required to be matched in the same proportions as such sum, the sum of $1,200,000, to be allotted to the States and Territories in the proportion that their total population bears to the total population of the United States and Territories, according to the United States census last preceding the end of the fiscal year in which any such allotment is made, and shall be used for the salaries and necessary travel expenses of teachers, supervisors, and directors of, and maintenance of teacher training in, distributive occupational subjects in

such States and Territories: *Provided, however*, That the allotment of funds to any State or Territory for the purpose of this section shall be not less than a minimum of $10,000 for any fiscal year after July 1, 1937, and there is hereby authorized to be appropriated for the fiscal year beginning July 1, 1937, and annually thereafter the sum of $54,000, or so much thereof as may be needed, which shall be used for the purpose of providing the minimum allotments to the States and Territories provided for in this section.

Proviso. Minimum allotment.

Appropriation authorized.

SEC. 3. That for the purpose of cooperating with the States and Territories in preparing teachers, supervisors, and directors of agricultural, trade and industrial, and home-economics subjects there is hereby authorized to be appropriated for the use of the several States and Territories for the fiscal year beginning July 1, 1937, and annually thereafter the sum of $1,000,000. Said sum shall be allotted to the several States and Territories in the proportion which their population bears to the total population of the United States and Territories, according to the last preceding United States census: *Provided*, That the allotment of funds to any State or Territory shall be not less than a minimum of $10,000 for any fiscal year. And there is hereby authorized to be appropriated for the fiscal year beginning after the enactment of the Act and annually thereafter the sum of $54,000, or so much thereof as may be needed, which shall be used for the purpose of providing the minimum allotments to the States and Territories provided for in this section.

Preparation of teachers, etc.; cooperation with States and Territories.

Appropriation authorized.

Apportionment.

Proviso. Minimum allotment.

Appropriation authorized.

SEC. 4. For the purpose of carrying out the provisions of this Act there is hereby authorized to be appropriated to the Office of Education, Department of the Interior, for vocational education, for the fiscal year beginning July 1, 1937, and annually thereafter the sum of $350,000, to be expended for the same purposes and in the same manner as provided in section 7 of the Act approved February 23, 1917, as amended October 6, 1917.

Administrative expenses.

Appropriation authorized.

Vol. 39, p. 933; Vol. 40, p. 345; U. S. C., p. 906.

SEC. 5. The Secretary of the Treasury, through the Division of Disbursement of the Treasury Department, shall, upon the certification of the United States Commissioner of Education, pay, in equal semiannual payments, on the 1st day of July and January of each year, to the custodian for vocational education of each State and Territory designated in the Act approved February 23, 1917, the moneys to which the State or Territory is entitled under the provisions of this Act.

Disbursements.

Semiannual payments.

SEC. 6. The appropriations made by this Act shall be in addition to, and shall be subject to the same conditions and limitations as, the appropriations made by the Act entitled "An Act to provide for the promotion of vocational education; to provide cooperation with the States in the promotion of such education in agriculture and in the trades and industries; to provide cooperation with the States in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditures", approved February 23, 1917, except that the appropriations made by this Act for home economics shall be subject to the conditions and limitations applicable to the appropriation for agricultural purposes under such Act of February 23, 1917, with the exception of that part of section 10 thereof which requires directed or supervised practice for at least six months per year; that such moneys as are provided by this Act for trade and industrial subjects, including public and other service occupations, may be expended for part-time classes operated for less than one hundred and forty-four hours per year; that the provisions of section 11 of the Act of February 23, 1917, requiring at least one-third of the sum appropriated to any State to be expended for part-time

Appropriations additional to former Act.

Vol. 39, p. 929.

Home economics; limitations on appropriations for.

Vol. 39, p. 934.

Part-time classes.

schools or classes shall be held to include any part-time day-school classes for workers fourteen years of age and over, and evening-school classes for workers sixteen years of age and over; except that the appropriations made by this Act for distributive occupational subjects shall be limited to part-time and evening schools as provided in said Act of February 23, 1917, for trade, home economics, and industrial subjects and as qualified by the provisions of this section; and that the appropriations available under section 4 of this Act shall be available for expenses of attendance at meeting of educational associations and other organizations and for expenses of conferees called to meet in the District of Columbia or elsewhere, which, in the opinion of the Commissioner, are necessary for the efficient discharge of the provisions of this Act.

Distributive occupational subjects.

Attendance at meetings, etc.

Industrial-plant training programs.

SEC. 6a. No part of the appropriations herein authorized shall be expended in industrial-plant training programs, except such industrial-plant training be bona-fide vocational training, and not a device to utilize the services of vocational trainees for private profit.

Authorizations to be in lieu of previous Act. Vol. 48, p. 792; U. S. C., p. 906.

SEC. 7. The appropriations authorized by this Act shall be in lieu thereof and not in addition to the appropriations authorized in sections 1 and 2 of Public Law Numbered 245, Seventy-third Congress, approved May 21, 1934.

"States and Territories" defined.

SEC. 8. As used in this Act the term "States and Territories" means the several States, the Territories of Alaska and Hawaii, the Island of Puerto Rico, and the District of Columbia.

Approved, June 8, 1936.

[CHAPTER 542.]

JOINT RESOLUTION

June 8, 1936.
[H. J. Res. 377.]
[Pub. Res., No. 104.]

To enable the States of Maine, New Hampshire, New York, Vermont, Massachusetts, Rhode Island, Connecticut, Pennsylvania, West Virginia, Kentucky, Indiana, Illinois, Tennessee, and Ohio to conserve and regulate the flow of and purify the waters of rivers and streams whose drainage basins lie within two or more of the said States.

State compacts for flood and pollution control.
Consent of Congress granted.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of the Congress of the United States is hereby given to the States of Maine, New York, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, Pennsylvania, West Virginia, Kentucky, Indiana, Illinois, Tennessee, and Ohio, or any two or more of them, to negotiate and enter into agreements or compacts for conserving and regulating the flow, lessening flood damage, removing sources of pollution of the waters thereof, or making other public improvements on any rivers or streams whose drainage basins lie within any two or more of the said States.

Approval by State legislatures.

SEC. 2. No such compact or agreement shall be binding or obligatory upon any State a party thereto unless and until it has been approved by the legislatures of each of the States whose assent is contemplated by the terms of the compact or agreement and by the Congress.

Approved, June 8, 1936.

[CHAPTER 544.]

AN ACT

To provide for the appointment of two additional judges for the Southern District of New York.

June 15, 1936.
[S. 3389.]
[Public, No. 674.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, two additional judges of the District Court of the United States for the Southern District of New York.

United States courts. New York Southern District. Two additional judges authorized.

Approved, June 15, 1936.

[CHAPTER 545.]

AN ACT

To amend the Grain Futures Act to prevent and remove obstructions and burdens upon interstate commerce in grains and other commodities by regulating transactions therein on commodity futures exchanges, to limit or abolish short selling, to curb manipulation, and for other purposes.

June 15, 1936.
[H. R. 6772.]
[Public, No. 675.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Grain Futures Act (U. S. C., 1934 ed., title 7, sec. 1) is amended to read as follows: "That this Act may be cited as the 'Commodity Exchange Act.'"

Commodity Exchange Act. Vol. 42, p. 998; U. S. C., p. 109. Short title.

SEC. 2. The Grain Futures Act (U. S. C., 1934 ed., title 7, secs. 1 to 17, inclusive) is amended by striking out the word "grain" wherever it appears in such Act and inserting in lieu thereof "commodity", "any commodity", or "commodities", as the case may require, and by striking out the phrase "cash grain" wherever such phrase appears and inserting in lieu thereof "any cash commodity".

Grain Futures Act amended. Scope.

SEC. 3. Section 2 of the Grain Futures Act (U. S. C., 1934 ed., title 7, secs. 2, 3 and 4) is amended by—

Vol. 42, p. 998; U. S. C., p. 109.

(a) striking out the third sentence of paragraph (a) and inserting in lieu thereof the following: "The word 'commodity' shall mean wheat, cotton, rice, corn, oats, barley, rye, flaxseed, grain sorghums, mill feeds, butter, eggs and Solanum tuberosum (Irish potatoes).";

Definitions. "Commodity."

and

(b) adding at the end of paragraph (a) the following sentences: "The words 'cooperative association of producers' shall mean any cooperative association, corporate or otherwise, not less than 75 per centum in good faith owned or controlled, directly or indirectly, by producers of agricultural products and otherwise complying with an Act of Congress of February 18, 1922 (U. S. C., 1934 ed., title 7, secs. 291 and 292), as now or hereafter amended, including any organization acting for a group of such associations and owned or controlled by such associations, provided that business done for or with the United States of America, or any agency thereof, shall not be considered either member or nonmember business in determining the compliance of any such association with said Act of Congress of February 18, 1922. The words 'member of a contract market' shall mean and include individuals, associations, partnerships, corporations, and trusts owning or holding membership in, or admitted to membership representation on, a contract market or given members' trading privileges thereon. The words 'futures commission merchant' shall mean and include individuals, associations, partnerships, corporations, and trusts engaged in soliciting or in accepting orders for the purchase or sale of any commodity for future delivery on or subject to the rules of any contract market and that, in or in

"Cooperative association of producers."

Vol. 42, p. 388. U. S. C., p. 134.

Business done for United States, etc.

"Member of a contract market."

"Futures commission merchant."

connection with such solicitation or acceptance of orders, accepts any money, securities, or property (or extends credit in lieu thereof) to margin, guarantee, or secure any trades or contracts that result or may result therefrom. The words 'floor broker' shall mean any person who, in or surrounding any 'pit', 'ring', 'post', or other place provided by a contract market for the meeting of persons similarly engaged, shall engage in executing for others any order for the purchase or sale of any commodity for future delivery on or subject to the rules of any contract market, and who for such services receives or accepts any commission or other compensation. The words 'the commission' shall mean the Commodity Exchange Commission, consisting of the Secretary of Agriculture, the Secretary of Commerce, and the Attorney General."

"Floor broker."

"The commission."

Prohibition against dealings in grain futures.

Exceptions.

SEC. 4. Section 4 of the Grain Futures Act (U. S. C., 1934 ed., title 7, sec. 6) is amended by—

(a) striking out the word "except" at the end of the first paragraph;

(b) striking out all of paragraph (a); and

(c) striking out the parentheses and letter "b" and the word "Where" at the beginning of paragraph (b) and inserting in lieu thereof the words "except, in any of the foregoing cases, where".

SEC. 5. The Grain Futures Act is amended by adding after section 4 (U. S. C., 1934 ed., title 7, sec. 6) the following new sections:

Excessive speculation in commodities for future delivery causing unreasonable price changes.

"SEC. 4a. (1) Excessive speculation in any commodity under contracts of sale of such commodity for future delivery made on or subject to the rules of contract markets causing sudden or unreasonable fluctuations or unwarranted changes in the price of such commodity, is an undue and unnecessary burden on interstate commerce in such commodity. For the purpose of diminishing, eliminating, or preventing such burden, the commission shall, from time to time, after due notice and opportunity for hearing, by order, proclaim and fix such limits on the amount of trading under contracts of sale of such commodity for future delivery on or subject to the rules of any contract market which may be done by any person as the commission finds is necessary to diminish, eliminate, or prevent such burden. Nothing in this section shall be construed to prohibit the commission from fixing different trading limits for different commodities, markets, futures, or delivery months, or different trading limits for buying and selling operations, or different limits for the purposes of subparagraphs (A) and (B) of this section, or from exempting transactions commonly known to the trade as 'spreads' or 'straddles' or from fixing trading limits applying to such transactions different from trading limits fixed for other transactions.

Commission to proclaim limits on futures trading.

Different trading limits for different commodities, etc.

Exempting "spreads" or "straddles."

"(2) The commission shall, in such order, fix a reasonable time (not to exceed ten days) after the order's promulgation; after which, and until such order is suspended, modified, or revoked, it shall be unlawful for any person—

Promulgation of order after reasonable notice.

Unlawful transactions.

Excessive trading in any one business day.

"(A) directly or indirectly to buy or sell, or agree to buy or sell, under contracts of sale of such commodity for future delivery on or subject to the rules of the contract market or markets to which the order applies, any amount of such commodity during any one business day in excess of any trading limit fixed for one business day by the commission in such order for or with respect to such commodity; or

Excessive net long or net short position in futures transactions.

"(B) directly or indirectly to buy or sell, or agree to buy or sell, under contracts of sale of such commodity for future delivery on or subject to the rules of any contract market, any amount of such commodity that shall result in giving such person a net long or net short position at any one time in or with respect to any such

commodity in excess of any trading limit fixed by the commission for net long or net short position in such order for or with respect to such commodity.

Bona fide hedging transactions exempted.

"(3) No order issued under paragraph (1) of this section shall apply to transactions which are shown to be bona fide hedging transactions. For the purposes of this paragraph, bona fide hedging transactions shall mean sales of any commodity for future delivery on or subject to the rules of any board of trade to the extent that such sales are offset in quantity by the ownership or purchase of the same cash commodity or, conversely, purchases of any commodity for future delivery on or subject to the rules of any board of trade to the extent that such purchases are offset by sales of the same cash commodity. There shall be included in the amount of any commodity which may be hedged by any person—

Term construed.

Producers.

"(A) the amount of such commodity such person is raising, or in good faith intends or expects to raise, within the next twelve months, on land (in the United States or its Territories) which such person owns or leases;

Hedging against sale of products or byproducts of commodities.

"(B) an amount of such commodity the sale of which for future delivery would be a reasonable hedge against the products or byproducts of such commodity owned or purchased by such person, or the purchase of which for future delivery would be a reasonable hedge against the sale of any product or byproduct of such commodity by such person.

Registered futures commission merchant dealing on own account.

"(4) This section shall apply to a person that is registered as a futures commission merchant or as floor broker under authority of this Act only to the extent that transactions made by such person are made on behalf of or for the account or benefit of such person. This section shall not apply to transactions made by, or on behalf of, or at the direction of, the United States, or a duly authorized agency thereof.

Transactions by United States, etc.

Contracts of sale by members of contract markets, in interstate commerce. Unlawful acts.

"SEC. 4b. It shall be unlawful for any member of a contract market, or for any correspondent, agent, or employee of any member, in or in connection with any order to make, or the making of (1) any contract of sale of any commodity in interstate commerce, or (2) any contract of sale of any commodity for future delivery made, or to be made, on or subject to the rules of any contract market for or on behalf of any person if such contract for future delivery is or may be used for (a) hedging any transaction in interstate commerce in such commodity or the products or by products thereof, or (b) determining the price basis of any transaction in interstate commerce in such commodity, or (c) delivering any such commodity sold, shipped, or received in interstate commerce for the fulfillment thereof—

Cheating, etc.

"(A) to cheat or defraud or attempt to cheat or defraud such person;

False reports.

"(B) willfully to make or cause to be made to such person any false report or statement thereof, or willfully to enter or cause to be entered for such person any false record thereof;

Willful deception.

"(C) willfully to deceive or attempt to deceive such person by any means whatsoever in regard to any such order or contract or the disposition or execution of any such order or contract, or in regard to any act of agency performed with respect to such order or contract for such person; or

Bucketing orders, etc.

"(D) to bucket such order, or to fill such order by offset against the order or orders of any other person, or willfully and knowingly and without the prior consent of such person to become the buyer in respect to any selling order of such person, or become the seller in respect to any buying order of such person.

Cotton; simultaneous execution of buying and selling orders for different principals.

"Nothing in this section or in any other section of this Act shall be construed to prevent a futures commission merchant or floor broker who shall have in hand, simultaneously, buying and selling orders at the market for different principals for a like quantity of cotton for future delivery in the same month, from executing such buying and selling orders at the market price: *Provided*, That any such execution shall take place on the floor of the exchange where such orders are to be executed at public outcry across the ring and shall be duly reported, recorded, and cleared in the same manner as other orders executed on such exchange.

Proviso.
Execution of, at public outcry.
Report, recording, and clearing.

Additional unlawful acts.

"SEC. 4c. It shall be unlawful for any person to offer to enter into, enter into, or confirm the execution of, any transaction involving any commodity, which is or may be used for (1) hedging any transaction in interstate commerce in such commodity or the products or byproducts thereof, or (2) determining the price basis of any such transaction in interstate commerce in such commodity, or (3) delivering any such commodity sold, shipped, or received in interstate commerce for the fulfillment thereof—

"Wash sale", etc.

"(A) if such transaction is, is of the character of, or is commonly known to the trade as, a 'wash sale', 'cross trade', or 'accommodation trade', or is a fictitious sale;

"Privilege", etc.

"(B) if such transaction is, is of the character of, or is commonly known to the trade as, a 'privilege', 'indemnity', 'bid', 'offer', 'put', 'call', 'advance guaranty', or 'decline guaranty', or

Use of transaction to cause reporting, etc., of untrue price.

"(C) if such transaction is used to cause any price to be reported, registered, or recorded which is not a true and bona fide price.

Exchange of futures in connection with cash commodity transactions, etc.

"Nothing in this section shall be construed to prevent the exchange of futures in connection with cash commodity transactions or of futures for cash commodities, or of transfer trades or office trades if made in accordance with board of trade rules applying to such transactions and such rules shall not have been disapproved by the Secretary of Agriculture. Nothing in this section or section 4b shall be construed to impair any State law applicable to any transaction enumerated or described in such sections.

State laws not impaired.

Futures commission merchants.
Qualifications, restrictions, etc.

"SEC. 4d. It shall be unlawful for any person to engage as futures commission merchant in soliciting orders or accepting orders for the purchase or sale of any commodity for future delivery, or involving any contracts of sale of any commodity for future delivery, on or subject to the rules of any contract market unless—

Registration.

"(1) such person shall have registered, under this Act, with the Secretary of Agriculture as such futures commission merchant and such registration shall not have expired nor been suspended nor revoked; and

Treatment of property received to margin, etc., trades.
Money and other property belonging to customer.

"(2) such person shall, whether a member or nonmember of a contract market, treat and deal with all money, securities, and property received by such person to margin, guarantee, or secure the trades or contracts of any customer of such person, or accruing to such customer as the result of such trades or contracts, as belonging to such customer. Such money, securities, and property shall be separately accounted for and shall not be commingled with the funds of such commission merchant or be used to margin or guarantee the trades or contracts, or to secure or extend the credit, of any customer or person other than the one for whom the same are held: *Provided, however*, That such money, securities, and property of the customers of such futures commission merchant may, for convenience, be commingled and deposited in the same account or accounts with any bank or trust company or with the clearing house organization of such contract market, and that such share thereof as in the normal course of business

Accounting, unauthorized use, etc.

Provisos.
Deposit, withdrawal, etc.

shall be necessary to margin, guarantee, secure, transfer, adjust, or settle the contracts or trades of such customers, or resulting market positions, with the clearing-house organization of such contract market or with any member of such contract market, may be withdrawn and applied to such purposes, including the payment of commissions, brokerage, interest, taxes, storage, and other charges, lawfully accruing in connection with such contracts and trades: *Provided further*, That such money may be invested in obligations of the United States, in general obligations of any State or of any political subdivision thereof, in obligations fully guaranteed as to principal and interest by the United States, and in 'investment securities' as defined in and under authority of section 5136 of the Revised Statutes, as amended, and, subject to approval by the Secretary of Agriculture, may be loaned on the security of negotiable warehouse receipts conveying or securing title to readily marketable commodities to the extent of the current loan value of such receipts, such investments and loans to be made in accordance with such rules and regulations and subject to such conditions as the Secretary of Agriculture may prescribe.

Investments allowed.

R. S., sec. 5136, p. 993.
U. S. C., p. 352.
Vol. 48, p. 184.

"SEC. 4e. It shall be unlawful for any person to act as floor broker in executing any orders for the purchase or sale of any commodity for future delivery, or involving any contracts of sale of any commodity for future delivery, on or subject to the rules of any contract market unless such person shall have registered, under this Act, with the Secretary of Agriculture as such floor broker and such registration shall not have expired nor been suspended nor revoked.

Floor broker executing orders for future delivery without being registered.

"SEC. 4f. (1) Any person desiring to register as futures commission merchant or as floor broker hereunder shall be registered upon application to the Secretary of Agriculture, which application shall be made in form and manner to be prescribed by the Secretary of Agriculture, giving such information and facts as the Secretary of Agriculture may deem necessary concerning the business in which the applicant is or will be engaged, including, in the case of applications of futures commission merchants, the names and addresses of the managers of all branch offices and of all correspondents and agents engaged in soliciting or accepting on behalf of such applicant any orders for the purchase or sale of any commodity for future delivery on or subject to the rules of any board of trade, and including also the names of its officers and partners, if a partnership, and of its officers, directors, and stockholders, as the Secretary of Agriculture may direct, if a corporation. Such person, when registered hereunder, shall likewise continue to report and furnish to the Secretary of Agriculture the above-mentioned information and such other information pertaining to his business as the Secretary of Agriculture may require. All registrations shall expire on the 31st day of December of the year for which issued, and shall be renewed upon application therefor unless the registration has been suspended (and the period of such suspension has not expired) or revoked after notice and hearing as prescribed in section 4g of this Act.

Application for registration.

Form, manner, etc., to be prescribed.

Information to be furnished.

Branch managers, etc.

Officers, directors, etc.

Continuance of reports, etc.

Expiration of registrations; renewals.

"(2) Any person registered as futures commission merchant hereunder shall post in a conspicuous place in each of the offices maintained by such person in the United States in which orders for the purchase or sale of any commodity for future delivery are solicited or accepted, the original or duplicate copy (issued by the Secretary of Agriculture) of such person's registration certificate as such futures commission merchant.

Posting of registration certificate.

Revocation or suspension of registration for designated causes.
Violations of Act; rules and regulations.
Failure to make reports, etc.
Failure to keep books, etc.; not permitting inspection.

"SEC. 4g. If any person registered hereunder as futures commission merchant or floor broker shall violate any of the provisions of this Act, or any of the rules or regulations of the Secretary of Agriculture thereunder, or shall fail or refuse to make any report required by the Secretary of Agriculture regarding the transactions of such person, or the transactions of the customers thereof, in commodities for future delivery on any board of trade in the United States or elsewhere, or shall fail or refuse to keep the books and records pertaining to such transactions in the form and manner required by the Secretary of Agriculture, or shall fail or refuse to keep such books and records open to inspection by any representative of the United States Department of Agriculture or the United States Department of Justice, the registration of such person may be suspended or revoked after notice and hearing in accordance with the procedure and subject to the judicial review provided in paragraph (b) of section 6 of this Act.

Operating place of business where orders are solicited, etc.
Used for hedging, price basis, or delivery of commodity in interstate commerce.

"SEC. 4h. It shall be unlawful for any person—

"(1) to conduct any office or place of business anywhere in the United States or its territories for the purpose of soliciting or accepting any orders for the purchase or sale of any commodity for future delivery, or for making or offering to make any contracts for the purchase or sale of any commodity for future delivery, or for conducting any dealings in commodities for future delivery, that are or may be used for

(A) hedging any transaction in interstate commerce in such commodity or the products or byproducts thereof, or

(B) determining the price basis of any such transaction in interstate commerce, or

(C) delivering any such commodity sold, shipped, or received in interstate commerce for the fulfillment thereof,

if such orders, contracts, or dealings are executed or consummated otherwise than by or through a member of a contract market; or

Misrepresentations.

"(2) falsely to represent such person to be a member of a contract market, or the representative or agent of such member, or to be a futures commission merchant registered under this Act, or the agent of such registered futures commission merchant, in soliciting or handling any order or contract for the purchase or sale of any commodity in interstate commerce or for future delivery, or falsely to represent in connection with the handling of any such order or contract that the same is to be or has been executed on, or by or through any member of, any contract market.

Making contract for future delivery, without reporting same, in excess of prescribed limits.

"SEC. 4i. It shall be unlawful for any person to make any contract for the purchase or sale of any commodity for future delivery on or subject to the rules of any contract market unless such person shall report or cause to be reported to the properly designated officer in accordance with the rules and regulations of the Secretary of Agriculture (1) whenever such person shall directly or indirectly make such contracts with respect to any commodity, or any future of such commodity, during any one day in an amount equal to or in excess of such amount as shall be fixed from time to time by the Secretary of Agriculture; and (2) whenever such person shall directly or indirectly have or obtain a long or short position in any commodity or in any future of such commodity, equal to or in excess of such amount as shall be fixed from time to time by the Secretary of Agriculture. Such person shall also keep books and records of transactions coming within the provisions of (1) and (2) hereof, which books and records shall show complete details concerning all such transactions, including the names and addresses of all persons

Record, etc., of transactions to be kept.

having any interest therein, and shall be open at all times to inspection by any representative of the United States Department of Agriculture or the United States Department of Justice." Official inspection.

SEC. 6. Section 5 of the Grain Futures Act (U. S. C., 1934 ed., title 7, sec. 7) is amended by— Contract markets. Vol. 42, p. 1000; U. S. C., p. 110.

(a) striking out the word "purpose." at the end of paragraph (a) and inserting in lieu thereof the following: "purpose: *Provided*, That any board of trade not so located shall be designated as a 'contract market' if such board of trade provides for the delivery of commodities on such contracts at a delivery point or points and upon terms and conditions approved by the Secretary of Agriculture."; and Designation of boards of trade as. *Proviso.* If board not located at a terminal market.

(b) striking out the word "or" after the word "prices" in paragraph (d) and inserting in lieu thereof the word "and". Preventing price manipulations and cornering of commodities.

SEC. 7. The Grain Futures Act is amended by adding after section 5 (U. S. C., 1934 ed., title 7, sec. 7) the following new sections: Contract market requirements. Vol. 42, p. 1001; U. S. C., p. 110.

"SEC. 5a. Each contract market shall—

"(1) promptly furnish the Secretary of Agriculture copies of all bylaws, rules, regulations, and resolutions made or issued by it or by the governing board thereof or any committee, and of all changes and proposed changes therein; Copies of bylaws, etc., and amendments to be furnished.

"(2) allow inspection at all times by any authorized representative of the United States Department of Agriculture or United States Department of Justice of the books, records, and all minutes and journals of proceedings of such contract market, its governing board and all committees, and of all subsidiaries and affiliates of such contract market, which books, records, minutes, and journals of proceedings shall be kept for a period of three years from the date thereof, or for a longer period if the Secretary of Agriculture shall so direct; Federal inspection of board's books, records, etc. Governing board and affiliates, etc.

"(3) require the operators of warehouses in which or out of which any commodity is deliverable on any contract for future delivery made on or subject to the rules of such contract market, to make such reports, keep such records, and permit such warehouse visitation as the Secretary of Agriculture may prescribe. Such books and records shall be required to be kept for a period of three years from the date thereof, or for a longer period if the Secretary of Agriculture shall so direct, and such books, records, and warehouses shall be open at all times to inspection by any representative of the United States Department of Agriculture or United States Department of Justice; Warehouse operators. Reports, records, etc. Inspection.

"(4) when so directed by order of the Secretary of Agriculture, provide for a period, after trading in contracts of sale of any commodity for future delivery in a delivery month has ceased, during which contracts of sale of such commodity for future delivery in such month may be satisfied by the delivery of the actual cash commodity. Whenever, after due notice and opportunity for hearing, the Secretary of Agriculture finds that provision for such a period of delivery for any one or more commodities or markets would prevent or tend to prevent 'squeezes' and market congestion endangering price stability, he shall, by order, require such period of delivery (which shall be not less than three nor more than ten business days) applicable to such commodities and markets as he finds will prevent or tend to prevent such 'squeezes' and market congestion: *Provided, however*, That such order shall not apply to then existing contracts; Period after trading for delivery in a delivery month. Secretary may order market to establish, to prevent "squeezes", etc. *Proviso.* Existing contracts.

"(5) require the party making delivery of any commodity on any contract of sale of such commodity for future delivery to furnish the party obligated under the contract to accept delivery, Written notice of delivery. Time, etc., requirements.

written notice of the date of delivery at least one business day prior to such date of delivery. Whenever, after due notice and opportunity for hearing, the Secretary of Agriculture finds that the giving of longer notice of delivery is necessary to prevent or diminish unfair practices in trading in any one or more commodities or markets, he shall by order require such longer notice of delivery (which shall be not more than ten business days) applicable to such commodities and markets as he finds will prevent or diminish such unfair practices: *Provided, however*, That such order shall not apply to then existing contracts;

Extension, to prevent, etc., unfair practices.

Proviso. Existing contracts.

"(6) require that all contracts of sale of any commodity for future delivery on such contract market shall provide for the delivery thereunder of commodities of grades conforming to United States standards, if such standards shall have been officially promulgated; and

Grades to conform to United States standards.

"(7) require that receipts issued under the United States Warehouse Act (U. S. C., 1934 ed., title 7, secs. 241–273) shall be accepted in satisfaction of any futures contract, made on or subject to the rules of such contract market, without discrimination and notwithstanding that the warehouseman issuing such receipts is not also licensed as a warehouseman under the laws of any State or enjoys other or different privileges than under State law: *Provided, however*, That such receipts shall be for the kind, quality, and quantity of commodity specified in such contract and that the warehouse in which the commodity is stored meets such reasonable requirements as may be imposed by such contract market on other warehouses as to location, accessibility, and suitability for warehousing and delivery purposes.

United States Warehouse Act. U. S. C., p. 131. Acceptance of receipts under, in satisfaction of futures contracts.

Proviso. Kind, quality, and quantity.

"SEC. 5b. The failure or refusal of any board of trade to comply with any of the provisions of this Act, or any of the rules and regulations of the Secretary of Agriculture thereunder, shall be cause for suspending for a period not to exceed six months or revoking the designation of such board of trade as a 'contract market' in accordance with the procedure and subject to the judicial review provided in paragraph (a) of section 6 of this Act."

Board of trade. "Contract market" designation, suspension or revocation for violation.

SEC. 8. Section 6 of the Grain Futures Act (U. S. C., 1934 ed., title 7, secs. 8, 9, 10, and 15) is amended by—

Vol. 42, p. 1002; U. S. C., p. 110.

(a) striking out the first sentence of paragraph (b) and inserting in lieu thereof the following: "If the Secretary of Agriculture has reason to believe that any person (other than a contract market) is violating or has violated any of the provisions of this Act, or any of the rules and regulations made pursuant to its requirements, or has manipulated or is attempting to manipulate the market price of any commodity, in interstate commerce, or for future delivery on or subject to the rules of any board of trade, he may serve upon such person a complaint stating his charges in that respect, to which complaint shall be attached or contained therein a notice of hearing, specifying a day and place not less than three days after the service thereof, requiring such person to show cause why an order should not be made directing that all contract markets until further notice of the Secretary of Agriculture refuse all trading privileges to such person, and to show cause why the registration of such person, if registered as futures commission merchant or as floor broker hereunder, should not be suspended or revoked.";

Complaints against person violating provisions of Act, etc.

Notice of hearing.

(b) striking out the words "said commission" after the words "before the" in the second sentence of paragraph (b) and inserting in lieu thereof "Secretary of Agriculture";

Secretary of Agriculture or referee to conduct hearings.

(c) striking out the word "who" in the second sentence of paragraph (b) and inserting in lieu thereof "which referee";

Textual modifications.

(d) striking out the words "as chairman of the said commission" in the second sentence of paragraph (b) after the words "to the Secretary of Agriculture";

(e) striking out the words and numerals "of section 12" after the word "penalties," in the third sentence of paragraph (b);

(f) inserting, after the word "amended" in the third sentence of paragraph (b) the following: "and supplemented (U. S. C., 1934 ed., title 49, secs. 12, 46, 47, and 48)";

U. S. C., pp. 2221, 2236.

(g) striking out the word "or" after the word "commission," in the third sentence of paragraph (b) and inserting in lieu thereof the word "and";

(h) striking out the fourth sentence of paragraph (b) and inserting in lieu thereof the following: "Upon evidence received, the Secretary of Agriculture may require all contract markets to refuse such person all trading privileges thereon for such period as may be specified in the order, and, if such person is registered as futures commission merchant or as floor broker hereunder, may suspend, for a period not to exceed six months, or revoke, the registration of such person.";

Refusal of contract market trading privileges to offenders; suspension or revocation of registration.

(i) striking out the word "commission" wherever it appears in the sixth, seventh, and eighth sentences of paragraph (b) and inserting in lieu thereof the words "Secretary of Agriculture";

Transfer of functions from commission to Secretary.

(j) striking out the words "its chairman or to any member thereof" after the word "to" in the seventh sentence of paragraph (b) and inserting in lieu thereof the word "him"; and

(k) striking out the word "Code" at the end of paragraph (b) and inserting the following: "Code, as amended".

SEC. 9. The Grain Futures Act is amended by adding after section 6 (U. S. C., 1934 ed., title 7, secs. 8, 9, 10, and 15) the following new sections:

Vol. 42, p. 1002; U. S. C., pp. 110, 111.

"SEC. 6a. (1) No board of trade which has been designated as a 'contract market' shall exclude from membership in, and all privileges on, such board of trade, any association or corporation engaged in cash commodity business having adequate financial responsibility which is organized under the cooperative laws of any State, or which has been recognized as a cooperative association of producers by the United States Government or by any agency thereof, if such association or corporation complies and agrees to comply with such terms and conditions as are or may be imposed lawfully upon other members of such board, and as are or may be imposed lawfully upon a cooperative association of producers engaged in cash commodity business, unless such board of trade is authorized by the commission to exclude such association or corporation from membership and privileges after hearing held upon at least three days' notice subsequent to the filing of complaint by the board of trade: *Provided, however*, That if any such association or corporation shall fail to meet its obligations with any established clearing house or clearing agency of any contract market, such association or corporation shall be ipso facto debarred from further trading on such contract market, except such trading as may be necessary to close open trades and to discharge existing contracts in accordance with the rules of such contract market applicable in such cases. Such commission may prescribe that such association or corporation shall have and retain membership and privileges, with or without imposing conditions, or it may permit such board of trade immediately to bar such association or corporation from membership and privileges. Any order of said commission entered hereunder shall be reviewable by the circuit court of appeals for the circuit in which such association or corporation,

Legitimate cooperative associations.
Membership, etc., in board of trade "contract market."

Exclusion from membership, etc.

Proviso.
Failure to meet obligations a bar to trading.

Status of membership, etc.

Action subject to court review.

or such board of trade, has its principal place of business, on written petition either of such association or corporation, or of such board of trade, under the procedure provided in paragraph (a) of section 6 of this Act, but such order shall not be stayed by the court pending review.

Compensation on a commodity unit basis, etc.

"(2) No rule of any board of trade designated as a contract market shall forbid or be construed to forbid the payment of compensation on a commodity-unit basis, or otherwise, by any federated cooperative association to its regional member-associations for services rendered or to be rendered in connection with any organization work, educational activity, or procurement of patronage, provided

No compensation returned to patrons, dividends excepted.

no part of any such compensation is returned to patrons (whether members or nonmembers) of such cooperative association, or of its regional or local member-associations, otherwise than as a dividend on capital stock or as a patronage dividend out of the net earnings or surplus of such federated cooperative association.

Board of trade, or its agent, etc.
"Cease and desist" order for violating Act in lieu of revocation of designation permitted.

"SEC. 6b. If any board of trade, or any director, officer, agent, or employee of any board of trade is violating or has violated any of the provisions of this Act or any of the rules or regulations of the Secretary of Agriculture thereunder, or any order issued by the commission pursuant to any provision of this Act, the commission, in lieu of revoking the designation of such board of trade as a 'contract market' may, upon notice and hearing and subject to appeal as

Order subject to appeal.
Vol. 42, p. 1001.

in other cases provided for in paragraph (a) of section 6 of this Act, make and enter an order directing that such board of trade, director, officer, agent, or employee shall cease and desist from such

Refusal to obey order, etc.; penalty.

violation or violations, and if such board of trade, director, officer, agent, or employee, thereafter and after the lapse of the period allowed for appeal of such order or after the affirmance of such order, shall fail or refuse to obey or comply with such order, such board of trade, director, officer, agent, or employee shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than $500 nor more than $10,000 or imprisoned for not less than six months nor more than one year, or both. Each day during which such failure or refusal to obey such order continues shall be deemed a separate offense."

Vol. 42, p. 1003.
U. S. C., p. 111.

SEC. 10. The Grain Futures Act is amended by adding after section 8 (U. S. C., 1934 ed., title 7, sec. 12) the following new section:

"SEC. 8a. The Secretary of Agriculture is authorized—

Registrations.
Futures commission merchants, etc.

"(1) to register futures commission merchants and floor brokers upon application in accordance with rules and regulations and in form and manner to be prescribed by the Secretary of Agriculture; and

Refusal, where registration suspended, revoked, etc.

"(2) to refuse to register any person if such person has violated any of the provisions of this Act or any of the rules or regulations promulgated by the Secretary of Agriculture hereunder for which the registration of such person has been suspended (and the period of such suspension shall not have expired) or has been revoked; and

Transactions with person denied trading privileges.

"(3) to suspend or revoke the registration of any futures commission merchant who shall knowingly accept any order for the purchase or sale of any commodity for future delivery on or subject to the rules of any contract market from any person if such person has been denied trading privileges on any contract market by order of the Secretary of Agriculture under the provisions of paragraph (b) of section 6 of this Act and the period of denial specified in such order shall not have expired; and

Fees.

"(4) to fix and establish from time to time fees and charges for registrations and renewals thereof and for copies of registration

certificates, not to exceed $10 for each such registration, renewal, or copy; and

"(5) to make and promulgate such rules and regulations as, in the judgment of the Secretary of Agriculture, are reasonably necessary to effectuate any of the provisions or to accomplish any of the purposes of this Act; and

Rules and regulations.

"(6) to communicate to the proper committee or officer of any contract market and to publish, notwithstanding the provisions of section 8 of this Act, the full facts concerning any transaction or market operation, including the names of parties thereto, which in the judgment of the Secrtary [1] of Agriculture disrupts or tends to disrupt any market or is otherwise harmful or against the best interests of producers and consumers."

Publication of harmful transactions.

SEC. 11. Section 9 of the Grain Futures Act (U. S. C., 1934 ed., title 7, sec. 13) is amended by:

Vol. 42, p. 1003; U. S. C., p. 111.

(a) striking out the word "section" and the numeral "4" and inserting in lieu thereof the following: "section 4, section 4a, section 4b, section 4c, section 4d, section 4e, section 4h, or section 4i";

Violations punishable by criminal penalties. Sections added.

(b) inserting after the comma following the word "Act" the following: "or who shall manipulate or attempt to manipulate the price of any commodity in interstate commerce, or for future delivery on or subject to the rules of any board of trade, or who shall corner or attempt to corner any such commodity,";

Price manipulation, etc.

(c) striking out the words "said section" after the words "mentioned in" and inserting in lieu thereof the words "section 4 of this Act"; and

Textual changes.

(d) inserting after the word "deliver" the words "or cause to be delivered".

SEC. 12. If any provision of this Act which is amendatory of any section of the Grain Futures Act, or the application thereof to any person or circumstances is held invalid, the provisions of the section of the Grain Futures Act which is amended by such provision of this Act shall apply to such person or circumstances. No proceeding shall be abated by reason of any amendment to the Grain Futures Act made by this Act but shall be disposed of pursuant to this Act.

Separability provisions.

SEC. 13. All provisions of this Act authorizing the registration of futures commission merchants and floor brokers, the fixing of fees and charges therefor, the promulgation of rules, regulations, and orders, and the holding of hearings precedent to the promulgation of rules, regulations, and orders shall be effective immediately. All other provisions of this Act shall take effect ninety days after the enactment of this Act.

Effective dates.

Approved, June 15, 1936.

[CHAPTER 546.]

AN ACT

To incorporate The National Yeomen F.

June 15, 1936.
[S. 1687.]
[Public, No. 676.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Eva H. Clarke, Beatrice Brown Dwyer, and Mary J. O'Donnell, of Arizona; Ruby Busse Anglim, Lottie Sessions Barrett, Philome Lucy Cavanagh, Stella Austen Clark, Pearl Bonham Clerk, Lillian Koeber Deamer, Harriet Jane Dodson, Alma Simmermacher Dreyer, Stella Neumann Elberson, Ola Belle Emmner, Edna Crumpler Estes, Mirian Mathews Everett, Katherine Driscoll Fallon, Kathleen Vance Hatch,

The National Yeomen F. Incorporators.

[1] So in original.

Incorporators—Con. Eva Wilson Hay, Ellen Keefe Heady, Ruth Hemphill, Myrtle Kinsey, Anna Geisler Kirkpatrick, Katherine Brown Lightner, Margaret Dannagger Lovelace, Lillian Catherine McCarthy, Gladys Farmer McCool, Laura Landes Metcalf, Louise Vickery Mowers, Ruth Manahan Neal, Gladys D. Nelson, Madeline O'Leary Peggs, Caroline Peirce, Sara Craddock Sasser, May Gesner Schaefer, Billie Browne Schank, Rita Beauton Schaub, Etienne V. Schier, Louise Williams Sears, Anne Williams Shumway, Florence Kelly Sparrow, Laura V. Waldron, Agnes L. Walker, Gladys Spaulding Wheless, Evelyn Lyon Wiberg, and Muriel Andrews Zerangue, all of California;

Gladys Yeager Briggs, and Blanche Marion Curry, of Colorado;

Grace Pascoe Agard, Julie Sternberg Aichler, Mary Sweeney Alling, Sara Hinchey Barry, Anna Kilroy Bean, Kathleen Moriarity Begley, Anna Lyons Bergin, Ethel Cornet Bolles, Anna McDowell Brown, Mary MacKenzie Carson, Lucy Galvin Cavanaugh, Rose Reiger Chapman, Dorothy Sara Clifford, Monica Cecelia Clifford, Sadie Connelly, Marjory Murray Cormack, Martha Swirsky Cotton, Marion McEntee Cox, Ione Disco Cunningham, Katherine Lyng Donovan, Margaret Bess Dordelman, Marguerite Driscoll, Mae Sheehan Dwyer, Ruth Lawson Euster, Katherine Frances Fagan, Ethel Clendenen Fargo, Gertrude Selesnitzky Feinberg, Elisabeth Tagliabue Fields, Helen Buckley Fitzgerald, Irene Catherine Fitzgerald, Anna Campbell Forsythe, Anna J. Gaughan, Mary Penders Gillis, Mary Agnes Grady, Theresa Madeleine Hamill, Alice Mary Harrington, Florence Hulbert Hermanus, Ella Veronica Houlihan, Deborah Pickett Kane, Frances Walsh Keenan, Margaret O'Brien Kennedy, Hazel Merwin Lander, Elizabeth Mallon Leighton, Agnes Carlson Lukens, Catherine Gertrude MacKenzie, Clara Armstrong MacKenzie, Edna Murray Manchester, Mary Driscoll Markham, A. Regina Martin, Josephine McAuliffe Martin, Bellerose Meunier, Mazie Rogers Miller, Elsie Reichert Moon, Winnifred Patricia Nagle, Isabelle Dickson Peterson, Lucy Riley Pfannenstiel, Jewel Perkins Pitt, Eleanor Donahoe Reilly, Elizabeth Kepes Reynolds, Ida Reed Sanders, Alice Savage, Mildred Mabel Schwartz, Margaret Hogan Seaman, Ida Selesnitzky Stone, Agusta Strand, Caroline Wyllie Waterman, Juliana Augusta Weske, Helen Weinhusen, Louise Arnold Wiley, Selina Lee Winter, Margaret Hardiman Wrisley, Mary Connors Wundrack, and Marie Deering Yeager, all of Connecticut;

Norma M. Albers, Lucille Loveless Allan, Gladys Elizabeth Allen, Sarah Jarvis Andrus, Edith Ober Armstrong, Mary Hough Barber, May A. Barrett, Nettie Neitzey Beach, Mary Munday Becker, Esther Hall Beckett, Anne Curtin Belt, Charlotte Louise Berry, Jeannette L. Bishop, Alice Boland Bloomfield, Amelia Boberg, Beulah Holtzscheiter Bosworth, Jane M. Breen, Kate Knight Briggs, Eloise Broaddus, Helen Sprague Brown, Lola Carlisle Strailman Browning, Rose Flood Buice, Annette Louise Burton, Gertrude Bange Butts, Mary Callen, Daisy House Campbell, Ella Echols Chambers, Emma S. Collie, Maude V. Cowan, Jane Regina Cox, Catherine Crowley, Reva S. Darrell, F. Pearl Delaplaine, Eleanor Marie Downey, Alice M. Downie, Cora Laughlin Drake, Anna Cecelia Dunn, Emma Schroder Dyer, Bessie London Faine, Elizabeth Waters Fallis, Anna Schultz Frame, Barbara Spence French, Agnes Monia Gallagher, Annie Ellen Gilson, Eleanor Mary Griffith, Mary Derouda Hall, Amy F. Hammond, Adelaide Ruth Harbers, Dorothy B. Harper, Carolyn Hardesty Herman, Nellie Grant Hinson, Mary E. Jones, Claire Keefe, Kathryn Gallagher Kendrick, Ann Kilmartin, Hope Knickerbocker, Louise Elender Koester, Mary Beall Kolhos,

Incorporators—Con.

Helen Lucinda Leonard, Edith Kite Lewis, Mary Dove Loughrey, Marie B. Luebkert, Lillian Allen Brubaker Luther, Helen Horigan Maisel, Laura Garcia Martin, Louise Greenwald Matthews, Helen C. McCarty, Geraldine Clark McGovern, Lois B. McRae, Ellen Russell McWilliams, Eloise Sanford Davison Miller, Mary Kurth Moler, Alice Alford Morgan, Anna Lochte Murphy, Margaret Elma Naylor, Edna Meier Nielson, Margaret Broderick Nolan, Alice F. O'Neal, Helen Geraldine O'Neill, Helen Linkins Opitz, Netty Baxter Parker, Blanche C. Paul, Anna Viola Phelps, Annie Skidmore Powers, Sue Gould Prentiss, Edith Warren Quinn, Lillian Louise Reagan, Edna Marie Robey, Estelle Richardson Ruby, Ethel Clark Rule, Louise MacDonnell Ryan, Elizabeth Ivey Sage, Marion Trumbo Skinner, Jessica Randolph Smith, Margaret Grady Smith, Mabel F. Staub, Emily Steele, Nellie Rollins Stein, Edith Herndon Summerson, Mary Sullivan Tatspaugh, Marion Crawford Thur, Mary Killilea Tracey, Margaret Mills Vaughan, Eva Young Virtue, Olive Wrenn Walter, Genevieve F. Wedding, Mary Z. Weide, Lena Kathryn Willige, Pansie Casanave Willson, Ethel M. Wilson, Faith Clements Windsor, Amy Owen Wood, Lena Rigby Woolford, Myrtle Stephens Wright, and Mary Crook Yates, all of the District of Columbia;

Marie Roberts Bevis, Zella Prunty Byrd, Lamonte Oliver Cates, Demerise Labbe Cleveland, Ida Matthews Eichenberger, Loyce Davis Hackett, Mabel Williamson Jacobs, Madeline A. Jacobson, Idele Torrance Jamison, Adele Mead Kendrick, Josephine Mack Miller, Lois Clappison Morse, Almeda Fink Murphy, Roxana Anne Post, Agnes Towson Shelton, Daisy Ruth Westerlund, and Elsie Tuttle Wright, all of Florida;

Anna Elizabeth O'Connell, of Georgia;

Alta Sebree Wardwell Donovan, of Idaho;

Elsie Ericksen Biever, Nora Pomeroy Darling, Grace Alma Dunbar, Anne Rourke Durst, Virginia Stoddert Moore Grottee, Nell Weston Halstead, Edna Benton Hann, Cornelia M. Huennekens, Elizabeth Ann McCoy, Mary Louise Minton, Josephine MacFarland Moran, Mable Vander Ploeg Pease, Hester Smith Rasmussen, Agnes Foertsch Rohlfing, Marie Healy Simpson, Evelyn Jackson Skavlan, Constance Strong, and May Gilligan Sutherland, all of Illinois;

Donna Zimmer Akin, Bessie Fisher Bogwell, Hortense Lee Goldsmith, Mary Parker Harris, and Minnie Tryon Ryan, all of Indiana;

Maud Lowell Ayers, of Kentucky;

Sarah Flaherty Gallagher, and Gladys Ilsley McKnight, of Maine;

L. Dorothy Devey Brunken, Lucille Bonita Garrett, Fannie Grigat Laut, Grace Ryder Mead, Katherine Marie Page, Lillian Deters Tabor, Effie Van Horn Thomas, Edna Josephine Yorker, and Anna Kaer Yust, all of Maryland;

Mary Lee Aylward, Marion L. Bain, Florence K. Barry, Anna E. Beers, Helen I. Blake, Mary C. Breslow, Adelaide Mary Bresnahan, Gladys Bruce, Isabel Kehoe Burk, Aileen J. Burke, Elizabeth Helen Burke, Dorothy Leighton Cady, Alice Elinor Carey, Helen Carman, Mary A. Carroll, Mary Chisel, Mary Warner Colombo, Mazie Conley, Kathryn J. Connor, Anita Ryan Connors, Mary M. Conroy, Ellen Bernadette Corbett, Catherine A. Corcoran, Winifred Burns Cox, Lizzie Glidden Crowley, Madeleine Galvin Delano, Elinor Kyle Devine, Sally Ryan Devlin, Mary F. Doherty, Jane E. Dolsen, Mary Dowd, Eleanor Marion Drew, Alice Driscoll, Mary Joyce Duggan, Mollie Catherine Dundon, Margaret Murphy Faherty, Helen Farrell, Helen Mary Farrell, Catherine Woodward Feeney, Bernice W. Fortin, Patricia Gleason, Marion E. Grady, Mary E. Grady, Anna

Incorporators—Con.

Mary Hegarty, Ethel Hickey, Dorothy Drew Horan, Elizabeth A. Horgan, Marie Lambert Johnson, Anna Riley Joyce, Agnes Keanneally, Ellen E. Kearns, Bessie Josephine Kelly, Violet Elizabeth Kirkland, Ethel Lally, Genevieve Adrienne Lane, Lucy Marshall Lanigan, Ellen A. Lannigan, Leonore Learson, Julia B. Lehan, Marie Alice Long, Gertrude Lorton, Emma Macaulay Lyle, Helen Stolba Macbeth, Gertrude Catherine Macdonald, Margaret Mehlman Maguire, Anna Marie Mahan, Genevieve A. Maher, Mary Louise Marcille, Marie Kathryn McAuliffe, Anna McCarthy, Helen F. McDonald, Catherine McDonough, Marion Mary McElaney, Anna Marie McGuire, Esther McCall McLaughlin, Agnes Murphy McLean, Anna L. McNulty, Ruth Desmond McSweeney, Bertha Erickson Mead, Irene Florence Michel, Yvonne Michel, Margaret Isabelle Mitchell, Margaret Louise Murphy, Helen Adelaide Murray, Elizabeth McDonald Myers, Helen Barr Nickerson, Eleanor Teresa O'Brien, Marguerite Catherine O'Brien, Ria Minehan O'Brien, Margaret Lonergan O'Brion, Helen O'Brien O'Connor, Elizabeth M. O'Donnell, Mary Bull Owens, Olive T. Parsons, Mary Fielding Rawling, Mary McGunigle Redmond, Elizabeth Foley Regan, Mary Lane Regan, Ellen Riley, Helen O'Brien Riley, Anita Roberts, Mary Myers Robinson, Alice Mahan Saunders, Gladys Mary Saxton, Mary Elizabeth Scalley, Julia E. Shine, Elizabeth Stander, Mary Catherine Sughrue, Madeline O'Brien Sullivan, Harriet Mussinan Swearingen, Mary Gross Thayer, Grace M. Tomasello, Madeline Robillard Treloar, Isabel Catherine Wall, Lulu Veronica Walsh, Ethel May Ward, Agnes O'Brien Welch, Esther Marie Werme, Margaret Gertrude Wholly, Alice M. Williams, Lillian Everette Williams, Lucy M. Winn, and Maud C. Young, all of Massachusetts;

Theresa Bean Ballenger, Lilla Mary Bellinger, Gertrude M. Camp, Pauline Cassidy, Grace Schoenhur Conway, Marie Rossley Kalt, Gladys Webster Mallett, Helen Moran, and Margaret Morton Mullaney, all of Michigan;

Ethyl Ryan Maly and Gertrude O'Connor Trestrail, of Minnesota;

Gladys Thames Hubbard, of Mississippi;

Sophie Polenska Coleman, of Missouri;

Davidson, Edyth Plummer, and Dorothy Mauck Wehrman, of Nebraska;

Christina Sander Anderson, Anna Elizabeth Conroy, Gertrude O'Neil DeBrunner, A. May Erwin, Alice Catherine Fairbrother, Kathleen Mary Field, Anne Pedersen Freeman, Marguerite B. Geiger, Lillian Helena Hannold, Julia Hicks, Anna V. Kane, Dorothy May Lee, Corrine Dextroze Mahanna, Anne Marie McCormick, Mina Klein Morrison, Marie Burke Oetmann, Ann B. Shinnick, and Catherine Waters, all of New Jersey;

Sarah Russell Imhof, of New Mexico;

Mary Ducey Archer, Laura Dayton Ball, Esther Berkowitz, Rose Brancato Biagi, May Anne Blazina, Ruth Nethaway Bouck, Harriet Eldridge Robins Brandt, Josephine Mitchell Brosseau, Irene Malito Brown, Regina Burke, Frances Jedlicka Campbell, Rowena Margaret Campbell, May Flaherty Carroll, Veronica Marie Cherry, Mary L. Clark, May Cecilia Collins, Ada Howe-Webster Dailinger, Julia Flynn Dorner, Alice Leahy Everard, Dorothy Winifred Ferrier, Elinor Valentine Foley, Marie McElroy Forte, Anna Gallagher, Margaret Katherine Garland, Florence Wilson Goulden, Alice Miriam Govenor, Elizabeth Anna Gridley, Mildred Berryman Hall, Mary Mahoney Halwartz, S. Dorothy First Hayes, Alice Gieseking Johnson, Angela Lyons Johnson, Marie Elizabeth Kelly, Carrie Klinger, Leonore Lawson Koellsted, Lucile Alzamora Lacey, Mary Gray Langford, Esther Martins Law, Hortense Lersner, Gertrude

Long, Isabel Margaret Lynch, Nellie Mahoney, Ruth Evelyn Manning, Matilda Foeth McDonald, Agnes Murphy McGovern, Mary McMahon, Lillian Forsberg Miller, Maud Amelia Mittern, Blanche Babbitt Moeller, Frances Donahue Molloy, Mina Walden Mullen, Lulu Muller, Mary Elizabeth Noel, Lillie May Nohowec, Mabel Dorothy O'Connell, Betty A. Peifer, Frances L. Phair, Anna Reisman, Julia White Robbins, Marion Flannery Savage, Gertrude Evelyn Sawyer, Margaret Faglon Schutt, Mae E. Shuttleworth, Ethel Lynwood Sickles, M. Grace Siegmann, Alice Clyde Stafford, Jeannette Gartland Sturla, May Agnes Sullivan, Lilian Browne Swanson, Dorothy Bradford Thomson, Irene M. Tynan, Rita Regan Wallis, Florence Kelley Walters, Irene Hallan Webb, Julia Woodroff Wheelock, Sally R. Wolf, Sarah Gibbon Yeoman, and Henrietta Yunker, all of New York;

Cooper Miller Correll, Willa Tritt Coward, Virginia Dockery Crow, Lassie Kelly Cunningham, Ethel Harwood Fuller, Estelle D. Gordon, Velma Moody Horne, Annie L. Londeree, Arabella Johnson Milligan, Rebecca Adams Nichols, Mary Allen Pearce, Kathleen Rogers Tate, and Edith Singer Weibel, all of North Carolina;

Neita Russell Christian, Evelyn Evans, Mary Pow Hartman, and Mae E. Hickey, all of Ohio;

Helen Jane Bringier and Bessie Hittle Groff, of Oklahoma;

Anna Lenz Seaton, and Evelyn B. Youngs, of Oregon;

Marie R. Ahern, Mary Kemp Anthony, Laura Anderson, Sue Rohland Arishoff, Lillian Young Armour, Minnetta Collies Bentz, Lillian LeVene Blackman, Maybelle M. Bond, Anna D. Boyle, Gertrude Margaret Bracken, Winifred Brooks, May McCormick Bullock, Emma Engel Bunte, Margaret Rebecca Burdell, Mary Gallagher Campbell, Margaret M. Collins, Mae McConnell Conlin, Mary E. Cross, Mrs. James Crumlish, Anna Maguire Culliton, Mary Cavanaugh Daly, Claire Dougherty Dever, Helen M. Devery, Anna Marie Devine, Elizabeth Gray Doran, Helen Dunne, Helen Coty Easterby, Anna Viola Edmonds, Dorothy Elma Evans, Florence Monberger Fedor, Sylvania Israel Garner, M. Cecilia Geiger, Gertrude White Gilkes, Fanny Goldscheider, Blanche Miller Grimes, Catherine Stanfield Gutenberger, Emily Hacker, Beatrice B. Hamer, Agnes E. Hamill, Marion Manahan Hammill, Claire V. Harkins, Bertha M. Harris, Mary English Harvey, Freda Forster Hawsey, Kathryn Johnston Hazzard, Charlotte King Hedden, Jane Orr Heilig, S. Elizabeth Holmes, Effie C. Innes, Sue Altemus Jones, Anna Elizabeth Jourdan, Marie A. Kelly, Marie V. Klase, Emma Edith Lapeus, Sophia Levin, Mary M. Long, Laura Harrison Love, Anna Elizabeth Magee, Helen Marshall, Esther Nichols Martin, Cecilia McHale, Elizabeth Marie McNamee, Anna J. Meara, Mary Burton Morris, Rosaline K. Moscony, Helen Hannigan Myers, Sara Myers, Florence Fischer Nicholson, Vesta Kaufman Niedt, Sylvania W. Oberholtzer, Anna Florence O'Connor, Constance O'Hara, Catharine G. O'Neill, Margaret Elizabeth Paul, Anne M. Perry, Cora Felter Phillips, Molly Dever Purcell, Mary A. Raith, Sara Ada Rice, Isabel E. Rosenfeldt, Anna M. Ross, Lillian White Schumacher, Prudence McCullin Sheperla, Rachel Emily Shultz, Aida Holz Skelly, Mabel Melville Slifer, Marjorie L. Slocum, Mary T. Smith, Caroline Steinbock, Mary M. Taylor, Agnes Finley Tieman, Ida Carver Townsend, Gertrude Martin Voigt, Katherine Frances Walsh, Mary Warren, Elsie E. Weaver, Amy Maria Weems, Annette Kirby Weirbach, Margaret Rowena Wellbank, Joanna Ferguson Wittman, and Elsie Richards Whitmore, all of Pennsylvania;

Jennie Carter Aldred, Elisabeth Louise Baxter, Lydia York Brown, Lylian Annette Callis, Lillie Reeves Campbell, Olive Mather Clark,

Incorporators—Con.

Theresa Margaret Dunphy, Helen MacDonald Garnett, Matilda Eglinton Grady, Dora Bucklin Helwig, Catherine Freeman Hunt, Monica Monaghan Keenan, Margaret Ruane McCartin, Effie Crowther Meeker, Mary Littlefield O'Mara, Jennie Cavanaugh Peffer, and Agnes Wheeler Smith, all of Rhode Island;

Bertha Avaunt Frischkorn, Sara Quinn Harrington, Rosa Wade Holland, Florence Idella Larasey, Mary Sinkler de Saussure McQueen, Ida Marie Stoesen, and Mamie Elizabeth Verdier, all of South Carolina;

Antonio Shuster Bunger, Sue Lou Rutledge Corbin, and Louisa Daniell Shepherd, all of Texas;

Esther Laubach, of Utah;

Nellie Leland Cutler and Minnie Bliss Sweetser, of Vermont;

Bertha Tyler Carwithen, Columbia Taylor Conway, Mary Anne Eike, Janet Rishell English, Dorothy Knight Fannon, Pauline Taylor Groves, Peggy Oakes Marable, Ethel Ward Montagne, Rose Nelson O'Hara, Anna Smith Reynolds, Josephine M. Senerchia, Maude Lois Smith, Mayme E. Smith, Mary Phillips Spiers, Margaret C. Thomas, and Ulla Rathbun Tracy, all of Virginia;

Sadie Conely Babcock, Margaret Powell Bidlake, Calla Layton Henly, Betty L. Reynolds, Emma Rogers Shriver, Lillian M. Squier, and Agnes Bell Williams, all of Washington;

Elsie Jane Beaty, Beulah Bess Carper, Ada Drown Childers, Mabelle W. Clinton, Alberta Herren Davis, Selma Price Deyo, Cora Byrnside Haynes, Mabel Claire Heslep, Hazel Hodge, Pauline Miller Howard, Tillie Haley Hull, Elizabeth Van Hoose Hurt, Helen Southworth Lanterman, Hope Parker Oesterle, Naoma Hawkes Parsons, Mary Louise Price, Kathaleen Dellinger Ridgley, and Wafie Calebaugh Robinson, all of West Virginia;

Mrs. Wallace A. Giffen, Laura V. Hall, Eleanore Walters Herdrich, Ada Hosford, and Sophia Keller Ormond, all of Wisconsin;

Susan Barnes Turney, of Wyoming;

Wilhelmina Mezger Farvin Woofter, of Alaska;

Katherine Patee MacMillian, of Canada;

Rose O'Connell Shaefer, of China;

Laura Finnegan Cheatham, Margaret MacEachern Edwards, Marie Murray Grant, Lillian Cooper Harrington, and Julia Weber, all of Hawaii;

Purposes.

and their associates and successors are hereby created a body corporate and politic, in the District of Columbia, by the name of "The National Yoemen [1] F", for patriotic, historical, and educational purposes; to foster and perpetuate the memory of the service of Yoemen [1] (f) in the United States Naval Reserve Force of the United States Navy during the World War; to preserve the memories and incidents of their association in the World War by the encouragement of historical research concerning the service of Yoemen [1] (f); by the promotion of celebrations of all patriotic anniversaries to cherish, maintain, and extend the institutions of American freedom; to foster true patriotism and love of country, and to aid in securing for mankind all the blessings of liberty.

Corporate powers.

SEC. 2. That said organization is authorized to hold real and personal estate in the United States so far only as may be necessary to its lawful ends, to an amount not exceeding $50,000, and may adopt a constitution and bylaws not inconsistent with law, and may adopt a seal.

Annual report to Smithsonian Institution.

SEC. 3. That said organization shall report annually to the Secretary of the Smithsonian Institution concerning its proceedings, and said Secretary shall communicate to Congress such portions thereof as he may deem of national interest and importance. The regents

[1] So in original.

of the Smithsonian Institution are authorized to permit said national organization to deposit its collections, manuscripts, books, pamphlets, and other material for history in the Smithsonian Institution or in the National Museum, at their discretion, upon such conditions and under such rules as they shall prescribe.

Approved, June 15, 1936.

[CHAPTER 547.]

AN ACT

June 15, 1936.
[S. 3334.]
[Public, No. 677.]

To make provision for the care and treatment of members of the National Guard, Organized Reserves, Reserve Officers' Training Corps, and Citizens' Military Training Camps who are injured or contract disease while engaged in military training, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That officers, warrant officers, and enlisted men of the National Guard who suffer personal injury or contract disease in line of duty while en route to or from or during their attendance at encampments, maneuvers, or other exercises, or at service schools, under the provisions of sections 94, 97, and 99 of the National Defense Act of June 3, 1916, as amended; members of the Officers' Reserve Corps and of the Enlisted Reserve Corps of the Army and members of the National Guard of the United States who suffer injury or contract disease in line of duty while on active duty under proper orders in time of peace; and persons hereinbefore described who may now be undergoing hospital treatment at Government expense for injuries so sustained; shall, under such regulations as the President may prescribe, be entitled, at Government expense, to such hospitalization, rehospitalization, medical and surgical care, in hospital and at their homes, as is necessary for the appropriate treatment of such injury or disease, until the disability resulting from such injury or disease cannot be materially improved by further hospitalization or treatment, and during the period of such hospitalization or rehospitalization, but not for more than an aggregate of six months after the termination of the prescribed tour of active duty or training in any case to the pay and allowances, whether in money or in kind, that they were entitled to receive at the time such injury was suffered or disease contracted, and to the necessary transportation incident to such hospitalization and rehospitalization and return to their homes when discharged from hospital; and for any period of hospitalization or rehospitalization when they are not entitled to pay and allowances under the preceding provision, they shall be entitled to subsistence at Government expense. Officers, warrant officers, and enlisted men of the National Guard who suffer personal injury (as distinguished from disease) in line of duty when participating in aerial flights prescribed under the provisions of section 92 of said National Defense Act as amended shall, under regulations prescribed as aforesaid, be entitled to the same hospitalization, rehospitalization, medical and surgical care, pay and allowances, and transportation, as if such injury had been suffered while in line of duty during their attendance at encampments, maneuvers, or other exercises, or service schools, under the aforementioned sections 94, 97, or 99 of the National Defense Act of June 3, 1916, as amended; and members of the Officers' Reserve Corps and Enlisted Reserve Corps of the Army who suffer personal injury (as distinguished from disease) in line of duty while voluntarily participating, when not on active duty, in aerial flights in Government-owned aircraft by proper authority as an incident to their military training, shall, under regulations prescribed as aforesaid, be entitled to the same hospitalization, rehospitalization, medical and surgical care, pay and allowances, and

National Guard, etc.
Care of sick and injured en route to, during, or returning from military training.

Vol. 39, p. 206; U. S. C., pp. 1435, 1440.

Benefits to include those now undergoing treatment.

Application of provision limited.

Subsistence.

Injuries incurred in aerial flights.
National Guard.

Vol. 39, p. 206; U. S. C., p. 1435.

Officers' Reserve Corps and Enlisted Reserve Corps, Army.

Reserve Officers' Training Corps.

transportation as if such injury had been suffered while on active duty under proper orders. Members of the Reserve Officers' Training Corps and members of the Citizens' Military Training Camps who suffer personal injury or contract disease in line of duty while en route to or from and during their attendance at camps of instruction, under the provisions of section 47a or 47d of said National Defense Act, as amended, shall, under regulations prescribed as aforesaid, be entitled to hospitalization, rehospitalization, medical and surgical care, in hospital and at their homes, pay and allowances, transportation, and subsistence as in the case of persons hereinbefore described. If the death of any person mentioned herein occurs while he is on active duty, or undergoing training or hospital treatment contemplated by this section, the United States shall, under regulations prescribed as aforesaid, pay the necessary expenses for recovery of the body, its preparation for burial, including the use of such of the uniform and articles of clothing issued to him as may be required, interment (or cremation if requested by his relatives), and transportation of his remains, including round-trip transportation and subsistence of an escort, to his home or the place where he received orders for the period of training upon which engaged at the time of his death, or to such other place as his relatives may designate provided the distance to such other place be not greater than the distance to his home: *Provided*, That when the expenses of the recovery, preparation, and disposition of remains herein authorized, or any part thereof, are paid by individuals, such individuals may be reimbursed therefor at an amount not exceeding that allowed by the Government for such services. Section 6 of the Act of March 4, 1923, as amended by the Act of April 26, 1928 (45 Stat. 461), is hereby repealed: *Provided further*, That any person who, on the date of the approval of this Act, is receiving or entitled to receive the benefits provided by said section 6 of the Act of March 4, 1923, as amended, shall be entitled to the benefits of this Act in lieu thereof, and existing appropriations for carrying out the provisions of section 6 of said Act of March 4, 1923, as amended, shall be available for expenditures authorized by this Act.

Vol. 41, p. 778; U. S. C., p. 249.

Burial, etc., expenses.

Expenses of escort.

Provisos.
Reimbursement to individuals.

Section repealed. Vol. 45, p. 461.

Beneficiaries not affected.

Funds available.

Approved, June 15, 1936.

[CHAPTER 548.]

June 15, 1936.
[S. 3531.]
[Public, No. 678.]

AN ACT

To amend the Act entitled "An Act for the control of floods on the Mississippi River and its tributaries and for other purposes", approved May 15, 1928.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the project for the control of floods of the Mississippi River and its tributaries, adopted by Public Act Numbered 391, approved May 15, 1928 (45 Stat. 534), Seventieth Congress, entitled "An Act for the control of floods on the Mississippi River and its tributaries, and for other purposes", is hereby modified in accordance with the recommendations of section 43 of the report submitted by the Chief of Engineers to the Chairman of the Committee on Flood Control, dated February 12, 1935, and printed in House Committee on Flood Control Document Numbered 1, Seventy-fourth Congress, first session, as hereinafter further modified and amended; and as so modified is hereby adopted and authorized and directed to be prosecuted under the direction of the Secretary of War and the supervision of the Chief of Engineers.

Flood control, Mississippi River and tributaries; modification of original project.
Vol. 45, p. 534.
U. S. C., p. 1487.

SEC. 2. That the Boeuf Floodway, authorized by the provisions adopted in the Flood Control Act of May 15, 1928, shall be abandoned as soon as the Eudora Floodway, provided for in Flood Control Committee Document Numbered 1, Seventy-fourth Congress, first session, is in operative condition and the back-protection levee recommended in said document, extending north from the head of the Eudora Floodway, shall have been constructed.

Abandonment of Boeuf Floodway upon completion of Eudora Floodway.

Back-protection levee.

SEC. 3. That the levees along the Mississippi River from the head of the Morganza Floodway to the head of the Atchafalaya River and down the east bank of the Atchafalaya River to intersection with the west protection levee of said Morganza Floodway shall be raised and enlarged to 1928 grade and section.

Levees on Mississippi River, from Morganza Floodway to head of Atchafalaya River, etc., improvements.

SEC. 4. That neither of the projects for the flood control of the Saint Francis River or the Yazoo River, hereby authorized, shall be undertaken until the States, or other qualified agencies, shall have furnished satisfactory assurances that they will undertake, without cost to the United States, all alterations of highways made necessary because of the construction of the authorized reservoirs, and meet all damages because of such highway alterations, and have agreed also to furnish without cost to the United States all lands and easements necessary to the construction of levees and drainage ditches constructed under this project: *Provided*, That the reservoirs for control of headwater flow of the Yazoo River system may be located by the Chief of Engineers, in his discretion: *And provided further*, That the Chief of Engineers may, in his discretion, substitute levees, floodways, or auxiliary channels, or any or all of them, for any or all of the seven detention reservoirs recommended in his report of February 12, 1935, for the control of floods of the Yazoo River: *And provided further*, That the Chief of Engineers, with the approval of the Secretary of War, may modify the project for the flood control of the Saint Francis River as recommended in said report, to include therein the construction of a detention reservoir for the reduction of floods, and the acquisition at the cost of the United States of all lands and flowage necessary to the construction of said reservoir except flowage of highways: *Provided further*, That the estimated cost to the United States of the project is not increased by reason of such detention reservoir.

Saint Francis and Yazoo Rivers, flood control.

Highway alterations due to reservoir construction; duties of States.

Provisos.
Yazoo River headwaters, control.

Substitution of levees, etc., for detention reservoirs.

Saint Francis River, modification of project.

Cost restriction.

SEC. 5. The Chief of Engineers, under the supervision of the Secretary of War, shall at the expense of the United States Government construct a system of levees substantially in accordance with general plan shown on map designated as sheet numbered 1 entitled "Tributary Levee Location Survey—White River Levee District—Proposed Levee Location" accompanying report dated April 2, 1925, and filed in office of First and Second Mississippi River Commission Districts, Memphis, Tennessee. The Chief of Engineers shall have the right to alter, change, or modify said plan as to the grades and levee sections: *Provided, however*, That no work shall be commenced on the above-mentioned project until the State, levee boards, or other responsible local interests have given assurances satisfactory to the Secretary of War that they will (a) provide without cost to the United States all rights-of-way necessary for the construction of said project; (b) provide drainage facilities made necessary by construction of levees; (c) acquire and provide without cost to the United States all flowage and storage rights and easements over, upon, and across the lands and properties within the protected area in the event it becomes necessary in the judgment and discretion of the Secretary of War or the Chief of Engineers to use said area, or any part thereof, for an emergency reservoir; (d) hold and save the United States free from liability for damages on account of the use of said area for reservoir purposes during said emergency.

White River Levee project.

Rights reserved.

Proviso.
Rights of way, easements, etc., to be provided without cost.

Discretionary use for emergency reservoir.

No Federal liability.

Drainage.

SEC. 6. That the United States shall provide the drainage made necessary by the construction of floodway levees included in the modified project.

Railroad and highway crossings over floodways. Locations.

SEC. 7. That the United States shall construct, at its own cost, one railroad and one highway crossing over the Eudora Floodway and not to exceed three railway and two highway crossings over the Morganza Floodway, and not to exceed one railway crossing (together with suitable physical connections therewith) and one highway crossing over the floodway west of the Atchafalaya River provided for in the modified project: *Provided*, That equitable agreements can be made with the railroad and highway authorities concerned and that the appropriate railroad or highway agencies agree to accept and maintain and operate these crossings without cost to the United States: *Provided further*, That the railroads crossing the Morganza and West Atchafalaya Floodways agree in consideration for the crossings constructed to waive all claims against the Government for any damages that may occur by reason of overflows in the Morganza and West Atchafalaya Floodways: *And provided further*, That other railway and highway damages shall be adjusted as provided for in section 12.

Provisos. Maintenance, etc., after construction.

Damage claims.

Other railway and highway damages. *Post*, p. 1512.

Additional road construction.

SEC. 8. That, in addition to the construction by the United States of roads in connection with floodways as heretofore provided, the Federal Government may, in the discretion of the Chief of Engineers, and within the limits of available funds, construct additional roads to afford access to those portions of the levee lines not otherwise accessible.

State contributions, etc. Provisions stipulated.

SEC. 8a. That no money appropriated under authority of this Act shall be expended on the construction of any reservoir project herein authorized until States, political subdivisions thereof, or other responsible local agencies have given assurances satisfactory to the Secretary of War that they will (a) provide without cost to the United States all lands, easements, and rights-of-way necessary for the construction of the project, except as otherwise provided herein; (b) hold and save the United States free from damages due to the construction works; (c) maintain and operate all the works after completion in accordance with regulations prescribed by the Secretary of War: *And provided*, That the construction of any dam authorized herein may be undertaken without delay when the dam site has been acquired and the assurances prescribed herein have been furnished, without awaiting the acquisition of the easements and rights-of-way required for the reservoir area: *And provided further*, That whenever expenditures for lands, easements, and rights-of-way by States, political subdivisions thereof, or responsible local agencies for any individual project or useful part thereof shall have exceeded the present estimated construction cost therefor, the local agency concerned may be reimbursed one-half of its excess expenditures over said estimated construction cost: *And provided further*, That when benefits of any project or useful part thereof accrue to lands and property outside of the State in which said project or part thereof is located, the Secretary of War may acquire the necessary lands, easements, and rights-of-way for said project or part thereof after he has received from the States, political subdivisions thereof, or responsible local agencies benefited the present estimated cost of said lands, easements, and rights-of-way, less one-half the amount by which the estimated cost of these lands, easements, and rights-of-way exceeds the estimated construction cost corresponding thereto: *And provided further*, That the Secretary of War shall determine the proportion of the present estimated cost of said lands, easements, and rights-of-way that each State, political subdivision

Provisos. Dam construction.

Reimbursement for excess expenditures.

Benefits accruing outside State where project is located.

Proportion of cost to be charged.

thereof, or responsible local agency should contribute in consideration for the benefits to be received by such agencies: *And provided further*, That whenever not less than 75 per centum of the benefits as estimated by the Secretary of War of any project or useful part thereof accrue to lands and property outside of the State in which said project or part thereof is located, provision (c) of this section shall not apply thereto; nothing herein shall impair or abridge the powers now existing in the Department of War with respect to navigable streams: *And provided further*, That nothing herein shall be construed to interfere with the completion of any reservoir or flood control work authorized by the Congress and now under way.

Maintenance provisions inapplicable if 75 percent of benefits outside State.

Existing construction not affected.

SEC. 9. The sum of $15,000,000 is authorized to be appropriated as an emergency fund to be allocated by the Secretary of War on the recommendation of the Chief of Engineers in rescue work or in the repair or maintenance of any flood-control work on any tributary of the Mississippi River threatened or destroyed by flood heretofore or hereafter occurring: *Provided*, That the unexpended and unallotted balance of said sum, or so much thereof as may be necessary, may be allotted by the Secretary of War, on the recommendation of the Chief of Engineers, in the reimbursement of levee districts or others for expenditures heretofore incurred or made for the construction, repair, or maintenance of any flood-control work on any tributaries or outlets of the Mississippi River that may be threatened, impaired, or destroyed by the flood of 1927 or subsequent flood; and also in the construction, repair, or maintenance, and in the reimbursement of levee districts or others for the construction, repair, or maintenance of any flood-control work on any of the tributaries or outlets of the Mississippi River that may have been impaired, damaged, or destroyed by caving banks or that may be threatened or impaired by caving banks, of such tributaries, whether or not such caving has taken place during a flood stage: *Provided further*, That if the Chief of Engineers finds that it has been or will be necessary or advisable to change the location of any such flood-control work in order to provide the protection contemplated by this section, such change may be approved and authorized.

Emergency fund authorized.

Provisos.
Allotment for reimbursing expenditures for flood control work, etc., of 1927 or since.

Damages caused by caving banks.

Change in location of projects authorized.

SEC. 10. After the Eudora Floodway shall have been constructed and is ready for operation, the fuse-plug levees now at the head of the Boeuf and Tensas Basins shall be constructed to the 1914 grade and the 1928 section. The fuse-plug levees at the head of the Atchafalaya Basin on the west side shall be constructed to the 1914 grade and the 1928 section. The fuse-plug levees at the head of the Atchafalaya Basin on the east side of the Atchafalaya River shall be constructed to the 1914 grade and 1928 section, and, after the Morganza Floodway has been completed, shall be raised to the 1928 grade as provided in section 3 of this Act. Thereafter those stretches of said levees which are left as fuse-plug levees shall be reconstructed and maintained as herein provided, subject to the provisions of section 3 of this Act. Any funds appropriated under authority of this Act may be expended for this purpose.

Fuse-plug levees.
Modification of, at places designated.

Ante, p. 1509.

Funds available.

SEC. 11. That the back-protection levee north of the Eudora Floodway shall be constructed to the same grade and section as the levees opposite on the east side of the Mississippi River: *Provided*, That this levee extending from the head of the Eudora Floodway north to the Arkansas River shall be so located as to afford adequate space for the passage of flood waters without endangering the levees opposite on the east side of the river and shall be constructed contemporaneously with the construction of the Eudora Floodway; except that, until the Eudora Floodway is in operative condition, there shall be left in this back levee north of the head of the Eudora Floodway

Back-protection levee construction north of Eudora Floodway.
Proviso.
Protecting levees on opposite side of river.

Openings for passage of flood waters.

openings which shall be sufficient, in the discretion of the Chief of Engineers, to permit the passage of all flood waters to be reasonably contemplated in the event of any break in the riverside fuse-plug levee prior to the time the Eudora Floodway shall be in operative condition.

Flowage rights and rights-of-way; acquisition, compensation, etc.

SEC. 12. In order to facilitate the United States in the acquisition of flowage rights and rights-of-way for levee foundations, the Secretary of War is authorized to enter into agreements with the States or with local levee districts, boards, commissions, or other agencies for the acquisition and transfer to the United States of such flowage rights and levee rights-of-way, and for the reimbursement of such States or local levee districts, boards, commissions, or other agencies, for the cost thereof at prices previously agreed upon between the Secretary of War and the governing authority of such agencies, within the maximum limitations hereinafter prescribed: *Provided*, That no money appropriated under the authority of this Act shall be expended upon the construction of the Eudora Floodway, the Morganza Floodway, the back protection levee extending north from the Eudora Floodway, or the levees extending from the head of the Morganza Floodway to the head of and down the east bank of the Atchafalaya River to the intersection of said Morganza Floodway until 75 per centum of the value of the flowage rights and rights-of-way for levee foundations, as estimated by the Chief of Engineers, shall have been acquired or options or assurances satisfactory to the Chief of Engineers shall have been obtained for the Eudora Floodway, the Morganza Floodway, and the area lying between said back protection levee and the present front line levees: *Provided further*, That easements required in said areas in connection with roads and other public utilities owned by States or political subdivisions thereof shall be provided without cost to the United States upon the condition that the United States shall provide suitable crossings, including surfacing of like character, over floodway guide-line levees in said areas for all improved roads now constituting a part of the State highway system, and shall repair all damage done to said highways within the said floodways by the actual use of such floodways for diversion: *Provided further*, That when such portion of said rights as to all of said areas shall have been acquired or obtained and when said easements required in connection with roads and other public utilities owned by States or political subdivisions thereof have been provided as hereinabove set forth, construction of said flood-control works in said areas shall be undertaken according to the engineering recommendations of the Report of the Chief of Engineers dated February 12, 1935 (House Committee on Flood Control Document Numbered 1, Seventy-fourth Congress, first session), and the Secretary of War shall cause proceedings to be instituted for the condemnation of the remainder of said rights and easements, as are needed and cannot be secured by agreement, in accordance with section 4 of the Flood Control Act of May 15, 1928: *Provided further*, That in no event and under no circumstances shall any of the additional money appropriated under the authority of this Act be expended for the acquisition of said 75 per centum of the flowage rights and rights-of-way hereinabove contemplated in excess of $20,000,000: *Provided further*, That the Chief of Engineers is authorized, out of the funds herein authorized to be appropriated, to purchase flowage easements over lands and properties in the floodway west of the Atchafalaya River and lying above the approximate latitude of Krotz Springs: *Provided further*, That none of such easements in said West Atchafalaya Floodway shall be purchased until options covering at least 75 per centum of the total value of

Provisos.
Amount to be acquired before beginning construction.

Easements.

Construction.

Condemnation proceedings.

Vol. 45, p. 536.

Maximum expenditure.

Purchase of flowage easements, west of Atchafalaya River.

Options required.

such easements as estimated by the Chief of Engineers shall have been obtained at prices deemed reasonable by the Chief of Engineers and not exceeding in the aggregate $2,250,000 for said 75 per centum of said easements with respect to the floodway west of the Atchafalaya River: *Provided further*, That easements required in said West Atchafalaya Floodway in connection with roads and other public utilities owned by States or other political subdivisions shall be provided without cost to the United States upon condition that the United States shall provide suitable crossings, including surfacing of like character, over floodway guide-line levees for all improved roads in said West Atchafalaya Floodway now constituting a part of the State highway system, and shall repair all damage done to said highways within said West Atchafalaya Floodway by the actual use of such floodway for diversion: *Provided further*, That no flowage easements shall be paid for by the United States over properties subject to frequent overflow in the Atchafalaya Basin below the approximate latitude of Krotz Springs: *Provided further*, That payment for rights-of-way, easements, and flowage rights acquired under this section, or reimbursement to the States or local interests furnishing them, shall be made as soon as the Chief of Engineers is satisfied that such rights-of-way, easements, or flowage rights have been acquired in conformity with local custom or legal procedure in such matters; and, thereafter, no liability of any kind shall attach to or rest upon the United States for any further damage by reason of diversions or flood waters: *And provided further*, That if the Secretary of Agriculture shall determine to acquire any of the properties within the floodways herein referred to, for national forests, wildlife refuges, or other purposes of his Department, the Secretary of War may, upon recommendation by the Chief of Engineers, in lieu of acquiring flowage rights, advance to or reimburse the said Secretary of Agriculture sums equal to those that would otherwise be used for the purchase of easements desired by the War Department and the Secretary of Agriculture is authorized to use these sums for the purpose of acquiring properties in the floodways in question.

Easements in connection with State roads, etc.

Construction of crossings; repair of damages, etc.

Easements over properties subject to overflow in Atchafalaya Basin.
Payments.

No Federal liability for flood damages.

Use of sums for acquiring land for national forests, etc.

SEC. 13. That $272,000,000 is hereby authorized to be appropriated for the carrying out of the modified adopted project, and all unexpended balances of appropriations heretofore made for the prosecution of said flood-control project are hereby made available for the purposes of this Act.

Appropriation authorized.
Unexpended balances available.

SEC. 14. If any provision of this Act, or the application thereof, to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

Separability provision.

Approved, June 15, 1936.

[CHAPTER 549.]

AN ACT

June 15, 1936.
[S. 3781.]
[Public, No. 679.]

Limiting the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to counsel in certain cases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the employment of Angus D. MacLean as an attorney or counselor specially employed, retained, or appointed by the Attorney General or under authority of the Department of Justice to assist in the prosecution of the case pending in the Supreme Court of the United States entitled "The Sugar Institute, Incorporated, and others, appellants, against The United States of America" (docket numbered 268, October term,

Criminal Code.
Vol. 35, p. 1107; U. S. C., pp. 734, 735.
R. S., sec. 190, p. 30.
Operation of designated sections limited with respect to counsel in certain cases.

1935), or the investigation and prosecution of any case pending either in the Federal or State courts, in the western district of North Carolina, involving lands owned or claimed by the Eastern Band of Cherokee Indians, or by the United States in their behalf, or other public lands owned or involved in litigation in such western district of North Carolina shall not be construed to be employment within the meaning of sections 109 and 113 of the Criminal Code of the United States, as amended (U. S. C., title 18, secs. 198 and 203), or section 190 of the Revised Statutes of the United States (U. S. C., title 5, sec. 99).

Approved, June 15, 1936.

[CHAPTER 550.]

June 15, 1936.
[S. 3818.]
[Public, No. 680.]

AN ACT

To provide for the adjustment and settlement of certain claims for damages resulting from the operation of vessels of the Coast Guard and Public Health Service.

Coast Guard and Public Health Service.
Damages resulting from operation of vessels of.
Adjustment and settlement of claims; limitation on amount.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury may consider, ascertain, adjust, and determine any claim accruing after the approval of this Act, on account of damages occasioned by collisions or incident to the operation of vessels of the United States Coast Guard or of the United States Public Health Service, and for which damage the said vessels shall be found to be responsible, and such amount as may be ascertained and determined to be due any claimant, not exceeding $3,000 in any one case, shall be certified to Congress as a legal claim for payment out of appropriations that may be made by Congress therefor, together with a brief statement of the character of each claim, the amount claimed, and the amount allowed: *Provided*, That no claim shall be considered under this Act unless presented to the Secretary of the Treasury within one year from the date of the accrual of said claim: *Provided further*, That acceptance by any claimant of the amount determined to be due under the provisions of this Act shall be deemed to be in full and final settlement of such claim against the Government of the United States.

Certification to Congress.

Provisos.
Time limitation for presenting.

Acceptance deemed settlement in full.

Approved, June 15, 1936.

[CHAPTER 551.]

June 15, 1936.
[S. 4265.]
[Public, No. 681.]

AN ACT

To authorize the Secretary of War to set apart as a national cemetery certain lands of the United States Military Reservation of Fort Bliss, Texas.

Fort Bliss, Tex.
Portion of, authorized to be set aside as national cemetery.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to set aside in the United States Military Reservation of Fort Bliss, Texas, a plot of land which shall include the existing post cemetery with such boundaries as he may prescribe therefor as a national cemetery, which hereafter shall be cared for and maintained as a national cemetery under the laws relating to the same.

Approved, June 15, 1936.

[CHAPTER 552.]

AN ACT

Authorizing certain officers and enlisted men of the United States Army to accept such medals, orders, diplomas, decorations, and photographs as have been tendered them by foreign governments in appreciation of services rendered.

June 15, 1936.
[S. 4391.]
[Public, No. 682.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-named officers and enlisted men of the United States Army are hereby authorized to accept such medals, orders, diplomas, decorations, and photographs as have been tendered them by foreign governments in appreciation of services rendered:

Army.
Acceptance of medals, etc., tendered to designated officers by foreign governments, authorized.

Major General George S. Simonds, Major General Thomas Q. Ashburn, Brigadier General Alfred T. Smith, Colonel Charles H. Morrow (posthumously), Lieutenant Colonel Joen E. Ardrey, Lieutenant Colonel David E. Cain, Lieutenant Colonel John A. Considine, Lieutenant Colonel Roland L. Gaugler, Lieutenant Colonel Hans R. W. Herwig, Lieutenant Colonel Dennis E. McCunniff, Lieutenant Colonel Troy H. Middleton, Lieutenant Colonel Lathe B. Row, Lieutenant Colonel Clinton W. Russell, Lieutenant Colonel Otis K. Sadtler, Lieutenant Colonel Clemens W. McMillan, Major Elbridge Colby, Major Charles H. Corlett, Major John A. Weeks, Captain Robert M. Eichelsdoerfer, Captain James H. Walker, and Lieutenant Taliesin Waters.

Approved, June 15, 1936.

[CHAPTER 553.]

AN ACT

To amend the Act entitled "An Act to insure adequate supplies of timber and other forest products for the people of the United States, to promote the full use for timber growing and other purposes of forest lands in the United States, including farm wood lots and those abandoned areas not suitable for agricultural production, and to secure the correlation and the most economical conduct of forest research in the Department of Agriculture, through research in reforestation, timber growing, protection, utilization, forest economics and related subjects, and for other purposes", approved May 22, 1928.

June 15, 1936.
[H. R. 8271.]
[Public, No. 683.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of May 22, 1928 (45 Stat. 699; U. S. C., Supp. VII, title 16, sec. 581a), be, and the same is hereby, amended by adding thereto the following paragraph:

Great Plains Forest Experiment Station.
Vol. 45, p. 701.
U. S. C., p. 672.

"The Secretary of Agriculture is further authorized to establish and maintain a forest experiment station in the Great Plains and prairie States, to be known as the 'Great Plains Forest Experiment Station', and to acquire by purchase, condemnation, donation, or otherwise such real property or interest therein as in his judgment is required for the use of said station, including the making of necessary expenditures in examining, appraising, and surveying any such property and in doing all things incident to perfecting title thereto in the United States. There is authorized to be appropriated annually such additional sums as may be required for the purposes of this paragraph."

Establishment, etc.

Annual appropriation authorized.

Approved, June 15, 1936.

[CHAPTER 554.]

AN ACT

June 15, 1936.
[H. R. 9183.]
[Public, No. 684.]

To provide for the extension of the boundaries of the Hot Springs National Park in the State of Arkansas, and for other purposes.

Hot Springs National Park, Ark.
Boundaries extended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundaries of the Hot Springs National Park in the State of Arkansas be, and the same are hereby, extended to include the following land, to wit: Lot 11, block 101; lot 5, block 185; lot 6, block 186; lots 5, 6, and 7, block 187; and lots 1, 2, 3, 6, and 15, block 188, United States Hot Springs Reservation, as surveyed, mapped, and plotted by the United States Hot Springs Commission, and any of such lands when acquired by the Secretary of the Interior on behalf of the United States shall be and remain a part of the Hot Springs National Park, subject to all laws and regulations applicable thereto: *Provided*, That the lands hereinabove described may be acquired within funds already appropriated and at a cost not to exceed $15,000.

Proviso.
Purchase; cost limitation.

Approved, June 15, 1936.

[CHAPTER 555.]

JOINT RESOLUTION

June 15, 1936.
[S. J. Res. 267.]
[Pub. Res., No. 105.]

Authorizing the President to invite foreign countries to participate in the New York World's Fair 1939, Incorporated, in the city of New York during the year 1939.

New York World's Fair 1939, Incorporated.
Preamble.

Whereas there is to be held at New York City during the year 1939 a world's fair, which has for its purpose the celebration of the one hundred and fiftieth anniversary of the inauguration of the first President of the United States of America and of the establishment of the national government in the city of New York; and

Whereas, because of its location and purpose, its scope and aims, said world's fair is deserving of the support and encouragement of the Government of the United States of America: Therefore be it

President requested to invite participation by foreign countries.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized and respectfully requested by proclamation, or in such manner as he may deem proper, to invite foreign countries and nations to such proposed world's fair with a request that they participate therein.

Approved, June 15, 1936.

[CHAPTER 556.]

JOINT RESOLUTION

June 15, 1936.
[S. J. Res. 151.]
[Pub. Res., No. 106.]

Making provision for a national celebration of the bicentenary of the birth of Charles Carroll of Carrollton, wealthiest signer of the Declaration of Independence.

Bicentenary of birth of Charles Carroll of Carrollton.
Preamble.

Whereas Charles Carroll of Carrollton during his lifetime of nearly a century rendered services of paramount importance to his country; and

Whereas on February 18, 1776, more than four months before the adoption of the Declaration of Independence, John Adams stated that "in the cause of American liberty, his zeal, fortitude, and perserverance [1] have been so conspicuous that he is said to be marked out for a peculiar vengeance by the friends of administration; but he continues to hazard his all, his immense fortune, the largest in America, and his life"; and

[1] So in original.

Whereas in signing the Declaration of Independence Charles Carroll of Carrollton pledged his life, his sacred honor, and the largest fortune in America to the success of the Revolution; and

Whereas the services rendered by Charles Carroll of Carrollton to the United States during the War of Independence, and in the subsequent struggle to preserve the Republic from disintegrating, which resulted in the adoption of the present Constitution, received the warm praise of his contemporaries, including the Father of his Country; and

Whereas Charles Carroll of Carrollton, as United States Senator from Maryland, played a foremost part in the organization of the Federal Government, under the Presidency of George Washington; and

Whereas for a period of fifty-six years following the signing of the Declaration of Independence Charles Carroll of Carrollton watched the progress of American Affairs with eager solicitude and labored unceasingly for the advancement of the Republic; and

Whereas Daniel Webster in an oration delivered at Faneuil Hall, Boston, on August 2, 1826, on the occasion of a civic tribute to Thomas Jefferson and John Adams, then recently deceased, paid eloquent homage to Charles Carroll of Carrollton, then the last of the signers, comparing him to a venerable oak "standing alone on the plain", hailing him as a "fortunate, distinguished patriot", and exhorting his hearers to "let him know that while we honor the dead we do not forget the living, and that there is not a heart here which does not fervently pray that Heaven may yet keep him back from the society of his companions"; and

Whereas in 1828, as a mark of national homage to Charles Carroll of Carrollton, Congress, by joint resolution, conferred upon him the franking privilege, Speaker Stevenson requesting him, in his official notification, to receive the honor "as a token of the distinguished respect and veneration which Congress entertains toward an early and devoted friend to liberty, and one who stood eminently forward in the purest and noblest band of patriots that the world has ever seen"; and

Whereas on November 15, 1832, the President of the United States, Andrew Jackson, voiced in feeling terms the tribute of the Republic to Charles Carroll of Carrollton, who had died on the preceding day, affirming that "no one estimated higher than I did his claims, whilst living, upon the gratitude and love of his country; none will cherish more sacredly his memory now that he is taken from us by the Great Disposer of the affairs of this world"; and

Whereas the bicentenary of the birth of Charles Carroll of Carrollton occurs on September 19, 1937; and

Whereas it is eminently proper and desirable that the United States should officially commemorate this event: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to appoint a body of five persons, to be designated "The Charles Carroll of Carrollton Bicentenary Commission", this Commission to be charged by him with the work of making adequate preparations for a national celebration of the bicentenary of the birth of Charles Carroll of Carrollton. There is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, a sum not to exceed $12,500, or the necessary part thereof, to carry out the provisions of this resolution.

"The Charles Carroll of Carrollton Bicentenary Commission"; appointment; duties.

Appropriation authorized.

Approved, June 15, 1936.

[CHAPTER 557.]

JOINT RESOLUTION

June 15, 1936.
[S. J. Res. 226.]
[Pub. Res., No. 107.]

Authorizing the President to invite foreign countries to participate in the San Francisco Bay Exposition in 1939 at San Francisco, California.

San Francisco Bay Exposition, 1939. Preamble.

Whereas there is to be held at San Francisco, California, during the year 1939 an international exposition which has for its purpose the celebration of the completion of the San Francisco-Oakland Bridge and the Golden Gate Bridge, and which is designed to depict and exhibit the progress and accomplishments of the Pacific area of the United States in science, industry, business, transportation, and culture, and which, because of its world character, will contribute to cordial relations among the nations of the world; and

Whereas, because of its location and purpose, its scope and aims, said exposition is deserving of the support and encouragement of the Government of the United States of America: Therefore be it

President requested to invite participation by foreign countries.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized and respectfully requested by proclamation, or in such manner as he may deem proper, to invite foreign countries and nations to such proposed exposition with a request that they participate therein.

Approved, June 15, 1936.

[CHAPTER 581.]

AN ACT

June 16, 1936.
[S. 3467.]
[Public, No. 685.]

Amending the Shipping Act, 1916, as amended.

Shipping Act of 1916, amendment. Vol. 39, p. 734. U.S.C., p. 2057.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 16 of the Shipping Act, 1916, as amended (U. S. C., 1934 edition, title 46, section 815), is hereby amended to read as follows:

Unlawful acts by shippers, etc. Unfair devices to obtain lower rates for transportation.

SEC. 16. That it shall be unlawful for any shipper, consignor, consignee, forwarder, broker, or other person, or any officer, agent, or employee thereof, knowingly and willfully, directly or indirectly, by means of false billing, false classification, false weighing, false report of weight, or by any other unjust or unfair device or means to obtain or attempt to obtain transportation by water for property at less than the rates or charges which would otherwise be applicable.

Unlawful acts of carriers by water.

"That it shall be unlawful for any common carrier by water, or other person subject to this Act, either alone or in conjunction with any other person, directly or indirectly—

Preferences.

"First. To make or give any undue or unreasonable preference or advantage to any particular person, locality, or description of traffic in any respect whatsoever, or to subject any particular person, locality, or description of traffic to any undue or unreasonable prejudice or disadvantage in any respect whatsoever.

False billing, classification, weighing, etc.

"Second. To allow any person to obtain transportation for property at less than the regular rates or charges then established and enforced on the line of such carrier by means of false billing, false classification, false weighing, false report of weight, or by any other unjust or unfair device or means.

Inducing discriminatory insurance rates.

"Third. To induce, persuade, or otherwise influence any marine insurance company or underwriter, or agent thereof, not to give a competing carrier by water as favorable a rate of insurance on vessel

or cargo, having due regard to the class of vessel or cargo, as is granted to such carrier or other person subject to this Act.

"Whoever violates any provision of this section shall be guilty of a misdemeanor punishable by a fine of not more than $5,000 for each offense." Penalty for violation.

Approved, June 16, 1936.

[CHAPTER 582.]

AN ACT

June 16, 1936.
[H. R. 11687.]
[Public, No. 686.]

To amend the Federal Aid Highway Act, approved July 11, 1916, as amended and supplemented, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of carrying out the provisions of the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", approved July 11, 1916, and all Acts amendatory thereof and supplementary thereto, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the following sums, to be expended according to the provisions of such Act as amended: The sum of $125,000,000 for the fiscal year ending June 30, 1938, and the sum of $125,000,000 for the fiscal year ending June 30, 1939. Federal Aid Highway Act of 1916, amendments. Vol. 39, p. 355; Vol. 42, pp. 212, 661; Vol. 46, p. 805. U. S. C., p. 969. Sums authorized for fiscal years 1938 and 1939.

(a) All sums authorized in this section and apportioned to the States shall be available for expenditure for one year after the close of the fiscal year for which said sums, respectively, are authorized, and any sum remaining unexpended at the end of the period during which it is available for expenditure shall be reapportioned among the States as provided in section 21 of the Federal Highway Act of 1921 (42 Stat. 212). Apportionment, availability, etc. Use of unexpended balances.

(b) On or before January 1 of each year, the Secretary of Agriculture shall apportion among the several States, as provided in section 21 of the Federal Highway Act of 1921, the sums authorized for the fiscal year immediately following. When said apportionment has been made for any fiscal year, the State highway departments may submit projects to the Secretary of Agriculture for his approval. The Secretary of Agriculture shall act upon projects submitted to him under any such apportionment and his approval of any such project shall be deemed a contractual obligation of the Federal Government for the payment of its proportional contribution thereto: *Provided*, That projects approved under any apportionment before the beginning of the fiscal year for which such apportionment has been made may be contracted for by the States and construction thereon may be begun, but the total reimbursements to any State or Territory before the beginning of such fiscal year shall not exceed the total of all previous apportionments to such State or Territory. Time for making apportionment. Vol. 42, p. 217. Submission of State projects for approval. *Proviso.* Approval and beginning of projects before beginning of fiscal year for which apportionment made.

(c) The term "highway" as defined in the Federal Highway Act, approved November 9, 1921, as amended and supplemented, shall be deemed to include such main parkways as may be designated by the State and approved by the Secretary of Agriculture as part of the Federal-aid highway system. "Highway" defined. Vol. 42, p. 212.

(d) If within the fiscal years 1936 or 1937 the Secretary of Agriculture shall find with respect to any State that the proceeds of all special taxes on motor-vehicle transportation, as referred to in section 12 of the Act of June 18, 1934 (48 Stat. 993), are applied to highway purposes as defined in said section and shall further find that after having so applied such proceeds to such highway purposes other than construction there will be insufficient balance Use of Federal funds without matching, in specified cases. Vol. 48, p. 995.

remaining for construction with which to match all, or any part, of the regular Federal-aid road funds apportioned to such State for either or both said years, respectively, in accordance with the provisions of the Federal Highway Act of 1921, as amended and supplemented, all, or such portion, of such apportionment as the State is unable to match shall be available for expenditure in such State in accordance with said Federal Highway Act without being matched by the State with State funds.

U. S. C., p. 969.

Forest highways, roads, and trails; amounts for 1938 and 1939.

SEC. 2. For the purpose of carrying out the provisions of section 23 of the Federal Highway Act of 1921 there is hereby authorized to be appropriated for forest highways, roads, and trails the following sums, to be available until expended in accordance with the provisions of said section 23: The sum of $14,000,000 for the fiscal year ending June 30, 1938; the sum of $14,000,000 for the fiscal year ending June 30, 1939: *Provided*, That one-third, but not less than $3,000,000, of the appropriation made for any fiscal year for carrying out the provisions of said section 23 may hereafter be expended for the purposes enumerated in the first paragraph of clause (a) of said section 23: *And provided further*, That on or before January 1 of each year the Secretary of Agriculture shall apportion and prorate among the several States, Alaska, and Puerto Rico, as provided in said section 23, the sum authorized for the fiscal year immediately following and the Secretary of Agriculture is authorized to approve projects under any such apportionment, and to incur obligations or enter into contracts under his apportionment and prorating of the authorization, and his action in so doing shall be deemed a contractual obligation on the part of the Federal Government for the payment of the cost thereof.

Vol. 42, p. 218.

Provisos.
Primary, etc., roads.

Time for making apportionments.

Powers of Secretary of Agriculture.

Cooperative construction through Federal reservations, etc.

SEC. 3. For the purpose of carrying out the provisions of section 3 of the Federal Highway Act of 1921, as amended June 24, 1930 (46 Stat. 805), there is hereby authorized to be appropriated for the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations, the sum of $2,500,000 for the fiscal year ending June 30, 1938, and the sum of $2,500,000 for the fiscal year ending June 30, 1939, to remain available until expended.

Amounts authorized.

National Park Service.
Roads, etc., in areas administered by.

SEC. 4. For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks, monuments, and other areas administered by the National Park Service, including areas authorized to be established as national parks and monuments, and national park and monument approach roads authorized by the Act of January 31, 1931 (46 Stat. 1053), as amended, there is hereby authorized to be appropriated the sum of $7,500,000 for the fiscal year ending June 30, 1938, and the sum of $7,500,000 for the fiscal year ending June 30, 1939.

Vol. 46, p. 1053.

Amounts authorized.

National parkways.
Construction, maintenance, etc.

SEC. 5. For the construction and maintenance of parkways, to give access to national parks, and national monuments, or to become connecting sections of a national parkway plan, over lands to which title has been transferred to the United States by the States or by private individuals, there is hereby authorized to be appropriated the sum of $10,000,000 for the fiscal year ending June 30, 1938, and the sum of $10,000,000 for the fiscal year ending June 30, 1939: *Provided*, That the location of such parkways upon public lands, national forests, or other Federal reservations shall be determined by agreement between the department having jurisdiction over such lands and the National Park Service.

Amounts authorized.

Proviso.
Determination of location.

Indian reservation roads.
Construction, improvement, etc.
Vol. 45, p. 750.

SEC. 6. For construction and improvement of Indian reservation roads under the provisions of the Act approved May 26, 1928 (45 Stat. 750), there is hereby authorized to be appropriated the sum of $4,000,000 for the fiscal year ending June 30, 1938, and the sum of $4,000,000 for the fiscal year ending June 30, 1939: *Provided*, That hereafter the location, type and design of all roads constructed under the provisions of said Act of May 26, 1928, shall be approved by the Bureau of Public Roads before any expenditures are made thereon, and all such construction done by contract shall be under the general supervision of said Bureau.

Proviso.
Location, type, and design.

Contract work supervision.

Secondary or feeder roads.

SEC. 7. In addition to any other authorizations which have been made, there is hereby authorized to be appropriated to the several States to be apportioned and expended under the provisions of the Federal Highway Act of 1921, as amended and supplemented: The sum of $25,000,000 for the fiscal year ending June 30, 1938; the sum of $25,000,000 for the fiscal year ending June 30, 1939: *Provided*, That the sums herein authorized shall be applied to secondary or feeder roads, including farm-to-market roads, rural free delivery mail roads, and public-school bus routes.

Amounts authorized.

Proviso.
Application of funds.

Elimination of railroad grade crossings.

SEC. 8. For the elimination of hazards to life at railroad grade crossings, including the separation or protection of grades at crossings, the reconstruction of existing railroad grade-crossing structures, and the relocation of highways to eliminate grade crossings, there is hereby authorized to be appropriated, to be apportioned on or before the 1st day of January of each year preceding the fiscal year for which it is authorized among the several States (including the Territory of Hawaii and the District of Columbia) in accordance with the provisions of the Federal Highway Act of 1921, as amended and supplemented, except that such apportionment shall be one-half on population as shown by the latest decennial census, one-fourth on the mileage of the Federal-aid highway system as determined by the Secretary of Agriculture, and one-fourth on the railroad mileage as determined by the Interstate Commerce Commission, and to be expended in accordance with said Federal Highway Act, as amended and supplemented, except that no part of such funds apportioned to any State need be matched by the State: The sum of $50,000,000 for the fiscal year ending June 30, 1938; the sum of $50,000,000 for the fiscal year ending June 30, 1939: *Provided*, That no part of the appropriations hereafter made for the purpose of carrying out the provisions of the Federal Highway Act, or any Acts amendatory thereof or supplementary thereto, shall be approved for expenditure on any highway unless proper safety protective devices shall be installed or be in operation at any highway and railroad grade crossing or draw-bridge on that portion of the highway with respect to which such expenditures are to be made and said devices shall comply with the safety standards determined by the United States Bureau of Public Roads at that time as being adequate.

Apportionment.

Vol. 42, p. 217.

Basis of apportionment.

Matching not required.

Amounts authorized.

Proviso.
Adequate safety devices required.

Engineering and economic surveys.

SEC. 9. With the approval of the Secretary of Agriculture, not to exceed 1½ per centum of the amount apportioned for any year to any State under sections 1, 7, and 8 of this Act may be used for surveys, plans, engineering, and economic investigations of projects for future construction in such State, either on the Federal-aid highway system and extensions thereof or on secondary or feeder roads.

Gasoline, etc., taxes.
Levy extended to agencies on United States reservations; exception.

SEC. 10. (a) That all taxes levied by any State, Territory or the District of Columbia upon sales of gasoline and other motor vehicle fuels may be levied, in the same manner and to the same extent, upon such fuels when sold by or through post exchanges, ship

stores, ship service stores, commissaries, filling stations, licensed traders, and other similar agencies, located on United States military or other reservations, when such fuels are not for the exclusive use of the United States. Such taxes, so levied, shall be paid to the proper taxing authorities of the State, Territory or the District of Columbia, within whose borders the reservation affected may be located.

Collection of.

Report to be made.

(b) The officer in charge of such reservation shall, on or before the fifteenth day of each month, submit a written statement to the proper taxing authorities of the State, Territory or the District of Columbia within whose borders the reservation is located, showing the amount of such motor fuel not sold for the exclusive use of the United States during the preceding month.

Approved, June 16, 1936.

[CHAPTER 583.]

June 16, 1936.
[H. R. 7690.]
[Public, No. 687.]

AN ACT

To authorize the coinage of 50-cent pieces in commemoration of the two hundred and fiftieth anniversary of the founding of the city of Albany, New York.

Albany, N. Y.
Coinage of 50-cent pieces commemorating founding of, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the two hundred and fiftieth anniversary of the founding of the city of Albany, New York, there shall be coined at a mint of the United States to be designated by the Director of the Mint not to exceed twenty-five thousand silver 50-cent pieces of standard size, weight, and composition and of a special appropriate single design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

No Federal expense for dies, etc.

Date, issue, etc.

SEC. 2. The coins herein authorized shall bear the date 1936, irrespective of the year in which they are minted or issued, shall be legal tender in any payment to the amount of their face value, and shall be issued only upon the request of a committee of not less than three persons duly authorized by the mayor of the city of Albany, New York, upon payment by it of the par value of such coins, but not less than twenty-five thousand such coins shall be issued to it at any one time and no such coins shall be issued after the expiration of one year after the date of enactment of this Act. Such coins may be disposed of at par or at a premium by such committee, and the net proceeds shall be used by it in defraying the expenses incidental and appropriate to the commemoration of such event.

Number.

Disposition.

Coinage laws applicable.

SEC. 3. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material, and for the transportation, distribution, and redemption of coins, for the prevention of debasement or counterfeiting, for the security of the coins, or for any other purposes, whether such laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized.

Approved, June 16, 1936.

[CHAPTER 584.]

AN ACT

To authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the founding of the city of Elgin, Illinois, and the erection of a heroic Pioneer Memorial.

June 16, 1936.
[H. R. 8234.]
[Public, No. 688.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the one-hundredth anniversary of the founding of the city of Elgin, Illinois, and the erection of the heroic Pioneer Memorial, there shall be coined at a mint of the United States, to be designated by the Director of the Mint, not to exceed twenty-five thousand silver 50-cent pieces of standard size, weight, and composition and of a special appropriate single design containing a replica of the "Pioneers", to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

Elgin, Ill.
Coinage of 50-cent pieces commemorating founding of, etc., authorized.

No Federal expense for dies, etc.

SEC. 2. The coins herein authorized shall bear the date 1936, irrespective of the year in which they are minted or issued, shall be legal tender in any payment to the amount of their face value, and shall be issued only upon the request of the chairman of the coinage committee of the Elgin Centennial Monumental Committee, upon payment by him of the par value of such coins, but not less than twenty-five thousand such coins shall be issued to him at any one time and no such coins shall be issued after the expiration of one year after the date of enactment of this Act. Such coins may be disposed of at par or at a premium by such committee, and the net proceeds shall be used by it in defraying the expenses incidental and appropriate to the commemoration of such event.

Date, issue, etc.

Number.

Disposition.

SEC. 3. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material, and for the transportation, distribution, and redemption of coins, for the prevention of debasement or counterfeiting, for the security of the coins, or for any other purposes, whether such laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized.

Coinage laws applicable.

Approved, June 16, 1936.

[CHAPTER 585.]

AN ACT

Authorizing the appointment of an additional district judge for the eastern district of Pennsylvania.

June 16, 1936.
[H. R. 11072.]
[Public, No. 689.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and directed, by and with the advice and consent of the Senate, to appoint an additional district judge of the District Court of the United States for the Eastern District of Pennsylvania, who shall possess the same powers, perform the same duties, and receive the same compensation as the present district judges of the said district.

United States courts.
Pennsylvania eastern judicial district.
Appointment of additional judge, authorized.

SEC. 2. That when a vacancy shall occur in the office of district judge for the eastern district of Pennsylvania, by the retirement, disqualification, resignation, or death of a district judge at present in commission, such vacancy shall not be filled, and thereafter there shall be but three district judges in the said district.

Vacancy not to be filled.

Number limited to three.

SEC. 3. That this Act shall take effect upon its approval by the President.

Effective date.

Approved, June 16, 1936.

[CHAPTER 586.]

AN ACT

June 16, 1936.
[H. R. 11533.]
[Public, No. 690.]

To authorize the coinage of 50-cent pieces in commemoration of the seventy-fifth anniversary of the Battle of Gettysburg.

Battle of Gettysburg. Coinage of 50-cent pieces commemorating 75th anniversary of, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the seventy-fifth anniversary of the Battle of Gettysburg, there shall be coined at a mint of the United States to be designated by the Director of the Mint not to exceed fifty thousand silver 50-cent pieces of standard size, weight, and composition and of a special appropriate single design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

No Federal expense for dies, etc.

Date, issue, etc.

SEC. 2. The coins herein authorized shall bear the date 1936, irrespective of the year in which they are minted or issued, shall be legal tender in any payment to the amount of their face value, and shall be issued only upon the request of a committee of not less than eight persons duly authorized by the Governor of the State of Pennsylvania, upon payment by it of the par value of such coins, but not less than twenty-five thousand such coins shall be issued to it at any one time and no such coins shall be issued after the expiration of one year after the date of the enactment of this Act. Such coins may be disposed of at par or at a premium by such committee, and the net proceeds shall be used by it in defraying the expenses incidental and appropriate to the commemoration of such event.

Number.

Disposition.

Coinage laws applicable.

SEC. 3. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material, and for the transportation, distribution, and redemption of coins, for the prevention of debasement or counterfeiting, for the security of the coins, or for any other purposes, whether such laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized.

Approved, June 16, 1936.

[CHAPTER 587.]

AN ACT

June 16, 1936.
[H. R. 11920.]
[Public, No. 691.]

To increase the efficiency of the Air Corps.

Army Air Corps. Active duty for Reserve officers, authorized; number; period of service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby, authorized to call to active duty, with their consent, for periods of not more than five years, such number of Army Air Corps Reserve officers as he may deem necessary, not to exceed one thousand three hundred and fifty.

Compensation.

SEC. 2. Upon the termination of such a period of active duty of not less than three years in duration, such Air Corps Reserve officers shall be paid a lump sum of $500, which sum shall be addition to any pay and allowances which they may otherwise be entitled to receive.

"Flying officer in time of peace" defined. Vol. 44, p. 781; U. S. C., p. 242.

SEC. 3. The sixth proviso of section 2, Act of July 2, 1926 (44 Stat. L. 781), is hereby amended by striking out the words "Whenever used in this Act a flying officer in time of peace is defined as one who has received an aeronautical rating as a pilot of service types of aircraft", and by substituting in lieu thereof the following: "A flying officer in time of peace is defined as one who has received an aeronautical rating as a pilot of service types of aircraft or one who

has received an aeronautical rating as an aircraft observer: *Provided*, That in time of peace no one may be rated as an aircraft observer unless he has previously qualified as a pilot: *Provided further*, That any officer rated as an aircraft observer in time of war must subsequently qualify as a pilot before he can qualify as an observer in time of peace following such war."

Provisos.
Aircraft observer; qualification in peace time.
Wartime observer; qualification in peace time.

SEC. 4. The President is authorized to appoint, by and with the advice and consent of the Senate, to temporary rank in the grades of colonel, lieutenant colonel, and major, without vacating their permanent commissions, such numbers of officers of the Regular Army Air Corps as the Secretary of War, from time to time, may determine as necessary to meet the administrative, tactical, technical, and training needs of the Air Corps; the then resulting numbers in each grade, permanent and temporary, to be further increased by 5 per centum to meet the additional needs of the War Department for Air Corps officers: *Provided*, That such temporary appointments shall be made in order of seniority of the appointees in each grade in accordance with their standing on the relative rank list of Air Corps officers in their permanent grade, and such temporary appointments may be vacated at any time upon the recommendation of the Secretary of War: *Provided further*, That when an officer holding a temporary appointment under the provisions of this section becomes entitled to permanent promotion his temporary appointment shall be vacated: *Provided further*, That all Air Corps officers temporarily advanced in grade take rank in the grade to which temporarily advanced after officers holding such grade through permanent appointment, and among themselves in the order in which they stand on the relative rank list of Air Corps officers in their permanent grade: *Provided further*, That Air Corps officers temporarily appointed under the provisions of this Act shall be entitled to the pay, flying pay, and allowances pertaining to the grade to which temporarily appointed: *And provided further*, That no officer holding temporary rank under the provisions of this Act shall be eligible to command outside his own corps except by seniority under his permanent commission.

Appointments to temporary rank in grades of colonel, lieutenant colonel, and major, authorized.

Provisos.
Seniority provision.

Temporary status vacated on receiving permanent appointment.

Precedence in rank.

Pay, flying pay, and allowances.

Eligibility to command outside own corps.

SEC. 5. The President is hereby authorized, by and with the advice and consent of the Senate, to appoint to temporary rank from among the permanent colonels and lieutenant colonels of the Air Corps who are "flying officers" as defined herein, or as may hereafter be defined, a commanding general of the General Headquarters Air Force with the rank of major general, and such number of wing commanders with the rank of brigadier general as may be determined by the President. Officers temporarily appointed under the provisions of this section shall hold such temporary appointments until relieved from such commands by order of the President. Such temporary appointments shall not vacate the permanent commissions of the appointees nor create vacancies in the grades in which they are permanently commissioned: *Provided*, That the provisions of this section shall not be construed to exclude the assignment to Air Corps tactical or other appropriate commands of qualified permanent general officers of the line who are "flying officers" as defined herein, or as may hereafter be defined.

Commanding general of General Headquarters Air Force.
Appointment, rank.

Wing commanders; rank.

Tenure, etc.

Proviso.
Assignment of qualified permanent general officers.

SEC. 6. Such laws and parts of laws as may be inconsistent with the foregoing are hereby repealed.

Inconsistent laws, etc., repealed.

Approved, June 16, 1936.

[CHAPTER 592.]

AN ACT

June 19, 1936.
[H. R. 8442.]
[Public, No. 692.]

To amend section 2 of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914, as amended (U. S. C., title 15, sec. 13), and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914, as amended (U. S. C., title 15, sec. 13), is amended to read as follows:

Antitrust Act of 1914, amendment. Vol. 38, p. 730. U. S. C., p. 510.

Discriminations in price between different purchasers.

"SEC. 2. (a) That it shall be unlawful for any person engaged in commerce, in the course of such commerce, either directly or indirectly, to discriminate in price between different purchasers of commodities of like grade and quality, where either or any of the purchases involved in such discrimination are in commerce, where such commodities are sold for use, consumption, or resale within the United States or any Territory thereof or the District of Columbia or any insular possession or other place under the jurisdiction of the United States, and where the effect of such discrimination may be substantially to lessen competition or tend to create a monopoly in any line of commerce, or to injure, destroy, or prevent competition with any person who either grants or knowingly receives the benefit of such discrimination, or with customers of either of them: *Provided*, That nothing herein contained shall prevent differentials which make only due allowance for differences in the cost of manufacture, sale, or delivery resulting from the differing methods or quantities in which such commodities are to such purchasers sold or delivered: *Provided, however*, That the Federal Trade Commission may, after due investigation and hearing to all interested parties, fix and establish quantity limits, and revise the same as it finds necessary, as to particular commodities or classes of commodities, where it finds that available purchasers in greater quantities are so few as to render differentials on account thereof unjustly discriminatory or promotive of monopoly in any line of commerce; and the foregoing shall then not be construed to permit differentials based on differences in quantities greater than those so fixed and established: *And provided further*, That nothing herein contained shall prevent persons engaged in selling goods, wares, or merchandise in commerce from selecting their own customers in bona fide transactions and not in restraint of trade: *And provided further*, That nothing herein contained shall prevent price changes from time to time where in response to changing conditions affecting the market for or the marketability of the goods concerned, such as but not limited to actual or imminent deterioration of perishable goods, obsolescence of seasonal goods, distress sales under court process, or sales in good faith in discontinuance of business in the goods concerned.

Lessening, etc., competition.

Provisos. Differentials.

Quantity limits.

Selection of customers.

Price changes.

Hearing on complaint.

Burden of proof.

"(b) Upon proof being made, at any hearing on a complaint under this section, that there has been discrimination in price or services or facilities furnished, the burden of rebutting the prima-facie case thus made by showing justification shall be upon the person charged with a violation of this section, and unless justification shall be affirmatively shown, the Commission is authorized to issue an order terminating the discrimination: *Provided, however*, That nothing herein contained shall prevent a seller rebutting the prima-facie case thus made by showing that his lower price or the furnishing of services or facilities to any purchaser or purchasers was made in good faith to meet an equally low price of a competitor, or the services or facilities furnished by a competitor.

Proviso. Lower price made in good faith to meet competition.

"(c) That it shall be unlawful for any person engaged in commerce, in the course of such commerce, to pay or grant, or to receive or accept, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, except for services rendered in connection with the sale or purchase of goods, wares, or merchandise, either to the other party to such transaction or to an agent, representative, or other intermediary therein where such intermediary is acting in fact for or in behalf, or is subject to the direct or indirect control, of any party to such transaction other than the person by whom such compensation is so granted or paid.

Brokerage, etc., payments.

Payment for services rendered.

"(d) That it shall be unlawful for any person engaged in commerce to pay or contract for the payment of anything of value to or for the benefit of a customer of such person in the course of such commerce as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the processing, handling, sale, or offering for sale of any products or commodities manufactured, sold, or offered for sale by such person, unless such payment or consideration is available on proportionally equal terms to all other customers competing in the distribution of such products or commodities.

Discriminatory payments by seller to buyer for services, etc.

"(e) That it shall be unlawful for any person to discriminate in favor of one purchaser against another purchaser or purchasers of a commodity bought for resale, with or without processing, by contracting to furnish or furnishing, or by contributing to the furnishing of, any services or facilities connected with the processing, handling, sale, or offering for sale of such commodity so purchased upon terms not accorded to all purchasers on proportionally equal terms.

Furnishing services or facilities by seller to a buyer upon terms not accorded to all buyers.

"(f) That it shall be unlawful for any person engaged in commerce, in the course of such commerce, knowingly to induce or receive a discrimination in price which is prohibited by this section."

Inducing or receiving discrimination in price.

SEC. 2. That nothing herein contained shall affect rights of action arising, or litigation pending, or orders of the Federal Trade Commission issued and in effect or pending on review, based on section 2 of said Act of October 15, 1914, prior to the effective date of this amendatory Act: *Provided*, That where, prior to the effective date of this amendatory Act, the Federal Trade Commission has issued an order requiring any person to cease and desist from a violation of section 2 of said Act of October 15, 1914, and such order is pending on review or is in effect, either as issued or as affirmed or modified by a court of competent jurisdiction, and the Commission shall have reason to believe that such person has committed, used or carried on, since the effective date of this amendatory Act, or is committing, using or carrying on, any act, practice or method in violation of any of the provisions of said section 2 as amended by this Act, it may reopen such original proceeding and may issue and serve upon such person its complaint, supplementary to the original complaint, stating its charges in that respect. Thereupon the same proceedings shall be had upon such supplementary complaint as provided in section 11 of said Act of October 15, 1914. If upon such hearing the Commission shall be of the opinion that any act, practice, or method charged in said supplementary complaint has been committed, used, or carried on since the effective date of this amendatory Act, or is being committed, used or carried on, in violation of said section 2 as amended by this Act, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and serve upon such person its order modifying or amending

Pending litigation, etc.
Vol. 38, p. 730.

Proviso.
Pending orders of Federal Trade Commission.

Proceedings where violations committed.

Report of findings.

its original order to include any additional violations of law so found. Thereafter the provisions of section 11 of said Act of October 15, 1914, as to review and enforcement of orders of the Commission shall in all things apply to such modified or amended order. If upon review as provided in said section 11 the court shall set aside such modified or amended order, the original order shall not be affected thereby, but it shall be and remain in force and effect as fully and to the same extent as if such supplementary proceedings had not been taken.

Review and enforcement of Commission's orders. Vol. 38, p. 734; Vol. 48, p. 1102.

Discounts, rebates, allowances, advertising service charges.

SEC. 3. It shall be unlawful for any person engaged in commerce, in the course of such commerce, to be a party to, or assist in, any transaction of sale, or contract to sell, which discriminates to his knowledge against competitors of the purchaser, in that, any discount, rebate, allowance, or advertising service charge is granted to the purchaser over and above any discount, rebate, allowance, or advertising service charge available at the time of such transaction to said competitors in respect of a sale of goods of like grade, quality, and quantity; to sell, or contract to sell, goods in any part of the United States at prices lower than those exacted by said person elsewhere in the United States for the purpose of destroying competition, or eliminating a competitor in such part of the United States; or, to sell, or contract to sell, goods at unreasonably low prices for the purpose of destroying competition or eliminating a competitor.

Sales, etc., at discriminatory prices to destroy competition.

Penalty for violation.

Any person violating any of the provisions of this section shall, upon conviction thereof, be fined not more than $5,000 or imprisoned not more than one year, or both.

Cooperative associations.

SEC. 4. Nothing in this Act shall prevent a cooperative association from returning to its members, producers, or consumers the whole, or any part of, the net earnings or surplus resulting from its trading operations, in proportion to their purchases or sales from, to, or through the association.

Approved, June 19, 1936.

[CHAPTER 593.]

June 19, 1936.
[H. R. 12074.]
[Public, No. 693.]

AN ACT

To consolidate the Indian pueblos of Jemez and Pecos, New Mexico.

Jemez and Pecos pueblos, N. Mex. Consolidation into Pueblo de Jemez.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Pueblo Indian tribes of New Mexico, commonly known and referred to as the Pueblo de Jemez and Pueblo de Pecos, be, and they are hereby, consolidated and merged into one tribe hereafter to be known as the Pueblo de Jemez.

Property, etc., held by either to be vested in consolidated tribe.

SEC. 2. That all property, real or personal, rights, titles, interests, claims, or demands of whatsoever kind or nature, now held or claimed by either of said tribes, or communities shall be, and hereby are, vested in the consolidated tribe.

Use of funds of either tribe.

SEC. 3. That the unexpended balance of any funds heretofore awarded to, appropriated for, or hereafter to be appropriated by Congress for the use or benefit of either of said tribes or pueblos referred to shall be held for and applied to the use and benefit of said consolidated and merged tribe or pueblo, known as Pueblo de Jemez, subject to all limitations or restrictions now applicable to said funds.

Approved, June 19, 1936.

[CHAPTER 594.]

AN ACT

To effectuate certain provisions of the International Convention for the Protection of Industrial Property as revised at The Hague on November 6, 1925.

June 19, 1936.
[S. 1795.]
[Public, No. 694.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4887 of the Revised Statutes (U. S. C., title 35, sec. 32) be amended to read as follows:

Patents.
R. S., sec. 4887, p. 946; U. S. C., p. 1595.

"No person otherwise entitled thereto shall be debarred from receiving a patent for his invention or discovery, nor shall any patent be declared invalid by reason of its having been first patented or caused to be patented by the inventor or his legal representatives or assigns in a foreign country, unless the application for said foreign patent was filed more than twelve months, in cases within the provisions of section 4886 of the Revised Statutes, and six months in cases of designs, prior to the filing of the application in this country, in which case no patent shall be granted in this country.

Inventions, etc., previously patented abroad.

R. S., sec. 4886, p. 946; U. S. C., p. 1595.

"An application for patent for an invention or discovery or for a design filed in this country by any person who has previously regularly filed an application for a patent for the same invention, discovery, or design in a foreign country which, by treaty, convention, or law, affords similar privileges to citizens of the United States shall have the same force and effect as the same application would have if filed in this country on the date on which the application for patent for the same invention, discovery, or design was first filed in such foreign country: *Provided*, That the application in this country is filed within twelve months in cases within the provisions of section 4886 of the Revised Statutes, and within six months in cases of designs, from the earliest date on which any such foreign application was filed. But no patent shall be granted on an application for patent for an invention or discovery or a design which had been patented or described in a printed publication in this or any foreign country more than two years before the date of the actual filing of the application in this country, or which had been in public use or on sale in this country for more than two years prior to such filing."

Application filed in this country previously filed in a foreign country granting reciprocal privileges.

Proviso.
Inventions patentable; time limitation.
Designs.
R. S., sec. 4886, p. 946; U. S. C., p. 1595.
Exception.

Approved, June 19, 1936.

[CHAPTER 595.]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Brownville, Nebraska.

June 19, 1936.
[S. 4461.]
[Public, No. 695.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of the bridge across the Missouri River, at or near Brownville, Nebraska, authorized to be built by the county of Atchison, State of Missouri, and the county of Nemaha, State of Nebraska, singly or jointly, by section 18 of the Act of Congress approved August 30, 1935, are hereby extended one and three years, respectively, from the date of approval hereof.

Missouri River.
Time extended for bridging, at Brownville, Nebr.

Ante, p. 1068.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, June 19, 1936.

[CHAPTER 596.]

AN ACT

June 19, 1936.
[S. 4462.]
[Public, No. 696.]

To extend the times for commencing and completing the construction of a bridge across the Missouri River between the towns of Decatur, Nebraska, and Onawa, Iowa.

Missouri River.
Time extended for bridging, Decatur, Nebr., to Onawa, Iowa.

Ante, p. 1072.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of the bridge across the Missouri River, between the towns of Decatur, Nebraska, and Onawa, Iowa, authorized to be built by the county of Burt, State of Nebraska, by section 29 of the Act of Congress approved August 30, 1935, are hereby extended one and three years, respectively, from August 30, 1936.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 19, 1936.

[CHAPTER 597.]

AN ACT

June 19, 1936.
[S. 4463.]
[Public, No. 697.]

To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near the cities of South Sioux City, Nebraska, and Sioux City, Iowa.

Missouri River.
Time extended for bridging, near South Sioux City, Nebr., and Sioux City, Iowa.

Ante, p. 1073.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of the bridge across the Missouri River, at or near the cities of South Sioux City, Nebraska, and Sioux City, Iowa, authorized to be built by the county of Dakota, State of Nebraska, by section 30 of the Act of Congress approved August 30, 1935, are hereby extended one and three years, respectively, from the date of approval hereof.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 19, 1936.

[CHAPTER 598.]

AN ACT

June 19, 1936.
[S. 4618.]
[Public, No. 698.]

Granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free or toll highway bridge, or a railway bridge in combination with a free or toll highway bridge, and approaches thereto across the Mississippi River at or near Baton Rouge, Louisiana.

Mississippi River.
Louisiana may bridge, at Baton Rouge.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Louisiana Highway Commission, an administrative body created and acting under the constitution and laws of the State of Louisiana, to construct, maintain, and operate a free or toll highway bridge, or a railway bridge in combination with a free or toll highway bridge, and approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, at or near Baton Rouge, in the State of Louisiana, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction.
Vol. 34, p. 84.
U. S. C., p. 1474.

Rates of toll applied for operation, sinking fund, etc.

SEC. 2. If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon

as possible under reasonable charges, but within a period of not to exceed twenty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the costs of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

Maintenance as free bridge after amortizing costs, etc.

Record of expenditures and receipts.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, June 19, 1936.

[CHAPTER 599.]

AN ACT

June 19, 1936.
[S. 4680.]
[Public, No. 699.]

Authorizing the State of Wisconsin to construct, maintain, and operate a free highway bridge across the Mississippi River at or near La Crosse, La Crosse County, Wisconsin.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the State of Wisconsin be, and is hereby, authorized to construct, maintain, and operate a free highway bridge and approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, at or near La Crosse, La Crosse County, Wisconsin, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Mississippi River. Wisconsin may bridge, at La Crosse.

Construction. Vol. 34, p. 84. U. S. C., p. 1474.

SEC. 2. There is hereby conferred upon the State of Wisconsin all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Acquisition of approaches, etc.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, June 19, 1936.

[CHAPTER 600.]

AN ACT

June 19, 1936.
[S. 4709.]
[Public, No. 700.]

Authorizing the Interstate Bridge Commission of the State of New York and the Commonwealth of Pennsylvania to reconstruct, maintain, and operate a free highway bridge across the Delaware River between points in the village of Barryville, Sullivan County, New York, and the village of Shohola, Pike County, Pennsylvania.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the Interstate Bridge Commission of the State of New York and the Commonwealth of Pennsylvania be, and is hereby, authorized to reconstruct, maintain, and

Delaware River. Construction of bridge authorized across, from Barryville, N. Y., to Shohola, Pa.

operate a free highway bridge and approaches thereto across the Delaware River between points in the village of Barryville, Sullivan County, New York, and the village of Shohola, Pike County, Pennsylvania, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction. Vol. 34, p. 84. U. S. C., p. 1474.

Acquisition of approaches, etc.

SEC. 2. There is hereby conferred upon the Interstate Bridge Commission of the State of New York and the Commonwealth of Pennsylvania all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Amendment.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 19, 1936.

[CHAPTER 601.]

June 19, 1936.
[S. 4710.]
[Public, No. 701.]

AN ACT

Authorizing the Interstate Bridge Commission of the State of New York and the Commonwealth of Pennsylvania to reconstruct, maintain, and operate a free highway bridge across the West Branch of the Delaware River between a point in the vicinity of the village of Hancock, Delaware County, New York, and a point in the town of Buckingham, Wayne County, Pennsylvania.

Delaware River. Construction of bridge authorized across West Branch, from Hancock, N. Y., to Buckingham, Pa.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the Interstate Bridge Commission of the State of New York and the Commonwealth of Pennsylvania be, and is hereby, authorized to reconstruct, maintain, and operate a free highway bridge and approaches thereto across the West Branch of the Delaware River, at a point suitable to the interests of navigation, at or near the vicinity of Hancock, Delaware County, New York, and a point in the town of Buckingham, Wayne County, Pennsylvania, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction. Vol. 34, p. 84. U. S. C., p. 1474.

Acquisition of approaches, etc.

SEC. 2. There is hereby conferred upon the Interstate Bridge Commission of the State of New York and the Commonwealth of Pennsylvania all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Amendment.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 19, 1936.

[CHAPTER 602.]

AN ACT

To amend the Act known as the "Perishable Agricultural Commodities Act, 1930", approved June 10, 1930, as amended.

June 19, 1936.
[H. R. 8759.]
[Public, No. 702.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph 4 of section 2 of the Perishable Agricultural Commodities Act of 1930, as amended, is hereby amended to read as follows:

Perishable Agricultural Commodities Act of 1930, amendments.
Vol. 46, p. 532; U. S. C., p. 148.

"(4) For any commission merchant, dealer, or broker to make, for a fraudulent purpose, any false or misleading statement in connection with any transaction involving any perishable agricultural commodity which is received in interstate or foreign commerce by such commission merchant, or bought or sold, or contracted to be bought, sold, or consigned, in such commerce by such dealer, or the purchase or sale of which in such commerce is negotiated by such broker; or to fail or refuse truly and correctly to account promptly in respect of any transaction in any such commodity to the person with whom such transaction is had;".

Unfair conduct.
False statements concerning commodity transactions.

SEC. 2. That paragraph (b) of section 4 of the Perishable Agricultural Commodities Act of 1930, as amended, is hereby amended to read as follows:

Causes for refusing license.
Vol. 46, p. 533.

"(b) The Secretary shall refuse to issue a license to an applicant (1) if he finds that the applicant has previously been responsible in whole or in part for any violation of the provisions of section 2 for which a license of the applicant, or the license of any partnership, association, or corporation in which the applicant held any office, or, in the case of a partnership, had any share or interest, was revoked; or (2) if he finds after notice and hearing that at any time within two years said applicant was responsible in whole or in part for any flagrant or repeated violation of the provisions of section 2; or (3) if he finds, in case the applicant is a partnership, association, or corporation, that any individual holding office or, in the case of a partnership, having any interest or share in the applicant, has previously been responsible in whole or in part for any violation of the provisions of section 2 for which the license of such individual, or of any partnership, association, or corporation in which such person held any office, or, in the case of a partnership, had any share or interest, was revoked; or (4) if he finds, after notice and hearing in case the applicant is a partnership, association, or corporation, that any individual holding any office or, in the case of a partnership, having any interest or share in the applicant, had previously, at any time within two years, been responsible in whole or in part for any flagrant or repeated violation of the provisions of section 2; or (5) if he finds that the applicant, subject to his right of appeal under section 7 (b), has failed, except in case of bankruptcy, to pay within the time limit provided therein any reparation order which has been issued, within two years, against him as an individual, or against a partnership of which he was a member, or an association or corporation in which he held any office, or, in case the applicant is a partnership, association, or corporation, that any individual holding any office, or, in the case of a partnership, having any interest or share in the applicant, subject to his right of appeal under section 7 (b), has failed, except in the case of bankruptcy, to pay within the time limit provided therein any reparation order which has been issued, within two years, against him as an individual, or against a partnership of which he was a member, or an association or corporation in which he held any office. Notwithstanding the foregoing provisions, the Secretary, in the case of such applicant, may issue a license if the applicant furnishes a bond or other satisfactory assur-

Applicant previously responsible for unlawful act.

Applicant responsible for flagrant or repeated violation within two years.

Any member in a partnership, etc., responsible for unlawful act.

Applicant a partnership or corporation in which any officer thereof responsible for unlawful act.

Applicant has failed to pay outstanding reparation order; exception.

Waiver of provisions upon giving bond for future compliance.

Paying previously issued reparation orders, etc.

Time limitation.

ance that his business will be conducted in accordance with the provisions of the Act and that he will pay all reparation orders which may previously have been issued against him for violations, or which may be issued against him within two years following the date of the license, subject to his right of appeal under section 7 (b), but such license shall not be issued before the expiration of one year from the date of revocation of license or from the date of the Secretary's finding that the applicant has been responsible, in whole or in part, for any flagrant or repeated violation of section 2;".

Vol. 48, p. 587. U. S. C., p. 150.

SEC. 3. That paragraph (c) of section 7 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

Appeal from reparation order; proceedings.

"(c) Either party adversely affected by the entry of a reparation order by the Secretary may, within thirty days from and after the date of such order, appeal therefrom to the District Court of the United States for the district in which said hearing was held: *Provided*, That in cases handled without a hearing in accordance with paragraphs (c) and (d) of section 6 or in which a hearing has been waived by agreement of the parties, appeal shall be to the District Court of the United States for the district in which the party complained against is located. Such appeal shall be perfected by the filing of a notice thereof, together with a petition in duplicate, which shall recite prior proceedings before the Secretary, and shall state the grounds upon which petitioner relies to defeat the right of the adverse party to recover the damages claimed, with the clerk of said court with proof of service thereof upon the adverse party by registered mail. The clerk of court shall immediately forward a copy thereof to the Secretary of Agriculture, who shall forthwith prepare, certify, and file in said court a true copy of the Secretary's decision, findings of fact, conclusions, and order in said case, together with copies of the pleadings upon which the case was heard and submitted to the Secretary. Such suit in the District Court shall be a trial de novo and shall proceed in all respects like other civil suits for damages, except that the findings of fact and order or orders of the Secretary shall be prima facie evidence of the facts therein stated. Appellee shall not be liable for costs in said court and if appellee prevails he shall be allowed a reasonable attorney's fee to be taxed and collected as part of his costs. Such petition and pleadings certified by the Secretary upon which decision was made by him shall, upon filing in the District Court, constitute the pleadings upon which said trial de novo shall proceed subject to any amendment allowed in that court;".

Proviso.
Cases handled without a hearing.
Vol. 46, p. 534; Vol. 48, p. 586.

Filing of notice and petition.

Copy to Secretary of Agriculture.

Trial de novo in District Court.

Costs and attorney's fee.

Approved, June 19, 1936.

[CHAPTER 603.]

June 19, 1936.
[H. R. 9483.]
[Public, No. 703.]

AN ACT

To extend the provisions of the Forest Exchange Act, as amended, to certain lands, so that they may become part of the Umatilla and Whitman National Forests.

Forest Exchange Act.
Exchange of privately owned lands within certain areas under provisions of, permitted.
Vol. 42, p. 465; Vol. 43, p. 1090.
U. S. C., p. 660.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That within the following-described boundaries, any lands not in Government ownership which are found by the Secretary of Agriculture to be chiefly valuable for national-forest purposes may be offered in exchange under the provisions of the Act of March 20, 1922 (42 Stat. 465), as amended by the Act of February 28, 1925 (43 Stat. 1090; U. S. C., 1934 ed., title 16, secs. 485, 486), upon notice as therein provided,

and upon acceptance of title, shall become parts of the Umatilla or Whitman National Forests to wit:

To become parts of Umatilla or Whitman National Forests.

Description.

Sections 24, 25, 26, 28, 29, 30, 31, 32, 33, 34, and 36; the south half, the northeast quarter, the north half northwest quarter and the southwest quarter northwest quarter of section 27; the north half, the southeast quarter, the north half southwest quarter and the southeast quarter southwest quarter of section 35, township 2 south, range 37 east, Willamette meridian.

Sections 1, 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 29, and 30; the west half, the south half southeast quarter, the north half northeast quarter, and the southeast quarter northeast quarter section 7; the east half, the northwest quarter, the east half southwest quarter, and the southwest quarter southwest quarter section 8, township 3 south, range 37 east, Willamette meridian.

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24; the north half, the southeast quarter, the north half southwest quarter, and the southwest quarter southwest quarter section 21; the south half, the northwest quarter, the north half northeast quarter, and the southwest quarter northeast quarter section 30, township 3 south, range 36 east, Willamette meridian.

Sections 22, 27, 28, 29, 32, 33, 34, 35, and 36; the west half, south half southeast quarter, north half northeast quarter, and southeast quarter northeast quarter section 23; the east half, the southwest quarter, the south half northwest quarter, and the northeast quarter northwest quarter section 24; the north half, the southeast quarter, the north half southwest quarter, and the southwest quarter southwest quarter section 25; the north half, the southwest quarter, the west half southeast quarter, and the southeast quarter southeast quarter section 26, township 3 south, range 35 east, Willamette meridian.

Sections 1, 2, 3, 5, 8, 9, 10, 11, 12, 14, 15, 16, 20, 21, and 22; the north half, the southeast quarter, the west half southwest quarter, and the southeast quarter southwest quarter section 4; the north half, the southwest quarter, the north half southeast quarter, and the southwest quarter southeast quarter section 17; the west half, the southeast quarter, the north half northeast quarter, and the southeast quarter northeast quarter section 23, township 4 south, range 35 east, Willamette meridian.

Approved, June 19, 1936.

[CHAPTER 604.]

AN ACT

To authorize the transfer of land from the War Department to the Territory of Hawaii.

June 19, 1936.
[H. R. 10712.]
[Public, No. 704.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized to transfer to the Territory of Hawaii all right, title, and interest of the United States in such portion of the land at the base of the east breakwater at Kahului, county of Maui, Territory of Hawaii, as is not required for the maintenance of said breakwater, on such terms and conditions as the Secretary of War may determine: *Provided*, That the conveyance shall be upon the express condition and with a reservation reserving the right to resume and occupy said tract of land whenever in the judgment of the President an emergency exists that requires the use and appropriation of the same for public defense, and also with the further reservation as to that portion of said tract of land other than known

Hawaii.
Conveyance of land to, authorized.

Proviso.
Emergency occupation reserved.

Use of portion for park purposes.

as pier numbered 1 and the land immediately adjacent thereto that it shall be used for park purposes, and that in case it is not so used it shall revert to the United States.

Approved, June 19, 1936.

[CHAPTER 605.]

AN ACT

June 19, 1936.
[H. R. 11819.]
[Public, No. 705.]

To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Arrow Rock, Missouri.

Missouri River.
Time extended for bridging, at Arrow Rock, Mo.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Missouri River, at or near Arrow Rock, Missouri, authorized to be built by J. L. Jones, Tyre W. Burton, and H. R. Turley, trustees for Howard County, Missouri, by an Act of Congress approved August 30, 1935, are hereby extended one and three years, respectively, from August 30, 1936.

Ante, p. 1066.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 19, 1936.

[CHAPTER 606.]

AN ACT

June 19, 1936.
[H. R. 11820.]
[Public, No. 706.]

To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Miami, Missouri.

Missouri River.
Time extended for bridging, at Miami, Mo.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Missouri River, at or near Miami, authorized to be built by Saline County, Missouri, by an Act of Congress approved January 16, 1936, are hereby extended one and three years, respectively, from January 16, 1937.

Ante, p. 1093.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 19, 1936.

[CHAPTER 607.]

AN ACT

June 19, 1936.
[H. R. 11916.]
[Public, No. 707.]

To authorize the transfer of a certain piece of land in Muhlenberg County, Kentucky, to the State of Kentucky.

Muhlenberg County, Ky.
Transfer of land in, to State for road purposes, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized to convey to the Commonwealth of Kentucky for State road purposes, without expense to the United States, all the right, title, and interest of the United States in and to a certain piece of land in Muhlenberg County, Kentucky, described as follows:

Description.

Beginning at a point in the property line between the United States and R. V. Hammers and wife, the said point of beginning being thirty feet left and opposite station 905+40 in the center line of survey made by the Kentucky State Highway Commission; thence running with the said property line south thirty-one degrees east two hundred and ninety-five feet, more or less, to a point in the property line between the United States and J. S. Bowles and wife, the said point being twenty-three feet left and opposite station 908+23 in the center line of survey; thence running with the last-named property

line south sixty degrees east twenty-one feet, more or less, to a point thirty feet left and opposite station 908+40 in the center line of survey; thence running thirty feet from and parallel with the center line of two-degree-forty-one minute curve in a northwesterly direction one hundred and eighty-two feet, more or less, to a point thirty feet left and opposite station 906+58.7 in the center line of survey; thence continuing thirty feet from and parallel with the center line of sixteen-degree curve one hundred and eighty-two feet, more or less, to the point of beginning, as shown by plans on file at the office of the State Highway Department, Frankfort, Kentucky.

Such conveyance shall contain the express condition that if the State of Kentucky shall at any time cease to use said land for road or highway purposes, or shall alienate or attempt to alienate such land, title thereto shall revert to the United States. Reversionary provision.

Approved, June 19, 1936.

[CHAPTER 608.]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Savannah River at or near Burtons Ferry, near Sylvania, Georgia.

June 19, 1936.
[H. R. 12461.]
[Public, No. 708.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for commencing and completing the construction of a bridge across the Savannah River at or near Burtons Ferry, near Sylvania, Georgia, authorized to be built by the South Carolina and Georgia State Highway Departments by an Act of Congress approved May 26, 1928, heretofore revived and reenacted by an Act of Congress approved April 22, 1932, and heretofore extended by Acts of Congress approved May 27, 1933, June 12, 1934, and August 30, 1935, are hereby further extended one and three years, respectively, from August 30, 1936. Savannah River. Time extended for bridging, at Burtons Ferry, Ga. Vol. 45, p. 751; Vol. 47, p. 135; Vol. 48, p. 946. *Ante*, p. 1070.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved. Amendment.

Approved, June 19, 1936.

[CHAPTER 609.]

AN ACT

Authorizing the Chesapeake Bay Authority to construct, maintain, and operate a toll bridge across the Chesapeake Bay, from a point in Baltimore County, Maryland, over Hart Island and Miller's Island to a point near Tolchester, Kent County, Maryland.

June 19, 1936.
[H. R. 12514.]
[Public, No. 709.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Chesapeake Bay Authority to construct, maintain, and operate a bridge and approaches thereto across the Chesapeake Bay, at a point suitable to the interests of navigation, from a point in Baltimore County, Maryland, over Hart Island and Miller's Island to a point near Tolchester, Kent County, Maryland, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act. Chesapeake Bay. Chesapeake Bay Authority may bridge, over Hart and Miller's Islands to Tolchester, Md. Construction. Vol. 34, p. 84. U. S. C., p. 1474.

SEC. 2. If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its Tolls applied to operation, sinking fund, etc.

approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed forty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economic management. An accurate record of the costs of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

Maintenance as free bridge after amortizing costs, etc.

Record of expenditures and receipts.

Amendment.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 19, 1936.

[CHAPTER 610.]

AN ACT

June 19, 1936.
[H. R. 12685.]
[Public, No. 710.]

Granting the consent of Congress to the county of Horry, South Carolina, to construct, maintain, and operate a free highway bridge across the Waccamaw River, at or near Red Bluff, South Carolina.

Waccamaw River. Horry County, S. C., may bridge at Red Bluff.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the county of Horry, South Carolina, to construct, maintain, and operate a free highway bridge across the Waccamaw River at a point suitable to the interests of navigation, at or near Red Bluff, South Carolina, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Vol. 34, p. 84.
U. S. C., p. 1474.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 19, 1936.

[CHAPTER 611.]

JOINT RESOLUTION

June 19, 1936.
[H. J. Res. 589.]
[Pub. Res., No. 108.]

To authorize the Secretary of the Treasury to permit the transportation of bonded merchandise by other than common carriers under certain conditions.

Ports of New York, Newark, and Perth Amboy.
Movement of bonded merchandise between, by bonded cartmen, etc.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized, when it appears to him to be in the interest of commerce, and notwithstanding any provision of law or regulation requiring that the transportation of imported merchandise be by a bonded common carrier, to permit such merchandise which has been entered and examined for customs purposes to be transported by bonded cartmen or bonded lightermen between the ports of New York, Newark, and Perth Amboy, which are all included in Customs Collection District Numbered 10 (New York): *Provided*, That this resolution shall not be construed to deprive any of the ports affected of its rights and privileges as a port of entry.

Proviso.
Rights of ports affected not abridged.

Approved, June 19, 1936.

[CHAPTER 612.]

JOINT RESOLUTION

June 19, 1936.
[S. J. Res. 278.]
[Pub. Res., No. 109.]

To modify and extend the Act entitled "An Act to include sugar beets and sugarcane as basic agricultural commodities under the Agricultural Adjustment Act, and for other purposes", approved May 9, 1934, as amended, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That under the Act entitled "An Act to include sugar beets and sugarcane as basic agricultural commodities under the Agricultural Adjustment Act, and for other purposes", approved May 9, 1934, as amended, no further processing, compensating, or floor-stocks tax shall be levied or collected respecting sugar beets or sugarcane or the products thereof as defined by such Act as amended nor shall any contract be entered into under the provisions of such Act, as amended, with the producers of sugar beets or sugarcane, but in all other respects such amendatory Act shall be and remain in force and effect until December 31, 1937, and the quotas established and allotments heretofore made by the Secretary of Agriculture are hereby ratified.

Agricultural Adjustment Act amendment.
Sugar beets and sugarcane as basic agricultural commodities.
Vol. 48, p. 670.
Provisions continued until 1938 with designated modifications.

Quotas and allotments ratified.

SEC. 2. In order to regulate commerce with Cuba and other foreign countries, among the several States, with the Territories and possessions of the United States, and the Commonwealth of the Philippine Islands, with respect to sugar, the quotas for the respective sugar-producing areas shall be the same (subject to modification or adjustment by the Secretary of Agriculture under conditions set out in such Act) for the calendar years 1936 and 1937 as those initially established by the Secretary of Agriculture for the calendar year 1936: *Provided*, That for the calendar year 1937 there shall be allotted to continental United States not less than 30 per centum of any amount of consumption requirements therefor above six million four hundred and fifty-two thousand short tons, raw value: *Provided further*, That any sugar-marketing quota may be allotted by the Secretary of Agriculture, in order to prevent disorderly marketing or importation of sugar, on the basis of prior allotments under such Act, changes in marketing since the first such allotment, marketings during the calendar year 1935, and ability to perform.

Quotas for Cuba and other foreign countries, etc., calendar years 1936 and 1937.

Provisos.
Allotment to continental United States.

Quotas on basis of prior allotments, etc., permitted.

Approved, June 19, 1936.

[CHAPTER 617.]

AN ACT

June 20, 1936.
[S. 1794.]
[Public, No. 711.]

To effectuate certain provisions of the International Convention for the Protection of Industrial Property as revised at The Hague on November 6, 1925.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Trade Mark Act of February 20, 1905 (U. S. C., title 15, sec. 84), as amended, be amended to read as follows:

Trade marks.
Vol. 33, p. 725.
U. S. C., p. 542.

"That an application for registration of a trade mark filed in this country by any person who has previously regularly filed in any foreign country which, by treaty, convention, or law, affords similar privileges to citizens of the United States an application for registration of the same trade mark shall be accorded the same force and effect as would be accorded to the same application if filed in this country on the date on which application for registration of the same trade mark was first filed in such foreign country: *Provided*, That such application is filed in this country within six months from the date on which the application was first filed in such for-

Application for, previously filed in a country granting reciprocal privileges.

Provisos.
Time limitation.

Registration of collective mark belonging to association.
U. S. C., p. 542.

eign country: *Provided further*, That subject to the provisions of section 5 of said Trade Mark Act (U. S. C., title 15, sec. 85) registration of a collective mark may be issued to an association to which it belongs, which association is located in any such foreign country and whose existence is not contrary to the law of such country, even if it does not possess an industrial or commercial establishment: *And provided further*, That certificate of registration shall not be issued for any mark for registration of which application has been filed by an applicant located in a foreign country until such mark has been actually registered by the applicant in the country in which he is located."

Issue of certificate restricted.

Approved, June 20, 1936.

[CHAPTER 618.]

AN ACT

June 20, 1936.
[S. 2127.]
[Public, No. 712.]

To amend section 4471 of the Revised Statutes of the United States, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4471 of the Revised Statutes of the United States, as amended (U. S. C., title 46, sec. 464), be, and the same is hereby, amended by adding thereto the following new paragraph:

Regulation of steam vessels.
R. S., sec. 4471, p. 865.
U. S. C., p. 2022.

Passenger vessels.
Automatic sprinkler system required on certain.

"On and after July 1, 1937, every passenger vessel with berthed or stateroom accommodation for fifty or more passengers shall be equipped with an automatic sprinkler system, which shall be in addition to any other device or devices for fire protection, of a type prescribed by the Board of Supervising Inspectors and approved by the Secretary of Commerce. All enclosed portions of such vessels accessible to passengers or crew (except cargo holds, machinery spaces, and, when of fire-resisting construction, toilets, bathrooms, and spaces of similar construction) shall be protected by an automatic sprinkler system: *Provided*, That if after investigation the Bureau of Navigation and Steamboat Inspection finds in the case of a particular vessel the application of this Act is unnecessary properly to protect life on such vessel, an exception may be made. The Bureau of Navigation and Steamboat Inspection shall cause to be made suitable tests and inspections as will insure the proper working of such systems. In carrying out the provisions of this paragraph the Bureau of Navigation and Steamboat Inspection is hereby authorized and directed to prescribe the particular approved type, character, and manner of installation of systems to be fitted. The term 'type' as herein used shall be considered to mean any system which will give a prescribed or required efficiency and shall not mean some peculiar shape or design and shall not be confined to some certain brand or make."

Proviso.
Exceptions.

Tests to insure efficiency.

Types to be prescribed; term defined.

Approved, June 20, 1936.

[CHAPTER 619.]

AN ACT

June 20, 1936.
[S. 3997.]
[Public, No. 713.]

To authorize the Secretary of War to lend War Department equipment for use at the Eighteenth National Convention of the American Legion at Cleveland, Ohio, during the month of September 1936.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized to lend, at his discretion, to the American Legion 1936 Convention Corporation, for use at the Eighteenth

American Legion.
Loan of Army equipment for convention at Cleveland, Ohio, authorized.

National Convention of the American Legion to be held at Cleveland, Ohio, in the month of September 1936, such tents, cots, and blankets, and other available stock out of the Army and National Guard supplies as such corporation may require to house properly Legionnaires attending such convention: *Provided*, That no expense shall be caused the United States Government by the delivery and return of such property, the same to be delivered at such time prior to the holding of such convention as may be agreed upon by the Secretary of War and the American Legion 1936 Convention Corporation: *Provided further*, That the Secretary of War, before delivering such property, shall take from such corporation a good and sufficient bond for the safe return of such property in good order and condition, and the whole without expense to the United States.

Provisos.
No Federal expense.

Bond required.

Approved, June 20, 1936.

[CHAPTER 620.]

AN ACT

To permit construction, maintenance, and use of certain pipe lines for petroleum and petroleum products in the District of Columbia.

June 20, 1936.
[S. 4563.]
[Public, No. 714.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia be, and are hereby, authorized and empowered to grant permission to the Steuart Brothers, Incorporated, a corporation organized in the State of Delaware, owner of that part of square 1024, bounded by L Street Southeast on the north, Twelfth Street Southeast on the west, Thirteenth Street Southeast on the east, and the right-of-way of the Philadelphia, Baltimore and Washington Railroad on the south, in the city of Washington, in the District of Columbia, its successors and assigns, to lay down, construct, maintain, and use not more than five pipe lines for the carriage of petroleum and petroleum products from a point or points north of said railroad right-of-way within the square 1024, in and through Thirteenth Street Southeast due south to the Anacostia River.

District of Columbia.
Steuart Brothers, Incorporated, may construct pipe lines at designated points.

SEC. 2. That all the construction and use provided for herein shall be under such regulations and rentals as the Commissioners of the District of Columbia may make and establish in connection therewith and all plans and specifications for such construction shall be subject to their approval. The Commissioners of the District of Columbia shall have full authority to designate the location and to cause such repairs or relocation of said pipe lines as the public necessity may require, any such repairs or relocation to be at the expense of the Steuart Brothers, Incorporated, its successors or assigns.

Supervision of construction, etc.

SEC. 3. That no permission granted or enjoyed hereunder shall vest any title or interest in or to the land within Thirteenth Street Southeast.

No property rights to vest.

SEC. 4. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, June 20, 1936.

[CHAPTER 621.]

AN ACT

June 20, 1936.
[S. 4622.]
[Public, No. 715.]

To amend section 2 of the Act entitled "An Act granting the consent of Congress to the Alabama State Bridge Corporation to construct, maintain, and operate bridges across the Tennessee, Tombigbee, Warrior, Alabama, and Coosa Rivers, within the State of Alabama", approved May 26, 1928.

Alabama toll bridge construction.
Vol. 45, p. 754.
Time for charging tolls on designated bridges extended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act granting the consent of Congress to the Alabama State Bridge Corporation to construct, maintain, and operate bridges across the Tennessee, Tombigbee, Warrior, Alabama, and Coosa Rivers, within the State of Alabama", approved May 26, 1928, is amended by striking out, wherever they appear therein, the words "eighteen years" and inserting in lieu thereof the words "twenty-eight years".

Approved, June 20, 1936.

[CHAPTER 622.]

AN ACT

June 20, 1936.
[H. R. 7764.]
[Public, No. 716.]

To relieve restricted Indians whose lands have been taxed or have been lost by failure to pay taxes, and for other purposes.

Indians.
Sum authorized for relief of restricted Indians whose lands have been taxed, or lost through nonpayment of taxes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $25,000, to be expended under such rules and regulations as the Secretary of the Interior may prescribe, for payment of taxes, including penalties and interest, assessed against individually owned Indian land the title to which is held subject to restrictions against alienation or encumbrance except with the consent or approval of the Secretary of the Interior, heretofore purchased out of trust or restricted funds of an Indian, where the Secretary finds that such land was purchased with the understanding and belief on the part of said Indian that after purchase it would be nontaxable, and for redemption or reacquisition of any such land heretofore or hereafter sold for nonpayment of taxes.

Certain lands purchased from trust, etc., funds declared Federal instrumentalities.

SEC. 2. All lands the title to which is now held by an Indian subject to restrictions against alienation or encumbrance except with the consent or approval of the Secretary of the Interior, heretofore purchased out of trust or restricted funds of said Indian, are hereby declared to be instrumentalities of the Federal Government and shall be nontaxable until otherwise directed by Congress.

Approved, June 20, 1936.

[CHAPTER 623.]

AN ACT

June 20, 1936.
[H. R. 11103.]
[Public, No. 717.]

To extend the times for commencing and completing the construction of a bridge across the Mississippi River between New Orleans and Gretna, Louisiana.

Mississippi River.
Time extended for bridging, between New Orleans and Gretna, La.
Vol. 44, p. 1270; Vol. 45, pp. 193, 1229; Vol. 46, p. 551; Vol. 47, p. 1415; Vol. 48, p. 396; *Ante*, p. 321.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Mississippi River between New Orleans and Gretna, Louisiana, authorized to be built by George A. Hero and Allen S. Hackett, their successors and assigns, by an Act of Congress approved March 2, 1927, heretofore extended by Acts of Congress approved March 6, 1928, February 19, 1929, June 10, 1930, March 1, 1933, March 5, 1934, and June 4, 1935, are hereby further extended one and three

years, respectively, from the date of approval hereof: *Provided*, That the State of Louisiana, or any agency or authority created by it, may construct the bridge herein authorized.

Proviso. Construction by State permitted.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, June 20, 1936.

[CHAPTER 624.]

AN ACT

To provide for the disposition of tribal funds now on deposit, or later placed to the credit of the Crow Tribe of Indians, Montana, and for other purposes.

June 20, 1936. [H. R. 11218.] [Public, No. 718.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That tribal funds now on deposit or later placed to the credit of the Crow Tribe of Indians, Montana, may be used for per-capita payments, or such other purposes as may be designated by the tribal council and approved by the Secretary of the Interior, and section 11 of the Act of June 4, 1920 (41 Stat. 751), is hereby modified accordingly.

Crow Indians, Mont. Per-capita payments, etc., from tribal funds authorized.

Vol. 41, p. 754.

Approved, June 20, 1936.

[CHAPTER 625.]

AN ACT

To amend the charter of the National Union Insurance Company of Washington in the District of Columbia.

June 20, 1936. [H. R. 11522.] [Public, No. 719.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the charter of the National Union Insurance Company of Washington, granted by an Act of Congress approved February 14, 1865, and amended by an Act of Congress approved May 11, 1892, is hereby further amended to permit the said insurance company to insure and reinsure risks in all the various forms authorized by section 3 of an Act of Congress approved March 4, 1922, entitled "An Act to regulate marine insurance in the District of Columbia, and for other purposes."

National Union Insurance Company of Washington, D. C. Charter amended.

Vol. 13, p. 428; Vol. 27, p. 29.

Vol. 42, p. 401.

Approved, June 20, 1936.

[CHAPTER 626.]

AN ACT

To amend the Coastwise Load Line Act, 1935.

June 20, 1936. [H. R. 11915.] [Public, No. 720.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Coastwise Load Line Act, 1935, approved August 27, 1935 (U. S. C., 1934 edition, Supp. I, title 46, sec. 88a), be amended to read as follows:

Coastwise Load Line Act, 1935, amendment.

Ante, p. 888.

U. S. C., Supp. I, p. 271.

"SEC. 2. The Secretary of Commerce is hereby authorized and directed in respect of the vessels defined above to establish by regulations from time to time the load-water lines and marks thereof indicating the maximum depth to which such vessels may safely be loaded and in establishing such load lines due consideration shall be given to, and differentials made for, the various types and character of vessels and the trades in which they are engaged. In establishing load-water lines on passenger vessels due consideration shall be given to, and differentials shall be made for, the age and condition of the vessel, its subdivision and efficacy thereof, and the probable stability of the vessel if damaged: *Provided*, That the load-line provisions of this Act shall apply to the Great Lakes and that no load line shall be established or marked on any vessel which load line gives a lesser

Load-water lines and marks; establishment.

Passenger vessels.

Provisos. Applicability to Great Lakes.

Vol. 47, p. 2328.

freeboard and less buoyance than the load line established by the International Treaty on Load Lines of 1930, and that the regulations established under this proviso shall have the force of law: *Provided further*, That in applying the load lines to vessels on the Great Lakes and to steam colliers, tugs, barges, and self-propelled barges engaged in special services on inter-island voyages and on coastwise voyages from port to port in the continental United States the Secretary of Commerce is vested with discretion to vary the load-line marks from those established by said treaty when in his opinion the changes made by him will not be above the actual line of safety."

Changes permitted, Great Lakes, etc.

Approved, June 20, 1936.

[CHAPTER 627.]

AN ACT

June 20, 1936.
[H. R. 12073.]
[Public, No. 721.]

To reserve certain public-domain lands in New Mexico as an addition to the school reserve of the Jicarilla Indian Reservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described public-domain lands be, and they are hereby, withdrawn from entry, sale, or other disposition and set aside as an addition to the school reserve of the Jicarilla Indian Reservation, Dulce, New Mexico: Northwest quarter southwest quarter and the southeast quarter southwest quarter section 30, township 32 north, range 1 west, New Mexico principal meridian, New Mexico: *Provided*, That said withdrawal shall not affect any valid rights initiated prior to approval hereof.

Jicarilla Indian Reservation, N. Mex.
Certain lands added to school reserve.

Proviso.
Prior rights not affected.

Approved, June 20, 1936.

[CHAPTER 628.]

AN ACT

June 20, 1936.
[H. R. 12419.]
[Public, No. 722.]

To apply laws covering steam vessels to seagoing vessels of three hundred gross tons and over propelled by internal-combustion engines.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That existing laws covering the inspections of steam vessels be, and they are hereby, made applicable to seagoing vessels of three hundred gross tons and over propelled in whole or in part by internal-combustion engines to such extent and upon such conditions as may be required by the regulations of the Board of Supervising Inspectors of Steam Vessels, with the approval of the Secretary of Commerce: *Provided*, That this Act shall not apply to any vessel engaged in fishing, oystering, clamming, crabbing, or any other branch of the fishery or kelp or sponge industry: *Provided further*, That as to licenses required for masters and engineers operating vessels propelled by internal-combustion engines operating exclusively in the district covering the Hawaiian Islands, said masters and engineers shall be under the jurisdiction of the hull and boiler inspectors having jurisdiction over said waters, who shall make diligent inquiry as to the character, merits, and qualifications, and knowledge and skill of any master or engineer applying for a license. If the said inspectors shall be satisfied from personal examination of the applicant and from other proof submitted that the applicant possesses the requisite character, merits, qualifications, knowledge, and skill, and is trustworthy and faithful, they shall grant him a license for the term of five years to operate such vessel under the limits prescribed in the license.

Inspection of steam vessels.
Laws covering, made applicable to seagoing vessels of 300 gross tons and over, propelled by internal-combustion engines.

Provisos.
Fishing, etc., boats excepted.

Licenses, masters and engineers operating vessels in Hawaiian waters.

Qualifications, etc.

SEC. 2. The term "seagoing vessels" as used in the preceding section shall be construed to mean vessels which in the usual course of their employment proceed outside the line dividing the inland waters from the high seas as designated and determined under the provisions of section 2 of the Act of February 19, 1895.

"Seagoing vessels", defined.

Vol. 28, p. 672; U. S. C., p. 1454.

Approved, June 20, 1936.

[CHAPTER 629.]

AN ACT

June 20, 1936.
[S. 1976.]
[Public, No. 723.]

To amend the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1927, and for other purposes", approved April 15, 1926, so as to equalize the allowances for quarters and subsistence of enlisted men of the Army, Navy, and Marine Corps.

Army, Navy, and Marine Corps, enlisted men.

Vol. 44, p. 257.
U. S. C., p. 264.
Quarters and subsistence.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1927, and for other purposes", approved April 15, 1926 (44 Stat. 257; U. S. C., Appendix title 37, sec. 192[1]), which provides "That hereafter enlisted men, including the members of the United States Army Band, entitled to receive allowances for quarters and subsistence shall continue, while their permanent stations remain unchanged, to receive such allowances while sick in hospital or absent from their permanent duty stations in a pay status: *Provided further*, That allowances for subsistence shall not accrue to such an enlisted man while he is in fact being subsisted at Government expense", is hereby amended to read as follows: "That hereafter enlisted men of the Army, Navy, and Marine Corps, including the members of the United States Army, Navy, and Marine Corps Bands and the Naval Academy Band, entitled to receive allowances for quarters and subsistence, shall continue, while their permanent stations remain unchanged, to receive such allowances while sick in hospital or absent from their permanent duty stations in a pay status: *Provided further*, That allowances for subsistence shall not accrue to such an enlisted man while he is in fact being subsisted at Government expense."

Allowances to continue while permanent stations unchanged, while in hospital, etc.

No subsistence allowance if being subsisted at Government expense.

Approved, June 20, 1936.

[CHAPTER 630.]

AN ACT

June 20, 1936.
[S. 3440.]
[Public, No. 724.]

To amend certain Acts relating to public printing and binding and the distribution of public documents and Acts amendatory thereof.

Printing and distribution of certain Government publications.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That certain Acts relating to the public printing and binding and the distribution of public documents and Acts amendatory thereof, be amended as follows:

TITLE I

Title I.

MEMORIAL ADDRESSES

Memorial addresses.

SECTION 1. That so much of chapter 23, section 73 (28 Stat. 616), of the Printing Act, approved January 12, 1895 (U. S. C., title 44,

Vol. 28, p. 616.
U. S. C., p. 1930.

[1] So in original.

Eulogies of deceased Members of Congress, etc.

sec. 151), as relates to the publication of eulogies of deceased Members of Congress, be, and is hereby, amended to read as follows:

Preparation.

151. MEMORIAL ADDRESSES; PREPARATION; DISTRIBUTION.—After the final adjournment of each session of Congress, there shall be compiled, prepared, printed with illustrations, and bound in cloth in one volume, in such style, form, and manner as may be directed by the Joint Committee on Printing, without extra compensation to any employee therefor, the legislative proceedings of Congress and the exercises at the general memorial services held in the House of Representatives during each session relative to the death of any Member of Congress, together with all memorial addresses and eulogies published in the Congressional Record during the same session of Congress in connection therewith, and such other matter as the committee may consider relevant thereto; and there shall be printed as many copies as may be required to supply the total quantity hereinafter provided, of which number fifty copies, bound in full morocco, with gilt edges, suitably lettered as may be requested, shall be delivered to the family of the deceased, and the remaining copies shall be distributed as follows:

Contents.

Copies printed.

Distribution.

Of all eulogies on deceased Members of Congress there shall be delivered, through the Postmaster of each House, to the Vice President and each Senator, Representative, Delegate, and Resident Commissioner in Congress, one copy.

Of the eulogies on deceased Senators there shall be furnished two hundred and fifty copies for each Senator of the State represented by the deceased and twenty copies for each Representative therefrom.

Of the eulogies on deceased Representatives, Delegates, and Resident Commissioners there shall be furnished two hundred and fifty copies for the successor in office of the deceased Member; twenty copies for each of the other Representatives, Delegates, or Resident Commissioners of the State, Territory, or insular possession represented by the deceased, and twenty copies for each Senator therefrom. The "usual number" of memorial addresses shall not be printed.

Title II.

TITLE II

Congressional Record.

CONGRESSIONAL RECORD

Vol. 28, p. 603. U. S. C., p. 1941.

SEC. 2. That chapter 23, section 14 (28 Stat. 603), of the Printing Act, approved January 12, 1895 (U. S. C., title 44, sec. 182), be, and is hereby, amended to read as follows:

Indexes.

182. CONGRESSIONAL RECORD; INDEXES.—The Joint Committee on Printing shall designate to the Public Printer competent persons to prepare the semimonthly and the session index to the Congressional Record and shall fix and regulate the compensation to be paid by the Public Printer for the said work and direct the form and manner of its publication and distribution.

Daily and permanent forms.

182a. SAME; DAILY AND PERMANENT FORMS.—That the public proceedings of each House of Congress, as reported by the Official Reporters thereof, shall be printed in the Congressional Record, which shall be issued in daily form during each session and shall be revised, printed, and bound promptly, as may be directed by the Joint Committee on Printing, in permanent form, for distribution during and after the close of each session of Congress. The daily and the permanent Record shall bear the same date, which shall be that of the actual day's proceedings reported therein. The "usual number" of the Congressional Record shall not be printed.

Illustrations; maps; diagrams.

182b. SAME; ILLUSTRATIONS; MAPS; DIAGRAMS.—No maps, diagrams, or illustrations may be inserted in the Record without the approval of the Joint Committee on Printing.

SEC. 3. That so much of chapter 23, section 73 (28 Stat. 617), of the Printing Act, approved January 12, 1895, as amended (U. S. C., title 44, sec. 183), as relates to the gratuitous distribution of the Congressional Record, be, and is hereby, amended to read as follows:

Vol. 28, p. 617. U. S. C., p. 1941.

183. SAME; GRATUITOUS COPIES; DELIVERY; SUBSCRIPTIONS.—The Public Printer shall furnish the Congressional Record as follows and shall furnish gratuitously no others in addition thereto:

Gratuitous copies.

Of the bound edition to the folding room of the Senate five copies for the Vice President and each Senator; to the Secretary and Sergeant at Arms of the Senate, each, two copies, and to the Joint Committee on Printing not to exceed one hundred copies; to the folding room of the House of Representatives three copies for each Representative, Delegate, and Resident Commissioner in Congress, and to the Clerk, Sergeant at Arms, and Doorkeeper of the House of Representatives, each, two copies.

Of the daily edition to the Vice President and each Senator, one hundred copies; to the Secretary and Sergeant at Arms of the Senate, each, twenty-five copies; to the Secretary, for official use, not to exceed thirty-five copies, and to the Sergeant at Arms for use on the floor of the Senate, not to exceed fifty copies.

To each Representative, Delegate, and Resident Commissioner in Congress, sixty-eight copies; to the Clerk, Sergeant at Arms, and Doorkeeper of the House of Representatives, each, twenty-five copies; to the Clerk, for official use, not to exceed fifty copies, and to the Doorkeeper for use on the floor of the House of Representatives, not to exceed seventy-five copies.

To the Vice President and each Senator, Representative, Delegate, and Resident Commissioner in Congress, there shall also be furnished (and shall not be transferable) three copies of the daily Record, of which one shall be delivered at his residence, one at his office, and one at the Capitol.

In addition to the foregoing the Congressional Record shall also be furnished as follows:

There shall be printed and held in reserve by the Public Printer, in unstitched form, as many copies of the daily Record as may be required to supply a semimonthly edition, which shall be bound in paper cover together with each semimonthly index when the same is issued and shall then be delivered promptly as hereinafter provided.

To each committee and commission of Congress, one daily and one semimonthly copy.

To each joint committee and joint commission in Congress, as may be designated by the Joint Committee on Printing, two copies of the daily, one semimonthly copy, and one bound copy.

To the Secretary and the Sergeant at Arms of the Senate, for office use, each, six semimonthly copies.

To the Clerk, Sergeant at Arms, and Doorkeeper of the House, for office use, each, six semimonthly copies.

To the Joint Committee on Printing, ten semimonthly copies.

To the Vice President and each Senator, Representative, Delegate, and Resident Commissioner in Congress, one semimonthly copy.

To the President of the United States, for the use of the Executive Office, ten copies of the daily, two semimonthly copies, and one bound copy.

To the Chief Justice of the United States and each of the Associate Justices of the Supreme Court of the United States, one copy of the daily.

To the offices of the marshal and clerk of the Supreme Court of the United States, each, two copies of the daily and one semimonthly copy.

Congressional Record, gratuitous copies—Continued.

To the offices of the Vice President and the Speaker of the House of Representatives, each, six copies of the daily and one semimonthly copy.

To the Sergeant at Arms, the Chaplain, the Postmaster, the superintendent and the foreman of the folding room of the Senate and House of Representatives, respectively; to the Secretaries to the Majority and the Minority of the Senate, and to the Doorkeeper of the House of Representatives, each, one copy of the daily.

To the office of the Parliamentarian of the House of Representatives, six copies of the daily, one semimonthly copy, and two bound copies.

To the offices of the Official Reporters of Debates of the Senate and House of Representatives, respectively, each, fifteen copies of the daily, one semimonthly copy, and three bound copies.

To the office of the stenographers to committees of the House of Representatives, four copies of the daily and one semimonthly copy.

To the office of the Congressional Record Index, ten copies of the daily and two semimonthly copies.

To the offices of the superintendents of the Senate and House document rooms, each, three copies of the daily, one semimonthly copy, and one bound copy.

To the offices of the superintendents of the Senate and House press galleries, each, two copies of the daily, one semimonthly copy, and one bound copy.

To the offices of the Legislative Counsel of the Senate and House of Representatives, respectively, and the Architect of the Capital[1], each, three copies of the daily, one semimonthly copy, and one bound copy.

To the Library of Congress for official use in Washington, District of Columbia, and for international exchange, as provided in title IV of this Act, not to exceed one hundred and forty-five copies of the daily, five semimonthly copies, and one hundred and fifty bound copies.

To the library of the Senate, three copies of the daily, two semimonthly copies, and not to exceed fifteen bound copies.

To the library of the House of Representatives, five copies of the daily, two semimonthly copies, and not to exceed twenty-eight bound copies, of which eight copies may be bound in such style and manner as may be approved by the Joint Committee on Printing.

To the library of the Supreme Court of the United States, two copies of the daily, two semimonthly copies, and not to exceed five bound copies.

To the Public Printer for official use, not to exceed seventy-five copies of the daily, ten semimonthly copies, and two bound copies.

To the Director of the Botanic Garden, two copies of the daily and one semimonthly copy.

To the National Archives, five copies of the daily, two semimonthly copies, and two bound copies.

To the library of each executive department, independent office, and establishment of the Government now in Washington, District of Columbia, or which hereafter may be created, except those designated as depository libraries, and to the libraries of the municipal government of the District of Columbia, the Naval Observatory, and the Smithsonian Institution, each, two copies of the daily, one semimonthly copy, and one bound copy.

To the Government of the Philippine Islands at Manila, ten copies in both daily and bound form.

[1] So in original.

Congressional Record, gratuitous copies—Continued.

To the offices of the Governors of Alaska, Hawaii, Puerto Rico, and the Virgin Islands, each, five copies in both daily and bound form.

To the office of the Governor of the Panama Canal, five copies in both daily and bound form.

To each ex-President and ex-Vice President of the United States, one copy of the daily.

To the governor of each State, one copy in both daily and bound form.

To the United States Soldiers' Home and to each of the National Homes for Disabled Volunteer Soldiers, and to each of the State soldiers' homes now established or which hereafter may be created for either Federal or Confederate soldiers, one copy of the daily.

To the Superintendent of Documents, as many daily and bound copies as may be required for distribution to depository libraries.

Department of State, for distribution to embassies, etc., abroad.

To the Department of State, not to exceed one hundred and fifty copies of the daily, for distribution to each of our embassies and legations abroad, and to the principal consular offices in the discretion of the Secretary of State.

Foreign legations in Washington.

To each foreign legation in Washington whose government extends a like courtesy to our embassies and legations abroad, one copy of the daily, to be furnished upon requisition of and sent through the Secretary of State.

Newspaper correspondents.

To each newspaper correspondent whose name appears in the Congressional Directory, and who makes application therefor, for his personal use and that of the paper or papers he represents, one copy of the daily and one copy of the bound, the same to be sent to the office address of each member of the press or elsewhere as he may direct: *Provided, however*, That not to exceed four copies in all shall be furnished to members of the same press bureau.

Proviso. Restriction.

Delivery.

All copies of the daily edition shall, unless otherwise directed by the Joint Committee on Printing, be supplied and delivered promptly on the day after the actual day's proceedings as originally published. Each order for the daily Record shall begin with the current issue thereof, if previous issues of the same session are not available. The apportionment herein specified for daily copies shall not be transferable for the bound form and any allotment of daily copies not used by any Member during a session shall lapse when the session ends.

Apportionment not transferable for bound form.

Subscriptions.

The Public Printer is authorized to furnish to subscribers the daily Record at $1.50 per month, payable in advance.

Reserving unbound copies for Congressmen, repealed. Vol. 28, p. 604. U. S. C., p. 1941.

SEC. 4. That chapter 23, section 24 (28 Stat. 604), of the Printing Act, approved January 12, 1895 (U. S. C., title 44, sec. 184), relative to reserving unbound copies of the daily Congressional Record for Members of Congress and the committees thereof, be, and is hereby, repealed.

Title III.

TITLE III

Decisions of the Supreme Court.

DECISIONS OF THE SUPREME COURT

Reports and digests. U. S. C., p. 1269.

SEC. 5. That so much of section 227 of the Judicial Code as amended (U. S. C., title 28, sec. 334), as relates to the distribution of reports and digests of the decisions of the Supreme Court of the United States to the law library of the Supreme Court, be, and is hereby, amended by striking out the words "to the law library of the Supreme Court, twenty-five copies" and inserting in lieu thereof the following:

Distribution.

"To the library of the Supreme Court, ten copies.

"To the Library of Congress for the use of the law library and for international exchange, as provided in title IV of this Act, not to

exceed one hundred and fifty copies each of the bound and advance editions."

TITLE IV

PUBLICATIONS TO THE LIBRARY OF CONGRESS

Publications to Library of Congress. Vol. 31, p. 1464; Vol. 43, p. 1106. U. S. C., pp. 1938, 1945.

SEC. 6. That Public Resolution Numbered 16 (31 Stat. 1465), approved March 2, 1901 (U. S. C., title 44, secs. 139 and 228), relating to the distribution of public documents to the Library of Congress for its own use and for international exchange, and section 7 of the Act (43 Stat. 1106) approved March 3, 1925 (U. S. C., title 44, sec. 139a), relative to increasing the number of copies of Government publications for international exchange, be, and are hereby, amended to read as follows:

International exchange of Government publications.

139. INTERNATIONAL EXCHANGE OF GOVERNMENT PUBLICATIONS.—That, for the purpose of more fully carrying into effect the provisions of the convention concluded at Brussels on March 15, 1886, and proclaimed by the President of the United States on January 15, 1889, there shall hereafter be supplied to the Library of Congress not to exceed one hundred and twenty-five copies each of all Government publications, including the daily and bound copies of the Congressional Record, for distribution, through the Smithsonian Institution, to such foreign governments as may agree to send to the United States similar publications of their governments for delivery to the Library of Congress.

Vol. 25, p. 1465.

Distribution of Government publications to Library of Congress.

139a. DISTRIBUTION OF GOVERNMENT PUBLICATIONS TO THE LIBRARY OF CONGRESS.—That there shall be printed and furnished to the Library of Congress for official use in Washington, District of Columbia, and for international exchange as provided in section 139 of this title, not to exceed one hundred and fifty copies of the publications described in this section, to wit: House documents and reports, bound; Senate documents and reports, bound; Senate and House journals, bound; public bills and resolutions; the United States Code and supplements, bound; the Official Register of the United States, bound; and all other publications and maps which are printed, or otherwise reproduced, under authority of law, upon the requisition of any Congressional committee, executive department, bureau, independent office, establishment, commission, or officer of the Government: *Provided*, That confidential matter, blank forms, and circular letters not of a public character shall be excepted.

Proviso. Exceptions.

In addition to the foregoing, there shall be delivered as printed to the Library of Congress ten copies of each House document and report, unbound; ten copies of each Senate document and report, unbound; and ten copies of each private bill and resolution and fifty copies of the laws in slip form.

Exchange for parliamentary records. Provision repealed. Vol. 35, p. 1169. U. S. C., p. 1942.

SEC. 7. That Public Resolution Numbered 25 (35 Stat. 1169), approved March 4, 1909 (U. S. C., title 44, sec. 186), relating to the distribution of Government publications in exchange for parliamentary records, be, and is hereby, repealed.

Title V.

TITLE V

Annual reports.

MANUSCRIPT OF ANNUAL REPORTS

Vol. 39, p. 336. U. S. C., p. 44.

SEC. 8. That chapter 209, section 3 (39 Stat. 336), of the Sundry Civil Appropriation Act for the fiscal year ending June 30, 1917, approved July 1, 1916 (U. S. C., title 5, sec. 108), be, and is hereby, amended to read as follows:

Manuscript of, and accompanying documents. Printing restrictions.

108. MANUSCRIPT OF ANNUAL REPORTS AND ACCOMPANYING DOCUMENTS.—The appropriations made for printing and binding shall not be used for any annual report or the accompanying documents

unless the manuscript and proof therefor is furnished to the Public Printer in the following manner: Manuscript of the documents accompanying such annual reports on or before the 1st day of November of each year; manuscript of the annual reports on or before the 15th day of November of each year; complete revised proofs of the accompanying documents on the 1st day of December of each year and of the annual reports on the 10th day of December of each year; and all of said annual reports and accompanying documents shall be printed, made public, and available for distribution not later than within the first five days after the assembling of each regular session of Congress. The provisions of this section shall not apply to the annual reports of the Smithsonian Institution, the Commissioner of Patents, the Comptroller of the Currency, or the Secretary of the Treasury.

Exceptions.

TITLE VI

Title VI.

STATUTES AT LARGE

Statutes at Large.

SEC. 9. That so much of chapter 23, section 73 (28 Stat. 615), of the Printing Act, approved January 12, 1895, as amended, as relates to the publication and distribution of the Statutes at Large (U. S. C., title 1, sec. 30, and title 44, sec. 196), be, and is hereby, amended to read as follows:

Vol. 28, p. 615. U. S. C., pp. 2, 1943.

196. STATUTES AT LARGE; CONTENTS; ADMISSIBILITY IN EVIDENCE.—That, beginning with the Seventy-fifth Congress and thereafter, the Secretary of State shall cause to be compiled, edited, and indexed the United States Statutes at Large, which shall contain all the laws and concurrent resolutions enacted during each session of Congress, and also all conventions, treaties, and international agreements to which the United States is a party and which have come into force since the date of the adjournment of the session of Congress next preceding, including all proclamations issued since that date. The United States Statutes at Large shall be legal evidence of the laws, treaties, and conventions therein contained in all the courts of the United States, its Territories, and insular possessions, and of the several States therein.

Publication at end of each session.

Contents.

Admissibility in evidence.

196a. SAME; DISTRIBUTION.—The Public Printer shall print, and after the final adjournment of each session of Congress, bind and deliver to the Superintendent of Documents as many copies of the Statutes at Large as may be required for distribution as follows:

Distribution.

To the President of the United States, four copies, one of which shall be for the library of the Executive Mansion;

To the Vice President of the United States, two copies;

To each Senator, Representative, Delegate, and Resident Commissioner in Congress, one copy;

To the office of the Parliamentarian of the House of Representatives, two copies;

To the offices of the Legislative Counsel of the Senate and House of Representatives, each, one copy;

To the Senate Library, not to exceed twenty-five copies;

To the House Library, not to exceed fifty copies;

To the Library of Congress for international exchange and for official use in Washington, District of Columbia, not to exceed one hundred and fifty copies;

To the library of the Supreme Court of the United States, for distribution to the Chief Justice and Associate Justices, the officers of the Court, and for use in the library, not to exceed twenty copies;

To the Architect of the Capitol, one copy;

To the Public Printer, two copies;

To the National Archives, not to exceed five copies;

Statutes at Large, distribution—Contd.

To the Department of State, including those for the use of embassies, legations, and consulates, not to exceed six hundred copies;

To the Treasury Department, including those for the use of officers of customs, not to exceed three hundred copies;

To the War Department, not to exceed two hundred copies;

To the Navy Department, not to exceed one hundred copies;

To the Department of the Interior, including those for the use of the United States Supervisors of Surveys and registers and receivers of public-land offices, not to exceed three hundred copies;

To the Post Office Department, not to exceed fifty copies;

To the Department of Justice, including those for the judges and the officers of the United States and Territorial courts, not to exceed eight hundred copies;

To the Department of Agriculture, not to exceed one hundred copies;

To the Department of Commerce, not to exceed one hundred copies;

To the Department of Labor, including those for the officers of the Immigration and Naturalization Service, not to exceed one hundred and seventy-five copies;

To the government of the Philippine Islands, at Manila, ten copies;

To the offices of the Governors of Alaska, Hawaii, Puerto Rico, and the Virgin Islands, each, two copies;

To the office of the Governor of the Panama Canal, three copies;

To the library of the court of last resort of each State, Territory, and insular possession, and of the District of Columbia, each, one copy;

To each designated depository library in each State, Territory, and insular possession, one copy;

To each independent office and establishment of the Government now in Washington, District of Columbia, or which hereafter may be created, not to exceed six copies; and

To the library of the municipal government of the District of Columbia, the Naval Observatory, and the Smithsonian Institution, each, one copy.

In addition to the foregoing the Public Printer shall print one thousand two hundred copies of the Statutes at Large, of which three hundred copies shall be for the use of the Senate and nine hundred copies for the use of the House of Representatives. The "usual number" shall not be printed.

Pamphlet copies of statutes discontinued. Vol. 28, p. 614. U. S. C., p. 1943.

SEC. 10. That so much of chapter 23, section 73 (28 Stat. 614), of the Printing Act, approved January 12, 1895, as relates to the publication and distribution of pamphlet copies of the statutes of each session of Congress (U. S. C., title 44, sec. 195), be, and is hereby, repealed.

Title VII.

TITLE VII

Ownership of Government publications.

OWNERSHIP OF GOVERNMENT PUBLICATIONS

Vol. 28, p. 620. U. S. C., p. 1935.

SEC. 11. That chapter 23, section 74 (28 Stat. 620), of the Printing Act, approved January 12, 1895 (U. S. C., title 44, sec. 92), relating to the ownership of publications furnished Government officers for official use, be, and is hereby, amended to read as follows:

Custody, etc.

92. GOVERNMENT PUBLICATIONS SHALL REMAIN PUBLIC PROPERTY.—All Government publications furnished by authority of law to officers (except members of Congress) of the United States Government, for their official use, shall be stamped "Property of the United States Government", and shall be preserved by such officers and by them delivered to their successors in office as a part of the property apper-

taining to the office. Government publications furnished depository libraries shall be made available for the free use of the general public and must not be disposed of except as the Superintendent of Documents may direct.

Publications furnished depositories.

SEC. 12. That section 1777 of the Revised Statutes of the United States (U. S. C., title 5, sec. 89), relating to preservation of Statutes at Large, and so much of chapter 433, section 1 (22 Stat. 336), of the Sundry Civil Appropriation Act, for 1883, approved August 7, 1882 (U. S. C., title 5, sec. 90), relating to statutes furnished judges to remain public property, and section 506 of the Revised Statutes of the United States (U. S. C., title 44, sec. 90), relating to books and documents not to be removed from depositories, be, and are hereby, repealed.

Provisions repealed.
R. S., sec. 1777, p. 315; sec. 506, p. 84.
Vol. 22, p. 336.
U. S. C., pp. 42, 1935.

TITLE VIII

ACCEPTANCE OF PAPER AND ENVELOPES

Acceptance of paper and envelopes.

SEC. 13. That chapter 23, section 7 (28 Stat. 602), of the Printing Act, approved January 12, 1895 (U. S. C., title 44, sec. 9), relative to the comparison of paper with the standard quality, be, and is hereby, amended to read as follows:

Vol. 28, p. 602.
U. S. C., p. 1929.

9. COMPARISON OF PAPER AND ENVELOPES WITH STANDARD QUALITY.—The Public Printer shall compare every lot of paper and envelopes delivered by a contractor with the standard of quality fixed upon by the Joint Committee on Printing, and shall not accept any paper or envelopes which does not conform to it in every particular: *Provided, however*, That any lot of delivered paper or envelopes which does not conform to such standard of quality may be accepted by the Joint Committee on Printing at such discount as, in its opinion, may be sufficient to protect the interests of the Government.

Comparison of paper and envelopes with standard quality.

Proviso.
Acceptance of rejected paper at discount.

TITLE IX

PUBLIC BILLS AND RESOLUTIONS FOR DEPARTMENTS

Public bills and resolutions for departments.
Vol. 28, p. 623.
U. S. C., p. 1944.

SEC. 14. That the second sentence of chapter 23, section 90 (28 Stat. 616), of the Printing Act, approved January 12, 1895 (U. S. C., title 44, sec. 215), authorizing the Public Printer to furnish to the departments copies of all bills and resolutions required for official use, be, and is hereby, amended as follows:

Public bills, etc., to be furnished.

After the word "all" insert the word "public".

SEC. 15. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

Inconsistent laws repealed.

Approved, June 20, 1936.

[CHAPTER 631.]

June 20, 1936.
[S. 3784.]
[Public, No. 725.]

AN ACT

To extend the benefits of the Adams Act, the Purnell Act, and the Capper-Ketcham Act to the Territory of Alaska, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following Acts, to wit, an Act entitled "An Act to provide for an increased annual appropriation for agriculture [1] experiment stations and regulating the expenditure thereof", approved March 16, 1906, and known as the Adams Act; an Act entitled "An Act to authorize the more complete endowment of agricultural experiment stations, and for other purposes", approved February 24, 1925, and known as the Purnell Act; and an Act entitled "An Act to provide for the further

Alaska.
Benefits of certain Acts extended to.
Agricultural experiment stations.
Vol. 34, p. 63; U. S. C., p. 139.

Additional endowment of agricultural experiment stations.
Vol. 43, p. 970; U. S. C., p. 139.

[1] So in original.

Cooperative agricultural extension work with agricultural colleges.
Vol. 45, p. 711; U. S. C., p. 138.

development of agricultural extension work between the agricultural colleges in the several States receiving the benefit of the Act entitled 'An Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts', approved July 2, 1862, and all Acts supplementary thereto, and the United States Department of Agriculture", approved May 22, 1928, and known as the Capper-Ketcham Act, be, and the same are hereby, extended to the Territory of Alaska.

Sums authorized for fiscal year 1937 and thereafter.

SEC. 2. To carry into effect the above provisions for extending to the Territory of Alaska to the extent herein provided, the benefits of the said Adams Act and the said Purnell Act the following sums are hereby authorized to be appropriated: For the fiscal year ending June 30, 1937, $5,000; for the fiscal year ending June 30, 1938, $7,500; for the fiscal year ending June 30, 1939, $10,000; for the fiscal year ending June 30, 1940, $12,500; for the fiscal year ending June 30, 1941, $15,000; for the fiscal year ending June 30, 1942, $17,500; for the fiscal year ending June 30, 1943, $20,000; for the fiscal year ending June 30, 1944, $22,500; for the fiscal year ending June 30, 1945, $27,500; for the fiscal year ending June 30, 1946, $32,500; for the fiscal year ending June 30, 1947, $37,500; and thereafter a sum equal to one-half of that provided for each State and Territory under the said Adams Act and the said Purnell Act: *Provided*, That no appropriations shall be made under this Act until annually estimated as to funds and amounts by the Secretary of Agriculture, the estimates to be based upon his determination of the ability of the Territory of Alaska to make effective use of the funds in maintaining agricultural experiment stations.

Proviso.
Annual estimate before appropriation.

Extension of agricultural extension work to Alaska.

Sums authorized for fiscal year 1937 and thereafter.

SEC. 3. To carry into effect the above provisions for extending to the Territory of Alaska, to the extent herein provided, the benefits of the said Capper-Ketcham Act the following sums are hereby authorized to be appropriated: For the fiscal year ending June 30, 1937, $2,500; for the fiscal year ending June 30, 1938, $5,000; for the fiscal year ending June 30, 1939, $7,500; for the fiscal year ending June 30, 1940, and annually thereafter, $10,000: *Provided*, That no appropriations shall be made under this Act until annually estimated as to funds and amounts by the Secretary of Agriculture, the estimates to be based upon his determination of the ability of the Territory of Alaska to make effective use of the funds: *And provided further*, That whereas the said Capper-Ketcham Act provides that "at least 80 per centum of all appropriations under this Act shall be utilized for the payment of salaries of extension agents in counties of the several States to further develop the cooperative extension system in agriculture and home economics with men, women, boys, and girls", the several established judicial divisions of the Territory of Alaska, as the same shall exist from time to time, shall be considered as counties for the purpose of complying with the provisions of this Act until a subdivision of the Territory of Alaska into counties is effected.

Provisos.
Annual estimate before appropriation.

Alaska judicial districts to be considered as counties.

Approved, June 20, 1936.

[CHAPTER 632.]

June 20, 1936.
[S. 4132.]
[Public, No. 726.]

AN ACT

To amend section 4b of the National Defense Act, as amended, relating to certain enlisted men of the Army.

National Defense Act amendment.
Vol. 41, p. 761; Vol. 43, p. 470.
U. S. C., p. 259.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4b of the National Defense Act, as amended, be, and the same hereby is, amended by striking out the present wording and substituting therefor the following:

"SEC. 4b. ENLISTED MEN.—On and after July 1, 1936, the grades and ratings of enlisted men shall be such as the President may from time to time direct, with monthly base pay in each grade and pay for each rating as prescribed by law. The numbers in grades and/or ratings of enlisted men shall be such as are authorized from time to time by the President by Executive order: *Provided*, That nothing in this section shall operate to reduce the pay which any enlisted man is now receiving, during his current enlistment and while he holds his present grade and rating, nor to change the present rate of pay of any enlisted man now on the retired list, nor to change existing provisions of law relating to flying cadets: *Provided further*, That the transportation privileges authorized by section 12 of the Act of Congress approved May 18, 1920, shall apply only to enlisted men of the first three grades: *Provided further*, That nothing herein shall be construed to authorize any increase in the number of the enlisted personnel of the Regular Army."

Enlisted men.
Grades and ratings; pay.

Provisos.
Present pay not reduced.

Transportation privileges.
Vol. 41, p. 605.

Personnel not increased.

SEC. 2. All laws and parts of laws in conflict with the provisions of this Act are repealed as of the effective date of this Act.

Inconsistent laws repealed.

Approved, June 20, 1936.

[CHAPTER 633.]

AN ACT

June 20, 1936.
[S. 4252.]
[Public, No. 727.]

To provide for the modification of the contract of lease entered into on June 12, 1922, between the United States and the Board of Commissioners of the Port of New Orleans.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War, with the consent of the lessee, may, in his discretion, and in such manner as he may consider desirable, reduce the consideration or obligation, require repairs and maintenance, and otherwise modify the terms, consideration, and provisions of the lease entered into between the United States and the Board of Commissioners of the Port of New Orleans on June 12, 1922, as now or hereafter supplemented, covering the New Orleans Army Base or portions thereof, in the event it appears that full performance of the lessee's obligations under such lease will result in default by, or impose undue hardship upon, the lessee: *Provided*, That the rental shall not be made lower than the fair rental value to be determined by the Secretary of War from an appraisal by qualified disinterested appraisers, the cost of appraisal to be paid by the Secretary of War from the rental collected under the lease.

Port of New Orleans.
Modification of contract of lease.

Proviso.
Determination of fair rental value.

Approved, June 20, 1936.

[CHAPTER 634.]

AN ACT

June 20, 1936.
[S. 4584.]
[Public, No. 728.]

To amend the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755), to extend and adapt its provisions to the convention between the United States and the United Mexican States for the protection of migratory birds and game mammals concluded at the city of Mexico February 7, 1936, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the title of the Act entitled "An Act to give effect to the convention between the United States and Great Britain for the protection of migratory birds concluded at Washington, August sixteenth, nineteen hundred and sixteen, and for other purposes", approved July 3, 1918 (40 Stat. 755), is hereby amended as of the day on which the President shall proclaim the exchange of ratifications of the convention between

Migratory Bird Treaty Act, amendment.
Vol. 40, p. 755.
U. S. C., p. 686.

Effective date.

the United States and the United Mexican States for the protection of migratory birds and game mammals concluded February 7, 1936, or on the day of the enactment of this Act, whichever date is later, so that it will read as follows:

Title modified.

"An Act to give effect to the conventions between the United States and Great Britain for the protection of migratory birds concluded at Washington August sixteenth, nineteen hundred and sixteen, and between the United States and the United Mexican States for the protection of migratory birds and game mammals concluded at the city of Mexico February seventh, nineteen hundred and thirty six, and for other purposes."

Term "convention" pluralized.

SEC. 2. That said Act approved July 3, 1918, is hereby amended as of the day aforesaid by striking out the word "convention" wherever it occurs therein and by inserting in lieu thereof the word "conventions".

SEC. 3. That section 2 of said Act approved July 3, 1918, is hereby amended as of the day aforesaid so as to read as follows:

Certain provisions of Act to apply to United Mexican States.

"SEC. 2. That unless and except as permitted by regulations made as hereinafter provided, it shall be unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill, attempt to take, capture, or kill, possess, offer for sale, sell, offer to barter, barter, offer to purchase, purchase, deliver for shipment, ship, export, import, cause to be shipped, exported, or imported, deliver for transportation, transport or cause to be transported, carry or cause to be carried, or receive for shipment, transportation, carriage, or export, any migratory bird, or any part, nest, or egg of any such birds, included in the terms of the conventions between the United States and Great Britain for the protection of migratory birds concluded August 16, 1916, and the United States and the United Mexican States for the protection of migratory birds and game mammals concluded February 7, 1936."

SEC. 4. That section 4 of said Act approved July 3, 1918, is hereby amended as of the day aforesaid by adding at the end thereof the following:

Game mammals; regulation of imports and exports, United States and Mexico.

"It shall be unlawful to import into the United States from Mexico, or to export from the United States to Mexico, any game mammal, dead or alive, or parts or products thereof, except under permit or authorization of the Secretary of Agriculture in accordance with such regulations as he shall prescribe having due regard to the laws of the United Mexican States relating to the exportation and importation of such mammals or parts or products thereof and the laws of the State, District, or Territory of the United States from or into which such mammals, parts, or products thereof, are proposed to be exported or imported, and the laws of the United States forbidding importation of certain live mammals injurious to the interests of agriculture and horticulture, which regulations shall become effective as provided in section 3 hereof."

Vol. 40, p. 756.

SEC. 5. That section 9 of said Act approved July 3, 1918, is hereby repealed as of the day aforesaid and the following is hereby substituted in lieu thereof:

Appropriations authorized.

"SEC. 9. That there is authorized to be appropriated, from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions and to accomplish the purposes of said conventions and this Act and regulations made pursuant thereto, and the Secretary of Agriculture is authorized out of such moneys to employ in the city of Washington and elsewhere such persons and means as he may deem necessary for such purpose and may cooperate with local authorities in the protection of migratory birds and make the necessary investigations connected therewith."

SEC. 6. That all moneys now or hereafter available for administration and enforcement of said Act approved July 3, 1918, shall be equally available for the administration and enforcement of said Act as hereby amended. Funds available.

Approved, June 20, 1936.

[CHAPTER 635.]

AN ACT

June 20, 1936.
[S. 4667.]
[Public, No. 729.]

To prohibit the commercial use of the coat of arms of the Swiss Confederation pursuant to the obligation of the Government of the United States under article 28 of the Red Cross Convention signed at Geneva July 27, 1929.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be unlawful for any person, partnership, incorporated or unincorporated company, or association within the jurisdiction of the United States to use, whether as a trade mark, commercial label, or portion thereof, or as an advertisement or insignia for any business or organization or for any trade or commercial purpose, the coat of arms of the Swiss Confederation, consisting of an upright white cross with equal arms and lines on a red ground, or any simulation thereof: *Provided*, That no person, corporation, or association that actually used or whose assignors actually used a design or insignia identical with or similar to that described herein for any lawful purpose for ten years next preceding the effective date of this Act shall be deemed forbidden to continue the use thereof for the same purpose.

Swiss Confederation.
Commercial use of coat of arms of, prohibited.
Vol. 47, p. 2092.

Proviso.
Use of similar design for past 10 years.

SEC. 2. Any person who willfully violates the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction shall be liable to a fine of not exceeding $500 or imprisonment for a term not exceeding one year, or both.

Penalty for violation.

Approved, June 20, 1936.

[CHAPTER 636.]

AN ACT

June 20, 1936.
[S. 4737.]
[Public, No. 730.]

To provide for the sale of the Port Newark Army Base to the city of Newark, New Jersey, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to sell to the city of Newark, New Jersey, on terms and conditions deemed advisable by him, the right, title, and interest of the United States in the Port Newark Army Base, New Jersey, including such equipment pertaining thereto as he determines is not required for military purposes, for the sum of $2,000,000, of which $100,000 shall be paid in cash and the balance in annual installments, on or before August 1 of each succeeding year, of $100,000 per year for the first five years and $200,000 per year thereafter, with permission to the city of Newark to anticipate payment of the deferred installments at any time: *Provided*, That said initial payment of $100,000 of the purchase price shall be made by the city of Newark to the Secretary of War not later than August 1, 1936, and possession delivered by the United States as of September 1, 1936, or as soon thereafter as practicable: *Provided further*, That title to the property shall pass to the city of Newark and a quitclaim deed delivered by the Secretary of War after receipt by him of the final payment: *And provided further*, That such conveyance shall be made upon the condition that the United States, in the event of war or of any national emergency declared by Congress to exist, shall have the right to take over said

Port Newark Army Base.
Sale of, to city of Newark, N. J., authorized.

Equipment.

Payment.

Provisos.
Initial installment.

Transfer of possession.

Delivery of title.

Federal use in national emergency; payment.

property and shall pay to the city of Newark as liquidated damages a sum equal to 3 per centum per annum on the amount theretofore paid on the purchase price of the said property by the said city during each year or part thereof that the said property is occupied under such taking by the United States, the said property to be returned to the city of Newark upon the expiration of such war or national emergency.

Disposition if not acquired by Newark.

SEC. 2. In the event the city of Newark shall not elect to acquire said property as provided in section 1 of this Act, then the Secretary of War is authorized to offer said property at public sale to the highest responsible bidder on terms and conditions to be prescribed by him, which terms and conditions shall not be less favorable to the United States than those prescribed in section 1 of this Act: *Provided*, That if the highest responsible bidder shall fail to enter into and consummate a contract of sale, the Secretary of War may award the contract to the next highest responsible bidder or, in his discretion, readvertise said property for sale in like manner.

Proviso.
Resale, if bidder fails to enter contract of sale.

Terms and conditions of contract.

SEC. 3. Any contract of sale shall be subject to the conditions that if the purchaser shall fail to pay any installment of the purchase price and interest, if any, as and when the same are due, or shall fail to comply with the other terms and conditions of the sale, then the Secretary of War may, at his election, declare such purchaser in default and reenter and repossess said property in the name of the United States and he may thereafter cause said property to be readvertised and resold at public sale in accordance with the provisions of this Act.

Lease or operation authorized.

SEC. 4. During any interval of time that the property may be in the custody of the Secretary of War, he may, in a manner that will best conserve the interests of the United States, lease said property, or, if unable to lease the same, on satisfactory terms, may maintain and operate the same, or, in the discretion of the President, the property may be transferred by Executive order to the Department of Commerce for administration under the provisions of the Merchant Marine Act of June 5, 1920, as amended.

Transfer to Department of Commerce permitted.
Vol. 41, p. 988.

Deposit of receipts in Treasury.

SEC. 5. All sums received as a result of the sale of said property, after deducting therefrom any costs of appraisal and other necessary expenses incident to sale, shall be deposited in the Treasury of the United States as miscellaneous receipts.

Approved, June 20, 1936.

[CHAPTER 637.]

June 20, 1936.
[H. R. 12.]
[Public, No. 731.]

AN ACT

To amend an Act entitled "An Act to divide the eastern district of South Carolina into four divisions and the western district into five divisions" by adding a new division to the eastern district and providing for terms of said court to be held at Orangeburg, South Carolina.

United States courts.
South Carolina judicial districts.
Eastern district.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the eastern district of South Carolina is divided into five divisions, to be known as the Aiken, Charleston, Columbia, Florence, and Orangeburg divisions.

Aiken division.

Charleston division.

The Aiken division shall include the territory embraced in the counties of Aiken, Allendale, Barnwell, and Hampton. The Charleston division shall include the territory embraced in the counties of Beaufort, Berkeley, Charleston, Clarendon, Colleton, Dorchester, and Jasper.

Columbia division.

The Columbia division shall include the territory embraced in the counties of Kershaw, Lee, Lexington, Richland, and Sumter.

Florence division.

The Florence division shall include the territory embraced in the counties of Chesterfield, Darlington, Dillon, Florence, George-

town, Horry, Marion, Marlboro, and Williamsburg. The Orangeburg division shall include the territory embraced in the counties of Calhoun, Bamberg, and Orangeburg. The terms of the district court for the Aiken division shall be held at Aiken, for the Charleston division at Charleston, for the Columbia division at Columbia, for the Florence division at Florence, and for the Orangeburg division at Orangeburg.

Orangeburg division.

Terms of court.

SEC. 2. That the divisions of the western district of South Carolina, as now provided by law, shall remain unchanged and are not affected by this Act, and all other provisions of the said Act remain unchanged, as now provided by law.

Western district unchanged.

SEC. 3. That the terms of the District Court for the Eastern District of South Carolina, in addition to the times and places now provided by law, shall be held at Orangeburg, in the county of Orangeburg, in the State of South Carolina, on the third Monday in November and the second Monday in April of each year hereafter: *Provided*, That facilities for holding court at Orangeburg are furnished free of expense to the United States.

District Court for Eastern District. Terms at Orangeburg.

Proviso. Court facilities.

Approved, June 20, 1936.

[CHAPTER 638.]

AN ACT

To authorize the operation of stands in Federal buildings by blind persons, to enlarge the economic opportunities of the blind, and for other purposes.

June 20, 1936. [H. R. 4688.] [Public, No. 732.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of providing blind persons with remunerative employment, enlarging the economic opportunities of the blind, and stimulating the blind to greater efforts in striving to make themselves self-supporting blind persons licensed under the provisions of this Act shall be authorized to operate vending stands in any Federal building where, in the discretion of the head of the department or agency in charge of the maintenance of the building, such vending stands may be properly and satisfactorily operated by blind persons.

Operation of stands in Federal buildings by blind persons.

SEC. 2. (a) The Office of Education in the Department of the Interior, subject to the direction of the Commissioner of Education and such rules and regulations as he may, with the approval of the Secretary of the Interior, prescribe, shall—

Office of Education, duties prescribed.

(1) Make surveys of concession-stand opportunities for blind persons in Federal and other buildings in the United States;

Surveys of concession stand opportunities.

(2) Make surveys throughout the United States of industries with a view to obtaining information that will assist blind persons to obtain employment;

Surveys of industries affording employment.

(3) Make available to the public, and especially to persons and organizations engaged in work for the blind, information obtained as a result of such surveys;

Dissemination of information obtained.

(4) Designate as provided in section 3 of this Act the State commission for the blind in each State, or, in any State in which there is no such commission some other public agency to issue licenses to blind persons who are citizens of the United States and at least twenty-one years of age for the operating of vending stands in Federal and other buildings in such State for the vending of newspapers, periodicals, confections, tobacco products, and such other articles as may be approved for each building by the custodian thereof and the State licensing agency; and

Designation of public agencies in States to issue licenses to blind citizens for operation of vending stands.

(5) Take such other steps as may be necessary and proper to carry out the provisions of this Act.

Other administrative measures.

Needy blind residents to be given preference.

(b) The State licensing agency shall, in issuing each such license for the operation of a vending stand, give preference to blind persons who are in need of employment and have resided for at least one year in the State in which such stand is to be located. Each such license shall be issued for an indefinite period but may be terminated by the State licensing agency if it is satisfied that the stand is not being operated in accordance with the rules and regulations prescribed by such licensing agency. Each such license for the operation of a vending stand in a Federal building shall be subject to the approval of the Federal agency having charge of the building in which the stand is located. Such licenses shall be issued only to applicants who are blind within the meaning of this Act but are able, in spite of such infirmity, to operate such stands.

License; duration, termination.

License subject to approval.

Limitation.

Location; type of stand.

(c) The State licensing agency designated by the Office of Education is authorized, with the approval of the custodian having charge of the building in which the vending stand is to be located, to select a location for such stand and the type of stand to be provided.

Requirements for State agencies.

SEC. 3. (a) A State commission for the blind or other State agency desiring to be designated as the agency for licensing blind persons for the operation of vending stands as provided in this Act shall, with the approval of the governor of the State, make application to the Commissioner of Education and agree—

(1) To cooperate with the Commissioner of Education and with the division of vocational rehabilitation of such State in training, placing, and supervising blind persons;

(2) To provide through loan, gift, or otherwise, for each blind person licensed to operate a stand, an adequate initial stock of suitable articles to be vended therefrom;

Federal rehabilitation cooperation with State boards.
Vol. 41, p. 736.
U. S. C., p. 1321.

SEC. 4. The Commissioner is authorized to cooperate with the State boards for rehabilitation of handicapped persons, established by the several States pursuant to the Act entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment", approved June 2, 1920, as amended and supplemented, in carrying out the provisions of this Act.

Expenses.

SEC. 5. (a) The Commissioner is authorized to make such expenditures out of any money appropriated therefor (including expenditures for personal services and rent at the seat of government and elsewhere, books of reference and periodicals, for printing and binding, and for traveling expenses) as he may deem necessary to carry out the provisions of this Act.

Preferential employment of blind persons.

(b) The Commissioner shall, in employing such additional personnel as may be necessary, give preference to blind persons who are capable of discharging the required duties, and at least 50 per centum of such additional personnel shall be blind persons.

Definitions.

"United States."

SEC. 6. As used in this Act—

(a) The term "United States" includes the several States, Territories, and possessions of the United States, and the District of Columbia.

"Blind person."

(b) The term "blind person" means a person having not more than 10 per centum visual acuity in the better eye with correction. Such blindness shall be certified by a duly licensed ophthalmologist.

"State."

(c) The term "State" means a State, Territory, possession, or the District of Columbia.

Appropriation authorized.

SEC. 7. There is hereby authorized to be appropriated such sums as may be necessary for carrying out the provisions of this Act.

Approved, June 20, 1936.

[CHAPTER 639.]

AN ACT

June 20, 1936.
[H. R. 11614.]
[Public, No. 733.]

To amend the Judicial Code to divide the middle district of Georgia into seven divisions by adding a new division to the middle district, and providing for terms of said court to be held at Thomasville, Georgia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsections (d) and (e) of section 77 of the Judicial Code, as amended (U. S. C., 1934 edition, title 28, sec. 150), is amended as follows:

United States courts.
Georgia middle judicial district.
Vol. 44, p. 671; U. S. C., p. 1240.
Ante, p. 681.

"(d) The middle district shall include seven divisions, constituted as follows: The Athens division, which shall include the territory embraced on January 1, 1925, in the counties of Clarke, Elbert, Franklin, Greene, Hart, Madison, Morgan, Oconee, Oglethorpe, and Walton; the Macon division, which shall include the territory embraced on such date in the counties of Baldwin, Bibb, Bleckley, Butts, Crawford, Hancock, Houston, Jasper, Jones, Lamar, Monroe, Peach, Pulaski, Putnam, Twiggs, Upson, Washington, and Wilkinson; the Columbus division, which shall include the territory embraced on such date in the counties of Chattahoochee, Clay, Harris, Marion, Meriwether, Muscogee, Quitman, Randolph, Stewart, Talbot, and Taylor; the Americus division, which shall include the territory embraced on such date in the counties of Crisp, Dooly, Lee, Macon, Schley, Sumter, Terrell, Webster, and Wilcox; the Albany division, which shall include the territory embraced on such date in the counties of Baker, Calhoun, Dougherty, Early, Miller, Mitchell, Turner, and Worth; the Valdosta division, which shall include the territory embraced on such date in the counties of Berrien, Cook, Echols, Irwin, Lanier, Lowndes, and Tift; and the Thomasville division, which shall include the territory embraced on such date in the counties of Thomas, Brooks, Colquitt, Grady, Decatur, and Seminole.

Athens division.
Macon division.
Columbus division.
Americus division.
Albany division.
Valdosta division.
Thomasville division.

"(e) The terms of the district court for the Athens division shall be held at Athens on the first Mondays in June and December; for the Macon division at Macon on the first Mondays in May and November; for the Columbus division at Columbus on the first Mondays in March and September; for the Americus division at Americus on the second Mondays in February and June: *Provided*, That suitable rooms and accommodations are furnished for holding court at Americus free of cost to the Government until a public building shall have been erected or put into proper condition for such purpose in said city; for the Albany division at Albany on the first Mondays in April and October; for the Valdosta division at Valdosta on the third Mondays in March and September; and for the Thomasville division on the third Mondays in May and November: *Provided*, That suitable rooms and accommodations are furnished for holding court thereat free of cost to the Government at Thomasville."

Terms of court.
Provisos.
Rooms, etc., to be furnished at Americus.
Rooms, etc., at Thomasville.

Approved, June 20, 1936.

[CHAPTER 640.]

AN ACT

June 20, 1936.
[H. R. 11690.]
[Public, No. 734.]

Relating to the admissibility in evidence of certain writings and records made in the regular course of business.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in any court of the United States and in any court established by Act of Congress, any writing or record, whether in the form of an entry in a book or otherwise, made as a memorandum or record of any act, transaction, occurrence, or event, shall be admissible as evidence of

United States courts.
Admissibility of certain documentary evidence.

said act, transaction, occurrence, or event, if it shall appear that it was made in the regular course of any business, and that it was the regular course of such business to make such memorandum or record at the time of such act, transaction, occurrence, or event or within a reasonable time thereafter. All other circumstances of the making of such writing or record, including lack of personal knowledge by the entrant or maker, may be shown to affect its weight, but they shall not affect its admissibility. The term "business" shall include business, profession, occupation, and calling of every kind.

Lack of personal knowledge by entrant not to affect admissibility.

"Business" construed.

Certified foreign documents.

SEC. 2. Any book, paper, statement, record, account, writing, or other document, or any portion thereof, of whatever character and in whatever form, as well as any copy thereof equally with the original, which is not in the United States (hereinafter referred to as a foreign document) shall, when duly certified as hereinafter provided, be admissible in evidence in any criminal action or proceeding in any court of the United States if the court shall find, from all the testimony taken with respect to such foreign document pursuant to a commission executed under the provisions of this Act, that such document (or the original thereof in case such document is a copy) satisfies the requirements of section 1 of this Act, unless in the event that the genuineness of such document is denied, any party to such criminal action or proceeding making such denial shall establish to the satisfaction of the court that such document is not genuine. Nothing contained herein shall be deemed to require authentication under the provisions of this Act of any foreign documents which may otherwise be properly authenticated by law.

Authentications.

Testimony of witness in foreign country.

SEC. 3. (a) The testimony of any witness in a foreign country may be taken either on oral or written interrogatories, or on interrogatories partly oral and partly written, pursuant to a commission issued, as hereinafter provided, for the purpose of determining whether any foreign documents sought to be used in any criminal action or proceeding in any court of the United States are genuine, and whether the requirements of section 1 of this Act are satisfied with respect to any such document (or the original thereof in case such document is a copy). Application for the issuance of a commission for such purpose may be made to the court in which such action or proceeding is pending by the United States or any other party thereto, after five days' notice in writing by the applicant party, or his attorney, to the opposite party, or his attorney of record, which notice shall state the names and addresses of witnesses whose testimony is to be taken and the time when it is desired to take such testimony. In granting such application the court shall issue a commission for the purpose of taking the testimony sought by the applicant, addressed to any consular officer of the United States conveniently located for the purpose. In cases of testimony taken on oral or partly oral interrogatories, the court shall make provisions in the commission for the selection as hereinafter provided of foreign counsel to represent each party (except the United States) to the criminal action or proceeding in which the foreign documents in question are to be used, unless such party has, prior to the issuance of the commission, notified the court that he does not desire the selection of foreign counsel to represent him at the time of taking of such testimony. In cases of testimony taken on written interrogatories, such provision shall be made only upon the request of any such party prior to the issuance of such commission. Selection of foreign counsel shall be made by the party whom such foreign counsel is to represent within ten days prior to the taking of testimony or by the court from which the commission issued, upon the request of such party made within such time.

Application for issuance of commission.

Foreign counsel.

Consular officers. Taking of testimony; when disqualified.

(b) Any consular officer to whom a commission is addressed to take testimony, who is interested in the outcome of the criminal action or proceeding in which the foreign documents in question are to be used or has participated in the prosecution of such action or proceeding, whether by investigations, preparation of evidence, or otherwise, may be disqualified on his own motion or on that of the United States or any other party to such criminal action or proceeding made to the court from which the commission issued at any time prior to the execution thereof. If, after notice and hearing, the court grants the motion, it shall instruct the consular officer thus disqualified to send the commission to any other consular officer of the United States named by the court, and such other officer shall execute the commission according to its terms and shall for all purposes be deemed the officer to whom the commission is addressed.

Provisions applicable to diplomatic officers.

(c) The provisions of this Act applicable to consular officers shall be applicable to diplomatic officers pursuant to such regulations as may be prescribed by the President.

Consular officer taking testimony. Procedure, etc.

SEC. 4. The consular officer to whom any commission authorized under this Act is addressed shall take testimony in accordance with its terms. Every person whose testimony is taken shall be cautioned and sworn to testify the whole truth and carefully examined. His testimony shall be reduced to writing or typewriting by the consular officer taking the testimony, or by some person under his personal supervision, or by the witness himself, in the presence of the consular officer and by no other person, and shall, after it has been reduced to writing or typewriting, be subscribed by the witness. Every foreign document, with respect to which testimony is taken, shall be annexed to such testimony and subscribed by each witness who appears for the purpose of establishing the genuineness of such document. When counsel for all the parties attend the examination of any witness whose testimony is to be taken on written interrogatories, they may consent that oral interrogatories in addition to those accompanying the commission may be put to the witness. The consular officer taking any testimony shall require an interpreter to be present when his services are needed or are requested by any party or his attorney.

Foreign document to be annexed to testimony; subscriptions.

Interpreters.

Consular certifications.

SEC. 5. If the consular officer executing any commission authorized under this Act shall be satisfied, upon all the testimony taken, that a foreign document is genuine, he shall certify such document to be genuine under the seal of his office. Such certification shall include a statement that he is not subject to disqualification under the provisions of section 3 (b) of this Act. He shall thereupon transmit, by mail, such foreign documents, together with the record of all testimony taken and the commission which has been executed, to the clerk of the court from which such commission issued, in the manner in which his official dispatches are transmitted to the Government. The clerk receiving any executed commission shall open it and shall make any foreign documents and record of testimony, transmitted with such commission, available for inspection by the parties to the criminal action or proceeding in which such documents are to be used, and said parties shall be furnished copies of such documents free of charge.

Transmittal of foreign documents, testimony, etc.

Inspection of documents.

Certified copies of foreign documents of record; admissibility.

SEC. 6. A copy of any foreign document of record or on file in a public office of a foreign country, or political subdivision thereof, certified by the lawful custodian of such document, shall be admissible in evidence in any court of the United States when authenticated by a certificate of a consular officer of the United States resident in such foreign country, under the seal of his office, certifying that the copy of such foreign document has been certified by the lawful custodian

R. S., sec. 907, p. 171. U. S. C., p. 1302.

thereof. Nothing contained in this section shall be deemed to alter, amend, or repeal section 907 of the Revised Statutes, as amended (U. S. C., title 28, sec. 689).

Fees. Consular. R. S., sec. 1745, p. 310. U. S. C., p. 953.

SEC. 7. (a) The consular fees prescribed under section 1745 of the Revised Statutes, as amended (U. S. C., title 22, sec. 127), for official services in connection with the taking of testimony under this Act, and the fees of any witness whose testimony is taken shall be paid by the party who applied for the commission pursuant to which such testimony was taken. Every witness under this Act shall be entitled to receive, for each day's attendance, fees prescribed under section 8 of this Act. Every foreign counsel selected pursuant to a commission issued on application of the United States, and every interpreter whose services are required by a consular officer under the provisions of this Act, shall be paid by the United States, such compensation, together with such personal and incidental expense upon verified statements filed with the consular officer, as he may allow. Compensation and expenses of foreign counsel selected pursuant to a commission issued on application of any party other than the United States shall be paid by the party whom such counsel represents and shall be allowed in the same manner.

Witnesses.

Foreign counsel, interpreters, etc.

Affidavit by party of inability to pay fees, etc.

(b) Whenever any party makes affidavit, prior to the issuance of a commission for the purpose of taking testimony, that he is not possessed of sufficient means and is actually unable to pay any fees and costs incurred under this section, such fees and costs shall, upon order of the court, be paid in the same manner as fees and costs are paid which are chargeable to the United States.

Payment of.

Appropriation available.

(c) Any appropriation available for the payment of fees and costs in the case of witnesses subpenaed in behalf of the United States in criminal cases shall be available for any fees or costs which the United States is required to pay under this section.

Regulations to be prescribed.

SEC. 8. The President is authorized to prescribe regulations governing the manner of executing and returning commissions by consular officers under the provisions of this Act and schedules of fees allowable to witnesses, foreign counsel, and interpreters under section 7 of this Act.

Effective date.

SEC. 9. This Act shall be prospective only, and not retroactive.

Approved, June 20, 1936.

[CHAPTER 641.]

June 20, 1936. [H. R. 12006.] [Public, No. 735.]

AN ACT

To authorize a preliminary examination of the Kennebec River, Maine, and its tributaries, with a view to the control of their floods.

Kennebec River, Maine. Survey directed for controlling floods of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized and directed to cause a preliminary examination to be made of the Kennebec River and its tributaries in the State of Maine, with a view to the control of their floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Vol. 39, p. 950; U. S. C., p. 1487.

Approved, June 20, 1936.

[CHAPTER 642.]

AN ACT

June 20, 1936.
[H. R. 12202.]
[Public, No. 736.]

To provide for a preliminary examination of Six Mile Creek in Logan County, Arkansas, with a view to flood control and to determine the cost of such improvement.

Six Mile Creek, Ark. Survey directed for controlling floods of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of Six Mile Creek (also known in its lower reach as Short Mountain Creek) in Logan County, Arkansas, to determine the feasibility of flood-control work on said creek and the cost of such improvement, in accordance with the provisions of section 3 of the Act entitled "An Act to provide for the control of floods of the Mississippi River and the Sacramento River, California, and for other purposes", approved March 1, 1917, and the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Vol. 39, p. 950; U. S. C., p. 1487.

Approved, June 20, 1936.

[CHAPTER 643.]

AN ACT

June 20, 1936.
[H. R. 12240.]
[Public, No. 737.]

To authorize a preliminary examination of the tributaries, sources, and headwaters of the Allegheny and Susquehanna Rivers in the State of Pennsylvania, where no examination and survey has heretofore been made, with a view to the control of their floods and the regulation and conservation of their waters.

Allegheny and Susquehanna Rivers, Pa. Survey of, and tributaries, directed for flood control and water conservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause to be made a preliminary examination of the tributaries, sources, and headwaters of the Allegheny River in the State of Pennsylvania, where no examination and survey has heretofore been made, including the Clarion River, Redbank Creek, Mahoning Creek, Pine Creek, Kiskiminetas River, Loyalhanna Creek, Conemaugh River, Blacklick Creek, and Stoney Creek; and to cause to be made a similar examination of the tributaries, sources, and headwaters of the Susquehanna River, where no examination or survey has heretofore been made, including Clearfield Creek and Chest Creek; with a view to the control of their floods and the regulation and conservation of their waters, in accordance with the provisions of section 3 of the Act entitled "An Act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Vol. 39, p. 950; U. S. C., p. 1487.

Approved, June 20, 1936.

[CHAPTER 644.]

JOINT RESOLUTION

June 20, 1936.
[S. J. Res. 187.]
[Pub. Res., No. 110.]

Authorizing the President of the United States of America to proclaim October 11, 1936, General Pulaski's Memorial Day for the observance and commemoration of the death of Brigadier General Casimir Pulaski.

General Pulaski's Memorial Day. President authorized to invite observance of.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and directed to issue a proclamation calling upon officials of the Government to display

the flag of the United States on all governmental buildings on October 11, 1936, and inviting the people of the United States to observe the day in schools and churches or other suitable places, with appropriate ceremonies in commemoration of the death of General Casimir Pulaski.

Approved, June 20, 1936.

[CHAPTER 645.]

JOINT RESOLUTION

June 20, 1936.
[S. J. Res. 280.]
[Pub. Res., No. 111.]

To ratify and confirm the appointment of Isaac Gans as a member of the Alcoholic Beverage Control Board of the District of Columbia.

District of Columbia Alcoholic Beverage Control Board.
Appointment of Isaac Gans as a member of, confirmed.
Vol. 48, p. 321.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the appointment by the Commissioners of the District of Columbia of Isaac Gans as a member of the Alcoholic Beverage Control Board of the District of Columbia for a term of four years beginning February 4, 1936, is hereby ratified and confirmed.

Approved, June 20, 1936.

[CHAPTER 646.]

JOINT RESOLUTION

June 20, 1936.
[H. J. Res. 444.]
[Pub. Res., No. 112.]

To amend the joint resolution entitled "Joint resolution authorizing the Federal Trade Commission to make an investigation with respect to agricultural income and the financial and economic condition of agricultural producers generally", approved August 27, 1935.

Agricultural income and financial and economic condition of agricultural producers.
Ante, p. 929.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the joint resolution entitled "Joint resolution authorizing the Federal Trade Commission to make an investigation with respect to agricultural income and the financial and economic condition of agricultural producers generally", approved August 27, 1935 (Public Resolution Numbered 61, Seventy-fourth Congress), be, and the same is hereby, amended so as to read as follows:

Federal Trade Commission to investigate and report on subjects designated.

"That the Federal Trade Commission is hereby authorized and directed to investigate and report, at the next session of Congress—

Extent of recent agricultural income decline.

"First. (1) The extent of the decline in agricultural income in recent years, including the amount and percentage of such decline;

Corporations engaged in sale, processing, etc., of principal farm products.

"(2) The extent of the increases or decreases in recent years in the income of the principal corporations engaged in the sale, manufacturing, warehousing, and/or processing of the principal farm products, and of table and juice grapes, fresh fruits and vegetables, and of the other principal sellers, manufacturers, warehousemen, and/or processors of the principal farm products, and of table and juice grapes, fresh fruits and vegetables, as compared with the decline in agricultural income, including the amount and percentage of such changes; and

Grapes, fresh fruits, and vegetables added.

Proportion of consumer cost received by farmer, etc.

"(3) The proportion of total consumer cost of representative products manufactured or processed from the principal farm products, and of table and juice grapes, fresh fruits and vegetables, which is represented by the proceeds received by (a) the farmer; (b) the manufacturers, processors, and warehousemen; and (c) the distributors and such principal farm products, and of table and juice grapes, fresh fruits and vegetables, and such representative products manufactured therefrom.

Financial position of principal manufacturing, etc., corporations.

"Second. The financial position of the principal corporations engaged in the manufacturing, processing, warehousing, distribution,

and marketing of the representative major products manufactured from such farm products, including—

"(1) The capitalization and assets of such corporations and the means and sources of the growth of such capitalization and assets;

"(2) The investment, costs, profits, and rates of return of such corporations;

"(3) The salaries of the officers of such companies; and

"(4) The extent to which said corporations avoid income taxes, if at all, and the extent to which officers receiving such salaries paid income taxes thereon.

Extent of monopoly in manufacturing, marketing, etc., of major farm products, fruits, and vegetables.

"Third. The extent of concentration of control and of monopoly in the manufacturing, processing, warehousing, distribution, and marketing of representative major farm products, and of table and juice grapes, fresh fruits and vegetables, which is maintained or has been obtained by any corporation or other organization, including—

Methods used to control, etc.

"(1) Methods and devices used by such corporations for obtaining and maintaining their control or monopoly of the manufacturing, marketing, processing, warehousing, and distribution of such commodities, and the proportion of any such major farm commodity, and of table and juice grapes, fresh fruits and vegetables, handled by each of the large units involved; and

Extent to which injurious methods are employed.

"(2) The extent to which fraudulent, dishonest, unfair, intimidating, and injurious methods are employed in the grading, warehousing, and transportation of such farm products, and of table and juice grapes, fresh fruits, and vegetables, including combinations, monopolies, price fixing, and manipulation of prices on the commodity exchanges, and by racketeering and so-called auction markets.

Extent of cooperative agencies.

"Fourth. The extent to which the cooperative agencies have entered into the processing, warehousing, and marketing of representative major farm products, and of table and juice grapes, fresh fruits, and vegetables, and the general effects of such cooperative agencies upon the producer and consumer."

Authorization increased.

SEC. 2. That section 5 of the said joint resolution be, and the same is hereby, amended by striking out the figures "150,000" and inserting the figures "300,000".

SEC. 3. That section 6 of the said joint resolution be, and the same is hereby, amended by striking out all thereof and by substituting in lieu of the said section the following:

Reports to Congress. *Ante*, p. 1256.

"SEC. 6. The Federal Trade Commission is directed to present a final report to the Congress in respect to such principal farm products and such representative products manufactured therefrom, together with recommendations for legislation not later than October 1, 1936, and a further report to the Congress in respect to table and juice grapes, fresh fruits, and vegetables, together with recommendations for legislation on or before January 31, 1937, and a final report in respect to the said last mentioned products, together with any further recommendations, not later than May 31, 1937.

Unexpended balance available. *Ante*, pp. 929, 1111.

"It is hereby further provided that any unexpended balance of the appropriation of $150,000 made in the Independent Offices Appropriation Act for the fiscal year 1936 [1] in accordance with the authority contained in Public Resolution Numbered 61, Seventy-fourth Congress, first session, is hereby made available for like purpose to and including October 1, 1936."

Approved, June 20, 1936.

[1] So in original.

[CHAPTER 647.]

JOINT RESOLUTION

June 20, 1936.
[S. J. Res. 235.]
[Pub. Res., No. 113.]

Authorizing the Secretary of Agriculture to expend funds of the Agricultural Adjustment Administration for participation by the United States in the 1936 Sixth World's Poultry Congress.

Sixth World's Poultry Congress.
Participation expenses.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of $25,000, or such sum thereof as may be necessary, may be expended by the Secretary of Agriculture from the unexpended funds of the Agricultural Adjustment Administration, with a view to expanding the foreign demand for American-bred poultry through participation in the 1936 Sixth World's Poultry Congress, such funds to be used for staging a live-bird and educational exhibit and for the expenses of delegates of the United States to this conference: *Provided*, That of this sum a sum of $10,000 is hereby made immediately available for assembling, preparing, and shipping the live-bird exhibit and material showing poultry-husbandry methods followed in the United States: *Provided further*, That no part of the sum authorized to be expended by this resolution shall be used for the payment of expenses of delegates to such conference other than Government and State Agricultural college officials.

Exhibit.

Provisos.
Assembling, shipping, etc., exhibit.

Restriction.

Invitation to hold 1939 Congress in United States authorized.

SEC. 2. The President is hereby authorized and requested to extend to the World's Poultry Science Association an invitation to hold the Seventh World's Poultry Congress in the United States in 1939, and to extend an invitation to foreign governments to participate in and be represented by delegates and exhibits in such congress.

Approved, June 20, 1936.

[CHAPTER 648.]

JOINT RESOLUTION

June 20, 1936.
[S. J. Res. 241.]
[Pub. Res., No. 114.]

To declare December 26, 1936, a legal holiday in the District of Columbia.

District of Columbia.
December 26, 1936, declared a legal holiday.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That December 26, 1936, is hereby declared to be a legal holiday in the District of Columbia for all purposes: *Provided*, That all employees of the United States Government in the District of Columbia and all employees of the District of Columbia shall be entitled to pay for such holiday the same as on other days.

Proviso.
Government and District employees entitled to pay.

Approved, June 20, 1936.

[CHAPTER 649.]

JOINT RESOLUTION

June 20, 1936.
[S. J. Res. 243.]
[Pub. Res., No. 115.]

Authorizing distribution to the Indians of the Blackfeet Indian Reservation, Montana, of the judgment rendered by the Court of Claims in their favor.

Blackfeet Indian Reservation, Mont.
Per capita distribution of court judgment to Indians of, authorized.
Vol. 43, p. 21.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to withdraw from the tribal fund of the Blackfeet, Blood, and Piegan Indians of the Blackfeet Reservation, Montana, credited or to be credited on the books of the Treasury under the Act of March 13, 1924 (43 Stat. 21), a sufficient sum to make a per-capita distribution of $85 to each member of said tribes who was living and entitled to enrollment with said Indians on the date final judgment was rendered in their favor by the Court of Claims in the case Docket Numbered E-427; such per-capita distribution to be made under such rules and regulations as the Secretary of the Interior may prescribe.

Disposition of balance.

SEC. 2. The balance remaining in the tribal fund of the Blackfeet, Blood, and Piegan Indians after the per-capita distribution

herein authorized shall be available for disposition by the tribal council of said Indians, with the approval of the Secretary of the Interior, in accordance with the constitution and bylaws of the Blackfeet Tribe of the Blackfeet Indian Reservation.

Approved, June 20, 1936.

[CHAPTER 650.]

JOINT RESOLUTION

June 20, 1936.
[S. J. Res. 245.]
[Pub. Res., No. 116.]

Authorizing distribution to the Gros Ventre Indians of the Fort Belknap Reservation, Montana, of the judgment rendered by the Court of Claims in their favor.

Fort Belknap Reservation, Mont.
Per capita distribution of court judgment to Gros Ventre Indians of, authorized.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to withdraw from the Treasury and to distribute per capita, as provided herein, to the Gros Ventre Indians of the Fort Belknap Reservation, Montana, the sum arising from a judgment rendered in their favor by the Court of Claims in the case docketed as E–427, credited or to be credited to said Indians on the books of the Treasury under the Act of March 13, 1924 (43 Stat. 21).

Vol. 43, p. 21.

Roll of Indians to be prepared.

SEC. 2. That for the purpose of making the distribution herein authorized, the Secretary of the Interior shall cause a roll of said Indians to be prepared by a commission consisting of the Gros Ventre members of the Fort Belknap Community Council. In the preparation of said roll, those members of the Gros Ventre Tribe whose names appear on the allotment roll made pursuant to the Act of March 3, 1921 (41 Stat. 1355), and who are alive on the date of approval of this resolution shall first be enrolled, to which number shall be added the names of all children of one-fourth or more Gros Ventre Indian blood born to all allotted Indians of the Fort Belknap Reservation, regardless of place of residence of such children or their parents: *Provided*, That all such children so enrolled shall be alive and in being on the date of approval of this resolution: *Provided further*, That there shall be added to and included in the roll herein authorized the names of George Gambler and Josephine Gambler White, two Gros Ventre Indians omitted from the Fort Belknap allotment roll due to absence from the reservation: *Provided, however*, That said George Gambler and Josephine Gambler White have not been enrolled with or participated in the benefits of any other tribe.

Vol. 41, p. 1355.

Provisos.
Enrolling of children.

Names of George Gambler and Josephine Gambler White added.

Condition.

Per capita share to be credited upon completion of roll.

SEC. 3. When the roll herein provided for shall have been completed and approved by the Secretary of the Interior, he shall thereupon cause the per-capita share due each member of said Gros Ventre Tribe so enrolled to be credited to the individual Indian money account of such member for expenditure in accordance with the individual Indian money regulations.

Approved, June 20, 1936.

[CHAPTER 651.]

JOINT RESOLUTION

June 20, 1936.
[H. J. Res. 583.]
[Pub. Res., No. 117.]

Authorizing the Veterans' Administration to prepare and publish a compilation of all Federal laws relating to veterans of wars of the United States.

Veterans' Administration.
Compilation of Federal laws relating to veterans' relief, authorized.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs is authorized to compile and publish all Federal laws relating to veterans' relief, including such laws as are administered by the Veterans' Administration as well as by other

agencies of the Government, in such form as he may, in his discretion, deem advisable for the purpose of making currently available for the use of the Veterans' Administration and full-time representatives of the several service organizations an annotated, indexed, and cross-referenced statement of the laws providing veterans' relief in convenient form, and the Administrator is further authorized to maintain such compilation on a current basis either by the publication, from time to time, of supplementary documents or by complete revision of the compilation: *Provided*, That funds from the printing and binding appropriation for the Veterans' Administration may be used for this purpose and the distribution of the compilation to the representatives of the several service organizations shall be determined by the Administrator of Veterans' Affairs.

Maintenance on current basis.

Proviso. Funds for printing and binding.

Distribution of previous compilation.

SEC. 2. Distribution of the supply remaining in the Veterans' Administration of Senate Document Numbered 131, Federal Laws Relating to Veterans of Wars of the United States, shall be made in the discretion of the Administrator of Veterans' Affairs, notwithstanding the provisions of Senate Concurrent Resolution Numbered 29, Seventy-second Congress, first session.

Vol. 47, p. 1780.

Approved, June 20, 1936.

[CHAPTER 688.]

June 22, 1936.
[H. R. 8455.]
[Public, No. 738.]

AN ACT

Authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

Flood Control Act of 1936.

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

DECLARATION OF POLICY

Declaration of policy.

SECTION 1. It is hereby recognized that destructive floods upon the rivers of the United States, upsetting orderly processes and causing loss of life and property, including the erosion of lands, and impairing and obstructing navigation, highways, railroads, and other channels of commerce between the States, constitute a menace to national welfare; that it is the sense of Congress that flood control on navigable waters or their tributaries is a proper activity of the Federal Government in cooperation with States, their political subdivisions, and localities thereof; that investigations and improvements of rivers and other waterways, including watersheds thereof, for flood-control purposes are in the interest of the general welfare; that the Federal Government should improve or participate in the improvement of navigable waters or their tributaries, including watersheds thereof, for flood-control purposes if the benefits to whomsoever they may accrue are in excess of the estimated costs, and if the lives and social security of people are otherwise adversely affected.

Jurisdiction of Federal activities.

SEC. 2. That, hereafter, Federal investigations and improvements of rivers and other waterways for flood control and allied purposes shall be under the jurisdiction of and shall be prosecuted by the War Department under the direction of the Secretary of War and supervision of the Chief of Engineers, and Federal investigations of watersheds and measures for run-off and waterflow retardation and soil erosion prevention on watersheds shall be under the jurisdiction of and shall be prosecuted by the Department of Agriculture under the direction of the Secretary of Agriculture, except as otherwise provided by Act of Congress; and that in their reports upon examinations and surveys, the Secretary of War and the Secretary of Agriculture shall be guided as to flood-control measures

Reports upon examinations and surveys.

by the principles set forth in section 1 in the determination of the Federal interests involved: *Provided*, That the foregoing grants of authority shall not interfere with investigations and river improvements incident to reclamation projects that may now be in progress or may be hereafter undertaken by the Bureau of Reclamation of the Interior Department pursuant to any general or specific authorization of law.

Proviso. Reclamation projects.

SEC. 3. That hereafter no money appropriated under authority of this Act shall be expended on the construction of any project until States, political subdivisions thereof, or other responsible local agencies have given assurances satisfactory to the Secretary of War that they will (a) provide without cost to the United States all lands, easements, and rights-of-way necessary for the construction of the project, except as otherwise provided herein; (b) hold and save the United States free from damages due to the construction works; (c) maintain and operate all the works after completion in accordance with regulations prescribed by the Secretary of War: *Provided*, That the construction of any dam authorized herein may be undertaken without delay when the dam site has been acquired and the assurances prescribed herein have been furnished, without awaiting the acquisition of the easements and rights-of-way required for the reservoir area: *And provided further*, That whenever expenditures for lands, easements, and rights-of-way by States, political subdivisions thereof, or responsible local agencies for any individual project or useful part thereof shall have exceeded the present estimated construction cost therefor, the local agency concerned may be reimbursed one-half of its excess expenditures over said estimated construction cost: *And provided further*, That when benefits of any project or useful part thereof accrue to lands and property outside of the State in which said project or part thereof is located, the Secretary of War with the consent of the State wherein the same are located may acquire the necessary lands, easements, and rights-of-way for said project or part thereof after he has received from the States, political subdivisions thereof, or responsible local agencies benefited the present estimated cost of said lands, easements, and rights-of-way, less one-half the amount by which the estimated cost of these lands, easements, and rights-of-way exceeds the estimated construction cost corresponding thereto: *And provided further*, That the Secretary of War shall determine the proportion of the present estimated cost of said lands, easements, and rights-of-way that each State, political subdivision thereof, or responsible local agency should contribute in consideration for the benefits to be received by such agencies: *And provided further*, That whenever not less than 75 per centum of the benefits as estimated by the Secretary of War of any project or useful part thereof accrue to lands and property outside of the State in which said project or part thereof is located, provision (c) of this section shall not apply thereto; nothing herein shall impair or abridge the powers now existing in the Department of War with respect to navigable streams: *And provided further*, That nothing herein shall be construed to interfere with the completion of any reservoir or flood control work authorized by the Congress and now under way.

State, etc., cooperation required.

Easements, etc.

Liability for damages.

Maintenance of works after completion.

Provisos. Construction of dams.

Where expenditures for lands, etc., exceed estimates.

Benefits accruing to property outside State where project located.

Proportion of estimated cost to States.

Maintenance provisions inapplicable if 75 per centum of benefits accrue without the State.

Completion of work now under way.

SEC. 4. The consent of Congress is hereby given to any two or more States to enter into compacts or agreements in connection with any project or operation authorized by this Act for flood control or the prevention of damage to life or property by reason of floods upon any stream or streams and their tributaries which lie in two or more such States, for the purpose of providing, in such manner and such proportion as may be agreed upon by such States and approved by the Secretary of War, funds for construction and

Flood-control compacts between States.

maintenance, for the payment of damages, and for the purchase of rights-of-way, lands, and easements in connection with such project or operation. No such compact or agreement shall become effective without the further consent or ratification of Congress, except a compact or agreement which provides that all money to be expended pursuant thereto and all work to be performed thereunder shall be expended and performed by the Department of War, with the exception of such reasonable sums as may be reserved by the States entering into the compact or agreement for the purpose of collecting taxes and maintaining the necessary State organizations for carrying out the compact or agreement.

Ratification by Congress; exception.

FLOOD CONTROL ACT OF 1936

Projects adopted and authorized to be prosecuted.

SEC. 5. That pursuant to the policy outlined in sections 1 and 3, the following works of improvement, for the benefit of navigation and the control of destructive flood waters and other purposes, are hereby adopted and authorized to be prosecuted, in order of their emergency as may be designated by the President, under the direction of the Secretary of War and supervision of the Chief of Engineers in accordance with the plans in the respective reports and records hereinafter designated: *Provided*, That penstocks or other similar facilities, adapted to possible future use in the development of adequate electric power may be installed in any dam herein authorized when approved by the Secretary of War upon the recommendation of the Chief of Engineers.

Proviso. Installation of penstocks, etc.

Lake Champlain basin.

LAKE CHAMPLAIN BASIN

Lamoille River, Vt.

Lamoille River, Vermont: Channel improvement by reconstruction of Hardwick Dam, excavation at Johnsons Gorge and bank revetment at twelve places; House Document Numbered 145, Seventy-second Congress, first session; estimated construction cost, $66,000.

Rutland, Vt.

Rutland, Vermont, on Otter Creek: Channel improvement by construction of dikes; House Document Numbered 144, Seventy-second Congress, first session; estimated construction cost, $49,500.

Proctor, Vt.

Proctor, Vermont, on Otter Creek: Channel excavation and dam reconstruction; House Document Numbered 144, Seventy-second Congress, first session; estimated construction cost, $22,500.

North Adams, Mass.

North Adams, Massachusetts, on Hoosic River: Channel clearing; House Document Numbered 684, Seventy-first Congress, third session; estimated construction cost, $66,000.

Bennington, Vt.

Bennington, Vermont, on Hoosic River: Channel clearing; House Document Numbered 684, Seventy-first Congress, third session; estimated construction cost, $216,000.

Hoosic Falls, N. Y.

Hoosic Falls, New York, on Hoosic River: Channel clearing; House Document Numbered 684, Seventy-first Congress, third session; estimated construction cost, $43,000.

Merrimack River, N. H. and Mass.

MERRIMACK RIVER, NEW HAMPSHIRE AND MASSACHUSETTS

Reservoir system for reducing flood heights.

Construction of a system of flood-control reservoirs in the Merrimack River Basin for the reduction of flood heights in the Merrimack Valley generally; estimated construction cost, $7,725,000; estimated cost of lands and damages, $3,500,000.

Connecticut River basin.

CONNECTICUT RIVER BASIN

Reservoirs in Vermont and New Hampshire.

Reservoir system for the control of floods in the Connecticut River Valley: Construction of ten reservoirs in Vermont and New Hampshire on tributaries of the Connecticut River; plans in House Docu-

ment Numbered 412, Seventy-fourth Congress, second session, as the same may be revised upon further investigation of the 1936 flood; estimated construction cost, $10,028,900; estimated cost of lands and damages, $3,344,100.

SOUTHERN NEW YORK AND EASTERN PENNSYLVANIA

Southern New York and Eastern Pennsylvania.

Detention reservoirs, etc., for protecting certain cities in.

Construction of detention reservoirs and related flood-control works for protection of Binghamton, Hornell, Corning, and other towns in New York and Pennsylvania, in accordance with plans approved by the Chief of Engineers on recommendation of Board of Engineers for Rivers and Harbors at an estimated construction cost of $27,154,000; estimated cost of lands and damages, $5,930,000.

SUSQUEHANNA RIVER BASIN

Susquehanna River basin.

Williamsport, Pa.

Williamsport, Pennsylvania: Levees on West Branch of Susquehanna to protect people and city property; Report pursuant to House Document Numbered 308, Sixty-ninth Congress, first session; estimated construction cost, $2,444,000; estimated cost of lands and damages, $156,000.

Harrisburg, Pa.

Harrisburg, Pennsylvania: Levees to protect people and city property; Report pursuant to House Document Numbered 308, Sixty-ninth Congress, first session; estimated construction cost, $104,000; estimated cost of lands and damages, $5,200.

Sunbury, Pa.

Sunbury, Pennsylvania: Levees to protect people and city property; Report pursuant to House Document Numbered 308, Sixty-ninth Congress, first session; estimated construction cost, $93,600; estimated cost of lands and damages, $15,600.

York, Pa.

York, Pennsylvania: Retarding dams and channel improvement to protect people and city property; Report pursuant to House Document Numbered 308, Sixty-ninth Congress, first session; estimated construction cost, $2,210,000; estimated cost of lands and damages, $390,000.

Milton, Pa.

Milton, Pennsylvania: Levees on West Branch of Susquehanna River to protect people and city property; report pursuant to House Document Numbered 308, Sixty-ninth Congress, first session; estimated construction cost, $263,900; estimated cost of lands and damages, $13,000.

Montgomery, Pa.

Montgomery, Pennsylvania: Levees on West Branch of Susquehanna River to protect people and city property; report pursuant to House Document Numbered 308, Sixty-ninth Congress, first session; estimated construction cost, $139,100; estimated cost of lands and damages, $5,200.

Muncy, Pa.

Muncy, Pennsylvania: Levees on West Branch of Susquehanna River to protect people and city property; report pursuant to House Document Numbered 308, Sixty-ninth Congress, first session; estimated construction cost, $360,800; estimated cost of lands and damages, $11,100.

Jersey Shore, Pa.

Jersey Shore, Pennsylvania: Levees on West Branch of Susquehanna River to protect people and city property; report pursuant to House Document Numbered 308, Sixty-ninth Congress, first session; estimated construction cost, $395,900; estimated cost of lands and damages, $12,500.

Lock Haven, Pa.

Lock Haven, Pennsylvania: Levees on West Branch of Susquehanna River to protect people and city property; report pursuant to House Document Numbered 308, Sixty-ninth Congress, first session; estimated construction cost, $2,860,000; estimated cost of lands and damages, $39,000.

Bloomsburg, Pa.

Bloomsburg, Pennsylvania: Levees on North Branch of Susquehanna River to protect people and city property; report pursuant to House Document Numbered 308, Sixty-ninth Congress, first session; estimated construction cost, $131,300; estimated cost of lands and damages, $5,200.

West Pittston, Pa.

West Pittston, Pennsylvania: Levees on North Branch of Susquehanna River to protect people and city property; report pursuant to House Document Numbered 308, Sixty-ninth Congress, first session; estimated construction cost, $100,000.

Swoyerville and Forty Fort, Pa.

Swoyerville and Forty Fort, Pennsylvania: Levees on North Branch of Susquehanna River to protect people and city property; report pursuant to House Document Numbered 308, Sixty-ninth Congress, first session; estimated construction cost, $529,800; estimated cost of lands and damages, $42,300.

Kingston and Edwardsville, Pa.

Kingston and Edwardsville, Pennsylvania: Levees on North Branch of Susquehanna River to protect people and city property; report pursuant to House Document Numbered 308, Sixty-ninth Congress, first session; estimated construction cost, $1,658,200; estimated cost of lands and damages, $13,700.

Plymouth, Pa.

Plymouth, Pennsylvania: Levees on North Branch of Susquehanna River to protect people and city property; report pursuant to House Document Numbered 308, Sixty-ninth Congress, first session; estimated construction cost, $728,000; estimated cost of lands and damages, $46,800.

Nanticoke, Pa.

Nanticoke, Pennsylvania: Levees on North Branch of Susquehanna River to protect agricultural community; report pursuant to House Document Numbered 308, Sixty-ninth Congress, first session; estimated construction cost, $381,700; estimated cost of lands and damages, $13,500.

Wilkes-Barre and Hanover Township, Pa.

Wilkes-Barre and Hanover Township, Pennsylvania: Levees on North Branch of Susquehanna River to protect people and city property; report pursuant to House Document Numbered 308, Sixty-ninth Congress, first session; estimated construction cost, $2,129,400; estimated cost of lands and damages, $12,000.

Potomac River basin.

POTOMAC RIVER BASIN

Washington, D. C.

Washington, District of Columbia: Levees and grade raising to protect downtown portion of Washington, Arlington Experimental Farm, Bolling Field, and Anacostia Naval Air Station; plans in House Document Numbered 101, Seventy-third Congress, first session; estimated construction cost, $571,000; estimated cost of lands and damages, $16,000.

Cumberland, Md. and Ridgely, W. Va.

Cumberland, West Cumberland, South Cumberland, Maryland, and Ridgeley, West Virginia: Levees, retaining walls, movable dam, and channel clearing to protect people and city property; plans in House Document Numbered 101, Seventy-third Congress, first session; estimated construction cost, $743,400; estimated cost of lands and damages, $143,700.

Moorefield, W. Va.

Moorefield, West Virginia: Levees on Moorefield River to protect people and town property; plans in House Document Numbered 101, Seventy-third Congress, first session; estimated construction cost, $41,500; estimated cost of lands and damages, $5,400.

Harpers Ferry, W. Va.

Harpers Ferry, West Virginia: Levees and concrete flood wall to protect people and town property; plans in House Document Numbered 101, Seventy-third Congress, first session; estimated construction cost, $164,900; estimated cost of lands and damages, $4,000.

Tar River.

TAR RIVER

Tarboro to Rocky Mount, N. C.

North Carolina: Channel improvement between Tarboro and Rocky Mount for flood relief; special report in Office of the Chief of Engineers; estimated construction cost, $82,500.

Savannah River.

SAVANNAH RIVER

Augusta, Ga.

Augusta, Georgia: Levees and retaining walls to protect people and city property; special report on record in Office of the Chief of Engineers; estimated construction cost, $685,000.

Escambia River basin.

ESCAMBIA RIVER BASIN

Brewton, Ala.

Brewton, Alabama: Levees to protect people and city property; House Document Numbered 350, Seventy-first Congress, second session; estimated construction cost, $235,000; estimated cost of lands and damages, $7,000.

Flomaton, Ala.

Flomaton, Alabama: Levees to protect people and city property; House Document Numbered 350, Seventy-first Congress, second session; estimated construction cost, $149,000; estimated cost of lands and damages, $5,000.

Mobile River basin.

MOBILE RIVER BASIN

Rome, Ga.

Rome, Georgia: Levees on Coosa River to protect people and city property; special report on record in Office of the Chief of Engineers; estimated construction cost, $330,000.

Mississippi River.

MISSISSIPPI RIVER

Tiptonville to Obion River, Tenn.

Tiptonville to Obion River, Tennessee: Construction of the levee designated as plan 1 for the protection of the towns of Tiptonville, Ridgely, and various smaller communities; and agricultural lands in Lake, Obion, and Dyer Counties, Tennessee; in accordance with House Document Numbered 188, Seventy-second Congress, first session; estimated construction cost, $730,000.

Ittawamba County, Miss.

Ittawamba County, Mississippi, near Fulton: Clear floodway of the Tombigbee River; special report on record in Office of the Chief of Engineers; estimated construction cost, $109,000; estimated cost of lands and damages, none.

Pearl River.

PEARL RIVER

Jackson, Miss.

Jackson and vicinity, Mississippi: Clearing flood channel to protect people and property in Jackson and vicinity; special report on record in Office of the Chief of Engineers; estimated construction cost, $10,000.

Homochitto River.

HOMOCHITTO RIVER

Adams and Wilkinson Counties, Miss.

Homochitto River, Adams and Wilkinson Counties, Mississippi: Small earth dams at heads of minor tributaries and channel improvement; no report to Congress; data in Office of the Chief of Engineers; estimated construction cost, $50,000.

Buffalo River.

BUFFALO RIVER

Wilkinson County, Miss.

Buffalo River, Wilkinson County, Mississippi: Channel improvement; no report to Congress; data in Office of the Chief of Engineers; estimated construction cost, $35,000.

Big Black River, Mississippi.

BIG BLACK RIVER, MISSISSIPPI

Improving flood channel in designated counties.

Improvement of the flood channel of the Big Black River in Choctaw, Webster, Montgomery, Attala, Carroll, Holmes, Madison, Yazoo, Warren, Claiborne, and Hinds Counties in Mississippi; by means of channel clearing and suitable cut-offs throughout the entire length of the river; special report in Office of the Chief of Engineers; estimated construction cost, $850,000.

Red River basin.

RED RIVER BASIN

Red River Parish, La.

Red River Parish, below Shreveport, Louisiana: Raising, enlarging, and extending existing levee system to improve flood protection; House Document Numbered 378, Seventy-fourth Congress, second session, and supplemental report on record in Office of the Chief of Engineers; estimated construction cost, $150,000; estimated cost of lands and damages, $30,000.

Bayou Pierre, La.

Bayou Pierre, Louisiana: Channel enlargement from Bayou Wincey to mouth at Grand Encore to reduce flood damages and improve sanitary and living conditions over large area; House Document Numbered 378, Seventy-fourth Congress, second session, and supplemental report in Office of the Chief of Engineers; estimated construction cost, $300,000.

Natchitoches Parish, La.

Natchitoches Parish, Louisiana: Levees on west side of Red River, dam and floodgate at mouth of Cane River, and drainage ditches; House Document Numbered 378, Seventy-fourth Congress, second session, and supplemental report in Office of the Chief of Engineers; estimated construction cost, $315,000; estimated cost of lands and damages, $40,000.

Saline Point, etc., Parishes, La.

Saline Point, Avoyelles and Catahoula Parishes, Louisiana: Cut-off to reduce flood heights; House Document Numbered 378, Seventy-fourth Congress, second session, and supplemental report in Office of the Chief of Engineers; estimated construction cost, $135,000.

Black Bayou, La.

Black Bayou, Louisiana: Earth dam and reservoir for flood storage to protect population and lands below; House Document Numbered 378, Seventy-fourth Congress, second session, and supplemental report in Office of the Chief of Engineers; estimated construction cost, $125,000.

Bayou Bodcau, La.

Bayou Bodcau, Louisiana: Floodway for the diversion of Bayou Bodcau and Cypress Bayou to improve flood protection; House Document Numbered 378, Seventy-fourth Congress, second session, and supplemental report in Office of the Chief of Engineers; estimated construction cost, $1,825,000; estimated cost of lands and damages, $68,000.

Bayou des Glaises, La.

Bayou des Glaises, Louisiana: Diversion ditch from Moreauville to borrow pit of West Atchafalaya levee at Lake Bayou to reduce flood damages and improve sanitary and living conditions over large area; House Document Numbered 378, Seventy-fourth Congress, second session, and supplemental report in Office of the Chief of Engineers; estimated construction cost, $280,000; estimated cost of lands and damages, $5,000.

Wallace Lake, La.

Wallace Lake, Louisiana: Earth dam and reservoir for flood storage to improve protection of population and lands below; House Document Numbered 378, Seventy-fourth Congress, second session, and supplemental report in Office of the Chief of Engineers; estimated construction cost, $380,000; estimated cost of lands and damages, $20,000.

Ouachita River basin.

OUACHITA RIVER BASIN

Columbia, La.

Columbia, Louisiana: Levees, bulkhead, and drainage structures to protect people and city property; House Document Numbered

196, Seventy-third Congress, second session, and data in Office of the Chief of Engineers; estimated construction cost, $339,100; estimated cost of lands and damages, $55,900.

Jonesville, Louisiana: Levee, retaining wall, and drainage structures to protect people and city property; House Document Numbered 196, Seventy-third Congress, second session, and data in Office of the Chief of Engineers; estimated construction cost, $368,200; estimated cost of lands and damages, $74,800. Jonesville, La.

ARKANSAS RIVER BASIN Arkansas River basin.

Caddoa Reservoir, near Lamar in Colorado: For flood control and water conservation in Colorado and Kansas; plans in House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $9,700,000; estimated cost of lands and damages, $300,000. Caddoa Reservoir, Colo.

Conchas Reservoir near Tucumcari, on the South Canadian River in New Mexico: For completion of project now under way for flood control, irrigation, and water supply benefits in New Mexico; plans in House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $12,270,000; estimated cost of lands and damages, $230,000. Conchas Reservoir, South Canadian River, N. Mex.

Optima Reservoir on North Canadian River: For flood control in the North Canadian Valley in Oklahoma; plans in House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $1,350,000; estimated cost of lands and damages, $180,000. Optima Reservoir, North Canadian River, Okla.

Fort Supply Reservoir on North Canadian River: For flood control in the North Canadian Valley in Oklahoma; plans in House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $2,360,000; estimated cost of lands and damages, $225,000. Fort Supply Reservoir, North Canadian River, Okla.

Hulah Reservoir on Caney River tributary of Verdigris River, Oklahoma and Kansas: For flood control in Verdigris River Valley in Oklahoma and for water-supply purposes; plans in House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $1,325,000; estimated cost of lands and damages, $1,018,000. Hulah Reservoir, Okla. and Kans.

Great Salt Plains Reservoir on Salt Fork of Arkansas River in Oklahoma: For flood control and incidental benefits in Oklahoma; plans in House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $972,000; estimated cost of lands and damages, $261,000. Great Salt Plains Reservoir, Okla.

Kaw, on Arkansas River in Oklahoma: Levee to protect people and city property; House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $32,500. Kaw, Okla.

Near Fort Gibson on Arkansas River in Oklahoma: Construction of new levees to provide flood protection for population and lands; House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $7,900; estimated cost of lands and damages, $1,080. Fort Gibson, Okla.

Near Dardenelle on Arkansas River in Arkansas: Raising and enlarging existing levee system to improve protection; House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $93,500; estimated cost of lands and damages, $13,500. Dardenelle, Ark.

Little Rock, Arkansas: Levees to provide flood protection to people and city property; House Document Numbered 308, Seventy-fourth Congress, first session, and supplemental report in Office of the Chief of Engineers; estimated construction cost, $110,500. Little Rock, Ark.

North Little Rock, Ark.

North Little Rock, in Pulaski County, Arkansas: Construction of levee and flood wall to protect people and city property; House Document Numbered 308, Seventy-fourth Congress, first session; estimated cost, $401,000; estimated costs of lands and damages, unknown.

North Little Rock to Gillette, Ark.

From North Little Rock, Arkansas, to Gillette, Arkansas, on the north bank of Arkansas River: Levees to protect agricultural lands and communities; House Document Numbered 308, Seventy-fourth Congress, first session; estimated cost, $2,424,400.

Clarksville, Ark.

Clarksville on Spadra Creek, tributary of Arkansas River in Arkansas: Levees to protect people and city property; House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $70,000.

West of Morrilton, Ark.

West of Morrilton on Arkansas River in Arkansas: Construct new levees and raise and enlarge part of existing levee system to improve protection; House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $603,000; estimated cost of lands and damages, $53,000.

Faulkner County, Ark.

Faulkner County, on Arkansas River, levee district numbered one: To protect agricultural lands; cost, $100,000.

Winfield, Kans.

Winfield, on Walnut River in Kansas: Levees to protect people and city property; report to Congress not yet made; House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $108,000.

Augusta, Kans.

Augusta, on Walnut River in Kansas: Levees to protect people and city property; House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $109,800; estimated cost of lands and damages, $18,600.

Hutchinson, Kans.

Hutchinson, on Arkansas River in Kansas: Diversion of Cow Creek and levees to protect people and city property; House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $1,050,000: *Provided*, That $10,000 of this amount be made available for a preliminary examination and survey for flood control of Cow Creek; estimated cost of lands and damages from $350,000 to $1,350,000.

Proviso.
Preliminary examination of Cow Creek.

Wichita and Valley Center, Kans.

Wichita and Valley Center, on Arkansas River in Kansas and vicinity: Levees and floodway to protect people, city property, and environs; House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $2,603,100; estimated cost of lands and damages, $1,597,100.

Big Slough to Belle Plaine, Kans.

Big Slough to Belle Plaine, on Ninnescah River, tributary of Arkansas River, Kansas: Floodway and levees on Ninnescah River to provide flood protection and improved economic and living conditions to large area; House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $1,650,200; estimated cost of lands and damages, $232,000.

Florence, Kans.

Florence, on Grand (Neosho) River in Kansas: Levees to protect people and city property; House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $17,000.

Cottonwood Falls, Kans.

Cottonwood Falls, on Grand (Neosho) River in Kansas: Levees to protect people and city property; House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $7,200.

Emporia, Kans.

Emporia, on Grand (Neosho) River in Kansas: Levees to protect people and city property; House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $22,700.

Neosho Rapids, Kans.

Neosho Rapids, on Grand (Neosho) River in Kansas: Levees to protect people and city property; House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $38,900.

Hartford, Kans.

Hartford, on Grand (Neosho) River in Kansas: Levees to protect people and city property; House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $43,200.

Burlington, Kans.

Burlington, on Grand (Neosho) River in Kansas: Levees to protect people and city property; House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $27,000.

Leroy, Kans.

Leroy, on Grand (Neosho) River in Kansas: Levees to protect people and city property; House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $9,600.

Neosho Falls, Kans.

Neosho Falls, on Grand (Neosho) River in Kansas: Levees to protect people and city property; House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $32,400.

Iola, Kans.

Iola, on Grand (Neosho) River in Kansas: Levees to protect people and city property; House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $20,700.

Humboldt, Kans.

Humboldt, on Grand (Neosho) River in Kansas: Levees to protect people and city property; House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $19,300.

Chetopa, Kans.

Chetopa, on Grand (Neosho) River in Kansas: Levees to protect people and city property; House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $28,600.

Cherokee County, Kans.

Cherokee County, on Grand (Neosho) River in Kansas: Levees (unit numbered 4) to protect people and property; House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $234,000; estimated cost of lands and damages, $54,000.

Lyon County, Kans.

Lyon County, on Grand (Neosho) River in Kansas: Levees (unit numbered 39) to protect people and property; House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $237,100; estimated cost of lands and damages, $38,400.

West of Fredonia, Kans.

West of Fredonia, on Fall River, Tributary of Verdigris River in Kansas: Levees (unit numbered 43) to protect people and property; House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $189, 900; estimated cost of lands and damages, $16,900.

West of Benedict, Kans.

West of Benedict, on Verdigris River in Kansas: Levees (unit numbered 20) to protect people and property; House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $195,000; estimated cost of lands and damages, $19,700.

West of Elk City, Kans.

West of Elk City, on Elk River, tributary of Verdigris River in Kansas: Levees (unit numbered 41) to protect people and property; House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $81,400; estimated cost of lands and damages, $8,800.

Caney Creek, Okla. and Kans.

Caney Creek, tributary of Verdigris River in Oklahoma and Kansas: Levees (unit numbered 36) to protect people and property; House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $157,600; estimated cost of lands and damages, $13,300.

Verdigris River, from mouth to Madison, Kans.

Verdigris River from mouth to Madison, Kansas: Channel clearing in Kansas and Oklahoma for flood relief; House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $231,800.

Blackwell, Okla.

Blackwell, on Chikaskia River, tributary of the Salt Fork River, in Oklahoma: Levees to protect people and city property; House Document Numbered 308, Seventy-fourth Congress, first session; estimated construction cost, $50,000.

White River basin.

WHITE RIVER BASIN

East Poplar Bluff and Poplar Bluff, Mo.

East Poplar Bluff and Poplar Bluff, on Black River in Missouri: Leveed floodway to protect people and city property; plans in House Document Numbered 102, Seventy-third Congress, first session; revised cost data in Office of the Chief of Engineers; estimated construction cost, $546,800; estimated cost of lands and damages, $209,400.

Poplar Bluff, Mo., to Knoble, Ark.

Poplar Bluff, on Black River in Missouri to latitude of Knoble, Arkansas: Leveed floodway to protect people and property of agricultural communities; plans in House Document Numbered 102, Seventy-third Congress, first session; estimated construction cost, $1,972,000; estimated cost of lands and damages, $632,000.

Little Black River, Mo. and Ark.

Little Black River in Missouri and Arkansas: Levees to protect people and property of agricultural communities; plans in House Document Numbered 102, Seventy-third Congress, first session; estimated construction cost, $754,900; estimated cost of lands and damages, $65,100.

Skaggs Ferry, Ark.

Skaggs Ferry, on Black River east of Pocahontas, in Arkansas: Levees to protect people and property of agricultural communities; plans in House Document Numbered 102, Seventy-third Congress, first session; estimated construction cost, $63,000; estimated cost of lands and damages, $17,100.

Big Bottom, Ark.

Big Bottom, on White River, in Independence County, Arkansas: Levees to protect people and property of agricultural communities; plans in House Document Numbered 102, Seventy-third Congress, first session; revised cost data in Office of the Chief of Engineers; estimated construction cost, $128,700; estimated cost of lands and damages, $19,800.

Newport, Ark.

Newport, on White River, in Arkansas: Levees to protect people and city property; plans in House Document Numbered 102, Seventy-third Congress, first session; estimated construction cost, $138,600; estimated cost of lands and damages, $22,500.

Village Creek, etc., Ark.

Village Creek, White River and Mayberry District, in Arkansas: Levee protection of people and property of extensive agricultural area; plans in House Document Numbered 102, Seventy-third Congress, first session; estimated construction cost, $931,500; estimated cost of lands and damages, $222,300.

Clarendon to Laconia Circle, Ark.

Clarendon to Laconia Circle, on White River, in Arkansas: Levees to protect people and property of extensive agricultural communities; plans in House Document Numbered 102, Seventy-third Congress, first session; estimated construction cost, $8,960,000; estimated cost of lands and damages, $182,000.

Big Creek and L'Anguille River, Ark.

Big Creek and L'Anguille River, northwest of Marianna, in Arkansas: Levees to protect people and property of agricultural communities; plans in House Document Numbered 102, Seventy-third Congress, first session; estimated construction cost, $86,400; estimated cost of lands and damages, $10,800.

Upper Mississippi River.

UPPER MISSISSIPPI RIVER

East Saint Louis, Ill.

East Saint Louis, Illinois, and vicinity: Raise and enlarge existing levees to protect population and railroad center; special report on record in Office of the Chief of Engineers; estimated construction cost, $1,158,000.

Drainage and levee districts.
East Cape Girardeau and Clear Creek, Ill.

East Cape Girardeau and Clear Creek Drainage District, Illinois: Raising and enlarging existing levee system to improve protection; special report on record in Office of the Chief of Engineers; estimated construction cost, $395,000; estimated cost of lands and damages, $15,300.

North Alexander, Ill.

North Alexander Drainage and Levee District, Illinois: Raising and enlarging existing levee system to improve protection; special report on record in Office of the Chief of Engineers; estimated construction cost, $271,000; estimated cost of lands and damages, $18,900.

Clear Creek, Ill.

Clear Creek Drainage and Levee District, Illinois: Raising and enlarging existing levee system to improve protection; special report on record in Office of the Chief of Engineers; estimated construction cost, $649,000; estimated cost of lands and damages, $16,500.

Preston, Ill.

Preston Drainage and Levee District, Illinois: Raising and enlarging existing levee system to improve protection; special report on record in Office of the Chief of Engineers; estimated construction cost, $244,000; estimated cost of lands and damages, $8,100.

Degognia and Fountain Bluff, Ill.

Degognia and Fountain Bluff Levee and Drainage District, Illinois: Raising and enlarging existing levee system to improve protection; special report on record in Office of the Chief of Engineers; estimated construction cost, $330,000; estimated cost of lands and damages, $14,600.

Perry County, Mo., Districts 1, 2, and 3.

Perry County Drainage and Levee Districts Numbered 1, 2, and 3, Missouri: Raising and enlarging existing levee system to improve protection; special report on record in Office of the Chief of Engineers; estimated construction cost, $859,000; estimated cost of lands and damages, $54,200.

Saint Genevieve, Mo., District 1.

Saint Genevieve Levee District Numbered 1, Missouri: Raising and enlarging existing levee system to improve protection; special report on record in Office of the Chief of Engineers; estimated construction cost, $177,000; estimated cost of lands and damages, $25,000.

Fort Chartres and Ivy Landing, Ill., District 5.

Fort Chartres and Ivy Landing Drainage District Numbered 5, Illinois: Raising and enlarging existing levee system to improve protection; special report on record in Office of the Chief of Engineers; estimated construction cost, $120,000; estimated cost of lands and damages, $10,500.

Harrisonville and Ivy Landing, Ill., District 2.

Harrisonville and Ivy Landing Drainage and Levee District Numbered 2, Illinois: Raising and enlarging existing levee system to improve protection; special report on record in Office of the Chief of Engineers; estimated construction cost, $453,000; estimated cost of lands and damages, $15,100.

Columbia, Ill., District 3.

Columbia Drainage and Levee District Numbered 3, Illinois: Raising and enlarging existing levee system to improve protection; special report on record in Office of the Chief of Engineers; estimated construction cost, $546,000; estimated cost of lands and damages, $19,200.

Wilson and Wenkel and Prairie du Pont, Ill.

Wilson and Wenkel and Prairie du Pont Drainage and Levee Districts, Illinois: Raising and enlarging existing levee system to improve protection; special report on record in Office of the Chief of Engineers; estimated construction cost, $520,000; estimated cost of lands and damages, $18,700.

Choteau, Nameoki, and Venice, Ill.

Choteau, Nameoki, and Venice Drainage and Levee District, Illinois: Raising and enlarging existing levee system to improve protection; special report on record in Office of the Chief of Engineers; estimated construction cost, $132,000; estimated cost of lands and damages, $22,000.

Saint Louis County, Mo.

Saint Louis County Drainage and Levee District, Missouri: Raising and enlarging existing levee system to improve protection; special report on record in Office of the Chief of Engineers; estimated construction cost, $259,000; estimated cost of lands and damages, $20,000.

Wiedmer Chemicals, Mo.

Wiedmer Chemicals Drainage and Levee District, Missouri: Raising and enlarging existing levee system to improve protection; special report on record in Office of the Chief of Engineers; estimated construction cost, $76,500; estimated cost of lands and damages, $1,500.

Green Island, Iowa, District 1.

Green Island Levee and Drainage District Numbered 1, Iowa: Raising and enlarging existing levee system to improve protection; special report on record in Office of the Chief of Engineers; estimated construction cost, $68,000.

Carroll County, Ill., District 1.

Carroll County Levee and Drainage District Numbered 1, Illinois: Raising and enlarging existing levee system to improve protection; special report on record in Office of the Chief of Engineers; estimated construction cost, $13,200.

Keithsburg, Ill.

Keithsburg Drainage District, Illinois: Raising and enlarging existing levee system to improve protection; special report on record in Office of the Chief of Engineers; estimated construction cost, $11,000.

Henderson County, Ill., District 3.

Henderson County Drainage District Numbered 3, Illinois: Raising and enlarging existing system to improve protection; special report on record in Office of the Chief of Engineers; estimated construction cost, $13,600.

Green Bay, Iowa, District 2.

Green Bay Levee and Drainage District Numbered 2, Iowa: Raising and enlarging existing levee system to improve protection; special report on record in Office of the Chief of Engineers; estimated construction cost, $100,000.

Gregory, Mo.

Gregory Drainage District, Missouri: Raising and enlarging existing levee system to improve protection; special report on record in Office of the Chief of Engineers; estimated construction cost, $44,400.

Fabius River, Mo.

Fabius River Drainage District, Missouri: Raising and enlarging existing levee system to improve protection; special report on record in Office of the Chief of Engineers; estimated construction cost, $82,000.

South Quincy, Ill.

South Quincy Drainage and Levee District, Illinois: Raising and enlarging existing levee system to improve protection; special report on record in Office of the Chief of Engineers; estimated construction cost, $46,000; estimated cost of lands and damages, $500.

South River, Mo.

South River Drainage District, Missouri: Raising and enlarging existing levee system to improve protection; special report on record in Office of the Chief of Engineers; estimated construction cost, $37,000.

Sny Island, Ill.

Sny Island Levee District, Illinois: Raising and enlarging existing levee system to improve protection; special report on record in Office of the Chief of Engineers; estimated construction cost, $71,000.

Riverland, Mo.

Riverland Levee District, Missouri: Raising and enlarging existing levee system to improve protection; special report on record in Office of the Chief of Engineers; estimated construction cost, $73,000.

Dry Run Reservoir, Iowa.

Dry Run Reservoir near Decorah, Iowa: For flood protection of people and city property; special report on record in Office of the Chief of Engineers; estimated construction cost, $91,000; estimated cost of lands and damages, $29,000.

Red River of the North basin.

RED RIVER OF THE NORTH BASIN

Lake Traverse and Bois De Sioux River, S. Dak.

Lake Traverse and Bois De Sioux River, South Dakota: Reservoir for flood protection of agricultural communities, water conservation,

and other incidental benefits; special report on record in Office of the Chief of Engineers; estimated construction cost, $1,115,200; estimated cost of lands and damages, $284,800.

MINNESOTA RIVER

Minnesota River.

Lac Qui Parle Reservoir, in Minnesota: For flood protection in valley of Minnesota River; special report on record in Office of the Chief of Engineers; estimated construction cost, $464,000; estimated cost of lands and damages, $974,000.

Lac Qui Parle Reservoir, Minn.

ILLINOIS AND DES PLAINES RIVER BASIN

Illinois and Des Plaines River basin.

Between Beardstown, Illinois, and mouth of Illinois River: Levee setback and improvements to floodway; House Document Numbered 182, Seventy-second Congress, first session; estimated construction cost, $730,000; estimated cost of lands and damages, $370,000.

Beardstown, Ill., to mouth of Illinois River.

Drainage and levee districts.

Lost Creek Drainage and Levee District, Illinois: Improve existing levee for additional protection to people and property; House Document Numbered 182, Seventy-second Congress, first session; estimated construction cost, $46,100; estimated cost of lands and damages, $1,600.

Lost Creek, Ill.

Liverpool Drainage and Levee District, Illinois: Improve existing levee for additional protection to people and property; House Document Numbered 182, Seventy-second Congress, first session; estimated construction cost, $48,600; estimated cost of lands and damages, $8,400.

Liverpool, Ill.

Hennepin Drainage and Levee District, Illinois: Levee and channel improvements for additional protection to people and property; House Document Numbered 182, Seventy-second Congress, first session; estimated construction cost, $46,800; estimated cost of lands and damages, $6,800.

Hennepin, Ill.

Big Lake Drainage and Levee District, Illinois: Improve existing levee for additional protection to people and property; House Document Numbered 182, Seventy-second Congress, first session; estimated construction cost, $52,500; estimated cost of lands and damages, $4,000.

Big Lake, Ill.

Seahorn Drainage and Levee District, Illinois: Improve existing levee for additional protection to people and property; House Document Numbered 182, Seventy-second Congress, first session; estimated construction cost, $32,000; estimated cost of lands and damages, $4,800.

Seahorn, Ill.

Lacey, Langellier, West Matanzas, and Kerton Valley Drainage and Levee District, Illinois: Set back and improve existing levees to protect people and property; House Document Numbered 182, Seventy-second Congress, first session; estimated construction cost, $188,400; estimated cost of lands and damages, $49,000.

Lacey, etc., Ill.

Banner Special Drainage and Levee District, Illinois: Improve existing levee for additional protection to people and property; House Document Numbered 102, Seventy-second Congress, first session; estimated construction cost, $128,700; estimated cost of lands and damages, $17,600.

Banner, Ill.

Rocky Ford Drainage and Levee District, Illinois: Improve existing levee for additional flood protection to people and property; House Document Numbered 182, Seventy-second Congress, first session; estimated construction cost, $47,900; estimated cost of lands and damages, $2,400.

Rocky Ford, Ill.

Pekin and La Marsh Drainage and Levee District, Illinois: Improve existing levees for additional protection to people and property; House Document Numbered 182, Seventy-second Congress, first session; estimated construction cost, $145,300; estimated cost of lands and damages, $7,000.

Pekin and La Marsh, Ill.

Spring Lake, Ill.

Spring Lake Drainage and Levee District, Illinois: Improve existing levees for additional protection to people and property; House Document Numbered 182, Seventy-second Congress, first session; estimated construction cost, $384,200; estimated cost of lands and damages, $10,800.

East Liverpool, Ill.

East Liverpool Drainage and Levee District, Illinois: Improve existing levees for additional protection to people and property; House Document Numbered 182, Seventy-second Congress, first session; estimated construction cost, $137,700; estimated cost of lands and damages, $13,600.

East Peoria, Ill.

East Peoria Drainage and Levee District, Illinois: Improve existing levees for additional protection to people and property; House Document Numbered 182, Seventy-second Congress, first session; estimated construction cost, $29,000; estimated cost of lands and damages, $1,600.

Thompson Lake, Ill.

Thompson Lake Drainage District, Illinois: Improve existing levees for additional protection to people and property; House Document Numbered 182, Seventy-second Congress, first session; estimated construction cost, $351,000; estimated cost of lands and damages, $27,200.

Kelly Lake, Ill.

Kelly Lake Drainage and Levee District, Illinois: Improve existing levees for additional protection to people and property; House Document Numbered 182, Seventy-second Congress, first session; estimated construction cost, $100,200; estimated cost of lands and damages, $4,800.

Sangamon River basin.

SANGAMON RIVER BASIN

Sangamon River, Ill., mouth.

Mouth of Sangamon River, Illinois: Clearing and enlarging flood channel to improve flood discharge; House Document Numbered 186, Seventy-second Congress, first session; estimated construction cost, $122,400; estimated cost of lands and damages, $13,600.

Salt Creek to Robey, Ill.

Sangamon River from mouth of Salt Creek to Robey, Illinois: Channel straightening for flood relief; House Document Numbered 186, Seventy-second Congress, first session; estimated construction cost, $773,000.

Salt Creek, Middletown, Ill.

Salt Creek in vicinity of Middletown, Illinois: Channel straightening for flood relief; House Document Numbered 186, Seventy-second Congress, first session; estimated construction cost, $48,000; estimated cost of lands and damages, $5,700.

Levees, etc.
East of Hubley Bridge, south side of Salt Creek, Ill.

East of Hubley Bridge on south side of Salt Creek, Illinois: Raise and improve existing levee system to increase protection; House Document Numbered 186, Seventy-second Congress, first session; estimated construction cost, $20,300; estimated cost of lands and damages, $800.

Lussenhaf, north side of Salt Creek, Ill.

Lussenhaf Levee, on north side of Salt Creek, Illinois: Raise and improve existing levee system to increase protection; House Document Numbered 186, Seventy-second Congress, first session; estimated construction cost, $1,850; estimated cost of lands and damages, $450.

Swager, etc., Ill.

Swager, Whitney, Young-Holbite Levee on north side of Salt Creek, Illinois: Raise and improve existing levee system to increase protection; House Document Numbered 186, Seventy-second Congress, first session; estimated construction cost, $10,200; estimated cost of lands and damages, $600.

Donavon, Ill.

Donavon Levee on north side of Salt Creek, Illinois: Raise and improve existing levee system to increase protection; House Document Numbered 186, Seventy-second Congress, first session; estimated construction cost, $28,400; estimated cost of lands and damages, $1,100.

Mason and Menard, Oakford, Ill.

Mason and Menard Drainage District on Sangamon River near Oakford, Illinois: Raise and improve existing levee system to increase protection; House Document Numbered 186, Seventy-second Congress, first session; estimated construction cost, $78,900; estimated cost of lands and damages, $4,000.

Tar Creek, west of Oakford, Ill.

Tar Creek Levee, west of Oakford, Illinois: Raise and improve existing levee system to increase protection; House Document Numbered 186, Seventy-second Congress, first session; estimated construction cost, $34,800; estimated cost of lands and damages, $900.

Watts, south side of Salt Creek, Ill.

Watts Levee on south side of Salt Creek, Illinois: Raise and improve existing levee system to increase protection; House Document Numbered 186, Seventy-second Congress, first session; estimated construction cost, $34,400; estimated cost of lands and damages, $900.

Farmers, north side of Sangamon River, Ill.

Farmers Levee and Drainage District on north side of Sangamon River, Illinois: Raise and improve existing levee system to increase protection; House Document Numbered 186, Seventy-second Congress, first session; estimated construction cost, $242,600; estimated cost of lands and damages, $4,000.

Clear Lake, at junction of Sangamon and Illinois Rivers, Ill.

Clear Lake Levee at junction of Sangamon and Illinois Rivers in Illinois: Raise and improve existing levee system to increase protection; House Document Numbered 186, Seventy-second Congress, first session; estimated construction cost, $69,250; estimated cost of lands and damages, $750.

Oakford, south side of Sangamon River, Ill.

Oakford Special Drainage District on south side of Sangamon River, Illinois: Raise and improve existing levee system to increase protection; House Document Numbered 186, Seventy-second Congress, first session; estimated construction cost, $25,500; estimated cost of lands and damages, $2,200.

Bridge alteration near Springfield, Ill.

Near Springfield on Sangamon River, Illinois: Alteration of Chicago and Illinois Midland Railroad bridge to improve flood channel; House Document Numbered 186, Seventy-second Congress, first session; estimated construction cost, $90,000.

Channel clearing, etc., Sangamon River and Salt Creek, Ill.

Sangamon River and Salt Creek, Illinois: Clearing and cleaning channels to improve flood discharges at fifty bridge sites; House Document Numbered 186, Seventy-second Congress, first session; estimated construction cost, $12,500.

Panther Creek, Ill.

Panther Creek West Side Levee, Illinois: Levees to provide flood protection; House Document Numbered 186, Seventy-second Congress, first session; estimated construction cost, $143,000; estimated cost of lands and damages, $9,980.

Bell and Mertz, Panther Creek and Sangamon River, Ill.

Bell and Mertz Levees, Panther Creek, and Sangamon River, Illinois: Raise and improve existing levee system to increase protection; House Document Numbered 186, Seventy-second Congress, first session; estimated construction cost, $31,100; estimated cost of lands and damages, $500.

Kankakee River basin.

KANKAKEE RIVER BASIN

Shelby Bridge to Baums Bridge, Ind.

Between Shelby Bridge and Baums Bridge in Indiana: Levees to protect agricultural communities; House Document Numbered 784, Seventy-first Congress, third session; estimated construction cost, $176,600.

Rock River basin.

ROCK RIVER BASIN

Penny Slough, Hillsdale, Ill.

Penny Slough near Hillsdale, Illinois: Levees and drainage ditches to protect agricultural community; special report in Office of the Chief of Engineers; estimated construction cost, $109,000.

Jonesville and Indian Ford Dams, Wis.

Jonesville and Indian Ford Dams, Wisconsin: Provide floodgates for flood control to communities around Lake Koshkonong and in Fort Atkinson; special report in Office of the Chief of Engineers; estimated construction cost, $29,000.

Freeport, Ill.

Freeport on Pecatonia River in Illinois: Channel rectification for protection of people and city property; special report in Office of the Chief of Engineers; estimated construction cost, $463,000; estimated cost of lands and damages, $103,000.

Ohio River basin; reservoirs.

OHIO RIVER BASIN

Pittsburgh, Pa.

Reservoir system for the protection of Pittsburgh: Construction of reservoirs for the Allegheny-Monongahela Basin as in comprehensive plan for the protection of Pittsburgh and for the reduction of flood heights in the Ohio Valley generally, as set forth in House Document Numbered 306, Seventy-fourth Congress, first session, and in the report on the Allegheny-Monongahela Rivers and tributaries on record in the Office of the Chief of Engineers; estimated construction cost, $20,646,000; estimated cost of lands and damages, $34,569,000.

Below Pittsburgh, Pa.

Reservoir system for the reduction of Ohio River floods below Pittsburgh: Construction of reservoirs including the completion of the Bluestone Reservoir now under way, which together with the reservoirs for Pittsburgh flood control, constitutes a comprehensive plan for flood control on the main stream of the Ohio River and on the tributary stream below the reservoirs, as set forth in House Document Numbered 306, Seventy-fourth Congress, first session; estimated construction cost, $19,616,800; estimated cost of lands and damages, $10,519,600.

Wabash River.

WABASH RIVER

Indianapolis, Ind. Walfleigh section.

Indianapolis, Walfleigh section, on West Fork of White River, Indiana: Levees, bridge reconstruction, and channel improvement to protect people and city property; House Document Numbered 100, Seventy-third Congress, first session; estimated construction cost, $1,020,000; estimated cost of lands and damages, $400,000.

Fall Creek section.

Indianapolis, Fall Creek section, on West Fork of White River, Indiana: Levees, bridge reconstruction, and channel improvement to protect people and city property; House Document Numbered 100, Seventy-third Congress, first session, and data in Office of the Chief of Engineers; estimated construction cost, $540,000; estimated cost of lands and damages, $798,000.

Wabash, Ind.

Wabash, on Wabash River, Indiana: Levees and bridge reconstruction to protect people and city property; House Document Numbered 100, Seventy-third Congress, first session; estimated construction cost, $205,000; estimated cost of lands and damages, $355,000.

Peru, Ind.

Peru, on Wabash River, Indiana: Improvement of levees, flood wall, and bridge changes to protect people and city property; House Document Numbered 100, Seventy-third Congress, first session; estimated construction cost, $1,720,000; estimated cost of lands and damages, $780,000.

Logansport, Ind.

Logansport, on Wabash River, Indiana: Construction of remedial works for flood relief; data in Office of Chief of Engineers; cost, $612,000.

Anderson, Ind.

Anderson, on West Fork of White River, Indiana: Levees, flood wall, bridge changes, and drainage improvements to protect people and city property; House Document Numbered 100, Seventy-third Congress, first session; estimated construction cost, $127,000; estimated cost of lands and damages, $258,000.

Muncie, Ind.

Muncie, on West Fork of White River, Indiana: Flood wall, bridge changes, and channel improvements to protect people and city property; House Document Numbered 100, Seventy-third Congress, first session; estimated construction cost, $840,000; estimated cost of lands and damages, $660,000.

Shoals, on East Fork of White River, Indiana: Levees to protect people and city property; House Document Numbered 100, Seventy-third Congress, first session; estimated construction cost, $127,000; estimated cost of lands and damages, $65,000. Shoals, Ind.

Terre Haute, on Wabash River, Indiana: Levees to protect people and city property; House Document Numbered 100, Seventy-third Congress, first session; estimated construction cost, $37,500; estimated cost of lands and damages, $2,500. Terre Haute, Ind.

Lyford Levee Unit on Wabash River, Indiana: Raising and improving existing levees to increase protection; House Document Numbered 100, Seventy-third Congress, first session; estimated construction cost, $84,650; estimated cost of lands and damages, $23,350. Lyford, Ind.

Levee Unit Numbered 10, on West Fork of White River, Indiana: Raising and improving existing levees to increase protection to the town of Worthington, and on units; House Document Numbered 100, Seventy-third Congress, first session; estimated construction cost, $39,000; estimated cost of lands and damages, $54,000. White River, Ind.—West Fork, Unit 10.

Levee Unit Numbered 9, on West Fork of White River, Indiana: Raising and improving existing levees to increase protection; House Document Numbered 100, Seventy-third Congress, first session; estimated construction cost, $4,025; estimated cost of lands and damages, $12,675. Unit 9.

Gill Township Levee Unit on Wabash River, Indiana: Raising and improving existing levees to increase protection; House Document Numbered 100, Seventy-third Congress, first session; estimated construction cost, $180,250; estimated cost of lands and damages, $152,150. Wabash River, Ind.—Gill Township Unit.

Levee Unit Numbered 2, on Wabash River, Indiana: Raising and improving existing levees to increase protection; House Document Numbered 100, Seventy-third Congress, first session; estimated construction cost, $734,900; estimated cost of lands and damages, $417,100. Ind.—Unit 2.

Levee Unit Numbered 1 on Wabash River, Illinois: Raising and improving existing levees to increase protection; House Document Numbered 100, Seventy-third Congress, first session; estimated construction cost, $812,225; estimated cost of lands and damages, $371,775. Ill.—Unit 1.

Levee Unit Numbered 3 on East Fork of White River, Indiana: Raising and improving existing levees to increase protection; House Document Numbered 100, Seventy-third Congress, first session; estimated construction cost, $634,475; estimated cost of lands and damages, $281,525. White River, Ind.—East Fork, Unit 3.

Levee Unit Numbered 5 on Wabash River, Indiana: Raising and improving existing levees to increase protection; House Document Numbered 100, Seventy-third Congress, first session; estimated construction cost, $1,339,500; estimated cost of lands and damages, $694,520. Wabash River, Ind.—Unit 5.

Levee Units Numbered 3 and 4 on Wabash River, Illinois: Raising and improving existing levees to increase protection; House Document Numbered 100, Seventy-third Congress, first session; estimated construction cost, $1,580,000; estimated cost of lands and damages, $797,000. Ill.—Units 3 and 4.

Levee Unit Numbered 8 on West Fork of White River, Indiana: Raising and improving existing levees to increase protection; House Document Numbered 100, Seventy-third Congress, first session; estimated construction cost, $376,000; estimated cost of lands and damages, $170,000. White River, Ind.—West Fork, Unit 8.

Brevoort Levee Unit on Wabash River, Indiana: Raising and improving existing levees to increase protection; House Document Wabash River, Ind.—Brevoort Unit.

Numbered 100, Seventy-third Congress, first session; estimated construction cost, $976,500; estimated cost of lands and damages, $952,500.

Cumberland River.

CUMBERLAND RIVER

Pineville, Ky.

Pineville, on Cumberland River, Kentucky: Levees to protect people and city property; House Document Numbered 38, Seventy-third Congress, first session; estimated construction cost, $444,200; estimated cost of lands and damages, $135,000.

Middlesboro, Ky.

Middlesboro on Cumberland River, Kentucky: Levees to protect people and city property; House Document Numbered 38, Seventy-third Congress, first session; estimated construction cost, $536,000; estimated cost of lands and damages, $60,000.

Missouri River basin.

MISSOURI RIVER BASIN

Kansas Citys, Mo. and Kans.

Kansas Citys on Missouri and Kansas Rivers in Missouri and Kansas: Levees and flood walls to protect people and city property; in accordance with plans approved by the Chief of Engineers on recommendation of the Board of Engineers for Rivers and Harbors and as amended by further surveys and studies now in progress at an estimated construction cost not to exceed $10,000,000; estimated cost of lands and damages, $8,000,000.

Council Bluffs, Iowa.

Council Bluffs near confluence of Indian Creek with Missouri River, Iowa: Channel improvement for flood control; no report to Congress; special report in Office of the Chief of Engineers; estimated construction cost, $1,532,300; estimated cost of lands and damages, $166,000.

Kansas River.

KANSAS RIVER

Topeka, Kans.

Topeka, on Kansas River, Kansas: Levees and flood wall to protect people and city property; House Document Numbered 195, Seventy-third Congress, second session and as amended by further surveys and studies now in progress; estimated construction cost, $845,300; estimated cost of lands and damages, $806,500.

Lawrence, Kans.

Lawrence, on Kansas River, Kansas: Levees to protect people and city property; House Document Numbered 195, Seventy-third Congress, second session and as amended by further surveys and studies now in progress; estimated construction cost, $163,100; estimated cost of lands and damages, $118,100.

Cheyenne River.

CHEYENNE RIVER

Belle Fourche, S. Dak.

Belle Fourche at confluence of Belle Fourche and Redwater Rivers, tributaries of Cheyenne River, South Dakota: Levees to protect people and city property; House Document Numbered 190, Seventy-second Congress, first session; estimated construction cost, $24,100; estimated cost of lands and damages, $22,400.

Yellowstone River.

YELLOWSTONE RIVER

Forsyth, Mont.

Forsyth and vicinity on Yellowstone River, Montana: Levees to protect people and city property; House Document Numbered 256, Seventy-third Congress, second session; estimated construction cost, $65,900; estimated cost of lands and damages, $13,200.

Little Missouri River.

LITTLE MISSOURI RIVER

Wilbaux River, Mont.

Wilbaux River on Beaver Creek, tributary of Little Missouri River, Montana: Levees to protect people and city property; House Document Numbered 64, Seventy-third Congress, first session; esti-

mated construction cost, $42,300; estimated cost of lands and damages, $62,400.

Marmath on Little Missouri River, North Dakota: Levees to protect people and city property; House Document Numbered 64, Seventy-third Congress, first session; estimated construction cost, $21,700; estimated cost of lands and damages, $39,000. Marmath, N. Dak.

MILK RIVER Milk River.

Saco on Milk River, Montana: Levees to protect people and city property; House Document Numbered 88, Seventy-third Congress, first session; estimated construction cost, $26,800; estimated cost of lands and damages, $5,300. Saco, Mont.

Glasgow on Milk River, Montana: Levees to protect people and city property; House Document Numbered 88, Seventy-third Congress, first session; estimated construction cost, $25,800; estimated cost of lands and damages, $8,000. Glasgow, Mont.

Harlem on Milk River, Montana: Levees to protect people and city property; House Document Numbered 88, Seventy-third Congress, first session; estimated construction cost, $9,700; estimated cost of lands and damages, $9,600. Harlem, Mont.

LOS ANGELES AND SAN GABRIEL RIVERS, CALIFORNIA Los Angeles and San Gabriel Rivers, California.

Construction of reservoirs and principal flood channels in accordance with plans to be approved by the Chief of Engineers on recommendation of the Board of Engineers for Rivers and Harbors at an estimated construction cost not to exceed $70,000,000; estimated cost of lands and damages, $5,000,000. Reservoirs and flood channels.

SANTA ANA RIVER, CALIFORNIA Santa Ana River, California.

Construction of reservoirs and related flood-control works for protection of metropolitan area in Orange County, California, in accordance with plans to be approved by the Chief of Engineers on recommendation of the Board of Engineers for Rivers and Harbors, at an estimated construction cost not to exceed $13,000,000; estimated cost of lands and damages, $3,500,000. Orange County, Calif.

EEL RIVER, CALIFORNIA Eel River, California.

Eel River, California: Construction of current retards and levee to protect agricultural community in the Delta section; House Document Numbered 194, Seventy-third Congress, second session; estimated cost, $144,000. Delta section.

COLUMBIA RIVER BASIN Columbia River basin.

Drainage and diking districts in Cowlitz County, Washington: Raise and improve existing levees to increase flood protection for the following listed projects for the protection of agricultural communities as set forth in a special report on record in Office of the Chief of Engineers: Diking and Improvement District Numbered 5, estimated construction cost, $251,500; Consolidated Diking and Improvement District Numbered 1, including protection for the town of Longview, estimated construction cost, $286,200. Drainage and diking districts. Cowlitz County, Wash.

Drainage and diking districts, in Wahkiakum County, Washington: Raise and improve existing levees to increase flood protection for the following listed projects for the protection of agricultural communities as set forth in a special report on record in Office of the Chief of Engineers: Diking Districts Numbered 1 and 3, esti- Wahkiakum County, Wash.

mated construction cost, $193,000; Diking District Numbered 1 (Little Island), estimated construction cost, $26,000; Diking and Improvement District Numbered 4, estimated construction cost $150,200.

Pacific County, Wash.

Pacific County Diking District, Pacific County, Washington: Raise and improve existing levees to increase flood protection for agricultural community as set forth in a special report in the Office of the Chief of Engineers, estimated construction cost, $22,700.

Multnomah County, Oreg.

Drainage and diking districts in Multnomah County, Oregon: Raise and improve existing levees to increase flood protection for the following agricultural communities as set forth in a special report on record in Office of the Chief of Engineers: Sandy Drainage District, estimated construction cost, $92,000; Multnomah Drainage District Numbered 1, estimated construction cost, $547,400; Peninsular Drainage District Numbered 1, estimated construction cost, $133,300; Peninsular Drainage District Numbered 2, estimated construction cost, $287,200.

Columbia County, Oreg.

Drainage and diking districts in Columbia County, Oregon: Raise and improve existing levees to increase flood protection for the following listed projects for the protection of agricultural communities as set forth in a special report on record in Office of the Chief of Engineers: Scappoose Drainage District, estimated construction cost, $329,400; Rainier Drainage District, estimated construction cost, $25,700; Beaver Drainage District, estimated construction cost, $216,600; McGruder Drainage District, estimated construction cost, $33,200; Midland Drainage District, estimated construction cost, $62,600; Marshland Drainage District, estimated construction cost, $60,100; Webb Drainage District, estimated construction cost, $61,100; Woodson Drainage District, estimated construction cost, $19,100.

Clatsop County, Oreg.

Drainage and diking districts in Clatsop County, Oregon: Raise and improve existing levees to increase flood protection for the following listed projects for the protection of agricultural communities, contained in a special report in Office of the Chief of Engineers: Westport District, estimated construction cost, $27,200; Tenashillahe Island, estimated construction cost, $54,700; Blind Slough, miscellaneous dikes, estimated construction cost, $92,200; Drainage District Numbered 1, estimated construction cost, $107,900; Knappa Area, miscellaneous dikes, estimated construction cost, $8,200; Karlson Island, estimated construction cost, $35,000; John Day River dikes, estimated construction cost, $27,800; Walluskia River dikes, estimated construction cost, $68,200; Youngs River dikes, estimated construction cost, $217,100; Diking District Numbered 2, estimated construction cost, $39,400; Diking District Numbered 3, estimated construction cost, $4,500; Diking District Numbered 5, estimated construction cost, $12,900; Lewis and Clark River dikes, estimated construction cost, $88,000; Warrenton Diking District Numbered 1, estimated construction cost, $23,000; Warrenton Diking District Numbered 2, estimated construction cost, $41,900; Warrenton Diking District Numbered 3, estimated construction cost, $14,900.

Wahkiakum County, Wash.

Drainage and Diking Districts in Wahkiakum County, Washington: Levees to protect areas now subjected to inundation; the following projects are set forth in a special report in the Office of the Chief of Engineers: Skamokawa Creek Area; estimated construction cost, $99,200; Upper Grays River Area; estimated construction cost, $78,200; Deep River Area; estimated construction cost, $46,800.

Sauvie Island (areas A and B), Oreg.

Sauvie Island (areas A and B) in Multnomah County, Oregon: Levees to protect areas now subject to inundation; special report

in Office of the Chief of Engineers; estimated construction cost, $1,364,900.

Drainage and Diking Districts in Columbia County, Oregon: Levees to protect areas now subject to inundation; the following projects are set forth in a special report in the Office of the Chief of Engineers: Deer Island Area, estimated construction cost, $281,600; Prescott Area, estimated construction cost, $281,600; Prescott Area, estimated construction cost $26,200; Westland Area, estimated construction cost, $116,600. Columbia County, Oreg.

WILLAMETTE RIVER

Willamette River.

Construction of bank-protection works, with channel clearing on the Willamette River, Clackamas River, Tualatin River, Molalla River, Santiam River, Marys River, Muddy Creek, and on McKenzie River in Oregon, for the reduction of flood heights and to prevent loss of land by erosion; special report in Office of the Chief of Engineers; estimated construction cost, $2,430,000. Bank protection, preventing losses by erosion, etc., designated rivers.

UMATILLA RIVER

Umatilla River.

Construction of flood-control works at Pendleton, Oregon; survey and data in the Office of the Chief of Engineers; estimated construction cost, $200,000. Flood control, Pendleton, Oreg.

LEWIS RIVER

Lewis River.

Cowlitz County, Diking Improvement District Numbered 1, Washington: Improve existing works for additional protection of agricultural communities; special report in Office of the Chief of Engineers; estimated construction cost, $208,000. Cowlitz County, Wash.

COWLITZ RIVER

Cowlitz River.

Improvement of existing works for additional protection of agricultural communities in Cowlitz County, Washington: Diking, Drainage, and Improvement Districts Numbered 1, 2, and 13; special report in Office of the Chief of Engineers; estimated construction cost, $210,400. Cowlitz County, Wash.

STILLAGUAMISH RIVER

Stillaguamish River.

Improvement of flood channel by clearing and bank revetment at twenty-six places to prevent flood damages and loss of land by erosion; special report in Office of the Chief of Engineers; estimated construction cost, $261,000. Flood channel improvement.

PUYALLUP RIVER

Puyallup River.

Upper Puyallup River, Wash.

Upper Puyallup River, Wash., Bank protection; report to Congress not yet made; special report in Office of the Chief of Engineers; estimated construction cost, $50,000.

Mud Mountain Reservoir, on White River, Washington: For flood control; special report in Office of the Chief of Engineers; estimated construction cost, $3,177,000; estimated cost of lands and damages, $28,000. Mud Mountain Reservoir, White River, Wash.

Tacoma, Wash.

Tacoma, on Puyallup River, Washington: Channel improvement to protect people and industrial section of city; special report in Office of the Chief of Engineers; estimated construction cost, $894,000; estimated cost of lands and damages, $1,555,000.

Skagit River.

SKAGIT RIVER

Avon Cut-off, Wash., construction.

Construction of Avon Cut-off in Washington, for the diversion of flood waters from Skagit River to Padilla Bay for protection of lower river valley; House Document Numbered 187, Seventy-third Congress, second session; estimated construction cost, $3,150,100; estimated cost of lands and damages, $1,832,000.

Preliminary flood control examinations, etc., authorized.

SEC. 6. The Secretary of War is hereby authorized and directed to cause preliminary examinations and surveys for flood control at the following-named localities, and the Secretary of Agriculture is authorized and directed to cause preliminary examinations and surveys for run-off and waterflow retardation and soil erosion prevention on the watersheds of such localities; the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes: *Provided*, That no preliminary examination, survey, project, or estimate for new works other than those designated in this or some prior Act or joint resolution shall be made: *Provided further*, That after the regular or formal reports made as hereby authorized on any examination, survey, project, or work under way or proposed are submitted to Congress, no supplemental or additional report or estimate shall be made unless authorized by law or by resolution of the Committee on Flood Control of the House of Representatives or the Committee on Commerce of the Senate: *And provided further*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway mentioned in this Act until the project for the proposed work shall have been adopted by law:

Provisos.
Specific authority required for new works.
Supplementary reports restricted.
Project not authorized until adopted by law.

Maine.
Androscoggin River, Maine.
Kennebec River, Maine.
Penobscot River, Maine.
Saco River, Maine.

Vermont.
Passumpsic River, Vermont.
Winooski River, Vermont.
Dog River, Vermont.
West River, Vermont, between Weston and Brattleboro.

Massachusetts and New Hampshire.
Merrimack River, Massachusetts and New Hampshire.

Massachusetts, New Hampshire, Vermont, and Connecticut.
Connecticut River, Massachusetts, New Hampshire, Vermont, and Connecticut.

Massachusetts.
Big Black River, Massachusetts.

Massachusetts and Rhode Island.
Blackstone River, Massachusetts and Rhode Island.

Rhode Island.
Seekonk River, Rhode Island.
Woonasquatucket River and tributaries, Rhode Island.
Moshassuk River and tributaries, Rhode Island.

New York.
Birch Creek, New York.
Bushnelville Creek, New York.
Beaverkill Creek, New York.
Beaverkill River, Sullivan County, New York.
Catskill Creek, Greene County, New York.
Delaware River, East Branch, Sullivan County, New York.
Moose and Black Rivers, New York.
Esopus Creek, New York.
Lackawack River, Sullivan County, New York.
Neversink Creek, Ulster County, New York.
Neversink River, Sullivan County, New York.
Oswego, Oneida, Seneca, and Clyde Rivers, New York.
Rondout Creek, Ulster County, New York.
Sawkill Creek, Ulster County, New York.
Schoharie Creek, Greene County, New York.
Schoharie Creek and tributaries, Schoharie County, New York.
Woodland Creek, New York.
Warner Bushkill Creek, New York.

Preliminary examinations—Continued.

Willowemoc River, Sullivan County, New York.
Sanisto River, New York.
Cattaraugus Creek, New York.
Cayuga Lake, New York.
Chemung River, New York.
Chenango River, New York.
Conchocton[1] River, New York.
Delaware River, New York.
Keuka Lake, New York.
New Creek, New York.
Onondaga Creek, New York.
Seneca Creek, New York.
Susquehanna River, New York and Pennsylvania. — New York and Pennsylvania.
Tioghnioga River, New York. — New York.
Tioga River, New York.
Genesee River, New York.
Passaic River, New Jersey. — New Jersey.
Allegheny and Susquehanna Rivers, Pennsylvania—tributaries, sources, and headwaters. — Pennsylvania.
Delaware River, Tinicum Township, Pennsylvania.
Lackawanna River, Pennsylvania.
Potomac River and tributaries. — Potomac River, etc.
Salyersville Licking River, near Magoffin County, Kentucky. — Kentucky.
The Big Sandy and its tributaries, Kentucky.
The Licking River and its tributaries, Kentucky.
Mud River and Wolfe Creek, Kentucky.
Rough River and its tributaries, Kentucky.
Nolin River and its tributaries, Kentucky.
Marshy Hope Creek, Maryland. — Maryland.
Patuxent River and its tributaries, Maryland.
James River, Virginia. — Virginia.
Contentnea Creek, North Carolina. — North Carolina.
Drum Inlet, North Carolina.
Edisto River and tributaries. — Edisto River and tributaries.
Great Pee Dee, Lynches, Little Pee Dee, and Waccamaw Rivers, South Carolina. — South Carolina.
Congaree, Wateree, Santee, and Cooper Rivers, South Carolina.
Coosa River and tributaries, Georgia. — Georgia.
Altamaha River, Georgia.
Savannah River, Georgia.
Ogeechee River, Georgia.
Pearl River, Mississippi. — Mississippi.
Hillsboro River, Florida. — Florida.
Intracoastal Waterway throughout Broward County, Florida.
Withlacoochee River, Florida.
Paint Rock River, Alabama. — Alabama.
Coosa River and tributaries, Georgia and Alabama. — Georgia and Alabama.
Cataco Creek and its branches, Morgan County, Alabama. — Alabama.
Flint River, Alabama and Tennessee. — Alabama and Tennessee.
Flint Creek and its branches, Morgan County, Alabama. — Alabama.
Mermentau River, Louisiana. — Louisiana.
Buffalo Bayou, Texas. — Texas.
Leon River, Texas.
Trinity River, Texas.
Sulphur River, Texas.
Neches River and tributaries, Texas.
Pease River and tributaries, Texas.
Nueces River and tributaries, Texas.
Colorado River, Texas, above the county line between Coke and Runnels Counties.

[1] So in original.

Preliminary examinations—Continued.	Sabine River, Texas.
	Lower Colorado River, Texas.
Louisiana and Texas.	Caddo Lake Dam and Jefferson-Shreveport Waterway, Louisiana and Texas.
Arkansas.	Arkansas River and Fourche Bayou, vicinity of Little Rock and North Little Rock, Arkansas.
	Point Remove Creek, Arkansas.
	Big Mulbury Creek, Arkansas.
	Cosatot River, Arkansas.
	Little River, Arkansas.
	Petit Jean River, Arkansas.
	Poteau River, Arkansas.
	Little Missouri River, Arkansas.
	Red River, Arkansas.
	Sulphur River, Arkansas.
Missouri.	North Fabius River, Missouri.
	Salt River, Missouri.
	Weldon River, Missouri.
Kansas.	Cow Creek, Kansas.
	Marais des Cygnes River, Kansas.
Missouri and Kansas.	Kansas Citys on Missouri and Kansas Rivers in Missouri and Kansas.
Kansas.	Lawrence, North Lawrence and immediately contiguous area on Kansas River, Kansas.
	Morris County on Grand (Neosho) River in Kansas.
	Manhattan, Kansas.
	Marmaton River, Kansas.
Nebraska and Kansas.	Republican River, Nebraska and Kansas.
Kansas.	Smoky Hill River, Kansas.
	Big Blue River, an affluent of the Kansas River and its tributaries, Kansas.
	Verdigris River, Kansas.
Illinois.	Spoon River, Illinois.
North Dakota.	Souris River, North Dakota.
Minnesota.	Minnesota River, Minnesota.
	Cannon River, Minnesota.
	Crow River, Minnesota.
	Rum River, Minnesota.
	Roseau River, Minnesota.
	Saint Louis River, Minnesota.
Minnesota and Wisconsin.	Saint Croix River, Minnesota and Wisconsin.
Ohio.	Mad River, Ohio.
Pennsylvania.	Youghiogheny River, Pennsylvania.
West Virginia.	Cheat River and tributaries, West Virginia.
	Greenbrier River and tributaries, West Virginia.
Wisconsin.	Fond du Lac River and tributaries, Wisconsin.
	Fox River and tributaries, Wisconsin.
Wyoming.	Snake River and tributaries, Wyoming.
	North Platte River and tributaries, Wyoming.
	Big Horn River and tributaries, Wyoming.
	Green River and tributaries, Wyoming.
	Belle Fourche River and tributaries, Wyoming.
	Powder River and tributaries, Wyoming.
Michigan.	Saginaw River, Michigan.
	Sebewaing River, Michigan.
Ohio.	Sandusky River, Ohio.
	Mad River at Springfield, Ohio.
Colorado.	Apishapa River, Colorado.
	Purgatoire (Picket Wire) River, Colorado.

Preliminary examinations—Continued.

Cuchara River, Colorado.
Huerfano River, Colorado.
Gila River and tributaries above the San Carlos project diversion dam, Arizona and New Mexico. — Arizona and New Mexico.
Dry Cimarron River, Union County, New Mexico. — New Mexico.
Santa Cruz and Sonoita Rivers, Santa Cruz County, Arizona. — Arizona.
Sabino Canyon, Pima County, Arizona.
Lower Santa Cruz River, Pinal County, Arizona.
Queen Creek, Arizona.
Hassayampa River, Arizona.
San Diego River, California. — California.
Los Angeles River and tributaries, California.
San Joaquin River from Herndon to Antioch and its main east side tributaries.
San Diego, San Luis Rey and Tia Juana Rivers in San Diego County.
Salinas River in Monterey County.
Pajaro River in San Benito County.
Eel and Mad Rivers in Humboldt County.
Bear, Black Rascal and Mariposa Creeks in Merced County.
American, Feather, Yuba, and Bear Rivers, tributaries of the Sacramento River.
Sacramento and San Joaquin River Valleys, California.
San Gabriel River and tributaries, California.
Canal Creek, California.
Fahrens Creek, California.
Black Rascal Creek, California.
Bear Creek, California.
Miles Creek, California.
Owens Creek, California.
Duck Creek, California.
Marposa Creek, California.
Little Deadmans Creek, California.
Big Deadmans Creek, California.
Burns Creek, California.
Ventura Harbor, California.
Coos River and tributaries, Oregon. — Oregon.
Coquille River and tributaries, Oregon.
Nehalem, Miami, Kilchis, Wilson, Trask, and Tillamook Rivers, Oregon.
Nehalem River and tributaries, Clatsop, Columbia, and Washington Counties, Oregon.
Rogue River and tributaries, Oregon.
Siuslaw River and tributaries, Oregon.
Salmon River, Oregon.
Siletz River and tributaries, Oregon.
Umpqua River and tributaries, Oregon.
Willamette River, Oregon.
Yaquina River and tributaries, Oregon.
Cowlitz River and tributaries, Washington. — Washington.
Chehalis River and tributaries, Washington.
Columbia River and tributaries, Washington.
Goldsborough Creek, Washington.
Lewis River and tributaries, Washington.
Skykomish River, Washington.
Snoqualmie River, Washington.
Snohomish River and tributaries, Washington.
Skagit River and tributaries, Washington.
Green River, Washington.
Nooksac [1] River, Washington.

[1] So in original.

Preliminary examinations—Continued.

Yakima River and tributaries, Washington.
Stilaguamish River, Washington.
Nisqually River, Washington.
Cedar River, Washington.
Coos River and tributaries, Washington.
Duwamish River, Washington.
Samamish River, Washington.
Walla Walla River and tributaries, Washington.

Idaho.

Spokane River and tributaries, Idaho.

Alaska.

Tanana River and Chena Slough, Alaska.
Lowell Creek, Alaska.

Oklahoma.

Kenton Reservoir, Cimarron River, Oklahoma.
Eufaula Reservoir, Oklahoma.
Pensacola Reservoir, Oklahoma.
Markham Ferry Reservoir, Oklahoma.
Fort Gibson Reservoir, Oklahoma.
Wister Reservoir, Oklahoma.
Oolagah Reservoir, Oklahoma.
Braman Reservoir, Oklahoma.
Mannford Reservoir, Oklahoma.
South of Antwine, Levees on Chikaskia River, Oklahoma.
Tulsa and West Tulsa Levees on Arkansas River, Oklahoma.
Tenkiller Ferry Reservoir on Illinois River, Oklahoma.
Eagle Town Reservoir, Oklahoma.

Surveys authorized of flood-control operations with opportunities for power development.

SEC. 7. The Secretary of War is hereby authorized and directed to continue surveys, studies, and reports at the following-named localities, where, according to the surveys and estimates already made, opportunities appear to exist for useful flood-control operations with economical development of hydroelectric power whenever sufficient markets to absorb such power become available, the cost of these surveys to be paid from appropriations heretofore or hereafter made under the authorization in this Act or subsequent similar Acts:

Projects designated.

Table Rock Reservoir, Missouri.
Clark Hill Reservoir, Georgia.
Reservoirs in Grand (Neosho) River.
Wild Cat Shoals Reservoir, Arkansas.
Denison Reservoir, Texas.
Big Horn Canyon Reservoir, Montana.
Hungry Horse Dam, Montana.
Reservoirs in Roanoke and Tar Rivers, North Carolina.
Rocky River (Love's Ford and Crump's Ford), North Carolina.
Wilkesboro Dam, Yadkin River, North Carolina.

Mississippi River Flood Control Act not affected.
Vol. 45, p. 534.

SEC. 8. Nothing in this Act shall be construed as repealing or amending any provision of the Act entitled "An Act for the control of floods on the Mississippi River and its tributaries, and for other purposes", approved May 15, 1928, or any provision of any law amendatory thereof. The authority conferred by this Act and any funds appropriated pursuant thereto for expenditure are supplemental to all other authority and appropriations relating to the departments or agencies concerned, and nothing in this Act shall be construed to limit or retard any department or agency in carrying out similar and related activities heretofore or hereafter authorized, or to limit the exercise of powers conferred on any department or agency by other provisions of law is [1] carrying out similar and related activities.

Funds and provisions herein considered supplemental.

Appropriation authorized.
Division of expenditure.

SEC. 9. The sum of $310,000,000 is authorized to be appropriated for carrying out the improvements herein and the sum of $10,000,000 is authorized to be appropriated and expended in equal amounts by

[1] So in original.

the Departments of War and Agriculture for carrying out any examinations and surveys provided for in this Act and other Acts of Congress: *Provided*, That not more than $50,000,000 of such sum shall be expended during the fiscal year ending June 30, 1937: *Provided further*, That for the relief of unemployment, in addition to the regular appropriation, persons may be employed on such works of improvement and the compensation of said persons when so employed shall be paid from the funds available to the Works Progress Administration for the continuance of relief and work relief on useful projects.

Provisos.
Maximum expenditure during 1937.
Relief of unemployment.

Approved, June 22, 1936.

[CHAPTER 689.]

AN ACT

June 22, 1936.
[H. R. 12624.]
[Public, No. 739.]

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1936, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1936, and June 30, 1937, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1936, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1936, and June 30, 1937, and for other purposes, namely:

First Deficiency Appropriation Act, fiscal year 1936.

TITLE I—GENERAL APPROPRIATIONS

General appropriations.

LEGISLATIVE

Legislative.

SENATE

Senate.

To pay Anna Louise Fletcher, widow of Honorable Duncan U. Fletcher, late a Senator from the State of Florida, $10,000.

Duncan U. Fletcher.
Pay to widow.

To pay to Beatrice Trammell, widow of Honorable Park Trammell, late a Senator from the State of Florida, $10,000.

Park Trammell.
Pay to widow.

For additional amount for the assistant clerk of the Committee on Appropriations to make the salary $4,800 per annum, fiscal year 1937, $600.

Committee on Appropriations.
Assistant clerk.

For miscellaneous items, exclusive of labor, fiscal year 1936, $50,000: *Provided*, That no motor-propelled passenger-carrying vehicles shall be purchased from this or any other appropriation for this purpose.

Miscellaneous items.
Proviso.
Automobile purchase forbidden.

For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per hundred words, fiscal year 1936, $75,000: *Provided*, That no part of this appropriation shall be expended for services, personal, professional, or otherwise, in excess of the rate of $3,600 per annum: *Provided further*, That no part of this appropriation shall be expended for per-diem and subsistence expenses except in accordance with the Subsistence Expense Act of 1926, approved June 3, 1926, as amended.

Inquiries and investigations, expenses.
Provisos.
Salary restriction.
Per diem and subsistence expenses.
Vol. 44, p. 688; U. S. C., p. 103.

The unobligated balance of the appropriation for expenses of inquiries and investigations ordered by the Senate, contingent fund of the Senate, for the fiscal year 1936, is reappropriated and made available for the fiscal year 1937.

Balance reappropriated.
Ante, pp. 462, 1109.

House of Representatives.

HOUSE OF REPRESENTATIVES

John T. Buckbee. Pay to widow.

For payment to the widow of John T. Buckbee, late a Representative from the State of Illinois, $10,000.

Stephen A. Rudd. Pay to widow.

For payment to the widow of Stephen A. Rudd, late a Representative from the State of New York, $10,000.

Randolph Perkins. Pay to widow.

For payment to the widow of Randolph Perkins, late a Representative from the State of New Jersey, $10,000.

William D. Thomas. Pay to widow.

For payment to the widow of William D. Thomas, late a Representative from the State of New York, $10,000.

The foregoing sums to be disbursed by the Sergeant at Arms of the House.

Joseph W. Byrns. Pay to widow.

For payment to the widow of Joseph W. Byrns, late a Representative from the State of Tennessee, $10,000, to be disbursed by the Sergeant at Arms of the House.

Contested-election expenses. *Post*, p. 1827.

Contested-election expenses: For payment to the contestant and the contestee for expenses incurred in the contested-election case of Miller against Cooper, as audited and recommended by the Committee on Elections Numbered Three, namely:

John G. Cooper.

To John G. Cooper, contestee, $1,821.65;

Locke Miller.

To Locke Miller, contestant, $2,000.

Lincoln Loy McCandless.

For payment to Lincoln Loy McCandless, contestant, for expenses incurred in the contested-election case of McCandless against King, as audited and recommended by the Committee on Elections Numbered Two, $2,000.

Samuel Wilder King.

For payment to Samuel Wilder King, contestee, for expenses incurred in the contested-election case of McCandless against King, as audited and recommended by the Committee on Elections Numbered Two, $2,000.

The four foregoing sums to be disbursed by the Clerk of the House.

Contingent expenses. Hearings.

Contingent expenses: For stenographic reports of hearings of committees other than special and select committees, fiscal year 1936, $5,000.

Special and select committees, expenses.

Expenses of special and select committees: For an additional amount for special and select committees authorized by the House, fiscal year 1937, $20,000 to be immediately available: *Provided*, That such sum, or so much thereof as may be necessary, shall be available for each and every expense of the select committee of the House of Representatives acting pursuant to H. Res. 460, adopted April 29, 1936, including the employment of personal services, the traveling and incidental expenses of such committee or any subcommittee or member or employee thereof, and the pay and travel of witnesses; all such expenses to be paid on vouchers authorized by the committee, signed by the chairman thereof, and approved by the Committee on Accounts: *Provided further*, That no person shall be employed under such appropriation at a rate of compensation in excess of $3,600 per annum: *Provided further*, That the committee is authorized to procure information and assistance from any Federal executive agency, including the services of personnel therein, and any such agency is hereby authorized to render such assistance, furnish such information, and detail such personnel as the committee may request: *Provided further*, That the official committee stenographers of the House of Representatives may be used at all hearings held in the District of Columbia if not otherwise officially engaged.

Provisos.
Coordination of Federal executive agencies.

Salary restriction.

Cooperation by Federal agencies.

House committee stenographers, services.

Compiling testimony in contested-election cases.

Vol. 24, p. 445. U. S. C., p. 19.

For services in compiling, arranging for the printer, reading proof, indexing testimony, stenography and typewriting, supervision of the work, and expenses incurred in the contested-election cases of the Seventy-fourth Congress, as authorized by the Act entitled "An Act

relating to contested elections", approved March 2, 1887 (U. S. C., title 2, secs. 201–226), $750.

JOINT COMMITTEE ON INTERNAL REVENUE TAXATION

Joint Committee on Internal Revenue Taxation.

Salaries and expenses.

For payment of the salaries and other expenses of the Joint Committee on Internal Revenue Taxation as authorized by law, fiscal year 1936, $700, one-half of such amount to be disbursed by the Secretary of the Senate and one-half by the Clerk of the House of Representatives.

JOINT COMMITTEE ON INAUGURAL CEREMONIES OF 1937

Inaugural Ceremonies of 1937.

Congressional expenses.

To enable the Secretary of the Senate and the Clerk of the House of Representatives to pay the necessary expenses of the inaugural ceremonies of the President of the United States, January 20, 1937, in accordance with such program as may be adopted by the joint committee of the Senate and House of Representatives, appointed under a concurrent resolution of the two Houses, including the pay for extra police, fiscal year 1937, $35,000.

Post, p. 2386.

UNITED STATES CONSTITUTION SESQUICENTENNIAL COMMISSION

United States Constitution Sesquicentennial Commission.

Expenses.

Ante, p. 1398.

For carrying out the provisions of the public resolution entitled "Joint resolution to enable the United States Constitution Sesquicentennial Commission to carry out and give effect to certain approved plans, and for other purposes", approved June 1, 1936, including payment of salaries and expenses heretofore incurred in preparing to carry out the provisions of such Act, $200,000, to remain available until June 30, 1938.

GOVERNMENT PRINTING OFFICE

Government Printing Office.

Designated messengers on night duty.

For payment to Samuel Robinson, William Madden, Preston L. George, and William S. Houston, messengers on night duty during the second session of the Seventy-fourth Congress, $900 each; in all, $3,600, to be paid from the appropriation for printing and binding for Congress for the fiscal year 1936.

Ante, p. 474.

OFFICE OF ARCHITECT OF THE CAPITOL

Office of Architect of the Capitol.

Capitol Grounds, care, improvement, etc.

Capitol Grounds: For an additional amount for care and improvement of grounds surrounding the Capitol, Senate and House Office Buildings, Capitol power plant, and so forth, including the same objects specified under this head in the Legislative Branch Appropriation Act, 1936, $10,320, of which $7,950 shall remain available until June 30, 1937.

Ante, p. 469.

Senate Office Building, repairs, etc.

Senate Office Building: For repairing and painting four hundred thirty-five corridor doors, for painting all outside window frames, and painting one hundred and four rooms, $44,180, to remain available during the fiscal year 1937.

Rewiring, etc.

Electric equipment.

For rewiring electrical circuits and new panel boards, $5,000; for parts for air-conditioning plant electrical equipment, $500; for electric-light bulbs, $1,500; in all, $7,000, to remain available during the fiscal year 1937.

Capitol Power Plant. Maintenance, etc.

Capitol Power Plant: For an additional amount for lighting, heating, and power for the Capitol, Senate, and House Office Buildings, Supreme Court Building, Congressional Library buildings, and the grounds about the same, Botanic Garden, Government Printing Office, and Washington city post office, including the same objects specified under this head in the Legislative Branch Appropriation Act, 1936, $45,580.

Ante, p. 470.

Library of Congress.

LIBRARY OF CONGRESS

Compilation of laws held unconstitutional; printing and binding.

For the printing and binding of a compilation containing the provisions of Federal laws held unconstitutional by the Supreme Court of the United States, to remain available during the fiscal year 1937, $1,200.

Independent Offices.

EXECUTIVE INDEPENDENT OFFICES

Executive Office.

EXECUTIVE OFFICE

Oil lands in former naval reserves.
Protection of interests, etc., in.

Protection of interests of the United States in matters affecting oil lands in former naval reserves: For compensation and expenses of special counsel and for all other expense, including employment of experts and other assistants at such rates as may be authorized or approved by the President, in connection with carrying into effect the joint resolution entitled "Joint resolution directing the Secretary of the Interior to institute proceedings touching sections 16 and 36, township 30 south, range 23 east, Mount Diablo meridian", approved February 21, 1924, fiscal year 1937, $34,000, to be expended by the President: *Provided*, That no part of this sum shall be used to compensate any person at a rate in excess of $10,000 per annum.

Vol. 43, p. 15.

Proviso.
Salary restriction.

Study of Executive agencies.
Funds available for.
Ante, p. 115.

Study of Executive Agencies: The President of the United States is hereby authorized to allocate, out of funds appropriated by the Emergency Relief Appropriation Act of 1935 (49 Stat., 115), not to exceed $100,000 for the expenses of a committee designated by him to make a study of the emergency and regular agencies of the executive branch of the Government for the purpose of making recommendations to secure the most efficient organization and management of that branch of the public service. Such committee shall ascertain whether the activities of any such agency conflict with or overlap the activities of any other such agency and whether, in the interest of simplification, efficiency, and economy, any of such agencies should be coordinated with other agencies or abolished, or the personnel thereof reduced, and make recommendations with respect thereto. Copies of the report or reports of such studies and recommendations, together with the essential facts in connection therewith, shall be transmitted to the President and to Congress.

Report.

Executive Mansion and Grounds, maintenance.
Ante, p. 6.
Availability.

Maintenance, Executive Mansion and Grounds: For an additional amount for repairs and alterations of the Executive Mansion, including the same objects specified under this head in the Independent Offices Appropriation Act, 1936, $78,000, to remain available until June 30, 1937, and to be expended as the President may determine, notwithstanding the provisions of any other Act.

Patrick Henry bicentennial.

CELEBRATION OF THE BICENTENNIAL OF THE BIRTH OF PATRICK HENRY

Expenses of celebration.
Ante, p. 1485.

For carrying out the provisions of the Act entitled "An Act to aid in defraying the expenses for the celebration of the bicentennial of the birth of Patrick Henry to be held at Hanover Courthouse, Virginia, July 15, 16, and 17, 1936", approved June 5, 1936, fiscal year 1936, $10,000, to remain available until June 30, 1937.

Arkansas Centennial Commission.

ARKANSAS CENTENNIAL COMMISSION

Contribution.

To provide for the contribution of the United States to the commemoration of the admission of the State of Arkansas into the Federal Union, to be paid to the Arkansas Centennial Commission of the State of Arkansas, to be expended by said Commission for such purposes as it may deem appropriate in connection with such commemoration, $75,000.

DISTRICT OF COLUMBIA ALLEY DWELLING AUTHORITY

District of Columbia Alley Dwelling Authority.
Funds for, continued available.
Ante, p. 573.
Vol. 48, p. 932.

The unexpended balance of the "Conversion of inhabited alleys fund" of $500,000 established pursuant to the provisions of the District of Columbia Alley Dwelling Act, approved June 12, 1934, is hereby continued available for the purposes of said Act until June 30, 1937, together with all receipts derived from sales, leases, or other sources, prior to June 30, 1937, as authorized in section 3 (b) of said Act.

EMERGENCY CONSERVATION WORK

Emergency Conservation work.

Appropriation for administrative expenses and compensation payments.
Vol. 48, p. 22.

For the purpose of carrying into effect the provisions of the Act entitled "An Act for the relief of unemployment through the performance of useful public work, and for other purposes", approved March 31, 1933, as amended, including personal services, without regard to civil-service laws and regulations and the Classification Act of 1923, as amended, supplies and equipment, purchase and exchange of law books, books of reference, periodicals and newspapers, printing and binding, travel expenses, rents in the District of Columbia and elsewhere, purchase, exchange, maintenance, repair and operation of motor-propelled, passenger-carrying vehicles, also the purchase (including exchange) of one at not to exceed $1,500, and other necessary expenses, fiscal year 1937, $308,000,000, to be expended under the direction of the President and to remain available until March 31, 1937, of which sum $10,000,000 shall be immediately available: *Provided*, That the provisions of section 3709, Revised Statutes (U. S. C., title 41, sec. 5), shall not be construed to apply to any purchase or service rendered in carrying out the purposes of this appropriation when the aggregate amount involved is less than $100: *Provided further*, That an enrollee in the Civilian Conservation Corps, or member, or former member, of the Military Establishment, who shall furnish blood from his or her veins for transfusion to the veins of an enrollee or discharged enrollee of the Civilian Conservation Corps undergoing hospital treatment awaiting return to his home, and who is a patient in a Government or civilian hospital authorized to treat such patient, shall be entitled to be paid therefor a reasonable sum not to exceed $50: *And provided further*, That such services heretofore rendered and payments heretofore made, are hereby authorized and validated at duly authorized rates, not to exceed $50: *Provided*, That nothing herein shall be construed to affect the status under the civil-service laws of any positions created under and by virtue of the Act of April 27, 1935, or other positions brought under the civil-service laws by Executive order heretofore issued.

Amount immediately available.
Provisos.
Supplies and services.
R. S., sec. 3709, p. 733.
U. S. C., p. 1803.

Payments for blood transfusions.

Payments for previous services.

Soil Conservation Service, etc.
Status of positions under.
Ante, p. 168.

EMPLOYEES' COMPENSATION COMMISSION

Employees' Compensation Commission.

Employees' Compensation Fund, Emergency Relief.

Ante, p. 117.

Special fund, sum available from.

Employees' Compensation Fund, Emergency Relief: For administrative expenses and the payment of compensation in connection with the administration of the benefits authorized by section 2 of the Act entitled "Emergency Relief Appropriation Act of 1935", approved April 8, 1935 (49 Stat. 115–119), $6,000,000 of the special fund set up on the books of the Treasury pursuant to the provisions of the said Act shall be available for expenditure during the fiscal year 1937.

FEDERAL COMMUNICATIONS COMMISSION

Federal Communications Commission.

American Telephone and Telegraph Company, etc., investigation.

Special investigation: For an additional amount for all authorized expenditures of the Federal Communications Commission, including personal services in the District of Columbia and elsewhere, in conducting the investigation and reporting to Congress

on matters with respect to the American Telephone and Telegraph Company and all other companies engaged directly or indirectly in telephone communication in interstate commerce, as authorized and directed in Public Resolution Numbered 8 of the Seventy-fourth Congress, approved March 15, 1935 (49 Stat. 43), fiscal year 1936, $400,000, to remain available until June 30, 1937.

Ante, p. 43.

Federal Trade Commission.

FEDERAL TRADE COMMISSION

Commissioners, and all other expenses.

For an additional amount for five commissioners, and for all other authorized expenditures of the Federal Trade Commission in performing the duties imposed by law or in pursuance of law, including the same objects specified under this head in the Independent Offices Appropriation Act, 1937, $100,000.

Ante, p. 1172.

General Accounting Office.

GENERAL ACCOUNTING OFFICE

Temporary employees.

Salaries: For temporary employees to be appointed without regard to civil-service laws and regulations, $370,000, to continue available until June 30, 1937.

Contingent expenses.

Contingent expenses: For an additional amount for contingent expenses, General Accounting Office, including the same objects specified under this head in the Independent Offices Appropriations [1] Act, 1936, $37,000, to continue available until June 30, 1937.

Ante, p. 11.

Printing and binding.

Printing and binding: For an additional amount for printing and binding for the General Accounting Office, including the same objects specified under this head in the Independent Offices Appropriation Act, 1936, $2,000, to continue available until June 30, 1937.

Ante, p. 11.

National Advisory Committee for Aeronautics.

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

All expenses, scientific research, etc.

For an additional amount for scientific research, special investigations, and technical reports in the field of aeronautics, including the same objects specified under this head in the Independent Offices Appropriation Act, 1936, $1,367,000, to continue available until June 30, 1937, of which amount there may be expended not to exceed $1,100,000 for the construction and equipment of an additional wind tunnel, and not to exceed $267,000 for increasing the length of the present seaplane model testing tank and providing necessary additional equipment therefor.

Ante, p. 13.

Wind tunnel, etc.

National Capital Park and Planning Commission.

NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Incidental expenses.

For the work of the National Capital Park and Planning Commission necessary toward carrying into effect the provisions of section 4 of the Act approved May 29, 1930 (46 Stat. 482), providing for a comprehensive park, parkway, and playground system of the National Capital, and so forth; personal services in the District of Columbia, including real-estate and other technical services, at rates of pay to be fixed by the Commission and not exceeding those usual for similar services and without reference to civil-service rules and the Classification Act of 1923, as amended; travel expenses; expenses of surveys and searching of titles, purchase of options, and all other costs incident to the acquisition of land; reimbursements to be made as prescribed in such Act, as amended; fiscal year 1937, $200,000: *Provided*, That the unexpended balance of the appropriation of $800,000 made available under this head for the fiscal year 1936 in the Second Deficiency Appropriation Act, fiscal year 1935, is hereby continued available for the same purposes until June 30, 1937.

Vol. 46, p. 485.

Personal services.

U. S. C., pp. 81, 85.

Proviso.
Balance available.

Ante, p. 574.

[1] So in original.

NATIONAL LABOR RELATIONS BOARD

National Labor Relations Board.

For an additional amount for salaries and expenses of the National Labor Relations Board for the fiscal year 1936, including the same objects specified under this head in the Supplemental Appropriation Act, fiscal year 1936, approved February 11, 1936, $65,000.

Salaries and expenses. *Ante*, p. 1112.

NATIONAL MEDIATION BOARD

National Mediation Board.

National Mediation Board, salaries and expenses: For an additional amount for three members of the Board, and for other authorized expenditures of the National Mediation Board, fiscal year 1937, including the same objects specified under this head in the Independent Offices Appropriation Act, 1937, $3,000: *Provided*, That the amount of $10,000 of the unexpended balance of the 1935 appropriation for this purpose, made available for the fiscal year 1937 under this head in the Independent Offices Appropriation Act, 1937, is hereby reduced to $7,000.

Salaries and expenses. *Ante*, p. 1177. *Proviso.* Fund reduced.

National Railroad Adjustment Board: For an additional amount for salaries and expenses, National Railroad Adjustment Board, fiscal year 1937, including the same objects specified under this head in the Independent Offices Appropriation Act, 1937, $25,000, of which $6,000 may be expended for personal services: *Provided*, That the reappropriation under this head in the Independent Offices Appropriation Act, 1937, making available for the fiscal year 1937, $25,000 of the unexpended balance of the appropriation for this purpose for the fiscal year 1935, is hereby repealed.

National Railroad Adjustment Board. Salaries and expenses. *Ante*, p. 1178. Personal services. *Proviso.* Reappropriation repealed. *Ante*, pp. 23, 574, 1178.

For an additional amount for salaries and expenses, National Railroad Adjustment Board, fiscal year 1936, including the same objects specified under this head in the Independent Offices Appropriation Act, 1936, $12,500.

Salaries and expenses, additional. *Ante*, p. 14.

Printing and binding: For all printing and binding for the National Railroad Adjustment Board, fiscal year 1936, in addition to the amount made available for those purposes in the Second Deficiency Appropriation Act, fiscal year 1935, $7,500.

Printing and binding. *Ante*, p. 574.

NORTHWEST TERRITORY CELEBRATION COMMISSION

Northwest Territory Celebration Commission. Expenses.

For every expenditure requisite for and incident to the performance of the duties of the Northwest Territory Celebration Commission in carrying into effect the provisions of Public Resolution Numbered 41, Seventy-fourth Congress, approved August 2, 1935, including personal services in the District of Columbia and elsewhere; erection of monuments, markers, and memorials; postage, printing and binding, services, office supplies and equipment; pageantry, cartographic maps and publications and their distribution, promotion and stimulation of school activities through and by means of essay and public-speaking contests and by other methods, cooperation with State commissions established by the various legislatures and with veterans' organizations and patriotic societies, in the six States embraced in the Northwest Territory, $100,000, to remain available until June 30, 1938.

Ante, p. 511. Availability.

RAILROAD RETIREMENT BOARD

Railroad Retirement Board.

The unexpended balance of the appropriation for salaries and expenses, Railroad Retirement Board, fiscal year 1936, contained in the Supplemental Appropriation Act, fiscal year 1936, approved February 11, 1936 (Public Act Numbered 440, Seventy-fourth Congress), is hereby continued available until June 30, 1937, for the

Salaries and expenses. Balance reappropriated. *Ante*, p. 1112.

same purposes (exclusive of printing and binding) and, in addition thereto, the appropriations for salaries and expenses of the Board for the fiscal years 1936 and 1937 shall be available for the operation, maintenance, and repair of motor-propelled passenger-carrying vehicles to be used only for official purposes.

Vehicles.

Rural Electrification Administration.

RURAL ELECTRIFICATION ADMINISTRATION

Salaries and expenses.

Salaries and expenses: For administrative expenses and expenses of studies, investigations, publications, and reports necessary to carry out the provisions of the Rural Electrification Act of 1936, approved May 20, 1936, including the salary of the Administrator and other personal services in the District of Columbia and elsewhere; traveling expenses, including expenses of attendance of officers and employees at meetings when determined by the Administrator to be necessary in furthering the work of the Administration; contract stenographic reporting services; expert witness fees; materials, supplies, equipment, and services; rentals, including buildings and parts of buildings and garages, in the District of Columbia and elsewhere; purchase and exchange of books, law books, books of reference, directories, and periodicals; financial and credit reports; purchase, rental, exchange, operation, maintenance, and repair of typewriters, calculating machines, and other office appliances; purchase (not to exceed two), rental, exchange, operation, maintenance, and repair of motor-propelled, passenger-carrying vehicles to be used only for official purposes; printing and binding; and all other expenses necessary to administer said Act, fiscal year 1937, $1,000,000: *Provided*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the Rural Electrification Administration when the aggregate amount involved does not exceed $100.

Ante, p. 1363.

Administrator, etc.

Traveling expenses, etc.

Fees, rent, etc.

Vehicles.

Proviso.
Minor purchases.
R. S., sec. 3709, p. 733.
U. S. C., p. 1803.

Smithsonian Institution.

SMITHSONIAN INSTITUTION

National Museum.

NATIONAL MUSEUM

"Winnie Mae" airplane.
Purchase.
Ante, p. 743.

For the purchase of the airplane Winnie Mae with the original instruments used on its world trips by Wiley Post as authorized by the Act approved August 24, 1935 (Public Act Numbered 316, Seventy-fourth Congress), fiscal year 1936, $25,000.

Printing and binding.

Printing and binding: For an additional amount for printing and binding, Smithsonian Institution, including the same objects specified under this head in the Independent Offices Appropriation Act, 1936, fiscal year 1936, $12,000, to remain available until June 30, 1937.

Ante, p. 16.

Social Security Board.

SOCIAL SECURITY BOARD

Salaries and expenses.

Salaries and expenses: For all authorized and necessary administrative expenses of the Social Security Board in performing the duties imposed upon it in titles I, II, III, IV, VII, IX, and X of the Social Security Act, approved August 14, 1935, including three Board members, an executive director at a salary of $9,500 a year, a director of the old-age benefits division at a salary of $9,000 a year, and other personal services in the District of Columbia and elsewhere; travel expenses, including expenses of attendance at meetings concerned with the work of such Board; not to exceed $10,000 for payment of actual transportation expenses and not to exceed $10 per diem to cover subsistence and other expenses while in conference and en route from and to his home, to any person other than an employee of the Federal Government who may from time to time be

Ante, pp. 620, 622, 626, 627, 635, 639, 645.

Travel expenses.

Expenses of persons invited for advisory, etc., purposes.

invited to the city of Washington and elsewhere for conference and advisory purposes in furthering the work of the Board; supplies; reproducing, photographing, and all other equipment, office appliances, and labor-saving devices; services; advertising, postage, telephone, telegraph, and not to exceed $900 for teletype services and tolls; newspapers and press clippings (not to exceed $1,000), periodicals, manuscripts and special reports, law books and other books of reference; membership fees or dues in organizations which issue publications to members only or to members at a lower price than to others, payment for which may be made in advance; alterations and repairs; printing and binding; rentals, including garages, in the District of Columbia or elsewhere; purchase and exchange, not to exceed $60,000, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles to be used only for official purposes in the District of Columbia and in the field; and miscellaneous items, including those for public instruction and information deemed necessary by the Board, fiscal year 1937, $18,400,000, of which sum $600,000 shall be available immediately: *Provided*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase by the Board when the aggregate amount involved does not exceed the sum of $300: *Provided further*, That the Board may expend not to exceed $75,000 of the sum herein appropriated for employing persons or organizations, by contract or otherwise, for special accounting, actuarial, statistical, and reporting, services determined necessary by the Board, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), and the provisions of other laws applicable to the employment and compensation of officers and employees of the United States: *Provided further*, That upon approval by the Board there may be transferred from this appropriation to the appropriation hereinafter made for "Wage records, Social Security Board", such sum or sums as the Board may hereafter find to be necessary to complete the purposes for which such latter appropriation is made.

Vehicles.

Provisos.
Minor purchases.
R. S., sec. 3709, p. 733; U. S. C., p. 1803.

Special contract services.

Transfer of funds for completion of wage records.

Grants to States for old-age assistance: For grants to States for old-age assistance, as authorized in title I of the Social Security Act, approved August 14, 1935, fiscal year 1937, $85,000,000, of which sum such amount as may be necessary shall be available for grants under such title I for any period in the fiscal year 1936 subsequent to March 31, 1936: *Provided*, That payments to States for the fourth quarter of the fiscal year 1936 and for any quarter in the fiscal year 1937 under such title I may be made with respect to any State plan approved under such title I by the Social Security Board prior to or during such period, but no such payment shall be made with respect to any plan for any period prior to the quarter in which such plan was submitted to the Board for approval.

Grants to States.
Old-age assistance, 1937.
Ante, p. 620.
Amount for 1936, since March.

Proviso.
Payments restricted prior to approval of State plans.

Grants to States for unemployment compensation administration: For grants to States for unemployment compensation administration, as authorized in title III of the Social Security Act, approved August 14, 1935, fiscal year 1937, $29,000,000, of which sum such amount as may be necessary shall be available for grants under such title III for any period in the fiscal year 1936 from and after January 1, 1936.

Unemployment compensation administration, 1937.
Ante, p. 626.

Availability, 1936.

Grants to States for aid to dependent children: For grants to States for the purpose of enabling each State to furnish financial assistance to needy dependent children, as authorized in title IV of the Social Security Act, approved August 14, 1935, fiscal year 1937, $35,000,000, of which sum such amount as may be necessary shall be available for grants under such title IV for any period in the fiscal year 1936 subsequent to March 31, 1936: *Provided*, That payments to States for the fourth quarter of the fiscal year 1936

Aid to dependent children, 1937.
Ante, p. 627.

Availability, 1936.

Proviso.
Payments restricted prior to approval of State plans.

and for any quarter in the fiscal year 1937 under such title IV may be made with respect to any State plan approved under such title IV by the Social Security Board prior to or during such period, but no such payment shall be made with respect to any plan for any period prior to the quarter in which such plan was submitted to the Board for approval.

Aid to the blind, 1937.
Ante, p. 645.
Availability, 1936.

Grants to States for aid to the blind: For grants to States for aid to the blind, as authorized in title X of the Social Security Act, approved August 14, 1935, fiscal year 1937, $8,000,000, of which sum such amount as may be necessary shall be available for grants under such title X for any period in the fiscal year 1936 subsequent to March 31, 1936: *Provided*, That payments to States for the fourth quarter of the fiscal year 1936 and for any quarter in the fiscal year 1937 under such title X may be made with respect to any State plan approved under such title X by the Social Security Board prior to or during such period, but no such payment shall be made with respect to any plan for any period prior to the quarter in which such plan was submitted to the Board for approval.

Proviso.
Payments restricted prior to approval of State plans.

Interchangeability of designated funds.

The appropriations herein made for "Grants to States for Old-Age Assistance", "Grants to States for Aid to Dependent Children", and "Grants to States for Aid to the Blind", shall be available interchangeably for transfer of appropriations but no such transfer shall be made except upon determination by the Social Security Board that the appropriation from which the transfer is proposed is in excess of the purposes thereof and the appropriation to which such transfer is proposed is insufficient for the purposes thereof: *Provided*, That a statement of any such transfers shall be reported to Congress in the annual Budget.

Proviso.
Statement of transfers to be reported.

Wage records, Social Security Board.
Securing and maintaining, for old-age benefits.

Wage records, Social Security Board: For all expenditures necessary to enable the Social Security Board to collect and record initial basic data concerning employers and employees, which, together with current individual wage records subsequently to be maintained, will thereafter constitute current total individual wage records and a basis for the identification of employees incidental to, and necessary for, benefit payments under title II of the Social Security Act, approved August 14, 1935, including furnishing identification cards and emblems to employers and employees; personal services in the District of Columbia and elsewhere; travel expenses, including expenses of attendance at meetings concerned with the work of the Board; supplies; reproducing, photographing, and all other equipment, office appliances, and labor-saving devices; services; advertising, postage, telephone and telegraph; printing and binding; rentals, including garages, in the District of Columbia or elsewhere; not to exceed $250,000 for the employment of persons or organizations by contract or otherwise in the District of Columbia and elsewhere for special accounting, statistical, and mechanical services determined necessary by the Board, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) and the provisions of laws applicable to the employment and compensation of officers and employees of the United States, but such sum of $250,000 shall not be available for any contract for a period of service exceeding six months; and miscellaneous items, including those for public instruction and information deemed necessary by the Board, $12,400,000 to remain available until June 30, 1937: *Provided*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase of supplies or equipment for the Board when the aggregate amount involved does not exceed the sum of $300.

Ante, p. 622.

Attendance at meetings.

Miscellaneous items.

Proviso.
Purchase of supplies, etc.
R. S., sec. 3709, p. 733.
U. S. C., p. 1803.

TARIFF COMMISSION

Tariff Commission.

Printing and binding: For an additional amount for all printing and binding of the Tariff Commission, fiscal year 1936, including the same objects specified under this head in the Independent Offices Appropriation Act, 1936, $4,000.

Printing and binding.
Ante, p. 16.

TENNESSEE VALLEY AUTHORITY

Tennessee Valley Authority.

For the purpose of carrying out the provisions of the Act entitled "The Tennessee Valley Authority Act of 1933", approved May 18, 1933 (U. S. C., title 16, ch. 12a) as amended by the Act approved August 31, 1935 (49 Stat., 1075–1081), including the continued construction of Norris Dam, Wheeler Dam, Pickwick Landing Dam, Guntersville Dam, and Chickamauga Dam and the beginning of construction on a dam on the Hiwassee River, a tributary of the Tennessee River, at or near Fowler Bend, and the continuation of preliminary investigations as to the appropriate location and type of a dam on the lower Tennessee River, and the acquisition of necessary land, the clearing of such land, relocation of highways, and the construction or purchase of transmission lines and other facilities, and all other necessary works authorized by such Acts, and for printing and binding, law books, books of reference, newspapers, periodicals, purchase, maintenance, and operation of passenger-carrying vehicles, rents in the District of Columbia and elsewhere, and all necessary salaries and expenses connected with the organization, operation, and investigations of the Tennessee Valley Authority, fiscal year 1937, $39,900,000: *Provided*, That this appropriation and any unexpended balance on June 30, 1936, in the "Tennessee Valley Authority Fund, 1936", and the receipts of the Tennessee Valley Authority from all sources during the fiscal year 1937 (except as limited by section 26 of the Tennessee Valley Authority Act of 1933, as amended), shall be covered into and accounted for as one fund to be known as the "Tennessee Valley Authority Fund, 1937", to remain available until June 30, 1937, and to be available for the payment of obligations chargeable against the "Tennessee Valley Authority Fund, 1936."

Continuation of construction.
Vol. 48, p. 58; *Ante*, p. 1075.
U. S. C., p. 701.
Designated dams.

Printing and binding.

Salaries and expenses.

Proviso.
Accounting.
Ante, p. 597.

Availability.

THOMAS JEFFERSON MEMORIAL COMMISSION

Thomas Jefferson Memorial Commission.

For every expenditure requisite for and incident to the performance of the duties of the Thomas Jefferson Memorial Commission, created by Public Resolution Numbered 49, Seventy-third Congress, approved June 26, 1934 (48 Stat., 1243), including personal services in the District of Columbia and elsewhere without regard to the provisions of the civil-service laws and regulations, and the Classification Act of 1923, as amended, purchase or preparation of plans, designs, and estimates, printing and binding, office equipment and supplies, contract stenographic reporting services, books and periodicals, traveling expenses of members and employees of the Commission (including such expenses and allowances for members of the Commission when required to be in Washington, District of Columbia, in connection with the work of the Commission), and such other contingent and miscellaneous expenses as may be necessary, fiscal year 1937, $15,000: *Provided*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the Commission: *Provided further*, That all expenses of the Commission shall be paid by the Division of Disbursement, Treasury Department, upon vouchers approved by the Chairman of the Commission: *Provided*

Expenses.
Vol. 48, p. 1243.
Ante, p. 1397.

Printing and binding.

Provisos.
Minor purchases, etc.
R. S., sec. 3709, p. 733; U. S. C., 1803.

Treasury, Division of Disbursement, payments by.

Cooperation of other agencies.

further, That the Commission is authorized to procure advice and assistance from any governmental agency, including the services of technical and other personnel therein, and such agencies are hereby authorized to render such aid.

United States Harvard University Tercentenary Commission.
Representation expenses.
Ante, p. 1266.

UNITED STATES HARVARD UNIVERSITY TERCENTENARY COMMISSION

For the expenses of carrying out the provisions of Public Resolution Numbered 88, approved May 7, 1936, authorizing the recognition of the three-hundredth anniversary of the founding of Harvard College and the beginning of higher education in the United States and providing for the representation of the Government and people of the United States in the observance of the anniversary, including

Personal services.
U. S. C., p. 85.
Purchases without advertising.
U. S. C., p. 1803.

personal services in the District of Columbia or elsewhere without reference to the Classification Act of 1923, as amended; stenographic reporting and other services by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); traveling expenses; rent; printing and binding; official cards; entertainment; and such other expenses as may be authorized by the President, fiscal year 1937, $1,500.

Title II—Relief and Work Relief.

TITLE II—RELIEF AND WORK RELIEF

Emergency Relief Appropriation Act of 1936.

This title may be cited as the Emergency Relief Appropriation Act of 1936.

Continuation of relief and work relief.

To continue to provide relief, and work relief on useful projects, in the United States and its Territories and possessions (including projects heretofore approved for the Works Progress Administration which projects shall not be subject to the limitations hereinafter specified in this paragraph), $1,425,000,000, to be used in the discretion and under the direction of the President, together with such

Balances reappropriated.
Ante, p. 115.

unexpended balances of funds appropriated and made available by the Emergency Relief Appropriation Act of 1935 as the President may determine, which are hereby reappropriated and made available for the purposes of this paragraph, to remain available until June 30, 1937 (except as herein otherwise authorized): *Provided*, That

Provisos.
Classes of projects; amounts.

this appropriation shall be available for the following classes of public projects, Federal and non-Federal, and the amounts to be used for each class shall not, except as hereinafter provided, exceed the respective amounts stated, namely: (a) Highways, roads, and streets, $413,250,000; (b) public buildings, $156,750,000; (c) parks and other recreational facilities, including buildings therein, $156,750,000; (d) public utilities, including sewer systems, water supply and purification, airports, and other transportation facilities, $171,000,000; (e) flood control and other conservation, $128,250,000; (f) assistance for educational, professional, and clerical persons, $85,500,000; (g) women's projects, $85,500,000; (h) miscellaneous work projects, $71,250,000; (i) National Youth Administration, $71,250,000; and (j) rural rehabilitation, loans and relief to farmers

Increases allowed; use of balances.

and livestock growers, $85,500,000: *Provided further*, That the amount specified for any of the foregoing classes may be increased proportionately in accordance with the amount of such unexpended balances of funds as the President may transfer from the funds appropriated and made available by the Emergency Relief Appro-

Interchange of funds limited.

priation Act of 1935 for the purpose of this paragraph: *Provided further*, That the amount specified for any of the foregoing classes may be increased by not to exceed 15 per centum thereof by transfer of an amount or amounts from any other class or classes in order to effectuate the purposes of the foregoing appropriation.

Restriction on employing illegally entered aliens.

The departments, agencies, or establishments having supervision of projects for which funds from the foregoing appropriation are made available shall not knowingly employ aliens illegally within the limits of the continental United States on such projects and they shall make every reasonable effort consistent with prompt employment of the destitute unemployed to see that such aliens are not employed, and if employed and their status as such alien is disclosed they shall thereupon be discharged.

Work forbidden unless sum for completion allocated.

No Federal project shall be undertaken or prosecuted under the foregoing appropriation unless and until an amount sufficient for its completion has been allocated and irrevocably set aside for its completion.

Federal administrative or advisory positions; appointments.

Appointments to Federal positions of an administrative or advisory capacity under the foregoing appropriation in any State shall be made from among the bona-fide residents of that State so far as not inconsistent with efficient administration.

Prevailing rates of pay.

The rates of pay for persons engaged upon projects under the foregoing appropriation shall be not less than the prevailing rates of pay for work of a similar nature as determined by the Works Progress Administration with the approval of the President.

President to prescribe rules, etc.

The President is authorized to prescribe such rules and regulations as may be necessary to carry out the purposes of the foregoing appropriation: *Provided, however*, That in the employment of persons, applicants in actual need whose names have not heretofore been placed on relief rolls shall be given the same eligibility for employment as applicants whose names have heretofore appeared on such rolls: *Provided further*, That the fact that a person is entitled to or has received either adjusted-service bonds or a Treasury check in payment of an adjusted-compensation certificate shall not be considered in determining actual need of such employment.

Provisos.
Eligibility for employment of needy not heretofore listed.

Adjusted-service payment not a bar.

Utilization of Government agencies.

In carrying out the purpose of the foregoing appropriation the President is authorized to utilize agencies within the Government and to empower such agencies to prescribe rules and regulations to carry out the functions delegated to such agencies by the President.

Grants to aid in financing projects.

In order to increase employment by providing for useful public works projects of the kind and character for which the Federal Emergency Administrator of Public Works (hereinafter called the Administrator) has heretofore made loans or grants pursuant to Title II of the National Industrial Recovery Act or the Emergency Relief Appropriation Act of 1935, the Administrator may, upon the direction of the President, use not to exceed $300,000,000 from funds on hand or to be received from the sale of securities, for the making of grants, to aid in the financing of such projects: *Provided*, That no part of the sum made available by this paragraph shall be granted for any project unless, in the determination of the Administrator, the completion thereof can be substantially accomplished prior to July 1, 1938, and adequate provision has been made or is assured for financing such part of the entire cost thereof as is not to be supplied through the Federal Emergency Administration of Public Works: *Provided further*, That this limitation upon time shall not apply to any project enjoined in any Federal or State court: *Provided further*, That in no case shall the amount of the grant exceed forty-five per centum of the cost of the project. Nothing herein shall be construed to increase the amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized and empowered under existing law to issue and to have outstanding at any one time, and nothing herein shall be construed to limit or curtail in any way any powers which the Federal Emergency Administration of Public Works or the Administrator is now authorized to exercise.

Use of designated funds.
Vol. 48, p. 200.
Ante, p. 115.

Provisos.
Time limit for completion of projects.

Time limitation inapplicable to project enjoined by court.

Maximum grant.

Reconstruction Finance Corporation, amount of obligations not increased.

Powers of Federal Emergency Administration of Public Works not curtailed.

Unlawful acts. Fraud, etc.

Any person who knowingly and with intent to defraud the United States makes any false statement in connection with any application for any project, employment, or relief aid under the foregoing appropriation, or diverts, or attempts to divert, or assists in diverting for the benefit of any person or persons not entitled thereto, any portion of the foregoing appropriation, or any services or real or personal property acquired thereunder, or who knowingly, by means of any

Race, etc., discrimination.

fraud, force, threat, intimidation, or boycott, or discrimination on account of race, religion, or political affiliations, deprives any person of any of the benefits to which he may be entitled under the foregoing appropriation, or attempts so to do, or assists in so doing,

Penalty.

shall be deemed guilty of a misdemeanor and fined not more than $2,000 or imprisoned not more than one year, or both.

Candidate for office, or campaign manager; pay restriction.

No part of the foregoing appropriation shall be used to pay the salary or expenses of any person who is a candidate for any State, District, County or Municipal office (such office requiring full time of such person and to which office a salary attaches), in any primary, general or special election, or who is serving as a campaign manager or assistant thereto for any such candidate.

Disability or death compensation. Vol. 48, p. 351. Persons entitled; exception.

The provisions of the Act of February 15, 1934 (48 Stat. 351), relating to disability or death compensation and benefits shall apply to persons (except administrative employees qualifying as civil employees of the United States) receiving compensation from the foregoing appropriation for services rendered as employees of the United States, and to persons receiving assistance in the form of payments

National Youth Administration.

from the United States for services rendered under the National Youth Administration, created by Executive order of June 26, 1935:

Provisos. Special fund provided.

Provided, That so much of the foregoing appropriation as the United States Employees' Compensation Commission, with the approval of the Director of the Bureau of the Budget, estimates and certifies to the Secretary of the Treasury will be necessary for the payment of such compensation and administrative expenses shall be set aside in a special fund to be administered by the Commission for such purposes; and after June 30, 1937, such special fund shall be available

Availability.

for such purposes annually in such amounts as may be specified therefor in the annual appropriation Acts: *Provided further*, That this paragraph shall also apply to persons employed and paid by the United States in those States in which the Federal Relief Administrator assumed control under section 3 (b) of the Federal Emergency Relief Act of 1933 but such compensation shall be limited to fatal cases and permanent partial and permanent total disability cases where claim is filed within one year from the date of enactment of this Act: *Provided further*, That this paragraph shall not apply in any case coming within the purview of the workmen's compensation law of any State or Territory, or in which the claimant has received or is entitled to receive similar benefits for injury or death.

Application to State administrations. Vol. 48, p. 56. Limitation.

Cases within purview of workmen's compensation laws of State, etc.

Allotments for administrative expenses.

So much of the foregoing appropriation as may be determined by the Director of the Bureau of the Budget to be necessary for administrative expenses of any department, establishment, or agency of the United States for additional work incident to carrying out of the purposes of the foregoing appropriation shall be allotted by the President and shall remain available to such agencies until June 30, 1938; the funds so allotted shall be available for expenditure for the same purposes for which funds have been allotted for administrative expenses under the Emergency Relief Appropriation Act of 1935.

Availability.

Minor purchases without advertising. R. S., sec. 3709, p. 733; U. S. C., p. 1803.

The provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not apply to any purchase made or service procured in connection with the foregoing appropriation when the aggregate amount involved is less than $300.

Any Administrator or other officer named to have general supervision at the seat of Government over the program and work contemplated under the foregoing appropriation and receiving a salary of $5,000 or more per annum from such appropriation, and any State or regional administrator receiving a salary of $5,000 or more per annum from such appropriation, except persons now serving as such under other law, shall be appointed by the President, by and with the advice and consent of the Senate: *Provided*, That the provisions of section 1761 of the Revised Statutes shall not apply to any such appointee and the salary of any person so appointed shall not be increased for a period of six months after confirmation.

Supervisory, etc., officers; appointment by the President, with consent of Senate.

Proviso.
Filling vacancies during recess of Senate.
R. S., sec. 1761, p. 313; U. S. C., p. 38.
Salary increase limitation.

The Federal Emergency Relief Administrator is hereby authorized and directed to liquidate and wind up the affairs of the Federal Emergency Relief Administration under the Act of May 12, 1933, as amended, and funds available to it shall be available for expenditure for such purpose until June 30, 1937.

Federal Emergency Relief Administration, liquidation.
Vol. 48, p. 55.

A report of the operations under the foregoing appropriation shall be submitted by the President to Congress before the 10th day of January in each of the next two regular sessions of Congress, which report shall include a statement of the expenditures made and obligations incurred, by classes and amounts.

Report of operations to Congress.

TITLE III—DISTRICT OF COLUMBIA

District of Columbia.

GENERAL EXPENSES

General expenses.

Care of District Building: For an additional amount for fuel, light, and power, repairs, laundry, and miscellaneous supplies, fiscal year 1936, $3,500.

Care of District Building.

Municipal Architect's office: For an additional amount for personal services, fiscal year 1936, $566.

Municipal Architect's office.

Employees' compensation fund, District of Columbia: For an additional amount for carrying out the provisions of section 11 of the District of Columbia Appropriation Act, approved July 11, 1919, extending to the employees of the government of the District of Columbia the provisions of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, fiscal year 1936, $6,000.

Employees' compensation fund.
Vol. 41, p. 104.
Vol. 39, p. 742.
U. S. C., p. 98.

District of Columbia Unemployment Compensation Act: For the contribution of the District of Columbia under the provisions of section 5 (a) of the District of Columbia Unemployment Compensation Act, approved August 28, 1935, fiscal year 1936, $100,000.

Unemployment Compensation Act.
Contribution.
Ante, p. 949.

CONTINGENT AND MISCELLANEOUS EXPENSES

Contingent expenses.

Printing and binding, District of Columbia: For an additional amount for printing and binding, under the same limitations and conditions applicable to the appropriation for this purpose in the District of Columbia Appropriation Act for the fiscal year 1936, $2,000.

Printing and binding.
Ante, p. 345.

Judicial expenses: For an additional amount for judicial expenses, including the same objects and under the same conditions and limitations applicable to the appropriation for this purpose in the District of Columbia Appropriation Act for the fiscal year 1935, $351.80.

Judicial expenses.
Vol. 48, p. 865.

General advertising: For an additional amount for general advertising, authorized and required by law, and for tax and school notices

Advertising.

and notices of changes in regulations, fiscal year 1935, $1,523.44: *Provided*, That this appropriation shall not be available for the payment of advertising in newspapers published outside of the District of Columbia, notwithstanding the requirement for such advertising provided by existing law.

Proviso. Newspaper advertising outside District of Columbia.

Refund of erroneous collections.

Refund of erroneous collections: For an additional amount for payment of amounts collected by the District erroneously on account of taxes, fines, fees, and similar charges, which are returned to the respective parties who may have paid the same, fiscal year 1936, $35,000: *Provided*, That this appropriation shall be available for refund of such erroneous payments made within the past three years only.

Proviso. Availability.

Street and road improvement, etc.

STREET AND ROAD IMPROVEMENT AND REPAIR

Gasoline tax fund. Designated railroad underpasses, approaches.

Gasoline tax, road and street improvements: For grading, paving, and otherwise improving, including curbing and gutters where necessary, storm water drains, catch basins and connections thereto, the approaches to the underpass beneath the tracks of the Baltimore and Ohio Railroad and the Pennsylvania Railroad between the intersection of Seventeenth Street and Douglas Street, northeast, and the intersection of New York Avenue and West Virginia Avenue, northeast, fiscal years 1936 and 1937, $90,000.

Sewers.

SEWERS

Cleaning, repair, etc.

For an additional amount for cleaning and repairing sewers and basins, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1936, $7,000.

Ante, p. 351.

City refuse.

COLLECTION AND DISPOSAL OF REFUSE

Collection and disposal. *Ante*, p. 351.

For an additional amount for dust prevention, sweeping, and cleaning streets, avenues, alleys, and suburban streets, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1936, $11,000.

Garbage, dead animals, ashes, etc.

For an additional amount to enable the Commissioners to carry out the provisions of existing law governing the collection and disposal of garbage, dead animals, night soil, and miscellaneous refuse and ashes in the District of Columbia, including the same objects and under the same limitations specified under this heading in the District of Columbia Appropriation Act for the fiscal year 1936, $32,000.

Public playgrounds.

PUBLIC PLAYGROUNDS

Maintenance. Vol. 48, p. 856.

For an additional amount for general maintenance, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1935, $163.

Public schools.

PUBLIC SCHOOLS

Transportation.

Miscellaneous: For an additional amount for transportation for pupils attending schools for tubercular pupils, sight conservation pupils, and crippled pupils, fiscal year 1936, $1,350.

Fuel, light, and power.

For an additional amount for fuel, gas, and electric light and power for the following fiscal years:

For 1935, $1,751.11.

For 1936, $40,000.

Health department.

HEALTH DEPARTMENT

Vehicles.

For an additional amount for maintenance and operation of motor ambulances and motor vehicles, fiscal years [1] 1936, $200.

[1] So in original.

COURTS

Courts.

Police court: For an additional amount for witness fees and compensation of jurors, fiscal year 1936, $630.

Police court, fees.

SUPREME COURT, DISTRICT OF COLUMBIA

Supreme Court, District of Columbia.

Pay of bailiffs, and so forth: For an additional amount for pay of bailiffs, and so forth, Supreme Court, District of Columbia, including the same objects specified under this head in the District of Columbia Appropriation Act, fiscal year 1936, $2,240.

Bailiffs, etc.

Ante, p. 361.

Fees of jurors and witnesses: For an additional amount for fees of jurors and witnesses, Supreme Court, District of Columbia, including the same objects specified under this head in the District of Columbia Appropriation Act, fiscal year 1936, $15,000.

Jurors and witnesses, fees.

Court of Appeals: For eleven copies each of volumes 63 and 64 of the Reports of the Court of Appeals of the District of Columbia, authorized to be furnished under title 18, section 31, page 161, of the Code of Law of the District of Columbia, at $6.50 each for the following fiscal years:

Court of Appeals, reports.

For 1935, $71.50;

For 1936, $71.50.

Support of convicts: For an additional amount for support, maintenance, and transportation of convicts transferred from the District of Columbia, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1935, $38,675.85.

Support of convicts transferred from the District.

Vol. 48, p. 866.

Miscellaneous court expenses: For an additional amount for such miscellaneous expenses as may be authorized by the Attorney General for the Supreme Court of the District of Columbia and its officers, including the same objects specified under this head in the Act making appropriations for the District of Columbia for the fiscal year 1936, $15,000.

Miscellaneous expenses.

Ante, p. 362.

Printing and binding: For an additional amount for printing and binding for the Supreme Court and the Court of Appeals of the District of Columbia, except records and briefs in cases in which the United States is a party, fiscal year 1935, $769.81.

Printing and binding.

PUBLIC WELFARE

Public welfare.

Division of Child Welfare: For an additional amount for board and care of all children committed to the guardianship of said Board by the courts of the District, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1936, $12,000.

Child Welfare Division.

Ante, p. 363.

For an additional amount for the maintenance, under the jurisdiction of the Board of Public Welfare, of a suitable place in a building entirely separate and apart from the house of detention for the reception and detention of children under seventeen years of age arrested by the police on charge of offense against any laws in force in the District of Columbia, including the same objects specified under this head in the District of Columbia Appropriation Acts for the following fiscal years, respectively:

Receiving home for children under seventeen.

For 1935, $211.12;

Vol. 48, p. 867.

For 1936, $1,500.

Ante, p. 363.

Jail: For an additional amount for maintenance and support of prisoners of the District of Columbia at the jail, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1936, $11,000.

Jail.

Maintenance, etc., of prisoners.

Ante, p. 363.

Workhouse and reformatory. Maintenance.

Workhouse and reformatory: For an additional amount for maintenance, care, and support of inmates, rewards for fugitives, discharge gratuities provided by law, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1936, $80,000.

Ante, p. 364.

National Training School for Boys. Care of boys committed to.

National Training School for Boys: For an additional amount for care and maintenance of boys committed to the National Training School for Boys by the courts of the District of Columbia under a contract made by the Board of Public Welfare with the authorities of such school, for the following fiscal years:

For 1935, $9,120.44;

For 1936, $83,917.

Care, etc., indigent patients.

Medical charities: For an additional amount for care and treatment of indigent patients under contracts made by the Board of Public Welfare with the following institutions and for not to exceed the following amounts, respectively, for the following fiscal years:

Children's Hospital.

Children's Hospital:

For 1935, $3,576.16;

For 1936, $39,566.

Central Dispensary and Emergency Hospital.

Central Dispensary and Emergency Hospital:

For 1935, $3,623.04;

For 1936, $14,665.

Eastern Dispensary and Casualty Hospital.

Eastern Dispensary and Casualty Hospital:

For 1935, $4,462.53;

For 1936, $25,608.

Garfield Hospital.

Vol. 48, p. 864.

Garfield Hospital: For an additional amount for isolating wards for minor contagious diseases at Garfield Memorial Hospital, maintenance, fiscal year 1935, $2,835.

Tuberculosis Hospital.

Tuberculosis Hospital: For an additional amount for provisions, fuel, forage, and so forth, including the same objects specified under this head in the District of Columbia Appropriation Acts for the following fiscal years, respectively:

Vol. 48, p. 245.
Ante, p. 365.

For 1934, $1.52;

For 1936, $12,000.

Gallinger Municipal Hospital.

Vol. 47, p. 372.

Gallinger Municipal Hospital: For an additional amount for maintenance of the hospital, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1933, $3,526.62.

District Training School, services.

District Training School: For an additional amount for personal services, including not to exceed $1,000 for temporary labor, fiscal year 1936, $2,020.

Maintenance, etc.

Ante, p. 366.

For an additional amount for maintenance and other necessary expenses, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1936, $12,000.

Industrial Home School for Colored Children, services.

Vol. 47, p. 372.

Industrial Home School for Colored Children: For an additional amount for personal services, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1933, $22.78.

Maintenance, etc.
Ante, p. 366.

For an additional amount for maintenance, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1936, $500.

Industrial Home School, motor vehicle.

Industrial Home School: For an additional amount for maintenance, including purchase of equipment, maintenance of non-passenger-carrying motor vehicle, fiscal year 1936, $2,500.

Home for Aged and Infirm.

Home for Aged and Infirm: For an additional amount for provisions, fuel, forage, including the same objects specified under this

head in the District of Columbia Appropriation Acts for the following fiscal years, respectively:

For 1935, $399.10;

For 1936, $9,000.

Vol. 48, p. 246.
Ante, p. 366.

Saint Elizabeths Hospital: For additional amount for support of indigent insane of the District of Columbia in Saint Elizabeths Hospital, as provided by law, fiscal year 1936, $64,598.

Saint Elizabeths Hospital.
Support of District insane.

Nonresident insane: For an additional amount for deportation of nonresident insane persons, in accordance with the Act entitled "An Act to change the proceedings for admission to the Government Hospital for the Insane in certain cases, and for other purposes", approved January 31, 1899, including persons held in the psychopathic ward of the Gallinger Municipal Hospital, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1936, $1,000.

Deportation of nonresident insane.
Vol. 30, p. 811.
Ante, p. 367.

Relief of the poor: For an additional amount for relief of the poor, including medical and surgical supplies, artificial limbs, and for pay to physicians to the poor, to be expended under the direction of the Board of Public Welfare, fiscal year 1936, $1,000.

Relief of the poor.

MILITIA

Militia.

For an additional amount for the militia, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1936, $1,000.

Expenses.
Ante, p. 368.

WATER SERVICE

Water Service.

Washington Aqueduct: The unexpended balance of the appropriation of $150,000 made by the Second Deficiency Appropriation Act, fiscal year 1935, approved August 12, 1935, for replacing the pumping equipment and appurtenant features of the pumping station of the McMillan filter plant and for each and every purpose connected therewith, is hereby continued available for the fiscal year 1937.

Washington Aqueduct.
Balance reappropriated.
Ante, p. 579.
Replacing pumping equipment, McMillan plant.

Water department: For an additional amount for extension of the water department distribution system, laying of such service mains as may be necessary under the assessment system, fiscal year 1936, $40,000.

Extensions.

The appropriation of $123,000 contained in the District of Columbia Appropriation Act for the fiscal year 1936, approved June 14, 1935, for the purchase and installation of two 25-million-gallon-daily electrical motor-driven centrifugal pumping units at the Bryant Street pumping station, including all necessary appurtenances and alterations and removal of one 12-million-gallon and one 20-million-gallon obsolete steam pumping units, is continued available in the fiscal year 1937.

New pumping units, sum reappropriated.
Ante, p. 371.

SETTLEMENT OF CLAIMS

Settlement of claims.

For the payment of claims approved by the Commissioners under and in accordance with the provisions of the Act entitled "An Act authorizing the Commissioners of the District of Columbia to settle claims and suits against the District of Columbia", approved February 11, 1929 (45 Stat. 1160), as amended by the Act approved June 5, 1930 (46 Stat. 500), and reported in House Documents Numbered 439 and 468, Seventy-fourth Congress, $7,738.

Vol. 45, p. 1160; Vol. 46, p. 500.

For the payment of claims approved by the Commissioners under and in accordance with the provisions of the Act entitled "An Act authorizing the Commissioners of the District of Columbia to settle

claims and suits against the District of Columbia", approved February 11, 1929 (45 Stat. 1160), as amended by the Act approved June 5, 1930 (46 Stat. 500), and reported in Senate Document Numbered 252, $1,708.77.

REFUND OF ASSESSMENTS

Refunds of street, etc., assessments. Vol. 46, p. 1199.

For payment of refunds of assessments for paving streets, avenues, and roads, and laying curbs, as authorized by the provisions of section 11 of the Act entitled "An Act to provide for special assessments for the paving of roadways and the laying of curbs and gutters", approved February 20, 1931 (46 Stat. 1199), $26,922.87, to continue available until June 30, 1937.

Judgments.

JUDGMENTS

Payment of.

For the payment of final judgments, including costs, rendered against the District of Columbia, as set forth in House Documents Numbered 442 and 475, and Senate Document Numbered 211, Seventy-fourth Congress, $10,161.35, together with the further sum

Interest.

to pay the interest at not exceeding 4 per centum per annum on such judgments, as provided by law, from the date the same became due until the date of payment.

Audited claims.

AUDITED CLAIMS

Payment of.

For the payment of the following claims, certified to be due by the accounting officers of the District of Columbia, under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), being for the service of the fiscal year 1933 and prior years:

Vol. 18, p. 110. U. S. C., p. 1410.

For Metropolitan Police, District of Columbia, 1933, motor vehicles, $4;

For playgrounds, District of Columbia, 1933, maintenance, $22.96;

For electrical department, District of Columbia, 1933, wires underground, $22.16;

For street and road improvement and repair, District of Columbia, 1933, repairs to streets, $4;

For gasoline tax, road and street improvements, District of Columbia, 1933, $157.75;

For contingent and miscellaneous expenses, District of Columbia, 1932, $6;

For contingent and miscellaneous expenses, District of Columbia, 1933, $7.50;

For public schools, District of Columbia, 1933, $61.98;

For miscellaneous expenses, Supreme Court, District of Columbia, 1933, $20;

For expenses, trees, and parkings, District of Columbia, 1932, $1.60;

For Industrial Home School for Colored Children, District of Columbia, 1931, $25.50;

For police court, District of Columbia, 1931, witness fees, 75 cents;

For miscellaneous expenses, Supreme Court, District of Columbia, 1927, $406;

In all, audited claims, $740.20.

Fiscal year, 1933 and prior years.

Audited claims, District of Columbia: For the payment of the following claims, certified to be due by the accounting officers of the District of Columbia in Senate Document Numbered 211, under

appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713, p. 1022[1]), being for the service of the fiscal year 1933 and prior fiscal years: Refund taxes, District of Columbia, $747.99.

Vol. 18, p. 110. U. S. C., p. 1410.

Refund taxes.

DIVISION OF EXPENSES

The foregoing sums for the District of Columbia, unless otherwise therein specifically provided, shall be paid out of the revenues of the District of Columbia and the Treasury of the United States in the manner prescribed by the District of Columbia Appropriation Acts for the respective fiscal years for which the such sums are provided.

Division of expenses.

DEPARTMENT OF AGRICULTURE

Department of Agriculture.

WEATHER BUREAU

Weather Bureau.

Salaries and expenses: For an additional amount, for the same objects specified under this head in the Agriculture Appropriation Act for the fiscal year 1937, for the reestablishment, maintenance, and operation of the Weather Bureau station at Lynchburg, Virginia, $12,000.

Lynchburg, Va., station. *Ante*, p. 1428.

BUREAU OF ANIMAL INDUSTRY

Animal Industry Bureau.

Marketing agreements with respect to hog cholera virus and serum: The sum of $30,000 of the appropriation made by section 12 (a) of the Agricultural Adjustment Act, approved May 12, 1933, is hereby made available during the fiscal years 1936 and 1937, to carry into effect sections 56 to 60, inclusive, of the Act approved August 24, 1935 (49 Stat., 781, 782), entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", including the employment of persons and means in the District of Columbia and elsewhere.

Hog cholera virus and serum, marketing agreements. Vol. 48, p. 38.

Ante, p. 781.

FOREST SERVICE

Forest Service.

Salaries and expenses, Forest Service (National forest administration): For an additional amount for national forest administration, including the same objects specified under this head in the Department of Agriculture Appropriation Act for the fiscal year 1936, $100,000.

National forest administration. *Ante*, p. 261.

BUREAU OF CHEMISTRY AND SOILS

Bureau of Chemistry and Soils.

Soil survey of the Hawaiian Islands: Not to exceed $15,000 of the funds appropriated by section 12 (a) of the Agricultural Adjustment Act, as amended, is hereby made available, to remain available until June 30, 1937, to meet all necessary expenses of the Bureau of Chemistry and Soils, Department of Agriculture, for the completion of a soil survey of the Hawaiian Islands, including personal services for map-drafting work in the District of Columbia and elsewhere.

Hawaii, soil survey. Vol. 48, p. 38.

AGRICULTURAL ADJUSTMENT ADMINISTRATION

Agricultural Adjustment Administration.

Tobacco compacts and agreements among States: Not to exceed $300,000 of the funds appropriated by section 12 (a) of the Agricultural Adjustment Act, as amended, is hereby made available, to remain available until June 30, 1938, to carry into effect the provisions of the Act approved April 25, 1936 (Public Act Numbered

State tobacco compacts and agreements. Sum reappropriated. Vol. 48, p. 38.

[1] So in original.

Ante, p. 1239.

534, Seventy-fourth Congress), entitled "An Act relating to compacts and agreements among States in which tobacco is produced providing for the control of production of, or commerce in, tobacco in such States, and for other purposes"; including the employment of persons and means in the District of Columbia and elsewhere, printing, advances to tobacco commissions, loans to associations of tobacco producers, and other expenses authorized by the provisions of the said Act.

Department of Commerce.

DEPARTMENT OF COMMERCE

Secretary's office.

OFFICE OF THE SECRETARY

Accident Prevention Conference.

Ante, p. 1389.

General Committee of the Accident Prevention Conference: For salaries and expenses of the General Committee of the Accident Prevention Conference, authorized in the Act entitled "An Act to advance a program of national safety and accident prevention," approved May 28, 1936, including personal services in the District of Columbia and elsewhere, printing and binding, and all other expenditures authorized in said Act, fiscal year 1937, $35,000.

Bureau of Air Commerce.

BUREAU OF AIR COMMERCE

Air-navigation facilities.

Ante, p. 86.

Air-navigation facilities: For an additional amount for the establishment and maintenance of aids to air navigation, including the same objects specified under this head in the Department of Commerce Appropriation Act, 1936, $14,600.

Ante, p. 1332.

Maintenance of air-navigation facilities: For an additional amount for maintenance of air-navigation facilities, including the same objects specified under this head in the Department of Commerce Appropriation Act, 1937, $80,000.

Bureau of Lighthouses.

BUREAU OF LIGHTHOUSES

Establishing and improving aids to navigation, etc.

Special projects: For establishing and improving aids to navigation and other works as may be specifically approved by the Secretary of Commerce, $120,000, to continue available until June 30, 1938.

Lighthouse tender.

Special projects: For establishing and improving aids to navigation and other works, including the construction, or purchase, and equipment of a lighthouse tender at a cost not to exceed $125,000, as may be specifically approved by the Secretary of Commerce, $227,000, to continue available until June 30, 1937.

Flood damages, repairs, etc.

Repairs, and so forth, due to flood damages: For rebuilding, repairing, and reestablishing such aids to navigation and structures connected therewith as were damaged or destroyed by flood conditions in March 1936 on the Atlantic coast and tributary rivers, and in the Mississippi River Basin, $91,500, to remain available until June 30, 1937.

Retired pay.

Ante, p. 94.

Retired pay: For an additional amount for retired pay of officers and employees of the Lighthouse Service, including the same objects specified under this head in the Department of Commerce Appropriation Act, 1936, $20,000.

Vessels, purchase, construction, etc.

Vol. 47, p. 717.

Construction, and so forth, vessels: Not to exceed $550,000 of the unexpended balance of the sum of $2,860,000 appropriated in title III, section 301 (a), paragraph numbered 7, of the Act approved July 21, 1932 (47 Stat. 709), for establishing and improving aids to navigation and other works of the Lighthouse Service, and carried on the books of the Treasury under the appropriation title "Aids to Navigation, Lighthouse Service, Emergency Construction, Act of

July 21, 1932 (6x442)", is hereby made available for the purchase, construction, equipping, and reconditioning of vessels for the Lighthouse Service.

INTERIOR DEPARTMENT

Interior Department.

OFFICE OF THE SECRETARY

Secretary's office.

Furniture, furnishings, and equipment, new Interior Department Building: The Secretary of the Interior is hereby authorized to expend, directly or through the Procurement Division of the Treasury Department, for furniture, furnishings, and office equipment necessary to the occupancy of the new Interior Department Building, and the reassignment of space in the present Interior Department Building, and for services, supplies, material, and equipment, including the reconditioning of old furniture, and necessary travel and subsistence in connection with the inspection of commodities to be contracted for or purchased, not to exceed $225,000 of the amount made available for the construction of the new Interior Department Building: *Provided*, That, in the procurement of such furniture, furnishings, and equipment, the Secretary of the Interior or the said Procurement Division is hereby authorized to make contracts, after advertising and competitive bidding, without regard to section 4 of the Act approved June 17, 1910 (36 Stat. 531): *And provided further*, That the cost of furniture, furnishings, and equipment, exclusive of duplicating and filing equipment in areas devoted exclusively to such purposes, shall be based on the square-foot areas of the rooms to be furnished and equipped, and shall not exceed the rates herein set forth, as follows: For suites of the Secretary and the Under Secretary, $1.75 per square foot; for suites of the Assistant Secretaries and of executive officers of equivalent compensation grade, $1.50 per square foot; for all other space, $1 per square foot.

Furniture, furnishings, etc., for new building.

Reassignment of space.

Provisos.
Contracts.

Vol. 36, p. 531; U. S. C., p. 1804.

Cost basis.

Suites of Secretary, etc.

War Minerals Relief Commission: For payment of awards made by the Secretary of the Interior in accordance with the Act of Congress approved May 18, 1936 (Public, Numbered 602, Seventy-fourth Congress) amending section 5 of the War Minerals Relief Act of March 2, 1919, as amended, February 13, 1929, fiscal year 1936, to remain available during the fiscal year 1937, $500,000: *Provided*, That all awards made by the Secretary of the Interior for payment under this appropriation shall be certified to the General Accounting Office for settlement through that office.

War Minerals Relief Commission.
Payment of awards.
Vol. 40, p. 1275; Vol. 42, p. 322; Vol. 45, p. 1166.
Ante, p. 1335.

Proviso.
Certification of awards to General Accounting Office.

DIVISION OF GRAZING CONTROL

Grazing Control Division.

Salaries and expenses: The limitation of $5,000 on the amount that may be expended for the purchase, exchange, operation, and maintenance of motor-propelled passenger-carrying vehicles from the appropriation for salaries and expenses of the Division of Grazing Control contained in the Department of the Interior Appropriation Act for the fiscal year 1936 is hereby increased to $7,500

Vehicles.
Amount for purchase increased.

Ante, p. 178.

GENERAL LAND OFFICE

General Land Office.

Payments to certain counties in Oregon in lieu of taxes on Oregon and California grant lands (receipt limitation): For an additional amount for payment to the several counties in the State of Oregon, pursuant to the Act of July 13, 1926 (44 Stat. 915), amounts of money in lieu of the taxes that would have accrued against the revested Oregon and California Railroad Company grant lands if the lands had remained privately owned and taxable, fiscal year 1936, $66,010.25: *Provided*, That payments to the counties shall not exceed the aggregate receipts covered into the Treasury in

Oregon and California grant lands.
Payment to certain counties in Oregon.
Vol. 44, p. 915.

Proviso.
Limitation.
Vol. 48, p. 1227.

accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Sales of public lands. Payments to States from proceeds of.

Payments to States of 5 per centum of proceeds from sales of public lands: For an additional amount for payment to the several States of 5 per centum of the net proceeds of sales of public lands lying within their limits, for the purpose of education, or of making public roads and improvements, fiscal year 1936, $1,291.39: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Proviso. Limitation. Vol. 48, p. 1227.

Indian Affairs Bureau.

BUREAU OF INDIAN AFFAIRS

Agency buildings. *Post*, p. 1763.

Indian Agency Buildings: For an additional amount for lease, purchase, repair and improvement of agency buildings, exclusive of hospital buildings, including the purchase of necessary lands and the installation, repair and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, fiscal year 1937, $85,000.

Adjustment of claims of certain Sioux Indians.

Adjustment of claims of certain Sioux Indians: For additional amounts in the following appropriations to adjust errors in the disbursing accounts of James B. Kitch, former superintendent of the Standing Rock Indian Reservation in North Dakota: Purchase and transportation of Indian supplies, fiscal year 1917, $5.35; education, Sioux Nation, fiscal year 1918, $646.50; industrial work and care of timber, fiscal year 1918, $130; suppressing contagious diseases among livestock of Indians, fiscal year 1918, $20.69; Indian school and agency buildings, fiscal year 1918, $103.97; education, Sioux Nation, fiscal year 1919, $603.91; suppressing contagious diseases among livestock of Indians, fiscal year 1919, $4; increased compensation Indian Service, fiscal year 1920, $1,211.77; Indian school and agency buildings, fiscal year 1920, $234.28; in all, $2,960.47: *Provided*, That the foregoing amounts shall be placed to the credit of the Superintendent of the Standing Rock Reservation to restore a depleted balance in the fund "Special deposits, sale of reimbursable stock", due to the use of said fund for the benefit of the above-listed appropriations, and for the purpose of making available a sufficient amount to permit payment of claims of individual Sioux Indians of the Standing Rock Reservation against said fund.

Proviso. Amounts placed to credit of Superintendent of Standing Rock Reservation.

Supervising mining operations. Transfer to Geological Survey. *Ante*, p. 184; *Post*, p. 1766.

Supervising mining operations on leased Indian lands: For an additional amount for transfer to the Geological Survey for expenditures to be made in inspecting mines, examining mineral deposits on Indian lands and in supervising mineral operations on restricted tribal and allotted Indian lands, fiscal years 1936 and 1937, $7,500.

Crow Reservation, Mont., irrigation systems.

Maintenance and operation, irrigation systems, Crow Reservation, Montana (reimbursable): For an additional amount for maintenance and operation of irrigation systems on the Crow Reservation, Montana, fiscal year 1933, $8.08 (reimbursable).

Indian irrigation systems, construction, operation, etc. Reappropriation. Vol. 48, p. 1227.

Construction, Operation and Maintenance, Indian Irrigation Systems: The unexpended balances of such appropriations for construction, operation and maintenance (including power revenues) of irrigation projects on Indian reservations as were repealed by Section 4 of the Permanent Appropriation Repeal Act, 1934, are hereby made available for obligations incurred against such appropriations prior to July 1, 1935, and any remaining unobligated balances of such repealed appropriations shall be added to and become a part of the receipts accruing from each project during the fiscal year 1936.

Indian schools, support: For an additional amount for the support of Indian schools not otherwise provided for, including tuition for Indian pupils attending public schools, fiscal year 1936, $74,000: *Provided*, That formal contracts shall not be required for compliance with section 3744 of the Revised Statutes (U. S. C., title 41, sec. 16), for payment of tuition of Indian children attending public schools.

Support of Indians.
Indians in public schools.
Ante, p. 189.
Proviso.
Formal contracts not required.
R. S., sec. 3744, p. 738; U. S. C., p. 1805.

Support of Indians and administration of Indian property: For an additional amount for general support of Indians and administration of Indian property, including pay of employees authorized by continuing or permanent treaty provisions, fiscal year 1936, $75,000.

General support and administration.
Ante, p. 194.

Support of Indians and administration of Indian property: For an additional amount for general support of Indians and administration of Indian property, including pay of employees authorized by continuing or permanent treaty provisions, fiscal year 1937, $11,500.

Post, p. 1778.

Support of Indians and administration of Indian property (tribal funds): Appropriations from tribal funds of the Menominee Indians of Wisconsin, fiscal years 1935, 1936, and 1937, for general support of Indians and administration of Indian property (Keshena Agency), are hereby made available for hospitalization of Indians under contracts for such service for such fiscal years, and the Comptroller General of the United States is hereby authorized and directed to allow credit in the accounts of disbursing agents of the United States for payments heretofore made on this account.

Menominee Indians, Wis.
Keshena Agency.

Indian Boarding Schools (Sequoyah, Oklahoma): The unexpended balance of the appropriation of $24,000 contained in the Interior Department Appropriation Act, fiscal year 1936, for enlarging the hospital (including purchase of necessary equipment) at the Sequoyah Orphan Training School, near Tahlequah, Oklahoma, is hereby continued available for the same purpose until June 30, 1937.

Indian boarding schools.
Sequoyah Orphan Training School, Okla.
Balance available.
Ante, p. 191.

Indian boarding schools: For dairy barn, hay shed, and milk house, Jones Academy, Oklahoma, fiscal year 1937, $10,000.

Jones Academy, Okla.

Expenses of attorneys, Wichita and affiliated bands of Indians of Oklahoma (tribal funds): In addition to the $2,000 authorized to be used by the Second Deficiency Act, fiscal year 1929, approved March 4, 1929 (45 Stat., p. 1640), the Secretary of the Interior is authorized to expend the further sum of $500, or so much thereof as may be necessary, from the tribal funds of the Wichita and affiliated bands of Indians of Oklahoma in the Treasury of the United States, upon proper vouchers to be approved by him, for costs and expenses already incurred and those to be incurred by their duly authorized attorneys in the prosecution of the claims of said Indians now pending in the Court of Claims, including expenses of not exceeding two delegates from said bands of Indians, to be designated by the business committee representing all said bands, who may be called to Washington from time to time with the permission of the Commissioner of Indian Affairs on business connected with said claims, the additional amount herein authorized to remain available until expended.

Wichita, etc., Indians, Okla.
Allowance to attorneys in claims.
Sum reappropriated.
Vol. 45, p. 1641.
Further sum authorized.

Delegates' expenses to Washington.

For pay of General Counsel, Confederated Bands of Ute Indians in the Uintah and Ouray agency, Utah (tribal funds): The Secretary of the Interior is authorized to expend the sum of $3,000 or so much thereof as may be necessary, from the tribal funds of the Confederated Bands of Ute Indians of the Uintah and Ouray agency, Utah, in the Treasury of the United States, upon proper vouchers approved by him, for services rendered by general counsel under a contract approved by the Commissioner of Indian Affairs and the Secretary of the Interior.

Confederated Bands of Utes.
Uintah and Ouray agency, general counsel.

Mrs. Earl H. Smith. Payment to.

Payment to Mrs. Earl H. Smith: For payment to Mrs. Earl H. Smith, administratrix of the estate of Earl H. Smith, as authorized by the act of April 10, 1936 (Private, 448, 74th Cong.) fiscal year 1937, $504.41.

Post, p. 2246.

Annette Islands Reserve, Alaska. Reappropriation.

Expenses, Annette Islands Reserve, Alaska (Receipt Limitation): The unexpended balance of the appropriation "Annette Islands Reserve, Alaska, fund from leases", which appropriation was repealed by Section 4 (b6) of the Permanent Appropriation Repeal Act, 1934, is hereby made available for obligations incurred against such appropriation prior to July 1, 1935, and any unobligated balance of such repealed appropriation shall be added to and become a part of the receipts accruing during the fiscal year 1936.

Vol. 48, p. 1227.

Reclamation Bureau.

BUREAU OF RECLAMATION

North Platte project, Nebr.-Wyo. Additional power circuit, Guernsey to Lingle.

North Platte project, Nebraska-Wyoming: Not to exceed $50,000 from the power revenues shall be available during the fiscal years 1936 and 1937 for the construction of an additional power circuit between the Guernsey and Lingle power plants.

Central Valley project, Calif. Friant Reservoir.

Central Valley Project, California: For continuation, $6,900,000, to remain available until June 30, 1937, of which $6,000,000 shall be available for construction of Friant Reservoir and irrigation facilities therefrom in the San Joaquin Basin and $250,000 for administrative expenses (including personal services in the District of Columbia and elsewhere), to be available for the same purposes as those specified for projects included in the Interior Department Appropriation Act for the fiscal year 1937 under the caption "Bureau of Reclamation" and to be reimbursable under the Reclamation Law: *Provided*, That not to exceed $25,000 may be expended for personal services in the District of Columbia.

Post, p. 1781.

Proviso. Services in the District.

Geological Survey.

GEOLOGICAL SURVEY

Geologic surveys. Limitation on expenditure increased.

Geologic surveys: The limitation of $270,000 on the amount that may be expended for the personal services in the District of Columbia from the appropriation for geologic surveys contained in the Interior Department Appropriation Act for the fiscal year 1936 is hereby increased to $285,000.

Ante, p. 200.

Alaska, mineral resources. Limitation for personal services increased.

Mineral resources of Alaska: The limitation of $20,000 on the amount that may be expended for personal services in the District of Columbia from the appropriation for investigation of the mineral resources of Alaska contained in the Interior Department Appropriation Act for the fiscal year 1936 is hereby increased to $25,000.

Ante, p. 201.

Bureau of Mines.

BUREAU OF MINES

Traveling expenses. Station transfer.

Appropriations for the fiscal year 1937 available for expenses of travel of officers and employees of the Bureau of Mines shall be available for expenses of travel performed by them on transfer from one official station to another when authorized by the Secretary of the Interior, and for the expenses incurred in packing, crating, drayage, and transportation of household effects and other personal property of employees so transferred, under regulations to be prescribed by the Secretary of the Interior.

Post, p. 1788.

National Park Service.

NATIONAL PARK SERVICE

Mesa Verde, Colo. Water system.

Mesa Verde National Park, Colorado: For an additional amount for improvement of the water system, fiscal years 1936 and 1937, $10,000.

Ante, p. 207; *Post*, p. 1793.

Ackia National Memorial Commission and Battleground National Monument: The unexpended balance of the appropriation to carry out the provisions of the Act entitled "An Act to provide for the commemoration of the two-hundredth anniversary of the Battle of Ackia, Mississippi, and the establishment of the Ackia Battleground National Monument, and for other purposes", approved August 27, 1935, contained in the Supplemental Appropriation Act, fiscal year 1936, is continued available for the fiscal year 1937 in order to provide for the commemoration during that year of the two-hundredth anniversary of the Battle of Ackia.

Ackia National Memorial Commission and Battleground National Monument, Miss.
Balance reappropriated.
Ante, pp. 897, 1119.

Salaries and general expenses, public buildings and grounds in the District of Columbia: For an additional amount for administration, protection, maintenance, and improvement of public buildings, monuments, memorials, and grounds in the District of Columbia, under the jurisdiction of the National Park Service, including the same objects specified under this head in the Department of the Interior Appropriation Act, 1936, $2,041,890, of which sum $1,150,000 shall remain available until June 30, 1937.

Public buildings and grounds, D. C.
Maintenance, etc.
Ante, p. 210.

OFFICE OF EDUCATION

Office of Education.

Promotion of vocational rehabilitation of persons disabled in industry in Hawaii: For extending to the Territory of Hawaii the benefits of the Act entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry, and so forth", approved June 2, 1920, as amended, in accordance with the provisions of the Act entitled "An Act to extend the provisions of certain laws to the Territory of Hawaii", approved March 10, 1924, $833.

Vocational rehabilitation, Hawaii.
Vol. 21, p. 735; U. S. C., p. 1320.
Vol. 43, p. 18; U. S. C., p. 910.

GOVERNMENT IN THE TERRITORIES

Government in the Territories.

Insane of Alaska: For an additional amount for care and custody of persons legally adjudged insane in Alaska, including the same objects and for the same services specified in the Interior Department Appropriation Act for the fiscal year 1936, $1,250.

Alaska.
Care of insane.
Ante, p. 213.

Construction and maintenance of roads, bridges, and trails, Alaska: For an additional amount for the repair and maintenance of roads, tramways, ferries, bridges, and trails, Territory of Alaska, in replacement of equipment lost at sea, to be expended under the provisions of Public Resolution Numbered 218, approved June 30, 1932, $36,000.

Roads, bridges, trails, etc.
Equipment lost at sea.
Vol. 47, p. 446; U. S. C., p. 2128.

Territory of Hawaii: Not to exceed $125 of the amount specified in the appropriation for contingent expenses, Territory of Hawaii, fiscal year 1936, for traveling expenses of the Governor while absent from the capital on official business, contained in the Department of Interior Appropriation Act for the fiscal year 1936, is hereby made available for stationery, postage, and incidentals.

Hawaii.
Stationery, etc.
Ante, p. 214.

Temporary Government for the Virgin Islands: For an additional amount for defraying the deficit in the treasury of the municipal government of Saint Croix because of the excess of current expenses over current revenues for the fiscal year 1936, $25,000.

Virgin Islands.
Saint Croix, defraying deficit.
Ante, p. 214.

For household equipment and furnishings necessary for Government House at Saint Croix, fiscal years 1936 and 1937, $5,000.

Government House, furnishings, etc.

HOWARD UNIVERSITY

Howard University.

Of the amounts provided for general expenses, Howard University, in the Department of Interior Appropriation Acts, fiscal years 1936 and 1937, sums of not to exceed $52,000 for the fiscal year 1936 and not to exceed $65,000 for the fiscal year 1937, are hereby made available for transfer to the appropriation for salaries, Howard University, fiscal years 1936 and 1937, respectively.

Salaries; funds transferred.
Ante, p. 216.
Post, p. 1803.

Department of Justice.

DEPARTMENT OF JUSTICE

Attorney General's Office.

OFFICE OF THE ATTORNEY GENERAL

Contingent expenses.
Ante, p. 77.

Contingent expenses: For an additional amount for contingent expenses, Department of Justice, including the same objects specified under this head in the Department of Justice Appropriation Act, 1936, $43,000.

Newspapers.
Ante, p. 1322.

The appropriation "Contingent expenses, Department of Justice, 1937", is amended by inserting the words "not exceeding $350" after the word "newspapers".

Printing and binding.

Printing and binding: For an additional amount for printing and binding for the Department of Justice and the courts of the United States, for the fiscal years that follow:

For 1932, $90;

For 1936, $45,000.

Bureau of Investigation.

BUREAU OF INVESTIGATION

Detection and prosecution of crimes.
Vol. 48, p. 537.

Detection and prosecution of crimes: For an additional amount for salaries and expenses, Division of Investigation, Department of Justice, including the same objects specified under this head in the Department of Justice Appropriation Act, 1935, $63,349.14.

Private damage claims, payment.

Claims for damages: For the payment of claims for damages to any person or damages to or loss of privately owned property caused by employees of the Federal Bureau of Investigation, acting within the scope of their employment, considered, adjusted, and determined by the Attorney General, under the provisions of the Act entitled "An Act to provide for the adjustment and settlement of certain claims arising out of the activities of the Federal Bureau of Investigation", approved March 20, 1936 (Public, Numbered 481, Seventy-fourth Congress) as fully set forth in House Document Numbered 455, and Senate Document Numbered 218, of the Seventy-fourth Congress, $34.27.

Ante, p. 1184.

Miscellaneous.

MISCELLANEOUS OBJECTS, DEPARTMENT OF JUSTICE

Conduct of customs cases.
Vol. 48, p. 537.

Conduct of customs cases: For an additional amount for protecting interests of the United States in customs matters, including the same objects specified under this head in the Department of Justice Appropriation Act, 1935, $118.22.

Taxes and Penalties Unit.
Ante, p. 78.

Taxes and Penalties Unit: For an additional amount for salaries and expenses, Taxes and Penalties Unit, Department of Justice, including the same objects specified under this head in the Department of Justice Appropriation Act, 1936, $19,800.

Elinora Fareira. Payment to.

Payment to Elinora Fareira: For payment to Elinora Fareira in full settlement of all claims against the United States for the amount of the sale of her Buick car by the United States Government on or about April 8, 1930, as authorized by the Act approved August 28, 1935, fiscal year 1936, $325.

Post, p. 2199.

Northern Pacific Railway Company and others.
Salaries and expenses, prosecuting case against.
Vol. 43, p. 461.

Case of United States against Northern Pacific Railway Company, and others: For salaries and expenses incident to prosecution of the case of United States against Northern Pacific Railway Company, and others, Equity, numbered 4389, United States District Court, Eastern District of Washington, including traveling and office expenses; law books; stenographic reporting services, by contract or otherwise, including notarial fees or like services, and stenographic work in taking depositions at such rates of compensation as may be authorized or approved by the Attorney General; fees of witnesses and appraisers; compensation of special master in accord-

Witnesses and appraisers.

ance with order of the United States District Court; printing and binding; the employment of experts at such rates of compensation as may be authorized or approved by the Attorney General; and personal services in the District of Columbia and elsewhere, fiscal year 1936, $110,000, to remain available until June 30, 1937.

JUDICIAL

Judicial.

United States Supreme Court.
Miscellaneous expenses.
Preparation, etc., rules in actions at law.

Miscellaneous expenses, United States Supreme Court: For miscellaneous expenses of the Supreme Court of the United States to provide for expenses of the advisory committee appointed by the Court to assist it in the preparation of a unified system of general rules for cases in equity and actions at law in the district courts of the United States and in the Supreme Court of the District of Columbia, pursuant to the Act entitled "An Act to give the Supreme Court of the United States authority to make and publish rules in actions at law", approved June 19, 1934 (48 Stat. 1064), including personal services in the District of Columbia and elsewhere and printing and binding, to be expended as the Chief Justice in his discretion may direct, including such per-diem allowances in lieu of actual expenses for subsistence at rates to be fixed by him not to exceed $10 per day, fiscal year 1937, $17,500: *Provided*, That the transfer of $13,000 from the appropriation "Preparations of rules in actions at law, 1935 and 1936", to the appropriation "Miscellaneous expenses, Supreme Court 1935 and 1936", is hereby authorized, and the unexpended balances at the close of June 30, 1936, of both of said appropriations are continued available until June 30, 1937.

Vol. 48, p. 1064; U. S. C., p. 1304.
Printing and binding.
Subsistence.
Proviso.
Transfer of appropriations.
Ante, p. 586.

Judges.
Salaries.
Ante, p. 80.

Salaries of judges: For an additional amount for salaries of circuit, district, and retired judges, including the same objects specified under this head in the Department of Justice Appropriation Act, 1936, $65,000.

Expenses.

Expenses of judges: For an additional amount for expenses of circuit and district judges of the United States and the judges of the district courts of the United States in Alaska, Puerto Rico, and Hawaii, as provided by law, fiscal year 1936, $7,500.

United States Court for China.
Salaries and expenses.

United States Court for China: For an additional amount for salaries and expenses, United States Court for China, including the same objects specified under this head in the Department of Justice Appropriation Acts for the fiscal years that follow, respectively:

Ante, p. 81.
Ante, p. 1326.

For 1936, $7,025;
For 1937, $4,700.

United States courts.

MARSHALS, DISTRICT ATTORNEYS, CLERKS, AND OTHER EXPENSES OF UNITED STATES COURTS

Marshals, etc.

Salaries and expenses of marshals, and so forth: For an additional amount for salaries, fees, and expenses of marshals, United States courts, including the same objects specified under this head in the Department of Justice Appropriation Acts for the fiscal years that follow, respectively:

Vol. 48, p. 541.

For 1935, $31,951.21;
For 1936, $270,000.

Ante, p. 81.
District attorneys, etc.

Salaries and expenses of district attorneys, and so forth: For an additional amount for salaries and expenses of district attorneys, United States courts, including the same objects specified under this head in the Department of Justice Appropriation Acts for the fiscal years that follow, respectively:

Vol. 48, p. 541.
Ante, p. 81.

For 1935, $6,439.09;
For 1936, $60,000,

Clerks of courts.

Salaries and expenses, clerks of courts: For an additional amount for salaries and expenses of clerks, United States courts, including the same objects specified under this head in the Department of Justice Appropriation Acts for the fiscal years that follow, respectively:

Vol. 48, p. 542.

For 1935, $12,735.32;

Ante, p. 82.

For 1936, $73,000.

Commissioners.

Fees of commissioners: For additional amounts for fees of United States commissioners and other committing magistrates acting under section 1014, Revised Statutes (U. S. C., title 18, sec. 591), for the following fiscal years:

R. S., sec. 1014, p. 189; U. S. C., p. 770.

Vol. 46, p. 190.

For 1930, 60 cents;

Vol. 46, p. 1324.

For 1931, $56.60;

Vol. 47, p. 492.

For 1932, $714.72;

Vol. 47, p. 1384.

For 1933, $886.23.

Jurors and witnesses.

Fees of jurors and witnesses: For an additional amount for fees of jurors and witnesses, United States courts, including the same objects specified under this head in the Department of Justice Appropriation Act for the fiscal year 1935, $63,097.34.

Vol. 48, p. 542.

Bailiffs, etc.

Salaries and expenses of bailiffs, and so forth: For an additional amount for pay of bailiffs, and so forth, United States courts, including the same objects specified under this head in the Department of Justice Appropriation Act, 1936, $20,000.

Ante, p. 82.

Miscellaneous.

Miscellaneous expenses: For an additional amount for miscellaneous expenses, United States courts, including the same objects specified under this head in the Department of Justice Appropriation Acts for the fiscal years that follow, respectively:

Vol. 46, p. 190.

For 1930, $360;

Ante, p. 82.

For 1936, $36,500.

Supplies.

Supplies: For an additional amount for supplies for United States courts, including the same objects specified under this head in the Act making appropriations for the Department of Justice for the fiscal year 1934, $153.60.

Vol. 47, p. 1384.

Penal and correctional institutions.

PENAL AND CORRECTIONAL INSTITUTIONS

National Training School for Boys, D. C.

National Training School for Boys, Washington, District of Columbia, maintenance: For an additional amount for the National Training School for Boys, Washington, District of Columbia, including the same objects specified under this head in the Department of Justice Appropriation Act, 1936, $21,300.

Ante, p. 85.

Support of prisoners.

Support of prisoners: For an additional amount for support of United States prisoners, including the same objects specified under this head in the Act making appropriations for the Department of Justice for the fiscal year 1929, $97.50.

Vol. 45, p. 83.

Department of Labor.

DEPARTMENT OF LABOR

Secretary's office.

OFFICE OF THE SECRETARY

Printing and binding.

Printing and binding: For an additional amount for printing and binding for the Department of Labor, including the same objects specified under this head in the Department of Labor Appropriation Act, 1936, $10,000.

Ante, p. 102.

Immigration and Naturalization Service.

IMMIGRATION AND NATURALIZATION SERVICE

Overtime service of inspectors.

The sum of $60,000 made available only for the payment of extra compensation for overtime services of inspectors and employees of the Immigration and Naturalization Service for which the United

States receives reimbursement in accordance with the provisions of the Act of March 2, 1931 (U. S. C., title 8, secs. 109a and 109b), in the Department of Labor Appropriation Act, 1936, approved March 22, 1935, under the appropriation title "Salaries and expenses, Immigration and Naturalization Service", is hereby increased to $110,000.

Vol. 46, p. 1437; U. S. C., p. 184.
Ante, p. 103.

BITUMINOUS COAL LABOR BOARD

Bituminous Coal Labor Board.

Salaries and expenses: For three Board members and other personal services in the District of Columbia and elsewhere, and for all other necessary expenditures of the Bituminous Coal Labor Board in performing the duties imposed upon said Board by the Bituminous Coal Conservation Act of 1935, approved August 30, 1935, including supplies, stationery, telephone service, telegrams, furniture, office equipment, travel expenses, contract stenographic reporting services, and other contingent expenses, fiscal year 1936, $30,000, of which sum such amounts as may be necessary shall be available for payment of salaries of the Board members from and including the respective dates upon which they officially assumed duty as such members and for all other expenses heretofore incurred by the Board.

Salaries and expenses.

Ante, p. 1001.

Printing and binding: For all printing and binding for the Bituminous Coal Labor Board, fiscal year 1936, $1,000.

Printing and binding.

The appropriations for "Salaries and Expenses" and "Printing and Binding" for the Bituminous Coal Labor Board for the fiscal year ending June 30, 1937, contained in the "Department of Labor Appropriation Act, 1937", are hereby repealed.

Appropriations repealed.
Ante, p. 1352.

NAVY DEPARTMENT

Navy Department.

SECRETARY'S OFFICE

Secretary's office.

Payment to Cecelia Callahan: For payment to Cecelia Callahan of an amount equal to six months' pay of her nephew, the late Joseph Francis O'Neil, United States Navy, as authorized by the Act approved March 2, 1936, $475.20.

Cecelia Callahan. Payment to.
Post, p. 2230.

Claims for damages by collision with naval vessels: To pay claims for damages adjusted and determined by the Secretary of the Navy under the provisions of the Act entitled "An Act to amend the Act authorizing the Secretary of the Navy to settle claims for damages to private property arising from collisions with naval vessels", approved December 28, 1922, as fully set forth in House Document Numbered 454, Seventy-fourth Congress, $91,34.

Collision damage claims.
Vol. 42, p. 1066.
U. S. C., p. 1550.

Navy and Marine Memorial Monument: The entire appropriation of $13,000 made in the Second Deficiency Appropriation Act, fiscal year 1935, for this purpose may, upon the approval of the Secretary of the Navy, notwithstanding any other provision of law, be expended for the fabrication, transportation, and erection of such monument.

Navy and Marine Memorial Monument. Fabrication, transportation, and erection.
Ante, p. 588.

BUREAU OF NAVIGATION

Bureau of Navigation.

Transportation: For travel allowance, and so forth, including the same objects specified under this head in the Act making appropriations for the Navy Department and the naval service for the fiscal year 1923, $28.95.

Travel allowance, etc.
Vol. 42, p. 790.

Training, education, and welfare: There is hereby transferred from the appropriation "Training, Education, and Welfare, Navy, 1936", subhead "Instruction", $5,450; subhead "Libraries", $3,550, subhead "Naval Reserve Officers' Training Corps", $3,000; and from

Training, education, and welfare. Transfer of funds.

Vol. 36, p. 1353. U. S. C., p. 1578.

the appropriation "State Marine Schools (Act March 4, 1911), 1936", $12,000; in all, $24,000, to the appropriation "Training, Education, and Welfare, Navy, 1936", subhead "Naval Training Station, Norfolk, Virginia", to be available for the same objects specified under this subhead in the Act making appropriations for the Navy Department and naval service for the fiscal year 1936, approved June 24, 1935.

Ante, p. 400.

Henry H. Rogers, bequest.

Expenses incident to acceptance.

Acceptance of bequest of Henry H. Rogers: For crating, packing, transportation, and other necessary expenses in connection with the acceptance by the Secretary of the Navy, on behalf of the United States, of the collection of ship models bequeathed the United States Naval Academy by the late Henry H. Rogers, as authorized by the Act approved April 25, 1936 (Public, Numbered 533), to remain available until June 30, 1937, $5,000.

Ante, p. 1239.

Bureau of Engineering.

BUREAU OF ENGINEERING

Engineering repairs, machinery, etc.

Engineering: For repairs, preservation, and renewal of machinery, auxiliary machinery, and so forth, including the same objects specified under this head in the Act making appropriations for the Navy Department and the naval service for the fiscal year 1936, $750,000, to remain available until June 30, 1937.

Ante, p. 405.

Bureau of Construction and Repair.

BUREAU OF CONSTRUCTION AND REPAIR

Construction and repair of vessels.

For designing naval vessels, including services, instruments, apparatus, and so forth, including the same objects specified under this head in the Act making appropriations for the Navy Department and the naval service for the fiscal year 1936, $100,000, to remain available until June 30, 1937.

Ante, p. 406.

Bureau of Supplies and Accounts.

BUREAU OF SUPPLIES AND ACCOUNTS

Fuel and transportation.

Fuel and transportation: For an additional amount for coal and other fuel for submarine bases and steamers' and ships' use, and so forth, including the same objects specified under this head in the Act making appropriations for the Navy Department and the naval service for the fiscal year 1936, $750,000.

Ante, p. 407.

Bureau of Yards and Docks.

BUREAU OF YARDS AND DOCKS

Public works, etc.

Public works, Bureau of Yards and Docks: For an additional amount for the prosecution of the public works and public utilities projects heretofore authorized and appropriated for under this head and in addition the following-named public works and public utilities projects at a limit of cost not to exceed the amount stated for each project enumerated, respectively:

Mare Island, Calif., navy yard.

Navy Yard, Mare Island, California: Dispensary building and accessories, $80,000;

Norfolk, Va., operating base.

Naval Operating Base, Norfolk, Virginia: Improvement of heating plant, $75,000;

Newport, R. I., torpedo station.

Naval Torpedo Station, Newport, Rhode Island: Improvement of station and government landing ferry slips, $47,000; Carpenter shop building and accessories, $80,000;

Norfolk, Va., air station.

Naval Air Station, Norfolk, Virginia: To replace assembly and repair shop facilities destroyed by fire, including building and accessories, $150,000;

Dahlgren, Va., proving ground.

Naval Proving Ground, Dahlgren, Virginia: Improvement of airplane landing field, $90,000;

Fleet Air Base, Pearl Harbor, Hawaii: Improvement of service systems and extension of roads and walks, $184,000.

Pearl Harbor, Hawaii, fleet air base.

In all, $706,000, which, together with unexpended balances of appropriations heretofore made under this head, shall be disbursed and accounted for in accordance with existing law and shall constitute one fund: *Provided*, That of the amount herein appropriated not to exceed 2½ per centum thereof shall be available for the employment of classified personal services in the Bureau of Yards and Docks and in the field service to be engaged upon such work and to be in addition to employees otherwise provided for.

Accounting.

Proviso. Personal services.

MARINE CORPS

Marine Corps.

General expenses, Marine Corps: For an additional amount under the subhead "Provisions" of the appropriation "General expenses, Marine Corps, 1936", including the same objects specified under this subhead in the Act making appropriations for the Navy Department and the naval service for the fiscal year 1936, $95,000.

Provisions, etc.

Ante, p. 416.

Marine Band: To carry into effect the provisions of the Act entitled "An Act to authorize the attendance of the Marine Band at the Arkansas Centennial Celebration, at Little Rock, Arkansas, the Texas Centennial, at Dallas, Texas, and the National Confederate Reunion, at Shreveport, Louisiana, between the dates from June 6 to June 16, 1936, inclusive", approved June 3, 1936, $11,500.

Marine Band.

Ante, p. 1395.

INCREASE OF THE NAVY

Increase of the Navy.

Construction and machinery: The limitation on expenditures for employees in the field service assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department under the appropriation "Increase of the Navy, construction and machinery" for the fiscal year 1936 is hereby increased from $1,000,000 to $2,400,000.

Group IV (b) employees.

Limit on expenditure, field service, increased.

Ante, p. 417.

POST OFFICE DEPARTMENT

(Out of the postal revenues)

Post Office Department.

OFFICE OF THE POSTMASTER GENERAL

Postmaster General.

Salaries: For an additional amount for salaries, Office of the First Assistant Postmaster General, fiscal year 1936, $9,250.

First Assistant Postmaster General's office, salaries.

Contingent expenses: For an additional amount for contingent and miscellaneous expenses; stationery and blank books, and so forth, including the same objects specified under this head in the Post Office Department Appropriation Act, 1936, $7,000.

Contingent expenses.

Ante, p. 236.

Printing and binding: For an additional amount for printing and binding for the Post Office Department, including the same objects specified under this head in the Post Office Department Appropriation Act, 1936, $325,000.

Printing and binding.

Ante, p. 236.

FIELD SERVICE, POST OFFICE DEPARTMENT

Field Service.

OFFICE OF THE CHIEF INSPECTOR

Chief Inspector's office.

Payment of rewards: For an additional amount for payment of rewards, and so forth, including the same objects specified under this head in the Post Office Department Appropriation Act, 1935, $24,500: *Provided*, That the amounts appropriated under this head for the fiscal years 1936 and 1937 shall be available for the payment

Rewards for detecting law violations.

Vol. 48, p. 444.

Proviso. Mailing bombs, etc.

of rewards for the detection, arrest, and conviction of persons mailing or causing to be mailed any bomb, infernal machine, or mechanical, chemical, or other device or composition which may ignite or explode.

First Assistant Postmaster General.

OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL

Postmasters.

Compensation to postmasters: For an additional amount for compensation to postmasters, and so forth, including the same objects specified under this head in the Post Office Department Appropriation Act, 1936, $3,500,000.

Ante, p. 237.

Clerks, first and second-class offices.

Clerks, first- and second-class post offices: For an additional amount for compensation to clerks and employees at first- and second-class post offices, and so forth, including the same objects specified under this head in the Post Office Department Appropriation Act, 1936, $18,000,000.

Village delivery service.

Village delivery service: For an additional amount for village delivery service, and so forth, including the same objects specified under this head in the Post Office Department Appropriation Act, 1936, $90,000.

City delivery carriers.

City delivery carriers: For an additional amount for pay of letter carriers, City Delivery Service, fiscal year, 1936, $10,750,000.

Special-delivery fees.

Special-delivery fees: For an additional amount for fees to special-delivery messengers for the fiscal years that follow:

Vol. 48, p. 445.
Ante, p. 238.

For 1935, $95,000;

For 1936, $750,000.

Second Assistant Postmaster General.

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

Railroad transportation, etc.

Railroad transportation and mail messenger service: For an additional amount for inland transportation by railroad routes and for mail messenger service, and so forth, including the same objects specified under this head in the Post Office Department Appropriation Act, 1936, $2,000,000.

Ante, p. 238.

Railway Mail Service.
Salaries.

Railway Mail Service, salaries: For an additional amount for Railway Mail Service, salaries, including the same objects specified under this head in the Post Office Department Act, 1936, $3,450,000.

Ante, p. 238.

Travel allowance to clerks, etc.

Railway postal clerks, travel allowance: For an additional amount for travel allowance to railway postal clerks and substitute railway postal clerks, fiscal year 1936, $125,000.

Contract air-mail service.

Contract air-mail service: For an additional amount for the inland transportation of mail by aircraft, and so forth, including the same objects specified under this head in the Post Office Department Appropriation Act, 1936, $1,300,000.

Ante, p. 239.

Fourth Assistant Postmaster General.

OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL

Vehicle service.

Vehicle service: For an additional amount for vehicle service, and so forth, including the same objects specified under this head in the Post Office Department Appropriation Act, 1936, $200,000.

Ante, p. 241.

Department of State.

DEPARTMENT OF STATE

Secretary's office.

OFFICE OF THE SECRETARY OF STATE

Salaries.

Salaries: For an additional amount for salaries, Department of State, including the same objects specified under this head in the Department of State Appropriation Act, 1937, $17,300.

Ante, p. 1309.

Contingent expenses.

Contingent expenses: For an additional amount for contingent expenses, Department of State, including the same objects specified under this head in the Department of State Appropriation Act, 1936, $6,450, of which not to exceed $880 may be expended for typewriters,

Ante, p. 68.

Typewriters, etc.

adding machines, and other labor-saving devices, including their exchange.

For an additional amount for contingent expenses, Department of State, including the same objects specified under this head in the Department of State Appropriation Act, 1937, $5,700. *Ante*, p. 1310.

Printing and binding: For an additional amount for printing and binding, Department of State, including the same objects specified under this head in the Department of State Appropriation Acts for the fiscal years that follow, respectively: Printing and binding.

For 1936, $5,000; *Ante*, p. 68.

For 1937, $2,000. *Ante*, p. 1311.

FOREIGN INTERCOURSE

Foreign intercourse.

Transportation of Foreign Service officers: For an additional amount for transportation of Foreign Service officers, including the same objects specified under this head in the Department of State Appropriation Act, 1936, $45,000. Transportation. *Ante*, p. 70.

Contingent expenses, Foreign Service: For an additional amount for contingent expenses, Foreign Service, including the same objects specified under this head in the Department of State Appropriation Act, 1936, $40,000, together with not to exceed $140,000 of the unexpended balance of the appropriation for office and living quarters, Foreign Service, fiscal year 1936. Contingent expenses. Sum from balance reappropriated. *Ante*, p. 72.

Payment to Gladys Hinckley Werlich: For payment to Gladys Hinckley Werlich, widow of McCeney Werlich, late a Foreign Service officer of the United States at Paris, France, of one year's salary of her deceased husband who died while in the Foreign Service, as authorized by the Act approved May 18, 1936 (Private Act Numbered 567, Seventy-fourth Congress), $4,100. Gladys Hinckley Werlich. Payment to. *Post*, p. 2296.

INTERNATIONAL CONGRESSES, COMMISSIONS, BUREAUS, AND SO FORTH

International Congresses, etc.

International Boundary Commission, United States and Mexico, United States Section—Rio Grande Diversion Dam: For beginning the construction of a diversion dam in the Rio Grande wholly in the United States, with appurtenant connections to existing irrigation systems, as authorized by law, fiscal year 1937, $1,000,000, under a total estimated cost not to exceed $1,400,000, to be immediately available and to be available also for the same objects of expenditure and under the same authority specified for other projects of the Commission in the second paragraph under the caption "International Boundary Commission, United States and Mexico" contained in the Department of State Appropriation Act, 1937. International Boundary Commission, United States and Mexico. Rio Grande Diversion Dam. Availability. *Ante*, p. 1317.

International Joint Commission, United States and Great Britain: For the expense of the investigation and report requested by section 4 of the Act of August 30, 1935 (49 Stat. 1048), including personal services in the District of Columbia and elsewhere without reference to the Classification Act of 1923, as amended; stenographic reporting services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses; stationery; printing and binding; hire, maintenance, and operation of motor-propelled passenger-carrying vehicles; and such other expenses as may be authorized by the Secretary of State, fiscal year 1936, $5,500, to remain available until June 30, 1937. International Joint Commission, United States and Great Britain. Lake Champlain to Hudson River waterway investigation. *Ante*, p. 1048. R. S., sec. 3709, p. 733. U. S. C., p. 1303.

Mixed Claims Commission, United States and Germany: For expenses of determining the amounts of claims against Germany by the Mixed Claims Commission established under the agreement concluded between the United States and Germany on August 10, 1922, and subsequent agreement between those Governments, for the Mixed Claims Commission, United States and Germany. Expenses, etc. Vol. 42, p. 2200; Vol. 45, p. 2693.

determination of the amount to be paid by Germany in satisfaction of the financial obligations of Germany under the treaty concluded between the Governments of the United States and Germany on August 25, 1921, including the expenses which under the terms of such agreement of August 10, 1922, are chargeable in part to the United States, and the preparation of a final report by the American Commissioner and the orderly arrangement for preservation and disposition of the records of the Commission; and the expenses of an agency of the United States to perform all necessary services in connection with the preparation of claims and the presentation thereof before said Mixed Claims Commission, and the preparation of a final report of the agent and the orderly arrangement for preservation of the records of the agency and the disposition of property jointly owned by the two Governments, including salaries of an agent and necessary counsel and other assistants and employees, rent in the District of Columbia, employment of special counsel, translators, and other technical experts, by contract, without regard to the provisions of any statute relative to employment, and for contract stenographic reporting services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), law books and books of reference, printing and binding, contingent expenses, traveling expenses, press-clipping service, for all necessary and appropriate expenses in connection with proceedings under the Act entitled "An Act to amend the Act approved July 3, 1930 (U. S. C., title 22, sec. 270), authorizing Commissioners or members of international tribunals to administer oaths, and so forth", approved June 7, 1933, including stenographic transcripts of the testimony of witnesses, and such other expenses in the United States and elsewhere as the President may deem proper, including payment for services rendered and reimbursement for expenditures incurred subsequent to December 1, 1935, fiscal year 1936, $35,000 to remain available until June 30, 1937.

Vol. 42, p. 1939.

Final report of American Commissioner.

Special counsel, etc.

R. S., sec. 3709, p. 733. U. S. C., p. 1803.

Vol. 46, p. 1005. U. S. C., p. 966.

Aviation Conference, Lima, Peru.

Participation expenses.

Aviation Conference, Lima, Peru: For the expenses of participation by the United States in the Aviation Conference to be convened at Lima, Peru, in 1936, including personal services in the District of Columbia and elsewhere without reference to the Classification Act of 1923, as amended; stenographic reporting and translating services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses (and by indirect routes and by airplane if specifically authorized by the Secretary of State); purchase of necessary books, documents, newspapers, and periodicals; stationery; official cards; printing and binding; entertainment; hire, maintenance, and operation of motor-propelled passenger-carrying vehicles; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, fiscal year 1936, $25,000, to remain available until June 30, 1937.

R. S., sec. 3709, p. 733. U. S. C., p. 1803.

Reimbursement of other appropriations.

United States-Panamanian Claims Commission, payment of awards.

Vol. 47, p. 1915.

Awards of United States-Panamanian Claims Commission: For payment of claims of American nationals in accordance with awards of the United States-Panamanian Claims Commission, pursuant to the conventions concluded July 28, 1926, and December 17, 1932, between the Government of the United States and the Government of Panama, $3,150, to supplement the payment by the Republic of Panama, and to be established in the trust account covering said payment.

Conference on oil pollution of navigable waters.

Conference on oil pollution of navigable waters: For the expenses of the United States in participating in a conference on oil pollution of navigable waters, to be held in Geneva, Switzerland, during 1936,

including the preparation therefor and expenses in connection therewith, personal services in the District of Columbia or elsewhere without reference to the Classification Act of 1923, as amended; stenographic reporting services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses; purchase of necessary books, documents, newspapers, periodicals, and maps; stationery; official cards; printing and binding; entertainment; and such other expenses as may be authorized by the Secretary of State; to be expended under the supervision of the Secretary of State, fiscal year 1936, $3,000, to remain available until June 30, 1937.

R. S., sec. 3709, p. 733. U. S. C., p. 1803.

Printing and binding.

Payment to Government of Norway: For payment to the Government of Norway in full and final settlement of all claims for reimbursement on account of losses sustained by the owner and crew of the Norwegian steamer Tampen by reason of the detention of the vessel by the United States Coast Guard during June 1925, as authorized by the Act approved January 27, 1936, fiscal year 1936, $8,765.

Payment to Government of Norway. Steamer "Tampen."

Ante, p. 1104.

Claims adjustment, United States and Turkey: The unexpended balance of the appropriation "Claims adjustment, United States and Turkey, 1934–1936", is continued available for the same purposes until June 30, 1937.

Claims adjustment with Turkey. *Ante*, p. 76.

International Exposition, Paris, France: For the purpose of carrying into effect the provisions of Public Resolution Numbered 80, entitled "Joint resolution accepting the invitation of the Government of France to the United States to participate in the International Exposition of Paris—Art and Technique in Modern Life, to be held at Paris, France, in 1937", approved April 10, 1936, $50,000, to remain available until June 30, 1938.

International Exposition, Paris. Participation expenses. *Ante*, p. 1200.

Third triennial meeting of the Associated Country Women of the World: To aid in defraying the expenses of the third Triennial Meeting of the Associated Country Women of the World to be held in the United States in June 1936, including personal services in the District of Columbia and elsewhere without reference to the Classification Act of 1923, as amended; stenographic reporting services by contract, if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses; local transportation; hire of motor-propelled passenger-carrying vehicles; purchase of necessary books, documents, newspapers, periodicals, and maps; stationery; membership badges; official cards; entertainment; printing and binding; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, to be expended under the direction of the Secretary of State, fiscal year 1936, $10,000, to remain available until June 30, 1937.

Associated Country Women of the World, triennial meeting. Expenses. *Ante*, p. 1167.

R. S., sec. 3709, p. 733. U. S. C., p. 1803.

Reimbursement of other appropriations.

International Conferences: The unexpended balances of the appropriations "International Monetary and Economic Conference, 1933–36", and "General Disarmament Conference, Geneva, Switzerland, 1933–36", contained in the First Deficiency Act, fiscal year 1935, are continued available for the same purposes until June 30, 1937.

International conferences. Balances reappropriated. *Ante*, p. 56.

Conference to Revise the Convention for the Protection of Literary and Artistic Works, Brussels, Belgium: For the expenses of participation by the United States in the conference to convene at Brussels, Belgium, for the purpose of revising the Convention for the Protection of Literary and Artistic Works, concluded at Bern, September 9, 1886, and revised at Rome, June 2, 1928, including personal services in the District of Columbia and elsewhere without reference to the Classification Act of 1923, as amended; stenographic reporting and other services by contract if deemed necessary with-

Conference to Revise the Convention for the Protection of Literary and Artistic Works, Brussels. Participation expenses. *Ante*, p. 1357.

out regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses; purchase of necessary books, documents, newspapers, periodicals, maps, stationery, and official cards; entertainment; printing and binding; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified; to be expended under the direction of the Secretary of State, fiscal year 1936, $6,500, to remain available until June 30, 1937.

Reimbursement of other appropriations.

Ninth Congress of Military Medicine and Pharmacy,
Participation expenses.
Ante, p. 1355.

Ninth International Congress of Military Medicine and Pharmacy: For the expenses of participation by the United States in the Ninth International Congress of Military Medicine and Pharmacy to be held in Rumania in 1937, including personal services in the District of Columbia or elsewhere without reference to the Classification Act of 1923, as amended; stenographic reporting and other services by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses; purchase of necessary books, documents, newspapers, periodicals, maps, stationery, and official cards; entertainment; printing and binding, including the payment of not to exceed $500 to the Association of Military Surgeons of the United States toward the cost of printing the report of the American Delegation to the Ninth Congress; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified; to be expended under the direction of the Secretary of State, fiscal year 1937, $11,500, to remain available until June 30, 1938.

Traveling expenses, etc.

Association of Military Surgeons of the United States.
Printing report of American Delegation.

Reimbursement of other appropriations.

International Hydrographic Bureau, contribution.

International Hydrographic Bureau: For the contribution of the United States to the International Hydrographic Bureau, together with such additional sums, due to increases in rates of exchange, as may be necessary to pay in foreign currencies the contribution required by the statutes of the Bureau, fiscal year 1936, $308.80.

International Telegraph Consulting Committee.
Participation expenses.

International Telegraph Consulting Committee: For the expenses of participation by the United States in the meeting of the International Telegraph Consulting Committee to be held at Warsaw, Poland, in 1936, including personal services in the District of Columbia and elsewhere without regard to the Classification Act of 1923, as amended; stenographic reporting and other services by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses; local transportation; printing and binding; official cards; purchase of necessary books, documents, newspapers, and periodicals; stationery; entertainment; and such other expenses as the Secretary of State may authorize, including the reimbursement of other appropriations from which payments have been made for any purposes herein specified, fiscal year 1937, $2,500.

Traveling expenses, etc.

Reimbursement of other appropriations.

World's Woman's Christian Temperance Union.
Sixteenth Triennial Convention.
Ante, p. 1268.

Sixteenth Triennial Convention of the World's Woman's Christian Temperance Union: To aid in defraying the expenses of the sixteenth Triennial Convention of the World's Woman's Christian Temperance Union, to be held in the United States in June 1937, including personal services in the District of Columbia and elsewhere without reference to the Classification Act of 1923, as amended; stenographic reporting and other services by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses; local transportation; hire of motor-propelled passenger-carrying vehicles; purchase of necessary books, documents, newspapers, periodicals, and

Traveling expenses, etc.

maps; stationery; membership badges; official cards; entertainment; printing and binding; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, to be expended under the direction of the Secretary of State, fiscal year 1937, $10,000, to remain available until June 30, 1938.

Reimbursement of other appropriations.

Commission to study the subject of Hernando De Soto's Expedition: The unexpended balance of the appropriation "Commission to study the subject of Hernando De Soto's Expedition, Department of State, 1936", is continued available for the same purposes until June 30, 1937, to enable the Commission to make its report to Congress as provided by the act entitled "An Act extending the time for making the report of the Commission to study the subject of Hernando De Soto's Expedition", approved May 27, 1936.

Hernando De Soto's Expedition.
Commission to study and report.
Ante, p. 1124.

Ante, p. 1386.

TREASURY DEPARTMENT

Treasury Department.

OFFICE OF THE SECRETARY

Secretary's office.

Salaries: For an additional amount for salaries, office of the Secretary, including the same objects specified under this head in the Treasury Department Appropriation Act, 1937, $31,860.

Salaries.
Post, p. 1827.

Old-age reserve account, Social Security Act: For an amount sufficient as an annual premium for the payments required under title II of the Social Security Act, approved August 14, 1935 (U. S. C., title 42, sec. 401, 1934 edition, Supp. I), to be appropriated to the old-age reserve account established under section 201 (a) of the Act, fiscal year 1937, $265,000,000: *Provided*, That such amount shall be available until expended for making payments required under the Act, and the amounts not required for current payments shall be invested from time to time in such amounts and in such manner as the Secretary of the Treasury may deem most expedient in accordance with the provisions of such Act.

Federal old-age benefits.
Old-age reserve account.
Ante, p. 622.
U. S. C., Supp. I, p. 246.

Proviso.
Available for making payments until expended.

Subscriptions to paid-in surplus of Federal land banks: The appropriation of $24,000,000 for subscriptions to paid-in surplus of Federal land banks as provided in the Treasury Department Appropriation Act, 1937, and the unexpended balance of the appropriation of $20,000,000 made in the Second Deficiency Appropriation Act, fiscal year 1935, and continued available until June 30, 1937, are hereby made one fund.

Federal land banks.
Subscriptions to paid-in surplus.
Post, p. 1829.
Ante, p. 592.

Payments to Federal land banks on account of reductions in interest rate on mortgages: The appropriation of $24,000,000 for payments to Federal land banks on account of reductions in interest rate on mortgages as provided in the Treasury Department Appropriation Act, 1937, and the unexpended balance of the appropriation of $36,000,000 made in the Second Deficiency Appropriation Act, fiscal year 1935, and continued available until June 30, 1937, are hereby made one fund: *Provided*, That this fund shall also be available to the Secretary of the Treasury to pay each Federal land bank such amount as the Land Bank Commissioner certifies to the Secretary of the Treasury is equal to the amount by which interest payments on mortgages held by such bank have been reduced during the fiscal year beginning July 1, 1936, in accordance with the provisions of paragraph "Twelfth" of section 12 of the Federal Farm Loan Act, as amended.

Federal land banks.
Payments on account of interest rate reductions.
Post, p. 1828.
Ante, p. 592.

Proviso.
Use extended.

Division of Printing.

DIVISION OF PRINTING

Stationery.

Stationery: For an additional amount for stationery for the Treasury Department, including the same objects specified under this head in the Act making appropriations for the Treasury Department for the fiscal year 1936, $75,000.

Ante, p. 220.

Printing and binding.

Printing and binding: For an additional amount for printing and binding, Treasury Department, including the same objects specified under this head in the Act making appropriations for the Treasury Department for the fiscal year 1936, $188,000.

Ante, p. 220.

Customs Bureau.

BUREAU OF CUSTOMS

Collecting customs revenue.

Collecting the revenue from customs: For an additional amount for collecting the revenue from customs, including the same objects specified under this head in the Treasury Department Appropriation Act for the fiscal year 1936, $71,000: *Provided*, That the appropriations for this purpose for the fiscal years 1936 and 1937, shall be available for the payment of extra compensation earned by Customs officers and employees, for overtime services, at the expense of the parties in interest, in accordance with the provisions of section 5 of the Act approved February 13, 1911, as amended by the Act approved February 7, 1920, and section 451 of the Tariff Act, 1930 (U. S. C., 1934 edition, title 19, secs. 261, 267, and 1451): *Provided further*, That the receipts from such parties in interest for such overtime services shall be deposited as a refund to the appropriation from which paid, in accordance with the provisions of section 524 of the Tariff Act of 1930.

Ante, p. 222.

Provisos.
Overtime pay.

Vol. 41, p. 402; Vol. 46, p. 715.
U. S. C., pp. 814, 883.

Deposit of receipts.
Vol. 46, p. 741.

Fiscal year 1929.

For an additional amount for collecting the revenue from customs, fiscal year 1929, including the same objects specified under this head in the Act making appropriations for the Treasury Department for the fiscal year ending June 30, 1929, $2.61.

Vol. 45, p. 167.

Refunds and drawbacks.

Refunds and drawbacks: For an additional amount for refunds and drawbacks, Customs, including the same objects specified under this head in the Act making appropriations for the Treasury Department for the fiscal year 1936, $2,800,000.

Ante, p. 222.

Edgar M. Barber.
Payment to.

Refund to Edgar M. Barber: For refund to Edgar M. Barber of the amount of an unavailable item in his accounts as former special disbursing agent, Paris, France, paid by him, which unavailable item the Comptroller General of the United States was subsequently directed to allow in his accounts by Private Law Numbered 548, Seventy-fourth Congress, approved May 7, 1936, $51.25.

Post, p. 2291.

Bureau of the Budget.

BUREAU OF THE BUDGET

Printing and binding.

Printing and binding: Not to exceed $2,000 of the appropriation for salaries and expenses, Bureau of the Budget, fiscal year 1936, may be transferred to the appropriation for printing and binding, Bureau of the Budget, fiscal year 1936.

Ante, p. 222.

Internal Revenue Bureau.

BUREAU OF INTERNAL REVENUE

Collecting the internal revenue.

Collecting the internal revenue: For an additional amount for collecting the internal revenue, including the same objects specified under this head in the Act making appropriations for the Treasury Department for the fiscal year 1936, $250,000.

Ante, p. 223.

Salaries and expenses.

Salaries and expenses: For an additional amount for expenses of assessing and collecting the internal-revenue taxes, including the same objects specified under this head in the Act making appropriations for the Treasury Department, fiscal year 1937, $5,801,550, of

Post, p. 1833.

which amount not to exceed $1,421,100 may be expended for personal services in the District of Columbia.

Services in the District.

Payment of judgments against internal-revenue collectors: For payment of judgments rendered against Rufus W. Fontenot, individually and as acting collector of internal revenue, in each of eleven separate equity suits in the District Court of the United States for the Eastern District of Louisiana, New Orleans Division, covering injunction proceedings for the prevention of collection of processing taxes under and pursuant to the Agricultural Adjustment Act of May 12, 1933 (48 Stat. 31), as amended August 24, 1934 (49 Stat. 750), $2,782.45.

Paying judgments against collectors.
Rufus W. Fontenot.

Vol. 48, p. 31; *Ante*, p. 750.

COAST GUARD

Coast Guard.

Pay and allowances: Not exceeding $30,000 of the amount appropriated for "Civilian employees, Coast Guard", and not exceeding $50,000 of the amount appropriated for "Fuel and Water, Coast Guard", in the Act making appropriations for the Treasury Department for the fiscal year 1936, may be transferred to the appropriation for "Pay and allowances, Coast Guard, 1936".

Pay and allowances. *Ante*, p. 226.

Sums transferred.

Outfits: For an additional amount for outfits, including the same objects specified under this head in the Treasury Department Appropriation Act, 1936, $181,000, of which sum $70,000 shall remain available until June 30, 1937.

Outfits. *Ante*, p. 226.

Rebuilding and repairing stations: For an additional amount for rebuilding and repairing stations, including the same objects specified under this head in the Treasury Department Appropriation Act, 1936, $310,700, to remain available until June 30, 1937.

Stations, improvements. *Ante*, p. 226.

Communication lines: For an additional amount for communication lines, Coast Guard, including the same objects specified under this head in the Treasury Department Appropriation Act, 1936, $32,000.

Communication lines. *Ante*, p. 226.

Contingent expenses: Not exceeding $10,000 of the amount appropriated for "Fuel and Water, Coast Guard", in the Act making appropriations for the Treasury Department for the fiscal year 1936, may be transferred to the appropriation for "Contingent Expenses, Coast Guard, 1936."

Contingent expenses. Sum transferred. *Ante*, p. 226.

Repairs to vessels: For an additional amount for repairs to Coast Guard vessels, including the same objects specified under this head in the Treasury Department Appropriation Act, 1936, $175,000, to remain available until June 30, 1937.

Vessels, repair. *Ante*, p. 226.

PUBLIC HEALTH SERVICE

Public Health Service.

Pay of personnel and maintenance of hospitals: For an additional amount for pay of personnel and maintenance of hospitals, Public Health Service, including the same objects specified under this head in the Treasury Department Appropriation Act, 1936, $159,000.

Hospitals, maintenance, etc. *Ante*, p. 229.

BUREAU OF THE MINT

Bureau of the Mint.

Salaries and expenses, mints and assay offices: For an additional amount for salaries and expenses, mints and assay offices, including the same objects specified under this head in the Act making appropriations for the Treasury Department for the fiscal year 1936, $2,030,000, to remain available until June 30, 1937, of which not to exceed $1,475,000 shall be available for the Fort Knox Bullion Depository, Fort Knox, Kentucky, including transportation of bullion and coin from mints and assay offices to such depository; not

Mints and assay offices.
Salaries and expenses. *Ante*, p. 231.

Fort Knox, Ky., bullion depository.
Transporting bullion and coin.

San Francisco, Calif.

Denver, Colo.

to exceed $340,000 shall be available for the coinage mint at San Francisco, California, including transportation of gold, silver, and equipment, repairs to old equipment and purchase of new equipment; and not to exceed $215,000 shall be available for the coinage mint at Denver, Colorado, including transportation of gold, silver, and equipment, repairs to old equipment and purchase of new equipment.

Procurement Division; Public Buildings Branch.

PROCUREMENT DIVISION—PUBLIC BUILDINGS BRANCH

Sites and construction, public buildings.

Sites and construction, public buildings, Act of May 25, 1926, as amended: For continuation or completion of construction in connection with any or all projects authorized under the provisions of sections 3 and 5 of the Public Buildings Act, approved May 25, 1926, and the Acts amendatory thereof approved February 24, 1928, and March 31, 1930 (U. S. C., title 40, secs. 341–349), within the respective limits of cost fixed for such projects, $3,350,000.

Vol. 44, p. 632; Vol. 45, p. 137. U. S. C., p. 1793.

Public buildings outside the District of Columbia, emergency construction.

Public buildings outside the District of Columbia: For emergency construction of public-building projects outside of the District of Columbia (including the acquisition, where necessary, by purchase, condemnation, exchange, or otherwise of sites and additional land for such buildings; the demolition of old buildings where necessary and construction, remodeling, or extension of buildings; rental of temporary quarters during construction, including moving expenses; purchase of necessary equipment for buildings and such additional administrative expenses and salaries as may be required solely for the purpose of carrying out the provisions of this paragraph, including reimbursement to the appropriation "Emergency Construction of Public Buildings, Act August 12, 1935", for expenditures made for advance planning of public buildings), $60,000,000; such projects, including the sites therefor, to be selected by the Secretary of the Treasury and the Postmaster General, acting jointly, from the public-building projects specified in Statement Numbered 1 contained in House Report Numbered 1879, Seventy-third Congress, second session, as revised February 29, 1936, and statement numbered 2 attached thereto, and the projects so selected shall be carried out within the respective estimates of proposed limits of cost specified in such statement numbered 1 and those hereafter fixed by the Secretary of the Treasury and the Postmaster General for projects selected from statement numbered 2 and otherwise, except that the unobligated balance of the $2,500,000 fund established by the Emergency Appropriation Act, fiscal year 1935, approved June 19, 1934 (48 Stat. 1061), is hereby increased in an amount not to exceed $500,000 from the funds heretofore appropriated for emergency construction of public buildings, and such fund shall be available for the augmentation of limits of cost of projects heretofore or hereafter selected under the provisions of the Emergency Appropriation Act, fiscal year 1935, approved June 19, 1934 (48 Stat. 1061) and under the provisions of the Second Deficiency Appropriation Act, fiscal year 1935, approved August 12, 1935 (49 Stat. 571), in an amount not exceeding 15 per centum for any project; and shall be available also for the augmentation of limits of cost of projects selected under the provisions of this Act in an amount not exceeding 10 per centum for any project: *Provided*, That with a view to relieving country-wide unemployment the Secretary of the Treasury and the Postmaster General, in the selection of towns or cities in which buildings are to be constructed, shall endeavor to distribute the projects equitably throughout the country so far as may be consistent with the needs of the public service; and the Secretary of the Treasury and the Postmaster General may also select for prosecution under this appropriation

Temporary quarters, rent.

Equipment, etc.

Ante, p. 599.

Sites.

Projects to be within estimates, etc.

Funds augmented. Vol. 48, p. 1061.

Emergency construction.

Ante, p. 599.

Limits of cost increased.

Provisos.
Equitable distribution of projects.

such projects not included in such revised report as in their judgment are economically sound and advantageous to the public service: *Provided further*, That the Secretary of the Treasury is authorized to direct the preparation of all sketches, estimates, plans, and specifications (including supervision and inspection thereof), and to enter into all contracts necessary for carrying out the purposes of this paragraph, and he is hereby authorized, when deemed by him desirable and advantageous, to employ, by contract or otherwise, the personal services of temporary professional, technical, or nontechnical employees to such extent as may be required to carry out the purposes of this paragraph, without reference to civil-service laws, rules, regulations, or to the Classification Act of 1923, as amended: *Provided further*, That in the acquisition of land or sites for the purposes of Federal public buildings and in the construction of such buildings provided for in this paragraph, the provisions of sections 305 and 306 of the Emergency Relief and Construction Act of 1932, as amended, shall apply.

Other projects economically sound.

Plans, specifications, etc.

Contracts.

Acquisition of sites, etc.

Vol. 47, p. 722.

Bremerton, Washington, post office, and so forth: The Secretary of the Treasury is authorized to carry out the provisions of the Emergency Appropriation Act, fiscal year 1935, for the purchase of a site and construction of a post-office building at Bremerton, Washington, in lieu of utilizing the Government property specified in the Treasury Department Appropriation Act, 1936, and said Government property, located on the south side of Fourth Street, opposite the terminus of Park Avenue in the city of Bremerton, known as the "Navy Yard Hotel Site", is hereby transferred to the Navy Department.

Sites and construction.
Bremerton, Wash., post office.
Vol. 48, p. 1062.

"Navy Yard Hotel Site", transferred to Navy Department.
Ante, p. 232.

Bellefonte (Pennsylvania) Post Office, and so forth: The limit of cost fixed under the Second Deficiency Act, fiscal year 1931, approved March 4, 1931, for the acquisition of a site and construction of a building, is hereby increased from $115,100 to $116,956.53: *Provided*, That this increase, being the amount of balance owing on final judgment in excess of the amount deposited into the registry of the court with the declaration of taking in condemnation proceedings, plus interest on such balance from November 18, 1932, the date of the filing of the declaration of taking to the date of payment, at the rate of 6 per centum per annum, shall not be reduced by the operation of section 320 of the Legislative Appropriation Act, approved June 30, 1932 (47 Stat. 412).

Bellefonte, Pa.
Limit of cost increased.
Vol. 46, p. 1587.

Proviso.
Provisions waived.
Vol. 47, p. 412.

Government Printing Office, Annex Buildings: For continuation of construction of annex buildings for the Government Printing Office, $200,000: *Provided*, That in order to permit the construction of suitable trackage facilities for the use of Government Printing Office as authorized in the Act of August 12, 1935, and the transportation of freight and express thereto, section 1 of the Act entitled "An Act to provide for a union railroad station in the District of Columbia, and for other purposes", approved February 28, 1903, is hereby amended by striking out the proviso at the end of the first paragraph of section 1 and inserting in lieu thereof the following: "*Provided, however*, That the portion of said line of railroad lying south of Florida Avenue within the limits of the city of Washington shall be used for passenger trains only, except in cases of temporary emergency, and then for a period not exceeding twenty-four hours, unless with the consent of the Commissioners of the District of Columbia, and except further, that the terminal company is authorized, on terms and conditions to be agreed upon by said company and the Public Printer, to permit the transportation of freight and express cars to and from sidings which may be constructed by the United States at its cost for the exclusive use of the Government

Government Printing Office, Annex Buildings.
Provisos.
Trackage facilities, etc.
Ante, p. 600.

Vol. 32, p. 900.

Restrictions modified.

Overpass for warehouse.

Printing Office": *Provided further*, That subject to the approval of the Commissioners of the District of Columbia, there may be constructed an overpass for railroad tracks for the warehouse of the Government Printing Office above First Street Northeast between G and H Streets: *Provided further*, That any structure erected for the Government Printing Office fronting on First Street Northeast shall be so located as to permit the widening of said First Street to sixty feet.

Widening First Street Northeast.

Engraving and Printing Bureau, additional building.

Bureau of Engraving and Printing, additional building: For continuation of construction of an additional building for the Bureau of Engraving and Printing and other Treasury Department activities, $2,000,000: *Provided*, That the limit of cost fixed for such project by the Second Deficiency Act, fiscal year 1935, is hereby increased from $5,500,000 to $6,325,000.

Proviso.
Limit of cost increased.
Ante, p. 600.

War Department.

WAR DEPARTMENT

Military activities.

MILITARY ACTIVITIES

Adjutant General's Department.

THE ADJUTANT GENERAL'S DEPARTMENT

Field exercises.
Ante, p. 123.
Damage claims.

Field exercises: The appropriation for special field exercises, contained in the War Department Appropriation Act for the fiscal year 1936, shall be construed as available for the settlement of claims (not exceeding $500 each) for damages to or loss of private property incident to such exercises, when payment thereof will be accepted by the owners of the property in full satisfaction of such damages and each claim is substantiated by a report of a board of officers appointed by the commanding officer of the troops engaged and approved by the Secretary of War, whose action thereon shall be conclusive.

Quartermaster Corps.

QUARTERMASTER CORPS

Army subsistence.

Ante, p. 127.

Subsistence of the Army: For an additional amount for subsistence of the Army, including the same objects specified under this head in the War Department Appropriation Act for the fiscal year 1936, $3,740,000.

Army transportation.

Ante, p. 129.

Army transportation: For an additional amount for Army transportation, including the same objects specified under this head in the War Department Appropriation Act for the fiscal year 1936, to remain available until June 30, 1937, $600,000.

Sacramento, Calif., Air Corps depot.
Buildings, appurtenances, etc.

Air Corps depot, vicinity of Sacramento, California: For acquisition of land and construction and installation of buildings and appurtenances thereto, including interior facilities, fixed, movable and office equipment, necessary services, roads, connections to water, sewer, gas, and electric mains, purchase and installation of telephone and radio equipment, and similar improvements, and procurement of transportation incident thereto, without reference to sections 1136 and 3734, Revised Statutes (U. S. C., title 10, sec. 1339; title 40, sec. 267), including general overhead expenses of transportation, engineering, supplies, inspection and supervision, travel connected therewith, and such services as may be necessary in the office of the Quartermaster General; all for the establishment of an Air Corps depot in the vicinity of Sacramento, California, as authorized by the Act approved August 12, 1935 (49 Stat. 610, 611), $4,000,000, to remain available until June 30, 1938; and contracts are hereby authorized to be entered into and obligations otherwise incurred for the complete establishment of such depot at a total cost not exceeding $7,000,000.

R. S., secs. 1136, 3734, pp. 206, 737.
U. S. C., pp. 293, 1787.

Ante, p. 610.

Langley Field, Virginia, runways, and so forth: For construction and installation of runways, grading, and drainage, at Langley Field, Virginia, including general overhead expenses of transportation, engineering, supplies, inspection, supervision, and travel connected therewith, as authorized by the Act approved August 12, 1935 (49 Stat. 610, 611), $300,000, to remain available until June 30, 1937.

Langley Field, Va., runways, etc.

Ante, p. 610.

ORDNANCE DEPARTMENT

Ordnance Department.

Repairs of arsenals: For an additional amount for repairs and improvements of ordnance establishments, including the same objects specified under this head in the War Department Appropriation Act for the fiscal year 1936, $140,000, to remain available until June 30, 1937.

Arsenals, repairs.

Ante, p. 136.

UNITED STATES MILITARY ACADEMY

Military Academy.

Pay: For an additional amount for "Pay of Military Academy, 1936", including the same objects specified under this head in the War Department Appropriation Act for the fiscal year 1936, $209,000.

Pay.

Ante, p. 138.

Maintenance: For an additional amount for "Maintenance, United States Military Academy, 1936", including the same objects specified under this head in the War Department Appropriation Act for the fiscal year 1936, $391,000, to remain available until December 31, 1936.

Maintenance.

NATIONAL BOARD FOR PROMOTION OF RIFLE PRACTICE

National Board for Promotion of Rifle Practice.

Promotion of Rifle Practice: For construction, equipment, and maintenance of rifle ranges, and so forth, including the same objects specified under this head in the War Department Appropriation Act for the fiscal year 1937, $100,000.

Range construction, etc.

Ante, p. 1304.

NONMILITARY ACTIVITIES

Nonmilitary activities.

QUARTERMASTER CORPS

Quartermaster Corps.

Cemeterial expenses: For maintaining and improving national cemeteries, including the same objects specified under this heading in the War Department Appropriation Act for the fiscal year 1936, and including also the acquisition by purchase, condemnation, or otherwise, at a cost not to exceed $250,000, of suitable lands for enlargement of existing national cemetery facilities as authorized by the Act entitled "An Act to authorize the acquisition of land for cemeterial purposes in the vicinity of New York City, New York", approved May 18, 1936, $250,000, to remain available until June 30, 1937.

National cemeteries.

New York City, enlargement.

Ante, p. 1354.

THE PANAMA CANAL

The Panama Canal.

Maintenance and operation of the Panama Canal: The sum of $30,000, or so much thereof as may be necessary, of the appropriation for "Maintenance and Operation, Panama Canal", fiscal year 1936, is hereby made available, to remain available until June 30, 1937, for carrying out the provisions of the Act entitled "An Act to provide for the measurement of vessels using the Panama Canal, and for other purposes", approved April 13, 1936, including compensation of the members of the committee appointed by the President as authorized by said Act; the employment and compensation of other necessary personnel without regard to the provisions of civil-service laws and regulations, rental at the seat of government or elsewhere, traveling expenses, contract stenographic service, printing and binding, and all other necessary expenses.

Measurement of vessels, etc.

Funds available.

Ante, p. 147.

Ante, p. 1204.

Judgments and authorized claims.

TITLE IV—JUDGMENTS AND AUTHORIZED CLAIMS

Damage claims.

PROPERTY DAMAGE CLAIMS

Payment of.

SECTION 1. (a) For the payment of claims for damages to or losses of privately owned property, adjusted and determined by the following respective departments and independent offices, under the provisions of the Act entitled "An Act to provide a method for the settlement of claims arising against the Government of the United States in the sums not exceeding $1,000 in any one case", approved December 28, 1922 (U. S. C., title 31, secs. 215–217), as fully set forth in House Document No. 461 of the Seventy-fourth Congress, as follows:

Vol. 42, p. 1066.
U. S. C., p. 1369.

Offices designated.

Federal Civil Works Administration, $286.08;
Resettlement Administration, $501.54;
Works Progress Administration, $1,124.49;
Department of Agriculture, $4,185.62;
Department of the Interior, $2,710.23;
Department of Labor, $542.50;
Navy Department, $1,116.60;
Post Office Department (payable from postal revenues), $169.03;
Treasury Department, $445.91;
War Department, $6,116.69;
In all, $17,198.69.

Claims not in excess of $1,000.

(b) For the payment of claims for damages to or losses of privately owned property, adjusted and determined by the following respective departments and independent offices, under the provisions of the Act entitled "An Act to provide a method for the settlement of claims arising against the Government of the United States in the sums not exceeding $1,000 in any one case", approved December 28, 1922 (U. S. C., title 31, secs. 215–217), as fully set forth in Senate Documents Numbered 219 and 240 of the Seventy-fourth Congress, as follows:

U. S. C., p. 1369.

Veterans' Administration, $100.24;
Works Progress Administration, $1,867.35;
Department of Agriculture, $992.64;
Department of the Interior, $1,565.49;
Department of Labor, $102.80;
Navy Department, $499.35;
Post Office Department (payable from postal revenues), $102.85;
Treasury Department, $307.37;
War Department, $3,777.56;
In all, $9,315.65.

United States courts, judgments.

JUDGMENTS, UNITED STATES COURTS

Payment of.

SEC. 2. (a) For payment of the final judgments and decrees, including costs of suits, which have been rendered under the provisions of the Act of March 3, 1887, entitled "An Act to provide for the bringing of suits against the Government of the United States", as amended by the Judicial Code, approved March 3, 1911 (U. S. C., title 28, sec. 41, par. 20; sec. 258; secs. 761–765), certified to the Seventy-fourth Congress in House Document Numbered 456, and Senate Document Numbered 220, under the following departments and establishments, namely:

Vol. 24, p. 505.
U. S. C., p. 1230.

Civil Works Administration, $2,847;
Veterans' Administration, $746.46;
Department of Commerce, $5,400;
Department of Labor, $1,000;
War Department, $1,250;

In all, $11,243.46, together with such additional sum as may be necessary to pay interest as specified in such judgments or as provided by law.

Suits in admiralty.

(b) For the payment of judgments, including costs of suits, rendered against the Government of the United States by United States District Courts under the provisions of an Act entitled "An Act authorizing suits against the United States in admiralty for damages caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes", approved March 3, 1925 (U. S. C., title 46, secs. 781–789), and Private Act Numbered 192, approved February 14, 1933 (47 Stat., Pt. 2, p. 1719), certified to the Seventy-fourth Congress in House Document Numbered 456, and Senate Document Numbered 220, under the following department,[1] namely:

Vol. 43, p. 1112. U. S. C., p. 2054.

Vol. 47, p. 1719.

Navy Department, $14,356.31;

Treasury Department, $7,654;

In all, $22,010.31.

Time of payments.

(c) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

Interest.

(d) Payment of interest wherever provided for judgments contained in this Act shall not in any case continue for more than thirty days after the date of approval of the Act.

JUDGMENTS, COURT OF CLAIMS

Judgments, Court of Claims.

Payment of.

SEC. 3. (a) For payment of the judgments rendered by the Court of Claims and reported to the Seventy-fourth Congress in House Document Numbered 458, and Senate Document Numbered 221, under the following departments and establishments, namely:

National Recovery Administration, $297.30;

Veterans' Administration, $95.37;

Department of Labor, $903.50;

Navy Department, $30,815.04;

Treasury Department, $16,032.11;

War Department, $622,576.62;

Interest.

In all, $670,719.94, together with such additional sum as may be necessary to pay interest as and where specified in such judgments.

Time of payment.

(b) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

AUDITED CLAIMS

Audited claims.

Payment of.

SEC. 4. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1933 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in House Document Numbered 466, Seventy-fourth Congress, there is appropriated as follows:

Vol. 18, p. 110. U. S. C., p. 1410.

Vol. 23, p. 254. U. S. C., p. 59.

Independent Offices.

Independent Offices: For Interstate Commerce Commission, $11.77.

For enforcement of wireless communication laws, Federal Radio Commission, $5.05.

[1] So in original.

For operations under mineral act of October 5, 1918 (including $3,120.84 certified in such document under the Department of the Interior), $19,800.68.

For medical and hospital services, Veterans' Bureau, $474.75.

For military and naval compensation, Veterans' Administration, $9.33.

For salaries and expenses, Bureau of War Risk Insurance, $117.75.

For salaries and expenses, Veterans' Administration, $1,274.75.

Department of Agriculture.

Department of Agriculture: For salaries and expenses, Bureau of Animal Industry, $1,092.57.

For general expenses, Weather Bureau, $8.25.

For salaries and expenses, Bureau of Plant Industry, $3.30.

For salaries and expenses, Forest Service, $21.12.

For salaries and expenses, Forest Service, emergency construction (Act July 21, 1932) $32.63.

For cooperative distribution of forest planting stock, $187.50.

For salaries and expenses, Bureau of Agricultural Economics, 43 cents.

For salaries and expenses, Bureau of Entomology, $30.83.

For enforcement of the United States Grain Standards Act, $9.35.

For administration of the United States Warehouse Act, $25.34.

For migratory bird conservation refuges, 13 cents.

For salaries and expenses, Bureau of Biological Survey, 40 cents.

Department of Commerce.

Department of Commerce: For air-navigation facilities, $16.45.

For allowance for quarters, Foreign Commerce Service, $16.30.

For promoting commerce in Europe and other areas, $2.32.

For expenses of the Fifteenth Census, $4.

For enforcement of wireless communication laws, $25,993.74.

For salaries, Bureau of Standards, $9.25.

For party expenses, Coast and Geodetic Survey, emergency construction (Act July 21, 1932), $123.26.

Department of the Interior.

Department of the Interior: For general expenses, Indian Service, $30.

For purchase and transportation of Indian supplies, $49.51.

For Coolidge Dam across canyon of Gila River, near San Carlos, Arizona (reimbursable), $25.

For agriculture and stock raising among Indians, $75.26.

For conservation of health among Indians, $76.

For pay of judges, Indian courts, $10.66.

Department of Justice.

Department of Justice: For salaries and expenses, Bureau of Prohibition, $66.04 (in lieu of $56.04 as certified in such document).

For salaries, fees, and expenses of marshals, United States courts, $546.23 (in lieu of $556.23 as certified in such document).

For salaries and expenses of district attorneys, United States courts, $10.56.

For salaries and expenses of clerks, United States courts, $12.45.

For fees of witnesses, United States courts, $3.

For fees of jurors and witnesses, United States courts, $82.60.

For miscellaneous expenses, United States courts, $124.05.

For fees of commissioners, United States courts, $3,754.10.

For support of United States prisoners, $60.

For salaries and expenses, Bureau of Prisons, $3.05.

Department of Labor.

Department of Labor: For salaries and expenses, Bureau of Immigration, $87.70.

For salaries and expenses, Bureau of Naturalization, $8.52.

Navy Department.

Navy Department: For organizing the Naval Reserve, $126.44.

For transportation, Bureau of Navigation, $28.60.

For maintenance and repairs, Naval Academy, $44.

For engineering, Bureau of Engineering, $10,941.28.

For pay, subsistence, and transportation, Navy, $2,597.12.
For pay of the Navy, $103.25.
For maintenance, Bureau of Supplies and Accounts, $1.35.
For maintenance, Bureau of Yards and Docks, $89.06.
For aviation, Navy, $42,629.89.
For pay, Marine Corps, $111.94.
For general expenses, Marine Corps, $73.82.
For judgments, bounty for destruction of enemy's vessels, $53.52.
For prize money to captors, Spanish War, trust fund, $138.52.

Treasury Department: For collecting the revenue from customs, $331.72. Treasury Department.
For Coast Guard, $76.75.
For fuel and water, Coast Guard, $75.
For outfits, Coast Guard, $176.
For pay and allowances, Coast Guard, $4,075.99.
For rebuilding and repairing stations, and so forth, Coast Guard, $1,000.
For repairs to Coast Guard vessels, $462.33.
For collecting the internal revenue, $109.70.
For refunding taxes illegally collected, $128.69.
For pay of other employees, Public Health Service, $20.62.
For general expenses of public buildings, $6.25.
For operating supplies for public buildings, $89.35.
For contingent expenses, Office of Director of the Mint, $1.98.
For pay of personnel and maintenance of hospitals, Public Health Service, $6.11.

War Department: For pay, and so forth, of the Army, $5,141.52. War Department.
For pay of the Army, $2,797.39.
For general appropriations, Quartermaster Corps, $877.02.
For Army transportation, $479.76.
For barracks and quarters, $132.57.
For Ordnance service and supplies, Army, $251.33.
For supplies, services, and transportation, Quartermaster Corps, $29.43.
For clothing and equipage, $60.45.
For increase of compensation, Military Establishment, $810.47.
For incidental expenses of the Army, $4.72.
For replacing clothing and equipage, $115.54.
For replacing ordnance and ordnance stores, $3.56.
For subsistence of the Army, $69.13.
For acquisition of land, Fort Monmouth, New Jersey, $100.
For Air Corps, Army, $75.
For Organized Reserves, $11.12.
For Reserve Officers' Training Corps, $412.22.
For arming, equipping, and training the National Guard, $72.75.
For pay of National Guard for armory drills, $30.
For arms, uniforms, equipment, and so forth, for field service, National Guard, $221.06.
For recreation fund, Army, trust fund, $302.21.
For seacoast defenses, Panama Canal, $72,473.52.

Post Office Department—Postal Service (out of the postal revenues): For city-delivery carriers, $509.08. Post Office Department.
For clerks, first- and second-class post offices, $469.97.
For compensation to postmasters, $1,406.92.
For indemnities, domestic mail, $10.14.
For indemnities, international mail, $116.58.
For post-office equipment and supplies, $44.70.
For railroad transportation and mail messenger service, $249.95.
For Railway Mail Service, salaries, $114.60.

For railway postal clerks, travel allowances, $20.15.
For rent, light, and fuel, $1,274.57.
For Rural Delivery Service, $1.14.
For separating mails, $15.
For special-delivery fees, $15.92.
For stationery, $26.65.
For vehicle service, $161.02.
For Village Delivery Service, $33.40.

Total; additional sum, increases in rates of exchange.

Total, audited claims, section 4 (a), $206,735.82, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency as specified in certain of the settlements of the General Accounting Office.

Additional audited claims. Payment of.

(b) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1933 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in Senate Document Numbered 222, Seventy-fourth Congress, there is appropriated as follows:

Vol. 18, p. 110.
U. S. C., p. 1410.

U. S. C., p. 59.

Independent Offices.

Independent Offices: For investigation of enforcement of prohibition and other laws, $33.33.
For Interstate Commerce Commission, $5.35.
For Federal Trade Commission, $70.27.
For Army pensions, $13.33.
For Navy pensions, $80.
For medical and hospital services, Veterans' Bureau, $415.12.
For salaries and expenses, Veterans' Administration, $529.03.
For national home for disabled volunter[1] soldiers, Mountain Branch, $2.72.

Department of Agriculture.

Department of Agriculture: For salaries and expenses, Plant Quarantine and Control Administration, $72.84.
For salaries and expenses, Bureau of Animal Industry, $30.41.

Department of Commerce.

Department of Commerce: For air-navigation facilities, $310.

Department of the Interior.

Department of the Interior: For purchase and transportation of Indian supplies, $5.40.
For suppressing liquor traffic among Indians, $146.48.
For reclaiming lands, Lummi Reservation, Washington (reimbursable), $15.72.

Department of Justice.

Department of Justice: For printing and binding, Department of Justice and courts, $9.
For salaries, fees, and expenses of marshals, United States courts, $1,805.13.
For salaries and expenses, Bureau of Prohibition, $517.44.
For fees of jurors and witnesses, United States courts, $7.80.
For fees of commissioners, United States courts, $160.75.
For probation system, United States courts, $3.88.
For support of United States prisoners, $51.30.

Navy Department.

Navy Department: For aviation, Navy, $2,612.92.
For organizing the Naval Reserve, $119.20.
For maintenance, Bureau of Supplies and Accounts, $25.80.
For pay, subsistence, and transportation, Navy, $2,746.59.
For pay of the Navy, $56.70.
For pay, Marine Corps, $116.85.

[1] So in original.

Department of State: For transportation of Foreign Service officers, $9.29. Department of State.

Treasury Department: For Coast Guard, $22.50. Treasury Department.
For fuel and water, Coast Guard, $140.
For pay and allowances, Coast Guard, $641.63.
For collecting the internal revenue, $1.80.
For preventing the spread of epidemic diseases, $1.50.
For enforcement of Narcotic and National Prohibition Acts, $59.07.
For salaries and expenses, Bureau of Narcotics, $2.
For general expenses of public buildings, $2.85.
For operating supplies for public buildings, $11.60.

War Department: For pay, and so forth, of the Army, $3,653.67. War Department.
For pay of the Army, $1,202.08.
For general appropriations, Quartermaster Corps, $435.43.
For Army transportation, $394.42.
For barracks and quarters, $33.53.
For mileage to officers and contract surgeons, $14.
For mileage of the Army, $15.
For clothing and equipage, $184.91.
For ordnance service and supplies, Army, $1.70.
For replacing ordnance and ordnance stores, $1.43.
For arming, equipping, and training the National Guard, $5.38.
For National Guard, $882.30.
For pay of National Guard for armory drills, $568.
For Reserve Officers' Training Corps, $108.50.
For cemeterial expenses, War Department, $2.05.

Post Office Department—Postal Service (out of the postal revenues): For city-delivery carriers, $662.64. Post Office Department.
For compensation to postmasters, $705.89.
For mail messenger service, $24.
For miscellaneous items, first- and second-class post offices, $2.50.
For post-office equipment and supplies, $5.25.
For railroad transportation and mail messenger service, $35.62.
For rent, light, and fuel, $467.80.
For rural delivery service, $74.08.
For separating mail, $90.75.
For vehicle service, $376.15.
For indemnities, domestic mail, $42.09.
For indemnities, international mail, $9.65.

Total, audited claims, section 4 (b), $20,854.42, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency as specified in certain of the settlements of the General Accounting Office. Total; additional sum, increases in rates of exchange.

SEC. 5. Judgments against collectors of customs: For the payment of claims allowed by the General Accounting Office covering judgments rendered by United States District Courts against collectors of customs, where certificates of probable cause have been issued as provided for under section 989, Revised Statutes (U. S. C., title 28, sec. 842), and certified to the Seventy-fourth Congress in House Document Numbered 459, and Senate Document Numbered 223, under the Department of Labor, $42,951.29. Judgments against collectors of customs. R. S., sec. 989, p. 185. U. S. C., p. 1314.

SEC. 6. For the payment of a claim allowed by the General Accounting Office pursuant to Private Act Numbered 172 of the Seventy-fourth Congress, which has been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), in House Document Numbered 460, Seventy-fourth Congress, $1,174.19. Walter S. Bramble. Payment to. *Post*, p. 2116. U. S. C., p. 59.

SEC. 7. (a) Notwithstanding any other provision of law, none of the establishments or agencies named in subsection (b) of this section shall, after June 30, 1937, incur any obligations for admin- Designated agencies; restriction against incurring obligations after June 30, 1937.

istrative expenses, except pursuant to an annual appropriation specifically therefor, nor shall any such establishment or agency continue to function after said date unless established by or pursuant to law:

Proviso. Duration not extended.

Provided, That nothing contained herein shall be construed to extend the period during which any such establishment or agency heretofore has been authorized by law to function.

(b) 1. Federal Home Loan Bank Board;
2. Home Owners' Loan Corporation;
3. Federal Housing Administration;
4. Federal Farm Mortgage Corporation;
5. Federal Surplus Commodities Corporation;
6. Export-Import Bank of Washington;
7. Second Export-Import Bank of Washington, District of Columbia;
8. Reconstruction Finance Corporation;
9. Electric Home and Farm Authority;
10. Commodity Credit Corporation;
11. Federal Emergency Administration of Public Works;
12. Federal Savings and Loan Insurance Corporation;
13. Reconstruction Finance Mortgage Company.

Soil Conservation and Domestic Allotment Act. Appropriation for, available for production of gum turpentine and gum rosin. *Ante*, p. 1183.

(c) The appropriation made by section 2 of the Independent Offices Appropriation Act, 1937, for carrying out sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act is hereby made available to the Department of Agriculture for the purposes of carrying out such Act with respect to land devoted to growing trees for the production of gum turpentine and gum rosin.

Availability of advance payments. Vol. 47, p. 418.

SEC. 8. After June 30, 1936, advance payments under the provisions of Title VI, Part II, of the Legislative Appropriation Act for the fiscal year 1933, shall have no longer period of availability for obligation than the appropriation from which such advance payments are made.

Citation of Act.

SEC. 9. This Act may be cited as the First Deficiency Appropriation Act, fiscal year 1936.

Approved, June 22, 1936.

[CHAPTER 690.]

June 22, 1936. [H. R. 12395.] [Public, No. 740.]

AN ACT

To provide revenue, equalize taxation, and for other purposes.

Revenue Act of 1936.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act, divided into titles and sections according to the following Table of Contents, may be cited as the "Revenue Act of 1936":

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Title I—Income Tax.

TITLE I—INCOME TAX

Introductory provisions.

SUBTITLE A—INTRODUCTORY PROVISIONS

Application of title.

SEC. 1. APPLICATION OF TITLE.

To 1936, and succeeding years.

Prior years not affected.

The provisions of this title shall apply only to taxable years beginning after December 31, 1935. Income, war-profits, and excess-profits taxes for taxable years beginning prior to January 1, 1936, shall not be affected by the provisions of this title, but shall remain subject to the applicable provisions of prior revenue Acts, except as such provisions are modified by legislation enacted subsequent to this Act.

Exceptions.

Cross references.

SEC. 2. CROSS REFERENCES.

The cross references in this title to other portions of the title, where the word "see" is used, are made only for convenience, and shall be given no legal effect.

Classification of provisions.

Designations.

SEC. 3. CLASSIFICATION OF PROVISIONS.

The provisions of this title are herein classified and designated as—
Subtitle A—Introductory provisions,
Subtitle B—General provisions, divided into Parts and sections,
Subtitle C—Supplemental provisions, divided into Supplements and sections.

SEC. 4. SPECIAL CLASSES OF TAXPAYERS.

Special classes of taxpayers.

Application of General Provisions and of Supplements.

The application of the General Provisions and of Supplements A to D, inclusive, to each of the following special classes of taxpayers, shall be subject to the exceptions and additional provisions found in the Supplement applicable to such class, as follows:

(a) Estates and trusts and the beneficiaries thereof,—Supplement E.

Estates and trusts, etc., p. 1706.

(b) Members of partnerships,—Supplement F.

Partnerships, p. 1709.

(c) Insurance companies,—Supplement G.

Insurance companies, p. 1710.

(d) Nonresident alien individuals,—Supplement H.

Nonresident aliens, p. 1714.

(e) Foreign corporations,—Supplement I.

Foreign corporations, p. 1717.

(f) Individual citizens of any possession of the United States who are not otherwise citizens of the United States and who are not residents of the United States,—Supplement J.

Citizens of possessions of United States, p. 1718.

(g) Individual citizens of the United States or domestic corporations, satisfying the conditions of section 251 by reason of deriving a large portion of their gross income from sources within a possession of the United States,—Supplement J.

Citizens deriving large portion of income from United States possessions, p. 1718.

(h) China Trade Act corporations,—Supplement K.

China Trade Act corporations, p. 1720.

SUBTITLE B—GENERAL PROVISIONS

General provisions.

Part I—Rates of Tax

Rates of tax.

SEC. 11. NORMAL TAX ON INDIVIDUALS.

Normal tax on individuals, p. 1662.

Rates upon net income.

There shall be levied, collected, and paid for each taxable year upon the net income of every individual a normal tax of 4 per centum of the amount of the net income in excess of the credits against net income provided in section 25.

Post, p. 1662.

SEC. 12. SURTAX ON INDIVIDUALS.

Surtax on individuals.

(a) DEFINITION OF "SURTAX NET INCOME".—As used in this section the term "surtax net income" means the amount of the net income in excess of the credits against net income provided in section 25 (b).

Definition.

(b) RATES OF SURTAX.—There shall be levied, collected, and paid for each taxable year upon the surtax net income of every individual a surtax as follows:

Rates.

Upon a surtax net income of $4,000 there shall be no surtax; upon surtax net incomes in excess of $4,000 and not in excess of $6,000, 4 per centum of such excess.

$80 upon surtax net incomes of $6,000; and upon surtax net incomes in excess of $6,000 and not in excess of $8,000, 5 per centum in addition of such excess.

$180 upon surtax net incomes of $8,000; and upon surtax net incomes in excess of $8,000 and not in excess of $10,000, 6 per centum in addition of such excess.

$300 upon surtax net incomes of $10,000; and upon surtax net incomes in excess of $10,000 and not in excess of $12,000, 7 per centum in addition of such excess.

$440 upon surtax net incomes of $12,000; and upon surtax net incomes in excess of $12,000 and not in excess of $14,000, 8 per centum in addition of such excess.

$600 upon surtax net incomes of $14,000; and upon surtax net incomes in excess of $14,000 and not in excess of $16,000, 9 per centum in addition of such excess.

$780 upon surtax net incomes of $16,000; and upon surtax net incomes in excess of $16,000 and not in excess of $18,000, 11 per centum in addition of such excess.

Surtax on individuals—Continued. Rates—Continued.

$1,000 upon surtax net incomes of $18,000; and upon surtax net incomes in excess of $18,000 and not in excess of $20,000, 13 per centum in addition of such excess.

$1,260 upon surtax net incomes of $20,000; and upon surtax net incomes in excess of $20,000 and not in excess of $22,000, 15 per centum in addition of such excess.

$1,560 upon surtax net incomes of $22,000; and upon surtax net incomes in excess of $22,000 and not in excess of $26,000, 17 per centum in addition of such excess.

$2,240 upon surtax net incomes of $26,000; and upon surtax net incomes in excess of $26,000 and not in excess of $32,000, 19 per centum in addition of such excess.

$3,380 upon surtax net incomes of $32,000; and upon surtax net incomes in excess of $32,000 and not in excess of $38,000, 21 per centum in addition of such excess.

$4,640 upon surtax net incomes of $38,000; and upon surtax net incomes in excess of $38,000 and not in excess of $44,000, 24 per centum in addition of such excess.

$6,080 upon surtax net incomes of $44,000; and upon surtax net incomes in excess of $44,000 and not in excess of $50,000, 27 per centum in addition of such excess.

$7,700 upon surtax net incomes of $50,000; and upon surtax net incomes in excess of $50,000 and not in excess of $56,000, 31 per centum in addition of such excess.

$9,560 upon surtax net incomes of $56,000; and upon surtax net incomes in excess of $56,000 and not in excess of $62,000, 35 per centum in addition of such excess.

$11,660 upon surtax net incomes of $62,000; and upon surtax net incomes in excess of $62,000 and not in excess of $68,000, 39 per centum in addition of such excess.

$14,000 upon surtax net incomes of $68,000; and upon surtax net incomes in excess of $68,000 and not in excess of $74,000, 43 per centum in addition of such excess.

$16,580 upon surtax net incomes of $74,000; and upon surtax net incomes in excess of $74,000 and not in excess of $80,000, 47 per centum in addition of such excess.

$19,400 upon surtax net incomes of $80,000; and upon surtax net incomes in excess of $80,000 and not in excess of $90,000, 51 per centum in addition of such excess.

$24,500 upon surtax net incomes of $90,000; and upon surtax net incomes in excess of $90,000 and not in excess of $100,000, 55 per centum in addition of such excess.

$30,000 upon surtax net incomes of $100,000; and upon surtax net incomes in excess of $100,000 and not in excess of $150,000, 58 per centum in addition of such excess.

$59,000 upon surtax net incomes of $150,000; and upon surtax net incomes in excess of $150,000 and not in excess of $200,000, 60 per centum in addition of such excess.

$89,000 upon surtax net incomes of $200,000; and upon surtax net incomes in excess of $200,000 and not in excess of $250,000, 62 per centum in addition of such excess.

$120,000 upon surtax net incomes of $250,000; and upon surtax net incomes in excess of $250,000 and not in excess of $300,000, 64 per centum in addition of such excess.

$152,000 upon surtax net incomes of $300,000; and upon surtax net incomes in excess of $300,000 and not in excess of $400,000, 66 per centum in addition of such excess.

$218,000 upon surtax net incomes of $400,000; and upon surtax net incomes in excess of $400,000 and not in excess of $500,000, 68 per centum in addition of such excess.

Surtax on individuals—Continued. Rates—Continued.

$286,000 upon surtax net incomes of $500,000; and upon surtax net incomes in excess of $500,000 and not in excess of $750,000, 70 per centum in addition of such excess.

$461,000 upon surtax net incomes of $750,000; and upon surtax net incomes in excess of $750,000 and not in excess of $1,000,000, 72 per centum in addition of such excess.

$641,000 upon surtax net incomes of $1,000,000; and upon surtax net incomes in excess of $1,000,000 and not in excess of $2,000,000, 73 per centum in addition to [1] such excess.

$1,371,000 upon surtax net incomes of $2,000,000; and upon surtax net incomes in excess of $2,000,000 and not in excess of $5,000,000, 74 per centum in addition of such excess.

$3,591,000 upon surtax net incomes of $5,000,000; and upon surtax net incomes in excess of $5,000,000, 75 per centum in addition of such excess.

(c) TAX ON PERSONAL HOLDING COMPANIES.—For surtax on personal holding companies, see section 351.

Personal holding companies. *Post*, p. 1732.

(d) AVOIDANCE OF SURTAXES BY INCORPORATION.—For surtax on corporations which accumulate surplus to avoid surtax on stockholders, see section 102.

Evasion by corporations. *Post*, p. 1676.

SEC. 13. NORMAL TAX ON CORPORATIONS.

Normal tax on corporations.

(a) DEFINITION.—As used in this title the term "normal-tax net income" means the net income minus the sum of—

Definition.

(1) INTEREST ON OBLIGATIONS OF THE UNITED STATES AND ITS INSTRUMENTALITIES.—The credit provided in section 26 (a).

Interest on U. S. obligations, etc. *Post*, p. 1664.

(2) DIVIDENDS RECEIVED.—The credit provided in section 26 (b). Such credit shall not be allowed in the case of a mutual investment company, as defined in section 48.

Dividends received. *Post*, pp. 1664, 1669.

(3) DIVIDENDS PAID.—In the case of a mutual investment company the credit provided in section 27, computed without the benefit of subsection (b) thereof (relating to dividend carry-over).

Dividends paid. *Post*, p. 1665.

(b) IMPOSITION OF TAX.—There shall be levied, collected, and paid for each taxable year upon the normal-tax net income of every corporation, a normal tax as follows:

Imposition of tax.

Upon normal-tax net incomes not in excess of $2,000, 8 per centum.

Rates.

$160 upon normal-tax net incomes of $2,000; and upon normal-tax net incomes in excess of $2,000 and not in excess of $15,000, 11 per centum in addition of such excess.

$1,590 upon normal-tax net incomes of $15,000; and upon normal-tax net incomes in excess of $15,000 and not in excess of $40,000, 13 per centum in addition of such excess.

$4,840 upon normal-tax net incomes of $40,000; and upon normal-tax net incomes in excess of $40,000, 15 per centum in addition of such excess.

(c) EXEMPT CORPORATIONS.—For corporations exempt from taxation under this title, see section 101.

Exempt corporations. *Post*, p. 1673.

(d) BANKS AND TRUST COMPANIES.—For rate of tax on certain banks and trust companies, see section 104.

Banks and trust companies. *Post*, p. 1677.

SEC. 14. SURTAX ON UNDISTRIBUTED PROFITS.

Surtax on undistributed profits.

(a) DEFINITIONS.—As used in this title—

Definitions.

(1) The term "adjusted net income" means the net income minus the sum of—

"Adjusted net income."

(A) The normal tax imposed by section 13.

Normal tax.

(B) The credit provided in section 26 (a), relating to interest on certain obligations of the United States and Government corporations.

Credit allowed. *Post*, p. 1664.

[1] So in original.

Holding company affiliate, allowance.
Vol. 48, p. 162.
Post, p. 1664.

(C) In the case of a holding company affiliate (as defined in section 2 of the Banking Act of 1933), the amount allowed as a credit under section 26 (d).

National mortgage association.
Vol. 48, p. 1252.
Post, p. 1664.

(D) In the case of a national mortgage association created under Title III of the National Housing Act, the amount allowed as a credit under section 26 (e).

"Undistributed net income."
Post, pp. 1665, 1664.

(2) The term "undistributed net income" means the adjusted net income minus the sum of the dividends paid credit provided in section 27 and the credit provided in section 26 (c), relating to contracts restricting dividends.

Imposition of tax.

(b) IMPOSITION OF TAX.—There shall be levied, collected, and paid for each taxable year upon the net income of every corporation a surtax equal to the sum of the following, subject to the application of the specific credit as provided in subsection (c):

Rates.

7 per centum of the portion of the undistributed net income which is not in excess of 10 per centum of the adjusted net income.

12 per centum of the portion of the undistributed net income which is in excess of 10 per centum and not in excess of 20 per centum of the adjusted net income.

17 per centum of the portion of the undistributed net income which is in excess of 20 per centum and not in excess of 40 per centum of the adjusted net income.

22 per centum of the portion of the undistributed net income which is in excess of 40 per centum and not in excess of 60 per centum of the adjusted net income.

27 per centum of the portion of the undistributed net income which is in excess of 60 per centum of the adjusted net income.

Adjusted net income less than $50,000.
Specific credit allowed.

(c) ADJUSTED NET INCOME LESS THAN $50,000.—

(1) SPECIFIC CREDIT.—If the adjusted net income is less than $50,000, there shall be allowed a specific credit equal to the portion of the undistributed net income which is in excess of 10 per centum of the adjusted net income and not in excess of $5,000, such credit to be applied as provided in paragraph (2).

Application of specific credit.

(2) APPLICATION OF SPECIFIC CREDIT.—If the corporation is entitled to a specific credit, the tax shall be equal to the sum of the following:

(A) A tax computed under subsection (b) upon the amount of the undistributed net income reduced by the amount of the specific credit, plus

(B) 7 per centum of the amount of the specific credit.

Exempt corporations.

(d) EXEMPTION FROM SURTAX.—The following corporations shall not be subject to the surtax imposed by this section:

Banks.
Post, p. 1677.

(1) Banks as defined in section 104.

Bankrupt, etc., corporations.

(2) Domestic corporations which for any portion of the taxable year are in bankruptcy under the laws of the United States, or are insolvent and in receivership in any court of the United States or of any State, Territory, or the District of Columbia.

Insurance companies.
Post, pp. 1710, 1711, 1713.

(3) Insurance companies subject to the tax imposed under section 201, 204, or 207.

Foreign corporations.

(4) Foreign corporations.

Deriving income from United States possession.
Post, p. 1718.

(5) Corporations which, by reason of deriving a large portion of their gross income from sources within a possession of the United States, are entitled to the benefits of section 251.

China Trade Act corporations.

(6) Corporations organized under the China Trade Act, 1922.

Joint Stock Land Banks.
Vol. 48, p. 46.

(7) Joint Stock Land Banks organized under the Federal Farm Loan Act, as amended.

Exempt corporations.
Post, p. 1673.

(e) EXEMPT CORPORATIONS.—For corporations exempt from taxation under this title, see section 101.

Personal holding companies.
Post, p. 1732.

(f) TAX ON PERSONAL HOLDING COMPANIES.—For surtax on personal holding companies, see section 351.

(g) IMPROPER ACCUMULATION OF SURPLUS.—For surtax on corporations which accumulate surplus to avoid surtax on stockholders, see section 102. Improper accumulation of surplus. *Post*, p. 1676.

Part II—Computation of Net Income

Computation of net income.

SEC. 21. NET INCOME.

Net income.

"Net income" means the gross income computed under section 22, less the deductions allowed by section 23. Definition.

SEC. 22. GROSS INCOME.

Gross income.

(a) GENERAL DEFINITION.—"Gross income" includes gains, profits, and income derived from salaries, wages, or compensation for personal service, of whatever kind and in whatever form paid, or from professions, vocations, trades, businesses, commerce, or sales, or dealings in property, whether real or personal, growing out of the ownership or use of or interest in such property; also from interest, rent, dividends, securities, or the transaction of any business carried on for gain or profit, or gains or profits and income derived from any source whatever. In the case of Presidents of the United States and judges of courts of the United States taking office after June 6, 1932, the compensation received as such shall be included in gross income; and all Acts fixing the compensation of such Presidents and judges are hereby amended accordingly. General definition. Compensation of President, United States judges.

(b) EXCLUSIONS FROM GROSS INCOME.—The following items shall not be included in gross income and shall be exempt from taxation under this title: Items exempt.

(1) LIFE INSURANCE.—Amounts received under a life insurance contract paid by reason of the death of the insured, whether in a single sum or otherwise (but if such amounts are held by the insurer under an agreement to pay interest thereon, the interest payments shall be included in gross income); Life insurance.

(2) ANNUITIES, ETC.—Amounts received (other than amounts paid by reason of the death of the insured and interest payments on such amounts and other than amounts received as annuities) under a life insurance or endowment contract, but if such amounts (when added to amounts received before the taxable year under such contract) exceed the aggregate premiums or consideration paid (whether or not paid during the taxable year) then the excess shall be included in gross income. Amounts received as an annuity under an annuity or endowment contract shall be included in gross income; except that there shall be excluded from gross income the excess of the amount received in the taxable year over an amount equal to 3 per centum of the aggregate premiums or consideration paid for such annuity (whether or not paid during such year), until the aggregate amount excluded from gross income under this title or prior income tax laws in respect of such annuity equals the aggregate premiums or consideration paid for such annuity. In the case of a transfer for a valuable consideration, by assignment or otherwise, of a life insurance, endowment, or annuity contract, or any interest therein, only the actual value of such consideration and the amount of the premiums and other sums subsequently paid by the transferee shall be exempt from taxation under paragraph (1) or this paragraph; Annuities, etc. Portion to be included in gross income. Transfers for value.

(3) GIFTS, BEQUESTS, AND DEVISES.—The value of property acquired by gift, bequest, devise, or inheritance (but the income from such property shall be included in gross income); Gifts, bequests, etc.

(4) TAX-FREE INTEREST.—Interest upon (A) the obligations of a State, Territory, or any political subdivision thereof, or the Tax-free interest. State, etc., bonds.

Federal instrumentalities.

Federal obligations, etc.
Statement required in returns.

District of Columbia; or (B) obligations of a corporation organized under Act of Congress, if such corporation is an instrumentality of the United States; or (C) the obligations of the United States or its possessions. Every person owning any of the obligations enumerated in clause (A), (B), or (C) shall, in the return required by this title, submit a statement showing the number and amount of such obligations owned by him and the income received therefrom, in such form and with such information as the Commissioner may require. In the case of obligations of the United States issued after September 1, 1917 (other than postal savings certificates of deposit) and in the case of obligations of a corporation organized under Act of Congress, the interest shall be exempt only if and to the extent provided in the respective Acts authorizing the issue thereof as amended and supplemented, and shall be excluded from gross income only if and to the extent it is wholly exempt from the taxes imposed by this title;

Federal obligations issued after September 1, 1917.

Payment for personal injuries or sickness.

(5) COMPENSATION FOR INJURIES OR SICKNESS.—Amounts received, through accident or health insurance or under workmen's compensation acts, as compensation for personal injuries or sickness, plus the amount of any damages received whether by suit or agreement on account of such injuries or sickness;

Minister's dwelling.

(6) MINISTERS.—The rental value of a dwelling house and appurtenances thereof furnished to a minister of the gospel as part of his compensation;

Income exempt under treaty.

(7) INCOME EXEMPT UNDER TREATY.—Income of any kind, to the extent required by any treaty obligation of the United States;

Miscellaneous items.
Post, p. 1689.

(8) MISCELLANEOUS ITEMS.—The following items, to the extent provided in section 116:

Earned income from sources without the United States;
Salaries of certain Territorial employees;
The income of foreign governments;
Income of States, municipalities, and other political subdivisions;
Receipts of shipowners' mutual protection and indemnity associations;
Dividends from China Trade Act corporations;
Compensation of employees of foreign governments.

Inventories, to determine income.

(c) INVENTORIES.—Whenever in the opinion of the Commissioner the use of inventories is necessary in order clearly to determine the income of any taxpayer, inventories shall be taken by such taxpayer upon such basis as the Commissioner, with the approval of the Secretary, may prescribe as conforming as nearly as may be to the best accounting practice in the trade or business and as most clearly reflecting the income.

Distributions by corporations.
Post, p. 1687.

(d) DISTRIBUTIONS BY CORPORATIONS.—Distributions by corporations shall be taxable to the shareholders as provided in section 115.

Determination of gain or loss in sale, etc., of property.
Post, p. 1678.

(e) DETERMINATION OF GAIN OR LOSS.—In the case of a sale or other disposition of property, the gain or loss shall be computed as provided in section 111.

Sources within and without United States.
Post, p. 1693.

(f) GROSS INCOME FROM SOURCES WITHIN AND WITHOUT UNITED STATES.—For computation of gross income from sources within and without the United States, see section 119.

Deductions from gross income.

SEC. 23. DEDUCTIONS FROM GROSS INCOME.

In computing net income there shall be allowed as deductions:

Business expenses.

(a) EXPENSES.—All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other com-

pensation for personal services actually rendered; traveling expenses (including the entire amount expended for meals and lodging) while away from home in the pursuit of a trade or business; and rentals or other payments required to be made as a condition to the continued use or possession, for purposes of the trade or business, of property to which the taxpayer has not taken or is not taking title or in which he has no equity.

Interest on debts; exceptions.

(b) INTEREST.—All interest paid or accrued within the taxable year on indebtedness, except on indebtedness incurred or continued to purchase or carry obligations (other than obligations of the United States issued after September 24, 1917, and originally subscribed for by the taxpayer) the interest upon which is wholly exempt from the taxes imposed by this title.

Taxes generally. Exceptions.

(c) TAXES GENERALLY.—Taxes paid or accrued within the taxable year, except—

Ante, p. 1019.

(1) Federal income, war-profits, and excess-profits taxes (other than the excess-profits tax imposed by section 106 of the Revenue Act of 1935);

Deduction for foreign taxes. *Post*, p. 1696.

(2) income, war-profits, and excess-profits taxes imposed by the authority of any foreign country or possession of the United States; but this deduction shall be allowed in the case of a taxpayer who does not signify in his return his desire to have to any extent the benefits of section 131 (relating to credit for taxes of foreign countries and possessions of the United States);

(3) estate, inheritance, legacy, succession, and gift taxes; and

(4) taxes assessed against local benefits of a kind tending to increase the value of the property assessed; but this paragraph shall not exclude the allowance as a deduction of so much of such taxes as is properly allocable to maintenance or interest charges.

Taxes of shareholder paid by corporation.

(d) TAXES OF SHAREHOLDER PAID BY CORPORATION.—The deduction for taxes allowed by subsection (c) shall be allowed to a corporation in the case of taxes imposed upon a shareholder of the corporation upon his interest as shareholder which are paid by the corporation without reimbursement from the shareholder, but in such cases no deduction shall be allowed the shareholder for the amount of such taxes.

Losses by individuals.

(e) LOSSES BY INDIVIDUALS.—In the case of an individual, losses sustained during the taxable year and not compensated for by insurance or otherwise—

Incurred in business, etc.

(1) if incurred in trade or business; or

Not connected with trade or business.

(2) if incurred in any transaction entered into for profit, though not connected with the trade or business; or

Casualty losses not connected with business. Disallowed, if deducted for estate tax purposes.

(3) of property not connected with the trade or business, if the loss arises from fires, storms, shipwreck, or other casualty, or from theft. No loss shall be allowed as a deduction under this paragraph if at the time of the filing of the return such loss has been claimed as a deduction for estate tax purposes in the estate tax return.

Losses by corporations.

(f) LOSSES BY CORPORATIONS.—In the case of a corporation, losses sustained during the taxable year and not compensated for by insurance or otherwise.

Wagering losses.

(g) WAGERING LOSSES.—Losses from wagering transactions shall be allowed only to the extent of the gains from such transactions.

Basis for determining loss.

(h) BASIS FOR DETERMINING LOSS.—The basis for determining the amount of deduction for losses sustained, to be allowed under subsection (e) or (f), shall be the adjusted basis provided in section 113 (b) for determining the loss from the sale or other disposition of property.

Post, p. 1685.

Disallowance of loss on wash sales of stock, etc.

(i) LOSS ON WASH SALES OF STOCK OR SECURITIES.—For disallowance of loss deduction in the case of sales of stock or securities where within thirty days before or after the date of the sale the taxpayer has acquired substantially identical property, see section 118.

Post, p. 1692.

Capital losses.
Post, p. 1692.

(j) CAPITAL LOSSES.—Losses from sales or exchanges of capital assets shall be allowed only to the extent provided in section 117 (d).

Bad debts.

(k) BAD DEBTS.—Debts ascertained to be worthless and charged off within the taxable year (or, in the discretion of the Commissioner, a reasonable addition to a reserve for bad debts); and when satisfied that a debt is recoverable only in part, the Commissioner may allow such debt, in an amount not in excess of the part charged off within the taxable year, as a deduction.

Depreciation, etc., of business property.

(l) DEPRECIATION.—A reasonable allowance for the exhaustion, wear and tear of property used in the trade or business, including a reasonable allowance for obsolescence. In the case of property held by one person for life with remainder to another person, the deduction shall be computed as if the life tenant were the absolute owner of the property and shall be allowed to the life tenant. In the case of property held in trust the allowable deduction shall be apportioned between the income beneficiaries and the trustee in accordance with the pertinent provisions of the instrument creating the trust, or, in the absence of such provisions, on the basis of the trust income allocable to each.

Life estates.

Property in trust.

Mines, oil and gas wells, timber, etc.
Allowance for depletion, etc.

(m) DEPLETION.—In the case of mines, oil and gas wells, other natural deposits, and timber, a reasonable allowance for depletion and for depreciation of improvements, according to the peculiar conditions in each case; such reasonable allowance in all cases to be made under rules and regulations to be prescribed by the Commissioner, with the approval of the Secretary. In any case in which it is ascertained as a result of operations or of development work that the recoverable units are greater or less than the prior estimate thereof, then such prior estimate (but not the basis for depletion) shall be revised and the allowance under this subsection for subsequent taxable years shall be based upon such revised estimate. In the case of leases the deductions shall be equitably apportioned between the lessor and lessee. In the case of property held by one person for life with remainder to another person, the deduction shall be computed as if the life tenant were the absolute owner of the property and shall be allowed to the life tenant. In the case of property held in trust the allowable deduction shall be apportioned between the income beneficiaries and the trustee in accordance with the pertinent provisions of the instrument creating the trust, or, in the absence of such provisions, on the basis of the trust income allocable to each. (For percentage depletion allowable under this subsection, see section 114 (b), (3) and (4).)

Revision of estimates allowed.

Leases.

Life estates.

Property in trust.

Post, p. 1686.

Basis for depreciation, etc.

(n) BASIS FOR DEPRECIATION AND DEPLETION.—The basis upon which depletion, exhaustion, wear and tear, and obsolescence are to be allowed in respect of any property shall be as provided in section 114.

Charitable, etc., contributions.
Gifts.

(o) CHARITABLE AND OTHER CONTRIBUTIONS.—In the case of an individual, contributions or gifts made within the taxable year to or for the use of:

Public uses.

(1) the United States, any State, Territory, or any political subdivision thereof, or the District of Columbia, for exclusively public purposes;

Religious, scientific, etc., organizations.

(2) a corporation, or trust, or community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the

prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation;

(3) the special fund for vocational rehabilitation authorized by section 12 of the World War Veterans' Act, 1924; Vocational rehabilitation. Vol. 43, p. 611.

(4) posts or organizations of war veterans, or auxiliary units or societies of any such posts or organizations, if such posts, organizations, units, or societies are organized in the United States or any of its possessions, and if no part of their net earnings inures to the benefit of any private shareholder or individual; or War veterans' organizations, etc.

(5) a fraternal society, order, or association, operating under the lodge system, but only if such contributions or gifts are to be used exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals; Fraternal societies, etc.

to an amount which in all the above cases combined does not exceed 15 per centum of the taxpayer's net income as computed without the benefit of this subsection. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the Commissioner, with the approval of the Secretary. (For unlimited deduction if contributions and gifts exceed 90 per centum of the net income, see section 120.) Limit. Unlimited deductions. *Post*, p. 1695.

(p) PENSION TRUSTS.—An employer establishing or maintaining a pension trust to provide for the payment of reasonable pensions to his employees (if such trust is exempt from tax under section 165, relating to trusts created for the exclusive benefit of employees) shall be allowed as a deduction (in addition to the contributions to such trust during the taxable year to cover the pension liability accruing during the year, allowed as a deduction under subsection (a) of this section) a reasonable amount transferred or paid into such trust during the taxable year in excess of such contributions, but only if such amount (1) has not theretofore been allowable as a deduction, and (2) is apportioned in equal parts over a period of ten consecutive years beginning with the year in which the transfer or payment is made. Any deduction allowable under section 23 (q) of the Revenue Act of 1928 or the Revenue Act of 1932 or the Revenue Act of 1934 which under such section was apportioned to any taxable year beginning after December 31, 1935, shall be allowed as a deduction in the years to which so apportioned to the extent allowable under such section if it had remained in force with respect to such year. Maintenance of pension trusts. *Post*, p. 1707. Allowances under previous laws. Vol. 45, p. 802; Vol. 47, p. 182; Vol. 48, p. 691.

(q) CHARITABLE AND OTHER CONTRIBUTIONS BY CORPORATIONS.—In the case of a corporation, contributions or gifts made within the taxable year to or for the use of a domestic corporation, or domestic trust, or domestic community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes or the prevention of cruelty to children (but in the case of contributions or gifts to a trust, chest, fund, or foundation, only if such contributions or gifts are to be used within the United States exclusively for such purposes), no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation; to an amount which does not exceed 5 per centum of the taxpayer's net income as computed without the benefit of this subsection. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the Commissioner, with the approval of the Secretary. Charitable, etc., contributions by corporations.

Dividends of certain banking corporations. *Post*, p. 1696.

(r) For deduction of dividends paid by certain banking corporations, see section 121.

Items not deductible.

SEC. 24. ITEMS NOT DEDUCTIBLE.

(a) GENERAL RULE.—In computing net income no deduction shall in any case be allowed in respect of—

Personal, etc., expenses.

(1) Personal, living, or family expenses;

Property improvements, etc.

(2) Any amount paid out for new buildings or for permanent improvements or betterments made to increase the value of any property or estate;

Restoring property.

(3) Any amount expended in restoring property or in making good the exhaustion thereof for which an allowance is or has been made;

Life insurance premiums for employees.

(4) Premiums paid on any life insurance policy covering the life of any officer or employee, or of any person financially interested in any trade or business carried on by the taxpayer, when the taxpayer is directly or indirectly a beneficiary under such policy;

Deductions allocable to tax-exempt incomes.

(5) Any amount otherwise allowable as a deduction which is allocable to one or more classes of income other than interest (whether or not any amount of income of that class or classes is received or accrued) wholly exempt from the taxes imposed by this title; or

Property losses from sales, etc., between members of family; shareholder and corporation.

(6) Loss from sales or exchanges of property, directly or indirectly, (A) between members of a family, or (B) except in the case of distributions in liquidation, between an individual and a corporation in which such individual owns, directly or indirectly, more than 50 per centum in value of the outstanding stock. For the purpose of this paragraph—(C) an individual shall be considered as owning the stock owned, directly or indirectly, by his family; and (D) the family of an individual shall include only his brothers and sisters (whether by the whole or half blood), spouse, ancestors, and lineal descendants.

Definitions.

Holders of life or terminable interest.

Deductions on income acquired by gift, etc.

(b) HOLDERS OF LIFE OR TERMINABLE INTEREST.—Amounts paid under the laws of any State, Territory, District of Columbia, possession of the United States, or foreign country as income to the holder of a life or terminable interest acquired by gift, bequest, or inheritance shall not be reduced or diminished by any deduction for shrinkage (by whatever name called) in the value of such interest due to the lapse of time, nor by any deduction allowed by this Act (except the deductions provided for in subsections (l) and (m) of section 23) for the purpose of computing the net income of an estate or trust but not allowed under the laws of such State, Territory, District of Columbia, possession of the United States, or foreign country for the purpose of computing the income to which such holder is entitled.

Ante, p. 1660.

Tax withheld on tax-free covenant bonds. *Post*, p. 1701.

(c) TAX WITHHELD ON TAX-FREE COVENANT BONDS.—For nondeductibility of tax withheld on tax-free covenant bonds, see section 143 (a) (3).

Credits allowed individuals.

SEC. 25. CREDITS OF INDIVIDUAL AGAINST NET INCOME.

Normal tax only.

(a) CREDITS FOR NORMAL TAX ONLY.—There shall be allowed for the purpose of the normal tax, but not for the surtax, the following credits against the net income:

Interest on Federal obligations. *Ante*, p. 1657.

(1) INTEREST ON UNITED STATES OBLIGATIONS.—The amount received as interest upon obligations of the United States which is included in gross income under section 22.

Interest on obligations of Federal instrumentalities.

(2) INTEREST ON OBLIGATIONS OF INSTRUMENTALITIES OF THE UNITED STATES.—The amount received as interest on obligations of a corporation organized under Act of Congress, if (A) such

corporation is an instrumentality of the United States; and (B) such interest is included in gross income under section 22; and (C) under the Act authorizing the issue thereof, as amended and supplemented, such interest is exempt from normal tax.

Ante, p. 1657.

Earned income credit.

(3) EARNED INCOME CREDIT.—10 per centum of the amount of the earned net income, but not in excess of 10 per centum of the amount of the net income.

Earned income definitions.

(4) EARNED INCOME DEFINITIONS.—For the purposes of this section—

"Earned income."

(A) "Earned income" means wages, salaries, professional fees, and other amounts received as compensation for personal services actually rendered, but does not include any amount not included in gross income, nor that part of the compensation derived by the taxpayer for personal services rendered by him to a corporation which represents a distribution of earnings or profits rather than a reasonable allowance as compensation for the personal services actually rendered. In the case of a taxpayer engaged in a trade or business in which both personal services and capital are material income producing factors, a reasonable allowance as compensation for the personal services actually rendered by the taxpayer, not in excess of 20 per centum of his share of the net profits of such trade or business, shall be considered as earned income.

"Earned income deductions."

(B) "Earned income deductions" means such deductions as are allowed by section 23 for the purpose of computing net income, and are properly allocable to or chargeable against earned income.

"Earned net income."

(C) "Earned net income" means the excess of the amount of the earned income over the sum of the earned income deductions. If the taxpayer's net income is not more than $3,000, his entire net income shall be considered to be earned net income, and if his net income is more than $3,000, his earned net income shall not be considered to be less than $3,000. In no case shall the earned net income be considered to be more than $14,000.

Credits for both normal tax and surtax.

(b) CREDITS FOR BOTH NORMAL TAX AND SURTAX.—There shall be allowed for the purposes of the normal tax and the surtax the following credits against net income:

Personal exemption. Single person.

(1) PERSONAL EXEMPTION.—In the case of a single person, a personal exemption of $1,000; or in the case of the head of a family or a married person living with husband or wife, a personal exemption of $2,500. A husband and wife living together shall receive but one personal exemption. The amount of such personal exemption shall be $2,500. If such husband and wife make separate returns, the personal exemption may be taken by either or divided between them.

Husband and wife living together.

Separate returns.

Credit for dependents.

(2) CREDIT FOR DEPENDENTS.—$400 for each person (other than husband or wife) dependent upon and receiving his chief support from the taxpayer if such dependent person is under eighteen years of age or is incapable of self-support because mentally or physically defective.

Change of status during taxable year.

(3) CHANGE OF STATUS.—If the status of the taxpayer, insofar as it affects the personal exemption or credit for dependents, changes during the taxable year, the personal exemption and credit shall be apportioned, under rules and regulations prescribed by the Commissioner with the approval of the Secretary, in accordance with the number of months before and after such change. For the purpose of such apportionment a fractional part of a month shall be disregarded unless it amounts to more than half a month in which case it shall be considered as a month.

Apportionment.

Credits allowed corporations.

SEC. 26. CREDITS OF CORPORATIONS.

In the case of a corporation the following credits shall be allowed to the extent provided in the various sections imposing tax—

Interest on Federal obligations.

(a) INTEREST ON OBLIGATIONS OF THE UNITED STATES AND ITS INSTRUMENTALITIES.—The amount received as interest upon obligations of the United States or of corporations organized under Act of Congress which is allowed to an individual as a credit for purposes of normal tax by section 25(a)(1) or (2).

Ante, p. 1662.

Dividends received.

(b) DIVIDENDS RECEIVED.—85 per centum of the amount received as dividends from a domestic corporation which is subject to taxation under this title. The credit allowed by this subsection shall not be allowed in respect of dividends received from a corporation organized under the China Trade Act, 1922, or from a corporation which under section 251 is taxable only on its gross income from sources within the United States by reason of its receiving a large percentage of its gross income from sources within a possession of the United States.

Post, p. 1718.

Contracts restricting payment of dividends.

(c) CONTRACTS RESTRICTING PAYMENT OF DIVIDENDS.—

(1) PROHIBITION ON PAYMENT OF DIVIDENDS.—An amount equal to the excess of the adjusted net income over the aggregate of the amounts which can be distributed within the taxable year as dividends without violating a provision of a written contract executed by the corporation prior to May 1, 1936, which provision expressly deals with the payment of dividends. If a corporation would be entitled to a credit under this paragraph because of a contract provision and also to one or more credits because of other contract provisions, only the largest of such credits shall be allowed, and for such purpose if two or more credits are equal in amount only one shall be taken into account.

Credit allowed.

Disposition of profits of taxable year.

(2) DISPOSITION OF PROFITS OF TAXABLE YEAR.—An amount equal to the portion of the earnings and profits of the taxable year which is required (by a provision of a written contract executed by the corporation prior to May 1, 1936, which provision expressly deals with the disposition of earnings and profits of the taxable year) to be paid within the taxable year in discharge of a debt, or to be irrevocably set aside within the taxable year for the discharge of a debt; to the extent that such amount has been so paid or set aside. For the purposes of this paragraph, a requirement to pay or set aside an amount equal to a percentage of earnings and profits shall be considered a requirement to pay or set aside such percentage of earnings and profits. As used in this paragraph, the word "debt" does not include a debt incurred after April 30, 1936.

Amount set aside for discharge of a debt.

Requirement to pay construed.

"Debt" construed.

Double credit not allowed.

(3) DOUBLE CREDIT NOT ALLOWED.—If both paragraph (1) and paragraph (2) apply, the one of such paragraphs which allows the greater credit shall be applied; and, if the credit allowable under each paragraph is the same, only one of such paragraphs shall be applied.

Bank affiliates. Vol. 48, p. 163.

(d) BANK AFFILIATES.—In the case of a holding company affiliate (as defined in section 2 of the Banking Act of 1933), the amount of the earnings or profits which the Board of Governors of the Federal Reserve System certifies to the Commissioner has been devoted by such affiliate during the taxable year to the acquisition of readily marketable assets other than bank stock in compliance with section 5144 of the Revised Statutes. The aggregate of the credits allowable under this subsection for all taxable years shall not exceed the amount required to be devoted under such section 5144 to such purposes.

R. S., sec. 5144, p. 994; Vol. 48, p. 186. U. S. C., p. 357.

National mortgage associations. Vol. 48, p. 1252.

(e) NATIONAL MORTGAGE ASSOCIATIONS.—In the case of a national mortgage association created under Title III of the National Housing

Act, the amount of the earnings or profits which the Federal Housing Administrator certifies to the Commissioner has been devoted by such association during the taxable year to the acquisition of such reserves as the Administrator may require under the provisions of section 303 of that Act.

Acquisition of reserves.

Vol. 48, p. 1254.

SEC. 27. CORPORATION CREDIT FOR DIVIDENDS PAID.

Corporation credit for dividends paid.

(a) DIVIDENDS PAID CREDIT IN GENERAL.—For the purposes of this title, the dividends paid credit shall be the amount of dividends paid during the taxable year.

Dividends paid credit in general.

(b) DIVIDEND CARRY-OVER.—In computing the dividends paid credit for any taxable year, if the dividends paid during the taxable year are less than the adjusted net income, there shall be allowed as part of the dividends paid credit, and in the following order:

Dividend carry-over.

(1) Dividends paid during the second preceding taxable year in excess of the adjusted net income for such year, to the extent not needed as a dividends paid credit for the taxable year preceding the taxable year the tax for which is being computed; and

(2) Dividends paid during the first preceding taxable year in excess of the adjusted net income for such year.

No credit shall be allowed for dividends paid by a corporation prior to its first taxable year under this title.

Dividends paid prior to first taxable year.

(c) DIVIDENDS IN KIND.—If a dividend is paid in property other than money (including stock of the corporation if held by the corporation as an investment) the dividends paid credit with respect thereto shall be the adjusted basis of the property in the hands of the corporation at the time of the payment, or the fair market value of the property at the time of the payment, whichever is the lower.

Dividends in kind.

(d) DIVIDENDS IN OBLIGATIONS OF THE CORPORATION.—If a dividend is paid in obligations of the corporation, the amount of the dividends paid credit with respect thereto shall be the face value of the obligations, or their fair market value at the time of the payment, whichever is the lower. If the fair market value is lower than the face value, then when the obligation is redeemed by the corporation, the excess of the amount for which redeemed over the fair market value at the time of the dividend payment (to the extent not allowable as a deduction in computing net income for any taxable year) shall be treated as a dividend paid in the taxable year in which the redemption occurs.

Dividends paid in obligations of corporation.

(e) TAXABLE STOCK DIVIDENDS.—In case of a stock dividend or stock right which is a taxable dividend in the hands of shareholders under section 115 (f), the dividends paid credit with respect thereto shall be the fair market value of the stock or the stock right at the time of the payment.

Taxable stock dividends.

Post, p. 1688.

(f) DISTRIBUTIONS IN LIQUIDATION.—In the case of amounts distributed in liquidation the part of such distribution which is properly chargeable to the earnings or profits accumulated after February 28, 1913, shall, for the purposes of computing the dividends paid credit under this section, be treated as a taxable dividend paid.

Distributions in liquidation.

(g) PREFERENTIAL DIVIDENDS.—No dividends paid credit shall be allowed with respect to any distribution unless the distribution is pro rata, equal in amount, and with no preference to any share of stock as compared with other shares of the same class.

Preferential dividends.

(h) NONTAXABLE DISTRIBUTIONS.—If any part of a distribution (including stock dividends and stock rights) is not a taxable dividend in the hands of such of the shareholders as are subject to taxation under this title for the period in which the distribution is made, no dividends paid credit shall be allowed with respect to such part.

Nontaxable distributions.

Credits against tax.

Part III—Credits Against Tax

Taxes of foreign countries and U. S. possessions.

SEC. 31. TAXES OF FOREIGN COUNTRIES AND POSSESSIONS OF UNITED STATES.

Extent of credit for. *Post*, p. 1696.

The amount of income, war-profits, and excess-profits taxes imposed by foreign countries or possessions of the United States shall be allowed as a credit against the tax, to the extent provided in section 131.

Taxes withheld at source. *Post*, pp. 1700, 1702.

SEC. 32. TAXES WITHHELD AT SOURCE.

The amount of tax withheld at the source under section 143 or 144 shall be allowed as a credit against the tax.

Overpayments. *Post*, p. 1731.

SEC. 33. CREDIT FOR OVERPAYMENTS.

For credit against the tax of overpayments of taxes imposed by this title for other taxable years, see section 322.

Accounting periods and methods.

Part IV—Accounting Periods and Methods of Accounting

General rule.

SEC. 41. GENERAL RULE.

Net income computed on basis of annual accounting period.

The net income shall be computed upon the basis of the taxpayer's annual accounting period (fiscal year or calendar year, as the case may be) in accordance with the method of accounting regularly employed in keeping the books of such taxpayer; but if no such method of accounting has been so employed, or if the method employed does not clearly reflect the income, the computation shall be made in accordance with such method as in the opinion of the Commissioner does clearly reflect the income. If the taxpayer's annual accounting period is other than a fiscal year as defined in section 48 or if the taxpayer has no annual accounting period or does not keep books, the net income shall be computed on the basis of the calendar year. (For use of inventories, see section 22 (c).)

If accounting period is other than fiscal year.

Inventories. *Ante*, p. 1658.

Gross income.

SEC. 42. PERIOD IN WHICH ITEMS OF GROSS INCOME INCLUDED.

Items for taxable year in which received.

The amount of all items of gross income shall be included in the gross income for the taxable year in which received by the taxpayer, unless, under methods of accounting permitted under section 41, any such amounts are to be properly accounted for as of a different period. In the case of the death of a taxpayer there shall be included in computing net income for the taxable period in which falls the date of his death, amounts accrued up to the date of his death if not otherwise properly includible in respect of such period or a prior period.

Portion, in case of death.

Deductions and credits.

SEC. 43. PERIOD FOR WHICH DEDUCTIONS AND CREDITS TAKEN.

For taxable year in which "paid or accrued", or "paid or incurred."

The deductions and credits (other than the dividends paid credit provided in section 27) provided for in this title shall be taken for the taxable year in which "paid or accrued" or "paid or incurred", dependent upon the method of accounting upon the basis of which the net income is computed, unless in order to clearly reflect the income the deductions or credits should be taken as of a different period. In the case of the death of a taxpayer there shall be allowed as deductions and credits for the taxable period in which falls the date of his death, amounts accrued up to the date of his death if not otherwise properly allowable in respect of such period or a prior period.

Allowances on death of taxpayer.

SEC. 44. INSTALLMENT BASIS. Installment basis.

(a) DEALERS IN PERSONAL PROPERTY.—Under regulations prescribed by the Commissioner with the approval of the Secretary, a person who regularly sells or otherwise disposes of personal property on the installment plan may return as income therefrom in any taxable year that proportion of the installment payments actually received in that year which the gross profit realized or to be realized when payment is completed, bears to the total contract price. Dealers in personal property.

(b) SALES OF REALTY AND CASUAL SALES OF PERSONALTY.—In the case (1) of a casual sale or other casual disposition of personal property (other than property of a kind which would properly be included in the inventory of the taxpayer if on hand at the close of the taxable year), for a price exceeding $1,000, or (2) of a sale or other disposition of real property, if in either case the initial payments do not exceed 30 per centum of the selling price (or, in case the sale or other disposition was in a taxable year beginning prior to January 1, 1934, the percentage of the selling price prescribed in the law applicable to such year), the income may, under regulations prescribed by the Commissioner with the approval of the Secretary, be returned on the basis and in the manner above prescribed in this section. As used in this section the term "initial payments" means the payments received in cash or property other than evidences of indebtedness of the purchaser during the taxable period in which the sale or other disposition is made. Sales of realty and casual sales of personalty. "Initial payments" defined.

(c) CHANGE FROM ACCRUAL TO INSTALLMENT BASIS.—If a taxpayer entitled to the benefits of subsection (a) elects for any taxable year to report his net income on the installment basis, then in computing his income for the year of change or any subsequent year, amounts actually received during any such year on account of sales or other dispositions of property made in any prior year shall not be excluded. Computation on change to installment basis.

(d) GAIN OR LOSS UPON DISPOSITION OF INSTALLMENT OBLIGATIONS.—If an installment obligation is satisfied at other than its face value or distributed, transmitted, sold, or otherwise disposed of, gain or loss shall result to the extent of the difference between the basis of the obligation and (1) in the case of satisfaction at other than face value or a sale or exchange—the amount realized, or (2) in case of a distribution, transmission, or disposition otherwise than by sale or exchange—the fair market value of the obligation at the time of such distribution, transmission, or disposition. Any gain or loss so resulting shall be considered as resulting from the sale or exchange of the property in respect of which the installment obligation was received. The basis of the obligation shall be the excess of the face value of the obligation over an amount equal to the income which would be returnable were the obligation satisfied in full. This subsection shall not apply to the transmission at death of installment obligations if there is filed with the Commissioner, at such time as he may by regulation prescribe, a bond in such amount and with such sureties as he may deem necessary, conditioned upon the return as income, by the person receiving any payment on such obligations, of the same proportion of such payment as would be returnable as income by the decedent if he had lived and had received such payment. Gain or loss upon disposition of installment obligations. Basis. Transmission at death of installment obligations.

SEC. 45. ALLOCATION OF INCOME AND DEDUCTIONS. Allocation of income and deductions.

In any case of two or more organizations, trades, or businesses (whether or not incorporated, whether or not organized in the United States, and whether or not affiliated) owned or controlled directly or indirectly by the same interests, the Commissioner is Provisions if same interests control two or more businesses.

authorized to distribute, apportion, or allocate gross income or deductions between or among such organizations, trades, or businesses, if he determines that such distribution, apportionment, or allocation is necessary in order to prevent evasion of taxes or clearly to reflect the income of any of such organizations, trades, or businesses.

Change of accounting period.

SEC. 46. CHANGE OF ACCOUNTING PERIOD.

Net income computed on basis of new period.

If a taxpayer changes his accounting period from fiscal year to calendar year, from calendar year to fiscal year, or from one fiscal year to another, the net income shall, with the approval of the Commissioner, be computed on the basis of such new accounting period, subject to the provisions of section 47.

Returns for less than a year.

SEC. 47. RETURNS FOR A PERIOD OF LESS THAN TWELVE MONTHS.

Basis of computing when accounting period changes.

(a) RETURNS FOR SHORT PERIOD RESULTING FROM CHANGE OF ACCOUNTING PERIOD.—If a taxpayer, with the approval of the Commissioner, changes the basis of computing net income from fiscal year to calendar year a separate return shall be made for the period between the close of the last fiscal year for which return was made and the following December 31. If the change is from calendar year to fiscal year, a separate return shall be made for the period between the close of the last calendar year for which return was made and the date designated as the close of the fiscal year. If the change is from one fiscal year to another fiscal year a separate return shall be made for the period between the close of the former fiscal year and the date designated as the close of the new fiscal year.

Income computed on basis of short period where separate return made.

(b) INCOME COMPUTED ON BASIS OF SHORT PERIOD.—Where a separate return is made under subsection (a) on account of a change in the accounting period, and in all other cases where a separate return is required or permitted, by regulations prescribed by the Commissioner with the approval of the Secretary, to be made for a fractional part of a year, then the income shall be computed on the basis of the period for which separate return is made.

Income placed on annual basis.

(c) INCOME PLACED ON ANNUAL BASIS.—If a separate return is made (except returns of the income of a corporation) under subsection (a) on account of a change in the accounting period, the net income, computed on the basis of the period for which separate return is made, shall be placed on an annual basis by multiplying the amount thereof by twelve and dividing by the number of months included in the period for which the separate return is made. The tax shall be such part of the tax computed on such annual basis as the number of months in such period is of twelve months.

Computation of earned income.

(d) EARNED INCOME.—The Commissioner with the approval of the Secretary shall by regulations prescribe the method of applying the provisions of subsections (b) and (c) (relating to computing income on the basis of a short period, and placing such income on an annual basis) to cases where the taxpayer makes a separate return under subsection (a) on account of a change in the accounting period, and it appears that for the period for which the return is so made he has received earned income.

Reduction of personal credits for fractions of a year.

(e) REDUCTION OF CREDITS AGAINST NET INCOME.—In the case of a return made for a fractional part of a year, except a return made under subsection (a), on account of a change in the accounting period, the personal exemption and credit for dependents shall be reduced respectively to amounts which bear the same ratio to the full credits provided as the number of months in the period for which return is made bears to twelve months.

Taxable year in case of jeopardy.
Post, p. 1703.

(f) CLOSING OF TAXABLE YEAR IN CASE OF JEOPARDY.—For closing of taxable year in case of jeopardy, see section 146.

SEC. 48. DEFINITIONS. Definitions.

When used in this title—

(a) TAXABLE YEAR.—"Taxable year" means the calendar year, or the fiscal year ending during such calendar year, upon the basis of which the net income is computed under this Part. "Taxable year" includes, in the case of a return made for a fractional part of a year under the provisions of this title or under regulations prescribed by the Commissioner with the approval of the Secretary, the period for which such return is made. "Taxable year."

(b) FISCAL YEAR.—"Fiscal year" means an accounting period of twelve months ending on the last day of any month other than December. "Fiscal year."

(c) PAID, INCURRED, ACCRUED.—The terms "paid or incurred" and "paid or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under this Part. "Paid or incurred"; "paid or accrued."

(d) TRADE OR BUSINESS.—The term "trade or business" includes the performance of the functions of a public office. "Trade or business."

(e) MUTUAL INVESTMENT COMPANIES.— Mutual investment companies.

(1) GENERAL DEFINITION.—The term "mutual investment company" means any corporation (whether chartered or created as an investment trust, or otherwise), other than a personal holding company as defined in section 351, if— General definition. *Post*, p. 1732.

(A) It is organized for the purpose of, and substantially all its business consists of, holding, investing, or reinvesting in stock or securities; and

(B) At least 95 per centum of its gross income is derived from dividends, interest, and gains from sales or other disposition of stock or securities; and

(C) Less than 30 per centum of its gross income is derived from the sale or other disposition of stock or securities held for less than six months; and

(D) An amount not less than 90 per centum of its net income is distributed to its shareholders as taxable dividends during the taxable year; and

(E) Its shareholders are, upon reasonable notice, entitled to redemption of their stock for their proportionate interests in the corporation's properties, or the cash equivalent thereof less a discount not in excess of 3 per centum thereof.

(2) LIMITATIONS.—Despite the provisions of paragraph (1) a corporation shall not be considered as a mutual investment company if, subsequent to a date thirty days after the date of the enactment of this Act, at any time during the taxable year— Limitations.

(A) More than 5 per centum of the gross assets of the corporation, taken at cost, was invested in stock or securities, or both, of any one corporation, government, or political subdivision thereof, but this limitation shall not apply to investments in obligations of the United States or in obligations of any corporation organized under general Act of Congress if such corporation is an instrumentality of the United States; or

(B) It owned more than 10 per centum of the outstanding stock or securities, or both, of any one corporation; or

(C) It had any outstanding bonds or indebtedness in excess of 10 per centum of its gross assets taken at cost; or

(D) It fails to comply with any rule or regulation prescribed by the Commissioner, with the approval of the Secretary, for the purpose of ascertaining the actual ownership of its outstanding stock.

Returns and payment.

Part V—Returns and Payment of Tax

Individual returns.

SEC. 51. INDIVIDUAL RETURNS.

Requirement.

(a) REQUIREMENT.—The following individuals shall each make under oath a return stating specifically the items of his gross income and the deductions and credits allowed under this title and such other information for the purpose of carrying out the provisions of this title as the Commissioner with the approval of the Secretary may by regulations prescribe—

Net income $1,000 or over, if single, etc.

(1) Every individual having a net income for the taxable year of $1,000 or over, if single, or if married and not living with husband or wife;

Net income $2,500 or over, if married and living with husband or wife.

(2) Every individual having a net income for the taxable year of $2,500 or over, if married and living with husband or wife; and

Gross income $5,000 or over.

(3) Every individual having a gross income for the taxable year of $5,000 or over, regardless of the amount of his net income.

Husband and wife living together.

(b) HUSBAND AND WIFE.—If a husband and wife living together have an aggregate net income for the taxable year of $2,500 or over, or an aggregate gross income for such year of $5,000 or over—

Separate return.

(1) Each shall make such a return, or

Joint.

(2) The income of each shall be included in a single joint return, in which case the tax shall be computed on the aggregate income.

Persons under disability; by agent, etc.

(c) PERSONS UNDER DISABILITY.—If the taxpayer is unable to make his own return, the return shall be made by a duly authorized agent or by the guardian or other person charged with the care of the person or property of such taxpayer.

Fiduciaries.
Post, p. 1700.

(d) FIDUCIARIES.—For returns to be made by fiduciaries, see section 142.

Corporation returns.

SEC. 52. CORPORATION RETURNS.

Requirement for making.

Every corporation subject to taxation under this title shall make a return, stating specifically the items of its gross income and the deductions and credits allowed by this title and such other information for the purpose of carrying out the provisions of this title as the Commissioner with the approval of the Secretary may by regulations prescribe. The return shall be sworn to by the president, vice president, or other principal officer and by the treasurer, assistant treasurer, or chief accounting officer. In cases where receivers, trustees in bankruptcy, or assignees are operating the property or business of corporations, such receivers, trustees, or assignees shall make returns for such corporations in the same manner and form as corporations are required to make returns. Any tax due on the basis of such returns made by receivers, trustees, or assignees shall be collected in the same manner as if collected from the corporations of whose business or property they have custody and control.

By receivers, trustees, or assignees.

Collection.

Filing returns.

SEC. 53. TIME AND PLACE FOR FILING RETURNS.

Time designated.

General rule.

(a) TIME FOR FILING.—

(1) GENERAL RULE.—Returns made on the basis of the calendar year shall be made on or before the 15th day of March following the close of the calendar year. Returns made on the basis of a fiscal year shall be made on or before the 15th day of the third month following the close of the fiscal year.

Extension of time.

(2) EXTENSION OF TIME.—The Commissioner may grant a reasonable extension of time for filing returns, under such rules and regulations as he shall prescribe with the approval of the Secretary. Except in the case of taxpayers who are abroad, no such extension shall be for more than six months.

Limitation.

(b) To WHOM RETURN MADE.— To whom made.

(1) INDIVIDUALS.—Returns (other than corporation returns) shall be made to the collector for the district in which is located the legal residence or principal place of business of the person making the return, or, if he has no legal residence or principal place of business in the United States, then to the collector at Baltimore, Maryland. Individuals.

(2) CORPORATIONS.—Returns of corporations shall be made to the collector of the district in which is located the principal place of business or principal office or agency of the corporation, or, if it has no principal place of business or principal office or agency in the United States, then to the collector at Baltimore, Maryland. Corporations.

SEC. 54. RECORDS AND SPECIAL RETURNS. Records and special returns.

(a) BY TAXPAYER.—Every person liable to any tax imposed by this title or for the collection thereof, shall keep such records, render under oath such statements, make such returns, and comply with such rules and regulations, as the Commissioner, with the approval of the Secretary, may from time to time prescribe. Required of taxpayer.

(b) TO DETERMINE LIABILITY TO TAX.—Whenever in the judgment of the Commissioner necessary he may require any person, by notice served upon him, to make a return, render under oath such statements, or keep such records, as the Commissioner deems sufficient to show whether or not such person is liable to tax under this title. Statement to determine tax liability.

(c) INFORMATION AT THE SOURCE.—For requirement of statements and returns by one person to assist in determining the tax liability of another person, see sections 147 to 150. Information at source. *Post*, pp. 1704, 1705.

(d) COPIES OF RETURNS.—If any person, required by law or regulations made pursuant to law to file a copy of any income return for any taxable year, fails to file such copy at the time required, there shall be due and assessed against such person $5 in the case of an individual return or $10 in the case of a fiduciary, partnership, or corporation return, and the collector with whom the return is filed shall prepare such copy. Such amount shall be collected and paid, without interest, in the same manner as the amount of tax due in excess of that shown by the taxpayer upon a return in the case of a mathematical error appearing on the face of the return. Copies of returns filed or prepared pursuant to this subsection shall remain on file for a period of not less than two years from the date they are required to be filed, and may be destroyed at any time thereafter under the direction of the Commissioner. Copies of returns. Assessment for failure to file. Collection of.

SEC. 55. PUBLICITY OF RETURNS. Publicity of returns.

(a) Returns made under this title shall be open to inspection in the same manner, to the same extent, and subject to the same provisions of law, including penalties, as returns made under Title II of the Revenue Act of 1926; and all returns made under this Act shall constitute public records and shall be open to public examination and inspection to such extent as shall be authorized in rules and regulations promulgated by the President. Provisions governing. Vol. 44, p. 51. To constitute public records.

(b) (1) All income returns filed under this title (or copies thereof, if so prescribed by regulations made under this subsection), shall be open to inspection by any official, body, or commission, lawfully charged with the administration of any State tax law, if the inspection is for the purpose of such administration or for the purpose of obtaining information to be furnished to local taxing authorities as provided in paragraph (2). The inspection shall be permitted only upon written request of the governor of such State, designating the representative of such official, body, or commission Inspection by officials, etc., in administration of State laws. Request by Governor.

to make the inspection on behalf of such official, body, or commission. The inspection shall be made in such manner, and at such times and places, as shall be prescribed by regulations made by the Commissioner with the approval of the Secretary.

Manner, time, and place of inspection.

Use of information secured.

(2) Any information thus secured by any official, body, or commission of any State may be used only for the administration of the tax laws of such State, except that upon written request of the Governor of such State any such information may be furnished to any official, body, or commission of any political subdivision of such State, lawfully charged with the administration of the tax laws of such political subdivision, but may be furnished only for the purpose of, and may be used only for, the administration of such tax laws.

Unlawful disclosure.

Any officer, employee, or agent of any State or political subdivision, who divulges (except as authorized in this subsection, or when called upon to testify in any judicial or administrative proceeding to which the State or political subdivision, or such State or local official, body, or commission, as such, is a party) any information acquired by him through an inspection permitted him or another under this subsection shall be guilty of a misdemeanor and shall upon conviction be punished by a fine of not more than $1,000, or by imprisonment for not more than one year, or both.

Penalty.

Payment of tax.

SEC. 56. PAYMENT OF TAX.

Time designated.

(a) TIME OF PAYMENT.—The total amount of tax imposed by this title shall be paid on the fifteenth day of March following the close of the calendar year, or, if the return should be made on the basis of a fiscal year, then on the fifteenth day of the third month following the close of the fiscal year.

Installment payments.

(b) INSTALLMENT PAYMENTS.—The taxpayer may elect to pay the tax in four equal installments, in which case the first installment shall be paid on the date prescribed for the payment of the tax by the taxpayer, the second installment shall be paid on the fifteenth day of the third month, the third installment on the fifteenth day of the sixth month, and the fourth installment on the fifteenth day of the ninth month, after such date. If any installment is not paid on or before the date fixed for its payment, the whole amount of the tax unpaid shall be paid upon notice and demand from the collector.

Whole amount, on default.

Extension of time for payment.

(c) EXTENSION OF TIME FOR PAYMENT.—At the request of the taxpayer, the Commissioner may extend the time for payment of the amount determined as the tax by the taxpayer, or any installment thereof, for a period not to exceed six months from the date prescribed for the payment of the tax or an installment thereof. In such case the amount in respect of which the extension is granted shall be paid on or before the date of the expiration of the period of the extension.

Payment on expiration.

Voluntary advance payment.

(d) VOLUNTARY ADVANCE PAYMENT.—A tax imposed by this title, or any installment thereof, may be paid, at the election of the taxpayer, prior to the date prescribed for its payment.

Jeopardy payment.
Post, p. 1703.

(e) ADVANCE PAYMENT IN CASE OF JEOPARDY.—For advance payment in case of jeopardy, see section 146.

Tax withheld at source.
Post, pp. 1700, 1702.

(f) TAX WITHHELD AT SOURCE.—For requirement of withholding tax at the source in the case of nonresident aliens and foreign corporations, and in the case of so-called "tax-free covenant bonds", see sections 143 and 144.

Fractional parts of cent.

(g) FRACTIONAL PARTS OF CENT.—In the payment of any tax under this title a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to 1 cent.

(h) RECEIPTS.—Every collector to whom any payment of any income tax is made shall upon request give to the person making such payment a full written or printed receipt therefor. Receipt on request.

SEC. 57. EXAMINATION OF RETURN AND DETERMINATION OF TAX. Return and determination of tax. Examination of.

As soon as practicable after the return is filed the Commissioner shall examine it and shall determine the correct amount of the tax.

SEC. 58. ADDITIONS TO TAX AND PENALTIES. Additions to tax and penalties.

(a) For additions to the tax in case of negligence or fraud in the nonpayment of tax or failure to file return therefor, see Supplement M. Negligence or fraud. *Post*, p. 1727.

(b) For criminal penalties for nonpayment of tax or failure to file return therefor, see section 145. Criminal penalties. *Post*, p. 1703.

SEC. 59. ADMINISTRATIVE PROCEEDINGS. Administrative proceedings.

For administrative proceedings in respect of the nonpayment or overpayment of a tax imposed by this title, see as follows: Nonpayments or overpayments.

(a) Supplement L, relating to assessment and collection of deficiencies. Deficiencies. *Post*, p. 1721.

(b) Supplement M, relating to interest and additions to tax. Interest and additions. *Post*, p. 1727.

(c) Supplement N, relating to claims against transferees and fiduciaries. Transferees and fiduciaries. *Post*, p. 1729.

(d) Supplement O, relating to overpayments. Overpayments. *Post*, p. 1730.

Part VI—Miscellaneous Provisions

Miscellaneous provisions.

SEC. 61. LAWS MADE APPLICABLE. Laws made applicable.

All administrative, special, or stamp provisions of law, including the law relating to the assessment of taxes, so far as applicable, are hereby extended to and made a part of this title. Administrative, etc., provisions extended to.

SEC. 62. RULES AND REGULATIONS. Rules and regulations.

The Commissioner, with the approval of the Secretary, shall prescribe and publish all needful rules and regulations for the enforcement of this title. Publication of.

SEC. 63. TAXES IN LIEU OF TAXES UNDER 1934 ACT. Taxes in lieu of 1934 Act.

The taxes imposed by this title and Title IA shall be in lieu of the taxes imposed by Titles I and IA of the Revenue Act of 1934, as amended. Vol. 48, p. 683; *Ante*, p. 1014.

SEC. 64. SHORT TITLE. Short title.

This title may be cited as the "Income Tax Act of 1936". "Income Tax Act of 1936."

SUBTITLE C—SUPPLEMENTAL PROVISIONS

Supplemental provisions.

Supplement A—Rates of Tax

Rates of tax.

[Supplementary to Subtitle B, Part I]

SEC. 101. EXEMPTIONS FROM TAX ON CORPORATIONS. Exemptions from tax on corporations.

The following organizations shall be exempt from taxation under this title—

(1) Labor, agricultural, or horticultural organizations; Labor, agricultural, etc., organizations.

(2) Mutual savings banks not having a capital stock represented by shares; Mutual savings banks.

(3) Fraternal beneficiary societies, orders, or associations, (A) operating under the lodge system or for the exclusive benefit of Fraternal beneficiary societies, lodges, etc.

the members of a fraternity itself operating under the lodge system; and (B) providing for the payment of life, sick, accident, or other benefits to the members of such society, order, or association or their dependents;

Domestic building and loan associations, etc.

(4) Domestic building and loan associations substantially all the business of which is confined to making loans to members; and cooperative banks without capital stock organized and operated for mutual purposes and without profit;

Mutual cemetery companies.

(5) Cemetery companies owned and operated exclusively for the benefit of their members or which are not operated for profit; and any corporation chartered solely for burial purposes as a cemetery corporation and not permitted by its charter to engage in any business not necessarily incident to that purpose, no part of the net earnings of which inures to the benefit of any private shareholder or individual;

Corporations, community chests, etc., for religious, scientific, etc., purposes.

(6) Corporations, and any community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation;

Business leagues, etc.

(7) Business leagues, chambers of commerce, real-estate boards, or boards of trade, not organized for profit and no part of the net earnings of which inures to the benefit of any private shareholder or individual;

Civic leagues, employees' associations, etc.

(8) Civic leagues or organizations not organized for profit but operated exclusively for the promotion of social welfare, or local associations of employees, the membership of which is limited to the employees of a designated person or persons in a particular municipality, and the net earnings of which are devoted exclusively to charitable, educational, or recreational purposes;

Pleasure, etc., clubs.

(9) Clubs organized and operated exclusively for pleasure, recreation, and other nonprofitable purposes, no part of the net earnings of which inures to the benefit of any private shareholder;

Local life insurance, mutual ditch, etc., companies.

(10) Benevolent life insurance associations of a purely local character, mutual ditch or irrigation companies, mutual or cooperative telephone companies, or like organizations; but only if 85 per centum or more of the income consists of amounts collected from members for the sole purpose of meeting losses and expenses;

Farmers' mutual casualty insurance companies.

(11) Farmers' or other mutual hail, cyclone, casualty, or fire insurance companies or associations (including interinsurers and reciprocal underwriters) the income of which is used or held for the purpose of paying losses or expenses;

Farmers' cooperative associations.

(12) Farmers', fruit growers', or like associations organized and operated on a cooperative basis (a) for the purpose of marketing the products of members or other producers, and turning back to them the proceeds of sales, less the necessary marketing expenses, on the basis of either the quantity or the value of the products furnished by them, or (b) for the purpose of purchasing supplies and equipment for the use of members or other persons, and turning over such supplies and equipment to them at actual cost, plus necessary expenses. Exemption shall not be denied any such association because it has capital stock, if the dividend rate of such stock is fixed at not to exceed the legal rate of interest in the State of incorporation or 8 per centum per annum, whichever is greater, on the value of the consideration for which the stock was issued, and if substantially all such stock (other than nonvoting preferred stock, the owners of which are not entitled or permitted to partici-

pate, directly or indirectly, in the profits of the association, upon dissolution or otherwise, beyond the fixed dividends) is owned by producers who market their products or purchase their supplies and equipment through the association; nor shall exemption be denied any such association because there is accumulated and maintained by it a reserve required by State law or a reasonable reserve for any necessary purpose. Such an association may market the products of nonmembers in an amount the value of which does not exceed the value of the products marketed for members, and may purchase supplies and equipment for nonmembers in an amount the value of which does not exceed the value of the supplies and equipment purchased for members, provided the value of the purchases made for persons who are neither members nor producers does not exceed 15 per centum of the value of all its purchases. Business done for the United States or any of its agencies shall be disregarded in determining the right to exemption under this paragraph;

Marketing products of nonmembers and making purchases for.

Limit.

Federal business disregarded.

(13) Corporations organized by an association exempt under the provisions of paragraph (12), or members thereof, for the purpose of financing the ordinary crop operations of such members or other producers, and operated in conjunction with such association. Exemption shall not be denied any such corporation because it has capital stock, if the dividend rate of such stock is fixed at not to exceed the legal rate of interest in the State of incorporation or 8 per centum per annum, whichever is greater, on the value of the consideration for which the stock was issued, and if substantially all such stock (other than nonvoting preferred stock, the owners of which are not entitled or permitted to participate, directly or indirectly, in the profits of the corporation, upon dissolution or otherwise, beyond the fixed dividends) is owned by such association, or members thereof; nor shall exemption be denied any such corporation because there is accumulated and maintained by it a reserve required by State law or a reasonable reserve for any necessary purpose;

Exempt corporations financing crop operations of members.

(14) Corporations organized for the exclusive purpose of holding title to property, collecting income therefrom, and turning over the entire amount thereof, less expenses, to an organization which itself is exempt from the tax imposed by this title;

Corporations as trustees for exempted organizations.

(15) Corporations organized under Act of Congress, if such corporations are instrumentalities of the United States and if, under such Act, as amended and supplemented, such corporations are exempt from Federal income taxes;

Instrumentalities of the United States.

(16) Voluntary employees' beneficiary associations providing for the payment of life, sick, accident, or other benefits to the members of such association or their dependents, if (A) no part of their net earnings inures (other than through such payments) to the benefit of any private shareholder or individual, and (B) 85 per centum or more of the income consists of amounts collected from members for the sole purpose of making such payments and meeting expenses;

Voluntary employees' beneficiary associations.

(17) Teachers' retirement fund associations of a purely local character, if (A) no part of their net earnings inures (other than through payment of retirement benefits) to the benefit of any private shareholder or individual, and (B) the income consists solely of amounts received from public taxation, amounts received from assessments upon the teaching salaries of members, and income in respect of investments.

Teachers' retirement fund associations.

(18) Religious or apostolic associations or corporations, if such associations or corporations have a common treasury or community treasury, even if such associations or corporations engage in busi-

Religious, etc., associations, having a common treasury, etc.

ness for the common benefit of the members, but only if the members thereof include (at the time of filing their returns) in their gross income their entire pro-rata shares, whether distributed or not, of the net income of the association or corporation for such year. Any amount so included in the gross income of a member shall be treated as a dividend received.

Surtax on corporations improperly accumulating surplus.

SEC. 102. SURTAX ON CORPORATIONS IMPROPERLY ACCUMULATING SURPLUS.

Tax imposed.

(a) IMPOSITION OF TAX.—There shall be levied, collected, and paid for each taxable year (in addition to other taxes imposed by this title) upon the net income of every corporation (other than a personal holding company as defined in section 351) if such corporation, however created or organized, is formed or availed of for the purpose of preventing the imposition of the surtax upon its shareholders or the shareholders of any other corporation, through the medium of permitting earnings or profits to accumulate instead of being divided or distributed—

Post, p. 1732.

Rates.

(1) In the case of corporations not subject to the surtax on undistributed profits imposed by section 14, a surtax equal to the sum of the following:

25 per centum of the amount of the retained net income not in excess of $100,000, plus

35 per centum of the amount of the retained net income in excess of $100,000.

(2) In the case of corporations subject to the surtax on undistributed profits imposed by section 14, a surtax equal to the sum of the following:

15 per centum of the amount of the retained net income not in excess of $100,000, plus

25 per centum of the amount of the retained net income in excess of $100,000.

Evidence of purpose of evasion.

(b) PRIMA FACIE EVIDENCE.—The fact that any corporation is a mere holding or investment company, or that the earnings or profits are permitted to accumulate beyond the reasonable needs of the business, shall be prima facie evidence of a purpose to avoid surtax upon shareholders.

Definitions.

(c) DEFINITIONS.—As used in this title—

"Special adjusted net income."

(1) SPECIAL ADJUSTED NET INCOME.—The term "special adjusted net income" means the net income minus the sum of—

Taxes.

(A) TAXES.—Federal income, war-profits, and excess-profits taxes paid or accrued during the taxable year, to the extent not allowed as a deduction by section 23, but not including the tax imposed by this section or a corresponding section of a prior income-tax law.

Ante, p. 1658.

Disallowed charitable, etc., contributions.

(B) DISALLOWED CHARITABLE, ETC., CONTRIBUTIONS.—Contributions or gifts, not otherwise allowed as a deduction, to or for the use of donees described in section 23 (o), for the purposes therein specified.

Ante, p. 1660.

Disallowed losses.

(C) DISALLOWED LOSSES.—Losses from sales or exchanges of capital assets which are disallowed as a deduction by section 117 (d).

Post, p. 1692.

Bank affiliates.

(D) BANK AFFILIATES.—In the case of a holding company affiliate (as defined in section 2 of the Banking Act of 1933), the amount allowed as a credit under section 26 (d).

Vol. 48, p. 162.
Ante, p. 1664.

National mortgage associations.

(E) NATIONAL MORTGAGE ASSOCIATIONS.—In the case of a national mortgage association created under Title III of the National Housing Act, the amount allowed as a credit under section 26 (e).

Vol. 48, p. 1252.

(2) RETAINED NET INCOME.—The term "retained net income" means the special adjusted net income minus the sum of the dividends paid credit provided in section 27 and the credit provided in section 26 (c), relating to contracts restricting dividends. For the purposes of this subsection, such credits shall be computed by substituting in section 26 (c) and in section 27 for the words "adjusted net income" wherever appearing in such sections the words "special adjusted net income". "Retained net income."

Ante, pp. 1664, 1665.

(d) PAYMENT OF SURTAX ON PRO RATA SHARES.—The tax imposed by this section shall not apply if (1) all the shareholders of the corporation include (at the time of filing their returns) in their gross income their entire pro rata shares, whether distributed or not, of the retained net income of the corporation for such year, and (2) 90 per centum or more of such retained net income is so included in the gross income of shareholders other than corporations. Any amount so included in the gross income of a shareholder shall be treated as a dividend received. Any subsequent distribution made by the corporation out of earnings or profits for such taxable year shall, if distributed to any shareholder who has so included in his gross income his pro rata share, be exempt from tax in the amount of the share so included. Payment of surtax on pro rata shares.

Subsequent distribution.

(e) TAX ON PERSONAL HOLDING COMPANIES.—For surtax on personal holding companies, see section 351. Personal holding companies.

Post, p. 1732.

SEC. 103. RATES OF TAX ON CITIZENS AND CORPORATIONS OF CERTAIN FOREIGN COUNTRIES. Discriminatory or extraterritorial taxes.

Whenever the President finds that, under the laws of any foreign country, citizens or corporations of the United States are being subjected to discriminatory or extraterritorial taxes, the President shall so proclaim and the rates of tax imposed by sections 11, 12, 13, 201 (b), 204 (a), 211 (a), and 231 (a) shall, for the taxable year during which such proclamation is made and for each taxable year thereafter, be doubled in the case of each citizen and corporation of such foreign country; but the tax at such doubled rate shall be considered as imposed by sections 11, 12, 13, 201 (b), 204 (a), 211 (a), or 231 (a), as the case may be. In no case shall this section operate to increase the taxes imposed by such sections (computed without regard to this section) to an amount in excess of 80 per centum of the net income of the taxpayer. Whenever the President finds that the laws of any foreign country with respect to which the President has made a proclamation under the preceding provisions of this section have been modified so that discriminatory and extraterritorial taxes applicable to citizens and corporations of the United States have been removed, he shall so proclaim, and the provisions of this section providing for doubled rates of tax shall not apply to any citizen or corporation of such foreign country with respect to any taxable year beginning after such proclamation is made. Rates when citizens are subjected by foreign countries to.

Ante, pp. 1653, 1655; *Post*, pp. 1710, 1711, 1714, 1717.

Limitation.

If foreign laws modified.

SEC. 104. BANKS AND TRUST COMPANIES. Banks and trust companies.

(a) DEFINITION.—As used in this section the term "bank" means a bank or trust company incorporated and doing business under the laws of the United States (including laws relating to the District of Columbia), of any State, or of any Territory, a substantial part of the business of which consists of receiving deposits and making loans and discounts, or of exercising fiduciary powers similar to those permitted to national banks under section 11 (k) of the Federal Reserve Act, as amended, and which is subject by law to supervision and examination by State or Federal authority having supervision over banking institutions. Definition.

Vol. 38, p. 262.

Rate of tax.

(b) RATE OF TAX.—Banks shall be taxable in the same manner as other corporations, except that they shall not be subject to the surtax imposed by section 14, and except that the normal tax imposed by section 13 shall be at the rate of 15 per centum instead of at the rates provided in such section.

Ante, p. 1655.

Oil or gas properties.

SEC. 105. SALE OF OIL OR GAS PROPERTIES.

Tax on sales.

In the case of a bona fide sale of any oil or gas property, or any interest therein, where the principal value of the property has been demonstrated by prospecting or exploration or discovery work done by the taxpayer, the portion of the tax imposed by section 12 attributable to such sale shall not exceed 30 per centum of the selling price of such property or interest.

Ante, p. 1653.

Computation of net income.

Supplement B—Computation of Net Income

[Supplementary to Subtitle B, Part II]

Gain or loss.

SEC. 111. DETERMINATION OF AMOUNT OF, AND RECOGNITION OF, GAIN OR LOSS.

Computation of.

(a) COMPUTATION OF GAIN OR LOSS.—The gain from the sale or other disposition of property shall be the excess of the amount realized therefrom over the adjusted basis provided in section 113 (b) for determining gain, and the loss shall be the excess of the adjusted basis provided in such section for determining loss over the amount realized.

Post, p. 1685.

Adjusted basis.

Amount realized.

(b) AMOUNT REALIZED.—The amount realized from the sale or other disposition of property shall be the sum of any money received plus the fair market value of the property (other than money) received.

Recognition of gain or loss.

(c) RECOGNITION OF GAIN OR LOSS.—In the case of a sale or exchange, the extent to which the gain or loss determined under this section shall be recognized for the purposes of this title, shall be determined under the provisions of section 112.

Installment sales.

(d) INSTALLMENT SALES.—Nothing in this section shall be construed to prevent (in the case of property sold under contract providing for payment in installments) the taxation of that portion of any installment payment representing gain or profit in the year in which such payment is received.

Gain or loss from sales or exchanges.

SEC. 112. RECOGNITION OF GAIN OR LOSS.

Entire amount recognized; exceptions.

(a) GENERAL RULE.—Upon the sale or exchange of property the entire amount of the gain or loss, determined under section 111, shall be recognized, except as hereinafter provided in this section.

Exchanges solely in kind.

(b) EXCHANGES SOLELY IN KIND.—

Property held for productive use or investment.

(1) PROPERTY HELD FOR PRODUCTIVE USE OR INVESTMENT.—No gain or loss shall be recognized if property held for productive use in trade or business or for investment (not including stock in trade or other property held primarily for sale, nor stocks, bonds, notes, choses in action, certificates of trust or beneficial interest, or other securities or evidences of indebtedness or interest) is exchanged solely for property of a like kind to be held either for productive use in trade or business or for investment.

Stock for stock of same corporation.

(2) STOCK FOR STOCK OF SAME CORPORATION.—No gain or loss shall be recognized if common stock in a corporation is exchanged solely for common stock in the same corporation, or if preferred stock in a corporation is exchanged solely for preferred stock in the same corporation.

(3) STOCK FOR STOCK ON REORGANIZATION.—No gain or loss shall be recognized if stock or securities in a corporation a party to a reorganization are, in pursuance of the plan of reorganization, exchanged solely for stock or securities in such corporation or in another corporation a party to the reorganization. Stock for stock on reorganization.

(4) SAME—GAIN OF CORPORATION.—No gain or loss shall be recognized if a corporation a party to a reorganization exchanges property, in pursuance of the plan of reorganization, solely for stock or securities in another corporation a party to the reorganization. Property for stock of party to reorganization.

(5) TRANSFER TO CORPORATION CONTROLLED BY TRANSFEROR.—No gain or loss shall be recognized if property is transferred to a corporation by one or more persons solely in exchange for stock or securities in such corporation, and immediately after the exchange such person or persons are in control of the corporation; but in the case of an exchange by two or more persons this paragraph shall apply only if the amount of the stock and securities received by each is substantially in proportion to his interest in the property prior to the exchange. Transfers for stock of corporation under same control. Limitation.

(6) PROPERTY RECEIVED BY CORPORATION ON COMPLETE LIQUIDATION OF ANOTHER.—No gain or loss shall be recognized upon the receipt by a corporation of property distributed in complete liquidation of another corporation. For the purposes of this paragraph a distribution shall be considered to be in complete liquidation only if— Property received by corporation on complete liquidation of another.

(A) the corporation receiving such property was, on the date of the adoption of the plan of liquidation, and has continued to be at all times until the receipt of the property, the owner of stock (in such other corporation) possessing at least 80 per centum of the total combined voting power of all classes of stock entitled to vote and the owner of at least 80 per centum of the total number of shares of all other classes of stock (except non-voting stock which is limited and preferred as to dividends), and was at no time on or after the date of the adoption of the plan of liquidation and until the receipt of the property the owner of a greater percentage of any class of stock than the percentage of such class owned at the time of the receipt of the property; and Conditions prescribed.

(B) no distribution under the liquidation was made before the first day of the first taxable year of the corporation beginning after December 31, 1935; and either No distribution before 1936.

(C) the distribution is by such other corporation in complete cancellation or redemption of all its stock, and the transfer of all the property occurs within the taxable year; in such case the adoption by the stockholders of the resolution under which is authorized the distribution of all the assets of such corporation in complete cancellation or redemption of all its stock, shall be considered an adoption of a plan of liquidation, even though no time for the completion of the transfer of the property is specified in such resolution; or Distribution a complete stock cancelation, etc.

(D) such distribution is one of a series of distributions by such other corporation in complete cancellation or redemption of all its stock in accordance with a plan of liquidation under which the transfer of all the property under the liquidation is to be completed within three years from the close of the taxable year during which is made the first of the series of distributions under the plan, except that if such transfer is not completed within such period, or if the taxpayer does not continue qualified under subparagraph (A) until the completion of such transfer, no Distribution one of series of distributions, etc.; period for completion.

distribution under the plan shall be considered a distribution in complete liquidation.

Bond to insure income, etc., taxes.

If such transfer of all the property does not occur within the taxable year the Commissioner may require of the taxpayer such bond, or waiver of the statute of limitations on assessment and collection, or both, as he may deem necessary to insure, if the transfer of the property is not completed within such three-year period, or if the taxpayer does not continue qualified under subparagraph (A) until the completion of such transfer, the assessment and collection of all income, war-profits, and excess-profits taxes then imposed by law for such taxable year or subsequent taxable years, to the extent attributable to property so received. A distribution otherwise constituting a distribution in complete liquidation within the meaning of this paragraph shall not be considered as not constituting such a distribution merely because it does not constitute a distribution or liquidation within the meaning of the corporate law under which the distribution is made; and for the purposes of this paragraph a transfer of property of such other corporation to the taxpayer shall not be considered as not constituting a distribution (or one of a series of distributions) in complete cancellation or redemption of all the stock of such other corporation, merely because the carrying out of the plan involves (i) the transfer under the plan to the taxpayer by such other corporation of property, not attributable to shares owned by the taxpayer, upon an exchange described in paragraph (4) of this subsection, and (ii) the complete cancellation or redemption under the plan, as a result of exchanges described in paragraph (3) of this subsection, of the shares not owned by the taxpayer.

Distribution in complete liquidation but not within meaning of corporate law.

Gain from exchanges not solely in kind.

(c) GAIN FROM EXCHANGES NOT SOLELY IN KIND.—

Recognition of.

(1) If an exchange would be within the provisions of subsection (b) (1), (2), (3), or (5) of this section if it were not for the fact that the property received in exchange consists not only of property permitted by such paragraph to be received without the recognition of gain, but also of other property or money, then the gain, if any, to the recipient shall be recognized, but in an amount not in excess of the sum of such money and the fair market value of such other property.

Reorganization distribution construed as taxable dividend.

(2) If a distribution made in pursuance of a plan of reorganization is within the provisions of paragraph (1) of this subsection but has the effect of the distribution of a taxable dividend, then there shall be taxed as a dividend to each distributee such an amount of the gain recognized under paragraph (1) as is not in excess of his ratable share of the undistributed earnings and profits of the corporation accumulated after February 28, 1913. The remainder, if any, of the gain recognized under paragraph (1) shall be taxed as a gain from the exchange of property.

Accumulations after February 1913.

Tax on gain from property exchange.

Gain of corporation.

(d) SAME—GAIN OF CORPORATION.—If an exchange would be within the provisions of subsection (b) (4) of this section if it were not for the fact that the property received in exchange consists not only of stock or securities permitted by such paragraph to be received without the recognition of gain, but also of other property or money, then—

If distributed on reorganization.

(1) If the corporation receiving such other property or money distributes it in pursuance of the plan of reorganization, no gain to the corporation shall be recognized from the exchange, but

If not distributed.

(2) If the corporation receiving such other property or money does not distribute it in pursuance of the plan of reorganization, the gain, if any, to the corporation shall be recognized, but in an

amount not in excess of the sum of such money and the fair market value of such other property so received, which is not so distributed.

Loss from exchanges not solely in kind.

(e) LOSS FROM EXCHANGES NOT SOLELY IN KIND.—If an exchange would be within the provisions of subsection (b) (1) to (5), inclusive, of this section if it were not for the fact that the property received in exchange consists not only of property permitted by such paragraph to be received without the recognition of gain or loss, but also of other property or money, then no loss from the exchange shall be recognized.

Involuntary conversions.

No gain or loss, if involuntarily converted into similar property, etc.

(f) INVOLUNTARY CONVERSIONS.—If property (as a result of its destruction in whole or in part, theft or seizure, or an exercise of the power of requisition or condemnation, or the threat or imminence thereof) is compulsorily or involuntarily converted into property similar or related in service or use to the property so converted, or into money which is forthwith in good faith, under regulations prescribed by the Commissioner with the approval of the Secretary, expended in the acquisition of other property similar or related in service or use to the property so converted, or in the acquisition of control of a corporation owning such other property, or in the establishment of a replacement fund, no gain or loss shall be recognized. If any part of the money is not so expended, the gain, if any, shall be recognized, but in an amount not in excess of the money which is not so expended.

Gain recognized on part not expended.

Reorganization.

Definitions.

(g) DEFINITION OF REORGANIZATION.—As used in this section and section 113—

(1) The term "reorganization" means (A) a statutory merger or consolidation, or (B) the acquisition by one corporation in exchange solely for all or a part of its voting stock: of at least 80 per centum of the voting stock and at least 80 per centum of the total number of shares of all other classes of stock of another corporation; or of substantially all the properties of another corporation, or (C) a transfer by a corporation of all or a part of its assets to another corporation if immediately after the transfer the transferor or its stockholders or both are in control of the corporation to which the assets are transferred, or (D) a recapitalization, or (E) a mere change in identity, form, or place of organization, however effected.

"A party to a reorganization."

(2) The term "a party to a reorganization" includes a corporation resulting from a reorganization and includes both corporations in the case of a reorganization resulting from the acquisition by one corporation of stock or properties of another.

"Control" defined.

(h) DEFINITION OF CONTROL.—As used in this section the term "control" means the ownership of stock possessing at least 80 per centum of the total combined voting power of all classes of stock entitled to vote and at least 80 per centum of the total number of shares of all other classes of stock of the corporation.

Foreign corporations.

Not so considered if purpose is to evade income taxes.

(i) FOREIGN CORPORATIONS.—In determining the extent to which gain shall be recognized in the case of any of the exchanges (made after the date of the enactment of this Act) described in subsection (b) (3), (4), (5), or (6), or described in so much of subsection (c) as refers to subsection (b) (3) or (5), or described in subsection (d), a foreign corporation shall not be considered as a corporation unless, prior to such exchange, it has been established to the satisfaction of the Commissioner that such exchange is not in pursuance of a plan having as one of its principal purposes the avoidance of Federal income taxes.

Adjusted basis for determining gain or loss.
Cost value; exceptions.

SEC. 113. ADJUSTED BASIS FOR DETERMINING GAIN OR LOSS.

(a) BASIS (UNADJUSTED) OF PROPERTY.—The basis of property shall be the cost of such property; except that—

Inventory value.

(1) INVENTORY VALUE.—If the property should have been included in the last inventory, the basis shall be the last inventory value thereof.

Gifts after December 31, 1920.

(2) GIFTS AFTER DECEMBER 31, 1920.—If the property was acquired by gift after December 31, 1920, the basis shall be the same as it would be in the hands of the donor or the last preceding owner by whom it was not acquired by gift, except that for the purpose of determining loss the basis shall be the basis so determined or the fair market value of the property at the time of the gift, whichever is lower. If the facts necessary to determine the basis in the hands of the donor or the last preceding owner are unknown to the donee, the Commissioner shall, if possible, obtain such facts from such donor or last preceding owner, or any other person cognizant thereof. If the Commissioner finds it impossible to obtain such facts, the basis in the hands of such donor or last preceding owner shall be the fair market value of such property as found by the Commissioner as of the date or approximate date at which, according to the best information that the Commissioner is able to obtain, such property was acquired by such donor or last preceding owner.

Determination of loss.

Fair market value.

Transfer in trust after December 31, 1920.

(3) TRANSFER IN TRUST AFTER DECEMBER 31, 1920.—If the property was acquired after December 31, 1920, by a transfer in trust (other than by a transfer in trust by a bequest or devise) the basis shall be the same as it would be in the hands of the grantor, increased in the amount of gain or decreased in the amount of loss recognized to the grantor upon such transfer under the law applicable to the year in which the transfer was made.

Gift or transfer in trust before January 1, 1921.

(4) GIFT OR TRANSFER IN TRUST BEFORE JANUARY 1, 1921.—If the property was acquired by gift or transfer in trust on or before December 31, 1920, the basis shall be the fair market value of such property at the time of such acquisition.

Property transmitted at death.

(5) PROPERTY TRANSMITTED AT DEATH.—If the property was acquired by bequest, devise, or inheritance, or by the decedent's estate from the decedent, the basis shall be the fair market value of such property at the time of such acquisition. In the case of property transferred in trust to pay the income for life to or upon the order or direction of the grantor, with the right reserved to the grantor at all times prior to his death to revoke the trust, the basis of such property in the hands of the persons entitled under the terms of the trust instrument to the property after the grantor's death shall, after such death, be the same as if the trust instrument had been a will executed on the day of the grantor's death. For the purpose of this paragraph property passing without full and adequate consideration under a general power of appointment exercised by will shall be deemed to be property passing from the individual exercising such power by bequest or devise.

Transfer in trust with right to revoke.

Without full consideration under general power of appointment.

Acquired on exchange, etc.

(6) TAX-FREE EXCHANGES GENERALLY.—If the property was acquired, after February 28, 1913, upon an exchange described in section 112 (b) to (e), inclusive, the basis (except as provided in paragraph (15) of this subsection) shall be the same as in the case of the property exchanged, decreased in the amount of any money received by the taxpayer and increased in the amount of gain or decreased in the amount of loss to the taxpayer that was recognized upon such exchange under the law applicable to the

Ante, pp. 1678–1681; *Post*, p. 1684.

year in which the exchange was made. If the property so acquired consisted in part of the type of property permitted by section 112 (b) to be received without the recognition of gain or loss, and in part of other property, the basis provided in this paragraph shall be allocated between the properties (other than money) received, and for the purpose of the allocation there shall be assigned to such other property an amount equivalent to its fair market value at the date of the exchange. This paragraph shall not apply to property acquired by a corporation by the issuance of its stock or securities as the consideration in whole or in part for the transfer of the property to it.

Partly by exchange and partly by other property.

Stock issued as consideration excepted.

(7) TRANSFERS TO CORPORATION.—If the property was acquired after December 31, 1917, by a corporation in connection with a reorganization, then the basis shall be the same as it would be in the hands of the transferor, increased in the amount of gain or decreased in the amount of loss recognized to the transferor upon such transfer under the law applicable to the year in which the transfer was made. This paragraph shall not apply if the property acquired consists of stock or securities in a corporation a party to the reorganization, unless acquired by the issuance of stock or securities of the transferee as the consideration in whole or in part for the transfer.

Transfers to corporation.

If property consists of stock, etc.

(8) PROPERTY ACQUIRED BY ISSUANCE OF STOCK OR AS PAID-IN SURPLUS.—If the property was acquired after December 31, 1920, by a corporation—

Property acquired by issuance of stock or as paid-in surplus by a corporation after 1920.

(A) by the issuance of its stock or securities in connection with a transaction described in section 112 (b) (5) (including, also, cases where part of the consideration for the transfer of such property to the corporation was property or money, in addition to such stock or securities), or

Issuance of stock controlled by transferor. *Ante*, p. 1679.

(B) as paid-in surplus or as a contribution to capital,

Paid-in surplus, etc.

then the basis shall be the same as it would be in the hands of the transferor, increased in the amount of gain or decreased in the amount of loss recognized to the transferor upon such transfer under the law applicable to the year in which the transfer was made.

Basis.

(9) INVOLUNTARY CONVERSION.—If the property was acquired, after February 28, 1913, as the result of a compulsory or involuntary conversion described in section 112 (f), the basis shall be the same as in the case of the property so converted, decreased in the amount of any money received by the taxpayer which was not expended in accordance with the provisions of law (applicable to the year in which such conversion was made) determining the taxable status of the gain or loss upon such conversion, and increased in the amount of gain or decreased in the amount of loss to the taxpayer recognized upon such conversion under the law applicable to the year in which such conversion was made.

Acquired by involuntary conversion.

Ante, p. 1681.

(10) WASH SALES OF STOCK.—If the property consists of stock or securities the acquisition of which (or the contract or option to acquire which) resulted in the nondeductibility (under section 118 of this Act or corresponding provisions of prior income tax laws, relating to wash sales) of the loss from the sale or other disposition of substantially identical stock or securities, then the basis shall be the basis of the stock or securities so sold or disposed of, increased or decreased, as the case may be, by the difference, if any, between the price at which the property was acquired and the price at which such substantially identical stock or securities were sold or otherwise disposed of.

Wash sales of stock, etc., on which loss not allowed.

Post, p. 1692.

Basis.

Property acquired during affiliation. Determination of basis.

(11) PROPERTY ACQUIRED DURING AFFILIATION.—In the case of property acquired by a corporation, during a period of affiliation, from a corporation with which it was affiliated, the basis of such property, after such period of affiliation, shall be determined, in accordance with regulations prescribed by the Commissioner with the approval of the Secretary, without regard to inter-company transactions in respect of which gain or loss was not recognized.

"Period of affiliation" defined.

For the purposes of this paragraph, the term "period of affiliation" means the period during which such corporations were affiliated (determined in accordance with the law applicable thereto) but does not include any taxable year beginning on or after January 1, 1922, unless a consolidated return was made, nor any taxable year after the taxable year 1928.

Basis in 1929 and subsequent years.

The basis in case of property acquired by a corporation during any period, in the taxable year 1929 or any subsequent taxable year, in respect of which a consolidated return is made by such corporation under section 141 of this Act or the Revenue Act of 1928 or the Revenue Act of 1932 or the Revenue Act of 1934, shall be determined in accordance with regulations prescribed under section 141 (b) of this Act or the Revenue Act of 1928 or the Revenue Act of 1932 or the Revenue Act of 1934. The basis in the case of property held by a corporation during any period, in the taxable year 1929 or any subsequent taxable year, in respect of which a consolidated return is made by such corporation under section 141 of this Act or the Revenue Act of 1928 or the Revenue Act of 1932 or the Revenue Act of 1934, shall be adjusted in respect of any items relating to such period, in accordance with regulations prescribed under section 141 (b) of this Act or the Revenue Act of 1928 or the Revenue Act of 1932 or the Revenue Act of 1934, applicable to such period.

Post, p. 1698.
Vol. 45, p. 831.
Vol. 47, p. 213.
Vol. 48, p. 721.

Basis established by Revenue Act of 1932.

(12) BASIS ESTABLISHED BY REVENUE ACT OF 1932.—If the property was acquired, after February 28, 1913, in any taxable year beginning prior to January 1, 1934, and the basis thereof, for the purposes of the Revenue Act of 1932 was prescribed by section 113 (a) (6), (7), or (9) of such Act, then for the purposes of this Act the basis shall be the same as the basis therein prescribed in the Revenue Act of 1932.

Basis for partnership property, acquired after February 28, 1913.

(13) PARTNERSHIPS.—If the property was acquired, after February 28, 1913, by a partnership and the basis is not otherwise determined under any of the paragraphs (1) to (12), inclusive, of this subsection, then the basis shall be the same as it would be in the hands of the transferor, increased in the amount of gain or decreased in the amount of loss recognized to the transferor upon such transfer under the law applicable to the year in which the transfer was made.

Distribution by partnership to partner.

If the property was distributed in kind by a partnership to any partner, the basis of such property in the hands of the partner shall be such part of the basis in his hands of his partnership interest as is properly allocable to such property.

Property acquired before March 1, 1913.

(14) PROPERTY ACQUIRED BEFORE MARCH 1, 1913.—In the case of property acquired before March 1, 1913, if the basis otherwise determined under this subsection, adjusted (for the period prior to March 1, 1913) as provided in subsection (b), is less than the fair market value of the property as of March 1, 1913, then the basis for determining gain shall be such fair market value.

Fair market value of assets.

In determining the fair market value of stock in a corporation as of March 1, 1913, due regard shall be given to the fair market value of the assets of the corporation as of that date.

Property received by a corporation on complete liquidation of another.

(15) PROPERTY RECEIVED BY A CORPORATION ON COMPLETE LIQUIDATION OF ANOTHER.—If the property was received by a corporation upon a distribution in complete liquidation of another corporation

within the meaning of section 112 (b) (6), then the basis shall be the same as it would be in the hands of the transferor. *Ante*, p. 1679.

(16) BASIS ESTABLISHED BY REVENUE ACT OF 1934.—If the property was acquired, after February 28, 1913, in any taxable year beginning prior to January 1, 1936, and the basis thereof, for the purposes of the Revenue Act of 1934 was prescribed by section 113 (a) (6), (7), or (8) of such Act, then for the purposes of this Act the basis shall be the same as the basis therein prescribed in the Revenue Act of 1934. Basis established by Revenue Act of 1934. Vol. 48, p. 706.

(b) ADJUSTED BASIS.—The adjusted basis for determining the gain or loss from the sale or other disposition of property, whenever acquired, shall be the basis determined under subsection (a), adjusted as hereinafter provided. Adjusted basis for determining gain or loss.

(1) GENERAL RULE.—Proper adjustment in respect of the property shall in all cases be made— General rule.

(A) for expenditures, receipts, losses, or other items, properly chargeable to capital account, including taxes and other carrying charges on unimproved and unproductive real property, but no such adjustment shall be made for taxes or other carrying charges for which deductions have been taken by the taxpayer in determining net income for the taxable year or prior taxable years; Expenditures, etc., chargeable to capital account. Restriction.

(B) in respect of any period since February 28, 1913, for exhaustion, wear and tear, obsolescence, amortization, and depletion, to the extent allowed (but not less than the amount allowable) under this Act or prior income tax laws. Where for any taxable year prior to the taxable year 1932 the depletion allowance was based on discovery value or a percentage of income, then the adjustment for depletion for such year shall be based on the depletion which would have been allowable for such year if computed without reference to discovery value or a percentage of income; Depletion, etc., since February 28, 1913. Based on discovery value or percentage of income.

(C) in respect of any period prior to March 1, 1913, for exhaustion, wear and tear, obsolescence, amortization, and depletion, to the extent sustained; Any period prior to March 1, 1913.

(D) in the case of stock (to the extent not provided for in the foregoing subparagraphs) for the amount of distributions previously made which, under the law applicable to the year in which the distribution was made, either were tax-free or were applicable in reduction of basis (not including distributions made by a corporation, which was classified as a personal service corporation under the provisions of the Revenue Act of 1918 or 1921, out of its earnings or profits which were taxable in accordance with the provisions of section 218 of the Revenue Act of 1918 or 1921). Basis reduced by tax-free, etc., distributions. Vol. 40, p. 1070; Vol. 42, p. 245.

(2) SUBSTITUTED BASIS.—The term "substituted basis" as used in this subsection means a basis determined under any provision of subsection (a) of this section or under any corresponding provision of a prior income tax law, providing that the basis shall be determined— Substituted basis. Determination of.

(A) by reference to the basis in the hands of a transferor, donor, or grantor, or

(B) by reference to other property held at any time by the person for whom the basis is to be determined.

Whenever it appears that the basis of property in the hands of the taxpayer is a substituted basis, then the adjustments provided in paragraph (1) of this subsection shall be made after first making in respect of such substituted basis proper adjustments of a similar nature in respect of the period during which the property Adjustments.

was held by the transferor, donor, or grantor, or during which the other property was held by the person for whom the basis is to be determined. A similar rule shall be applied in the case of a series of substituted bases.

Depreciation and depletion.

SEC. 114. BASIS FOR DEPRECIATION AND DEPLETION.

Basis for.

(a) BASIS FOR DEPRECIATION.—The basis upon which exhaustion, wear and tear, and obsolescence are to be allowed in respect of any property shall be the adjusted basis provided in section 113 (b) for the purpose of determining the gain upon the sale or other disposition of such property.

Ante, p. 1685.

(b) BASIS FOR DEPLETION.—

General rule.

(1) GENERAL RULE.—The basis upon which depletion is to be allowed in respect of any property shall be the adjusted basis provided in section 113 (b) for the purpose of determining the gain upon the sale or other disposition of such property, except as provided in paragraphs (2), (3), and (4) of this subsection.

Discovery value in case of mines.

(2) DISCOVERY VALUE IN CASE OF MINES.—In the case of mines (other than metal, coal, or sulphur mines) discovered by the taxpayer after February 28, 1913, the basis for depletion shall be the fair market value of the property at the date of discovery or within thirty days thereafter, if such mines were not acquired as the result of purchase of a proven tract or lease, and if the fair market value of the property is materially disproportionate to the cost. The depletion allowance under section 23 (m) based on discovery value provided in this paragraph shall not exceed 50 per centum of the net income of the taxpayer (computed without allowance for depletion) from the property upon which the discovery was made, except that in no case shall the depletion allowance under section 23 (m) be less than it would be if computed without reference to discovery value. Discoveries shall include minerals in commercial quantities contained within a vein or deposit discovered in an existing mine or mining tract by the taxpayer after February 28, 1913, if the vein or deposit thus discovered was not merely the uninterrupted extension of a continuing commercial vein or deposit already known to exist, and if the discovered minerals are of sufficient value and quantity that they could be separately mined and marketed at a profit.

Maximum allowance.
Ante, p. 1660.

Minerals included.

Percentage depletion for oil and gas wells.

(3) PERCENTAGE DEPLETION FOR OIL AND GAS WELLS.—In the case of oil and gas wells the allowance for depletion under section 23 (m) shall be 27½ per centum of the gross income from the property during the taxable year, excluding from such gross income an amount equal to any rents or royalties paid or incurred by the taxpayer in respect of the property. Such allowance shall not exceed 50 per centum of the net income of the taxpayer (computed without allowance for depletion) from the property, except that in no case shall the depletion allowance under section 23 (m) be less than it would be if computed without reference to this paragraph.

Maximum allowance.

Percentage depletion for coal and metal mines and sulphur.

(4) PERCENTAGE DEPLETION FOR COAL AND METAL MINES AND SULPHUR.—The allowance for depletion under section 23 (m) shall be, in the case of coal mines, 5 per centum, in the case of metal mines, 15 per centum, and, in the case of sulphur mines or deposits, 23 per centum, of the gross income from the property during the taxable year, excluding from such gross income an amount equal to any rents or royalties paid or incurred by the taxpayer in respect of the property. Such allowance shall not exceed 50 per centum of the net income of the taxpayer (computed without allowance for depletion) from the property. A taxpayer making his first return under this title in respect of a property shall state whether

Maximum allowance.

Election by taxpayer as to computation.

he elects to have the depletion allowance for such property for the taxable year for which the return is made computed with or without regard to percentage depletion, and the depletion allowance in respect of such property for such year shall be computed according to the election thus made. If the taxpayer fails to make such statement in the return, the depletion allowance for such property for such year shall be computed without reference to percentage depletion. The method, determined as above, of computing the depletion allowance shall be applied in the case of the property for all taxable years in which it is in the hands of such taxpayer, or of any other person if the basis of the property (for determining gain) in his hands is, under section 113, determined by reference to the basis in the hands of such taxpayer, either directly or through one or more substituted bases, as defined in that section. The above right of election shall be subject to the qualification that this paragraph shall, for the purpose of determining whether the method of computing the depletion allowance follows the property, be considered a continuation of section 114 (b) (4) of the Revenue Act of 1934, and as giving no new election in cases where such section would, if applied, give no new election.

Computation if no statement made.

Ante, p. 1682.

Qualification.

Vol. 48, p. 710.

SEC. 115. DISTRIBUTIONS BY CORPORATIONS.

Distributions by corporations.

(a) DEFINITION OF DIVIDEND.—The term "dividend" when used in this title (except in section 203 (a) (3) and section 207 (c) (1), relating to insurance companies) means any distribution made by a corporation to its shareholders, whether in money or in other property, (1) out of its earnings or profits accumulated after February 28, 1913, or (2) out of the earnings or profits of the taxable year (computed as of the close of the taxable year without diminution by reason of any distributions made during the taxable year), without regard to the amount of the earnings and profits at the time the distribution was made.

"Dividend" defined.

Post, pp. 1711, 1714.

(b) SOURCE OF DISTRIBUTIONS.—For the purposes of this Act every distribution is made out of earnings or profits to the extent thereof, and from the most recently accumulated earnings or profits. Any earnings or profits accumulated, or increase in value of property accrued, before March 1, 1913, may be distributed exempt from tax, after the earnings and profits accumulated after February 28, 1913, have been distributed, but any such tax-free distribution shall be applied against and reduce the adjusted basis of the stock provided in section 113.

Source.

Accumulations, etc., before March 1, 1913, tax-free.

Ante, p. 1682.

(c) DISTRIBUTIONS IN LIQUIDATION.—Amounts distributed in complete liquidation of a corporation shall be treated as in full payment in exchange for the stock, and amounts distributed in partial liquidation of a corporation shall be treated as in part or full payment in exchange for the stock. The gain or loss to the distributee resulting from such exchange shall be determined under section 111, but shall be recognized only to the extent provided in section 112. Despite the provisions of section 117 (a), 100 per centum of the gain so recognized shall be taken into account in computing net income, except in the case of amounts distributed in complete liquidation of a corporation. For the purpose of the preceding sentence, "complete liquidation" includes any one of a series of distributions made by a corporation in complete cancellation or redemption of all of its stock in accordance with a bona fide plan of liquidation and under which the transfer of the property under the liquidation is to be completed within a time specified in the plan, not exceeding two years from the close of the taxable year during which is made the

Distributions in liquidation.

Gain or loss to distributee.
Ante, p. 1678.

Post, p. 1691.

"Complete liquidation" construed.

Amounts distributed in partial liquidation.

first of the series of distributions under the plan. In the case of amounts distributed (whether before January 1, 1934, or on or after such date) in partial liquidation (other than a distribution within the provisions of subsection (h) of this section of stock or securities in connection with a reorganization) the part of such distribution which is properly chargeable to capital account shall not be considered a distribution of earnings or profits.

Other distributions from capital.
Not out of increase in value before March 1, 1913, nor a dividend.

(d) OTHER DISTRIBUTIONS FROM CAPITAL.—If any distribution (not in partial or complete liquidation) made by a corporation to its shareholders is not out of increase in value of property accrued before March 1, 1913, and is not a dividend, then the amount of such distribution shall be applied against and reduce the adjusted basis of the stock provided in section 113, and if in excess of such basis, such excess shall be taxable in the same manner as a gain from the sale or exchange of property.

Ante, p. 1682.

Distributions by personal service corporations.
Exemptions.
Vol. 40, p. 1070; Vol. 42, p. 245.

(e) DISTRIBUTIONS BY PERSONAL SERVICE CORPORATIONS.—Any distribution made by a corporation, which was classified as a personal service corporation under the provisions of the Revenue Act of 1918 or the Revenue Act of 1921, out of its earnings or profits which were taxable in accordance with the provisions of section 218 of the Revenue Act of 1918 or section 218 of the Revenue Act of 1921, shall be exempt from tax to the distributees.

Stock dividends.

(f) STOCK DIVIDENDS.—

General rule.

(1) GENERAL RULE.—A distribution made by a corporation to its shareholders in its stock or in rights to acquire its stock shall not be treated as a dividend to the extent that it does not constitute income to the shareholder within the meaning of the Sixteenth Amendment to the Constitution.

Election of shareholders as to medium of payment.

(2) ELECTION OF SHAREHOLDERS AS TO MEDIUM OF PAYMENT.—Whenever a distribution by a corporation is, at the election of any of the shareholders (whether exercised before or after the declaration thereof), payable either (A) in its stock or in rights to acquire its stock, of a class which if distributed without election would be exempt from tax under paragraph (1), or (B) in money or any other property (including its stock or in rights to acquire its stock, of a class which if distributed without election would not be exempt from tax under paragraph (1)), then the distribution shall constitute a taxable dividend in the hands of all shareholders, regardless of the medium in which paid.

Redemption of stock.

(g) REDEMPTION OF STOCK.—If a corporation cancels or redeems its stock (whether or not such stock was issued as a stock dividend) at such time and in such manner as to make the distribution and cancellation or redemption in whole or in part essentially equivalent to the distribution of a taxable dividend, the amount so distributed in redemption or cancellation of the stock, to the extent that it represents a distribution of earnings or profits accumulated after February 28, 1913, shall be treated as a taxable dividend.

Effect on earnings and profits of distributions of stock.

(h) EFFECT ON EARNINGS AND PROFITS OF DISTRIBUTIONS OF STOCK.—The distribution (whether before January 1, 1936, or on or after such date) to a distributee by or on behalf of a corporation of its stock or securities or stock or securities in another corporation shall not be considered a distribution of earnings or profits of any corporation—

(1) if no gain to such distributee from the receipt of such stock or securities was recognized by law, or

(2) if the distribution was not subject to tax in the hands of such distributee because it did not constitute income to him within the meaning of the Sixteenth Amendment to the Constitution or

because exempt to him under section 115 (f) of the Revenue Act of 1934 or a corresponding provision of a prior Revenue Act.

"Stock or securities" construed.

As used in this subsection the term "stock or securities" includes rights to acquire stock or securities.

"Amounts distributed in partial liquidation" defined.

(i) DEFINITION OF PARTIAL LIQUIDATION.—As used in this section the term "amounts distributed in partial liquidation" means a distribution by a corporation in complete cancellation or redemption of a part of its stock, or one of a series of distributions in complete cancellation or redemption of all or a portion of its stock.

Valuation of dividend.

(j) VALUATION OF DIVIDEND.—If the whole or any part of a dividend is paid to a shareholder in any medium other than money the property received other than money shall be included in gross income at its fair market value at the time as of which it becomes income to the shareholder.

Exclusions from gross income.

SEC. 116. EXCLUSIONS FROM GROSS INCOME.

Additional items tax exempt.

In addition to the items specified in section 22 (b), the following items shall not be included in gross income and shall be exempt from taxation under this title:

Ante, p. 1657.

Earned income from sources without United States.

(a) EARNED INCOME FROM SOURCES WITHOUT UNITED STATES.—In the case of an individual citizen of the United States, a bona fide nonresident of the United States for more than six months during the taxable year, amounts received from sources without the United States (except amounts paid by the United States or any agency thereof) if such amounts would constitute earned income as defined in section 25 (a) if received from sources within the United States; but such individual shall not be allowed as a deduction from his gross income any deductions properly allocable to or chargeable against amounts excluded from gross income under this subsection.

Ante, p. 1662.

Teachers in Alaska and Hawaii.

(b) TEACHERS IN ALASKA AND HAWAII.—In the case of an individual employed by Alaska or Hawaii or any political subdivision thereof as a teacher in any educational institution, the compensation received as such. This subsection shall not exempt compensation paid directly or indirectly by the Government of the United States.

Federal compensation.

Income of foreign governments from investments in United States, etc.

(c) INCOME OF FOREIGN GOVERNMENTS.—The income of foreign governments received from investments in the United States in stocks, bonds, or other domestic securities, owned by such foreign governments, or from interest on deposits in banks in the United States of moneys belonging to such foreign governments, or from any other source within the United States.

Income of States, etc., from public utilities.

(d) INCOME OF STATES, MUNICIPALITIES, ETC.—Income derived from any public utility or the exercise of any essential governmental function and accruing to any State, Territory, or the District of Columbia, or any political subdivision of a State or Territory, or income accruing to the government of any possession of the United States, or any political subdivision thereof.

If under prior contracts for operation thereof.

Whenever any State, Territory, or the District of Columbia, or any political subdivision of a State or Territory, prior to September 8, 1916, entered in good faith into a contract with any person, the object and purpose of which is to acquire, construct, operate, or maintain a public utility—

Levy on proceeds prior to division thereof with State, etc.

(1) If by the terms of such contract the tax imposed by this title is to be paid out of the proceeds from the operation of such public utility, prior to any division of such proceeds between the person and the State, Territory, political subdivision, or the District of Columbia, and if, but for the imposition of the tax imposed by this title, a part of such proceeds for the taxable year would accrue directly to or for the use of such State, Territory, political subdivision, or the District of Columbia, then a tax upon the net income from the operation of such public utility

Refund.

shall be levied, assessed, collected, and paid in the manner and at the rates prescribed in this title, but there shall be refunded to such State, Territory, political subdivision, or the District of Columbia (under rules and regulations to be prescribed by the Commissioner with the approval of the Secretary) an amount which bears the same relation to the amount of the tax as the amount which (but for the imposition of the tax imposed by this title) would have accrued directly to or for the use of such State, Territory, political subdivision, or the District of Columbia, bears to the amount of the net income from the operation of such public utility for such taxable year.

If no part accruing to State, etc.

(2) If by the terms of such contract no part of the proceeds from the operation of the public utility for the taxable year would, irrespective of the tax imposed by this title, accrue directly to or for the use of such State, Territory, political subdivision, or the District of Columbia, then the tax upon the net income of such person from the operation of such public utility shall be levied, assessed, collected, and paid in the manner and at the rates prescribed in this title.

Bridges to be acquired by State, etc.

(e) BRIDGES TO BE ACQUIRED BY STATE OR POLITICAL SUBDIVISION.—Whenever any State or political subdivision thereof, in pursuance of a contract to which it is not a party entered into before the enactment of the Revenue Act of 1928, is to acquire a bridge—

Levy on operation proceeds before division made.

(1) If by the terms of such contract the tax imposed by this title is to be paid out of the proceeds from the operation of such bridge prior to any division of such proceeds, and if, but for the imposition of the tax imposed by this title, a part of such proceeds for the taxable year would accrue directly to or for the use of or would be applied for the benefit of such State or political subdivision, then a tax upon the net income from the operation of such bridge shall be levied, assessed, collected, and paid in the manner

Refunds.

and at the rates prescribed in this title, but there shall be refunded to such State or political subdivision (under rules and regulations to be prescribed by the Commissioner with the approval of the Secretary) an amount which bears the same relation to the amount of the tax as the amount which (but for the imposition of the tax imposed by this title) would have accrued directly to or for the use of or would be applied for the benefit of such State or political subdivision, bears to the amount of the net income from

Restriction.

the operation of such bridge for such taxable year. No such refund shall be made unless the entire amount of the refund is to be applied in part payment for the acquisition of such bridge.

If no part accruing to State, etc.

(2) If by the terms of such contract no part of the proceeds from the operation of the bridge for the taxable year would, irrespective of the tax imposed by this title, accrue directly to or for the use of or be applied for the benefit of such State or political subdivision, then the tax upon the net income from the operation of such bridge shall be levied, assessed, collected, and paid in the manner and at the rates prescribed in this title.

Dividends from "China Trade Act" corporations.

(f) DIVIDEND FROM "CHINA TRADE ACT" CORPORATION.—In the case of a person, amounts distributed as dividends to or for his benefit by a corporation organized under the China Trade Act, 1922, if, at the time of such distribution, he is a resident of China, and the equitable right to the income of the shares of stock of the corporation is in good faith vested in him.

Shipowners' mutual associations, receipts.

(g) SHIPOWNERS' PROTECTION AND INDEMNITY ASSOCIATIONS.—The receipts of shipowners' mutual protection and indemnity associations not organized for profit, and no part of the net earnings of which inures to the benefit of any private shareholder; but such

corporations shall be subject as other persons to the tax upon their net income from interest, dividends, and rents.

(h) COMPENSATION OF EMPLOYEES OF FOREIGN GOVERNMENTS.— Employees of foreign governments, pay.

(1) RULE FOR EXCLUSION.—Wages, fees, or salary of an employee of a foreign government (including a consular or other officer, or a nondiplomatic representative) received as compensation for official services to such government— Exemptions.

(A) If such employee is not a citizen of the United States; and Employee not a citizen of United States.

(B) If the services are of a character similar to those performed by employees of the Government of the United States in foreign countries; and Services similar to American foreign service.

(C) If the foreign government whose employee is claiming exemption grants an equivalent exemption to employees of the Government of the United States performing similar services in such foreign country. Equivalent exemption granted by foreign government.

(2) CERTIFICATE BY SECRETARY OF STATE.—The Secretary of State shall certify to the Secretary of the Treasury the names of the foreign countries which grant an equivalent exemption to the employees of the Government of the United States performing services in such foreign countries, and the character of the services performed by employees of the Government of the United States in foreign countries. Certification by Secretary of State.

SEC. 117. CAPITAL GAINS AND LOSSES. Capital gains and losses.

(a) GENERAL RULE.—In the case of a taxpayer, other than a corporation, only the following percentages of the gain or loss recognized upon the sale or exchange of a capital asset shall be taken into account in computing net income: Tax computation.

100 per centum if the capital asset has been held for not more than 1 year;

80 per centum if the capital asset has been held for more than 1 year but not for more than 2 years;

60 per centum if the capital asset has been held for more than 2 years but not for more than 5 years;

40 per centum if the capital asset has been held for more than 5 years but not for more than 10 years;

30 per centum if the capital asset has been held for more than 10 years.

(b) DEFINITION OF CAPITAL ASSETS.—For the purposes of this title, "capital assets" means property held by the taxpayer (whether or not connected with his trade or business), but does not include stock in trade of the taxpayer or other property of a kind which would properly be included in the inventory of the taxpayer if on hand at the close of the taxable year, or property held by the taxpayer primarily for sale to customers in the ordinary course of his trade or business. Definition of "capital assets."

(c) DETERMINATION OF PERIOD FOR WHICH HELD.—For the purpose of subsection (a)— Determination of period for which held.

(1) In determining the period for which the taxpayer has held property received on an exchange there shall be included the period for which he held the property exchanged, if under the provisions of section 113, the property received has, for the purpose of determining gain or loss from a sale or exchange, the same basis in whole or in part in his hands as the property exchanged. Property received on an exchange. *Ante*, p. 1682.

(2) In determining the period for which the taxpayer has held property however acquired there shall be included the period for which such property was held by any other person, if under the provisions of section 113, such property has, for the purpose of Period of property holding.

determining gain or loss from a sale or exchange, the same basis in whole or in part in his hands as it would have in the hands of such other person.

Stock, etc., received on a distribution. Vol. 45, p. 818.

(3) In determining the period for which the taxpayer has held stock or securities received upon a distribution where no gain was recognized to the distributee under the provisions of section 112 (g) of the Revenue Act of 1928 or the Revenue Act of 1932, there shall be included the period for which he held the stock or securities in the distributing corporation prior to the receipt of the stock or securities upon such distribution.

Computing period stock has been held. Vol. 45, p. 826; Vol. 48, p. 715.

(4) In determining the period for which the taxpayer has held stock or securities the acquisition of which (or the contract or option to acquire which) resulted in the nondeductibility (under section 118 of this Act or section 118 of the Revenue Act of 1928 or the Revenue Act of 1932 or the Revenue Act of 1934, relating to wash sales) of the loss from the sale or other disposition of substantially identical stock or securities, there shall be included the period for which he held the stock or securities the loss from the sale or other disposition of which was not deducted.

Limitation on capital losses.

(d) LIMITATION ON CAPITAL LOSSES.—[illegible] sales or exchanges of capital assets shall be allowed to the extent of $2,000 plus the gains from such sales or exchanges. If a bank or trust company incorporated under the laws of the United States or of any State or Territory, a substantial part of whose business is the receipt of deposits, sells any bond, debenture, note, or certificate or other evidence of indebtedness issued by any corporation (including one issued by a government or political subdivision thereof), with interest coupons or in registered form, any loss resulting from such sale (except such portion of the loss as does not exceed the amount, if any, by which the adjusted basis of such instrument exceeds the par or face value thereof) shall not be subject to the foregoing limitation and shall not be included in determining the applicability of such limitation to other losses.

Gains and losses from short sales, etc.

(e) GAINS AND LOSSES FROM SHORT SALES, ETC.—For the purpose of this title—

(1) gains or losses from short sales of property shall be considered as gains or losses from sales or exchanges of capital assets; and

(2) gains or losses attributable to the failure to exercise privileges or options to buy or sell property shall be considered as gains or losses from sales or exchanges of capital assets held for one year or less.

Retirement of bonds, etc.

(f) RETIREMENT OF BONDS, ETC.—For the purposes of this title, amounts received by the holder upon the retirement of bonds, debentures, notes, or certificates or other evidences of indebtedness issued by any corporation (including those issued by a government or political subdivision thereof), with interest coupons or in registered form, shall be considered as amounts received in exchange therefor.

Loss from wash sales of stock, etc.

SEC. 118. LOSS FROM WASH SALES OF STOCK OR SECURITIES.

Restriction on claim for, if taxpayer has acquired substantially identical stock within 30 days.

(a) In the case of any loss claimed to have been sustained from any sale or other disposition of shares of stock or securities where it appears that, within a period beginning 30 days before the date of such sale or disposition and ending 30 days after such date, the taxpayer has acquired (by purchase or by an exchange upon which the entire amount of gain or loss was recognized by law), or has entered into a contract or option so to acquire, substantially identical stock or securities, then no deduction for the loss shall be allowed under section 23 (e) (2); nor shall such deduction be allowed under section 23 (f) unless the claim is made by a corporation, a

Ante, p. 1659. Allowance to a corporation.

dealer in stocks or securities, and with respect to a transaction made in the ordinary course of its business.

Computation where property acquired is less than sold, etc.

(b) If the amount of stock or securities acquired (or covered by the contract or option to acquire) is less than the amount of stock or securities sold or otherwise disposed of, then the particular shares of stock or securities the loss from the sale or other disposition of which is not deductible shall be determined under rules and regulations prescribed by the Commissioner with the approval of the Secretary.

Computation where property acquired is not less than sold.

(c) If the amount of stock or securities acquired (or covered by the contract or option to acquire) is not less than the amount of stock or securities sold or otherwise disposed of, then the particular shares of stock or securities the acquisition of which (or the contract or option to acquire which) resulted in the nondeductibility of the loss shall be determined under rules and regulations prescribed by the Commissioner with the approval of the Secretary.

SEC. 119. INCOME FROM SOURCES WITHIN UNITED STATES.

Income from sources within United States.

Gross income.

(a) GROSS INCOME FROM SOURCES IN UNITED STATES.—The following items of gross income shall be treated as income from sources within the United States:

Interest on bonds, etc., of residents.

(1) INTEREST.—Interest from the United States, any Territory, any political subdivision of a Territory, or the District of Columbia, and interest on bonds, notes, or other interest-bearing obligations of residents, corporate or otherwise, not including—

Exceptions.

Paid to persons not in business in United States.

(A) interest on deposits with persons carrying on the banking business paid to persons not engaged in business within the United States and not having an office or place of business therein, or

If less than 20 percent from United States sources.

(B) interest received from a resident alien individual, a resident foreign corporation, or a domestic corporation, when it is shown to the satisfaction of the Commissioner that less than 20 per centum of the gross income of such resident payor or domestic corporation has been derived from sources within the United States, as determined under the provisions of this section, for the three-year period ending with the close of the taxable year of such payor preceding the payment of such interest, or for such part of such period as may be applicable, or

From bankers' acceptances.

(C) income derived by a foreign central bank of issue from bankers' acceptances;

Dividends.

(2) DIVIDENDS.—The amount received as dividends—

From domestic corporations; exceptions.

(A) from a domestic corporation other than a corporation entitled to the benefits of section 251, and other than a corporation less than 20 per centum of whose gross income is shown to the satisfaction of the Commissioner to have been derived from sources within the United States, as determined under the provisions of this section, for the three-year period ending with the close of the taxable year of such corporation preceding the declaration of such dividends (or for such part of such period as the corporation has been in existence), or

Foreign corporations.

(B) from a foreign corporation unless less than 50 per centum of the gross income of such foreign corporation for the three-year period ending with the close of its taxable year preceding the declaration of such dividends (or for such part of such period as the corporation has been in existence) was derived from sources within the United States as determined under the provisions of this section; but only in an amount which bears the same ratio to such dividends as the gross income of the corporation for such period derived from sources within the United

Dividends. *Post*, p. 1696.

States bears to its gross income from all sources; but dividends from a foreign corporation shall, for the purposes of section 131 (relating to foreign tax credit), be treated as income from sources without the United States;

Personal services in United States.

(3) PERSONAL SERVICES.—Compensation for labor or personal services performed in the United States, but in the case of a nonresident alien individual temporarily present in the United States for a period or periods not exceeding a total of ninety days during the taxable year, compensation received by such an individual (if such compensation does not exceed $3,000 in the aggregate) for labor or services performed as an employee of or under a contract with a nonresident alien, foreign partnership, or foreign corporation, not engaged in trade or business within the United States, shall not be deemed to be income from sources within the United States;

Rentals, royalties, etc., from United States sources.

(4) RENTALS AND ROYALTIES.—Rentals or royalties from property located in the United States or from any interest in such property, including rentals or royalties for the use of or for the privilege of using in the United States, patents, copyrights, secret processes and formulas, good will, trade-marks, trade brands, franchises, and other like property; and

Real property sales.

(5) SALE OF REAL PROPERTY.—Gains, profits, and income from the sale of real property located in the United States.

Sale of personal property.

(6) SALE OF PERSONAL PROPERTY.—For gains, profits, and income from the sale of personal property, see subsection (e).

Net income from sources in United States.

(b) NET INCOME FROM SOURCES IN UNITED STATES.—From the items of gross income specified in subsection (a) of this section there shall be deducted the expenses, losses, and other deductions properly apportioned or allocated thereto and a ratable part of any expenses, losses, or other deductions which can not definitely be allocated to some item or class of gross income. The remainder, if any, shall be included in full as net income from sources within the United States.

Gross income from sources without the United States.

(c) GROSS INCOME FROM SOURCES WITHOUT UNITED STATES.—The following items of gross income shall be treated as income from sources without the United States:

Interest.

(1) Interest other than that derived from sources within the United States as provided in subsection (a) (1) of this section;

Dividends.

(2) Dividends other than those derived from sources within the United States as provided in subsection (a) (2) of this section;

Labor, etc.

(3) Compensation for labor or personal services performed without the United States;

Rentals, royalties, etc.

(4) Rentals or royalties from property located without the United States or from any interest in such property, including rentals or royalties for the use of or for the privilege of using without the United States, patents, copyrights, secret processes and formulas, good will, trade-marks, trade brands, franchises, and other like properties; and

Real property sales.

(5) Gains, profits, and income from the sale of real property located without the United States.

Net income from sources without the United States.

(d) NET INCOME FROM SOURCES WITHOUT UNITED STATES.—From the items of gross income specified in subsection (c) of this section there shall be deducted the expenses, losses, and other deductions properly apportioned or allocated thereto, and a ratable part of any expenses, losses, or other deductions which can not definitely be allocated to some item or class of gross income. The remainder, if any, shall be treated in full as net income from sources without the United States.

(e) INCOME FROM SOURCES PARTLY WITHIN AND PARTLY WITHOUT UNITED STATES.—Items of gross income, expenses, losses and deductions, other than those specified in subsections (a) and (c) of this section, shall be allocated or apportioned to sources within or without the United States, under rules and regulations prescribed by the Commissioner with the approval of the Secretary. Where items of gross income are separately allocated to sources within the United States, there shall be deducted (for the purpose of computing the net income therefrom) the expenses, losses, and other deductions properly apportioned or allocated thereto and a ratable part of other expenses, losses or other deductions which can not definitely be allocated to some item or class of gross income. The remainder, if any, shall be included in full as net income from sources within the United States. In the case of gross income derived from sources partly within and partly without the United States, the net income may first be computed by deducting the expenses, losses, or other deductions apportioned or allocated thereto and a ratable part of any expenses, losses, or other deductions which can not definitely be allocated to some items or class of gross income; and the portion of such net income attributable to sources within the United States may be determined by processes or formulas of general apportionment prescribed by the Commissioner with the approval of the Secretary. Gains, profits, and income from—

Income partly within and partly without United States.

Apportionment.

From United States sources.

Gross income derived from sources partly within and partly without.

Determination.

(1) transportation or other services rendered partly within and partly without the United States, or

Transportation or other services.

(2) from the sale of personal property produced (in whole or in part) by the taxpayer within and sold without the United States, or produced (in whole or in part) by the taxpayer without and sold within the United States,

Sale of personal property.

shall be treated as derived partly from sources within and partly from sources without the United States. Gains, profits and income derived from the purchase of personal property within and its sale without the United States or from the purchase of personal property without and its sale within the United States, shall be treated as derived entirely from sources within the country in which sold, except that gains, profits, and income derived from the purchase of personal property within the United States and its sale within a possession of the United States or from the purchase of personal property within a possession of the United States and its sale within the United States shall be treated as derived partly from sources within and partly from sources without the United States.

Purchase, sale, etc., of personal property.

Exceptions.

(f) DEFINITIONS.—As used in this section the words "sale" or "sold" include "exchange" or "exchanged"; and the word "produced" includes "created", "fabricated", "manufactured", "extracted", "processed", "cured", or "aged".

Definitions.

SEC. 120. UNLIMITED DEDUCTION FOR CHARITABLE AND OTHER CONTRIBUTIONS.

Charitable, etc., contributions.

Unlimited deduction.

In the case of an individual if in the taxable year and in each of the ten preceding taxable years the amount of the contributions or gifts described in section 23 (o) plus the amount of income, war-profits, or excess-profits taxes paid during such year in respect of preceding taxable years, exceeds 90 per centum of the taxpayer's net income for each such year, as computed without the benefit of section 23 (o), then the 15 per centum limit imposed by such section shall not be applicable.

Ante, p. 1660.

Preferred stock of certain corporations.

SEC. 121. DEDUCTION OF DIVIDENDS PAID ON CERTAIN PREFERRED STOCK OF CERTAIN CORPORATIONS.

Deduction of dividends paid on certain, in computing net income.

In computing the net income of any national banking association, or of any bank or trust company organized under the laws of any State, Territory, possession of the United States, or the Canal Zone, or of any other banking corporation engaged in the business of industrial banking and under the supervision of a State banking department or of the Comptroller of the Currency, or of any incorporated domestic insurance company, there shall be allowed as a deduction from gross income, in addition to deductions otherwise provided for in this title, any dividend (not including any distribution in liquidation) paid, within such taxable year, to the United States or to any instrumentality thereof exempt from Federal income taxes, on the preferred stock of the corporation owned by the United States or such instrumentality. The amount allowable as a deduction under this section shall be deducted from the dividends paid credit otherwise computed under section 27.

Dividends paid to United States.

Ante, p. 1665.

Credits against tax.

Supplement C—Credits Against Tax

[Supplementary to Subtitle B, Part III]

Taxes of foreign countries and U. S. possessions.

SEC. 131. TAXES OF FOREIGN COUNTRIES AND POSSESSIONS OF UNITED STATES.

Allowances.

(a) ALLOWANCE OF CREDIT.—If the taxpayer signifies in his return his desire to have the benefits of this section, the tax imposed by this title shall be credited with:

Citizens and domestic corporations; taxes to foreign countries, etc.

(1) CITIZEN AND DOMESTIC CORPORATION.—In the case of a citizen of the United States and of a domestic corporation, the amount of any income, war-profits, and excess-profits taxes paid or accrued during the taxable year to any foreign country or to any possession of the United States; and

Residents; to United States possessions.

(2) RESIDENT OF UNITED STATES.—In the case of a resident of the United States, the amount of any such taxes paid or accrued during the taxable year to any possession of the United States; and

Alien resident to foreign country allowing similar credit.

(3) ALIEN RESIDENT OF UNITED STATES.—In the case of an alien resident of the United States, the amount of any such taxes paid or accrued during the taxable year to any foreign country, if the foreign country of which such alien resident is a citizen or subject, in imposing such taxes, allows a similar credit to citizens of the United States residing in such country; and

Partnerships and estates; to foreign countries, etc.

(4) PARTNERSHIPS AND ESTATES.—In the case of any such individual who is a member of a partnership or a beneficiary of an estate or trust, his proportionate share of such taxes of the partnership or the estate or trust paid or accrued during the taxable year to a foreign country or to any possession of the United States, as the case may be.

Limit on credit.

(b) LIMIT ON CREDIT.—The amount of the credit taken under this section shall be subject to each of the following limitations:

Proportionate credit for taxes paid to foreign country.

(1) The amount of the credit in respect of the tax paid or accrued to any country shall not exceed the same proportion of the tax against which such credit is taken, which the taxpayer's net income from sources within such country bears to his entire net income for the same taxable year; and

Limitation on total amount.

(2) The total amount of the credit shall not exceed the same proportion of the tax against which such credit is taken, which the taxpayer's net income from sources without the United States bears to his entire net income for the same taxable year.

(c) ADJUSTMENTS ON PAYMENT OF ACCRUED TAXES.—If accrued taxes when paid differ from the amounts claimed as credits by the taxpayer, or if any tax paid is refunded in whole or in part, the taxpayer shall notify the Commissioner, who shall redetermine the amount of the tax for the year or years affected, and the amount of tax due upon such redetermination, if any, shall be paid by the taxpayer upon notice and demand by the collector, or the amount of tax overpaid, if any, shall be credited or refunded to the taxpayer in accordance with the provisions of section 322. In the case of such a tax accrued but not paid, the Commissioner as a condition precedent to the allowance of this credit may require the taxpayer to give a bond with sureties satisfactory to and to be approved by the Commissioner in such sum as the Commissioner may require, conditioned upon the payment by the taxpayer of any amount of tax found due upon any such redetermination; and the bond herein prescribed shall contain such further conditions as the Commissioner may require.

Adjustment on payment of accrued taxes.

Redetermination.

Post, p. 1731.

Tax accrued but unpaid.

Bond.

(d) YEAR IN WHICH CREDIT TAKEN.—The credits provided for in this section may, at the option of the taxpayer and irrespective of the method of accounting employed in keeping his books, be taken in the year in which the taxes of the foreign country or the possession of the United States accrued, subject, however, to the conditions prescribed in subsection (c) of this section. If the taxpayer elects to take such credits in the year in which the taxes of the foreign country or the possession of the United States accrued, the credits for all subsequent years shall be taken upon the same basis, and no portion of any such taxes shall be allowed as a deduction in the same or any succeeding year.

Credits for foreign taxes may be taken in year accrued.

Credits on same basis for subsequent years.

(e) PROOF OF CREDITS.—The credits provided in this section shall be allowed only if the taxpayer establishes to the satisfaction of the Commissioner (1) the total amount of income derived from sources without the United States, determined as provided in section 119, (2) the amount of income derived from each country, the tax paid or accrued to which is claimed as a credit under this section, such amount to be determined under rules and regulations prescribed by the Commissioner with the approval of the Secretary, and (3) all other information necessary for the verification and computation of such credits.

Proof of credits.

Evidence of foreign income.

Ante, p. 1693.

Segregation of amounts.

Other information.

(f) TAXES OF FOREIGN SUBSIDIARY.—For the purposes of this section a domestic corporation which owns a majority of the voting stock of a foreign corporation from which it receives dividends in any taxable year shall be deemed to have paid the same proportion of any income, war-profits, or excess-profits taxes paid by such foreign corporation to any foreign country or to any possession of the United States, upon or with respect to the accumulated profits of such foreign corporation from which such dividends were paid, which the amount of such dividends bears to the amount of such accumulated profits: *Provided*, That the amount of tax deemed to have been paid under this subsection shall in no case exceed the same proportion of the tax against which credit is taken which the amount of such dividends bears to the amount of the entire net income of the domestic corporation in which such dividends are included. The term "accumulated profits" when used in this subsection in reference to a foreign corporation, means the amount of its gains, profits, or income in excess of the income, war-profits, and excess-profits taxes imposed upon or with respect to such profits or income; and the Commissioner with the approval of the Secretary shall have full power to determine from the accumulated profits of what year or years such dividends were paid; treating dividends paid in the first sixty days of any year as having been paid from

Taxes of foreign subsidiary.

Proportion of foreign tax on dividends received deemed to have been paid.

Proviso.

Limit on credit allowed.

"Accumulated profits" defined.

Determination of, by Commissioner.

the accumulated profits of the preceding year or years (unless to his satisfaction shown otherwise), and in other respects treating dividends as having been paid from the most recently accumulated gains, profits, or earnings. In the case of a foreign corporation, the income, war-profits, and excess-profits taxes of which are determined on the basis of an accounting period of less than one year, the word "year" as used in this subsection shall be construed to mean such accounting period.

Accounting period for foreign corporation.

"Year" construed.

Corporations treated as foreign.

(g) CORPORATIONS TREATED AS FOREIGN.—For the purposes of this section the following corporations shall be treated as foreign corporations:

Corporations receiving income from U. S. possessions. *Post*, p. 1718.

(1) A corporation entitled to the benefits of section 251, by reason of receiving a large percentage of its gross income from sources within a possession of the United States;

China Trade Act corporations. *Post*, p. 1720.

(2) A corporation organized under the China Trade Act, 1922, and entitled to the credit provided for in section 262.

Returns and payment of tax.

Supplement D—Returns and Payment of Tax

[Supplementary to Subtitle B, Part V]

Consolidated returns of railroad corporations.

SEC. 141. CONSOLIDATED RETURNS OF RAILROAD CORPORATIONS.

By affiliated group in lieu of separate returns.

(a) PRIVILEGE TO FILE CONSOLIDATED RETURNS.—An affiliated group of corporations shall, subject to the provisions of this section, have the privilege of making a consolidated return for the taxable year in lieu of separate returns. The making of a consolidated return shall be upon the condition that all the corporations which have been members of the affiliated group at any time during the taxable year for which the return is made consent to all the regulations under subsection (b) (or, in case such regulations are not prescribed prior to the making of the return, then the regulations prescribed under section 141(b) of the Revenue Act of 1934 insofar as not inconsistent with this Act) prescribed prior to the making of such return; and the making of a consolidated return shall be considered as such consent. In the case of a corporation which is a member of the affiliated group for a fractional part of the year the consolidated return shall include the income of such corporation for such part of the year as it is a member of the affiliated group.

Condition.

Vol. 48, p. 721.

Fractional part of year.

Regulations.

(b) REGULATIONS.—The Commissioner, with the approval of the Secretary, shall prescribe such regulations as he may deem necessary in order that the tax liability of any affiliated group of corporations making a consolidated return and of each corporation in the group, both during and after the period of affiliation, may be determined, computed, assessed, collected, and adjusted in such manner as clearly to reflect the income and to prevent avoidance of tax liability.

Computation and payment of tax.

(c) COMPUTATION AND PAYMENT OF TAX.—In any case in which a consolidated return is made the tax shall be determined, computed, assessed, collected, and adjusted in accordance with the regulations under subsection (b) (or, in case such regulations are not prescribed prior to the making of the return, then the regulations prescribed under section 141(b) of the Revenue Act of 1934 insofar as not inconsistent with this Act) prescribed prior to the date on which such return is made.

Returns filed prior to making regulations.

Vol. 48, p. 721.

"Affiliated group" defined.

(d) DEFINITION OF "AFFILIATED GROUP".—As used in this section an "affiliated group" means one or more chains of corporations connected through stock ownership with a common parent corporation if—

Stock ownership of members.

(1) At least 95 per centum of the stock of each of the corporations (except the common parent corporation) is owned directly by one or more of the other corporations; and

(2) The common parent corporation owns directly at least 95 per centum of the stock of at least one of the other corporations; and

Of parent corporation.

(3) Each of the corporations is either (A) a corporation whose principal business is that of a common carrier by railroad or (B) a corporation the assets of which consist principally of stock in such corporations and which does not itself operate a business other than that of a common carrier by railroad. For the purpose of determining whether the principal business of a corporation is that of a common carrier by railroad, if a common carrier by railroad has leased its railroad properties and such properties are operated as such by another common carrier by railroad, the business of receiving rents for such railroad properties shall be considered as the business of a common carrier by railroad. As used in this paragraph, the term "railroad" includes a street, suburban, or interurban electric railway.

Corporations included.

"Railroad" defined.

As used in this subsection (except in paragraph (3)) the term "stock" does not include nonvoting stock which is limited and preferred as to dividends.

"Stock" defined.

(e) FOREIGN CORPORATIONS.—A foreign corporation shall not be deemed to be affiliated with any other corporation within the meaning of this section.

Foreign corporations.

(f) CHINA TRADE ACT CORPORATIONS.—A corporation organized under the China Trade Act, 1922, shall not be deemed to be affiliated with any other corporation within the meaning of this section.

China Trade Act corporations.

(g) CORPORATIONS DERIVING INCOME FROM POSSESSIONS OF UNITED STATES.—For the purposes of this section a corporation entitled to the benefits of section 251, by reason of receiving a large percentage of its income from possessions of the United States, shall be treated as a foreign corporation.

Corporations deriving income from United States possessions.

Post, p. 1718.

(h) SUBSIDIARY FORMED TO COMPLY WITH FOREIGN LAW.—In the case of a domestic corporation owning or controlling, directly or indirectly, 100 per centum of the capital stock (exclusive of directors' qualifying shares) of a corporation organized under the laws of a contiguous foreign country and maintained solely for the purpose of complying with the laws of such country as to title and operation of property, such foreign corporation may, at the option of the domestic corporation, be treated for the purpose of this title as a domestic corporation.

Subsidiary of domestic corporation formed to comply with foreign law.

(i) SUSPENSION OF RUNNING OF STATUTE OF LIMITATIONS.—If a notice under section 272 (a) in respect of a deficiency for any taxable year is mailed to a corporation, the suspension of the running of the statute of limitations, provided in section 277, shall apply in the case of corporations with which such corporation made a consolidated return for such taxable year.

Suspension of running of statute of limitations.

Post, p. 1726.

(j) RECEIVERSHIP CASES.—If the common parent corporation of an affiliated group making a consolidated return would, if filing a separate return, be exempt under section 14 (d) (2) from the surtax on undistributed profits imposed by section 14, the affiliated group shall be exempt from such surtax imposed by section 14. In all other cases the affiliated group making a consolidated return shall be subject to the surtax imposed by section 14, regardless of the fact that one or more of the corporations in the group are in bankruptcy or in receivership.

Receivership cases.

Ante, p. 1656.

(k) ALLOCATION OF INCOME AND DEDUCTIONS.—For allocation of income and deductions of related trades or businesses, see section 45.

Allocation of income and deductions.

Ante, p. 1667.

Fiduciary returns.

SEC. 142. FIDUCIARY RETURNS.

Sworn statements of income, etc., of beneficiaries.

(a) REQUIREMENT OF RETURN.—Every fiduciary (except a receiver appointed by authority of law in possession of part only of the property of an individual) shall make under oath a return for any of the following individuals, estates, or trusts for which he acts, stating specifically the items of gross income thereof and the deductions and credits allowed under this title and such other information for the purpose of carrying out the provisions of this title as the Commissioner with the approval of the Secretary may by regulations prescribe—

Net income of $1,000 or over, if single, etc.

(1) Every individual having a net income for the taxable year of $1,000 or over, if single, or if married and not living with husband or wife;

Married, etc., with $2,500 or over.

(2) Every individual having a net income for the taxable year of $2,500 or over, if married and living with husband or wife;

Gross, of $5,000 or over.

(3) Every individual having a gross income for the taxable year of $5,000 or over, regardless of the amount of his net income;

Estates or trusts of $1,000 net income or over.

(4) Every estate or trust the net income of which for the taxable year is $1,000 or over;

Gross income of $5,000 or over.

(5) Every estate or trust the gross income of which for the taxable year is $5,000 or over, regardless of the amount of the net income; and

Nonresident alien beneficiaries.

(6) Every estate or trust of which any beneficiary is a nonresident alien.

Joint fiduciaries.

(b) JOINT FIDUCIARIES.—Under such regulations as the Commissioner with the approval of the Secretary may prescribe a return made by one of two or more joint fiduciaries and filed in the office of the collector of the district where such fiduciary resides shall be sufficient compliance with the above requirement. Such fiduciary shall make oath (1) that he has sufficient knowledge of the affairs of the individual, estate, or trust for which the return is made, to enable him to make the return, and (2) that the return is, to the best of his knowledge and belief, true and correct.

Oath required.

Laws applicable to fiduciaries.

(c) LAW APPLICABLE TO FIDUCIARIES.—Any fiduciary required to make a return under this title shall be subject to all the provisions of law which apply to individuals.

Withholding of tax at source.

SEC. 143. WITHHOLDING OF TAX AT SOURCE.

Tax-free covenant bonds.

(a) TAX-FREE COVENANT BONDS.—

By corporations agreeing to pay interest, free from tax, etc.

(1) REQUIREMENT OF WITHHOLDING.—In any case where bonds, mortgages, or deeds of trust, or other similar obligations of a corporation, issued before January 1, 1934, contain a contract or provision by which the obligor agrees to pay any portion of the tax imposed by this title upon the obligee, or to reimburse the obligee for any portion of the tax, or to pay the interest without deduction for any tax which the obligor may be required or permitted to pay thereon, or to retain therefrom under any law of the United States, the obligor shall deduct and withhold a tax equal to 2 per centum of the interest upon such bonds, mortgages, deeds of trust, or other obligations, whether such interest is payable annually or at shorter or longer periods, if payable to an individual, a partnership, or a foreign corporation not engaged in trade or business within the United States and not having any office or place of business therein: *Provided*, That if the liability assumed by the obligor does not exceed 2 per centum of the interest, then the deduction and withholding shall be at the following rates:

Tax withheld.

Provisos.
Rates.

Nonresident alien individuals, etc.

(A) 10 per centum in the case of a nonresident alien individual (except that such rate shall be reduced, in the case of a resident of a contiguous country, to such rate, not less than 5 per centum,

as may be provided by treaty with such country), or of any partnership not engaged in trade or business within the United States and not having any office or place of business therein and composed in whole or in part of nonresident aliens, (B) in the case of such a foreign corporation, 15 per centum, and (C) 2 per centum in the case of other individuals and partnerships: *Provided further*, That if the owners of such obligations are not known to the withholding agent the Commissioner may authorize such deduction and withholding to be at the rate of 2 per centum, or, if the liability assumed by the obligor does not exceed 2 per centum of the interest, then at the rate of 10 per centum.

Foreign corporations.
Other individuals, etc.
Unknown owners.

(2) BENEFIT OF CREDITS AGAINST NET INCOME.—Such deduction and withholding shall not be required in the case of a citizen or resident entitled to receive such interest, if he files with the withholding agent on or before February 1 a signed notice in writing claiming the benefit of the credits provided in section 25 (b); nor in the case of a nonresident alien individual if so provided for in regulations prescribed by the Commissioner under section 215.

Benefit of credits against net income.
Ante, p. 1663.
Nonresident alien.
Post, p. 1716.

(3) INCOME OF OBLIGOR AND OBLIGEE.—The obligor shall not be allowed a deduction for the payment of the tax imposed by this title, or any other tax paid pursuant to the tax-free covenant clause, nor shall such tax be included in the gross income of the obligee.

Restriction on obligor and obligee.

(b) NONRESIDENT ALIENS.—All persons, in whatever capacity acting, including lessees or mortgagors of real or personal property, fiduciaries, employers, and all officers and employees of the United States, having the control, receipt, custody, disposal, or payment of interest (except interest on deposits with persons carrying on the banking business paid to persons not engaged in business in the United States and not having an office or place of business therein), dividends, rent, salaries, wages, premiums, annuities, compensations, remunerations, emoluments, or other fixed or determinable annual or periodical gains, profits, and income (but only to the extent that any of the above items constitutes gross income from sources within the United States), of any nonresident alien individual, or of any partnership not engaged in trade or business within the United States and not having any office or place of business therein and composed in whole or in part of nonresident aliens, shall (except in the cases provided for in subsection (a) of this section and except as otherwise provided in regulations prescribed by the Commissioner under section 215) deduct and withhold from such annual or periodical gains, profits, and income a tax equal to 10 per centum thereof, except that such rate shall be reduced, in the case of a nonresident alien individual a resident of a contiguous country, to such rate (not less than 5 per centum) as may be provided by treaty with such country: *Provided*, That no such deduction or withholding shall be required in the case of dividends paid by a foreign corporation unless (1) such corporation is engaged in trade or business within the United States or has an office or place of business therein, and (2) more than 85 per centum of the gross income of such corporation for the three-year period ending with the close of its taxable year preceding the declaration of such dividends (or for such part of such period as the corporation has been in existence) was derived from sources within the United States as determined under the provisions of section 119: *Provided further*, That the Commissioner may authorize such tax to be deducted and withheld from the interest upon any securities the owners of which are not known to the withholding agent. Under regulations prescribed by the Commissioner, with the approval of the Secretary, there may be exempted from such deduction and withholding the compensation for personal services of nonresident

Nonresident aliens.
Normal tax payable at source.
Exception.
Ante, p. 1700.
Provisos.
Foreign corporation dividends.
Ante, p. 1693.
Interest of unknown owners.

alien individuals who enter and leave the United States at frequent intervals.

Returns, etc., by withholding agent.

(c) RETURN AND PAYMENT.—Every person required to deduct and withhold any tax under this section shall make return thereof on or before March 15 of each year and shall on or before June 15, in lieu of the time prescribed in section 56, pay the tax to the official of the United States Government authorized to receive it. Every such person is hereby made liable for such tax and is hereby indemnified against the claims and demands of any person for the amount of any payments made in accordance with the provisions of this section.

Ante, p. 1672.

Return of recipient of income on which tax withheld.

(d) INCOME OF RECIPIENT.—Income upon which any tax is required to be withheld at the source under this section shall be included in the return of the recipient of such income, but any amount of tax so withheld shall be credited against the amount of income tax as computed in such return.

Tax paid by recipient.

(e) TAX PAID BY RECIPIENT.—If any tax required under this section to be deducted and withheld is paid by the recipient of the income, it shall not be re-collected from the withholding agent; nor in cases in which the tax is so paid shall any penalty be imposed upon or collected from the recipient of the income or the withholding agent for failure to return or pay the same, unless such failure was fraudulent and for the purpose of evading payment.

Refunds and credits to withholding agent.

(f) REFUNDS AND CREDITS.—Where there has been an overpayment of tax under this section any refund or credit made under the provisions of section 322 shall be made to the withholding agent unless the amount of such tax was actually withheld by the withholding agent.

Post, p. 1731.

Withholding before enactment of Act.

(g) WITHHOLDING BEFORE ENACTMENT OF ACT.—Notwithstanding the provisions of subsections (a) and (b), the deduction and withholding for any period prior to the tenth day after the date of the enactment of this Act shall be upon the items of income and at the rates prescribed in section 143 (a) and (b) of the Revenue Act of 1934, as amended, in lieu of the items and rates prescribed in such subsections.

Vol. 48, p. 723.

Payment at source.

SEC. 144. PAYMENT OF CORPORATION INCOME TAX AT SOURCE.

By foreign corporations not in business in United States.

(a) GENERAL RULE.—In the case of foreign corporations subject to taxation under this title not engaged in trade or business within the United States and not having any office or place of business therein, there shall be deducted and withheld at the source in the same manner and upon the same items of income as is provided in section 143 a tax equal to 15 per centum thereof, except that in the case of dividends the rate shall be 10 per centum, and except that in the case of corporations organized under the laws of a contiguous country such rate of 10 per centum with respect to dividends shall be reduced to such rate (not less than 5 per centum) as may be provided by treaty with such country; and such tax shall be returned and paid in the same manner and subject to the same conditions as provided in that section: *Provided*, That in the case of interest described in subsection (a) of that section (relating to tax-free covenant bonds) the deduction and withholding shall be at the rate specified in such subsection.

Ante, p. 1700.

Rates.

Proviso.
Rate when interest granted free of tax.

Withholding before enactment of Act.

(b) WITHHOLDING BEFORE ENACTMENT OF ACT.—Notwithstanding the provisions of subsection (a), the deduction and withholding for any period prior to the tenth day after the date of the enactment of this Act shall be upon the items of income and at the rates prescribed in section 144 of the Revenue Act of 1934, as amended, in lieu of the items and rates prescribed in such subsection.

Vol. 48, p. 724.

SEC. 145. PENALTIES. Penalties.

(a) Any person required under this title to pay any tax, or required by law or regulations made under authority thereof to make a return, keep any records, or supply any information, for the purposes of the computation, assessment, or collection of any tax imposed by this title, who willfully fails to pay such tax, make such return, keep such records, or supply such information, at the time or times required by law or regulations, shall, in addition to other penalties provided by law, be guilty of a misdemeanor and, upon conviction thereof, be fined not more than $10,000, or imprisoned for not more than one year, or both, together with the costs of prosecution. Willful failure to pay tax, make returns, etc. Penalty.

(b) Any person required under this title to collect, account for, and pay over any tax imposed by this title, who willfully fails to collect or truthfully account for and pay over such tax, and any person who willfully attempts in any manner to evade or defeat any tax imposed by this title or the payment thereof, shall, in addition to other penalties provided by law, be guilty of a felony and, upon conviction thereof, be fined not more than $10,000, or imprisoned for not more than five years, or both, together with the costs of prosecution. Willful failure to collect, etc., tax; evading payment, etc. Penalty.

(c) The term "person" as used in this section includes an officer or employee of a corporation or a member or employee of a partnership, who as such officer, employee, or member is under a duty to perform the act in respect of which the violation occurs. "Person" defined.

SEC. 146. CLOSING BY COMMISSIONER OF TAXABLE YEAR. Closing of taxable year.

(a) TAX IN JEOPARDY.—If the Commissioner finds that a taxpayer designs quickly to depart from the United States or to remove his property therefrom, or to conceal himself or his property therein, or to do any other act tending to prejudice or to render wholly or partly ineffectual proceedings to collect the tax for the taxable year then last past or the taxable year then current unless such proceedings be brought without delay, the Commissioner shall declare the taxable period for such taxpayer immediately terminated and shall cause notice of such finding and declaration to be given the taxpayer, together with a demand for immediate payment of the tax for the taxable period so declared terminated and of the tax for the preceding taxable year or so much of such tax as is unpaid, whether or not the time otherwise allowed by law for filing return and paying the tax has expired; and such taxes shall thereupon become immediately due and payable. In any proceeding in court brought to enforce payment of taxes made due and payable by virtue of the provisions of this section the finding of the Commissioner, made as herein provided, whether made after notice to the taxpayer or not, shall be for all purposes presumptive evidence of the taxpayer's design. Tax in jeopardy. Immediate payment demanded if Commissioner finds taxpayer's acts prejudice collection. Notice of finding, demand, etc. Finding presumption of design.

(b) SECURITY FOR PAYMENT.—A taxpayer who is not in default in making any return or paying income, war-profits, or excess-profits tax under any Act of Congress may furnish to the United States, under regulations to be prescribed by the Commissioner, with the approval of the Secretary, security approved by the Commissioner that he will duly make the return next thereafter required to be filed and pay the tax next thereafter required to be paid. The Commissioner may approve and accept in like manner security for return and payment of taxes made due and payable by virtue of the provisions of this section, provided the taxpayer has paid in full all other income, war-profits, or excess-profits taxes due from him under any Act of Congress. Security for payment. Condition of acceptance.

Suspension of enforcement on approval of security.

(c) SAME—EXEMPTION FROM SECTION.—If security is approved and accepted pursuant to the provisions of this section and such further or other security with respect to the tax or taxes covered thereby is given as the Commissioner shall from time to time find necessary and require, payment of such taxes shall not be enforced by any proceedings under the provisions of this section prior to the expiration of the time otherwise allowed for paying such respective taxes.

Discretionary waiver of requirements as to citizens.

(d) CITIZENS.—In the case of a citizen of the United States or of a possession of the United States about to depart from the United States the Commissioner may, at his discretion, waive any or all of the requirements placed on the taxpayer by this section.

Aliens to furnish tax-paid certificate before going abroad.

(e) DEPARTURE OF ALIEN.—No alien shall depart from the United States unless he first procures from the collector or agent in charge a certificate that he has complied with all the obligations imposed upon him by the income, war-profits, and excess-profits tax laws.

Additions to tax for violations.

(f) ADDITION TO TAX.—If a taxpayer violates or attempts to violate this section there shall, in addition to all other penalties, be added as part of the tax 25 per centum of the total amount of the tax or deficiency in the tax, together with interest at the rate of 6 per centum per annum from the time the tax became due.

Information at source.

SEC. 147. INFORMATION AT SOURCE.

Returns by persons making fixed payments to others of $1,000 or more.

(a) PAYMENTS OF $1,000 OR MORE.—All persons, in whatever capacity acting, including lessees or mortgagors of real or personal property, fiduciaries, and employers, making payment to another person, of interest, rent, salaries, wages, premiums, annuities, compensations, remunerations, emoluments, or other fixed or determinable gains, profits, and income (other than payments described in section 148 (a) or 149), of $1,000 or more in any taxable year, or, in the case of such payments made by the United States, the officers or employees of the United States having information as to such payments and required to make returns in regard thereto by the regulations hereinafter provided for, shall render a true and accurate return to the Commissioner, under such regulations and in such form and manner and to such extent as may be prescribed by him with the approval of the Secretary, setting forth the amount of such gains, profits, and income, and the name and address of the recipient of such payment.

Exceptions.
Post, p. 1705.

Returns regardless of amount of payment.
Interest on corporation bonds, etc.
Collections of foreign coupons, etc.

(b) RETURNS REGARDLESS OF AMOUNT OF PAYMENT.—Such returns may be required, regardless of amounts, (1) in the case of payments of interest upon bonds, mortgages, deeds of trust, or other similar obligations of corporations, and (2) in the case of collections of items (not payable in the United States) of interest upon the bonds of foreign countries and interest upon the bonds of and dividends from foreign corporations by persons undertaking as a matter of business or for profit the collection of foreign payments of such interest or dividends by means of coupons, checks, or bills of exchange.

Name and address of recipient.

(c) RECIPIENT TO FURNISH NAME AND ADDRESS.—When necessary to make effective the provisions of this section the name and address of the recipient of income shall be furnished upon demand of the person paying the income.

Interest on Federal obligations.

(d) OBLIGATIONS OF UNITED STATES.—The provisions of this section shall not apply to the payment of interest on obligations of the United States.

SEC. 148. INFORMATION BY CORPORATIONS.

Information by corporations.

(a) DIVIDEND PAYMENTS.—Every corporation shall, when required by the Commissioner, render a correct return, duly verified under oath, of its payments of dividends, stating the name and address of each shareholder, the number of shares owned by him, and the amount of dividends paid to him.

Sworn return of dividend payments, etc.

(b) PROFITS DECLARED AS DIVIDENDS.—Every corporation shall, when required by the Commissioner, furnish him a statement of such facts as will enable him to determine the portion of the earnings or profits of the corporation (including gains, profits, and income not taxed) accumulated during such periods as the Commissioner may specify, which have been distributed or ordered to be distributed, respectively, to its shareholders during such taxable years as the Commissioner may specify.

Statement of profits, etc., declared as dividends.

(c) ACCUMULATED EARNINGS AND PROFITS.—When requested by the Commissioner, or any collector, every corporation shall forward to him a correct statement of accumulated earnings and profits and the names and addresses of the individuals or shareholders who would be entitled to the same if divided or distributed, and of the amounts that would be payable to each.

Statement of accumulated earnings and profits, etc.

(d) COMPENSATION OF OFFICERS AND EMPLOYEES.—Under regulations prescribed by the Commissioner with the approval of the Secretary, every corporation subject to taxation under this title shall, in its return, submit a list of the names of all officers and employees of such corporation and the respective amounts paid to them during the taxable year of the corporation by the corporation as salary, commission, bonus, or other compensation for personal services rendered, if the aggregate amount so paid to the individual is in excess of $15,000. The Secretary of the Treasury shall submit an annual report to Congress compiled from the returns made containing the names of, and amounts paid to, each such officer and employee and the name of the paying corporation.

Names of officers, etc., receiving more than $15,000 during taxable year.

Report to Congress.

SEC. 149. RETURNS OF BROKERS.

Returns of brokers.

Every person doing business as a broker shall, when required by the Commissioner, render a correct return duly verified under oath, under such rules and regulations as the Commissioner, with the approval of the Secretary, may prescribe, showing the names of customers for whom such person has transacted any business, with such details as to the profits, losses, or other information which the Commissioner may require, as to each of such customers, as will enable the Commissioner to determine whether all income tax due on profits or gains of such customers has been paid.

Sworn returns of all business transactions.

SEC. 150. COLLECTION OF FOREIGN ITEMS.

Collection of foreign items.

All persons undertaking as a matter of business or for profit the collection of foreign payments of interest or dividends by means of coupons, checks, or bills of exchange shall obtain a license from the Commissioner and shall be subject to such regulations enabling the Government to obtain the information required under this title as the Commissioner, with the approval of the Secretary, shall prescribe; and whoever knowingly undertakes to collect such payments without having obtained a license therefor, or without complying with such regulations, shall be guilty of a misdemeanor and shall be fined not more than $5,000 or imprisoned for not more than one year, or both.

License for collecting foreign coupons, etc.

Estates and trusts.

Supplement E—Estates and Trusts

Imposition of tax.

SEC. 161. IMPOSITION OF TAX.

Application of tax.

(a) APPLICATION OF TAX.—The taxes imposed by this title upon individuals shall apply to the income of estates or of any kind of property held in trust, including—

Trust accumulations.

(1) Income accumulated in trust for the benefit of unborn or unascertained persons or persons with contingent interests, and income accumulated or held for future distribution under the terms of the will or trust;

Income for current distribution, etc.

(2) Income which is to be distributed currently by the fiduciary to the beneficiaries, and income collected by a guardian of an infant which is to be held or distributed as the court may direct;

Received during administration.

(3) Income received by estates of deceased persons during the period of administration or settlement of the estate; and

For discretionary distribution.

(4) Income which, in the discretion of the fiduciary, may be either distributed to the beneficiaries or accumulated.

Computation; payments by fiduciary.

(b) COMPUTATION AND PAYMENT.—The tax shall be computed upon the net income of the estate or trust, and shall be paid by the fiduciary, except as provided in section 166 (relating to revocable trusts) and section 167 (relating to income for benefit of the grantor). For return made by beneficiary, see section 142.

Exception.
Post, p. 1707.
Ante, p. 1700.

Net income.

SEC. 162. NET INCOME.

Computation.

The net income of the estate or trust shall be computed in the same manner and on the same basis as in the case of an individual, except that—

Deduction without limitation of gifts, etc., under will or trust.
Ante, p. 1660.

(a) There shall be allowed as a deduction (in lieu of the deduction for charitable, etc., contributions authorized by section 23 (o)) any part of the gross income, without limitation, which pursuant to the terms of the will or deed creating the trust, is during the taxable year paid or permanently set aside for the purposes and in the manner specified in section 23 (o), or is to be used exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, or for the establishment, acquisition, maintenance or operation of a public cemetery not operated for profit;

Additional deductions for current distributions by fiduciary.

(b) There shall be allowed as an additional deduction in computing the net income of the estate or trust the amount of the income of the estate or trust for its taxable year which is to be distributed currently by the fiduciary to the beneficiaries, and the amount of the income collected by a guardian of an infant which is to be held or distributed as the court may direct, but the amount so allowed as a deduction shall be included in computing the net income of the beneficiaries whether distributed to them or not. Any amount allowed as a deduction under this paragraph shall not be allowed as a deduction under subsection (c) of this section in the same or any succeeding taxable year;

Limitation.

Additional deduction for payment made or credited to beneficiary.

(c) In the case of income received by estates of deceased persons during the period of administration or settlement of the estate, and in the case of income which, in the discretion of the fiduciary, may be either distributed to the beneficiary or accumulated, there shall be allowed as an additional deduction in computing the net income of the estate or trust the amount of the income of the estate or trust for its taxable year, which is properly paid or credited during such year to any legatee, heir, or beneficiary, but the amount so allowed as a deduction shall be included in computing the net income of the legatee, heir, or beneficiary.

Included in net income of beneficiary, etc.

SEC. 163. CREDITS AGAINST NET INCOME.

Credits against net income.

(a) CREDITS OF ESTATE OR TRUST.—For the purpose of the normal tax and the surtax the estate or trust shall be allowed the same personal exemption as is allowed to a single person under section 25 (b) (1), and, if no part of the income of the estate or trust is included in computing the net income of any legatee, heir, or beneficiary, then in addition the same credits against net income for interest as are allowed by section 25 (a).

Estates or trusts, credits of.

Ante, p. 1662.

(b) CREDITS OF BENEFICIARY.—If any part of the income of an estate or trust is included in computing the net income of any legatee, heir, or beneficiary, such legatee, heir, or beneficiary shall, for the purpose of the normal tax, be allowed as credits against net income, in addition to the credits allowed to him under section 25, his proportionate share of such amounts of interest specified in section 25 (a) as are, under this Supplement, required to be included in computing his net income. Any remaining portion of such amounts specified in section 25 (a) shall, for the purpose of the normal tax, be allowed as credits to the estate or trust.

Credits of beneficiary in computing income.

Ante, p. 1662.

Allowance as credits.

SEC. 164. DIFFERENT TAXABLE YEARS.

Different taxable years.

If the taxable year of a beneficiary is different from that of the estate or trust, the amount which he is required, under section 162 (b), to include in computing his net income, shall be based upon the income of the estate or trust for any taxable year of the estate or trust (whether beginning on, before, or after January 1, 1936) ending within his taxable year.

Computation, if taxable year of estate or trust and beneficiary differ.

SEC. 165. EMPLOYEES' TRUSTS.

Employees' trusts.

A trust created by an employer as a part of a stock bonus, pension, or profit-sharing plan for the exclusive benefit of some or all of his employees, to which contributions are made by such employer, or employees, or both, for the purpose of distributing to such employees the earnings and principal of the fund accumulated by the trust in accordance with such plan, shall not be taxable under section 161, but the amount actually distributed or made available to any distributee shall be taxable to him in the year in which so distributed or made available to the extent that it exceeds the amounts paid in by him. Such distributees shall for the purpose of the normal tax be allowed as credits against net income such part of the amount so distributed or made available as represents the items of interest specified in section 25 (a).

Profit-sharing trusts, etc., for employees not taxed.

Distributees taxed on amount received.

Credits allowed.

Ante, p. 1662.

Revocable trusts.

SEC. 166. REVOCABLE TRUSTS.

Computation of income with grantor's net income.

Where at any time the power to revest in the grantor title to any part of the corpus of the trust is vested—

(1) in the grantor, either alone or in conjunction with any person not having a substantial adverse interest in the disposition of such part of the corpus or the income therefrom, or

(2) in any person not having a substantial adverse interest in the disposition of such part of the corpus or the income therefrom,

then the income of such part of the trust shall be included in computing the net income of the grantor.

SEC. 167. INCOME FOR BENEFIT OF GRANTOR.

Income for benefit of grantor.

(a) Where any part of the income of a trust—

When held for future distribution.

(1) is, or in the discretion of the grantor or of any person not having a substantial adverse interest in the disposition of such part

of the income may be, held or accumulated for future distribution to the grantor; or

When distributed to grantor.

(2) may, in the discretion of the grantor or of any person not having a substantial adverse interest in the disposition of such part of the income, be distributed to the grantor; or

Application to life insurance premiums.

(3) is, or in the discretion of the grantor or of any person not having a substantial adverse interest in the disposition of such part of the income may be, applied to the payment of premiums upon policies of insurance on the life of the grantor (except policies of insurance irrevocably payable for the purposes and in the manner specified in section 23 (o), relating to the so-called "charitable contribution" deduction);

Ante, p. 1660.

then such part of the income of the trust shall be included in computing the net income of the grantor.

"In the discretion of the grantor" defined.

(b) As used in this section, the term "in the discretion of the grantor" means "in the discretion of the grantor, either alone or in conjunction with any person not having a substantial adverse interest in the disposition of the part of the income in question".

Taxes of foreign countries, etc.

SEC. 168. TAXES OF FOREIGN COUNTRIES AND POSSESSIONS OF UNITED STATES.

Credit for.

The amount of income, war-profits, and excess-profits taxes imposed by foreign countries or possessions of the United States shall be allowed as credit against the tax of the beneficiary of an estate or trust to the extent provided in section 131.

Ante, p. 1696.

Common trust funds.

SEC. 169. COMMON TRUST FUNDS.

Definition.

(a) DEFINITIONS.—The term "common trust fund" means a fund maintained by a bank (as defined in section 104)—

Ante, p. 1677.

(1) exclusively for the collective investment and reinvestment of moneys contributed thereto by the bank in its capacity as a trustee, executor, administrator, or guardian; and

(2) in conformity with the rules and regulations, prevailing from time to time, of the Board of Governors of the Federal Reserve System pertaining to the collective investment of trust funds by national banks.

Taxation of common trust funds.

(b) TAXATION OF COMMON TRUST FUNDS.—A common trust fund shall not be subject to taxation under this title, Title IA, or section 105 or 106 of the Revenue Act of 1935, and for the purposes of such titles and sections shall not be considered a corporation.

Ante, p. 1017.

Income of participants in fund.

(c) INCOME OF PARTICIPANTS IN FUND.—Each participant in the common trust fund shall include in computing its net income its proportionate share, whether or not distributed and whether or not distributable, of the net income of the common trust fund. The net income of the common trust fund shall be computed in the same manner and on the same basis as in the case of an individual. The proportionate share of each participant in the amount of interest specified in section 25 (a) received by the common trust fund shall for the purposes of this Supplement be considered as having been received by such participant as such interest.

Basis of computation.

Ante, p. 1662.

Admission and withdrawal.

(d) ADMISSION AND WITHDRAWAL.—No gain or loss shall be realized by the common trust fund by the admission or withdrawal of a participant. The withdrawal of any participating interest by a participant shall be treated as a sale or exchange of such interest by the participant.

Sworn returns by banks.

Ante, p. 1677.

(e) RETURNS BY BANK.—Every bank (as defined in section 104) maintaining a common trust fund shall make a return under oath for each taxable year, stating specifically, with respect to such fund, the items of gross income and the deductions allowed by this title, and

shall include in the return the names and addresses of the participants who would be entitled to share in the net income if distributed and the amount of the proportionate share of each participant. The return shall be sworn to as in the case of a return filed by the bank under section 52.

Ante, p. 1670.

Where taxable year differs from participant's.

(f) DIFFERENT TAXABLE YEARS OF COMMON TRUST FUND AND PARTICIPANT.—If the taxable year of the common trust fund is different from that of a participant, the proportionate share of the net income of the common trust fund to be included in computing the net income of the participant for its taxable year shall be based upon the net income of the common trust fund for any taxable year of the common trust fund (whether beginning on, before, or after January 1, 1936) ending within the taxable year of the participant.

Supplement F—Partnerships

Partnerships.

SEC. 181. PARTNERSHIP NOT TAXABLE.

Partnership not taxable.

Individuals carrying on business in partnership shall be liable for income tax only in their individual capacity.

Individual liability.

SEC. 182. TAX OF PARTNERS.

Tax of partners.

There shall be included in computing the net income of each partner his distributive share, whether distributed or not, of the net income of the partnership for the taxable year.

Distributive share included in net income.

SEC. 183. COMPUTATION OF PARTNERSHIP INCOME.

Partnership income.

Computation of.

The net income of the partnership shall be computed in the same manner and on the same basis as in the case of an individual.

SEC. 184. CREDITS AGAINST NET INCOME.

Credits against net income.

Additional, from partnership exemptions.

The partner shall, for the purpose of the normal tax, be allowed as a credit against his net income, in addition to the credits allowed to him under section 25, his proportionate share of such amounts (not in excess of the net income of the partnership) of interest specified in section 25 (a) as are received by the partnership.

Ante, p. 1662.

SEC. 185. EARNED INCOME.

Earned income.

Determination of.

In the case of the members of a partnership the proper part of each share of the net income which consists of earned income shall be determined under rules and regulations to be prescribed by the Commissioner with the approval of the Secretary and shall be separately shown in the return of the partnership.

SEC. 186. TAXES OF FOREIGN COUNTRIES AND POSSESSIONS OF UNITED STATES.

Foreign, etc., taxes.

Credit for, allowed partners.

The amount of income, war-profits, and excess-profits taxes imposed by foreign countries or possessions of the United States shall be allowed as a credit against the tax of the member of a partnership to the extent provided in section 131.

Ante, p. 1696.

SEC. 187. PARTNERSHIP RETURNS.

Partnership returns.

Sworn statement of gross income, etc.

Every partnership shall make a return for each taxable year, stating specifically the items of its gross income and the deductions allowed by this title and such other information for the purpose of carrying out the provisions of this title as the Commissioner with the approval of the Secretary may by regulations prescribe, and shall include in the return the names and addresses of the individuals who would be entitled to share in the net income if distributed and the

amount of the distributive share of each individual. The return shall be sworn to by any one of the partners.

Different taxable years of partner and partnership.

SEC. 188. DIFFERENT TAXABLE YEARS OF PARTNER AND PARTNERSHIP.

Basis of computation.

If the taxable year of a partner is different from that of the partnership, the distributive share of the net income of the partnership to be included in computing the net income of the partner for his taxable year shall be based upon the net income of the partnership for any taxable year of the partnership (whether beginning on, before, or after January 1, 1936) ending within the taxable year of the partner.

Insurance companies.

Supplement G—Insurance Companies

Tax on life insurance companies.

SEC. 201. TAX ON LIFE INSURANCE COMPANIES.

"Life insurance company" defined.

(a) DEFINITION.—When used in this title the term "life insurance company" means an insurance company engaged in the business of issuing life insurance and annuity contracts (including contracts of combined life, health, and accident insurance), the reserve funds of which held for the fulfillment of such contracts comprise more than 50 per centum of its total reserve funds.

Imposition of tax.

(b) IMPOSITION OF TAX.—

Rate on net income. *Ante*, p. 1655.

(1) IN GENERAL.—In lieu of the tax imposed by sections 13 and 14, there shall be levied, collected, and paid for each taxable year upon the normal-tax net income of every life insurance company a tax of 15 per centum of the amount thereof.

Normal-tax net income of foreign companies.

(2) NORMAL-TAX NET INCOME OF FOREIGN LIFE INSURANCE COMPANIES.—In the case of a foreign life insurance company, the normal-tax net income shall be an amount which bears the same ratio to the normal-tax net income, computed without regard to this paragraph, as the reserve funds required by law and held by it at the end of the taxable year upon business transacted within the United States bear to the reserve funds held by it at the end of the taxable year upon all business transacted.

No United States business.

(3) NO UNITED STATES INSURANCE BUSINESS.—Foreign life insurance companies not carrying on an insurance business within the United States and holding no reserve funds upon business transacted within the United States, shall not be taxable under this section but shall be taxable as other foreign corporations.

Gross income, life insurance companies.

SEC. 202. GROSS INCOME OF LIFE INSURANCE COMPANIES.

"Gross income" defined.

(a) In the case of a life insurance company the term "gross income" means the gross amount of income received during the taxable year from interest, dividends, and rents.

"Reserve funds required by law."

(b) The term "reserve funds required by law" includes, in the case of assessment insurance, sums actually deposited by any company or association with State or Territorial officers pursuant to law as guaranty or reserve funds, and any funds maintained under the charter or articles of incorporation of the company or association exclusively for the payment of claims arising under certificates of membership or policies issued upon the assessment plan and not subject to any other use.

Net income, life insurance companies.

SEC. 203. NET INCOME OF LIFE INSURANCE COMPANIES.

Deductions.

(a) GENERAL RULE.—In the case of a life insurance company the term "net income" means the gross income less—

Tax-free interest. *Ante*, p. 1657.

(1) TAX-FREE INTEREST.—The amount of interest received during the taxable year which under section 22 (b) (4) is excluded from gross income;

(2) RESERVE FUNDS.—An amount equal to 4 per centum of the mean of the reserve funds required by law and held at the beginning and end of the taxable year, except that in the case of any such reserve fund which is computed at a lower interest assumption rate, the rate of 3¾ per centum shall be substituted for 4 per centum. Life insurance companies issuing policies covering life, health, and accident insurance combined in one policy issued on the weekly premium payment plan, continuing for life and not subject to cancellation, shall be allowed, in addition to the above, a deduction of 3¾ per centum of the mean of such reserve funds (not required by law) held at the beginning and end of the taxable year, as the Commissioner finds to be necessary for the protection of the holders of such policies only;

Reserve funds required by law.

Policies of combined insurance.

Weekly payment plan.

Reserves not required by law.

(3) RESERVE FOR DIVIDENDS.—An amount equal to 2 per centum of any sums held at the end of the taxable year as a reserve for dividends (other than dividends payable during the year following the taxable year) the payment of which is deferred for a period of not less than five years from the date of the policy contract;

Reserve for deferred dividends.

(4) INVESTMENT EXPENSES.—Investment expenses paid during the taxable year: *Provided*, That if any general expenses are in part assigned to or included in the investment expenses, the total deduction under this paragraph shall not exceed one-fourth of 1 per centum of the book value of the mean of the invested assets held at the beginning and end of the taxable year;

Investment expenses.

Proviso. Limitation on deduction.

(5) REAL ESTATE EXPENSES.—Taxes and other expenses paid during the taxable year exclusively upon or with respect to the real estate owned by the company, not including taxes assessed against local benefits of a kind tending to increase the value of the property assessed, and not including any amount paid out for new buildings, or for permanent improvements or betterments made to increase the value of any property. The deduction allowed by this paragraph shall be allowed in the case of taxes imposed upon a shareholder of a company upon his interest as shareholder, which are paid by the company without reimbursement from the shareholder, but in such cases no deduction shall be allowed the shareholder for the amount of such taxes;

Real estate expenses.

If tax paid on shareholder's interest.

(6) DEPRECIATION.—A reasonable allowance, as provided in section 23 (l), for the exhaustion, wear and tear of property, including a reasonable allowance for obsolescence; and

Property depreciation.

(7) INTEREST.—All interest paid within the taxable year on its indebtedness, except on indebtedness incurred or continued to purchase or carry obligations (other than obligations of the United States issued after September 24, 1917, and originally subscribed for by the taxpayer) the interest upon which is wholly exempt from taxation under this title.

Interest on indebtedness; exception.

(b) RENTAL VALUE OF REAL ESTATE.—The deduction under subsection (a) (5) or (6) of this section on account of any real estate owned and occupied in whole or in part by a life insurance company, shall be limited to an amount which bears the same ratio to such deduction (computed without regard to this subsection) as the rental value of the space not so occupied bears to the rental value of the entire property.

Rental value of real estate.

Deduction of proportionate part of depreciation, etc., expenses.

SEC. 204. INSURANCE COMPANIES OTHER THAN LIFE OR MUTUAL.

Insurance companies other than life or mutual.

(a) IMPOSITION OF TAX.—

Tax imposed.

(1) IN GENERAL.—In lieu of the tax imposed by sections 13 and 14, there shall be levied, collected, and paid for each taxable year upon the normal-tax net income of every insurance com-

Ante, p. 1655.

pany (other than a life or mutual insurance company) a tax of 15 per centum of the amount thereof.

Foreign companies.

(2) NORMAL-TAX NET INCOME OF FOREIGN COMPANIES.—In the case of a foreign insurance company (other than a life or mutual insurance company), the normal-tax net income shall be the net income from sources within the United States minus the sum of—

Deductions.

(A) Interest on Obligations of the United States and Its Instrumentalities.—The credit provided in section 26 (a).

Ante, p. 1664.

(B) Dividends Received.—The credit provided in section 26 (b).

No United States business.

(3) NO UNITED STATES INSURANCE BUSINESS.—Foreign insurance companies not carrying on an insurance business within the United States shall not be taxable under this section but shall be taxable as other foreign corporations.

Definitions.

(b) DEFINITION OF INCOME, ETC.—In the case of an insurance company subject to the tax imposed by this section—

"Gross income."

(1) GROSS INCOME.—"Gross income" means the sum of (A) the combined gross amount earned during the taxable year, from investment income and from underwriting income as provided in this subsection, computed on the basis of the underwriting and investment exhibit of the annual statement approved by the National Convention of Insurance Commissioners, and (B) gain during the taxable year from the sale or other disposition of property, and (C) all other items constituting gross income under section 22;

Ante, p. 1657.

"Net income."

(2) NET INCOME.—"Net income" means the gross income as defined in paragraph (1) of this subsection less the deductions allowed by subsection (c) of this section;

"Investment income."

(3) INVESTMENT INCOME.—"Investment income" means the gross amount of income earned during the taxable year from interest dividends, and rents, computed as follows:

To all interest, dividends and rents received during the taxable year, add interest, dividends and rents due and accrued at the end of the taxable year, and deduct all interest, dividends and rents due and accrued at the end of the preceding taxable year;

"Underwriting income."

(4) UNDERWRITING INCOME.—"Underwriting income" means the premiums earned on insurance contracts during the taxable year less losses incurred and expenses incurred;

"Premiums earned on insurance contracts during the taxable year."

(5) PREMIUMS EARNED.—"Premiums earned on insurance contracts during the taxable year" means an amount computed as follows:

From the amount of gross premiums written on insurance contracts during the taxable year, deduct return premiums and premiums paid for reinsurance. To the result so obtained add unearned premiums on outstanding business at the end of the preceding taxable year and deduct unearned premiums on outstanding business at the end of the taxable year;

"Losses incurred."

(6) LOSSES INCURRED.—"Losses incurred" means losses incurred during the taxable year on insurance contracts, computed as follows:

To losses paid during the taxable year, add salvage and reinsurance recoverable outstanding at the end of the preceding taxable year, and deduct salvage and reinsurance recoverable outstanding at the end of the taxable year. To the result so obtained add all unpaid losses outstanding at the end of the taxable year and deduct unpaid losses outstanding at the end of the preceding taxable year;

"Expenses incurred."

(7) EXPENSES INCURRED.—"Expenses incurred" means all expenses shown on the annual statement approved by the National

Convention of Insurance Commissioners, and shall be computed as follows:

To all expenses paid during the taxable year add expenses unpaid at the end of the taxable year and deduct expenses unpaid at the end of the preceding taxable year. For the purpose of computing the net income subject to the tax imposed by this section there shall be deducted from expenses incurred as defined in this paragraph all expenses incurred which are not allowed as deductions by subsection (c) of this section.

Net income, deductions allowed.

(c) DEDUCTIONS ALLOWED.—In computing the net income of an insurance company subject to the tax imposed by this section there shall be allowed as deductions:

Business expenses. *Ante*, p. 1658.

(1) All ordinary and necessary expenses incurred, as provided in section 23 (a);

Interest.

(2) All interest as provided in section 23 (b);

Taxes.

(3) Taxes as provided in section 23 (c);

Losses.

(4) Losses incurred as defined in subsection (b) (6) of this section;

Losses from sales; limitation. *Ante*, p. 1692.

(5) Subject to the limitation contained in section 117 (d), losses sustained during the taxable year from the sale or other disposition of property;

Bad debts, etc.

(6) Bad debts in the nature of agency balances and bills receivable ascertained to be worthless and charged off within the taxable year;

Exempt interest. *Ante*, p. 1657.

(7) The amount of interest earned during the taxable year which under section 22 (b) (4) is excluded from gross income;

Exhaustion, etc., of property.

(8) A reasonable allowance for the exhaustion, wear and tear of property, as provided in section 23 (l);

Charitable, etc., contributions. *Ante*, p. 1661.

(9) Charitable, and so forth, contributions, as provided in section 23 (q);

Other deductions. *Ante*, p. 1658.

(10) Deductions (other than those specified in this subsection) as provided in section 23, but not in excess of the amount of the gross income included under subsection (b) (1) (C) of this section.

Deductions allowed foreign corporations for United States business. *Post*, p. 1717.

(d) DEDUCTIONS OF FOREIGN CORPORATIONS.—In the case of a foreign corporation the deductions allowed in this section shall be allowed to the extent provided in Supplement I in the case of a foreign corporation engaged in trade or business within the United States or having an office or place of business therein.

Duplication prohibited.

(e) DOUBLE DEDUCTIONS.—Nothing in this section shall be construed to permit the same item to be twice deducted.

Foreign taxes.

SEC. 205. TAXES OF FOREIGN COUNTRIES AND POSSESSIONS OF UNITED STATES.

Credit for, allowed domestic insurance companies. *Ante*, pp. 1710, 1711, 1696.

The amount of income, war-profits, and excess-profits taxes imposed by foreign countries or possessions of the United States shall be allowed as a credit against the tax of a domestic insurance company subject to the tax imposed by section 201 or 204, to the extent provided in the case of a domestic corporation in section 131, and in such cases "net income" as used in that section means the net income as defined in this Supplement.

"Net income" construed.

Gross income.

SEC. 206. COMPUTATION OF GROSS INCOME.

Computation. *Ante*, p. 1693.

The gross income of insurance companies subject to the tax imposed by section 201 or 204 shall not be determined in the manner provided in section 119.

Mutual insurance companies other than life.

SEC. 207. MUTUAL INSURANCE COMPANIES OTHER THAN LIFE.

Taxable as other corporations.

(a) APPLICATION OF TITLE.—Mutual insurance companies, other than life insurance companies, shall be taxable in the same manner

as other corporations, except as hereinafter provided in this section, and except that they shall not be subject to the surtax imposed by section 14, and except that the normal tax imposed by section 13 shall be at the rate of 15 per centum instead of at the rates provided in such section, and such normal tax shall be applicable to foreign corporations as well as domestic corporations; but foreign insurance companies not carrying on an insurance business within the United States shall be taxable as other foreign corporations.

Ante, p. 1655.

Foreign companies not carrying on business within United States.

Gross income; mutual marine-insurance companies.

(b) GROSS INCOME.—Mutual marine-insurance companies shall include in gross income the gross premiums collected and received by them less amounts paid for reinsurance.

Deductions.
Ante, p. 1658.

(c) DEDUCTIONS.—In addition to the deductions allowed to corporations by section 23 the following deductions to insurance companies shall also be allowed, unless otherwise allowed—

Mutual insurance companies.

(1) MUTUAL INSURANCE COMPANIES OTHER THAN LIFE INSURANCE.—In the case of mutual insurance companies other than life insurance companies—

Addition to reserve funds.

(A) the net addition required by law to be made within the taxable year to reserve funds (including in the case of assessment insurance companies the actual deposit of sums with State or Territorial officers pursuant to law as additions to guarantee or reserve funds); and

Policy and annuity contracts.

(B) the sums other than dividends paid within the taxable year on policy and annuity contracts.

Mutual marine insurance companies.
Repayment to policyholders.

(2) MUTUAL MARINE INSURANCE COMPANIES.—In the case of mutual marine insurance companies, in addition to the deductions allowed in paragraph (1) of this subsection, unless otherwise allowed, amounts repaid to policyholders on account of premiums previously paid by them, and interest paid upon such amounts between the ascertainment and the payment thereof;

Companies other than life and marine.
Premium deposits returned, etc.

(3) MUTUAL INSURANCE COMPANIES OTHER THAN LIFE AND MARINE.—In the case of mutual insurance companies (including interinsurers and reciprocal underwriters, but not including mutual life or mutual marine insurance companies) requiring their members to make premium deposits to provide for losses and expenses, the amount of premium deposits returned to their policyholders and the amount of premium deposits retained for the payment of losses, expenses, and reinsurance reserves.

Supplement H—Nonresident Alien Individuals

Nonresident alien individuals.

Tax on.

SEC. 211. TAX ON NONRESIDENT ALIEN INDIVIDUALS.

No United States business or office.

(a) NO UNITED STATES BUSINESS OR OFFICE.—There shall be levied, collected, and paid for each taxable year, in lieu of the tax imposed by sections 11 and 12, upon the amount received, by every nonresident alien individual not engaged in trade or business within the United States and not having an office or place of business therein, from sources within the United States as interest (except interest on deposits with persons carrying on the banking business), dividends, rents, salaries, wages, premiums, annuities, compensations, remunerations, emoluments, or other fixed or determinable annual or periodical gains, profits, and income, a tax of 10 per centum of such amount, except that such rate shall be reduced, in the case of a resident of a contiguous country, to such rate (not less than 5 per centum) as may be provided by treaty with such country.

Ante, p. 1653.

Residents of contiguous countries.

Having business or office in United States.

(b) UNITED STATES BUSINESS OR OFFICE.—A nonresident alien individual engaged in trade or business in the United States or having an office or place of business therein shall be taxable without

regard to the provisions of subsection (a). As used in this section, section 119, section 143, section 144, and section 231, the phrase "engaged in trade or business within the United States" includes the performance of personal services within the United States at any time within the taxable year, but does not include the performance of personal services for a nonresident alien individual, foreign partnership, or foreign corporation, not engaged in trade or business within the United States, by a nonresident alien individual temporarily present in the United States for a period or periods not exceeding a total of ninety days during the taxable year and whose compensation for such services does not exceed in the aggregate $3,000. Such phrase does not include the effecting of transactions in the United States in stocks, securities, or commodities through a resident broker, commission agent, or custodian.

Term construed.
Ante, pp. 1693, 1700, 1702; *Post*, p. 1717.

Transactions through broker, etc.

SEC. 212. GROSS INCOME.

Gross income.

(a) GENERAL RULE.—In the case of a nonresident alien individual gross income includes only the gross income from sources within the United States.

From United States sources.

(b) SHIPS UNDER FOREIGN FLAG.—The income of a nonresident alien individual which consists exclusively of earnings derived from the operation of a ship or ships documented under the laws of a foreign country which grants an equivalent exemption to citizens of the United States and to corporations organized in the United States shall not be included in gross income and shall be exempt from taxation under this title.

Earnings from foreign ship operation exempt from taxation.

SEC. 213. DEDUCTIONS.

Deductions.

(a) GENERAL RULE.—In the case of a nonresident alien individual the deductions shall be allowed only if and to the extent that they are connected with income from sources within the United States; and the proper apportionment and allocation of the deductions with respect to sources of income within and without the United States shall be determined as provided in section 119, under rules and regulations prescribed by the Commissioner with the approval of the Secretary.

If connected with income from United States sources.

Ante, p. 1693.

(b) LOSSES.—

Losses.

(1) The deduction, for losses not connected with the trade or business if incurred in transactions entered into for profit, allowed by section 23 (e) (2) shall be allowed whether or not connected with income from sources within the United States, but only if the profit, if such transaction had resulted in a profit, would be taxable under this title.

Not connected with trade or business.

Ante, p. 1659.

(2) The deduction for losses of property not connected with the trade or business if arising from certain casualties or theft, allowed by section 23 (e) (3), shall be allowed whether or not connected with income from sources within the United States, but only if the loss is of property within the United States.

Casualty, etc., not connected with business.

(c) CHARITABLE, ETC., CONTRIBUTIONS.—The so-called "charitable contribution" deduction allowed by section 23 (o) shall be allowed whether or not connected with income from sources within the United States, but only as to contributions or gifts made to domestic corporations, or to community chests, funds, or foundations, created in the United States, or to the vocational rehabilitation fund.

Charitable, etc., contributions.
Ante, p. 1660.

SEC. 214. CREDITS AGAINST NET INCOME.

Credits against net income.

In the case of a nonresident alien individual the personal exemption allowed by section 25 (b) (1) of this title shall be only $1,000.

Personal exemption.
Ante, p. 1663.

Dependents, if residents of contiguous country.

The credit for dependents allowed by section 25 (b) (2) shall not be allowed in the case of a nonresident alien individual unless he is a resident of a contiguous country.

Allowance of deductions and credits.

SEC. 215. ALLOWANCE OF DEDUCTIONS AND CREDITS.

Filing return of total income from United States sources.

(a) RETURN TO CONTAIN INFORMATION.—A nonresident alien individual shall receive the benefit of the deductions and credits allowed to him in this title only by filing or causing to be filed with the collector a true and accurate return of his total income received from all sources in the United States, in the manner prescribed in this title; including therein all the information which the Commissioner may deem necessary for the calculation of such deductions and credits.

Personal exemption credits, etc., by filing claim with withholding agent.

(b) TAX WITHHELD AT SOURCE.—The benefit of the personal exemption and credit for dependents may, in the discretion of the Commissioner and under regulations prescribed by him with the approval of the Secretary, be received by a nonresident alien individual entitled thereto, by filing a claim therefore with the withholding agent.

Credits against tax.

SEC. 216. CREDITS AGAINST TAX.

No allowance for, of foreign governments.

Ante, p. 1696.

A nonresident alien individual shall not be allowed the credits against the tax for taxes of foreign countries and possessions of the United States allowed by section 131.

Returns.

SEC. 217. RETURNS.

Time for filing.

Ante, p. 1670.

(a) REQUIREMENT.—In the case of a nonresident alien individual the return, in lieu of the time prescribed in section 53 (a) (1), shall be made on or before the fifteenth day of the sixth month following the close of the fiscal year, or, if the return is made on the basis of the calendar year, then on or before the fifteenth day of June.

Exemption.

(b) EXEMPTION FROM REQUIREMENT.—Subject to such conditions, limitations, and exceptions and under such regulations as may be prescribed by the Commissioner, with the approval of the Secretary, nonresident alien individuals subject to the tax imposed by section 211 (a) may be exempted from the requirement of filing returns of such tax.

Ante, p. 1714.

Payment of tax.

SEC. 218. PAYMENT OF TAX.

Time designated.

Ante, p. 1672.

(a) TIME OF PAYMENT.—In the case of a nonresident alien individual the total amount of tax imposed by this title shall be paid, in lieu of the time prescribed in section 56 (a), on the fifteenth day of June following the close of the calendar year, or, if the return should be made on the basis of a fiscal year, then on the fifteenth day of the sixth month following the close of the fiscal year.

Withholding tax at source.

Ante, p. 1700.

(b) WITHHOLDING AT SOURCE.—For withholding at source of tax on income of nonresident aliens, see section 143.

Partnerships.

SEC. 219. PARTNERSHIPS.

Nonresident members of, considered as being engaged in business, etc., within United States.

For the purpose of this title, a nonresident alien individual shall be considered as being engaged in a trade or business within the United States if the partnership of which he is a member is so engaged and as having an office or place of business within the United States if the partnership of which he is a member has such an office or place of business.

Supplement I—Foreign Corporations

Foreign corporations.

SEC. 231. TAX ON FOREIGN CORPORATIONS.

Tax on foreign corporations.

(a) NONRESIDENT CORPORATIONS.—There shall be levied, collected, and paid for each taxable year, in lieu of the tax imposed by sections 13 and 14, upon the amount received by every foreign corporation not engaged in trade or business within the United States and not having an office or place of business therein, from sources within the United States as interest (except interest on deposits with persons carrying on the banking business), dividends, rents, salaries, wages, premiums, annuities, compensations, remunerations, emoluments, or other fixed or determinable annual or periodical gains, profits, and income, a tax of 15 per centum of such amount, except that in the case of dividends the rate shall be 10 per centum, and except that in the case of corporations organized under the laws of a contiguous country such rate of 10 per centum with respect to dividends shall be reduced to such rate (not less than 5 per centum) as may be provided by treaty with such country.

Nonresident corporations.
Ante, p. 1655.

(b) RESIDENT CORPORATIONS.—A foreign corporation engaged in trade or business within the United States or having an office or place of business therein shall be taxable without regard to the provisions of subsection (a), but the normal tax imposed by section 13 shall be at the rate of 22 per centum instead of at the rates provided in such section.

Resident corporations.

(c) UNDISTRIBUTED PROFITS SURTAX.—A foreign corporation shall not be subject to the surtax imposed by section 14.

Not subject to undistributed profits tax.
Ante, p. 1655.

(d) GROSS INCOME.—In the case of a foreign corporation gross income includes only the gross income from sources within the United States.

Gross income, from United States sources.

(e) SHIPS UNDER FOREIGN FLAG.—The income of a foreign corporation, which consists exclusively of earnings derived from the operation of a ship or ships documented under the laws of a foreign country which grants an equivalent exemption to citizens of the United States and to corporations organized in the United States, shall not be included in gross income and shall be exempt from taxation under this title.

Ships under foreign flag.
Conditional exemptions.

SEC. 232. DEDUCTIONS.

Deductions.

(a) IN GENERAL.—In the case of a foreign corporation the deductions shall be allowed only if and to the extent that they are connected with income from sources within the United States; and the proper apportionment and allocation of the deductions with respect to sources within and without the United States shall be determined as provided in section 119, under rules and regulations prescribed by the Commissioner with the approval of the Secretary.

On income from United States sources.

Apportionment, etc.
Ante, p. 1693.

(b) CHARITABLE, AND SO FORTH, CONTRIBUTIONS.—The so-called "charitable contribution" deduction allowed by section 23 (q) shall be allowed whether or not connected with income from sources within the United States.

Charitable, etc., contributions.
Ante, p. 1661.

SEC. 233. ALLOWANCE OF DEDUCTIONS AND CREDITS.

Allowance of deductions and credits.

A foreign corporation shall receive the benefit of the deductions and credits allowed to it in this title only by filing or causing to be filed with the collector a true and accurate return of its total income received from all sources in the United States, in the manner prescribed in this title; including therein all the information which the Commissioner may deem necessary for the calculation of such deductions and credits.

Benefit of, by filing return of all income from United States sources.

Credits against tax.

SEC. 234. CREDITS AGAINST TAX.

No allowance for, of foreign governments.

Foreign corporations shall not be allowed the credits against the tax for taxes of foreign countries and possessions of the United States allowed by section 131.

Ante, p. 1696.

Returns.

SEC. 235. RETURNS.

Time for filing.
Ante, p. 1670.

(a) TIME OF FILING.—In the case of a foreign corporation not having any office or place of business in the United States the return, in lieu of the time prescribed in section 53 (a) (1), shall be made on or before the fifteenth day of the sixth month following the close of the fiscal year, or, if the return is made on the basis of the calendar year then on or before the fifteenth day of June. If any foreign corporation has no office or place of business in the United States but has an agent in the United States, the return shall be made by the agent.

Returns by agent.

Exemption from requirement.

(b) EXEMPTION FROM REQUIREMENT.—Subject to such conditions, limitations, and exceptions and under such regulations as may be prescribed by the Commissioner, with the approval of the Secretary, corporations subject to the tax imposed by section 231 (a) may be exempted from the requirement of filing returns of such tax.

Ante, p. 1717.

Payment of tax.

SEC. 236. PAYMENT OF TAX.

Time specified.

(a) TIME OF PAYMENT.—In the case of a foreign corporation not having any office or place of business in the United States the total amount of tax imposed by this title shall be paid, in lieu of the time prescribed in section 56 (a), on the fifteenth day of June following the close of the calendar year, or, if the return should be made on the basis of a fiscal year, then on the fifteenth day of the sixth month following the close of the fiscal year.

Ante, p. 1672.

Withholding tax at source.
Ante, p. 1702.

(b) WITHHOLDING AT SOURCE.—For withholding at source of tax on income of foreign corporations, see section 144.

Foreign insurance companies.

SEC. 237. FOREIGN INSURANCE COMPANIES.

Special provisions.
Ante, p. 1710.

For special provisions relating to foreign insurance companies, see Supplement G.

Affiliation.

SEC. 238. AFFILIATION.

Not applicable to foreign corporations.
Ante, p. 1698.

A foreign corporation shall not be deemed to be affiliated with any other corporation within the meaning of section 141.

Possessions of the United States.

Supplement J—Possessions of the United States

Income from sources within.

SEC. 251. INCOME FROM SOURCES WITHIN POSSESSIONS OF UNITED STATES.

Gross income of citizens, etc.

(a) GENERAL RULE.—In the case of citizens of the United States or domestic corporations, satisfying the following conditions, gross income means only gross income from sources within the United States—

If 80 percent derived from United States possession sources.

(1) If 80 per centum or more of the gross income of such citizen or domestic corporation (computed without the benefit of this section), for the three-year period immediately preceding the close of the taxable year (or for such part of such period immediately preceding the close of such taxable year as may be applicable) was derived from sources within a possession of the United States; and

(2) If, in the case of such corporation, 50 per centum or more of its gross income (computed without the benefit of this section) for such period or such part thereof was derived from the active conduct of a trade or business within a possession of the United States; or

If corporation derived 50 percent from business therein.

(3) If, in case of such citizen, 50 per centum or more of his gross income (computed without the benefit of this section) for such period or such part thereof was derived from the active conduct of a trade or business within a possession of the United States either on his own account or as an employee or agent of another.

If citizen derived 50 percent from active business therein.

(b) AMOUNTS RECEIVED IN UNITED STATES.—Notwithstanding the provisions of subsection (a) there shall be included in gross income all amounts received by such citizens or corporations within the United States, whether derived from sources within or without the United States.

Amounts received in United States. Included in gross income.

(c) TAX IN CASE OF CORPORATIONS.—In the case of a domestic corporation entitled to the benefits of this section the normal tax imposed by section 13 shall be at the rate of 15 per centum instead of at the rates provided in such section, and such a corporation shall not be subject to the surtax imposed by section 14.

Domestic corporations, normal tax.

Ante, p. 1655.
Not subject to surtax.
Ante, p. 1655.

(d) DEFINITION.—As used in this section the term "possession of the United States" does not include the Virgin Islands of the United States.

Status of Virgin Islands.

(e) DEDUCTIONS.—

Deductions.

(1) Citizens of the United States entitled to the benefits of this section shall have the same deductions as are allowed by Supplement H in the case of a nonresident alien individual engaged in trade or business within the United States or having an office or place of business therein.

Citizens allowed same benefits as nonresidents.
Ante, p. 1714.

(2) Domestic corporations entitled to the benefits of this section shall have the same deductions as are allowed by Supplement I in the case of a foreign corporation engaged in trade or business within the United States or having an office or place of business therein.

Domestic corporations.
Ante, p. 1717.

(f) CREDITS AGAINST NET INCOME.—A citizen of the United States entitled to the benefits of this section shall be allowed a personal exemption of only $1,000 and shall not be allowed the credit for dependents provided in section 25 (b) (2).

Credits against net income; personal exemption.
Ante, p. 1663.

(g) ALLOWANCE OF DEDUCTIONS AND CREDITS.—Citizens of the United States and domestic corporations entitled to the benefits of this section shall receive the benefit of the deductions and credits allowed to them in this title only by filing or causing to be filed with the collector a true and accurate return of their total income received from all sources in the United States, in the manner prescribed in this title; including therein all the information which the Commissioner may deem necessary for the calculation of such deductions and credits.

Allowance of deductions and credits.

(h) CREDITS AGAINST TAX.—Persons entitled to the benefits of this section shall not be allowed the credits against the tax for taxes of foreign countries and possessions of the United States allowed by section 131.

Credits against tax.
No allowance for, of foreign countries.

(i) AFFILIATION.—A corporation entitled to the benefits of this section shall not be deemed to be affiliated with any other corporation within the meaning of section 141.

Affiliation.
Applicability to corporations.
Ante, p. 1698.

SEC. 252. CITIZENS OF POSSESSIONS OF UNITED STATES.

Citizens of possessions of United States.

(a) Any individual who is a citizen of any possession of the United States (but not otherwise a citizen of the United States) and who is not a resident of the United States, shall be subject to taxation under

Income subject to taxation.

this title only as to income derived from sources within the United States, and in such case the tax shall be computed and paid in the same manner and subject to the same conditions as in the case of other persons who are taxable only as to income derived from such sources.

Virgin Islands. Payment of taxes in, not affected. Vol. 42, p. 123.

(b) Nothing in this section shall be construed to alter or amend the provisions of the Act entitled "An Act making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes", approved July 12, 1921, relating to the imposition of income taxes in the Virgin Islands of the United States.

China Trade Act corporations.

Supplement K—China Trade Act Corporations

SEC. 261. TAXATION IN GENERAL.

Normal tax. *Ante*, p. 1655.

In the case of a corporation organized under the China Trade Act, 1922, the normal tax imposed by section 13 shall be at the rate of 15 per centum instead of at the rates provided in such section, and such a corporation shall not be subject to the surtax imposed by section 14.

Credit against net income. *Ante*, pp. 1019, 1655.

SEC. 262. CREDIT AGAINST NET INCOME.

(a) ALLOWANCE OF CREDIT.—For the purpose only of the taxes imposed by section 13 of this Act and section 106 of the Revenue Act of 1935 there shall be allowed, in the case of a corporation organized under the China Trade Act, 1922, in addition to the credits against net income otherwise allowed such corporation, a credit against the net income of an amount equal to the proportion of the net income derived from sources within China (determined in a similar manner to that provided in section 119) which the par value of the shares of stock of the corporation owned on the last day of the taxable year by (1) persons resident in China, the United States, or possessions of the United States, and (2) individual citizens of the United States or China wherever resident, bears to the par value of the whole number of shares of stock of the corporation outstanding on such date: *Provided*, That in no case shall the diminution, by reason of such credit, of the tax imposed by such section 13 (computed without regard to this section) exceed the amount of the special dividend certified under subsection (b) of this section; and in no case shall the diminution, by reason of such credit, of the tax imposed by such section 106 (computed without regard to this section) exceed the amount by which such special dividend exceeds the diminution permitted by this section in the tax imposed by such section 13.

Ante, p. 1693.

Proviso. Limitation. *Ante*, p. 1655.

Special dividend. Condition.

(b) SPECIAL DIVIDEND.—Such credit shall not be allowed unless the Secretary of Commerce has certified to the Commissioner—

Credit subject to special dividend to residents of China, etc.

(1) The amount which, during the year ending on the date fixed by law for filing the return, the corporation has distributed as a special dividend to or for the benefit of such persons as on the last day of the taxable year were resident in China, the United States, or possessions of the United States, or were individual citizens of the United States or China. and owned shares of stock of the corporation;

Additional to all other payments.

(2) That such special dividend was in addition to all other amounts, payable or to be payable to such persons or for their benefit, by reason of their interest in the corporation; and

Distribution proportionate to stock owned.

Exception.

(3) That such distribution has been made to or for the benefit of such persons in proportion to the par value of the shares of stock of the corporation owned by each; except that if the corporation has more than one class of stock, the certificates shall contain a statement that the articles of incorporation provide a

method for the apportionment of such special dividend among such persons, and that the amount certified has been distributed in accordance with the method so provided.

(c) OWNERSHIP OF STOCK.—For the purposes of this section shares of stock of a corporation shall be considered to be owned by the person in whom the equitable right to the income from such shares is in good faith vested. Stock ownership construed.

(d) DEFINITION OF CHINA.—As used in this section the term "China" shall have the same meaning as when used in the China Trade Act, 1922. "China" defined. Vol. 42, p. 849.

SEC. 263. CREDITS AGAINST THE TAX. Credits against tax.

A corporation organized under the China Trade Act, 1922, shall not be allowed the credits against the tax for taxes of foreign countries and possessions of the United States allowed by section 131. No allowance for, of foreign countries. *Ante*, p. 1696.

SEC. 264. AFFILIATION.

A corporation organized under the China Trade Act, 1922, shall not be deemed to be affiliated with any other corporation within the meaning of section 141. Affiliation.

SEC. 265. INCOME OF SHAREHOLDERS. Income of shareholders.

For exclusion of dividends from gross income, see section 116. Exclusion from gross income, p. 1689.

Supplement L—Assessment and Collection of Deficiencies Assessment and collection of deficiencies.

SEC. 271. DEFINITION OF DEFICIENCY.

As used in this title in respect of a tax imposed by this title "deficiency" means— "Deficiency" defined.

(a) The amount by which the tax imposed by this title exceeds the amount shown as the tax by the taxpayer upon his return; but the amount so shown on the return shall first be increased by the amounts previously assessed (or collected without assessment) as a deficiency, and decreased by the amounts previously abated, credited, refunded, or otherwise repaid in respect of such tax; or

(b) If no amount is shown as the tax by the taxpayer upon his return, or if no return is made by the taxpayer, then the amount by which the tax exceeds the amounts previously assessed (or collected without assessment) as a deficiency; but such amounts previously assessed, or collected without assessment, shall first be decreased by the amounts previously abated, credited, refunded, or otherwise repaid in respect of such tax.

SEC. 272. PROCEDURE IN GENERAL. Procedure in general.

(a) PETITION TO BOARD OF TAX APPEALS.—If in the case of any taxpayer, the Commissioner determines that there is a deficiency in respect of the tax imposed by this title, the Commissioner is authorized to send notice of such deficiency to the taxpayer by registered mail. Within ninety days after such notice is mailed (not counting Sunday or a legal holiday in the District of Columbia as the ninetieth day), the taxpayer may file a petition with the Board of Tax Appeals for a redetermination of the deficiency. No assessment of a deficiency in respect of the tax imposed by this title and no distraint or proceeding in court for its collection shall be made, begun, or prosecuted until such notice has been mailed to the taxpayer, nor until the expiration of such ninety-day period, nor, if a petition has been filed with the Board, until the decision of the Board has Notice of deficiency to taxpayer. Petition to Board of Tax Appeals for redetermination. No assessment until notice mailed to taxpayer. If petition filed.

Injunction to restrain assessment.
R. S., sec. 3224, p. 619.
U. S. C., p. 1193.

become final. Notwithstanding the provisions of section 3224 of the Revised Statutes the making of such assessment or the beginning of such proceeding or distraint during the time such prohibition is in force may be enjoined by a proceeding in the proper court.

Exceptions to restrictions.
Waivers.

For exceptions to the restrictions imposed by this subsection, see—

(1) Subsection (d) of this section, relating to waivers by the taxpayer;

Errors.

(2) Subsection (f) of this section, relating to notifications of mathematical errors appearing upon the face of the return;

Jeopardy assessments, p. 1723.
Bankruptcy, etc., p. 1725.
Assessment, etc., of deficiency.
Vol. 44, p. 109.

(3) Section 273, relating to jeopardy assessments;

(4) Section 274, relating to bankruptcy and receiverships; and

(5) Section 1001 of the Revenue Act of 1926, as amended, relating to assessment or collection of the amount of the deficiency determined by the Board pending court review.

Collection of deficiency found by Board.

(b) COLLECTION OF DEFICIENCY FOUND BY BOARD.—If the taxpayer files a petition with the Board, the entire amount redetermined as the deficiency by the decision of the Board which has become final shall be assessed and shall be paid upon notice and demand from the collector. No part of the amount determined as a deficiency by the Commissioner but disallowed as such by the decision of the Board which has become final shall be assessed or be collected by distraint or by proceeding in court with or without assessment.

Payment on demand if petition not filed.

(c) FAILURE TO FILE PETITION.—If the taxpayer does not file a petition with the Board within the time prescribed in subsection (a) of this section, the deficiency, notice of which has been mailed to the taxpayer, shall be assessed, and shall be paid upon notice and demand from the collector.

Waiver of restrictions by taxpayer.

(d) WAIVER OF RESTRICTIONS.—The taxpayer shall at any time have the right, by a signed notice in writing filed with the Commissioner, to waive the restrictions provided in subsection (a) of this section on the assessment and collection of the whole or any part of the deficiency.

Increase of deficiency after notice mailed.

(e) INCREASE OF DEFICIENCY AFTER NOTICE MAILED.—The Board shall have jurisdiction to redetermine the correct amount of the deficiency even if the amount so redetermined is greater than the amount of the deficiency, notice of which has been mailed to the taxpayer, and to determine whether any penalty, additional amount or addition to the tax should be assessed—if claim therefor is asserted by the Commissioner at or before the hearing or a rehearing.

Condition.

Restriction on determining deficiency after notice.

(f) FURTHER DEFICIENCY LETTERS RESTRICTED.—If the Commissioner has mailed to the taxpayer notice of a deficiency as provided in subsection (a) of this section, and the taxpayer files a petition with the Board within the time prescribed in such subsection, the Commissioner shall have no right to determine any additional deficiency in respect of the same taxable year, except in the case of fraud, and except as provided in subsection (e) of this section, relating to assertion of greater deficiencies before the Board, or in section 273 (c), relating to the making of jeopardy assessments. If the taxpayer is notified that, on account of a mathematical error appearing upon the face of the return, an amount of tax in excess of that shown upon the return is due, and that an assessment of the tax has been or will be made on the basis of what would have been the correct amount of tax but for the mathematical error, such notice shall not be considered (for the purposes of this subsection, or of subsection (a) of this section, prohibiting assessment and collection until notice of deficiency has been mailed, or of section 322 (c), prohibiting credits or refunds after petition to the Board of Tax Appeals) as a notice of a deficiency, and the taxpayer shall have no right to file a petition with the Board based on such notice, nor shall such assess-

Exceptions.
Post, p. 1723.
Mathematical error, not a notice of deficiency.

Credits or refunds.
Post, p. 1731.

ment or collection be prohibited by the provisions of subsection (a) of this section.

Jurisdiction over other taxable years.

(g) JURISDICTION OVER OTHER TAXABLE YEARS.—The Board in redetermining a deficiency in respect of any taxable year shall consider such facts with relation to the taxes for other taxable years as may be necessary correctly to redetermine the amount of such deficiency, but in so doing shall have no jurisdiction to determine whether or not the tax for any other taxable year has been overpaid or underpaid.

Final decisions of Board.
Vol. 44, p. 110.

(h) FINAL DECISIONS OF BOARD.—For the purposes of this title the date on which a decision of the Board becomes final shall be determined according to the provisions of section 1005 of the Revenue Act of 1926.

Prorating of deficiency to installments.

(i) PRORATING OF DEFICIENCY TO INSTALLMENTS.—If the taxpayer has elected to pay the tax in installments and a deficiency has been assessed, the deficiency shall be prorated to the four installments. Except as provided in section 273 (relating to jeopardy assessments), that part of the deficiency so prorated to any installment the date for payment of which has not arrived, shall be collected at the same time as and as part of such installment. That part of the deficiency so prorated to any installment the date for payment of which has arrived, shall be paid upon notice and demand from the collector.

Extension for payments allowed, to avoid undue hardship.

(j) EXTENSION OF TIME FOR PAYMENT OF DEFICIENCIES.—Where it is shown to the satisfaction of the Commissioner that the payment of a deficiency upon the date prescribed for the payment thereof will result in undue hardship to the taxpayer the Commissioner, with the approval of the Secretary (except where the deficiency is due to negligence, to intentional disregard of rules and regulations, or to fraud with intent to evade tax), may grant an extension for the payment of such deficiency or any part thereof for a period not in excess of eighteen months, and, in exceptional cases, for a further period not in excess of twelve months. If an extension is granted, the Commissioner may require the taxpayer to furnish a bond in such amount, not exceeding double the amount of the deficiency, and with such sureties, as the Commissioner deems necessary, conditioned upon the payment of the deficiency in accordance with the terms of the extension.

Bond required.

Address for notice of deficiency.
Post, p. 1730.

(k) ADDRESS FOR NOTICE OF DEFICIENCY.—In the absence of notice to the Commissioner under section 312 (a) of the existence of a fiduciary relationship, notice of a deficiency in respect of a tax imposed by this title, if mailed to the taxpayer at his last known address, shall be sufficient for the purposes of this title even if such taxpayer is deceased, or is under a legal disability, or, in the case of a corporation, has terminated its existence.

Jeopardy assessments.

SEC. 273. JEOPARDY ASSESSMENTS.

Immediate assessment of deficiency if jeopardized by delay.

(a) AUTHORITY FOR MAKING.—If the Commissioner believes that the assessment or collection of a deficiency will be jeopardized by delay, he shall immediately assess such deficiency (together with all interest, additional amounts, or additions to the tax provided for by law) and notice and demand shall be made by the collector for the payment thereof.

Deficiency letters.
Notice to be mailed.
Ante, p. 1721.

(b) DEFICIENCY LETTERS.—If the jeopardy assessment is made before any notice in respect of the tax to which the jeopardy assessment relates has been mailed under section 272 (a), then the Commissioner shall mail a notice under such subsection within sixty days after the making of the assessment.

Amount assessable before Board's decision.

Ante, p. 1722.

(c) AMOUNT ASSESSABLE BEFORE DECISION OF BOARD.—The jeopardy assessment may be made in respect of a deficiency greater or less than that notice of which has been mailed to the taxpayer, despite the provisions of section 272 (f) prohibiting the determination of additional deficiencies, and whether or not the taxpayer has theretofore filed a petition with the Board of Tax Appeals. The Commissioner shall notify the Board of the amount of such assessment, if the petition is filed with the Board before the making of the assessment or is subsequently filed, and the Board shall have jurisdiction to redetermine the entire amount of the deficiency and of all amounts assessed at the same time in connection therewith.

Board to redetermine on notice.

Amount assessable after decision of Board.

(d) AMOUNT ASSESSABLE AFTER DECISION OF BOARD.—If the jeopardy assessment is made after the decisison of the Board is rendered such assessment may be made only in respect of the deficiency determined by the Board in its decision.

Expiration of right to assess.

(e) EXPIRATION OF RIGHT TO ASSESS.—A jeopardy assessment may not be made after the decision of the Board has become final or after the taxpayer has filed a petition for review of the decision of the Board.

Bond to stay collection.

(f) BOND TO STAY COLLECTION.—When a jeopardy assessment has been made the taxpayer, within 10 days after notice and demand from the collector for the payment of the amount of the assessment, may obtain a stay of collection of the whole or any part of the amount of the assessment by filing with the collector a bond in such amount, not exceeding double the amount as to which the stay is desired, and with such sureties, as the collector deems necessary, conditioned upon the payment of so much of the amount, the collection of which is stayed by the bond, as is not abated by a decision of the Board which has become final, together with interest thereon as provided in section 297.

Conditions.

Post, p. 1728.

Further conditions, if bond given before filing petition.

Ante, p. 1721.

(g) SAME—FURTHER CONDITIONS.—If the bond is given before the taxpayer has filed his petition with the Board under section 272 (a), the bond shall contain a further condition that if a petition is not filed within the period provided in such subsection, then the amount the collection of which is stayed by the bond will be paid on notice and demand at any time after the expiration of such period, together with interest thereon at the rate of 6 per centum per annum from the date of the jeopardy notice and demand to the date of notice and demand under this subsection.

Stay of collection of part covered by bond.

Effect of waiver of stay, etc.

(h) WAIVER OF STAY.—Upon the filing of the bond the collection of so much of the amount assessed as is covered by the bond shall be stayed. The taxpayer shall have the right to waive such stay at any time in respect of the whole or any part of the amount covered by the bond, and if as a result of such waiver any part of the amount covered by the bond is paid, then the bond shall, at the request of the taxpayer, be proportionately reduced. If the Board determines that the amount assessed is greater than the amount which should have been assessed, then when the decision of the Board is rendered the bond shall, at the request of the taxpayer, be proportionately reduced.

Collection of unpaid amounts when decision of Board final.

Credit or refund.

(i) COLLECTION OF UNPAID AMOUNTS.—When the petition has been filed with the Board and when the amount which should have been assessed has been determined by a decision of the Board which has become final, then any unpaid portion, the collection of which has been stayed by the bond, shall be collected as part of the tax upon notice and demand from the collector, and any remaining portion of the assessment shall be abated. If the amount already collected exceeds the amount determined as the amount which should have been assessed, such excess shall be credited or refunded to the

taxpayer as provided in section 322, without the filing of claim therefor. If the amount determined as the amount which should have been assessed is greater than the amount actually assessed, then the difference shall be assessed and shall be collected as part of the tax upon notice and demand from the collector.

Post, p. 1731.

Collection of greater assessment.

(j) CLAIMS IN ABATEMENT.—No claim in abatement shall be filed in respect of any assessment in respect of any tax imposed by this title.

No claim in abatement to be filed.

SEC. 274. BANKRUPTCY AND RECEIVERSHIPS.

Bankruptcy and receiverships.

(a) IMMEDIATE ASSESSMENT.—Upon the adjudication of bankruptcy of any taxpayer in any bankruptcy proceeding or the appointment of a receiver for any taxpayer in any receivership proceeding before any court of the United States or of any State or Territory or of the District of Columbia, any deficiency (together with all interest, additional amounts, or additions to the tax provided for by law) determined by the Commissioner in respect of a tax imposed by this title upon such taxpayer shall, despite the restrictions imposed by section 272 (a) upon assessments be immediately assessed if such deficiency has not theretofore been assessed in accordance with law. In such cases the trustee in bankruptcy or receiver shall give notice in writing to the Commissioner of the adjudication of bankruptcy or the appointment of the receiver, and the running of the statute of limitations on the making of assessments shall be suspended for the period from the date of adjudication in bankruptcy or the appointment of the receiver to a date 30 days after the date upon which the notice from the trustee or receiver is received by the Commissioner; but the suspension under this sentence shall in no case be for a period in excess of two years. Claims for the deficiency and such interest, additional amounts and additions to the tax may be presented, for adjudication in accordance with law, to the court before which the bankruptcy or receivership proceeding is pending, despite the pendency of proceedings for the redetermination of the deficiency in pursuance of a petition to the Board; but no petition for any such redetermination shall be filed with the Board after the adjudication of bankruptcy or the appointment of the receiver.

Immediate assessment of tax deficiency in.

Notice of adjudication.

Presentation of claim.

(b) UNPAID CLAIMS.—Any portion of the claim allowed in such bankruptcy or receivership proceeding which is unpaid shall be paid by the taxpayer upon notice and demand from the collector after the termination of such proceeding, and may be collected by distraint or proceeding in court within six years after termination of such proceeding. Extensions of time for such payment may be had in the same manner and subject to the same provisions and limitations as are provided in section 272 (j) and section 296 in the case of a deficiency in a tax imposed by this title.

Unpaid claims. Collection of.

Time extensions.

Ante, p. 1723; *Post*, p. 1728.

SEC. 275. PERIOD OF LIMITATION UPON ASSESSMENT AND COLLECTION.

Period of limitation upon assessment and collection.

Except as provided in section 276—

Post, p. 1726.

(a) GENERAL RULE.—The amount of income taxes imposed by this title shall be assessed within three years after the return was filed, and no proceeding in court without assessment for the collection of such taxes shall be begun after the expiration of such period.

Assessment within three years.

(b) REQUEST FOR PROMPT ASSESSMENT.—In the case of income received during the lifetime of a decedent, or by his estate during the period of administration, or by a corporation, the tax shall be assessed, and any proceeding in court without assessment for the collection of such tax shall be begun, within eighteen months after written request therefor (filed after the return is made) by the

Request for prompt assessment by fiduciary representatives, etc.

Corporations.

executor, administrator, or other fiduciary representing the estate of such decedent, or by the corporation, but not after the expiration of three years after the return was filed. This subsection shall not apply in the case of a corporation unless—

Exceptions.

Dissolution contemplated.

(1) Such written request notifies the Commissioner that the corporation contemplates dissolution at or before the expiration of such 18 months' period; and

Dissolution begun before expiration of 18 months' period.

(2) The dissolution is in good faith begun before the expiration of such 18 months' period; and

Dissolution completed.

(3) The dissolution is completed.

Omission of amount in excess of 25 percent of gross income.

(c) OMISSION FROM GROSS INCOME.—If the taxpayer omits from gross income an amount properly includible therein which is in excess of 25 per centum of the amount of gross income stated in the return, the tax may be assessed, or a proceeding in court for the collection of such tax may be begun without assessment, at any time within 5 years after the return was filed.

Assessment in five years, after return filed.

Time prescribed for filing.

(d) For the purposes of subsections (a), (b), and (c), a return filed before the last day prescribed by law for the filing thereof shall be considered as filed on such last day.

Corporation and shareholder.

(e) CORPORATION AND SHAREHOLDER.—If a corporation makes no return of the tax imposed by this title, but each of the shareholders includes in his return his distributive share of the net income of the corporation, then the tax of the corporation shall be assessed within four years after the last date on which any such shareholder's return was filed.

Exceptions.

SEC. 276. SAME—EXCEPTIONS.

False return or no return.

Assessment in case of.

(a) FALSE RETURN OR NO RETURN.—In the case of a false or fraudulent return with intent to evade tax or of a failure to file a return the tax may be assessed, or a proceeding in court for the collection of such tax may be begun without assessment, at any time.

Waiver.

(b) WAIVER.—Where before the expiration of the time prescribed in section 275 for the assessment of the tax, both the Commissioner and the taxpayer have consented in writing to its assessment after such time, the tax may be assessed at any time prior to the expiration of the period agreed upon. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.

Collection after assessment.

(c) COLLECTION AFTER ASSESSMENT.—Where the assessment of any income tax imposed by this title has been made within the period of limitation properly applicable thereto, such tax may be collected by distraint or by a proceeding in court, but only if begun (1) within six years after the assessment of the tax, or (2) prior to the expiration of any period for collection agreed upon in writing by the Commissioner and the taxpayer before the expiration of such six-year period. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.

By distraint, etc.; time limit.

Extension.

Statute of limitations.

SEC. 277. SUSPENSION OF RUNNING OF STATUTE.

Suspension of running of.

The running of the statute of limitations provided in section 275 or 276 on the making of assessments and the beginning of distraint or a proceeding in court for collection, in respect of any deficiency, shall (after the mailing of a notice under section 272 (a)) be suspended for the period during which the Commissioner is prohibited from making the assessment or beginning distraint or a proceeding in court (and in any event, if a proceeding in respect of the deficiency is placed on the docket of the Board, until the decision of the Board becomes final), and for sixty days thereafter.

Ante, p. 1725.

Supplement M—Interest and Additions to the Tax

Interest and additions to tax.

SEC. 291. FAILURE TO FILE RETURN.

Failure to file return.

In case of any failure to make and file return required by this title, within the time prescribed by law or prescribed by the Commissioner in pursuance of law, unless it is shown that such failure is due to reasonable cause and not due to willful neglect, there shall be added to the tax: 5 per centum if the failure is for not more than thirty days with an additional 5 per centum for each additional thirty days or fraction thereof during which such failure continues, not exceeding 25 per centum in the aggregate. The amount so added to any tax shall be collected at the same time and in the same manner and as a part of the tax unless the tax has been paid before the discovery of the neglect, in which case the amount so added shall be collected in the same manner as the tax. The amount added to the tax under this section shall be in lieu of the 25 per centum addition to the tax provided in section 3176 of the Revised Statutes, as amended.

Additional tax imposed.

Exception.
If failure not willful neglect.

Collection.

In lieu of former levy.
R. S., sec. 3176, p. 610.
U. S. C., p. 1190.

SEC. 292. INTEREST ON DEFICIENCIES.

Interest on deficiencies.

Interest upon the amount determined as a deficiency shall be assessed at the same time as the deficiency, shall be paid upon notice and demand from the collector, and shall be collected as a part of the tax, at the rate of 6 per centum per annum from the date prescribed for the payment of the tax (or, if the tax is paid in installments, from the date prescribed for the payment of the first installment) to the date the deficiency is assessed, or, in the case of a waiver under section 272 (d), to the thirtieth day after the filing of such waiver or to the date the deficiency is assessed whichever is the earlier.

Assessment and rate.

In case of waiver.
Ante, p. 1722.

SEC. 293. ADDITIONS TO THE TAX IN CASE OF DEFICIENCY.

Additions to tax in case of deficiency.

(a) NEGLIGENCE.—If any part of any deficiency is due to negligence, or intentional disregard of rules and regulations but without intent to defraud, 5 per centum of the total amount of the deficiency (in addition to such deficiency) shall be assessed, collected, and paid in the same manner as if it were a deficiency, except that the provisions of section 272 (i), relating to the prorating of a deficiency, and of section 292, relating to interest on deficiencies, shall not be applicable.

If due to negligence.

Ante, p. 1723.

(b) FRAUD.—If any part of any deficiency is due to fraud with intent to evade tax, then 50 per centum of the total amount of the deficiency (in addition to such deficiency) shall be so assessed, collected, and paid, in lieu of the 50 per centum addition to the tax provided in section 3176 of the Revised Statutes, as amended.

Fraud.

SEC. 294. ADDITIONS TO THE TAX IN CASE OF NONPAYMENT.

Additions to tax in case of nonpayment.

(a) TAX SHOWN ON RETURN.—

(1) GENERAL RULE.—Where the amount determined by the taxpayer as the tax imposed by this title, or any installment thereof, or any part of such amount or installment, is not paid on or before the date prescribed for its payment, there shall be collected as a part of the tax, interest upon such unpaid amount at the rate of 6 per centum per annum from the date prescribed for its payment until it is paid.

Interest.

(2) IF EXTENSION GRANTED.—Where an extension of time for payment of the amount so determined as the tax by the taxpayer, or any installment thereof, has been granted, and the amount the

If tax and interest not paid in full when extension granted.

time for payment of which has been extended, and the interest thereon determined under section 295, is not paid in full prior to the expiration of the period of the extension, then, in lieu of the interest provided for in paragraph (1) of this subsection, interest at the rate of 6 per centum per annum shall be collected on such unpaid amount from the date of the expiration of the period of the extension until it is paid.

Interest, if deficiency, etc., not paid on notice and demand. *Ante*, p. 1727.

(b) DEFICIENCY.—Where a deficiency, or any interest or additional amounts assessed in connection therewith under section 292, or under section 293, or any addition to the tax in case of delinquency provided for in section 291, is not paid in full within ten days from the date of notice and demand from the collector, there shall be collected as part of the tax, interest upon the unpaid amount at the rate of 6 per centum per annum from the date of such notice and demand until it is paid. If any part of a deficiency prorated to any unpaid installment under section 272 (i) is not paid in full on or before the date prescribed for the payment of such installment, there shall be collected as part of the tax interest upon the unpaid amount at the rate of 6 per centum per annum from such date until it is paid.

Nonpayment of prorated installment. *Ante*, p. 1723.

Interest rate payable by fiduciaries.

(c) FIDUCIARIES.—For any period an estate is held by a fiduciary appointed by order of any court of competent jurisdiction or by will, there shall be collected interest at the rate of 6 per centum per annum in lieu of the interest provided in subsections (a) and (b) of this section.

Not applicable to amount covered by jeopardy bond. *Ante*, p. 1723.

(d) FILING OF JEOPARDY BOND.—If a bond is filed, as provided in section 273, the provisions of subsections (b) and (c) of this section shall not apply to the amount covered by the bond.

Time extended for payment of tax shown on return.

SEC. 295. TIME EXTENDED FOR PAYMENT OF TAX SHOWN ON RETURN.

Interest.

If the time for payment of the amount determined as the tax by the taxpayer, or any installment thereof, is extended under the authority of section 56 (c), there shall be collected as a part of such amount, interest thereon at the rate of 6 per centum per annum from the date when such payment should have been made if no extension had been granted, until the expiration of the period of the extension.

Ante, p. 1672.

Time extended for paying deficiency.

SEC. 296. TIME EXTENDED FOR PAYMENT OF DEFICIENCY.

Interest for period of extension.

If the time for the payment of any part of a deficiency is extended, there shall be collected, as a part of the tax, interest on the part of the deficiency the time for payment of which is so extended, at the rate of 6 per centum per annum for the period of the extension, and no other interest shall be collected on such part of the deficiency for such period. If the part of the deficiency the time for payment of which is so extended is not paid in accordance with the terms of the extension, there shall be collected, as a part of the tax, interest on such unpaid amount at the rate of 6 per centum per annum for the period from the time fixed by the terms of the extension for its payment until it is paid, and no other interest shall be collected on such unpaid amount for such period.

Additional, if not paid.

Interest on jeopardy assessments.

SEC. 297. INTEREST IN CASE OF JEOPARDY ASSESSMENTS.

Rate of, on amount collected. *Ante*, p. 1724.

In the case of the amount collected under section 273 (i) there shall be collected at the same time as such amount, and as a part of the tax, interest at the rate of 6 per centum per annum upon such amount from the date of the jeopardy notice and demand to the date of notice and demand under section 273 (i), or, in the case

of the amount collected in excess of the amount of the jeopardy assessment, interest as provided in section 292. If the amount included in the notice and demand from the collector under section 273 (i) is not paid in full within ten days after such notice and demand, then there shall be collected, as part of the tax, interest upon the unpaid amount at the rate of 6 per centum per annum (or, for any period the estate of the taxpayer is held by a fiduciary appointed by any court of competent jurisdiction or by will, at the rate of 6 per centum per annum) from the date of such notice and demand until it is paid.

Additional, if amount of deficiency not paid in full.

SEC. 298. BANKRUPTCY AND RECEIVERSHIPS.

Bankruptcy and receiverships.

If the unpaid portion of the claim allowed in a bankruptcy or receivership proceeding, as provided in section 274, is not paid in full within ten days from the date of notice and demand from the collector, then there shall be collected as a part of such amount interest upon the unpaid portion thereof at the rate of 6 per centum per annum from the date of such notice and demand until payment.

Interest, if not paid on demand.
Ante, p. 1725.

SEC. 299. REMOVAL OF PROPERTY OR DEPARTURE FROM UNITED STATES.

Removal of property, etc.

For additions to tax in case of leaving the United States or concealing property in such manner as to hinder collection of the tax, see section 146.

Additions to tax for, etc.
Ante, p. 1703.

Supplement N—Claims against Transferees and Fiduciaries

Claims against transferees and fiduciaries.

SEC. 311. TRANSFERRED ASSETS.

Transferred assets.

(a) METHOD OF COLLECTION.—The amounts of the following liabilities shall, except as hereinafter in this section provided, be assessed, collected, and paid in the same manner and subject to the same provisions and limitations as in the case of a deficiency in a tax imposed by this title (including the provisions in case of delinquency in payment after notice and demand, the provisions authorizing distraint and proceedings in court for collection, and the provisions prohibiting claims and suits for refunds):

Method of collection.

(1) TRANSFEREES.—The liability, at law or in equity, of a transferee of property of a taxpayer, in respect of the tax (including interest, additional amounts, and additions to the tax provided by law) imposed upon the taxpayer by this title.

Transferees.

(2) FIDUCIARIES.—The liability of a fiduciary under section 3467 of the Revised Statutes in respect of the payment of any such tax from the estate of the taxpayer.

Fiduciaries.
R. S., sec. 3467, p. 687.
U. S. C., p. 1367.

Any such liability may be either as to the amount of tax shown on the return or as to any deficiency in tax.

Determination of amount.

(b) PERIOD OF LIMITATION.—The period of limitation for assessment of any such liability of a transferee or fiduciary shall be as follows:

Period of limitation.

(1) In the case of the liability of an initial transferee of the property of the taxpayer,—within one year after the expiration of the period of limitation for assessment against the taxpayer;

When initial transferee liable.

(2) In the case of the liability of a transferee of a transferee of the property of the taxpayer,—within one year after the expiration of the period of limitation for assessment against the preceding transferee, but only if within three years after the expiration of the period of limitation for assessment against the taxpayer;—

Transferee of a transferee liable.

except that if before the expiration of the period of limitation for the assessment of the liability of the transferee, a court proceeding for the collection of the tax or liability in respect thereof has been

Exception.

begun against the taxpayer or last preceding transferee, respectively,—then the period of limitation for assessment of the liability of the transferee shall expire one year after the return of execution in the court proceeding.

Where fiduciary liable.

(3) In the case of the liability of a fiduciary,—not later than one year after the liability arises or not later than the expiration of the period for collection of the tax in respect of which such liability arises, whichever is the later.

Provisions on death of taxpayer or terminated corporation.

(c) PERIOD FOR ASSESSMENT AGAINST TAXPAYER.—For the purposes of this section, if the taxpayer is deceased, or in the case of a corporation, has terminated its existence, the period of limitation for assessment against the taxpayer shall be the period that would be in effect had death or termination of existence not occurred.

Suspension of running of statute of limitations, after notice mailed, etc.

(d) SUSPENSION OF RUNNING OF STATUTE OF LIMITATIONS.—The running of the statute of limitations upon the assessment of the liability of a transferee or fiduciary shall, after the mailing to the transferee or fiduciary of the notice provided for in section 272 (a), be suspended for the period during which the Commissioner is prohibited from making the assessment in respect of the liability of the transferee or fiduciary (and in any event, if a proceeding in respect of the liability is placed on the docket of the Board, until the decision of the Board becomes final), and for sixty days thereafter.

Ante, p. 1721.

Address for notice of liability.

(e) ADDRESS FOR NOTICE OF LIABILITY.—In the absence of notice to the Commissioner under section 312 (b) of the existence of a fiduciary relationship, notice of liability enforceable under this section in respect of a tax imposed by this title, if mailed to the person subject to the liability at his last known address, shall be sufficient for the purposes of this title even if such person is deceased, or is under a legal disability, or, in the case of a corporation, has terminated its existence.

"Transferee" defined.

(f) DEFINITION OF "TRANSFEREE".—As used in this section, the term "transferee" includes heir, legatee, devisee, and distributee.

Fiduciary relationship.

SEC. 312. NOTICE OF FIDUCIARY RELATIONSHIP.

Liability of fiduciary until termination of.

(a) FIDUCIARY OF TAXPAYER.—Upon notice to the Commissioner that any person is acting in a fiduciary capacity such fiduciary shall assume the powers, rights, duties, and privileges of the taxpayer in respect of a tax imposed by this title (except as otherwise specifically provided and except that the tax shall be collected from the estate of the taxpayer), until notice is given that the fiduciary capacity has terminated.

Powers assumed by fiduciary of transferee.

(b) FIDUCIARY OF TRANSFEREE.—Upon notice to the Commissioner that any person is acting in a fiduciary capacity for a person subject to the liability specified in section 311, the fiduciary shall assume, on behalf of such person, the powers, rights, duties, and privileges of such person under such section (except that the liability shall be collected from the estate of such person), until notice is given that the fiduciary capacity has terminated.

Manner of notice.

(c) MANNER OF NOTICE.—Notice under subsection (a) or (b) shall be given in accordance with regulations prescribed by the Commissioner with the approval of the Secretary.

Overpayments.

Supplement O—Overpayments

Of installment.

SEC. 321. OVERPAYMENT OF INSTALLMENT.

Credit, if installment payment exceeds correct amount.

If the taxpayer has paid as an installment of the tax more than the amount determined to be the correct amount of such installment, the overpayment shall be credited against the unpaid installments,

if any. If the amount already paid, whether or not on the basis of installments, exceeds the amount determined to be the correct amount of the tax, the overpayment shall be credited or refunded as provided in section 322.

Credit or refund for amount already paid.

SEC. 322. REFUNDS AND CREDITS.

Refunds and credits.

(a) AUTHORIZATION.—Where there has been an overpayment of any tax imposed by this title, the amount of such overpayment shall be credited against any income, war-profits, or excess-profits tax or installment thereof then due from the taxpayer, and any balance shall be refunded immediately to the taxpayer.

Credit against tax then due.

Refund of balance.

(b) LIMITATION ON ALLOWANCE.—

Limitation on allowance.

(1) PERIOD OF LIMITATION.—Unless a claim for credit or refund is filed by the taxpayer within three years from the time the return was filed by the taxpayer or within two years from the time the tax was paid, no credit or refund shall be allowed or made after the expiration of whichever of such periods expires the later. If no return is filed by the taxpayer, then no credit or refund shall be allowed or made after two years from the time the tax was paid, unless before the expiration of such period a claim therefor is filed by the taxpayer.

Period of.

(2) LIMIT ON AMOUNT OF CREDIT OR REFUND.—The amount of the credit or refund shall not exceed the portion of the tax paid during the three years immediately preceding the filing of the claim, or, if no claim was filed, then during the three years immediately preceding the allowance of the credit or refund.

Credit or refund limited.

(c) EFFECT OF PETITION TO BOARD.—If the Commissioner has mailed to the taxpayer a notice of deficiency under section 272 (a) and if the taxpayer files a petition with the Board of Tax Appeals within the time prescribed in such subsection, no credit or refund in respect of the tax for the taxable year in respect of which the Commissioner has determined the deficiency shall be allowed or made and no suit by the taxpayer for the recovery of any part of such tax shall be instituted in any court except—

Petition to Board of Tax Appeals; effect of. *Ante*, p. 1721.

Exceptions.

(1) As to overpayments determined by a decision of the Board which has become final; and

Overpayments.

(2) As to any amount collected in excess of an amount computed in accordance with the decision of the Board which has become final; and

Excess collections.

(3) As to any amount collected after the period of limitation upon the beginning of distraint or a proceeding in court for collection has expired; but in any such claim for credit or refund or in any such suit for refund the decision of the Board which has become final, as to whether such period has expired before the notice of deficiency was mailed, shall be conclusive.

Collections after period of limitations.

(d) OVERPAYMENT FOUND BY BOARD.—If the Board finds that there is no deficiency and further finds that the taxpayer has made an overpayment of tax in respect of the taxable year in respect of which the Commissioner determined the deficiency, the Board shall have jurisdiction to determine the amount of such overpayment, and such amount shall, when the decision of the Board has become final, be credited or refunded to the taxpayer. No such credit or refund shall be made of any portion of the tax unless the Board determines as part of its decision that it was paid within three years before the filing of the claim or the filing of the petition, whichever is earlier.

Overpayment found by Board.

Credit or refund.

(e) TAX WITHHELD AT SOURCE.—For refund or credit in case of excessive withholding at the source, see section 143 (f).

Tax withheld at source. *Ante*, p. 1702.

Title IA—Additional Income Taxes.

TITLE IA—ADDITIONAL INCOME TAXES

Surtax on personal holding companies.

SEC. 351. SURTAX ON PERSONAL HOLDING COMPANIES.

Rates imposed.

(a) IMPOSITION OF TAX.—There shall be levied, collected, and paid, for each taxable year (in addition to the taxes imposed by Title I), upon the undistributed adjusted net income of every personal holding company a surtax equal to the sum of the following:

(1) 8 per centum of the amount thereof not in excess of $2,000; plus

(2) 18 per centum of the amount thereof in excess of $2,000 and not in excess of $100,000; plus

(3) 28 per centum of the amount thereof in excess of $100,000 and not in excess of $500,000; plus

(4) 38 per centum of the amount thereof in excess of $500,000 and not in excess of $1,000,000; plus

(5) 48 per centum of the amount thereof in excess of $1,000,000.

Definitions.

(b) DEFINITIONS.—As used in this title—

"Personal holding company." *Ante*, pp. 1673, 1677.

(1) The term "personal holding company" means any corporation (other than a corporation exempt from taxation under section 101, and other than a bank, as defined in section 104, and other than a life-insurance company or surety company) if—(A) at least 80 per centum of its gross income for the taxable year is derived from royalties, dividends, interest, annuities, and (except in the case of regular dealers in stock or securities) gains from the sale of stock or securities, and (B) at any time during the last half of the taxable year more than 50 per centum in value of its outstanding stock is owned, directly or indirectly, by or for not more than five individuals. For the purpose of determining the ownership of stock in a personal holding company—(C) stock owned, directly or indirectly, by a corporation, partnership, estate, or trust shall be considered as being owned proportionately by its shareholders, partners, or beneficiaries; (D) an individual shall be considered as owning, to the exclusion of any other individual, the stock owned, directly or indirectly, by his family, and this rule shall be applied in such manner as to produce the smallest possible number of individuals owning, directly or indirectly, more than 50 per centum in value of the outstanding stock; and (E) the family of an individual shall include only his brothers and sisters (whether by the whole or half blood), spouse, ancestors, and lineal descendants.

Determining stock ownership. Corporation, etc.

Individual.

Family of individual.

"Undistributed adjusted net income."

Computation. *Ante*, pp. 1655, 1711.

(2) The term "undistributed adjusted net income" means the adjusted net income minus the sum of:

(A) 20 per centum of the excess of the adjusted net income over the amount of dividends received from personal holding companies which are allowable as a credit for the purposes of the tax imposed by section 13 or 204;

(B) Amounts used or set aside to retire indebtedness incurred prior to January 1, 1934, if such amounts are reasonable with reference to the size and terms of such indebtedness; and

(C) The amount of the dividends paid credit provided in section 27, computed without the benefit of subsection (b) thereof (relating to the dividend carry-over).

"Adjusted net income."

Computation.

Ante, p. 1658.

(3) The term "adjusted net income" means the net income minus the sum of:

(A) Federal income, war-profits, and excess-profits taxes paid or accrued during the taxable year to the extent not allowed as a deduction by section 23, but not including the tax imposed by this section or a corresponding section of a prior income-tax law;

(B) Contributions or gifts, not otherwise allowed as a deduction, to or for the use of donees described in section 23 (o) for the purposes therein specified, including, in the case of a corporation organized prior to January 1, 1936, to take over the assets and liabilities of the estate of a decedent, amounts paid in liquidation of any liability of the corporation based on the liability of the decedent to make any such contribution or gift, to the extent such liability of the decedent existed prior to January 1, 1934; and

(C) Losses from sales or exchanges of capital assets which are disallowed as a deduction by section 117 (d). *Ante*, p. 1692.

(4) The terms used in this section shall have the same meaning as when used in Title I. Meaning of terms.

(c) ADMINISTRATIVE PROVISIONS.—All provisions of law (including penalties) applicable in respect of the taxes imposed by Title I of this Act, shall insofar as not inconsistent with this section, be applicable in respect of the tax imposed by this section, except that the provisions of section 131 of that title shall not be applicable. Administrative provisions. *Ante*, p. 1652. *Ante*, p. 1696.

(d) PAYMENT OF SURTAX ON PRO RATA SHARES.—The tax imposed by this section shall not apply if (1) all the shareholders of the corporation include (at the time of filing their returns) in their gross income their entire pro rata shares, whether distributed or not, of the adjusted net income of the corporation for such year, and (2) 90 per centum or more of such adjusted net income is so included in the gross income of shareholders other than corporations. Any amount so included in the gross income of a shareholder shall be treated as a dividend received. Any subsequent distribution made by the corporation out of earnings or profits for such taxable year shall, if distributed to any shareholder who has so included in his gross income his pro rata share, be exempt from tax in the amount of the share so included. Payment of surtax on pro rata shares.

(e) IMPROPER ACCUMULATION OF SURPLUS.—For surtax on corporations which accumulate surplus to avoid surtax on stockholders, see section 102. Improper accumulation of surplus. *Ante*, p. 1676.

TITLE II—CAPITAL STOCK AND EXCESS-PROFITS TAX

Title II—Capital Stock And Excess-Profits Tax.

SEC. 401. CAPITAL STOCK TAX.

Capital stock tax.

(a) Section 105 of the Revenue Act of 1935 is amended by striking out "$1.40" wherever appearing therein and inserting in lieu thereof "$1". Imposition of excise tax; rate. *Ante*, p. 1017.

(b) Subsection (c) of such section is amended by striking out "1934" and inserting in lieu thereof "1936", and by striking out ", as amended" wherever appearing in such subsection. Exemptions. *Ante*, p. 1017.

(c) Subsection (f) (4) of such section is amended to read as follows: "(4) the excess of its income wholly exempt from the taxes imposed by the applicable income-tax law over the amount disallowed as a deduction by section 24 (a) (5) of the Revenue Act of 1934 or a corresponding provision of a later Revenue Act, and". Determination of adjusted declared value. *Ante*, p. 1018.

SEC. 402. EXCESS-PROFITS TAX.

Excess-profits tax.

(a) Section 106 (b) of the Revenue Act of 1935 is amended by striking out "except that there shall be deducted the amount of income tax imposed for such year by section 13 of the Revenue Act of 1934, as amended" and inserting in lieu thereof "computed without the deduction of the tax imposed by this section, but with a credit Determination of adjusted declared value. *Ante*, p. 1019.

against net income equal to the credit for dividends received provided in section 26 (b) of the Revenue Act of 1936".

Effective date.

(b) The amendment made by subsection (a) shall not apply to an income-tax taxable year beginning before January 1, 1936.

Title III—Tax On Unjust Enrichment.

TITLE III—TAX ON UNJUST ENRICHMENT

Tax on net income from certain sources.

SEC. 501. TAX ON NET INCOME FROM CERTAIN SOURCES.

(a) The following taxes shall be levied, collected, and paid for each taxable year (in addition to any other tax on net income), upon the net income of every person which arises from the sources specified below:

Income from sale of articles on which excise tax shifted to others.

(1) A tax equal to 80 per centum of that portion of the net income from the sale of articles with respect to which a Federal excise tax was imposed on such person but not paid which is attributable to shifting to others to any extent the burden of such Federal excise tax and which does not exceed such person's net income for the entire taxable year from the sale of articles with respect to which such Federal excise tax was imposed.

Income from reimbursement from vendors of excise tax burdens included in prices paid such vendors.

(2) A tax equal to 80 per centum of the net income from reimbursement received by such person from his vendors of amounts representing Federal excise-tax burdens included in prices paid by such person to such vendors, to the extent that such net income does not exceed the amount of such Federal excise-tax burden which such person in turn shifted to his vendees.

Income from refunds, etc., from United States of excise taxes erroneously, etc., collected.

(3) A tax equal to 80 per centum of the net income from refunds or credits to such person from the United States of Federal excise taxes erroneously or illegally collected with respect to any articles, to the extent that such net income does not exceed the amount of the burden of such Federal excise taxes with respect to such articles which such person shifted to others.

Computation; exclusions.

(b) The net income (specified in subsection (a) (1)) from the sale of articles with respect to which the Federal excise tax was not paid, and the net income specified in subsection (a) (2) or (3), shall not include the net income from the sale of any article, from reimbursement with respect to any article, or from refund or credit of Federal excise tax with respect to any article (1) if such article (or the articles processed therefrom) were not sold by the taxpayer on or before the date of the termination of the Federal excise tax; (2) if the taxpayer made a tax adjustment with respect to such article (or the articles processed therefrom) with his vendee; or (3) if under the terms of any statute the taxpayer would have been entitled to a refund from the United States of the Federal excise tax with respect to the article otherwise than as an erroneous or illegal collection (assuming, in case the tax was not paid, that it had been paid).

Articles in taxpayer's stocks not sold before termination of Federal excise tax.

Tax adjustment made with vendee.

Taxpayer entitled to refund under existing law.

Net income from sales. Computation.

(c) The net income from the sales specified in subsection (a) (1) shall be computed as follows:

(1) From the gross income from such sales there shall be deducted the allocable portion of the deductions from gross income for the taxable year which are allowable under the applicable Revenue Act; or

(2) If the taxpayer so elects by filing his return on such basis, the total net income for the taxable year from the sale of all articles with respect to which each Federal excise tax was imposed (computed by deducting from the gross income from such sales the allocable portion of the deductions from gross income which are allowable under the applicable Revenue Act, but without

deduction of the amount of such Federal excise tax which was paid or of the amount of reimbursement to purchasers with respect to such Federal excise tax) shall be divided by the total quantity of such articles sold during the taxable year and the quotient shall be multiplied by the quantity of such articles involved in the sales specified in subsection (a) (1). Such quantities shall be expressed in terms of the unit on the basis of which the Federal excise tax was imposed.

Determination of apportionment and allocation of deductions.

For the purposes of this section the proper apportionment and allocation of deductions with respect to gross income shall be determined under rules and regulations prescribed by the Commissioner with the approval of the Secretary.

Net income from reimbursement or refunds; computation.

(d) The net income from reimbursement or refunds specified in subsection (a) (2) or (3) shall be computed as follows: From the total payment or accrual (1) of reimbursement to the taxpayer from vendors for amounts representing Federal excise tax burdens included in prices paid by the taxpayer to such vendors or (2) of refunds or credits to the taxpayer of Federal excise taxes erroneously or illegally collected, there shall be deducted the expenses and fees reasonably incurred in obtaining such reimbursement or refunds.

Extent of shifting of tax burden. Computation.

(e) For the purposes of subsection (a) (1), (2), and (3), the extent to which the taxpayer shifted to others the burden of a Federal excise tax shall be presumed to be an amount computed as follows:

(1) From the selling price of the articles there shall be deducted the sum of (A) the cost of such articles plus (B) the average margin with respect to the quantity involved; or

(2) If the taxpayer so elects by filing his return on such basis, from the aggregate selling price of all articles with respect to which such Federal excise tax was imposed and which were sold by him during the taxable year (computed without deduction of reimbursement to purchasers with respect to such Federal excise tax) there shall be deducted the aggregate cost of such articles, and the difference shall be reduced to a margin per unit in terms of the basis on which the Federal excise tax was imposed. The excess of such margin per unit over the average margin (computed for the same unit) shall be multiplied by the number of such units represented by the articles with respect to which the computation is being made; but

Determining extent to which burden of excise tax was shifted.

(3) In no case shall the extent to which the taxpayer shifted to others the burden of the Federal excise tax with respect to the articles be deemed to exceed the amount of such tax with respect to such articles minus (A) the portion of the amount of the Federal excise tax (or of the reimbursement specified in subsection (a) (2)) with respect to the articles which is paid or credited by the taxpayer to any purchasers as specified in subsection (f) (3) and minus (B) the amount of any increase in the tax under section 602 of the Revenue Act of 1932 for which the taxpayer under this section became liable as the result of the nonpayment or refund of the Federal excise tax with respect to the articles.

Vol. 47, p. 261.

Definitions. "Margin." "Average margin."

(f) As used in this section—

(1) The term "margin" means the difference between the selling price of articles and the cost thereof, and the term "average margin" means the average difference between the selling price and the cost of similar articles sold by the taxpayer during his six taxable years preceding the initial imposition of the Federal excise tax in question, except that if during any part of such six-year period the taxpayer was not in business, or if his records for any part of such period are so inadequate as not to furnish satisfactory data, the average margin of the taxpayer for such part of such

period shall, when necessary for a fair comparison, be deemed to be the average margin, as determined by the Commissioner, of representative concerns engaged in a similar business and similarly circumstanced.

"Cost."

(2) The term "cost" means, in the case of articles manufactured or produced by the taxpayer, the cost to the taxpayer of materials entering into the articles; or, in the case of articles purchased by the taxpayer for resale, the price paid by him for such articles (reduced in both cases by the amount for which he is reimbursed by his vendor).

"Selling price."

(3) The term "selling price" means selling price minus (A) amounts subsequently paid or credited to the purchaser on or before June 1, 1936, or thereafter in the bona fide settlement of a written agreement entered into on or before March 3, 1936, as reimbursement for the amount included in such price on account of a Federal excise tax; and minus (B) the allocable portion of any professional fees and expenses of litigation incurred in securing the refund or preventing the collection of the Federal excise tax, not to exceed 10 per centum of the amount of such tax.

Determination of costs, selling prices, etc.

(g) In determining costs, selling prices, and net income, the taxpayer shall, unless otherwise shown, be deemed to have sold articles in the order in which they were manufactured, produced, or acquired.

Use of conversion factors in computing quantity of taxable commodity.

Where the taxpayer's records do not adequately establish the quantity of a commodity taxable under the Agricultural Adjustment Act, as amended, entering into articles sold by him, such quantities shall be computed by the use of the conversion factors prescribed in regulations under such Act, as amended.

Purchase or sale otherwise than through arm's-length transaction.

(h) If the taxpayer made any purchase or sale otherwise than through an arm's-length transaction, and at a price other than the fair market price, the Commissioner may determine the purchase or sale price to be that for which such purchases or sales were at that time made in the ordinary course of trade.

Rebuttal of presumption of tax shifting.

(i) Either the taxpayer or the Commissioner may rebut the presumption established by subsection (e) by proof of the actual extent to which the taxpayer shifted to others the burden of the Federal excise tax. Such proof may include, but shall not be limited to:

Proof.

(1) Proof that the change or lack of change in the margin was due to changes in factors other than the tax. Such factors shall include any clearly shown change (A) in the type or grade of article or materials, or (B) in costs of production. If the taxpayer asserts that the burden of the tax was borne by him while the burden of any other increased cost was shifted to others, the Commissioner shall determine, from the respective effective dates of the tax and of the other increase in cost as compared with the date of the change in margin, and from the general experience of the industry, whether the tax or the increase in other cost was shifted to others. If the Commissioner determines that the change in margin was due in part to the tax and in part to the increase in other cost, he shall apportion the change in margin between them.

(2) Proof that the taxpayer modified contracts of sale, or adopted a new contract of sale, to reflect the initiation, termination, or change in amount of the Federal excise tax, or at any such time changed the sale price of the article (including the effect of a change in size, package, discount terms, or any other merchandising practice) by substantially the amount of the tax or change therein, or at any time billed the tax as a separate item to any vendee or indicated by any writing that the sale

price included the amount of the tax, or contracted to refund any part of the sale price in the event of recovery of the tax or decision of its invalidity; but the taxpayer may establish that such acts were caused by factors other than the tax, or that they do not represent his practice during the period in which the articles in question were sold.

(j) As used in this section—

Definitions.

(1) The term "Federal excise tax" means a tax or exaction with respect to the sale, lease, manufacture, production, processing, ginning, importation, transportation, refining, recovery, or holding for sale or other disposition, of commodities or articles, provided for by any Federal statute, whether valid or invalid, if denominated a "tax" by such statute. A Federal excise tax shall be deemed to have been imposed with respect to an article if it was imposed with respect to (or with respect to the processing of) any commodity or other article, from which such article was processed.

"Federal excise tax."

(2) The term "date of the termination of the Federal excise tax" means, in the case of a Federal excise tax held invalid by a decision of the Supreme Court, the date of such decision.

"Date of the termination of the Federal excise tax."

(3) The term "refund or credit" does not include a refund or credit made in accordance with the provisions and limitations set forth in Title VII of this Act, or in section 621 (d) of the Revenue Act of 1932.

"Refund or credit."

Post, p. 1747.
Vol. 47, p. 268.

(4) The term "tax adjustment" means a repayment or credit by the taxpayer to his vendee of an amount equal to the Federal excise tax with respect to an article (less reasonable expense to the vendor in connection with the nonpayment or recovery by him of the amount of such tax and in connection with the making of such repayment or credit) if such repayment or credit is made on or before June 1, 1936, or thereafter in the bona fide settlement of a written agreement entered into on or before March 3, 1936.

"Tax adjustment."

(5) The term "taxpayer" means a person subject to a tax imposed by this section.

"Taxpayer."

(k) All references in this section to the purchase or sale (or to parties to the sale) of articles with respect to which a Federal excise tax was imposed shall be deemed to include the purchase or sale (or parties to the sale) of services with respect to which a Federal excise tax was imposed, and for the purposes of subsection (a) the extent to which the taxpayer shifted to others the burden of such Federal excise tax with respect to such services shall be presumed to be an amount computed as follows: From the selling price of the services there shall be deducted the average price received by the taxpayer for performing similar services during the six taxable years preceding the initial imposition of the Federal excise tax in question. The balance (to the extent that it does not exceed the amount of such Federal excise tax with respect to such services minus any payments or credits with respect to the services made to purchasers as specified in subsection (f) (3)) shall be the extent to which the taxpayer shifted the burden of such Federal excise tax to others. If during any part of such six-year period the taxpayer was not in business, or if his records for any part of such period are so inadequate as not to furnish satisfactory data, the average price of the taxpayer for such part of such period shall, when necessary for a fair comparison, be deemed to be the average price, as determined by the Commissioner, of representative concerns engaged in a similar business and similarly circumstanced. The presumption established by this subsection may be rebutted by proof of the character described in subsection (i).

"Purchase or sale of taxed articles" to include services, etc.

Extent to which taxpayer shifted tax burden to others; computation.

Rebuttal of presumption.

Administrative provision.

(l) The taxes imposed by subsection (a) shall be imposed on the net income from the sources specified therein, regardless of any loss arising from the other transactions of the taxpayer, and regardless of whether the taxpayer had a taxable net income (under the income-tax provisions of the applicable Revenue Act) for the taxable year as a whole; except that if such application of the tax imposed by subsection (a) is held invalid, the tax under subsection (a) shall apply to that portion of the taxpayer's entire net income for the taxable year which is attributable to the net income from the sources specified in such subsection.

Credit for other taxes on income.

SEC. 502. CREDIT FOR OTHER TAXES ON INCOME.

There shall be credited against the total amount of the taxes imposed by this title an amount equivalent to the excess of—

(a) The amount of the other Federal income and excess-profits taxes payable by the taxpayer for the taxable year, over

(b) The amount of the other Federal income and excess-profits taxes which would have been payable by the taxpayer for the taxable year if his net income were decreased by the amount of net income taxable under this title.

Administrative provisions.

SEC. 503. ADMINISTRATIVE PROVISIONS.

Provisions made applicable to this title.

(a) All provisions of law (including penalties) applicable with respect to taxes imposed by Title I of this Act, shall, insofar as not inconsistent with this title, be applicable with respect to the taxes imposed by this title, except that the provisions of sections 101, 131, 251, and 252 shall not be applicable.

Ante, pp. 1673, 1696, 1718, 1719.

Excise taxes imposed but not paid; reimbursements; refunds, etc.

Returns, filing of.

(b) Every person (1) upon whom a Federal excise tax was imposed but not paid, or (2) who received any reimbursement specified in subsection (a) (2), or (3) who received a refund or credit of Federal excise tax, shall make a return under this title, which return shall contain such information and be made in such manner as the Commissioner, with the approval of the Secretary, shall prescribe. For any taxable year ended prior to the date of the enactment of this Act the return shall be filed, and the total amount of the taxes shall be paid, not later than the fifteenth day of the third month after the date of the enactment of this Act, in lieu of the time otherwise prescribed by law.

Time prescribed for payment.

Discretionary time extensions.

(c) If the Commissioner finds that the payment, on the date prescribed for the payment thereof, of any part of the amount determined by the taxpayer as the tax under this title, or of any deficiency with respect thereto, would impose undue hardship upon the taxpayer, the Commissioner may grant an extension for the payment of any such part for a period not in excess of three years. In such case the amount with respect to which the extension is granted shall be paid on or before the date of the expiration of the period of the extension, and the running of the statute of limitations for assessment and collection shall be suspended for the period of any such extension. If an extension is granted, the Commissioner may require the taxpayer to furnish a bond in such amount, not exceeding double the amount with respect to which the extension is granted, and with such sureties as the Commissioner deems necessary, conditioned upon the payment of the amount with respect to which the extension is granted in accordance with the terms of the extension. There shall be collected, as a part of any amount with respect to which an extension is granted, interest thereon at the rate of 6 per centum per annum from the expiration of six months after the due date thereof to the expiration of the period of the extension.

Time prescribed for payment.

Bond.

Interest on extension.

SEC. 504. TAXABLE YEARS TO WHICH TITLE IS APPLICABLE.

Taxable years to which title applicable.

The taxes imposed by this title shall apply only with respect to taxable years ending during the calendar year 1935 and to subsequent taxable years.

SEC. 505. APPLICATION OF TITLE TO POSSESSIONS.

Application of title to possessions.

Tax in force in United States possessions (including Philippines).

With respect to the following income, the tax under this title shall be in force in any possession of the United States (including the Philippine Islands); such tax shall (without regard to the residence or citizenship or place of organization of the taxpayer) be collected by the appropriate internal-revenue officers of such possession; and the proceeds thereof shall accrue to the general government of such possession: (a) Any income specified in subsection (a) (1) or (3) of section 501 if the Federal excise tax with respect to the articles in question accrued in such possession; and (b) any income specified in subsection (a) (2) of section 501 if the reimbursement specified therein relates to articles sold in such possession by the taxpayer under this title and if the geographical scope of the Federal excise tax in question extended to such possession. Income taxable as provided in this section shall not be otherwise taxable under this title. In applying section 501 to such income, the gross income and deductions shall be determined in accordance with the Federal Revenue Act applicable to the taxable year. In applying section 502 to such income, income taxes paid to such possession shall be deemed to be Federal income taxes.

Ante, p. 1734.

Ante, p. 1738.

SEC. 506. CLOSING AGREEMENTS.

Closing agreements.

Settlement of taxpayer's liability. Refund claims.

Any person who is liable for the tax imposed by this title and who has filed any claim or claims for refund of any amount paid or collected as tax under the Agricultural Adjustment Act, as amended, may apply to the Commissioner of Internal Revenue for an adjustment of such liability for tax in conjunction with such claim or claims for refund, and thereafter, the Commissioner, for such purposes, may, in his discretion, consider such liability and such claim or claims as one case and, in his discretion, may enter into a written agreement with such person for the settlement of such case by such payment by, or refund to, such person as may be specified in such agreement. Such agreement shall be a final settlement of the liability for tax and the claim or claims for refund covered by such agreement, except in case of fraud, malfeasance, or misrepresentation of a material fact. In the absence of fraud or mistake in mathematical calculation, any action taken or any consideration given by the Commissioner pursuant to this section shall not be subject to review by any court, or any administrative, or accounting officer, employee, or agent of the United States.

Agreement to be final settlement; exceptions.

TITLE IV—EXPORT, CHARITABLE, ETC., REFUNDS AND FLOOR STOCKS ADJUSTMENT UNDER AGRICULTURAL ADJUSTMENT ACT

Title IV—Export, Charitable, Etc., Refunds And Floor Stocks Adjustment Under Agricultural Adjustment Act.

SEC. 601. REFUNDS UNDER AGRICULTURAL ADJUSTMENT ACT ON EXPORTS, DELIVERIES FOR CHARITABLE DISTRIBUTION OR USE, ETC.

Provisions of designated Act reenacted.

U. S. C., p. 155; Supp. I, p. 16.

(a) The provisions of sections 10 (d), 15 (a), 15 (c), 16 (e) (1), 16 (e) (3), and 17 (a) of the Agricultural Adjustment Act, as amended, are hereby reenacted but only for the purpose of allowing refunds in accordance therewith in cases where the delivery for

charitable distribution or use, or the exportation, or the manufacture of large cotton bags, or the decrease in the rate of the processing tax (or its equivalent under section 16 (e) (3)), took place prior to January 6, 1936.

Restriction on refunds to processor liable for tax on article on which claim is based.

(b) Except for refunds under section 15 (a) of the Agricultural Adjustment Act, as reenacted herein, no refund under this section shall be made to the processor or other person who paid or was liable for the tax with respect to the articles on which the claim is based. No refund under this section shall be allowable to any person with respect to any articles where such person prior to January 6, 1936, paid an amount as tax under the Agricultural Adjustment Act, as amended, by taking as a credit against such amount an amount otherwise allowable as a refund with respect to such articles under sections 15 (a), 15 (c), 16 (e) (1), 16 (e) (3), or 17 (a) of said Act.

No refund if otherwise reimbursed.

No refund under this section shall be allowed to any person except to the extent that he establishes that he has not received, and is not entitled to receive, reimbursement of such amount from the processor or other vendor with respect to the articles on which the claim is based.

No disallowance on ground tax as to article from which processed unpaid.

No claim under this section (except claims of processors under section 15 (a)) shall be disallowed on the ground that the tax with respect to the article or the commodity from which processed has not been paid.

Filing claims, time limit, etc.

(c) No refund under this section shall be made unless the claimant files a claim therefor prior to January 1, 1937, under rules and regulations prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury, and no claim shall be allowed in an amount less than $10. Sections 16 (g) and 21 (f) of the Agricultural Adjustment Act, as amended, are repealed.

Ante, pp. 769, 773.

Findings of fact, mathematical calculations, etc., finality of.

(d) In the absence of fraud, the findings of fact and the decision of the Commissioner of Internal Revenue upon the merits of any claim adjusted pursuant to this section and the mathematical calculation therein shall not be subject to review by any administrative or accounting officer, employee, or agent of the United States.

Determination with respect to refunds, finality of.

(e) The determination of the Commissioner of Internal Revenue with respect to any refund under this section shall be final and no court shall have jurisdiction to review such determination.

Interest on refunds.

(f) No interest shall be allowed in connection with any refund made under this section.

Rate adjustment.
Ante, pp. 48, 769.

(g) Section 16 (e) (1) of the Agricultural Adjustment Act, as reenacted by subsection (a) of this section, is amended by striking out "subsequent to June 26, 1934" and by inserting in lieu thereof "on or after June 1, 1934".

Floor stocks.

SEC. 602. FLOOR STOCKS AS OF JANUARY 6, 1936.

Holders, on January 6, 1936, of articles processed from commodities subject to tax.

(a) There shall be paid to any person who, at the first moment of January 6, 1936, held for sale or other disposition (including manufacturing or further processing) any article processed wholly or in chief value from a commodity subject to processing tax, an amount computed as provided in subsection (b), except that no such payment shall be made to the processor or other person who paid or was liable for the tax with respect to the articles on which the claim is based.

Conditional payment.

Method of computing refund.

(b) The amount of the payment under subsection (a) shall be equal to the processing tax which would have been payable with respect to the commodity from which the article was processed, if it had been processed on January 5, 1936, but not in excess of (1) the amount of the burden of the tax with respect to the article which was shifted to the claimant in the price he paid for the article (to the extent that the claimant has not received and is not

Limitation.

entitled to receive reimbursement for such burden from the processor or other vendor) and not in excess of (2) the amount of that part of the burden of the tax applicable to the articles held on January 6, 1936, which the claimant has not passed on to his vendees and has not included in the sale price of such articles. In lieu of a detailed schedule of articles, purchases, sale prices, and sales under clauses (1) and (2) of this subsection, the claimant may (subject to the approval of the Commissioner and such investigations as he may cause to be made) submit, as a part of his claim, an affidavit setting forth the total amount of tax burden passed on to him on the articles with respect to which claim is made; the total amount of such burden for which he has received or is entitled to receive reimbursement from the processor or other vendor; the total amount of such burden that he has passed on to his vendees or has included in the sale prices of such articles; and the total amount of such burden that he has borne himself.

Proof of claim.

(c) As used in this section—

Terms defined.

(1) The term "commodity subject to a processing tax" means a commodity upon the processing of which a tax was provided for under the Agricultural Adjustment Act, as amended, as of January 5, 1936.

"Commodity subject to a processing tax."

(2) The term "tax with respect to the article" means any tax under the Agricultural Adjustment Act, as amended, with respect to the article (or with respect to any commodity or other article from which it was processed).

"Tax with respect to the article."

(3) The term "sale price" includes the price at which the claimant actually sold the article or articles prior to the date of the filing of his claim or, if the article or articles have not been sold, the price at which he is offering the same for sale on the date of the filing of his claim.

"Sale price."

(d) No payment shall be made under this section unless the claimant files a claim therefor prior to January 1, 1937, in conformity with regulations prescribed by the Commissioner with the approval of the Secretary, nor unless he establishes to the satisfaction of the Commissioner the facts on which such claim is based.

Filing claims, time limitation.

(e) No claim under this section shall be disallowed on the ground that the tax with respect to the article or the commodity from which processed has not been paid, but no claim shall be allowed in an amount less than $10. No payment shall be made under this section in connection with any article with respect to which a refund has been allowed or credit has been taken under the Agricultural Adjustment Act, as amended, or a refund has been allowed or is allowable under section 601 of this title.

No disallowance because processing tax unpaid.

Double refund restriction.

(f) No payment shall be made under this section with respect to articles held in retail floor stocks except (1) flour, prepared flour, cereal preparations, and gluten, made chiefly from wheat, as classified in Wheat Regulations, Series 1, Supplement 1, promulgated under the Agricultural Adjustment Act and the amendments thereto, (2) articles processed wholly or in chief value from cotton, and (3) direct-consumption sugar processed from sugar beets or sugarcane. No payment under this section shall be made with respect to articles processed from wheat, sugar beets, or sugarcane held in other than retail stocks except (1) flour, prepared flour, cereal preparations, and gluten, made chiefly from wheat, as classified in Wheat Regulations, Series 1, Supplement 1, and (2) direct-consumption sugar.

Limitations on payments.

Articles held in retail floor stocks; exceptions.

Articles processed from wheat, etc., held in other than retail stocks; exceptions.

(g) In the case of articles which were agreed to be sold under a contract entered into prior to January 6, 1936, whereby the vendee agreed to pay a price including the amount of the tax with

Contracts entered into prior to January 6, 1936.

respect to the articles, but which were not delivered prior to such date, the vendee shall be considered the holder of such articles.

Finality of findings of fact, decision, etc.

(h) In the absence of fraud the findings of fact and the decision of the Commissioner upon the merits of any claim under this section, and the mathematical calculation therein shall not be subject to review by any other administrative or accounting officer, employee, or agent of the United States.

Determination with respect to payments, finality of.

(i) The determination of the Commissioner with respect to any payment under this section shall be final and no court shall have jurisdiction to review such determination.

No allowance for interest.

(j) No interest shall be allowed in connection with any payment made under this section.

Proclamations, etc.

SEC. 603. PROCLAMATIONS, ETC., MADE APPLICABLE.

Issue under Agricultural Adjustment Act made applicable for determining refund, etc.

The proclamations, certificates, and regulations prescribed by the Secretary of Agriculture under the Agricultural Adjustment Act, as amended, in effect on January 5, 1936, insofar as not inconsistent with this Act, are hereby made applicable for the purpose of determining the amount of any refund or payment authorized under sections 601 and 602.

Title V—Amendments To Taxes On Certain Oils.

TITLE V—AMENDMENTS TO TAXES ON CERTAIN OILS

SEC. 701. TAX ON CERTAIN OILS.

Vol. 47, p. 259; Vol. 48, p. 762.

The first sentence of section 601 (c) (8) of the Revenue Act of 1932, as amended, is amended to read as follows:

Taxes on items specified.

"(8) Whale oil (except sperm oil), fish oil (except cod oil, cod-liver oil, and halibut-liver oil), marine-animal oil, tallow, inedible animal oils, inedible animal fats, inedible animal greases, fatty acids derived from any of the foregoing, and salts of any of the foregoing; all the foregoing, whether or not refined, sulphonated, sulphated, hydrogenated, or otherwise processed, 3 cents per pound; sesame oil provided for in paragraph 1732 of the Tariff Act of 1930, sunflower oil, rapeseed oil, kapok oil, hempseed oil, perilla oil, fatty acids derived from any of the foregoing or from linseed oil, and salts of any of the foregoing; all the foregoing, whether or not refined, sulphonated, sulphated, hydrogenated, or otherwise processed, 4½ cents per pound; any article, merchandise, or combination (except oils specified in section 602½ of the Revenue Act of 1934, as amended), 10 per centum or more of the quantity by weight of which consists of, or is derived directly or indirectly from, one or more of the products specified above in this paragraph or in section 602½ of the Revenue Act of 1934, as amended, a tax at the rate or rates per pound equal to that proportion of the rate or rates prescribed in this paragraph or such section 602½ in respect of such product or products which the quantity by weight of the imported article, merchandise, or combination, consisting of or derived from such product or products, bears to the total weight of the imported article, merchandise, or combination; hempseed, perilla seed, rapeseed, sesame seed, and kapok seed, 2 cents per pound."

Sesame oil. Vol. 46, p. 680.

Vol. 48, p. 763; *Ante*, p. 1026.

Processing tax on certain oils. Vol. 48, p. 763.

SEC. 702. PROCESSING TAX ON CERTAIN OILS.

(a) The first sentence of section 602½ of the Revenue Act of 1934 is amended to read as follows:

Designated oils having no previous domestic processing.

"(a) There is hereby imposed upon the first domestic processing of coconut oil, palm oil, palm-kernel oil, fatty acids derived from any of the foregoing oils, salts of any of the foregoing (whether or not

such oils, fatty acids, or salts have been refined, sulphonated, sulphated, hydrogenated, or otherwise processed), or any combination or mixture containing a substantial quantity of any one or more of such oils, fatty acids, or salts, a tax of 3 cents per pound to be paid by the processor, but the tax under this section shall not apply (1) with respect to any fatty acid or salt resulting from a previous first domestic processing taxed under this section or upon which an import tax has been paid under section 601 (c) (8) of the Revenue Act of 1932, as amended, or (2) with respect to any combination or mixture by reason of its containing an oil, fatty acid, or salt with respect to which there has been a previous first domestic processing or upon which an import tax has been paid under such section 601 (c) (8)."

Exceptions.

Vol. 48, p. 762. U. S. C., p. 1120.

(b) Notwithstanding the provisions of subsection (a) of this section, the first domestic processing of sunflower oil or sesame oil (or any combination or mixture containing a substantial quantity of sunflower oil or sesame oil), if such oil or such combination or mixture or such oil contained therein was imported prior to the effective date of this title, shall be taxed in accordance with the provisions of section 602½ of the Revenue Act of 1934 in force on the date of the enactment of this Act.

Tax on sunflower, etc., oils.

Vol. 48, p. 763.

SEC. 703. MISCELLANEOUS PROVISIONS.

Miscellaneous provisions.

Nothing in section 601 (c) (8) of the Revenue Act of 1932, as amended, shall be construed as imposing a tax in contravention of an obligation undertaken in any trade agreement heretofore entered into under the authority of section 350 of the Tariff Act of 1930, as amended, or as imposing a tax on the importation of glycerin or stearine pitch or on the importation of any article by reason of any component of such article derived directly or indirectly from a waste not named in section 601 (c) (8) of the Revenue Act of 1932, as amended. Section 402 of the Revenue Act of 1935 is hereby repealed. All taxes accrued or paid under section 402 of the Revenue Act of 1935 on the importation of glycerin or stearine pitch shall be remitted or refunded under such regulations as the Secretary of the Treasury may prescribe.

Trade agreements, etc.
No tax levied in contravention of.

Glycerin or stearine pitch.

Vol. 48, p. 762. Section repealed.
Ante, p. 1026.
Taxes remitted.

SEC. 704. EFFECTIVE DATE.

The provisions of this title shall be effective on and after the sixtieth day following the date of the enactment of this Act.

Effective date.

TITLE VI—MISCELLANEOUS PROVISIONS

Title VI—Miscellaneous Provisions.

SEC. 801. EXEMPTION FROM ADMISSIONS TAX OF CERTAIN CONCERTS.

Exemption from admissions tax of certain concerts.

Section 500 (b) (2) of the Revenue Act of 1926 is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "and any admissions to concerts conducted by a civic or community membership association if no part of the net earnings thereof inures to the benefit of any stockholders or members of such association."

Conducted by nonprofit civic, etc., associations.
Vol. 44, p. 92.

SEC. 802. SUITS TO ENFORCE LIENS FOR TAXES.

Suits to enforce liens for taxes.
R. S., sec. 3207, p. 616; U. S. C., p. 1195.

(a) Section 3207 (a) of the Revised Statutes, as amended, is amended to read as follows:

"SEC. 3207. (a) In any case where there has been a refusal or neglect to pay any tax, and it has become necessary to seize and sell property and rights to property, whether real or personal, to satisfy the same, whether distraint proceedings have been commenced or not,

Proceedings in chancery to subject property to tax payment.

the Attorney General at the request of the Commissioner of Internal Revenue may direct a bill in chancery to be filed, in a district court of the United States, to enforce the lien of the United States for tax upon any property and rights to property, whether real or personal, or to subject any such property and rights to property owned by the delinquent, or in which he has any right, title, or interest, to the payment of such tax. All persons having liens upon or claiming any interest in the property or rights to property sought to be subjected as aforesaid shall be made parties to such proceedings and be brought into court as provided in other suits in chancery therein. And the said court shall, at the term next after the parties have been duly notified of the proceedings, unless otherwise ordered by the court, proceed to adjudicate all matters involved therein and finally determine the merits of all claims to and liens upon the property and rights to property in question, and, in all cases where a claim or interest of the United States therein is established, may decree a sale of such property and rights to property, by the proper officer of the court, and a distribution of the proceeds of such sale according to the findings of the court in respect to the interests of the parties and of the United States. In any such proceeding, at the instance of the United States, the court may appoint a receiver to enforce the lien, or, upon certification by the Commissioner of Internal Revenue during the pendency of such proceedings that it is in the public interest, may appoint a receiver with all the powers of a receiver in equity."

Persons claiming interest made parties.

Adjudication by court.

Receiver, appointment of.

Pending suits not abated.

(b) No suit brought by the United States to enforce any lien for tax on any property, or rights to property, whether real or personal, which is pending in any court of the United States on the date of the enactment of this Act, shall abate, but any such suit shall be continued in accordance with the provisions of subsection (a) of this section.

Interest on erroneous refunds.

SEC. 803. INTEREST ON ERRONEOUS REFUNDS.

Vol. 45, p. 875.

(a) Section 610 of the Revenue Act of 1928, as amended, is amended by adding at the end thereof a new subsection to read as follows:

Rate.

"(d) Erroneous refunds recoverable by suit under this section shall bear interest at the rate of 6 per centum per annum from the date of the payment of the refund."

Interest on overpayments.

SEC. 804. INTEREST ON OVERPAYMENTS.

Vol. 45, p. 876.

Section 614 (a) (2) of the Revenue Act of 1928 is amended by striking out the period at the end thereof and inserting in lieu thereof the following: ", whether or not such refund check is accepted by the taxpayer after tender of such check to the taxpayer. The acceptance of such check shall be without prejudice to any right of the taxpayer to claim any additional overpayment and interest thereon."

Estate taxes.

Vol. 44, p. 71; Vol. 48, p. 752.

SEC. 805. ESTATE TAXES—REVOCABLE TRANSFERS.

(a) Section 302 (d) (1) of the Revenue Act of 1926, as amended, is amended to read as follows:

Revocable transfers preceding death.

"(d) (1) To the extent of any interest therein of which the decedent has at any time made a transfer (except in case of a bona-fide sale for an adequate and full consideration in money or money's worth), by trust or otherwise, where the enjoyment thereof was subject at the date of his death to any change through the exercise of a power (in whatever capacity exercisable) by the decedent alone or by the decedent in conjunction with any other person (without

regard to when or from what source the decedent acquired such power), to alter, amend, revoke, or terminate, or where any such power is relinquished in contemplation of decedent's death."

(b) Except in the case of transfers made after the date of the enactment of this Act, no interest of the decedent of which he has made a transfer shall be included in the gross estate under such section 302 (d) (1) unless it was includible under such section before its amendment by this section.

Gross estate.
No interest of decedent included in; exception.

SEC. 806. REGISTRATION UNDER THE NARCOTIC LAWS.

Registration under Narcotic Laws.
Vol. 38, p. 786; Vol. 44, p. 96.
U. S. C., p. 1124.

(a) The fourth paragraph of section 1 of the Act entitled "An Act to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes", approved December 17, 1914, as amended (38 Stat. 785), is amended to read as follows:

"Importers, manufacturers, producers, or compounders, lawfully entitled to import, manufacture, produce, or compound any of the aforesaid drugs, $24 per annum; wholesale dealers, lawfully entitled to sell and deal in any of the aforesaid drugs, $12 per annum; retail dealers, lawfully entitled to sell and deal in any of the aforesaid drugs, $3 per annum; physicians, dentists, veterinary surgeons, and other practitioners, lawfully entitled to distribute, dispense, give away, or administer any of the aforesaid drugs to patients upon whom they in the course of their professional practice are in attendance, $1 per annum or fraction thereof during which they engage in any of such activities; persons not registered as an importer, manufacturer, producer, or compounder and lawfully entitled to obtain and use in a laboratory any of the aforesaid drugs for the purpose of research, instruction, or analysis shall pay $1 per annum, but such persons shall keep such special records relating to receipt, disposal, and stocks on hand of the aforesaid drugs as the Commissioner of Narcotics, with the approval of the Secretary of the Treasury, may by regulation require. Such special records shall be open at all times to the inspection of any duly authorized officer, employee, or agent of the Treasury Department."

Importers, etc., required to register.

Persons not registered but lawfully entitled for research, etc.

Records to be kept.

(b) The second proviso of section 6 of the said Act of December 17, 1914, as amended, is amended by inserting after the words "mentioned in this section" the following: "lawfully entitled to manufacture, produce, compound, or vend such preparations and remedies,".

Drugs not affected by Act.
Records, etc., to be kept by lawful manufacturers, vendors, etc.

(c) This section shall take effect on July 1, 1936.

Effective date.

SEC. 807. RECONSIDERATION OF REFUND CLAIMS.

Refund claims.

(a) Section 3226 of the Revised Statutes, as amended, is amended by adding at the end thereof the following new sentence: "Any consideration, reconsideration, or action by the Commissioner with respect to such claim following the mailing of a notice by registered mail of disallowance shall not operate to extend the period within which suit may be begun."

Reconsideration, etc., of.
R. S., sec. 3226, p. 619.
U. S. C., p. 1202.

(b) The amendment made by subsection (a) shall not operate (1) to bar a suit or proceeding in respect of a claim reopened prior to the date of the enactment of this Act, if such suit or proceeding was not barred under the law in effect prior to the date of the enactment of this Act, or (2) to prevent the suspension of the statute of limitations for filing suit under section 608 (b) (2), as amended, of the Revenue Act of 1928.

Effect on pending, etc., suits.
Vol. 48, p. 756.

Suspension of statute of limitations.
Vol. 45, p. 874.

Interest on judgments.
Vol. 36, p. 1141; U. S. C., p. 1265.

SEC. 808. INTEREST ON JUDGMENTS.

Section 177 (b) of the Judicial Code, as amended, is amended to read as follows:

Overpayments.

"(b) In any judgment of any court rendered (whether against the United States, a collector or deputy collector of internal revenue, a former collector or deputy collector, or the personal representative in case of death) for any overpayment in respect of any internal-revenue tax, interest shall be allowed at the rate of 6 per centum per annum upon the amount of the overpayment, from the date of the payment or collection thereof to a date preceding the date of the refund check by not more than thirty days, such date to be determined by the Commissioner of Internal Revenue. The Commissioner is hereby authorized to tender by check payment of any such judgment, with interest as herein provided, at any time after such judgment becomes final, whether or not a claim for such payment has been duly filed, and such tender shall stop the running of interest, whether or not such refund check is accepted by the judgment creditor."

Tender of check to stop interest.

Jewelry tax.

SEC. 809. TERMINATION OF JEWELRY TAX.

Termination of.
Vol. 47, p. 261.

The tax imposed by section 605 of the Revenue Act of 1932 shall not apply to any article sold by the manufacturer, producer, or importer after the date of the enactment of this Act.

Furs.

SEC. 810. TAX ON FURS.

Tax rate.
Vol. 47, p. 261.

(a) Effective after the date of the enactment of this Act, section 604 of the Revenue Act of 1932 is amended by striking out "10 per centum" and inserting in lieu thereof "3 per centum".

Tax exemption repeal.
Vol. 48, p. 768.

(b) The exemption of articles sold for less than $75, provided by section 608 of the Revenue Act of 1934, shall not apply to articles sold after the date of the enactment of this Act.

Shingles.

SEC. 811. IMPORTATION OF SHINGLES.

Importation of red cedar, from Canada.

Whenever any organization or association representing the producers of more than 75 per centum of the red cedar shingles produced in the United States during the previous half-year period shall request the President to limit the importation of red cedar shingles from Canada under paragraph 1760 of the reciprocal trade agreement entered into with the Dominion of Canada under date of November 15, 1935, and the President finds from available statistics that the total quantity of red cedar shingles produced in the Dominion of Canada which is entered, or withdrawn from warehouse, for consumption in the United States, during any given half of any calendar year exceeds or will exceed 25 per centum of the combined total of the shipments of red cedar shingles by producers in the United States and the imports during the preceding half year, the President shall issue an order limiting for the six months immediately following the half of the calendar year in which said excess occurred, the quantity of red cedar shingles to be imported from Canada to 25 per centum of the combined total of the shipments and imports of red cedar shingles for such preceding half calendar year. The President shall issue a new order for each half of the calendar year thereafter during the continuation of the operation of the reciprocal trade agreement entered into with the Dominion of Canada, under date of November 15, 1935, with the same limitations as hereinbefore set forth.

Post, p. 3981.

TITLE VII—REFUNDS OF AMOUNTS COLLECTED UNDER THE AGRICULTURAL ADJUSTMENT ACT

Title VII—Refunds of Amounts Collected under the Agricultural Adjustment Act.

SEC. 901. REPEALS.

Designated sections repealed. *Ante*, p. 771.

Sections 21 (d), 21 (e), and 21 (g) of the Agricultural Adjustment Act, as amended, are hereby repealed.

SEC. 902. CONDITIONS ON ALLOWANCE OF REFUNDS.

Conditions on allowance of refunds.

Proof necessary to establish right to receive.

No refund shall be made or allowed, in pursuance of court decisions or otherwise, of any amount paid by or collected from any claimant as tax under the Agricultural Adjustment Act, unless the claimant establishes to the satisfaction of the Commissioner in accordance with regulations prescribed by him, with the approval of the Secretary, or to the satisfaction of the trial court, or the Board of Review in cases provided for under section 906, as the case may be—

Post, p. 1748.

(a) That he bore the burden of such amount and has not been relieved thereof nor reimbursed therefor nor shifted such burden, directly or indirectly, (1) through inclusion of such amount by the claimant, or by any person directly or indirectly under his control, or having control over him, or subject to the same common control, in the price of any article with respect to which a tax was imposed under the provisions of such Act, or in the price of any article processed from any commodity with respect to which a tax was imposed under such Act, or in any charge or fee for services or processing; (2) through reduction of the price paid for any such commodity; or (3) in any manner whatsoever; and that no understanding or agreement, written or oral, exists whereby he may be relieved of the burden of such amount, be reimbursed therefor, or may shift the burden thereof; or

(b) That he has repaid unconditionally such amount to his vendee (1) who bore the burden thereof, (2) who has not been relieved thereof nor reimbursed therefor, nor shifted such burden, directly or indirectly, and (3) who is not entitled to receive any reimbursement therefor from any other source, or to be relieved of such burden in any manner whatsoever.

SEC. 903. FILING OF CLAIMS.

Claims.

Terminal date for filing.

No refund shall be made or allowed of any amount paid by or collected from any person as tax under the Agricultural Adjustment Act unless, after the enactment of this Act, and prior to July 1, 1937, a claim for refund has been filed by such person in accordance with regulations prescribed by the Commissioner with the approval of the Secretary. All evidence relied upon in support of such claim shall be clearly set forth under oath. The Commissioner is authorized to prescribe by regulations, with the approval of the Secretary, the number of claims which may be filed by any person with respect to the total amount paid by or collected from such person as tax under the Agricultural Adjustment Act, and such regulations may require that claims for refund of processing taxes with respect to any commodity or group of commodities shall cover the entire period during which such person paid such processing taxes.

Supporting evidence.

Number of claims by any claimant.

SEC. 904. STATUTE OF LIMITATIONS.

Statute of limitations.

Period in which suits may be brought or maintained.

Notwithstanding any other provision of law, no suit or proceeding, whether brought before or after the date of enactment of this Act, shall be brought or maintained in any court for the recovery, recoup-

ment, set-off, refund, or credit of, or counterclaim for, any amount paid by or collected from any person as tax (except processing tax, as defined herein) under the Agricultural Adjustment Act (a) before the expiration of eighteen months from the date of filing a claim therefor under this title, unless the Commissioner renders a decision thereon within that time, or (b) after the expiration of two years from the date of mailing by registered mail by the Commissioner to the claimant a notice of disallowance of that part of the claim to which such suit or proceeding relates. Any consideration or any action by the Commissioner with respect to such claim following the mailing of notice of disallowance shall not operate to extend the period within which any suit or proceeding may be brought.

Action by Commissioner not to extend period.

SEC. 905. JURISDICTION OF COURTS.

Jurisdiction of courts.

Concurrent with the Court of Claims, the District Courts of the United States (except as provided in section 906 of this title) shall have jurisdiction of cases to which this title applies, regardless of the amount in controversy, if such district courts would have had jurisdiction of such cases but for limitations under the Judicial Code, as amended, on jurisdiction of such courts based upon the amount in controversy. The United States Customs Court shall not have jurisdiction of any such cases.

Customs Court, restriction.

Refunds of processing taxes.

SEC. 906. PROCEDURE ON CLAIMS FOR REFUNDS OF PROCESSING TAXES.

Procedure for recovery of amounts paid or collected.

(a) Notwithstanding any other provision of law, no suit or proceeding, whether brought before or after the date of the enactment of this Act, shall be brought or maintained in any court for the refund of any amount paid or collected as processing tax, as defined herein, under the Agricultural Adjustment Act, except as provided in this section. The Commissioner shall allow or disallow, in whole or in part, any claim for refund of any such amount within three years after such claim was filed, unless such time has been extended by written consent of the claimant.

Time limitation.

Board of Review established.
Composition, chairman, quorum, etc.

(b) There is hereby established in the Treasury Department a Board of Review (hereinafter referred to as "the Board"). The Board shall be composed of nine members who shall be officers or employees of the Treasury Department designated by the Secretary of the Treasury. One of such members shall be designated by the Secretary to act as chairman of the Board. The chairman may from time to time divide the Board into divisions of one or more members, assign the members of the Board thereto, and in case of a division of more than one member designate the chief thereof. A majority of the members of the Board or of any division thereof shall constitute a quorum for the transaction of the business of the Board or of the division respectively. A vacancy in the Board or in any division thereof shall not impair the powers nor affect the duties of the Board or division nor of the remaining members of the Board or division respectively. The Secretary of the Treasury shall assign to the Board such personnel in the Treasury Department as may be necessary to perform its functions. The Board shall have jurisdiction in proceedings under this section to review the allowance or disallowance of the Commissioner of a claim for refund, and to determine the amount of refund due any claimant with respect to such claim. The Commissioner shall make refund of any such amount determined by a decision of the Board which has become final. The proceedings of the Board and its divisions shall be conducted in accordance with such rules and regulations as the Board may prescribe, with the approval of the Secretary.

Jurisdiction.

Proceedings.

(c) The allowance or disallowance of the Commissioner of a claim for refund under this section shall be final, unless within three months after the date of mailing by registered mail by the Commissioner of notice that a claim for refund of any such amount has been disallowed, in whole or in part, the claimant files a petition with the Board requesting a hearing on the merits of his claim, in whole or in part. Upon the filing of any such petition, the claimant shall be entitled to a hearing as provided herein, and within three months after the date of such filing the Board shall set a date for such hearing which shall be not more than two years from the date of filing of the petition. Such hearing shall be held in Washington, District of Columbia, or in the collection district in which is located the principal place of business of the claimant, as the claimant may designate in his petition, or in any place which may be designated by the Commissioner and the claimant by stipulation in writing, and may be continued from day to day. The Board shall notify the claimant and the Commissioner of the time and place set for such hearing by registered mail.

Commissioner's decision.

Hearings.

(d) Each such hearing shall be conducted by a presiding officer who shall be a member of the Board or an officer or employee of the Treasury Department designated a presiding officer by the Secretary of the Treasury, and assigned by the Board to preside at such hearing, and shall be open to the public. The proceedings in such hearings shall be conducted in accordance with such rules of practice and procedure (other than rules of evidence) as the Board may prescribe with the approval of the Secretary of the Treasury, and in accordance with the rules of evidence applicable in courts of equity of the District of Columbia. The claimant and the Commissioner shall be entitled to be represented by counsel, to have witnesses subpenaed, and to examine and cross-examine witnesses. The presiding officer shall have authority to administer oaths, examine witnesses, rule on questions of procedure and the admissibility of evidence, and to require by subpena, signed by any member of the Board, the attendance and testimony of witnesses, and the production of all necessary returns, books, papers, records, correspondence, memoranda, and other evidence, from any place in the United States at any designated place of hearing, and to require the taking of a deposition by any designated individual competent to administer oaths. Any witness summoned or whose deposition is taken pursuant to this section shall receive the same fees and mileage as witnesses in the courts of the United States.

Proceedings.

Rules.

Production of evidence, witnesses, etc.

Fees, etc., of witnesses.

(e) The presiding officers shall recommend findings of fact and a decision to the Board or the proper division thereof within six months after the conclusion of the hearing. Briefs with respect to such recommendations may be submitted to the Board or such division on behalf of the Commissioner and the claimant within thirty days after such recommendations have been made, unless such time is extended by the Board or such division. Except upon specific order of the chairman of the Board, no oral argument may be presented to the Board or such division after the conclusion of the hearing. The Board or a division shall make its findings of fact and decision in writing as quickly as practicable. The findings of fact and the decision of a division shall become the findings of fact and decision of the Board within thirty days after they have been made by the division, unless within such period, the chairman has directed that such findings and decision shall be reviewed by the Board. The findings and decision of a division shall not be a part of the record in any case in which the chairman directs that such findings and decision shall be reviewed by the Board. Copies of

Findings of fact and decision.

Time limitation.

the findings of fact and decision of the Board shall be mailed to the claimant and the Commissioner by registered mail.

Table of costs and fees to be drawn.

(f) The Board, with the approval of the Secretary of the Treasury, is authorized to draw up a table of costs and fees relating to such hearings, and the preparation of transcripts of record thereof, not to exceed with respect to any one item those charged in the Supreme Court of the United States. Such costs and fees shall be paid by the claimant and be collected in accordance with such rules and regulations as may be prescribed by the Board, with the approval of the Secretary. If the hearing provided herein results in a modification of the allowance or disallowance of the Commissioner, such costs shall be returned to the claimant.

Circuit Court of Appeals.
Review of decision by, on petition.

(g) A review of the decision of the Board, made after the hearing provided in this section, may be obtained by the claimant or Commissioner by filing a petition for review in the Circuit Court of Appeals of the United States within any circuit wherein such claimant resides, or has his principal place of business, or, if none, in the United States Court of Appeals for the District of Columbia, or any such court which may be designated by the Commissioner and the claimant by stipulation in writing, within three months after the date of the mailing to the claimant and the Commissioner of the

Copy of petition to Commissioner, etc.

copy of the findings and decision of the Board. A copy of such petition shall forthwith be served upon the Commissioner or upon any officer designated by him for that purpose, or upon the claimant, according to which party files such petition, and upon the Board.

Transcript of record to be filed.

Thereupon the Board shall certify and file in the court, in which such petition has been filed, a transcript of the record upon which the findings and decision complained of were based. Upon the filing of such transcript such court shall have exclusive jurisdiction to affirm the decision of the Board, or to modify or reverse such decision, if it is not in accordance with law, with or without remanding the cause for a rehearing, as justice may require. No objection shall be considered by the court unless such objection shall have been urged before the Board or division and the presiding officer, or unless there

Additional evidence.

were reasonable grounds for failure so to do. If the claimant or the Commissioner shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material, and that there were reasonable grounds for failure to adduce such evidence in the hearing before the presiding officer, the court may order such additional evidence to be taken before such officer, and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may

Effect of, on Board's findings.

seem proper. The Board may modify its findings of fact and decision by reason of the additional evidence so taken and it shall file

Finality of court decision; review by Supreme Court.

with the court such modified or new findings and decision. The judgment of the court shall be final, subject to review by the Supreme Court of the United States, upon certification or certiorari as provided in sections 239 and 240 of the Judicial Code, as amended.

U. S. C., p. 1272.

Such courts are authorized to adopt rules for the filing of petitions for review, the preparation of the record for review, and the conduct of the proceedings on review.

Costs.

If the decision of the Board is affirmed, costs shall be awarded against the claimant, and if such decision is reversed, the judgment shall provide for a refund of any costs paid by the claimant. In case of modification of such decision costs shall be awarded or refused as justice may require. The decision of the Board made after the hearing provided herein shall become final in the same manner that decisions of the Board of Tax

Vol. 44, p. 111.

Appeals become final under section 1005 of the Revenue Act of 1926, as amended.

SEC. 907. EVIDENCE AND PRESUMPTIONS.

Evidence and presumptions.

Prima facie evidence as to extent claimant bore tax burden.

(a) Where the refund claimed is for an amount paid or collected as processing tax, as defined herein, it shall be prima-facie evidence that the burden of such amount was borne by the claimant to the extent (not to exceed the amount of the tax) that the average margin per unit of the commodity processed was lower during the tax period than the average margin was during the period before and after the tax. If the average margin during the tax period was not lower, it shall be prima-facie evidence that none of the burden of such amount was borne by the claimant but that it was shifted to others.

Determination of average margin.

(b) The average margin for the tax period and the average margin for the period before and after the tax shall each be determined as follows:

Tax period.

(1) TAX PERIOD.—The average margin for the tax period shall be the average of the margins for all months (or portions of months) within the tax period. The margin for each such month shall be computed as follows: From the gross sales value of all articles processed by the claimant from the commodity during such month, deduct the cost of the commodity processed during the month and deduct the processing tax paid with respect thereto. The sum so ascertained shall be divided by the total number of units of the commodity processed during such month, and the resulting figure shall be the margin for the month.

Period before and after tax.

(2) PERIOD BEFORE AND AFTER THE TAX.—The average margin for the period before and after the tax shall be the average of the margins for all months (or portions of months) within the period before and after the tax. The margin for each such month shall be computed as follows: From the gross sales value of all articles processed by the claimant from the commodity during such month, deduct the cost of the commodity processed during the month. The sum so ascertained shall be divided by the number of units of the commodity processed during such month, and the resulting figure shall be the margin for the month.

Average margin; ascertainment.

(3) AVERAGE MARGIN.—The average margin for each period shall be ascertained in the same manner as monthly margins under subdivisions (1) and (2), using total gross sales value, total cost of commodity processed, total processing tax paid, and total units of commodity processed, during such period.

Combination of commodities.

(4) COMBINATION OF COMMODITIES.—Where, as, for example, in the case of certain types of tobacco, the articles produced and sold by the claimant are the product of several commodities combined by him during processing, the average margins shall be established with respect to such commodities as a group, and not individually, in accordance with rules and regulations prescribed by the Commissioner, with the approval of the Secretary of the Treasury.

Cost of commodity.

(5) COST OF COMMODITY.—The cost of commodity processed during each month shall be (a) the actual cost of the commodity processed if the accounting procedure of the claimant is based thereon, or (b) the product computed by multiplying the quantity of the commodity processed by the current prices at the time of processing for commodities of like quality and grade in the markets where the claimant customarily makes his purchases.

Gross sales value of articles.

(6) GROSS SALES VALUE OF ARTICLES.—The gross sales value of articles shall mean (a) the total of the quantity of each article derived from the commodity processed by the claimant during each month multiplied by (b) the claimant's sale prices current at the time of processing for articles of similar grade and quality.

Quantity.

(7) The quantity of each article derived from the commodity processed may be either (a) the actual quantity obtained, as shown by the records of the claimant, or (b) an estimated quantity computed by multiplying the quantity of commodity processed by appropriate conversion factors giving the quantity of articles customarily obtained from the processing of each unit of the commodity.

"Tax period" construed.

(c) The "tax period" shall mean the period with respect to which the claimant actually paid the processing tax to a collector of internal revenue and shall end on the date with respect to which the last payment was made. The "period before and after the tax" shall mean the twenty-four months (except that in the case of tobacco it shall be the twelve months) immediately preceding the effective date of the processing tax, and the six months, February to July, 1936, inclusive. If during any part of such period the claimant was not in business, or if his records for any part of such period are so inadequate as not to provide satisfactory data on prices paid for commodities purchased or prices received for articles sold, the average prices paid or received by representative concerns engaged in a similar business and similarly circumstanced may with the approval of the Commissioner, where necessary for a fair comparison, be substituted in making the necessary computations. If the claimant was not in business during the entire period before and after the tax, the average margin, during such period, of representative concerns engaged in a similar business and similarly circumstanced, as determined by the Commissioner, shall be used as his average margin for such period.

"Period before and after the tax".

Determining prices for part of period.

Average margin.

Purchase or sale other than through an arm's-length transaction, etc.

(d) If the claimant made any purchase or sale otherwise than through an arm's-length transaction, and at a price other than the fair market price, the Commissioner may determine the purchase or sale price to be that for which such purchases or sales were at that time made in the ordinary course of trade.

Rebuttal of presumption.

(e) Either the claimant or the Commissioner may rebut the presumption established by subsection (a) of this section by proof of the actual extent to which the claimant shifted to others the burden of the processing tax. Such proof may include, but shall not be limited to—

Proof permitted.

(1) Proof that the difference or lack of difference between the average margin for the tax period and the average margin for the period before and after the tax was due to changes in factors other than the tax. Such factors shall include any clearly shown change (A) in the type or grade of article or commodity, or (B) in costs of production. If the claimant asserts that the burden of the tax was borne by him and the burden of any other increased costs was shifted to others, the Commissioner shall determine, from the effective dates of the imposition or termination of the tax and the effective date of other changes in costs as compared with the date of the changes in margin (when margins are computed for weeks, months, or other intervals between July 1, 1931, and August, 1936, in the manner specified in subsection (b)), and from the general experience of the industry, whether the tax or the increase in other costs was shifted to others. If the Commissioner determines that the difference in average margin was due in part to the tax and in part to the increase in other costs, he shall apportion the change in margin between them;

(2) Proof that the claimant modified existing contracts of sale, or adopted a new form of contract of sale, to reflect the initiation, termination, or change in amount of the processing tax, or at any such time changed the sale price of the article (including the effect

of a change in size, package, discount terms, or any other merchandising practice) by substantially the amount of the tax or change therein, or at any time billed the tax as a separate item to any vendee, or indicated by any writing that the sale price included the amount of the tax, or contracted to refund any part of the sale price in the event of recovery of the tax or decision of its invalidity; but the claimant may establish that such acts were caused by factors other than the processing tax, or that they do not represent his practice at other times. If the claimant processed any product in addition to the commodity with respect to the processing of which there was paid or collected an amount as tax for which he claims a refund, and if the Commissioner has reason to believe that the burden of such amount was shifted in whole or in part by means of the transactions relating to such product, the average margin with respect to such product, and articles processed therefrom, shall also be considered, and shall be determined for the tax period applicable to the commodity and for the period before and after the tax in the manner prescribed in subsection (b) of this section. To the extent the Commissioner determines that the average margin with respect to such product was higher during the tax period than it was during the period before and after the tax, it shall be prima-facie evidence that such amount was not borne by the claimant but that it was shifted to others.

SEC. 908. LIMITATIONS ON ALLOWANCE OF CLAIMS AND INTEREST. Allowance of claims.

(a) No claim shall be allowed under this title in an amount less than $10. Minimum amount.

(b) No interest shall be allowed by the Commissioner or by any court with respect to any amount paid or collected as tax under the Agricultural Adjustment Act, except with respect to amounts, refund of which is made or allowed under this title. Interest limited.

SEC. 909. LIMITATIONS ON REVIEW.

In the absence of fraud or mistake in mathematical calculation, the findings of fact and conclusions of law of the Commissioner upon the merits of any claim presented under this title shall not be subject to review by any other administrative or accounting officer, employee, or agent of the United States. Limitations on review.

SEC. 910. LIABILITY OF COLLECTORS.

No collector of internal revenue or customs, or internal revenue or customs officer or employee, shall be in any way liable to any person for any act done by him in the assessment or collection of any amount as tax under the Agricultural Adjustment Act, or for the recovery of any money exacted by or paid to him and paid into the Treasury, in performance of his official duties under the provisions of such Act, or if such collector or officer acted under the direction of the Secretary or other proper officer of the Government. Liability of collectors.

SEC. 911. INAPPLICABILITY TO CERTAIN REFUNDS. Inapplicability to certain refunds.

The provisions of this title shall not apply to any refund authorized under the provisions of sections 15, 16, or 17 of the Agricultural Adjustment Act, as amended and reenacted, or with respect to any articles exported under the provisions of section 317 of the Tariff Act of 1930. No refund shall be made or allowed of any amount paid or collected as tax under the Agricultural Adjustment Act, as amended and reenacted, to the extent that refund or credit with respect to such amount has been made to any person. Designated provisions of Agricultural Adjustment Act not included. Vol. 48, pp. 39-40; *Ante*, pp. 768-770. Vol. 46, p. 696.

Period not extended.

SEC. 912. PERIOD NOT EXTENDED.

No revival of barred suits.

Any suit or proceeding with respect to any amount paid or collected as tax under the Agricultural Adjustment Act which is barred on the date of enactment of this Act shall remain barred. No claim with respect to any such amount which is barred from allowance at the time of the enactment of this Act shall hereafter be allowed in any amount.

Definitions.

SEC. 913. DEFINITIONS.

When used in this title—

"Tax"; terms included.

(a) The term "tax" means a tax or exaction denominated a "tax" under the Agricultural Adjustment Act, and shall include any penalty, addition to tax, additional tax, or interest applicable to such tax.

"Processing tax."

(b) The term "processing tax" means any tax or exaction denominated a "processing tax" under the Agricultural Adjustment Act,

Amounts not included.

but shall not include any amount paid or collected as tax with respect to the processing of a commodity for a customer for a charge or fee.

"Commodity."

(c) The term "commodity" means any commodity, prior to processing, of a type with respect to the processing of which a processing tax was imposed under the Agricultural Adjustment Act.

"Article."

(d) The term "article" means the product which is obtained by processing a commodity, and includes the product obtained by further manufacture or by combination with other materials.

"Refund."

(e) The term "refund" includes any recovery, recoupment, set-off, credit, or counterclaim.

"Agricultural Adjustment Act."

(f) The term "Agricultural Adjustment Act" means the Agricultural Adjustment Act as originally enacted and the amendments thereto adopted prior to January 6, 1936.

Authority of Commissioner.

SEC. 914. AUTHORITY OF COMMISSIONER.

Examination of books and other relevant material.

In connection with the establishment of the facts required to be established under this title, the Commissioner of Internal Revenue is hereby authorized, by any officer or employee of the Treasury Department and of the Bureau of Internal Revenue, including the field service, designated by him for that purpose, to examine any books, papers, records, or memoranda which are relevant and material in connection with any claim made pursuant to this title, to

Attendance of claimant, etc.

require the attendance of the claimant or of any officer or employee of the claimant, or the attendance of any other person having knowledge in the premises, and to take, or cause to be taken, his testimony

Taking of testimony, etc.

with reference to any such matter, with power to administer oaths to such person or persons. It shall be lawful for the Commissioner, or any person designated by him, to summon witnesses to appear

Attendance of witnesses; production of books, etc.

before the Commissioner, or before any person designated by him, at a time and place named in the summons, and to produce such books, papers, correspondence, memoranda, or other records as the Commissioner may deem relevant or material, and to give testimony or answer interrogatories, under oath, relating to any claim

R. S., secs. 3174, 3175, pp. 609, 610. U. S. C., p. 1190.

made pursuant to this title. The provisions of 3174 and 3175 of the Revised Statutes, as amended, shall be applicable with respect

Witnesses; fees and mileage.

to any summons issued pursuant to the provisions of this title. Any witness summoned under this title shall be paid the same fees and mileage as are paid witnesses in the courts of the United States. All

Information procured available to Secretary of Agriculture.

information obtained by the Commissioner pursuant to this section shall be available to the Secretary of Agriculture upon written

To be kept confidential.

request therefor. Such information shall be kept confidential by

all officers and employees of the Department of Agriculture, and any such officer or employee who violates this requirement shall, upon conviction, be subject to a fine of not more than $1,000 or to imprisonment for not more than one year, or both, and shall be removed from office. Penalty for violation.

SEC. 915. SALARIES AND ADMINISTRATIVE EXPENSES. Salaries and administrative expenses.

Funds made available to the Secretary of Agriculture by the appropriation for the fiscal year 1936 in section 32 of Public Numbered 320, 74th Congress, approved August 24, 1935, to the extent of the unobligated balance thereof; and by the appropriation in section 12 (a) of the Agricultural Adjustment Act, in an amount not in excess of $15,000,000; shall be available until June 30, 1937, for transfer to the Treasury Department for salaries and administrative expenses in carrying out the provisions of this title and of Title IV, including necessary investigative work, and for refunds and payments under Title IV. Such funds shall be available for expenditure by the Secretary of the Treasury for personal services and rent in the District of Columbia and elsewhere, for law books, books of reference, press releases, trade journals, periodicals, and newspapers, for contracting reporting services, printing and paper in addition to allotments under the existing law, travel expenses, for mileage and per diem of witnesses, in lieu of subsistence, payment of which mileage and per diem may be made in advance upon certification of such officer as the Commissioner or the Secretary may designate, and such certification shall be conclusive. In addition to the foregoing, the administrative expenses provided for in this section shall include such miscellaneous expenses as may be authorized or approved by the Commissioner or the Secretary for carrying out the provisions of this title, including witness fees and mileage for experts, notarial fees, or like services, and stenographic work for taking depositions.

Funds available. *Ante*, p. 774.

Transfer to Treasury Department.

Ante, p. 1739.

Services, etc., in District of Columbia.

Miscellaneous expenses.

SEC. 916. RULES AND REGULATIONS. Rules and regulations.

The Commissioner shall, with the approval of the Secretary, prescribe such rules and regulations as may be deemed necessary to carry out the provisions of this title.

SEC. 917. PERSONNEL. Personnel.

(a) The Secretary may appoint such officers, attorneys, economists, and other experts without regard to the Classification Act of 1923, as amended, and without regard to the civil-service laws or regulations, as are necessary to execute the functions vested in him and the Commissioner by this title. No compensation at a rate in excess of $8,500 per annum shall be paid to any such appointee. Appointment of. Salary limitation.

(b) Officers and employees of the other executive departments and establishments of the Government may, at the request of the Secretary of the Treasury, and with the approval of the head of any such department or establishment, be detailed to the Treasury Department from time to time for such temporary duties as may be necessary in carrying out the provisions of this title. The proper appropriation of such executive department or establishment from which such officers or employees are so detailed shall be reimbursed by the Treasury Department to the extent of salaries and other compensation paid to such officers and employees during the time they shall be so detailed. Details from other departments. Reimbursement of appropriations.

Title VIII—General Provisions.

TITLE VIII—GENERAL PROVISIONS

Definitions.

SEC. 1001. DEFINITIONS.

(a) When used in this Act—

"Person." (1) The term "person" means an individual, a trust or estate, a partnership, or a corporation.

"Corporation." (2) The term "corporation" includes associations, joint-stock companies, and insurance companies.

"Partnership." (3) The term "partnership" includes a syndicate, group, pool, joint venture, or other unincorporated organization, through or by means of which any business, financial operation, or venture is carried on, and which is not, within the meaning of this Act, a trust or estate or a corporation; and the term "partner" includes a member in such a syndicate, group, pool, joint venture, or organization.

"Partner."

"Domestic." (4) The term "domestic" when applied to a corporation or partnership means created or organized in the United States or under the law of the United States or of any State or Territory.

"Foreign." (5) The term "foreign" when applied to a corporation or partnership means a corporation or partnership which is not domestic.

"Fiduciary." (6) The term "fiduciary" means a guardian, trustee, executor, administrator, receiver, conservator, or any person acting in any fiduciary capacity for any person.

"Withholding agent." (7) The term "withholding agent" means any person required to deduct and withhold any tax under the provisions of section 143 or 144.

"Stock." (8) The term "stock" includes the share in an association, joint-stock company, or insurance company.

"Shareholder." (9) The term "shareholder" includes a member in an association, joint-stock company, or insurance company.

"United States." (10) The term "United States" when used in a geographical sense includes only the States, the Territories of Alaska and Hawaii, and the District of Columbia.

"Secretary." (11) The term "Secretary" means the Secretary of the Treasury.

"Commissioner." (12) The term "Commissioner" means the Commissioner of Internal Revenue.

"Collector." (13) The term "collector" means collector of internal revenue.

"Taxpayer." (14) The term "taxpayer" means any person subject to a tax imposed by this Act.

"Includes" and "including." (b) The terms "includes" and "including" when used in a definition contained in this Act shall not be deemed to exclude other things otherwise within the meaning of the term defined.

SEC. 1002. SEPARABILITY CLAUSE.

Separability clause.

If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

SEC. 1003. EFFECTIVE DATE OF ACT.

Effective date.

Except as otherwise provided, this Act shall take effect upon its enactment.

Approved, June 22, 1936, 9 p.m.

[CHAPTER 691.]

AN ACT

Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1937, and for other purposes.

June 22, 1936.
[H. R. 10630.]
[Public, No. 741.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1937, namely:

Interior Department appropriations, fiscal year 1937.

OFFICE OF THE SECRETARY

Secretary's office.

SALARIES

Salaries.

Salaries: For the Secretary of the Interior, Under Secretary, First Assistant Secretary, Assistant Secretary, and other personal services in the District of Columbia, $392,970: *Provided*, That in expending appropriations or portions of appropriations, contained in this Act, for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the First Assistant Secretary and the Assistant Secretary the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

Secretary, Under Secretary, Assistants, and office personnel.

Provisos.
Salaries limited to average rates under Classification Act.
Vol. 42, p. 1488; Vol. 45, p. 776; Vol. 46, p. 1003.
U. S. C., p. 85.

Exception.

Restriction not applicable to clerical-mechanical service.

No reduction in fixed salaries.
Vol. 42, p. 1490; U. S. C., p. 86.

Transfer without reduction.

Payments under higher rates permitted.

If only one position in a grade.

OFFICE OF SOLICITOR

Solicitor's office.

For personal services in the District of Columbia and in the field, $284,600.

Personal services.

DIVISION OF TERRITORIES AND ISLAND POSSESSIONS

Division of Territories and Island Possessions.

For personal services in the District of Columbia, $55,520.

Personal services.
Post, p. 1896.

DIVISION OF INVESTIGATIONS

Division of Investigations.

For investigating official matters under the control of the Department of the Interior; for protecting timber on the public lands, and for the more efficient execution of the law and rules relating to the cutting thereof; for protecting public lands from illegal and fraudu-

Protecting timber and public lands.

Swamp lands.
Traveling expenses.

lent entry or appropriation; for adjusting claims for swamp lands and indemnity for swamp lands; and for traveling expenses of agents and others employed hereunder, $391,700, including not exceeding

Vehicles and motor boats.

$22,000 for personal services in the District of Columbia; not exceeding $35,000 for the purchase, exchange, operation, and maintenance of motor-propelled passenger-carrying vehicles and motor boats for the use of agents and others employed in the field service; and not

Emergencies.

to exceed $5,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Secretary of the Interior, who shall make a certificate of the amount of such expenditure as he may think it advisable not to specify, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended.

Grazing Control division.

DIVISION OF GRAZING CONTROL

Salaries and expenses.
Vol. 48, p. 1269.
U. S. C., p. 1851.

For carrying out the provisions of the Act entitled "An Act to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes", approved June 28, 1934 (48 Stat. 1269), including traveling and other necessary expenses, payments for the cost of packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of

Traveling, etc., expenses.

station, under regulations to be prescribed by the Secretary of the

Services in the District.

Interior, not to exceed $55,000 for personal services in the District of Columbia, not to exceed $20,000 for the purchase, exchange, operation, and maintenance of motor-propelled passenger-carrying

Classification, etc., of lands.

vehicles, and not to exceed $150,000 for examination and classification of lands with respect to agriculture and agricultural utility as required by the public-land laws and for related administrative

Advisory committee expenses.

operations and for the preparation and publication of land classification maps and reports, $300,000; for payment of a salary of $5 per diem while actually employed and for the payment of necessary travel expenses, exclusive of subsistence, of members of advisory committees of local stockmen, $100,000; in all, $400,000.

Range improvements.
Vol. 48, p. 1273.
U. S. C., p. 1853.

For construction, purchase, and maintenance of range improvements within grazing districts, pursuant to the provisions of sections 10 and 11 of the Act of June 28, 1934 (48 Stat., p. 1269), and not including contributions under section 9 of said Act, $250,000:

Proviso.
Limitation on expenditure in any district.

Provided, That expenditures hereunder in any grazing district shall not exceed 25 per centum of all moneys received under the provisions of said Act from such district during the fiscal years 1936 and 1937.

CONTINGENT EXPENSES, DEPARTMENT OF THE INTERIOR

Department contingent expenses.

For contingent expenses of the office of the Secretary and the bureaus and offices of the Department; furniture, carpets, ice, lumber, hardware, dry goods, advertising, telegraphing, telephone service, including personal services of temporary or emergency telephone operators; street-car fares for use by messengers not exceeding $150; expressage, diagrams, awnings, filing devices, typewriters, adding and addressing machines, and other labor-saving devices, including the repair, exchange, and maintenance thereof; constructing model and other cases and furniture; postage stamps to prepay postage on foreign mail and for special-delivery and air-mail stamps for use in the United States; traveling expenses, including necessary expenses of inspectors and attorneys; fuel and light; examination of estimates for appropriations in the field for any bureau, office,

or service of the Department; not exceeding $500 for the payment of damages caused to private property by Department motor vehicles; purchase and exchange of motor trucks, motorcycles, and bicycles, maintenance, repair, and operation of two motor-propelled passenger-carrying vehicles and motor trucks, motorcycles, and bicycles to be used only for official purposes; rent of Department garage; expense of taking testimony and preparing the same in connection with disbarment proceedings instituted against persons charged with improper practices before the department, its bureaus and offices; expense of translations, and not exceeding $1,000 for contract stenographic reporting services; not exceeding $700 for newspapers; stationery, including tags, labels, index cards, cloth-lined wrappers, and specimen bags, printed in the course of manufacture, and such printed envelopes as are not supplied under contracts made by the Postmaster General, for the Department and its several bureaus and offices, and other absolutely necessary expenses not hereinbefore provided for, $94,000; and, in addition thereto, sums amounting to $41,700 for stationery supplies shall be deducted from other appropriations made for the fiscal year 1937 as follows: General Land Office, $3,500; Geological Survey, $5,500; Freedmen's Hospital, $1,000; Saint Elizabeths Hospital, $2,200; National Park Service, $10,000; Bureau of Reclamation, $7,500, any unexpended portion of which shall revert and be credited to the reclamation fund; Division of Investigations, $1,000; Bureau of Mines, $9,000; Division of Grazing Control, $2,000; and said sums so deducted shall be credited to and constitute, together with the first-named sum of $94,000, the total appropriation for contingent expenses for the department and its several bureaus and offices for the fiscal year 1937.

Property damages.

Vehicles.

Disbarment proceedings.

Stationery, etc.

Additional, from specified appropriations.

For the purchase or exchange of professional and scientific books, law and medical books, and books to complete broken sets, periodicals, directories, and other books of reference relating to the business of the Department, $600, and in addition there is hereby made available from any appropriations made for any bureau or office of the Department not to exceed the following respective sums: Indian Service, $500; Office of Education, $2,000; Bureau of Reclamation, $2,000; Geological Survey, $2,500; National Park Service, $2,000; General Land Office, $500; Bureau of Mines, $2,500.

Professional, etc., books, periodicals, etc.

Sums for designated offices.

PRINTING AND BINDING

Printing and binding.

For printing and binding for the Department of the Interior, including all of its bureaus, offices, institutions, and services in the District of Columbia and elsewhere, except the Alaska Railroad, the Geological Survey, Vocational Education, and the Bureau of Reclamation, $219,000, of which $50,000 shall be for the National Park Service, $65,000 for the Bureau of Mines, and $46,500 for the Office of Education, no part of which shall be available for correspondence instruction.

For Department, bureaus, etc.

Education Office; restriction.

COMMISSION OF FINE ARTS

Commission of Fine Arts.

For expenses made necessary by the Act entitled "An Act establishing a Commission of Fine Arts", approved May 17, 1910 (U. S. C., title 40, sec. 104), including the purchase of periodicals, maps, and books of reference, and payment of actual traveling expenses of the members and secretary of the Commission in attending meetings and committee meetings of the Commission either within or outside of the District of Columbia, to be disbursed on

Expenses.
Vol. 36, p. 371.
U. S. C., p. 1776.

Attending meetings, etc.

vouchers approved by the Commission, $9,400, of which amount not to exceed $6,200 may be expended for personal services in the District of Columbia.

Printing and binding.

For all printing and binding for the Commission of Fine Arts, $300.

Total, Commission of Fine Arts, $9,700.

Mount Rushmore National Memorial Commission.

MOUNT RUSHMORE NATIONAL MEMORIAL COMMISSION

Expenses.

Vol. 45, p. 1300; Vol. 48, p. 1223.

Mount Rushmore National Memorial Commission: For carrying into effect the provisions of the Act creating the Mount Rushmore National Memorial Commission, approved February 25, 1929 (45 Stat., p. 1300), as amended by the Act approved June 26, 1934 (48 Stat., p. 1223), and the Act approved August 29, 1935 (Public, Numbered 393, Seventy-fourth Congress), $100,000, of which $30,000 shall be immediately available, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1936: *Provided*, That no part of this appropriation shall be expended for work on any figure, in addition to the four figures authorized by law, upon which work has not commenced as of the date of enactment of this Act.

Ante, p. 962.
Sums immediately available.
Ante, p. 179.

Proviso.
Restriction.

Perry's Victory Memorial Commission.

PERRY'S VICTORY MEMORIAL COMMISSION

Administration, etc., expenses.

For administration, protection, maintenance, and preservation of the Perry's Victory Memorial at Put in Bay, Ohio, including traveling and other expenses of members of the Commission in connection with official matters pertaining to the memorial, printing and binding, personal services, and the purchase of souvenirs for resale, $4,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Proviso.
Limitation.

Vol. 48, p. 1227.

War Minerals Relief Commission.

WAR MINERALS RELIEF COMMISSION

Administrative expenses.

Administrative expenses: For administrative expenses made necessary by section 5 of the Act entitled "An Act to provide relief in cases on contracts connected with the prosecution of the war, and for other purposes", approved March 2, 1919 (40 Stat., p. 1272), including personal services, without regard to the civil-service laws and regulations; traveling and subsistence expenses; supplies and all other expenses incident to the proper prosecution of this work, both in the District of Columbia and elsewhere, $13,600.

Vol. 40, p. 1272.

Petroleum Administration.

PETROLEUM ADMINISTRATION

Salaries and expenses.
Ante, p. 30.

For administering and enforcing the provisions of the Act approved February 22, 1935 (49 Stat., p. 30), entitled "An Act to regulate interstate and foreign commerce in petroleum and its products by prohibiting the shipment in such commerce of petroleum and its products produced in violation of State law, and for other purposes", and to include necessary personal services in the District of Columbia and elsewhere without regard to the civil-service laws and regulations, traveling expenses, contract stenographic reporting services, rent, stationery, and office supplies, not to exceed $4,000 for printing and binding, not to exceed $500 for books and periodicals, not to exceed $6,000 for the purchase, exchange, hire, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, and not to exceed $8,000 for the maintenance, operation, and repair of boats, $300,000.

Printing and binding.

Vehicles.

NATIONAL BITUMINOUS COAL COMMISSION

National Bituminous Coal Commission.

Salaries and expenses: For all necessary expenditures of the National Bituminous Coal Commission in performing the duties imposed upon said Commission by the Bituminous Coal Conservation Act of 1935, approved August 30, 1935 (49 Stat., p. 991), including personal services and rent in the District of Columbia and elsewhere, traveling expenses, contract stenographic reporting services, stationery and office supplies and equipment, printing and binding, and not to exceed $2,500 for newspapers, reference books and periodicals, $900,000.

Salaries and expenses.

Ante, p. 991.

Salaries and expenses, office of the Consumers' Counsel of the National Bituminous Coal Commission: For all necessary expenditures of the office of the Consumers' Counsel of the National Bituminous Coal Commission, in performing the duties imposed upon said office of Consumers' Counsel by the Bituminous Coal Conservation Act of 1935, approved August 30, 1935 (49 Stat., p. 991), including personal services in the District of Columbia and elsewhere, traveling expenses, printing and binding, contract stenographic reporting services, rent, stationery and office supplies and equipment, and not to exceed $500 for reference books and periodicals, $90,000.

Office of the Consumers' Counsel.

Ante, p. 993.

GENERAL LAND OFFICE

General Land Office.

SALARIES

Salaries.

For Commissioner of the General Land Office and other personal services in the District of Columbia, $587,700, including one clerk, who shall be designated by the President, to sign land patents.

Commissioner, and office personnel.

GENERAL EXPENSES

General expenses.

For traveling expenses of officers and employees, including employment of stenographers and other assistants when necessary; for separate maps of public-land States and Alaska, including maps showing areas designated by the Secretary of the Interior under the enlarged homestead Acts, prepared by the General Land Office; for the reproduction by photolithography or otherwise of official plats of surveys; for expenses of restoration to the public domain of lands in forest reserves and of lands temporarily withdrawn for forest-reserve purposes; and for expenses of hearings or other proceedings held by order of the General Land Office to determine the character of lands, whether alleged fraudulent entries are of that character or have been made in compliance with the law, and of hearings in disbarment proceedings, $16,000.

Traveling expenses, maps, etc.

Ante, p. 1759.

Restoration of lands to public domain.

Hearings.

For United States maps, prepared in the General Land Office, $15,000, all of which maps shall be delivered to the Senate and House of Representatives, except 10 per centum which shall be delivered to the Commissioner of the General Land Office for official purposes. All maps delivered to the Senate and House of Representatives hereunder shall be mounted with rollers ready for use.

Maps; distribution.

Surveying public lands: For surveys and resurveys of public lands, examination of surveys heretofore made and reported to be defective or fraudulent, inspecting mineral deposits, coal fields, and timber districts, making fragmentary surveys, and such other surveys or examinations as may be required for identification of lands for purposes of evidence in any suit or proceeding in behalf of the United States, under the supervision of the Commissioner of the General Land Office and direction of the Secretary of the Interior, $700,000, including not to exceed $5,000 for the purchase, exchange, operation,

Public lands, surveying, etc.

Vehicles.

and maintenance of motor-propelled passenger-carrying vehicles: *Provided*, That not to exceed $5,000 of this appropriation may be expended for salaries of employees of the field surveying service temporarily detailed to the General Land Office: *Provided further*, That not to exceed $10,000 of this appropriation may be used for the survey, classification, and sale of the lands and timber of the so-called Oregon and California Railroad lands and the Coos Bay Wagon Road lands: *Provided further*, That this appropriation may be expended for surveys made under the supervision of the Commissioner of the General Land Office, but when expended for surveys that would not otherwise be chargeable hereto it shall be reimbursed from the applicable appropriation fund, or special deposit: *Provided further*, That of the unexpended balance of moneys appropriated to carry out the provisions of title II of the National Industrial Recovery Act of June 16, 1933, such amount, not exceeding $750,000, as the Federal Emergency Administrator of Public Works may deem necessary is hereby made available for surveys and resurveys of public lands during the fiscal years 1936 and 1937, to be expended under the supervision of the Commissioner of the General Land Office in accordance with regulations prescribed by the Federal Emergency Administrator of Public Works.

Provisos.
Temporarily detailed employees.

Oregon and California Railroad and Coos Bay Wagon Road lands.

Other surveys; reimbursable.

Surveys and resurveys.

Sums reappropriated.

Vol. 48, p. 200.

Registers; salaries, etc.

Registers: For salaries and commissions of registers of district land offices, $77,500.

Contingent expenses, land offices.

Contingent expenses of land offices: For clerk hire, rent, and other incidental expenses of the district land offices, including the expenses of depositing public money; traveling expenses of clerks detailed to examine the books and management of district land offices and to assist in the operation of said offices, and for traveling expenses of clerks transferred in the interest of the public service from one district land office to another, $160,000: *Provided*, That no expenses chargeable to the Government shall be incurred by registers in the conduct of local land offices except upon previous specific authorization by the Commissioner of the General Land Office.

Proviso.
Restriction.

Payments to States from sales of public lands.

Payments to States of 5 per centum of proceeds from sales of public lands: For payment to the several States of 5 per centum of the net proceeds of sales of public lands lying within their limits, for the purpose of education or of making public roads and improvements, $2,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Proviso.
Limitation.
Vol. 48, p. 1227.

Coos Bay Wagon Road lands and timber, payment of proceeds of sales of.

Payment of proceeds of sales of Coos Bay Wagon Road grant lands and timber: For payment of 25 per centum of the balance of the proceeds from sales of the Coos Bay Wagon Road grant lands and timber within each of the counties of Coos and Douglas, Oregon, after deducting the accrued taxes in said counties and a sum equal to $2.50 per acre for the land title to which revested in the United States pursuant to the Act of February 26, 1919 (40 Stat., p. 1179), to be paid to the treasurer of the county for common schools, roads, highways, bridges, and port districts, $2,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Vol. 40, p. 1179.

Proviso.
Expenses limited.
Vol. 48, p. 1227.

Payments in lieu of taxes, Oregon, etc., lands.
Vol. 44, p. 915.

Payments to certain counties in Oregon in lieu of taxes on Oregon and California grant lands: For payment to the several counties in the State of Oregon, pursuant to the Act of July 13, 1926 (44 Stat., p. 915), amounts of money in lieu of the taxes that would have accrued against the revested Oregon and California Railroad Company grant lands if the lands had remained privately owned

and taxable, $250,000: *Provided*, That payments to the counties shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Proviso. Limitation. Vol. 48, p. 1227.

Payment to Oklahoma from royalties, oil and gas, south half of Red River: For payment of 37½ per centum of the royalties derived from the south half of Red River in Oklahoma under the provisions of the Act of March 4, 1923 (U. S. C., title 30, sec. 233), which shall be paid to the State of Oklahoma in lieu of all State and local taxes upon tribal funds accruing under said Act, to be expended by the State in the same manner as if received under section 35 of the Act approved February 25, 1920 (U. S. C., title 30, sec. 191), $11,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Oil and gas royalties. Payment to Oklahoma. Vol. 42, p. 1448. U. S. C., p. 1350.

Vol. 41, p. 450. U. S. C., p. 1344.

Proviso. Limitation. Vol. 48, p. 1227.

BUREAU OF INDIAN AFFAIRS

Indian Affairs Bureau.

SALARIES

For the Commissioner of Indian Affairs and other personal services in the District of Columbia, $493,770.

Commissioner and office personnel.

GENERAL EXPENSES

General expenses.

For transportation and incidental expenses of officers and clerks of the Bureau of Indian Affairs when traveling on official duty; for radio, telegraph, and telephone toll messages on business pertaining to the Indian Service sent and received by the Bureau of Indian Affairs at Washington, and for other necessary expenses of the Indian Service for which no other appropriation is available, $34,000.

Traveling, etc., expenses. Radio, etc., tolls.

For advertising, inspection, storage, and all other expenses incident to the purchase of goods and supplies for the Indian Service and for payment of railroad, pipe-line, and other transportation costs of such goods and supplies, $685,000: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefore is rendered within one year from the time the service is performed.

Supplies; purchase, transportation, etc.

Proviso. Restriction on payments.

For pay of judges of Indian courts where tribal relations now exist, at rates to be fixed by the Commissioner of Indian Affairs, $15,000.

Judges, Indian courts.

For pay and expenses of Indian police, including chiefs of police at not to exceed $100 per month each and privates at not to exceed $75 per month each, to be employed in maintaining order, and for purchase of equipment and supplies, $117,390.

Police.

For the suppression of the traffic in intoxicating liquors, marihuana, and deleterious drugs among Indians, $75,000.

Suppressing liquor, etc., traffic.

For lease, purchase, repair, and improvement of agency buildings, exclusive of hospital buildings, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $159,200, of which amount $10,000 shall be immediately available.

Agency buildings. Lease, purchase, repair, etc. *Ante*, p. 1620.

For expenses of organizing Indian chartered corporations, or other tribal organizations, in accordance with the provisions of the Act of June 18, 1934 (48 Stat., p. 986), including personal services, purchase of equipment and supplies, not to exceed $10,000 for printing and binding, and other necessary expenses, $160,000, of which not to exceed $41,060 may be used for personal services in the District of Columbia.

Tribal organizations, expenses. Vol. 48, p. 986. U. S. C., p. 1032.

Vehicles, maintenance, etc.

Vehicles, Indian Service: Not to exceed $290,000 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use of employees in the Indian field service, and the transportation of Indian school pupils, and not to exceed $160,000 of applicable appropriations may be used for the purchase and exchange of motor-propelled passenger-carrying vehicles, and such vehicles shall be used only for official service, including the transportation of Indian school pupils.

Transporting Indian pupils.

Use restricted.

Emergency replacement of property.

Replacement of property destroyed by fire, flood, or storm: That to meet possible emergencies not exceeding $35,000 of the appropriations made by this Act for support of reservation and nonreservation schools, for school and agency buildings, and for conservation of health among Indians shall be available, upon approval of the Secretary of the Interior, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Indian Service above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Proviso.
Report of diversions to Congress.

Attendance at meetings.

Authorization for attending health and educational meetings: Not to exceed $7,000 shall be available from applicable funds for expenses (not membership fees) of employees of the Indian Service when authorized by the Secretary of the Interior to attend meetings of medical, health, educational, agricultural, forestry, engineering, and industrial associations in the interest of work among the Indians.

Indian lands.

INDIAN LANDS

Pueblo Indians, N. Mex.
Land and water rights, etc.
Reappropriation from tribal funds.
Ante, p. 182.

Purchase of land and water rights, and so forth, Pueblo Indians, New Mexico (tribal funds): The unexpended balances of appropriations heretofore made, from the trust funds of the several pueblos, for the purchase of land and water rights, purchase of equipment for industrial advancement and fencing, irrigating, and improving lands, are hereby continued available for the same purposes until June 30, 1937.

Pueblo Indians, N. Mex., compensation to.

Compensation to Pueblo Indians, New Mexico: For the first of three installments for additional compensation to the Pueblo Indians of New Mexico, for loss of land and water rights, and in settlement of the liability of the United States to said Pueblos as declared by the Act of June 7, 1924 (43 Stat., p. 636), and as authorized by the Act of May 31, 1933 (48 Stat., p. 109), $253,960.61, which amount shall be deposited in the Treasury of the United States to the credit of the following-named pueblos:

Vol. 43, p. 636; Vol. 48, p. 109.

Pueblos designated.

Jemez, $628.33; Nambe, $15,813.17; Taos, $28,235.70; Santa Ana, $969.46; Santo Domingo, $1,418.85; Sandia, $4,326.87; San Felipe, $4,984.84; Isleta, $15,917.10; Picuris, $22,191.47; San Ildefonso, $12,352.76; San Juan, $51,287.68; Santa Clara, $60,371.39; Cochiti, $12,608.79; Pojoaque, $22,854.20: *Provided*, That expenditures may be made from the foregoing sums, as authorized by the Act of May 31, 1933, for the purchase of lands and water rights, purchase or construction of reservoirs, irrigation works, or other permanent improvements upon or for the benefit of the lands of said pueblos.

Proviso.
Acquisition of lands, water rights, etc.

Sioux Indians failing to receive allotments, payment to.

Payment to Sioux Indians for failure to receive allotments: For payment to various Sioux Indians, or their heirs, on account of allotments of land to which they were entitled but did not receive, and for compensation to attorneys for services performed, all as authorized by the Act of June 14, 1935 (49 Stat., p. 340), $81,540.49, to remain available until expended.

Ante, p. 340.

Chippewas of Minnesota.
Payment for certain treaty lands.
Ante, p. 321.

Compensation to Chippewa Indians of Minnesota for certain lands patented to the State of Minnesota under the Swamp Land Act: For payment, as authorized by the Act of June 4, 1935 (49 Stat., p. 321), to the Chippewa Indians of Minnesota in full compensation for one hundred and seventy-eight thousand five hundred and thirty and ten one-hundredths acres of land embraced within the reservations established by the treaties of March 11, 1863 (12 Stat., p. 1249), May 7, 1864 (13 Stat., p. 693), and March 19, 1867 (16 Stat., p. 719), for the future homes of said Indians, and later patented to the State of Minnesota under the provisions of the amendatory Swamp Land Act of March 12, 1860 (12 Stat., p. 3), without compensation to said Indians, $223,162.62, which shall be credited immediately to the trust fund of said Chippewa Indians of Minnesota arising under the provisions of section 7 of the Act of January 14, 1889 (25 Stat., p. 645), and shall bear interest in accordance with said Act of 1889.

Vol. 12, p. 1249; Vol. 13, p. 693; Vol. 16, p. 719.

Vol. 12, p. 3.
Credit to tribal trust fund.

Vol. 25, p. 645.

Pueblos in New Mexico.
Non-Indian claimants.
Ante, p. 800.
Vol. 43, p. 636.
Awards.
Vol. 48, p. 108.

Compensation to non-Indian claimants, Pueblo Indian lands, New Mexico: For carrying out the provisions of the Act of August 26, 1935 (49 Stat., p. 800), in supplemental settlement of the liability of the United States to non-Indian claimants on Indian Pueblo grants whose claims, extinguished under the Act of June 7, 1924, have been found entitled to awards under said Act, as supplemented by the Act of May 31, 1933 (48 Stat., p. 108), $45,377.33, to remain available until June 30, 1938, to be apportioned to claimants within the several pueblos as follows: Isleta, $1,876.72; San Ildefonso, $9,371.52; San Juan, $23,122.83; Santa Clara, $2,810.69; Pojoaque, $2,474.13; Nambe, $1,985; Sandia, $368.90; Picuris, $278.64; Cochiti, $1,088.90; Jemez, $2,000: *Provided*, That the unexpended balance of the appropriation contained in the Fourth Deficiency Act, fiscal year 1933, and subsequently continued available until June 30, 1936, for carrying out the provisions of the Act of May 31, 1933, is hereby continued available until June 30, 1937.

Apportionment.

Proviso.
Balance available.
Vol. 48, p. 277.
Vol. 48, p. 109; *Ante*, p. 183.

Navajo Indians, Ariz.
Purchase of lands.
Reappropriation.
Vol. 48, p. 1033.

Purchase of land for the Navajo Indians, Arizona, reimbursable: The unexpended balance of the appropriation contained in the Deficiency Appropriation Act, fiscal year 1934, for the purchase of land, and improvements thereon, including water rights, for the Navajo Indians in Arizona, as authorized by and in conformity with the provisions of the Act of June 14, 1934 (48 Stat., p. 961), is hereby continued available for the same purposes until June 30, 1937.

Vol. 48, p. 961.

Leasing lands and water rights.

Leasing of lands for Navajo Indians (tribal funds): For lease, pending purchase, of land and water rights for the use and benefit of Indians of the Navajo Tribe in Arizona and New Mexico, $20,000, payable from funds on deposit to the credit of the Navajo Tribe.

Acquisition of lands, etc.

Vol. 48, p. 984.

Balance reappropriated.
Ante, p. 183.

Provisos.
Use outside reservations restricted.

Contracts.

For the acquisition of lands, interest in lands, water rights and surface rights to lands, and for expenses incident to such acquisition, in accordance with the provisions of the Act of June 18, 1934 (48 Stat., p. 985), including personal services, purchase of equipment and supplies, and other necessary expenses, $1,000,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1936, of which not to exceed $30,540 shall be available for personal services in the District of Columbia: *Provided*, That within the States of Arizona, New Mexico and Wyoming no part of said sum shall be used for the acquisition of lands outside of the boundaries of existing Indian reservations: *Provided further*, That in addition to the amount herein appropriated the Secretary of the Interior may also incur obligations, and enter into contracts for the acquisition of additional land, not exceeding a total of $1,000,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and

appropriations hereafter made for the acquisition of land pursuant to the authorization contained in the Act of June 18, 1934, shall be available for the purpose of discharging the obligation or obligations so created.

Industrial assistance and advancement.

INDUSTRIAL ASSISTANCE AND ADVANCEMENT

Timber preservation, etc.

For the preservation of timber on Indian reservations and allotments other than the Menominee Indian Reservation in Wisconsin, the education of Indians in the proper care of forests, and the general administration of forestry and grazing work, including fire prevention and payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires, or taking or otherwise destroying timber, in contravention of law on Indian lands, $260,000: *Provided*, That this appropriation shall be available for the expenses of administration of Indian forest lands from which timber is sold to the extent only that proceeds from the sales of timber from such lands are insufficient for that purpose.

Proviso.
Forest lands, administration from proceeds of sales, etc.

Timber sales, etc., expenses; reimbursable.

For expenses incidental to the sale of timber, and for the expenses of administration, including fire prevention, of Indian forest lands from which such timber is sold to the extent that the proceeds of such sales are sufficient for that purpose, $120,000, reimbursable to the United States as provided in the Act of February 14, 1920 (U. S. C., title 25, sec. 413): *Provided*, That this appropriation shall be available for the payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires, or taking or otherwise destroying timber, in contravention of law.

Vol. 41, p. 415.
U. S. C., p. 1029.

Proviso.
Rewards for information.

Suppression, etc., of forest fires.

For the suppression or emergency prevention of forest fires on or threatening Indian reservations, $15,000, together with $25,000 from funds held by the United States in trust for the respective tribes of Indians interested: *Provided*, That not to exceed $50,000 of appropriations herein made for timber operations and for support and administration purposes may be transferred, upon the approval of the Secretary of the Interior, for fire-suppression or emergency prevention purposes, and allotments of funds so transferred shall be made by the Secretary of the Interior only after the obligation for the expenditure has been incurred: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Provisos.
Additional sums available.

Report of diversions to Congress.

Geological Survey.
Transfer of sum to, for supervising mining operations, etc.
Ante, p. 1620.

For transfer to the Geological Survey for expenditures to be made in inspecting mines and examining mineral deposits on Indian lands and in supervising mining operations on restricted, tribal, and allotted Indian lands leased under the provisions of the Acts of February 28, 1891 (U. S. C., title 25, secs. 336, 371, 397), May 27, 1908 (35 Stat., p. 312), March 3, 1909 (U. S. C., title 25, sec. 396), and other Acts authorizing the leasing of such lands for mining purposes, $65,000.

Vol. 26, p. 794; Vol. 35, pp. 312, 444, 783.
U. S. C., p. 1025.

Employment for Indians.

For the purpose of obtaining remunerative employment for Indians, $40,750.

Agriculture and stock raising.

For the purpose of developing agriculture and stock raising among the Indians, including necessary personnel, traveling and other expenses, and purchase of supplies and equipment, $600,220, of which not to exceed $15,000 may be used to conduct agricultural experiments and demonstrations on Indian school or agency farms and to maintain a supply of suitable plants or seed for issue to Indians, and not to exceed $30,000 may be used for the operation and maintenance of a sheep-breeding station on the Navajo Reservation.

Agricultural experiments and demonstrations.

Navajo sheep-breeding station.

Encouraging industry, etc., among Indians.

For the purpose of encouraging industry and self-support among the Indians and to aid them in the culture of fruits, grains, and other crops, $165,000, which sum may be used for the purchase of

seeds, animals, machinery, tools, implements, and other equipment necessary, and for advances to Indians having irrigable allotments to assist them in the development and cultivation thereof, in the discretion of the Secretary of the Interior, to enable Indians to become self-supporting: *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1942, except in the case of loans on irrigable lands for permanent improvement of said lands, in which the period for repayment may run for not exceeding twenty years, in the discretion of the Secretary of the Interior: *Provided further*, That not to exceed $25,000 of the amount herein appropriated shall be expended on any one reservation or for the benefit of any one tribe of Indians: *Provided further*, That the Secretary of the Interior is hereby authorized, in his discretion and under such rules and regulations as he may prescribe, to make advances from this appropriation to old, disabled, or indigent Indian allottees, for their support, to remain a charge and lien against their lands until paid: *Provided further*, That not to exceed $15,000 may be advanced to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe.

Provisos.
Conditions for repayment.

Loans on irrigable lands.

Limitation.

Advances to old, etc., allottees.

Advances to young students; repayment.

Industrial assistance (tribal funds): For the construction of homes for individual members of the tribes; the purchase for sale to them of seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support, and Indians having irrigable allotments to assist them in the development and cultivation thereof, to be immediately available, $356,000, payable from tribal funds as follows: Fort Yuma, California, $10,000; Fort Hall, Idaho, $25,000; Blackfeet, Montana, $5,000; Flathead, Montana, $15,000; Rocky Boy, Montana, $8,000; Tongue River, Montana, $10,000; Omaha, Nebraska, $8,000; Summit Lake, Nevada, $4,000; Western Shoshone, Nevada, $15,000; Mescalero, New Mexico, $10,000; Standing Rock, North Dakota, $20,000; Klamath, Oregon, $25,000; Cheyenne River, South Dakota, $50,000; Pine Ridge, South Dakota, $10,000; Rosebud, South Dakota, $10,000; Colville, Washington, $25,000; Puyallup, Washington, $10,000; Quinaielt, Washington, $25,000; Neah Bay, Washington, $20,000; Spokane, Washington, $6,000; Yakima, Washington, $25,000; Bad River, Wisconsin, $5,000; Lac du Flambeau, Wisconsin, $15,000; and the unexpended balances of funds available under this head in the Interior Department Appropriation Act for the fiscal year 1936, and the Act of June 27, 1932 (47 Stat., p. 335), are hereby continued available during the fiscal year 1937: *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1942, except in the case of loans on irrigable lands for permanent improvement of said lands in which the period for repayment may run for not exceeding twenty years, in the discretion of the Secretary of the Interior, and advances to old, disabled, or indigent Indians for their support, which shall remain a charge and lien against their land until paid: *Provided further*, That advances may be made to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges,

Industrial assistance.
Constructing homes, purchase of seed, equipment, etc.

Advances to old, etc., Indians.

Allotments.

Funds available.
Ante, p. 185.
Vol. 47, p. 335.

Provisos.
Conditions for repayment.

Loans on irrigable lands.

Advances to young students.

Reimbursement.

universities, or other institutions and advances so made shall be reimbursed in not to exceed eight years under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1937 shall be credited to the respective appropriations and be available for the purposes of this paragraph.

Credits and availability.

Revolving fund for loans to Indian corporations.
Ante, p. 185.
Vol. 48, p. 986.

For an additional amount to be added to the appropriation of $2,500,000 contained in the Interior Department Appropriation Act, fiscal year 1936, for the establishment of a revolving fund for the purpose of making loans to Indian chartered corporations, in accordance with the Act of June 18, 1934 (48 Stat., p. 986), $980,000, of which amount not to exceed $65,000 shall be available for personal services in the District of Columbia and in the field, for purchase of equipment and supplies, and for other necessary expenses of administering such loans.

Indian arts and crafts.
Ante, p. 891.

For the development of Indian arts and crafts, as authorized by the Act of August 27, 1935 (49 Stat., p. 891), including personal services, purchase of equipment and supplies, not to exceed $2,500 for printing and binding, and other necessary expenses, to be immediately available, $42,500, of which not to exceed $18,000 shall be available for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be used to pay any salary at a rate exceeding $7,500 per annum.

Proviso.
Salary restriction.

Water supply.

DEVELOPMENT OF WATER SUPPLY

Developing and conserving, in Arizona and New Mexico.

Developing water supply: For developing and conserving water for domestic and stock purposes on lands of the Navajo and Hopi Indians in Arizona and New Mexico, the Papago Indians in Arizona, and the Pueblo Indians of New Mexico, including the purchase and installation of pumping machinery, and other necessary equipment, and for operation and maintenance thereof, $70,000.

Irrigation and drainage.

IRRIGATION AND DRAINAGE

Construction, maintenance, etc.

For the construction, repair, and maintenance of irrigation systems, and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian reservations and allotments; for operation of irrigation systems or appurtenances thereto when no other funds are applicable or available for the purpose; for drainage and protection of irrigable lands from damage by floods or loss of water rights, upon the Indian irrigation projects named below, in not to exceed the following amounts, respectively:

Allotments.

Miscellaneous projects, $17,000; Arizona: Ak Chin, $4,000; Chiu Chui, $4,000; Ganado, $1,500, together with $1,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; Navajo and Hopi, miscellaneous projects, Arizona and New Mexico, $6,500; Salt River, $5,000; San Xavier, $2,000; California: Coachella Valley, $1,000; Morongo, $4,000; Pala and Rincon, $2,000, together with $2,000, from which expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Repeal Act; Colorado: Southern Ute, $10,000, together with $5,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the said Repeal Act; Nevada: Pyramid Lake, $3,000; Walker River, $5,000; Western Shoshone, $4,000; New Mexico: Miscellaneous Pueblos, $4,000; Zuni, $4,000; Washington: Colville, $3,500, together with

$500, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Repeal Act; Lummi Diking Project, $1,000, together with $2,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Repeal Act;

Limitation on expenditure.
Vol. 48, p. 1227.

For necessary miscellaneous expenses incident to the general administration of Indian irrigation projects, including pay of employees and their traveling and incidental expenses, $60,000;

Administrative expenses.

In all, for irrigation on Indian reservations, not to exceed $152,000, reimbursable: *Provided*, That the foregoing amounts shall be available interchangeably, in the discretion of the Secretary of the Interior, for the necessary expenditures for damages by floods and other unforseen[1] exigencies, but the amount so interchanged shall not exceed in the aggregate 10 per centum of all the amounts so appropriated: *Provided further*, That the cost of irrigation projects and of operating and maintaining such projects where reimbursement thereof is required by law shall be apportioned on a per-acre basis against the lands under the respective projects and shall be collected by the Secretary of the Interior as required by such law, and any unpaid charges outstanding against such lands shall constitute a first lien thereon which shall be recited in any patent or instrument issued for such lands.

Total; reimbursable.
Provisos.
Amounts interchangeable.
Limitation.
Apportioning costs on per-acre basis.
Unpaid charges a first lien.

For operation and maintenance of the San Carlos project for the irrigation of lands in the Gila River Indian Reservation, Arizona, $98,750, reimbursable, together with $99,250 (operation and maintenance collections) and $106,000 (power revenues), of which latter sum not to exceed $25,000 shall be available for major repairs in case of unforeseen emergencies caused by fire, flood, or storm, from which amounts of $99,250 and $106,000, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, $304,000.

San Carlos project, Ariz.
Maintenance, etc.
Limitation.
Vol. 48, p. 1227.

For improvement, operation, and maintenance of the pumping plants and irrigation system on the Colorado River Indian Reservation, Arizona, as provided in the Act of April 4, 1910 (36 Stat., p. 273), $17,000, reimbursable, together with $17,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Colorado River Reservation, Ariz.
Irrigating tribal lands.
Vol. 36, p. 273.
Vol. 48, p. 1227.

Operation and maintenance, pumping plants, San Carlos Reservation, Arizona (tribal funds): For the operation and maintenance of pumping plants for the irrigation of lands on the San Carlos Reservation, in Arizona, $5,000, to be paid from the funds held by the United States in trust for the Indians of such reservation: *Provided*, That the sum so used shall be reimbursed to the tribe by the Indians benefited, under such rules and regulations as the Secretary of the Interior may prescribe.

San Carlos Reservation, Ariz.
Irrigating tribal lands.
Proviso.
Reimbursement.

For reclamation and maintenance charges on Indian lands within the Yuma Reservation, California, and on ten acres within each of the eleven Yuma homestead entries in Arizona under the Yuma reclamation project, $14,000, reimbursable, together with $4,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Yuma Reservation, Calif.-Ariz.
Reclamation, etc., charges.

For improvements, maintenance, and operation of the Fort Hall irrigation system, Idaho, $20,000, together with $25,000, from which amount expenditures shall not exceed the aggregate receipts covered

Fort Hall system, Idaho.
Maintenance, etc.

[1] So in original.

into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Belknap Reservation, Mont.
Irrigating tribal lands.

For maintenance and operation, repairs, and purchase of stored waters, irrigation systems, Fort Belknap Reservation, Montana, $14,800, reimbursable, together with $4,200 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Peck project, Mont.
Maintenance, etc.

For maintenance and operation of the several units of the Fort Peck project, Montana, including not to exceed four thousand acres under the West Side Canal of the Poplar River Division, $7,000, reimbursable, together with $3,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Flathead Reservation, Mont.
Irrigating tribal lands.

For operation and maintenance of the irrigation systems on the Flathead Indian Reservation, Montana, $12,000, reimbursable, together with $80,000 (operation and maintenance collections) and $45,000 (power revenues), from which amounts of $80,000 and $45,000, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, $137,000.

Crow Reservation, Mont.
Operating, etc., irrigation systems.

For improvement, maintenance, and operation of the irrigation systems on the Crow Reservation, Montana, including maintenance assessments payable to the Two Leggins Water Users' Association and Bozeman Trail Ditch Company, Montana, properly assessable against lands allotted to the Indians and irrigable thereunder, $10,000, reimbursable, together with $30,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Reimbursable.

Vol. 48, p. 1227.

Newlands project, Nev.
Paying charges against Paiute lands.

For payment of annual installment of reclamation charges against Paiute Indian lands within the Newlands reclamation project, Nevada, $5,381; and for payment in advance, as provided by district law, of operation and maintenance assessments, including assessments for the operation of drains to the Truckee-Carson irrigation district, which district, under contract, is operating the Newlands reclamation project, $7,033, to be immediately available; in all, $12,414.

Navajo Reservation, N. Mex.
Hogback project, maintenance, etc.

For operation and maintenance of the Hogback irrigation project on that part of the Navajo Reservation in New Mexico under the jurisdiction of the Northern Navajo Agency, $15,000, reimbursable, together with $5,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fruitlands project.
Maintenance, etc.

For maintenance and operation of the Fruitlands irrigation project, Navajo Reservation, New Mexico, $14,000, reimbursable, together with $4,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Middle Rio Grande conservancy district, N. Mex.
Maintenance, etc.

For operation and maintenance assessments on newly reclaimed Indian lands within the Middle Rio Grande conservancy district, New Mexico, $11,250, or so much thereof as may be necessary, reimbursable.

Klamath Reservation, Oreg.
Maintenance, etc., of projects.

Irrigation systems, Klamath Reservation, Oregon: For improvements, maintenance, and operation of miscellaneous irrigation

projects on the Klamath Reservation, $2,000, to be paid from the funds held by the United States in trust for the Klamath Indians in the State of Oregon, said sum, or such part thereof as may be used, to be reimbursed to the tribe under such rules and regulations as the Secretary of the Interior may prescribe, together with $2,000 from the general fund of the Treasury, from which amount expenditures shall not exceed the aggregate receipts from operation and maintenance collections on the Sand Creek unit covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Reimbursable.

Sand Creek unit.

For continuing operation and maintenance and betterment of the irrigation system to irrigate allotted lands of the Uncompahgre, Uintah, and White River Utes in Utah, authorized under the Act of June 21, 1906 (34 Stat., p. 375), $20,000, reimbursable, together with $38,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Uncompahgre, Uintah, and White River Utes, Utah.
Irrigating tribal lands.
Vol. 34, p. 375.

For operation and maintenance of the Wapato irrigation and drainage system, and auxiliary units thereof, Yakima Indian Reservation, Washington, $1,000, reimbursable, together with $140,000 (collections from the water users on the Wapato-Satus, Toppenish-Simcoe, and Ahtanum units), from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Yakima Reservation, Wash.
Wapato system, maintenance, etc.

For reimbursement to the reclamation fund the proportionate expense of operation and maintenance of the reservoirs for furnishing stored water to lands in the Yakima Indian Reservation, Washington, in accordance with the provisions of section 22 of the Act of August 1, 1914 (38 Stat., p. 604), $11,000.

Water payments.
Vol. 38, p. 604.

For operation and maintenance of irrigation systems within the ceded and diminished portions of the Wind River Reservation, Wyoming, including the Indians' pro-rata share of the cost of operation and maintenance of the Riverton-Le Clair irrigation district, the Big Bend drainage district on the ceded reservation, and for payment of the Indians' pro-rata share of the cost of operation and maintenance of the Big Bend drainage district for the years 1925 to 1933, inclusive, in accordance with the terms of a contract between the United States and said district dated September 22, 1931, $32,000, reimbursable, together with $15,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Wind River Reservation, Wyo.
Irrigating tribal lands.
Riverton-Le Clair district.
Big Bend district, 1925 to 1933.
Reimbursable.
Vol. 48, p. 1227.

For the construction, repair, and rehabilitation of irrigation systems on Indian reservations; for the purchase or rental of equipment, tools, and appliances; for the acquisition of rights-of-way, and payment of damages in connection with such irrigation systems; for the development of domestic and stock water and water for subsistence gardens; for the purchase of water rights, ditches, and lands needed for such projects; and for drainage and protection of irrigable lands from damage by floods or loss of water rights, as follows:

Irrigation and drainage.
Construction, maintenance, etc.
Allotments.

Arizona: Havasupai, $5,000, reimbursable; Hopi, $50,000, reimbursable; Navajo, $60,000, reimbursable; Ak Chin, $3,000, reimbursable; Navajo and Hopi (domestic and stock water), $45,000; Chiu Chui, $5,000, reimbursable; Papago (domestic and stock water), $26,400;

Arizona.

Montana: Fort Belknap, $12,000, reimbursable; Fort Peck, $100,000, reimbursable;

Montana.

Nevada. Nevada: Fort McDermitt, $2,000, reimbursable; Moapa, $5,000, reimbursable; Summit Lake, $5,000, reimbursable; Walker River, $5,000, reimbursable; miscellaneous (garden tracts), $5,000;

New Mexico. New Mexico: Navajo, $30,000, reimbursable; Pueblo, $100,000, reimbursable; Jicarilla, $13,000, reimbursable; Navajo and Pueblo (domestic and stock water), $50,000;

North Dakota. North Dakota: Miscellaneous (domestic and stock water and garden tracts), $15,000;

Oklahoma. Oklahoma: Miscellaneous (garden tracts), $16,000;

Oregon. Oregon: Warm Springs, $10,000, reimbursable; miscellaneous (garden tracts), $5,000;

South Dakota. South Dakota: Miscellaneous (domestic and stock water), $10,000;

Utah. Utah: Uncompahgre, $10,000, reimbursable; Oljeto and Montezuma Creeks, $3,500, reimbursable; miscellaneous (garden tracts), $5,000;

Washington. Washington: Lummi, $20,000, reimbursable; Makah (dikes and flood gates), $5,000, reimbursable; miscellaneous (domestic and stock water and garden tracts), $20,000;

Wisconsin. Wisconsin: Miscellaneous (garden tracts), $5,000;

Wyoming. Wyoming: Wind River, $85,000, reimbursable;

Administrative expenses. For administrative expenses, including personal services in the District of Columbia and elsewhere, $50,000, of which amount $35,000 shall be reimbursable;

Provisos.
Amounts interchangeable. In all, $780,900, to be immediately available: *Provided*, That the foregoing amounts may be used interchangeably in the discretion of the Secretary of the Interior, but not more than 10 per centum of any specific amount shall be transferred to any other amount, and no appropriation shall be increased by more than 15 per centum: *Provided further*, That when necessary the foregoing amounts may be used for subjugating lands for which irrigation facilities are being developed: *Provided further*, That the cost of the foregoing irrigation projects and of operating and maintaining such projects where reimbursement thereof is required by law, but not including the cost of domestic and stock water projects and of projects for the development of water for garden tracts, shall be apportioned on a per-acre basis against the lands under the respective projects and shall be collected by the Secretary of the Interior as required by such law, and any unpaid charges outstanding against such lands shall constitute a first lien thereon which shall be recited in any patent or instrument issued for such lands.

Subjugating lands, etc.

Basis of apportionment.

Unpaid charges a first lien.

Education.

EDUCATION

Support of schools. For the support of Indian schools not otherwise provided for, and other educational and industrial purposes in connection therewith, including educational facilities authorized by treaty provisions, care of children of school age attending private schools, and tuition for Indian pupils attending public schools, $5,379,820: *Provided*, That not to exceed $15,000 of this appropriation may be used for the support and education of deaf and dumb or blind, physically handicapped, or mentally deficient Indian children: *Provided further*, That $4,500 of this appropriation may be used for the education and civilization of the Alabama and Coushatta Indians in Texas: *Provided further*, That $45,000 of this appropriation shall be available for subsistence of pupils in reservation and nonreservation boarding schools during summer months: *Provided further*, That not more than $15,000 of the amount herein appropriated may be expended for the tuition (which may be paid in advance) of Indian pupils attending vocational or higher educational institutions, under such rules and regulations as the Secretary of the Interior may prescribe,

Provisos.
Deaf and dumb, blind, etc.

Alabamas and Coushattas, Tex.

Subsistence, boarding schools.

Vocational, etc., courses.

but formal contracts shall not be required, for compliance with section 3744 of the Revised Statutes (U. S. C., title 41, sec. 16), for payment of tuition of Indian pupils attending public schools, higher educational institutions, or schools for the deaf and dumb, blind, physically handicapped, or mentally deficient.

Formal contracts not required.
R. S., sec. 3744, p. 738.
U. S. C., p. 1805.

Support of Indian schools from tribal funds: For the support of Indian schools, and other educational and industrial purposes in connection therewith, other than among the Five Civilized Tribes, there shall be expended from Indian tribal funds and from school revenues arising under the Act of May 17, 1926 (U. S. C., title 25, sec. 155), not more than $330,820, including not to exceed $63,750 for payment of tuition for Chippewa Indian children enrolled in public schools and care of children of school age attending private schools in the State of Minnesota, payable from the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota arising under section 7 of the Act of January 14, 1889 (25 Stat., p. 645).

Support of schools from tribal funds.
Vol. 44, p. 560.
U. S. C., p. 1005.
Chippewas of Minnesota.
Vol. 25, p. 645.

Education, Osage Nation, Oklahoma (tribal funds): For the education of unallotted Osage Indian children in the Saint Louis Mission Boarding School, Oklahoma, $2,000, payable from funds held in trust by the United States for the Osage Tribe.

Saint Louis Mission Boarding School, Okla.
Osage pupils.

For reimbursable loans to Indians for the payment of tuition and other expenses in recognized vocational and trade schools, including colleges and universities offering recognized vocational, trade, and professional courses, in accordance with the provisions of the Act of June 18, 1934 (48 Stat., p. 986), the unexpended balance of the appropriation for the fiscal year 1936 is continued available until June 30, 1937: *Provided*, That not more than $50,000 of such unexpended balance shall be available for loans to Indian students pursuing liberal-arts courses in high schools and colleges.

Vocational and trade schools; educational loans.
Vol. 48, p. 986.
Balance reappropriated.
Ante, p. 190.
Proviso.
Liberal arts courses.

For lease, purchase, repair, and improvement of buildings at Indian schools not otherwise provided for, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $345,000.

School buildings.
Lease, improvement, etc.

Construction, enlargement, or improvement of public-school buildings: The unexpended balance of the appropriation of $931,000 contained in the Second Deficiency Appropriation Act, fiscal year 1935, for cooperation with public-school districts in the construction, enlargement, or improvement of local public elementary or high schools, including purchase of necessary equipment, as authorized by and in conformity with numerous Acts of the Seventy-fourth Congress approved June 7, 1935, and June 11, 1935, is hereby continued available for the same purposes and under the same conditions until June 30, 1937.

Public school buildings, construction, etc.
Ante, p. 584.
Ante, pp. 327–331, 333, 336.

The appropriation of $125,000 contained in the Second Deficiency Appropriation Act, fiscal year 1935, for cooperating with the public-school board, of Shannon County, South Dakota, for the construction of a consolidated public high-school building at Pine Ridge, South Dakota, is hereby made available until June 30, 1937, which amount shall be for expenditure by the Indian Service for the construction and equipment of a high-school building at Pine Ridge, South Dakota, the same to be used in conjunction with other educational facilities maintained by the Indian Service, and recoupment of this expenditure, as required by the provisions of the Act of August 12, 1935 (49 Stat., p. 584), is hereby waived: *Provided*, That the school shall be conducted for both white and Indian children in accordance with the provisions of the Act of June 7, 1935 (49 Stat., p. 331).

Shannon County, S. Dak.
Appropriation continued available.
Ante, p. 584.
Recoupment waived.
Ante, p. 584.
Proviso.
White and Indian pupils.
Ante, p. 331.

Nonreservation boarding schools.
Support, etc., of designated.

For support and education of Indian pupils at the following nonreservation boarding schools in not to exceed the following amounts, respectively:

Phoenix, Ariz.

Phoenix, Arizona: For four hundred and seventy-five pupils, including not to exceed $1,500 for printing and issuing school paper, $168,625; for pay of superintendent, drayage, and general repairs and improvements, $25,000; in all, $193,625;

Sherman Institute, Riverside, Calif.

Sherman Institute, Riverside, California: For six hundred and fifty pupils, including not to exceed $1,000 for printing and issuing school paper, $221,000; for pay of superintendent, drayage, and general repairs and improvements, $22,000; in all, $243,000;

Haskell Institute, Lawrence, Kans.

Haskell Institute, Lawrence, Kansas: For six hundred and twenty-five pupils, including not to exceed $2,500 for printing and issuing school paper, $212,500; for pay of superintendent, drayage, and general repairs and improvements, including necessary drainage work, $24,000; in all, $236,500;

Pipestone, Minn.

Pipestone, Minnesota: For two hundred and seventy-five pupils, $89,625; for pay of superintendent, drayage, and general repairs and improvements, $15,000; in all, $104,625;

Carson City, Nev.

Carson City, Nevada: For five hundred and twenty-five pupils, $168,500; for pay of superintendent, drayage, and general repairs and improvements, $17,000; in all, $185,500;

Albuquerque, N. Mex.

Albuquerque, New Mexico: For six hundred pupils, $204,000; for pay of superintendent, drayage, and general repairs and improvements, $24,000; in all, $228,000;

Santa Fe, N. Mex.

Santa Fe, New Mexico: For four hundred pupils, $142,000; for drayage, and general repairs and improvements, $23,000; in all, $165,000;

Bismarck, N. Dak.

Bismarck, North Dakota: For one hundred and ten pupils, $39,850; for pay of superintendent, drayage, and general repairs and improvements, $12,500; in all, $52,350;

Wahpeton, N. Dak.

Wahpeton, North Dakota: For three hundred pupils, $97,250; for pay of superintendent, drayage, and general repairs and improvements, $13,000; in all, $110,250;

Chilocco, Okla.

Chilocco, Oklahoma: For six hundred and fifty pupils, including not to exceed $2,000 for printing and issuing school paper, $221,000; for pay of superintendent, drayage, and general repairs and improvements, $23,000; in all, $244,000;

Sequoyah Orphan Training School, Okla.

Sequoyah Orphan Training School, near Tahlequah, Oklahoma: For three hundred and fifty orphan Indian children of the State of Oklahoma belonging to the restricted class, to be conducted as an industrial school under the direction of the Secretary of the Interior, $114,250; for pay of superintendent, drayage, and general repairs and improvements, $13,000; in all, $127,250;

Carter Seminary, Okla.

Carter Seminary, Oklahoma: For one hundred and sixty-five pupils, $57,525; for pay of principal, drayage, and general repairs and improvements, $6,500; in all, $64,025;

Euchee, Okla.

Euchee, Oklahoma: For one hundred and fifteen pupils, $39,525; for pay of principal, drayage, and general repairs and improvements, $6,000; in all, $45,525;

Eufaula, Okla.

Eufaula, Oklahoma: For one hundred and forty pupils, $48,650; for pay of principal, drayage, and general repairs and improvements, $6,500; in all, $55,150;

Jones Academy, Okla.

Jones Academy, Oklahoma: For one hundred and seventy-five pupils, $61,125; for pay of principal, drayage, and general repairs and improvements, $6,500; in all, $67,625;

Wheelock Academy, Okla.

Wheelock Academy, Oklahoma: For one hundred and thirty pupils, $45,050; for pay of principal, drayage, and general repairs and improvements, $6,500; in all, $51,550;

Chemawa, Salem, Oregon: For three hundred pupils, including not to exceed $1,000 for printing and issuing school paper, $106,500; for local vocational-training program directed from the school, $20,500; for pay of superintendent, drayage, and general repairs and improvements, $17,000; in all, $144,000: *Provided*, That the unexpended balance of the appropriation of $60,000 for the fiscal year 1936 for pay of superintendent, drayage, and general repairs and improvements, including improvements to the heating system and shop facilities, is hereby continued available for the same purposes until June 30, 1937;

Chemawa, Salem, Oreg.

Proviso.
Unexpended balance available.
Ante, p. 191.

Flandreau, South Dakota: For four hundred and fifty pupils, $159,750; for pay of superintendent, drayage, and general repairs and improvements, $16,000; in all, $175,750;

Flandreau, S. Dak.

Pierre, South Dakota: For three hundred pupils, $97,750; for pay of superintendent, drayage, and general repairs and improvements, $15,000; in all, $112,750: *Provided*, That not more than $1,000 of the foregoing amount may be used for the acquisition of lands adjacent to this school;

Pierre, S. Dak.

Proviso.
Acquisition of adjacent lands.

In all, for above-named nonreservation boarding schools, not to exceed $2,606,475: *Provided*, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures for similar purposes in the various boarding schools named, but not more than 10 per centum shall be added to the amount appropriated for any one of said boarding schools or for any particular item within any boarding school. Any such interchanges shall be reported to Congress in the annual Budget.

Total; nonreservation boarding schools.
Proviso.
Sums interchangeable.

Report to Congress.

For aid to the common schools in the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Nations and the Quapaw Agency in Oklahoma, $397,200, to be expended in the discretion of the Secretary of the Interior and under rules and regulations to be prescribed by him: *Provided*, That this appropriation shall not be subject to the limitation in section 1 of the Act of May 25, 1918 (U. S. C., title 25, sec. 297), limiting the expenditure of money to educate children of less than one-fourth Indian blood: *Provided further*, That of this appropriation not to exceed $2,500 may be expended in the printing and issuance of a paper devoted to Indian education, which paper shall be printed at an Indian school; not to exceed $10,000 may be expended under rules and regulations of the Secretary of the Interior, in part payment of truancy officers in any county or two or more contiguous counties where there are five hundred or more Indian children eligible to attend school, and not to exceed $10,000 may be expended in the discretion of the Secretary of the Interior for the payment of salaries of public-school teachers, employed by the State or county, in special Indian day schools in full-blood Indian communities, where there are not adequate white day schools available for their attendance.

Five Civilized Tribes, Okla.
Common schools.

Provisos.
Parentage limitation not applicable.
Vol. 40, p. 564; U. S. C., p. 1015.
Printing, etc., school paper.

Truancy officers.

Employing public-school teachers where facilities inadequate.

Natives in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for support and education of the Eskimos, Aleuts, Indians, and other natives of Alaska, including necessary traveling expenses of pupils to and from industrial boarding schools in Alaska; purchase, repair, and rental of school buildings, including purchase of necessary lands; textbooks and industrial apparatus; pay and necessary traveling expenses of superintendents, teachers, physicians, and other employees; repair, equipment, maintenance, and operation of vessels; and all other necessary miscellaneous expenses which are not included under the above special heads, including $338,380 for salaries, $19,500 for traveling expenses, $191,000 for equipment, supplies, fuel, and light,

Alaska natives.

Miscellaneous expenses.

Relief of destitution.

$25,000 for relief of destitution, $25,000 for repairs of buildings, $65,000 for freight and operation and repair of vessels, $1,000 for rentals, and $2,000 for telephone and telegraph; in all, $666,880, to be immediately available and to remain available until June 30, 1938: *Provided*, That not to exceed 10 per centum of the amounts appropriated for the various items in this paragraph shall be available interchangeably for expenditures on the objects included in this paragraph, but not more than 10 per centum shall be added to any one item of appropriation except in cases of extraordinary emergency and then only upon the written order of the Secretary of the Interior: *Provided further*, That a report shall be made to Congress covering expenditures from the amount herein provided for relief of destitution.

Provisos.
Sums interchangeable.

Report to Congress.

Conservation of health.

CONSERVATION OF HEALTH

Designated expenses.

For conservation of health among Indians, including equipment, materials, and supplies; repairs and improvements to buildings and plants; compensation and traveling expenses of officers and employees and renting of quarters for them when necessary; transportation of patients and attendants to and from hospitals and sanatoria; returning to their former homes and interring the remains of deceased patients; and not exceeding $1,000 for printing and binding circulars and pamphlets for use in preventing and suppressing trachoma and other contagious and infectious diseases, $4,062,360, including not to exceed $2,935,360 for the following-named hospitals and sanatoria:

Suppressing trachoma, etc.

Allotments to specified hospitals.

Arizona.

Arizona: Indian Oasis Hospital, $24,260; Kayenta Sanatorium, $50,000; Fort Defiance Sanatorium and Southern Navajo General Hospital, $111,000; Phoenix Sanatorium, $85,700; Pima Hospital, $27,600; Truxton Canyon Hospital, $14,000; Western Navajo Hospital, $38,300; Chin Lee Hospital, $15,000; Fort Apache Hospital, $29,700; Hopi Hospital, $40,000; Leupp Hospital, $27,800; San Carlos Hospital, $32,300; Tohatchi Hospital, $17,200; Colorado River Hospital, $23,000; San Xavier Sanatorium, $42,500; Phoenix Hospital, $37,200; Winslow Sanatorium, $45,000;

California.

California: Hoopa Valley Hospital, $25,000; Soboba Hospital, $22,000; Fort Bidwell Hospital, $24,600; Fort Yuma Hospital, $20,000;

Colorado.

Colorado: Ute Mountain Hospital, $15,000; Edward T. Taylor Hospital, $26,700;

Idaho.

Idaho: Fort Lapwai Sanatorium, $90,000; Fort Hall Hospitals, $17,000;

Iowa.

Iowa: Sac and Fox Sanatorium, $75,000;

Minnesota.

Minnesota: Pipestone Hospital, $22,500;

Mississippi.

Mississippi: Choctaw Hospital, $25,000;

Montana.

Montana: Blackfeet Hospital, $30,000; Fort Peck Hospital, $26,400; Crow Agency Hospital, $28,000; Fort Belknap Hospital, $30,000; Tongue River Hospital, $30,000;

Nebraska.

Nebraska: Winnebago Hospital, $48,000;

Nevada.

Nevada: Carson Hospital, $23,000; Walker River Hospital, $22,000; Western Shoshone Hospital, $15,000;

New Mexico.

New Mexico: Albuquerque Sanatorium, $100,000; Jicarilla Hospital and Sanatorium, $61,000; Mescalero Hospital, $24,000; Eastern Navajo Hospital, $32,000; Northern Navajo Hospital, $39,700; Taos Hospital, $20,000; Zuni Sanatorium, $50,000; Albuquerque Hospital, $52,100; Charles H. Burke Hospital, $12,000; Santa Fe Hospital, $43,000; Toadlena Hospital, $12,000;

North Carolina.

North Carolina: Cherokee Hospital, $16,000;

North Dakota.

North Dakota: Turtle Mountain Hospital, $42,600; Fort Berthold Hospital, $16,000; Fort Totten Hospital, $24,000; Standing Rock

Hospital, $30,000; Fort Totten Preventorium, $30,000, including $10,000 for improvements to the heating plant;

Oklahoma: Cheyenne and Arapahoe Hospital, $36,000; Choctaw and Chickasaw Sanatorium, $55,000; Shawnee Sanatorium, $100,000; Claremore Hospital, $76,300; Clinton Hospital, $18,000; Pawnee and Ponca Hospital, $34,000; Kiowa Hospital, $122,700; Oklahoma.

Oregon: Warm Springs Hospital, $12,000; Oregon.

South Dakota: Crow Creek Hospital, $22,000; Pine Ridge Hospitals, $50,000; Rosebud Hospital, $30,600; Yankton Hospital, $15,000; Cheyenne River Hospital, $30,000; Sisseton Hospital, $35,000; South Dakota.

Utah: Uintah Hospital, $30,000; Utah.

Washington: Yakima Sanatorium, $40,000; Tacoma Sanatorium, $206,000; Tulalip Hospital, $11,000; Colville Hospital, $35,000; Washington.

Wisconsin: Hayward Hospital, $40,600; Tomah Hospital, $31,000; Wisconsin.

Wyoming: Shoshone, $25,000; Wyoming.

Provided, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures in the various hospitals named, but not more than 10 per centum shall be added to the amount appropriated for any one of said hospitals or for any particular item within any hospital, and any interchange of appropriations hereunder shall be reported to Congress in the annual Budget: *Provisos.* Sums interchangeable. Report to Congress.

Provided further, That nonreservation boarding schools receiving specific appropriations shall contribute on a per-diem basis for the hospitalization of pupils in hospitals located at such schools and supported from this appropriation. Hospitalization of pupils.

Sioux Sanatorium and employees' quarters, South Dakota: That in addition to the $337,500 made available by the Second Deficiency Appropriation Act, fiscal year 1935, for the construction of an Indian sanatorium and employees' quarters, in South Dakota, a further sum of $29,875, representing the remainder of the original appropriation of $375,000 contained in the Interior Department Appropriation Act, fiscal year 1932, and not reappropriated by the Second Deficiency Appropriation Act, fiscal year 1935, is hereby reappropriated and made available until June 30, 1937, for the construction of such sanatorium and employees' quarters. Sioux Sanatorium, etc., S. Dak. *Ante*, p. 584. Sums reappropriated. Vol. 46, p. 1136.

For clinical surveys and general medical research in connection with tuberculosis, trachoma, and venereal and other disease conditions among Indians, $20,000: *Provided*, That in conducting such survey the cooperation of such State and other organizations engaged in similar work shall be enlisted wherever practicable and where services of physicians, nurses, or other persons are donated their travel and other expenses may be paid from this appropriation. Clinical surveys, etc., of disease conditions. *Proviso.* State, etc., cooperation.

Support of hospitals, Chippewas in Minnesota (tribal funds): For support of hospitals maintained for the benefit of the Chippewa Indians in the State of Minnesota, $80,000, payable from the principal sum on deposit to the credit of said Indians arising under section 7 of the Act of January 14, 1889 (25 Stat., p. 645). Chippewas in Minnesota. Hospitals for, from tribal funds. Vol. 25, p. 645.

Medical relief in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction through the Bureau of Indian Affairs, with the advice and cooperation of the Public Health Service, to provide for the medical and sanitary relief of the Eskimos, Aleuts, Indians, and other natives of Alaska; purchase, repair, rental, and equipment of hospital buildings; books and surgical apparatus; pay and necessary traveling expenses of physicians, nurses, and other employees, and all other necessary miscellaneous expenses which are not included under the above special heads, $340,000, to be available immediately and to remain available until June 30, 1938. Medical relief in Alaska. Availability.

General support and administration.

GENERAL SUPPORT AND ADMINISTRATION

Sundry agencies and reservations. *Ante*, p. 1621.

For general support of Indians and administration of Indian property, including pay of employees authorized by continuing or permanent treaty provisions, $2,375,000, of which amount $10,000 shall be immediately available.

Metlakahtla Indians, Annette Islands Reserve, Alaska.

For pay of employees, village improvements, relief of destitution, and such other purposes as may be requested by the town council of Metlakahtla, Annette Islands Reserve, Alaska, and approved by the Secretary of the Interior, $50,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Proviso. Limitation. Vol. 48, p. 1227.

Specified agencies, from tribal funds.

For general support of Indians and administration of Indian property under the jurisdiction of the following agencies, to be paid from the funds held by the United States in trust for the respective tribes, in not to exceed the following sums, respectively:

Arizona.

Arizona: Fort Apache, $50,000; San Carlos, $55,800; Truxton Canyon, $6,500; in all, $112,300;

California.

California: Mission, $5,000;

Idaho.

Idaho: Fort Hall, $4,800;

Iowa.

Iowa: Sac and Fox, $2,000;

Minnesota.

Minnesota: Red Lake, $36,500;

Montana.

Montana: Flathead, $16,000; Rocky Boy, $800; in all, $16,800;

North Carolina. Sum reappropriated. *Ante*, p. 194.

North Carolina: Cherokee, $25,000, together with the unexpended balance under this head for the fiscal year 1936;

Oklahoma.

Oklahoma: Quapaw (Seneca), $200; Shawnee (Iowa), $300; in all, $500;

Oregon.

Oregon: Klamath, $69,000, of which $4,000 shall be available only for traveling and other expenses of members of the tribal council, or representatives of the tribe engaged on business of the tribe at the seat of government, and $10,000 shall be available in a permanent revolving fund for loans to cover burial expenses of members of the tribe, and payments in liquidation of such loans shall be credited to the revolving fund and shall be available for loans for similar purposes under regulations to be prescribed by the Secretary of the Interior;

Revolving fund created.

South Dakota.

South Dakota: Cheyenne River, $42,500;

Utah.

Utah: Uintah and Ouray, $6,500;

Washington.

Washington: Puyallup, $1,000 for upkeep of the Puyallup Indian cemetery; Taholah (Quinaielt), $20,000; (Neah Bay), $26,000 ($4,000 for monthly allowances for care of old and indigent Indians, $3,500 for development of a cemetery site, and $1,000 for burial expenses); (Quileute), $2,000; (Hoh), $500; Yakima, $400; in all, $49,900;

Wisconsin.

Wisconsin: Keshena, $61,500, including $10,000 for monthly allowances, under such rules and regulations as the Secretary of the Interior may prescribe, to old and indigent members of the Menominee Tribe who reside with relatives or friends;

In all, not to exceed $432,300.

Chippewas in Minnesota. General support, from tribal funds.

Support of Chippewa Indians in Minnesota (tribal funds): For general support, administration of property, and promotion of self-support among the Chippewa Indians in the State of Minnesota, $85,000, to be paid from the principal sum on deposit to the credit of said Indians, arising under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota", approved January 14, 1889 (25 Stat., p. 645): *Provided*, That not to exceed $40,000 of the foregoing amount may be expended, in the discretion of the Secretary of the Interior, in aiding indigent Chippewa Indians including boarding-home care of pupils

Vol. 25, p. 645.

Proviso. Aiding indigent, etc.

attending public or high schools upon the condition that any funds used in support of a member of the tribe shall be reimbursed out of and become a lien against any individual property of which such member may now or hereafter become seized or possessed, the two preceding requirements not to apply to any old, infirm, or indigent Indian, in the discretion of the Secretary of the Interior.

Five Civilized Tribes, Okla.
Expenses, etc., tribal officers.

Expenses of tribal officers, Five Civilized Tribes, Oklahoma (tribal funds): For the current fiscal year money may be expended from the tribal funds of the Choctaw, Chickasaw, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, salaries and contingent expenses of the governor of the Chickasaw Nation and chief of the Choctaw Nation, one mining trustee for the Choctaw and Chickasaw Nations, at salaries at the rate heretofore paid for the said governor and said chief and $3,000 for the said mining trustee, chief of the Creek Nation at $600 for the current fiscal year to be expended from the tribal funds of the Creek Nation, and one attorney each for the Choctaw and Chickasaw Tribes employed under contract approved by the President under existing law: *Provided*, That the expenses of the above-named officials shall be determined and limited by the Commissioner of Indian Affairs, at not to exceed $2,500 each.

Proviso.
Limitation.

Tuskahoma Council House, Pushmataha County, Okla.
Acquisition, etc.

For acquisition, rehabilitation, and preservation of the Tuskahoma Council House, in Pushmataha County, Choctaw Nation, Oklahoma, $7,500, or so much thereof as may be necessary, to be immediately available, payable from the fund "Fulfilling Treaties with Choctaws, Oklahoma", now to the credit of the Choctaw Indians of Oklahoma.

Fund available.

Osages, Okla.
Agency expenses, from tribal funds.

Support of Osage Agency and pay of tribal officers, Oklahoma (tribal funds): For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Oklahoma, including pay of necessary employees, the tribal attorney and his stenographer, one special attorney in tax and other matters, and pay of tribal officers; payment of damages to individual allottees; repairs to buildings, rent of quarters for employees, traveling expenses, printing, telegraphing, and telephoning, and purchase, repair, and operation of automobiles, $159,000, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma.

Tribal councils, traveling, etc., expenses.

Expenses of tribal councils or committees thereof (tribal funds): For traveling and other expenses of members of tribal councils, business committees, or other tribal organizations, when engaged on business of the tribes, including visits to Washington, District of Columbia, when duly authorized or approved in advance by the Commissioner of Indian Affairs, $50,000, payable from funds on deposit to the credit of the particular tribe interested: *Provided*, That, except for the Navajo Tribe, not more than $5,000 shall be expended from the funds of any one tribe or band of Indians for the purposes herein specified: *Provided further*, That no part of this appropriation shall be available for per diem in lieu of all other expenses of members of tribal councils, business committees, or other tribal organizations, when in Washington, in excess of $6, nor for more than a thirty-day period, unless the Secretary of the Interior shall in writing approve a greater amount or a longer period.

Provisos.
Limitation on expenditures.

Per diem, etc., limitation.

Roads and bridges.

ROADS AND BRIDGES

Gallup-Shiprock Highway, N. Mex., maintenance, etc.

For maintenance and repair of that portion of the Gallup-Shiprock Highway within the Navajo Reservation, New Mexico, including the

Proviso. Indian labor.

purchase of machinery, $20,000, reimbursable: *Provided*, That other than for supervision and engineering only Indian labor shall be employed for such maintenance and repair work.

Reservation road construction, etc. Vol. 45, p. 750; Vol. 48, p. 995. U. S. C., p. 1016.

For construction, improvement, repair, and maintenance of Indian reservation roads under the provisions of the Acts of May 26, 1928 (U. S. C., title 25, sec. 318a), and June 18, 1934 (48 Stat., p. 995), $3,500,000, to be immediately available and to remain available until expended: *Provided*, That not to exceed $8,000 of the foregoing amount may be expended for personal services in the District of Columbia.

Proviso. Services in the District.

Annuities and per-capita payments.

ANNUITIES AND PER-CAPITA PAYMENTS

Senecas, N. Y. Vol. 4, p. 442.

For fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat., p. 442), $6,000.

Six Nations, N. Y. Vol. 7, p. 46.

For fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), $4,500.

Choctaws, Okla. Vol. 7, pp. 99, 212, 213, 236; Vol. 11, p. 614.

For fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty of June 22, 1855), $3,000; for permanent annuity for support for light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), $600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $320; in all, $10,520.

Pawnees, Okla. Vol. 11, p. 729; Vol. 27, p. 644.

For fulfilling treaties with Pawnees, Oklahoma: For permanent annuity (article 2, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), $30,000.

Indians of Sioux reservations. Vol. 25, p. 895.

For payment of Sioux benefits to Indians of the Sioux reservations, as authorized by the Act of March 2, 1889 (25 Stat., p. 895), as amended, $190,000.

Saint Croix Chippewas, Wis. Vol. 41, p. 433.

The unexpended balances of appropriations made for the benefit of the Saint Croix Chippewa Indians of Wisconsin by the Act of February 14, 1920 (41 Stat., p. 433), and subsequent Acts, is hereby made available for the purchase of material for the repair of homes, for the care of aged and indigent Indians of this band, and for other necessary purposes for their benefit.

Menominee Indians in Wisconsin. Per capita payments.

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States $105,000 of any funds on deposit to the credit of the Menominee Indians in Wisconsin (except the Menominee Log Fund), and to expend said sum, or so much thereof as may be necessary, for an immediate per capita payment of $50 to each enrolled member of the Menominee Tribe.

Interest on trust funds.

For payment of interest on moneys held in trust for the several Indian tribes, as authorized by various Acts of Congress, $475,000.

Field service employees. Funds for, available for supplies, etc.

When, in the judgment of the Secretary of the Interior, it is necessary for accomplishment of the purposes of appropriations herein made for the Indian field service, such appropriations shall be available for purchase of ice, for rubber boots for use of employees, for travel expenses of employees on official business, and for the cost of packing, crating, drayage, and transportation of personal effects of employees upon permanent change of station.

Funds available for traveling, etc., expenses.

The appropriations for education of natives of Alaska and medical relief in Alaska shall be available for the payment of traveling

expenses of new appointees from Seattle, Washington, to their posts of duty in Alaska, and of traveling expenses, packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station within Alaska, under regulations to be prescribed by the Secretary of the Interior.

BUREAU OF RECLAMATION

Reclamation Bureau.

The following sums are appropriated out of the special fund in the Treasury of the United States created by the Act of June 17, 1902 (U. S. C., title 43, secs. 391, 411), and therein designated "the reclamation fund", to be available immediately:

Payments, from reclamation fund. Vol. 32, p. 388. U. S. C., p. 1862. *Ante*, p. 1759.

Salaries and expenses: For the Commissioner of Reclamation and other personal services in the District of Columbia, $115,000; for travel and other necessary expenses, $35,000, including not to exceed $15,000 for printing and binding; in all, $150,000;

Commissioner, office personnel, and other expenses.

Printing and binding.

Administrative provisions and limitations: For all expenditures authorized by the Act of June 17, 1902, and Acts amendatory thereof or supplementary thereto, known as the reclamation law, and all other Acts under which expenditures from said fund are authorized, including not to exceed $100,000 for personal services and $15,000 for other expenses in the office of the chief engineer, $20,000 for telegraph, telephone, and other communication service, $5,000 for photographing and making photographic prints, $41,250 for personal services, and $7,500 for other expenses in the field legal offices; examination of estimates for appropriations in the field; refunds of overcollections and deposits for other purposes; not to exceed $15,000 for lithographing, engraving, printing, and binding; purchase of ice; purchase of rubber boots for official use by employees; maintenance and operation of horse-drawn and motor-propelled passenger vehicles; not to exceed $20,000 for purchase and exchange of horse-drawn and motor-propelled passenger-carrying vehicles; packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station, under regulations to be prescribed by the Secretary of the Interior; payment of damages caused to the owners of lands or other private property of any kind by reason of the operations of the United States, its officers or employees, in the survey, construction, operation, or maintenance of irrigation works, and which may be compromised by agreement between the claimant and the Secretary of the Interior, or such officers as he may designate; payment for official telephone service in the field hereafter incurred in case of official telephones installed in private houses when authorized under regulations established by the Secretary of the Interior; not to exceed $1,000 for expenses, except membership fees, of attendance, when authorized by the Secretary, upon meetings of technical and professional societies required in connection with official work of the Bureau; payment of rewards, when specifically authorized by the Secretary of the Interior, for information leading to the apprehension and conviction of persons found guilty of the theft, damage, or destruction of public property: *Provided*, That no part of said appropriations may be used for maintenance of headquarters for the Bureau of Reclamation outside the District of Columbia except for an office for the chief engineer and staff and for certain field officers of the division of public relations: *Provided further*, That the Secretary of the Interior in his administration of the Bureau of Reclamation is authorized to contract for medical attention and service for employees and to make necessary pay-roll deductions agreed to by the employees therefor: *Provided further*, That no part of any sum provided for in this Act for operation and maintenance of any project or division of a project by the

Administrative provisions and limitations. Vol. 32, p. 388. U. S. C., p. 1862.

Expenses designated.

Vehicles.

Property damages.

Attendance at meetings, etc.

Provisos. Headquarters.

Medical services for employees.

Restriction on use where district is in arrears.

Bureau of Reclamation shall be used for the irrigation of any lands within the boundaries of an irrigation district which has contracted with the Bureau of Reclamation and which is in arrears for more than twelve months in the payment of any charges due the United States, and no part of any sum provided for in this Act for such purpose shall be used for the irrigation of any lands which have contracted with the Bureau of Reclamation and which are in arrears for more than twelve months in the payment of any charges due from said lands to the United States;

Examination and inspection of projects.

Examination and inspection of projects and operation and maintenance of reserved works: For examination of accounts and inspection of the works of various projects and divisions of projects operated and maintained by irrigation districts or water users' associations, and bookkeeping, accounting, clerical, legal, and other expenses incurred in accordance with contract provisions for the repayment of such expenses by the districts or associations; and for operation and maintenance of the reserved works of a project or division of a project when irrigation districts, water users' associations, or Warren Act contractors have contracted to pay in advance but have failed to pay their proportionate share of the cost of such operation and maintenance, to be expended under regulations to be prescribed by the Secretary of the Interior, $10,000;

Maintenance, etc., of reserved works.

Yuma project, Ariz.-Calif.

Yuma project, Arizona-California: For operation and maintenance, Reservation division, $45,000; Mesa division (Yuma auxiliary project), $28,000; in all, $73,000: *Provided*, That not to exceed $25,000 from the power revenues shall be available during the fiscal year 1937 for the operation and maintenance of the commercial system;

Proviso. Operating commercial system.

Orland, Calif.

Orland project, California: For operation and maintenance, $36,000;

Boise, Idaho.

Boise project, Idaho: For operation and maintenance, $30,000;

Minidoka, Idaho.

Minidoka project, Idaho: For operation and maintenance, reserved works, $11,600: *Provided*, That not to exceed $50,000 from the power revenues shall be available during the fiscal year 1937 for the operation of the commercial system; and not to exceed $100,000 from power revenues shall be available during the fiscal year 1937 for continuation of construction, south side division;

Proviso. Operating commercial system.

South side, construction.

North Platte, Nebr.-Wyo.

North Platte project, Nebraska-Wyoming: Not to exceed $60,000 from the power revenues shall be available during the fiscal year 1937, for the operation and maintenance of the commercial system; and not to exceed $6,000 from power revenues allocated to the Northport irrigation district under subsection I, section 4, of the Act of December 5, 1924 (U. S. C., title 43, sec. 501), shall be available during the fiscal year 1937 for payment on behalf of the Northport irrigation district, to the Farmers' irrigation district for carriage of water;

Operating commercial system.

Payment to Farmers' district for water.

Vol. 43, p. 703; U. S. C., p. 1873.

Rio Grande, N. Mex.-Tex.

Rio Grande project, New Mexico-Texas: For operation and maintenance, $340,000;

Owyhee, Oreg.

Owyhee project, Oregon: For operation and maintenance, $75,000;

Klamath, Oreg.-Calif.

Klamath project, Oregon-California: For operation and maintenance, $50,000: *Provided*, That revenues received from the lease of marginal lands, Tule Lake division, shall be available for refunds to the lessees in such cases where it becomes necessary to make refunds because of flooding or other reasons within the terms of such leases;

Proviso. Revenues from Tule Lake division.

Yakima, Wash.

Yakima project, Washington: For operation and maintenance, $265,000: *Provided*, That not to exceed $25,000 from power revenues shall be available during the fiscal year 1937 for operation and maintenance of the power system;

Proviso. Power system.

Riverton project, Wyoming: For operation and maintenance, $40,000: *Provided*, That not to exceed $25,000 from the power revenues shall be available during the fiscal year 1937 for the operation and maintenance of the commercial system;

Riverton, Wyo.
Proviso.
Operating commercial system.

Shoshone project, Wyoming: For operation and maintenance, Willwood division, $13,000: *Provided*, That not to exceed $25,000 from power revenues shall be available during the fiscal year 1937 for the operation and maintenance of the commercial system;

Shoshone, Wyo.
Proviso.
Operating commercial system.

Secondary and economic investigations: For cooperative and general investigations, including investigations necessary to determine the economic conditions and financial feasibility of projects and investigations and other activities relating to the reorganization, settlement of lands, and financial adjustments of existing projects, including examination of soils, classification of land, land-settlement activities, including advertising in newspapers and other publications, and obtaining general economic and settlement data, the unexpended balance of the appropriation for these purposes for the fiscal year 1936 shall remain available for the same purposes for the fiscal year 1937: *Provided*, That the expenditures from this appropriation for any reclamation project shall be considered as supplementary to the appropriation for that project and shall be accounted for and returned to the reclamation fund as other expenditures under the Reclamation Act: *Provided further*, That the expenditure of any sums from this appropriation for investigations of any nature requested by States, municipalities, or other interests shall be upon the basis of the State, municipality, or other interest advancing at least 50 per centum of the estimated cost of such investigation;

Secondary and economic investigations.

Provisos.
Expenses considered supplementary; accounting.

Division of expenses for investigations.

Operation and maintenance administration: For necessary pay of employees, traveling and other expenses incident to the general administration of reclamation projects, either operated and maintained by the Bureau or transferred to water users' organizations for operation and maintenance, including giving information and advice to settlers on reclamation projects in the selection of lands, equipment, and livestock, the preparation of land for irrigation, the selection of crops, methods of irrigation and agricultural practice, and general farm management, the cost of which shall be charged to the general reclamation fund and shall not be charged as a part of the construction or operation and maintenance cost payable by the water users under the projects, $75,000;

Operation and maintenance administration.

Information to settlers.

Limitation of expenditures: Under the provisions of this Act no greater sum shall be expended, nor shall the United States be obligated to expend during the fiscal year 1937, on any reclamation project appropriated for herein, an amount in excess of the sum herein appropriated therefor, nor shall the whole expenditures or obligations incurred for all of such projects for the fiscal year 1937 exceed the whole amount in the reclamation fund for the fiscal year;

Limitation of expenditures.

Interchange of appropriations: Ten per centum of the foregoing amounts shall be available interchangeably for expenditures on the reclamation projects named; but not more than 10 per centum shall be added to the amount appropriated for any one of said projects, except that should existing works or the water supply for lands under cultivation be endangered by floods or other unusual conditions an amount sufficient to make necessary emergency repairs shall become available for expenditure by further transfer of appropriation from any of said projects upon approval of the Secretary of the Interior;

Interchange of appropriations.

Emergency flood repairs.

Total, from reclamation fund, $1,168,600.

To defray the cost of operating and maintaining the Colorado River front work and levee system adjacent to the Yuma Federal irrigation project in Arizona and California, subject only to section

Yuma project, Ariz.-Calif.
Colorado River front work and levee system.

Vol. 44, p. 1016.

4 of the Act entitled "An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", approved January 21, 1927 (44 Stat., p. 1010), the unexpended balance of the appropriation for the fiscal year 1936 is continued available for the fiscal year 1937.

Balance available. *Ante*, p. 200.

Construction of designated projects.

Construction: For continuation of construction of the following projects in not to exceed the following amounts, respectively, to be expended from the Reclamation Fund under the same general conditions as those specified for projects hereinbefore included under the caption "Bureau of Reclamation" and payable from the Reclamation Fund:

Payable from Reclamation Fund.

Gila project, Arizona, $1,250,000;
Salt River project, Arizona, $1,500,000;
Grand Valley project, Colorado, $200,000;
Pine River project, Colorado, $1,000,000;
Boise project, Idaho, Payette division, $1,000,000;
Boise project, Idaho, drainage, $160,000;
Carlsbad project, New Mexico, $900,000;
Deschutes project, Oregon, $450,000;
Owyhee project, Oregon, $200,000;
Yakima project, Washington, Roza division, $1,000,000;
Provo River project, Utah, $500,000;
Casper-Alcova project, Wyoming, $1,000,000;
Riverton project, Wyoming, $250,000;
Shoshone project, Wyoming, Heart Mountain division, $700,000;

Administrative expenses.

For administrative expenses on account of the above projects, including personal services and other expenses in the District of Columbia and in the field, $750,000, in addition to and for the same objects of expenditure as enumerated in paragraphs 2 and 3 under the caption "Bureau of Reclamation"; in all, $10,860,000, to be immediately available: *Provided*, That of this amount not to exceed $75,000 may be expended for personal services in the District of Columbia: *Provided further*, That the last line of section 10 of the Act of April 1, 1932 (47 Stat., 75), as amended by the Act of March 3, 1933 (47 Stat., 1427), is hereby further amended by substituting "1938" for "1936".

Ante, p. 1781.

Provisos.
Services in the District.

Deferment of payment of moneys advanced to reclamation fund.
Vol. 47, pp. 78, 1427.

Grand Coulee Dam, Wash.
Construction, etc.
Ante, p. 1040.

Availability.

Grand Coulee Dam, Washington: For continuation of construction of the Grand Coulee dam, $20,000,000; for administrative expenses, $750,000, including personal services in the District of Columbia and in the field; in all, $20,750,000, to be immediately available and to be available for the same purposes as those specified for projects hereinbefore included under the caption "Bureau of Reclamation", and to be reimbursable under the reclamation law: *Provided*, That not to exceed $75,000 may be expended for personal services in the District of Columbia: *Provided further*, That this appropriation shall be available for the employment of personal services without regard to the civil-service laws and the Classification Act of 1923, as amended: *Provided further*, That the obligations for the construction of the Grand Coulee dam and appurtenant works, including those heretofore entered into, shall not exceed a total of $63,000,000, and no obligations in excess of that amount shall be incurred for such dam, or dams, canals, structures, or incidental works in connection therewith under section two of the Rivers and Harbors Act, approved August 30, 1935 (49 Stat., 1039, 1040), until appropriations, or contract authorizations, or both, therefor are hereafter specifically granted by Congress.

Provisos.
Services in the District.
Personal services without regard to civil-service laws.
U. S. C., pp., 81, 85.

Limit on obligations.

Ante, p. 1040.

Boulder Canyon project.
Construction, etc.
Ante, p. 1040.

Boulder Canyon project: For the continuation of construction of the Boulder Canyon Dam and incidental works in the main stream of the Colorado River at Black Canyon, to create a storage reservoir,

and of a complete plant and incidental structures suitable for the fullest economic development of electrical energy from the water discharged from such reservoir; to acquire by proceedings in eminent domain or otherwise, all lands, rights-of-way, and other property necessary for such purposes; and for incidental operations, as authorized by the Boulder Canyon Project Act, approved December 21, 1928 (U. S. C., title 43, ch. 12A); $9,600,000, to be immediately available and to remain available until advanced to the Colorado River Dam fund, which amount shall be available for personal services in the District of Columbia (not to exceed $25,000) and in the field without regard to the civil-service laws and the Classification Act of 1923, as amended, and for all other objects of expenditure that are specified for projects included in the Interior Department Appropriation Act for the fiscal year 1937, under the caption "Bureau of Reclamation": *Provided*, That not to exceed $350,000 from revenues shall be available for the operation and maintenance of the Boulder dam, power plant, and other incidental operations.

Acquisition of lands, etc.

Vol. 45, p. 1057. U. S. C., p. 1879.

Services in the District.

Proviso. Boulder dam, etc., maintenance and operation.

Boulder Canyon project (All-American Canal): For continuation of construction of a diversion dam, and main canal (and appurtenant structures) located entirely within the United States connecting the diversion dam with the Imperial and Coachella Valleys in California; to acquire by proceedings in eminent domain, or otherwise, all lands, rights-of-way, and other property necessary for such purposes; and for incidental operations, as authorized by the Boulder Canyon Project Act, approved December 21, 1928 (U. S. C., title 43, ch. 12A); to be immediately available and to remain available until advanced to the Colorado River Dam Fund, $6,500,000, which amount shall be available for personal services in the District of Columbia (not to exceed $15,000) and in the field without regard to the civil-service laws and the Classification Act of 1923, as amended, and for all other objects of expenditure that are specified for projects included in the Interior Department Appropriation Act for the fiscal year 1937 under the caption "Bureau of Reclamation".

Boulder Canyon project (All-American Canal). Construction, etc.

Acquisition of lands, etc.

U. S. C., p. 1879.

Services in the District.

No part of any appropriation in this Act for the Bureau of Reclamation shall be used for investigations to determine the economic and financial feasibility of any new reclamation project.

Use for investigating new projects forbidden.

GEOLOGICAL SURVEY

Geological Survey.

SALARIES

Salaries.

For the Director of the Geological Survey and other personal services in the District of Columbia, $140,000;

Director, and office personnel.

GENERAL EXPENSES

For every expenditure requisite for and incident to the authorized work of the Geological Survey, including personal services in the District of Columbia and in the field, including not to exceed $30,000 for the purchase and exchange, and not to exceed $55,000 for the hire, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for field use only by geologists, topographers, engineers, and land classifiers, and the Geological Survey is authorized to exchange unserviceable and worn-out passenger-carrying and freight-carrying vehicles as part payment for new freight-carrying vehicles, and including not to exceed $2,000 for necessary traveling expenses of the Director and members of the Geological Survey acting under his direction, for attendance upon meetings of technical, professional, and scientific societies

General expenses. *Ante*, p. 1759.

Vehicles.

Traveling expenses.

Attendance at meetings, etc.

when required in connection with the authorized work of the Geological Survey, to be expended under the regulations from time to time prescribed by the Secretary of the Interior, and under the following heads:

Topographic surveys.

Topographic surveys: For topographic surveys in various portions of the United States, $650,000, of which amount not to exceed $250,000 may be expended for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be expended in cooperation with States or municipalities except upon the basis of the State or municipality bearing all of the expense incident thereto in excess of such an amount as is necessary for the Geological Survey to perform its share of standard topographic surveys, such share of the Geological Survey in no case exceeding 50 per centum of the cost of the survey: *Provided further*, That $217,000 of this amount shall be available only for such cooperation with States or municipalities;

Provisos.
Cooperation with States, etc.

Allotment for cooperation.

Geologic surveys.

Geologic surveys: For geologic surveys in the various portions of the United States and chemical and physical researches relative thereto, $500,000, of which not to exceed $315,000 may be expended for personal services in the District of Columbia: *Provided*, That so much as may be necessary but not to exceed $10,000 of this appropriation shall be available for a survey of the occurrence and uses of granite in the Northeastern States;

Proviso.
Occurrence, etc., of granite in Northeastern States.

Alaska, mineral resources.

Mineral resources of Alaska: For continuation of the investigation of the mineral resources of Alaska, $60,000, to be available immediately, of which amount not to exceed $34,000 may be expended for personal services in the District of Columbia;

Gaging streams, investigations.

Gaging streams: For gaging streams and determining the water supply of the United States, the investigation of underground currents and artesian wells, and the preparation of reports upon the best methods of utilizing the water resources, $791,317, of which amount not to exceed $130,000 may be expended for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be expended in cooperation with States or municipalities except upon the basis of the State or municipality bearing all of the expense incident thereto in excess of such an amount as is necessary for the Geological Survey to perform its share of general water resource investigations, such share of the Geological Survey in no case exceeding 50 per centum of the cost of the investigation: *Provided further*, That $589,317 of this amount shall be available only for such cooperation with States or municipalities;

Provisos.
Division of expenses.

Allotment for cooperation.

Classifying lands as to mineral character, etc.

Classification of lands: For the examination and classification of lands with respect to mineral character and water resources as required by the public-land laws and for related administrative operations; for the preparation and publication of mineral-land classification and water-resources maps and reports; for engineering supervision of power permits and grants under the jurisdiction of the Secretary of the Interior; and for performance of work of the Federal Power Commission, $100,000, of which amount not to exceed $70,000 may be expended for personal services in the District of Columbia;

Printing and binding.

Printing and binding, and so forth: For printing and binding, $120,000; for preparation of illustrations, $21,500; and for engraving and printing geologic and topographic maps, $110,000; in all, $251,500;

Nonmetallic Mineral Acts.
Enforcing provisions.

Mineral leasing: For the enforcement of the provisions of the Acts of October 20, 1914 (U. S. C., title 48, sec. 435), October 2,

1917 (U. S. C., title 30, sec. 141), February 25, 1920 (U. S. C., title 30, sec. 181), as amended, and March 4, 1921 (U. S. C., title 48, sec. 444), and other Acts relating to the mining and recovery of minerals on Indian and public lands and naval petroleum reserves; and for every other expense incident thereto, including supplies, equipment, expenses of travel and subsistence, the construction, maintenance, and repair of necessary camp buildings and appurtenances thereto, $315,000, of which amount $30,000 shall be immediately available and not to exceed $75,000 may be expended for personal services in the District of Columbia; Vol. 38, p. 742; Vol. 40, p. 297; Vol. 41, pp. 437, 1363. U. S. C., pp. 2140, 1342, 2141.

Cooperative work on scientific, etc., investigations for government agencies.

During the fiscal year 1937 the head of any department or independent establishment of the Government having funds available for scientific and technical investigations and requiring cooperative work by the Geological Survey on scientific and technical investigations within the scope of the functions of that bureau and which it is unable to perform within the limits of its appropriations may, with the approval of the Secretary of the Interior, transfer to the Geological Survey such sums as may be necessary to carry on such investigations. The Secretary of the Treasury shall transfer on the books of the Treasury Department any sums which may be authorized hereunder, and such amounts shall be placed to the credit of the Geological Survey for the performance of work for the department or establishment from which the transfer is made: *Provided*, That any sums transferred by any department or independent establishment of the Government to the Geological Survey for cooperative work in connection with this appropriation may be expended in the same manner as sums appropriated herein may be expended: *Provided further*, That any funds herein appropriated for the Geological Survey for cooperative work may be utilized prior to July 1, 1936, as required to enable the Geological Survey to continue its cooperative work pending reimbursement from cooperative agencies, the amount so utilized to be repaid to the appropriation from which advanced;

Credit of funds.

Provisos. Expenditure of transferred funds.

Cooperative work; availability.

Aerial photographs for aviators, etc.

During the fiscal year 1937, upon the request of the Secretary of the Interior, the Secretary of War, or the Secretary of the Navy is authorized to furnish aerial photographs required for mapping projects, insofar as the furnishing of such photographs will be economical to the Federal Government and does not conflict with military or naval operations or the other parts of the regular training program of the Army, Navy, and Marine Corps flying services, and the Secretary of the Interior is authorized to reimburse the War or Navy Department for the cost of making the photographs, such cost to be confined to the actual cost of gasoline, oil, film, paper, chemicals, and the labor performed in developing the photographic negatives and the printing of copies of photographs, and the per-diem expenses of the personnel authorized by law, together with such incidental expenses as care and minor repairs to plane and transportation of personnel to and from projects, and the War Department or the Navy Department, on request of the Department of the Interior, is authorized to furnish copies to any State, county, or municipal agency cooperating with the Federal Government in the mapping project for which the photographs were taken. In the event that the Director of the Geological Survey deems it advantageous to the Government, the Geological Survey is authorized to contract with civilian aerial photographic concerns for the furnishing of such photographs;

Reimbursement.

Contracts with civilians.

Appropriations herein made shall be available for payment of the costs of packing, crating, and transportation (including drayage) of

Transporting effects of employees.

personal effects of employees upon permanent change of station, under regulations to be prescribed by the Secretary of the Interior;

Total, United States Geological Survey, $2,807,817.

Bureau of Mines.

BUREAU OF MINES

SALARIES AND GENERAL EXPENSES

Salaries and expenses. *Ante*, pp. 1622, 1759.

Salaries and general expenses: For general expenses, including pay of the Director and necessary assistants, clerks, and other employees, in the office in the District of Columbia and in the field, and every other expense requisite for and incident to the general work of the Bureau in the District of Columbia and in the field, to be expended under the direction of the Secretary of the Interior, $65,000, of which amount not to exceed $52,000 may be expended for personal services in the District of Columbia.

Mine rescue cars and stations. Investigations.

Operating mine rescue cars and stations and investigation of mine accidents: For the investigation and improvement of mine rescue and first-aid methods and appliances and the teaching of mine safety, rescue, and first-aid methods; investigations as to the causes of mine explosions, causes of falls of roof and coal, methods of mining, especially in relation to the safety of miners, the appliances best adapted to prevent accidents, the possible improvement of conditions under which mining operations are carried on, the use of explosives and electricity, the prevention of accidents, statistical studies and reports relating to mine accidents, and other inquiries and technologic investigations pertinent to the mining industry; the exchange in part payment for operation, maintenance, and repair of mine rescue trucks; the construction of temporary structures and the repair, maintenance, and operation of mine rescue cars and the Government-owned mine rescue stations and appurtenances thereto; personal services, traveling expenses and subsistence, equipment, and supplies; travel and subsistence, and other incidental expenses of employees in attendance at meetings and conferences held for the purpose of promoting safety and health in the mining and allied industries; purchase not exceeding $5,000, exchange as part payment for, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles for official use in field work; purchase and exchange in part payment therefor of cooks' uniforms, goggles, gloves, rubber boots, aprons, and such other articles or equipment as may be necessary in connection with the purposes of this paragraph; including not to exceed $67,100 for personal services in the District of Columbia, $609,365:

Attendance at meetings.

Vehicles.

Proviso. Rescue trophies.

Provided, That of this amount not to exceed $500 may be expended for the purchase and bestowal of trophies in connection with mine-rescue and first-aid contests;

Testing fuel.

Testing fuel: To conduct inquiries and scientific and technologic investigations concerning the mining, preparation, treatment, and use of mineral fuels, and for investigation of mineral fuels belonging to or for the use of the United States, with a view to their most efficient utilization; to recommend to various departments such changes in selection and use of fuel as may result in greater economy, and upon request of the Director of the Bureau of the Budget, to investigate the fuel-burning equipment in use by or proposed for any of the departments, establishments, or institutions of the United States in the District of Columbia, $185,400, of which amount not to exceed $29,400 may be expended for personal services in the District of Columbia;

Mineral mining investigations: For inquiries and scientific and technologic investigations concerning the mining, preparation, treatment, and utilization of ores and mineral substances, other than fuels, with a view to improving health conditions and increasing safety, efficiency, economic development, and conserving resources through the prevention of waste in the mining, quarrying, metallurgical, and other mineral industries; to inquire into the economic conditions affecting these industries; and including all equipment, supplies, expenses of travel and subsistence, and the purchase, not to exceed $12,000, including exchange, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles for official use in field work, including not to exceed $24,700 for personal services in the District of Columbia, $250,860: *Provided*, That no part of this appropriation may be expended for an investigation in behalf of any private party;

Mineral mining investigations.

Proviso. Private investigations, restriction.

Oil and gas investigations: For inquiries and investigations and dissemination of information concerning the mining, preparation, treatment, and utilization of petroleum and natural gas, including economic conditions affecting the industry, with a view to economic development and conserving resources through the prevention of waste; for the purchase of newspapers relating to the oil, gas, and allied industries: *Provided*, That section 192 of the Revised Statutes (U. S. C., title 5, sec. 102) shall not apply to such purchase of newspapers from this appropriation; and for every other expense incident thereto, including supplies, equipment, expenses of travel and subsistence, purchase, not to exceed $6,000, exchange as part payment for, maintenance, and operation of motor-propelled passenger-carrying vehicles for official use in field work, purchase of laboratory gloves, goggles, rubber boots, and aprons, $265,866, of which amount not to exceed $22,600 may be expended for personal services in the District of Columbia;

Oil and gas investigations.

Proviso. Purchase of newspapers, etc. R. S., sec. 192, p. 30. U. S. C., p. 43.

Mining experiment stations: For the employment of personal services, purchase of laboratory gloves, goggles, rubber boots and aprons, the purchase not to exceed $3,000, exchange as part payment for, maintenance and operation of motor-propelled passenger-carrying vehicles for official use in field work, and all other expenses in connection with the establishment, maintenance, and operation of mining experiment stations, as provided in the Act authorizing additional mining experiment stations, approved March 3, 1915 (U. S. C., title 30, sec. 8), including not to exceed $10,000, to be immediately available, for the purchase from Six Companies, Incorporated, of the steel-frame corrugated-iron building in office and dormitory group known as main garage situated on Government-owned land at Boulder City, Nevada, $279,850, of which appropriation not to exceed $17,100 may be expended for personal services in the District of Columbia,

Mining experiment stations.

Vol. 38, p. 959. U. S. C., p. 1332.

Boulder City, Nev., main garage, purchase of.

Buildings and grounds, Pittsburgh, Pennsylvania: For care and maintenance of buildings and grounds at Pittsburgh and Bruceton, Pennsylvania, including personal services, the purchase, exchange as part payment for, operation, maintenance, and repair of passenger automobiles for official use, and all other expenses requisite for and incident thereto, including not to exceed $5,000 for additions and improvements, $87,690;

Pittsburgh, Pa., station, maintenance, etc.

Economics of mineral industries: For inquiries and investigations, and the dissemination of information concerning the economic problems of the mining, quarrying, metallurgical, and other mineral industries, with a view to assuring ample supplies and efficient distribution of the mineral products of the mines and quarries, including studies and reports relating to uses, reserves, production, dis-

Economics of mineral industries. Investigations, etc.

Reports, etc.
Statistical inquiries.

tribution, stocks, consumption, prices, and marketing of mineral commodities and primary products thereof; preparation of the reports of the mineral resources of the United States, including special statistical inquiries; and including personal services in the District of Columbia and elsewhere; purchase of furniture and equipment; stationery and supplies; typewriting, adding and computing machines, accessories and repairs; newspapers; traveling expenses; purchase, not exceeding $1,200, exchange as part payment for, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles for official use in field work; and for all other necessary expenses not included in the foregoing, $339,990, of which amount not to exceed $255,700 may be expended for personal services in the District of Columbia;

Services in the District.

Helium production and investigations.
Ante, pp. 1291, 1413.

Helium production and investigations: The sums made available for the fiscal year 1937 in the Acts making appropriations for the War and Navy Departments for the acquisition of helium from the Bureau of Mines shall be transferred to the Bureau of Mines on July 1, 1936, for operation and maintenance of the plants for the production of helium for military and naval purposes, including laboratory gloves, goggles, rubber boots, and aprons; purchase, not to exceed $2,500, and exchange as part payment for, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles for official use in field work, and all other necessary expenses, and including $11,300 for personal services in the District of Columbia;

Gas production for helium plants.

Gas production for helium plants: For production of natural gas for helium plants, including construction, repair, maintenance, and operation of wells, pipe lines, and other facilities therefor, and including purchase, not to exceed $750, and exchange as part payment for, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles for official use in field work, $9,179: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934;

Proviso.
Expenditure limitation.
Vol. 48, p. 1227.

Scientific investigations for departments, etc.

During the fiscal year 1937 the head of any department or independent establishment of the Government having funds available for scientific investigations and requiring cooperative work by the Bureau of Mines on scientific investigations within the scope of the functions of that bureau and which it is unable to perform within the limits of its appropriations may, with the approval of the Secretary of the Interior, transfer to the Bureau of Mines such sums as may be necessary to carry on such investigations. The Secretary of the Treasury shall transfer on the books of the Treasury Department any sums which may be authorized hereunder, and such amounts shall be placed to the credit of the Bureau of Mines for the performance of work for the department or establishment from which the transfer is made: *Provided*, That any sums transferred by any department or independent establishment of the Government to the Bureau of Mines for cooperative work in connection with this appropriation may be expended in the same manner as sums appropriated herein may be expended;

Transfer of sums.

Proviso.
Expenditure.

Minor purchases without advertising.
R. S., p. 3709, p. 733.
U. S. C., p. 1803.

The purchase of supplies and equipment or the procurement of services for the Bureau of Mines, at the seat of government, as well as in the field outside of the District of Columbia, may be made in open market without compliance with section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) of the United States, in the manner common among business men, when the aggregate amount of the purchase or the service does not exceed $100 in any instance;

Attendance at meetings.

For necessary traveling expenses of the director and employees of the Bureau, acting under his direction, for attendance upon

meetings of technical, professional, and scientific societies, when required in connection with the authorized work of the Bureau of Mines and incurred on the written authority of the Secretary of the Interior, there is hereby made available from any appropriations made to the Bureau of Mines not to exceed in all $2,500;

Detail of field employees.

Persons employed during the fiscal year 1937 in field work outside of the District of Columbia under the Bureau of Mines may be detailed temporarily for service in the District of Columbia for purposes of preparing results of their field work; all persons so detailed shall be paid in addition to their regular compensation only traveling expenses in going to and returning therefrom: *Provided* That nothing herein shall prevent the payment to employees of the Bureau of Mines of their necessary expenses, or per diem in lieu of subsistence, while on temporary detail in the District of Columbia for purposes only of consultation or investigations on behalf of the United States. All details made hereinunder, and the purposes of each, during the preceding fiscal year shall be reported in the annual estimates of appropriations to Congress at the beginning of each regular session thereof;

Proviso. Paying employees' expenses.

Report to Congress.

Details from Public Health Service.

The Secretary of the Treasury may detail medical officers of the Public Health Service for cooperative health, safety, or sanitation work with the Bureau of Mines, and the compensation and expenses of the officers so detailed may be paid from the applicable appropriations made herein for the Bureau of Mines;

Total, Bureau of Mines, $2,093,200.

NATIONAL PARK SERVICE

National Park Service.

Director, and office personnel.

Salaries: For the Director of the National Park Service and other personal services in the District of Columbia, including accounting services in checking and verifying the accounts and records of the various operators, licensees, and permittees conducting utilities and other enterprises within the national parks and monuments, and including the services of specialists and experts for investigations and examinations of lands to determine their suitability for national park and national monument purposes and members of the commission appointed under the provisions of the Act of February 21, 1925 (43 Stat., p. 959): *Provided*, That such specialists and experts may be employed for temporary service at rates to be fixed by the Secretary of the Interior to correspond to those established by the Classification Act of 1923, as amended, and without reference to the Civil Service Act of January 16, 1883, $189,880, of which amount not to exceed $26,620 may be expended for the services of field employees engaged in examination of lands and in developing the educational work of the National Park Service.

Accounting services.

Ante, p. 1759.

Specialists and experts.

Vol. 43, p. 958.

Proviso. Employment without reference to Classification, etc., Acts. U. S. C., pp. 81, 85.

Field employees.

General expenses: For every expenditure requisite for and incident to the authorized work of the office of the Director of the National Park Service not herein provided for, including traveling expenses, telegrams, photographic supplies, prints, and motion-picture films, necessary expenses of attendance at meetings concerned with the work of the National Park Service when authorized by the Secretary of the Interior, and necessary expenses of field employees engaged in examination of lands and in developing the educational work of the National Park Service, $27,000: *Provided*, That necessary expenses of field employees in attendance at such meetings, when authorized by the Secretary, shall be paid from the various park and monument appropriations.

General expenses.

Proviso. Field employees, expenses.

National Parks, administration, etc. Acadia, Me.

Acadia National Park, Maine: For administration, protection, and maintenance, including $3,000 for George B. Dorr as superintendent without regard to the requirements of the provisions of the Civil Service Retirement Act approved May 22, 1920 (U. S. C., title 5, secs. 691–693, 697–731), as amended, $3,000 for temporary clerical services for investigation of titles and preparation of abstracts thereof of lands donated to the United States for inclusion in the Acadia National Park, and not exceeding $2,750 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $46,000.

Vol. 41, p. 614. U. S. C., p. 92.

Bryce Canyon, Utah.

Bryce Canyon National Park, Utah: For administration, protection, and maintenance, including not exceeding $305 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with the general park work, $12,000.

Carlsbad Caverns, N. Mex.

Carlsbad Caverns National Park, New Mexico: For administration, protection, and maintenance, including not exceeding $1,550 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $64,000: *Provided*, That hereafter any admission fee charged for entrance to Carlsbad Caverns and any fee charged for guide service therein shall be exempt from all taxes on admissions.

Proviso. Admission fees, tax exempt.

Crater Lake, Oreg.

Crater Lake National Park, Oregon: For administration, protection, and maintenance, including not exceeding $1,500 for the purchase, maintenance, operation and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $62,600.

General Grant, Calif.

General Grant National Park, California: For administration, protection, and maintenance, including not exceeding $315 for the maintenance, operation, and repair of a motor-driven passenger-carrying vehicle, $15,000.

Glacier, Mont.

Glacier National Park, Montana: For administration, protection, and maintenance, including necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to the various points in the boundary line of the Glacier National Park and the international boundary, including not exceeding $1,800 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $175,000.

Grand Canyon, Ariz.

Grand Canyon National Park, Arizona: For administration, protection, and maintenance, including not exceeding $1,750 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $113,500.

Grand Teton, Wyo.

Grand Teton National Park, Wyoming: For administration, protection, and maintenance, including not exceeding $300 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $19,900.

Great Smoky Mountains, N. C.-Tenn.

Great Smoky Mountains National Park, North Carolina and Tennessee: For administration, protection, and maintenance, including not to exceed $900 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for use in connection with general park work, $59,900.

Hawaii.

Hawaii National Park: For administration, protection, and maintenance, including not exceeding $1,600 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying

vehicles for the use of the superintendent and employees in connection with general park work, $45,600.

Hot Springs, Ark.

Hot Springs National Park, Arkansas: For administration, protection, maintenance, and improvement, including not exceeding $1,450 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $71,200.

Lassen, Calif.

Lassen Volcanic National Park, California: For administration, protection, and maintenance, including not exceeding $500 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $28,400.

Mesa Verde, Colo.
Ante, p. 1622.

Mesa Verde National Park, Colorado: For administration, protection, and maintenance, including not exceeding $1,400 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $47,250.

Mount McKinley, Alaska.

Mount McKinley National Park, Alaska: For administration, protection, and maintenance, $25,000.

Mount Rainier, Wash.

Mount Rainier National Park, Washington: For administration, protection, and maintenance, including not exceeding $1,450 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $121,800.

Platt, Okla.

Platt National Park, Oklahoma: For administration, protection, and maintenance, including not exceeding $800 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $20,600.

Rocky Mountain, Colo.

Rocky Mountain National Park, Colorado: For administration, protection, and maintenance, including not exceeding $2,300 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $82,000.

Sequoia, Calif.

Sequoia National Park, California: For administration, protection, and maintenance, including not exceeding $1,600 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work and including maintenance and repair of the Generals Highway between the boundaries of Sequoia and General Grant National Parks, $99,500.

Shenandoah, Va.

Shenandoah National Park, Virginia: For administration, protection, and maintenance, including not exceeding $2,000 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $39,800.

Wind Cave, S. Dak.

Wind Cave National Park, South Dakota: For administration, protection, and maintenance, including not exceeding $1,000 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $15,900.

Yellowstone, Wyo.

Yellowstone National Park, Wyoming: For administration, protection, and maintenance, including not exceeding $6,700 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, not exceeding $15,000 for maintenance of the roads in the national forests leading out of the park from the east, southwest, and south boundaries,

and including feed for buffalo and other animals and salaries of buffalo keepers, $391,250.

Yosemite, Calif.

Yosemite National Park, California: For administration, protection, and maintenance, including not exceeding $2,550 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, not exceeding $1,000 for maintenance of the road in the Stanislaus National Forest connecting the Tioga Road with the Hetch Hetchy Road near Mather Station, and including necessary expenses of a comprehensive study of the problems relating to the use and enjoyment of the Yosemite National Park and the preservation of its natural features, $284,000.

Zion, Utah.

Zion National Park, Utah: For administration, protection, and maintenance, including not exceeding $620 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $39,800.

National monuments, administration, etc.

National monuments: For administration, protection, maintenance, and preservation of national monuments, including not exceeding $5,000 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the custodians and employees in connection with general monument work, $167,000.

National historical parks and monuments.

National historical parks and monuments: For administration, protection, maintenance, and improvement, including not exceeding $3,600 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles, $109,400.

Appomattox Court House, Va.

Ante, p. 613.

Appomattox Court House National Historical Monument, Virginia: For development and improvement in accordance with the provisions of the Act approved August 13, 1935 (49 Stat. 613), to remain available until expended, $100,000: *Provided*, That no part of this appropriation shall be available for expenditure until title to the land is acquired by the United States.

Proviso.
Acquisition of title.

National military parks, battlefields, etc.

National military parks, battlefields, monuments, and cemeteries: For administration, protection, maintenance, and improvement, including not exceeding $6,800 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles, $257,900.

Kennesaw Mountain, Ga.
Ante, p. 584.

Kennesaw Mountain National Battlefield Park: The unexpended balance of the appropriation "Kennesaw Mountain National Battlefield Park, Georgia, 1936", is continued available for the same purposes for the fiscal year 1937.

Boulder Canyon project, Ariz.-Nev.

Boulder Canyon project, Arizona and Nevada: For administration, protection, and maintenance of the recreational activities of the Boulder Canyon project and any lands that may be added thereto by Presidential or other authority, including not exceeding $1,050 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles, $10,000.

Emergency reconstruction and fighting forest fires.

Emergency reconstruction and fighting forest fires in national parks: For reconstruction, replacement, and repair of roads, trails, bridges, buildings, and other physical improvements and of equipment in national parks or national monuments that are damaged or destroyed by flood, fire, storm, or other unavoidable causes during the fiscal year 1937, and for fighting or emergency prevention of forest fires in national parks or other areas administered by the National Park Service, or fires that endanger such areas, $40,000, and in addition thereto the unexpended balance for this purpose for the fiscal year 1936 is continued available during the fiscal year 1937 together with not to exceed $100,000 to be transferred upon the

Unexpended balance; availability.
Ante, p. 209.

approval of the Secretary of the Interior from the various appropriations for national parks and national monuments herein contained, any such diversions of appropriations to be reported to Congress in the annual Budget: *Provided*, That the allotment of these funds to the various national parks or areas administered by the National Park Service as may be required for fire-fighting purposes shall be made by the Secretary of the Interior, and then only after the obligation for the expenditure has been incurred.

Proviso. Restriction on allotments.

Forest protection and fire prevention: For the control and the prevention of spread of forest insects and tree diseases, including necessary personnel and equipment for such work; and for fire-prevention measures, including necessary personnel and fire-prevention equipment, $90,000, to be immediately available.

Forest insect, etc., control.

Fire-prevention, etc.

The total of the foregoing amounts shall be available in one fund for the National Park Service: *Provided*, That 10 per centum of the foregoing amounts shall be available interchangeably and shall be reported to Congress in the annual Budget.

Accounting.

Proviso. Sums interchangeable.

Appropriations made for the national parks, national monuments, and other reservations under the jurisdiction of the National Park Service, shall be available for the giving of educational lectures therein and for the services of field employees in cooperation with such nonprofit scientific and historical societies engaged in educational work in the various parks and monuments as the Secretary, in his discretion, may designate.

Lectures.

Appropriations herein made for the Department of the Interior shall be available for the purchase, maintenance, operation, and repair of vehicles generally known as quarter-ton or half-ton pick-up trucks without such trucks being considered as passenger-carrying vehicles and without the cost of purchase, maintenance, operation, and repair being included in the limitation in the various appropriation items for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles.

Trucks, etc.

Roads and Trails, National Park Service: For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks, monuments, and other areas administered by the National Park Service, including the Boulder Dam Reservation, and other areas authorized to be established as national parks and monuments, and national park and monument approach roads authorized by the Act of January 31, 1931 (U. S. C., title 16, sec. 8a and 8b), as amended, including the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, $6,500,000, to be immediately available and to remain available until expended: *Provided*, That not to exceed $25,000 of the amount herein appropriated may be expended for personal services in the District of Columbia during the fiscal year 1937.

Roads and trails. Construction, etc.

Vol. 46, p. 1053. U. S. C., p. 592.

Proviso. Services in the District.

Historic sites and buildings survey: For all expenses requisite for and incident to the making of a survey of historic and archeologic sites, buildings, and objects for the purpose of determining which possess exceptional value as commemorating or illustrating the history of the United States, as provided in the Act of August 21, 1935 (49 Stat., p. 666), $24,000.

Historic sites and buildings survey.

Ante, p. 666.

Investigation and purchase of water rights: For the investigation and establishment of water rights, including the purchase thereof or of lands or interests in lands or rights-of-way for use and protection of water rights necessary or beneficial in connection with

Water rights, investigation, etc.

the administration and public use of the National parks and monuments, and including the purchase at not to exceed $750 and the operation and repair of one passenger-carrying vehicle, $25,000, to be immediately available.

Public buildings and grounds, D. C. Maintenance, etc.

Salaries and general expenses, public buildings and grounds in the District of Columbia: For administration, protection, maintenance, and improvement of public buildings, monuments, memorials, and grounds in the District of Columbia under the jurisdiction of the National Park Service, including the National Archives Building; per-diem employees at rates of pay approved by the Director, not exceeding current rates for similar services in the District of Columbia; rent of buildings; demolition of buildings; expenses incident to moving various executive departments and establishments in connection with the assignment, allocation, transfer, and survey of building space; traveling expenses and car fare; leather and rubber articles and gas masks for the protection of public property and employees; not exceeding $13,000 for uniforms for employees; and the maintenance, repair, exchange, storage, and operation of two motor-propelled passenger-carrying vehicles; $5,975,900, of which amount not to exceed $4,283,500 shall be available for personal services in the District of Columbia.

Miscellaneous expenses.

Administration, etc., outside the District.

Salaries and expenses, public buildings outside the District of Columbia: For administration, protection, and maintenance, including improvement, repair, cleaning, heating, lighting, rental of buildings and equipment, supplies, materials, personal services, and every expenditure requisite for and incidental to such maintenance and operation of public buildings outside of the District of Columbia under the jurisdiction of the National Park Service, $560,000: *Provided*, That not to exceed $5,040 of the amount herein appropriated may be expended for personal services in the District of Columbia.

Proviso. Services in the District.

National Capital parks. Salaries and expenses.

Salaries and expenses, National Capital parks: For administration, protection, maintenance and improvement of the Mount Vernon Memorial Highway, Arlington Memorial Bridge, George Washington Memorial Parkway, Federal parks in the District of Columbia, and other Federal lands authorized by the Act of May 29, 1930 (46 Stat., 482), including the pay and allowances in accordance with the provisions of the Act of May 27, 1924, as amended, of the police force for the Mount Vernon Memorial Highway and the George Washington Memorial Parkway, and the operation, maintenance, repair, exchange, and storage of two motor-propelled passenger-carrying vehicles, revolvers, ammunition, uniforms, and equipment necessary for this force, per-diem employees at rates of pay approved by the Director not exceeding current rates for similar services in the District of Columbia, the hire of draft animals with or without drivers at local rates approved by the Director, traveling expenses and carfare, and leather and rubber articles for the protection of public property and employees, $166,000.

Vol. 46, p. 482. Vol. 43, p. 174.

Vehicles.

Miscellaneous expenses.

National Park Service. Unobligated balance covered in.

Salaries and expenses, National Park Service (no year): Effective on date of the approval of this Act, the unobligated balance of the appropriation "Salaries and expenses, National Park Service (no year)" shall be covered into the surplus fund of the Treasury and thereafter the proceeds from the leases of lands of the Chickamauga, Chattanooga, and Gettysburg National Parks shall be deposited into the Treasury as miscellaneous receipts.

Proceeds from leases of certain park lands.

OFFICE OF EDUCATION

Office of Education.

SALARIES

Salaries.

For the Commissioner of Education and other personal services in the District of Columbia, $262,980.

Commissioner, and office personnel.

GENERAL EXPENSES

General expenses.

For necessary traveling expenses of the Commissioner and employees acting under his direction, including attendance at meetings of educational associations, societies, and other organizations; for compensation, not to exceed $500, of employees in field service; for purchase, distribution, and exchange of educational documents, motion-picture films, and lantern slides; collection, exchange, and cataloging of educational apparatus and appliances, articles of school furniture and models of school buildings illustrative of foreign and domestic systems and methods of education, and repairing the same; and other expenses not herein provided for, $20,000.

Travel, attendance at meetings, etc.

For making surveys, studies, investigations, and reports regarding public, school, college, university, and other libraries; fostering coordination of public and school library service; coordinating library service on the national level with other forms of adult education; developing library participation in Federal projects; fostering Nation-wide coordination of research materials among the more scholarly libraries, inter-State library cooperation, and the development of public, school, and other library service throughout the country, and for the administrative expenses incident to performing these duties, including salaries of such assistants, experts, clerks, and other employees in the District of Columbia and elsewhere, as the Commissioner of Education may deem necessary, necessary traveling expenses, including attendance at meetings of educational associations, societies, and other organizations, purchase of miscellaneous supplies, equipment, stationery, typewriters, and exchange thereof, postage on foreign mail, purchase of books of reference, law books, and periodicals, printing and binding, and all other necessary expenses, $25,000.

Libraries of educational institutions.
Surveys, reports, etc., of.

Coordination of research materials, etc.

Travel, etc.
Miscellaneous expenses.

Further endowment of colleges of agriculture and the mechanic arts: For carrying out the provisions of section 22 of the Act entitled "An Act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges", approved June 29, 1935 (Public Act Numbered 182, Seventy-fourth Congress), $1,480,000.

Agriculture and the mechanic arts.
Further endowment of colleges.

Ante, p. 439.

VOCATIONAL EDUCATION

Vocational education.

Salaries and expenses: For carrying out the provisions of section 7 of the Act entitled "An Act to provide for the promotion of vocational education, and so forth"[1], approved February 23, 1917, as amended by the Act of October 6, 1917 (U. S. C., title 20, sec. 15), $192,000.

Salaries and expenses.
Vol. 39, p. 933; Vol. 40, p. 345.
U. S. C., p. 906.

Salaries and expenses, further development of vocational education: For carrying out the provisions of section 2 of the Act entitled "An Act to provide for the further development of vocational education in the several States and Territories", approved May 21, 1934 (48 Stat., p. 792), $73,000.

Further development, expenses.
Vol. 48, p. 792.
U. S. C., p. 907.

Further development of vocational education: For carrying out the provisions of section 1 of the Act entitled "An Act to provide for the further development of vocational education in the several

Further development in States and Territories.
Vol. 48, p. 792.
U. S. C., p. 906.

[1] So in original.

States and Territories", approved May 21, 1934 (U. S. C., title 20, sec. 15d), $3,000,000: *Provided*, That the apportionment to the States shall be computed on the basis of not to exceed $3,084,603 for the fiscal year 1937, as authorized by the Act approved May 21, 1934.

Proviso. Basis of apportionment.

Extending benefits to Hawaii. Vol. 39, p. 929. U. S. C., p. 905. Vol. 43, p. 18. U. S. C., p. 910.

For extending to the Territory of Hawaii the benefits of the Act entitled "An Act to provide for the promotion of vocational education, and so forth"[1], approved February 23, 1917 (U. S. C., title 20, secs. 11–18), in accordance with the provisions of the Act entitled "An Act to extend the provisions of certain laws to the Territory of Hawaii", approved March 10, 1924 (U. S. C., title 20, sec. 29), $30,000.

Extending benefits to Puerto Rico. Vol. 39, p. 929. U. S. C., p. 905.

For extending to Puerto Rico the benefits of the Act entitled "An Act to provide for the promotion of vocational education, and so forth"[1], approved February 23, 1917 (U. S. C., title 20, secs. 11–18), in accordance with the provisions of the Act entitled "An Act to extend the provisions of certain laws relating to vocational education and civilian rehabilitation to Puerto Rico", approved March 3, 1931 (U. S. C., title 20, secs. 11–18; title 29, secs. 31–35; U. S. C., title 20, sec. 30), $105,000.

Vol. 46, p. 1489. U. S. C., pp. 905, 1320, 910.

Cooperative vocational rehabilitation of persons disabled in industry. Vol. 41, p. 735; Vol. 43, p. 431; Vol. 46, p. 524; Vol. 47, p. 448. U. S. C., pp. 1320–1322.

Cooperative vocational rehabilitation of persons disabled in industry: For carrying out the provisions of the Act entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment", approved June 2, 1920 (U. S. C., title 29, sec. 35), as amended by the Act of June 5, 1924 (U. S. C., title 29, sec. 31), and the Acts of June 9, 1930, and June 30, 1932 (U. S. C., title 29, secs. 31–40), and section 531 (a) of the Act of August 14, 1935 (49 Stat., p. 620), $1,891,000: *Provided*, That the apportionment to the States shall be computed on the basis of not to exceed $1,938,000, as authorized by the Acts approved June 2, 1920, June 5, 1924, June 9, 1930, June 30, 1932, and August 14, 1935.

Ante, p. 633.

Proviso. Basis of apportionment.

Salaries and expenses, vocational rehabilitation. U. S. C., pp. 1320, 1322. *Ante*, p. 633.

Salaries and expenses, vocational rehabilitation: For carrying out the provisions of section 6 of the Act entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry, and so forth"[1], approved June 2, 1920 (U. S. C., title 29, sec. 35), and the Acts of June 5, 1924 (U. S. C., title 29, sec. 31), June 9, 1930, and June 30, 1932 (U. S. C., title 29, secs. 31, 40), and August 14, 1935 (49 Stat., 620), $74,420.

Cooperative vocational rehabilitation of disabled residents of the District of Columbia. Vol. 45, p. 1260.

Cooperative vocational rehabilitation of disabled residents of the District of Columbia: For personal services, printing and binding, travel and subsistence, and payment of expenses of training, placement, and other phases of rehabilitating disabled residents of the District of Columbia under the provisions of the Act entitled "An Act to provide for the vocational rehabilitation of disabled residents of the District of Columbia"[1], approved February 23, 1929 (45 Stat., p. 1260), $15,000.

Provisions extended to Hawaii. Vol. 43, p. 18. U. S. C., p. 1320.

Promotion of vocational rehabilitation of persons disabled in industry in Hawaii: For extending to the Territory of Hawaii the benefits of the Act entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry"[1], approved June 2, 1920, as amended (U. S. C., title 29, secs. 31–44), in accordance with the provisions of the Act entitled "An Act to extend the provisions of certain laws to the Territory of Hawaii", approved March 10, 1924 (U. S. C., title 29, sec. 45), $5,000.

Extending benefits to Puerto Rico. Vol. 39, p. 930; Vol. 46, p. 1489. U. S. C., p. 1320.

Promotion of vocational rehabilitation of persons disabled in industry in Puerto Rico: For extending to the island of Puerto Rico the benefits of the Act entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry"[1], approved June 2, 1920, as amended (U. S. C., title 29,

[1] So in original.

secs. 31–44), in accordance with the provisions of the Act entitled "An Act to extend the provisions of certain laws relating to vocational education and civilian rehabilitation to Puerto Rico", approved March 3, 1931 (U. S. C., title 29, sec. 45a), $15,000.

Attendance at meetings.

Not to exceed an aggregate of $3,000 of appropriations available to the Office of Education for salaries and expenses for vocational education shall be used for expenses of attendance at meetings of educational associations and other organizations which in the discretion of the Commissioner of Education are necessary for the efficient discharge of its responsibilities.

GOVERNMENT IN THE TERRITORIES

Government in the Territories.

TERRITORY OF ALASKA

Alaska.

Governor, and secretary.

Salaries of the Governor and of the secretary, $15,600.

Incidental and contingent expenses.

For incidental and contingent expenses of the offices of the Governor and the secretary of the Territory, clerk hire, not to exceed $8,600; janitor service for the Governor's office and the executive mansion, not to exceed $3,180; traveling expenses of the Governor while absent from the capital on official business and of the secretary of the Territory while traveling on official business under direction of the Governor; repair and preservation of Governor's house and furniture; for care of grounds and purchase of necessary equipment; stationery, lights, water, and fuel; in all, $15,890, to be expended under the direction of the Governor.

Legislative expenses.

Legislative expenses: For salaries of members, $21,500; mileage of members, $9,600; salaries of employees, $5,200; printing, indexing, comparing proofs, and binding laws, printing, indexing, and binding journals, stationery, supplies, printing of bills, reports, and so forth, $9,600; in all, $46,000, to be expended under the direction of the Governor of Alaska.

Reindeer service.

Reindeer service: For supervision of reindeer in Alaska and instruction in the care and management thereof, including salaries and travel expenses of employees in Alaska, travel expenses of employees of the Indian Service while performing duties in Alaska for the reindeer service, travel expenses of new appointees from Seattle, Washington, to their posts of duty in Alaska, expenses of packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station within Alaska, purchase, rental, erection, and repair of range cabins, purchase and maintenance of communication and other equipment, and all other necessary miscellaneous expenses, including $1,000 for the purchase and distribution of reindeer, $33,500, to be immediately available, and to be expended under the direction of the Governor of Alaska.

Public schools.

Proviso. Limitation.

Vol. 48, p. 1227.

For the establishment and maintenance of public schools, Territory of Alaska, $50,000: *Provided*, That expenditures under such $50,000 shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Care of insane.

Insane of Alaska: For care and custody of persons legally adjudged insane in Alaska, including compensation of medical supervisor, transportation, burial, and other expenses, $190,600: *Provided*, That authority is granted to the Secretary of the Interior to pay from this appropriation to the Sanitarium Company, of Portland, Oregon, or to other contracting institution or institutions, not to exceed $600 per capita per annum to and including January 15, 1937, and, thereafter, the per-capita rate of the lowest responsible bidder, for the care and maintenance of Alaskan insane patients during the fiscal

Provisos. Payments to Sanitarium Company, etc.

Returning non-residents.

year 1937: *Provided further*, That so much of this sum as may be required shall be available for all necessary expenses in ascertaining the residence of inmates and in returning those who are not legal residents of Alaska to their legal residence or to their friends, and the Secretary of the Interior shall, so soon as practicable, return to their places of residence or to their friends all inmates not residents of Alaska at the time they became insane, and the commitment papers for any person hereafter adjudged insane shall include a statement by the committing authority as to the legal residence of such person.

Roads, bridges, trails, etc.
Vol. 47, p. 446.
U. S. C., p. 2128.

For the repair and maintenance of roads, tramways, ferries, bridges, and trails, Territory of Alaska, to be expended under the provisions of Public Resolution Numbered 218, approved June 30, 1932 (U. S. C., title 48, secs. 321a–321c), $525,000, including not to

Juneau, wharf repair, etc.

exceed $3,000 for repair and maintenance of Government wharf at Juneau, Alaska, to be immediately available.

Road, etc., construction.

For the construction, repair, and maintenance of roads, tramways, bridges, and trails, Territory of Alaska, $130,000, to be available

Proviso.
Limitation.

until expended: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Alaska Railroad.
Maintenance, etc.

The Alaska Railroad: For every expenditure requisite for and incident to the authorized work of the Alaska Railroad, including maintenance, operation, and improvements of railroads in Alaska; maintenance and operation of river steamers and other boats on the

Operation, etc., of vessels.

Yukon River and its tributaries in Alaska; operation and maintenance of ocean-going or coastwise vessels by ownership, charter, or arrangement with other branches of the Government service, for the purpose of providing additional facilities for the transportation of freight, passengers, or mail, when deemed necessary, for the benefit and development of industries and travel affecting territory tributary to the Alaska Railroad; stores for resale; payment of claims for losses and damages arising from operations, including claims of employees of the railroad for loss and damage resulting from wreck or accident on the railroad, not due to negligence of the claimant, limited to clothing and other necessary personal effects used in connection with his duties and not exceeding $100 in value; payment of

Injury Compensation Act, payments.
Vol. 39, p. 750.
U. S. C., p. 102.

amounts due connecting lines under traffic agreements; payment of compensation and expenses as authorized by section 42 of the Injury Compensation Act approved September 7, 1916 (U. S. C., title 5, sec. 793), to be reimbursed as therein provided, $200,000, in addition to all amounts received by the Alaska Railroad during the fiscal year 1937, to continue available until expended: *Provided*, That not to

Provisos.
Services in the District.
Salary restriction.

exceed $6,000 of this fund shall be available for personal services in the District of Columbia during the fiscal year 1937, and no one other than the general manager of said railroad shall be paid an annual salary out of this fund of more than $6,000: *Provided further*, That not to exceed $10,000 of such fund shall be available

Printing and binding.

for printing and binding: *Provided further*, That $100,000 of such

Capital expenditures chargeable to capital account.

fund shall be available only for such capital expenditures as are chargeable to capital account under accounting regulations prescribed by the Interstate Commerce Commission, which amount shall be available immediately.

Hawaii.

TERRITORY OF HAWAII

Governor and secretary.

Salaries of the Governor and of the secretary, $15,800.

Contingent expenses.

For contingent expenses, to be expended by the Governor for stationery, postage, and incidentals, $1,000; private secretary to the

Governor, $3,100; temporary clerk hire, $500; for traveling expenses of the Governor while absent from the capital on official business, $1,250; in all, $5,850.

Legislative expenses, Territory of Hawaii: For compensation and mileage of members of the Legislature of the Territory of Hawaii as provided by the Act of June 27, 1930, $47,000. Legislative expenses.

TEMPORARY GOVERNMENT FOR THE VIRGIN ISLANDS Virgin Islands.

For salaries of the Governor and employees incident to the execution of the Act of March 3, 1917 (U. S. C., title 48, sec. 1391), traveling expenses of officers and employees while absent from place of duty on official business, necessary janitor service, care of Federal grounds, repair and preservation of Federal buildings and furniture, purchase of equipment, stationery, lights, water, and other necessary miscellaneous expenses, including not to exceed $5,000 for purchase, including exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, and not to exceed $4,000 for personal services, household equipment, and furnishings, fuel, ice, and electricity necessary in the operation of Government House at Saint Thomas and Government House at Saint Croix; $125,000. Governor, and other personal services. Vol. 39, p. 1132. U. S. C., p. 2202. Miscellaneous expenses.

For salaries and expenses of the agricultural experiment station and the vocational school in the Virgin Islands, including technical personnel, clerks, and other persons; scientific investigations of plants and plant industries and diseases of animals; demonstrations in practical farming; official traveling expenses; fixtures, apparatus, and supplies; clearing and fencing of land; and other necessary expenses, including not to exceed $2,000 for purchase, including exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, $35,000. Agricultural experiment station and vocational school.

For defraying the deficits in the treasuries of the municipal governments because of the excess of current expenses over current revenues for the fiscal year 1937, municipality of Saint Thomas and Saint John, $70,000, and municipality of Saint Croix, $60,000; in all, $130,000. Deficits of municipal governments.

PUERTO RICAN HURRICANE RELIEF Puerto Rican Hurricane Relief.

To enable the Division of Territories and Island Possessions to continue collection and administration of moneys due the United States on account of loans made under the joint resolutions approved December 21, 1928 (45 Stat. 1067), and January 22, 1930 (46 Stat. 57), not to exceed $25,000 of any unobligated balances of appropriations made by authority of those joint resolutions, including repayment of principal and payments of interest on such loans, is hereby made available for administrative expenses during the fiscal year 1937. Administrative expenses. Vol. 45, p. 1067; Vol. 46, p. 57.

SAINT ELIZABETHS HOSPITAL Saint Elizabeths Hospital.

For support, clothing, and treatment in Saint Elizabeths Hospital for the Insane of insane persons from the Army, Navy, Marine Corps, and Coast Guard, insane inmates of the National Home for Disabled Volunteer Soldiers, persons charged with or convicted of crimes against the United States who are insane, all persons who have become insane since their entry into the military and naval service of the United States, insane civilians in the quartermaster service of the Army, insane persons transferred from the Canal Zone who have been admitted to the hospital and who are Maintenance, etc. *Ante*, p. 1759.

Insane citizens in Canada.

indigent, American citizens legally adjudged insane in the Dominion of Canada whose legal residence in one of the States, Territories, or the District of Columbia it has been impossible to establish, insane beneficiaries of the United States Employees' Compensation Commission, insane beneficiaries of the United States Veterans' Administration, and insane Indian beneficiaries of the Bureau of

Vehicles.

Indian Affairs, including not exceeding $27,000 for the purchase, exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles for the use of the superintendent, purchasing agent, and general hospital business, and including not to

Repairs and improvements.

exceed $185,000 for repairs and improvements to buildings and grounds, $1,185,840, including maintenance and operation of necessary facilities for feeding employees and others (at not less than cost), and the proceeds therefrom shall reimburse the appropriation for the institution; and not exceeding $1,500 of this sum may be expended in the removal of patients to their friends; not exceeding $1,500 in the purchase of such books, periodicals, and newspapers

Return of escaped patients.

as may be required for the purposes of the hospital and for the medical library, and not exceeding $1,500 for the actual and necessary expenses incurred in the apprehension and return to the hospital of escaped patients: *Provided*, That so much of this sum as

Provisos.
Returning inmates no longer Federal charges.

may be required shall be available for all necessary expenses in ascertaining the residence of inmates who are not or who cease to be properly chargeable to Federal maintenance in the institution and in returning them to such places of residence: *Provided further*,

Butter substitutes, restriction.

That no part of this appropriation shall be expended for the purchase of oleomargarine or butter substitutes except for cooking purposes: *Provided further*, That during the fiscal year 1937 the

Patients in the District.

District of Columbia, or any branch of the Government requiring Saint Elizabeths Hospital to care for patients for which they are responsible, shall pay by check to the superintendent, upon his written request, either in advance or at the end of each month, all or part of the estimated or actual cost of such maintenance, as the case may be, and bills rendered by the Superintendent of Saint Elizabeths Hospital in accordance herewith shall not be subject to audit or certification in advance of payment; proper adjustments on the basis of the actual cost of the care of patients paid for in advance shall be made monthly or quarterly, as may be agreed upon between the Superintendent of Saint Elizabeths Hospital and the District of Columbia government, department, or establishments

Credit for sums paid for patients.

concerned. All sums paid to the Superintendent of Saint Elizabeths Hospital for the care of patients that he is authorized by law to receive shall be deposited to the credit on the books of the Treasury Department of the appropriation made for the care and maintenance of the patients at Saint Elizabeths Hospital for the year in which the support, clothing, and treatment is provided, and be subject to requisition upon the approval of the Secretary of the Interior.

Continuous-treatment building.
Construction and equipment.

For construction and equipment of a continuous-treatment building, including preparation of plans and specifications, advertising, and supervision of construction, $250,000.

Columbia Institution for the Deaf.

COLUMBIA INSTITUTION FOR THE DEAF

Maintenance, etc.

For support of the institution, including salaries and incidental expenses, books and illustrative apparatus, and general repairs and improvements, $132,000.

HOWARD UNIVERSITY

Howard University.

Salaries: For payment in full or in part of the salaries of the officers, professors, teachers, and other regular employees of the university, the balance to be paid from privately contributed funds, $450,000;

Salaries, etc. *Ante*, p. 1623.

General expenses: For equipment, supplies, apparatus, furniture, cases and shelving, stationery, ice, repairs to buildings and grounds, and for other necessary expenses, including reimbursement to the appropriation for Freedmen's Hospital of actual cost of heat and light furnished, $225,000;

General expenses.

Total, Howard University, $675,000.

FREEDMEN'S HOSPITAL

Freedmen's Hospital.

For officers and employees and compensation for all other professional and other services that may be required and expressly approved by the Secretary of the Interior, $212,840; for subsistence, fuel and light, clothing, to include white duck suits and white canvas shoes for the use of internes, and rubber surgical gloves, bedding, forage, medicine, medical and surgical supplies, surgical instruments, electric lights, repairs, replacement of X-ray apparatus, furniture, purchase of ambulance at not to exceed $2,500, and maintenance and operation of passenger-carrying vehicles, including not exceeding $300 for the purchase of books, periodicals, and newspapers; and not to exceed $1,200 for the special instruction of pupil nurses, and other absolutely necessary expenses, $100,260, of which sum not to exceed 12 per centum may be transferred, with the approval of the Director of the Bureau of the Budget, to the sum herein appropriated for personal services; in all, for Freedmen's Hospital, $313,100, including reimbursement to the appropriation for Howard University of actual cost of heat and light furnished, of which amount of $313,100 one-half shall be chargeable to the District of Columbia and paid in like manner as other appropriations of the District of Columbia are paid.

Salaries, etc. *Ante*, p. 1759.

Contingent expenses.

Division of expenses.

SEC. 2. Appropriations herein made for field work under the Office of the Secretary, the General Land Office, the Bureau of Indian Affairs, the Bureau of Reclamation, the Geological Survey, the Bureau of Mines, and the National Park Service shall be available for the hire, with or without personal services, of work animals and animal-drawn and motor-propelled vehicles and equipment.

Field work appropriations available for work animals, etc.

Approved, June 22, 1936.

[CHAPTER 692.]

AN ACT

June 22, 1936.
[S. 1318.]
[Public, No. 742.]

To authorize the Secretary of the Interior to investigate and adjust irrigation charges on irrigation lands within projects on Indian reservations, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to cause an investigation to be made to determine whether the owners of non-Indian lands under Indian irrigation projects and under projects where the United States has purchased water rights for Indians are unable to pay irrigation charges, including construction, maintenance, and operating charges, because of inability to operate such lands profitably by reason of lack of fertility of the soil, inadequacy of water supply, defects of irrigation works, or for any other causes. Where the

Indian irrigation projects.
Investigation and adjustment of irrigation charges on non-Indian lands under, authorized.

Secretary finds that said landowners are unable to make payment due to the existence of such causes, he may adjust, defer, or cancel such charges, in whole or in part, as the facts and conditions warrant.

Contracts for payment of past due charges; limitation.

In adjusting or deferring any such charges the Secretary may enter into contracts with said land owners for the payment of past due charges, but such contracts shall not extend the payment of such charges over a period in excess of ten years.

Lands found temporarily nonirrigable; suspension of assessments.

SEC. 2. Where the Secretary finds that any such lands cannot be cultivated profitably due to a present lack of water supply, proper drainage facilities, or need of additional construction work, he shall declare such lands temporarily nonirrigable for periods not to exceed five years and no charges shall be assessed against such lands during such periods.

Action if found permanently nonirrigable.

SEC. 3. Where the Secretary finds that any such lands are permanently nonirrigable he may, with the consent of the landowner, eliminate such lands from the project.

Cancelation of unpaid charges at time Indian title extinguished.

SEC. 4. Where irrigation assessments against any such lands remained unpaid at the time the Indian title to such lands became extinguished and no lien existed and attached to such lands for the payment of charges so assessed and no contract for the payment of such charges was entered into, the Secretary shall cancel all such charges.

Rules and regulations.

SEC. 5. The Secretary shall have power to make such rules and regulations as may be necessary to carry out the provisions of this Act.

Reports to Congress.

SEC. 6. The Secretary shall make reports to the Congress on the first Monday of each regular session, and from time to time thereafter, showing the action taken under the provisions of this Act during the preceding year.

Approval of proceedings.

No proceedings under this Act shall become effective until approved by the Congress.

Approved, June 22, 1936.

[CHAPTER 693.]

June 22, 1936.
[S. 2075.]
[Public, No. 743.]

AN ACT

To provide for the appointment of additional district judges for the eastern and western districts of Missouri.

Missouri eastern and western judicial districts.
Additional judge authorized for.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to appoint, by and with the advice and consent of the Senate, one additional United States district judge, who shall be an additional district judge for the eastern and western districts of Missouri. The judge so appointed shall at the time of his appointment be a resident and citizen of the State of Missouri.

Approved, June 22, 1936.

[CHAPTER 694.]

June 22, 1936.
[S. 2137.]
[Public, No. 744.]

AN ACT

To provide for the appointment of one additional district judge for the eastern, northern, and western districts of Oklahoma.

Oklahoma eastern, northern, and western judicial districts.
Additional judge authorized for.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to appoint, by and with the advice and consent of the Senate, one additional United States district judge, who shall be an additional district judge for the eastern, northern, and western districts of Oklahoma. The judge so appointed shall at the time of his appointment be a resident and citizen of the State of Oklahoma.

Approved, June 22, 1936.

[CHAPTER 695.]

AN ACT

To provide for the appointment of an additional district judge for the northern and southern districts of West Virginia.

June 22, 1936.
[S. 2456.]
[Public, No. 745.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States, by and with the advice and consent of the Senate, is hereby authorized to appoint an additional district judge for the northern and southern districts of West Virginia, who shall, at the time of his appointment, be a resident and a citizen of the State of West Virginia; and who, when appointed and qualified as provided by law, shall exercise all the powers conferred by existing law upon judges of the District Courts of the United States; and who shall, as to all business and proceedings arising in said northern and southern districts of West Virginia, as now constituted or which may be transferred thereto, succeed to and possess the same powers, and perform the same duties within said districts, that are now possessed and performed by the district judges heretofore appointed for and now serving therein, respectively.

West Virginia northern and southern judicial districts.

Additional judge authorized for; qualifications, powers, etc.

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

Northern district. Terms of court.

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

(b) At the city of Wheeling on the first Tuesday in May and the third Tuesday in October in each year;

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

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

Special terms.

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

Southern district. Terms.

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

(b) At the city of Lewisburg on the first Tuesday in March and the third Tuesday in September in each year;

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

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

Special terms.

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

Judge for northern and southern districts, terms of court.

(a) At the city of Clarksburg, in said northern district, on the second Tuesdays in January and September in each year;

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

(c) At the city of Huntington, in said southern district, on the second Tuesdays in May and November in each year;

(d) Said judge shall also hold such special terms as may be necessary for the orderly dispatch of the business of said court; the same to be held at said places and at such times as he shall appoint: *Provided, however*, That whenever a vacancy shall occur in the office of the district judge for the northern district of West

Special terms.

Proviso. Filling vacancy.

Virginia the judge appointed pursuant to the authority granted by this Act shall become the district judge for the northern district of West Virginia and no successor shall be appointed to the vacancy thus occurring in the position created by this Act.

Approved, June 22, 1936.

[CHAPTER 696.]

AN ACT

June 22, 1936.
[S. 3344.]
[Public, No. 746.]

To appoint one additional judge of the District Court of the United States for the Eastern and Western Districts of Kentucky.

Kentucky eastern and western judicial districts.
Additional judge authorized for.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, one additional judge of the District Court of the United States for the Eastern and Western Districts of Kentucky. The judge shall be a resident of the State of Kentucky and shall possess the same powers, perform the same duties, and receive the same compensation as the present judges of the respective districts.

Approved, June 22, 1936.

[CHAPTER 697.]

AN ACT

June 22, 1936.
[S. 3488.]
[Public, No. 747.]

To provide for an examination and survey to determine the best utilization of the surplus waters of the San Juan River and the Animas River and to determine the feasibility and cost of storing such waters and of diverting them to the Rio Chama and Rio Grande.

San Juan, etc., Rivers.
Survey to determine best utilization of surplus waters, etc., authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to cause an examination and survey to be made to determine the best utilization of the surplus waters of the San Juan River, a tributary of the Colorado River, and to determine the best possible use of such waters in the San Juan Basin without injury to the present users of the waters of the San Juan River and by diversion if feasible of a portion of such surplus waters to the Rio Chama, a tributary of the Rio Grande River, and to report the results of such surveys and examinations to the Congress as soon as possible. There is authorized to be appropriated the sum of $50,000, or so much thereof[1] may be necessary, to carry out the purposes of this Act: *Provided*, That $17,500 of the above sum may be expended for a similar examination and survey of the surplus waters of the Animas River, a tributary of the Rio Grande River[1], with a view to the diversion, if feasible, of a portion of such surplus waters to the Rio Grande River.

Report to Congress.

Sum authorized.

Proviso.
Similar examination of Animas River.

Approved, June 22, 1936.

[CHAPTER 698.]

AN ACT

June 22, 1936.
[S. 3805.]
[Public, No. 748.]

To authorize the Secretary of the Interior to reserve certain lands on the public domain in Nevada for addition to the Walker River Indian Reservation.

Walker River Indian Reservation, Nev.
Certain public lands added to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to set aside not to exceed one hundred and seventy-one thousand two hundred acres, or so much thereof as he may deem advisable, of the public-domain

Location.

[1] So in original.

lands in townships 11, 12, 13, 14, and 15 north, ranges 27, 28, 29, 30, and 31 east, Mount Diablo meridian, Nevada, as an addition to the Walker River Indian Reservation: *Provided*, That the said withdrawal shall not affect any valid rights initiated prior to the approval hereof: *Provided further*, That the Secretary of the Interior shall arrange, either by the maintenance of existing stock driveways or otherwise, to permit stock owned by others than Indians to cross the reservation at designated points. Executive order of November 26, 1934, temporarily withdrawing public-domain lands for classification, and so forth, under the Taylor Grazing Act of June 28, 1934 (ch. 865, 48 Stat. L. 1269), is hereby revoked as to such of the above-described lands as may be designated by the Secretary of the Interior for addition to the said Walker River Indian Reservation.

Provisos.
Prior rights not affected.
Stock driveways.

Executive order revoked.
Vol. 48, p. 1269.
U. S. C., p. 1851.

SEC. 2. Title to all minerals in said lands is hereby reserved to the United States and shall be subject to all forms of mineral entry or claim under the public land mining laws: *Provided*, That the Paiute Indians of the Walker River Reservation shall be paid by mineral claimants for the loss of any improvements on any lands located or withdrawn for mining purposes under rules and regulations to be prescribed by the Secretary of the Interior: *And provided further*, That an annual rental of not less than 5 cents per acre shall be paid to the superintendent of the reservation to be deposited to the credit of the tribe as compensation for loss of use or occupancy of any lands withdrawn for mining purposes or mineral entry. No mineral patent shall be granted to any applicant who is delinquent in the payment of rental or in the payment of any damages due the tribe under the provisions of this Act.

Mineral rights reserved.

Provisos.
Payments to Paiute Indians.

Rental payments.

Denial of patent if rent in arrears, etc.

Approved, June 22, 1936.

[CHAPTER 699.]

AN ACT

To provide a civil government for the Virgin Islands of the United States.

June 22, 1936.
[S. 4524.]
[Public, No. 749.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of this Act, and the name "the Virgin Islands" as used in this Act, shall apply to and include the territorial domain, lands and waters acquired by the United States through cession of the Danish West Indian Islands by the convention between the United States of America and His Majesty the King of Denmark entered into August 4, 1916, and ratified by the Senate on September 7, 1916 (39 Stat. L. 1706).

Organic Act of the Virgin Islands of the United States.
Territorial limits defined.

Vol. 39, p. 1706.

SEC. 2. The insular possession which is the Virgin Islands shall be divided into two municipalities, namely, (1) the municipality of Saint Croix and (2) the municipality of Saint Thomas and Saint John. The boundaries of said municipalities shall be the same as at present established in accordance with laws in force on the date of enactment of this Act, and the capital and seat of the central government shall be Saint Thomas. In this Act the phrase "the Government of the Virgin Islands" shall include, in addition to the governing authority of the insular possession, the governing authority of the two municipalities, unless the context shall indicate a different intention.

Subdivisions.
Municipality of Saint Croix.
Municipality of Saint Thomas and Saint John.
Boundaries.
Capital at Saint Thomas.
"The Government of the Virgin Islands" defined.

SEC. 3. The inhabitants of the municipality of Saint Croix and of the municipality of Saint Thomas and Saint John are hereby constituted into bodies politic and juridic, under the present name of each such municipality, and as such bodies they shall have perpetual succession and power (a) to adopt and use an official seal; (b) to sue and in cases arising out of contract to be sued; (c) to demand the

Saint Croix, Saint Thomas and Saint John.

Powers conferred.

fulfillment of obligations under the law and to defend and prosecute all actions at law; (d) to acquire property by purchase, exchange, donation or bequest, by virtue of proceedings for the collection of taxes, by eminent-domain proceedings, or by any other means provided by law, and to possess, administer, and govern such property; and (e) to alienate or encumber any of their property, subject to the provisions of this Act.

Transfer of property to Virgin Islands.

SEC. 4. All property which may have been acquired by the United States from Denmark in the Virgin Islands under the convention entered into August 4, 1916, not heretofore or within one year hereafter reserved by the United States for public purposes, is hereby placed under the control of the Government of the Virgin Islands: *Provided*, That, except as otherwise expressly provided, all laws of the United States for the protection and improvement of the navigable waters of the United States and the preservation of the interest of navigation and commerce shall apply to the Virgin Islands: *Provided further*, That nothing in this Act shall be construed to affect or impair in any manner the terms and conditions of any authorizations, permits, or other powers heretofore lawfully granted or exercised in or in respect of the Virgin Islands by any authorized officer or agent of the United States: *Provided further*, That the Secretary of the Interior shall be authorized to lease or to sell upon such terms as he may deem advantageous to the Government of the United States any property of the United States under his administrative supervision in the Virgin Islands not needed for public purposes.

Provisos.
Application of certain United States laws.

Authorizations, etc., heretofore granted not impaired.

Disposal of surplus property.

Legislative branch.

LEGISLATIVE BRANCH

"Municipal Council of Saint Croix."

SEC. 5. All local legislative powers in the municipality of Saint Croix, except as herein otherwise provided, shall be vested in a local legislative assembly, which shall be designated the "Municipal Council of Saint Croix." Said council shall consist of nine members elected by the qualified electors of the municipality for a term of two years beginning the 1st day of January next succeeding the date of election. The members shall be elected in four representative districts, two of which shall be the town of Christiansted and the country district thereof, and two of which shall be the town of Frederiksted and the country district thereof, as defined by law in force on the date of enactment of this Act: *Provided*, That two members shall be elected for each of said districts and one member at large.

Composition, tenure of office, districts.

Proviso.
Apportionment.

"Municipal Council of Saint Thomas and Saint John."

SEC. 6. All local legislative powers in the municipality of Saint Thomas and Saint John, except as herein otherwise provided, shall be vested in a local legislative assembly which shall be designated the "Municipal Council of Saint Thomas and Saint John." Said council shall consist of seven members elected by the qualified electors of the municipality for a term of two years beginning the 1st day of January next succeeding the date of election. The members shall be elected in three representative districts, one of which shall be the town district and one the country district of Saint Thomas, and one the district of Saint John, as defined by law in force on the date of enactment of this Act: *Provided*, That two members shall be elected for each of the districts of Saint Thomas, one member for the district of Saint John, and two members at large.

Composition, tenure of office, districts.

Proviso.
Apportionment.

"Legislative Assembly of the Virgin Islands."
Joint sessions of municipal councils to so constitute, etc.

SEC. 7. After January 1, 1937, joint sessions of said municipal councils shall constitute and shall be designated the "Legislative Assembly of the Virgin Islands." The legislative assembly shall convene in Saint Thomas upon call by the Governor, and also whenever both municipal councils shall determine by resolutions passed

by each of them: *Provided*, That the Governor shall call the legislative assembly at least once during each calendar year. The legislative assembly shall have power to enact legislation applicable to the Virgin Islands as a whole, but no legislation shall be considered other than that specified in the message by the Governor calling such a session, or in both of said resolutions: *Provided further*, That so long as the membership of the legislative assembly does not exceed sixteen members, a quorum of the legislative assembly shall consist of not less than ten members, and no bill shall be enacted until it shall be passed by a two-thirds majority vote of the members present. The municipal councils shall not enact laws or ordinances in conflict with the enactments of the legislative assembly.

Provisos.
Call by Governor.
Enactment of local legislation; limitation.

Quorum.

Two-thirds majority vote for passage.

Conformity requirements.

SEC. 8. The present colonial councils shall continue to function until January 1, 1937. The next general election in the Virgin Islands shall be held on November 3, 1936. At such election there shall be chosen the entire membership of each municipal council as herein provided. Thereafter the elections shall be held on the first Tuesday after the first Monday in November, beginning with the year 1938, and every two years thereafter. The terms of office of members of the respective colonial councils of the municipalities of Saint Thomas and Saint John and of Saint Croix, whose terms of office under existing law would expire prior to January 1, 1937, are hereby extended to that date.

Present councils to continue until 1937.
General elections; time for holding, purposes of, etc.

Terms of present municipal officers.

SEC. 9. No person shall be eligible to be a member of either municipal council unless he is a citizen of the United States, over twenty-five years of age, is a qualified voter of the municipality in which elected, has resided in the Virgin Islands for a period of not less than three years next preceding the date of election, and has not been convicted of a felony or of a crime involving moral turpitude. Each municipal council may exclude from membership therein persons receiving compensation from the Government of the United States or from either of the municipal governments of the Virgin Islands.

Municipal councils, membership qualifications.

Members receiving Federal pay.

SEC. 10. The members of each municipal council shall receive allowance for actual travel expenses and such reasonable subsistence as may be prescribed by the council.

Travel and subsistence allowances.

SEC. 11. The respective municipal councils shall be the sole judges of the elections, returns, and qualifications of their members, shall be vested with the authority and attributes inherent in legislative bodies, and shall jointly or separately have the power to institute and conduct investigations, issue subpenas to witnesses and other parties concerned, and administer oaths. Existing rules of the colonial councils shall continue in force and effect, except as inconsistent with this Act, until altered, amended, or repealed by the respective municipal councils. No member shall be held to answer before any tribunal other than the respective municipal councils themselves for any speech or debate in the municipal councils and the members shall in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at the sessions of the municipal councils and in going to and returning from the same.

Municipal councils to be sole judges of their membership, etc.

Other powers.

Continuance of rules in force.

Immunity and privilege from arrest of members.

SEC. 12. Each municipal council shall annually appoint from among its members, for a term of one year, three members to serve as a standing committee, which, under the name of the "Municipal Committee", shall advise the Governor concerning the management of the fiscal affairs of the municipality, and concerning matters relating to the municipality. The procedure of the Municipal Committee shall be in accordance with bylaws adopted by the municipal council and approved by the Governor. The Municipal Committee shall have power when granted by local law to recommend to the Governor

"Municipal Committee."
Appointment, duties, procedure, powers, etc.

transfers between items in the annual budgets, and loans from municipal funds, but no such transfers or loans shall be made by the Governor except upon the recommendation of the Municipal Committee.

Municipal council meetings.

SEC. 13. Each municipal council shall assemble for ordinary meetings on a certain day of every second month, which day shall be previously fixed by the Governor for the whole year, and for extraordinary meetings at the call of the Governor or the chairman of the council. The Governor may postpone the meetings of the municipal councils, but not for a longer period than fourteen days. The Municipal Council of Saint Thomas and Saint John shall convene at Saint Thomas, and the Municipal Council of Saint Croix shall convene at Christiansted.

Governor; introduction of bills by; submission of budget estimates; reports, etc.

SEC. 14. The Governor may introduce bills in the respective municipal councils. The Governor shall submit to the respective municipal councils, at least ninety days before the close of each fiscal year, a budget of estimated receipts and expenditures for the respective municipalities, which shall be the basis for the annual local appropriation bills for such municipalities. He shall from time to time submit to the respective municipal councils such reports concerning the fiscal affairs of the municipalities as may be requested by resolution of either municipal council.

Municipal council quorum.
Enactment requirements.

SEC. 15. The quorum of each municipal council shall consist of an absolute majority of all its members. No bill shall become a law until it shall be passed by a majority (yea-and-nay) vote of the members present and voting of the municipal council having jurisdiction, entered upon the journal, and approved by the Governor, except as otherwise herein provided. Each municipal council shall keep a journal of its proceedings and publish the same during the year, and the yeas and nays of the members voting on any question shall be entered on the journal.

Journal of proceedings.

Local new legislation, repeals, amendments, etc.

SEC. 16. New legislation, and repeals, alterations, and amendments of local laws of the Virgin Islands by the municipal council having jurisdiction, and by the legislative assembly, shall be effective and enforced when, and to the extent, such new legislation, repeals, alterations, and amendments are approved by the Governor, and the Governor shall state specifically in each case whether his approval or disapproval is in whole or in part, and if in part only, what part is approved and what part not approved. The Governor may veto any specific item or items in any bill which appropriates money for specific purposes, but shall veto other bills, if at all, only as a whole. If any bill passed by the municipal council having jurisdiction or by the legislative assembly be disapproved in whole or in part by the Governor, the Governor shall within thirty calendar days return such bill to the said municipal council or to the legislative assembly, whether in actual session or not, setting forth his objections. If after reconsideration by the legislative body having jurisdiction two-thirds of all the members of the said body pass such bill or part thereof, it shall be sent to the Governor who, in case he shall not then approve it, shall transmit the same to the President. If the President approves such bill or part of bill, he shall sign it and it shall become law; if he does not approve such bill or part of bill, he shall return it to the Governor, so stating, and it shall not become law. If any bill shall not be returned by the Governor as herein provided within thirty calendar days after it shall have been presented to him the same shall become a law in like manner as if he had signed it. The President shall approve or disapprove an act submitted to him under the provisions of this section within three months from and after its presentation for his

Veto powers of Governor.

Passage over veto.

Presentation and action of the President.

approval; and if not acted upon within such time, it shall become a law the same as if it had been specifically approved. All laws enacted by the Municipal Council of Saint Croix, by the Municipal Council of Saint Thomas and Saint John, or by the legislative assembly, shall be reported by the Governor to the Secretary of the Interior, and by him to the Congress, which hereby reserves the power and the authority to annul the same. The laws not annulled shall be published annually as a public document. If at the termination of any fiscal year the appropriation necessary for the support of the municipal government for the ensuing fiscal year shall not have been made, then the several sums apropriated [1] in the last appropriation bills for the objects and purposes therein specified, so far as the same may be applicable, shall be deemed to be reappropriated, item by item; and until the municipal council of the municipality having jurisdiction shall act in such behalf, the Governor may make the payments and collections necessary for the purpose aforesaid.

Power of Congress to annul legislation.

Annual publication of laws.

Continuance of certain appropriations.

SEC. 17. Beginning on January 1, 1938, or on such earlier date subsequent to January 1, 1937, as may be fixed by local law or ordinance for either municipality, and thereafter, the franchise shall be vested in residents of the Virgin Islands who are citizens of the United States, twenty-one years of age or over, and able to read and write the English language. Additional qualifications may be prescribed by the legislative assembly: *Provided, however*, That no property or income qualification shall ever be imposed upon or required of any voter, nor shall any discrimination in qualification be made or based upon difference in race, color, sex, or religious belief.

Franchise; qualifications.

Proviso.
No property or income qualification.

No racial, sex, or religious disqualification.

SEC. 18. The laws of the United States applicable to the Virgin Islands on the date of enactment of this Act, and all local laws and ordinances in force on such date in the Virgin Islands, not inconsistent with this Act, shall continue in force and effect: *Provided*, That the Municipal Council of Saint Croix and the Municipal Council of Saint Thomas and Saint John, and the legislative assembly, shall have power, when not inconsistent with this Act and within their respective jurisdictions, to amend, alter, modify, or repeal any law of the United States of local application only, or any ordinance, public or private, civil or criminal, continued in force and effect by this Act, except as herein otherwise provided, and to enact new laws and ordinances not inconsistent with this Act and not inconsistent with the laws of the United States hereafter made applicable to the Virgin Islands or any part thereof, subject to the power of the Congress to annul the same. The laws of the United States relating to patents, trade marks, and copyrights, and to the enforcement of rights arising thereunder, shall have the same force and effect in the Virgin Islands as in the continental United States, and the District Court of the Virgin Islands shall have the same jurisdiction in causes arising under such laws as is exercised by United States district courts.

Applicability of United States laws.

Proviso.
Power of councils to amend, etc.

Patent, trade mark, and copyright laws.

SEC. 19. The legislative power of the Virgin Islands shall extend to all subjects of local application not inconsistent with this Act or the laws of the United States made applicable to said islands, but no law shall be enacted which would impair rights existing or arising by virtue of any treaty entered into by the United States, nor shall the lands or other property of nonresidents be taxed higher than the lands or other property of residents.

Legislative power; scope.

[1] So in original.

Executive branch.

EXECUTIVE BRANCH

Governor of the Virgin Islands, appointment, tenure of office, residence, powers, etc.

SEC. 20. The executive power of the Virgin Islands and of the municipalities thereof shall be vested in an executive officer whose title shall be "the Governor of the Virgin Islands" and shall be exercised under supervision of the Secretary of the Interior. The Governor shall be appointed by the President, by and with the advice and consent of the Senate, and shall hold office at the pleasure of the President and until his successor is chosen and qualified. The Governor shall reside in the Virgin Islands during his official incumbency. He shall have general supervision and control of all executive and administrative departments, bureaus, and offices of the Government of the Virgin Islands. He shall faithfully execute the laws of the United States applicable to the Virgin Islands, and the laws and ordinances of the Virgin Islands. He may grant pardons and reprieves and remit fines and forfeitures for offenses against the local laws, and may grant respites for all offenses against the applicable laws of the United States until the decision of the President can be ascertained. He may veto any legislation as provided in this Act. He shall commission all officers that he may be authorized to appoint. He may call upon the commanders of the military and naval forces of the United States in the islands, or summon the posse comitatus, or call out the militia, to prevent or suppress violence, invasion, insurrection, or rebellion; and he may, in case of rebellion or invasion, or imminent danger thereof, when the public safety requires it, suspend the privilege of the writ of habeas corpus, or place the islands, or any part thereof, under martial law, until communication can be had with the President and the President's decision thereon made known.

Reports by.

He shall annually, and at such other times as the President or the Congress may require, make official report of the transactions of the Government of the Virgin Islands to the Secretary of the Interior, and his said annual report shall be transmitted to the Congress. He shall perform such additional duties and functions as may, in pursuance of law, be delegated to him by the President, or by the Secretary of the Interior. He shall have the power to issue executive regulations not in conflict with any applicable law or ordinance. He shall attend or may depute another person to represent him at the meetings of the legislative authorities herein established, and may give expression to his views on any matter before such bodies.

Government Secretary, appointment, powers, duties, etc.

SEC. 21. The President shall appoint a Government Secretary for the Virgin Islands, who shall have all the powers of the Governor in the case of a vacancy or temporary removal, resignation, or disability of the Governor, or in case of his temporary absence. He shall have custody of the seal of the Virgin Islands and shall countersign and affix such seal to all executive proclamations and all other executive documents. He shall, when practicable, attend all meetings of the Municipal Council of Saint Thomas and Saint John, before which body he shall give expression to the advice of the Governor. He shall record and preserve the laws enacted by the legislative authorities herein established. He shall promulgate all proclamations and orders of the Governor and all laws enacted by said legislative authorities. He shall have all such executive powers and perform such other duties as may be prescribed by law or assigned to him by the Governor.

Administrator for Saint Croix, appointment, duties, etc.

SEC. 22. The Secretary of the Interior shall appoint an Administrator for Saint Croix, who shall act for the Governor in the administration of the affairs of the municipality of Saint Croix. He shall, when practicable, attend all meetings of the Municipal Council of Saint Croix, before which body he shall give expression to the advice

of the Governor. He shall exercise supervision over all administrative departments in the municipality of Saint Croix, subject to the direction of the Governor.

Other executive and administrative officers.

SEC. 23. The Secretary of the Interior shall appoint such other executive and administrative officers as may, in his discretion, be required. Such officers shall have such powers and duties as may be conferred or imposed upon them by law or ordinance, or by order of the Secretary of the Interior or executive regulation of the Governor not inconsistent with any such law or ordinance. The salary of all executive officers and employees appointed by the President or by the Secretary of the Interior shall be paid from funds appropriated for the Government of the Virgin Islands by the Congress in annual appropriation bills, or as may be otherwise provided by law. The officers appointed by the Secretary of the Interior shall hold office during his pleasure, and in making such appointments the Secretary shall give due consideration to natives of the Virgin Islands.

Payment of salaries.

Tenure; appointment of natives.

Officers and employees of municipal governments.

SEC. 24. The Governor shall appoint, by and with the advice and consent of the municipal council having jurisdiction, all salaried officers and employees of the municipal governments whose salaries are provided for in the budgets of the municipal governments. In the event of a vacancy in any appointive office under the Government of the Virgin Islands, or the absence, illness, or temporary disqualification of any appointive officer, the Governor shall designate an officer or employee of the Government of the Virgin Islands to discharge the functions of such officer during such vacancy, absence, illness, or temporary disqualification.

Vacancies.

JUDICIAL BRANCH

Judicial branch.

District Court of the Virgin Islands and inferior local courts provided.

SEC. 25. The judicial power of the Virgin Islands shall be vested in a court to be designated "the District Court of the Virgin Islands" and in such court or courts of inferior jurisdiction as may have been or may hereafter be established by local law: *Provided*, That the legislative assembly may provide for the organization and conduct of a Superior Court of the Virgin Islands and may transfer from the district court to such Superior Court jurisdiction over any or all causes other than those arising under the laws of the United States. Appeals from the Superior Court shall be as provided by law in the case of appeals from the district court.

Proviso.

Superior Court of the Virgin Islands, jurisdiction, etc.

Judge and district attorney; appointment; tenure.

SEC. 26. The President shall, by and with the advice and consent of the Senate, appoint a judge and a district attorney for the District Court of the Virgin Islands who shall hold office for the term of four years and until their successors are chosen and qualified unless sooner removed by the President for cause.

Compensation.

The Attorney General shall appoint and fix the compensation of all other officers necessary for the transaction of the business of the district court, and the compensation of the judge of the district court, and of the district attorney, and the administrative expenses of such court shall be paid from appropriations made for the Department of Justice. The duties of such officers shall be prescribed by law or ordinance and by order of the Attorney General not inconsistent therewith: *Provided*, That the Governor may call upon the district attorney to advise him upon any legal questions concerning the administration of the Government of the Virgin Islands.

Duties.

Proviso.

Legal advice.

District Court; divisions.

SEC. 27. The District Court of the Virgin Islands shall consist of two divisions, one constituted by the municipality of Saint Croix and one constituted by the municipality of Saint Thomas and Saint John, as defined by local law in force on the date of enactment of this Act. The judge of the district court shall hold court in each

Terms.

Rules of practice and procedure.

division at such time as he may designate by order, at least once in two months in each division. The rules of practice and procedure in such district court shall be prescribed by law or ordinance or by rules and regulations of the district judge not inconsistent with law or ordinance. The process of the district court shall run throughout the Virgin Islands.

Running of process.

Jurisdiction of district court.

SEC. 28. The district court shall have jurisdiction of—

(1) All criminal cases under the laws of the respective municipalities or under the laws of the United States applicable to the Virgin Islands;

(2) All cases in equity;

(3) All cases in admiralty;

(4) All cases of divorce and annulment of marriage;

(5) All cases at law involving principal sums exceeding $200;

(6) All cases involving title to real estate;

(7) All appeals from judgments rendered in the inferior courts;

(8) All matters and proceedings not otherwise hereinabove provided for which, on the date of enactment of this Act, were within the jurisdiction of the District Court of the Virgin Islands, or of the judge thereof, or which may hereafter be placed within the jurisdiction of the District Court of the Virgin Islands, or of the judge thereof, by local law.

Concurrent jurisdiction with inferior courts.

The district court shall also have concurrent jurisdiction with the inferior courts as provided in section 32.

Maritime, etc., jurisdiction.

SEC. 29. The district court shall also have jurisdiction of offenses under the criminal laws of the United States when such offenses are committed on the high seas beyond the territorial limits of the Virgin Islands on vessels belonging in whole or in part to the United States, to any citizen thereof, or to any corporation created by or under the laws of the United States or of any State or Territory thereof, and the offenders are found in the Virgin Islands or are brought into the Virgin Islands after the commission of the offense.

Appeals from District Court.

SEC. 30. Appeals from the District Court of the Virgin Islands shall be as provided by law in force on the date of enactment of this Act: *Provided*, That no appeal shall be predicated upon the existence of a right of appeal under the law of Denmark.

Proviso. Restriction.

Jury trial in criminal cases.

SEC. 31. In any criminal case originating in said district court, no person shall be denied the right to trial by jury on the demand of either party: *Provided*, That if no jury is demanded the case shall be tried by the court without a jury: *Provided further*, That the judge of the district court may, on his own motion, order a jury for the trial of any criminal action: *Provided further*, That the respective municipal councils of Saint Croix and of Saint Thomas and Saint John, may provide for trial in misdemeanor cases by a jury of six qualified persons.

Provisos. If no jury demanded. Ordering of jury by judge.

Misdemeanor cases.

Inferior courts. Concurrent jurisdiction with district court in minor civil or criminal cases.

SEC. 32. The inferior courts shall have jurisdiction concurrent with the district court in all civil cases in which the principal sum claimed does not exceed $200, and of all criminal cases wherein the punishment that may be imposed shall not exceed a fine of $100 or imprisonment not exceeding six months, all violations of police regulations and executive regulations, and any cause or offense wherein jurisdiction hereafter shall have been conferred by local law. Such inferior courts shall hold preliminary investigations in charges of felony and charges of misdemeanor in which the punishment that may be imposed is beyond the jurisdiction granted to the inferior courts by this section, and shall commit offenders to the district court and grant bail in bailable cases. The rules governing said courts and prescribing the duties of inferior judges and inferior court officers, oaths, and bonds, the times and places of holding such

Preliminary investigations in felony, etc., charges.

Rules, duties, etc.

courts, the disposition of fines, costs, forfeitures, enforcements of judgments, providing for appeals therefrom to the district court, and the disposition and treatment of prisoners shall be as established by law or ordinance in force on the date of enactment of this Act or as may hereafter be established by law or ordinance by the municipal council having jurisdiction.

Appeals from inferior courts.

SEC. 33. Appeals in civil and criminal cases from the judgments and rulings of the inferior courts shall be to the district court and shall be taken in accordance with the laws and ordinances of the respective municipalities: *Provided*, That the right of appeal in all cases, civil and criminal, shall be as established by law or ordinance in force on the date of enactment of this Act, or as may hereafter be established by law or ordinance by the municipal council having jurisdiction.

Proviso. Right of appeal.

MISCELLANEOUS PROVISIONS

Miscellaneous provisions.

"Bill of rights," provisions.

SEC. 34. No law shall be enacted in the Virgin Islands which shall deprive any person of life, liberty, or property without due process of law or deny to any person therein equal protection of the laws.

In all criminal prosecutions the accused shall enjoy the right to be represented by counsel for his defense, to be informed of the nature and cause of the accusation, to have a copy thereof, to have a speedy and public trial, to be confronted with the witnesses against him, and to have compulsory process for obtaining witnesses in his favor.

No person shall be held to answer for a criminal offense without due process of law, and no person for the same offense shall be twice put in jeopardy of punishment, nor shall be compelled in any criminal cause to give evidence against himself; nor shall any person sit as judge or magistrate in any case in which he has been engaged as attorney or prosecutor.

All persons shall be bailable by sufficient sureties in the case of criminal offenses, except for first-degree murder or any capital offense when the proof is evident or the presumption great.

No law impairing the obligation of contracts shall be enacted.

No person shall be imprisoned or shall suffer forced labor for debt.

All persons shall have the privilege of the writ of habeas corpus and the same shall not be suspended except as herein expressly provided.

No ex-post-facto law or bill of attainder shall be enacted.

Private property shall not be taken for public use except upon payment of just compensation ascertained in the manner provided by law.

Nothing contained in this Act shall be construed to limit the power of the municipal councils herein provided to enact laws for the protection of life, the public health, or the public safety.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

The right to be secure against unreasonable searches and seizures shall not be violated.

No warrant for arrest or search shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

Slavery shall not exist in the Virgin Islands.

Involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall not exist in the Virgin Islands.

No law shall be passed abridging the freedom of speech or of the press or the right of the people peaceably to assemble and petition the Government for the redress of grievances.

No law shall be made respecting an establishment of religion or prohibiting the free exercise thereof, and the free exercise and enjoyment of religious profession and worship without discrimination or preference shall forever be allowed, and no political or religious test other than an oath to support the Constitution and the laws of the United States applicable to the Virgin Islands, and the laws of the Virgin Islands, shall be required as a qualification to any office or public trust under the Government of the Virgin Islands.

The contracting of polygamous or plural marriages is prohibited.

No money shall be paid out of the treasury except in accordance with an Act of Congress or money bill of the local legislative authority having jurisdiction and on warrant drawn by the proper officer.

The employment of children under the age of fourteen years in any occupation injurious to health or morals or hazardous to life or limb is hereby prohibited.

Collection and expenditure of public revenue, etc.

SEC. 35. All taxes, duties, fees, and public revenues collected in the municipality of Saint Croix shall be covered into the treasury of the Virgin Islands and held in account for said municipality and all taxes, duties, fees, and public revenues collected in the municipality of Saint Thomas and Saint John shall be covered into said treasury of the Virgin Islands and held in account for said municipality: *Provided*, That the proceeds of customs duties, less the cost of collection, and the proceeds of the United States income tax, and the proceeds of any taxes levied by the Congress on the inhabitants of the Virgin Islands, and all quarantine, passport, immigration, and naturalization fees collected in the Virgin Islands shall be covered into the treasury of the Virgin Islands and held in account for the respective municipalities, and shall be expended for the benefit and government of said municipalities in accordance with the annual municipal budgets. The Municipal Council of Saint Croix may make appropriations for the purposes of said municipality from, and to be paid out of, the funds credited to its account in the treasury of the Virgin Islands; and the Municipal Council of Saint Thomas and Saint John may make appropriations for the purposes of said municipality from, and to be paid out of, the funds credited to its account in said treasury.

Proviso.
Proceeds of designated receipts covered into Virgin Islands treasury.

Appropriations by Municipal Councils.

Property and income taxes, etc.

SEC. 36. Taxes and assessments on property and incomes, internal-revenue taxes, license fees, and service fees may be imposed and collected, and royalties for franchises, privileges, and concessions granted may be collected for the purposes of the Government of the Virgin Islands as may be provided and defined by the municipal councils herein established: *Provided*, That all money hereafter derived from any tax levied or assessed for a special purpose shall be treated as a special fund in the treasury of the Virgin Islands and paid out for such purpose only, except when otherwise authorized by the legislative authority having jurisdiction after the purpose for which such fund was created has been accomplished. Until Congress shall otherwise provide, all laws concerning import duties and customs in the municipality of Saint Thomas and Saint John now in effect shall be in force and effect in and for the Virgin Islands: *Provided*, That the Secretary of the Treasury shall designate the several ports and sub-ports of entry in the Virgin Islands of the United States and shall make such rules and regulations and appoint such officers and employees as he may deem necessary for the administration of the customs laws in the Virgin Islands of the United States; and he shall fix the compensation of all such officers and employees and provide for the payment of such compensations and other expenses of the collection of duties, fees, and taxes imposed

Provisos.
Special taxes; treatment, etc.

Import duties and customs.

Ports of entry to be designated.

Customs officers, appointment, etc.

under the customs laws from the receipts thereof. The export duties in effect on the date of enactment of this Act may be from time to time reduced, repealed, or restored by ordinance of the municipal council having jurisdiction: *Provided further*, That no new export duties shall be levied in the Virgin Islands except by the Congress.

Export duties.

Levy of new export duties by Congress.

SEC. 37. All judicial process shall run in the name of "United States of America, scilicet, the President of the United States", and all penal or criminal prosecutions in the local courts shall be conducted in the name of and by authority of "the People of the Virgin Islands of the United States."

Judicial process.

Conduct of penal, etc., prosecutions.

SEC. 38. All officials of the Government of the Virgin Islands shall be citizens of the United States, and before entering upon the duties of their respective offices shall take an oath to support the Constitution and the laws of the United States applicable to the Virgin Islands and the laws of the Virgin Islands.

Government officials; citizenship requirements, etc.

SEC. 39. All reports required by law to be made by the Governor to any official of the United States shall hereafter be made to the Secretary of the Interior, and the President is hereby authorized to place all matters pertaining to the Government of the Virgin Islands under the jurisdiction of the Secretary of the Interior, except matters relating to the judicial branch of said Government which shall be as hereinbefore provided under the supervision of the Attorney General.

Governor's reports to be made to Secretary of Interior.

Jurisdiction of Secretary.

Judicial branch under supervision of Attorney General.

SEC. 40. This Act shall take effect upon its enactment, but until its provisions shall severally become operative as herein provided, the corresponding legislative, executive, and judicial functions of the existing government shall continue to be exercised as now provided by law or ordinance, and the present incumbents of all offices under the Government of the Virgin Islands shall continue in office until their successors are appointed and have qualified unless sooner removed by competent authority.

Effective date.

SEC. 41. This Act may be cited as the Organic Act of the Virgin Islands of the United States.

Citation of Act.

Approved, June 22, 1936.

[CHAPTER 700.]

June 22, 1936.
[S. 4784.]
[Public, No. 750.]

AN ACT

To permit mining within the Glacier Bay National Monument.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the area within the Glacier Bay National Monument in Alaska, or as it may hereafter be extended, all mineral deposits of the classes and kinds now subject to location, entry, and patent under the mining laws of the United States shall be, exclusive of the land containing them, subject to disposal under such laws, with right of occupation and use of so much of the surface of the land as may be required for all purposes reasonably incident to the mining or removal of the minerals and under such general regulations as may be prescribed by the Secretary of the Interior.

Glacier Bay National Monument, Alaska. Permission for mining within, granted.

Use of surface land.

Approved, June 22, 1936.

[CHAPTER 701.]

AN ACT

To withdraw certain public lands from settlement and entry.

June 22, 1936.
[H. R. 1397.]
[Public, No. 751.]

Public lands.
Reservation of, in California, for park, recreational purposes, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the public lands of the United States within the boundaries hereinafter described are hereby withdrawn from settlement, location, sale, and entry under the public land laws of the United States for a local park, recreational purposes, and for securing favorable conditions of water flows subject to and with a reservation of the right of the United States or its permittees or licensees, upon payment only for damages to improvements made by the Board of Supervisors of Butte County, California, to enter upon, occupy, and use any part or all thereof necessary, in the judgment of the Federal Power Commission, for the purposes of the Federal Water Power Act. The lands herein referred to are located in the State of California and more particularly bounded and described as follows:

Description.

The east half section 32, township 20 north, range 5 east, Mount Diablo base and meridian, containing three hundred and twenty acres: *Provided*, That the Board of Supervisors of Butte County, in which said lands are located, shall make and enforce all such local, police, sanitary, and other rules and regulations, not inconsistent with the rights of the United States therein, as may be necessary for the preservation and use of said lands by the public as a local public park and recreation ground and for the preservation of animal life thereon, for the preservation of order thereon, and for the purpose of securing favorable conditions of water flows therefrom, including the right to construct roads and trails thereon and a conduit or ditch for conveying water for the public-park uses in immediate connection therewith: *Provided further*, That this Act shall not defeat or affect any lawful right which has already attached under the public land or mining laws: *Provided further*, That the Secretary of the Interior may, when in his judgment the public interest would be best served thereby, restore any of said lands to settlement, location, sale, or entry, subject to and with a reservation of the right of the United States or its permittees or licensees, upon payment only for damages to improvements made by said Board of Supervisors, to enter upon, occupy, and use any part or all of such land necessary, in the judgment of the Federal Power Commission, for the purposes of the Federal Water Power Act, which right shall be expressly reserved in every patent issued for such lands.

Provisos.
Enforcement of local, police, etc., rules and regulations.

Existing lawful rights not affected.

Discretionary restoration of any lands to settlement.

Approved, June 22, 1936.

[CHAPTER 702.]

AN ACT

To amend section 36 of the Emergency Farm Mortgage Act of 1933, as amended.

June 22, 1936.
[H. R. 9484.]
[Public, No. 752.]

Emergency Farm Mortgage Act of 1933, amendments.
Vol. 48, p. 49.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first two sentences of section 36 of the Emergency Farm Mortgage Act of 1933, as amended, are amended to read as follows:

Drainage, irrigation, etc., districts.
Loans by Reconstruction Finance Corporation for benefit of, authorized.

"The Reconstruction Finance Corporation is authorized and empowered to make loans as hereinafter provided, in an aggregate amount not exceeding $125,000,000, including commitments and disbursements heretofore made, to or for the benefit of drainage districts, levee districts, levee and drainage districts, irrigation districts, and similar districts, mutual nonprofit companies and incorporated water-users' associations duly organized under the laws of

any State or Territory, and to or for the benefit of political subdivisions of States and Territories which have or propose to purchase or otherwise acquire projects or portions thereof devoted chiefly to the improvement of lands for agricultural purposes. Such loans shall be made for the purpose of enabling any such district, political subdivision, company, or association (hereafter referred to as the "borrower") to reduce and refinance its outstanding indebtedness incurred in connection with any such project; or, whether or not it has any such indebtedness, to purchase, acquire, construct, or complete such a project or any part thereof, or to purchase or acquire additional drainage, levee, or irrigation works, or property, rights, or appurtenances in connection therewith, and to repair, extend, or improve any such project or make such additions thereto as are consonant with or necessary or desirable for the proper functioning thereof or for the further assurance of the ability of the borrower to repay its loan: *Provided*, That the terms of this Act shall not permit additional or new land to be brought into production outside of the present boundaries of any established or reorganized irrigation district."

State subdivision projects included.

Purposes.
Reduction and refinancing of outstanding indebtedness.

Completion, etc., of projects.

Acquisition of additional drainage, levee, or irrigation rights, etc.

Repair, extension, etc., of projects.

Proviso.
Limitation.

SEC. 2. Such section is further amended by striking out the sentence therein which reads as follows: "When any loan is authorized pursuant to the provisions of this section and it shall then or thereafter appear that repairs and necessary extensions or improvements to the project of such district, political subdivision, company, or association are necessary or desirable for the proper functioning of its project or for the further assurance of its ability to repay such loan, and if it shall also appear that such repairs and necessary extensions or improvements are not designed to bring new lands into production, the Corporation, within the limitation as to total amount provided in this section, may make an additional loan or loans to such district, political subdivision, company, or association for such purpose or purposes."

Additional loans for repairs, etc.; provision repealed.
Vol. 48, p. 1111.

Approved, June 22, 1936.

[CHAPTER 703.]

AN ACT

June 22, 1936.
[H. R. 10356.]
[Public, No. 753.]

Authorizing the Secretary of the Navy to convey a right-of-way over certain lands situated in Solano County, California, to the State of California for State highway purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby granted to the State of California, under such terms and conditions as the Secretary of the Navy may prescribe, an easement of right-of-way for highway purposes only and for no other purposes, over a strip of land one hundred and fifty feet in width and lying and being seventy-five feet on either side of the center line of a certain privately operated toll road known as the Sears Point Toll Road, as said road is now laid out, used, and operated, and running from the Napa River in the county of Solano, State of California, to Sonoma Creek in said county and State.

State of California.
Easement of right-of-way, in Solano County, granted to, for highway purposes.

Said grant is for the purpose of permitting the State of California to locate and maintain at its expense along the route hereinbefore mentioned a free public highway, which shall be a portion of the State highway system of the State of California: *Provided, however*, That upon abandonment of said highway by the State of California for the purposes aforesaid the easement granted to the said State of California under this Act shall cease and terminate.

Purpose declared.

Proviso.
Reversionary provision.

Emergency use of highway.

SEC. 2. Whenever in the judgment of the Secretary of the Navy or his duly authorized representative any emergencies[1] exists which justifies it, he may assume exclusive control and management of said road and may then in his discretion prohibit, limit, or regulate traffic thereon.

Rights reserved.

The easement referred to in section 1 hereof is granted to the State of California and accepted by it with the distinct reservation that the Secretary of the Navy may, in behalf of the United States, at any time he deems its interests so warrant, reacquire the said easement by eminent domain or otherwise, the amount of just compensation in such case to be paid therefor not to exceed the cost to the State of California of any improvements placed upon the property referred to in section 1 subsequently to the date of approval of this Act.

Conveyance.

SEC. 3. The Secretary of the Navy is hereby authorized and directed to execute and deliver to the State of California such conveyance as is necessary to effectuate the terms of this Act.

Approved, June 22, 1936.

[CHAPTER 704.]

AN ACT

June 22, 1936.
[H. R. 11615.]
[Public, No. 754.]

Limiting the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to counsel in certain cases.

Frank Wideman.
Restrictions respecting certain counsel waived in favor of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the employment of Frank Wideman as an attorney or counselor specially employed, retained, or appointed by the Attorney General or under authority of the Department of Justice to assist in the conduct of legal proceedings pertaining to the unpaid tax liability of Associated Gas and Electric Company and its corporate affiliates and to assist in the conduct of the case of Commissioner of Internal Revenue against Charles E. Mitchell, including all proceedings therein and any other case or proceeding, appellate or otherwise, that may arise out of or pertain to the tax liability of said taxpayers shall not be construed to be employment within the meaning of sections 109 and 113 of the Criminal Code of the United States, as amended (U. S. C., title 18, secs. 198 and 203), or section 190 of the Revised Statutes of the United States (U. S. C., title 5, sec. 99).

U. S. C., pp. 43, 734, 735.

Approved, June 22, 1936.

[CHAPTER 705.]

AN ACT

June 22, 1936.
[H. R. 12305.]
[Public, No. 755.]

To define the jurisdiction of the Coast Guard.

Coast Guard.
Jurisdiction defined.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That commissioned, warrant, and petty officers of the Coast Guard are hereby empowered to make inquiries, examinations, inspections, searches, seizures, and arrests upon the high seas, and the navigable waters of the United States, its Territories, and possessions, except the Philippine Islands, for the prevention, detection, and suppression of violations of laws of the United States: *Provided*, That nothing herein contained shall apply to the inland waters of the United States, its Territories, and possessions, other than the Great Lakes and the connecting waters thereof. For such purposes, such officers are authorized at any time to go on board of any vessel, subject to the jurisdiction, or to the

Proviso.
Waters excluded.

Right to board, search, etc., vessels.

[1] So in original.

operation of any law, of the United States, to address inquiries to those on board, to examine the ship's documents and papers, and to examine, inspect, and search the vessel and use all necessary force to compel compliance. When from such inquiries, examination, inspection, or search it shall appear that a breach of the laws of the United States rendering a person liable to arrest is being, or has been committed, by any person, such person shall be arrested or, if escaping to shore, shall be immediately pursued and arrested on shore, or other lawful and appropriate action shall be taken; or, if it shall appear that a breach of the laws of the United States has been committed so as to render such vessel, or the merchandise, or any part thereof, on board of, or brought into the United States by, such vessel, liable to forfeiture, or, so as to render such vessel liable to a fine or penalty and if necessary to secure such fine or penalty, such vessel shall be seized.

Arrest of law violators.

Seizure of vessel.

SEC. 2. The officers of the United States Coast Guard, insofar as they are engaged, pursuant to the authority contained in this Act, in enforcing any law of the United States, shall—

Officers deemed agents of executive departments, etc.

(a) Be deemed to be acting as agents of the particular executive department or independent establishment charged with the administration of the particular law; and

(b) Be subject to all the rules and regulations promulgated by such department or independent establishment with respect to the enforcement of that law.

SEC. 3. The foregoing provisions shall be in addition to any powers conferred by law upon such officers, and not in limitation of any powers conferred by law upon such officers or any other officers of the United States.

Provisions to be additional to vested powers.

SEC. 4. The term "inland waters" as used in this Act shall not be construed to include harbors, bays, sounds, roadsteads, and like bodies of water along the coasts of the United States, its Territories, and possessions, and shores of the Great Lakes.

"Inland waters" construed.

Approved, June 22, 1936.

[CHAPTER 706.]

AN ACT

June 22, 1936.
[H. R. 12410.]
[Public, No. 756.]

To amend section 8 of the Act entitled "An Act to establish a National Archives of the United States Government, and for other purposes", approved June 19, 1934.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Act entitled "An Act to establish a National Archives of the United States Government, and for other purposes", approved June 19, 1934 (48 Stat. 1123; U. S. C., title 40, ch. 2A, sec. 238) be, and the same is hereby, amended to read as follows:

National Archives.
Vol. 48, p. 1123.
U. S. C., p. 1784.

"The National Archives shall have an official seal, which shall be judicially noticed.

Official seal; judicial notice.

"The Archivist of the United States may make or reproduce and furnish authenticated or unauthenticated copies of any of the documentary, photographic or other archives or records in his custody that are not exempt from examination as confidential or protected by subsisting copyright, and may charge therefor a fee sufficient to cover the cost or expenses thereof. There shall be no charge for the making or authentication of such copies or reproductions furnished to any department or other agency of the Government for official use. When any such copy or reproduction furnished under the terms hereof is authenticated by the official seal of The National Archives and certified by the Archivist of the United States, or in

Furnishing of copies of documents; fee.

Government agencies, no charge for copies furnished to.

Authenticated copies; admissibility in evidence.

his name attested by the head of any office or the chief of any division of The National Archives designated by the Archivist with such authority, it shall be admitted in evidence equally with the original from which it was made."

Approved, June 22, 1936.

[CHAPTER 707.]

AN ACT

June 22, 1936.
[H. R. 12848.]
[Public, No. 757.]

To provide an additional place of holding terms of the United States district court in the eastern district of Kentucky, and to amend section 83 of the Judicial Code, as amended.

United States courts.
Kentucky eastern district.
Terms at Pikeville.
U. S. C., p. 1244.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the places of holding district courts of the United States in the eastern district of Kentucky, as now provided by law, there shall be held at Pikeville in Pike County, Kentucky, two regular sessions of said court each year beginning on the fourth Monday in March and the second Monday in October: *Provided*, That suitable rooms and accommodations for holding said sessions of court shall be furnished without expense to the United States until such time as the United States shall provide such rooms and accommodations.

Proviso.
Accommodations.

Clerk's office.

The clerk of the court for said eastern district shall maintain an office in charge of himself, a deputy, or a clerical assistant at said place, and said office shall be kept open at all times for the transaction of business of said court.

Approved, June 22, 1936.

[CHAPTER 708.]

AN ACT

June 22, 1936.
[H. R. 11643.]
[Public, No. 758.]

To amend certain provisions of the Act of March 7, 1928 (45 Stat. L. 210–212).

San Carlos irrigation project, Ariz.
Net revenues from surplus power sales, use of.
Vol. 45, p. 210.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress approved March 7, 1928 (45 Stat. L. 210–212), and Acts amendatory thereof or supplementary thereto, are hereby amended so as to provide that the net revenues from the sale of surplus power developed at the Coolidge Dam and other generating plants of the San Carlos project and transmitted over existing transmission lines shall be devoted, first, to reimbursing the United States for the cost of developing such electrical power; second, to reimbursing the United States for the cost of the San Carlos irrigation project; third, to payment of operation and maintenance charges and the making of repairs and improvements on said project: *Provided, however*, That all net power revenues from the sale of power transmitted over such additional transmission lines as may hereafter be constructed by the San Carlos Irrigation and Drainage District for the benefit of the San Carlos project shall first be devoted to the repayment of the construction costs of such additional transmission lines: *Provided further*, That the United States and the San Carlos Irrigation District shall enter into an appropriate contract in accordance with the terms of this Act to be approved by the Secretary of the Interior, which contract shall provide that the additional transmission lines hereafter constructed by the district shall, upon completion of construction, be conveyed to the United States: *Provided further*, That after reimbursement to the district from such net power revenues of the cost of constructing additional transmission lines the net power revenues received from the sales of power trans-

Provisos.
Use of net power revenues from additional transmission lines.

Conveyance of additional transmission lines to United States.

Application of power receipts.

mitted over additional transmission lines hereafter constructed by the district shall be applied as herein provided for the application of net power revenues from the sale of power transmitted over existing transmission lines.

Approved, June 22, 1936.

[CHAPTER 709.]

AN ACT

To provide for the transfer of the surplus decommissioned lightship numbered 82 to United States Ship Constitution Post, Numbered 3339, Veterans of Foreign Wars.

June 22, 1936.
[H. R. 12896.]
[Public, No. 759.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce is authorized and directed to transfer the surplus decommissioned lightship numbered 82 to the United States Ship Constitution Post, Numbered 3339, Veterans of Foreign Wars, of the department of Massachusetts, for use by the said post as its headquarters. Such transfer may be by gift without cost to the said post, or by sale for a nominal consideration, whichever method the Secretary may deem the more consistent with public interest, and such transfer shall be made without reference to the provisions of law regarding the disposition of surplus or condemned Government property contained in the Act of March 4, 1913, or in any other statute.

Lightship numbered 82.
Transfer to U. S. Ship Constitution Post, No. 3339, Veterans of Foreign Wars, Mass., authorized.

Vol. 37, p. 1009.

Approved, June 22, 1936.

[CHAPTER 710.]

AN ACT

To convey certain lands to Clackamas County, Oregon, for public-park purposes.

June 22, 1936.
[H. R. 9485.]
[Public, No. 760.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue a patent to Clackamas County, Oregon, on behalf of the United States, for the southeast quarter southwest quarter, the northeast quarter southwest quarter, and the northwest quarter southeast quarter section 11, township 4 south, range 2 east, Willamette meridian, in the State of Oregon, containing one hundred and twenty acres, more or less, on condition that such county shall accept and use such lands solely for public-park purposes; but if such county shall at any time cease to use such lands for public-park purposes, or shall permit the use of such lands for any other purpose, or shall alienate or attempt to alienate them, they shall revert to the United States: *Provided*, That before patent issues Clackamas County shall pay to the United States the appraised price for the timber on the said lands, the money so paid to be deposited in the Oregon and California land-grant fund for distribution in the manner provided by section 10 of the Act of June 9, 1916 (39 Stat. 218).

Clackamas County, Oreg.
Conveyance of certain lands to, for public-park purposes.

Reversionary provision.

Proviso.
Payment.

Vol. 39, p. 222.

SEC. 2. The Secretary of the Interior shall prescribe all necessary regulations to carry into effect the foregoing provisions of this Act.

Regulations to be prescribed.

Approved, June 22, 1936.

[CHAPTER 711.]

JOINT RESOLUTION

June 22, 1936.
[S. J. Res. 272.]
[Pub. Res., No. 118.]

To provide for the maintenance of public order and the protection of life and property in connection with the Presidential inaugural ceremonies in 1937.

Presidential inaugural ceremonies, 1937.
Appropriation for maintenance of order, etc., during.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That $25,000, or so much thereof as may be necessary, payable in like manner as other appropriations for the expenses of the District of Columbia, is hereby appropriated to enable the Commissioners of the District of Columbia to maintain public order and protect life and property in said District from January 15 to January 26, 1937, both inclusive, including the employment of personal services, payment of allowances, traveling expenses, hire of means of transportation, cost of removing and relocating street-car loading platforms, for the construction, rent, maintenance, and expenses incident to the operation of temporary public-comfort stations, first-aid stations, and information booths, during the period aforesaid, and other incidental expenses in the discretion of the Commissioners.

Regulations.

Said Commissioners are hereby authorized and directed to make all reasonable regulations necessary to secure such preservation of public order and protection of life and property, and to make special regulations respecting the standing, movements, and operating of vehicles of whatever character or kind during said period; and to grant, under such conditions as they may impose, special licenses to peddlers and vendors to sell goods, wares, and merchandise on the streets, avenues, and sidewalks in the District of Columbia, and to charge for such privilege such fees as they may deem proper.

Licenses to peddlers, etc.

Period of enforcement of regulations, etc.

SEC. 2. Such regulations and licenses shall be in force one week prior to said inauguration, during said inauguration, and one week subsequent thereto, and shall be published in one or more of the daily newspapers published in the District of Columbia and in such other manner as the Commissioners may deem best to acquaint the public with the same; and no penalty prescribed for the violation of any of such regulations shall be enforced until five days after such publication.

Penalties.

Any person violating any of such regulations shall be liable for each such offense to a fine of not to exceed $100 in the police court of said District, and in default of payment thereof to imprisonment in the workhouse of said District for not longer than sixty days.

Approved, June 22, 1936.

[CHAPTER 712.]

JOINT RESOLUTION

June 22, 1936.
[S. J. Res. 273.]
[Pub. Res., No. 119.]

Authorizing the granting of permits to the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1937, and for other purposes.

Presidential inaugural ceremonies, 1937.
Use of reservations, etc., in the District of Columbia, authorized.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, and such other officers of the District of Columbia and the United States as control any public lands in the District of Columbia, are hereby authorized to grant permits, under such restrictions as they may deem necessary, to the Committee on Inaugural Ceremonies to be appointed with the approval of the President-elect for the use of any reservations or other public spaces in the city of Washington under their control on the occasion of the inauguration of the President-elect in January 1937: *Provided*, That in their opinion no serious or permanent injuries will be thereby inflicted upon such reservations or public spaces or statuary thereon; and the Commis-

Provisos.
Condition.

sioners of the District of Columbia may designate for such and other purposes on the occasion aforesaid such streets, avenues, and sidewalks in said city of Washington under their control as they may deem proper and necessary: *Provided, however*, That all stands or platforms that may be erected on the publis[1] space, as aforesaid, including such as may be erected in connection with the display of fireworks, shall be under the said supervision of the said inaugural committee, and no stand shall be built on the sidewalk, streets, parks, and public grounds of the District of Columbia, not including the area on the south side of Pennsylvania Avenue directly in front of the White House, except such as are approved by the inaugural committee and the building inspector of the District of Columbia, and no stands shall be built on the sidewalks or streets on the south side of Pennsylvania Avenue directly in front of the White House, except such as are approved by the inaugural committee, the building inspector of the District of Columbia, and the Secretary of the Interior: *And provided further*, That the reservations or public spaces occupied by the stands or other structures shall after the inauguration be promptly restored to their condition before such occupation, and that the inaugural committee shall indemnify the appropriate agency of the Government for any damages of any kind whatsoever upon such reservations or spaces by reason of such use.

Supervision of stands, etc.

Prompt removal of structures, etc.

SEC. 2. The Commissioners of the District of Columbia are hereby authorized to permit the committee on illumination, of the inaugural committee for said inaugural ceremonies, to stretch suitable overhead conductors, with sufficient supports wherever necessary, for the purpose of connecting with the present supply of light for the purpose of effecting the said illumination: *Provided*, That, if it shall be necessary to erect wires for illuminating or other purposes over any park or reservation in the District of Columbia, the work of erection and removal of said wires shall be under the supervision of the official in charge of said park or reservation: *Provided further*, That the said conductors shall not be used for conveying electrical currents after January 24, 1937, and shall, with their supports, be fully and entirely removed from the streets and avenues of the said city of Washington on or before January 31, 1937: *Provided further*, That the stretching and removing of the said wires shall be under the supervision of the Commissioners of the District of Columbia, or such other officials as may have jurisdiction in the premises, who shall see that the provisions of this resolution are enforced, that all needful precautions are taken for the protection of the public, and that the pavement of any street, avenue, or alley disturbed is replaced in as good condition as before entering upon the work herein authorized: *And provided further*, That no expense or damage on account of or due to the stretching, operation, or removal of the said temporary overhead conductors shall be incurred by the United States or the District of Columbia.

Overhead conductors for illuminations.

Provisos.
Supervision.

Time limitation.

Safety precautions, etc.

No Federal or local expense or damage.

SEC. 3. The Secretary of War and the Secretary of the Navy be, and they are hereby, authorized to loan to the Committee on Inaugural Ceremonies such hospital tents, smaller tents, camp appliances, ensigns, flags, signal numbers, and so forth, belonging to the Government of the United States (except battle flags), that are not now in use and may be suitable and proper for decoration, and which may, in their judgment, be spared without detriment to the public service, such flags to be used in connection with said ceremonies by said committee under such regulations and restrictions as may be prescribed by the said Secretaries, or either of them, in decorating the fronts of public buildings and other places on the line of march

Loan of tents, flags, etc.

[1] So in original.

Provisos.
Time limit of loan.

between the Capitol and the Executive Mansion, and the interior of the reception hall: *Provided*, That the loan of the said hospital tents, smaller tents, camp appliances, ensigns, flags, signal numbers, and so forth, to said committee shall not take place prior to the 11th of January, and they shall be returned by the 25th day of January 1937: *Provided further*, That the said committee shall indemnify the the [1] said departments, or either of them, for any loss or damage to such flags not necessarily incident to such use. That the Secretary of War is hereby authorized to loan to the inaugural committee for the purpose of caring for the sick, injured, and infirm on the occasion of said inauguration such hospital tents and camp appliances, and other necessaries, hospital furniture, and utensils of all descriptions, ambulances, horses, drivers, stretchers, and Red Cross flags and poles belonging to the Government of the United States as in his judgment may be spared and are not in use by the Government at the time of the inauguration: *And provided further*, That the inaugural committee shall indemnify the War Department for any loss or damage to such hospital tents and appliances, as aforesaid, not necessarily incident to such use.

Indemnity for damage, etc.

Loan of hospital tents, supplies, etc.

Indemnity for damage, etc.

Temporary extension of telegraph, telephone, etc., wires permitted.

SEC. 4. The Commissioners of the District of Columbia and the Secretary of the Interior be, and they are hereby, authorized to permit telegraph, telephone, and radio-broadcasting companies to extend overhead wires to such points along the line of parade as shall be deemed by the chief marshal convenient for use in connection with the parade and other inaugural purposes, the said wires to be taken down within ten days after the conclusion of the ceremonies.

Approved, June 22, 1936.

[CHAPTER 713.]

JOINT RESOLUTION

June 22, 1936.
[S. J. Res. 286.]
[Pub. Res., No. 120.]

Fixing the date of meeting of the Seventy-fifth Congress.

Seventy-fifth Congress.
Date of meeting.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Seventy-fifth Congress shall assemble at noon on Tuesday, the 5th day of January 1937.

Approved, June 22, 1936.

[CHAPTER 714.]

JOINT RESOLUTION

June 22, 1936.
[H. J. Res. 415.]
[Pub. Res., No. 121.]

To carry out the intention of Congress with reference to the claims of the Chippewa Indians of Minnesota against the United States.

Chippewa Indians of Minnesota.
Preamble.
Vol. 44, p. 555.

Whereas by the Special Jurisdictional Act approved May 14, 1926 (44 Stat. L. 555), the claims of the Chippewa Indians of Minnesota against the United States were referred to the Court of Claims "with right of appeal to the Supreme Court of the United States by either party as in other cases", it being the intention that both parties should have the right of appeal to the Supreme Court; and

Whereas the Supreme Court has since decided that notwithstanding such a provision there is no right of appeal, in view of the Judicial Code, as amended, unless the Jurisdictional Act specifically provides that the Supreme Court shall review a case on appeal, anything in the Judicial Code to the contrary notwithstanding: Now, therefore, be it

[1] So in original.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the claims of the Chippewa Indians of Minnesota under the said Jurisdictional Act of May 14, 1926, shall be reviewed by the Supreme Court of the United States on appeal from the Court of Claims, anything in the Judicial Code, or amendments thereto, notwithstanding: *Provided*, That in any case heretofore decided by the Court of Claims said appeal shall be perfected by either party to the controversy within one year from the passage of this joint resolution, and an appeal shall be taken in all cases hereafter decided by the Court of Claims within three months from and after the date final judgment or decree is entered therein in the Court of Claims.

Claims of, to be reviewed by United States Supreme Court on appeal from Court of Claims.

Proviso.
Time limitation.

Approved, June 22, 1936.

[CHAPTER 715.]

JOINT RESOLUTION

Making appropriations for the payment of expenses incurred in an election contest for a seat in the House of Representatives from the Twentieth Congressional District of the State of New York.

June 22, 1936.
[H. J. Res. 641.]
[Pub. Res., No. 122.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums, respectively, are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the contestant and the contestee for expenses incurred in the contested-election case of Lanzetta against Marcantonio, Twentieth Congressional District of the State of New York, as audited and recommended by the Committee of Elections Numbered One of the House of Representatives, namely:

House of Representatives.
Appropriation for payment of contested-election expenses.

To James J. Lanzetta, contestant, $2,000.

James J. Lanzetta.

To Vito Marcantonio, contestee, $1,739.83.

Vito Marcantonio.

The foregoing sums to be disbursed by the Clerk of the House of Representatives.

Approved, June 22, 1936.

[CHAPTER 725.]

AN ACT

Making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1937, and for other purposes.

June 23, 1936.
[H. R. 10919.]
[Public, No. 761.]

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

Treasury and Post Office Departments Appropriation Act, 1937.

TITLE I—TREASURY DEPARTMENT

Title I—Treasury Department.

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury Department for the fiscal year ending June 30, 1937, namely:

Appropriation for fiscal year 1937.

OFFICE OF THE SECRETARY

Secretary's office.

Salaries: Secretary of the Treasury, Under Secretary of the Treasury, three Assistant Secretaries of the Treasury, and other personal services in the District of Columbia, including the Division of Research and Statistics and the temporary employment of experts, $250,000: *Provided*, That in expending appropriations or portions of appropriations contained in this Act for the payment of personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the Assistant Secretaries of the Treasury and the Assistant Postmasters General,

Secretary, Under Secretary, Assistants, and office personnel.
Ante, p. 1635.
Division of Research and Statistics.
Experts.
Provisos.
Salaries limited to average rates under Classification Act.
Vol. 42, p. 1488; Vol. 46, p. 1003.
U. S. C., p. 85.
Exceptions.

the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade, but not more often than once in any fiscal year, and then only to the next higher rate: *Provided further*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, (2) to require the reduction in salary of any person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

Advances in meritorious cases.

Not applicable to clerical-mechanical service.

No reduction in fixed salaries.

Vol. 42, p. 1490; Vol. 46, p. 1005.

U. S. C., p. 86.

Transfers without reduction.

Higher salary rates permitted.

If only one position in a grade.

Expenses, Emergency Banking, Gold Reserve, and Silver Purchase Acts: For expenditure under the direction of the Secretary of the Treasury for any purpose in connection with the carrying out of the provisions of the Emergency Banking Act, approved March 9, 1933 (48 Stat. 1), the Gold Reserve Act of 1934, approved January 30, 1934 (48 Stat. 337), the Silver Purchase Act of 1934, approved June 19, 1934 (48 Stat. 1178), any Executive orders, proclamations, and regulations issued under the foregoing Acts, and section 3653 of the Revised Statutes, including costs of transportation, insurance, and protection of gold coin, gold bullion, and gold certificates transferred to Federal Reserve banks and branches, United States mints and assay offices, and the Treasury, after March 9, 1933, losses sustained by Federal Reserve banks due to abrasion of gold coin, and reimbursement to Federal Reserve banks and branches for expenses incurred by them in carrying out instructions issued by the Secretary of the Treasury after March 4, 1933, as follows:

Emergency Banking, Gold Reserve, and Silver Purchase Acts, expenses.

Vol. 48, pp. 1, 337, 1178.

Executive orders, etc.

R. S., sec. 3653, p. 719.

U. S. C., p. 1396.

Offices designated.

Office of Secretary of the Treasury, including not to exceed $48,960 for personal services in the District of Columbia, $77,960.

Office of General Counsel, $70,000.

Office of Chief Clerk and Superintendent, including not to exceed $35,040 for personal services in the District of Columbia, $74,240.

Division of Research and Statistics, including not to exceed $86,650 for personal services in the District of Columbia, $90,000.

Division of Appointments, $1,440.

Office of Treasurer of the United States, including not to exceed $5,220 for personal services in the District of Columbia, $60,220.

Office of Comptroller of the Currency, $55,340.

Bureau of Internal Revenue, including not to exceed $23,780 for personal services in the District of Columbia, $69,990.

Bureau of the Mint and Mints and Assay Offices, including not to exceed $85,640 for personal services in the District of Columbia, $1,050,000.

Federal land banks.

Payments to, on account of reductions in interest rate on mortgages.

Ante, p. 1635.

Payments to Federal land banks on account of reductions in interest rate on mortgages: To enable the Secretary of the Treasury to pay each Federal land bank such amount as the Land Bank Commissioner certifies to the Secretary of the Treasury is equal to the amount by

which interest payments on mortgages held by such bank have been reduced, in accordance with the provisions of section 24 of the Emergency Farm Mortgage Act of 1933, approved May 12, 1933 (48 Stat. 31), as amended by section 3 of the Farm Credit Act of 1935, approved June 3, 1935 (Public, Numbered 87), $24,000,000: *Provided*, That the unexpended balance of the appropriation of $36,000,000 made in the Second Deficiency Act, fiscal year 1935, approved August 12, 1935 (49 Stat. 592), for the purposes of said section 24, shall be available for the purposes named herein until June 30, 1937.

Vol. 48, p. 43.
Ante, p. 314.

Proviso.
Sum available.
Ante, p. 592.

Subscriptions to paid-in surplus of Federal land banks: To enable the Secretary of the Treasury to pay for subscriptions to the paid-in surplus of Federal land banks under section 23 of the Emergency Farm Mortgage Act of 1933, approved May 12, 1933 (48 Stat. 31), $24,000,000: *Provided*, That the unexpended balance of the appropriation of $20,000,000 made in the Second Deficiency Appropriation Act, fiscal year 1935, approved August 12, 1935 (49 Stat. 592), for the purpose of said section 23, shall remain available until June 30, 1937.

Subscriptions to paid-in surplus.
Ante, p. 1635.

Vol. 48, p. 43.

Proviso.
Amount available.
Ante, p. 592.

OFFICE OF GENERAL COUNSEL

General Counsel's office.

Salaries: For the General Counsel and other personal services in the District of Columbia, $107,000.

General Counsel and office personnel.

OFFICE OF CHIEF CLERK AND SUPERINTENDENT

Chief Clerk's office.

Salaries: For the chief clerk and other personal services in the District of Columbia, including the operating force of the Treasury, Liberty Loan, and Auditors' Buildings and the Treasury Department Annex, Pennsylvania Avenue and Madison Place, and of other buildings under the control of the Treasury Department, $520,000.

Chief clerk and office personnel.
Operating force of designated buildings.

MISCELLANEOUS AND CONTINGENT EXPENSES, TREASURY DEPARTMENT

For miscellaneous and contingent expenses of the office of the Secretary and the bureaus and offices of the Department, including operating expenses of the Treasury, Treasury Annex, Auditors', and Liberty Loan Buildings; newspaper clippings, financial journals, books of reference, law books, technical and scientific books, newspapers, and periodicals, expenses incurred in completing imperfect series, library cards, supplies, and all other necessary expenses connected with the library; not exceeding $10,000 for traveling expenses, including the payment of actual transportation and subsistence expenses to any person whom the Secretary of the Treasury may from time to time invite to the city of Washington or elsewhere for conference and advisory purposes in furthering the work of the Department; freight, expressage, telegraph and telephone service; purchase and exchange of one passenger automobile (at a cost not exceeding $2,500) for the Secretary of the Treasury and of motor trucks, and maintenance and repair of motor trucks and three passenger automobiles (one for the Secretary of the Treasury and two for general use of the Department), all to be used for official purposes only; file holders and cases; fuel, oils, grease, and heating supplies and equipment; gas and electricity for lighting, heating, and power purposes, including material, fixtures, and equipment therefor; purchase, exchange, and repair of typewriters and labor-saving machines and equipment and supplies for same; floor covering and repairs thereto; furniture and office equipment, including supplies therefor and repairs thereto; awnings, window shades,

Department contingent expenses.
Operating expenses, Department buildings.

Books, periodicals, etc.

Traveling expenses.

Vehicles.

Fuel, light, power, etc.

Furniture, etc.

and fixtures; cleaning supplies and equipment; drafting equipment; ammonia for ice plant; flags; hand trucks, ladders; miscellaneous hardware; street-car fares not exceeding $500; thermometers; lavatory equipment and supplies; tools and sharpening same; laundry service; laboratory supplies and equipment, removal of rubbish; postage; uniforms for Treasury guards not exceeding $1,200; custody, care, protection, and expenses of sales of lands and other property of the United States, acquired and held under sections 3749 and 3750 of the Revised Statutes (U. S. C., title 40, secs. 301, 302), the examination of titles, recording of deeds, advertising, and auctioneers' fees in connection therewith; and other absolutely necessary articles, supplies, and equipment not otherwise provided for; $155,000: *Provided*, That the appropriations for the Public Debt Service, Internal Revenue Service, Federal Alcohol Administration, and Division of Disbursement for the fiscal year 1937 are hereby made available for the payment of items otherwise properly chargeable to this appropriation, the provisions of section 6, Act of August 23, 1912 (U. S. C., title 31, sec. 669), to the contrary notwithstanding: *Provided further*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the Treasury Department when the aggregate amount involved does not exceed the sum of $50.

Public property, sales.

R. S., secs. 3749, 3750, p. 739. U. S. C., p. 1790.

Provisos. Additional funds. *Post*, pp. 1831, 1833, 1834.

Apportionment. Vol. 37, p. 414; U. S. C., p. 1406.

Minor purchases without advertising. R. S., sec. 3709, p. 733. U. S. C., p. 1803.

Printing Division.

DIVISION OF PRINTING

Chief, and other personal services.

Salaries: For the Chief, Division of Printing, and other personal services in the District of Columbia, $69,240.

Printing and binding.

Printing and binding: For printing and binding for the Treasury Department, including all of its bureaus, offices, institutions, and services located in Washingon, District of Columbia, and elsewhere, including materials for the use of the bookbinder located in the Treasury Department, but not including work done at the New York customhouse bindery authorized by the Joint Committee on Printing in accordance with the Act of March 1, 1919 (U. S. C., title 44, sec. 111), $656,000.

Work excluded.

Vol. 40, p. 1270. U. S. C., p. 1935.

Stationery.

Stationery: For stationery for the Treasury Department and its several bureaus and offices, and field services thereof, including tags, labels, and index cards, printed in the course of manufacturing, packing boxes and other materials necessary for shipping stationery supplies, and cost of transportation of stationery supplies purchased free on board point of shipment and of such supplies shipped from Washington to field offices, $400,000.

Accounts and Deposits office.

OFFICE OF COMMISSIONER OF ACCOUNTS AND DEPOSITS

Commissioner, and other personal services.

Salaries: For Commissioner of Accounts and Deposits and other personal services in the District of Columbia, including the Division of Bookkeeping and Warrants, $279,520.

Division of Disbursement. Salaries and expenses.

Division of Disbursement, salaries and expenses: For personal services in the District of Columbia and in the field, stationery, travel, rental of equipment, and all other necessary miscellaneous and contingent expenses, $1,373,210: *Provided*, That with the approval of the Director of the Bureau of the Budget there may be transferred to this appropriation from funds available for the Agricultural Adjustment Administration (including transfers to the Bureau of Internal Revenue for administrative expenses), Federal Housing Administration, Federal Prison Industries, Railroad Retirement Board, Social Security Board, and the Federal Savings and Loan Insurance Corporation, such sums as may be necessary to cover the expense incurred in performing the function of disbursement therefor.

Proviso. Transfer of funds from designated agencies for disbursing expenses.

Contingent expenses, public moneys: For contingent expenses under the requirements of section 3653 of the Revised Statutes (U. S. C., title 31, sec. 545), for the collection, safe-keeping, transfer, and disbursement of the public money, transportation of notes, bonds, and other securities of the United States, salaries of special agents, actual expenses of examiners detailed to examine the books, accounts, and money on hand at the several depositories, including national banks acting as depositories under the requirements of section 3649 of the Revised Statutes (U. S. C., title 31, sec. 548), also including examinations of cash accounts at mints and cost of insurance on shipments of money by registered mail or otherwise when necessary, $175,000.

Contingent expenses, public moneys.
R. S., sec. 3653, p. 719.
U. S. C., p. 1396.

Examination of depositories.
R. S., sec. 3649, p. 718.
U. S. C., p. 1397.

Recoinage of minor coins: To enable the Secretary of the Treasury to continue the recoinage of worn and uncurrent minor coins of the United States now in the Treasury or hereafter received, and to reimburse the Treasurer of the United States for the difference between the nominal or face value of such coins and the amount the same will produce in new coins, $25,000.

Recoinage of minor coins.

Recoinage of silver coins: To enable the Secretary of the Treasury to continue the recoinage of worn and uncurrent subsidiary silver coins of the United States now in the Treasury or hereafter received, and to reimburse the Treasurer of the United States for the difference between the nominal or face value of such coins and the amount the same will produce in new coins, $500,000.

Recoinage of silver coins.

Relief of the indigent, Alaska: For the payment to the United States district judges in Alaska but not to exceed 10 per centum of the receipts from licenses collected outside of incorporated towns in Alaska, to be expended for the relief of persons in Alaska who are indigent and incapacitated through nonage, old age, sickness, or accident, $20,000.

Relief of the indigent, Alaska.

Refund of moneys erroneously received and covered: To enable the Secretary of the Treasury to meet any expenditures of the character formerly chargeable to the appropriation accounts abolished under section 18 of the Permanent Appropriation Repeal Act of 1934, approved June 26, 1934, and any other collections erroneously received and covered which are not properly chargeable to any other appropriation, $75,000.

Refund of moneys erroneously received and covered.
Vol. 48, p. 1231.
U. S. C., p. 1413.

Payment of unclaimed moneys: To enable the Secretary of the Treasury to meet any expenditures of the character formerly chargeable to the appropriation accounts abolished under section 17 of the Permanent Appropriation Repeal Act of 1934, approved June 26, 1934, payable from the funds held by the United States in the trust fund receipt account "Unclaimed moneys of individuals whose whereabouts are unknown", $20,000.

Payment of unclaimed moneys.
Vol. 48, p. 1230.
U. S. C., p. 1413.

PUBLIC DEBT SERVICE

Public Debt Service.

Salaries and expenses: For necessary expenses connected with the administration of any public-debt issues and United States paper-currency issues with which the Secretary of the Treasury is charged, including the purchase of law books, directories, books of reference, pamphlets, periodicals, and newspapers, and the maintenance, operation, and repair of a motor-propelled bus or station wagon, for use of the Destruction Committee, and including the Commissioner of the Public Debt and other personal services in the District of Columbia, $2,000,000: *Provided*, That the amount to be expended for personal services in the District of Columbia shall not exceed $1,975,000: *Provided further*, That the indefinite appropriation "Expenses of loans, Act of September 24, 1917, as amended

Salaries and expenses.

Reference books, etc.

Services in the District.
Provisos.
Amount limited.

Restriction on using indefinite appropriation.

Vol. 40, p. 292. U. S. C., p. 1422.

and extended" (U. S. C., title 31, secs. 760, 761), shall not be used during the fiscal year 1937 to supplement the appropriation herein made for the current work of the Public Debt Service.

Distinctive paper for securities. Expenses.

Distinctive paper for United States securities: For distinctive paper for United States currency and Federal Reserve bank currency, including transportation of paper, traveling, mill, and other necessary expenses, and salaries of employees and allowance, in lieu of expenses, of officer or officers detailed from the Treasury Department, not exceeding $50 per month each when actually on duty; in all, $600,000: *Provided*, That in order to foster competition in the manufacture of distinctive paper for United States securities, the Secretary of the Treasury is authorized, in his discretion, to split the award for such paper for the fiscal year 1937 between the two bidders whose prices per pound are the lowest received after advertisement.

Proviso. Division of award.

Appointments Division.

DIVISION OF APPOINTMENTS

Salaries.

Salaries: For the chief of the division, and other personal services in the District of Columbia, $44,480.

Customs Bureau.

BUREAU OF CUSTOMS

Salaries and expenses.

Salaries and expenses: For collecting the revenue from customs, for the detection and prevention of frauds upon the customs revenue, and not to exceed $100,000 for the securing of evidence of violations of the customs laws; for expenses of transportation and transfer of customs receipts from points where there are no Government depositories; not to exceed $80,000 for allowances for living quarters, including heat, fuel, and lights, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a), but not to exceed $1,700 for any one person; not to exceed $5,000 for the hire of motor-propelled passenger-carrying vehicles; not to exceed $500 for subscriptions to newspapers; not to exceed $1,500 for improving, repairing, maintaining, or preserving buildings, inspection stations, office quarters, including living quarters for officers, sheds, and sites along the Canadian and Mexican borders acquired under authority of the Act of June 26, 1930 (U. S. C., title 19, sec. 68); and including the purchase (not to exceed $100,000), exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles when necessary for official use in field work; $20,400,000, of which such amount as may be necessary shall be available for the cost of seizure, storage, and disposition of any merchandise, vehicle and team, automobile, boat, air or water craft, or any other conveyance seized under the provisions of the customs laws, for the purchase of arms, ammunition, and accessories, and $449,980 shall be available for personal services in the District of Columbia exclusive of ten persons from the field force authorized to be detailed under section 525 of the Tariff Act of 1930: *Provided*, That no part of this appropriation shall be expended for maintenance or repair of motor-propelled passenger-carrying vehicles for use in the District of Columbia except one for use in connection with the work of the customhouse in Georgetown: *Provided further*, That section 3648 of the Revised Statutes (U. S. C., title 31, sec. 529) shall not apply to payments made for the Bureau of Customs in foreign countries.

Transfer of receipts from points lacking Government depositories.

Living quarters. Vol. 46, p. 818; U. S. C., p. 45.

Quarters along borders. Vol. 46, p. 817. U. S. C., p. 799.

Seizures, etc., under customs laws.

Services in the District.

Vol. 46, p. 741.

Provisos. Motor vehicle restriction.

Advance payments in foreign countries. R. S., sec. 3648, p. 718. U. S. C., p. 1395.

Refunds and drawbacks.

Refunds and drawbacks: For the refund or payment of customs collections or receipts, and for the payment of debentures or drawbacks, bounties, and allowances, as authorized by law, $18,500,000.

BUREAU OF THE BUDGET

Bureau of the Budget.

Salaries and expenses: Director, Assistant Director, and all other necessary expenses of the Bureau, including compensation of attorneys and other employees in the District of Columbia; contract stenographic reporting services, telegrams, telephone service, law books, books of reference, periodicals, stationery, furniture, office equipment, other supplies, traveling expenses, street-car fares; $187,000.

Salaries and expenses.

For printing and binding, $32,000.

Printing and binding.

OFFICE OF TREASURER OF THE UNITED STATES

Treasurer's office.

Salaries: For Treasurer of the United States, Assistant Treasurer, and for other personal services in the District of Columbia, $1,155,000.

Treasurer, Assistant, and office personnel.

For personal services in the District of Columbia, in redeeming Federal Reserve and national currency, $107,460, to be reimbursed by the Federal Reserve and national banks.

Redeeming Federal Reserve and national currency.

OFFICE OF THE COMPTROLLER OF THE CURRENCY

Office of Comptroller of the Currency.

Salaries: Comptroller of the Currency and other personal services in the District of Columbia, $220,320.

Comptroller, and office personnel.

For personal services in the District of Columbia in connection with Federal Reserve and national currency, $25,000, to be reimbursed by the Federal Reserve and national banks.

Personal services; reimbursable.

BUREAU OF INTERNAL REVENUE

Internal Revenue Bureau.

Salaries and expenses: For expenses of assessing and collecting the internal-revenue taxes and to administer the applicable provisions of the Act of October 28, 1919, as amended and supplemented (U. S. C., title 27), the Act of August 27, 1935 (49 Stat. 872–881), the Act of January 11, 1934 (48 Stat. 313), Public Resolutions Numbered 40 and 41, approved June 18, 1934 (48 Stat. 1020–1021); and the internal-revenue laws pursuant to the Act of March 3, 1927 (U. S. C., title 5, secs. 281–281e), the Act of May 27, 1930 (U. S. C., title 27, secs. 103–108), and Executive Order Numbered 6639, dated March 10, 1934; including the Commissioner of Internal Revenue, Assistant General Counsel for the Bureau of Internal Revenue, an assistant to the Commissioner, a special deputy commissioner, four deputy commissioners, one stamp agent (to be reimbursed by the stamp manufacturers), and the necessary officers, collectors, deputy collectors, attorneys, experts, agents, accountants, inspectors, investigators, chemists, supervisors, storekeeper-gaugers, guards, clerks, janitors, and messengers in the District of Columbia, the several collection districts, the several divisions of internal-revenue agents and the several supervisory districts, to be appointed as provided by law; the securing of evidence of violations of the Acts, the cost of chemical analyses made by others than employees of the United States and expenses incident to such chemists testifying when necessary; telegraph and telephone service, rent in the District of Columbia and elsewhere, postage, freight, express, necessary expenses incurred in making investigations in connection with the enrollment or disbarment of practitioners before the Treasury Department in internal-revenue matters, expenses of seizure and sale, and other necessary miscellaneous expenses, including stenographic reporting services; for the acquisition of property under the provisions of Title III of the Liquor Law Repeal and Enforcement Act, approved August

Salaries and expenses. *Ante*, p. 1636.

Vol. 41, p. 305; U. S. C., p. 1217.

Ante, p. 872.

Vol. 48, pp. 313, 1020.

U. S. C., pp. 1138, 1145, 1155.

Vol. 44, p. 1381; U. S. C., p. 59.

Vol. 46, p. 427; U. S. C., p. 1223.

Commissioner, Assistant General Counsel, and other personal services.

Vol. 48, p. 1061.

Securing of evidence.

Acquisition of property.

Ante, p. 879.

Vehicles.

27, 1935 (49 Stat. 872–881), and the operation, maintenance, and repair of property acquired under such Title III; for the purchase (not exceeding $50,000), exchange, hire, maintenance, repair, and operation of motor-propelled or horse-drawn passenger-carrying vehicles when necessary, for official use of the Alcohol Tax Unit in field work; and the purchase of such supplies, equipment, furniture, mechanical devices, laboratory supplies, law books and books of reference, and such other articles as may be necessary for use in the District of Columbia, the several collection districts, the several divisions of internal-revenue agents, and the several supervisory districts, $48,512,980, of which amount not to exceed $9,527,740 may be expended for personal services in the District of Columbia: *Provided*, That no part of this amount shall be used in defraying the expenses of any officer designated above, subpenaed by the United States court to attend any trial before a United States court or preliminary examination before any United States commissioner, which expenses shall be paid from the appropriation for "Fees of jurors and witnesses, United States courts": *Provided further*, That not more than $100,000 of the total amount appropriated herein may be expended by the Commissioner of Internal Revenue for detecting and bringing to trial persons guilty of violating the internal-revenue laws or conniving at the same, including payments for information and detection of such violation: *Provided further*, That for the purpose of concentration, upon the initiation of the Commissioner of Internal Revenue and under regulations prescribed by him, distilled spirits may be removed from any internal-revenue bonded warehouse to any other such warehouse, and may be bottled in bond in any such warehouse before or after payment of the tax, and the Commissioner shall prescribe the form and penal sum of bond covering distilled spirits in internal-revenue bonded warehouses and in transit between such warehouses.

Services in the District.

Provisos.
Witness fees.

Ante, p. 1327.
Detection and prosecution of violations.

Concentration of distilled spirits in bonded warehouses.

Refunding taxes.
Vol. 45, p. 398.

Refunding internal-revenue collections: For refunding internal-revenue collections, as provided by law, including the payment of claims for the fiscal year 1937 and prior years and accounts arising under "Allowance or drawback (Internal Revenue)", "Redemption of stamps (Internal Revenue)", "Refunding legacy taxes, Act of March 30, 1928", and "Repayment of taxes on distilled spirits destroyed by casualty", $6,000,000: *Provided*, That a report shall be made to Congress by internal-revenue districts and alphabetically arranged of all disbursements hereunder in excess of $500 as required by section 3 of the Act of May 29, 1928 (U. S. C., title 26, sec. 1676), including the names of all persons and corporations to whom such payments are made, together with the amount paid to each.

Proviso.
Detailed report to Congress.

Vol. 45, p. 996.
U. S. C., p. 1202.

Alaska railroads, additional income tax.

Additional income tax on railroads in Alaska: For the payment to the Treasurer of Alaska of an amount equal to the tax of 1 per centum collected on the gross annual income of all railroad corporations doing business in Alaska, on business done in Alaska, which tax is in addition to the normal income tax collected from such corporations on net income, and the amount of such additional tax to be applicable to general Territorial purposes, $3,100.

Federal Alcohol Administration.

FEDERAL ALCOHOL ADMINISTRATION

Salaries and expenses.
Ante, p. 977.

Salaries and expenses: For the purpose of administering the provisions of the "Federal Alcohol Administration Act", approved August 29, 1935 (49 Stat. 977), including personal and other services and rent in the District of Columbia and elsewhere; supplies and materials; equipment; communication service; stationery; travel and subsistence expenses as authorized by law; maintenance, repair, and

operation of automobiles; law books, books of reference, magazines, periodicals, and newspapers; contract stenographic reporting service; the securing of evidence of violations of the Act; and miscellaneous and contingent expenses; $475,000.

Securing of evidence.

BUREAU OF NARCOTICS

Narcotics Bureau.

Salaries and expenses: For expenses to enforce the Act of December 17, 1914 (U. S. C., title 26, sec. 211), as amended by the Revenue Act of 1918 (U. S. C., title 26, secs. 691–708), the Act approved February 9, 1909, as amended by the Act of May 26, 1922 (U. S. C., title 21, secs. 171–184), known as the Narcotic Drugs Import and Export Act, pursuant to the Act of March 3, 1927 (U. S. C., title 5, secs. 281–281e), and the Act of June 14, 1930 (U. S. C., title 5, secs. 282–282c), including the employment of executive officers, attorneys, agents, inspectors, chemists, supervisors, clerks, messengers, and other necessary employees in the field and in the Bureau of Narcotics in the District of Columbia, to be appointed as authorized by law; the securing of evidence of violations of the Acts; the costs of chemical analyses made by others than employees of the United States; the purchase of such supplies, equipment, mechanical devices, books, and such other expenditures as may be necessary in the several field offices; cost incurred by officers and employees of the Bureau of Narcotics in the seizure, storage, and disposition of property under the internal-revenue laws when the same is disposed of under section 3460, Revised Statutes (U. S. C., title 26, sec. 1193 [1]); purchase (not to exceed $10,000), exchange, hire, maintenance, repair, and operation of motor-propelled or horse-drawn passenger-carrying vehicles when necessary for official use in field work; purchase of arms and ammunition, and for rental of necessary quarters in the District of Columbia and elsewhere; in all, $1,275,000, of which amount not to exceed $187,664 may be expended for personal services in the District of Columbia: *Provided*, That the Secretary of the Treasury may authorize the use by narcotic agents of motor vehicles confiscated under the provisions of the Act of March 3, 1925 (U. S. C., title 27, sec. 43), as amended, and to pay the cost of acquisition, maintenance, repair, and operation thereof: *Provided further*, That not exceeding $10,000 may be expended for the collection and dissemination of information and appeal for law observance and law enforcement, including cost of printing, purchase of newspapers, and other necessary expenses in connection therewith and not exceeding $1,500 for attendance at meetings concerned with the work of the Bureau of Narcotics: *Provided further*, That moneys expended from this appropriation for the purchase of narcotics and subsequently recovered shall be reimbursed to the appropriation for enforcement of the Narcotic Acts current at the time of the deposit.

Salaries and expenses. Vol. 38, p. 785; Vol. 40, p. 1130. Vol. 35, p. 614; Vol. 38, p. 275; Vol. 42, p. 596. U. S. C., p. 932. Vol. 44, p. 1381; Vol. 46, p. 585. U. S. C., p. 59.

Executive officers, etc.

Seizures, etc.

R. S., sec. 3460, p. 685. U. S. C., p. 1199.

Services in the District.

Provisos.
Use of forfeited vehicles. Vol. 43, p. 1116. U. S. C., p. 1218.

Law observance information.

Credit for sums expended.

COAST GUARD

Coast Guard.

Office of the Commandant: For personal services in the District of Columbia, $389,240: *Provided*, That no part of any appropriation contained in this Act shall be used to pay any enlisted man of the Coast Guard while detailed for duty at Coast Guard headquarters if such detail increases the total number of enlisted men detailed on such duty at any time above ten.

Office personnel.

Proviso.
Details at headquarters restricted.

For every expenditure requisite for and incident to the authorized work of the Coast Guard, including the expense of maintenance, repair, and operation of vessels forfeited to the United States and

Service expenditures.

[1] So in original.

Vol. 43, p. 1116. U. S. C., p. 1218.

delivered to the Treasury Department under the terms of the Act approved March 3, 1925 (U. S. C., title 27, sec. 41), the purchase (not to exceed $1,500), maintenance, repair, exchange, and operation of motor-propelled passenger-carrying vehicles, to be used only for official purposes in the field, and the rental of quarters in the District of Columbia, as follows:

Pay and allowances.

Pay and allowances: For pay and allowances prescribed by law for commissioned officers, cadets, warrant officers, petty officers, and other enlisted men, active and retired, temporary cooks, surfmen, substitute surfmen, and two civilian instructors, including not to exceed $94,000 for retired pay for certain members of the former Life Saving Service authorized by the Act approved April 14, 1930 (U. S. C., title 14, sec. 178 a), and not exceeding $6,000 for cash prizes for men for excellence in gunnery, target practice, and engineering competitions, for carrying out the provisions of the Act of June 4, 1920 (U. S. C., title 34, sec. 943), rations or commutation thereof for cadets, petty officers, and other enlisted men, mileage and expenses allowed by law for officers; and traveling expenses for other persons traveling on duty under orders from the Treasury Department, including transportation of enlisted men and applicants for enlistment, with subsistence and transfers en route, or cash in lieu thereof, expenses of recruiting for the Coast Guard, rent of rendezvous, and expenses of maintaining the same; advertising for and obtaining men and apprentice seamen; transportation and packing allowances for baggage or household effects of commissioned officers, warrant officers, and enlisted men, $17,566,458: *Provided*, That no part of this appropriation shall be used for increased pay at a rate in excess of $1,440 per annum to any nonflying commissioned officer or commissioned officer observer for making aerial flights; which rate shall be the legal maximum rate of such increased pay as to any such officer.

Retired members of Life Saving Service. Vol. 46, p. 164. U. S. C., p. 506.

Cash prizes.

Death allowance. Vol. 41, p. 824. U. S. C., p. 1570.

Traveling expenses.

Proviso. Pay restriction.

Fuel and water.

Fuel and water: For fuel, lubricating oil, kerosene, and water for vessels, stations, and houses of refuge, $1,414,450;

Outfits, stores, etc.

Outfits: For outfits, including repairs to portable equipment at shore units, ship chandlery, engineers' stores, and draft animals and their maintenance, $1,400,000;

Stations, houses of refuge, etc.

Rebuilding and repairing stations: For rebuilding and repairing stations and houses of refuge, temporary leases, rent, and improvements of property for Coast Guard purposes, including use of additional land where necessary, $292,500;

Limitation on new construction.

No part of the appropriations contained in this Act under the Coast Guard, nor of any appropriation heretofore made, shall be used for the construction for the Coast Guard of any new permanent aviation shore station or for the permanent enlargement of the capacity of any existing aviation shore station, but this limitation shall not apply to expenditures for completion of construction for which funds were made available prior to February 5, 1936;

Coastal communication lines.

Communication lines: For coastal communication lines and facilities and their maintenance, and communication service, $138,120.

Civilian field employees.

Civilian employees: For compensation of civilian employees in the field, including clerks to district commanders, $201,760.

Contingent expenses.

Contingent expenses: For contingent expenses, including subsistence of shipwrecked and destitute persons succorded [1] by the Coast Guard and of prisoners while in the custody of the Coast Guard; for the recreation, amusement, comfort, contentment, and health of the enlisted men of the Coast Guard, to be expended in the discretion of the Secretary of the Treasury, not exceeding $40,000; instruments and apparatus, supplies, technical books and periodicals,

[1] So in original.

services necessary to the carrying on of scientific investigation, and not exceeding $4,000 for experimental and research work; care, transportation, and burial of deceased officers and enlisted men, including those who die in Government hospitals; wharfage, towage, freight, storage, advertising, surveys, medals, labor, newspapers, and periodicals for statistical purposes; not to exceed $5,000 for cost of special instruction including maintenance of students; and all other necessary expenses which are not included under any other heading; $180,000;

Vessel, etc., repairs.

Repairs to vessels: For repairs to Coast Guard vessels and boats, $1,800,000;

Additional airplanes.

Additional airplanes: For additional airplanes and their equipment, including radio equipment, spare parts, and accessories, to be constructed or purchased in the discretion of the Secretary of the Treasury, $697,500, to be immediately available.

Proviso. Aviation expenses.

Total, Coast Guard, exclusive of Commandant's office, $23,690,788: *Provided*, That not more than a total of $1,550,000 out of the appropriations contained in this Act under the caption "Coast Guard", except the appropriations "Salaries, Commandant's Office" and "Additional airplanes", shall be expended for aviation.

Payment of reenlistment allowances. Vol. 47, p. 1519.

Section 18 of the Treasury-Post Office Appropriation Act, fiscal year 1934, is hereby continued in full force and effect during the fiscal year ending June 30, 1937; and for the purpose of making such section applicable to such latter fiscal year, the figures "1934" shall be read as "1937".

BUREAU OF ENGRAVING AND PRINTING

Engraving and Printing Bureau.

Work authorized for fiscal year 1937.

For the work of engraving and printing, exclusive of repay work, during the fiscal year 1937 United States currency, internal-revenue stamps including opium orders and special-tax stamps required under the Act of December 17, 1914 (U. S. C., title 26, sec. 211), checks, drafts, and miscellaneous work, as follows:

Vol. 38, p. 786. U. S. C., p. 1062.

Salaries and expenses.

Salaries and expenses: For the Director, two Assistant Directors, and other personal services in the District of Columbia, including wages of rotary press plate printers at per diem rates and all other plate printers at piece rates to be fixed by the Secretary of the Treasury, not to exceed the rates usually paid for such work; for engravers' and printers' materials and other materials, including distinctive and nondistinctive paper, except distinctive paper for United States currency, national-bank currency, and Federal Reserve bank currency; equipment of, repairs to, and maintenance of buildings and grounds and for minor alterations to buildings; directories, technical books and periodicals, and books of reference, not exceeding $300; rent of warehouse in the District of Columbia; traveling expenses not to exceed $2,000; uniforms for guards not to exceed $2,000; miscellaneous expenses, including not to exceed $1,500 for articles approved by the Secretary of the Treasury as being necessary for the protection of the person of employees; for transfer to the Bureau of Standards for scientific investigations in connection with the work of the Bureau of Engraving and Printing, not to exceed $15,000; and for the maintenance and driving of two motor-propelled passenger-carrying vehicles; $6,328,430, to be expended under the direction of the Secretary of the Treasury.

Materials, etc.

Reference books, etc.

Miscellaneous expenses.

Scientific investigations.

Vehicles.

Proceeds of work to be credited to Bureau.

During the fiscal year 1937 all proceeds derived from work performed by the Bureau of Engraving and Printing, by direction of the Secretary of the Treasury, not covered and embraced in the appropriation for such Bureau for such fiscal year, instead of being

Vol. 24, p. 227. U. S. C., p. 1366.

covered into the Treasury as miscellaneous receipts, as provided by the Act of August 4, 1886 (U. S. C., title 31, sec. 176), shall be credited when received to the appropriation for said Bureau for the fiscal year 1937.

Secret Service Division.

SECRET SERVICE DIVISION

Chief, and office personnel.

Salaries: For the Chief of the Division and other personal services in the District of Columbia, $53,160.

Suppressing counterfeiting, etc.

Suppressing counterfeiting and other crimes: For expenses incurred under the authority or with the approval of the Secretary of the Treasury in detecting, arresting, and delivering into the custody of the United States marshal having jurisdiction dealers and pretended dealers in counterfeit money and persons engaged in counterfeiting, forging, and altering United States notes, bonds, national-bank notes, Federal Reserve notes, Federal Reserve bank notes, and other obligations and securities of the United States and of foreign governments, as well as the coins of the United States and of foreign governments, and other crimes against the laws of the United States relating to the Treasury Department and the several branches of the public service under its control; purchase (not to exceed $25,000), exchange, hire, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles when necessary; purchase of arms and ammunition; traveling expenses; and for no other purpose whatsoever, except in the performance of other duties specifically authorized by law, and in the protection of the person of the President and the members of his immediate family and of the person chosen to be President of the United States, $850,000: *Provided*, That no part of the amount herein appropriated shall be used in defraying the expenses of any person subpenaed by the United States courts to attend any trial before a United States court or preliminary examination before any United States commissioner, which expenses shall be paid from the appropriation for "Fees of witnesses and jurors, United States courts": *Provided further*, That of the amount herein appropriated, not to exceed $10,000 may be expended in the discretion of the Secretary of the Treasury for the purpose of securing information concerning violations of the laws relating to the Treasury Department, and for services or information looking toward the apprehension of criminals.

Protecting the President, etc. *Ante*, p. 1322.

Provisos. Witness fees.

Ante, p. 1327.

Violation of laws relating to Treasury Department, etc.

White House police. Salaries.

White House police: Captain, lieutenant, three sergeants, and for fifty-five privates, at rates of pay provided by law; in all, $146,700.

Uniforms and equipment.

For uniforming and equipping the White House police, including the purchase, issue, and repair of revolvers and the purchase and issue of ammunition and miscellaneous supplies, to be procured in such manner as the President in his discretion may determine, $3,750.

Public Health Service.

PUBLIC HEALTH SERVICE

Office personnel.

Salaries, office of Surgeon General: For personal services in the District of Columbia, $308,410.

Pay, allowance, etc., Surgeon General, officers, etc.

Commissioned officers, pay, and so forth: For pay, allowance, and commutation of quarters for regular commissioned medical officers, including the Surgeon General and assistant surgeons general and for other regular commissioned officers, $1,775,810.

Acting assistant surgeons.

Acting assistant surgeons, pay: For pay of acting assistant surgeons (noncommissioned medical officers), $340,200.

Other employees.

Pay of other employees: For pay of all other employees (attendants, and so forth) $1,000,000.

Freight, transportation, etc.

Freight, transportation, and so forth: For freight, transportation, and traveling expenses, including allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved

June 26, 1930 (U. S. C., title 5, sec. 118a), not to exceed $5,000 but not to exceed $1,700 for any one person; the expenses, except membership fees, of officers when officially detailed to attend meetings of associations for the promotion of public health; contract stenographic reporting services; not to exceed $450 for journals and scientific books, office of the Surgeon General; and the packing, crating, drayage, and transportation of the personal effects of commissioned officers, scientific personnel, pharmacists, and nurses of the Public Health Service, upon permanent change of station, $25,450: *Provided*, That funds expendable for transportation and traveling expenses may also be used for preparation for shipment and transportation to their former homes of remains of officers who die in line of duty.

Vol. 46, p. 818. U. S. C., p. 45.

Proviso. Transporting, etc., remains of officers.

National Institute of Health, maintenance: For maintaining the National Institute of Health, $64,000.

National Institute of Health, maintenance.

Pay of personnel and maintenance of hospitals: For medical examinations, including the amount necessary for the medical inspection of aliens, as required by section 16 of the Act of February 5, 1917 (U. S. C., title 8, sec. 152), medical, surgical, and hospital services and supplies, including prosthetic and orthopedic supplies to be furnished under regulations approved by the Secretary of the Treasury, for beneficiaries (other than patients of the Veterans' Administration) of the Public Health Service and persons detained in hospitals of the Public Health Service under the immigration laws and regulations, including necessary personnel and reserve commissioned officers of the Public Health Service, personal services in the District of Columbia and elsewhere, including the furnishing and laundering of white duck coats, trousers, smocks, aprons, and caps to employees whose duties make necessary the wearing of same, maintenance, minor repairs, equipment, leases, fuel, lights, water, freight, transportation and travel, the maintenance, exchange, and operation of motor trucks and passenger motor vehicles for official use in field work (including not to exceed $3,000 for the purchase of motor-propelled passenger-carrying vehicles) and one for use in connection with the administrative work of the Public Health Service in the District of Columbia, purchase of ambulances, transportation, care, maintenance, and treatment of lepers, including transportation to their homes in the continental United States of recovered indigent leper patients, court costs and other expenses incident to proceedings heretofore or hereafter taken for commitment of mentally incompetent persons to hospitals for the care and treatment of the insane, and reasonable burial expenses (not exceeding $100 for any patient dying in hospital), $5,870,000: *Provided*, That the Immigration Service shall permit the Public Health Service to use the hospitals at Ellis Island Immigration Station for the care of Public Health Service patients free of expense for physical upkeep, but with a charge of actual cost of fuel, light, water, telephone, and similar supplies and services, to be covered into the proper Immigration Service appropriations; and money collected by the Immigration Service on account of hospital expenses of persons detained in hospitals of the Public Health Service under the immigration laws and regulations shall be covered into the Treasury as miscellaneous receipts: *Provided further*, That no part of this sum shall be used for the quarantine service, the prevention of epidemics, or scientific work of the character provided for under the appropriations which follow.

Hospital maintenance, medical examinations, etc. Vol. 39, p. 885. U. S. C., p. 191.

Services in the District. General expenses.

Lepers, transportation, care, etc.

Insane, etc.

Provisos. Use of Ellis Island hospitals.

Receipts to be covered into Treasury.

Uses forbidden.

Quarantine service: For maintenance and ordinary expenses, exclusive of pay of officers and employees, of United States quarantine stations, including the exchange, maintenance, repair, and

Quarantine service.

operation of motor-propelled passenger-carrying vehicles for official use in field work and not to exceed $3,500 for the purchase of motor-propelled passenger-carrying vehicles, $361,450.

Prevention of epidemics.

Prevention of epidemics: To enable the President, in case only of threatened or actual epidemic of infectious or contagious disease, to aid State and local boards or otherwise in his discretion, in preventing and suppressing the spread of the same, and in such emergency in the execution of any quarantine laws which may be then in force, $260,000, including the purchase of newspapers and clippings from newspapers containing information relating to the prevalence of disease and the public health.

Interstate quarantine service.

Interstate quarantine service: For cooperation with State and municipal health authorities in the prevention of the spread of contagious and infectious diseases in interstate traffic, including the maintenance, repair, and operation of passenger-carrying automobiles, $36,535.

Biologic products.
Regulating sale of viruses, etc.

Biologic products: To regulate the propagation and sale of viruses, serums, toxins, and analogous products, including arsphenamine, and for the preparation of curative and diagnostic biologic products, including personal services of reserve commissioned officers and other personnel, $45,000.

Venereal Diseases Division.
Maintenance, etc.
Vol. 40, p. 886.
U. S. C., p. 1812.

Division of Venereal Diseases: For the maintenance and expenses of the Division of Venereal Diseases, established by sections 3 and 4, chapter XV, of the Act approved July 9, 1918 (U. S. C., title 42, secs. 24, 25), including personal and other services in the field and in the District of Columbia, $80,000, of which amount not to exceed $19,420 may be expended for personal services in the District of Columbia.

Mental Hygiene Division.
Vol. 46, pp. 587, 819.
U. S. C., pp. 934, 937.
Narcotic Farm, Lexington, Ky.
Vol. 45, p. 1085.
U. S. C., p. 937.

Division of Mental Hygiene: For carrying out the provisions of section 4 of the Act of June 14, 1930 (U. S. C., title 21, secs. 196 and 225); for maintenance and operation of the Narcotic Farm, Lexington, Kentucky, in accordance with the provisions of the Act of January 19, 1929 (U. S. C., title 21, secs. 221–237), including personal services in the District of Columbia (not to exceed $27,740) and elsewhere; traveling expenses; necessary supplies and equipment; subsistence and care of inmates; expenses incurred in pursuing and identifying escaped inmates and of interment or transporting remains of deceased inmates; purchase and exchange of farm products and livestock; law books, books of reference, newspapers, and periodicals; furnishing and laundering of uniforms and other distinctive wearing apparel necessary for employees in the performance of their official duties; transportation when necessary, within continental United States and under regulations approved by the Secretary of the Treasury, of persons voluntarily admitted and discharged as cured; tobacco for inmates; purchase and exchange, not to exceed $800, and maintenance, operation, and repair of motor-propelled passenger-carrying vehicles; $663,220: *Provided*, That on and after July 1, 1936, the Narcotic Farm at Lexington, Kentucky, shall be known as United States Public Health Service Hospital, Lexington, Kentucky, but such change in designation shall not affect the status of any person in connection therewith or the status of such institution under any Act applicable thereto.

Proviso.
Narcotic Farm hereafter known as U. S. Public Health Service Hospital.
Status.

Educational exhibits.

Educational exhibits: For the preparation of public-health exhibits designed to demonstrate the cause, prevalence, methods of spread, and measures for preventing diseases dangerous to the public health, including personal services and the cost of acquiring, transporting, and displaying exhibit material, $1,000.

Grants to States for public-health work.

Grants to States for public-health work: For the purpose of assisting States, counties, health districts, and other political subdivisions of the States in establishing and maintaining adequate public-health

services, including the training of personnel for State and local health work, as authorized in sections 601 and 602, Title VI, of the Social Security Act, approved August 14, 1935 (49 Stat., 634), $8,000,000. *Ante*, p. 634.

Diseases and sanitation investigations: For carrying out the provisions of section 603 of the Social Security Act, approved August 14, 1935, and section 1 of the Act of August 14, 1912, including rent and personnel and other services in the District of Columbia and elsewhere and items otherwise properly chargeable to the appropriations for printing and binding, stationery, and miscellaneous and contingent expenses for the Treasury Department, the provisions of section 6, Act of August 23, 1912 (U. S. C., title 31, sec. 669), to the contrary notwithstanding, the packing, crating, drayage, and transportation of the personal effects of commissioned officers, scientific personnel, pharmacists, and nurses of the Public Health Service upon permanent change of station, and including the purchase (not to exceed $5,000), exchange, maintenance, repair, and operation of passenger-carrying automobiles for official use in field work, $1,320,000. Diseases and sanitation investigations. *Ante*, p. 635. Contingent expenses. Vol. 37, p. 414. U. S. C., p. 1406. Vehicles.

BUREAU OF THE MINT

Bureau of the Mint.

OFFICE OF DIRECTOR OF THE MINT

Salaries: For the Director of the Mint and other personal services in the District of Columbia, $38,360. Director and office personnel.

Transportation of bullion and coin: For transportation of bullion and coin, by registered mail or otherwise, between mints and assay offices, $50,000. Transporting bullion and coin.

Contingent expenses: For assay-laboratory chemicals, fuel, materials, balances, weights, and other necessaries, including books, periodicals, specimens of coins, ores, and incidentals, and for examination of mints, expense in visiting mints for the purpose of superintending the annual settlements, and for special examinations and for the collection of statistics relative to the annual production and consumption of the precious metals in the United States, $5,300. Contingent expenses.

Salaries and expenses, mints and assay offices: For compensation of officers and employees of the mints at Philadelphia, Pennsylvania, San Francisco, California, Denver, Colorado, and New Orleans, Louisiana, and assay offices at New York, New York, and Seattle, Washington, and for incidental and contingent expenses, including traveling expenses, new machinery, and repairs, cases and enameling for medals manufactured, net wastage in melting and refining and in coining departments, loss on sale of sweeps arising from the treatment of bullion and the manufacture of coins, not to exceed $500 for the expenses of the annual assay commission, and not exceeding $1,000 in value of specimen coins and ores for the cabinet of the mint at Philadelphia, $1,202,000. Mints and assay offices. Salaries and expenses.

PROCUREMENT DIVISION—PUBLIC BUILDINGS BRANCH

Procurement Division; Public Buildings Branch.

For carrying into effect the provisions of the Public Building Acts, as provided in section 6 of the Act of May 30, 1908 (U. S. C., title 31, sec. 683), and for the repair, preservation, and upkeep of all completed public buildings, the mechanical equipment and the grounds thereof, and sites acquired for buildings, maintained by the Treasury Department, and for the operation of certain completed and occupied Treasury buildings, including furniture and repairs thereof, but exclusive, with respect to operation, of marine hospitals, quarantine stations, narcotic farms, mints, branch mints, and assay offices, the Treasury, Treasury Annex, Liberty Loan, and Auditors' Buildings: Repair, preservation, and upkeep of completed buildings, etc. Vol. 35, p. 537; Vol. 42, p. 21. U. S. C., p. 1407.

General administrative expenses.

General administrative expenses: For architectural, engineering, mechanical, administrative, clerical, and other personal services, traveling expenses, including expenses of employees directed by the Secretary of the Treasury to attend meetings of technical and professional societies and educational exhibits in connection with subjects related to the work of the Division of Procurement, Public Buildings Branch, and transportation of household goods, incident to change of headquarters of all employees engaged in field activities, not to exceed five thousand pounds at any one time, together with the necessary expenses incident to packing and draying same; advertising, not exceeding $1,000 for expenses of educational exhibits, specifically approved by the Secretary of the Treasury, testing instruments, law books, books of reference, technical periodicals and journals, drafting materials, especially prepared paper, typewriting machines, adding machines, and other mechanical labor-saving devices, and exchange of same, carpets, electric-light fixtures, furniture, equipment, and repairs thereto, telegraph and telephone service, freight, expressage, and postage incident to the transportation of drawings to and from the office and such other contingencies, articles, services, or supplies as the Secretary of the Treasury may deem necessary and specially order or approve in connection with any of the work of the Procurement Division, Public Buildings Branch; rent in the District of Columbia and elsewhere, including ground rent of the Federal building at Salamanca, New York, for which payment may be made in advance; $920,000, of which amount not to exceed $494,940 may be expended for personal services in the District of Columbia and not to exceed $289,060 for personal services in the field: *Provided*, That the foregoing appropriations shall not be available for the cost of surveys, plaster models, progress photographs, test pits and borings, or mill and shop inspections, but the cost thereof shall be construed to be chargeable against the construction appropriations of the respective projects to which they relate: *Provided further*, That no expenditures shall be made hereunder for transportation of operating supplies for public buildings: *And provided further*, That in no case shall the rates of compensation for the mechanical labor force in the field under this appropriation be in excess of the rates current at the time and in the place where such services are employed.

Salamanca, N. Y., ground rent.

Provisos.
Cost of surveys, models, etc.

Not available for transporting supplies.

Pay rates.

Repairs, preservation, and equipment, public buildings.

Repair, preservation, and equipment, public buildings: For repairs, alterations, improvement, and preservation of completed Federal buildings (including Marcus Hook), the grounds and approaches thereof, wharves, and piers, together with the necessary dredging adjacent thereto, and care and safeguarding, not otherwise provided for, of sites acquired for Federal buildings, including tools and materials for the use of the custodial and mechanical force, wire partitions and insect screens, installation and repair of mechanical equipment, gas, and electric-light fixtures, conduits, wiring, platform scales, and tower clocks; vaults and lock-box equipment in all buildings under construction or completed, and for necessary safe equipments in buildings under the administration of the Treasury Department, including repairs thereto, and changes in, maintenance of, and repairs to the pneumatic-tube system in New York City installed under franchise of the city of New York, approved June 29, 1909, and June 11, 1928, and the payment of any obligations arising thereunder in accordance with the provisions of the Acts approved August 5, 1909 (36 Stat., 120), and May 15, 1928 (45 Stat., 533), $1,625,000: *Provided*, That the appropriation herein made shall not be available for the payment of personal services, except for work done under contract, or for temporary job labor under exigency in

Pneumatic-tube system, New York City.

Vol. 36, p. 120; Vol. 45, p. 533.

Provisos.
Personal services, restriction.

an amount not to exceed $100 at one time at any one building: *Provided further*, That the total expenditures for the fiscal year for the repair and preservation of buildings not reserved by the vendors on sites acquired for buildings or the enlargement of buildings and the installation and repair of the mechanical equipment thereof shall not exceed 20 per centum of the annual rental of such buildings.

Limitation on repairs, etc.

Operating force for public buildings: For personal services, including also telephone operators for the operation of telephone switchboards or equivalent telephone switching equipment jointly serving in each case two or more governmental activities, $1,410,000: *Provided*, That in no case shall the rates of compensation for the mechanical labor force under this appropriation be in excess of the rates current at the time and in the place where such services are employed.

Operating force.
Personal services.

Proviso.
Pay rates.

Furniture and repairs of furniture, public buildings: For furniture, carpets, and repairs of same, for certain completed and occupied Treasury buildings, and for public buildings in course of construction which are to be operated by the Public Buildings Branch, $45,000: *Provided*, That the foregoing appropriation shall not be used for personal services except for work done under contract or for temporary job labor under exigency and not exceeding at one time the sum of $100 at any one building: *Provided further*, That all furniture now owned by the United States in other public buildings or in buildings rented by the United States shall be used, so far as practicable, whether it corresponds with the present regulation plan for furniture or not.

Furniture, etc.

Provisos.
Personal services, restriction.

Use of present furniture.

Operating supplies, public buildings: For fuel, steam, gas for lighting and heating purposes, water, ice, lighting supplies, electric current for lighting, heating, and power purposes, telephone service for custodial forces; removal of ashes and rubbish, snow, and ice; cutting grass and weeds, washing towels, and miscellaneous items for use of the custodial forces in the care and maintenance of such public buildings, the grounds thereof, and the equipment and furnishings therein; temporary job labor under exigency not exceeding at one time the sum of $100 at any one building; miscellaneous supplies, tools, and appliances required in the operation (not embracing repairs) of the mechanical equipment, including heating, plumbing, hoisting, gas piping, ventilating, vacuum-cleaning, air-conditioning and refrigerating apparatus, electric-light plants, meters, interior pneumatic tube and intercommunicating telephone systems, conduit wiring, call bell and signal systems in such buildings, and for the transportation of articles or supplies, authorized herein; $425,000: *Provided*, That this appropriation shall be available for contracts for telephone switchboards or equivalent telephone-switching equipment jointly serving in each case two or more governmental activities in buildings under the Treasury Department where it is found that joint service is economical and in the interest of the Government, and this appropriation shall be reimbursed for the cost of such joint service from available appropriations of the offices receiving the service.

Operating supplies.
Fuel, light, power, etc.

Proviso.
Contracts for joint telephone switchboards.

Payment of claims for relief of contractors, Act of June 16, 1934: To enable the Secretary of the Treasury to make payment of claims settled and certified by the Comptroller General of the United States under the provisions of the Act entitled "An Act to provide relief to Government contractors whose costs of performance were increased as a result of compliance with the Act approved June 16, 1933, and for other purposes", approved June 16, 1934 (48 Stat. 974), the unexpended balance of the appropriation available for this purpose for the fiscal year 1936 is continued available until June 30, 1937.

Relief of Government contractors.

Vol. 48, p. 974.

Ante, p. 594.

Supply Branch.

PROCUREMENT DIVISION—BRANCH OF SUPPLY

Director, office and field personnel.

Salaries and expenses: For the Director of Procurement and other personal services in the District of Columbia and in the field service, and for miscellaneous expenses, including two three-and-one-half-ton and two one-and-one-half-ton motor trucks, office supplies and materials, maintenance of motor trucks, telegrams, telephone service, traveling expenses, office equipment, fuel, light, electric current, and other expenses for carrying into effect regulations governing the procurement, warehousing, and distribution by the Procurement Division of the Treasury Department of property, equipment, stores, and supplies in the District of Columbia (including not to exceed $500 to settle claims for damages caused to private property by motor vehicles used by the Procurement Division), $580,000: *Provided*, That the Secretary of the Treasury is authorized and directed during the fiscal year 1937 to transfer to this appropriation from any appropriations or funds available to the several departments and establishments of the Government such amounts as may be approved by the Director of the Bureau of the Budget, not to exceed the amount of the annual compensation of employees heretofore or hereafter transferred or detailed to the Procurement Division, Branch of Supply, respectively, from any such department or establishment, where the transfer or detail of such employees was or will be incident to a transfer of a function or functions to that Division: *Provided further*, That payments during the fiscal year 1937 to the general supply fund for materials, supplies (including fuel), and services, and overhead expenses, for all issues shall be made on the books of the Treasury Department by transfer and counter-warrants prepared by the Procurement Division of the Treasury Department and countersigned by the Comptroller General, such warrants to be based solely on itemized invoices prepared by the Procurement Division at issue prices to be fixed by the Director of Procurement: *Provided further*, That advances received pursuant to law (U. S. C., title 31, sec. 686) from departments and establishments of the United States Government and the Government of the District of Columbia during the fiscal year 1937 shall be credited to the general supply fund: *Provided further*, That the term "fuel" shall be held to include "fuel oil": *Provided further*, That the requirements of sections 3711 and 3713 of the Revised Statutes (U. S. C., title 40, sec. 109) relative to the weighing of coal and wood and the separate certificate as to the weight, measurement, or quantity of coal and wood purchased shall not apply to purchases by the Procurement Division at free-on-board destination outside of the District of Columbia: *Provided further*, That the reconditioning and repair of surplus property and equipment, for disposition or reissue to Government service, may be made at cost by the Procurement Division, payment therefor to be effected by charging the proper appropriation and crediting the appropriation "Salaries and expenses, Branch of Supply, Procurement Division."

Provisos.
Transfer of available funds to Branch of Supply.

Payments for materials, etc., issued.

Advances credited to fund.
Vol. 47, p. 417.
U. S. C., p. 1407.

"Fuel" construed.

Inspection certificate waived.
R. S., secs. 3711, 3713, pp. 733, 734.
U. S. C., p. 1776.

Cost of reconditioning equipment, etc.

General supply fund.
Vol. 45, p. 1342; U. S. C., p. 1804.

General supply fund: To increase the general supply fund established by the Act approved February 27, 1929 (U. S. C., title 41, sec. 7c), as amended, $250,000.

Typewriter repairs, etc.

Repairs to typewriting machines (except bookkeeping and billing machines) in the Government service in the District of Columbia may be made at cost by the Procurement Division, payment therefor to be effected by charging the proper appropriation and crediting the appropriation "Salaries and expenses, Procurement Division, Branch of Supply."

No part of any money appropriated by this or any other Act shall be used during the fiscal year 1937 for the purchase of any standard typewriting machines, except bookkeeping and billing machines, at a price in excess of the following for models with carriages which will accommodate paper of the following widths, to wit: Ten inches (correspondence models), $70; twelve inches, $75; fourteen inches, $77.50; sixteen inches, $82.50; eighteen inches, $87.50; twenty inches, $94; twenty-two inches, $95; twenty-four inches, $97.50; twenty-six inches, $103.50; twenty-eight inches, $104; thirty inches, $105; thirty-two inches, $107.50; or, for standard typewriting machines distinctively quiet in operation, the maximum prices shall be as follows for models with carriages which will accommodate paper of the following widths, to wit: Ten inches, $80; twelve inches, $85; fourteen inches, $90; eighteen inches, $95: *Provided*, That standard typewriting machines distinctively quiet in operation purchased during such fiscal year by any such department, establishment, or municipal government shall only be purchased on the written order of the head thereof.

Prices of standard machines established.

Proviso.
Quiet machines.

With the approval of the Director of the Bureau of the Budget, there may be transferred sums (not exceeding a total of $450,000) to the appropriations, "Salaries, Office of Treasurer of United States, 1937", "Contingent Expenses, Treasury Department, 1937", "Printing and Binding, Treasury Department, 1937", and "Stationery, Treasury Department, 1937", from funds available for the Agricultural Adjustment Administration, Home Owners' Loan Corporation, Farm Credit Administration, Tennessee Valley Authority, Federal Farm Mortgage Corporation, Reconstruction Finance Corporation, Federal Emergency Relief Administration, Farmers' Crop Production and Harvesting Loans, Federal Land Banks, and other banks and corporations under the supervision of the Farm Credit Administration, Railroad Retirement Board, Soil Conservation Service, including Soil Conservation and Domestic Allotment, Social Security Board, Federal Housing Administration, and Emergency Conservation Work, to cover the expenses incurred on account of such respective activities in clearing of checks, servicing of bonds, handling of collections, and rendering of accounts therefor: *Provided*, That funds transferred hereunder from the appropriation for Emergency Conservation Work shall remain available until June 30, 1937, any provision in the First Deficiency Appropriation Act, fiscal year 1936, to the contrary notwithstanding: *Provided further*, That a statement of any transfers of appropriations made hereunder shall be included in the annual Budget.

Check clearance, etc., expenses.

Provisos.
Emergency Conservation Work funds transferred available until June 30, 1937.
Ante, p. 1601.

Statement in the Budget.

MISCELLANEOUS ITEMS, TREASURY DEPARTMENT

Miscellaneous items.

AMERICAN PRINTING HOUSE FOR THE BLIND

To enable the American Printing House for the Blind more adequately to provide books and apparatus for the education of the blind in accordance with the provisions of the Act approved February 8, 1927 (U. S. C., title 20, sec. 101), $65,000.

American Printing House for the Blind, expenses.
Vol. 44, p. 1060; U. S. C., p. 913.

SHORT TITLE

This title may be cited as the Treasury Department Appropriation Act, 1937.

Citation of title.

Title II—Post Office Department.

TITLE II—POST OFFICE DEPARTMENT

Appropriation for fiscal year 1937. Vol. 5, p. 80. U. S. C., pp. 66, 1763.

The following sums are appropriated in conformity with the Act of July 2, 1836 (U. S. C., title 5, sec. 380, title 39, sec. 786), for the Post Office Department for the fiscal year ending June 30, 1937, namely:

Department expenses. Postmaster General's Office.

POST OFFICE DEPARTMENT, WASHINGTON, DISTRICT OF COLUMBIA
OFFICE OF THE POSTMASTER GENERAL

Postmaster General, and office personnel.

Salaries: For the Postmaster General and other personal services in the office of the Postmaster General in the District of Columbia, $228,344.

Salaries, bureaus and offices. Amounts.

SALARIES IN BUREAUS AND OFFICES

For personal services in the District of Columbia in bureaus and offices of the Post Office Department in not to exceed the following amounts, respectively:

Office of the First Assistant Postmaster General, $366,135.
Office of the Second Assistant Postmaster General, $569,810.
Office of the Third Assistant Postmaster General, $769,150.
Office of the Fourth Assistant Postmaster General, $447,500.
Office of the Solicitor for the Post Office Department, $81,280.
Office of the chief inspector, $206,240.
Office of the purchasing agent, $42,000.
Bureau of Accounts, $104,930.

Department contingent expenses.

CONTINGENT EXPENSES, POST OFFICE DEPARTMENT

Stationery, etc.

For contingent and miscellaneous expenses; stationery and blank books, index and guide cards, folders and binding devices, including purchase of free penalty envelops; telegraph and telephone service, furniture and filing cabinets and repairs thereto; purchase, exchange, maintenance, and repair of tools, electrical supplies, typewriters, adding machines, and other labor-saving devices; maintenance of motor trucks and of two motor-driven passenger-carrying vehicles, to be used only for official purposes (one for the Postmaster General and one for the general use of the Department); street-car fares; floor coverings; postage stamps for correspondence addressed abroad, which is not exempt under article 47 of the London convention of the Universal Postal Union; purchase and exchange of law books, books of reference, railway guides, city directories, and books necessary to conduct the business of the Department; newspapers, not exceeding $200; expenses, except membership fees, of attendance at meetings or conventions concerned with postal affairs, when incurred on the written authority of the Postmaster General, not exceeding $2,000; expenses of the purchasing agent and of the Solicitor and attorneys connected with his office while traveling on business of the Department, not exceeding $800; and other expenses not otherwise provided for; $81,000.

Vehicles.

Correspondence addressed abroad. Vol. 44, pp. 2243, 2245.

Attendance at meetings.

Printing and binding.

For printing and binding for the Post Office Department, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, $1,100,000.

Field service appropriations not to be used for Department.

Appropriations hereinafter made for the field service of the Post Office Department, except as otherwise provided, shall not be expended for any of the purposes hereinbefore provided for on account of the Post Office Department in the District of Columbia:

Provisos. Travel expenses, payable from service appropriations.

Provided, That the actual and necessary expenses of officials and employees of the Post Office Department and Postal Service, when traveling on official business, may continue to be paid from the

appropriations for the service in connection with which the travel is performed, and appropriations for the fiscal year 1937 of the character heretofore used for such purposes shall be available therefor: *Provided further*, That appropriations hereinafter made, except such as are exclusively for payment of compensation, shall be immediately available for expenses in connection with the examination of estimates for appropriations in the field including per-diem allowances in lieu of actual expenses of subsistence.

Use in examining field estimates.

FIELD SERVICE, POST OFFICE DEPARTMENT

Field Service.

OFFICE OF THE POSTMASTER GENERAL

Postmaster General.

Rewards to postal employees for inventions: The Postmaster General is hereby authorized to pay a cash reward for any invention, suggestion, or series of suggestions for an improvement or economy in device, design, or process applicable to the Postal Service submitted by one or more employees of the Post Office Department or the Postal Service which shall be adopted for use and will clearly effect a material economy or increase efficiency, and for that purpose the sum of $200 is hereby appropriated: *Provided*, That the sums so paid to employees in accordance with this Act shall be in addition to their usual compensation: *Provided further*, That no employee shall be paid a reward under this appropriation until he has properly executed an agreement to the effect that the use by the United States of the invention, suggestion, or series of suggestions made by him shall not form the basis of a further claim of any nature upon the United States by him, his heirs, or assigns.

Rewards to employees for inventions improving the service.

Provisos.
Additional to regular pay.
Agreement for Government use required.

Travel expenses, Postmaster General and Assistant Postmasters General: For travel and miscellaneous expenses in the Postal Service, offices of the Postmaster General and Assistant Postmasters General, $5,000.

Travel, etc.

Personal or property damage claims: To enable the Postmaster General to pay claims for damages, occurring during the fiscal year 1937, or in prior fiscal years, to persons or property in accordance with the provisions of the Deficiency Appropriation Act approved June 16, 1921 (U. S. C., title 5, sec. 392), as amended by the Act approved June 22, 1934 (48 Stat., 1207), $30,000.

Damage claims.

Vol. 42, p. 63; Vol. 48, p. 1207.
U. S. C., p. 67.

Adjusted losses and contingencies, postal funds: To enable the Postmaster General to pay to postmasters, Navy mail clerks, and assistant Navy mail clerks or credit them with the amount ascertained to have been lost or destroyed during the fiscal year 1937, or prior fiscal years, through burglary, fire, or other unavoidable casualty resulting from no fault or negligence on their part, as authorized by the Act approved March 17, 1882, as amended, $60,000.

Adjusted losses and contingencies.

OFFICE OF CHIEF INSPECTOR

Chief Inspector's Office.

Salaries of inspectors: For salaries of fifteen inspectors in charge of divisions and five hundred and seventy-five inspectors, $2,219,500.

Inspectors.

Traveling and miscellaneous expenses: For traveling expenses of inspectors, inspectors in charge, the chief post-office inspector, and the assistant chief post-office inspector, and for the traveling expenses of four clerks performing stenographic and clerical assistance to post-office inspectors in the investigation of important fraud cases; for tests, exhibits, documents, photographs, office and other necessary expenses incurred by post-office inspectors in connection with their official investigations, including necessary miscellaneous expenses of division headquarters, and not to exceed $500 for technical and scientific books and other books of reference needed in

Traveling expenses, investigations, etc.

Proviso. Allotment for chemical, etc., investigations.

the operation of the Post Office Inspection Service, $586,500: *Provided*, That not exceeding $18,000 of this sum shall be available for transfer by the Postmaster General to other departments and independent establishments for chemical and other investigations.

Clerks, division headquarters.

Clerks, division headquarters: For compensation of one hundred and ninety-four clerks at division headquarters, $465,000.

Rewards for detecting law violations.

Payment of rewards: For payment of rewards for the detection, arrest, and conviction of post-office burglars, robbers, and highway mail robbers, $55,000: *Provided*, That rewards may be paid in the discretion of the Postmaster General, when an offender of the class mentioned was killed in the act of committing the crime or in resisting lawful arrest: *Provided further*, That no part of this sum shall be used to pay any rewards at rates in excess of those specified in Post Office Department Order 9955, dated February 28, 1930: *Provided further*, That of the amount herein appropriated not to exceed $20,000 may be expended, in the discretion of the Postmaster General, for the purpose of securing information concerning violations of the postal laws and for services and information looking toward the apprehension of criminals.

Provisos. Death of offender.

Rates.

Securing information.

First Assistant Postmaster General.

OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL

Compensation to postmasters.

Compensation to postmasters: For compensation to postmasters, including compensation as postmaster to persons who, pending the designation of an acting postmaster, assume and properly perform the duties of postmaster in the event of a vacancy in the office of postmaster of the third or fourth class, and for allowances for rent, light, fuel, and equipment to postmasters of the fourth class, $48,000,000.

Assistant postmasters.

Compensation to assistant postmasters: For compensation to assistant postmasters at first- and second-class post offices, $6,775,000.

Clerks, etc., first- and second-class offices.

Clerks, first- and second-class post offices: For compensation to clerks and employees at first- and second-class post offices, including auxiliary clerk hire at summer and winter post offices, printers, mechanics, skilled laborers, watchmen, messengers, laborers, and substitutes, $186,900,000.

Contract station clerks.

Clerks, contract stations: For compensation to clerks in charge of contract stations, $1,500,000.

Separating mails.

Separating mails: For separating mails at third- and fourth-class post offices, $450,000.

Unusual conditions.

Unusual conditions: For unusual conditions at post offices, $75,000.

Clerks, third-class offices.

Clerks, third-class post offices: For allowances to third-class post offices to cover the cost of clerical services, $7,000,000.

Miscellaneous, first- and second-class offices.

Miscellaneous items, first- and second-class post offices: For miscellaneous items necessary and incidental to the operation and protection of post offices of the first and second classes, and the business conducted in connection therewith, not provided for in other appropriations, $2,075,000.

Village delivery.

Village delivery service: For village delivery service in towns and villages having post offices of the second or third class, and in communities adjacent to cities having city delivery, $1,725,000.

Detroit River service.

Detroit River service: For Detroit River postal service, $15,995.

Car fare and bicycle allowance.

Car fare and bicycle allowance: For car fare and bicycle allowance, including special-delivery car fare, $1,250,000.

City delivery carriers.

City delivery carriers: For pay of letter carriers, City Delivery Service, $134,900,000.

Special-delivery fees.

Special-delivery fees: For fees to special-delivery messengers, $7,125,000.

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

Second Assistant Postmaster General.

Star-route service: For inland transportation by star routes (excepting service in Alaska), including temporary service to newly established offices, and not to exceed $100,000 for Government-operated star-route service, $10,800,000.

Star routes, except Alaska.

Star-route service, Alaska: For inland transportation by star routes in Alaska, $207,245.

Alaska.

Power-boat service: For inland transportation by steamboat or other power-boat routes, including ship, steamboat and way letters, $1,270,000.

Power-boat service.

Railroad transportation and mail messenger service: For inland transportation by railroad routes and for mail messenger service, $102,000,000: *Provided*, That not to exceed $1,500,000 of this appropriation may be expended for pay of freight and incidental charges for the transportation of mails conveyed under special arrangement in freight trains or otherwise: *Provided further*, That separate accounts be kept of the amount expended for mail messenger service: *Provided further*, That there may be expended from this appropriation for clerical and other assistance in the District of Columbia not exceeding the sum of $60,922 to carry out the provisions of section 5 of the Act of July 28, 1916 (U. S. C., title 39, sec. 562) (the space basis Act), and not exceeding the sum of $33,050 to carry out the provisions of section 214 of the Act of February 28, 1925 (U. S. C., title 39, sec. 826) (cost ascertainment).

Railroad transportation, and mail messenger service.

Provisos.
Freight train conveyance.

Separate accounting, messenger service.

Services in the District.
Vol. 39, p. 429; Vol. 43, p. 1069.
U. S. C., pp. 1749, 1766.

Railway Mail Service: For fifteen division superintendents, fifteen assistant division superintendents, two assistant superintendents at large, one assistant superintendent in charge of car construction, one hundred and twenty-one chief clerks, one hundred and twenty-one assistant chief clerks, clerks in charge of sections in the offices of division superintendents, railway postal clerks, substitute railway postal clerks, joint employees, and laborers in the Railway Mail Service, $57,000,000.

Railway Mail Service.
Division superintendents, etc.
Ante, p. 1374.

Railway postal clerks, travel allowance: For travel allowance to railway postal clerks and substitute railway postal clerks, $3,525,000.

Railway postal clerks, travel allowance.

Railway Mail Service, traveling expenses: For actual and necessary expenses, general superintendent and assistant general superintendent, division superintendents, assistant division superintendents, assistant superintendents, chief clerks, and assistant chief clerks, Railway Mail Service, and railway postal clerks, while actually traveling on business of the Post Office Department and away from their several designated headquarters, $60,000.

Railway Mail Service, traveling expenses.

Railway Mail Service, miscellaneous expenses: For rent, light, heat, fuel, telegraph, miscellaneous and office expenses, telephone service, badges for railway postal clerks, for the purchase or rental of arms and miscellaneous items necessary for the protection of the mails, and rental of space for terminal railway post offices for the distribution of mails when the furnishing of space for such distribution cannot, under the Postal Laws and Regulations, properly be required of railroad companies without additional compensation, and for equipment and miscellaneous items necessary to terminal railway post offices, $540,000.

Miscellaneous.

Arms, etc., for mail protection.

Terminal offices, rent.

Electric- and cable-car service: For electric- and cable-car service, $375,000.

Electric- and cable-car service.

Foreign mail transportation: For transportation of foreign mails by steamship, aircraft, or otherwise (exclusive of mail carried under contracts awarded under the provisions of the Merchant Marine Act of 1928), $9,717,500: *Provided*, That not to exceed $8,230,000 of this sum may be expended for carrying foreign mail by aircraft

Foreign mails.
Vol. 41, p. 988; Vol. 45, p. 689.
U. S. C., p. 2068.

Provisos.
Aircraft allowance, restriction.

Sea-post service.

under contracts which will not create obligations for the fiscal year 1938 in excess of $8,230,000: *Provided further*, That the Postmaster General is authorized to expend such sums as may be necessary, not to exceed $165,000, to cover the cost to the United States for maintaining sea-post service on ocean steamships conveying the mails to and from the United States including the salary of the Assistant Director, Division of International Postal Service, with headquarters at New York City: *Provided further*, That not to exceed $7,500 of this sum may be available for expenses of delegates designated from the Post Office Department by the Postmaster General to the Congress of the Postal Union of the Americas and Spain to be held during the fiscal year 1937, to be expended in the discretion of the Postmaster General and accounted for on his certificate notwithstanding the provisions of any other law.

Assistant Director, International Postal Service.

Delegates to Postal Union Congress.

Payments under Merchant Marine Act contracts.

Payments under Merchant Marine Act contracts: For payments under contracts entered into by the Postmaster General prior to March 4, 1933, or any modification thereof, under the provisions of the Merchant Marine Act of 1928 (U. S. C., title 46, secs. 891–891x), $26,500,000, of which $4,500,000 is an estimated amount representing the equivalent poundage-rate cost of transportation of the mail carried on vessels under such contracts and $22,000,000 is an estimated amount representing additional assistance toward the development of the American merchant marine: *Provided*, That no part of this sum shall be paid on contract numbered 56 to the Seatrain Company.

Vol. 45, p. 689.
U. S. C., p. 2068.

Proviso.
Payments to Seatrain Company, forbidden.

Balances due foreign countries.

Balances due foreign countries: For balances due foreign countries, fiscal year 1937 and prior years, $1,000,000.

Contract Air Mail Service.

Contract Air Mail Service: For the inland transportation of mail by aircraft, as authorized by law, and for the incidental expenses thereof, including not to exceed $22,200 for supervisory officials and clerks at air-mail transfer points, and not to exceed $46,460 for personal services in the District of Columbia and incidental and travel expenses, $12,000,000.

Indemnities, international mail.

Indemnities, international mail: For payment of limited indemnity for the injury or loss of international mail in accordance with convention, treaty, or agreement stipulations, $15,000.

Rural Delivery Service.

Rural Delivery Service: For pay of rural carriers, auxiliary carriers, substitutes for rural carriers on annual and sick leave, clerks in charge of rural stations, and tolls and ferriage, Rural Delivery Service, and for the incidental expenses thereof, $93,200,000.

Third Assistant Postmaster General.

OFFICE OF THE THIRD ASSISTANT POSTMASTER GENERAL

Stamps, stamped envelopes, postal cards, etc.

Manufacture and distribution of stamps and stamped paper: For manufacture of adhesive postage stamps, special-delivery stamps, books of stamps, stamped envelopes, newspaper wrappers, postal cards, and for coiling of stamps, and including not to exceed $22,100 for pay of agent and assistants to examine and distribute stamped envelopes and newspaper wrappers, and for expenses of agency, $4,000,000.

Indemnities, lost, etc., domestic mail.

Indemnities, domestic mail: For payment of limited indemnity for the injury or loss of pieces of domestic registered matter, insured and collect-on-delivery mail, and for failure to remit collect-on-delivery charges, $625,000.

Unpaid money orders more than one year old.

Unpaid money orders more than one year old: For payment of domestic money orders after one year from the last day of the month of issue of such orders, $265,000.

OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL

Fourth Assistant Postmaster General.

Post office stationery, equipment, and supplies: For stationery for the Postal Service, including the money-order and registry system; and also for the purchase of supplies for the Postal Savings System, including rubber stamps, canceling devices, certificates, envelopes, and stamps for use in evidencing deposits, and free penalty envelopes; and for the reimbursement of the Secretary of the Treasury for expenses incident to the preparation, issue, and registration of the bonds authorized by the Act of June 25, 1910 (U. S. C., title 39, sec. 760); for miscellaneous equipment and supplies, including the purchase and repair of furniture, package boxes, posts, trucks, baskets, satchels, straps, letter-box paint, baling machines, perforating machines, duplicating machines, printing presses, directories, cleaning supplies, and the manufacture, repair, and exchange of equipment, the erection and painting of letter-box equipment, and for the purchase and repair of presses and dies for use in the manufacture of letter boxes; for postmarking, rating, money-order stamps, and electrotype plates and repairs to same; metal, rubber, and combination type, dates and figures, type holders, ink pads for canceling and stamping purposes, and for the purchase, exchange, and repair of typewriting machines, envelope-opening machines, and computing machines, copying presses, numbering machines, time recorders, letter balances, scales (exclusive of dormant or built-in platform scales in Federal buildings), test weights, and miscellaneous articles purchased and furnished directly to the Postal Service, including complete equipment and furniture for post offices in leased and rented quarters; for miscellaneous expenses in the preparation and publication of post-route maps and rural delivery maps or blueprints, including tracing for photolithographic reproduction; for other expenditures necessary and incidental to post offices of the first, second, and third classes, and offices of the fourth class having or to have rural delivery service, and for letter boxes; for the purchase of atlases and geographical and technical works not to exceed $1,500; for wrapping twine and tying devices; for expenses incident to the shipment of supplies, including hardware, boxing, packing, and not exceeding $55,000 for the pay of employees in connection therewith in the District of Columbia; for rental, purchase, exchange, and repair of canceling machines and motors, mechanical mail-handling apparatus, and other labor-saving devices, including cost of power in rented buildings and miscellaneous expenses of installation and operation of same, including not to exceed $35,000 for salaries of thirteen traveling mechanicians, and for traveling expenses, $2,345,000: *Provided*, That the Postmaster General may authorize the sale to the public of post-route maps and rural delivery maps or blueprints at the cost of printing and 10 per centum thereof added: *Provided further*, That no part of this appropriation shall be expended for the purchase of furniture and complete equipment for third-class post offices except miscellaneous equipment of the general character furnished such offices during the fiscal year 1931.

Stationery, etc.

Postal Savings System, supplies.

Bond expenses. Vol. 36, p. 817. U. S. C., p. 1761.

Miscellaneous equipment and supplies.

Letter boxes.

Postmarking, etc., stamps.

Post-route maps, etc.

Twine and tying devices.

Traveling mechanicians.

Provisos. Sale of maps, etc.

Furniture, etc., third-class offices.

Equipment shops, materials, etc.

Equipment shops, Washington, District of Columbia: For the purchase, manufacture, and repair of mail bags and other mail containers and attachments, mail locks, keys, chains, tools, machinery, and material necessary for same, and for incidental expenses pertaining thereto; material, machinery, and tools necessary for the manufacture and repair of such other equipment for the Postal Service as may be deemed expedient; for the expenses of maintenance and repair of the mail bag equipment shops building and equipment, including fuel, light, power, and miscellaneous supplies

and services; for compensation to labor employed in the equipment shops and in the operation, care, maintenance, and protection of the equipment shops building, $1,025,000, of which not to exceed $539,000 may be expended for personal services in the District of Columbia: *Provided*, That out of this appropriation the Postmaster General is authorized to use as much of the sum, not exceeding $15,000, as may be deemed necessary for the purchase of material and the manufacture in the equipment shops of such small quantities of distinctive equipments as may be required by other executive departments; and for service in Alaska, Puerto Rico, Philippine Islands, Hawaii, or other island possessions.

Services in the District.

Proviso. Distinctive equipment for departments, Alaska, and island possessions.

Rent, light, and fuel.

Rent, light, and fuel: For rent, light, fuel, and water, for first-, second-, and third-class post offices, and the cost of advertising for lease proposals for such offices, $12,875,000.

Pneumatic-tube service, New York, etc.

Pneumatic-tube service: For the transmission of mail by pneumatic tubes or other similar devices in the city of New York, including the Borough of Brooklyn of the city of New York, at an annual rate not in excess of $19,500 per mile of double line of tubes, including power, labor, and all other operating expenses, $558,260.

Boston, Mass.

For the rental of not exceeding two miles of pneumatic tubes, not including labor and power in operating the same, for the transmission of mail in the city of Boston, Massachusetts, $24,000: *Provided*, That the provisions not inconsistent herewith of the Acts of April 21, 1902 (U. S. C., title 39, sec. 423), and May 27, 1908 (U. S. C., title 39, sec. 423), relating to the transmission of mail by pneumatic tubes or other similar devices shall be applicable hereto.

Proviso. Provisions applicable. Vol. 32, p. 114; Vol. 35, p. 412. U. S. C., p. 1737.

Vehicle service.

Vehicle service: For vehicle service; the hire of vehicles; the rental of garage facilities; the purchase, exchange, maintenance, and repair of motor vehicles; the hire of supervisors, clerical assistance, mechanics, drivers, garage men, and such other employees as may be necessary in providing vehicles and vehicle service for use in the collection, transportation, delivery, and supervision of the mail, $14,984,000: *Provided*, That the Postmaster General may, in his disbursement of this appropriation, apply a part thereof to the leasing of quarters for the housing of Government-owned motor vehicles at a reasonable annual rental for a term not exceeding ten years: *Provided further*, That the Postmaster General, during the fiscal year 1937, may purchase and maintain from the appropriation "Vehicle service" such tractors and trailer trucks as may be required in the operation of the vehicle service: *Provided further*, That no part of this appropriation shall be expended for maintenance or repair of motor-propelled passenger-carrying vehicles for use in connection with the administrative work of the Post Office Department in the District of Columbia.

Provisos. Rentals.

Tractors and trailer trucks.

Motor vehicle restriction.

Transportation of equipment and supplies.

Transportation of equipment and supplies: For the transportation and delivery of equipment, materials, and supplies for the Post Office Department and Postal Service by freight, express, or motor transportation, and other incidental expenses, $265,000.

Public buildings.

PUBLIC BUILDINGS, MAINTENANCE AND OPERATION

Operating force.

Operating force: For personal services in connection with the operation of public buildings, including the Washington Post Office and the Customhouse Building in the District of Columbia, operated by the Post Office Department, together with the grounds thereof and the equipment and furnishings therein, including telephone operators for the operation of telephone switchboards or equivalent

telephone switchboard equipment in such buildings jointly serving in each case two or more governmental activities, $14,900,000: *Provided*, That in no case shall the rates of compensation for the mechanical labor force be in excess of the rates current at the time and in the place where such services are employed.

Proviso. Pay rates, etc.

Operating supplies, public buildings: For fuel, steam, gas, and electric current for lighting, heating, and power purposes, water, ice, lighting supplies, removal of ashes and rubbish, snow and ice, cutting grass and weeds, washing towels, telephone service for custodial forces, and for miscellaneous services and supplies, tools and appliances, for the operation of completed and occupied public buildings and grounds, including mechanical and electrical equipment, but not the repair thereof, operated by the Post Office Department, including the Washington Post Office and the Customhouse Building in the District of Columbia, and for the transportation of articles and supplies authorized herein, $4,675,000: *Provided*, That the foregoing appropriation shall not be available for personal services except for work done by contract, or for temporary job labor under exigency not exceeding at one time the sum of $100 at any one building: *Provided further*, That the Postmaster General is authorized to contract for telephone service in public buildings under his administration by means of telephone switchboards or equivalent telephone-switching equipment jointly serving in each case two or more governmental activities, where he determines that joint service is economical and in the interest of the Government, and to secure reimbursement for the cost of such joint service from available appropriations for telephone expenses of the Bureaus and offices receiving the same.

Operating supplies.

Provisos. Personal services, restriction.

Contracts for telephone service.

Furniture, carpets, and safes, public buildings: For the procurement, including transportation, of furniture, carpets, safes, safe and vault protective devices, and repairs of same, for use in public buildings which are now, or may hereafter be, operated by the Post Office Department, $625,000: *Provided*, That, excepting expenditures for labor for or incidental to the moving of equipment from or into public buildings, the foregoing appropriation shall not be used for personal services except for work done under contract or for temporary job labor under exigency and not exceeding at one time the sum of $100 at any one building: *Provided further*, That all furniture now owned by the United States in other public buildings or in buildings rented by the United States shall be used, so far as practicable, whether it corresponds with the present regulation plan of furniture or not.

Furniture and equipment.

Provisos. Personal services, restriction.

Use of present furniture.

Scientific investigations: In the disbursement of appropriations contained in this title for the field service of the Post Office Department the Postmaster General may transfer to the Bureau of Standards not to exceed $20,000 for scientific investigations in connection with the purchase of materials, equipment, and supplies necessary in the maintenance and operation of the Postal Service.

Scientific investigations.

Transfer of sums to Bureau of Standards.

Deficiency in postal revenues: If the revenues of the Post Office Department shall be insufficient to meet the appropriations made under title II of this Act, a sum equal to such deficiency in the revenues of such Department is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to supply such deficiency in the revenues of the Post Office Department for the fiscal year ending June 30, 1937, and the sum needed may be advanced to the Post Office Department upon requisition of the Postmaster General.

Deficiency in postal revenues.

SHORT TITLE

Short title.

This title may be cited as the Post Office Department Appropriation Act, 1937.

Executive departments, etc.
Appropriations for travel, etc., fiscal year 1937.

SEC. 2. Appropriations for the fiscal year 1937 available for expenses of travel of civilian officers and employees of the executive departments and establishments shall be available also for expenses of travel performed by them on transfer from one official station to another when authorized by the head of the department or establishment concerned in the order directing such transfer: *Provided*, That such expenses shall not be allowed for any transfer effected for the convenience of any officer or employee.

Proviso.
Transfers for convenience of officers.

Restrictions on expenditures.

SEC. 3. No appropriation available for the executive departments and independent establishments of the Government for the fiscal year ending June 30, 1937, whether contained in this Act or any other Act, shall be expended—

Cost limitation of automobiles.

(a) To purchase any motor-propelled passenger-carrying vehicle (exclusive of busses, ambulances, and station wagons), at a cost, completely equipped for operation, and including the value of any vehicle exchanged, in excess of $750, unless otherwise specifically provided for in the appropriation.

Maintenance, automobiles not used for official purposes.
"Official purposes" construed.

(b) For the maintenance, operation, and repair of any Government-owned motor-propelled passenger-carrying vehicle not used exclusively for official purposes; and "official purposes" shall not include the transportation of officers and employees between their domiciles and places of employment, except in cases of medical officers on out-patient medical services and except in cases of officers and employees engaged in field work the character of whose duties makes such transportation necessary and then only as to such latter cases when the same is approved by the head of the department or establishment concerned. The limitations of this subsection (b) shall not apply to any motor vehicles for official use of the President, or of the heads of the executive departments.

Limitations not applicable.

Cost of maintenance; limit.

(c) For the maintenance, upkeep, and repair (exclusive of garage rent, pay of operators, tires, fuel, and lubricants) on any one motor-propelled passenger-carrying vehicle, except busses and ambulances, in excess of one-third of the market price of a new vehicle of the same make and class and in no case in excess of $400.

Appointments after Senate rejection, etc.

SEC. 4. No part of the money appropriated under this Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate upon vote has failed to confirm the nomination of such person.

Approved, June 23, 1936.

[CHAPTER 726.]

June 23, 1936.
[H. R. 11581.]
[Public, No. 762.]

AN ACT

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1937, and for other purposes.

District of Columbia.
Appropriations for expenses of, fiscal year 1937, from District revenues, and $5,000,000 from the Treasury.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to defray the expenses of the District of Columbia for the fiscal year ending June 30, 1937, any revenue (not including the proportionate share of the United States in any revenue arising as the result of the expenditure of appropriations made for the fiscal year 1924 and prior fiscal years) now required by law to be credited to the District of Columbia and the United States in the same proportion that each contributed to the activity or source from whence such revenue was

derived shall be credited wholly to the District of Columbia, and, in addition, $5,000,000 (of which not to exceed $50,000 shall be available for expenditure, under the direction of the President, for making an independent study of the fiscal relations between the United States and the District of Columbia and enabling him to report to Congress at the beginning of the next regular session, what, in his judgment, is a fair and equitable amount to be paid by the United States as an annual contribution toward the expenses of the government of the District of Columbia; such sum shall be available for personal services without regard to the civil-service laws and the Classification Act of 1923, as amended, and for such other expenditures as may be necessary in connection with such study) is appropriated, out of any money in the Treasury not otherwise appropriated, to be advanced July 1, 1936, and all of the remainder out of the combined revenues of the District of Columbia, namely:

Amount for study of fiscal relations between United States and District of Columbia.

Report to Congress.

GENERAL EXPENSES

General expenses.

EXECUTIVE OFFICE

Executive office.

For personal services, $47,400, plus so much as may be necessary to compensate the Engineer Commissioner at such rate in grade 8 of the professional and scientific service of the Classification Act of 1923, as amended, as may be determined by the Board of Commissioners: *Provided*, That in expending appropriations or portions of appropriations contained in this Act for the payment of personal services in accordance with the Classification Act of 1923, as amended, with the exception of the two civilian Commissioners the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service; (2) to require the reduction in salary of any person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such Act; (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit; (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law; or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

Office personnel.
Additional, for Engineer Commissioner.

Provisos.
Salaries limited to average rates under Classification Act; exceptions.
Vol. 42, p. 1488; Vol. 45, p. 776; Vol. 46, p. 1003.
U. S. C., p. 85.

If only one position in a grade.

Advances in meritorious cases.

Restriction not applicable to clerical-mechanical service.

No reduction in fixed salaries.
Vol. 42, p. 1490; U. S. C., p. 86.

Transfer to another position without pay reduction.

Higher rates permitted.

If only one position in a grade.

Purchasing division: For personal services, $57,000.

Purchasing division.

Building inspection division: For personal services, $122,860.

Building inspection division.

Plumbing inspection division: For personal services, $43,690; two members of plumbing board at $150 each; in all, $43,990.

Plumbing inspection division.

Smoke regulation and control: For personal services, equipment, instruments, supplies, transportation, and other contingent expenses necessary for the enforcement of the Act entitled "An Act to prevent the fouling of the atmosphere in the District of Columbia by smoke and other foreign substances, and for other purposes", approved August 15, 1935 (49 Stat., p. 653), $15,000.

Smoke regulation and control.
Ante, p. 653.

Public convenience stations.

PUBLIC CONVENIENCE STATIONS

Maintenance.

For maintenance of public convenience stations, including compensation of necessary employees, $14,000.

Care of District Building.

CARE OF THE DISTRICT BUILDING

Operating force.

For personal services, including temporary labor, and service of cleaners as necessary at not to exceed 48 cents per hour, $94,900: *Provided*, That no other appropriation made in this Act shall be available for the employment of additional assistant engineers or watchmen for the care of the District Building.

Proviso. Employment of additional assistant engineers or watchmen.

Operating supplies.

For fuel, light and power, repairs, laundry, and miscellaneous supplies, $30,000.

ASSESSOR'S OFFICE

Assessor's office.

For personal services, $225,000.

COLLECTOR'S OFFICE

Collector's office.

For personal services, $47,900.

Auditor's office.

AUDITOR'S OFFICE

Personal services. Present disbursing officer permitted other duties.

For personal services, $124,700; and the compensation of the present incumbent of the position of disbursing officer of the District of Columbia shall be exclusive of his compensation as United States property and disbursing officer for the National Guard of the District of Columbia.

Corporation Counsel's office.

OFFICE OF CORPORATION COUNSEL

Extra pay, Public Utilities Commission.

Corporation counsel, including extra compensation as general counsel of the Public Utilities Commission, and other personal services, $99,520.

Transfer authorized. *Ante*, p. 357.

The transfer of not to exceed $4,100 of the appropriation "Metropolitan Police, District of Columbia, 1936" (salaries), to the appropriation "Office of the Corporation Counsel, District of Columbia, 1936", is hereby authorized.

Alcoholic Beverage Control Board.

ALCOHOLIC BEVERAGE CONTROL BOARD

Personal services and expenses.

For personal services, street-car and bus transportation, telephone service, not exceeding $1,000 for the purchase of samples, not exceeding $100 for witness fees, and other necessary contingent and miscellaneous expenses, $40,400.

Coroner's office.

CORONER'S OFFICE

Personal services. U. S. C., p. 85.

For personal services, including deputy coroners, in accordance with the Classification Act of 1923, as amended, $10,600.

Morgue, etc., expenses.

For the maintenance of a non-passenger-carrying motor wagon for the morgue, the replacement of the present non-passenger-carrying motor wagon, jurors' fees, witness' fees, ice, disinfectants, telephone service, and other necessary supplies, repairs to the morgue, and the necessary expenses of holding inquests, including stenographic services in taking testimony and photographing unidentified bodies, $4,800.

Office of Superintendent of Weights, Measures, and Markets.

OFFICE OF SUPERINTENDENT OF WEIGHTS, MEASURES, AND MARKETS

Personal services.

For personal services, $53,800.

Contingent expenses.

For contingent expenses, and maintenance and repairs to markets, including not to exceed $1,000 for purchase of commodities and for personal services in connection with investigation and detection of sales of short weight and measure, maintenance and repair of non-

passenger-carrying motor vehicles, and not to exceed $671 for the purchase of one non-passenger-carrying motor vehicle, $9,150. Vehicles.

OFFICE OF CHIEF CLERK, ENGINEER DEPARTMENT Engineer Department.

For personal services, $29,340. Chief clerk's office.

MUNICIPAL ARCHITECT'S OFFICE Municipal Architect's office.

For personal services, $46,920. Personal services.

All apportionments of appropriations for the use of the municipal architect in payment of personal services employed on construction work provided for by said appropriations shall be based on an amount not exceeding 3 per centum of a total of not more than $2,000,000 of appropriations made for such construction projects and not exceeding 2¾ per centum of a total of the appropriations in excess of $2,000,000. Apportionments.

For the purchase of land, being lots numbered 31 and 32, in square 175, adjacent to the District of Columbia repair shop, to afford additional shop facilities, housing for automobile trucks, and storage for tools and building materials for the District of Columbia repair shop, $15,000. Additional shop facilities, etc. Land for.

PUBLIC UTILITIES COMMISSION Public Utilities Commission.

For two commissioners, people's counsel, and for other personal services, $69,000, of which amount not to exceed $5,000 may be used for the employment of expert services by contract or otherwise and without reference to the Classification Act of 1923, as amended. Commissioners, people's counsel, etc. Experts.

For incidental and all other general necessary expenses authorized by law, including the purchase of newspapers, $1,500. Incidental, etc., expenses.

No part of the appropriations contained in this Act shall be used for or in connection with the preparation, issuance, publication, or enforcement of any regulation or order of the Public Utilities Commission requiring the installation of meters in taxicabs, or for or in connection with the licensing of any vehicle to be operated as a taxicab except for operation in accordance with such system of uniform zones and rates and regulations applicable thereto as shall have been prescribed by the Public Utilities Commission. Issuance of orders requiring meters in taxicabs forbidden.

BOARD OF EXAMINERS, STEAM ENGINEERS Examiners, steam engineers.

Salaries: Three members, at $150 each, $450.

DEPARTMENT OF INSURANCE Insurance Department.

For personal services, $24,620.

SURVEYOR'S OFFICE Surveyor's office.

For personal services, $80,000. Personal services.

For rebinding and repairing record books in the office of the surveyor of the District of Columbia, showing properties in the District of Columbia, $2,500. Record books, repair, etc.

DISTRICT OF COLUMBIA EMPLOYEES' COMPENSATION FUND Employees' compensation fund.

For carrying out the provisions of section 11 of the District of Columbia Appropriation Act approved July 11, 1919, extending to the employees of the government of the District of Columbia the provisions of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, $35,000. Payments for injuries. Vol. 41, p. 104. Vol. 39, p. 742. U. S. C., p. 98.

Administrative expenses, compensation to injured employees. Vol. 45, p. 600.

Administrative expenses, compensation to injured employees in the District of Columbia: For the enforcement of the Act entitled "An Act to provide compensation for disability or death resulting from injury to employees in certain employments in the District of Columbia, and for other purposes", approved May 17, 1928 (45 Stat., p. 600), $53,300, for transfer to and expenditure by the Employees' Compensation Commission under its appropriations "Salaries and expenses", $53,000, and "Printing and binding", $300.

Transfer to Employees' Compensation Commission.

Retirement Act. Contribution to, from District revenues. Vol. 41, p. 614; Vol. 44, p. 904; Vol. 46, p. 468. U. S. C., p. 93.

For financing of the liability of the government of the District of Columbia, created by the Act entitled "An Act for the retirement of employees in the classified civil service, and for other purposes", approved May 22, 1920, and Acts amendatory thereof (U. S. C., title 5, sec. 707a), $150,000, which amount shall be placed to the credit of the "civil service retirement and disability fund."

District of Columbia Unemployment Compensation Act. Contribution to. *Ante*, p. 949.

District of Columbia Unemployment Compensation Act: For the contribution of the District of Columbia under the provisions of section 5 (a) of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat., p. 946), $125,000.

Vehicles and Traffic Department.

DEPARTMENT OF VEHICLES AND TRAFFIC

Personal services.

For personal services, $74,640.

Expenses, etc.

For purchase, installation, and modification of electric traffic lights, signals and controls, markers, painting white lines, labor, maintenance of non-passenger-carrying motor vehicles and such other expenses as may be necessary in the judgment of the Commissioners, $63,000, of which not less than $25,000 shall be expended for the purchase, installation, and modification of electric traffic-light signals: *Provided*, That no part of this or any other appropriation contained in this Act shall be expended for building, installing, and maintaining street-car loading platforms and lights of any description employed to distinguish same.

Proviso. Not available for street-car loading platforms.

Identification plates.

For the purchase of motor-vehicle identification number plates, $20,000.

Register of Wills.

REGISTER OF WILLS

Personal services.

For personal services, $73,500.

Miscellaneous expenses.

For miscellaneous and contingent expenses, telephone bills, printing, typewriters, photostat paper and supplies, including laboratory coats and photographic developing-room equipment, towels, towel service, window washing, street-car tokens, furniture and equipment and repairs thereto, and purchase of books of reference, law books, and periodicals, $9,000.

Recorder of Deeds.

RECORDER OF DEEDS

Personal services.

For personal services, $104,580.

Contingent expenses.

For miscellaneous and contingent expenses, including telephone service, printing, binding, rebinding, repairing, and preservation of records; typewriters, towels, towel service, furniture and equipment and repairs thereto; books of reference, law books and periodicals, street-car tokens, postage; not exceeding $100 for rest room for sick and injured employees and the equipment of and medical supplies for said rest room, and all other necessary incidental expenses, $12,500.

Rent.

For rent of offices of the recorder of deeds, $12,600.

Contingent and miscellaneous expenses.

CONTINGENT AND MISCELLANEOUS EXPENSES

Objects specified.

For checks, books, law books, books of reference, periodicals, newspapers, stationery; surveying instruments and implements; drawing materials; binding, rebinding, repairing, and preservation of records;

ice; repairs to pound and vehicles; traveling expenses not to exceed $2,000, including payment of dues and traveling expenses in attending conventions when authorized by the Commissioners of the District of Columbia; expenses authorized by law in connection with the removal of dangerous or unsafe and insanitary buildings, including payment of a fee of $6 per diem to each member of board of survey, other than the inspector of buildings, while actually employed on surveys of dangerous or unsafe buildings; and other general necessary expenses of District offices; $27,000: *Provided*, That no part of this or any other appropriation contained in this Act shall be expended for printing or binding a schedule or list of supplies and materials for the furnishing of which contracts have been or may be awarded.

Removing unsafe, etc., buildings.

Proviso. Printing, etc., list of supplies forbidden.

For printing and binding, $43,000, and the last proviso of this paragraph shall not apply to work which can be performed at a lower cost in the central duplicating section of the District of Columbia or the printing plant at the reformatory at Lorton, Virginia: *Provided*, That no part of the appropriations contained in this Act shall be available for expenditure for printing and binding unless the need for such expenditure shall have been specifically approved by the Commissioners of the District of Columbia, or by the purchasing officer and the auditor for the District of Columbia acting for such Commissioners: *Provided further*, That no part of this appropriation shall be available for expenditure unless such printing and binding is done at the Government Printing Office.

Printing and binding. Restriction not to apply to central duplicating section or Lorton printing plant.

Provisos. Approval of requisitions required.

Work to be done at Government Printing Office.

CENTRAL GARAGE

Central garage.

For maintenance, care, repair, and operation of passenger-carrying automobiles owned by the District of Columbia, including personal services, $60,467; for purchase (including exchange) of passenger-carrying automobiles $13,840; and for purchase (including exchange) of a passenger-carrying automobile for the assessor's office, $800; Executive Office, three, $6,300; and one ambulance for the Board of Public Welfare, $1,660; for purchase of two passenger-carrying automobiles, $1,160, and two station wagons, $1,500; in all, $85,727.

Automobiles, maintenance, etc.

All motor-propelled passenger-carrying vehicles owned by the District of Columbia shall be used exclusively for "official purposes" directly pertaining to the public services of said District, and shall be under the direction and control of the Commissioners, who may from time to time alter or change the assignment for use thereof or direct the joint or interchangeable use of any of the same by officials and employees of the District, except as otherwise provided in this Act; and "official purposes" shall not include the transportation of officers and employees between their domiciles and places of employment, except as to the Commissioners of the District of Columbia and in cases of officers and employees the character of whose duties makes such transportation necessary and then only as to such latter cases when the same is approved by the Commissioners: *Provided*, That no passenger-carrying automobile, except busses, patrol wagons, and ambulances, and except as otherwise specifically authorized in this Act, shall be acquired under any provision of this Act, by purchase or exchange, at a cost, including the value of a vehicle exchanged, exceeding $650. No motor vehicles shall be transferred from the police or fire departments to any other branch of the government of the District of Columbia.

Restriction on use of District-owned vehicles.

Under control of Commissioners.

Transportation between domicile and place of employment.

Proviso. Purchase, etc., restrictions.

Transfers forbidden.

Appropriations in this Act shall not be used for the payment of premiums or other cost of fire insurance.

Fire insurance premiums forbidden.

For postage for strictly official mail matter, including the rental of postage-meter equipment, $25,000.

Postage.

Transportation.

The Commissioners are authorized, in their discretion, to furnish necessary transportation in connection with strictly official business of the District of Columbia by the purchase of street-car and bus fares from appropriations contained in this Act: *Provided*, That the expenditures herein authorized shall be so apportioned as not to exceed a total of $10,400: *Provided further*, That the provisions of this paragraph shall not include the appropriations herein made for the fire and police departments.

Provisos.
Limitation.

Fire and police departments excepted.

Judicial expenses.

For judicial expenses, including witness fees, and expert services in District cases before the Supreme Court of said District, $2,500: *Provided*, That the Commissioners of the District of Columbia are authorized, when in their judgment such action be deemed in the public interest, to contract for stenographic reporting services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) under available appropriations contained in this Act: *Provided further*, That neither the District of Columbia nor any officer thereof acting in his official capacity for the District of Columbia shall be required to pay court costs to the clerk of the Supreme Court of the District of Columbia.

Provisos.
Contracts for reporting permitted.
R. S., sec. 3709, p. 733.
U. S. C., p. 1803.

No court costs, etc., in District Supreme Court required.

General advertising.

For general advertising, authorized and required by law, and for tax and school notices and notices of changes in regulations, $5,000: *Provided*, That this appropriation shall not be available for the payment of advertising in newspapers published outside of the District of Columbia, notwithstanding the requirement for such advertising provided by existing law.

Proviso.
Outside advertising.

Taxes in arrears.
Vol. 30, p. 250.

For advertising notice of taxes in arrears July 1, 1936, as required to be given by the Act of February 28, 1898, as amended, to be reimbursed by a charge of 50 cents for each lot or piece of property advertised, $5,500: *Provided*, That this appropriation shall not be available for the payment of advertising the delinquent tax list for more than once a week for two weeks in the regular issue of one morning or one evening newspaper published in the District of Columbia, notwithstanding the provisions of existing law.

Proviso.
Publication of delinquent list.

EMPLOYMENT SERVICE

Employment service.

For personal services and miscellaneous and contingent expenses required for maintaining a public employment service for the District of Columbia, $4,640.

EMERGENCY FUND

Emergency fund, expenses.

To be expended only in case of emergency, such as riot, pestilence, public insanitary conditions, calamity by flood, or fire, or storm, and of like character, and in all other cases of emergency not otherwise sufficiently provided for, in the discretion of the Commissioners, $2,500: *Provided*, That the certificate of the Commissioners shall be sufficient voucher for the expenditure of not to exceed $1,000 for such purposes as they may deem necessary.

Proviso.
Voucher for expenditure.

Refund of erroneous collections.

REFUND OF ERRONEOUS COLLECTIONS

Payments authorized.

To enable the Commissioners, in any case where special assessments, school tuition charges, payments for lost library books, rents, fees, or collections of any character have been erroneously covered into the Treasury, to refund such erroneous payments, wholly or in part, including the refunding of fees paid for building permits authorized by the District of Columbia Appropriation Act approved March 2, 1911 (36 Stat., p. 967), $4,000: *Provided*, That this appropriation shall be available for such refunds of payments made within the past three years.

Building permits.
Vol. 36, p. 967.
Proviso.
Restriction.

For payment of amounts collected by the District erroneously on account of taxes, fines, fees, and similar charges, which are returned to the respective parties who may have paid the same, $75,000: *Provided*, That this appropriation shall be available for refund of such erroneous payments made within the past three years only.

Erroneously collected taxes, fines, etc.

Proviso. Restriction.

To aid in support of the National Conference of Commissioners on Uniform State Laws, $250.

Conference on Uniform State Laws.

REPAYMENT OF LOAN FROM PUBLIC WORKS ADMINISTRATION

Loan from Public Works Administration.

For reimbursement to the United States, in compliance with section 3 of the Act approved June 25, 1934 (48 Stat., p. 1215), of funds loaned under the authority of said Act, $1,000,000: *Provided*, That during the fiscal year 1937 no greater sum shall be deposited in the Treasury of the United States to the credit of the special account established under section 3 of said Act than is required by said section for reimbursement to the United States.

Reimbursement. Vol. 48, p. 1215.

Proviso. Amount of deposit, fiscal year 1937.

FREE PUBLIC LIBRARY

Free Public Library.

For personal services, and for substitutes and other special and temporary services, including extra services on Sundays, holidays, and Saturday half holidays, at the discretion of the librarian, $352,020.

Personal services.

Miscellaneous: For books, periodicals, newspapers, and other printed material, including payment in advance for subscription books, and society publications, $60,000: *Provided*, That the disbursing officer of the District of Columbia is authorized to advance to the librarian of the free Public Library, upon requisition previously approved by the auditor of the District of Columbia, sums of money not exceeding $25 at the first of each month, to be expended for the purchase of certain books, pamphlets, numbers of periodicals or newspapers, or other printed material, and to be accounted for on itemized vouchers.

Miscellaneous.

Proviso. Advances for purchase of books, etc.

Accounting.

For binding, including necessary personal services, $20,000.

Binding.

For maintenance, alterations, repairs, fuel, lighting, fitting up buildings, care of grounds, maintenance of motor delivery vehicles, and other contingent expenses, including not to exceed $800 for purchase and exchange of one motor delivery vehicle, $36,500.

Contingent expenses.

For rent of suitable quarters for branch libraries in Chevy Chase and Woodridge, $4,320.

Chevy Chase and Woodridge branches.

For beginning construction of the Petworth branch library building, including plans and specifications, to be erected at Kansas and Iowa Avenues on property owned by the District of Columbia, $75,000; and the Commissioners are authorized to enter into contract or contracts for such construction, including improvement of grounds and necessary furniture and equipment, at a cost not to exceed $150,000.

Petworth branch, beginning construction.

Contracts.

STREET AND ROAD IMPROVEMENT AND REPAIR

Street and road improvement.

For personal services, $178,280, payable from the special fund created by section 1 of the Act entitled "An Act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924 (43 Stat., p. 106), and accretions by repayment of assessments.

Personal services. Payable from gasoline tax fund. Vol. 43, p. 166.

Gasoline tax, road and street fund.

GASOLINE TAX, ROAD AND STREET IMPROVEMENTS AND REPAIRS

Paving, etc., streets and roads from.

For paving, repaving, grading, and otherwise improving streets, avenues, and roads, including personal services and the maintenance of motor vehicles used in this work, and including curbing and gutters and replacement of curb-line trees where necessary, as follows, to be paid from the special fund created by section 1 of the Act entitled "An Act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924 (43 Stat., p. 106), and accretions by repayment of assessments:

Vol. 43, p. 106.

Improvements designated.

For paving, repaving, and surfacing, including curbing and gutters where necessary, the following:

Northwest: Nebraska Avenue, Forty-fifth Street to Indian Lane, $24,700;

Northwest: Hemlock Street, Fourteenth Street to Sixteenth Street, $10,000;

Northwest: Eighth Street, Dahlia Street to Elder Street, $7,000;

Northwest: Third Street, Underwood Street to Blair Road, $19,000;

Northwest: Third Street, Kansas Avenue to Peabody Street, $31,000;

Northwest: Seventh Street, Quackenbos Street & Rittenhouse Street, $5,300;

Northwest: Harvard Street, Fifth Street to Georgia Avenue, $8,800;

Northwest: Runnymede Place, Broad Branch Road to Nevada Avenue, and Nevada Avenue, Runnymede Place to Western Avenue, $8,400;

Northeast: Franklin Street, Lincoln Road to Sixth Street, $16,400;

Northeast: Franklin Street, Tenth Street to Thirteenth Street, $15,500;

Northeast: Franklin Street, Fourteenth Street to Rhode Island Avenue, $10,200;

Northeast: Third Street, Douglas Street to Evarts Street, $5,400;

Northeast: Shepherd Street, Twentieth Street to Twenty-second Street, $8,200;

Northeast: Franklin Street, Twentieth Street to Twenty-second Street, $8,200;

Northeast: Twenty-second Street, Queen's Chapel Road to Franklin Street, $20,500;

Northeast: Staples Street, Morse Street to Neal Street, $6,000;

Grading; culverts, etc.

For grading streets, alleys, and roads, including construction of necessary culverts and retaining walls, $50,000;

Center strips.

For paving the unpaved center strips of paved roadways, $5,000;

Minor changes in roadways, etc.

For minor changes in roadway and sidewalks on plans to be approved by the Commissioners of the District of Columbia to facilitate vehicular and pedestrian traffic, $5,000;

Curbs and gutters, shoulders, etc.

For construction of curbs and gutters, or concrete shoulders in connection with all forms of macadam roadways and adjustment of roadways thereto, together with resurfacing and replacing of base of such roadways where necessary, $200,000;

Surfacing, etc., pavements.

For the surfacing and resurfacing or replacement of asphalt, granite block, or concrete pavements with the same or other approved material, $400,000;

Bridges, construction, repair, etc.

For construction, maintenance, operation, and repair of bridges, including not to exceed $25,000 for engineering investigations and preparation of plans for a new bridge to replace the existing bridge in line with Pennsylvania Avenue over the Anacostia River, and

including maintenance of non-passenger-carrying motor vehicles, $90,000;

Street, etc., repairs.

For current work of repairs to streets, avenues, roads, and alleys, including the reconditioning of existing gravel streets and roads, and including the purchase, exchange, maintenance, and operation of non-passenger-carrying motor vehicles used in this work, $765,000: *Provided*, That the Commissioners of the District of Columbia, should they deem such action to be to the advantage of the District of Columbia, are hereby authorized to purchase a municipal asphalt plant at a cost not to exceed $30,000;

Proviso.
Purchase of asphalt plant authorized.

This appropriation shall be available for the construction and repair of pavements of street railways in accordance with the provisions of the Merger Act, approved January 14, 1933 (47 Stat., p. 752). The proportion of the amount thus expended which under the terms of the said Act is required to be paid by the street-railway company shall be collected, upon the neglect or the refusal of such street-railway company to pay, from the said street-railway company in the manner provided by section 5 of "An Act providing a permanent form of government for the District of Columbia", approved June 11, 1878, and shall be deposited to the credit of the appropriation for the fiscal year in which it is collected;

Street railways, pavements.
Vol. 47, p. 752.

Proportion of expenses chargeable to railway company.

Vol. 20, p. 105.

For replacement of the superstructure, and such portions of the substructure as may be necessary, including relocation and reconstruction of approach roads of the Chain Bridge in accordance with plans and profiles to be approved by the Commissioners of the District of Columbia, including personal services, engineering and incidental expenses, $250,000; and the Commissioners are authorized to enter into contract or contracts for the completion of said bridge at a cost not to exceed $350,000;

Chain Bridge, replacing superstructure, etc.
Approach roads.

Contracts.

To carry out the provisions of existing law which authorize the Commissioners of the District of Columbia to open, extend, straighten, or widen any street, avenue, road, or highway, except Fourteenth Street extension beyond the southern boundary of Walter Reed Hospital Reservation, in accordance with the plan of the permanent system of highways for the District of Columbia, including the procurement of chains of title, $200,000: *Provided*, That this appropriation shall be available to carry out the provision of existing law for the opening, extension, widening, or straightening of alleys and minor streets and for the establishment of building lines in the District of Columbia;

Opening streets, etc., permanent highway system.

Proviso.
Alley improvements, building lines, etc.

In all, not to exceed $2,169,600, to be immediately available; to be disbursed and accounted for as "Gasoline tax, road, and street improvements and repairs", and for that purpose shall constitute one fund: *Provided*, That assessments in accordance with existing law shall be made for paving and repaving roadways where such roadways are paved or repaved with funds derived from the collection of the tax on motor-vehicle fuels and accretions by repayment of assessments.

Disbursements, etc.

Proviso.
Assessments under existing law.

MISCELLANEOUS ROAD AND STREET IMPROVEMENTS AND REPAIRS

Miscellaneous.

For assessment and permit work, paving of roadways under the permit system, and construction and repair of sidewalks and curbs around public reservations and municipal and United States buildings, including purchase or condemnation of streets, roads, and alleys, and of areas less than two hundred and fifty square feet at the intersection of streets, avenues, or roads in the District of Columbia, to be selected by the Commissioners, and including maintenance of non-passenger-carrying motor vehicles, $150,000.

Assessment and permit work.

Changing widths of sidewalks.

The Commissioners of the District of Columbia are authorized and empowered, in their discretion, to fix or alter the respective widths of sidewalks and roadways (including tree spaces and parking) of all highways that may be improved under appropriations contained in this Act.

Open competition for street repair, etc., contracts.

No part of any appropriation contained in this Act shall be available for repairing, resurfacing, or newly paving any street, avenue, or roadway by private contract unless the specifications for such work shall be so prepared as to permit of fair and open competition in paving material as well as in price.

Repairs due to inferior work by contractor.

In addition to the provision of existing law requiring contractors to keep new pavements in repair for a period of one year from the date of the completion of the work, the Commissioners of the District of Columbia shall further require that where repairs are necessary during the four years following the said one-year period, due to inferior work or defective materials, such repairs shall be made at the expense of the contractor, and the bond furnished by the contractor shall be liable for such expense.

Testing laboratory; restriction.

No part of the appropriations contained in this Act shall be used for the operation of a testing laboratory of the highways department for making tests of materials in connection with any activity of the District government.

Wharves.

WHARVES

Reconstruction, etc.

For reconstruction, where necessary, and for maintenance and repair of wharves under the control of the Commissioners of the District of Columbia, in the Washington Channel of the Potomac River, $3,000.

Fish wharf, etc. Pier, etc., construction.

For construction of pier at fish wharf and market, including approaches, preparation of plans and specifications, and personal services, $20,000.

Trees and parkings.

TREES AND PARKINGS

Personal services.

For personal services, $26,600.

Contingent expenses.

For contingent expenses, including laborers, trimmers, nurserymen, repairmen, teamsters, hire of carts, wagons, or motor trucks, trees, tree boxes, tree stakes, tree straps, tree labels, planting and care of trees, and tree spaces on city and suburban streets, purchase and maintenance of non-passenger-carrying motor vehicles, and miscellaneous items, $100,000.

Sewers.

SEWERS

Personal services.

For personal services, $184,710.

Cleaning, repair, etc.

For cleaning and repairing sewers and basins; including the replacement of the following motor trucks: One at not to exceed $2,500; two at not to exceed $975 each; for operation and maintenance of the sewage pumping service, including repairs to boilers, machinery, and pumping stations, and employment of mechanics and laborers, purchase of coal, oil, waste, and other supplies, and for the maintenance of non-passenger-carrying motor vehicles used in this work, $230,170.

Main and pipe.

For main and pipe sewers and receiving basins, $100,000.

Suburban.

For suburban sewers, including the maintenance of non-passenger-carrying motor vehicles used in this work, and the replacement of the following motor trucks: One at not to exceed $3,500; one at not to exceed $2,500; two at not to exceed $975 each; one at not to exceed $750; and one at not to exceed $650; in all, $125,000.

Motor trucks.

Assessment and permit work.

For assessment and permit work, sewers, including not to exceed $1,000 for purchase or condemnation of rights-of-way for construction, maintenance, and repair of public sewers, $200,000.

Mosquito control.

For the control and prevention of the spread of mosquitoes in the District of Columbia, including personal services, operation, maintenance, and repair of motor-propelled vehicles, purchase of oil, and other necessary expenses, $12,000: *Provided*, That of the amount herein appropriated there may be transferred, in the interest of coordinating the work of mosquito control in the District of Columbia, not to exceed $4,100 to the Public Health Service of the Treasury Department, the amount so transferred to be available for the objects herein specified.

Proviso. Transfer to Public Health Service.

Sewage treatment plant.

Sewage treatment plant: For operation and maintenance, including salaries and wages of necessary employees, supplies, repairs to buildings and equipment, purchase of electric power, fuel, oil, waste, and other necessary expenses including not to exceed $950 for the purchase of one non-passenger-carrying motor vehicle, $190,403.

COLLECTION AND DISPOSAL OF REFUSE

City refuse.

Personal services.

For personal services, $135,360.

Sweeping, cleaning, snow and ice removal, etc.

For dust prevention, sweeping and cleaning streets, avenues, alleys, and suburban streets, under the immediate direction of the Commissioners, and for cleaning snow and ice from streets, sidewalks, crosswalks, and gutters in the discretion of the Commissioners, including services and purchase and maintenance of equipment, rent of storage rooms; maintenance and repair of garages; maintenance and repair of non-passenger-carrying motor-propelled vehicles necessary in cleaning streets and purchase of motor-propelled street-cleaning equipment; and necessary incidental expenses, $400,000: *Provided*, That appropriations contained in this Act for highways, sewers, and the water department shall be available for snow removal when specifically and in writing ordered by the Commissioners.

Proviso. Use of other funds for snow removal.

Garbage, dead animals, ashes, etc.

To enable the Commissioners to carry out the provisions of existing law governing the collection and disposal of garbage, dead animals, night soil, and miscellaneous refuse and ashes in the District of Columbia, including inspection; fencing of public and private property designated by the Commissioners as public dumps; and incidental expenses, $850,000: *Provided*, That any proceeds received from the disposal of city refuse or garbage shall be paid into the Treasury of the United States to the credit of the United States and the District of Columbia in the manner provided by law: *Provided further*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business or from apartment houses of four or more apartments in which the landlord furnishes heat to tenants.

Provisos. Proceeds covered in; division of.

Collection restriction.

PUBLIC PLAYGROUNDS

Public playgrounds.

Personal services.

For personal services, $122,500: *Provided*, That employments hereunder, except directors who shall be employed for twelve months, shall be distributed as to duration in accordance with corresponding employments provided for in the District of Columbia Appropriation Act for the fiscal year 1924.

Proviso. Employments restricted. Vol. 42, p. 1340.

Maintenance, etc.

For general maintenance, repairs, and improvements, equipment, supplies, incidental and contingent expenses of playgrounds, including labor and maintenance, $40,800.

Public-school playgrounds during summer.

For the maintenance and contingent expenses of keeping open during the summer months the public-school playgrounds, under the direction and supervision of the Commissioners; for special and temporary services, directors, assistants, and janitor service during the summer vacation, and, in the larger yards, daily after school hours during the school term, $29,700.

Swimming or bathing pools, operation, etc.

For temporary services, including superintendence, supplies, repairs, maintenance, and expenses necessary in the operation of swimming or bathing pools, $11,300.

Electrical Department.

ELECTRICAL DEPARTMENT

Personal services.

For personal services, $142,500.

Supplies, contingent expenses, etc.

For general supplies, repairs, new batteries and battery supplies, telephone rental and purchase, telephone service charges, wire and cable for extension of telegraph and telephone service, repairs of lines and instruments, purchase of poles, tools, insulators, brackets, pins, hardware, cross arms, ice, record book, stationery, extra labor, new boxes, maintenance of motor trucks, and other necessary items, including not to exceed $600 for the purchase and exchange of one non-passenger-carrying motor vehicle, $30,800.

Placing wires underground.
Police-patrol and fire-alarm systems, etc.

For placing wires of fire alarm, police patrol, and telephone services underground, extension and relocation of police-patrol and fire-alarm systems, purchase and installing additional lead-covered cables, labor, material, appurtenances, and other necessary equipment and expenses, $25,000.

Lighting, etc.

Lighting: For purchase, installation, and maintenance of public lamps, lampposts, street designations, lanterns, and fixtures of all kinds on streets, avenues, roads, alleys, and public spaces, part cost

Airway lights.

of maintenance of airport and airway lights necessary for operation of the air mail, and for all necessary expenses in connection therewith, including rental of storerooms, extra labor, operation, maintenance, and repair of motor trucks, this sum to be expended in accordance with the provisions of sections 7 and 8 of the District

Vol. 36, p. 1008; Vol. 37, p. 181.

of Columbia Appropriation Act for the fiscal year 1912 (36 Stat., pp. 1008–1011, sec. 7), and with the provisions of the District of Columbia Appropriation Act for the fiscal year 1913 (37 Stat., pp. 181–184, sec. 7), and other laws applicable thereto, and including not to exceed $29,000 for operation and maintenance of electric

Provisos.
Electric street lighting rates.

traffic lights, signals, and controls, $790,000: *Provided*, That this appropriation shall not be available for the payment of rates for electric street lighting in excess of those authorized to be paid in the fiscal year 1927, and payment for electric current for new forms of street lighting shall not exceed 2 cents per kilowatt-hour for

Awards to lowest competitor.

current consumed: *Provided further*, That no part of this appropriation shall be available for the payment on any contract required by law to be awarded through competitive bidding, which is not awarded to the lowest responsible bidder on specifications, and such specifications shall be so drawn as to admit of fair competition.

Public Schools.

PUBLIC SCHOOLS

Administrative and supervisory officers.

For personal services of administrative and supervisory officers in accordance with the Act fixing and regulating the salaries of teachers, school officers, and other employees of the Board of

Vol. 43, p. 367.

Education of the District of Columbia, approved June 4, 1924 (43 Stat., pp. 367–375), including salaries of presidents of teachers colleges in the salary schedule for first assistant superintendents, $687,395.

Personal services.

For personal services of clerks and other employees, $175,940.

School attendance and work permits department.
Vol. 43, pp. 367, 806; Vol. 45, p. 998.

For personal services in the department of school attendance and work permits in accordance with the Act approved June 4, 1924 (43 Stat., pp. 367–375), the Act approved February 5, 1925 (43 Stat., pp. 806–808), and the Act approved May 29, 1928 (45 Stat., p. 998), $42,100.

For personal services of teachers and librarians in accordance with the Act approved June 4, 1924 (43 Stat., pp. 367–375), including for teachers colleges assistant professors in salary class eleven, and professors in salary class twelve, and including $10,000 for health and physical-education teachers to supervise play in schools of the central area, bounded by North Capitol Street on the east, Florida Avenue on the north, the Mall on the south, and Twelfth Street on the west, $7,010,840: *Provided*, That as teacher vacancies occur during the fiscal year 1937 in grades one to four, inclusive, of the elementary schools, such vacancies may be filled by the assignment of teachers now employed in kindergartens, and teachers employed in kindergartens are hereby made eligible to teach in the said grades: *Provided further*, That teaching vacancies that occur during the fiscal year 1937 wherever found may be filled by the assignment of teachers of special subjects and teachers not now assigned to classroom instruction, and such teachers are hereby made eligible for such assignment without further examination.

Teachers, librarians, etc.
Vol. 43, p. 367.

Health and physical-education teachers.

Provisos.
Assignment of kindergarten teachers in grades 1 to 4.

Placing unassigned teachers of special, etc., subjects.

For the instruction and supervision of children in the vacation schools and playgrounds, and supervisors and teachers of vacation schools and playgrounds may also be supervisors and teachers of day schools, $32,400.

Vacation schools and playgrounds.

No part of any appropriation made in this Act shall be paid to any person employed under or in connection with the public schools of the District of Columbia who shall solicit or receive, or permit to be solicited or received, on any public-school premises, any subscription or donation of money or other thing of value from any pupil enrolled in such public schools for presentation of testimonials to school officials or for any purpose except such as may be authorized by the Board of Education at a stated meeting upon the written recommendation of the superintendent of schools.

Soliciting subscriptions, etc., in schools prohibited.

Exception.

To carry out the purposes of the Act approved June 11, 1926, entitled "An Act to amend the Act entitled 'An Act for the retirement of public-school teachers in the District of Columbia', approved January 15, 1920, and for other purposes" (41 Stat., pp. 387–390), $400,000.

Annuities.
Vol. 41, p. 387; Vol. 44, p. 727.

NIGHT SCHOOLS

Night schools.

For teachers and janitors of night schools, including teachers of industrial, commercial, and trade instruction, and teachers and janitors of night schools may also be teachers and janitors of day schools, $94,180.

Salaries.

For contingent and other necessary expenses, including equipment and purchase of all necessary articles and supplies for classes in industrial, commercial, and trade instruction, $4,000.

Contingent expenses.

THE DEAF, DUMB, AND BLIND

Deaf, dumb, and blind.

For maintenance and instruction of deaf and dumb persons admitted to the Columbia Institution for the Deaf from the District of Columbia, under section 4864 of the Revised Statutes, and as provided for in the Act approved March 1, 1901 (U. S. C., title 24, sec. 238), and under a contract to be entered into with the said institution by the Commissioners, $34,500.

Maintenance and instruction.
R. S., sec. 4864, p. 942.
Vol. 31, p. 844.
U. S. C., p. 991.

For maintenance and instruction of colored deaf-mutes of teachable age belonging to the District of Columbia, in Maryland, or some other State, under a contract to be entered into by the Commissioners, $5,000: *Provided*, That all expenditures under this appropriation shall be made under the supervision of the Board of Education.

Colored deaf mutes.
Tuition of, under contract.

Proviso.
Supervision of expenditures.

Blind children.
Tuition of, under contract.
Proviso.
Supervision of expenditures.

For maintenance and instruction of blind children of the District of Columbia, in Maryland, or some other State, under a contract to be entered into by the Commissioners, $11,500: *Provided*, That all expenditures under this appropriation shall be made under the supervision of the Board of Education.

Americanization work.

AMERICANIZATION WORK

Instruction of foreigners of all ages.

For Americanization work and instruction of foreigners of all ages in both day and night classes, and teachers and janitors of Americanization schools may also be teachers and janitors of the day schools, $8,800.

Contingent expenses.

For contingent and other necessary expenses, including books, equipment, and supplies, $600.

Children of veterans who lost their lives during World War, instruction of.
Vol. 48, p. 1125.

For carrying out the provisions of the Act of June 19, 1934 (48 Stat., p. 1125), entitled "An Act providing educational opportunities for the children of soldiers, sailors, and marines who were killed in action or died during the World War", $3,000.

Community centers.

COMMUNITY CENTER DEPARTMENT

Salaries and expenses.

Vol. 43, p. 369.

For personal services of the director, general secretaries, and community secretaries in accordance with the Act approved June 4, 1924 (43 Stat., pp. 369, 370); clerks and part-time employees, including janitors on account of meetings of parent-teacher associations and other activities, and contingent expenses, equipment, supplies, and lighting fixtures, $75,000.

Care of buildings and grounds.

CARE OF BUILDINGS AND GROUNDS

Salaries.
Smaller buildings and rented rooms.

For personal services, including care of smaller buildings and rented rooms at a rate not to exceed $96 per annum for the care of each schoolroom, other than those occupied by atypical or ungraded classes, for which service an amount not to exceed $120 per annum may be allowed, $937,730.

Miscellaneous.

MISCELLANEOUS

Schools for tubercular and crippled pupils.

For the maintenance of schools for tubercular and crippled pupils, $8,000.

Transportation.

For transportation for pupils attending schools for tubercular pupils, sight-conservation pupils, and crippled pupils, $22,000: *Provided*, That expenditures for street-car and bus fares from this fund shall not be subject to the general limitations on the use of street-car and bus fares covered by this Act.

Proviso.
Car, etc., fares.

Manual, etc., training expenses.

For purchase and repair of furniture, tools, machinery, material, and books, and apparatus to be used in connection with instruction in manual and vocational training, and incidental expenses connected therewith, $64,000, to be immediately available.

Fuel, light, and power.

For fuel, gas, and electric light and power, $325,000.

Contingent expenses.

For contingent expenses, including United States flags, furniture and repairs of same, stationery, ice, paper towels, and other necessary items not otherwise provided for, and including not exceeding $8,000 for books of reference and periodicals, not exceeding $1,500 for replacement of pianos at an average cost of not to exceed $300 each, not to exceed $1,000 for the purchase of one grand piano for the Armstrong High School, not exceeding $6,800 for labor; in all, $124,500, to be immediately available, of which not to exceed $1,200 may be expended for tabulating school census cards either by contract or by day labor as the Commissioners may

determine: *Provided*, That a bond shall not be required on account of military supplies or equipment issued by the War Department for military instruction and practice by the students of high schools in the District of Columbia.

Proviso. No bond for Army supplies to cadets.

For completing the purchase of furniture and equipment, including pianos and window shades, for the Woodrow Wilson Senior High School, $15,000.

Woodrow Wilson Senior High; furniture, etc.

No money appropriated in this Act for the purchase of furniture and equipment for the public schools of the District of Columbia shall be expended unless the requisitions of the Board of Education therefor shall be approved by the Commissioners of the District of Columbia, or by the purchasing officer and the auditor for the District of Columbia acting for the Commissioners.

Requisitions for equipment subject to Commissioners' approval.

For completely furnishing and equipping buildings and additions to buildings as follows: Anacostia Junior-Senior High School, $113,000; Armstrong High School gymnasium, $3,000; Eliot Junior High School addition, $12,000; Randall Junior High School addition, $10,000; Hardy School, second floor, $3,000; eight-room building on old John F. Cook School site, $9,000; in all, $150,000.

Furnishings, etc., for designated buildings.

For completing the purchase of furniture and equipment for the Cardozo High School, $18,000.

Cardozo High; furniture, etc.

For the necessary reequipping, including repair and refinishing of suitable existing equipment, of the Shaw Junior High School, $20,000.

Shaw Junior High; refinishing, repair, etc., of equipment.

For textbooks and other educational books and supplies as authorized by the Act of January 31, 1930 (46 Stat., p. 62), including not to exceed $7,000 for personal services, $185,000, to be immediately available.

Supplies to pupils. Vol. 46, p. 62.

For maintenance of kindergartens, $5,600, to be immediately available.

Kindergartens.

For purchase of apparatus, fixtures, specimens, technical books, and for extending the equipment and for the maintenance of laboratories of the department of physics, chemistry, biology, and general science in the several high and junior high schools and teachers' colleges, and for the installation of the same, $15,000, to be immediately available.

Supplies for general science departments.

For utensils, material, and labor, for establishment and maintenance of school gardens, $2,400.

School gardens, utensils, etc.

The Board of Education is authorized to designate the months in which the ten salary payments now required by law shall be made to teachers assigned to the work of instruction in nature study and school gardens.

Nature study, etc., teachers.

The children of officers and men of the United States Army, Navy, and Marine Corps, and children of other employees of the United States stationed outside the District of Columbia shall be admitted to the public schools without payment of tuition.

Children of Army, Navy officers, etc., admitted free.

For repairs and improvements to school buildings and grounds, repairing and renewing heating, plumbing, and ventilating apparatus, installation and repair of electric equipment, and installation of sanitary drinking fountains, and maintenance of motor trucks, including not to exceed $975 for the replacement of one one-and-one-half ton truck, $442,975, of which amount $100,000 shall be immediately available.

Repairs, etc., to buildings.

For the purchase, installation, and maintenance of equipment, for school yards for the purposes of play of pupils, $7,000: *Provided*, That such playgrounds shall be kept open for play purposes in accordance with the schedule maintained for playgrounds under the jurisdiction of the playground department.

Equipment for school yard playgrounds.
Proviso. Hours of opening.

Buildings and grounds.

BUILDINGS AND GROUNDS

Lafayette School, addition.

For the construction of an addition to the Lafayette School to provide four classrooms, unfinished space for four additional classrooms, and an assembly-gymnasium, $165,000;

Hardy School, completion of second floor.

For the completion of the second floor of the Hardy School, $30,000;

Truesdell School, addition.

For the construction of an addition to the Truesdell School, including eight classrooms and an assembly-gymnasium, necessary remodeling, and removing old structures, $148,500;

Grimke School, addition.

For the construction of an addition to the Grimke School, including eight classrooms and an assembly-gymnasium, $175,000;

Young School, addition.

For the construction of an addition to the Young School, including eight classrooms and a gymnasium, $140,000;

Old Dennison School Building; replacement.

For beginning construction of a vocational school for girls, to replace the old Dennison School Building on S Street, on land owned by the District of Columbia at Arkansas Avenue and Allison Street Northwest, $100,000, and the Commissioners are authorized to enter into contract or contracts for such building at a cost not to exceed $280,000;

Paul Junior High, addition.

For the construction of an addition to the Paul Junior High School, including ten classrooms and one gymnasium, $165,000;

Alice Deal Junior High, addition.

For construction of an addition to the Alice Deal Junior High School, including ten classrooms and one gymnasium, $165,000;

Anacostia Junior-Senior High.

For completing the construction of the Anacostia Junior-Senior High School, $100,000;

Eastern High, alterations.

For alterations at the Eastern High School to include addition to present heating plant, remodeling of present gymnasium into classrooms, and provision for gymnasium wing, $353,000;

John F. Cook, additional land.

For the purchase of additional land at the old John F. Cook School for elementary-school purposes, $26,000;

Aggregate; accounting.

In all, $1,567,500, to be immediately available and to be disbursed and accounted for as "Buildings and grounds, public schools", and for that purpose shall constitute one fund and remain available until expended: *Provided*, That no part of this appropriation shall be used for or on account of any school building not herein specified.

Proviso.
Use for unauthorized projects forbidden.
Under age instruction prohibited.

No part of the foregoing appropriations for public schools shall be used for instructing children under five years of age except children entering during the first half of the school year who will be five years of age by November 1, 1936, and children entering during the second half of the school year who will be five years of age by March 15, 1937: *Provided*, That this limitation shall not be considered as preventing the employment of a matron and the care of children under school age at the Webster School whose parent or parents are in attendance in connection with Americanization work.

Proviso.
Webster School, Americanization work excepted.

Building contract requirements.

None of the money appropriated by this Act shall be paid or obligated toward the construction of or addition to any building the whole and entire construction of which, exclusive of heating, lighting, plumbing, painting, and treatment of grounds, shall not have been awarded in one or a single contract, separate and apart from any other contract, project, or undertaking, to the lowest responsible bidder complying with all the legal requirements as to a deposit of money or the execution of a bond, or both, for the faithful performance of the contract: *Provided*, That nothing herein shall be construed as repealing existing law giving the Commissioners the right to reject all bids.

Proviso.
Right to reject bids.

Preparation of plans.

The plans and specifications for all buildings provided for in this Act under appropriations administered by the Commissioners of the District of Columbia shall be prepared under the supervision of the municipal architect, and those for school buildings after consultation

with the Board of Education, and shall be approved by the Commissioners and shall be constructed in conformity thereto.

The school buildings authorized and appropriated for herein shall be constructed with all doors intended to be used as exits or entrances opening outward, and each of said buildings having in excess of eight rooms shall have at least four exits. Appropriations carried in this Act shall not be used for the maintenance of school in any building unless all outside doors thereto used as exits or entrances shall open outward and be kept unlocked every school day from one-half hour before until one-half hour after school hours. Exit, etc., requirements.

METROPOLITAN POLICE

Police.

SALARIES

For the pay and allowances of officers and members of the Metropolitan Police force, in accordance with the Act entitled "An Act to fix the salaries of the Metropolitan Police force, the United States Park Police force, and the fire department of the District of Columbia" (43 Stat., pp. 174–175), as amended by the Act of July 1, 1930 (46 Stat., pp. 839–841), including compensation at the rate of $2,100 per annum for the present assistant property clerk of the police department, $3,339,950. Salaries, officers, etc. Vol. 43, p. 174. Vol. 46, p. 839.

For personal services, $129,260. Personal services.

MISCELLANEOUS

Miscellaneous.

For fuel, $7,300. Fuel.

For repairs and improvements to police stations and station grounds, $9,500. Repairs, etc.

For miscellaneous and contingent expenses, including rewards for fugitives, purchase of gas equipment and firearms, maintenance of card system, stationery, city directories, books of reference, periodicals, newspapers, telegraphing, telephoning, photographs, rental and maintenance of teletype system and labor-saving devices, telephone service charges, purchase, maintenance, and servicing of radio broadcasting systems, purchase of equipment, gas, ice, washing, meals for prisoners, medals of award, not to exceed $300 for car tickets, furniture and repair thereto, beds and bed clothing, insignia of office, police equipments and repairs to same, and mounted equipment, flags and halyards, storage and hauling of stolen or abandoned property, and traveling and other expenses incurred in prevention and detection of crime and other necessary expenses, including expenses of harbor patrol, $68,375, of which amount not exceeding $2,000 may be expended by the major and superintendent of police for prevention and detection of crime, under his certificate, approved by the Commissioners, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended: *Provided*, That the Commissioners are authorized to employ the electrician of the District Building to repair and test speedometers at such cost not exceeding $250 as they may approve, payment to be in addition to his regular compensation, and such services to be performed after regular working hours. Contingent expenses. Radio systems, etc. Prevention and detection of crime. *Proviso.* Repairs to speedometers.

For purchase, exchange, and maintenance of passenger-carrying and other motor vehicles and the replacement of those worn out in the service and condemned, $70,000, including $2,000 for one prison van, $1,200 for one truck, $2,700 for replacement of two auto cranes, $1,400 for one new auto crane, $1,400 for one police cruiser, and $2,000 for one armored police cruiser. Motor vehicles, etc.

Uniforms: For furnishing uniforms and other official equipment prescribed by department regulations as necessary and requisite in Uniforms.

the performance of duty to officers and members of the Metropolitan Police, including cleaning, alteration, and repair of articles transferred from one individual to another, $47,875.

House of Detention.

HOUSE OF DETENTION

Maintenance, etc.

For maintenance of a suitable place for the reception and detention of girls and women over seventeen years of age, arrested by the police on charge of offense against any laws in force in the District of Columbia, or held as witnesses or held pending final investigation or examination, or otherwise, including transportation, the maintenance of necessary motor vehicles, clinic supplies, food, upkeep and repair of buildings, fuel, gas, ice, laundry, supplies and equipment, electricity, and other necessary expenses, $8,900; for personal services, $9,420; in all, $18,320.

Policemen and Firemen's Relief Fund.

POLICEMEN AND FIREMEN'S RELIEF FUND

Payments from.

To pay the relief and other allowances as authorized by law from the policemen and firemen's relief fund, $1,025,000.

Fire Department.

FIRE DEPARTMENT

SALARIES

Salaries of officers, etc.
Vol. 43, p. 175; Vol. 46, p. 839.

For the pay of officers and members of the fire department, in accordance with the Act entitled "An Act to fix the salaries of officers and members of the Metropolitan Police force, the United States Park Police force, and the fire department of the District of Columbia" (43 Stat. 175), as amended by the Act of July 1, 1930 (46 Stat. 839–841), $2,225,000.

Personal services.

For personal services, $5,620.

Miscellaneous.

MISCELLANEOUS

Repairs, etc., to buildings.

For repairs and improvements to buildings and grounds, $20,000.

Uniforms.

Uniforms: For furnishing uniforms and other official equipment prescribed by department regulations as necessary and requisite in the performance of duty to officers and members of the fire department, including cleaning, alteration, and repair of articles transferred from one individual to another, $23,000.

Repairs to apparatus, etc.

For repairs to apparatus, motor vehicles, and other motor-driven apparatus, fire boat and for new apparatus, new motor vehicles, new appliances, employment of mechanics, helpers, and laborers in the fire department repair shop, and for the purchase of necessary supplies, materials, equipment, and tools, $45,000: *Provided*, That the Commissioners are authorized, in their discretion, to build or construct, in whole or in part, fire-fighting apparatus in the fire department repair shop.

Proviso.
Construction at repair shop.

Hose.

For hose, $18,000.

Fuel.

For fuel, $23,000.

Contingent expenses.

For contingent expenses, furniture, fixtures, oil, blacksmithing, gas and electric lighting, flags, and halyards, medals of award, and other necessary items, $22,500.

New apparatus.

For three aerial hook and ladder trucks, four combination hose wagons, and two pumping engines, triple combination, all motor driven, $92,000.

HEALTH DEPARTMENT

Health Department.

SALARIES

Salaries.

For personal services, $185,790.

Personal services.

PREVENTION OF CONTAGIOUS DISEASES

Prevention of contagious diseases.

For contingent expenses incident to the enforcement of the provisions of an Act to prevent the spread of contagious diseases in the District of Columbia, approved March 3, 1897 (29 Stat., pp. 635–641), and an Act for the prevention of scarlet fever, diphtheria, measles, whooping cough, chicken pox, epidemic cerebrospinal meningitis, and typhoid fever in the District of Columbia, approved February 9, 1907 (34 Stat., pp. 889–890), and an Act to provide for registration of all cases of tuberculosis in the District of Columbia, for free examination of sputum in suspected cases, and for preventing the spread of tuberculosis in said District of Columbia, approved May 13, 1908 (35 Stat., pp. 126–127), under the direction of the health officer of said District, manufacture of serums, including their use in indigent cases, and for the prevention of infantile paralysis and other communicable diseases, and of an Act for the prevention of venereal diseases in the District of Columbia, and for other purposes, approved February 26, 1925 (43 Stat., pp. 1001–1003), and for maintenance of disinfecting service, including salaries or compensation for personal services, when ordered in writing by the Commissioners and necessary for the enforcement and execution of said Acts, and for the prevention of such other communicable diseases as hereinbefore provided, and purchase of reference books and medical journals, $32,500: *Provided*, That any bacteriologist employed under this appropriation may be assigned by the health officer to the bacteriological examination of milk and other dairy products and of the water supplies of dairy farms, and to such other sanitary works as in the judgment of the health officer will promote the public health, whether such examinations be or be not directly related to contagious diseases.

Contingent expenses.

Vol. 29, p. 635.

Vol. 34, p. 889.

Tuberculosis registration.

Vol. 35, p. 126.

Infantile paralysis.

Venereal diseases, etc.

Vol. 43, p. 1001.

Disinfecting service.

Proviso.

Bacteriological examination of milk, etc.

For the maintenance of a dispensary or dispensaries for the treatment of indigent persons suffering from tuberculosis and of indigent persons suffering from venereal diseases, including payment for personal services, rent, supplies, and contingent expenses, $45,380: *Provided*, That the Commissioners may accept such volunteer services as they deem expedient in connection with the establishment and maintenance of the dispensaries herein authorized: *Provided further*, That this shall not be construed to authorize the expenditure or the payment of any money on account of any such volunteer service.

Tuberculosis and venereal dispensaries.

Provisos.

Volunteer services.

Compensation restriction.

Nursing service: For maintaining a nursing service, including personal services, uniforms, supplies, and contingent expenses, $120,400: *Provided*, That the Commissioners may accept such volunteer services as they deem expedient in connection with the maintenance of the nursing service herein authorized: *Provided further*, That this shall not be construed to authorize the expenditure or payment of any money on account of any such volunteer service.

Nursing service.

Provisos.

Volunteer services.

Compensation restriction.

For enforcement of the provisions of an Act to provide for the drainage of lots in the District of Columbia, approved May 19, 1896 (29 Stat., pp. 125–126), and an Act to provide for the abatement of nuisances in the District of Columbia by the Commissioners, and for other purposes, approved April 14, 1906, $1,000.

Drainage of lots, etc.

Vol. 29, p. 125.

Hygiene and sanitation, public schools, salaries: For personal services in the conduct of hygiene and sanitation work in the public schools, including the necessary expenses of maintaining free dental

Hygiene, etc., public schools.

Free dental clinics.

Proviso. Inspectors and nurses, division of.

clinics, $84,000: *Provided*, That of the persons employed as medical inspectors one shall be a woman, four shall be dentists, and four shall be of the colored race, and that of the graduate nurses employed as public-school nurses three shall be of the colored race.

Laboratories, maintenance, etc.

For maintenance of laboratories, including reference books and periodicals, apparatus, equipment, and necessary contingent and miscellaneous expenses, $3,300.

Preventing food, candy, etc., adulterations. Vol. 30, pp. 246, 398.

For contingent expenses incident to the enforcement of an Act relating to the adulteration of foods and drugs in the District of Columbia approved February 17, 1898 (30 Stat., pp. 246–248), an Act to prevent the adulteration of candy in the District of Columbia, approved May 5, 1898 (30 Stat., p. 398), an Act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes, approved June 30, 1906 (34 Stat., pp. 768–772), and an Act to regulate, within the District of Columbia, the sale of milk, cream, and ice cream, and for other purposes, approved February 27, 1925 (43 Stat., pp. 1004–1008), including traveling and other necessary expenses of dairy-farm inspectors; and including not to exceed $200 for special services in detecting adulteration of drugs and foods, including candy and milk, $7,000: *Provided*, That inspectors of dairy farms may receive an allowance for furnishing privately owned motor vehicles in the performance of official duties at the rate of not to exceed $312 per annum for each inspector.

Pure Food Act. Vol. 30, p. 768.

Milk regulation. Vol. 43, p. 1004.

Proviso. Dairy farm inspection; vehicle allowance.

Motor vehicles.

For maintenance and operation of motor ambulances and motor vehicles including the purchase, exchange, and equipment of one impounding vehicle at a cost not to exceed $900, and the purchase, exchange and equipment of one ambulance, at a cost not to exceed $1,500; in all, $3,600.

Child welfare and hygiene.

Child welfare and hygiene: For maintaining a child-hygiene service, including the establishment and maintenance of child-welfare stations for clinical examinations, advice in the care of children under six years of age, payment for personal services, rent, fuel, periodicals, and supplies, $25,000: *Provided*, That the Commissioners may accept such volunteer services as they may deem expedient in connection with the establishment and maintenance of the service herein authorized: *Provided further*, That this shall not be construed to authorize the expenditure or the payment of any money on account of any such volunteer service.

Provisos. Volunteer services.

Compensation restriction.

COURTS

Courts.

JUVENILE COURT

Juvenile Court.

Salaries. Miscellaneous.

Salaries: For personal services, $65,380.

Miscellaneous: For compensation of jurors, $2,000.

Contingent expenses.

For fuel, ice, gas, laundry work, stationery, books of reference, periodicals, typewriters and repairs thereto, preservation of records, mops, brooms, and buckets, removal of ashes and refuse, telephone service, traveling expenses, meals of jurors and prisoners, repairs to courthouse and grounds, furniture, fixtures, and equipment, and other incidental expenses not otherwise provided for, $3,150.

Advances for returning, etc., absconding probationers.

The disbursing officer of the District of Columbia is authorized to advance to the chief probation officer of the juvenile court upon requisition previously approved by the judge of the juvenile court and the auditor of the District of Columbia, sums of money not to exceed $50 at any one time, to be expended for transportation and

traveling expenses to secure the return of absconding probationers, and to be accounted for monthly on itemized vouchers to the accounting officer of the District of Columbia.

POLICE COURT

Police Court.

Salaries: For personal services, $100,550.

Salaries.

For law books, books of reference, directories, periodicals, stationery, preservation of records, typewriters and repairs thereto, fuel, ice, gas, electric lights and power, telephone service, laundry work, removal of ashes and rubbish, mops, brooms, buckets, dusters, sponges, painter's and plumber's supplies, toilet articles, medicines, soap and disinfectants, lodging and meals for jurors and bailiffs when ordered by the court, United States flags and halyards, and all other necessary and incidental expenses of every kind not otherwise provided for, $6,100, of which not exceeding $750 shall be available for telephone and telegraph service.

Contingent expenses.

For witness fees and compensation of jurors, $22,500.

Witness fees and jurors' compensation.

For repairs and alterations to building, $1,500.

Repairs to building.

For commencing construction of a building in Judiciary Square to house the Police Court of the District of Columbia, including furniture and equipment, and inspection, $1,000,000, to be immediately available; and the Commissioners of the District of Columbia are authorized to enter into one or more contracts for such construction at a cost not to exceed $1,500,000.

Construction of new building.

MUNICIPAL COURT

Municipal Court.

Salaries: For personal services, including compensation of five judges without reference to the limitation in this Act restricting salaries within the grade, $77,170.

Salaries.

For compensation of jurors, $6,000: *Provided*, That deposits made on demands for jury trials in accordance with rules prescribed by the court under authority granted in section 11 of the Act approved March 3, 1921 (41 Stat., p. 1312), shall be earned unless, prior to three days before the time set for such trials, including Sundays and legal holidays, a new date for trial be set by the court, cases be discontinued or settled, or demands for jury trials be waived.

Jurors.
Proviso.
Deposits for jury trials earned unless new date set, etc.
Vol. 41, p. 1312.

For contingent expenses, including books, law books, books of reference, fuel, light, telephone, lodging and meals for jurors, and for deputy United States marshals while in attendance upon jurors, when ordered by the court; fixtures, repairs to furniture, building and building equipment, and all other necessary miscellaneous items and supplies, $3,250.

Contingent expenses.

SUPREME COURT, DISTRICT OF COLUMBIA

District of Columbia Supreme Court.

Salaries: For the chief justice, eight associate justices, nine stenographers (one for the chief justice and one for each associate justice), and other personal services, $133,700.

Salaries.
Post, p. 1921.

Fees of jurors and witnesses: For mileage and per diem of jurors, for mileage and per diem of witnesses and for per diem in lieu of subsistence, and payment of the expenses of witnesses in said court as provided by section 850, Revised Statutes (U. S. C., title 28, sec. 604), $85,000.

Jurors and witnesses.

R. S., sec. 850, p. 160.
U. S. C., p. 1295.

For not exceeding twenty deputy marshals who act as bailiffs, clerks of jury commissioners, and per diems of jury commissioners, and for expenses of meals and lodging for jurors in United States cases, and of bailiffs in attendance upon same when ordered by the court, $37,400: *Provided*, That the compensation of each jury commissioner for the fiscal year 1937 shall not exceed $250.

Bailiffs, etc.

Proviso.
Jury commissioners.

Probation system.

Probation system: For personal services, $11,480; contingent expenses, $350; in all, $11,830.

Courthouse, care, etc.

Courthouse: For personal services for care and protection of the courthouse, under the direction of the United States marshal of the District of Columbia, $35,290, to be expended under the direction of the Attorney General.

Repairs, etc.

For repairs and improvements to the courthouse, including repair and maintenance of the mechanical equipment, and for labor and material and every item incident thereto, $23,000, to be expended under the direction of the Architect of the Capitol.

Court of Appeals.

COURT OF APPEALS

Salaries.

Salaries: For the chief justice and four associate justices, five law clerks at $2,500 each, and all other officers and employees of the court; reporting service; and not to exceed $520 for necessary expenditures in the conduct of the clerk's office; in all $111,800:

Proviso.
Sale of reports.

Provided, That the reports of the court shall not be sold for a price exceeding that approved by the court and for not more than $6.50 per volume.

Care, etc., of building.

Building: For personal services for care and protection of the United States Court of Appeals Building, including one mechanician, under the direction of the Architect of the Capitol, $8,340:

Proviso.
Custodian.

Provided, That the clerk of the court of appeals shall be the custodian of said building, under the direction and supervision of the justices of said court.

Incidental expenses.

For mops, brooms, buckets, disinfectants, removal of refuse, electrical supplies, books, and all other necessary and incidental expenses not otherwise provided for, $660.

Building repairs, etc.

For repairs and improvements to the United States Court of Appeals Building, including repair and maintenance of the mechanical equipment, and for labor and material and every item incident thereto, $5,000, to be expended under the direction of the Architect of the Capitol.

Miscellaneous.

MISCELLANEOUS

Support of convicts.

Support of convicts: For support, maintenance, and transportation of convicts transferred from District of Columbia; expenses of shipping remains of deceased convicts to their homes in the United States, and expenses of interment of unclaimed remains of deceased convicts; expenses incurred in identifying and pursuing escaped convicts and rewards for their recapture; and discharge gratuities provided by law; to be expended under the direction of the Attorney General, $60,000.

Lunacy writs. Expenses of execution, etc.

Writs of lunacy: For expenses attending the execution of writs de lunatico inquirendo and commitments thereunder in all cases of indigent insane persons committed or sought to be committed to Saint Elizabeths Hospital by order of the executive authority of the District of Columbia under the provisions of existing law, and expenses of commitments to the District Training School, $1,000.

Miscellaneous court expenses.

Miscellaneous court expenses: For such miscellaneous expenses as may be authorized by the Attorney General for the Supreme Court of the District of Columbia and its officers, including the furnishing and collecting of evidence where the United States is or may be a party in interest, and including such expenses other than for personal services as may be authorized by the Attorney General for the United States Court of Appeals, District of Columbia, $25,000.

Printing and binding: For printing and binding for the Supreme Court of the District of Columbia, $2,500, and the United States Court of Appeals of the District of Columbia, $3,000, except records and briefs in cases in which the United States is a party; in all, $5,500. Printing and binding.

PUBLIC WELFARE

Public Welfare.

BOARD OF PUBLIC WELFARE

Board of Public Welfare.

For personal services, $115,300. Personal services.

DIVISION OF CHILD WELFARE

Child Welfare Division.

Administration: For administrative expenses, including placing and visiting children, city directory, purchase of books of reference and periodicals not exceeding $50, and all office and sundry expenses, $3,500, and no part of the money herein appropriated shall be used for the purpose of visiting any ward of the Board of Public Welfare placed outside the District of Columbia and the States of Virginia and Maryland; and a ward placed outside said District and the States of Virginia and Maryland shall be visited not less than once a year by a voluntary agent or correspondent of said Board, and that said Board shall have power, upon proper showing, in its discretion, to discharge from guardianship any child committed to its care. Administrative expenses. Restriction on expenditure.

For board and care of all children committed to the guardianship of said board by the courts of the District, and for temporary care of children pending investigation or while being transferred from place to place, with authority to pay not more than $1,500 each to institutions under sectarian control and not more than $400 for burial of children dying while under charge of the board, $260,000. Board, etc., of children.

To carry out the purposes of the Act entitled "An Act to provide home care for dependent children in the District of Columbia", approved June 22, 1926 (44 Stat., pp. 758–760), including not to exceed $13,060 for personal services in the District of Columbia, $163,000: *Provided*, That this appropriation shall be so apportioned by the Commissioners as to prevent a deficiency therein, and no more than $100 per month shall be paid therefrom to any one family and no more than $400 shall be paid for burial of children dying while beneficiaries under said Act. Home care of dependent children. Vol. 44, p. 758. *Proviso.* Apportionment restrictions.

For the maintenance, under the jurisdiction of the Board of Public Welfare, of a suitable place in a building entirely separate and apart from the house of detention for the reception and detention of children under seventeen years of age arrested by the police on charge of offense against any laws in force in the District of Columbia, or committed to the guardianship of the Board, or held as witnesses, or held temporarily, or pending hearing, or otherwise, including transportation, food, clothing, medicine, and medicinal supplies, rental, repair and upkeep of buildings, fuel, gas, electricity, ice, supplies and equipment, and other necessary expenses including not to exceed $19,120 for personal services, $37,180. Receiving home for children under seventeen. Maintenance, etc.

The disbursing officer of the District of Columbia is authorized to advance to the director of public welfare, upon requisitions previously approved by the auditor of the District of Columbia and upon such security as may be required of said director by the Commissioners, sums of money not to exceed $400 at any one time, to be used for expenses in placing and visiting children, traveling on official business of the Board, and for office and sundry expenses, all Advances to director. Limitation.

such expenditures to be accounted for to the accounting officers of the District of Columbia within one month on itemized vouchers properly approved.

Jail.

JAIL

Salaries.

Salaries: For personal services, $80,970.

Maintenance, etc., of prisoners.

For maintenance and support of prisoners of the District of Columbia at the jail, expenses incurred in identifying and pursuing escaped prisoners and rewards for their capture; repair and improvements to buildings, cells, and locking devices; newspapers, books, and periodicals not to exceed $100; maintenance of non-passenger-carrying motor vehicle; and expense of electrocutions, $80,000.

Workhouse and Reformatory.

GENERAL ADMINISTRATION, WORKHOUSE AND REFORMATORY, DISTRICT OF COLUMBIA

Personal services.

For personal services, $416,300.

Maintenance, etc.

For maintenance, care, and support of inmates, rewards for fugitives, discharge gratuities provided by law, medical supplies, newspapers, books, books of reference and periodicals, farm implements, tools, equipment, transportation expenses, purchase and maintenance of livestock and horses; purchase, exchange, maintenance, operation, and repair of non-passenger-carrying vehicles and motor bus; fuel for heating, lighting, and power, and all other necessary items, including uniforms and caps for guards, $397,400.

Fuel, etc.

Building construction, etc.

For continuing construction of buildings and enclosing walls, including equipment and furniture, to provide for the custody of such prisoners as should be confined within a walled enclosure, $90,000.

Repairs.

For repairs to buildings and grounds, and maintenance of utilities, marine and railroad transportation facilities, and mechanical equipment not used in industrial enterprises, $22,000.

Working capital fund.

To provide a working capital fund for such industrial enterprises as may be approved by the Commissioners of the District of Columbia, $30,000: *Provided*, That the various departments and institutions of the District of Columbia and the Federal Government may purchase, at fair market prices, as determined by the Commissioners, such surplus products and services as meet their requirements; receipts from the sale of products and services shall be deposited to the credit of said working capital fund, and said fund, including all receipts credited thereto, shall be used as a revolving fund for the fiscal year 1937 for the purchase and repair of machinery, tools, and equipment, purchase of raw materials and manufacturing supplies, purchase, maintenance, and operation of non-passenger-carrying vehicles, purchase and maintenance of horses, and purchase of fuel for manufacturing purposes; for freight, personal services, and all other necessary expenses; and for the payment to inmates or their dependents of such pecuniary earnings as the Commissioners may deem proper.

Proviso.
Purchase of services and products.

Receipts deposited as a revolving fund; availability.

Buildings for women; construction, etc.

For beginning construction of permanent buildings for women, including sewers, water mains, and other necessary utilities, $45,000.

Advances authorized for returning escaped prisoners.

The disbursing officer of the District of Columbia is authorized to advance to the general superintendent of penal institutions, upon requisitions previously approved by the auditor of the District of Columbia, and upon such security as the Commissioners may require of said superintendent, sums of money not exceeding $200 at one time, to be used only for expenses in returning escaped prisoners, payable from the maintenance appropriations for the workhouse and

reformatory, all such expenditures to be accounted for to the accounting officers of the District of Columbia within one month on itemized vouchers properly approved.

NATIONAL TRAINING SCHOOL FOR BOYS

National Training School for Boys.

For care and maintenance of boys committed to the National Training School for Boys by the courts of the District of Columbia under a contract to be made by the Board of Public Welfare with the authorities of said National Training School for Boys, $100,000.

Care, etc., of boys committed to.

NATIONAL TRAINING SCHOOL FOR GIRLS

National Training School for Girls.

Salaries: For personal services, $31,800.

Salaries and expenses.

For groceries, provisions, light, fuel, soap, oil, lamps, candles, clothing, shoes, forage, horseshoeing, medicines, medical attendance, transportation, sewing machines, fixtures, books, magazines, and other supplies which represent greater educational advantages; stationery, horses, vehicles, harness, cows, pigs, fowls, sheds, fences, repairs, typewriting, stenography, and other necessary items, and including compensation not exceeding $1,500 for additional labor or services; for identifying and pursuing escaped inmates and for rewards for their capture, for transportation and other necessary expenses incident to securing suitable homes for paroled or discharged girls, and for maintenance of non-passenger-carrying motor vehicles, $30,500.

Apprehending escaped inmates.

For construction, repair, improvement, and extension of buildings at the National Training School for Girls in accordance with plans to be approved by the municipal architect and the Commissioners; and for additional personnel and maintenance at that institution, $100,000.

Buildings, construction, repair, etc.

MEDICAL CHARITIES

Medical charities.

For care and treatment of indigent patients under contracts to be made by the Board of Public Welfare with the following institutions and for not to exceed the following amounts, respectively:

Care, etc., of indigent patients at designated hospitals.

Children's Hospital, $75,000.

Central Dispensary and Emergency Hospital, $65,000.

Eastern Dispensary and Casualty Hospital, $40,000.

Washington Home for Incurables, $10,000.

COLUMBIA HOSPITAL AND LYING-IN ASYLUM

Columbia Hospital.

For general repairs, including labor and material, to be expended in the discretion and under the direction of the Architect of the Capitol, $5,000.

Repairs, etc.

TUBERCULOSIS HOSPITAL AND SANATORIUM

Tuberculosis Hospital.

For personal services, $141,500.

Salaries and expenses.

For provisions, fuel, forage, harness, and vehicles, and repairs to same, gas, ice, shoes, clothing, dry goods, tailoring, drugs and medical supplies, furniture and bedding, kitchen utensils, medical books, books of reference, and periodicals not to exceed $200, temporary services not to exceed $1,000, maintenance of motor truck, and other necessary items, $92,000.

Repairs, etc.

For repairs and improvements to buildings and grounds, including roads and sidewalks, $3,000; for furniture and equipment for the new sanatorium, including not to exceed $5,000 for motor-propelled trucks and passenger-carrying vehicles, $80,000; in all, $83,000.

Children's Tuberculosis Sanatorium.

CHILDREN'S TUBERCULOSIS SANATORIUM

Salaries and expenses.

Salaries: For personal services, including not to exceed $1,000 for temporary labor, $116,350.

For provisions, fuel, forage, harness, and vehicles, and repairs to same, maintenance and purchase of horses and horse-drawn vehicles, gas, ice, shoes, clothing, dry goods, tailoring, drugs and medical supplies, furniture and bedding, kitchen utensils, medical books, school books, classroom supplies, books of reference, and periodicals not to exceed $200, maintenance of motor truck, and other necessary items, $85,000: *Provided*, That pay patients may hereafter be admitted to the Children's Tuberculosis Sanatorium for care and treatment at such rates and under such regulations as may be established by the Commissioners of the District of Columbia, insofar as such admissions will not interfere with admission of indigent patients.

Proviso.
Admittance of pay patients.

Repairs and improvements.

For repairs and improvements to buildings and grounds, including roads and sidewalks, $2,000.

Gallinger Hospital.

GALLINGER MUNICIPAL HOSPITAL

Salaries.

Salaries: For personal services, including not to exceed $2,000 for temporary labor, $423,380.

Maintenance, etc.

For maintenance of the hospital; for maintenance of the quarantine station, smallpox hospital, and public crematorium, including expenses incident to furnishing proper containers for the reception, burial, and identification of the ashes of all human bodies of indigent persons that are cremated at the public crematorium and remain unclaimed after twelve months from the date of such cremation; for maintenance and purchase of horses and horse-drawn vehicles; for medical books, books of reference, and periodicals not to exceed $500; for maintenance of non-passenger-carrying motor vehicles; and for all other necessary expenses, $250,000.

Repairs, etc.

For repairs and improvements to buildings and grounds, $4,500.

Incidental expenses.

Purchase of books, musical instruments and music, expense of commencement exercises, entertainments, and inspection by New York State Board of Regents, and other incidental expenses of the training school for nurses, $600.

Truck.

For the purchase and exchange of one truck, $750.

District Training School.

DISTRICT TRAINING SCHOOL

Personal services.

For personal services, including not to exceed $1,000 for temporary labor, $95,270.

Maintenance, etc.

For maintenance and other necessary expenses, including the maintenance of non-passenger-carrying motor vehicles, the purchase and maintenance of horses and wagons, farm machinery and implements, and not to exceed $200 for the purchase of books, books of reference, and periodicals, $85,000.

Repairs, etc.

For repairs and improvements to buildings and grounds, including fire-protection and sewage-chlorination facilities, $9,000.

Vehicle.

For the purchase, including exchange, of one motor-propelled station wagon, $750.

Industrial Home School for Colored Children.

INDUSTRIAL HOME SCHOOL FOR COLORED CHILDREN

Salaries.

Salaries: For personal services, $35,970; temporary labor, $500; in all, $36,470.

Maintenance, etc.

For maintenance, including purchase and maintenance of farm implements, horses, wagons, and harness, and maintenance of non-passenger-carrying motor vehicles, and not to exceed $1,250 for manual-training equipment and materials, $25,500.

For repairs and improvements to buildings and grounds, $4,500. Repairs, etc.

For the purchase, including exchange, of one motor-propelled station wagon, $750. Vehicle.

INDUSTRIAL HOME SCHOOL

Industrial Home School.

Salaries: For personal services, $24,780; temporary labor, $500; in all, $25,280. Salaries.

For maintenance, including purchase of equipment, maintenance of non-passenger-carrying motor vehicles, $22,500. Maintenance.

For repairs and improvements to buildings and grounds, $2,500. Repairs, etc.

HOME FOR AGED AND INFIRM

Home for Aged and Infirm.

Salaries: For personal services, $61,880; temporary labor, $2,000; in all, $63,880. Salaries.

For provisions, fuel, forage, harness, and vehicles and repairs to same, ice, shoes, clothing, dry goods, tailoring, drugs and medical supplies, furniture and bedding, kitchen utensils, and other necessary items, and maintenance of non-passenger-carrying motor vehicles, $70,000. Contingent expenses.

For repairs and improvements to building and grounds, such work to be performed by day labor or otherwise in the discretion of the Commissioners, $4,500. Repairs, etc.; day labor.

For the purchase, including exchange, of one motor truck, $750. Truck.

MUNICIPAL LODGING HOUSE AND WOOD YARD

Municipal lodging house, etc.

For personal services, $3,600; maintenance, $4,000; in all, $7,600.

PUBLIC ASSISTANCE

Public assistance.

For the purpose of affording relief to residents of the District of Columbia who are unemployed or otherwise in distress because of the existing emergency, to be expended by the Board of Public Welfare of the District of Columbia by employment and direct relief, in the discretion of the Board of Commissioners and under rules and regulations to be prescribed by the Board and without regard to the provisions of any other law, payable from the revenues of the District of Columbia, $1,600,000, of which not to exceed $200,000 shall be available for personal services. Relief of the unemployed, etc. From District revenues.

Assistance against old-age want: To carry out the provisions of the Act entitled "An Act to amend the Code of Laws for the District of Columbia in relation to providing assistance against old-age want", approved August 24, 1935 (49 Stat., p. 747), including not to exceed $32,265 for personal services and other necessary expenses, $284,265. Old-age assistance. *Ante*, p. 747.

Pensions for needy blind persons: To carry out the provisions of the Act entitled "An Act to provide pensions for needy blind persons of the District of Columbia and authorizing appropriations therefor", approved August 24, 1935 (49 Stat., p. 744), $54,000. Pensions for the needy blind. *Ante*, p. 744.

TEMPORARY HOME FOR FORMER SOLDIERS AND SAILORS

Temporary home for former soldiers and sailors.

For personal services, $4,620; maintenance, $11,750; and repairs to buildings and grounds, $1,000; in all, $17,370, to be expended under the direction of the Commissioners; and former Union soldiers, sailors, or marines of the Civil War, former soldiers, sailors, or marines of the Spanish War, Philippine Insurrection, or China relief expedition, and former soldiers, sailors, or marines of the World War or who served prior to July 2, 1921, shall be admitted to the home, all under the supervision of a board of management. Personal services, maintenance, etc. Admittance.

FLORENCE CRITTENTON HOME

Florence Crittenton Home.

For care and maintenance of women and children under a contract to be made with the Florence Crittenton Home by the Board of Public Welfare, maintenance, $9,000.

SOUTHERN RELIEF SOCIETY

Southern Relief Society, for needy Confederate veterans.

For care and maintenance of needy and infirm Confederate veterans, their widows and dependents, residents in the District of Columbia, under a contract to be made with the Southern Relief Society by the Board of Public Welfare, $10,000.

NATIONAL LIBRARY FOR THE BLIND

National Library for the Blind.

For aid and support of the National Library for the Blind, located at 1800 D Street Northwest, to be expended under the direction of the Commissioners of the District of Columbia, $5,000.

COLUMBIA POLYTECHNIC INSTITUTE

Columbia Polytechnic Institute.

To aid the Columbia Polytechnic Institute for the Blind, located at 1808 H Street Northwest, to be expended under the direction of the Commissioners of the District of Columbia, $3,000.

Saint Elizabeths Hospital.

SAINT ELIZABETHS HOSPITAL

Support of District insane.

For support of indigent insane of the District of Columbia in Saint Elizabeths Hospital, as provided by law, $2,233,800.

NONRESIDENT INSANE

Deporting nonresident insane.
Vol. 30, p. 811.

For deportation of nonresident insane persons, in accordance with the Act of Congress "to change the proceedings for admission to the Government Hospital for the Insane in certain cases, and for other purposes", approved January 31, 1899, including persons held in the psychopathic ward of the Gallinger Municipal Hospital, $12,000.

Advances authorized to Director of Public Welfare.

In expending the foregoing sum the disbursing officer of the District of Columbia is authorized to advance to the Director of Public Welfare, upon requisitions previously approved by the auditor of the District of Columbia, and upon such security as the Commissioners may require of said director, sums of money not exceeding $300 at one time, to be used only for deportation of nonresident insane persons, and to be accounted for monthly on itemized vouchers to the accounting officer of the District of Columbia.

Limit.

RELIEF OF THE POOR

Relief of the poor.

For relief of the poor, including medical and surgical supplies, artificial limbs, and for pay of physicians to the poor, to be expended under the direction of the Board of Public Welfare, $13,000.

Ex-service men.

BURIAL OF EX-SERVICE MEN

Burial of indigent, in Arlington Cemetery, etc.

For expenses of burying in the Arlington National Cemetery, or in the cemeteries of the District of Columbia, indigent Union ex-soldiers, ex-sailors, or ex-marines, of the United States service, either Regular or Volunteer, who have been honorably discharged or retired, and who died in the District of Columbia, to be disbursed by the Secretary of War at a cost not exceeding $45 for such burial expenses in each case, exclusive of cost of grave, $135.

TRANSPORTATION OF INDIGENT PERSONS

For transportation of indigent persons, including indigent veterans of the World War and their families, $3,500. Transportation of indigent persons.

VOCATIONAL REHABILITATION

Vocational rehabilitation of disabled residents, District of Columbia: To carry out the provisions of the Act entitled "An Act to provide for the vocational rehabilitation of disabled residents of the District of Columbia, and for other purposes", approved February 23, 1929 (U. S. C., Supp. VII, title 29, secs. 47–47f), $25,000. Vocational rehabilitation of disabled residents. Vol. 45, p. 1260.

MILITIA

Militia.

For the following, to be expended under the authority and direction of the commanding general, who is hereby authorized and empowered to make necessary contracts and leases, namely: Expenses authorized, under commanding general.

For personal services, $21,500; temporary labor, $5,800; for expenses of camps, including hire of horses for officers required to be mounted, and for the payment of commutation of subsistence for enlisted men who may be detailed to guard or move the United States property at home stations on days immediately preceding and immediately following the annual encampments; damages to private property incident to encampment; reimbursement to the United States for loss of property for which the District of Columbia may be held responsible; cleaning and repairing uniforms, arms, and equipment; instruction, purchase, and maintenance of athletic, gymnastic, and recreational equipment at armory or field encampments, not to exceed $500; practice marches, drills, and parades; rent of armories, drill halls, and storehouses; fuel, light, heat, care, and repair of armories, offices, and storehouses; machinery and dock, including dredging alongside of dock; construction of buildings for storage and other purposes at target range; telephone service; printing, stationery, and postage; horses and mules for mounted organizations; maintenance and operation of passenger and non-passenger-carrying motor vehicles; street-car fares (not to exceed $200) necessarily used in the transaction of official business; not exceeding $400 for traveling expenses, including attendance at meetings or conventions of associations pertaining to the National Guard; and for general incidental expenses of the service, $15,480; in all, $42,780. Personal services. Expenses of camps, etc.

ANACOSTIA RIVER AND FLATS

Anacostia Park.

For continuing the reclamation and development of Anacostia Park, in accordance with the revised plan as set forth in Senate Document Numbered 37, Sixty-eighth Congress, first session, $50,000. Continuing development.

NATIONAL CAPITAL PARKS

National Capital Parks.

SALARIES, PUBLIC PARKS, DISTRICT OF COLUMBIA

For personal services, $351,910. Personal services.

GENERAL EXPENSES, PUBLIC PARKS

Public parks.

General expenses: For general expenses in connection with the maintenance, care, improvement, furnishing of heat, light, and power of public parks, grounds, fountains and reservations, propa- Maintenance and general expenses.

gating gardens and greenhouses under the jurisdiction of the National Park Service, including the tourists' camp on its present site in East Potomac Park, and including personal services of seasonal or intermittent employees at per-diem rates of pay approved by the Director, not exceeding current rates of pay for similar employment in the District of Columbia; the hire of draft animals with or without drivers at local rates approved by the Director; the purchase and maintenance of draft animals, harness, and wagons; contingent expenses; city directories; communication service; carfare; traveling expenses; professional, scientific, technical, and law books; periodicals and reference books, blank books and forms; photographs; dictionaries and maps; leather and rubber articles for the protection of employees and property; the maintenance, repair, exchange, and operation of not to exceed two motor-propelled passenger-carrying vehicles and all necessary bicycles, motorcycles, and self-propelled machinery; the purchase, maintenance, and repair of equipment and fixtures, and so forth, $373,500: *Provided*, That not exceeding $20,000 of the amount herein appropriated may be expended for placing and maintaining portions of the parks in condition for outdoor sports and for expenses incident to the conducting of band concerts in the parks; and not exceeding $10,000 for the erection of minor auxiliary structures.

Proviso.
Outdoor sports, band concerts, etc.

Park police.

PARK POLICE

Salaries.
Vol. 43, p. 175; Vol. 44, p. 834; Vol. 46, p. 839.

Salaries: For pay and allowances of the United States park police force, in accordance with the Act approved May 27, 1924, as amended, $175,000.

Uniforms, equipment, etc.

For uniforming and equipping the United States park police force, including the purchase, issue, operation, maintenance, repair, exchange, and storage of revolvers, bicycles, and motor-propelled passenger-carrying vehicles, uniforms, ammunition, and radio equipment, $8,000.

National Capital Park and Planning Commission.

NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Reimbursing United States for lands acquired for park system.
Vol. 46, p. 485.

For reimbursement to the United States in compliance with section 4 of the Act approved May 29, 1930 (46 Stat., p. 482), as amended, $300,000.

Incidental expenses.
Vol. 43, p. 463.
U. S. C., p. 1773.

For each and every purpose, except the acquisition of land, requisite for and incident to the work of the National Capital Park and Planning Commission as authorized by the Act entitled "An Act providing for a comprehensive development of the park and playground system of the National Capital", approved June 6, 1924 (U. S. C., title 40, sec. 71), as amended, including personal services in the District of Columbia, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, not to exceed $1,000 for printing and binding, not to exceed $500 for traveling expenses and carfare of employees of the commission, and not to exceed $300 for professional, scientific, technical, and reference books, and periodicals, $37,500.

National Zoological Park.

NATIONAL ZOOLOGICAL PARK

Expenses.

For roads, walks, bridges, water supply, sewerage, and drainage; grading, planting, and otherwise improving the grounds, erecting and repairing buildings and enclosures; care, subsistence, purchase, and transportation of animals; necessary employees; traveling and

incidental expenses not otherwise provided for, including not to exceed $2,000 for travel and field expenses in the United States and foreign countries for the procurement of live specimens and for the care, subsistence, and transportation of specimens obtained in the course of such travel; maintenance and operation of one motor-propelled passenger-carrying vehicle required for official purposes; for the purchase, issue, operation, maintenance, repair, and exchange of bicycles and non-passenger-carrying motor vehicles, revolvers and ammunition; not exceeding $2,500 for purchasing and supplying uniforms to park police, keepers, and assistant keepers; not exceeding $100 for the purchase of necessary books and periodicals, $225,000, no part of which sum shall be available for architect's fees or compensation.

WATER SERVICE

Water Service.

From water revenues.

The following sums are appropriated wholly out of the revenues of the water department for expenses of the Washington aqueduct and its appurtenances and for expenses of water department, namely:

WASHINGTON AQUEDUCT

Washington Aqueduct.

Maintenance, etc., of, and accessories.

For operation, including salaries of all necessary employees, maintenance and repair of Washington aqueducts and their accessories, including Dalecarlia, Georgetown, McMillan Park, first and second High Service Reservoirs, Washington aqueduct tunnel, the filtration plants, the pumping plants and the plant for the preliminary treatment of the water supply, ordinary repairs, grading, opening ditches, and other maintenance of Conduit Road, purchase, installation, and maintenance of water meters on Federal services, purchase, care, repair, and operation of vehicles, including the purchase and exchange of one passenger-carrying motor vehicle at a cost not to exceed $650; purchase and repair of rubber boots and protective apparel, and for each and every purpose connected therewith, $470,000.

Control of Secretary of War not affected.

Nothing herein shall be construed as affecting the superintendence and control of the Secretary of War over the Washington aqueduct, its rights, appurtenances, and fixtures connected with the same and over appropriations and expenditures therefor as now provided by law.

Revenue, inspection, and distribution.

For revenue and inspection and distribution branches: For personal services, $179,670.

Operating expenses.

For maintenance of the water department distribution system, including pumping stations and machinery, water mains, valves, fire and public hydrants, and all buildings and accessories, and motor trucks, and motor vehicles such as are now owned, and the replacement by purchase and exchange of the following motor-propelled vehicles: One four-passenger sedan at not to exceed $650; four trucks at not to exceed $750 each; and one truck at not to exceed $850; purchase of fuel, oils, waste, and other materials, and the employment of all labor necessary for the proper execution of this work; and for contingent expenses, including books, blanks, stationery, printing and binding not to exceed $2,500; postage, purchase of technical reference books and periodicals not to exceed $275, and other necessary items, $7,500; in all for maintenance, $360,000, of which not exceeding $5,000 shall be available for operation of pumps at Bryant Street pumping station upon interruption of service from Dalecarlia pumping station.

Extension of distribution system.

For extension of the water department distribution system, laying of such service mains as may be necessary under the assessment system, $250,000.

Meters.

For installing and repairing water meters on services to private residences and business places as may not be required to install meters under existing regulations, as may be directed by the Commissioners; said meters at all times to remain the property of the District of Columbia, $100,000.

Hydrants.

For installing fire and public hydrants, $22,500.

Replacement of old mains, etc.

For replacement of old mains and divide valves in various locations, on account of inadequate size and bad condition of pipe on account of age, and laying mains in advance of pavements, $135,000.

Reduction in water charges.

During the fiscal year ending June 30, 1937, the Commissioners of the District of Columbia are authorized to allow a reduction of not to exceed 25 per centum in the water charges within the District of Columbia fixed by existing law, and the present metered allowance of seven thousand five hundred cubic feet is increased to ten thousand cubic feet during such fiscal year.

Metered allowance increased.

New mains.

For seven thousand two hundred feet of thirty-inch water main from Third and E Streets Southwest to Fifth and M Streets Southeast, $118,800.

Replacement of water tank.

For purchase and erection of one five-hundred-thousand-gallon capacity elevated water tank and appurtenances to replace the existing one-hundred-and-thirty-eight-thousand-gallon tank situated on District of Columbia property at Stanton School, $35,000, to be immediately available.

Refunds of erroneous charges.

For the refunding of water rents and other water charges erroneously paid in the District of Columbia, to be refunded in the manner prescribed by law for the refunding of erroneously paid taxes, $5,000: *Provided*, That this appropriation shall be available for such refunds of payments made within the past two years.

Proviso. Availability.

Construction work, etc., under Commissioners.

SEC. 2. That the services of draftsmen, assistant engineers, levelers, transitmen, rodmen, chainmen, computers, copyists, overseers, and inspectors temporarily required in connection with sewer, water, street, street-cleaning, or road work, or construction and repair of buildings and bridges, or any general or special engineering or construction work authorized by appropriations may be employed exclusively to carry into effect said appropriations when specifically and in writing ordered by the Commissioners, and all such necessary expenditures for the proper execution of said work shall be paid from and equitably charged against the sums appropriated for said work; and the Commissioners in their Budget estimates shall report the number of such employees performing such services, and their work, and the sums paid to each, and out of what appropriation: *Provided*, That the expenditures hereunder shall not exceed $42,000 during the fiscal year 1937: *Provided further*, That, excluding inspectors in the sewer department and one inspector in the electrical department, no person shall be employed in pursuance of the authority contained in this paragraph for a longer period than nine months in the aggregate during the fiscal year.

Provisos. Limitation. Maximum period of employment.

Temporary labor, etc.

The Commissioners, or their duly designated representatives, are further authorized to employ temporarily such laborers, skilled laborers, drivers, hostlers, and mechanics as may be required exclusively in connection with sewer, water, street, and road work, and street cleaning, or the construction and repair of buildings, and bridges, furniture and equipments, and any general or special engineering or construction or repair work, and to incur all necessary engineering and other expenses, exclusive of personal services, incidental to carrying on such work and necessary for the proper execution thereof, said laborers, skilled laborers, drivers, hostlers, and

mechanics to be employed to perform such work as may not be required by law to be done under contract, and to pay for such services and expenses from the appropriations under which such services are rendered and expenses incurred.

Horses, vehicles, etc.

SEC. 3. That all horses, harness, horse-drawn vehicles necessary for use in connection with construction and supervision of sewer, street, street lighting, road work, and street-cleaning work, including maintenance of said horses and harness, and maintenance and repair of said vehicles, and purchase of all necessary articles and supplies in connection therewith, or on construction and repair of buildings and bridges, or any general or special engineering or construction work authorized by appropriations, may be purchased, hired, and maintained, and motor trucks may be hired exclusively to carry into effect said appropriations, when specifically and in writing ordered by the Commissioners; and all such expenditures necessary for the proper execution of said work, exclusive of personal services, shall be paid from and equitably charged against the sums appropriated for said work; and the Commissioners in the Budget estimates shall report the number of horses, vehicles, and harness purchased, and horses and vehicles hired, and the sums paid for same, and out of what appropriation; and all horses owned or maintained by the District shall, so far as may be practicable, be provided for in stables owned or operated by said District: *Provided*, That such horses, horse-drawn vehicles, and carts as may be temporarily needed for hauling and excavating material in connection with works authorized by appropriations may be temporarily employed for such purposes under the conditions named in section 2 of this Act in relation to the employment of laborers, skilled laborers, and mechanics.

Proviso. Temporary work, etc.

Miscellaneous trust fund deposits. Expenses payable from. Vol. 33, p. 368.

SEC. 4. That the Commissioners are authorized to employ in the execution of work, the cost of which is payable from the appropriation account created in the District of Columbia Appropriation Act, approved April 27, 1904, and known as "the miscellaneous trust-fund deposits"; District of Columbia, necessary personal services, horses, carts, and wagons, and to hire therefor motor trucks when specifically and in writing authorized by the Commissioners, and to incur all necessary expenses incidental to carrying on such work and necessary for the proper execution thereof, including the purchase, exchange, maintenance, and operation of motor vehicles for inspection and transportation purposes, such services and expenses to be paid from said appropriation account: *Provided*, That the Commissioners may delegate to their duly authorized representatives the employment under this section of laborers, mechanics, and artisans.

Proviso. Employment of labor.

Leave of absence.

Any person employed under any of the provisions of this Act who has been employed for ten consecutive months or more shall not be denied the leave of absence with pay for which the law provides.

Material, supplies, vehicles, etc. Purchase of.

SEC. 5. That the Commissioners and other responsible officials, in expending appropriations contained in this Act, so far as possible, shall purchase material, supplies, including food supplies and equipment, when needed and funds are available, in accordance with the regulations and schedules of the Procurement Division of the Treasury Department or from various services of the Government of the United States possessing material, supplies, passenger-carrying and other motor vehicles, and equipment no longer required. Surplus articles purchased from the Government, if the same have not been used, shall be paid for at a reasonable price, not to exceed actual cost, and if the same have been used, at a reasonable price based upon length of usage. The various services of the Government

Surplus articles; price bases.

of the United States are authorized to sell such surplus articles to the municipal government under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts: *Provided*, That this section shall not be construed to amend, alter, or repeal the Executive order of December 3, 1918, concerning the transfer of office materials, supplies, and equipment in the District of Columbia falling into disuse because of the cessation of war activities.

Proviso.
Transfers under Executive order.

Limitation on rentals.

SEC. 6. No part of the funds appropriated in this Act shall be available for the payment of rental of quarters for any activity at a rate in excess of 90 per centum of the per annum rate paid by the District of Columbia for such quarters on June 30, 1933: *Provided*, That the provisions of this paragraph shall not apply to leases made prior to the passage of this Act, except when renewals thereof are made hereafter: *Provided further*, That the appropriations or portions of appropriations unexpended by reason of the operation of this paragraph shall not be used for any purpose, but shall be impounded and deposited in the Treasury to the credit of the District of Columbia.

Provisos.
Prior leases.

Unexpended balances to be covered in.

Unemployment Compensation Act.
Amendment.
Ante, p. 1138.

SEC. 9. Paragraph (7) of section 1 (b) of the District of Columbia Unemployment Compensation Act, as amended, is amended to read as follows:

"Employment."
Definition of, extended.

"(7) Service performed in the employ of a corporation, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual."

Approved, June 23, 1936.

[CHAPTER 727.]

June 23, 1936.
[S. 4268.]
[Public, No. 763.]

AN ACT

To authorize the Secretary of War to set apart as a national cemetery certain lands of the Fort Snelling Military Reservation, Minnesota.

Fort Snelling Military Reservation, Minn.
Certain lands within, set apart as a national cemetery.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to set aside in the Fort Snelling Military Reservation, Minnesota, a plot of land which shall include the existing post cemetery with such boundaries as he may prescribe therefor as a national cemetery, which hereafter shall be cared for and maintained as a national cemetery under the laws relating to the same.

Care, etc.

Approved, June 23, 1936.

[CHAPTER 728.]

June 23, 1936.
[S. 4552.]
[Public, No. 764.]

AN ACT

To extend the retirement privilege to the Director, Assistant Directors, inspectors, and special agents of the Federal Bureau of Investigation.

Federal Bureau of Investigation.
Vol. 44, p. 905.
U. S. C., p. 92.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subdivision (b) of section 3 of the Act approved July 3, 1926, chapter 801, as amended (U. S. C., title 5, sec. 693, subdivision (b)), be, and it is hereby, amended to read as follows:

Retirement privilege extended to Director, Assistants, inspectors, and special agents of.

"(b) Superintendents of United States national cemeteries, and such employees of the offices of solicitors of the several executive departments, of the Architect of the Capitol, of the Library of Congress, of the United States Botanic Garden, of the recorder of

deeds and register of wills of the District of Columbia, of the United States Soldiers' Home, of the National Home for Disabled Volunteer Soldiers, of the State Department without the continental limits of the United States who are United States citizens and not within the Foreign Service as defined in the Act of May 24, 1924, and amendments thereof, of the Indian Service at large whose tenure of employment is not intermittent nor of uncertain duration, and the Director, Assistant Directors, inspectors, and special agents of the Federal Bureau of Investigation of the Department of Justice."

Vol. 43, p. 140.

Approved, June 23, 1936.

[CHAPTER 729.]

AN ACT

To extend the laws governing inspection of vessels, and for other purposes.

June 23, 1936.
[S. 4780.]
[Public, No. 765.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 52 of the Revised Statutes is amended by inserting after section 4417 thereof a new section designated section 4417a to read as follows:

Regulation of steam vessels.
R. S., sec. 4417, p. 856.
U. S. C., p. 2016.

"SEC. 4417a. (1) All vessels, regardless of tonnage, size, or manner of propulsion, and whether self-propelled or not, and whether carrying freight or passengers for hire or not, that shall have on board any inflammable or combustible liquid cargo in bulk, except public vessels owned by the United States, other than those engaged in commercial service, shall be considered steam vessels for the purposes of this title and shall be subject to the provisions thereof: *Provided*, That this section shall not apply to vessels having on board only inflammable or combustible liquid for use as fuel or stores or to vessels carrying liquid cargo only in drums, barrels, or other packages.

Vessels carrying inflammable or combustible liquid cargo in bulk.

Exception.

Proviso.
Inflammable liquid for fuel; in drums, etc.

"(2) In order to secure effective provision against the hazards of life and property created by the vessels to which this section applies, the Board of Supervising Inspectors, with the approval of the Secretary of Commerce, shall establish such additional rules and regulations as may be necessary with respect to the design and construction, alteration, or repair of such vessels, including the superstructures, hulls, places for stowing and carrying such liquid cargo, fittings, equipment, appliances, propulsive machinery, auxiliary machinery, and boilers thereof; and with respect to all materials used in such construction, alteration, or repair; and with respect to the handling and stowage of such liquid cargo; the manner of such handling or stowage, and the machinery and appliances used in such handling and stowage; and with respect to equipment and appliances for life-saving and fire protection; and with respect to the operation of such vessels; and with respect to the requirements of the manning of such vessels and the duties and qualifications of the officers and crews thereof; and with respect to the inspection of all the foregoing: *Provided*, That the provisions of this section shall not apply to common carriers engaged in interstate or foreign commerce which transport such liquid cargo by water insofar only as such common carriers are subject to the regulations formulated by the Interstate Commerce Commission under the provisions of section 233 of the Act of March 4, 1909 (ch. 321, 35 Stat. 1135), as amended (U. S. C. 1934 ed., title 18, sec. 383). In establishing such rules and regulations the Board of Supervising Inspectors may, with the approval of the Secretary of Commerce, adopt rules of the American Bureau of shipping or similar American classification society for classed vessels insofar as such rules pertain to the efficiency of hulls and the reliability of machinery of vessels to which this section

Additional rules respecting design, places for stowage, etc., to be established.

Manner of handling, stowage, etc.

Equipment for life-saving, fire protection, etc.

Proviso.
Exemption.

Vol. 35, p. 555.
U. S. C., p. 752.
American Bureau of Shipping, etc.
Adoption of rules of, authorized.

applies. In establishing such rules and regulations, the Board of Supervising Inspectors shall give due consideration to the kinds and grades of such liquid cargo permitted to be on board such vessel.

Publication of rules, etc., before approval; exception.

"(3) Before any rules and regulations, or any alteration, amendment, or repeal thereof, are approved by the Secretary of Commerce under the provisions of this section, except in an emergency, the said Secretary shall publish such rules and regulations and hold hearings with respect thereto on such notice as he deems advisable under the circumstances.

Certificates of inspection.

"(4) No vessel subject to the provisions of this section shall, after the effective date of the rules and regulations established hereunder, have on board such liquid cargo, until a certificate of inspection has been issued to such vessel in accordance with the provisions of this title and until a permit has been endorsed on such certificate of inspection by a board of local inspectors, indicating that such vessel is in compliance with the provisions of this section and the rules and regulations established hereunder, and showing the kinds and grades of such liquid cargo that such vessel may have on board or transport.

Permits.

Such permit shall not be endorsed by a board of local inspectors on such certificate of inspection until such vessel has been inspected by such board of local inspectors, or by any other board or officer of the Bureau of Marine Inspection and Navigation designated by the Director thereof, and found to be in compliance with the provisions of this section and the rules and regulations established hereunder. For the purpose of any such inspection approved plans and certificates of class of the American Bureau of Shipping or other recognized classification society for classed vessels may be accepted as evidence of the structural efficiency of the hull and the reliability of the machinery of such classed vessels except as far as existing law places definite responsibility on the Bureau of Marine Inspection and Navigation.

Evidence of structural efficiency, etc.

Period of validity of permit.

A permit issued under the provisions of this section shall be valid for a period of time not to exceed the duration of the certificate of inspection on which such permit is endorsed, and shall be subject to revocation by a board of local inspectors whenever such a board shall find that the vessel concerned does not comply with the conditions upon which such permit was issued: *Provided*, That the provisions of this subsection shall not apply to vessels of a foreign nation having on board a valid certificate of inspection recognized under law or treaty by the United States: *And provided further*, That no permit shall be issued under the provisions of this section authorizing to be on board any vessel, described in the provisions of sections 4472 and 4278 of the Revised Statutes, section 234 of the Act of March 4, 1909 (ch. 321, 35 Stat. 1135), as amended (U. S. C., 1934 ed., title 18, sec. 384), and section 8 of the Act of August 2, 1882 (ch. 374, 22 Stat. 189; U. S. C., 1934 ed., title 46, sec. 171), any of the materials expressly prohibited to be carried on such vessels by the afore-mentioned provisions.

Provisos.
Exemptions.

Permits not to be issued in designated cases.
R. S., secs. 4278, 4472, pp. 826, 865.
Vol. 35, pp. 555, 1135.
Vol. 22, p. 189.
U. S. C., pp. 752, 1997.

Shipping documents.
Prescribed papers to be on board vessel.

"(5) Vessels subject to the provisions of this section shall have on board such shipping documents as may be prescribed by the Board of Supervising Inspectors with the approval of the Secretary of Commerce indicating the kinds, grades, and approximate quantities of such liquid cargo, on board such vessel, the shippers and consignees thereof, and the location of the shipping and destination points.

Tankermen.

"(6) (a) In all cases where the certificate of inspection does not require at least two licensed officers, a board of local inspectors shall enter in the permit issued to any vessel under the provisions of this section the number of the crew required to be certificated as tankermen,

"(b) A board of local inspectors shall issue to applicants certificates as tankerman, stating the kinds of liquid cargo the holder of such certificate is, in the judgment of such board, qualified to handle aboard vessels with safety, upon satisfactory proof and examination, in form and manner prescribed by the Board of Supervising Inspectors with the approval of the Secretary of Commerce, that the applicant is in good physical condition, that such applicant is trained in and capable efficiently to perform the necessary operations aboard vessels having such liquid cargo on board, and that the applicant fulfills the qualifications of tankerman as prescribed by the Board of Supervising Inspectors under the provisions of this section. Such certificates shall be subject to suspension or revocation on the same grounds and in the same manner and with like procedure as is provided in the case of suspension or revocation of licenses of officers under the provisions of section 4450 of this title.

Certificates to applicants.

Suspension or revocation.

"(7) The owner, master, or person in charge of any vessel subject to the provisions of this section, or any or all of them, who shall violate the provisions of this section, or of the rules and regulations established hereunder, shall be subject to a fine of not more than $1,000 or imprisonment for not more than one year, or both such fine and imprisonment.

Penalties for violations.

"(8) The rules and regulations to be established pursuant to this section shall become effective ninety days after their promulgation unless the Secretary of Commerce shall for good cause fix a different time."

Rules, etc.; effective date.

Approved, June 23, 1936.

[CHAPTER 730.]

AN ACT

To extend the provisions of certain laws to the island of Puerto Rico.

June 23, 1936.
[H. R. 1392.]
[Public, No. 766.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That beginning with the fiscal year ending June 30, 1938, the Territory of Puerto Rico shall be entitled to share in appropriations now or which may hereafter become available for apportionment under the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", approved July 11, 1916, and any Act amendatory thereof or supplementary thereto, upon the same terms and conditions as any of the several States, and the Territory of Puerto Rico shall be included in the calculations to determine the basis of apportionment of such funds: *Provided*, That the system of roads on which Federal-aid apportionments to the Territory of Puerto Rico shall be expended may be determined and agreed upon by the highway departments of said Territory and the Secretary of Agriculture without regard to the limitations in section 6 of the Federal Highway Act respecting the selection and designation of such system of roads; and, when the system first determined and agreed upon shall have been completed, additions thereto may be made in like manner as funds become available for the construction and maintenance of such additions.

Puerto Rico.
Rural post road construction; Federal aid extended to.
Vol. 39, p. 355; Vol. 42, p. 212.
Ante, p. 1519.

Proviso.
Certain provisions waived.
Vol. 42, p. 213.

Additions, after completing original system.

Approved, June 23, 1936.

[CHAPTER 731.]

AN ACT

June 23, 1936.
[H. R. 9654.]
[Public, No. 767.]

To authorize the purchase by the city of Scappoose, Oregon, of a certain tract of public land revested in the United States under the Act of June 9, 1916 (39 Stat. 218).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to issue a patent to the city of Scappoose, Oregon, for the northwest quarter of the northeast quarter and the northeast quarter of the northwest quarter of section 11, township 3 north, range 2 west, Willamette meridian, containing approximately eighty acres, subject to all valid existing rights at the time of the filing of the application by the city of Scappoose: *Provided*, That before patent issues the city of Scappoose shall pay to the United States the appraised price for the timber on the said lands, the money so paid to be deposited in the Oregon and California land-grant fund for distribution in the manner provided by section 10 of the Act of June 9, 1916 (39 Stat. 218).

Scappoose, Oreg. Land patent to be issued to.

Location.

Proviso. Payment.

Vol. 39, p. 222.

SEC. 2. That the Secretary of the Interior shall prescribe all necessary regulations to carry into effect the foregoing provisions of this Act.

Regulations to be prescribed.

Approved, June 23, 1936.

[CHAPTER 732.]

AN ACT

June 23, 1936.
[H. R. 10591.]
[Public, No. 768.]

To authorize the Secretary of Agriculture to investigate and report on traffic conditions, with recommendations for corrective legislation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is hereby authorized and directed to use during the fiscal years ending June 30, 1936, and June 30, 1937, such part as may be necessary of the administrative fund of the Bureau of Public Roads, but not to exceed a total of $75,000, for study and research of traffic conditions and measures for their improvement, and to cooperate with Federal, State, District of Columbia, and municipal authorities, and other agencies, in connection with such study and research: *Provided*, That not to exceed $5,000 of the said sum may be used for printing necessary for the purposes of the work authorized and directed by this paragraph.

Traffic conditions. Study, etc., of, and measures for improving, authorized.
Ante, pp. 272, 1447.

Cooperation with States, etc.

Proviso. Amount for printing.

SEC. 2. The Secretary of Agriculture is hereby authorized and directed to make a preliminary report to Congress within the next nine months of the results of the above study and research, and of the status of uniform motor-vehicle traffic laws throughout the country, and not later than June 30, 1937, to make a complete report with his recommendations, including suggestions for legislation, which will promote the necessary uniformity in such laws.

Preliminary and complete reports to Congress.

Approved, June 23, 1936.

[CHAPTER 733.]

AN ACT

June 23, 1936.
[H. R. 12033.]
[Public, No. 769.]

Authorizing and directing the Secretary of the Interior to sell to the city of Los Angeles, California, certain public lands in California; and granting rights-of-way over public lands and reserve lands to the city of Los Angeles in Mono County in the State of California.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby granted to the city of Los Angeles a municipal corporation of the State of California, all lands belonging to the United States

Los Angeles, Calif. Certain lands granted to, for designated purposes.

situated in Mono County, California, which may be necessary, as found by the Secretary of the Interior, for any or all of the following purposes:

Rights-of-way; buildings and structures; construction and maintenance camps; dumping grounds; flowage, diverting, or storage dams; pumping plants; power plants; canals, ditches, pipes, and pipe lines; flumes, tunnels, and conduits for conveying water for domestic, irrigation, power, and other useful purposes; poles, towers, and lines for the conveyance and distribution of electrical energy; poles and lines for telephone and telegraph purposes; roads, trails, bridges, tramways, railroads, and other means of locomotion, transmission, or communication; for obtaining stone, earth, gravel, and other materials of like character; or any other necessary purposes of said city, together with the right to take for its own use, free of cost, from any public lands, within such limits as the Secretary of the Interior may determine, stone, earth, gravel, sand, and other materials of like character necessary or useful in the construction, operation, and maintenance of aqueducts, reservoirs, dams, pumping plants, electric plants, and transmission, telephone, and telegraph lines, roads, trails, bridges, tramways, railroads, and other means of locomotion, transmission, and communication, or any other necessary purposes of the city of Los Angeles.

Minerals reserved; exception.

That there is hereby excepted and reserved unto the United States, from said grant, minerals, other than sand, stone, earth, gravel, and other materials of like character: *Provided, however*, That such minerals so excepted and reserved shall be prospected for, mined, and removed only in accordance with regulations to be prescribed by the Secretary of the Interior.

Proviso. Regulations.

Conditions.

This grant shall be effective upon (1) the filing by said grantee at any time after the passage of this Act, with the register of the United States local land office in the district where said lands are situated, of a map or maps showing the boundaries, locations, and extent of said lands and of said rights-of-way for the purposes hereinabove set forth; (2) the approval of such map or maps by the Secretary of the Interior, with such reservations or modifications as he may deem appropriate; (3) the payment of $1.25 per acre for all Government lands conveyed under this Act other than for the right-of-way for the Mono Basin aqueduct: *Provided*, That said lands for rights-of-way shall be along such location and of such width, not to exceed two hundred and fifty feet, as in the judgment of the Secretary of the Interior may be required for the purposes of this Act: *And provided further*, That said lands for any of said purposes other than rights-of-way for the Mono Basin aqueduct may be of such width or extent as may be determined by the Secretary of the Interior as necessary for such purposes.

Purchase price.

Provisos. Rights-of-way; location, width, etc.

Mono Basin aqueduct, rights-of-way.

National forest lands.

SEC. 2. That where any of the lands to which the city of Los Angeles seeks to acquire title under section 1 of this Act, are in a national forest, the said map or maps shall be subject to the approval of the Secretary of Agriculture so far as national-forest lands are affected; and upon such approval and the subsequent approval by the Secretary of the Interior, title to said lands shall vest in the grantee upon the date of such subsequent approval.

Provisions of grants.

SEC. 3. Said grants are to be made subject to rights-of-way, easements, and permits heretofore granted or allowed to any person or corporation in accordance with any Act or Acts of Congress and subject to the rights of all claimants or persons who shall have filed or made valid claims, locations, or entries on or to said lands, or any part thereof prior to the effective date of any conflicting grant hereunder, unless prior to such effective date proper relinquish-

Prior rights.

ments or quitclaims have been procured and caused to be filed in the proper land office.

Reversionary provision.

SEC. 4. That, whenever the land granted herein shall cease to be used for the purposes for which it is granted, the estate of the grantee or of its assigns shall terminate and revest in the United States. That any grants made hereunder shall not be assigned to any private individual, association of such individuals, or a private corporation.

Restriction on assignment.

Approved, June 23, 1936.

[CHAPTER 734.]

AN ACT

June 23, 1936.
[H. R. 12353.]
[Public, No. 770.]

To amend an Act entitled "An Act to create a Library of Congress Trust Fund Board, and for other purposes", approved March 3, 1925.

Library of Congress Trust Fund Board.
Cash deposits as a permanent loan to the Treasury.
Vol. 43, p. 1107.
U. S. C., p. 18.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to create a Library of Congress Trust Fund Board, and for other purposes", approved March 3, 1925, is amended by striking out the first seven words of the last paragraph of section 2 thereof, to wit, the words "Should any gift or bequest so provide" and substituting therefor the words "In the absence of any specification to the contrary".

Approved, June 23, 1936.

[CHAPTER 735.]

AN ACT

June 23, 1936.
[H. R. 10104.]
[Public, No. 770½.]

To authorize a study of the park, parkway, and recreational-area programs in the United States, and for other purposes.

Park, parkway, and recreational-area programs.
Study of, by National Park Service, directed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized and directed to cause the National Park Service to make a comprehensive study, other than on lands under the jurisdiction of the Department of Agriculture, of the public park, parkway, and recreational-area programs of the United States, and of the several States and political subdivisions thereof, and of the lands throughout the United States which are or may be chiefly valuable as such areas,

Consent of State required.

but no such study shall be made in any State without the consent and approval of the State officials, boards, or departments having jurisdiction over such lands and park areas. The said study shall be such as, in the judgment of the Secretary, will provide data helpful in developing a plan for coordinated and adequate public park, parkway, and recreational-area facilities for the people of the United

Cooperation of other agencies.

States. In making the said study and in accomplishing any of the purposes of this Act, the Secretary is authorized and directed, through the National Park Service, to seek and accept the cooperation and assistance of Federal departments or agencies having jurisdiction of lands belonging to the United States, and may cooperate and make agreements with and seek and accept the assistance of other Federal agencies and instrumentalities, and of States and political subdivisions thereof and the agencies and instrumentalities of either of them.

Assistance to States in planning, etc.

SEC. 2. For the purpose of developing coordinated and adequate public park, parkway, and recreational-area facilities for the people of the United States, the Secretary is authorized to aid the several States and political subdivisions thereof in planning such areas therein, and in cooperating with one another to accomplish these ends.

Such aid shall be made available through the National Park Service acting in cooperation with such State agencies or agencies of political subdivisions of States as the Secretary deems best.

Consent of Congress granted to State compacts.

SEC. 3. The consent of Congress is hereby given to any two or more States to negotiate and enter into compacts or agreements with one another with reference to planning, establishing, developing, improving, and maintaining any park, parkway, or recreational area. No such compact or agreement shall be effective until approved by the legislatures of the several States which are parties thereto and by the Congress of the United States.

Approval by State legislatures and Congress.

"State" construed.

SEC. 4. As used in sections 1 and 2 of this Act the term "State" shall be deemed to include Hawaii, Alaska, Puerto Rico, the Virgin Islands, and the District of Columbia.

Approved, June 23, 1936.

[CHAPTER 736.]

JOINT RESOLUTION

June 23, 1936.
[S. J. Res. 115.]
[Pub. Res., No. 123.]

Designating the last Sunday in September as "Gold Star Mother's Day", and for other purposes.

"Gold Star Mother's Day." Preamble.

Whereas the service rendered the United States by the American mother is the greatest source of the country's strength and inspiration; and

Whereas we honor ourselves and the mothers of America when we revere and give emphasis to the home as the fountainhead of the state; and

Whereas the American mother is doing so much for the home and for the moral and spiritual uplift of the people of the United States and hence so much for good government and humanity; and

Whereas the American Gold Star Mothers suffered the supreme sacrifice of motherhood in the loss of their sons and daughters in the World War; Therefore be it

President requested to issue proclamation inviting observance, etc.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized and requested to issue a proclamation calling upon the Government officials to display the United States flag on all Government buildings, and the people of the United States to display the flag and to hold appropriate meetings at their homes, churches, or other suitable places, on the last Sunday in September, as a public expression of the love, sorrow, and reverence of the people of the United States for the American Gold Star Mothers.

Last Sunday in September designated.

SEC. 2. That the last Sunday in September shall hereafter be designated and known as "Gold Star Mother's Day", and it shall be the duty of the President to request its observance as provided for in this resolution.

Approved, June 23, 1936.

[CHAPTER 737.]

JOINT RESOLUTION

June 23, 1936.
[H. J. Res. 467.]
[Pub. Res., No. 124.]

Authorizing the erection of a memorial to the late Haym Salomon.

Memorial to Haym Salomon.
Erection authorized in Washington, D. C.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Interior be, and he is hereby, authorized and directed to grant permission for the erection on public grounds of the United States in the city of Washington, other than those of the Capitol, the

Library of Congress, and the White House, of a memorial of proper and artistic form to the late Haym Salomon, by his friends in America, in recognition of the patriotic and meritorious services rendered by him to the United States Government during the most trying period of the American Revolution: *Provided*, That the site chosen and the design of the memorial shall have the approval of the National Commission of Fine Arts, and that the United States shall be put to no expense in or by the erection of the said memorial.

Proviso.
Approval of site and design.

No Federal expense.

Approved, June 23, 1936.

[CHAPTER 738.]

June 23, 1936.
[H. J. Res. 606.]
[Pub. Res., No. 125.]

JOINT RESOLUTION

Amending section 5 of Public Resolution Numbered 6, Seventy-fourth Congress, approved March 4, 1935.

George Washington.
Time extended for completing publication of writings of.
Ante, p. 38.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of Public Resolution Numbered 6, Seventy-fourth Congress, approved March 4, 1935, is hereby amended by striking out "December 31, 1936" and inserting in lieu thereof "December 31, 1937."

Approved, June 23, 1936.

[CHAPTER 739.]

June 23, 1936.
[H. J. Res. 639.]
[Pub. Res., No. 126.]

JOINT RESOLUTION

To provide certain administrative expenses for the Division of Territories, and Island Possessions, Department of Interior, and for other purposes.

Department of the Interior.
Appropriation for certain administrative expenses of Division of Territories and Island Possessions.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, $35,000 for administrative expenses of the Division of Territories and Island Possessions, Department of Interior, in carrying out the provisions of Executive Order Numbered 7368, approved May 13, 1936, relating to certain islands of the United States situate in the Pacific Ocean, namely Jarvis, Baker, and Howland Islands, including personal services in the District of Columbia and elsewhere (such employment outside the District of Columbia to be by contract, if deemed necessary, without regard to the provisions of section 3709 of the Revised Statutes), rent, traveling expenses, purchase of necessary books, documents, newspapers and periodicals, stationery, hire of automobiles, purchase of equipment, supplies and provisions, and all other necessary expenses, including the reimbursement of other appropriations from which payments have been made for any of the purposes herein specified, fiscal year 1936, to continue available until June 30, 1937.

R. S., sec. 3709, p. 733.
U. S. C., p. 1803.

Reimbursement of other appropriations.

Approved, June 23, 1936.

[CHAPTER 741.]

June 24, 1936.
[S. 1896.]
[Public, No. 771.]

AN ACT

To provide for interest payments on American Embassy drafts.

American Embassy drafts.
Appropriation for payment of interest on certain, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of $44,403.15 is hereby authorized to be appropriated for payment to the individuals and corporations, or their attorneys in fact in the United States, listed in the report of December 10, 1931, of the Secretary of State to the President, as set forth in Senate Document

Numbered 18, Seventy-second Congress, first session, the amounts specified therein, representing interest at 4¾ per centum on certain drafts drawn on the Secretary of State by the American Embassies in Russia and Turkey and transfers which the Embassy in Turkey undertook to make by cable communications to the Secretary of State during the period from 1915 to 1920, payment of which was deferred, and amounting to a total sum of $44,403.15: *Provided*, That no payment hereunder shall be made by the Secretary of the Treasury, except at the direction of the Secretary of State: *Provided further*, That full authority is hereby vested in the Secretary of State to determine, in his discretion, whether payment in whole or in part should be made, withheld, or deferred.

Provisos.
Approval by Secretary of State.

Further authority of Secretary.

Approved, June 24, 1936.

[CHAPTER 742.]

AN ACT

For the relief of the Bridgeport Irrigation District.

June 24, 1936.
[S. 4719.]
[Public, No. 772.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to enter into a contract with the Bridgeport Irrigation District, North Platte reclamation project, by which (a) the United States, in consideration of $23,286 heretofore paid under the contract of June 14, 1915, between the United States and the district, shall grant to the district a permanent right to the use of water from the North Platte Federal reclamation project under the Act of June 17, 1902 (32 Stat. 388), as amended and supplemented, which permanent water right shall entitle the district to divert from the North Platte River a quantity of water equal to three-tenths part of the quantity of water for which provision is made in article 1 of said contract of June 14, 1915, such total quantity of water for diversion by the district to be delivered by the United States under a schedule of delivery reduced in accordance with the provisions of this Act; (b) the district shall agree to pay the United States the amount of $5,628.55; the operation and maintenance charges delinquent under said contract of June 14, 1915, for the years 1926 to 1935, both inclusive, upon the execution of said contract herein authorized; (c) the Secretary shall agree, upon the execution of said contract and its confirmation by the State courts, to cancel the judgment entered on July 30, 1929, against the district and in favor of the United States; (d) the district shall agree to pay to the United States in advance of the delivery of water under said contract one one-hundredth part of such amounts as shall be fixed by the Secretary as operation and maintenance charges in connection with the irrigation works from which said water supply is made available by the United States, such charges to be payable for the year 1936 and thereafter with interest from the due date at the rate of 6 per centum per annum if not paid when due; (e) the Secretary shall be authorized to refuse the delivery of water under said contract to the district at any time when any installment in whole or in part (including any interest due thereon) of operation and maintenance charges shall not have been paid at the date provided in subdivision (d) hereof and shall remain unpaid at the date delivery of water is requested under said contract; and (f) the contract of June 14, 1915, shall otherwise remain in full force and effect.

Bridgeport Irrigation District.
Contract with, for granting permanent water right, authorized.
Terms of agreement.

Vol. 32, p. 388; Vol. 34, p. 259.
U. S. C., p. 1862.
Quantity.

Delinquent operation, etc., charges.

Cancelation of judgment.

Advance payment of operation, etc., charges.

Refusal to deliver water upon nonpayment of installment, authorized.

Force of existing contract.

Approved, June 24, 1936.

[CHAPTER 743.]

June 24, 1936.
[S. 4512.]
[Public, No. 773.]

AN ACT

To amend section 641 of the Code of Law for the District of Columbia.

District of Columbia Code.
Vol. 31, p. 1289.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 641 of chapter XVIII of the Code of Law for the District of Columbia is amended by adding at the end thereof the following new paragraph:

Trust companies, perpetual succession until dissolution, etc.

"Any company transacting the business of a trust company and heretofore or hereafter organized or operating under the provisions of this chapter shall have perpetual succession from the date of its organization, or until such time as it be dissolved, or until its franchise shall become forfeited by reason of violation of law, or until terminated by either a general or special Act of Congress or until its affairs be placed in the hands of a receiver and finally wound up by him."

Approved, June 24, 1936.

[CHAPTER 744.]

June 24, 1936.
[H. R. 11926.]
[Public, No. 774.]

AN ACT

To provide for a term of court at Durham, North Carolina.

United States courts.
North Carolina middle judicial district.
U. S. C., p. 1249.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the fifth paragraph of section 98 of the Judicial Code, as amended (U. S. C., 1934 edition, title 28, sec. 179), is amended to read as follows:

Terms.
Rockingham.
Salisbury.
Winston-Salem.
Greensboro.
Wilkesboro.
Durham.

"The terms of the district court for the middle district shall be held at Rockingham on the first Mondays in March and September; at Salisbury on the third Mondays in April and October; at Winston-Salem on the first Mondays in May and November; at Greensboro on the first Mondays in June and December; at Wilkesboro on the third Mondays in May and November; and at Durham on the first Monday in February and the fourth Monday in September: *Provided*, That the cities of Winston-Salem, Rockingham, and Durham shall each provide and furnish at its own expense a suitable and convenient place for holding the district court until Federal buildings containing quarters for the court are erected at such places."

Proviso.
Court accommodations.

Approved, June 24, 1936.

[CHAPTER 745.]

June 24, 1936.
[S. 81.]
[Public, No. 775.]

AN ACT

To provide for the collection and publication of statistics of peanuts by the Department of Agriculture.

Peanuts.
Collection and publication of statistics of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is hereby authorized and directed to collect and publish statistics of raw peanuts, shelled, unshelled, and crushed, and peanut oil, in the United States, in the possession of warehousemen, brokers, cleaners, shellers, dealers, growers' cooperative associations, or owners other than the original producers of peanuts.

Quality, kinds, etc.

Such statistics shall show the quality of peanuts in such details as to kinds—Virginias, Runners, Spanish, and imported varieties—as the Secretary shall deem necessary for the purposes of this Act.

Monthly reports to be submitted.

All reports except those required from persons owning or operating peanut picking or threshing machines shall be submitted monthly in each year.

Picking or threshing machines.

SEC. 2. The Secretary is hereby authorized to collect and publish statistics of the quantity of peanuts picked or threshed by any person owning or operating peanut picking or threshing machines.

Duty of dealers, etc., to furnish reports.

SEC. 3. It shall be the duty of every warehouseman, broker, cleaner, or sheller, dealer, growers' cooperative association, owner or operator of peanut picking or threshing machines to furnish promptly upon request of the Secretary, within the time prescribed by him, completely and correctly to the best of his knowledge, a report of the quantity of peanuts on hand and in the case of an operator of peanut picking and threshing machines the quantity picked or threshed, segregating in accordance with forms furnished for the purpose by the Secretary. Any person required by this Act, or the regulations promulgated thereunder, to furnish reports or information, and any officer, agent, or employee thereof who shall refuse or willfully give answers that are false and misleading, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than $300 nor more than $1,000, or imprisoned not more than one year, or to[1] be subject to both such fine and imprisonment.

Penalty for failure to comply.

Grades and standards to be established, etc.

SEC. 4. The Secretary is hereby authorized to establish and promulgate grades and standards for the classification of peanuts, whenever in his discretion he may see fit.

Use of information furnished.

SEC. 5. That the information furnished under the provisions of this Act shall be used only for the statistical purposes for which it is supplied. No publication shall be made by the Secretary whereby the data furnished by any person can be identified, nor shall the Secretary permit anyone other than the sworn employees of the Department of Agriculture to examine the individual reports.

Administrative rules, etc.

Cooperation with other agencies.

Employees.

Rent, etc.

Sums authorized.

SEC. 6. The Secretary may make rules and regulations as may be necessary in the administration of this Act and may cooperate with any department or agency of the Government, any State, Territory, District, or possession, or department, agency, or political subdivision thereof, or any person; and shall have the power to appoint, remove, and fix the compensation of such officers and employees not in conflict with existing law, and make such expenditures for rent outside the District of Columbia, printing, binding, telegrams, telephones, law books, books of reference, publications, furniture, stationery, office equipment, travel, and other supplies and expenses, including reporting services, as shall be necessary to the administration of this Act in the District of Columbia and elsewhere, and as may be appropriated for by Congress; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for such purpose.

Definitions.

"Person."

"Secretary."

SEC. 7. That when used in this Act—

(1) The term "person" includes individuals, partnerships, corporations, and associations;

(2) The term "Secretary" means the Secretary of Agriculture.

Approved, June 24, 1936.

[CHAPTER 746.]

AN ACT

June 24, 1936.
[S. 2039.]
[Public, No. 776.]

Making it a felony to transport in interstate or foreign commerce persons to be employed to obstruct or interfere with the right of peaceful picketing during labor controversies.

Interstate transportation of strike breakers, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whoever shall knowingly transport or cause to be transported, or aid or abet in transporting, in interstate or foreign commerce, any person

[1] So in original.

with intent to employ such person to obstruct or interfere, in any manner, with the right of peaceful picketing during any labor controversy affecting wages, hours, or conditions of labor, or the right of organization for the purpose of collective bargaining, shall be deemed guilty of a felony and shall be punishable by a fine not exceeding $5,000, or by imprisonment not exceeding two years, or both, in the discretion of the court.

Penalty.

Approved, June 24, 1936.

[CHAPTER 747.]

June 24, 1936.
[S. 2460.]
[Public, No. 777.]

AN ACT

To amend the Act of June 6, 1924, entitled "An Act to amend in certain particulars the National Defense Act of June 3, 1916, as amended, and for other purposes."

National Defense Act, amendment.
Vol. 43, p. 472.
U. S. C., pp. 277, 1573.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Act of June 6, 1924 (43 Stat. 472, U. S. C., title 10, sec. 981, and title 34, sec. 999) be, and it is hereby, amended by inserting after the words "in the" in line eight, the words "military or", so that said section as thus amended will read as follows:

Retired enlisted men with commissioned service in World War; retirement pay.
Army.

"SEC. 8. That retired enlisted men of the Army heretofore or hereafter retired who served honorably as commissioned officers of the Army of the United States or as commissioned officers, regular, temporary, or reserved [1], of the Navy or Marine Corps at some time between April 6, 1917, and November 11, 1918 shall be entitled to receive the pay of retired warrant officers of the Army; and retired enlisted men of the Regular Navy and Marine Corps heretofore or hereafter retired who served honorably as commissioned officers, regular, temporary, or reserve, in the military or naval service at some time between the aforesaid dates, and who at the time of their retirement were members of the Regular Navy or Marine Corps, shall be entitled to receive the pay of retired warrant officers of the Navy and Marine Corps, respectively: *Provided*, That such enlisted man retired prior to July 1, 1922, shall be entitled to receive the pay provided by law for retired warrant officers of equal length of service retired prior to that date, and that any such enlisted man retired subsequent to June 30, 1922, shall be entitled to receive the pay provided by law for retired warrant officers of equal length of service retired subsequent to that date: *Provided further*, That nothing in this Act shall operate to prevent any person from receiving the pay and allowances of his grade, rank, or rating on the retired list when such pay and allowances exceed the pay to which he would be entitled under this Act by virtue of his commissioned service."

Regular Navy and Marine Corps.

Provisos.
If retired prior to July 1, 1922.

Subsequent retirement.

Higher pay not precluded.

Approved, June 24, 1936.

June 24, 1936.
[S. 3907.]
[Public, No. 778.]

[CHAPTER 748.]

AN ACT

For the relief of the State of Nevada.

Nevada.
Issue of duplicate check to Treasurer of, in lieu of lost original.
R. S., sec. 3646, p. 717.
U. S. C., p. 1395.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 3646, as amended, of the Revised Statutes of the United States, the Chief Disbursing Officer of the Treasury Department is authorized and directed to issue, without the requirement of an indemnity bond, a duplicate of original check numbered 81257, drawn September 6, 1935, in favor of "State Treasurer of Nevada, trust fund" for $3,978.97 and lost after delivery.

Approved, June 24, 1936.

[1] So in original.

[CHAPTER 749.]

AN ACT

To amend the Act approved February 27, 1931, known as the District of Columbia Traffic Act.

June 24, 1936.
[S. 3976.]
[Public, No. 779.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (c) of section 9 of the Act of Congress entitled "An Act to amend the Acts approved March 3, 1925, and July 3, 1926, known as the District of Columbia Traffic Acts, and so forth", be, and the same is hereby, amended to read as follows:

District of Columbia Traffic Act, amendment.
Vol. 46, p. 1427.

"(c) Any individual violating any provision of this section where the offense constitutes reckless driving shall upon conviction for the first offense be fined not more than $250 or imprisoned not more than three months, or both; and upon conviction for the second or any subsequent offense committed within two years from the date of any such previous offense such individual shall be fined not more than $1,000 or imprisoned not more than one year, or both."

Reckless driving.
Penalties for.

Approved, June 24, 1936.

[CHAPTER 750.]

AN ACT

To authorize the acquisition of lands in the city of Alameda, county of Alameda, State of California, as a site for a naval air station and to authorize the construction and installation of a naval air station thereon.

June 24, 1936.
[S. 4020.]
[Public, No. 780.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to purchase in behalf of the United States as a site for a naval air station, at a cost not to exceed $1, and to accept the title in fee simple to all that certain piece or parcel of land situate, lying and being south of the Alameda Mole, in the city of Alameda, county of Alameda, State of California, and more particularly described as follows: Commencing at a point on the United States bulkhead line, said point being distant due south thereon two hundred and two and one-tenth feet from point "k" as said line and point are delineated and so designated upon that certain map entitled "Harbor Line Survey, San Francisco Bay, 1910, Sheet Numbered 6", on file in the United States Engineer's office, Customs House, San Francisco; and running thence north seventy-three degrees fifty-eight minutes west four hundred and nine and ninety-five one-hundredths feet to a point, said line being parallel with and distant southerly one hundred and twenty-two and seven-tenths feet measured at right angles from center line of the South Pacific Coast Railway Company's right-of-way; thence north eighty-three degrees twenty-eight minutes west three hundred and forty-two feet to a point; thence north seventy-six degrees five minutes west five hundred feet to a point; thence north eighty-one degrees fifteen minutes west six hundred and eighty feet to a point; thence north eighty-nine degrees fifty minutes west one thousand six hundred and eighty-seven and eighty-eight one-hundredths feet to a point on the United States Pierhead Line; thence south forty-seven degrees fifty minutes and fifty-three seconds west four hundred and eighty-two and fourteen one-hundredths feet to a point, which point is the intersection of the United States Pierhead Line with the southwesterly line of the city of Alameda (also easterly line of the city and county of San Francisco); thence south twenty-seven degrees fifty minutes east eleven thousand five hundred and twenty-nine feet along the southwesterly boundary

Alameda, Calif.
Acquisition of site for naval air station, authorized.

Description.

line of the city of Alameda to a point, which point is the intersection with the westerly line of Benton Field; thence north sixteen degrees two minutes east nine thousand three hundred and forty-four and thirteen one-hundredths feet to a point; thence north seventy-three degrees fifty-eight minutes west four thousand one hundred and ninety and five one-hundredths feet to the point of beginning, containing nine hundred and twenty-nine and three-hundred-and-thirty-seven one-thousandths acres, more or less, free from all [1]: *Provided, however*, That at least $1,000,000 be expended for or contracted to be expended in the actual work of development of said naval air base by December 31, 1939, otherwise said lands shall automatically revert back to said city of Alameda.

Proviso. Amount for development, etc.

Construction, etc.

SEC. 2. The Secretary of the Navy is further authorized to construct, install, acquire, and equip at said naval air station such buildings and utilities, technical buildings and utilities, landing field and mats, and all utilities and appurtenances necessary for the operation, maintenance, and repair of landplanes and seaplanes, including ammunition storage, fuel and oil storage, and distribution systems therefor, roads, walks, aprons, seaplane ramps, docks, runways, sewer, water, power, station and aerodrome lighting, telephone and signal communications, and other essentials, including the necessary bulkheading, dredging, grading, and filling and the removal and remodeling of existing structures and installations.

Appropriation authorized.

SEC. 3. There is authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sums as may be necessary to effectuate the purposes of this Act, but not over $15,000,000.

Approved, June 24, 1936.

[CHAPTER 751.]

June 24, 1936.
[S. 4390.]
[Public, No. 781.]

AN ACT

To amend the National Defense Act relating to the Medical Administrative Corps.

National Defense Act, amendment. Vol. 41, p. 774.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third sentence of section 24e of the National Defense Act, as amended by the Act of June 4, 1920 (41 Stat. 759, 774), is hereby amended by striking out that portion relating to the qualifications for appointment in the Medical Administrative Corps, which reads, "enlisted men of the Medical Department between the ages of twenty-one and thirty-two years, who have had at least two years' service.", and substituting therefor the following: "pharmacists between the ages of twenty-one and thirty-two years who are graduates of recognized schools or colleges of pharmacy requiring four years of instruction for graduation, under such regulations and after such examination as the Secretary of War shall prescribe: *And provided further*, That the number of such pharmacists in the Medical Administrative Corps shall not exceed sixteen."

Medical Administrative Corps.

Qualifications for appointment.

Proviso. Number.

Approved, June 24, 1936.

[1] So in original.

[CHAPTER 752.]

AN ACT

Authorizing and directing the Secretary of War to lease land on the Fort Moultrie (South Carolina) Military Reservation to the owners of certain cottages thereon.

June 24, 1936.
[S. 4432.]
[Public, No. 782.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized and directed to lease for a period of twenty years to the owners of the six cottages erected on land reclaimed from the ocean and now determined to be part of the military reservation of Fort Moultrie, South Carolina, the land upon which such homes were erected by the owners in the belief that title was vested in the commissioners of Sullivans Island, from whom it was secured by the owners: *Provided, however*, That such leases shall contain the provision that if at any time said property is needed for military purposes the buildings thereon must, upon notice, be immediately removed and the leases canceled, and the further provision that such buildings shall be removed without expense to the United States Government and that the lessee shall have no claim against the United States Government by reason of any damage whatsoever to said buildings or person from any cause.

Fort Moultrie Military Reservation, S. C. Lease of land to owners of certain cottages on, authorized.

Proviso. Conditions.

Approved, June 24, 1936.

[CHAPTER 753.]

AN ACT

Authorizing the appointment of an additional circuit judge for the third circuit.

June 24, 1936.
[S. 4457.]
[Public, No. 783.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and directed, by and with the advice and consent of the Senate, to appoint an additional circuit judge of the United States Circuit Court of Appeals for the Third Circuit, who shall possess the same powers, perform the same duties, and receive the same compensation as the present circuit judges of said circuit.

United States courts. Additional circuit judge for third circuit.

SEC. 2. That when a vacancy shall occur in the office of circuit judge for the third circuit, by the retirement, disqualification, resignation, or death of a circuit judge at present in commission, such vacancy shall not be filled, and thereafter there shall be but four circuit judges in the said circuit.

Vacancy not to be filled.

SEC. 3. That this Act shall take effect upon its approval by the President.

Effective date.

Approved, June 24, 1936.

[CHAPTER 754.]

AN ACT

To amend the Canal Zone Code.

June 24, 1936.
[H. R. 6719.]
[Public, No. 784.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 1 of title 2, Canal Zone Code, approved June 19, 1934 (48 Stat. 1122), is amended by adding at the end thereof a new section numbered 13 and reading as follows:

Canal Zone Code, amendments. Vol. 48, p. 1122.

"13. DISPOSITION OF USELESS PAPERS.—The Governor of the Panama Canal, under such regulations as he may prescribe, may authorize the destruction or disposal by other means of duplications in the

Disposition of useless papers.

files and other papers which are not needed or useful in the transaction of the current business of the Panama Canal and have no permanent value or historical interest."

SEC. 2. That the first paragraph of subsection (b) of section 94 of title 2, Canal Zone Code, is amended to read as follows:

Disability retirement of employees. Annuities.

"(b) Any employee to whom this article applies who shall have served for a total period of not less than five years, and who, before becoming eligible for retirement under the conditions defined in section 92 of this title, shall have become totally disabled for useful and efficient service in the grade or class of position occupied by the employee, by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct on the part of the employee, shall upon his own application or upon request or order of the Governor of the Panama Canal, be retired on an annuity computed in accordance with the provisions of section 96 of this title: *Provided*, That proof of freedom from vicious habits, intemperance, or willful misconduct for a period of more than five years next prior to becoming so disabled for useful and efficient service, shall not be required in any case; and any claim heretofore disallowed under this section by reason of the requirement of such proof with respect to a longer period than five years, shall upon request of the applicant be reinstated, and shall thereupon be redetermined under the provisions of the section as herein amended."

Proviso. Proof of conduct.

Claims previously disallowed.

SEC. 3. That paragraph (c) of section 101 of title 2, Canal Zone Code, is amended to read as follows:

Death of annuitant. Return of amount remaining to credit, etc.

"(c) In case an annuitant shall die without having received in annuities purchased by the employee's contributions as provided in paragraph (2) of section 96 of this title an amount equal to the total amount to his credit at time of retirement, the amount remaining to his credit and any accrued annuity shall be paid, upon the establishment of a valid claim therefor, in the following order of precedence:

Payments; precedence.

"First, to the beneficiary or beneficiaries designated in writing by such annuitant and recorded on his individual account;

"Second, if there be no such beneficiary, to the duly appointed executor or administrator of the estate of such annuitant;

"Third, if there be no such beneficiary, or executor or administrator, payment may be made, after the expiration of thirty days from the date of the death of the annuitant, to such person or persons as may appear in the judgment of the Civil Service Commission to be legally entitled thereto, and such payment shall be a bar to recovery by any other person.

Annuitant having elected to receive increased annuity.

"In the case of an annuitant who has elected to receive an increased annuity as provided in section 96 of this title, the amount to be paid under the provisions of this paragraph shall be only the accrued annuity."

SEC. 4. That paragraph (d) of section 101 of title 2 of the Canal Zone Code is amended to read as follows:

Employee dying before retirement, etc.

"(d) In case an employee shall die without having attained eligibility for retirement or without having established a valid claim for annuity, the total amount of his deductions with interest thereon shall be paid, upon the establishment of a valid claim therefor, in the following order of precedence:

Payments; precedence.

"First, to the beneficiary or beneficiaries designated in writing by such employee and recorded on his individual account;

"Second, if there be no such beneficiary, to the duly appointed executor or administrator of the estate of such employee;

"Third, if there be no such beneficiary or executor or administrator, payment may be made, after the expiration of thirty days from the date of the death of the employee, to such person or persons as

may appear in the judgment of the Civil Service Commission to be legally entitled thereto, and such payment shall be a bar to recovery by any other person."

SEC. 5. That paragraph (e) of section 101 of title 2 of the Canal Zone Code is amended to read as follows:

"(e) In case a former employee entitled to the return of the amount credited to his individual account shall become legally incompetent, the total amount due may be paid to a duly appointed guardian or committee of such former employee. If the amount of refund due such former employee does not exceed $1,000, and if there has been no demand upon the Civil Service Commission by a duly appointed guardian or committee, payment may be made, after the expiration of thirty days from date of separation from the service, to such person or persons, in the discretion of the Commission, who may have the care and custody of such former employee, and such payment shall be a bar to recovery by any other person."

Former employee becoming legally incompetent.
Payment of amount due.

SEC. 6. That paragraph (f) of section 101 of title 2 of the Canal Zone Code is amended to read as follows:

"(f) Each employee or annuitant to whom this article applies may, under regulations prescribed by the Civil Service Commission, designate a beneficiary or beneficiaries to whom shall be paid, upon the death of the employee or annuitant any sum remaining to his credit (including any accrued annuity) under the provisions of this article."

Designation of beneficiary.

SEC. 7. That section 142 of title 2 of the Canal Zone Code is amended to read as follows:

"142. PUNISHMENT OF PERSONS DEPORTED FROM CANAL ZONE WHO RETURN THERETO.—Any person who voluntarily returns to the Canal Zone after having served a sentence of imprisonment therein and after having been deported therefrom, shall:

Punishment for reentry of deported persons.

"(a) Be punished by imprisonment in the penitentiary for not more than two years; and

Penalty.

"(b) Be removed from the Canal Zone upon the completion of his sentence, in accordance with the laws and orders relating to deportation.

"A voluntary entry into the Canal Zone for any purpose shall be sufficient to constitute a return to the Canal Zone within the meaning of this section: *Provided*, That the Governor of the Panama Canal, in his discretion, by permit or regulations, may authorize persons deported from the Canal Zone to pass through or to return temporarily to the Canal Zone, and he may prescribe the route over which such persons shall be required to travel while in the Canal Zone. Any person who violates the terms of such permit or the regulations authorized herein, or remains in the Canal Zone after the expiration of such permit, shall be deemed guilty of violation of this section and punished as provided herein."

Proviso.
Temporary return, or passage; permits for.

SEC. 8. That section 158 of title 2 of the Canal Zone Code is amended to read as follows:

U. S. C., p. 2195.

"158. SMALL VESSELS PROPELLED BY MACHINERY; REGISTRATION, CERTIFICATION, AND NUMBERING; LICENSING OF OPERATORS; FINES.—Vessels not more than sixty-five feet in length, measuring from end to end over the deck excluding sheer, and propelled in whole or in part by machinery, shall be registered, certificated, and numbered, and shall display the numbers assigned in a conspicuous place in prescribed form. Such vessels shall be subject to annual inspection, and the certificate referred to herein shall be issued for a term of one year and shall specify the number of passengers which the vessel may carry, and the number of life preservers and the fire-fighting apparatus and other equipment which the vessel shall carry.

Small vessels propelled by machinery.
Registration, certification, numbering, etc.
Annual inspection.

Operator's license, issuance, etc.

"No such vessel shall be operated except by a person holding an operator's license, issued after examination by the board of local inspectors and approved by the marine superintendent or such other officer of the Panama Canal as may be designated by the Governor.

Penalty for violation.

"Any person who as owner, hirer, or borrower of any such vessel, shall cause or permit it to be operated in Canal Zone waters in violation of any of the requirements of this section or of the certificate issued hereunder, shall be liable to a fine of not more than $100:

Proviso. Exceptions.

Provided, however, That this section shall not apply to public vessels of the United States or of the Republic of Panama, or to tugboats or towboats propelled by steam."

U. S. C., p. 2196.

SEC. 9. That section 159 of title 2 of the Canal Zone Code is amended to read as follows:

Small vessels not machine-propelled. Registration, etc.

"159. SMALL VESSELS NOT PROPELLED BY MACHINERY; REGISTRATION AND NUMBERING; FINES.—Vessels not more than sixty-five feet in length and not propelled in whole or in part by machinery, shall be registered and numbered, and when numbers have been assigned they shall be displayed in a conspicuous place in prescribed form.

Violations, penalty.

Any person who as owner, hirer, or borrower of any such vessel, shall cause or permit it to be operated in Canal Zone waters in violation of any of the requirements of this section shall be liable to a fine of not more than $100.

Small passenger-carrying vessels. Section repealed.

SEC. 10. That section 160 of title 2 of the Canal Zone Code is hereby repealed.

SEC. 11. That section 603 of title 5 of the Canal Zone Code is amended to read as follows:

Vagrants, etc.

"603. VAGRANTS, BEGGARS, LOITERERS, AND INTOXICATED PERSONS; DISORDERLY CONDUCT; BREACH OF PEACE.—Every vagrant or person found within the Canal Zone without legitimate business or visible means of support;

Beggars, etc.

"(b) Every mendicant or habitual beggar found within the Canal Zone;

Loiterers, etc.

"(c) Every person found within or loitering about any building or structure, or any vessel, railroad car, or storage yard, without due and proper authority or permission so to be; or peddling goods or merchandise about any laborers' camp or mess house during hours when laborers are ordinarily employed at work, or in or about places where groups of men are at work;

Intoxicated persons.

"(d) Every person found in any public place in such a state of intoxication as to disturb others, or unable, by reason of his condition, to care for his own safety or of the safety of others; and

Disorderly conduct, etc.

"(e) Every person who shall, in the Canal Zone, engage in any kind of disorderly conduct or breach of the peace;

Penalty for.

"Shall be punished by a fine of not more than $25, or by imprisonment in jail for not more than thirty days, or by both."

SEC. 12. That section 876 of title 5 of the Canal Zone Code is amended to read as follows:

Offenses and punishment thereof.

"876. OFFENSES AND PUNISHMENT THEREOF.—Any person who:

Carrying arms or dangerous weapons.

"(a) Carries on or about his person any of the arms mentioned in section 871 of this title without authority under this chapter;

Hunting without permit.

"(b) Engages in hunting without first obtaining the permit provided for in this chapter; or

Unlawful hunting.

"(c) After obtaining a hunting permit, engages in hunting in violation of provisions of this chapter or any rule or regulation established by the Governor hereunder;

"Shall be guilty of a misdemeanor; and any arms carried in violation of paragraph (a) of this section may be seized, and the court may order their confiscation and destruction. Penalties for violations of this chapter shall be in addition to any punishment which

may be imposed upon the offending person for any other offense that he may have committed in connection with the carrying or using of arms in violation of this chapter."

SEC. 13. That section 132 of title 6 of the Canal Zone Code is amended to read as follows:

"132. MANNER OF TAKING APPEAL.—An appeal from the judgment of a magistrate's court may be taken and perfected by the defendant by giving oral or written notice in court of his intention so to do at any time within five days after judgment is rendered."

Appeals. Manner, time, etc., of taking.

Approved, June 24, 1936.

[CHAPTER 755.]

AN ACT

To provide more effectively for the national defense by further increasing the effectiveness and efficiency of the Air Corps of the Army of the United States.

June 24, 1936. [H. R. 11140.] [Public, No. 785.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the authorized strength in airplanes, equipment, and accessories of the Army Air Corps established by the Act approved July 2, 1926 (44 Stat. 780), is hereby increased to such numbers as will permit the Secretary of War to complete the equipment and organization and to maintain in the Army Air Corps the special Army air organization known as G. H. Q. Air Force, and our overseas defenses, together with a 25 per centum reserve for such forces, and to procure such other airplanes and equipment, including spare parts, supplies, and accessories, for such other purposes as are necessary to provide for the mission of the Army Air Corps: *Provided*, That of the increase authorized herein not to exceed two thousand three hundred and twenty serviceable airplanes, including equipment and accessories, are authorized to be obtained.

Army Air Corps. Authorized strength in airplanes, equipment, etc., increased. Vol. 44, p. 784; U. S. C., p. 243.

G. H. Q. Air Force, maintenance.

Proviso. Maximum number.

Approved, June 24, 1936.

[CHAPTER 756.]

AN ACT

For the relief of the Orland reclamation project, California.

June 24, 1936. [H. R. 11538.] [Public, No. 786.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to execute or authorize the execution of amendatory contracts with the individual water users of the Orland reclamation project, California, by which (a) the time within which the cost of Stony Gorge Reservoir may be paid shall be thirty-five years in lieu of the seventeen years allowed for such payment under existing contracts, the said annual payments to be graduated as the said Secretary may prescribe, and (b) any construction or operation and maintenance charges due from the individual water users and delinquent as of the date of this Act, together with the accrued interest or penalties, may be added to their proportionate part of the cost of said reservoir.

Orland reclamation project, Calif. Amendatory contracts with water users for payment of construction, operation, etc., charges, authorized.

SEC. 2. The said Secretary shall classify the lands of the Orland project and the owners of all lands found by the said Secretary to be permanently unproductive may, by supplemental agreement with the United States, be relieved of all liability for further operation and maintenance and construction charges on land so found to be permanently unproductive, and the credit for construction charges theretofore paid on such permanently unproductive lands may be

Release of unproductive lands.

Transfer of credits for construction charge payments.

Transfer of water rights to other productive lands.

transferred to other producing lands, as the owner of such permanently unproductive lands may designate in writing. The released water rights theretofore appurtenant to such permanently unproductive lands shall be transferred to other productive lands, as the said Secretary may designate and under such regulations as he may prescribe.

Annual estimate of operation and maintenance charges.

Advance payments.

SEC. 3. After the plan prescribed in section 4 hereof becomes effective, all operation and maintenance charges shall be estimated annually by the Secretary and collected in advance on the Orland project on or before January 1 of each year for that calendar year, and no water shall be delivered to any water user failing to make such advance payment. Should the estimate by the Secretary of the amount of the operation and maintenance charges for any calendar year or the collections from water users for such year prove to be too small, the water users shall be required to make a further payment in advance of the additional amount then estimated to be sufficient to meet the remainder of the operation and maintenance cost for that year, and the delivery of water shall not be continued (a) to the project unless said additional amount is paid to the United States, or (b) to any water user failing to pay his proportionate share (as determined by the Secretary) of such additional operation and maintenance cost. Overpayments resulting from too large estimates for any year shall be adjusted by credits upon succeeding years after the amount of the overpayment is ascertained.

Further payment if estimate inadequate.

Adjustment of overpayments.

Consolidation with construction cost of Stony Gorge Reservoir, upon executing supplementary contracts.

SEC. 4. For all water users executing supplementary contracts as permitted herein their proportionate share, as determined by the said Secretary, of the operation and maintenance charges for the first year in which this plan is made effective for the Orland project, by the execution of this agreement by at least 90 per centum of the water users of the project, as conclusively determined by the Secretary, shall be consolidated with the construction cost of the Stony Gorge Reservoir and paid when such construction cost is paid as herein permitted. Water users failing or refusing to execute such supplementary contracts shall not be accorded the benefit of this Act, nor shall they receive the benefit of any moratory construction charge legislation enacted in 1936 or thereafter unless otherwise specifically directed in such moratory legislation.

Amount authorized for land classification, constructing canals, etc.

SEC. 5. An appropriation of $35,000 from the reclamation fund for the Orland project is hereby authorized to enable the Secretary to make the land classification provided for in section 2 hereof and to construct canals and other works necessary to conduct to new project lands the water supply to be released hereunder from permanently unproductive lands. The primary construction charge of $55 per acre on such new lands shall be payable in installments as provided in section 2 of the Act of August 13, 1914 (38 Stat. 687). The supplemental construction charges for the new land shall be the same as for the old land, except that each acre of new land shall be required to pay in addition its proportionate part, as determined by the Secretary, of the construction cost of new work as authorized in this section. The supplemental construction charges for the new land shall be payable in installments over a period of thirty-five years, the first of such installments to be due one year after the due date of the last installment of the original construction charge on the new land. The supplemental construction charge installments for the new land shall be graduated in the same manner as for the old land as provided in section 1 hereof. The dates for the payment of the construction charges provided for in sections 1 and 5 hereof shall be as fixed by the said Secretary.

Primary construction charge; installment payments.

Vol. 38, p. 687.

Supplemental construction charges.

SEC. 6. The said Secretary is also authorized to enter into a contract with the Orland Unit Waters Users' Association, a corporation organized under the laws of California, modifying said corporation's contract of April 3, 1909, with the United States, if and so far as in the opinion of the said Secretary modification of said contract is requisite by reason of the execution of agreements between the United States and the individual stockholders of said corporation as authorized herein.

Orland Unit Waters Users' Association.
Modification of contract authorized.

SEC. 7. The Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this Act into full force and effect.

Administrative provisions.

Approved, June 24, 1936.

[CHAPTER 757.]

AN ACT

To extend the jurisdiction of the United States Court for China to offenses committed on the high seas.

June 24, 1936.
[H. R. 12257.]
[Public, No. 787.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act entitled "An Act creating a United States Court for China and prescribing the jurisdiction thereof", approved June 30, 1906 (34 Stat. 814; U. S. C., title 22, sec. 191), be, and it is hereby, amended to read as follows:

United States Court for China.
Vol. 34, p. 814.
U. S. C., p. 958.

"That a court is hereby established, to be called the United States Court for China, which shall have exclusive jurisdiction in all cases and judicial proceedings whereof jurisdiction may now be exercised by United States consuls and ministers by law and by virtue of treaties between the United States and China except insofar as the said jurisdiction is qualified by section 2 of this Act; and to[1] concurrent jurisdiction of all offenses committed on the high seas in cases in which the person or persons charged with such offenses shall be found in or be brought first into China. The said court shall hold sessions at Shanghai, China, and shall also hold sessions at the cities of Canton, Tientsin, and Hankau at stated periods, the dates of such sessions at each city to be announced in such manner as the court shall direct, and a session of the court shall be held in each of these cities at least once annually. It shall be within the power of the judge, upon due notice to the parties in litigation, to open and hold court for the hearing of a special cause at any place permitted by the treaties, and where there is a United States consulate, when, in his judgment, it shall be required by the convenience of witnesses, or by some public interest. The place of sitting of the court shall be in the United States consulate at each of the cities, respectively.

Jurisdiction of, extended to offenses committed on high seas.

Sessions of court.

"That the seal of the said United States Court for China shall be the arms of the United States, engraved on a circular piece of steel of the size of a half dollar, with these words on the margin, 'The Seal of the United States Court for China.'

Court seal.

"The seal of said court shall be provided at the expense of the United States.

"All writs and processes issuing from the said court and all transcripts[1], records, copies, jurats, acknowledgments, and other papers requiring certification or to be under seal may be authenticated by said seal, and shall be signed by the clerk of said court. All processes issued from the said court shall bear test from the day of such issue."

Use of, in authentications.

Approved, June 24, 1936.

[1] So in original.

[CHAPTER 758.]

AN ACT

June 24, 1936.
[H. R. 12758.]
[Public, No. 788.]

To increase the pension to certain veterans of the Regular Establishment on the rolls March 19, 1933.

Pensions, Regular Establishment.
Veterans receiving service-connected disability pension on March 19, 1933, under Act of 1924, rate of pensions for.
Vol. 48, p. 8.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective on the first day of the month following the month in which this Act is enacted, any veteran who is entitled to pension for service-connected disability under Veterans' Regulation Numbered 1 (a), as amended, part II, promulgated under Public Law Numbered 2, Seventy-third Congress, and who was on March 19, 1933, in receipt of compensation under the World War Veterans' Act, 1924, as amended, or pension under the general pension law, for such service-connected disability, shall be entitled to receive pension at 75 per centum of the compensation or the pension being paid on March 19, 1933, subject to the regulations issued under Public Law Numbered 2, Seventy-third Congress, pertaining to hospitalized and domiciled cases: *Provided*, That where the degree of such service-connected disability has increased or decreased since March 19, 1933, the per centum limitation shall be determined on the basis of the rate of compensation or pension payable for such changed condition under the laws applied to such veteran in effect on March 19, 1933: *Provided further*, That in no event shall the rate of pension provided in this Act exceed 75 per centum of the rate of pension for similar disability under Veterans' Regulation Numbered 1 (a), as amended, part I.

Provisos.
Basis, if degree of disability has changed.

Rate limited.

Approved, June 24, 1936.

[CHAPTER 759.]

AN ACT

June 24, 1936.
[H. R. 12796.]
[Public, No. 789.]

To amend the Act entitled "An Act to provide for the times and places for holding court for the eastern district of North Carolina", approved May 10, 1928, as amended (U. S. C., 1934 edition, title 28, sec. 179; U. S. C., Supp. I, title 28, sec. 179).

United States courts.
North Carolina eastern judicial district.
U. S. C., p. 1249; Supp. I, p. 198.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the times and places for holding court for the eastern district of North Carolina", approved May 10, 1928, as amended (U. S. C., 1934 edition, title 28, sec. 179; U. S. C., Supp. I, title 28, sec. 179), is amended to read as follows:

Terms of court.

"That the terms of the District Court for the Eastern District of North Carolina shall be held at Raleigh, a one-week civil term, on the second Mondays in September and March; and at the following places on each succeeding Mondays thereafter: Fayetteville, Elizabeth City, Washington, New Bern, Wilson, Wilmington, and Raleigh, the term at Raleigh being a criminal term only."

Approved, June 24, 1936.

[CHAPTER 760.]

AN ACT

To authorize the coinage of 50-cent pieces in commemoration of the three hundred and fiftieth anniversary of Sir Walter Raleigh's colony on Roanoke Island, North Carolina, known in history as the Lost Colony, and the birth of Virginia Dare, the first child of English parentage to be born on the American continent.

June 24, 1936.
[H. R. 12799.]
[Public, No. 790.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the three hundred and fiftieth anniversary of Sir Walter Raleigh's colony on Roanoke Island, North Carolina, known in history as the Lost Colony, and the birth of Virginia Dare, the first child of English parentage to be born on the American continent, there shall be coined at a mint of the United States to be designated by the Director of the Mint not less than twenty-five thousand silver 50-cent pieces of standard size, weight, and composition and of a specially prepared design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

Sir Walter Raleigh's colony, Roanoke Island, N. C.
Coinage commemorating founding of, and birth of Virginia Dare, authorized.
Number.
No Federal expense for dies, etc.

SEC. 2. The coins herein authorized shall bear the date 1937, irrespective of the year in which they are minted or issued, shall be legal tender in any payment to the amount of their face value, and shall be issued only upon the request of the Roanoke Colony Memorial Association of Manteo, North Carolina, upon payment by it of the par value of such coins, but not less than twenty-five thousand such coins shall be issued to it at any one time, and no such coins shall be issued after July 1, 1937. Such coins may be disposed of at par or at a premium by the Roanoke Colony Memorial Association of Manteo, North Carolina, and the net proceeds shall be used by it in defraying the expenses incidental and appropriate to the commemoration of such event.

Date, issue, etc.
Disposal.

SEC. 3. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material, and for the transportation, distribution, and redemption of coins, for the prevention of debasement or counterfeiting, for the security of the coins, or for any other purposes, whether such laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized.

Coinage laws applicable.

Approved, June 24, 1936.

[CHAPTER 761.]

AN ACT

To amend the Act of Congress approved May 27, 1935 (Public, Numbered 73, Seventy-fourth Congress), authorizing the Secretary of Commerce to convey to the city of Grand Haven, Michigan, certain portions of the Grand Haven Lighthouse Reservation, Michigan.

June 24, 1936.
[H. R. 12971.]
[Public, No. 791.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress approved May 27, 1935 (Public Numbered 73, Seventy-fourth Congress), is hereby amended to read as follows:

Grand Haven Lighthouse Reservation, Mich.
Ante, p. 292.

"That the Secretary of Commerce is hereby authorized to convey to the city of Grand Haven, State of Michigan, for use for street and park purposes, all of the Grand Haven Lighthouse Reservation, Michigan, which is not required to be retained for lighthouse purposes. The Secretary of Commerce shall describe by metes and

Conveyance of portion to city, for street and park purposes, authorized.

Reversionary provision.

bounds in the deed of conveyance the exact portions of the reservation transferred. The deed of conveyance shall also contain a provision that should the city of Grand Haven, State of Michigan, cease to use the property for the purpose for which it is conveyed, title thereto shall revert to the United States.

Rights, etc., reserved.

"SEC. 2. The United States reserves the rights-of-way over, underground, or across the area to be transferred for any use whatsoever in conducting the Lighthouse Service or other activities of the Government, and, further reserves the right to be furnished by the city of Grand Haven, any and all services, conveniences, and utilities at established rates, such as transportation, gas or electric lighting facilities, water connections and sewer connections, and such other utilities as may be installed in the vicinity of, and accessible to the reservation."

Approved, June 24, 1936.

[CHAPTER 762.]

June 24, 1936.
[H. R. 10101.]
[Public, No. 792.]

AN ACT

To amend the Federal Farm Loan Act and the Farm Credit Act of 1935, and for other purposes.

Federal land banks.
Interest rates on loans.
Vol. 39, p. 372; Vol. 48, p. 43; *Ante*, p. 314.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That effective July 1, 1935, the first sentence of paragraph "Twelfth" of section 12 of the Federal Farm Loan Act, as amended and as further amended by section 3 (a) of the Farm Credit Act of 1935, is further amended by striking out the following: "occurring within a period of one year commencing July 1, 1935, and shall not exceed 4 per centum per annum for all interest payable on installment dates occurring within a period of two years commencing July 1, 1936", and inserting in lieu thereof the following: "occurring within a period of two years commencing July 1, 1935".

Approved, June 24, 1936.

[CHAPTER 763.]

June 24, 1936.
[H. J. Res. 642.]
[Pub. Res., No. 127.]

JOINT RESOLUTION

To enable the Secretary of Agriculture to apply such methods of control of grasshoppers as in his judgment may be necessary.

Grasshoppers.
Cooperative methods of control authorized.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That for the application of such methods of control of grasshoppers as, in the judgment of the Secretary of Agriculture, may be necessary, in cooperation with such authorities of the States concerned, organizations, or individuals as he may deem essential to accomplish such purposes, including the employment of persons and means in the District of Columbia and elsewhere, printing and binding, rent outside of the District of Columbia, and for other expenses there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $250,000, to remain available until June 30, 1937: *Provided*, That this appropriation shall be used for expenditures of general administration and supervision, purchase and transportation of poisoned bait, or materials for its manufacture, and such other expenses as in the discretion of the Secretary of Agriculture may be deemed necessary and that the cooperating States shall be responsible for the local distribution and utilization of such bait on privately owned lands including full labor costs: *Provided further*, That, in the discretion of the Secretary of Agriculture, no part of this appropriation shall be expended for grasshopper control in any State until such State has provided the necessary organization for the cooperation herein

Personal services, etc.

Appropriation.

Provisos.
Use of funds.

State cooperative organization.

indicated: *Provided further*, That no part of this appropriation shall be used to pay the cost or value of farm animals, farm crops, or other property injured or destroyed: *Provided further*, That procurements under this appropriation may be made by open-market purchases notwithstanding the provisions of section 3709 of the Revised Statutes of the United States (U. S. C., title 41, sec. 5).

Restriction.

Open-market purchases.
R. S., sec. 3709, p. 733.
U. S. C., p. 1803.

Approved, June 24, 1936.

[CHAPTER 764.]

JOINT RESOLUTION

Providing for the establishment of a game management supply depot and laboratory, and for other purposes.

June 24, 1936.
[H. J. Res. 366.]
[Pub. Res., No. 128.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is hereby authorized to purchase on behalf of the United States such tract or tracts of land, in Pocatello, Idaho, including structures thereon, as in his judgment may be suitable for the establishment of a game management supply depot and laboratory for use of the Department of Agriculture, and to pay all costs incident to examining, transferring, and perfecting title to said land, and to construct thereon such building or buildings and to repair, add to, or remodel any existing structures thereon, as in his judgment may be suitable for use as a depot and laboratory and to purchase and install therein such equipment [1] machinery as may be necessary for its efficient use and operation; he is authorized to provide such sidewalks and approaches in and around said premises as may be required. That appropriations made for the administration, protection, maintenance, control, improvements, and development of wildlife sanctuaries, reservations, and refuges under the control of the Secretary of Agriculture shall be available for the purchase, transportation, and handling of supplies and materials for distribution at cost from game management supply depots maintained by the Department of Agriculture to projects specially provided for, and transfers between the appropriations for said purposes are hereby authorized in order that the cost of supplies and materials, and transportation and handling thereof, drawn from central warehouses so maintained may be charged to the particular project benefited; and such supplies and materials as remain in said depots at the end of any fiscal year shall be continuously available for issuance during subsequent fiscal years and to be charged for by such transfers of funds between said appropriations for the fiscal year then current without decreasing in any way the appropriations made for that fiscal year: *Provided*, That supplies and materials shall not be purchased solely for the purpose of increasing the value of storehouse stock beyond reasonable requirements for any current fiscal year.

Pocatello, Idaho.
Game management supply depot and laboratory, establishment.

Administrative, etc., funds available for purchase, handling, distributing, etc., supplies and materials.

Transfers between appropriations, authorized.

Proviso.
Supplies beyond requirements.

Approved, June 24, 1936.

[CHAPTER 765.]

JOINT RESOLUTION

Granting the consent of Congress to the city and county of San Francisco to construct a causeway and highways on Yerba Buena Island in San Francisco Bay, and for other purposes.

June 24, 1936.
[S. J. Res. 251.]
[Pub. Res., No. 129.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to the construction and maintenance by the city and county of San Francisco, California, of (1) a causeway between Yerba Buena Island in San Francisco Bay and a public airport to be constructed by said city and county on lands

San Francisco, Calif.
Construction, etc., of causeway, highways, etc., on Yerba Buena Island, authorized.

[1] So in original.

reclaimed in said bay; (2) roads or highways on said Yerba Buena Island connecting such causeway with the State highway on said island provided by the San Francisco-Oakland Bay Bridge crossing; (3) such fresh-water supply reservoirs, tanks, conduits, and pipe lines as may be necessary or proper to enable said city and county to supply said Yerba Buena Island and said public airport with an adequate supply of fresh water; and (4) all usual, necessary, and reasonable incidents and appurtenances to such causeway, roads, highways, reservoirs, tanks, conduits, and pipe lines. The Secretary of the Navy is hereby authorized to grant permits for such construction and maintenance, together with all usual, necessary, and reasonable incidents and appurtenances thereto, and to grant to said city and county perpetual easements for rights-of-way therefor, subject to such restrictions as he may in his discretion prescribe to avoid injury to the military, naval, or defense uses of said island and inconvenience to the military or naval forces thereon: *Provided*, That said causeway and any such connecting roads and highways hereby authorized shall be forever toll free: *And provided further*, That the location and plans of such causeway, roads, highways, reservoirs, tanks, conduits, and pipe lines, with the incidents and appurtenances thereto, shall be first approved by the Secretary of the Navy: *And provided further*, That nothing in this resolution or consent shall preclude the erection and maintenance of tollgates and tollhouses upon any of said roads or highways connecting said causeway with said San Francisco-Oakland Bay Bridge crossing for the purpose of collecting tolls for the use of such bridge.

Reservoirs and pipe lines.

Permits.

Perpetual easements for rights-of-way.

Provisos.
Toll restriction.

Approval of location, plans, etc.

Tolls on connecting roads.

Approved, June 24, 1936.

[CHAPTER 766.]

June 24, 1936.
[S. J. Res. 277.]
[Pub. Res., No. 130.]

JOINT RESOLUTION

To investigate corporations engaged in the manufacture, sale, or distribution of agricultural implements and machinery.

Agricultural implements and machinery.
Investigation by Federal Trade Commission of corporations engaged in manufacture, sale, or distribution of.
Vol. 38, p. 721; U. S. C., p. 516.
Scope of investigation.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Trade Commission be, and it is hereby, directed under the authority of and in pursuance of the Act entitled "An Act to create a Federal Trade Commission, to define its powers and duties, and for other purposes", approved September 26, 1914, as amended, to investigate and report to the Congress the facts relating to—

(a) Whether any corporation engaged in the manufacture, sale, or distribution of agricultural implements and machinery, of whatever kind and description is, or within the past three years has been, violating any of the antitrust Acts of the United States, and the nature, extent, and effects of any such violation;

(b) The existence and effect of any contract, agreement, combination, or conspiracy in unlawful restraint of trade and the existence of any unfair methods of trade or competition in connection with the manufacture, sale, and distribution of said agricultural implements and machinery;

(c) Whether and to what extent methods of price fixing, price maintenance, and price discrimination in violation of the antitrust Acts exist in connection with the manufacture, sale, and distribution of said agricultural implements and machinery;

(d) Any developments and tendencies in the direction of monopoly and concentration of ownership or control of the means of the manufacture, sale, or distribution of said agricultural implements and machinery;

(e) The existence of any combination to restrict or control the manufacturer[1] or supply of agricultural implements or machinery or to raise or control the price thereof, or to restrict credit in the sale thereof;

(f) Whether and to what extent the present prices of agricultural implements and machinery are due to any violations of any of the antitrust laws;

(g) Whether and to what extent costs and profits of any corporation engaged in the manufacture, sale, or distribution of agricultural implements and machinery have been affected, enhanced, or maintained by unlawful combinations, agreements, or understandings, or any other violations of the antitrust laws, and whether and to what extent costs and profits of any such corporations have been misstated or misrepresented to conceal or promote violations of the antitrust laws;

(h) The extent of concentration of control of manufacture and distribution of such equipment in the hands of particular manufacturers and the basis thereof;

(i) The costs, prices, and profits of manufacturers and distributors of agricultural implements and machinery;

(j) The distribution methods and dealer price spreads of margins entering into prices paid by farmers for agricultural machinery and equipment;

(k) The facts regarding the relative price movements of farm machinery and farm products since 1914;

(l) The facts regarding the relative price movements of farm machinery and implements and some of the machinery and implements and somewhat comparable material and labor;

(m) Any other pertinent facts regarding the present prices of agricultural implements and machinery, and the cause thereof; and

(n) What measures, legislative or otherwise, in the opinion of the Commission are needed to correct conditions in the farm-implement industry adversely affecting the interests of farmers.

Approved, June 24, 1936.

[CHAPTER 767.]

JOINT RESOLUTION

Amending section 11 of the Soil Conservation and Domestic Allotment Act.

June 24, 1936.
[S. J. Res. 291.]
[Pub. Res., No. 131.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 11 of the Soil Conservation and Domestic Allotment Act (Public, Numbered 461, Seventy-fourth Congress), is amended by striking out the period at the end thereof and adding the following: "And for payments to committees or associations of producers in any region or regions to cover the estimated administrative expenses to be incurred by any such committee or association in cooperating in carrying out this Act: *Provided*, That the Secretary may prescribe that all or part of such estimated expenses of any such committee or association may be deducted pro rata from the payments or grants made to the members thereof: *And provided further*, That the Secretary may make such payments in advance of determination of performance."

Soil Conservation and Domestic Allotment Act, amendment. *Ante*, p. 1150.

Funds made available for paying administrative expenses of cooperating committees, etc.

Provisos.
Deductions.

Advance payments.

Approved, June 24, 1936.

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[1] So in original.

[CHAPTER 768.]

JOINT RESOLUTION

June 24, 1936.
[S. J. Res. 255.]
[Pub. Res., No. 132.]

To provide for the participation of the United States in the commemoration of the seventy-fifth anniversary of the Battle of Antietam.

Battle of Antietam. Preamble.

Whereas the Battle of Antietam, one of the greatest and most important battles of the Civil War, was fought in Washington County, Maryland, in September 1862; and

Whereas the seventy-fifth anniversary of the Battle of Antietam is to be celebrated during the week of September 12, 1937, by State, county, and other organizations: Therefore be it

United States Antietam Celebration Commission established.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a commission to be known as the United States Antietam Celebration Commission (hereinafter referred to as the Commission) and to be composed of seven Commissioners, as follows: Three persons to be appointed by the President of the United States; two Senators, by the President of the Senate; and two Representatives, by the Speaker of the House of Representatives. The Commissioners shall serve without compensation and shall select a chairman from among their number.

Composition, appointment, etc.

Duties.

SEC. 2. It shall be the duty of the Commission to arrange, in cooperation with State, county, and other organizations, an appropriate observance and celebration, to take place during the week of September 12, 1937, of the seventy-fifth anniversary of the Battle of Antietam.

Termination of Commission.

SEC. 3. The Commission shall cease to exist within thirty days after the date of the expiration of the celebration.

Approved, June 24, 1936.

[CHAPTER 769.]

JOINT RESOLUTION

June 24, 1936.
[H. J. Res. 532.]
[Pub. Res., No. 133.]

For the establishment of a commission in commemoration of the seventy-fifth anniversary of the Battle of Gettysburg in 1938.

Battle of Gettysburg. Commission to arrange for commemoration of, established.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the seventy-fifth anniversary of the Battle of Gettysburg, the President of the United States is authorized to appoint a commission of five persons to cooperate with the commission appointed by the Governor of the State of Pennsylvania. The commission shall serve without compensation and shall select a chairman from among their number.

Duties.

SEC. 2. That it shall be the duty of the commission to aid in planning for the commemoration of the seventy-fifth anniversary of the Battle of Gettysburg, and to give due and proper consideration to any plan or plans which may be submitted to them.

Approval of medals.

SEC. 3. The commission is authorized to approve the style and form of medals which can be offered for sale upon such terms and plans agreed upon.

Termination of Commission.

SEC. 4. That the term of the commission hereby created shall expire within one year after the commemoration of the seventy-fifth anniversary of the Battle of Gettysburg.

Effective date.

SEC. 5. This joint resolution shall take effect immediately.

Approved, June 24, 1936.

[CHAPTER 801.]

AN ACT

To repatriate native-born women who have heretofore lost their citizenship by marriage to an alien, and for other purposes.

June 25, 1936.
[S. 2912.]
[Public, No. 793.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter a woman, being a native-born citizen, who has or is believed to have lost her United States Citizenship solely by reason of her marriage prior to September 22, 1922, to an alien, and whose marital status with such alien has or shall have terminated, shall be deemed to be a citizen of the United States to the same extent as though her marriage to said alien had taken place on or after September 22, 1922: *Provided, however*, That no such woman shall have or claim any rights as a citizen of the United States until she shall have duly taken the oath of allegiance as prescribed in section 4 of the Act approved June 29, 1906 (34 Stat. 596; U. S. C., title 8, sec. 381), at any place within or under the jurisdiction of the United States before a court exercising naturalization jurisdiction thereunder or, outside of the jurisdiction of the United States, before a secretary of embassy or legation or a consular officer as prescribed in section 1750 of the Revised Statutes of the United States (U. S. C., title 22, sec. 131); and such officer before whom such oath of allegiance shall be taken shall make entry thereof in the records of his office or in the naturalization records of the court, as the case may be, and shall deliver to such person taking such oath, upon demand, a certified copy of the proceedings had, including a copy of the oath administered, under the seal of his office or of such court, at a cost not exceeding $1, which shall be evidence of the facts stated therein before any court of record or judicial tribunal and in any department of the United States.

Citizenship.
Repatriation of certain native-born women who married aliens prior to September 22, 1922.

Proviso.
Oath of allegiance.

Vol. 34, p. 596.
U. S. C., p. 217.

R. S., sec. 1750, p. 311.
U. S. C., p. 953.

Approved, June 25, 1936.

[CHAPTER 802.]

AN ACT

To provide for the inspection, control, and regulation of steam boilers and unfired pressure vessels in the District of Columbia.

June 25, 1936.
[S. 2953.]
[Public, No. 794.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Boiler Inspection Act of the District of Columbia."

Boiler Inspection Act of the District of Columbia.

SEC. 2. Wherever the word "person" is used in this Act it shall include individuals, firms, partnerships, associations and corporations.

"Person", defined.

SEC. 3. There is hereby constituted a boiler inspection service in the Engineer Department of the District of Columbia, to be composed of the following: (a) A boiler inspector who shall be qualified by training and experience in the construction and operation of steam boilers and unfired pressure vessels, and who, under an official designated by the Commissioners of the District of Columbia, shall have charge of the enforcement of the provisions of this Act and of the regulations promulgated hereunder; (b) and such other employees as may be necessary for the proper performance of the work. All such officials and employees shall be appointed by the Commissioners of the District of Columbia.

Boiler inspection service created in Engineer Department; personnel.

Appointment.

SEC. 4. No person shall use or cause to be used any steam boiler operating at a pressure in excess of fifteen pounds per square inch, or operating at a pressure less than fifteen pounds per square inch unless provided with an unassisted gravity return, or any unfired pressure vessel operating at a pressure in excess of sixty pounds per square inch and having a capacity in excess of fifteen gallons, except

Designated steam boilers and unfired pressure vessels.
Inspection of.

such vessels as may be exempted by the Commissioners of the District of Columbia, without having first obtained a certificate of inspection from the boiler inspector.

Operating at pressure greater than permitted.

SEC. 5. No person shall operate or cause to be operated any boiler or unfired pressure vessel, referred to in section 4 hereof, at a pressure greater than that permitted by the certificate of inspection, or while feed pumps, gages, cocks, valves, or automatic safety-control devices are not in proper working condition, or in violation of any of the regulations promulgated hereunder by the Commissioners of the District of Columbia.

Safety-control, etc., devices.

Annual inspections.

SEC. 6. The boiler inspector, or one of his assistants, shall inspect annually all boilers and unfired pressure vessels for which a certificate of inspection is required by section 4 of this Act, and shall determine by actual tests the condition thereof from the standpoint of safety and fitness for operation. If such boiler or vessel be safe and fit for operation, the boiler inspector shall issue the certificate of inspection which shall state, among other things, the pressure per square inch such boiler or vessel may be allowed to carry. This certificate of inspection shall be displayed in a conspicuous place in close proximity to the boiler or vessel covered thereby. In the case of a steam boiler or unfired pressure vessel which is regularly insured and inspected at least once a year by an insurance company duly licensed in the District of Columbia and approved by the Commissioners of the said District as to its inspection service, where a report of such inspection filed within thirty days after such inspection with the boiler inspector shows any such boiler or unfired pressure vessel to be in a safe and insurable condition, such inspection and report shall take the place of the inspection hereinbefore provided and the certificate of inspection may be issued upon such report. Insurance companies shall report to the inspectors the cancelation of insurance of any certificate holder.

Issuance of certificate of inspection.

Display of certificate.

Issuance of certificates upon report of inspection by insurance company.

Reports of cancelation of insurance.

Revocation or suspension of certificate.

SEC. 7. The boiler inspector may in his discretion revoke or suspend the certificate of inspection provided in section 4 of this Act if at any time he shall find any boiler or unfired pressure vessel covered by such certificate to be unsafe or unfit for operation.

Exemptions.

SEC. 8. Steam boilers and unfired pressure vessels located in or upon boats or vessels or other floating equipment, or boats or vessels owned or operated by the United States, or upon locomotives, street cars, busses, or other vehicles, operated under the regulations of any Federal agency or the Public Utilities Commission of the District of Columbia, shall be exempt from the provisions of this Act.

Fees.

SEC. 9. There shall be paid to the Collector of Taxes of the District of Columbia by the owner or user, for the issuance of a certificate as required by this Act fees to be fixed from time to time by the Commissioners of the District of Columbia for the annual inspection of each steam boiler or unfired pressure vessel, commensurate with the cost of inspection, with power to fix higher fees for the issuance of a certificate where the inspection in connection therewith is made on a Sunday or legal holiday. When an inspection report is filed by an insurance company with the said boiler inspector, showing that a boiler or unfired pressure vessel has been inspected and found to be in a safe and insurable condition as provided in section 6, the owner or user of such insured and inspected boiler or unfired vessel shall be exempt from the payment of all fees with the exception that there shall be paid to the Collector of Taxes of the District of Columbia a fee of $1 by the owner or user prior to the issuance of a certificate of inspection. No such certificate shall be valid after the boiler or unfired pressure vessel shall cease to be insured by an insurance company authorized as provided in section 6 of this Act.

Right of inspectors to enter premises.

SEC. 10. The boiler inspector and his assistants shall have the right to enter, in the performance of his or their duties, at all reasonable hours, all premises on which a steam boiler or unfired pressure vessel is being installed, operated, or maintained, and it shall be unlawful for any person to deny admittance to any such inspector or assistant or to interfere with him or them in the performance of his or their duties.

Denial of admittance unlawful.

Records, etc., to be kept.

SEC. 11. The boiler inspector shall keep in the office of the boiler inspection service all applications made, and a complete record thereof, as well as of all certificates issued. He shall also keep a complete record of each boiler and unfired pressure vessel inspected, and such other records and data pertaining to the boiler inspection service as may be directed by the Commissioners of the District of Columbia.

Unauthorized use deemed a common nuisance.

SEC. 12. The use of any steam boiler or unfired pressure vessel in violation of any of the prohibitions or requirements of this Act, or of the regulations promulgated under the authority hereof, shall constitute a common nuisance and the Corporation Counsel of the District of Columbia may maintain an action in the Supreme Court of the District of Columbia, in the name of the District of Columbia, to abate and perpetually enjoin such nuisance.

Proceedings to abate.

Penal provisions.

SEC. 13. If any person shall violate any one or more of the provisions of this Act, or of regulations duly promulgated hereunder, the Corporation Counsel of the District of Columbia, or any of his assistants, shall file an information in the police court in the name of the District of Columbia, and upon conviction such person shall be subject to a fine not to exceed $100 or to imprisonment for not more than ninety days, or both, for each and every violation thereof and each violation shall constitute a separate offense.

Regulations.

SEC. 14. The Commissioners of the District of Columbia are hereby authorized and empowered to make such regulations as they may deem proper to carry out the provisions of this Act and to fix the fees herein provided.

Inconsistent laws, etc., repealed.

Proviso.

Act of 1887 not affected.

Vol. 24, p. 427.

SEC. 15. All laws or parts of laws relating to boiler inspection in conflict with the provisions of this Act are hereby repealed: *Provided*, That no provision hereof shall be deemed to amend, alter, or repeal the Act approved February 28, 1887, as amended, being an Act to regulate steam engineering in the District of Columbia.

Separability provisions.

SEC. 16. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Effective date.

Promulgation of regulations and schedule of fees.

SEC. 17. This Act shall become effective six months from the date of its approval. The regulations and schedule of fees herein provided for shall be promulgated by the Commissioners of the District of Columbia and printed in one or more of the daily newspapers published in the said District but shall not be enforced until thirty days after such publication or until the effective date of this Act. Amendments to the regulations or new or additional schedules of fees, when and as the same may be adopted, shall likewise be printed in one or more of the daily newspapers published in the said District and no penalty for violation thereof or payment of new or additional fees prescribed shall be enforced until thirty days after such publication.

Approved, June 25, 1936.

[CHAPTER 803.]

AN ACT

June 25, 1936.
[S. 3843.]
[Public, No. 795.]

To provide for the entry under bond of exhibits of arts, sciences, and industries, and products of the soil, mine, and sea, and all other exhibits for exposition purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all articles which shall be imported from foreign countries for the sole purpose of exhibition or display at a permanent exhibition or exhibitions and/or at a temporary exhibition or exhibitions of the arts, sciences, and industries, and products of the soil, mine, and sea, to be held at any time and from time to time by the Port of New York Authority, a municipal corporate instrumentality organized pursuant to a compact entered into on April 30, 1921, between the States of New York and New Jersey and consented to by the Congress of the United States (ch. 77, U. S. Stat. L., vol. 42, pt. I, p. 174), and/or by its tenants or licensees in the building known as the Port Authority Commerce Building, located on the block bounded by Eighth and Ninth Avenues, Fifteenth and Sixteenth Streets, Borough of Manhattan, city and State of New York, upon which articles there shall be a tariff or customs duty, shall be admitted free of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful, at any time during or at the close of any exhibition held pursuant to this Act, to sell for delivery at the close thereof any goods or property imported for and actually displayed at such exhibition, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles, when sold or withdrawn for consumption or use in the United States, shall be subject to the duty, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal and to the requirements of the tariff laws in effect at such date: *Provided further*, That the Port of New York Authority shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under the provisions of this Act, and that all necessary governmental expenses incurred as a result of exhibitions authorized under this Act, including salaries of customs officials in charge of imported articles, shall be paid to the Treasury of the United States by the Port of New York Authority under regulations to be prescribed by the Secretary of the Treasury: *Provided further*, That all such articles shall, at the expiration of two years, be subject to the impost duty then in force, unless the same shall have been sold or exported from this country prior to that period of time: *And provided further*, That nothing in this Act contained shall be construed as an invitation, express or implied, from the Government of the United States to any foreign government, state, municipality, corporation, partnership, or individual to import any articles for the purpose of exhibition at the said exhibitions.

Approved, June 25, 1936.

Port of New York Authority.
Admission of articles under bond, imported for exhibitions to be held by.

Vol. 42, p. 174.

Sales permitted subject to regulations.

Provisos.
Payment of duty.

Port of New York Authority deemed sole consignee.

Payment of expenses.

Unsold, etc., articles subject to duty at end of two years.

Invitation to foreign governments to exhibit not implied.

[CHAPTER 804.]

AN ACT

To amend an Act of Congress approved March 3, 1863, entitled "An Act to reorganize the courts in the District of Columbia, and for other purposes."

June 25, 1936.
[S. 4038.]
[Public, No. 796.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the court established by section 1 of the Act of March 3, 1863 (12 Stat. 762), entitled "An Act to reorganize the courts in the District of Columbia, and for other purposes", shall hereafter be known as the district court of the United States for the District of Columbia: *Provided*, That nothing in this Act shall affect the jurisdiction or functions of the court.

Supreme Court of the District of Columbia.
To be known as "The District Court of the United States for the District of Columbia."
Proviso.
Jurisdiction, etc., unchanged.

Approved, June 25, 1936.

[CHAPTER 805.]

AN ACT

Authorizing the Secretary of Agriculture to convey certain lands to the Maryland-National Capital Park and Planning Commission, of Maryland, for park, parkway, and playground purposes.

June 25, 1936.
[S. 4105.]
[Public, No. 797.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture be, and he is hereby, authorized and directed to convey, by a good and sufficient deed to the Maryland-National Capital Park and Planning Commission, a public agency created by the General Assembly of Maryland, chapter 448 of laws of the 1927 session of said Assembly, all of that piece or parcel of land situate, lying, and being in Montgomery County, in the State of Maryland, being a part of the area comprising the Bethesda Experimental Station of the Bureau of Animal Industry, designated and described as the east eighteen acres. This land is to be used exclusively for public park, parkway, or playground purposes; and if the said Maryland-National Capital Park and Planning Commission fails to use such lands for the purposes herein provided, or at any time discontinue the use of such lands for the purposes herein provided, or attempts to alienate such lands, title thereto shall revert to the United States of America. The control and supervision of this land shall remain in the Secretary of Agriculture until such time, after approval of this Act, as will enable the Department of Agriculture to complete the transfer of the animal experimental station now located on the lands heretofore described to the new site at Beltsville, and to complete the emergency research studies now being conducted. The Secretary of Agriculture is further authorized, in his discretion to issue to the Maryland-National Capital Park and Planning Commission a revocable permit for the remaining thirty-two acres of the Bethesda Experimental Station of the Bureau of Animal Industry. The plans for development of these lands for park, parkway, or playground purposes shall be approved by the National Capital Park and Planning Commission.

Maryland-National Capital Park and Planning Commission.
Conveyance of certain lands to, for park, etc., purposes, authorized.

Reversionary provision.

Retention of control until transfer of animal experiment station, etc., completed.

Use of other lands.

Approval of plans.

Approved, June 25, 1936.

[CHAPTER 806.]

AN ACT

June 25, 1936.
[S. 4567.]
[Public, No. 798.]

To authorize the Secretary of Agriculture to extend and renew for the term of ten years a lease to the Chicago, Milwaukee and Saint Paul Railway Company of a tract of land in the United States Department of Agriculture Range Livestock Experiment Station, in the State of Montana, and for a right-of-way to said tract, for the removal of gravel and ballast material, executed under the authority of the Act of Congress approved June 9, 1926.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture be, and he is hereby, authorized, in his discretion, to extend and renew for a term of ten years that certain lease to the Chicago, Milwaukee and Saint Paul Railway Company, bearing date the 26th day of June 1926, of a tract of land in the United States Department of Agriculture Range Livestock Experiment Station, in the State of Montana, containing an approximate area of two hundred and forty-one and sixty-seven one-hundredths acres, and also a strip of land for a right-of-way to said tract, executed by the Secretary of Agriculture under the authority of the Act of Congress approved June 9, 1926, upon the terms and conditions contained in said lease, or such other terms and conditions as the Secretary of Agriculture may deem proper; said renewal and extension to inure to the benefit of Chicago, Milwaukee, Saint Paul and Pacific Railroad Company (successor of said railway company), its trustees in bankruptcy, and of the corporation succeeding to the ownership of its railroad and property.

Range Livestock Experiment Station, Mont.
Lease and right of way in, renewed to Chicago, Milwaukee and Saint Paul Railway Company.

Vol. 44, p. 711.

Approved, June 25, 1936.

[CHAPTER 807.]

AN ACT

June 25, 1936.
[S. 4648.]
[Public, No. 799.]

To promote safety at sea in the neighborhood of ice and derelicts, and for other purposes.

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

Ice patrol in North Atlantic Ocean.

INTERNATIONAL AGREEMENTS ON ICE PATROL AND DERELICT DESTRUCTION

International agreements on ice patrol and derelict destruction.

President authorized to conclude, for maintenance of service of ice patrol.

SECTION 1. The President is authorized to conclude agreements with interested maritime nations (a) to maintain in the north Atlantic Ocean a service of ice patrol, of study and observation of ice and current conditions, and of assistance to vessels and their crews requiring aid within the limits of the patrol; (b) to maintain a service of study and observation of ice and current conditions in such waters as may affect the set and drift of ice in the north Atlantic Ocean; and (c) to undertake all practicable steps to insure the destruction or removal of derelicts in the northern part of the Atlantic Ocean, east of the line drawn from Cape Sable to a point in latitude thirty-four degrees north, longitude seventy degrees west, if this destruction or removal is necessary. The President is further authorized to include in such agreements a provision for payment to the United States by the countries concerned, of their proportionate share of the expense for maintenance of the services named, or for the United States to contribute its proportionate share should it be agreed that another country was to maintain the patrol.

Service of study of ice conditions, etc.

Removal of derelicts.

Provision for payment for services to be included.

Patrol services.

PATROL SERVICES

Maintenance during entire ice season.

SEC. 2. (a) Unless the agreements made in accordance with section 1 provide otherwise, an ice patrol shall be maintained during the whole of the ice season in guarding the southeastern, southern,

and southwestern limits of the region of icebergs in the vicinity of the Grand Banks of Newfoundland, and the patrol shall inform trans-Atlantic and other passing vessels by radio and such other means as are available of the ice conditions and the extent of the dangerous region. A service of study of ice and current conditions, a service of affording assistance to vessels and crews requiring aid, and a service of removing and destroying derelicts shall be maintained during the ice season and any or all such services may be maintained during the remainder of the year as may be advisable. Information, assistance, etc.

(b) The ice patrol vessels shall warn vessels known to be approaching a dangerous area and recommend safe routes. Warnings, etc.

(c) The ice patrol vessels shall record the name, together with all the facts in the case, of any ship which is observed or known to be on other than a regular recognized or advertised ship route crossing the North Atlantic Ocean, or to have crossed the fishing banks of Newfoundland north of latitude forty-three degrees north during the fishing season, or, when proceeding to and from ports of North America to have passed through regions known or believed to be endangered by ice. The name of any such ship and all pertinent information relating to the incident shall be reported to the government of the country to which the ship belongs, if the government of that country so requests. Record of ships on other than regular routes, etc.

(d) The Commandant of the Coast Guard, under the direction of the Secretary of the Treasury, shall administer the services provided for in this section and shall assign thereto such vessels, material, and personnel of the Coast Guard as may be necessary. Any executive department or agency may upon the request of the Secretary of the Treasury detail personnel, loan or contribute material or equipment, or otherwise assist in the carrying out of the services named. Administration by Coast Guard.

(e) The Commandant of the Coast Guard shall publish each year a report of the activities of the services provided for in this section, a copy of which shall be furnished to each interested foreign government and to each agency assisting in the work. Annual reports to be published.

NORTH ATLANTIC ROUTES North Atlantic routes.

SEC. 3. (a) The owner, or operating agent, of any passenger vessel of the United States crossing the North Atlantic Ocean shall give public notice, in such manner as may be prescribed by the Secretary of the Treasury, of the regular routes which he proposes such vessel will follow and of any changes made in a route, and shall require the vessel to follow the published route as far as circumstances will permit. Any passenger vessel of the United States crossing the North Atlantic Ocean shall follow, as far as circumstances will permit, the recognized ship routes; it shall avoid, as far as practicable, the fishing banks of Newfoundland, north of latitude forty-three degrees north during the fishing season; and shall, as far as circumstances will permit, pass outside of the regions reported or known to be endangered by ice. Passenger vessels. Notice of regular routes of, to be published. Observance required.

(b) If the owner, or operating agent, of any such passenger vessel fails to comply with this section, he shall for each offense be liable to a fine not exceeding $100. Penalty for violation.

SEC. 4. (a) The master of every vessel of the United States, when ice is reported on or near his course, shall proceed at a moderate speed or alter his course so as to go well clear of the danger zone. Procedure when ice reported.

(b) If the master of any such ship fails to comply with this section, he shall for each offense be liable to a fine not exceeding $500. Penalty for violation.

PUBLICATION

Publication of rules and regulations.

SEC. 5. All rules and regulations, except such as have no general applicability and legal effect or are effective only against Federal agencies or persons in their capacity as officers, agents, or employees thereof, issued, prescribed, or promulgated pursuant to authority contained herein, shall be forwarded forthwith to the Division of the Federal Register in The National Archives for filing and publishing in the Federal Register.

Approved, June 25, 1936.

[CHAPTER 808.]

AN ACT

June 25, 1936.
[S. 4654.]
[Public, No. 800.]

To amend an Act entitled "An Act to distribute the commissioned line and engineer officers of the Coast Guard in grades, and for other purposes", approved January 12, 1923.

Coast Guard.
Commandant, rank, etc.
Vol. 42, p. 1130.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act to distribute the commissioned line and engineer officers of the Coast Guard in grades, and for other purposes", approved January 12, 1923 (42 Stat. 1130), is hereby amended by striking out the first proviso in that section and inserting the following proviso in lieu thereof: "*Provided*, That any officer who was serving on June 1, 1936, or shall thereafter serve as commandant in the Coast Guard shall, when retired (whether before or after the date of the enactment of this Act), be retired with the rank of Commandant and with the pay of a rear admiral (upper half) of the Navy on the retired list and that an officer whose term of service as Commandant has expired may be appointed a captain and shall be an additional number in that grade, but, if not so appointed, he shall take the place on the lineal list in the grade that he would have attained had he not served as Commandant and be an additional number in such grade;".

Rank, etc., when retired.

Rank of Commandant after expiration of term.

Approved, June 25, 1936.

[CHAPTER 809.]

AN ACT

June 25, 1936.
[S. 4727.]
[Public, No. 801.]

To quiet title and possession with respect to certain lands in Lawrence County, Alabama.

Lawrence County, Ala.
Title to certain lands in, released to equitable owners thereto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the right, title, and interest of the United States, except such right, title, and interest as has been acquired by the United States through purchase or condemnation, in and to all of fractional section 25 which lies south of the Elk River Shoals Canal and the northwest quarter of section 36, township 3 south, range 7 west, Huntsville meridian, in Lawrence County, Alabama, be, and the same is hereby released, relinquished, and confirmed by the United States to the owners of the equitable titles thereto, as fully and completely in every respect whatever as could be done by patents issued according to law: *Provided*, That this Act shall amount to a relinquishment of any title the United States has, or is supposed to have, in and to any of said lands and shall not be construed to abridge, impair, injure, prejudice, or divest in any manner any valid right, title, or interest of any person or body corporate whatever, the true intent of this Act being to concede and abandon all right, title, and interest of the United States to the lands

Proviso.
Relinquishment of Federal title only.

described herein to those persons, estates, firms, or corporations who would be the equitable owners of said lands under the laws of the State of Alabama, in the absence of the said interest, title, and estate of the United States.

Approved, June 25, 1936.

[CHAPTER 810.]

AN ACT

To authorize the Secretary of Agriculture to make such adjustments and revisions found to be due on contracts entered into by the Government with crop producers under the Agricultural Adjustment Act.

June 25, 1936.
[S. 4786.]
[Public, No. 802.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third sentence of the item "Payments for agricultural adjustment" contained in the Supplemental Appropriation Act, fiscal year 1936 (Public, Numbered 440, Seventy-fourth Congress), is amended by striking out the period at the end thereof and inserting in lieu thereof a semicolon and the following: "and the determination of the Secretary as to the correct base acreage and production figures (regardless of the figures on which the contract was based) and as to the person or persons entitled to receive such fair and equitable payments shall be final and conclusive."

Agricultural Adjustment Act.
Adjustments, etc., of certain contracts under, authorized.
Ante, p. 1116.

Approved, June 25, 1936.

[CHAPTER 811.]

AN ACT

To amend the naturalization laws in respect of residence requirements, and for other purposes.

June 25, 1936.
[H. R. 4900.]
[Public, No. 803.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second paragraph of the fourth subdivision of section 4 of the Naturalization Act of June 29, 1906, as amended (U. S. C., Supp. III, title 8, sec. 382), is amended by striking out the period at the end thereof and inserting a comma and the following: "except that in the case of an alien declarant for citizenship employed by or under contract with the Government of the United States or an American institution of research recognized as such by the Secretary of Labor, or employed by an American firm or corporation engaged in whole or in part in the development of foreign trade and commerce of the United States or a subsidiary thereof, no period of residence outside the United States shall break the continuity of residence if (1) prior to the beginning of such period (whether such period begins before or after his departure from the United States) the alien has established to the satisfaction of the Secretary of Labor that his absence from the United States for such period is to be on behalf of such Government, or for the purpose of carrying on scientific research on behalf of such institution, or to be engaged in the development of such foreign trade and commerce or whose residence abroad is necessary to the protection of the property rights in such countries of such firm or corporation, and (2) such alien proves to the satisfaction of the court that his absence from the United States for such period has been for such purpose."

Naturalization Act of 1906, amendments.
Vol. 34, p. 598.
U. S. C., p. 217.
Residence requirements of certain alien declarants for citizenship waived.

SEC. 2. No period of residence outside the United States during the five years immediately preceding the enactment of this Act shall be held to have broken the continuity of residence required by the naturalization laws if the alien proves to the satisfaction of the Secretary of Labor and the court that during all such period of absence he has been under employment by, or contract with, the

Continuity of residence not broken if proof of certain employment furnished.

United States, or such American institution of research, or American firm or corporation, described in section 1 hereof, and has been carrying on the activities described in this Act in their behalf.

Approved, June 25, 1936.

[CHAPTER 812.]

AN ACT

June 25, 1936.
[H. R. 5730.]
[Public, No. 804.]

To amend section 3 (b) of an Act entitled "An Act to establish the composition of the United States Navy with respect to the categories of vessels limited by the treaties signed at Washington, February 6, 1922, and at London, April 22, 1930, at the limits prescribed by those treaties; to authorize the construction of certain naval vessels; and for other purposes", approved March 27, 1934.

Naval vessels, construction under treaty categories.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 (b) of an Act entitled "An Act to establish the composition of the United States Navy with respect to the categories of vessels limited by the treaties signed at Washington, February 6, 1922, and at London, April 22, 1930, at the limits prescribed by those treaties; to authorize the construction of certain naval vessels; and for other purposes", approved March 27, 1934 (48 Stat. 505), is hereby amended by striking out the word "price" and inserting the words "prices, of such contracts within the scope of this section as are completed by the particular contracting party within the income-taxable year", after the words "of the total contract"; by inserting the words "but the surety under such contracts shall not be liable for the payment of such excess profit: *Provided*, That if there is a net loss on all such contracts or subcontracts completed by the particular contractor or subcontractor within any income-taxable year, such net loss shall be allowed as a credit in determining the excess profit, if any, for the next succeeding income-taxable year:" after the words "property of the United States"; by inserting the word "further" after the word "*Provided*"; by deleting the word "may" after the words "the Secretary of the Treasury" and substituting therefor the word "shall"; and by adding at the end of the section the following proviso: "*Provided further*, That all provisions of law (including penalties) applicable with respect to the taxes imposed by Title I of the Revenue Act of 1934, and not inconsistent with this section, shall be applicable with respect to the assessment, collection, or payment of excess profits to the Treasury as provided by this section, and to refunds by the Treasury of overpayments of excess profits into the Treasury: *And provided further*, That this section shall not apply to contracts or subcontracts for scientific equipment used for communication, target detection, navigation, and fire control as may be so designated by the Secretary of the Navy, and the Secretary of the Navy shall report annually to the Congress the names of such contracts and subcontractors affected by this provision, together with the applicable contracts and the amounts thereof." so that as amended said section 3 (b) will read as follows:

Vol. 48, p. 505.

Profit limited.

"SEC. 3. (b) To pay into the Treasury profit, as hereinafter provided shall be determined by the Treasury Department, in excess of 10 per centum of the total contract prices, of such contracts within the scope of this section as are completed by the particular contracting party within the income taxable year, such amount to become the property of the United States, but the surety under such contracts shall not be liable for the payment of such excess profit: *Provided*, That if there is a net loss on all such contracts or subcontracts completed by the particular contractor or subcontractor within any income taxable year, such net loss shall be

Computation.

Surety's liability on performance bonds.

Provisos.
Credit for loss in next succeeding year.

allowed as a credit in determining the excess profit, if any, for the next succeeding income taxable year: *Provided further*, That if such amount is not voluntarily paid the Secretary of the Treasury shall collect the same under the usual methods employed under the internal-revenue laws to collect Federal income taxes: *Provided further*, That all provisions of law (including penalties) applicable with respect to the taxes imposed by Title I of the Revenue Act of 1934, and not inconsistent with this section, shall be applicable with respect to the assessment, collection, or payment of excess profits to the Treasury as provided by this section, and to refunds by the Treasury of overpayments of excess profits into the Treasury: *And provided further*, That this section shall not apply to contracts or subcontracts for scientific equipment used for communication, target detection, navigation, and fire control as may be so designated by the Secretary of the Navy, and the Secretary of the Navy shall report annually to the Congress the names of such contractors and subcontractors affected by this provision, together with the applicable contracts and the amounts thereof: *And provided further*, That the income-taxable years shall be such taxable years beginning after December 31, 1935, except that the above provisos relating to the assessment, collection, payment, or refunding of excess profit to or by the Treasury shall be retroactive to March 27, 1934."

Collections, if not voluntarily paid.

Provisions for collecting excess profits and refunds of overpayments.
Vol. 48, p. 683.

Specific exemptions.

Annual reports to Congress.

Effective dates.

Approved, June 25, 1936.

[CHAPTER 813.]

AN ACT

June 25, 1936.
[H. R. 8107.]
[Public, No. 805.]

To authorize the striking of an appropriate medal in commemoration of the one hundredth anniversary of the founding of the city of Shreveport, Louisiana, and the opening of the Red River of the West to navigation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the one-hundredth anniversary of the founding of the city of Shreveport, Louisiana, and of the opening to navigation of the Red River of the West by the United States Government, resulting in the development of the tri-State territory of North Louisiana, east Texas, and southwest Arkansas, there shall be struck at a mint of the United States to be designated by the Director of the Mint twenty-five thousand commemorative medals of a special appropriate single design, size, weight, and composition to be fixed by the Director of the Mint with the approval of the Secretary of the Treasury.

Shreveport, La., centennial, etc.
Commemorative medals authorized.

Number, etc.

SEC. 2. Such commemorative medals shall be delivered to the duly authorized officers of the Shreveport Centennial, Incorporated, upon payment to the Director of the Mint of an amount to be fixed by the Director of the Mint not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses; and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for the full payment of such cost.

Delivery to Shreveport Centennial, Incorporated.
Payment.

SEC. 3. Whoever shall falsely make, forge, or counterfeit or cause or procure to be falsely made, forged, or counterfeited or shall aid in falsely making, forging, or counterfeiting any medal issued under the provisions of this Act, or whoever shall sell or bring into the United States or any place subject to the jurisdiction thereof from any foreign place, or have in his possession any such false, forged, or counterfeited medal, shall be fined not more than $1,000 or imprisoned not more than two years, or both.

Counterfeiting, etc.

Penalty.

Approved, June 25, 1936.

[CHAPTER 814.]

June 25, 1936.
[H. R. 8316.]
[Public, No. 806.]

AN ACT

To modify section 20 of the Permanent Appropriation Repeal Act, 1934, with reference to individual Indian money.

Indian trust funds. Provisions of Permanent Appropriation Repeal Act, 1934, not to apply to certain.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 20 of the Permanent Appropriation Repeal Act, approved June 26, 1934 (48 Stat. 1233), shall not be applicable to funds held in trust for individual Indians, associations of individual Indians, or for Indian corporations chartered under the Act of June 18, 1934 (48 Stat. 984).

Vol. 48, pp. 988, 1233.

Approved, June 25, 1936.

[CHAPTER 815.]

June 25, 1936.
[H. R. 8368.]
[Public, No. 807.]

AN ACT

To enforce the twenty-first amendment.

Liquor Enforcement Act of 1936.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Liquor Enforcement Act of 1936."

Definitions. "State."

SEC. 2. (a) Wherever used in this Act the word "State" shall mean and include every State, Territory, and possession of the United States, unless otherwise specifically provided.

"Vessel."

(b) As used in this Act the word "vessel" includes every description of water craft used, or capable of being used, as a means of transportation in water or in water and air; and the word "vehicle" includes animals and every description of carriage or other contrivance used, or capable of being used, as a means of transportation on land or through the air.

"Vehicle."

Bringing intoxicating liquor into a State which forbids sale, etc.

SEC. 3. (a) Whoever shall import, bring, or transport any intoxicating liquor into any State in which all sales (except for scientific, sacramental, medicinal, or mechanical purposes) of intoxicating liquor containing more than 4 per centum of alcohol by volume are prohibited, otherwise than in the course of continuous interstate transportation through such State, or attempt so to do, or assist in so doing, shall: (1) If such liquor is not accompanied by such permit or permits, license or licenses therefor as are now or hereafter required by the laws of such State; or (2) if all importation, bringing, or transportation of intoxicating liquor into such State is prohibited by the laws thereof; be guilty of a misdemeanor and shall be fined not more than $1,000 or imprisoned not more than one year, or both.

Continuous transit excepted.

Penalty.

State's definition of intoxicating liquor to determine violation.

(b) In order to determine whether anyone importing, bringing, or transporting intoxicating liquor into any State, or anyone attempting so to do, or assisting in so doing, is acting in violation of the provisions of this Act, the definition of intoxicating liquor contained in the laws of such State shall be applied, but only to the extent that sales of such intoxicating liquor (except for scientific, sacramental, medicinal, and mechanical purposes) are prohibited in such State.

Seizures and forfeitures.

SEC. 4. All intoxicating liquor involved in any violation of this Act, the containers of such intoxicating liquor, and every vehicle or vessel used in the transportation thereof, shall be seized and forfeited. Such seizure and forfeiture, and the disposition of such property subsequent to seizure and forfeiture, or the disposition of the proceeds from the sale of such property, shall be in accordance with existing laws or those hereafter in existence relating to seizures,

Internal-revenue laws made applicable.

forfeitures, and dispositions of property or proceeds, for violation of the internal-revenue laws.

SEC. 5. The Secretary of the Treasury shall enforce the provisions of this Act and of sections 238, 239, and 240 of the Criminal Code (U. S. C., 1934 ed., title 18, secs. 388–390), as herein amended. Enforcement. U. S. C., p. 753.

The Secretary of the Treasury is authorized to confer and impose upon the Commissioner of Internal Revenue and any of his assistants, agents, or employees, and upon any other officer, employee, or agent of the Treasury Department, any of the rights, privileges, powers, duties, and protection conferred or imposed upon the Secretary of the Treasury, or any officer or employee of the Treasury Department, by this Act, or by any law now or hereafter in force relating to the taxation, importation, exportation, transportation, manufacture, possession, or use of, or traffic in, distilled spirits, wine, fermented liquors, or denatured alcohol. Delegation of authority, etc., for administering Act.

Regulations to carry out the provisions of this Act shall be prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury. Regulations to be prescribed.

SEC. 6. Section 238 of the Criminal Code (U. S. C., 1934 ed., title 18, sec. 388), is amended to read as follows: Criminal Code amendments. U. S. C., p. 753.

"Any officer, agent, or employee of any railroad company, express company, or other common carrier, who shall knowingly deliver or cause to be delivered to any person other than the person to whom it has been consigned, unless upon the written order in each instance of the bona fide consignee, or to any fictitious person, or to any person under a fictitious name, any spirituous, vinous, malted, or other fermented liquor or any compound containing any spirituous, vinous, malted, or other fermented liquor fit for use for beverage purposes, which has been shipped from one State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, into any other State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, or from any foreign country into any State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, shall be fined not more than $1,000 or imprisoned not more than one year, or both." Delivering shipments to other than consignee; exception. Penalty.

SEC. 7. Section 239 of the Criminal Code (U. S. C., 1934 ed., title 18, sec. 389) is amended to read as follows: U. S. C., p. 753.

"Any railroad company, express company, or other common carrier, or any other person who, in connection with the transportation of any spirituous, vinous, malted, or other fermented liquor, or any compound containing any spirituous, vinous, malted, or other fermented liquor fit for use for beverage purposes, from one State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, into any other State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, which prohibits the delivery or sale therein of such liquor, or from any foreign country into any such State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, shall collect the purchase price or any part thereof, before, on, or after delivery, from the consignee, or from any other person, or shall in any manner act as the agent of the buyer or seller of any such liquor, for the purpose of buying or selling or completing the sale thereof, saving only in the actual transportation and delivery of the same, shall be fined not more than $5,000 or imprisoned not more than one year, or both." Carrier, etc., collecting purchase price, or acting as agent of buyer or seller. Penalty.

U. S. C., p. 753.

SEC. 8. Section 240 of the Criminal Code (U. S. C., 1934 ed., title 18, sec. 390) is amended to read as follows:

Shipping unlabeled packages in interstate, etc., commerce.

"Whoever shall knowingly ship or cause to be shipped from one State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, into any other State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, or from any foreign country into any State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, any package of or package containing any spirituous, vinous, malted, or other fermented liquor, or any compound containing any spirituous, vinous, malted, or other fermented liquor fit for use for beverage purposes, unless such package be so labeled on the outside cover as to plainly show the name of the consignee, the nature of its contents, and the quantity contained therein, shall be fined not more than $1,000 or imprisoned not more than one year, or both; and such liquor shall be forfeited to the United States, and may be seized and condemned by like proceedings as those provided by law for the seizure and forfeiture of property imported into the United States contrary to law."

Fine, forfeiture, etc.

Shipments, etc., contrary to State laws; section repealed.

Vol. 48, p. 316; U. S. C., p. 1223.

SEC. 9. Section 5 of the Act entitled "An Act making appropriations for the Post Office Department for the year ending June 30, 1918", approved March 3, 1917, as amended (U. S. C., 1934 ed., title 27, sec. 123), as amended, is hereby repealed.

Application of existing laws.

SEC. 10. Nothing contained in this Act shall repeal any other provisions of existing laws except such provisions of such laws as are directly in conflict with this Act and nothing in this Act shall apply to the Canal Zone.

Canal Zone.

Separability provisions.

SEC. 11. If any provision of this Act, or the application thereof to any person or circumstances, be held invalid, the remainder of the Act, and the application of such provision to other persons or circumstance, shall not be affected thereby.

Effective date.

SEC. 12. This Act shall be effective as of the thirtieth day following the date of its enactment.

Approved, June 25, 1936.

[CHAPTER 816.]

June 25, 1936.
[H. R. 8597.]
[Public, No. 808.]

AN ACT

To amend section 13 of the Act of March 4, 1915, entitled "An Act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea"; to maintain discipline on shipboard; and for other purposes.

Merchant seamen.

Vol. 38, p. 1169; U. S. C., p. 2044.

Crew requirements. Proportion able to understand orders.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 13 of the Act of March 4, 1915, be amended to read as follows:

"SEC. 13. (a) That no vessel of one hundred tons gross and upward, except those navigating rivers exclusively and the smaller inland lakes and except as provided in section 1 of this Act, shall be permitted to depart from any port of the United States unless she has on board a crew not less than 75 per centum of which, in each department thereof, are able to understand any order given by the officers of such vessel, nor unless 65 per centum of her deck crew, exclusive of licensed officers and apprentices, are of a rating not less than able seamen. Every person shall be rated an able seaman, and qualified for service as such on the seas, who is nineteen years of age

Percentage of able seamen.

Rating of able seamen; qualifications.

or upward, and has had at least three years' service on deck at sea or on the Great Lakes, on a vessel or vessels to which this section applies, including decked fishing vessels, and vessels in United States Government service; and every person shall be rated an able seaman, and qualified to serve as such on the Great Lakes and on the smaller lakes, bays, or sounds who is nineteen years of age or upward and has had at least eighteen months' service on deck at sea or on the Great Lakes or on the smaller lakes, bays, or sounds, on a vessel or vessels to which this section applies, including decked fishing vessels and vessels in the United States Government service; and graduates of school ships approved by and conducted under rules prescribed by the Secretary of Commerce may be rated able seamen after twelve months' service at sea after graduation: *Provided*, That no boy shall be shipped on any vessel to which this section applies unless he meets the physical qualifications contained in regulations to be prescribed by the Secretary of Commerce and that no boy shall be placed on the lookout or at the wheel except for the purpose of learning, and that in narrow and crowded waters or in low visibility none below the rating of able seaman shall be permitted at the wheel: *Provided further*, That no deck boy shall be held qualified to fill the place of ordinary seaman until he has had at least six months' service as deck boy: *Provided further*, That upon examination, under rules prescribed by the Department of Commerce as to eyesight, hearing, and physical condition, such persons or graduates are found to be competent: *Provided further*, That upon examination, under rules prescribed by the Department of Commerce as to eyesight, hearing, physical condition, and knowledge of the duties of seamanship, a person found competent may be rated as able seaman after having served on deck twelve months at sea or on the Great Lakes, but seamen examined and rated able seamen under this proviso shall not in any case compose more than one-fourth of the number of able seamen required by this section to be shipped or employed upon any vessel.

Graduates of school ships.

Provisos.
No boy to be shipped unless physically qualified.

Not to be placed on lookout or at wheel; exception.

Deck boy, service requirement for filling place of ordinary seaman.

Physical fitness.

Acceptance as able seaman if found competent, upon examination.

Percentage limited.

"(b) Application may be made to any board of local inspectors for a certificate of service as able seaman, and upon proof being made to said board by affidavit and examination, under rules approved by the Secretary of Commerce, showing the nationality and age of the applicant, the vessel or vessels on which he has had service, that he is skilled in the work usually performed by able seamen, and that he is entitled to such certificate under the provisions of this section, the board of local inspectors shall issue to said applicant a certificate of service as able seaman, which shall be retained by him and be accepted as prima-facie evidence of his rating as an able seaman.

Certificate of service as able seaman.
Examination; qualifications, etc.

Certificate accepted as prima-facie evidence of rating.

"(c) Each board of local inspectors shall keep a complete record of all certificates of service issued by them and to whom issued and shall keep on file the affidavits and records of examinations upon which said certificates are issued.

Record of certificates to be kept.

"(d) The collector of customs may, upon his own motion, and shall, upon the sworn information of any reputable citizen of the United States setting forth that this section is not being complied with, cause a muster of the crew of any vessel to be made to determine the fact, at which muster said reputable citizen must be present; and no clearance shall be given to any vessel failing to comply with the provisions of this section: *Provided*, That the collector of customs shall not be required to cause such muster of the crew to be made unless said sworn information has been filed with him for at least six hours before the vessel departs, or is scheduled to depart:

Muster of crew to determine if law complied with.

Provisos.
Time limitation for filing complaint.

Punishment for false affidavit.

Provided further, That any person that shall knowingly make a false affidavit for such purpose shall be deemed guilty of perjury and upon conviction thereof shall be punished by a fine not exceeding $500 or by imprisonment not exceeding one year, or by both such fine and imprisonment, within the discretion of the court. Any violation of any provision of this section by the owner, master, or officer in charge of the vessel shall subject the owner of such vessel to a penalty of not less than $100 and not more than $500: *Provided further*, That the Secretary of Commerce shall make such rules and regulations as may be necessary to carry out the provisions of this section, and nothing herein shall be held or construed to prevent the Board of Supervising Inspectors, with the approval of the Secretary of Commerce, from making rules and regulations authorized by law as to vessels excluded from the operation of this section: *And provided further*, That no certificate of service as able seaman shall be issued by any board of local inspectors until after examination of the applicant therefor, under rules and regulations prescribed by the Secretary of Commerce, as to his efficiency, and upon proof, as a result of such examination, that he has been trained in and is acquainted with the duties entitling him to such rating. No seaman shall be considered an 'able seaman' within the meaning of the laws of the United States relating to the manning of vessels unless he is in possession of such certificate issued by the board of local inspectors. All certificates as 'able seaman' and 'lifeboatman' issued by the several boards of local inspectors or other Federal officers prior to the passage of this Act shall, within six months thereafter, be surrendered to such boards of local inspectors for cancelation, and there shall be issued in lieu thereof to all able seamen and lifeboatmen found qualified by such examination new certificates as required by law: *Provided*, That if due to inability on the part of the Department of Commerce to carry out the provisions of this subsection with regard to all seamen, the Secretary of Commerce may, in his discretion, extend the time for a period not to exceed three months. Such new certificates shall be stamped with the seal of the board of local inspectors, placed partially over the signature of the applicant for such certificate; and there shall be attached thereto a photograph of the applicant. Any other safeguards which, in the judgment of the Secretary of Commerce, may be necessary and advisable to establish the authenticity of the certificate, are hereby authorized.

Violation by vessel owner, etc.

Regulations, etc.

Efficiency, etc., tests before issuing certificate.

"Able seaman" to possess certificate.

Surrender and cancelation of prior certificates.

New certificates, issuance of.

Proviso.
Time extension.

Authentication of certificate.

Engine department, qualifications of complement of.

"(e) No vessel to which this section applies may be navigated unless all of the complement in her engine department above the rating of coal passer or wiper and below the rating of licensed officer shall be holders of a certificate of service as a qualified member of the engine department. The local inspectors of the Bureau of Marine Inspection and Navigation shall, upon application and examination as to competence and physical condition, as prescribed by the Secretary of Commerce, issue such a certificate of service. An applicant for such rating shall produce to such inspectors definite proof of at least six months' service at sea in a rating at least equal to that of coal passer or wiper in the engine department of vessels required by this Act to have such certificated men.

Applicants for rating.

Rules.

"(f) As to the certificates of service or efficiency, the Secretary shall promulgate rules covering the form, contents, and manner of issuance, which shall include a provision that copies of these and all documents pertaining thereto be filed in the local offices and in the central office in Washington.

Certificates of service for other members of crew.

"(g) That the boards of local inspectors of the Bureau of Marine Inspection and Navigation shall, without examination (except food

handlers who must be free from communicable disease), issue to all members of the crews of merchant vessels of the United States (except licensed officers), certificates of service for ratings other than as able seaman or a qualified member of the engine department, which certificates shall authorize them to serve in the capacities specified in such certificates: *Provided*, That such certificates shall not issue before oath has been taken before one of the said inspectors that the applicant therefor will faithfully and honestly perform all the duties required of him by law, and carry out the lawful orders of his superior officers on shipboard and, in the case of a radio operator, shall produce to the local inspectors his unexpired license issued by the Federal Communications Commission to act in that capacity: *And provided further*, That when a certificate has been revoked or suspended under the provisions of subsection (h) of this section, a new certificate shall not be issued until a board of local inspectors shall determine that the issue of such new certificate is compatible with the requirements of good discipline and safety at sea.

Provisos.
Oath.

Radio operators.

Renewal of revoked, etc., certificates.

"(h) That all certificates of service or efficiency issued by the Bureau of Marine Inspection and Navigation shall be subject to suspension or revocation on the same grounds and in the same manner and with like procedure as is provided in the case of suspension or revocation of licenses of officers under the provisions of section 4450 of the Revised Statutes.

Bureau of Marine Inspection and Navigation certificates, suspension, etc., of.

R. S., sec. 4450, p. 861.
U. S. C., p. 2003.

"(i) It shall be unlawful to employ any person, or for any person to serve aboard any merchant vessel of the United States, below the rating of licensed officer, who has not a certificate of service issued by a board of local inspectors, and anyone violating this section shall be liable to a penalty of $100 for each offense.

Certificate of service requirement, crew members below rating of licensed officer.

Penalty for violation.

"(j) This section is not to amend or repeal any of the provisions of chapter 3 of title 47, United States Code—Telegraphs, Telephones, and Radio Telegraphs.

Telegraphs, Telephones, and Radio Telegraphs.
U. S. C., p. 2080.

"(k) Nothing herein shall be construed to impose, sanction, or permit any condition of involuntary servitude nor to prevent any seaman from leaving the service of any vessel when in a safe harbor to the same extent and with like effect as under the provisions of existing law.

Involuntary servitude; right to leave service when in safe harbor.

"(l) This section shall take effect six months after the enactment of this Act: *Provided*, That if it is found impracticable on the part of the Department of Commerce to furnish the certificates herein provided, the Secretary of Commerce may, in his discretion, extend the effective date for a period not exceeding three months."

Effective date of section.
Proviso.
Time extension.

SEC. 2. That section 2 of the Act of March 4, 1915, is hereby amended to read as follows:

Vol. 38, p. 1164.
U. S. C., p. 2045.

"SEC. 2. That in all merchant vessels of the United States of more than one hundred tons gross, excepting those navigating rivers, harbors, lakes (other than Great Lakes), bays, sounds, bayous, and canals, exclusively, the licensed officers and sailors, coal passers, firemen, oilers, and water tenders shall, while at sea, be divided into at least three watches, which shall be kept on duty successively for the performance of ordinary work incident to the sailing and management of the vessel. The seamen shall not be shipped to work alternately in the fireroom and on deck, nor shall those shipped for deck duty be required to work in the fireroom, or vice versa; nor shall any licensed officer or seaman in the deck or engine department be required to work more than eight hours in one day; but these provisions shall not limit either the authority of the master or other officer or the obedience of the seamen when in the judgment of the master or other officer the whole or any part of the crew are needed

Watches, etc.

Successive duty while at sea.

Alternate work prohibited.

Hours of labor.

Emergencies, etc.

for maneuvering, shifting berth, mooring, or unmooring, the vessel or the performance of work necessary for the safety of the vessel, her passengers, crew, and cargo, or for the saving of life aboard other vessels in jeopardy, or when in port or at sea, from requiring the whole or any part of the crew to participate in the performance of fire, lifeboat, or other drills. While such vessel is in a safe harbor no seaman shall be required to do any unnecessary work on Sundays or the following-named days: New Year's Day, the Fourth of July, Labor Day, Thanksgiving Day, and Christmas Day, but this shall not prevent the dispatch of a vessel on regular schedule or when ready to proceed on her voyage. And at all times while such vessel is in a safe harbor, eight hours, inclusive of the anchor watch, shall constitute a day's work. Whenever the master of any vessel shall fail to comply with this section and the regulation issued thereunder, the owner shall be liable to a penalty not to exceed $500, and the seamen shall be entitled to discharge from such vessel and to receive the wages earned. But this section shall not apply to vessels engaged in salvage operations: *Provided*, That in all tugs and barges subject to this section when engaged on a voyage of less than six hundred miles, the licensed officers and members of crews other than coal passers, firemen, oilers, and water tenders may, while at sea, be divided into not less than two watches, but nothing in this proviso shall be construed as repealing any part of section 4463 of the Revised Statutes. This section shall take effect six months after the enactment of this Act."

Saving life, fire drills, etc.

In harbor. Work on Sundays or holidays.

Hours of labor.

Penalty for violation.

Salvage operations excepted.

Proviso. Tugs and barges on voyages of less than 600 miles.

R. S., sec. 4463, p. 864. U. S. C., p. 2000.

SEC. 3. Section 4551 of the Revised Statutes (U. S. C., title 46, sec. 643) is amended to read as follows:

R. S., sec. 4551, p. 880. U. S. C., p. 2041.

"Continuous discharge book."

"SEC. 4551. (a) Every seaman upon a merchant vessel of the United States of the burden of one hundred gross tons or upward, except vessels employed exclusively in trade on the navigable rivers of the United States, shall be furnished with a book, to be known as a 'continuous discharge book', which shall be retained by him and which shall contain the signature of the seaman to whom it is so furnished and a statement of his nationality, age, personal description, photograph, and home address. Such books shall be in such form and issued by the shipping commissioners and collectors and deputy collectors of customs at ports where no shipping commissioners have been appointed in such manner as the Director of Bureau of Marine Inspection and Navigation, subject to the approval of the Secretary of Commerce, shall determine. Any person, corporation, or association, other than a shipping commissioner, or collector or deputy collector of customs, who shall issue or cause to be issued any such book or imitation thereof, or any person, other than the real owner, who uses or endeavors to use any such book, or who makes any statement or endorsement in any such book not herein authorized, shall be deemed guilty of a misdemeanor and shall be imprisoned not less than one month nor more than three months, in the discretion of the court.

Contents.

Issue of, by shipping commissioners, etc.

Issue by other persons, etc., unlawful. Unauthorized, etc., entries.

Punishment for violation.

"(b) Upon the discharge of any seaman and the payment of his wages, the shipping commissioner shall enter in the continuous discharge book of such seaman the name of the vessel, the nature of the voyage (foreign or coastwise), the class to which the vessel belongs (steam, motor, sail, or barge), the date and place of the shipment and of the discharge of such seaman, and the rating then held by such seaman. Whenever a seaman is discharged in any collection district where no shipping commissioner has been appointed, the master of the vessel shall perform the duties of such commissioner and shall make the proper entries in such continuous discharge book; and when the seamen are not required by law to be

Entry on seaman's discharge.

signed on and discharged before a shipping commissioner, the master shall make such proper entries in the discharge book. Any master who fails to make such entries shall be fined the sum of $50 for each such offense. This subsection shall take effect as to vessels engaged in foreign and intercoastal voyages six months after the enactment of this Act and as to all other vessels within one year after the enactment of this Act.

Penalty for failure to make entry.

Effective dates.

"(c) There shall be maintained in the Bureau of Marine Inspection and Navigation in Washington a record of every discharge book and certificate issued under the provisions of this Act, together with the name and address of the seaman to whom it is issued, his next of kin, and a certified copy of all discharge entries in such book, which copy shall be forwarded to such Bureau by the shipping commissioner or person duly authorized to act as such before whom such holder is discharged.

Maintenance of copies of data in continuous-discharge book.

"(d) In case of the loss of a book by shipwreck or other casualty the seaman shall be supplied with another discharge book, in which shall be entered all data contained in the last book so far as this may be available from copies of records kept by the Bureau of Marine Inspection and Navigation; in other cases of loss the seaman may obtain a duplicate of such book containing the same entries upon payment of a sum equivalent to the cost thereof to the Government, to be determined from time to time by the Secretary of Commerce."

Issuance of duplicate in case of loss.

SEC. 4. (a) The local inspectors of the Bureau of Marine Inspection and Navigation shall inspect the crew quarters of every American vessel, at least once in each month, or at such times as such vessel shall enter an American port, and shall satisfy themselves that such quarters are of the size required by law or regulations issued thereunder, are properly ventilated and in a clean and sanitary condition, and are equipped with the proper plumbing and mechanical appliances required by law or regulations issued thereunder, and that such plumbing and mechanical appliances are in good working order and condition.

Crew quarters. Inspection of, etc.

(b) Whenever it shall be found that the crew quarters of any such vessel are not of the size required by law or regulations issued thereunder or are not properly ventilated or are not in a clean and sanitary condition or are not equipped with the proper plumbing and mechanical appliances required by law or regulations issued thereunder, or that such plumbing and mechanical appliances are not in good working order and condition, the appropriate board of local inspectors shall withdraw the certificate of inspection of such vessel and refuse to reissue the same until such improper conditions have been corrected; and the master or other licensed officer of such vessel who shall have willfully or negligently permitted such vessel to be in such improper condition shall be subject to a penalty of not more than $500.

Correction of improper conditions. Withdrawal of certificate until made.

Penalty for permitting improper conditions.

(c) This section shall take effect ninety days after the enactment of this Act.

Effective date of section.

SEC. 5. (a) From and after the enactment of this Act all licensed officers and pilots of vessels of the United States shall be citizens of the United States, native-born, or completely naturalized.

Licensed officers and pilots; citizenship requirements.

(b) From and after six months after the enactment of this Act upon each departure of any such vessel from a port of the United States, 75 per centum of the crew, excluding licensed officers, shall be citizens of the United States, native-born, or completely naturalized, unless the Secretary of Commerce shall, upon investigation, ascertain that qualified citizen seamen are not available, when, under such conditions, he may reduce the above percentages.

Crew; proportion required to be citizens.

Exceptions.

Filling vacancies while on foreign voyage.

(c) If any vessel while on a foreign voyage is for any reason deprived of the services of any member of the crew, such position or vacancy caused by the promotion of another to such position may be supplied by a person other than defined in paragraph (a) and (b) until the first call of such vessel at a port in the United States where such replacements can be obtained.

Penalty for violation.

(d) The owner, agent, or officer of any such vessel, who shall employ any person in violation of the provisions of this section, shall be subject to a penalty of $500 for each offense.

Penal provisions.

Unlawful possession with intent to unlawfully use certificate, etc.

SEC. 6. That any person who (1) shall receive or have in his possession any certificate, license, or document issued to vessels or officers or seamen by the Bureau of Marine Inspection and Navigation or by any officer or employee of the United States authorized by law to represent such Bureau, to which he is not lawfully entitled, with intent unlawfully to use the same; or (2) shall use or exhibit or attempt to use or exhibit any such certificate, license, or document to which he is not lawfully entitled; or (3) without lawful authority shall alter or change, or attempt to change, any such certificate, license, or document by addition, interpolation, deletion, or erasure; or (4) shall forge, counterfeit, or steal, or shall attempt to forge, counterfeit, or steal, any such certificate, license, or document; or (5) shall unlawfully have in his possession or knowingly use any such altered, changed, forged, counterfeit, or stolen certificate, license, or document; or (6) shall print or manufacture, or cause to be printed or manufactured, any blank form of such certificate, license, or document without first obtaining the authority of the Bureau of Marine Inspection and Navigation; or (7) shall have in his possession without lawful excuse, and with intent unlawfully to use the same, any blank form of such certificate, license, or document; or, (8) shall in any manner transfer, or cause to be so transferred, or negotiate such transfer of, any blank form of such certificate, license, or document, or any such altered, changed, forged, counterfeit, or stolen certificate, license, or document, or any such certificate, license, or document to which the party transferring or receiving the same is not lawfully entitled; or (9) shall aid or abet the perpetration of any of the foregoing acts shall for each offense, upon conviction thereof, be fined not more than $5,000 or imprisoned for not more than five years, or both.

Use or exhibit of certificate, etc.

Altering, etc.

Forging, stealing, etc.

Possession or use of counterfeit, etc., certificate.

Making any blank form of certificate, etc.

Unlawful possession or use.

Transfer, etc., of.

Aiding or abetting.

Penalty.

Enforcement of Act.

SEC. 7. The Secretary of Commerce shall enforce this Act as to all vessels of the United States subject to the provisions of this Act through collectors of customs and other Government officers acting under the direction of the Bureau of Marine Inspection and Navigation, and shall make such rules and regulations as he may deem necessary to carry out the provisions of this Act.

Regulations.

Fishing, etc., vessels exempt.

Proviso.

Applicable provisions continued.

SEC. 8. No provision of this Act and no amendment made by this Act shall apply to fishing or whaling vessels or yachts: *Provided, however*, That the provisions of law herein amended shall continue in effect insofar as they are applicable to said vessels or yachts with like force and effect as if this Act had not been passed.

Separability provisions.

SEC. 9. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act, and the application of the provisions thereof, shall not be affected thereby.

Appropriation authorized.

SEC. 10. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Approved, June 25, 1936.

[CHAPTER 817.]

AN ACT

To authorize the sale and conveyance by the Department of the Interior to the State of Minnesota of the southwest quarter northwest quarter section 3, township 159 north, range 35 west, fifth principal meridian, in the State of Minnesota.

June 25, 1936.
[H. R. 11331.]
[Public, No. 809.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to convey to the State of Minnesota the southwest quarter northwest quarter section 3, township 159 north, range 35 west, fifth principal meridian, in the State of Minnesota, upon the payment by the State of Minnesota of the sum of $64.20, being the price of the land, timber, and incidental fees.

State of Minnesota.
Conveyance of certain land to.

Purchase price.

Approved, June 25, 1936.

[CHAPTER 818.]

AN ACT

To authorize a preliminary examination of the Lackawanna River with a view to the control of its flood.

June 25, 1936.
[H. R. 12002.]
[Public, No. 810.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of the Lackawanna River, in the State of Pennsylvania, with a view to the control of its flood, in accordance with the provisions of an Act entitled "An Act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Lackawanna River, Pa.
Survey directed for controlling floods of.

Vol. 39, p. 950.
U. S. C., p. 1474.

Approved, June 25, 1936.

[CHAPTER 819.]

AN ACT

To authorize a preliminary examination of the Penobscot River, Maine, and its tributaries, with a view to the control of their floods.

June 25, 1936.
[H. R. 12007.]
[Public, No. 811.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized and directed to cause a preliminary examination to be made of the Penobscot River and its tributaries in the State of Maine, with a view to the control of their floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Penobscot River, Maine.
Survey of, and tributaries, directed for controlling floods.

Vol. 39, p. 950.
U. S. C., p. 1474.

Approved, June 25, 1936.

[CHAPTER 820.]

AN ACT

June 25, 1936.
[H. R. 12008.]
[Public, No. 812.]

To authorize a preliminary examination of the Androscoggin River, in Maine and New Hampshire, and its tributaries, with a view to the control of their floods.

Androscoggin River, Maine and N. H. Survey of, and tributaries, directed for controlling floods.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized and directed to cause a preliminary examination to be made of the Androscoggin River and its tributaries in the States of Maine and New Hampshire, with a view to the control of their floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Vol. 39, p. 950.
U. S. C., p. 1474.

Approved, June 25, 1936.

[CHAPTER 821.]

AN ACT

June 25, 1936.
[H. R. 12490.]
[Public, No. 813.]

Authorizing a preliminary examination of the Levisa Fork of Big Sandy River in the vicinity of the Breaks of Sandy.

Big Sandy River, Levisa Fork. Survey directed for controlling floods of, in vicinity of Breaks of Sandy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized and directed to cause a preliminary examination to be made of the Levisa Fork of Big Sandy River in the vicinity of the Breaks of Sandy with a view to the control of floods in the said Levisa Fork of Big Sandy River in accordance with the provisions of section 3 of the Act entitled "An Act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Vol. 39, p. 950.
U. S. C., p. 1474.

Approved, June 25, 1936.

[CHAPTER 822.]

AN ACT

June 25, 1936.
[H. R. 12599.]
[Public, No. 814.]

To provide more adequate protection to workmen and laborers on projects, buildings, constructions, improvements, and property wherever situated, belonging to the United States of America, by granting to the several States jurisdiction and authority to apply their State workmen's compensation laws on all property and premises belonging to the United States of America.

Federal projects, etc. Jurisdiction granted to States to apply workmen's compensation laws to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whatsoever constituted authority of each of the several States is charged with the enforcement of and requiring compliances with the State workmen's compensation laws of said States and with the enforcement of and requiring compliance with the orders, decisions, and awards of said constituted authority of said States hereafter shall have the power and authority to apply such laws to all lands and premises owned or held by the United States of America by deed or act of cession, by purchase or otherwise, which is within the exterior boundaries of any State, and to all projects, buildings, constructions, improvements, and property belonging to the United States of America, which is within the exterior boundaries of any State, in the same way and to the same extent as if said premises were under the exclusive jurisdiction of the State within whose exterior boundaries such place may be.

SEC. 2. For the purposes set out in section 1 of this Act, the United States of America hereby vests in the several States within whose exterior boundaries such place may be, insofar as the enforcement of State workmen's compensation laws are affected, the right, power, and authority aforesaid: *Provided, however*, That by the passage of this Act the United States of America in nowise relinquishes its jurisdiction for any purpose over the property named, with the exception of extending to the several States within whose exterior boundaries such place may be only the powers above enumerated relating to the enforcement of their State workmen's compensation laws as herein designated: *Provided further*, That nothing in this Act shall be construed to modify or amend the United States Employees' Compensation Act as amended from time to time (Act of September 7, 1916, 39 Stat. 742, U. S. C., title 5 and supplement, sec. 751 et seq.).

Authority vested in States for enforcement, etc.

Provisos.
Federal jurisdiction not relinquished.

United States Employees' Compensation Act not modified.
Vol. 39, p. 742.
U. S. C., p. 98.

Approved, June 25, 1936.

[CHAPTER 830.]

AN ACT

To insure the collection of the revenue on distilled spirits, wines, and malt liquors, to provide for the more efficient and economical administration and enforcement of the laws relating to the taxation of distilled spirits, wines, and malt liquors, to amend the Federal Alcohol Administration Act, and for other purposes.

June 26, 1936.
[H. R. 9185.]
[Public, No. 815.]

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

Liquor Tax Administration Act.

TITLE I

Title I.

SECTION 1. This Act may be cited as the "Liquor Tax Administration Act".

Citation of title.

SEC. 2. (a) Whoever, when violating any law of the United States, or of any Territory or possession of the United States, or of the District of Columbia, in regard to the manufacture, taxation, or transportation of or traffic in distilled spirits, wines, or fermented malt liquors, or when aiding in any such violation, has in his possession or in his control any device capable of causing emission of smoke, gas, or fumes, and which may be used for the purpose of hindering, delaying, or preventing pursuit or capture, any explosive, or any firearm (as defined in the National Firearms Act, as amended), except a machine gun, or a shotgun or rifle having a barrel of less than eighteen inches in length, shall be fined not more than $5,000 or be imprisoned for not more than ten years, or both, and all persons engaged in any such violation or in aiding in any such violation shall be held to be in possession or control of such device, firearm, or explosive.

Violators of liquor laws possessing smoke, etc., devices.

Possession of firearms, etc.; exceptions.
Vol. 48, p. 1236; U. S. C., p. 1135.
Ante, p. 1192.
Penalty.

Persons engaged in, or aiding violation.

(b) Whoever, when violating any such law, has in his possession or in his control a machine gun, or any shotgun or rifle having a barrel of less than eighteen inches in length, shall be punished by imprisonment for not more than twenty years; and all persons engaged in any such violation or in aiding in any such violation shall be held to be in possession and control of such machine gun, shotgun, or rifle.

Possession of machine gun, etc.

Punishment for.

Persons engaged in, or aiding violation.

(c) Every such firearm or device for emitting gas, smoke, or fumes, and every such explosive, machine gun, shotgun, or rifle, in the possession or control of any person when violating any such law, shall be seized and shall be forfeited and disposed of in the manner provided by section 7 of the National Firearms Act.

Seizure, etc., of designated firearms, devices, explosives, etc.
Disposal of.
Vol. 48, p. 1238.
U. S. C., p. 1136.

Killing or assaulting Customs or Internal Revenue officer.
Ante, p. 1105.

SEC. 3. Section 1 of the Act entitled "An Act to provide punishment for killing or assaulting Federal officers", approved May 18, 1934, as amended, is amended by striking out the words "any officer of the Customs Service or of the Internal Revenue Service", and inserting in lieu thereof the words "any officer, employee, agent, or other person in the service of the customs or of the internal revenue".

Provisions extended to include employee, agent, etc.
Vol. 48, p. 780.
U. S. C., p. 739.

Discretionary power to refuse to order return on bond of seized vessel or vehicle.

SEC. 4. Notwithstanding any provisions of law relating to the return on bond of any vessel or vehicle seized for the violation of any law of the United States, the court having jurisdiction of the subject matter, may, in its discretion and upon good cause shown by the United States, refuse to order such return of any such vessel or vehicle to the claimant thereof.

"Vessel" and "vehicle" defined.

SEC. 5. (a) As used in this title the word "vessel" includes every description of watercraft used, or capable of being used, as a means of transportation in water or in water and air; and the word "vehicle" includes every animal and description of carriage or other contrivance used, or capable of being used, as a means of transportation on land or through the air.

"Machine gun" defined.

(b) As used in this title the term "machine gun" means any weapon which shoots, or is designed to shoot, automatically or semiautomatically, more than one shot, without manual reloading, by a single function of the trigger.

Title II.

TITLE II

R. S., sec. 3287, p. 636.
U. S. C., p. 1156.

SECTION 201. Section 3287 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 26, sec. 1231), is amended to read as follows:

Filling casks, etc., at distilleries.

"SEC. 3287. (a) Except as provided in section 602 of the Revenue Act of 1918, as amended, all distilled spirits shall be drawn from receiving cisterns into casks or packages and thereupon shall be gauged, proved, and marked by a storekeeper-gauger, and immediately removed into an Internal Revenue Bonded Warehouse. The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, is hereby empowered to prescribe all necessary regulations relating to the drawing off, gauging, and packaging of distilled spirits; the marking, branding, numbering, and stamping of such packages; and the transfer and transportation to, and the storage of such spirits in, Internal Revenue Bonded Warehouses.

Regulations for drawing off, gauging, etc., to be prescribed.

Marking, branding, etc., and transfer and storage of, in bonded warehouses.

Wooden packages containing metallic cans, for export.

"(b) Upon the application of the distiller and under such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe, distilled spirits may be drawn into wooden packages, each containing two or more metallic cans, which cans shall each have a capacity of not less than five gallons, wine measure. Such packages shall be filled and used only for exportation from the United States. And there shall be charged for each of said packages or cases for the expense of providing and affixing stamps, 5 cents.

Standards of fill at each distillery, prescribing of.

"(c) The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may, by regulations, prescribe the standards of fill of casks or packages of distilled spirits at each distillery.

Marking, branding, etc., at expense of distiller; regulations for.

"(d) The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may, by regulations, from time to time, require a distiller, at his expense and under the immediate personal supervision of a storekeeper-gauger, to do such marking and branding and such mechanical labor pertaining to gauging required under this section as the Commissioner deems proper and determines may be done without danger to the revenue."

SEC. 202. Section 3295 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 26, sec. 1236), is further amended to read as follows:

R. S., sec. 3295, p. 637. U. S. C., p. 1156.

"SEC. 3295. (a) Whenever an application is received for the removal from any Internal Revenue Bonded Warehouse of any cask or package of distilled spirits on which the tax has been paid, the storekeeper-gauger shall gauge and inspect the same, and shall, before such cask or package has left the warehouse, place upon such package such marks, brands, and stamps as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall by regulations prescribe, which marks, brands, and stamps shall be erased when such cask or package is emptied.

Gauging, branding, and stamping spirits before removal from warehouse.

Erasure of marks, etc., when cask emptied.

"(b) The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may, by regulations, from time to time, require any distiller, at his expense and under the immediate personal supervision of a storekeeper-gauger, to do such marking and branding and such mechanical labor pertaining to gauging required under this section as the Commissioner deems proper and determines may be done without danger to the revenue."

Marking and branding by distiller.

SEC. 203. Section 3290 of the Revised Statutes (U. S. C., 1934 ed., title 26, sec. 1811 (a)) is amended to read as follows:

R. S., sec. 3290, p. 636. U. S. C., p. 1212.

"SEC. 3290. Whenever any storekeeper-gauger employs any owner, agent, or superintendent of any distillery or Internal Revenue Bonded Warehouse, or any person in the service of such owner, agent, or superintendent, or any rectifier or wholesale liquor dealer, or any person in the service of such rectifier or wholesale liquor dealer, to use his brands or to discharge any of the duties imposed upon him by law, he shall, for each offense so committed, be subject to a fine of not more than $1,000. This section shall not apply in any case in which the use of the storekeeper-gauger's brand or the discharge of his duties by another has been directed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, under authority of law."

Storekeeper-gauger employing distiller, etc., to use his brands, or discharge his duties.

Penalty.

Liability removed if directed by Commissioner.

TITLE III

Title III.

SECTION 301. (a) Section 3262 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 26, secs. 1166 (b) and 1353), is amended to read as follows:

R. S., sec. 3262, p. 629. U. S. C., pp. 1146, 1172.

"SEC. 3262. (a) No bond of a distiller shall be approved unless—

Distiller's bond; qualifications.

"(1) The distiller is the owner in fee, unencumbered by any mortgage, judgment, or other lien, of the lot or tract of land on which the distillery is situated; or

Ownership in fee of distillery tract.

"(2) The distiller files with the officer designated for the purpose by the Commissioner of Internal Revenue, in connection with his notice, the written consent of the owner of the fee, and of any mortgagee, judgment-creditor, or other person having a lien thereon, duly acknowledged, that the premises may be used for the purpose of distilling spirits, subject to the provisions of law, and expressly stipulating that the lien of the United States for taxes and penalties shall have priority of such mortgage, judgment, or other encumbrance, and that in the case of the forfeiture of the distillery premises, or any part thereof, the title to the same shall vest in the United States, discharged from such mortgage, judgment, or other encumbrance; or, if consent as required under this paragraph cannot be obtained,

Owner's, etc., consent filed.

Agreement to priority of United States lien for taxes, etc.

Vesting of title in United States in event of forfeiture of premises.

"(3) The distiller, with the approval of the Commissioner, files with the officer designated by the Commissioner a bond, approved by the Commissioner, in the penal sum equal to the appraised value

Bond; amount, form, etc.

of the lot or tract of land on which the distillery is situated, the distillery, the buildings, and the distilling apparatus. Such value shall be determined, and such bond shall be executed, in such form and with such sureties, and filed with the officer designated by the Commissioner of Internal Revenue, under such regulations as the Secretary of the Treasury shall prescribe.

Distillery, etc., erected prior to July 20, 1868. Owner's estate less than fee-simple.

"(b) In any case where the owner of a distillery or distilling apparatus, erected prior to July 20, 1868, has only an estate for a term of years or other estate less than fee-simple in the lot or tract of land on which the distillery is situated, the evidence of title to which shall have been duly recorded prior to that date; or in like case, where the lease or other evidence of title is held but was not required by the laws of the State to be recorded in order to be valid at the time of its execution; or in any case of such prior erection where the title was then, and has continued to be, in litigation; or in any case of such prior erection where such owner is possessed of the fee, but encumbered with a mortgage executed and duly recorded prior to July 20, 1868, and not due, or in any case of such prior erection where the fee is held by a femme-covert, minor, person of unsound mind, or other person incapable of giving consent, as required in subsection (a), the value of such lot or tract of land, together with the building and distilling apparatus, shall be appraised in the manner to be prescribed by the Commissioner; and the officer designed by the Commissioner may, at the discretion of the Commissioner, be authorized to accept, in lieu of the said written consent, the bond of such distiller, in such form as the Commissioner may prescribe, with not less than two personal sureties of [1] one corporate surety, conditioned that in case the distillery, distilling apparatus, or any part thereof, shall by final judgment be forfeited for the violation of any of the provisions of law, the obligors shall pay the amount stated in said bond. Said sureties shall be residents of the collection district or county, or of an adjoining county in the same State in which the distillery is situated, and owners of unencumbered real estate in said district or county, or adjoining county, equal to such appraised value, and the penal sum of said bond shall be equal to the appraised value of said lot or tract of land together with the buildings and distilling apparatus.

Evidence of title held but was not required to be recorded.

Title in litigation.

Property encumbered with mortgage, not yet due.

Held by person incapable of giving consent.

Appraisal.

Acceptance of bond in lieu of written consent.

Sureties.

Acceptance of distiller's bond in lieu of owner's consent where distillery erected prior to July 20, 1868; additions.

"(c) The officer designated by the Commissioner may at any time, at the discretion of the Commissioner, accept such bond as is authorized to be given by the distiller in lieu of the written consent of the owner of the fee in the case of a distillery erected prior to July 20, 1868, notwithstanding such distillery has since then been increased by the addition of land or buildings adjacent or contiguous thereto, not owned by the distiller himself in fee; such bond to be for and in respect of such addition only, if the distillery be one which the distiller owns in fee or in respect to which he has procured the written consent of the owner of the fee or other encumbrance, otherwise to be for and in respect of the entire distillery as increased by such addition.

Distillery sold at judicial, etc., sale in favor of United States. Operation, etc., of.

"(d) In case of any distillery sold at judicial or other sale in favor of the United States, a bond may be taken at the discretion of the Commissioner of Internal Revenue, in lieu of the written consent required by this section, and the person giving such bond may be allowed to operate such distillery during the existence of the right of redemption from such sale, on complying with all the other provisions of law.

[1] So in original.

"(e) No lien shall attach to any lot or tract of land, distillery, building, or distilling apparatus, under the provisions of section 3251 of the Revised Statutes, as amended, by reason of distilling done during any period included within the term of any bond taken under the provisions of paragraph (3) of subsection (a) of this section."

No lien on premises for distilling done within term of bond.
R. S., sec. 3251, p. 627.
U. S. C., p. 1140.

SEC. 302. Section 3264 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 26, sec. 1168), is further amended by adding at the end thereof the following new paragraph:

R. S., sec. 3264, p. 630.
U. S. C., p. 1147.

"The Secretary of the Treasury in the case of any distillery may, under regulations, waive such of the requirements of this section as he determines may be waived without danger to the revenue. Whenever the Secretary of the Treasury, by authority of this paragraph, waives any or all of the requirements of this section, he may, by regulation, relieve the distiller from such requirements of sections 3285, 3309, 3310, and 3311 of the Revised Statutes, as amended, and of section 6 of the Act of March 1, 1879, as amended (U. S. C., 1934 ed., title 26, sec. 1198), and of such other provisions of law relating or incidental to survey requirements, as the Secretary determines may be waived without danger to the revenue."

Waiver of survey requirements in certain cases.

R. S., secs. 3285, 3309–3311, pp. 1150–1151.
Vol. 20, p. 340; Vol. 21, p. 147.
U. S. C., p. 1151.

SEC. 303. Section 3260 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 26, sec. 1165), is further amended by adding at the end thereof the following new paragraph:

R. S., sec. 3260, p. 629.
U. S. C., p. 1146.

"Whenever, under authority of law, the Secretary of the Treasury shall relieve a distiller from the survey requirements of section 3264 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 26, sec. 1168), he may likewise by regulation fix the penal sum of the distiller's bond, but in no case shall the amount of the minimum bond be less than $5,000 nor the amount of the maximum bond greater than $100,000."

Amount of distiller's bond when relieved from survey requirements.

SEC. 304. Section 3267 of the Revised Statutes (U. S. C., 1934 ed., title 26, sec. 1171), is amended by adding a new paragraph at the end thereof, to read as follows:

R. S., sec. 3267, p. 630.
U. S. C., p. 1147.

"Whenever, under authority of law, the Secretary of the Treasury shall relieve a distiller from the survey requirements, he may, by regulation, require the distiller to provide such receiving cisterns, tanks, or such other equipment as the Secretary shall deem proper in order to protect the revenue."

Receiving cisterns in distilleries.

SEC. 305. Section 67 of the Act of August 27, 1894 (28 Stat. 568), (U. S. C., 1934 ed., title 26, sec. 1166 (c)), is amended to read as follows:

Vol. 28, p. 568.
U. S. C., p. 1146.

"SEC. 67. (a) No individual, firm, partnership, corporation, or association, intending to commence or to continue the business of a distiller, rectifier, brewer, or winemaker, shall commence or continue the business of a distiller, rectifier, brewer, or winemaker until all bonds in respect of such a business, required by any provision of law, have been approved by the Commissioner of Internal Revenue or such other officer of the Bureau of Internal Revenue as the Commissioner, with the approval of the Secretary of the Treasury, may designate.

Approval of bonds before commencing or continuing business.

"(b) The Commissioner or the designated officer may disapprove any such bond or bonds if the individual, firm, partnership, corporation, or association giving the same, or owning, controlling, or actively participating in the management of the business of the individual or firm, partnership, corporation, or association giving the same, shall have been previously convicted, in a court of competent jurisdiction, of (1) any fraudulent noncompliance with any provision of any law of the United States if such provision related to internal-revenue or customs taxation of distilled spirits, wines,

Disapproval of bonds for causes specified.

Fraudulent noncompliance with internal revenue, etc., taxation.

or fermented malt liquors, or if such an offense shall have been compromised with the individual, firm, partnership, corporation, or association upon payment of penalties or otherwise, or (2) any felony under a law of any State, Territory, or the District of Columbia, or the United States, prohibiting the manufacture, sale, importation, or transportation of distilled spirits, wine, fermented malt liquor, or other intoxicating liquor.

Felony under prohibition, etc., laws.

Appeals.

"(c) In case the disapproval is by any officer other than the Commissioner, the individual, firm, partnership, corporation, or association giving the bond may appeal from such disapproval to the Commissioner.

Disapproval of Commissioner final.

"(d) The disapproval of the Commissioner in any matter under this section shall be final."

Vol. 29, p. 626. U. S. C., p. 1162.

SEC. 306. (a) Section 1 of the Act entitled "An Act to allow the bottling of distilled spirits in bond", approved March 3, 1897, as amended (U. S. C., 1934 ed., title 26, sec. 1276), is further amended to read as follows:

Bottling of distilled spirits in bond.

"That whenever any distilled spirits deposited in the Internal Revenue Bonded Warehouse have been duly entered for withdrawal, before or after tax-payment, or for export in bond, and have been duly gauged and the required marks, brands, and taxpaid stamps (if required) or export stamps, as the case may be, have been affixed to the package or packages containing the same, the distiller or owner of said distilled spirits, if he has declared his purpose so to do in the entry for withdrawal, which entry for bottling purposes may be made by the owner as well as the distiller, may remove such spirits to a separate portion of said warehouse which shall be set apart and used exclusively for that purpose, and there, under the supervision of a United States storekeeper-gauger in charge of such warehouse, may immediately draw off such spirits, bottle, pack, and case the same. For convenience in such process any number of packages of spirits of the same kind, differing only in proof, but produced at the same distillery by the same distiller, may be mingled together in a cistern provided for that purpose, but nothing herein shall authorize or permit any mingling of different products, or of the same products of different distilling seasons, or the addition or subtraction of any substance or material or the application of any method or process to alter or change in any way the original condition or character of the product except as herein authorized; nor shall there be at the same time in the bottling room of any Internal Revenue Bonded Warehouse any spirits entered for withdrawal upon payment of the tax and any spirits entered for export.

Mingling.

Restrictions.

Affixing stamps on bottles, packing, etc.

"Every bottle when filled shall have affixed thereto and passing over the mouth of the same such suitable adhesive engraved strip stamp as may be prescribed, as hereinafter provided, and shall be packed into cases to contain six bottles or multiples thereof, and in the aggregate not less than two nor more than five gallons in each case, which, if taxpaid, shall be immediately removed from the warehouse premises. Each of such cases shall have affixed thereto a stamp denoting the number of gallons therein contained, such stamp to be affixed to the case before its removal from the warehouse, and such stamps shall have a cash value of ten cents each, and shall be charged at that rate to the collectors to whom issued, and shall be paid for at that rate by the distiller or owner using the same.

On cases.

Statement on each case; requirements.

"And there shall be plainly burned, embossed, or printed on the side of each case, to be known as the Government side, the proof of the spirits, the registered distillery number, the State and supervisory district in which the distillery is located, the real name of the actual bona fide distiller or of the individual, firm, partnership,

corporation or association in whose name the spirits were produced and warehoused, the year and distilling season, whether spring or fall, of original inspection or entry into bond, and the date of bottling, and the same wording shall be placed upon the adhesive engraved strip stamp over the mouth of the bottle. It being understood that the spring season shall include the months from January to July, and the fall season the months from July to January.

"And no trade-marks shall be put upon any bottle unless the real name of the actual bona fide distiller, or the name of the individual, firm, partnership, corporation, or association in whose name the spirits were produced and warehoused, shall also be placed conspicuously on said bottle." Trade marks; requirements.

(b) Section 2 of the Act entitled "An Act to allow the bottling of distilled spirits in bond", approved March 3, 1897, as amended (U. S. C., 1934 ed., title 26, sec. 1277), is further amended by striking out the last clause following the words "Secretary of the Treasury", and inserting in lieu thereof the following: "but no spirits (except gin for export) shall be bottled in bond until they have remained in bond in wooden containers for at least four years from the date of original gauge as to fruit brandy, or original entry as to all other spirits: *Provided*, That nothing in this Act shall authorize the labeling of spirits in bottles contrary to the provisions of regulations issued pursuant to the Federal Alcohol Administration Act, or any amendment thereof." Regulations governing bottling in bond. Vol. 29, p. 627. U. S. C., p. 1162. *Proviso.* Labeling.

SEC. 307. (a) All distilled spirits heretofore entered for deposit in a distillery, general, or special bonded warehouse, or hereafter entered for deposit in an Internal Revenue Bonded Warehouse, shall be withdrawn therefrom within eight years from the date of original entry therein, except as provided in subsection (c) of this section. Bonded period.

(b) Any distilled spirits heretofore deposited in any distillery, general, or special bonded warehouse, or hereafter deposited in any Internal Revenue Bonded Warehouse, may, at the time of withdrawal of the spirits from such warehouse, upon the filing of an application for the regauge of such spirits, giving a description of the package containing the spirits, be regauged by a storekeeper-gauger who shall place upon each such package such marks and brands as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall by regulations prescribe. If upon such regauging it shall appear that there has been a loss by leakage or evaporation of distilled spirits from any cask or package, without the fault or negligence of the distiller or warehouseman, taxes shall be collected only on the quantity of distilled spirits contained in such cask or package at the time of such withdrawal. The allowance which shall be made for such loss of spirits shall not exceed— Regauging. Loss allowance.

1 proof-gallon for 2 months or part thereof;
1½ gallons for more than 2 months and not more than 4 months;
2 gallons for more than 4 months and not more than 6 months;
2½ gallons for more than 6 months and not more than 8 months;
3 gallons for more than 8 months and not more than 10 months;
3½ gallons for more than 10 months and not more than 12 months;
4 gallons for more than 12 months and not more than 15 months;
4½ gallons for more than 15 months and not more than 18 months;
5 gallons for more than 18 months and not more than 21 months;
5½ gallons for more than 21 months and not more than 24 months;
6 gallons for more than 24 months and not more than 27 months;
6½ gallons for more than 27 months and not more than 30 months;
7 gallons for more than 30 months and not more than 33 months;

7½ gallons for more than 33 months and not more than 36 months;
8 gallons for more than 36 months and not more than 40 months;
8½ gallons for more than 40 months and not more than 44 months;
9 gallons for more than 44 months and not more than 48 months;
9½ gallons for more than 48 months and not more than 52 months;
10 gallons for more than 52 months and not more than 56 months;
10½ gallons for more than 56 months and not more than 60 months;
11 gallons for more than 60 months and not more than 64 months;
11½ gallons for more than 64 months and not more than 68 months;
12 gallons for more than 68 months and not more than 72 months;
12½ gallons for more than 72 months and not more than 76 months;
13 gallons for more than 76 months and not more than 80 months;
13½ gallons for more than 80 months from the date of original gauge as to fruit brandy, or original entry as to all other spirits; and no further allowances shall be made for loss by leakage or evaporation.

Allowance applicable to casks, etc., only.

The foregoing allowance for loss shall apply only to casks or packages of a capacity of forty or more wine-gallons, and the allowance for loss on casks or packages of less capacity than forty gallons shall not exceed one-half the amount allowed on said forty-gallon cask or package; but no allowance shall be made on casks or packages of less capacity than twenty gallons. The proof of such distilled spirits shall not in any case be computed at the time of withdrawal at less than 100 per centum.

Proof computation.

Spirits in bond for eight years or over.

(c) Distilled spirits which on the effective date of this section are eight years of age, or older, and which are in bonded warehouses, may remain therein after such date; but no allowance for loss by leakage or evaporation shall be made in the case of such spirits with respect to any period after such date: *Provided*, That loss allowances for such spirits for the period prior to the effective date of this section shall be made pursuant to the provisions of the Act of February 6, 1925 (43 Stat. 808).

Leakage allowance.

Proviso.
Allowances for prior period.
Vol. 43, p. 808.

Effective date of section.

(d) This section shall take effect thirty days after the date of the enactment of this Act: *Provided*, That a regauge to determine the losses to be allowed under subsection (c) shall be made prior to the effective date of this section.

Proviso.
Regauging prior to effective date.

Vol. 40, p. 1106.

SEC. 308. The first paragraph of section 602 of the Revenue Act of 1918, approved February 24, 1919, is amended to read as follows:

Removal of certain spirits.

"SEC. 602. Subject to the provisions of existing law, spirits produced at registered distilleries and reduced in the receiving cisterns in such distilleries to not more than one hundred and fifty-nine degrees of proof and not less than one hundred degrees of proof, may be transferred, by means of pipe lines, direct to storage tanks in the Internal Revenue Bonded Warehouse located on the bonded premises where produced and be warehoused in such storage tanks, or they may be drawn into approved containers and transferred to any Internal Revenue Bonded Warehouse for storage therein, or they may be taxpaid in such approved containers in such cistern rooms, without being entered into an Internal Revenue Bonded Warehouse. Such spirits may be drawn into approved containers from storage tanks in Internal Revenue Bonded Warehouse located on the bonded premises of the distillery either for storage in bond or tax payment. Such spirits, upon tax payment, may be transported in approved containers for use for beverage purposes only. The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, is hereby empowered to prescribe all necessary regulations relating to the drawing off, transferring, gauging, storing, and transportation of such spirits; the records to

Transfers by pipe lines to storage tanks in warehouses.

Drawing into approved containers for storage in warehouse.

Taxpaid in approved containers in cistern rooms.

Transportation in approved containers, for beverage use.

Regulations to be prescribed.

be kept and returns to be made; the size and kind of containers to be used; the marking, branding, numbering, and stamping of such containers; the kind of stamps, if any, to be used; and the kind of bond and the penal sum thereof."

SEC. 309. Section 3293 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 26, sec. 1232), is amended to read as follows:

R. S., sec. 3293, p. 637. U. S. C., p. 1156.

"SEC. 3293. (a) The distillers of all spirits removed to an Internal Revenue Bonded Warehouse shall enter the same for deposit in such warehouse, under such regulations as the Commissioner of Internal Revenue may prescribe. Said entry shall be in such form as the Commissioner shall prescribe.

Entry of spirits for deposit in warehouse.

Form.

"(b) The tax on all distilled spirits hereafter entered for deposit in Internal Revenue Bonded Warehouses shall be due and payable before and at the time the same are withdrawn therefrom and within eight years from the date of the original entry for deposit therein; and warehousing bonds hereafter taken under the provisions of the internal revenue laws shall be conditioned for the payment of the tax on the spirits as specified in the entry before withdrawal from the Internal Revenue Bonded Warehouse, and within eight years from the date of said entry. The Commissioner shall prescribe the form and penal sums of bonds covering distilled spirits in Internal Revenue Bonded Warehouses and in transit to and between such warehouses: *Provided*, That the penal sums of such bonds covering distilled spirits shall not exceed in the aggregate $200,000 for each such warehouse.

Tax on spirits entered for deposit.

Warehousing bonds.

Form and amount.

Proviso. Maximum.

"(c) A new bond shall be required in case of the death, insolvency, or removal of the surety or sureties, and may be required in any other contingency affecting its validity or impairing its efficiency, at the discretion of the Commissioner of Internal Revenue. And in case the warehouseman fails or refuses to give the bond required, or to renew the same, or neglects to immediately withdraw the spirits and pay the tax thereon, or if he neglects to withdraw any bonded spirits and pay the tax thereon before the expiration of the time limited in the bond, the collector shall proceed to collect the tax by distraint, issuing his warrant of distraint for the amount of tax found to be due, as ascertained by him from the report of the storekeeper-gauger if no bond was given, or from the terms of the bond if a bond was given. But this provision shall not exclude any other remedy or proceeding provided by law.

New bond upon death, etc., of sureties.

Penalty for failure to give bond, etc.

Other proceedings.

"(d) If it shall appear at any time that there has been a loss of distilled spirits from any cask or other package deposited in an Internal Revenue Bonded Warehouse, other than the loss provided for in section 3221 of the Revised Statutes, as amended, which, in the opinion of the Commissioner of Internal Revenue, is excessive, he may instruct the District Supervisor of the district in which the loss has occurred to require the withdrawal from warehouse of such distilled spirits, and direct the Collector of Internal Revenue to collect the tax accrued upon the original quantity of distilled spirits entered into the warehouse in such cask or package, notwithstanding that the time specified in any bond given for the withdrawal of the spirits entered into warehouse in such cask or package has not expired. If the said tax is not paid on demand, the collector shall report the amount due upon his next monthly list, and it shall be assessed and collected as other taxes are assessed and collected."

Loss of spirits other than by accident.

R. S., sec. 3221, p. 619. U. S. C., p. 1161.

Assessment and collection of tax if not paid on demand.

SEC. 310. Section 3302 of the Revised Statutes (U. S. C., 1934 ed., title 26, sec. 1229) is amended to read as follows:

R. S., sec. 3302, p. 639. U. S. C., p. 1155.

"SEC. 3302. The storekeeper-gauger assigned to any distillery shall, in addition to all other duties required to be performed by him, keep

Records to be kept by storekeeper-gaugers.

records of the receipt and use of substances brought into said distillery, or on said premises, to be used for the purpose of producing spirits, and of all spirits drawn off from the receiving cistern, and the time when the same were drawn off, in such form as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall, by regulations, prescribe."

R. S., sec. 3303, p. 639. U. S. C., p. 1150.

SEC. 311. Section 3303 of the Revised Statutes (U. S. C., 1934 ed., title 26, sec. 1192 (a)) is amended to read as follows:

Distillers' books; entries to be made.

"SEC. 3303. Every person who makes or distills spirits, or owns any still, boiler, or other vessel used for the purpose of distilling spirits, or who has such still, boiler, or other vessel so used under his superintendence, either as agent or owner, or who uses any such still, boiler, or other vessel, shall keep a record, in the form and manner prescribed by the Commissioner of Internal Revenue, of the receipt on the distillery premises, and the use thereon, of materials intended for use in the distillation of spirits, and of the number of gallons of spirits distilled, the number of gallons placed in the warehouse, and the proof thereof, the number of gallons sold or removed, with the proof thereof, and the name, place of business, and residence of the person to whom sold."

R. S., sec. 3331, p. 649. U. S. C., p. 1152.

SEC. 312. Section 3331 of the Revised Statutes (U. S. C., 1934 ed., title 26, sec. 1203) is hereby amended to read as follows:

Operation of distillery under bond, after seizure.

"SEC. 3331. Any distillery or distilling apparatus seized for any violation of law may, in the discretion of the court, be released before final judgment to a receiver appointed by the court to operate such distillery or apparatus. Such receiver shall give bond, which shall be approved in open court, with two or more competent personal sureties, or one approved corporate surety, for the full appraised value of all the property seized, to be ascertained by three competent appraisers designated and appointed by the court. Funds obtained from such operation shall be impounded as the court shall direct pending such final judgment."

Bond by receiver.

Impounding of funds.

R. S., sec. 3339, p. 651. U. S. C., p. 1167.

SEC. 313. (a) Section 3339 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 26, sec. 1330 (a) and (b)), is further amended by adding a new paragraph at the end thereof reading as follows:

Tolerances. Limits within which contents may exceed tax-paid quantity.

"The provisions of this section requiring the accounting of hogsheads, barrels, and fractional parts of barrels at the next higher quantity shall not apply where the contents of such hogsheads, barrels, or fractional parts of barrels are within the limits of tolerance established by the Commissioner of Internal Revenue by regulations which he is hereby authorized to prescribe with the approval of the Secretary of the Treasury; and no assessment shall be made and no tax shall be collected for any excess in any case where the contents of the hogsheads, barrels, or fractional parts of barrels heretofore or hereafter used are within the limits of the tolerance so prescribed."

R. S., sec. 3342, p. 652. U. S. C., pp. 1167, 1169.

(b) Section 3342 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 26, secs. 1332 (a) and (b) and 1337 (b)), is amended to read as follows:

Stamps; procurement by brewer.

"SEC. 3342. (a) Every brewer shall obtain, from the collector of the district in which his brewery or brewery-warehouse is situated, and not otherwise unless such collector shall fail to furnish the same upon application to him, the proper stamps.

Affixing of stamps.

"(b) Every brewer shall affix, upon the spigot-hole in the head of every hogshead, barrel, or keg in which any fermented liquor is contained, when sold or removed from such brewery or warehouse (except in case of removal under permit, as hereinafter provided), a stamp denoting the amount of the tax required upon such fer-

mented liquor, which stamp shall be destroyed by driving through the same the faucet through which the liquor is to be withdrawn, or an air-faucet of equal size, at the time the hogshead, barrel, or keg is tapped, in case it is tapped through the other spigot-hole (of which there shall be but two, one in the head and one in the side), and shall also, at the time of affixing such stamp, cancel the same by writing or imprinting thereon the name of the person, firm, or corporation by whom such liquor was made, or the initial letters thereof, and the date when canceled: *Provided, however*, That the Commissioner of Internal Revenue may, in his discretion, authorize the use of such other tapping devices or faucets as will permit the affixing and destruction of stamps in a manner consistent with the protection of the revenue.

Destruction, etc., when container is tapped.

Proviso.
Use of other tapping devices.

"(c) Every brewer who refuses or neglects to affix and cancel, in the manner provided under this section, the stamps required by law, or who affixes a false or fraudulent stamp, or knowingly permits the same to be done, shall pay a penalty of $100 for each hogshead, barrel, or keg on which such omission or fraud occurs, and be imprisoned not more than one year."

Penalty for violation.

(c) Section 3345 of the Revised Statutes (U. S. C., 1934 ed., title 26, sec. 1333 (a)) is amended by striking out the phrase "in one vessel" where it appears after the phrase "or not less than six barrels".

Removals free of tax.
R. S., sec. 3345, p. 653.
U. S. C., p. 1168.

(d) Section 3348 of the Revised Statutes (U. S. C., 1934 ed., title 26, sec. 1334 (e)) is amended by striking out "kegs, or other vessels" where it appears therein and inserting in lieu thereof "or kegs".

Stamping; monthly report of retail sales.
R. S., sec. 3348, p. 653.
U. S. C., p. 1168.

(e) Section 3349 of the Revised Statutes (U. S. C., 1934 ed., title 26, sec. 1334 (f)) is amended by striking out "keg, or other vessel" where it appears therein and inserting in lieu thereof "or keg".

Manufacturer's name on container.
R. S., sec. 3349, p. 654.
U. S. C., p. 1169.

SEC. 314. (a) The last sentence of section 3242 of the Revised Statutes (U. S. C., 1934 ed., title 26, sec. 1397 (b)) is hereby repealed.

Special tax; provision repealed.
R. S., sec. 3242, p. 622.
U. S. C., p. 1178.

(b) The first sentence of section 3281 of the Revised Statutes (U. S. C., 1934 ed., title 26, secs. 1184 and 1397 (a) (1)), as amended, is further amended to read as follows:

R. S., sec. 3281, p. 635.
U. S. C., pp. 1149, 1178.

"Any person who shall carry on the business of a brewer, rectifier, wholesale liquor dealer, retail liquor dealer, wholesale dealer in malt liquors, retail dealer in malt liquors, or manufacturer of stills, and willfully fails to pay the special tax as required by law, or who shall carry on the business of a distiller without having given bond as required by law, or who shall engage in or carry on the business of a distiller with intent to defraud the United States of the tax on the spirits distilled by him, or any part thereof, shall, for every such offense, be fined not less than $100 nor more than $5,000 and be imprisoned for not less than thirty days nor more than two years."

Conducting business without giving bond, or paying special tax, etc.

Penalty.

SEC. 315. Section 3335 of the Revised Statutes (U. S. C., 1934 ed., title 26, sec. 1334 (a)) is amended to read as follows:

R. S., sec. 3335, p. 650.
U. S. C., p. 1168.

"SEC. 3335. Every brewer shall, before commencing or continuing business, file with the officer designated for that purpose by the Commissioner of Internal Revenue a notice in writing and in the form prescribed by the Commissioner, with the approval of the Secretary of the Treasury. Such notice shall set forth (a) the name and residence of the brewer, and the names and residences of all such persons interested or to be interested in the business, directly or indirectly, as the Commissioner shall prescribe, (b) the precise place where the business is to be carried on, including a description of the premises on which the brewery is situated, the title of the brewer to the premises, and the name of the owner thereof, and (c) such additional particulars as the Commissioner shall prescribe as necessary for the protection of the revenue."

Notice by brewer before commencing business; information required.

R. S., sec. 3336, p. 650. U. S. C., p. 1168.

SEC. 316. Section 3336 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 26, sec. 1334 (b)), is further amended to read as follows:

Brewer's bond.

"SEC. 3336. Every brewer, on filing notice as provided by law of his intention to commence or continue business, shall execute a bond to the United States in such penal sum, in proportion to the production capacity of the plant, as the Secretary of the Treasury shall by regulations prescribe, but in no event shall such sum be less than $1,000. The bond shall be conditioned that the brewer shall pay, or cause to be paid, as herein provided, the tax required by law on all beer, lager beer, ale, porter, and other fermented liquors made by or for him, before the same is sold or removed for consumption or sale, except as hereinafter provided; and that he shall keep, or cause to be kept, in the manner required by law, a book which shall be open to inspection by the proper officers, as by law required; and that he shall in all respects faithfully comply, without fraud or evasion, with all requirements of law relating to the manufacture and sale of any malt liquors aforesaid. Once in every four years, or whenever required so to do by the Secretary of the Treasury, or such officer as may be designated by the Secretary of the Treasury, the brewer shall execute a new bond in the penal sum fixed in this section or prescribed in pursuance of this section, and conditioned as above provided, which bond shall be in lieu of any former bond or bonds of such brewer in respect to all liabilities accruing after its approval."

Conditions.

Renewals.

R. S., sec. 3340, p. 651. U. S. C., p. 1169.

SEC. 317. Section 3340 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 26, sec. 1337 (a)), is amended to read as follows:

Evading tax; not making true and exact entries, reports, etc.

"SEC. 3340. (a) Every owner, agent, or superintendent of any brewery, vessels, or utensils used in making fermented liquors, who evades or attempts to evade the payment of the tax thereon, or fraudulently neglects or refuses to make true and exact entry and report of the same in the manner required by law, or to do, or cause to be done, any of the things by law required to be done by him, or who intentionally makes false entry in said book or in said statement, or knowingly allows or procures the same to be done, shall—

Penalties.

"(1) forfeit, for every such offense, all the liquors made by him or for him, and all the vessels, utensils, and apparatus used in making the same, and

"(2) be liable to a penalty of not less than $500 nor more than $1,000, to be recovered with costs of suit, and shall be deemed guilty of a misdemeanor, and be imprisoned for a term not exceeding one year.

Neglecting to keep books or refusing to furnish required accounts.

"(b) Every brewer who neglects to keep books or refuses to furnish the account and duplicate thereof as provided by law, or refuses to permit the proper officer to examine the books in the manner provided, shall, for every such refusal or neglect, forfeit and pay the sum of $300.

Penalty.

Unlawful removal of taxable malt liquors, without tax payment. Penalty.

"(c) For flagrant and willful removal of taxable malt liquors for consumption or sale, without payment of tax thereon, all the right, title, and interest of each person, who has knowingly suffered or permitted such removal or has connived at the same, in the lands and buildings constituting the brewery premises and bottling house shall be forfeited by a proceeding in rem in the District Court of the United States having jurisdiction thereof.

Brewery premises; term defined and purposes restricted.

"(d) The brewery premises shall consist of the land and buildings described in the brewer's notice and shall be used solely for the purposes of manufacturing beer, lager beer, ale, porter, and similar fermented malt liquors, cereal beverages containing less than one-

half of 1 per centum of alcohol by volume, vitamins, ice, malt, and malt syrup; of drying spent grain from the brewery; of recovering carbon dioxide and yeast; and of storing bottles, packages, and supplies necessary or incidental to all such manufacture. The brewery bottling house shall be used solely for the purposes of bottling beer, lager beer, ale, porter, and similar fermented malt liquors, and cereal beverages containing less than one-half of 1 per centum of alcohol by volume. Notwithstanding the foregoing provisions, where any such brewery premises or brewery bottling house is, on the date of the enactment of the Liquor Tax Administration Act, being used by any brewer for purposes other than those herein described, or the brewery bottling house is, on such date, being used for the bottling of soft drinks, the use of the brewery and bottling house premises for such purposes may be continued by such brewer. The brewery bottling house of any brewery shall not be used for the bottling of the product of any other brewery. Any brewer who uses his brewery or bottling house contrary to the provisions of this subsection shall be fined not more than $50 with respect to each day upon which any such use occurs."

Bottling house; use restricted.

Established breweries used for other purposes.

Bottling products of another brewery.

Penalty for violation.

SEC. 318. The Secretary of the Treasury may, by regulations, authorize the amelioration of wine by the winemaker and the fortification of wine, without supervision by any officer of the United States, whenever he determines that such authorization may be made without danger to the revenue.

Amelioration of wine, etc., without supervision; regulations for.

SEC. 319. (a) Section 605 of the Revenue Act of 1918 as amended (U. S. C., 1934 ed., title 26, sec. 1151), is amended by inserting, preceding the penalty paragraph the following new paragraph:

Vol. 40, p. 1108. U. S. C., p. 1141.

"The premises of a rectifier shall be as described in his notice and, whether they consist of an entire building or of rooms in a building, shall have means of ingress from and egress into a public street or yard, or into a public hall or elevator shaft leading into a public street or yard, and shall be used exclusively for the business of rectification and the bottling of liquors rectified by him thereon, and the bottling of wines and spirits without rectification. Notwithstanding the foregoing provisions, where any such premises are, on the date of the enactment of the Liquor Tax Administration Act, being used for purposes other than those herein described, such use may be continued for not more than sixty days after such date. Any rectifier who uses his rectifying premises contrary to the provisions of this paragraph shall be fined not more than $50 with respect to each day upon which any such use occurs, but shall not, on account of such use, be subject to the penalties otherwise prescribed in this section."

Premises of rectifier; requirements.

Use restricted.

Existing rectifying premises used for other purposes; limited continuance.

Penalty for violation.

(b) Section 605 of the Revenue Act of 1918, as amended, is amended by adding at the end thereof two new paragraphs reading as follows:

Vol. 40, p. 1108. Rectification of wines.

"The filtering, clarifying, or purifying of wines on bonded winery premises or bonded storeroom premises shall not be deemed to be rectification within the meaning of paragraph 'Third' of section 3244 of the Revised Statutes (U. S. C., 1934 ed., title 26, sec. 1398 (f)). The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe such regulations under this section as he deems necessary.

Filtering, clarifying, etc., on bonded premises not rectification.

R. S., sec. 3244, p. 623. U. S. C., p. 1179.

Regulations.

"The manufacture of vermouth with fortified sweet wine on bonded winery premises shall not be deemed to be rectification within the meaning of paragraph 'Third' of section 3244 of the Revised Statutes, if distilled spirits are not added to the fortified sweet wine used in the manufacture thereof or to such vermouth during or after its manufacture. Such vermouth may be manufactured on

Manufacture of vermouth with fortified sweet wine on bonded premises.

R. S., sec. 3244, p. 623. U. S. C., p. 1179.

Operations restricted.

bonded winery premises, but only in a separate department thereof having no interior communication with any other department or part of such premises, under such supervision and in accordance with such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe."

Supervision; regulations.

Vol. 40, p. 1110. U. S. C., p. 1164.

(c) So much of section 611 of the Revenue Act of 1918, as amended (relating to the tax on still wines) (U. S. C., 1934 ed., title 26, sec. 1300 (a) (1)), as reads:

Tax on still wines.

"On wines containing not more than 14 per centum of absolute alcohol, 10 cents per wine gallon, the per centum of alcohol under this section to be reckoned by volume and not by weight;

"On wines containing more than 14 per centum and not exceeding 21 per centum of absolute alcohol, 20 cents per wine gallon;

"On wines containing more than 21 per centum and not exceeding 24 per centum of absolute alcohol, 40 cents per wine gallon;"

is amended to read as follows:

"On wines containing not more than 14 per centum of absolute alcohol, 5 cents per wine gallon, the per centum of alcohol under this section to be reckoned by volume and not by weight;

"On wines containing more than 14 per centum and not exceeding 21 per centum of absolute alcohol, 10 cents per wine-gallon;

"On wines containing more than 21 per centum and not exceeding 24 per centum of absolute alcohol, 20 cents per wine-gallon;".

Vol. 40, p. 1110; *Ante*, p. 988. U. S. C., p. 1164; Supp. I, p. 184.

(d) Section 613 of the Revenue Act of 1918, as amended (U. S. C., 1934 ed., title 26, sec. 1300 (a) (2); U. S. C., 1934 ed., Supp. I, title 26, sec. 1300 (a) (2)), is amended to read as follows:

Tax on sparkling wines, etc., on bonded premises, when sold or removed, etc.

"SEC. 613. (a) Upon the following articles which are produced in or imported into the United States, after the date of the enactment of the Liquor Tax Administration Act, or which on the day after such date are on any winery premises or other bonded premises or in transit thereto or at any customhouse, there shall be levied, collected, and paid, in lieu of the internal-revenue taxes imposed thereon by law prior to such date, taxes at rates as follows, when sold, or removed for consumption or sale:

"On each bottle or other container of champagne or sparkling wine, 2½ cents on each one-half pint or fraction thereof;

"On each bottle or other container of artificially carbonated wine, 1¼ cents on each one-pint or fraction thereof;

"On each bottle or other container of liqueurs, cordials, or similar compounds, by whatever name sold or offered for sale, containing sweet wine, citrus-fruit wine, peach wine, cherry wine, berry wine, apricot wine, or apple wine, fortified, respectively, with grape brandy, citrus-fruit brandy, peach brandy, cherry brandy, berry brandy, apricot brandy, or apple brandy, 1¼ cents on each one-half pint or fraction thereof;

"Any of the foregoing articles containing more than 24 per centum of absolute alcohol by volume (except vermouth, liqueurs, cordials, and similar compounds made in rectifying plants and containing tax-paid sweet wine, citrus-fruit wine, peach wine, cherry wine, berry wine, apricot wine, or apple wine, fortified, respectively, with grape brandy, citrus-fruit brandy, peach brandy, cherry brandy, berry brandy, apricot brandy, or apple brandy) shall be classed as distilled spirits and shall be taxed accordingly.

Refund of certain prior levies.

"The Commissioner of Internal Revenue, subject to regulations prescribed by the Secretary of the Treasury, is authorized to remit, refund, and pay back the amount of all taxes on such liqueurs, cordials, and similar compounds paid by or assessed against rectifiers at the distilled spirits rate prior to the date of the enactment of the Liquor Tax Administration Act."

Vol. 40, p. 1109.
Removal of fermented liquors to industrial alcohol plant.

SEC. 320. Section 609 of the Revenue Act of 1918 (26 U. S. C., sec. 515) is amended by striking out the words "industrial distillery of either class established under the Act entitled 'An Act to reduce tariff duties and to provide a revenue for the Government, and for other purposes', approved October 3, 1913", and substituting therefor the words "industrial alcohol plant".

Retail liquor dealers to keep records, etc.

SEC. 321. Each retail liquor dealer shall provide at his own expense, and keep in his place of business, a record in book form, or shall keep all invoices of, and bills for, all distilled spirits, wines, and fermented malt liquors received, the quantity thereof, and from whom and the date when received. Such records, invoices, and bills shall be open to inspection during the usual business hours of the retailer by Government officers upon identification and request. Such records, invoices, and bills shall be kept for a period of two years after the time of the transactions to which they relate. For each willful violation of the provisions hereof the retailer shall be subject to a fine of $25.

Open to official inspection.

Retention for two years.

Penalty for violation.

R. S., sec. 3237, p. 621.
U. S. C., p. 1179.

SEC. 322. Section 3237 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 26, secs. 1402 (b) and 1403), is amended to read as follows:

When special taxes become due.

"SEC. 3237. (a) All special taxes shall become due on the 1st day of July in each year, or on commencing any trade or business on which such tax is imposed. In the former case the tax shall be reckoned for one year, and in the latter case it shall be reckoned proportionately, from the 1st day of the month in which the liability to a special tax commenced, to and including the 30th day of June following.

Time for rendering returns.

"(b) It shall be the duty of the special taxpayers to render their returns with remittances to the collector at such times within the calendar month in which the special tax liability commenced as shall enable him to receive such returns, duly signed and verified, together with the remittances, not later than the last day of the month, except in cases of sickness or absence, as provided for in section 3176 of the Revised Statutes, as amended."

Exceptions.
R. S., sec. 3176, p. 610.
U. S. C., p. 1191.

R. S., sec. 3244, p. 622.
U. S. C., pp. 1177, 1178.

SEC. 323. Paragraph "Fourth" of section 3244 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 26, sec. 1394 (a) and (b) (1), and sec. 1398 (a) and (b)), is amended to read as follows:

Retail dealers in liquors, special tax.
Term construed.

"Fourth. (a) Retail dealers in liquors shall pay a special tax of $25. Every person who sells, or offers for sale, foreign or domestic distilled spirits, wines, or malt liquors, otherwise than as hereinafter provided, in less quantities than five wine-gallons to the same person at the same time, shall be regarded as a retail dealer in liquors:

Provisos.
Special stamp to denote payment.

Provided, That the Commissioner of Internal Revenue may, by regulations, with the approval of the Secretary of the Treasury, provide for the issuance of a stamp denoting payment of such special tax as a 'retail dealer in wines' or a 'retail dealer in wines and malt liquors' if, as the case may be, wines only, or wines and malt liquors only, are sold by a retail dealer in liquors: *And provided further*, That the tax required to be paid by this paragraph shall, in case of a retail drug store or pharmacy making sales of liquors through a duly licensed pharmacist, be designated as a 'medicinal spirits stamp tax': *And provided further*, That any retail dealer in liquors or retail dealer in malt liquors whose business is such as to require him to travel from place to place in different States of the United States may, under regulations prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, procure a special-tax stamp 'At Large' covering his activities throughout the United States with the payment of but one special tax as a retail dealer in liquors or as a retail dealer in malt liquors, as the case may be.

"Medicinal spirits stamp tax."

"At Large" stamps.

bonded winery premises, but only in a separate department thereof having no interior communication with any other department or part of such premises, under such supervision and in accordance with such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe."

Supervision; regulations.

(c) So much of section 611 of the Revenue Act of 1918, as amended (relating to the tax on still wines) (U. S. C., 1934 ed., title 26, sec. 1300 (a) (1)), as reads:

Vol. 40, p. 1110. U. S. C., p. 1164.

Tax on still wines.

"On wines containing not more than 14 per centum of absolute alcohol, 10 cents per wine gallon, the per centum of alcohol under this section to be reckoned by volume and not by weight;

"On wines containing more than 14 per centum and not exceeding 21 per centum of absolute alcohol, 20 cents per wine gallon;

"On wines containing more than 21 per centum and not exceeding 24 per centum of absolute alcohol, 40 cents per wine gallon;"

is amended to read as follows:

"On wines containing not more than 14 per centum of absolute alcohol, 5 cents per wine gallon, the per centum of alcohol under this section to be reckoned by volume and not by weight;

"On wines containing more than 14 per centum and not exceeding 21 per centum of absolute alcohol, 10 cents per wine-gallon;

"On wines containing more than 21 per centum and not exceeding 24 per centum of absolute alcohol, 20 cents per wine-gallon;".

Vol. 40, p. 1110; *Ante*, p. 988. U. S. C., p. 1164; Supp. I, p. 184.

(d) Section 613 of the Revenue Act of 1918, as amended (U. S. C., 1934 ed., title 26, sec. 1300 (a) (2); U. S. C., 1934 ed., Supp. I, title 26, sec. 1300 (a) (2)), is amended to read as follows:

Tax on sparkling wines, etc., on bonded premises, when sold or removed, etc.

"SEC. 613. (a) Upon the following articles which are produced in or imported into the United States, after the date of the enactment of the Liquor Tax Administration Act, or which on the day after such date are on any winery premises or other bonded premises or in transit thereto or at any customhouse, there shall be levied, collected, and paid, in lieu of the internal-revenue taxes imposed thereon by law prior to such date, taxes at rates as follows, when sold, or removed for consumption or sale:

"On each bottle or other container of champagne or sparkling wine, 2½ cents on each one-half pint or fraction thereof;

"On each bottle or other container of artificially carbonated wine, 1¼ cents on each one-pint or fraction thereof;

"On each bottle or other container of liqueurs, cordials, or similar compounds, by whatever name sold or offered for sale, containing sweet wine, citrus-fruit wine, peach wine, cherry wine, berry wine, apricot wine, or apple wine, fortified, respectively, with grape brandy, citrus-fruit brandy, peach brandy, cherry brandy, berry brandy, apricot brandy, or apple brandy, 1¼ cents on each one-half pint or fraction thereof;

"Any of the foregoing articles containing more than 24 per centum of absolute alcohol by volume (except vermouth, liqueurs, cordials, and similar compounds made in rectifying plants and containing tax-paid sweet wine, citrus-fruit wine, peach wine, cherry wine, berry wine, apricot wine, or apple wine, fortified, respectively, with grape brandy, citrus-fruit brandy, peach brandy, cherry brandy, berry brandy, apricot brandy, or apple brandy) shall be classed as distilled spirits and shall be taxed accordingly.

Refund of certain prior levies.

"The Commissioner of Internal Revenue, subject to regulations prescribed by the Secretary of the Treasury, is authorized to remit, refund, and pay back the amount of all taxes on such liqueurs, cordials, and similar compounds paid by or assessed against rectifiers at the distilled spirits rate prior to the date of the enactment of the Liquor Tax Administration Act."

his own hogsheads, barrels, or kegs, under the provisions of section 3349 of the Revised Statutes, as amended, but the quantity of malt liquors so purchased shall be included in calculating the liability to brewers' special tax of both the brewer who manufactures and sells the same and the brewer who purchases the same.

R. S., sec. 3349, p. 654. U. S. C., p. 1169.

"(c) No collection of special tax as a retail dealer in malt liquors shall be made from brewers for selling malt liquors of their own manufacture in the original stamped eighth-barrel packages.

Brewer selling own product in original stamped package.

"(d) No special tax shall be held to accrue on a sale of distilled spirits, wines, or malt liquors made by a person who is not otherwise a dealer in liquors, where such spirits, wines, or liquors have been received by the person so selling as security for or in payment of a debt, or as executor, administrator, or other fiduciary, or have been levied on by any officer, under order or process of any court or magistrate, and where such spirits are sold by such person in one parcel only, or at public auction in parcels not less than twenty wine-gallons, nor shall such tax be held to accrue on a sale made by a retiring partner, or the representatives of a deceased partner to the incoming, remaining, or surviving partner or partners of a firm. Nor shall the special tax of a wholesale dealer in liquors or wholesale dealer in malt liquors be held to apply to a retail dealer in liquors or a retail dealer in malt liquors, because of such retail dealer selling out his entire stock of liquors in one parcel, or in parcels embracing not less than his entire stock of distilled spirits, of wines, or of malt liquors. Section 3319 of the Revised Statutes shall not be held to prohibit a rectifier or liquor dealer from purchasing, in quantities greater than twenty wine-gallons, the distilled spirits sold in one parcel as aforesaid.

Special tax exemptions.

Retail dealer selling entire stock, etc.

R. S., sec. 3319, p. 644. U. S. C., p. 1153.

"(e) No retail dealer in malt liquors shall be held to be a wholesale dealer in malt liquors solely by reason of sales of five gallons or more to the same person at the same time if such sales are for immediate consumption on the premises where sold.

Retail dealer in malt liquors not deemed wholesale dealer by reason of certain quantity sales.

"(f) No wholesale or retail dealer in malt liquors who has paid the special tax as such a dealer shall again be required to pay special tax as such dealer on account of sales of beer, lager beer, ale, porter, or other similar fermented malt liquor to wholesale or retail dealers in liquors or wholesale or retail dealers in malt liquors consummated at the purchaser's place of business covered by the stamp issued to him to denote the payment of the special tax imposed upon such dealers.

Malt liquor sales consummated at purchaser's place of business.

"(g) Notwithstanding the foregoing provisions of this section, each person making sales of fermented malt liquor to the members, guests, or patrons of bona-fide fairs, reunions, picnics, carnivals, or other similar outings, and each fraternal, civic, church, labor, charitable, benevolent, or ex-service men's organization making sales of fermented malt liquor on the occasion of any kind of entertainment, dance, picnic, bazaar, or festival, held by it, if such person or organization is not otherwise engaged in business as a dealer in malt liquors, shall pay, before any such sales are made and in lieu of the special tax imposed by subdivision (a) of this paragraph, a special tax of $2 as a retail dealer in malt liquors, for each calendar month in which any such sales are made."

Sales at fairs, etc., by persons not regularly engaged in business as dealer.

Tax imposed.

SEC. 325. Section 3450 of the Revised Statutes (U. S. C., 1934 ed., title 26, sec. 1441) is hereby reenacted and amended by striking out "fine or penalty of not more than $500" appearing at the end of the second sentence thereof, and inserting in lieu thereof the words "fine of not more than $5,000 or be imprisoned for not more than three years, or both".

R. S., sec. 3450, p. 682. U. S. C., p. 1182.

Removing or concealing with attempt to defraud.

Penalty.

Liquor Taxing Act of 1934, amendment.
Vol. 48, p. 316; U. S. C., p. 1143.

SEC. 326. Section 203 of the Liquor Taxing Act of 1934 is amended by adding a new paragraph at the end thereof, as follows:

Exchange of damaged, unused, etc., stamps.

"The Commissioner of Internal Revenue, under regulations approved by the Secretary of the Treasury, may issue new stamps in exchange for any unused stamps issued under this Act that have been spoiled by fire or water, or rendered useless by erroneous overprinting or cutting; or may refund the value of any unused stamps for which the lawful owner has no use due to the discontinuance or transfer of his business: *Provided*, That stamps may be exchanged, or the value thereof refunded, only in quantities of the value of $5 or more: *And provided further*, That no claim for the exchange of such stamps or refund therefor shall be allowed unless presented within one year after the date on which such stamps were purchased, or, in the case of any such stamps so spoiled or rendered useless or for which the lawful owner had no use due to the discontinuance or transfer of his business prior to the date of the enactment of the Liquor Tax Administration Act, within one year after such date. There are hereby authorized to be appropriated annually, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this paragraph."

Refunds.

Provisos.
Minimum quantity.

Time limit for claim for exchange or refund.

Annual appropriation authorized.

Brewer's losses, refunds or credits against taxes.

SEC. 327. (a) The Commissioner of Internal Revenue shall make refund, or in lieu thereof, if he so elects, allow credit to a brewer in the amount of tax paid by such brewer on any beer, lager beer, ale, porter, or other similar fermented malt liquor manufactured by such brewer which has become unsalable by reason of its condition, upon the filing of a claim therefor by the brewer and proof by him to the satisfaction of the Commissioner that such beer, lager beer, ale, porter, or other similar fermented malt liquor (1) was fully tax-paid, (2) was lawfully removed from his brewery to his bottling house on or after March 22, 1933, (3) never was removed from such bottling house, except in the process of destruction or for return to the brewery, (4) had become unsalable without fraud, connivance, or collusion on his part, and (5) was destroyed by him in such bottling house in the presence of a representative of the Bureau of Internal Revenue, or was returned from such bottling house to the brewery in which made for use therein as brewing material.

Conditions.

Time limitation.

(b) No such claim shall be allowed unless filed within ninety days after such destruction or return to the brewery for use as brewing material, or, in the case of any beer, lager beer, ale, porter, or other similar fermented malt liquor so destroyed or returned before the date of the enactment of this Act, within ninety days after such date.

Issue of stamps to cover credit.

(c) The Commissioner is authorized to issue to the brewer to whom a credit is allowed pursuant to this section stamps in an amount equal to such credit, for use by him in the payment of the tax upon beer, lager beer, ale, porter, or other similar fermented malt liquor manufactured by him.

Rules, etc.

(d) The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, is authorized to make such rules and regulations as may be necessary to carry out the provisions of this section.

R. S., sec. 3246, p. 625.
U. S. C., p. 1178.

SEC. 328. Section 3246 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 26, sec. 1394 (g), (h), and (i)), is amended to read as follows:

Winemakers; special tax not imposed in certain cases.

"SEC. 3246. (a) Nothing in this chapter shall be construed to impose a special tax upon winemakers who have qualified as such under the internal-revenue laws and regulations, and who sell wines of their own production where the same are made or at the general business office of such winemaker: *Provided*, That no winemaker shall have more than one place of business for the sale of such wine that shall be exempt from the special tax.

Proviso.
Place of sale.

"(b) No special tax shall be imposed upon apothecaries as to wines or spirituous liquors which they use exclusively in the preparation or making up of medicines unfit for use for beverage purposes.

Apothecaries; wines, etc., used in medicines.

"(c) No special tax shall be imposed upon manufacturing chemists or flavoring-extract manufacturers for recovering tax-paid alcohol or spirituous liquors from dregs or marc of percolation, or extraction, if such recovered alcohol or spirituous liquors be again used in the manufacture of medicines or flavoring extracts of the kind in the production of which originally used."

Manufacturing chemists and flavoring-extract manufacturers, recovery of alcohol, etc., by.

SEC. 329. (a) Section 3 of Title III of the National Prohibition Act, as amended (U. S. C., 1934 ed., title 27, sec. 73; U. S. C., 1934 ed., Supp I, title 27, sec. 73), is amended by adding at the end thereof the following new sentence: "Permanent tanks and other structures located on the industrial alcohol plant premises and approved by the Commissioner, shall be deemed to be warehouses within the meaning of this section."

Warehouses.
Permanent tanks, etc., as.
Vol. 41, p. 319; *Ante*, p. 876.
U. S. C., p. 1221; Supp. I, p. 187.

(b) The third paragraph of section 11 of Title III of the National Prohibition Act, as amended and supplemented, is amended by inserting after the word "sanatorium" a comma and the following: "or for the use of any clinic operated for charity and not for profit, including use in the compounding of bona fide medicines for treatment outside of such clinics of patients thereof, but not for sale".

Charity clinics, etc.
Withdrawal of tax free alcohol for.
Vol. 41, p. 321; *Ante*, p. 876.
U. S. C., p. 1221; Supp. I, p. 187.

(c) Title III of the National Prohibition Act, as amended, and all provisions of the internal revenue laws relating to the enforcement thereof, are hereby extended to and made applicable to Puerto Rico and the Virgin Islands, from and after August 27, 1935. The respective Insular Governments shall advance to the Treasury of the United States such funds as may be required from time to time by the Secretary of the Treasury for the purpose of defraying all expenses incurred by the Treasury Department in connection with the enforcement in Puerto Rico and the Virgin Islands of the said Title III and regulations promulgated thereunder. The funds so advanced shall be deposited in a separate trust fund in the Treasury of the United States and shall be available to the Treasury Department for the purposes of this subsection.

Puerto Rico and Virgin Islands.
Provisions extended to.
Vol. 41, p. 319; U. S. C., p. 1220.
Advances by respective governments for administrative expenses.
Deposit of, as separate trust fund.

SEC. 330. The last paragraph of section 610 of the Revenue Act of 1918, as amended (U. S. C., 1934 ed., Supp. I, title 26, sec. 1310 (d)), is amended to read as follows:

Ante, p. 987.
U. S. C., Supp. I, p. 185.

"The provisions of the internal-revenue laws applicable to natural wine shall apply in the same manner and to the same extent to citrus-fruit wines, peach wines, cherry wines, berry wines, apricot wines, and apple wines, which are the products, respectively, of normal alcoholic fermentation of the juice of sound ripe (1) citrus-fruit (except lemons and limes), (2) peaches, (3) cherries, (4) berries, (5) apricots, or (6) apples, with or without the addition of dry cane, beet, or dextrose sugar (containing, respectively, not less than 95 per centum of actual sugar, calculated on a dry basis) for the purpose of perfecting the product according to standards, but without the addition or abstraction of other substances, except as may occur in the usual cellar treatment of clarifying or aging."

Provisions applicable to natural wine extended.

SEC. 331. Section 612 of the Revenue Act of 1918, as amended (U. S. C., 1934 ed., Supp. I, title 26, sec. 1301) is amended to read as follows:

Ante, p. 988.
U. S. C., Supp. I, p. 184.

"SEC. 612. (a) Under such regulations and official supervision and upon the giving of such notices and entries as the Commissioner, with the approval of the Secretary, may prescribe, any producer of wines defined under the provisions of this title may withdraw from any fruit distillery or Internal Revenue Bonded Warehouse grape brandy, or wine spirits, for the fortification of such wines on the

Fortification of wines, withdrawing grape brandy or wine spirits for.
Provisions extended.

premises where actually made, and any producer of citrus-fruit wines, peach wines, cherry wines, berry wines, apricot wines, or apple wines may similarly withdraw citrus-fruit brandy, peach brandy, cherry brandy, berry brandy, apricot brandy, or apple brandy for the fortification, respectively, of citrus-fruit wines, peach wines, cherry wines, berry wines, apricot wines, or apple wines, on the premises where actually made: *Provided*, That after the date of the enactment of the Liquor Tax Administration Act there shall be levied and assessed against the producer of such wines or citrus-fruit wines, peach wines, cherry wines, berry wines, apricot wines, or apple wines (in lieu of the internal-revenue tax now imposed thereon by law) a tax of 10 cents per proof-gallon of grape brandy, citrus-fruit brandy, peach brandy, cherry brandy, berry brandy, apricot brandy, apple brandy, or wine spirits, whenever withdrawn and so used by him after such date in the fortification of such wines or citrus-fruit wines or peach wines, cherry wines, berry wines, apricot wines, or apple wines during the preceding month, which assessment shall be paid by him within eighteen months from the date of notice thereof: *Provided*, That every producer of wine who withdraws such brandy, citrus-fruit brandy, peach brandy, cherry brandy, berry brandy, apricot brandy, apple brandy, or wine spirits shall give bond to fully cover at all times prior to payment of the assessment the amount of tax due on such brandy, citrus-fruit brandy, peach brandy, cherry brandy, berry brandy, apricot brandy, apple brandy, or wine spirits, which bond shall be in such form as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall, by regulations, prescribe. When such wines are destroyed or sold or removed for the manufacture of vinegar, or the production of dealcoholized wines containing less than one-half of 1 per centum of alcohol by volume, the tax under this section on such grape brandy, citrus-fruit brandy, peach brandy, cherry brandy, berry brandy, apricot brandy, apple brandy, or wine spirits shall, under such regulations as the Secretary may prescribe, be abated or refunded.

Provisos.
Tax imposed.

Bond.

Tax abated or refunded when wines destroyed, etc.

"(b) Nothing contained in this section shall be construed as exempting any wines, citrus-fruit wines, peach wines, cherry wines, berry wines, apricot wines, apple wines, cordials, liqueurs, or similar compounds from the payment of any tax provided for in this title.

Tax exemption not implied.

"(c) Any such wines, or citrus-fruit wines, or peach wines, cherry wines, berry wines, apricot wines, apple wines, may, under such regulations as the Secretary may prescribe, be sold or removed tax free for the manufacture of vinegar, or for the production of dealcoholized wines containing less than one-half of 1 per centum of alcohol by volume.

Removal of, tax free, for manufacture of vinegar, etc.

"(d) The taxes imposed by this section shall not apply to dealcoholized wines containing less than one-half of 1 per centum of alcohol by volume."

Dealcoholized wines, tax exempt.

SEC. 332. Section 42 of the Act entitled "An Act to reduce the revenue and equalize duties on imports, and for other purposes", approved October 1, 1890, as amended (U. S. C., 1934 ed., Supp. I, title 26, sec. 1302), is amended by inserting at the end thereof the following new paragraph:

Vol. 40, p. 1111; *Ante*, p. 988.
U. S. C., Supp. I, p. 184.

"The provisions of this section and section 43 shall apply to the use of peach brandy, cherry brandy, berry brandy, apricot brandy, and apple brandy, in the preparation, respectively, of fortified peach wines, cherry wines, berry wines, apricot wines, and apple wines, in the same manner and to the same extent as such provisions apply to the use of wine spirits in the fortification of sweet wines; except that (1) no brandy other than peach brandy may be used in the

Fortification of wines; limitation on use of designated brandies.

fortification of peach wine and peach brandy may not be used for the fortification of any wine other than peach wine, (2) no brandy other than cherry brandy may be used in the fortification of cherry wine and cherry brandy may not be used for the fortification of any wine other than cherry wine, (3) no brandy other than berry brandy may be used in the fortification of berry wine and a berry brandy prepared from one kind of berry may not be used for the fortification of a berry wine prepared from another kind of berry or for the fortification of any wine other than berry wine, (4) no brandy other than apricot brandy may be used in the fortification of apricot wine and apricot brandy may not be used for the fortification of any wine other than apricot wine, and (5) no brandy other than apple brandy may be used in the fortification of apple wine and apple brandy may not be used for the fortification of any wine other than apple wine."

R. S., sec. 3255, p. 627; *Ante*, p. 988. U. S. C., Supp. I, p. 184. Brandy distillers. Certain exemptions of, extended.

SEC. 333. The first proviso of section 3255 of the Revised Statutes, as amended (U. S. C., 1934 ed., Supp. I, title 26, sec. 1176), is amended by inserting after "citrus-fruit wine", wherever it appears, the words ", peach wine, cherry wine, berry wine, apricot wine, or apple wine"; and by inserting after "citrus-fruit brandy" the words ", peach brandy, cherry brandy, berry brandy, apricot brandy, or apple brandy".

Vol. 40, p. 1113. U. S. C., p. 1165.

SEC. 334. Section 618 (b) of the Revenue Act of 1918 (U. S. C., 1934 ed., title 26, sec. 1304) is amended to read as follows:

Use of wines as distilling material.

"(b) Under regulations prescribed by the Commissioner with the approval of the Secretary, it shall be lawful to produce grape wines, citrus-fruit wines, peach wines, cherry wines, berry wines, apricot wines, and apple wines on bonded winery premises by the usual method, and to transport and use the same, and like wines heretofore produced and now stored on bonded winery premises, as distilling material in any fruit-brandy distillery or industrial-alcohol plant."

Vol. 40, p. 1113. U. S. C., p. 1166. Mixing domestic wines with distilled spirits.

SEC. 335. Section 620 of the Revenue Act of 1918 (U. S. C., 1934 ed., title 26, sec. 1309) is amended by striking out the following: "or whoever rectifies, mixes, or compounds with distilled spirits any domestic wines, other than in the manufacture of liqueurs, cordials, or similar compounds,".

Grape concentrate. Excise tax repealed. Vol. 47, p. 260.

SEC. 336. The tax imposed by section 601 (c) (3) of the Revenue Act of 1932, as amended (relating to the tax on grape concentrate, and so forth), shall not apply to any sale or importation after the date of the enactment of this Act.

Allowance for personal purchases abroad. Liquor, etc., importations limited to one wine-gallon. Vol. 46, p. 683.

SEC. 337. The third proviso of paragraph 1798 of the Tariff Act of 1930 is amended to read as follows: "*Provided further*, That up to but not exceeding $100 in value (including distilled spirits, wines, and malt liquors aggregating not more than one wine-gallon) of articles acquired abroad by such residents of the United States for personal or household use or as souvenirs or curios, but not bought on commission or intended for sale, shall be admitted free of duty:".

U. S. C., p. 1165. Marks, labels, etc., to be affixed to containers.

SEC. 338. Section 616 of the Revenue Act of 1918 (U. S. C., 1934 ed., title 26, sec. 1306) is amended by striking out "and shall, prior to sale or removal for consumption, affix to each cask or vessel containing such wine such marks, labels, or stamps as the Commissioner, with the approval of the Secretary, may from time to time prescribe", and inserting in lieu thereof "and shall, prior to sale or removal for consumption, affix to each cask, barrel, bottle, or other immediate container, and to each case or other shipping container, of such wine, such marks, labels, or stamps as the Commissioner, with the approval of the Secretary, may from time to time prescribe as to each".

Title IV.

TITLE IV

Bottling fermented liquors.
R. S., sec. 3354, p. 654.
U. S. C., p. 1169.

SECTION 401. (a) Section 3354 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 26, sec. 1336), is amended by striking out "keg, or other vessel" and inserting in lieu thereof "or keg".

(b) Such section 3354 of the Revised Statutes, as amended, is further amended by striking out the first sentence of the second proviso thereof and inserting in lieu thereof the following: "*Provided further*, That the tax imposed by law on fermented liquor shall be paid on all fermented liquor removed from a brewery to a bottling house by means of a pipe or conduit, at the time of such removal by the cancelation and defacement, by the officer designated by the Commissioner of Internal Revenue, in the presence of the brewer, of the number of stamps denoting the tax on the fermented liquor thus removed, or in such other manner as may be prescribed by regulations issued by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury.

Transporting liquor from brewery to bottling house by pipe or conduit.
Tax payment provision.

Administrative rules.

(c) The Commissioner of Internal Revenue is hereby authorized, with the approval of the Secretary of the Treasury, to make all rules and regulations necessary to carry out the provisions of this section.

Vol. 46, p. 694.
U. S. C., p. 872.

SEC. 402. Section 313 (d) of the Tariff Act of 1930 (U. S. C., 1934 ed., title 19, sec. 1313 (d)) is amended by adding thereto the following:

Drawback, exportation of bottled distilled spirits and wines.

"Upon the exportation of bottled distilled spirits and wines manufactured or produced in the United States on which an internal-revenue tax has been paid, there shall be allowed, under regulations to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, a drawback equal in amount to the tax found to have been paid on such bottled distilled spirits and wines: *Provided*, That such distilled spirits and wines have been bottled especially for export, under regulations prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury."

Proviso.
Bottled especially for export, etc.

Drawback, distilled spirits and wines; regulations for payment, etc.
Vol. 46, p. 695.
U. S. C., p. 873.

SEC. 403. Section 313 (i) (3) of the Tariff Act of 1930 (U. S. C., 1934 ed., title 19, sec. 1313 (i)) is amended by striking therefrom the word "alcohol" and inserting in lieu thereof the words "distilled spirits and wines".

Bonded manufacturing warehouses.
Vol. 46, p. 692.
U. S. C., p. 872.

SEC. 404. Section 311 of the Tariff Act of 1930 (U. S. C., 1934 ed., title 19, sec. 1311) is amended by adding a paragraph at the end thereof, reading as follows:

Distilled spirits and wine, rectified in, etc.

"Distilled spirits and wines which are rectified in bonded manufacturing warehouses, class six, and distilled spirits which are reduced in proof and bottled in such warehouses, shall be deemed to have been manufactured within the meaning of this section, and may be withdrawn as hereinbefore provided, and likewise for shipment in bond to Puerto Rico, subject to the provisions of this section, and under such regulations as the Secretary of the Treasury may prescribe, there to be withdrawn for consumption or be rewarehoused and subsequently withdrawn for consumption: *Provided*, That upon withdrawal in Puerto Rico for consumption, the duties imposed by the customs laws of the United States shall be collected on all imported merchandise (in its condition as imported) and imported containers used in the manufacture and putting up of such spirits and wines in such warehouses: *Provided further*, That no internal-revenue tax shall be imposed on distilled spirits and wines rectified in class six warehouses if such distilled spirits and wines are exported or shipped in accordance with the provisions of this section, and that no person rectifying distilled spirits or wines in such warehouses shall be subject by reason of such rectification to the payment of special tax as a rectifier."

Shipments in bond to Puerto Rico.

Provisos.
Collection of duties.

Tax on spirits, etc., rectified in class six warehouses; provisions.

SEC. 405. Section 51 of the Act of August 27, 1894, as amended (U. S. C., 1934 ed., title 26, sec. 1265; U. S. C., 1934 ed., Supp. I, title 26, sec. 1265), is amended to read as follows:

Vol. 28, p. 564; *Ante*, p. 989.
U. S. C., p. 1160; Supp. I, p. 184.

"SEC. 51. The Commissioner of Internal Revenue shall be, and is hereby, authorized, in his discretion, and upon the execution of such bonds as he may prescribe, to establish warehouses, to be known and designated as Internal Revenue Bonded Warehouses, to be used exclusively for the storage of spirits distilled at a registered distillery, each of which warehouses shall be in charge of a storekeeper-gauger to be appointed, assigned, transferred, and paid in the same manner as such officers for distillery warehouses have been appointed, assigned, transferred, and paid prior to the date of enactment of the Liquor Tax Administration Act. Every such warehouse shall be under the control of the District Supervisor of the Alcohol Tax Unit district in which such warehouse is located, and shall be in the joint custody of the storekeeper-gauger and proprietor thereof, and kept securely locked, and shall at no time be unlocked or opened or remain open except in the presence of such storekeeper-gauger or other person who may be designated to act for him. No dwelling house shall be used for such a warehouse, and no door, window, or other opening shall be made or permitted in the walls of such warehouse leading into a distillery. Such warehouses shall be under such further regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe."

Internal Revenue Bonded Warehouses.
Establishment, for storage of spirits distilled at registered distillery.

Storekeeper-gauger, in charge.

Control, custody, etc.

Restrictions and regulations.

SEC. 406. (a) Section 3271 of the Revised Statutes (U. S. C., 1934 ed., title 26, sec. 1225) is repealed: *Provided, however*, That the repeal of said section shall not relieve any distiller of liability for any taxes or penalties arising out of the use of, or storage of distilled spirits in, a distillery warehouse authorized, approved or maintained under such section 3271 of the Revised Statutes.

Distillery warehouses; section repealed.
R. S., sec. 3271, p. 632.
U. S. C., p. 1155.
Proviso.
Liabilities not released.

(b) All distillery, general, and special bonded warehouses heretofore established according to law and on the date of the enactment of this Act actually being lawfully used for the storage of spirits distilled at a registered distillery on which the tax has not been paid shall be designated as Internal Revenue Bonded Warehouses, and, upon the filing of such new bonds, or the consent of sureties on such existing bonds, covering spirits in such distillery, general, or special bonded warehouses, as the Commissioner shall consider adequate to insure the payment of taxes due to the United States, may be used under such rules and regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe, for the storage of distilled spirits (other than alcohol) heretofore or hereafter produced.

Designation of existing distillery, general, and special bonded warehouses as Internal Revenue Bonded Warehouses.

Use of.

SEC. 407. The distinction between distillery bonded warehouses, general bonded warehouses, and special bonded warehouses is hereby removed, and any warehouse for the storage of spirits distilled at a registered distillery, prior to tax-payment, shall be operated as an Internal Revenue Bonded Warehouse. The establishment, construction, maintenance, and supervision of Internal Revenue Bonded Warehouses shall be under such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe.

Distinctions removed.

Regulations.

SEC. 408. Internal Revenue Bonded Warehouses established under authority of law shall be exempt from the provisions of those sections of law which, prior to the date of enactment of this Act have made distinctions between distillery bonded warehouses, general bonded warehouses, and special bonded warehouses, as to (1) kind of spirits to be stored therein; (2) ownership or production of distilled spirits to be stored therein; (3) ownership or proprietorship of such warehouses; (4) location and construction of such bonded

Exemptions from designated provisions of law.

warehouses; (5) entry of distilled spirits therein; (6) withdrawal of distilled spirits therefrom; (7) transfers of distilled spirits to or from one or more of such classes of bonded warehouses; or (8) any other matter; it being hereby declared to be the purpose of the amendment to section 51 of the Act of August 27, 1894, made by section 407 hereof, to establish the Internal Revenue Bonded Warehouse as the sole type and kind of bonded warehouse under the internal revenue laws for the storage of spirits distilled at a registered distillery on which the tax has not been paid.

Vol. 28, p. 564.

R. S., sec. 3296, p. 638. U. S. C., p. 1163.

SEC. 409. Section 3296 of the Revised Statutes (U. S. C., 1934 ed., title 26, sec. 1287) is amended to read as follows:

Removal, etc., of distilled spirits, tax unpaid, to other than Internal Revenue Bonded Warehouse, etc.

"SEC. 3296. Whenever any person removes, or aids or abets in the removal of, any distilled spirits on which the tax has not been paid, to a place other than the Internal Revenue Bonded Warehouse provided by law, or conceals or aids in the concealment of any spirits so removed, or removes, or aids or abets in the removal of, any distilled spirits from any such warehouse authorized by law, in any manner other than is provided by law, or conceals or aids in the concealment of any spirits so removed, he shall be liable to a penalty of double the tax imposed on such distilled spirits so removed or concealed, and shall be fined not less than $200 nor more than $5,000, and imprisoned not less than three months nor more than three years."

Penalty.

Distillates containing aldehydes or fusel oil (heads and tails).

SEC. 410. Under rules and regulations to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, distillers may collect in locked tanks distillates containing one-half of 1 per centum or more of aldehydes or 1 per centum or more of fusel oil (heads and tails) removed in the course of distillation. Such distillates containing one-half of 1 per centum or more of aldehydes or more than 1 per centum of fusel oil so collected may be removed for denaturation, under regulations prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury, or destroyed in the manner prescribed by the Commissioner of Internal Revenue, under the supervision of an internal revenue officer to be designated by the Commissioner, and when so denatured or destroyed shall not be subject to the tax imposed by law upon distilled spirits.

Disposition.

R. S., sec. 3318, p. 644. U. S. C., p. 1153.

SEC. 411. Section 3318 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 26, secs. 1208 and 1209), is further amended to read as follows:

Records to be kept by rectifiers. Sworn transcripts.

"SEC. 3318. Every rectifier and wholesale liquor dealer shall keep daily, at his place of business covered by his special tax stamp, a record of distilled spirits received and disposed of by him, and shall render under oath correct transcripts and summaries of such records: *Provided*, That the Commissioner may in his discretion require such record to be kept at the place where the spirits are actually received and sent out. The records shall be kept and the transcripts shall be rendered in such form, and under such rules and regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe.

Proviso. Keeping record where spirits received and sent out.

Preservation of records for four years.

"The records required to be kept under the provisions of this section and regulations issued pursuant thereto, shall be preserved for a period of four years, and during such period shall be available during business hours for inspection and the taking of abstracts therefrom by the Commissioner or any internal revenue officer.

Penal provisions.

"Every rectifier and wholesale liquor dealer who refuses or neglects to keep such records in the form prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, or to make entries therein, or cancels, alters, or obliterates any

entry therein (except for the purpose of correcting errors) or destroys any part of such records, or any entry therein, or makes any false entry therein, or hinders or obstructs any internal revenue officer from inspecting such records or taking any abstracts therefrom, or neglects or refuses to preserve or produce such records as required by this Act or by regulations issued pursuant thereto, shall pay a penalty of $100 and, on conviction, shall be fined not less than $100 nor more than $5,000, and be imprisoned not less than three months nor more than three years.

"Every rectifier and wholesale liquor dealer who refuses or neglects to render transcripts or summaries in the form required by the Commissioner, with the approval of the Secretary, shall, upon conviction, be fined not more than $100 for each such neglect or refusal."

Vol. 28, p. 567. U. S. C., p. 1153.

SEC. 412. Section 62 of the Act of August 27, 1894 (U. S. C., 1934 ed., title 26, sec. 1210), is amended to read as follows:

Bonded distillers selling only their own production.

Special tax of wholesale liquor dealer not applicable.

"SEC. 62. No distiller who has given the required bond and who sells only distilled spirits of his own production at the place of manufacture, or at the place of storage in bond, in the original packages to which the tax-paid stamps are affixed, shall be required to pay the special tax of a wholesale liquor dealer on account of such sales: *Provided*, That every distiller shall keep daily a record of such distilled spirits disposed of by him, and shall render under oath correct transcripts and summaries of such records. The records shall be kept and the transcripts shall be rendered in such form, and under such rules and regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe.

Proviso. Record to be kept; transcripts to be rendered.

Preservation of records for four years.

"The records required to be kept under the provisions of this section and regulations issued pursuant thereto, shall be preserved for a period of four years, and during such period shall at all times be available, during business hours, for inspection and the taking of abstracts therefrom by the Commissioner or any internal revenue officer.

Penal provisions.

"Every distiller who refuses or neglects to keep such records in the form prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, or to make entries therein, or cancels, alters, or obliterates any entry therein (except for the purpose of correcting errors) or destroys any part of such records, or any entry therein, or makes any false entry therein, or hinders or obstructs any internal revenue officer from inspecting such records or taking any abstracts therefrom, or neglects or refuses to preserve or produce such records as required by this Act or by regulations issued pursuant thereto, shall pay a penalty of $100 and, on conviction, shall be fined not less than $100 nor more than $5,000, and be imprisoned not less than three months nor more than three years.

"Every distiller who refuses or neglects to render the transcripts or summaries in the form as required by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall, upon conviction, be fined not more than $100 for each such neglect or refusal."

Continuation of designated provisions.

SEC. 413. All internal-revenue laws of the United States in regard to the manufacture and taxation of, and traffic in, distilled spirits, wines, and malt liquors, and all penalties for violations of such laws, that were in force at the time the National Prohibition Act was enacted, shall be and continue in force, except as they have been repealed or amended by Acts other than (1) Title II of the National Prohibition Act, as amended and supplemented, and (2)

Vol. 41, p. 305. U. S. C., p. 1217.

Ante, p. 872.

Ante, p. 1957.

section 1 of the Liquor Law Repeal and Enforcement Act, and except as they may be modified by, or may be inconsistent with, this Act.

SEC. 414. Except as provided in section 329 of this Act, nothing contained in this Act shall be construed as restricting or limiting the provisions of Title III of the National Prohibition Act, as amended.

Title V.

TITLE V

Federal Alcohol Administration made an independent establishment.
Ante, p. 977.
Office of Administrator abolished.
Administration to be composed of three members.

SECTION 501. (a) The Federal Alcohol Administration created as a division in the Treasury Department by section 2 (a) of the Federal Alcohol Administration Act, approved August 29, 1935 (Public Numbered 401, Seventy-fourth Congress), is hereby made an independent establishment of the Government. The office of Administrator of the Federal Alcohol Administration is abolished, and hereafter the Federal Alcohol Administration shall be composed of three members, appointed as provided in section 502 of this title.

Functions, duties, etc., of Administrator conferred upon Administration.

(b) All rights, privileges, powers, and duties conferred or imposed upon the Administrator of the Federal Alcohol Administration are conferred and imposed upon the Federal Alcohol Administration. All papers, records, and property of the Administrator and the Federal Alcohol Administration, as a division of the Treasury Department, are transferred to the Federal Alcohol Administration as an independent establishment of the Government.

Attorneys, experts, etc.

(c) The Federal Alcohol Administration is authorized, without regard to the civil-service laws, to appoint such attorneys and experts, and, subject to the civil-service laws, to appoint such other officers and employees, as it deems necessary to carry out its powers and duties; and the compensation of all such attorneys, experts, and other officers and employees shall be fixed in accordance with the Classification Act of 1923, as amended. All officers and employees appointed by the Administrator and engaged in carrying out his powers and duties shall be officers and employees of the Federal Alcohol Administration: *Provided*, That no such officer or employee who does not already possess a competitive classified civil-service status shall thereby acquire such status, except upon recommendation by the Federal Alcohol Administration to the Civil Service Commission, subject to such noncompetitive tests of fitness as the Commission may prescribe; and no such officer or employee, except attorneys and experts, may be retained in the Federal Alcohol Administration without appropriate civil-service status for a period longer than sixty days from the effective date of this section.

Officers and employees.
Ante, p. 977.

Proviso.
Civil-service status.

Provisions extended.

(d) All provisions of law applicable to the Administrator shall be applicable in the same manner and to the same extent to the Federal Alcohol Administration.

Federal Alcohol Administration.
Members; appointment, political affiliation; terms; successors, etc.

SEC. 502. (a) The members of the Federal Alcohol Administration shall be appointed by the President, by and with the advice and consent of the Senate. Not more than two members of the Administration shall be members of the same political party. The terms of office of the members first taking office shall expire, as designated by the President at the time of nomination, one at the end of the first year, one at the end of the second year, and one at the end of the third year after the date of the enactment of this Act. A successor shall have a term of office expiring three years from the date of expiration of the term for which his predecessor was appointed, except that a person appointed to fill a vacancy occurring prior to the expiration of such term shall be appointed for the remainder of such term. No person shall be eligible for appointment or continue in office as a member if he is engaged or financially interested in, or is an officer or director of or employed by a company engaged in, the production or

Disqualification.

sale or other distribution of alcoholic beverages or the financing thereof. Each member shall, for his services, receive compensation at the rate of $10,000 per annum, together with actual and necessary traveling and subsistence expenses while engaged in the performance of his duties as member outside the District of Columbia.

Compensation, etc.

(b) One of the members shall be designated by the President annually at the beginning of the calendar year as chairman and shall be the chief executive officer of the Administration; one of the members shall be designated by the President annually at the beginning of the calendar year as vice chairman of the Administration and shall perform the functions and duties of the chairman in his absence or in the event of his incapacity caused by illness; and one of the members, who shall be a lawyer, shall be designated by the President as general counsel of the Administration. The Administration may function notwithstanding vacancies, and a majority of the members in office shall constitute a quorum. The Administration shall meet at the call of the chairman or a majority of its members. The Administration is authorized to adopt an official seal, which shall be judicially noticed. The Administration shall be entitled to free use of the United States mails in the same manner as the executive departments.

Chairman, vice chairman, general counsel.

Quorum, meetings, etc.

Official seal.

Franking privilege.

(c) The Administration is authorized and directed to prescribe such rules and regulations as may be necessary to carry out its powers and duties.

Authority to prescribe rules, etc.

SEC. 503. (a) Sections 2 (b), 2 (c), and 2 (d) of the Federal Alcohol Administration Act are hereby repealed. All rules, regulations, orders, permits, and certificates, prescribed or issued by the Administrator and in full force and effect on the effective date of this section, shall continue in full force and effect until duly modified, superseded, or revoked.

Federal Alcohol Administration Act.
Designated sections repealed.
Ante, p. 977.
Continuation of rules, etc.

(b) All proceedings, hearings, investigations, or other matters pending before, or being carried on by, the Administrator shall be continued and brought to determination by the Administration.

Continuation of proceedings, hearings, etc.

(c) No suit, action, or other proceeding lawfully commenced by or against any agency or officer of the United States shall abate by reason of the transfer of rights, privileges, powers, and duties, or the abolition of the office of Administrator, under the provisions of this title.

Pending suits, etc., not abated.

SEC. 504. The unexpended balances of appropriations available for salaries and expenses of the Federal Alcohol Administration, as a division of the Treasury Department, shall be available for salaries and expenses of the Federal Alcohol Administration, as an independent establishment of the Government, including the salaries and expenses of the members of the Federal Alcohol Administration.

Appropriations available.

SEC. 505. The third paragraph of section 5 (e) of the Federal Alcohol Administration Act is hereby amended to read as follows:

Ante, pp. 982, 1152.

"In order to prevent the sale or shipment or other introduction of distilled spirits, wine, or malt beverages in interstate or foreign commerce, if bottled, packaged, or labeled in violation of the requirements of this subsection, (1) no bottler of distilled spirits, no producer, blender, or wholesaler of wine, or proprietor of a bonded wine storeroom, and no brewer or wholesaler of malt beverages shall bottle, and (2) no person shall remove from customs custody, in bottles, for sale or any other commercial purpose, distilled spirits, wine, or malt beverages, respectively, after such date as the Administrator fixes as the earliest practicable date for the application of the provisions of this subsection to any class of such persons (but not later than August 15, 1936, in the case of distilled spirits, and December 15, 1936, in the case of wine and malt beverages, and only after thirty days' public notice), unless, upon application to the Administrator, he has obtained

Certificate of label approval.
Bottling or withdrawal from customs custody of products not covered by, forbidden.

and has in his possession a certificate of label approval covering the distilled spirits, wine, or malt beverages, issued by the Administrator in such manner and form as he shall by regulations prescribe: *Provided*, That any such bottler of distilled spirits, or producer, blender, or wholesaler of wine, or proprietor of a bonded wine storeroom, or brewer or wholesaler of malt beverages shall be exempt from the requirements of this subsection if, upon application to the Administrator, he shows to the satisfaction of the Administrator that the distilled spirits, wine, or malt beverages to be bottled by the applicant are not to be sold, or offered for sale, or shipped or delivered for shipment, or otherwise introduced, in interstate or foreign commerce. Officers of internal revenue are authorized and directed to withhold the release of distilled spirits from the bottling plant unless such certificates have been obtained, or unless the application of the bottler for exemption has been granted by the Administrator; and customs officers are authorized and directed to withhold the release from customs custody of distilled spirits, wine, and malt beverages, unless such certificates have been obtained. The District Courts of the United States, the Supreme Court of the District of Columbia, and the United States court for any Territory shall have jurisdiction of suits to enjoin, annul, or suspend in whole or in part any final action by the Administrator upon any application under this subsection; or".

Proviso. Exemptions.

Jurisdiction of suits to enjoin, etc., action.

SEC. 506. The second proviso of section 5 (e) of the Federal Alcohol Administration Act is amended to read as follows: "*Provided further*, That nothing herein nor any decision, ruling, regulation or other action of any Department of the Government or official thereof shall deny the right of any person to use wholly or in part the wine names or brands Port, Sherry, Burgundy, Sauterne, Haut Sauterne, Rhine (Hock), Moselle, Chianti, Chablis, Tokay, Malaga, Madeira, Marsala, Claret, Vermouth, Barbera, Cabernet, Saint Julien, Riesling, Zinfandel, Medoc, or Cognac, or any other geographic name of foreign origin (except Champagne), upon any of the foregoing produced in the United States if of the same type and the use of such name or brand is qualified by the name of the State or other locality in the United States in which the product is produced, and, in the case of the use of such name or brand on any label or in any advertisement, if such qualification is as conspicuous as such name or brand: *And provided further*, That except as herein expressly provided as to said names or brands, nothing in this section shall be held in any wise to affect or abridge any of the powers granted to the Federal Alcohol Administration to provide standards of identity, quality, labeling, or other regulations."

Right to use specified names or brands. *Ante*, p. 982.

Standards of identity, quality, etc.

SEC. 507. Section 9 of the Federal Alcohol Administration Act (U. S. C., 1934 ed., Supp. I, title 27, sec. 209) is amended by adding at the end thereof the following new subsection:

Ante, p. 987. U. S. C., Supp. I, p. 195.

"(e) Nothing in this section shall affect the authority of the Secretary of the Treasury, under the customs or internal-revenue laws, to remit or mitigate the forfeiture, or alleged forfeiture, of such distilled spirits, wines, or malt beverages, or the authority of the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, to compromise any civil or criminal case in respect of such distilled spirits, wines, or malt beverages prior to commencement of suit thereon, or the authority of the Secretary of the Treasury to compromise any claim under the customs laws in respect of such distilled spirits, wines, or malt beverages."

Mitigation of forfeitures, compromising of cases, claims, etc.

SEC. 508. This title, except sections 502, 505, and 507, shall take effect when a majority of the members of the Federal Alcohol Administration first appointed under the provisions of section 502 qualify and take office.

Effective dates.

Approved, June 26, 1936.

[CHAPTER 831.]

AN ACT

To promote the general welfare of the Indians of the State of Oklahoma, and for other purposes.

June 26, 1936.
[S. 2047.]
[Public, No. 816.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized, in his discretion, to acquire by purchase, relinquishment, gift, exchange, or assignment, any interest in lands, water rights, or surface rights to lands, within or without existing Indian reservations, including trust or otherwise restricted lands now in Indian ownership: *Provided*, That such lands shall be agricultural and grazing lands of good character and quality in proportion to the respective needs of the particular Indian or Indians for whom such purchases are made. Title to all lands so acquired shall be taken in the name of the United States, in trust for the tribe, band, group, or individual Indian for whose benefit such land is so acquired, and while the title thereto is held by the United States said lands shall be free from any and all taxes, save that the State of Oklahoma is authorized to levy and collect a gross-production tax, not in excess of the rate applied to production from lands in private ownership, upon all oil and gas produced from said lands, which said tax the Secretary of the Interior is hereby authorized and directed to cause to be paid.

Indians of Oklahoma.
Acquisition of lands, etc., within or without reservations.
Proviso.
Type of land to be acquired in proportion to individual needs.
United States to take title as trustee.
Nontaxable; exception.
Production tax on oil and gas.

SEC. 2. Whenever any restricted Indian land or interests in land, other than sales or leases of oil, gas, or other minerals therein, are offered for sale, pursuant to the terms of this or any other Act of Congress, the Secretary of the Interior shall have a preference right, in his discretion, to purchase the same for or in behalf of any other Indian or Indians of the same or any other tribe, at a fair valuation to be fixed by the appraisement satisfactory to the Indian owner or owners, or if offered for sale at auction said Secretary shall have a preference right, in his discretion, to purchase the same for or in behalf of any other Indian or Indians by meeting the highest bid otherwise offered therefor.

Restricted Indian land, etc.
Preference right to purchase, in behalf of Indians.
Appraisement.

SEC. 3. Any recognized tribe or band of Indians residing in Oklahoma shall have the right to organize for its common welfare and to adopt a constitution and bylaws, under such rules and regulations as the Secretary of the Interior may prescribe. The Secretary of the Interior may issue to any such organized group a charter of incorporation, which shall become operative when ratified by a majority vote of the adult members of the organization voting: *Provided, however*, That such election shall be void unless the total vote cast be at least 30 per centum of those entitled to vote. Such charter may convey to the incorporated group, in addition to any powers which may properly be vested in a body corporate under the laws of the State of Oklahoma, the right to participate in the revolving credit fund and to enjoy any other rights or privileges secured to an organized Indian tribe under the Act of June 18, 1934 (48 Stat. 984): *Provided*, That the corporate funds of any such chartered group may be deposited in any national bank within the State of Oklahoma or otherwise invested, utilized, or disbursed in accordance with the terms of the corporate charter.

Right to organize for common welfare, adopt constitution, etc.
Charter.
Proviso.
Vote requirement.
Powers conferred by charter.
Vol. 48, p. 984; U. S. C., p. 1031.
Proviso.
Deposit of funds.

SEC. 4. Any ten or more Indians, as determined by the official tribal rolls, or Indian descendants of such enrolled members, or Indians as defined in the Act of June 18, 1934 (48 Stat. 984), who reside within the State of Oklahoma in convenient proximity to each other may receive from the Secretary of the Interior a charter as a local cooperative association for any one or more of the following purposes: Credit administration, production, marketing, consumers'

Local cooperative associations; purposes.

Provisions, etc., governing.

protection, or land management. The provisions of this Act, the regulations of the Secretary of the Interior, and the charters of the cooperative associations issued pursuant thereto shall govern such cooperative associations: *Provided*, That in those matters not covered by said Act, regulations, or charters, the laws of the State of Oklahoma, if applicable, shall govern. In any stock or nonstock cooperative association no one member shall have more than one vote, and membership therein shall be open to all Indians residing within the prescribed district.

Proviso.
State laws applicable to matters not covered in regulations, etc.
Voting privilege.

Charters, amendment or revocation.

SEC. 5. The charters of any cooperative association organized pursuant to this Act shall not be amended or revoked by the Secretary except after a majority vote of the membership. Such cooperative associations may sue and be sued in any court of the State of Oklahoma or of the United States having jurisdiction of the cause of action, but a certified copy of all papers filed in any action against a cooperative association in a court of Oklahoma shall be served upon the Secretary of the Interior, or upon an employee duly authorized by him to receive such service. Within thirty days after such service or within such extended time as the trial court may permit, the Secretary of the Interior may intervene in such action or may remove such action to the United States district court to be held in the district where such petition is pending by filing in such action in the State court a petition for such removal, together with the certified copy of the papers served upon the Secretary. It shall then be the duty of the State court to accept such petition and to proceed no further in such action. The said copy shall be entered in the said district court within thiry [1] days after the filing of the petition for removal, and the said district court is hereby given jurisdiction to hear and determine said action.

Suits by or against associations.

Intervention by Secretary of the Interior; removal to Federal district court.

Loans to individual Indians and to associations.
Appropriation for.

SEC. 6. The Secretary is authorized to make loans to individual Indians and to associations or corporate groups organized pursuant to this Act. For the making of such loans and for expenses of the cooperative associations organized pursuant to this Act, there shall be appropriated, out of the Treasury of the United States, the sum of $2,000,000.

Funds available.
Vol. 48, p. 984.

SEC. 7. All funds appropriated under the several grants of authority contained in the Act of June 18, 1934 (48 Stat. 984), are hereby made available for use under the provisions of this Act, and Oklahoma Indians shall be accorded and allocated a fair and just share of any and all funds hereafter appropriated under the authorization herein set forth: *Provided*, That any royalties, bonuses, or other revenues derived from mineral deposits underlying lands purchased in Oklahoma under the authority granted by this Act, or by the Act of June 18, 1934, shall be deposited in the Treasury of the United States, and such revenues are hereby made available for expenditure by the Secretary of the Interior for the acquisition of lands and for loans to Indians in Oklahoma as authorized by this Act and by the Act of June 18, 1934 (48 Stat. 984).

Allocations to Oklahoma Indians.

Proviso.
Deposit of mineral royalties.

Availability.

Osage County, Okla., not affected.

SEC. 8. This Act shall not relate to or affect Osage County, Oklahoma.

Rules to be prescribed.

SEC. 9. The Secretary of the Interior is hereby authorized to prescribe such rules and regulations as may be necessary to carry out the provisions of this Act. All Acts or parts of Acts inconsistent herewith are hereby repealed.

Inconsistent Acts repealed.

Approved, June 26, 1936.

[1] So in original.

[CHAPTER 832.]

AN ACT

To amend section 23 of the Independent Offices Appropriation Act, 1935.

June 26, 1936.
[S. 2712.]
[Public, No. 817.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 23 of the Independent Offices Appropriation Act, 1935, is amended by adding at the end thereof the following new paragraph:

Independent Offices Appropriation Act, 1935, amendment.
Vol. 48, p. 522.

"Where the adjustment of regular hours of duty of employees subject to the provisions of the preceding paragraph requires the adjustment of regular hours of duty of any employee whose compensation is fixed under the Classification Act of 1923, as amended, the aggregate weekly earnings of such employee whose compensation is fixed under the Classification Act of 1923, as amended, for full-time service shall not be less by reason of such adjustment than his aggregate weekly earnings for full-time service prior to March 28, 1934. Full-time service within the meaning of this paragraph shall not be less than forty hours per week. For the purposes of this paragraph, authority is hereby granted to adjust the hourly rates of compensation of employees whose compensation is fixed under the Classification Act of 1923, as amended, to such extent as may be necessary to make the aggregate compensation for a forty-hour week equal to the compensation for a full-time week prior to March 28, 1934."

Adjustment of hours of labor, etc., between employees engaged in the trades and those whose pay is fixed under the Classification Act of 1923.
Vol. 42, p. 1488.
U. S. C., p. 85.

Full-time service construed.

Adjusting hourly rates of compensation.

SEC. 2. This Act shall take effect as of the 1st day of the first calendar month following the date of its enactment.

Effective date.

Approved, June 26, 1936.

[CHAPTER 833.]

AN ACT

To amend an Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto.

June 26, 1936.
[S. 3841.]
[Public, No. 818.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (e) of section 77 of the Act of July 1, 1898, entitled "An Act to establish a uniform system of bankruptcy throughout the United States", as amended, be, and is hereby, amended to read as follows:

Bankruptcy Act of 1898, amendments.
Ante, pp. 918, 965.
Corporate reorganizations.

"(e) Upon the certification of a plan by the Commission to the court, the court shall give due notice to all parties in interest of the time within which such parties may file with the court their objections to such plan, and such parties shall file, within such time as may be fixed in said notice, detailed and specific objections in writing to the plan and their claims for equitable treatment. The judge shall, after notice in such manner as he may determine to the debtor, its trustee or trustees, stockholders, creditors, and the Commission, hear all parties in interest in support of, and in opposition to, such objections to the plan and such claims for equitable treatment. After such hearing, and without any hearing if no objections are filed, the judge shall approve the plan if satisfied that: (1) It complies with the provisions of subsection (b) of this section, is fair and equitable, affords due recognition to the rights of each class of creditors and stockholders, does not discriminate unfairly in favor of any class of creditors or stockholders, and will conform to the requirements of the law of the land regarding the participation of the various classes of creditors and stockholders; (2) the approximate amounts to be paid by the debtor, or by any corporation or corporations acquiring

Notice to parties in interest of time within which to file objections to plan.

Hearings.

Approval by court; requirements.

Rights of creditors, stockholders, etc.

Amounts to be paid.

the debtor's assets, for expenses and fees incident to the reorganization, have been fully disclosed so far as they can be ascertained at the date of such hearing, are reasonable, are within such maximum limits as are fixed by the Commission, and are within such maximum limits to be subject to the approval of the judge; (3) the plan provides for the payment of all costs of administration and all other allowances made or to be made by the judge, except that allowances provided for in subsection (c), paragraph (12) of this section, may be paid in securities provided for in the plan if those entitled thereto will accept such payment, and the judge is hereby given power to approve the same.

Administration costs, etc.

Payment in securities.

Disapproval by court; dismissal or reference back to Commission.

"If the judge shall not approve the plan, he shall file an opinion, stating his conclusions and the reason therefor, and he shall enter an order in which he may either dismiss the proceedings, or in his discretion and on motion of any party in interest refer the proceedings back to the Commission for further action, in which event he shall transmit to the Commission a copy of any evidence received.

Reconsideration by Commission.

If the proceedings are referred back to the Commission, it shall proceed to a reconsideration of the proceedings under the provisions of subsection (d) hereof.

Approval by court; order to be entered; copy to Commission.

If the judge shall approve the plan, he shall file an opinion, stating his conclusions and the reasons therefor, and enter an order to that effect, and shall send a certified copy of such opinion and order to the Commission.

Submission of plan to creditors.

The plan shall then be submitted by the Commission to the creditors of each class whose claims have been filed and allowed in accordance with the requirements of subsection (c) hereof, and to the stockholders of each class, and/or to the committees or other representatives thereof, for acceptance or rejection, within such time as the Commission shall specify, together with the report or reports of the Commission thereon or such a summarization thereof as the Commission may approve, and the opinion and order of the judge: *Provided*, That submission to any class of stockholders shall not be necessary if the Commission shall have found, and the judge shall have affirmed the finding, (a) that at the time of the finding the corporation is insolvent, or that at the time of the finding the equity of such class of stockholders has no value, or that the plan provides for the payment in cash to such class of stockholders of an amount not less than the value of their equity, if any, or (b) that the interests of such class of stockholders will not be adversely and materially affected by the plan, or (c) that the debtor has pursuant to authorized corporate action accepted the plan and its stockholders are bound by such acceptance: *Provided further*, That submission to any class of creditors shall not be necessary if the Commission shall have found, and the judge shall have affirmed the finding, that the interests of such class of creditors will not be adversely and materially affected by the plan, or that at the time of the finding the interests of such class of creditors have no value, or that the plan provides for the payment in cash to such class of creditors of an amount not less than the value of their interests. For the purpose of this section the acceptance or rejection by any creditor or stockholder shall be in writing, executed by him or by his duly authorized attorney, committee, or representative. If the United States of America, or any agency thereof, or any corporation (other than the Reconstruction Finance Corporation) the majority of the stock of which is owned by the United States of America, is a creditor or stockholder, the interests or claims thereof shall be deemed to be affected by the plan, and the President of the United States, or any officer or agency he may designate, is hereby authorized to act in respect of the interests or claims of the United States or of such agency or other corporation.

To stockholders, etc.

Provisos.
Submission to any class of stockholders not necessary; when.

Submission to any class of creditors not necessary; when.

Acceptance or rejection by creditor or stockholder; form.

United States as a creditor or stockholder.

The expense of such submission shall be certified by the Commission and shall be borne by the debtor's estate. The Commission shall certify to the judge the results of such submission. Burden of expense of submission.

"Upon receipt of such certification, the judge shall confirm the plan if satisfied that it has been accepted by or on behalf of creditors of each class to which submission is required under this subsection holding more than two-thirds in amount of the total of the allowed claims of such class which have been reported in said submission as voting on said plan, and by or on behalf of stockholders of each class to which submission is required under this subsection holding more than two-thirds of the stock of such class which has been reported in said submission as voting on said plan; and that such acceptances have not been made or procured by any means forbidden by law: *Provided*, That, if the plan has not been so accepted by the creditors and stockholders, the judge may nevertheless confirm the plan if he is satisfied and finds, after hearing, that it makes adequate provision for fair and equitable treatment for the interests or claims of those rejecting it; that such rejection is not reasonably justified in the light of the respective rights and interests of those rejecting it and all the relevant facts; and that the plan conforms to the requirements of clauses (1) to (3), inclusive, of the first paragraph of this subsection (e): *Provided further*, That if, in any reorganization proceeding under this section, the United States is a creditor on claims for taxes or customs duties (whether or not the United States has any other interest in, or claim against, the debtor, as creditor or stockholder), no plan which does not provide for the payment thereof shall be confirmed by the judge except upon the acceptance, certified to the court, of a lesser amount by the President of the United States or the officer or agency designated by him pursuant to the provisions of the preceding paragraph hereof: *Provided further*, That if the President of the United States or such officer or agency shall fail to accept or reject such lesser amount for more than ninety days after receipt of written notice so to do from the court, accompanied by a certified copy of the plan, the consent of the United States insofar as its claims for taxes or customs duties are concerned shall be conclusively presumed. If the judge shall confirm the plan, he shall enter an order and file an opinion with a statement of his conclusions and his reasons therefor. If the judge shall not confirm the plan, he shall file an opinion, with a statement of his conclusions and his reasons therefor, and enter an order in which he shall either dismiss the proceedings, or, in his discretion and on the motion of any party in interest, refer the case back to the Commission for further proceedings, including the consideration of modifications of the plan or the proposal of new plans. In the event of such a reference back to the Commission, the proceedings with respect to any modified or new plan shall be governed by the provisions of this section in like manner as in an original proceeding hereunder.

Confirmation of plan by court; findings.

Provisos.
Confirmation of plan when not accepted by creditors, etc.

Provision for payment of taxes or customs duties.

Acceptance of lesser amount.

Presumption of consent to lesser amount.

Order confirming or disapproving plan.

Dismissal or reference back to Commission.

"If it shall be necessary to determine the value of any property for any purpose under this section, the Commission shall determine such value and certify the same to the court in its report on the plan. The value of any property used in railroad operation shall be determined on a basis which will give due consideration to the earning power of the property, past, present, and prospective, and all other relevant facts. In determining such value only such effect shall be given to the present cost of reproduction new and less depreciation and original cost of the property, and the actual investment therein, as may be required under the law of the land, in light of its earning power and all other relevant facts."

Appraisal of property.

Property used in railroad operation.

Approved, June 26, 1936.

[CHAPTER 834.]

June 26, 1936.
[S. 4241.]
[Public, No. 819.]

AN ACT

To provide for the sale of a certain isolated tract of the public domain in the State of Oregon.

Oregon.
Sale of certain public land in, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of law or any Executive order, the Secretary of the Interior is authorized upon application filed within six months from the date of this Act to order into the market and sell at public auction for not less than the appraised value, lot 5, section 21, township 2 south, range 3 east, Willamette meridian, Oregon, subject to the provisions and reservations of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1063), as amended by the Act of August 26, 1935 (49 Stat. 846): *Provided*, That any money paid in connection with such sale shall be deposited in the Oregon and California land-grant fund in the United States Treasury.

Description.

Reservations, etc., under Federal Power Act.
Vol. 41, p. 1063; *Ante*, p. 846.

Proviso.
Deposit of receipts from sale.

Approved, June 26, 1936.

[CHAPTER 835.]

June 26, 1936.
[S. 4464.]
[Public, No. 820.]

AN ACT

To authorize the coinage of 50-cent pieces in celebration of the opening of the San Francisco-Oakland Bay Bridge.

San Francisco-Oakland Bay Bridge.
Coinage in celebration of opening of, authorized.
Number.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in celebration of the opening of the San Francisco-Oakland Bay Bridge there shall be coined at a mint of the United States to be designated by the Director of the Mint not to exceed two hundred thousand silver 50-cent pieces of standard size, weight, and composition, and of a special appropriate single design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

No Federal expense for dies, etc.

Date, issue, etc.

SEC. 2. The coins herein authorized shall bear the date 1936, irrespective of the year in which they are minted or issued, shall be legal tender in any payment to the amount of their face value, and shall be issued only upon the request of the San Francisco Clearing House Association, upon payment by it of the par value of such coins, but not less than twenty-five thousand such coins shall be issued to it at any one time and no such coins shall be issued after the expiration of one year after the date of enactment of this Act. Such coins may be disposed of at par or at a premium by such association and the net proceeds shall be used by it in defraying the expenses incidental and appropriate to the celebration of such event.

Payment.

Disposition.

Coinage laws applicable.

SEC. 3. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material, and for the transportation, distribution, and redemption of coins, for the prevention of debasement or counterfeiting, for the security of the coins, or for any other purposes, whether such laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized.

Approved, June 26, 1936.

[CHAPTER 836.]

AN ACT

Authorizing the payment of certain salaries and expenses of employees of the General Land Office.

June 26, 1936.
[S. 4581.]
[Public, No. 821.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the allotment to the General Land Office under section 1, title II, of the Emergency Appropriation Act, fiscal year 1935, of $168,000 for necessary office work incident to surveys and resurveys of the public lands, is hereby extended and made available for said purpose for the period of July 1 to September 11, 1935, inclusive, and the payment of unpaid salaries for said period is hereby authorized, and the General Accounting Office shall allow credit in disbursing officers' accounts for salaries and expenses so paid for said period.

General Land Office.
Payment of certain salaries and expenses authorized.
Vol. 48, p. 1056.

Credit allowed for payments.

Approved, June 26, 1936.

[CHAPTER 837.]

AN ACT

To authorize the coinage of 50-cent pieces in commemoration of the three-hundredth anniversary of the founding of York County, Maine.

June 26, 1936.
[S. 4608.]
[Public, No. 822.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the three-hundredth anniversary of the founding of York County, Maine, there shall be coined at a mint of the United States to be designated by the Director of the Mint not to exceed thirty thousand silver 50-cent pieces of standard size, weight, and composition and of special appropriate single design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

York County, Maine.
Coinage in commemoration of founding of, authorized.
Number.

No Federal expense for dies, etc.

SEC. 2. The coins herein authorized shall bear the date 1936, irrespective of the year in which they are minted or issued, shall be legal tender in any payment to the amount of their face value, and shall be issued only upon the request of the Committee for the Commemoration of the Founding of York County upon payment by it of the par value of such coins, but not less than twenty-five thousand such coins shall be issued to it at any one time and no such coins shall be issued after the expiration of one year after the date of enactment of this Act. Such coins may be disposed of at par or at a premium by such committee, and the net proceeds shall be used by it in defraying the expenses incidental and appropriate to the commemoration of such event.

Date, issue, etc.

Payment.

Disposition.

SEC. 3. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material, and for the transportation, distribution, and redemption of coins, for the prevention of debasement or counterfeiting, for the security of the coins, or for any other purposes, whether such laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized.

Coinage laws applicable.

Approved, June 26, 1936.

[CHAPTER 838.]

AN ACT

June 26, 1936.
[S. 4670.]
[Public, No. 823.]

To authorize the striking of an appropriate medal in commemoration of the three-hundredth anniversary of the original Norfolk (Virginia) land grant and the two-hundredth anniversary of the establishment of the city of Norfolk, Virginia, as a borough.

Norfolk, Va.
Commemorative medals authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the three-hundredth anniversary of the original Norfolk (Virginia) land grant and the two-hundredth anniversary of the establishment of the city of Norfolk, Virginia, as a borough, there shall be struck at a mint of the United States to be designated by the Director of the Mint twenty-five thousand commemorative medals of a special appropriate single design, size, weight, and composition to be fixed by the Director of the Mint with the approval of the Secretary of the Treasury.

Number.

Delivery to Norfolk Advertising Board, Incorporated; payment.

SEC. 2. Such commemorative medals shall be delivered to the duly authorized officers of the Norfolk Advertising Board, Incorporated, affiliated with the Norfolk Association of Commerce, upon payment to the Director of the Mint of an amount to be fixed by the Director of the Mint not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses; and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for the full payment of such cost.

Counterfeiting, etc.

SEC. 3. Whoever shall falsely make, forge, or counterfeit or cause or procure to be falsely made, forged, or counterfeited or shall aid in falsely making, forging, or counterfeiting any medal issued under the provisions of this Act, or whoever shall sell or bring into the United States or any place subject to the jurisdiction thereof from any foreign place, or have in his possession any such false, forged, or counterfeited medal, shall be fined not more than $1,000 or imprisoned not more than two years, or both.

Approved, June 26, 1936.

[CHAPTER 839.]

AN ACT

June 26, 1936.
[S. 4699.]
[Public, No. 824.]

To provide a commissioned strength for the Corps of Engineers, United States Army, for the efficient performance of military and other statutory duties assigned to that corps.

National Defense Act, amendment.
Assistant to Chief of Engineers and increased commissioned strength provided.
Vol. 41, p. 768; Vol. 42, p. 723.
U. S. C., p. 238.
Provisos.
Increase in Army commissioned strength.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 11, (Corps of Engineers), National Defense Act, as amended, is hereby further amended to provide one additional assistant to the Chief of Engineers with the rank of brigadier general, and one hundred and eighty-five additional officers in grades from colonel to second lieutenant, inclusive: *Provided*, That the legally authorized commissioned strength of the Regular Army is increased by one hundred and eighty-five, which said increase shall be allotted to the Corps of Engineers: *Provided further*, That the President is hereby authorized to call to active duty with the Regular Army such number of officers of the Organized Reserves and for such time as may be necessary to meet the demands made and to be made upon the Engineer Corps of the Regular Army notwithstanding the provisions of section 37a of the Act of June 3, 1916, as amended: *Provided*, That officers of the Corps of Engineers and the Reserve officers of the Corps of Engineers employed primarily on duty connected with nonmilitary public works prosecuted under the direction of the Chief

Reserve officers for active duty.

Vol. 41, p. 776; U. S. C., p. 249.
Funds available for designated officers on nonmilitary public works.

of Engineers, including river and harbor improvements, flood control, and other such works, shall, while so employed, be paid their pay and allowances, mileage and travel allowances from the appropriation for the work or works upon which they are employed: *And provided further*, That the number of officers so engaged and so paid shall be exclusive of the commissioned strength of the Regular Army as now or hereafter limited by the funds appropriated for "Pay of the Army" in the annual War Department Appropriation Act.

To be exclusive of commissioned strength of the Regular Army.

Approved, June 26, 1936.

[CHAPTER 840.]

AN ACT

To provide for the commemoration of the Battle of Eutaw Springs, in the State of South Carolina.

June 26, 1936.
[H. R. 255.]
[Public, No. 825.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of commemorating the battle which occurred at Eutaw Springs, in the State of South Carolina, during the Revolutionary War, when title to such lands on the site of the Battle of Eutaw Springs as may be designated by the Secretary of the Interior in the exercise of his discretion as necessary or desirable for battlefield-site purposes, shall be vested in the United States, said area shall be set apart as a battlefield site for the benefit and inspiration of the people and shall be called the Eutaw Springs Battlefield Site.

Battle of Eutaw Springs, S. C.
Designation of lands on site of, for battlefield-site purposes.

Name designated.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land, interests in land, and/or buildings, structures, and other property within the boundaries of the said battlefield site as determined and fixed hereunder, and donations of funds for the purchase and/or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States out of any donated funds, either by purchase at prices deemed by him reasonable, or by condemnation under the provisions of the Act of August 1, 1888, such tracts of land on the said battlefield site as may be necessary for the completion thereof.

Acceptance of land, etc., donations.

Proviso.
Purchases from donated funds.
Condemnation.
Vol. 25, p. 357.
U. S. C., p. 1785.

SEC. 3. The administration, protection, and development of the aforesaid battlefield site shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes", as amended.

Administration, etc., by National Park Service.

Vol. 39, p. 535.
U. S. C., p. 591.

Approved, June 26, 1936.

[CHAPTER 841.]

AN ACT

To provide for an investigation to determine whether the water rights of the United States have been violated in the Clear Lake Watershed, California, and for other purposes.

June 26, 1936.
[H. R. 6773.]
[Public, No. 826.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed (1) to make a full and complete investigation with a view to determining whether any dams, waterworks, or other projects have been constructed in the Clear Lake Watershed, in the State of California, in violation of the water rights of the United States in such State, and (2) to report thereon to the Congress as soon as practicable.

Clear Lake Watershed, Calif.
Investigation directed to determine whether Federal water rights have been violated.
Report to Congress.

Appropriation authorized; reimbursable.

SEC. 2. There is hereby authorized to be appropriated from the reclamation fund the sum of $5,000 or so much thereof as may be necessary to carry out the provisions of section 1 of this Act, the amounts expended from such appropriations to be reimbursable under the reclamation law.

Approved, June 26, 1936.

[CHAPTER 842.]

AN ACT

June 26, 1936.
[H. R. 10094.]
[Public, No. 827.]

To amend the Act entitled "An Act to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes", approved June 28, 1934 (48 Stat. 1269).

Overgrazing and soil deterioration, public lands.
Vol. 48, p. 1269.
U. S. C., p. 1863.
Area to be included in grazing districts enlarged.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 1 of the Act entitled "An Act to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes", approved June 28, 1934, is amended by striking out the words "eighty million" and inserting in lieu thereof the words "one hundred and forty-two million".

SEC. 2. Section 7 of such Act is amended to read as follows:

Classification of lands.

"SEC. 7. That the Secretary of the Interior is hereby authorized, in his discretion, to examine and classify any lands withdrawn or reserved by Executive order of November 26, 1934 (numbered 6910), and amendments thereto, and Executive order of February 5, 1935 (numbered 6964), or within a grazing district, which are more valuable or suitable for the production of agricultural crops than for the production of native grasses and forage plants, or more valuable or suitable for any other use than for the use provided for under this Act, or proper for acquisition in satisfaction of any outstanding lieu, exchange or script rights or land grant, and to open such lands to entry, selection, or location for disposal in accordance with such classification under applicable public-land laws, except that homestead entries shall not be allowed for tracts exceeding three hundred and twenty acres in area. Such lands shall not be subject to disposition, settlement, or occupation until after the same have been classified and opened to entry: *Provided*, That locations and entries under the mining laws, including the Act of February 25, 1920, as amended, may be made upon such withdrawn and reserved areas without regard to classification and without restrictions or limitation by any provision of this Act. Where such lands are located within grazing districts reasonable notice shall be given by the Secretary of the Interior to any grazing permittee of such lands. The applicant, after his entry, selection, or location is allowed, shall be entitled to the possession and use of such lands: *Provided*, That upon the application of any applicant qualified to make entry, selection, or location, under the public-land laws, filed in the land office of the proper district, the Secretary of the Interior shall cause any tract to be classified, and such application, if allowed by the Secretary of the Interior, shall entitle the applicant to a preference right to enter, select, or locate such lands if opened to entry as herein provided."

Lands more valuable for other purposes.

Homestead entries; limitation.

Settlement restriction.

Provisos.
Locations, etc., under mining laws.
Vol. 41, p. 437.

Preference right of entry.

SEC. 3. Section 8 of such Act is amended to read as follows:

Acceptance of lands within exterior boundaries of grazing districts.

"SEC. 8. (a) That where such action will promote the purposes of the district or facilitate its administration, the Secretary is authorized, for the purpose of this Act only, to accept on behalf of the United States any lands within the exterior boundaries of a grazing district as a gift.

"(b) When public interests will be benefited thereby the Secretary is authorized to accept on behalf of the United States title to any privately owned lands within or without the boundaries of a grazing district, and in exchange therefor to issue patent for not to exceed an equal value of surveyed grazing district land or of unreserved surveyed public land in the same State or within a distance of not more than fifty miles within the adjoining State nearest the base lands.

Exchanges for privately owned lands.

"(c) Upon application of any State to exchange lands within or without the boundaries of a grazing district the Secretary of the Interior shall, and is hereby, directed to proceed with such exchange at the earliest practicable date and to cooperate fully with the State to that end, but no State shall be permitted to select lieu lands in another State. The Secretary of the Interior shall accept on behalf of the United States title to any State-owned lands within or without the boundaries of a grazing district, and in exchange therefor issue patent to surveyed grazing district land not otherwise reserved or appropriated or unappropriated and unreserved surveyed public land; and in making such exchange the Secretary is authorized to patent to such State, land either of equal value or of equal acreage: *Provided*, That no State shall select public lands in a grazing district in furtherance of any exchange unless the lands offered by the State in such exchange lie within such grazing district and the selected lands lie in a reasonably compact body which is so located as not to interfere with the administration or value of the remaining land in such district for grazing purposes as set forth in this Act.

Exchange of lands upon application of a State.

Proviso. Restriction on selection.

"When an exchange is based on lands of equal acreage and the selected lands are mineral in character, the patent thereto shall contain a reservation of all minerals to the United States; and in making exchanges of equal acreage the Secretary of the Interior is authorized to accept title to offered lands which are mineral in character, with a mineral reservation to the State.

Mineral lands. Exchanges of, with a mineral reservation.

"For the purpose of effecting exchanges based on lands of equal acreage the identification and area of unsurveyed school sections may be determined by protraction or otherwise. The selection by the State of lands in lieu of any such protracted school sections shall be a waiver of all of its right to such sections.

Determination of identification and area of school sections in effecting exchanges.

"(d) Before any such exchange under this section shall be effected, notice of the contemplated exchange, describing the lands involved, shall be published by the Secretary of the Interior once each week for four successive weeks in some newspaper of general circulation in the county or counties in which may be situated the lands to be accepted, and in the same manner in some like newspaper published in any county in which may be situated any lands to be given in such exchange; lands conveyed to the United States under this Act shall, upon acceptance of title, become public lands, and if located within the exterior boundaries of a grazing district they shall become a part of the district within the boundaries of which they are located: *Provided*, That either party to an exchange based upon equal value under this section may make reservations of minerals, easements, or rights of use. Where reservations are made in lands conveyed either to or by the United States the right to enjoy them shall be subject to such reasonable conditions respecting ingress and egress and the use of the surface of the land as may be deemed necessary. Where mineral reservations are made by the grantor in lands conveyed by the United States, it shall be so stipulated in the patent, and any person who prospects for or acquires the right to mine and remove the reserved mineral deposits may enter and occupy so much

Notice of contemplated exchange, publication of.

Lands conveyed to United States to be public lands.

Proviso. Reservations of minerals, etc., by either party.

Ingress, egress, and use of surface of land.

Miners, right to enter and use surface for mining purposes.

of the surface as may be required for all purposes incident to the prospecting for, mining and removal of the minerals therefrom, and may mine and remove such minerals, upon payment to the owner of the surface for damages caused to the land and improvements thereon. No fee shall be charged for any exchange of land made under this Act except one-half of the cost of publishing notice of a proposed exchange as herein provided."

Damages.

Fee restriction; division of cost of publishing notices.

SEC. 4. Section 10 of such Act is amended to read as follows:

Deposit of receipts.

"SEC. 10. That, except as provided in sections 9 and 11 hereof, all moneys received under the authority of this Act shall be deposited in the Treasury of the United States as miscellaneous receipts, but 25 per centum of all moneys received under this Act during any fiscal year is hereby made available, when appropriated by the Congress, for expenditure by the Secretary of the Interior for the construction, purchase, or maintenance of range improvements, and 50 per centum of the money received under this Act during any fiscal year shall be paid at the end thereof by the Secretary of the Treasury to the State in which the grazing districts or the lands producing such moneys are situated, to be expended as the State Legislature of such State may prescribe for the benefit of the county or counties in which the grazing districts or the lands producing such moneys are situated: *Provided*, That if any grazing district or any leased tract is in more than one State or county, the distributive share to each from the proceeds of said district or leased tract shall be proportional to its area in said district or leased tract."

Portion available for range improvements.

Portion to State for benefit of counties.

Proviso.
If district in more than one State or county.

SEC. 5. Section 15 of such Act is amended to read as follows:

Leasing of lands not situated to justify inclusion in any district.

"SEC. 15. The Secretary of the Interior is further authorized, in his discretion, where vacant, unappropriated, and unreserved lands of the public domain are so situated as not to justify their inclusion in any grazing district to be established pursuant to this Act, to lease any such lands for grazing purposes, upon such terms and conditions as the Secretary may prescribe: *Provided*, That preference shall be given to owners, homesteaders, lessees, or other lawful occupants of contiguous lands to the extent necessary to permit proper use of such contiguous lands, except, that when such isolated or disconnected tracts embrace seven hundred and sixty acres or less, the owners, homesteaders, lessees, or other lawful occupants of lands contiguous thereto or cornering thereon shall have a preference right to lease the whole of such tract, during a period of ninety days after such tract is offered for lease, upon the terms and conditions prescribed by the Secretary."

Proviso.
Preference to owners, etc., of contiguous lands; exception.

Leasing right.

SEC. 6. Such Act is further amended by adding the following new section:

Director of Grazing. Assistant Directors, etc.

"SEC. 17. The President shall have power, with the advice and consent of the Senate, to select a Director of Grazing. The Secretary of the Interior may appoint such Assistant Directors and such other employees as shall be necessary to administer this Act. The Civil Service Commission shall give consideration to the practical range experience in public-land States of the persons found eligible for appointment by the Secretary as Assistant Directors or graziers. No Director of Grazing, Assistant Director, or grazier shall be appointed who at the time of appointment or selection has not been for one year a bona-fide citizen or resident of the State or of one of the States in which such Director, Assistant Director, or grazier is to serve."

Qualifications and restrictions.

TITLE II—BADLANDS NATIONAL MONUMENT

Badlands National Monument.

SECTION. 1. The boundaries of the Badlands National Monument, as established by the Act of March 4, 1929 (45 Stat. 1553), shall be, and are hereby, extended to include such lands adjacent or contiguous thereto, in the State of South Dakota, including, but not being restricted to, lands designated as submarginal by the Resettlement Administration, as may be determined by the President, by proclamation, within five years following the approval of this Act, to be necessary for the proper rounding out of the boundaries of said Monument or the administration thereof, providing the entire area of such Monument shall not exceed 250,000 acres.

Boundaries extended. Vol. 45, p. 1553. U. S. C., p. 652.

SEC. 2. That the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service and for other purposes", as amended, are hereby made applicable to and extended over such lands as may be added to the Monument under the authority of the foregoing section.

Supervision by National Park Service. Vol. 39, p. 535. U. S. C., p. 591.

Approved, June 26, 1936.

[CHAPTER 843.]

AN ACT

Increasing the penalty for making false oaths for the purpose of bathing at the Government free bathhouse at Hot Springs, Arkansas.

June 26, 1936. [H. R. 11176.] [Public, No. 828.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act limiting the privileges of the Government free bathhouse on the public reservation at Hot Springs, Arkansas, to persons who are without and unable to obtain the means to pay for baths", approved March 2, 1911 (U. S. C., 1934 edition, title 16, sec. 371), is hereby amended to read as follows:

Hot Springs, Ark. Vol. 36, p. 1015. U. S. C., p. 629.

"That only persons who are without and unable to obtain the means to pay for baths and are suffering from ailments for which bathing in the water of the Hot Springs Reservation will afford relief or effect a cure shall be permitted to bathe at the free bathhouse on the public reservation at Hot Springs, Arkansas, and before any person shall be permitted to bathe at the free bathhouse on the reservation he shall be required to make oath, before such officer duly authorized to administer oaths for general purposes as the superintendent of the Hot Springs Reservation shall designate, that he is without and unable to obtain the means to pay for baths, and any person desiring to bathe at the free bathhouse on the Hot Springs Reservation making a false oath as to his financial condition shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than $25 nor more than $300 and be imprisoned for not more than sixty days."

Use of Government free bathhouse restricted.

Oath of inability to pay.

Punishment for false oath.

Approved, June 26, 1936.

[CHAPTER 844.]

AN ACT

To extend the boundaries of the Fort Pulaski National Monument, Georgia, and for other purposes.

June 26, 1936. [H. R. 11180.] [Public, No. 829.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundaries of the Fort Pulaski National Monument on Cockspur Island, Georgia, be, and they are hereby, extended to include all of the lands on said island now or formerly under the jurisdiction of the Secretary of War.

Fort Pulaski National Monument, Ga. Boundaries extended.

Acceptance of donations of land, etc.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to accept in behalf of the United States, lands, interest in lands, easements, and improvements located on McQueens and Tybee Islands, in Chatham County, Georgia, as may be donated for an addition to the Fort Pulaski National Monument, and upon acceptance thereof the same shall be a part of said monument, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior.

Bridge construction.

SEC. 3. That the Secretary of the Interior be, and he is hereby, authorized to construct, or cause to be constructed, in connection with and as a part of the road system of Fort Pulaski National Monument, a bridge or causeway and approaches thereto across the South Channel of the Savannah River from Cockspur Island to McQueens Island in Chatham County, Georgia, at a point which he may designate as most suitable to the interests of the Federal Government.

Administration by National Park Service.

SEC. 4. That the administration, protection, and development of the aforesaid national monument as extended by this Act shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes": *Provided*, That there is permanently reserved for the unlimited use of the Corps of Engineers, United States Army, for deposit of dredging materials and other purposes, a strip of land along the north shore of Cockspur Island extending shoreward two hundred feet from the present high water line: *And provided further*, That the portion of Cockspur Island bounded on the east by a north and south line across the island, and distant two thousand and nine hundred feet west from the northwesterly salient angle of Fort Pulaski, and extending from Savannah River on the north to the South Channel on the south; on the west by a north and south line, parallel with said east boundary, distant one thousand and seven hundred feet therefrom, and likewise extending from the Savannah River on the north to the South Channel on the south, is reserved to the Treasury Department for use for a quarantine station.

Vol. 39, p. 535. U. S. C., p. 591. *Provisos.* Reservation for Corps of Engineers.

Reservation for Treasury quarantine station.

Approved, June 26, 1936.

[CHAPTER 845.]

June 26, 1936. [H. R. 11555.] [Public, No. 830.]

AN ACT

To authorize the striking of an appropriate medal in commemoration of the one-hundredth anniversary of the arrival of Marcus and Narcissa Whitman in the Walla Walla Valley, Washington, and the founding of the Waiilatpu Mission.

Whitman Centennial, etc. Commemorative medals authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the one-hundredth anniversary of the arrival of Marcus and Narcissa Whitman in the Walla Walla Valley, Washington, and of the founding of the Waiilatpu Mission, there shall be struck at a mint of the United States to be designated by the Director of the Mint twenty-five thousand commemorative medals of a special appropriate single design, size, weight, and composition to be fixed by the Director of the Mint with the approval of the Secretary of the Treasury.

Number.

Delivery to Whitman Centennial, Incorporated; payment.

SEC. 2. Such commemorative medals shall be delivered to the duly authorized officers of the Whitman Centennial, Incorporated, upon payment to the Director of the Mint of an amount to be fixed by the Director of the Mint not less than the estimated cost of

manufacture, including labor, materials, dies, use of machinery, and overhead expenses; and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for the full payment of such cost.

Counterfeiting, etc.

SEC. 3. Whoever shall falsely make, forge, or counterfeit or cause or procure to be falsely made, forged, or counterfeited or shall aid in falsely making, forging, or counterfeiting any medal issued under the provisions of this act, or whoever shall sell or bring into the United States or any place subject to the jurisdiction thereof from any foreign place, or have in his possession any such false, forged, or counterfeited medal, shall be fined not more than one thousand dollars or imprisoned not more than two years, or both.

Approved, June 26, 1936.

[CHAPTER 846.]

AN ACT

June 26, 1936.
[H. R. 11688.]
[Public, No. 831.]

Providing for a change in the design of the 50-cent pieces authorized to be coined in commemoration of the one-hundredth anniversary of the admission of the State of Arkansas into the Union.

Arkansas Centennial.
Change in design of commemorative coins authorized.
Number.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Director of the Mint, with the approval of the Secretary of the Treasury, is authorized and directed to provide for one additional design to be placed on the reverse side of not less than twenty-five thousand and not more than fifty thousand of the 50-cent pieces to be coined in accordance with the provisions of the Act entitled "An Act to authorize the coinage of 50-cent pieces in commemoration of the one-hundredth anniversary of the admission of the State of Arkansas into the Union", approved May 14, 1934.

Vol. 48, p. 776.

No Federal expense for dies, etc.

The United States shall not be subject to the expense of making the necessary dies and other preparations for such coinage.

Date, issue, etc.

SEC. 2. The coins upon which the additional design authorized by this Act is to be placed shall be coined at a mint of the United States to be designated by the Director of the Mint, shall bear the date 1936, irrespective of the year in which they are minted or issued, and shall be issued in the same manner and for the same purposes as the coins issued under the provisions of such Act of May 14, 1934, except that not less than twenty-five thousand such coins shall be issued at any one time and no such coins shall be issued after the expiration of one year after the date of enactment of this Act.

Time limitation.

Approved, June 26, 1936.

[CHAPTER 847.]

AN ACT

June 26, 1936.
[H. R. 12458.]
[Public, No. 832.]

Authorizing a preliminary examination of the Intracoastal Waterway throughout Broward County, Florida.

Intracoastal Waterway.
Survey throughout Broward County, Fla., directed for controlling floods in.

Be it enacted by the Senate and House of Representatives of the United States of America assembled, That the Secretary of War is authorized and directed to cause a preliminary examination to be made of the Intracoastal Waterway throughout Broward County, Florida, with a view to the control of floods in the said Intracoastal Waterway, in accordance with the provisions of section 3 of the Act entitled "An Act to provide for control of floods of the Mississippi River and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Vol. 39, p. 950.
U. S. C., p. 1487.

Approved, June 26, 1936.

[CHAPTER 848.]

AN ACT

June 26, 1936.
[H. R. 13001.]
[Public, No. 833.]

To eliminate unnecessary expense in the administration of estates of deceased and incompetent veterans, and for other purposes.

Adjusted Compensation Payment Act, 1936, amendment.
Ante, pp. 1101, 1396.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Adjusted Compensation Payment Act, 1936, as amended, is hereby further amended by striking out the last sentence of the first paragraph thereof and inserting in lieu thereof the following sentences: "In cases of deceased or incompetent veterans, the payments provided by this paragraph, whether of the amount certified, by issuance of bonds and by checks payable out of the fund created by section 505 of the World War Adjusted Compensation Act, as amended, or whether of such bonds on redemption thereof, shall be made to the person or persons determined by the Secretary of the Treasury to be lawfully entitled thereto, without the necessity of the appointment by judicial proceedings or otherwise of a legal representative of the estate of any veteran or of any other persons, or of compliance with State law in respect of the administration of estates. Such checks may be endorsed on behalf of the Secretary of the Treasury in the name of the veteran, if that is determined by the Secretary to be appropriate for the effectuation hereof. All determinations by the Secretary of the Treasury under this paragraph shall be final and conclusive and neither any other official of the United States nor, except in the case of prior judicial determination, any State or Federal court, shall have jurisdiction to review any such determination. The provisions of this paragraph shall be carried out subject to regulations of the Secretary of the Treasury to be issued from time to time to effectuate the purposes of this Act."

Payments, in cases of deceased or incompetent veterans.
Vol. 43, p. 128.
U. S. C., p. 1685.

Determination by Secretary of Treasury of person entitled thereto.

Finality of determination.

Administrative regulations.

Approved, June 26, 1936.

[CHAPTER 849.]

AN ACT

June 26, 1936.
[S. 3505.]
[Public, No. 834.]

For the improvement and protection of the beaches along the shores of the United States.

Improvement and protection of beaches along shores of United States.
Policy declared.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby declared to be the policy of the United States to assist in the construction where Federal interests are involved, but not the maintenance, of works for the improvement and protection of the beaches along the shores of the United States, and to prevent erosion due to the action of waves, tides, and currents, with the purpose of preventing damage to property along the shores of the United States, and promoting and encouraging the healthful recreation of the people. As used in this Act, the word "beaches" includes all those situated on the coasts of the Atlantic and Pacific Oceans, the Gulf of Mexico, and the shores of the Great Lakes, and all estuaries and bays directly connected therewith.

"Beaches" construed.

Studies by Beach Erosion Board to determine methods of beach protection and restoration.
Vol. 46, p. 945.

SEC. 2. (a) It shall be the duty of the Secretary of War, through the Beach Erosion Board, organized under the provisions of section 2 of the Rivers and Harbors Act, approved July 3, 1930, to make investigations with a view to determining the most suitable methods of beach protection and restoration of beaches in different localities; to advise the States, counties, municipalities, or individuals of the appropriate locations for recreational facilities; and to publish from time to time such useful data and information concerning the protection of beaches as the Board may deem to be of value to the

Locations for recreational facilities.
Publication of useful data.

people of the United States: *Provided*, That not more than 75 per centum of the cost of any specific investigation shall be borne by the United States.

Proviso.
Proportion of cost to be borne by United States.

(b) All provisions of existing law relating to examinations and surveys and to works of improvement of rivers and harbors shall apply, insofar as practicable, to examinations and surveys and to works of improvement relating to shore protection; except that all projects having to do with shore protection shall be referred for consideration and recommendation to the Beach Erosion Board instead of to the Board of Engineers for Rivers and Harbors.

Application of existing laws, etc.

Exception.

SEC. 3. The Beach Erosion Board, in making its report on any work or project relating to shore protection shall, in addition to any other matters upon which it may be required to report, state its opinion as to (a) the advisability of adopting the project, (b) what Federal interest, if any, is involved in the proposed improvement, and (c) what share of the expense, if any, should be borne by the United States.

Report by Board; recommendations.

SEC. 4. Any expenses incident and necessary in the undertaking of the investigations and studies authorized herein may be paid from funds hitherto or hereafter appropriated for examinations, surveys, and contingencies for rivers and harbors.

Expenses.

Approved, June 26, 1936.

[CHAPTER 850.]

JOINT RESOLUTION

June 26, 1936.
[S. J. Res. 38.]
[Pub. Res., No. 134.]

To provide for an inquiry by the Court of Claims with respect to losses sustained by cooperative marketing associations in connection with stabilization activities in grain.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Court of Claims, in accordance with such rules as it may adopt, shall investigate losses sustained during the stabilization operations of the Federal Farm Board in 1929 and 1930, by cooperative associations to which loans were made, either directly or indirectly, by the Federal Farm Board, through withholding grain from the market and making advances to their members in order to stabilize prices, for the purpose of determining—

Cooperative marketing associations.
Court of Claims to investigate losses sustained by, due to certain grain stabilization activities.

(1) The amount of loss, if any, in the case of each such association and the facts and circumstances relating to such loss; and

Scope of inquiry, etc.

(2) Whether, because of any agreement or understanding between such associations, or any of them, and the Federal Farm Board (or any member, officer, or employee thereof) or because of any other facts or circumstances, there is any legal, equitable, or moral obligation on the part of the United States to reimburse such associations, or any of them, for the whole or any part of any such loss.

The court shall report to Congress, at the earliest practicable date, the results of its investigation and determinations, together with such recommendations as it deems appropriate.

Report to Congress.

Approved, June 26, 1936.

[CHAPTER 851.]

JOINT RESOLUTION

June 26, 1936.
[S. J. Res. 177.]
[Pub. Res., No. 135.]

To define the term of certain contracts with Indian tribes.

Indians.
Certain contracts with attorneys, of indefinite term, etc., validated.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That any contracts or agreements heretofore approved by the Secretary of the Interior between the authorities of any tribe, band, or group of Indians and their attorneys for the prosecution of claims against the United States, which provide that such contracts or agreements shall run for a period of years therein specified, and as long thereafter as may be required to complete the business therein provided for, or words of like import, or which provide that compensation for services rendered shall be on a quantum-meruit basis not to exceed a specified percentage, shall be deemed a sufficient compliance with section 2103 of the Revised Statutes (or section 81, title 25, United States Code): *Provided, however*, That nothing herein contained shall limit the power of the Secretary of the Interior, after due notice and hearing and for proper cause shown, to cancel any such contract or agreement: *Provided further*, That the provisions of this Act shall not be construed to revive any contract which has been terminated heretofore by lapse of time, operation of law, or by acts of the parties thereto.

R. S., sec. 2103, p. 367. U. S. C., p. 999.

Provisos.
Authority to cancel contracts.

Terminated contracts not revived.

Existing valid contracts with time limitation for completion of services not affected.

SEC. 2. Any existing valid contract heretofore made and approved pursuant to any Act of Congress by any tribe, band, or group of Indians with an attorney or attorneys for the rendition of services in the prosecution of claims against the United States under authority of which suit or suits have been filed, and which contains a limitation of time for the completion of the services to be performed may be continued in full force unless a subsequent contract dealing with the same subject matter has been made and approved.

Approved, June 26, 1936.

[CHAPTER 852.]

JOINT RESOLUTION

June 26, 1936.
[H. J. Res. 608.]
[Pub. Res., No. 136.]

Extending for two years the time within which American claimants may make application for payment, under the Settlement of War Claims Act of 1928, of awards of the Mixed Claims Commission and the Tripartite Claims Commission, and extending until March 10, 1938, the time within which Hungarian claimants may make application for payment, under the Settlement of War Claims Act of 1928, of awards of the War Claims Arbiter.

Settlement of War Claims Act.
Vol. 45, p. 254; Vol. 47, p. 318; Vol. 48, pp. 125, 1019.
Time for making application for payment by American claimants.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (g) of section 2 and subsection (f) of section 5 of the Settlement of War Claims Act of 1928, as amended by Public Resolution Numbered 38, Seventy-third Congress, approved June 18, 1934, are further amended, respectively, by striking out the words "eight years" wherever such words appear therein and inserting in lieu thereof the words "ten years".

Vol. 45, p. 264.

SEC. 2. The first sentence of subsection (h) of section 6 of the Settlement of War Claims Act of 1928, as amended by Public Resolution Numbered 38, Seventy-third Congress, approved June 18, 1934, is further amended to read as follows:

Application for payments; time limitation.

"No payment shall be made under this section unless application therefor is made by March 10, 1938, in accordance with such regulations as the Secretary of the Treasury may prescribe."

Approved, June 26, 1936.

[CHAPTER 858.]

AN ACT

June 29, 1936.
[H. R. 8555.]
[Public, No. 835.]

To further the development and maintenance of an adequate and well-balanced American merchant marine, to promote the commerce of the United States, to aid in the national defense, to repeal certain former legislation, and for other purposes.

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

Merchant Marine Act, 1936.

TITLE I—DECLARATION OF POLICY

Title I—Declaration of Policy.

Necessity for developing an American merchant marine declared.

SECTION 101. It is necessary for the national defense and development of its foreign and domestic commerce that the United States shall have a merchant marine (a) sufficient to carry its domestic water-borne commerce and a substantial portion of the water-borne export and import foreign commerce of the United States and to provide shipping service on all routes essential for maintaining the flow of such domestic and foreign water-borne commerce at all times, (b) capable of serving as a naval and military auxiliary in time of war or national emergency, (c) owned and operated under the United States flag by citizens of the United States insofar as may be practicable, and (d) composed of the best-equipped, safest, and most suitable types of vessels, constructed in the United States and manned with a trained and efficient citizen personnel. It is hereby declared to be the policy of the United States to foster the development and encourage the maintenance of such a merchant marine.

TITLE II—UNITED STATES MARITIME COMMISSION

Title II — United States Maritime Commission.

Creation of; composition, etc.

SEC. 201. (a) An agency is hereby created, to be known as the United States Maritime Commission (hereinafter referred to as the Commission). The Commission shall be composed of five persons, in this title referred to as members, to be appointed by the President by and with the advice and consent of the Senate. The President shall designate the member to act as chairman of the Commission, and the Commission may elect one of its members as vice chairman.

Terms of office.

The members of the Commission shall be appointed as soon as practicable after the enactment of this Act and shall continue in office as designated by the President at the time of nomination, for terms of two, three, four, five, and six years, respectively, from the date upon which they qualify and take office; but their successors shall be appointed for terms of six years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he succeeds.

Qualifications, political affiliations.

The members shall be appointed with due regard to their special fitness for the efficient discharge of the duties imposed upon them by this Act. Not more than three of the members shall be appointed from the same political party.

Vacancies.

A vacancy in the Commission shall be filled in the same manner as an original appointment. Any member may be removed by the President for neglect of duty or malfeasance in office.

Quorum.

Vacancies in the Commission, so long as there shall be three members in office, shall not impair the power of the Commission to execute its functions, and three of the members in office shall constitute a quorum for the transaction of the business of the Commission.

Compensation.

Each member shall receive a salary at the rate of $12,000 per annum.

Restriction on appointments.

(b) No person shall hold office as a member of the Commission who, within three years prior to his appointment, shall have been employed by, or have had any pecuniary interest in, any carrier by water or substantial pecuniary interest in any other person who

derives a substantial portion of his revenues from any business associated with ships or shipping. Each member shall devote his full time to the duties of his office. It shall be unlawful for any member, officer, or employee of the Commission to be in the employ of any other person, firm, or corporation, or to have any pecuniary interest in, or hold any official relationship with, any carrier by water, shipbuilder, contractor, or other person, firm, association, or corporation with whom the Commission may have business relations.

Other employment forbidden.

(c) The Commission shall, through its secretary, keep a true record of all its meetings and the yea-and-nay votes taken therein, on every action, order, contract, or financial transaction approved or disapproved by the Commission. It shall have an official seal which shall be judicially noticed, and shall adopt rules and regulations in regard to its procedure and the conduct of its business.

Record of proceedings, etc., to be kept.

Seal.

(d) The Commission may make such expenditures as are necessary in the performance of its functions from funds made available to it by this Act or hereafter appropriated, which further appropriations are hereby authorized.

Expenditures authorized.

(e) Without regard to the civil-service laws or the Classification Act of 1923, as amended, the Commission may appoint and prescribe the duties and fix the salaries of a secretary, a director for each of not to exceed five divisions, a general counsel, a clerk to each member of the Commission, and not more than three assistants, not more than a total of twelve each of naval architects, special experts, attorneys, and examiners and not more than two inspectors at each shipyard at which vessels are being constructed by it or under its supervision. No employee so appointed may receive an annual salary at a rate in excess of that provided under the Classification Act of 1923, as amended. The Commission may, subject to the provisions of the civil-service laws and the Classification Act of 1923, as amended, appoint such other officers, engineers, inspectors, attorneys, examiners, and other employees as are necessary in the execution of its functions: *Provided*, That trained and satisfactory present employees of the United States Shipping Board Bureau or United States Shipping Board Merchant Fleet Corporation shall be eligible for transfer to the Commission, and if after the expiration of a probationary period of six months from the date of employment the Commission shall certify to the United States Civil Service Commission that the services of any employee so transferred are satisfactory, the employee shall thereupon acquire the same status as though certified after examination by the Civil Service Commission.

Secretary, directors, etc., appointment; duties; salaries.

Naval architects, experts, attorneys, etc.

Salary rates. U. S. C., p. 85.

Other personal services.

Proviso. Eligibility of certain employees for transfer.

(f) Each member, any employee of the Commission, and any person detailed to it from any other agency of the Government shall receive necessary traveling and subsistence expenses, or per diem allowance in lieu thereof, within the limitations prescribed by law, while away from his official station upon official business of the Commission. Expenditures by the Commission shall be allowed and paid on the presentation of itemized vouchers therefor approved by the Commission or a designated employee thereof.

Traveling expenses, etc.

(g) This section shall take effect immediately upon approval of this Act.

Effective date of section.

SEC. 202. All money, notes, bonds, mortgages, and securities of every kind, contracts and contract rights, lands, vessels, docks, wharves, piers, and property and interests of every kind, owned by the United States, and now controlled by the Department of Commerce as the successor to the powers and functions of the former United States Shipping Board, by virtue of the President's Executive order of June 10, 1933, are hereby transferred to the Commission.

Property and interests now controlled by Department of Commerce transferred to Commission.

SEC. 203. The United States Shipping Board Merchant Fleet Corporation shall cease to exist and shall stand dissolved. All the records, books, papers, and corporate property of said dissolved corporation shall be taken over by the Commission. All existing contractual obligations of the dissolved corporation shall be assumed by the United States. Any suit against the dissolved corporation pending in any court of the United States shall be defended by the Commission upon behalf of the United States, under the supervision of the Attorney General, and any judgment obtained against the dissolved corporation in any such pending suit shall be reported to Congress in the manner provided in section 226, title 31, United States Code, for reporting judgments against the United States in the Court of Claims.

Shipping Board Merchant Fleet Corporation dissolved.
Records, property, etc., transferred to Commission.
Pending suits.
Report of judgments to Congress.
U. S. C., p. 1370.

SEC. 204. (a) All the functions, powers, and duties vested in the former United States Shipping Board by the Shipping Act, 1916, the Merchant Marine Act, 1920, the Merchant Marine Act, 1928, the Intercoastal Shipping Act, 1933, and amendments to those Acts, and now vested in the Department of Commerce pursuant to section 12 of the President's Executive order of June 10, 1933, are hereby transferred to the United States Maritime Commission: *Provided, however*, That after the date of the passage of this Act no further construction loans shall be made under the provisions of section 11 of the Merchant Marine Act, 1920, as amended.

Functions, powers, and duties vested by certain Acts transferred to Commission.
Vol. 39, p. 728; Vol. 41, p. 988; Vol. 45, p. 689; Vol. 47, p. 1425.
Proviso.
Restriction on further construction loans.
Vol. 41, p. 993.

(b) The Commission is hereby authorized to adopt all necessary rules and regulations to carry out the powers, duties, and functions vested in it by this Act. After the expiration of two years from the effective date of this Act, the President is authorized to transfer, by Executive order, to the Interstate Commerce Commission any or all the regulatory powers, regulatory duties, and regulatory functions which, by this title, are vested in the United States Maritime Commission.

Adoption of rules, etc.
Transfer of regulatory powers, etc., to Interstate Commerce Commission, after two years, authorized.

(c) The orders issued by the United States Maritime Commission in the exercise of the powers transferred to it by this title shall be enforced in the same manner as heretofore provided by law for enforcement of the orders issued by the former United States Shipping Board, and violation of such orders shall subject the person or corporation guilty of such violation to the same penalties or punishment as heretofore provided for violation of the orders of said Board.

Enforcement of Commission's orders.
Penalties, etc.

SEC. 205. Without limiting the power and authority otherwise vested in the Commission, it shall be unlawful for any common carrier by water, either directly or indirectly, through the medium of an agreement, conference, association, understanding, or otherwise, to prevent or attempt to prevent any other such carrier from serving any port designed for the accommodation of ocean-going vessels located on any improvement project authorized by the Congress or through it by any other agency of the Federal Government, lying within the continental limits of the United States, at the same rates which it charges at the nearest port already regularly served by it.

Unlawful restraints, discriminations, etc.

SEC. 206. All sums of money now in the construction loan fund created by section 11 of the Merchant Marine Act, 1920, as amended, together with the proceeds of all debts, accounts, choses in action, and the proceeds of all notes, mortgages, and other evidences of indebtedness, hereby transferred to the Commission, and all of the proceeds of sales of ships and surplus property heretofore or hereafter made, including proceeds of notes or other evidences of debt taken therefor and the interest received thereon, shall be deposited in the Treasury of the United States and there maintained as a

Sums transferred to Commission.
Vol. 41, p. 993.
U. S. C., p. 2064.
Proceeds of property sales.
Deposits.

Construction fund created; use, etc.

revolving fund, herein designated as the construction fund, and shall be controlled and employed by the Commission in carrying out the provisions of this Act. All moneys received by the Commission under the provisions of titles IV, V, VI, and VII, of this Act shall be deposited in its construction fund, and all disbursements made by the Commission under authority of said titles shall be paid out of said fund. Further appropriations by Congress to replenish said fund are hereby authorized.

Deposits.
Disbursements.
Post, pp. 1993, 1995, 2001, 2008.
Additional funds authorized.

Contracts authorized.

SEC. 207. The Commission may enter into such contracts, upon behalf of the United States, as may, in its discretion, be necessary to carry on the activities authorized by this Act, in the same manner that a private corporation may contract within the scope of the authority conferred by its charter. All the Commission's financial transactions shall be audited in the General Accounting Office according to approved commercial practice as provided in the Act of March 20, 1922 (42 Stat. 444): *Provided*, That it shall be recognized that, because of the business activities authorized by this Act, the accounting officers shall allow credit for all expenditures shown to be necessary because of the nature of such authorized activities, notwithstanding any existing statutory provision to the contrary. The Comptroller General shall report annually or oftener to Congress any departure by the Commission from the provisions of this Act.

Auditing financial transactions.

Vol. 42, p. 444.

Proviso.
Credit allowed all necessary expenditures.

Report of departures to Congress.

Report of Commission; contents.

SEC. 208. The Commission shall, at the beginning of each regular session, make a report to Congress, which shall include the results of its investigations, a summary of its transactions, its recommendations for legislation, a statement of all receipts under this Act, and the purposes for which all expenditures were made.

Appropriation authorized.

SEC. 209. (a) There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

Use of Shipping Board Bureau, etc., funds.

(b) All appropriations and unexpended balances of appropriations available for expenditure by the United States Shipping Board Bureau and United States Shipping Board Merchant Fleet Corporation which would otherwise be applicable to functions transferred to the Commission by this Act, including the fund appropriated to enable the United States Shipping Board Merchant Fleet Corporation to operate ships or lines of ships which have been or may be taken back from purchasers by reason of competition or other methods employed by foreign shipowners or operators as appropriated by the Independent Offices Act, 1928, approved February 11, 1927 (44 Stat. 1082), and reappropriated by the Department of Commerce Appropriation Acts, shall be available for expenditure by or at the direction of the Commission for any and all objects of expenditure authorized by this Act in the discretion of the Commission, without regard to the requirement of apportionment under the Antideficiency Act of February 27, 1906 (U. S. C., title 31, sec. 665).

Vol. 44, p. 1082.

Use, without regard to apportionment requirement.

U. S. C., p. 1405.

Certain funds under Postmaster General for foreign mail transportation to be transferred.
Post, p. 1995.
Vol. 45, p. 692.
U. S. C., p. 2069.

(c) After the transfer, under section 404 of this Act, to the Commission of the powers and duties of the Postmaster General with respect to existing ocean-mail contracts entered into pursuant to title IV, Merchant Marine Act, 1928 (U. S. C., Supp. VII, title 46, secs. 891e to 891r, inclusive), all appropriations and unexpended balances of appropriations available for expenditure by the Post Office Department for the transportation of foreign mails under contracts authorized by the Merchant Marine Act, 1928, less any amount necessary to be paid out by the Post Office Department, shall be available for any and all objects of expenditure authorized by this Act, by or at the direction of the Commission, without regard to the requirement of apportionment under the Antideficiency Act of February 27, 1906.

(d) Funds made available under the provisions of subsection (b) of this section shall be available for expenditures authorized by the Commission under the provisions of section 201 of this Act as soon as a majority of the members of the Commission shall have taken the oath of office, notwithstanding the provisions of section 907 of this Act.

Designated funds available when majority of Commission members qualify.
Ante, p. 1985.
Post, p. 2017.

SEC. 210. It shall be the duty of the Commission to make a survey of the American merchant marine, as it now exists, to determine what additions and replacements are required to carry forward the national policy declared in section 101 of this Act, and the Commission is directed to study, perfect, and adopt a long-range program for replacements and additions to the American merchant marine so that as soon as practicable the following objectives may be accomplished:

Survey of needed improvements of American merchant marine.
Ante, p. 1985.
Long-range program to accomplish objectives specified.

First, the creation of an adequate and well-balanced merchant fleet, including vessels of all types, to provide shipping service on all routes essential for maintaining the flow of the foreign commerce of the United States, the vessels in such fleet to be so designed as to be readily and quickly convertible into transport and supply vessels in a time of national emergency. In planning the development of such a fleet the Commission is directed to cooperate closely with the Navy Department as to national-defense needs and the possible speedy adaptation of the merchant fleet to national-defense requirements.

Creation of adequate merchant fleet, etc.
Cooperation with Navy Department as to national defense.

Second, the ownership and the operation of such a merchant fleet by citizens of the United States insofar as may be practicable.

Ownership by citizens.

Third, the planning of vessels designed to afford the best and most complete protection for passengers and crew against fire and all marine perils.

Protection against fire and marine perils.

SEC. 211. The Commission is authorized and directed to investigate, determine, and keep current records of—

Investigations, etc., by Commission.

(a) The ocean services, routes, and lines from ports in the United States, or in a Territory, district, or possession thereof, to foreign markets, which are, or may be, determined by the Commission to be essential for the promotion, development, expansion, and maintenance of the foreign commerce of the United States, and in reaching its determination the Commission shall consider and give due weight to the cost of maintaining each of such steamship lines, the probability that any such line cannot be maintained except at a heavy loss disproportionate to the benefit accruing to foreign trade, the number of sailings and types of vessels that should be employed in such lines, and any other facts and conditions that a prudent business man would consider when dealing with his own business, with the added consideration, however, of the intangible benefit the maintenance of any such line may afford to the foreign commerce of the United States and to the national defense;

Ocean routes, etc., to foreign markets essential for promotion, etc., of foreign commerce.

(b) The type, size, speed, and other requirements of the vessels, including express-liner or super-liner vessels, which should be employed in such services or on such routes or lines, and the frequency and regularity of the sailings of such vessels, with a view to furnishing adequate, regular, certain, and permanent service;

Vessel requirements, sailings, etc.

(c) The relative cost of construction of comparable vessels in the United States and in foreign countries;

Relative construction cost in United States and abroad.

(d) The relative cost of marine insurance, maintenance, repairs, wages and subsistence of officers and crews, and all other items of expense, in the operation of comparable vessels in particular services, routes, and lines under the laws, rules, and regulations of the United States and under those of the foreign countries whose vessels are substantial competitors of any such American service, route, or line;

Insurance, repairs, wages, and other expenses of operation compared with foreign competitors.

Aid by foreign governments to their merchant marine.

(e) The extent and character of the governmental aid and subsidies granted by foreign governments to their merchant marine;

Domestic shipyards.

(f) The number, location, and efficiency of the shipyards existing on the date of the enactment of this Act or thereafter built in the United States;

Application of shipping laws to aircraft.

(g) To investigate and determine what provisions of this Act and other Acts relating to shipping should be made applicable to aircraft engaged in foreign commerce in order to further the policy expressed in this Act, and to recommend appropriate legislation to this end;

Recommendations.

Aid to producers in transporting products to foreign ports.

(h) The advisability of enactment of suitable legislation authorizing the Commission, in an economic or commercial emergency, to aid the farmers and cotton, coal, lumber, and cement producers in any section of the United States in the transportation and landing of their products in any foreign port, which products can be carried in dry-cargo vessels by reducing rates, by supplying additional tonnage to any American operator, or by operation of vessels directly by the Commission, until such time as the Commission shall deem such special rate reduction and operation unnecessary for the benefit of the American farmers and such producers; and

New designs, etc., of vessels.

(i) New designs, new methods of construction, and new types of equipment for vessels; the possibilities of promoting the carrying of American foreign trade in American vessels; and intercoastal and inland water transportation, including their relation to transportation by land and air.

SEC. 212. The Commission is authorized and directed—

Studies and investigations.

(a) To study all maritime problems arising in the carrying out of the policy set forth in title I of this Act;

Cooperation with vessel owners.

(b) To study, and to cooperate with vessel owners in devising means by which—

Preference to vessels of United States registry.

(1) the importers and exporters of the United States can be induced to give preference to vessels under United States registry; and

Express-liner or super-liner construction.

(2) there may be constructed by or with the aid of the United States express-liner or super-liner vessels comparable with those of other nations, especially with a view to their use in national emergency, and the use in connection with or in lieu of such vessels of transoceanic aircraft service;

Collaboration in developing plans for economical construction.

(c) To collaborate with vessel owners and shipbuilders in developing plans for the economical construction of vessels and their propelling machinery, of most modern economical types, giving thorough consideration to all well-recognized means of propulsion and taking into account the benefits accruing from standardized production where practicable and desirable;

Liaison with other boards, etc., for securing preference in shipments.

(d) To establish and maintain liaison with such other boards, commissions, independent establishments, and departments of the United States Government, and with such representative trade organizations throughout the United States as may be concerned, directly or indirectly, with any movement of commodities in the water-borne export and import foreign commerce of the United States, for the purpose of securing preference to vessels of United States registry in the shipment of such commodities; and

Discriminations by vessel owners against United States export cargo.

(e) To investigate, under the regulatory powers transferred to it by this Act, any and all discriminatory rates, charges, classifications, and practices whereby exporters and shippers of cargo originating in the United States are required by any common carrier by water in the foreign trade of the United States to pay a higher rate from any United States port to a foreign port than the rate charged by such carrier on similar cargo from such foreign port to such United States

port, and recommend to Congress measures by which such discrimination may be corrected.

(f) To make recommendations to Congress, from time to time, for such further legislation as it deems necessary better to effectuate the purpose and policy of this Act. Recommendations to Congress for further legislation.

SEC. 213. The Commission shall make studies of and make a report to Congress as soon as practicable on— Studies and report to Congress.

(a) The scrapping or removal from service of old or obsolete merchant tonnage owned by the United States or in use in the merchant marine; Scrapping, etc., of old tonnage.

(b) Tramp shipping service and the advisability of citizens of the United States participating in such service with vessels under United States registry. Advisability of participation in tramp shipping service.

(c) The relative cost of construction or reconditioning of comparable ocean vessels in shipyards in the various coastal districts of the United States, together with recommendations as to how such shipyards may compete for work on an equalized basis. Costs of construction in various coastal districts, etc.

SEC. 214. (a) For the purpose of any investigation which, in the opinion of the Commission, is necessary and proper in carrying out the provisions of this Act, any member of the Commission, or any officer or employee thereof designated by it, is empowered to subpena witnesses, administer oaths and affirmations, take evidence, and require the production of any books, papers, or other documents which are relevant or material to the matter under investigation. Such attendance of witnesses and the production of such books, papers, or other documents may be required from any place in the United States or any Territory, district, or possession thereof at any designated place of hearing within the Federal judicial district in which the witness resides. Witnesses summoned before the Commission shall be paid the same fees and mileage that are paid witnesses in the courts of the United States. Authority to subpena witnesses, to administer oaths, etc., for investigations. Fees and mileage to witnesses.

(b) Upon failure of any person to obey a subpena issued by the Commission, it may invoke the aid of any District Court of the United States within the jurisdiction in which such person resides or carries on business in requiring the attendance and testimony of witnesses and the production of books, papers, or other documents. Any such court may issue an order requiring such person to appear before the Commission, or member, officer, or employee designated by the Commission, there to produce books, papers, or any other documents, if so ordered, or to give testimony touching the matter under investigation or in question. Any failure to obey such order of the court may be punished by such court as a contempt thereof. Any process in any such case may be served in the judicial district wherein such person resides or wherever he may be found. Court action on failure to obey subpena.

(c) No person shall be excused from attending and testifying or from producing books, papers, or other documents before the Commission, or any member or officer or employee thereof, in any investigation instituted by the Commission under this Act, on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no person shall be prosecuted or subject to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that such person so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying. Self-incrimination not to excuse attendance, etc. Immunity from prosecution.

Title III—American Seamen.

TITLE III—AMERICAN SEAMEN

Minimum-manning scales, minimum-wage scales and working conditions.

SEC. 301. (a). The Commission is authorized and directed to investigate the employment and wage conditions in ocean-going shipping and, after making such investigation and after appropriate hearings, to incorporate in the contracts authorized under titles VI and VII of this Act minimum-manning scales and minimum-wage scales and reasonable working conditions for all officers and crews employed on all types of vessels receiving an operating-differential subsidy. After such minimum manning and wage scales and working conditions shall have been adopted by the Commission, no change shall be made therein by the Commission except upon formal complaint, public notice of the hearing to be had on such complaint, and a hearing by the Commission of all interested parties, under such rules as the Commission shall prescribe. Every contractor receiving an operating-differential subsidy shall post and keep posted in a conspicuous place on each such vessel operated by such contractor a printed copy of the minimum manning and wage scales and working conditions prescribed by his contract and applicable to such vessel: *Provided, however*, That any increase in the operating expenses of the subsidized vessel occasioned by any change in the wage, manning scales, and working conditions as provided in this section shall be added to the operating-differential subsidy previously authorized for the vessel.

Post, pp. 2001, 2008.

Printed copy of scales, etc., to be posted by contractor.

Proviso.
Increased expense added to operating-differential subsidy.

Contract requirements.

(b) Every contract executed under authority of titles VI and VII of this Act shall require—

Separation of officers' and crew's quarters.

(1) Insofar as is practicable, officers' living quarters shall be kept separate and apart from those furnished for members of the crew;

Complaints and recommendations by officers and crew.

(2) Licensed officers and unlicensed members of the crew shall be entitled to make complaints or recommendations to the Commission, Coast Guard, or Department of Labor, providing they file such complaint or recommendation with their immediate superior, who shall be required to forward such complaint or recommendation with his remarks to the Commission, Coast Guard, or Department of Labor;

Naval Reserve Corps. Licensed officers, members of, to wear special insignia.

(3) Licensed officers who are members of the Naval Reserve Corps shall wear on their uniforms such special distinguishing insignia as may be approved by the Secretary of the Navy; officers being those men serving under licenses issued by the Bureau of Navigation and Steamboat Inspection;

Description of; restriction.

(4) The uniform stripes, decoration, or other insignia shall be of gold braid or woven gold or silver material, to be worn by officers, and no member of the ship's crew other than licensed officers shall be allowed to wear any uniform with such officer's identifying insignia;

No discrimination against licensed officers.

(5) No discrimination shall be practiced against licensed officers, who are otherwise qualified, because of their failure to qualify as members of the Naval Reserve Corps; and

Meals of officers.

(6) Licensed officers shall take their meals in the main dining salon of the vessel and no other place during regular meal hours, except in cases of emergency.

Licensed officers of documented vessels, citizenship requirement.

SEC. 302. (a) All licensed officers of vessels documented under the laws of the United States, as now required by law, shall be citizens of the United States, native-born or completely naturalized; and upon each departure from the United States of a cargo vessel in respect of which a construction or operating subsidy has been granted all of the crew (crew including all employees of the ship) shall be citizens of the United States, native-born or completely naturalized.

Subsidy-grant cargo vessels; citizenship requirements of crew.

Citizenship requirements; passenger vessels.

(b) For a period of one year after the effective date of this Act, upon each departure from the United States of a passenger vessel in respect of which a construction or operation subsidy has been granted, all licensed officers shall be citizens of the United States as defined above, and no less than 80 per centum of the crew (crew including all employees of the ship other than officers) shall be citizens of the United States, native-born or completely naturalized, and thereafter the percentage of citizens, as above defined, shall be increased 5 per centum per annum until 90 per centum of the entire crew, including all licensed officers of any such vessel, shall be citizens of the United States, native-born or completely naturalized.

Alien declarants.

(c) Any member of the crew, not required by this section to be a citizen of the United States, may be an alien only if he is in possession of a valid declaration of intention to become a citizen of the United States, or other evidence of legal admission to the United States for permanent residence. Such alien, as above defined, may be employed only in the steward's department on passenger vessels.

Employment of, restricted.

Filling vacancies while on a foreign voyage.

(d) If any such vessel (as above defined) while on a foreign voyage is for any reason deprived of the services of any employee below the grade of master, his place or a vacancy caused by the promotion of another to his place may be supplied by a person other than defined in paragraphs (a) and (b), until the first return of such vessel to a port in the United States.

Punishment for violation.

(e) The owner, agent, or officer of any such vessel who knowingly employs any person in violation of the provisions of this Act shall, upon conviction thereof, be fined $50 for each person so employed.

Enforcement by Secretary of Commerce. Effective date.

(f) This section shall be enforced by the Secretary of Commerce, for the purpose of carrying out the provisions of this section, and shall take effect ninety days after its enactment, and will then repeal paragraph (c), section 405, Merchant Marine Act, 1928.

Vol. 45, p. 693.

Naval Reserve membership requirement, deck and engineer officers.

(g) All of the deck and engineer officers employed on vessels on which an operating-differential subsidy is paid under authority of title VI, or employed on the Commission's vessels, after one year after the passage of this Act, shall, if eligible, be members of the United States Naval Reserve.

Suspension of provisions in emergency.

(h) During a national emergency as proclaimed by the President he may, in his discretion, suspend any or all of the provisions of this section.

TITLE IV—OCEAN-MAIL CONTRACTS

Title IV—Ocean-Mail Contracts.

Termination of certain, made by Postmaster General.

SEC. 401. No contract heretofore made by the Postmaster General, pursuant to the provisions of the Merchant Marine Act of 1928, for the carriage of mail, shall be continued in effect after June 30, 1937, and after that date it shall be unlawful for any officer of the United States to pay from any public funds any compensation to the holder of such contract for services thereunder, except for such voyages as were completed prior to the expiration date herein fixed and for voyages commenced prior to said expiration date and which shall not have been completed prior to said expiration date.

Vol. 45, p. 692.

Applications for adjustment; time limitation.

SEC. 402. (a) The holder of any mail contract that is to be terminated as provided in section 401 of this title may, within ninety days after the passage of this Act, file an application with the Commission to adjust and settle all the rights of the parties under such contract and to substitute in whole or in part therefor a contract or contracts authorized in titles V and VI of this Act in accordance with the conditions hereinafter prescribed. Such application shall be in such form and filed under such regulations as the Commission may prescribe.

Procedure in adjusting claims.

"(b) As soon as practicable after the filing of any such application, the Commission shall proceed to attempt to adjust all differences with such contractor, including any claims of the contractor against the United States and any claims of the United States against such contractor, arising out of its foreign ocean mail contract.

Speculative future profits not included.

In adjusting such differences and claims, the Commission shall not take into consideration any prospective or speculative future profits, but shall consider any and all payments theretofor made by the United States pursuant to such mail contract, and the profits realized as a result thereof, and the interest paid and the interest due according to law on construction loans, and all other facts deemed pertinent.

Settlements.

If the contractor shall be willing to accept such determination and receive payment for the amount determined by the Commission to be a fair adjustment of such differences the Commission is authorized and directed to enter into and execute a settlement agreement with such contractor, wherein such contractor shall release the United States from any and all further claims arising from such contractor's mail contract: *Provided*, That the Attorney General of the United States may, if he is dissatisfied with such finding, appeal the same to the Court of Claims within a period of sixty days from the date such settlement is agreed upon, of record, by the Commission and the contractor. If such appeal is not taken for the United States by the Attorney General within sixty days from the record agreement between the Commission and the contractor, the contractor shall be paid any sum of money due him under such settlement agreement from any funds controlled by the Commission or hereafter appropriated for that purpose; or if such appeal is taken by the Attorney General, then, within sixty days from the rendition of the final judgment by the courts, the contractor shall be paid any sum of money due him under such judgment, from any funds controlled by the Commission or hereafter appropriated for that purpose.

Proviso. Right of Attorney General to appeal.

Time limitation.

Right to sue; time limitation.

"(c) If the holder of any ocean mail contract terminated by the provisions of section 401 of this title does not enter into and execute a settlement agreement as provided in subsection (b) hereof, such holder may sue the United States in the United States Court of Claims, but such suit shall not be maintained unless brought before January 1, 1938. If suit is filed in the Court of Claims the claimant and the United States shall have the right in such court to set up and have determined and adjusted by the court all legal and equitable claims, differences, offsets, credits, and recoupments to which either may be entitled, to the end that all conflicting claims, assertions, and rights may be fully, fairly, and completely settled and adjudged by the court, including any question as to the legality of the contract as originally made or as modified, altered, or amended. The jurisdiction of said court to award any damages or payments to the ocean mail contractor is hereby expressly limited to an award of just compensation under the provisions heretofore set forth and such just compensation shall not include any allowances for prospective profits or for speculative future profits that might have been realized by the claimant if permitted further to carry out the contract. The remedy herein provided shall be exclusive and no other suit shall be maintained by the applicant or by any other person in any court of the United States arising out of any claims under or connected with said contract."

Defenses.

Jurisdiction of court.

Application of payment as credit upon amounts owed.

SEC. 403. (a) If any sum of money is payable to the contractor under the terms of any settlement agreement made pursuant to section 402 (b) of this title, such sum shall be applied as a credit upon any amount owing by the contractor to the United States on any loan

agreement entered into under section 11 of the Merchant Marine Act, 1920, as amended, or upon unpaid ship-sales mortgage notes.

Vol. 41, p. 933. U. S. C., p. 2064.

SEC. 404. All the powers and duties now vested by law in the Postmaster General, with respect to existing ocean-mail contracts, executed pursuant to title IV of the Merchant Marine Act, 1928, are hereby transferred to and vested in the Commission.

Postmaster General's powers, etc., transferred to Commission.

Vol. 45, p. 692.

SEC. 405. (a) All mails of the United States carried on vessels between ports between which it is lawful under the navigation laws for a vessel not documented under the laws of the United States to carry merchandise shall, insofar as practicable, be carried on vessels of United States registry.

Transport of United States mail by vessels of United States registry.

(b) Every steamship company carrying the mails shall carry on any ship it operates and without extra charge therefor the persons in charge of the mails and when on duty and traveling to and from duty, and all duly accredited agents and officers of the Post Office Department and post-office inspectors while traveling on official business, upon the exhibition of their credentials.

Transporting persons in charge of mails.

TITLE V—CONSTRUCTION-DIFFERENTIAL SUBSIDY

Title V—Construction-Differential Subsidy.

SEC. 501. (a) Any citizen of the United States may make application to the Commission for a construction-differential subsidy to aid in the construction of a new vessel, to be used on a service, route, or line in the foreign commerce of the United States, determined to be essential under section 211 of this Act. No such application shall be approved by the Commission unless it determines that (1) the service, route, or line requires a new vessel of modern and economical design to meet foreign-flag competition and to promote the foreign commerce of the United States; (2) the plans and specifications call for a new vessel which will meet the needs of the service, route, or line, and the requirements of commerce; (3) the applicant possesses the ability, experience, financial resources, and other qualifications necessary to enable it to operate and maintain the proposed new vessel in such service, or on such route or line, and to maintain and continue adequate service on said route or line, including replacement of worn-out or obsolete tonnage with new and modern ships; and (4) the granting of the aid applied for is reasonably calculated to carry out effectively the purposes and policy of this Act.

Application for.

Ante, p. 1989.

Investigation before approval.

(b) The Commission shall submit the plans and specifications for the proposed vessel to the Navy Department for examination thereof and suggestions for such changes therein as may be deemed necessary or proper in order that such vessel shall be suitable for economical and speedy conversion into a naval or military auxiliary, or otherwise suitable for the use of the United States Government in time of war or national emergency. If the Secretary of the Navy approves such plans and specifications as submitted, or as modified, in accordance with the provisions of this subsection, he shall certify such approval to the Commission.

Plans and specifications of proposed vessels.

Reference of, to Navy Department.

(c) Any citizen of the United States may make application to the Commission for a construction-differential subsidy to aid in reconstructing or reconditioning any vessel that is to be exclusively used on a service, route, or line in the foreign commerce of the United States, determined to be essential under section 211 of this Act. If the Commission, in the exercise of its discretion, shall determine that the granting of the financial aid applied for is reasonably calculated to carry out effectively the purposes and policy of this Act, the Commission may approve such application and enter into a contract or contracts with the applicant therefor providing for the payment by the United States of a construction-differential subsidy that is to be

Reconstructing or reconditioning, application for construction-differential subsidy to aid in.

Contract entered into, if application approved.

Conditions and limitations.

ascertained, determined, controlled, granted, and paid, subject to all the applicable conditions and limitations of this title and under such further conditions and limitations as may be prescribed in the rules and regulations the Commission has adopted as provided in section 201 (c) of this Act; but the financial aid authorized by this subsection shall be extended to reconstruction or reconditioning only in exceptional cases and after a thorough study and a formal determination by the commission that the proposed reconstruction or reconditioning is consistent with the purposes and policy of this Act.

Ante, p. 1986.

Financial aid extended only in exceptional cases.

Bids and contracts.

SEC. 502. (a) If the Secretary of the Navy certifies his approval under section 501 (b) of this Act, and the Commission approves the application, it may secure, on behalf of the applicant, bids for the construction of the proposed vessel according to the approved plans and specifications. If the bid of the shipbuilder who is the lowest responsible bidder is determined by the Commission to be fair and reasonable, the Commission may approve such bid, and if such approved bid is accepted by the applicant, the Commission is authorized to enter into a contract with the successful bidder for the construction, outfitting, and equipment of the proposed vessel, and for the payment by the Commission to the shipbuilder, on terms to be agreed upon in the contract, the cost of the vessel, out of the construction fund hereinbefore referred to, or out of other available funds.

Contract with applicant for purchase of vessel when completed.

Concurrently with entering into such contract with the shipbuilder, the Commission is authorized to enter into a contract with the applicant for the purchase by him of such vessel upon its completion, at a price corresponding to the estimated cost, as determined by the Commission pursuant to the provisions of this Act, of building such vessel in a foreign shipyard.

"Construction-differential subsidy."

(b) The amount of the reduction in selling price which is herein termed the "construction-differential subsidy" may equal, but not exceed, the excess of the bid of the shipbuilder constructing the proposed vessel (excluding the cost of any features incorporated in the vessel for national-defense uses, which shall be paid by the Commission in addition to the subsidy), over the fair and reasonable estimate of cost, as determined by the Commission, of the construction of the proposed vessel if it were constructed under like plans and specifications (excluding national-defense features as above provided) in a principal foreign shipbuilding center which is availed of by the principal foreign competitors in the service in which the vessel is to be operated, and which is deemed by the Commission to furnish a fair and representative example for the determination of the estimated cost of construction in foreign countries of vessels of the type proposed to be constructed: *Provided*, That the construction differential approved by the Commission shall not exceed 33⅓ per centum of the construction cost of the vessel paid by the Commission (excluding the cost of national-defense features as above provided), except in cases where the Commission possesses conclusive evidence that the actual differential is greater than that percentage, in which cases the Commission may approve an allowance not to exceed 50 per centum of such cost, upon the affirmative vote of four members, except as otherwise provided in subsection 201 (a).

Proviso. Limitation.

Ante, p. 1985.

Amount of cash payment required.

(c) In such contract between the applicant and the Commission, the applicant shall be required to pay the Commission a sum equal to 25 per centum of the construction cost of the vessel paid by the Commission (excluding cost of national-defense features as above provided) such cash payment to be made at the time and in the same proportion as provided for the payment of the construction cost in the contract between the shipbuilder and the Commission; and the balance of such purchase price shall be paid by the applicant, within

Payment of balance.

twenty years after delivery of the vessel and in not to exceed twenty equal annual installments, the first of which shall be payable one year after the delivery of the vessel by the Commission to the applicant. Interest at the rate of 3½ per centum per annum shall be paid on all installments of purchase price remaining unpaid.

Interest rate.

(d) In case a construction subsidy is applied for under this title by an applicant who has as his principal place of business a place on the Pacific coast of the United States (but not including one who, having been in business on or before August 1, 1935, has changed his principal place of business to a place on the Pacific coast of the United States after such date) to aid in the construction or reconditioning of a vessel to be operated in foreign trade in a service, route, or line from ports on the Pacific coast of the United States, and the amount of the bid of the shipbuilder on the Pacific coast who is the lowest responsible bidder on such coast for such construction or reconditioning does not exceed the amount of the bid of the shipbuilder on the Atlantic coast of the United States who is the lowest responsible bidder therefor by more than 6 per centum of the amount of the bid of such Atlantic coast shipbuilder, the Commission shall, except as provided in subsection (e), approve such Pacific coast bid, and in such case no payment shall be made to aid in such construction or reconditioning unless the applicant accepts the bid of such Pacific coast shipbuilder and agrees to designate and continue as the home port of the vessel to be constructed or reconditioned a port on the Pacific coast.

Applicants on Pacific coast.

Differential allowance.

(e) If no bids are received for the construction, outfitting, or equipping of such vessel, or if it appears to the Commission that the bids received from privately owned shipyards of the United States are collusive, excessive, or unreasonable, and if the applicant agrees to purchase said vessel as provided in this section, then, to provide employment for citizens of the United States, the Commission may have such vessel constructed, outfitted, or equipped at not in excess of the actual cost thereof in a navy yard of the United States under such regulations as may be promulgated by the Secretary of the Navy and the Commission. In such event the Commission is authorized to pay for any such vessel so constructed from its construction fund. The Commission is authorized to sell any vessel so constructed, outfitted, or equipped in a navy yard to an applicant for the fair and reasonable value thereof, but at not less than the cost thereof less the equivalent to the construction differential subsidy determined as provided by subsection (b), such sale to be in accordance with all the provisions of this title.

Government construction if no bids received, or if collusive, etc.

Payment from Commission's construction fund.

Authority to sell to applicant.

SEC. 503. Upon completion of the construction of any vessel in respect to which a construction subsidy is to be allowed under this title and its delivery by the shipbuilder to the Commission, the vessel shall be documented under the laws of the United States, and concurrently therewith, or as soon thereafter as practicable, the vessel shall be delivered with a bill of sale to the applicant with warranty against liens, pursuant to the contract of purchase between the applicant and the Commission hereinbefore provided for. The vessel shall remain documented under the laws of the United States for not less than twenty years, and so long as there remains due the United States any principal or interest on account of the purchase price, whichever shall be the longer period. At the time of delivery of the vessel the applicant shall execute and deliver a first preferred mortgage to the United States to secure payment of any sums due from the applicant in respect to said vessel. The purchaser shall also comply with all the provisions of section 9 of the Merchant Marine Act, 1920.

Documentation of vessels.

Delivery of vessel with bill of sale with warranty against liens.

Minimum period for documentation under United States laws.

Mortgage to secure payment of sums due.

Insurance on vessels sold on deferred payments.
Vol. 41, p. 992.

Applicant desiring to finance construction; submission of bids to Commission.

SEC. 504. Where an eligible applicant under the terms of this title desires to finance the construction of a proposed vessel according to approved plans and specifications rather than purchase the same vessel from the Commission as hereinabove authorized, the Commission may permit the applicant to obtain and submit to it competitive bids from American shipyards for such work. If the Commission considers the bid of the shipyard in which the applicant desires to have the vessel built fair and reasonable and if it is the lowest bid, it may approve such bid and become a party to the contract or contracts or other arrangements for the construction of such proposed vessel and may agree to pay to the shipbuilder a construction subsidy in an amount determined by the Commission in accordance with section 502 of this title: *Provided, however*, That no subsidy as provided in this section shall be paid unless the said contract or contracts or other arrangements contain such provisions as are provided in this title to protect the interests of the United States as the Commission deems necessary. Such vessel shall be documented under the laws of the United States as provided in section 503 of this title and operated as approved by the Commission under the requirements applicable to vessels constructed under this Act.

Approval by Commission.

Ante, p. 1996.

Proviso.
Protection of Government interests.

Documentation of vessel.

Construction in domestic shipyards.

SEC. 505 (a) All construction in respect of which a subsidy is allowed under this title shall be performed in a shipyard within the continental limits of the United States as the result of competitive bidding, after due advertisement, with the right reserved in the applicant to reject, and in the Commission to disapprove, any or all bids. In all such construction the shipbuilder, subcontractors, materialmen, or suppliers shall use, so far as practicable, only articles, materials, and supplies of the growth, production, or manufacture of the United States as defined in paragraph K of section 401 of the Tariff Act of 1930. No shipbuilder shall be deemed a responsible bidder unless he possesses the ability, experience, financial resources, equipment, and other qualifications necessary properly to perform the proposed contract. Each bid submitted to the Commission shall be accompanied by all detailed estimates upon which it is based. The Commission may require that the bids of any subcontractors, or other pertinent data, accompany such bid. All such bids and data relating thereto shall be kept permanently on file.

Use of articles of United States manufacture, etc.

Vol. 46, p. 708.

Shipbuilders; qualifications necessary.

Detailed estimates to be submitted; subcontractors' bids, etc.

Terms of agreement with shipbuilder. Report.

(b) No contract shall be made for the construction of any vessel under this Act unless the shipbuilder shall agree (1) to make a report under oath to the Commission upon completion of the contract, setting forth in the form prescribed by the Commission the total contract price, the total cost of performing the contract, the amount of the shipbuilder's overhead charged to such cost, the net profits and the percentage such net profit bears to the contract price, and such other information as the Commission shall prescribe; (2) to pay to the Commission profit, as hereinafter provided shall be determined by the Commission, in excess of 10 per centum of the total contract prices of such contracts within the scope of this section as are completed by the particular contracting party within the income taxable year, such amount to become the property of the United States, but the surety under such contracts shall not be liable for the payment of such excess profit: *Provided*, That if there is a net loss on all such contracts or subcontracts completed by the particular contractor or subcontractor within any income taxable year, such net loss shall be allowed as a credit in determining the excess profit, if any, for the next succeeding income taxable year: *Provided*, That, if such amount is not voluntarily paid, the Commission shall

Payment of excess profits.

Provisos.
Net loss in any year a credit in succeeding year.

Action if not voluntarily paid.

determine the amount of such excess profit and collect it in the same manner that other debts due the United States may be collected; (3) to make no subdivisions of any contract or subcontract for the same article or articles for the purpose of evading the provisions of this Act, and any subdivision of any contract or subcontract involving an amount in excess of $10,000 shall be subject to the conditions herein prescribed; (4) that the books, files, and all other records of the shipbuilder, or any holding, subsidiary, affiliated, or associated company, shall at all times be subject to inspection and audit by any person designated by the Commission, and the premises, including ships under construction, of the shipbuilder, shall at all reasonable times be subject to inspection by the agents of the Commission; and (5) to make no subcontract unless the subcontractor agrees to the foregoing conditions: *Provided*, That this section shall not apply to contracts or subcontracts for scientific equipment used for communication and navigation as may be so designated by the Commission, and the Commission shall report annually to the Congress the names of such contractors and subcontractors affected by this provision, together with the applicable contracts and the amounts thereof.

Subdivisions of contracts or subcontracts.

Inspection of books, etc.

Agreement by subcontractors.

Contracts for scientific equipment.

(c) The method of determining the shipbuilder's profit shall be prescribed by the Commission: *Provided*, That in computing such profits no salary of more than $25,000 per year to any individual shall be considered as a part of the cost of building such ship, and the Commission shall scrutinize construction costs and overhead expenses to determine that they are fair, just, and not in excess of a reasonable market price for commodities or goods or services purchased or charged.

Method of determining shipbuilder's profit. *Proviso.* Salaries, construction costs, etc.

(d) The Commission may, with the consent of the Secretary of the Treasury, utilize the services of Treasury Department employees engaged in similar functions in the determination or collection of shipbuilder profits in naval construction.

Services of Treasury Department.

(e) If the shipbuilder whose bid has been approved by the Commission and accepted by the applicant, as provided in section 502 of this title, shall refuse to agree to any of the requirements of this section, the Commission is authorized to rescind its approval of such bid and to advertise for new bids, or, in its discretion, the Commission may have the vessel or vessels in question constructed in a United States navy yard.

Rescission of approval if shipbuilder refuses to agree to requirements.

SEC. 506. It shall be unlawful to operate any vessel, for the construction of which any subsidy has been paid pursuant to this title, other than exclusively in foreign trade, or on a round-the-world voyage or a round voyage from the west coast of the United States to a European port or ports or a round voyage from the Atlantic coast to the Orient which includes intercoastal ports of the United States, or on a voyage in foreign trade on which the vessel may stop at an island possession or island territory of the United States, unless the owner of such vessel shall receive the written consent of the Commission so to operate and prior to such operation shall agree to pay to the Commission, upon such terms and conditions as the Commission may prescribe, an amount which bears the same proportion to the construction subsidy theretofore paid or agreed to be paid (excluding cost of national-defense features as hereinbefore provided), as the remaining economic life of the vessel bears to its entire economic life. If an emergency arises which, in the opinion of the Commission, warrants the temporary transfer of a vessel, for the construction of which any subsidy has been paid pursuant to this title, to service other than exclusive operation in foreign trade, the Commission may

Operating subsidized vessel other than in foreign trade unlawful.

Exception.

Emergency transfer.

Proviso.
No operating-differential subsidy during emergency period.
Engaging in domestic trade en route.

permit such transfer: *Provided*, That no operating differential subsidy shall be paid during the duration of such temporary or emergency period, and such period shall not exceed three months. Every contractor receiving a contract for a construction-differential subsidy under the provisions of this title shall agree that if the subsidized vessel engages in domestic trade on a round-the-world voyage or a round voyage from the west coast of the United States to a European port or ports or loads or discharges cargo or passengers at an island possession or island territory as permitted by this section, that the contractor will repay annually to the Commission that proportion of one-twentieth of such construction subsidy as the gross revenue of such protected trade bears to the gross revenue derived from the entire voyages completed during the preceding year.

New vessel replacing obsolete, etc., vessel engaged in foreign trade.

SEC. 507. If a contract is made by the Commission under authority of this title for the construction and sale of a new vessel to replace a vessel exclusively operated in foreign trade, which in the judgment of the Commission should be replaced because it is obsolete or inade-

Purchase of replaced vessel authorized.

quate for successful operation in such trade, the Commission is authorized, in its discretion, to buy such replaced vessel from the owner at a fair and reasonable valuation, which valuation shall not exceed the cost to the owner or any former owner plus the actual cost previously expended thereon for reconditioning, and less a reasonable and proper depreciation, based upon not more than a

Credit of purchase price to construction cost of new vessel.

twenty-year life of the vessel and less a proper deduction for obsolescence, and apply the purchase price agreed upon to that portion of the construction cost of such new vessel which is to be borne by the

Provisos.
Surety bond.

purchaser thereof: *Provided*, That the owner of such replaced vessel shall execute a bond, with one or more approved sureties, conditioned upon indemnifying the United States from all loss resulting from

Documentation requirement.

any existing lien against such vessel: *And provided further*, That such vessel has been documented under the laws of the United States for a period of at least ten years prior to the date of its purchase by the United States.

Disposition of vessels of insufficient commercial, etc., value, transferred to, or acquired by Commission.
Ante, p. 1986.

SEC. 508. If the Commission shall determine that any vessel transferred to it by section 202 of this Act, or hereafter acquired, is of insufficient value for commercial or military operation to warrant its further preservation, the Commission is authorized (1) to scrap said vessel, or (2) to sell such vessel for cash, after appraisement and due advertisement, and upon competitive sealed bids, either to citizens of the United States or to aliens: *Provided*, That the purchaser

Proviso.
Future operation of vessels.

thereof shall enter into an undertaking with sureties approved by the Commission that such vessel shall not be operated in the foreign commerce of the United States at any time within the period of ten years after the date of the sale, in competition with any other vessel owned by a citizen or citizens of the United States and registered under the laws thereof.

New vessels for domestic trade.
Application by American citizens for aid in construction of.

SEC. 509. Any citizen of the United States may make application to the Commission for aid in the construction of a new vessel to be operated in the domestic trade (excepting vessels engaged solely in the transportation of property on inland rivers and canals exclu-

Construction and sale.

sively). If such application is approved by the Commission, the vessel may be constructed and sold to such applicant under the same terms and conditions as are provided in this Act for the construction

No construction subsidy; exception.

and sale of vessels to be operated in foreign trade, but no construction subsidy shall be allowed (except for the cost of national-defense

Amount of first payment.

features which shall be paid by the Commission), and the applicant shall be required to pay the Commission not less than 25 per centum of the cost of such vessel (excluding cost of national-defense fea-

tures); and the balance of such purchase price shall be paid by the applicant within twenty years in not to exceed twenty equal annual installments, with interest at 3½ per centum per annum, secured by a preferred mortgage on the vessel sold and otherwise secured as the Commission may determine: *Provided*, That in case a vessel is to be constructed under this section for an applicant who has as his principal place of business a place on the Pacific coast of the United States (but not including one who having been in business on or before August 1, 1935, has changed his principal place of business to a place on the Pacific coast of the United States after such date), to be operated in a coastwise, intercoastal, or other domestic service, route, or line from or on the Pacific coast of the United States, and the amount of the lowest responsible bid of shipyards on such coast for the construction of such vessel does not exceed the amount of the lowest responsible bid therefor of shipyards on the Atlantic coast of the United States by more than 6 per centum of the amount of the bid of such Atlantic coast shipyard, such vessel shall be constructed for the applicant by the Commission only if the applicant accepts such lowest responsible bid of the Pacific coast shipyard, and agrees to designate and continue as the home port of the vessel to be constructed a port on the Pacific coast of the United States. The minimum rate of interest on deferred payments shall be three-fourths of 1 per centum lower than the minimum rate which would otherwise be applicable, with respect to the periods of construction of such vessel and its operation exclusively in coastwise, intercoastal, and other domestic trade. Such lower interest rate shall not apply with respect to any period in which the applicant

Balance within 20 years.

Interest rate.

Proviso.
Applicants on Pacific coast.

Differential allowance.

Lower rate of interest.

Exceptions.

(1) Does not continue as its home port a port on the Pacific coast of the United States;

(2) Operates the vessel in coastwise or other domestic trade other than on the Pacific coast;

(3) Operates the vessel in intercoastal or foreign trade except to and from ports on the Pacific coast; or

(4) Having been in business before August 1, 1935, and having changed his principal place of business to a place on the Pacific coast after such date, maintains his principal place of business at any place on the Pacific coast.

TITLE VI—OPERATING-DIFFERENTIAL SUBSIDY

Title VI—Operating-Differential Subsidy.

SEC. 601. (a) The Commission is authorized and directed to consider the application of any citizen of the United States for financial aid in the operation of a vessel or vessels, which are to be used in an essential service in the foreign commerce of the United States. No such application shall be approved by the Commission unless it determines that (1) the operation of such vessel or vessels in such service, route, or line is required to meet foreign-flag competition and to promote the foreign commerce of the United States, and that such vessel or vessels were built in the United States, or have been documented under the laws of the United States not later than February 1, 1928, or actually ordered and under construction for the account of citizens of the United States prior to such date; (2) the applicant owns, or can and will build or purchase, a vessel or vessels of the size, type, speed, and number, and with the proper equipment required to enable him to operate and maintain the service, route, or line, in such manner as may be necessary to meet competitive conditions, and to promote foreign commerce; (3) the applicant possesses the ability, experience, financial resources, and other qualifications necessary to enable him to conduct the proposed operations of the

Financial aid in operating vessels engaged in essential service in foreign commerce.

Conditions for granting.
Meeting foreign competition.

Vessel documented before February 1928, etc.

Applicant possesses necessary resources, etc.

vessel or vessels as to meet competitive conditions and promote foreign commerce; (4) the granting of the aid applied for is necessary to place the proposed operations of the vessel or vessels on a parity with those of foreign competitors, and is reasonably calculated to carry out effectively the purposes and policy of this Act.

Aid needed to meet foreign competition.

Disclosure in application of names of persons having pecuniary interests.

(b) Every application for an operating-differential subsidy under the provisions of this title shall be accompanied by statements disclosing the names of all persons having any pecuniary interest, direct or indirect, in such application, or in the ownership or use of the vessel or vessels, routes, or lines covered thereby, and the nature and extent of any such interest, together with such financial and other statements as may be required by the Commission. All such statements shall be under oath or affirmation and in such form as the Commission shall prescribe. Any person who, in an application for financial aid under this title or in any statement required to be filed therewith, willfully makes any untrue statement of a material fact, shall be guilty of a misdemeanor.

Penalty for false statement.

Investigation before granting.

SEC. 602. No contract for an operating-differential subsidy shall be made by the Commission for the operation of a vessel or vessels to meet foreign competition, except direct foreign-flag competition, until and unless the Commission, after a full and complete investigation and hearing, shall determine that an operating subsidy is necessary to meet competition of foreign-flag ships.

Contracts for payment of subsidy.

SEC. 603. (a) If the Commission approves the application, it may enter into a contract with the applicant for the payment of an operating-differential subsidy determined in accordance with the provisions of subsection (b) of this section, for the operation of such vessel or vessels in such service, route, or line for a period not exceeding twenty years, and subject to such reasonable terms and conditions, consistent with this Act, as the Commission shall require to effectuate the purposes and policy of this Act, including a performance bond with approved sureties, if such bond is required by the Commission.

Amount of subsidy; computation.

(b) Such contract shall provide that the amount of the operating-differential subsidy shall not exceed the excess of the fair and reasonable cost of insurance, maintenance, repairs not compensated by insurance, wages and subsistence of officers and crews, and any other items of expense in which the Commission shall find and determine that the applicant is at a substantial disadvantage in competition with vessels of the foreign country hereinafter referred to, in the operation under United States registry of the vessel or vessels covered by the contract, over the estimated fair and reasonable cost of the same items of expense (after deducting therefrom any estimated increase in such items necessitated by features incorporated pursuant to the provisions of section 501 (b)) if such vessel or vessels were operated under the registry of a foreign country whose vessels are substantial competitors of the vessel or vessels covered by the contract.

Payments at end of accounting period.

During period.

Limitation on amount; security.

(c) The amount of such subsidy shall be determined and payable on the basis of a final accounting made as soon as practicable after the end of each year or other period fixed in the contract. The Commission may provide for in the contract, or otherwise approve, the payment from time to time during any such period of such amounts on account as it deems proper. Such payments on account shall in no case exceed 75 per centum of the amount estimated to have accrued on account of such subsidy, and shall be made only after there has been furnished to the Commission such security as it determines to be reasonable and necessary to insure the refund of any overpayment.

No such operating-differential subsidy shall be paid until the contractor shall have furnished evidence satisfactory to the Commission that the wages prescribed in accordance with subsection 301 (a) of this Act have been paid to the ship's personnel.

Payment of wages to ship's personnel.

SEC. 604. If in the case of any particular foreign-trade route the Commission finds the subsidy provided for in this part of this title in any respect inadequate to offset the effect of governmental aid paid to foreign competitors, it may grant such additional subsidy as it determines to be necessary for that purpose: *Provided*, That no such additional subsidy shall be granted, and no part thereof paid, except upon an affirmative vote of all the members of the Commission.

Foreign trade routes, additional subsidy.

Proviso.
Unanimous approval in granting.

SEC. 605. (a) No operating-differential subsidy shall be paid for the operation of any vessel on a voyage on which it engages in coastwise or intercoastal trade: *Provided, however*, That such subsidy may be paid on a round-the-world voyage or a round voyage from the west coast of the United States to a European port or ports or a round voyage from the Atlantic coast to the Orient which includes intercoastal ports of the United States or a voyage in foreign trade on which the vessel may stop at an island possession or island territory of the United States, and if the subsidized vessel earns any gross revenue on the carriage of mail, passengers, or cargo by reason of such coastal or intercoastal trade the subsidy payment for the entire voyage shall be reduced by an amount which bears the same ratio to the subsidy otherwise payable as such gross revenue bears to the gross revenue derived from the entire voyage. No vessel operating on the Great Lakes or on the inland waterways of the United States shall be considered for the purposes of this Act to be operating in foreign trade.

Coastwise or intercoastal trade, restriction on subsidy payment to vessels engaged in.

Proviso.
Joint domestic and foreign trade.

Great Lakes, etc., service not foreign.

(b) No operating-differential subsidy shall be paid for the operation of a vessel that is more than twenty years of age unless the Commission finds that it is in the public interest to grant such financial aid for the operation of such vessel and enters a formal order thereon, and the Commission shall include in each annual report a full report covering each case in which such exception is made, with the reasons therefor.

Vessels more than 20 years of age, denial of subsidy for operation of.

Exception.

Report.

(c) No contract shall be made under this title with respect to a vessel to be operated on a service, route, or line served by citizens of the United States which would be in addition to the existing service, or services, unless the Commission shall determine after proper hearing of all parties that the service already provided by vessels of United States registry in such service, route, or line is inadequate, and that in the accomplishment of the purposes and policy of this Act additional vessels should be operated thereon; and no contract shall be made with respect to a vessel operated or to be operated in a service, route, or line served by two or more citizens of the United States with vessels of United States registry, if the Commission shall determine the effect of such a contract would be to give undue advantage or be unduly prejudicial, as between citizens of the United States, in the operation of vessels in competitive services, routes, or lines, unless following public hearing, due notice of which shall be given to each line serving the route, the Commission shall find that it is necessary to enter into such contract in order to provide adequate service by vessels of United States registry. The Commission, in determining for the purposes of this section whether services are competitive, shall take into consideration the type, size, and speed of the vessels employed, whether passenger or cargo, or combination passenger and cargo, vessels, the ports or ranges between which they run, the character of cargo carried, and such other facts as it may deem proper.

Routes, etc., served by U. S. citizens; restriction on contracts for additional service.

Exception.

Undue advantage, etc.

Exception.

Determining whether services are competitive.

Review and readjustment of contracts. Future payments to contractor.

SEC. 606. Every contract for an operating-differential subsidy under this title shall provide (1) that the amount of the future payments to the contractor shall be subject to review and readjustment from time to time, but not more frequently than once a year, at the instance of the Commission or of the contractor. If any such readjustment cannot be reached by mutual agreement, the Commission, on its own motion or on the application of the contractor, shall, after a proper hearing, determine the facts and make such readjustment in the amount of such future payments as it may determine to be fair and reasonable and in the public interest. The testimony in every such proceeding shall be reduced to writing and filed in the office of the Commission. Its decision shall be based upon and governed by the changes which may have occurred since the date of the said contract, with respect to the items theretofore considered and on which such contract was based, and other conditions affecting shipping, and shall be promulgated in a formal order, which shall be accompanied by a report in writing in which the Commission shall state its findings of fact; (2) that the compensation to be paid under it shall be reduced, under such terms and in such amounts as the Commission shall determine, for any periods in which the vessel or vessels are laid up; (3) that if the Commission shall determine that a change in the service, route, or line, which is receiving an operating-differential subsidy under this title, is necessary in the accomplishment of the purposes of this Act, it may make such change upon such readjustment of payments to the contractor as shall be arrived at by the method prescribed in clause (1) of these conditions; (4) that if at any time the contractor receiving an operating-differential subsidy claims that he cannot maintain and operate his vessels on such service, route, or line, with a reasonable profit upon his investment, and applies to the Commission for a modification or rescission of his contract to maintain such service, route, or line, and the Commission determines that such claim is proved, the Commission shall modify or rescind such contract and permit the contractor to withdraw such vessels from such service, route, or line, upon a date fixed by the Commission, and upon the date of such withdrawal the further payment of the operating-differential subsidy shall cease and the contractor be discharged from any further obligation under such contract; (5) that when at the end of any five-year period during which an operating-differential subsidy has been paid, and when prior to the end of any such five-year period the contract shall be terminated, if the net profit of the contractor on his subsidized vessels and services incident thereto during such period or time, after deduction of depreciation charges based upon a twenty-year life expectancy of the subsidized vessels, has exceeded 10 per centum per annum upon the contractor's capital investment necessarily employed in the operation of the subsidized vessels, services, routes, and lines, the contractor shall pay to the United States an amount equal to one-half of such profits in excess of 10 per centum per annum as partial or complete reimbursement for operating-differential-subsidy payments received by the contractor for such five-year period, but the amount of excessive profit so recaptured shall not in any case exceed the amount of the operating-differential-subsidy payments theretofore made to the contractor for such period under such contract and the repayment of such reimbursement to the Commission shall be subject to the provisions of section 607; (6) that the contractor shall conduct his operations with respect to the vessel's services, routes, and lines covered by his contract in the most economical and efficient manner, but with due regard to the wage and manning scales and working conditions

Compensation for period vessel laid up.

Necessary change in service, route, etc.

Contractor unable to operate at profit; modification, etc., of contract.

If net profit exceeds 10 per cent.

Recapture provision.

Economical and efficient operation required.

prescribed by the Commission as provided in title III; and (7) that whenever practicable, the operator shall use only articles, materials, and supplies of the growth, production, and manufacture of the United States, as defined in section 505a herein, except when it is necessary to purchase supplies and equipment outside the United States to enable such vessel to continue and complete her voyage, and the operator shall perform repairs to subsidized vessels within the continental limits of the United States, except in an emergency.

Ante, p. 1992.
Use of articles of American manufacture, etc.

Ante, p. 1998.
Exception.

SEC. 607. (a) Every contract for an operating-differential subsidy made under authority of this title shall provide that the contractor shall be entitled to annually withdraw from net earnings of subsidized vessels and services incident thereto as profit, if the contractor is a natural person or a partnership, or may pay to its shareholders or stockholders, as dividends, if the contractor is an association or corporation, a sum not in excess of 10 per centum per annum on the contractor's capital necessarily employed in his business, except subject to the further provisions of this section which likewise shall be incorporated in such contract.

Annual withdrawal of profits.

(b) To insure the prompt payment of the contractor's obligations to the United States and the replacement of the contractor's subsidized vessels as may be required, the contractor shall create and maintain, out of gross earnings, during the life of such contract, a "capital reserve fund", in such depository or depositories as may be approved by the Commission. In this fund the contractor shall deposit, annually or oftener, as the Commission may require, an amount equal to the annual depreciation charges on the contractor's vessels on which the operating differential is being paid, such depreciation charges to be computed on a twenty-year life expectancy of the subsidized vessels: *Provided, however*, That if, during any accounting year, the annual depreciation charges on the contractor's line of subsidized vessels has not been earned, in whole or in part, over and above the annual expense of operation of such vessels (exclusive of said annual depreciation thereon), the contractor shall not be required to deposit in his capital reserve fund for such accounting year a sum in excess of the amount of annual depreciation actually earned during that year but shall make up any and all deficiencies in his capital reserve fund as soon as the earnings of his subsidized vessels in excess of annual expenses of operation shall permit. The proceeds of all insurance indemnities received by the contractor on account of the total loss of any subsidized vessel shall also be deposited in the capital reserve fund.

Maintenance of "capital reserve fund" by contractor.

Deposits.

Proviso.
If annual depreciation charges not earned.

Insurance indemnities; deposit of proceeds in fund.

The contractor shall also deposit in the capital reserve fund, from time to time, such percentage of the annual net profits of the contractor's business covered by the contract as the Commission shall determine is necessary to further build up a fund for replacement of the contractor's subsidized ships; but the Commission shall not require the contractor to make such deposit of the contractor's net profits in the capital reserve fund unless the cumulative net profits of the contractor, at the time such deposit is to be made, shall be in excess of 10 per centum per annum from the date the contract was executed. From the capital reserve fund so created, the contractor may pay the principal, when due, on all notes secured by mortgage on the subsidized vessels and may make disbursements for the purchase of replacement vessels or reconstruction of vessels or additional vessels to be employed by the contractor on an essential foreign-trade line, route, or service approved by the Commission, but payments from the capital reserve fund shall not be made for any other purpose.

Percentage of annual net profits to be deposited.

Capital reserve fund; requirement waived under certain conditions.

Disbursements from capital reserve fund.

"Special reserve fund", maintenance of.

(c) To attain the public objects for which the financial aid provided for in such contract is extended and to insure the continued maintenance and successful operation of the subsidized vessels, the contractor shall create and maintain, during the life of such contract, a "special reserve fund" in such depository or depositories as the Commission shall approve.

Deposits.

In this reserve fund, the contractor shall deposit annually the profits earned by the business of the subsidized vessels and services incident thereto in excess of 10 per centum per annum and in excess of the percentage of profits deposited in the capital reserve fund, as provided in subsection (b) of this section. From the special reserve fund the contractor may make the following disbursements and no others:

Disbursements specified.

Reimbursement to general funds for operating losses.

(1) Reimbursement to the contractor's general funds for any losses on the operation of the subsidized vessels and services incident thereto sustained subsequent to the execution of the operating-differential-subsidy contract;

Reimbursement to general funds for current operating losses.

(2) Reimbursement to the contractor's general funds for current operating losses on completed voyages of subsidized vessels whenever the Commission shall determine it is improbable that such current losses will not be made up by profits on other voyages during the current year;

Reimbursement to Commission.
Ante, p. 2004.

(3) Payment of amounts due from the contractor to the Commission for reimbursement as provided in clause 5 of section 606, but such reimbursement shall be deferred until the amount on deposit in the special reserve fund shall be sufficiently in excess of 5 per centum of the capital necessarily employed in the business so that payment of such reimbursement to the Commission will not reduce the special reserve fund below a sum equal to such 5 per centum of capital necessarily employed in the business: *Provided, however*, That such reimbursement to the Commission, if so deferred, shall be payable from the special reserve fund or other funds upon termination of the contract and the United States shall then have a preferred lien on the special reserve fund for such deferred reimbursement;

Proviso.
If deferred; payment.

Disposition of excess reserve after reimbursements made.

(4) After reimbursement to the contractor's general funds of all operating losses has been made, as provided in clause 1, and after reimbursement to the Commission of all amounts due from the contractor, as determined under clause 5 of section 606, if the amount accumulated in the special reserve fund shall then be in excess of 5 per centum of the capital necessarily employed in the business, the contractor may, if the Commission approves, withdraw some or all of such excess reserve and pay the sum so withdrawn into the contractor's general funds or distribute the sum so withdrawn as a special dividend to the contractor's shareholders or stockholders or as a bonus to officers or employees, as the contractor may determine.

Administrative rules.
"Net earnings" and "capital necessarily employed in the business" to be defined.

(d) The Commission shall adopt and prescribe rules and regulations for the administration of the reserve funds contemplated by this section and shall include therein a definition of the term "net earnings" and the term "capital necessarily employed in the business", as such terms are employed in this section: *Provided, however*, That the term "net earnings" shall take into account as a proper accounting charge to operation of vessels expense, an annual depreciation charge on the vessels, computed on the economic life of the vessel being twenty years and the term "capital necessarily employed in the business" shall not include borrowed capital.

Proviso.
Accounting charges.

Investments of capital and special reserve funds.

Upon application of the contractor, the Commission, in its discretion, may permit the investment by the operator of some or all of the contractor's capital and special reserve fund in approved interest-

bearing securities, approved by the Commission, upon condition that the interest on such securities shall be deposited in the capital reserve fund.

(e) If, during any accounting year, the contractor's general funds have become seriously depleted due to operating losses on the subsidized vessels and the special reserve fund has been exhausted, the Commission may, in its discretion, permit the contractor temporarily to withdraw from his capital reserve fund such excess therein on deposit over and above the amount necessary to pay the principal amount currently due or about to become due on the contractor's mortgage obligation on the subsidized vessels: *Provided, however*, That the sum so withdrawn shall be repaid to the capital reserve fund as soon as the contractor's financial condition shall permit.

Withdrawals by contractor from capital reserve fund.

Proviso. Repayment.

(f) The earnings of any contractor receiving an operating-differential subsidy under authority of this Act, which are deposited in the contractor's reserve funds as provided in this section, except earnings withdrawn from the "special reserve funds" and paid into the contractor's general funds or distributed as dividends or bonuses as provided in paragraph 4 of subsection (c) of this section, shall be exempt from all Federal taxes.

Tax exemptions.

SEC. 608. No contract executed under this title or any interest therein shall be sold, assigned, or transferred, either directly or indirectly, or through any reorganization, merger, or consolidation, nor shall any agreement or arrangement be made by the holder whereby the maintenance, management, or operation of the service, route, line, vessel, or vessels is to be performed by any other person, without the written consent of the Commission. If it consents to such agreement or arrangement, the agreement or arrangement shall make provision whereby the person undertaking such maintenance, management, or operation agrees to be bound by all of the provisions of the contract and of this Act applicable thereto, and the rules and regulations prescribed pursuant to this Act. If the holder of any such contract shall voluntarily sell such contract or any interest therein, or make such assignment, transfer, agreement, or arrangement whereby the maintenance, management, or operation of the service, route, line, vessel, or vessels is to be performed by any other person, without the consent of the Commission, or if the operation of the service, route, line, or vessel, shall pass out of the direct control of the holder of such contract by reason of any voluntary or involuntary receivership or bankruptcy proceedings, the Commission shall have the right to modify or rescind such contract, without further liability thereon by the United States, and is hereby vested with exclusive jurisdiction to determine the purposes for which any payments made by it under such contract shall be expended.

Restriction on transfer, etc., of operating subsidy contract without consent.

New party to be bound by all contract provisions, etc.

If transfer made without Commission's consent.

If operation passes out of direct control of contractor, etc.

Modification or rescission of contract.

SEC. 609. (a) The Commission shall withhold the payment of operating-differential subsidy while any contractor therefor is in default in any payments due on account of construction-loan, ship-sales mortgage notes, or any other obligation due the United States, and shall apply the amount so withheld to the satisfaction of such debt.

Withholding of payments.

(b) If the holder of any contract under this title has filed a petition under any provision of the Bankruptcy Act or has applied for the appointment of a receiver or is in default under any provisions of a ship mortgage given to the United States, the Commission may cancel or modify the contract as it finds advisable, and is hereby granted exclusive power to determine the purpose for which any payments made by it under such contract shall be expended.

Cancelation or modification of contract if contractor bankrupt, in default, etc.

SEC. 610. An operating-differential subsidy shall not be paid under authority of this title on account of the operation of any vessel

Vessel requirements for operating-differential subsidy.

which does not meet the following requirements: (1) The vessel shall be of steel or other acceptable metal, shall be propelled by steam or motor, shall be as nearly fireproof as practicable, shall be built in a domestic yard or shall have been documented under the laws of the United States not later than February 1, 1928, or actually ordered and under construction for the account of citizens of the United States prior to such date, and shall be documented under the laws of the United States, during the entire life of the subsidy contract; and (2) if the vessel shall be constructed after the passage of this Act it shall be either a vessel constructed according to plans and specifications approved by the Commission and the Secretary of the Navy, with particular reference to economical conversion into an auxiliary naval vessel, or a vessel approved by the Commission and the Navy Department as otherwise useful to the United States in time of national emergency.

Title VII—Private Charter Operation.

TITLE VII—PRIVATE CHARTER OPERATION

Completion of long-range program upon finding of inability to meet specified objectives.
Ante, pp. 1985, 1989.

SEC. 701. Whenever the Commission shall find and determine, and such finding and determination shall be approved by the President of the United States, that the national policy declared in section 101 of this Act, and the objectives set forth in section 210 of this Act, cannot be fully realized within a reasonable time, in whole or in part, under the provisions of titles V and VI, the Commission is hereby authorized and directed to complete its long-range program previously adopted as hereinafter provided in this title.

Construction of new vessels in domestic yards on Atlantic, Gulf, and Pacific coasts.

Reconditioning of old vessels.
Proviso.
Construction in navy yards, if private bids unsatisfactory.

SEC. 702. The Commission is authorized to have constructed in domestic yards, on the Atlantic and Gulf and Pacific coasts, such new vessels as it shall determine may be required to carry out the objects of this Act, and to have old vessels reconditioned or remodeled in such yards: *Provided*, That if satisfactory contracts for such new construction or reconstruction, in accordance with the provisions of this Act, cannot be obtained from private shipbuilders, the Commission is authorized to have such vessels constructed, reconditioned, or remodeled in United States navy yards.

Advertising and competitive bidding.

SEC. 703. (a) No contract for the building of a new vessel, or for the reconditioning or reconstruction of any other vessel, shall be made by the Commission with any private shipbuilder, except after due advertisement and upon sealed competitive bids.

Contract provisions and requirements.
Ante, p. 1995.

(b) All contracts for the construction, reconditioning, or reconstruction of a vessel or vessels by a private shipbuilder under authority of this title shall be subject to all the provisions and requirements prescribed in title V of this Act with respect to contracts with a private shipbuilder for the construction of vessels under authority of that title.

Opening, etc., bids.

(c) All bids required by the Commission for the construction, reconstruction, or reconditioning of vessels, and for the chartering of the Commission's vessels hereinafter provided for, shall be opened at the time, hour, and place stated in the advertisement for bids, and all interested persons, including representatives of the press, shall be permitted to attend, and the results of such bidding shall be publicly announced.

Charter or sale of vessels acquired by Commission.
Operation in foreign commerce, by private operators.

SEC. 704. All vessels transferred to or otherwise acquired by the Commission in any manner may be chartered or sold by the Commission pursuant to the further provisions of this Act. All vessels transferred to the Commission by this Act and now being operated by private operators on lines in foreign commerce of the United States may be temporarily operated by the Commission for its account by private operators until such time and upon such operat-

ing agreements as the Commission may deem advantageous, but the Commission shall arrange as soon as practicable to offer all such lines of vessels for charter as hereinafter provided and all operation of the Commission's vessels by private operators under such operating agreements shall be discontinued within one year after the passage of this Act.

Trade routes, essential to foreign trade.
Use of Commission's vessels on.

SEC. 705. As soon as practicable after the passage of this Act, and continuing thereafter, the Commission shall arrange for the employment of its vessels in steamship lines on such trade routes, exclusively serving the foreign trade of the United States, as the Commission shall determine are necessary and essential for the development and maintenance of the commerce of the United States and the national defense: *Provided*, That such needs are not being adequately served by existing steamship lines privately owned and operated by citizens of the United States and documented under the laws of the United States. It shall be the policy of the Commission to encourage private operation of each essential steamship line now owned by the United States by selling such lines to citizens of the United States in the manner provided in section 7 of the Merchant Marine Act, 1920, and in strict accordance with the provisions of section 5 of said Act, or by demising its vessels on bare-boat charter to citizens of the United States who shall agree to maintain such line or lines in the manner hereinafter provided.

Proviso.
Needs not adequately served.

Sale of lines to citizens.

Vol. 41, pp. 991, 990.

Demising of vessels on bare-boat charters.

Chartering to private operators; competitive bids.

SEC. 706. (a) The Commission shall not charter its vessels to private operators except upon competitive sealed bids submitted in strict compliance with all the terms and conditions of a public advertisement soliciting such bids. Each and every advertisement for bids to charter the Commission's vessels shall state the number, type, and tonnage of the vessels the Commission is offering for bare-boat charter for operation as a steamship line on a designated trade route, the minimum number of sailings that will be required, the length of time for which the charter will be given, and all other information the Commission shall deem necessary for the information of prospective bidders.

Advertisements; specifications.

Rejection of bids.

(b) The Commission shall have authority to, and shall announce in its advertisements for bids that the Commission reserves the right to, reject any and all bids submitted.

Awards.

SEC. 707. (a) The Commission shall award the charter to the bidder proposing to pay the highest monthly charter hire unless the Commission shall reject such bid for the reasons set forth in subsection (b) of this section.

Right to reject reserved.

(b) The Commission may reject the highest or most advantageous or any other bid, if, in the Commission's discretion, the charter hire offered is deemed too low, or the Commission determines that the bidder lacks sufficient capital, credit, or experience to operate successfully the line; but the reason or reasons for rejection of any bid, upon request of the bidder, shall be stated to such bidder in writing.

If highest bid rejected.

(c) If the highest bid is rejected, the Commission may award the charter to the next highest bidder, or may reject all bids and readvertise the line: *Provided, however*, That the Commission may operate the line until conditions appear to be more favorable for a reoffering of the line for private charter.

Proviso.
Provisional operation.

Contracts with charterers for payment of operating-differential subsidy.

SEC. 708. The Commission may, if in its discretion financial aid is deemed necessary, enter into a contract with any charterer of its vessels for payment to such charterer of an operating-differential subsidy upon the same terms and conditions and subject to the same limitations and restrictions as are elsewhere provided in this Act with respect to payments of such subsidies to operators of privately owned vessels.

Terms, conditions, limitations, etc.

Disposition of accumulated profits exceeding 10 per centum per annum on charterer's capital.

SEC. 709. (a) Every charter made by the Commission pursuant to the provisions of this title shall provide that whenever, at the end of any calendar year subsequent to the execution of such charter, the cumulative net voyage profits (after payment of the charter hire reserved in the charter and payment of the charterer's fair and reasonable overhead expenses applicable to operation of the chartered vessels) shall exceed 10 per centum per annum on the charterer's capital necessarily employed in the business of such chartered vessels, the charterer shall pay over to the Commission, as additional charter hire, one-half of such cumulative net voyage profit in excess of 10 per centum per annum: *Provided*, That the cumulative net profit so accounted for shall not be included in any calculation of cumulative net profit in subsequent years.

Proviso.
Not to be included subsequently.

Definitions.
"Net voyage profit."
"Fair and reasonable overhead expenses."
"Capital necessarily employed."

(b) Every charter shall contain a definition of the terms "net voyage profit" and "fair and reasonable overhead expenses", and "capital necessarily employed", as said terms are used in subsection (a) of this section, setting forth the formula for determining such profit and overhead expense and capital necessarily employed, which definitions shall have been previously approved by the Commission and published in the advertisement for bids for such charter.

Deposit of undertaking, with approved sureties, by charterer.

SEC. 710. Every charterer of the Commission's vessels shall be required to deposit with the Commission an undertaking with approved sureties as security for the faithful performance of all of the conditions of the charter, including indemnity against liens on the chartered vessels, in such amount as the Commission shall require.

Demise of vessel by Commission to charterer subject to usual conditions; terms.

SEC. 711. The charters to be made by the Commission pursuant to the provisions of this title shall demise the vessels to the charterer subject to all usual conditions contained in bare-boat charters, and until January 1, 1940, shall be for terms of three years or less as the Commission may decide: *Provided*, That after January 1, 1940, charters may be executed by the Commission for such terms as the experience gained by the Commission shall indicate are to the best interests of the United States and the merchant marine.

Proviso.
Terms of charters after January 1, 1940.

Charter provisions.
Insurance.

SEC. 712. Every charter shall provide—

(a) That the charterer shall carry on the chartered vessels, at his own expense, policies of insurance covering all marine and port risks, protection and indemnity risks, and all other hazards and liabilities, in such amounts, in such form, and in such insurance companies as the Commission shall require and approve, adequate to cover all damages claimed against and losses sustained by the chartered vessels arising during the life of the charter: *Provided*, That in accordance with existing law, some or all of such insurance risks may be underwritten by the Commission itself as, in its discretion, it may determine.

Proviso.
Underwriting by Commission.

Care, etc., of vessel.

(b) That the charterer shall at its own expense keep the chartered vessel in good state of repair and in efficient operating condition and shall at its own expense make any and all repairs as may be required by the Commission.

Inspection.

(c) That the Commission shall have the right to inspect the vessel at any and all times to ascertain its condition.

Termination of charter in emergency.

(d) That in any national emergency as proclaimed by the President of the United States, the Commission may terminate the charter without cost to the United States, upon such notice to the charterers as the President of the United States shall determine.

Awarding charters; conditions to be considered.

SEC. 713. In the awarding of charters, the Commission shall take in consideration the charterer's financial resources and credit standing, practical experience in the operation of vessels, and any other factors that would be considered by a prudent businessman in entering into a transaction involving a large investment of his capital;

and the Commission is directed to refrain from chartering its vessels to any person appearing to lack sufficient capital, credit, and experience to operate successfully the vessel over the period covered by the charter.

Finding by Commission of inability to develop trade routes and replacement program incapable of achievement under private operation.

SEC. 714. If the Commission shall find that any trade route (determined by the Commission to be an essential trade route as provided in section 211 of this Act) cannot be successfully developed and maintained and the Commission's replacement program cannot be achieved under private operation of such trade route by a citizen of the United States with vessels registered under the laws thereof, without further Government aid in addition to the financial aids authorized under title V and VI of this Act, the Commission is authorized to have constructed, in private shipyards or in navy yards, the vessel or vessels of the types deemed necessary for such trade route, and to demise such new vessel or vessels on bare-boat charter to the American-flag operator established on such trade route, without advertisement or competition, upon an annual charter hire of not less than 5 per centum of the construction cost of such new vessel or vessels. Such charter may contain an option to the charterer to purchase such vessel or vessels from the Commission, within five years after the execution of the charter, upon the same terms and conditions as are provided in title V for the purchase of new vessels from the Commission with credit on the purchase price for all charter-hire theretofore paid by the purchaser on account of such charter.

Ante, pp. 1995, 2001.

Construction of suitable vessels and demise to citizen operators.

Annual charter hire.

Optional purchase of vessel.

TITLE VIII—CONTRACT PROVISIONS

Title VIII—Contract Provisions.

Books, records, and accounts by contractors; regulations by Commission.

SEC. 801. Every contract executed by the Commission under the provision of titles VI or VII of this Act shall contain provisions requiring (1) that the contractor and every affiliate, domestic agent, subsidiary, or holding company connected with, or directly or indirectly controlling or controlled by, the contractor, to keep its books, records, and accounts, relating to the maintenance, operation, and servicing of the vessels, services, routes, and lines covered by the contract, in such form and under such regulations as may be prescribed by the Commission: *Provided*, That the provisions of this paragraph shall not require the duplication of books, records, and accounts required to be kept in some other form by the Interstate Commerce Commission; (2) that the contractor and every affiliate, domestic agent, subsidiary, or holding company connected with, or directly or indirectly controlling or controlled by, the contractor, to file, upon notice from the Commission, balance sheets, profit and loss statements, and such other statements of financial operations, special report, memoranda of any facts and transactions, which in the opinion of the Commission affect the financial results in, the performance of, or transactions or operations under, such contract; (3) that the Commission shall be authorized to examine and audit the books, records, and accounts of all persons referred to in this section whenever it may deem it necessary or desirable; and (4) that upon the willful failure or refusal of any person described in this section to comply with the contract provisions required by this section, the Commission shall have the right to rescind the contract, and upon such rescission the United States shall be relieved of all further liability on such contract.

Proviso.
Records, etc., required by Interstate Commerce Commission.

Filing of balance sheets, etc.

Examination and audit of books, etc.

Willful failure or refusal to comply; rescission of contract.

SEC. 802. Every contract executed by the Commission under authority of title V of this Act shall provide that:

Construction contracts, provisions required.

Ante, p. 1995.

In the event the United States shall, through purchase or requisition, acquire ownership of the vessel or vessels on which a construction-differential subsidy was paid, the owner shall be paid therefor

Acquisition of vessels on which construction subsidy paid; payment to owner.

the fair actual value thereof, but in no event shall such payment exceed the actual depreciated construction cost thereof (together with the actual depreciated cost of capital improvements thereon, but excluding the cost of national-defense features) less the depreciated amount of construction subsidy theretofore paid incident to the construction or reconditioning of such vessel or vessels. In computing the value of such vessel, depreciation shall be computed on each vessel on the schedule adopted by the Bureau of Internal Revenue for income-tax purposes.

Depreciation, computation of.

Title provision.

The foregoing provision respecting the requisition or the acquisition of ownership by the United States shall run with the title to such vessel or vessels and be binding on all owners thereof.

Restriction on employment of concern, etc., in which contractor financially interested.

SEC. 803. It shall be unlawful for any contractor receiving an operating-differential subsidy under title VI or for any charterer under title VII of this Act to employ any person or concern performing or supplying stevedoring, ship-repair, ship-chandler, towboat, or kindred services to supply such services to the operator's subsidized or chartered vessels if such contractor, or any subsidiary company, holding company, affiliate company, or associate company of such contractor, or any officer, director, or employee of such contractor, or any member of the immediate family of any such contractor, officer, director, or employee, or any member of the immediate family of any officer, director, or employee, of such subsidiary company, holding company, affiliate company, or associate company of such contractor, owns any pecuniary interest directly or indirectly in the person or concern supplying such services to the contractor's subsidized or chartered vessels or receives any payment or other thing of value directly or indirectly as a result of such employment or services: *Provided*, That, with the express written approval of the Commission, such contractor or a subsidiary company wholly owned by such contractor may perform such services to its own vessels if the profits, if any, of such subsidiary company or companies with respect to such services shall become a part of the earnings of such contractor and shall be accounted for as provided in clause 5 of section 606: *Provided further*, That the contractor may, in the discretion of the Commission, contract with a holding company, affiliate company, or associate company of such contractor for the use of terminal facilities by such contractor, if the contract is approved by the Commission.

Provisos.
Service by subsidiary wholly owned by contractor.

Holding, etc., companies, use of terminal facilities.

Contractor connected with foreign competition, restriction on subsidy to.

SEC. 804. It shall be unlawful for any contractor receiving an operating-differential subsidy under title VI or for any charterer of vessels under title VII of this Act, or any holding company, subsidiary, affiliate, or associate of such contractor or such charterer, or any officer, director, agent, or executive thereof, directly or indirectly, to own, charter, act as agent or broker for, or operate any foreign-flag vessel which competes with any American-flag service determined by the Commission to be essential as provided in section 211 of this Act: *Provided, however*, That under special circumstances and for good cause shown, the Commission may, in its discretion, waive the provisions of this section as to any contractor, by affirmative vote of four of its members, except as otherwise provided in subsection 201 (a).

Ante, p. 1989.
Proviso.
Waiver permitted.

Ante, p. 1985.

Contractor or charterer owning or operating vessel in domestic intercoastal or coastwise service.

SEC. 805. (a) It shall be unlawful to award or pay any subsidy to any contractor under authority of title VI of this Act, or to charter any vessel to any person under title VII of this Act, if said contractor or charterer, or any holding company, subsidiary, affiliate, or associate of such contractor or charterer, or any officer, director, agent, or executive thereof, directly or indirectly, shall own, operate, or charter any vessel or vessels engaged in the domestic intercoastal

or coastwise service, or own any pecuniary interest, directly or indirectly, in any person or concern that owns, charters, or operates any vessel or vessels in the domestic intercoastal or coastwise service, without the written permission of the Commission. Every person, firm, or corporation having any interest in such application shall be permitted to intervene and the Commission shall give a hearing to the applicant and the intervenors. The Commission shall not grant any such application if the Commission finds it will result in unfair competition to any person, firm, or corporation operating exclusively in the coastwise or intercoastal service or that it would be prejudicial to the objects and policy of this Act: *Provided*, That if such contractor or other person above-described or a predecessor in interest was in bona-fide operation as a common carrier by water in the domestic, intercoastal, or coastwise trade in 1935 over the route or routes or in the trade or trades for which application is made and has so operated since that time or if engaged in furnishing seasonal service only, was in bona-fide operation in 1935 during the season ordinarily covered by its operation, except in either event, as to interruptions of service over which the applicant or its predecessor in interest had no control, the Commission shall grant such permission without requiring further proof that public interest and convenience will be served by such operation, and without further proceedings as to the competition in such route or trade.

Permission by Commission.

Denial of application if resulting in unfair competition, etc.

Proviso.
Contractor, etc., in operation in 1935, operating seasonal service.

If such application be allowed, it shall be unlawful for any of the persons mentioned in this section to divert, directly or indirectly, any moneys, property, or other thing of value, used in foreign-trade operations, for which a subsidy is paid by the United States, into any such coastwise or intercoastal operations; and whosoever shall violate this provision shall be guilty of a misdemeanor.

Diverting foreign trade operations for which subsidy paid into coastwise, etc., operations.

Penalty.

(b) Whenever any contractor under title VI or title VII receiving an operating-differential subsidy is in default with respect to any mortgage, note, purchase contract, or other obligation to the Commission, or has not maintained, in a manner satisfactory to the Commission, all of the reserves provided for in this Act, the Commission shall have the right to supervise the number and compensation of all officers and employees of the contractor (c) no director, officer, or employee (which terms shall be construed in the broadest sense to include, but not to be limited to, managing trustee or other administrative agent) shall receive from any contractor, holding a contract authorized by title VI or title VII of this act and its affiliate, subsidiary, associate, directly or indirectly, wages, salary, allowances of compensation in any form for personal services which will result in such person's receiving a total compensation for his personal services from such sources exceeding in amount or value $25,000 per annum, and no such person or concern shall be qualified to receive or thereafter to hold any contract under this part, if such person or concern, its subsidiary, affiliate, or associate pays or causes to be paid, directly or indirectly, wages, salary, allowances, or compensation in any form for personal services which result in such person's receiving a total compensation for his personal services from such sources exceeding in amount or value $25,000 per annum.

Contractor receiving operating subsidy in default as to note, etc.

Commission authorized to supervise number and pay of personnel.

Ante, pp. 2001, 2008.

Salary limitation.

Penalty for violation.

(d) It shall be unlawful, without express written consent of the Commission, for any contractor holding a contract authorized under title VI or VII of this Act to employ any other person or concern as the managing or operating agent of such operator, or to charter any vessel, on which an operating-differential subsidy is to be paid, for operation by another person or concern, and if such charter is made, the person or concern operating the chartered vessel or vessels shall be subject to all the terms and provisions of this Act, including

Unauthorized employment of managing or operating agent of operator.

Charter of vessel on which subsidy paid for operation by another.

Chartered vessels, receipt of subsidy by contractor only in emergency.

limitations of profits and salaries. No contractor shall receive an operating-differential subsidy for the operation of any chartered vessel save and except during a period of actual emergency determined by the Commission.

Member of Congress acting as attorney, etc.

(e) It shall be unlawful for any contractor or charterer who holds any contract made under authority of any provision in this Act to employ any Member of Congress, either with or without compensation, as an attorney, agent, officer, or director of such person.

Violation to breach contract or charter.

(f) Any willful violation of any provision of this section shall constitute a breach of the contract or charter in force under this Act, and upon determining that such a violation has occurred the Commission may forthwith declare such contract or charter rescinded and any person willfully violating the provisions of this section shall be guilty of a misdemeanor.

Combinations, etc., to prevent bona-fide bids, etc.

SEC. 806. (a) Whoever shall consult with, or enter into an agreement with, or inform any other bidder, or officer, director, executive, agent, or employee of any such other bidder, as to the amount, the terms, or the conditions of any bid submitted to the Commission prior to the public opening of such bids, or enter into any combination, understanding, agreement, or arrangement whatsoever, to prevent the making of any bona-fide bid for any contract or charter under this Act, to induce any other person not to bid for any such contract or charter, or to deprive the United States in any way of the benefit of full, free, and secret competition in the awarding of any such contract or charter shall be guilty of a misdemeanor: *Provided*, That this section shall also apply to bidding for contracts under the provisions of section 504 of this Act.

Proviso.
Financing of construction by applicant.
Ante, p. 1998.

Penal provisions.
Natural persons.

(b) Whenever any natural person is found guilty in any district court of the United States of any act or acts declared in this Act to constitute a misdemeanor, he shall be punished by a fine of not more than $10,000, or by imprisonment for not less than one year or more than five years, or by both fine and imprisonment. Whenever any corporation is found guilty of any act or acts declared in this Act to be unlawful, such corporation shall be punished by a fine of not more than $25,000.

Corporations.

Ineligibility to receive benefits, additional penalty.

(c) In addition to the punishment prescribed in subsection (a) of this section, any person or corporation convicted of a misdemeanor under the provisions of this Act shall be ineligible, at the discretion of the Commission, to receive any benefits under titles V and VI of this Act, or to receive a charter under title VII of this Act, for a period of five years after conviction.

Ante, pp. 1995, 2001, 2008.

Lobbying activities.

SEC. 807. It shall be unlawful for any person employed or retained by any shipbuilder or ship operator holding or applying for a contract under the provisions of this Act, or employed or retained by any subsidiary, affiliate, associate, or holding company of such shipbuilder or ship operator, to present, advocate, or oppose any matter affecting any such shipbuilder or ship operator or any subsidiary, affiliate, associate, or holding company thereof, before the Congress or any Member or committee thereof, or before the Commission, or any other governmental agency or any member, officer, or employee thereof, unless such shipbuilder or ship operator shall have previously filed with the Commission in such form and detail as the Commission shall by rules and regulations or order prescribe as necessary or appropriate in the public interest, a statement of the subject matter in respect of which such person is retained or employed, the nature and character of such retainer or employment, and the amount of compensation received or to be received by such person, directly or indirectly, in connection therewith. It shall be the duty of every such person so employed or retained to file

with the Commission within ten days after the close of each calendar month during such retainer or employment, in such form and detail as the Commission shall by rules and regulations or order prescribe as necessary or appropriate in the public interest, a statement of the expenses incurred and the compensation received by such person during such month in connection with such retainer or employment. Whosoever shall violate this provision shall be guilty of a misdemeanor.

Statement of expenses incurred, salary received, etc., to be filed with Commission.

Penalty for violation.

SEC. 808. It shall be unlawful for any contractor receiving an operating-differential subsidy under title VI or for any charterer under title VII of this Act unjustly to discriminate in any manner so as to give preference directly or indirectly in respect to cargo in which such contractor or charterer has a direct or indirect ownership, or purchase or vending interest; and whosoever shall violate this provision shall be guilty of a misdemeanor.

Contractor, etc., unjustly discriminating or giving preference where he has interest. *Ante*, pp. 2001, 2008.

Penalty for violation.

SEC. 809. Contracts under this Act shall be entered into so as to equitably serve, insofar as possible, the foreign-trade requirements of the Atlantic, Gulf, and Pacific ports of the United States. In awarding contracts under this Act, preference shall be given to persons who are citizens of the United States and who have the support, financial and otherwise, of the domestic communities primarily interested.

Contract requirements.

Preference to qualified citizens.

SEC. 810. It shall be unlawful for any contractor receiving an operating-differential subsidy under title VI or for any charterer of vessels under title VII of this Act, to continue as a party to or to conform to any agreement with another carrier or carriers by water, or to engage in any practice in concert with another carrier or carriers by water, which is unjustly discriminatory or unfair to any other citizen of the United States who operates a common carrier by water exclusively employing vessels registered under the laws of the United States on any established trade route from and to a United States port or ports.

Contractor, etc., party to any designated unfair practice.

No payment or subsidy of any kind shall be paid directly or indirectly out of funds of the United States or any agency of the United States to any contractor or charterer who shall violate this section. Any person who shall be injured in his business or property by reason of anything forbidden by this section may sue therefor in any district court of the United States in which the defendant resides or is found or has an agent, without respect to the amount in controversy, and shall recover threefold the damages by him sustained, and the cost of suit, including a reasonable attorney's fee.

Payment denied for violation.

Suits for injuries caused by violations of section.

Recovery.

TITLE IX—MISCELLANEOUS PROVISIONS

Title IX—Miscellaneous Provisions.

SEC. 901. Any officer or employee of the United States traveling on official business overseas or to or from any of the possessions of the United States shall travel and transport his personal effects on ships registered under the laws of the United States where such ships are available unless the necessity of his mission requires the use of a ship under a foreign flag: *Provided*, That the Comptroller General of the United States shall not credit any allowance for travel or shipping expenses incurred on a foreign ship in the absence of satisfactory proof of the necessity therefor.

United States officers or employees.

Use of American ships when traveling overseas.

Proviso.

Proof of necessity required for travel on foreign ship.

SEC. 902. (a) It shall be lawful for the Commission to requisition any vessel documented under the laws of the United States, during any national emergency declared by proclamation of the President, and when so taken or used, the owner shall be paid the fair actual value of the vessel at the time of taking, or paid the just compensation for the vessel's use based upon such fair actual value (excluding

Requisitioning during national emergency.

Payment.

any national defense features previously paid for by the United States), less a deduction from such fair actual value of any construction differential subsidy allowed under this Act, and in no case shall such fair actual value be enhanced by the causes necessitating the taking. In the case of a vessel taken and used, but not purchased, the vessel shall be restored to the owner in a condition at least as good as when taken, less reasonable wear and tear, or the owner shall be paid an amount for reconditioning sufficient to place the vessel in such condition. The owner shall not be paid for any consequential damages arising from such taking or use.

Vessel taken but not purchased.

(b) Except in cases of vessels where a construction differential subsidy has been allowed and paid, in which case the value of the vessel for the purposes of this section shall be established as provided in section 802, the Commission shall ascertain the fair compensation for such taking or use and shall certify to Congress the amount so found by it to be due for appropriation and payment to the person entitled thereto. If the amount found by the Commission to be due is unsatisfactory to the person entitled thereto, such person shall be entitled to sue the United States for the amount of such just compensation and such suit shall be brought in the manner prescribed by paragraph 20 of section 24, or by section 145 of the Judicial Code, as amended (U. S. C., title 28, secs. 41, 250).

Fair value to be ascertained and certified to Congress; exception.

Ante, p. 2011.

Suit allowed if finding unsatisfactory.

U. S. C., pp. 1230, 1261.

SEC. 903. The following Acts and parts of Acts shall stand repealed:

Acts, etc., repealed.

(a) All of the provisions of sections 3 to 8, inclusive, section 10, section 11, section 35, and section 43 of the Shipping Act, 1916, as amended.

Vol. 39, pp. 729–730, 731, 738; Vol. 40, p. 903.
U. S. C., p. 2054.

(b) All of the provisions of subsection (b) (4) of section 2, section 3, section 11, section 14, and section 35 of the Merchant Marine Act, 1920, as amended.

Vol. 41, pp. 989, 993, 1007.
U. S. C., p. 2062.

(c) All of the provisions of sections 201, 301, 302, 401 to 413, inclusive, 601, and 702 of the Merchant Marine Act, 1928, as amended: *Provided*, That any contract lawfully entered into under authority of sections 401 to 413, inclusive, of such Act shall remain in full force and effect as though these sections were not repealed, subject, however, to the further provisions of this Act.

Vol. 45, pp. 690–697.
U. S. C., p. 2068.

Proviso.
Contracts previously entered into.

(d) The last sentence in section 3 of the Intercoastal Shipping Act, 1933.

Vol. 47, p. 1426.
U. S. C., p. 2061.

SEC. 904. Whenever the words "United States Shipping Board" or the words "the Board" are used in any prior Act, such Acts are hereby amended so that such words shall be applicable to the United States Maritime Commission.

Application of terms. "United States Shipping Board"; "the Board."

Definitions.

SEC. 905. When used in this Act—

"Foreign trade."

(a) The words "foreign trade" mean trade between the United States, its Territories or possessions, or the District of Columbia, and a foreign country.

"Person."

(b) The term "person" includes corporations, partnerships, and associations existing under or authorized by the laws of the United States, or any State, Territory, District, or possession thereof, or of any foreign country.

"Citizen of the United States."

U. S. C., p. 2055.

(c) The words "citizen of the United States" include a corporation, partnership, or association only if it is a citizen of the United States within the meaning of section 2 of the Shipping Act, 1916, as amended (U. S. C., title 46, sec. 802).

"Construction."

(d) The word "construction" includes outfitting and equipping.

Saving clause.

SEC. 906. If any provisions of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act, and the application of such provisions to other persons or cir-

cumstances, shall not be affected thereby. This Act may be cited as the Merchant Marine Act, 1936. Citation of Act.

SEC. 907. Except as otherwise provided herein this Act shall take effect thirty days after a majority of the members of the Commission have taken the oath of office. Effective date.

Approved, June 29, 1936.

[CHAPTER 859.]

AN ACT

For the retirement of employees of the Alaska Railroad, Territory of Alaska, who are citizens of the United States.

June 29, 1936.
[S. 2293.]
[Public, No. 836.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all employees of the Alaska Railroad, Territory of Alaska, except the clerical employees, who are citizens of the United States and whose tenure of employment is not intermittent nor of uncertain duration, shall come within the provisions of this Act: *Provided, however*, That employees of the Alaska Railroad who in the past have been, or in the future may be, employed thereon for the period of at least three months per year for at least two years shall come within the provisions of this Act: *Provided further*, That the provisions of the Act entitled "An Act for the retirement of employees in the classified civil service, and for other purposes", approved March 22, 1920, as amended, are hereby extended to apply to all clerical employees of the Alaska Railroad who are citizens of the United States.

Alaska Railroad.
Retirement of certain employees.

Provisos.
Service requirement.

Provisions of Civil Service Retirement Act made applicable to clerical employees.
Vol. 41, p. 614; U. S. C., p. 92.

SEC. 2. All employees to whom this Act applies shall, after reaching the age of sixty-two years and having rendered at least fifteen years of service in the Territory of Alaska, be automatically separated from the service and retired on the annuity provided for herein; and all salary, pay, or compensation shall cease from that date: *Provided*, That if the Secretary of the Interior certifies to the Civil Service Commission that, by reason of his efficiency and willingness to remain in the service, the continuance of such employee therein would be advantageous to the service, such employee may be retained for a term not exceeding two years, upon the approval and certification by the Civil Service Commission, and, at the end of the two-year term, by similar approval and certification, be continued for an additional term not exceeding two years: *Provided, however*, That no employee shall be continued in the service beyond the age of retirement for more than four years, except that where the Secretary of the Interior certifies, and the Civil Service Commission agrees, that by reason of expert knowledge and special qualifications the continuance of the employee would be advantageous to the service, further extensions of two years may be granted.

Automatic separation and retirement at 62, with 15 years' service.

Salary, etc., to cease.

Provisos.
Temporary retention.

Maximum extension.

Exception.

All employees to whom this Act applies who would be eligible for retirement from the service upon attaining the age of sixty-two years shall, after attaining the age of sixty years and having rendered at least thirty years' service, computed as provided in section 7 of this Act, be eligible for retirement on an annuity as provided in section 6 of this Act. Retirement under the provisions of this paragraph shall be at the option of the employee, but if such option is not exercised prior to the date upon which the employee would otherwise be eligible for retirement from the service the provisions of this Act with respect to automatic separation from the service shall apply.

Retirement on annuity at 60 after 30 years' service.

Post, pp. 2020, 2021.

Option allowed employees.

SEC. 3. Any employee to whom this Act applies who shall have attained the age of fifty-five and rendered at least twenty-five years of service, of which not less than fifteen years shall have been ren-

Voluntary retirement.
Age and service requirements.

dered in the Territory of Alaska, may voluntarily retire on an annuity equivalent in value to the present worth of a deferred annuity, beginning at the age at which the employee would otherwise have become eligible for retirement, computed as provided in section 6 of this Act, the present worth of said deferred annuity to be determined on the basis of the American Experience Table of Mortality and an interest rate of 4 per centum compounded annually.

Computation of annuity.
Post, p. 2020.

Physical or mental disability.

SEC. 4. (a) Any employee to whom this Act applies who shall have attained the age of fifty-five years and shall have rendered at least fifteen years of service on the Alaska Railroad, and who shall have become physically or mentally disqualified to perform satisfactorily and efficiently the duties of his position or of any other position of approximately equal compensation to which he might be assigned, because of the strenuous or hazardous nature of such position, shall, upon the request or order of the Secretary of the Interior, be retired on an annuity computed in accordance with the provisions of section 6 hereof: *Provided*, That no such employees shall be so retired except after an examination and finding as to his mental or physical disqualifications as hereinafter provided.

Proviso.
Examination, etc.

Total disability.

(b) Any employee to whom this Act applies who shall have served for a total period of not less than five years, and who, before becoming eligible for retirement under the conditions defined in section 2 hereof, shall have become totally disabled for useful and efficient service in the grade or class of position occupied by the employee, by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct on the part of the employee, shall upon his own application or upon request or order of the Secretary of the Interior, be retired on an annuity computed in accordance with the provisions of section 6 hereof.

Computation of annuity.
Post, p. 2020.

Time limitation for executing application.

No claim shall be allowed under the provisions of this section unless the application for retirement shall have been executed prior to the applicant's separation from the service or within six months thereafter.

Medical examination.

No employee shall be retired under the provisions of this section unless he or she shall have been examined by a medical officer of the United States, or a duly qualified physician or surgeon or board of physicians or surgeons designated by the United States Civil Service Commission for that purpose, and found to be disabled in the degree and in the manner specified herein.

Annual examinations unless disability permanent.

Every annuitant retired under the provisions of this section, unless the disability for which he was retired be permanent in character, shall, at the expiration of one year from the date of such retirement and annually thereafter, until reaching retirement age as defined in section 2 hereof, be examined under the direction of the United States Civil Service Commission by a medical officer of the United States, or a duly qualified physician or surgeon or board of physicians or surgeons designated by the United States Civil Service Commission for that purpose, in order to determine the nature and degree of the annuitant's disability, if any.

Temporary payment of annuity upon recovery.

If an annuitant shall recover before reaching the age at which he would otherwise have become eligible for retirement and be restored to an earning capacity which would permit him to be appointed to some appropriate position fairly comparable in compensation to the position occupied at the time of retirement, payment of the annuity shall be continued temporarily to afford the annuitant opportunity to seek such available position, but not in any case exceeding ninety days from the date of the medical examination showing such recovery.

Status, if failing reemployment.

If the annuitant shall fail to obtain reemployment through no fault of his own within the ninety-day period in any position included in

the provisions of this Act, he shall be considered as involuntarily separated from the service as of the date he shall have been retired for disability, and, if otherwise eligible, entitled to an annuity under section 5 of this Act to begin at the close of said ninety-day period based on the service rendered prior to his retirement for disability.

Ascertainment of nature and degree of disability.

The United States Civil Service Commission may order or direct at any time such medical or other examination as it shall deem necessary to determine the facts relative to the nature and degree of disability of any employee retired on an annuity under this section. Should an annuitant fail to appear for any examination required under this section, payment of the annuity shall be suspended until the requirement shall have been met.

Failure to appear for examination, suspension of annuity.

Discontinued annuities.

Return of difference between contributions and payments.

In all cases where the annuity is discontinued under the provisions of this section before the annuitant has received a sum equal to the amount credited to his individual account as provided in section 11 (a) hereof, together with interest at 4 per centum per annum compounded on June 30, of each year, the difference, unless he shall become reemployed in a position within the purview of this Act, shall be paid to the retired employee, as provided in section 11 (b) hereof, upon application therefor in such form and manner as the United States Civil Service Commission may direct. In case of reemployment in a position within the purview of this Act the amount so refunded shall be redeposited as provided in section 11 (b) hereof.

Redeposit of refund upon reemployment.

No annuity if receiving compensation for disability.

Vol. 39, p. 742.
U. S. C., p. 98.

No person shall be entitled to receive an annuity under the provisions of this Act, and compensation under the provisions of the Act of September 7, 1916, entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", or such Act as amended, covering the same period of time; but this provision shall not be so construed as to bar the right of any claimant to the greater benefit conferred by either Act for any part of the same period of time.

Not a bar to greater benefit.

Fees for medical examinations.

Fees for examinations made under the provisions of this section by physicians or surgeons who are not medical officers of the United States shall be fixed by the United States Civil Service Commission, and such fees, together with the employee's reasonable traveling and other expenses incurred in order to submit to such examinations, shall be paid out of the appropriations for the cost of administering this Act.

Payment of, and other expenses.

Involuntary separation, not for misconduct, before retirement age.

SEC. 5. Should any employee fifty-five years of age or over to whom this Act applies, after having served for a total period of not less than fifteen years and before becoming eligible for retirement under the conditions defined in section 2 hereof, become involuntarily separated from the service, not by removal for cause on charges of misconduct or delinquency, such employee shall be paid as he may elect, either—

Payments.

Deductions from basic salary.

(a) The amount of the deductions from his basic salary, pay, or compensation, including accrued interest thereon computed as prescribed in section 11 (b) hereof;

Immediate life annuity.

(b) An immediate life annuity beginning at the date of separation from the service, having a value equal to the present worth of a deferred annuity beginning at the age at which the employee would otherwise have become eligible for retirement, computed as provided in section 6 of this Act, the present worth of said deferred annuity to be determined on the basis of the American Experience Table of Mortality and an interest rate of 4 per centum compounded annually; or

Deferred annuity to begin at retirement age.

(c) A deferred annuity beginning at the age at which the employee would otherwise become eligible for retirement computed as provided in section 6 of this Act.

Deferred annuity, with specified service and age between 45 and 55 years.

Any employee who has served for a period of not less than fifteen years, and who is forty-five years of age, or over, and less than fifty-five years, and who becomes separated from the service under the conditions set forth in this section shall be entitled to a deferred annuity, but such employee may, upon reaching the age of fifty-five years, elect to receive an immediate annuity as provided in paragraph (b) of this section.

Immediate annuity at 55.

Annuity payments to cease upon reemployment.

Should an annuitant under the provisions of this section be reemployed in any position included in the provisions of this Act, payment of annuity shall not be allowed covering the period of such reemployment, and an annuity based upon involuntary separation shall not be allowed upon subsequent separation from the service unless such subsequent separation shall be involuntary.

Status thereafter.

Annuities; computation.

SEC. 6. The annuity of an employee retired under the provisions of this Act shall be composed of—

Service rendered on Alaska Railroad or U.S. military or naval service in the tropics or Alaska.

(1) A sum equal to $37.50 multiplied by the number of years of service, not to exceed thirty years, rendered (a) on the Alaska Railroad or (b) in the military or naval service of the United States in the tropics or in Alaska; and

Purchasable annuity added.

(2) The annuity purchasable with the sum to the credit of the employee's individual account, including accrued interest thereon computed as prescribed in section 11 (a) hereof, according to the experience of the Alaska Railroad retirement and disability fund as may from time to time be set forth in tables of annuity values by the board of actuaries; and

Service elsewhere.

(3) Thirty dollars multiplied by the number of years of service rendered and not allowable under paragraph (1) hereof: *Provided*,

Proviso.
Limit on number of years.

That the number of years of service to be used in computing the allowance under paragraph (3) shall not exceed the difference between thirty and the number of allowable years of service under paragraph (1); and

Service, construction of Alaska Railroad.

(4) Thirty-six dollars multiplied by the number of years' service rendered in the Territory of Alaska in the construction of the Alaska Railroad, either in the employ of the Alaska Engineering Commission and the Alaska Railroad or of either of them, between March 12, 1914, and July 1, 1923, plus the number of years' service, if any, rendered on the Isthmus of Panama either in the employ of the Isthmian Canal Commission or the Panama Railroad Company between May 4, 1904, and April 1, 1914.

Service on Isthmus of Panama.

Minimum annuity.

In no case, however, shall the total annuity paid exclusive of that provided in paragraph (4) hereof, be less than an amount equal to the sum of—

Method of computation.

The average annual basic salary, pay, or compensation, not to exceed $2,000 per annum, received by the employee during any five consecutive years of allowable service at the option of the employee, multiplied by the number of years of service used in computing the annuity under paragraph (1) hereof, and divided by forty, and the average annual basic salary, pay, or compensation, not to exceed $1,600 per annum, received by the employee during any five consecutive years of allowable service at the option of the employee, multiplied by the number of years of service used in computing the annuity under paragraph (3) hereof, and divided by forty: *Provided, however*,

Provisos.
Computing purchasable annuity.

That the sum to be used in computing the annuity purchaseable under paragraph (2) of this section shall include only contributions made subsequent to June 30, 1935: *And provided*

further, That the number of years of service to be used in computing the annuity under paragraphs (1) and (3) of this section shall not exceed the difference between thirty and the number of years of allowable service rendered prior to July 1, 1935. Years of service.

The annuity granted under paragraphs (1), (3), and (4) of this section shall not exceed three-fourths of the average annual basic salary, pay, or compensation received by the employee during any five consecutive years of allowable service at the option of the employee. Annuity limited to three-fourths average annual salary, etc.

Any employee at the time of his retirement may elect to receive, in lieu of the life annuity herein described, an increased annuity of equivalent value which shall carry with it a proviso that no unexpended part of the principal upon the annuitant's death shall be returned. For the purposes of this Act all periods of service shall be computed in accordance with section 7 hereof, and the annuity shall be fixed at the nearest multiple of twelve. Increased annuity at employee's option. Computations of periods of service.

The term "basic salary, pay, or compensation", wherever used in this Act, shall be so construed as to exclude from the operation of the Act all bonuses, allowances, overtime pay, or salary, pay, or compensation given in addition to the base pay of the position as fixed by law or regulation. "Basic salary, pay, or compensation", construed.

SEC. 7. Subject to the provisions of section 8 hereof, the service which shall form the basis for calculating the amount of any benefit provided in this Act shall be computed from the date of original employment, whether as a classified or an unclassified employee, in the civil service of the United States or under the municipal government of the District of Columbia, including periods of service at different times and in one or more departments, branches, or independent offices of the Government and service in Alaska with the Alaska Engineering Commission and the Alaska Railroad, or of either of them, and service on the Isthmus of Panama with the Isthmian Canal Commission, the Panama Canal, or the Panama Railroad Company; also periods of service performed overseas under authority of the United States and periods of honorable service in the Army, Navy, Marine Corps, or Coast Guard of the United States. In the case of an employee, however, who is eligible for and elects to receive a pension under any law, or retired pay on account of military or naval service, or compensation under the War Risk Insurance Act, the period of his military or naval service upon which such pension, retired pay, or compensation is based shall not be included, but nothing in this Act shall be so construed as to affect in any manner his right to a pension, or to retired pay, or to compensation under the War Risk Insurance Act in addition to the annuity herein provided. Accredited service. Periods included. Overseas, military, naval, etc. Deduction of periods for which military, etc., pension paid.

In computing length of service for the purposes of this Act all periods of separations from the service, and so much of any leave of absence without pay as may exceed six months in the aggregate in any calendar year, shall be excluded. Periods of separations, etc., excluded.

In determining the total periods of service upon which the allowances are to be computed under section 6 hereof, the fractional part of a month, if any, shall be eliminated from each respective total period. Fractions of months.

SEC. 8. All employees coming within the provisions of this Act after the effective date thereof shall be required to deposit with the Treasurer of the United States to the credit of the Alaska Railroad retirement and disability fund referred to in section 9 hereof, under rules to be prescribed by the United States Civil Service Commission, a sum equal to 2½ per centum of the employee's basic salary, Past service. Deposits to credit of fund by employees brought within purview of Act.

From July 1920 and prior to July 1926. Thereafter.

pay, or compensation received for services rendered after July 31, 1920, and prior to July 1, 1926, and also 3½ per centum of the basic salary, pay, or compensation for services rendered subsequent to June 30, 1926, together with interest computed at the rate of 4 per centum per annum compounded on the last day of each fiscal year, but such interest shall not be included for any period during which the employee was separated from the service. Upon making such deposit the employee shall be entitled to credit for the period or periods of service involved: *Provided*, That failure to make such deposit shall not deprive the employee of credit for any past service for which no deposit is required under the provisions of this section.

Interest rate.

Proviso. Failure to deposit.

Monthly deductions from salaries.

SEC. 9. Beginning July 1, 1935, there shall be deducted and withheld from the basic salary, pay, or compensation of each employee to whom this Act applies a sum equal to 5 per centum of such employee's basic salary, pay, or compensation. The amounts so deducted and withheld from the basic salary, pay, or compensation of each employee shall be deposited with the Treasurer of the United States to the credit of a special fund to be known as "the Alaska Railroad retirement and disability fund", in accordance with the procedure now or hereafter prescribed for covering into the United States Treasury the deductions from salaries under the Civil Service Retirement Act of May 22, 1920, as amended, and said fund is hereby appropriated for the payment of the annuities, refunds, and allowances as provided in this Act.

Deposits.

Transfer to special fund.

Vol. 41, p. 614. U. S. C., p. 93.

Credit due from specified funds transferred.

The United States Civil Service Commision [1] is hereby authorized and directed to ascertain the amount, if any, including accrued interest, due employees of the Alaska Railroad coming within the purview of this Act from the civil-service retirement and disability funds created by the Act of May 22, 1920, and to certify same to the Secretary of the Treasury, who is hereby authorized and directed to transfer such amount on the books of the Treasury Department to the Alaska Railroad retirement and disability fund.

Vol. 41, p. 614.

Consent by employees to deductions. Payment, a full discharge of all claims for services; exception.

Every employee coming within the provisions of this Act shall be deemed to consent and agree to the deductions from salary, pay, or compensation as provided herein, and payment less such deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for all regular services rendered by such employee during the period covered by such payment, except the right to the benefits to which he shall be entitled under the provisions of this Act, notwithstanding the provisions of any other law, rule, or regulation affecting the salary, pay, or compensation of any person or persons to whom this Act applies.

Investments.

SEC. 10. The Secretary of the Treasury shall invest from time to time in interest-bearing securities of the United States or in Federal farm-loan bonds such portions of the Alaska Railroad retirement and disability fund as in his judgment may not be immediately required for the payment of the annuities, refunds, and allowances herein authorized, and the incomes derived from such investments shall constitute a part of such fund.

Credit of deductions to individual account of employee.

SEC. 11. (a) Under such regulations as may be prescribed by the Civil Service Commission the amounts deducted and withheld from the basic salary, pay, or compensation of each employee for credit to the civil-service retirement and disability fund, covering service rendered prior to the effective date of this Act, shall be credited to an individual account of such employee to be maintained by the Alaska Railroad, and the amounts deducted and withheld from the basic salary, pay, or compensation of each employee for credit to the

[1] So in original.

Alaska Railroad retirement and disability fund, covering service from and after the effective date of this Act, less the sum of $1 per month or major fraction thereof, shall similarly be credited to such individual account.

Return of deductions on transfer to position not included in Act, etc.

(b) In the case of any employee to whom this Act applies who shall be transferred to a position not within the purview of the Act, or who shall become absolutely separated from the service before becoming eligible for retirement on annuity, the amount credited to his individual account shall be returned to such employee together with interest at 4 per centum per annum compounded on June 30 of each year: *Provided*, That when any employee becomes involuntarily separated from the service, not by removal for cause on charges of misconduct or delinquency, the total amount of his deductions with interest thereon shall be paid to such employee: *And provided further*, That all moneys so returned to an employee must, upon reinstatement, retransfer, or reappointment to a position coming within the purview of this Act, be redeposited with interest before such employee may derive any benefits under this Act, except as provided in this section, but interest shall not be required covering any period of separation from the service.

Provisos.
Involuntary separation.

Redeposit on reinstatement.

Death of annuitant before receiving total amount to credit.
Payment to legal representatives.

(c) In case an annuitant shall die without having received in annuities purchased by the employee's contributions as provided in (2) of section 6 hereof an amount equal to the total amount to his credit at time of retirement, the amount remaining to his credit shall be paid in one sum to his legal representatives upon the establishment of a valid claim therefor, unless the annuitant shall have elected to receive an increased annuity as provided in section 6 hereof.

Death of employee before attaining eligibility for retirement, etc.

(d) In case an employee shall die without having attained eligibility for retirement or without having established a valid claim for annuity, the total amount of his deductions with interest thereon shall be paid to the legal representatives of such employee.

Legally incompetent employees; payment to guardian, etc.

(e) In case a former employee entitled to the return of the amount credited to his individual account shall become legally incompetent, the total amount due may be paid to a duly appointed guardian or committee of such employee.

If no guardian, etc., where amount does not exceed $1,000.

(f) If the amount of accrued annuity or of refund due a former employee who is legally incompetent does not exceed $1,000, and if there has been no demand upon the United States Civil Service Commission by a duly appointed executor, administrator, guardian, or committee, payment may be made, after the expiration of thirty days from date of death or of separation from the service, as the case may be, to such person or persons as may appear in the judgment of the United States Civil Service Commission to be legally entitled thereto, and such payment shall be a bar to recovery by any other person.

Legal effect of payment.

Annuities.
Monthly payments.

SEC. 12. Annuities granted under the terms of this Act shall be due and payable in monthly installments on the first business day of the month following the month or other period for which the annuity shall have accrued; and payment of all annuities, refunds, and allowances granted hereunder shall be made by checks drawn and issued by the disbursing clerk for the payment of pensions in such form and manner and with such safeguards as shall be prescribed by the United States Civil Service Commission in accordance with the laws, rules, and regulations governing accounting that may be found applicable to such payments.

Application for.
Certificate from head of department, etc.

Applications for annuity shall be in such form as the United States Civil Service Commission may prescribe, and shall be supported by such certificates from the heads of departments, branches, or independent offices of the Government, or the Alaska Railroad

Adjudication of claim; issuance of certificate to annuitant.

in which the applicant has been employed as may be necessary to the determination of the rights of the applicant. Upon receipt of satisfactory evidence the United States Civil Service Commission shall forthwith adjudicate the claim of the applicant, and if title to annuity be established, a proper certificate shall be issued to the annuitant.

Commencement and continuance.

Annuities granted under the provisions of sections 2 and 3 of this Act shall commence from the date of separation from the service and shall continue during the life of the annuitant. Annuities granted under the provisions of sections 4 and 5 hereof shall be subjected to the limitations specified in said sections.

Limitations.
Ante, pp. 2018, 2019.

Extension of benefits to those already retired on annuity.
Vol. 41, p. 614.

SEC. 13. In the case of those employees of the Alaska Railroad who before the effective date of this Act shall have been retired on annuity under the provisions of the Act of May 22, 1920, or said Act as amended, or as extended by Executive orders, the annuity shall be computed, adjusted, and paid under the provisions of this Act, but this Act shall not be so construed as to reduce the annuity of any person retired before its effective date, nor shall any increase in annuity commence [1] before such effective date.

Separated subsequent to August 1, 1920, without annuity.

All those who were separated from the service of the Alaska Railroad subsequent to August 1, 1920, and before the effective date of this Act, not by removal for cause on charges of misconduct or delinquency, without having been granted retirement annuities due to the fact that all of their service which would be allowable under the provisions of this Act was not counted in arriving at their total service, and who are otherwise eligible by having made the necessary contributions to the retirement and disability funds as herein provided, shall, from the effective date of this Act, be paid annuities in accordance with the provisions of this Act.

Periodic valuations of fund by board of actuaries.
Vol. 44, p. 912.
U. S. C., p. 96.

SEC. 14. The board of actuaries selected by the United States Civil Service Commission under the provisions of section 16 of the Act of July 3, 1926, shall make a valuation of the Alaska Railroad retirement and disability fund at intervals of five years, or oftener, if deemed necessary by the United States Civil Service Commission.

Administration under Civil Service Commission.

SEC. 15. For the purpose of administration, except as otherwise provided herein, the United States Civil Service Commission, is hereby authorized and directed to perform, or cause to be performed, any and all acts and to make such rules and regulations as may be necessary and proper for the purposes of carrying the provisions of this Act into full force and effect.

Annual report.

The United States Civil Service Commission shall make a detailed comparative report annually, showing all receipts and disbursements on account of annuities, refunds, and allowances under this Act, together with the total number of persons receiving annuities and the total amounts paid them; and he [1] shall transmit to Congress the reports and recommendations of the board of actuaries.

Reports and recommendations to Congress.

Estimates of appropriation.

The United States Civil Service Commission shall submit annually to the Bureau of the Budget estimates of the appropriation necessary to finance the Alaska Railroad retirement and disability fund, and to continue this Act in full force and effect.

Exemption of annuities from execution, etc.

SEC. 16. None of the moneys mentioned in this Act shall be assignable, either in law or equity, or be subject to execution, levy, garnishment, or attachment, or other legal process.

Effective date.
Vol. 41, p. 614.

SEC. 17. This Act shall take effect July 1, 1935, and from and after that date the provisions of the Civil Service Retirement Act of May 22, 1920, as amended, shall not apply to the employees of the Alaska Railroad or to any other employees coming within the provisions of

[1] So in original.

this Act: *Provided, however*, That any employee of the Alaska Railroad who shall attain the age of eligibility for retirement without having rendered sufficient service on the Alaska Railroad to entitle him to be retired on an annuity as provided by section 2 hereof, but whose aggregate employment under the United States would be sufficient in character and duration to entitle him to receive an annuity under the provisions of the Civil Service Retirement Act of May 22, 1920, as amended, will be eligible to retire and receive an annuity under the provisions of that Act and payable from the civil-service retirement and disability fund; and in such event the employee shall be entitled, upon separation from the service, to the refund, under such regulations as the United States Civil Service Commission may prescribe, of any excess in the deductions made from his salary, pay, or compensation under the provisions of this Act, with interest, over those which would have been made at the rate fixed by the Civil Service Retirement Act, as amended; and the United States Civil Service Commission shall certify to the Secretary of the Treasury the amount remaining to the credit of such employee in the Alaska Railroad retirement and disability fund, and the said amount shall be transferred on the books of the Treasury Department to the civil-service retirement and disability fund.

Proviso.
If employee eligible under Civil Service Retirement Act.

Return of excess in deductions.

SEC. 18. Retirement authorized by law of Federal personnel of whatever class, civil, military, naval, judicial, legislative, or otherwise, and for whatever cause retired, shall take effect on the 1st day of the month following the month in which said retirement would otherwise be effective, and said 1st day of the month for retirements hereafter made shall be for all purposes in lieu of such date for retirement as may now be authorized; except that the rate of active or retired pay or allowance shall be computed as of the date retirement would have occurred if this Act had not been enacted.

Commencement of retirement.

Exception.

SEC. 19. For the purposes of this Act, service in the employ of the Alaska Engineering Commission shall be considered service of and on the Alaska Railroad.

Term construed.

Approved, June 29, 1936.

[CHAPTER 860.]

AN ACT

June 29, 1936.
[S. 3247.]
[Public, No. 837.]

To waive any exclusive jurisdiction over premises of Public Works Administration slum-clearance and low-cost housing projects, to authorize payments to States and political subdivisions in lieu of taxes on such premises, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the acquisition by the United States of any real property heretofore or hereafter acquired in connection with any low-cost housing, or slum-clearance project heretofore, or hereafter constructed with funds allotted to the Federal Emergency Administration of Public Works pursuant to title II of the National Industry[1] Recovery Act, the Emergency Relief Appropriation Act of 1935, or any other law, shall not be held to deprive any State or political subdivision thereof of its civil and criminal jurisdiction in and over such property, or to impair the civil rights under the local law of the tenants or inhabitants on such property; and insofar as any such jurisdiction has been taken away from any such State or subdivision, or any such rights have been impaired, jurisdiction over any such property is hereby ceded back to such State or subdivision.

Public Works Administration.
Waiver of exclusive jurisdiction over property acquired for housing or slum-clearance projects.
Vol. 48, p. 200.
Ante, p. 115.

Civil and criminal jurisdiction of States, etc.; civil rights of inhabitants under local law.

[1] So in original.

Federal payments to States in lieu of taxes.

SEC. 2. Upon the request of any State or political subdivision in which any such project has been or will be constructed, the Federal Emergency Administrator of Public Works is authorized to enter into an agreement, and to consent to the renewal or alteration thereof, with such State or subdivisions for the payment by the United States of sums in lieu of taxes. Such sums shall be fixed in such agreement and shall be based upon the cost of the public or municipal services to be supplied for the benefit of such project or the persons residing on or occupying such premises, but taking into consideration the benefits to be derived by such State or subdivision from such project.

Proceeds from operation of projects for payments and other expenses.

SEC. 3. Such payments in lieu of taxes, and any other expenditures for operation and maintenance (including insurance) of any low-cost housing or slum-clearance project described in section 1, shall be made out of the receipts derived from the operation of such projects. To provide for such payments and expenditures the Federal Emergency Administrator of Public Works is authorized from time to time to retain out of such receipts such sums as he may estimate to be necessary for such purposes.

Rentals.

SEC. 4. (a) In the administration of any low-cost housing or slum-clearance project described in section 1, the Federal Emergency Administrator of Public Works shall fix the rentals at an amount at least sufficient to pay (1) all necessary and proper administrative expenses of the project; (2) such sums as will suffice to repay, within a period not exceeding sixty years, at least 55 per centum of the initial cost of the project, together with interest at such rate as he deems advisable.

Accommodations limited to families with insufficient income.

(b) Dwelling accommodations in such low-cost housing or slum-clearance projects shall be available only to families who lack sufficient income, without the benefit of financial assistance, to enable them to live in decent, safe, and sanitary dwellings and under other than overcrowded housing conditions: *Provided*, That no family shall be accepted as a tenant in any such project whose aggregate income exceeds five times the rental of the quarters to be furnished such family. The term "rental" as used in this subsection includes the average cost (as determined by the Federal Emergency Administrator of Public Works) of heat, light, water, and cooking, where such services are not supplied by the lessor and included in the rent.

Proviso. Basis of computation.

"Rental" defined.

Dedication of streets, etc.

SEC. 5. In connection with any low-cost housing or slum-clearance project described in section 1, the Federal Emergency Administrator of Public Works, with the approval of the President, is authorized to dedicate streets, alleys, and parks for public use, and to grant easements.

Approved, June 29, 1936.

[CHAPTER 861.]

June 29, 1936.
[S. 4633.]
[Public, No. 838.]

AN ACT

To provide for the selection of certain lands in the State of California for the use of the California State park system.

State of California. Selection of certain public lands by, for park purposes, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subject to valid rights existing on the date of this Act, the State of California may, within five years, select for State park purposes by legal subdivisions all or any portion of the public land not reserved for public purposes in the following townships:

Description.

Township 13 south, range 4 east, San Bernardino meridian, sections 25, 26, 35, and 36; township 13 south, range 5 east; township 13 south, range 6 east; township 13 south, range 7 east; township 13 south, range 8 east; township 13 south, range 9 east.

Township 14 south, range 4 east, sections 1 and 12; township 14 south, range 5 east, sections 1 to 26, inclusive, 35, and 36; township 14 south, range 6 east; township 14 south, range 7 east; township 14 south, range 8 east; township 14 south, range 9 east.

Township 15 south, range 6 east, sections 1 to 18, inclusive; township 15 south, range 6 east, sections 21 to 27, inclusive; township 15 south, range 6 east, sections 34, 35, and 36; township 15 south, range 7 east; township 15 south, range 8 east; township 15 south, range 9 east; township 15 south, range 10 east, sections 29, 30, 31, and 32.

Township 16 south, range 6 east, sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, and 16; township 16 south, range 7 east; township 16 south, range 8 east; township 16 south, range 9 east, sections 1 to 12, inclusive; township 16 south, range 10 east, sections 5, 6, 7, and 8.

Township 17 south, range 8 east, San Bernardino meridian: *Provided*, That the Secretary of the Interior may set aside lands of approximately forty-two thousand acres of the above-described area, and may in his discretion, and under such rules and regulations as he may prescribe, transfer complete title to all or any part of the same to the State of California on the basis of acre for acre in consideration of the transfer by the State of California to the United States of the complete title to lands owned by said State within the area withdrawn by Executive Order Numbered 6361 of October 25, 1933, and the provisions of section 2 of this Act shall not apply thereto.

Proviso. Basis of transfer.

SEC. 2. Upon the submission of satisfactory proof that the land selected contains characteristic desert growth and scenic or other natural features which it is desirable to preserve as a part of the California State park system, the Secretary of the Interior shall cause patents to issue therefor: *Provided*, That there shall be reserved to the United States all coal, oil, gas, or other mineral container [1] in such lands, together with the right to prospect for, mine, and remove the same at such times and under such conditions as the Secretary of the Interior may prescribe: *Provided further*, That any patent so issued shall contain a provision for reversion of title to the United States upon a finding by the Secretary of the Interior that for a period of more than one year the land has not been used by the State for park purposes: *And provided further*, That in order to consolidate park areas or to eliminate private holdings therefrom, lands patented hereunder may be exchanged with the approval of and under rules prescribed by the Secretary of the Interior for privately owned lands in the area hereinbefore described of approximately equal value containing the natural features sought to be preserved hereby. The lands so acquired to be subject to all the conditions and reservations prescribed by this Act, including the reversionary clause hereinbefore set out.

Lands selected of desert growth and scenic, etc., features.

Provisos. Minerals, etc., reserved.

Reversionary provision.

Exchanges for consolidation purposes.

Conditions imposed.

Approved, June 29, 1936.

[CHAPTER 862.]

AN ACT

To provide for the selection of certain lands in the State of California for the use of the California State park system.

June 29, 1936. [S. 4634.] [Public, No. 839.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subject to valid rights existing on the date of this Act, the State of California may within five years select for State park purposes by legal subdivisions all or any portion of the public land not reserved for public purposes in the following townships:

State of California. Selection of certain lands by, for park purposes, authorized.

[1] So in original.

Description.

Township 9 south, range 9 east; township 9 south, range 10 east; township 10 south, range 9 east; township 10 south, range 10 east; township 10 south, range 11 east; township 11 south, range 9 east; township 11 south, range 10 east; and township 11 south, range 11 east, San Bernardino meridian.

Lands selected of desert growth and scenic, etc., features.

Upon the submission of satisfactory proof that the land selected contains characteristic desert growth and scenic or other natural features which it is desirable to preserve as a part of the California State park system the Secretary of the Interior shall cause patents to issue therefor: *Provided*, That there shall be reserved to the United States all coal, oil, gas, or other mineral contained in such lands, together with the right to prospect for, mine, and remove the same at such times and under such conditions as the Secretary of the Interior may prescribe: *Provided further*, That any patent so issued shall contain a provision reserving to the United States for the use of the United States and its permittees, including Imperial Irrigation District, the perpetual right to flow or permit water to flow over or pond or permit water to be ponded upon any part of the lands so patented with right to go upon same and to locate, relocate, construct, reconstruct, and maintain any works necessary or convenient to the full use thereof including telephone and electrical transmission lines, and shall also contain provision for reversion of title to the United States upon a finding by the Secretary of the Interior that for a period of more than one year the land has not been used by the State for park purposes: *And provided further*, That in order to consolidate park areas or to eliminate private holdings therefrom lands patented hereunder may be exchanged with the approval of and under rules prescribed by the Secretary of the Interior for privately owned lands in the area hereinbefore described of approximately equal value containing the natural features sought to be preserved hereby. The lands so acquired to be subject to all the conditions and reservations prescribed by this Act, including the reversionary clause hereinbefore set out.

Provisos.
Minerals, etc., reserved.

Water rights.

Reversionary provision.

Exchanges to effect consolidation.

Conditions imposed.

Approved, June 29, 1936.

[CHAPTER 863.]

June 29, 1936.
[H. R. 7736.]
[Public, No. 840.]

AN ACT

To provide for the establishment of the Whitman National Monument.

Whitman National Monument, Wash.
Acquisition of site of Indian mission, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to acquire, on behalf of the United States, by gift, the site of the Indian mission established in 1836 by Marcus Whitman on the Walla Walla River in what is now Walla Walla County, Washington, together with such additional land, including a right-of-way to the nearest highway, as the Secretary may deem necessary to carry out the purposes of this Act.

Establishment of national monument.

SEC. 2. The property acquired under the provisions of section 1 of this Act shall constitute the Whitman National Monument and shall be a public national memorial to Marcus Whitman and his wife, Narcissa Prentiss Whitman, who here established their Indian mission and school, and ministered to the physical and spiritual needs of the Indians until massacred with twelve others[1] persons in 1847.

Administration, etc.
Vol. 39, p. 535.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of such national monument, and shall maintain

[1] So in original.

and preserve it for the benefit and enjoyment of the people of the United States.

Erection of monuments or placing of tablets.

SEC. 3. Any State, or political subdivision thereof, organization, or individual may, with the approval of the Secretary of the Interior, erect monuments or place tablets within the boundaries of the Whitman National Monument.

Appropriation authorized.

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Approved, June 29, 1936.

[CHAPTER 864.]

AN ACT

June 29, 1936.
[H. R. 12220.]
[Public, No. 841.]

To authorize the adjustment of the boundary of the Fort Marion National Monument, Florida, in the vicinity of Fort Marion Circle, and for other purposes.

Fort Marion National Monument, Fla.
Adjustment of boundary.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to adjust the boundary of the Fort Marion National Monument, Florida, in the vicinity of Fort Marion Circle, and for said purpose is authorized to convey to adjacent property owners, upon such terms and conditions as may be deemed satisfactory to him, title to such portions of monument land as he may determine to be no longer necessary for said monument, or he may accept in consideration therefor title to such portion of any adjacent property as he may deem desirable to satisfactorily adjust the boundary of said monument.

Acceptance of donations.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land, interests in land or buildings, structures, and other property adjacent to and within a distance of one thousand five hundred feet of the boundary of the Fort Marion National Monument in the vicinity of Fort Marion Circle and the Old City Gates, and donations of funds for the purchase and maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States out of any donated funds, by purchase at prices deemed by him reasonable or by condemnation under the provisions of the Act of August 1, 1888, such tracts of land adjacent to the boundary of the Fort Marion National Monument in the vicinity of Fort Marion Circle and the Old City Gates as may be deemed desirable by him for addition to the monument.

Proviso.
Acquisition of lands.

Vol. 25, p. 357.
U. S. C., p. 1785.

Addition of acquired lands to monument.

SEC. 3. That any lands acquired on behalf of the United States under the provisions of this Act shall be, and the same are hereby, added to the Fort Marion National Monument and shall be subject to the laws, rules, and regulations applicable to said monument.

Approved, June 29, 1936.

[CHAPTER 865.]

AN ACT

June 29, 1936.
[H. R. 12324.]
[Public, No. 842.]

To amend section 723 (a) of the Revenue Act of 1932, as amended.

Revenue Act of 1932, amendment.
Vol. 47, p. 272.
U. S. C., Supp. I, p. 183.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 723 (a) of the Revenue Act of 1932, as amended (U. S. C. 1934, Supp. 1, title 26, sec. 902 (b)), is amended to read as follows:

"SEC. 723. (a) Subdivision 3 of schedule A of title VIII of the Revenue Act of 1926 is amended to read as follows:

Capital stock, sales or transfers.
Rate of tax on.

"'3. CAPITAL STOCK (AND SIMILAR INTERESTS), SALES OR TRANSFERS.—On all sales, or agreements to sell, or memoranda of sales or deliveries of, or transfers of legal title to any of the shares or certificates mentioned or described in subdivision 2, or to rights to subscribe for or to receive such shares or certificates, whether made upon or shown by the books of the corporation or other organization, or by any assignment in blank, or by any delivery, or by any paper or agreement or memorandum or other evidence of transfer or sale (whether entitling the holder in any manner to the benefit of such share, certificate, interest, or rights, or not), on each $100 of par or face value or fraction thereof of the certificates of such corporation or other organization (or of the shares where no certificates were issued) 4 cents until July 1, 1937, and

Where shares without par value.

2 cents thereafter, and where such shares or certificates are without par or face value, the tax shall be 4 cents until July 1, 1937, and 2 cents thereafter, on the transfer or sale or agreement to sell on each share (corporate share, or investment trust or other organization share as the case may be): *Provided*, That in case the selling price, if any, is $20 or more per share the above rate shall be 5 cents instead of 4 cents until July 1, 1937: *Provided further*, That it is not intended by this title to impose a tax upon an agreement evidencing a deposit of certificates as collateral security for money loaned thereon, which certificates are not actually sold, nor upon the delivery or transfer for such purpose of certificates so deposited nor upon the return of stock loaned: *Provided further*, That the tax shall not be imposed upon deliveries or transfers to a broker or his registered nominee for sale, nor upon deliveries or transfers by a broker or his registered nominee to a customer for whom and upon whose order the broker has purchased same, nor upon deliveries or transfers by a purchasing broker to his registered nominee if the shares or certificates so delivered or transferred are to be held by such nominee for the same purpose as if held by the broker, but such deliveries or transfers shall be accompanied by a certificate setting forth the facts: *Provided further*, That the tax shall not be imposed upon deliveries or transfers from a fiduciary to a nominee of such fiduciary, or from one nominee of such fiduciary to another, if such shares or certificates continue to be held by such nominee for the same purpose for which they would be held if retained by such fiduciary, or from the nominee to such fiduciary, but such deliveries or transfers shall be accompanied by a certificate setting forth the facts: *Provided further*, That in case of sale where the evidence of transfer is shown only by the books of the corporation or other organization the stamp shall be placed upon such books; and where the change of ownership is by transfer of the certificate the stamp shall be placed upon the certificate; and in cases of an agreement to sell or where the transfer is by delivery of the certificate assigned in blank there shall be made and delivered by the seller to the buyer a bill or memorandum of such sale, to which the stamp shall be affixed; and every bill or memorandum of sale or agreement to sell before mentioned shall show the date thereof, the name of the seller, the amount of the sale, and the matter or thing to which it refers. Any person liable to pay the tax as herein provided, or anyone who acts in the matter as agent or broker for such person, who makes any such sale, or who in pursuance of any such sale delivers any certificate or evidence of the sale of any stock, share, interest or right, or bill or memorandum thereof, as herein required, without having the proper stamps affixed thereto, with intent to evade the foregoing provisions, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall

Provisos.
If selling price $20 or more per share.
Deposits as collateral.

Deliveries to brokers, etc.

Deliveries by broker to customer for whom stock purchased.
Deliveries by broker to registered nominee.

Deliveries from fiduciary to nominee, etc.

Stamps placed upon corporation books.

On certificates.

On bills of sale.

Details required.

Penalty for sales without stamps.

pay a fine of not exceeding $1,000, or be imprisoned not more than six months, or both: *Provided further*, That as used in this section the term "registered nominee" shall mean any person registered with the collector of internal revenue in accordance with such rules and regulations as the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury shall prescribe.'"

"Registered nominee" defined.

Approved, June 29, 1936.

[CHAPTER 866.]

AN ACT

To provide for the establishment of a Coast Guard station on Lake Saint Clair, Michigan.

June 29, 1936.
[H. R. 12494.]
[Public, No. 843.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized to establish a Coast Guard station on Lake Saint Clair, Michigan, at such point as the Commandant of the Coast Guard may recommend.

Lake Saint Clair, Mich.
Establishment of Coast Guard station on, authorized.

Approved, June 29, 1936.

[CHAPTER 867.]

AN ACT

To liberalize the provisions of Public Law Numbered 484, Seventy-third Congress, to effect uniform provisions in laws administered by the Veterans' Administration, to extend the Employees' Compensation Act with limitations to certain World War Veterans and other persons, and for other purposes.

June 29, 1936.
[H. R. 12869.]
[Public, No. 844.]

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

World War Veterans.

TITLE I—WORLD WAR WIDOWS AND CHILDREN

Title I—World War Widows and Children.

SECTION 1. That notwithstanding the provisions of Public Law Numbered 484, Seventy-third Congress (U. S. C., 1934 edition, title 38, secs. 503–507), in no event shall the widow, child, or children otherwise entitled to compensation under the provisions of that Act be denied such compensation if the veteran's death resulted from a disease or disability not service-connected, and at the time of the veteran's death he was receiving or entitled to receive compensation, pension, or retirement pay for 30 percentum disability or more presumptively or directly incurred in or aggravated by service in the World War: *Provided*, That compensation as provided by this section shall not be payable effective prior to the receipt of application therefor in the Veterans' Administration in such form as the Administrator of Veterans' Affairs may prescribe and in no event prior to the date of enactment of this Act.

Compensation of surviving widow, child, etc.
Vol. 48, p. 1281.
U. S. C., p. 1673.

Proviso.
No payments prior to application.

TITLE II—AGENTS AND ATTORNEYS

Title II—Agents and Attorneys.

SEC. 200. The Administrator of Veterans' Affairs is hereby authorized to recognize representatives of the American National Red Cross, the American Legion, the Disabled American Veterans of the World War, the Grand Army of the Republic, the United Spanish War Veterans, Veterans of Foreign Wars, and such other organizations as he shall approve, in the presentation of claims under statutes administered by the Veterans' Administration. However, no such representative shall be recognized until a certificate has been filed in the Veterans' Administration, under such rules as the Administrator of Veterans' Affairs may prescribe, certifying that no fee or compensation of whatsoever nature shall be charged veterans

Administrator of Veterans' Affairs.
Recognition of representatives of designated veterans' organizations, authorized.

Conditions.

No fees to be charged.

Filing of power of attorney.

or the dependents of veterans for service rendered. The rules prescribed by the Administrator of Veterans' Affairs shall contain a provision requiring in each claim the filing of a power of attorney in such manner and form as the Administrator of Veterans' Affairs may prescribe. The Administrator of Veterans' Affairs is further authorized in his discretion, under such regulations as he may prescribe, to recognize any person for the purpose of a particular claim under the conditions and limitations of this section.

Prosecution of veterans' claims.

SEC. 201. The Administrator of Veterans' Affairs is hereby authorized, under such rules and regulations as he may prescribe, to recognize agents and attorneys in the preparation, presentation, and prosecution of claims under statutes administered by the Veterans' Administration. The rules and regulations prescribed by the Administrator of Veterans' Affairs may require of such agents and attorneys, before being recognized as representatives of claimants, that they shall show that they are of good moral character and in good repute, possessed of the necessary qualifications to enable them to render such claimants valuable service, and otherwise competent to advise and assist such claimants in the presentation of claims, and the Administrator of Veterans' Affairs may, after notice and opportunity for a hearing, suspend or exclude from further practice before the Veterans' Administration any such agent or attorney shown to be, or to have been, engaged in unlawful, unprofessional, or dishonest practice, or guilty of disreputable conduct or who is incompetent, or who has violated or refused to comply with the laws administered by the Veterans' Administration, or with the laws, regulations, or instructions governing practice before the Veterans' Administration, or who shall in any manner deceive, mislead, or threaten any claimant or prospective claimant by word, circular, letter, or advertisement. The Administrator of Veterans' Affairs is further authorized to determine and pay fees in allowed claims for monetary benefits under statutes administered by the Veterans' Administration to agents and attorneys recognized as provided in this title and to prescribe rules and regulations governing entitlement to and the amount and mode of payment of such fees: *Provided*, That payment of such fees shall not exceed $10 in any one claim and in all cases fees shall be deducted from the amount of monetary benefits allowed.

Qualifications of agents and attorneys.

Suspension, etc.

Fees on allowed claims.

Proviso. Limitation.

Penalties for illegal fees and practices.

SEC. 202. Any person who shall, directly or indirectly, solicit, contract for, charge, or receive, or who shall attempt to solicit, contract for, charge, or receive any fee or compensation except as provided in section 201, or who shall wrongfully withhold from a beneficiary or claimant the whole or any part of the benefit or claim allowed and due a beneficiary or claimant shall be deemed guilty of a misdemeanor and upon conviction thereof shall for every offense be fined not exceeding $500 or imprisoned at hard labor not exceeding two years, or both, in the discretion of the court.

Existing provisions not affected.
Vol. 43, pp. 628, 1311. U. S. C., p. 1677.

Vol. 43, p. 125; Vol. 44, p. 828. U. S. C., p. 1682.

Ante, p. 1099.

SEC. 203. This title shall not affect that part of section 500, World War Veterans' Act, 1924, as amended (43 Stat. 628; 43 Stat. 1311; U. S. C., 1934 ed., title 38, sec. 551), insofar as it pertains to fees and penalties for receipt of illegal fees or compensation for services in insurance suits, section 309, World War Adjusted Compensation Act, 1924, as amended (43 Stat. 125; 44 Stat. 828; U. S. C., 1934 ed., title 38, sec. 619), pertaining to unlawful fees, which section is hereby made applicable to claims for benefits under Public Law Numbered 425, Seventy-fourth Congress, enacted January 27, 1936; that part of the Act entitled "An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-two, and for other

purposes", approved March 3, 1891 (26 Stat. 979; U. S. C., 1934 ed., title 38, sec. 244), prohibiting payment of a fee in case of commutation in lieu of an artificial limb; that part of the Act entitled "An Act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June thirtieth, nineteen hundred and nine, and for other purposes", approved May 28, 1908 (35 Stat. 419; U. S. C., 1934 ed., title 38, sec. 113), prohibiting compensation for procuring pension legislation, or any Acts or parts of Acts prohibiting the payment of fees in claims for benefits administered by the Veterans' Administration. Except as herein provided, all Acts or Veterans Regulations, or parts thereof, pertaining to recognition of organizations or recognition of or payment of fees to agents, attorneys, or other persons, for the preparation, presentation, or prosecution of claims for benefits administered by the Veterans' Administration are hereby repealed.

Vol. 26, p. 979. U. S. C., p. 1639.

Vol. 35, p. 419. U. S. C., p. 1629.

Repeal of certain Acts, etc.

TITLE III—AUTHORITY TO ISSUE SUBPENA, MAKE INVESTIGATIONS, AND ADMINISTER OATHS

Title III—Authority to Issue Subpena, Make Investigations, and Administer Oaths.

SEC. 300. For the purposes of the laws administered by the Veterans' Administration, the Administrator of Veterans' Affairs, and those employees to whom the Administrator may delegate such authority, to the extent of the authority so delegated, shall have the power to issue subpenas for and compel the attendance of witnesses within a radius of one hundred miles from the place of hearing, to require the production of books, papers, documents, and other evidence, to take affidavits, to administer oaths and affirmations, to aid claimants in the preparation and presentation of claims, and to make investigations and examine witnesses upon any matter within the jurisdiction of the Administration. Any person required by such subpena to attend as a witness shall be allowed and paid the same fees and mileage as are paid witnesses in the district courts of the United States.

Delegation of Administrator's authority.

Fees and mileage allowed witnesses.

SEC. 301. Any such oath, affirmation, affidavit, or examination, when certified under the hand of any such employee by whom it was administered or taken and authenticated by the seal of the Veterans' Administration, may be offered or used in any court of the United States and without further proof of the identity or authority of such employee shall have like force and effect as if administered or taken before a clerk of such court.

Judicial notice of official seal.

SEC. 302. In case of disobedience to any such subpena, the aid of any district court of the United States or the Supreme Court of the District of Columbia may be invoked in requiring the attendance and testimony of witnesses and the production of documentary evidence, and such court within the jurisdiction of which the inquiry is carried on may, in case of contumacy or refusal to obey a subpena issued to any officer, agent, or employee of any corporation or to any other person, issue an order requiring such corporation or other person to appear or to give evidence touching the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

Enforcement of subpena.

Penalty for failure to obey.

SEC. 303. Section 8 of the World War Veterans' Act, 1924, as amended (43 Stat. 609; U. S. C., 1934 ed., title 38, secs. 431 and 432); paragraph XX of Veterans' Regulation Numbered 10 (U. S. C., 1934 ed., title 38, ch. 12, appendix); section 474 of the Revised Statutes (U. S. C., 1934 ed., title 38, sec. 121); section 4744 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 38, sec. 121); section 3 of the Act entitled "An Act making appropriations for the payment of invalid and other pensions of the United States for the fiscal

Sections repealed. Vol. 43, p. 609; U. S. C., p. 1658. U. S. C., p. 1702. R. S., sec. 474, p. 80; U. S. C., p. 1630. R. S., sec. 4744, p. 923; U. S. C., p. 1630.

year ending June thirtieth, eighteen hundred and eighty-three, and for other purposes", approved July 25, 1882 (22 Stat. 175; U. S. C., 1934 ed., title 38, sec. 124), and section 3 of the Act entitled "An Act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June thirtieth, eighteen hundred and ninety-two, and for other purposes", approved March 3, 1891 (26 Stat. 1085; U. S. C., 1934 ed., title 38, sec. 122), are hereby repealed; and any other Acts or Veterans' Regulations, or parts of Acts or Veterans' Regulations, in conflict or inconsistent with the provisions of this title, are hereby repealed to the extent of such conflict or inconsistency.

Vol. 22, p. 175. U. S. C., p. 1631.

Vol. 26, p. 1083. U. S. C., p. 1630.

TITLE IV—MISCELLANEOUS

Title IV—Miscellaneous.

Annual determination of dependency; provision discontinued.

SEC. 400. Notwithstanding the provisions of sections 201 and 202 of the World War Veterans' Act, 1924, as amended (U. S. C., 1934 ed., title 38, secs. 472, 475), the Administrator of Veterans' Affairs is authorized to discontinue the annual determination of dependency, but nothing herein contained shall prevent the Administrator from requiring submission of such proof of dependency as he, in his discretion, may at any time deem necessary.

Vol. 43, pp. 616, 618, 1305. U. S. C., pp. 1667, 1668.

Burial, etc., expenses.

SEC. 401. Notwithstanding the provisions of paragraph II, Veterans' Regulation Numbered 9 (a), as amended (U. S. C., 1934 ed., title 38, ch. 12, appendix), burial and funeral expenses and transportation of the body (including preparation of the body) to the place of burial shall not be denied by reason of the veteran's net assets at the time of death.

U. S. C., p. 1702.

SEC. 402. Effective March 31, 1933, paragraph IV, Veterans' Regulation Numbered 9 (a), as amended, is amended to read as follows:

Time limitation for filing claims for reimbursement.

"IV. Claims for reimbursement must be filed within one year subsequent to the date of burial of the veteran. In the event the claimant's application is not complete at the time of original submission, the Veterans' Administration will notify the claimant of the evidence necessary to complete the application and if such evidence is not received within one year from the date of the request therefor no allowance may be paid."

"Annual income" construed.

SEC. 403. In determining "annual income" under the provisions of paragraph II (a), part III, Veterans' Regulation Numbered 1 (a), as amended (U. S. C., 1934 ed., title 38, ch. 12, appendix), payments of war risk term insurance, United States Government life (converted) insurance, and payments under the World War Adjusted Compensation Act, as amended (U. S. C., 1934 ed., title 38, ch. 11), and the Adjusted Compensation Payment Act, 1936 (Public Law Numbered 425, Seventy-fourth Congress, enacted January 27, 1936), shall not be considered.

U. S. C., p. 1694.

U. S. C., p. 1680.

Ante, p. 1099.

Time allowed claimant to file suit.

SEC. 404. That in addition to the suspension of the limitation for the period elapsing between the filing in the Veterans' Administration of the claim under a contract of insurance and the denial thereof by the Administrator of Veterans' Affairs or someone acting in his name, the claimant shall have ninety days from the date of the mailing of notice of such denial within which to file suit. This Act is made effective as of July 3, 1930, and shall apply to all suits now pending against the United States under the provisions of section 19, World War Veterans' Act, 1924, as amended; and any suit which has been dismissed solely on the ground that the period for filing suit has elapsed but where in the extension of the period for filing suit as prescribed herein would have permitted such suit to have been heard and determined may be reinstated within ninety

Effective date.

Vol. 43, p. 612. U. S. C., p. 1662.

Reinstatement of certain suits.

days from the date of enactment of this Act: *Provided*, That on and after the date of enactment of this Act, notice of denial of the claim under a contract of insurance by the Administrator of Veterans' Affairs or someone acting in his name shall be by registered mail directed to the claimant's last address of record: *Provided further*, That the term "denial of the claim" means the denial of the claim after consideration of its merits.

Provisos.
Registered notices.

"Denial of the claim" defined.

TITLE V—FLORIDA HURRICANE RELIEF FOR WORLD WAR VETERANS AND OTHER PERSONS

Title V—Florida Hurricane Relief for World War Veterans and Other Persons.

SEC. 500. That the provisions of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., 1934 ed., title 5, ch. 15), are hereby made applicable to any veteran of the World War or other person attached to camps known as "Veterans' Camps Numbered 1, 3, and 5", who was injured, died, or shall die as the direct result of the hurricane at Windlys Island and Matecumbe Keys, Florida, September 2, 1935, and to their dependents, to the same extent and under the same conditions as are provided for employees and the dependents of employees of the Federal Civil Works Administration in the Act entitled "An Act making an additional appropriation to carry out the purposes of the Federal Emergency Relief Act of 1933 for the continuation of the Civil Works program, and for other purposes", approved February 15, 1934 (U. S. C., 1934 ed., title 5, sec. 796), and the special fund established in the Treasury of the United States for administrative expenses and for the payment of compensation awarded to employees of the Civil Works Administration shall be available for the payment of the benefits authorized by this section.

Employees' Compensation Act.
Provisions extended.

Vol. 39, p. 742.
U. S. C., p. 98.

Vol. 48, p. 351.
U. S. C., p. 103.

Special fund for administrative expenses, etc.; availability.

TITLE VI—EFFECTIVE DATE AND REPEAL

Title VI—Effective Date and Repeal.

SEC. 600. The repeal of laws and veterans' regulations as provided by this Act shall not affect any act done or right or liability accrued, but all such rights and liabilities under said laws or Veterans' Regulations shall continue and may be enforced in the same manner as if said repeal had not been made, and all offenses committed and all penalties incurred under such repealed laws or veterans' regulations may be prosecuted and punished in the same manner and with the same effect as if said repeal had not been made.

Continuation and enforcement of rights and liabilities under repealed Acts, etc.

Prosecution of offenses.

SEC. 601. Except where otherwise provided, this Act shall take effect from the date of its enactment.

Effective date.

Approved, June 29, 1936.

[CHAPTER 868.]

AN ACT

June 29, 1936.
[H. R. 12876.]
[Public, No. 845.]

To waive any exclusive jurisdiction over premises of resettlement or rural-rehabilitation projects; to authorize payments to States, political subdivisions, and local taxing units in lieu of taxes on such premises; and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the acquisition by the United States of any real property heretofore or hereafter acquired for any resettlement project or any rural-rehabilitation project for resettlement purposes heretofore or hereafter constructed with funds allotted or transferred to the Resettlement Administration pursuant to the Emergency Relief Appropriation Act of 1935, or

Resettlement or rural-rehabilitation projects.
Waiver of exclusive jurisdiction over property acquired for.

Ante, p. 115.

Civil and criminal jurisdiction of States, etc.; civil rights of inhabitants under local law.

any other law, shall not be held to deprive any State or political subdivision thereof of its civil and criminal jurisdiction in and over such property, or to impair the civil rights under the local law of the tenants or inhabitants on such property; and insofar as any such jurisdiction has been taken away from any such State or subdivision, or any such rights have been impaired, jurisdiction over any such property is hereby ceded back to such State or subdivision.

Federal payments in lieu of taxes.

SEC. 2. Upon the request of any State or political subdivision thereof, or any other local public taxing unit, in which any such project, described in section 1, has been or will be constructed, the Resettlement Administration is authorized to enter into an agreement, and to consent to the renewal or alteration thereof, with such State or political subdivision thereof, or other local taxing unit, for the payment by the United States of sums in lieu of taxes. Such sums shall be fixed in such agreement and shall be based upon the cost of the public or municipal services to be supplied for the benefit of such project or the persons residing on or occupying such premises, but taking into consideration the benefits to be derived by such State or subdivision or other taxing unit from such project.

Proceeds from operation of projects available for payments and other expenses.

SEC. 3. The receipts derived from the operation of such projects, described in section 1, in addition to the moneys appropriated or allocated for such projects, shall be available for such payments in lieu of taxes and for any other expenditures for operation and maintenance (including insurance) of such projects. To provide for such payments and expenditures, the Resettlement Administration is authorized from time to time to retain out of such receipts such sums as it may estimate to be necessary for such purposes.

Dedication of streets, etc.

SEC. 4. In connection with any such project, described in section 1, the Resettlement Administration, with the approval of the President, is authorized to dedicate land for streets, alleys, and parks, and for any other public use or purpose, and to grant easements.

Approved, June 29, 1936.

[CHAPTER 881.]

June 30, 1936.
[S. 3055.]
[Public, No. 846.]

AN ACT

To provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes.

Government contracts.
Contracts for materials, supplies, and equipment exceeding $10,000; representations to be included.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in any contract made and entered into by any executive department, independent establishment, or other agency or instrumentality of the United States, or by the District of Columbia, or by any corporation all the stock of which is beneficially owned by the United States (all the foregoing being hereinafter designated as agencies of the United States), for the manufacture or furnishing of materials, supplies, articles, and equipment in any amount exceeding $10,000, there shall be included the following representations and stipulations:

Contractor is the manufacturer, etc.

(a) That the contractor is the manufacturer of or a regular dealer in the materials, supplies, articles, or equipment to be manufactured or used in the performance of the contract;

Payment of prevailing minimum wages.

(b) That all persons employed by the contractor in the manufacture or furnishing of the materials, supplies, articles, or equipment used in the performance of the contract will be paid, without subsequent deduction or rebate on any account, not less than the minimum wages as determined by the Secretary of Labor to be the prevailing minimum wages for persons employed on similar work or in the

particular or similar industries or groups of industries currently operating in the locality in which the materials, supplies, articles, or equipment are to be manufactured or furnished under said contract;

(c) That no person employed by the contractor in the manufacture or furnishing of the materials, supplies, articles, or equipment used in the performance of the contract shall be permitted to work in excess of eight hours in any one day or in excess of forty hours in any one week; Maximum hours of labor.

(d) That no male person under sixteen years of age and no female person under eighteen years of age and no convict labor will be employed by the contractor in the manufacture or production or furnishing of any of the materials, supplies, articles, or equipment included in such contract; and Child and convict labor.

(e) That no part of such contract will be performed nor will any of the materials, supplies, articles, or equipment to be manufactured or furnished under said contract be manufactured or fabricated in any plants, factories, buildings, or surroundings or under working conditions which are unsanitary or hazardous or dangerous to the health and safety of employees engaged in the performance of said contract. Compliance with the safety, sanitary, and factory inspection laws of the State in which the work or part thereof is to be performed shall be prima-facie evidence of compliance with this subsection. Working conditions in factories, etc. Compliance with State safety, sanitary, etc., laws.

SEC. 2. That any breach or violation of any of the representations and stipulations in any contract for the purposes set forth in section 1 hereof shall render the party responsible therefor liable to the United States of America for liquidated damages, in addition to damages for any other breach of such contract, the sum of $10 per day for each male person under sixteen years of age or each female person under eighteen years of age, or each convict laborer knowingly employed in the performance of such contract, and a sum equal to the amount of any deductions, rebates, refunds, or underpayment of wages due to any employee engaged in the performance of such contract; and, in addition, the agency of the United States entering into such contract shall have the right to cancel same and to make open-market purchases or enter into other contracts for the completion of the original contract, charging any additional cost to the original contractor. Any sums of money due to the United States of America by reason of any violation of any of the representations and stipulations of said contract set forth in section 1 hereof may be withheld from any amounts due on any such contracts or may be recovered in suits brought in the name of the United States of America by the Attorney General thereof. All sums withheld or recovered as deductions, rebates, refunds, or underpayments of wages shall be held in a special deposit account and shall be paid, on order of the Secretary of Labor, directly to the employees who have been paid less than minimum rates of pay as set forth in such contracts and on whose account such sums were withheld or recovered: *Provided*, That no claims by employees for such payments shall be entertained unless made within one year from the date of actual notice to the contractor of the withholding or recovery of such sums by the United States of America. Damages for breach of contract. Additional penalties. Cancelation of contracts. Open-market purchases; charging of additional cost to contractor. Use of sums withheld. *Proviso.* Filing of claims.

SEC. 3. The Comptroller General is authorized and directed to distribute a list to all agencies of the United States containing the names of persons or firms found by the Secretary of Labor to have breached any of the agreements or representations required by this Distribution to Federal agencies of list of persons, etc., who have breached contracts.

Exclusion from future awards; duration.

Act. Unless the Secretary of Labor otherwise recommends no contracts shall be awarded to such persons or firms or to any firm, corporation, partnership, or association in which such persons or firms have a controlling interest until three years have elapsed from the date the Secretary of Labor determines such breach to have occurred.

Administration by Department of Labor.

SEC. 4. The Secretary of Labor is hereby authorized and directed to administer the provisions of this Act and to utilize such Federal

State, etc., assistance.

officers and employees and, with the consent of the State, such State and local officers and employees as he may find necessary to assist in the administration of this Act and to prescribe rules and

Appointment of administrative officer, attorneys, experts, and other personnel.

regulations with respect thereto. The Secretary shall appoint, without regard to the provisions of the civil-service laws but subject to the Classification Act of 1923, an administrative officer, and such attorneys and experts, and shall appoint such other employees with regard to existing laws applicable to the employment and compensation of officers and employees of the United States, as he may from time to time find necessary for the administration of this Act.

Investigations authorized.

The Secretary of Labor or his authorized representatives shall have power to make investigations and findings as herein provided, and prosecute any inquiry necessary to his functions in any part of the

Rules, etc.

United States. The Secretary of Labor shall have authority from time to time to make, amend, and rescind such rules and regulations as may be necessary to carry out the provisions of this Act.

Public hearings.

SEC. 5. Upon his own motion or on application of any person affected by any ruling of any agency of the United States in relation to any proposal or contract involving any of the provisions of this Act, and on complaint of a breach or violation of any representation or stipulation as herein provided, the Secretary of Labor, or an impartial representative designated by him, shall have the power to

Witnesses; fees and mileage allowances.

hold hearings and to issue orders requiring the attendance and testimony of witnesses and the production of evidence under oath. Witnesses shall be paid the same fees and mileage that are paid witnesses

Compulsory attendance.

in the courts of the United States. In case of contumacy, failure, or refusal of any person to obey such an order, any District Court of the United States or of any Territory or possession, or the Supreme Court of the District of Columbia, within the jurisdiction of which the inquiry is carried on, or within the jurisdiction of which said person who is guilty of contumacy, failure, or refusal is found, or resides or transacts business, upon the application by the Secretary of Labor or representative designated by him, shall have jurisdiction to issue to such person an order requiring such person to appear before him or representative designated by him, to produce evidence

Testimony.

if, as, and when so ordered, and to give testimony relating to the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt

Findings of fact; effect of.

thereof; and shall make findings of fact after notice and hearing, which findings shall be conclusive upon all agencies of the United States, and if supported by the preponderance of the evidence, shall be conclusive in any court of the United States; and the Secretary of Labor or authorized representative shall have the power, and is hereby authorized, to make such decisions, based upon findings of fact, as are deemed to be necessary to enforce the provisions of this Act.

Exceptions in specific cases.

SEC. 6. Upon a written finding by the head of the contracting agency or department that the inclusion in the proposal or contract of the representations or stipulations set forth in section 1 will seriously impair the conduct of Government business, the Secretary of

Labor shall make exceptions in specific cases or otherwise when justice or public interest will be served thereby. Upon the joint recommendation of the contracting agency and the contractor, the Secretary of Labor may modify the terms of an existing contract respecting minimum rates of pay and maximum hours of labor as he may find necessary and proper in the public interest or to prevent injustice and undue hardship. The Secretary of Labor may provide reasonable limitations and may make rules and regulations allowing reasonable variations, tolerances, and exemptions to and from any or all provisions of this Act respecting minimum rates of pay and maximum hours of labor or the extent of the application of this Act to contractors, as hereinbefore described. Whenever the Secretary of Labor shall permit an increase in the maximum hours of labor stipulated in the contract, he shall set a rate of pay for any overtime, which rate shall be not less than one and one-half times the basic hourly rate received by any employee affected.

Modification of contracts.

Variations, etc.

Pay for overtime work.

SEC. 7. Whenever used in this Act, the word "person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers.

"Person" defined.

SEC. 8. The provisions of this Act shall not be construed to modify or amend title III of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes", approved May [1] 3, 1933 (commonly known as the Buy American Act), nor shall the provisions of this Act be construed to modify or amend the Act entitled "An Act relating to the rate of wages for laborers and mechanics employed on public buildings of the United States and the District of Columbia by contractors and subcontractors, and for other purposes", approved March 3, 1931 (commonly known as the Bacon-Davis Act), as amended from time to time, nor the labor provisions of title II of the National Industrial Recovery Act, approved June 16, 1933, as extended, or of section 7 of the Emergency Relief Appropriation Act, approved April 8, 1935; nor shall the provisions of this Act be construed to modify or amend the Act entitled "An Act to provide for the diversification of employment of Federal prisoners, for their training and schooling in trades and occupations, and for other purposes", approved May 27, 1930, as amended and supplemented by the Act approved June 23, 1934.

Buy American Act not affected.

Vol. 47, p. 1520.

Bacon-Davis Act. Vol. 46, p. 1494.

Public works projects. Vol. 48, p. 200.

Emergency Relief Act. *Ante*, p. 118.

Federal prison industries. Vol. 46, p. 391; Vol. 48, p. 1211.

SEC. 9. This Act shall not apply to purchases of such materials, supplies, articles, or equipment as may usually be bought in the open market; nor shall this Act apply to perishables, including dairy, livestock and nursery products, or to agricultural or farm products processed for first sale by the original producers; nor to any contracts made by the Secretary of Agriculture for the purchase of agricultural commodities or the products thereof. Nothing in this Act shall be construed to apply to carriage of freight or personnel by vessel, airplane, bus, truck, express, or railway line where published tariff rates are in effect or to common carriers subject to the Communications Act of 1934.

Open market, etc., purchases not included.

Transportation, communication, contracts not included. Vol. 48, p. 1064. U. S. C., p. 2081.

SEPARABILITY CLAUSE

SEC. 10. If any provision of this Act, or the application thereof to any persons or circumstances, is held invalid, the remainder of the Act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

Separability clause.

SEC. 11. This Act shall apply to all contracts entered into pursuant to invitations for bids issued on or after ninety days from

Effective date.

[1] So in original.

Proviso. Representations as to minimum wages; scope.

the effective date of this Act: *Provided, however*, That the provisions requiring the inclusion of representations with respect to minimum wages shall apply only to purchases or contracts relating to such industries as have been the subject matter of a determination by the Secretary of Labor.

Approved, June 30, 1936.

[CHAPTER 882.]

June 30, 1936.
[S. 1567.]
[Public, No. 847.]

AN ACT

To amend section 5 of the Act of March 2, 1919, generally known as the "War Minerals Relief Act."

War Minerals Relief Act.

Claimants under, not deprived of benefits for failure to sue, etc.

Vol. 40, p. 1274; Vol. 45, p. 1166.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no claimant who filed a claim in accordance with the provisions of section 5 of the Act entitled, "An Act to provide relief in cases of contracts connected with prosecution of the war, and for other purposes", approved March 2, 1919, shall be deprived of any of the benefits of said Act as amended by the Act of February 13, 1929, by reason of failure to file suit under said amendment in the Supreme Court of the District of Columbia, or through abatement of any suit so filed.

Review by Secretary of Interior upon matters of fact and newly presented evidence.

Upon petition to the Secretary of the Interior in such abated suits and in claims wherein no suits were filed under the said amendment, the Secretary is hereby authorized and directed to review all such claims upon matters of fact and any newly presented evidence or facts not before his predecessors and, except where in conflict with the provisions of this Act, in the light of decisions of the courts in similar cases; and, in accordance with the provisions of the said Act, as amended, to make awards or additional awards in said claims as he may determine to be just and equitable.

Awards.

Descent of deceased claimant's rights to legal representative.

Descent of rights of corporations ceasing to exist after filing claim.

SEC. 2. The rights of any deceased claimant under section 5 of said Act shall be held and considered to descend to the legal representatives as personal property of such deceased claimant. The rights of any corporation which filed a claim under section 5 of the Act of March 2, 1919, but which ceased to exist at any time after filing such claim, shall be held and considered to descend—

(1) to the persons who at the time such corporation ceased to exist were entitled under the laws of the State of incorporation to share in the assets of such corporation upon the dissolution thereof, or if any such person be dead, or dies after the enactment of this Act but before he receives the benefits of this Act, to his legal representative as personal property; and

(2) to any officer, director, or stockholder of such corporation at the time it ceased to exist as trustee for the persons or legal representatives referred to in clause (1); and such persons or their legal representatives and such officers, directors, and stockholders shall be entitled to the benefits of this Act.

Time limitation.

SEC. 3. This Act shall not authorize payment to be made of any claim not presented to the Secretary of the Interior within six months after its approval.

Approved, June 30, 1936.

[CHAPTER 883.]

AN ACT

June 30, 1936.
[H. R. 12455.]
[Public, No. 848.]

To provide for the administration and maintenance of the Blue Ridge Parkway, in the States of Virginia and North Carolina, by the Secretary of the Interior, and for other purposes.

Blue Ridge Parkway, Va., and N. C.
Projected parkway between the Shenandoah and Great Smoky Mountains National Parks, etc., to be known as.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter all lands and easements conveyed or to be conveyed to the United States by the States of Virginia and North Carolina for the right-of-way for the projected parkway between the Shenandoah and Great Smoky Mountains National Parks, together with sites acquired or to be acquired for recreational areas in connection therewith, and a right-of-way for said parkway of a width sufficient to include the highway and all bridges, ditches, cuts, and fills appurtenant thereto, but not exceeding a maximum of two hundred feet through Government-owned lands as designated on maps heretofore or hereafter approved by the Secretary of the Interior, shall be known as the Blue Ridge Parkway and shall be administered and maintained by the Secretary of the Interior through the National Park Service, subject to the provisions of the Act of Congress approved August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", the provisions of which Act, as amended and supplemented, are hereby extended over and made applicable to said parkway: *Provided*, That the Secretary of Agriculture is hereby authorized, with the concurrence of the Secretary of the Interior, to connect with the parkway such roads and trails as may be necessary for the protection, administration, or utilization of adjacent and nearby national forests and the resources thereof: *And provided further*, That the Forest Service and the National Park Service shall, insofar as practicable, coordinate and correlate such recreational development as each may plan, construct, or permit to be constructed, on lands within their respective jurisdictions which, by mutual agreement, should be given special treatment for recreational purposes.

Administration, etc., by National Park Service.

Vol. 39, p. 535.
U. S. C., p. 591.

Provisos.
Roads and trails.

Coordination of recreational development by Forest Service and National Park Service.

Approved, June 30, 1936.

[CHAPTER 884.]

AN ACT

July 13, 1936.
[H. R. 8875.]
[Public, No. 849.]

To clarify section 104 of the Revised Statutes (U. S. C., title II, sec. 194).

Congressional investigations.
R. S., sec. 104, p. 18; U. S. C., p. 19.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 104, of the Revised Statutes (U. S. C., title II, sec. 194) is amended to read as follows:

Witnesses failing to appear to testify, produce papers, etc.
Refusing to answer questions.

"SEC. 104. Whenever a witness summoned as mentioned in section 102 of the Revised Statutes fails to appear to testify or fails to produce any books, papers, records, or documents, as required, or whenever any witness so summoned refuses to answer any question pertinent to the subject under inquiry before either House or any committee or subcommittee of either House of Congress, and the fact of such failure or failures is reported to either House while Congress is in session, or when Congress is not in session, a statement of facts constituting such failure is reported to and filed with the President of the Senate or the Speaker of the House, it shall be the duty of the said President of the Senate or Speaker of the House, as the case may be, to certify, and he shall so certify, the statement of facts aforesaid under the seal of the Senate or House, as the case may be, to the appropriate United States attorney, whose duty it shall be to bring the matter before the grand jury for its action."

Certification of facts to appropriate United States attorney for grand jury action.

Approved, July 13, 1936.

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THE

STATUTES AT LARGE

OF THE

UNITED STATES OF AMERICA

FROM

JANUARY 1935 TO JUNE 1936

CONCURRENT RESOLUTIONS
RECENT TREATIES AND CONVENTIONS, EXECUTIVE
PROCLAMATIONS AND AGREEMENTS

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AT THE FIRST SESSION,

BEGUN AND HELD AT THE CITY OF WASHINGTON ON THURSDAY, THE THIRD DAY OF JANUARY, ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE.

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AT THE SECOND SESSION,

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PRIVATE LAWS

OF THE

UNITED STATES OF AMERICA

PASSED BY THE

SEVENTY-FOURTH CONGRESS

1935–1936

104019°—36—PT II——1

PRIVATE LAWS OF THE SEVENTY-FOURTH CONGRESS

OF THE

UNITED STATES OF AMERICA

Passed at the first session, which was begun and held at the city of Washington, in the District of Columbia, on Thursday, the third day of January, 1935, and was adjourned without day on Monday, the twenty-sixth day of August, 1935.

FRANKLIN D. ROOSEVELT, President; JOHN N. GARNER, Vice President; KEY PITTMAN, President of the Senate *pro tempore;* JOSEPH W. BYRNS, Speaker of the House of Representatives.

[CHAPTER 25.]

AN ACT

To provide for the issuance of a license to practice the healing art in the District of Columbia to Dr. Chester C. Groff.

March 4, 1935.
[S. 31.]
[Private, No. 1.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any limitation relating to the time within which an application for a license must be filed, the Commission on Licensure to Practice the Healing Art in the District of Columbia is authorized and directed to issue a license to practice the healing art in the District of Columbia to Dr. Chester C. Groff, Washington, District of Columbia, in accordance with the provisions of the first paragraph of section 24 of the Healing Arts Practice Act, District of Columbia, 1928.

Dr. Chester C. Groff.
License to practice the healing art in the District of Columbia granted to.

Vol. 45, p. 1334.

Approved, March 4, 1935.

[CHAPTER 26.]

AN ACT

For the relief of Anna S. Carrigan.

March 4, 1935.
[H. R. 3373.]
[Private, No. 2.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay Anna S. Carrigan, widow of Clarence Carrigan, late American Consul at Montevideo, Uruguay, the sum of $7,000, being one year's salary of her deceased husband, who died of illness incurred while in the Consular Service; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purposes of this Act.

Anna S. Carrigan.
Payment to.
Ante, p. 592.

Approved, March 4, 1935.

[CHAPTER 27.]

AN ACT

Granting compensation to George S. Conway, Junior.

March 5, 1935.
[H. R. 529.]
[Private, No. 3.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the

George S. Conway, Junior.
Payment to.

sum of $5,000 to George S. Conway, Junior, of Englewood, New Jersey, in full settlement of all claims against the Government of the United States for injuries, resulting in the loss of his right leg, which he sustained when he was dropped or pushed, by a soldier of the United States, from the window of a train which ran over him at Englewood, New Jersey, August 27, 1918: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, March 5, 1935.

[CHAPTER 30.]

March 14, 1935. [H. R. 330.] [Private, No. 4.]

AN ACT

For the relief of Sophie de Soto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay Sophie de Soto, widow of Hernando de Soto, late American consul at Leipzig, Germany, the sum of $6,000, equal to one year's salary of her deceased husband, who died of illness incurred while in the Consular Service; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purpose of this Act.

Sophie de Soto. Payment to. *Ante*, p. 592; *Post*, p. 2377.

Approved, March 14, 1935.

[CHAPTER 33.]

March 18, 1935. [H. R. 426.] [Private, No. 5.]

AN ACT

For the relief of Jacob Santavy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Jacob Santavy, of Toledo, Ohio, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 in full settlement of all claims against the Government of the United States for personal injuries and property damage suffered as a result of being struck by a car driven by Charles Graham and William Appleman, two Federal prohibition officers, while in the performance of their duty, on August 18, 1927: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Jacob Santavy. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, March 18, 1935.

[CHAPTER 34.]

AN ACT

For the relief of Fred C. Blenkner.

March 18, 1935.
[H. R. 593.]
[Private, No. 6.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to Fred C. Blenkner the sum of $3,071.25 in full settlement of all claims against the Government of the United States for infringement of letters patent issued to said Fred C. Blenkner by the United States, to wit, Patents Numbered 870337 and 919525, and for payments due as a royalty under a license agreement entered into by the United States Government with the said Fred C. Blenkner for manufacture or use of patents above referred to: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Fred C. Blenkner. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, March 18, 1935.

[CHAPTER 35.]

AN ACT

Authorizing the maintenance and use of a banking house upon the United States military reservation at Fort Lewis, Washington.

March 19, 1935.
[H. R. 3266.]
[Private, No. 7.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the National Bank of Tacoma, a national-banking association organized and existing under the laws of the United States relative to national banks, and any successor or assignee national-banking association, be, and is hereby, authorized to maintain in and on the United States military reservation at Fort Lewis, Washington, for the conduct of a general banking business, the building heretofore erected on said reservation by the Army National Bank of Fort Lewis, Washington, pursuant to the authority contained in the Act of June 17, 1930 (46 Stat. 774), and to occupy and use the same for and conduct therein a general banking business authorized under and by the charter of said bank and the laws of the United States relative to national banks, all under such regulations and conditions and for such term or terms as the Secretary of War has heretofore prescribed with respect to the Army National Bank of Fort Lewis, Washington, or as the Secretary of War may hereafter prescribe.

National Bank of Tacoma, Wash. May use building for banking on reservation at Fort Lewis, Wash.

Vol. 46, p. 774.

Approved, March 19, 1935.

[CHAPTER 38.]

AN ACT

March 21, 1935.
[H. R. 5322.]
[Private, No. 8.]

Authorizing the President of the United States to present in the name of Congress a medal of honor to Major General Adolphus Washington Greely.

Major General Adolphus Washington Greely.
Medal of honor awarded to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to present in the name of Congress, a medal of honor to Major General Adolphus Washington Greely, United States Army, retired, for his life of splendid public service, begun on March 27, 1844, having enlisted as a private in the United States Army on July 26, 1861, and by successive promotions was commissioned as major general February 10, 1906, and retired by operation of law on his sixty-fourth birthday.

Approved, March 21, 1935.

[CHAPTER 45.]

AN ACT

April 5, 1935.
[S. 747.]
[Private, No. 9.]

For the relief of Joe G. Baker.

Joe G. Baker.
Disability compensation to.
Vol. 39, p. 746.
U. S. C., p. 100.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, the United States Employees Compensation Commission is hereby authorized and directed to receive and consider, when filed, the claim of Joe G. Baker, of Gas City, Indiana, for disability alleged to have been incurred by him on the 6th day of August 1931 while in the employment of the Veterans' Administration Hospital at Marion, Indiana, and to determine said claim upon its merits:

Proviso.
No prior benefits.

Provided, That no benefits shall be held to have accrued by reason of this Act, prior to its passage.

Approved, April 5, 1935.

[CHAPTER 50.]

AN ACT

April 8, 1935.
[S. 1856.]
[Private, No. 10.]

For the relief of Arthur Smith.

Arthur Smith.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Arthur Smith, of Roanoke, Indiana, the sum of $5,000, in full satisfaction of all claims of such Arthur Smith against the United States for damages resulting from injuries received by him when struck by a United States Army Truck, driven by one Jerry E. Doods (Citizens' Conservation Corps enrollee numbered 5K–4159), on Federal Highway Numbered 24, between Roanoke and Fort Wayne, Indiana, on August 31, 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by an agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the

Proviso.
Limitation on attorney's, etc., fees.

contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, April 8, 1935.

[CHAPTER 51.]

AN ACT

For the relief of Logan Mulvaney.

April 8, 1935.
[H. R. 816.]
[Private, No. 11.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any funds in the Treasury not otherwise appropriated, to Logan Mulvaney, the sum of $233.40 in full settlement of all claims against the United States for property destroyed by fire at Fort Oglethorpe, Georgia, on February 18, 1922.

Logan Mulvaney.
Payment to.

Approved, April 8, 1935.

[CHAPTER 52.]

AN ACT

Granting six months' pay to Hester Hamilton.

April 8, 1935.
[H. R. 829.]
[Private, No. 12.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to pay, out of the appropriation "Pay of the Army, 1935", to Hester Hamilton, dependent mother of Milton Hamilton, deceased, late of Company K, Twenty-second Regiment United States Infantry, an amount equal to six months' pay at the rate said Milton Hamilton was receiving at the date of his death.

Hester Hamilton.
Payment to.
Vol. 48, p. 618.

Approved, April 8, 1935.

[CHAPTER 53.]

AN ACT

For the relief of the estate of R. A. Wallace Treat.

April 8, 1935.
[H. R. 2569.]
[Private, No. 13.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of R. A. Wallace Treat the sum of $876. Such sum shall be in full settlement of all claims against the United States on account of the damages sustained by the late R. A. Wallace Treat, former American consul at Smyrna, as a result of fire in the consulate of Smyrna on March 23, 1923.

R. A. Wallace Treat.
Payment to estate of.

Approved, April 8, 1935.

[CHAPTER 60.]

AN ACT

For the relief of Margaret L. Carleton.

April 11, 1935.
[S. 255.]
[Private, No. 14.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to

Margaret L. Carleton.
Payment to.

Margaret L. Carleton, widow of Algar E. Carleton, late American consul at Riga, Latvia, the sum of $6,600, equal to one year's salary of her deceased husband.

Approved, April 11, 1935.

[CHAPTER 61.]

April 11, 1935.
[S. 1391.]
[Private, No. 15.]

AN ACT

For the relief of William Lyons.

William Lyons. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William Lyons, in full settlement of all claims against the Government of the United States, the sum of $1,500, representing an amount, after deducting the expense caused to the Government, of a bail bond filed in the case of the United States against Louis L. Ross, and subsequently forfeited when the said Ross failed to appear for trial, although he was later apprehended and convicted: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 11, 1935.

[CHAPTER 62.]

April 11, 1935.
[H. R. 340.]
[Private, No. 16.]

AN ACT

For the relief of Louis Zagata.

Louis Zagata. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement of all claims against the Government of the United States, to Louis Zagata the sum of $1,000, covering bond guaranteeing the departure from the United States of Stanislaw Babon, alien, who disappeared, causing forfeiture of the bond, and who was later apprehended and deported: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 11, 1935.

[CHAPTER 63.]

AN ACT

For the relief of Cora A. Snyder.

April 11, 1935.
[H. R. 2117.]
[Private, No. 17.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon widows of honorably discharged soldiers Bert Snyder, late husband of Cora A. Snyder, who was a member of Troop H, Second Regiment United States Cavalry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 7th day of May 1901: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Bert Snyder.
Military record corrected.

Proviso.
No back pay, etc.

Approved, April 11, 1935.

[CHAPTER 64.]

AN ACT

For the relief of the dependents of Carl Lindow, known also as Carl Lindo.

April 11, 1935.
[H. R. 5032.]
[Private, No. 18.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the pension laws or any laws conferring rights, privileges, or benefits upon the widows, children, and/or dependent relatives of persons honorably discharged from the United States Army, Carl Lindow, known also as Carl Lindo, shall be held and considered to have been honorably discharged on August 9, 1864, as a corporal, Company H, One Hundred and Fifty-first Regiment New York Volunteer Infantry: *Provided*, That no pension, bounty, pay, or other emoluments shall be held to have accrued prior to the passage of this Act.

Carl Lindow, alias Carl Lindo.
Military record corrected.

Proviso.
No back pay, etc.

Approved, April 11, 1935.

[CHAPTER 65.]

AN ACT

For the relief of Charles E. Dagenett.

April 11, 1935.
[S. 1520.]
[Private, No. 19.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the General Accounting Office is hereby authorized to credit the accounts of Charles E. Dagenett, supervisor of Indian employment and special disbursing officer (retired), in the sum of $125.56, representing funds expended by him in that sum for telephone tolls, lodging, traveling expenses, and so forth, for himself and others in connection with work under his supervision.

Charles E. Dagenett.
Credit in accounts.

Approved, April 11, 1935.

[CHAPTER 66.]

AN ACT

For the relief of Mrs. Charles L. Reed.

April 11, 1935.
[S. 1621.]
[Private, No. 20.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Charles L. Reed, of Huntington, West Virginia, the sum of

Mrs. Charles L. Reed.
Payment to.

$4,000 in full satisfaction of her claim against the United States for injuries suffered when struck by a United States mail truck at Huntington, West Virginia, on October 16, 1929: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 11, 1935.

[CHAPTER 67.]

April 11, 1935. [S. 1694.] [Private, No. 21.]

AN ACT

For the relief of C. B. Dickinson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of C. B. Dickinson, former superintendent and special disbursing agent at the Pierre Indian School, Pierre, South Dakota, for payments aggregating $3,402.39, in making repairs to various buildings of the school plant.

C. B. Dickinson. Credit in accounts.

Approved, April 11, 1935.

[CHAPTER 69.]

April 12, 1935. [S. 906.] [Private, No. 22.]

AN ACT

For the relief of Chellis T. Mooers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Chellis T. Mooers, of Arlington, Massachusetts, the sum of $4,500. Such sum shall be in full satisfaction of all claims against the United States for damages sustained by the said Chellis T. Mooers as the result of the death of his wife, Edith M. Mooers, who was struck and fatally injured by a United States mail truck in Arlington, Massachusetts, on April 1, 1932: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the previsions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Chellis T. Mooers. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 12, 1935.

[CHAPTER 75.]

AN ACT

For the relief of the National Training School for Boys, and others.

April 19, 1935.
[H. R. 3959.]
[Private, No. 23.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any funds not otherwise appropriated, to Claude D. Jones, superintendent of the National Training School for Boys, in full settlement of all claims against the Government of the United States, the sum of $414, to be used in the payment of expenses incident to the illness of John Henry Tackett, former inmate of the National Training School for Boys, which resulted in amputation of the leg on March 22, 1932, such sum to be expended as follows: For hospitalization, Sibley Hospital, Washington, District of Columbia, $129; for medical and surgical treatment, Doctor Custis Lee Hall, $135; for the purchase of an artificial limb, $150: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

National Training School for Boys, etc.
Payment to superintendent of.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 19, 1935.

[CHAPTER 76.]

AN ACT

For the relief of the Yellow Drivurself Company.

April 22, 1935.
[H. R. 2353.]
[Private, No. 24.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement of all claims against the Government of the United States, to E. C. Matthews, Karl Matthews, and C. G. Matthews, all of Chattanooga, Tennessee, a partnership trading as the Yellow Drivurself Company, the sum of $512. Such sum represents the amount of a claim against the United States under contract numbered W6145qm–4, entered into October 28, 1930, in good faith, by such Yellow Drivurself Company and the constructing quartermaster at Fort Oglethorpe, Georgia, for the War Department. Such company furnished a car as specified in such contract, but the Comptroller General was unable to allow the payment of any claim for rental under such contract because such expenditure was not specifically authorized by law, as required by section 5 of the Legislative, Executive, and Judicial Appropriation Act of July 16, 1914 (U. S. C., title 5, sec. 78): *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof

Yellow Drivurself Company.
Payment to.

Vol. 38, p. 508.
U. S. C., p. 41.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved, April 22, 1935.

[CHAPTER 80.]

AN ACT

April 24, 1935.
[H. R. 2439.]
[Private, No. 25.]

Authorizing adjustment of the claim of the Public Service Coordinated Transport of Newark, New Jersey.

Public Service Coordinated Transport of Newark, N. J.
Adjustment of claim authorized.
Ante, p. 595.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to settle and adjust the claim of the Public Service Coordinated Transport of Newark, New Jersey, arising out of the removal by the War Department during the late war of certain tracks, car house, storage tracks, and so forth, belonging to said company or its predecessor, from their original locations to new locations, and the War Department's failure to restore same to their original location in accordance with an informal arrangement respecting the matter, and

Sum allowed.

to allow in full and final settlement of any and all claims arising out of said transactions an amount not exceeding $122,442.43. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $122,422.43, or so much thereof as may be necessary, for the payment of said claim: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 24, 1935.

[CHAPTER 87.]

AN ACT

April 29, 1935.
[S. 1209.]
[Private, No. 26.]

To authorize the Secretary of the Navy to relinquish an easement for a water main at Pearl Harbor, Hawaii.

Bernice F. Bishop.
Easement relinquished to estate of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized to relinquish to the trustees under the will and of the estate of Bernice F. Bishop, deceased, all right, title, and interest of the United States in a perpetual easement granted the United States on August 17, 1921, for a right-of-way across portions of Waialae-nui and Waialae-iki, Pearl Harbor, Hawaii, for a 4-inch cast-iron water main for naval purposes.

Approved, April 29, 1935.

[CHAPTER 92.]

AN ACT

For the relief of Sarah J. Hitchcock.

May 6, 1935.
[H. R. 3911.]
[Private, No. 27.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Sarah J. Hitchcock, widow of Henry B. Hitchcock, late American Consul at Nagasaki, Japan, the sum of $5,000, being one year's salary of her deceased husband, who died while in the Foreign Service; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purpose of this Act: *Provided*, That no part of the amount authorized to be appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount authorized to be appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Sarah J. Hitchcock.
Payment to.
Ante, p. 592.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 6, 1935.

[CHAPTER 93.]

AN ACT

For the relief of Bertha Ingmire.

May 7, 1935.
[H. R. 3098.]
[Private, No. 28.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Bertha Ingmire, of San Pedro, California, widow of the late Edmund Percival Ingmire, the sum of $10,000. Such sum shall be in full settlement of all claims against the United States on account of the death of the said Edmund Percival Ingmire and the permanent injury sustained by the said Bertha Ingmire on April 6, 1927, when the automobile in which they were riding was struck by an automobile driven with gross negligence by a Federal prohibition officer: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Bertha Ingmire.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 7, 1935.

[CHAPTER 97.]

May 8, 1935.
[H. R. 1488.]
[Private, No. 29.]

AN ACT

For the relief of Rose Burke.

Rose Burke.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Rose Burke, of Cleveland, Ohio, the sum of $5,000 in full settlement of all claims against the Government of the United States on account of the death of Thomas E. Burke, husband of the said Rose Burke, resulting from injuries received May 24, 1931, when a United States mail truck struck him: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 8, 1935.

[CHAPTER 98.]

May 8, 1935.
[H. R. 2473.]
[Private, No. 30.]

AN ACT

For the relief of William L. Jenkins.

William L. Jenkins.
Credit in accounts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby authorized and directed to credit the accounts of William L. Jenkins as American consul, formerly at Trebizond, Turkey, with the sum of $2,000, such sum representing the amount for which he is held personally liable on account of official vouchers lost because of warlike conditions in Turkey during 1916 and 1917.

Approved, May 8, 1935.

[CHAPTER 99.]

May 8, 1935.
[H. R. 3275.]
[Private, No. 31.]

AN ACT

For the relief of Fred L. Seufert.

Fred L. Seufert.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Fred L. Seufert, of Woodside, Long Island, New York, the sum of $5,000, out of any money in the Treasury not otherwise appropriated, and in full settlement of all claims against the Government of the United States, for personal injuries received causing the loss of leg in collision with an Army truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection

Proviso.
Limitation on attorney's, etc., fees.

with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000. Penalty for violation.

Approved, May 8, 1935.

[CHAPTER 100.]

AN ACT

For the relief of Carrie K. Currie, doing business as Atmore Milling and Elevator Company.

May 8, 1935.
[H. R. 3370.]
[Private, No. 32.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Carrie K. Currie, doing business as Atmore Milling and Elevator Company, of Atmore, Alabama, the sum of $1,500 in full settlement of all claims against the Government of the United States for damages to an automobile truck destroyed on April 25, 1919, by Louisville and Nashville Railroad Company passenger train operated by the United States Government through its Director General of Railroads: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Carrie K. Currie.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 8, 1935.

[CHAPTER 104.]

AN ACT

Granting compensation to the estate of Thomas Peraglia, deceased.

May 10, 1935.
[H. R. 530.]
[Private, No. 33.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to the estate of Thomas Peraglia, deceased, late of Palisades Park, Bergen County, New Jersey, in full settlement of all claims against the Government of the United States for the death of the said Thomas Peraglia, resulting from injuries he sustained when shot by a Federal prohibition officer at Palisades Park, Bergen County, New Jersey, February 12, 1927: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Thomas Peraglia.
Payment to estate of.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 10, 1935.

[CHAPTER 105.]

May 10, 1935.
[H. R. 2464.]
[Private, No. 34.]

AN ACT

For the relief of C. H. Hoogendorn.

C. H. Hoogendorn. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,500 to C. H. Hoogendorn in full settlement of all claims against the Government of the United States for the loss of his gas boat Comrade while under charter by the Department of Agriculture: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 10, 1935.

[CHAPTER 106.]

May 10, 1935.
[H. R. 3787.]
[Private, No. 35.]

AN ACT

For the relief of Robert D. Hutchinson.

Robert D. Hutchinson. Military record corrected.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Robert D. Hutchinson, who was a member of Company D, One Hundred and Fourteenth Supply Train, transferred May 10, 1918, to Guard and Fire Company Numbered 311 Newport News, Virginia, shall thereafter be held and considered to have been honorably discharged from the military service of the United States as a private, first class, of that organization, on the 17th day of April 1919: *Provided*, That no bounty, back pay, pension, allowance, or any payment provided under the World War Veterans' Act, 1924, as amended, the World War Adjusted Compensation Act, 1924, as amended, or other benefit whatsoever to which said person may be or become entitled by law, shall be held to have accrued prior to the passage of this Act.

Proviso. No back pay, etc.

U. S. C., pp. 1655, 1680.

Approved, May 10, 1935.

[CHAPTER 107.]

May 10, 1935.
[H. R. 5133.]
[Private, No. 36.]

AN ACT

For the relief of Nellie Oliver.

Robert Oliver, alias John Lear. Military record corrected.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Robert Oliver, alias John Lear, deceased husband of Nellie Oliver, who was a member of Company C, Thirteenth Regiment New Hampshire Volunteer Infantry, shall hereafter be held to have been discharged under honorable conditions from the military service of the United States as a member

of that organization on the 6th day of July 1864: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Proviso. No back pay, etc.

Approved, May 10, 1935.

[CHAPTER 116.]

AN ACT

To authorize the settlement of individual claims for personal property lost or damaged, arising out of the activities of the Civilian Conservation Corps, which have been approved by the Secretary of War.

May 15, 1935. [S. 553.] [Private, No. 37.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Kenneth R. Betts, Chillicothe, Ohio, $14.45; Frank W. Brunner, Springfield, Illinois, $38.55; W. J. Conley, Dunsmuir, California, $99.80; H. B. Clifton, Savanna, Illinois, $60.75; Frank E. Daley, Severna Park, Maryland, $84.70; Mazie J. Donaldson, Oakland, California, $49.10; F. T. H. Kelley, Thompson, Connecticut, $7.10; Meriam H. Lyter, Williamsport, Pennsylvania, $5; Robert E. Patnaude, Deer River, Minnesota, $25; Van's Battery and Electric Company, Inc., Green Bay, Wisconsin, $92.28; and Earl W. Williams, Bennington, Vermont, $15.35, in full settlement for damages sustained by reason of the operation of the Civilian Conservation Corps in which claims have been approved by the Secretary of War: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Civilian Conservation Corps. Settlement of individual claims.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 15, 1935.

[CHAPTER 117.]

AN ACT

To authorize settlement, allowance, and payment of certain claims.

May 15, 1935. [S. 559.] [Private, No. 38.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the following claims and certify the same to Congress:

Claims. Adjustment of certain, authorized.

R. D. Jacques.

(a) R. D. Jacques in the amount of $3,332.15 for damage to his furniture, clothing, and effects, and $6,862.50 for damage to his house; Rudolph J. Gasser, $2,841.51 for damage to his household goods, wares, merchandise, and personal belongings, these three claims being the result of an airplane accident at Chicago, Illinois, on April 30, 1932, when an Army airplane piloted by Second Lieutenant Charles A. Fargo, Air Corps Reserve, on an authorized flight, crashed into the house of Mr. Jacques, killing the pilot and his passenger and setting fire to the building in which the claimants were then living.

Catalina Portugal de Marino.

(b) Catalina Portugal de Marino, for damages in the amount of $1,000 due to the death of her husband, Ramon Marino, who was killed by the propeller of an Army airplane while assisting in releasing the plane from the mire at Legaspi, Philippine Islands, on January 10, 1932.

W. H. Williamson.

(c) W. H. Williamson, Paulsboro, New Jersey, for damages in the amount of $20.69 to bread and pastries due to sand and water from the body of a soldier drowned in the Delaware River at Penns Grove, New Jersey, on July 1, 1931, which was transported in claimant's wagon at the request of an Army sergeant, as an emergency measure, to the nearest medical aid in an effort to save life.

Joseph R. Burdett and J. S. Boehn.

(d) Corporal Joseph R. Burdett, $30, and Private (First Class) J. S. Boehn, $50, for loss of shotguns, private property of the claimants, which were stolen from a storeroom of the Quartermaster Detachment where they had been impounded as the result of an order issued by the Post Commander, Fort McKinley, Philippine Islands.

Pittsburgh Steamship Company.

(e) Pittsburgh Steamship Company, Cleveland, Ohio, in the amount of $3,368.61 for damages on account of the collision of its steamer B. F. Affleck with the Government dredge General G. G. Meade, in the Saint Marys River near Rains Island on August 29, 1932: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 15, 1935.

[CHAPTER 118.]

May 15, 1935. [S. 563.] [Private, No. 39.]

AN ACT

For the relief of the Jay Street Terminal, New York.

Jay Street Terminal, New York. Adjustment of claim authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust, settle, and certify to Congress the claim of the Jay Street Terminal in the sum of $1,097, on account of damages suffered by reason of a collision with the claimant's bulkhead by the United States Army mine planter General E. O. C. Ord, in the East River on or about September 3, 1929: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 15, 1935.

[CHAPTER 119.]

AN ACT

For the relief of Elton Firth.

May 15, 1935.
[S. 728.]
[Private, No. 40.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay to Elton Firth, out of any money in the Treasury not otherwise appropriated, the sum of $1,000 in full payment of personal injuries sustained as a result of the explosion of a bomb dropped by a United States naval airplane near Plum Tree Point, York County, Virginia, on November 11, 1931, and that Elton Firth shall be admitted to such naval hospital as may be directed by the Chief of the Bureau of Medicine and Surgery of the Navy Department for necessary care and treatment: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Elton Firth.
Payment to.

Admittance to naval hospital.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 15, 1935.

[CHAPTER 120.]

AN ACT

For the relief of Anna W. Ayer, widow of Captain Asa G. Ayer, deceased.

May 15, 1935.
[S. 896.]
[Private, No. 41.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Anna W. Ayer, widow of Captain Asa G. Ayer, deceased, the sum of $500. Such sum represents the amount of a cash bond forfeited on June 3, 1920, by Captain Asa G. Ayer for failure to appear as a material witness in the case of United States against H. W. Coffin in the United States District Court for the District of Maine, sitting at Bangor, Maine, such failure to appear being caused by his necessary and unavoidable absence from the United States at such time: *Provided*, That the amount of the forfeited bond has actually been covered into the Treasury: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Anna W. Ayer.
Payment to.

Provisos.
Sum covered into Treasury.

Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 15, 1935.

[CHAPTER 121.]

May 15, 1935.
[S. 1037.]
[Private, No. 42.]

AN ACT

Authorizing adjustment of the claims of Sanford A. McAlister and Eliza L. McAlister.

Sanford A. McAlister and Eliza L. McAlister.
Adjustment of claims authorized.
Vol. 41, p. 367; Vol. 48, p. 508.
U. S. C., p. 272.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the claims of Sanford A. McAlister and Eliza L. McAlister, for the six months' death gratuity as provided under the Act of December 17, 1919 (41 Stat. 367), as extended to Reserve officers flying the air mail, by the Act of March 27, 1934 (48 Stat. 508), in connection with the death, April 5, 1934, of John Leland McAlister, late second lieutenant, Air Corps Reserve, and to allow in full and final settlement of said claims an amount not in excess of $506.25 to each claimant, payable under the appropriation available for payment of the six months' death gratuity in the case of Air Corps Reserve officers under the Act of March 27, 1934.

Approved, May 15, 1935.

[CHAPTER 122.]

May 15, 1935.
[S. 1039.]
[Private, No. 43.]

AN ACT

Authorizing adjustment of the claim of the West India Oil Company.

West India Oil Company.
Adjustment of claim authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to settle and adjust the claim of the West India Oil Company, for the rescue at sea of Privates Solomon H. Churchill and John J. Callahan, members of Battery B, First Coast Artillery, Fort Randolph, Canal Zone, and to allow, in full and final settlement of said claim, an amount not in excess of $123.33. An appropriation of $123.33, or so much thereof as may be necessary, is hereby made from any funds in the Treasury not otherwise appropriated for payment of the claim.

Approved, May 15, 1935.

[CHAPTER 123.]

May 15, 1935.
[S. 1056.]
[Private, No. 44.]

AN ACT

Authorizing adjustment of the claim of Schutte and Koerting Company.

Schutte and Koerting Company.
Adjustment of claim authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the claim of Schutte and Koerting Company, under contract NOs–2018, dated December 27, 1926, for certain experimental work in the manufacture of valves for submarines, and to allow not to exceed $7,337.10 in full and final settlement of said claim. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $7,337.10, or so much thereof as may be necessary, for payment of said claim: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act

Proviso.
Limitation on attorney's, etc., fees.

in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, May 15, 1935.

[CHAPTER 124.]

AN ACT

For the relief of certain disbursing officers of the Army, and for other purposes.

May 15, 1935.
[S. 1302.]
[Private, No. 45.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General be, and he is hereby, authorized and directed to allow credit in the accounts of any disbursing officer of the Army for any payment heretofore made by him to the following-named officers and former officers of the United States Army based upon a credit for their services as cadets at the United States Military Academy and to remove any direct charge against any such persons on account of such payments: DeRosey C. Cabell, Thomas McF. Cockrill, James N. Caperton, Junius H. Houghton, Otto F. Lange, Paul B. Parker, James DeB. Walbach, and Victor W. B. Wales: *Provided*, That any amounts previously recouped to the United States on account of payments to the above officers based upon credit for service as a cadet at the United States Military Academy shall be refunded out of current appropriations.

Army disbursing officers.
Credit allowed in accounts of designated.

Proviso.
Refunds of sums previously recouped.

Approved, May 15, 1935.

[CHAPTER 125.]

AN ACT

Authorizing adjustment of the claim of Frank Spector.

May 15, 1935.
[S. 1055.]
[Private, No. 46.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to settle and adjust a claim of Frank Spector for refund of a deposit of $1,700 made in connection with the purchase of certain surplus property at an auction sale held February 9, 1922, at the Philadelphia Quartermaster Depot, and to allow in full and final settlement of all claims arising out of the transaction the sum of not to exceed $1,700. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $1,700, or so much thereof as may be necessary, to pay said claim: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Frank Spector.
Adjustment of claim authorized.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 15, 1935.

[CHAPTER 126.]

May 15, 1935.
[S. 1414.]
[Private, No. 47.]

AN ACT

For the relief of the rightful heir of Joseph Gayton.

Joseph Gayton. Payment to rightful heir of.

Be it enacted by the Senate and House of Represenutatives[1] *of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jean Marcella Mentz Gayton (now Wicks), the rightful heir of Joseph Gayton, deceased Sioux allottee numbered 1724 of the Standing Rock Agency in North Dakota, as determined by the Secretary of the Interior pursuant to existing law, the sum of not to exceed $4,400.25:

Provisos. Credit of deposit.

Provided, That the Secretary of the Interior may deposit the said sum to the credit of the said heir and handle it in the same manner as other individual Indian moneys: *Provided further*, That not to exceed 5 per centum of this amount shall be paid to any attorney or attorneys, for services rendered in this case: *And provided further*, That should the person herein named be not living upon the date of the passage of this Act the said sum shall be credited to and become a part of her estate.

Attorney's fees.

Credit to estate, if heir not alive.

Approved, May 15, 1935.

[CHAPTER 127.]

May 15, 1935.
[S. 1502.]
[Private, No. 48.]

AN ACT

For the relief of Charles L. Graves.

Charles L. Graves. Credit in accounts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, directed to allow credit in the accounts of Charles L. Graves, superintendent and special disbursing agent at Jicarilla Agency, New Mexico, for payments aggregating $51,277, made from tribal funds of the Jicarilla Indians to various persons in connection with the purchase of sheep for issue to various members of the tribe, to which payments exception was taken by the General Accounting Office for the reason as claimed that there was no authority of law therefor.

Approved, May 15, 1935.

[CHAPTER 128.]

May 16, 1935.
[S. 282.]
[Private, No. 49.]

AN ACT

For the relief of William Kemper.

William Kemper. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay to William Kemper out of any money in the Treasury not otherwise appropriated the sum of $891.98 in full settlement of all claims against the Government for expenses incurred incident to injuries sustained by his son, Irwin Kemper, a minor, in an accident involving a United States mail truck, March 21, 1932: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per

Proviso. Limitation on attorney's, etc., fees.

[1] So in original.

centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000. Penalty for violation.

Approved, May 16, 1935.

[CHAPTER 129.]

AN ACT

May 16, 1935.
[S. 1053.]
[Private, No. 50.]

Authorizing adjustment of the claim of the Rio Grande Southern Railroad Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the claim of the Rio Grande Southern Railroad Company for reimbursement of its expenditures for labor and expenses in repairing the damages to the Western Union telegraph line on its right-of-way at milepost numbered 85 (between Dolores and Rico, Colorado) and between mileposts numbered 94 and 96 (near Stapleton, Colorado), which line was damaged in 1931 by the blasting during the Government's construction of the Dolores-Rico Forest highway project in Colorado, and to allow in full and final settlement of said claim not to exceed the sum of $23.01. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $23.01, or so much thereof as may be necessary to pay said claim. Rio Grande Southern Railroad Company. Adjustment of claim of.

Approved, May 16, 1935.

[CHAPTER 130.]

AN ACT

May 16, 1935.
[S. 1057.]
[Private, No. 51.]

Authorizing adjustment of the claim of the Pennsylvania Railroad Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the claim of the Pennsylvania Railroad Company for the cost of repairing the damages to freight car numbered 89713 (owned by the Central Railroad of New Jersey) which were caused by an accident due to condition of Government-owned rails or roadbed while such car was in the Government's care and custody, and to allow in full and final settlement of said claim not to exceed the sum of $468.82. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $468.82, or so much thereof as may be necessary, to pay said claim: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding $1,000. Pennsylvania Railroad Company. Adjustment of claim of. *Proviso.* Limitation on attorney's, etc., fees. Penalty for violation.

Approved, May 16, 1935.

[CHAPTER 132.]

May 17, 1935.
[S. 51.]
[Private, No. 52.]

AN ACT

For the relief of Frank Kroegel, alias Francis Kroegel.

Frank Kroegel, alias Francis Kroegel.
Military record corrected.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Frank Kroegel, alias Francis Kroegel, who was a member of Company M, Twelfth Regiment New York Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 22d day of July 1898, and notwithstanding any provisions to the contrary in the Act relating to pensions, approved April 26, 1898, as amended by the Act of May 11, 1908: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Proviso.
No back pay, etc.

Approved, May 17, 1935.

[CHAPTER 145.]

May 24, 1935.
[H. R. 378.]
[Private, No. 53.]

AN ACT

For the relief of Gerald Mackey.

Gerald Mackey.
Adjustment of claim of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to examine, investigate, and pay the claim of Gerald Mackey in such amount as the Comptroller General may determine to be fair and proper compensation for actual damages to the person of Gerald Mackey, not to exceed $1,200, including medical and hospital expenses and actual loss of earnings proximately resulting from injuries sustained while assisting in extinguishing the fire at the Veterans' Administration facility, Sunmount, New York, January 25, 1933, while serving as a member of the volunteer fire department of Tupper Lake, New York. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, such sum as the Comptroller General may find necessary for payment of the said claim, and payment by the Comptroller General in accordance with this Act shall be full and final settlement of the said claim of Gerald Mackey against the United States on account of such injuries: *Provided*, That in addition to the evidence otherwise required and as a condition to payment of the claim, the said Gerald Mackey shall be required to submit proof satisfactory to the Comptroller General that he has not obtained settlement of the claim from a person other than the United States and shall be required to surrender to the United States any and all claim on account of the injuries heretofore described as against any person other than the United States.

Proviso.
Condition to payment.

Approved, May 24, 1935.

[CHAPTER 161.]

May 31, 1935.
[H. R. 972.]
[Private, No. 54.]

AN ACT

For the relief of John Costigan.

John Costigan.
Military record corrected.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the pension laws and laws conferring rights upon honorably discharged soldiers, their widows, and dependent relatives, John Costigan shall hereafter be held and considered to have been in the military service of the United States as a private in Company D, Fifth Regiment United States Cavalry, from March 27, 1878, and to

have been honorably discharged May 31, 1881: *Provided*, That no back pay, pension, or other back allowance shall accrue by reason of the passage of this Act.

Proviso. No back pay, etc.

Approved, May 31, 1935.

[CHAPTER 162.]

AN ACT

For the relief of Daniel W. Seal.

May 31, 1935. [H. R. 1846.] [Private, No. 55.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Daniel W. Seal, who was a member of Company B, Fiftieth Regiment Wisconsin Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of that organization on the 25th day of August 1865: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Daniel W. Seal. Military record corrected.

Proviso. No back pay, etc.

Approved, May 31, 1935.

[CHAPTER 163.]

AN ACT

For the relief of Harry B. Walmsley.

May 31, 1935. [H. R. 2192.] [Private, No. 56.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Harry B. Walmsley, formerly in the Medical Department, First Cavalry, United States Army, shall hereafter be held and considered to have received a full honorable discharge from the military service of the United States on July 9, 1926: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Harry B. Walmsley. Military record corrected.

Proviso. No back pay, etc.

Approved, May 31, 1935.

[CHAPTER 166.]

AN ACT

For the relief of Angelo J. Gillotti.

June 3, 1935. [H. R. 3721.] [Private, No. 57.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Angelo J. Gillotti, who was a member of Battery D, Seventy-sixth Regiment United States Field Artillery, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 4th day of November 1924: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Angelo J. Gillotti. Military record corrected.

Proviso. No back pay, etc.

Approved, June 3, 1935.

[CHAPTER 179.]

AN ACT

For the relief of E. F. Droop and Sons Company.

June 5, 1935. [H. R. 4708.] [Private, No. 58.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the E. F. Droop and Sons Company, a corporation incorporated under the general laws of the District of Columbia April 27, 1904, shall continue as an existing corporation, and that the term of existence of

E. F. Droop and Sons Company. Existing corporation made perpetual.

said corporation shall be made perpetual upon complying with the requirements of section 2 of this Act.

Conditions.

SEC. 2. That the said E. F. Droop and Sons Company shall file with the Recorder of Deeds of the District of Columbia a certificate similar to that required by subchapter 4 of chapter XVIII, of the Code of the District of Columbia approved March 3, 1901, as amended, in respect to increase or diminution of capital stock, and pay to the Recorder of Deeds of the District of Columbia the fee to which he would be entitled if such corporation were newly organized.

Approved, June 5, 1935.

[CHAPTER 180.]

June 5, 1935.
[H. R. 2689.]
[Private, No. 59.]

AN ACT

For the relief of Mary Ford Conrad.

Mary Ford Conrad.
Provisions of Employees' Compensation Act extended to.
Vol. 39, pp. 746, 747.
U. S. C., p. 100.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission is hereby authorized to consider and determine, in the same manner and to the same extent as if application for the benefits of the Employees' Compensation Act had been made within the one-year period required by sections 17 and 20 thereof, the claim of Mary Ford Conrad, on account of disability alleged to have been proximately caused by her employment in the service of the United States between August 5, 1918, and October 30, 1921: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Proviso.
No prior benefits.

Approved, June 5, 1935.

[CHAPTER 185.]

June 6, 1935.
[H. R. 285.]
[Private, No. 60.]

AN ACT

For the relief of Elizabeth M. Halpin.

Elizabeth M. Halpin.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $745.42, which sum the Secretary of the Treasury is directed to pay to Elizabeth M. Halpin in full settlement of all claims against the Government of the United States for actual expenses incurred in preparing for transport, transporting, preparing for interment, and interring the remains of her husband, Neal J. Halpin, an accountant investigator for the United States Tariff Commission, who died in Brussels, Belgium, while assigned to official duties in that city: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 6, 1935.

[CHAPTER 186.]

AN ACT

For the relief of the Muncy Valley Private Hospital.

June 6, 1935.
[H. R. 1291.]
[Private, No. 61.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, to the Muncy Valley Private Hospital the sum of $158.22 for medical treatment and hospital care of James Allen Fetterman, seaman, second class, United States Navy: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Muncy Valley Private Hospital.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 6, 1935.

[CHAPTER 187.]

AN ACT

For the relief of William A. Ray.

June 6, 1935.
[H. R. 4630.]
[Private, No. 62.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William A. Ray, postmaster at Mount Sterling, Ohio, the sum of $50.74 in full settlement of all claims against the Government of the United States for the amount of postal funds lost as a result of the failure of the First National Bank of Mount Sterling, Ohio: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

William A. Ray.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 6, 1935.

[CHAPTER 206.]

AN ACT

For the relief of William E. Smith

June 7, 1935.
[H. R. 3073.]
[Private, No. 63.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay to William E. Smith, owner in fee simple of a residence located in Fox Hill, Chesapeake Magisterial District, Elizabeth City County, Virginia,

William E. Smith.
Payment to.

out of any money in the Treasury not otherwise appropriated, the sum of $4,564 in full settlement of all claims against the Government of the United States for loss and damages to said residence, resulting from an airplane owned and operated by the United States Army Air Corps striking and passing through the said residence on October 31, 1934, without any fault or negligence of the said William E. Smith: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 7, 1935.

[CHAPTER 208.]

June 10, 1935. [S. 742.] [Private, No. 64.]

AN ACT

For the relief of Charles A. Lewis.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, the United States Employees' Compensation Commission is hereby authorized to consider and determine the claim of Charles A. Lewis in the same manner and to the same extent as if said Charles A. Lewis had made application for the benefits of said Act within the one-year period required by sections 17 and 20 thereof: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Charles A. Lewis. Provisions of Employees' Compensation Act extended to.

Vol. 39, p. 746. U. S. C., p. 100.

Proviso. No prior benefits.

Approved, June 10, 1935.

[CHAPTER 209.]

June 10, 1935. [S. 1027.] [Private, No. 65.]

AN ACT

For the relief of Doctor R. N. Harwood.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, the United States Employees' Compensation Commission is hereby authorized to consider and determine the claim of Doctor R. N. Harwood for compensation for disabilities to his hands received while acting as designated dental examiner on fee basis at Morristown, Tennessee, for the Veterans' Administration, in the same manner and to the same extent as if said R. N. Harwood had made application for the benefits of said Act within the one year period required by sections 17 and 20 thereof: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Doctor R. N. Harwood. Provisions of Employees' Compensation Act extended to. Vol. 39, p. 746. U. S. C., p. 100.

Proviso. No prior benefits.

Approved, June 10, 1935.

[CHAPTER 217.]

AN ACT

For the relief of Edith N. Lindquist.

June 11, 1935.
[S. 905.]
[Private, No. 66.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edith N. Lindquist, chief nurse, United States Navy, the sum of $600 in full satisfaction of her claim against the United States for reimbursement for the loss of certain clothing and other personal effects during the earthquake and fire at Yokohama, Japan, on September 1, 1923: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Edith N. Lindquist.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 11, 1935.

[CHAPTER 218.]

AN ACT

Authorizing adjustment of the claim of Elda Geer.

June 11, 1935.
[S. 1038.]
[Private, No. 67.]

Be it enacted by the Senate and House of Respresentatives[1] *of the United States of America in Congress assembled*, That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the claim of Elda Geer for refund of duplicate collection made from her for the transportation, on the United States Army transport Republic, which sailed from Balboa, Canal Zone, September 3, 1933, for San Francisco, California, of one automobile, Ford sedan, motor numbered A–4356902, and allow said claim in the sum of not to exceed $26. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $26, or so much thereof as may be necessary, for the payment of said claim.

Elda Geer.
Adjustment of claim of.

Approved, June 11, 1935.

[CHAPTER 226.]

AN ACT

For the relief of the Germania Catering Company, Incorporated.

June 13, 1935.
[S. 41.]
[Private, No. 68.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Germania Catering Company, Incorporated, the sum of $5,000, in full settlement of all claims against the Government of the United States. Such sum represents the amount of fine paid by the Germania Catering Company, Incorporated, pursuant to a con-

Germania Catering Company, Incorporated.
Refund of fine.

[1] So in original.

Vol. 40, p. 276.

viction for violating certain provisions of the Lever Act of August 10, 1917, as amended, prior to the declaration by the Supreme Court of the United States of the unconstitutionality of such provisions: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 13, 1935.

[CHAPTER 227.]

June 13, 1935. [S. 42.] [Private, No. 69.]

AN ACT

For the relief of Emmett C. Noxon.

Be it enacted by the Senate and House of Representatives of the United States of American[1] *in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Emmett C. Noxon, of Johnstown, New York, the sum of $1,000. Such sum shall be in full settlement of all claims against the United States for the amount of fine paid by Emmett C. Noxon, pursuant to a conviction for violating certain provisions of the Lever Act of August 10, 1917, as amended, prior to the declaration by the Supreme Court of the United States of the unconstitutionality of such provisions: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Emmett C. Noxon. Refund of fine.

Vol. 40, p. 276.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 13, 1935.

[CHAPTER 228.]

June 13, 1935. [S. 285.] [Private, No. 70.]

AN ACT

To reimburse the estate of Mary Agnes Roden.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to Sophie T. Walsh, administratrix of the estate of her deceased sister, Mary Agnes Roden, in full settlement of all claims against the Government of the United States for injuries received by said Mary Agnes Roden on December 11, 1926, when a

Mary Agnes Roden. Payment to estate of.

[1] So in original.

United States mail truck collided with her at Lexington Avenue and Thirty-fourth Street, New York City: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 13, 1935.

[CHAPTER 229.]

AN ACT

For the relief of Las Vegas Hospital Association, Las Vegas, Nevada.

June 13, 1935. [S. 416.] [Private, No. 71.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Las Vegas Hospital Association, Las Vegas, Nevada, the sum of $407.80 in full settlement of all claims against the Government on account of expenses incurred by the late Clayton George Hilborn, gunner's mate third-class, United States Navy, for medical treatment from March 31, 1933, to April 11, 1933, while suffering from injuries received in an automobile accident on March 30, 1933, while on leave of absence from the United States ship Tennessee, with orders to report at Puget Sound, Washington: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Las Vegas, Nev., Hospital Association. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 13, 1935.

[CHAPTER 230.]

AN ACT

For the relief of William Cornwell and others.

June 13, 1935. [S. 535.] [Private, No. 72.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,944.25 to the persons whose names appear below, as compensation in full for damages done to their property by the overflow of Turkey River, said damages having been caused by the construction by the Government of a wing dam on Turkey River: William Cornwell, $72; Peter P. Adams, $202.50; Edward Mosier and John Smith, jointly, $165; W. J. Borrett, $90; Joe Graybill,

William Cornwell and others. Payment to.

$82; Pat Barry, $186.25; Clarence Wachendorf, $155; George Hefel, $150; John Hefel, Junior, $96.25; Mat J. Adams, $131.25; Leo Ludovissy, $86.50; Joe Ludovissy, $85; Tom Kolker, $75; Earl Wentworth, $70; Henry Meyer, $172.50; and John W. Smith, $125: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 13, 1935.

[CHAPTER 231.]

June 13, 1935.
[S. 558.]
[Private, No. 73.]

AN ACT

For the relief of certain disbursing officers of the Army of the United States and for the settlement of an individual claim approved by the War Department.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby authorized and directed to credit in the accounts of the following disbursing officers of the Army of the United States the amounts set opposite their names: Major W. D. Dabney, Finance Department, $106.15; Captain Francis Egan, Quartermaster Corps, $59.62; Major Charles F. Eddy, Finance Department, $68.80; said amounts being public funds for which they are accountable and which comprise minor errors in the computation of pay and allowances due former personnel of the military service and of the National Guard, and which amounts have been disallowed by the Comptroller General of the United States.

Army disbursing officers.
Credits allowed in accounts of designated.

Major W. D. Dabney.
Captain Francis Egan.
Major Charles F. Eddy.

SEC. 2. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Major Carl Halla, Finance Department, the sum of $3,083.21, said amount being public funds for which he is accountable and which he paid to Lieutenant Colonel Samuel T. Talbott, United States Army, in settlement of a claim approved for household goods lost while in storage at Plattsburg Barracks, New York, which claim had been approved by the Secretary of War as required by the Act of March 4, 1921 (41 Stat. 1436), and which payment was later disallowed by the Comptroller General of the United States.

Major Carl Halla.

Vol. 41, p. 1436.

SEC. 3. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Colonel Charles A. Romeyn, Cavalry, United States Army, the sum of $24, out of any money in the Treasury not otherwise appropriated, to reimburse him for a like amount paid out by him to the Springfield Hospital, Springfield, Vermont, for hospitalization of Reserve Officers' Training Corps student Bertram C. Goodell.

Colonel Charles A. Romeyn.
Payment to.

Approved, June 13, 1935.

[CHAPTER 232.]

AN ACT

For the relief of Harold E. Seavey.

June 13, 1935.
[S. 581.]
[Private, No. 74.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed to pay to Harold E. Seavey, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, the sum of $150 for damages to the household effects sustained by the said Harold E. Seavey in the storm and seas of January 27–28, 1933, at the Cuckolds Light Station at Newagen, Maine: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Harold E. Seavey. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 13, 1935.

[CHAPTER 233.]

AN ACT

For the relief of Paul H. Creswell.

June 13, 1935.
[S. 1474.]
[Private, No. 75.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $50 to Paul H. Creswell, of Cincinnati, Ohio, in full settlement of all claims against the Government of the United States for payments to the following persons as special bailiffs: Henry Melcher, special bailiff in charge of sequestered jury March 14, 15, 21, and 22, 1931, $20; John H. Potts, same, March 14 and 21, 1931, $10; Robert Poppe, same, March 14, 15, 21, and 22, 1931, $20; which amounts were disallowed by the Comptroller General in the settlement of the accounts of said Paul H. Creswell, as United States marshal for the southern district of Ohio, and paid into the Treasury by said Paul H. Creswell under date of April 1, 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Paul H. Creswell. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 13, 1935.

[CHAPTER 234.]

June 13, 1935.
[S. 1487.]
[Private, No. 76.]

AN ACT

For the relief of Mick C. Cooper.

Mick C. Cooper. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Mick C. Cooper, of Orient, Washington, out of any money in the Treasury not otherwise appropriated, the sum of $80.11, in full satisfaction of all claims against the Government for meat furnished the Forest Service in June 1926: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 13, 1935.

[CHAPTER 235.]

June 13, 1935.
[S. 2467.]
[Private, No. 77.]

AN ACT

For the retirement of William J. Stannard, leader of the United States Army Band.

United States Army band. William J. Stannard, band leader, may be retired as captain of the Army, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon application of William J. Stannard, leader of the United States Army Band, for retirement after thirty-three years' service, the President is authorized to place him upon the retired list with the retired pay and allowances of a captain of the Army in the fourth pay period (over seventeen years' service): *Provided*, That the limitations in section 1 of the Act of June 10, 1922, relative to counting service for purpose of pay for officers appointed on and after July 1, 1922, shall not apply: *Provided further*, That all active service as a musician in the United States Army and as leader of the United States Army Band shall be counted in computing length of service for longevity pay purposes.

Provisos. Service limit not applicable.

All active service counted for longevity pay.

Approved, June 13, 1935.

[CHAPTER 236.]

June 13, 1935.
[H. R. 1492.]
[Private, No. 78.]

AN ACT

For the relief of Harbor Springs, Michigan.

Harbor Springs, Mich. Payments to. Vol. 44, p. 1708.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay to the village of Harbor Springs, Michigan, out of any money in the Treasury not otherwise appropriated, a sum equal to:

(1) One-half of the total amount of the several payments made by the village to satisfy a judgment rendered against it in an action for damages for the death of Ernest H. Haines, an employee of the United States Weather Bureau, with interest at 5 per centum per

One-half of payments made by village satisfying judgment for death of Ernest H. Haines.

annum on one-half of each of such payments from the respective dates of payment to the date of payment by the Secretary of the Treasury under this Act;

(2) One-half of all expenditures made by the village in defending the action; and

One-half defense expenses.

(3) All expenditures made by the village in prosecuting a claim in the Court of Claims to establish the liability of the United States as a joint tort-feasor on account of the death of such employee.

All expenses of village in presenting claim before Court of Claims.

SEC. 2. Such payment shall be in full satisfaction of all claims of the village of Harbor Springs against the United States on account of the death of Ernest H. Haines: *Provided*, That no part of the amount appropriated by virtue of this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated by virtue of this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Payment to be in full settlement.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 13, 1935.

[CHAPTER 237.]

AN ACT

For the relief of Captain Russell Willson, United States Navy.

June 13, 1935.
[H. R. 5564.]
[Private, No. 79.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Captain Russell Willson, United States Navy, out of any money in the Treasury not otherwise appropriated, the sum of $15,000 in full settlement for his invention which has been accepted by the Navy Department for use in connection with naval communication facilities.

Captain Russell Willson.
Payment to.

Approved, June 13, 1935.

[CHAPTER 249.]

AN ACT

For the relief of Winifred Meagher.

June 14, 1935.
[S. 38.]
[Private, No. 80.]

Be it enacted by the Senate and House of Representatitves[1] *of the United States of America in Congress assembled*, That jurisdiction is hereby conferred upon the United States Court of Claims to hear, determine, and render judgment upon the claim of Winifred Meagher for damages on account of the death of her husband, Doctor John F. W. Meagher, caused by and as a result of injuries sustained while a visitor at the military camp at Tobyhanna, Pennsylvania, on August 23, 1931: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court: *Provided further*, That said suit shall be brought and commenced within six months of the date of the passage of this Act.

Winifred Meagher.
Claim of, referred to Court of Claims.

Provisos. Notice to Attorney General.

Commencement of suit.

Approved, June 14, 1935.

[1] So in original.

[CHAPTER 250.]

AN ACT

June 14, 1935.
[S. 1386.]
[Private, No. 81.]

To confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim, or claims, of Duke E. Stubbs and Elizabeth S. Stubbs, both of McKinley Park, Alaska.

Duke E. Stubbs and Elizabeth S. Stubbs.
Claims of, referred to Court of Claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims of the United States to hear, determine, and render judgment upon the claim, or claims, of Duke E. Stubbs and Elizabeth S. Stubbs, or either of them, both of McKinley Park, Alaska, for any losses and damages sustained by Duke E. Stubbs and Elizabeth S. Stubbs in the silver fox farming and trading post business, or other business and occupation, conducted by them, or either of them, at McKinley Park, Alaska, arising out of the extension of the limits of the Mount McKinley National Park by an Act of Congress approved on the 19th day of March 1932 (47 Stat. 68), and/or by virtue of any acts, or actions, of any and all officers and employees of the United States in carrying out or in connection with the extension of the limits of Mount McKinley National Park after the 19th day of March 1932: *Provided*, That the action in the Court of Claims to establish such losses and damages may be instituted within one year from the date of the approval of this Act, and the same right of appeal to the United States Supreme Court from the judgment of the Court of Claims shall be had as in other causes in that court.

Vol. 47, p. 68.

Proviso.
Institution of suit, right of appeal, etc.

Approved, June 14, 1935.

[CHAPTER 251.]

AN ACT

June 14, 1935.
[S. 2146.]
[Private, No. 82.]

For the relief of certain Indians of the Flathead Reservation killed or injured en route to dedication ceremonies of the Going-to-the-Sun Highway, Glacier National Park.

Flathead Indian Reservation.
Payments to certain members of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sums of $2,890 in full settlement of all claims of the following Indians of the Flathead Indian Reservation, Montana, against the United States, arising out of any and all injuries sustained while en route to the dedication ceremonies of the Going-to-the-Sun Highway in Glacier National Park in the amounts indicated: Sophie Conko, $600; Mary Calowahcan Smallsalmon, $190; Alexander Calowahcan, $250; Michael Smallsalmon, $250; Joseph Woodcock, $30; Martine Siwahsah, $20; Sophie C. Granjo, $20; Sophie Moiese, $600; Isabel Granjo, $30; Eneas Granjo, $50; Mary Kyser Stateah, $600; Eneas Michel Conko, $50; Pierre Pierre, $50; William Michel, $50; Andrew Manybear, $100: *Provided*, That if any of the beneficiaries under this Act are deceased, payment herein authorized shall be made to their heirs; and to pay the sum of $3,000 to the heirs of Louise Cullooyah, deceased, and the sum of $3,000 to the heirs of Michel Kizer, deceased, also of the Flathead Indian Reservation, who were killed while en route to the said dedication ceremonies of the Going-to-the-Sun Highway in Glacier National Park in full settlement of all claims against the United States arising out of the death of the said Indians on the said occasion.

Proviso.
Payment to heirs.

Approved, June 14, 1935.

[CHAPTER 252.]

AN ACT

For the relief of Robert M. Kenton.

June 14, 1935.
[H. R. 2204.]
[Private, No. 83.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission is hereby authorized to consider and determine, in the same manner and to the same extent as if application for the benefits of the Employees' Compensation Act had been made within the one-year period required by sections 17 and 20 thereof, the claim of Robert M. Kenton, on account of disability due to arthritis alleged to have been proximately caused by his employment in the service of the United States between January 24, 1924, and June 30, 1932: *Provided*, That no benefits shall accrue prior to the enactment of this Act.

Robert M. Kenton.
Provisions of Employees' Compensation Act extended to.

Vol. 39, p. 746.
U. S. C., p. 100.

Proviso.
No prior benefits.

Approved, June 14, 1935.

[CHAPTER 253.]

AN ACT

For the relief of Eva S. Brown.

June 14, 1935.
[H. R. 2553.]
[Private, No. 84.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission be, and is hereby, authorized to consider and determine, in the same manner and to the same extent as if application for the benefits of the Employees' Compensation Act had been made within the one-year period required by sections 17 and 20 thereof, the claim of Eva S. Brown, on account of disability due to chronic bronchitis alleged to have been proximately caused by her employment in the service of the United States between October 13, 1921, and November 30, 1927: *Provided*, That no benefits shall accrue prior to the enactment of this Act.

Eva S. Brown.
Provisions of Employees' Compensation Act extended to.

Vol. 39, p. 746.
U. S. C., p. 100.

Proviso.
No prior benefits.

Approved, June 14, 1935.

[CHAPTER 254.]

AN ACT

For the relief of Henry Harrison Griffith.

June 14, 1935.
[H. R. 2683.]
[Private, No. 85.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission is hereby authorized to consider and determine, in the same manner and to the same extent as if application for the benefits of the Employees' Compensation Act had been made within the one-year period required by sections 17 and 20 thereof, the claim of Henry Harrison Griffith, on account of disability alleged to have been proximately caused by his employment in the service of the United States prior to the year 1919: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Henry Harrison Griffith.
Provisions of Employees' Compensation Act extended to.

Vol. 39, p. 746.
U. S. C., p. 100.

Proviso.
No prior benefits.

Approved, June 14, 1935.

[CHAPTER 262.]

AN ACT

For the relief of Carmine Sforza.

June 15, 1935.
[S. 209.]
[Private, No. 86.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement of all claims against the United States, the sum of

Carmine Sforza.
Payment to.

$500 to Carmine Sforza, which sum was paid by the said Carmine Sforza to the United States on the bond of Domenico Guerrera:

Proviso. Limitation on attorney's, etc., fees.

Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $500.

Penalty for violation.

Approved, June 15, 1935.

[CHAPTER 263.]

June 15, 1935.
[S. 557.]
[Private, No. 87.]

AN ACT

For the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department.

Army disbursing officers; Credits allowed in accounts of designated.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of the following disbursing officers of the Army of the United States the amounts set opposite their respective names: F. J. Baker, major, Finance Department, $21.35; Roy W. Camblin, first lieutenant, Air Corps, $19.41; E. Dworak, major, Finance Department (now retired), $15; C. A. Frank, first lieutenant, Infantry, Finance Department, $16.41; P. G. Hoyt, major, Finance Department (now deceased), $94.54; William T. Johnson, first lieutenant, Finance Department, $12.35; J. H. Osterman, captain, Quartermaster Corps, $17.60; A. J. Tagliabue, first lieutenant, Finance Department, $35.07; and George N. Watson, Major, Finance Department (now retired), $29.25, said amounts being public funds for which they are accountable and which represent amounts due to minor errors in computation of pay and allowances due military personnel, who are no longer in the service of the United States, and which amounts have been disallowed by the Comptroller General of the United States.

Major F. J. Baker.

SEC. 2. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of F. J. Baker, major, Finance Department, $149.31, of which amount $105.57 represents payments made to three former officers of the National Guard; $37.80 representing payments made to two former Reserve Officers' Training Corps students of the University of Florida and for which efforts to collect from the individual payees for the overpayments have been unsuccessful; and $5.94 paid to an officer of the Army for Pullman accommodations used by him on a change of station under proper orders, but for which the cash receipt necessary to support the voucher covering payment was lost, all of which amounts were disallowed by the Comptroller General of the United States in the accounts of Major Baker.

Lieutenant Roy W. Camblin.

SEC. 3. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Roy W. Camblin, first lieutenant, Air Corps (formerly disbursing officer, Ellington Field, Texas), the amount of $27.46, said amount being public funds for which he is accountable and which represents amounts due to errors in computing ration savings due organizations of the Army which have since been disbanded.

SEC. 4. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Roy W. Camblin, first lieutenant, Air Corps, $107.36, representing an amount erroneously stopped against his pay by the Secretary of War for disallowances appearing in his accounts as disbursing officer at Ellington Field, Texas, in 1921 and 1922, and which disallowances had been cleared by the Comptroller General of the United States under authority of law prior to the collection of the stoppage.

Major F. A. Englehart.

SEC. 5. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of F. A. Englehart, major, Ordnance Department, $44.87, public funds for which he is accountable and which represent the proceeds due the United States from a cashier's check for $70 drawn on March 30, 1925, on the First National Bank, Conyers, Georgia, which bank failed between date of receiving check by the Government, April 2, 1925, and date of its presentation for payment, April 17, 1925, $44.87 being the balance outstanding after the affairs of the above-mentioned bank had been liquidated.

Major John B. Harper.

SEC. 6. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of John B. Harper, major, Finance Department, the sum of $80.64, public funds for which he is accountable and which were paid by him to Joseph F. Battley, first lieutenant, Chemical Warfare Service, for mileage performed under War Department orders and which amount was disallowed by the Comptroller General of the United States: *Provided*, That the amount so paid shall not be charged against any moneys otherwise due payee.

Major C. Newton, Junior.

SEC. 7. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of C. Newton, Junior, major, Finance Department, the sum of $100, said amount being public funds for which he is accountable and which represents a payment made to William A. Weaver for services in testifying as an expert witness at a general court martial of an officer, which amount has been disallowed by the Comptroller General of the United States.

Captain K. W. Slauson.

SEC. 8. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of K. W. Slauson, captain, Quartermaster Corps, the sum of $22.26, public funds for which he is accountable and which were paid to George L. Dewey, first lieutenant, Infantry, for traveling expenses and disallowed by the Comptroller General of the United States.

Lieutenant George L. Dewey.

SEC. 9. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George L. Dewey, first lieutenant, United States Army, the sum of $160.49, being the amount properly due him for traveling expenses, voucher for which was approved for payment by the General Accounting Office but used as an offset against the disallowances in the accounts of Captain K. W. Slauson, Quartermaster Corps, for a previous payment made Lieutenant Dewey for travel allowance while on duty as a language student in France: *Provided*, That no charge shall be raised in the accounts of K. W. Slauson, captain, Quartermaster Corps, and E. J. Heller, captain, Quartermaster Corps, on account of this payment.

Proviso. Designated accounts not affected.

Major George N. Watson.

SEC. 10. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of George N. Watson, major, Finance Department, the sum of 53 cents, public funds for which he is accountable and which were paid to the Western Union Telegraph Company for transmission of

an official message and which amount was disallowed by the Comptroller General of the United States on the grounds that such message could have been sent by naval radio service at reduced cost.

Refunds due disbursing officers.

SEC. 11. Any amounts which otherwise may have been due any of the disbursing officers mentioned herein, or, in the case of deceased officers, may have been due their heirs, for any other purpose, and which amounts or any part thereof have been used as a set-off by the Comptroller General to clear disallowances in said officers' accounts mentioned herein, shall be refunded to such disbursing officer or their heirs: *Provided*, That any amounts refunded by any of said disbursing officers, or their heirs, to the United States on account of said disallowances, shall also be refunded to such disbursing officers or their heirs: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Provisos.
Repaying refunds.

Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 15, 1935.

[CHAPTER 264.]

June 15, 1935.
[H. R. 240.]
[Private, No. 88.]

AN ACT

For the relief of Captain Alexander C. Doyle.

Captain Alexander C. Doyle.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the claim of Captain Alexander C. Doyle, Quartermaster Corps, United States Army, in the sum of $1,655 on account of stoppage of pay as the result of alleged neglect of duty while stationed at Schofield Barracks, Territory of Hawaii, during the year 1922, of which charge he was declared not guilty by court-martial decision. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $1,655, or so much thereof as may be necessary, to pay said claim.

Approved, June 15, 1935.

[CHAPTER 272.]

June 17, 1935.
[H. R. 6437.]
[Private, No. 89.]

AN ACT

To amend Private Act Numbered 5, Seventy-third Congress, entitled "An Act to convey certain land in the county of Los Angeles, State of California."

Los Angeles County, Calif.
Vol. 48, p. 1297.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Private Act Numbered 5, Seventy-third Congress, approved March 24, 1933, is amended to read as follows:

Certain land conveyed to, for recreation purposes.

That the Secretary of War be, and he is hereby, authorized and directed to convey to the county of Los Angeles, State of California, without cost, the hereinafter-described land, to be used for public park, playground, and recreation purposes only, on condition that should the land not be used for such purposes it shall revert to the United States:

Reversionary provision.

"All those certain lots, pieces, or parcels of land, together with all buildings thereon, situate, lying, and being in the city of Arcadia, county of Los Angeles, and State of California, and particularly described as follows, to wit: Lot 4 of tract numbered 949 as delineated upon the map of said tract recorded in book 17 of maps, at page 13, records of Los Angeles County, and lots 3, 4, 5, and 6 of tract numbered 2409 as delineated upon the map of said tract, recorded in book 23 of maps, at page 23, records of Los Angeles County. The land intended to be conveyed by this deed is bounded on the north by Falling Leaf Avenue, on the east of Santa Anita Avenue, on the south by Huntington Drive and by land now owned by Clara Baldwin Stocker, and on the west by the rights-of-way of Pacific Electric Railroad Company and Southern Pacific Railroad Company, and being all of the land claimed or owned by the grantor within the exterior bounds of Arcadia balloon field."

Description.

Approved, June 17, 1935.

[CHAPTER 273.]

AN ACT

For the relief of John E. Click.

June 17, 1935.
[H. R. 2466.]
[Private, No. 90.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John E. Click, chief clerk of the administrative office of the Alaska Division, Bureau of Indian Affairs, with headquarters now at Juneau, Alaska, is hereby relieved of reimbursing the United States for credit to the appropriation "Education of natives of Alaska, 1930–1931", the sum of $261.82 paid to the Alaska Steamship Company, of Seattle, Washington, from said appropriation for transporting his personal and household goods from Seattle, Washington, to Juneau, Alaska, upon permanent change of station, under an authorization issued by the Department of the Interior.

John E. Click.
Credit for transporting personal effects allowed.

Approved, June 17, 1935.

[CHAPTER 274.]

AN ACT

To authorize the settlement of individual claims of military personnel for damages to and loss of private property incident to the training, practice, operation, or maintenance of the Army.

June 17, 1935.
[H. R. 4798.]
[Private, No. 91.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the General Accounting Office be, and is hereby, authorized and directed to pay the following claims of military personnel and civilian employees in the amounts shown which have been approved and recommended for payment by the Secretary of War, for damages to, and loss of, private property of such personnel incident to the training, practice, operation, or maintenance of the Army, and that such payments be made from the present appropriation of the War Department entitled "Claims for damages to and loss of private property": E. M. Burnett, captain, Eighth Regiment United States Cavalry, $17.70; Haskell H. Cleaves, first lieutenant, Signal Corps, United States Infantry, $6; James H. Crawley, master sergeant, Air Corps, United States Army, $8; Henry L. Guertin, first sergeant, Company C, First Regiment United States Engineers, $25; Oliver L. Spicer, civilian employee, $35; Charles P. Sugg, staff sergeant, Seventy-third Pursuit Squadron, Air Corps, United States Army, $13; and Teel D. Whitton, sergeant, Second Ammunition Train, United States Army, $22.40.

Army.
Settlement of individual claims for damages or losses of private property.

Claimants designated.

Approved, June 17, 1935.

[CHAPTER 279.]

June 19, 1935.
[S. 2591.]
[Private, No. 92.]

AN ACT

For the relief of Lyman C. Drake.

Lyman C. Drake.
Payment to.
Ante, p. 580.

Vol. 45, p. 600.
U. S. C., p. 1500.

Provisos.
Payment to be in full settlement, etc.

Limitation on attorney's, etc., fees.

Penalty for violation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to pay to Lyman C. Drake the sum of $1,316.40 on account of an award made by the United States Employees' Compensation Commission on September 6, 1934, under the District of Columbia Workmen's Compensation Act, Case Numbered 4927–91, for personal injuries sustained by the said Lyman C. Drake on April 6, 1933, while in the employ of the District of Columbia Committee on Employment: *Provided*, That payment to and the receipt by the claimant of the sum herein appropriated shall be in full settlement of any and all claims arising out of said personal injuries: *And provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved, June 19, 1935.

[CHAPTER 280.]

June 19, 1935.
[H. R. 2422.]
[Private, No. 93.]

AN ACT

For the relief of James O. Greene and Mrs. Hollis S. Hogan.

James O. Greene and Mrs. Hollis S. Hogan.
Payments to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay to James O. Greene, of Augusta, Georgia, the sum of $30.88, and to Mrs. Hollis S. Hogan, of Augusta, Georgia, the sum of $62.91, out of any money in the Treasury not otherwise appropriated, and in full settlement of all claims against the Government of the United States for erroneous payments of Postal Savings certificates which they were charged with: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved, June 19, 1935.

[CHAPTER 285.]

AN ACT

For the relief of Irene de Bruyn Robbins.

June 20, 1935.
[S. 2597.]
[Private, No. 94.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Irene de Bruyn Robbins, widow of Warren Delano Robbins, late American Minister to Canada, the sum of $10,000, equal to one year's salary of her deceased husband.

Irene de Bruyn Robbins.
Payment to.

Approved, June 20, 1935.

[CHAPTER 292.]

AN ACT

For the relief of Yvonne Hale.

June 24, 1935.
[S. 799.]
[Private, No. 95.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Yvonne Hale, widow of Bernard F. Hale, late American Consul at Venice, Italy, the sum of $4,000, equal to one year's salary of her deceased husband: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Yvonne Hale.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 24, 1935.

[CHAPTER 293.]

AN ACT

For the relief of Germaine M. Finley.

June 24, 1935.
[S. 1809.]
[Private, No. 96.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Germaine M. Finley, widow of James G. Finley, late a Foreign Service officer of the United States at Havre, France, the sum of $2,750, being one year's salary of her deceased husband, who died while in the Foreign Service; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purpose of this Act.

Germaine M. Finley.
Payment to.
Ante, p. 592.

Approved, June 24, 1935.

[CHAPTER 294.]

AN ACT

For the relief of Margaret G. Baldwin.

June 24, 1935.
[S. 2371.]
[Private, No. 97.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to

Margaret G. Baldwin.
Payment to.

Margaret G. Baldwin, widow of Frederick W. Baldwin, late consul, Habana, Cuba, the sum of $3,500, being one year's salary of her deceased husband, who died while in the Foreign Service; and there is hereby authorized to be appropriated a sufficient sum to carry out the purposes of this Act.

Approved, June 24, 1935.

[CHAPTER 295.]

June 24, 1935.
[S. 43.]
[Private, No. 98.]

AN ACT

For the relief of Lucile A. Abbey.

Lucile A. Abbey. Provisions of Employees' Compensation Act extended to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, the United States Employees' Compensation Commission is hereby authorized to consider and determine the claim of Lucile A. Abbey, in the same manner and to the same extent as if said Lucile A. Abbey had made application for the benefits of said Act within the one-year period required by sections 17 and 20 thereof: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Vol. 39, p. 746.
U. S. C., p. 100.

Proviso.
No prior benefits.

Approved, June 24, 1935.

[CHAPTER 296.]

June 24, 1935.
[S. 144.]
[Private, No. 99.]

AN ACT

For the relief of Auston[1] L. Tierney.

Auston L. Tierney. Military record corrected.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Austin[1] L. Tierney, who served as a fireman, third-class, United States Navy, shall be held and considered to have been honorably discharged from the naval service of the United States as a fireman, third class, on April 25, 1918: *Provided*, That no compensation, retirement pay, back pay, or other benefits shall be held to have accrued, nor to accrue in the future, by reason of the passage of this Act.

Proviso.
No back pay, etc.

Approved, June 24, 1935.

[CHAPTER 297.]

June 24, 1935.
[S. 391.]
[Private, No. 100.]

AN ACT

For the relief of Ralph E. Woolley.

Ralph E. Woolley. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $7,755.47 to Ralph E. Woolley, of Honolulu, Territory of Hawaii, in full satisfaction of all claims against the United States for damages on account of delay in the construction of certain buildings at the Naval operating Base, Pearl Harbor, Territory of Hawaii, making necessary extra expenditures in connection with the installation, under contract numbered 245, dated

[1] So in original.

December 23, 1927, of plumbing, steam, oil distribution, and electrical systems in such buildings: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 24, 1935.

[CHAPTER 298.]

AN ACT

For the relief of Miles Thomas Barrett.

June 24, 1935. [S. 546.] [Private, No. 101.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Miles Thomas Barrett, of Portland, Oregon, the sum of $109.85 for his services in the United States Army as a private in the Corps of Engineers for the period of May 7, 1918, to August 19, 1918, both dates inclusive: *Provided*, That his service in the United States Army during the period in question is hereby made honorable by virtue of the passage of this Act.

Miles Thomas Barrett. Payment to.

Proviso. Service record.

Approved, June 24, 1935.

[CHAPTER 299.]

AN ACT

For the relief of Alfred W. Kliefoth.

June 24, 1935. [S. 547.] [Private, No. 102.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alfred W. Kliefoth the sum of $3,940.47 in full settlement of all claims against the Government of the United States to reimburse him for personal property lost in Russia in 1918 while in the performance of his duties as assistant military attaché at the American Embassy at Petrograd: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Alfred W. Kliefoth. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 24, 1935.

[CHAPTER 300.]

June 24, 1935.
[S. 885.]
[Private, No. 103.]

AN ACT

To correct the naval record of Joseph Horace Albion Normandin.

Joseph Horace Albion Normandin.
Honorable discharge granted to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged sailors Joseph Horace Albion Normandin, formerly a seaman, United States Navy, shall be held and considered to have been discharged with an ordinary discharge under honorable conditions as of April 18, 1929, the date on which he was given a bad-conduct discharge from the Navy: *Provided*, That no compensation, retirement pay, back pay, pension or other benefits shall be held to have accrued prior to the passage of this Act.

Proviso.
No back pay, etc.

Approved, June 24, 1935.

[CHAPTER 301.]

June 24, 1935.
[S. 1121.]
[Private, No. 104.]

AN ACT

For the relief of Isidor Greenspan.

Isidor Greenspan.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Isidor Greenspan, the sum of $1,500 in full settlement of all claims against the Government of the United States. Such sum represents the amount of a fine paid by Isidor Greenspan pursuant to a conviction for violating certain provisions of the Lever Act of August 10, 1917, as amended, prior to the declaration by the Supreme Court of the United States of the unconstitutionality of such provisions: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 24, 1935.

[CHAPTER 302.]

June 24, 1935.
[S. 1325.]
[Private, No. 105.]

AN ACT

For the relief of Dino Carbonell.

Dino Carbonell.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dino Carbonell, a resident of Italy, or his duly authorized representative, the sum of $500, in full settlement of all claims against the United States for the amount of a United States Treasury bond (3 per centum Treasury bond of 1951–1955, serial numbered 22346–F) deposited by him with the immigration authorities of the port of New York, New York, as security for a bond executed by him and conditioned upon his departure from the United States on or before June 15, 1932, such bond being subsequently forfeited, although such

Dino Carbonell departed from the United States within the period fixed in such bond, as extended by such immigration authorities: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 24, 1935.

[CHAPTER 303.]

AN ACT

For the relief of John A. Jumer.

June 24, 1935. [S. 1363.] [Private, No. 106.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to John A. Jumer, of Two Harbors, Minnesota, the sum of $277, in full satisfaction of his claim against the United States for personal-property losses sustained by him in 1918 while serving as a captain, Dental Corps, United States Army, in the Argonne Forest, France: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

John A. Jumer. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 24, 1935.

[CHAPTER 304.]

AN ACT

June 24, 1935. [S. 1392.] [Private, No. 107.]

Conferring upon the United States District Court for the Northern District of California, southern division, jurisdiction of the claim of Minnie C. de Back against the Alaska Railroad.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the United States District Court for the Northern District of California, southern division, to hear, determine, and render judgment upon the claim of Minnie C. de Back, of San Francisco, California, against the Alaska Railroad for general and special damages by reason of personal injuries alleged to have been sustained by her on or about July 3, 1931, while a passenger aboard one of the trains operated by such railroad.

Minnie C. de Back. Jurisdiction conferred on district court to adjudicate claim of.

SEC. 2. In the determination of such claim the Alaska Railroad shall be held liable for any tort committed by any of its servants to the same extent as if it were a private person.

Liability of Alaska Railroad.

Commencement of suit.

Procedure.

U. S. C., p. 1230.

SEC. 3. Such claim may be instituted at any time within one year after the enactment of this Act, notwithstanding the lapse of time or any statute of limitation. Proceedings for the determination of such claim, and appeals from, and payment of, any judgment thereon shall be in the same manner as in the case of claims over which such court has jurisdiction under the first paragraph of paragraph 20 of section 24 of the Judicial Code, as amended.

Approved, June 24, 1935.

[CHAPTER 305.]

June 24, 1935.
[S. 1585.]
[Private, No. 108.]

AN ACT

For the relief of Stefano Talanco and Edith Talanco.

Stefano Talanco and Edith Talanco. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Stefano Talanco and his minor daughter, Edith Talanco, both of Bexar County, Texas, the sum of $7,000 in full satisfaction of their claims against the United States for damages on account of personal injuries suffered on May 17, 1932, when a United States Army airplane, piloted by Lieutenant E. T. Seltzer, crashed into the automobile owned by said Stefano Talanco, which was parked on the Castroville Road, Bexar County, Texas, and in which said Stefano Talanco and Edith Talanco were sitting at the time of such collision, such sum representing (1) $2,000 for permanent personal injuries suffered by said Stefano Talanco, and (2) $5,000 for personal injuries suffered by said Edith Talanco: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 24, 1935.

[CHAPTER 306.]

June 24, 1935.
[S. 1863.]
[Private, No. 109.]

AN ACT

For the relief of Trifune Korac.

Trifune Korac. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Trifune Korac, out of any money in the Treasury not otherwise appropriated, the sum of $2,000, in full settlement of all claims against the Government of the United States for the amount reimbursed by him to the American Employers' Insurance Company upon the forfeiture of two immigration bonds executed by said company, upon security furnished by said Trifune Korac conditioned upon the appearance before the immigration authorities of Kirsto Temelkovich and Kosta Simonvich, aliens, who, after the forfeiture of said bonds and the payment of the amount thereof by the bonding company, were apprehended through the efforts of

said Trifune Korac and subsequently deported: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 24, 1935.

[CHAPTER 307.]

AN ACT

For the relief of Elsie Segar.

June 24, 1935. [S. 2218.] [Private, No. 110.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement of all claims against the United States, to Elsie Segar, administratrix of C. M. A. Sorensen, the sum of $1,200 for loss on September 1, 1924, of a boathouse, engine parts, tools, electric fittings, marine supplies, and clothing belonging to C. M. A. Sorensen, at Bayou Saint John, city of New Orleans, Louisiana, while said boathouse was being used by and in the sole occupancy of Government prohibition agents, pursuant to rental privileges granted by C. M. A. Sorensen to prohibition agents of the United States Government, at New Orleans, Louisiana; and to Holger E. Sorensen, the son of C. M. A. Sorensen, the sum of $800 for loss to Holger E. Sorensen of personal property and belongings in the said boathouse at the time of said boathouse destruction: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Elsie Segar. Payment to.

Payment to son.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 24, 1935.

[CHAPTER 311.]

AN ACT

For the relief of the estate of Donnie Wright.

June 25, 1935. [S. 148.] [Private, No. 111.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Donnie Wright, late of Vicksburg, Mississippi, the sum of $4,500, in full satisfaction of its claim against the United States on account of the death of said Donnie Wright caused by injuries received by her in 1929 in an elevator in the post-office building at Vicksburg, Missis-

Donnie Wright. Payment to estate of.

Proviso. Limitation on attorney's, etc., fees.

sippi: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, June 25, 1935.

[CHAPTER 312.]

AN ACT

For the relief of The Washington Post Company.

June 25, 1935. [S. 1052.] [Private, No. 112.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of the Act of July 31, 1876, being "An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1877, and for other purposes" (19 Stat. L. 105; U. S. C., title 44, sec. 321), the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to The Washington Post Company, Washington, District of Columbia, the sum of $109.80 in full settlement and satisfaction of its claim for advertising services rendered the Veterans' Administration in advertising for proposals to furnish labor and materials for certain construction projects as the Veterans' Administration home, Leavenworth, Kansas; Veterans' Administration hospital, Columbia, South Carolina; and Veterans' Administration home, Johnson City, Tennessee: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The Washington Post Company. Payment to.

Vol. 19, p. 105 U. S. C., p. 1950.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 25, 1935.

[CHAPTER 313.]

AN ACT

For the relief of Ward J. Lawton.

June 25, 1935. [S. 1656.] [Private, No. 113.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to credit in the accounts of Ward J. Lawton, special disbursing agent, Lighthouse Service, Department of Commerce, the sum of $204 paid to the Liberty Brush Company, Philadelphia, Pennsylvania (voucher numbered 6660), May 17, 1932, which was later disallowed by the Comptroller General of the United States.

Ward J. Lawton. Credit in accounts.

Approved, June 25, 1935.

[CHAPTER 314.]

AN ACT

For the relief of John W. Dady.

June 25, 1935.
[S. 2333.]
[Private, No. 114.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of John W. Dady, superintendent and special disbursing agent of the Mission Indian Agency, Riverside, California, for payments aggregating $582.50, made to Thomas Lucas, an Indian, as mileage for travel performed by automobile while employed as subforeman in emergency conservation work: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

John W. Dady. Credit allowed in accounts.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 25, 1935.

[CHAPTER 317.]

AN ACT

For the relief of the Western Union Telegraph Company.

June 26, 1935.
[S. 1051.]
[Private, No. 115.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Western Union Telegraph Company the sum of $1,155.32 in full and final settlement of all claims against the Government for expenses incurred in repairing a Western Union cable which was picked up and cut by the Coast Guard cutter Pequot, January 22, 1931, in grappling for a United States submarine cable between Knight Key Harbor and Sombrero Key, Florida: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Western Union Telegraph Company. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 26, 1935.

[CHAPTER 318.]

AN ACT

For the relief of the Tampa Marine Company.

June 26, 1935.
[S. 1860.]
[Private, No. 116.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the Tampa Marine Company, a corporation, of Tampa,

Tampa Marine Company. Payment to.

Florida, out of any money in the Treasury not otherwise appropriated, the sum of $2,130, in full settlement of all claims against the Government of the United States for a penalty imposed upon said company in connection with a contract made between said company and the Government, dated August 15, 1928, for certain work and repairs on the United States lightship tender Ivy: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 26, 1935.

[CHAPTER 321.]

AN ACT

For the relief of Cletus F. Hoban.

June 27, 1935. [H. R. 1703.] [Private, No. 117.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 15 to 20, inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Cletus F. Hoban, on account of disability alleged to have been incurred while a civil employee of the United States in the Internal Revenue Service at Los Angeles, California: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Cletus F. Hoban. Benefits of Employees' Compensation Act extended to. Vol. 39, p. 746. U. S. C., p. 100.

Proviso. No prior benefits.

Approved, June 27, 1935.

[CHAPTER 336.]

AN ACT

For the relief of Vito Valentino.

June 28, 1935. [S. 314.] [Private, No. 118.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Vito Valentino, of Providence, Rhode Island, the sum of $50, in full satisfaction of his claim against the United States for damages for injury done to a stone wall owned by said Vito Valentino at 1171 Douglas Avenue, North Providence, Rhode Island, when a United States mail truck ran into such wall on or about March 29, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary

Vito Valentino. Payment to.

Proviso. Limitation on attorney's, etc., fees.

notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000. Penalty for violation.

Approved, June 28, 1935.

[CHAPTER 339.]

AN ACT

For the relief of Thomas J. Gould.

June 29, 1935.
[H. R. 1315.]
[Private, No. 119.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $398.80 to Thomas J. Gould, clerk of the post office at Kansas City, Missouri, in full settlement of all claims against the Government of the United States for funds lost through the cashing of forged money orders in September 1923: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Thomas J. Gould. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 29, 1935.

[CHAPTER 340.]

AN ACT

For the relief of James M. Pace.

June 29, 1935.
[H. R. 2708.]
[Private, No. 120.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit James M. Pace, former postmaster at Macomb, McDonough County, Illinois, in his accounts with the sum of $21,476.99, the amount of money and postage stamps lost in the burglary of the post office at Macomb, Illinois, on April 5, 1929.

James M. Pace. Credit allowed in accounts.

Approved, June 29, 1935.

[CHAPTER 341.]

AN ACT

For the relief of Ruth Nolan and Anna Panozza.

June 29, 1935.
[H. R. 3180.]
[Private, No. 121.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement of all claims against the Government of the United States, to Ruth Nolan and Anna Panozza, the sums of $3,500 and $3,000, respectively, in all $6,500, said sum being the amount of bonds placed for the appearance of five defendants in the United States District Court, Northern District of Indiana, for prosecution under the National Prohibition Law, which defendants were duly tried

Ruth Nolan and Anna Panozza. Payment to.

and convicted (Criminal Cause Numbered 415), but the sums mentioned were erroneously ordered deposited in the Treasury of the United States, by decree of the court, to apply on unpaid fines and costs in the said criminal case: *Provided*, That no part of the amount appropriated in this Act in excess of 10 percentum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 29, 1935.

[CHAPTER 342.]

AN ACT

For the relief of Nellie T. Francis.

June 29, 1935.
[H. R. 3574.]
[Private, No. 122.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Nellie T. Francis, widow of William T. Francis, late minister resident and consul general at Monrovia, Liberia, the sum of $5,000, equal to one year's salary of her deceased husband.

Nellie T. Francis.
Payment to.

Approved, June 29, 1935.

[CHAPTER 343.]

AN ACT

For the relief of Julian C. Dorr.

June 29, 1935.
[H. R. 4105.]
[Private, No. 123.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General is authorized and directed to credit the account of Julian C. Dorr, Department of State, formerly American Consul at Genoa, Italy, in the sum of $606.77, such sum having been expended by the Department of State in shipping the household effects of said Julian C. Dorr from Genoa, Italy, to Barbados, British West Indies, in connection with a change of assignment, and such expenditure having been charged to the account of said Julian C. Dorr by the Comptroller General on the ground that such shipment should have been made on an American vessel under the provisions of section 601 of the Merchant Marine Act, 1928. The surety on the bond of the said Julian C. Dorr is hereby released from any liability arising out of such expenditure.

Julian C. Dorr.
Credit in accounts.

Vol. 45, p. 697.

Surety released.

Approved, June 29, 1935.

[CHAPTER 344.]

AN ACT

For the relief of Matthew E. Hanna.

June 29, 1935.
[H. R. 4817.]
[Private, No. 124.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the sum of $921 to cover a disallow-

Matthew E. Hanna.
Credit allowed in accounts of.

ance in the accounts for the month of March 1931 of Matthew E. Hanna, former American Minister to Nicaragua, for the loss of consular fee stamps suffered by him as the result of an earthquake and fire which destroyed the American Legation Building and its contents on March 31, 1931.

Approved, June 29, 1935.

[CHAPTER 345.]

AN ACT

For the relief of Lily M. Miller.

June 29, 1935.
[H. R. 7254.]
[Private, No. 125.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the relief of Lily M. Miller, widow of Ransford S. Miller, American consul general, the sum of $9,000, being one year's salary of her deceased husband, who died while in the Foreign Service.

Lily M. Miller.
Payment to.
Ante, p. 592.

Approved, June 29, 1935.

[CHAPTER 354.]

AN ACT

For the relief of Luther M. Turpin and Amanda Turpin.

July 1, 1935.
[H. R. 805.]
[Private, No. 126.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture be, and he is hereby, authorized and directed to execute a quitclaim deed to Luther M. Turpin and Amanda Turpin, quitclaiming to said grantees all rights, title, or interest of the United States in and to the following-described lands: Being a part of lots 19 and 20 in the fourth district of Rabun County, Georgia, beginning at a stake on the west bank of Cliff Creek, on the line between the lands formerly owned by Miles Phillips and L. V. Cannon; thence north fifty-nine degrees west four hundred feet, north fifty-one degrees east one thousand one hundred and fifty feet, north twenty-three degrees west five hundred feet, north fifty-one degrees east two hundred feet, south twenty-three degrees east one thousand one hundred and fifty feet, south fifty-one degrees west two hundred and ten feet, north forty degrees west three hundred and fifty feet, south fifty-one degrees west four hundred feet, south twenty-four degrees east four hundred and eighty feet, south eighty-nine degrees west four hundred and ninety feet, thence to the beginning, containing fifteen acres.

Luther M. Turpin and Amanda Turpin.
Quitclaim deed to designated lands.

Description.

Approved, July 1, 1935.

[CHAPTER 360.]

AN ACT

For the relief of Grace McClure.

July 2, 1935.
[H. R. 1292.]
[Private, No. 127.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, the sum of $4,000, to Grace McClure, widow of Percy McClure, who died of injuries received as a result of a collision with a United States Civilian

Grace McClure.
Payment to.

Proviso. Limitation on attorney's, etc., fees.

Conservation Corps truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, July 2, 1935.

[CHAPTER 361.]

July 2, 1935.
[H. R. 2987.]
[Private, No. 128.]

AN ACT

For the relief of E. W. Tarrence.

E. W. Tarrence. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to E. W. Tarrence, former postmaster at Llano, Texas, the sum of $313.52 in full settlement of all claims against the Government of the United States for the amount of postal funds lost as a result of the failure of the Llano National Bank of Llano, Texas: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, July 2, 1935.

[CHAPTER 362.]

July 2, 1935.
[H. R. 3556.]
[Private, No. 129.]

AN ACT

For the relief of Sophie Carter.

Sophie Carter. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $500 to Sophie Carter, in full settlement of all claims against the Government of the United States for injuries sustained by her when an automobile in which she was riding on August 7, 1929, was struck by United States Navy truck numbered 3639: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in

Proviso. Limitation on attorney's, etc., fees.

connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000. Penalty for violation.

Approved, July 2, 1935.

[CHAPTER 363.]

AN ACT

For the relief of Charles Szymanski.

July 2, 1935.
[H. R. 4034.]
[Private, No. 130.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Charles Szymanski, out of any money in the Treasury not otherwise appropriated, the sum of $172 in full settlement of all claims against the Government of the United States for injuries incurred by his infant son, Richard Szymanski, when struck by an Army truck on January 16, 1934, at Alenceana and Wolfe Streets, Baltimore, Maryland: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Charles Szymanski. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, July 2, 1935.

[CHAPTER 364.]

AN ACT

For the relief of Noble County (Ohio) Agricultural Society.

July 2, 1935.
[H. R. 4651.]
[Private, No. 131.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Noble County (Ohio) Agricultural Society the sum of $1,650. Such sum shall be in full settlement of all claims against the United States for damages sustained by such society on account of the destruction by fire of two barns owned by such society while such barns were being used by the United States Forest Service for the storage of trucks: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Noble County, Ohio, Agricultural Society. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, July 2, 1935.

[CHAPTER 365.]

AN ACT

July 2, 1935.
[H. R. 4808.]
[Private, No. 132.]

For the relief of the Richmond, Fredericksburg and Potomac Railroad Company.

Richmond, Fredericksburg and Potomac Railroad Company. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized and directed to pay to the Richmond, Fredericksburg and Potomac Railroad Company, out of the appropriation "Public Works, Bureau of Yards and Docks", the sum of $32,362.24, being one-half of the sum paid out and expended by said railroad company in constructing the railroad bridge over the relocated channel of Chappawamsic Creek, near Quantico, Virginia: *Provided*, That payment to and the receipt by the said railroad company of the sum herein authorized to be paid shall be in full settlement of any and all claims and demands against the Government of the United States on account of the construction of said bridge: *Provided further*, That no part of the amount authorized to be paid by this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount authorized to be paid by this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Provisos.
Payment to be in full settlement.

Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, July 2, 1935.

[CHAPTER 366.]

AN ACT

July 2, 1935.
[H. R. 4811.]
[Private, No. 133.]

For the relief of George W. Miller.

George W. Miller. Credit in account.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the account of Chief Pay Clerk George W. Miller, a special disbursing agent of the Coast Guard, with the sum of $27.60, such amount representing a sum disbursed by him and disallowed by the General Accounting Office in notice of exception issued July 26, 1934, voucher numbered 462.

Approved, July 2, 1935.

[CHAPTER 369.]

AN ACT

July 3, 1935.
[H. R. 1438.]
[Private, No. 134.]

For the relief of Carrie McIntyre.

Carrie McIntyre. Designated beneficiary of deceased son.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Carrie McIntyre, mother of Henry D. McIntyre, who served as a private in Service Company, Fourth Regiment United States Infantry, shall be considered as the duly designated beneficiary and dependent of the late Henry D. McIntyre under the Act approved December 17, 1919 (14[1] Stat. 367).

Vol. 41, p. 367.

Approved, July 3, 1935.

[1] So in original.

[CHAPTER 370.]

AN ACT

For the relief of E. C. West.

July 3, 1935.
[H. R. 4368.]
[Private, No. 135.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to E. C. West, of Dunn, North Carolina, the sum of $201.59 in full settlement of all claims against the United States for substitute-clerk hire paid by him from December 31, 1921, to September 30, 1922, while acting as postmaster at Dunn, North Carolina: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

E. C. West.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, July 3, 1935.

[CHAPTER 371.]

AN ACT

For the relief of John J. Moran.

July 3, 1935.
[H. R. 4610.]
[Private, No. 136.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement of all claims against the Government of the United States to John J. Moran the sum of $296.42, being the amount paid by Mr. Moran as postmaster at Southington, Connecticut, to Raymond F. Keating and Keron R. Welch, employees at the post office for the period August 16 to September 30, 1918: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

John J. Moran.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, July 3, 1935.

[CHAPTER 385.]

July 17, 1935.
[S. 377.]
[Private, No. 137.]

AN ACT

To grant to the Utah Gilsonite Company the right to use a water well on certain public lands in Utah.

Utah Gilsonite Company.
Right to use certain water well granted.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Utah Gilsonite Company, a Missouri corporation doing business in the State of Utah, be, and it is hereby, granted the right to use the water well now held by it on the northwest quarter of the northwest quarter of section 20, township 9 south, range 24 east, Salt Lake meridian, in Uintah County, Utah, for the purpose of supplying water for culinary and other beneficial purposes to its camp about two miles distant, and so much land around said well, not exceeding five acres, as needed for the protection and use thereof, upon condition that the Company pay to the United States through the register of the Salt Lake City district land office a yearly rental of $5, the first payment to be made within sixty days after the passage of this Act, and annually thereafter on the anniversary date hereof, and the continued use of the well for the purpose of supplying water to its camp: *Provided*, That, upon failure to comply with said conditions, or either of them, for a continuous period of one year, the Secretary of the Interior may by appropriate proceedings declare said right forfeited and terminate the same.

Condition.

Proviso.
Penalty upon failure to comply.

Approved, July 17, 1935.

[CHAPTER 388.]

July 18, 1935.
[S. 312.]
[Private, No. 138.]

AN ACT

For the relief of Lillian G. Frost.

Lillian G. Frost.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Lillian G. Frost, mother of Franklin Blaine Frost, late vice consul and third secretary, Department of State, the sum of $3,500, being one year's salary of her deceased son, who died while in the Foreign Service; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purpose of this Act.

Approved, July 18, 1935.

[CHAPTER 389.]

July 18, 1935.
[H. R. 3512.]
[Private, No. 139.]

AN ACT

For the relief of H. B. Arnold.

H. B. Arnold.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to H. B. Arnold, of Saint Simons Island, Glynn County, Georgia, the sum of $500 in full settlement of all claims against the Government for damages as the result of a pilot on a United States naval marine plane on January 6, 1932, at Saint Simons Island golf course, negligently flying too low and thereby breaking and causing to fall a high voltage electric power wire in which said H. B. Arnold became entangled without negligence on his part: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents,

Proviso.
Limitation on attorney's, etc., fees.

attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, July 18, 1935.

[CHAPTER 391.]

AN ACT

For the relief of the Standard Dredging Company.

July 19, 1935.
[S. 780.]
[Private, No. 140.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the Standard Dredging Company, owner of the dredge Long Beach and pipe line thereto attached, out of any money in the Treasury not otherwise appropriated, the sum of $2,486.25, in full settlement of all claims against the United States for damages suffered for loss of earnings or fair rental value of its said dredging plant for the period operation of same was stopped as a result of a collision with its pipe line by the United States dredge Chinook, at Astoria, Oregon, May 1, 1916, under circumstances which were held after due investigation to have been such that the Government was responsible: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Standard Dredging Company.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, July 19, 1935.

[CHAPTER 392.]

AN ACT

For the relief of Ethel G. Remington.

July 19, 1935.
[S. 1099.]
[Private, No. 141.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ethel G. Remington, the sum of $200, in full and final settlement of all claims against the Government for injuries sustained resulting from a collision involving United States Army truck numbered 429912 on May 27, 1934, near Hayden Lake, Idaho: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding.

Ethel G. Remington.
Compensation for injuries.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved, July 19, 1935.

[CHAPTER 393.]

July 19, 1935.
[S. 1290.]
[Private, No. 142.]

AN ACT

For the relief of Walter Motor Truck Company, Incorporated.

Walter Motor Truck Company, Incorporated.
Compensation for two motor trucks.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Walter Motor Truck Company, Incorporated, the sum of $8,400 in full settlement for two motor trucks delivered to and used for five years by the United States Quartermaster Department, Motor Transport Corps, United States Army, Camp Holabird, Maryland, for which no payment has ever been made: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, July 19, 1935.

[CHAPTER 394.]

July 19, 1935.
[S. 1446.]
[Private, No. 143.]

AN ACT

For the relief of Knud O. Flakne.

Knud O. Flakne.
Name included as a possible claimant for losses, Mud Lake bottom, Minn.
Vol. 48, p. 1440.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act for the relief of certain riparian owners for losses sustained by them on the drained Mud Lake bottom in Marshall County in the State of Minnesota", approved June 26, 1934 (Private, Numbered 368, Seventy-third Congress), is hereby amended by inserting the words "or Knud O. Flakne" after the words "F. H. Wellcome Company."

Approved, July 19, 1935.

[CHAPTER 395.]

July 19, 1935.
[S. 1447.]
[Private, No. 144.]

AN ACT

For the relief of Mary C. Moran.

Mary C. Moran.
Name included as a possible claimant for losses, Mud Lake bottom, Minn.
Vol. 48, p. 1440.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act for the relief of certain riparian owners for losses sustained by them on the drained Mud Lake bottom in Marshall County in the State of Minnesota", approved June 26, 1934 (Private, Numbered 368, Seventy-third Congress), is hereby amended by inserting the words "or Mary C. Moran" after the words "Clarence Larson."

Approved, July 19, 1935.

[CHAPTER 396.]

AN ACT

For the relief of Robert D. Baldwin.

July 19, 1935.
[S. 1498.]
[Private, No. 145.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of Robert D. Baldwin, superintendent and special disbursing agent of the Haskell Institute, at Lawrence, Kansas, for an expenditure of $1,359.26 made in October 1931 and paid from the appropriation for Indian boarding schools, fiscal year 1932.

Robert D. Baldwin. Credit allowed in accounts of.

Approved, July 19, 1935.

[CHAPTER 397.]

AN ACT

For the relief of Robert J. Enochs.

July 19, 1935.
[S. 1499.]
[Private, No. 146.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of Doctor Robert J. Enochs, former superintendent and special disbursing agent of the Choctaw Indian Agency, Philadelphia, Mississippi, for an expenditure of $80.07 made in January 1932 for shoes, and paid from the appropriation "Support of Indians and Administration of Indian Property, 1932."

Robert J. Enochs. Credit allowed in accounts of.

Approved, July 19, 1935.

[CHAPTER 398.]

AN ACT

For the relief of Carl C. Christensen.

July 19, 1935.
[S. 1566.]
[Private, No. 147.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Carl C. Christensen, of Spider Lake, Vilas County, Wisconsin, the sum of $3,500, in full satisfaction of all claims of said Carl C. Christensen against the United States for damages resulting from personal injuries sustained by him on April 22, 1934, when shot by one Lester M. Gillis (alias Baby Face Nelson), while assisting two agents of the Department of Justice, Division of Investigation, in their endeavor to apprehend one John Dillinger and his associates: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Carl C. Christensen. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, July 19, 1935.

[CHAPTER 399.]

July 19, 1935.
[S. 2292.]
[Private, No. 148.]

AN ACT

For the relief of Emanuel Wallin.

Emanuel Wallin.
Reimbursement for amount of homestead entry.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Emanuel Wallin, out of the funds in the Treasury belonging to the Chippewa Tribe of Indians in Minnesota, the sum of $101.90, and out of any money in the Treasury not otherwise appropriated, the sum of $9.30, as reimbursement in full of moneys paid the Government in connection with his homestead entry, Crookston, Minnesota, 010750: *Provided*, That the Secretary of the Interior be, and he is hereby, authorized in his discretion to allow Emanuel Wallin, his heirs or assigns, to select, by legal subdivisions, one hundred and sixty acres of surveyed vacant, unappropriated public land, unreserved except by Executive Order Numbered 6910 of November 26, 1934, and Executive Order Numbered 6964 of February 5, 1935, under the general homestead law, or three hundred and twenty acres under the enlarged homestead law, or six hundred and forty acres under the stock-raising homestead law, free from lawful claim, anywhere in the United States where there are public lands subject to such entry, and receiving United States patent for such lands without payment to the United States of any fees, commissions, or other moneys, and without further compliance with the homestead laws in connection therewith, and the submission of proof thereof, the patent, however, to contain a reservation of mineral to the United States, if necessary, as in other entries under the same law.

Proviso.
Other selections allowed.

Exceptions.

Approved, July 19, 1935.

[CHAPTER 400.]

July 19, 1935.
[H. R. 5393.]
[Private, No. 149.]

AN ACT

For the relief of Moses Israel.

Moses Israel.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Moses Israel the sum of $2,500 in full settlement of all claims against the United States for damages suffered by reason of being struck and injured by a Government automobile which was driven by an employee of the Post Office Department: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, July 19, 1935.

[CHAPTER 401.]

AN ACT

For the relief of Mrs. George F. Freeman.

July 19, 1935.
[S. 475.]
[Private, No. 150.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the requirements of sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in the case of the late Doctor George F. Freeman, formerly employed by the Department of Agriculture as director of the Agriculture Experiment Station, Mayaguez, Puerto Rico, who died on September 16, 1930, and whose death is alleged to have resulted from injuries sustained in the course of such employment, and the United States Employees' Compensation Commission is authorized and directed to consider and act upon any claim which may be filed with such Commission by Mrs. George F. Freeman, widow of such Doctor George F. Freeman, within one year from the date of enactment of this Act, for compensation under the provisions of such Act of September 7, 1916, as amended, for the death of such Doctor George F. Freeman; but compensation, if any, shall be paid from and after the date of enactment of this Act. Such payments of compensation shall be made out of funds heretofore or hereafter appropriated for the payment of awards under the provisions of such Act, as amended.

Dr. George F. Freeman.
Benefits of Employees' Compensation Act extended to.
Vol. 39, p. 743; Vol. 44, p. 772.

Payments.

Approved, July 19, 1935.

[CHAPTER 403.]

AN ACT

Authorizing adjustment of the claim of Korber Realty, Incorporated.

July 22, 1935.
[S. 428.]
[Private, No. 151.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the claim of Korber Realty, Incorporated, under lease numbered VBr–806, dated April 28, 1931, on account of failure to restore to former condition quarters occupied during the period ended June 30, 1932, by the Albuquerque office of the Veterans' Administration, and to allow not to exceed $500 in full and final settlement of said claim. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $500, or so much thereof as may be necessary, for payment of the claim: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Korber Realty, Incorporated.
Settlement of claim of, authorized.

Appropriation.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, July 22, 1935.

[CHAPTER 404.]

July 22, 1935.
[S. 884.]
[Private, No. 152.]

AN ACT

For the relief of Lieutenant Commander G. C. Manning.

Lieutenant Commander G. C. Manning.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lieutenant Commander G. C. Manning the sum of $146 in full settlement of all claims against the United States for damages to his furniture by the Navy in shipment from Shanghai, China, to New York: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, July 22, 1935.

[CHAPTER 405.]

July 22, 1935.
[S. 1036.]
[Private, No. 153.]

AN ACT

Authorizing adjustment of the claim of Doctor George W. Ritchey.

Doctor George W. Ritchey.
Claim of, to be adjusted.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the claim of Doctor George W. Ritchey in the amount of $8,283.39 as loss sustained through the spalling and splitting of the original 40-inch mirror which was intended for installation under contract NOd–297, dated June 5, 1931, in a telescope at the United States Naval Observatory, and to allow not to exceed $8,283.39 in full and final settlement of said claim.

Appropriation.

There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $8,283.39, or so much thereof as may be necessary, for payment of the claim.

Approved, July 22, 1935.

[CHAPTER 406.]

July 22, 1935.
[S. 1054.]
[Private, No. 154.]

AN ACT

Authorizing adjustment of the claim of White Brothers and Company.

White Brothers and Company.
Refund of advance rent payment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the claim of the White Brothers and Company, a partnership composed of John W. White, Junior, Will J. White, A. P. White, and Madison White, for a refund of an advance payment of rent for the property known as the Little Rock Air Depot, Little Rock, Arkansas, under their War Department lease numbered W–766–qm–291, dated May 23, 1930, rent having been paid in advance for the period ending February 22, 1932, and the War Department having exercised its option to terminate the lease effective December 31, 1931, and to allow in full and final settlement

of said claim not to exceed the sum of $341.92. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $341.92, or so much thereof as may be necessary to pay said claim: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Appropriation.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, July 22, 1935.

[CHAPTER 407.]

AN ACT

For the relief of the Western Electric Company, Incorporated.

July 22, 1935.
[S. 2487.]
[Private, No. 155.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust, settle, and certify for payment, out of any money in the Treasury not otherwise appropriated, the claim of the Western Electric Company, Incorporated, for supplies delivered to the Navy Mine Depot, Yorktown, Virginia, under requisition numbered 96, Bureau of Ordnance, dated May 24, 1920, the said supplies having been delivered to and accepted by the United States, but payment therefor not having been made because of the absence of a formal written contract, as required by section 3744 of the Revised Statutes, as amended by the Act of June 17, 1917 (40 Stat., 198): *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Western Electric Company, Incorporated.
Payment to, for supplies.

Written contract provisions.
R. S., sec. 3744, p. 738; Vol. 40, p. 198. U. S. C., p. 1805.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, July 22, 1935.

[CHAPTER 410.]

AN ACT

For the relief of the Barlow-Moore Tobacco Company.

July 23, 1935.
[S. 239.]
[Private, No. 156.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Barlow-Moore Tobacco Company, of Bowling Green, Kentucky, the sum of $311.04, in full settlement of all claims against the United States for the value of tobacco stamps purchased by that company as payment of duty on manufactured tobacco reimported and

Barlow-Moore Tobacco Company.
Reimbursement authorized.

Proviso. Limitation on attorney's, etc., fees.

returned to the factory to be reworked: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, July 23, 1935.

[CHAPTER 411.]

July 23, 1935.
[S. 1872.]
[Private, No. 157.]

AN ACT

For the relief of Guy Clatterbuck.

Guy Clatterbuck. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $35 to Guy Clatterbuck, a forest ranger employed on the Flathead National Forest, State of Montana, in payment for a horse which was lost during a forest fire in said national forest:

Proviso. Limitation on attorney's, etc., fees.

Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, July 23, 1935.

[CHAPTER 437.]

August 3, 1935.
[H. R. 6703.]
[Private, No. 158.]

AN ACT

For the relief of Joanna Forsyth.

Joanna Forsyth. Relief of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Joanna Forsyth, the widow of Thomas Forsyth, shall be entitled to the right of selection and second entry under the provisions of the Act entitled "An Act for the relief of settlers and entrymen on Baca Float Numbered Three, in the State of Arizona", approved July 5, 1921 (42 Stat. 107), notwithstanding failure to apply for the benefits of such Act within the time limit prescribed by law, and notwithstanding any withdrawal heretofore or hereafter made by Executive order of public land from settlement, location, sale, or entry, if she makes application therefor within twelve months from the date of the enactment of this Act and is otherwise eligible under the provisions of the Act of July 5, 1921.

Vol. 42, p. 107.

Approved, August 3, 1935.

[CHAPTER 448.]

AN ACT

To provide a right-of-way.

August 5, 1935.
[H. R. 7902.]
[Private, No. 159.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and empowered, under such terms and conditions as are deemed advisable by him, to grant to Phillips Pipe Line Company, its successors and/or assigns, an easement for a right-of-way for a gasoline pipe line over, across, in, and upon Jefferson Barracks Military Reservation, Missouri: *Provided*, That such right-of-way shall be granted only upon a finding by the Secretary of War that the same will be in the public interest and will not substantially injure the interest of the United States in the property affected thereby: *Provided further*, That all or any part of such right-of-way may be annulled and forfeited by the Secretary of War if the property is needed for governmental purposes or for failure to comply with the terms or conditions of any grant hereunder, or for nonuse or for abandonment of rights granted under the authority hereof.

Phillips Pipe Line Company.
Right-of-way granted to.

Provisos.
Condition.

Forfeiture provisions.

Approved, August 5, 1935.

[CHAPTER 458.]

AN ACT

For the relief of the American Surety Company of New York.

August 7, 1935.
[H. R. 373.]
[Private, No. 160.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,000 to the American Surety Company, of New York, in full settlement of all claims against the Government of the United States, which sum was paid by it December 31, 1928, to the United States by reason of the forfeiture of the bail bond of Alex Terlizzi, who appeared in court and pleaded guilty of a charge of possession of liquor and paid a fine of $25: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

American Surety Company of New York.
Remittance of amount of bail bond to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 7, 1935.

[CHAPTER 459.]

AN ACT

For the relief of Ruth Relyea.

August 7, 1935.
[H. R. 419.]
[Private, No. 161.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to Ruth Relyea, of Albany, New York, in full settlement against the Government for all claims resulting from

Ruth Relyea.
Compensation for personal injuries.

injuries sustained when struck by a United States War Department motor vehicle: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 7, 1935.

[CHAPTER 460.]

August 7, 1935. [H. R. 670.] [Private, No. 162.]

AN ACT

Conferring jurisdiction in the Court of Claims to hear and determine the claim of George B. Gates.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims of the United States, notwithstanding the lapse of time or the statute of limitation and the fact that George B. Gates was an employee of the United States as a draftsman at the Boston Navy Yard when he made his invention, and notwithstanding the provisions of the Act of Congress approved June 25, 1910, and the amendatory Act approved July 1, 1918, to hear, adjudicate, and render judgment on the claim of the said George B. Gates for compensation for the use and manufacture by or for the United States of an invention of said George B. Gates described in and covered by Letters Patent Numbered 997616, issued by the Patent Office of the United States July 11, 1911. That the claim of George B. Gates now pending in the Court of Claims, Numbered 17320, pursuant to Senate resolution considered and agreed to February 9, 1920, be dismissed: *Provided, however*, That the testimony and exhibits heretofore adduced on behalf of claimant and the defendant constitute the record in the present claim for the decision by the Court of Claims.

George B. Gates. Claim of, submitted to Court of Claims.

Statute of limitation waived. Vol. 36, p. 851; Vol. 40, p. 705.

Pending claim dismissed.

Proviso. Evidence.

SEC. 2. From any decision or judgment rendered under the authority of this Act application for appellate review may be made by either party in conformity to the law applicable to suits in the Court of Claims by owners of patents under and by virtue of the statute of June 25, 1910, as amended by the Act of July 1, 1918; and any judgment in favor of claimant for compensation for the use of his invention shall be paid in the same manner as other judgments for compensation rendered by the Court of Claims.

Appeal by either party.

Manner of paying judgments.

Approved, August 7, 1935.

[CHAPTER 461.]

August 7, 1935. [H. R. 1540.] [Private, No. 163.]

AN ACT

For the relief of Lester I. Conrad.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 17 and 20 of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., title 5, secs. 767 and 770), are hereby waived in favor of Lester I. Conrad, of Oakland, California, who

Lester I. Conrad. Benefits of Employees' Compensation Act extended to.

Vol. 39, p. 746; Vol. 42, p. 650. U. S. C., p. 100.

is alleged to have sustained an injury, while employed as a carpenter for the cold storage and ice making plant, American Expeditionary Forces, at Gievres, France, on January 30, 1918, which resulted in permanent physical disability, and his case is authorized to be considered and acted upon under the remaining provisions of such Act, as amended, if he files a notice of such injury and claim for compensation with the United States Employees' Compensation Commission not later than sixty days after the date of enactment of this Act: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Proviso.
No prior benefits.

Approved, August 7, 1935.

[CHAPTER 462.]

AN ACT

For the relief of Evelyn Jotter.

August 7, 1935.
[H. R. 1541.]
[Private, No. 164.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitation provisions in section 10, and sections 17 and 20 of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Evelyn Jotter, widow of Walter E. Jotter, who is alleged to have died as a result of injuries sustained while in the performance of his duties as associate forester, United States Forest Service, between January 10, 1919, and July 6, 1931: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Walter E. Jotter.
Benefits of Employees' Compensation Act extended to.
U. S. C., p. 100.

Proviso.
No prior benefits.

Approved, August 7, 1935.

[CHAPTER 463.]

AN ACT

For the relief of Henry Dinucci.

August 7, 1935.
[H. R. 1864.]
[Private, No. 165.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Henry Dinucci, out of any money in the Treasury not otherwise appropriated, the sum of $500 in full settlement of all claims against the Government of the United States for cash bail deposited with former United States Commissioner Arthur G. Fisk at San Francisco, California, and misappropriated by said official: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Henry Dinucci.
Refund of bail.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 7, 1935.

[CHAPTER 464.]

August 7, 1935.
[H. R. 2122.]
[Private, No. 166.]

AN ACT

For the relief of William Seader.

William Seader. Reimbursement for disability expenses.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William Seader, of San Diego, California, the sum of $863.75 in full settlement of all claims against the Government of the United States for reimbursement to him on account of money expended by him for transportation, services of registered nurse, hospital expenses, and doctor's fee for disability incurred in line of duty in the United States Navy: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 7, 1935.

[CHAPTER 465.]

August 7, 1935.
[H. R. 2480.]
[Private, No. 167.]

AN ACT

For the relief of Charles Davis.

Charles Davis. Designated beneficiary under Army gratuity Act. Vol. 41, p. 367.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Charles Davis, father of the late Charles L. Davis, private, first-class, Battery E, Fifty-second Coast Artillery, United States Army, who died on May 9, 1926, shall be regarded as the duly designated beneficiary and dependent of the late Charles L. Davis, under the Act approved December 17, 1919 (41 Stat. L. 367).

Approved, August 7, 1935.

[CHAPTER 466.]

August 7, 1935.
[H. R. 2606.]
[Private, No. 168.]

AN ACT

For the relief of the estate of Paul Kiehler.

Paul Kiehler. Payment to estate of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Paul Kiehler the sum of $2,500 in full settlement of all claims against the Government of the United States for fatal injuries sustained by him, by an automobile truck owned and operated by the Post Office Department, on December 18, 1931, at the intersection of Chicago Avenue and Paulina Street, in the city of Chicago, Illinois: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in

Proviso. Limitation on attorney's, etc., fees.

this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, August 7, 1935.

[CHAPTER 467.]

AN ACT

For the relief of John E. Fondahl.

August 7, 1935.
[H. R. 2611.]
[Private, No. 169.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged marines John E. Fondahl, formerly private in the Forty-fourth Company, Third Regiment, United States Marine Corps, shall hereafter be held and considered to have been honorably discharged from the naval service of the United States on September 14, 1921: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

John E. Fondahl. Military record corrected.

Proviso. No back pay, etc.

Approved, August 7, 1935.

[CHAPTER 468.]

AN ACT

For the relief of Ladislav Cizek.

August 7, 1935.
[H. R. 2679.]
[Private, No. 170.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ladislav Cizek, of Chicago, Illinois, the sum of $500, in full settlement of all claims against the Government of the United States. Such sum represents reimbursement for loss sustained by the said Ladislav Cizek on account of forfeiture to the United States of a delivery bond executed by him to secure the appearance of Karel Velastin in proceedings for deportation of the said Karel Velastin: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Ladislav Cizek. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 7, 1935.

[CHAPTER 469.]

AN ACT

For the relief of George Raptis.

August 7, 1935.
[H. R. 3506.]
[Private, No. 171.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George Raptis the sum of $500, in full settlement of all claims

George Raptis. Refund of immigration bond.

against the Government of the United States for the face value of Liberty bonds in the sum of $500 with interest deposited by him as security for a public charge and departure bond in the sum of $500, executed by him on account of Demetrios Maglaras, an alien, conditioned upon the alien leaving the United States on or before the 15th day of November 1931 and forfeited through breach of such condition, though he really departed as he should but he was not reported so by the inspector, and subsequently he returned to the United States as a son of Nicholas Maglaras, an American citizen: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 7, 1935.

[CHAPTER 470.]

August 7, 1935.
[H. R. 3558.]
[Private, No. 172.]

AN ACT

For the relief of Captain Walter S. Bramble.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the claim of Captain Walter S. Bramble, Quartermaster Corps, United States Army, in the sum of $1,174.19, on account of stoppage of pay as the result of the loss of public funds due to financial irregularities and frauds against the Government, in the handling of public funds by a civilian employee of the Quartermaster Corps at Camp Custer, Michigan, during the period from April 1924 to October 1927, for part of which Captain Bramble has been held responsible, and to certify the same to Congress for an appropriation.

Captain Walter S. Bramble.
Adjustment of accounts of.

Approved, August 7, 1935.

[CHAPTER 471.]

August 7, 1935.
[H. R. 3760.]
[Private, No. 173.]

AN ACT

For the relief of Captain Arthur L. Bristol, United States Navy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims of the United States, notwithstanding the lapse of time or any statute of limitations, to hear and determine, in the same manner in which other claims of like nature coming within the statute of limitations are heard and determined by the Court of Claims, the claim of Captain Arthur L. Bristol, United States Navy, for rental and subsistence allowances alleged to be due him as an officer with dependents (mother) for the years 1922 to 1925, inclusive. Any judgment which may be entered by the Court of Claims in favor of Captain Bristol will be certified to the Congress for payment in the usual manner.

Captain Arthur L. Bristol, Navy.
Claim of, submitted to Court of Claims.

Judgment to be certified to Congress.

Approved, August 7, 1935.

[CHAPTER 472.]

AN ACT

For the relief of Mrs. Olin H. Reed.

August 7, 1935.
[H. R. 4146.]
[Private, No. 174.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Olin H. Reed, of McAlester, Oklahoma, the sum of $5,000. Such sum shall be in full settlement of all claims against the United States on account of the death of Olin H. Reed, the husband of the said Mrs. Olin H. Reed, who, at the request of the officers of the Federal Government, accompanied them and assisted in the apprehension and arrest of one Frank Nash; and the said Olin H. Reed, together with others of the Federal officers, were slain at Kansas City, Missouri, on June 17, 1933, by forces of gangdom attempting the release of the prisoner, Frank Nash: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mrs. Olin H. Reed.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 7, 1935.

[CHAPTER 473.]

AN ACT

Correcting date of enlistment of Elza Bennett in the United States Navy.

August 7, 1935.
[H. R. 4274.]
[Private, No. 175.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the laws relating to the Navy and the Naval Reserve Elza Bennett, of the United States Navy, shall for all purposes be held and considered to have reenlisted in the Navy on June 26, 1925: *Provided*, That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this Act.

Elza Bennett.
Naval record corrected.

Proviso.
No back pay, etc.

Approved, August 7, 1935.

[CHAPTER 474.]

AN ACT

For the relief of Anna Farruggia.

August 7, 1935.
[H. R. 4406.]
[Private, No. 176.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Anna Farruggia, out of any money in the Treasury not otherwise appropriated, the sum of $1,000 in full settlement of all claims against the United States for cash bail deposited with former United States Commissioner Arthur G. Fisk, at San Francisco, California, and misappropriated by said official: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents,

Anna Farruggia.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, August 7, 1935.

[CHAPTER 475.]

August 7, 1935.
[H. R. 4838.]
[Private, No. 177.]

AN ACT

For the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department.

Army.
Credits allowed in accounts of designated officers, etc.
Captain K. W. Slauson.
Captain H. M. Denning.
Major S. R. Beard.
Major George Z. Eckels.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Captain K. W. Slauson, Quartermaster Corps, $225.07; Captain H. M. Denning, Finance Department, $4; Major S. R. Beard, Finance Department, $5.63; and Major George Z. Eckels, Finance Department, $16.92, said amounts being public funds for which they are accountable and which comprise minor errors in computation of pay and allowances due military personnel who are no longer in the service of the United States, and which amounts have been disallowed by the Comptroller General of the United States.

Major J. B. Harper.

SEC. 2. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts to Major J. B. Harper, Finance Department, $24,882, said amount being public funds for which he is accountable and which represents payment made to the Westinghouse Electric and Manufacturing Company for electric ranges purchased under specific instructions of the Secretary of War and which amount was disallowed by the Comptroller General of the United States.

R. N. Walker and Company.
Payment to, for storage purposes.

SEC. 3. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury, not otherwise appropriated, to R. N. Walker and Company, Nagasaki, Japan, $74.35, being the amount due this company for storage charges for the period June 7, 1930, to October 19, 1930, on household goods of an officer of the Army in transit to his new station in the United States.

W. E. Howard.
Property damages.

SEC. 4. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. E. Howard, Island Park, New York, $880, being the amount found due him as damages to his property at Island Park, New York, by reason of an Army airplane crash on September 8, 1933.

Approved, August 7, 1935.

[CHAPTER 476.]

August 7, 1935.
[H. R. 4850.]
[Private, No. 178.]

AN ACT

To authorize the settlement of individual claims of military personnel for damages to and loss of private property incident to the training, practice, operation, or maintenance of the Army.

Army.
Payment of private property losses in service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the General Accounting Office be, and is hereby, authorized and directed to pay the following claims of military personnel and civilian employees in

the amounts shown, which have been approved and recommended for payment by the Secretary of War, for damages to and loss of private property of such personnel incident to the training, practice, operation, or maintenance of the Army, and that such payments be made from the present appropriation of the War Department, entitled "Claims for damages to and loss of private property, in accord with conditions therein stated.": Edith Alward, wife of Staff Sergeant Henry J. Alward, $43.50; R. G. Ayers, captain, Infantry, $55.15; Miss G. M. Anderson, civilian employee, $22.30; Harrison B. Beavers, captain, Infantry, $14.85; James H. Blackwell, major, Medical Corps, $45; Clifford Bunting, sergeant, $7.30; Carl B. Byrd, captain, Cavalry, $21.50; Frank T. Balke, lieutenant, Infantry Reserve, $160; Michael J. Byrne, captain, Infantry, $32; Marion Budnick, civilian employee, $22.67; Jasper E. Brady, lieutenant, Infantry, $7.60; M. E. Barker, captain, Chemical Warfare Service, $37.75; Warren R. Carter, first lieutenant, Air Corps, $250; Paul J. Chesterton, sergeant, $146.50; Thomas E. Christ, civilian employee, $21.25; Harvey G. Clark, sergeant, $40; Robert M. Copeland, captain, Corps of Engineers, $3.85; W. A. Copthorne, major, Chemical Warfare Service, $50; James A. Corcoran, sergeant, $4; T. M. Chambliss, major, Infantry, $122.35; Floyd M. Crutchfield, technical sergeant, $17.10; Harvey T. Davis, private (first class), and Mrs. Davis, $108; Willie A. Dennis, staff sergeant, $6.43; Edward F. Durham, civilian employee, $15.70; John H. Daniels, sergeant, $39.75; Gust Ehen, civilian employee, $15.20; Timothy F. Foley, civilian employee, $43.25; Valentine P. Foster, captain, Coast Artillery Corps, $6; Gustav H. Franke, major, Field Artillery, $13.50; John M. Fray, captain, Field Artillery, $17; George Giebler, sergeant, $35.75; Burgo D. Gill, second lieutenant, Field Artillery, $54.75; Alexander O. Gorder, captain, Infantry, $27.30; Willian [1] Grant, master sergeant, $17.64; Chris Gunther, civilian employee, $228.90; L. Perry Hammond, civilian employee, $26.17; Lee W. Haney, first lieutenant, Infantry, $20; Glenn W. Hanna, civilian employee, $30.25; David Heidler, private, $5.15; R. L. Harris, first lieutenant, Signal Reserve, $24.25; Francis W. Honeycutt, lieutenant colonel, Field Artillery, $19.10; L. P. Hudson, second lieutenant, Air Corps, $85; M. E. Jennings, first lieutenant, Chemical Warfare Service, $46; Joseph S. Johnson, captain, Infantry, $300; H. D. Jones, sergeant, $14.80; George W. Jones, sergeant, $18.75; Robert F. Keiper, civilian employee, $12.50; George A. Knight, civilian employee, $15; Lewis M. Krostag, private, $104.50; Frank L. Kopp, sergeant, $92.50; C. H. Larrabee, warrant officer, $38; Lyle R. Lappin, sergeant, $44.15; Joe D. Lunday, civilian employee, $71; the estate of Alexander W. Maish, late major, United States Army, retired, $37.95; B. G. Marchi, second lieutenant, Infantry Reserve, $64.50; Frank Monroe, sergeant, $4; Winfield R. McKay, captain, Infantry, $13, Harry J. Mills, private, $55; Timothy M. Montgomery, civilian employee, $11; W. F. O'Neill, civilian employee, $59; Walter E. Prosser, major, Signal Corps, $14; Hartley C. Powell, civilian employee, $139.55; Alexander Phillips, sergeant, $15; Basil H. Perry, captain, Field Artillery, $55.65; Robert K. Perrine, second lieutenant, Infantry, $49.95; J. C. Raaen, first lieutenant, Infantry, $8.75; William T. S. Roberts, first lieutenant, Infantry, $16; August A. Reekast, civilian employee, $17.50; B. L. Robinson, first lieutenant, Corps of Engineers, $10; J. M. Harmon, first lieutenant, Corps of Engineers, $6.85; David W. Schueler, private, $35.35; A. D. Sanders, first lieutenant, Infantry,

[1] So in original.

$41.05; James H. Skinner, second lieutenant, Field Artillery, $38.20; B. R. Slater, second lieutenant, Infantry Reserve, $174.26; Charles M. Smith, first lieutenant, Infantry, $18.50; I. B. Smock, major, Medical Corps, $100; Allen R. Springer, second lieutenant, Air Corps, $50; Charles G. Stein, sergeant, $40; John A. Sterling, major, Infantry, $50; Robert E. Swab, captain, Infantry, $33.60; Roy J. Taylor, civilian employee, $188.75; John P. Temple, first lieutenant, Air Corps, $15; Willie Thompson, sergeant, $12; Arthur R. Trabold, warrant officer, $4.25; S. C. Vestal, colonel, Coast Artillery Corps, $27.35; P. A. Wakeman, first lieutenant, Signal Corps, $200; E. T. Williams, first lieutenant, Field Artillery, $47.50; Stella E. Williams, second lieutenant, Army Nurse Corps, $82.10; Fremon Wright, private, $127.50; George H. Zautner, captain, Quartermaster Corps, $12.

Approved, August 7, 1935.

[CHAPTER 477.]

August 7, 1935.
[H. R. 6549.]
[Private, No. 179.]

AN ACT

For the relief of Horton and Horton.

Horton and Horton. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Horton and Horton, of Houston, Texas, the sum of $19,361.30 in full settlement of all claims against the Government for labor and materials furnished in connection with the proposed construction of three timber seaplane hangars, pavement, and beach at the naval air station, Galveston, Texas, in 1918.

Approved, August 7, 1935.

[CHAPTER 478.]

August 7, 1935.
[H. R. 3337.]
[Private, No. 180.]

AN ACT

For the relief of James Akeroyd and Company.

James Akeroyd and Company. Refund on certain wool importation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James Akeroyd and Company, of Philadelphia, Pennsylvania, the sum of $3,645.75, in full settlement of all claims against the Government of the United States, to cover a refund on certain wool imported under the Emergency Tariff Act of 1921: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Vol. 42, p. 10.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 7, 1935.

[CHAPTER 479.]

AN ACT

For the relief of John Evans.

August 7, 1935.
[H. R. 3826.]
[Private, No. 181.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement of all claims against the United States, the sum of $1,923.69, to John Evans, of Saint Joseph, Missouri, which sum was paid by him to the United States by reason of the forfeiture of the bail bond of John Waidner, who was later taken into custody by said Evans, at his own expense, and surrendered to the United States District Court of Saint Joseph, Missouri; entered a plea of guilty; and sentenced to a term in jail: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

John Evans.
Refund of bail bond.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 7, 1935.

[CHAPTER 480.]

AN ACT

For the relief of Thomas Enchoff.

August 7, 1935.
[H. R. 4029.]
[Private, No. 182.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 17 and 20 of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Thomas Enchoff, who is alleged to have suffered injuries on or about January 1924 while in the performance of his duties as an employee of the United States Indian Service, at Crow Agency, Montana: *Provided*, That no benefit shall accrue prior to the approval of this Act.

Thomas Enchoff.
Benefits of Employees' Compensation Act extended to.
Vol. 39, p. 742; Vol. 44, p. 772.

Proviso.
No prior benefits.

Approved, August 7, 1935.

[CHAPTER 481.]

AN ACT

For the relief of Harriet V. Schindler.

August 7, 1935.
[H. R. 4290.]
[Private, No. 183.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 17 and 20 of the Employees' Compensation Act of September 7, 1916, as amended, are hereby waived in favor of Harriet V. Schindler, widow of Frederick S. Schindler, deceased, formerly employed at the post office, Utica, New York, and the United States Employees' Compensation Commission is authorized and directed to consider and determine her claim for compensation, notwithstanding the limitations in the first paragraph of section 10 of the aforesaid Act.

Harriet V. Schindler.
Provisions of Employees' Compensation Act extended to.

Vol. 39, p. 742; Vol. 44, p. 772.

Paying medical expenses of late husband.

The Commission is further authorized and directed to pay such expenses for medical treatment furnished Frederick S. Schindler on account of his injury as it may determine to have been reasonable and necessary.

Approved, August 7, 1935.

[CHAPTER 482.]

August 7, 1935.
[H. R. 4718.]
[Private, No. 184.]

AN ACT

For the relief of Yamato Sesoko.

Yamato Sesoko. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Yamato Sesoko the sum of $2,000. Such sum shall be in full settlement of all claims for damages against the United States on account of injuries sustained by the said Yamato Sesoko when he was struck during machine-gun practice by the Navy at Pearl Harbor, Territory of Hawaii, on November 11, 1932: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 7, 1935.

[CHAPTER 483.]

August 7, 1935.
[H. R. 4812.]
[Private, No. 185.]

AN ACT

For the relief of Mrs. Carlysle Von Thomas, Senior.

Mrs. Carlysle Von Thomas, Senior. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized and directed to pay, out of the Naval Hospital fund, to Mrs. Carlysle Von Thomas, Senior, the sum of $168 to reimburse her for money paid by her for nurse services for her son, Carlysle Von Thomas, Junior, yeoman, third-class (F–1), United States Naval Reserve, incident to an operation for appendicitis performed on August 8, 1931, at Saint Luke's Hospital, Chicago, Illinois, while Von Thomas was on active duty.

Approved, August 7, 1935.

[CHAPTER 484.]

August 7, 1935.
[H. R. 4814.]
[Private, No. 186.]

AN ACT

For the relief of Lieutenant Colonel Russell B. Putnam, United States Marine Corps.

Marine Corps. Lieutenant Colonel Russell B. Putnam. Credit allowed in accounts of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the General Accounting Office is hereby authorized and directed to credit the accounts of Lieutenant Colonel Russell B. Putnam, United States Marine Corps, in the amount of $235.40, which amount represents payments made to First Lieutenant Walter W. Wensinger, United States Marine Corps, for actual and necessary expenses in connection with orders of the United States Marine Corps, dated October 2 and October 14, 1931.

Approved, August 7, 1935.

[CHAPTER 485.]

AN ACT

For the relief of Jasper Daleo.

August 7, 1935.
[H. R. 4815.]
[Private, No. 187.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $98.80 to Jasper Daleo, in full settlement of all claims against the Government of the United States for fishing equipment lost while giving his attention to the rescue of a Navy aviator who had been forced to alight with a parachute in the Pacific Ocean, near La Jolla, California: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Jasper Daleo.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 7, 1935.

[CHAPTER 486.]

AN ACT

For the relief of Lawrence S. Copeland.

August 7, 1935.
[H. R. 4820.]
[Private, No. 188.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to adjust and settle the claim of Lawrence S. Copeland for loss and damage resulting from his purchase of a Peerless sedan automobile sold to him April 7, 1930, by Federal prohibition authorities, the possession of which automobile he was compelled by subsequent judicial proceedings to relinquish to its alleged owner, and to allow not to exceed $500 in full and final settlement of all claims arising out of the transaction. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $500, or so much thereof as may be necessary, for payment of the claim: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Lawrence S. Copeland.
Adjustment of claim.

Appropriation.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 7, 1935.

[CHAPTER 487.]

AN ACT

August 7, 1935.
[H. R. 4824.]
[Private, No. 189.]

For the relief of Captain George W. Steele, Junior, United States Navy.

Navy.
Captain George W. Steele, Junior.
Credit allowed in accounts of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to credit the accounts of Captain George W. Steele, Junior, United States Navy, in the sum of $66.45, representing the amount finally disallowed by the Comptroller General in connection with certain payments made by Captain Steele while naval attaché at Paris, France, to Lieutenant Felix L. Johnson, United States Navy.

Approved, August 7, 1935.

[CHAPTER 488.]

AN ACT

August 7, 1935.
[H. R. 4828.]
[Private, No. 190.]

For the relief of John L. Summers, disbursing clerk, Treasury Department, and for other purposes.

Credits allowed in designated accounts.
John L. Summers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow in the accounts of John L. Summers, disbursing clerk, Treasury Department, sums aggregating $888.96 now standing as disallowances in his accounts with the General Accounting Office under various Treasury Department appropriations as set forth in House Document Numbered 342, Seventy-second Congress, first session.

Frank White and H. T. Tate.
Guy F. Allen.
Robert G. Hilton.

SEC. 2. The Comptroller General of the United States is authorized and directed to allow in the accounts of Frank White and H. T. Tate, former Treasurers of the United States; Guy F. Allen, former Acting Treasurer of the United States; and Robert G. Hilton, former Assistant Treasurer of the United States at Baltimore, Maryland, the sums of $34,899.70, $92.89, $362.42, and $126.67, respectively, representing unavailable funds as set forth in House Document Numbered 342, Seventy-second Congress, first session.

Blanchard Johnson and others.

SEC. 3. The Comptroller General of the United States is authorized and directed to settle an account to cover the claims of Blanchard Johnson, John Frank Rodzen, and Elizabeth Kennard in the sums of not to exceed $25.74, $26.59, and $126.67, respectively, representing unrecovered amounts due them as referred to on pages [1] of House Document Numbered 342, Seventy-second Congress, first session, and to certify the same to the Secretary of the Treasury for payment.

Adjustment of bank note currency accounts, Comptroller's office.

SEC. 4. The Secretary of the Treasury be, and he is hereby, authorized and directed to adjust discrepancies in certain national-bank note currency accounts in the office of the Comptroller of the Currency, covering the period from April 5, 1912, or immediately prior thereto, to November 21, 1928, as set forth in House Document Numbered 342, Seventy-second Congress, first session, and the Treasurer of the United States is authorized and directed to charge the sum of $27,680 against his general account with corresponding credit therein to the fund for retirement of national-bank notes established by the Act of July 14, 1890 (26 Stat. L. 289; U. S. C., title 12, sec. 122).

Vol. 26, p. 289.
U. S. C., p. 366.

Approved, August 7, 1935.

[1] So in original.

[CHAPTER 489.]

AN ACT

For the relief of Ciriaco Hernandez and others.

August 7, 1935.
[H. R. 4833.]
[Private, No. 191.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed $232.94, as may be required by the Secretary of the Navy to reimburse Ciriaco Hernandez, Marcial Flores, Luis Enriquez, and Rafael Romero, for losses sustained while giving their attention to the rescuing of personnel of the United States ship Tacoma, following the grounding of that vessel on La Blanquilla Reef, off Vera Cruz, Mexico, on January 16, 1924: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Ciriaco Hernandez and others. Payments to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 7, 1935.

[CHAPTER 490.]

AN ACT

For the relief of Rabbi Isaac Levine.

August 7, 1935.
[H. R. 4974.]
[Private, No. 192.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $500 to Rabbi Isaac Levine, of Knoxville, Tennessee, in full settlement of all claims against the United States for personal injuries sustained by him as a result of being struck by a truck being recklessly driven by an employee of the United States Government, said injury occurring in Knoxville, Tennessee, on December 18, 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Rabbi Isaac Levine. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 7, 1935.

[CHAPTER 491.]

AN ACT

August 7, 1935.
[H. R. 5041.]
[Private, No. 193.]

Authorizing and directing the Secretary of the Treasury to reimburse Lela C. Brady and Ira P. Brady for the losses sustained by them by reason of the negligence of an employee of the Civilian Conservation Corps.

Lela C. Brady and Ira P. Brady.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lela C. Brady and Ira P. Brady of Forest Grove, Oregon, the sum of $250 in full satisfaction of their claim against the United States for damages for personal injuries suffered on June 9, 1934, on the Timber-Vernonia highway, four and one-half miles north of Timber, Oregon, when the automobile in which said Lela C. Brady and Ira P. Brady were riding was struck by a motor truck owned by the United States and driven by Harvey Wilson, an employee of the Civilian Conservation Corps numbered 1313, Camp Reehers: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 7, 1935.

[CHAPTER 492.]

AN ACT

August 7, 1935.
[H. R. 6825.]
[Private, No. 194.]

For the relief of Mrs. Clarence J. McClary.

Mrs. Clarence J. McClary.
Monthly payments to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Clarence J. McClary, of Alexandria, Virginia, the sum of $75 per month in an amount not to exceed $10,000. Such sum shall be in full settlement of all claims against the United States on account of the death of Clarence J. McClary, the husband of the said Mrs. Clarence J. McClary, who, at the request of the officers of the Federal Government, accompanied them and assisted in the apprehension and arrest of one Tom Quesenberry, and the said Clarence J. McClary was slain in Loudoun County, Virginia, March 17, 1935, by the said Tom Quesenberry: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 7, 1935.

[CHAPTER 494.]

AN ACT

For the relief of Floyd L. Walter.

August 8, 1935.
[H. R. 2449.]
[Private, No. 195.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $73.25 to Floyd L. Walter, in full settlement of all claims against the Government of the United States, representing money erroneously collected by the Department of Agriculture under the Seed Loan Act: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Floyd L. Walter.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 8, 1935.

[CHAPTER 495.]

AN ACT

For the relief of Bernard McShane.

August 8, 1935.
[H. R. 2487.]
[Private, No. 196.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Bernard McShane, of Sacramento, California, out of any money in the Treasury not otherwise appropriated and in full settlement of all claims against the Government of the United States, the sum of $633.23, the same being an amount due him by the Post Office Department, as a balance of an amount of $1,400 reward for services rendered as chief of police, Sacramento, California, in connection with the arrest and conviction of Roy G. Garner, charged with hold-up and robbery of the Southern Pacific train numbered 20, between Roseville and Newcastle, California, on May 20, 1921: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Bernard McShane.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 8, 1935.

[CHAPTER 496.]

AN ACT

For the relief of Louis Alfano.

August 8, 1935.
[H. R. 3167.]
[Private, No. 197.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to Louis Alfano, out of any money in the Treasury not otherwise appropriated, the

Louis Alfano.
Payment to.

sum of $5,000 in full satisfaction of all claims against the United States on account of injuries sustained on December 7, 1929, when he was struck by a United States mail truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 8, 1935.

[CHAPTER 497.]

August 8, 1935. [H. R. 4822.] [Private, No. 198.]

AN ACT

For the relief of Thomas F. Olsen.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General is hereby authorized and directed to credit in the accounts of Thomas F. Olsen, postmaster at De Kalb, Illinois, in the sum of $18,687.19. Such sum represents postal funds in the amount of $136.30 and postage-stamp stock in the amount of $18,550.89, which were lost in the burglary of the post office at De Kalb, Illinois, on February 10, 1931, from no fault or negligence on the part of the postmaster.

Thomas F. Olsen. Credit in accounts of.

Approved, August 8, 1935.

[CHAPTER 505.]

August 9, 1935. [H. R. 2421.] [Private, No. 199.]

AN ACT

For the relief of John R. Allgood.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,500 to John R. Allgood, of Athens, Georgia, in full settlement of all claims against the United States for injuries sustained in line of duty as mail messenger in August 1923: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

John R. Allgood. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 9, 1935.

[CHAPTER 506.]

AN ACT

August 9, 1935.
[H. R. 4853.]
[Private, No. 200.]

For the relief of Charles H. Holtzman, former collector of customs, Baltimore, Maryland; George D. Hubbard, former collector of customs, Seattle, Washington; and William L. Thibadeau, former customs agent.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Charles H. Holtzman, former collector of customs, Baltimore, Maryland, the sum of $704.80; in the accounts of George D. Hubbard, former collector of customs, Seattle, Washington, the sum of $45.25; and in the accounts of William L. Thibadeau, former customs agent, the sum of $159.48, such sums representing the amount of payments, heretofore disallowed by the Comptroller General, covering expenses incident to the transfer of Mr. Thibadeau from his official station at Baltimore, Maryland, to Seattle, Washington.

Charles H. Holtzman, George D. Hubbard, and William L. Thibadeau.
Credit in accounts of.

Approved, August 9, 1935.

[CHAPTER 507.]

AN ACT

August 9, 1935.
[H. R. 1073.]
[Private, No. 201.]

For the relief of John F. Hatfield.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers John F. Hatfield, who was a member of Troop C, Sixth Regiment United States Cavalry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 14th day of September 1898: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

John F. Hatfield.
Military record corrected.

Proviso.
No back pay, etc.

Approved, August 9, 1935.

[CHAPTER 512.]

AN ACT

August 12, 1935.
[H. R. 2125.]
[Private, No. 202.]

For the relief of George William Henning.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,500 to George William Henning in full settlement of all his claims against the Government of the United States for injuries received by him on the 14th day of March 1932, when an automobile, being driven by him in a lawful manner, was run into by an ambulance owned by the Navy Department of the United States, then and there being operated by one W. Thomas, a member of the United States Marine Corps, in a negligent and reckless manner: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary

George William Henning.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved, August 12, 1935.

[CHAPTER 513.]

August 12, 1935.
[H. R. 351.]
[Private, No. 203.]

AN ACT

For the relief of Jane B. Smith and Dora D. Smith.

Jane B. Smith and Dora D. Smith. Payments to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to Jane B. Smith, of Plattsburg, New York, and $750 to her daughter Dora D. Smith, in full settlement against the Government for all claims resulting from injuries sustained when struck by a United States War Department motor vehicle:

Proviso. Limitation on attorney's, etc., fees.

Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any such [1] not exceeding $1,000.

Penalty for violation.

Approved, August 12, 1935.

[CHAPTER 514.]

August 12, 1935.
[H. R. 3090.]
[Private, No. 204.]

AN ACT

For the relief of Mayme Hughes.

Mayme Hughes. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Mayme Hughes, widow of Henry M. Hughes, deceased, of the city of Chicago, State of Illinois, the sum of $1,448.24, out of any money in the Treasury not otherwise appropriated, as compensation for, and in full satisfaction of, all claims for damages against the United States for injuries sustained by her late husband, Henry M. Hughes, on September 13, 1919, by being struck by a United States mail truck while attempting to cross a street in said city of Chicago:

Proviso. Limitation on attorney's, etc., fees.

Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, August 12, 1935.

[1] So in original.

[CHAPTER 515.]

AN ACT

For the relief of Rufus Hunter Blackwell, Junior.

August 12, 1935.
[H. R. 3230.]
[Private, No. 205.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Rufus Hunter Blackwell, Junior, of Waynesville, Haywood County, North Carolina, the sum of $2,000, in full settlement of all claims against the United States for injuries sustained by the said Rufus Hunter Blackwell, Junior, on March 11, 1920, due to an airplane owned by the United States Government and operated by an officer of the United States Army, while engaged in practice flying at Taylor Field, Montgomery, Alabama, striking the said Rufus Hunter Blackwell, Junior, in such a manner and way as to injure the said Rufus Hunter Blackwell, Junior, breaking his right leg and caused him to be permanently injured: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Rufus Hunter Blackwell, Junior.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 12, 1935.

[CHAPTER 523.]

AN ACT

For the relief of the estate of William Bardel.

August 13, 1935.
[S. 39.]
[Private, No. 206.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, in full settlement against the Government, to the estate of William Bardel, the sum of $2,624 for the property loss sustained by him as a result of the war while acting as American consul at Reims, France: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

William Bardel.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 13, 1935.

[CHAPTER 524.]

August 13, 1935.
[S. 170.]
[Private, No. 207.]

AN ACT

For the relief of Alva A. Murphy.

Alva A. Murphy.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alva A. Murphy, of Spencer, Iowa, the sum of $1,500 in full satisfaction of all claims of such Alva A. Murphy against the United States for damages resulting from injuries to himself and his car when shot at by one Claude Rideout on June 22, 1933, on State Highway Numbered 2, about five miles west of Oskaloosa, Iowa, while such Alva A. Murphy was assisting Harry Elliott, United States prohibition agent, to arrest such Claude Rideout:

Proviso.
Limitation on attorney's, etc., fees.

Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, August 13, 1935.

[CHAPTER 525.]

August 13, 1935.
[S. 276.]
[Private, No. 208.]

AN ACT

For the relief of Harry Layman.

Harry Layman.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,000 to Harry Layman, of Cincinnati, Ohio, in full settlement of all claims against the Government for injuries incurred while working in the military stone quarry at the United States penitentiary annex, Fort Leavenworth, Kansas:

Proviso.
Limitation on attorney's, etc., fees.

Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, August 13, 1935.

[CHAPTER 526.]

AN ACT

For the relief of Brown and Cunningham of Port Deposit, Maryland.

August 13, 1935.
[S. 684.]
[Private, No. 209.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Fred S. Brown and Nellie R. Cunningham, doing business under the name of Brown and Cunningham, Port Deposit, Maryland, the sum of $2,400, in full satisfaction of their claims against the United States for damages on account of loss of business and destruction of certain stock and fixtures caused by a Marine Corps truck (numbered 1394), when such truck crashed into the store owned by said Brown and Cunningham at Port Deposit, Maryland, on October 12, 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Brown and Cunningham.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 13, 1935.

[CHAPTER 527.]

AN ACT

For the relief of the Bowers Southern Dredging Company.

August 13, 1935.
[S. 794.]
[Private, No. 210.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to remit the liquidated damages of $5,400 assessed against the Bowers Southern Dredging Company for delays caused by World War conditions in the performance of its contract numbered 2665, dated November 17, 1917, with the Bureau of Yards and Docks, Navy Department, for dredging and filling certain areas at the naval air station, Miami, Florida, and to certify for payment to the said company, out of any money in the Treasury not otherwise appropriated, the sum of $3,400, being the amount actually withheld as such liquidated damages from amounts otherwise due under the contract: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Bowers Southern Dredging Company.
Withheld liquidated damages against, remitted.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 13, 1935.

[CHAPTER 528.]

AN ACT

August 13, 1935.
[S. 908.]
[Private, No. 211.]

For the relief of Edwin C. Jenney, receiver of the First National Bank of Newton, Massachusetts.

First National Bank of Newton, Mass.
Payment of accrued interest on Court of Claims judgment to receiver of.
R. S., sec. 1090, p. 200.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edwin C. Jenney, receiver of the First National Bank of Newton, Massachusetts, the sum of $9,172.54, being interest which accrued under section 1090 of the Revised Statutes, on the judgment of the Court of Claims in favor of said bank for the period between the date of the filing of the transcript of judgment with the Secretary of the Treasury and the date when the order or mandate of the Supreme Court of the United States was issued to the Court of Claims upon the dismissal of the appeal in said case on motion of the United States, and payment of which amount is recommended by the Attorney General: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 13, 1935.

[CHAPTER 529.]

AN ACT

August 13, 1935.
[S. 2879.]
[Private, No. 212.]

For the relief of Catherine Grace.

Catherine Grace.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Catherine Grace, widow of William J. Grace, late American consul at Sheffield, England, the sum of $4,500, such sum representing one year's salary of her deceased husband, who died at his post of duty on February 11, 1933.

Approved, August 13, 1935.

[CHAPTER 536.]

AN ACT

August 14, 1935.
[S. 470.]
[Private, No. 213.]

For the relief of the Hauser Construction Company.

Hauser Construction Company.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Hauser Construction Company, of Portland, Oregon, the sum of $192,400, in full satisfaction of all claims of such company against the United States arising out of a certain rivers and harbors contract (numbered W698 eng.-428) for the restoration and extension of the north and south jetties at the Yaquina Bay entrance, Newport, Oregon,

entered into by such company with the office of the Chief of Engineers, United States Army, under date of January 11, 1933, such sum representing the additional stone costs, equipment rentals, depreciation charges, and miscellaneous expenses incurred by such company in order to obtain and place sufficient stone to meet contract specifications when the quarry approved by such contract proved inadequate: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 14, 1935.

[CHAPTER 537.]

AN ACT

For the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department.

August 14, 1935. [S. 556.] [Private, No. 214.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of the following disbursing officers of the Army of the United States the amounts set opposite their names: Selden B. Armat, major, Finance Department, $60.91; Francis J. Baker, major, Finance Department, $25; Edwin F. Ely, major, Finance Department, $77.37; Clarence M. Exley, major, Finance Department, $92.02; Eugene M. Foster, captain, Finance Department, $19.65; Peter Hanses, captain, Quartermaster Corps, $10.70; Thomas B. Kennedy, captain, Finance Department, $60.30; Montgomery T. Legg, major, Finance Department, $178.47; Harry B. Lovell, captain, Finance Department, $34.78; Samuel B. McIntyre, late colonel, Finance Department, $31.37; Jacob R. McNiel, captain, Finance Department, $180.23; Hilden Olin, colonel, Finance Department, $59.57; Herbert E. Pace, major, Finance Department, $91; Joseph F. Routhier, first lieutenant, Finance Department, $96.53; Philip A. Scholl, captain, Finance Department, $333.82; Edwin B. Spiller, major, Finance Department, $18.27; George N. Watson, major, Finance Department, $178; and Lawrence P. Worrall, captain, Finance Department, $11.28, said amounts being public funds for which they are accountable and which comprise minor errors in computation of pay and allowances due military personnel, who are no longer in the service of the United States, and which amounts have been disallowed by the Comptroller General of the United States.

Army disbursing officers, etc.

Credit allowed in accounts of designated.

SEC. 2. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Francis J. Baker, major, Finance Department, $105.57, public funds for which he is accountable, paid to members of the National Guard of Florida and Tennessee for armory drill pay.

Francis J. Baker.

SEC. 3. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Edward T. Comegys, major, Finance Department, the sum of $22.70, public funds for which he is accountable and which were paid by him to Wilmot A. Danielson, major, Quartermaster Corps, for mileage performed under War Department orders, and which

Edward T. Comegys.

amount was disallowed by the Comptroller General of the United States.

Otto W. Gralund.

SEC. 4. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Otto W. Gralund, major, Finance Department, the sum of $73.80, public funds for which he is accountable and which were paid to a former officer of the United States covering commutation of quarters and from whom it is impossible to make collection.

Carl Halla.

SEC. 5. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Carl Halla, major, Finance Department, the sum of $323.48, public funds for which he is accountable and which were paid Major (then captain) Maurice L. Miller, Infantry, covering loss of personal property and whose claim was approved by the Acting Secretary of War on August 6, 1925, and disallowed by the Comptroller General of the United States.

Peter Hanses.

SEC. 6. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Peter Hanses, captain, Quartermaster Corps, the sum of $43.80, public funds for which he is accountable and which were paid to fourteen Citizens' Military Training Camp students covering mileage from their homes to Camp Harry J. Jones, Arizona, collection of which amount cannot be effected.

Thomas B. Kennedy.

SEC. 7. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Thomas B. Kennedy, captain (retired), Finance Department, the sum of $58.50, public funds for which he is accountable and which were paid to twelve Reserve Officers' Training Corps and Citizens' Military Training Camp students on account of mileage from their homes to Fort Sheridan, Illinois, collection of which amount cannot now be effected.

Edwin J. O'Hara.

SEC. 8. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Edwin J. O'Hara, major, Finance Department, the sum of $86.26, public funds for which he is accountable and which were paid to Howard S. Miller, lieutenant colonel, Coast Artillery Corps, covering mileage under proper orders of the War Department and which payment was disallowed by the Comptroller General of the United States.

Edwin M. Lawton.

SEC. 9. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Edwin M. Lawton, disbursing clerk, War Department, the sum of $38.61, public funds for which he is accountable and which were paid to James R. Kyle, a civilian employee of the Quartermaster General's Office, and disallowed by the Comptroller General of the United States.

Frank B. Strunk. Payment to.

SEC. 10. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank B. Strunk, former private, Battery C, Three Hundred and Thirty-seventh Regiment Field Artillery, the sum of $44.75, being the amount he has paid for one second Liberty Loan bond by deduction from his pay as an enlisted man and which bond was lost in the mails.

Clarence M. Exley.

SEC. 11. That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of Clarence M. Exley, major, Finance Department, the sum of $22.56, representing public funds for which he is accountable, being payment of mileage of two officers of the Army traveling on orders of the War Department, which now stands as disallowances on the books of the General Accounting Office.

William A. MacNicholl.

SEC. 12. That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of William A. MacNicholl, major, Finance Department, the sum of $145.70, representing public funds for which he is accountable, being payment of mileage and expenses to an officer of the Army traveling on orders of the War Department, which now stand as disallowances on the books of the General Accounting Office.

Arthur O. Walsh.

SEC. 13. That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of Arthur O. Walsh, captain, Finance Department, the sum of $84.60, representing public funds for which he is accountable and which comprise minor errors in computation of pay and allowances due military personnel who are no longer in the service of the United States, which now stands as disallowances on the books of the General Accounting Office.

Austin H. Brown. Payment to.

SEC. 14. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Austin H. Brown, major, Finance Department, the sum of $46.58, being the amount he has refunded to the United States on account of disallowances in his account as a disbursing officer.

Alexander T. McCone and John C. Hamilton. Payments to.

SEC. 15. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alexander T. McCone, first lieutenant, Field Artillery, $124; and to John C. Hamilton, first lieutenant, Cavalry, $132, being the amounts originally paid to them by disbursing officers of the Army and which amounts they have refunded to the United States by reason of disallowances by the Comptroller General of the United States, covering traveling expenses while studying foreign languages in Europe under proper orders of the War Department.

Fred W. Boschen.

SEC. 16. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of Fred W. Boschen, lieutenant colonel, Finance Department, United States Army, in the sum of $1,165.58, being payments made by him to officers of the Regular Army for traveling expenses and disallowed by the Comptroller General.

Refunds by designated officers covering travel expenses, not required.

SEC. 17. That the Comptroller General of the United States be, and he is hereby, authorized and directed not to require refund from the following-named officers of the Army of amounts originally paid them by a disbursing officer of the Army covering traveling expenses while studying foreign languages in Europe under proper orders of the War Department, which amounts were later disallowed by the Comptroller General: Thomas G. Peyton, major, Cavalry, $236.60; Leo V. Warner, captain, Field Artillery, $235.60; Francis B. Valentine, first lieutenant, Air Corps, $132; and Reginald W. Hubbell, first lieutenant, Quartermaster Corps, $561.38.

Credits allowed additional Army disbursing officers.

SEC. 18. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of the following disbursing officers of the Army of the United States the amounts set opposite their names: Herbert Baldwin, captain, Finance Department, $10; Philip G. Blackmore, major, Ordnance Department, $11.70; Jerome Clark, major, Finance Department, $10.05; Edward T. Comegys, major, Finance Department, $97.31; John M. Connor, first lieutenant, Finance Department, $29; Edward Dworak, major, Finance Department, $40.44; Frank F. Fulton, captain, Finance Department, $68.40; John B. Harper, major, Finance Department, $5.45; Laurence V. Houston, captain, Field Artillery,

$20.73; Royal G. Jenks, captain, Finance Department, $36.89; Robert J. Kennedy, captain, Finance Department, $6.50; Edwin J. O'Hara, major, Finance Department, $40.77; Walter H. Sutherland, captain, Finance Department, $2; and Ernest W. Wilson, captain, Finance Department, $102.91; said amounts being public funds for which they are accountable and which comprise minor errors in computation of pay and allowances due military personnel who are no longer in the service of the United States, and which amounts have been disallowed by the Comptroller General of the United States.

Finance officer, Quarry Heights, C. Z.

SEC. 19. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of the finance officer, Panama Canal Department, Quarry Heights, Canal Zone, the sum of $34.75, public funds for which he is accountable and which represent the amount paid by his agent officer with the Pan American flight on vouchers which have been submitted but which are not acceptable by the General Accounting Office.

Edward T. Comegys.

SEC. 20. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Edward T. Comegys, major, Finance Department, United States Army, the sum of $57.70, public funds for which he is accountable and which were paid by him covering shipment of household goods and personal effects of Captain John J. Atkinson, Field Artillery, United States Army, upon his permanent change of station: *Provided*, That there shall be no charge raised against Captain Atkinson by reason of this shipment.

Proviso. No action against Captain Atkinson.

Kinsley W. Slauson.

SEC. 21. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Kinsley W. Slauson, captain, Quartermaster Corps, United States Army, the sum of $118.50, public funds for which he is accountable and which were paid to officers of the Regular Army for traveling expenses and disallowed by the Comptroller General of the United States: *Provided*, That the amounts so paid shall not be charged against any moneys otherwise due the payees.

Proviso. Accountability.

John B. Harper.

SEC. 22. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of John B. Harper, major, Finance Department, United States Army, the sum of $90.90, public funds for which he is accountable and which amount was paid for the transportation of personal property of G. V. Heidt, lieutenant colonel (retired), United States Army, upon his retirement, which amount has been disallowed by the Comptroller General: *Provided*, That no refund on this account shall be demanded of Lieutenant Colonel G. V. Heidt, United States Army, retired.

Proviso. No refund demanded.

Dana W. Morey.

SEC. 23. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Dana W. Morey, major, Finance Department, United States Army, the sum of $37.85, public funds for which he is accountable and which were stolen by a person or persons unknown sometime between July 20 and 22, 1929, from the safe in the finance office at Fort McPherson, Georgia.

Oliver T. Simpson.

SEC. 24. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Oliver T. Simpson, captain, Finance Department, United States Army, the sum of $78.30, public funds for which he is accountable and which represent overpayments to an enlisted man and a citizens' military training camp trainee, and which amount has been disallowed by the Comptroller General of the United States.

James T. Stockton.

SEC. 25. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of James T. Stockton, lieutenant colonel, Texas National Guard, for-

merly a United States property and disbursing officer for the State of Texas, the sum of $215.83, public funds for which he is accountable, and which were paid by him to former officers and enlisted men of the National Guard of Texas, and to a civilian caretaker of the National Guard of Texas, and which amounts have been disallowed by the Comptroller General.

Arthur L. Webb.

SEC. 26. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Arthur L. Webb, major, Finance Department, United States Army, the sum of $50.40, public funds for which he is accountable, and which represent payments made to Reserve Officers' Training Corps students, which payments have been disallowed by the Comptroller General of the United States.

Ernest W. Wilson.

SEC. 27. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Ernest W. Wilson, captain, Finance Department, the sum of $89, public funds for which he is accountable, and which amount was paid to a contractor for services rendered and which payment has been disallowed by the Comptroller General of the United States on the grounds that the lower bid was not accepted. The War Department did not consider the lower bidder equipped to render the necessary service and approved payment to the next higher bidder.

Thomas H. Emerson and James M. Loud. Payment to.

SEC. 28. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas H. Emerson, major, Corps of Engineers, the sum of $150; and to James M. Loud, lieutenant colonel (retired), the sum of $75; being the amounts due these officers for deductions made from their pay and now due them as directed by the Supreme Court of the District of Columbia.

Edwin K. Wright. Payment to.

SEC. 29. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edwin K. Wright, first lieutenant, Infantry, United States Army, $1,681.17, or so much of such sum as shall have been collected from him prior to the passage of this Act, representing a loss from the peculations and irregularities of a noncommissioned officer in the commissary at Fort Wright, Washington, during the period June 1 to July 26, 1929, while Lieutenant Wright was temporarily acting as post quartermaster: *Provided*, That no part of this shortage shall be later charged to Lieutenant Edwin K. Wright, Infantry.

Proviso. Shortage responsibility.

Any sum used as set-off to clear disallowance to be refunded.

SEC. 30. Any amounts which otherwise may have been due any of the disbursing officers mentioned herein, or, in the case of deceased officers, may have been due their heirs, for any other purpose, and which amounts or any part thereof have been used as a set-off by the Comptroller General to clear disallowances in said officers' accounts mentioned herein, shall be refunded to such disbursing officers or their heirs: *Provided*, That any amounts refunded by any of said disbursing officers, or their heirs, to the United States on account of said disallowances, shall also be refunded to such disbursing officers or their heirs.

Proviso. Redemption of refunds by disbursing officers.

Earl I. Brown. Credit allowed in accounts of.

SEC. 31. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Earl I. Brown, colonel, Corps of Engineers, United States Army, the sum of $9,341.35, representing public funds for which he is accountable and being the amount paid by him in April 1920, to the Sheridan-Kirk Contract Company in connection with the construction of Lock and Dam Numbered 31 on the Ohio River under contract dated November 6, 1912.

Approved, August 14, 1935.

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[CHAPTER 538.]

AN ACT

For the relief of Rene Hooge.

August 14, 1935.
[S. 928.]
[Private, No. 215.]

Rene Hooge.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay to Rene Hooge, of Bexar County, Texas, out of any money in the Treasury not otherwise appropriated, the sum of $1,000, in full satisfaction of all claims against the Government for personal injuries received, caused by the negligence of officers and agents of the United States in failing to remove from Kelly Field, in Bexar County, Texas, certain explosives which caused the personal injury to said Rene Hooge, on or about November 21, 1926: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 14, 1935.

[CHAPTER 539.]

AN ACT

To confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Hampton and Branchville Railroad Company.

August 14, 1935.
[S. 1024.]
[Private, No. 216.]

Hampton and Branchville Railroad Company.
Claim of, submitted to Court of Claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims, to hear, determine, and render judgment upon the claim of the Hampton and Branchville Railroad Company, of Hampton, South Carolina, against the United States for the sum of $4,768.46, representing the amount of a judgment recovered by the United States from such company by virtue of a certain guaranty contract between such company and the United States entered into in accordance with the provisions of section 209 of the Transportation Act, 1920.

Company's accounts to be examined.

SEC. 2. The Court of Claims is authorized and directed to make such detailed examination of the accounts of such company as may be necessary in order to ascertain the amount, if any, due such company by the United States by virtue of such contract.

Commencement, etc., of suit.

SEC. 3. Such claim may be instituted at any time within six months after the enactment of this Act, notwithstanding the lapse of time or any statute of limitations. Proceedings in any suit brought in the Court of Claims under this Act, appeals therefrom, and payment of any judgment therein shall be had as in the case of claims over which court has jurisdiction under section 145 of the Judicial Code, as amended.

Paying judgments.
U. S. C., p. 1261.

Approved, August 14, 1935.

[CHAPTER 540.]

AN ACT

For the relief of A. N. Ross.

August 14, 1935.
[S. 1359.]
[Private, No. 217.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the payment by A. N. Ross, disbursing clerk of the Federal Trade Commission, located at Washington, District of Columbia, of the sum of $1,390, representing an amount paid by him to Hugh E. White as per diem in lieu of subsistence during the period from April 10, 1922, to October 29, 1923, inclusive, which payments were made in good faith in connection with and pursuant to a contract made between said Commission and said White, the legality of which has been questioned by the United States, be, and the same is hereby validated.

A. N. Ross.
Certain payments by, validated.

SEC. 2. That the Comptroller General of the United States is hereby authorized and directed to credit the accounts of A. N. Ross, disbursing clerk of the Federal Trade Commission, located at Washington, District of Columbia, the amount of $1,936, representing an amount paid by him in good faith to Hugh E. White as per diem in lieu of subsistence during the period from February 1, 1924, to June 15, 1925, both inclusive, which payment was made in connection with and pursuant to the terms of temporary employment and disallowed by the Comptroller General as having been paid in contravention of the Act of April 6, 1914 (38 Stat., pp. 312, 318), or the rulings of the General Accounting Office.

Credit allowed in accounts.

Vol. 38, p. 318.

Approved, August 14, 1935.

[CHAPTER 541.]

AN ACT

For the relief of George Voeltz.

August 14, 1935.
[S. 1781.]
[Private, No. 218.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George Voeltz the sum of $5,000 in full settlement of all claims against the Government for damages suffered by reason of being struck by a Government motor truck which was driven by a clerk in the United States mail service: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

George Voeltz.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 14, 1935.

[CHAPTER 542.]

AN ACT

For the relief of Lewis Worthy and Dennis O. Penn.

August 14, 1935.
[S. 1980.]
[Private, No. 219.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, in full settlement of all claims against the Government of the United

Lewis Worthy and Dennis O. Penn.
Payment to.

States, to Lewis Worthy, private (1599113), $211.96, and Dennis O. Penn, private (1599044), $213.97, being amount of salary deducted on account of general court-martial sentences June 1918: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 14, 1935.

[CHAPTER 543.]

August 14, 1935. [S. 2169.] [Private, No. 220.]

AN ACT

For the relief of certain disbursing officers of the Army of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Captain T. H. Chambers, Finance Department, $24.96; Major H. G. Coykendall, Finance Department, $15.40; Captain H. B. Lovell, Finance Department, $21; Captain Jacob R. McNeil, Finance Department, $1.50; Major E. C. Morton, Finance Department, $14.97; Major T. S. Pugh, Finance Department, $21.03; and Major Lee R. Watrous, Finance Department, $9.46; Captain H. S. Farish, Finance Department, $3.80, said amounts being public funds for which they are accountable and which comprise minor errors in computation of pay and allowances due military personnel, who are no longer in the service of the United States, and which amounts have been disallowed by the Comptroller General of the United States.

Army disbursing officers. Credit allowed in accounts of designated.

SEC. 2. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Major E. C. Morton, Finance Department, $170.81, representing payment made in error to an officer of the Army, who has since resigned the service, during the period in which he was absent on excessive leave.

E. C. Morton.

SEC. 3. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Major Frank E. Parker, Finance Department, the sum of $146.96, public funds for which he is accountable and which were stolen on the night of September 4, 1933, from the company safe of the commanding officer, Three Hundred and Ninety-first Company, Civilian Conservation Corps, Beddington, Maine, such funds at that time being in the hands of his duly authorized agent officer.

Frank E. Parker.

SEC. 4. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Major Frank E. Parker, Finance Department, the sum of $174.67, said amount being public funds for which he is accountable and which were destroyed by fire while in the custody of his authorized agent at Civilian Conservation Corps Camp Numbered 2123, Warren, New Hampshire, on December 31, 1933.

Approved, August 14, 1935.

[CHAPTER 544.]

AN ACT

For the relief of the rightful heirs of Tiwastewin or Anna.

August 14, 1935.
[S. 2533.]
[Private, No. 221.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ignatius Court, Simon Court, Anna Jackson, Abraham Heduta, Louisa Heduta, Thomas Pan or Zitkana, George Pan or Heraka, Lucy Pan or Istaosapa and Sarah Pan or Assinna, the rightful heirs of Tiwastewin or Anna, deceased allottee Numbered 473 of the Sisseton-Wahpeton Tribe, North Dakota, as determined by the Secretary of the Interior pursuant to existing law, the sum of $93.33 to said Ignatius Court, the sum of $93.33 to the said Simon Court, the sum of $93.33 to said Anna Jackson, the sum of $46.66 to said Abraham Heduta, the sum of $46.66 to said Louisa Heduta, the sum of $46.66 to said Thomas Pan or Zitkana, the sum of $46.66 to said George Pan or Heraka, the sum of $46.66 to said Lucy Pan or Istaosapa, and the sum of $46.66 to said Sarah Pan or Assinna, total sum not to exceed the sum of $559.95: *Provided*, That the Secretary of the Interior may deposit the said sums to the credit of the said heirs and handle in the same manner as other individual Indian moneys: *Provided further*, That not to exceed 5 per centum of these amounts shall be paid to any attorney or attorneys for services rendered in this matter: *And provided further*, That should the persons herein named be not living upon the date of the passage of this Act the said sum shall be credited to and become a part of his or her estate.

Tiwastewin or Anna.
Payment to heirs of.

Provisos.
Manner of deposit and disbursement.

Limitation on attorney's, etc., fees.

Payment to estate if heirs deceased.

Approved, August 14, 1935.

[CHAPTER 545.]

AN ACT

Authorizing the Secretary of the Treasury to execute a quitclaim deed of certain land located in the village of Lyons, New York.

August 14, 1935.
[S. 2958.]
[Private, No. 222.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and empowered to sell and convey by the usual quitclaim deed to the owner of record of the land abutting the northwesterly side of the post-office site at Lyons, New York, a parcel of land forming a part of said site on which there encroaches a portion of a building now or formerly designated as the "Hotel Wayne"; the land covered by the encroachment being described as lying and being in the village of Lyons, county of Wayne, State of New York: Beginning at a point in the northwesterly side of the present post-office site, which point is one hundred and five one-hundredths feet northwesterly and one hundred and forty feet southwesterly from the intersection of the southwesterly side of Pearl Street with the northwesterly side of Williams Street; running thence in a southwesterly direction along the northwesterly boundary of the post-office site a distance of approximately fourteen feet to a point; thence in a southeastwardly direction a distance of approximately six feet to a point; thence in a northeasterly direction parallel with the northwesterly boundary of the post-office site a distance of approximately fourteen feet to a point; thence in a northwesterly direction a distance of approximately six feet to the point or place of beginning.

Lyons, N. Y.
Conveyance of portion of post office site at, authorized.

Description.

Approved, August 14, 1935.

[CHAPTER 554.]

August 15, 1935.
[S. 659.]
[Private, No. 223.]

AN ACT

For the relief of Walter J. Bryson Paving Company.

Walter J. Bryson Paving Company. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay Walter J. Bryson Paving Company, out of any money in the Treasury not otherwise appropriated, the sum of $3,500.50, in full and final settlement of all claims against the Government for certain dredging work performed by said company in the improvement of the channel in the Anclote River, Florida: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 15, 1935.

[CHAPTER 555.]

August 15, 1935.
[S. 1079.]
[Private, No. 224.]

AN ACT

Authorizing the Secretary of the Treasury to execute a certain indemnity agreement.

Biltmore-Oteen Bank. Execution of a certain indemnity agreement authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized to execute, in the name of the United States, and deliver to the liquidating agent of the Biltmore-Oteen Bank, Biltmore, North Carolina, upon receipt from such liquidating agent of $385, an agreement of indemnity binding the United States to make reimbursement to such liquidating agent in the event that such liquidating agent is required to make payment to a bona-fide holder upon presentation of draft numbered 380, dated November 7, 1922, in the amount of $385, drawn by the Biltmore-Oteen Bank, Biltmore, North Carolina, on the Hanover National Bank, New York, New York, to the order of the Treasurer of the United States: *Provided*, That if the liquidating agent of the Biltmore-Oteen Bank is required to make payment to a bona-fide holder upon presentation of said draft numbered 380, the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $385 to said liquidating agent, pursuant to the terms of the indemnity agreement authorized by this Act.

Proviso. Appropriation available if payment becomes necessary.

Approved, August 15, 1935.

[CHAPTER 556.]

August 15, 1935.
[S. 2818.]
[Private, No. 225.]

AN ACT

For the relief of Blanche L. Gray.

Blanche L. Gray. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Blanche L. Gray, wife of Paul Judson Gray, late third Secretary, Department of State, the sum of $3,000, being one year's salary of

her deceased husband, who died while in the Foreign Service; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purpose of this Act.

Approved, August 15, 1935.

[CHAPTER 562.]

AN ACT

For the relief of the Consolidated Ashcroft Hancock Company, Incorporated, Bridgeport, Connecticut.

August 19, 1935.
[S. 208.]
[Private, No. 226.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to settle and adjust the claim of the Consolidated Ashcroft Hancock Company, Incorporated, for an amount not exceeding $1,705.98 as liquidated damages deducted by the Navy Department in making payments under contract numbered 28225, dated August 23, 1932, for certain valves when the contractor was delayed in the completion of delivery for the reason that valves superior to contract requirements were developed and delivered by the contractor. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, a sum not to exceed $1,705.98 for payment of the claim: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Consolidated Ashcroft Hancock Company, Incorporated.
Claim of, to be adjusted.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 19, 1935.

[CHAPTER 563.]

AN ACT

Conferring jurisdiction on the United States District Court for the District of Oregon to hear, determine, and render judgment upon the suit in equity of Rakha Singh Gherwal against the United States.

August 19, 1935.
[S. 447.]
[Private, No. 227.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the United States District Court for the District of Oregon to hear, determine, and render judgment upon any suit in equity brought by Rakha Singh Gherwal against the United States for the purpose of setting aside the default decree of such court rendered November 21, 1924, canceling the certificate of naturalization numbered 1649806 of such Rakha Singh Gherwal.

Rakha Singh Gherwal.
Claim of, referred to District Court.

SEC. 2. Such suit in equity may be instituted at any time within six months after the enactment of this Act, notwithstanding the lapse of time or any statute of limitation. Proceedings for the determination of any such suit shall be had, and appeals from any judgment or decree entered therein shall be taken, in the same manner as in the case of suits in equity over which such court has jurisdiction under paragraph (1) of section 24 of the Judicial Code, as amended.

Commencement of suit.

Proceedings, appeals, etc.

U. S. C., p. 1229.

Approved, August 19, 1935.

[CHAPTER 564.]

August 19, 1935.
[S. 1347.]
[Private, No. 228.]

AN ACT

For the relief of Robert J. Smith, alias William McClocklin.

Robert J. Smith, alias William McClocklin.
Military record corrected.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, sailors, and marines Robert J. Smith, alias William McClocklin, shall hereafter be held and considered to have been honorably discharged from the military service of the United States on October 6, 1899, as a private of Troop I, Third Regiment United States Cavalry: *Provided*, That no back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Proviso.
No back pay, etc.

Approved, August 19, 1935.

[CHAPTER 565.]

August 19, 1935.
[S. 1577.]
[Private, No. 229.]

AN ACT

For the relief of Skelton Mack McCray.

Skelton Mack McCray.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement against the Government, the sum of $535.51 to Skelton Mack McCray, in full settlement of all claims against the United States for money he expended and time he lost as a result of injury he received while in the service of the United States at Fort Leavenworth, Kansas: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 19, 1935.

[CHAPTER 566.]

August 19, 1935.
[S. 1640.]
[Private, No. 230.]

AN ACT

For the relief of Dan Meehan.

Dan Meehan.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dan Meehan, of Tyler, Texas, the sum of $150, in full settlement of all claims against the United States for items eliminated by the General Accounting Office from vouchers numbered 10604, 10605, 10606, 10607, and 10608, covering periods February 17 to 28, March 1 to 15, March 16 to 31, April 1 to 15, and April 16 to May 17, 1934, respectively: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact,

Proviso.
Limitation on attorney's, etc., fees.

collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding $1,000. Penalty for violation.

Approved, August 19, 1935.

[CHAPTER 567.]

AN ACT

For the relief of Domenico Politano.

August 19, 1935.
[S. 2076.]
[Private, No. 231.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Domenico Politano the sum of $2,000, in full settlement of all claims against the Government of the United States for a bond deposited as security and filed with the inspector in charge of immigration at Niagara Falls and later forfeited because of his failure to depart from the United States: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Domenico Politano. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 19, 1935.

[CHAPTER 568.]

AN ACT

For the relief of certain purchasers of lands in the Borough of Brooklawn, State of New Jersey.

August 19, 1935.
[S. 2140.]
[Private, No. 232.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Shipping Board Bureau is authorized and directed to make refunds to present owners of lands in The Borough of Brooklawn, in the State of New Jersey, which have been purchased by them from the United States of 14 per centum of the purchase price of such purchased lands where the full purchase price of said lands or where the full amount of principal and interest due on purchase money bonds and mortgages given to the United States of America, represented by the United States Shipping Board, covering such lands has been paid by such owners into the Treasury of the United States.

Brooklawn, N. J. Refunds to certain purchasers of land in. *Post*, p. 2290.

SEC. 2. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act: *Provided*, That said refunds shall be in full settlement of all claims that such owners of lands, as hereinbefore described in this Act, may have against the Government of the United States: *And provided further*, That no part of the amount appropriated by virtue of this Act in excess of 5 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for

Appropriation.

Provisos. Full settlement.

Limitation on attorney's, etc., fees.

any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated by virtue of this Act in excess of 5 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of the Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, August 19, 1935.

[CHAPTER 569.]

August 19, 1935.
[S. 2160.]
[Private, No. 233.]

AN ACT

For the relief of the George C. Mansfield Company and George D. Mansfield.

George C. Mansfield Company, etc. May bring damage suit in Court of Claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the George C. Mansfield Company and George D. Mansfield, of Milwaukee, Wisconsin, are hereby authorized to bring suit against the United States to recover damages for any loss or losses which they may have suffered because of the action of the Federal Food Administration, division of enforcement, in directing and compelling said George C. Mansfield Company and said George D. Mansfield to sell certain cheese products. Jurisdiction is hereby conferred upon the Court of Claims of the United States to hear, consider, and determine such action on its merits, and to enter decree or judgment against the United States for the amount of such actual loss, if any, as may be found due to said George C. Mansfield Company and said George D. Mansfield, without interest, with the same right of appeal as in other cases, notwithstanding the lapse of time or statute of limitations or the tortious character of the action: *Provided*, That such action shall be brought within six months from the date that this Act becomes effective.

Jurisdiction conferred.

Proviso.
Time limitation.

Approved, August 19, 1935.

[CHAPTER 570.]

August 19, 1935.
[S. 2168.]
[Private, No. 234.]

AN ACT

For the relief of the Bell Telephone Company of Pennsylvania.

Bell Telephone Company of Pennsylvania. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Bell Telephone Company of Pennsylvania, Pittsburgh, Pennsylvania, the sum of $53.55, in full settlement of all claims against the United States for damages to its telephone pole and wires as a result of an accident involving a truck operated in connection with the Civilian Conservation Corps at Strattonville, Pennsylvania, on November 4, 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 19, 1935.

[CHAPTER 571.]

AN ACT

Authorizing adjustment of the claim of the Western Union Telegraph Company.

August 19, 1935.
[S. 2225.]
[Private, No. 235.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust, settle, and pay the claim of the Western Union Telegraph Company for not to exceed $10,657.57, being the amount which that company paid to the United States as a part of the tariff for messages dispatched by American officers in Russia and forwarded to this country through the Western Union Telegraph Company for which the company has failed to receive any payments due to the collapse of the Russian Government. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $10,657.57, or so much thereof as may be necessary, for the payment of this claim: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Western Union Telegraph Company.
Payment of claim.

Appropriation.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 19, 1935.

[CHAPTER 572.]

AN ACT

Authorizing and directing the Secretary of the Interior to cancel patent in fee issued to Victoria Arconge.

August 19, 1935.
[S. 2388.]
[Private, No. 236.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to cancel the patent in fee numbered 527856 issued to Victoria Arconge under date of May 8, 1916, covering her allotment of land on the Yankton Sioux Reservation, South Dakota, described as follows: Lots 582, 583, 586, and 587 of the Yankton Indian Reservation, South Dakota, containing one hundred and sixty acres, and to issue to her a trust patent in lieu thereof covering the same land to be held in trust for her sole use and benefit or, in case of her decease, for the sole use and benefit of her lawful heirs or devisees for the same period under the same conditions as other trust allotments are held on that reservation as extended by the last proclamation of the President relating to the said reservation: *Provided*, That any valid encumbrances now resting against any of said land shall not in any manner be affected by the provisions of this Act, but any of such land so encumbered, if still owned by the allottee, heirs, or devisees, shall, when such encumbrances have been removed, become subject to the provisions of this Act as fully and to the same intent as if such land were now unencumbered.

Victoria Arconge.
Land patent to, canceled.

Proviso.
Existing encumbrances.

Approved, August 19, 1935.

[CHAPTER 573.]

AN ACT

August 19, 1935.
[S. 2635.]
[Private, No. 237.]

For the relief of Sudden and Christenson, Incorporated, John A. Hooper, Emil T. Kruse, Edward Kruse, Gilbert Loken, and G. W. McNear, Incorporated, or their successors in interest.

Sudden and Christenson, Incorporated, and others.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $78,025.83, with interest at the rate of 4 per centum per annum from May 19, 1927, to the date of the approval of this Act, jointly, to Sudden and Christenson, Incorporated, John A. Hooper, Emil T. Kruse, Edward Kruse, Gilbert Loken, and G. W. McNear, Incorporated, or their successors in interest, upon receipt by the Secretary of State of satisfactory releases from the respective claimants of all claims for damages resulting from the capture on January 27, 1916, and subsequent use by the British Government of the steamship Edna, as recommended in the decision rendered on December 22, 1934, by the arbitrator, John Clark Knox, judge of the United States District Court for the Southern District of New York:

Proviso.
Limitation on attorney's, etc., fees.

Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, August 19, 1935.

[CHAPTER 574.]

AN ACT

August 19, 1935.
[S. 2751.]
[Private, No. 238.]

For the relief of Walter C. Price and Joseph C. Le Sage.

Walter C. Price and Joseph C. Le Sage.
Charge against postal accounts of, released.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That former Postmaster Walter C. Price and former Assistant Postmaster Joseph C. Le Sage, both of Huntington, West Virginia, be released from the claim of the United States Government against them in the settlement of the shortage of approximately $10,428.24, caused by the defalcation of Samuel T. Shawver, in the post office, at Huntington, West Virginia.

Credit allowed.

SEC. 2. The Comptroller General of the United States is authorized and directed to credit the account of Walter C. Price, former postmaster at Huntington, West Virginia, with the sum of $10,428.24, which amount is charged against said account as the result of embezzlement of money order funds by Samuel T. Shawver, former clerk in charge of the money order section at said post office.

Approved, August 19, 1935.

[CHAPTER 579.]

AN ACT

For the relief of Hazel B. Lowe, Tess H. Johnston, and Esther L. Teckmeyer.

August 20, 1935.
[S. 280.]
[Private, No. 239.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to pay, out of current appropriations for salaries and expenses of the Veterans' Administration, the sum of $68 to Hazel B. Lowe, $91.80 to Tess H. Johnston, and $91.80 to Esther L. Teckmeyer, in full settlement of all claims against the Government of the United States, for services rendered in the Veterans' Administration and the Department of Justice.

Hazel B. Lowe, etc.
Payment to.

Approved, August 20, 1935.

[CHAPTER 580.]

AN ACT

For the relief of F. T. Wade, M. L. Dearing, E. D. Wagner, and G. M. Judd.

August 20, 1935.
[S. 490.]
[Private, No. 240.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the following-named persons the sums hereinafter specified, in full satisfaction of their claims against the United States for services rendered as employees of the Department of Justice, such services having been rendered at the request of, and in the office of, the United States attorney for the State of Oregon after the expiration of a thirty-day temporary appointment issued to said persons: F. T. Wade, $202.90; M. L. Dearing, $110.84; E. D. Wagner, $110.84; and G. M. Judd, $115.41: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

F. T. Wade, etc.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 20, 1935.

[CHAPTER 581.]

AN ACT

For the relief of Fred Luscher.

August 20, 1935.
[S. 540.]
[Private, No. 241.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Fred Luscher of Bridal Veil, Oregon, the sum of $227.50, in full satisfaction of his claim against the United States for damages resulting from the loss of cattle that died in September 1932, from eating wood preservative applied to poles installed by the Department of Commerce at airways beacon sites numbered 2 and 25R at Bridal Veil on the Port-

Fred Luscher.
Payment to.

Proviso. Limitation on attorney's, etc., fees.

land-Spokane airway: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, August 20, 1935.

[CHAPTER 582.]

August 20, 1935.
[S. 658.]
[Private, No. 242.]

AN ACT

For the relief of K. W. Boring.

K. W. Boring. Duplicate U. S. bond issued to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to issue to K. W. Boring, post-office box numbered 2271, Saint Petersburg, Florida, a duplicate in lieu of United States registered bond numbered G–00012777 for $1,000 of the Treasury 4¼ per centum bonds of 1947–1952, inscribed "K. W. Boring", said bond having been lost or destroyed after being assigned in blank, but not witnessed, as required by the regulations of the Treasury Department, said duplicate to be of like amount, and bearing like interest and marked in a like manner as the original bond: *Provided*, That the said bond shall not have been previously presented to the Treasury Department by a bona fide holder in due course for transfer, exchange, or redemption: *Provided further*, That the said K. W. Boring shall first file in the Treasury Department a bond of indemnity in the penal sum of double the amount of the principal of the bond alleged lost or destroyed and the interest which would accrue thereon to the date of maturity, with such corporate surety as may be acceptable to the Secretary of the Treasury to indemnify and save the United States harmless from any loss on account of the bond alleged to be lost or destroyed.

Provisos. Condition.

Indemnity bond.

Approved, August 20, 1935.

[CHAPTER 583.]

August 20, 1935.
[S. 1045.]
[Private, No. 243.]

AN ACT

For the relief of A. Cyril Crilley.

A. Cyril Crilley. Credit allowed in accounts of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the settlement of the accounts of A. Cyril Crilley, assistant trade commissioner and a special disbursing officer of the Bureau of Foreign and Domestic Commerce, in the sum of $113 for amount paid as freight on the shipment of an automobile of Henry B. Pentland, deceased trade commissioner, from Panama to Hollywood, California, upon the specific direction and authority of the Bureau, dated July 8, 1932.

Approved, August 20, 1935.

[CHAPTER 584.]

AN ACT

For the relief of E. Jeanmonod.

August 20, 1935.
[S. 1046.]
[Private, No. 244.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to E. Jeanmonod, undertaker, Paris, France, an amount sufficient to purchase 14,670.38 francs, in full satisfaction of his claim against the United States for services and expenses incurred in connection with the preparation and transportation of the body of Marcus Smith Cruikshank, a World War veteran, who died in Paris, France: *Provided*, That no part of the amount appropriated in this act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

E. Jeanmonod.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 20, 1935.

[CHAPTER 585.]

AN ACT

For the relief of William A. Thompson.

August 20, 1935.
[S. 1070.]
[Private, No. 245.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William A. Thompson, of Des Moines, Iowa, the sum of $750 in full satisfaction of all claims of such William A. Thompson against the United States for damages resulting from injuries to himself when run over by one Claude Rideout on November 21, 1932, near Creston, Iowa, while such William A. Thompson was assisting Harry Elliott, United States prohibition agent, to arrest such Claude Rideout: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

William A. Thompson.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 20, 1935.

[CHAPTER 586.]

August 20, 1935.
[S. 1214.]
[Private, No. 246.]

AN ACT

For the relief of Oliver B. Huston, Anne Huston, Jane Huston, and Harriet Huston.

Oliver B. Huston, etc.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Oliver B. Huston and his three minor daughters, Anne, Jane, and Harriet Huston, all of Salem, Oregon, the sum of $856.60, in full satisfaction of their claims against the United States for damages for personal injuries resulting from a collision when the car in which they were riding was struck by an Indian-school bus at the intersection of Hood and Winter Streets, Salem, Oregon, on September 17, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 20, 1935.

[CHAPTER 587.]

August 20, 1935.
[S. 1326.]
[Private, No. 247.]

AN ACT

For the relief of Robert A. Dunham.

Robert A. Dunham.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to A. B. Dunham, of Washington, District of Columbia, father and next friend of the minor child Robert A. Dunham, the sum of $1,000, in full satisfaction of all claims against the United States for damages resulting from personal injuries received by the said minor child when struck, at the intersection of Seventh Street and North Carolina Avenue, Southeast, in the city of Washington, District of Columbia, by a United States Treasury fuel truck driven by one Isaac W. Travers, an employee of the United States: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 20, 1935.

[CHAPTER 588.]

AN ACT

For the relief of the General Baking Company.

August 20, 1935.
[S. 1409.]
[Private, No. 248.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia are authorized and directed to pay, out of the revenues of the District of Columbia not otherwise appropriated, to the General Baking Company, a corporation organized under the laws of the State of New York, the sum of $1,007.25, in full satisfaction of the claim of such corporation against the District of Columbia for a refund of overpayment of taxes on lots 16 to 22, both inclusive, 801, 802, 814, 815, and 816, in square 576, in the District of Columbia: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

General Baking Company.
Refund of tax overpayment.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 20, 1935.

[CHAPTER 589.]

AN ACT

For the relief of Elliott H. Tasso and Emma Tasso.

August 20, 1935.
[S. 2374.]
[Private, No. 249.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elliott H. Tasso and Emma Tasso, of Colony, Oklahoma, the sum of $2,000 in full settlement of all claims which they may have against the Government of the United States, due to the death of their child, an infant ten days old, by reason of an accident caused by negligence of the nurse at the Cheyenne and Arapaho Hospital, in October 1932, when said nurse placed the infant child on a table in the bathroom for the purpose of bathing it, and left the room, leaving the child unattended, and during her absence it fell from the table to a hot radiator and thence to the floor, being badly burned and injured in the fall from which it died three weeks later: *Provided*, That in the discretion of the Secretary of the Interior the amount herein appropriated may be held as individual Indian money by the Superintendent of the Cheyenne and Arapaho Agency, Oklahoma, and be disbursed in accordance with regulations governing such funds: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Elliott H. Tasso and Emma Tasso.
Payment to.

Provisos.
Disbursement.

Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 20, 1935.

[CHAPTER 590.]

August 20, 1935.
[S. 2393.]
[Private, No. 250.]

AN ACT

For the relief of the widow of Ray Sutton.

Ray Sutton.
Benefits of Employees' Compensation Act extended to widow of.
Vol. 39, pp. 746, 747; U. S. C., p. 100.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, Ray Sutton, a United States prohibition officer who disappeared without further trace on August 28, 1930, shall be held and considered to have been killed on August 28, 1930, while in the performance of his duties as such officer; and the United States Employees' Compensation Commission is authorized and directed to pay to the widow of the said Ray Sutton compensation for his death in the manner and to the extent provided in such Act, as amended. Such compensation shall be payable from August 28, 1930, and shall be paid out of funds heretofore or hereafter appropriated for the payment of awards under the provisions of such Act, as amended.

Back payments.

Civil Service retirement payments.
Vol. 46, p. 468.
U. S. C., p. 91.

SEC. 2. That in the administration of the Civil Service Retirement Act of May 29, 1930, as amended and supplemented, the said Ray Sutton shall be held and considered to have been killed on August 28, 1930, while in the performance of his duties as such officer; and the United States Civil Service Commission is authorized and directed to pay to the person or persons whom such Commission determines, pursuant to such Act, to be entitled thereto, the total amount or deductions made from the salary of the said Ray Sutton pursuant to such Act, as amended, together with interest on such deductions, as provided in such Act, to the date of enactment of this Act.

Payment of salary and expenses.

SEC. 3. The Secretary of the Treasury is authorized and directed to pay to Mrs. Ray Sutton upon presentation by her to the Treasury Department, two Treasury checks payable to the order of said Ray Sutton in the amounts of $92.95 and $152.32 for salary and expenses, respectively, of the said Ray Sutton for the last half of August 1930. Such checks shall be paid out of funds in the Treasury placed to the credit of the said Ray Sutton in the account designated "outstanding liabilities."

Approved, August 20, 1935.

[CHAPTER 601.]

August 21, 1935.
[S. 2488.]
[Private, No. 251.]

AN ACT

For the relief of the widows of an inspector and certain special agents of the Division of Investigation, Department of Justice, and operative in the Secret Service Division, Department of the Treasury, killed in line of duty.

Investigation Division, Department of Justice.
Payments to widows of certain special agents, killed in line of duty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 each to the following-named widows of an inspector and certain special agents of the Division of Investigation of the Department of Justice killed in line of their official duties:

LaVon C. Cowley, widow of Inspector Samuel P. Cowley, killed near Chicago, November 28, 1934;

Regina Caffrey, widow of Raymond J. Caffrey, special agent, killed at Kansas City, Missouri, June 17, 1933;

Gladys Gage Surratt, widow of Rupert V. Surratt, special agent, killed near Landis, North Carolina, October 8, 1933;

Mary E. Baum, widow of W. Carter Baum, special agent, killed in Rhinelander, Wisconsin, April 23, 1934; and

Genevieve Hollis, widow of Herman E. Hollis, special agent, killed near Chicago, November 27, 1934, and Ann Godby, widow of Robert L. Godby, operative in the Secret Service Division, Treasury Department, who was killed in line of duty, at Buffalo, New York, on May 24, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Secret Service, Treasury Department.
Payment to widow of Robert L. Godby.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 21, 1935.

[CHAPTER 609.]

AN ACT

For the relief of the estate of W. W. McPeters.

August 22, 1935.
[S. 1735.]
[Private, No. 252.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of W. W. McPeters, late of Madison County, North Carolina, the sum of $2,500, in full satisfaction of its claim against the United States for the death of such W. W. McPeters, who was fatally injured through the negligence of employees of the Civil Works Administration while said employees were engaged in the construction of a road in Madison County, North Carolina: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

W. W. McPeters.
Payment to estate of.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 22, 1935.

[CHAPTER 610.]

AN ACT

For the relief of Harry Jarrette.

August 22, 1935.
[S. 2373.]
[Private, No. 253.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the

Harry Jarrette.
Payment to.

sum of $5,000 to Harry Jarrette, of Portland, Oregon, in full settlement for all claims against the Government resulting from injuries sustained when struck by a United States Forest Service truck on November 21, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdeameanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 22, 1935.

[CHAPTER 611.]

August 22, 1935. [S. 2666.] [Private, No. 254.]

AN ACT

For the relief of the Nacional Destilerias Corporation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Nacional Destilerias Corporation, a corporation organized under the laws of the State of Indiana, the sum of $2,530, in full satisfaction of its claim against the United States for a refund of tariff duties assessed and paid by such corporation during the year 1934 on 1,265 gallons of Popular gin, inadvertently shipped to such corporation from the Philippine Islands although manufactured for shipment to France: *Provided*, That the said Nacional Destilerias Corporation shall first return all such Popular gin to the original shipper in the Philippine Islands: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Nacional Destilerias Corporation. Refund of certain custom duties.

Provisos. Condition.

Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 22, 1935.

[CHAPTER 612.]

August 22, 1935. [S. 2993.] [Private, No. 255.]

AN ACT

For the relief of Carrie Price Roberts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Carrie Price Roberts, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 in full settlement of all claims against the Government on account of the death of her husband, Lapold S. Roberts, a contract mail carrier between Goldsboro

Carrie Price Roberts. Payment to.

and Wilmington, North Carolina, who was held up and killed in the early morning hours of March 15, 1931, while in the performance of his duties: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 22, 1935.

[CHAPTER 613.]

AN ACT

To grant a patent to Albert M. Johnson and Walter Scott.

August 22, 1935.
[H. R. 2476.]
[Private, No. 256.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subject to prior valid existing rights the Secretary of the Interior is hereby authorized to issue a patent to Albert M. Johnson and/or Walter Scott (Death Valley Scotty) for the following-described land in the Death Valley National Monument upon payment therefor at the rate of $1.25 per acre or under any applicable public-land law subject, however, to the reservation of such rights-of-way as the said Secretary may determine to be necessary or advisable for use in connection with the administration of said monument, to wit:

Albert M. Johnson and Walter Scott. Land patent to.

Payment, etc.

Those parts of sections 1, 2, 3, 4, 10, 11, and 12, township 11 south, range 42 east; and those parts of sections 5, 6, and 7, township 11 south, range 43 east, Mount Diablo meridian, California, occupied by Albert M. Johnson and/or Walter Scott in the form of Upper and Lower Grapevine Ranches and marked on the ground by concrete fence posts according to the Roger Wilson survey of 1931 and on file in the General Land Office; also the remainder of the southwest quarter northwest quarter section 10, township 11 south, range 42 east, and south half northwest quarter (lots 11 and 12) section 6, township 11 south, range 43 east; containing, in all, approximately one thousand five hundred acres: *Provided*, That such patent shall contain a reservation to the United States of all the minerals the land may contain, together with the right to prospect for, mine, and remove the same; such minerals to be subject to disposal by the United States only as may hereafter be expressly authorized by law: *And provided further*, That such land shall not be used for any purpose inconsistent with the rules and regulations governing national monuments: *And provided further*, That in the event of transfer of title to the whole of this property or any estate therein by either one or both patentees, by voluntary conveyance or by operation of law, the Secretary of the Interior shall be authorized to reacquire the land by purchase, condemnation, or otherwise out of such funds as may be made available by Congress for this purpose.

Description.

Provisos. Minerals reserved.

Limitation on use.

Transfer provisions.

Approved, August 22, 1935.

[CHAPTER 626.]

August 23, 1935.
[S. 985.]
[Private, No. 257.]

AN ACT

For the relief of Hudson Brothers, of Norfolk, Virginia.

Hudson Brothers. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby directed to pay to Hudson Brothers, of Norfolk, Virginia, out of any money in the Treasury not otherwise appropriated, the sum of $620.60 in full settlement of all claims against the United States for damages sustained by said Hudson Brothers on account of a collision between the United States revenue cutter Apache and barge C. T. Rowland, owned by said Hudson Brothers, April 30, 1907, the collision being caused by the fault in handling the United States revenue cutter Apache, as determined by board of inquiry in the case: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 23, 1935.

[CHAPTER 627.]

August 23, 1935.
[S. 2312.]
[Private, No. 258.]

AN ACT

For the relief of the Western Construction Company.

Western Construction Company. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, the sum of $1,634.56 to the Western Construction Company, of Seattle, Washington, to cover additional work not covered by the contract entered into by said company for the construction of a Weather Bureau station on Tatoosh Island, Washington: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 23, 1935.

[CHAPTER 628.]

AN ACT

For the relief of the legal guardian of Nick Vasilzevic.

August 23, 1935.
[H. R. 3509.]
[Private, No. 259.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement of all claims against the United States, the sum of $5,000 to the legal guardian of Nick Vasilzevic, the six-year-old son of Helen Vasilzevic, who was electrocuted on August 13, 1931, at 1238 North Nineteenth Street, Milwaukee, Wisconsin, following a raid of such premises by Federal prohibition agents who poured wine on the dirt floor of the basement, which action resulted in the electrocution of Mrs. Vasilzevic as she stood in the basement and turned on an electric-light switch.

Nick Vasilzevic.
Payment to legal guardian of.

SEC. 2. That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated by this Act on account of services rendered in connection with this claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 23, 1935.

[CHAPTER 629.]

AN ACT

For the relief of Raymond Parramore.

August 23, 1935.
[H. R. 3967.]
[Private, No. 260.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Raymond Parramore, the sum of $6,000 in full settlement of all claims against the Government of the United States for personal and permanent injuries suffered by the said Raymond Parramore as a result of being struck and run down by a truck operated by an employee of the Government in the city of Jacksonville, Florida, December 11, 1933: *Provided*, That no part of the amount appropriated in this act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Raymond Parramore.
Payment to, for personal injuries.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 23, 1935.

[CHAPTER 630.]

August 23, 1935.
[H. R. 4827.]
[Private, No. 261.]

AN ACT

For the relief of Don C. Fees.

Don C. Fees.
Credit allowed in accounts of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to allow in the accounts of Don C. Fees, former disbursing clerk, Department of Justice, the sum of $416.16 paid by him under authority and direction of said department for the purchase, repair, maintenance, and operation of one motorcycle with side for transportation of freight, which was disallowed by said Comptroller General.

Approved, August 23, 1935.

[CHAPTER 631.]

August 23, 1935.
[H. R. 4860.]
[Private, No. 262.]

AN ACT

For the relief of Judson Stokes.

Judson Stokes.
Monthly payments to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any funds in the Treasury not otherwise appropriated and in full settlement against the Government, the sum of $50 per month for fifty months from and after the approval of this Act to Judson Stokes for damages as the result of injuries suffered when the vehicle which he was operating collided with a United States mail truck on October 30, 1928, near Atlanta, Georgia: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 23, 1935.

[CHAPTER 632.]

August 23, 1935.
[H. R. 5492.]
[Private, No. 263.]

AN ACT

For the relief of Henry Scipper.

Henry Scipper.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, to Henry Scipper, the sum of $2,500, in full settlement of all claims against the Government of the United States for personal and permanent damages and injuries sustained and suffered by the said Henry Scipper as a result of being negligently struck, run down, and thrown into the ditch along public road numbered 11, known as the Wheeler Road, Coahoma County, Mississippi, by a motor truck, negligently operated by M. H. Scott, Junior, an employee of the Government of the United States, while operating said truck in the scope of his employment, on January 12, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys,

Proviso.
Limitation on attorney's, etc., fees.

on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, August 23, 1935.

[CHAPTER 633.]

AN ACT

For the relief of Ivan H. McCormack

August 23, 1935.
[H. R. 1880.]
[Private, No. 264.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to issue to Ivan H. McCormack, of Alsea, Oregon, a patent for the northeast quarter southwest quarter and the north half southeast quarter section 31, township 14 south, range 8 west of the Willamette meridian, Oregon: *Provided*, That said McCormack shall reconvey to the United States the west half northeast quarter and the southeast quarter northeast quarter of said section 31: *Provided further*, That the patent issued hereunder shall contain a reservation to the United States of the timber on the northeast quarter southwest quarter and the northwest quarter southeast quarter of said section 31, which timber shall remain subject to sale, and the proceeds thereof shall be credited to the "Oregon and California land-grant fund" in accordance with the provisions of the Act of June 9, 1916 (39 Stat. L. 218).

Ivan H. McCormack.
Land patent to.

Provisos.
Reconveyance provision.
Timber reservation.

Vol. 39, p. 218.

SEC. 2. That of $300 paid by McCormack prior to the issuance to him on April 12, 1927, of a patent for the west half northeast quarter and the southeast quarter northeast quarter of said section 31, $200 shall be repaid to him under the provisions of the Act of March 26, 1908 (35 Stat. L. 48), and $100 shall be credited as payment on the purchase price of the northeast quarter southeast quarter of said section 31.

Reimbursement.

Vol. 35, p. 48; U. S. C., p. 1830.
Credit on purchased land.

Approved, August 23, 1935.

[CHAPTER 634.]

AN ACT

For the relief of Sarah Elizabeth Ballentyne.

August 23, 1935.
[H. R. 3546.]
[Private, No. 265.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sarah Elizabeth Ballentyne, Houston, Pennsylvania, the sum of $2,833. Such sum shall be in full settlement of all claims against the United States on account of damages sustained by the said Sarah Elizabeth Ballentyne resulting from the death of her son, William Ballentyne, who was struck and fatally injured by an automobile owned and operated by the Bureau of Mines, Department of the Interior, on March 6, 1934, near Canonsburg, Pennsylvania: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold,

Sarah Elizabeth Ballentyne.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, August 23, 1935.

[CHAPTER 635.]

AN ACT

For the relief of Rocco D'Amato.

August 23, 1935.
[H. R. 7099.]
[Private, No. 266.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay Rocco D'Amato, out of any money in the Treasury not otherwise appropriated, the sum of $1,000, in full settlement of all claims against the Government of the United States, being the amount of bonds deposited as security to guarantee the production of an alien and filed with the inspector in charge of immigration at New York and later forfeited because of the failure of the bondsman to produce the alien on the date of appearance in compliance with the terms of the delivery bond: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Rocco D'Amato.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 23, 1935.

[CHAPTER 649.]

AN ACT

For the relief of Emma B. Hine.

August 24, 1935.
[H. R. 258.]
[Private, No. 267.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the account of Humphrey A. Brown, deceased, former postmaster at Blythewood, South Carolina, with $37.65, being the amount retained from postal receipts by Emma B. Hine as compensation for her voluntary services in acting as postmaster at that post office from April 5 to 23, 1933, inclusive.

Humphrey A. Brown.
Credit allowed in postal accounts of.

Approved, August 24, 1935.

[CHAPTER 650.]

AN ACT

For the relief of Florence Overly.

August 24, 1935.
[H. R. 607.]
[Private, No. 268.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Florence Overly, of Columbus, Ohio, the sum of $5,000, in full

Florence Overly.
Payment to.

settlement against the Government, as compensation for the death of her father, William B. Overly, who was killed when struck by a Government ambulance at Broad and High Streets, Columbus, Ohio, on January 14, 1929: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 24, 1935.

[CHAPTER 651.]

AN ACT

For the relief of Thelbert Davis.

August 24, 1935. [H. R. 704.] [Private, No. 269.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thelbert Davis, former private, United States Marine Corps, the sum of $169.66. Such sum shall be in full settlement of all claims against the United States on account of gratuity, pay, and travel allowance.

Thelbert Davis. Payment to.

Approved, August 24, 1935.

[CHAPTER 652.]

AN ACT

For the relief of John L. Hoffman.

August 24, 1935. [H. R. 760.] [Private, No. 270.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,000 to John L. Hoffman, of Buffalo, New York, who was injured June 16, 1917, by Private Joseph A. Keller, Company M, Seventy-fourth Regiment Infantry, New York National Guard: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim.

John L. Hoffman. Payment to.

Proviso. Limitation on attorney's, etc., fees.

SEC. 2. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, August 24, 1935.

[CHAPTER 653.]

August 24, 1935.
[H. R. 830.]
[Private, No. 271.]

AN ACT

For the relief of Sanford Madison Strange.

Sanford Madison Strange.
Benefits of Employees' Compensation Act extended to.
Vol. 39, pp. 746-747.
U. S. C., p. 100.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider, when filed, the claim of Sanford Madison Strange for disability alleged to have been incurred by him on or about May 1, 1918, and on or about May 27, 1919, while in the employment of the navy yard, Navy Department, at Norfolk, Virginia, and to determine said claim upon its merits under the provisions of said Act: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Proviso.
No prior benefits.

Approved, August 24, 1935.

[CHAPTER 654.]

August 24, 1935.
[H. R. 1437.]
[Private, No. 272.]

AN ACT

For the relief of August A. Carminati.

August A. Carminati.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to August A. Carminati, out of any money in the Treasury not otherwise appropriated, the sum of $263.80 in full settlement of all claims against the Government resulting from personal injuries received by him, while in the discharge of his duty, as an employee of the United States Naval Intelligence Bureau, and as a result of being injured in an automobile accident in August 1917.

Approved, August 24, 1935.

[CHAPTER 655.]

August 24, 1935.
[H. R. 2118.]
[Private, No. 273.]

AN ACT

For the relief of John P. Seabrook.

John P. Seabrook.
Naval record corrected.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers and sailors John P. Seabrook, who was a member of the United States Marine Corps, shall hereafter be held and considered to have been honorably discharged from the naval service of the United States as a member of that organization on the 20th day of September 1920: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Proviso.
No prior benefits.

Approved, August 24, 1935.

[CHAPTER 656.]

AN ACT

For the relief of Hugh G. Lisk.

August 24, 1935.
[H. R. 2126.]
[Private, No. 274.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized to pay, out of any money in the United States Treasury not otherwise appropriated, to Hugh G. Lisk, late of the United States Navy, the sum of $77.90 in full settlement of all claims against the Government of the United States for money expended by him for gas, electricity, and water while occupying governmental quarters from January 16, 1928, to May 1, 1929, at the Naval Air Station, San Diego, California: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Hugh G. Lisk.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 24, 1935.

[CHAPTER 657.]

AN ACT

For the relief of Oswald Orlando.

August 24, 1935.
[H. R. 2319.]
[Private, No. 275.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Oswald Orlando the sum of $1,000 in full satisfaction of all claims against the United States for injuries sustained by him as a result of the collision of a Government owned and operated motor vehicle with his automobile: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Oswald Orlando.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 24, 1935.

[CHAPTER 658.]

AN ACT

For the relief of E. F. Purvis.

August 24, 1935.
[H. R. 2411.]
[Private, No. 276.]

E. F. Purvis.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to E. F. Purvis, of Grambling, Louisiana, the sum of $425.16 in full satisfaction of his claim for damages against the United States for injuries suffered by him on February 10, 1933, when the automobile in which he was riding collided, near Shreveport, Louisiana, with a United States Army truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 24, 1935.

[CHAPTER 659.]

AN ACT

For the relief of the Weis-Patterson Lumber Company, Incorporated.

August 24, 1935.
[H. R. 2432.]
[Private, No. 277.]

Weis-Patterson Lumber Company, Incorporated.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Weis-Patterson Lumber Company, Incorporated, Pensacola, Florida, the sum of $600, in full satisfaction of its claim against the United States, such sum representing damages sustained when a barge owned by the Weis-Patterson Lumber Company, Incorporated, and rented to the War Department was, on August 31, 1932, blown ashore and totally wrecked during a storm: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 24, 1935.

[CHAPTER 660.]

AN ACT

For the relief of Milton Hatch.

August 24, 1935.
[H. R. 2443.]
[Private, No. 278.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $3,100, which includes hospital bill of $665, to Milton Hatch, in full settlement of all claims against the Government of the United States on account of personal injuries of a permanent nature received October 30, 1928, when struck by truck of the military authorities at Fort Bragg, North Carolina, operated by a soldier stationed at said post: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Milton Hatch.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 24, 1935.

[CHAPTER 661.]

AN ACT

To extend to Sergeant Major Edmund S. Sayer, United States Marine Corps (retired), the benefits of the Act of May 7, 1932, providing highest World War rank to retired enlisted men.

August 24, 1935.
[H. R. 2555.]
[Private, No. 279.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Sergeant Major Edmund S. Sayer, United States Marine Corps (retired), is hereby placed on the retired list of the United States Marine Corps with the rank of lieutenant colonel: *Provided further*, That no increase in active or retired pay or allowances shall result from the passage of this Act over and above that now authorized under the Act of June 6, 1924, to enlisted men on the retired list.

Sergeant Major Edmund S. Sayer.
Retirement, with rank of lieutenant colonel, authorized.

Proviso.
Pay, etc., restrictions.

Vol. 47, p. 150; Vol. 43, p. 472.

Approved, August 24, 1935.

[CHAPTER 662.]

AN ACT

For the relief of John B. Grayson.

August 24, 1935.
[H. R. 2690.]
[Private, No. 280.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John B. Grayson, Warrenton, Virginia, the sum of $414.10 in full settlement of all claims against the Government of the United States, being the amount paid by him under a ruling of the Comptroller General, disallowing his expenditure for temporary clerk hire at the Warrenton (Virginia) post office from June 30, 1932, until October 6, 1932: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account

John B. Grayson.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, August 24, 1935.

[CHAPTER 663.]

AN ACT

For the relief of Jose Munden.

August 24, 1935.
[H. R. 2970.]
[Private, No. 281.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jose Munden, formerly a rural letter carrier out of Longview, Texas, the sum of $583.26, in full settlement of all claims against the United States for the loss of six months retirement pay at the rate of $1,200 per annum less 3½ per centum which [1] deducted on retirement fund: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Jose Munden.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 24, 1935.

[CHAPTER 664.]

AN ACT

For the relief of Will A. Helmer.

August 24, 1935.
[H. R. 3147.]
[Private, No. 282.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Will A. Helmer, of Battle Creek, Michigan, the sum of $15,090, the said sum representing the rental on four hundred acres of land, being a farm owned by said Will A. Helmer, adjacent to Camp Custer, in Calhoun County, Michigan, which was taken over by the United States Government during the years 1917 to 1926, inclusive, and for damages done to the said land by the building of a railroad through and over the said land, and for the taking of gravel from the land; for the destroying of fruit trees and other trees on said land.

Will A. Helmer.
Payment to.

Approved, August 24, 1935.

[1] So in original.

[CHAPTER 665.]

AN ACT

For the relief of W. H. Greene.

August 24, 1935.
[H. R. 3202.]
[Private, No. 283.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. H. Greene, of Rural Free Delivery Numbered 3, Box 139–A, Bakersfield, California, the sum of $144.92, in full settlement of all claims against the United States, for the loss of personal articles in the Matilija forest fire in the Santa Barbara National Forest in California, on September 12, 1932: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

W. H. Greene.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 24, 1935.

[CHAPTER 666.]

AN ACT

For the relief of Nina Drips.

August 24, 1935.
[H. R. 3282.]
[Private, No. 284.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Nina Drips the sum of $118. Such sum shall be in full settlement of all claims against the United States on account of injuries sustained by the said Nina Drips on or about the 10th day of October 1932 while aboard a boat provided by the Navy Department of the United States plying between the Fifth Street Landing at San Pedro, California, and the United States ship Relief, lying in the harbor of San Pedro, at San Pedro, California: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Nina Drips.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 24, 1935.

[CHAPTER 667.]

August 24, 1935.
[H. R. 3759.]
[Private, No. 285.]

AN ACT

For the relief of E. H. Jennings.

E. H. Jennings. Credit allowed in postal accounts of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is authorized and directed to credit the account of E. H. Jennings, postmaster at Charleston, South Carolina, in the sum of $100, representing the amount of a counterfeit gold certificate accepted at the Charleston Post Office on May 9, 1933.

Approved, August 24, 1935.

[CHAPTER 668.]

August 24, 1935.
[H. R. 4568.]
[Private, No. 286.]

AN ACT

For the relief of Forrest D. Stout.

Forrest D. Stout. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Forrest D. Stout the sum of $540, in full settlement of all claims against the United States covering traveling and subsistence expenses due as assistant national-bank examiner: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 24, 1935.

[CHAPTER 669.]

August 24, 1935.
[H. R. 4923.]
[Private, No. 287.]

AN ACT

For the relief of Major E. Leslie Medford, United States property and disbursing officer for Maryland.

Major E. Leslie Medford. Credit allowed in accounts of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General be, and he is hereby, authorized and directed to credit Major E. Leslie Medford, United States property and disbursing officer for Maryland, in his accounts with the sum of $1,200 which amount was disallowed by the Comptroller General because of the purchase in July 1932, of twenty flat saddles for the Maryland National Guard, without complying, through inadvertence and oversight, with the provisions of the Act of March 8, 1932 (47 Stat. 62), requiring purchase of military articles of American growth, production, and manufacture.

Vol. 47, p. 62.
U. S. C., p. 288.

Approved, August 24, 1935.

[CHAPTER 670.]

AN ACT

For the relief of Albert Henry George.

August 24, 1935.
[H. R. 5099.]
[Private, No. 288.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon persons honorably discharged from the United States Navy Albert Henry George shall be held and considered to have been honorably discharged from the United States Navy on the 5th day of June 1933: *Provided*, That no compensation, retirement pay, back pay, pension, or other benefits shall be held to have accrued prior to the passage of this Act.

Albert Henry George.
Military record corrected.

Proviso.
No back pay, etc.

Approved, August 24, 1935.

[CHAPTER 671.]

AN ACT

For the relief of Bertha Moseley Bottoms.

August 24, 1935.
[H. R. 5347.]
[Private, No. 289.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Bertha Moseley Bottoms, the sum of $2,500 in full settlement of all claims against the United States on account of personal injuries incurred in a collision on April 11, 1934, between an automobile in which the said Bertha Moseley Bottoms was a passenger and a Government vehicle operated in connection with the Civilian Conservation Corps near Jasper, Georgia: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Bertha Moseley Bottoms.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 24, 1935.

[CHAPTER 672.]

AN ACT

For the relief of Malachy Ryan.

August 24, 1935.
[H. R. 5550.]
[Private, No. 290.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is authorized and directed to credit the money order account of Malachy Ryan, former acting postmaster at Caledonia, Minnesota, with $464.75, or so much thereof as is necessary, to relieve him for the alleged lost[1] of fifty-one paid money orders in a burglary of the post office at Caledonia, Minnesota, on May 8, 1933, disallowed in the audit of his accounts due to his failure to record the particulars of the said money orders.

Malachy Ryan.
Credit allowed in postal accounts of.

Approved, August 24, 1935.

[1] So in original.

[CHAPTER 673.]

August 24, 1935.
[H. R. 5816.]
[Private, No. 291.]

AN ACT

For the relief of May C. Gustin.

May C. Gustin. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of $362.75 is appropriated, out of any money in the Treasury not otherwise appropriated, to enable the Comptroller General of the United States to make payment of the claim to May C. Gustin for property damage or personal injury due to the explosion at the naval ammunition depot, Lake Denmark, New Jersey, July 10, 1926, as recommended by the Comptroller General of the United States, and as fully set forth in his letter of February 11, 1935, to the Congress, pursuant to the Act of March 2, 1927 (44 Stat., pt. 3, p. 1800).

Vol. 44, p. 1800.

Approved, August 24, 1935.

[CHAPTER 674.]

August 24, 1935.
[H. R. 6177.]
[Private, No. 292.]

AN ACT

For the relief of Brooker T. Wilkins.

Brooker T. Wilkins. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, the sum of $750 to Brooker T. Wilkins for injuries received as the result of a bullet fired from the rifle range at Fort McPherson, Georgia, on February 15, 1926:

Proviso. Limitation on attorney's, etc., fees.

Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding.

Penalty for violation.

Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved, August 24, 1935.

[CHAPTER 675.]

August 24, 1935.
[H. R. 6267.]
[Private, No. 293.]

AN ACT

For the relief of Wint Rowland.

Wint Rowland. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,500 to Wint Rowland, Calvin, Kentucky, in full settlement of all claims against the Government of the United States for personal and permanent injuries suffered by him on August 16, 1934, when the automobile in which he was riding was struck and completely demolished by an ambulance operated by employees of the Civilian Conservation Corps stationed at Putney, Harlan County, Kentucky:

Proviso. Limitation on attorney's, etc., fees.

Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in

this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, August 24, 1935.

[CHAPTER 676.]

AN ACT

For the relief of W. C. Wright.

August 24, 1935.
[H. R. 6268.]
[Private, No. 294.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,000 to W. C. Wright, Hulen, Kentucky, in full settlement of all claims against the Government of the United States for personal and permanent injuries suffered by him on August 16, 1934, when the automobile in which he was riding was struck and completely demolished by an ambulance operated by employees of the Civilian Conservation Corps stationed at Putney, Harlan County, Kentucky: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

W. C. Wright.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 24, 1935.

[CHAPTER 677.]

AN ACT

For the relief of W. H. Keyes.

August 24, 1935.
[H. R. 6269.]
[Private, No. 295.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,000 to W. H. Keyes, Hulen, Kentucky, in full settlement of all claims against the Government of the United States for personal and permanent injuries suffered by him on August 16, 1934, when the automobile in which he was riding was struck and completely demolished by an ambulance operated by employees of the Civilian Conservation Corps stationed at Putney, Harlan County, Kentucky: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

W. H. Keyes.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 24, 1935.

[CHAPTER 678.]

August 24, 1935.
[H. R. 7520.]
[Private, No. 296.]

AN ACT

For the relief of David A. Trousdale.

David A. Trousdale. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to David A. Trousdale, formerly of Maury County, Tennessee, but now of San Antonio, Texas, out of any money in the Treasury not otherwise appropriated, the sum of $1,000 in full settlement of all claims against the United States as a reward for having prevented the robbery of the United States mails near Dryden, Texas, on the night of March 12, 1912: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 24, 1935.

[CHAPTER 679.]

August 24, 1935.
[H. R. 7577.]
[Private, No. 297.]

AN ACT

For the relief of Mrs. William E. Smith and Clara Smith.

Mrs. William E. Smith and Clara Smith. Payments to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. William E. Smith and Clara Smith, both of Hampton, Virginia, the sums of $725.92 and $981.13, respectively, in full settlement of all claims against the United States for damages sustained to furniture, clothing, and other private property, resulting from the operation of Army aircraft at Fox Hill, Hampton, Virginia, on October 31, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 24, 1935.

[CHAPTER 702.]

AN ACT

For the relief of William E. Williams.

August 26, 1935.
[S. 1483.]
[Private, No. 298.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions and limitations of sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in the case of William E. Williams (claim numbered 398860); and the United States Employees' Compensation Commission is authorized and directed to consider and act upon any claim filed with the Commission within one year after the date of the enactment of this Act, by said William E. Williams for compensation under the provisions of said Act of September 7, 1916, as amended, for disability alleged to be due to injuries received by him while employed on the lighthouse tender Manzanita at Astoria, Oregon, in January 1932: *Provided*, That compensation, if any, shall be paid from and after the date of enactment of this Act.

William E. Williams.
Benefits of Employees' Compensation Act extended to.
Vol. 39, p. 746.
U. S. C., p. 190.

Proviso.
Payments.

Approved, August 26, 1935.

[CHAPTER 703.]

AN ACT

Conferring jurisdiction upon the Court of Claims of the United States to hear, consider, and render judgment on the claim of Squaw Island Freight Terminal Company, Incorporated, of Buffalo, New York, against the United States in respect of loss of property occasioned by the breaking of a Government dike on Squaw Island.

August 26, 1935.
[S. 1817.]
[Private, No. 299.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims of the United States, notwithstanding the lapse of time or any statute of limitations or other limitations upon the jurisdiction of such court, to hear, consider, and render judgment on the claim of Squaw Island Freight Terminal Company, Incorporated, for just compensation to it for loss of property and/or damages occasioned by the breaking of an inadequate and/or improperly and insufficiently constructed Government dike on Squaw Island between Black Rock Canal and the Niagara River in December 1921 and January 1922.

Squaw Island Freight Terminal Company, Incorporated.
Claim of, referred to Court of Claims.

Approved, August 26, 1935.

[CHAPTER 704.]

AN ACT

For the relief of Helen Gallagher Dominian.

August 26, 1935.
[S. 3386.]
[Private, No. 300.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Helen Gallagher Dominian, widow of Leon Dominian, late Foreign Service officer, class 3, Montevideo, Uruguay, the sum of $7,800, being one year's salary of her deceased husband who died while in the Foreign Service; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purpose of this Act.

Helen Gallagher Dominian.
Payment to.

Approved, August 26, 1935.

[CHAPTER 705.]

August 26, 1935.
[H. R. 531.]
[Private, No. 301.]

AN ACT

Granting compensation to Walter F. Northrop.

Walter F. Northrop. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,500 to Walter F. Northrop, of Tenafly, New Jersey, in full settlement of all claims against the Government of the United States for injuries sustained by the said Walter F. Northrop when shot by a soldier at Edgewater, New Jersey, November 15, 1919:

Proviso. Limitation on attorney's, etc., fees.

Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, August 26, 1935.

[CHAPTER 706.]

August 26, 1935.
[H. R. 921.]
[Private, No. 302.]

AN ACT

For the relief of Edgar Sampson.

Edgar Sampson. Benefits of Employees' Compensation Act extended to. Vol. 39, pp. 745, 746. U. S. C., p. 100.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 15, 17, and 20 of an Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., title 5, pars. 765, 767, and 770, on p. 79), are hereby waived in favor of Edgar Sampson, who is alleged to have sustained disability as the result of his employment in the United States Post Office, Brooklyn, New York, in December 1927:

Proviso. No prior benefits.

Provided, That no benefits shall accrue prior to the approval of this Act.

Approved, August 26, 1935.

[CHAPTER 707.]

August 26, 1935.
[H. R. 996.]
[Private, No. 303.]

AN ACT

For the relief of Joe Reno.

Joe Reno. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement of all claims against the United States, the sum of $500 to Joe Reno, of Anchorage, Alaska, to reimburse the said Joe Reno on account of a departure bond paid by him in the sum of $500 to the United States of America, on behalf of one Luigia Rainieri, an alien, who entered the United States from Vancouver, British Columbia, Canada, on the 12th day of January 1921, and who died in the United States on October 12, 1921, before the time

so fixed for her departure by said bond: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1935.

[CHAPTER 708.]

AN ACT

For the relief of the Medical College of Virginia, and others, of Richmond, Virginia.

August 26, 1935. [H. R. 1871.] [Private, No. 304.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the following-named persons, all of Richmond, Virginia, the sums hereinafter specified in full satisfaction of their claims against the United States for services rendered and materials furnished in the hospitalization, medical care, and treatment of John Knapp, United States Navy, such hospitalization, care, and treatment having been authorized on August 21, 1931, by the Bureau of Medicine and Surgery, Navy Department, but payment for which has been refused by the Comptroller General on the ground that such action was unauthorized: Medical College of Virginia, Hospital Division, $1,053.51; the J. W. Bliley Company, $7.50; R. C. Bryan, $550; Mary C. Gale, $264; Edna Mashburn Armentrout, $690; W. B. Porter, $30; Sabra Stuart, $432; and J. T. Tucker, $329, in all $3,356.01: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Medical College of Virginia, and others. Payment to, for medical, etc., care of John Knapp.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1935.

[CHAPTER 709.]

AN ACT

For the relief of William E. Fossett.

August 26, 1935. [H. R. 1965.] [Private, No. 305.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William E. Fossett, Miami, Florida, the sum of $675. Such sum shall be in full satisfaction of all claims against the United States on account of

William E. Fossett. Payment to.

damages sustained by the said William E. Fossett, when a grove of trees owned by him was partly destroyed by fire due to the negligence of Government prohibition agents: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1935.

[CHAPTER 710.]

AN ACT

For the relief of James P. Whalen.

August 26, 1935. [H. R. 2325.] [Private, No. 306.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 17 and 20 of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., title 5, secs. 767 and 770), are hereby waived in favor of James P. Whalen, of Cambridge, Massachusetts, who is alleged to have sustained an injury while employed in the Government arsenal at Watertown, Massachusetts, in 1918 and 1919, which resulted in permanent physical disability, and his case is authorized to be considered and acted upon under the remaining provisions of such Act, as amended, if he files a notice of such injury and claim for compensation with the United States Employees' Compensation Commission not later than sixty days after the date of enactment of this Act.

James P. Whalen. Benefits of Employees' Compensation Act extended to. Vol. 39, pp. 746, 747. U. S. C., p. 100.

Any benefits awarded hereunder shall not accrue prior to the approval of this Act.

No prior benefits.

Approved, August 26, 1935.

[CHAPTER 711.]

AN ACT

For the relief of Sadie Wilkinson.

August 26, 1935. [H. R. 2620.] [Private, No. 307.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sadie Wilkinson the sum of $5,000. Such sum shall be in full settlement of all claims of Sadie Wilkinson against the Government because of the death of her husband, Reuben Wilkinson, on December 11, 1933, when the car in which he was traveling was struck by a Civilian Works Administration truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive

Sadie Wilkinson. Payment to.

Proviso. Limitation on attorney's, etc., fees.

any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000. Penalty for violation.

Approved, August 26, 1935.

[CHAPTER 712.]

AN ACT

For the relief of Tom L. Griffith.

August 26, 1935.
[H. R. 2621.]
[Private, No. 308.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Tom L. Griffith the sum of $2,500. Such sum shall be in full settlement of all claims of Tom L. Griffith against the Government for personal injuries sustained by him on December 11, 1933, when the car in which he was traveling was struck by a Civilian Works Administration truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Tom L. Griffith. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1935.

[CHAPTER 713.]

AN ACT

For the relief of Emanuel Lieberman.

August 26, 1935.
[H. R. 2702.]
[Private, No. 309.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Emanuel Lieberman, of Cleveland, Ohio, the sum of $3,500, in full settlement of all claims against the United States for injuries sustained on July 4, 1919, when struck by a United States mail truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Emanuel Lieberman. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1935.

[CHAPTER 714.]

August 26, 1935.
[H. R. 2730.]
[Private, No. 310.]

AN ACT

For the relief of Thomas Harris McLaughlin.

Thomas Harris McLaughlin.
Monthly payments to.
Vol. 39, p. 746.
U. S. C., p. 100.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission be, and it is hereby, authorized and directed to pay out of the employees' compensation fund to Thomas Harris McLaughlin during his natural life the sum of $25 per month, to date from the passage of this Act, as compensation for injuries to his right wrist and arm on or about the 29th day of February 1932, in line of duty and while he was serving as an inmate of the United States Industrial Reformatory at Chillicothe, Ohio: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1935.

[CHAPTER 715.]

August 26, 1935.
[H. R. 3408.]
[Private, No. 311.]

AN ACT

For the relief of Rufus Jones, a minor.

Rufus Jones.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $3,063 to the guardian of Rufus Jones, a minor, in full settlement of all claims against the United States for permanent injuries sustained by the said Rufus Jones, when the car in which he was a passenger was sideswiped by a Government vehicle operated in connection with the Civilian Conservation Corps, while said vehicle was on official business, on July 10, 1934, on United States Highway Numbered 64, near Lamar, Arkansas: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1935.

[CHAPTER 716.]

AN ACT

August 26, 1935.
[H. R. 3965.]
[Private, No. 312.]

Conferring jurisdiction upon the Court of Claims of the United States to hear, determine, and render judgment upon the claims of Prince Royal, Senior, Kathleen Royal Hayes, Victor A. Royal, Lucile Royal, Prince Royal, Junior, Maggie Fields Ramsey, and R. J. Ramsey.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims of the United States to hear, determine, and render judgment, as if the United States were suable in tort, upon the claims of Prince Royal, Senior, Kathleen Royal Hayes, Victor A. Royal, Lucile Royal, Prince Royal, Junior, Maggie Fields Ramsey, and R. J. Ramsey, all of Buford, Gwinnett County, Georgia, for damages resulting from the death of Mrs. Prince Royal, Senior (Edwina Royal), and for personal injuries received by Maggie Fields Ramsey, when the automobile in which they were riding was struck by Civilian Conservation Corps truck numbered 32469 on the Gainesville-Buford Highway, Georgia, on November 2, 1934.

Prince Royal, Senior, and others.
Claims of, submitted to Court of Claims.

Approved, August 26, 1935.

[CHAPTER 717.]

AN ACT

August 26, 1935.
[H. R. 4428.]
[Private, No. 313.]

For the relief of Caroline (Stever) Dykstra.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Caroline (Stever) Dykstra the sum of $500. Such sum shall be in full settlement of all claims against the United States of the said Caroline (Stever) Dykstra on account of damages sustained by her in the extinguishing of her equities in water right numbered 2941, known as "House Springs", within the limits of the Hawthorne Naval Ammunition Depot, Hawthorne, Nevada: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Caroline (Stever) Dykstra.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1935.

[CHAPTER 718.]

AN ACT

August 26, 1935.
[H. R. 4570.]
[Private, No. 314.]

For the relief of Amy McLaurin.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 17 and 20 of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Amy

Amy McLaurin.
Benefits of Employees' Compensation Act extended to.
Vol. 39, pp. 745, 746. U. S. C., p. 100.

McLaurin, of Houston, Texas, mother of the late Emmett J. McLaurin, who is alleged to have sustained injury resulting in his death, on or about December 20, 1918, while in the employ of E. I. du Pont de Nemours and Company, under contract with the United States Government, at the Old Hickory Powder Plant, Nashville, Tennessee: *Provided*, That payments hereunder, if any, shall be made monthly from the date of approval of this Act.

Proviso.
No prior benefits.

Approved, August 26, 1935.

[CHAPTER 719.]

August 26, 1935.
[H. R. 4601.]
[Private, No. 315.]

AN ACT

For the relief of the heirs of Gladys Picklesimer.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William Picklesimer, father of Gladys Picklesimer, the sum of $5,000. Said sum shall be in full settlement of all claims against the United States for damages sustained by him on account of the death of the said Gladys Picklesimer, as the result of being struck by a vehicle operated by an inspector of the Post Office Department while on official business, when she was attempting to board a school bus on Federal Route Numbered 52, in Mingo County, West Virginia, on May 11, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

William Picklesimer.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1935.

[CHAPTER 720.]

August 26, 1935.
[H. R. 4784.]
[Private, No. 316.]

AN ACT

For the relief of J. T. Slayback.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. T. Slayback, the sum of $892.25, in full settlement of all claims against the United States for destruction of personal property resulting in damage to his crops, which damage and destruction was caused by employees of the Government in the construction of the Rouse Hill Truck Trail, a Civil Works Administration project under the direction of the Forest Service, Department of Agriculture: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall

J. T. Slayback.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, August 26, 1935.

[CHAPTER 721.]

AN ACT

For the relief of Charles E. Molster, disbursing clerk, Department of Commerce, and Doctor Louis H. Bauer, a former employee.

August 26, 1935.
[H. R. 4848.]
[Private, No. 317.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to credit in the accounts of Charles E. Molster, disbursing clerk, Department of Commerce, the sums of $1.25 paid to Frank L. Montague, Junior (voucher numbered 357593); $21.40 paid to Lieutenant Henry R. Angell, Air Corps, United States Army (vouchers numbered 27104 and 27105); and $21 paid to Doctor Louis H. Bauer (voucher numbered 53755), which payments were later disallowed by the Comptroller General of the United States: *Provided*, That Doctor Louis H. Bauer shall not be required to refund to the Government the sum of $129, representing the amount paid by the Government for travel by Doctor Bauer from Habana, Cuba, to Cristobal, Panama, pursuant to orders of the Secretary of Commerce (voucher numbered 62903, transportation request numbered 151290).

Charles E. Molster.
Credit allowed in accounts of.

Proviso.
Refund not required.

Approved, August 26, 1935.

[CHAPTER 722.]

AN ACT

For the relief of Elizabeth Leiding.

August 26, 1935.
[H. R. 5245.]
[Private, No. 318.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elizabeth Leiding the sum of $2,000 in full settlement of all claims against the United States for injuries sustained through a collision with a United States mail truck, in Pittsburgh, Pennsylvania, on July 6, 1932: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Elizabeth Leiding.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1935.

[CHAPTER 723.]

August 26, 1935.
[H. R. 5351.]
[Private, No. 319.]

AN ACT

For the relief of Rose Teiermeyer.

Rose Teiermeyer. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Rose Teiermeyer, the sum of $261.72 in full settlement of all claims against the Government of the United States, being the amount of bond deposited as security to guarantee the production of an alien and filed with the inspector in charge of immigration at New York and later forfeited because of the failure of the bondsman to produce the alien on the date of appearance in compliance with the terms of the delivery bond: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1935.

[CHAPTER 724.]

August 26, 1935.
[H. R. 5475.]
[Private, No. 320.]

AN ACT

For the relief of Henry Irving Riley.

Henry Irving Riley. Summoned before Army retiring board to ascertain condition when discharged.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to summons[1] Henry Irving Riley, former first lieutenant, United States Air Service of the Regular Army of the United States, before a retiring board for the purpose of hearing his case, and to inquire into and determine all the facts bearing on the nature of his disabilities, and to find and report the disabilities which in its judgment have produced his incapacity, and whether his disabilities are an incident of service: *Provided*, That, upon the findings of such a board, the President is further authorized, in his discretion, either to confirm the order by which said Henry Irving Riley was discharged, or in his discretion, to nominate and appoint, by and with the advice and consent of the Senate, the said Henry Irving Riley, former first lieutenant, Air Service, and place him immediately thereafter upon the retired list of the Army, with the same privileges and retired pay as are now or hereafter may be provided by law and regulations for officers of the Regular Army: *And provided further*, That the said Henry Irving Riley shall not be entitled to any back pay or allowances prior to the passage of this Act.

Provisos. Confirmation of order of discharge or appointment in Air Service, etc.

No back pay, etc.

Approved, August 26, 1935.

[1] So in original.

[CHAPTER 725.]

AN ACT

For the relief of the Baltimore Renovating Company.

August 26, 1935.
[H. R. 5634.]
[Private, No. 321.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Baltimore Renovating Company, of Washington, District of Columbia, the sum of $575, which sum shall be in full satisfaction of all claims against the United States for painting and repairs to building occupied by the Court of Claims of the United States in Washington, District of Columbia, as per various estimates submitted by the Architect of the Capitol and the Chief Clerk of the said Court of Claims of the United States during the period from July 7, 1929, to September 4, 1930, both dates inclusive: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Baltimore Renovating Company. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1935.

[CHAPTER 726.]

AN ACT

To authorize the Court of Claims of the United States to hear and determine the claim of Samuel W. Carter.

August 26, 1935.
[H. R. 5654.]
[Private, No. 322.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the United States Court of Claims, notwithstanding the lapse of time or the statute of limitations, to hear and determine the claim of Samuel W. Carter for compensation for the alleged adoption and use by the Government of the United States of a certain invention relating to the design and construction of propeller blades for which original Letters Patent of the United States numbered 1471590 were issued to him on October 23, 1923, and for which Letters Patent of the United States Reissue Numbered 16387 were issued to him on July 20, 1926. Said claim shall not be considered as barred because of the fact that the claimant was on the retired list of the United States Army and receiving compensation from the United States Government at the time the patented article was invented.

Samuel W. Carter. Claim of, referred to Court of Claims.

Approved, August 26, 1935.

[CHAPTER 727.]

AN ACT

August 26, 1935.
[H. R. 5781.]
[Private, No. 323.]

For the relief of the widow and next of kin of James J. Curran.

James J. Curran. Payment to estate of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the administrator appointed in the courts of the State of New York of the estate of James J. Curran, of Manhattan Borough, New York City, the sum of $5,000 in full settlement of all claims against the United States for the death of James J. Curran, who died in Manhattan Borough, New York City, on October 25, 1919, as a result of injuries received at New York City on October 22, 1919, by being run down by a Government-owned automobile truck operated by an employee of the United States Postal Service under the jurisdiction of the New York post office, such sum of $5,000 to be distributed to said decedent's widow and next of kin as damages in an action for causing death by a wrongful act under the laws of the State of New York: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1935.

[CHAPTER 728.]

AN ACT

August 26, 1935.
[H. R. 5790.]
[Private, No. 324.]

For the relief of certain creditors of J. R. and J. A. Whelan, Incorporated.

J. R. and J. A. Whelan, Incorporated. Payments to creditors of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, to James T. O'Connell, trustee for the creditors of J. R. and J. A. Whelan, Incorporated, in full settlement of all claims against the United States, the sum of $9,880; to refund to the creditors the amount of penalty collected by the Government for the failure of J. R. and J. A. Whelan, Incorporated, to complete a contract, Noy-1076 (specification 6437), within the time specified in the contract: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1935.

[CHAPTER 729.]

AN ACT

For the relief of Michael A. McHugh.

August 26, 1935.
[H. R. 5811.]
[Private, No. 325.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $200, to Michael A. McHugh, Pittsburgh, Pennsylvania, in full settlement of all claims against the Government of the United States, as a reward to which he was entitled under the postal regulations, had the funds not lapsed, for his services in connection with the arrest and conviction of Donald R. Leeson for theft of mail from the post office at Pittsburgh, Pennsylvania, on June 23, 1925: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Michael A. McHugh.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1935.

[CHAPTER 730.]

AN ACT

For the relief of Cal Settles and Rhoda Settles.

August 26, 1935.
[H. R. 5905.]
[Private, No. 326.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Cal Settles and Rhoda Settles, of Speedwell, Claiborne County, Tennessee, Rural Route Numbered 2, the sums of $500 and $1,000, respectively, in all $1,500, in full settlement of all claims against the United States Government for bodily injuries sustained by them on December 24, 1933, when an automobile in which they were riding collided with an ambulance of the United States Civilian Conservation Corps, same being ambulance license numbered 7262, in the city of Clinton, Anderson County, Tennessee, at the intersection of Depot Street with Jacksboro Street or United States Highway Numbered 25 W: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Cal Settles and Rhoda Settles.
Payments to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1935.

[CHAPTER 731.]

AN ACT

For the relief of Joe Brumit.

August 26, 1935.
[H. R. 6057.]
[Private, No. 327.]

Joe Brumit.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joe Brumit, of Honey Grove, Texas, the sum of $200 in full settlement of all claims against the United States as reward for catching and arresting John Lee for robbing a rural mail box at Nevada, Texas, on November 9, 1928: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1935.

[CHAPTER 732.]

AN ACT

For the relief of Charles K. Shade.

August 26, 1935.
[H. R. 6168.]
[Private, No. 328.]

Charles K. Shade.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles K. Shade, of Oley, Pennsylvania, the sum of $487.29, in full settlement of all claims against the Government of the United States for the loss of sixteen cattle condemned on account of tuberculosis eradication in the State of Pennsylvania, and as a result of tubercular tests conducted by that State and the Bureau of Animal Industry, Department of Agriculture: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1935.

[CHAPTER 733.]

AN ACT

For the relief of William K. Caley.

August 26, 1935.
[H. R. 6394.]
[Private, No. 329.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William K. Caley the sum of $575 in full settlement of all claims against the United States for losses incurred in preparing, by the purchase of equipment and otherwise, to perform service under the contract awarded him for carrying the mail on Star Route Numbered 68241, Bisbee to Bisbee Junction, Arizona, from September 1, 1927, to June 30, 1930, the award of such contract having been revoked before any service was performed thereunder: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

William K. Caley. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1935.

[CHAPTER 734.]

AN ACT

For the relief of A. Zappone and W. R. Fuchs.

August 26, 1935.
[H. R. 6889.]
[Private, No. 330.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to allow in the accounts of A. Zappone and W. R. Fuchs, former disbursing clerks of the Department of Agriculture, respectively, the sum of $1,948.30 and $529.71, representing the amounts of $1,347.99 and $1,130.02 disallowed in the travel and subsistence expense accounts of W. R. McKinley and J. H. Williamson, respectively, while prosecuting the work under the Yorktown (Virginia) road project.

A. Zappone and W. R. Fuchs. Credit allowed in accounts of.

Approved, August 26, 1935.

[CHAPTER 735.]

AN ACT

For the relief of certain Indians on the Cheyenne River Reservation.

August 26, 1935.
[H. R. 6892.]
[Private, No. 331.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Superintendent of the Cheyenne River Agency, South Dakota, the sum of $253.13, for distribution to certain Indian lessors in full settlement of their claim against the United States, arising out of failure of a bank upon which cashier's checks had been obtained and a decision in the case rendered by the Federal court adverse to the contention of the

Cheyenne River Reservation, S. Dak. Settlement of claims, arising from bank failure.

Proviso. Limitation on attorney's, etc., fees.

Government in fixing responsibility: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, August 26, 1935.

[CHAPTER 736.]

August 26, 1935.
[H. R. 7076.]
[Private, No. 332.]

AN ACT

For the relief of the heirs of John Schrodl.

John Schrodl. Retirement pay to heirs of, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the heirs of John Schrodl, formerly a rural letter carrier out of Gibbon, Minnesota, the sum of $1,158 in full settlement of all claims against the United States for the loss of one year's retirement pay at the rate of $1,200 per annum less the statutory deduction of 3½ per centum for the retirement fund: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1935.

[CHAPTER 737.]

August 26, 1935.
[H. R. 7137.]
[Private, No. 333.]

AN ACT

For the relief of Cassie M. Lyne.

Cassie M. Lyne. Benefits of Employees' Compensation Act extended to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions and limitations of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, the United States Employees' Compensation Commission is authorized and directed to pay, from the date of approval of this Act, to Cassie M. Lyne, in lieu of the retirement pay she is now receiving, the sum of $50 per month during her lifetime as compensation for injuries received while employed as a clerk in the Office of the Quartermaster General, War Department.

Vol. 39, p. 745. U. S. C., p. 160.

Approved, August 26, 1935.

[CHAPTER 738.]

AN ACT

For the relief of Jose R. Redlhammer.

August 26, 1935.
[H. R. 8020.]
[Private, No. 334.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to issue to Jose R. Redlhammer, of Kingston, Pennsylvania, one permanent United States coupon bond in the denomination of $50 of the fourth Liberty loan 4¼ per centum bonds of 1933–38, with coupon due April 15, 1921, and coupons to maturity attached thereto, in lieu of United States temporary coupon bond numbered 7338453 of the same loan in the denomination of $50, the upper portion of which bond has been presented to the Treasury Department without coupons, the lower portion being alleged destroyed: *Provided*, That the lower portion of the said bond shall not have been previously presented or ascertained to be in existence, and that no payment shall be made hereunder for any coupons which may have been attached to the temporary bond: *And provided further*, That the said Jose R. Redlhammer shall first file in the Treasury Department a bond in the penal sum of double the amount of the bond and the interest thereon from October 15, 1920, until the principal becomes due and payable, in such form and with such corporate surety as may be acceptable to the Secretary of the Treasury, to indemnify and save harmless the United States from any loss on account of the mutilated bond hereinbefore described.

Jose R. Redlhammer.
Issue to, of coupon bond.

Provisos.
Condition.

Indemnity bond.

Approved, August 26, 1935.

[CHAPTER 782.]

AN ACT

For the relief of Fred Herrick.

August 27, 1935.
[S. 491.]
[Private, No. 335.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Fred Herrick, of Spokane, Washington, the sum of $50,000 in recognition of work done by the said Fred Herrick in making more accessible the timber resources of the Malheur National Forest by railroad construction: *Provided*, That the said Fred Herrick shall disclaim and waive all right or claim to any money paid by him and covered into the Treasury in connection with that certain contract for the purchase of timber on the Malheur National Forest, Oregon, dated June 15, 1923: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Fred Herrick.
Payment to.

Provisos.
Waiver requirement.

Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 27, 1935.

[CHAPTER 783.]

AN ACT

August 27, 1935.
[S. 1448.]
[Private, No. 336.]

For the relief of certain claimants who suffered loss by fire in the State of Minnesota during October 1918.

Minnesota.
Payment of certain losses by fire in, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, in accordance with certifications of the Comptroller General of the United States under this Act, to each claimant or its or his heirs, representatives, administrators, executors, successors, or assigns, the amount of whose loss, on account of fire originating from the operation of railroads by the United States in the State of Minnesota on or about October 12, 1918, has been determined by court proceedings or by the Director General of Railroads, the difference between the amount of such loss so determined and the amount actually paid by the United States to such claimant less any amount paid to such claimant by any fire-insurance company on account of such fire: *Provided*, That notwithstanding the terms and conditions of any policy of insurance, or the provisions of any law, no fire-insurance company, except farmers' mutual fire-insurance companies, shall have any rights in and to funds herein appropriated, the payments herein provided for, nor to any right of subrogation whatsoever. That said farmers' mutual fire-insurance companies shall be paid in the same manner and to the same extent as other claimants: *Provided further*, That no person who makes claim under this Act by virtue of having acquired and succeeded to the rights of the original claimant through purchase and assignment, from said claimant of said claim, shall receive more than the amount actually paid for such claim and assignment.

Provisos.
Restriction on payments.

Farmers' mutual fire-insurance companies.

Assignees, limitation.

Application for payment.

SEC. 2. No payment under the provisions of this Act shall be made unless an application therefor is filed with the Comptroller General of the United States by or on behalf of the person entitled to payment within two years after the date of the enactment of this Act. The Comptroller General of the United States shall determine the amount due on any application, and the person entitled thereto under this Act, and shall certify such determination to the Secretary of the Treasury, which determination shall be final. The Comptroller General shall promulgate rules and regulations as to the identity of claimants, the validity of assignments, and all other matters in connection with the determination of the amounts due and the persons to whom such amounts shall be paid under this Act. The amount to be paid under this Act shall be ascertained from the records of the Director General of Railroads, and such records shall be conclusive evidence of the amount of any such loss, the amount paid by the United States with respect thereto, and the amount paid by any insurance company with respect thereto. Such records shall also be conclusive evidence of the person entitled to payment, except that if in any judicial proceeding in which final judgment has been rendered the right of any person to succeed to the rights of the person who suffered the loss by the fire has been determined, such judgment shall be conclusive as to the heir, representative, administrator, executor, successor, or assignee, as the case may be, entitled to payment.

Determination of amount due.

Rules to be prescribed.

Records to be conclusive evidence.

Definitions.

SEC. 3. The words "person" and "claimant", as used in the Act, shall include an individual, two or more persons having a joint or common interest, company, partnership, and municipal and private corporations.

Unlawful fees.

SEC. 4. Any person or group of persons individually or collectively who charge or collect, or attempt to charge or collect, either directly

or indirectly, any fee or other compensation for assisting in any manner any person in obtaining the benefits of this Act in excess of 10 per centum of the amount of the claim actually paid under this Act shall, upon conviction thereof, be subject to a fine of not more than $500 or imprisonment for not more than one year, or both.

Approved, August 27, 1935.

[CHAPTER 784.]

AN ACT

For the relief of William J. Ryan, chaplain, United States Army.

August 27, 1935.
[H. R. 1912.]
[Private, No. 337.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William J. Ryan, United States Army chaplain, Fort Winfield Scott, California, the sum of $225.75, in full satisfaction of his claim against the United States for damage to his automobile as the result of an operation of the United States Army on Lincoln Boulevard, Presidio of San Francisco, California, on April 18, 1929: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Chaplain William J. Ryan.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 27, 1935.

[CHAPTER 785.]

AN ACT

For the relief of L. E. Geary.

August 27, 1935.
[H. R. 4831.]
[Private, No. 338.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of the appropriation "New Vessel for Indian Service, Alaska, Emergency Construction", contained in the First Deficiency Act, fiscal year 1931 (46 Stat. 1070), the sum of $420 to L. E. Geary, of Seattle, Washington, in full settlement of his claim against the Government for services rendered in preparing preliminary plans and estimates for a new ship for use in Alaska by the Indian Service: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

L. E. Geary.
Payment to.
Vol. 46, p. 1070.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 27, 1935.

[CHAPTER 786.]

AN ACT

August 27, 1935.
[H. R. 4852.]
[Private, No. 339.]

To authorize the settlement of individual claims of military personnel for damages to and loss of private property incident to the training, practice, operation, or maintenance of the army.

Army.
Payments authorized to designated personnel, etc., for property losses.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the General Accounting Office be, and is hereby, authorized and directed to pay the following claims of military personnel and civilian employees in the amounts shown which have been approved and recommended for payment by the Secretary of War, for damages to and loss of private property of such personnel incident to the training, practice, operation, or maintenance of the Army, and that such payments be made from the present appropriation of the War Department entitled "Claims for Damages to and Loss of Private Property":

Vol. 41, p. 1436.

Ante, p. 127.

Maynard R. Ashworth, captain, Infantry Reserves, $33.40; John B. Bowman, first sergeant, $29; Robert J. Benton, corporal, $25; John H. Brimberry, first sergeant, $63.52; Charles F. Bryan, civilian employee, $7.40; John H. Burns, captain, Infantry, $11; Frank L. Blue, Junior, lieutenant, Corps of Engineers, $450; Lionel J. Croteau, sergeant, $99.05; Charles H. Coy, staff sergeant, $9.75; Grovener C. Charles, lieutenant, Infantry, $15; Samuel L. Davidson, warrant officer, $4.90; Daniel Farrer, master sergeant, $23.25; Louis H. Foote, lieutenant, Corps of Engineers, $4.50; Francis S. Gardner, lieutenant, Field Artillery, $14.20; John F. Hartman, sergeant, $59; James P. Hodges, captain, Air Corps, $98.50; Daniel H. Hundley, lieutenant, Infantry, $16; M. E. Jennings, lieutenant, Chemical Warfare Service, $150; A. D. Johnson, captain, Infantry, $95.65; Carl A. Kastle, sergeant, $18; H. Koontz, civilian employee, $41.53; Grover McEntire, warrant officer, $58.78; Shockley D. Mullinix, staff sergeant, $1.10; Richard McCranie, civilian employee, $18.22; Huna Putchkoff, technical sergeant, $30; Henry Pascale, captain, Air Corps, $20.50; J. W. Richards, civilian employee, $8.50; John V. Schultheis, Senior, master sergeant, $18.86; Arnold W. Shutter, captain, Field Artillery, $11.85; Charles D. Schultz, civilian employee, $8; Richard J. Sorensen, private, $219.45; and Roger M. Wicks, lieutenant, Field Artillery, $45.

Approved, August 27, 1935.

[CHAPTER 787.]

AN ACT

August 27, 1935.
[H. R. 5415.]
[Private, No. 340.]

To confer jurisdiction on the District Court of the United States for the Eastern District of North Carolina, to hear, determine, and render judgment upon the claims of the Pamlico Timber Corporation against the United States.

Pamlico Timber Corporation.
Claim of, submitted to District Court.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the District Court of the United States for the Eastern District of North Carolina to hear, determine, and render judgment upon, as if the United States were suable in tort, the claim of the Pamlico Timber Corporation, of Winchester, Virginia, for damages to its property adjacent to Swanquarter Migratory Bird Refuge, Hyde County, North Carolina, allegedly arising from a fire set by a surveying party of the Bureau of Biological Survey, Department of Agriculture, on or about the 19th day of October 1931. Suit hereunder may be instituted at any time within one year from the date of the enactment of this Act, and proceedings therein, appeals therefrom, and payment of judgment thereon,

Proceedings.

if any, shall be had in the same manner as in the case of claims over which such court has jurisdiction under the provisions of the Judicial Code.

Approved, August 27, 1935.

[CHAPTER 788.]

AN ACT

Authorizing the President to issue a posthumous commission as second lieutenant, Air Corps Reserve, to Archie Joseph Evans, deceased, and to present the same to Major Argess M. Evans, father of the said Archie Joseph Evans, deceased.

August 27, 1935.
[H. R. 5516.]
[Private, No. 341.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby, authorized to issue a posthumous commission as second lieutenant, Air Corps Reserve, to Archie Joseph Evans, deceased, for unfortunately being killed in an accident when his plane crashed in mid-air, all in line of duty. The posthumous commission shall be presented to Major Argess M. Evans, father of the said Archie Joseph Evans, deceased.

Archie Joseph Evans.
Posthumous commission to, authorized.

Presentation to father.

Approved, August 27, 1935.

[CHAPTER 789.]

AN ACT

For the relief of Mary Brown Raley.

August 27, 1935.
[H. R. 5750.]
[Private, No. 342.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mary Brown Raley the sum of $750.50 in full settlement of all claims against the United States for injuries sustained in an automobile accident, in collision with an Army truck in Baltimore, Maryland, October 10, 1932, and for expenses and losses resulting therefrom: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mary Brown Raley.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 27, 1935.

[CHAPTER 790.]

AN ACT

For the relief of Doctor Ernest B. Dunlap.

August 27, 1935.
[H. R. 6602.]
[Private, No. 343.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Doctor Ernest B. Dunlap, of Lawton, Oklahoma, the sum of $2,806, in full settlement of his claim for professional services rendered by him to Indians between May 2, 1926, and June 30, 1930, inclusive, at the Kiowa Indian Hospital, Oklahoma, upon verbal authorization of the superintendent of the Kiowa Indian Agency.

Doctor Ernest B. Dunlap.
Payment to.

Approved, August 27, 1935.

[CHAPTER 796.]

AN ACT

August 28, 1935.
[H. R. 3149.]
[Private, No. 344.]

To confer jurisdiction upon the United States District Court for the Southern District of Texas, Corpus Christi Division, to determine the claim of Mrs. L. B. Gentry.

Mrs. L. B. Gentry.
Claim of, submitted to District Court.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is conferred upon the United States District Court for the Southern District of Texas, Corpus Christi Division, to hear and determine, and to render judgment, as if the United States were suable in tort, on the claim of Mrs. L. B. Gentry, Corpus Christi, Texas, to recover damages for the death of her husband, L. B. Gentry, resulting from injuries sustained when the automobile which the said L. B. Gentry was driving was struck by a United States Army truck near Alice, Texas, on or about September 3, 1931, if such suit is brought within one year after the enactment of this Act: *Provided*, That the judgment, if any, shall not exceed the sum of $5,000.

Proviso.
Judgment.

Appropriation.

SEC. 2. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, a sum sufficient to pay the judgment rendered against the United States, if any, as a result of suit hereunder.

Approved, August 28, 1935.

[CHAPTER 797.]

AN ACT

August 28, 1935.
[H. R. 4567.]
[Private, No. 345.]

For the relief of Robert E. Callen.

Robert E. Callen.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Robert E. Callen, of Greenville, Pennsylvania, the sum of $1,000. Said sum shall be in full settlement of all claims against the United States on account of damages sustained by the said Robert E. Callen, of Greenville, Pennsylvania, when he was injured by a United States mail truck in Greenville, Pennsylvania, on January 20, 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 28, 1935.

[CHAPTER 798.]

AN ACT

For the relief of Elinora Fareira and Mearon Perkins.

August 28, 1935.
[H. R. 4770.]
[Private, No. 346.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Elinora Fareira, of 79 Linden Avenue, Flushing, Long Island, New York, the sum of $325, in full settlement of all claims against the United States for the amount of the sale of her Buick car by the United States Government on or about April 8, 1930: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Elinora Fareira.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

SEC. 2. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,800 to Mearon Perkins, formerly a janitor in the El Centro Post Office, El Centro, California, in full satisfaction of all his claims against the United States for a reward for protecting the property of the United States on February 4, 1932, at great risk to his life, when he was compelled to shoot and kill one Alvin Self, an escaped convict, who was ransacking the package room of such post office.

Mearon Perkins.
Payment of reward to.

Approved, August 28, 1935.

[CHAPTER 799.]

AN ACT

For the relief of Mary E. Lord.

August 28, 1935.
[H. R. 5097.]
[Private, No. 347.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mary E. Lord, Malden, Massachusetts, the sum of $2,500. Such sum shall be in full settlement of all claims against the United States for damages sustained by the said Mary E. Lord as the result of being struck and seriously injured by a United States mail truck in Everett, Massachusetts, on March 31, 1932: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mary E. Lord.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 28, 1935.

[CHAPTER 800.]

August 28, 1935.
[H. R. 5521.]
[Private, No. 348.]

AN ACT

For the relief of Frank Williams.

Frank Williams. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank Williams the sum of $1,000 in full settlement of all claims against the United States Government by reason of being struck and permanently injured by a Government automobile which was driven by an employee of the Post Office Department: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 28, 1935.

[CHAPTER 817.]

August 29, 1935.
[S. 872.]
[Private, No. 349.]

AN ACT

For the allowance of certain claims for extra labor above the legal day of eight hours at the several navy yards and shore stations certified by the Court of Claims.

Claims. Allowance of certain, for extra labor at designated navy yards and stations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow to the respective persons the respective amounts found by the Court of Claims to have been underpaid to said persons, for labor performed at the several navy yards and shore stations herein named, in excess of the legal day of eight hours, as set forth in Senate documents herein enumerated, and for which purpose the sum of $332,342.74, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated.

Payments accepted as final release.

That the payment of said respective amounts is to be in full for, and receipt of same to be taken and accepted in each case as a full and final release and discharge of their said respective claims for extra hours above the legal day of eight hours at the several navy yards and shore stations.

That the said navy yards and shore stations and Senate documents are as follows:

California.

CALIFORNIA

Mare Island.

Mare Island Navy Yard: Senate Documents Numbered 713, 714, Sixty-first Congress, third session; 279, 447, Sixty-second Congress, second session; and 1085, Sixty-second Congress, third session.

FLORIDA

Florida.

Pensacola Navy Yard: Senate Documents Numbered 500, Sixty-first Congress, second session; 778, 791, Sixty-first Congress, third session; and 155, 200, 287, 756, Sixty-second Congress, second session.

Pensacola.

MARYLAND

Maryland.

United States Naval Academy: Senate Document Numbered 1055, Sixty-second Congress, third session.

Naval Academy.

MASSACHUSETTS

Massachusetts.

Boston Navy Yard: Senate Documents Numbered 382, Sixty-first Congress, second session; 150, 151, Sixty-second Congress, second session; and 1083, Sixty-second Congress, third session.

Boston.

NEW HAMPSHIRE

New Hampshire.

Portsmouth Navy Yard: Senate Documents Numbered 315, Sixtieth Congress, first session; 431, Sixty-first Congress, second session; 770, 811, Sixty-first Congress, third session; 152, 153, 154, 206, 278, 715, 847, 848, Sixty-second Congress, second session; and 1058, 1076, 1077, 1082, Sixty-second Congress, third session.

Portsmouth.

NEW YORK

New York.

Brooklyn Navy Yard: Senate Documents Numbered 108, Sixty-first Congress, first session; 287, Sixty-first Congress, second session; 777, 792, Sixty-first Congress, third session; 198, 286, 717, Sixty-second Congress, second session; and 1057, 1079, 1080, Sixty-second Congress, third session.

Brooklyn.

PENNSYLVANIA

Pennsylvania.

League Island Navy Yard, Philadelphia: Senate Documents Numbered 330, 332, Sixtieth Congress, first session; 710, 716, 717, 774, 795, Sixty-first Congress, third session; 185, 714, Sixty-second Congress, second session; and 1081, 1084, 1086, Sixty-second Congress, third session.

Philadelphia.

RHODE ISLAND

Rhode Island.

Naval Torpedo Station, Newport: Senate Document Numbered 715, Sixty-first Congress, third session.

Newport.

VIRGINIA

Virginia.

Norfolk Navy Yard: Senate Documents Numbered 509, Sixtieth Congress, first session; 711, 793, Sixty-first Congress, third session; 146, 205, 446, Sixty-second Congress, second session; and 1056, Sixty-second Congress, third session.

Norfolk.

DISTRICT OF COLUMBIA

District of Columbia.

Washington Navy Yard: Senate Documents Numbered 288, 432, Sixty-first Congress, second session; 712, 771, 772, 775, 776, 794, Sixty-first Congress, third session; 120, 145, 199, 200, 202, 276, 277, 724, 757, 849, Sixty-second Congress, second session; 1078, Sixty-second Congress, third session; and 354, Sixty-third Congress, second session.

Washington.

Payments due deceased claimants.

SEC. 2. That where the payment to be made under this Act is less than $1,000, and the person who rendered the service is dead, and no demand is presented by a duly appointed legal representative of his estate, payment may be made to the decedent's widow or legal heirs as is provided by existing law relating to the settlement of accounts of deceased officers or enlisted men of the Army (34 Stat. L. 750): *Provided*, That in all cases where the original claimants were adjudicated bankrupts, payments shall be made to the next of kin instead of to the assignees in bankruptcy: *And provided further*, That wherever under this Act it is provided that a payment be made to an executor or an administrator, whether original or ancillary or de bonis non, and such executor or administrator is dead or no longer holds his office, payment shall be made to the successor therein, his title to hold such office being established to the satisfaction of the Comptroller General of the United States.

Vol. 34, p. 750.

Provisos. Bankrupts.

Payments to executor, etc.

Attorney's fees.

SEC. 3. That no part of the amount of any claim appropriated for in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any attorney on account of services rendered in connection with said claim: *Provided*, That in each case, payment for which is herein provided, the Comptroller General shall deduct a sum equal to said 10 per centum and pay one-half of the same to the attorney or attorneys who appeared for the claimant in the Court of Claims, as found by said court, and as set forth in the Senate documents aforesaid, and pay the other one-half of the same to the attorney or attorneys who performed services toward securing provision for the payment herein of the amounts so found; and in event of the death of any of said attorney or attorneys, payment of said 10 per centum to be made to his or their legal representatives, upon execution of a full release and a complete discharge to the claimant for all services rendered therein, and after the payment for such services the balance thereof to be paid to the claimant. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum which in the aggregate exceeds 10 per centum of the amount of any item appropriated in this Act on account of services rendered or advances made in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Division of.

Pay to legal representative, if deceased.

Limitation.

Penalty.

Approved, August 29, 1935.

[CHAPTER 818.]

August 29, 1935.
[H. R. 1368.]
[Private, No. 350.]

AN ACT

For the relief of Virden Thompson.

Virden Thompson. Military record corrected.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Virden Thompson, who was a member of Troop E, Second Regiment United States Cavalry, also member of the band of the same regiment, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on June 28, 1899: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Proviso. No back pay, etc.

Approved, August 29, 1935.

[CHAPTER 819.]

AN ACT

For the relief of John S. Cannell, deceased.

August 29, 1935.
[H. R. 1575.]
[Private, No. 351.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, their widows, or dependent relatives, John S. Cannell, late of the Provisional Military Police Company, First Depot Division, American Expeditionary Forces, shall be held and considered to have died on the 12th day of September 1918 as a member of said organization, and that his death was in the line of duty and was not the result of his own misconduct: *Provided*, That no bounty, back pay, pension or allowance shall accrue as a result of the passage of this Act, except what may accrue by reason of the World War Adjusted Compensation Act.

John S. Cannell.
Military record corrected.

Proviso.
No back pay, etc.

Approved, August 29, 1935.

[CHAPTER 820.]

AN ACT

For the relief of Herman W. Bensel.

August 29, 1935.
[H. R. 3109.]
[Private, No. 352.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Herman W. Bensel, who served as a sergeant in Company H, One Hundred and Fifty-seventh Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on or about the 25th day of April 1918: *Provided*, That no back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Herman W. Bensel.
Military record corrected.

Proviso.
No back pay, etc.

Approved, August 29, 1935.

[CHAPTER 821.]

AN ACT

For the relief of Clarence F. Jobson.

August 29, 1935.
[H. R. 5538.]
[Private, No. 353.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized to summon Clarence F. Jobson, late captain of the Quartermaster Corps, Regular Army, before a retiring board to inquire whether, at the time of his discharge, December 26, 1922, he was incapacitated for active service, and whether such incapacity was a result of an incident of service, and if, as a result of such inquiry, it is found that he was so incapacitated, the President is authorized to nominate and appoint, by and with the advice and consent of the Senate, the said Clarence F. Jobson a captain of the Quartermaster Corps and place him immediately thereafter upon the retired list of the Army with the same privileges and retired pay as are now or may hereafter be provided by law or regulation for officers of the Regular Army: *Provided*, That the said Clarence F. Jobson shall not be entitled to any back pay or allowances by the passage of this Act.

Clarence F. Jobson.
Summoned before Army retiring board to ascertain condition when discharged.

Proviso.
No back pay, etc.

Approved, August 29, 1935.

[CHAPTER 822.]

August 29, 1935.
[H. R. 5971.]
[Private, No. 354.]

AN ACT

For the relief of Charles Pine.

Charles Pine.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles Pine the sum of $3,500, in full settlement of all claims against the United States for injuries sustained on or about December 24, 1929, by being struck by an automobile operated by an employee of the United States Veterans' Bureau: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 29, 1935.

[CHAPTER 823.]

August 29, 1935.
[H. R. 6275.]
[Private, No. 355.]

AN ACT

For the relief of John Livingston and Mrs. John Livingston.

Tom Alex Livingston.
Payment to parents of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to John Livingston and Mrs. John Livingston, the sum of $5,000 in full satisfaction and settlement of all claims against the United States on account of the death of their son, twenty years of age, Private Tom Alex Livingston, Company E, One Hundred and Fifty-fifth Infantry, Mississippi National Guard, who died while in the performance of his duty on August 12, 1934, during the annual encampment of the Mississippi National Guard, which began on August 5, 1934, at Camp Beauregard, Alexandria, Louisiana, due to mistreatment and lack of proper medical care and attention and on account of cruel and inhuman treatment while in line of duty: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 29, 1935.

[CHAPTER 834.]

AN ACT

For the relief of George W. Rhine, doing business under the name of Rhine and Company.

August 30, 1935.
[H. R. 3783.]
[Private, No. 356.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George W. Rhine, of Alexandria, Virginia, doing business under the name of Rhine and Company, the sum of $20,000, in full satisfaction of his claim against the United States for damages resulting from (1) the occupation by the so-called bonus marchers during the months of May, June, and July 1932, of certain property owned by the United States in the District of Columbia on which such George W. Rhine was engaged under contract with the United States in wrecking and salvaging work, and (2) the interference by such bonus marchers with such work; such damages representing loss of salvaged material and ordinary sales return thereon, cost of insurance, and continuation of operations at a loss under orders from the Office of the Supervising Architect, Treasury Department, damage to the trucks and other property of such George W. Rhine, and subsequent inability to engage in the business of wrecking buildings due to loss of working capital: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1000.

George W. Rhine.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 30, 1935.

[CHAPTER 835.]

AN ACT

For the relief of the Bell Oil and Gas Company.

August 30, 1935.
[H. R. 7140.]
[Private, No. 357.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $4,616.69 to the Bell Oil and Gas Company of Tulsa, Oklahoma, for the purpose of reimbursing said Bell Oil and Gas Company for Federal tax on gasoline delivered under contract with the War Department, dated June 29, 1932, said Department having contracted to pay said tax and said payment having been refused by the Comptroller General of the United States: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold or receive any sum of the amount appropriated in this Act in excess of 10 per

Bell Oil and Gas Company.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, August 30, 1935.

[CHAPTER 838.]

AN ACT

August 31, 1935.
[S. 2644.]
[Private, No. 358.]

For the relief of the estate of Harry F. Stern.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal representatives of Harry F. Stern the sum of $18,704.89, but such payment shall not be made unless the Secretary of the Treasury receives evidence satisfactory to him that such legal representatives have paid a like sum (plus any penalty imposed by the Commonwealth of Pennsylvania) to the Commonwealth of Pennsylvania before the expiration of ninety days after the date of the enactment of this Act. Such sum, payable to the Commonwealth of Pennsylvania as part of the inheritance tax imposed by the laws of such Commonwealth on the estate of the said Harry F. Stern, was erroneously paid to the United States as part of the Federal tax, and its recovery has been barred by the statute of limitations: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Harry F. Stern.
Payment to estate of.

Condition.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 31, 1935.

PRIVATE LAWS OF THE SEVENTY-FOURTH CONGRESS

OF THE

UNITED STATES OF AMERICA

Passed at the second session, which was begun and held at the city of Washington, in the District of Columbia, on Friday, the third day of January, 1936, and was adjourned without day on Saturday, the twentieth day of June, 1936.

FRANKLIN D. ROOSEVELT, President; JOHN N. GARNER, Vice President; KEY PITTMAN, President of the Senate *pro tempore;* JOSEPH W. BYRNS[1], Speaker of the House of Representatives; WILLIAM B. BANKHEAD, elected Speaker of the House of Representatives June 4, 1936.

[CHAPTER 5.]

AN ACT

For the relief of Homer H. Adams.

January 16, 1936.
[S. 85.]
[Private, No. 359.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Homer H. Adams, of Tarrytown, Georgia, the sum of $1,000 in full satisfaction of all claims of such Homer H. Adams against the United States for damages resulting from injuries received by him when shot by one John Alford on November 13, 1918, while such Homer H. Adams was assisting J. Ben Wilson, late United States deputy marshal for the southern district of Georgia, to serve a warrant on one J. A. Alford, father of such John Alford: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Homer H. Adams.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, January 16, 1936.

[CHAPTER 6.]

AN ACT

For the relief of Doris Allen.

January 16, 1936.
[S. 3286.]
[Private, No. 360.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Doris Allen, widow of Charles E. Allen, late American consul at Gibralter[2], Spain, the sum of $6,600, being one year's salary of her deceased husband, who died while in the Foreign Service.

Doris Allen.
Payment to.

Approved, January 16, 1936.

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[1] Died, June 4, 1936, 12:15 a. m.
[2] So in original.

[CHAPTER 8.]

January 17, 1936.
[S. 1422.]
[Private, No. 361.]

AN ACT

Conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of William E. B. Grant.

William E. B. Grant. Claim of, referred to Court of Claims. Vol. 37, p. 561. U. S. C., p. 2190.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims to hear, determine, and render judgment upon the claim of William E. B. Grant, chief machinist, United States Navy, retired, against the United States for the recovery of amounts withheld under section 4 of the Act entitled "An Act to provide for the opening, maintenance, protection, and operation of the Panama Canal, and the sanitation and government of the Canal Zone", approved August 24, 1912, as amended, from his salary as an employee of the Isthmian Canal Commission and the Panama Canal, from April 7, 1909, to May 3, 1917, and from November 29, 1919, to February 28, 1922, all dates inclusive.

Suit not barred by statute of limitations.

Proceedings, etc. U. S. C., p. 1261.

SEC. 2. Such claim may be instituted at any time within one year after the enactment of this Act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claim, and appeals from, and payment of, any judgment thereon, shall be in the same manner as in the case of claims over which such court has jurisdiction under section 145 of the Judicial Code, as amended.

Approved, January 17, 1936.

[CHAPTER 9.]

January 17, 1936.
[S. 1690.]
[Private, No. 362.]

AN ACT

For the relief of R. G. Andis.

R. G. Andis. Credit in accounts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General is authorized and directed to cancel the charge, in the amount of $68, entered on the accounts of R. G. Andis, former postmaster at Presho, South Dakota, by reason of his deposit of funds of the United States in the First State Bank of Presho, Presho, South Dakota, and the subsequent failure of such bank.

Approved, January 17, 1936.

[CHAPTER 10.]

January 17, 1936.
[S. 2616.]
[Private, No. 363.]

AN ACT

For the relief of the estate of Joseph Y. Underwood.

Joseph Y. Underwood. Payment to estate of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Robert C. Underwood, of Brooklyn, New York, as executor of the estate of Joseph Y. Underwood, deceased, the sum of $10,000, in full satisfaction of all claims of such estate against the United States arising out of services rendered by such Joseph Y. Underwood in effecting the sale of fifteen wooden vessels in June 1919 and of eleven wooden vessels in January 1920 by the United States Shipping Board to the Nacirema Steamship Corporation: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services

Proviso. Limitation on attorney's, etc., fees.

rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, January 17, 1936.

[CHAPTER 14.]

AN ACT

January 20, 1936.
[S. 1059.]
[Private, No. 364.]

Authorizing adjustment of the claim of Francis B. Kennedy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to settle and adjust the claim of Francis B. Kennedy, narcotic agent, as reimbursement for money (private funds) of which he was robbed while investigating charges against Frank De Mayo and others at Kansas City, Missouri, May 28, 1928, and to allow in full and final settlement of said claim in the sum of not to exceed $350. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $350, or so much thereof as may be necessary, to pay said claim: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Francis B. Kennedy.
Adjustment of claim authorized.

Appropriation.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, January 20, 1936.

[CHAPTER 15.]

AN ACT

January 20, 1936.
[S. 2519.]
[Private, No. 365.]

To confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of F. Mansfield and Sons Company, and others.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims of the United States to hear, determine, and render judgment upon the claims of the F. Mansfield and Sons Company, N. P. Starbranch, Charles K. Wedmore, Charles E. Hamilton, Ernest E. Ball, the McNeil Oyster Company, the Thomas Oyster Company, the Connecticut Oyster Farms Company, and Fred C. Kral and George A. Rohr, partners trading under the name of Kral and Rohr, for a compensation for damages sustained by said claimants by reason of the injury to oysters on beds operated under perpetual franchises or leases from the State of Connecticut and injury to such oyster beds, caused by officers, employees, and/or agents of the United States in performing dredging work in the harbor of New Haven, Connecticut, in 1933,

F. Mansfield and Sons Company, and others.
Claims of, referred to Court of Claims.

Proviso. Commencement, etc., of suit.

1934, and 1935: *Provided*, That suit hereunder shall be instituted within four months from the date of the approval of this Act, and proceedings therein shall be had in the same manner as in the case of claims over which the Court of Claims has jurisdiction, by virtue of section 145 of the Judicial Code, as amended.

U. S. C., p. 1261.

Approved, January 20, 1936.

[CHAPTER 16.]

January 20, 1936.
[S. 3077.]
[Private, No. 366.]

AN ACT

For the relief of Constantin Gilia.

Constantin Gilia. Payment to, from Chippewa Indian funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay from funds on deposit to the credit of the Chippewa Indians of Minnesota, the sum of $330 to Constantin Gilia in full and final settlement of his claim for the transportation of laundry to and from Hackensack, Minnesota, and the Consolidated Chippewa Sanatorium, at Onigum, Minnesota, during the period from July 1930 to June 30, 1931.

Approved, January 20, 1936.

[CHAPTER 17.]

January 20, 1936.
[S. 3078.]
[Private, No. 367.]

AN ACT

For the relief of C. R. Whitlock.

C. R. Whitlock. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated the sum of $53.83 to C. R. Whitlock, of Toppenish, Washington, to reimburse him for a deposit in that amount which he made in the Treasury on January 22, 1935, to satisfy disallowances by the General Accounting Office of payments made to one Ira Hinkle, an employee engaged in emergency conservation work.

Approved, January 20, 1936.

[CHAPTER 18.]

January 20, 1936.
[S. 3195.]
[Private, No. 368.]

AN ACT

For the relief of Guiry Brothers Wall Paper and Paint Company.

Guiry Brothers Wall Paper and Paint Company. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Guiry Brothers Wall Paper and Paint Company, of Denver, Colorado, out of any money in the Treasury not otherwise appropriated, the sum of $2,717.90, in full settlement for additional cleaning, repairing, and painting plaster in the Federal and Territorial Building at Juneau, Alaska, for which the Government received the benefit but for which no payment whatever has been made to said company, under contract No. T–1–sa–1773, dated July 2, 1931, with the United States Supervising Architect's Office, Treasury Department: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, or other party or parties, on account of services rendered in connection with said claim. It shall be unlawful for any such agent

Proviso. Limitation on attorney's, etc., fees.

or agents, attorney or attorneys to collect, receive, exact, or withhold any portion of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating any of the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, January 20, 1936.

[CHAPTER 19.]

AN ACT

To provide for the issuance of a license to practice the healing art in the District of Columbia to Doctor Pak Chue Chan.

January 20, 1936.
[S. 2013.]
[Private, No. 369.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any limitation relating to the time within which an application for a license must be filed, the Commission on Licensure to Practice the Healing Art in the District of Columbia is authorized and directed to issue a license to practice the healing art in the District of Columbia to Doctor Pak Chue Chan of Washington, District of Columbia, in accordance with the provisions of the first paragraph of section 24 of the Healing Arts Practice Act, District of Columbia, 1928.

Doctor Pak Chue Chan.
License to practice in District of Columbia authorized.

Vol. 45, p. 1334.

Approved, January 20, 1936.

[CHAPTER 20.]

AN ACT

To provide for the issuance of a license to practice the healing art in the District of Columbia to Doctor Ronald A. Cox.

January 20, 1936.
[S. 2939.]
[Private, No. 370.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any limitation relating to the time within which an application for a license must be filed, the Commission on Licensure to Practice the Healing Art in the District of Columbia is authorized and directed to issue a license to practice the healing art in the District of Columbia to Doctor Ronald A. Cox, Washington, District of Columbia, in accordance with the provisions of the first paragraph of section 24 of the Healing Arts Practice Act, District of Columbia, 1928.

Doctor Ronald A. Cox.
License to practice in District of Columbia authorized.

Vol. 45, p. 1334.

Approved, January 20, 1936.

[CHAPTER 22.]

AN ACT

For the relief of Anna Hathaway.

January 21, 1936.
[S. 430.]
[Private, No. 371.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 17 and 20 of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Anna Hathaway, widow of Frank J. Hathaway, former postmaster at Willard, New Mexico, who is alleged to have sustained disability on or about October 16, 1928, while in the performance of his duties, subsequently resulting in his death: *Provided*, That compensation, if any, shall commence from and after the date of the passage of this Act.

Anna Hathaway.
Provisions of Employees' Compensation Act extended to.
Vol. 39, p. 746.
U. S. C., p. 100.

Proviso.
Compensation.

Approved, January 21, 1936.

[CHAPTER 23.]

January 21, 1936.
[H. R. 1550.]
[Private, No. 372.]

AN ACT

For the relief of Douglas B. Espy.

Douglas B. Espy.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Douglas B. Espy, chief machinist's mate, United States Navy, the sum of $743.50, out of any money in the Treasury not otherwise appropriated, for the loss of uniforms, clothing, and other personal property belonging to him and his wife, as a result of a fire in the quarters at the naval radio station, Cavite, Philippine Islands, on the 15th day of March 1927: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, January 21, 1936.

[CHAPTER 24.]

January 21, 1936.
[H. R. 4799.]
[Private, No. 373.]

AN ACT

To provide for the reimbursement of certain officers and enlisted men or former officers and enlisted men of the Navy and Marine Corps for personal property lost, damaged, or destroyed as a result of the earthquake which occurred at Managua, Nicaragua, on March 31, 1931.

Navy and Marine Corps.
Reimbursement of certain present or former members for personal property lost, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed $38,487.04, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain officers and enlisted men or former officers and enlisted men of the Navy and Marine Corps, for losses of and damages to reasonable and necessary personal property resulting from the earthquake which occurred at Managua, Nicaragua, on March 31, 1931: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, January 21, 1936.

[CHAPTER 26.]

AN ACT

For the relief of George W. Hallowell, Junior.

January 22, 1936.
[S. 2434.]
[Private, No. 374.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George W. Hallowell, Junior, sergeant, Ninth Squadron, United States Army Air Corps, the sum of $159.63 in full satisfaction of all claims against the United States of the said George W. Hallowell, Junior, for loss of certain personal property and tools on December 5, 1932, when an Army plane of which he was a member of the crew fell into the ocean as a result of the failure of the right motor while making certain speed tests pursuant to operations order numbered 234, Eleventh Bombardment Squadron, Air Corps, March Field, Riverside, California, dated December 5, 1932: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

George W. Hallowell, Jr.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, January 22, 1936.

[CHAPTER 27.]

AN ACT

For the relief of Henry Hilbun.

January 23, 1936.
[S. 2252.]
[Private, No. 375.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding there is no official record of his enlistment, appointment, or service in the United States Army Henry Hilbun, of Laurel, Mississippi, who, while in France, voluntarily reported to the regimental commander, Three Hundred and Sixteenth Regiment United States Engineers, in July 1918, and requested training; who was accepted and attached by order of the regimental commander to a company of the Three Hundred and Sixteenth Regiment United States Engineers for such training; and who, while so attached, actively participated in the Saint Mihiel and Meuse-Argonne offensives and was wounded in action, shall be considered to have served as a member of the United States Army and to have been honorably discharged therefrom on October 10, 1918: *Provided*, That this Act shall confer no rights, past or future, to bounty, compensation, pay, pension, or allowance.

Henry Hilbun.
Military record corrected.

Proviso.
No rights to pay, etc., conferred.

Approved, January 23, 1936.

[CHAPTER 28.]

AN ACT

January 23, 1936.
[S. 2675.]
[Private, No. 376.]

For the relief of certain persons whose cotton was destroyed by fires in the Ouachita Warehouse, Camden, Arkansas.

Ouachita Warehouse, Camden, Ark.
Payment authorized of claims of certain persons for losses by fire.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the following-named persons the amounts specified, in full satisfaction of their claims against the United States for damages resulting from the loss by fire on September 29, 1934, of cotton belonging to them which was stored in the Ouachita Warehouse, at Camden, Arkansas, upon the order of Collector of Internal Revenue, Treasury Department, Little Rock, Arkansas, without insurance: George Wilson, $58.73; John Carter and Gordon Supply Company, $52.38; Cuba Hobson, $66.42; Grant Carter, $56.70; C. R. Bradshaw, $59.94; C. R. Bradshaw, $74.93; Posey Pratt and E. Linebarier, $81.95; Charles R. Bradshaw and Gordon Supply Company, $58.46; Charles R. Bradshaw and Gordon Supply Company, $58.59; Charles R. Bradshaw and Gordon Supply Company, $57.24; Charles R. Bradshaw and Gordon Supply Company, $71.82; Charles R. Bradshaw and Gordon Supply Company, $60.35; Andy Bragg, $59.27; M. J. Wreyford, $69.39; M. J. Wreyford, $70.74; Charlie Jones, $79.52; Charlie Jones, $68.99; W. A. Tate, $80.60; Wylie James, $78.30; G. W. Rhymes, $62.10; G. W. Rhymes, $66.83; W. F. Stone, $74.93; W. F. Stone, $73.31; W. F. Stone, $61.43; Benton Williams, $65.48; Martin and Messer, $68.99; Martin and Goshen, $73.44; Martin and Goshen, $67.23; James Adams, $64.80; John Molden, $78.44; Joe Highsmith, $70.88; Doss Avery and G. S. Rumph, $60.35; W. M. Edwards and G. S. Rumph, $48.47; W. M. Edwards and G. S. Rumph, $73.98; James Hempstead and D. L. Gauhan, $68.04; Isom Turner and J. W. Martin, $74.39; F. B. Tribble, $73.44; Henry King, $60.75; Mit Hunter, $67.10; Hobart Clary, $64.53; W. O. Beaver and Motor Finance, $59.67; W. O. Beaver and Motor Finance, $65.61; W. O. Beaver and Motor Finance, $60.89; W. O. Beaver and Motor Finance, $60.75; Farmers Gin Company, $70.20; Farmers Gin Company, $61.97; Farmers Gin Company, $55.89; Farmers Gin Company, $63.99; Farmers Gin Company, $53.73; B. T. Laney, Junior, $72.63; Sam Shakelford, $65.48; Ran Terry, $70.61; B. P. Sharpe, $56.84; Will Scott and E. Williams, $56.97; Tollie Horton and Graham, $82.35; S. M. Thomas, $68.18; John Parker, $71.82; J. W. Martin and Thrower, $71.96; W. F. Burk, $74.52; O. E. Cox, $76.68; Saint Marys Church, $58.05; Fannie Montgomery, $68.18; Ed Owens, $63.45; Frank Parker, $61.43; J. W. Martin and Arnold, $75.60; J. W. Martin and Arnold, $70.88; John Lilly, $70.88; Dewey Wafford and Gordon Supply Company, $66.83; Newman Locke and Gordon Supply Company, $62.78; P. H. Highsmith and Gordon Supply Company, $71.42; Rollie Vaughn and Gordon Supply Company, $69.80; J. W. Martin, $70.20; Fannie Montgomery, $70.74; George Word and Gordon Supply Company, $62.10; Fred Curry and Gordon Supply Company, $66.15; Fred Curry and Gordon Supply Company, $69.53; Sam Bennett, $62.10; C. O. Adams, $70.61; Albert Carter, $65.61; Homer Crain, $65.48; James Curry, $66.56; Newman Locke and Gordon Supply Company, $81.68; Edwin Brodnax and Gordon Supply Company, $73.17; Joe Brodnax and Gordon Supply Company, $69.66; Hobart Clary, $63.45; W. W. Kennedy, $70.20; W. W. Kennedy and Gordon Supply Company, $68.99; Posey Pratt and Gordon Supply Company, $72.50; G. H. Silliman, $72.23; G. H. Silliman and Gordon Supply Company, $74.52; Sey-

more Pratt and Gordon Supply Company, $67.10; Frank Parker, $69.12; G. D. Wilcher, $70.20; Buck Lilly, $69.53; Fred Stone, $77.09; Fred Stone, $67.50; Fred Stone, $71.55; Fred Stone, $71.55; P. H. Highsmith, $66.15; G. S. Rumph and Ed McElroy, $66.83; George Berkheimer, $69.80; J. W. Martin and Arnold, $62.10; James Curry, $74.39; Jasper Newton, $50.22; L. P. Pratt, $62.64; Sawyer Robinson, $84.92; Sawyer Robinson, $81.27; Newman Locke and Gordon Supply Company, $71.55; Newman Locke and Gordon Supply Company, $68.04; Yarbrough and Pace, $61.83; Kid Leonard, $51.30; Smead Harris and Gordon Supply Company, $60.21; Lawrence Stone, $71.55; Lawrence Stone, $70.34; Lawrence Stone, $75.87; Lawrence Stone, $69.93; Phillip Webb, $71.96; Frank Goodwin, $70.74; Bose Harris, $45.50; Dan Davies, $49.14; Ira Strong, $65.34; S. P. Merritt and Gordon Supply Company, $48.87; S. P. Merritt and Gordon Supply Company, $66.96; Johnny Stough and Gordon Supply Company, $65.48; Murph Henry and Gordon Supply Company, $72.09; Murph Henry and Gordon Supply Company, $64.13; S. P. Merritt and Gordon Supply Company, $71.15; S. P. Merritt and Gordon Supply Company, $47.25; and C. R. Bradshaw and Gordon Supply Company, $74.79: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, January 23, 1936.

[CHAPTER 30.]

AN ACT

Giving jurisdiction to the Court of Claims to hear and determine the claim of the Cherokee Fuel Company.

January 24, 1936.
[H. R. 1299.]
[Private, No. 377.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Court of Claims of the United States be, and hereby is, given jurisdiction to hear and determine the claim of the Cherokee Fuel Company, Incorporated, Kansas City, Missouri, for damages and for losses resulting from the cancelation by the depot quartermaster at Saint Louis, Missouri, of a contract between the United States Quartermaster Corps and the claimant, dated July 1, 1920, for furnishing coal at Camp Funston, Kansas, to the Quartermaster Corps.

Cherokee Fuel Company, Inc. Claim of, referred to Court of Claims.

Approved, January 24, 1936.

[CHAPTER 31.]

AN ACT

Conferring jurisdiction upon the United States District Court for the Western District of Washington to hear, determine, and render judgment upon the claims of Alta Melvin and Tommy Melvin.

January 24, 1936.
[H. R. 4436.]
[Private, No. 378.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the United States District Court for the Western District of Washington to hear, determine, and render judgment, as if the United States were suable in tort, upon the

Alta Melvin and son. Claims of, referred to District Court.

claims of Alta Melvin and her son, Tommy Melvin, both of Seattle, Washington, for damages resulting from injuries received by them when the automobile in which they were riding was struck by a United States Army truck from Fort Lawton, Washington, at the intersection of Twenty-eighth Place West and Gilman Avenue in Seattle, Washington, on June 21, 1932.

Commencement, etc., of suits.

SEC. 2. Suit upon such claims may be instituted at any time within one year after the enactment of this Act, notwithstanding the lapse of time or any statute of limitations.

Proceedings.

Proceedings for the determination of such claims, and appeals from and payment of any judgment thereon, shall be in the same manner as in the cases of claims over which such court has jurisdiction under the provisions of paragraph twentieth of section 24 of the Judicial Code, as amended.

U. S. C., p. 1230.

Approved, January 24, 1936.

[CHAPTER 37.]

January 27, 1936.
[S. 3120.]
[Private, No. 379.]

AN ACT

To authorize and direct the Secretary of the Treasury to transfer certain moneys to "Funds of Federal prisoners."

"Funds of Federal prisoners." Transfer of certain moneys to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to transfer, out of any moneys in the Treasury not otherwise appropriated, to the trust fund in the United States Treasury entitled "Funds of Federal prisoners", the sum of $685.62, which amount represents the loss sustained by said fund as a result of the failure of the State Savings Bank, of Leavenworth, Kansas, in which part of said fund was formerly deposited.

W. I. Biddle, etc. Release of liability.

W. I. Biddle, formerly warden and special disbursing officer of the United States Penitentiary at Leavenworth, Kansas, and the sureties on his bonds as warden and special disbursing officer are hereby released from all liability on account of the loss sustained by the said fund.

Approved, January 27, 1936.

[CHAPTER 38.]

January 27, 1936.
[H. R. 6137.]
[Private, No. 380.]

AN ACT

For the relief of the Otto Misch Company.

Otto Misch Company. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Otto Misch Company, the sum of $28,000, in payment for work done by the said company in repairing damages to the United States Marine hospital at Norfolk, Virginia, caused by hurricane and flood on August 22 and 23 and September 15 and 16, 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim.

Proviso. Limitation on attorney's, etc., fees.

It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding.

Penalty for violation.

Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved, January 27, 1936.

[CHAPTER 53.]

AN ACT

For the relief of Lieutenant Robert A. J. English, United States Navy.

February 11, 1936.
[S. 2897.]
[Private, No. 381.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Lieutenant Robert A. J. English, United States Navy, be, and he is hereby, restored to full-pay and allowances status during such time as he served with the Byrd Antarctic Expedition II, and his services with said expedition shall be counted on his record as "sea duty."

Lieutenant Robert A. J. English, Navy. Services, etc., counted as "sea duty."

Approved, February 11, 1936.

[CHAPTER 54.]

AN ACT

For the relief of the Norfolk Southern Railroad Company.

February 11, 1936.
[H. R. 3709.]
[Private, No. 382.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims of the United States, notwithstanding any limitations upon the jurisdiction and power of such court, to hear, determine, and render judgment upon the claim of the Norfolk Southern Railroad Company against the United States, arising out of or incident to the removal of an old bridge and the construction of a new drawbridge and fender system over the Albemarle and Chesapeake Canal, now the Virginia cut of the Inland Waterway, near Great Bridge, Virginia, to comply with orders of the War Department.

Norfolk Southern Railroad Company. Claim of, referred to Court of Claims.

Approved, February 11, 1936.

[CHAPTER 55.]

AN ACT

Authorizing adjustment of the claim of the Adelphia Bank and Trust Company of Philadelphia.

February 11, 1936.
[H. R. 4805.]
[Private, No. 383.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to settle and adjust the claim of the Adelphia Bank and Trust Company of Philadelphia for refund of a fee of 1 per centum collected by the clerk of the United States District Court for the Eastern District of Pennsylvania on $85,000, the face value of securities temporarily deposited by said company with the clerk pending the filing of an increased surety bond required by the court from the bank as depository of funds in bankruptcy estates, said fee having been covered into the general fund, Treasury of the United States, as a miscellaneous receipt, and to allow said claim in an amount not to exceed $850. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $850, or so much thereof as may be necessary, for the payment of this claim, such sum to be in full settlement of all claims against the Government of the United States: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with

Adelphia Bank and Trust Company of Philadelphia. Adjustment of claim.

Appropriation.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved, February 11, 1936.

[CHAPTER 56.]

February 11, 1936.
[H. R. 6402.]
[Private, No. 384.]

AN ACT

For the relief of Julia M. Crowell.

Julia M. Crowell.
Benefits of Employees' Compensation Act extended to.
Vol. 39, p. 742.
U. S. C., p. 98.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission be, and it is hereby, authorized and directed to extend to Julia M. Crowell, widow of Hiram M. Crowell, an employee of the United States Shipping Board as master of the steamship Tuscorora, the benefits of the Employees' Compensation Act approved September 7, 1916, as amended, in the same manner and to the same extent as the beneficiaries of other officers and members of the crew of the said steamship Tuscorora who were lost with the said vessel on or about December 8, 1917.

Approved, February 11, 1936.

[CHAPTER 57.]

February 11, 1936.
[S. 2166.]
[Private, No. 385.]

AN ACT

For the relief of Ludwig Larson.

Ludwig Larson.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ludwig Larson, former private, Company L, Three Hundred and Fifty-second Regiment United States Infantry, the sum of $100, in full settlement of all claims against the United States for the amount of a second Liberty Loan bond purchased by him during his military service which was lost before delivery to him: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, February 11, 1936.

[CHAPTER 58.]

February 11, 1936.
[S. 2321.]
[Private, No. 386.]

AN ACT

For the relief of S. M. Price.

S. M. Price.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to S. M. Price the sum of $845.87, in full compensation of all claims against the Government for services rendered as caretaker from

June 26, 1934, to March 1, 1935, of the automobile parking lot located on Government property, adjoining the new Customhouse, Denver, Colorado: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, February 11, 1936.

[CHAPTER 59.]

AN ACT

For the relief of Major Edwin F. Ely, Finance Department; Captain Reyburn Engles, Quartermaster Corps; and others.

February 11, 1936.
[S. 2343.]
[Private, No. 387.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of Major Edwin F. Ely, Finance Department, United States Army, in the sum of $708.12, being payments made by Captain Reyburn Engles, Quartermaster Corps, his agent officer at Fort Oglethorpe, Georgia, in 1931 and 1932, to certain enlisted men on duty at Fort Oglethorpe, Georgia, for additional work performed by them in repairing and maintaining the post utilities at Fort Oglethorpe, Georgia: *Provided*, That any and all such portions of this sum as may have been refunded to the United States by reason of the payments made as above shall be, and are hereby, authorized and directed to be repaid to the individuals involved, out of any money in the Treasury not otherwise appropriated: *Provided further*, That no charges shall be made against Captain Engles or any of the enlisted men involved, on account of these transactions.

Major Edwin F. Ely. Credit in accounts.

Provisos. Refunds.

Release of responsibility.

Approved, February 11, 1936.

[CHAPTER 60.]

AN ACT

For the relief of Major Joseph H. Hickey.

February 11, 1936.
[S. 2741.]
[Private, No. 388.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Major Joseph H. Hickey, United States Army, retired, the sum of $3,880.28, in full settlement of all claims against the Government of the United States for a shortage in public funds due to irregularities in the accounts of a noncommissioned officer, now deceased, which officer was in charge of the commissary, New Orleans General Depot, September 1920 to August 1921, and for which shortage Major Hickey has accounted to the United States Government: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be

Major Joseph H. Hickey. Payment to.

Proviso. Limitation on attorney's, etc., fees.

unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, February 11, 1936.

[CHAPTER 61.]

February 11, 1936.
[S. 3186.]
[Private, No. 389.]

AN ACT

For the relief of Edward H. Karg.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edward H. Karg, of Johnstown, New York, the sum of $3,500. Such sum shall be in full settlement of all claims against the United States for the amount of fine paid by Edward H. Karg, pursuant to a conviction for violating certain provisions of the Lever Act of August 10, 1917, as amended, prior to the declaration of the Supreme Court of the United States of the unconstitutionality of such provisions: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Edward H. Karg. Payment to.

Vol. 40, p. 276.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, February 11, 1936.

[CHAPTER 62.]

February 11, 1936.
[S. 2323.]
[Private, No. 390.]

AN ACT

For the relief of Ida C. Buckson, executrix of E. C. Buckson, deceased.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $100 to Ida C. Buckson, executrix of E. C. Buckson, deceased, of New Castle County, Delaware, the said sum of $100 being the amount appropriated to the said E. C. Buckson under Private Act Numbered 403, Seventieth Congress, second session, and approved February 23, 1929: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said

Ida C. Buckson. Payment to, as executrix.

Vol. 45, p. 2326.

Proviso. Limitation on attorney's, etc., fees.

claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000. Penalty for violation.

Approved, February 11, 1936.

[CHAPTER 65.]

JOINT RESOLUTION

Granting permission to Hugh S. Cumming, Surgeon General of the United States Public Health Service; John D. Long, medical director, United States Public Health Service; Bolivar J. Lloyd, medical director, United States Public Health Service; and Clifford R. Eskey, surgeon, United States Public Health Service, to accept and wear certain decorations bestowed upon them by the Governments of Ecuador, Chile, Peru, and Cuba.

February 12, 1936.
[S. J. Res. 169.]
[Priv. Res., No. 1.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Hugh S. Cumming, Surgeon General of the United States Public Health Service, be authorized to accept and wear the decoration of the order Al Merito, bestowed by the Government of Ecuador; the order of Carlos Finlay, bestowed by the Government of Cuba; and of the order El Sol de Peru; that John D. Long, medical director, United States Public Health Service, be authorized to accept and wear the decorations of the order Al Merito, bestowed by the Government of Chile; the order Al Merito, bestowed by the Government of Ecuador; the order of Carlos Finlay, bestowed by the Government of Cuba; and the order El Sol de Peru; that Bolivar J. Lloyd, medical director, United States Public Health Service, be authorized to accept and wear the decoration of the order Al Merito, bestowed by the Government of Ecuador; that Clifford R. Eskey, surgeon, United States Public Health Service, be authorized to accept and wear the decoration of the order Al Merito, bestowed by the Government of Ecuador, the foregoing decorations having been conferred upon these officers by the Republics mentioned in recognition of assistance rendered by them, as representatives of the Pan American Sanitary Bureau, in matters relating to sanitation and health; and the Department of State is hereby authorized and permitted to deliver the above-mentioned decorations to the said Hugh S. Cumming, John D. Long, Bolivar J. Lloyd, and Clifford R. Eskey, respectively.

Hugh S. Cumming, and others.
May accept, etc., certain foreign decorations.

John D. Long.

Bolivar J. Lloyd.

Clifford R. Eskey.

Delivery by Department of State.

Approved, February 12, 1936.

[CHAPTER 69.]

AN ACT

For the relief of John Z. Lowe.

February 13, 1936.
[S. 1298.]
[Private, No. 391.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is authorized and directed to credit the accounts of John Z. Lowe, former collector of internal revenue for the second district of New York, in the sum of $3,500, said sum representing the amount of an alleged shortage in the count of stamps charged as having been sent to and received by him during the fiscal year 1916.

John Z. Lowe.
Credit in accounts.

Approved, February 13, 1936.

[CHAPTER 71.]

February 14, 1936.
[S. 423.]
[Private, No. 392.]

AN ACT

For the relief of Lynn Brothers' Benevolent Hospital.

Lynn Brothers' Benevolent Hospital.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Lynn Brothers' Benevolent Hospital, of Pocatello, Idaho, the sum of $6,485.07, or so much thereof as may be necessary, in full settlement of all claims against the United States for hospital care and doctors' services rendered certain Indians on the Fort Hall Indian Reservation, Idaho: *Provided*, That before payment hereunder the Secretary of the Interior shall certify that no part of the amount claimed has heretofore been paid: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Provisos.
Condition.

Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, February 14, 1936.

[CHAPTER 72.]

February 14, 1936.
[S. 2691.]
[Private, No. 393.]

AN ACT

For the relief of E. E. Sullivan.

E. E. Sullivan.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to E. E. Sullivan, of Sioux Falls, South Dakota, the sum of $352.50, in full satisfaction of his claim against the United States for a refund in accordance with the contract entered into between said E. E. Sullivan and the Department of the Interior on November 18, 1921, relating to the purchase of 80 acres of land owned by the estate of one Knocked Over, deceased Crow Creek Indian, such sum having become due under the terms of such contract but remaining unpaid: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, February 14, 1936.

[CHAPTER 73.]

AN ACT

For the relief of A. E. Taplin.

February 14, 1936.
[S. 3020.]
[Private, No. 394.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $807.30 to A. E. Taplin, a physician and surgeon of Veblen, South Dakota, in full satisfaction of all claims against the United States for medical services and medicine furnished to members of the Sisseton-Wahpeton Tribe of Sioux Indians in the vicinity of Veblen, South Dakota, during the period March 3, 1921, to December 29, 1932, inclusive: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

A. E. Taplin.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, February 14, 1936.

[CHAPTER 76.]

AN ACT

For the relief of Albert A. Marquardt.

February 17, 1936.
[S. 889.]
[Private, No. 395.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Albert A. Marquardt, who was a member of Company F, Three Hundred and Tenth Regiment United States Infantry, Seventy-eighth Division, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 4th day of November 1918: *Provided*, That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this Act.

Albert A. Marquardt.
Military record corrected.

Proviso.
No back pay, etc.

Approved, February 17, 1936.

[CHAPTER 77.]

AN ACT

For the relief of Fred Edward Nordstrom.

February 17, 1936.
[S. 1010.]
[Private, No. 396.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the pension laws or any laws conferring rights, privileges, or benefits upon persons honorably discharged from the United States Army Fred Edward Nordstrom shall be held and considered to have been honorably discharged as a private, Company G, Three Hundred and Fifth Regiment United States Infantry, on April 3, 1920: *Provided*, That no back pay, compensation, benefit, or allowance shall be held to have accrued by reason of this Act prior to its passage.

Fred Edward Nordstrom.
Military record corrected.

Proviso.
No back pay, etc.

Approved, February 17, 1936.

[CHAPTER 78.]

AN ACT

For the relief of the Hartford-Connecticut Trust Company, Incorporated.

February 18, 1936.
[S. 2044.]
[Private, No. 397.]

Hartford-Connecticut Trust Company, Incorporated.
Consideration of claim for tax refund authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of Internal Revenue is hereby authorized and directed to receive, consider, and determine, in accordance with law, but without regard to any statute of limitations, any claim filed not later than six months after the passage of this Act by the Hartford-Connecticut Trust Company, a corporation organized and existing under the banking laws of the State of Connecticut, having its principal place of business in Hartford, Connecticut, for the refund of income and profits taxes erroneously collected from the said Hartford-Connecticut Trust Company in 1919, 1920, 1921, 1922, and 1923: *Provided, however*, That the Commissioner of Internal Revenue shall deduct from the amount of any overpayment determined under the provisions of this Act the amount of any additional taxes determined to be due for the years 1921 or 1922, whether or not the assessment or collection of such additional taxes is barred by any statute of limitations: *Provided further*, That in the settlement of said claim there shall be no allowance of interest.

Provisos.
Deductions.

Interest disallowed.

Approved, February 18, 1936.

[CHAPTER 84.]

AN ACT

To authorize the presentation of a Distinguished Flying Cross to Lieutenant Colonel Francis T. Evans, United States Marine Corps.

February 25, 1936.
[H. R. 6708.]
[Private, No. 398.]

Lt. Col. Francis T. Evans, Marine Corps.
Presentation of Distinguished Flying Cross to, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to present a Distinguished Flying Cross to Lieutenant Colonel Francis T. Evans, United States Marine Corps, for extraordinary achievement while participating in an aerial flight prior to April 6, 1917: *Provided*, That the President shall ascertain that the achievement was of such character as to justify the award.

Proviso.
Condition.

Approved, February 25, 1936.

[CHAPTER 85.]

AN ACT

To provide for the issuance of a license to practice the healing art in the District of Columbia to Doctor Arthur B. Walker.

February 25, 1936.
[H. R. 8437.]
[Private, No. 399.]

Doctor Arthur B. Walker.
License to practice healing art in District of Columbia, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any limitation relating to the time within which an application for a license must be filed, the Commission on Licensure to Practice the Healing Art in the District of Columbia is authorized and directed to issue a license to practice the healing art in the District of Columbia to Doctor Arthur B. Walker, Lincoln, Nebraska, in accordance with the provisions of the first paragraph of section 24 of the Healing Arts Practice Act, District of Columbia, 1928.

Vol. 45, p. 1334.

Approved, February 25, 1936.

[CHAPTER 94.]

AN ACT

For the relief of Carl A. Butler.

February 28, 1936.
[H. R. 1470.]
[Private, No. 400.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Carl A. Butler, who was a member of the United States Marine Corps, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 31st day of March 1919: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Carl A. Butler.
Naval record corrected.

Proviso.
No back pay, etc.

Approved, February 28, 1936.

[CHAPTER 95.]

AN ACT

For the relief of Charles A. Gettys.

February 28, 1936.
[H. R. 2165.]
[Private, No. 401.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Charles A. Gettys, chief torpedoman, United States Naval Reserve, shall be considered to have had, for pay purposes, at the time of transfer from the United States Navy to the United States Naval Reserve, sixteen years and one day's active service in the United States Navy: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Charles A. Gettys.
Naval record corrected.

Proviso.
No back pay, etc.

Approved, February 28, 1936.

[CHAPTER 96.]

AN ACT

For the relief of Mrs. Amber Walker.

February 28, 1936.
[H. R. 2527.]
[Private, No. 402.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Amber Walker, of Railroad, Pennsylvania, the sum of $65.93. Such sum shall be in full settlement of all claims against the United States for salary as Acting Postmistress at Railroad, Pennsylvania, from February 25, 1933, to March 31, 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mrs. Amber Walker.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, February 28, 1936.

[CHAPTER 97.]

February 28, 1936.
[H. R. 2923.]
[Private, No. 403.]

AN ACT

For the relief of Misner Jane Humphrey.

John D. Humphrey. Naval record corrected.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers or sailors John D. Humphrey, seaman, shall hereafter be held and considered to have been honorably discharged from the naval service of the United States on the 30th day of June 1865: *Provided*, That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this Act.

Proviso. No back pay, etc.

Approved, February 28, 1936.

[CHAPTER 98.]

February 28, 1936.
[H. R. 3864.]
[Private, No. 404.]

AN ACT

For the relief of Gladys Robbins.

Gladys Robbins. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Gladys Robbins the sum of $1,120 in full settlement of all claims against the United States for reimbursement of cash bail deposited with former United States Commissioner Arthur G. Fisk at San Francisco, California, and misappropriated by said official: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, February 28, 1936.

[CHAPTER 99.]

February 28, 1936.
[H. R. 4084.]
[Private, No. 405.]

AN ACT

For the relief of Charles D. Jeronimus.

Charles D. Jeronimus. Naval service record corrected.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the service rendered by Charles D. Jeronimus as a member of the Naval Militia of Minnesota from April 21, 1920, to June 19, 1920, in fitting out the United States ship Essex and in service on a cruise of the Naval Militia shall be considered for all purposes as active service for training in the United States Naval Reserve force under his enrollment from July 18, 1920, to July 17, 1924, and that the Secretary of the Navy be, and he is hereby, authorized and directed to cause the records of the said Charles D. Jeronimus in the Navy Department to be corrected to conform with this authorization, to the end that the said Charles D. Jeronimus shall be entitled to all pay, benefits, and emoluments conferred by law or regulation by reason of such active service and training; and to refund to the said Charles D. Jeronimus from current appropriations for the Naval

Refund.

Reserve the sum of $152.23, representing retainer pay which was paid him during the period July 18, 1923, to October 17, 1923, and subsequently deducted upon his reenrollment in the Naval Reserve force of August 18, 1924: *Provided*, That no other bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Proviso.
No other back pay, etc.

Approved, February 28, 1936.

[CHAPTER 100.]

AN ACT

For the relief of Look Hoon and Lau Hoon Leong.

February 28, 1936.
[H. R. 4171.]
[Private, No. 406.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any money not otherwise appropriated, to Look Hoon and Lau Hoon Leong, Honolulu, Territory of Hawaii, the sum of $1,000. Such sum shall be in full settlement of all claims against the United States for loss sustained by said Look Hoon and Lau Hoon Leong on account of forfeiture of $1,000 deposited by them as security on a bail bond conditioned upon the delivery of Leon Hing Loy, alias William Hing Leong, alias William H. Wong, as stipulated in such bail bond. Such $1,000 was declared forfeited and paid into the Treasury of the United States when the said Look Hoon and Lau Hoon Leong failed to produce the said Leong Hing Loy for trial. The said Leong Hing Loy was subsequently produced by the said Look Hoon and Lau Hoon Leong and tried and convicted: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Look Hoon and Lau Hoon Leong.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, February 28, 1936.

[CHAPTER 101.]

AN ACT

For the relief of George Current.

February 28, 1936.
[H. R. 5525.]
[Private, No. 407.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission be, and is hereby, authorized to consider and determine, in the same manner and to the same extent as if application for the benefits of the Employees' Compensation Act had been made within the one-year period required by sections 17 and 20 thereof, the claim of George Current, on account of disability due to epilepsy alleged to have been proximately caused by an injury received while on duty during his employment in the service of the United States between May 6, 1929, and March 14, 1934: *Provided*, That no benefits shall accrue prior to the enactment of this Act.

George Current.
Benefits of Employees' Compensation Act extended to.
Vol. 39, p. 746.
U. S. C., p. 100.

Proviso.
No prior benefits.

Approved, February 28, 1936.

[CHAPTER 102.]

February 28, 1936.
[H. R. 6254.]
[Private, No. 408.]

AN ACT

For the relief of David N. Aiken.

David N. Aiken. Naval record corrected.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers or sailors David N. Aiken, late assigned to the Naval Operating Base of the United States Marine Corps, shall hereafter be held and considered to have been honorably discharged from the naval service of the United States on the 16th day of March 1929: *Provided*, That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this Act.

Proviso. No back pay, etc.

Approved, February 28, 1936.

[CHAPTER 103.]

February 28, 1936.
[H. R. 7001.]
[Private, No. 409.]

AN ACT

For the relief of Alice Markham Kavanaugh.

Alice Markham Kavanaugh. Benefits of Employees' Compensation Act extended to. Vol. 39, p. 746. U. S. C., p. 100.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 17 and 20 of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., title 5, secs. 767 and 770), are hereby waived in favor of Alice Markham Kavanaugh, widow of Lewis T. Kavanaugh, late an employee of the Inland and Coastwise Waterways Service, who was drowned in the Mississippi River on April 14, 1920, at Memphis, Tennessee, and her case is authorized to be considered and acted upon under the remaining provisions of such Act, as amended, if she files a claim for compensation with the United States Employees' Compensation Commission not later than sixty days after the date of enactment of this Act: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Proviso. No prior benefits.

Approved, February 28, 1936.

[CHAPTER 107.]

February 29, 1936.
[H. R. 2110.]
[Private, No. 410.]

AN ACT

For the relief of W. A. Harriman.

W. A. Harriman. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, to W. A. Harriman the sum of $1,000, being the amount of damages suffered by him as a result of the loss of two thoroughbred horses killed while stabled at the Meadow Brook Club, Westbury, Long Island, on or about June 8, 1928, through the crashing of an Army Air Service airplane: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or

Proviso. Limitation on attorney's, etc., fees.

receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000. Penalty for violation.

Approved, February 29, 1936.

[CHAPTER 108.]

AN ACT

For the relief of Lieutenant M. T. Grubham.

February 29, 1936.
[H. R. 5474.]
[Private, No. 411.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lieutenant M. T. Grubham, United States Navy, the sum of $1,500 in full settlement of all claims against the United States Government for loss of his personal effects while on duty with the Civilian Conservation Corps at Warren, New Hampshire, on December 31, 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Lieutenant M. T. Grubham, Navy. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, February 29, 1936.

[CHAPTER 109.]

AN ACT

For the relief of Gordon McGee.

February 29, 1936.
[H. R. 5747.]
[Private, No. 412.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, or benefits upon persons honorably discharged from the United States Army, their widows, children, and dependent relatives, Gordon McGee (Army serial number 52928) shall be held and considered to have been honorably discharged as a private, Casual Detachment, Guard and Fire Company, Newport News, Virginia, on October 20, 1931: *Provided*, That no pension, pay, bounty, or other benefit shall be held to have accrued prior to the enactment of this Act by reason of its enactment.

Gordon McGee. Military record corrected.

Proviso. No prior benefits.

SEC. 2. The Secretary of War is authorized and directed to grant to the said Gordon McGee a discharge certificate showing that he is held and considered to have been honorably discharged as of such date.

Discharge certificate.

Approved, February 29, 1936.

[CHAPTER 110.]

February 29, 1936.
[H. R. 5964.]
[Private, No. 413.]

AN ACT

For the relief of Carl F. Yeager.

Carl F. Yeager. Military record corrected.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Carl F. Yeager, who was a member of the Five Hundred and Third Aero Squadron, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 24th day of June 1918: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Proviso. No back pay, etc.

Approved, February 29, 1936.

[CHAPTER 116.]

March 2, 1936.
[H. R. 2156.]
[Private, No. 414.]

AN ACT

For the relief of Cecelia Callahan.

Cecelia Callahan. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay the sum of $475.20 to Cecelia Callahan, being a gratuity of six months' pay under the Act of June 4, 1920, compensating her for the death of her nephew, Joseph Francis O'Neil, who died as the result of an injury received while serving in the United States Navy, on the United States ship Gilmore.

Vol. 41, p. 824. U. S. C., p. 1570.

Approved, March 2, 1936.

[CHAPTER 117.]

March 2, 1936.
[H. R. 3557.]
[Private, No. 415.]

AN ACT

For the relief of Helena C. VonGroning and Stephan VonGroning.

Helena C. and Stephan VonGroning. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $11,312.50 in full settlement against the Government, to Helena C. and Stephan VonGroning for and on account of the wrongful transfer of the fifty shares of preferred stock of the American Smelting and Refining Company seized by the Alien Property Custodian, to Mrs. Henschen, of Hamburg, Germany, instead of to Helena C. and Stephan VonGroning, and for and on account of the failure to return and deliver the same to the said Helena C. VonGroning and Stephan VonGroning, together with the dividends thereon as required by law: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, March 2, 1936.

[CHAPTER 118.]

AN ACT

Granting six months' pay to James Zanetti.

March 2, 1936.
[H. R. 4047.]
[Private, No. 416.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized and directed to pay, out of the appropriation "Pay of the Navy, 1935", to James Zanetti, father of the late Joseph Zanetti, United States Navy, an amount equal to six months' pay at the rate said Joseph Zanetti was receiving at the date of his death.

James Zanetti.
Payment to.

Vol. 48, p. 410.

Approved, March 2, 1936.

[CHAPTER 119.]

AN ACT

For the relief of Anthony Nowakowski.

March 2, 1936.
[H. R. 4210.]
[Private, No. 417.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Anthony Nowakowski the sum of $500, in full settlement of all claims against the Government of the United States for a bond deposited as security and filed with the inspector in charge of immigration at Detroit and later forfeited because of his failure to depart from the United States: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Anthony Nowakowski.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, March 2, 1936.

[CHAPTER 120.]

AN ACT

To authorize and direct the Comptroller General to settle and allow the claim of George P. Money for fees for services rendered.

March 2, 1936.
[H. R. 4925.]
[Private, No. 418.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to settle and allow the claim of George P. Money in the sum of $59.75 representing fees for services rendered as United States Commissioner for the Southern District of Mississippi during the quarter ended July 31, 1934, notwithstanding the fact that said commissioner's appointment expired May 11, 1934, and he was not reappointed until August 6, 1934.

George P. Money.
Settlement of claim.

Approved, March 2, 1936.

[CHAPTER 124.]

March 3, 1936.
[H. R. 2157.]
[Private, No. 419.]

AN ACT

For the relief of Howard Donovan.

Howard Donovan. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Howard Donovan, former consul at Bahia, Brazil, the sum of $500, in full settlement of all claims against the Government of the United States for the cost of embalming the body of his wife, Ruth Curtiss Donovan; burial; and subsequent transportation of the body from Bahia, Brazil, to its burial place at New Haven, Connecticut:

Proviso. Limitation on attorney's, etc., fees.

Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, March 3, 1936.

[CHAPTER 125.]

March 4, 1936.
[H. R. 5181.]
[Private No. 420.]

AN ACT

For the relief of the Progressive Commercial Company of Philadelphia, Pennsylvania.

Progressive Commercial Company of Philadelphia, Pa. Consideration of claim for tax refund authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of Internal Revenue be, and he is hereby, authorized and directed to receive, consider, and determine, in accordance with law, but without regard to any statute of limitations, any claim filed not later than six months after the passage of this Act by the Progressive Commercial Company of Philadelphia, Pennsylvania, for the refund of Federal income taxes paid by said company for the years 1923 to 1930, inclusive, in excess of the amount properly due as income tax for such years:

Provisos. Interest disallowed. Limitation on attorney's, etc., fees.

Provided, That in the settlement of said claim there shall be no allowance of interest: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding.

Penalty for violation.

Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved, March 4, 1936.

[CHAPTER 127.]

AN ACT

For the relief of the estate of Frank B. Niles.

March 7, 1936.
[S. 2188.]
[Private, No. 421.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed, in the settlement of the account of Frank B. Niles, former collector of internal revenue for the tenth district of Ohio, to allow the sum of $2,811.53 now standing as a disallowance in the accounts of said Frank B. Niles, now deceased, representing sums erroneously paid out by him in good faith to deputy collectors for meals and lodging at designated posts of duty from June 1, 1918, to March 31, 1919, as set forth in fiscal officer's certificate numbered 17576.

Frank B. Niles.
Credit allowed in accounts.

Approved, March 7, 1936.

[CHAPTER 128.]

AN ACT

For the relief of E. L. Hice and Lucy Hice.

March 7, 1936.
[S. 2469.]
[Private, No. 422.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to E. L. Hice and Lucy Hice the sum of $5,000 in full settlement of all claims against the Government on account of the death of their son, William G. Hice, who was killed while working in the United States Industrial Reformatory at Chillicothe, Ohio: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

E. L. and Lucy Hice.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, March 7, 1936.

[CHAPTER 129.]

AN ACT

For the relief of Peter Cymboluk.

March 7, 1936.
[S. 2961.]
[Private, No. 423.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Peter Cymboluk, of Chicago, Illinois, the sum of $1,500, in full settlement of his claim against the United States for the amount paid by him on the forfeited cash bail bond of Sidor Samchuk, who willfully defaulted on a criminal charge after having plead guilty, but who subsequently surrendered himself and was imprisoned: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services

Peter Cymboluk.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved, March 7, 1936.

[CHAPTER 130.]

March 7, 1936.
[S. 2980.]
[Private, No. 424.]

AN ACT

For the relief of Ruby Rardon.

Ruby Rardon.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ruby Rardon the sum of $5,000 in full settlement of all claims against the Government of the United States for damages sustained by her by reason of the death of her husband, John Edward Rardon, which occurred on May 3, 1934, in the United States Industrial Reformatory at Chillicothe, Ohio, which death of the said John Edward Rardon occurred while he was engaged in the performance of duties assigned to him and was caused by the explosion of an acetylene or other gas torch with which he was working, in line of duty: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, March 7, 1936.

[CHAPTER 131.]

March 7, 1936.
[S. 3399.]
[Private, No. 425.]

AN ACT

For the relief of Rosalie Piar Sprecher (nee Rosa Piar).

Rosalie Piar Sprecher.
Immigration visa may be issued to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the immigration laws, relating to the issuance of immigration visas for admission to the United States for permanent residence and relating to admissions at ports of entry of aliens as immigrants for permanent residence in the United States, that provision of section 3 of the Immigration Act of 1917 (39 Stat. 875), as amended (U. S. C., title 8, sec. 136 (e)), which excludes from admission into the United States "persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude", shall not hereafter be held to apply to Rosalie Piar Sprecher, who is the wife of H. C. Sprecher, an American citizen, on account of an offense alleged to have been committed abroad while she was about eighteen years of age during her legal infancy more than nine years prior to the effective date of this Act and prior to her marriage in the United States to H. C. Sprecher. If she is found otherwise admissible under the immigration laws an immigration visa may be issued and admission granted to Rosalie Piar Sprecher (nee Rosa Piar) under this Act upon application hereafter filed.

Vol. 39, p. 875.
U. S. C., p. 185.

Approved, March 7, 1936.

[CHAPTER 132.]

AN ACT

For the relief of Alfred L. Hudson and Walter K. Jeffers.

March 10, 1936.
[S. 1111.]
[Private, No. 426.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alfred L. Hudson, the sum of $854.90, and to Walter K. Jeffers the sum of $629.70 in full settlement of all claims against the Government for damages to their property caused by the lowering of the water level of the Chesapeake and Delaware Canal, one and one-half miles west of the town of Saint Georges, in New Castle County, in the State of Delaware: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Alfred L. Hudson and Walter K. Jeffers. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, March 10, 1936.

[CHAPTER 133.]

AN ACT

For the relief of James E. McDonald.

March 10, 1936.
[S. 2590.]
[Private, No. 427.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the account of James E. McDonald, former postmaster at Cohoes, Albany County, State of New York, in the sum of $13,723.70, due the United States on account of loss of postal funds, embezzled by Michael A. Walsh, his then deputy postmaster, during the incumbency of said James E. McDonald in said office from April 11, 1922, to October 30, 1930: *Provided, however*, That the crediting of said amount to the account of the said James E. McDonald shall not be deemed to exonerate, and shall not exonerate, the said Michael A. Walsh, or his sureties on any official bond or bonds which he has given to the United States, and that the United States hereby expressly reserves the right to sue the said Michael A. Walsh and his sureties for any and all moneys which may be found to be due from the said Michael A. Walsh.

James E. McDonald. Credit allowed in accounts of.

Proviso. Principal and sureties not released from liability.

Approved, March 10, 1936.

[CHAPTER 134.]

AN ACT

For the relief of James M. Montgomery.

March 10, 1936.
[S. 2618.]
[Private, No. 428.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James M. Montgomery, of Edge Moor, Delaware, the sum of $380.30, in full satisfaction of his claim against the United States for compensation for damages resulting from injuries

James M. Montgomery. Payment to.

received by him while placing mail on a train in the performance of his duties as postmaster at Edge Moor, Delaware, on November 5, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, March 10, 1936.

[CHAPTER 135.]

AN ACT

March 10, 1936. [S. 3683.] [Private, No. 429.]

For the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of the following disbursing officers of the Army of the United States the amounts set opposite their names: Major Stephen R. Beard, Finance Department, $28; Captain Lester L. Boggs, Finance Department, $72; Major Walter D. Dabney, Finance Department, $17; Major Horace G. Foster, Finance Department, $45 and $50; Captain Columbus B. Lenow, Finance Department, $30; Major D. W. Morey, Finance Department, $60; and Major Arthur O. Walsh, Finance Department, $30; said amounts being public funds for which they are accountable and which comprise minor errors in computation of pay and allowances due former members of the Civilian Conservation Corps, who are no longer enrolled in that corps, and which amounts have been disallowed by the Comptroller General of the United States: *Provided*, That no part of the amounts so credited shall be later charged against any individual other than the various payees.

Army disbursing officers. Credits allowed in accounts of designated.

Proviso. Accountability.

Refundments of overpayments.

SEC. 2. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Captain Biglow [1] B. Barbee, Finance Department, the sum of $81; Captain Jefferson E. Kidd, Infantry Reserve, the sum of $81; Second Lieutenant Francis T. Pachler, United States Infantry, the sum of $10; Captain Carl M. Innis, United States Infantry, the sum of $12.50; and Second Lieutenant Robert V. Klepinger, Field Artillery Reserve, the sum of $12.50, or so much of said sums as shall have been collected from them prior to the approval of this Act, representing refundments of overpayments made Civilian Conservation Corps enrollees and allottees, the collection of which amounts cannot be effected from the persons to whom such erroneous payments have been made: *Provided*, That no part of these amounts shall be charged to any person other than the payees.

Proviso. Accountability.

Capt. Charles K. McAlister. Credit allowed in accounts.

SEC. 3. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Captain Charles K. McAlister, Finance Department, the sum of $147.73, public funds for which he is accountable and which represents overpayments made to several members of the Civilian Con-

[1] So in original.

servation Corps who are no longer enrolled in that corps and from whom collection cannot be effected.

Capt. Bigelow B. Barbee and Major John H. Harrington. Credit allowed in accounts.

SEC. 4. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of the following disbursing officers of the United States the amounts set opposite their names: Captain Bigelow [1] B. Barbee, Finance Department, $81.50, and Major John H. Harrington (Coast Artillery Corps), Finance Department, $98.16, being public funds for which they are accountable and which were paid by them for medical expenses and burial expenses of a child killed as a result of an automobile accident involving a Civilian Conservation Corps truck, and which amounts have been disallowed by the Comptroller General of the United States.

Additional officers.

SEC. 5. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Captain Clarence A. Frank, Finance Department, $45.83; Captain Charles W. Hensey, Finance Department, $12; Major Royal G. Jenks, Finance Department, $9.40; Major James A. Marmon, Finance Department, $10.75; Major Cherubusco Newton, Junior, Finance Department, $8.52; Major Frank E. Parker, Finance Department, $76.51; Major Bickford E. Sawyer, Finance Department, $12; and Major John L. Tunstall, Finance Department, $132.96, being public funds for which they are accountable and which comprise minor errors in computation of pay and allowances due military personnel who are no longer in the service of the United States, and which amounts have been disallowed by the Comptroller General of the United States.

Major Frank Brezina. Credit allowed in accounts.

SEC. 6. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Major Frank Brezina, Philippine Scouts, Quartermaster Corps, $22.83, public funds for which he is accountable and which represent payments on account of rental due Teesdale, Newman and Company, Shanghai, China, and which amount has been disallowed by the Comptroller General of the United States.

Capt. Robert W. Yates. Credit allowed in accounts.

SEC. 7. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Captain Robert W. Yates, Field Artillery, the sum of $38, public funds for which he is accountable and which were paid by him to Major Robert B. Laing, Infantry Reserve, for commutation of quarters and which amount was disallowed by the Comptroller General of the United States: *Provided*, That the amounts so paid shall not be charged against any moneys otherwise due the payee.

Proviso. Accountability.

Approved, March 10, 1936.

[CHAPTER 136.]

AN ACT

For the relief of J. A. Jones.

March 11, 1936. [S. 2875.] [Private, No. 439.]

J. A. Jones. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. A. Jones, of Glen Elder, Kansas, an amount equal to six months' pay at the rate received by his son, Arthur R. Jones, former second lieutenant, First Regiment United States Cavalry, who died at Camp Gregg, Pangasinan, Philippine Islands, on July 4, 1908. Such amount to be in full settlement of all claims of the said J. A. Jones against the United States because of the death of his son.

Approved, March 11, 1936.

[1] So in original.

[CHAPTER 137.]

March 11, 1936.
[S. 3274.]
[Private, No. 431.]

AN ACT

For the relief of Mary Hobart.

Mary Hobart.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mary Hobart, of Nekoosa, Wisconsin, the sum of $75, in full satisfaction of her claim against the United States for damages arising out of the death of a horse owned by her which was killed by a stump that was blown up by members of the Civilian Conservation Corps engaged in blasting operations in Adams County, Wisconsin, on August 20, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, March 11, 1936.

[CHAPTER 139.]

March 12, 1936.
[S. 3001.]
[Private, No. 432.]

AN ACT

For the relief of Walter F. Brittan.

Walter F. Brittan.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Walter F. Brittan, of Great Falls, Montana, the sum of $1,890 in full satisfaction of his claim against the United States for the value of improvements made by him on certain land located in the State of Montana, the use of which was purported to have been granted to him by a permit issued on November 5, 1930, by the Forest Service of the Department of Agriculture, but which he was subsequently forced to abandon because such land, in fact, belonged to other individuals: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, March 12, 1936.

[CHAPTER 143.]

AN ACT

For the relief of D. A. Neuman.

March 14, 1936.
[S. 2219.]
[Private, No. 433.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is authorized and directed to credit the accounts of D. A. Neuman, former lieutenant, Supply Corps, United States Naval Reserve Force, with the sum of $894, representing the amount of two forged pay receipts, paid by him without fault or negligence, as determined by the Secretary of the Navy, but disallowed in his fiscal accounts for the disbursing office at South and Whitehall Streets, New York City, for the first quarter, 1919, by the Comptroller General.

D. A. Neuman. Credit allowed in accounts of.

Approved, March 14, 1936.

[CHAPTER 144.]

AN ACT

For the relief of Anna Carroll Taussig.

March 14, 1936.
[S. 1124.]
[Private, No. 434.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Anna Carroll Taussig, the sum of $5,000, in full settlement of all claims against the Government for permanent injuries sustained on April 21, 1918, in the city of Philadelphia, Pennsylvania, while riding in an automobile which was run into by a large post-office auto truck used in the mail service, owned by the United States, whereby Anna Carroll Taussig lost her right eye and was permanently scarred and disfigured: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Anna Carroll Taussig. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, March 14, 1936.

[CHAPTER 145.]

AN ACT

For the relief of Wilson G. Bingham.

March 16, 1936.
[S. 1991.]
[Private, No. 435.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the benefits and privileges of the Emergency Officers' Retirement Act of May 24, 1928 (45 Stat. 735), Wilson G. Bingham, late captain of Infantry, United States Army, shall be held to have been honorably discharged as an emergency officer and in the grade of captain of Infantry on December 15, 1922: *Provided*, That no back pay or allowances shall be held to have accrued prior to the passage of this Act.

Wilson G. Bingham. Military record corrected. Vol. 45, p. 735; U. S. C., p. 1679.

Proviso. No back pay, etc.

Approved, March 16, 1936.

[CHAPTER 153.]

AN ACT

March 18, 1936.
[S. 37.]
[Private, No. 436.]

Authorizing the Comptroller General of the United States to settle and adjust the claims of subcontractors and materialmen for material and labor furnished in the construction of a post-office and courthouse building at Rutland, Vermont.

Rutland, Vt., public building.
Settlement of claims for material and labor authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to settle and adjust on a pro rata basis in an amount not exceeding the unpaid balance, the claims of subcontractors and materialmen who furnished material and labor in the construction of a post-office and courthouse building at Rutland, Vermont, which work was completed by the National Surety Company, as surety on the performance bond before said surety company was placed in the hands of a rehabilitator appointed by the Insurance Department of the State of New York, and after the United States had terminated the right of the Brooklyn and Queens Screen Manufacturing Company, Incorporated, to proceed under contract number T1SA–1755, dated June 25, 1931.

Payment.

The Comptroller General of the United States shall pay the money without regard to any priorities the Government may claim against the National Surety Company in other cases, and when the money shall so have been paid it shall be set aside for subcontractors, materialmen, and laborers who did the work or supplied material for this building with a view to paying their claims, if any: *Provided*, That no payment shall be made until sixty days from the passage of this Act or until personal notice has been given all claimants for the filing of such claims.

Proviso.
Time of payment.

Payments charged against National Surety Company.

And there is hereby made available from such appropriations not to exceed $19,138.18 for this purpose; payments so made shall be charged to the National Surety Company in the adjustment of the accounts between said company and the United States: *Provided*, That before any allowance is made pursuant to the terms of this Act, the liquidator of the National Surety Company shall file with the Comptroller General written consent thereto.

Proviso.
Consent required.

Approved, March 18, 1936.

[CHAPTER 154.]

AN ACT

March 18, 1936.
[S. 2889.]
[Private, No. 437.]

For the relief of the Bend Garage Company, and the First National Bank of Chicago.

Bend Garage Company.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Bend Garage Company, Bend, Oregon, the sum of $39 in full settlement of all claims against the United States on account of damages sustained in an automobile accident involving a Civilian Conservation Corps truck near Sweet Home, Oregon, on September 12, 1934.

First National Bank of Chicago.
Refund to.

SEC. 2. That the Comptroller General of the United States is hereby authorized and directed to adjust and settle the claim of the First National Bank of Chicago, for refund of $11.75 on account of loss of that amount contained in official registered letter numbered

942194, caused by robbery of a letter carrier in Chicago, Illinois, on December 6, 1932, such amount being the unexpended balance of a deposit made by the said bank with the Postal Service to defray the expense of a cablegram to a postal official of Yugoslavia directing the return of registered letter numbered 531940, mailed at Chicago, November 25, 1932, by Ivan Markovic and addressed to Marija Markovic in Yugoslavia. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $11.75 for the payment of this claim: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Appropriation.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, March 18, 1936.

[CHAPTER 158.]

AN ACT

March 19, 1936.
[S. 3173.]
[Private, No. 438.]

For the relief of certain formerly enlisted members of Battery D, One Hundred and Ninety-seventh Coast Artillery (Antiaircraft), New Hampshire National Guard.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, men formerly enlisted as members of Battery D, One Hundred and Ninety-seventh Coast Artillery (Antiaircraft), New Hampshire National Guard, in full settlement of their claims against the United States for armory training during the period from November 1, 1932, to July 1, 1933, for which training they have not been paid because, being employees of the United States Navy Yard at Portsmouth, New Hampshire, they were enlisted in violation of paragraph 3b (6) of National Guard Regulations 25 as then promulgated: *Provided*, That the Secretary of War shall have first determined the persons who are entitled to pay under this Act: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

New Hampshire National Guard.
Payment to certain former members of.

Provisos.
Condition.

Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, March 19, 1936.

[CHAPTER 192.]

April 10, 1936.
[H. R. 381.]
[Private, No. 439.]

AN ACT

Granting insurance to Lydia C. Spry.

Lydia C. Spry.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay insurance of $8,000, subject to the provisions and limitations of the War Risk Insurance Act, to Lydia C. Spry, widow of James Stewart Spry, late chief machinist's mate, United States Navy.

U. S. C., p. 1673.

Approved, April 10, 1936.

[CHAPTER 193.]

April 10, 1936.
[H. R. 605.]
[Private, No. 440.]

AN ACT

For the relief of Joseph Maier.

Joseph Maier.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Joseph Maier, out of any money in the Treasury not otherwise appropriated, the sum of $1,000, in full settlement of all claims against the United States for judgment rendered in the Common Pleas Court of Franklin County, Ohio, against the Postal Telegraph Company, a corporation under Government control, for injuries received December 22, 1918, at Columbus, Ohio: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 10, 1936.

[CHAPTER 194.]

April 10, 1936.
[H. R. 685.]
[Private, No. 441.]

AN ACT

For the relief of the estate of Emil Hoyer (deceased).

Emil Hoyer.
Payment to estate of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Emil Hoyer (deceased), the sum of $5,000, in full settlement of all claims against the Government of the United States, or any employee thereof, for the fatal injury to Emil Hoyer as the result of his being struck by an Essex mail truck, numbered 16604, owned by the United States Post Office Department, Boston, Massachusetts, and operated by John Mohr, of Brookline, Massachusetts, the accident occurring at 11 o'clock post meridian, August 22, 1933, on Massachusetts Avenue, Boston, Massachusetts, near the intersection of Saint Botolph Street, the said Emil Hoyer, as a result of the injuries received, having died at 11:10 o'clock post meridian, August

22, 1933, at the Boston City Hospital, Boston, Massachusetts: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act, in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 10, 1936.

[CHAPTER 195.]

AN ACT

For the relief of Stanislaus Lipowicz.

April 10, 1936. [H. R. 762.] [Private, No. 442.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Stanislaus Lipowicz, out of any money in the Treasury not otherwise appropriated, the sum of $1,000, in full settlement of all claims against the United States for the amount of a fine paid by Stanislaus Lipowicz in pursuance of a judgment entered upon a plea nolo contendere under certain provisions of the so-called "Lever Act" previous to the time that the Supreme Court of the United States held such provisions void: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Stanislaus Lipowicz. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 10, 1936.

[CHAPTER 196.]

AN ACT

For the relief of Herman Schierhoff.

April 10, 1936. [H. R. 977.] [Private, No. 443.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $750 to Herman Schierhoff in full settlement of all claims against the United States for injuries received by being struck by a wagon the property of the United States Army, on or about October 20, 1931, at Jefferson Barracks, Missouri: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for

Herman Schierhoff. Payment to.

Proviso. Limitation on attorney's, etc., fees.

any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, April 10, 1936.

[CHAPTER 197.]

April 10, 1936.
[H. R. 3184.]
[Private, No. 444.]

AN ACT

For the relief of H. D. Henion, Harry Wolfe, and R. W. McSorley.

H. D. Henion and others. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to H. D. Henion the sum of $2,300, to Harry Wolfe the sum of $100, and to R. W. McSorley the sum of $100, in all $2,500, in full settlement of all claims against the United States on account of injuries sustained March 10, 1931, as a result of blasting on the North Cispus Road, Ranier National Forest, Washington: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 10, 1936.

[CHAPTER 198.]

April 10, 1936.
[H. R. 4439.]
[Private, No. 445.]

AN ACT

For the relief of John T. Clark, of Seattle, Washington.

John T. Clark. Disability compensation order concerning, to be reviewed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the case of John T. Clark, of Seattle, Washington, whose disability compensation under the Longshoremen's and Harbor Workers' Compensation Act of March 4, 1927, was terminated as of July 5, 1931, by a compensation order filed August 26, 1931, the Employees' Compensation Commission be, and it is hereby, authorized and directed to review such order in accordance with the procedure prescribed in respect of such claims in section 19 of said Act, and in accordance with such section to issue a new compensation order which may terminate, continue, increase, or decrease such compensation, the provisions of sections 21 and 22 of the said Act, as amended, to the contrary notwithstanding: *Provided*, That such new order shall not affect any compensation paid under authority of the prior order.

Vol. 39, p. 746.
U. S. C., p. 100.

Proviso. Prior payments not affected.

Approved, April 10, 1936.

[CHAPTER 199.]

AN ACT

To compensate the Grand View Hospital and Doctor A. J. O'Brien.

April 10, 1936.
[H. R. 5764.]
[Private, No. 446.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $542.55 to the superintendent of the Grand View Hospital, Ironwood, Michigan, and the sum of $215 to Doctor A. J. O'Brien, of Ironwood, Michigan, for services rendered and medical attendance in the case of John Morris; and the sum of $86 to Doctor A. J. O'Brien for medical attendance in the case of John Hoffman. These men were shot by Federal agents during the Dillinger raid on the Little Bohemia Lodge on April 22, 1934, and said amounts shall be accepted in full settlement of all claims against the United States of the hospital and doctor for the care and treatment of said John Morris and John Hoffman: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Grand View Hospital and Dr. A. J. O'Brien.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 10, 1936.

[CHAPTER 200.]

AN ACT

For the relief of Sam Cable.

April 10, 1936.
[H. R. 6335.]
[Private, No. 447.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sam Cable, of Falmouth, Michigan, the sum of $300, in full settlement of all claims against the United States for damages to him caused by the slaying of fifteen head of cattle known as "Abortion Reactors" in connection with the Government's efforts to eradicate this disease from the dairy herds of Missaukee County, Michigan: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Sam Cable.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 10, 1936.

[CHAPTER 201.]

April 10, 1936.
[H. R. 7788.]
[Private, No. 448.]

AN ACT

For the relief of Mrs. Earl H. Smith.

Mrs. Earl H. Smith. Appropriation authorized for payment to.
Ante, p. 1622.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $504.41 to Mrs. Earl H. Smith, administratrix of the estate of Earl H. Smith, for labor performed by the said Earl H. Smith in full settlement in the construction of the Indian hospital at Tomah, Wisconsin.

Approved, April 10, 1936.

[CHAPTER 202.]

April 10, 1936.
[H. R. 8032.]
[Private, No. 449.]

AN ACT

For the relief of the Ward Funeral Home.

Ward Funeral Home. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Ward Funeral Home, Talihina, Oklahoma, the sum of $332.10, in full and final settlement of its claims for burial services performed for five Indian patients who died at the Choctaw and Chickasaw Sanatorium between June 13, 1931, and March 26, 1932, inclusive.

Approved, April 10, 1936.

[CHAPTER 203.]

April 10, 1936.
[H. R. 8038.]
[Private, No. 450.]

AN ACT

For the relief of Edward C. Paxton.

Edward C. Paxton. Credit allowed in accounts of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow in the account of Edward C. Paxton the sum of $324.50, representing the amount disallowed in the expense accounts of the said Edward C. Paxton for travel and subsistence expenses incurred while traveling on a foreign vessel from New York to Sydney, Australia, while employed as a representative of the Foreign Agricultural Service of the Department of Agriculture.

Release of liability.

SEC. 2. The said Edward C. Paxton is hereby relieved of any liability for the payment of the sum of $1,050, representing the amount paid by the Government to a steamship company for transportation furnished upon transportation requests issued to and used by Mr. Paxton in connection with said travel, which sum is the amount of a charge that has been raised against Mr. Paxton by the Comptroller General.

Approved, April 10, 1936.

[CHAPTER 204.]

April 10, 1936.
[H. R. 8061.]
[Private, No. 451.]

AN ACT

For the relief of David Duquaine, Junior.

David Duquaine, Jr. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to

the superintendent and special disbursing agent of the Keshena Agency for deposit to the credit of David Duquaine, Junior, minor son of David Duquaine, Senior, of the village of Neopit, Wisconsin, the sum of $1,061.09 in full settlement of his claim against the United States, or any employee thereof, for injuries sustained by being severely burned, due to the negligence of a Government nurse, while receiving treatment in a Government hospital, located on the Menominee Indian Reservation at Keshena, Wisconsin: *Provided*, That said $1,061.09 shall be handled in the same manner as other individual Indian moneys and out of said appropriation the Secretary of the Interior is hereby authorized to pay the court costs in the case of David Duquaine, Junior, against Audra Ball, in the county seat of Shawano County, Wisconsin, upon proper release of the judgment in said case being obtained and entered of record: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Provisos.
To be handled as other Indian moneys.

Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 10, 1936.

[CHAPTER 205.]

AN ACT

For the relief of Thomas F. Gardiner.

April 10, 1936.
[H. R. 8110.]
[Private, No. 452.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to settle and adjust the claim of Thomas F. Gardiner arising out of his contract entered into December 1930 for furnishing transportation by means of a dog team to G. R. Gardner, Superintendent of Education, Southwest District of Alaska, Office of Indian Affairs, Department of the Interior, in connection with an inspection trip by the said superintendent to the various schools in his district, and to allow in full and final settlement of said claim an amount not exceeding the sum of $200.50. There is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $200.50, or so much thereof as may be necessary, for the payment of such claim: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Thomas F. Gardiner.
Adjustment of claim authorized.

Appropriation.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 10, 1936.

[CHAPTER 206.]

April 10, 1936.
[H. R. 11425.]
[Private, No. 453.]

AN ACT

For the relief of Gustava Hanna.

Gustava Hanna.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Gustava Hanna, widow of Matthew E. Hanna, late American Minister to Guatemala, the sum of $10,000, equal to one year's salary of her deceased husband.

Approved, April 10, 1936.

[CHAPTER 216.]

April 14, 1936.
[S. 903.]
[Private, No. 454.]

AN ACT

For the relief of the Holyoke Ice Company.

Holyoke Ice Company.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $146.85 to the Holyoke Ice Company, of Holyoke, Massachusetts, in full settlement of all claims against the Government for ice furnished the Post Office Building at Holyoke, Massachusetts, during the period of 1918 to 1922, inclusive: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 14, 1936.

[CHAPTER 217.]

April 14, 1936.
[S. 1824.]
[Private, No. 455.]

AN ACT

For the relief of Abraham Green.

Abraham Green.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,000 to Abraham Green, of Manchester, New Hampshire, in full satisfaction of his claim against the United States for the amount of bail bond placed by him to secure the appearance of one William Treinish on a charge of violation of the National Prohibition Act. The said Treinish failed to appear on September 19, 1929, but he was afterward captured through the joint efforts of the Government and Abraham Green, convicted, and sentenced to imprisonment, without additional cost to the United States: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the

Proviso.
Limitation on attorney's, etc., fees.

amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, April 14, 1936.

[CHAPTER 218.]

AN ACT

For the relief of Chief Carpenter William F. Twitchell, United States Navy.

April 14, 1936.
[S. 2682.]
[Private, No. 456.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized to appoint, by and with the advice and consent of the Senate, Chief Carpenter William F. Twitchell, United States Navy, a naval constructor with the rank of lieutenant on the retired list of the Navy, with pay at the rate of 2½ per centum of the active-duty pay of a lieutenant of his length of service multiplied by the number of years of service for which he is entitled to credit in computation of his longevity pay on the active list, not to exceed 75 per centum of said active-duty pay.

Navy.
William F. Twitchell, appointment as lieutenant, retired, authorized.

Pay.

Approved, April 14, 1936.

[CHAPTER 219.]

AN ACT

For the relief of John Hoffman.

April 14, 1936.
[S. 2942.]
[Private, No. 457.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,500 to John Hoffman, of Mercer, Iron County, Wisconsin, in full and final settlement of all claims against the Government of the United States for injuries sustained because of mistaken identity by Government agents on April 22, 1934, in their endeavor to apprehend one John Dillinger and his associates: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

John Hoffman.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 14, 1936.

[CHAPTER 220.]

AN ACT

For the relief of John Morris.

April 14, 1936.
[S. 2943.]
[Private, No. 458.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $3,000 to John Morris, of Mercer, Iron County, Wisconsin, in

John Morris.
Payment to.

full and final settlement of all claims against the United States for injuries sustained because of mistaken identity by Government agents on April 22, 1934, in their endeavor to apprehend one John Dillinger and his associates: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 14, 1936.

[CHAPTER 221.]

April 14, 1936. [S. 3367.] [Private, No. 459.]

AN ACT

For the relief of James Gaynor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General be, and he is hereby, authorized and directed to cancel the charge, in the amount of $652.55, entered on the accounts of James Gaynor, postmaster at Springfield, South Dakota, by reason of his deposit of postal funds of the United States in the First National Bank of Springfield, South Dakota, and the subsequent failure of such bank.

James Gaynor. Credit allowed in accounts of.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to said James Gaynor the sum of $74.55, such sum representing the amount paid by him to the United States in settlement of charge entered on his account by reason of the deposit of Treasury Savings funds in such bank and its subsequent failure.

Payment to.

Approved, April 14, 1936.

[CHAPTER 222.]

April 14, 1936. [S. 3655.] [Private, No. 460.]

AN ACT

For the relief of the Vermont Transit Company, Incorporated.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the Vermont Transit Company, Incorporated, of Burlington, Vermont, out of any money in the Treasury not otherwise appropriated, the sum of $1,648.33 in full satisfaction of its claim against the Government of the United States for damage to motor passenger coach (or bus) numbered 151, as a result of an accident involving a Government vehicle operated in connection with the Civilian Conservation Corps, at Montpelier, Vermont, on August 31, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding.

Vermont Transit Company, Incorporated. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000. Penalty for violation.

Approved, April 14, 1936.

[CHAPTER 223.]

AN ACT

April 14, 1936.
[S. 3684.]
[Private, No. 461.]

To authorize the settlement of individual claims for personal property lost or damaged, arising out of the activities of the Civilian Conservation Corps, which have been approved by the Secretary of War.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lucy E. Ahrens, Tacoma, Washington, $21.90; to Fred S. Baxter, Tulare, California, $353.61; to J. R. Duncan, Georgetown, Kentucky, $30.04; to Harry France, Iowa City, Iowa, $17.50; to Delmar Hammond, Ithaca, New York, $10.50; to H. C. Ledford, Randle, Washington, $20; to Patrick H. McBreen, Concord, Mass., $49.50; to Captain John L. Lewis, Seventeenth Field Artillery, Fort Bragg, North Carolina, $11.75; to A. J. Marks, Maurine, South Dakota, $7.90; to Monongahela West Penn Public Service Company, Marlinton, West Virginia, $82.11; to University of Tennessee Alumni Association, University of Tennessee, Knoxville, Tennessee, $105.80; to Water, Light, Power, and Building Commission, Grand Rapids, Minnesota, $53.26; and to Clara B. Chapman, Jefferson City, Missouri, $15.10, in full settlement for damages sustained by reason of the operation of the Civilian Conservation Corps, which claims have been approved by the Secretary of War: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Civilian Conservation Corps.
Payment of certain individual claims, authorized.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 14, 1936.

[CHAPTER 224.]

AN ACT

April 14, 1936.
[S. 3777.]
[Private, No. 462.]

To authorize the Secretary of the Treasury to execute an agreement of indemnity to the First Granite National Bank, Augusta, Maine.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to execute, in the name of the United States, and deliver to the First Granite National Bank, Augusta, Maine, upon receipt from such bank of $8,547.83, an agreement of indemnity binding the United States to make reimbursement to such bank upon condition that such bank is required to make payment to bona-fide holders upon presentation of check numbered 21874, and dated July 1, 1926, in the amount of $8,547.83, drawn by the First Granite National Bank, Augusta, Maine, on the New York Trust Company of New York,

First Granite National Bank, Augusta, Maine.
Execution of indemnity agreement to, authorized.

payable to George W. Wood, president of the board of managers (post fund), at the request of the Eastern Branch, National Home for Disabled Volunteer Soldiers, Augusta, Maine: *Provided*, That the Secretary of the Treasury shall, upon receipt of $8,547.83, as hereinbefore provided, credit the general post fund of the Veterans' Administration in that amount: *Provided further*, That if the First Granite National Bank, Augusta, Maine, is required to make payment to a bona-fide holder upon presentation of said check numbered 21874, the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $8,547.83 to said bank, pursuant to the terms of the indemnity agreement authorized by this Act.

Provisos.
Application of fund.

Contingent reimbursement.

Approved, April 14, 1936.

[CHAPTER 225.]

April 14, 1936.
[S. 3872.]
[Private, No. 463.]

AN ACT

For the relief of the present leader of the Army Band.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the date of approval of this Act the present leader of the Army Band shall have the rank, pay, and allowances of a captain in the Army; and in the computation of his pay and allowances all service in the Army of whatever nature rendered by the said leader shall be counted as if it were commissioned service; and the said leader of the Army Band shall, at such time as the President in his discretion may direct, be entitled to retirement as a captain in the Army, in the same manner as other officers of the Army of such rank and length of service, computed as stated above, would be entitled to retirement.

United States Army Band.
Present leader; rank, pay, etc.

Retirement provision.

Approved, April 14, 1936.

[CHAPTER 226.]

April 15, 1936.
[S. 536.]
[Private, No. 464.]

AN ACT

For the relief of Ada Mary Tornau.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ada Mary Tornau the sum of $225 in full settlement of all claims against the Government for injuries sustained on February 14, 1933, when she was struck by an icicle which fell from the roof of the Federal Building in Dubuque, Iowa: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Ada Mary Tornau.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 15, 1936.

[CHAPTER 227.]

AN ACT

To recognize the service of Brigadier General Edward R. Chrisman.

April 15, 1936.
[S. 2021.]
[Private, No. 465.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized and directed to designate Brigadier General Edward R. Chrisman, retired, as professor of military science and tactics emeritus at the University of Idaho, at Moscow, Idaho, during the remainder of his natural life.

Brigadier General Edward R. Chrisman. Designation of, as professor emeritus, University of Idaho, authorized.

Approved, April 15, 1936.

[CHAPTER 231.]

AN ACT

For the relief of Rose Stratton.

April 16, 1936.
[S. 2922.]
[Private, No. 466.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Rose Stratton of New Haven, Connecticut, the sum of $1,097.77, in full satisfaction of all claims of the said Rose Stratton against the United States for damages for personal injuries sustained by her as the result of a collision at the intersection of Wall and College Streets, New Haven, Connecticut, on November 4, 1930, between a United States mail truck operated by John H. Farrell, Junior, an employee of the Post Office Department, and the automobile in which she was a passenger, operated by Margaret Lawrence of such city: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Rose Stratton. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

SEC. 2. Payment shall not be made under this Act until the said Rose Stratton has released all her claims against the said John H. Farrell, Junior, in a manner satisfactory to the Secretary of the Treasury.

Condition.

Approved, April 16, 1936.

[CHAPTER 235.]

AN ACT

Granting compensation to Mary Weller.

April 17, 1936.
[S. 2336.]
[Private, No. 467.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $4,848.45 to Mary Weller, of New Haven, Connecticut, in full settlement of all claims against the Government of the United States for injuries, resulting in the loss of her left eye, which she sustained in automobile accident caused by negligence of driver of

Mary Weller. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Government-owned truck, on October 5, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding.

Penalty for violation.

Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved, April 17, 1936.

[CHAPTER 236.]

April 17, 1936. [S. 3125.] [Private, No. 468.]

AN ACT

For the relief of J. A. Hammond.

J. A. Hammond. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. A. Hammond, of Laurel, Mississippi, the sum of $120.10 in full settlement of all claims against the Government for injuries sustained by him on February 12, 1934, when an automobile in which he was riding collided with a truck of the Forest Service driven by G. A. Smith, Civilian Conservation Corps enrollee, on a Mississippi highway: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 17, 1936.

[CHAPTER 237.]

April 17, 1936. [S. 3445.] [Private, No. 469.]

AN ACT

To authorize the Secretary of Agriculture to release the claim of the United States to certain land within the Ouachita National Forest, Arkansas.

Andrew Jackson Talley and Becca Adeline Talley. Designated lands quitclaimed to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture be, and he is hereby, authorized to execute a quitclaim deed to Andrew Jackson Talley and Becca Adeline Talley, releasing all right, title, and interest of the United States in and to the following-described lands:

Description.

Lots 5 and 6 in the northeast quarter section 2, township 4 north, range 24 west, fifth principal meridian, and that part of lots 7 and 8 in the northeast quarter of said section 2, described as follows:

Beginning at a point on the north line of lot 8 which is eight and seventy one-hundredths chains west from the northeast corner of said lot and is a point in the center of the creek; thence upstream with the meanders of the creek, and following the thread thereof,

south fifty-nine degrees west one and forty one-hundredths chains; south sixty-nine degrees west exactly one chain; south eighty-two degrees thirty minutes west exactly three chains; south eighty-six degrees west exactly one chain; south fifty-five degrees west exactly one chain; south sixty-six degrees west exactly two chains; south seventy-four degrees west exactly three chains; north sixty-one degrees west one and seventy-five one-hundredths chains; north fifty-five degrees west exactly two chains; south seventy-seven degrees thirty minutes west one and twenty-five one-hundredths chains; north eighty-five degrees west one and seventy-five one-hundredths chains; north thirteen degrees west exactly two chains, which is a point on the north line of said lot 7; thence east with the north line of said lots 7 and 8 to the point of beginning, containing an area of eighty-three and nineteen one-hundredths acres more or less.

Approved, April 17, 1936.

[CHAPTER 242.]

AN ACT

For the relief of Grace Park, a minor, the Westerly Hospital, and Doctor H. M. Scanlon.

April 20, 1936.
[S. 2042.]
[Private, No. 470.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. John McShane, parents and guardians of Grace Park, of Stonington, Connecticut, the sum of $500; to The Westerly Hospital, Westerly, Rhode Island, the sum of $68.70; and to Doctor H. M. Scanlon, of Westerly, Rhode Island, the sum of $100; said sums to be in full settlement of all claims against the United States for injuries received by said Grace Park October 17, 1934, near Stonington, Connecticut, when she was struck by a truck operated in the service of the United States Coast and Geodetic Survey, Department of Commerce: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. and Mrs. John McShane, etc. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 20, 1936.

[CHAPTER 269.]

AN ACT

For the relief of G. Elias and Brother, Incorporated.

May 1, 1936.
[S. 371.]
[Private, No. 471.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to G. Elias and Brother, Incorporated, out of any money in the Treasury not otherwise appropriated, the sum of $24,139.28, in full settlement for losses suffered by the said G. Elias and Brother,

G. Elias and Brother, Incorporated. Payment to.

Incorporated, by reason of changes in the specifications and extra work from which the Government received the benefit but for which no pay whatever has been paid to the said G. Elias and Brother, Incorporated, under contracts W 535 AC–602 and W 535 AC–628 dated December 14, 1926, and January 28, 1927, with the Air Corps for furnishing certain airship parts and equipment to the United States Army Air Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 1, 1936.

[CHAPTER 270.]

AN ACT

For the relief of the International Mercantile Marine Company.

May 1, 1936. [S. 788.] [Private, No. 472.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,400 to the International Mercantile Marine Company, in full settlement of all claims against the Government of the United States for penalties which were assessed and collected but not actually incurred under the immigration laws of the United States; and so found by the Circuit Court of Appeals for the Second Circuit on July 7, 1931 (51 Fed. (2d) 1053), the failure of said company to file suit within the statutory period of limitations for the recovery of said sum being hereby waived: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

International Mercantile Marine Company. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 1, 1936.

[CHAPTER 271.]

AN ACT

For the relief of the Compagnie Generale Transatlantique.

May 1, 1936. [S. 790.] [Private, No. 473.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to the Compagnie Generale Transatlantique, in full

Compagnie Generale Transatlantique. Payment to.

settlement of all claims against the Government of the United States for penalties which were assessed and collected but not actually incurred under the immigration laws of the United States, and so found by the Circuit Court of Appeals for the Second Circuit on July 7, 1931 (51 Fed. (2d) 1053), the failure of said company to file suit within the statutory period of limitation for the recovery of said sum being hereby waived: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 1, 1936.

[CHAPTER 272.]

AN ACT

For the relief of James R. Young.

May 1, 1936.
[S. 1062.]
[Private, No. 474.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to James R. Young, successor to the Union Trust Company, of Raleigh, North Carolina, out of any money in the Treasury not otherwise appropriated, the sum of $226.25 in full satisfaction of all claims for payment of premiums on policies of fire insurance written in 1918 by such Union Trust Company, covering certain goods of the value of $245,000, more or less, while in the process of being laundered for the United States Army by the Model Laundry, of Raleigh, North Carolina: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

James R. Young. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 1, 1936.

[CHAPTER 273.]

AN ACT

For the relief of the Virginia Engineering Company (Incorporated).

May 1, 1936.
[H. R. 396.]
[Private, No. 475.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Court of Claims of the United States be, and it is hereby, given jurisdiction to hear and determine the claim of the Virginia Engineering Company (Incorporated), and to award just compensation for extra costs if any incurred in complying with requests, if any shall be

Virginia Engineering Company (Incorporated). Claim of, referred to Court of Claims.

found to have been made and complied with, of the Director of the Veterans' Administration incident to the work performed under contract of June 24, 1924, for equipping the Veterans' Administration Hospital at Aspinwall, Pennsylvania, and to enter decree or judgment against the United States for such just compensation, if any, notwithstanding the bars or defense of lapse of time, laches, or any statute of limitation. Suit may be instituted by the claimant at any time within four months from the approval of this Act. Proceedings in any suit brought in the Court of Claims under this Act, appeals therefrom, and payment of any judgment therein shall be had as in the case of claims over which such court has jurisdiction by virtue of the Judicial Code: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Commencement of suit.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 1, 1936.

[CHAPTER 274.]

May 1, 1936. [H. R. 1915.] [Private, No. 476.]

AN ACT

For the relief of Henry O. Goddard.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions and limitations of sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Henry O. Goddard, of Rome, Georgia, a former railway mail clerk, and the United States Employees' Compensation Commission is authorized to receive and consider his claim, under the remaining provisions of said Act, for disability alleged to have been incurred and aggravated between July 1931 and August 1933 as a result of his employment in such capacity: *Provided*, That claim hereunder shall be filed within ninety days from the approval of this Act: *Provided further*, That no benefits shall accrue prior to the approval of this Act: *And provided further*, That the award of benefits, if any, under this Act shall be in lieu of any retirement pay now received by Henry O. Goddard.

Henry O. Goddard. Provisions of Employees' Compensation Act extended to. Vol. 39, p. 746. U. S. C., p. 100.

Provisos. Condition.

No prior benefits.

Benefits in lieu of retirement pay.

Approved, May 1, 1936.

[CHAPTER 275.]

May 1, 1936. [H. R. 2623.] [Private, No. 477.]

AN ACT

For the relief of J. W. Hearn, Junior.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider under the provisions of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and

J. W. Hearn, Junior. Provisions of Employees' Compensation Act extended to. Vol. 39, p. 742. U. S. C., p. 98.

for other purposes", approved September 7, 1916, as amended, the claim of J. W. Hearn, Junior, former employee of the Isthmian Canal Commission, for injury sustained by him while in the performance of his duties as a foreman on the construction of Colon Breakwater on July 29, 1911: *Provided*, That he shall file notice of such injury and claim for compensation therefor not later than sixty days from the enactment of this Act: *And provided further*, That no benefits shall accrue prior to the approval of this Act.

Provisos. Condition.

No prior benefits.

Approved, May 1, 1936.

[CHAPTER 276.]

AN ACT

For the relief of Mrs. John H. Wilke.

May 1, 1936. [H. R. 8320.] [Private, No. 478.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in computing the monthly compensation payable to Mrs. John H. Wilke, widow of John H. Wilke, late associate engineer, topographic, Atlantic Division of the Geological Survey, Department of the Interior, under the provisions of section 10 of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., title 5, sec. 760; U. S. C., Supp. VII, title 5, sec. 760), the monthly pay of the said John H. Wilke at the time of his fatal injury shall be held and considered to have been $175.

Mrs. John H. Wilke. Compensation adjustment.

Vol. 39, p. 744. U. S. C., p. 99.

SEC. 2. The monthly compensation of the said Mrs. John H. Wilke at the rate provided for by section 1 of this Act shall commence on the 1st day of the month during which this Act is enacted.

Effective date.

Approved, May 1, 1936.

[CHAPTER 277.]

AN ACT

For the relief of J. C. Donnelly.

May 1, 1936. [H. R. 8551.] [Private, No. 479.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to credit the account of J. C. Donnelly, former special disbursing agent of the Veterans' Administration at Johnson City, Tennessee, with the sum of $216, heretofore disallowed, such sum representing a payment by him out of pension funds standing to the credit of Benjamin F. Henderson, deceased, C–2525167.

J. C. Donnelly. Credit allowed in accounts of.

SEC. 2. The Comptroller General of the United States is further authorized and directed to pay to the said J. C. Donnelly such sum, not to exceed $216, as may have been paid by him or withheld from any moneys due him to satisfy any shortage arising by the disallowance of claim for payment by him of pension moneys to the credit of Benjamin F. Henderson, deceased, C–2525167.

Payment to.

SEC. 3. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, such sum as the Comptroller General may find to be due and payable to J. C. Donnelly under section 2 of this Act, and payment by the Comptroller General shall be deemed to be in full and final settlement of any claim arising out of the disallowance.

Appropriation.

Approved, May 1, 1936.

[CHAPTER 279.]

May 4, 1936.
[H. R. 1440.]
[Private, No. 480.]

AN ACT

For the relief of Arthur W. Bradshaw.

Arthur W. Bradshaw.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Arthur W. Bradshaw in full settlement of all claims against the United States, the sum of $625, being the balance of an award of $1,250 for the capture of James Wilson, Lidwig Schmidt, and James Snyder, charged with assault upon, holding up, and robbing a mail messenger at Niagara Falls, New York, on March 1, 1921: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 4, 1936.

[CHAPTER 280.]

May 4, 1936.
[H. R. 2622.]
[Private, No. 481.]

AN ACT

For the relief of M. Waring Harrison.

M. Waring Harrison.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to M. Waring Harrison the sum of $1,210 in full settlement of his claim against the United States for services rendered as probation officer of the United States District Court for the Southern District of Alabama, from August 6, 1928, to August 1, 1930: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 4, 1936.

[CHAPTER 281.]

May 4, 1936.
[H. R. 4277.]
[Private, No. 482.]

AN ACT

For the relief of James R. Russell.

James R. Russell.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James R. Russell, of Camas Valley, Oregon, the sum of $174.85 in

full satisfaction of his claim against the United States for damages for personal injuries suffered on November 29, 1934, on the Coos Bay Highway near Camas Valley, Oregon, when the said James R. Russell was struck by a motor truck owned by the United States and driven by an employee of the Civilian Conservation Corps, Camp Bradford Numbered 979, Oregon: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 4, 1936.

[CHAPTER 282.]

AN ACT

For the relief of Patrick J. Leahy.

May 4, 1936. [H. R. 4362.] [Private, No. 483.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,058.50 to Patrick J. Leahy, of Stockton, California, in full settlement of all claims against the Government of the United States for damage and injury sustained on October 15, 1933, when the car which he was driving was struck by a protruding piece of lumber on a truck owned by the United States Forest Service and operated by an employee of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Patrick J. Leahy. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 4, 1936.

[CHAPTER 283.]

AN ACT

Conferring jurisdiction upon the United States District Court for the Western District of Michigan to hear, determine, and render judgment upon the claim of Barbara Backstrom.

May 4, 1936. [H. R. 4387.] [Private, No. 484.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the United States District Court for the Western District of Michigan to hear, determine, and render judgment, as if the United States were suable in tort, upon the claim of Barbara Backstrom, of Muskegon, Michigan, for damages resulting from injuries sustained in falling from an unguarded spot on

Barbara Backstrom. Jurisdiction conferred on district court to hear claim of.

the lighthouse maintained by the Government at the entrance of the channel leading from Lake Michigan into the Muskegon Lake Harbor on July 7, 1934: *Provided*, That the judgment, if any, shall not exceed the sum of $5,000.

Proviso. Amount limited.

Commencement of suit.

SEC. 2. Suit upon such claim may be instituted at any time within one year after the enactment of this Act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claims, and appeals from and payment of any judgment thereon, shall be in the same manner as in the cases of claims over which such court has jurisdiction, under the provisions of paragraph twentieth of section 24 of the Judicial Code, as amended.

Proceedings.

U. S. C., p. 1230.

Approved, May 4, 1936.

[CHAPTER 284.]

May 4, 1936. [H. R. 4411.] [Private, No. 485.]

AN ACT

For the relief of Mary L. Munro.

Mary L. Munro. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mary L. Munro, Los Angeles, California, the sum of $207.50, in full settlement of all claims against the United States for damages sustained by the said Mary L. Munro as the result of her automobile being struck by a United States Civilian Conservation Corps truck on the highway near Big Bear Lake, California, on October 20, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 4, 1936.

[CHAPTER 285.]

May 4, 1936. [H. R. 4638.] [Private, No. 486.]

AN ACT

For the relief of Elizabeth Halstead.

Elizabeth Halstead. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elizabeth Halstead, the sum of $5,000, in full settlement of all claims against the United States for the death of her son, Harold H. Halstead, who was shot and killed by Federal officers of the United States Government near Fort Hancock, Texas, March 29, 1920: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account

Proviso. Limitation on attorney's, etc., fees.

of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, May 4, 1936.

[CHAPTER 286.]

AN ACT

For the relief of M. M. Smith.

May 4, 1936.
[H. R. 4965.]
[Private, No. 487.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is authorized and directed to settle and allow the claim of United States Commissioner M. M. Smith, of Elkins, West Virginia, in the sum of $79 in full for service rendered as a de facto United States commissioner for the northern district of West Virginia for the period from March 19, 1933 to October 25, 1933.

M. M. Smith.
Adjustment of claim authorized.

Approved, May 4, 1936.

[CHAPTER 287.]

AN ACT

For the relief of Edith H. Miller.

May 4, 1936.
[H. R. 5753.]
[Private, No. 488.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $127.64 to Edith H. Miller, widow and sole heir at law of Arthur H. Miller, deceased, formerly district superintendent of schools at Anchorage, Alaska, under the Bureau of Indian Affairs, in full settlement of all claims against the United States for payment made by said Arthur H. Miller from personal funds for transporting his personal and household goods from Seattle, Washington, to Juneau, Alaska, upon permanent change of station: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Edith H. Miller.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 4, 1936.

[CHAPTER 288.]

May 4, 1936.
[H. R. 6344.]
[Private, No. 489.]

AN ACT

For the relief of the estate of John A. McGloin.

John A. McGloin. Payment to estate of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Celia A. McGloin, administratrix of the estate of the late John A. McGloin, the sum of $1,305. Such sum shall be in full settlement of all claims against the United States for damages on account of the forfeiture to the United States of eleven barrels of whisky seized under a search warrant on August 26, 1920, in a bonded warehouse in New York City operated by the said John A. McGloin. Later the United States District Court for the Southern District of New York ordered such whisky returned to the said John A. McGloin, but prior to such order such whisky had been sold pursuant to an earlier order of such court: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 4, 1936.

[CHAPTER 289.]

May 4, 1936.
[H. R. 6578.]
[Private, No. 490.]

AN ACT

For the relief of Joseph A. Therry.

Joseph A. Therry. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joseph A. Therry, the sum of $1,485, in full settlement of all claims against the Government of the United States due him because of $1,500 bail bond having been deposited by him with the United States District Court of New Jersey, and such sum less $15 having been paid to the Treasury of the United States erroneously by the clerk of the district court: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 4, 1936.

[CHAPTER 290.]

AN ACT

For the relief of the First Federal Savings and Loan Association of Shawnee, Oklahoma.

May 4, 1936.
[H. R. 6848.]
[Private, No. 491.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement of all claims against the Government, the sum of $196.72 to the First Federal Savings and Loan Association of Shawnee, Oklahoma, successors to the Fidelity Building and Loan Association, for damages to real-estate property at 606 West Dewey Street, in the city of Shawnee, Oklahoma, caused by slugs from firearms discharged by duly authorized agents of the United States of America on December 31, 1933, during the capture and death of certain outlaws sought by the Government for violation of its laws: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

First Federal Savings and Loan Association of Shawnee, Okla. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 4, 1936.

[CHAPTER 291.]

AN ACT

For the relief of Grant Hospital and Doctor M. H. Streicher.

May 4, 1936.
[H. R. 7904.]
[Private, No. 492.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Grant Hospital of Chicago, Illinois, the sum of $37.50, and to Doctor M. H. Streicher, of Chicago, Illinois, the sum of $75. The payment of such sums shall be in full settlement of all claims against the United States on account of hospital and medical service rendered to Theresa Paulas, who was injured by agents of the United States Department of Justice during the John Dillinger shooting in the city of Chicago in July 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary nothwithstanding[1]. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Grant Hospital and Doctor M. H. Streicher. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 4, 1936.

[1] So in original.

[CHAPTER 292.]

May 4, 1936.
[H. R. 8034.]
[Private, No. 493.]

AN ACT

For the relief of Mae Pouland.

Mae Pouland.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mae Pouland the sum of $750 in full settlement of all claims against the United States for personal injuries received as a result of a collision between a Government truck and the private car in which Mae Pouland was a passenger December 8, 1934, on a Texas highway:

Proviso.
Limitation on attorney's, etc., fees.

Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, May 4, 1936.

[CHAPTER 293.]

May 4, 1936.
[H. R. 8094.]
[Private, No. 494.]

AN ACT

For the relief of Doctor J. C. Blalock.

Doctor J. C. Blalock.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $480 to Doctor J. C. Blalock, in full settlement of all claims against the United States for services rendered as Federal jail physician, in the Fulton County Jail, Atlanta, Georgia, during the period August 1, 1933, to June 30, 1934, such services having been performed upon instructions of the United States marshal for the northern district of Georgia and for which payment has not been made:

Proviso.
Limitation on attorney's, etc., fees.

Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, May 4, 1936.

[CHAPTER 294.]

AN ACT

For the relief of Edwin Pickard.

May 4, 1936.
[H. R. 8685.]
[Private, No. 495.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edwin Pickard, of Gadsden, Etowah County, Alabama, the sum of $20.20 in full settlement of his claim against the United States for service rendered as United States commissioner for the northern district of Alabama, middle division, from October 4, 1934, to October 31, 1934.

Edwin Pickard.
Payment to.

Approved, May 4, 1936.

[CHAPTER 295.]

AN ACT

For the relief of W. H. Dean.

May 4, 1936.
[H. R. 9076.]
[Private, No. 496.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. H. Dean the sum of $200 in full settlement of all claims against the United States for salary withheld from him for services rendered as foreman of construction work at the Rosebud Indian Agency, Rosebud, South Dakota, during July and August 1930: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

W. H. Dean.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 4, 1936.

[CHAPTER 296.]

AN ACT

For the relief of Myrtle T. Grooms.

May 4, 1936.
[H. R. 9171.]
[Private, No. 497.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Myrtle T. Grooms, of Kansas City, Missouri, the sum of $5,000. Such sum shall be in full settlement of all claims against the United States on account of the death of William J. Grooms, the husband of the said Myrtle T. Grooms. The said William J. Grooms, at the request of the officers of the Federal Government, accompanied them and assisted in the return to Leavenworth Penitentiary of one Frank Nash, an escaped convict; and the said William J. Grooms, together with others of the Federal officers, was slain at Kansas City, Missouri, on June 17, 1933, by forces of gangdom attempting the release

Myrtle T. Grooms.
Payment to.

Proviso. Limitation on attorney's, etc., fees.

of the prisoner, Frank Nash: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, May 4, 1936.

[CHAPTER 297.]

May 4, 1936.
[H. R. 10521.]
[Private, No. 498.]

AN ACT

For the relief of Joseph Mossew.

Joseph Mossew. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joseph Mossew the sum of $500 in full settlement of all claims against the Government of the United States. Such sum represents the amount of a fine paid by Joseph Mossew pursuant to a conviction for violating certain provisions of the Lever Act of August 10, 1917, as amended, prior to the declaration by the Supreme Court of the United States of the unconstitutionality of such provisions: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Vol. 40, p. 276.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 4, 1936.

[CHAPTER 298.]

May 4, 1936.
[H. R. 10575.]
[Private, No. 499.]

AN ACT

For the relief of Catharine I. Klein.

Catharine I. Klein. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to Catharine I. Klein, widow of Nelson B. Klein, special agent of the Federal Bureau of Investigation of the Department of Justice, killed in line of his official duty at College Corner, Ohio, on August 16, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys,

Proviso. Limitation on attorney's, etc., fees.

to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, May 4, 1936.

[CHAPTER 299.]

AN ACT

For the relief of Rasmus Bech.

May 4, 1936.
[H. R. 11231.]
[Private, No. 500.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $783 to the clerk of the United States District Court for the Eastern District of Washington, who shall, after an assignment to the United States, of the judgment of $783 obtained by Rasmus Bech, of Spokane, Washington, against H. W. Richardson and Phillip Stalker, Federal prohibition agents, satisfy such assigned judgment against the United States, of record, and shall thereafter pay such sum to said Rasmus Bech, in full settlement of his claim against the United States for personal injuries sustained when he was wrongfully assaulted by said officers, in the performance of their duties, on September 30, 1932, at Spokane, Washington: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Rasmus Bech.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 4, 1936.

[CHAPTER 305.]

AN ACT

To carry out the findings of the Court of Claims in the case of the Wales Island Packing Company.

May 5, 1936.
[S. 753.]
[Private, No. 501.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $100,000 to the Wales Island Packing Company in full settlement of all claims against the Government of the United States for the injury to the business and property of said company on Wales Island on account of the decision of the Alaska boundary tribunal, under which the possession of said island has passed from the United States to the Dominion of Canada, as found by the Court of Claims and reported in Senate Document Numbered 61, Seventy-second Congress, first session: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, or other party or parties, on account of services rendered in any way in connection

Wales Island Packing Company.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

with the presentation, passage, or collection of said claim or any part thereof. It shall be unlawful for any such agent or agents, attorney or attorneys, or others as herein provided, to collect, receive, exact, or withhold a portion of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding.

Penalty for violation.

Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved, May 5, 1936.

[CHAPTER 306.]

May 5, 1936.
[S. 998.]
[Private, No. 502.]

AN ACT

To carry out the findings of the Court of Claims in the case of George Lawley and Son Corporation, of Boston, Massachusetts.

George Lawley and Son Corporation. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $92,781 to the George Lawley and Son Corporation, of Boston, Massachusetts, in full settlement of all claims against the Government of the United States for the difference between the actual cost of the construction of two torpedo boats and the amount paid under the contract entered into for the building of said boats, as found by the Court of Claims and reported in Senate Document Numbered 135, Seventy-third Congress, second session: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 5, 1936.

[CHAPTER 307.]

May 5, 1936.
[H. R. 1265.]
[Private, No. 503.]

AN ACT

For the relief of N. N. Self.

N. N. Self. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to N. N. Self, of Telford, Tennessee, the sum of $53.82 in full satisfaction of his claim against the United States for compensation for services rendered as acting postmaster at Telford, Tennessee, from May 1, 1931, to May 20, 1931, both inclusive: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act

Proviso. Limitation on attorney's, etc., fees.

in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000. Penalty for violation.

Approved, May 5, 1936.

[CHAPTER 308.]

AN ACT

For the relief of Petra M. Benavides.

May 5, 1936.
[H. R. 1363.]
[Private, No. 504.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Petra M. Benavides, of El Paso, Texas, the sum of $5,000 in settlement of her claim against the United States Government on account of the killing of her husband, Antonio J. Benavides, by Immigration Patrol Inspector Chloe J. McNatt: *Provided*, That no part of the amount appropriated in this Act in excess of 10 percentum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent, or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Petra M. Benavides. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 5, 1936.

[CHAPTER 309.]

AN ACT

For the relief of Julia M. Ryder.

May 5, 1936.
[H. R. 2189.]
[Private, No. 505.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Julia M. Ryder, of South Wareham, Massachusetts, the sum of $252 in full compensation for services rendered to the United States Post Office Department as acting temporary messenger for the conveyance of the mails on mail messenger routes numbered 204,196 and 101,728 from August 5, 1930 to August 31, 1931: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Julia M. Ryder. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 5, 1936.

[CHAPTER 310.]

May 5, 1936.
[H. R. 3152.]
[Private, No. 506.]

AN ACT

For the relief of Joseph Jochemczyk.

Joseph Jochemczyk. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joseph Jochemczyk the sum of $500, in full settlement of all claims against the United States for a bond guaranteeing the departure from the United States of Stanislaw Stanczyk, alien, who was deported from the United States in accordance with the instructions of the Department of Labor after said bond had been declared forfeited: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 5, 1936.

[CHAPTER 311.]

May 5, 1936.
[H. R. 3513.]
[Private, No. 507.]

AN ACT

For the relief of Archie P. McLane and Hans Peter Jensen.

Archie P. McLane and Hans Peter Jensen. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $143.55 to Archie P. McLane and Hans Peter Jensen, of Kasilof, Alaska, in full settlement of all claim against the United States on account of a fidelity bond paid by them in that sum to the United States of America on behalf of the late Allan H. Hardy, formerly postmaster at Kasilof, Alaska, claimed as compensation to Eduard E. Zettle as acting postmaster between the date of the death of the said Allan H. Hardy, to wit: September 5, 1930, and the date his successor assumed charge, April 19, 1931: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 5, 1936.

[CHAPTER 312.]

AN ACT

For the relief of Jens H. Larsen.

May 5, 1936.
[H. R. 3573.]
[Private, No. 508.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jens H. Larsen the sum of $30.50, in full settlement of all claims against the United States for damages incurred to his automobile from snow and ice falling from the roof of the post-office building in Saint Paul, Minnesota: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Jens H. Larsen.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 5, 1936.

[CHAPTER 313.]

AN ACT

For the relief of William W. Bartlett.

May 5, 1936.
[H. R. 4571.]
[Private, No. 509.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William W. Bartlett, the sum of $169.50, in full settlement of his claim against the United States for the loss of personal effects, by misplacement or otherwise, while claimant was hospitalized during service in the United States Marine Corps, at the Naval Hospital, San Diego, California, between January 24 and September 15, 1927: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

William W. Bartlett.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 5, 1936.

[CHAPTER 314.]

May 5, 1936.
[H. R. 4660.]
[Private, No. 510.]

AN ACT

For the relief of Robert C. E. Hedley.

Robert C. E. Hedley. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Robert C. E. Hedley, the sum of $750 in full settlement of all claims against the United States, for injuries sustained on July 8, 1932, as a result of having his truck struck from the rear by a United States Marine truck in Philadelphia, Pennsylvania: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 5, 1936.

[CHAPTER 315.]

May 5, 1936.
[H. R. 4725.]
[Private, No. 511.]

AN ACT

For the relief of Catherine Donnelly, Claire E. Donnelly, John Kufall, Mary F. Kufall, and Elizabeth A. Tucker.

Catherine Donnelly and others. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Catherine Donnelly and Claire E. Donnelly, both of Elizabeth, Union County, New Jersey, the sums of $1,500 and $5,000, respectively; to John Kufall and Mary F. Kufall, both of West Brighton, Staten Island, New York, the sums of $500 and $3,000, respectively; and to Elizabeth A. Tucker, of Linden, Union County, New Jersey, the sum of $2,500; in all, $12,500, in full settlement of all claims against the Government of the United States for personal injuries sustained by them as a result of negligence on the part of the employees of the United States in the operation of an Army truck when it struck the vehicle in which they were passengers, near Linden, New Jersey, on June 5, 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 5, 1936.

[CHAPTER 316.]

AN ACT

For the relief of Captain Chester Gracie.

May 5, 1936.
[H. R. 4779.]
[Private, No. 512.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $281.83 to Captain Chester Gracie, in full settlement of all claims of said Captain Chester Gracie against the Government of the United States for damage to his Paige automobile, resulting from a collision on November 22, 1919, between said Paige automobile, which was being driven in a lawful manner, and a truck owned by the War Department of the United States Government, which was being operated in a reckless and negligent manner by Elias Hanna, a private in the United States Army: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Captain Chester Gracie.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 5, 1936.

[CHAPTER 317.]

AN ACT

For the relief of the Moffat Coal Company.

May 5, 1936.
[H. R. 4951.]
[Private, No. 513.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the claim of the Moffat Coal Company under contract W–503–qm–7256, dated May 23, 1930, for the delivery of certain coal to the Fitzsimons General Hospital and which contract was canceled after part performance due to the substitution of gas as fuel at the hospital. There is authorized to be allowed not exceeding $1,332.96 in full and final settlement of all claims arising under or by reason of the contract, and an appropriation is hereby made out of any money in the Treasury not otherwise appropriated of a sum not to exceed $1,332.96 for payment of the claim: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Moffat Coal Company.
Adjustment of claim authorized.

Appropriation.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 5, 1936.

[CHAPTER 318.]

May 5, 1936.
[H. R. 7253.]
[Private, No. 514.]

AN ACT

For the relief of James Murphy Morgan and Blanche Copelan.

James Murphy Morgan and Blanche Copelan.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James Murphy Morgan, of Miami, Arizona, the sum of $10,000, and to Blanche Copelan, of Claypool, Arizona, the sum of $750. Such sums shall be in full settlement of all claims against the United States for permanent personal injuries, medical expenses, property damage, and loss of wages sustained by the said James Murphy Morgan and Blanche Copelan when they were injured in an automobile collision with a United States owned truck (Civilian Conservation Corps truck) near Claypool, Gila County, Arizona, on November 18, 1934: *Provided*, That no part of the amounts appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 5, 1936.

[CHAPTER 319.]

May 5, 1936.
[H. R. 7468.]
[Private, No. 515.]

AN ACT

For the relief of Izelda Boisoneau.

Izelda Boisoneau.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $4,000 to Izelda Boisoneau, of Mellen, Ashland County, Wisconsin, mother of Eugene Boisoneau, in full settlement of all claims against the United States for the death of her son, who was killed because of mistaken identity by Government agents on April 22, 1934, in their endeavor to apprehend one John Dillinger and his associates: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 5, 1936.

[CHAPTER 320.]

AN ACT

For the relief of Nahwista Carr Bolk.

May 5, 1936.
[H. R. 8088.]
[Private, No. 516.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the account of Henry H. Carr, deceased, former postmaster at Popejoy, Iowa, with $15.62. There is furthermore hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $82.07, $64.20 of which shall be paid to Nahwista Carr Bolk by the Comptroller General, for services rendered by her as acting postmaster of Popejoy, Iowa, between December 26, 1933, and February 6, 1934, inclusive, and $17.87 of which shall be credited to the account of said post office by the Comptroller General, covering a balance due the United States from January 1 to February 6, 1934.

Henry H. Carr.
Credit in accounts of.

Nahwista Carr Bolk.
Payment to.

Amount credited to post office.

Approved, May 5, 1936.

[CHAPTER 321.]

AN ACT

For the relief of Foot's Transfer and Storage Company, Limited.

May 5, 1936.
[H. R. 9208.]
[Private, No. 517.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Foot's Transfer and Storage Company, Limited, the sum of $450. The payment of such sum shall be in full satisfaction of all claims of such company against the United States for compensation for the handling of additional mails through the San Pedro (California) Post Office by reason of the longshoremen's and seamen's strike during 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Foot's Transfer and Storage Company, Limited.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 5, 1936.

[CHAPTER 341.]

AN ACT

For the relief of Doris Lipscomb.

May 6, 1936.
[H. R. 4953.]
[Private, No. 518.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Doris Lipscomb, of Denver, Colorado, the sum of $1,500, in full settlement of all claims against the United States for personal injuries incurred in a collision with a Government truck at Denver, Colorado,

Doris Lipscomb.
Payment to.

Proviso. Limitation on attorney's, etc., fees.

on April 28, 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, May 6, 1936.

[CHAPTER 342.]

May 6, 1936.
[H. R. 4999.]
[Private, No. 519.]

AN ACT

For the relief of Marie Linsenmeyer.

Marie Linsenmeyer. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Marie Linsenmeyer, out of any money in the Treasury not otherwise appropriated, the sum of $112.50 in full settlement of all claims against the Government on account of personal injuries received by the said Marie Linsenmeyer on the 18th day of December 1930, at the post-office building at Burlington, Des Moines County, Iowa: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 6, 1936.

[CHAPTER 343.]

May 6, 1936.
[H. R. 5625.]
[Private, No. 520.]

AN ACT

For the relief of Sperry Gyroscope Company, Incorporated, of New York.

Sperry Gyroscope Company, Incorporated. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,833.77 in full settlement of all claims against the Government of the United States, to the Sperry Gyroscope Company, Incorporated, on remission of liquidated damages under contracts numbered NOs–11163 and NOs–12737, covering self-synchronous gyrocompass course recorders and for alidades furnished the Brooklyn Navy Yard: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the

Proviso. Limitation on attorney's, etc., fees.

amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000. Penalty for violation.

Approved, May 6, 1936.

[CHAPTER 344.]

AN ACT

For the relief of Elizabeth Wyhowski, mother and guardian of Dorothy Wyhowski.

May 6, 1936.
[H. R. 5827.]
[Private, No. 521.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to Elizabeth Wyhowski, mother and guardian of Dorothy Wyhowski, out of any money in the Treasury not otherwise appropriated, the sum of $2,000 in full satisfaction of all claims against the United States on account of injuries sustained on October 26, 1932, when she was struck by a United States mail truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Elizabeth Wyhowski.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 6, 1936.

[CHAPTER 345.]

AN ACT

For the relief of Hugh B. Curry.

May 6, 1936.
[H. R. 5874.]
[Private, No. 522.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $92.60 to Hugh B. Curry, Cottonwood, Arizona, in full settlement of all claims against the Government of the United States, for services rendered as an employee of the National Park Service, from October 1 to 24, 1933, inclusive: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Hugh B. Curry.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 6, 1936.

[CHAPTER 346.]

AN ACT

May 6, 1936.
[H. R. 5974.]
[Private, No. 523.]

For the relief of Thelma L. Edmunds, Mrs. J. M. Padgett, Myrtis E. Posey, Mrs. J. D. Mathis, Senior, Fannie Harrison, Annie R. Colgan, and Grace Whitlock.

Thelma L. Edmunds, and others. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $35 to Thelma L. Edmunds; $40 to Mrs. J. M. Padgett; $35 to Myrtis E. Posey; $35 to Mrs. J. D. Mathis, Senior; $25 to Fannie Harrison; $22 to Annie R. Colgan; and $45 to Grace Whitlock, which sums will represent full and final settlement of all claims against the United States for losses of their personal property destroyed on the night of March 11, 1934, when fire destroyed Federal Civil Works Administration sewing room at Trenton, Edgefield County, South Carolina: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 6, 1936.

[CHAPTER 347.]

AN ACT

For the relief of Edgar H. Taber.

May 6, 1936.
[H. R. 1963.]
[Private, No. 524.]

Edgar H. Taber. Military record corrected.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Edgar H. Taber, late staff sergeant of the Eighty-eighth Aero Squadron of the Air Service, United States Army, shall hereafter be held and considered to have been honorably discharged March 30, 1921, from the military service of the United States, on account of physical disability: *Provided*, That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this Act.

Proviso. No prior benefits, etc.

Approved, May 6, 1936.

[CHAPTER 348.]

AN ACT

For the relief of J. H. Taylor and Son.

May 6, 1936.
[H. R. 2936.]
[Private, No. 525.]

J. H. Taylor and Son. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $3,500 in full settlement of all claims against the Government of the United States of J. H. Taylor and Son, said sum representing a deduction by the Comptroller General of the United States from the contract price for the purchase of the Atlanta

(Georgia) post-office building site: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 6, 1936.

[CHAPTER 349.]

AN ACT

For the relief of Anchorage Commercial Company, Incorporated.

May 6, 1936. [H. R. 4159.] [Private, No. 526.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized and directed to pay to Anchorage Commercial Company, Incorporated, a corporation organized and existing under the laws of the Territory of Alaska, out of balances of the appropriations "Education of natives of Alaska, 1927–28" and "Education of natives of Alaska, 1928–29", which balances have heretofore been carried to the surplus fund of the Treasury, the sum of $307.21 in full satisfaction of all claims against the United States on account of services rendered and materials and supplies furnished to the United States Indian Industrial School situated at Eklutna, Alaska, between August 11, 1927, and June 30, 1929: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Anchorage Commercial Company, Incorporated. Payment to.

Vol. 44, pp. 491, 967.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 6, 1936.

[CHAPTER 350.]

AN ACT

For the relief of Preston Brooks Massey.

May 6, 1936. [H. R. 6520.] [Private, No. 527.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Preston Brooks Massey, the sum of $2,000 in full satisfaction of his claim against the United States for damages for personal injuries received by him on September 25, 1919, as the result of the explosion of a detonator which had been left by troops of the United States Army near the home of the said Preston Brooks Massey, located in Muscogee County,

Preston Brooks Massey. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Georgia: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, May 6, 1936.

[CHAPTER 351.]

May 6, 1936.
[H. R. 6599.]
[Private, No. 528.]

AN ACT

For the relief of Florence Helen Klein, a minor.

Florence Helen Klein. Payment to guardian of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Florence Helen Klein, a minor, of Pittsburgh, Pennsylvania, the sum of $3,000, in full settlement of all claims against the United States for personal injuries sustained by her on October 10, 1933, when she was struck by a United States mail truck, out of control, in a vacant lot on South Side Avenue, Pittsburgh, Pennsylvania: *Provided*, That of any amounts expended by said legal guardian in behalf of such minor child there shall be paid all medical and necessary expenses arising out of the injuries sustained by her: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Provisos. Medical, etc., expenses.

Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 6, 1936.

[CHAPTER 352.]

May 6, 1936.
[H. R. 6669.]
[Private, No. 529.]

AN ACT

For the relief of Mrs. Earl Poynor.

Mrs. Earl Poynor. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Earl Poynor, Salmon, Idaho, the sum of $50. Such sum shall be in full settlement of all claims against the United States for damages sustained by the said Mrs. Earl Poynor on account of personal injuries received on December 4, 1933, when the car in which she was riding on the Shoup-Northfork Road, near Salmon, Idaho, was struck by a Government truck in the service of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful

Proviso. Limitation on attorney's, etc., fees.

for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, May 6, 1936.

[CHAPTER 353.]

AN ACT

For the relief of Mae C. Tibbett, administratrix.

May 6, 1936.
[H. R. 6698.]
[Private, No. 530.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to Mae C. Tibbett, administratrix of the estate of Leslie L. Tibbett, deceased, in full settlement of all claims against the United States as a result of a United States mail truck running over and killing said Leslie L. Tibbett while he was attempting to cross Plume Street at its intersection with Bank Street in the city of Norfolk, Virginia, on the afternoon of September 19, 1930: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Leslie L. Tibbett.
Payment to estate of.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 6, 1936.

[CHAPTER 354.]

AN ACT

For the relief of Alfred J. White, M. J. Banker, and Charlyn DeBlanc.

May 6, 1936.
[H. R. 6821.]
[Private, No. 531.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alfred J. White, of Addis, Louisiana, the sum of $204.65; to M. J. Banker, of Mark, Louisiana, the sum of $240; and to Charlyn DeBlanc, of Addis, Louisiana, the sum of $8; in all, $452.65, in full settlement of their claims against the United States for injuries received and losses sustained as a result of being run into by a motor truck of the United States Engineer Office, Second New Orleans District, New Orleans, Louisiana, on May 13, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Alfred J. White, M. J. Banker, and Charlyn DeBlanc.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 6, 1936.

[CHAPTER 355.]

May 6, 1936.
[H. R. 6828.]
[Private, No. 532.]

AN ACT

For the relief of George H. Smith.

George H. Smith. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized and directed to pay out of the appropriation "Pay of the Navy, 1936", to George H. Smith, of Rabun County, Georgia, father of the late Theodore Ray Smith, fireman, second class, United States Navy, the sum of $324, in full settlement of his claim against the United States for six months' pay at the rate said Theodore Ray Smith was receiving at the date of his death: *Provided*, That said George H. Smith shows to the satisfaction of the Secretary of the Navy that he was actually dependent on his son, Theodore Ray Smith, at the time of the latter's death, and that the determination of such dependency by the Secretary of the Navy shall be final and conclusive upon the accounting officers of the Government.

Ante, p. 407.

Proviso. Dependency to be established.

Approved, May 6, 1936.

[CHAPTER 356.]

May 6, 1936.
[H. R. 6996.]
[Private, No. 533.]

AN ACT

For the relief of Frank Rottkamp.

Frank Rottkamp. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank Rottkamp the sum of $600 in full settlement of all claims against the Government of the United States for personal injuries caused as the result of dynamite blasting at Bethpage State Park, Long Island, New York, on February 19, 1934, on a works project employing Civil Works Administration employees, said injuries to Frank Rottkamp resulting from the failure of the Civil Works Administration employees to indicate properly the danger zone in the blasting operations: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 6, 1936.

[CHAPTER 357.]

May 6, 1936.
[H. R. 7031.]
[Private, No. 534.]

AN ACT

For the relief of Georgiana Minnigerode, widow of Captain Karl Minnigerode.

Georgiana Minnigerode. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Georgiana Minnigerode, widow of the late Captain Karl Minnigerode, the sum of $526.60 in full settlement of all claims against the

United States for personal effects of said Captain Karl Minnigerode lost in a fire at Camp Whitnall Park, Hales Corner, Wisconsin, on September 20, 1933, and where he had been assigned to duty by the War Department: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 6, 1936.

[CHAPTER 358.]

AN ACT

For the relief of Mariano Biondi.

May 6, 1936. [H. R. 7529.] [Private, No. 535.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mariano Biondi, of New York City, the sum of $350 in full settlement of all claims against the United States for injuries sustained when run down by a United States mail autotruck on October 19, 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mariano Biondi. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 6, 1936.

[CHAPTER 359.]

AN ACT

For the relief of Mrs. J. A. Joullian.

May 6, 1936. [H. R. 7861.] [Private, No. 536.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. J. A. Joullian, Ocean Springs, Mississippi, the sum of $1,315.72 in full satisfaction of her claim against the United States for the value of services rendered and work performed by her now-deceased husband, J. A. Joullian, under a contract entered into during January 1926 with the Army engineers for the drilling of a well on the United States Reservation, Pascagoula, Mississippi: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this

Mrs. J. A. Joullian. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved, May 6, 1936.

[CHAPTER 360.]

May 6, 1936.
[H. R. 7867.]
[Private, No. 537.]

AN ACT

For the relief of Adolph Micek, a minor.

Adolph Micek.
Payment to guardian of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Adolph Micek, a minor, of Independence, Trempealeau County, Wisconsin, the sum of $2,500, in full settlement of his claim against the United States for personal injuries received, caused by the negligence of officers and agents of the Federal Civil Works Administration in failing to remove from certain school property in Trempealeau County, Wisconsin, certain explosives which caused personal injury to Adolph Micek, on or about January 18, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 6, 1936.

[CHAPTER 361.]

May 6, 1936.
[H. R. 7963.]
[Private, No. 538.]

AN ACT

For the relief of J. Edwin Hemphill

J. Edwin Hemphill.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. Edwin Hemphill, Petersburg, Virginia, the sum of $1,521.29. Such sum shall be in full settlement of all claims against the United States on account of injuries sustained by the said J. Edwin Hemphill when he was struck by an iron door stop as he entered the post-office building in Petersburg, Virginia, on January 31, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 6, 1936.

[CHAPTER 362.]

AN ACT

For the relief of Louis George.

May 6, 1936.
[H. R. 8113.]
[Private, No. 539.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Louis George, of Chicago, Illinois, the sum of $1,000. Such sum shall be in full settlement of all claims against the United States for loss sustained by the said Louis George on account of forfeiture to the United States, on or about August 31, 1926, of a delivery bond executed by him to secure the appearance of Andreas Janon an alien, who, having failed to appear as required by such bond, was thereafter apprehended and deported through the efforts of said Louis George and without cost to the Government: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Louis George.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 6, 1936.

[CHAPTER 363.]

AN ACT

For the relief of John A. Baker.

May 6, 1936.
[H. R. 8486.]
[Private, No. 540.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John A. Baker, of the city of Erwin, Tennessee, the sum of $150 in full settlement of all claims against the United States for rental due for the use of a rock crusher by the Civil Works Administration on a road project in the Unaka National Forest, Unicoi County, Tennessee, for the period February 24 to June 1, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

John A. Baker.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 6, 1936.

[CHAPTER 364.]

May 6, 1936.
[H. R. 8510.]
[Private, No. 541.]

AN ACT

For the relief of John Hurston.

John Hurston.
Payment to guardian of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of John Hurston, La Fayette, Georgia, the sum of $1,500 in full settlement of all claims against the Government for damages sustained by said John Hurston on account of injuries received when stricken by a truck of the Civilian Conservation Corps being negligently operated near Dayton, Tennessee, on May 8, 1935:

Proviso.
Limitation on attorney's, etc., fees.

Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, May 6, 1936.

[CHAPTER 365.]

May 6, 1936.
[H. R. 8706.]
[Private, No. 542.]

AN ACT

For the relief of Frank Polansky.

Frank Polansky.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank Polansky, of the city of Ontario, California, the sum of $1,525.10 in full settlement of all claims against the Government of the United States for all injuries and property damage sustained by him on April 1, 1934, when an automobile in which he was riding was in collision with a United States Government truck being carelessly and negligently operated by a member of the Civilian Conservation Corps:

Proviso.
Limitation on attorney's, etc., fees.

Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, May 6, 1936.

[CHAPTER 366.]

May 6, 1936.
[H. R. 9190.]
[Private, No. 543.]

AN ACT

For the relief of J. P. Moore.

J. P. Moore.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. P. Moore, Amarillo, Texas, the sum of $200. The payment of such sum shall be in full settlement of all claims against the United

States for damages sustained by the said J. P. Moore on account of personal injuries received by his minor son, George Thomas Moore, who was hit on November 25, 1933, by a Government-owned bus in the service of the Bureau of Mines, Department of the Interior: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 6, 1936.

[CHAPTER 367.]

AN ACT

For the relief of Harry Wallace.

May 6, 1936. [H. R. 10991.] [Private, No. 544.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to Harry Wallace, of Polkadotte, Ohio, in full satisfaction of all claims against the Government of the United States for permanent injuries sustained and for medical and hospital expenses incurred by him and for the destruction of his automobile on September 29, 1934, when the automobile in which he was riding and which belonged to him was struck and completely demolished by a Government automobile truck operated by one of the employees of and in connection with the Civilian Conservation Corps stationed at Camp Dean, Lawrence County, Ohio, for which said automobile truck was at that time being used on official business and being operated on State Highway Numbered 141, in Lawrence County, Ohio, near Ironton, Ohio: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Harry Wallace. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 6, 1936.

[CHAPTER 368.]

AN ACT

For the relief of Mary Hemke.

May 6, 1936. [H. R. 11486.] [Private, No. 545.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is authorized and directed to credit the account of Edward Hemke, deceased, former postmaster at Weisburg, Indiana, in the sum of $101.01 withheld from the

Edward Hemke (deceased). Credit allowed in postal accounts of.

receipts of the office by Mary Hemke, widow of the said Edward Hemke, who, without prior designation by the Postmaster General, performed the duties of postmaster at the post office at Weisburg from January 8, 1933, the day after the death of said Edward Hemke, to May 10, 1933, both dates inclusive, such sum representing the amount of compensation which Mary Hemke would have been entitled to receive had she been regularly designated as acting postmaster for such period.

Approved, May 6, 1936.

[CHAPTER 369.]

AN ACT

May 6, 1936.
[H. R. 11573.]
[Private, No. 546.]

To amend the Act entitled "An Act for the relief of certain purchasers of lands in the Borough of Brooklawn, State of New Jersey", approved August 19, 1935.

Brooklawn, N. J.
Ante, p. 2147.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act entitled "An Act for the relief of certain purchasers of lands in the Borough of Brooklawn, State of New Jersey", approved August 19, 1935, is amended to read as follows:

Refunds to certain purchasers of lands.

"That the United States Shipping Board Bureau is authorized and directed to make refunds to present owners of lands in the Borough of Brooklawn, in the State of New Jersey, which have been purchased from the United States, of 14 per centum of the purchase price of such purchased lands where the full purchase price of said lands or where the full amount of principal due on purchase money bonds and mortgages given to the United States of America, represented by the United States Shipping Board, covering such lands, has been paid by such owners into the Treasury of the United States, prior to November 1, 1931."

Funds available.

SEC. 2. The appropriation made in section 2 of such Act approved August 19, 1935, shall be available for making refunds under such Act of August 19, 1935, as amended by this Act.

Approved, May 6, 1936.

[CHAPTER 372.]

AN ACT

May 7, 1936.
[H. R. 5491.]
[Private, No. 547.]

For the relief of the Bethlehem Fabricators, Incorporated.

Bethlehem Fabricators, Incorporated.
Claim of, submitted to Court of Claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Bethlehem Fabricators, Incorporated, a corporation organized and existing under the laws of the State of Pennsylvania, and having its principal place of business at Bethlehem, Pennsylvania, is hereby authorized to bring suit against the United States of America in the Court of Claims to recover damages or compensation for any loss or losses which it may have suffered by reason of any work done, or moneys expended, in performing or attempting to perform any contract, formal or informal, or otherwise, with the United States Shipping Board or Emergency Fleet Corporation; or moneys expended or expenses incurred at the request of the officers of said United States Shipping Board or said Emergency Fleet Corporation, including unabsorbed overhead and cost of plant extension, and damages suffered by reason of the cancelation of any contract.

Jurisdiction conferred.

Jurisdiction is hereby conferred upon the Court of Claims of the United States to hear, consider, and determine such action upon its merits and according to the equities of the case with the view of

reimbursing the claimant for any losses or damages sustained in the matters aforesaid, and, notwithstanding section 156 of the Judicial Code or the lapse of time, to enter a decree or judgment against the United States for the amount of such damages as may be found due to said Bethlehem Fabricators, Incorporated.

Statute of limitation waived.
Vol. 36, p. 1139.
U. S. C., p. 1263.

Approved, May 7, 1936.

[CHAPTER 373.]

AN ACT

For the relief of Edgar M. Barber, special disbursing agent, Paris, France, and Leo Martinuzzi, former customs clerk.

May 7, 1936.
[H. R. 9380.]
[Private, No. 548.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the account of Edgar M. Barber, special disbursing agent, Paris, France, with the sum of $51.25, and the account of Leo Martinuzzi, former customs clerk, with the sum of $274.50, representing the amount of payment heretofore disallowed by the Comptroller General covering expenses incident to travel of Mr. Martinuzzi from New York City to Cherbourg, France, during the period March 1 to 8, 1930, while en route to his official station at Florence, Italy, in accordance with Treasury Department instructions directing and authorizing him to return to Europe by the first available steamer.

Edgar M. Barber and Leo Martinuzzi.
Credit allowed in accounts of.

Approved, May 7, 1936.

[CHAPTER 375.]

AN ACT

For the relief of Bernard V. Wolfe and the Dixon Implement Company.

May 8, 1936.
[H. R. 3673.]
[Private, No. 549.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Bernard V. Wolfe the sum of $2,500 for permanent personal injuries, and to the Dixon Implement Company the sum of $119.33 for damage to its tractor, in full settlement of all claims against the United States for such injuries and damage sustained when said tractor, driven by Bernard V. Wolfe, was struck by an airplane owned by the United States, and operated by an employee of the Department of Commerce, at the Dixon (Illinois) Airport, on September 17, 1930: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Bernard V. Wolfe and the Dixon Implement Company.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 8, 1936.

[CHAPTER 378.]

May 11, 1936.
[S. 2517.]
[Private, No. 550.]

AN ACT

To provide for the advancement on the retired list of the Navy of Walter M. Graesser, a lieutenant (junior grade), United States Navy, retired.

Navy.
Walter M. Graesser advanced to rank of lieutenant on retired list.
Proviso.
No increase in retired pay, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the date of enactment of this Act Walter M. Graesser, lieutenant (junior grade), United States Navy, retired, shall have the rank of a lieutenant on the retired list of the United States Navy: *Provided*, That the said Walter M. Graesser shall not receive any increase in retired pay, allowances, or other benefits, as a result of the passage of this Act.

Approved, May 11, 1936.

[CHAPTER 379.]

May 12, 1936.
[S. 3516.]
[Private, No. 551.]

AN ACT

For the relief of Alice D. Hollis.

Alice D. Hollis.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alice D. Hollis, widow of William Stanley Hollis, late a consul general of the United States, the sum of $7,000, such sum representing one year's salary of her deceased husband who died while in the Foreign Service.

Approved, May 12, 1936.

[CHAPTER 380.]

May 12, 1936.
[S. 4135.]
[Private, No. 552.]

AN ACT

For the relief of Helen Curtis.

Helen Curtis.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Helen Curtis, widow of James L. Curtis, late American Minister to Liberia, the sum of $5,000, equal to one year's salary of her deceased husband.

Approved, May 12, 1936.

[CHAPTER 388.]

May 13, 1936.
[S. 3769.]
[Private, No. 553.]

AN ACT

For the relief of Marcellus E. Wright and Lee, Smith and Vandervoort, Incorporated.

Marcellus E. Wright and Lee, Smith and Vandervoort, Incorporated.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Marcellus E. Wright and Lee, Smith and Vandervoort, Incorporated, associate architects, of Richmond, Virginia, the sum of $13,952.50 in full settlement of their claims against the Government of the United States as architects and for engineering services rendered during the year 1933 and up to and including December 31, 1934, in connection with the erection of the Parcel Post Building

at Richmond, Virginia: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 13, 1936.

[CHAPTER 389.]

AN ACT

For the relief of Josephine Russell.

May 13, 1936. [S. 4416.] [Private, No. 554.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Employees' Compensation Commission be, and it is hereby, authorized and directed to receive and determine the claim of Josephine Russell for disability resulting from injuries sustained by her on or about June 19, 1933, while employed by the Bureau of Indian Affairs, Department of the Interior, as a nurse in the Pine Ridge Hospital, Pine Ridge, South Dakota, under the provisions of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, except that the time limitation in sections 15 and 20, inclusive, of said Act are hereby waived: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Josephine Russell. Provisions of Employees' Compensation Act extended to.

Vol. 39, p. 746. U. S. C., p. 98. Time limitation waived.

Proviso. No prior benefits.

Approved, May 13, 1936.

[CHAPTER 408.]

AN ACT

Authorizing the President to present a medal in the name of Congress to Johannes F. Jensen.

May 15, 1936. [S. 158.] [Private, No. 555.]

Be it enacted by the Senate and House of Representatives of the United States of Ameirca[1] *in Congress assembled*, That the President of the United States is hereby authorized to present, in the name of Congress, to Johannes F. Jensen, lieutenant commander, United States Naval Reserve, a medal of appropriate design in recognition of his heroic conduct on October 28, 1917, when, as acting master of the Finland, a United States Army chartered transport, he was largely responsible for the saving of that ship and its being brought safely into port after being torpedoed.

Johannes F. Jensen. Presentation of medal to, authorized.

Approved, May 15, 1936.

[CHAPTER 409.]

AN ACT

For the relief of Louis H. Cordis.

May 15, 1936. [S. 1075.] [Private, No. 556.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the requirements of sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in the case of Louis H. Cordis of Portland, Oregon, formerly

Louis H. Cordis. Disability claim of, to be considered. Designated provisions of Employees' Compensation Act waived. Vol. 39, p. 746; U. S. C., p. 100.

[1] So in original.

employed as a deckhand on the United States dredge Clatsop, and the United States Employees' Compensation Commission is authorized and directed to consider and act upon any claim filed by him under the provisions of such Act, as amended, within six months after the date of enactment of this Act, for compensation for disability resulting from injuries received by him on September 15, 1928, while cleaning, in the performance of his duties as such employee, certain sand chutes: *Provided*, That compensation, if any, shall be paid from and after the date of enactment of this Act.

Proviso.
No prior benefits.

Approved, May 15, 1936.

[CHAPTER 410.]

May 15, 1936.
[S. 3241.]
[Private, No. 557.]

AN ACT

Authorizing adjustment of the claims of F. L. Forbes, John L. Abbot, and the Ralph Sollitt and Sons Construction Company.

F. L. Forbes, and others.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to settle and adjust the claims of F. L. Forbes for $1,035.30 as amount of judgment and costs in his favor, in the United States District Court at Lynchburg, Virginia, against Ralph Sollitt and Sons Construction Company, contractor for the construction of a Government building under contract Tisa–3198, dated May 26, 1932, concerning a party wall; a claim of John L. Abbot for $350 as attorney's fees for assisting in the defense of Ralph Sollitt and Sons Construction Company in such suit; and the claim of Ralph Sollitt and Sons Construction Company for a balance of $248.30 on account of its costs in connection with the matter, and to allow said amounts in full and final settlement of their respective claims. There is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $1,633.60, or so much thereof as may be necessary, for the payment of said claims: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 15, 1936.

[CHAPTER 411.]

May 15, 1936.
[S. 3460.]
[Private, No. 558.]

AN ACT

To authorize the Secretary of the Interior to ascertain the persons entitled to compensation on account of Private Claim 111, Parcel 1, Nambe Pueblo grant.

Nambe Pueblo grant, N. Mex.
Persons entitled to participate in award to be ascertained.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to find and determine the person or persons entitled to participate in the award of the Pueblo Lands Board in Private Claim 111, Parcel 1, Nambe Pueblo grant. The finding of the Secretary of the Interior shall be final and conclusive, and the person or persons so found entitled shall be compensated out of the appropriations authorized by section 3 of the Act of May 31, 1933 (48 Stat. L., 108–109).

Compensation.
Vol. 48, p. 109.

Approved, May 15, 1936.

[CHAPTER 412.]

AN ACT

Authorizing adjustment of the claim of the Texas Pacific-Missouri Pacific Terminal Railroad of New Orleans.

May 15, 1936.
[S. 3544.]
[Private, No. 559.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to settle and adjust the claim of the Texas Pacific-Missouri Pacific Terminal Railroad of New Orleans for reimbursement of its expenditures for labor, material, and rental of equipment in repairing the damage to its car-ferry incline tracks located at Gouldsboro, Louisiana, within the limits of the New Orleans Harbor, which were damaged on September 18, 1931, by the sinking thereon of a concrete bank-protection mattress during the Government's construction operations under an approved project for revetment work within the limits of New Orleans Harbor, and to allow in full and final settlement of said claim not to exceed the sum of $1,440.75. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $1,440.75, or so much thereof as may be necessary to pay said claim: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Texas Pacific-Missouri Pacific Terminal Railroad of New Orleans.
Adjustment, etc., of claim.

Appropriation.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 15, 1936.

[CHAPTER 413.]

AN ACT

For the relief of Dampskib Aktieselshap Roskva.

May 15, 1936.
[S. 3645.]
[Private, No. 560.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,999.38, or so much more or less as might be required to purchase exchange not to exceed the amount of £399 17s. 6d., to Dampskib Aktieselshap Roskva, of Oslo, Norway, owners of the steamship Roskva, in full and final settlement of all claims whatsoever against the United States for damages to the Roskva arising from the collision between that vessel and the United States Army tug Amackassin on January 14, 1919, at Brest, France: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Dampskib Aktieselshap Roskva.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 15, 1936.

[CHAPTER 414.]

May 15, 1936.
[S. 3685.]
[Private, No. 561.]

AN ACT

For the relief of George Rabcinski.

George Rabcinski. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George Rabcinski, former private, Company E, Three Hundred and Fifty-ninth Infantry, the sum of $140.37, in full satisfaction of his claim against the United States for the par value of one Second Liberty Loan bond together with interest which had accrued prior to its call, and for which he has paid the United States by deduction from his pay as an enlisted man, and which bond was erroneously delivered to persons unknown and not designated by him to receive it: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 15, 1936.

[CHAPTER 415.]

May 15, 1936.
[S. 3747.]
[Private, No. 562.]

AN ACT

For the relief of Maizee Hamley.

Maizee Hamley. Credit for dual compensation allowed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit to Maizee Hamley, staff nurse in the Kiowa Agency, Anadarko, Oklahoma, for the amount of $946.70 received as dual compensation for the period July 1, 1928, to September 30, 1932, while employed as nurse and postmistress at the Havasupai Agency, Supai, Arizona, in contravention of the Act of May 10, 1916, as amended (39 Stat. 120, 582), which prohibits payment of more than one salary, when the combined amounts of such salaries exceed the rate of $2,000 per annum.

Vol. 39, p. 582. U. S. C., p. 39.

Approved, May 15, 1936.

[CHAPTER 416.]

May 15, 1936.
[S. 3839.]
[Private, No. 563.]

AN ACT

For the relief of Randall Krauss, a minor.

Randall Krauss. Monthly payments to guardian of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Randall Krauss, a minor, of Yakima, Washington, the sum of $60 per month until he attains the age of twenty-one, in full satisfaction of his claims against the United States for

the death of his father, mother, and sister, who were killed when struck by a United States Army airplane which crashed at Griffith Park, California, on June 20, 1935: *Provided*, That payments hereunder shall begin on the first calendar day of the month following the approval of this Act: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Provisos. Effective date.

Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 15, 1936.

[CHAPTER 417.]

AN ACT

For the relief of Ann Rakestraw.

May 15, 1936. [S. 3932.] [Private, No. 564.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ann Rakestraw the sum of $3,500 in full and final settlement of any and all claims against the Government for personal injuries suffered by her when the automobile in which she was riding was struck by a Navy ambulance on September 13, 1935, at the intersection of Twenty-second and M Streets Northwest, Washington, District of Columbia: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Ann Rakestraw. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 15, 1936.

[CHAPTER 418.]

AN ACT

For the relief of J. L. Summers.

May 15, 1936. [S. 4447.] [Private, No. 565.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of J. L. Summers, formerly disbursing clerk of the Treasury Department, for the sum of $38.12, being the amount disallowed on voucher 11557 in the June 1934 cash account of said disbursing clerk.

J. L. Summers. Credit allowed in accounts of.

Approved, May 15, 1936.

[CHAPTER 419.]

AN ACT

May 15, 1936.
[H. R. 3823.]
[Private, No. 566.]

For the relief of the parents of Albert Thesing, Junior.

Albert Thesing, Junior.
Payment to parents of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the parents of Albert Thesing, Junior, Rochester, New York, the sum of $2,500, in full settlement of all claims against the Government of the United States for the death of the said Albert Thesing, resulting from an explosion and fire, caused by agents of the Bureau of Prohibition during a raid in the city of Rochester, July 7, 1933:

Proviso.
Limitation on attorney's, etc., fees.

Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding.

Penalty for violation.

Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved, May 15, 1936.

[CHAPTER 426.]

AN ACT

May 18, 1936.
[H. R. 12183.]
[Private, No. 567.]

For the relief of Gladys Hinckley Werlich.

Gladys Hinckley Werlich.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Gladys Hinckley Werlich, widow of McCeney Werlich, late a Foreign Service officer of the United States at Paris, France, the sum of $4,100, being one year's salary of her deceased husband who died while in the Foreign Service; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purposes of this Act.

Approved, May 18, 1936.

[CHAPTER 429.]

AN ACT

May 19, 1936.
[S. 427.]
[Private, No. 568.]

Authorizing the reimbursement of Edward B. Wheeler and the State Investment Company for the loss of certain lands in the Mora Grant, New Mexico.

Edward B. Wheeler and the State Investment Company.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edward B. Wheeler, of Las Vegas, New Mexico, and the State Investment Company, of New Mexico, who were declared by the Supreme Court of the United States (United States against State Investment Company (1924), 264 U. S. 206) to be the owners, respectively, of certain lands in the tract known as the Mora Grant, located in San Miguel and Mora Counties, New Mexico, an amount to be computed by the Secretary on the basis of $2.20 per acre for every acre of lands embraced within the claim of any bona fide entryman on such lands holding under patent from the United States or under

any entry allowed by the Department of the Interior, the recovery of which lands by the said Edward B. Wheeler and the State Investment Company is barred by the stipulation entered into between such parties and the United States on January 23, 1918. Such payment shall operate as a full settlement of all claims of such Edward B. Wheeler and the State Investment Company against the United States or the owners of such lands for damages for the loss of such lands.

Payment deemed full settlement.

Approved, May 19, 1936.

[CHAPTER 430.]

AN ACT

For the relief of Mrs. E. L. Babcock, mother and guardian of Nelson Babcock, a minor.

May 19, 1936.
[H. R. 2119.]
[Private, No. 569.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the sum of $58 to Mrs. E. L. Babcock, the mother and natural guardian of Nelson Babcock, a minor, in full settlement of all claims of said guardian and minor against the Government of the United States for injuries received by him on the 25th day of December 1928 when an automobile, being driven by him in a lawful manner, was run into and damaged by a truck owned by the Navy Department of the United States, then and there being operated by one Leonard Driscoll, an employee of the United States Navy, in a negligent and reckless manner: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mrs. E. L. Babcock. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 19, 1936.

[CHAPTER 431.]

AN ACT

For the relief of Joseph J. Baylin.

May 19, 1936.
[H. R. 8089.]
[Private, No. 570.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Joseph J. Baylin, of Baltimore, Maryland, out of any money in the Treasury not otherwise appropriated and in full settlement of all claims against the United States, the sum of $1,000, which sum was forfeited to the United States by Joseph J. Baylin on the bail bond of Berkely Morseberger, afterward produced in court through the efforts of said Joseph J. Baylin: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents,

Joseph J. Baylin. Payment to.

Proviso. Limitation on attorney's, etc., fees.

attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, May 19, 1936.

[CHAPTER 436.]

AN ACT

May 20, 1936.
[H. R. 9373.]
[Private, No. 571.]

For the relief of H. L. and J. B. McQueen, Incorporated, and John L. Summers, former disbursing clerk, Treasury Department.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of the Act of March 1, 1919 (40 Stat. 1270), and the Act of February 28, 1929 (45 Stat. 1400), the Comptroller General of the United States be, and he is hereby, authorized and directed to settle and adjust the claim of H. L. and J. B. McQueen, Incorporated, not exceeding $86, for printing services performed during September 1934 for the Soil Erosion Service, for the dissemination of information at A Century of Progress Exposition, Chicago, Illinois. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $86, or so much thereof as may be necessary for the payment of said claim.

H. L. and J. B. McQueen, Incorporated.
Settlement of claim of, authorized.
Vol. 40, p. 1270; Vol. 45, p. 1400.

Appropriation.

SEC. 2. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of John L. Summers, former disbursing clerk, Treasury Department, with the sum of $18.50, representing the amount paid by him to H. L. and J. B. McQueen, Incorporated, for printing services performed for the Soil Erosion Service, which payment has heretofore been disallowed by the Comptroller General: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

John L. Summers.
Credit allowed in accounts of.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 20, 1936.

[CHAPTER 437.]

AN ACT

May 20, 1936.
[H. R. 9455.]
[Private, No. 572.]

For the relief of Robert J. Mann.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Robert J. Mann, of Waukesha, Wisconsin, the sum of $90. The payment of such sum shall be in full settlement of all claims against the United States on account of the slaughter, prior to their registration as purebreds, of three head of diseased cattle owned by the said Robert J. Mann. Such sum represents the difference between the amount

Robert J. Mann.
Payment to.

which the said Robert J. Mann would have received from the Department of Agriculture had such cattle been registered as pure-bred animals prior to their appraisal and the amount which he has been paid by such Department: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 20, 1936.

[CHAPTER 438.]

AN ACT

For the relief of H. R. Heinicke, Incorporated.

May 20, 1936.
[H. R. 11346.]
[Private, No. 573.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to settle and adjust the claim of H. R. Heinicke, Incorporated, for reimbursement of expenses incurred in March 1934 in connection with the cleaning and pointing of the east and west wings of the Administration Building, Department of Agriculture, and to allow in full and final settlement of said claim an amount not exceeding the sum of $503.98. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $503.98, or so much thereof as may be necessary, for the payment of such claim: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

H. R. Heinicke, Incorporated.
Settlement of claim of, authorized.

Appropriation.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 20, 1936.

[CHAPTER 439.]

AN ACT

For the relief of Oliver Faulkner.

May 20, 1936.
[H. R. 8506.]
[Private, No. 574.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury, on certification by the Secretary of the Interior, be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Oliver Faulkner, a sum determined by the Secretary of the Interior to be the fair and reasonable value of all improvements and the labor involved therein, not in excess of $5,000 placed by him on the northeast quarter of the northeast quarter section 36, township 17 south,

Oliver Faulkner.
Payment to.

range 24 east, Tallahassee meridian, in the State of Florida, prior to November 4, 1926, the date of the cancelation of his homestead entry, erroneously allowed March 29, 1926: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 20, 1936.

[CHAPTER 441.]

May 21, 1936.
[H. R. 2467.]
[Private, No. 575.]

AN ACT

For the relief of Holy Cross Mission Hospital.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to pay, out of the Alaska Railroad special fund (U. S. C., title 48, sec. 306), the sum of $50 to the Holy Cross Mission Hospital, of Holy Cross, Alaska, for hospital services rendered to Jack Mort for injuries and illness incurred while removing mail from the Alaska Railroad steamer Nenana, in full payment of all claims against the United States for such services: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Holy Cross Mission Hospital. Payment to. U. S. C., p. 2128.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 21, 1936.

[CHAPTER 442.]

May 21, 1936.
[H. R. 7110.]
[Private, No. 576.]

AN ACT

To authorize the President to bestow the Navy Cross upon Brigadier General Robert H. Dunlap, United States Marine Corps, deceased.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized to bestow the Navy Cross upon Brigadier General Robert H. Dunlap, United States Marine Corps, for distinguishing himself conspicuously by extraordinary courage on May 19, 1931, at LaFariniere, Cinq-Mars-la-Pile, France, where he met his death in a supreme effort to save the life of a French peasant woman, and to deliver said medal to Katherine W. Dunlap, the widow of Brigadier General Dunlap.

Marine Corps. Brigadier General Robert H. Dunlap. Bestowal of Navy Cross upon, authorized.

Delivery to widow.

Approved, May 21, 1936.

[CHAPTER 443.]

AN ACT

For the relief of Frank Cordova.

May 21, 1936.
[H. R. 9370.]
[Private, No. 577.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $770.16 to the Superintendent of the Shoshone Indian Agency, Fort Washakie, Wyoming, to be expended under regulations approved by the Secretary of the Interior, for the relief of Frank Cordova (also known as Frank Enos, Frank O'Neal, and Frank O'Neal Cordova), in full settlement of his claim against the United States on account of the erroneous distribution of funds, inherited from the estate of Dora Enos, deceased, to the heirs of Frank Enos, deceased: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Frank Cordova.
Payment of claim, authorized.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 21, 1936.

[CHAPTER 455.]

AN ACT

For the relief of the Western Electric Company, Incorporated.

May 26, 1936.
[S. 560.]
[Private, No. 578.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Western Electric Company, Incorporated, the sum of $7,192.35, in full satisfaction for services and materials furnished the War Department in connection with a contract dated June 5, 1920, and for completing certain work in connection with subaqueous sound-ranging equipment for seacoast defenses: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Western Electric Company, Incorporated.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 26, 1936.

[CHAPTER 456.]

May 26, 1936.
[S. 760.]
[Private, No. 579.]

AN ACT

For the relief of Harry P. Hollidge.

Harry P. Hollidge. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harry P. Hollidge, the sum of $903.70, in full settlement of all claims against the Government for damages to his automobile as the result of a collision with a Packard truck belonging to the War Department, said collision occurring on the evening of March 27, 1919, on the Baltimore-Washington Pike: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 26, 1936.

[CHAPTER 457.]

May 26, 1936.
[S. 1328.]
[Private, No. 580.]

AN ACT

For the relief of the Snare and Triest Company, now Frederick Snare Corporation

Frederick Snare Corporation. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Snare and Triest Company, now Frederick Snare Corporation, the sum of $83,978.05, in full settlement of all claims against the Government of the United States, for damages for delay in carrying out its contract with the Navy Department, Numbered 3762, and agreements supplemental thereto for water-front improvements, piers, and breakwater, at the submarine base, Key West, Florida, as reported January 13, 1925, by a board of which Rear Admiral H. H. Rousseau, Civil Engineer Corps, United States Navy, was senior member: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 26, 1936.

[CHAPTER 458.]

AN ACT

For the relief of T. D. Randall and Company.

May 26, 1936.
[S. 2520.]
[Private, No. 581.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the claim of T. D. Randall and Company growing out of losses and/or damages suffered under purchase orders numbered 1904, and 1914 to 1919, both inclusive, for furnishing hay to the Army during the late war, is hereby referred to the United States Court of Claims with jurisdiction to hear the same to judgment and to adjudicate the same upon the basis of the losses and/or damages suffered due to car shortage and/or other war conditions: *Provided*, That suit on such claim may be instituted at any time within four months after the date of enactment of this Act, notwithstanding the lapse of time or any statute of limitations.

T. D. Randall and Company.
Claim of, referred to Court of Claims.

Proviso.
Commencement of suit.

Approved, May 26, 1936.

[CHAPTER 459.]

AN ACT

For the relief of Sarah Shelton.

May 26, 1936.
[H. R. 2982.]
[Private, No. 582.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to Sarah Shelton, of Granite City, Illinois, the sum of $5,000 in full settlement of all claims against the United States for the death of her husband, William Shelton, who was killed by being run down by a launch under the control and charge of the deputy collector of customs, at Saint Louis, Missouri, while said deputy collector was in the exercise and discharge of his official duties: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Sarah Shelton.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 26, 1936.

[CHAPTER 460.]

AN ACT

For the relief of Jesse S. Post.

May 26, 1936.
[H. R. 3340.]
[Private, No. 583.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged enlisted personnel of the United States Army Jesse S. Post, private, Machine Gun Company, One Hundred and Sixteenth Regiment United States Infantry, shall be held to have been honorably discharged from the military service of the United States on the 7th day of June 1919: *Provided*, That no pension, back pay, bounty, or allowances shall be held to have accrued prior to the enactment of this Act.

Jesse S. Post.
Military record corrected.

Proviso.
No back pay, etc.

Approved, May 26, 1936.

[CHAPTER 461.]

AN ACT

May 26, 1936.
[H. R. 8262.]
[Private, No. 584.]

For the relief of Tom Rogers, and the heirs of W. A. Bell, Israel Walker, Henry Shaw, Thomas Bailey, and Joseph Watson.

Tom Rogers and others. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Tom Rogers the sum of $1,000; to the heirs of W. A. Bell the sum of $2,000; to the heirs of Israel Walker the sum of $1,000; to the heirs of Henry Shaw the sum of $1,000; to the heirs of Thomas Bailey the sum of $1,000; and to the heirs of Joseph Watson the sum of $1,000; in all, $7,000, in full settlement of all their claims against the United States for injuries sustained by said Tom Rogers, and for the death by drowning of said W. A. Bell, Israel Walker, Henry Shaw, Thomas Bailey, and Joseph Watson, as a result of being shipwrecked on October 21, 1934, while en route to Blackbeard Island, Georgia, to take up their duties as employees of the Bureau of Biological Survey, United States Department of Agriculture: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 26, 1936.

[CHAPTER 473.]

AN ACT

May 28, 1936.
[H. R. 8069.]
[Private, No. 585.]

For the relief of Mr. and Mrs. A. S. Mull.

Mr. and Mrs. A. S. Mull. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $4,000 to Mr. and Mrs. A. S. Mull in full compensation for personal injuries sustained by them as the result of an accident involving a Government truck, operated in connection with the Civilian Conservation Corps, near Ringgold, Georgia, on February 22, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 28, 1936.

[CHAPTER 474.]

AN ACT

For the relief of Frank P. Ross.

May 29, 1936.
[S. 1186.]
[Private, No. 586.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims to hear, determine, and render judgment upon the claim of Frank P. Ross, of Tacoma, Washington, against the United States, for damages arising out of the patenting to another person of lands in Pacific County, Washington, which had been selected or entered by said Frank P. Ross under the homestead laws, and for damages arising out of the subsequent cutting of timber from such lands.

Frank P. Ross.
Claim of, referred to Court of Claims.

SEC. 2. Suit upon such claim may be instituted at any time within one year after the date of enactment of this Act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claim, and appeals from and payment of any judgment thereon shall be in the same manner as in the case of claims over which said Court has jurisdiction under section 145 of the Judicial Code, as amended.

Commencement of suit.

Proceedings, etc.

U. S. C., p. 1261.

Approved, May 29, 1936.

[CHAPTER 475.]

AN ACT

For the relief of Earl A. Ross.

May 29, 1936.
[S. 1490.]
[Private, No. 587.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims to hear, determine, and render judgment upon the claim of Earl A. Ross, of Chicago, Illinois, for damages arising out of the patenting to another person of lands in Pacific County, Washington, which had been selected or entered by said Earl A. Ross under the homestead laws, and for damages arising out of the subsequent cutting of timber from such lands.

Earl A. Ross.
Claim of, referred to Court of Claims.

SEC. 2. Suit upon such claim may be instituted at any time within one year after the date of enactment of this Act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claim, and appeals from and payment of any judgment thereon shall be in the same manner as in the case of claims over which said Court has jurisdiction under section 145 of the Judicial Code, as amended.

Commencement of suit.

Proceedings, etc.

U. S. C., p. 1261.

Approved, May 29, 1936.

[CHAPTER 480.]

AN ACT

For the relief of C. O. Meyer.

June 2, 1936.
[S. 537.]
[Private, No. 588.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to C. O. Meyer the sum of $297.86, in full settlement of all claims against the Government of the United States. Such sum represents the amount paid to C. O. Meyer as substitute carrier while he was postmaster at Meyers Mill, South Carolina, and which amount was charged by the Department to the account of C. O. Meyer: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by

C. O. Meyer.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, June 2, 1936.

[CHAPTER 485.]

June 3, 1936.
[S. 267.]
[Private, No. 589.]

AN ACT

For the relief of certain officers and employees of the Foreign Service of the United States who, while in the course of their respective duties, suffered losses of personal property by reason of catastrophes of nature.

Foreign Service.
Appropriation authorized for relief of designated officers, etc.
Matthew E. Hanna.
Payment to widow of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to Gustava Hanna, widow of Matthew E. Hanna, American minister to Nicaragua, the sum of $19,745.33, of which the sum of $19,592.25 represents the value of reasonable and necessary personal property lost as a result of the earthquake at Managua, Nicaragua, March 31, 1931, and the sum of $153.08 represents the amount of money and vouchers destroyed when the contents of the safe in the legation were burned.

Willard L. Beaulac.

To Willard L. Beaulac, secretary of the American Legation at Managua, Nicaragua, the sum of $821.92, such sum representing the value of reasonable and necessary personal property lost as a result of the earthquake at Managua, Nicaragua, March 31, 1931.

Marion P. Hoover.

To Marion P. Hoover, clerk in legation at Managua, Nicaragua, the sum of $80, such sum representing the value of reasonable and necessary personal property lost as a result of the earthquake at Managua, Nicaragua, March 31, 1931: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum of any claim thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with any such claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated for any claim in this Act in excess of 10 per centum of such claim on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000. The aforestated amounts shall be considered in full settlement of the aforesaid claims.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 3, 1936.

[CHAPTER 486.]

June 3, 1936.
[H. R. 1252.]
[Private, No. 590.]

AN ACT

For the relief of Odessa Mason.

Odessa Mason.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for

the maintenance and operation of the Civilian Conservation Corps, to Odessa Mason, of the city of Newport, Tennessee, the sum of $750 in full settlement of all claims against the United States for bodily injuries sustained by her on September 13, 1933, when an automobile in which she was riding was in collision with a truck of the Civilian Conservation Corps, on State Highway Numbered 75: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 3, 1936.

[CHAPTER 487.]

AN ACT

June 3, 1936. [H. R. 9125.] [Private, No. 591.]

For the relief of Doctor F. U. Painter, Doctor H. A. White, Doctor C. P. Yeager, Doctor W. C. Barnard, Mrs. G. C. Oliphant, Amelia A. Daimwood, the Sun Pharmacy, Bruno's Pharmacy, Viola Doyle Maguire, Louise Harmon, Mrs. J. B. Wilkinson, Sisters of Charity of the Incarnate Word, Grace Hinnant, Doctor E. O. Arnold, and Jennie Chapman.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to (1) Doctor F. U. Painter the sum of $250; (2) Doctor H. A. White the sum of $10; (3) Doctor C. P. Yeager the sum of $60; (4) Doctor W. C. Barnard the sum of $50; (5) Mrs. G. C. Oliphant the sum of $6.50; (6) Amelia A. Daimwood the sum of $162; (7) the Sun Pharmacy, Corpus Christi, Texas, the sum of $2.65; (8) Bruno's Pharmacy, Corpus Christi, Texas, the sum of $86.80; (9) Viola Doyle Maguire the sum of $39; (10) Louise Harmon the sum of $6; (11) Mrs. J. B. Wilkinson the sum of $133.50; (12) Sisters of Charity of the Incarnate Word, Spohn Sanitarium, Corpus Christi, Texas, the sum of $239; (13) Grace Hinnant the sum of $35; (14) Jennie Chapman the sum of $126; and (15) Doctor E. O. Arnold the sum of $10. The payment of such sums, in all $1,216.45, to such payees shall be in full settlement of their respective claims against the United States for reimbursement for medical and hospital treatment, nursing care, and medical supplies furnished to Frank John Ordener, late seaman, first class, United States Navy, during his acute and fatal illness in Corpus Christi, Texas, where he was stricken on July 19, 1928, while on leave of absence from his vessel: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Doctor F. U. Painter, and others. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 3, 1936.

[CHAPTER 488.]

June 3, 1936.
[H. R. 10565.]
[Private, No. 592.]

AN ACT

For the relief of Mr. and Mrs. William O'Brien.

Mr. and Mrs. William O'Brien. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, and in full settlement against the Government, the sum of $5,000 to Anna O'Brien and William O'Brien, of Neillsville, Wisconsin, parents of Violet Lilly O'Brien, who died of injuries received as a result of a collision on April 1, 1935, between a truck operated by Walter Marg, Fairchild, Wisconsin, and a United States Civilian Conservation Corps truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 3, 1936.

[CHAPTER 506.]

June 4, 1936.
[H. R. 2501.]
[Private, No. 593.]

AN ACT

For the relief of Mrs. G. A. Brannan.

Mrs. G. A. Brannan. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. G. A. Brannan the sum of $5,000. Such sum shall be in full satisfaction of all claims against the United States for damages for the death of her son, John Douglas Malone, from injuries received by him in line of duty while employed as a fireman on the steamboat John R. Meigs, which was destroyed by an explosion of a mine laid by the Government on or about September 3, 1898, near Fort Saint Philip in the Mississippi River below New Orleans: *Provided*, That payments shall be made immediately upon and after the passage of this Act.

Proviso. Immediate payment.

Approved, June 4, 1936.

[CHAPTER 507.]

June 4, 1936.
[H. R. 7825.]
[Private, No. 594.]

AN ACT

For the relief of Michael Stodolnik.

Michael Stodolnik. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized and directed to pay, out of the appropriation "Pay of the Navy", to Michael Stodolnik, dependent father of the late Peter Stodolnik, chief machinist's mate, United States Navy, who died February 15, 1934, in the naval service, an amount equal to six months' pay at the rate said Peter Stodolnik

was entitled to receive at the date of his death: *Provided*, That Michael Stodolnik shows to the satisfaction of the Secretary of the Navy that he was actually dependent on his son at the time of the latter's death.

Proviso. Establishment of dependency.

Approved, June 4, 1936.

[CHAPTER 508.]

AN ACT

For the relief of Mrs. Ollie Myers.

June 4, 1936. [H. R. 8884.] [Private, No. 595.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized and directed to pay out of the current appropriation "Pay of the Marine Corps", to Mrs. Ollie Myers, mother of Earl Eugene Myers, late private, United States Marine Corps, an amount equal to six months' pay at the rate said Earl Eugene Myers was receiving at the date of his death: *Provided*, That the said Mrs. Ollie Myers establish to the satisfaction of the Secretary of the Navy that she was actually dependent upon her son, Earl Eugene Myers, at the time of the latter's death, and the determination of such fact by the Secretary of the Navy shall be final and conclusive upon the accounting officers of the Government.

Mrs. Ollie Myers. Payment to.

Proviso. Establishment of dependency.

Approved, June 4, 1936.

[CHAPTER 509.]

AN ACT

For the relief of Ezra Curtis.

June 4, 1936. [H. R. 10174.] [Private, No. 596.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ezra Curtis, of Thatcher, Arizona, the sum of $5,000 in full satisfaction of his claim against the United States for damages on account of personal injuries suffered by him when he was struck by a Civilian Conservation Corps truck, in Thatcher, Arizona, on October 21, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Ezra Curtis. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 4, 1936.

[CHAPTER 510.]

AN ACT

For the relief of Joseph M. Purrington.

June 4, 1936. [H. R. 11052.] [Private, No. 597.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture be, and he is hereby, authorized and directed to consider, adjust, and determine the claim of Joseph M. Purrington on account of personal injuries and property damage resulting from an accident occurring February 25, 1931, at the Hawkins Bar Bridge, Trinity County, California, while performing work for the United

Joseph M. Purrington. Adjustment of claim of.

States Forest Service, and to reimburse him in the amount found due, payment to be made from unexpended funds in the appropriation for salaries and expenses, Forest Service, fiscal year, 1931: *Provided*, That if said appropriation is exhausted or insufficient for the purposes of this Act upon its approval, this claim shall be paid out of any money in the Treasury not otherwise appropriated, and the Secretary of Agriculture is directed to certify it for payment to the Secretary of the Treasury: *Provided further*, That payment hereunder shall be deemed to be in full settlement of such claim against the United States: *And provided further*, That no part of the amount paid by virtue of this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with this claim, any contract to the contrary notwithstanding, and the same shall be unlawful. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Fund available for payment.
Vol. 46, p. 407.
Provisos.
If fund exhausted.
Payment deemed full settlement.
Limitation on attorney's, etc., fees.
Penalty for violation.

Approved, June 4, 1936.

[CHAPTER 535.]

AN ACT

For the relief of Charles G. Johnson, State treasurer of the State of California.

June 5, 1936.
[H. R. 2479.]
[Private, No. 598.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles G. Johnson, State treasurer of the State of California, the sum of $17,500. Such sum represents the value of ten coupons from 3½ per centum Treasury notes, series C–1930–32, numbered 3512B, 3513C, 3514D, 4361A, 4362B, 4363C, 4364D, 4365E, 4366F, and 4367H, of the $100,000 denomination, which coupons were payable on December 15, 1929, and were lost or destroyed in the office of the State treasurer of California: *Provided*, That none of said coupons shall have been presented to the Treasury for payment and that Charles G. Johnson shall first file in the Treasury Department a bond in the penal sum of double the amount of the sum payable pursuant to the provisions of this Act, in such form and with such corporate surety as may be acceptable to the Secretary of the Treasury, to indemnify and save harmless the United States from any loss on account of such lost or destroyed coupons.

Charles G. Johnson.
Payment to.
Proviso.
Condition.
Indemnity bond.

Approved, June 5, 1936.

[CHAPTER 536.]

AN ACT

For the relief of Mrs. Murray A. Hintz.

June 5, 1936.
[H. R. 6163.]
[Private, No. 599.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any moneys in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Mrs. Murray A. Hintz, of Raton, New Mexico, the sum of $5,000. Such sum shall be in full settlement of all claims against the United States on account of damages sustained by the said Mrs. Murray A.

Mrs. Murray A. Hintz.
Payment to.

Hintz when she was injured in an automobile collision with a United States owned truck near Santa Fe, New Mexico, on September 23, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 5, 1936.

[CHAPTER 537.]

AN ACT

For the relief of John B. Meisinger and Nannie B. Meisinger.

June 5, 1936. [H. R. 8039.] [Private, No. 600.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission be, and it is hereby, authorized and directed to place upon its compensation roll the names of John B. Meisinger and Nannie B. Meisinger, who shall be held and considered to be the dependent parents of Doctor Clarence L. Meisinger, who was killed June 2, 1924, by the explosion of a balloon in which he was making a series of observations for the United States Weather Bureau, and pay jointly to them compensation at the rate of $50 per month.

John B. Meisinger and Nannie B. Meisinger. Monthly payments to.

SEC. 2. The compensation of said John B. Meisinger and Nannie B. Meisinger shall cease if either of them dies, marries, or ceases to be dependent; and thereafter the remaining dependent shall be paid at the rate of $25 per month until he dies, marries, or ceases to be dependent.

Conditions.

SEC. 3. This Act shall take effect on the 1st day of the calendar month following the date of its enactment.

Effective date.

Approved, June 5, 1936.

[CHAPTER 538.]

AN ACT

For the relief of Earl Elmer Gallatin.

June 5, 1936. [H. R. 8278.] [Private, No. 601.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged marines, Earl Elmer Gallatin, who was discharged for fraudulent enlistment on account of misrepresentation of his age, shall hereafter be held and considered to have been honorably discharged from the Marine Corps on November 3, 1917, and that the Secretary of the Navy shall grant him a discharge certificate showing that he is held and considered to have been honorably discharged: *Provided*, That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this Act.

Earl Elmer Gallatin. Naval record corrected.

Proviso. No back pay, etc.

Approved, June 5, 1936.

[CHAPTER 539.]

June 5, 1936.
[H. R. 9170.]
[Private, No. 602.]

AN ACT

For the relief of Montie Hermanson.

Montie Hermanson.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Montie Hermanson, of Kansas City, Missouri, the sum of $5,000. Such sum shall be in full settlement of all claims against the United States on account of the death of Frank Hermanson, the husband of the said Montie Hermanson. The said Frank Hermanson, at the request of officers of the Federal Government, accompanied them and assisted them in the return to Leavenworth Penitentiary of one Frank Nash, an escaped convict; and the said Frank Hermanson, together with others of the Federal officers, was slain at Kansas City, Missouri, on June 17, 1933, by forces of gangdom attempting the release of the prisoner, Frank Nash: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 5, 1936.

[CHAPTER 540.]

June 5, 1936.
[H. R. 11164.]
[Private, No. 603.]

AN ACT

For the relief of Arthur Van Gestel, alias Arthur Goodsell.

Arthur Van Gestel, alias Arthur Goodsell.
Military record corrected.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Arthur Van Gestel, alias Arthur Goodsell, who was a medical attendant in the Medical Corps of the First Regiment United States Volunteer Cavalry, shall be held to have mustered in in April 1898 and shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the [1] day of September 1898; and notwithstanding any provisions to the contrary in the Act relating to pensions approved April 26, 1898, as amended by the Act approved May 11, 1908: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Proviso.
No back pay, etc.

Approved, June 5, 1936.

[1] So in original.

[CHAPTER 543.]

AN ACT

For the relief of the Thomas Marine Railway Company, Incorporated.

June 8, 1936.
[H. R. 4148.]
[Private, No. 604.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Thomas Marine Railway Company, Incorporated, the sum of $974, such sum being in full settlement of all claims against the Government. The said Thomas Marine Railway Company, Incorporated, sustained damages to the extent of $974 due to negligent handling of the United States Quartermaster Corps tug Sprigg Carroll by United States Coast Guard patrol boats CG–232 and CG–196 on April 22, 1932, at Morehead City, North Carolina, while in possession of the Thomas Marine Railway Company, Incorporated, enroute Fort Moultrie, South Carolina, to Norfolk, Virginia, for repairs: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Thomas Marine Railway Company, Incorporated.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 8, 1936.

[CHAPTER 558.]

AN ACT

Conferring jurisdiction upon the United States District Court for the District of Connecticut to hear, determine, and render judgment upon the claim of Elizabeth Kurau.

June 15, 1936.
[S. 1435.]
[Private, No. 605.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the United States District Court for the District of Connecticut to hear, determine, and render judgment, as if the United States were suable in tort, upon the claim of Elizabeth Kurau, of Torrington, Connecticut, for damages resulting from injuries received by her on April 2, 1934, near Torrington, Connecticut, by reason of an automobile collision in which a Civilian Conservation Corps automobile truck was involved: *Provided*, That the judgment, if any, shall not exceed the sum of $5,000.

Elizabeth Kurau.
Jurisdiction conferred on district court to hear, etc., claim of.

Proviso.
Limitation on judgment.

SEC. 2. Suit upon such claim may be instituted at any time within one year after the enactment of this Act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claim, and appeals from and payment of any judgment thereon, shall be in the same manner as in the cases of claims over which such court has jurisdiction under the provisions of paragraph twentieth of section 24 of the Judicial Code, as amended.

Commencement of suit.

Proceedings.

U. S. C., p. 1236.

Approved, June 15, 1936.

[CHAPTER 559.]

AN ACT

June 15, 1936.
[S. 3080.]
[Private, No. 606.]

Conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of John W. Hubbard.

John W. Hubbard. Claim of, referred to Court of Claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is conferred upon the Court of Claims to hear, determine, and render judgment upon the claim of John W. Hubbard, of Pittsburgh, Pennsylvania, against the United States for damages for injury to the steamboat Senator Cordill and its cargo on February 5, 1934, when such steamboat struck a submerged wicket of United States Dam Numbered 14, on the Ohio River and sank.

Commencement of suit.

SEC. 2. Such claim may be instituted at any time within one year after the date of enactment of this Act, notwithstanding the lapse of time or any statute of limitation.

Proceedings, etc.

Proceedings for the determination of such claim, and appeals from, and payment of, any judgment thereon, shall be in the same manner as in the case of claims over which such court has jurisdiction under section 145 of the Judicial Code, as amended.

U. S. C., p. 1261.

Approved, June 15, 1936.

[CHAPTER 560.]

AN ACT

June 15, 1936.
[S. 3369.]
[Private, No. 607.]

Providing for the posthumous appointment of Ernest[1] E. Dailey as a warrant radio electrician, United States Navy.

Navy. Posthumous appointment of Edwin E. Dailey as warrant officer, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized and directed to appoint, posthumously, Edwin[1] E. Dailey, late a radioman, first class, United States Navy, a warrant radio electrician, United States Navy, and to deliver to the widow of said Edwin E. Dailey the warrant of such appointment. Such appointment shall be effective as of February 11, 1935.

Effective date.

Approved, June 15, 1936.

[CHAPTER 561.]

AN ACT

June 15, 1936.
[S. 3607.]
[Private, No. 608.]

For the relief of T. H. Wagner.

T. H. Wagner. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to T. H. Wagner, the sum of $273, in full satisfaction of his claim against the United States for damages on account of personal injuries suffered by him when he was struck on the head by a rock thrown by a dynamite blast set off by members of the Civilian Conservation Corps at Lake Mary, near Flagstaff, Arizona, on August 26, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 15, 1936.

[1] So in original.

[CHAPTER 562.]

AN ACT

For the relief of Vinson and Pringle.

June 15, 1936.
[S. 3608.]
[Private, No. 609.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Vinson and Pringle, the sum of $301 in full satisfaction of their claim against the United States for damages arising out of the loss of a Bluff and Buff mountain-type transit, belonging to them, which was lost while in the custody of the Civil Works Administration, in Arizona, under a rental agreement: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Vinson and Pringle.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 15, 1936.

[CHAPTER 563.]

AN ACT

For the relief of George E. Wilson.

June 15, 1936.
[S. 3652.]
[Private, No. 610.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George E. Wilson the sum of $300, representing the amount paid by him on December 12, 1928, to the United States District Court for the Southern District of Mississippi as surety on the forfeited appearance bond of one Ed Ward, who willfully defaulted on a charge of violation of the liquor law but who was subsequently rearrested and convicted through the efforts of the said George E. Wilson: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

George E. Wilson.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 15, 1936.

[CHAPTER 564.]

AN ACT

For the relief of E. W. Jermark.

June 15, 1936.
[S. 3768.]
[Private, No. 611.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General be, and he is hereby, authorized and directed to allow credit in the accounts of E. W. Jermark, former Superintendent and special disbursing agent for the Lac du Flambeau Indian Agency, Lac du Flambeau, Wisconsin, in the sum of $268.45, representing payments made by him to G. B. Aschenbrenner, credit for which was disallowed by certificate of settlement numbered G–42484–In, dated July 19, 1933.

E. W. Jermark.
Credit allowed in accounts of.

Approved, June 15, 1936.

[CHAPTER 565.]

June 15, 1936.
[S. 3824.]
[Private, No. 612.]

AN ACT

For the relief of Maud Kelley Thomas.

Maud Kelley Thomas.
Payment to.
Ante, p. 407.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized and directed to pay, out of the current appropriation, "Pay, subsistence, and transportation, Navy", to Maud Kelley Thomas, sister of Orloff Allen Kelley, late chief machinist's mate, United States Navy, an amount equal to six months' pay at the rate said Orloff Allen Kelley was receiving at the date of his death: *Provided*, That the said Maud Kelley Thomas establish to the satisfaction of the Secretary of the Navy that she was actually dependent upon her brother, Orloff Allen Kelley, at the time of the latter's death, and the determination of such fact by the Secretary of the Navy shall be final and conclusive upon the accounting officers of the Government.

Proviso.
Dependency to be established.

Approved, June 15, 1936.

[CHAPTER 566.]

June 15, 1936.
[S. 3850.]
[Private, No. 613.]

AN ACT

For the relief of Mrs. Foster McLynn.

Mrs. Foster McLynn.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Foster McLynn, of Portland, Oregon, the sum of $110, in full satisfaction of her claim against the United States arising out of damages to her summer home in Mount Hood National Forest, which was struck by rocks thrown by blasting operations carried on by members of the Civilian Conservation Corps in connection with the Lady Creek water project, in March or April 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 15, 1936.

[CHAPTER 567.]

June 15, 1936.
[S. 3861.]
[Private, No. 614.]

AN ACT

For the relief of the Alaska Commercial Company, of San Francisco, California.

Alaska Commercial Company.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Alaska Commercial Company, of San Francisco, California, the sum of $4,408.21 in full and final settlement of any and all claims against the United States for damages caused to the wharf of said company at Dutch Harbor, Alaska, by the United States Coast Guard cutter Tahoe, on May 20, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the

Proviso.
Limitation on attorney's, etc., fees.

same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, June 15, 1936.

[CHAPTER 568.]

AN ACT

For the relief of W. D. Gann.

June 15, 1936.
[S. 4052.]
[Private, No. 615.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. D. Gann the sum of $2,180 in full settlement against the Government for property loss sustained by him as a result of his airplane being damaged by a Navy Department motorcycle on April 14, 1935, at Floyd Bennett Field, Brooklyn, New York: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney, on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

W. D. Gann.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 15, 1936.

[CHAPTER 569.]

AN ACT

For the relief of Grant Anderson.

June 15, 1936.
[S. 4116.]
[Private, No. 616.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Grant Anderson, Crow Creek Reservation, South Dakota, the sum of $226.67, in full satisfaction of his claim against the United States for the remainder of a refund due the said Grant Anderson from the estate of Julia White Cloud or Julia Voice, deceased heir of Philip His Day, on account of a certain canceled contract entered into between the said Grant Anderson and the Department of the Interior on December 11, 1920, relating to the purchase of one hundred and sixty acres of land owned by the heirs of Philip His Day, deceased Crow Creek allottee numbered 929. The said Grant Anderson shall execute and deliver to the Secretary of the Interior an assignment, satisfactory to the Secretary, assigning to the United States all his right, title, and interest in and to the remainder of such refund. All sums recovered from the estate of Julia White Cloud or Julia Voice by the United States under such assignment shall be covered into the Treasury as miscellaneous receipts: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Grant Anderson.
Payment to.

Assignment provision.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 15, 1936.

[CHAPTER 570.]

June 15, 1936.
[S. 4119.]
[Private, No. 617.]

AN ACT

For the relief of Bernard F. Hickey.

Bernard F. Hickey.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Bernard F. Hickey, a major, United States Marine Corps, retired, the sum of $1,587.25 in full satisfaction of all his claims against the United States for the loss of certain of his personal property on September 1, 1923, in the earthquake and fire at Kamakura, Japan, while serving as an assistant attaché of the American Embassy at Tokyo, Japan.

Approved, June 15, 1936.

[CHAPTER 571.]

June 15, 1936.
[S. 4140.]
[Private, No. 618.]

AN ACT

For the relief of Homer Brett, American Consul at Rotterdam, Netherlands.

Homer Brett.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Homer Brett, American consul at Rotterdam, Netherlands, the sum of $116.58 in full settlement of his claim against the United States for the unrecovered amount of Government funds stolen from the safe of the American consulate at Rotterdam, Netherlands, on the night of September 27, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 15, 1936.

[CHAPTER 572.]

June 15, 1936.
[S. 4233.]
[Private, No. 619.]

AN ACT

For the relief of William H. Brockman.

William H. Brockman.
Certain charges, pay accounts of, canceled.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to cancel the charges entered on the pay accounts of William H. Brockman, lieutenant (junior grade), United States Navy, in the amount of $317.34, and to pay to said William H. Brockman, out of money appropriated for the pay of Navy personnel, any amount heretofore deducted from his pay on account of such charges; such charges having been entered on the accounts of said William H. Brockman by reason of extra pay received by him for the performance of duty at submarine escape training tanks, and a subsequent ruling that he was not entitled to such extra pay because such duty was not actually performed on board a submarine.

Reimbursement of pay deductions.

Approved, June 15, 1936.

[CHAPTER 573.]

AN ACT

For the relief of Harry L. Parker.

June 15, 1936.
[S. 4358.]
[Private, No. 620.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 601 of the Merchant Marine Act of May 22, 1928 (45 Stat. 697), the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the claim of Harry L. Parker, of the Department of Agriculture, in a sum not in excess of $117.48, representing the amount paid by him for transportation on a vessel of foreign registry and per diem in lieu of subsistence while traveling on said vessel, during the period September 7 to 11, 1934.

Harry L. Parker.
Adjustment of claim of, authorized.
Vol. 45, p. 697.
U. S. C., p. 2070.

Approved, June 15, 1936.

[CHAPTER 574.]

AN ACT

For the relief of W. D. Reed.

June 15, 1936.
[S. 4359.]
[Private, No. 621.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 601 of the Merchant Marine Act of May 22, 1928 (45 Stat. 697), the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle, out of the available balance in the appropriation "34373.27—Salaries and expenses, Bureau of Entomology (household and stored products insects), 1934", the claim of W. D. Reed, of the Department of Agriculture, in the amount of $220, representing the amount paid by him from personal funds to the Italian Line in settlement for transportation accomplished on a vessel of foreign registry, secured on transportation request numbered A–642907, and covering official travel, authorized by and in the interest of the Government, from New York to Athens, Greece, during the period July 14 to July 29, 1933.

W. D. Reed.
Adjustment of claim of, authorized.
Vol. 45, p. 697.
U. S. C., p. 2070.

Approved, June 15, 1936.

[CHAPTER 575.]

AN ACT

For the relief of Ruth Edna Reavis (now Horsley).

June 15, 1936.
[S. 4374.]
[Private, No. 622.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the statutory period of entry in the case of Buffalo, Wyoming, 030423, Ruth Edna Reavis (now Horsley), is extended two years to permit the fulfillment of necessary residence and improvement requirements on the land.

Ruth Edna Horsley.
Statutory period, homestead entry of, extended.

Approved, June 15, 1936.

[CHAPTER 576.]

AN ACT

For the relief of the Indiana Limestone Corporation.

June 15, 1936.
[S. 4379.]
[Private, No. 623.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the

Indiana Limestone Corporation.
Payment to.

Indiana Limestone Corporation the sum of $5,976.93. Such sum shall be in full satisfaction of its claim against the United States for additional costs incurred by such corporation as a subcontractor for the James Stewart Company, general contractors, for work performed in connection with carving of metopes in the Interstate Commerce Commission, Labor, and connecting-wing building in performance of a contract with the Department of the Treasury dated June 18, 1932 (contract numbered T–1–SA–3271): *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 15, 1936.

[CHAPTER 577.]

June 15, 1936. [S. 4400.] [Private, No. 624.]

AN ACT

For the relief of Barbara Jaeckel.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Barbara Jaeckel, widow of Theodore Jaeckel, late consul general, Victoria, British Columbia, the sum of $8,800, being one year's salary of her deceased husband who died while in the Foreign Service; and there is hereby authorized to be appropriated a sufficient sum to carry out the purposes of this Act.

Barbara Jaeckel. Payment to.

Approved, June 15, 1936.

[CHAPTER 578.]

June 15, 1936. [S. 4542.] [Private, No. 625.]

AN ACT

Authorizing the Comptroller General of the United States to settle and adjust the claim of the Merritt-Chapman and Scott Corporation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to settle and adjust the claim of the Merritt-Chapman and Scott Corporation for an amount not exceeding $4,790.53 for services and material furnished at the request of the Secretary of the Navy under contract numbered Nod–210, dated May 19, 1934, in connection with salvage of the steamship Morro Castle. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $4,790.53 for payment of the claim: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Merritt-Chapman and Scott Corporation. Adjustment of claim of, authorized.

Appropriation.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 15, 1936.

[CHAPTER 579.]

AN ACT

Validating a town-lot certificate and authorizing and directing issuance of a patent for the same to Ernest F. Brass.

June 15, 1936.
[S. 4713.]
[Private, No. 626.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on payment of $63 in addition to the $135 already paid the town-lot certificate which was issued to Ernest F. Brass April 23, 1936, for lots 1, 2, 3, and 4, block 100; lots 1 and 2, block 102; and lots 6, 7, and 8, block 87; in the town site of Ketchum, Idaho, be, and the same is hereby, validated, and the Secretary of the Interior is hereby authorized and directed to issue a patent thereon.

Ernest F. Brass.
Land patent to.

Approved, June 15, 1936.

[CHAPTER 580.]

JOINT RESOLUTION

Authorizing Brigadier General C. E. Nathorst, Philippine Constabulary, retired, to accept such decorations, orders, medals, or presents as have been tendered him by foreign governments.

June 15, 1936.
[S. J. Res. 110.]
[Priv. Res., No. 2.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Brigadier General C. E. Nathorst, Philippine Constabulary, retired, be, and he is hereby, authorized to accept such decorations, orders, medals, or presents as have been tendered him by foreign governments.

Brig. Gen. C. E. Nathorst.
Acceptance of certain decorations tendered by foreign governments, authorized.

Approved, June 15, 1936.

[CHAPTER 588.]

AN ACT

For the relief of Louis Finger.

June 16, 1936.
[S. 1073.]
[Private, No. 627.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Louis Finger, of Cleveland, Ohio, the sum of $347.48 in full settlement of all claims against the Government for expenses incurred in the treatment of his minor daughter, Elsie Finger, who was injured in an accident involving a United States mail truck August 13, 1930: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Louis Finger.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 16, 1936.

[CHAPTER 589.]

June 16, 1936.
[S. 3600.]
[Private, No. 628.]

AN ACT

For the relief of S. C. Eastvold.

S. C. Eastvold. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to S. C. Eastvold, pastor of the First Lutheran Church, of Eau Claire, Wisconsin, the sum of $100, in full satisfaction of his claim against the United States for the refund of a deposit made by him upon application for the entry and classification of a parish paper as second-class mail matter, such application having been denied:

Proviso. Limitation on attorney's, etc., fees.

Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding.

Penalty for violation.

Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved, June 16, 1936.

[CHAPTER 590.]

June 16, 1936.
[S. 3770.]
[Private, No. 629.]

AN ACT

To award a special gold medal to Lincoln Ellsworth.

Lincoln Ellsworth. Gold medal awarded to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized to present a gold medal of appropriate design, with accompanying distinctive ribbon, to Lincoln Ellsworth, noted American explorer and outstanding pioneer in exploratory aviation in the Arctic and in Antarctica, for claiming on behalf of the United States approximately three hundred and fifty thousand square miles of land in Antarctica between the eightieth and one hundred and twentieth meridians west of Greenwich, representing the last unclaimed territory in the world, and for his exceptionally meritorious services to science and aeronautics in making a two-thousand-five-hundred-mile aerial survey of the heart of Antarctica, thus paving the way for more detailed studies of geological, meteorological, and geographical questions of world-wide importance and benefit.

Appropriation authorized.

There is hereby authorized to be appropriated such sum as may be necessary to carry out the provisions of this Act.

Approved, June 16, 1936.

[CHAPTER 591.]

June 17, 1936.
[S. J. Res. 61.]
[Priv. Res., No. 3.]

JOINT RESOLUTION

To repeal an Act approved February 17, 1933, entitled "An Act for the relief of Tampico Marine Iron Works", and to provide for the relief of William Saenger, chairman liquidating committee of the Beaumont Export and Import Company, of Beaumont, Texas.

Tampico Marine Iron Works. Act, for relief of, repealed. Vol. 47, p. 1726.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved February 17, 1933, entitled "An Act for the relief of Tampico Marine Iron Works", being Private Act Numbered 209, Seventy-second Congress, be, and the same is hereby, repealed; and be it further

William Saenger. Payment to.

Resolved, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William Saenger, chairman liquidating committee of the Beaumont Export and Import Company for the Tampico Marine Iron Works, a foreign corporation, the sum of $1,500 in full settlement of all claims due the Tampico Marine Iron Works by the Government of the United States to work on, repairing, raising, and furnishing material for the United States Shipping Board vessel Latham, during the year 1920: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 17, 1936.

[CHAPTER 613.]

AN ACT

For the relief of John Walker.

June 19, 1936. [S. 3371.] [Private, No. 630.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John Walker, of Hays, Montana, or his heirs, the sum of $200 in full settlement of his claim against the United States for destruction of a one-room log house and equipment located on the Fort Belknap Reservation in Montana, during a diphtheria epidemic on said reservation, in the winter of 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

John Walker. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 19, 1936.

[CHAPTER 614.]

AN ACT

For the relief of Juanita Filmore, a minor.

June 19, 1936. [H. R. 8033.] [Private, No. 631.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the superintendent of the Five Civilized Tribes Agency, Muskogee, Oklahoma, the sum of $1,000, to be held as individual Indian money for Juanita Filmore, a minor, and to be disbursed by the said superintendent only for her actual and ordinary needs. Such sum shall be in full settlement of any claim against the United States arising out of a permanent injury received by the said Juanita Filmore on

Juanita Filmore. Payment for personal injury to.

Provisos.
Payment of unexpended balance at age of twenty-one.

August 15, 1934, at Wheelock Academy, Oklahoma: *Provided*, That when the said Juanita Filmore shall have attained the age of twenty-one years, the superintendent of the Five Civilized Tribes Agency, Muskogee, Oklahoma, shall pay to her the unexpended balance, if any, of such fund: *Provided further*, That no part of the amount appropriated in this Act shall be paid to or received by any agent or attorney on account of services rendered in connection with this claim, and any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Attorney's, etc., fees forbidden.

Penalty for violation.

Approved, June 19, 1936.

[CHAPTER 615.]

June 19, 1936.
[H. R. 12408.]
[Private, No. 632.]

AN ACT

For the relief of Robert D. Baldwin.

Robert D. Baldwin.
Credit allowed in accounts of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of Robert D. Baldwin, superintendent and special disbursing agent of the Haskell Institute, at Lawrence, Kansas, for an expenditure of $50.28 made during November and December 1931 and January 1932 and paid from the appropriation for "Indian boarding schools, fiscal year 1932."

Approved, June 19, 1936.

[CHAPTER 616.]

June 19, 1936.
[H. R. 12622.]
[Private, No. 633.]

AN ACT

For the relief of Doctor Harold W. Foght.

Harold W. Foght.
Credit allowed in accounts of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit to Harold W. Foght, Superintendent of the Cherokee Indian Agency, North Carolina, for the sum of $377.40, which amount was expended from appropriated funds for the transportation of the household effects of Doctor Foght to his new post of duty at Cherokee, North Carolina.

Approved, June 19, 1936.

[CHAPTER 652.]

June 20, 1936.
[H. R. 2262.]
[Private, No. 634.]

AN ACT

For the relief of William H. Locke.

William H. Locke.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to William H. Locke, of San Francisco, California, the sum of $633.23, out of any money in the Treasury not otherwise appropriated, and in full settlement of all claims against the Government of the United States, the same being an amount due him by the Post Office Department, as a balance of an amount of $1,400 reward for services rendered as special agent for the Southern Pacific Railroad Company in connection with the arrest and conviction of Roy G. Gardner, charged with hold-up and robbery of the Southern Pacific train numbered 20, between Roseville and Newcastle, Cali-

fornia, on May 20, 1921: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 20, 1936.

[CHAPTER 653.]

AN ACT

For the relief of Julia Miller.

June 20, 1936. [H. R. 2387.] [Private, No. 635.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Julia Miller, Wilkes-Barre, Pennsylvania, the sum of $3,500. Such sum shall be in full settlement of all claims against the United States for damages sustained by the said Julia Miller as the result of serious and permanent injuries incurred when she was struck by a United States mail truck in Wilkes-Barre, Pennsylvania, on December 24, 1930: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Julia Miller. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 20, 1936.

[CHAPTER 654.]

AN ACT

For the relief of William H. Hildebrand.

June 20, 1936. [H. R. 2497.] [Private, No. 636.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission shall be, and it is hereby, authorized and directed to receive and consider the claim of William H. Hildebrand, former employee of the United States naval station at Algiers, port of New Orleans, Louisiana, for injury sustained February 26, 1918, under the provisions of an Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, except that the time limitations in sections 15 to 20, inclusive, of said Act are hereby waived, any compensation hereunder to commence from and after the passage of this Act.

William H. Hildebrand. Provisions of Employees' Compensation Act extended to.

Vol. 39, p. 746. U. S. C., p. 100.

Approved, June 20, 1936.

[CHAPTER 655.]

AN ACT

For the relief of Jessie D. Bowman.

June 20, 1936.
[H. R. 3388.]
[Private, No. 637.]

Jessie D. Bowman.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jessie D. Bowman, sister and only heir at law of Georgie Wilson, the sum of $3,000. Such sum shall be in full settlement of all claims and damages against the United States resulting from the injury and death of said Georgie Wilson when she was struck by an automobile in the mail service of the Post Office Department at the post office, Danville, Virginia: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 20, 1936.

[CHAPTER 656.]

AN ACT

For the relief of John J. Ryan.

June 20, 1936.
[H. R. 4219.]
[Private, No. 638.]

John J. Ryan.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John J. Ryan, of Creston, California, the sum of $67.20, in full settlement of all claims against the United States for services performed on star route numbered 76439, Creston to Paso Robles, California, during the month of January 1924: *Provided*, That no part of the amount appropriated in this Act in excess of 10 percentum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 20, 1936.

[CHAPTER 657.]

AN ACT

For the relief of Lucile Smith.

June 20, 1936.
[H. R. 4565.]
[Private, No. 639.]

Lucile Smith.
Provisions of Employees' Compensation Act extended to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission is hereby authorized and instructed to receive and determine the claim of Lucile Smith,

a former employee of the Veterans' Administration, who, it is alleged, because of her working conditions during the years 1922, 1923, and 1924 developed acute pleurisy, resulting in tuberculosis, without regard to the limitation of time within which such claims are to be filed under the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended: *Provided*, That no benefits shall accrue thereunder prior to the passage of this Act.

Vol. 39, p. 746. U. S. C., p. 98.

Proviso. No prior benefits.

Approved, June 20, 1936.

[CHAPTER 658.]

AN ACT

For the relief of Estelle M. Gardiner.

June 20, 1936. [H. R. 4699.] [Private, No. 640.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Estelle M. Gardiner the sum of $5,000, in full settlement of all claims against the Government of the United States for damages suffered by reason of her brother, John Henry Gardiner, being struck and fatally injured by a Government automobile which was driven by an employee of the Post Office Department: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Estelle M. Gardiner. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 20, 1936.

[CHAPTER 659.]

AN ACT

For the relief of the estate of Jennie Brenner.

June 20, 1936. [H. R. 4955.] [Private, No. 641.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to administrator of the estate of Jennie Brenner, the sum of $5,000. Such sum shall be in full settlement of all claims against the United States for damages sustained by it on account of the death of the said Jennie Brenner who was fatally injured on October 25, 1934, when a United States mail truck collided with the automobile in which she was seated while such automobile was halted, in obedience to the traffic signal, at a street intersection in the city of Chicago, Illinois: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess

Jennie Brenner. Payment to estate of.

Proviso. Limitation on attorney's, etc., fees.

of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, June 20, 1936.

[CHAPTER 660.]

June 20, 1936.
[H. R. 5370.]
[Private, No. 642.]

AN ACT

For the relief of K. S. Szymanski.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to K. S. Szymanski the sum of $3,500 in full settlement of all claims against the Government of the United States for personal injuries sustained as a result of being struck by a motor truck operating under the jurisdiction of the Pittsburgh (Pennsylvania) post office: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

K. S. Szymanski. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 20, 1936.

[CHAPTER 661.]

June 20, 1936.
[S. 3956.]
[Private, No. 643.]

AN ACT

For the relief of Jacob Kaiser.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Jacob Kaiser the sum of $350 in full and final settlement of any and all claims against the Government of the United States for injuries suffered by him as a result of an accident involving a Government vehicle operated in connection with the Civilian Conservation Corps, on United States Highway Numbered 10, at a point approximately twelve miles east of Billings, Montana, on October 8, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Jacob Kaiser. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 20, 1936.

[CHAPTER 662.]

AN ACT

For the relief of F. P. Bolack.

June 20, 1936.
[H. R. 300.]
[Private, No. 644.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, the United States Employees' Compensation Commission is hereby authorized and directed to receive the claim of F. P. Bolack, of Tarrant, Alabama, for disability alleged to have been incurred during the month of October 1918 while an employee of H. Koppers Company, subcontractors of the Birmingham Coke and By-Products Company, agents of the Ordnance Department, War Department, engaged in the construction of a by-products plant at Boyles, Alabama, and to consider his claim under the remaining provisions of said Act: *Provided*, That no benefits shall accrue prior to the approval of this Act.

F. P. Bolack.
Provisions of Employees' Compensation Act extended to.
Vol. 39, p. 746.
U. S. C., p. 98.

Proviso.
No prior benefits.

Approved, June 20, 1936.

[CHAPTER 663.]

AN ACT

For the relief of John Collins.

June 20, 1936.
[H. R. 686.]
[Private, No. 645.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $700 to John Collins, in full settlement of all claims against the Government for damages to his person and property as the result of being struck and knocked down by a Chevrolet roadster truck, numbered U. S. N. 3447, owned by the United States Navy Department, and operated by Joseph T. Sullivan, of Quincy, Massachusetts, said accident occurring at 4:45 o'clock postmeridian, December 19, 1933, at Hunt Street, junction of Hancock Street, Quincy, Massachusetts: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

John Collins.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 20, 1936.

[CHAPTER 664.]

AN ACT

For the relief of Frank A. Boyle.

June 20, 1936.
[H. R. 993.]
[Private, No. 646.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank A. Boyle, of Juneau, Alaska, the sum of $2,500, in full settlement of his

Frank A. Boyle.
Payment to.

claim against the United States for injuries sustained on July 26, 1929, in the Federal Building at Juneau while in the performance of his duties as United States Commissioner at Juneau, Alaska: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 20, 1936.

[CHAPTER 665.]

June 20, 1936. [H. R. 2400.] [Private, No. 647.]

AN ACT

For the relief of Blanche Knight.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Blanche Knight, of Bibb County, Georgia, the sum of $5,000 in full settlement of all claims against the United States for the death of her husband, Sam Knight, who was shot and killed by a Federal prohibition agent on August 1, 1930, at Macon, Georgia: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Blanche Knight. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 20, 1936.

[CHAPTER 666.]

June 20, 1936. [H. R. 2495.] [Private, No. 648.]

AN ACT

For the relief of Thomas Berchel Burke.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission shall be, and it is hereby, authorized and directed to receive and consider the claim of Thomas Berchel Burke, former employee of the United States Public Health Service at New Orleans, Louisiana, for injury alleged to have been sustained on or about February 13, 1917, under the provisions of an Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, except that the time limitations in sections 15 to 20, inclusive, of said Act are hereby waived, any compensation hereunder to commence from and after the passage of this Act.

Thomas Berchel Burke. Provisions of Employees' Compensation Act extended to.

Vol. 39, p. 746. U. S. C., p. 98.

Approved, June 20, 1936.

[CHAPTER 667.]

AN ACT

For the relief of Thomas J. Moran.

June 20, 1936.
[H. R. 2496.]
[Private, No. 649.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission shall extend to Thomas J. Moran, former employee of the United States Shipping Board in respect to furunculosis alleged to have been contracted by him between April 14, 1928, and June 22, 1928, the provisions of an Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, except that sections 15 to 20, inclusive, of said Act, are hereby waived, any compensation hereunder to commence from and after passage of this Act.

Thomas J. Moran.
Provisions of Employees' Compensation Act extended to.

Vol. 39, p. 746.
U. S. C., p. 98.

Approved, June 20, 1936.

[CHAPTER 668.]

AN ACT

For the relief of Irene Magnuson and Oscar L. Magnuson, her husband.

June 20, 1936.
[H. R. 3160.]
[Private, No. 650.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, jointly to Irene Magnuson and Oscar L. Magnuson, her husband, the sum of $3,500 in full settlement of all claims against the Government of the United States for injuries sustained by Irene Magnuson arising from an automobile collision in which United States Army ambulance numbered W731 collided and ran into the automobile owned and driven by Mr. Oscar L. Magnuson, on April 24, 1934: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Irene Magnuson and Oscar L. Magnuson.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 20, 1936.

[CHAPTER 669.]

AN ACT

For the relief of James L. Park.

June 20, 1936.
[H. R. 3907.]
[Private, No. 651.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James L. Park, of Philadelphia, Pennsylvania, the sum of $2,000, in full settlement of all claims against the United States. Such sum represents the amount of two Liberty bonds of the face value of $2,000 deposited by the said James L. Park with the United States District Court for the Southern District of Florida to secure the appearance in

James L. Park.
Payment to.

Proviso. Limitation on attorney's, etc., fees.

such court of Charles Park and Ned Shaw: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, June 20, 1936.

[CHAPTER 670.]

June 20, 1936.
[H. R. 4619.]
[Private, No. 652.]

AN ACT

For the relief of Joseph Salinghi.

Joseph Salinghi. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Joseph Salinghi the sum of $3,500, out of any money in the United States Treasury not otherwise appropriated, in full settlement of all claims against the United States for injuries received on November 9, 1926, on which date he was struck by an automobile owned and operated by the United States Veterans' Bureau in Hartford, Connecticut: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 20, 1936.

[CHAPTER 671.]

June 20, 1936.
[H. R. 5900.]
[Private, No. 653.]

AN ACT

For the relief of Joseph E. Moore.

Joseph E. Moore. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joseph E. Moore the sum of $829.33 in full settlement of all claims against the United States for the difference between the pay and allowances of a first lieutenant, Quartermaster Corps, United States Army, on foreign service, and the pay and allowances of a second lieutenant, Quartermaster Corps, United States Army, on foreign service, for the period between February 20, 1919, and November 19, 1920: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said

Proviso. Limitation on attorney's, etc., fees.

claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, June 20, 1936.

[CHAPTER 672.]

AN ACT

For the relief of D. E. Woodward.

June 20, 1936.
[H. R. 6258.]
[Private, No. 654.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any moneys in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to D. E. Woodward the sum of $3,500. Such sum shall be in full settlement of all claims against the United States on account of damages sustained by the said D. E. Woodward when he was injured in an automobile collision with a United States owned truck near Santa Fe, New Mexico, on September 23, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

D. E. Woodward.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 20, 1936.

[CHAPTER 673.]

AN ACT

For the relief of Clara Imbesi and Domenick Imbesi.

June 20, 1936.
[H. R. 7270.]
[Private, No. 655.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, the United States Employees' Compensation Commission be, and the same is hereby, authorized and directed to receive and consider, when filed, the claim of Clara Imbesi and Domenick Imbesi on account of the death of the late Lawrence P. Imbesi on July 16, 1933, as a result of alleged personal injuries sustained while in the performance of his official duties as a temporary carrier at the post office, Ocean City, New Jersey, and to determine said claim upon its merits under the provisions of said Act.

Clara Imbesi and Domenick Imbesi.
Provisions of Employees' Compensation Act extended to.
Vol. 39, p. 746.
U. S. C., p. 100.

Approved, June 20, 1936.

[CHAPTER 674.]

June 20, 1936.
[H. R. 7555.]
[Private, No. 656.]

AN ACT

For the relief of W. N. Holbrook.

W. N. Holbrook.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. N. Holbrook, Cumberland Gap, Tennessee, the sum of $2,000. Such sum shall be in full settlement of all claims against the United States for damages sustained by the said W. N. Holbrook as the result of a Government truck in the service of the Civilian Conservation Corps striking a building owned by the said W. N. Holbrook at Cumberland Gap, Tennessee, damaging the building and destroying the equipment of a gasoline filling station: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 20, 1936.

[CHAPTER 675.]

June 20, 1936.
[H. R. 7743.]
[Private, No. 657.]

AN ACT

For the relief of Mrs. David C. Stafford.

Mrs. David C. Stafford.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. David C. Stafford, Kingsland, Georgia, the sum of $3,500. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by the said Mrs. David C. Stafford on account of the death of her husband, David C. Stafford, who was fatally injured on December 14, 1934, at Kingsland, Georgia, in a collision involving the car in which he was a passenger and a Government vehicle in the service of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 20, 1936.

[CHAPTER 676.]

AN ACT

For the relief of the Great Northern Railway Company.

June 20, 1936.
[H. R. 8028.]
[Private, No. 658.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Great Northern Railway Company, Saint Paul, Minnesota, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $208.04, in full settlement of all claims against the United States of said Great Northern Railway Company for shipment of freight to Fort Browning, Montana, in December 1930, from Glasgow, Montana, and from International Falls, Minnesota, for the United States: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Great Northern Railway Company.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 20, 1936.

[CHAPTER 677.]

AN ACT

For the relief of the seamen of the steamship Santa Ana.

June 20, 1936.
[H. R. 8200.]
[Private, No. 659.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $398 to the clerk of the United States District Court for the Southern District of Florida, who shall distribute such sum, in proportion to their respectively adjudicated claims, to the seamen of the steamship Santa Ana, in accordance with the final decree and order of said United States District Court, dated June 8, 1932, at Tampa, Florida. Such sum shall be deemed to be in full settlement of the claim of the seamen of the steamship Santa Ana against the United States for the moneys erroneously paid into the Treasury of the United States when same should have been retained in the court registry for payment to said seamen as wages as a result of the decision in the case of S. G. Clifford, and others, against Merritt-Chapman and Scott Corporation (57 Fed. (2) 1021): *Provided*, That no part of said amount of $398 in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Steamship "Santa Ana".
Payment to seamen of.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 20, 1936.

[CHAPTER 678.]

June 20, 1936.
[H. R. 8671.]
[Private, No. 660.]

AN ACT

For the relief of R. H. Quynn, lieutenant, United States Navy.

Lieutenant R. H. Quynn, Navy. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $900 to R. H. Quynn, lieutenant, United States Navy, in full settlement of all claims against the United States for the loss of his furniture, clothing, and other personal effects of himself and family by fire originating from a house adjoining the house or quarters supplied him by the Navy Department, both situated inside the naval operating base, at Hampton Roads, Virginia; said fire occurring at the time he was stationed in the line of duty at the said naval operating base, and being without fault or negligence on his part: *Provided*, That the Secretary of the Navy shall have determined that the said officer was occupying his said quarters in the line of duty, and that the loss occurred without fault or negligence on his part, which finding or determination of the Secretary of the Navy shall be conclusive upon the accounting officers of the Treasury: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Provisos. Conditions.

Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 20, 1936.

[CHAPTER 679.]

June 20, 1936.
[H. R. 9926.]
[Private, No. 661.]

AN ACT

For the relief of Robert B. Barker.

Robert B. Barker. Travel expense claim allowed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to allow the claim of Robert B. Barker, senior contact representative of the Veterans' Administration, in the sum of $213.82, payable from the current appropriation "Salaries and expenses, Veterans' Administration", for travel performed on official business for the Government in recovering funds due certain Veterans' Administration wards from their guardians and developing evidence upon which indictments were based for violation of Federal penal statutes, which expenses he paid from personal funds, covering the periods November 1 to 7, December 4 to 16, and December 20 to 25, 1934, inclusive.

Approved, June 20, 1936.

[CHAPTER 680.]

AN ACT

For the relief of Emma Hastings.

June 20, 1936.
[H. R. 10435.]
[Private, No. 662.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Emma Hastings the sum of $3,500. Such sum shall be in full settlement of all claims of Emma Hastings against the Government because of the death of her husband, Charles R. Hastings, on October 30, 1935, when the truck in which he was traveling was struck by a Works Progress Administration truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Emma Hastings.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 20, 1936.

[CHAPTER 681.]

AN ACT

For the relief of Cora Fulghum and Ben Peterson.

June 20, 1936.
[H. R. 10677.]
[Private, No. 663.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to (1) Cora Fulghum the sum of $5,000, and to (2) Ben Peterson the sum of $5,000. The payment of such sums to such persons shall be in full settlement of their respective claims against the United States for damages sustained on account of the death of their sons, Arnall Fulghum and C. J. Peterson, respectively, who were fatally injured on August 30, 1935, near Waycross, Georgia, in a collision involving the truck on which they were riding and a Government vehicle in the service of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with the said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Cora Fulghum and Ben Peterson.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 20, 1936.

[CHAPTER 682.]

June 20, 1936.
[H. R. 10916.]
[Private, No. 664.]

AN ACT

For the relief of Carl Hardin, Orville Richardson, and W. E. Payne.

Carl Hardin, and others. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Carl Hardin, of Steelville, Missouri, the sum of $500; to Orville Richardson, of Steelville, Missouri, the sum of $500; and to W. E. Payne, of Steelville, Missouri, the sum of $350; in all $1,350, in full settlement of their respective claims against the United States for personal injuries sustained when the vehicle in which they were riding was struck by a truck of the Forest Service, Department of Agriculture, on Missouri State Highway Numbered 8, near Steelville, August 11, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 20, 1936.

[CHAPTER 683.]

June 20, 1936.
[H. R. 11203.]
[Private, No. 665.]

AN ACT

For the relief of Andrew Smith.

Andrew Smith. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Andrew Smith, Hot Springs, Arkansas, the sum of $2,000. The payment of such sum shall be in full settlement of all claims against the United States for injuries and damages sustained by Louise Smith, Eula May Smith, and R. L. Smith, minor children of Andrew Smith, when the vehicle in which they were riding was struck, near Hot Springs, Arkansas, on June 22, 1935, by a vehicle in the service of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 20, 1936.

[CHAPTER 684.]

June 20, 1936.
[H. R. 11461.]
[Private, No. 666.]

AN ACT

For the relief of the estates of N. G. Harper and Amos Phillips.

N. G. Harper and Amos Phillips. Payment to estates of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to C. F. Watlers, administrator of the estate of N. G. Harper, deceased,

and to Sim Phillips, administrator of the estate of Amos Phillips, deceased, the sum of $1,000 each. The payment of such sums shall be in full settlement of all claims against the Government of the United States for the death of N. G. Harper and Amos Phillips when the vehicle in which they were riding was struck, on Arkansas State Highway 167, near Sheridan, Arkansas, November 1, 1934, by a vehicle in the service of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 20, 1936.

[CHAPTER 685.]

AN ACT

For the relief of the P. L. Andrews Corporation.

June 20, 1936.
[H. R. 12311.]
[Private, No. 667.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims to hear and adjudicate, without regard to existing statutes of limitations, the claim of the P. L. Andrews Corporation for just compensation, arising out of the service upon said company of United States Navy Commandeer Order Numbered N–3255, dated June 18, 1918, with the same right as in other cases to either party to apply to the Supreme Court of the United States for writ of certiorari to review any judgment that may be rendered.

P. L. Andrews Corporation.
Claim of, referred to Court of Claims.

Approved, June 20, 1936.

[CHAPTER 686.]

JOINT RESOLUTION

For the relief of William W. Brunswick.

June 20, 1936.
[H. J. Res. 522.]
[Priv. Res., No. 4.]

Whereas William W. Brunswick in 1932 was a member of the United States Foreign Service stationed at Lisbon, Portugal; and

Whereas William W. Brunswick was recalled by the Department of State and returned to the United States before July 1, 1932; and

Whereas some ten weeks later William W. Brunswick was retired from the Foreign Service; and

Whereas when William W. Brunswick returned to the United States before July 1, 1932, his wife accompanied him, paying her own expenses; and

Whereas the present law provides that an officer or clerk shall be entitled to reimbursement for transportation expenses of his family when returning under orders from his post to the United States to remain permanently: Therefore be it

William W. Brunswick.
Preamble.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William W. Brunswick the sum of $454.12 in full settlement of all claims against the United States for reimbursement of travel expenses for his wife, Evangeline McCarty Brunswick, in returning

Payment to.

Proviso. Limitation on attorney's, etc., fees.

to the United States from Lisbon, Portugal: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, June 20, 1936.

[CHAPTER 687.]

June 20, 1936.
[H. J. Res. 179.]
[Priv. Res., No. 5.]

JOINT RESOLUTION

Authorizing the President to present the Navy Cross to J. Harold Arnold.

J. Harold Arnold. Presentation of Navy Cross to, authorized.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to present the Navy Cross to J. Harold Arnold, who enlisted as A. A. Schovan, and whose name now appears on record as J. Harold Arnold, formerly drummer of the Thirty-first Company, Fourth Regiment United States Marine Corps, who, in action involving actual conflict with the enemy, distinguished himself conspicuously by gallantry and intrepidity at the risk of his life above and beyond the call of duty.

Approved, June 20, 1936.

[CHAPTER 716.]

June 22, 1936.
[H. R. 4085.]
[Private, No. 668.]

AN ACT

For the relief of Joseph Watkins.

Joseph Watkins. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joseph Watkins the sum of $3,000 in full settlement of all claims against the United States because of personal injuries sustained by the said Joseph Watkins in May 1916 while he was a pupil in the Pipestone Indian School in Minnesota: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 22, 1936.

[CHAPTER 717.]

AN ACT

June 22, 1936.
[H. R. 4707.]
[Private, No. 669.]

Validating certain applications for and entries of public lands, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to issue a patent under the homestead entry of Ashel E. Caldwell, Salt Lake City 048547, for northwest quarter of northeast quarter, section 36, township 1 south, range 1 east, Uintah special meridian, Utah, upon compliance by Ashel E. Caldwell with the homestead laws of the United States: *Provided*, That in addition to the usual fees and commissions payable under existing laws, said entryman shall pay the sum of $1.25 per acre for the land so entered, which latter sum shall be deposited in the Treasury of the United States and disposed of in the same manner as other proceeds derived from the sale of lands within the former Uintah Indian Reservation, Utah.

Public lands.
Patents allowed for designated entries.
Ashel E. Caldwell.
Homestead.

Proviso.
Purchase price.

SEC. 2. The Secretary of the Interior is hereby authorized and directed to allow John S. Dillon of Portland, Oregon, to make desert-land entry for west half of northwest quarter, northwest quarter of southwest quarter, section 20, township 18 south, range 44 east, Willamette meridian, The Dalles, Oregon.

John S. Dillon.
Desert-land.

SEC. 3. The Secretary of the Interior is hereby authorized and directed to accept the final proof submitted on October 25, 1930, on behalf of Joe Draper by his mother and guardian, Sarah E. Draper, in support of the homestead entry of Joe Draper, Phoenix 063049, as amended, for south half, section 27 and lots 1, 2, and 3, southeast quarter of northwest quarter, west half of northwest quarter, north half of southwest quarter, section 33, township 14 south, range 12 east, Gila and Salt River meridian, Arizona, and to issue patent for the entry in regular course.

Joe Draper.
Homestead.

SEC. 4. The homestead entry, Cass Lake 014741, made by Joseph Burnham on October 15, 1928, for southeast quarter of northwest quarter, section 20, township 144 north, range 34 west, fifth principal meridian, Minnesota, is hereby validated, and the Secretary of the Interior is hereby authorized and directed to accept the final proof submitted by Joseph Burnham in support of said homestead entry on December 20, 1933, and to issue patent for the entry in regular course.

Joseph Burnham.
Homestead.

SEC. 5. The homestead entry of George W. Turner, Santa Fe 063896, for south half of south, section 9, and north half, section 21, township 1 south, range 20 east, New Mexico meridian, New Mexico, allowed October 27, 1931, pursuant to an application filed April 16, 1931, is hereby validated.

George W. Turner.
Homestead.

SEC. 6. The homestead entry, Cheyenne 052273, made by Ruble L. Jenkins on January 27, 1931, for east half of northeast quarter and northeast quarter of southeast quarter, section 19, and southwest quarter of northwest quarter of section 20, township 6 north, range 2 east, Wind River meridian, Wyoming, within the Shoshone Indian Reservation, is hereby validated, and the Secretary of the Interior is hereby authorized to accept the final proof submitted by Ruble L. Jenkins in support of said homestead entry, and to issue patent for the entry in regular course.

Ruble L. Jenkins.
Homestead.

Approved, June 22, 1936.

[CHAPTER 718.]

June 22, 1936.
[H. R. 6702.]
[Private, No. 670.]

AN ACT

For the relief of Annie E. Daniels.

Annie E. Daniels.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated to Annie E. Daniels the sum of $540. Such sum shall be in full settlement of all claims against the United States for purchase money paid on mining claims situated in section 36, township 19 south, and sections 1 and 2, township 20 south, range 14 east, in the State of Arizona, as to which entries were thereafter rejected. A claim for the refund of such purchase money was denied by the Comptroller General on the ground that such claim was not filed within the time required by section 1 of the Act of December 11, 1919: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 22, 1936.

[CHAPTER 719.]

June 22, 1936.
[H. R. 8321.]
[Private, No. 671.]

AN ACT

For the relief of Julia Long.

Julia Long.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Julia Long, of Detroit Lakes, Minnesota, the sum of $1,166.25. The payment of such sum shall be in full settlement of all claims against the United States on account of damages sustained by the said Julia Long as the result of the death of her daughter, Harriet Long, which occurred November 7, 1934, in a collision near the village of Richwood, Minnesota, between the automobile in which she was riding and a Government truck operated by an employee of the Office of Indian Affairs, Department of the Interior: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 22, 1936.

[CHAPTER 720.]

AN ACT

For the relief of Merwin A. Kiel.

June 22, 1936.
[H. R. 8322.]
[Private, No. 672.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Merwin A. Kiel, of Detroit Lakes, Minnesota, the sum of $2,697.75. The payment of such sum shall be in full settlement of all claims against the United States on account of damages sustained by the said Merwin A. Kiel as a result of permanent injuries suffered on November 7, 1934, in a collision which occurred near the village of Richwood, Minnesota, between his automobile and a Government truck operated by an employee of the Office of Indian Affairs, Department of the Interior: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Merwin A. Kiel.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 22, 1936.

[CHAPTER 721.]

AN ACT

For the relief of Brooks-Callaway Company.

June 22, 1936.
[H. R. 11262.]
[Private, No. 673.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to investigate the claim of Brooks-Callaway Company of Atlanta, Georgia, for losses growing out of a contract with the War Department (numbered W-1092 Eng. 3061) on account of the National Industrial Recovery Act, and report to the Congress, for consideration as an equitable claim, such losses as may be found to have been caused directly or indirectly by the operation of said Act.

Brooks-Callaway Company.
Investigation of claim of, authorized.

Report to Congress.

Approved, June 22, 1936.

[CHAPTER 722.]

AN ACT

For the relief of Albert Gonzales.

June 22, 1936.
[H. R. 4373.]
[Private, No. 674.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission is authorized and directed to receive the claim of Albert Gonzales for disability suffered by him on July 28, 1929, while a student at the citizens' military training camp, Fort Bliss, Texas, and to extend to him the provisions, benefits, and privileges of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes",

Albert Gonzales.
Provisions of Employees' Compensation Act extended to.

Vol. 39, p. 746.
U. S. C., p. 98.

Provisos.
Rate of pay and allowances.

approved September 7, 1916, as amended: *Provided*, That for the purposes of this Act, the pay and allowances of said Albert Gonzales at the time of his said disability shall be considered as having been $150 per month: *Provided further*, That no benefits shall accrue prior to the approval of this Act.

No prior benefits.

Approved, June 22, 1936.

[CHAPTER 723.]

June 22, 1936.
[H. R. 9153.]
[Private, No. 675.]

AN ACT

For the relief of Evelyn Harriett B. Johnstone.

Evelyn Harriett B. Johnstone.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Evelyn Harriett B. Johnstone, of San Francisco, California, the sum of $500, in full settlement of her claim against the United States for damages sustained on March 5, 1935, when she was injured by a bullet fired by a Federal narcotic officer who was in pursuit of a suspect fugitive: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 22, 1936.

[CHAPTER 724.]

June 22, 1936.
[H. J. Res. 388.]
[Priv. Res., No. 6.]

JOINT RESOLUTION

To authorize the issuance of a reentry permit to Tomio Mori Moto and his readmission upon application while such permit remains valid.

Tomio Mori Moto.
Issuance of reentry permit, etc., authorized.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Labor is authorized and directed to issue to Tomio Mori Moto a permit to reenter the United States after a temporary visit to Japan, notwithstanding his ineligibility for admission for permanent residence, and to readmit him to the United States if he applies for readmission during the validity of his permit to reenter.

Approved, June 22, 1936.

[CHAPTER 740.]

June 23, 1936.
[H. R. 11022.]
[Private, No. 676.]

AN ACT

For the relief of Ethel Armes.

Ethel Armes.
Cancelation of special assessment and interest.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia be, and are hereby, authorized and directed to instruct the assessor of the District of Columbia to cancel the special assessment of $2,267.20 and interest thereon against a certain parcel of land standing in the name of Ethel Armes and known as parcel 36/17, such special assessment having been entered in District court case numbered 2011 for benefits alleged to have accrued to said parcel by reason of the extension of Nebraska Avenue.

SEC. 2. The said Commissioners are hereby authorized and directed to instruct the assessor of the District of Columbia to place an assessment for benefits against the said parcel 36/17, standing in the name of Ethel Armes, in the sum of $755.73, effective the date of the approval of this Act, and without retroactive interest: *Provided*, That interest for the nonpayment of this assessment shall accrue after the approval of this Act at the rate provided by law in such cases.

Substituted assessment.

Proviso. Interest.

Approved, June 23, 1936.

[CHAPTER 770.]

AN ACT

For the relief of Beatrice I. Manges.

June 24, 1936. [S. 283.] [Private, No. 677.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, during her natural life the sum of $1,000, and $50 per month in an amount not to exceed $2,500, to Beatrice I. Manges, of Cleveland, Ohio, in full settlement of all claims against the Government for injuries received November 7, 1918, when a United States Army truck collided with an automobile of which she was an occupant: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Beatrice I. Manges. Payments to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 24, 1936.

[CHAPTER 771.]

AN ACT

For the relief of James W. Grist.

June 24, 1936. [S. 3879.] [Private, No. 678.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider, when filed, the claim of James W. Grist for disability alleged to have been incurred by him in the course of his employment at the Government Printing Office between September 1928 and June 1929 and to determine said claim upon its merits under the provisions of said Act: *Provided*, That no benefits shall accrue prior to the approval of this Act.

James W. Grist. Provisions of Employees' Compensation Act extended to. Vol. 39, p. 746. U. S. C., p. 100.

Proviso. No prior benefits.

Approved, June 24, 1936.

[CHAPTER 772.]

June 24, 1936.
[H. R. 2155.]
[Private, No. 679.]

AN ACT

For the relief of Francisco M. Acayan.

Francisco M. Acayan.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement of all claims against the Government of the United States, to Francisco M. Acayan, father of Aurora Acayan, the sum of $1,500 for hospitalization and damages for injuries sustained by the said Aurora Acayan, as a result of being struck by a motor truck belonging to the United States Marine Corps and driven by an enlisted man of the United States Marine Corps, on September 8, 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 24, 1936.

[CHAPTER 773.]

June 24, 1936.
[H. R. 3866.]
[Private, No. 680.]

AN ACT

To confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Emanuel Bratses.

Emanuel Bratses.
Claim of, referred to Court of Claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims of the United States to hear, determine, and render judgment upon the claim of Emanuel Bratses for injuries and damages sustained in an accident in which he lost his leg at the Brooklyn Navy Yard, Brooklyn, New York, on May 27, 1933: *Provided*, That proceedings in any suit brought in the Court of Claims under this Act, appeals therefrom, and payment of any judgment therein shall be had as in the case of claims over which said court has jurisdiction under section 145 of the Judicial Code, as amended: *Provided further*, That the judgment, if any, shall not exceed the sum of $5,000.

Provisos.
Proceedings, etc.

U. S. C., p. 1261.

Amount of judgment limited.

Approved, June 24, 1936.

[CHAPTER 774.]

June 24, 1936.
[H. R. 4364.]
[Private, No. 681.]

AN ACT

For the relief of Andrew Johnson.

Andrew Johnson.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, the sum of $1,500 to Andrew Johnson, of Sacramento, California, in full settlement of all claims against the Government of the United States for damage and injuries sustained when his car was struck

by a Civilian Conservation Corps truck on October 31, 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 24, 1936.

[CHAPTER 775.]

AN ACT

For the relief of Mrs. Charles F. Eikenberg.

June 24, 1936. [H. R. 5078.] [Private, No. 682.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Mrs. Charles F. Eikenberg, the sum of $4,186. Such sum shall be in full settlement of all claims against the United States on account of injuries sustained by the said Mrs. Charles F. Eikenberg on or about the 1st day of October 1933 as result of collision with a Government truck numbered C. C. C. 65: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mrs. Charles F. Eikenberg. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 24, 1936.

[CHAPTER 776.]

AN ACT

For the relief of May Wynne Lamb.

June 24, 1936. [H. R. 5752.] [Private, No. 683.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to May Wynne Lamb, of Juneau, Alaska, in full satisfaction of her claim against the United States for the death of her husband, Doctor Frank W. Lamb, formerly a commissioned medical officer of the Bureau of Education, Department of the Interior, who died December 23, 1918, at Old Hamilton, Alaska, as a result of influenza contracted while in the performance of his duties: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any

May Wynne Lamb. Payment to.

Proviso. Limitation on attorney's, etc., fees.

agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, June 24, 1936.

[CHAPTER 777.]

June 24, 1936.
[H. R. 5754.]
[Private, No. 684.]

AN ACT

For the relief of Emma M. Pearson.

Emma M. Pearson.
Provisions of Employees' Compensation Act extended to.
Vol. 39, p. 746.
U. S. C., p. 100.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitations of time in sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for the employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Emma M. Pearson, of Santa Monica, California, and the Employees' Compensation Commission is hereby authorized to receive and consider her claim, if filed within six months after the approval of this Act, under the remaining provisions of the said Act of September 7, 1916, as amended, for disability alleged to have been incurred by her while employed in the nurses' home, Fort Oglethorpe, Georgia, between September 1918 and May 1919, or as laboratory technician at the General Hospital, Fort Sheridan, Illinois, between May 1919 and October 1920: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Proviso.
No prior benefits.

Approved, June 24, 1936.

[CHAPTER 778.]

June 24, 1936.
[H. R. 5829.]
[Private, No. 685.]

AN ACT

For the relief of Daniel J. Hagerty.

Daniel J. Hagerty.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement of all claims against the Government of the United States, to Daniel J. Hagerty, the sum of $2,500 said sum being the amount of bond placed for the appearance of a defendant in the United States District Court, District of New Hampshire, for prosecution under the National Prohibition Act, which defendant was duly tried and convicted, but after the sum mentioned was ordered deposited in the Treasury of the United States, by decree of the court, to apply on unpaid fines and costs in the said criminal case: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 24, 1936.

[CHAPTER 779.]

AN ACT

For the relief of Thomas J. English.

June 24, 1936.
[H. R. 6951.]
[Private, No. 686.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions and limitations of sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Thomas J. English, of Philadelphia, Pennsylvania, a former postal clerk, and the United States Employees' Compensation Commission is authorized to receive and consider his claim, under the remaining provisions of said Act, for injury and disability alleged to have been sustained in February or March, 1928, as a result of his employment in such capacity: *Provided*, That claim hereunder shall be filed within ninety days from the approval of this Act: *Provided further*, That no benefits shall accrue prior to the approval of this Act.

Thomas J. English.
Provisions of Employees' Compensation Act extended to.
Vol. 39, p. 746.
U. S. C., p. 100.

Provisos.
Time for filing claim.
No prior benefits.

Approved, June 24, 1936.

[CHAPTER 780.]

AN ACT

For the relief of the estate of Frank W. Trick.

June 24, 1936.
[H. R. 7642.]
[Private, No. 687.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the administrator of the estate of Frank W. Trick, deceased, formerly of Baldwin, Lake County, Michigan, the sum of $700, to be disbursed for the reasonable hospital, medical, and funeral expenses of said Frank W. Trick, who died of injuries received when struck on the head on March 15, 1934, by a stump of wood dynamited by employees of the Federal Civil Works Administration engaged in work on the Baldwin trout-rearing ponds project at Baldwin, Michigan: *Provided*, That such administrator shall also disburse a sum, not in excess of $150, from the amount herein appropriated, for services rendered by any attorney or agent in connection with prosecution of the claim of the dependent widow of Frank W. Trick, Katherine Trick, now deceased, and for the prosecution of this claim: *Provided further*, That any amounts paid hereunder shall be deemed to be in full satisfaction of all claims against the United States for any services rendered as a result of the injury and death of Frank W. Trick as herein described.

Frank W. Trick.
Payment to estate of.

Provisos.
Attorney's, etc., services.

Payment in full satisfaction of all claims.

Approved, June 24, 1936.

[CHAPTER 781.]

AN ACT

For the relief of Caroline M. Hyde.

June 24, 1936.
[H. R. 7818.]
[Private, No. 688.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Caroline M. Hyde, out of any money in the Treasury not otherwise appropriated, the sum of $2,500 in full settlement of all claims against the United States for personal injuries sustained when struck by a United States mail truck, in New York City, on

Caroline M. Hyde.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

January 22, 1925: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, June 24, 1936.

[CHAPTER 782.]

June 24, 1936.
[H. R. 7839.]
[Private, No. 689.]

AN ACT

For the relief of C. E. Rightor.

C. E. Rightor.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to C. E. Rightor, of Mountain Lakes, county of Morris, State of New Jersey, the sum of $155.61 in full settlement of claim against the Government of the United States for reimbursement of travel and other expenses incurred in the discharge of official duties with the Federal Emergency Administration of Public Works, from June 4, 1933, to June 10, 1933, inclusive: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 24, 1936.

[CHAPTER 783.]

June 24, 1936.
[H. R. 8373.]
[Private, No. 690.]

AN ACT

For the relief of James Fitzgerald.

James Fitzgerald.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James Fitzgerald, of Chicago, Illinois, the sum of $156.07 in full settlement of all claims against the Government of the United States on account of the taking of such sum by a Federal prohibition agent from claimant's place of business on October 12, 1931, and for the return of which he failed to make application: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 24, 1936.

[CHAPTER 784.]

AN ACT

For the relief of Theresa Link, Wencel Link, Edward Block, and John Meyers.

June 24, 1936.
[H. R. 8502.]
[Private, No. 691.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Theresa Link, Browns Valley, Minnesota, the sum of $2,500 in full settlement of all claims against the United States for damages sustained by the said Theresa Link on account of permanent personal injuries received on December 21, 1933, when the automobile in which she was riding near Clinton, Minnesota, was struck and demolished by a truck in the service of the Federal Civil Works Administration.

Theresa Link.
Payment to.

SEC. 2. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Wencel Link, Browns Valley, Minnesota, the sum of $5, to Edward Block, Browns Valley, Minnesota, the sum of $57.35, and to John Meyers, Beardsley, Minnesota, the sum of $10, in reimbursement for the actual expenses incurred by the said Wencel Link, Edward Block, and John Meyers, respectively, for medical or hospital treatment on account of personal injuries sustained in such accident of December 21, 1933, such persons also being occupants of the automobile struck and demolished in the manner described in the first paragraph of this Act: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Wencel Link, Edward Block, and John Meyers.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 24, 1936.

[CHAPTER 785.]

AN ACT

For the relief of Elsie O'Brine.

June 24, 1936.
[H. R. 8521.]
[Private, No. 692.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to Elsie O'Brine, in full settlement of her claim against the United States on account of injuries sustained by her on October 18, 1932, when she was in a collision between an automobile in which she was riding and a truck of the United States Forest Service: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Elsie O'Brine.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 24, 1936.

[CHAPTER 786.]

June 24, 1936.
[H. R. 8643.]
[Private, No. 693.]

AN ACT

For the relief of Mr. and Mrs. Frank Daley.

Mr. and Mrs. Frank Daley.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated to Frank Daley, of Somers, Montana, the sum of $2,500 and to Mrs. Frank (Margaret E.) Daley the sum of $1,000. Such sums shall be in full settlement of all claims against the United States on account of the death of their son, Donald Daley, and the serious injuries sustained by the said Mr. and Mrs. Frank Daley when the automobile in which they were riding collided with a truck of the Civilian Conservation Corps on October 25, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 24, 1936.

[CHAPTER 787.]

June 24, 1936.
[H. R. 8688.]
[Private, No. 694.]

AN ACT

For the relief of Grace Schultz.

Grace Schultz.
Provisions of Employees' Compensation Act extended to.
Vol. 39, p. 746.
U. S. C., p. 100.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 17 and 20 of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., title 5, secs. 767 and 770), are hereby waived in favor of Grace Schultz, widow of Private Floyd V. Schultz, Marine Corps Reserve, who while in inactive status and serving without pay sustained injury, resulting in death, on December 18, 1932, at the naval reserve base at Long Beach, California, when the airplane in which he was flying as an observer crashed during a regular drill period; and the case of the said Grace Schultz is authorized to be considered and acted upon under the remaining provisions of such Act, as amended, if she files a notice of such injury and death and a claim for compensation and/or other benefits under such Act, as amended, with the United States Employees' Compensation Commission not later than sixty days after the date of enactment of this Act.

Time for filing claim.

SEC. 2. For the purposes of such consideration and action—

Private Floyd V. Schultz.
Injury deemed in line of duty.
Vol. 43, p. 1084.
U. S. C., p. 1560.

(a) The said Private Floyd V. Schultz shall be deemed to have been physically injured in the line of duty while performing active duty, within the meaning of the provisions of section 14 of the Act entitled "An Act to provide for the creation, organization, administration, and maintenance of a Naval Reserve and a Marine Corps Reserve", approved February 28, 1925, as amended (U. S. C., title 34, sec. 762); and

Pay rate at death.

(b) The monthly pay of the said Private Floyd V. Schultz shall be deemed to have been $90 at the time of his injury and death.

Approved, June 24, 1936.

[CHAPTER 788.]

AN ACT

For the relief of Louis Manzumin.

June 24, 1936.
[H. R. 8720.]
[Private, No. 695.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to Louis Manzumin, of Chicago, Illinois, as full compensation for permanent injuries and damages received by the said Manzumin on the 29th day of June 1920, caused by being struck by an automobile, then in the service of the Post Office Department, said injuries being caused by the negligence of the driver of said truck without any contributory negligence on the part of said Manzumin: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Louis Manzumin.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 24, 1936.

[CHAPTER 789.]

AN ACT

For the relief of John N. Hunter, Edmund M. Cook, Fred C. Putnam, Merchants National Bank of South Bend, Indiana, and Saint Joseph Loan and Trust Company, of South Bend, Indiana.

June 24, 1936.
[H. R. 8799.]
[Private, No. 696.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to credit the account of John N. Hunter, postmaster at South Bend, Indiana, with the sum of $4,762.31; the account of Edmund M. Cook, acting postmaster at Allegan, Michigan, with the sum of $1,652.87; and the account of Fred C. Putnam, postmaster at Kalamazoo, Michigan, with the sum of $2,001.86, representing the total amount of ninety-three postal money orders, stolen, fraudulently drawn, and negotiated by one Herman M. Sharpsteen between July 15, 1933, and June 22, 1934, and paid by the said postmasters upon proper presentation from certain banks, without fault or negligence on their part.

John N. Hunter and others.
Credits in postal accounts.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Merchants National Bank of South Bend, South Bend, Indiana, the sum of $50, representing a part of money paid by the said bank on invalid postal money orders, numbered 72983 and 72984; and to the Saint Joseph Loan and Trust Company, of South Bend, Indiana, the sum of $995, representing a refund on seven invalid postal money orders which it paid in the amount of $695, and for which it was paid by the postmaster at South Bend, said bank subsequently refunding such amount to the said postmaster, and also representing a loss on three invalid postal money orders which it paid in the amount of $300, but which payment the postmaster at South Bend refused to recognize. Such sums shall be in full settlement of all claims against the United States for the

Payments.

To Merchants National Bank, South Bend, Ind.

Saint Joseph Loan and Trust Company, South Bend, Ind.

losses suffered by said banks arising out of the fraudulent negotiation of the said money orders by one Herman M. Sharpsteen between July 15, 1933, and June 22, 1934, and paid by the said banks without fault or negligence on their part.

Recovery of losses from Grace E. Gibson or surety.

SEC. 3. Nothing in this Act shall be construed to prevent the recovery by the United States from Grace E. Gibson, former postmaster at Scotts, Michigan, or the surety on her official bond, of the losses suffered by the United States as a result of the stealing and fraudulent negotiation of ninety-eight postal money orders by said Herman M. Sharpsteen.

Limitation on attorney's, etc., fees.

SEC. 4. No part of the amount appropriated in this Act, or credited to any account by virtue of this Act, in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with said claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, June 24, 1936.

[CHAPTER 790.]

June 24, 1936.
[H. R. 8841.]
[Private, No. 697.]

AN ACT

For the relief of Estelle Mary MacDonald and Marilyn MacDonald.

Estelle Mary MacDonald and Marilyn MacDonald.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Estelle Mary MacDonald and Marilyn MacDonald, of Chehalis, Lewis County, Washington, a total sum of $5,920.92, of which amount $920.92 represents the expenses incurred at the time of the injuries and death of Kenneth Malcolm MacDonald, late husband and father, respectively, of the claimants, Estelle Mary MacDonald and Marilyn MacDonald. Such sum shall be in full settlement of claims against the United States on account of the death of Kenneth Malcolm MacDonald, December 30, 1934, growing out of injuries which occurred December 24, 1934, when an automobile in which he was riding was struck by a Civilian Conservation Corps truck negligently driven by Joe Flannigan: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 24, 1936.

[CHAPTER 791.]

AN ACT

For the relief of the estate of Hans Ditmanson, deceased.

June 24, 1936.
[H. R. 9313.]
[Private, No. 698.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States, in the settlement and adjustment of accounts and claims for services rendered at third- and fourth-class post offices, be, and he is hereby, authorized and directed to credit the account of Hans Ditmanson, deceased, former postmaster at Gulkana, Alaska, with $99.73, being the amount paid from postal receipts to Anna Leak for her voluntary services as acting postmaster at that postoffice from April 18, 1934, to September 30, 1934, inclusive.

Hans Ditmanson (deceased).
Credit in postal accounts.

Approved, June 24, 1936.

[CHAPTER 792.]

AN ACT

For the relief of the estate of Henry Copple, deceased.

June 24, 1936.
[H. R. 9314.]
[Private, No. 699.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States, in the settlement and adjustment of accounts and claims for services rendered at third- and fourth-class post offices, be, and he is hereby, authorized and directed to credit the account of Henry Copple, deceased, former postmaster at Kotzebue, Alaska, with $215.02, being the amount paid from postal receipts to Carrie R. Samms in payment for her voluntary services as acting postmaster at that post office during the period from October 1, 1934, to December 31, 1934, inclusive.

Henry Copple (deceased).
Credit in postal accounts.

SEC. 2. That the Comptroller General of the United States be, and he is hereby, authorized and directed to pay to Carrie R. Samms, out of the unexpended balance in the appropriation for compensation to postmasters in the fiscal year 1935, the sum of $44.09, being the amount remaining unpaid to Carrie R. Samms for her voluntary services as such acting postmaster in September 1934 and January 1935.

Carrie R. Samms.
Payment to.
Vol. 48, p. 445.

Approved, June 24, 1936.

[CHAPTER 793.]

AN ACT

For the relief of the estate of Fred Wilkins, deceased.

June 24, 1936.
[H. R. 9315.]
[Private, No. 700.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States, in the settlement and adjustment of accounts and claims for services rendered at third- and fourth-class post offices, be, and he is hereby, authorized and directed to credit the account of Fred Wilkins, deceased, former acting postmaster at Richardson, Alaska, with $121.38, being the amount paid from postal receipts to Galen B. Fry in part payment of his voluntary services in acting as postmaster at that post office from July 24, 1932, to March 12, 1935, inclusive.

Fred Wilkins (deceased).
Credit in postal accounts.

SEC. 2. That the Comptroller General of the United States be, and he is hereby, authorized and directed to pay to Galen B. Fry, out of the unexpended balances in the appropriations for compensation to postmasters in the fiscal years 1934 and 1935 the sums of $17.59 and $37.31, respectively, the said sums being amounts remaining unpaid to Galen B. Fry for his voluntary services as such acting postmaster.

Galen B. Fry.
Payment to.
Vol. 47, p. 1509; Vol. 48, p. 445.

Approved, June 24, 1936.

[CHAPTER 794.]

June 24, 1936.
[H. R. 10044.]
[Private, No. 701.]

AN ACT

For the relief of Lieutenant Colonel Fernand H. Gouaux.

Lieut. Col. Fernand H. Gouaux.
Credit allowed in accounts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the account of Lieutenant Colonel Fernand H. Gouaux, Quartermaster Corps, United States property and disbursing officer for the Louisiana National Guard, Jackson Barracks, New Orleans, Louisiana, for payments aggregating $372.52 made to Captain William G. Ross, Veterinary Corps, Louisiana National Guard, for salary while on active duty and in active-duty status in field training with the Louisiana National Guard for the periods from the 31st day of July 1933 to the 13th day of August 1933 and from the 27th day of August 1933 to the 19th day of September 1933, at Camp Beauregard, Louisiana, for which authority has heretofore been granted by the National Guard Bureau of the War Department, and for services actually rendered and performed by Captain Ross, but which payments were disallowed by the General Accounting Office for reason as claimed that there was no authority of law therefor.

Approved, June 24, 1936.

[CHAPTER 795.]

June 24, 1936.
[H. R. 10168.]
[Private, No. 702.]

AN ACT

For the relief of Arch A. Gary.

Arch A. Gary.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Arch A. Gary, postmaster at Henderson, Texas, in full settlement of his claim against the United States, the sum of $270.68, the balance due the Government from the embezzlement of post-office funds by David B. Baxter, Junior, clerk in the Henderson office, and which Mr. Gary was compelled to make good: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 24, 1936.

[CHAPTER 796.]

June 24, 1936.
[H. R. 10225.]
[Private, No. 703.]

AN ACT

For the relief of W. D. Lovell.

W. D. Lovell.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. D. Lovell, of Minneapolis, Minnesota, the sum of $1,949.20, in full settlement of his claim against the United States for furnish-

ing additional terra cotta in the United States post office and court house at Billings, Montana, for which the Government received the benefit but for which no payment whatever has been made to the said claimant under contract numbered T1sa 3630, dated October 25, 1932, with the United States Supervising Architect's Office, Treasury Department: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 24, 1936.

[CHAPTER 797.]

AN ACT

For the relief of John B. Ricketts.

June 24, 1936. [H. R. 10439.] [Private, No. 704.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to John B. Ricketts, of Lincoln, Nebraska, the sum of $1,500 in full settlement of his claim against the United States for personal injuries suffered as a result of a collision between the vehicle he was driving and a Civilian Conservation Corps truck, on December 3, 1934, near Cortland, Nebraska: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

John B. Ricketts. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 24, 1936.

[CHAPTER 798.]

AN ACT

For the relief of Harris Brothers Plumbing Company.

June 24, 1936. [H. R. 10627.] [Private, No. 705.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Harris Brothers Plumbing Company, Saint Paul, Minnesota, the sum of $3,150 in full settlement of all claims against the United States, for the furnishing of additional employees as subcontractor of contract numbered Tlsa–4352, dated April 5, 1933, during the construction of the new post-office building at Saint Paul, Minnesota, from the period of November 1, 1933, to July 1, 1934, on account of the Government moving into the building prior to its completion and not furnishing sufficient help adequately to heat the building:

Harris Brothers Plumbing Company. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, June 24, 1936.

[CHAPTER 799.]

June 24, 1936. [H. R. 11379.] [Private, No. 706.]

AN ACT

For the relief of William H. Milton.

William H. Milton. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to certify for payment to William H. Milton, out of any money in the Treasury not otherwise appropriated, the sum of $182.50 in full satisfaction of his claim against the United States for services rendered as a de-facto United States commissioner for the northern district of Florida at Marianna, Florida, for period from May 17, 1935, to September 26, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 24, 1936.

[CHAPTER 800.]

June 24, 1936. [H. R. 11597.] [Private, No. 707.]

AN ACT

For the relief of L. A. Peveler.

L. A. Peveler. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to L. A. Peveler, Granbury, Texas, the sum of $2,500. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by the said L. A. Peveler on account of the loss of his minor son, Hollis Peveler, who was killed on June 20, 1918, near Granbury, Texas, by a piece from the propeller of a United States Army airplane: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 24, 1936.

[CHAPTER 823.]

AN ACT

For the relief of Cora Akins.

June 25, 1936.
[H. R. 2335.]
[Private, No. 708.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Cora Akins the sum of $750 in full settlement of all claims against the United States on account of injuries received in a collision with a Civilian Conservation Corps truck, near Dahlonega, Georgia, on or about October 5, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Cora Akins.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 25, 1936.

[CHAPTER 824.]

AN ACT

For the relief of S. John Hegstad.

June 25, 1936.
[H. R. 6668.]
[Private, No. 709.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to S. John Hegstad, Caldwell, Idaho, the sum of $632. Such sum shall be in full settlement of all claims against the United States for damages sustained by the said S. John Hegstad on account of personal injuries received on July 2, 1934, when he was thrown from the truck in which he was riding by the impact of a telephone wire maintained by the National Park Service in Glacier National Park and incorrectly strung at a low elevation across United States Highway Numbered 2: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

S. John Hegstad.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 25, 1936.

[CHAPTER 825.]

AN ACT

June 25, 1936.
[H. R. 7727.]
[Private, No. 710.]

To confer jurisdiction on the Court of Claims to hear and determine the claim of George B. Marx, Incorporated.

George B. Marx, Incorporated.
Claims of, submitted to Court of Claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Court of Claims of the United States be, and it is hereby, given jurisdiction to hear and determine the claims, legal or equitable, of George B. Marx, Incorporated, a New York corporation and assignee or successor of George B. Marx, growing out of or arising under or from the suspension and cancelation of a certain contract numbered 4241, dated August 6, 1918 (order numbered 110016), which claims are for reimbursement and payment for services performed and goods furnished under said contract and order, for goods manufactured or in process of manufacture, and for materials and equipment bought, contracted, or committed for, by George B. Marx under the said contract, which contract was made by the United States with the said George B. Marx for the construction of a quantity of carts for carrying wire for the use of the Signal Corps, United States Army; and to enter decree or judgment upon said claims, notwithstanding the bars or defenses of any settlement, release, or adjustment heretofore made or of any assignment of said claims by George B. Marx to George B. Marx, Incorporated, or of laches, lapse of time, or of any statute of limitations: *Provided, however*, That the United States shall be given credit for any sum heretofore paid the said George B. Marx on said claims.

Proviso.
Credit against claim.

Introduction of certain records, etc.

SEC. 2. The record or any part of the record of the proceedings and hearings had before the Committee on War Claims of the House of Representatives, on H. R. 1611 in the second session of the Seventy-first Congress, and the third session of the Seventy-first Congress, together with any and all exhibits, affidavits, or inventories presented to or filed with the said War Claims Committee of the House of Representatives in connection with said Act, and together with any and all Government reports, statements, inventories and other documents, on file in the War Department or any other department of the Government or elsewhere, having a bearing upon the claim embodied in said Act, may be introduced before the Court of Claims with the full force of depositions subject to objections as to materiality and relevancy.

Commencement of suit.

SEC. 3. Such claims may be instituted at any time within four months from the approval of this Act. Proceedings in any suit brought in the Court of Claims under this Act, appeals therefrom, and payment of any judgment therein shall be had as in the case of claims over which such court has jurisdiction under section 145 of the Judicial Code, as amended.

U. S. C., p. 1261.

Approved, June 25, 1936.

[CHAPTER 826.]

AN ACT

June 25, 1936.
[H. R. 7864.]
[Private, No. 711.]

For the relief of Edward P. Oldham, Junior.

Edward P. Oldham, Junior.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to Edward P. Oldham, Junior, of Flagstaff, Arizona, in full satisfaction of his claim against the United States for injuries

sustained as a result of being struck by a Government-owned truck of the Civilian Conservation Corps driven by a member of Civilian Conservation Corps Camp F9A, Flagstaff, Arizona, on July 22, 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 25, 1936.

[CHAPTER 827.]

AN ACT

For the relief of Bertha W. Lamphear.

June 25, 1936. [H. R. 9078.] [Private, No. 712.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Bertha W. Lamphear, of Hyattsville, Prince Georges County, Maryland, the sum of $125. Such sum shall be in full satisfaction of all claims against the United States for damages resulting from personal injuries suffered by the said Bertha W. Lamphear in consequence of a collision near Riverdale, Maryland, between an automobile in which she was riding and an automobile owned and operated by the Federal Prohibition Bureau, on December 23, 1932: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Bertha W. Lamphear. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 25, 1936.

[CHAPTER 828.]

AN ACT

For the relief of dependents of James B. Kiley.

June 25, 1936. [H. R. 9191.] [Private, No. 713.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitations of time in the first paragraph of section 10 of the Federal Employees' Compensation Act of September 7, 1916, as amended, be, and they are hereby, waived in favor of dependents of the late James B. Kiley, whose death resulted from an injury sustained while employed as a clerk at the post office, Cooperstown, New York, and the United States Employees' Compensation Commission is authorized and directed to act, in accordance with the remaining provisions of that Act, upon any claim filed in their behalf within six months after the passage of this Act.

James B. Kiley. Provisions of Employees' Compensation Act extended to dependents of. Vol. 39, p. 744. U. S. C., p. 99.

Approved, June 25, 1936.

[CHAPTER 829.]

June 25, 1936.
[H. R. 12144.]
[Private, No. 714.]

AN ACT

For the relief of the Federal Enameling and Stamping Company.

Federal Enameling and Stamping Company.
Preamble.

Whereas Federal Enameling and Stamping Company, a corporation organized and existing under the laws of the State of Pennsylvania, was the owner of a plant and property, located in McKees Rocks, Pennsylvania, the temporary use and occupancy whereof was taken for the public use by the United States on September 13, 1918, under Army requisition numbered 738 B/C, ordinance numbered 609; and

Whereas the War Department Board of Appraisers, by its award numbered 634, under date of February 18, 1919, awarded to the said Federal Enameling and Stamping Company, in just compensation for the use and occupancy of said plant and property and the damages arising out of the taking thereof as aforesaid, the sum of $12,847.19; and

Whereas said Federal Enameling and Stamping Company, under date of September 13, 1919, certified that said award was not satisfactory and did not accept the same in full payment of the claim arising out of the taking of said property by virtue of said requisition, and demanded payment of 75 per centum thereof as provided in section 12 of an Act entitled "An Act to provide for the national security and defense, and so forth", known as the Food and Fuel Act, approved August 10, 1917, and reserved the right to prosecute any further claim it might have against the United States arising out of the taking of its said property; and

Vol. 40, p. 276.

Whereas in compliance with said demand the Government of the United States paid to said Federal Enameling and Stamping Company on April 2, 1919, the sum of $9,635.39 and retained the balance of said award, to wit, the sum of $3,211.80; and

Whereas said Federal Enameling and Stamping Company did not prosecute any further claim against the United States, and the United States has not paid the aforesaid balance of $3,211.80: Therefore

Payment of balance due.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $3,211.80 to the Federal Enameling and Stamping Company, the balance due under award numbered 634 by the War Department Board of Appraisers, which award was made in order to compensate said Federal Enameling and Stamping Company for the use of its property by the United States and damages arising therefrom.

Approved, June 25, 1936.

[CHAPTER 853.]

June 26, 1936.
[S. 1146.]
[Private, No. 715.]

AN ACT

For the relief of Michael Dalton.

Michael Dalton.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,000 to Michael Dalton, in full settlement of all claims against the Government of the United States for injuries received by said Michael Dalton on November 14, 1930, when he was struck by a United States mail truck at Third Street and Massachusetts

Avenue Northwest, Washington, District of Columbia: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 26, 1936.

[CHAPTER 854.]

AN ACT

For the relief of Bausch and Lomb Optical Company.

June 26, 1936. [S. 2268.] [Private, No. 716.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Bausch and Lomb Optical Company, a corporation, of Rochester, New York, the sum of $33,487.34, in full settlement of all claims against the Government of the United States on account of expenditures made by said Bausch and Lomb Optical Company, pursuant to an arrangement between said Bausch and Lomb Optical Company and representatives of the War and Navy Departments of the United States, in the maintenance of special guards for the protection of its plant and property against violence and espionage of enemy aliens from December 4, 1917, through December 7, 1918: *Provided*, That no part of the funds appropriated in this Act shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any portion of the funds appropriated in this Act on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any persons violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Bausch and Lomb Optical Company. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 26, 1936.

[CHAPTER 855.]

AN ACT

For the relief of R. D. Stephens and Vera Stephens.

June 26, 1936. [S. 3808.] [Private, No. 717.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to R. D. Stephens, of Paxton, Illinois, the sum of $1,000, and to Vera Stephens, wife of said R. D. Stephens, the sum of $3,000, such sums being in full satisfaction of their claims against the United States for damages arising out of property damage and personal injuries sustained by them when the automobile in which they were riding

R. D. Stephens and Vera Stephens. Payment to.

was struck by a Civilian Conservation Corps truck driven by Joseph L. Kindrai, near Virgin Lake in Oneida County, Wisconsin, on January 2, 1934: *Provided*, That no part of the amounts appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amounts appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 26, 1936.

[CHAPTER 856.]

June 26, 1936. [S. 4490.] [Private, No. 718.]

AN ACT

For the relief of F. W. Elmer.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,500 to F. W. Elmer, of Biloxi, Mississippi, in full settlement of all claims against the United States for legal services rendered to the United States in the case of the State of Mississippi against S. M. Taylor, a Federal prohibition officer, who, in the performance of his official duty, shot and killed a citizen and who was acquitted of the charge of murder in the United States District Court for the Southern District of Mississippi: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

F. W. Elmer. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 26, 1936.

[CHAPTER 857.]

June 26, 1936. [H. R. 9111.] [Private, No. 719.]

AN ACT

For the relief of Evanell Durrance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the United States District Court for the Southern District of Florida to hear, determine, and render judgment, as if the United States were suable in tort, upon the claim of Evanell Durrance, of Jacksonville, Florida, for damages resulting from the death of her parents, Samuel E. Townsend and Elizabeth Townsend, who were killed in a collision between an automobile in which they were passengers and a truck owned by the Department of Agriculture, the same having occurred a short distance east of Greenville, Madison County, Florida, on November 9, 1930: *Provided*, That the judgment rendered against the United States, if any, shall not exceed the sum of $5,000.

Evanell Durrance. Claim of, submitted to district court.

Proviso. Limitation.

Approved, June 26, 1936.

[CHAPTER 869.]

AN ACT

June 29, 1936.
[S. 2119.]
[Private, No. 720.]

For the relief of Amos D. Carver, S. E. Turner, Clifford N. Carver, Scott Blanchard, P. B. Blanchard, James B. Parse, A. N. Blanchard, and W. A. Blanchard, and/or the widows of such of them as may be deceased.

"Betsy Ross," schooner.
Payment to owners, etc., of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, jointly to Amos D. Carver, S. E. Turner, Clifford N. Carver, Scott Blanchard, P. B. Blanchard, James B. Parse, A. N. Blanchard, and W. A. Blanchard, owners of the schooner Betsy Ross and/or to the widows of any of said owners as may be deceased at the time of payment, each to receive of the amount hereby appropriated the portion thereof to which her husband would be entitled if living, the sum of $35,916.68, in full and final settlement of all claims against the United States for loss or losses which they may have suffered by reason of the interference with, the delays to, the enforced cancelation of the private charter of, and the appropriation of the use of, the schooner Betsy Ross by the United States Shipping Board or other governmental agencies at the port of Melbourne, Australia, on or about April 5, 1918: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 29, 1936.

[CHAPTER 870.]

AN ACT

June 29, 1936.
[S. 3733.]
[Private, No. 721.]

Authorizing the issuance of a patent to certain lands in the State of Montana to Florence Kerr Facey.

Florence Kerr Facey.
Land patent to.
Vol. 38, p. 509.
U. S. C., p. 1340.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions and limitations of the Act entitled "An Act to provide for agricultural entry of lands withdrawn, classified, or reported as containing phosphate, nitrate, potash, oil, gas, or asphaltic minerals", approved July 17, 1914, the Secretary of the Interior is authorized and directed to issue, upon payment of final commissions, to Florence Kerr Facey, of Havre, Montana, an unrestricted patent to the east half northwest quarter, and lots 1 and 2, section 19, township 32 north, range 33 east, Montana principal meridian (Great Falls, 053718), upon her filing an abstract of title to the land showing her to be the equitable owner thereof, save for the pendency of any application for a permit or lease thereof under the Act approved February 25, 1920, and paying into the land office at Great Falls, Montana, the sum of $6.

Vol. 41, p. 437.

Approved, June 29, 1936.

[CHAPTER 871.]

AN ACT

June 29, 1936.
[S. 4152.]
[Private, No. 722.]

Validating certain conveyances by Kickapoo Indians of Oklahoma made prior to February 17, 1933, providing for actions in partition in certain cases.

Kickapoo Indians, Okla.
Certain conveyances by, validated.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all conveyances made to Ira L. Couch, A. J. Ownby, Fred L. Rooker, Wallace Estell, junior, J. D. Shepherd, or any of them, or to their grantors purporting to convey an inherited interest in Kickapoo lands allotted in Oklahoma in and to the following-described real estate, to wit: The northeast quarter of northwest quarter, and lot 1 of the northwest quarter section 19, township 12 north, range 2 east; lot 11, northeast quarter section 17, and lot 3, northeast quarter section 18, and lot 3, northeast quarter section 20, and lot 2, northwest quarter section 20, and lot 2, northeast quarter section 18, township 12 north, range 1 east; the north half southeast quarter section 19, township 11 north, range 3 east; the northwest quarter southeast quarter and lot 2 of the southeast quarter section 8, township 12 north, range 1 east; lot 4 of section 16, lot 5 of section 17, and lot 1 of section 20, township 12 north, range 1 east; lots 3 and 4 of the northeast quarter section 7, township 12 north, range 1 east; west half southeast quarter section 3, township 11 north, range 2 east; east half southeast quarter section 3, township 11 north, range 2 east; east half northeast quarter section 10, township 11 north, range 2 east; lots 7 and 8 of the southeast quarter section 13, township 11 north, range 2 east; the north half southeast quarter section 4, township 11 north, range 2 east, where such instrument or instruments were made after September 11, 1922, and recorded in the office of the registrar of deeds for the county in which said lands are located, prior to February 17, 1933, are hereby ratified and confirmed as valid conveyances of an inherited interest.

Suit to partition in district court.

SEC. 2. That any such grantee, his heirs or assigns, in any such deed conveying an undivided interest to any part of said land may maintain a suit to partition the same against any restricted Indian who is a part owner of said lands in the United States District Court for the Western District of Oklahoma in accordance with the law governing partitions in the State of Oklahoma. The United States shall be made a party to such action, and jurisdiction is hereby conferred upon such court to hear and determine such causes, and service may be had on the United States by serving one copy of the petition or bill in equity on the United States attorney for the western district of Oklahoma forty-one days before said cause is set for trial, and any conveyance ordered made by said court, in such proceedings, shall operate to remove all restrictions on the lands conveyed to the grantee therein, except where such grantee is a restricted Indian.

Jurisdiction conferred.
Proceedings.

Approved, June 29, 1936.

[CHAPTER 872.]

AN ACT

June 29, 1936.
[S. 4773.]
[Private, No. 723.]

To confer jurisdiction on the Court of Claims to hear and determine certain claims against the United States on the part of owners of certain vessels.

Finnish vessels.
Claims of owners of certain, referred to Court of Claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction be, and is hereby, conferred upon the Court of Claims, notwithstanding any lapse of time or any statutes of limitations, to hear, examine,

and adjudicate claims against the United States on the part of owners of certain Finnish sailing vessels, to wit: Glenard, Kensington, Vidylia, Parchim, Woodburn, Port Patrick, Grace Harwar, Professor Koch, Prompt, Albyn, Rowena, Fahrwohl, and Pampa, for damages said to have been sustained as a result of the alleged refusal of representatives of the United States to permit said vessels to sail from United States ports during the period between March 18, 1918, and November 26, 1918: *Provided*, That such suit or suits shall be brought within three months after the date of the approval of this Act.

Proviso. Commencement of suit.

SEC. 2. In determining the said claims, the Court of Claims shall pass solely on the following questions:

Questions to be determined.

1. Were the thirteen Finnish sailing vessels named herein, or any one or more of them, detained by the United States?

2. If the preceding question is answered in the affirmative, was such detention unlawful?

3. If the second question is answered in the affirmative, is the United States obligated to indemnify the owner or owners, or their successors in interest, of the vessel or vessels found to have been unlawfully detained?

4. If the third question is answered in the affirmative, what indemnity should be paid by the United States with respect to each vessel found to have been unlawfully detained?

SEC. 3. The claims shall be prosecuted in the name of the owner or owners or managing owner or owners of the said several ships. If the Court of Claims, or the Supreme Court on appeal, decides that the United States is obligated to indemnify the owner or owners, or their successors in interest, the amount of the indemnity shall be paid by the United States to the Envoy Extraordinary and Minister Plenipotentiary of the Republic of Finland then resident in the United States, for the use and benefit of the owner, owners, or their successors.

Prosecution of claims.

Payment of indemnity.

SEC. 4. In determining the aforesaid claims, the Court of Claims shall receive and consider the evidence and arguments contained in (a) the record mentioned in the note of the Minister of Finland to the Secretary of State, dated February 1, 1935; (b) the answer mentioned in the note of the Secretary of State to the Minister of Finland, dated March 4, 1935; and (c) the reply and additional material mentioned in the note of the Minister of Finland to the Secretary of State, dated April 12, 1935, relating to said claims.

Evidence, arguments, etc.

Neither party shall be entitled as of right to present as evidence documents other than those specified herein, except copies of other correspondence pertinent to the case exchanged between the Department of State and the Legation of Finland: *Provided*, That the court shall be authorized to require the production of such additional evidence as the court deems material.

Restriction.

Proviso. Additional evidence.

SEC. 5. A copy of the petition or petitions of the owner or owners of each of the said sailing vessels shall be served upon the Attorney General of the United States and he, or some attorney or attorneys designated by him, shall appear and defend the interests of the United States in such case or cases. Jurisdiction is hereby conferred on the Supreme Court to grant a writ of certiorari to the Court of Claims on the petition of any party to any of the aforesaid cases, to review any determination that may be rendered by the Court of Claims under the terms of this Act.

Attorney General to defend.

Review by Supreme Court.

Approved, June 29, 1936.

[CHAPTER 873.]

June 29, 1936.
[H. R. 1962.]
[Private, No. 724.]

AN ACT

For the relief of Albert H. Jacobson.

Albert H. Jacobson. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Albert H. Jacobson, of Miami, Dade County, Florida, the sum of $2,000, to compensate said Albert H. Jacobson for the loss of one master-six Buick sedan, serially numbered 1550359, which said automobile was seized by agents of the United States Government on the 27th day of April 1926, and has never been returned to the said Albert H. Jacobson: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 29, 1936.

[CHAPTER 874.]

June 29, 1936.
[H. R. 3777.]
[Private, No. 725.]

AN ACT

For the relief of the Herald Publishing Company.

Herald Publishing Company. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Herald Publishing Company, of Rock Hill, South Carolina, the sum of $243 in full settlement of all claims against the United States. Such sum represents the amount paid by the said Herald Publishing Company to replace a broken boiler in the temporary post-office building at Rock Hill, South Carolina, same being leased by the Herald Publishing Company to the Government, which boiler was injured by the post-office employee in charge of it by his own negligence and which was required to be installed by the Post Office Department: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 29, 1936.

[CHAPTER 875.]

AN ACT

For the relief of D. E. Wooldridge.

June 29, 1936.
[H. R. 3943.]
[Private, No. 726.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to D. E. Wooldridge the sum of $1,000 in full settlement of all claims against the United States for injuries received by him when struck on the head and face by a keg filled with moonshine whisky and dropped by Charles Campbell, an investigator of the Alcohol Beverage Unit, during a raid at La Grange, Oldham County, Kentucky, on January 28, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

D. E. Wooldridge. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 29, 1936.

[CHAPTER 876.]

AN ACT

Authorizing the President to present a gold medal to George M. Cohan.

June 29, 1936.
[H. R. 4641.]
[Private, No. 727.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to present, but not in the name of Congress, a gold medal of appropriate design to George M. Cohan, in recognition of his services during the World War in composing the patriotic song "Over There", and prior thereto that thrilling song "A Grand Old Flag."

George M. Cohan. Medal to be presented to.

Approved, June 29, 1936.

[CHAPTER 877.]

AN ACT

For the relief of Perry H. Callahan and Malcolm W. Callahan.

June 29, 1936.
[H. R. 7256.]
[Private, No. 728.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, jointly to Perry H. Callahan and Malcolm W. Callahan, of Jackson, Tennessee, the sum of $317, in full settlement of their claim against the United States for damages to a building formerly owned by them in Jackson, Tennessee, and resulting from the condemnation and demolition by the Government in 1933 of certain property adjacent to and adjoining said building: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the

Perry H. Callahan and Malcolm W. Callahan. Payment to.

Proviso. Limitation on attorney's, etc., fees.

amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, June 29, 1936.

[CHAPTER 878.]

June 29, 1936.
[H. R. 10279.]
[Private, No. 729.]

AN ACT

For the relief of the Pocahontas Fuel Company, Incorporated.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Pocahontas Fuel Company, Incorporated, a corporation duly organized and having a usual place of business in New York, New York, the sum of $224.18, in full satisfaction of its claim against the United States for property damage done to the coal wharf owned by said corporation at New Bedford, Massachusetts, by the United States Coast Guard cutter Acushnet on January 10, 1927: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Pocahontas Fuel Company, Incorporated.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 29, 1936.

[CHAPTER 879.]

June 29, 1936.
[H. R. 11123.]
[Private, No. 730.]

AN ACT

For the relief of Edward A. Foote, Junior, and others.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to receive and settle the claims of Edward A. Foote, Junior, Durham E. Allen, Daniel L. Boland, Eugene A. Bond, Emanuel Bublick, W. Earle Butler, James J. Caffrey, Bernard B. Carraher, E. Hubert Cashion, John Darsey, A. W. DeBirney, Charles D. Dimmock, George Foulkes, C. A. Giblin, W. H. Griffin, Frank Hursey, James W. Irwin, Fred M. Ivey, Arthur F. McCarthy, Edward A. Mag, Reuben J. Martin, L. W. C. Mather, Daniel J. Murphy, William L. Pencke, Edgar W. Pharr, Earle Boyd Pierce, James F. Pinkney, James I. Rooney, J. Carlisle Stuckey, Morris Weinfeld, Patrick A. Conway, Samuel E. Ewing, Junior, Richard W. Fuchs, Robert S. Keebler, Dallas C. Kirby, Robert W. Strange, Fred A. Weller, Thomas R. Vaughan, John Grigsby, and Curley C. Hoffpauir for transportation, travel, and subsistence expenses during the period from December 1934 to June 1935, upon their transfer and assignment to temporary or permanent stations and to allow, if otherwise correct, per diem not exceeding thirty days after arrival at station, notwithstanding the travel orders were not issued by proper authority and the change of stations was permanent and not temporary.

Edward A. Foote, Junior, and others.
Settlement of claims authorized.

All such claims allowed shall be payable under the appropriation otherwise available for such expenditures for the fiscal year in which the obligation was incurred: *Provided*, That there shall be a sufficient sum available under such appropriation to settle such claims which may be found allowable; otherwise, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum of money to meet the difference.

Funds available.

Proviso.
Appropriation to meet any deficiency.

SEC. 2. In case there has been heretofore withheld or deducted from any amounts otherwise payable out of Government funds to any person hereinabove named any amount on account of any item paid or allowed for transportation charges in connection with the transfer and assignment hereinabove referred to, the Comptroller General of the United States is authorized and directed to pay, in accordance with the same provisions as outlined in section 1, to such person a sum equal to the amount so withheld or deducted.

Payment of withheld amounts.

SEC. 3. Each person named in section 1 of this Act is hereby released from any liability to refund or pay to the Government, or otherwise discharge, any item paid or allowed for transportation charges in connection with the transfer and assignment referred to in such section, and no deductions on account of any such item shall be made from any amount due or payable out of Government funds to any such person.

Claimants released from any liability to refund.

Approved, June 29, 1936.

[CHAPTER 880.]

JOINT RESOLUTION

June 29, 1936.
[S. J. Res. 196.]
[Priv. Res., No. 7.]

To correct errors in the enrollment of Private Act Numbered 349, Seventy-fourth Congress, approved August 29, 1935, and to clarify the duties of the Comptroller General in connection with said Act.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of Private Act Numbered 349, Seventy-fourth Congress, approved August 29, 1935, be, and the same is hereby, amended by striking out the numerals "10" wherever they appear therein and inserting in lieu thereof the numerals "20".

Claims for extra labor, navy yards and stations.
Attorneys' services.
Ante, p. 2202.

SEC. 2. That the payments authorized in section 3 of the said Act to be made to the "attorney or attorneys who performed services toward securing provision for the payment herein of the amounts so found" shall be made to Clarence W. DeKnight, for services rendered before the committees of Congress and executive officers of the Government during the period of twenty years prior to and including the date of approval of said Act, in connection with securing authority for payment of the findings of the Court of Claims therein enumerated: *Provided*, That such payment of 10 per centum shall be participated in by such other attorney or attorneys, if any, who, in addition to having appeared in the Court of Claims, shall have rendered services as above described during said period, such participation to be in proportion to the value and extent of services so rendered as determined by the Comptroller General of the United States, to whom all claims for participation in said 10 per centum shall be presented within thirty days from the date of approval of this Act.

Clarence W. DeKnight.
Payment for services.

Proviso.
Participation of other attorneys.

Approved, June 29, 1936.

CONCURRENT RESOLUTIONS

OF THE

TWO HOUSES OF CONGRESS

2375

CONCURRENT RESOLUTIONS OF CONGRESS

FIRST SESSION, SEVENTY-FOURTH CONGRESS

JOINT MEETING

January 3, 1935.
[H. Con. Res., No. 1.]

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the hall of the House of Representatives on Friday, the 4th day of January 1935, at 12:30 o'clock in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

Joint meeting of the two Houses to receive communications from the President.

Passed, January 3, 1935.

STATUES OF CAESAR RODNEY AND JOHN M. CLAYTON

January 17, 1935.
[S. Con. Res., No. 4.]

Resolved by the Senate (the House of Representatives concurring), That the statues of Caesar Rodney and John M. Clayton, presented by the State of Delaware and placed in Statuary Hall, are accepted in the name of the United States, and that the thanks of Congress be tendered the State for the contribution of the statues of two of its most eminent citizens whose names are so thoroughly identified with the State and Nation; be it further

Statues of Caesar Rodney and John M. Clayton.
Acceptance and thanks of Congress to Delaware for.
Post, p. 2378.

Resolved, That a copy of these resolutions suitably engrossed and duly authenticated be transmitted to the Governor of Delaware.

Copy of resolutions to Governor.

Passed, January 17, 1935.

AIR MAIL, POSTAL SERVICE

February 19, 1935.
[S. Con. Res., No. 10.]

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate be, and he is hereby, authorized and directed, in the enrollment of the bill (S. 932) "Authorizing the Postmaster General to extend certain air-mail contracts for a further period not exceeding six months", to insert the following title to conform to the amendments of the House of Representatives, namely: "An Act to postpone the effective date of certain restrictions respecting air-mail contracts."

Air mail, postal service.
Correction in enrollment of bill.
Ante, p. 30.
Matter inserted.

Passed, February 19, 1935.

SOPHIE DE SOTA

March 6, 1935.
[H. Con. Res., No. 14.]

Resolved by the House of Representatives (the Senate concurring), That the President of the United States be, and he is hereby, requested to return to the House of Representatives the enrolled bill (H. R. 330) entitled "An Act for the relief of Sophie de Sota."

Sophie de Sota.
Return of bill for relief of, requested.
Ante, pp. 592, 2046.

Passed, March 6, 1935.

March 11, 1935.
[H. Con. Res., No. 16.]

SOPHIE DE SOTO

Sophie de Soto. Correction in enrollment of bill for relief of, directed. *Ante*, pp. 2046, 2377.

Resolved by the House of Representatives (the Senate concurring), That the action of the Speaker of the House of Representatives and of the President of the Senate in signing the enrolled bill (H. R. 330) entitled "An Act for the relief of Sophie de Sota", be rescinded, and that in the reenrollment of the said bill the Clerk of the House of Representatives be, and he is hereby, authorized and directed to make the following correction, namely: Strike out the words "de Sota" wherever they appear in said bill and title and insert in lieu thereof the words "de Soto".

Passed, March 11, 1935.

March 14, 1935.
[S. Con. Res., No. 5.]

STATUES OF CAESAR RODNEY AND JOHN M. CLAYTON

Statues of Caesar Rodney and John M. Clayton. Proceedings on acceptance of, ordered printed. *Ante*, p. 2377.

Distribution.

Illustrations.

Resolved by the Senate (the House of Representatives concurring), That there be printed with illustrations and bound, in such form and style as may be directed by the Joint Committee on Printing, two thousand two hundred copies of the proceedings in Congress together with the proceedings at the unveiling in the rotunda of the Capitol, and such other matter as may be relevant thereto, upon the acceptance of the statues of Caesar Rodney and John M. Clayton, presented by the State of Delaware, of which two hundred shall be for the use of the Senate, and five hundred for the use of the House of Representatives, and the remaining one thousand five hundred copies shall be for the use and distribution of the Senators and Representatives in Congress from the State of Delaware.

The Joint Committee on Printing is hereby authorized to have the copy prepared for the Public Printer and shall procure suitable illustrations to be published with these proceedings.

Passed, March 14, 1935.

April 2, 1935.
[H. Con. Res., No. 19.]

ECONOMIC SECURITY BILL

Economic Security bill. Additional copies of hearings on (H. R. 4120), ordered printed. Vol. 34, p. 1012. U. S. C., p. 1937. *Post*, p. 2379.

Resolved by the House of Representatives (the Senate concurring), That in accordance with paragraph 3 of section 2 of the Printing Act approved March 1, 1907, the Committee on Ways and Means of the House of Representatives be, and is hereby, empowered to have printed for its use two thousand copies of the hearings held before said committee relative to the bill (H. R. 4120) to alleviate the hazards of old age, unemployment, illness, and dependency, to establish a social insurance board in the Department of Labor to raise revenue, and for other purposes, Seventy-fourth Congress, first session.

Passed, April 2, 1935.

April 4, 1935.
[S. Con. Res., No. 13.]

ARMY DAY

Army Day. Saturday, April 6, 1935, recognized as.

Resolved by the Senate (the House of Representatives concurring), That Saturday, April 6, 1935, be recognized by the Senate and House of Representatives of the United States of America, as Army Day, and that the President of the United States be requested, as Commander in Chief, to order military units throughout the United States to assist civic bodies in appropriate celebration to such extent as he may deem advisable.

Passed, April 4, 1935.

BANKING BILL

May 8, 1935.
[H. Con. Res., No. 20.]

Resolved by the House of Representatives (the Senate concurring), That in accordance with paragraph 3 of section 2 of the Printing Act approved March 1, 1907, the Committee on Banking and Currency of the House of Representatives be, and is hereby, empowered to have printed for its use one thousand copies of the hearings held during the current session before said committee relative to the bill (H. R. 5357) to provide for the sound, effective, and uninterrupted operation of the banking system, and for other purposes.

Banking bill.
Additional copies of hearings on, ordered printed.
Vol. 34, p. 1012.
U. S. C., p. 1937.
Ante, p. 684.

Passed, May 8, 1935.

ECONOMIC SECURITY BILL

May 15, 1935.
[S. Con. Res., No. 14.]

Resolved by the Senate (the House of Representatives concurring), That in accordance with paragraph 3 of section 2 of the Printing Act approved March 1, 1907, the Committee on Finance of the Senate be, and is hereby, empowered to have printed one thousand additional copies of the hearings held before the committee during the current session on the bill (S. 1130), the Economic Security Act.

Economic Security bill.
Additional copies of hearings on (S. 1130), ordered printed.
Vol. 34, p. 1012.
U. S. C., p. 1937.
Ante, p. 2378.

Passed, May 15, 1935.

KETCHIKAN, ALASKA

May 15, 1935.
[H. Con. Res., No. 21.]

Resolved by the House of Representatives (the Senate concurring), That the Speaker of the House of Representatives and the President of the Senate be, and they are hereby, authorized to sign a duplicate copy of the enrolled bill H. R. 6084, entitled "An Act to authorize the city of Ketchikan, Alaska, to issue bonds in any sum not to exceed $1,000,000 for the purpose of acquiring the electric light and power, water, and telephone properties of the Citizens' Light, Power and Water Company, and to finance and operate the same, and validating the preliminary proceedings with respect thereto, and for other purposes", and that the Clerk of the House be directed to transmit the same to the President of the United States.

Ketchikan, Alaska.
Duplicate enrollment and signatures authorized to bill (H. R. 6084), concerning.
Ante, p. 245.

Passed, May 15, 1935.

JOINT MEETING

May 21, 1935.
[H. Con. Res., No. 22.]

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Wednesday, the 22nd day of May 1935, at 12:30 o'clock in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

Joint meeting of the two Houses to receive communications from the President.

Passed, May 21, 1935.

June 4, 1935.
[S. Con. Res., No. 16.]

MILITARY ACADEMY CADETS

Military Academy cadets.
Cancelation of signatures of Speaker and Vice President to bill (S. 2105) relating to.
Return of Senate agreement to House amendments requested.
Ante, p. 332.

Resolved by the Senate (the House of Representatives concurring), That the action of the Speaker of the House of Representatives and the Vice President of the United States, respectively, in signing the enrolled bill (S. 2105) to provide for an additional number of cadets at the United States Military Academy, and for other purposes, be, and the same is hereby, rescinded; and that the House of Representatives be, and it is hereby, requested to return to the Senate the message announcing its agreement to the amendments of the House to the said bill.

Passed, June 4, 1935.

June 7, 1935.
[H. Con. Res., No. 26.]

STATUE OF HANNIBAL HAMLIN

Statue of Hannibal Hamlin.
Acceptance and thanks of Congress to Maine for.
Post, p. 2381.

Resolved by the House of Representatives (the Senate concurring), That the statue of Hannibal Hamlin, presented by the State of Maine, now in Statuary Hall, is accepted in the name of the United States, and that the thanks of Congress be tendered the State for the contribution of the statue of one of its most eminent citizens, illustrious for his distinguished service to the country; and be it further

Copy of resolutions to Governor.

Resolved, That a copy of these resolutions, suitably engrossed and duly authenticated, be transmitted to the Governor of Maine.

Passed, June 7, 1935.

June 17, 1935.
[S. Con. Res., No. 18.]

RICHMOND, FREDERICKSBURG AND POTOMAC RAILROAD COMPANY

Richmond, Fredericksburg and Potomac Railroad Company.
Correction in enrollment of bill (S. 1611) relating to, directed.
Ante, p. 395.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate be, and he is hereby, authorized and directed, in the enrollment of the bill (S. 1611) to authorize an exchange of lands between the Richmond, Fredericksburg and Potomac Railroad Company and the United States at Quantico, Virginia, to make the following correction, namely: On page 5, line 22, of the Senate engrossed bill, in lieu of the numeral "4" insert the numeral "14".

Passed, June 17, 1935.

June 28, 1935.
[S. Con. Res., No. 19.]

EXTENSION OF BANK DEPOSIT INSURANCE

Extension of bank deposit insurance.
Correction in joint resolution relative to, directed.
Ante, p. 435.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate be, and he is hereby, authorized and directed, in the enrollment of the joint resolution (S. J. Res. 152) to extend for one year the temporary plan for deposit insurance provided for by section 12B of the Federal Reserve Act, as amended, to amend the title thereof by striking out the words "for one year" and inserting in lieu thereof "to August 31, 1935".

Passed, June 28, 1935.

DISPOSITION OF OBSOLETE PUBLICATIONS

July 1, 1935.
[S. Con. Res., No. 17.]

Resolved by the Senate (the House of Representatives concurring), That a statement of certain noncurrent and obsolete publications now in the folding rooms of the Senate and House of Representatives, respectively, shall be prepared by the Sergeant at Arms of the Senate and Doorkeeper of the House of Representatives, respectively, and submitted to the Joint Committee on Printing, which is hereby authorized to dispose of the same in the following manner:

Disposition of obsolete publications, etc.
Statement of publications to be prepared.

First. A printed statement of such publications shall be submitted to each Senator, Representative, Delegate, Resident Commissioner, and officer of the Senate and House of Representatives, and any Member or officer of either House having any of such publications to his credit may dispose of the same in the usual manner at any time before September 1, 1935.

List of, to be submitted to membership, etc.

Second. Upon the expiration of the aforesaid time the Joint Committee on Printing shall furnish to all members of the Senate and House of Representatives, respectively, as promptly as practicable, a list of the publications herein referred to then remaining in the folding rooms, and thereupon such publications shall be subject to the order of any Senator, Representative, Delegate, or Resident Commissioner, in the order in which they are applied for, for a period of thirty days after the day when such list shall be furnished by the Joint Committee on Printing, but no application for the transfer of these publications may be honored.

Members to be furnished with name and number remaining to their credit, September 1, 1935.

Available for ensuing thirty days.

No transfers honored.

Third. The Joint Committee on Printing shall furnish a list of all such publications remaining in the folding room at the expiration of the last-named period to the various departments, independent offices, and establishments of the Government at Washington, including the Superintendent of Documents, Smithsonian Institution, Library of Congress, National Archives Establishment, Bureau of American Republics, and the Commissioners of the District of Columbia, and such publications shall be turned over to any department, independent office, or establishment making written request therefor and shall be allocated in the order in which their application is made, and all such publications which shall remain in the folding rooms for a period of ten days after such list shall have been furnished to the departments, independent offices, or establishments aforesaid shall be delivered to the Superintendent of Documents, Government Printing Office, for such disposition as he may deem to be to the best interests of the Government.

Remainder to be turned over to departments, offices, etc.

Fourth. No publication which is described in the list aforesaid shall thereafter be returned to the folding rooms from any source.

No publication to be returned.

Passed, July 1, 1935.

STATUE OF HANNIBAL HAMLIN

July 1, 1935.
[H. Con. Res., No. 27.]

Resolved by the House of Representatives (the Senate concurring), That there be printed with illustrations, and bound, in such form and style as may be directed by the Joint Committee on Printing, the proceedings at the unveiling in Statuary Hall, upon the acceptance of the statue of Hannibal Hamlin, presented by the State of Maine, one thousand copies, of which two hundred shall be for the use of the Senate and five hundred for the use of the House of Representatives, and the remaining three hundred copies shall be for the use and distribution of the Senators and Representatives in Congress from the State of Maine.

Statue of Hannibal Hamlin.
Proceedings at unveiling of, ordered printed.
Ante, p. 2380.
Distribution.

Illustrations.

SEC. 2. The Joint Committee on Printing is hereby authorized to have the copy prepared for the Public Printer, who shall provide suitable illustrations to be bound with these proceedings.

Passed, July 1, 1935.

July 2, 1935.
[H. Con. Res., No. 29.]

LEGISLATIVE BRANCH APPROPRIATION ACT, 1936

Legislative Branch Appropriation Act, 1936.
New section to be added.

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 8021) making appropriations for the Legislative Branch of the Government for the fiscal year ending June 30, 1936, and for other purposes, the Clerk of the House of Representatives is authorized and directed to change the numbering of section "4" thereof to section "5" and to insert a new section as follows:

Provisions of Act to cover lapse of time.
Ante, p. 477.

"SEC. 4. The appropriations and authority with respect to appropriations contained herein shall be available from and including July 1, 1935, for the purposes respectively provided in such appropriations and authority. All obligations incurred during the period between June 30, 1935, and the date of the enactment of this Act in anticipation of such appropriations and authority are hereby ratified and confirmed if in accordance with the terms thereof."

Passed, July 2, 1935.

July 16, 1935.
[H. Con. Res., No. 34.]

AGRICULTURAL ADJUSTMENT ACT AMENDMENT

Agricultural Adjustment Act amendment.
Correction in enrollment of bill (H. R. 8492) directed.
Post, p. 2383.
Ante, p. 785.

Resolved by the House of Representatives (the Senate concurring), That the Clerk of the House of Representatives is authorized and directed in the enrollment of the bill (H. R. 8492), entitled "An Act to amend the Agriculture Adjustment Act, and for other purposes", to make the following necessary changes in the language of the bill:

In Title II of said Act following section 204, insert the following new section:

"SEC. 204. (a) The quantity determined and proclaimed by the Secretary of Agriculture pursuant to section 203, and the quantity apportioned to each State pursuant to section 204, may at such intervals as the Secretary of Agriculture finds necessary to effectuate the declared policy and purposes of this Act be adjusted by him: *Provided*, That the quantity so determined and proclaimed shall not be increased or decreased by more than five percent."

and in section 229 of said Title II of said Act, strike out all of paragraph "(b)".

Passed, July 16, 1935.

August 2, 1935.
[S. Con. Res., No. 22.]

STATE FORESTS

State forests.
Action of Speaker in signing bill (H. R. 6914) concerning, rescinded.
Ante, p. 963.

Resolved by the Senate (the House of Representatives concurring), That the action of the Speaker of the House of Representatives in signing the enrolled bill (H. R. 6914) to authorize cooperation with the several States for the purpose of stimulating the acquisition, development, and proper administration and management of State forests and coordinating Federal and State activities in carrying out a national program of forest-land management, and for other purposes, be, and the same is hereby, rescinded.

Passed, August 2, 1935.

SECOND DEFICIENCY ACT OF 1935

August 7, 1935.
[H. Con. Res., No. 33.]

Second Deficiency Act of 1935.
Correction in enrollment of, directed.
Ante, p. 571.

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of H. R. 8554, the Second Deficiency Appropriation Act, fiscal year 1935, the Clerk of the House of Representatives is authorized and directed to strike out the word "year" in line 17, page 10, of the engrossed bill, and insert in lieu thereof the following: "years 1935 and".

Passed, August 7, 1935.

AGRICULTURAL ADJUSTMENT ACT AMENDMENTS

August 15, 1935.
[S. Con. Res., No. 24.]

Agricultural Adjustment Act amendments.
Correction in enrollment of bill (H. R. 8492) directed.
Ante, pp. 764, 2382.

Resolved by the Senate (the House of Representatives concurring), That the Clerk of the House of Representatives is authorized and directed, in the enrollment of the bill (H. R. 8492) entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes," to make the following necessary changes in the language of the bill:

In paragraph "(4)" of the amendment made by section 12 of the bill to subsection (b) of section 9 of the Agricultural Adjustment Act, as amended, strike out "August 15" wherever it appears and in lieu thereof insert "September 1".

Strike out so much of subdivision "(B)" of paragraph "(6)" of the amendment made by section 12 of the bill to subsection (b) of section 9 of the Agricultural Adjustment Act, as amended, as reads as follows:

"(B) If the average farm price of any commodity, the rate of tax on the processing of which is prescribed in paragraph (2), (3), (4), or (5) of this subsection or is established pursuant to this paragraph (6), during any twelve months period ending after the date of the adoption of this amendment consisting of the two months immediately preceding and the first ten months of any marketing year—

; and insert in lieu thereof the following:

"(B) If the average farm price of any commodity, the rate of tax on the processing of which is prescribed in paragraph (2), (3), (4), or (5) of this subsection or is established pursuant to this paragraph (6), during any period of twelve successive months ending after July 1, 1935, consisting of the first ten months of any marketing year and the last two months of the preceding marketing year —.

In subsection "(f)" of Sec. 21", added by section 30 of the bill to the Agricultural Adjustment Act, as amended, strike out "refund or credit" wherever it appears (except in the last sentence thereof) and in lieu thereof insert "refund, credit, or abatement".

Passed, August 15, 1935.

PUBLIC WORKS ON RIVERS AND HARBORS

August 20, 1935.
[H. Con. Res., No. 37.]

Public works on rivers and harbors.
Correction in enrollment of bill (H. R. 6732) directed.
Ante, p. 1028.

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 6732) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, the Clerk of the House of Representatives is authorized and directed to make the following changes:

Page 16, line 11, of the Senate engrossed amendments strike out "4" and insert: "3".

Page 25, line 12, of the Senate engrossed amendments strike out "5" and insert: "4".

Page 26, line 2, of the Senate engrossed amendments strike out "6" and insert: "5".

Page 26, line 12, of the Senate engrossed amendments strike out "7" and insert: "6".

Page 26, line 13, of the Senate engrossed amendments strike out "8" and insert: "7".

Page 26, line 14, of the Senate engrossed amendments strike out "9" and insert: "8".

Page 26, line 15, of the Senate engrossed amendments strike out "10" and insert: "9".

Page 26, line 16, of the Senate engrossed amendments strike out "11" and insert: "10".

Page 26, line 18, of the Senate engrossed amendments strike out "12" and insert: "11".

Page 27, line 3, of the Senate engrossed amendments strike out "13" and insert: "12".

Page 27, line 5, of the Senate engrossed amendments strike out "14" and insert: "13".

Page 27, line 12, of the Senate engrossed amendments strike out "15" and insert: "14".

Passed, August 20, 1935.

August 24, 1935.
[H. Con. Res., No. 39.]

ENROLLED BILLS AND RESOLUTIONS

Enrolled bills and resolutions.
Signing of, after adjournment, authorized.

Resolved by the House of Representatives (the Senate concurring), That notwithstanding the adjournment of the first session of the Seventy-fourth Congress, the President of the Senate and the Speaker of the House of Representatives be, and they are hereby, authorized to sign any enrolled bill or joint resolution duly passed by the two Houses and which have been examined by the Committee on Enrolled Bills of each House and found truly enrolled.

Passed, August 24, 1935.

August 26, 1935.
[H. Con. Res., No. 40.]

ADJOURNMENT

Adjournment of Congress, August 26, 1935.

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress shall adjourn on Monday, the twenty-sixth day of August 1935, and that when they adjourn on said day they stand adjourned sine die.

Passed, August 26, 1935.

CONCURRENT RESOLUTIONS OF CONGRESS

SECOND SESSION, SEVENTY-FOURTH CONGRESS

JOINT MEETING

January 3, 1936.
[S. Con. Res., No. 25.]

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Friday, the 3d day of January 1936, at 9 o'clock post meridian, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

Joint meeting of the two Houses to receive communications from the President.

Passed, January 3, 1936.

FIVE CIVILIZED TRIBES OF INDIANS

February 25, 1936.
[S. Con. Res., No. 32.]

Resolved by the Senate (the House of Representatives concurring), That the President of the United States be, and he is hereby, requested to return to the Senate the enrolled bill (S. 3227) to amend section 3 of the Act approved May 10, 1928, entitled "An Act to extend the period of restriction in lands of certain members of the Five Civilized Tribes, and for other purposes", as amended February 14, 1931.

Five Civilized Tribes of Indians.
Return of bill (S. 3227) relating to, requested.

Passed, February 25, 1936.

FIVE CIVILIZED TRIBES OF INDIANS

March 3, 1936.
[S. Con. Res., No. 33.]

Resolved by the Senate (the House of Representatives concurring), That the action of the Speaker of the House of Representatives and the President of the Senate in signing the enrolled bill (S. 3227) to amend section 3 of the act approved May 10, 1928, entitled "An Act to extend the period of restriction in lands of certain members of the Five Civilized Tribes, and for other purposes", as amended February 14, 1931, be, and the same is hereby, rescinded, and that in the reenrollment of the bill the Secretary of the Senate be, and he is hereby, authorized and directed to strike out on page 1, line 8, of the engrossed bill the word "materials" and insert in lieu thereof the word "minerals".

Five Civilized Tribes of Indians.
Correction in enrollment of bill relating to, directed.
Ante, p. 1160.

Passed, March 3, 1936.

ARMY DAY

April 2, 1936.
[S. Con. Res., No. 30.]

Resolved by the Senate (the House of Representatives concurring), That Monday, April 6, 1936, be recognized by the Senate and House of Representatives of the United States of America, as Army Day, and that the President of the United States be requested, as Commander in Chief, to order military units throughout the United States to assist civic bodies in appropriate celebration to such extent

Army Day.
Monday, April 6, 1936, recognized as.

Post, p. 3503.

as he may deem advisable; to issue a proclamation declaring April 6, 1936, as Army Day, and in such proclamation to invite the governors of the various States to issue Army Day proclamations.

Passed, April 2, 1936.

April 21, 1936.
[H. Con. Res., No. 48.]

REVENUE ACT OF 1936

Revenue Act of 1936.
Additional copies of hearings on bill ordered printed.
Vol. 34, p. 1012.
U. S. C., p. 1937.

Resolved by the House of Representatives (the Senate concurring) That, in accordance with paragraph 3 of section 2 of the Printing Act approved March 1, 1907, the Committee on Ways and Means of the House of Representatives be, and is hereby, empowered to have printed for its use two thousand additional copies of the hearings held before the said committee during the current session on the bill entitled "The Revenue Act of 1936".

Ante, p. 1648.

Passed, April 21, 1936.

April 22, 1936.
[S. Con. Res., No. 36.]

BARBARA BACKSTROM

Barbara Backstrom.
Correction in enrollment of bill for relief of, directed.
Ante, p. 2261.

Resolved by the Senate (the House of Representatives concurring), That the action of the Vice President and of the Speaker of the House of Representatives in signing the enrolled bill (H. R. 4387) entitled "An Act conferring jurisdiction upon the United States District Court for the Western District of Michigan to hear, determine, and render judgment upon the claim of Barbara Blackstrom", be rescinded, and that in the reenrollment of said bill the Clerk of the House of Representatives is authorized and directed to insert the name "Backstrom" in lieu of the name "Blackstrom" where it appears in section 1 of the amendment of the Senate to the text of said bill and in the amended title.

Passed, April 22, 1936.

May 14, 1936.
[S. Con. Res., No. 35.]

CONSTITUTION OF THE UNITED STATES OF AMERICA (ANNOTATED)

Constitution of the United States of America (Annotated).
Printing of, ordered.

Resolved by the Senate (the House of Representatives concurring), That the Constitution of the United States of America (Annotated), including all amendments thereto, and with citations of the cases of the Supreme Court of the United States construing its several provisions, collated under each separate provision, be compiled and revised up to date, and that the same shall be printed and bound; and that three thousand copies shall be printed, of which two thousand two hundred copies shall be for the use of the House of Representatives and eight hundred copies for the use of the Senate.

Distribution.

Passed, May 14, 1936.

May 29, 1936.
[S. Con. Res., No. 38.]

INAUGURAL COMMITTEE

Inauguration of the President.
Joint committee on arrangements to be appointed.

Resolved by the Senate (the House of Representatives concurring), That a joint committee consisting of three Senators and three Representatives, to be appointed by the President of the Senate and the Speaker of the House of Representatives, respectively, is authorized to make the necessary arrangements for the inauguration of the President-elect of the United States on the 20th day of January next.

Passed, May 29, 1936.

ARMS AND OTHER WAR MUNITIONS

June 3, 1936.
[S. Con. Res., No. 37.]

Arms and other war munitions.
Additional copies of Senate Report 944 concerning, ordered printed.

Resolved by the Senate (the House of Representatives concurring), That forty-four thousand copies of part 3 and subsequent parts of Senate Report Numbered 944, submitted to the Senate pursuant to S. Res. 206 authorizing the appointment of a special committee to make certain investigations concerning the manufacture and sale of arms and other war munitions, be printed for the use of the Senate Special Committee on Investigation of the Munitions Industry.

Passed, June 3, 1936.

INVESTIGATION OF EXPENDITURES FOR COTTON COOPERATIVES, ETC.

June 3, 1936.
[S. Con. Res., No. 39.]

Investigation of expenditures for cotton cooperatives, etc.
Additional copies of hearings ordered printed.
Vol. 34, p. 1012.
U. S. C., p. 1937.

Resolved by the Senate (the House of Representatives concurring), That in accordance with paragraph 3 of section 2 of the Printing Act approved March 1, 1907, the Committee on Appropriations of the Senate be, and is hereby, empowered to have printed two thousand additional copies of the hearings held before the subcommittee of said committee of the Senate during the first session of the Seventy-fourth Congress, pursuant to the resolution (S. Res. 185) authorizing the Committee on Appropriations to conduct an investigation of the expenditures by the Federal Government for the cotton cooperatives and so forth. These two thousand copies are to be divided as follows: One thousand five hundred copies of volume numbered 1 and five hundred copies of volume numbered 2.

Passed, June 3, 1936.

RECESS OF CONGRESS

June 5, 1936.
[H. Con. Res., No. 53.]

Recess of Congress from June 8 until June 15, 1936.

Resolved by the House of Representatives (the Senate concurring) That, when the two Houses adjourn on Monday, June 8, 1936, they stand adjourned until 12:00 o'clock meridian Monday, June 15, 1936.

Passed, June 5, 1936.

SIGNING ENROLLED BILLS, ETC.

June 5, 1936.
[H. Con. Res., No. 54.]

Enrolled bills or joint resolutions.
Signing of, during recess or after adjournment, authorized.

Resolved by the House of Representatives (the Senate concurring), That, notwithstanding any recesses of the Senate or House of Representatives or the adjournment of the second session of the Seventy-fourth Congress, the President of the Senate and the Speaker of the House of Representatives be, and they are hereby, authorized to sign any enrolled bills or joint resolutions duly passed by the two Houses and which have been examined by the Committee on Enrolled Bills of each House and found truly enrolled.

Passed, June 5, 1936.

OLD AGE PENSION PLANS INVESTIGATION

June 18, 1936.
[H. Con. Res., No. 56.]

Old age pension plans investigation.
Designated report and additional copies of hearings concerning, ordered printed.
Vol. 34, p. 1012.
U. S. C., p. 1937.

Resolved by the House of Representatives (the Senate concurring), That there shall be printed for the use of the Select Committee of the House of Representatives appointed to inquire into Old Age Pension Plans and Organizations not to exceed two hundred thousand additional copies of House Report Numbered 1, Seventy-fifth Congress; and that, in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the aforesaid committee be, and is hereby, authorized and empowered to have printed for its use ten thousand additional copies of the hearings held before said

committee during the current session pursuant to the resolution (H. Res. 443) authorizing the appointment of a Select Committee to Inquire Into Old Age Pension Plans with respect to pending legislation.

Passed, June 18, 1936.

June 18, 1936.
[H. Con. Res., No. 58.]

FIRST DEFICIENCY APPROPRIATION ACT, 1936

First Deficiency Appropriation Act, 1936.
Correction in enrollment of, directed.
Ante, p. 1597.

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill H. R. 12624, the First Deficiency Appropriation Act, fiscal year 1936, the Clerk of the House of Representatives is hereby authorized and directed to include in said bill, on page 2, after line 13, a new paragraph to read as follows:

"For payment to the widow of Joseph W. Byrns, late a Representative from the State of Tennessee, $10,000, to be disbursed by the Sergeant at Arms of the House."

In the proper place, under the heading "Senate" insert the following:

"To pay Anna Louise Fletcher, widow of Honorable Duncan U. Fletcher, late a Senator from the State of Florida, $10,000."

Passed, June 18, 1936.

June 18, 1936.
[H. Con. Res., No. 59.]

KENTUCKY DISTRICT COURT

Kentucky district court.
Return of bill (H. R. 12848), relating to, requested.
Ante, p. 1822.

Resolved by the House of Representatives (the Senate concurring), That the President of the United States be, and he is hereby, requested to return to the House the enrolled bill (H. R. 12848) to provide an additional place of holding terms of the United States district court in the eastern district of Kentucky, and to amend section 83 of the Judicial Code, as amended;

Cancelation of signatures.

That the action of the Speaker and of the President of the Senate in signing the said enrolled bill be rescinded; and

Correction in enrollment.

That in the reenrollment of the said bill the Clerk of the House of Representatives be, and he is hereby, authorized and directed to make the following correction, namely: Strike out the word "Pikesville" wherever it appears in said bill and insert in lieu thereof the word "Pikeville".

Passed, June 18, 1936.

June 18, 1936.
[H. Con. Res., No. 60.]

UNITED STATES CONSTITUTION SESQUICENTENNIAL COMMISSION

United States Constitution Sesquicentennial Commission.
Correction in enrolling bill (H. R. 12624) relative to.
Ante, p. 1599.

Resolved by the House of Representatives (the Senate concurring), That the Clerk of the House of Representatives is authorized and directed, in the enrollment of H. R. 12624, to amend the matter agreed to by both Houses in connection with Senate Amendment Numbered 14, as follows:

Insert in such matter, after the figures "1936", the following: "including payment of salaries and expenses heretofore incurred in preparing to carry out the provisions of such Act,".

Passed, June 18, 1936.

June 20, 1936.
[H. Con. Res., No. 63.]

ADJOURNMENT

Adjournment of Congress, June 20, 1936.

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress shall adjourn on Saturday, the 20th day of June, 1936, and that when they adjourn on said day they stand adjourned sine die.

Passed, June 20, 1936.

TREATIES AND CONVENTIONS

CONCLUDED BY THE

UNITED STATES OF AMERICA

WITH

FOREIGN NATIONS

2389

TREATIES AND CONVENTIONS

Telecommunication Convention, General Radio Regulations, and Final Radio Protocol between the United States of America and other powers. Signed at Madrid, December 9, 1932; ratification advised by the Senate of the United States, May 1, 1934; ratified by the President, May 19, 1934; ratification of the United States deposited at Madrid, June 12, 1934; proclaimed, June 27, 1934.

December 9, 1932.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

International Telecommunication Convention, Radio Regulations, and Final Radio Protocol.

WHEREAS an International Telecommunication Convention, General Radio Regulations annexed thereto, and a Final Radio Protocol between the United States of America and other governments were concluded and signed by their respective Plenipotentiaries at the International Radio Conference at Madrid on the ninth day of December, one thousand nine hundred and thirty-two, which convention, General Radio Regulations, and Final Radio Protocol, as edited by the International Bureau of the Telegraph Union at Bern, in accordance with resolutions adopted by the said International Radio Conference, are in the French language word for word as follows:

Convention; *Post*, p. 2393.
General Radio Regulations; *Post*, p. 2445.
Final Radio Protocol; *Post*, p. 2653.

CONVENTION INTERNATIONALE
DES
TÉLÉCOMMUNICATIONS

conclue entre

les gouvernements des pays ci-après énumérés:

Union de l'Afrique du Sud; Allemagne; République Argentine; Fédération Australienne; Autriche; Belgique; Bolivie; Brésil; Canada; Chili; Chine; Etat de la Cité du Vatican; République de Colombie; Colonies françaises, protectorats et territoires sous mandat français; Colonies portugaises; Confédération suisse; Congo belge; Costa-Rica; Cuba; Curaçao et Surinam; Cyrénaïque; Danemark; Ville libre de Dantzig; République Dominicaine; Egypte; République de El Salvador; Equateur; Erythrée; Espagne; Etats-Unis d'Amérique; Empire d'Ethiopie; Finlande; France; Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord; Grèce; Guatemala; République de Honduras; Hongrie; Iles italiennes de l'Egée; Indes britanniques; Indes néerlandaises; Etat libre d'Irlande; Islande; Italie; Japon, Chosen, Taiwan, Karafuto, le Territoire à bail du Kwantung et les Iles des Mers du Sud sous mandat japonais; Lettonie; Libéria; Lithuanie; Luxembourg; Maroc; Mexique; Nicaragua; Norvège; Nouvelle-Zélande; République de Panama; Pays-Bas; Pérou; Perse; Pologne; Portugal; Roumanie; Somalie italienne; Suède; Syrie et Liban; Tchécoslovaquie; Tripolitaine; Tunisie; Turquie; Union des Républiques Soviétistes Socialistes; Uruguay; Vénézuéla; Yougoslavie.

Les soussignés, plénipotentiaires des gouvernements ci-dessus énumérés, s'étant réunis en conférence à Madrid, ont, d'un commun accord et sous réserve de ratification, arrêté la Convention suivante:

CHAPITRE I.

ORGANISATION ET FONCTIONNEMENT DE L'UNION.

ARTICLE PREMIER.

Constitution de l'Union.

§ 1. Les pays, Parties à la présente Convention, forment l'Union internationale des télécommunications, qui remplace l'Union télégraphique, et qui est régie par les dispositions suivantes.

[Translation]

INTERNATIONAL TELECOMMUNICATION CONVENTION

International Telecommunication Convention.

concluded among

the governments of the countries listed hereinafter:

Contracting Governments.

Union of South Africa; Germany; Republic of Argentina; Commonwealth of Australia; Austria; Belgium; Bolivia; Brazil; Canada; Chile; China; Vatican City State; Republic of Colombia; French Colonies, protectorates and territories under French mandate; Portuguese Colonies; Swiss Confederation; Belgian Congo; Costa Rica; Cuba; Curaçao and Surinam; Cirenaica; Denmark; Free City of Danzig; Dominican Republic; Egypt; Republic of El Salvador; Ecuador; Eritrea; Spain; United States of America; Empire of Ethiopia; Finland; France; United Kingdom of Great Britain and Northern Ireland; Greece; Guatemala; Republic of Honduras; Hungary; Italian Islands of the Aegean Sea; British India; Dutch East Indies; Irish Free State; Iceland; Italy; Japan, Chosen, Taiwan, Karafuto, Kwantung Leased Territory and the South Sea Islands under Japanese mandate; Latvia; Liberia; Lithuania; Luxemburg; Morocco; Mexico; Nicaragua; Norway; New Zealand; Republic of Panama; Netherlands; Peru; Persia; Poland; Portugal; Rumania; Italian Somaliland; Sweden; Syria and Lebanon; Czechoslovakia; Tripolitania; Tunisia; Turkey; Union of Soviet Socialist Republics; Uruguay; Venezuela; Yugoslavia.

The undersigned, plenipotentiaries of the governments listed above, having met in conference at Madrid, have, in common agreement and subject to ratification, concluded the following Convention:

CHAPTER I

ORGANIZATION AND FUNCTIONING OF THE UNION

Organization, functions, etc.

ARTICLE 1

Constitution of the Union

Constitution. Vol. 45, p. 2760.

§ 1. The countries, parties to the present Convention, form the International Telecommunication Union which shall replace the Telegraph Union and which shall be governed by the following provisions.

§ 2. Les termes employés dans la présente Convention sont définis dans l'annexe à ce document.

ARTICLE 2.

Règlements.

§ 1. Les dispositions de la présente Convention sont complétées par les Règlements, savoir:

le Règlement télégraphique,
le Règlement téléphonique,
les Règlements des radiocommunications (Règlement général et Règlement additionnel),

qui ne lient que les gouvernements contractants qui se sont engagés à les appliquer, et seulement vis-à-vis des gouvernements qui ont pris le même engagement.

§ 2. Seuls les signataires de la Convention ou les adhérents à cet acte sont admis à signer les Règlements ou à y adhérer. La signature de l'un, au moins, des Règlements est obligatoire pour les signataires de la Convention. De même, l'adhésion à l'un, au moins, des Règlements est obligatoire pour les adhérents à la Convention. Toutefois, le Règlement additionnel des radiocommunications ne peut pas faire l'objet de la signature ou de l'adhésion sans que la signature ou l'adhésion ait été donnée au Règlement général des radiocommunications.

§ 3. Les prescriptions de la présente Convention n'engagent les gouvernements contractants que pour les services régis par les Règlements auxquels ces gouvernements sont Parties.

ARTICLE 3.

Adhésion des gouvernements à la Convention.

§ 1. Le gouvernement d'un pays, au nom duquel la présente Convention n'a pas été signée, peut y adhérer en tout temps. Cette adhésion doit porter sur un au moins des Règlements annexés, sous réserve de l'application du § 2 de l'article 2 ci-dessus.

§ 2. L'acte d'adhésion d'un gouvernement sera déposé dans les archives du gouvernement qui a accueilli la conférence de plénipotentiaires ayant arrêté la présente Convention. Le gouvernement qui a reçu en dépôt l'acte d'adhésion en donne connaissance, par la voie diplomatique, à tous les autres gouvernements contractants.

§ 3. L'adhésion emporte de plein droit toutes les obligations et tous les avantages stipulés par la présente Convention; en outre, elle entraîne les obligations et avantages stipulés par les seuls Règlements que les gouvernements adhérents s'engagent à appliquer.

§ 2. The terms used in this Convention are defined in the annex to the present document. Terms. *Post*, p. 2441.

ARTICLE 2

Regulations

§ 1. The provisions of the present Convention shall be completed by the following Regulations: Regulations.

the Telegraph Regulations,
the Telephone Regulations,
the Radio Regulations (General Regulations and Additional Regulations[1]),

which shall bind only the contracting governments which have undertaken to apply them, and solely as regards governments which have taken the same obligation. Governments bound.

§ 2. Only the signatories to the Convention or the adherents to this document shall be permitted to sign the Regulations or to adhere thereto. The signing of at least one of the sets of Regulations shall be obligatory upon the signatories of the Convention. Similarly, adherence to at least one of the sets of Regulations shall be obligatory upon the adherents to the Convention. However, the Additional Radio Regulations may not be the subject of signature or adherence except when the General Radio Regulations have been signed or adhered to. *Post*, p. 2397. Additional regulations not included.

§ 3. The provisions of the present Convention shall bind the contracting governments only with respect to the services governed by the Regulations to which these governments are parties. Scope of Convention.

ARTICLE 3

Adherence of Governments to the Convention

§ 1. The government of a country, in the name of which the present Convention has not been signed, may adhere to it at any time. Such adherence must cover at least one of the sets of annexed Regulations, subject to the application of § 2 of article 2 above. Adherence of Governments to Convention.

§ 2. The act of adherence of a government shall be deposited in the archives of the government which received the conference of plenipotentiaries that has drawn up the present Convention. The government with which the act of adherence has been deposited shall communicate it to all the other contracting governments through diplomatic channels.

§ 3. Adherence shall carry with it as a matter of right, all the obligations and all the advantages stipulated by the present Convention; it shall, in addition, entail the obligations and advantages stipulated by the particular Regulations which the adhering governments undertake to apply.

[1] The additional radio regulations were not signed on the part of the United States.

ARTICLE 4.

Adhésion des gouvernements aux Règlements.

Le gouvernement d'un pays signataire ou adhérent à la présente Convention peut adhérer en tout temps au Règlement ou aux Règlements auxquels il ne s'est pas engagé, en tenant compte des dispositions du § 2 de l'article 2. Cette adhésion est notifiée au Bureau de l'Union, lequel en donne connaissance aux autres gouvernements intéressés.

ARTICLE 5.

Adhésion à la Convention et aux Règlements des colonies, protectorats, territoires d'outre-mer ou territoires sous souveraineté, autorité ou mandat des gouvernements contractants.

§ 1. Tout gouvernement contractant peut déclarer, soit au moment de sa signature, de sa ratification ou de son adhésion, soit après, que son acceptation de la présente Convention est valable pour l'ensemble ou un groupe ou un seul de ses colonies, protectorats, territoires d'outre-mer ou territoires sous souveraineté, autorité ou mandat.

§ 2. L'ensemble ou un groupe ou un seul de ces colonies, protectorats, territoires d'outre-mer ou territoires sous souveraineté, autorité ou mandat peut respectivement faire l'objet, à toute époque, d'une adhésion distincte.

§ 3. La présente Convention ne s'applique pas aux colonies, protectorats, territoires d'outre-mer ou territoires sous souveraineté, autorité ou mandat d'un gouvernement contractant, à moins d'une déclaration à cet effet faite en vertu du § 1 du présent article ou d'une adhésion distincte faite en vertu du § 2 ci-dessus.

§ 4. Les déclarations d'adhésion faites en vertu des §§ 1 et 2 du présent article seront communiquées, par la voie diplomatique, au gouvernement du pays sur le territoire duquel aura été tenue la conférence de plénipotentiaires à laquelle la présente Convention a été arrêtée, et une copie en sera transmise par ce gouvernement à chacun des autres gouvernements contractants.

§ 5. Les dispositions des §§ 1 et 3 du présent article s'appliquent aussi soit pour l'acceptation d'un ou de plusieurs Règlements, soit pour l'adhésion à un ou à plusieurs Règlements, en tenant compte des prescriptions du § 2 de l'article 2. Cette acceptation ou cette adhésion est notifiée en conformité des dispositions de l'article 4.

§ 6. Les dispositions des paragraphes précédents ne s'appliquent pas aux colonies, protectorats, territoires d'outre-mer ou territoires sous souveraineté, autorité ou mandat qui figurent dans le préambule de la présente Convention.

ARTICLE 6.

Ratification de la Convention.

§ 1. La présente Convention devra être ratifiée par les gouvernements signataires et les ratifications en seront déposées, par la voie diplomatique, dans le plus bref délai possible, aux archives du gouvernement du pays qui a accueilli la conférence de plénipotentiaires

ARTICLE 4

Adherence of Governments to the Regulations

Adherence by Governments to Regulations.

The government of a country signatory or adherent to the present Convention may at any time adhere to one or more of the sets of Regulations which it has not undertaken to observe, taking into account the provisions of article 2, § 2. Such adherence shall be notified to the Bureau of the Union which shall inform the other governments concerned thereof.

ARTICLE 5

Adherence to the Convention and to the Regulations by Colonies, Protectorates, Overseas Territories, or Territories under Sovereignty, Authority, or Mandate of the Contracting Governments

By Colonies, etc.

§ 1. Any contracting government may, at the time of its signature, its ratification, its adherence, or later, declare that its acceptance of the present Convention is valid for the whole or a group or a single one of its colonies, protectorates, overseas territories, or territories under sovereignty, authority, or mandate.

§ 2. The whole or a group or a single one of these colonies, protectorates, overseas territories, or territories under sovereignty, authority, or mandate may, respectively, at any time, be the subject of a separate adherence.

§ 3. The present Convention shall not apply to colonies, protectorates, overseas territories, or territories under sovereignty, authority, or mandate of a contracting government, unless statement to this effect is made by virtue of § 1 of the present article, or a separate adherence is made by virtue of § 2 above.

§ 4. The declarations of adherence, made by virtue of § 1 and § 2 of this article, shall be communicated through diplomatic channels to the government of the country on the territory of which was held the conference of plenipotentiaries, at which the present Convention was drawn up, and a copy thereof shall be transmitted by this government to each of the other contracting governments.

§ 5. The provisions of §§ 1 and 3 of this article shall also apply either to the acceptance of one or more of the sets of Regulations, or to the adherence to one or more of the sets of Regulations, within the terms of the provisions contained in article 2, § 2. Such acceptance or adherence shall be notified in conformity with the provisions of article 4.

Ante, p. 2393.

§ 6. The provisions of the preceding paragraphs shall not apply to the colonies, protectorates, overseas territories, or territories under sovereignty, authority, or mandate which appear in the preamble of the present Convention.

ARTICLE 6

Ratification of the Convention

Ratification.

§ 1. The present Convention must be ratified by the signatory governments and the ratifications thereof must be deposited, as soon as possible, through diplomatic channels, in the archives of the government of the country which received the conference of plenipotentiaries

ayant arrêté la présente Convention et qui notifiera aux autres gouvernements signataires et adhérents, par la voie diplomatique, les ratifications au fur et à mesure de leur réception.

§ 2. Dans le cas où un ou plusieurs des gouvernements signataires ne ratifieraient pas la Convention, celle-ci n'en sera pas moins valable pour les gouvernements qui l'auront ratifiée.

ARTICLE 7.

Approbation des Règlements.

§ 1. Les gouvernements doivent se prononcer dans le plus bref délai possible au sujet de l'approbation des Règlements arrêtés en conférence. Cette approbation est notifiée au Bureau de l'Union qui en fait part aux membres de l'Union.

§ 2. Dans le cas où un ou plusieurs des gouvernements intéressés ne notifieraient pas cette approbation, les nouvelles dispositions réglementaires n'en seront pas moins valables pour les gouvernements qui les auront approuvées.

ARTICLE 8.

Abrogation des Conventions et des Règlements antérieurs à la présente Convention.

La présente Convention et les Règlements y annexés abrogent et remplacent, dans les relations entre les gouvernements contractants, les Conventions télégraphiques internationales de Paris (1865), de Vienne (1868), de Rome (1872) et de St-Pétersbourg (1875) et les Règlements y annexés, ainsi que les Conventions radiotélégraphiques internationales de Berlin (1906), de Londres (1912) et de Washington (1927) et les Règlements y annexés.

ARTICLE 9.

Exécution de la Convention et des Règlements.

§ 1. Les gouvernements contractants s'engagent à appliquer les dispositions de la présente Convention et des Règlements acceptés par eux dans tous les bureaux et dans toutes les stations de télécommunications établis ou exploités par leurs soins et qui sont ouverts au service international de la correspondance publique, au service de la radiodiffusion ou aux services spéciaux régis par les Règlements.

§ 2. Ils s'engagent, en outre, à prendre les mesures nécessaires pour imposer l'observation des dispositions de la présente Convention et des Règlements qu'ils acceptent, aux exploitations privées reconnues par eux et aux autres exploitations dûment autorisées à l'établissement et à l'exploitation des télécommunications du service international ouvertes ou non ouvertes à la correspondance publique.

ARTICLE 10.

Dénonciation de la Convention par les gouvernements.

§ 1. Chaque gouvernement contractant a le droit de dénoncer la présente Convention par une notification adressée, par la voie diplomatique, au gouvernement du pays dans lequel a siégé la conférence

that has drawn up the present Convention; this same government shall, through diplomatic channels, notify the other signatory and adhering governments of the ratifications, as soon as they are received.

§ 2. In case one or more of the signatory governments would not ratify the Convention, the latter shall none the less be valid for the governments which shall have ratified it.

ARTICLE 7

Approval of the Regulations

Approval of regulations.

§ 1. The governments must, as soon as possible, submit their decision concerning the approval of the Regulations drawn up by the Conference. This approval shall be reported to the Bureau of the Union which shall inform the members of the Union accordingly.

§ 2. In case one or several of the governments concerned would not report such an approval, the new regulatory provisions shall none the less be valid for the governments which shall have approved them.

ARTICLE 8

Abrogation of Conventions and of Regulations Prior to the Present Convention

Abrogation of prior Conventions and Regulations.

The present Convention and the Regulations annexed thereto shall abrogate and replace, in the relations between the contracting governments, the International Telegraph Conventions of Paris (1865), Vienna (1868), Rome (1872), and St. Petersburg (1875), and the Regulations annexed thereto, as well as the International Radiotelegraph Conventions of Berlin (1906), London (1912), and Washington (1927), and the Regulations annexed thereto.

Vol. 37, p. 1565; Vol. 38, p. 1672; Vol. 45, p. 2760.

ARTICLE 9

Execution of the Convention and of the Regulations

Execution of Convention and of Regulations.

§ 1. The contracting governments undertake to apply the provisions of the present Convention and of the Regulations accepted by them, in all the offices and in all the telecommunication stations established or operated by them, and which are open to the international service of public correspondence, to the broadcasting service, or to the special services governed by the Regulations.

§ 2. Moreover, they agree to take the steps necessary to enforce the provisions of the present Convention and of the Regulations which they accept, upon the private operating agencies recognized by them and upon the other operating agencies duly authorized to establish and operate telecommunications of the international service whether or not open to public correspondence.

ARTICLE 10

Denunciation of the Convention by the Governments

Denunciation by Governments of Convention.

§ 1. Each contracting government shall have the right to denounce the present Convention by a notification, addressed, through diplomatic channels, to the government of the country in which was held

de plénipotentiaires qui a arrêté la présente Convention et annoncée ensuite par ce gouvernement, également par la voie diplomatique, à tous les autres gouvernements contractants.

§ 2. Cette dénonciation produit son effet à l'expiration du délai d'une année à partir du jour de la réception de sa notification par le gouvernement du pays où a siégé la dernière conférence de plénipotentiaires. Cet effet ne vise que l'auteur de la dénonciation; pour les autres gouvernements contractants, la Convention reste en vigueur.

ARTICLE 11.

Dénonciation des Règlements par les gouvernements.

§ 1. Chaque gouvernement a le droit de mettre fin à l'engagement qu'il a pris d'exécuter un Règlement, en notifiant sa décision au Bureau de l'Union, lequel en donne connaissance aux autres gouvernements intéressés. Cette notification produit son effet à l'expiration du délai d'une année à partir du jour de sa réception par le Bureau de l'Union. Cet effet ne vise que l'auteur de la dénonciation; pour les autres gouvernements, le Règlement visé reste en vigueur.

§ 2. Les dispositions du § 1 ci-dessus ne suppriment pas l'obligation pour les gouvernements contractants d'exécuter au moins l'un des Règlements, visée par l'article 2 de la présente Convention, et compte tenu de la réserve mentionnée au § 2 dudit article.

ARTICLE 12.

Dénonciation de la Convention et des Règlements par les colonies, protectorats, territoires d'outre-mer ou territoires sous souveraineté, autorité ou mandat des gouvernements contractants.

§ 1. L'application de la présente Convention à un territoire, faite en vertu des prescriptions du § 1 ou du § 2 de l'article 5, peut prendre fin à toute époque.

§ 2. Les déclarations de dénonciation prévues au § 1 ci-dessus sont notifiées et annoncées dans les conditions fixées au § 1 de l'article 10; elles produisent leur effet d'après les dispositions du § 2 du même article.

§ 3. L'application d'un ou de plusieurs Règlements à un territoire, faite en vertu des dispositions du § 5 de l'article 5, peut prendre fin à toute époque.

§ 4. Les déclarations de dénonciation prévues au § 3 ci-dessus sont notifiées et annoncées selon les prescriptions du § 1 de l'article 11 et produisent leur effet dans les conditions fixées audit paragraphe.

ARTICLE 13.

Arrangements particuliers.

Les gouvernements contractants se réservent, pour eux-mêmes, pour les exploitations privées reconnues par eux et pour d'autres exploitations dûment autorisées à cet effet, la faculté de conclure

the conference of plenipotentiaries that has drawn up the present Convention, and announced by these governments to all the other contracting governments, likewise through diplomatic channels.

§ 2. This denunciation shall take effect at the expiration of the period of one year, beginning with the day on which the notification was received by the government of the country in which the last conference of plenipotentiaries was held. This effect shall apply only to the author of the denunciation; the Convention shall remain in force for the other contracting governments.

ARTICLE 11

Denunciation of the Regulations by the Governments

Of Regulations.

§ 1. Each government shall have the right to terminate the obligation which it has undertaken to apply one of the sets of Regulations, by notifying its decision to the Bureau of the Union which shall inform thereof the other governments concerned. Such notification shall take effect at the expiration of the period of one year, beginning with the day on which it was received by the Bureau of the Union. This effect shall apply only to the author of the denunciation; the Regulations in question shall remain in force for the other governments.

§ 2. The provision of § 1 above shall not annul the obligation for the contracting governments to enforce at least one of the sets of Regulations, covered by article 2 of this Convention, taking into account the reservation contained in § 2 of the said article.

ARTICLE 12

Denunciation of the Convention and of the Regulations by Colonies, Protectorates, Overseas Territories, or Territories under Sovereignty, Authority, or Mandate of the Contracting Governments

By Colonies of Convention and Regulations.

§ 1. The application of the present Convention to a territory, by virtue of the provisions of § 1 or of § 2 of article 5, may terminate at any time.

§ 2. The declarations of denunciation provided for in § 1 above shall be notified and announced according to the conditions stated in § 1 of article 10; they shall take effect according to the provisions of § 2 of the latter article.

§ 3. The application of one or more of the sets of Regulations to a territory, by virtue of the provisions of § 5 of article 5, may terminate at any time.

§ 4. The declarations of denunciation provided for in § 3 above shall be notified and announced in accordance with the provisions of § 1 of article 11 and shall take effect under the conditions set forth in the said paragraph.

ARTICLE 13

Special Arrangements

Special arrangements.

The contracting governments reserve the right, for themselves, for the private operating agencies recognized by them, and for other operating agencies duly authorized to that effect, to conclude special

des arrangements particuliers sur les points du service qui n'intéressent pas la généralité des gouvernements. Toutefois, ces arrangements devront rester dans les limites de la Convention et des Règlements y annexés, pour ce qui concerne les brouillages que leur mise à exécution serait susceptible de produire dans les services des autres pays.

ARTICLE 14.

Relations avec des Etats non contractants.

§ 1. Chacun des gouvernements contractants se réserve, pour lui et pour les exploitations privées reconnues par lui, la faculté de fixer les conditions dans lesquelles il admet les télécommunications échangées avec un pays qui n'a pas adhéré à la présente Convention ou au Règlement dans lequel sont comprises les dispositions relatives aux télécommunications en cause.

§ 2. Si une télécommunication originaire d'un pays non adhérent est acceptée par un pays adhérent, elle doit être transmise, et, pour autant qu'elle emprunte les voies d'un pays adhérent à la Convention et aux Règlements respectifs, les dispositions obligatoires de la Convention et des Règlements en question ainsi que les taxes normales lui sont appliquées.

ARTICLE 15.

Arbitrage.

§ 1. En cas de désaccord entre deux ou plusieurs gouvernements contractants relativement à l'exécution soit de la présente Convention, soit des Règlements prévus à l'article 2, le différend, s'il n'est réglé par la voie diplomatique, est soumis à un jugement arbitral à la demande d'un quelconque des gouvernements en désaccord.

§ 2. A moins que les Parties en désaccord ne s'entendent pour faire usage d'une procédure déjà établie par des traités conclus entre elles pour le règlement des conflits internationaux, ou de celle prévue au § 7 du présent article, il sera procédé comme il suit à la désignation des arbitres:

§ 3. (1) Les Parties décident, après entente réciproque, si l'arbitrage doit être confié à des personnes ou à des gouvernements ou administrations; à défaut d'entente, il est recouru à des gouvernements.

(2) Dans le cas où l'arbitrage doit être confié à des personnes, les arbitres ne doivent être de la nationalité d'aucune des Parties intéressées dans le différend.

(3) Dans le cas où l'arbitrage doit être confié à des gouvernements ou administrations, ceux-ci doivent être choisis parmi les Parties adhérentes à l'accord dont l'application a provoqué le différend.

§ 4. La Partie qui fait appel à l'arbitrage est considérée comme Partie demanderesse. Elle désigne un arbitre et le notifie à la partie adverse. La Partie défenderesse doit alors nommer un deuxième arbitre, dans un délai de deux mois à partir de la réception de la notification de la demanderesse.

arrangements on service matters which do not concern the governments in general. However, such arrangements must remain within the terms of the Convention and of the Regulations annexed thereto, as regards interference which their application might be likely to cause with the services of other countries.

ARTICLE 14

Relations with Noncontracting Governments

Relations with noncontracting governments.

§ 1. Each of the contracting governments reserves the right, for itself and for the private operating agencies which it recognizes, to determine the conditions under which it will admit telecommunications exchanged with a country which has not adhered to the present Convention or to the Regulations which contain the provisions relative to the telecommunications involved.

§ 2. If a telecommunication originating in a nonadhering country is accepted by an adhering country, it must be transmitted and, so far as it uses the channels of a country adhering to the Convention and to the respective Regulations, the mandatory provisions of the Convention and of the Regulations in question, as well as the normal rates, shall be applicable to it.

ARTICLE 15

Arbitration

Arbitration.
Ante, p. 2394.

§ 1. In case of disagreement between two or more contracting governments concerning the execution of either the present Convention or the Regulations contemplated in article 2, the dispute, if it is not settled through diplomatic channels, shall be submitted to arbitration at the request of any one of the governments in disagreement.

§ 2. Unless the parties in disagreement agree to adopt a procedure already established by treaties concluded between them for the settlement of international disputes, or the procedure provided for in § 7 of this article, arbitrators shall be appointed in the following manner:

§ 3. (1) The parties shall decide, after mutual agreement, whether the arbitration is to be entrusted to individuals or to governments or administrations; failing an agreement on this matter, governments shall be resorted to.

(2) In case the arbitration is to be entrusted to individuals, the arbitrators must not be of the same nationality as any one of the parties concerned in the dispute.

(3) In case the arbitration is to be entrusted to governments or administrations, the latter must be chosen from among the parties adhering to the agreement, the application of which caused the dispute.

§ 4. The party appealing to arbitration shall be considered as the plaintiff. This party shall designate an arbitrator and notify the opposing party thereof. The defendant must then appoint a second arbitrator, within two months after the receipt of plaintiff's notification.

§ 5. S'il s'agit de plus de deux Parties, chaque groupe de demanderesses ou de défenderesses procède à la nomination d'un arbitre en observant le procédé indiqué au § 4.

§ 6. Les deux arbitres ainsi nommés s'entendent pour désigner un surarbitre qui, si les arbitres sont des personnes et non pas des gouvernements ou administrations, ne soit de la nationalité d'aucun d'eux et d'aucune des Parties. A défaut pour les arbitres de s'entendre sur le choix du surarbitre, chaque arbitre propose un surarbitre désintéressé dans le différend. Il est ensuite tiré au sort entre les surarbitres proposés. Ce tirage au sort est effectué par le Bureau de l'Union.

§ 7. Enfin, les Parties en désaccord ont la faculté de faire juger leur différend par un seul arbitre. Dans ce cas, ou bien elles s'entendent sur le choix de l'arbitre, ou bien celui-ci est désigné conformément à la méthode indiquée au § 6.

§ 8. Les arbitres arrêtent librement la procédure à suivre.

§ 9. Chaque Partie supporte les dépenses que lui occasionne l'instruction du différend. Les frais d'arbitrage sont répartis de façon égale entre les Parties en cause.

ARTICLE 16.

Comités consultatifs internationaux.

§ 1. Des comités consultatifs peuvent être institués en vue d'étudier des questions relatives aux services des télécommunications.

§ 2. Le nombre, la composition, les attributions et le fonctionnement de ces comités sont définis dans les Règlements annexés à la présente Convention.

ARTICLE 17.

Bureau de l'Union.

§ 1. Un office central, dénommé Bureau de l'Union internationale des télécommunications, fonctionne dans les conditions fixées ci-après:

§ 2. (1) Outre les travaux et opérations prévus par divers autres articles de la Convention et des Règlements, le Bureau de l'Union est chargé:

a) des travaux préparatoires des conférences et des travaux consécutifs à ces conférences, auxquelles il est représenté avec voix consultative;

b) d'assurer, d'accord avec l'administration organisatrice intéressée, le secrétariat des conférences de l'Union, de même que, lorsqu'il en est prié ou que les Règlements annexés à la présente Convention en disposent ainsi, le secrétariat des réunions des comités institués par l'Union ou placés sous l'égide de celle-ci;

c) de procéder aux publications dont l'utilité générale viendrait à se révéler entre deux conférences.

§ 5. If more than two parties are involved, each group of plaintiffs or of defendants shall appoint an arbitrator, observing the same procedure as in § 4.

§ 6. The two arbitrators thus appointed shall agree in designating an umpire who, if the arbitrators are individuals and not governments or administrations, must not be of the same nationality as either of them or either of the parties involved. Failing an agreement of the arbitrators as to the choice of the umpire, each arbitrator shall propose an umpire in no way concerned in the dispute. Lots shall then be drawn between the umpires proposed. The drawing of lots shall be done by the Bureau of the Union.

§ 7. Finally, the parties in dispute shall have the right to have their disagreement settled by a single arbitrator. In this case, either they shall agree on the choice of the arbitrator, or the latter shall be designated in conformity with the method indicated in § 6.

§ 8. The arbitrators shall be free to decide on the procedure to be followed.

§ 9. Each party shall bear the expenses it shall have incurred in the investigation of the dispute. The cost of the arbitration shall be apportioned equally among the parties involved.

ARTICLE 16

International Consulting Committees

International Consulting Committees.

§ 1. Consulting committees may be formed for the purpose of studying questions relating to the telecommunication services.

§ 2. The number, composition, duties, and functioning of these committees are defined in the Regulations annexed to the present Convention.

ARTICLE 17

Bureau of the Union

International Bureau. Functions, etc.

§ 1. A central office, called the Bureau of the International Telecommunication Union, shall function under the conditions stated hereinafter:

§ 2. (1) In addition to the work and operations provided for by the various other articles of the Convention and of the Regulations, the Bureau of the Union shall be charged with:

(*a*) work preparatory to and following conferences, in which it shall be represented in an advisory capacity;

(*b*) providing, in cooperation with the organizing administration involved, the secretariat of conferences of the Union, as well as, when so requested or when so provided for by the Regulations annexed to the present Convention, the secretariat of meetings of committees appointed by the Union or placed under the auspices of the latter;

(*c*) issuing such publications as will be found generally useful between two conferences.

(2) Il publie périodiquement, à l'aide des documents qui sont mis à sa disposition et des renseignements qu'il peut recueillir, un journal d'information et de documentation concernant les télécommunications.

(3) Il doit, d'ailleurs, se tenir en tout temps à la disposition des gouvernements contractants pour leur fournir, sur les questions qui intéressent les télécommunications internationales, les avis et les renseignements dont ils pourraient avoir besoin, et qu'il serait mieux en mesure que ces gouvernements de posséder ou de se procurer.

(4) Il fait, sur sa gestion, un rapport annuel qui est communiqué à tous les membres de l'Union. Le compte de gestion est soumis à l'examen et à l'appréciation des conférences de plénipotentiaires ou administratives, prévues par l'article 18 de la présente Convention.

§ 3. (1) Les frais communs du Bureau de l'Union ne doivent pas dépasser, par année, les sommes fixées dans les Règlements annexés à la présente Convention. Ces frais communs ne comprennent pas:

a) les frais afférents aux travaux des conférences de plénipotentiaires ou administratives,

b) les frais afférents aux travaux de comités régulièrement créés.

(2) Les frais afférents aux conférences de plénipotentiaires et administratives sont supportés par tous les gouvernements, qui y prennent part proportionnellement à la contribution qu'ils payent pour le fonctionnement du Bureau de l'Union, suivant les dispositions de l'alinéa (3) ci-après.

Les frais afférents aux réunions des comités régulièrement créés sont supportés suivant les dispositions des Règlements annexés à la présente Convention.

(3) Les recettes et les dépenses du Bureau de l'Union doivent faire l'objet de deux comptes distincts, l'un pour les services télégraphique et téléphonique, l'autre pour le service des radiocommunications. Les frais afférents à chacune de ces deux divisions sont supportés par les gouvernements adhérents aux Règlements correspondants. Pour la répartition de ces frais, les gouvernements adhérents sont divisés en six classes, contribuant chacun dans la proportion d'un certain nombre d'unités, savoir:

1re classe: 25 unités,
2e classe: 20 unités,
3e classe: 15 unités,
4e classe: 10 unités,
5e classe: 5 unités,
6e classe: 3 unités.

(4) Chaque gouvernement fait connaître au Bureau de l'Union, soit directement, soit par l'intermédiaire de son administration, dans quelle classe son pays doit être rangé. Cette classification est communiquée aux membres de l'Union.

(2) On the basis of the documents put at its disposal and of the information which it may gather, it shall publish periodically a journal of information and documentation concerning telecommunications.

(3) It must also, at all times, hold itself at the disposal of the contracting governments to furnish them with such opinions and information as they may need on questions concerning international telecommunications, and which it is in a better position to have or to obtain than these governments.

(4) It shall prepare an annual report on its activities, which shall be communicated to all members of the Union. The operating account shall be submitted, for examination and approval, to the plenipotentiary or administrative conferences provided for in article 18 of the present Convention. Annual reports.

§ 3. (1) The general expenses of the Bureau of the Union must not exceed, per year, the amounts specified in the Regulations annexed to the present Convention. These general expenses shall not include: Expenses of Bureau.

(*a*) the expenses pertaining to the work of plenipotentiary or administrative conferences,

(*b*) the expenses pertaining to the work of duly created committees.

(2) The expenses pertaining to the plenipotentiary and administrative conferences shall be borne by all the governments participating therein, in proportion to the contribution which they pay for the operation of the Bureau of the Union, in accordance with the provisions of the following subparagraph (3). Conferences.

The expenses pertaining to the meetings of the committees regularly created shall be borne in accordance with the provisions of the Regulations annexed to the present Convention.

(3) The receipts and expenses of the Bureau of the Union must be carried in two separate accounts, one for the telegraph and telephone services, the other for the radio service. The expenses pertaining to each of these two divisions shall be borne by the governments adhering to the corresponding Regulations. For the apportioning of these expenses, the adhering governments shall be divided into six classes, each contributing at the rate of a certain number of units, namely: Keeping accounts. Apportionment of expenses.

1st class: 25 units
2d class: 20 units
3d class: 15 units
4th class: 10 units
5th class: 5 units
6th class: 3 units

(4) Each government shall inform the Bureau of the Union, directly or through its administration, of the class in which its country is to be placed. This classification shall be communicated to the members of the Union.

(5) Les sommes avancées par le gouvernement qui contrôle le Bureau de l'Union doivent être remboursées, par les gouvernements débiteurs, dans le plus bref délai et, au plus tard, à l'expiration du quatrième mois qui suit le mois durant lequel le compte a été envoyé. Passé ce délai, les sommes dues sont productives d'intérêts, au profit du gouvernement créditeur, à raison de six pour cent (6%) l'an, à compter du jour de l'expiration du délai susmentionné.

§ 4. Le Bureau de l'Union est placé sous la haute surveillance du Gouvernement de la Confédération suisse, qui en règle l'organisation, en contrôle les finances, fait les avances nécessaires et vérifie le compte annuel.

CHAPITRE II.

CONFÉRENCES.

Article 18.

Conférences de plénipotentiaires et conférences administratives.

§ 1. Les prescriptions de la présente Convention sont revisables par des conférences de plénipotentiaires des gouvernements contractants.

§ 2. Il est procédé à la revision de la Convention lorsqu'il en a été ainsi décidé par une précédente conférence de plénipotentiaires, ou lorsque vingt gouvernements contractants au moins en ont manifesté le désir au gouvernement du pays où siège le Bureau de l'Union.

§ 3. Les prescriptions des Règlements annexés à la présente Convention sont revisables par des conférences administratives de délégués des gouvernements contractants qui ont approuvé les Règlements soumis à revision, chaque conférence fixant elle-même le lieu et l'époque de la réunion suivante.

§ 4. Chaque conférence administrative peut permettre la participation, à titre consultatif, des exploitations privées reconnues par les gouvernements contractants respectifs.

Article 19.

Changement de la date d'une conférence.

§ 1. L'époque fixée pour la réunion d'une conférence, soit de plénipotentiaires, soit administrative, peut être avancée ou reculée si la demande en est faite par dix, au moins, des gouvernements contractants, au gouvernement du pays où le Bureau de l'Union a son siège, et si cette proposition reçoit l'agrément de la majorité des gouvernements contractants qui auront fait parvenir leur avis dans le délai fixé.

§ 2. La conférence a alors lieu dans le pays primitivement désigné, si le gouvernement de ce pays y consent. Dans le cas contraire, il est procédé à une consultation des gouvernements contractants, par les soins du gouvernement du pays où le Bureau de l'Union a son siège.

(5) The amounts advanced by the government supervising the Bureau of the Union must be refunded by the debtor governments with the briefest possible delay, and, at the latest, at the end of the fourth month following the month during which the account was rendered. After this period, the amounts due shall bear interest, accruing to the creditor government, at the rate of six percent (6%) per annum, counting from the date of expiration of the above-mentioned period. Advances.

§ 4. The Bureau of the Union shall be placed under the high supervision of the Government of the Swiss Confederation which shall regulate its organization, supervise its finances, make the necessary advances; and audit the annual accounts. Bureau supervision.

CHAPTER II

CONFERENCES

Conferences.

ARTICLE 18

Conferences of Plenipotentiaries and Administrative Conferences

§ 1. The provisions of the present Convention shall be subject to revision by conferences of plenipotentiaries of the contracting governments. Plenipotentiaries and Administrative.

§ 2. Revision of the Convention shall be undertaken when it has been so decided by a preceding conference of plenipotentiaries, or when at least twenty contracting governments have so stated their desire to the government of the country in which the Bureau of the Union is located. Revision of Convention.

§ 3. The provisions of the Regulations annexed to this Convention shall be subject to revision by administrative conferences of delegates from the contracting governments which have approved the Regulations to be revised, each conference itself determining the place and time for the following meeting. Of Regulations.

§ 4. Each administrative conference may permit the participation, in an advisory capacity, of private operating agencies recognized by the respective contracting governments. Participants.

ARTICLE 19

Change of Date of a Conference

§ 1. The time set for the meeting of a conference of plenipotentiaries or of an administrative conference may be advanced or postponed if request to this effect is made by at least ten of the contracting governments to the government of the country in which the Bureau of the Union is located, and if such proposal is agreed to by the majority of the contracting governments which shall have forwarded their opinion within the time indicated. Changing conference date.

§ 2. The conference shall then be held in the country originally designated, if the government of that country consents. Otherwise, the contracting governments shall be consulted through the government of the country in which the Bureau of the Union is located.

ARTICLE 20.

Règlement intérieur des conférences.

§ 1. Avant toute autre délibération, chaque conférence établit un règlement intérieur, qui contient les règles suivant lesquelles sont organisés et conduits les débats et les travaux.

§ 2. A cet effet, la conférence prend comme base le règlement intérieur de la précédente conférence, qu'elle modifie si elle l'estime utile.

ARTICLE 21.

Langue.

§ 1. La langue employée pour la rédaction des actes des conférences et pour tous les documents de l'Union est le français.

§ 2. (1) Dans les débats des conférences, les langues française et anglaise sont admises.

(2) Les discours prononcés en français sont immédiatement traduits en anglais, et réciproquement, par des traducteurs officiels du Bureau de l'Union.

(3) En outre, d'autres langues peuvent être utilisées dans les débats des conférences, à la condition que les délégués qui les emploient pourvoient eux-mêmes à la traduction de leurs discours en français ou en anglais.

(4) De même, ces délégués peuvent, s'ils le désirent, faire traduire dans leur propre langue les discours prononcés en français ou en anglais.

CHAPITRE III.

DISPOSITIONS D'ORDRE GÉNÉRAL.

ARTICLE 22.

La télécommunication service public.

Les gouvernements contractants reconnaissent au public le droit de correspondre au moyen du service international de la correspondance publique. Le service, les taxes, les garanties seront les mêmes pour tous les expéditeurs, sans priorité ni préférence quelconques non prévues par la Convention ou les Règlements y annexés.

ARTICLE 23.

Responsabilité.

Les gouvernements contractants déclarent n'accepter aucune responsabilité à l'égard des usagers du service international de télécommunication.

ARTICLE 24.

Secret des télécommunications.

§ 1. Les gouvernements contractants s'engagent à prendre toutes les mesures possibles, compatibles avec le système de télécommunication employé, en vue d'assurer le secret des correspondances internationales.

ARTICLE 20

Internal Regulations of the Conferences

Internal regulations.

§ 1. Before any other deliberation, each conference shall establish Internal Regulations containing the rules according to which the debates and the work shall be organized and conducted.

§ 2. For this purpose, the conference shall take as a basis the Internal Regulations of the preceding conference, which it may modify if deemed advisable.

ARTICLE 21

Language

Language.

§ 1. The language used in drafting the acts of the conferences and for all the documents of the Union, shall be French.

§ 2. (1) In the discussions of conferences, the French and English languages shall be permitted.

(2) Speeches made in French shall immediately be translated into English, and vice versa, by official interpreters of the Bureau of the Union.

(3) Other languages may also be used in the discussions of the conferences, on condition that the delegates using them provide for the translation of their own speeches into French or into English.

(4) Likewise these delegates may, if they so desire, have speeches in French or in English translated into their own language.

CHAPTER III

GENERAL PROVISIONS

General Provisions.

ARTICLE 22

Telecommunication as a Public Service

Telecommunication as a public service.

The contracting governments recognize the right of the public to correspond by means of the international service of public correspondence. The service, the charges, the guarantees shall be the same for all senders, without any priority or preference whatsoever not provided for by the Convention or the Regulations annexed thereto.

ARTICLE 23

Responsibility

Responsibility.

The contracting governments declare that they accept no responsibility in regard to the users of the international telecommunication service.

ARTICLE 24

Secrecy of Telecommunications

Secrecy of communications.

§ 1. The contracting governments agree to take all the measures possible, compatible with the system of telecommunication used, with a view to insuring the secrecy of international correspondence.

§ 2. Toutefois, ils se réservent le droit de communiquer les correspondances internationales aux autorités compétentes pour assurer, soit l'application de leur législation intérieure, soit l'exécution des conventions internationales auxquelles les gouvernements intéressés sont Parties.

ARTICLE 25.

Constitution, exploitation et sauvegarde des installations et des voies de télécommunication.

§ 1. Les gouvernements contractants établissent, en accord avec les autres gouvernements contractants intéressés et dans les meilleures conditions techniques, les voies et installations nécessaires pour assurer l'échange rapide et ininterrompu des télécommunications du service international.

§ 2. Autant que possible, ces voies et installations doivent être exploitées par les méthodes et procédés les meilleurs que la pratique du service aura fait connaître, entretenues en constant état d'utilisation et maintenues au niveau des progrès scientifiques et techniques.

§ 3. Les gouvernements contractants assurent la sauvegarde de ces voies et installations dans les limites de leur action respective.

§ 4. Chaque gouvernement contractant établit et entretient à ses frais—à moins d'arrangement particulier fixant d'autres conditions—les sections des conducteurs internationaux comprises dans les limites du territoire de son pays.

§ 5. Dans les pays où certains services de télécommunication sont assurés par des exploitations privées reconnues par les gouvernements, les engagements ci-dessus sont pris par les exploitations privées.

ARTICLE 26.

Arrêt des télécommunications.

§ 1. Les gouvernements contractants se réservent le droit d'arrêter la transmission de tout télégramme ou radiotélégramme privé qui paraîtrait dangereux pour la sûreté de l'Etat ou contraire aux lois du pays, à l'ordre public ou aux bonnes mœurs, à charge d'avertir immédiatement le bureau d'origine de l'arrêt de ladite communication ou d'une partie quelconque de celle-ci, sauf dans le cas où l'émission de l'avis peut paraître dangereuse pour la sûreté de l'Etat.

§ 2. Les gouvernements contractants se réservent aussi le droit de couper toute communication téléphonique privée qui peut paraître dangereuse pour la sûreté de l'Etat ou contraire aux lois du pays, à l'ordre public ou aux bonnes mœurs.

ARTICLE 27.

Suspension du service.

Chaque gouvernement contractant se réserve le droit de suspendre le service des télécommunications internationales pour un temps indéterminé, s'il le juge nécessaire, soit d'une manière générale, soit

§ 2. However, they reserve the right to communicate international correspondence to the proper authorities, in order to insure either the application of their internal legislation, or the execution of international conventions, to which the governments concerned are parties.

ARTICLE 25

Constitution, Operation, and Protection of the Telecommunication Installations and Channels

Channels and installations.

§ 1. The contracting governments, in agreement with the other contracting governments concerned, shall establish, under the best technical conditions, the channels and installations necessary to carry on the rapid and uninterrupted exchange of telecommunications in the international service.

Operation.

§ 2. So far as possible, these channels and installations must be operated by the best methods and procedures which the practice of the service shall have made known; they must be maintained constantly in operating condition and kept abreast of scientific and technical progress.

Protection.

§ 3. The contracting governments shall insure the protection of these channels and installations within the limits of their respective action.

Maintenance of internal service conductors.

§ 4. Unless other conditions are laid down by special arrangements, each contracting government shall, at its own expense, establish and maintain the sections of international conductors included within the limits of the territory of its country.

Private agencies.

§ 5. In the countries where certain telecommunication services are operated by private operating agencies recognized by the governments, the above-mentioned obligations shall be undertaken by the private operating agencies.

ARTICLE 26

Stoppage of Telecommunications

Stoppage of telecommunications.

§ 1. The contracting governments reserve the right to stop the transmission of any private telegram or radiotelegram which might appear dangerous to the safety of the state or contrary to the laws of the country, to public order, or to decency, provided that they immediately notify the office of origin of the stoppage of the said communication or of any part thereof, except when it might appear dangerous to the safety of the state to issue such notice.

Private telephones.

§ 2. The contracting governments likewise reserve the right to interrupt any private telephone communication which might appear dangerous to the safety of the state or contrary to the laws of the country, to public order, or to decency.

ARTICLE 27

Suspension of Service

Suspension of service.

Each contracting government reserves the right to suspend the service of international telecommunication for an indefinite time if it deems necessary, either generally or only as regards certain connec-

seulement pour certaines relations et/ou pour certaines natures de correspondances, à charge pour lui d'en aviser immédiatement chacun des autres gouvernements contractants, par l'intermédiaire du Bureau de l'Union.

ARTICLE 28.

Instruction des contraventions.

Les gouvernements contractants s'engagent à se renseigner mutuellement au sujet des infractions aux dispositions de la présente Convention et des Règlements qu'ils acceptent, afin de faciliter les poursuites à exercer.

ARTICLE 29.

Taxes et franchise.

Les dispositions relatives aux taxes des télécommunications et les divers cas dans lesquels celles-ci bénéficient de la franchise sont fixés dans les Règlements annexés à la présente Convention.

ARTICLE 30.

Priorité de transmission des télégrammes et radiotélégrammes d'Etat.

Dans la transmission, les télégrammes et radiotélégrammes d'Etat jouissent de la priorité sur les autres télégrammes et radiotélégrammes, sauf dans le cas où l'expéditeur déclare renoncer à ce droit de priorité.

ARTICLE 31.

Langage secret.

§ 1. Les télégrammes et les radiotélégrammes d'Etat ainsi que les télégrammes et les radiotélégrammes de service peuvent être rédigés en langage secret dans toutes les relations.

§ 2. Les télégrammes et les radiotélégrammes privés peuvent être émis en langage secret entre tous les pays, à l'exception de ceux qui auront préalablement notifié, par l'intermédiaire du Bureau de l'Union, qu'ils n'admettent pas ce langage pour ces catégories de correspondances.

§ 3. Les gouvernements contractants qui n'admettent pas les télégrammes et les radiotélégrammes privés en langage secret en provenance ou à destination de leur propre territoire doivent les laisser circuler en transit, sauf le cas de suspension de service défini à l'article 27.

ARTICLE 32.

Unité monétaire.

L'unité monétaire employée à la composition des tarifs des télécommunications internationales et à l'établissement des comptes internationaux est le franc-or à 100 centimes, d'un poids de 10/31 de gramme et d'un titre de 0,900.

ARTICLE 33.

Reddition des comptes.

Les gouvernements contractants se doivent réciproquement compte des taxes perçues par leurs services respectifs.

tions and/or certain classes of communications, provided that it immediately so advise each of the other contracting governments, through the intermediary of the Bureau of the Union.

ARTICLE 28

Investigation of Violations

Investigation of violations.

The contracting governments undertake to inform each other concerning violations of the provisions of the present Convention and of the Regulations which they accept, in order to facilitate the action to be taken.

ARTICLE 29

Charges and Franking Privileges

Charges and franking privileges.

The provisions relating to the charges for telecommunications and the various cases in which the latter enjoy franking privileges are laid down in the Regulations annexed to the present Convention.

ARTICLE 30

Priority of Transmission for Government Telegrams and Radiotelegrams

Government priority.

In transmission, government telegrams and radiotelegrams shall enjoy priority over other telegrams and radiotelegrams, except in the case when the sender expressly waives such right of priority.

ARTICLE 31

Secret Language

Secret language.

§ 1. Government telegrams and radiotelegrams as well as service telegrams and radiotelegrams, in all relations, may be written in secret language.

§ 2. Private telegrams and radiotelegrams may be sent in secret language between all the countries, except those which previously, through the intermediary of the Bureau of the Union, have announced that they do not permit such language for these categories of messages.

§ 3. Contracting governments which do not permit private telegrams and radiotelegrams in secret language from or to their own territory must permit them to pass in transit, except in the case of suspension of service provided for in article 27.

Ante, p. 2413.

ARTICLE 32

Monetary Unit

Monetary unit.

The monetary unit used in the composition of international telecommunication rates and in setting up the international accounts shall be the gold franc of 100 centimes, weighing 10/31 of a gram, and of a fineness of 0.900.

ARTICLE 33

Rendering of Accounts

Rendering accounts.

The contracting governments must account to one another for the charges collected by their respective services.

CHAPITRE IV.

DISPOSITIONS SPÉCIALES AUX RADIOCOMMUNICATIONS.

ARTICLE 34.

Intercommunication.

§ 1. Les stations assurant les radiocommunications dans le service mobile sont tenues, dans les limites de leur affectation normale, d'échanger réciproquement les radiocommunications sans distinction du système radioélectrique adopté par elles.

§ 2. Toutefois, afin de ne pas entraver les progrès scientifiques, les dispositions du paragraphe précédent n'empêchent pas l'emploi d'un système radioélectrique incapable de communiquer avec d'autres systèmes, pourvu que cette incapacité soit due à la nature spécifique de ce système et qu'elle ne soit pas l'effet de dispositifs adoptés uniquement en vue d'empêcher l'intercommunication.

ARTICLE 35.

Brouillages.

§ 1. Toutes les stations, quel que soit leur objet, doivent, autant que possible, être établies et exploitées de manière à ne pas troubler les communications ou services radioélectriques, soit des autres gouvernements contractants, soit des exploitations privées reconnues par ces gouvernements contractants et des autres exploitations dûment autorisées qui effectuent un service de radiocommunication.

§ 2. Chacun des gouvernements contractants n'exploitant pas lui-même les moyens de radiocommunication s'engage à exiger des exploitations privées reconnues par lui et des autres exploitations dûment autorisées à cet effet l'observation de la prescription du § 1 ci-dessus.

ARTICLE 36.

Appels et messages de détresse.

Les stations participant au service mobile sont obligées d'accepter par priorité absolue les appels et messages de détresse, quelle qu'en soit la provenance, de répondre de même à ces messages et d'y donner immédiatement la suite qu'ils comportent.

ARTICLE 37.

Signaux de détresse faux ou trompeurs. Usage irrégulier d'indicatifs d'appel.

Les gouvernements contractants s'engagent à prendre les mesures utiles pour réprimer la transmission ou la mise en circulation de signaux de détresse ou d'appels de détresse faux ou trompeurs et l'usage, par une station, d'indicatifs d'appel qui ne lui ont pas été régulièrement attribués.

CHAPTER IV

SPECIAL PROVISIONS FOR RADIO

Special radio provisions.

ARTICLE 34

Intercommunication

Intercommunication.

§ 1. Stations carrying on radio communications in the mobile service shall be bound, within the scope of their normal operation, to exchange radio communications with one another irrespective of the radio system they have adopted.

§ 2. In order not to hinder scientific progress, however, the provisions of the preceding paragraph shall not prevent the use of a radio system incapable of communicating with other systems provided that this inability is due to the specific nature of the system and that it is not the result of devices adopted solely for the purpose of preventing intercommunication.

ARTICLE 35

Interference

Interference.

§ 1. All stations, regardless of their purpose, must, so far as possible, be established and operated in such a manner as not to interfere with the radio services or communications of either the other contracting governments, or the private operating agencies recognized by these contracting governments and of other duly authorized operating agencies which carry on radio-communication service.

§ 2. Each contracting government which does not operate the radio facilities itself undertakes to require the private operating agencies recognized by it and the other operating agencies duly authorized for this purpose, to observe the provisions of § 1 above.

ARTICLE 36

Distress Calls and Messages

Distress calls, etc.

Stations participating in the mobile service shall be obliged to accept, with absolute priority, distress calls and messages regardless of their origin, to reply in the same manner to such messages, and immediately to take such action in regard thereto as they may require.

ARTICLE 37

False or Deceptive Distress Signals—Irregular Use of Call Signals

False, etc., distress signals.

The contracting governments agree to take the steps required to prevent the transmission or the putting into circulation of false or deceptive distress signals or distress calls, and the use, by a station, of call signals which have not been regularly assigned to it.

ARTICLE 38.

Service restreint.

Nonobstant les dispositions du § 1er de l'article 34, une station peut être affectée à un service international restreint de télécommunication déterminé par le but de cette télécommunication ou par d'autres circonstances indépendantes du système employé.

ARTICLE 39.

Installations des services de défense nationale.

§ 1. Les gouvernements contractants conservent leur entière liberté relativement aux installations radioélectriques non prévues à l'article 9 et, notamment, aux stations militaires des forces terrestres, maritimes ou aériennes.

§ 2. (1) Toutefois, ces installations et stations doivent, autant que possible, observer les dispositions réglementaires relatives aux secours à prêter en cas de détresse et aux mesures à prendre pour empêcher le brouillage. Elles doivent aussi, autant que possible, observer les dispositions réglementaires en ce qui concerne les types d'ondes et les fréquences à utiliser, selon le genre de service que lesdites stations assurent.

(2) En outre, lorsque ces installations et stations font un échange de correspondance publique ou participent aux services spéciaux régis par les Règlements annexés à la présente Convention, elles doivent se conformer, en général, aux prescriptions réglementaires pour l'exécution de ces services.

CHAPITRE V.

DISPOSITION FINALE.

ARTICLE 40.

Mise en vigueur de la Convention.

La présente Convention entrera en vigueur le premier janvier mil neuf cent trente-quatre.

En foi de quoi, les plénipotentiaires respectifs ont signé la Convention en un exemplaire qui restera déposé aux archives du Gouvernement de l'Espagne et dont une copie sera remise à chaque gouvernement.

Fait à Madrid, le 9 décembre 1932.

ARTICLE 38

Limited Service

Limited service.

Notwithstanding the provisions of § 1 of article 34, a station may be assigned to a limited international telecommunication service, determined by the purpose of such telecommunication or by other circumstances independent of the system.

ARTICLE 39

Installations of National Defense Services

Installations of national defense services.
Ante, p. 2399.

§ 1. The contracting governments retain their full freedom in regard to radio installations not covered by article 9 and, particularly, the military stations of land, maritime, or air forces.

§ 2. (1) However, these installations and stations must, so far as possible, comply with the regulatory provisions concerning aid to be rendered in case of distress and measures to be taken to avoid interference. They must also, to the extent possible, comply with the regulatory provisions concerning the types of waves and the frequencies to be used, according to the nature of the service performed by the said services.

(2) Moreover, when these installations and stations exchange public correspondence or engage in the special services governed by the Regulations annexed to the present Convention, they must, in general, comply with the regulatory provisions for the conduct of such services.

CHAPTER V

FINAL PROVISIONS

Final provisions.

ARTICLE 40

Effective Date of the Convention

Effective date.

The present Convention shall become effective on the first day of January, nineteen hundred and thirty-four.

In witness whereof the respective plenipotentiaries have signed the Convention in a single copy which shall remain deposited in the archives of the Government of Spain and one copy of which shall be forwarded to each government.

Done at Madrid, December 9, 1932.

(*Here follow signatures*)

Signatures.

Pour l'Union de l'Afrique du Sud:

H J Lenton

A M McLachlan

Pour l'Allemagne:

Hermann Giess

Dr Ing. Hans Carl Steidle.

Dr Paul Jäger

Dr Hans Harbich

Paul Münch

Martin Feuerhahn

Siegfried May

Dr Friedrich [illegible]

Rudolf [illegible]

Erhard Maertens.

Curt Wagner.

Pour la République Argentine:

Signatures—Contd.

Pour la Fédération Australienne:

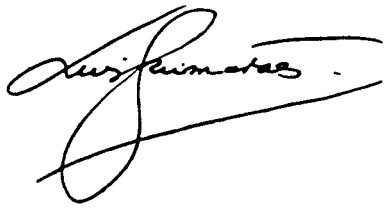
Pour l'Autriche:

Pour la Belgique:

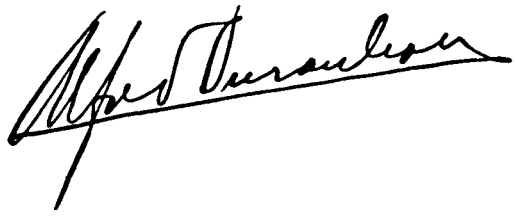
Signatures—Contd

Pour la Bolivie:

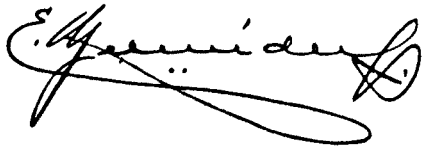
Pour le Brésil:



Pour le Canada:



Pour le Chili:

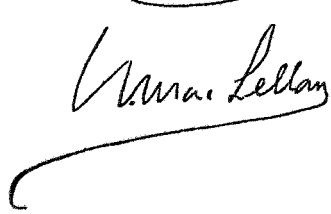


Signatures—Contd.

Pour la Chine:

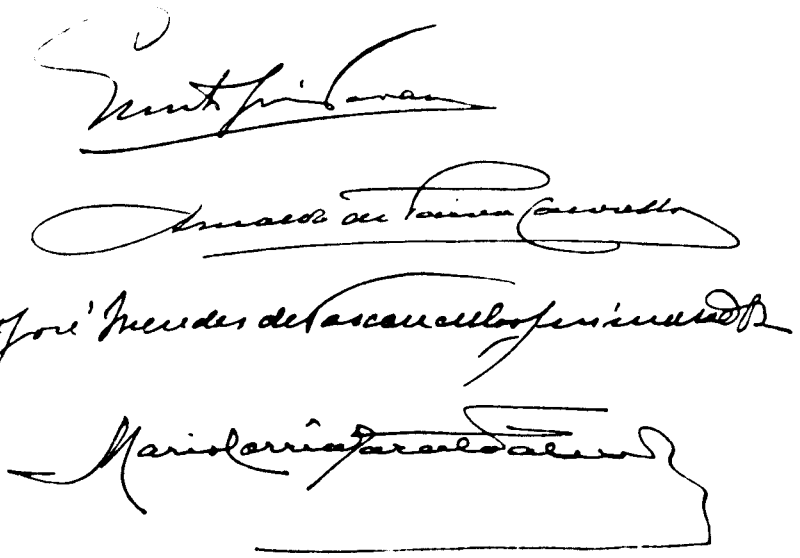
Pour l'Etat de la Cité du Vatican:

Pour la République de Colombie:

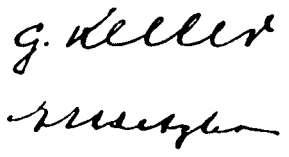


Pour les Colonies françaises, protectorats et territoires sous mandat français:

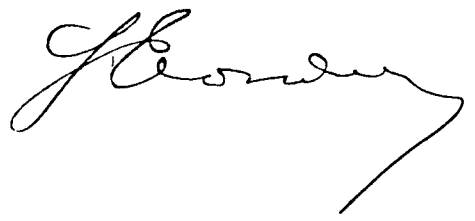
Signatures. (Cont'd.) Pour les Colonies portugaises:



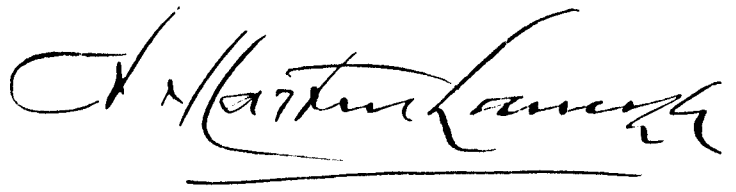
Pour la Confédération suisse:



Pour le Congo belge:

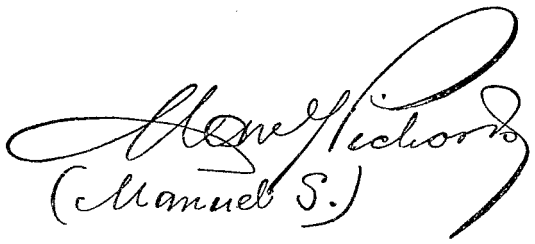


Pour Costa-Rica:

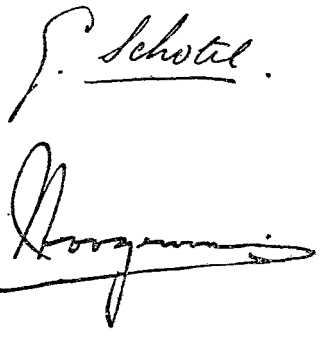


Pour Cuba:

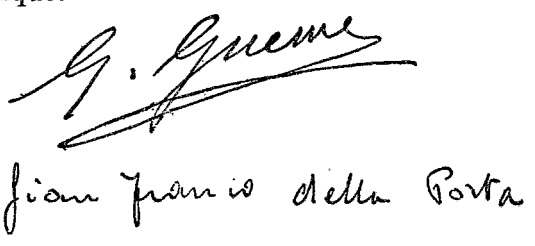
Signatures—Contd.



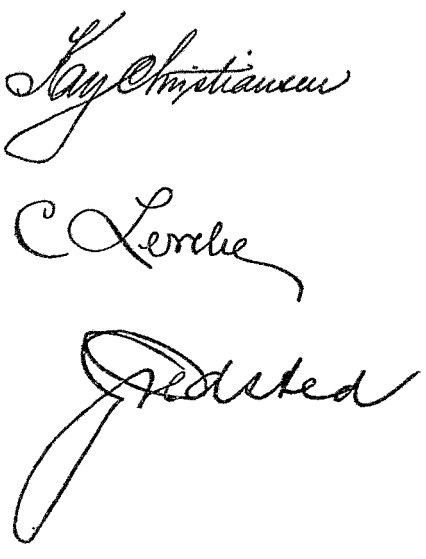
Pour Curaçao et Surinam:



Pour la Cyrénaïque:



Pour le Danemark:



Signatures—Contd.

Pour la Ville libre de Dantzig:

Ing. Henryk Kowalski

Pour la République Dominicaine:

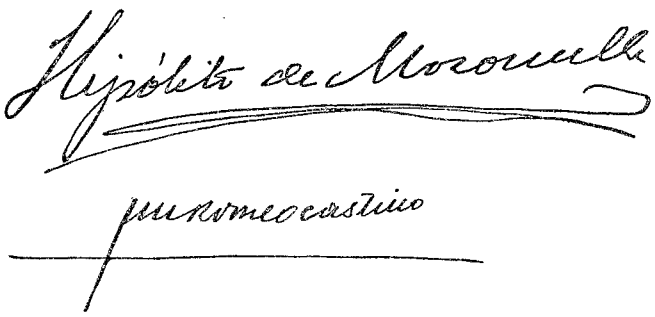
Pour l'Egypte:

Mohamed Said.

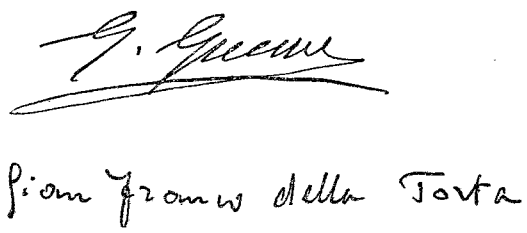
Pour la République de El Salvador:

Pour l'Equateur:

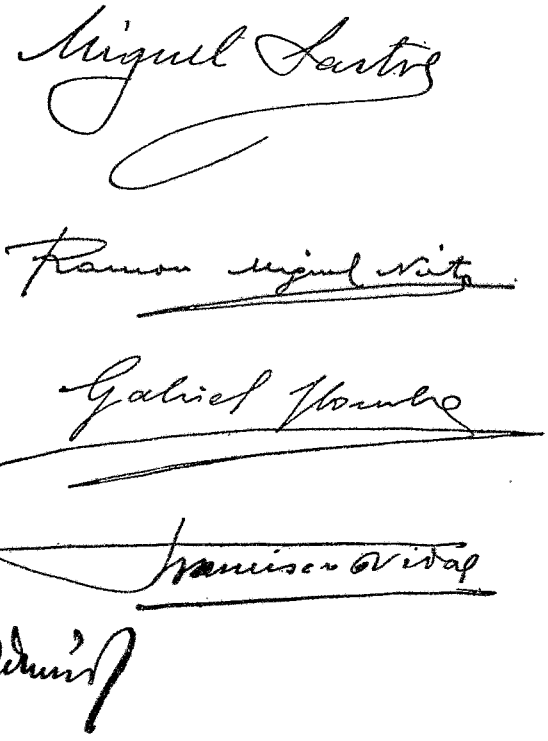
Signatures—Contd.



Pour l'Erythrée:



Pour l'Espagne:



Signatures—Contd.

Pour les Etats-Unis d'Amérique:

Pour l'Empire d'Ethiopie:

Pour la Finlande: Signatures—Contd.

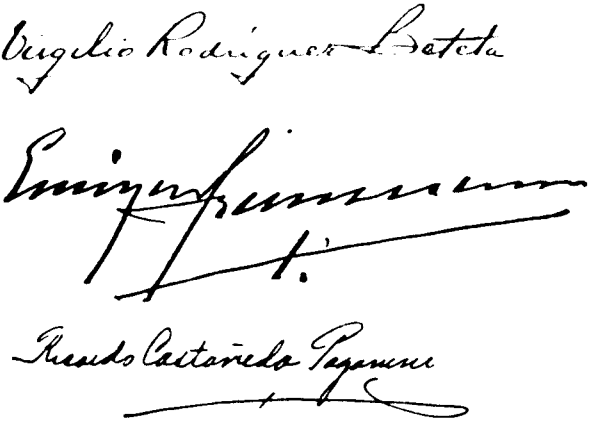
Pour la France:

Pour le Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord:

Pour la Grèce:

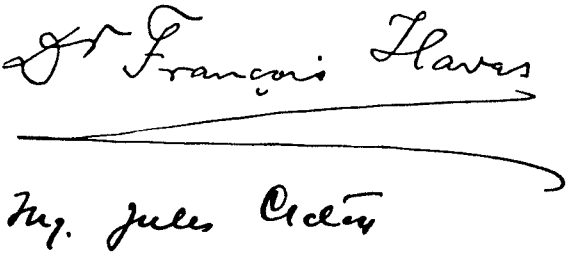
Signatures – Contd.

Pour le Guatemala:

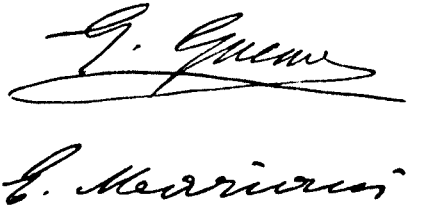


Pour la République de Honduras:

Pour la Hongrie:



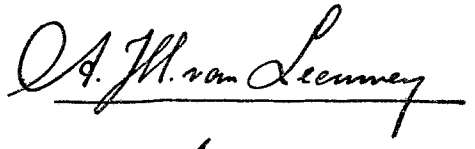
Pour les Iles italiennes de l'Egée:

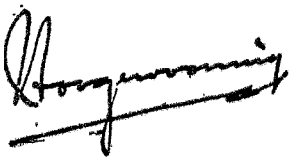


Pour les Indes britanniques:

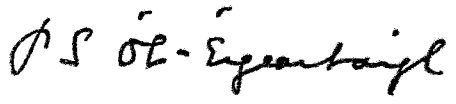
Signatures—Contd.

Pour les Indes néerlandaises:





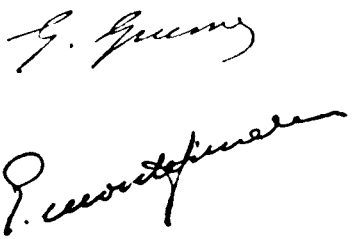
Pour l'Etat libre d'Irlande:



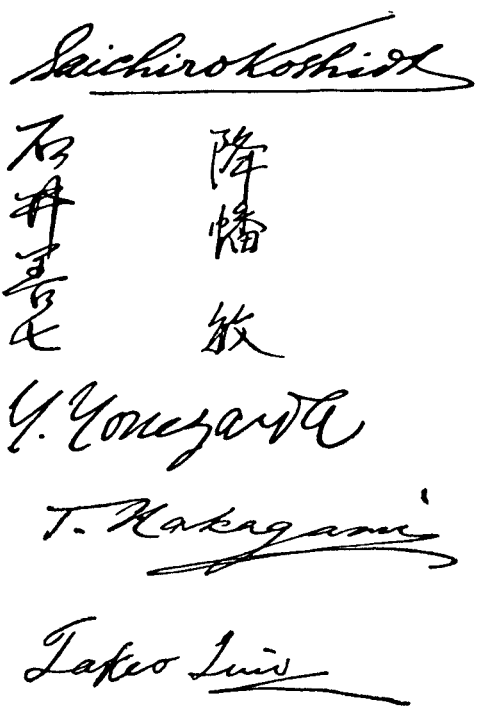
Pour l'Islande:

Signatures—Contd.

Pour l'Italie:



Pour le Japon,
Pour Chosen, Taiwan, Karafuto, le Territoire à bail du Kwantung et les Iles des Mers du Sud sous mandat japonais:



Pour la Lettonie:

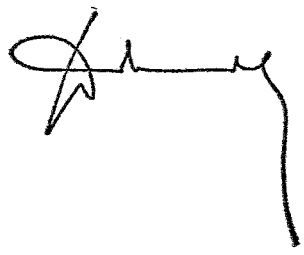
Pour Libéria:

Signatures—Contd.

Pour la Lithuanie:

Pour le Luxembourg:

Pour le Maroc:



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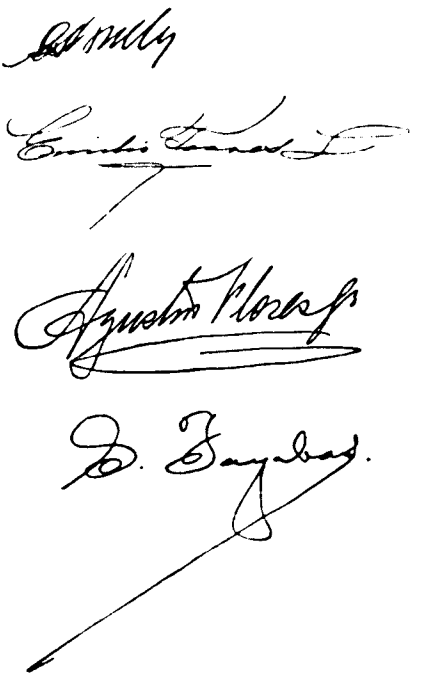

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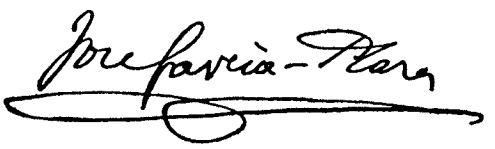
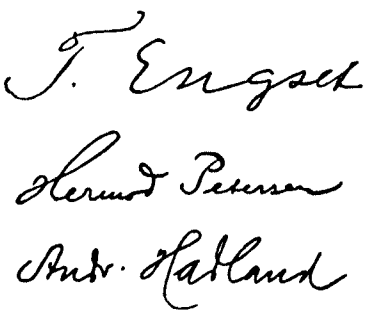


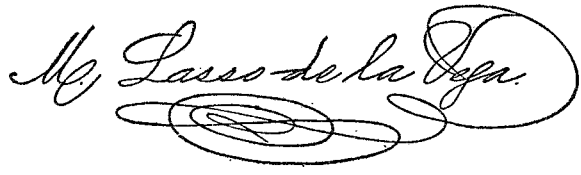
Pour la Norvège:



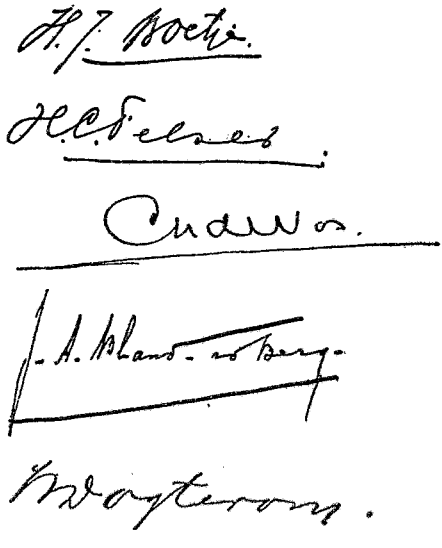
Signatures—Contd.

Pour la Nouvelle-Zélande:

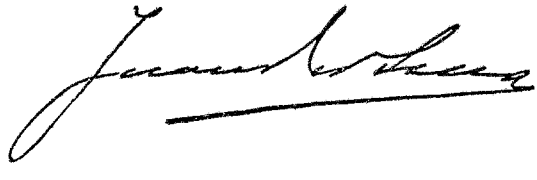
Pour la République de Panama:



Pour les Pays-Bas:



Pour le Pérou:



Pour la Perse:

Signatures—Contd.

Pour la Pologne:

Ing. Henryk Kowalski

H. Rutkowski

Kazimierz Grobicki

Kazimierz Szymański

Pour le Portugal:

Miguel Vaz Duarte Bacellar

Manuel P. Ferreira Jr.

David de Sousa Pires

Joaquim Rodrigues Gonçalves

Pour la Roumanie:

Ing. Manasescu

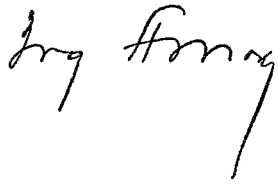
Signatures—Contd.

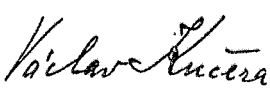
Pour la Somalie italienne:

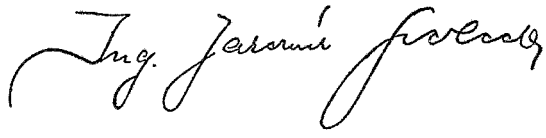
Pour la Suède:

Pour la Syrie et le Liban:

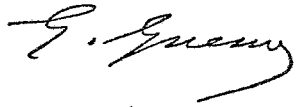
Pour la Tchécoslovaquie:







Pour la Tripolitaine:



Signatures—Contd.

Pour la Tunisie:

Pour la Turquie:

Pour l'Union des Républiques Soviétistes Socialistes:

Eugène Hirschfeld

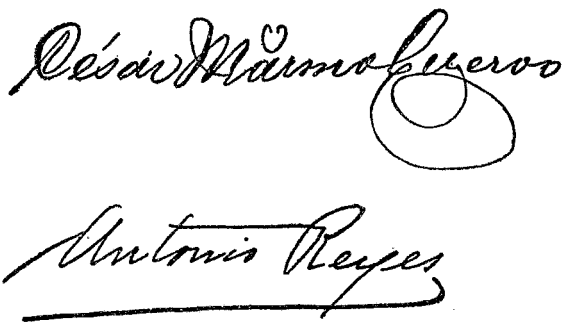
Alexandre Yoffe

Pour l'Uruguay:

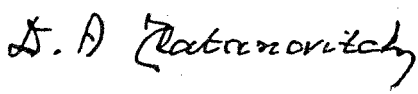
Ad referendum du Gouvernement de l'Uruguay.

Pour le Vénézuéla:

Signatures—Contd.



Pour la Yougoslavie:



ANNEXE

(voir article premier, § 2)

DÉFINITION DES TERMES EMPLOYÉS DANS LA CONVENTION INTERNATIONALE DES TÉLÉCOMMUNICATIONS.

Télécommunication: Toute communication télégraphique ou téléphonique de signes, de signaux, d'écrits, d'images et de sons de toute nature, par fil, radio ou autres systèmes ou procédés de signalisation électriques ou visuels (sémaphores).

Radiocommunication: Toute télécommunication à l'aide des ondes hertziennes.

Radiotélégramme: Télégramme originaire ou à destination d'une station mobile transmis, sur tout ou partie de son parcours, par les voies de radiocommunication du service mobile.

Télégrammes et radiotélégrammes d'Etat: Ceux qui émanent:

a) d'un chef d'Etat;
b) d'un ministre membre d'un gouvernement;
c) d'un chef de colonie, protectorat, territoire d'outre-mer ou territoire sous souveraineté, autorité ou mandat des gouvernements contractants;
d) des commandants en chef des forces militaires terrestres, navales ou aériennes;
e) des agents diplomatiques ou consulaires des gouvernements contractants;
f) du secrétaire général de la Société des Nations,

ainsi que les réponses à ces correspondances.

Télégrammes et radiotélégrammes de service: Ceux qui émanent des administrations de télécommunication des gouvernements contractants ou de toute exploitation privée reconnue par un de ces gouvernements et qui sont relatifs aux télécommunications internationales, soit à des objets d'intérêt public déterminés de concert par lesdites administrations.

Télégrammes et radiotélégrammes privés: Les télégrammes et radiotélégrammes autres que les télégrammes et radiotélégrammes de service ou d'Etat.

Correspondance publique: Toute télécommunication que les bureaux et stations, par le fait de leur mise à la disposition du public, doivent accepter pour transmission.

Exploitation privée: Tout particulier ou toute compagnie ou corporation autre qu'une institution ou agence gouvernementale, reconnue par le gouvernement intéressé et qui exploite des installations de télécommunication en vue de l'échange de la correspondance publique.

ANNEX

Annex.

(See article 1, § 2)

Ante, p. 2395.

DEFINITION OF TERMS USED IN THE INTERNATIONAL TELECOMMUNICATION CONVENTION

Definitions.

Telecommunication: Any telegraph or telephone communication of signs, signals, writings, images, and sounds of any nature, by wire, radio, or other systems or processes of electric or visual (semaphore) signaling.

Radio communication: Any telecommunication by means of Hertzian waves.

Radiotelegram: Telegram originating in or intended for a mobile station, transmitted on all or part of its route over the radio-communication channels of the mobile service.

Government telegrams and radiotelegrams: Those emanating from:

(*a*) the head of a government;
(*b*) a minister, member of a government;
(*c*) the head of a colony, protectorate, overseas territory, or territory under sovereignty, authority, or mandate of the contracting governments;
(*d*) commanders in chief of land, naval, or air military forces;
(*e*) diplomatic or consular officers of the contracting governments;
(*f*) the secretary general of the League of Nations,

as well as the replies to such messages.

Service telegrams and radiotelegrams: Those emanating from the telecommunication administrations of the contracting governments, or from any private operating agency recognized by one of these governments, and which refer to international telecommunications, or to matters of public interest determined by agreement among the said administrations.

Private telegrams and radiotelegrams: Those other than a service or government telegram and radiotelegram.

Public correspondence: Any telecommunication which the offices and stations, by reason of their being at the disposal of the public, must accept for transmission.

Private operating agency: Any individual, company, or corporation, other than a governmental institution or agency, which is recognized by the government concerned and operates telecommunication installations for the purpose of exchanging public correspondence.

Administration: Une administration gouvernementale.

Service public: Un service à l'usage du public en général.

Service international: Un service de télécommunication entre bureaux ou stations relevant de pays différents ou entre stations du service mobile, sauf si celles-ci sont de même nationalité et se trouvent dans les limites du pays auquel elles appartiennent. Un service de télécommunication intérieur ou national, qui est susceptible de causer des brouillages avec d'autres services au delà des limites du pays dans lequel il opère, est considéré comme service international au point de vue du brouillage.

Service restreint: Un service ne pouvant être utilisé que par des personnes spécifiées ou dans des buts particuliers.

Service mobile: Un service de radiocommunication exécuté entre stations mobiles et stations terrestres et par les stations mobiles communiquant entre elles, à l'exclusion des services spéciaux.

Definitions—Contd.

Administration: A government administration.

Public service: A service for the use of the public in general.

International service: A telecommunication service between offices or stations subject to different countries, or between stations of the mobile service except when the latter are of the same nationality and are within the limits of the country to which they belong. An internal or national telecommunication service which is likely to cause interference with other services beyond the limits of the country in which it operates, shall be considered as an international service from the standpoint of interference.

Limited service: A service which can be used only by specified persons or for special purposes.

Mobile service: A radio-communication service carried on between mobile and land stations and by mobile stations communicating among themselves, special services being excluded.

RÈGLEMENT GÉNÉRAL DES RADIOCOMMUNICATIONS

annexé à la

Convention internationale des télécommunications.

ARTICLE PREMIER.

Définitions.

[1] Les définitions ci-après complètent celles qui sont mentionnées dans la Convention:

[2] *Station fixe:* Station non susceptible de se déplacer et communiquant, par le moyen de radiocommunication, avec une ou plusieurs stations établies de la même manière.

[3] *Station terrestre:* Une station non susceptible de se déplacer et effectuant un service mobile.

[4] *Station côtière:* Une station terrestre effectuant un service avec les stations de navire. Ce peut être une station fixe affectée aussi aux communications avec les stations de navire; elle n'est alors considérée comme station côtière que pendant la durée de son service avec les stations de navire.

[5] *Station aéronautique:* Une station terrestre effectuant un service avec les stations d'aéronef. Ce peut être une station fixe affectée aussi aux communications avec les stations d'aéronef; elle n'est alors considérée comme station aéronautique que pendant la durée de son service avec les stations d'aéronef.

[6] *Station mobile:* Une station susceptible de se déplacer et qui habituellement se déplace.

[7] *Station de bord:* Une station placée à bord, soit d'un navire qui n'est pas amarré en permanence, soit d'un aéronef.

[8] *Station de navire:* Une station placée à bord d'un navire qui n'est pas amarré en permanence.

[9] *Station d'aéronef:* Une station placée à bord de tout véhicule aérien.

[10] *Station de radiophare:* Une station spéciale dont les émissions sont destinées à permettre à une station de bord de déterminer son relèvement ou une direction par rapport à la station de radiophare, éventuellement aussi la distance qui la sépare de cette dernière.

[11] *Station radiogoniométrique:* Une station pourvue d'appareils spéciaux destinés à déterminer la direction des émissions d'autres stations.

[12] *Station de radiodiffusion téléphonique:* Une station effectuant un service de radiodiffusion téléphonique.

[Translation]

GENERAL RADIO REGULATIONS

General Radio Regulations.

annexed to the

International Telecommunication Convention

ARTICLE 1

Definitions

Definitions.

[1] The following definitions shall supplement those contained in the Convention:

[2] *Fixed station:* A station not capable of being moved, and communicating by radio with one or more stations established in the same manner.

[3] *Land station:* A station not capable of being moved, carrying on a mobile service.

[4] *Coast station:* A land station carrying on a service with ship stations. This may be a fixed station assigned also to communication with ship stations; in this case, it shall be considered as a coast station only for the duration of its service with ship stations.

[5] *Aeronautical station:* A land station carrying on a service with aircraft stations. This may be a fixed station assigned also to communication with aircraft stations; in this case, it shall be considered as an aeronautical station only for the duration of its service with aircraft stations.

[6] *Mobile station:* A station capable of being moved and which ordinarily does move.

[7] *On-board station:* A station on board either a ship which is not permanently moored, or an aircraft.

[8] *Ship station:* A station on board a ship which is not permanently moored.

[9] *Aircraft station:* A station on board any aerial vehicle.

[10] *Radiobeacon station:* A special station the emissions of which are intended to enable an on-board station to determine its bearing or a direction with reference to the radiobeacon station, and in some cases also the distance which separates it from the latter.

[11] *Radio direction-finding station:* A station equipped with special apparatus for determining the direction of the emissions of other stations.

[12] *Telephone broadcasting station:* A station carrying on a telephone broadcasting service.

[13] *Station de radiodiffusion visuelle:* Une station effectuant un service de radiodiffusion visuelle.

[14] *Station d'amateur:* Une station utilisée par un «amateur», c'est-à-dire par une personne dûment autorisée, s'intéressant à la technique radioélectrique dans un but uniquement personnel et sans intérêt pécuniaire.

[15] *Station expérimentale privée:* Une station privée destinée à des expériences en vue du développement de la technique ou de la science radioélectrique.

[15a] *Station privée de radiocommunication:* Une station privée, non ouverte à la correspondance publique, qui est autorisée uniquement à échanger avec d'autres «stations privées de radiocommunication» des communications concernant les affaires propres du ou des licenciés.

[16] *Fréquence assignée à une station:* La fréquence assignée à une station est la fréquence qui occupe le centre de la bande de fréquences dans laquelle la station est autorisée à travailler. En général, cette fréquence est celle de l'onde porteuse.

[17] *Bande de fréquences d'une émission:* La bande de fréquences d'une émission est la bande de fréquences effectivement occupée par cette émission, pour le type de transmission et pour la vitesse de signalisation utilisés.

[18] *Tolérance de fréquence:* La tolérance de fréquence est le maximum de l'écart admissible entre la fréquence assignée à une station et la fréquence réelle d'émission.

[19] *Puissance d'un émetteur radioélectrique:* La puissance d'un émetteur radioélectrique est la puissance fournie à l'antenne.

[20] Dans le cas d'un émetteur à ondes modulées, la puissance dans l'antenne est caractérisée par deux nombres, indiquant, l'un la valeur de la puissance de l'onde porteuse fournie à l'antenne et l'autre le taux maximum réel de modulation employé.

[21] *Télégraphie:* Télécommunication par un système quelconque de signalisation télégraphique. Le mot «télégramme» vise aussi le «radiotélégramme», sauf lorsque le texte exclut expressément une telle signification.

[22] *Téléphonie:* Télécommunication par un système quelconque de signalisation téléphonique.

[23] *Réseau général des voies de télécommunication:* L'ensemble des voies de télécommunication existantes ouvertes au service public, à l'exclusion des voies de radiocommunication du service mobile.

[24] *Service aéronautique:* Un service de radiocommunication exécuté entre stations d'aéronef et stations terrestres et par les stations d'aéronef communiquant entre elles. Ce terme s'applique également aux services fixes et spéciaux de radiocommunication destinés à assurer la sécurité de la navigation aérienne.

[25] *Service fixe:* Un service assurant des radiocommunications de toute nature entre points fixes, à l'exclusion des services de radiodiffusion et des services spéciaux.

[26] *Service spécial:* Un service de télécommunication opérant spécialement pour les besoins d'un service d'intérêt général déterminé

Definitions—Contd.

[13] *Visual broadcasting station:* A station carrying on a visual broadcasting service.

[14] *Amateur station:* A station used by an "amateur", that is, by a duly authorized person interested in radio technique solely with a personal aim and without pecuniary interest.

[15] *Private experimental station:* A private station intended for experiments looking to the development of radio technique or science.

[15a] *Private radio station:* A private station, not open to public correspondence, which is authorized solely to exchange with other "private radio stations" communications concerning the private business of the license holder or holders.

[16] *Frequency assigned to a station:* The frequency assigned to a station is the frequency occupying the center of the frequency band in which the station is authorized to work. In general, this frequency is that of the carrier wave.

[17] *Frequency band of an emission:* The frequency band of an emission is the frequency band actually occupied by this emission for the type of transmission and for the signaling speed used.

[18] *Frequency tolerance:* The frequency tolerance is the maximum permissible separation between the frequency assigned to a station and the actual frequency of emission.

[19] *Power of a radio transmitter:* The power of a radio transmitter shall be the power supplied to the antenna.

[20] In the case of a modulated wave transmitter, the power in the antenna shall be represented by two numbers, one indicating the value of the carrier-wave power supplied to the antenna and the other indicating the actual maximum rate of modulation used.

[21] *Telegraphy:* Telecommunication by any system of telegraph signaling. The word "telegram" also covers "radiotelegram", except when the text expressly precludes such a meaning.

[22] *Telephony:* Telecommunication by any system of telephone signaling.

[23] *General network of telecommunication channels:* The whole of the existing telecommunication channels open to public service, with the exception of the radio channels of the mobile service.

[24] *Aeronautical service:* A radio service carried on between aircraft stations and land stations and by aircraft stations communicating among themselves. This term shall also apply to fixed and special radio services intended to insure the safety of aerial navigation.

[25] *Fixed service:* A service carrying on radio communication of any kind between fixed points, with the exception of the broadcasting services and special services.

[26] *Special service:* A telecommunication service carried on especially for the needs of a specific service of general interest and not

et non ouvert à la correspondance publique, tel que: un service de radiophare, de radiogoniométrie, de signaux horaires, de bulletins météorologiques réguliers, d'avis aux navigateurs, de messages de presse adressés à tous, d'avis médicaux (consultations radiomédicales), de fréquences étalonnées, d'émissions destinées à des buts scientifiques, etc.

[27] *Service de radiodiffusion téléphonique:* Un service effectuant la diffusion d'émissions radiophoniques essentiellement destinées à être reçues par le public en général.

[28] *Service de radiodiffusion visuelle:* Un service effectuant la diffusion d'images visuelles, fixes ou animées, essentiellement destinées à être reçues par le public en général.

ARTICLE 2.

Secret des radiocommunications.

[29] Les administrations s'engagent à prendre les mesures nécessaires pour faire interdire et réprimer:

[30] *a*) l'interception, sans autorisation, de radiocommunications qui ne sont pas destinées à l'usage général du public;

[31] *b*) la divulgation du contenu ou simplement de l'existence, la publication ou l'usage, sans autorisation, de radiocommunications qui auraient été interceptées délibérément ou non.

ARTICLE 3.

Licence.

[32] § 1. (1) Aucune station émettrice ne pourra être établie ou exploitée par un particulier, ou par une entreprise quelconque, sans licence spéciale délivrée par le gouvernement du pays dont relève la station en question.

[33] (2) Les stations mobiles qui ont leur port d'attache dans une colonie, un territoire sous souveraineté ou mandat, un territoire d'outre-mer ou un protectorat peuvent être considérées comme dépendant de l'autorité de cette colonie, de ces territoires ou de ce protectorat, en ce qui concerne l'octroi des licences.

[34] § 2. Le titulaire d'une licence est tenu de garder le secret des télécommunications, comme il est prévu à l'article 24 de la Convention. En outre, il doit résulter de la licence qu'il est interdit de capter les correspondances de radiocommunication autres que celles que la station est autorisée à recevoir et que, dans le cas où de telles correspondances sont involontairement reçues, elles ne doivent être ni reproduites, ni communiquées à des tiers, ni utilisées dans un but quelconque, et leur existence même ne doit pas être révélée.

[35] § 3. Afin de faciliter la vérification des licences délivrées à des stations mobiles, il est recommandé d'ajouter, s'il y a lieu, au texte rédigé dans la langue nationale, une traduction de ce texte en une langue dont l'usage est très répandu dans les relations internationales.

[36] § 4. Le gouvernement qui délivre la licence à une station mobile y mentionne la catégorie dans laquelle cette station est classée au point de vue de la correspondance publique internationale.

Definitions—Contd.

open to public correspondence, such as: a service of radiobeacons, radio direction finding, time signals, regular meteorological bulletins, notices to navigators, press messages addressed to all, medical notices (medical consultation by radio), standard frequencies, emissions for scientific purposes, etc.

[27] *Telephone broadcasting service:* A service carrying on the broadcasting of radiotelephone emissions primarily intended to be received by the general public.

[28] *Visual broadcasting service:* A service carrying on the broadcasting of visual images, either fixed or moving, primarily intended to be received by the general public.

ARTICLE 2

Secrecy of Radio Communications

Secrecy of radio communications.

[29] The administrations agree to take the necessary measures to prohibit and prevent:

[30] (*a*) the unauthorized interception of radio communications not intended for the general use of the public;

[31] (*b*) the divulging of the contents or of the mere existence, the publication or use, without authorization, of radio communications which may have been intercepted intentionally or otherwise.

ARTICLE 3

License

License.

[32] § 1. (1) No transmitting station may be established or operated by any person or by any enterprise whatever without a special license issued by the government of the country to which the station in question is subject.

[33] (2) Mobile stations having their port of registry in a colony, a territory under sovereignty or mandate, an overseas territory, or a protectorate, may be considered as being subject to the authority of this colony, these territories, or this protectorate, so far as concerns the granting of licenses.

[34] § 2. The holder of a license shall be bound to preserve the secrecy of telecommunications, as provided for in article 24 of the Convention. In addition, the license must state that it is prohibited to receive radio correspondence other than that which the station is authorized to receive, and that, in case such correspondence is received involuntarily, it must neither be reproduced nor communicated to third persons, nor used for any purpose whatever, and that the very existence thereof must not be revealed.

[35] § 3. In order to facilitate the verification of licenses issued to mobile stations, it is recommended that there be added, when necessary, to the text drafted in the national language, a translation of this text into a language in general use in international relations.

[36] § 4. The government issuing the license to a mobile station shall mention therein the category to which this station belongs from the standpoint of international public correspondence.

ARTICLE 4.

Choix des appareils.

[37] § 1. Le choix des appareils et des dispositifs radioélectriques à employer dans une station est libre, à condition que les ondes émises satisfassent aux stipulations du présent Règlement.

[38] § 2. Toutefois, dans les limites compatibles avec les exigences économiques, le choix des appareils d'émission, de réception et de mesure doit s'inspirer des plus résents progrès de la technique, tels qu'ils sont indiqués notamment dans les avis du C.C.I.R.

ARTICLE 5.

Classification des émissions.

[39] § 1. Les émissions sont réparties en deux classes:

A. Ondes entretenues,
B. Ondes amorties,

définies comme suit:

[40] *Classe A:* Ondes dont les oscillations successives sont identiques en régime permanent.

[41] *Classe B:* Ondes composées de séries successives d'oscillations dont l'amplitude, après avoir atteint un maximum, décroît graduellement.

[42] § 2. Des ondes de la classe A dérivent les ondes des types ci-après:

[43] *Type A1.* Ondes entretenues dont l'amplitude ou la fréquence varie sous l'effet d'une manipulation télégraphique.

[44] *Type A2.* Ondes entretenues dont l'amplitude ou la fréquence varie suivant une loi périodique de fréquence audible combinée avec une manipulation télégraphique.

[45] *Type A3.* Ondes entretenues dont l'amplitude ou la fréquence varie suivant une loi complexe et variable de fréquences audibles. Un exemple de ce type est la radiotéléphonie.

[46] *Type A4.* Ondes entretenues dont l'amplitude ou la fréquence varie suivant une loi quelconque de fréquence plus grande que les fréquences audibles. Un exemple de ce type est la télévision.

[47] § 3. La classification qui précède, en ondes A1, A2, A3 et A4, n'empêche pas l'emploi, dans des conditions fixées par les administrations intéressées, d'ondes modulées ou manipulées, par des procédés ne rentrant pas dans les définitions des types A1, A2, A3 et A4.

[48] § 4. Ces définitions ne sont pas relatives aux systèmes des appareils d'émission.

[49] § 5. Les ondes seront désignées, en premier lieu, par leur fréquence en kilocycles par seconde (kc/s). A la suite de cette désignation sera indiquée, entre parenthèses, la longueur approximative en mètres. Dans le présent Règlement, la valeur approximative de la longueur d'onde en mètres est le quotient de la division du nombre 300 000 par la fréquence exprimée en kilocycles par seconde.

ARTICLE 4

Choice of Apparatus

Choice of apparatus.

[37] § 1. The choice of radio apparatus and devices to be used in a station shall be unrestricted, provided that the waves emitted satisfy the provisions of the present Regulations.

[38] § 2. However, within limits compatible with economic requirements, the choice of transmitting, receiving, and measuring apparatus must be guided by the most recent technical progress as shown, notably, in the Opinions of the C.C.I.R.

ARTICLE 5

Classification of Emissions

Classification of emissions.

[39] § 1. Emissions shall be divided into two classes:

A. Continuous waves,
B. Damped waves,

defined as follows:

[40] *Class A:* Waves the successive oscillations of which are identical under fixed conditions.

[41] *Class B:* Waves composed of successive series of oscillations the amplitude of which, after attaining a maximum, decreases gradually.

[42] § 2. The following types of waves are derived from Class A waves:

[43] *Type A1.* Continuous waves the amplitude or frequency of which varies under the effect of telegraph keying.

[44] *Type A2.* Continuous waves the amplitude or frequency of which varies according to a periodic audiofrequency law, combined with telegraph keying.

[45] *Type A3.* Continuous waves the amplitude or frequency of which varies according to a complex and variable audiofrequency law. An example of this type is radiotelephony.

[46] *Type A4.* Continuous waves the amplitude or frequency of which varies according to any law of frequencies greater than audible frequencies. An example of this type is television.

[47] § 3. The foregoing classification into waves of types A1, A2, A3, and A4 shall not prevent the use, under conditions fixed by the administrations concerned, of waves modulated or keyed by methods not included in the definitions of types A1, A2, A3, and A4.

[48] § 4. These definitions shall not relate to systems of transmitting apparatus.

[49] § 5. Waves shall be indicated first by their frequency in kilocycles per second (kc). Following this indication there shall be indicated, in parentheses, the approximate length in meters. In the present Regulations, the approximate value of the wave length in meters is the quotient of the number 300,000 divided by the frequency expressed in kilocycles per second.

ARTICLE 6.

Qualité des émissions.

[50] § 1. Les ondes émises par une station doivent être maintenues à la fréquence autorisée, aussi exactement que le permet l'état de la technique, et leur rayonnement doit être aussi exempt qu'il est pratiquement possible de toute émission qui n'est pas essentielle au type de la communication effectuée.

[51] § 2. (1) Les administrations fixent, pour les différents cas d'exploitation, les caractéristiques relatives à la qualité des émissions, notamment l'exactitude et la stabilité de la fréquence de l'onde émise, le niveau des harmoniques, la largeur de la bande totale de fréquences occupée, etc., de manière qu'elles répondent aux progrès de la technique.

[52] (2) Les administrations sont d'accord pour considérer les tableaux (appendice 1: tableau des tolérances de fréquence et des instabilités, appendice 2: tableau des largeurs de bande de fréquences occupées par les émissions) comme un guide indiquant, pour les différents cas, les limites à observer dans la mesure du possible.

[53] (3) En ce qui concerne la largeur des bandes de fréquences occupées par les émissions, il faut tenir compte, dans la pratique, des conditions suivantes:

1° Largeur de la bande donnée dans l'appendice 2.
2° Variation de la fréquence de l'onde porteuse.
3° Conditions techniques supplémentaires, telles que les possibilités techniques relatives à la forme des caractéristiques des circuits filtrants, tant pour les émetteurs que pour les récepteurs.

[54] § 3. (1) Les administrations vérifieront fréquemment si les ondes émises par les stations relevant de leur autorité répondent aux prescriptions du présent Règlement.

[55] (2) On s'efforcera d'obtenir une collaboration internationale en cette matière.

[56] § 4. Afin de réduire les brouillages dans la bande de fréquences au-dessus de 6000 kc/s (longueurs d'onde inférieures à 50 m), il est recommandé d'employer, lorsque la nature du service le permet, des systèmes d'antennes directives.

ARTICLE 7.

Répartition et emploi des fréquences (longueurs d'onde) et des types d'émission.

[57] § 1. Sous réserve des dispositions de l'alinéa (5) du § 5 ci-après, les administrations des pays contractants peuvent attribuer une fréquence quelconque et un type d'onde quelconque à toute station radioélectrique sous leur autorité, à la seule condition qu'il n'en résulte pas de brouillages avec un service quelconque d'un autre pays.

[58] § 2. Toutefois, les administrations sont d'accord pour attribuer aux stations qui, en raison de leur nature même. sont susceptibles de

ARTICLE 6

Quality of Emissions

Quality of emissions.

[50] § 1. The waves emitted by a station must be kept on the authorized frequency as exactly as the state of the art permits, and their radiation must be as free as practically possible from all emissions not essential to the type of communication carried on.

[51] § 2. (1) The administrations shall, for the various cases of operation, determine the characteristics relative to the quality of the emissions, notably the accuracy and stability of frequency of the emitted wave, the level of harmonics, the width of the total frequency band occupied, etc., so that they will be in accord with technical progress.

Tables.
Post, pp. 2585, 2589.

[52] (2) The administrations agree to consider the tables (appendix 1: Table of Frequency Tolerances and of Instabilities; appendix 2: Table of Frequency Band Widths Occupied by the Emissions) as a guide indicating for the various cases, the limits to be observed to the extent possible.

[53] (3) Concerning the widths of frequency bands occupied by emissions, in practice the following conditions must be taken into account:

Post, p. 2589.

1. Width of the band as shown in appendix 2.
2. Variation of the frequency of the carrier wave.
3. Other technical conditions, such as the technical possibilities with regard to the form of filter circuit characteristics, both for transmitters and for receivers.

[54] § 3. (1) The administrations shall frequently check the waves emitted by the stations under their jurisdiction to determine whether or not they comply with the provisions of the present Regulations.

[55] (2) Effort shall be made to obtain international cooperation in this matter.

[56] § 4. In order to reduce interference in the frequency bands above 6,000 kc (wavelengths below 50 m), the use of directive antenna systems is recommended when such use is compatible with the nature of the service.

ARTICLE 7

Allocation and Use of Frequencies (Wavelengths) and of Types of Emission

Frequencies.

Allocation, etc., of.
Post, p. 2457.

[57] § 1. Subject to the provisions of subparagraph (5) of § 5 below, the administrations of the contracting countries may assign any frequency and any type of wave to any radio station under their jurisdiction on the sole condition that no interference with any service of another country will result therefrom.

[58] § 2. The administrations, however, agree to assign to stations which by their very nature are capable of causing serious international

causer de sérieux brouillages internationaux, des fréquences et des types d'onde en conformité avec les règles de répartition et d'emploi des ondes, telles qu'elles sont indiquées ci-après.

[59] § 3. Les administrations s'engagent aussi à attribuer des fréquences à ces stations, selon le genre de leur service, en se conformant au tableau de répartition des fréquences (voir le tableau ci-après).

[60] § 4. Dans le cas où des bandes de fréquences sont attribuées à un service déterminé, les stations de ce service doivent employer des fréquences suffisamment éloignées des limites de ces bandes, pour ne pas produire de brouillage nuisible dans le travail des stations appartenant aux services auxquels sont attribuées les bandes de fréquences immédiatement voisines.

[61] § 5. (1) Les fréquences assignées par les administrations à toutes stations fixes, terrestres et de radiodiffusion, ainsi que la limite supérieure de la puissance prévue doivent être notifiées au Bureau de l'Union, en vue de leur publication, lorsque les stations en question effectueront un service régulier et qu'elles seront susceptibles de causer des brouillages internationaux. Doivent également être notifiées au Bureau de l'Union, en vue de leur publication, les fréquences sur lesquelles reçoit une station côtière pour effectuer un service particulier avec les stations de navire utilisant des émetteurs stabilisés. Les fréquences doivent être choisies de manière à éviter, autant que possible, de brouiller les services internationaux appartenant aux pays contractants et effectués par des stations existantes, dont les fréquences ont déjà été notifiées au Bureau de l'Union. La notification précitée devra être faite selon les dispositions de l'article 15, § 1, *b*) et de l'appendice 3 avant la mise en service de la fréquence et suffisamment à temps pour permettre aux administrations de prendre toute mesure qui leur semblerait nécessaire en vue d'assurer une bonne exécution de leurs services.

[62] (2) *a*) Toutefois, lorsque la fréquence qu'une administration a l'intention d'assigner à une station est une fréquence en dehors des bandes autorisées par le présent Règlement pour le service en cause, cette administration fera, par avis spécial, la notification prévue à l'alinéa précédent au moins six mois avant la mise en exploitation de cette fréquence et, dans les cas d'urgence, au moins trois mois avant cette date.

[63] *b*) La procédure de notification indiquée ci-avant sera également observée lorsqu'une administration aura l'intention d'augmenter ou d'autoriser l'augmentation de la puissance ou un changement dans les conditions de rayonnement d'une station travaillant déjà en dehors des bandes autorisées, même si la fréquence utilisée doit rester la même.

[64] *c*) Pour ce qui est des stations qui, lors de l'entrée en vigueur du présent Règlement, travaillent déjà en dehors des bandes y autorisées, la fréquence utilisée et la puissance employée seront immédiatement notifiées au Bureau de l'Union en vue de leur publication, pour autant que pareille notification n'aura pas été faite auparavant.

[65] (3) *a*) Les administrations intéressées s'entendent, en cas de besoin, pour la fixation des ondes à attribuer aux stations dont il

interference, frequencies and types of waves in conformity with the rules for allocation and use of waves, as set forth below.

[59] § 3. The administrations also agree to assign frequencies to these stations, according to the kind of service they perform, in conformity with the table of allocation of frequencies (see table below). *Post*, p. 2459.

[60] § 4. In the case where bands of frequencies are assigned to a specific service, the stations of that service must use frequencies sufficiently separated from the limits of these bands so as not to produce harmful interference with the operation of stations belonging to services to which the frequency bands immediately adjoining have been assigned.

[61] § 5. (1) The frequencies assigned by administrations to all fixed, land, and broadcasting stations, as well as the upper limit of power contemplated, must be notified to the Bureau of the Union with a view to their publication, when the stations in question carry on a regular service and are capable of causing international interference. Frequencies on which a coast station receives in carrying on a particular service with ship stations using stabilized transmitters must also be notified to the Bureau of the Union with a view to their publication. Frequencies must be selected in such a way as to avoid, so far as possible, interfering with international services belonging to the contracting countries and operated by existing stations, of which the frequencies have already been notified to the Bureau of the Union. The aforesaid notification must be made in accordance with the provisions of article 15, § 1 (*b*) and appendix 6 before the frequency is put into service and sufficiently in advance thereof to allow administrations to take any action which they may deem necessary to insure the efficient operation of their services. Notification. *Post*, pp. 2497, 2599.

[62] (2) (*a*) However, when the frequency which an administration intends to assign to a station is outside the bands authorized by the present Regulations for the service involved, this administration shall, in a special report, make the notification mentioned in the preceding subparagraph at least 6 months before this frequency is put into service, and in urgent cases, at least 3 months before that date.

[63] (*b*) The notification procedure laid down above shall also be observed when an administration intends to increase or to authorize the increase of the power or a change in the conditions of radiation of a station already operating outside the authorized bands, even if the frequency used is to remain the same.

[64] (*c*) With regard to stations which, when the present Regulations go into force, are already operating outside the bands authorized therein, the frequency and the power used shall be notified immediately to the Bureau of the Union, with a view to their publication, if such a notification has not been made previously.

[65] (3) (*a*) The administrations concerned shall conclude agreements, when needed, for determining the waves to be assigned

s'agit, ainsi que pour la détermination des conditions d'emploi des ondes ainsi attribuées.

[66] *b*) Les administrations d'une région quelconque peuvent conclure, conformément à l'article 13 de la Convention, des arrangements régionaux concernant l'attribution soit de bandes de fréquences aux services des pays participants, soit de fréquences aux stations de ces pays, et concernant les conditions d'emploi des ondes ainsi attribuées. Les dispositions du § 1 et celles du § 5 (1) et (2) s'appliquent également à tout arrangement de cette nature.

[67] (4) Les administrations intéressées prennent les accords nécessaires pour éviter les brouillages et, en cas de besoin, feront appel, à cet effet, conformément à la procédure qui sera convenue entre elles par des accords bilatéraux ou régionaux, à des organes soit d'expertise, soit d'expertise et de conciliation. Si aucun arrangement en vue d'éviter les brouillages ne peut être réalisé, les prescriptions de l'article 15 de la Convention peuvent être appliquées.

[68] (5) *a*) En ce qui concerne la radiodiffusion européenne et sous réserve de tout droit qui reviendrait aux administrations extra-européennes en vertu du présent Règlement, les modalités ci-après, qui pourront être abrogées ou modifiées par accord entre les administrations européennes et qui ne modifient en rien les dispositions de l'alinéa (2) ci-avant, sont apportées à l'application du principe énoncé au § 1.

[69] *b*) A défaut d'accord préalable entre les administrations des pays européens contractants, la faculté prévue au § 1 ne pourra, dans les limites de la région européenne, être utilisée en vue d'effectuer un service de radiodiffusion en dehors des bandes autorisées par le présent Règlement sur des fréquences au-dessous de 1 500 kc/s (longueurs d'onde au-dessus de 200 m).

[70] *c*) L'administration qui désire établir un tel service ou obtenir une modification des conditions fixées par un accord antérieur relatif à un tel service (fréquence, puissance, position géographique, etc.) en saisit les administrations européennes par l'intermédiaire du Bureau de l'Union. Toute administration qui n'aura pas répondu dans un délai de 6 semaines après réception de ladite communication sera considérée comme ayant donné son assentiment.

[71] *d*) Il est bien entendu qu'un tel accord préalable sera également nécessaire toutes les fois que, dans une station de radiodiffusion européenne, travaillant hors des bandes de fréquences autorisées, un changement sera apporté aux caractéristiques précédemment notifiées au Bureau de l'Union, et que ce changement sera susceptible d'affecter les conditions de brouillages internationaux.

[72] § 6. (1) En principe, la puissance des stations de radiodiffusion ne doit pas dépasser la valeur permettant d'assurer économiquement un service national efficace et de bonne qualité dans les limites du pays considéré.

[73] (2) En principe, l'emplacement des stations de radiodiffusion puissantes, et plus particulièrement de celles qui travaillent près des limites des bandes de fréquences réservées à la radiodiffusion,

to the stations in question, as well as for laying down the conditions of use of the waves thus assigned.

[66] (*b*) The administrations of any region may, in accordance with article 13 of the Convention, conclude regional arrangements regarding the allocation either of frequency bands to the services of the participating countries, or of frequencies to stations of these countries, and concerning the conditions for the use of the waves so assigned. The provisions of § 1 and those of § 5 (1) and (2) shall also apply to any arrangement of this nature.

Regional arrangements.
Ante, p. 2401.

Ante, pp. 2445, 2451.

[67] (4) The administrations concerned shall conclude the necessary agreements to avoid interference and, when needed, shall, for this purpose, in conformity with the procedure which will be agreed among them in bilateral or regional agreements, call upon organs of expert investigation or of expert investigation and conciliation. If no agreement can be reached with regard to avoiding interference, the provisions of article 15 of the Convention can be applied.

If no agreement reached.

[68] (5) (*a*) With regard to European broadcasting and subject to any right to which the extra-European administrations might be entitled by virtue of the present Regulations, the detailed provisions below, which can be abrogated or changed by agreement among the European administrations and which in no way change the provisions of subparagraph (2) above, shall be brought to bear in applying the principle laid down in § 1.

European broadcasting.

[69] (*b*) Failing a preliminary agreement between the administrations of the European contracting countries, the right contemplated in § 1 cannot, within the limits of the European region, be used for the purpose of carrying on a broadcasting service outside the bands authorized by the present Regulations on frequencies below 1,500 kc (wavelengths above 200 m).

[70] (*c*) An administration wishing to establish such a service or to obtain a change in the conditions laid down by a previous agreement with regard to such a service (frequency, power, geographic position, etc.) shall submit the request to the European administrations through the Bureau of the Union. Any administration which does not answer within 6 weeks after the receipt of the said communication shall be considered as having given its assent.

[71] (*d*) It is fully understood that such a preliminary agreement shall also be necessary whenever, in a European broadcasting station, operating outside the authorized frequency bands, a change is made in the characteristics previously reported to the Bureau of the Union, and when such change is capable of affecting the condition of international interference.

Use of power.

[72] § 6. (1) In principle, the power of broadcasting stations must not exceed the value necessary to insure economically an effective high-quality national service within the limits of the country considered.

[73] (2) In principle, the location of powerful broadcasting stations, and especially of those which operate near the limits of the frequency bands reserved to broadcasting, must be chosen in such a

doit être choisi de manière à éviter, autant que possible, la gêne causée aux services de radiodiffusion des autres pays ou aux autres services travaillant avec des fréquences voisines.

[74] § 7. Le tableau ci-après donne la répartition des fréquences (longueurs d'onde approximatives) entre les divers services.

RÉPARTITION DES BANDES DE FRÉQUENCES ENTRE 10 ET 60 000 KC/S (30 000 ET 5 M).

Fréquences kc/s	Longueurs d'onde m	SERVICES		
		Attribution générale	Accords régionaux	
			Région européenne *)	Autres régions
10–100	30 000–3 000	Fixes.		
100–110	3 000–2 727	*a*) Fixes *b*) Mobiles.		
110–125	2 727–2 400	Mobiles.		
125–150 [1]	2 400–2 000	Mobiles maritimes (ouverts à la correspondance publique exclusivement).		
150–160	2 000–1 875	Mobiles.		
160–285 [4]	1 875–1 053		160–240 (1 875–1 250) Radiodiffusion [3]). 240–255 (1 250–1 176) *a*) non ouverts à la correspondance publique. *b*) Radiodiffusion [2]), [3]). 255–265 (1 176–1 132) *a*) Aéronautiques. *b*) Radiodiffusion [2]), [3]). 265–285 (1 132–1 053) Aéronautiques.	160–194 (1 875–1 546) *a*) Fixes. *b*) Mobiles. 194–285 (1 546–1 053). *a*) Aéronautiques. *b*) Fixes non ouverts à la correspondance publique. *c*) Mobiles, excepté stations commerciales des navires.

[75] *) *Définition de la région européenne:* La région européenne est définie au Nord et à l'Ouest par les limites naturelles de l'Europe, à l'Est par le méridien 40° Est de Greenwich et au Sud par le parallèle 20° Nord, de façon à englober la partie occidentale de l'U. R. S. S. et les territoires bordant la Méditerranée, à l'exception des parties de l'Arabie et du Hedjaz qui se trouvent comprises dans ce secteur.

[76] 1) L'onde de 143 kc/s (2 100 m) est l'onde d'appel des stations mobiles utilisant des ondes longues entretenues.

[77] 2) Les administrations européennes s'entendront entre elles pour placer dans la bande de 240 à 265 kc/s (1 250 à 1 132 m) des stations de radiodiffusion qui, du fait de leur position géographique, ne gêneront pas les services non ouverts à la correspondance publique et les services aéronautiques. Par ailleurs, ces services s'organiseront pour ne pas brouiller la réception des stations de radiodiffusion ainsi choisies, dans les limites des territoires nationaux de ces stations.

[78] 3) Les services ouverts à la correspondance publique ne seront pas admis dans les bandes destinées à la radiodiffusion, comprises entre 160 et 265 kc/s (1 875 et 1 132 m), même sous le couvert de l'article 7, § 1.

[79] 4) La bande de fréquences de 160 à 265 kc/s (1 875 à 1 132 m) est également attribuée à l'Australie et à la Nouvelle-Zélande pour la radiodiffusion comme distribution régionale. Les administrations de ces deux pays sont d'accord pour placer les stations, qui émettront dans cette bande, de manière à éviter des brouillages avec les autres services dans les autres régions.

way as to avoid, so far as possible, interference caused to the broadcasting services of other countries or to other services operating on neighboring frequencies.

[74] § 7. The following table shows the allocation of frequencies (approximate wavelengths) to the various services. Allocation of frequencies.

ALLOCATION OF FREQUENCY BANDS BETWEEN 10 AND 60,000 KC (30,000 AND 5 M) Tables.

Frequencies kc	Wavelengths m	SERVICES		
		General allocation	Regional agreements	
			European region *	Other regions
10–100	30, 000–3, 000	Fixed		
100—110	3, 000–2, 727	(*a*) Fixed (*b*) Mobile		
110–125	2, 727–2, 400	Mobile		
125–150 (1)	2, 400–2, 000	Maritime mobile (open to public correspondence exclusively)		
150–160	2, 000–1, 875	Mobile		
160–285 (4)	1, 875–1, 053		160–240 (1,875–1,250) Broadcasting [3] 240–255 (1,250–1,176) (*a*) Services not open to public correspondence (*b*) Broadcasting [2 3] 255–265 (1,176–1,132) (*a*) Aeronautical (*b*) Broadcasting [2 3] 265–285 (1,132–1,053) Aeronautical	160–194 (1,875–1,546) (*a*) Fixed (*b*) Mobile 194–285 (1,546–1,053) (*a*) Aeronautical (*b*) Fixed not open to public correspondence (*c*) Mobile except commercial ship stations

[75] * *Definition of the European region:* The European region is limited on the north and west by the natural boundaries of Europe, on the east by the meridian 40° East of Greenwich and on the south by the parallel 30° North, so as to include the western part of the U.S.S.R. and the territories bordering on the Mediterranean, except the parts of Arabia and Hejaz which are included in this sector.

[76] [1] The wave of 143 kc (2,100 m) is the calling-wave of mobile stations using continuous long waves.

[77] [2] The European administrations shall arrange among themselves for placing in the band 240 to 265 kc (1,250 to 1,132 m) broadcasting stations which, by reason of their geographical position, will not interfere with services not open to public correspondence or with aeronautical services. Furthermore, these services shall be organized in such a way as not to interfere with the reception of the broadcasting stations thus chosen, within the limits of the national territories of these stations.

[78] [3] Services open to public correspondence shall not be admitted in the bands allocated to broadcasting, between 160 and 265 kc (1,875 and 1,132 m), even under the terms of article 7, § 1.

[79] [4] The frequency band 160 to 265 kc (1,875 to 1,132 m) shall also be assigned to Australia and New Zealand for broadcasting, as a regional allocation. The administrations of these two countries agree to place stations transmitting in this band, in such a way as to avoid interfering with other services in other regions.

Fréquences kc/s	Longueurs d'onde m	SERVICES		
		Attribution générale	Accords régionaux	
			Région européenne	Autres régions
285–290 [5]	1 053–1 034		Aéronautiques.	Radiophares.
290–315 [5]	1 034–952	Radiophares.	Radiophares maritimes.	
315–320 [5]	952–938		Radiophares maritimes.	Aéronautiques.
320–325	938–923		Aéronautiques.	*a*) Aéronautiques. *b*) Mobiles non ouverts à la correspondance publique.
325–345 [6]	923–870	Aéronautiques.		
345–365	870–822		Aéronautiques.	*a*) Aéronautiques. *b*) Mobiles non ouverts à la correspondance publique.
365–385	822–779	*a*) Radiogoniométrie. *b*) Mobiles, à condition de ne pas gêner la radiogoniométrie. Stations côtières employant ondes B exclues.		
385–400	779–750		Non ouverts à la correspondance publique.	Mobiles.
400–460	750–652	Mobiles.		

[30] [5]) Une bande de 30 kc/s de largeur, comprise entre les limites de 285 et 320 kc/s (1 053 et 938 m), est allouée dans chaque région au service des radiophares. Dans la région européenne, cette bande est réservé aux seuls radiophares maritimes.

[31] [6]) L'onde de 333 kc/s (900 m) est une onde internationale d'appel des services aéronautiques

ALLOCATION OF FREQUENCY BANDS BETWEEN 10 AND 60,000 KC (30,000 AND 5 M)—Continued

Tables—Continued.

Frequencies kc	Wavelengths m	SERVICES		
		General allocation	Regional agreements	
			European region	Other regions
285–290 (5)	1, 053–1, 034		Aeronautical	Radiobeacon
290–315 (5)	1, 034–952	Radiobeacon	Maritime radiobeacon	
315–320 (5)	952–938		Maritime radiobeacon	Aeronautical
320–325	938–923		Aeronautical	(*a*) Aeronautical (*b*) Mobile not open to public correspondence
325–345 (6)	923–870	Aeronautical		
345–365	870–822		Aeronautical	(*a*) Aeronautical (*b*) Mobile not open to public correspondence
365–385	822–779	(*a*) Radio direction finding. (*b*) Mobile, providing it does not interfere with radio direction finding. Coast stations using B waves excluded.		
385–400	779–750		Services not open to public correspondence	Mobile
400–460	750–652	Mobile		

[30] [5] A band 30 kc wide, included within the limits of 285 to 320 kc (1,053 to 938 m) shall be allocated in each region to radiobeacon services. In the European region, this band shall be reserved solely for maritime radiobeacons.

[31] [6] The wave of 333 kc (900 m) is an international calling-wave for the aeronautical services.

Fréquences kc/s	Longueurs d'onde m	SERVICES		
		Attribution générale	Accords régionaux	
			Région européenne	Autres régions
460–485	652–619	Mobiles A1 et A2 seulement.		
485–515 [7]	619–583	Mobiles (détresse, appel, etc.)		
515–550 [8]	583–545	Non ouverts à la correspondance publique A1 et A2 seulement.		
550–1 500 [9]	545–200	*a*) Radiodiffusion. *b*) Onde de 1 364 kc/s (220 m) A1, A2 et B pour les services mobiles exclusivement [10].		

[32] [7]) L'onde de 500 kc/s (600 m) est l'onde internationale d'appel et de détresse. L'emploi de cette onde est défini aux articles 19, 22 et 30.

[33] [8]) Les administrations européennes s'entendront entre elles pour placer dans la bande de 540 à 550 kc/s (556 à 545 m) des stations de radiodiffusion qui, du fait de leur position géographique, ne gêneront ni les services mobiles dans la bande de 485 à 515 kc/s (619 à 583 m), ni les services non ouverts à la correspondance publique dans la bande de 515 à 550 kc/s (583 à 545 m).

[34] Par ailleurs, les services non ouverts à la correspondance publique s'organiseront pour ne pas brouiller la réception des stations de radiodiffusion ainsi choisies, dans les limites des territoires nationaux de ces stations.

[35] [9]) Les services mobiles peuvent utiliser la bande de 550 à 1 300 kc/s (545 à 230,8 m), à condition de ne pas brouiller les services d'un pays qui utilise cette même bande exclusivement pour la radiodiffusion.

[36] [10]) Sur la fréquence de 1 364 kc/s (220 m), les ondes du type B sont interdites entre 1800 et 2300 h, heure locale, dans toutes les régions où leur emploi est susceptible de brouiller la radiodiffusion. Toutefois, dans la région de l'Amérique du Nord, les seules ondes du type A1 sont autorisées pendant ces heures.

ALLOCATION OF FREQUENCY BANDS BETWEEN 10 AND 60,000 KC (30,000 AND 5 M)—Continued

Tables—Continued.

Frequencies kc	Wavelengths m	SERVICES		
		General allocation	Regional agreements	
			European region	Other regions
460–485	652–619	Mobile A1 and A2 only		
485–515 (7)	619–583	Mobile (distress, calling, etc.)		
515–550 (8)	583–545	Services not open to public correspondence, A1 and A2 only		
550–1, 500 (9)	545–200	(a) Broadcasting (b) Wave of 1,364 kc (220 m) A1, A2, and B for mobile services exclusively (10)		

[52] 7 The wave of 500 kc (600 m) is the international calling and distress wave. The use of this wave is defined in articles 19, 22, and 30.

[53] 8 The European administrations shall arrange among themselves to place in the band 540 to 550 kc (556 to 545 m) broadcasting stations which, by reason of their geographical position, will interfere neither with mobile services in the band 485 to 515 kc (619 to 583 m), nor with services not open to public correspondence in the band 515 to 550 kc (583 to 545 m).

[54] Furthermore, services not open to public correspondence shall organize in such a way as not to interfere with the reception of broadcasting stations thus chosen within the limits of the national territories of these stations.

[55] 9 Mobile services may use the band 550 to 1,300 kc (545 to 230.8 m) on condition that they do not interfere with the services of a country which uses this same band exclusively for broadcasting.

[56] 10 On the frequency of 1,364 kc (220 m), type B waves shall be forbidden between 18:00 and 23:00 o'clock, local time, in all the regions where their use might interfere with broadcasting. However, in the region of North America, type-A1 waves only shall be authorized during these hours.

Fréquences kc/s	Longueurs d'onde m	SERVICES		
		Attribution générale	Accords régionaux	
			Région européenne	Autres régions
1 500–1 715 [11] [14]	200–174,9		1 500–1 530 (200–196, 1) *a*) Fixes. *b*) Mobiles A1 et A2 seulement. 1 530–1 630 (196, 1–184, 0) Mobiles A1, A2 et A3. [12] 1 630–1 670 (184, 0–179, 6) Onde d'appel mobile maritime (A3 seulement). [13] 1 670–1 715 (179, 6–174, 9) Mobiles maritimes (A3 seulement).	*a*) Fixes. *b*) Mobiles.
1 715–2 000	174,9–150		1 715–1 925 (174,9–155, 8) *a*) Amateurs. *b*) Fixes. *c*) Mobiles. 1 925–2 000 (155,8–150) *a*) Amateurs. *b*) Mobiles maritimes (A3 seulement).	*a*) Amateurs. *b*) Fixes. *c*) Mobiles.

[87] 11) La fréquence de 1 650 kc/s (182 m) est une onde d'appel pour le service mobile de radiotéléphonie avec les stations de navire de faible puissance. Cette onde d'appel n'est pas obligatoire et la date à laquelle elle deviendra obligatoire pour chaque pays sera déterminée par réglementation intérieure.

[88] 12) En principe, cette bande de fréquences est réservée au service téléphonique avec les stations de navire de faible puissance. Les pays d'Europe dont les bateaux n'utilisent pas ce type de communication éviteront, autant que possible, l'usage de la télégraphie dans cette bande dans les régions voisines de celles où ce service téléphonique est exploité.

[89] 13) Aucun trafic ne peut se faire dans la bande de 1 630 à 1 670 kc/s (184,0 à 179,6 m).

[90] L'appel sur l'onde de 1 650 kc/s (182 m) n'est pas obligatoire; sa mise en vigueur pour chaque pays sera déterminée par réglementation intérieure.

[91] 14) A l'intérieur de l'Europe, les bandes de fréquences de 1 530 à 1 630 kc/s et de 1 670 à 1 715 kc/s (196,1 à 184,0 m et 179,6 à 174,9 m) peuvent être utilisées par les services fixes à courte distance, à condition de ne pas brouiller les services mobiles.

[92] REMARQUE.— Une Conférence européenne, qui aura lieu avant l'entrée en vigueur du présent Règlement, pourra décider exceptionnellement d'annexer à son protocole certaines des dérogations particulières qu'elle aura pu décider dans *les bandes régionales* et qu'elle estimera devoir y faire figurer. Ces dérogations s'ajouteront à celles qui sont prévues dans les notes relatives au tableau qui précède.

ALLOCATION OF FREQUENCY BANDS BETWEEN 10 AND 60,000 KC (30,000 AND 5 M)—Continued

Tables—Continued.

Frequencies kc	Wave-lengths m	SERVICES		
		General allocation	Regional agreements	
			European region	Other regions
1, 500–1, 715 (11) (14)	200–174.9		1,500–1,530 (200–196.1) (a) Fixed (b) Mobile, A1 and A2 only 1,530–1,630 (196.1–184) Mobile A1,A2, A3 (12) 1,630–1,670 (184–179.6) Maritime mobile calling wave (A3 only) (13) 1,670–1,715 (179.6–174.9) Maritime mobile (A3 only)	(a) Fixed (b) Mobile
1,715–2,000	174.9–150		1,715–1,925 (174.9–155. 8) (a) Amateur (b) Fixed (c) Mobile 1,925–2,000 (155.8–150) (a) Amateur (b) Maritime mobile (A3 only)	(a) Amateur (b) Fixed (c) Mobile

[87] 11 The frequency 1,650 kc (182 m) is a calling-wave for the mobile radiotelephone service with low-power ship stations. This calling-wave shall not be obligatory and the date on which it shall become obligatory for each country shall be determined by internal regulation.

[88] 12 In principle, this frequency band shall be reserved for telephone service with low-power ship stations. The countries of Europe whose ships do not use this type of communication shall avoid, so far as possible, the use of telegraphy in this band in regions near those where this telephone service is carried on.

[89] 13 No traffic may be carried on in the band 1,630 to 1,670 kc (184 to 179.6 m).

[90] Calling on the wave of 1,650 kc (182 m) shall not be obligatory; each country shall determine, by internal regulation, when it shall become effective.

[91] 14 Within Europe, the frequency bands 1,530 to 1,630 kc and 1,670 to 1,715 kc (196.1 to 184 m and 179.6 to 174.9 m) may be used by short-distance fixed services, provided they do not interfere with mobile services.

[92] NOTE.—A European conference, which is to take place before the going into effect of the present Regulations, may, as an exception, decide on annexing to its protocol some of the derogations which it may decide to make *in the regional bands* and which it may deem necessary to show therein. Such derogations will be in addition to those which are already provided for in the above table.

Fréquences kc/s	Longueurs d'onde m	SERVICES Attribution générale
2 000–3 500	150–85, 71	*a*) Fixes. *b*) Mobiles.
3 500–4 000	85, 71–75	*a*) Amateurs. *b*) Fixes. *c*) Mobiles.
4 000–5 500	75–54, 55	*a*) Fixes. *b*) Mobiles.
5 500–5 700	54, 55–52, 63	Mobiles.
5 700–6 000	52, 63–50	Fixes.
6 000–6 150	50–48, 78	Radiodiffusion.
6 150–6 675	48, 78–44, 94	Mobiles.
6 675–7 000	44, 94–42, 86	Fixes.
7 000–7 300	42, 86–41, 10	Amateurs.
7 300–8 200	41, 10–36, 59	Fixes.
8 200–8 550	36, 59–35, 09	Mobiles.
8 550–8 900	35, 09–33, 71	*a*) Fixes. *b*) Mobiles.
8 900–9 500	33, 71–31, 58	Fixes.
9 500–9 600	31, 58–31, 25	Radiodiffusion.
9 600–11 000	31, 25–27, 27	Fixes.
11 000–11 400	27, 27–26, 32	Mobiles.
11 400–11 700	26, 32–25, 64	Fixes.
11 700–11 900	25, 64–25, 21	Radiodiffusion.
11 900–12, 300	25, 21–24, 39	Fixes.
12 300–12 825	24, 39–23, 39	Mobiles.

ALLOCATION OF FREQUENCY BANDS BETWEEN 10 AND 60,000 KC (30,000 AND 5 M)—Continued

Tables—Continued.

Frequencies kc	Wavelengths m	SERVICES General allocation
2, 000–3, 500	150–85. 71	(*a*) Fixed (*b*) Mobile
3, 500–4, 000	85. 71–75	(*a*) Amateur (*b*) Fixed (*c*) Mobile
4, 000–5, 500	75–54. 55	(*a*) Fixed (*b*) Mobile
5, 500–5, 700	54. 55–52. 63	Mobile
5, 700–6, 000	52. 63–50	Fixed
6, 000–6, 150	50–48. 78	Broadcasting
6, 150–6, 675	48. 78–44. 94	Mobile
6, 675–7, 000	44. 94–42. 86	Fixed
7, 000–7, 300	42. 86–41. 10	Amateur
7, 300–8, 200	41. 10–36. 59	Fixed
8, 200–8, 550	36. 59–35. 09	Mobile
8, 550–8, 900	35. 09–33. 71	(*a*) Fixed (*b*) Mobile
8, 900–9, 500	33. 71–31. 58	Fixed
9, 500–9, 600	31. 58–31. 25	Broadcasting
9, 600–11, 000	31. 25–27. 27	Fixed
11, 000–11, 400	27. 27–26. 32	Mobile
11, 400–11, 700	26. 32–25. 64	Fixed
11, 700–11, 900	25. 64–25. 21	Broadcasting
11, 900–12, 300	25. 21–24. 39	Fixed
12, 300–12, 825	24. 39–23. 39	Mobile

Fréquences kc/s	Longueurs d'onde m	SERVICES Attribution générale
12 825–13 350	23, 39–22, 47	*a*) Fixes. *b*) Mobiles.
13 350–14 000	22, 47–21, 43	Fixes.
14 000–14 400	21, 43–20, 83	Amateurs.
14 400–15 100	20, 83–19, 87	Fixes.
15 100–15 350	19, 87–19, 54	Radiodiffusion.
15 350–16 400	19, 54–18, 29	Fixes.
16 400–17 100	18, 29–17, 54	Mobiles.
17 100–17 750	17, 54–16, 90	*a*) Fixes. *b*) Mobiles.
17 750–17 800	16, 90–16, 85	Radiodiffusion.
17 800–21 450	16, 85–13, 99	Fixes.
21 450–21 550	13, 99–13, 92	Radiodiffusion.
21 550–22 300	13, 92–13, 45	Mobiles.
22 300–24 600	13, 45–12, 20	*a*) Fixes. *b*) Mobiles.
24 600–25 600	12, 20–11, 72	Mobiles.
25 600–26 600	11, 72–11, 28	Radiodiffusion.
26 600–28 000	11, 28–10, 71	Fixes.
28 000–30 000	10, 71–10	*a*) Amateurs. *b*) Expériences.
30 000–56 000	10–5, 357	Non réservé.
56 000–60 000	5, 357–5	*a*) Amateurs. *b*) Expériences.

ALLOCATION OF FREQUENCY BANDS BETWEEN 10 AND 60,000 KC (30,000 AND 5 M)—Continued

Tables—Continued.

Frequencies kc	Wavelengths m	SERVICES General allocation
12, 825–13, 350	23. 39–22. 47	(*a*) Fixed (*b*) Mobile
13, 350–14, 000	22. 47–21. 43	Fixed
14, 000–14, 400	21. 43–20. 83	Amateur
14, 400–15, 100	20. 83–19. 87	Fixed
15, 100–15, 350	19. 87–19. 54	Broadcasting
15, 350–16, 400	19. 54–18. 29	Fixed
16, 400–17, 100	18. 29–17. 54	Mobile
17, 100–17, 750	17. 54–16. 90	(*a*) Fixed (*b*) Mobile
17, 750–17, 800	16. 90–16. 85	Broadcasting
17, 800–21, 450	16. 85–13. 99	Fixed
21, 450–21, 550	13. 99–13. 92	Broadcasting
21, 550–22, 300	13. 92–13. 45	Mobile
22, 300–24, 600	13. 45–12. 20	(*a*) Fixed (*b*) Mobile
24, 600–25, 600	12. 20–11. 72	Mobile
25, 600–26, 600	11. 72–11. 28	Broadcasting
26, 600–28, 000	11. 28–10. 71	Fixed
28, 000–30, 000	10. 71–10. 00	(*a*) Amateur (*b*) Experimental
30, 000–56, 000	10. 00–5. 357	Not reserved
56, 000–60, 000	5. 357–5	(*a*). Amateur (*b*) Experimental

[93] § 8. (1) L'usage des ondes du type B est interdit pour toutes les fréquences à l'exception des fréquences suivantes:

375 kc/s (800 m)
410 kc/s (730 m)
425 kc/s (705 m)
454 kc/s (660 m)
500 kc/s (600 m)
1364 kc/s (220 m) *)

[94] (2) Aucune nouvelle installation d'émetteurs d'ondes du type B ne peut être faite sur des navires ou des aéronefs, sauf quand ces émetteurs, travaillant à pleine puissance, dépenseront moins de 300 watts mesurés à l'entrée du transformateur d'alimentation à fréquence audible.

[95] (3) L'usage des ondes du type B de toutes fréquences sera interdit à partir du 1er janvier 1940, sauf pour les émetteurs remplissant les conditions de puissance indiquées à l'alinéa (2) ci-avant.

[96] (4) Aucune nouvelle installation d'émetteurs d'ondes du type B ne peut être faite dans une station terrestre ou fixe. Les ondes de ce type seront interdites dans toutes les stations terrestres à partir du 1er janvier 1935.

[97] (5) Les administrations s'efforceront d'abandonner le plus tôt possible les ondes du type B, autres que l'onde de 500 kc/s (600 m).

[98] § 9. L'emploi des ondes du type A1 seulement est autorisé entre 100 et 160 kc/s (3 000 et 1 875 m); la seule exception à cette règle est relative aux ondes du type A2 qui peuvent être utilisées dans la bande de 100 à 125 kc/s (3 000 à 2 400 m) pour les signaux horaires exclusivement.

[99] § 10. Dans la bande de 460 à 550 kc/s (652 à 545 m), aucun type d'émission susceptible de rendre inopérant les signaux de détresse, d'alarme, de sécurité ou d'urgence, émis sur 500 kc/s (600 m), n'est autorisé.

[100] § 11. (1) Dans la bande de 325 à 345 kc/s (923 à 870 m) aucun type d'émission susceptible de rendre inopérants les signaux de détresse, de sécurité ou d'urgence, n'est autorisé.

[101] (2) Cette règle ne s'applique pas aux régions où des accords particuliers en disposent autrement.

[102] § 12. (1) En principe, toute station qui assure un service entre points fixes sur une onde de fréquence inférieure à 110 kc/s (longueur d'onde supérieure à 2 727 m) doit employer une seule fréquence, choisie parmi les bandes attribuées audit service (§ 7 ci-avant), pour chacun des émetteurs qu'elle comporte. susceptibles de fonctionner simultanément.

[103] (2) Il n'est pas permis à une station de faire usage, pour un service entre points fixes, d'une fréquence autre que celle attribuée comme il est dit ci-avant.

*) Voir la note 10) du tableau de répartition des fréquences.

[93] § 8. (1) The use of type-B waves shall be forbidden on all frequencies, except the following: Type-B waves.

375 kc (800 m)
410 kc (730 m)
425 kc (705 m)
454 kc (660 m)
500 kc (600 m)
1,364 kc (220 m)*

[94] (2) No new installation of transmitters of type-B waves may be made on ships or aircraft, except when these transmitters, working at full power, use less than 300 watts measured at the input of the audiofrequency supply transformer.

[95] (3) The use of type-B waves on all frequencies shall be forbidden, beginning January 1, 1940, except for transmitters meeting the power requirements stated in subparagraph (2) above.

[96] (4) No new installation of type-B-wave transmitters may be made in a land or fixed station. The waves of this type shall be forbidden in all land stations beginning January 1, 1935.

[97] (5) The administrations shall endeavor to abandon type-B waves, other than the 500-kc (600-m) wave, as soon as possible.

[98] § 9. The use of type-A1 waves only shall be authorized between 100 and 160 kc (3,000 and 1,875 m); the only exception to this rule shall be for type-A2 waves which may be used in the band 100 to 125 kc (3,000 to 2,400 m) for time signals exclusively.

[99] § 10. In the band 460 to 550 kc (652 to 545 m) no type of emission capable of rendering inoperative the distress, alarm, safety, or urgent signals sent on 500 kc (600 m) shall be authorized. Frequencies interfering with distress, etc., signals.

[100] § 11. (1) In the band 325 to 345 kc (923 to 870 m), no type of emission capable of rendering inoperative distress, safety, or urgent signals shall be authorized.

[101] (2) This rule shall not apply to regions in which special agreements provide otherwise.

[102] § 12. (1) In principle, any station carrying on a service between fixed points on a wave with a frequency below 110 kc (wavelengths above 2,727 m) must use only one frequency, chosen from the bands allocated to the said service (§ 7 above), for each of its transmitters capable of simultaneous operation. Use of more than one frequency.

[103] (2) A station shall not be permitted to use a frequency other than that allocated as stated above, for a service between fixed points. Use of unauthorized frequency.

* See footnote (10) to the allocation table.

[104] § 13. En principe, les stations emploient les mêmes fréquences et les mêmes types d'émission pour les transmissions de messages par la méthode unilatérale que pour leur service normal. Toutefois, des arrangements régionaux peuvent être réalisés en vue de dispenser les stations intéressées de se soumettre à cette règle.

[105] § 14. Une station fixe peut effectuer, sur sa fréquence normale de travail, comme service secondaire, des émissions destinées aux stations mobiles, à condition:

[106] *a*) que les administrations intéressées jugent nécessaire d'utiliser cette méthode exceptionnelle de travail;

[107] *b*) qu'il n'en résulte aucune augmentation des brouillages.

[108] § 15. Afin de faciliter l'échange des messages météorologiques synoptiques dans les régions européennes, les fréquences 41,6 kc/s et 89,5 kc/s (7210 m et 3 352 m) sont attribuées à ce service.

[109] § 16. Pour faciliter la transmission et la distribution rapides des renseignements utiles à la découverte des crimes et à la poursuite des criminels, une fréquence entre 37,5 et 100 kc/s (entre 8 000 et 3 000 m) sera réservée pour cet objet, par des arrangements régionaux.

[110] § 17. Chaque administration peut attribuer aux stations d'amateur des bandes de fréquences conformes au tableau de répartition (§ 7 ci-avant).

[111] § 18. En vue de réduire les brouillages dans les bandes de fréquences supérieures à 4000 kc/s (longueurs d'onde inférieures à 75 m), utilisées par le service mobile, et en particulier pour éviter de gêner les communications téléphoniques à grande distance de ce service, les administrations sont d'accord pour adopter, autant que possible, les règles suivantes, en tenant compte du développement de la technique courante:

[112] (1) *a*) Dans les bandes de fréquences supérieures à 5 500 kc/s (longueurs d'onde inférieures à 54,55 m) attribuées exclusivement au service mobile, les fréquences (longueurs d'onde) qui devront être utilisées par les stations de navire affectées au service commercial seront du côté des basses fréquences (ondes plus longues) et spécialement dans les limites des bandes harmoniques énumérées ci-après:

5 500 à 5 550 kc/s (54,55 à 54,05 m)
6 170 à 6 250 kc/s (48,62 à 48,00 m)
8 230 à 8 330 kc/s (36,45 à 36,01 m)
11 000 à 11 100 kc/s (27,27 à 27,03 m)
12 340 à 12 500 kc/s (24,31 à 24,00 m)
16 460 à 16 660 kc/s (18,23 à 18,01 m)
22 000 à 22 200 kc/s (13,64 à 13,51 m).

[113] *Note.* Les bandes de fréquences de 4115 à 4165 kc/s (72,90 à 72,03 m) peuvent également être utilisées par les stations susdites (voir aussi (2), *c*) ci-après).

[114] *b*) Cependant, toute station commerciale de navire dont l'émission satisfait aux tolérances de fréquence exigées des stations terrestres au § 2, (2) de l'article 6, peut émettre sur la même fréquence que la station côtière avec laquelle elle communique.

[104] § 13. In principle, the stations shall use the same frequencies and the same types of emission for the transmission of messages by the unilateral method as for their normal service. Regional arrangements may, however, be made for the purpose of exempting the stations concerned from complying with this rule.

Mobile station transmissions; conditions.

[105] § 14. A fixed station may, as secondary service, on its normal working frequency, make transmissions intended for mobile stations on the following conditions:

[106] (*a*) that the administrations concerned deem it necessary to use this exceptional working method;

[107] (*b*) that no increase in interference results therefrom.

Exchanging synoptic meteorological messages.

[108] § 15. In order to facilitate the exchange of synoptic meteorological messages in the European regions, the frequencies of 41.6 kc and 89.5 kc (7,210 m and 3,352 m) shall be allocated to this service.

Criminal detection, etc.

[109] § 16. To facilitate rapid transmission and distribution of information of value in the detection of crime and pursuit of criminals, a frequency between 37.5 and 100 kc (between 8,000 and 3,000 m) shall be reserved for this purpose by regional arrangements.

Amateur stations.

[110] § 17. Each administration may allocate to amateur stations frequency bands in accordance with the allocation table (§ 7 above).

Interference provisions.

[111] § 18. In order to decrease interference in the frequency bands above 4,000 kc (wavelengths below 75 m), used by the mobile service, and particularly in order to avoid interfering with the long-distance telephone communications of this service, the administrations agree to adopt the following rules, wherever possible, taking into account current engineering development:

Ship stations, commercial service.

[112] (1) (*a*) In the frequency bands above 5,500 kc (wavelengths below 54.55 m) allocated exclusively to the mobile service, the frequencies (wavelengths) which must be used by ship stations carrying on commercial service shall be on the low-frequency (long-wave) side of the band, and especially in the limits of the harmonic bands enumerated below:

5,500 to 5,550 kc (54.55 to 54.05 m)
6,170 to 6,250 kc (48.62 to 48.00 m)
8,230 to 8,330 kc (36.45 to 36.01 m)
11,000 to 11,100 kc (27.27 to 27.03 m)
12,340 to 12,500 kc (24.31 to 24.00 m)
16,460 to 16,660 kc (18.23 to 18.01 m)
22,000 to 22,200 kc (13.64 to 13.51 m)

[113] NOTE.—The frequency bands 4,115 to 4,165 kc (72.90 to 72.03 m) may also be used by the stations mentioned above [see also (2) (*c*) below].

Ship to coast.

[114] (*b*) However, any commercial ship station the emissions of which comply with the frequency tolerances required of land stations under § 2 (2) of article 6, may transmit on the same frequency as the coast station with which it communicates.

Ante, p. 2453.

[115] *c*) Quand une communication, pour laquelle aucun arrangement spécial n'a été fait, doit être établie entre une station de navire, d'une part, et une autre station de navire ou une station côtière, d'autre part, la station mobile utilisera une des fréquences suivantes situées approximativement au milieu des bandes:

4 140 kc/s (72,46 m)
5 520 kc/s (54,35 m)
6 210 kc/s (48,31 m)
8 280 kc/s (36,23 m)
11 040 kc/s (27,17 m)
12 420 kc/s (24,15 m)
16 560 kc/s (18,12 m)
22 080 kc/s (13,59 m).

[116] *Note.* Les administrations sont d'accord pour indiquer, en notifiant la fréquence d'une station côtière, sur laquelle des ondes spécifiées à l'alinéa (1), litt. *c*) l'écoute sera faite.

[117] (2) *a*) Les stations de navire affectées au service commercial n'utiliseront les bandes communes supérieures à 4000 kc/s (longueurs d'onde inférieures à 75 m) qu'autant que leurs émissions satisferont aux tolérances de fréquence spécifiées pour les stations terrestres au § 2, (2) de l'article 6. Dans ces cas, les fréquences employées doivent être choisies du côté des fréquences les plus hautes (ondes plus courtes) de la bande commune et, plus spécialement, dans les limites des bandes harmoniques énumérées ci-après:

4 400 à 4 450 kc/s (68,18 à 67,42 m)
8 800 à 8 900 kc/s (34,09 à 33,71 m)
13 200 à 13 350 kc/s (22,73 à 22,47 m)
17 600 à 17 750 kc/s (17,05 à 16,90 m)
22 900 à 23 000 kc/s (13,10 à 13,04 m).

[118] *b*) On peut également utiliser des fréquences choisies dans la portion de la bande réservée aux services mobiles de 6 600 à 6 675 kc/s (45,45 à 44,94 m), en relation harmonique avec les bandes précédentes.

[119] *c*) Les prescriptions de l'alinéa (2), *a*) ne s'appliquent pas à la portion de la bande commune entre 4 115 et 4 165 kc/s (72,90 et 72,03 m) qui peut être utilisée par toute station de navire affectée au service commercial.

[120] (3) En choisissant les fréquences des nouvelles stations fixes et côtières, les administrations éviteront d'employer les fréquences des bandes spécifiées dans les alinéas (1), litt. *a*), (2), litt. *a*), (2), litt. *b*) et (2), litt. *c*).

[121] § 19. (1) Il est reconnu que les fréquences entre 6 000 et 30 000 kc/s (50 et 10 m) sont très efficaces pour les communications à longue distance.

[122] (2) Les administrations s'efforceront, dans toute la mesure du possible, de réserver les fréquences de cette bande dans ce but, excepté quand leur emploi pour des communications à courte ou à moyenne distance n'est pas susceptible de brouiller les communications à grande distance.

[115] (c) When a communication for which no special arrangement has been made must be established between a ship station, on one hand, and another ship station or a coast station, on the other hand, the mobile station shall use one of the following frequencies situated approximately in the middle of the bands:

4,140 kc (72.46 m)
5,520 kc (54.35 m)
6,210 kc (48.31 m)
8,280 kc (36.23 m)
11,040 kc (27.17 m)
12,420 kc (24.15 m)
16,560 kc (18.12 m)
22,080 kc (13.59 m)

[116] NOTE.—The administrations agree, in reporting the frequency of a coast station, to indicate on which one of the waves specified in subparagraph (1) (c) listening will be carried on.

[117] (2) (a) Ship stations carrying on commercial service shall use the shared bands above 4,000 kc (wavelengths below 75 m) only when their emissions comply with the frequency tolerances specified for land stations in § 2 (2) of article 6. In this case, the frequencies used must be chosen on the higher-frequency (shorter-wave) side of the shared band and, more especially, in the limits of the harmonic bands enumerated below:

4,400 to 4,450 kc (68.18 to 67.42 m)
8,800 to 8,900 kc (34.09 to 33.71 m)
13,200 to 13,350 kc (22.73 to 22.47 m)
17,600 to 17,750 kc (17.05 to 16.90 m)
22,900 to 23,000 kc (13.10 to 13.04 m)

[118] (b) Frequencies chosen in the portion of the band reserved to mobile services from 6,600 to 6,675 kc (45.45 to 44.94 m), in harmonic relation with the preceding bands, may also be used.

[119] (c) The provisions of subparagraph (2) (a) shall not apply to the portion of the shared band between 4,115 and 4,165 kc (72.90 and 72.03 m) which may be used by any ship station carrying on a commercial service.

[120] (3) In selecting frequencies for new fixed and coast stations, the administrations shall avoid using the frequencies in the bands specified in subparagraphs (1) (a), (2) (a), (2) (b), and (2) (c). Selecting frequencies for new stations.

[121] § 19. (1) It is recognized that the frequencies between 6,000 and 30,000 kc (50 and 10 m) are very efficient for long-distance communications. Long-distance communications.

[122] (2) The administrations shall make the greatest possible effort to reserve the frequencies of this band for this purpose, except when their use for short- or medium-distance communication is not likely to interfere with long-distance communications.

[123] § 20. En Europe, Afrique, Asie, les radiophares directionnels de faible puissance et dont la portée ne dépasse pas 50 km environ peuvent faire usage de toute fréquence dans la bande de 1 500 à 3 500 kc/s (200 à 85,71 m), à l'exception de la bande de protection de 1 630 à 1 670 kc/s (184 à 180 m), sous réserve d'accord des pays dont les services sont susceptibles d'être brouillés.

ARTICLE 8.

Stations d'amateur et stations expérimentales privées.

[124] § 1. L'échange de communications entre stations d'amateur et entre stations expérimentales privées de pays différents est interdit si l'administration de l'un des pays intéressés a notifié son opposition à cet échange.

[125] § 2. (1) Lorsque cet échange est permis, les communications doivent s'effectuer en langage clair et se limiter aux messages ayant trait aux expériences et à des remarques d'un caractère personnel pour lesquelles, en raison de leur manque d'importance, le recours au service télégraphique public ne saurait entrer en considération. Il est absolument interdit aux titulaires des stations d'amateur de transmettre des communications internationales émanant de tierces personnes.

[126] (2) Les dispositions ci-avant peuvent être modifiées par des arrangements particuliers entre les pays intéressés.

[127] § 3. Dans les stations d'amateur ou dans les stations expérimentales privées, autorisées à effectuer des émissions, toute personne manœuvrant les appareils, pour son propre compte ou pour celui de tiers, doit avoir prouvé qu'elle est apte à transmettre les textes en signaux du code Morse et à lire, à la réception radiotélégraphique auditive, les textes ainsi transmis. Elle ne peut se faire remplacer que par des personnes autorisées possédant les mêmes aptitudes.

[128] § 4. Les administrations prennent telles mesures qu'elles jugent nécessaires pour vérifier les capacités, au point de vue technique, de toute personne manœuvrant les appareils.

[129] § 5. (1) La puissance maximum que les stations d'amateur et les stations expérimentales privées peuvent utiliser est fixée par les administrations intéressées, en tenant compte des qualités techniques des opérateurs et des conditions dans lesquelles lesdites stations doivent travailler.

[130] (2) Toutes les règles générales fixées dans la Convention et dans le présent Règlement s'appliquent aux stations d'amateur et aux stations expérimentales privées. En particulier, la fréquence des ondes émises doit être aussi constante et aussi exempte d'harmoniques que l'état de la technique le permet.

[131] (3) Au cours de leurs émissions, ces stations doivent transmettre, à de courts intervalles, leur indicatif d'appel, ou leur nom dans le cas de stations expérimentales non encore pourvues d'indicatif d'appel.

[123] § 20. In Europe, Africa, and Asia, low-power directional radiobeacons the range of which does not exceed about 50 km may use any frequency in the band 1,500 to 3,500 kc (200 to 85.71 m) except the guard band of 1,630 to 1,670 kc (184 to 180 m) subject to agreements with the countries whose services are likely to be interfered with.

ARTICLE 8

Amateur Stations and Private Experimental Stations

Amateur and private experimental stations.

[124] § 1. The exchange of communications between amateur stations and between private experimental stations of different countries shall be forbidden if the administration of one of the interested countries has given notice of its opposition to this exchange.

[125] § 2. (1) When this exchange is permitted, the communications must be carried on in plain language and be limited to messages relating to experiments and to remarks of a private nature for which, by reason of their lack of importance, the use of the telegraph service could not enter into consideration. It shall be strictly forbidden for owners of amateur stations to transmit international communications emanating from third persons.

[126] (2) The foregoing provisions may be modified by special arrangements between the interested countries.

[127] § 3. In amateur stations or in private experimental stations, authorized to conduct transmissions, any person operating the apparatus on his own account or for third persons must have proved that he is able to transmit texts in Morse code signals and to read, by aural radiotelegraph reception, texts so transmitted. He can be replaced only by authorized persons possessing the same qualifications.

[128] § 4. Administrations shall take such measures as they judge necessary to verify, from a technical standpoint, the qualifications of any person operating the apparatus.

[129] § 5. (1) The maximum power which amateur stations and private experimental stations may use shall be fixed by the interested administrations, taking account of the technical qualifications of the operators and of the conditions under which the said stations must work.

[130] (2) All the general rules laid down in the Convention and in the present Regulations shall apply to amateur stations and to private experimental stations. In particular, the frequency of the wave emitted must be as constant and as free from harmonics as the state of the art permits.

[131] (3) In the course of their emissions, these stations must, at short intervals, transmit their call signals or, in the case of experimental stations not yet provided with call signals, their names.

ARTICLE 9.

Conditions à remplir par les stations mobiles.

A. GÉNÉRALITÉS.

[132] § 1. (1) Les stations mobiles doivent être établies de manière à se conformer, en ce qui concerne les fréquences et les types d'onde, aux dispositions générales faisant l'objet de l'article 7.

[133] (2) En outre, aucune nouvelle installation d'émetteurs d'ondes du type B ne peut être faite, dans les stations mobiles, sauf quand ces émetteurs, travaillant à pleine puissance, dépenseront moins de 300 watts mesurés à l'entrée du transformateur d'alimentation à fréquence audible.

[134] (3) Enfin, l'emploi des ondes du type B de toutes fréquences sera interdit à partir du 1er janvier 1940, sauf pour les émetteurs remplissant les mêmes conditions de puissance que ci-avant.

[135] § 2. La fréquence d'émission des stations mobiles sera vérifiée le plus souvent possible par le service d'inspection dont elles relèvent.

[136] § 3. Les appareils récepteurs doivent être tels que le courant qu'ils induisent dans l'antenne soit aussi réduit que possible et n'incommode pas les stations du voisinage.

[137] § 4. Les changements de fréquence dans les appareils émetteurs et récepteurs de toute station mobile doivent pouvoir être effectués aussi rapidement que possible. Toutes les installations doivent être telles, que la communication étant établie, le temps nécessaire au passage de l'émission à la réception et vice-versa soit aussi réduit que possible.

B. STATIONS DE NAVIRE.

[138] § 5. (1) Les appareils d'émission utilisés dans les stations de navire travaillant sur des ondes du type A2 ou B dans les bandes autorisées entre 365 et 515 kc/s (822 et 583 m) doivent être pourvus de dispositifs permettant, d'une manière facile, d'en réduire sensiblement la puissance.

[139] (2) Cette disposition ne s'applique pas aux émetteurs dont la puissance, mesurée à pleine charge, ne dépasse pas 300 watts à la plaque des lampes émettrices (émission du type A2) ou à l'entrée des transformateurs d'alimentation à fréquence audible (émission du type B).

[140] (3) Toutes les stations de navire émettant sur des fréquences dans les bandes de 100 à 160 kc/s (3 000 à 1 875 m) et sur des fréquences supérieures à 4 000 kc/s (longueurs d'onde inférieures à 75 m) doivent être munies d'un ondemètre ayant une précision au moins égale à $\frac{5}{1000}$ ou d'un dispositif équivalent.

[141] § 6. Toute station installée à bord d'un navire obligatoirement pourvu d'appareils radioélectriques par suite d'un accord international doit pouvoir émettre et recevoir sur l'onde de 500 kc/s (600 m), du type A2 ou B et, en outre, au moins sur une autre onde, du type A2 ou B, dans les bandes autorisées entre 365 et 485 kc/s (822 et 619 m).

ARTICLE 9

Conditions to be Observed by Mobile Stations

Conditions to be observed by mobile stations.

A. GENERAL

General.

[132] § 1. (1) Mobile stations must be established in such a way as to conform, as regards frequencies and types of waves, to the general provisions forming the subject of article 7.

Ante, p. 2453.

[133] (2) In addition, no new type-B-wave transmitter installation shall be made in mobile stations, except when these transmitters, working at full power, use less than 300 watts measured at the input of the audiofrequency supply transformer.

[134] (3) Finally, the use of type-B waves on all frequencies shall be forbidden, beginning with January 1, 1940, except for transmitters fulfilling the same conditions as above regarding power.

[135] § 2. The frequency of emission of mobile stations shall be verified as often as possible by the inspection service to which they are subject.

[136] § 3. Receiving apparatus must be such that the current which they induce into the antenna shall be as low as possible and shall not disturb neighboring stations.

[137] § 4. Transmitting and receiving sets of any mobile station must permit of making frequency changes as rapidly as possible. All installations must be such that, after the communication is established, the time necessary to change from transmission to reception and vice versa shall be as short as possible.

B. SHIP STATIONS

Ship stations.

[138] § 5. (1) The transmitting apparatus used in ship stations working on type-A2 or -B waves in the authorized band between 365 and 515 kc (822 and 583 m) must be provided with devices making it possible conveniently and appreciably to reduce the power thereof.

[139] (2) This provision shall not apply to transmitters in which the power, as measured at full load, does not exceed 300 watts on the transmitting-tube plates (type-A2 emission) or at the input of the audiofrequency supply transformers (type-B emission).

[140] (3) All ship stations transmitting on frequencies in the band 100 to 160 kc (3,000 to 1,875 m) and on frequencies above 4,000 kc (wavelengths below 75 m) must be equipped with a wave meter having a precision at least equal to 5/1000, or with an equivalent device.

[141] § 6. Any station installed on board a ship, compulsorily provided with radio apparatus as a result of an international agreement, must be able to transmit and to receive on the wave of 500 kc (600 m), type-A2 or -B and, in addition, on at least one other type-A2 or -B wave, in the authorized band between 365 and 485 kc (822 and 619 m).

[142] § 7. (1) En plus des ondes visées ci-avant, les stations de navire équipées pour émettre des ondes des types A1, A2 ou A3 peuvent employer les ondes autorisées à l'article 7.

[143] (2) L'usage des ondes du type B est interdit pour toutes les fréquences à l'exception des fréquences suivantes:

375 kc/s (800 m)
410 kc/s (730 m)
425 kc/s (705 m)
454 kc/s (660 m)
500 kc/s (600 m)
1 364 kc/s (220 m) *).

[144] § 8. Tous les appareils de stations de navire établis pour la transmission d'ondes du type A1 des bandes autorisées entre 100 et 160 kc/s (3 000 et 1 875 m) doivent permettre l'emploi, en plus de la fréquence de 143 kc/s (2 100 m), de deux fréquences au minimum, choisies dans ces bandes.

[145] § 9. (1) Toutes les stations à bord des navires obligatoirement pourvus d'appareils radiotélégraphiques doivent être à même de recevoir l'onde de 500 kc/s (600 m) et, en outre, toutes les ondes nécessaires à l'accomplissement du service qu'elles effectuent.

[146] (2) Ces stations doivent être à même de recevoir facilement et efficacement, sur les mêmes fréquences, les ondes des types A1 et A2.

C. STATIONS D'AÉRONEF.

[147] § 10. (1) *a*) Toute station installée à bord d'un aéronef effectuant un parcours maritime, obligatoirement pourvu d'appareils radioélectriques par suite d'un accord international, doit pouvoir émettre et recevoir sur l'onde de 500 kc/s (600 m), du type A2 ou B.

[148] *b*) En ce qui concerne la restriction dans l'usage des ondes du type B, voir sous B, § 7 (2) ci-avant.

[149] (2) *a*) Toute station d'aéronef doit pouvoir émettre et recevoir l'onde de 333 kc/s (900 m), du type A2 ou A3.

[150] *b*) Cette règle ne s'applique pas aux stations d'aéronef survolant les régions où des accords locaux, qui en disposent autrement, sont en vigueur.

ARTICLE 10.

Certificats des opérateurs.

A. DISPOSITIONS GÉNÉRALES.

[151] § 1. (1) Le service de toute station mobile, radiotélégraphique ou radiotéléphonique, doit être assuré par un opérateur radiotélégraphiste, titulaire d'un certificat délivré par le gouvernement dont dépend cette station. Toutefois, dans les stations mobiles pourvues d'une installation radioélectrique de faible puissance [d'une puissance d'onde porteuse dans l'antenne ne dépassant pas 100 watts, sauf dans

*) Voir la note [10]) du tableau de répartition des fréquences.

[142] § 7. (1) In addition to the waves mentioned above, ship stations equipped to transmit type-A1, -A2, or -A3 waves may use the waves authorized in article 7.

[143] (2) The use of type-B waves shall be prohibited on all frequencies, except the following ones:

375 kc (800 m)
410 kc (730 m)
425 kc (705 m)
454 kc (660 m)
500 kc (600 m)
1,364 kc (220 m)*

[144] § 8. All the ship station apparatus installed for the transmission of type-A1 waves in the authorized band between 100 and 160 kc (3,000 and 1,875 m) must permit of using at least two frequencies, selected in this band, in addition to the frequency of 143 kc (2,100 m).

[145] § 9. (1) All stations on board ships compulsorily provided with radiotelegraph apparatus must be capable of receiving the wave of 500 kc (600 m) and, in addition, all the waves necessary to the operation of the service which they carry on.

[146] (2) These stations must be capable of receiving types A1 and A2 waves on the same frequencies easily and efficiently.

C. AIRCRAFT STATIONS

Aircraft stations.

[147] § 10. (1) (*a*) Any station installed on board an aircraft flying over a maritime route, and compulsorily provided with radio apparatus as the result of an international agreement, must be capable of transmitting and receiving on the wave of 500 kc (600 m), type A2 or B.

[148] (*b*) As regards the restriction in the use of type-B waves, see B, § 7 (2) above.

[149] (2) (*a*) Any aircraft station must be capable of transmitting and receiving the wave of 333 kc (900 m), type A2 or A3.

[150] (*b*) This rule shall not apply to aircraft stations flying over regions where local agreements providing otherwise are in force.

ARTICLE 10

Operators' Certificates

Operators' certificates.

A. GENERAL PROVISIONS

General provisions.

[151] § 1. (1) The service of every mobile radiotelegraph or radiotelephone station must be performed by a radiotelegraph operator holding a certificate issued by the government to which the station is subject. However, in mobile stations equipped with a low-power radio installation [power of the carrier wave in the antenna not exceeding 100 watts, except in the case of regional agreements provided

*See note (10) to the frequency allocation table.

le cas des accords régionaux prévus au § 7, (4)], et lorsque cette installation est utilisée seulement pour la téléphonie, le service peut être assuré par un opérateur titulaire d'un certificat de radiotéléphoniste.

[152] (2) Dans le cas d'indisponibilité absolue de l'opérateur, au cours d'une traversée, d'un vol ou d'un voyage, le commandant ou la personne responsable de la station mobile peut autoriser, mais à titre temporaire seulement, un opérateur titulaire d'un certificat délivré par un autre gouvernement contractant, à assurer le service radioélectrique. Lorsqu'il devra être fait appel, comme opérateur provisoire, à une personne ne possédant pas de certificat suffisant, son intervention devra se limiter aux cas d'urgence. De toutes façons, l'opérateur ou la personne susvisé devra être remplacé, aussitôt que possible, par un opérateur titulaire du certificat prévu au § 1, (1) ci-avant.

[153] § 2. Chaque administration prend les mesures nécessaires pour soumettre les opérateurs à l'obligation du secret des correspondances et pour éviter, dans la plus grande mesure possible, l'emploi frauduleux des certificats.

[154] § 3. (1) Il y a deux classes de certificats et un certificat spécial pour les opérateurs radiotélégraphistes, et deux certificats pour les opérateurs radiotéléphonistes (général et restreint).

[155] (2) Les conditions à imposer pour l'obtention de ces certificats sont contenues dans les paragraphes suivants; ces conditions sont des minima.

[156] (3) Chaque gouvernement reste libre de fixer le nombre des examens jugés nécessaires pour accéder auxdits certificats.

[157] (4) Le titulaire d'un certificat de radiotélégraphiste de 1re classe, ainsi que le titulaire d'un certificat de radiotélégraphiste de 2e classe pourvu du certificat général de radiotéléphoniste peuvent assurer le service radiotéléphonique sur toute station mobile. Dans ce dernier cas, les deux certificats d'opérateur radiotélégraphiste de 2e classe et d'opérateur radiotéléphoniste peuvent être combinés.

B. CERTIFICAT DE RADIOTÉLÉGRAPHISTE DE 1re CLASSE.

[158] § 4. Le certificat de 1re classe est délivré aux opérateurs qui ont fait preuve des connaissances et aptitudes techniques et professionnelles énumérées ci-après:

[159] *a*) La connaissance des principes généraux d'électricité et de la théorie de la radiotélégraphie et de la radiotéléphonie, ainsi que la connaissance du réglage et du fonctionnement pratique des types d'appareils utilisés dans le service mobile.

[160] *b*) La connaissance théorique et pratique du fonctionnement des appareils accessoires, tels que groupes électrogènes, accumulateurs, etc., utilisés pour la mise en œuvre et le réglage des appareils indiqués au littera *a*).

[161] *c*) Les connaissances pratiques nécessaires pour effectuer, par les moyens du bord, les réparations d'avaries pouvant survenir aux appareils, en cours de voyage.

for in § 7 (4)], and when this installation is used for telephony only, the service may be carried on by an operator holding a radiotelephone operator's certificate.

[152] (2) In case of absolute unavailability of the operator in the course of a crossing, flight, or voyage, the master or the person responsible for the mobile station may authorize, but only temporarily, an operator holding a certificate issued by another contracting government to carry on the radio service. When it becomes necessary to employ, as temporary operator, a person not holding an adequate certificate, this service must be limited to emergencies. In any case, the operator or the above-mentioned person must be replaced as soon as possible by an operator holding the certificate prescribed in § 1 (1) above.

[153] § 2. Each administration shall take the necessary measures to place operators under the obligation of observing the secrecy of correspondence and to prevent, to the greatest possible extent, the fraudulent use of these certificates.

[154] § 3. (1) There shall be two classes of certificates and a special certificate for radiotelegraph operators and two certificates for radiotelephone operators (general and limited).

[155] (2) The qualifications to be required for obtaining these certificates are contained in the following paragraphs; they shall be the minimum requirements.

[156] (3) Each government shall be free to fix the number of examinations deemed necessary to obtain the said certificates.

[157] (4) The holder of a first-class radiotelegraph operator's certificate, as well as the holder of a second-class radiotelegraph operator's certificate provided with a general radiotelephone operator's certificate may perform radiotelephone service on any mobile station. In the latter case, both the second-class radiotelegraph and radiotelephone operator's certificates can be combined.

B. FIRST-CLASS RADIOTELEGRAPH OPERATOR'S CERTIFICATE

First-class certificate.

[158] § 4. The first-class certificate shall be issued to operators who have shown that they possess the professional and technical qualifications enumerated below:

[159] (*a*) Knowledge of the general principles of electricity and of the theory of radiotelegraphy and radiotelephony, as well as the knowledge of the adjustment and of the practical operation of the types of apparatus used in the mobile service.

[160] (*b*) The theoretical and practical knowledge of the operation of the accessory apparatus, such as motor-generator sets, storage batteries, etc., used in the operation and adjustment of the apparatus specified in subparagraph (*a*).

[161] (*c*) The practical knowledge necessary to make, with the means on board, the repairs of damage which may have occurred to the apparatus during a voyage.

[162] *d*) L'aptitude à la transmission correcte et à la réception auditive correcte de groupes de code (mélange de lettres, de chiffres et de signes de ponctuation), à une vitesse de 20 (vingt) groupes par minute, et d'un texte en langage clair, à une vitesse de 25 (vingt-cinq) mots par minute. Chaque groupe de code doit comprendre cinq caractères, chaque chiffre ou signe de ponctuation comptant pour deux caractères. Le mot moyen du texte en langage clair doit comporter cinq caractères.

[163] *e*) L'aptitude à la transmission correcte et à la réception correcte téléphoniques.

[164] *f*) La connaissance détaillée des Règlements s'appliquant à l'échange des radiocommunications, la connaissance des documents relatifs à la taxation des radiocommunications, la connaissance de la partie de la Convention pour la sauvegarde de la vie humaine en mer se rapportant à la radiotélégraphie, et, pour la navigation aérienne, la connaissance des dispositions spéciales régissant le service radioélectrique de la navigation aérienne. Dans ce cas, le certificat stipule que le titulaire a subi avec succès les épreuves portant sur ces dispositions.

[165] *g*) La connaissance de la géographie générale du monde, notamment des principales lignes de navigation (maritimes ou aériennes, suivant la catégorie du certificat) et des voies de télécommunication les plus importantes.

C. CERTIFICAT DE RADIOTÉLÉGRAPHISTE DE 2e CLASSE.

[166] § 5. Le certificat de 2e classe est délivré aux opérateurs qui ont fait preuve des connaissances et aptitudes techniques et professionnelles énumérées ci-après:

[167] *a*) La connaissance théorique et pratique élémentaire de l'électricité et de la radiotélégraphie, ainsi que la connaissance du réglage et du fonctionnement pratique des types d'appareils utilisés dans le service mobile radiotélégraphique.

[168] *b*) La connaissance théorique et pratique élémentaire du fonctionnement des appareils accessoires, tels que groupes électrogènes, accumulateurs, etc., utilisés pour la mise en œuvre et le réglage des appareils mentionnés au littera *a*).

[169] *c*) Les connaissances pratiques suffisantes pour pouvoir effectuer les petites réparations, en cas d'avaries survenant aux appareils.

[170] *d*) L'aptitude à la transmission correcte et à la réception auditive correcte de groupes de code (mélange de lettres, de chiffres et de signes de ponctuation) à une vitesse de 16 (seize) groupes par minute. Chaque groupe de code doit comprendre cinq caractères, chaque chiffre ou signe de ponctuation comptant pour deux caractères.

[171] *e*) La connaissance des Règlements s'appliquant à l'échange des radiocommunications, la connaissance des documents relatifs à la taxation des radiocommunications, la connaissance de la partie de la Convention pour la sauvegarde de la vie humaine en mer se rapportant à la radiotélégraphie, et, pour la navigation aérienne,

[162] (*d*) Ability to transmit correctly and to receive correctly by ear code groups (mixtures of letters, figures, and punctuation marks) at a speed of 20 (twenty) groups per minute, and of text in plain language, at a speed of 25 (twenty-five) words per minute. Each code group must contain 5 characters, each figure or punctuation mark counting as 2 characters. The average word of the text in plain language should contain 5 characters.

[163] (*e*) Ability to perform correct telephone transmission and correct telephone reception.

[164] (*f*) Detailed knowledge of the Regulations applying to the exchange of radio communications, knowledge of documents relative to charges for radio communications, knowledge of the radiotelegraph part of the Convention for the Safety of Life at Sea, and, in the case of aerial navigation, knowledge of the special provisions regulating the radio service of aerial navigation. In that case, the certificate shall stipulate that the holder has successfully passed the examinations dealing with these provisions.

[165] (*g*) Knowledge of the general geography of the world, particularly the principal navigation lines (maritime or aerial, according to the class of certificate) and the most important telecommunication channels.

C. SECOND-CLASS RADIOTELEGRAPH OPERATOR'S CERTIFICATE

Second-class certificate.

[166] § 5. The second-class certificate shall be issued to operators who have shown that they possess the professional and technical qualifications enumerated below:

[167] (*a*) Elementary theoretical and practical knowledge of electricity and radiotelegraphy, as well as knowledge of the adjustment and practical operation of the types of apparatus used in the radiotelegraph mobile service.

[168] (*b*) Elementary theoretical and practical knowledge of the operation of accessory apparatus, such as motor-generator sets, storage batteries, etc., used in the operation and adjustment of the apparatus mentioned in (*a*).

[169] (*c*) Practical knowledge sufficient for making minor repairs in case of damage to the apparatus.

[170] (*d*) Ability to transmit correctly and to receive correctly by ear code groups (mixtures of letters, figures, and punctuation marks) at a speed of 16 (sixteen) groups per minute. Each code group must contain 5 characters, each figure or punctuation mark counting as 2 characters.

[171] (*e*) Knowledge of the Regulations applying to the exchange of radio communications, knowledge of documents relative to charges for radio communications, knowledge of the radiotelegraph part of the Convention for the Safety of Life at Sea, and, in the case of aerial navigation, knowledge of the special provisions regulating

la connaissance des dispositions spéciales régissant le service radioélectrique de la navigation aérienne. Dans ce cas, le certificat stipule que le titulaire a subi avec succès les épreuves portant sur ces dispositions.

[172] *f*) La connaissance de la géographie générale du monde, notamment des principales lignes de navigation (maritimes ou aériennes, suivant la catégorie du certificat) et des voies de télécommunication les plus importantes.

D. CERTIFICAT SPÉCIAL DE RADIOTÉLÉGRAPHISTE.

[173] § 6. (1) *a*) Le service radiotélégraphique des navires, aéronefs et de tous autres véhicules auxquels une installation radiotélégraphique n'est pas imposée par des accords internationaux peut être effectué par des opérateurs titulaires d'un certificat spécial de radiotélégraphiste. Ce certificat est délivré aux opérateurs capables d'assurer les radiocommunications à la vitesse de transmission et de réception prévue pour l'obtention du certificat de radiotélégraphiste de 2e classe.

[174] *b*) Il appartient à chaque gouvernement intéressé de fixer les autres conditions pour l'obtention de ce certificat.

[175] (2) A titre exceptionnel, il est concédé provisoirement au Gouvernement de la Nouvelle-Zélande d'accorder un certificat spécial, dont il fixe les conditions d'obtention, aux opérateurs de petits bâtiments de sa nationalité, qui ne s'éloignent pas des côtes dudit pays et ne participent au service international de la correspondance publique et au travail général des stations mobiles que d'une manière restreinte.

E. CERTIFICATS DE RADIOTÉLÉPHONISTE.

[176] § 7. (1) Le certificat général de radiotéléphoniste est délivré aux opérateurs qui ont fait preuve des connaissances et aptitudes professionnelles énumérées ci-après [voir aussi § 3, (4)]:

[177] *a*) La connaissance pratique de la radiotéléphonie, surtout en vue d'éviter des brouillages.

[178] *b*) La connaissance du réglage et du fonctionnement des appareils de radiotéléphonie.

[179] *c*) L'aptitude à la transmission correcte et à la réception correcte téléphoniques.

[180] *d*) La connaissance des Règlements s'appliquant à l'échange des communications radiotéléphoniques et de la partie des Règlements des radiocommunications concernant la sécurité de la vie humaine.

[181] (2) Pour les stations radiotéléphoniques dont la puissance de l'onde porteuse dans l'antenne ne dépasse pas 50 watts, il est admis que chaque gouvernement intéressé fixe lui-même les conditions d'obtention du certificat de radiotéléphoniste (certificat restreint de radiotéléphoniste).

[182] (3) Dans un certificat de radiotéléphoniste, il doit être indiqué si celui-ci est un certificat général ou un certificat restreint.

the radio service of aerial navigation. In that case the certificate shall stipulate that the holder has successfully passed the examinations dealing with these provisions.

[172] (*f*) Knowledge of the general geography of the world, particularly the principal lines of navigation (maritime or aerial, according to the class of certificate) and the most important telecommunication channels.

D. SPECIAL RADIOTELEGRAPH OPERATOR'S CERTIFICATE

Special certificate.

[173] § 6. (1) (*a*) The radiotelegraph service of ships, aircraft, and of all other vehicles for which a radiotelegraph installation is not required by international agreements may be carried on by operators holding a special radiotelegraph operator's certificate. This certificate shall be issued to operators capable of performing radio communications at the sending and receiving speed required for obtaining a second-class radiotelegraph operator's certificate.

[174] (*b*) It shall devolve upon each interested government to determine the other requirements for obtaining this certificate.

[175] (2) As an exception, the Government of New Zealand shall be permitted provisionally to issue a special certificate, for the granting of which it shall fix the requirements, to operators of small ships of its nationality which do not sail far from the coast of that country and which engage in the international service of public correspondence and in the general work of mobile stations only to a limited extent.

E. RADIOTELEPHONE OPERATOR'S CERTIFICATES

Radiotelephone operator's certificate. *Ante*, p. 2483.

[176] § 7. (1) The general radiotelephone operator's certificate shall be issued to operators who have shown that they possess the professional knowledge and ability described below [see also § 3(4)]:

[177] (*a*) Practical knowledge of radiotelephony, especially with a view to avoiding interference.

[178] (*b*) Knowledge of the adjustment and operation of radiotelephone apparatus.

[179] (*c*) Ability to transmit and receive correctly by telephone.

[180] (*d*) Knowledge of the Regulations applying to the exchange of radiotelephone communications and of that part of the Radio Regulations which relates to safety of human life.

[181] (2) For the radiotelephone stations in which the power of the carrier wave in the antenna does not exceed 50 watts, each government concerned shall be permitted to determine the conditions for obtaining its own radiotelephone operator's certificate (limited radiotelephone operator's certificate).

[182] (3) A radiotelephone operator's certificate must show whether it is a general or limited certificate.

[183] (4) Pour satisfaire à des besoins spéciaux, des accords régionaux peuvent fixer les conditions à remplir pour l'obtention d'un certificat de radiotéléphoniste, destiné à être utilisé dans des stations radiotéléphoniques remplissant certaines conditions techniques et certaines conditions d'exploitation. Il est fait mention de ces conditions et de ces accords sur les titres délivrés à ces opérateurs. Ces accords sont admis sous réserve que les services internationaux ne soient pas brouillés.

[184] (5) Les certificats de radiotéléphoniste déjà délivrés aux opérateurs et répondant aux conditions fixées par le Règlement général de Washington (1927) restent en vigueur et sont considérés comme des certificats généraux de radiotéléphoniste.

F. STAGES PROFESSIONNELS.

[185] § 8. (1) Avant de devenir chef de poste d'une station de navire de la première catégorie (article 23, § 3), un opérateur de 1re classe doit avoir au moins une année d'expérience comme opérateur à bord d'un navire ou dans une station côtière.

[186] (2) Pour devenir chef de poste d'une station de navire de la deuxième catégorie (article 23, § 3), un opérateur de 1re classe doit avoir au moins six mois d'expérience comme opérateur à bord d'un navire ou dans une station côtière.

[187] (3) *a*) Les opérateurs munis d'un certificat de 2e classe sont autorisés à embarquer comme chef de poste sur les navires dont la station est classée dans la troisième catégorie (article 23, § 3).

[188] *b*) Après avoir justifié d'un service de six mois à bord d'un navire, ils peuvent embarquer comme chef de poste sur les navires dont la station est classée dans la deuxième catégorie.

[189] (4) Le gouvernement qui délivre un certificat pourra n'autoriser un opérateur à assurer le service à bord d'un aéronef que lorsque cet opérateur aura rempli d'autres conditions (par exemple: accompli un certain nombre d'heures de vol dans le service mobile aérien, etc.).

ARTICLE 11.

Autorité du commandant.

[190] § 1. Le service radioélectrique d'une station mobile est placé sous l'autorité supérieure du commandant ou de la personne responsable du navire, de l'aéronef ou de tout autre véhicule portant la station mobile.

[191] § 2. Le commandant ou la personne responsable, ainsi que toutes les personnes qui peuvent avoir connaissance du texte ou simplement de l'existence des radiotélégrammes, ou de tout renseignement quelconque obtenu au moyen du service radioélectrique, sont soumis à l'obligation de garder et d'assurer le secret des correspondances.

ARTICLE 12.

Inspection des stations.

[192] § 1. (1) Les gouvernements ou administrations compétents des pays où une station mobile fait escale peuvent exiger la production de la licence. L'opérateur de la station mobile, ou la personne responsable

[183] (4) In order to cover special needs, regional agreements may determine the conditions to be fulfilled in order to obtain a radiotelephone operator's certificate, intended for use in radiotelephone stations fulfilling certain technical conditions and certain operating conditions. These conditions and agreements shall be stated in the papers issued to these operators. Such agreements shall be accepted provided the international services be not interfered with.

[184] (5) Radiotelephone operator's certificates already delivered to operators and complying with the conditions laid down in the General Regulations of Washington (1927) shall remain in force and be considered as general radiotelephone operator's certificates. Vol. 45, p. 2760.

F. PROFESSIONAL GRADES

Professional grades. *Post*, p. 2539.

[185] § 8. (1) Before becoming chief operator in a station on board a ship of the first category (art. 23, § 3) a first-class operator must have had at least 1 year's experience as operator on board a ship or in a coast station.

[186] (2) In order to become chief operator in a station on board a ship of the second category (art. 23, § 3), a first-class operator must have had at least 6 months' experience as operator on board a ship or in a coast station.

[187] (3) (*a*) Operators holding a second-class certificate shall be authorized to embark as chief operators on ships of which the station belongs to the third category (art. 23, § 3).

[188] (*b*) After having shown 6 months' service on board a ship, they may embark as chief operators on ships of which the station belongs to the second category.

[189] (4) The government issuing a certificate can authorize an operator to perform service on board an aircraft only after this operator has fulfilled other conditions (for example: accomplished a certain number of flying hours in the aerial mobile service, etc.)

ARTICLE 11

Authority of the Master

Authority of the Master.

[190] § 1. The radio service of a mobile station shall be placed under the supreme authority of the master or the person responsible for the ship, aircraft, or any other vehicle carrying the mobile station.

[191] § 2. The master or responsible person as well as any persons who may have knowledge of the text or simply the existence of radiotelegrams, or of any information acquired by means of the radio service, shall be bound by the obligation to observe and insure the secrecy of the correspondence.

ARTICLE 12

Inspection of Stations

Station inspections.

[192] § 1. (1) The competent governments or administrations of countries where a mobile station calls, may demand the production of the license. The operator of the mobile station or the person

de la station, doit se prêter à cette constatation. La licence doit être conservée de façon qu'elle puisse être fournie sans délai. Toutefois, la production de la licence peut être remplacée par l'affichage à demeure, dans la station, d'une copie de la licence, certifiée conforme par l'autorité qui l'a délivrée.

[193] (2) Lorsque la licence ne peut être produite, ou que des anomalies manifestes sont constatées, les gouvernements ou administrations peuvent faire procéder à l'inspection des installations radioélectriques, en vue de s'assurer qu'elles répondent aux stipulations du présent Règlement.

[194] (3) En outre, les inspecteurs sont en droit d'exiger la production des certificats des opérateurs, sans qu'aucune justification de connaissances professionnelles puisse être demandée.

[195] § 2. (1) Lorsqu'un gouvernement ou une administration s'est trouvé dans l'obligation de recourir à la mesure prévue au §1 ci-avant ou lorsque les certificats d'opérateur n'ont pu être produits, il y a lieu d'en informer immédiatement le gouvernement ou l'administration dont dépend la station mobile en cause. Pour le surplus, il est procédé, le cas échéant, ainsi que le prescrit l'article 13.

[196] (2) Le délégué du gouvernement ou de l'administration qui a inspecté la station doit, avant de quitter celle-ci, faire part de ses constatations au commandant ou à la personne responsable (article 11) ou à leur remplaçant.

[197] § 3. En ce qui concerne les conditions techniques et d'exploitation auxquelles doivent satisfaire, pour le service de radiocommunication international, les stations mobiles titulaires d'une licence, les gouvernements contractants s'engagent à ne pas imposer aux stations mobiles étangères qui se trouvent temporairement dans leurs eaux territoriales, ou s'arrêtent temporairement sur leur territoire, des conditions plus rigoureuses que celles qui sont prévues dans le présent Règlement. Ces prescriptions n'affectent en rien les dispositions qui, étant du ressort d'accords internationaux relatifs à la navigation maritime ou aérienne, ne sont pas déterminées dans le présent Règlement.

Article 13.

Rapport sur les infractions.

[198] § 1. Les infractions à la Convention ou aux Règlements des radiocommunications sont signalées à leur administration par les stations qui les constatent et ce, au moyen d'états conformes au modèle reproduit à l'appendice 3.

[199] § 2. Dans le cas d'infractions importantes, commises par une station, des représentations doivent être faites à l'administration du pays dont dépend cette station.

[200] § 3. Si une administration a connaissance d'une infraction à la Convention ou aux Règlements, commise dans une des stations qu'elle a autorisées, elle constate les faits, fixe les responsabilités et prend les mesures nécessaires.

responsible for the station must submit to this verification. The license must be kept in such a way that it may be furnished without delay. However, the production of the license may be replaced by a permanent posting in the station, of a copy of the license certified by the authority which has granted it.

[193] (2) When the license cannot be produced or when manifest irregularities are detected, the governments or administrations may proceed to the inspection of radio installations in order to be assured that they satisfy the requirements of the present Regulations.

[194] (3) Moreover, the inspectors shall have the right to demand the production of the operators' certificates although no proof of professional qualifications may be demanded.

[195] § 2. (1) When a government or an administration has found it necessary to resort to the measures provided for in § 1 above, or when it has not been possible to produce the operators' certificates, it shall be necessary immediately to inform thereof the government or the administration to which the mobile station in question is subject. In addition, the procedure specified in article 13 shall be followed should necessity arise.

[196] (2) The official of the government or of the administration which has inspected the station must, before leaving the latter, communicate his findings to the commander or to the responsible person (art. 11) or to their substitute.

[197] § 3. As regards the technical and operating conditions which mobile stations holding a license must satisfy in the international radio-communication service, the contracting governments shall bind themselves not to impose upon foreign stations which are temporarily located in their territorial waters, or which may stop temporarily in their territory, conditions more stringent than those which are provided for in the present Regulations. These provisions shall in no way affect the provisions which, coming within the scope of international agreements relative to maritime or air navigation, are not determined in the present Regulations.

ARTICLE 13

Reporting of Violations

Reporting of violations.

[198] § 1. Violations of the Convention or the Radio Regulations shall be reported by the stations detecting them to their administration by means of statements conforming to the model shown in appendix 3.

[199] § 2. In case of serious violations committed by a station, representations must be made to the administration of the country to which this station is subject.

[200] § 3. If an administration has knowledge of a violation of the Convention or of the Regulations, by a station which it has authorized, it shall ascertain the facts, determine the responsibility, and take the necessary action.

ARTICLE 14.

Indicatifs d'appel.

[201] §1. (1) Toutes les stations ouvertes au service international de la correspondance publique, ainsi que les stations expérimentales privées, les stations d'amateur et les stations privées de radiocommunication, doivent posséder des indicatifs d'appel de la série internationale attribuée à chaque pays dans le tableau de répartition ci-après. Dans ce tableau, la première lettre ou les deux premières lettres prévues pour les indicatifs d'appel distinguent la nationalité des stations.

[202] (2) Lorsqu'une station fixe emploie, dans le service international, plus d'une fréquence, chaque fréquence est désignée par un indicatif d'appel distinct, utilisé uniquement pour cette fréquence.

[203] TABLEAU DE RÉPARTITION DES INDICATIFS D'APPEL.

PAYS	INDICATIFS	PAYS	INDICATIFS
Chili	CAA–CEZ	République de Panama	HPA–HPZ
Canada	CFA–CKZ	République de Honduras	HRA–HRZ
Cuba	CLA–CMZ	Siam	HSA–HSZ
Maroc	CNA–CNZ	Etat de la Cité du Vatican	HVA–HVZ
Cuba	COA–COZ	Hedjaz	HZA–HZZ
Bolivie	CPA–CPZ	Italie et colonies	I
Colonies portugaises	CQA–CRZ	Japon	J
Portugal	CSA–CUZ	Etats-Unis d'Amérique	K
Uruguay	CVA–CXZ	Norvège	LAA–LNZ
Canada	CYA–CZZ	République Argentine	LOA–LWZ
Allemagne	D	Luxembourg	LXA–LXZ
Espagne	EAA–EHZ	Lithuanie	LYA–LYZ
Etat libre d'Irlande	EIA–EIZ	Bulgarie	LZA–LZZ
République de Libéria	ELA–ELZ	Grande-Bretagne	M
Perse	EPA–EQZ	Etats-Unis d'Amérique	N
Estonie	ESA–ESZ	Pérou	OAA–OCZ
Ethiopie	ETA–ETZ	Autriche	OEA–OEZ
Territoire de la Sarre	EZA–EZZ	Finlande	OFA–OHZ
France et colonies et protectorats	F	Tchécoslovaquie	OKA–OKZ
Grande-Bretagne	G	Belgique et colonies	ONA–OTZ
Hongrie	HAA–HAZ	Danemark	OUA–OZZ
Confédération suisse	HBA–HBZ	Pays-Bas	PAA–PIZ
Equateur	HCA–HCZ	Curaçao	PJA–PJZ
République d'Haïti	HHA–HHZ	Indes néerlandaises	PKA–POZ
République Dominicaine	HIA–HIZ	Brésil	PPA–PYZ
République de Colombie	HJA–HKZ		

ARTICLE 14

Call Signals

Call signals.

[201] § 1. (1) All stations open to the international service of public correspondence, as well as private experimental stations, amateur stations, and private radio-communication stations, must have call signals from the international series assigned to each country in the following table. In this table, the first letter or the first two letters of the call signals show the nationality of the stations.

[202] (2) When a fixed station in the international service uses more than one frequency, each frequency shall be designated by a separate call signal used for that frequency only.

[203] TABLE OF ALLOCATION OF CALL LETTERS

COUNTRY	CALL SIGNALS	COUNTRY	CALL SIGNALS
Chile	CAA–CEZ	Republic of Panama	HPA–HPZ
Canada	CFA–CKZ	Republic of Honduras	HRA–HRZ
Cuba	CLA–CMZ	Siam	HSA–HSZ
Morocco	CNA–CNZ	Vatican City State	HVA–HVZ
Cuba	COA–COZ	Hedjaz	HZA–HZZ
Bolivia	CPA–CPZ	Italy and Colonies	I
Portuguese Colonies	CQA–CRZ	Japan	J
Portugal	CSA–CUZ	United States of America	K
Uruguay	CVA–CXZ	Norway	LAA–LNZ
Canada	CYA–CZZ	Republic of Argentina	LOA–LWZ
Germany	D	Luxembourg	LXA–LXZ
Spain	EAA–EHZ	Lithuania	LYA–LYZ
Irish Free State	EIA–EIZ	Bulgaria	LZA–LZZ
Republic of Liberia	ELA–ELZ	Great Britain	M
Persia	EPA–EQZ	United States of America	N
Estonia	ESA–ESZ	Peru	OAA–OCZ
Ethiopia	ETA–ETZ	Austria	OEA–OEZ
Saar Territory	EZA–EZZ	Finland	OFA–OHZ
France and Colonies and Protectorates	F	Czechoslovakia	OKA–OKZ
Great Britain	G	Belgium and Colonies	ONA–OTZ
Hungary	HAA–HAZ	Denmark	OUA–OZZ
Swiss Confederation	HBA–HBZ	Netherlands	PAA–PIZ
Ecuador	HCA–HCZ	Curaçao	PJA–PJZ
Republic of Haiti	HHA–HHZ	Dutch East Indies	PKA–POZ
Dominican Republic	HIA–HIZ	Brazil	PPA–PYZ
Republic of Colombia	HJA–HKZ		

PAYS	INDICATIFS	PAYS	INDICATIFS
Surinam	PZA–PZZ	Canada	VXA–VYZ
(Abréviations)	Q	Etats-Unis d'Amérique	W
Union des Républiques Soviétistes Socialistes	R	Mexique	XAA–XFZ
Suède	SAA–SMZ	Chine	XGA–XUZ
Pologne	SOA–SRZ	Indes britanniques	XYA–XZZ
Egypte	STA–SUZ	Afghanistan	YAA–YAZ
Grèce	SVA–SZZ	Indes néerlandaises	YBA–YHZ
Turquie	TAA–TCZ	Iraq	YIA–YIZ
Islande	TFA–TFZ	Nouvelles-Hébrides	YJA–YJZ
Guatemala	TGA–TGZ	Lettonie	YLA–YLZ
Costa-Rica	TIA–TIZ	Ville libre de Dantzig	YMA–YMZ
France et colonies et protectorats	TKA–TZZ	Nicaragua	YNA–YNZ
Union des Républiques Soviétistes Socialistes	U	Roumanie	YOA–YRZ
Canada	VAA–VGZ	République de El Salvador	YSA–YSZ
Fédération Australienne	VHA–VMZ	Yougoslavie	YTA–YUZ
Terre-Neuve	VOA–VOZ	Vénézuéla	YVA–YWZ
Colonies et protectorats britanniques	VPA–VSZ	Albanie	ZAA–ZAZ
Indes britanniques	VTA–VWZ	Colonies et protectorats britanniques	ZBA–ZJZ
		Nouvelle-Zélande	ZKA–ZMZ
		Paraguay	ZPA–ZPZ
		Union de l'Afrique du Sud	ZSA–ZUZ

[204] § 2. Les indicatifs d'appel sont formés de:

[205] *a*) trois lettres, dans le cas de stations terrestres;

[206] *b*) trois lettres, ou trois lettres suivies d'un seul chiffre (autre que 0 ou 1), dans le cas de stations fixes;

[207] *c*) quatre lettres, dans le cas de stations de navire;

[208] *d*) cinq lettres, dans le cas de stations d'aéronef;

[209] *e*) cinq lettres, précédées et suivies du signal du code Morse correspondant au «souligné» (• • ▬ ▬ • ▬), dans le cas de stations à bord d'aéronefs effectuant un transport intéressant le fonctionnement de la Société des Nations;

[210] *f*) quatre lettres, suivies d'un seul chiffre (autre que 0 ou 1), dans le cas d'autres stations mobiles;

[211] *g*) une ou deux lettres et un seul chiffre (autre que 0 ou 1), suivi d'un groupe de trois lettres au plus dans le cas de stations expérimentales privées, de stations d'amateur et de stations privées de radiocommunication; toutefois, l'interdiction d'employer les chiffres 0 et 1 ne s'applique pas aux stations d'amateur.

[212] § 3. (1) Dans le service radioaérien, après que la communication a été établie au moyen de l'indicatif d'appel complet [voir § 2, *d*) et *e*)], la station d'aéronef peut employer un indicatif abrégé constitué:

[213] *a*) en radiotélégraphie, par les première et dernière lettres de l'indicatif d'appel complet de cinq lettres;

TABLE OF ALLOCATION OF CALL LETTERS—Continued

COUNTRY	CALL SIGNALS	COUNTRY	CALL SIGNALS
Surinam	PZA–PZZ	United States of America.....	W
(Abbreviations)	Q	Mexico	XAA–XFZ
Union of Socialist Soviet Republics ..	R	China.....	XGA–XUZ
Sweden	SAA–SMZ	British India	XYA–XZZ
Poland.....	SOA–SRZ	Afghanistan	YAA–YAZ
Egypt	STA–SUZ	Dutch East Indies...	YBA–YHZ
Greece	SVA–SZZ	Iraq	YIA–YIZ
Turkey	TAA–TCZ	New Hebrides	YJA–YJZ
Iceland	TFA–TFZ	Latvia	YLA–YLZ
Guatemala	TGA–TGZ	Free City of Danzig..	YMA–YMZ
Costa Rica	TIA–TIZ	Nicaragua.....	YNA–YNZ
France and Colonies and Protectorates.	TKA–TZZ	Rumania.....	YOA–YRZ
Union of Socialist Soviet Republics ..	U	Republic of El Salvador.....	YSA–YSZ
Canada	VAA–VGZ	Yugoslavia	YTA–YUZ
Australian Commonwealth	VHA–VMZ	Venezuela	YVA–YWZ
Newfoundland	VOA–VOZ	Albania	ZAA–ZAZ
British Colonies and Protectorates	VPA–VSZ	British Colonies and Protectorates	ZBA–ZJZ
British India	VTA–VWZ	New Zealand	ZKA–ZMZ
Canada	VXA–VYZ	Paraguay	ZPA–ZPZ
		Union of South Africa.	ZSA–ZUZ

[204] § 2. Call signals shall consist of:

[205] (*a*) three letters, in the case of land stations;

[206] (*b*) three letters, or three letters followed by a single figure (other than 0 or 1), in the case of fixed stations;

[207] (*c*) four letters, in the case of ship stations;

[208] (*d*) five letters, in the case of aircraft stations;

[209] (*e*) five letters preceded and followed by the Morse code signal corresponding to "underlined" (• • ▬ ▬ • ▬), in the case of stations or aircraft carrying matter having to do with the functioning of the League of Nations;

[210] (*f*) four letters followed by a single figure (other than 0 or 1), in the case of other mobile stations;

[211] (*g*) one or two letters and a single figure (other than 0 or 1) followed by a group of not more than three letters, in the case of private experimental stations, amateur stations, and private radiocommunication stations; however, the prohibition against the use of the figures 0 and 1 shall not apply to amateur stations.

[212] § 3. (1) In the aeronautical radio service, after communication has been established by means of the complete call signal [see § 2, (*d*) and (*e*)], the aircraft station may use an abbreviated call signal composed:

[213] (*a*) in radiotelegraphy, of the first and last letters of the complete 5-letter call signal;

[214] *b*) en radiotéléphonie, par tout ou partie du nom du propriétaire de l'aéronef (compagnie ou particulier) suivi des deux dernières lettres de la marque d'immatriculation.

[215] (2) Pour un aéronef effectuant un service intéressant le fonctionnement de la Société des Nations, les mots «Société des Nations» remplacent le nom du propriétaire de l'aéronef.

[216] § 4. (1) Les 26 lettres de l'alphabet, ainsi que les chiffres dans les cas prévus au § 2, peuvent être employés pour former les indicatifs d'appel; les lettres accentuées sont exclues.

[217] (2) Toutefois, les combinaisons de lettres indiquées ci-après ne peuvent être employées comme indicatifs d'appel:

[218] *a*) combinaisons commençant par A ou par B, ces deux lettres étant réservées pour la partie géographique du Code International de Signaux;

[219] *b*) combinaisons employées dans le Code International de Signaux, deuxième partie;

[220] *c*) combinaisons qui pourraient être confondues avec les signaux de détresse ou avec d'autres signaux de même nature;

[221] *d*) combinaisons réservées pour les abréviations à employer dans les services de radiocommunication.

[222] § 5. (1) Chaque pays choisit les indicatifs d'appel de ses stations dans la série internationale qui lui est allouée et notifie au Bureau de l'Union les indicatifs d'appel qu'il a attribués à ses stations.

[223] (2) Le Bureau de l'Union veille à ce qu'un même indicatif d'appel ne soit pas attribué plus d'une fois et à ce que les indicatifs d'appel qui pourraient être confondus avec les signaux de détresse, ou avec d'autres signaux de même nature, ne soient pas attribués.

Article 15.

Documents de service.

[224] § 1. Le Bureau de l'Union dresse et publie les documents de service suivants:

[225] *a*) les nomenclatures de toutes les stations terrestres, mobiles, fixes ayant un indicatif d'appel de la série internationale et ouvertes ou non à la correspondance publique; les nomenclatures des stations effectuant des services spéciaux, de la radiodiffusion, des radiocommunications entre points fixes;

[226] *b*) la liste des fréquences. Cette liste indique toutes les fréquences attribuées aux stations destinées à effectuer un service régulier et qui sont susceptibles de causer des brouillages internationaux;

[227] *c*) une nomenclature des bureaux télégraphiques et des stations terrestres ouverts au service international;

[228] *d*) une carte des stations côtières ouvertes à la correspondance publique;

[229] *e*) un tableau et une carte destinés à être annexés à la nomenclature des stations côtières et de navire, et indiquant les zones et les heures de service à bord des navires dont les stations sont classées dans la deuxième catégorie (voir appendices 4 et 5);

[214] (*b*) in radiotelephony, of all or part of the name of the owner of the aircraft (company or individual) followed by the last two letters of the registration mark.

[215] (2) In the case of an aircraft performing a service which concerns the functioning of the League of Nations, the words "Société des Nations" shall replace the name of the owner of the aircraft.

[216] § 4. (1) The 26 letters of the alphabet, as well as the figures, in the cases provided for in § 2, may be used to form call signals; accented letters shall be excluded.

[217] (2) However, the following letter combinations may not be used for call signals:

[218] (*a*) combinations beginning with A or B, these two letters being reserved for the geographical part of the International Code of Signals;

[219] (*b*) combinations used in the International Code of Signals, second part;

[220] (*c*) combinations which might be confused with distress signals or with other signals of a similar character;

[221] (*d*) combinations reserved for the abbreviations to be used in the radio service.

[222] § 5. (1) Each country shall choose call signals for its stations from the international series which is allocated to it and shall notify the Bureau of the Union of the call signals which it has assigned to its stations.

[223] (2) The Bureau of the Union shall see that the same call signal is not allocated more than once and that those call signals which might be confused with distress signals, or with other signals of a similar character, are not allocated.

ARTICLE 15

Service Documents

[224] § 1. The Bureau of the Union shall prepare and publish the following service documents: Service documents.

[225] (*a*) The nomenclatures of all the land, mobile, and fixed stations having a call signal from the international series, whether or not open to public correspondence; the nomenclatures of the stations operating special services, broadcasting, and radio communications between fixed points.

[226] (*b*) The frequency list. This list shall give all the frequencies assigned to stations intended to carry on a regular service and which are capable of causing international interference.

[227] (*c*) A nomenclature of the telegraph offices and land stations open to international service.

[228] (*d*) A chart of coast stations open to public correspondence.

[229] (*e*) A table and a chart to be annexed to the nomenclature of coast and ship stations indicating the zones and hours of service of ships of which the stations belong to the second category (see appendices 4 and 5). *Post*, pp. 2595, 2597.

[230] *f*) une liste alphabétique des indicatifs d'appel des stations mentionnées sous *a*) et pourvues d'un indicatif d'appel de la série internationale. Cette liste est dressée sans considération de nationalité. Elle est précédée du tableau de répartition des indicatifs d'appel figurant à l'article 14;

[231] *g*) une statistique générale des radiocommunications.

[232] § 2. (1) Les nomenclatures des stations [§ 1, *a*)] sont publiées en fascicules séparés, ainsi qu'il suit:

I. Nomenclature des stations côtières et de navire.
II. Nomenclature des stations aéronautiques et d'aéronef.
III. Nomenclature des stations effectuant des services spéciaux.
IV. Nomenclature des stations fixes (Index à la liste des fréquences pour les stations fixes en service).
V. Nomenclature des stations de radiodiffusion.

[233] (2) Dans les nomenclatures I, II et III, chaque catégorie de stations est rangée dans une section spéciale.

[234] § 3. La forme à donner aux différentes nomenclatures et à la liste des fréquences est indiquée à l'appendice 6. Les renseignements détaillés sur l'établissement de ces documents sont donnés dans les préfaces, dans l'en-tête des colonnes et dans les annotations desdits documents.

[235] § 4. Les administrations notifient une fois par mois au Bureau de l'Union, au moyen de formules identiques à celles données par l'appendice 6, les additions, modifications et suppressions à apporter aux documents susvisés.

[236] § 5. (1) La nomenclature des stations côtières et de navire ainsi que la nomenclature des stations aéronautiques et d'aéronef sont rééditées tous les six mois sans supplément entre deux rééditions. En ce qui concerne la nomenclature des stations effectuant des services spéciaux et la nomenclature des stations de radiodiffusion, le Bureau de l'Union décide à quels intervalles elles doivent être rééditées.

[237] (2) Un supplément récapitulatif est publié tous les 3 mois pour la nomenclature des stations effectuant des services spéciaux et tous les 6 mois pour la nomenclature des stations de radiodiffusion.

[238] (3) La liste des fréquences et la nomenclature des stations fixes qui constitue un index à la liste des fréquences, pour les stations fixes mises en service, sont rééditées séparément chaque année. Elles sont tenues à jour au moyen de suppléments mensuels édités également séparément.

[239] § 6. (1) Les noms des stations côtières et aéronautiques sont suivis respectivement des mots RADIO et AERADIO.

[240] (2) Les noms des stations radiogoniométriques et des radiophares sont suivis respectivement des mots GONIO et PHARE.

[241] § 7. L'appendice 7 contient les notations employées dans les documents pour indiquer la nature et l'étendue du service des stations.

[242] § 8. Les documents de service dont les stations mobiles doivent être pourvues sont énumérés dans l'appendice 8.

[230] (*f*) An alphabetical list of the call signals of the stations mentioned under (*a*) and provided with a call signal of the international series. This list shall be arranged without considering nationality. It shall be preceded by the call-signal-allocation table appearing in article 14.

[231] (*g*) General radio statistics.

Nomenclatures.

[232] § 2. (1) The nomenclatures of stations [§ 1 (*a*)] shall be published in separate volumes as follows:

I. Nomenclature of Coast and Ship Stations.
II. Nomenclature of Aeronautical and Aircraft Stations.
III. Nomenclature of Stations Operating Special Services.
IV. Nomenclature of Fixed Stations (Index to the List of Frequencies for Fixed Stations in Service).
V. Nomenclature of Broadcasting Stations.

[233] (2) In the nomenclatures I, II, and III, each class of stations shall occupy a special section.

[234] § 3. The form for the different nomenclatures and for the frequency list is given in appendix 6. Detailed information concerning the preparation of these documents shall be given in the prefaces, in the headings of columns, and in the notes of the said documents.

Post, p. 2599.

[235] § 4. Once a month, by means of forms similar to those given in appendix 6, the administrations shall notify the Bureau of the Union of the additions, changes, and deletions to be made in the above-mentioned documents.

[236] § 5. (1) The nomenclature of coast and ship stations as well as the nomenclature of aeronautical and aircraft stations shall be reedited every 6 months without supplements between the two reeditions. As regards the nomenclature of stations operating special services and the nomenclature of broadcasting stations, the Bureau of the Union shall decide upon the intervals at which they must be reedited.

[237] (2) A recapitulative supplement shall be published every 3 months for the nomenclature of stations operating special services, and every 6 months for the nomenclature of broadcasting stations.

[238] (3) The frequency list and the nomenclature of fixed stations constituting an index to the frequency list, for fixed stations in service, shall be reedited separately each year. They shall be kept up to date by means of monthly supplements also edited separately.

[239] § 6. (1) The names of coast and aeronautical stations shall be followed respectively by the words RADIO and AERADIO.

[240] (2) The names of radio direction finding and of radiobeacon stations shall be followed respectively by the words GONIO and PHARE.

[241] § 7. Appendix 7 contains the symbols used in the documents to indicate the nature and the scope of the service of stations.

Post, p. 2615.

[242] § 8. The service documents with which mobile stations must be provided are listed in appendix 8.

Post, p. 2617.

ARTICLE 16.

Procédure générale radiotélégraphique dans le service mobile.[1] [2]

[243] § 1 (1) Dans le service mobile, la procédure détaillée ci-après est obligatoire, sauf dans le cas d'appel ou de trafic de détresse auquel sont applicables les dispositions de l'article 22.

[244] (2) Pour l'échange des radiocommunications, les stations du service mobile utilisent les abréviations visées à l'appendice 9.

[245] § 2. (1) Avant d'émettre, toute station doit s'assurer qu'elle ne produira pas un brouillage nuisible aux transmissions s'effectuant dans son rayon d'action; si un tel brouillage est probable, la station attend le premier arrêt de la transmission qu'elle pourrait troubler.

[246] (2) Toutefois, même si, en opérant ainsi, l'émission de cette station vient à brouiller une transmission radioélectrique déjà en cours, on appliquera les règles suivantes:

[247] *a*) Dans la zone de communication d'une station terrestre ouverte au service de la correspondance publique ou d'une station aéronautique quelconque, la station dont l'émission produit le brouillage doit cesser d'émettre à la première demande de la station terrestre ou aéronautique précitée.

[248] *b*) Dans le cas où une transmission radioélectrique déjà en cours entre deux navires vient à être brouillée par une émission d'un autre navire, ce dernier doit cesser d'émettre à la première demande de l'un quelconque des deux autres.

[249] *c*) La station qui demande cette cessation doit indiquer la durée approximative de l'attente imposée à la station dont elle suspend l'émission.

[250] § 3. Les radiotélégrammes de toute nature transmis par les stations de navire sont numérotés par séries quotidiennes en donnant le numéro 1 au premier radiotélégramme transmis chaque jour à chaque station terrestre différente.

[251] § 4. APPEL D'UNE STATION ET SIGNAUX PRÉPARATOIRES AU TRAFIC.

[252] (1) *Formule d'appel.*

L'appel est constitué comme suit:

trois fois, au plus, l'indicatif d'appel de la station appelée;
le mot DE;
trois fois, au plus, l'indicatif d'appel de la station appelante.

[253] (2) *Onde à utiliser pour l'appel et les signaux préparatoires.*

Pour faire l'appel ainsi que pour transmettre les signaux préparatoires, la station appelante utilise l'onde sur laquelle veille la station appelée.

[1]) Cette procédure est applicable aux ondes courtes, dans la mesure du possible.

[2]) Les dispositions des §§ 2 et 8 sont applicables aux transmissions radiotéléphoniques du service mobile.

ARTICLE 16

General Radiotelegraph Procedure in the Mobile Service [1] [2]

[243] § 1. (1) In the mobile service, the following detailed procedure shall be obligatory except in the case of distress call or traffic to which the provisions of article 22 shall apply.

General radiotelegraph procedure in the mobile service. *Post*, p. 2523.

[244] (2) For the exchange of radio communications, stations of the mobile service shall use the abbreviations given in appendix 9.

Post, p. 2619.

[245] § 2. (1) Before transmitting, any station must make sure that it will not produce harmful interference with the transmissions being made within its range; if such interference is likely, the station shall await the first stop in the transmission which it may disturb.

[246] (2) If however, even after taking these precautions, the emissions of this station should cause interference with a radio transmission already in progress, the following rules shall be applied:

[247] (*a*) In the communication zone of a land station open to the public correspondence service or of any aeronautical station, the station whose emission produces the interference must cease transmitting at the first request of the above-mentioned land or aeronautical station.

[248] (*b*) In the case where a radio transmission already in progress between two ships happens to be interfered with by an emission from another ship, the latter must cease transmitting at the first request of either of the other two.

[249] (*c*) The station requesting this cessation must indicate the approximate length of the wait imposed upon the station whose emission it is suspending.

[250] § 3. Radiotelegrams of all kinds transmitted by ship stations shall be numbered in daily series, assigning number 1 to the first radiotelegram transmitted each day to each land station separately.

[251] § 4. CALLING A STATION AND SIGNALS PREPARATORY TO TRAFFIC

[252] (1) *Method of calling*

The call shall consist of the following:

not more than three times the call signal of the station called;
the word DE;
not more than three times the call signal of the calling station.

Calling a station and signals preparatory to traffic.

[253] (2) *Wave to be used for the call and for preparatory signals*

To make the call as well as to transmit preparatory signals the calling station shall use the wave on which the station called is listening.

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[1] This procedure shall be applicable to short waves so far as possible.

[2] The provisions of §§ 2 and 8 shall be applicable to radiotelephone transmissions of the mobile service.

[254] (3) *Indication de l'onde à utiliser pour le trafic.*

[255] L'appel, tel qu'il est indiqué à l'alinéa (1) ci-avant, doit être suivi de l'abréviation réglementaire indiquant la fréquence et/ou le type d'onde que la station appelante se propose d'utiliser pour transmettre son trafic.

[256] Lorsque, par exception à cette règle, l'appel n'est pas suivi de l'indication de l'onde à utiliser pour le trafic:

[257] *a) si la station appelante est une station terrestre:*

c'est que cette station se propose d'utiliser pour le trafic son onde normale de travail, indiquée dans la nomenclature;

[258] *b) si la station appelante est une station mobile:*

c'est que l'onde à utiliser pour le trafic est à choisir par la station appelée.

[259] (4) *Indication éventuelle du nombre de radiotélégrammes ou de la transmission par série.*

[260] Lorsque la station appelante a plus d'un radiotélégramme à transmettre à la station appelée, les signaux préparatoires précédents sont suivis de l'abréviation réglementaire et du chiffre spécifiant le nombre de ces radiotélégrammes.

[261] En outre, lorsque la station appelante désire transmettre ces radiotélégrammes par série, elle l'indique en ajoutant l'abréviation réglementaire pour demander le consentement de la station appelée.

[262] § 5. REPONSE AUX APPELS ET SIGNAUX PRÉPARATOIRES AU TRAFIC.

[263] (1) *Formule de réponse aux appels.*

La réponse aux appels est constituée comme suit:

trois fois, au plus, l'indicatif d'appel de la station appelante;
le mot DE;
l'indicatif d'appel de la station appelée.

[264] (2) *Onde de réponse.*

[265] Pour transmettre la réponse aux appels et aux signaux préparatoires, la station appelée emploie l'onde sur laquelle doit veiller la station appelante.

[266] Par exception à cette règle, quand une station mobile appelle une station côtière sur l'onde de 143 kc/s (2 100 m), la station côtière transmet la réponse aux appels sur son onde normale de travail des bandes de 100 à 160 kc/s (3 000 à 1 875 m), telle qu'elle est indiquée dans la nomenclature.

[267] (3) *Accord sur l'onde à utiliser pour le trafic.*

[268] *A.* Si la station appelée est d'accord avec la station appelante, elle transmet:

a) la réponse à l'appel;

b) l'abréviation réglementaire indiquant qu'à partir de ce moment elle écoute sur la fréquence et/ou le type d'onde annoncés par la station appelante;

[254] (3) *Indication of the wave to be used for the traffic*

[255] The call, as indicated in subparagraph (1) above, must be followed by the regulatory abbreviation indicating the frequency and/or the type of wave which the calling station proposes to use to transmit its traffic.

[256] When, as an exception to this rule, the call is not followed by the indication of the wave to be used for the traffic:

[257] (*a*) if the calling station is a land station:

it shall mean that this station proposes to use its normal working-wave, as indicated in the nomenclature, for the traffic.

[258] (*b*) if the calling station is a mobile station:

it shall mean that the wave to be used for the traffic is to be chosen by the station called.

[259] (4) *Indication, when required, of the number of telegrams or of transmission by series*

[260] When the calling station has more than one telegram to transmit to the station called, the preceding preparatory signals shall be followed by the regulatory abbreviation and by the figure specifying the number of these telegrams.

[261] Furthermore, when the calling station wishes to transmit these telegrams in series, it shall so indicate by adding the regulatory abbreviation requesting the consent of the station called.

[262] § 5. REPLY TO CALLS AND SIGNALS PREPARATORY TO TRAFFIC

[263] (1) *Method of reply to calls* Reply to calls and signals.

The reply to calls shall consist of the following:

not more than three times the call signal of the calling station;
the word DE;
the call signal of the station called.

[264] (2) *Wave for reply*

[265] To transmit the reply to calls and to preparatory signals, the station called shall use the wave on which the calling station must listen.

[266] As an exception to this rule, when a mobile station calls a coast station on the wave 143 kc (2,100 m), the coast station shall transmit the reply to the calls on its normal working-wave of the bands between 100 and 160 kc (3,000 and 1,875 m), as indicated in the nomenclature.

[267] (3) *Understanding as to the wave to be used for the traffic*

[268] A. If the station called has an understanding with the calling station, it shall transmit:

(*a*) the reply to the call;

(*b*) the regulatory abbreviation indicating that from that time on it is listening on the frequency and/or the type of wave announced by the calling station;

c) éventuellement les indications prévues à l'alinéa (4);

d) la lettre K si la station appelée est prête à recevoir le trafic de la station appelante;

e) éventuellement, si c'est utile, l'abréviation réglementaire et le chiffre indiquant la force des signaux reçus (voir l'appendice 10).

[269] *B.* Si la station n'est pas d'accord, ou si elle doit choisir l'onde à utiliser pour le trafic, elle transmet:

a) la réponse à l'appel;

b) l'abréviation réglementaire indiquant la fréquence et/ou le type d'onde demandés *);

c) éventuellement les indications prévues à l'alinéa (4).

[270] Lorsque l'accord est réalisé sur l'onde que devra employer la station appelante pour son trafic, la station appelée transmet la lettre K à la suite des indications contenues dans sa réponse.

[271] (4) *Réponse à la demande de transmission par série.*

[272] La station appelée, répondant à une station appelante qui a demandé à transmettre ses radiotélégrammes par série [§ 4, (4)], indique, au moyen de l'abréviation réglementaire, son refus ou son acceptation et, dans ce dernier cas, s'il y a lieu, elle spécifie le nombre des radiotélégrammes qu'elle est prête à recevoir en une série.

[273] (5) *Difficultés de réception.*

[274] *a*) Si la station appelée est empêchée de recevoir, elle répond à l'appel comme il est indiqué à l'alinéa (3) ci-avant, mais elle remplace la lettre K par le signal • ▬ • • • (attente), suivi d'un nombre indiquant en minutes la durée probable de l'attente. Si cette durée probable excède 10 minutes (5 minutes dans le service mobile de l'aéronautique), l'attente doit être motivée.

[275] *b*) Lorsqu'une station reçoit un appel sans être certaine que cet appel lui est destiné, elle ne doit pas répondre avant que l'appel n'ait été répété et compris. Lorsque, par ailleurs, une station reçoit un appel qui lui est destiné, mais a des doutes sur l'indicatif d'appel de la station appelante, elle doit répondre immédiatement en utilisant l'abréviation réglementaire en lieu et place de l'indicatif d'appel de cette dernière station.

[276] § 6. ACHEMINEMENT DU TRAFIC.

[277] (1) *Onde de trafic.*

[278] *a*) Chaque station du service mobile transmet son trafic en employant, en principe, une de ses ondes de travail, telles qu'elles sont indiquées dans la nomenclature, pour la bande dans laquelle a eu lieu l'appel.

*) Dans le cas où le choix de l'onde à utiliser pour le trafic revient à la station appelée, et si, exceptionnellement, cette dernière station ne donne pas l'indication correspondante, le trafic a lieu sur l'onde utilisée pour l'appel.

(*c*) in some cases, the indications mentioned in subparagraph (4);

(*d*) the letter K, if the station called is ready to receive the traffic of the calling station;

(*e*) in certain cases, if it is useful, the regulatory abbreviation and the figure indicating the strength of the signals received. (See appendix 10.)

Post, p. 2633.

[269] B. If the station has no preliminary understanding, or if it must choose the wave to be used for the traffic, it shall transmit:

(*a*) the reply to the call;

(*b*) the regulatory abbreviation indicating the frequency and/or the type of wave requested;*

(*c*) in some cases, the indications mentioned in subparagraph (4).

[270] When an agreement is reached on the wave which the calling station must use for its traffic, the station called shall transmit the letter K after the indications contained in its reply.

[271] (4) *Reply to the request for transmission by series*

[272] The station called, replying to a calling station which has asked to transmit its telegrams in series [§ 4 (4)], shall indicate, by means of the regulatory abbreviation, whether it refuses or accepts and, in the latter case, if need be, shall specify the number of radiotelegrams which it is ready to receive in one series.

[273] (5) *Difficulties in reception*

[274] (*a*) If the station called is prevented from receiving, it shall reply to the call as indicated in subparagraph (3) above, but it shall replace the letter K by the signal • ▬ • • • (wait), followed by a number indicating in minutes the probable duration of the wait. If this probable duration exceeds 10 minutes, (5 minutes in the aeronautical mobile service), a reason must be given therefor.

[275] (*b*) When a station receives a call without being certain that this call is intended for it, it must not reply before the call has been repeated and understood. When, on the other hand, a station receives a call which is intended for it, but is doubtful about the call signal of the calling station, it must reply immediately, using the regulatory abbreviation instead of the call signal of the latter station.

[276] § 6. ROUTING OF TRAFFIC

[277] (1) *Traffic wave*

Routing of traffic.

[278] (*a*) Each station of the mobile service shall transmit its traffic by using, in principle, one of its working-waves, as they are indicated in the nomenclature for the band in which the call was made.

* In the case where the choice of the wave to be used for the traffic falls to the station called, and if, in exceptional cases, the latter station does not give the corresponding indication, the traffic shall take place on the wave used for the call.

[279] *b*) En dehors de son onde normale de travail, imprimée en caractères gras dans la nomenclature, chaque station peut employer des ondes supplémentaires de la même bande, conformément aux dispositions de l'article 19, § 1, (10).

[280] *c*) L'emploi des ondes d'appel pour le trafic est réglementé par l'article 19.

[281] (2) *Longs radiotélégrammes.*

[282] *a*) En principe, tout radiotélégramme contenant plus de 100 mots est considéré comme formant une série, ou met fin à la série en cours.

[283] *b*) En règle générale, les longs radiotélégrammes, tant ceux en langage clair que ceux en langage convenu ou chiffré, sont transmis par tranches, chaque tranche contenant 50 mots dans le cas du langage clair et 20 mots ou groupes lorsqu'il s'agit du langage convenu ou chiffré.

[284] *c*) A la fin de chaque tranche, le signal • • ▬ ▬ • • (?) signifiant «avez-vous bien reçu le radiotélégramme jusqu'ici?» est transmis. Si la tranche a été correctement reçue, la station réceptrice répond par la lettre K et la transmission du radiotélégramme est poursuivie.

[285] (3) *Suspension du trafic.*

Quand une station du service mobile transmet sur une onde de travail d'une station terrestre et cause ainsi du brouillage à ladite station terrestre, elle doit suspendre son travail à la demande de cette dernière.

[286] § 7. FIN DU TRAFIC ET DU TRAVAIL.

[287] (1) *Signal de fin de transmission.*

[288] *a*) La transmission d'un radiotélégramme se termine par le signal • ▬ • ▬ • (fin de transmission), suivi de l'indicatif d'appel de la station transmettrice et de la lettre K.

[289] *b*) Dans le cas de transmission par série, la fin de chaque radiotélégramme est indiquée par le signal • ▬ • ▬ • et la fin de la série par l'indicatif d'appel de la station transmettrice et la lettre K.

[290] (2) *Accusé de réception.*

[291] *a*) L'accusé de réception d'un radiotélégramme est donné en transmettant la lettre R, suivie du numéro du radiotélégramme; cet accusé de réception est précédé de la formule ci-après: indicatif d'appel de la station qui a transmis, mot DE, indicatif d'appel de la station qui a reçu.

[292] *b*) L'accusé de réception d'une série de radiotélégrammes est donné en transmettant la lettre R suivie du numéro du dernier radiotélégramme reçu. Cet accusé de réception est précédé de la formule ci-avant.

[293] *c*) L'accusé de réception est fait par la station réceptrice sur la même onde que pour la réponse à l'appel [voir § 5, (2) ci-avant].

[279] (*b*) Outside of its normal working-wave which is printed in boldface type in the nomenclature, each station may use additional waves of the same band, in accordance with the provisions of article 19 § 1 (10). *Post*, p. 2515.

[280] (*c*) The use of calling waves for traffic shall be governed by article 19.

[281] (2) *Long radiotelegrams*

[282] (*a*) In principle, any radiotelegram containing more than 100 words shall be considered as forming a series or shall end a series in progress.

[283] (*b*) As a general rule, long radiotelegrams, both in plain language and in code or cipher language, shall be transmitted in sections, each section containing 50 words in the case of plain language, and 20 words or groups in the case of code or cipher.

[284] (*c*) At the end of each section the signal ••▬▬•• (?) meaning "have you received the radiotelegram correctly up to this point?" shall be transmitted. If the section has been correctly received, the receiving station shall reply by the letter K and the transmission of the radiotelegram shall be continued.

[285] (3) *Suspension of traffic*

When a station of the mobile service transmits on a working-wave of a land station and thus causes interference with the said land station, it must suspend its work at the request of the latter.

[286] § 7. END OF TRAFFIC AND OF WORK

[287] (1) *Signal for the end of transmission*

End of traffic, etc.

[288] (*a*) The transmission of a radiotelegram shall be ended by the signal •▬•▬• (end of transmission), followed by the call signal of the transmitting station and the letter K.

[289] (*b*) In the case of transmission by series, the end of each radiotelegram shall be indicated by the signal •▬•▬• and the end of the series by the call signal of the transmitting station and the letter K.

[290] (2) *Acknowledgment of receipt*

[291] (*a*) The acknowledgment of receipt of a radiotelegram shall be given by transmitting the letter R, followed by the number of the radiotelegram; this acknowledgment of receipt shall be preceded by the following formula: call signal of the station which has transmitted, word DE, call signal of the station which has received.

[292] (*b*) The acknowledgment of receipt of a series of radiotelegrams shall be given by transmitting the letter R followed by the number of the last radiotelegram received. This acknowledgment of receipt shall be preceded by the above formula.

[293] (*c*) The acknowledgment of receipt shall be made by the receiving station on the same wave as for the reply to the call [see § 5 (2) above].

[294] (3) *Fin du travail.*

[295] *a*) La fin du travail entre deux stations est indiquée par chacune d'elles au moyen du signal • • • ▬ • ▬ (fin du travail), suivi de son propre indicatif d'appel.

[296] *b*) Pour ces signaux, la station émettrice continue à utiliser l'onde de trafic et la station réceptrice l'onde de réponse à l'appel.

[297] *c*) Le signal • • • ▬ • ▬ (fin du travail) est aussi utilisé lorsque la transmission des radiotélégrammes d'information générale, des informations météorologiques et des avis généraux de sécurité se termine et que la transmission se termine dans le service de radiocommunication à grande distance avec accusé de réception différé ou sans accusé de réception.

[298] § 8. Durée du travail.

[299] (1) *a*) En aucun cas, dans le service mobile maritime, le travail sur 500 kc/s (600 m) ne doit dépasser dix minutes.

[300] *b*) En aucun cas, dans le service mobile aérien, le travail sur 333 kc/s (900 m) ne doit dépasser cinq minutes.

[301] (2) Sur les fréquences autres que celles de 500 kc/s (600 m) et 333 kc/s (900 m), la durée des périodes de travail est déterminée:

[302] *a*) entre station terrestre et station mobile, par la station terrestre,

[303] *b*) entre stations mobiles, par la station réceptrice.

[304] § 9. Essais.

Lorsqu'il est nécessaire de faire des signaux d'essais, soit pour le réglage d'un émetteur avant de transmettre l'appel, soit pour le réglage d'un récepteur, ces signaux ne doivent pas durer plus de 10 secondes et ils doivent être constitués par une série de VVV suivie de l'indicatif d'appel de la station qui émet pour essais.

Article 17.

Appel général «à tous».

[305] § 1. Deux types de signaux d'appels «à tous» sont reconnus:

1° appel CQ suivi de la lettre K (voir §§ 2 et 3);
2° appel CQ non suivi de la lettre K (voir § 4).

[306] § 2. Les stations qui désirent entrer en communication avec des stations du service mobile, sans toutefois connaître le nom de celles de ces stations qui sont dans leur rayon d'action, peuvent employer le signal de recherche CQ, remplaçant l'indicatif de la station appelée dans la formule d'appel, cette formule étant suivie de la lettre K (appel général à toutes les stations du service mobile, avec demande de réponse).

[307] § 3. Dans les régions où le trafic est intense, l'emploi de l'appel CQ suivi de la lettre K est interdit, sauf en combinaison avec des signaux d'urgence.

[294] (3) *End of work*

[295] (*a*) The end of work between two stations shall be indicated by each of them by means of the signal • • • ▬ • ▬ (end of work), followed by its own call signal.

[296] (*b*) For these signals, the sending station shall continue to use the traffic wave and the receiving station the wave for the reply to the call.

[297] (*c*) The signal • • • ▬ • ▬ (end of work) shall also be used when the transmission of radiotelegrams of general information, meteorological information, and general safety warnings is ended and the transmission ends in the long-distance radio-communication service with deferred acknowledgment of receipt or without acknowledgment of receipt.

[298] § 8. DURATION OF WORK

Duration of work.

[299] (1) (*a*) In no case, in the maritime mobile service, must the work on 500 kc (600 m) exceed 10 minutes.

[300] (*b*) In no case, in the aerial mobile service, must the work on 333 kc (900 m) exceed 5 minutes.

[301] (2) On frequencies other than those of 500 kc (600 m) and 333 kc (900 m) the duration of the periods of work shall be determined:

[302] (*a*) between a land station and a mobile station, by the land station,

[303] (*b*) between mobile stations, by the receiving station.

[304] § 9. TESTS

Tests.

When it is necessary to make test signals, either for the adjustment of a transmitter before transmitting the call, or for the adjustment of a receiver, these signals must not last more than 10 seconds, and they must be composed of a series of V's followed by the call signal of the station transmitting for the tests.

ARTICLE 17

General Call "to all"

General call "to all."

[305] § 1. Two types of call signals "to all" shall be recognized:

1. the CQ call followed by the letter K (see §§ 2 and 3);
2. the CQ call not followed by the letter K (see § 4).

[306] § 2. Stations desiring to enter into communication with stations of the mobile service, without however, knowing the names of the mobile stations within their range, can use the inquiry signal CQ, in place of the call signal of the station called, in the calling formula, this formula being followed by the letter K (general call to all mobile stations, with request for reply).

[307] § 3. In regions where traffic is heavy, the use of the CQ call followed by the letter K shall be forbidden, except in combination with urgent signals.

[308] § 4. L'appel CQ non suivi de la lettre K (appel général à toutes les stations sans demande de réponse) est employé avant la transmission des informations de toute nature destinées à être lues ou utilisées par quiconque peut les capter.

ARTICLE 18.

Appels.

[309] § 1. (1) En règle générale, il incombe à la station mobile d'établir la communication avec la station terrestre. Elle ne peut appeler la station terrestre dans ce but qu'après être arrivée dans le rayon d'action de celle-ci.

[310] (2) Toutefois, une station terrestre ayant du trafic pour une station mobile qui ne lui a pas signalé sa présence, peut appeler cette station si elle est en droit de supposer que ladite station mobile est à sa portée et assure l'écoute.

[311] § 2. (1) En outre, les stations terrestres peuvent transmettre leurs appels sous forme de «listes d'appels» formées des indicatifs d'appel de toutes les stations mobiles pour lesquelles elles ont du trafic en instance, à des intervalles déterminés, espacés d'au moins deux heures, ayant fait l'objet d'accords conclus entre les gouvernements intéressés. Les stations terrestres qui émettent leurs appels sur l'onde de 500 kc/s (600 m) les transmettent sous forme de «listes d'appels», par ordre alphabétique, en y insérant seulement les indicatifs d'appel de ces stations mobiles pour lesquelles elles ont du trafic en instance et qui se trouvent dans leur rayon d'action. Elles ajoutent à leur propre indicatif d'appel les abréviations pour l'indication de l'onde de travail dont elles veulent faire usage pour la transmission. Les stations terrestres qui utilisent des ondes entretenues en dehors de la bande de 365 à 515 kc/s (822 à 583 m) transmettent les indicatifs d'appel dans l'ordre qui leur convient le mieux.

[312] (2) L'heure à laquelle les stations terrestres transmettent leur liste d'appels, ainsi que les fréquences et les types d'onde qu'elles utilisent à cette fin doivent être mentionnés dans la nomenclature.

[313] (3) Les stations mobiles qui, dans cette transmission, perçoivent leur indicatif d'appel, doivent répondre, aussitôt qu'elles le peuvent, en observant entre elles, autant que possible, l'ordre dans lequel elles ont été appelées.

[314] (4) Lorsque le trafic ne peut être écoulé immédiatement, la station terrestre fait connaître à chaque station mobile intéressée l'heure probable à laquelle le travail pourra commencer ainsi que, si cela est nécessaire, la fréquence et le type d'onde qui seront utilisés pour le travail avec elle.

[315] § 3. Quand une station terrestre reçoit, pratiquement en même temps, des appels de plusieurs stations mobiles, elle décide de l'ordre dans lequel ces stations pourront lui transmettre leur trafic, sa décision s'inspirant uniquement de la nécessité de permettre à chacune des stations appelantes d'échanger avec elle le plus grand nombre possible de radiotélégrammes.

[308] § 4. The CQ call not followed by the letter K (general call to all stations without request for reply) shall be used before transmission of information of all kinds intended to be read or used by anyone who can receive it.

ARTICLE 18

Calling

Calling.

[309] § 1. (1) As a general rule, it shall devolve upon the mobile station to establish communication with the land station. It may call the land station for this purpose only after having arrived within the range of the latter.

[310] (2) However, a land station having traffic for a mobile station which has not indicated its presence may call the latter if it has reason to assume that the said mobile station is within its range and is listening.

[311] § 2. (1) Furthermore, land stations may transmit their calls in the form of "lists of calls" consisting of the call signals of all mobile stations for which they have traffic on hand, at definite intervals, at least 2 hours apart, which have been established by agreements between the governments concerned. Land stations which transmit their calls on the wave of 500 kc (600 m) shall transmit them in the form of "lists of calls", in alphabetical order, to include only the call signals of mobile stations for which they have traffic on hand and which are within their range. To their own call signal they shall add the abbreviations to indicate the working-wave they wish to use in the transmission. Land stations which use continuous waves outside of the band of 365 to 515 kc (822 to 583 m) shall transmit the call signals in the order which is most convenient for them.

[312] (2) The time at which land stations transmit their lists of calls, as well as the frequencies and types of waves which they use for this purpose must be indicated in the nomenclature.

[313] (3) Mobile stations which, during this transmission, hear their call signal, must answer as soon as they can, following, so far as possible, the order in which they were called.

[314] (4) When the traffic cannot be disposed of immediately, the land station shall inform each mobile station concerned of the probable time at which the work can begin, as well as the frequency and the type of wave which will be used in the work with it, if this is necessary.

[315] § 3. When a land station receives calls from several mobile stations at practically the same time, it shall decide as to the order in which these stations may transmit their traffic to it, its decision being based only on the necessity for permitting each calling station to exchange with it the greatest possible number of radiotelegrams.

[316] § 4. (1) Lors du premier établissement de communication avec une station terrestre, toute station mobile peut, si elle le juge utile parce que des confusions sont à craindre, transmettre en toutes lettres son nom tel qu'il figure dans la nomenclature.

[317] (2) La station terrestre peut, au moyen de l'abréviation PTR, demander à la station mobile de lui fournir les indications ci-après:

a) distance approximative en milles marins et relèvement par rapport à la station terrestre ou bien position indiquée par la latitude et la longitude;

b) prochain lieu d'escale.

[318] (3) Les indications visées à l'alinéa (2) sont fournies après autorisation du commandant ou de la personne responsable du véhicule portant la station mobile et seulement dans le cas où elles sont demandées par la station terrestre.

[319] § 5. Dans les communications entre stations terrestres et stations mobiles, la station mobile se conforme aux instructions données par la station terrestre, dans toutes les questions relatives à l'ordre et à l'heure de transmission, au choix de la fréquence (longueur d'onde) et/ou du type d'onde, et à la suspension du travail. Cette prescription ne s'applique pas aux cas de détresse.

[320] § 6. Dans les échanges entre stations mobiles, et sauf dans le cas de détresse, la station appelée a le contrôle du travail, comme il est indiqué au § 5 ci-avant.

[321] § 7. (1) Lorsqu'une station appelée ne répond pas à l'appel émis trois fois, à des intervalles de deux minutes, l'appel doit cesser et il ne peut être repris que 15 minutes plus tard (5 minutes pour le service mobile de l'aéronautique). La station appelante, avant de recommencer l'appel, doit s'assurer que la station appelée n'est pas, à ce moment, en communication avec une autre station.

[322] (2) L'appel peut être répété à des intervalles moins longs, s'il n'est pas à craindre qu'il vienne brouiller des communications en cours.

[323] § 8. Lorsque le nom et l'adresse de l'exploitant d'une station mobile ne sont pas mentionnés dans la nomenclature ou ne sont plus en concordance avec les indications de celle-ci, il appartient à la station mobile de donner d'office à la station terrestre à laquelle elle transmet du trafic, tous les renseignements nécessaires, sous ce rapport, en utilisant, à cette fin, les abréviations appropriées.

Article 19.

Emploi des ondes dans le service mobile.

[324] § 1. (1) Dans les bandes comprises entre 365 et 515 kc/s (822 et 583 m), les seules ondes admises en type B sont les suivantes:

375, 410, 425, 454 et 500 kc/s (800, 730, 705, 660 et 600 m).

[325] (2) L'onde générale d'appel qui doit être employée par toute station de navire et toute station côtière travaillant en radiotélégraphie dans les bandes autorisées entre 365 et 515 kc/s (822 et 583

[316] § 4. (1) When communication is first established with a land station, every mobile station, if it deems it advisable on account of possible confusion, can transmit its name spelled out as it appears in the nomenclature.

[317] (2) The land station can, by means of the abbreviation PTR, request the mobile station to give it the following information:

(*a*) approximate distance in nautical miles and bearing with reference to the land station, or else the position indicated by latitude and longitude;

(*b*) next port of call.

[318] (3) The information covered by subparagraph (2) shall be furnished by authorization of the commander or the person responsible for the vehicle carrying the mobile station and only in case it is requested by the land station.

[319] § 5. In communications between land stations and mobile stations, the mobile station shall comply with the instructions given by the land station, in all questions relative to the order and the time of transmission, to the choice of frequency (wavelength) and/or of the type of wave and to the suspension of work. This provision shall not apply to cases of distress.

[320] § 6. In communications between mobile stations, and except for cases of distress, the station called shall control the work as indicated in §5 above.

[321] § 7. (1) When a station called does not answer a call sent three times, at intervals of 2 minutes, the call must cease and it may be resumed only 15 minutes later (5 minutes for aeronautical mobile service). The calling station, before resuming the call, must make certain that the station called is not in communication with another station at that time.

[322] (2) The call may be repeated at shorter intervals if there is no danger that it will interfere with communications in progress.

[323] § 8. When the name and the address of the operating agency of a mobile station are not shown in the nomenclature or are no longer in accord with the data given therein, it shall devolve upon the mobile station, as a matter of routine, to furnish the land station to which it sends traffic with all the necessary information in this connection, using for this purpose the appropriate abbreviations.

ARTICLE 19

Use of Waves in the Mobile Service

Use of waves in mobile service.

[324] § 1. (1) In the bands included between 365 and 515 kc (822 and 583 m), the only type-B waves permissible shall be the following:

375, 410, 425, 454, and 500 kc (800, 730, 705, 660, and 600 m).

[325] (2) The general calling-wave which must be used by all ship stations and by all coast stations working in radiotelegraphy in the authorized bands between 365 and 515 kc (822 and 583 m), as

m), ainsi que par les aéronefs qui désirent entrer en communication avec une station côtière ou une station de navire, est l'onde de 500 kc/s (600 m) (A1, A2 ou B).

[326] (3) L'onde de 333 kc/s (900 m) est l'onde internationale d'appel pour les services aériens, sauf comme il est indiqué dans l'article 9, § 10 (2).

[327] (4) L'onde de 143 kc/s (2 100 m) (du type A1 seulement) est l'onde internationale d'appel employée dans les communications du service mobile à grande distance dans les bandes de 100 à 160 kc/s (3 000 à 1 875 m).

[328] (5) L'onde de 500 kc/s (600 m) est l'onde internationale de détresse; elle est utilisée dans ce but par les stations de navire et par les stations d'aéronef qui demandent l'assistance des services maritimes. Elle ne peut être utilisée d'une manière générale que pour l'appel et la réponse ainsi que pour le trafic de détresse, les signaux et messages d'urgence et de sécurité.

[329] (6) Toutefois, à condition de ne pas troubler les signaux de détresse, d'urgence, de sécurité, d'appel et de réponse, l'onde de 500 kc/s (600 m) peut être utilisée:

[330] *a*) dans les régions de trafic intense pour la transmission d'un radiotélégramme unique et court; [1])

[331] *b*) dans les autres régions, pour d'autres buts, mais avec discrétion.

[332] (7) En dehors de l'onde de 500 kc/s (600 m), l'usage des ondes de tous types comprises entre 485 et 515 kc/s (620 et 583 m) est interdit.

[333] (8) En dehors de l'onde de 143 kc/s (2 100 m), l'usage de toutes ondes comprises entre 140 et 146 kc/s (2 143 et 2 055 m) est interdit.

[334] (9) Les stations côtières et de navire travaillant dans les bandes autorisées entre 365 et 515 kc/s (822 et 583 m) doivent être en mesure de faire usage au moins d'une onde en plus de celle de 500 kc/s (600 m); quand une onde additionnelle est imprimée en caractères gras dans la nomenclature, elle est l'onde normale de travail de la station. Les ondes additionnelles ainsi choisies pour les stations côtières peuvent être les mêmes que celles des stations de bord ou peuvent être différentes. En tout cas, les ondes de travail des stations côtières doivent être choisies de manière à éviter les brouillages avec les stations voisines.

[335] (10) En dehors de leur onde normale de travail imprimée en caractères gras dans la nomenclature, les stations terrestres et de bord peuvent employer, dans les bandes autorisées, des ondes supplémentaires qui sont mentionnées en caractères ordinaires dans la nomenclature. Toutefois, la bande de fréquences de 365 à 385 kc/s (822 à 779 m) est réservé au service de la radiogoniométrie; elle ne peut être utilisée par le service mobile, pour la correspondance radiotélégraphique, que sous les réserves indiquées à l'article 7.

[1]) Les régions de trafic intense sont indiquées par la nomenclature des stations côtières; ces régions sont constituées par les zones d'action des stations côtières indiquées comme n'acceptant pas le trafic sur 500 kc/s (600 m) (voir l'appendice 7).

well as by aircraft wishing to enter into communication with a coast station or a ship station, shall be the wave 500 kc (600 m) (A1, A2, or B).

[326] (3) The wave of 333 kc (900 m) shall be the international calling-wave for aerial services, except as indicated in article 9, §10 (2). *Ante*, p. 2481.

[327] (4) The wave of 143 kc (2,100 m) (Type-A1 only), shall be the international calling-wave for use in long-distance communications of the mobile service in the band 100 to 160 kc (3,000 to 1,875 m).

[328] (5) The wave of 500 kc (600 m) shall be the international distress wave; it shall be used for that purpose by ship stations and aircraft stations in requesting help from the maritime services. It may be used in a general way only for calls and replies as well as for distress traffic, urgent and safety messages, and signals.

[329] (6) However, on condition that the distress, urgent, safety, calling, and reply signals are not interfered with, the wave of 500 kc (600 m) may be used:

[330] (*a*) in the regions of heavy traffic for the transmission of a single short radiotelegram;[1]

[331] (*b*) in other regions, for other purposes, but with discretion.

[332] (7) Besides the wave of 500 kc (600 m), the use of waves of all types between 485 and 515 kc (620 and 583 m) shall be forbidden.

[333] (8) Except for the wave of 143 kc (2,100 m) the use of any wave between 140 and 146 kc (2,143 and 2,055 m) shall be forbidden.

[334] (9) Coast and ship stations working within the authorized band between 365 and 515 kc (822 and 583 m) must be able to use at least one wave besides that of 500 kc (600 m); when an additional wave is printed in heavy type in the nomenclature, this is the normal working-wave of the station. The additional waves thus chosen for coast stations may or may not be the same as those of ship stations. In any case, the working-waves of coast stations must be chosen in such a way as to avoid interference with neighboring stations.

[335] (10) Besides their normal working-waves, printed in heavy type in the nomenclature, land and on-board stations may use, in the authorized bands, supplementary waves which shall be mentioned in the nomenclature in ordinary print. However, the band of frequencies from 365 to 385 kc (822 to 779 m) shall be reserved to the radio direction-finding service; it can be used by the mobile service, for radiotelegraph correspondence, only subject to the conditions set forth in article 7. *Ante*, p. 2453.

[1] The regions of heavy traffic are indicated in the nomenclature of coast stations. These regions consist of the service areas of the coast stations indicated as not accepting traffic on 500 kc (600 m).

[336] (11) *a*) L'onde de réponse à un appel émis sur l'onde générale d'appel [voir § 1, (2)] est l'onde de 500 kc/s (600 m), la même que celle d'appel.

[337] *b*) L'onde de réponse à un appel, pour les stations d'aéronef et les stations aéronautiques travaillant dans la bande de 315 à 365 kc/s (952 à 822 m), est l'onde de 333 kc/s (900 m), la même que celle d'appel.

[338] *c*) L'onde de réponse à un appel émis sur l'onde internationale d'appel de 143 kc/s (2 100 m) [voir § 1, (4)] est:

pour une station mobile, l'onde de 143 kc/s (2 100 m);
pour une station côtière, son onde normale de travail.

[339] § 2. (1) En vue d'augmenter la sécurité de la vie humaine sur mer (navires) et au-dessus de la mer (aéronefs), toutes les stations du service mobile maritime qui écoutent normalement les ondes des bandes autorisées entre 365 et 515 kc/s (822 et 583 m) doivent, pendant la durée de leurs vacations, prendre les mesures utiles pour assurer l'écoute sur l'onde de détresse [500 kc/s (600 m)] deux fois par heure, pendant trois minutes, commençant à x h 15 et à x h 45, temps moyen de Greenwich.

[340] (2) Pendant les intervalles indiqués ci-avant, en dehors des émissions envisagées à l'article 22 (§§ 22 à 28):

[341] A. Les émissions doivent cesser dans les bandes de 460 à 550 kc/s (652 à 545 m);

[342] B. Hors de ces bandes:

a) les émissions des ondes du type B sont interdites;

b) les autres émissions des stations du service mobile peuvent continuer; les stations du service mobile maritime peuvent écouter ces émissions sous réserve expresse que ces stations assurent d'abord la veille sur l'onde de détresse, comme il est prévu à l'alinéa (1) de ce paragraphe.

[343] § 3. Les appels dans les bandes autorisées entre 365 et 515 kc/s (822 et 583 m) et entre 315 et 365 kc/s (952 et 822 m) étant faits normalement sur les ondes internationales d'appel [§ 1, (2) et (3) ci-avant], les stations du service mobile ouvertes au service de la correspondance publique et utilisant pour leur travail des ondes de ces bandes doivent, pendant leurs heures de veille, rester à l'écoute sur l'onde d'appel de leur service. Ces stations, tout en observant les prescriptions de l'article 19, § 2, (1) et (2), et § 4, D, ne sont autorisées à abandonner cette écoute que lorsqu'elles sont engagées dans une communication sur d'autres ondes.

[344] § 4. Les règles ci-après doivent être suivies dans l'exploitation des stations du service mobile employant des ondes du type A1 des bandes de 100 à 160 kc/s (3 000 à 1 875 m):

[345] A. *a*) Toute station côtière assurant une communication sur une de ces ondes doit faire l'écoute sur l'onde de 143 kc/s (2 100 m), à moins qu'il n'en soit disposé autrement dans la nomenclature.

[336] (11) (*a*) The wave for the reply to a call transmitted on the general calling-wave [see § 1 (2)] shall be the wave of 500 kc (600 m), the same as that for calling.

[337] (*b*) The wave for the reply to a call, for aircraft stations and aeronautical stations working in the band 315 to 365 kc (952 to 822 m) shall be the wave of 333 kc (900 m), the same as that for calling.

[338] (*c*) The wave for the reply to a call transmitted on the international calling-wave of 143 kc (2,100 m) [see § 1 (4)] shall be:

the wave of 143 kc (2,100 m) for a mobile station;
the normal working-wave, for a coast station.

[339] § 2. (1) In order to increase safety of life at sea (ships), and over the sea (aircraft), all the stations of the maritime mobile service which normally listen on the waves of the authorized bands between 365 and 515 kc (822 and 583 m) must, during their working hours, make the necessary provisions to insure the watch on the distress wave [500 kc (600 m)] twice per hour, for 3 minutes, beginning at x:15 and at x:45 o'clock, Greenwich mean time.

[340] (2) During the intervals indicated above, outside the transmissions mentioned in article 22 (§§ 22 to 28): *Post*, p. 2533.

[341] A. Transmissions must cease in the bands of 460 to 550 kc (652 to 545 m);

[342] B. Outside these bands:

(*a*) transmissions of type B waves shall be forbidden;

(*b*) other transmissions of the mobile service stations may continue; stations of the maritime mobile service may listen to these transmissions on the express condition that these stations shall first insure the watch on the distress wave, as provided for in subparagraph (1) of this paragraph.

[343] § 3. Since calls in the authorized bands between 365 and 515 kc (822 and 583 m) and from 315 to 365 kc (952 to 822 m) are normally made on the international calling-waves [§ 1 (2) and (3) above], mobile service stations open to the service of public correspondence and using waves from these bands for their work must, during their hours of watch, remain on watch on the calling-wave of their service. These stations, while observing the provisions of article 19, § 2 (1) and (2) and § 4 D, are authorized to abandon this watch only when they are engaged in a communication on other waves. *Ante*, p. 2513.

[344] § 4. The following rules must be followed in the operation of stations of the mobile service using type-A1 waves in the band 100 to 160 kc (3,000 to 1,875 m):

[345] A. (*a*) Any coast station carrying on a communication on one of these waves must listen on the wave of 143 kc (2,100 m), unless otherwise indicated in the nomenclature.

[346] *b*) La station côtière transmet tout son trafic sur l'onde ou sur les ondes qui lui sont spécialement attribuées.

[347] *c*) Une station côtière, à laquelle une ou plusieurs ondes comprises dans la bande de 125 à 150 kc/s (2 400 à 2 000 m) sont allouées, possède sur cette ou sur ces ondes un droit de préférence.

[348] *d*) Toute autre station du service mobile transmettant un trafic public sur cette ou sur ces ondes, et causant ainsi du brouillage à ladite station côtière, doit suspendre son travail à la demande de cette dernière.

[349] B. *a*) Lorsqu'une station mobile désire établir la communication sur une de ces ondes avec une autre station du service mobile, elle doit employer l'onde de 143 kc/s (2 100 m), à moins qu'il n'en soit disposé autrement dans la nomenclature.

[350] *b*) Cette onde, désignée comme onde générale d'appel, doit être employée exclusivement, dans l'Atlantique Nord:

1° pour la production des appels individuels et des réponses à ces appels;

2° pour la transmission des signaux préalables à la transmission du trafic.

[351] C. Une station mobile, après avoir établi la communication avec une autre station du service mobile sur l'onde générale d'appel de 143 kc/s (2 100 m), doit, autant que possible, transmettre son trafic sur une autre onde quelconque des bandes autorisées, à condition de ne pas troubler le travail en cours d'une autre station.

[352] D. En règle générale, toute station mobile équipée pour le service sur les ondes du type A1 des bandes de 100 à 160 kc/s (3 000 à 1 875 m) et qui n'est pas engagée dans une communication sur une autre onde doit, en vue de permettre l'échange du trafic avec d'autres stations du service mobile, revenir chaque heure sur l'onde de 143 kc/s (2 100 m) pendant 5 minutes à partir de x h 35, temps moyen de Greenwich, durant les heures prévues, suivant la catégorie à laquelle appartient la station envisagée.

[353] E. *a*) Les stations terrestres doivent, autant que possible, transmettre les appels sous forme de listes d'appels; dans ce cas, les stations transmettent leurs listes d'appels à des heures déterminées, publiées dans la nomenclature, sur l'onde ou sur les ondes qui leur sont attribuées, dans les bandes de 100 à 160 kc/s (3 000 à 1 875 m), mais non sur l'onde de 143 kc/s (2 100 m).

[354] *b*) Les stations terrestres peuvent, toutefois, appeler individuellement les stations mobiles à toute autre heure, en dehors des heures fixées pour l'émission des listes d'appels, selon les circonstances ou le travail qu'elles ont à effectuer.

[355] *c*) L'onde de 143 kc/s (2 100 m) peut être employée pour les appels individuels et sera, de préférence, utilisée dans ce but pendant la période indiquée au § 4, D.

[356] § 5. Les radiocommunications des stations aéronautiques et des stations d'aéronef sont échangées, en principe, de la façon suivante:

[357] 1. Pour les stations d'aéronef:

a) En radiotéléphonie (appel et travail) pour les aéronefs dont l'équipage ne comporte pas d'opérateur radiotélégraphiste.

[346] (*b*) The coast station shall transmit all its traffic on the wave or on the waves which are specifically assigned to it.

[347] (*c*) A coast station to which one or more waves within the band 125 to 150 kc (2,400 to 2,000 m) have been allocated, shall have a prior right to this or these waves.

[348] (*d*) Any other mobile service station transmitting public traffic on this or these waves and thereby causing interference with the said coast station must discontinue its work at the request of the latter.

[349] B. (*a*) When a mobile station wishes to establish communication on one of these waves with another station of the mobile service, it must use the wave of 143 kc (2,100 m), unless otherwise indicated in the nomenclature.

[350] (*b*) This wave, designated as a general calling-wave, must be used exclusively in the North Atlantic:

1. for making individual calls and answering these calls;

2. for transmitting signals preliminary to the transmission of traffic.

[351] C. A mobile station, after having established communication with another station of the mobile service on the general calling-wave of 143 kc (2,100 m) must, so far as possible, transmit its traffic on some other wave of the authorized bands, provided it does not interfere with the work in progress of another station.

[352] D. As a general rule, any mobile station equipped for service on type-A1 waves in the band 100 to 160 kc (3,000 to 1,875) and which is not engaged in a communication on another wave, must, in order to permit the exchange of traffic with other stations of the mobile service, return each hour to the wave of 143 kc (2,100 m) for 5 minutes beginning at x:35 o'clock Greenwich mean time, during the specified hours, according to the category to which the station in question belongs.

[353] E. (*a*) Land stations must, so far as possible, transmit calls in the form of call lists; in this case, the stations shall transmit their call lists at specified hours published in the nomenclature, on the wave or waves allocated to them, in the band 100 to 160 kc (3,000 to 1,875 m), but not on the wave of 143 kc (2,100 m).

[354] (*b*) Land stations may, however, call mobile stations individually at any other time, outside the hours fixed for the transmission of call lists, according to circumstances or according to the work which they have to perform.

[355] (*c*) The wave of 143 kc (2,100 m) may be used for individual calls and shall preferably be used for this purpose during the period indicated in § 4, D.

[356] § 5. Radio communications from aeronautical and aircraft stations shall, in principle, be exchanged in the following manner:

[357] 1. For aircraft stations:

(*a*) In radiotelephony (calling and working) for aircraft of which the crew does not include a radiotelegraph operator.

b) En radiotélégraphie sur ondes entretenues pour les aéronefs dont l'équipage comporte un opérateur radiotélégraphiste.

Appel: ondes du type A2.

Travail: ondes du type A1 (le type A2 est admis dans le cas du travail sur ondes courtes).

[358] 2. Pour les stations aéronautiques:

a) En radiotéléphonie (appel et travail) lorsque la station doit communiquer avec un aéronef dont l'équipage ne comporte pas d'opérateur radiotélégraphiste.

b) En radiotélégraphie lorsque la station doit communiquer avec un aéronef dont l'équipage comporte un opérateur radiotélégraphiste.

Ondes du type A1 (appel et travail).

Les ondes du type A2 sont admises (appel et travail) dans le cas des ondes courtes.

ARTICLE 20.

Brouillages.

[359] § 1. (1) L'échange de signaux ou correspondances superflus est interdit à toutes les stations.

[360] (2) Des essais et des expériences sont tolérés dans les stations mobiles, s'ils ne troublent point le service d'autres stations. Quant aux stations autres que les stations mobiles, chaque administration apprécie, avant de les autoriser, si les essais ou expériences proposés sont susceptibles ou non de troubler le service d'autres stations.

[361] § 2. Il est recommandé de transmettre le trafic se rapportant à la correspondance publique sur des ondes du type A1, plutôt que sur des ondes du type A2 et sur des ondes du type A2, plutôt que sur des ondes du type B.

[362] § 3. Toutes les stations du service mobile sont tenues d'échanger le trafic avec le minimum d'énergie rayonnée nécessaire pour assurer une bonne communication.

[363] § 4. Sauf dans les cas de détresse, les communications entre stations de bord ne doivent pas troubler le travail des stations terrestres. Lorsque ce travail est ainsi troublé, les stations de bord qui en sont la cause doivent cesser leurs transmissions ou changer d'onde à la première demande de la station terrestre intéressée.

[364] § 5. Les signaux d'essais et de réglage doivent être choisis de telle manière qu'aucune confusion ne puisse se produire avec un signal, une abréviation, etc., d'une signification particulière définie par le présent Règlement ou par le Code International de Signaux.

[365] § 6. (1) Quand il est nécessaire d'émettre des signaux d'essais ou de réglage, et qu'il y a risque de troubler le service de la station terrestre voisine, le consentement de cette station terrestre doit être obtenu avant d'effectuer de telles émissions.

[366] (2) Une station quelconque effectuant des émissions pour des essais, des réglages ou des expériences doit transmettre son indi-

(*b*) In radiotelegraphy on continuous waves for aircraft of which the crew includes a radiotelegraph operator.

Calling: type-A2 waves.

Working: type-A1 waves (type A2 shall be permitted in the case of work on short waves).

[358] 2. For aeronautical stations:

(*a*) In radiotelephony (calling and working) when the station must communicate with an aircraft of which the crew does not include a radiotelegraph operator.

(*b*) In radiotelegraphy, when the station must communicate with an aircraft of which the crew includes a radiotelegraph operator.

Type-A1 waves (calling and working).

Type-A2 waves shall be permitted (calling and working) in the case of short waves.

ARTICLE 20

Interference

[359] § 1. (1) The exchange of unnecessary signals or messages shall be forbidden to all stations. Interference.

[360] (2) Tests and experiments shall be permitted in mobile stations if they do not interfere with the service of other stations. As for stations other than mobile stations, each administration shall judge, before authorizing them, whether or not the proposed tests or experiments are likely to interfere with the service of other stations.

[361] § 2. It is recommended that traffic relating to public correspondence be transmitted on type-A1 waves rather than on type-A2 waves, and on type-A2 waves rather than on type-B waves.

[362] § 3. All stations of the mobile service shall be required to exchange traffic with the minimum of radiated power necessary to insure good communication.

[363] § 4. Except in cases of distress, communications between on-board stations must not interfere with the work of land stations. When this work is thus interfered with, the on-board stations which cause it must stop transmitting or change wave, upon the first request of the land station concerned.

[364] § 5. Test and adjustment signals must be selected in such a way that there will result no confusion with a signal, an abbreviation, etc., having a particular meaning defined by these Regulations or by the International Code of Signals.

[365] § 6. (1) When it is necessary to transmit test or adjustment signals, and there is danger of interfering with the service of the adjoining land station, permission must be obtained from that land station before such transmissions are made.

[366] (2) Any station making transmissions for purposes of testing, adjusting, or experimenting, must transmit its call signal or,

catif d'appel ou, en cas de besoin, son nom, à de fréquents intervalles au cours de ces émissions.

[367] § 7. L'administration ou l'entreprise qui formule une plainte en matière de brouillage doit, pour étayer et justifier celle-ci:

a) préciser les caractéristiques du brouillage constaté (fréquence, variations de réglage, indicatif du poste brouilleur, etc);

b) déclarer que le poste brouillé utilise bien la fréquence qui lui est attribuée;

c) faire connaître qu'elle emploie régulièrement des appareils de réception d'un type équivalent au type le meilleur utilisé dans la pratique courante du service dont il s'agit.

[368] § 8. Les administrations prennent les mesures qu'elles jugent utiles et qui sont compatibles avec leur législation intérieure, pour que les appareils électriques susceptibles de troubler sérieusement un service autorisé de radiocommunication soient employés de manière à éviter de telles perturbations.

Article 21.

Installations de secours.

[369] § 1. La Convention pour la sauvegarde de la vie humaine en mer détermine quels sont les navires qui doivent être pourvus d'une installation de secours et définit les conditions à remplir par les installations de cette catégorie.

[370] § 2. Pour l'utilisation des installations de secours, toutes les prescriptions du présent Règlement doivent être observées.

Article 22.

Signal et trafic de détresse. Signaux d'alarme, d'urgence et de sécurité.

A. Généralités.

[371] § 1. Aucune disposition du présent Règlement ne peut faire obstacle à l'emploi, par une station mobile en détresse, de tous les moyens dont elle dispose pour attirer l'attention, signaler sa situation et obtenir du secours.

[372] § 2. (1) La vitesse de transmission télégraphique dans les cas de détresse, d'urgence ou de sécurité ne doit pas, en général, dépasser 16 mots à la minute.

[373] (2) La vitesse de transmission du signal d'alarme est indiquée au § 21, (1).

B. Ondes à employer en cas de détresse.

[374] § 3. (1) *Navires.*—En cas de détresse, l'onde à employer est l'onde internationale de détresse, c'est-à-dire 500 kc/s (600 m) (voir article 19); elle doit être, de préférence, utilisée en type A2 ou B. Les bâtiments qui ne peuvent émettre sur l'onde internationale de détresse utilisent leur onde normale d'appel.

if need be, its name at frequent intervals in the course of these transmissions.

[367] § 7. The administration or enterprise which makes a complaint regarding interference must, to support and justify the complaint:

(*a*) specify the characteristics of the interference noted (frequency, variations in adjustment, call signal of the interfering station, etc.);

(*b*) state that the station interfered with actually uses the frequency assigned to it;

(*c*) state that it regularly uses receiving instruments of a type equivalent to the best used in the current practice of the service concerned.

[368] § 8. The administrations shall take the steps which they deem advisable and which are in keeping with their domestic legislation so that electrical apparatus capable of serious interference with an authorized radio service, will be used in such a manner as to avoid such interference.

ARTICLE 21

Emergency Installations

Emergency installations.

[369] § 1. The Convention for the Safety of Life at Sea shall determine which ships must be provided with emergency installations and shall define the conditions to be fulfilled by installations of this category.

[370] § 2. In the use of emergency installations, all the provisions of the present Regulations must be observed.

ARTICLE 22

Distress Traffic and Distress Signals—Alarm, Emergency, and Safety Signals

Distress traffic and distress signals, etc.

A. GENERAL

General.

[371] § 1. No provision of these Regulations shall prevent a mobile station in distress from using any means available to it for drawing attention, signaling its position, and obtaining help.

[372] § 2. (1) When distress, emergency, or safety is involved, the telegraph transmission speed in general, must not exceed 16 words per minute.

[373] (2) The transmission speed for the alarm signal is indicated in § 21 (1).

B. WAVES TO BE USED IN CASE OF DISTRESS

Waves to be used in distress cases.

Ante, p. 2513.

[374] § 3. (1) *Ships.*—In case of distress, the wave to be used shall be the international distress wave, that is, 500 kc (600 m) (see art. 19); it must preferably be used in type A2 or B. Vessels which cannot transmit on the international distress wave shall use their normal calling-wave.

[375] (2) *Aéronefs.*—Tout aéronef en détresse doit transmettre l'appel de détresse sur l'onde de veille des stations fixes ou mobiles susceptibles de lui porter secours: 500 kc/s (600 m) pour les stations du service maritime, 333 kc/s (900 m) pour les stations du service aéronautique [sauf comme il est indiqué à l'article 9, § 10, (2)]. Les ondes à employer sont du type A2 ou A3.

C. SIGNAL DE DÉTRESSE.

[376] § 4. (1) En radiotélégraphie, le signal de détresse consiste dans le groupe •••▬▬▬••• ; en radiotéléphonie, le signal de détresse consiste dans l'expression parlée MAYDAY (correspondant à la prononciation française de l'expression «m'aider»).

[377] (2) Ces signaux de détresse annoncent que le navire, l'aéronef, ou tout autre véhicule qui émet le signal de détresse est sous la menace d'un danger grave et imminent et demande une assistance immédiate.

D. APPEL DE DÉTRESSE.

[378] § 5. (1) L'appel de détresse, lorsqu'il est émis par radiotélégraphie sur 500 kc/s (600 m), est, en règle générale, immédiatement précédé du signal d'alarme tel que ce dernier est défini au § 21, (1).

[379] (2) Lorsque les circonstances le permettent, l'émission de l'appel est séparée de la fin du signal d'alarme par un silence de deux minutes.

[380] (3) L'appel de détresse comprend:

le signal de détresse transmis trois fois,
le mot DE, et
l'indicatif d'appel de la station mobile en détresse, transmis trois fois.

[381] (4) Cet appel a priorité absolue sur les autres transmissions. Toutes les stations qui l'entendent doivent cesser immédiatement toute transmission susceptible de troubler le trafic de détresse et écouter sur l'onde d'émission de l'appel de détresse. Cet appel ne doit pas être adressé à une station déterminée et ne donne pas lieu à l'accusé de réception.

E. MESSAGE DE DÉTRESSE.

[382] § 6. (1) L'appel de détresse doit être suivi aussitôt que possible du message de détresse. Ce message comprend l'appel de détresse, suivi du nom du navire, de l'aéronef ou du véhicule en détresse, des indications relatives à la position de celui-ci, à la nature de la détresse et à la nature du secours demandé et, éventuellement, de tout autre renseignement qui pourrait faciliter ce secours.

[383] (2) Lorsque, après avoir transmis son message de détresse, un aéronef ne peut signaler sa position, il s'efforce d'émettre son indicatif d'appel suffisamment longtemps pour permettre aux stations radiogoniométriques de déterminer sa position.

[375] (2) *Aircraft.*—Any aircraft in distress must transmit the distress call on the watching-wave of the fixed or mobile stations likely to help it: 500 kc (600 m) for stations of the maritime service, 333 kc (900 m) for stations of the aeronautical service [except as indicated in art. 9, § 10 (2)]. The waves to be used are type A2 or A3.

Ante, p. 2480.

C. DISTRESS SIGNAL

Distress signal.

[376] § 4. (1) In radiotelegraphy, the distress signal shall consist of the group • • • ▬ ▬ ▬ • • •; in radiotelephony, the distress signal shall consist of the spoken expression MAYDAY (corresponding to the French pronunciation of the expression "m'aider").

[377] (2) These distress signals shall announce that the ship, aircraft, or any other vehicle which sends the distress signal is threatened by serious and imminent danger and requests immediate assistance.

D. DISTRESS CALL

Distress call.

[378] § 5. (1) The distress call, when sent in radiotelegraphy on 500 kc (600 m) shall, as a general rule, be immediately preceded by the alarm signal as the latter is defined in § 21 (1).

[379] (2) When circumstances permit, the transmission of the call shall be separated from the end of the alarm signal by a 2-minute silence.

[380] (3) The distress call shall include:

the distress signal transmitted three times,
the word DE, and
the call signal of the mobile station in distress transmitted three times.

[381] (4) This call shall have absolute priority over other transmissions. All stations hearing it must immediately cease all transmission capable of interfering with the distress traffic, and must listen on the wave used for the distress call. This call must not be sent to any particular station and does not require an acknowledgment of receipt.

E. DISTRESS MESSAGE

Distress message.

[382] § 6. (1) The distress call must be followed as soon as possible by the distress message. This message shall include the distress call followed by the name of the ship, aircraft, or the vehicle in distress, information regarding the position of the latter, the nature of the distress and the nature of the help requested, and any other further information which might facilitate this assistance.

[383] (2) When, after having sent its distress message, an aircraft is unable to signal its position, it shall endeavor to send its call signal long enough so that the radio direction-finding stations may determine its position.

[384] § 7. (1) En règle générale, un navire ou un aéronef à la mer signale sa position en latitude et longitude (Greenwich), en employant des chiffres pour les degrés et les minutes, accompagnés de l'un des mots NORTH ou SOUTH et de l'un des mots EAST ou WEST; un point sépare les degrés des minutes. Eventuellement, le relèvement vrai et la distance en milles marins par rapport à un point géographique connu peuvent être donnés.

[385] (2) En règle générale, un aéronef en vol au-dessus de la terre signale sa position par le nom de la localité la plus proche, sa distance approximative par rapport à celle-ci, accompagnée, selon le cas, de l'un des mots NORTH, SOUTH, EAST ou WEST ou, éventuellement, des mots indiquant les directions intermédiaires.

[386] § 8. L'appel et le message de détresse ne sont émis que sur ordre du commandant ou de la personne responsable du navire, de l'aéronef ou de tout autre véhicule portant la station mobile.

[387] § 9. (1) Le message de détresse doit être répété, par intervalles, jusqu'à ce qu'une réponse soit reçue et, notamment, pendant les périodes de silence prévues à l'article 19, § 2.

[388] (2) Le signal d'alarme peut également être répété, si nécessaire.

[389] (3) Les intervalles doivent, toutefois, être suffisamment longs pour que les stations qui se préparent à répondre aient le temps de mettre leurs appareils émetteurs en marche.

[390] (4) Dans le cas où la station de bord en détresse ne reçoit pas de réponse à un message de détresse transmis sur l'onde de 500 kc/s (600 m), le message peut être répété sur toute autre onde disponible, à l'aide de laquelle l'attention pourrait être attirée.

[391] § 10. De plus, une station mobile qui apprend qu'une autre station mobile est en détresse peut transmettre le message de détresse dans l'un des cas suivants:

[392] *a*) la station en détresse n'est pas à même de le transmettre elle-même;

[393] *b*) le commandant (ou son remplaçant) du navire, aéronef ou autre véhicule portant la station intervenante juge que d'autres secours sont nécessaires.

[394] § 11. (1) Les stations qui reçoivent un message de détresse d'une station mobile se trouvant, sans doute possible, dans leur voisinage doivent en accuser réception immédiatement (voir §§18 et 19 ci-après), en prenant soin de ne pas troubler la transmission de l'accusé de réception dudit message effectuée par d'autres stations.

[395] (2) Les stations qui reçoivent un message de détresse d'une station mobile qui, sans doute possible, n'est pas dans leur voisinage doivent laisser s'écouler un court laps de temps avant d'en accuser réception, afin de permettre à des stations plus proches de la station mobile en détresse de répondre et d'accuser réception sans brouillage.

[384] § 7. (1) As a general rule, a ship or aircraft at sea shall signal its position in latitude and longitude (Greenwich), using figures, for the degrees and minutes, accompanied by one of the words NORTH or SOUTH and one of the words EAST or WEST. A period shall separate the degrees from the minutes. In some cases, the true bearings and the distance in nautical miles from some known geographical point may be given.

[385] (2) As a general rule, an aircraft flying over land shall signal its position by the name of the nearest locality, its approximate distance from this point, accompanied according to the case, by one of the words NORTH, SOUTH, EAST, or WEST, or, in some cases, words indicating intermediate directions.

[386] § 8. The distress call and message shall be sent only by order of the master or person responsible for the ship, aircraft, or other vehicle carrying the mobile station.

[387] § 9. (1) The distress message must be repeated at intervals until an answer has been received, and especially during the periods of silence provided for in article 19, § 2. *Ante*, p. 2513.

[388] (2) The alarm signal may also be repeated, if necessary.

[389] (3) The intervals must, however, be sufficiently long so that stations preparing to reply may have time to put their transmitters in operation.

[390] (4) In case the on-board station in distress receives no answer to a distress message sent on the 500-kc (600-m) wave, the message may be repeated on any other available wave by means of which attention might be attracted.

[391] § 10. Furthermore, a mobile station which becomes aware that another mobile station is in distress, may transmit the distress message in either of the following cases:

[392] (*a*) when the station in distress is not itself in a position to transmit it;

[393] (*b*) when the master (or his relief) of the vessel, aircraft, or other vehicle carrying the station which intervenes, believes that further help is necessary.

[394] § 11. (1) Stations which receive a distress message from a mobile station which is unquestionably in their vicinity, must acknowledge receipt thereof at once (see §§ 18 and 19 below), taking care not to interfere with the transmission of the acknowledgment of receipt of the said message by other stations.

[395] (2) Stations which receive a distress message from a mobile station which unquestionably is not in their vicinity, must wait a short period of time before acknowledging receipt thereof, in order to make it possible for stations nearer to the mobile station in distress to answer and acknowledge receipt without interference.

F. TRAFIC DE DÉTRESSE.

[396] § 12. Le trafic de détresse comprend tous les messages relatifs au secours immédiat nécessaire à la station mobile en détresse.

[397] § 13. Tout radiotélégramme d'un trafic de détresse doit comprendre le signal de détresse transmis au début du préambule.

[398] § 14. La direction du trafic de détresse appartient à la station mobile en détresse ou à la station mobile qui, par application des dispositions du § 10, littera *a*), a émis l'appel de détresse. Ces stations peuvent céder la direction du trafic de détresse à une autre station.

[399] § 15. (1) Lorsqu'elle le juge indispensable, toute station du service mobile à proximité du navire, de l'aéronef ou du véhicule en détresse peut imposer silence soit à toutes les stations du service mobile dans la zone, soit à une station qui troublerait le trafic de détresse. Dans les deux cas il est fait usage de l'abréviation réglementaire (QRT) suivie du mot DÉTRESSE; suivant le cas, les indications sont adressées «à tous» ou seulement à une station.

[400] (2) Lorsque la station en détresse veut imposer silence, elle emploie la procédure qui vient d'être indiquée, en substituant le signal de détresse • • • ▬ ▬ ▬ • • • au mot DÉTRESSE.

[401] § 16. (1) Toute station qui entend un appel de détresse doit se conformer aux prescriptions du § 5, (4).

[402] (2) Toute station du service mobile qui a connaissance d'un trafic de détresse doit suivre ce trafic, même si elle n'y participe pas.

[403] (3) Pendant toute la durée d'un trafic de détresse, il est interdit à toutes les stations qui ont connaissance de ce trafic et qui n'y participent pas:

[404] *a*) d'employer l'onde de détresse [500 kc/s (600 m)] ou l'onde sur laquelle a lieu le trafic de détresse;

[405] *b*) d'employer des ondes du type B.

[406] (4) Une station du service mobile qui, tout en suivant un trafic de détresse dont elle a connaissance, est capable de continuer son service normal, peut le faire, lorsque le trafic de détresse est bien établi, dans les conditions suivantes:

[407] *a*) l'emploi des ondes indiquées en (3) est interdit;

[408] *b*) l'emploi des ondes du type A1, à l'exception de celles qui pourraient troubler le trafic de détresse, lui est permis;

[409] *c*) l'emploi des ondes des types A2 ou A3 ne lui est permis que dans la ou les bandes affectées au service mobile et qui ne comprennent pas de fréquence utilisée pour le trafic de détresse [la bande autour de 500 kc/s (600 m) s'étend de 385 à 550 kc/s (779 à 545 m)].

[410] § 17. Lorsque l'observation du silence n'est plus nécessaire ou que le trafic de détresse est terminé, la station qui a eu la direction de ce trafic transmet sur l'onde de détresse et, s'il y a lieu, sur l'onde

F. DISTRESS TRAFFIC

Distress traffic.

[396] § 12. Distress traffic shall include all messages relative to immediate assistance needed by the mobile station in distress.

[397] § 13. Every distress traffic radiotelegram must include the distress signal transmitted at the beginning of the preamble.

[398] § 14. The control of distress traffic shall devolve upon the mobile station in distress or upon the mobile station which, by application of the provisions of § 10 (*a*), has sent the distress call. These stations may delegate the control of the distress traffic to another station.

[399] § 15. (1) When it considers it indispensable, any station of the mobile service in the proximity of the ship, aircraft, or vehicle in distress, may impose silence either to all the stations of the mobile service in the zone, or to any one station which may be causing interference with the distress traffic. In both cases, the regulatory abbreviation (QRT) shall be used, followed by the word DISTRESS; these indications shall be addressed "to all" stations or to one station only, as the case may be.

[400] (2) When the station in distress wishes to impose silence, it shall use the above-mentioned procedure, substituting the distress signal • • • ▬ ▬ ▬ • • • for the word DISTRESS.

[401] § 16. (1) Any station hearing a distress call must conform to the provisions of § 5 (4).

[402] (2) Any station of the mobile service which becomes aware of distress traffic must listen to this traffic even if it is not taking part in it.

[403] (3) For the entire duration of distress traffic, it shall be prohibited for all stations which are aware of this traffic and which are not taking part in it:

[404] (*a*) to use the distress wave [500 kc (600 m)] or the wave on which the distress traffic is taking place;

[405] (*b*) to use type-B waves.

[406] (4) A station of the mobile service which, while following distress traffic of which it is aware, is able to continue its normal service, may do so, when the distress traffic is well established, under the following conditions:

[407] (*a*) the use of the waves specified in (3) shall be forbidden;

[408] (*b*) the use of type-A1 waves, with the exception of those which might interfere with the distress traffic, shall be permitted;

[409] (*c*) it shall be allowed to use type-A2 or -A3 waves only in the band or bands allocated to the mobile service and which do not include frequencies used for distress traffic [the band around 500 kc (600 m) extends from 385 to 550 kc (779 to 545 m)].

[410] § 17. When it is no longer necessary to observe silence, or when the distress traffic is ended, the station which has controlled this traffic shall send on the distress wave, and, where necessary, on the

utilisée pour ce trafic de détresse, un message adressé «à tous» indiquant que le trafic de détresse est terminé. Ce message affecte la forme suivante:

l'appel à tous CQ (trois fois),
le mot DE,
l'indicatif d'appel de la station qui transmet le message,
le signal de détresse,
l'heure de dépôt du message,
le nom et l'indicatif d'appel de la station mobile qui était en détresse,
les mots «trafic détresse terminé».

G. ACCUSÉ DE RÉCEPTION D'UN MESSAGE DE DÉTRESSE.

[411] § 18. L'accusé de réception d'un message de détresse est donné sous la forme suivante:

l'indicatif d'appel de la station mobile en détresse (trois fois),
le mot DE,
l'indicatif d'appel de la station qui accuse réception (trois fois),
le groupe RRR,
le signal de détresse.

[412] § 19. (1) Toute station mobile qui donne l'accusé de réception à un message de détresse doit, sur ordre du commandant ou de son remplaçant, faire connaître, aussitôt que possible, les renseignements ci-après dans l'ordre indiqué:

son nom,
sa position dans la forme indiquée au § 7,
la vitesse maximum avec laquelle elle se dirige vers le navire (aéronef ou autre véhicule) en détresse.

[413] (2) Avant d'émettre ce message, la station devra s'assurer qu'elle ne brouille pas les émissions d'autres stations mieux placées pour apporter un secours immédiat à la station en détresse.

H. RÉPÉTITION D'UN APPEL OU D'UN MESSAGE DE DÉTRESSE.

[414] § 20. (1) Toute station du service mobile, qui n'est pas à même de fournir du secours et qui a entendu un message de détresse auquel il n'a pas été donné immédiatement d'accusé de réception, doit prendre toutes les dispositions possibles pour attirer l'attention des stations du service mobile qui sont en situation de fournir du secours.

[415] (2) Dans ce but, avec l'autorisation de l'autorité responsable de la station, l'appel de détresse ou le message de détresse peut être répété; cette répétition est faite à toute puissance soit sur l'onde de détresse, soit sur une des ondes qui peuvent être employées en cas de détresse (§ 3 du présent article); en même temps, toutes les dispositions nécessaires seront prises pour aviser les autorités qui peuvent intervenir utilement.

wave used for this distress traffic, a message addressed "to all", indicating that the distress traffic is ended. This message shall take the following form:

CQ call "to all" (three times),
the word DE,
call signal of the station transmitting the message,
distress signal,
time of filing of the message,
name and call signal of the mobile station which was in distress,
words "distress traffic ended".

G. ACKNOWLEDGMENT OF RECEIPT OF A DISTRESS MESSAGE

Acknowledgment of receipt of distress message.

[411] § 18. The acknowledgment of receipt of a distress message shall be given in the following form:

call signal of the mobile station in distress (three times),
the word DE,
call signal of the station acknowledging receipt (three times),
group RRR,
distress signal.

[412] § 19. (1) Any mobile station acknowledging receipt of a distress message must, on the order of the master or his relief, give the following information as soon as possible, in the order indicated:

its name,
its position, in the form specified in § 7,
the maximum speed at which it is proceeding towards the ship (aircraft or other vehicle) in distress.

[413] (2) Before transmitting this message the station must make sure that it is not interfering with the emissions of other stations in a better position to render immediate assistance to the station in distress.

H. REPETITION OF A DISTRESS CALL OR MESSAGE

Repetition of distress call or message.

[414] § 20. (1) Any station of the mobile service which is not in a position to render assistance and which has heard a distress message for which acknowledgment of receipt has not immediately been given, must take all possible steps to attract the attention of stations of the mobile service which are in a position to furnish help.

[415] (2) For this purpose, with the permission of the authority responsible for the station, the distress call or distress message may be repeated; this repetition shall be made at full power, either on the distress wave or on one of the waves which may be used in case of distress (§ 3 of this article); at the same time all necessary steps shall be taken to inform the authorities whose assistance may be advantageous.

[416] (3) Une station qui répète un appel de détresse ou un message de détresse le fait suivre du mot DE et de son propre indicatif d'appel transmis 3 fois.

I. SIGNAL D'ALARME AUTOMATIQUE.

[417] § 21. (1) Le signal d'alarme se compose d'une série de douze traits transmis en une minute, la durée de chaque trait étant de quatre secondes et la durée de l'intervalle entre deux traits de une seconde. Il peut être émis à la main ou par un appareil automatique.

[418] (2) Ce signal spécial a pour seul but de faire fonctionner les appareils automatiques donnant l'alarme. Il doit être employé uniquement soit pour annoncer qu'un appel ou message de détresse va suivre, soit pour annoncer une émission d'avis urgent de cyclone; dans ce dernier cas, il ne peut être employé que par les stations côtières dûment autorisées par leur gouvernement.

[419] (3) Dans les cas de détresse, l'emploi du signal d'alarme est indiqué au § 5, (1); dans le cas d'avis urgent de cyclone, l'émission de cet avis ne doit commencer que deux minutes après la fin du signal d'alarme.

[420] (4) Les appareils automatiques destinés à la réception du signal d'alarme doivent satisfaire aux conditions suivantes:

1° répondre au signal d'alarme, même lorsque de nombreux postes travaillent, et aussi quand il y a du brouillage atmosphérique;

2° n'être pas mis en action par des «atmosphériques» ou par des signaux puissants autres que le signal d'alarme;

3° posséder une sensibilité égale à celle d'un récepteur détecteur-cristal relié à la même antenne;

4° avertir quand son fonctionnement cesse d'être normal.

[421] (5) Avant qu'un récepteur automatique d'alarme soit approuvé pour l'usage des navires, l'administration dont ils relèvent doit s'être assurée, par des expériences pratiques faites dans des conditions de brouillage convenables, que l'appareil satisfait aux prescriptions du présent Règlement.

[422] (6) L'adoption du type de signal d'alarme mentionné en (1) n'empêche pas une administration d'autoriser l'emploi d'un appareil automatique qui répondrait aux conditions fixées ci-avant et qui serait actionné par le signal de détresse • • • ▬ ▬ ▬ • • •.

J. SIGNAL D'URGENCE.

[423] § 22. (1) En radiotélégraphie, le signal d'urgence consiste en trois répétitions du groupe XXX, transmis en séparant bien les lettres de chaque groupe et les groupes successifs; il est émis avant l'appel.

[416] (3) A station which repeats a distress call or a distress message shall transmit after it the word DE followed by its own call signal three times.

I. AUTOMATIC ALARM SIGNAL

Automatic alarm signal.

[417] § 21. (1) The alarm signal shall consist of a series of 12 dashes sent in 1 minute, the duration of each dash being 4 seconds and the duration of the interval between 2 dashes, 1 second. It can be transmitted by hand or by means of an automatic instrument.

[418] (2) The only purpose of this special signal is to set into operation the automatic apparatus used to give the alarm. It must only be used either to announce that a distress call or message is to follow, or to announce the transmission of an urgent cyclone warning; in the latter case it can only be used by coast stations duly authorized by their government.

[419] (3) In cases of distress, the use of the alarm signal is indicated in § 5 (1); in the case of urgent cyclone warnings, the emission of this warning must begin only 2 minutes after the end of the alarm signal.

[420] (4) The automatic instruments intended for the reception of the alarm signal must satisfy the following conditions:

1. they must be set into operation by the alarm signal even when numerous stations are working, and also when there is atmospheric interference;
2. they must not be made to operate by "atmospherics" or by powerful signals other than the alarm signal;
3. they must possess a sensitivity equal to that of a crystal-detector receiver connected to the same antenna;
4. they must give warning when their operation ceases to be normal.

[421] (5) Before an automatic alarm receiver may be approved for use on ships, the administration having jurisdiction must be satisfied by practical tests made under suitable conditions of interference, that the apparatus complies with the provisions of these Regulations.

[422] (6) The adoption of the type of alarm signal mentioned in (1) shall not prevent an administration from authorizing the use of an automatic instrument complying with the conditions set forth above and which would be operated by the distress signal • • • ▬ ▬ ▬ • • •

J. URGENT SIGNAL

Urgent signal.

[423] § 22. (1) In radiotelegraphy, the urgent signal shall consist of the group XXX transmitted three times, with the letters of each group, as well as the consecutive groups well separated; it shall be sent before the call.

[424] (2) En radiotéléphonie, le signal d'urgence consiste en trois répétitions de l'expression PAN (correspondant à la prononciation française du mot «panne»); il est émis avant l'appel [1]).

[425] (3) Le signal d'urgence indique que la station appelante a un message très urgent à transmettre concernant la sécurité d'un navire, d'un aéronef, d'un autre véhicule ou celle d'une personne quelconque se trouvant à bord ou en vue du bord.

[426] (4) En particulier, un aéronef envoyant un message pour indiquer qu'il est en difficulté et sur le point d'atterrir (ou d'amerrir) obligatoirement, mais qu'il n'a pas besoin de secours immédiat, fait précéder son message du signal d'urgence.

[427] (5) Le signal d'urgence émis par un aéronef et non suivi d'un message signifie que l'aéronef est contraint d'atterrir (ou d'amerrir), ne peut transmettre de message, mais n'a pas besoin de secours immédiat.

[428] (6) Le signal d'urgence a la priorité sur toutes autres communications, sauf sur celles de détresse, et toutes les stations mobiles ou terrestres qui l'entendent doivent prendre soin de ne pas brouiller la transmission du message qui suit le signal d'urgence.

[429] (7) Dans le cas où le signal d'urgence est employé par une station mobile, ce signal doit, en règle générale, être adressé à une station déterminée.

[430] § 23. Quand le signal d'urgence est employé, les messages que ce signal précède doivent, en règle générale, être rédigés en langage clair, sauf dans le cas des messages médicaux échangés entre des navires ou entre un navire et une station côtière.

[431] § 24. (1) Les stations mobiles qui entendent le signal d'urgence doivent rester sur écoute pendant trois minutes au moins. Passé ce délai, et si aucun message d'urgence n'a été entendu, elles peuvent reprendre leur service normal.

[432] (2) Toutefois, les stations terrestres et de bord qui sont en communication sur des ondes autres que celle utilisée pour la transmission du signal d'urgence et de l'appel qui le suit peuvent continuer sans arrêt leur travail normal.

[433] § 25. (1) Le signal d'urgence ne peut être transmis qu'avec l'autorisation du commandant ou de la personne responsable du navire, de l'aéronef ou de tout autre véhicule portant la station mobile.

[434] (2) Dans le cas d'une station terrestre, le signal d'urgence ne peut être transmis qu'avec l'approbation de l'autorité responsable.

K. SIGNAL DE SÉCURITÉ.

[435] § 26. (1) En radiotélégraphie, le signal de sécurité consiste en trois répétitions du groupe TTT, transmis en séparant bien les lettres de chaque groupe et les groupes successifs. Ce signal est suivi du mot

[1]) Dans le service aéronautique le signal PAN est actuellement utilisé également comme signal radiotélégraphique d'urgence; dans ce cas, les 3 lettres doivent être bien séparées afin que les lettres AN ne se transforment pas en la lettre P.

[424] (2) In radiotelephony the urgent signal shall consist of three transmissions of the expression PAN (corresponding to the French pronunciation of the word "panne"); it shall be transmitted before the call.[1]

[425] (3) The urgent signal shall indicate that the calling station has a very urgent message to transmit concerning the safety of a ship, an aircraft, or another vehicle, or concerning the safety of some person on board or sighted from on board.

[426] (4) In particular, an aircraft sending a message to indicate that it is in trouble and on the point of being forced to land (or to take to the sea), but that it is not in need of immediate help, shall send the urgent signal before its message.

[427] (5) The urgent signal sent by an aircraft and not followed by a message shall mean that the aircraft is forced to land (or to take to the sea), is not able to transmit a message, but is not in need of immediate help.

[428] (6) The urgent signal shall have priority over all other communications, except distress communications, and all mobile or land stations hearing it must take care not to interfere with the transmission of the message which follows the urgent signal.

[429] (7) In case the urgent signal is used by a mobile station, this signal must, as a general rule, be addressed to a definite station.

[430] § 23. When the urgent signal is used the messages which this signal precedes must, as a general rule, be written in plain language, except in the case of medical messages exchanged between ships or between a ship and a coast station.

[431] § 24. (1) Mobile stations hearing the urgent signal must listen for at least 3 minutes. After this interval, and if no urgent message has been heard, they may resume their normal service.

[432] (2) However, land and on-board stations which are in communication on waves other than that used for the transmission of the urgent signal and the call following it, may continue their normal work without interruption.

[433] § 25. (1) The urgent signal may be transmitted only with the authorization of the master or of the person responsible for the ship, aircraft, or any other vehicle carrying the mobile station.

[434] (2) In the case of a land station, the urgent signal may be transmitted only with the approval of the responsible authority.

K. SAFETY SIGNAL

Safety signal.

[435] § 26. (1) In radiotelegraphy, the safety signal shall consist of the group TTT, transmitted three times, with the letters of each group, as well as the consecutive groups, well separated. This signal

[1] In the aeronautical service, at present, the signal PAN is also used as the radiotelegraph urgent signal; in this case the three letters must be well separated in order that the letters AN will not be changed into the letter P.

DE et de trois fois l'indicatif d'appel de la station qui l'émet. Il annonce que cette station va transmettre un message concernant la sécurité de la navigation ou donnant des avertissements météorologiques importants.

[436] (2) En radiotéléphonie, le mot SÉCURITÉ (correspondant à la prononciation française du mot «sécurité») répété trois fois est utilisé comme signal de sécurité.

[437] § 27. Le signal de sécurité et le message qui le suit sont transmis sur l'onde de détresse ou sur une des ondes qui peuvent éventuellement être employées en cas de détresse (voir § 3 du présent article).

[438] § 28. (1) Dans le service mobile maritime, en dehors des messages dont la transmission est faite à heure fixe, le signal de sécurité doit être transmis vers la fin de la première période de silence qui se présente (article 19, § 2) et le message est transmis immédiatement après la période de silence; dans les cas prévus à l'article 30, A, § 4, (3) et § 5, (1), B, § 7, le signal de sécurité et le message qui le suit doivent être transmis dans le plus bref délai possible, mais doivent être répétés, comme il vient d'être indiqué, à la première période de silence suivante.

[439] (2) Toutes les stations qui perçoivent le signal de sécurité doivent rester à l'écoute sur l'onde sur laquelle le signal de sécurité a été émis jusqu'à ce que le message ainsi annoncé soit terminé; elles doivent de plus observer le silence sur toute onde susceptible de brouiller le message.

[440] (3) Les règles précédentes sont applicables au service aérien, dans la limite où elles ne sont pas en opposition avec des arrangements régionaux assurant à la navigation aérienne une protection au moins égale.

ARTICLE 23.

Vacations des stations du service mobile.

[441] § 1. Afin de permettre l'application des règles indiquées ci-après, au sujet des heures de veille, toute station du service mobile doit avoir une montre précise et prendre les dispositions voulues pour que celle-ci soit correctement réglée sur le temps moyen de Greenwich.

A. STATIONS TERRESTRES.

[442] § 2. (1) Le service des stations terrestres est, autant que possible, permanent (de jour et de nuit). Toutefois, certaines stations terrestres peuvent avoir un service de durée limitée. Chaque administration ou exploitation privée, dûment autorisée à cet effet, fixe les heures de service des stations terrestres placées sous son autorité.

[443] (2) Les stations terrestres dont le service n'est point permanent ne peuvent prendre clôture avant d'avoir:

1° terminé toutes les opérations motivées par un appel de détresse;

shall be followed by the word DE and three transmissions of the call signal of the station sending it. It announces that this station is about to transmit a message concerning the safety of navigation or giving important meteorological warnings.

[436] (2) In radiotelephony, the word SECURITY (corresponding to the French pronunciation of the word "sécurité") repeated three times, shall be used as the safety signal.

[437] § 27. The safety signal and the message which follows it shall be transmitted on the distress wave or on one of the waves which, in some instances, may be used in case of distress (see § 3 of this article.)

[438] § 28. (1) In the maritime mobile service, apart from messages transmitted according to a schedule, the safety signal must be transmitted toward the end of the first ensuing period of silence (art. 19, § 2), and the message shall be transmitted immediately after the period of silence; in the cases provided for in article 30, A, § 4 (3) and § 5 (1), B, § 7, the safety signal and the message which follows it must be transmitted with as little delay as possible, but must be repeated, as has just been indicated, at the first ensuing period of silence.

Ante, p. 2513.

Post, p. 2557.

[439] (2) All stations hearing the safety signal must continue listening on the wave on which the safety signal has been sent until the message so announced has been completed; they must moreover keep silence on all waves likely to interfere with the message.

[440] (3) The foregoing rules shall be applicable to the aeronautical service so far as they are not in conflict with regional arrangements providing aerial navigation with at least equivalent protection.

ARTICLE 23

Working Hours of Stations of the Mobile Service

Station working hours.

[441] § 1. In order to permit the application of the rules indicated below regarding the hours of watch, each station of the mobile service must have an accurate clock and must take the necessary steps to see that it is correctly adjusted to Greenwich mean time.

A. LAND STATIONS

Land stations.

[442] § 2. (1) The service of land stations shall, so far as possible, be continuous (day and night). However, the duration of the service of certain land stations may be limited. Each administration or public enterprise duly authorized to this effect, shall determine the service hours of the land stations under its authority.

[443] (2) Land stations the service of which is not continuous may not close before having:

1. finished all operations called for by a distress call;

2° échangé tous les radiotélégrammes originaires ou à destination des stations mobiles qui se trouvent dans leur rayon d'action et ont signalé leur présence avant la cessation effective du travail.

[444] (3) Le service des stations aéronautiques est continu pendant toute la durée du vol dans le ou les secteurs du ou des parcours dont la station considérée assure le service des radiocommunications.

B. STATIONS DE NAVIRE.

[445] § 3. (1) Pour le service international de la correspondance publique, les stations de navire sont classées, suivant la réglementation intérieure des administrations dont elles dépendent, en trois catégories:

[446] stations de première catégorie: ces stations effectuent un service permanent;

[447] stations de deuxième catégorie: ces stations effectuent un service de durée limitée, tel qu'il est indiqué à l'alinéa (2) ci-après;

[448] stations de troisième catégorie: ces stations effectuent un service de durée plus limité que celui des stations de deuxième catégorie ou un service dont la durée n'est pas fixée par le présent Règlement.

[449] (2) *a*) Les stations de navire classées dans la deuxième catégorie doivent assurer le service au moins pendant la durée qui leur est attribuée dans l'appendice 4. Il est fait mention de cette durée dans la licence.

[450] *b*) Dans le cas de courtes traversées, elles assurent le service pendant les heures fixées par l'administration dont elles dépendent.

[451] (3) Le cas échéant, les heures de service des stations de navire de la troisième catégorie peuvent être mentionnées dans la nomenclature.

[452] (4) En règle générale, lorsqu'une station côtière a du trafic en instance pour une station de navire de la troisième catégorie n'ayant pas d'heures fixes d'écoute et présumée dans le rayon d'action de la station côtière, celle-ci effectue des appels à la station de navire au cours de la première demi-heure des 1re et 3e périodes d'écoute des stations de navire de la deuxième catégorie effectuant un service de huit heures, conformément aux dispositions de l'appendice 4.

[453] § 4. (1) Les dispositions du § 2, alinéa (2) du présent article s'appliquent aux stations de navire strictement en ce qui concerne le service de détresse et, autant que possible, en conformité avec l'esprit de ce qui est dit sous le 2° dudit alinéa.

[454] (2) Il appartient à chacun des gouvernements contractants d'assurer l'efficacité du service dans les stations de navire de sa nationalité, en exigeant la présence dans ces stations du nombre d'opérateurs nécessaires, compte tenu de sa réglementation intérieure en cette matière.

2. exchanged all radiotelegrams originating in or destined to the mobile stations which are within their range and have signaled their presence before the effective cessation of work.

[444] (3) The service of aeronautical stations shall be continuous during the entire period of flight in the sector or sectors of the course or courses for which the station in question carries on the radio service.

B. SHIP STATIONS

[445] § 3. (1) For the international service of public correspondence, ship stations shall be classified into three categories according to the internal regulations of the administration to which they are subject, as follows: Ship stations.

[446] stations of the first category: these stations shall carry on a continuous service;

[447] stations of the second category: these stations shall carry on a service of limited duration, as outlined in subparagraph (2) below;

[448] stations of the third category: these stations shall carry on a service of a more limited duration than that of the stations of the second category, or a service the duration of which is not determined by these Regulations.

[449] (2) (*a*) Ship stations classified in the second category must carry on their service at least during the period assigned to them in appendix 4. This period shall be mentioned in the license.

[450] (*b*) In the case of short crossings, they shall carry on the service during the hours determined by the administration to which they belong.

[451] (3) In certain cases, the service hours of stations on ships of the third category may be mentioned in the nomenclature.

[452] (4) As a general rule, when a coast station has traffic on hand for a station on a ship of the third category not having fixed listening hours and which is presumed to be within the range of the coast station, the latter shall call the ship station during the first half-hour of the first and third listening periods of ship stations of the second category carrying on an 8-hour service in accordance with the provisions of appendix 4. *Post*, p. 2595.

[453] § 4. (1) The provisions of § 2 (2) of this article shall apply strictly to ship stations with regard to the distress service, and, so far as possible, in conformity with the spirit of the contents of item 2 of the said subparagraph.

[454] (2) It shall devolve upon each of the contracting governments to insure the efficiency of the service in the ship stations of its nationality by requiring in these stations the presence of the necessary number of operators, taking into account its internal regulations on the subject.

C. STATIONS D'AÉRONEF.

[455] § 5. Pour le service international de la correspondance publique, les stations d'aéronef sont classées, suivant la réglementation intérieure des administrations dont elles dépendent, en deux catégories:

[456] stations de première catégorie: ces stations effectuent un service permanent;

[457] stations de deuxième catégorie: ces stations effectuent un service limité dont la durée n'est pas fixée par le présent Règlement.

D. DISPOSITIONS COMMUNES.

[458] § 6. (1) Une station mobile qui n'a pas de vacations déterminées doit communiquer à la station terrestre, avec laquelle elle est entrée en relation, l'heure de clôture et l'heure de réouverture de son service.

[459] (2) *a*) Toute station mobile dont le service est sur le point de fermer pour cause d'arrivée doit en avertir la station terrestre la plus proche et, s'il est utile, les autres stations terrestres avec lesquelles elle correspond en général. Elle ne doit prendre clôture qu'après liquidation du trafic en instance.

[460] *b*) Au moment de son départ, elle doit aviser de sa réouverture la ou les stations terrestres précitées.

E. CLASSE ET NOMBRE MINIMUM D'OPÉRATEURS.

[461] § 7. En ce qui concerne le service international de la correspondance publique des stations mobiles, le personnel de ces stations devra comporter au moins:

[462] 1° pour les stations de navire de la première catégorie: un opérateur titulaire d'un certificat de radiotélégraphiste de 1re classe;

[463] 2° pour les stations de navire de la deuxième catégorie: un opérateur titulaire d'un certificat de radiotélégraphiste de 1re ou de 2e classe.

[464] 3° *a*) pour les stations de navire de la troisième catégorie, sauf dans les cas prévus aux litteras *b*) et *c*) qui suivent, un opérateur qui a subi avec succès l'examen pour le certificat de radiotélégraphiste de 2e classe;

[465] *b*) pour les stations des navires auxquels l'installation radiotélégraphique n'est pas imposée par des accords internationaux, un opérateur titulaire d'un certificat spécial, répondant aux conditions de l'article 10, D, § 6, (1);

[466] *c*) pour les stations des navires munis d'une installation radiotéléphonique de faible puissance, un opérateur titulaire d'un certificat de radiotéléphoniste, répondant aux conditions de l'article 10, E, § 7;

[467] 4° *a*) pour les stations d'aéronef, sauf dans les cas prévus aux alinéas *b*) et *c*) qui suivent, un opérateur titulaire d'un certificat de radiotélégraphiste de 1re ou de 2e classe, suivant les dispositions d'ordre intérieur prises par les gouvernements dont dépendent ces stations;

C. AIRCRAFT STATIONS

Aircraft stations.

[455] § 5. For the international service of public correspondence, aircraft stations shall be classified into two categories according to the internal regulations of the administrations to which they are subject, as follows:

[456] stations of the first category: these stations shall carry on a continuous service;

[457] stations of the second category: these stations shall carry on a limited service of which the duration is not determined by these Regulations.

D. GENERAL PROVISIONS

General provisions.

[458] § 6. (1) A mobile station which has no fixed working-hours must advise the land station with which it is in communication of the closing and reopening hours of its service.

[459] (2) (*a*) Every mobile station the service of which is about to close, due to arrival, must so advise the nearest land station and, if necessary, the other land stations with which it generally communicates. It must not close until it has cleared all traffic on hand.

[460] (*b*) At the time of its departure, it must advise the aforesaid land station or stations of its reopening.

E. CLASS AND MINIMUM NUMBER OF OPERATORS

Class and minimum number of operators.

[461] § 7. With respect to the international service of public correspondence of mobile stations, the personnel of these stations must include at least:

[462] 1. for ship stations of the first category; an operator holding a first-class radiotelegraph operator's certificate;

[463] 2. for ship stations of the second category; an operator holding a first- or second-class radiotelegraph operator's certificate;

[464] 3. (*a*) for ship stations of the third category, except in the cases provided for in subparagraphs (*b*) and (*c*) below, an operator having successfully passed the examination for a second-class radiotelegraph operator's certificate;

[465] (*b*) for ship stations of which radiotelegraph equipment is not made compulsory by international agreements, an operator holding a special certificate covering the conditions contained in article 10, D, § 6 (1);

Ante, p. 2487.

[466] (*c*) for ship stations equipped with a low-power radiotelephone installation, an operator holding a radiotelephone operator's certificate covering the conditions contained in article 10, E, § 7;

[467] 4. (*a*) for aircraft stations, except in the cases provided for in subparagraphs (*b*) and (*c*) below, an operator holding a first- or second-class radiotelegraph operator's certificate, according to provisions of an internal character laid down by the governments to which these stations are subject;

[468] *b*) pour les stations des aéronefs auxquels l'installation radiotélégraphique n'est pas imposée par des accords internationaux, un opérateur titulaire d'un certificat spécial répondant aux conditions de l'article 10, D, § 6, (1);

[469] *c*) pour les stations des aéronefs munis d'une installation radiotéléphonique de faible puissance, un opérateur titulaire d'un certificat de radiotéléphoniste, répondant aux conditions de l'article 10, E, § 7.

ARTICLE 24.

Ordre de priorité des communications dans le service mobile.

[470] L'ordre de priorité des radiocommunications dans le service mobile est le suivant:

1° appels de détresse, messages de détresse et trafic de détresse:
2° communications précédées d'un signal d'urgence;
3° communications précédées du signal de sécurité;
4° communications relatives aux relèvements radiogoniométriques;
5° radiotélégrammes d'Etat pour lesquels le droit de priorité n'a pas été abandonné;
6° toutes les autres communications.

ARTICLE 25.

Indication de la station d'origine des radiotélégrammes.

[471] § 1. Lorsque, par suite d'homonymie, le nom d'une station est suivi de l'indicatif de cette station, cet indicatif est séparé du nom de la station par une barre de fraction. Exemple: Oregon/OZOC (et non Oregonozoc); Rose/DDOR (et non Roseddor).

[472] § 2. Lors de la réexpédition sur les voies de communication du réseau général d'un radiotélégramme reçu d'une station mobile, la station terrestre transmet, comme origine, le nom de la station mobile d'où émane le radiotélégramme, tel que ce nom figure à la nomenclature, suivi du nom de ladite station terrestre.

[473] § 3. La station terrestre peut, si elle le juge utile, compléter l'indication du nom de la station mobile d'origine par le mot «navire» ou «avion» ou «dirigeable» placé avant le nom de ladite station d'origine, en vue d'éviter toute confusion avec un bureau télégraphique ou une station fixe de même nom.

ARTICLE 26.

Direction à donner aux radiotélégrammes.

[474] § 1. (1) En règle générale, la station mobile qui fait usage d'ondes du type A2, A3 ou B comprises dans la bande de 365 à 515 kc/s (822 à 583 m) transmet ses radiotélégrammes à la station terrestre

[468] (*b*) for stations on board aircraft for which radiotelegraph equipment is not made compulsory by international agreements, an operator holding a special certificate covering the conditions contained in article 10, D, § 6 (1); *Ante*, p. 2487.

[469] (*c*) for stations on board aircraft equipped with a low-power radiotelephone installation, an operator holding a radiotelephone operator's certificate covering the conditions contained in article 10, E, § 7.

ARTICLE 24

Order of Priority of Communications in the Mobile Service

Communications in Mobile Service. Order of priority.

[470] The order of priority of radio communications in the mobile service shall be as follows:

1. distress calls, distress messages, and distress traffic;
2. communications preceded by an urgent signal;
3. communications preceded by a safety signal;
4. communications relative to radio direction-finding bearings;
5. government radiotelegrams for which priority right has not been waived;
6. all other communications.

ARTICLE 25

Indication of the Station of Origin of Radiotelegrams

Indication of station of origin.

[471] § 1. When the name of a station, due to similarity of names, is followed by the call signal of that station, that signal shall be separated from the name of the station by a fraction bar. Example: Oregon/OZOC (and not Oregonozoc); Rose/DDOR (and not Roseddor).

[472] § 2. When reforwarding, over the communication channels of the general network, a radiotelegram received from a mobile station, the land station shall transmit, as the origin, the name of the mobile station where the radiotelegram originated, as that name is shown in the nomenclature followed by the name of the said land station.

[473] § 3. If it deems advisable, the land station may complete the indication of the mobile station of origin by the word "ship", or "aircraft", or "dirigible" placed before the name of the said station of origin, for the purpose of avoiding any confusion with a telegraph office or a fixed station having the same name.

ARTICLE 26

Routing of Radiotelegrams

Routing of radiotelegrams.

[744] § 1. (1) As a general rule, a mobile station using type-A2, -A3, or -B waves within the band 365 to 515 kc (822 to 583 m) shall send its radiotelegrams to the nearest land station. In order to accelerate or

la plus proche. En vue d'accélérer ou de faciliter la transmission des radiotélégrammes elle peut cependant les transmettre à une autre station mobile. Cette dernière traite les radiotélégrammes ainsi reçus comme ceux déposés chez elle-même (voir également article 7 du Règlement additionnel).

[475] (2) Toutefois, lorsque la station mobile peut choisir entre plusieurs stations terrestres se trouvant approximativement à la même distance, elle doit donner la préférence à celle qui est située sur le territoire du pays de destination ou de transit normal des radiotélégrammes. Quand la station choisie n'est pas la plus proche, la station mobile doit cesser le travail ou changer de type ou de fréquence d'émission à la première demande faite par la station terrestre du service intéressé qui est réellement la plus proche, demande motivée par le brouillage que ledit travail cause à celle-ci.

[476] § 2. Les stations mobiles utilisant soit des ondes du type A1, soit des ondes du type A2 ou A3, en dehors de la bande de 365 à 515 kc/s (822 à 583 m) doivent, en règle générale, donner la préférence à la station terrestre établie sur le territoire du pays de destination ou du pays qui paraît devoir assurer le plus rationnellement le transit des radiotélégrammes.

[477] § 3. Si l'expéditeur d'un radiotélégramme déposé dans une station mobile a désigné la station terrestre à laquelle il désire que son radiotélégramme soit transmis, la station mobile doit, pour effectuer cette transmission à la station terrestre indiquée, attendre éventuellement que les conditions prévues aux paragraphes précédents soient remplies.

ARTICLE 27.

Comptabilité des radiotélégrammes.

A. ETABLISSEMENT DES COMPTES.

[478] § 1. En principe, les taxes terrestres et de bord n'entrent pas dans les comptes télégraphiques internationaux.

[479] § 2. Les gouvernements se réservent la faculté de prendre entre eux et avec les exploitations privées intéressées des arrangements différents, en vue de l'adoption d'autres dispositions concernant la comptabilité, notamment l'adoption, autant que possible, du système sous lequel les taxes terrestres et de bord suivent les radiotélégrammes de pays à pays, par la voie des comptes télégraphiques.

[480] § 3. Sauf arrangement différent, suivant les dispositions du § 2 ci-avant, les comptes concernant ces taxes sont établis mensuellement par les administrations dont dépendent les stations terrestres et communiqués par elles aux administrations intéressées.

[481] § 4. Dans le cas où l'exploitant des stations terrestres n'est pas l'administration du pays, cet exploitant peut être substitué, en ce qui concerne les comptes, à l'administration de ce pays.

[482] § 5. Pour les radiotélégrammes originaires des stations de bord, l'administration dont dépend la station terrestre débite l'administration dont dépend la station de bord d'origine des taxes terrestres, des

facilitate the transmission of radiotelegrams, it may, however, transmit them to another mobile station. The latter shall treat radiotelegrams thus received like those filed in its own station. (See also art. 7 of the Additional Regulations.)

[475] (2) However, when the mobile station can choose among several land stations situated at approximately the same distance, it must give the preference to the station located on the territory of the country of destination or of normal transit of the radiotelegram. When the station chosen is not the nearest, the mobile station must cease working or change the type or frequency of emission upon the first request made by the land station of the service concerned which is actually the nearest, when this request is based upon the interference which the work in question causes to the latter.

[476] § 2. Mobile stations using either type-A1 waves or type-A2 or -A3 waves, outside the band 365 to 515 kc (822 to 583 m) must, as a general rule, give preference to the land station located on the territory of the country of destination or of the country which it appears could most reasonably effect the transit of the radiotelegrams.

[477] § 3. If the sender of a radiotelegram filed in a mobile station has designated the land station to which he desires his radiotelegram sent, the mobile station must, in some cases, wait until the conditions specified in the preceding paragraphs are fulfilled, before making the transmission to the designated land station.

ARTICLE 27

Accounting for Radiotelegrams

A. ESTABLISHMENT OF ACCOUNTS

Accounting.

[478] § 1. In principle, land and on-board charges shall not enter into international telegraph accounts.

[479] § 2. Governments reserve the right to make different arrangements among themselves and with the private enterprises concerned, with a view to the adoption of other provisions for accounting, notably the adoption, so far as possible, of the system in which land and on-board charges follow radiotelegrams from country to country through the telegraph accounts.

[480] § 3. In the absence of a different arrangement, in accordance with the provisions of § 2 above, accounts for these charges shall be set up each month by the administrations to which the land stations are subject and sent by them to the administrations concerned.

[481] § 4. Where the land stations are not operated by the administration of the country, the operating agency may be substituted for the administration of the country, so far as accounts are concerned.

[482] § 5. For radiotelegrams originating with on-board stations, the administration to which the land station is subject shall debit the administration to which the on-board station of origin is subject with

taxes afférentes aux parcours sur le réseau général des voies de télécommunication—qui seront dorénavant appelées taxes télégraphiques—, des taxes totales perçues pour les réponses payées, des taxes terrestres et télégraphiques perçues pour le collationnement, des taxes perçues pour la remise par exprès, par poste ou par poste-avion et des taxes perçues pour les copies des télégrammes multiples. Pour la transmission sur les voies de communication télégraphiques, les radiotélégrammes sont traités, au point de vue des comptes, conformément au Règlement télégraphique.

[483] § 6. Pour les radiotélégrammes à destination d'un pays situé au delà de celui auquel appartient la station terrestre, les taxes télégraphiques à liquider, conformément aux dispositions ci-avant, sont celles qui résultent soit des tableaux des tarifs afférents à la correspondance télégraphique internationale, soit d'arrangements spéciaux conclus entre les administrations de pays limitrophes et publiés par ces administrations, et non les taxes qui pourraient être perçues en appliquant des minima par télégramme ou des méthodes d'arrondir les prix par télégramme de quelque manière que ce soit.

[484] § 7. Pour les radiotélégrammes à destination des stations de bord, l'administration dont dépend le bureau d'origine est débitée directement par celle dont dépend la station terrestre des taxes terrestres et de bord plus les taxes terrestres et de bord applicables au collationnement, mais seulement dans le cas où le radiotélégramme a été transmis à la station de bord. Toutefois, dans le cas visé au § 4 de l'article 9 du Règlement additionnel, l'administration dont dépend le bureau d'origine est débitée de la taxe terrestre par celle dont dépend la station terrestre. L'administration dont dépend le bureau d'origine est toujours débitée, de pays à pays, s'il y a lieu, par la voie des comptes télégraphiques, et par l'administration dont dépend la station terrestre, des taxes totales afférentes aux réponses payées et des taxes télégraphiques afférentes au collationnement. En ce qui concerne les taxes télégraphiques et les taxes relatives à la remise par poste ou par poste-avion, et aux copies des télégrammes multiples, il est opéré, pour ce qui regarde les comptes télégraphiques, conformément à la procédure télégraphique normale. L'administration dont dépend a station terrestre crédite, pour autant que le radiotélégramme ait été transmis, celle dont dépend la station de bord destinataire: *a*) de la taxe de bord; *b*) s'il y a lieu, des taxes revenant aux stations de bord intermédiaires, de la taxe totale perçue pour les réponses payées, de la taxe de bord relative au collationnement, des taxes perçues pour les copies des télégrammes multiples et des taxes perçues pour la remise par poste ou par poste-avion.

[485] § 8. Les avis de service taxés et les réponses aux radiotélégrammes avec réponse payée sont traités, à tous égards, dans les comptes du service mobile comme les autres radiotélégrammes.

the land charges, the charges pertaining to the course on the general system of telecommunication channels—hereinafter called telegraph charges—the total charges collected for prepaid replies, land and telegraph charges collected for collating, charges collected for delivery by special messenger, mail or air mail, and charges collected for copies of multiple telegrams. For transmission over telegraph-communication channels, radiotelegrams shall be handled, from the standpoint of accounts, in accordance with the Telegraph Regulations.

[483] § 6. For radiotelegrams addressed to a country situated beyond the one to which the land station is subject, the telegraph charges to be settled in conformity with the above provisions shall be those resulting either from rate tables pertaining to the international telegraph correspondence, or from special arrangements concluded among administrations of bordering countries and published by these administrations, and not the charges which might be collected by applying either minimum charges per telegram, or methods for rounding off prices per telegram in any way whatever.

[484] § 7. For radiotelegrams addressed to on-board stations, the administration to which the office of origin is subject, shall be debited directly by that to which the land station is subject, with the land and on-board charges plus the land and on-board charges applicable for collating, but only in the case where the radiotelegram has been transmitted to the on-board station. However, in the case covered in § 4, article 9 of the Additional Regulations, the administration to which the office of origin is subject shall be debited with the land charge by the administration to which the land station is subject. The administration to which the office of origin is subject shall always be debited from country to country, if necessary, through the telegraph accounts, and by the administration to which the land station is subject, with the total charges appertaining to prepaid replies and with the telegraph charge pertaining to collating. Regarding telegraph charges, charges concerning delivery by mail or air mail, and charges for copies of multiple telegrams, the normal telegraph procedure shall be adopted, with respect to telegraph accounts. The administration to which the land station is subject shall, so far as the radiotelegram has been transmitted, credit the administration to which the on-board station of destination is subject: (*a*) with the on-board charge; (*b*) if necessary, with the charges accruing to intermediate on-board stations, with the total amount collected for prepaid replies, with the on-board charge paid for collating, with the charges collected for copies of multiple telegrams, and with the charges collected for mail or air mail delivery.

[485] § 8. In the mobile service accounts, paid service notices and replies to radiotelegrams with prepaid reply shall be handled in every respect like other radiotelegrams.

[486] § 9. Pour les radiotélégrammes échangés entre stations de bord

[487] *a*) par l'intermédiaire d'une seule station terrestre:

L'administration dont dépend la station terrestre débite celle dont dépend la station de bord d'origine: de la taxe terrestre, de la taxe télégraphique territoriale s'il y a lieu et de la taxe de la station de bord de destination. Elle crédite l'administration dont dépend la station de bord de destination de la taxe de bord revenant à cette station.

[488] *b*) par l'intermédiaire de deux stations terrestres:

L'administration dont dépend la première station terrestre débite celle dont dépend la station de bord d'origine de toutes les taxes perçues, déduction faite des taxes revenant à cette station de bord. L'administration dont dépend la seconde station terrestre débite directement l'administration dont dépend la première station terrestre des taxes afférentes à la transmission à la station mobile de destination, mais seulement dans le cas où cette transmission a été effectuée.

[489] § 10. Pour les radiotélégrammes qui sont acheminés, à la demande de l'expéditeur, en recourant à une ou deux stations de bord intermédiaires, chacune de celles-ci débite la station de bord de destination, s'il s'agit d'un radiotélégramme destiné à une station de bord, ou la station de bord d'origine quand le radiotélégramme provient d'une station de bord, de la taxe de bord lui revenant pour le transit.

B. ECHANGE, VÉRIFICATION ET LIQUIDATION DES COMPTES.

[490] § 11. En principe, la liquidation des comptes afférents aux échanges entre stations de bord se fait directement entre les exploitants de ces stations, l'exploitant dont dépend la station d'origine étant débité par celui dont dépend la station de destination.

[491] § 12. En principe, les comptes mensuels servant de base à la comptabilité des radiotélégrammes, visés au présent article, sont établis, en utilisant autant que possible le relevé modèle qui fait l'objet de l'appendice 11, par station de bord et d'après le nombre mensuel de mots des radiotélégrammes de même origine pour une même destination, échangés avec une même station terrestre. Les comptes sont envoyés dans un délai de trois mois à partir du mois auquel ils se rapportent.

[492] § 13. La notification de l'acceptation d'un compte ou des observations y relatives a lieu dans un délai de six mois prenant cours à la date de son envoi.

[493] § 14. Les délais mentionnés dans les deux paragraphes précédents peuvent dépasser les périodes fixées quand des difficultés exceptionnelles se présentent dans le transport postal des documents entre les stations terrestres et les administrations dont elles dépendent. Néanmoins, la liquidation et le règlement des comptes présentés plus de dix-huit mois après la date de dépôt des radiotélégrammes auxquels ces comptes se rapportent peuvent être refusés par l'administration débitrice.

[486] § 9. For radiotelegrams exchanged between on-board stations—

[487] (*a*) through the intermediary of a single land station:

The administration to which the land station is subject shall debit the one to which the on-board station of origin is subject: with the land charge, with the territorial telegraph charge, if any, and with the charge of the on-board station of destination. It shall credit the administration to which the on-board station of destination is subject with the on-board charge accruing to that station.

[488] (*b*) through the intermediary of two land stations:

The administration to which the first land station is subject shall debit the one to which the on-board station of origin is subject, with all the charges collected, deduction being made of the charges accruing to this on-board station. The administration to which the second land station is subject, shall debit directly the administration to which the first land station is subject, with the charges pertaining to transmission to the mobile station of destination, but only where this transmission has been made.

[489] § 10. For radiotelegrams which are routed, at the sender's request, through one or two intermediary on-board stations, each of these shall debit the on-board station of destination, in the case of a radiotelegram addressed to an on-board station, or the on-board station of origin when the radiotelegram originates with an on-board station, with the on-board charge accruing to it for transit.

B. EXCHANGE, VERIFICATION, AND SETTLEMENT OF ACCOUNTS

Exchange, verification, and settlement of accounts.

[490] § 11. In principle, settlement of accounts pertaining to exchanges between on-board stations shall be made directly among the agencies operating these stations, the operating agency to which the station of origin is subject being debited by that to which the station of destination is subject.

[491] § 12. In principle, monthly accounts, serving as basis for the accounting of radiotelegrams, dealt with in this article, shall be set up, using so far as possible the model form shown in appendix 11, for each on-board station separately and according to the number of words per month in the radiotelegrams of the same origin and for the same destination, exchanged with the same land station. Accounts shall be sent within 3 months after the month to which they refer.

[492] § 13. Notice of acceptance of an account, or comments concerning it, shall be sent within 6 months from the date on which the latter is rendered.

[493] § 14. The periods mentioned in the two preceding paragraphs may exceed the time stipulated when exceptional difficulties arise in the postal transport of documents between land stations and the administrations to which they belong. Nevertheless, the closing and settlement of accounts presented more than 18 months after the date of the filing of the radiotelegrams, to which the accounts relate, may be refused by the debtor administration.

[494] § 15. Sauf entente contraire, les dispositions suivantes sont applicables aux comptes radiotélégraphiques visés au présent article.

[495] § 16. (1) Les comptes mensuels sont admis sans revision quand la différence entre les comptes dressés par les deux administrations intéressées ne dépasse pas un pour cent (1%) du compte de l'administration créditrice, pourvu que le montant de ce compte ne soit pas supérieur à cent mille francs (100 000 fr.); lorsque le montant du compte dressé par l'administration créditrice est supérieur à cent mille francs (100 000 fr.), la différence ne doit pas dépasser une somme totale comprenant:

1° 1 % des premiers cent mille francs (100 000 fr.);

2° 0,5 % du surplus du montant du compte.

[496] Toutefois, si la différence ne dépasse pas vingt-cinq francs (25 fr.), le décompte devra être accepté.

[497] (2) Une revision commencée est arrêtée dès que, à la suite d'échanges d'observations entre les deux administrations intéressées, la différence a été ramenée à une valeur ne dépassant pas le maximum fixé par le premier alinéa de ce paragraphe.

[498] § 17. (1) Immédiatement après l'acceptation des comptes afférents au dernier mois d'un trimestre, un compte trimestriel, faisant ressortir le solde pour l'ensemble des trois mois du trimestre, est, sauf arrangement contraire entre les deux administrations intéressées, dressé par l'administration créditrice et transmis en deux exemplaires à l'administration débitrice qui, après vérification, renvoie l'un des deux exemplaires revêtu de son acceptation.

[499] (2) A défaut d'acceptation de l'un ou l'autre des comptes mensuels d'un même trimestre avant l'expiration du 6e mois qui suit le trimestre auquel ces comptes se rapportent, le compte trimestriel peut, néanmoins, être dressé par l'administration créditrice en vue d'une liquidation provisoire qui devient obligatoire pour l'administration débitrice dans les conditions fixées par le § 18 ci-après. Les rectifications reconnues ultérieurement nécessaires sont comprises dans une liquidation trimestrielle subséquente.

[500] § 18. Le compte trimestriel doit être vérifié et le montant doit en être payé dans un délai de six semaines à dater du jour où l'administration débitrice l'a reçu. Passé ce délai, les sommes dues à une administration par une autre sont productives d'intérêts à raison de 6 % par an, à dater du lendemain du jour d'expiration dudit délai.

[501] § 19. (1) Sauf entente contraire, le solde du compte trimestriel est payé par l'administration débitrice à l'administration créditrice, en or ou au moyen de chèques ou de traites payables à vue et établis pour un montant équivalent à la valeur du solde exprimé en francs-or.

[494] § 15. In the absence of contrary arrangement, the following provisions shall be applicable to radiotelegraph accounts considered in the present article.

[495] § 16. (1) Monthly accounts shall be accepted without revision when the difference between the accounts prepared by the two administrations concerned does not exceed one percent (1%) of the account of the creditor administration, provided that the amount of this account be not greater than one hundred thousand francs (100,000 fr.); when the amount of the account drawn up by the creditor administration is greater than a hundred thousand francs (100,000 fr.), the difference must not exceed a total sum comprising:

1st. 1% of the first hundred thousand francs (100,000 fr.);
2d. 0.5% of the remainder of the amount of the account.

[496] However, if the difference does not exceed twenty-five francs (25 fr.), the discrepancy must be disregarded.

[497] (2) A revision once begun shall cease as soon as, following an exchange of comments between the two administrations concerned, the difference has been reduced to an amount not exceeding the maximum fixed by the first subparagraph of this paragraph.

[498] § 17. (1) Immediately after the acceptance of the accounts appertaining to the last month of a quarter, a quarterly account, setting forth the balance for the whole of the 3 months of the quarter, shall, in the absence of a contrary arrangement between the two administrations concerned, be prepared by the creditor administration and forwarded in duplicate to the debtor administration, which, after checking it, shall return one of the two copies endorsed with its acceptance.

[499] (2) Failing acceptance of one or the other of the monthly accounts of the same quarter before the expiration of the sixth month following the quarter to which the accounts refer, the quarterly account may, nevertheless, be prepared by the creditor administration for a provisional settlement, which shall become obligatory for the debtor administration in the conditions set forth in § 18 below. Corrections subsequently found to be necessary shall be included in a subsequent quarterly settlement.

[500] § 18. The quarterly account must be verified and the amount thereof must be paid within 6 weeks from the date on which the debtor administration has received it. After this period, the sums due to one administration by another shall bear interest at the rate of 6 percent per annum, dating from the day following expiration of the said period of grace.

[501] § 19. (1) In the absence of a different agreement, the balance of the quarterly account shall be paid by the debtor administration to the creditor administration, in gold or by means of checks or sight drafts drawn up for an amount equivalent to the amount of the balance expressed in gold francs.

[502] (2) En cas de paiement au moyen de chèques ou de traites, ces titres sont établis en monnaie d'un pays où la banque centrale d'émission ou une autre institution officielle d'émission achète et vend de l'or ou des devises-or contre la monnaie nationale à des taux fixes déterminés par la loi ou en vertu d'un arrangement avec le gouvernement. Si les monnaies de plusieurs pays répondent à ces conditions, il appartient à l'administration créditrice de désigner la monnaie qui lui convient. La conversion est faite au pair des monnaies d'or.

[503] (3) Dans le cas où la monnaie d'un pays créditeur ne répond pas aux conditions prévues ci-avant sous (2), et si les deux pays se sont mis d'accord à ce sujet, les chèques ou traites peuvent aussi être exprimés en monnaie du pays créditeur. Dans ce cas, le solde est converti au pair des monnaies d'or en monnaie d'un pays répondant aux conditions susvisées. Le résultat obtenu est ensuite converti dans la monnaie du pays débiteur, et de celle-ci dans la monnaie du pays créditeur, au cours de la bourse de la capitale ou d'une place commerciale du pays débiteur au jour de la remise de l'ordre d'achat du chèque ou de la traite.

[504] § 20. Les frais de paiement sont supportés par l'administration débitrice.

[505] § 21. Les originaux des radiotélégrammes et les documents de comptabilité y relatifs sont conservés jusqu'à la liquidation des comptes qui s'y rapportent et, dans tous les cas, au moins pendant dix mois, à compter du mois qui suit le dépôt du radiotélégramme, avec toutes les précautions nécessaires au point de vue du secret.

Article 28.

Service radioaérien de correspondance publique.

[506] Sauf arrangements spéciaux (article 13 de la Convention), les dispositions du présent Règlement visant la procédure d'échange et de comptabilité des radiocommunications sont applicables, d'une façon générale, au service radioaérien de correspondance publique.

Article 29.

*Service des stations radiotéléphoniques mobiles de faible puissance.**)

[507] § 1. Les dispositions suivantes ne concernent que le service des stations radiotéléphoniques mobiles dont la puissance d'onde porteuse dans l'antenne ne dépasse pas 100 watts (sauf accords régionaux prévus à l'article 10, § 7, (4) du présent Règlement) à l'intérieur de la bande de 1 530 à 2 000 kc/s (196,1 à 150 m).

[508] § 2. Le service d'une telle station doit être assuré par un opérateur titulaire d'un certificat de radiotéléphoniste (article 10, § 7 du présent Règlement).

*) Le cas échéant, ces dispositions peuvent être appliquées aux stations d'aéronef.

[502] (2) In case of payment by means of checks or drafts, these papers shall be drawn up in the currency of a country where the central issuing bank or another official issuing institution buys and sells gold or gold currency for the national currency at fixed rates determined by law or by virtue of an agreement with the government. If the currencies of several countries answer these conditions, it shall devolve upon the creditor administration to indicate the currency which it desires. Conversion shall be made at par of gold currency.

[503] (3) In the case where the currency of a creditor country does not comply with the conditions set forth above under (2), and if the two countries have an agreement on the subject, the checks or drafts may also be drawn up in the currency of the creditor country. In this case, the balance shall be converted at par of gold currency into the currency of a country complying with the above conditions. The resulting values shall then be converted into the currency of the debtor country, and from that into the currency of the creditor country, at the rate of exchange of the capital or of a place of commerce of the debtor country on the day of delivery of the purchasing order for the check or draft.

[504] § 20. Remittance charges shall be borne by the debtor administration.

[505] § 21. The originals of radiotelegrams and statements of accounts relating thereto shall be preserved until the settlement of the accounts to which they relate and in any case for at least 10 months, counting from the month following the filing of the radiotelegram, with all necessary precautions to maintain secrecy.

ARTICLE 28

Aeronautical Radio Service of Public Correspondence

Public correspondence.

Aeronautical radio service.

Ante, p. 2401.

[506] In the absence of special arrangements (art. 13 of the Convention) the provisions of the present Regulations concerning the procedure for the exchange of or accounting for radio communications shall be applicable, in a general way, to the aeronautical radio service of public correspondence.

ARTICLE 29

Service of Low-power Mobile Radiotelephone Stations [1]

Mobile radiotelephone station.

Lower power.

[507] § 1. The following provisions affect only the service of mobile radiotelephone stations, in which the carrier-wave power in the antenna does not exceed 100 watts [except by regional agreements provided for in art. 10, § 7 (4) of the present Regulations] within the band 1,530 to 2,000 kc (196.1 to 150 m).

Ante, p. 2489.

[508] § 2. The service of such a station must be performed by an operator holding a radiotelephone operator's certificate. (Art. 10, § 7 of the present Regulations).

Ante, p. 2487.

[1] When the occasion arises, these provisions may be applied to aircraft stations.

[509] § 3. (1) Pour appeler les stations côtières, l'indicatif d'appel ou le nom géographique du lieu, tel qu'il figure dans la nomenclature des stations côtières et de navire ou dans la nomenclature des stations effectuant des services spéciaux, peut être employé comme indicatif d'appel radiotéléphonique.

[510] (2) Pour appeler les stations de navire, on peut employer comme indicatif d'appel radiotéléphonique soit le nom du navire, soit un indicatif d'appel établi conformément à l'article 14 du présent Règlement.

[511] (3) Dans les cas où le nom et la nationalité du navire ne peuvent être établis avec certitude, l'indicatif d'appel ou le nom sera précédé du nom du propriétaire.

[512] § 4. (1) L'onde de 1 650 kc/s (182 m) est une onde d'appel pour le service mobile de radiotéléphonie. Elle peut être utilisée dans les conditions visées à l'article 7, § 7 [tableau, notes [11]) et [13])]. Cette disposition n'exclut pas l'emploi des autres fréquences qui peuvent être fixées par les administrations pour le service radiotéléphonique avec des stations côtières ou des stations de navire désignées par elles.

[513] (2) Les stations côtières et de navire qui utilisent l'onde d'appel de 1 650 kc/s (182 m) devront disposer d'au moins une autre onde dans la bande de 1 530 à 2 000 kc/s (196,1 à 150 m). Cette deuxième onde sera imprimée en caractère gras dans la nomenclature des stations pour indiquer qu'elle est l'onde normale de travail de la station. Les ondes de travail de ces stations devront être choisies de manière à éviter les brouillages avec les autres stations de radiocommunication.

[514] (3) En dehors de leur onde normale de travail, les stations côtières et de navire peuvent employer, dans la bande mentionnée, des ondes supplémentaires. Ces ondes sont indiquées dans la nomenclature en caractères ordinaires.

[515] § 5. (1) En cas de détresse, s'il n'est pas possible d'utiliser pour la radiotéléphonie l'onde générale de détresse de 500 kc/s (600 m), l'onde de 1 650 kc/s (182 m) peut être employée pour l'appel et le trafic de détresse. La station peut également employer toute autre onde pour attirer l'attention, signaler sa situation et obtenir du secours.

[516] (2) Le signal de détresse radiotéléphonique consiste dans l'expression parlée MAYDAY (correspondant à la prononciation française de l'expression «m'aider»).

[517] § 6. Dans la mesure où cela sera pratique et raisonnable, on appliquera au service radiotéléphonique mobile les dispositions concernant le service radiotélégraphique et, en particulier, les dispositions relatives aux brouillages, aux services de détresse, d'urgence, de sécurité, à la clôture du service et aux appels (articles 16, 20, 22, 23 et 18 du présent Règlement).

[518] § 7. Dans le service des stations radiotéléphoniques mobiles à faible puissance, la procédure indiquée dans l'appendice 12 du présent Règlement peut être appliquée.

[509] § 3. (1) In order to call coast stations, the call signal or the geographical name of the place, as it appears in the nomenclature of coast and ship stations, or in the nomenclature of stations operating special services, may be used as a radiotelephone call signal.

[510] (2) In order to call ship stations, either the name of the ship or a call signal conforming to the provisions of article 14 of the present Regulations may be used as a radiotelephone call signal. *Ante*, p. 2493.

[511] (3) In case the name and the nationality of the ship cannot be ascertained beyond doubt, the call signal or the name shall be preceded by the name of the owner.

[512] § 4. (1) The wave of 1,650 kc (182 m) is a calling-wave for the radiotelephone mobile service. It may be used under the conditions stipulated in article 7, § 7 [table, notes (11) and (13)]. This rule shall not preclude the use of other frequencies which may be determined by the administrations for the radiotelephone service with coast or ship stations designated by them. *Ante*, p. 2459.

[513] (2) Coast and ship stations using the 1,650-kc (182-m) calling-wave must have available at least one other wave in the band 1,530 to 2,000 kc (196.1 to 150 m). This second wave shall be printed in boldface type in the nomenclature of the stations, to indicate that it is the normal working-wave of the station. The working-waves of these stations must be selected in such a manner as to avoid interference with the other radio stations.

[514] (3) In addition to the normal working-wave, coast and ship stations may use additional waves in the band mentioned. These waves shall be indicated in the nomenclature in ordinary type.

[515] § 5. (1) In case of distress, if it is not possible to use the general distress wave of 500 kc (600 m) for radiotelephony, the wave of 1,650 kc (182 m) may be used for distress call and traffic. The station may also use any other wave in order to attract attention, signal its position, and obtain help.

[516] (2) The radiotelephone distress signal shall consist of the spoken expression MAYDAY (corresponding to the French pronunciation of the expression "m'aider").

[517] § 6. The provisions concerning radiotelegraph service and, in particular, the provisions referring to interference, to the distress, urgent, and safety services, to the closing of services, and to calling (arts. 16, 20, 22, 23, and 18 of the present Regulations) shall, so far as it is practicable and reasonable, be applicable to the mobile radiotelephone service.

[518] § 7. The procedure given in appendix 12 to the present Regulations may be applied in the service of low-power mobile radiotelephone stations.

ARTICLE 30.

Services spéciaux.

A. MÉTÉOROLOGIE.

[519] § 1. Les messages météorologiques comportent:

[520] *a*) des messages destinés aux services de météorologie chargés officiellement de la prévision du temps et de la protection des navigations maritime et aérienne;

[521] *b*) des messages de ces services météorologiques destinés spécialement:

1° aux stations mobiles du service maritime;
2° à la protection du service aérien;
3° au public.

[522] Les renseignements contenus dans ces messages peuvent être :

1° des observations à heure fixe;
2° des avis de phénomènes dangereux;
3° des prévisions et avertissements;
4° des exposés de la situation météorologique générale.

[523] § 2. (1) Les différents services météorologiques nationaux s'entendent pour l'établissement de programmes communs d'émissions de manière à utiliser les émetteurs les mieux placés, au bénéfice de régions étendues que ceux-ci peuvent desservir.

[524] (2) Les observations météorologiques contenues dans les catégories *a*) et *b*) 1° et 2° ci-avant (§ 1) sont rédigées, en principe, dans un code météorologique international, qu'elles soient transmises par des stations mobiles ou qu'elles leur soient destinées.

[525] § 3. Les messages d'observation destinés à un service météorologique officiel profitent des facilités résultant de l'attribution d'ondes exclusives à la météorologie synoptique et à la météorologie aéronautique, conformément aux accords régionaux établis par les services intéressés pour l'emploi de ces ondes.

[526] § 4. (1) Les messages météorologiques destinés spécialement à l'ensemble des stations mobiles du service maritime sont émis, en principe, d'après un horaire déterminé et, autant que possible, aux heures où leur réception peut se faire par celles de ces stations n'ayant qu'un seul opérateur, la vitesse de transmission étant choisie de manière que la lecture des signaux soit possible à un opérateur ne possédant que le certificat de 2e classe.

[527] (2) Pendant les transmissions «à tous» des messages météorologiques destinés aux stations du service mobile, toutes les stations de ce service dont les transmissions bouilleraient la réception des messages en question doivent observer le silence, afin de permettre à toutes les stations qui le désirent de recevoir lesdits messages.

ARTICLE 30

Special Services

Special services.

A. METEOROLOGY

Meteorology.

[519] § 1. Meteorological messages shall include:

[520] (*a*) messages intended for meteorological services officially charged with making weather forecasts and with the protection of maritime and aerial navigation;

[521] (*b*) messages of these meteorological services intend especially:

1st, for mobile stations of the maritime service;
2d, for the protection of the aeronautical service;
3d, for the public.

[522] The information contained in these messages may be:

(1) observations at scheduled hours;
(2) notices of dangerous phenomena;
(3) forecasts and warnings;
(4) statements on the general meteorological situation.

[523] § 2. (1) The various national meteorological services shall arrange for the establishment of common transmission programs in such a way as to use the transmitters best located for such extensive areas as the latter can serve.

[524] (2) The meteorological observations contained in the classes (*a*) and (*b*), 1st and 2d above (§ 1) shall, in principle, be written in an international meteorological code, whether they are transmitted by mobile stations or intended for them.

[525] § 3. For weather-observation messages intended for an official meteorological service, advantage shall be taken of the facilities resulting from the assignment of exclusive waves to synoptic meteorology and to aeronautical meteorology, in conformity with the regional agreements established by the services concerned for the use of these waves.

[526] § 4. (1) Meteorological messages intended especially for all mobile stations of the maritime service shall, in principle, be transmitted in accordance with a definite time schedule, and so far as possible, at hours when they may be received by those of the stations mentioned which have but one operator, the transmission speed being selected in such a way that the reading of the signals will be possible for an operator having only a second-class certificate.

[527] (2) During transmissions "to all" of meteorological messages intended for stations of the mobile service, all stations of this service whose transmissions might interfere with the reception of the messages in question, must observe silence, in order to make it possible for all the stations desiring to receive the said messages

[528] (3) Les messages d'avertissements météorologiques sont transmis immédiatement et doivent être répétés après la fin de la première période de silence qui se présente (voir article 19, § 2). Ces messages doivent être transmis sur les ondes attribuées au service mobile maritime. Leur transmission est précédée du signal de sécurité.

[529] (4) En plus des services réguliers d'information, prévus dans les alinéas précédents, les administrations prennent les mesures nécessaires pour que certaines stations soient chargées de communiquer, sur demande, des messages météorologiques aux stations du service mobile.

[530] (5) Les règles précédentes sont applicables au service aérien, dans la limite où elles ne sont pas en opposition avec des arrangements régionaux plus précis assurant à la navigation aérienne une protection au moins égale.

[531] § 5. (1) Les messages provenant de stations mobiles et contenant des renseignements sur la présence de cyclones tropicaux doivent être transmis, dans le plus bref délai possible, aux autres stations mobiles voisines et aux autorités compétentes du premier point de la côte avec lequel le contact peut être établi. Leur transmission est précédée du signal de sécurité.

[532] (2) Toute station mobile peut écouter, pour son propre usage, les observations météorologiques émises par d'autres stations mobiles, même quand elles sont adressées à un service météorologique national. Les stations du service mobile qui transmettent des observations météorologiques, adressées à un service météorologique national, ne sont pas tenues de répéter ces observations; mais l'échange, sur demande, des renseignements relatifs à l'état du temps est autorisé entre stations mobiles.

B. SIGNAUX HORAIRES. AVIS AUX NAVIGATEURS.

[533] § 6. Les prescriptions du § 4 ci-avant sont applicables aux signaux horaires et aux avis aux navigateurs, à l'exception, en ce qui concerne les signaux horaires, des prescriptions du § 4, (3) du titre A.

[534] § 7. Les messages contenant des renseignements sur la présence de glaces dangereuses, d'épaves dangereuses ou de tout autre danger imminent pour la navigation doivent être transmis, dans le plus bref délai possible, aux autres stations mobiles voisines et aux autorités compétentes du premier point de la côte avec lequel le contact peut être établi. Ces transmissions doivent être précédées du signal de sécurité.

[535] § 8. Lorsqu'elles le jugent utile, et à condition que l'expéditeur y consente, les administrations peuvent autoriser leurs stations terrestres à communiquer des renseignements concernant les avaries et sinistres maritimes ou présentant un intérêt général pour la navigation, aux agences d'information maritime, agréées par elles et suivant des conditions fixées par elles-mêmes.

[528] (3) Meteorological warning messages shall be transmitted immediately and must be repeated at the end of the first period of silence ensuing (see art. 19, § 2). These messages must be sent on the waves allocated to the maritime mobile service. Their transmission shall be preceded by the safety signal.

Ante, p. 2517.

[529] (4) In addition to the regular information services provided for in the preceding subparagraphs, the administrations shall take the necessary steps so that, upon request, certain stations will be charged with communicating meteorological messages to stations of the mobile service.

[530] (5) The preceding rules shall be applicable to the aeronautical service so far as they do not conflict with more definite regional arrangements insuring at least equivalent protection to aerial navigation.

[531] § 5. (1) Messages emanating from mobile stations and containing information relative to the presence of tropical cyclones must be transmitted in as short a time as possible to the other neighboring mobile stations and to the competent authorities at the first point on the coast with which contact may be established. Their transmission shall be preceded by the safety signal.

[532] (2) Any mobile station may, for its own use, listen to the meteorological observations transmitted by other mobile stations even when they are addressed to a national meteorological service. The stations of the mobile service which transmit meteorological observations addressed to a national meteorological service shall not be required to repeat these observations; but the exchange, upon request, of information relating to weather conditions shall be authorized between mobile stations.

B. TIME SIGNALS—NOTICES TO NAVIGATORS

Time signals, notices to navigators, etc.

[533] § 6. The provisions of § 4 above shall be applicable to time signals and to notices to navigators, with the exception, as regards time signals, of the provisions contained in § 4 (3) of title A.

[534] § 7. Messages containing information relative to the presence of dangerous ice, dangerous wrecks, or of any other imminent danger to navigation, must be transmitted with as little delay as possible to the other neighboring mobile stations and to the competent authorities at the first point of the coast with which contact may be established. These transmissions must be preceded by the safety signal.

[535] § 8. When they deem it necessary, and on condition that the sender consents, the administrations may authorize their land stations to communicate to such maritime information agencies as they choose, and under conditions laid down by themselves, information concerning averages and disasters at sea or information of a general interest to navigation.

C. SERVICES DES STATIONS RADIOGONIOMÉTRIQUES.

[536] § 9. Les administrations sous l'autorité desquelles sont placées les stations radiogoniométriques n'acceptent aucune responsabilité quant aux conséquences d'un relèvement inexact.

[537] § 10. Ces administrations notifient, pour être insérées dans la nomenclature des stations effectuant des services spéciaux, les caractéristiques de chaque station radiogoniométrique en indiquant, pour chacune d'elles, les secteurs dans lesquels les relèvements sont normalement sûrs. Tout changement en ce qui concerne ces renseignements doit être publié sans retard; si le changement est d'une nature permanente, il doit être communiqué au Bureau de l'Union.

[538] § 11. (1) L'onde normale de radiogoniométrie est l'onde de 375 kc/s (800 m). Toutes les stations radiogoniométriques côtières doivent, en principe, pouvoir l'utiliser [1]). Elles doivent, en outre, être à même de prendre des relèvements d'émissions faites sur 500 kc/s (600 m), en particulier pour relever les signaux de détresse, d'alarme et d'urgence.

[539] (2) Une station d'aéronef désirant avoir un relèvement doit, pour le demander, appeler sur l'onde de 333 kc/s (900 m) ou sur une onde affectée à la route aérienne sur laquelle vole l'aéronef. Dans tous les cas où une station d'aéronef, étant à proximité de stations côtières, s'adresse à celles-ci pour obtenir un relèvement, elle doit faire usage de la fréquence de veille de ces stations côtières.

[540] § 12. La procédure à suivre dans le service radiogoniométrique est donnée à l'appendice 13.

D. SERVICE DES RADIOPHARES.

[541] § 13. (1) Lorsqu'une administration juge utile, dans l'intérêt de la navigation maritime et aérienne, d'organiser un service de radiophares, elle peut employer dans ce but:

[542] *a*) des radiophares proprement dits, établis sur terre ferme ou sur des navires amarrés de façon permanente; ces radiophares sont à émission circulaire ou à émission directionnelle;

[543] *b*) des stations fixes, des stations côtières ou des stations aéronautiques, désignées pour fonctionner aussi comme radiophares à la demande des stations mobiles.

[544] (2) Les radiophares proprement dits emploient les ondes suivantes:

[545] *a*) Dans la région européenne, pour les radiophares maritimes, les ondes de la bande de 290 à 320 kc/s (1 034 à 938 m) et, pour les radiophares aériens, les ondes de la bande de 350 à 365 kc/s (857 à 822 m), ainsi que certaines ondes de la bande de 255 à 290 kc/s (1 176 à 1 034 m) choisies par des organismes aéronautiques internationaux.

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[1]) Il est reconnu que certaines stations existantes ne sont pas à même de pouvoir utiliser cette onde, mais toute nouvelle station devra pouvoir prendre des relèvements sur 375 kc/s (800 m) et sur 500 kc/s (600 m).

C. SERVICE OF RADIO DIRECTION-FINDING STATIONS

Radio direction-finding stations.

[536] § 9. The administrations to which radio direction-finding stations are subject accept no responsibility for the consequences of an inexact bearing.

[537] § 10. These administrations shall notify, for insertion in the nomenclature of stations carrying on special services, the characteristics of each radio direction-finding station, indicating for each one the sectors in which bearings are normally safe. Any change concerning this information must be published without delay; if the change is of a permanent nature, it must be communicated to the Bureau of the Union.

[538] § 11. (1) The normal radio direction-finding wave shall be the wave of 375 kc (800 m). In principle, all coastal radio direction-finding stations must be able to use it.[1] In addition, they must be able to take bearings from emissions made on 500 kc (600 m), particularly to locate distress, alarm, and urgent signals.

[539] (2) An aircraft station desiring to obtain its bearing must, in order to request same, call on the 333-kc (900-m) wave or on a wave assigned to the air route over which it is flying. Where an aircraft station, while in the vicinity of coast stations, calls them in order to obtain a bearing, it must use the watch frequency of these coast stations.

Procedure.
Post, p. 2611.

[540] § 12. The procedure to be followed in the radio direction-finding service is given in appendix 13.

D. RADIOBEACON SERVICE

Radiobeacon service.

[541] § 13. (1) When an administration deems it advisable, in the interests of maritime and aerial navigation, to organize a radiobeacon service, it may use for this purpose:

[542] (*a*) radiobeacons proper, established on land or on vessels permanently moored; the emissions of these radiobeacons may be either nondirectional or directional;

[543] (*b*) fixed stations, coast stations, or aeronautical stations designated to function also as radiobeacons, upon request of mobile stations.

[544] (2) Radiobeacons proper shall use the following waves:

[545] (*a*) In the European region, for the maritime radiobeacons, the waves of the band 290 to 320 kc (1,034 to 938 m) and, for the aeronautical radiobeacons the waves of the band 350 to 365 kc (857 to 822 m), as well as certain waves of the band 255 to 290 kc (1,176 to 1,034 m), selected by international aeronautical organizations.

[1] It is recognized that certain existing stations are not able to use this wave, but all new stations must be able to take bearings on 375 kc (800 m) and on 500 kc (600 m).

[546] *b*) Dans les autres régions, pour les radiophares maritimes, les ondes de la bande de 285 à 315 kc/s (1 053 à 952 m) et, pour les radiophares aériens, des ondes choisies dans la bande de 194 à 365 kc/s (1 546 à 822 m).

[547] *c*) En outre, en Europe, Afrique, Asie, les radiophares directionnels (maritimes et aériens) peuvent employer les ondes des bandes de 1 500 à 1 630 kc/s (200 à 184 m) et de 1 670 à 3 500 kc/s (179,6 à 85,71 m) aux conditions fixées par le § 20 de l'article 7.

[548] *d*) L'emploi des ondes du type B est interdit aux radiophares proprement dits.

[549] (3) Les autres stations notifiées comme radiophares utilisent leur fréquence normale et leur type normal d'émission.

[550] § 14. Les signaux émis par les radiophares doivent permettre des repérages exacts et précis; ils doivent être choisis de manière à éviter tout doute lorsqu'il s'agit de distinguer entre eux deux ou plusieurs radiophares.

[551] § 15. Les administrations qui ont organisé un service de radiophares n'acceptent aucune responsabilité quant aux conséquences de relèvements inexacts obtenus au moyen des radiophares de ce service.

[552] § 16. (1) Les administrations notifient, pour être insérées dans la nomenclature des stations effectuant des services spéciaux, les caractéristiques de chaque radiophare proprement dit et de chaque station désignée pour fonctionner comme radiophare, y compris, s'il est nécessaire, l'indication des secteurs dans lesquels les relèvements sont normalement sûrs.

[553] (2) Toute modification ou toute irrégularité de fonctionnement survenant dans le service des radiophares doit être publiée sans délai; si la modification ou l'irrégularité de fonctionnement est d'une nature permanente, elle doit être notifiée au Bureau de l'Union.

Article 31.

Comité consultatif international des radiocommunications (C.C.I.R.).

[554] § 1. Un comité consultatif international des radiocommunications (C.C.I.R.) est chargé d'étudier les questions radioélectriques techniques et celles dont la solution dépend principalement de considérations d'ordre technique et qui lui sont soumises par les administrations et les compagnies d'exploitation radioélectrique.

[555] § 2. (1) Il est formé d'experts des administrations et des compagnies ou groupes de compagnies d'exploitation radioélectrique reconnues par leurs gouvernements respectifs, qui déclarent vouloir participer à ses travaux et qui s'engagent à contribuer, par parts égales, aux frais communs de ses réunions. La déclaration est adressée à l'administration du pays où a été tenue la dernière conférence administrative.

[556] (2) Sont aussi admis des organismes internationaux s'intéressant aux études radioélectriques qui sont désignés par la dernière conférence de plénipotentiaires ou administrative, et qui s'engagent à contribuer aux frais des réunions comme il est indiqué à l'alinéa précédent.

[546] (*b*) In the other regions, for the maritime radiobeacons, the waves of the band 285 to 315 kc (1,053 to 952 m) and, for the aeronautical radiobeacons, the waves taken from the band 194 to 365 kc (1,546 to 822 m).

[547] (*c*) In addition, in Europe, Africa, Asia, the directional radiobeacons (maritime and aeronautical) may use the waves of the bands 1,500 to 1,630 kc (200 to 184 m) and 1,670 to 3,500 kc (179.6 to 85.71 m) under the conditions set forth in § 20 of article 7.

[548] (*d*) The use of type-B waves shall be prohibited for radiobeacons proper.

[549] (3) Other stations notified as radiobeacons shall use their normal frequency and their normal type of emission.

[550] § 14. Signals sent by radiobeacons must permit of exact and accurate observations; they must be chosen in such a way as to eliminate all doubt when the question arises of distinguishing among them two or more radiobeacons.

[551] § 15. The administrations which have organized a radiobeacon service accept no responsibility for the consequences of inexact bearings obtained by means of the radiobeacons of that service.

[552] § 16. (1) The administrations shall notify, for insertion in the nomenclature of stations operating special services, the characteristics of each radiobeacon proper, and of each station designated to operate as a radiobeacon, including, if necessary, indications of the sectors in which bearings are normally reliable.

[553] (2) Any modification or irregularity of operation occurring in the radiobeacon service must be published without delay; if the modification or irregularity of operation is of a permanent nature, it must be reported to the Bureau of the Union.

ARTICLE 31

International Radio Consulting Committee (C.C.I.R.)

International Radio Consulting Committee.

[554] § 1. An International Radio Consulting Committee (C.C.I.R.) shall be charged with the study of technical radio questions and those of which the solution depends principally upon considerations of a technical character, which shall be submitted to it by the administrations and radio operating companies.

[555] § 2. (1) It shall be formed of experts of the administrations and radio operating companies or groups of radio operating companies recognized by their respective governments, which state their desire to participate in its work and undertake to contribute, in equal shares, to the common expenses of its meetings. The statement shall be addressed to the administration of the country in which the last administrative conference was held.

[556] (2) International organizations interested in radio studies, who shall have been designated by the last plenipotentiary or administrative conference, and who undertake to contribute to the expenses of the meetings, as indicated in the preceding subparagraph, shall also be admitted.

[557] (3) Les dépenses personnelles des experts de chaque administration, compagnie, groupe de compagnies ou organisme international sont supportées par ceux-ci.

[558] § 3. En principe, les réunions du C.C.I.R. ont lieu de cinq en cinq ans. Cependant, une réunion fixée peut être avancée ou ajournée par l'administration qui l'a convoquée, sur demande de dix administrations participantes, si le nombre et la nature des questions á examiner le justifient.

[559] § 4. (1) Les langues et le mode de votation employés dans les assemblées plénières, commissions et sous-commissions, sont ceux adoptés par la dernière conférence de plénipotentiaires ou administrative.

[560] (2) Toutefois, lorsqu'un pays n est pas représenté par une administration, les experts des compagnies d'exploitation reconnues de ce pays disposent, pour leur ensemble et quel que soit leur nombre, d'une seule voix délibérative.

[561] § 5. Le directeur du Bureau de l'Union ou son représentant et les représentants des autres comités consultatifs internationaux, C.C.I.F. et C.C.I.T., ont le droit de participer, avec voix consultative, aux réunions du C.C.I.R.

[562] § 6. L'organisation intérieure du C.C.I.R. est régie par les dispositions de l'appendice 14 au présent Règlement.

Article 32.

Frais du Bureau de l'Union.

[563] § 1. Les frais communs du Bureau de l'Union pour le service des radiocommunications ne doivent pas dépasser, par année, la somme de 200000 francs-or.

[564] § 2. Toutefois, si une dépense exceptionnellement élevée en imprimés ou documents divers se présente au cours d'une année, sans que les recettes correspondantes soient encaissées pendant la même année, le Bureau est autorisé, exclusivement dans ce cas, à dépasser le crédit maximum prévu, sous la réserve que le maximum du crédit pour l'année suivante sera réduit d'un montant égal à l'excédent susvisé.

[565] § 3. La somme de 200 000 francs-or pourra être modifiée ultérieurement du consentement de toutes les parties contractantes.

Article 33.

Mise en vigueur du Règlement général.

[566] Le présent Règlement général entrera en vigueur le premier janvier mil neuf cent trente-quatre.

[567] En foi de quoi, les plénipotentiaires respectifs ont signé ce Règlement général en un exemplaire qui restera déposé aux archives du Gouvernement de l'Espagne et dont une copie sera remise à chaque gouvernement.

Fait à Madrid, le 9 décembre 1932.

[557] (3) Each administration, company, group of companies, or international organization, shall defray the personal expenses of its own experts.

[558] § 3. In principle, the meetings of the C.C.I.R. shall take place every 5 years. However, a meeting which has been scheduled may be advanced or postponed by the administration calling it at the request of 10 participating administrations, if the number and nature of the questions to be studied warrant it.

[559] § 4. (1) The languages and method of voting used in the plenary assemblies, committees, and subcommittees, shall be those adopted by the last plenipotentiary or administrative conference.

[560] (2) However, when a country is not represented by an administration, the experts of the recognized operating companies of that country, in one body, and regardless of their number shall be entitled to one deliberative vote only.

[561] § 5. The Director of the Bureau of the Union, or his representative, and the representatives of the other International Consulting Committees, C.C.I.F. and C.C.I.T., shall have the right to take part in the meetings of the C.C.I.R. in an advisory capacity.

[562] § 6. The internal organization of the C.C.I.R. shall be governed by the provisions of appendix 14 to the present Regulations. *Post*, p. 2645.

ARTICLE 32

Expenses of the Bureau of the Union

Expenses of Bureau.

[563] § 1. The ordinary expenses of the Bureau of the Union for the radio service must not exceed the amount of 200,000 gold francs annually.

[564] § 2. However, if an extraordinary expense is incurred for printed matter or for various documents during a year, and the corresponding revenue is not collected during the same year, the Bureau shall be authorized, in this case only, to exceed the maximum credit provided for, with the understanding that the maximum credit for the following year shall be reduced by an amount equal to the above-mentioned excess.

[565] § 3. The sum of 200,000 gold francs may be modified later, with the consent of all the contracting parties.

ARTICLE 33

Effective Date of the General Regulations

Effective date of general regulations.

[566] The present General Regulations shall go into effect on the first day of January, one thousand nine hundred and thirty-four.

[567] In witness whereof the respective plenipotentiaries have signed the present General Regulations in a single copy which shall remain deposited in the archives of the Spanish Government and a copy of which shall be forwarded to each government.

Done at Madrid, December 9, 1932.

Signatures.

Pour l'Union de l'Afrique du Sud:

H J Lenton

A. McLachlan

Pour l'Allemagne:

Hermann Giess

Dr Ing. Hans Carl Steidle.

Dr Paul Jäger

Dr Hans Harbich

Paul Münch

Martin Feuerhahn

Siegfried May

Dr Friedrich [illegible]

Rudolf Salzmann

Erhard Maertens.

Curt Wagner.

Signatures—Contd.

Pour la République Argentine:

Pour la Fédération Australienne:

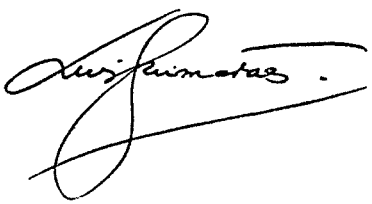
Pour l'Autriche:

Pour la Belgique:

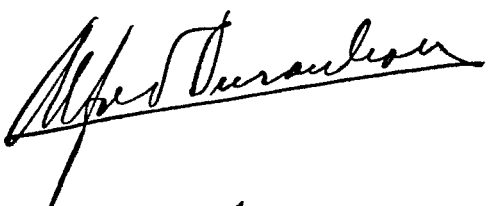
Signatures—Contd.

Pour la Bolivie:

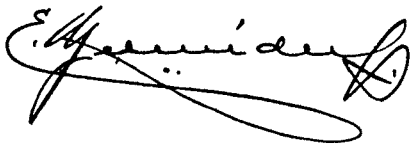
Pour le Brésil:



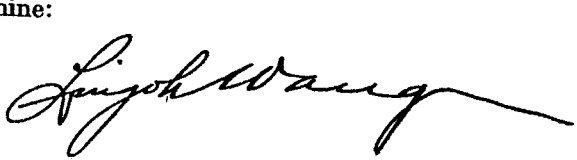
Pour le Canada:



Pour le Chili:



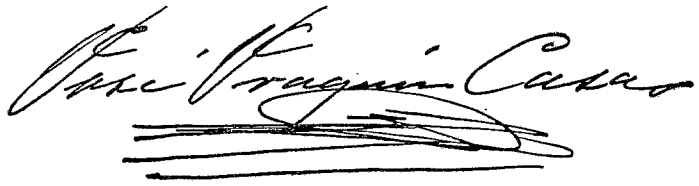
Pour la Chine:

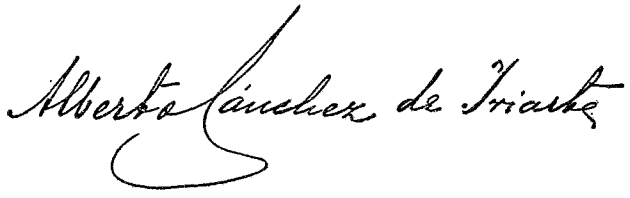


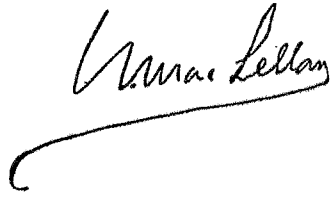
Signatures—Contd.

Pour l'Etat de la Cité du Vatican:

Pour la République de Colombie:



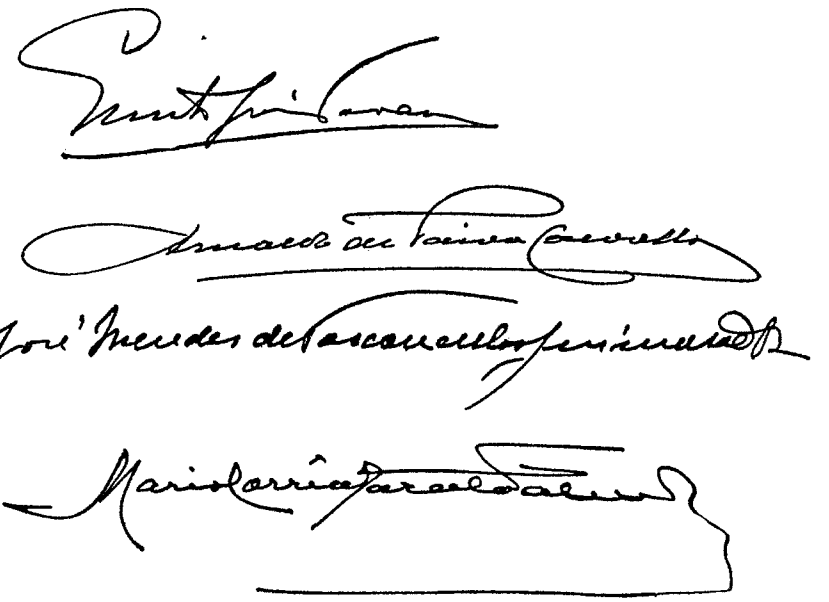




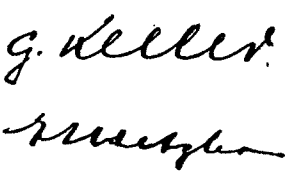
Pour les Colonies françaises, protectorats et territoires sous mandat français:

Signatures—Contd.

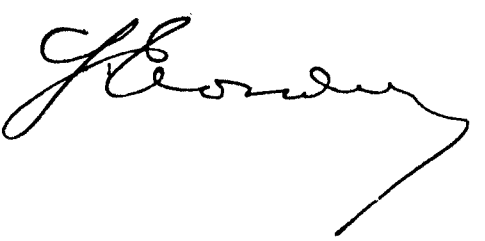
Pour les Colonies portugaises:



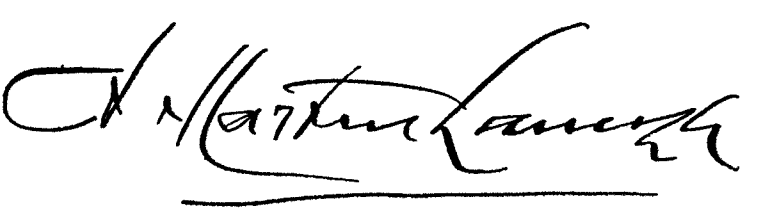
Pour la Confédération suisse:



Pour le Congo belge:



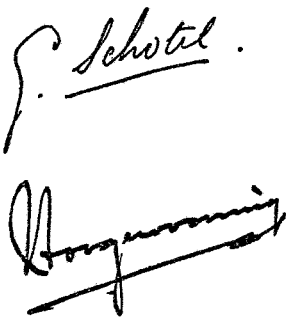
Pour Costa-Rica:



Signatures—Contd.

Pour Cuba:

Pour Curaçao et Surinam:



Pour la Cyrénaïque:

Pour le Danemark:

Signatures—Contd.

Pour la Ville libre de Dantzig:

Ing. Henryk Kowalski

Pour la République Dominicaine:

Pour l'Egypte:

Mohamed Said.

Pour la République de El Salvador:

Raúl Contreras

Signatures—Contd.

Pour l'Equateur:

Pour l'Erythrée:

Pour l'Espagne:

Signatures—Contd.

Pour les Etats-Unis d'Amérique:

Pour la Finlande:

Pour la France:

Pour le Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord: Signatures—Contd.

Pour la Grèce:

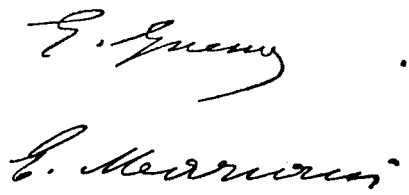
Pour le Guatemala:

Signatures—Contd.

Pour la République de Honduras:

Pour la Hongrie:

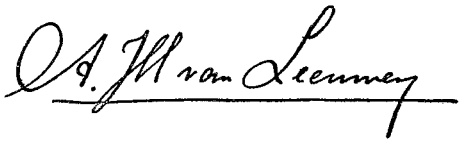
Pour les Iles italiennes de l'Egée:

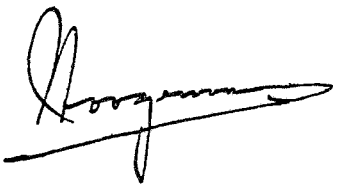


Pour les Indes britanniques:

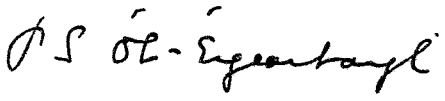
Pour les Indes néerlandaises:

Signatures—Contd.





Pour l'Etat libre d'Irlande:



Pour l'Islande:

Pour l'Italie:

Signatures—Contd.

Pour le Japon,
Pour Chosen, Taiwan, Karafuto, le Territoire à bail du Kwantung et les Iles des Mers du Sud sous mandat japonais:

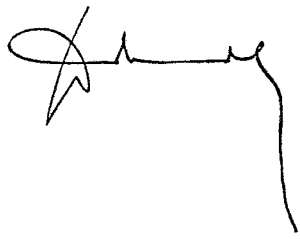
Pour la Lettonie:

Pour Libéria:

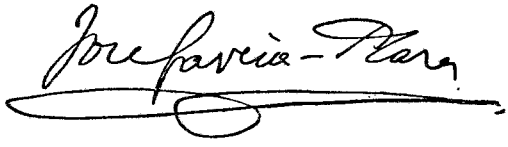
Signatures—Contd.

Pour la Lithuanie:

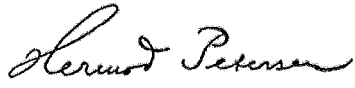
Pour le Maroc:



Pour le Nicaragua:



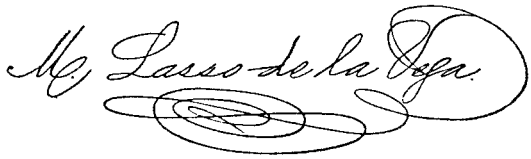
Pour la Norvège:



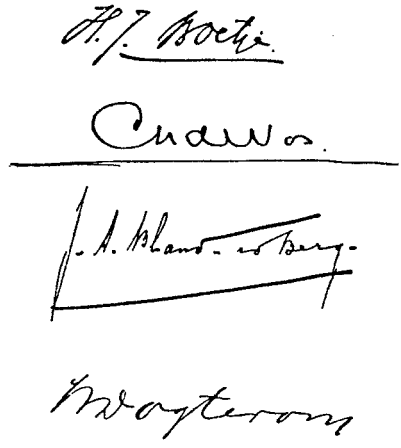
Pour la Nouvelle-Zélande:

Signatures—Contd.

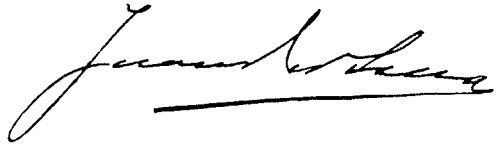
Pour la République de Panama:



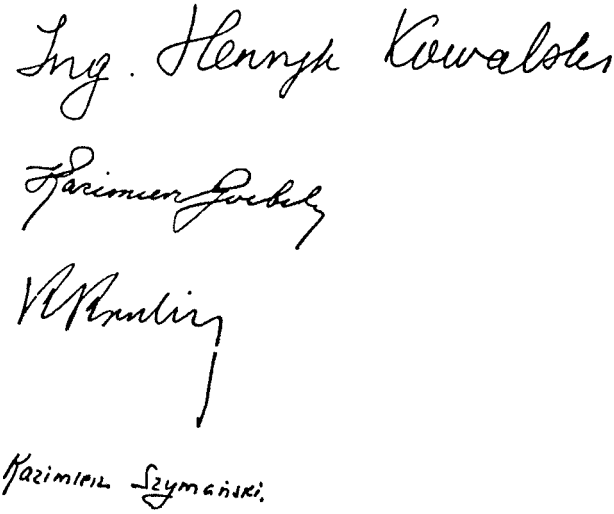
Pour les Pays-Bas:



Pour le Pérou:



Pour la Pologne:



Signatures—Contd.

Pour le Portugal:

Pour la Roumanie:

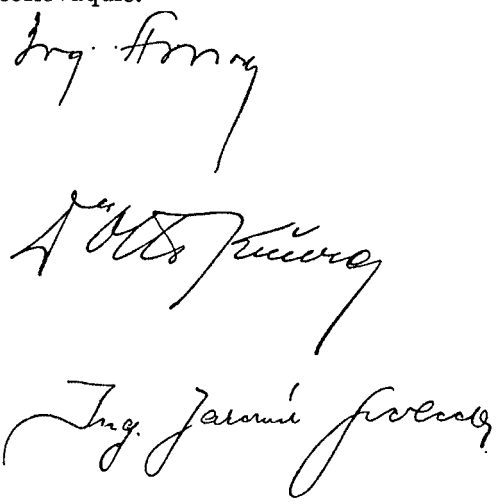
Pour la Somalie italienne:

Pour la Suède:

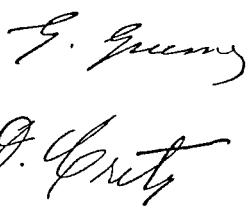
Pour la Syrie et le Liban:

Signatures—Contd.

Pour la Tchécoslovaquie:

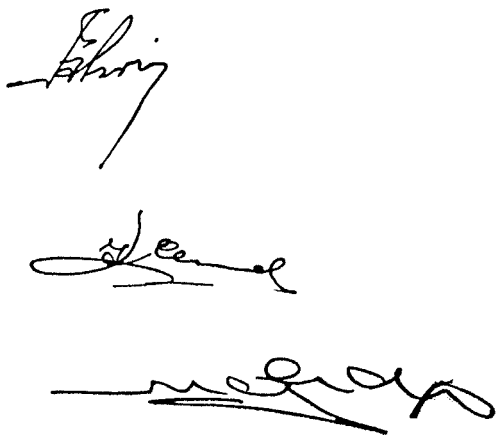


Pour la Tripolitaine:



Pour la Tunisie:

Pour la Turquie:



Pour l'Union des Républiques Soviétistes Socialistes: Signatures—Contd.

Eugène Hirschfeld

Alexandre Gorodeer

Pour l'Uruguay:

Ad referendum du Gouvernement de l'Uruguay. Luis Fallabrino.

Pour le Vénézuéla:

César Zumeta Guerrero

Antonio Reyes

Pour la Yougoslavie:

D. D. Zlatanovitch

APPENDICE 1.

Tableau des tolérances de fréquence et des instabilités.

(Voir l'article 6.)

1° La *tolérance* de fréquence est le maximum de l'écart admissible entre la fréquence assignée à une station et la fréquence réelle d'émission.

2° Cet écart résulte de la combinaison de trois erreurs:

a) l'erreur du radiofréquencemètre ou de l'indicateur de fréquence employé;

b) l'erreur faite lors du réglage du poste;

c) les variations lentes de la fréquence de l'émetteur.

3° Dans la tolérance de fréquence, il n'est pas tenu compte de la modulation.

4° L'*instabilité* de fréquence est le maximum de l'écart admissible résultant de la seule erreur visée au *c*) ci-avant.

TABLEAU DES TOLÉRANCES DE FRÉQUENCE ET DES INSTABILITÉS.

	Tolérances admissibles immédiatement	Tolérances admissibles pour les nouveaux émetteurs seulement après 1933	Instabilités admissibles immédiatement	Instabilités admissibles pour les nouveaux émetteurs seulement après 1933
	±	±	±	±
A. *De 10 à 550 kc/s (30 000 à 545 m)*:				
a) Stations fixes	0,1 %	0,1 %		
b) Stations terrestres	0,1 %	0,1 %		
c) Stations mobiles utilisant des fréquences indiquées	0,5 %[1])	0,5 %[1])		
d) Stations mobiles utilisant une onde quelconque à l'intérieur de la bande.			0,5 %	0,5 %
e) Stations de radiodiffusion	0,3 kc/s	0,05 kc/s		
B. *De 550 à 1 500 kc/s (545 à 200 m)*:				
a) Stations de radiodiffusion	0,3 kc/s	0,05 kc/s		
b) Stations terrestres	0,1 %	0,1 %		
c) Stations mobiles utilisant une onde quelconque à l'intérieur de la bande			0,5 %	0,5 %

[1]) Il est reconnu qu'il existe dans ce service un grand nombre d'émetteurs à étincelles et de simples émetteurs auto-oscillateurs qui ne sont pas à même de satisfaire à cette condition.

APPENDIX 1

Appendix 1.

Table of Frequency Tolerances and of Instabilities

Frequency tolerances. *Ante*, p. 2453.

(See article 6)

1. The frequency *tolerance* is the maximum permissible separation between the frequency assigned to a station and the actual frequency of emission.

2. This separation results from the combination of three errors:
   (*a*) the error of the radio frequency meter or of the frequency indicator used;
   (*b*) the error made when the set is adjusted;
   (*c*) the slow variations of the transmitter frequency.

3. In the frequency tolerance, modulation is not to be considered.

4. The *instability* of the frequency is the maximum permissible separation resulting from the error mentioned in the above (*c*) only.

TABLE OF FREQUENCY TOLERANCES AND OF INSTABILITIES

Table.

	Tolerances permissible immediately	Tolerances permissible for new transmitters only after 1933	Instabilities permissible immediately	Instabilities permissible for new transmitters only after 1933
	±	±	±	±
A. *From 10 to 550 kc (30,000 to 545 m)*:				
(*a*) Fixed stations	0.1%	0.1%		
(*b*) Land stations	0.1%	0.1%		
(*c*) Mobile stations using specified frequencies	0.5% [1]	0.5% [1]		
(*d*) Mobile stations using any wave within the band			0.5%	0.5%
(*e*) Broadcasting	0.3 kc	0.05 kc		
B. *From 550 to 1,500 kc (545 to 200 m)*:				
(*a*) Broadcasting stations	0.3 kc	0.05 kc		
(*b*) Land stations	0.1%	0.1%		
(*c*) Mobile stations using any wave within the band			0.5%	0.5%

[1] It is recognized that a great number of spark transmitters and simple self-oscillator transmitters exist in this service which are not able to meet these requirements.

	Tolérances admissibles immédiatement	Tolérances admissibles pour les nouveaux émetteurs seulement après 1933	Instabilités admissibles immédiatement	Instabilités admissibles pour les nouveaux émetteurs seulement après 1933
	±	±	±	±
C. *De 1 500 à 6 000 kc/s (200 à 50 m)* :				
a) Stations fixes	0,05 %	0,03 %		
b) Stations terrstres	0,1 %	0,04 %		
c) Stations mobiles utilisant des fréquences indiquées	0,1 %	0,1 %		
d) Stations mobiles utilisant une onde quelconque à l'intérieur de la bande			5 kc/s	3 kc/s
e) Stations fixes et terrestres de faible puissance (jusqu'à 250 watts-antenne) travaillant dans les bandes communes aux services fixes et mobiles	[1])	[1])	5 kc/s	3 kc/s
D. *De 6 000 à 30 000 kc/s (50 à 10 m)* :				
a) Stations fixes	0,05 %	0,02 %		
b) Stations terrestres	0,1 %	0,04 %		
c) Stations mobiles utilisant des fréquences indiquées	0,1 %	0,1 % (0,04 % pour les fréquences dans les bandes communes)		
d) Stations mobiles utilisant une onde quelconque à l'intérieur de la bande			0,1 %	0,05 %
e) Stations de radiodiffusion	0,03 %	0,01 %		
f) Stations fixes et terrestres de faible puissance (jusqu'à 250 watts-antenne) travaillant dans les bandes communes aux services fixes et mobiles	[1])	[1])	0,1 %	0,05 %

[1]) Les tolérances admissibles n'étant pas données, les administrations fixeront des tolérances aussi réduites que faire se pourra.

Note. Les administrations s'efforceront de profiter des progrès de la technique pour réduire progressivement les tolérances de fréquence et les limites d'instabilité.

TABLE OF FREQUENCY TOLERANCES AND OF INSTABILITIES—Continued

Table—Continued.

	Tolerances permissible immediately	Tolerances permissible for new transmitters only after 1933	Instabilities permissible immediately	Instabilities permissible for new transmitters only after 1933
	±	±	±	±
C. *From 1,500 to 6,000 kc (200 to 50 m)*:				
(*a*) Fixed stations	0.05%	0.03%		
(*b*) Land stations	0.1%	0.04%		
(*c*) Mobile stations using specified frequencies	0.1%	0.1%		
(*d*) Mobile stations using any wave within the band			5 kc	3 kc
(*e*) Low-power fixed and land stations (up to 250 watts-antenna) operating in the bands shared by fixed and mobile services	(2)	(2)	5 kc	3 kc
D. *From 6,000 to 30,000 kc (50 to 10 m)*:				
(*a*) Fixed stations	0.05%	0.02%		
(*b*) Land stations	0.1%	0.04%		
(*c*) Mobile stations using specified frequencies	0.1%	0.1% (0.04% for frequencies within shared bands)		
(*d*) Mobile stations using any wave within the band			0.1%	0.05%
(*e*) Broadcasting stations	0.03%	0.01%		
(*f*) Low-power fixed and land stations (up to 250 watts-antenna) operating in the bands shared by fixed and mobile services	(2)	(2)	0.1%	0.05%

[2] The permissible tolerances not being given, the administrations shall fix tolerances as low as possible.

NOTE.—The administrations shall endeavor to take advantage of technical progress to reduce gradually the frequency tolerances and the limits of instability.

APPENDICE 2.

Tableau des largeurs de bande de fréquences occupées par les émissions.

(Voir l'article 6.)

Les bandes de fréquences effectivement utilisées, en principe, par les différents types de transmission dans l'état actuel de la technique sont indiquées ci-après.

Type de transmission	Largeur de la bande Cycles par seconde (y compris les deux bandes latérales)
Télégraphie, vitesse de 100 mots par minute, code Morse (40 points par seconde)	
sur onde entretenue non modulée	de 80 à 240 (correspondant à la fréquence fondamentale de manipulation et à son troisième harmonique).
sur onde entretenue modulée ...	même valeur que ci-avant, plus deux fois la fréquence de modulation.
Transmission d'images fixes	environ le rapport du nombre d'éléments [1]) d'images à transmettre au nombre de secondes nécessaires à la transmission. Exemple: 100 000: 100=1 000.
Télévision	environ le produit du nombre d'éléments [1]) d'une image par le nombre d'images transmises par seconde. Exemple: 10 000×20=200 000.
Radiotéléphonie commerciale ...	environ 6 000.
Radiotéléphonie de haute qualité, comme par exemple en radiodiffusion	environ 10 000 à 20 000.

[1]) Un cycle est composé de deux éléments, un blanc et un noir; la fréquence de modulation est donc la moitié du nombre d'éléments transmis par seconde.

APPENDIX 2

Appendix 2.

Table of Frequency-band Widths Occupied by the Emissions

Frequency-band widths.

(See article 6)

Ante, p. 2453.

Table.

Generally, the frequency bands actually used by the different types of transmission at the present state of the art are indicated below:

Type of transmission	Width of the band in cycles per second (including both sidebands)
Telegraphy, speed of 100 words per minute, Morse code (40 dots per second)	
on unmodulated continuous waves	From 80 to 240 (corresponding to the fundamental keying frequency and to its third harmonic).
on modulated continuous waves	Same figure as above, plus twice the modulation frequency.
Transmission of still pictures	Approximately the ratio between the number of picture elements [1] to be transmitted and the number of seconds necessary for the transmission. Example: 100,000:100=1,000.
Television	Approximately the product of the number of picture elements [1] in a single picture multiplied by the number of pictures transmitted per second. Example: 10,000×20=200,000.
Commercial radiotelephony	About 6,000.
High-quality radiotelephony, as, for instance, in broadcasting	About 10,000 to 20,000.

[1] A cycle is composed of two elements, one black and one white; the modulation frequency therefore is one half of the number of elements transmitted per second.

APPENDICE 3.

Rapport sur une infraction à la Convention des télécommunications ou aux Règlements des radiocommunications.

(Voir l'article 13.)

Détails relatifs à la station transgressant les Règlements.	
1. Nom, s'il est connu (en caractères d'imprimerie) [*Remarque a*)]	.....
2. Indicatif d'appel (en caractères d'imprimerie)	.....
3. Nationalité, si elle est connue	.....
4. Onde employée (kc/s ou m)	.....
5. Système [*Remarque b*)]	.....
Détails relatifs à la station signalant l'irrégularité.	
6. Nom (en caractères d'imprimerie)	.....
7. Indicatif d'appel (en caractères d'imprimerie)	.....
8. Nationalité	.....
9. Position approximative [*Remarque c*)]....	.....
Détails de l'irrégularité.	
10. Nom [*Remarque d*)] de la station en communication avec celle qui commet l'infraction	.....
11. Indicatif d'appel de la station en communication avec celle qui commet l'infraction	.....
12. Heure [*Remarque e*)] et date	.....
13. Nature de l'irrégularité [*Remarque f*)]	.....

14. *Extraits du journal de bord et autres documents à l'appui du rapport* (à continuer au verso, si nécessaire). Heure.

15. *Certificat.*

Je certifie que le rapport ci-dessus donne, autant que je sache, le compte rendu complet et exact de ce qui a eu lieu.

Date: le ..... 19.... (*) .....

*) Ce rapport doit être signé par l'opérateur qui a relevé l'infraction, et contresigné par le commandant du navire ou de l'aéronef, ou le chef de la station terrestre.

APPENDIX 3

Appendix 3.

Report of a Violation of the Telecommunication Convention or of the Radio Regulations

Report of violations.

(See article 13)

Ante, p. 2491.

Particulars concerning the station violating the Regulations	
1. Name, if known (in printed letters) [*Note* (*a*)]	.....
2. Call signal (in printed letters)	.....
3. Nationality, if known	.....
4. Wave used (kc or m)	.....
5. System [*Note* (*b*)]	.....
Particulars concerning station reporting the irregularity	
6. Name (in printed letters)	.....
7. Call signal (in printed letters)	.....
8. Nationality	.....
9. Approximate position [*Note* (*c*)]	.....
Details of the irregularity	
10. Name [*Note* (*d*)] of the station in communication with the station committing the violation	.....
11. Call signal of the station in communication with the station committing the violation	.....
12. Time [*Note* (*e*)] and date	.....
13. Nature of the irregularity [*Note* (*f*)]	.....

14. *Excerpts from ship log and other documents supporting the report* (to be continued on reverse side, if necessary). Time.

15. *Certificate.*

I certify that the foregoing report represents, to the best of my knowledge, a complete and accurate account of what took place.

Date:..... 19.... (*).....

* This report must be signed by the operator who called attention to the violation, and countersigned by the master of the ship or aircraft, or by the chief of the land station.

INDICATIONS POUR REMPLIR CETTE FORMULE.

Remarque *a*) Chaque rapport ne fera mention que d'un seul navire ou d'une seule station, voir remarque *d*).

Remarque *b*) Type A1, A2, A3 ou B.

Remarque *c*) Applicable seulement aux navires et aéronefs, doit être exprimée en latitude et longitude (Greenwich) ou par un relèvement vrai et distance en milles marins ou en kilomètres de quelque endroit bien connu.

Remarque *d*) Si les deux stations en communication enfreignent les Règlements, un rapport sera fait séparément pour chacune de ces stations.

Remarque *e*) Doit être exprimée par un groupe de quatre chiffres (0001 à 2400), temps moyen de Greenwich. Si l'infraction porte sur une période considérable, les heures devront être indiquées dans la marge du n° 14.

Remarque *f*) Un rapport séparé est requis pour chacune des irrégularités, à moins que les erreurs n'aient évidemment été faites par la même personne et n'aient eu lieu dans une courte période de temps. Tous les rapports doivent être envoyés en deux exemplaires et être établis dans la mesure du possible à la machine à écrire.

(L'emploi du crayon indélébile et du papier carbone est autorisé.)

POUR L'USAGE EXCLUSIF DE L'ADMINISTRATION.

1. Compagnie ayant le contrôle de l'installation de la station contre laquelle plainte est portée	.....
2 Nom de l'opérateur de la station tenu responsable de l'infraction aux Règlements	.....
3. Mesure prise	.....

INSTRUCTIONS FOR FILLING IN THIS FORM

Note (*a*) Each report will refer only to one ship or one station. See Note *d*.

Note (*b*) Type A1, A2, A3, or B.

Note (*c*) Applicable to ships and aircraft only; must be expressed either in latitude and longitude (Greenwich) or by a true bearing and distance in nautical miles or in kilometers from some well-known place.

Note (*d*) If both communicating stations violate the regulations, a separate report shall be made for each one of these stations.

Note (*e*) Must be expressed by a group of four figures (0001 to 2400), Greenwich mean time. If the violation covers a considerable period of time, the hours must be shown in the margin of item no. 14.

Note (*f*) A separate report is required for each irregularity, unless the violations have obviously all been made by the same person and have occurred within short time. All reports must be forwarded in duplicate and when practicable, must be typewritten

(Indelible pencil and carbon paper may be used.)

FOR THE USE OF THE ADMINISTRATION ONLY

1. Company controlling the installation of the station against which complaint is made	.....
2. Name of the operator of the station held responsible for the violation of the Regulations	.....
3. Action taken	.....

APPENDICE 4.

Heures de service des stations de navire classées dans la deuxième catégorie.

(Voir les graphique et carte à l'appendice 5 ainsi que les articles 15 et 23.)

Zones	Limites Ouest	Limites Est	Durée des heures de service (temps moyen de Greenwich)	
			8 heures (H 8)	16 heures (H 16)
A Océan Atlantique Est, Méditerranée, Mer du Nord, Baltique.	Méridien 30° W. Côte du Groenland.	Méridien 30° E, au Sud de la côte d'Afrique, Limites Est de la Méditerranée, de la Mer Noire et de la Baltique, Méridien 30° E au Nord de la Norvège.	de 8h à 10h de 12h à 14h de 16h à 18h de 20h à 22h	de 0h à 6h de 8h à 14h de 16h à 18h de 20h à 22h
B Océan Indien Ouest, Océan Arctique Est.	Limite Est de la Zone A.	Méridien 80° E, Côte Ouest de Ceylan au Pont d'Adam, de là à l'Ouest, le long des côtes de l'Inde.	de 4h à 6h de 8h à 10h de 12h à 14h de 16h à 18h	de 0h à 2h de 4h à 10h de 12h à 14h de 16h à 18h de 20h à 24h
C Océan Indien Est, Mer de Chine, Océan Pacifique Ouest.	Limite Est de la Zone B.	Méridien 160° E.	de 0h à 2h de 4h à 6h de 8h à 10h de 12h à 14h	de 0h à 6h de 8h à 10h de 12h à 14h de 16h à 22h
D Océan Pacifique Central.	Limite Est de la Zone C.	Méridien 140° W.	de 0h à 2h de 4h à 6h de 8h à 10h de 20h à 22h	de 0h à 2h de 4h à 6h de 8h à 10h de 12h à 18h de 20h à 24h
E Océan Pacifique Est.	Limite Est de la Zone D.	Méridien 70° W au Sud de la Côte américaine, Côte Ouest d'Amérique.	de 0h à 2h de 4h à 6h de 16h à 18h de 20h à 22h	de 0h à 2h de 4h à 6h de 8h à 14h de 16h à 22h
F Océan Atlantique Ouest et Golfe du Mexique.	Méridien 70° W au Sud de la Côte américaine, Côte Est d'Amérique.	Méridien 30° W, Côte du Groenland.	de 0h à 2h de 12h à 14h de 16h à 18h de 20h à 22h	de 0h à 2h de 4h à 10h de 12h à 18h de 20h à 22h

APPENDIX 4

Appendix 4.

Hours of Service for Ship Stations in the Second Category

Hours of service.

(See chart and map, appendix 5, also articles 15 and 23)

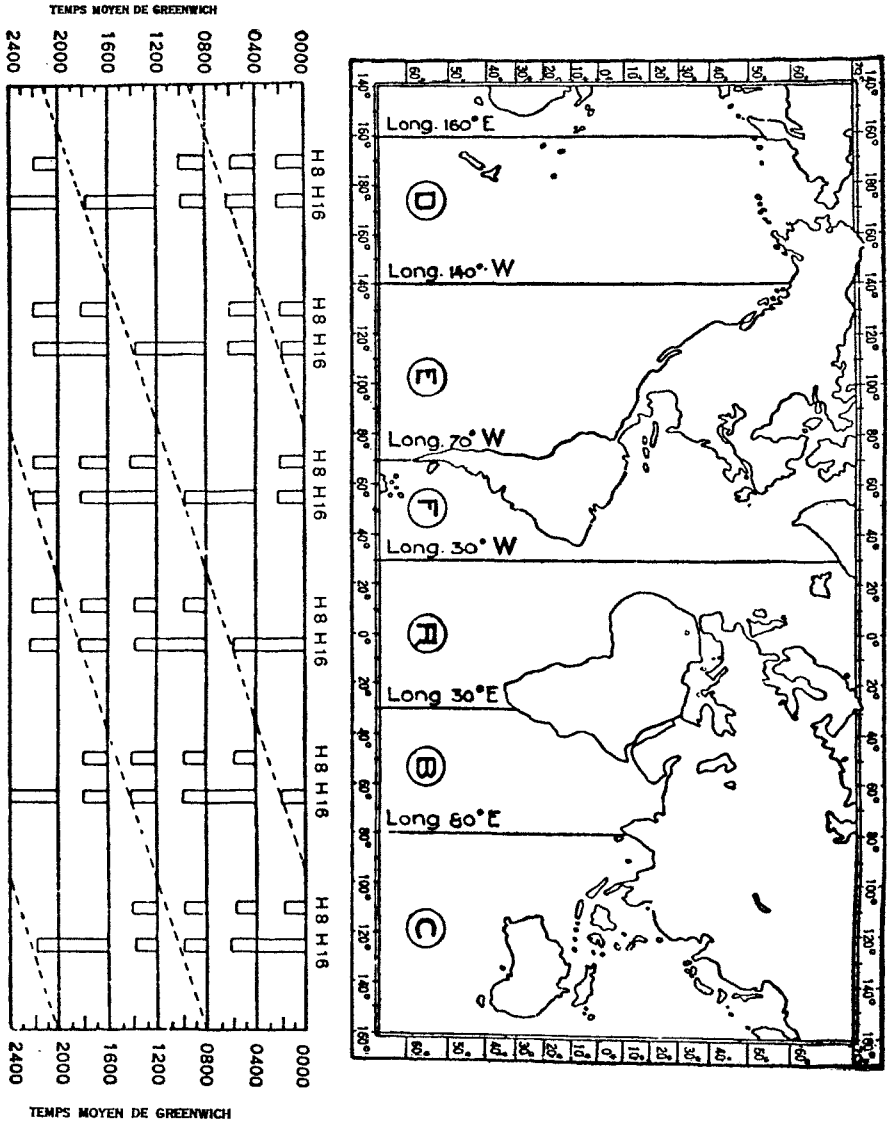
Ante, pp. 2497, 2537; *Post*, p. 2597.

Zones	Western limits	Eastern limits	Hours of service (Greenwich mean time)	
			8 hours (H 8)	16 hours (H 16)
A Eastern Atlantic Ocean, Mediterranean, North Sea, Baltic	Meridian 30° W., coast of Greenland	Meridian 30° E., south of the coast of Africa, eastern limits of Mediterranean, of the Black Sea and of the Baltic, Meridian 30° E. north of Norway	*from to* 8 10 12 14 16 18 20 22 o'clock	*from to* 0 6 8 14 16 18 20 22 o'clock
B Western Indian Ocean, Eastern Arctic Ocean	Eastern limit of Zone A	Meridian 80° E., west coast of Ceylon to the Pont d'Adam, thence westward along the Indian coast	*from to* 4 6 8 10 12 14 16 18 o'clock	*from to* 0 2 4 10 12 14 16 18 20 24 o'clock
C Eastern Indian Ocean, China Sea, Western Pacific Ocean	Eastern limit of Zone B	Meridian 160° E.	*from to* 0 2 4 6 8 10 12 14 o'clock	*from to* 0 6 8 10 12 14 16 22 o'clock
D Central Pacific Ocean	Eastern limit of Zone C	Meridian 140° W.	*from to* 0 2 4 6 8 10 20 22 o'clock	*from to* 0 2 4 6 8 10 12 18 20 24 o'clock
E Eastern Pacific Ocean	Eastern limit of Zone D	Meridian 70° W., south of the American coast, west coast of America	*from to* 0 2 4 6 16 18 20 22 o'clock	*from to* 0 2 4 6 8 14 16 22 o'clock
F Western Atlantic Ocean and Gulf of Mexico	Meridian 70° W., south of the American coast, east coast of America	Meridian 30° W., coast of Greenland	*from to* 0 2 12 14 16 18 20 22 o'clock	*from to* 0 2 4 10 12 18 20 22 o'clock

APPENDICE 5.

Heures de service des stations de navire classées dans la deuxième catégorie.

(Voir le tableau à l'appendice 4, ainsi que les articles 15 et 23.)



APPENDIX 5

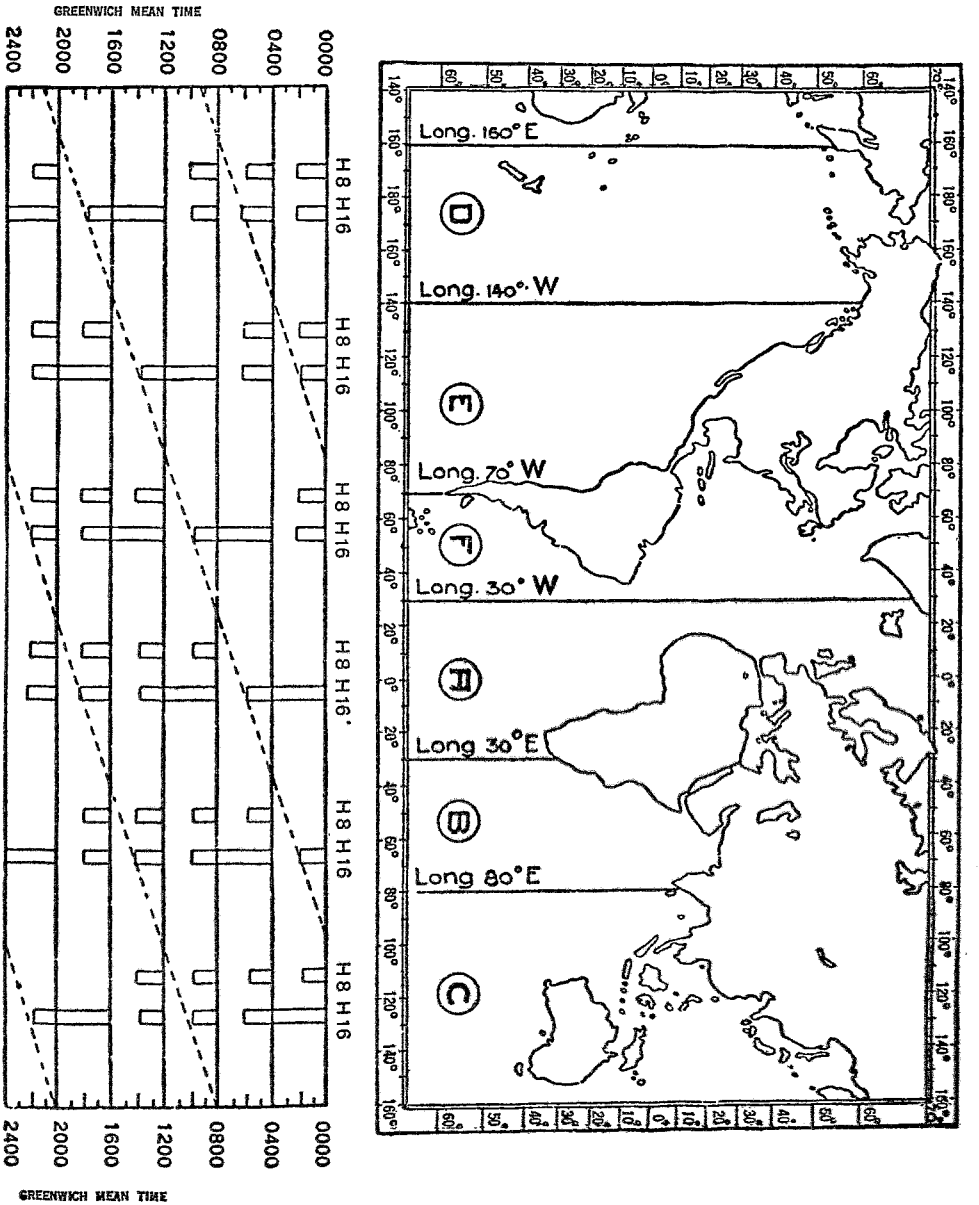
Appendix 5.

Hours of Service for Ship Stations in the Second Category

Hours of service.

(See table in appendix 4, also articles 15 and 23)

Ante, pp. 2595, 2497, 2535.



APPENDICE 6.

Documents de service.

(Voir l'article 15.)

TOME I. NOMENCLATURE DES STATIONS CÔTIÈRES ET DE NAVIRE.

Partie A. Index alphabétique des stations côtières.

Nom de la station	Indicatif d'appel	Voir partie B page
1	2	3

Partie B. Etat signalétique des stations côtières.

(Nom du pays / Nom des stations } par ordre alphabétique.)

Nom de la station	Indicatif d'appel	Ondes		Position géographique exacte de l'antenne émettrice [3]	Puissance dans l'antenne [4] kW	Service		Taxes [5] [6]	Observations [7]
		Fréquences (longueurs) [1] kc/s (m)	Type			Nature	Heures d'ouverture [4]		
1	2	3	4	5	6	7.	8	9	10

[1]) L'onde normale de travail est imprimée en caractères gras.

[2]) Méridien de Greenwich.

[3]) Dans le cas d'antennes dirigées, il y a lieu d'indiquer la directivité et l'azimut.

[4]) Temps moyen de Greenwich.

[5]) La taxe télégraphique intérieure du pays dont dépend la station côtière et la taxe appliquée par ce pays aux télégrammes à destination des pays limitrophes sont indiquées dans une annexe à la présente nomenclature.

[6]) Si les comptes de taxes sont liquidés par une exploitation privée, il y a lieu d'indiquer, le cas échéant, le nom et l'adresse de cette exploitation privée.

[7]) Renseignements particuliers concernant les heures d'appel pour la transmission des listes d'appels, etc.

APPENDIX 6

Appendix 6.

Service Documents

Service documents.

(See article 15)

Ante, p. 2497.

VOLUME I. NOMENCLATURE OF COAST AND SHIP STATIONS

Vol. I. Nomenclature of coast and ship stations.

Part A. Alphabetical Index of Coast Stations

Part A.

Name of the station	Call signal	See part B page
1	2	3

Part B. Descriptive List of Coast Stations

Part B.

(Name of the country / Name of the stations } in alphabetical order)

Name of the station	Call signal	Wave		Exact geographical location of the transmitting antenna [2]	Power in the antenna [3]	Service		Charges [5] [6]	Remarks [7]
		Frequencies (wavelengths) [1] kc (m)	Type		kw	Nature	Working hours [4]		
1	2	3	4	5	6	7	8	9	10

[1] The normal working-wave is printed in boldface type.

[2] Greenwich meridian.

[3] In the case of directive antennas, indicate directivity and azimuth.

[4] Greenwich mean time.

[5] The internal telegraph charge of the country to which the coast station belongs, and the charge applied by this country to telegrams addressed to adjoining countries are given in an annex to the present nomenclature.

[6] If the accounts for charges are settled by a private operating enterprise, indicate the name and address of this private operating enterprise.

[7] Special information concerning the calling hours for the transmission of call lists, etc.

Partie C. Etat signalétique des stations de navire.

Les renseignements relatifs à ces stations sont publiés en deux ou trois lignes dans l'ordre suivant:

1re ligne.

Indicatif d'appel au-dessous duquel figurera la taxe du navire, suivie d'un renvoi pour désigner l'administration ou l'exploitation privée à laquelle les comptes de taxe doivent être adressés. En cas de changement de l'adresse de l'exploitant, un second renvoi, après la taxe, donnera la nouvelle adresse et la date à partir de laquelle le changement entrera en vigueur;

nom du navire rangé à l'ordre alphabétique sans considération de nationalité, suivi de l'indicatif d'appel en cas d'homonymie; dans ce cas, le nom et l'indicatif sont séparés par une barre de fraction; ensuite, des notations ⁂, △, etc. Lorsque deux ou plusieurs stations de navire de même nationalité portent le même nom, ainsi que dans les cas où les comptes de taxes doivent être adressés directement au propriétaire du navire, il est fait, dans un renvoi, mention du nom de la compagnie de navigation ou de l'armateur auquel appartient le navire;

puissance dans l'antenne en kilowatts;

mètres-ampères, entre parenthèses.

Pour établir le produit «mètres-ampères», on multiplie la hauteur *réelle* de l'antenne en mètres à partir de la ligne de charge par le courant efficace en ampères à la base de l'antenne;

nature du service;

heures d'ouverture sous forme de notation de service ou de renvoi. Les heures indiquées autrement que sous forme de notation de service doivent être indiquées en temps moyen de Greenwich.

2e ligne.

(pour la taxe, voir 1re ligne).

Pays dont relève la station (indication abrégée);

types et

fréquences (longueurs d'onde) d'émission pour lesquelles les réglages sont faits, l'onde normale de travail étant imprimée en caractères gras.

3e ligne.

Renvois et observations succincts.

Part C. Descriptive List of Ship Stations

The information relating to these stations is published in two or three lines in the following order:

First line

Call signal below which will appear the ship charge, followed by a reference to indicate the administration or private operating enterprise to which the accounts for charges must be addressed. In case of a change of address of the operating agency, a second reference after the charge will give the new address and the date on which the change will become effective.

Name of the ship, placed in alphabetical order without regard to nationality followed by the call signal in case of similarity of names; in this case, the name and call signal shall be separated by a fraction bar; next, the symbols ⁂, △, etc. When two or more ship stations of the same nationality have the same name, as well as in cases where statements of charges must be sent directly to the owner of the ship, mention shall be made, in a footnote, of the name of the shipping company or of the shipowner to which the ship belongs.

Power in the antenna in kilowatts.

Meter amperes, in parentheses.

In order to obtain the "meter-ampere" product, the *real* height of the antenna in meters, measured from the transmission line, is multiplied by the effective current in amperes at the base of the antenna.

Nature of the service.

Working hours shown as a service indication or note.

Hours shown otherwise than in the form of service indications must be given in Greenwich mean time.

Second line

(For charges, see first line)

Country to which the station is subject (abbreviated indication);

Types and

frequencies (wavelengths) of emission for which adjustments are made, the normal working-wave being printed in boldface type.

Third line

Notes and brief remarks.

TOME II. NOMENCLATURE DES STATIONS AÉRONAUTIQUES ET D'AÉRONEF.

Partie A. Index alphabétique des stations aéronautiques.

Nom de la station	Indicatif d'appel	Voir partie B page
1	2	3

Partie B. Etat signalétique des stations aéronautiques.

(Nom du pays / Nom des stations } par ordre alphabétique.)

Nom de la station	Indicatif d'appel	Ondes				Position géographique exacte de l'antenne émettrice[3])	Puissance dans l'antenne[4]) kW	Service		Taxes[5][6])	Observations
		Pour la transmission		Pour la réception				Nature	Heures d'ouverture[4])		
		Fréquences[1]) (longueurs) kc/s (m)	Type	Fréquence (longueur) kc/s (m)	Type						
1	2	3	4	5	6	7	8	9	10	11	12

[1]) L'onde normale de travail est imprimée en caractères gras.
[2]) Méridien de Greenwich.
[3]) Dans le cas d'antennes dirigées, il y a lieu d'indiquer la directivité et l'azimut.
[4]) Temps moyen de Greenwich.
[5]) La taxe télégraphique intérieure du pays dont dépend la station aéronautique et la taxe appliquée par ce pays aux télégrammes à destination des pays limitrophes sont indiquées dans une annexe à la présente nomenclature.
[6]) Si les comptes de taxes sont liquidés par une exploitation privée, il y a lieu d'indiquer, le cas échéant, le nom et l'adresse de cette exploitation privée.

Partie C. Etat signalétique des stations d'aéronef.

Les stations sont rangées par ordre alphabétique de l'indicatif d'appel sans considération de nationalité.

Indicatif d'appel	Nom de la station ou marque de nationalité et d'immatriculation	Ondes		Puissance dans l'antenne kW	Pays	Nature du service	Taxes	Nom et adresse de l'administration ou entreprise à laquelle les comptes doivent être envoyés	Parcours habituel (port d'attache)	Type de l'aéronef et marque de fabrique	Observations
		Fréquences[1]) (longueurs) kc/s (m)	Types								
1	2	3	4	5	6	7	8	9	10	11	12

[1]) L'onde normale de travail est imprimée en caractères gras.

VOLUME II. NOMENCLATURE OF AERONAUTICAL AND AIRCRAFT STATIONS

Vol. II. Nomenclature of aeronautical and aircraft stations.

Part A. Alphabetical Index of Aeronautical Stations

Part A.

Name of the station	Call signal	See part B page
1	2	3

Part B. Descriptive List of Aeronautical Stations

Part B.

(Name of the country / Name of the stations } in alphabetical order)

Name of the station	Call signal	Waves				Exact geographical location of the transmitting antenna [2]	Power in the antenna [3]	Service		Charges [5] [6]	Remarks
		For transmission		For reception							
		Frequencies [1] (wavelengths)		Frequency (wavelength)							
		kc (m)	Type	kc (m)	Type		kw	Nature	Working hours [4]		
1	2	3	4	5	6	7	8	9	10	11	12

[1] The normal working-wave is printed in boldface type.

[2] Greenwich meridian.

[3] In the case of directive antennas, indicate directivity and azimuth.

[4] Greenwich mean time.

[5] The internal telegraph charge of the country to which the aeronautical station is subject and the charge applied by this country to telegrams addressed to adjoining countries are given in an annex to the present nomenclature.

[6] If the accounts for charges are settled by a private operating enterprise, indicate the name and address of this private operating enterprise.

Part C. Descriptive List of Aircraft Stations

Part C.

The stations are arranged in alphabetical order of call signals without regard to nationality.

Call signal	Name of station or symbol of nationality and registration	Waves		Power in the antenna	Country	Nature of the service	Charges	Name and address of the administration or enterprise to which the accounts must be sent	Customary route (port of registry)	Type of aircraft and make	Remarks
		Frequencies [1] (wavelengths)									
		kc (m)	Type	kw							
1	2	3	4	5	6	7	8	9	10	11	12

[1] The normal working-wave is printed in boldface type.

TOME III. NOMENCLATURE DES STATIONS EFFECTUANT DES SERVICES SPÉCIAUX.

Partie A. Index alphabétique des stations.

Nom de la station	Indicatif d'appel	Voir partie B page
1	2	3

Partie B. Etat signalétique des stations.

1° Stations radiogoniométriques.

(Nom du pays / Nom de la station } par ordre alphabétique.)

Nom de la station	Position géographique exacte [1]) a) de l'antenne réceptrice de la station gonio b) de l'antenne émettrice de la station gonio c) de l'antenne de l'émetteur de la station visée colonne 8	Indicatif d'appel	Ondes types — fréquences (longueurs) — Pour appeler la station gonio kc/s (m)	Pour transmettre à la station gonio les signaux requis pour faire les relèvements kc/s (m)	Pour la transmission des relèvements par la station gonio kc/s (m)	Puissance dans l'antenne de l'émetteur kW	Nom et indicatif d'appel de la station avec laquelle la communication doit être établie si la station gonio n'est pas dotée d'un émetteur	Taxes	Observations a) secteurs de relèvement normalement sûrs et renvois aux publications nationales ou internationales de balisage b) heures d'ouverture [2]), etc.
1	2	3	4	5	6	7	8	9	10

[1]) Méridien de Greenwich.
[2]) Temps moyen de Greenwich.

VOLUME III.—NOMENCLATURE OF STATIONS CARRYING ON SPECIAL SERVICES

Vol. III. Nomenclature of stations carrying on special services.

Part A. Alphabetical Index of the Stations

Part A.

Name of station	Call signal	See part B page
1	2	3

Part B. Descriptive List of Stations

Part B.

1. Radio direction-finding stations.

(Name of country / Name of the station } in alphabetical order)

Name of the station	Exact geographical location [1] (a) of the receiving antenna of the direction-finding station (b) of the transmitting antenna of the direction-finding station (c) of the antenna of the transmitter of the station mentioned in column 8	Call signal	Waves types — frequencies (wavelengths): For calling the direction-finding station kc (m)	For transmitting to the direction-finding station signals required to take bearings kc (m)	For the transmission of bearings by the direction-finding station kc (m)	Power in the transmitter antenna kw	Name and call signal of the station with which communication must be established if the direction-finding station is not equipped with a transmitter	Charges	Remarks (a) Sectors of normally reliable bearing and references to national or international publications on navigational aids (b) Working hours,[2] etc.
1	2	3	4	5	6	7	8	9	10

[1] Greenwich meridian.
[2] Greenwich mean time.

2° *Stations radiophares.*

Les radiophares sont rangés en deux sections: *a*) du service maritime
b) du service aérien.

(Nom du pays
Nom de la station } par ordre alphabétique.)

Nom de la station	Position géographique exacte de l'antenne émettrice du radiophare [1]	Signal caractéristique du radiophare	Indicatif d'appel du radiophare s'il y a lieu	Onde			Portée normale [2]	Nom et indicatif d'appel de la station à laquelle on peut transmettre une demande d'émission du radiophare	Onde d'appel fréquence (longueur) kc/s (m)	Observations *a*) secteurs normalement sûrs et renvois aux publications nationales ou internationales de balisage *b*) heures d'ouverture [3] *c*) taxes, etc.
				Fréquence (longueur) kc/s (m)	Type	Fréquence de modulation s'il y a lieu c/s				
1	2	3	4	5	6	7	8	9	10	11

[1]) Méridien de Greenwich.
[2]) Les portées sont indiquées en milles marins pour les stations du service maritime et en kilomètres pour les stations du service aérien.
[3]) Temps moyen de Greenwich.

3° *Stations émettant des signaux horaires.*

(Nom du pays
Nom de la station } par ordre alphabétique.)

Nom de la station	Indicatif d'appel	Ondes		Heures d'émission [1]	Méthode [2]
		Fréquences (longueurs) kc/s (m)	Type		
1	2	3	4	5	6

[1]) Temps moyen de Greenwich.
[2]) Instructions générales concernant les signaux horaires.

4° *Stations émettant des bulletins météorologiques réguliers.*

(Nom du pays
Nom de la station } par ordre alphabétique.)

Nom de la station	Indicatif d'appel	Ondes		Heures d'émission [1]	Observations [2]
		Fréquences (longueurs) kc/s (m)	Type		
1	2	3	4	5	6

[1]) Temps moyen de Greenwich.
[2]) Instructions générales concernant les bulletins météorologiques.

2. *Radiobeacon stations.*

Radiobeacons are arranged in two sections: (*a*) maritime service
(*b*) aeronautical service

(Name of the country / Name of the station } in alphabetical order)

Name of the station	Exact geographical location of the transmitting antenna of the radiobeacon [1]	Characteristic signal of the radiobeacon	Call signal of the radiobeacon, if any	Wave: Frequency (wavelength) kc (m)	Wave: Type	Wave: Modulation frequency, if any cycles	Normal range [2]	Name and call signal of the station to which a request for radiobeacon transmission may be sent	Calling wave frequency (wavelength) kc (m)	Remarks (*a*) Normally reliable sectors and references to national and international publications on navigational aids (*b*) Working hours [3] (*c*) Charges, etc.
1	2	3	4	5	6	7	8	9	10	11

[1] Greenwich meridian.
[2] The ranges are indicated in nautical miles for stations in the maritime service and in kilometers for stations in the aeronautical service.
[3] Greenwich mean time.

3. *Stations sending time signals.*

(Name of the country / Name of the station } in alphabetical order)

Name of the station	Call signal	Waves: Frequencies (wavelengths) kc (m)	Waves: Type	Hours of transmission [1]	Method [2]
1	2	3	4	5	6

[1] Greenwich mean time.
[2] General instructions concerning time signals.

4. *Stations sending regular meteorological bulletins.*

(Name of the country / Name of the station } in alphabetical order)

Name of the station	Call signal	Waves: Frequencies (wavelengths) kc	Waves: Type	Hours of transmission [1]	Remarks [2]
1	2	3	4	5	6

[1] Greenwich mean time.
[2] General instructions concerning meteorological bulletins.

5° Stations émettant des avis aux navigateurs.

(Nom des stations par pays avec les indications nécessaires.)
a) Service radiomaritime.
b) Service radioaérien.

6° Stations émettant des messages de presse adressés à tous (CQ).

(Nom du pays _____)
(Nom de la station avec les indications nécessaires.)

7° Stations émettant des avis médicaux.
8° Stations émettant des ondes étalonnées.
9° (le cas échéant, autres catégories de stations).

TOME IV. NOMENCLATURE DES STATIONS FIXES.

(Index à la liste des fréquences pour les stations fixes en service.)

Index alphabétique des stations rangées:

a) par stations

Station	Indicatif d'appel [1])	Onde fréquence (longueur) kc/s (m)
1	2	3

[1]) L'indicatif d'appel distinctif de chaque fréquence doit être indiqué en face de cette fréquence.

b) par pays

Station	Indicatif d'appel [1])	Onde fréquence (longueur) kc/s (m)	Observations
1	2	3	4

[1]) L'indicatif d'appel distinctif de chaque fréquence doit être indiqué en face de cette fréquence.

TOME V. NOMENCLATURE DES STATIONS DE RADIODIFFUSION.

Partie A. Index alphabétique des stations.

Nom de la station	Indicatif d'appel	Voir partie B page
1	2	3

5. *Stations sending notices to navigators.*

(Names of the stations by countries with the necessary indications)
(*a*) Radiomaritime service.
(*b*) Aeronautical radio service.

6. *Stations sending press messages addressed to all (CQ).*

(Name of the country _____)
(Name of the station with the necessary indications)

7. *Stations sending medical notices.*
8. *Stations sending standard frequency transmissions.*
9. (Stations of other classes, if any).

VOLUME IV. NOMENCLATURE OF FIXED STATIONS

Vol. IV. Nomenclature of fixed stations.

(*Index to the Frequency List for Fixed Stations in Service*)

Alphabetical Index of Stations Arranged:

(*a*) by stations

Station	Call signal[1]	Wave frequency (wavelength) kc (m)
1	2	3

[1] The identifying call signal of each frequency must be shown opposite that frequency.

(*b*) by countries

Station	Call signal[1]	Wave frequency (wavelength) kc (m)	Remarks
1	2	3	4

[1] The identifying call signal of each frequency must be shown opposite that frequency.

VOLUME V. NOMENCLATURE OF BROADCASTING STATIONS

Vol. V. Nomenclature of broadcasting stations.

Part A. Alphabetical Index of Stations

Part A.

Name of station	Call signal	See part B page
1	2	3

Partie B. Etat signalétique des stations.

(Nom du pays / Nom de la station) par ordre alphabétique.)

Nom de la station	Indicatif d'appel	Fréquences (longueurs) kc/s (m)	Position géographique exacte de l'antenne émettrice [1]	Puissance dans l'antenne kW	Nom et adresse de l'administration ou de l'entreprise effectuant l'émission	Observations
1	2	3	4	5	6	7

[1] Méridien de Greenwich.

LISTE DES FRÉQUENCES.

I. Généralités.

a) En ce qui concerne les *stations fixes, terrestres* et de *radiodiffusion*, les administrations notifient au Bureau de l'Union un état signalétique complet pour chaque fréquence attribuée à ces stations (voir l'article 7, § 5).

b) En ce qui concerne les *stations mobiles*, il n'est pas fourni d'état signalétique complet. On indique seulement pour chaque pays, séparément pour chaque catégorie de stations (de navire, d'aéronef, d'autres véhicules), les fréquences attribuées à ces stations dans les bandes qui leur sont réservées.

Exemple:

5 525 kc/s (54,30 m) stations de navire Etats-Unis d'Amérique.
5 690 kc/s (52,72 m) stations d'aéronef Brésil.

c) Les fréquences attribuées aux *stations effectuant des services spéciaux* ainsi qu'aux *stations d'amateur* et *expérimentales privées* sont indiquées en bloc, par pays et pour chaque catégorie de stations [exemple: 3 500 à 4 000 kc/s (85,71 à 75 m) stations d'amateur Canada].

d) En vue de faciliter l'utilisation de la liste des fréquences, le Bureau de l'Union mentionne sur chaque page la gamme de fréquences du tableau de répartition correspondant aux fréquences qui figurent sur cette page [exemple: 7 300 à 8 200 kc/s (41,10 à 36,59 m) services fixes].

e) Pour les termes et indications techniques employés dans la liste, il est recommandé aux administrations de se référer aux avis du C.C.I.R.

II. Notification.

a) La date de notification d'une fréquence, à insérer dans la colonne 3 a, est la date que porte la communication par laquelle le Bureau de l'Union a été informé de la *première* attribution de cette fréquence à une station du pays indiqué. Le nom de cette station figure dans la colonne 5.

Part B.

Part B. Descriptive List of Stations

(Name of the country / Name of the station } in alphabetical order)

Name of the station	Call signal	Frequencies (wavelengths) kc (m)	Exact geographical location of the transmitting antenna [1]	Power in the antenna kw	Name and address of the administration or enterprise making the transmission	Remarks
1	2	3	4	5	6	7

[1] Greenwich meridian.

Frequency list.

Frequency List

I. General.

I. General

(*a*) With regard to *fixed, land, and broadcasting stations*, the administrations shall furnish the Bureau of the Union with a complete descriptive list of each frequency assigned to these stations (see art. 7, § 5).

(*b*) With regard to *mobile stations*, no complete descriptive list shall be furnished. Only the frequencies assigned to these stations in the bands reserved to them shall be indicated in the case of each country, for each category of stations separately (ship, aircraft, other vehicles).

Example:

5,525 kc (54.30 m) ship stations, United States of America
5,690 kc (52.72 m) aircraft stations, Brazil

(*c*) The frequencies assigned to *stations carrying on special services* as well as to *amateur stations* and *private experimental stations* shall be indicated collectively for each country and for each class of stations (example: 3,500 to 4,000 kc (85.71 to 75 m), amateur stations, Canada).

(*d*) In order to facilitate the use of the frequency list, the Bureau of the Union shall show on each page the frequency range of the allocation table which corresponds to the frequencies appearing on this page (example: 7,300 to 8,200 kc (41.10 to 36.59 m), fixed services).

(*e*) For technical terms and indications used in the list, it is recommended that the administrations refer to the Opinions of the C.C.I.R.

II. Notification.

II. Notification

(*a*) The date of notification of a frequency, to be inserted in column 3a, is the date of the communication by which the Bureau of the Union was informed of the *first* allocation of this frequency to a station of the country indicated. The name of this station appears in column 5.

Par pays, on entend, dans cette liste, le pays dans les limites duquel est installée la station.

b) Lors de la première notification d'une fréquence pour une station d'un pays, la date à inscrire dans la colonne 3 b, en regard de cette station, est la même que celle portée dans la colonne 3 a. Si l'on attribue ultérieurement la même fréquence à une autre station du même pays, on insère en regard de la nouvelle station, dans la colonne 3 a, la date de la première notification visée ci-avant et, dans la colonne 3 b, la date de l'attribution de cette fréquence à cette nouvelle station.

c) Si, deux ans après la notification (colonne 3 b), la fréquence notifiée n'a pas été mise en exploitation par la station à laquelle elle a été attribuée, les inscriptions y relatives sont annulées, à moins que l'administration intéressée, obligatoirement consultée par le Bureau de l'Union six mois avant l'expiration du délai précité, n'en ait demandé le maintien. Dans ce cas, les dates de notification insérées dans les colonnes 3 a et 3 b subsistent.

Fréquence exacte en kc/s	Longueur d'onde approximative en mètres	Date		Indicatif d'appel	Nom et position géographique [1]) de la station et nom du pays dont relève cette station	Type d'émission (A1, A2, A3, A4, B, Spécial)	Puissance dans l'antenne		Directivité de l'antenne	Fréquence maximum de modulation pour les types d'émission A2, A3, A4 et Spécial [2])	Vitesse maximum normale de transmission en bauds [3])	Nature du service et pays avec lesquels la communication est prévue ou établie	Date de mise en exploitation de la fréquence par la station dont le nom figure dans la colonne 5 (date prévue entre parenthèses) [4])	Administration ou compagnie exploitante	Observations
		de première notification de la fréquence pour une station de ce pays	de notification de cette fréquence pour la station dont le nom figure dans la colonne 5				en kW	en % taux de modulation							
		a	b				a	b							
1	2	3		4	5	6	7		8	9	10	11	12	13	14

[1]) Méridien de Greenwich.

[2]) Le chiffre à inscrire dans la colonne 9 doit permettre de déterminer la largeur de la bande de fréquences occupée par la transmission.

Aucun signe ne précède le chiffre, lorsque la transmission utilise les deux bandes latérales. Si la transmission n'utilise qu'une bande latérale, on l'indique en plaçant devant le chiffre le signe + (bande latérale de fréquences supérieure à la fréquence porteuse) ou — (bande latérale de fréquences inférieure à la fréquence porteuse).

[3]) La vitesse en bauds pour le code Morse international est approximativement égale à 0,8 × mots par minute.

[4]) Les administrations notifient sans délai au Bureau de l'Union la mise en exploitation des fréquences pour lesquelles un état signalétique complet figure dans la liste des fréquences.

By country, in this list, is meant the country within the limits of which the station is installed.

(*b*) When a frequency is first notified for a station of a country, the date to be written in column 3b opposite this station is the same as that in column 3a. If the same frequency is later assigned to another station of the same country, the date of the first notification mentioned above shall be inserted in column 3a opposite the new station and, in column 3b, the date of the assignment of this frequency to this new station.

(*c*) If two years after the notification (column 3b) the station to which the notified frequency has been assigned is not operating on this frequency, the indications relating thereto shall be canceled, unless the administration concerned, which must be consulted by the Bureau of the Union 6 months before the expiration of the aforesaid period, has asked for their retention. In this case the dates of notification inserted in column 3a and 3b shall remain.

Exact frequency in kc	Approximate wavelength in meters	Date		Call signal	Name and geographical location [1] of the station and name of the country to which this station is subject	Types of emission (A1, A2, A3, A4, B, Special)	Power in the antenna		Directivity of the antenna	Maximum frequency of modulation for the types of emission A2, A3, A4, and Special [2]	Maximum normal speed of transmission in bauds [3]	Nature of the service and countries with which communication is contemplated or established	Date of putting into service of the frequency by the station whose name appears in col. 5 (date contemplated in parentheses) [4]	Administration or operating company	Remarks
		of the first notification of the frequency for a station of this country	of the notification of this frequency for the station whose name appears in col. 5				in kw	rate of modulation in %							
		a	b				a	b							
1	2	3		4	5	6	7		8	9	10	11	12	13	14

(1) Greenwich meridian.

(2) The figure to be entered in column 9 must permit a determination of the width of the frequency band occupied by the transmission No sign shall precede the figure when the transmission uses both sidebands. If the transmission uses only one sideband, this is indicated by placing before the figure the sign + (sideband of frequencies above the carrier frequency) or − (sideband of frequencies below the carrier frequency).

(3) The speed in bauds for the International Morse Code is approximately equal to 0.8 × words per minute.

(4) The administrations shall notify without delay to the Bureau of the Union the putting into service of any frequency for which a complete descriptive list appears in the frequency list.

APPENDICE 7.

Notations de service.

[Voir les articles 15 et 19, §1, (6), *a*).]

⚔	station à bord d'un navire de guerre ou d'un aéronef de guerre
△	radiogoniomètre à bord d'une station mobile
■	station classée comme située dans une région de trafic intense pour laquelle le trafic sur 500 kc/s (600 m) est restreint, conformément à l'article 19, §1, (6), *a*)
D 30°	antenne dirigée dans la direction de rayonnement maximum de 30° (exprimé en degrés à partir du nord vrai, de zéro à 360, dans le sens des aiguilles d'une montre)
DR	antenne dirigée pourvue d'un réflecteur
FA	station aéronautique
FC	station côtière
FR	station réceptrice seulement, reliée au réseau général des voies de télécommunication
FS	station terrestre établie dans le seul but de la sécurité de la vie humaine
FX	station effectuant un service de radiocommunication entre points fixes
H 24	station ayant un service permanent, de jour et de nuit
H 16	station de navire de la 2e catégorie effectuant 16 heures de service
H 8	station de navire de la 2e catégorie effectuant 8 heures de service
HJ	station ouverte du lever au coucher du soleil (service de jour)
HX	station n'ayant pas de vacations déterminées
CO	station ouverte à la correspondance exclusivement officielle
CP	station ouverte à la correspondance publique
CR	station ouverte à la correspondance publique restreinte
CV	station ouverte exclusivement à la correspondance d'une entreprise privée
RC	radiophare circulaire
RD	radiophare directionnel
RG	station radiogoniométrique
RT	radiophare tournant
RV	radiophare directionnel variable

APPENDIX 7

Appendix 7.

Service Symbols

Service symbols.

[See articles 15 and 19, §1 (6) (*a*)]

Ante, pp. 2497, 2513.

⁂	station on board a warship or a war aircraft
△	radio direction finder on board a mobile station
■	station classified among those located in a heavy traffic region for which traffic on 500 kc (600 m) is limited in accordance with article 19, §1, (6), (*a*)
D 30°	directive antenna having maximum radiation in the direction of 30° (expressed in degrees from the true north, from 0 to 360 clockwise)
DR	directive antenna provided with a reflector
FA	aeronautical station
FC	coast station
FR	receiving station only, connected with the general network of telecommunication channels
FS	land station established solely for the safety of life
FX	station carrying on radio-communication service, between fixed points
H 24	station having a continuous day and night service
H 16	ship station of the second category carrying on 16 hours of service
H 8	ship station of the second category carrying on 8 hours of service
HJ	station open from sunrise to sunset (day service)
HX	station having no specific working hours
CO	station open to official correspondence exclusively
CP	station open to public correspondence
CR	station open to limited public correspondence
CV	station open exclusively to the correspondence of a private enterprise
RC	nondirectional radiobeacon
RD	directional radiobeacon
RG	radio direction-finding station
RT	rotating radiobeacon
RV	variable directional radiobeacon

APPENDICE 8.

Documents dont les stations mobiles doivent être pourvues.

(Voir les articles 3, 10, 12, 15 et l'appendice 6.)

A. *les «stations de navire» à bord des navires obligatoirement pourvus d'une installation radiotélégraphique:*

1° la licence radioélectrique;
2° le certificat du ou des opérateurs;
3° le registre (journal du service radioélectrique) sur lequel sont mentionnés, au moment où ils se produisent, les incidents de service de toute nature, ainsi que les communications échangées avec des stations terrestres ou des stations mobiles et relatives à des avis de sinistre. Si le règlement de bord le permet, la position du véhicule sera indiquée une fois par jour sur ledit registre;
4° la liste alphabétique des indicatifs d'appel;
5° la nomenclature des stations côtières et de navire;
6° la nomenclature des stations effectuant des services spéciaux;
7° la Convention et les Règlements y annexés;
8° les tarifs télégraphiques des pays à destination desquels la station accepte le plus fréquemment des radiotélégrammes.

B. *les autres «stations de navire»:*

les documents visés aux chiffres 1° à 5° inclus sous le titre A;

C. *les «stations d'aéronef»:*

1° les documents visés aux chiffres 1°, 2° et 3° sous le titre A;
2° la nomenclature des stations aéronautiques et d'aéronef;
3° tels documents que les organismes compétents de l'aéronautique du pays intéressé jugeront éventuellement nécessaires à la station pour l'exécution de son service.

APPENDIX 8

Appendix 8.

Documents with which Mobile Stations Must be Provided

Documents required.

(See articles 3, 10, 12, 15, and appendix 6)

Ante, pp. 2449, 2481, 2489, 2497, 2599.

A. *"Ship stations" on board ships compulsorily equipped with a radiotelegraph installation:*

1. The radio license.
2. The operator(s)' certificate.
3. Register (radio service log) in which shall be mentioned, at the time when they occur, service incidents of all kinds, as well as the communications exchanged with land stations or mobile stations and relating to reports of disaster. If the regulations on board permit, the position of the vehicle shall be indicated once a day in the said register.
4. Alphabetical list of the call signals.
5. The nomenclature of coast and ship stations.
6. Nomenclature of stations carrying on special services.
7. The Convention and Regulations annexed thereto.
8. The telegraph rates of the countries for which the station most frequently accepts radiotelegrams.

B. *Other "ship stations":*

The documents included under items 1 to 5 of part A.

C. *"Aircraft stations":*

1. The documents shown under items 1, 2, and 3 of part A.
2. The nomenclature of aeronautical and aircraft stations.
3. Such documents as the competent aeronautical organizations of the country concerned may deem necessary to the station for the carrying on of its service.

APPENDICE 9.

Liste des abréviations à employer dans les radiocommunications.

(Voir l'article 16.)

1. CODE Q.

ABRÉVIATIONS UTILISABLES DANS TOUS LES SERVICES [1] [2]

Abréviation	Question	Réponse ou avis
QRA	Quel est le nom de votre station?	Le nom de ma station est . . .
QRB	A quelle distance approximative vous trouvez-vous de ma station?	La distance approximative entre nos stations est de . . . milles marins (*ou* . . . kilomètres).
QRC	Par quelle exploitation privée (*ou* administration d'Etat) sont liquidés les comptes de taxes de votre station?	Les comptes de taxes de ma station sont liquidés par l'exploitation privée . . . (*ou* par l'administration de l'Etat . . .).
QRD	Où allez-vous et d'où venez-vous?	Je vais à . . . et je viens de . . .
QRG	Voulez-vous m'indiquer ma fréquence (longueur d'onde) exacte en kc/s *ou* m)?	Votre fréquence (longueur d'onde) exacte est de . . . kc/s (*ou* . . . m).
QRH	Ma fréquence (longueur d'onde) varie-t-elle?	Votre fréquence (longueur d'onde) varie.
QRI	La tonalité de mon émission est-elle régulière?	La tonalité de votre émission varie.
QRJ	Me recevez-vous mal? Mes signaux sont-ils faibles?	Je ne peux pas vous recevoir. Vos signaux sont trop faibles.
QRK	Me recevez-vous bien? Mes signaux sont-ils bons?	Je vous reçois bien. Vos signaux sont bons.
QRL	Etes-vous occupé?	Je suis occupé (*ou* Je suis occupé avec . . .). Prière de ne pas brouiller.
QRM	Etes-vous brouillé?	Je suis brouillé.
QRN	Etes-vous troublé par les atmosphériques?	Je suis troublé par les atmosphériques.

[1] Les abréviations prennent la forme de questions quand elles sont suivies d'un point d'interrogation.
[2] Les séries de signaux QA, QB, QC, QD, QF, QG sont réservées au Code spécial de l'aéronautique.

APPENDIX 9

Appendix 9.

List of Abbreviations to be Used in Radio Communications

Abbreviations used.

(See article 16)

Ante, p. 2501.

1. Q CODE

ABBREVIATIONS TO BE USED IN ALL SERVICES. [1] [2]

Abbreviation	Question	Answer or statement
QRA	What is the name of your station?	The name of my station is . . .
QRB	At what approximate distance are you from my station?	The approximate distance between our stations is . . . nautical miles (*or* . . . kilometers).
QRC	By what private operating enterprise (or government administration) are the accounts for charges of your station settled?	The accounts for charges of my station are settled by the . . . private operating enterprise (*or* by the government administration of . . .).
QRD	Where are you going and where do you come from?	I am going to . . . and I come from . . .
QRG	Will you tell me what my exact frequency (wavelength) is in kilocycles (*or* meters)?	Your exact frequency (wavelength) is . . . kilocycles (*or* . . . meters).
QRH	Does my frequency (wavelength) vary?	Your frequency (wavelength) varies.
QRI	Is the tone of my transmission regular?	The tone of your transmission varies.
QRJ	Are you receiving me badly? Are my signals weak?	I cannot receive you. Your signals are too weak.
QRK	Are you receiving me well? Are my signals good?	I am receiving you well. Your signals are good.
QRL	Are you busy?	I am busy (*or* I am busy with . . .). Please do not interfere.
QRM	Are you being interfered with?	I am being interfered with.
QRN	Are you troubled by static?	I am troubled by static.

[1] Abbreviations take the form of questions when they are followed by a question mark.

[2] The series of signals QA, QB, QC, QD, QF, QG are reserved for the special code of the aeronautical service.

Abréviation	Question	Réponse ou avis
QRO	Dois-je augmenter l'énergie?	Augmentez l'énergie.
QRP	Dois-je diminuer l'énergie?	Diminuez l'énergie.
QRQ	Dois-je transmettre plus vite?	Transmettez plus vite (. . . mots par minute).
QRS	Dois-je transmettre plus lentement?	Transmettez plus lentement (. . . mots par minute).
QRT	Dois-je cesser la transmission?	Cessez la transmission.
QRU	Avez-vous quelque chose pour moi?	Je n'ai rien pour vous.
QRV	Etes-vous prêt?	Je suis prêt.
QRW	Dois-je aviser . . . que vous l'appelez sur . . . kc/s (*ou* . . . m)?	Prière d'aviser . . . que je l'appelle sur . . . kc/s (*ou* . . . m).
QRX	Dois-je attendre? A quel moment me rappellerez-vous?	Attendez (*ou* Attendez jusqu'à ce que j'aie fini de communiquer avec . . .). Je vous rappellerai à . . . heure (*ou* aussitôt).
QRY	Quel est mon tour?	Votre tour est numéro . . . (*ou d'après toute autre indication*).
QRZ	Par qui suis-je appelé?	Vous êtes appelé par . . .
QSA	Quelle est la force de mes signaux (*1 à 5*)?	La force de vos signaux est (*1 à 5*).
QSB	La force de mes signaux varie-t-elle?	La force de vos signaux varie.
QSD	Ma manipulation est-elle correcte; mes signaux sont-ils nets?	Votre manipulation est incorrecte; vos signaux sont mauvais.
QSG	Dois-je transmettre . . . télégrammes (*ou* un télégramme) à la fois?	Transmettez . . . télégrammes (*ou* un télégramme) à la fois.
QSJ	Quelle est la taxe à percevoir par mot pour . . ., y compris votre taxe télégraphique intérieure?	La taxe à percevoir par mot pour . . . est de . . . francs, y compris ma taxe télégraphique intérieure.
QSK	Dois-je continuer la transmission de tout mon trafic, je peux vous écouter entre mes signaux?	Continuez la transmission de tout votre trafic, je vous interromprai s'il y a lieu.
QSL	Pouvez-vous me donner accusé de réception?	Je vous donne accusé de réception.
QSM	Dois-je vous répéter le dernier télégramme que je vous ai transmis?	Répétez le dernier télégramme que vous m'avez transmis.
QSO	Pouvez-vous communiquer avec . . . directement (*ou* par l'intermédiaire de . . .)?	Je puis communiquer avec . . . directement (*ou* par l'intermédiaire de . . .).
QSP	Voulez-vous retransmettre à . . . gratuitement?	Je retransmettrai à . . . gratuitement.

ABBREVIATIONS TO BE USED IN ALL SERVICES—Continued

List of abbreviations—Continued.

Abbreviation	Question	Answer or statement
QRO	Must I increase power?	Increase power.
QRP	Must I decrease power?	Decrease power.
QRQ	Must I transmit faster?	Transmit faster (. . . words per minute).
QRS	Must I transmit more slowly?	Transmit more slowly (. . . words per minute).
QRT	Must I stop the transmission?	Stop the transmission.
QRU	Have you anything for me?	I have nothing for you.
QRV	Are you ready?	I am ready.
QRW	Must I advise . . . that you are calling him on . . . kilocycles (*or* . . . meters)?	Please advise . . . that I am calling him on . . . kilocycles (*or* . . . meters).
QRX	Must I wait? When will you call me again?	Wait (or wait until I have finished communicating with . . .). I shall call you again at . . . o'clock (*or* immediately).
QRY	Which is my turn?	Your turn is number . . . (*or according to any other indication*).
QRZ	By whom am I being called?	You are being called by . . .
QSA	What is the strength of my signals (*1 to 5*)?	The strength of your signals is (*1 to 5*).
QSB	Does the strength of my signals vary?	The strength of your signals varies.
QSD	Is my keying correct; are my signals distinct?	Your keying is incorrect; your signals are bad.
QSG	Must I transmit . . . telegrams (*or* one telegram) at a time?	Transmit . . . telegrams (*or* one telegram) at a time.
QSJ	What is the charge to be collected per word to . . . including your internal telegraph charge?	The charge to be collected per word to . . . is . . . francs, including my internal telegraph charge.
QSK	Must I continue the transmission of all my traffic; I can hear you between my signals?	Continue the transmission of all your traffic; I shall interrupt you if necessary.
QSL	Can you acknowledge receipt?	I am acknowledging receipt.
QSM	Must I repeat the last telegram which I transmitted to you?	Repeat the last telegram which you transmitted to me.
QSO	Can you communicate with . . . directly (*or* through . . .)?	I can communicate with . . . directly (*or* through . . .).
QSP	Will you relay to . . . free of charge?	I will relay to . . . free of charge.

Abréviation	Question	Réponse ou avis
QSR	L'appel de détresse reçu de . . . a-t-il été réglé?	L'appel de détresse reçu de . . . a été réglé par . . .
QSU	Dois-je transmettre (*ou* répondre) sur . . . kc/s (*ou* . . . m) et/ou sur ondes du type A1, A2, A3 ou B?	Transmettez (*ou* Répondez) sur . . . kc/s (*ou* . . . m) et/ou sur ondes du type A1, A2, A3 ou B.
QSV	Dois-je transmettre une série de VVV . . .?	Transmettez une série de VVV . . .
QSW	Voulez-vous transmettre sur . . . kc/s (*ou* . . . m) et/ou sur ondes du type A1, A2, A3 ou B?	Je vais transmettre (*ou* Je transmettrai) sur . . . kc/s *ou* . . . m) et/ou sur ondes du type A1, A2, A3 ou B.
QSX	Voulez-vous écouter . . . (*indicatif d'appel*) sur . . . kc/s (*ou* . . . m)?	J'écoute . . . (*indicatif d'appel*) sur . . . kc/s (*ou* . . . m).
QSY	Dois-je passer à la transmission sur . . . kc/s (*ou* . . . m), sans changer de type d'onde? *ou* Dois-je passer à la transmission sur une autre onde?	Passez à la transmission sur . . . kc/s (*ou* . . . m), sans changer de type d'onde *ou* Passez à la transmission sur une autre onde.
QSZ	Dois-je transmettre chaque mot ou groupe deux fois?	Transmettez chaque mot ou groupe deux fois.
QTA	Dois-je annuler le télégramme n° . . . comme s'il n'avait pas été transmis?	Annulez le télégramme n° . . . comme s'il n'avait pas été transmis.
QTB	Etes-vous d'accord avec mon compte de mots?	Je ne suis pas d'accord avec votre compte de mots; je répète la première lettre de chaque mot et le premier chiffre de chaque nombre.
QTC	Combien avez-vous de télégrammes à transmettre?	J'ai . . . télégrammes pour vous (*ou* pour . . .).
QTE	Quel est mon relèvement vrai relativement à vous? *ou* Quel est mon relèvement vrai relativement à . . . (*indicatif d'appel*)? *ou* Quel est le relèvement vrai de . . . (*indicatif d'appel*) relativement à . . . (*indicatif d'appel*)?	Votre relèvement vrai relativement à moi est de . . . degrés *ou* Votre relèvement vrai relativement à (*indicatif d'appel*) est de . . . degrés à . . . (*heure*) *ou* Le relèvement vrai de . . . (*indicatif d'appel*) relativement à . . . (*indicatif d'appel*) et de . . . degrés à (*heure*).

ABBREVIATIONS TO BE USED IN ALL SERVICES—Continued

List of abbreviations—Continued.

Abbreviation	Question	Answer or statement
QSR	Has the distress call received from ... been attended to?	The distress call received from ... has been attended to by ...
QSU	Must I transmit (*or* answer) on ... kilocycles (*or* meters) and/or on waves of type A1, A2, A3, or B?	Transmit (*or* answer) on ... kilocycles (*or* ... meters) and/or on waves of type A1, A2, A3, or B.
QSV	Must I transmit a series of V's?	Transmit a series of V's.
QSW	Do you wish to transmit on ... kilocycles (*or* ... meters), and/or on waves of type A1, A2, A3, or B?	I am going to transmit (*or* I shall transmit) on ... kilocycles (or ... meters), and/or on waves of type A1, A2, A3, or B.
QSX	Will you listen to ... (*call signal*) on ... kilocycles (*or* ... meters)?	I am listening to ... (*call signal*) on ... kilocycles (*or* ... meters).
QSY	Must I shift to transmission on ... kilocycles (*or* ... meters), without changing the type of wave? *or*	Shift to transmission on ... kilocycles (*or* ... meters without changing the type of wave, *or*
	Must I shift to transmission on another wave?	Shift to transmission on another wave.
QSZ	Must I transmit each word or group twice?	Transmit each word or group twice.
QTA	Must I cancel telegram no. ... as if it had not been transmitted?	Cancel telegram no. ... as if it had not been transmitted.
QTB	Do you agree with my word count?	I do not agree with your word count; I shall repeat the first letter of each word and the first figure of each number.
QTC	How many telegrams have you to transmit?	I have ... telegrams for you (*or* for ...).
QTE	What is my true bearing in relation to you? *or*	Your true bearing in relation to me is ... degrees *or*
	What is my true bearing in relation to ... (*call signal*)? *or*	Your true bearing in relation to ... (*call signal*) is ... degrees at ... (time) *or*
	What is the true bearing of ... (*call signal*) in relation to ... (*call signal*)?	The true bearing of (*call signal*) in relation to ... (*call signal*) is ... degrees at ... (*time*).

Abréviation	Question	Réponse ou avis
QTF	Voulez-vous m'indiquer la position de ma station sur la base des relèvements pris par les postes radiogoniométriques que vous contrôlez?	La position de votre station sur la base des relèvements pris par les postes radiogoniométriques que je contrôle est . . . latitude, . . . longitude.
QTG	Voulez-vous transmettre votre indicatif d'appel pendant cinquante secondes, en terminant par un trait de dix secondes, sur . . . kc/s (*ou* . . . m) pour que je puisse prendre votre relèvement radiogoniométrique?	Je vais transmettre mon indicatif d'appel pendant cinquante secondes, en terminant par un trait de dix secondes, sur . . . kc/s (*ou* . . . m) pour que vous puissez prendre mon relèvement radiogoniométrique.
QTH	Quelle est votre position en latitude et en longitude (*ou d'après toute autre indication*)?	Ma position est . . . latitude, . . . longitude (*ou d'après toute autre indication*).
QTI	Quelle est votre route vraie?	Ma route vraie est de . . . degrés.
QTJ	Quelle est votre vitesse de marche?	Ma vitesse de marche est de . . . nœuds (*ou* de . . . kilomètres) à l'heure.
QTM	Transmettez des signaux radioélectriques et des signaux acoustiques sous-marins pour me permettre de déterminer mon relèvement et ma distance.	Je transmets des signaux radioélectriques et des signaux acoustiques sous-marins pour vous permettre de déterminer votre relèvement et votre distance.
QTO	Etes-vous sorti du bassin (*ou* du port)?	Je viens de sortir du bassin (*ou* du port).
QTP	Allez-vous entrer dans le bassin (*ou* dans le port)?	Je vais entrer dans le bassin (*ou* dans le port).
QTQ	Pouvez-vous communiquer avec ma station à l'aide du Code International de Signaux?	Je vais communiquer avec votre station à l'aide du Code International de Signaux.
QTR	Quelle est l'heure exacte?	L'heure exacte est . . .
QTU	Quelles sont les heures d'ouverture de votre station?	Les heures d'ouverture de ma station sont de . . . à . . .
QUA	Avez-vous des nouvelles de . . . (*indicatif d'appel de la station mobile*)?	Voici les nouvelles de . . . (*indicatif d'appel de la station mobile*).
QUB	Pouvez-vous me donner, dans l'ordre, les renseignements concernant: la visibilité, la hauteur des nuages, le vent au sol pour . . . (*lieu d'observation*)?	Voici les renseignements demandés: . . . . .

ABBREVIATIONS TO BE USED IN ALL SERVICES—Continued

List of abbreviations—Continued.

Abbreviation	Question	Answer or statement
QTF	Will you give me the position of my station on the basis of bearings taken by the radio direction-finding stations which you control?	The position of your station on the basis of bearings taken by the radio direction-finding stations which I control is ... latitude, ... longitude.
QTG	Will you transmit your call signal during 50 seconds ending with a 10-second dash, on ... kilocycles (*or* ... meters) so that I may take your radio direction-finding bearings?	I will transmit my call signal during 50 seconds, ending with a 10-second dash, on ... kilocycles (*or* ... meters) so that you may take my radio direction-finding bearings.
QTH	What is your position in latitude and in longitude (*or according to any other indication*)?	My position is ... latitude, ... longitude (*or according to any other indication.*)
QTI	What is your true course?	My true course is ... degrees.
QTJ	What is your speed?	My speed is ... knots (*or* ... kilometers) per hour.
QTM	Transmit radio signals and submarine sound signals to enable me to determine my bearing and my distance.	I am transmitting radio signals and submarine sound signals to enable you to determine your bearing and your distance.
QTO	Have you left dock (*or* port)?	I have left dock (*or* port).
QTP	Are you going to enter dock (*or* port)?	I am going to enter dock (*or* port).
QTQ	Can you communicate with my station by the International Code of Signals?	I am going to communicate with your station by the International Code of Signals.
QTR	What is the exact time?	The exact time is ...
QTU	What are the hours during which your station is open?	My station is open from ... to ...
QUA	Have you any news from ... (*call signal of the mobile station*)?	This is the news from ... (*call signal of the mobile station*).
QUB	Can you give me, in the following order, information concerning: visibility, height of clouds, ground wind at ... (*place of observation*)?	This is the information requested: .....

Abréviation	Question	Réponse ou avis
QUC	Quel est le dernier message reçu par vous de . . . (*indicatif d'appel de la station mobile*)?	Le dernier message reçu par moi de . . . (*indicatif d'appel de la station mobile*) est . . .
QUD	Avez-vous reçu le signal d'urgence fait par . . . (*indicatif d'appel de la station mobile*)?	J'ai reçu le signal d'urgence fait par . . . (*indicatif d'appel de la station mobile*) à . . . (*heure*).
QUF	Avez-vous reçu le signal de détresse fait par . . . (*indicatif d'appel de la station mobile*)?	J'ai reçu le signal de détresse fait par . . . (*indicatif d'appel de la station mobile*) à . . . (*heure*).
QUG	Allez-vous être forcé d'amerrir (*ou* d'atterrir)?	Je suis forcé d'amerrir (*ou* d'atterrir) à . . . (*lieu*).
QUH	Voulez-vous m'indiquer la pression barométrique actuelle au niveau de la mer?	Le pression barométrique actuelle au niveau de la mer est de . . . (*unités*).
QUJ	Voulez-vous m'indiquer le cap vrai à suivre, par vent nul, pour me diriger vers vous?	Le cap vrai à suivre, par vent nul, pour vous diriger vers moi est de . . . degrés à . . . (*heure*).

2. ABRÉVIATIONS DIVERSES.

Abréviation	Signification
C	Oui.
N	Non.
P	Annonce de télégramme privé dans le service mobile (*à employer en préfixe*).
W	Mot *ou* mots.
AA	Tout après . . . (*à employer après un point d'interrogation pour demander une répétition*).
AB	Tout avant . . . (*à employer après un point d'interrogation pour demander une répétition*).
AL	Tout ce qui vient d'être transmis (*à employer après un point d'interrogation pour demander une répétition*).
BN	Tout entre . . . (*à employer après un point d'interrogation pour demander une répétition*).
BQ	Réponse à RQ.
CL	Je ferme ma station.
CS	Indicatif d'appel (*à employer pour demander ou faire répéter un indicatif d'appel*).
DB	Je ne puis pas vous fournir de relèvement, vous n'êtes pas dans le secteur vérifié de cette station.
DC	Le minimum de votre signal convient pour le relèvement.

ABBREVIATIONS TO BE USED IN ALL SERVICES—Continued

List of abbreviations—Continued.

Abbreviation	Question	Answer or statement
QUC	What is the last message you received from ... (*call signal of the mobile station*)?	The last message I received from ... (*call signal of the mobile station*) is ...
QUD	Have you received the urgent signal transmitted by ... (*call signal of the mobile station*)?	I have received the urgent signal transmitted by ... (*call signal of the mobile station*) at ... (*time*).
QUF	Have you received the distress signal sent by ... (*call signal of the mobile station*)?	I have received the distress signal sent by ... (*call signal of the mobile station*) at ... (*time*).
QUG	Will you be forced to come down on water (*or* on land)?	I am forced to come down on water (*or* on land) at ... (*place*).
QUH	Will you give me the present barometric pressure at sea level?	The present barometric pressure at sea level is ... (*units*).
QUJ	Will you please indicate the proper course to steer towards you, with no wind?	The proper course to steer towards me, with no wind, is ... degrees at ... (*time*).

2. MISCELLANEOUS ABBREVIATIONS

2. Miscellaneous abbreviations.

Abbreviation	Meaning
C	Yes.
N	No.
P	Announcing private telegram in the mobile service (*to be used as a prefix*).
W	Word *or* words.
AA	All after ... (*to be used after a question mark to request a repetition*).
AB	All before ... (*to be used after a question mark to request a repetition*).
AL	All that has just been transmitted (*to be used after a question mark to request a repetition*).
BN	All between ... (*to be used after a question mark to request a repetition*).
BQ	Answer to RQ.
CL	I am closing my station.
CS	Call signal (*to be used in requesting that call signal be given or repeated*).
DB	I cannot give you a bearing, you are not in the calibrated sector of this station.
DC	The minimum of your signal is suitable for the bearing.

Abréviation	Signification
DF	Votre relèvement à . . . (*heure*) était de . . . degrés, dans le secteur douteux de cette station, avec une erreur possible de deux degrés.
DG	Veuillez m'aviser si vous constatez une erreur dans le relèvement donné.
DI	Relèvement douteux par suite de la mauvaise qualité de votre signal.
DJ	Relèvement douteux par suite du brouillage.
DL	Votre relèvement à . . . (*heure*) était de . . . degrés, dans le secteur incertain de cette station.
DO	Relèvement douteux. Demandez un autre relèvement plus tard ou à . . . (*heure*).
DP	Au delà de 50 milles, l'erreur possible de relèvement peut atteindre deux degrés.
DS	Réglez votre transmetteur, le minimum de votre signal est trop étendu.
DT	Je ne puis pas vous fournir de relèvement, le minimum de votre signal est trop étendu.
DY	Cette station est bilatérale, quelle est votre direction approximative en degrés relativement à cette station?
DZ	Votre relèvement est réciproque (*à utiliser seulement par la station de contrôle d'un groupe de stations radiogoniométriques lorsqu'elle s'adresse à d'autres stations du même groupe*).
ER	Ici . . . (*à employer avant le nom de la station mobile dans la transmission des indications de route*).
GA	Reprenez la transmission (*à employer plus spécialement dans le service fixe*).
JM	Si je puis transmettre, faites une série de traits. Pour arrêter ma transmission, faites une série de points [*à ne pas utiliser sur 500 kc/s (600 m)*].
MN	Minute *ou* minutes (*à employer pour marquer la durée d'une attente*).
NW	Je reprends la transmission (*à employer plus spécialement dans le service fixe*).
OK	Nous sommes d'accord.
RQ	Désignation d'une demande.
SA	Annonce du nom d'une station d'aéronef (*à employer dans la transmission des indications de passage*).
SF	Annonce du nom d'une station aéronautique.
SN	Annonce du nom d'une station côtière.
SS	Annonce du nom d'une station de bord (*à employer dans la transmission des indications de passage*).
TR	Envoi d'indications concernant une station mobile.
UA	Sommes-nous d'accord?
WA	Mot après . . . (*à employer après un point d'interrogation pour demander une répétition*).
WB	Mot avant . . . (*à employer après un point d'interrogation pour demander une répétition*).

MISCELLANEOUS ABBREVIATIONS—Continued

Miscellaneous abbreviations—Continued.

Abbreviation	Meaning
DF	Your bearing at ... (*time*) was ... degrees, in the doubtful sector of this station, with a possible error of two degrees.
DG	Please advise me if you find an error in the bearing given.
DI	Doubtful bearing due to the bad quality of your signal.
DJ	Doubtful bearing due to interference.
DL	Your bearing at ... (*time*) was ... degrees, in the uncertain sector of this station.
DO	Doubtful bearing. Request another bearing later, or at ... (*time*).
DP	Beyond 50 miles, possible error of bearing can attain two degrees.
DS	Adjust your transmitter, your minimum signal is too broad.
DT	I cannot give you a bearing, your minimum signal is too broad.
DY	This is a two-way station, what is your approximate direction, in degrees, in relation to this station?
DZ	Your bearing is reciprocal (*to be used only by the control station of a group of radio direction-finding stations when addressing other stations of the same group*).
ER	Here ... (*to be used before the name of the mobile station in the transmission of routing indications*).
GA	Resume transmission (*to be used more especially in the fixed service*).
JM	If I may transmit, make a series of dashes. To stop my transmission, make a series of dots [*not to be used on 500 kc (600 m)*].
MN	Minute *or* minutes (*to be used to indicate the duration of the waiting period*).
NW	I am resuming transmission (*to be used more especially in the fixed service*).
OK	We agree.
RQ	Announcing a request.
SA	Announcing the name of an aircraft station (*to be used in transmitting transit data*).
SF	Announcing the name of an aeronautical station.
SN	Announcing the name of a coast station.
SS	Announcing the name of a ship station (*to be used in transmitting transit data*).
TR	To announce sending of indications concerning a mobile station.
UA	Do we agree?
WA	Word after ... (*to be used after a question mark to request a repetition*).
WB	Word before ... (*to be used after a question mark to request a repetition*).

Abréviation	Signification
XS	Parasites atmosphériques.
YS	Voyez votre avis de service.
ABV	Répétez (*ou* Je répète) les chiffres en abrégé.
ADR	Adresse (*à employer après un point d'interrogation pour demander une répétition*).
CFM	Confirmez (*ou* Je confirme).
COL	Collationnez (*ou* Je collationne).
ITP	La ponctuation compte.
MSG	Annonce de télégramme concernant le service du bord (*à employer en préfixe*).
NIL	Je n'ai rien à vous transmettre (*à employer après une abréviation du code Q pour indiquer que la réponse à la question posée est négative*).
PBL	Préambule (*à employer après un point d'interrogation pour demander une répétition*).
REF	Référence à . . . (*ou* Référez-vous à . . .).
RPT	Répétez (*ou* Je répète) (*à employer pour demander ou pour donner répétition de tout ou partie du trafic, en faisant suivre l'abréviation des indications correspondantes*).
SIG	Signature (*à employer après un point d'interrogation pour demander une répétition*).
SVC	Annonce de télégramme de service concernant le trafic privé (*à employer en préfixe*).
TFC	Trafic.
TXT	Texte (*à employer après un point d'interrogation pour demander une répétition*).

MISCELLANEOUS ABBREVIATIONS—Continued

Abbreviation	Meaning
XS	Static.
YS	See your service notice.
ABV	Repeat (*or* I repeat) the figures in abbreviated form.
ADR	Address (*to be used after a question mark to request a repetition*).
CFM	Confirm (*or* I confirm).
COL	Collate (*or* I collate).
ITP	The punctuation counts.
MSG	Announcing a telegram concerning the service on board (*to be used as a prefix*).
NIL	I have nothing to transmit to you (*to be used after an abbreviation of code Q to show that the answer to the question asked is in the negative*).
PBL	Preamble (*to be used after a question mark to request a repetition*).
REF	Reference to . . . (*or* Refer to . . .).
RPT	Repeat (*or* I repeat) (*to be used in requesting or giving repetition of all or part of the traffic, the abbreviation to be followed by the corresponding indications*).
SIG	Signature (*to be used after a question mark to request a repetition*).
SVC	Announcing a service telegram concerning private traffic (*to be used as a prefix*).
TFC	Traffic.
TXT	Text (*to be used after a question mark to request a repetition*).

APPENDICE 10.

Echelle employée pour exprimer la force des signaux.

(Voir l'article 16.)

1 = à peine perceptible; illisible.
2 = faible; lisible par instants.
3 = assez bon; lisible, mais difficilement.
4 = bon; lisible.
5 = très bon; parfaitement lisible.

APPENDIX 10

Appendix 10.

Scale Used to Express Strength of Signals

Scale to express strength of signals.

(See article 16)

Ante, p. 2501.

1 = scarcely perceptible; unreadable.
2 = weak; readable now and then.
3 = fairly good; readable, but with difficulty.
4 = good; readable.
5 = very good; perfectly readable.

APPENDICE 11.

(Voir l'article 27.)

Relevé des radiotélégrammes échangés avec les stations mobiles de nationalité .....

Année .....

Mois ..... Station terrestre .....

Origine	Destination	Nombre de radiotélégrammes	Nombre de mots	L'Administration (X) porte au: 5				Observations
				crédit		débit		Indiquer, par catégorie, le nombre de radiotélégrammes spéciaux et le nombre de mots s'y rapportant
				francs or	cts	francs or	cts	
1	2	3	4					6
S/S Ile-de-France	Etats-Unis 1re zone	5	90					1 urgt 13
S/S Paris	Brésil	3	65					
S/S Paris	Japon	2	19					
S/S France	S/S Espagne	4	46					2 urgt 15

APPENDIX 11

Appendix 11.

(See article 27)

Ante, p. 2545.

Statement of radiotelegrams exchanged with mobile stations of ..... nationality.

Radiotelegrams exchanged.

Year .....
Month ..... Land Station .....

Statement.

Origin	Destination	Number of radiotelegrams	Number of words	Administration (X) 5				Remarks
				Credits		Debits		Indicate by classes the number of special radiotelegrams and the number of words they contain
				gold francs	cts	gold francs	cts	
1	2	3	4					6
S/S *Ile de France*..	United States 1st zone	5	90	.....	....	.....	....	1 urgent 13
S/S *Paris*..	Brazil	3	65	.....	....	.....	....	
S/S *Paris*..	Japan	2	19	.....	....	.....	....	
S/S *France*	S/S *Espagne*.	4	46	.....	....	.....	....	2 urgent 15

APPENDICE 12.

Procédure dans le service des stations radiotéléphoniques mobiles de faible puissance.

(Voir l'article 29.)

§ 1. La procédure suivante est donnée à titre d'exemple [1]):

1° A appelle:

Allo B, allo B, A appelle, A appelle, radiotélégramme pour vous, radiotélégramme pour vous, commutez (over).

2° B répond:

Allo A, allo A, B répond, B répond, envoyez votre radiotélégramme, envoyez votre radiotélégramme, commutez (over).

3° A répond:

Allo B, A répond, radiotélégramme commence, de . . . n° . . . nombre de mots . . . jour . . . heure . . . adresse . . . texte . . . signature . . .,
transmission du radiotélégramme terminée, je répète, radiotélégramme commence, de . . . n° . . . nombre de mots . . . jour . . . heure . . . adresse . . . texte . . . signature . . .,
radiotélégramme terminé, commutez (over).

4° B répond:

Allo A, B répond, votre radiotélégramme commence, de . . . n° . . . nombre de mots . . . jour . . . heure . . . adresse . . . texte . . . signature . . .,
votre radiotélégramme terminé, commutez (over).

5° A répond:

Allo B, A répond, exact, exact, coupant.

6° A coupe ensuite la communication et les deux stations reprennent l'écoute normale.

Remarque: Au commencement d'une communication, la formule d'appel est prononcée deux fois, et par la station appelante et par la station appelée. Une fois la communication établie, elle est prononcée une fois seulement.

[1]) Dans le service téléphonique européen, l'utilisation du mot «Allo» est interdite.

Appendix 12.

APPENDIX 12

Procedure in the Service of Low-power Mobile Radiotelephone Stations

Lower-power mobile radiotelephone stations.

(See article 29)

Ante, p. 2553.

Procedure.

§ 1. The following is given by way of example: [1]

1st. A calling:

Hello B, Hello B, A calling, A calling, radiotelegram for you, radiotelegram for you, over.

2d. B replying:

Hello A, Hello A, B replying, B replying, send your radiotelegram, send your radiotelegram, over.

3d. A replying:

Hello B, A replying, radiotelegram begins from . . . no. . . . number of words . . . date . . . time . . . address . . . text . . . signature . . . .
transmission of radiotelegram ended, I repeat, radiotelegram begins, from . . . no. . . . number of words . . . date . . . time . . . address . . . text . . . signature . . .,
radiotelegram ended, over.

4th. B replying:

Hello A, B replying, your telegram begins from . . . no. . . . number of words . . . date . . . time . . . address . . . text . . . signature . . .,
your telegram ended, over.

5th. A replying:

Hello B, A replying, exact, exact, cutting off.

6th. A then cuts off the communication and the two stations resume their normal listening.

Remark: At the beginning of a communication, the calling formula shall be pronounced twice, both by the calling station and the station called. Once the communication is established, it shall be pronounced once only.

[1] In the European telephone service the use of the word "Allo" shall be forbidden.

§ 2. En tant qu'une épellation des indicatifs d'appel, des abréviations de service et des mots est nécessaire, il y sera procédé suivant le tableau ci-après:

Chiffre à indiquer [2])	Lettres à épeler	Mots à utiliser pour l'épellation	Lettres à épeler	Mots à utiliser pour l'épellation
1	A	Amsterdam	N	New York
2	B	Baltimore	O	Oslo
3	C	Casablanca	P	Paris
4	D	Danemark	Q	Québec
5	E	Edison	R	Roma
6	F	Florida	S	Santiago
7	G	Gallipoli	T	Tripoli
8	H	Havana	U	Upsala
9	I	Italia	V	Valencia
0	J	Jérusalem	W	Washington
virgule	K	Kilogramme	X	Xanthippe
Barre de fraction	L	Liverpool	Y	Yokohama
	M	Madagascar	Z	Zürich.

§ 3. Lorsque la station réceptrice a la certitude d'avoir reçu correctement le radiotélégramme, la répétition visée au 4° du § 1 n'est pas nécessaire, à moins qu'il ne s'agisse d'un radiotélégramme avec collationnement. Si l'on renonce à la répétition, la station B accuse réception du radiotélégramme transmis, dans la forme suivante:

Allo A, B répond, bien reçu votre radiotélégramme, commutez (over).

[2]) Toute transmission de chiffres est annoncée et se termine par les mots ‹‹en nombre›› répétés deux fois.

§ 2. Whenever the spelling of call letters, service abbreviations, and words is necessary, it shall be done according to the following table: Abbreviations.

Figures to be indicated [1]	Letter to be spelled	Words to be used in spelling	Letter to be spelled	Words to be used in spelling
1	A	Amsterdam	N	New York
2	B	Baltimore	O	Oslo
3	C	Casablanca	P	Paris
4	D	Danemark	Q	Québec
5	E	Edison	R	Roma
6	F	Florida	S	Santiago
7	G	Gallipoli	T	Tripoli
8	H	Havana	U	Upsala
9	I	Italia	V	Valencia
0	J	Jérusalem	W	Washington
Comma	K	Kilogramme	X	Xanthippe
Fraction bar	L	Liverpool	Y	Yokohama
	M	Madagascar	Z	Zurich

§ 3. When the receiving station is certain that it has received the radiotelegram correctly, the repetition provided for in item 4 of § 1 shall not be necessary, unless it concerns a radiotelegram with collation. If repetition is waived, station B shall acknowledge receipt of the radiotelegram transmitted in the following manner:

Hello A, B replies, your radiotelegram well received, over.

[1] All transmissions of figures is begun and ended by the words "in figures" repeated twice.

APPENDICE 13.

Obtention des relèvements radiogoniométriques.

(Voir l'article 30.)

I. INSTRUCTIONS GÉNÉRALES.

A. Avant d'appeler une ou plusieurs stations radiogoniométriques, pour demander son relèvement, la station mobile doit rechercher dans la nomenclature:

1° Les indicatifs d'appel des stations à appeler pour obtenir les relèvements radiogoniométriques qui l'intéressent.

2° L'onde sur laquelle les stations radiogoniométriques veillent, et l'onde ou les ondes sur lesquelles elles prennent les relèvements.

3° Les stations radiogoniométriques qui, grâce à des liaisons par fils spéciaux, peuvent être groupées avec la station radiogoniométrique à appeler.

B. La procédure à suivre par la station mobile dépend de diverses circonstances. D'une façon générale, elle doit tenir compte de ce qui suit:

1° Si les stations radiogoniométriques ne veillent pas sur la même onde, que ce soit l'onde pour l'opération du relèvement ou une autre onde, les relèvements doivent être demandés séparément à chaque station ou groupe de stations utilisant une onde donnée.

2° Si toutes les stations radiogoniométriques intéressées veillent sur une même onde, et si elles sont en mesure de prendre des relèvements sur une onde commune—qui peut être une autre onde que l'onde de veille—il y a lieu de les appeler ensemble, afin que les relèvements soient pris par toutes ces stations à la fois, sur une seule et même émission.

3° Si plusieurs stations radiogoniométriques sont groupées à l'aide de fils spéciaux, une seule d'entre elles doit être appelée, même si toutes sont munies d'appareils émetteurs. Dans ce cas, la station mobile doit cependant, s'il est nécessaire, mentionner dans l'appel, au moyen des indicatifs d'appel, les stations radiogoniométriques dont elle désire obtenir des relèvements.

II. RÈGLES DE PROCÉDURE.

A. La station mobile appelle la ou les stations radiogoniométriques sur l'onde indiquée à la nomenclature comme étant leur onde de veille. Elle transmet l'abréviation QTE qui signifie:

«Je désire connaître mon relèvement radiogoniométrique par rapport à la station radiogoniométrique à laquelle je m'adresse.»

ou

Appendix 13.

APPENDIX 13

Procedure to Obtain Radio Direction-finding Bearings

Radio direction-finding bearings.

(See article 30)

Ante, p. 2557.

I. General Instructions

General instructions.

A. Before calling one or more radio direction-finding stations, the mobile station, in order to request its bearing, must refer to the nomenclature for:

1. The call signals of the stations to be called to obtain the radio direction-finding bearings desired.

2. The wave on which the radio direction-finding stations watch, and the wave or waves on which they take bearings.

3. The radio direction-finding stations which by means of special wire connections, may be grouped with the radio direction-finding station to be called.

B. The procedure to be followed by the mobile station depends on varying circumstances. Generally, the following must be taken into account:

1. If the radio direction-finding stations do not listen on the same wave, whether it be the wave on which bearings are taken or another wave, the bearings must be requested separately from each station or group of stations using a given wave.

2. If all the radio direction-finding stations concerned listen on the same wave, and if they are able to take bearings on a common wave—which may be a wave other than the listening wave—they must all be called together, in order that the bearings may be taken by all these stations at the same time, on one and the same transmission.

3. If several radio direction-finding stations are grouped by means of special wires, only one of them must be called, even if all are furnished with transmitting apparatus. In this case, the mobile stations must, however, if it is necessary, specify in the call by means of the call signals, the radio direction-finding stations whose bearings they wish to obtain.

II. Rules of Procedure

Rules of procedure.

A. The mobile station shall call the radio direction-finding station or stations on the wave indicated in the nomenclature as being their watching-wave. It shall transmit the abbreviation QTE which means:

"I wish to know my radio direction-finding bearing with respect to the radio direction-finding station which I am calling."

or

«Je désire connaître mon relèvement radiogoniométrique par rapport à la ou aux stations dont les indicatifs d'appel suivent.»

ou

«Je désire connaître mon relèvement radiogoniométrique par rapport aux stations radiogoniométriques groupées sous votre contrôle»,

le ou les indicatifs d'appel nécessaires, et finit en indiquant, si besoin est, l'onde qu'elle va employer pour faire établir son relèvement. Après cela, elle attend des instructions.

B. La ou les stations radiogoniométriques appelées se préparent à prendre le relèvement; elles avertissent, si nécessaire, les stations radiogoniométriques avec lesquelles elles sont conjugées. Aussitôt que les stations radiogoniométriques sont prêtes, celles parmi ces stations qui sont pourvues d'appareils émetteurs répondent à l'adresse de la station mobile, dans l'ordre alphabétique de leurs indicatifs d'appel, en donnant leur indicatif d'appel suivi de la lettre K.

Dans le cas où il s'agit de stations radiogoniométriques groupées, la station appelée prévient les autres stations du groupement et informe la station mobile dès que les stations du groupement sont prêtes à prendre le relèvement.

C. Après avoir, si nécessaire, préparé sa nouvelle onde de transmission, la station mobile répond en transmettant son indicatif d'appel, combiné éventuellement avec un autre signal, pendant un temps suffisamment prolongé pour permettre le relèvement.

D. La ou les stations radiogoniométriques qui sont satisfaites de l'opération transmettent le signal QTE («Votre relèvement vrai par rapport à moi était de ... degrés»), précédé de l'heure de l'observation, et suivi d'un groupe de trois chiffres (000 à 359) indiquant, en degrés, le relèvement vrai de la station mobile par rapport à la station radiogoniométrique.

Si une station radiogoniométrique n'est pas satisfaite de l'opération, elle demande à la station mobile de répéter l'émission indiquée en C.

E. Dès que la station mobile a reçu le résultat de l'observation, elle répète le message à la station radiogoniométrique qui, alors, annonce que la répétition est exacte ou, le cas échéant, rectifie en répétant le message. Quand la station radiogoniométrique a la certitude que la station mobile a correctement reçu le message, elle transmet le signal «fin de travail». Ce signal est alors répété par la station mobile pour indiquer que l'opération est terminée.

F. Les indications relatives: *a*) au signal à employer pour obtenir le relèvement; *b*) à la durée des émissions à faire par la station mobile et *c*) à l'heure utilisée par la station radiogoniométrique considérée, sont données dans la nomenclature.

"I wish to know my radio direction-finding bearing with respect to the station or stations whose call signals follow."

or

"I wish to know my radio direction-finding bearing with respect to the radio direction-finding stations grouped under your control,"

the necessary call signal or signals, and shall conclude by indicating, if necessary, the wave which it is going to use to have its bearing determined. It shall then await instructions.

B. The radio direction-finding station or stations called shall prepare to take the bearing; they shall, if necessary, notify the radio direction-finding stations with which they are connected. As soon as the radio direction-finding stations are ready, such of these stations as are provided with transmitters shall reply to the mobile station in the alphabetical order of their call signals, by giving their call signal followed by the letter K.

In the case of radio direction-finding stations which are grouped, the station called shall notify the other stations of the group and shall inform the mobile station as soon as the stations of the group are ready to take the bearing.

C. After having prepared its new transmitting wave, wherever this is required, the mobile station shall reply by sending its call signal sometimes combined with another signal, during a length of time sufficiently prolonged to take the bearing.

D. The radio direction-finding station or stations which are satisfied with the operation shall transmit the signal QTE ("Your true bearing with respect to me was . . . degrees"), preceded by the time of the observation and followed by a group of three figures (000 to 359), showing in degrees the true bearing of the mobile station with respect to the radio direction-finding station.

If a radio direction-finding station is not satisfied with the operation, it shall request the mobile station to repeat the transmission indicated under C.

E. As soon as the mobile station has received the result of the observation, it shall repeat the message to the radio direction-finding station, which shall then state that the repetition is correct or, when necessary, shall correct it by repeating the message. When the radio direction-finding station is certain that the mobile station has received the message correctly, it shall transmit the signal "end of work". This signal shall then be repeated by the mobile station, as an indication that the operation is completed.

F. The data concerning (*a*) the signal to be used to obtain the bearings; (*b*) the duration of the transmission to be made by the mobile station; and (*c*) the time used by the radio direction-finding station in question shall be given in the nomenclature.

APPENDICE 14.

Règlement intérieur du Comité Consultatif international des radiocommunications (C.C.I.R.)

(Voir l'article 31.)

Article premier.

On entend par «administration gérante», l'administration qui est chargée d'organiser une réunion du C.C.I.R. L'administration gérante commence à s'occuper des travaux du C.C.I.R. cinq mois après la clôture de la réunion précédente; son rôle expire cinq mois après la clôture de la réunion qu'elle a organisée.

Article 2.

L'administration gérante fixe le lieu et la date définitive de la réunion qu'elle est chargée d'organiser. Au moins six mois avant la date susdite, l'administration gérante adresse l'invitation pour cette réunion à toutes les administrations de l'Union internationale des télécommunications et, par l'entremise de celles-ci, aux compagnies, aux groupes des compagnies et aux organismes internationaux radioélectriques visés à l'article 31 du Règlement général des radiocommunications.

Article 3.

§ 1. La première séance de l'assemblée plénière est ouverte par l'administration gérante. Cette assemblée constitue les commissions nécessaires et répartit entre elles, par catégories, les questions à traiter. Elle désigne aussi le président et le vice-président du C.C.I.R., le président et le ou les vice-présidents de chaque commission.

§ 2. Le président du C.C.I.R. dirige les assemblées plénières; il a, en outre, la direction générale des travaux de la réunion. Les vice-présidents prêtent assistance aux présidents et les remplacent en cas d'absence.

Article 4.

Le secrétariat de la réunion du C.C.I.R. est assuré par l'administration gérante, avec la collaboration du Bureau de l'Union.

APPENDIX 14

Appendix 14.

Internal Regulations of the International Radio Consulting Committee (C.C.I.R.)

Internal regulations of the International Radio Consulting Committee.

(See article 31)

Ante, p. 2563.

ARTICLE 1

By "managing administration" shall be meant the administration in charge of organizing a meeting of the C.C.I.R. The managing administration shall start taking care of the work of the C.C.I.R. five months after the closing of the preceding meeting; its duties shall end five months after the closing of the meeting it has organized.

ARTICLE 2

The managing administration shall set the place and definite date of the meeting which it has charge of organizing. At least 6 months before the aforesaid date, the managing administration shall address the invitation to this meeting to all the administrations of the International Telecommunication Union, and, through the latter, to the companies, groups of companies, and international radio organizations covered in article 31 of the General Radio Regulations.

ARTICLE 3

§ 1. The first meeting of the plenary assembly shall be opened by the managing administration. This assembly shall appoint the necessary committees and shall distribute to them the questions to be dealt with, in classes. It shall also appoint the president and the vice president of the C.C.I.R. and the chairman and the vice chairman or vice chairmen of each committee.

§ 2. The president of the C.C.I.R. shall conduct the plenary assemblies; in addition, he shall have the general supervision of the work of the meeting. The vice chairmen shall assist the chairmen and replace them in case of absence.

ARTICLE 4

The secretariat for the meeting of the C.C.I.R. shall be provided by the managing administration, with the collaboration of the Bureau of the Union.

ARTICLE 5.

En principe, les procès-verbaux et les rapports ne reproduisent les exposés des délégués que dans leurs points principaux. Cependant, chaque délégué a le droit de demander l'insertion analytique ou *in extenso* au procès-verbal ou au rapport de toute déclaration qu'il a faite, à condition qu'il en fournisse le texte au plus tard le matin qui suit la fin de la séance.

ARTICLE 6.

§ 1. Une délégation qui serait empêchée, pour une cause grave, d'assister à des séances, a la faculté de charger de sa ou de ses voix une autre délégation. Toutefois, une même délégation ne peut réunir et disposer dans ces conditions des voix de plus de deux délégations, y compris la sienne ou les siennes.

§ 2. Une proposition n'est adoptée que si elle réunit la majorité absolue des suffrages exprimés; en cas d'égalité de voix, elle est écartée. Les procès-verbaux indiqueront le nombre des délégations qui ont voté *pour* et la nombre de celles qui ont voté *contre* la proposition.

§ 3. Les votations ont lieu soit à mains levées, soit, sur demande d'une délégation, par appel nominal, dans l'ordre alphabétique du nom français des pays participants. Dans ce dernier cas, les procès-verbaux indiqueront les délégations qui ont voté *pour* et celles qui ont voté *contre* la proposition.

ARTICLE 7.

§ 1. Les commissions instituées par l'assemblée plénière peuvent se subdiviser en sous-commissions, et les sous-commissions en sous-sous-commissions.

§ 2. Les présidents des commissions proposent à la ratification de la commission respective le choix du président de chaque sous-commission et sous-sous-commission. Les commissions, sous-commissions et sous-sous-commissions nomment elles-mêmes leurs rapporteurs.

§ 3. Les avis émis par les commissions doivent porter la formule: «*à l'unanimité*» si l'avis a été émis à l'unanimité des votants, ou la formule: «*à la majorité*» si l'avis a été adopté à la majorité.

ARTICLE 8.

Le Bureau de l'Union prend part aux divers travaux du C.C.I.R. en vue de la centralisation et de la publication d'une documentation générale à l'usage des administrations.

ARTICLE 9.

§ 1. A la séance de clôture de l'assemblée plénière, le président communique la liste des avis et celle des questions qui restent à résoudre et des questions nouvelles soumises par les commissions.

ARTICLE 5

In principle, the minutes and reports shall give only the main points of the statements of the delegates. However, each delegate shall have the right to require the insertion into the minutes or report, of any statement he has made, either in summary or verbatim, on condition that he furnish the text thereof not later than the morning following the end of the meeting.

ARTICLE 6

§ 1. Any delegation which might, for serious reasons, be prevented from attending meetings, shall have the right to entrust its vote or votes to another delegation. However, a single delegation may not, under these circumstances, combine and use the votes of more than two delegations, including its own vote or votes.

§ 2. A proposal shall be adopted only if supported by an absolute majority of the votes cast; in case of a tie it shall fall. The minutes shall show the number of delegations which voted *in favor of* and of those who voted *against* the proposal.

§ 3. Voting shall be conducted either by raising the hands, or, at the request of a delegation, by roll call in the alphabetical order of the French names of the participating countries. In the latter case, the minutes shall indicate the delegations who voted *in favor of* and those who voted *against* the proposal.

ARTICLE 7

§ 1. The committees created by the plenary assembly may be divided into subcommittees and the subcommittees into sub-subcommittees.

§ 2. The chairmen of the committees shall propose the selection of the chairman of each subcommittee and sub-subcommittee for the ratification of the respective committee. The committees, subcommittees, and sub-subcommittees shall appoint their own reporters.

§ 3. The opinions expressed by the committees must be marked: "*unanimously*" if the opinion has been expressed by the voters unanimously, or: "*by a majority*" if the opinion was adopted by a majority.

ARTICLE 8

The Bureau of the Union shall take part in the various tasks of the C.C.I.R. for the purpose of centralizing and publishing general documents for the use of the administrations.

ARTICLE 9

§ 1. At the closing session of the plenary assembly, the president shall communicate the list of opinions and that of the questions left to be solved and of the new questions submitted by the committees.

§ 2. Le président constate, le cas échéant, l'adoption définitive des avis exprimés. S'il y a lieu à votation à l'assemblée plénière, les formules «à l'unanimité» ou «à la majorité» s'appliquent à cette votation.

§ 3. Les questions non résolues et les questions nouvelles sont enregistrées par le président, si l'assemblée est d'accord pour en faire poursuivre l'étude. Celui-ci demande ensuite quelles administrations désirent se charger de la préparation des propositions se rapportant à ces questions et quelles autres administrations ou entreprises d'exploitation radioélectrique sont prêtes à collaborer aux travaux. D'après les réponses, il dresse une liste officielle des questions à inscrire à l'ordre du jour de la réunion suivante, avec l'indication des administrations centralisatrices et des administrations et entreprises privées d'exploitation radioélectrique collaboratrices. Cette liste est insérée au procès-verbal de l'assemblée.

§ 4. A la même séance de l'assemblée plénière, le C.C.I.R., sur l'offre ou le consentement de la délégation intéressée, désigne l'administration qui convoquera la réunion suivante et la date approximative de cette réunion.

ARTICLE 10.

§ 1. Après la clôture de la réunion, la préparation des questions mises à l'étude est confiée à l'administration désignée pour organiser la prochaine réunion (administration gérante nouvelle). Les affaires en instance sont, au contraire, confiées à l'administration gérante ancienne, laquelle est chargée de les terminer, en collaboration avec le Bureau de l'Union.

§ 2. L'ancienne administration gérante transmet les documents à la nouvelle administration gérante, au plus tard cinq mois après la clôture de cette réunion.

ARTICLE 11.

Après la fin d'une réunion, toutes les autres questions que les administrations et compagnies d'exploitation radioélectrique désirent soumettre au comité sont adressées à la nouvelle administration gérante. Cette administration inscrit ces questions à l'ordre du jour de la prochaine réunion. Toutefois, aucune question ne peut y être comprise, si elle n'a été communiquée à l'administration gérante au moins six mois avant la date de la réunion.

ARTICLE 12.

§ 1. Tous les documents afférents à une réunion, envoyés avant cette réunion à l'administration gérante, ou présentés pendant la réunion, sont imprimés et distribués par le Bureau de l'Union en collaboration avec l'administration gérante.

§ 2. The president shall place on record the final adoption of the opinions expressed, if any. If there is occasion for voting at the plenary assembly, the formulas "unanimously" or "by a majority" shall apply to this vote.

§ 3. Unsolved and new questions shall be recorded by the president if the assembly is in favor of continuing their study. The latter shall then inquire as to what administrations wish to take charge of preparing proposals relating to these questions and what other administrations or radio operating enterprises are willing to collaborate in the work. On the basis of the replies, he shall prepare an official list of the questions to be included in the agenda of the following meeting, with the indication of the centralizing administrations and of the collaborating administrations and private radio operating enterprises. This list shall be included in the minutes of the meeting.

§ 4. In the same session of the plenary assembly, the C.C.I.R., upon the offer or with the consent of the interested delegation, shall designate the administration which is to call the following meeting and the approximate date of that meeting.

ARTICLE 10

§ 1. After the meeting is closed, the preparation of questions submitted for study shall be entrusted to the administration designated to organize the next meeting (new managing administration). The unfinished business shall, on the contrary, be entrusted to the former managing administration, which shall be in charge of completing it, in collaboration with the Bureau of the Union.

§ 2. The former managing administration shall forward the documents to the new managing administration not later than five months after the closing of this meeting.

ARTICLE 11

After the end of a meeting, all other questions which the administrations and radio operating companies wish to submit to the committee shall be addressed to the new managing administration. This administration shall include these questions in the agenda of the next meeting. However, no question may be included in this agenda if it has not been forwarded to the managing administration at least six months before the date of the meeting.

ARTICLE 12

§ 1. All documents pertaining to a meeting, having been sent to the managing administration before this meeting, or submitted during the meeting, shall be printed and distributed by the Bureau of the Union in collaboration with the managing administration.

§ 2. Lorsque l'étude d'une question a été confiée à une administration centralisatrice, il appartient à cette administration de faire le nécessaire pour procéder à l'étude de la question. Les administrations et les compagnies d'exploitation radioélectrique collaboratrices doivent envoyer directement à l'administration centralisatrice leur rapport sur cette question, six mois avant la date de la réunion du C.C.I.R., afin que ladite administration en puisse tenir compte dans son rapport général et dans ses propositions.

§ 3. Toutefois, les administrations et les compagnies d'exploitation radioélectrique sont libres d'envoyer aussi copie de leur rapport au Bureau de l'Union, si elles désirent que ces rapports soient communiqués immédiatement et séparément, par les soins dudit Bureau, à toutes les administrations et compagnies intéressées.

ARTICLE 13.

L'administration gérante peut correspondre directement avec les administrations et les compagnies d'exploitation radioélectrique reconnues susceptibles de collaborer aux travaux du comité. Elle remet au moins un exemplaire des documents au Bureau de l'Union.

§ 2. When the study of a question has been entrusted to a centralizing administration, it shall devolve upon this administration to take the necessary steps toward undertaking the study of the question. The collaborating administrations and radio operating companies must send their report on this question directly to the centralizing administration, 6 months before the date of the C.C.I.R. meeting, in order that the said administration may consider same in its general report and in its proposals.

§ 3. However, the administrations and radio operating companies shall be free to send another copy of their report to the Bureau of the Union, if they wish these reports to be communicated immediately and separately to all the administrations and companies concerned, by the said Bureau.

ARTICLE 13

The managing administration may correspond directly with the administrations and radio operating companies recognized as being capable of collaborating in the work of the committee. It shall send at least one copy of the documents to the Bureau of the Union.

PROTOCOLE FINAL

au

Règlement général des radiocommunications

annexé à la

Convention internationale des télécommunications.

Au moment de procéder à la signature du Règlement général des radiocommunications annexé à la Convention internationale des télécommunications, les plénipotentiaires soussignés prennent acte des déclarations suivantes:

I.

Les plénipotentiaires de l'Allemagne déclarent formellement que leur gouvernement se réserve le droit de maintenir l'usage des ondes de 105 kc/s (2 857 m) et 117,5 kc/s (2 553 m) pour quelques services de presse spéciaux faits par radiotéléphonie.

II.

Les plénipotentiaires des Indes néerlandaises déclarent formellement que leur gouvernement se réserve le droit de ne pas permettre aux stations mobiles de son pays d'appliquer les dispositions des deux dernières phrases de l'article 26, § 1, (1) du Règlement général concernant la retransmission des radiotélégrammes par l'intermédiaire d'une station mobile dans le seul but d'accélérer ou de faciliter la transmission au lieu de les transmettre à la station terrestre la plus proche.

III.

Les plénipotentiaires de l'Union des Républiques Soviétistes Socialistes déclarent formellement que leur gouvernement se réserve le droit d'utiliser les bandes de fréquences suivantes pour les services ci-après énumérés:

150 à 285 kc/s	(2 000	à 1 053 m)	radiodiffusion
285 à 315 kc/s	(1 053	à 952 m)	radiophares
315 à 340 kc/s	(952	à 882 m)	services aéronautiques et radiogoniométrie
340 à 420 kc/s	(882	à 714 m)	radiodiffusion
515 à 550 kc/s	(583	à 545 m)	services aéronautiques
9 600 à 9 700 kc/s	(31,25	à 30,93 m)	radiodiffusion
11 700 à 11 900 kc/s	(25,64	à 25,21 m)	services fixes
12 100 à 12 300 kc/s	(24,79	à 24,39 m)	radiodiffusion
15 350 à 15 450 kc/s	(19,54	à 19,42 m)	radiodiffusion
17 800 à 17 850 kc/s	(16,85	à 16,81 m)	radiodiffusion
21 550 à 21 750 kc/s	(13,92	à 13,79 m)	radiodiffusion.

[Translation]

FINAL PROTOCOL

Final protocol to the general radio regulations.

to the

General Radio Regulations

annexed to the

International Telecommunication Convention

At the time of signing the General Radio Regulations annexed to the International Telecommunication Convention, the undersigned plenipotentiaries take note of the following statements:

I

Reservation by Germany.

The plenipotentiaries of Germany state formally that their Government reserves the right to continue using the waves of 105 kc (2,857 m) and 117.5 kc (2,553 m) for some special press services carried on by radiotelephony.

II

Reservation by Dutch East Indies.

The plenipotentiaries of the Dutch East Indies state formally that their Government reserves the right of not permitting the mobile stations of its country to apply the provisions of the last two sentences of article 26, § 1 (1) of the General Regulations concerning the retransmission of radiotelegrams through a mobile station for the sole purpose of hastening or facilitating transmission, instead of transmitting them to the nearest land station.

III

Reservation by Union of Soviet Socialist Republics.

The plenipotentiaries of the Union of Soviet Socialist Republics state formally that their Government reserves the right to use the following frequency bands for the services listed below:

150 to 285 kc	(2,000 to 1,053 m)	broadcasting
285 to 315 kc	(1,053 to 952 m)	radiobeacons
315 to 340 kc	(952 to 882 m)	aeronautical services and radio direction finding
340 to 420 kc	(882 to 714 m)	broadcasting
515 to 550 kc	(583 to 545 m)	aeronautical services
9,600 to 9,700 kc	(31.25 to 30.93 m)	broadcasting
11,700 to 11,900 kc	(25.64 to 25.21 m)	fixed services
12,100 to 12,300 kc	(24.79 to 24.39 m)	broadcasting
15,350 to 15,450 kc	(19.54 to 19.42 m)	broadcasting
17,800 to 17,850 kc	(16.85 to 16.81 m)	broadcasting
21,550 to 21,750 kc	(13.92 to 13.79 m)	broadcasting

IV.

Se référant à la déclaration faite dans le présent Protocole par les plénipotentiaires de l'Union des Républiques Soviétistes Socialistes relativement à l'utilisation de certaines bandes de fréquences, les plénipotentiaires de la Chine déclarent formellement que leur gouvernement se réserve le droit de prendre toutes les mesures qui seraient éventuellement nécessaires en vue de protéger leurs radiocommunications contre tout brouillage qui pourrait être occasionné par la mise en exécution desdites réserves du Gouvernement de l'Union des Républiques Soviétistes Socialistes.

V.

Le plénipotentiaire de la Hongrie déclare formellement qu'en raison de la réserve de l'Union des Républiques Soviétistes Socialistes relative à l'article 7 du Règlement général des radiocommunications (répartition et emploi des fréquences), son gouvernement se réserve le droit de ne pas appliquer les dispositions du § 5, (2) dudit article dans les cas où les émissions des postes installés par l'Union des Républiques Soviétistes Socialistes, en exécution de ses réserves, brouilleraient d'une manière grave les émissions de stations hongroises.

VI.

Se référant à la déclaration faite dans le présent Protocole par les plénipotentiaires de l'Union des Républiques Soviétistes Socialistes relativement à l'utilisation de certaines bandes de fréquences, les plénipotentiaires du Japon déclarent formellement que leur gouvernement se réserve pour le Japon, Chosen, Taiwan, Karafuto, le Territoire à bail du Kwantung et les Iles des Mers du Sud sous mandat japonais, le droit de prendre toutes les mesures qui seraient éventuellement nécessaires en vue de protéger leurs radiocommunications contre tout brouillage qui pourrait être occasionné par la mise en exécution desdites réserves du Gouvernement de l'Union des Républiques Soviétistes Socialistes.

VII.

Les plénipotentiaires de la Pologne et de la Roumanie, vu les réserves déjà formulées au sujet de l'utilisation de certaines bandes de fréquences, déclarent formellement que, dans le cas où un arrangement régional (Conférence européenne) ou particulier satisfaisant n'aboutirait pas, chacun de leurs gouvernements se réserve le droit de faire éventuellement des dérogations en ce qui concerne l'utilisation pour les services aéronautiques de certaines fréquences en dehors des bandes attribuées par l'article 7 du Règlement général des radiocommunications, en accord avec les pays voisins intéressés, et spécialement de ne pas attendre le délai prévu au §5, (2) de cet article, pour sauve-

IV

Reservation by China.

With reference to the statement made in this protocol by the plenipotentiaries of the Union of Soviet Socialist Republics concerning the use of certain frequency bands, the plenipotentiaries of China state formally that their Government reserves the right to take any steps which might become necessary with a view to protecting their radio communications against any interference which might be caused by the putting into execution of the said reservations of the Government of the Union of Soviet Socialist Republics.

V

Reservation by Hungary.

The plenipotentiary of Hungary states formally that owing to the reservations of the Union of Soviet Socialist Republics concerning article 7 of the General Radio Regulations (allocations and use of frequencies), his Government reserves the right of not enforcing the provisions of § 5 (2) of the said article in the case where the emissions from the stations installed by the Union of Soviet Socialist Republics in application of its reservation, would interfere seriously with the emissions of the Hungarian stations.

VI

Reservation by Japan, etc.

Referring to the statement made in this protocol by the plenipotentiaries of the Union of Soviet Socialist Republics concerning the use of certain frequency bands, the plenipotentiaries of Japan state formally that their Government reserves the right, for Japan, Chosen, Taiwan, Karafuto, the Kwantung Leased Territory and the South Sea Islands under Japanese mandate, to take any steps which might become necessary with a view to protecting their radio communications against any interference which might be caused by the putting into execution of the said reservations of the Government of the Union of Soviet Socialist Republics.

VII

Reservation by Poland and Rumania.

The plenipotentiaries of Poland and of Rumania, in view of the reservations already made in connection with the use of certain frequency bands, state formally that in the case where no satisfactory regional (European conference) or special arrangement would be brought about, each of their Governments reserves the right to make any necessary derogations in regard to the use, for the aeronautical services, of certain frequencies outside the bands assigned by article 7 of the General Radio Regulations, in agreement with the adjoining countries interested, and particularly not to await the period of time provided for in § 5 (2) of this article, for the protection of the funda-

garder les besoins fondamentaux de ces services contre tout brouillage qui pourrait être occasionné par la mise en exécution des réserves ci-avant mentionnées.

En foi de quoi les plénipotentiaires ci-après ont dressé le présent Protocole et ils l'ont signé en un exemplaire qui restera dans les archives du Gouvernement de l'Espagne et dont une copie sera remise à chaque gouvernement signataire dudit Protocole.

Fait à Madrid, le 9 décembre 1932.

Suivent les signatures.

Les pays qui ont signé le Protocole final sont les mêmes que ceux qui ont signé le Règlement général des radiocommunications (voir aux pages 176 à 193 ci-avant). Toutefois, pour la Pologne, seuls MM. Kowalski et Krulisz ont signé.

mental needs of these services against any interference which might be caused by the putting into execution of the above-mentioned reservations.

Signatures.

In witness whereof the plenipotentiaries listed below have drawn up this protocol and have signed it in one copy which shall remain in the archives of the Government of Spain and of which one copy shall be forwarded to each government signatory of the said protocol.

Done at Madrid, December 9, 1932.

Here follow signatures.

The countries which signed the Final Protocol are the same as those which signed the General Radio Regulations (see *ante*, pages 2566–2583). For Poland, however, only Messrs. Kowalski and Krulisz signed.

Ratification.

AND WHEREAS, the said convention, General Radio Regulations and Final Radio Protocol have been duly ratified on the part of the United States of America, and the instrument of ratification thereof by the United States of America was deposited with the Government of Spain on the twelfth day of June, one thousand nine hundred and thirty-four;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said convention, the said General Radio Regulations and the said Final Radio Protocol to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this twenty-seventh day of June in the year of our Lord one thousand nine hundred and thirty-four and of the Independence of the United States of America the one hundred and fifty-eighth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL
Secretary of State.

Treaty and Protocol between the United States of America and Finland of Friendship, Commerce, and Consular Rights. Signed at Washington, February 13, 1934; ratification advised by the Senate, June 15, 1934; ratified by the President, June 28, 1934; ratified by Finland, April 27, 1934; ratifications exchanged at Washington, July 11, 1934; proclaimed, August 10, 1934.

February 13, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Treaty of friendship, commerce, and consular rights with Finland.

WHEREAS a Treaty of Friendship, Commerce and Consular Rights between the United States of America and the Republic of Finland was concluded and signed by their respective Plenipotentiaries at Washington on the thirteenth day of February, one thousand nine hundred and thirty-four, which Treaty, being in the English and Finnish languages, is word for word as follows:

Preamble.

Contracting powers.

The United States of America and the Republic of Finland, desirous of strengthening the bond of peace which happily prevails between them, by arrangements designed to promote friendly intercourse between their territories through provisions responsive to the spiritual, cultural, economic and commercial aspirations of the peoples thereof, have resolved to conclude a Treaty of Friendship, Commerce and Consular Rights and for that purpose have appointed as their plenipotentiaries:

Amerikan Yhdysvallat ja Suomen Tasavalta, haluten lujittaa välillänsä vallitsevia onnekkaita rauhansiteitä toimenpiteillä, jotka ovat omansa edistämään kummankin maan kesken ystävällistä yhteydenpitoa molempien kansojen henkisiä, sivistyksellisiä, taloudellisia ja kaupallisia pyrkimyksiä vastaavilla säädöksillä, ovat päättäneet tehdä ystävyys-, kauppa- ja konsulisopimuksen ja sitä varten määränneet täysivaltaisiksi edustajikseen:

Plenipotentiaries.

The President of the United States of America,

Mr. Cordell Hull, Secretary of State of the United States of America;

Amerikan Yhdysvaltain Presidentti

Herra Cordell Hull'in, Amerikan Yhdysvaltain valtiosihteerin;

The President of the Republic of Finland,

Mr. L. Aström, Envoy Extraordinary and Minister Plenipotentiary of the Republic of Finland to the United States of America,

Suomen Tasavallan Presidentti

Herra L. Aström'in, Suomen Tasavallan Amerikan Yhdysvalloissa olevan erikoislähettilään ja täysivaltaisen ministerin,

Who, having communicated to each other their full powers found to be in due form, have agreed upon the following articles:

jotka esitettyään toisilleen asianmukaisiksi havaitut valtakirjansa ovat sopineet seuraavista artikloista:

ARTICLE I

Mutual freedom of residence, business, religion, etc., permitted.

Nationals of each High Contracting Party who conform to the laws and regulations of the other Party, shall be permitted to enter, travel and reside in its territory for the purpose of carrying on trade between the two countries; also for other purposes in so far as entry, travel and residence is or may be permitted by local law.

The nationals of each of the High Contracting Parties within the territory of the other shall be permitted to engage in professional, scientific, religious, philanthropic, manufacturing and commercial work of every kind, to carry on every form of commercial activity, to own, erect or lease and occupy appropriate buildings and to lease lands for residential, scientific, religious, philanthropic, manufacturing, commercial and mortuary purposes, and generally to do anything incidental to or necessary for the enjoyment of any of the foregoing privileges, upon the same terms as nationals of the state of residence in so far as may be permitted by local law. In no case shall they be accorded less favorable treatment in respect of any of the aforesaid matters than nationals of the most favored nation. They shall be permitted in pursuance of any of the aforesaid activities to appoint representatives, agents, or employees of their choice, subject to the local laws in relation to the immigration of aliens.

Most-favored-nation treatment.

Equality of taxes, etc.

The nationals of either High Contracting Party within the territory of the other shall not be subjected to the payment of any internal charges or taxes other or higher than those that are exacted of and paid by its nationals.

Access to courts of justice.

The nationals of each High Contracting Party shall enjoy freedom of access to the courts of justice of the other on conforming to the local laws, as well for the prosecution as for the defense of

I ARTIKLA

Kummankin Korkean Sopimuspuolen kansalaisten on saatava, noudattamalla toisen Sopimuspuolen lakeja ja säännöksiä, tulla sen alueelle sekä matkustaa ja oleskella siellä harjoittaakseen kauppaa molempien maiden kesken; samoin muussakin tarkoituksessa, mikäli paikallinen laki nyt tai vastedes sallii maahantulon, matkustuksen tai oleskelun.

Kummankin Korkean Sopimuspuolen kansalaisten tulee saada toisen alueella ryhtyä kaikenlaiseen ammatilliseen, tieteelliseen, uskonnolliseen, ihmisystävälliseen, teolliseen ja kaupalliseen työhön, harjoittaa kaikenlaatuista kaupallista toimintaa, omistaa, rakentaa tai vuokrata ja hallita asianmukaisia rakennuksia sekä vuokrata maata asumis-, tieteellisiin, uskonnollisiin, ihmisystävällisiin, teollisiin, kaupallisiin ja hautaustarkoituksiin sekä yleensä tehdä kaikkea, mikä kuuluu satunnaisesti tai välttämättömästi minkä tahansa edellälueteltujen etujen nauttimiseen, samoilla ehdoilla kuin oleskeluvaltion kansalaisten, mikäli paikallinen laki sallii. Missään tapauksessa eivät he saa joutua vähemmän suositun kohtelun alaisiksi, mitä tulee mihin tahansa edellämainituista seikoista, kuin suosituimman maan kansalaiset. Heidän tulee saada, ulkomaalaisten maahantuloa koskevia paikallisia lakeja noudattamalla, valintansa mukaan käyttää edustajia, asiamiehiä tai apulaisia harjoittaessaan mitä tahansa edellämainituista toiminnoista.

Kummankin Korkean Sopimuspuolen kansalaisten maksettavaksi ei saa toisen Sopimuspuolen alueella panna muita tai suurempia sisäisiä maksuja tai veroja, kuin mitä vaaditaan oman maan kansalaisilta ja mitä nämä suorittavat.

Kummankin Korkean Sopimuspuolen kansalaisten tulee saada vapaasti kääntyä, paikallisia lakeja noudattamalla, toisen Sopimuspuolen tuomioistuinten puoleen kaikissa lain määräämissä

their rights, and in all degrees of jurisdiction established by law.

The nationals of each High Contracting Party shall receive within the territory of the other, upon submitting to conditions imposed upon its nationals, the most constant protection and security for their persons and property, and shall enjoy in this respect that degree of protection that is required by international law. Their property shall not be taken without due process of law and without payment of just compensation.

Protection of persons and property.

oikeusasteissa sekä kantaakseen että vastatakseen oikeuksiensa puolesta.

Kummankin Korkean Sopimuspuolen kansalaisten tulee saada toisen Sopimuspuolen alueella, alistumalla sen omille kansalaisille asetettuihin ehtoihin, mitä pysyvintä suojaa ja turvaa itselleen ja omaisuudelleen sekä nauttia tässä suhteessa niin tehokasta suojelua kuin kansainvälinen oikeus vaatii. Heidän omaisuuttaan ei saa ottaa ilman laillista oikeusmenettelyä eikä maksamatta kohtuullista korvausta.

Article II

With respect to that form of protection granted by National, State or Provincial laws establishing civil liability for injuries or for death, and giving to relatives or heirs or dependents of an injured party a right of action or a pecuniary benefit, such relatives or heirs or dependents of the injured party, himself a national of either of the High Contracting Parties and injured within the territory of the other, shall regardless of their alienage or residence outside of the territory where the injury occurred, enjoy the same rights and privileges as are or may be granted to nationals, and under like conditions.

Civil liability for injuries, etc.

II Artikla

Mitä tulee Korkeitten Sopimuspuolten yleisten, osavaltioiden tai maakuntain lakien suomaan suojeluksen muotoon, niiden säätäessä sivilivastuun ruumiinvammasta tai kuolemasta ja myöntäessä loukkautuneen henkilön omaisille tai perillisille taikka hänestä toimeentulostaan riippuvaisille kanneoikeuden tai oikeuden rahalliseen hyvitykseen, niin näillä loukkautuneen henkilön omaisilla tai perillisillä taikka hänestä riippuvaisilla, vaikka he ovatkin muukalaisia tai asuvat sen alueen ulkopuolella, missä tapaturma sattui, tulee olla, jos hän itse oli jommankumman Korkean Sopimuspuolen kansalainen ja loukkaantui toisen Sopimuspuolen alueella, samat oikeudet ja etuudet, jotka samoissa olosuhteissa on myönnetty tai vastedes myönnetään omille kansalaisille.

Article III

The dwellings, warehouses, manufactories, shops and other places of business, and all premises thereto appertaining of the nationals of each of the High Contracting Parties in the territory of the other, used for any purposes set forth in Article I, shall be respected. It shall not be allowable to make a domiciliary visit to, or search of any such buildings and premises, or there to examine and inspect books, papers or accounts, except under the conditions and in conformity with

Dwellings, places of business, etc., to be respected.

III Artikla

Kummankin Korkean Sopimuspuolen kansalaisten toisen Sopimuspuolen alueella sijaitsevia asumuksia, varastorakennuksia, tehtaita ja kauppoja ja muita liikehuoneustoja kaikkine niihin kuuluvine kiinteimistöineen, joita käytetään johonkin I artiklassa mainittuun tarkoitukseen, on pidettävä arvossa. Ei ole sallittua pitää kotitarkastusta tai etsintää missään sellaisessa rakennuksessa ja kiinteimistössä eikä siellä tutkia ja tarkastaa kirjoja, papereita tai tilejä, paitsi niillä

the forms prescribed by the laws, ordinances and regulations for nationals.

ehdoilla ja niiden muotojen mukaisesti, jotka lait, asetukset ja säännökset määräävät omista kansalaisista.

ARTICLE IV

IV ARTIKLA

Period allowed for sale of inherited realty, etc.

Where, on the death of any person holding real or other immovable property or interests therein within the territory of one High Contracting Party, such property or interests therein would, by the laws of the country or by a testamentary disposition, descend or pass to a national of the other High Contracting Party, whether resident or non-resident, were he not disqualified by the laws of the country where such property or interests therein is or are situated, such national shall be allowed a term of three years in which to sell the same, this term to be reasonably prolonged if circumstances render it necessary, and withdraw the proceeds thereof, without restraint or interference, and exempt from any succession, probate or administrative duties or charges other than those which may be imposed in like cases upon the nationals of the country from which such proceeds may be drawn.

Milloin jonkun sellaisen henkilön kuoltua, joka toisen Korkean Sopimuspuolen alueella omistaa maata tai muuta kiinteätä omaisuutta tai osuutta siihen, tällainen omaisuus tai osuus maan lakien tai testamenttimääräyksen mukaan periytyisi tai siirtyisi itse maassa tai sen ulkopuolella asuvalle toisen Korkean Sopimuspuolen kansalaiselle, ellei tämä sen maan lakien mukaan, jonka alueella sellainen omaisuus tai osuus on, olisi esteellinen, on tällaiselle kansalaiselle myönnettävä kolmen vuoden määräaika omaisuuden myymistä varten, mitä määräaikaa on kohtuullisesti pidennettävä, jos olosuhteet sen tekevät välttämättömäksi, ja sallittava hänen viedä pois myynnistä saadut varat rajoituksitta ja esteettömästi sekä vapaina kaikista muista perintö-, ja testamentti- tai huoltoveroista ja -maksuista, paitsi niistä, jotka samanlaisissa tapauksissa kannetaan sen maan omilta kansalaisilta, josta mainitunlaiset varat viedään pois.

Disposal of personal property.

Nationals of either High Contracting Party may have full power to dispose of their personal property of every kind within the territory of the other, by testament, donation, or otherwise, and their heirs, legatees and donees, of whatsoever nationality, whether resident or non-resident, shall succeed to such personal property, and may take possession thereof, either by themselves or by others acting for them, and retain or dispose of the same at their pleasure subject to the payment of such duties or charges only as the nationals of the High Contracting Party within whose territory such property may be or belong shall be liable to pay in like cases.

Kummankin Korkean Sopimuspuolen kansalaisilla olkoon täysi valta testamentata, lahjoittaa tai muulla tavoin käyttää kaikenlaatuista toisen Sopimuspuolen alueella olevaa irtainta omaisuuttaan, ja heidän perillistensä, testamentin- ja lahjansaajainsa, olivatpa nämä minkä maan kansalaisia tahansa ja asuivatpa maassa tai eivät, tulee saada tällainen irtain omaisuus omakseen ja haltuunsa joko itse tai asiamiesten kautta, ja heillä tulee olla valta pitää se tai luopua siitä mielensä mukaan, suorittamalla siitä ainoastaan sellaiset verot ja maksut, kuin mitä sen Korkean Sopimuspuolen kansalaiset, jonka alueella tällainen omaisuus on tai jonka alueelle se kuuluu, ovat velvollisia samanlaisissa tapauksissa suorittamaan.

ARTICLE V

The nationals of each of the High Contracting Parties may exercise liberty of conscience and freedom of worship within the territory of the other Party. They may, without annoyance or molestation of any kind by reason of their religious belief or otherwise, conduct services either within their own houses or within any appropriate buildings which they may be at liberty to erect and maintain in convenient situations, provided their teachings or practices are not contrary to public morals; and they may also be permitted to bury their dead according to their religious customs in suitable and convenient places established and maintained for the purpose, subject to the reasonable mortuary and sanitary laws and regulations of the place of burial.

V ARTIKLA

Kummankin Korkean Sopimuspuolen kansalaiset saakoot nauttia omantunnon- ja uskonnonharjoittamisvapautta toisen Sopimuspuolen alueella. He saakoot, heitä uskontonsa vuoksi tai muuten siinä mitenkään häiritsemättä tai ahdistamatta, suorittaa uskonnolliset menonsa joko omissa kodeissaan tai asianmukaisissa rakennuksissa, joita heidän tulee saada vapaasti rakentaa ja kunnossapitää sopivissa paikoissa, edellyttäen, etteivät heidän oppinsa ja menonsa sodi yleisiä hyviä tapoja vastaan; ja olkoon heidän myöskin sallittu omien uskonnollisten tapojensa mukaisesti haudata kuolleensa sitä varten laitettuihin ja kunnossapidettyihin soveliaihin ja asianmukaisiin paikkoihin, noudattamalla kohtuullisia, hautaamisesta ja terveydenhoidosta annettuja hautauspaikkakunnan lakeja ja säännöksiä.

Freedom of worship, etc.

Condition.

ARTICLE VI

Between the territories of the High Contracting Parties there shall be freedom of commerce and navigation. The nationals of each of the High Contracting Parties, equally with those of the most favored nation, shall have liberty freely to come with their vessels and cargoes to all places, ports and waters of every kind within the territorial limits of the other which are or may be open to foreign commerce and navigation.

VI ARTIKLA

Korkeiden Sopimuspuolten alueiden välillä on vallitseva kaupan ja merenkulun vapaus. Kummankin Korkean Sopimuspuolen kansalaisilla on oleva yhtäläisesti kuin suosituimman maan kansalaisilla oikeus vapaasti tulla aluksineen ja lasteineen kaikkiin toisen Sopimuspuolen aluerajan sisäpuolella oleviin paikkoihin, satamiin ja kaikenlaisiin vesistöihin, jotka nyt tai vastedes ovat avoinna ulkomaiselle kaupalle ja merenkululle.

Reciprocal freedom of commerce and navigation.

ARTICLE VII

Each of the High Contracting Parties binds itself unconditionally to impose no higher or other duties or charges, and no other conditions or prohibitions on the importation of any article, the growth, produce or manufacture of the territory of the other Party, from whatever place arriving, than are or shall be imposed on the importation of any like article, the growth, produce or manufacture of any other foreign

VII ARTIKLA

Kumpikin Korkea Sopimuspuoli sitoutuu ehdottomasti olemaan määräämättä mitään suurempia tai muita maksuja tai rasituksia ja mitään muita ehtoja tai kieltoja minkään mistä paikasta tahansa saapuvan, toisen Sopimuspuolen alueelta peräisin olevan tavaran, luonnon-tai teollisuustuotteiden tuonnille, kuin mitä on pantu tai vastedes pannaan minkä hyvänsä samanlaisen mistä tahansa muusta vieraasta maasta peräisin

No discrimination on import duties.

country. Nor shall any such duties, charges or conditions affecting importations be made effective retroactively.

Equality of export charges.

Each of the High Contracting Parties binds itself unconditionally to impose no higher or other duties or charges and no other conditions, restrictions or prohibitions on the exportation of any article to the territory of the other Party than are or shall be imposed on the exportation of any like article to any other foreign country.

No discrimination as to health, police, or revenue laws.

Nothing in this Treaty shall be construed to restrict the right of either High Contracting Party to impose on such terms as it may see fit, and subject to the sole requirement that there shall be no arbitrary discrimination against the other Party as compared with any other foreign country where similar conditions prevail, prohibitions or restrictions designed to protect human, animal, or plant life and health, or regulations for the enforcement of police or revenue laws of the United States or of Finland relating to imports the importation, transportation, or sale of which is prohibited or restricted, nor shall anything in this Treaty be construed to restrict the measures applicable in either the United States or Finland to seeds of agricultural plants which, on account of their origin, are deemed not to thrive in the territory of the respective countries.

Agricultural quarantine.

Extension of advantages given to any other foreign country.

Neither High Contracting Party shall establish or maintain restrictions on imports from or exports to the territory of the other Party which are not applied to the import and export of any like article originating in or destined for any other country. Any withdrawal of an import or export restriction which is granted even temporarily by one of the

olevan tavaran, luonnon- tai teollisuustuotteiden tuonnille. Myöskään ei mitään näitä tuontiin kohdistuvia maksuja, rasituksia tai ehtoja saa soveltaa taannehtivasti.

Kumpikin Korkea Sopimuspuoli sitoutuu ehdottomasti olemaan määräämättä mitään suurempia tahi muita maksuja tai rasituksia ja mitään muita ehtoja, rajoituksia tai kieltoja minkään tavaran viennille toisen Korkean Sopimuspuolen alueelle, kuin mitä on pantu tai vastedes pannaan minkä samanlaisen tavaran viennille hyvänsä mihin muuhun vieraaseen maahan tahansa.

Minkään tässä sopimuksessa ei ole selitettävä rajoittavan kummankaan Korkean Sopimuspuolen oikeutta määrätä, sopiviksi näkemillään ehdoilla ja noudattaen ainoastaan vaatimusta, ettei saa tapahtua mitään mielivaltaista syrjintää toista Sopimuspuolta kohtaan verrattuna mihin tahansa muuhun maahan, jossa samanlaiset olosuhteet vallitsevat, kieltoja ja rajoituksia, joiden tarkoituksena on suojella ihmisten henkeä ja terveyttä tai eläimiä ja kasveja ja niiden terveyttä, tahi antaa säännöksiä sellaisten Yhdysvaltain tai Suomen poliisitai verolakien toimeenpanosta mitkä koskevat tuontitavaroita, joiden maahantuonti, kuljetus tai myynti on kiellettyä tai rajoitettua, eikä myöskään ole minkään tässä sopimuksessa selitettävä rajoittavan niitä toimenpiteitä, joita sovelletaan joko Yhdysvalloissa tai Suomessa sellaisiin maanviljelyskasvien siemeniin, joiden alkuperänsä vuoksi ei katsota menestyvän Sopimuspuolten alueilla.

Kumpikaan Korkea Sopimuspuoli ei saa asettaa tai ylläpitää sellaisia rajoituksia toisen sopimuspuolen alueelta tuleville tuontitavaroille tai sinne lähetettäville vientitavaroille, jollaisia ei sovelleta mistä tahansa muusta maasta peräisin olevan tai sinne aiotun minkä tahansa muun tavaran viennille ja tuonnille. Jokainen vienti- tai tuontirajoituksen pe-

Parties in favor of the articles of a third country shall be applied immediately and unconditionally to like articles originating in or destined for the other Contracting Party. In the event of rations or quotas being established for the importation or exportation of articles restricted or prohibited, each of the High Contracting Parties agrees to grant for the importation from or exportation to the territory of the other Party an equitable share in the allocation of the quantity of restricted goods which may be authorized for importation or exportation.

ruutus, jonka toinen Sopimuspuoli myöntää vaikkapa väliaikaisestikin jonkun kolmannen maan tavarain hyväksi, on viipymättä ja ilman ehtoja sovellettava samanlaisiin toisesta Sopimuspuolesta peräisin oleviin tai sinne aiottuihin tavaroihin. Siinä tapauksessa, että määriöitä tai kiintiöitä asetetaan rajoitettujen tai kiellettyjen tavarain tuonnille tai viennille, kumpikin Korkea Sopimuspuoli suostuu myöntämään tuonnille toisen Sopimuspuolen alueelta tai viennille sinne kohtuullisen osuuden jaettaessa sitä rajoitettujen tavarain määrää, joka ehkä myönnetään tuontia tai vientiä varten.

Equitable allocation.

Article VIII

Merchandise the growth, produce or manufacture of either of the High Contracting Parties, after importation into the territory of the other Party, shall not be subjected to other or higher internal taxes or charges, or to other or higher charges in respect of warehousing or other facilities, than those payable under like circumstances and conditions on like articles of national origin.

VIII Artikla

Kummankaan Korkean Sopimuspuolen tavaroita, luonnon- tai teollisuustuotteita ei toisen Sopimuspuolen alueelle tuotuina saa asettaa muiden tahi suurempien sisäisten verojen tahi maksujen taikka varastointia tai muita helpotuksia koskevien muiden tahi suurempien maksujen alaisiksi, kuin mitä samojen olosuhteiden ja ehtojen vallitessa on maksettava samanlaisista alkuperältään kotimaisista tavaroista.

Equality of internal taxes, etc.

Article IX

Any advantage of whatsoever kind which either High Contracting Party may extend to any article, the growth, produce or manufacture of any foreign country, whether such favored State shall have been accorded such treatment gratuitously or for compensation, shall simultaneously and unconditionally, without request and without compensation, be extended to the like article the growth, produce or manufacture of the other High Contracting Party, from whatever place arriving.

IX Artikla

Kaikki edut, olivatpa ne minkälaatuisia tahansa, jotka toinen Korkea Sopimuspuoli ulottaa minkä tahansa vieraan maan mihin tavaraan, luonnon- tai teollisuustuotteisiin hyvänsä, olipa tällainen kohtelu myönnetty siten suositulle valtiolle korvauksetta tai vastavuoroisen kohtelun korvauksena, on samalla aikaa ja ilman ehtoja, pyytämättä ja korvauksetta, ulotettava toisen Korkean Sopimuspuolen samanlaiseen tavaraan, luonnon- tai teollisuustuotteisiin, saapuivatpa ne mistä paikasta tahansa.

Extension of advantages given to any other foreign country.

Article X

The stipulations of this treaty regarding the treatment to be accorded by each High Contract-

X Artikla

Tämän sopimuksen kummankin Korkean Sopimuspuolen toisen kaupalle myönnettävää koh-

Exceptional treatment.

ing Party to the commerce of the other do not extend:

United States trade with Cuba.

Vol. 33, p. 2136.

(1) to the treatment which is accorded by the United States of America to the commerce of Cuba under the provisions of the Commercial Convention concluded by the United States and Cuba on December 11, 1902, or any other commercial convention which hereafter may be concluded by the United States with Cuba; or to the commerce of the United States with the Panama Canal Zone or with any of the dependencies of the United States or the commerce of the dependencies of the United States with one another under existing or future laws;

With Canal Zone or dependencies.

Other exceptions.

(2) to the benefits which either High Contracting Party has accorded, or may accord, to its neighboring states in order to facilitate local traffic;

Finland's trade with Estonia.

(3) to the treatment which Finland accords or may hereafter accord to the commerce of Estonia.

telua tarkoittavat määräykset eivät koske:

(1) kohtelua, jonka Yhdysvallat myöntävät Kuban kaupalle Yhdysvaltain ja Kuban kesken 11 päivänä joulukuuta 1902 tehdyn tai minkä tahansa muun Yhdysvaltain ja Kuban kesken ehkä vastedes tehtävän kauppasopimuksen määräysten nojalla, tahi Yhdysvaltain ja Panaman kanavavyöhykkeen tai Yhdysvaltain ja minkä hyvänsä niiden alusmaan väliselle kaupalle taikka Yhdysvaltain alusmaiden keskinäiselle kaupalle voimassaolevien tai vastedes annettavien lakien mukaisesti;

(2) etuja, jotka jompikumpi Korkea Sopimuspuoli on myöntänyt tai vastedes myöntää naapurivaltioilleen paikallisen liikenteen helpottamiseksi;

(3) kohtelua, jonka Suomi nyt tahi vastedes myöntää Viron kaupalle.

Article XI

Mutual freedom of transit.

There shall be complete freedom of transit through the territory including the territorial waters of each High Contracting Party on routes convenient for international transit to persons and goods coming from or going to, or passing through the territory of the other High Contracting Party, except such persons as may be forbidden admission into its territory or goods of which the importation may be prohibited by law. Persons and goods in transit shall not be subjected to any transit duty, or to any unnecessary delays or restrictions, or to any discrimination as regards charges, facilities, or any other matter.

Goods in transit must be entered at the proper custom house, but they shall be exempt from all customs and similar duties.

All charges imposed on persons and goods in transit shall be

XI Artikla

Toisen Korkean Sopimuspuolen alueelta tulevilla tai sinne menevillä tai sen kautta kulkevilla henkilöillä ja tavaroilla, lukuunottamatta henkilöitä, joilta voidaan kieltää pääsy toisen puolen alueelle, ja tavaroita, joiden tuonti voidaan laissa kieltää, on oleva täydellinen vapaus kauttakulkuun kummankin Korkean Sopimuspuolen alueen ja aluevesien kautta kansainväliselle kauttakululle sopivilla teillä. Kauttakulkuhenkilöille ja -tavaroille ei saa panna mitään kauttakulkumaksuja eikä mitään tarpeettomia viivytyksiä tai rajoituksia eikä niitä saa millään tavoin syrjiä, mitä tulee rasituksiin, helpotuksiin tai mihin muihin seikkoihin hyvänsä.

Kauttakulkutavarat on ilmoitettava asianomaisessa tullikamarissa, mutta ne on vapautettava kaikista tulli- ja samanlaisista maksuista.

Kaikkien toimitusmaksujen, joita pannaan kauttakulkuhenki-

reasonable, having regard to the conditions of the traffic.

The provisions of this article do not apply to the Panama Canal or to waterways and canals which constitute international boundaries.

ARTICLE XII

All articles which are or may be legally imported from foreign countries into ports of the territory of the United States or are or may be legally exported therefrom in vessels of the United States may likewise be imported into those ports or exported therefrom in Finnish vessels without being liable to any other or higher duties or charges whatsoever than if such articles were imported or exported in vessels of the United States; and, reciprocally all articles which are or may be legally imported from foreign countries into the ports of the territory of Finland or are or may be legally exported therefrom in Finnish vessels may likewise be imported into those ports or exported therefrom in vessels of the United States without being liable to any other or higher duties or charges whatsoever than if such articles were imported or exported in Finnish vessels.

In the same manner there shall be perfect equality in relation to the flags of the two countries with regard to bounties, drawbacks, and other privileges of this nature of whatever denomination which may be allowed in the territory of each of the Contracting Parties, on goods imported or exported in national vessels so that such bounties, drawbacks and other privileges shall also and in like manner be allowed on goods imported or exported in vessels of the other country.

With respect to the amount and collection of duties or charges on imports and exports of every kind each of the High Contracting Parties binds itself to give to the vessels of the other the advantage

löille ja -tavaroille, tulee olla kohtuullisia, ottaen huomioon liikenneolot.

Tämän artiklan määräykset eivät koske Panaman kanavaa tai vesireittejä ja kanavia, jotka muodostavat kansainvälisiä rajoja.

XII ARTIKLA

Cargoes and vessels.

Kaikkia tavaroita, joita nyt tai vastedes laillisesti tuodaan ulkomailta Yhdysvaltain alueen satamiin tai joita nyt tai vastedes laillisesti niistä viedään Yhdysvaltain aluksissa, saatakoon samalla tavalla tuoda mainittuihin satamiin tai viedä niistä suomalaisissa aluksissa tarvitsematta niistä suorittaa minkäänlaisia muita tai suurempia tulleja tai maksuja, kuin jos sellaiset tavarat olisi tuotu tai viety Yhdysvaltain aluksissa; ja vastavuoroisesti kaikkia tavaroita, joita nyt tai vastedes tuodaan laillisesti ulkomailta Suomen alueen satamiin tai joita nyt tai vastedes laillisesti viedään niistä suomalaisissa aluksissa, saatakoon samalla tavalla tuoda näihin satamiin tai viedä niistä Yhdysvaltain aluksissa, ilman että niistä on suoritettava minkäänlaisia muita tai suurempia tulleja tai maksuja, kuin jos sellaiset tavarat olisi tuotu tai viety suomalaisissa aluksissa.

Equality of bounties, etc.

Samoin on täydellistä tasaarvoisuutta noudatettava kummankin maan lippuun nähden, mitä tulee tulliperuutuksiin ja muihin samanlaisiin etuoikeuksiin, olkoot minkänimisiä tahansa, joita ehkä sovelletaan jommankumman Sopimuspuolen alueella kotimaisten alusten tuomiin tai viemiin tavaroihin, sillä tavoin, että tällaisia tulliperuutuksia ja muita etuoikeuksia on myös samalla tavoin sovellettava toisen maan aluksissa tuotuihin tai vietyihin tavaroihin.

Most-favored-nation advantages as to customs duties.

Kaikenlaatuisten tuonti- ja vientitullien sekä -maksujen määrään ja kantoon nähden kumpikin Korkea Sopimuspuoli sitoutuu antamaan toisen Sopimuspuolen aluksille yhtä suotuisina kaikki ne

of every favor, privilege or immunity which it shall have accorded to the vessels of a third State, whether such favored State shall have been accorded such treatment gratuitously or for compensation.

helpotukset, etuudet tai erikoisvapaudet, jotka se on antanut kolmannen valtion aluksille olipa tällainen kohtelu siten suositulle valtiolle myönnetty ilmaiseksi tai korvausta vastaan.

Article XIII

Equality of tonnage, etc., duties.

No duties of tonnage, harbor, pilotage, lighthouse, quarantine, or other similar or corresponding duties or charges of whatever denomination, levied in the name or for the profit of the Government, public functionaries, private individuals, corporations or establishments of any kind shall be imposed in the ports of the territory of either High Contracting Party upon the vessels of the other, which shall not equally, under the same conditions, be imposed on national vessels. Such equality of treatment shall apply reciprocally to the vessels of the two countries respectively from whatever place they may arrive and whatever may be their place of destination.

XIII Artikla

Mitään tonnisto-, satama-, luotsi-, majakka-, karanteenimaksuja tai muita sellaisia tai vastaavia maksuja ja rasituksia, olivatpa ne minkänimisiä tahansa, joita kannetaan hallituksen, julkisten viranomaisten, yksityishenkilöiden tahi minkälaisten tahansa yhdyskuntien tai laitosten nimessä tai hyväksi, ei saa panna kummankaan Korkean Sopimuspuolen alueen satamissa toisen maan alusten suoritettaviksi, elleivät ne yhtäläisesti ja samoin ehdoin ole oman maan alusten maksettavia. Tätä tasa-arvoista kohtelua on sovellettava vastavuoroisesti molempien maiden aluksiin, saapuvatpa ne mistä paikasta ja ovatpa matkalla mihin paikkaan tahansa.

Article XIV

Merchant vessels, etc., discharge of cargoes.

Merchant vessels and other privately owned vessels under the flag of either of the High Contracting Parties shall be permitted to discharge portions of cargoes at any port open to foreign commerce in the territory of the other High Contracting Party, and to proceed with the remaining portions of such cargoes to any other ports of the same territory open to foreign commerce, on the same terms as national vessels and without paying other or higher tonnage dues or port charges in such cases than would be paid by national vessels in like circumstances. They shall be permitted, on the same terms as national vessels, to load in like manner at different ports in the same voyage outward.

Exceptions.

Exceptions, however, shall be made to the provisions of this Article and other provisions of this treaty in regard to

XIV Artikla

Kauppa-alusten ja muiden yksityisten omistamien alusten, jotka kulkevat jommankumman Korkean Sopimuspuolen lipun suojassa, tulee saada purkaa osia lasteistaan jokaisessa ulkomaankaupalle avoimessa toisen Korkean Sopimuspuolen alueella olevassa satamassa ja jäännöslasteineen jatkaa matkaansa jokaiseen muuhun samalla alueella olevaan ulkomaankaupalle avoimeen satamaan, suorittamatta sellaisissa tapauksissa muita tai suurempia tonnisto- tai satamamaksuja, kuin mitä oman maan alukset suorittaisivat samanlaisissa olosuhteissa. Niiden tulee saada ottaa samalla matkalla ulkomaille lastia samaten eri satamissa, samoilla ehdoilla kuin oman maan alukset.

Tämän artiklan ja muista tämän sopimuksen määräyksistä on tehtävä kuitenkin poikkeuksia, kun kysymyksessä on

1) coasting trade (cabotage), respecting which the High Contracting Parties shall concede to each other the most-favored-nation treatment;

2) traffic in natural or artificial inland waterways, not ordinarily navigable by transoceanic vessels, provided, however, that in regard to such traffic each High Contracting Party will grant to the other most-favored-nation treatment; and provided further that such vessels of one of the High Contracting Parties as may be permitted to engage in traffic on inland waterways of the other, and the cargoes of such vessels, shall be subject to no other or higher charges than national vessels and their cargoes;

3) it is further understood that without modifying the stipulations of this Treaty, so far as the amount of pilotage fees is concerned, the United States agrees not to claim, under this Treaty, for American ships any special concessions in regard to the employment of Government pilots which the Finnish Government has granted or may grant to Finnish and Swedish ships on voyages between Finland and Sweden confined to the Baltic Sea and its bays north of 59 degrees north latitude, so long as such concessions are not extended to the vessels of any third country;

4) it is also understood that the United States will not claim, under this Treaty, any benefits which Finland has accorded, or may accord, to Russia in respect of fishing or sealing in its territorial waters in the Arctic Ocean.

1) rannikkoliikenne (cabotage), jonka suhteen Korkeiden Sopimuspuolten tulee myöntää toisilleen suosituimmuus;

2) kulku luonnollisilla tai keinotekoisilla sisävesiteillä, joilla valtamerialukset eivät tavallisesti kulje, kuitenkin ehdolla, että kumpikin Korkea Sopimuspuoli takaa toiselle Sopimuspuolelle tähän liikenteeseen nähden suosituimmuuden ja edelleen ehdolla, että sellaiset toisen Sopimuspuolen alukset, jotka oikeutetaan liikkumaan toisen Sopimuspuolen sisävesiteillä sekä niiden lastit, eivät saa joutua muitten tai suurempien maksujen alaisiksi kuin kotimaiset alukset ja niiden lastit;

3) lisäksi on sovittu, että muuttamatta tämän sopimuksen määräyksiä, mikäli ne koskevat luotsimaksujen suuruutta, Yhdysvallat suostuvat olemaan vaatimatta tämän sopimuksen perusteella amerikkalaisille laivoille mitään niitä erikoismyönnytyksiä valtion luotsien käyttöön nähden, joita Suomen hallitus on antanut tai vastedes ehkä antaa suomalaisille ja ruotsalaisille, Suomen ja Ruotsin välillä kulkeville laivoille Itämerellä ja sen lahdissa 59 pohjoisen leveysasteen pohjoispuolella, niin kauan kuin sellaisia myönnytyksiä ei uloteta kolmannen maan aluksiin;

4) edelleen on sovittu, että Yhdysvallat eivät tämän sopimuksen nojalla vaadi mitään etuja, joita Suomi on myöntänyt tai vastedes myöntää Venäjälle kalastuksessa ja hylkeenpyynnissä aluevesillään Pohjoisessa Jäämeressä.

Article XV

For the purposes of this treaty merchant vessels and other privately owned vessels under the flag of either of the High Contracting Parties and carrying the papers required by its national laws in proof of nationality shall be deemed to be the vessels of the Party whose flag is flown both within the territorial waters of the

XV Artikla

Proof of nationality.

Kauppa-alukset ja muut yksityisten omistamat alukset, jotka kulkevat jommankumman Korkean Sopimuspuolen lipun suojassa ja joilla on niiden kotimaan lakien vaatimat paperit todisteena kansallisuudesta, on tämän sopimuksen mielessä katsottava sen Sopimuspuolen aluksiksi, jonka lipulla ne purjehtivat sekä toisen

other High Contracting Party and on the high seas.

ARTICLE XVI

Corporations, etc., organized in either country may conduct business in the other.

Limited liability and other corporations and associations, whether or not for pecuniary profit, which have been or may hereafter be organized in accordance with and under the laws, National, State or Provincial, of either High Contracting Party and maintain a central office within the territory thereof, shall have their juridical status recognized by the other High Contracting Party provided that they pursue no aims within its territory contrary to its laws. They shall enjoy free access to the courts of law and equity, on conforming to the laws regulating the matter, as well for the prosecution as for the defense of rights in all the degrees of jurisdiction established by law.

Right to establish branches.

The right of such corporations and associations of either High Contracting Party so recognized by the other to establish themselves within its territory, establish branch offices and fulfill their functions therein shall depend upon, and be governed solely by, the consent of such party as expressed in its National, State or Provincial laws. If such consent be given on the condition of reciprocity the condition shall be deemed to relate to the provisions of the laws, National, State or Provincial under which the foreign corporation or association desiring to exercise such rights is organized.

ARTICLE XVII

Nationals of either country may organize corporations, etc., in the other.

The nationals of either High Contracting Party shall enjoy within the territory of the other, reciprocally and upon compliance with the conditions there imposed, such rights and privileges as have been or may hereafter be accorded the nationals of any other State

Korkean Sopimuspuolen aluevesillä että avoimella merellä.

XVI ARTIKLA

Osake- ja muiden yhtiöiden ja yhtymien sekä rahallista etua tavoittelevien että sitä tavoittelemattomien, jotka on perustettu tai vastedes ehkä perustetaan jommankumman Korkean Sopimuspuolen yleisten, osavaltioiden tai maakuntain lakien mukaan ja nojalla ja joilla on pääkonttorinsa sen alueella, oikeudellinen asema on oleva toisen Korkean Sopimuspuolen tunnustama, mikäli ne eivät tämän alueella aja sen lakien vastaisia tarkoitusperiä. Niiden tulee saada vapaasti kääntyä laki- ja kohtuustuomioistuinten puoleen, noudattamalla asiaa säännösteleviä lakeja, ja esiintyä oikeuksiensa puolesta sekä kantajana että vastaajana kaikissa lain määräämissä oikeusasteissa.

Tällaisten jommankumman Korkean Sopimuspuolen siten tunnustamien toisen Sopimuspuolen yhtiöiden ja yhtymien oikeus perustaa liikkeensä ensiksimainitun alueelle, perustaa haaraliikkeitä ja suorittaa tehtäviään siellä on riippuva tämän Sopimuspuolen suostumuksesta sellaisena kuin se on lausuttu sen yleisissä, osavaltioiden tai maakuntain laeissa ja on oleva yksinomaan tällaisen suostumuksen määräämä. Jos tällainen suostumus annetaan vastavuoroisuuden ehdolla, ehdon on katsottava koskevan niitä yleisiä, osavaltioiden tai maakuntain lakien säännöksiä, joitten mukaisesti ulkomainen yhtiö tai yhtymä, joka haluaa käyttää sellaisia oikeuksia, on järjestetty.

XVII ARTIKLA

Kummankin Korkean Sopimuspuolen kansalaisilla on oleva toisen Sopimuspuolen alueella vastavuoroisesti ja siellä asetettujen ehtojen mukaisesti samanlaiset oikeudet ja etuudet, kuin mitä on myönnetty tai vastedes ehkä myönnetään minkä tahansa

with respect to the organization of and participation in limited liability and other corporations and associations, for pecuniary profit or otherwise, including the rights of promotion, incorporation, purchase and ownership and sale of shares and the holding of executive or official positions therein. In the exercise of the foregoing rights and with respect to the regulation or procedure concerning the organization or conduct of such corporations or associations, such nationals shall be subjected to no conditions less favorable than those which have been or may hereafter be imposed upon the nationals of the most favored nation. The rights of any of such corporations or associations as may be organized or controlled or participated in by the nationals of either High Contracting Party within the territory of the other to exercise any of their functions therein, shall be governed by the laws and regulations, National, State or Provincial, which are in force or may hereafter be established within the territory of the Party wherein they propose to engage in business.

The nationals of either High Contracting Party shall, moreover, enjoy within the territory of the other, reciprocally and upon compliance with the conditions there imposed, such rights and privileges as have been or may hereafter be accorded the nationals of any other State with respect to the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain of the other. It is understood, however, that neither High Contracting Party shall be required by anything in this paragraph to grant any application for any such right or privilege if at the time such application is presented the granting of all similar applications shall have been suspended or discontinued.

muun valtion kansalaisille, mitä tulee osake- ja muiden yhtiöiden ja yhtymien, rahallista voittoa tavoittelevien tai tavoittelemattomien, perustamiseen ja niissä osallisena olemiseen, niihin luettuna edistämis- ja yhtymisoikeus ynnä oikeus ostaa, omistaa ja myydä osakkeita sekä toimia niissä johtavassa tai virka-asemassa. Käyttäessään edellämainittuja oikeuksia sekä tällaisten yhtiöiden ja yhtymien järjestelyä tai hoitoa koskevaan säännöstelyyn tai menettelyyn nähden nämä kansalaiset eivät saa olla minkäänlaisten epäsuotuisempien ehtojen alaisia, kuin mitä on määrätty tai vastedes ehkä määrätään suosituimman maan kansalaisille. Jokaisen, jommankumman Sopimuspuolen kansalaisten toisen Sopimuspuolen alueella ehkä perustaman tai hallitseman tahi osallisina omistaman yhtiön tai yhtymän oikeudet kaikenlaisen toimintansa harjoittamiseen siellä ovat olevat niiden yleisten, osavaltioiden tai maakuntain lakien ja asetusten alaisia, jotka ovat voimassa tai joita vastedes ehkä annetaan sen Sopimuspuolen alueella, missä ne aikovat harjoittaa liikettään.

Mining privileges.

Kummankin Korkean Sopimuspuolen kansalaisilla on lisäksi oleva toisen Sopimuspuolen alueella, vastavuoroisesti ja siellä asetettujen ehtojen mukaisesti, samanlaiset oikeudet ja etuudet, kuin mitä on myönnetty tai vastedes ehkä myönnetään minkä tahansa muun valtion kansalaisille hiili-, fosfaatti-, öljy-, öljyraakku-, kaasu- ja suolakaivosteollisuuden harjoittamiseen toisen Sopimuspuolen valtion mailla. Kuitenkin on sovittu, ettei kumpikaan Korkea Sopimuspuoli tämän artiklan minkään määräysten nojalla ole velvollinen suostumaan mihinkään mainitunlaista oikeutta tai etuutta koskevaan anomukseen, jos sellaisen anomuksen esittämisaikana kaikkien vastaavanlaisten anomuksien myöntäminen on lykätty toistaiseksi tai keskeytetty.

ARTICLE XVIII

Commercial travelers recognized.

Commercial travelers representing manufacturers, merchants and traders domiciled in the territory of either High Contracting Party shall on their entry into and sojourn in the territory of the other Party and on their departure therefrom be accorded the most-favored-nation treatment in respect of customs and other privileges and of all charges and taxes of whatever denomination applicable to them or their samples.

Commercial travelers, for the purpose of this article, shall be understood to include representatives of commercial concerns who are traveling for the purpose of soliciting orders.

Identification, etc.

Either High Contracting Party may require, as a condition for granting the privileges mentioned in Paragraph 1 of this article, the presentation of an authentic document establishing the identity and authority of the commercial traveler. For this purpose any of the following documents, issued in the country where the commercial concern represented is domiciled, shall be accepted as satisfactory to the authorities of the country of destination:

a) a certificate issued by the official authority designated for the purpose;

b) a certificate issued by a Chamber of Commerce, or

c) a signed statement, issued by the concern or concerns represented, in which case it may be required to be certified by a consular officer of the country of destination.

XVIII ARTIKLA

Kauppamatkustajille, jotka edustavat jommankumman Korkean Sopimuspuolen alueella asuvia tehtailijoita, kauppiaita ja liikemiehiä, on heidän saapuessaan toisen Sopimuspuolen alueelle, oleskellessaan siellä ja sieltä lähtiessään, myönnettävä suosituimmuus tulleihin ja muihin etuoikeuksiin ja kaikkiin maksuihin sekä veroihin nähden, olkoot ne minkänimisiä tahansa, joita sovelletaan heihin tai heidän näytteisiinsä.

Kauppamatkustajiin on tämän artiklan mielessä ymmärrettävä kuuluvan kauppaa harjoittavien liikkeiden edustajat, jotka matkustavat hankkimassa tilauksia.

Kumpikin Korkea Sopimuspuoli voi, ehtona tämän artiklan 1 kohdassa mainittujen etuoikeuksien antamiseen, vaatia, että esitetään oikeaperäinen asiakirja, josta kauppamatkustajan henkilöllisyys ja valtuudet käyvät ilmi. Tätä varten on jokainen seuraavassa mainituista, edustetun liikkeen kotimaassa annetuista asiapapereista, hyväksyttävä määräpaikkamaan viranomaisia tyydyttävänä todisteena:

a) asianomaisen viranomaisen antama todistus;

b) kauppakamarin antama todistus; tai

c) edustetun liikkeen tai edustettujen liikkeiden allekirjoittama ilmoitus, missä tapauksessa voidaan siihen vaatia määräpaikkamaan konsuliviranomaisen laillistus.

ARTICLE XIX

Consular officers. Reception of.

Each of the High Contracting Parties agrees to receive from the other, consular officers in those of its ports, places and cities, where it may be convenient and which are open to consular representatives of any foreign country.

Enjoyment of rights, etc., accorded most favored nation.

Consular officers of each of the High Contracting Parties shall, after entering upon their duties,

XIX ARTIKLA

Kumpikin Korkea Sopimuspuoli sallii toisen Sopimuspuolen asettaa konsulivirkamiehiä niihin satama- ja muihin paikkoihinsa ja kaupunkeihinsa, jotka katsotaan siihen sopiviksi ja ovat avoinna minkä tahansa vieraan maan konsuliedustajille.

Ryhdyttyään hoitamaan virkatehtäviään kummankin Korkean Sopimuspuolen konsulivir-

enjoy reciprocally in the territory of the other all the rights, privileges, exemptions and immunities which are enjoyed by officers of the same grade of the most favored nation. As official agents, such officers shall be entitled to the high consideration of all officials, national or local, with whom they have official intercourse in the state which receives them.

kamiehillä on oleva toisen Sopimuspuolen alueella vastavuoroisesti kaikki ne oikeudet, etuudet, poikkeusedut ja erikoisvapaudet, jotka suosituimman maan saman arvoasteen konsuleilla on. Virallisina edustajina konsuleilla on oikeus saada osakseen suurta arvonantoa kaikkien niiden valtion ja paikallisten viranomaisten puolelta, joiden kanssa he ovat virallisissa tekemisissä siinä valtiossa, joka on heidät ottanut vastaan.

Exequaturs to issue.

The Government of each of the High Contracting Parties shall furnish free of charge the necessary exequatur of such consular officers of the other as present a regular commission signed by the chief executive of the appointing state and under its great seal; and they shall issue to a subordinate or substitute consular officer duly appointed by an accepted superior consular officer with the approbation of his Government, or by any other competent officer of that Government, such documents as according to the laws of the respective countries shall be requisite for the exercise by the appointee of the consular function. On the exhibition of an exequatur, or other document issued in lieu thereof to such subordinate, such consular officer shall be permitted to enter upon his duties and to enjoy the rights, privileges and immunities granted by this treaty.

Kummankin Korkean Sopimuspuolen hallitus myöntää maksutta tarpeellisen eksekvaatturin sellaisille toisen Sopimuspuolen konsulivirkamiehille, jotka esittävät nimittävän valtion päämiehen allekirjoittaman säännönmukaissen ja valtion sinetillä varustetun valtakirjan; ja sellaiselle alempiarvoiselle tai sijaisena toimivalle konsulivirkamiehelle, jonka on asianmukaisesti nimittänyt hyväksytty ylempi konsulivirkamies hallituksensa suostumuksella tai joku muu sen hallituksen pätevä viranomainen, kummankin Korkean Sopimuspuolen hallitus antaa sellaiset asiakirjat, jotka asianomaisten maiden lakien mukaan vaaditaan, jotta nimitetty henkilö voisi harjoittaa konsulintehtäviä. Esitettyään eksekvaatturin tai muun asiakirjan, joka sen sijasta on annettu alempiarvoiselle konsulivirkamiehelle, sellainen virkamies saa ryhtyä hoitamaan virkaansa ja nauttia tämän sopimuksen suomia oikeuksia, etuuksia ja erikoisvapauksia.

Article XX

Consular officers, nationals of the state by which they are appointed, shall be exempt from arrest except when charged with the commission of offenses locally designated as crimes and subjecting the individual guilty thereof to punishment as a criminal. Such officers shall be exempt from military billetings and from service of any military or naval, administrative or police character whatsoever.

XX Artikla

Konsulivirkamiehiä, jotka ovat heidät nimittäneen valtion kansalaisia, ei saa vangita, ellei heitä syytetä lainrikkomuksista, joita asemamaassa pidetään rikoksina ja joihin itsensä syypääksi tehnyttä henkilöä on rikollisena rangaistava. Sellaiset virkamiehet ovat vapautetut sotilasmajoituksista sekä kaikenlaisesta sota- tai laivastopalveluksesta ja hallinnollisista tai poliisitehtävistä, olivatpa ne mitä laatua tahansa.

Consuls exempt from arrest, etc.

Exception.

Testimony of, in criminal cases.

In criminal cases the attendance at the trial by a consular officer as a witness may be demanded by the prosecution or defense. The demand shall be made with all possible regard for the consular dignity and the duties of the office; and there shall be compliance on the part of the consular officer.

To be subject to jurisdiction of courts in civil cases.

Consular officers shall be subject to the jurisdiction of the courts in the state which receives them in civil cases, subject to the proviso, however, that when the officer is a national of the state which appoints him and is engaged in no private occupation for gain, his testimony shall be taken orally or in writing at his residence or office and with due regard for his convenience. The officer should, however, voluntarily give his testimony at the trial whenever it is possible to do so without serious interference with his official duties.

Rikosasioissa voidaan kantajan tai vastaajan puolelta vaatia konsulivirkamiestä kuulusteltavaksi todistajana. Vaatimus on tehtävä kaikella mahdollisella huomaavaisuudella konsulin arvoa ja hänen virkavelvollisuuksiaan kohtaan; ja konsulivirkamiehen on noudatettava tätä vaatimusta.

Konsulivirkamiehet ovat siviliasioissa sen valtion tuomioistuinten tuomiovallan alaisia, joka heidät on vastaanottanut, kuitenkin ehdolla, että kun virkamies on sen valtion kansalainen, joka hänet on nimittänyt, ja kun hänellä ei ole mitään yksityistä ansiotointa, hänen todistuksensa on otettava suullisesti tai kirjallisesti hänen asunnossaan tai virastossaan ja ottamalla asianmukaisesti huomioon hänen mukavuutensa. Konsulin olisi kuitenkin vapaaehtoisesti annettava todistuksensa oikeudessa, milloin se vain on mahdollista tuottamatta vakavaa haittaa hänen virkavelvollisuuksilleen.

Article XXI

Personal property exemption.

Consular officers, including employees in a consulate, nationals of the State by which they are appointed other than those engaged in private occupations for gain within the State where they exercise their functions shall be exempt from all taxes, National, State, Provincial and Municipal, levied upon their persons or upon their property, except taxes levied on account of the possession or ownership of immovable property situated in, or income derived from property of any kind situated or belonging within the territory of the State within which they exercise their functions. All consular officers and employees, nationals of the State appointing them shall be exempt from the payment of taxes on the salary, fees or wages received by them in compensation for their consular services.

XXI Artikla

Konsulivirkamiehet ja konsulinviraston toimihenkilöt, jotka ovat heidät nimittäneen valtion kansalaisia ja joilla ei ole yksityistä pysyväistä ansiotointa siinä valtiossa, jossa he suorittavat tehtäviään, ovat vapaat kaikista henkilökohtaisesti tai omaisuudesta kannetuista valtion, osavaltion, maakunnan ja kunnallisveroista, paitsi niistä veroista, jotka kannetaan sellaisen kiinteän omaisuuden hallinnasta tai omistuksesta tai millaisen hyvänsä semmoisen omaisuuden tuottamasta tulosta, joka on sen valtion alueella tai sinne kuuluvaa, missä he suorittavat tehtäviään. Kaikki konsulivirkamiehet ja konsulinviraston toimihenkilöt, jotka ovat heidät nimittäneen valtion kansalaisia, ovat vapautetut maksamasta veroja palkoistaan tai palkkioistaan, jotka he saavat korvaukseksi konsulipalveluksestaan.

The Government of each High Contracting Party shall have the right to acquire and own land and buildings required for diplomatic or consular premises in the territory of the other High Contracting Party and also to erect buildings in such territory for the purposes stated subject to local building regulations.

Kummankin Korkean Sopimuspuolen hallitus olkoon oikeutettu hankkimaan ja omistamaan diplomaatti- ja konsuliedustushuoneistoihin tarvittavaa maata ja rakennuksia toisen Korkean Sopimuspuolen alueella sekä myöskin mainittuihin tarkoituksiin pystyttämään rakennuksia sellaiselle alueelle noudattamalla paikallisia rakennussäännöksiä.

Property used for governmental purposes.

Lands and buildings situated in the territory of either High Contracting Party, of which the other High Contracting Party is the legal or equitable owner and which are used exclusively for governmental purposes by that owner, shall be exempt from taxation of every kind, National, State, Provincial and Municipal, other than assessments levied for services or local public improvements by which the premises are benefited.

Jommankumman Korkean Sopimuspuolen alueella sijaitsevat maaalat ja rakennukset, joiden laillinen tai kohtuudenmukainen omistaja on toinen Korkea Sopimuspuoli ja joita tämä omistaja käyttää yksinomaan virallisiin tarkoituksiin, ovat vapautetut kaikenlaisesta valtion, osavaltion, maakunnan ja kunnallisverotuksesta, paitsi veroista, joita kannetaan kiinteimistön hyödyksi tulleista, paikallisista yleisistä parannuksista.

Exempt from taxation.

Article XXII

XXII Artikla

Consular officers may place over the outer door of their respective offices the arms of their State with an appropriate inscription designating the official office. Such officers may also hoist the flag of their country on their offices including those situated in the capitals of the two countries. They may likewise hoist such flag over any boat or vessel employed in the exercise of the consular function.

Konsulivirkamiehet saavat panna kukin virastonsa ulko-ovelle valtionsa vaakunan ynnä sopivan kirjoituksen, joka osoittaa viraston. Sellaiset virkamiehet saavat myös nostaa maansa lipun virastonsa ylle, myöskin silloin, kun virasto sijaitsee jommankumman maan pääkaupungissa. Niinikään he saavat nostaa tämän lipun laivassa tai aluksessa, joita käytetään konsulintehtäviä suoritettaessa.

Arms and flags at offices.

The consular offices and archives shall at all times be inviolable. They shall under no circumstances be subjected to invasion by any authorities of any character within the country where such offices are located. Nor shall the authorities under any pretext make any examination or seizure of papers or other property deposited within a consular office. Consular offices shall not be used as places of asylum. No consular officer shall be required to produce official archives in court or testify as to their contents.

Konsulien virkahuoneistot ja arkistot olkoot kaikkina aikoina loukkaamattomat. Mitkään viranomaiset siinä maassa, jossa nämä virkahuoneistot sijaitsevat, eivät saa missään olosuhteissa tunkeutua niihin. Myöskään eivät viranomaiset saa minkään syyn varjolla toimittaa konsulinvirastossa säilytettävien asiakirjojen tai muun omaisuuden tarkastusta tai takavarikointia. Konsulinvirastoja ei saa käyttää turvapaikkoina. Konsulivirkamiestä ei saa vaatia esittämään virallisia arkistoja oikeudessa eikä todistamaan niiden sisällyksestä.

Inviolability of offices and archives.

Ad interim officers.

Upon the death, incapacity, or absence of a consular officer having no subordinate consular officer at his post, secretaries or chancellors, whose official character may have previously been made known to the government of the State where the consular function was exercised, may temporarily exercise the consular function of the deceased or incapacitated or absent consular officer; and while so acting shall enjoy all the rights, prerogatives and immunities granted to the incumbent.

Konsulivirkamiehen kuollessa taikka ollessa esteellinen tai poissa voivat, ellei ole alempiarvoista konsulivirkamiestä hänen sijaansa, sihteerit tai kanslistit, joiden virallinen asema olisi oleva ennakolta ilmoitettu sen valtion hallitukselle, missä konsulintehtäviä on suoritettu, väliaikaisesti hoitaa kuolleen taikka estyneenä tai poissa olevan konsulin virkatehtäviä; siten toimiessaan he saavat nauttia kaikkia niitä oikeuksia, etuuksia ja erikoisvapauksia, jotka myönnetään viran varsinaiselle haltijalle.

Article XXIII

Communications with officials for protecting countrymen of consuls.

Consular officers, nationals of the State by which they are appointed, may, within their respective consular districts, address the authorities, National, State, Provincial or Municipal, for the purpose of protecting their countrymen in the enjoyment of their rights accruing by treaty or otherwise. Complaint may be made for the infraction of those rights. Failure upon the part of the proper authorities to grant redress or to accord protection may justify interposition through the diplomatic channel, and in the absence of a diplomatic representative, a consul general or the consular officer stationed at the capital may apply directly to the government of the country.

XXIII Artikla

Konsulivirkamiehet, jotka ovat nimittäjävaltionsa kansalaisia, saavat, kukin konsulipiirissään, kääntyä valtion, osavaltion, maakunnan ja kunnan viranomaisten puoleen suojellakseen maansa kansalaisia näille sopimuksen perusteella tai muuten kuuluvien oikeuksien nautinnassa. Valitus saadaan tehdä näitä oikeuksia loukattaessa. Jos asianomaisten viranomaisten puolelta ei suoda oikaisua tai suojanantoa, voidaan asiaan puuttua diplomaattista tietä, ja ellei diplomaattista edustajaa ole, voi pääkonsuli tai pääkaupungissa toimiva konsulivirkamies kääntyä suoraan maan hallituksen puoleen.

Article XXIV

Notarial acts, etc., by consular officers.

Consular officers may, in pursuance of the laws of their own country, take, at any appropriate place within their respective districts, the depositions of any occupants of vessels of their own country, or of any national of, or of any person having permanent residence within the territory of, their own country. Such officers may draw up, attest, certify and authenticate unilateral acts, deeds and testamentary dispositions of their countrymen, and also contracts to which a countryman is a party. They may draw up, attest, certify and authenticate written instruments of any kind

Authentications, etc.

XXIV Artikla

Konsulivirkamiehet saavat oman maansa lakien mukaisesti kaikissa sopivissa paikoissa asianomaisissa piireissään ottaa valallisiakin todistuksia oman maansa alusten kaikelta laivaväeltä tai oman maansa kansalaisilta taikka sen alueella vakituisesti asuvilta henkilöiltä. Konsulit saavat laatia, todistaa, varmentaa ja oikeiksi vahvistaa maansa kansalaisten yksipuolisia asiakirjoja, luovutuskirjoja ja jälkisäännösmääräyksiä sekä myös sopimuskirjoja, joissa heidän maansa kansalainen on sopimuspuolena. He saavat laatia, todistaa, varmentaa ja oikeiksi

purporting to express or embody the conveyance or encumbrance of property of any kind within the territory of the State by which such officers are appointed, and unilateral acts, deeds, testamentary dispositions and contracts relating to property situated, or business to be transacted within, the territory of the State by which they are appointed, embracing unilateral acts, deeds, testamentary dispositions or agreements executed solely by nationals of the State within which such officers exercise their functions.

Instruments and documents thus executed and copies and translations thereof, when duly authenticated under his official seal by the consular officer shall be received as evidence in the territories of the contracting parties as original documents or authenticated copies, as the case may be, and shall have the same force and effect as if drawn by and executed before a notary or other public officer duly authorized in the country by which the consular officer was appointed; provided, always, that such documents shall have been drawn and executed in conformity to the laws and regulations of the country where they are designed to take effect.

vahvistaa kaikenlaisia asiakirjoja, joiden tarkoituksena on ilmaista tai määrätä sellaisen omaisuuden luovutus tai kiinnittäminen, joka sijaitsee nimittäjävaltion alueella, sekä yksipuolisia asiakirjoja, luovutuskirjoja, jälkisäännösmääräyksiä ja sopimuskirjoja, jotka koskevat nimittäjävaltion alueella sijaitsevaa omaisuutta tai siellä harjoitettavaa liikettä; mukaanluettuina yksipuoliset asiakirjat, luovutuskirjat, jälkisäännösmääräykset tai sopimukset, joita ovat tehneet yksinomaan sen valtion kansalaiset, missä konsulit suorittavat tehtäviään.

Effect as evidence.

Siten laillistetut asiakirjat sekä niiden jäljennökset ja käännökset ovat olevat, konsulivirkamiehen asianmukaisesti vahvistettua ne virkasinetillään, Sopimuspuolten alueilla todistusvoimaisia alkuperäisinä asiakirjoina tai virallisesti oikeiksi todistettuina jäljennöksinä, miten laita milloinkin on, ja niillä on oleva sama voima ja vaikutus, kuin jos ne olisi laatinut ja laillistanut sen maan notari tai muu asianomaisesti valtuutettu julkinen viranomainen, joka konsulivirkamiehen on nimittänyt, aina kuitenkin edellyttäen, että sellaiset asiakirjat on laadittu ja laillistettu sen maan lakien ja asetusten mukaisesti, missä ne on tarkoitettu oikeudellisesti vaikuttaviksi.

Article XXV

A consular officer shall have exclusive jurisdiction over controversies arising out of the internal order of private vessels of his country, and shall alone exercise jurisdiction in cases, wherever arising, between officers and crews, pertaining to the enforcement of discipline on board, providing the vessels and the persons charged with wrongdoing shall have entered a port within his consular district. Such an officer shall also have jurisdiction over issues concerning the adjustment of wages and the execution of contracts relating thereto provided the local laws so permit.

XXV Artikla

Consular authority in shipping controversies.

Konsulivirkamiehellä on oleva yksinomainen tuomiovalta riidoissa, jotka aiheutuvat sisäisestä järjestyksestä hänen maansa yksityisillä aluksilla, ja hän yksin käyttäköön tuomiovaltaa päällystön ja miehistön välisissä riitaasioissa, syntyivätpä ne missä tahansa, kurin ylläpitämiseksi aluksella, mikäli alus ja rikkomuksiin syylliset henkilöt ovat saapuneet hänen konsulipiirissään olevaan satamaan. Konsulilla on oleva tuomiovalta myös palkkojen järjestelyä ja palkkaussopimusten noudattamista koskevissa riidoissa, sikäli kuin paikalliset lait sen sallivat.

Crimes in territorial waters.

When an act committed on board of a private vessel under the flag of the State by which the consular officer has been appointed and within the territorial waters of the State to which he has been appointed constitutes a crime according to the laws of that State, subjecting the person guilty thereof to punishment as a criminal, the consular officer shall not exercise jurisdiction except in so far as he is permitted to do so by the local law.

Kun konsulivirkamiehen nimittäneen valtion lipun suojassa kulkevalla yksityisaluksella sen valtion aluevesillä, johon hänet on nimitetty, on tapahtunut teko, joka muodostaa tämän valtion lakien mukaan rikoksen, johon syyllinen henkilö on rikoksellisena rangaistava, ei konsulivirkamies saa käyttää tuomiovaltaa, paitsi mikäli paikallinen laki sen sallii.

Local police aid to maintain order.

A consular officer may freely invoke the assistance of the local police authorities in any matter pertaining to the maintenance of internal order on board of a vessel under the flag of his country within the territorial waters of the State to which he is appointed, and upon such a request the requisite assistance shall be given.

Konsulivirkamies saa vapaasti pyytää paikallisten poliisiviranomaisten apua kaikissa asioissa, jotka koskevat sisäisen järjestyksen voimassapitoa hänen valtionsa lipun suojassa kulkevalla aluksella sen valtion aluevesillä, johon hänet on nimitetty, ja täten pyydettyä tarpeellista apua on annettava.

Appearance before judicial authorities.

A consular officer may appear with the officers and crews of vessels under the flag of his country before the judicial authorities of the State to which he is appointed to render assistance as an interpreter or agent.

Konsulivirkamies saa maansa lipun suojassa kulkevien alusten päällystön ja miehistön mukana esiintyä sen valtion oikeusviranomaisten edessä, johon hänet on nimitetty, ollakseen avuksi tulkkina tai asiamiehenä.

Article XXVI

XXVI Artikla

Notice of death in one country of a national of the other.

In case of the death of a national of either High Contracting Party in the territory of the other without having in the locality of his decease any known heirs or testamentary executors by him appointed, the competent local authorities shall at once inform the nearest consular officer of the State of which the deceased was a national of the fact of his death, in order that necessary information may be forwarded to the parties interested.

Jommankumman Korkean Sopimuspuolen kansalaisen kuollessa toisen Sopimuspuolen alueella jättämättä kuolinmaahansa tunnettuja perillisä tai määräämättä jälkisäädöksensä toimeenpanijoita, on asianomaisten paikallisten viranomaisten heti ilmoitettava hänen kuolemastaan sen valtion lähimmälle konsulivirkamiehelle, jonka kansalainen vainaja oli, tarpeellisen tiedon toimittamiseksi asianomistajille.

Provisional holding of intestate property.

In case of the death of a national of either of the High Contracting Parties without will or testament, in the territory of the other High Contracting Party, the consular officer of the State of which the deceased was a national and within whose district the deceased made his home at the time of death, shall, so far as the laws of the country permit and pend-

Jommankumman Korkean Sopimuspuolen kansalaisen kuollessa toisen Korkean Sopimuspuolen alueella viimeistä tahtoa tai testamenttia jättämättä on vainajan kotimaan konsulivirkamies, jonka piirissä vainajalla oli kotipaikka kuolinhetkenään, oleva oikeutettu, mikäli maan lait sallivat ja kunnes pesänhoitaja on määrätty ja hänelle valtuudet

ing the appointment of an administrator and until letters of administration have been granted, be deemed qualified to take charge of the property left by the decedent for the preservation and protection of the same. Such consular officer shall have the right to be appointed as administrator within the discretion of a tribunal or other agency controlling the administration of estates provided the laws of the place where the estate is administered so permit.

In case of the death of a national of either of the High Contracting Parties without will or testament and without any known heirs resident in the country of his decease, the consular officer of the country of which the deceased was a national shall be appointed administrator of the estate of the deceased, provided the regulations of his own Government permit such appointment and provided such appointment is not in conflict with local law and the tribunal having jurisdiction has no special reasons for appointing someone else.

Whenever a consular officer accepts the office of administrator of the estate of a deceased countryman, he subjects himself as such to the jurisdiction of the tribunal or other agency making the appointment for all necessary purposes to the same extent as a national of the country where he was appointed.

annettu, ottamaan vainajalta jääneen omaisuuden säilytettäväkseen ja suojeltavakseen. Konsulilla on oleva oikeus, tuomioistuimen tai omaisuuden hoitoa valvovan muun laitoksen harkinnan mukaan, tulla määrätyksi pesänhoitajaksi, mikäli sen paikan lait, missä omaisuutta hoidetaan, sen sallivat.

Appointment of, as administrator.

Toisen Korkean Sopimuspuolen kansalaisen kuollessa jälkisäädöstä jättämättä ja vailla ketään tunnettua perillistä siinä maassa, missä hän kuolee, on sen maan konsulivirkamies, jonka kansalainen vainaja oli, määrättävä hänen kuolinpesänsä hoitajaksi, sikäli kuin hänen oman hallituksensa määräykset sen sallivat ja sikäli kuin tällainen määräys ei ole ristiriidassa paikallisten lakien kanssa eikä asianomaisella tuomioistuimella ole erikoisia syitä jonkun toisen määräämiseen.

Status.

Milloin konsulivirkamies ottaa vastaan kuolleen maanmiehensä pesänhoitajan tehtävän, alistuu hän siinä asemassa tuomioistuimen tai muun hänet siksi määränneen laitoksen tuomiovallan alaiseksi samassa määrin kuin sen maan kansalainen, missä hän on saanut määräyksensä.

Article XXVII

Each of the High Contracting Parties agrees to permit the entry free of all duty and without examination of any kind, of all furniture, equipment and supplies intended for official use in the consular offices of the other, and to extend to such consular officers of the other and their families and suites as are its nationals, the privilege of entry free of duty of their baggage and all other personal property, whether accompanying the officer to his

XXVII Artikla

Free entry of office supplies, etc.

Kumpikin Korkea Sopimuspuoli suostuu päästämään maahan tullitta ja ilman minkäänlaista tarkastusta toisen Sopimuspuolen konsulivirastojen virkakäyttöön aiotut huonekalut, välineet ja tarveaineet sekä ulottamaan tullivapauden toisen Sopimuspuolen konsulivirkamiesten ja heidän perheidensä ja seurueidensa, sikäli kuin he ovat tämän omia kansalaisia, matkatavaroihin ja kaikkeen muuhun henkilökohtaiseen omaisuuteen, joka tuodaan

post or imported at any time during his incumbency thereof; provided, nevertheless, that no article, the importation of which is prohibited by the law of either of the High Contracting Parties, may be brought into its territory.

It is understood, however, that this privilege shall not be extended to consular officers who are engaged in any private occupation for gain in the countries to which they are accredited, save with respect to governmental supplies.

maahan joko konsulin mukana hänen saapuessaan virkapaikkaansa tai milloin tahansa hänen virassa ollessaan; kuitenkin sillä edellytyksellä, ettei mitään tavaraa, jonka tuonti on jommankumman Korkean Sopimuspuolen laeissa kielletty, saa tuoda sen alueelle.

On kuitenkin sovittu, ettei tätä etuoikeutta, virallisia tarvikkeita lukuunottamatta, uloteta konsulivirkamiehiin, joilla on yksityinen ansiotoimi siinä maassa, mihin heidät on valtuutettu.

Article XXVIII

XXVIII Artikla

Salvage of shipwrecked vessels.

All proceedings relative to the salvage of vessels of either High Contracting Party wrecked upon the coasts of the other shall be directed by the Consular Officer of the country to which the vessel belongs and within whose district the wreck may have occurred. Pending the arrival of such officer, who shall be immediately informed of the occurrence, the local authorities shall take all necessary measures for the protection of persons and the preservation of wrecked property. The local authorities shall not otherwise interfere than for the maintenance of order, the protection of the interests of the salvors, if these do not belong to the crews that have been wrecked, and to carry into effect the arrangements made for the entry and exportation of the merchandise saved. It is understood that such merchandise is not to be subjected to any custom house charges, unless it be intended for consumption in the country where the wreck may have taken place.

Kaikkia toimenpiteitä jommankumman Korkean Sopimuspuolen rannikoilla haaksirikkoutuneiden toisen Sopimuspuolen alusten pelastamiseksi tulee johtaa aluksen kotimaan sen konsulivirkamiehen, jonka piirissä haaksirikko on tapahtunut. Kunnes konsuli, jolle tapahtumasta on heti ilmoitettava, on saapunut, tulee paikallisten viranomaisten ryhtyä kaikkiin tarpeellisiin toimenpiteisiin henkilöiden suojelemiseksi ja haaksirikkoutuneen omaisuuden säilyttämiseksi. Paikalliset viranomaiset eivät saa puuttua asiaan muuten kuin ylläpitääkseen järjestystä, suojellakseen pelastajien etuja, elleivät nämä kuulu haaksirikkoutuneeseen miehistöön, ja toimeenpannakseen pelastettujen tavarain tulliselvitystä ja vientiä koskevat järjestelyt. On sovittu, ettei sellaisista tavaroista saa kantaa tullimaksuja, ellei niitä aiota käytettäviksi siinä maassa, missä haaksirikko on tapahtunut.

Local intervention expenses.

The intervention of the local authorities in these different cases shall occasion no expense of any kind, except such as may be caused by the operations of salvage and the preservation of the goods saved, together with such as would be incurred under similar circumstances by vessels of the nation.

Paikallisten viranomaisten asiaan puuttuminen näissä eri tapauksissa ei saa aiheuttaa minkäänlaisia kuluja, paitsi sellaisia, jotka johtuvat pelastustoimenpiteistä ja pelastetun tavaran säilyttämisestä, ynnä sellaisia, jotka joutuisivat oman maan alusten maksettaviksi samanlaisissa tilanteissa.

Article XXIX

A consular officer of either High Contracting Party may in behalf of his non-resident countrymen, and without being required to produce his authorization, collect and receipt for their distributive shares derived from estates in process of probate or accruing under the provisions of so-called Workmen's Compensation Laws or other like statutes provided he remit any funds so received through the appropriate agencies of his Government to the proper distributees, and provided further that he furnish to the authority or agency making distribution through him reasonable evidence of such remission.

XXIX Artikla

Handling funds for non-resident countrymen.

Kummankin Korkean Sopimuspuolen konsulivirkamies saa muualla asuvain kansalaistensa puolesta, tarvitsematta esittää heidän valtuutustaan, nostaa ja kuitata näiden jako-osuudet, jotka tulevat valvonnan alaisena olevasta omaisuudesta tai kertyvät n.s. työväenvakuutuslakien tai muiden samanlaisten lakien määräysten johdosta, edellyttäen, että hän lähettää siten saamansa varat hallituksensa asianomaisten laitosten kautta oikealle saajalle ja edellyttäen lisäksi, että hän esittää viranomaiselle tai laitokselle, joka suorittaa jaon hänen välityksellään, asianmukaisen todisteen varojen lähettämisestä.

Article XXX

A consular officer of either High Contracting Party shall have the right to inspect within the ports of the other High Contracting Party within his consular district, the private vessels of any flag destined or about to clear for ports of the country appointing him in order to observe the sanitary conditions and measures taken on board such vessels, and to be enabled thereby to execute intelligently bills of health and other documents required by the laws of his country, and to inform his Government concerning the extent to which its sanitary regulations have been observed at ports of departure by vessels destined to its ports, with a view to facilitating entry of such vessels therein; provided however, that in respect of vessels of any country other than the High Contracting Parties, the Government concerned does not object.

XXX Artikla

Inspecting vessels clearing for home ports.

Kummankin Korkean Sopimuspuolen konsulivirkamiehellä on oleva oikeus toisen Korkean Sopimuspuolen satamissa konsulipiirissään tarkastaa minkä lipun suojassa tahansa kulkevia yksityisten aluksia, joiden on määrä lähteä tai joita selvitetään hänet nimittäneen maan satamiin, ottaakseen selon alusten terveysoloista ja terveydenhoidollisista toimenpiteistä, joihin niissä on ryhdytty, ja voidakseen siten asianmukaisesti antaa terveystodistuksen ja muut asiapaperit, jotka hänen maansa lakien mukaan vaaditaan, ja ilmoittaa hallitukselleen, missä määrin sen antamia terveydenhoidollisia säädöksiä on lähtösatamissa noudatettu sen satamiin lähtevissä aluksissa, jotta alusten pääsy niihin helpottuisi; kuitenkin edellyttämällä, että, mikäli kysymys on minkä tahansa muun maan kuin Korkeiden Sopimuspuolien aluksista, asianomainen hallitus ei tee muistutusta.

ARTICLE XXXI

Area embraced by treaty.

Except as otherwise provided in this treaty, the provisions thereof shall apply to all territories under the sovereignty and authority of each of the High Contracting Parties. It is understood, however, that they shall not apply to the Panama Canal Zone.

ARTICLE XXXII

Exchange of ratifications.

The present Treaty shall be ratified and the ratifications thereof shall be exchanged at Washington. The Treaty shall take effect in all its provisions thirty days from the date of the exchange of ratifications and shall remain in full force for the term of one year thereafter.

Duration.

If within six months before the expiration of the aforesaid period of one year neither High Contracting Party notifies to the other an intention of modifying by change or omission, any of the provisions of any of the Articles in this Treaty or of terminating it upon the expiration of the aforesaid period, the Treaty shall remain in full force and effect indefinitely after the aforesaid period subject always to termination on a notice of six months.

Signatures.

In witness whereof the respective Plenipotentiaries have signed this Treaty and have affixed their seals thereto.

Done in duplicate, each in the English and Finnish languages, both authentic, at Washington, D.C., this thirteenth day of February, one thousand nine hundred and thirty-four.

XXXI ARTIKLA

Paitsi mikäli tässä sopimuksessa on toisin määrätty, on sen määräyksiä sovellettava kaikkiin alueisiin, jotka ovat jommankumman Korkean Sopimuspuolen täysvaltiudessa ja vallanalaisuudessa. Kuitenkin on sovittu, etteivät ne koske Panaman kanavavyöhykettä.

XXXII ARTIKLA

Tämä sopimus on ratifioitava ja sen ratifioimiskirjat on vaihdettava Washingtonissa. Sopimus tulee voimaan kaikkine määräyksineen kolmenkymmenen päivän kulutta ratifioimiskirjain vaihtamisesta ja on sen jälkeen voimassa vuoden ajan.

Ellei kumpikaan Korkea Sopimuspuoli kuutta kuukautta ennen edellämainitun määräajan päättymistä ilmoita toiselle tahtovansa muuttaa tai poistaa jonkun tämän sopimuksen artikloihin sisältyvän määräyksen tai sopimuksesta luopua edellämainitun ajan umpeenkuluttua, sopimus on pysyvä voimassa epämääräisen ajan edellämainitun määräajan umpeenkuluttuakin, kunnes kuusi kuukautta on kulunut siitä kuin jompikumpi Korkea Sopimuspuoli on ilmoittanut toiselle haluavansa luopua siitä.

Tämän vakuudeksi asianomaiset täysivaltaiset edustajat ovat tämän sopimuksen allekirjoittaneet ja sineteillään varustaneet.

Tehtiin Washingtonissa, D.C., kolmantenatoista päivänä helmikuuta tuhat yhdeksänsataa kolmekymmentä neljä kahtena kappaleena englanniksi ja suomeksi, jotka molemmat tekstit ovat todistusvoimaisia.

[SEAL] CORDELL HULL
[SEAL] L. ÅSTRÖM

PROTOCOL

At the moment of signing the Treaty of Friendship, Commerce and Consular Rights between the United States of America and the Republic of Finland, the undersigned Plenipotentiaries duly authorized by their respective Governments have agreed as follows:

1) Wherever the term "consular officer" is used in this Treaty it shall be understood to mean Consuls General, Consuls, Vice Consuls and Consular Agents to whom an exequatur or other document of recognition has been issued pursuant to the provisions of paragraph 3 of Article XIX, provided however that the customs courtesies accorded to consular officers under Article XXVII shall apply to consular officers en route to their post for the first time, prior to the receipt of an exequatur.

2) Upon entering into force of the accompanying Treaty of Friendship, Commerce, and Consular Rights, the Agreement effected by exchange of notes between the United States and Finland, signed at Washington, D.C., on May 2, 1925, and also the Agreement effected by exchange of notes between the United States and Finland, signed at Washington, D.C., on December 21, 1925, shall cease to be operative.

In faith whereof the undersigned Plenipotentiaries have signed the present Protocol and affixed thereto their respective seals.

Done in duplicate each in the English and Finnish languages, both authentic, at Washington, D.C., the thirteenth day of February, 1934.

PÖYTÄKIRJA

Protocol.

Allekirjoittaessaan Amerikan Yhdysvaltain ja Suomen Tasavallan kesken tehdyn ystävyys-, kauppa- ja konsulisopimuksen allekirjoittaneet, asianmukaisesti siihen valtuutettuina, ovat sopineet seuraavasta:

"Consular officer", defined.

1) Kun tässä sopimuksessa käytetään "konsulivirkamies" sanaa, tarkoitetaan pääkonsuleita, konsuleita, varakonsuleita ja konsuliasiamiehiä, joille on myönnetty XIX artiklan 3 kohdassa edellytetty eksekvaatturi tai muunlainen tunnustuskirja; kuitenkin edellytetään, että XXVII artiklassa konsulivirkamiehille myönnettyjä tullikohteliaisuuksia on sovellettava virkapaikkaansa ensi kerran, ennen eksekvaatturin saamista matkalla oleviin konsulivirkamiehiin.

Ante, p. 2673.

Former Agreements abrogated.

2) Tämän ystävyys-, kauppa- ja konsulisopimuksen voimaantullessa Yhdysvaltain ja Suomen kesken noottienvaihdolla 2 päivänä toukokuuta 1925 Washingtonissa tehty sopimus sekä niinikään noottienvaihdolla 21 päivänä joulukuuta 1925 Washingtonissa tehty sopimus lakkaavat olemasta voimassa.

Signatures.

Vakuudeksi asianomaiset täysivaltaiset edustajat ovat tämän pöytäkirjan allekirjoittaneet ja sineteillään varustaneet.

Tehtiin Washingtonissa, D.C., kolmantenatoista päivänä helmikuuta 1934 kahtena kappaleena englanniksi ja suomeksi, jotka molemmat tekstit ovat todistusvoimaisia.

[SEAL] CORDELL HULL
[SEAL] L. ÅSTRÖM

Ratifications exchanged.

AND WHEREAS, the said Treaty has been duly ratified on both parts and the ratifications of the two Governments were exchanged at the city of Washington on the eleventh day of July, one thousand nine hundred and thirty-four;

Effective date.

AND WHEREAS, by Article XXXII thereof, it is stipulated that the said Treaty shall take effect in all its provisions thirty days from the date of the exchange of ratifications, namely, on the tenth day of August, one thousand nine hundred and thirty-four;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Treaty to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this tenth day of August, in the year of our Lord one thousand nine hundred and thirty-four and of the Independence of the United States of America the one hundred and fifty-ninth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

Convention between the United States of America and the Dominion of Canada concerning Load Lines. Signed at Washington, December 9, 1933; ratification advised by the Senate, February 2, 1934; ratified by the President, February 21, 1934; ratified by His Majesty in respect of Canada, June 13, 1934; ratifications exchanged at Washington, July 26, 1934; proclaimed, August 11, 1934.

December 9, 1933.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Convention with the Dominion of Canada concerning load lines. Preamble.

WHEREAS a Convention between the United States of America and His Majesty the King of Great Britain, Ireland and the British Dominions Beyond the Seas, Emperor of India, in respect of the Dominion of Canada, exempting vessels of the United States of America and Canada, operating solely on certain sheltered waters of the west coast of North America, from load line requirements, as contemplated in Article 2, Section 2, of the International Load Line Convention, signed at London July 5, 1930, was concluded and signed by their respective Plenipotentiaries at Washington on the ninth day of December, one thousand nine hundred and thirty-three, the original of which Convention is word for word as follows:

Vol. 47, p. 2238.

Contracting Powers.

The President of the United States of America and His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada,

Desiring to exempt vessels of the United States and Canada operating solely on certain sheltered waters of the west coast of North America from load line requirements, as contemplated in Article 2, Section 2 of the International Load Line Convention, signed at London, July 5, 1930, which reads as follows:

> "Ships when engaged on international voyages between the near neighbouring ports of two or more countries may be exempted by the Administration to which such ships belong from the provisions of this Convention, so long as they shall remain in such trades, if the Governments of the countries in which such ports are situated shall be satisfied that the sheltered nature and conditions of such voyages between such ports make it unreasonable or impracticable to apply the provisions of this Convention to ships engaged in such trades."

Plenipotentiaries.

have resolved to conclude a convention for these purposes, and to that end have appointed as their respective Plenipotentiaries:

The President of the United States of America:

William Phillips, Acting Secretary of State of the United States of America; and

His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, for the Dominion of Canada:

The Honorable William Duncan Herridge, P.C., D.S.O., M.C., His Envoy Extraordinary and Minister Plenipotentiary for Canada in the United States of America;

Who, having communicated to each other their full powers, found in good and due form, have agreed as follows:

ARTICLE I

Exemption of vessels engaged in voyages on certain sheltered waters from load line regulations.

The Government of the United States of America, being satisfied that the waters of Puget Sound, the waters lying between Vancouver Island and the mainland, and east of a line from a point one nautical mile west of the city limits of Port Angeles in the State of Washington to Race Rocks on Vancouver Island, and of a line from Hope Island, British Columbia, to Cape Calvert, Calvert Island, British Columbia, the waters east of a line from Cape Calvert to Duke Point on Duke Island, and the waters north of Duke Island and east of Prince of Wales Island, Baranof Island and Chicagof Island, the waters of Peril, Neva and Olga Straits to Sitka, and the waters east of a line from Port Althorp on Chicagof Island to Cape Spencer, Alaska, are sheltered waters of the nature contemplated in Article 2, Section 2 of the International Load Line Convention, 1930, agrees to exempt from the provisions of the International Load Line Convention, and existing load line statutes of the United States, Canadian vessels, and vessels of the United States, when engaged on international voyages originating on, wholly confined to, and terminating on the above defined waters.

Vol. 47, p. 2238.

ARTICLE II

Assent of Canada.

The Government of the Dominion of Canada, also being satisfied of the sheltered nature of the waters defined in Article I agrees likewise to exempt vessels of the United States and Canadian vessels from the requirements of the aforesaid convention and existing load line statutes of Canada, when engaged on international voyages originating on, wholly confined to, and terminating on the said waters.

ARTICLE III

Ratification and duration.

The present convention shall be ratified in accordance with the constitutional methods of the High Contracting Parties. It shall take effect on the day of the exchange of ratifications, which shall take place at Washington as soon as possible, and it shall remain in force thereafter, until six months from the date on which one of the High Contracting Parties shall have given to the other notice of an intention to terminate it.

Signatures.

In faith whereof the above-named Plenipotentiaries have signed the present convention and affixed thereto their respective seals.

Done in duplicate at Washington, the ninth day of December, one thousand nine hundred and thirty-three.

WILLIAM PHILLIPS [SEAL]
W D HERRIDGE [SEAL]

AND WHEREAS, the said Convention has been duly ratified on both parts and the ratifications of the two Governments were exchanged at the city of Washington on the twenty-sixth day of July, one thousand nine hundred and thirty-four; Ratifications exchanged.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof. Proclamation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this eleventh day of August, in the year of our Lord one thousand nine hundred and thirty-four and of the Independence of the United States of America the one hundred and fifty-ninth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

May 17, 1934. *Supplementary Extradition Treaty between the United States of America and Sweden. Signed at Washington, May 17, 1934; ratification advised by the Senate, June 15, 1934; ratified by the President, June 27, 1934; ratified by Sweden, July 24, 1934; ratifications exchanged at Stockholm, July 31, 1934; proclaimed, August 11, 1934.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Supplementary Extradition Treaty with Sweden. Preamble.

WHEREAS a Supplementary Extradition Treaty between the United States of America and Sweden was concluded and signed by their respective Plenipotentiaries at Washington on the seventeenth day of May, one thousand nine hundred and thirty-four, the original of which Supplementary Extradition Treaty, being in the English language, is word for word as follows:

Contracting Powers.

The President of the United States of America and His Majesty the King of Sweden, being desirous of enlarging the list of crimes and offenses on account of which extradition may be granted under

Vol. 27, p. 972.

the Extradition Treaty of January 14, 1893, between the United States of America and Sweden, have resolved to conclude a Supplementary Treaty for this purpose and have appointed as their

Plenipotentiaries.

Plenipotentiaries, to wit:

The President of the United States of America:

Cordell Hull, Secretary of State of the United States of America; and

His Majesty the King of Sweden:

W. Boström, Envoy Extraordinary and Minister Plenipotentiary of Sweden at Washington,

Who, having communicated to each other their respective full powers, which were found to be in due and proper form, have agreed to and concluded the following articles:

ARTICLE I

Extraditable crimes. Vol. 27, p. 973.

To the list of crimes and offenses numbered 1 to 12 in Article II of the Treaty of January 14, 1893, the following, contained in a paragraph numbered 13, is added:

Crimes and offenses against bankruptcy laws.

13. Crimes and offenses against the bankruptcy laws, provided the act in the United States of America is punishable as a felony and in Sweden is regarded as a crime that may be punished according to the Swedish Penal Law by imprisonment at hard labor.

ARTICLE II

Considered part of original treaty.

The present Treaty shall be considered as an integral part of the said Extradition Treaty of January 14, 1893, Article II of which shall be read as if the list of crimes and offenses therein contained had originally comprised the additional crimes and offenses specified and numbered 13 in the first Article of the present Treaty.

The present Treaty shall be ratified and the ratifications shall be exchanged at Stockholm as soon as possible. It shall take effect on the date of the exchange of ratifications. Exchange of ratifications. Effective date.

IN WITNESS WHEREOF, the respective Plenipotentiaries have signed the present Supplementary Treaty and have thereto affixed their seals. Signatures.

DONE, in duplicate, at Washington this seventeenth day of May, in the year of our Lord one thousand nine hundred and thirty-four.

CORDELL HULL [SEAL]
W. BOSTRÖM [SEAL]

AND WHEREAS, the said Supplementary Extradition Treaty has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Stockholm on the thirty-first day of July, one thousand nine hundred and thirty-four; Ratifications exchanged.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Supplementary Extradition Treaty to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof. Proclamation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this eleventh day of August, in the year of our Lord one thousand nine hundred and [SEAL] thirty-four and of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

May 17, 1934. *Supplementary Extradition Treaty between the United States of America and Finland. Signed at Washington, May 17, 1934; ratification advised by the Senate, June 15, 1934; ratified by the President, June 27, 1934; ratified by Finland, July 5, 1934; ratifications exchanged at Helsinki, August 10, 1934; proclaimed, August 13, 1934.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Supplementary Extradition Treaty with Finland. Preamble.

WHEREAS a Supplementary Extradition Treaty between the United States of America and the Republic of Finland was concluded and signed by their respective Plenipotentiaries at Washington on the seventeenth day of May, one thousand nine hundred and thirty-four, the original of which Supplementary Extradition Treaty, being in the English language, is word for word as follows:

Contracting Powers.

The United States of America and the Republic of Finland, being desirous of enlarging the list of crimes on account of which extradition may be granted under the Treaty concluded between the United States of America and the Republic of Finland on August 1, 1924,

Vol. 44, p. 2002.

with a view to the better administration of justice and the prevention of crime within the two countries, have resolved to conclude a Supplementary Treaty for this purpose and have appointed as their

Plenipotentiaries.

Plenipotentiaries, to wit:

The President of the United States of America, Mr. Cordell Hull, Secretary of State of the United States of America; and

The President of the Republic of Finland, Mr. L. Åström, Envoy Extraordinary and Minister Plenipotentiary of Finland to the United States of America;

Who, after having communicated to each other their respective full powers, which were found to be in due and proper form, have agreed to and concluded the following articles:

ARTICLE I

Extraditable crimes.

The following crime is added to the list of crimes numbered 1 to 17 in Article II of the said Treaty of August 1, 1924, on account of which extradition may be granted, that is to say:

Fraudulent bankruptcy.

18. Fraudulent bankruptcy.

ARTICLE II

Vol. 44, p. 2002.

Rape, abortion, carnal knowledge of children.

Paragraph three of Article II of the said Treaty of August 1, 1924, is hereby amended by substituting for the words "a girl", contained therein, the word "children", so that this paragraph shall now read: "rape, abortion, and the carnal knowledge of children under the age of twelve years."

ARTICLE III

The present Treaty shall be considered as an integral part of the said Extradition Treaty of August 1, 1924. Considered part of original treaty. Vol. 44, p. 2002.

ARTICLE IV

The present Treaty shall be ratified by the High Contracting Parties in accordance with their respective constitutional methods, and shall take effect on the date of the exchange of ratifications which shall take place at Helsinki as soon as possible. Exchange of ratifications. Effective date.

IN WITNESS WHEREOF, the above-mentioned Plenipotentiaries have signed the present Treaty and have hereunto affixed their seals. Signatures.

DONE, in duplicate, at Washington, this seventeenth day of May, one thousand nine hundred and thirty-four.

CORDELL HULL [SEAL]
L. ÅSTRÖM [SEAL]

AND WHEREAS, the said Supplementary Extradition Treaty has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Helsinki on the tenth day of August, one thousand nine hundred and thirty-four; Ratifications exchanged.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Supplementary Extradition Treaty to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof. Proclamation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this thirteenth day of August in the year of our Lord one thousand nine hundred and [SEAL] thirty-four and of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

August 6, 1923. *Extradition Treaty between the United States of America and Turkey. Signed at Lausanne, August 6, 1923; ratification advised by the Senate, February 5, 1934; ratified by the President, February 21, 1934; ratified by Turkey, May 8, 1934; ratifications exchanged at Ankara, June 18, 1934; proclaimed, August 18, 1934.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Extradition with Turkey.

Preamble.

WHEREAS an Extradition Treaty between the United States of America and Turkey was concluded and signed by their respective Plenipotentiaries at Lausanne, Switzerland, on the sixth day of August, one thousand nine hundred and twenty-three, which Treaty, being in the English, French and Turkish languages, is word for word as follows:

EXTRADITION TREATY BETWEEN THE UNITED STATES OF AMERICA AND TURKEY.

Contracting Powers.

THE UNITED STATES OF AMERICA
and
TURKEY,

having deemed it advantageous, with a view to assuring a better administration of justice, to surrender, reciprocally, under certain specified circumstances, persons sentenced or prosecuted for the crimes and offenses indicated hereinafter, have resolved to conclude a new Extradition Treaty and to that end have appointed as their Plenipotentiaries, to wit:

Plenipotentiaries.

THE PRESIDENT OF THE UNITED STATES OF AMERICA,

Joseph C. Grew, Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Swiss Confederation;

THE GOVERNMENT OF THE GRAND NATIONAL ASSEMBLY OF TURKEY,

Ismet Pasha, Minister of Foreign Affairs of the Government of the Grand National Assembly of Turkey, Deputy of Adrianople in the said Assembly;

Doctor Riza Nour Bey, Minister of Sanitary Affairs and of Social Welfare of the Government of the Grand National Assembly of Turkey, Deputy of Sinope in the said Assembly; and

Hassan Bey, former Minister of National Economy of the Government of the Grand National Assembly of Turkey, Deputy of Trebizond in the said Assembly;

Who, after having exhibited their full powers, found to be in good and due form, have agreed upon the following provisions:

Article I.

Reciprocal delivery of persons charged with crimes.

The Government of the United States of America and the Government of the Grand National Assembly of Turkey agree upon requisition to deliver reciprocally persons who, being prosecuted or condemned by the judical authorities of one of the High Contracting Parties for any of the crimes or offenses enumerated in Article II, committed in territory subject to the jurisdiction of such Party, may seek asylum or be found in the territory of the other Party. Nevertheless, the extradition shall take place only if the evidence of culpability is such that, according to the laws of the place where the fugitive or accused is found, it would justify his apprehension and warrant penal proceedings had the act been committed there.

Article II.

Extraditable crimes and offenses. Extradition shall be granted for the following crimes and offenses, provided they are punishable both under the laws of the place of refuge and under those of the State making the requisition, to wit:

Wilful homicide. 1.—Wilful homicide, including parricide, assassination, poisoning and infanticide.

Arson. 2.—Arson.

Piracy. 3.—Piracy; mutiny on board a vessel when the crew or a part thereof or other persons on board shall have taken possession of the vessel, by means of fraud or violence against the captain.

Burglary. 4.—The act of breaking into and entering a dwelling house in the night time with intent to commit therein a crime, the character of which shall be specified in the documents referred to in Article VI. (Crime of burglary.)

Forgery. 5.—The forgery or falsification of public or private documents; fraudulent use of forged or falsified documents.

Counterfeiting. 6.—Counterfeiting, forgery or alteration of money (either coin or paper), public bonds and their coupons, bank-notes, debentures, or other documents or instruments of credit; the issuance, circulation or use thereof with fraudulent intent; forgery or counterfeiting of public seals, dies, stamps or marks, as well as the fraudulent use of such forged or counterfeited objects.

Embezzlement of public funds. 7.—Embezzlement of public funds by the depositaries of such funds or by public officers, when the funds embezzled exceed 200 dollars or the equivalent in Turkish money.

Embezzlement by employee. 8.—Embezzlement by a person or persons employed or salaried, to the detriment of their employers, provided that such crime or offense is punishable by imprisonment or more severe penalty under the laws of both countries, and that the funds embezzled exceed 200 dollars or the equivalent in Turkish money.

Wilful destruction of railroad. 9.—Wilful and unlawful destruction or obstruction of railroads, which endangers human life.

Abortion, rape, kidnapping, etc. 10.—Abortion; rape; violation; kidnapping of minors or adults, defined to be the abduction or detention of a person or persons, for the purpose of exacting money from them or their families, or for any other unlawful end.

Robbery. 11.—Robbery; house-breaking or shop-breaking.

Larceny. 12.—Larceny, if the money or the value of the objects stolen exceeds 25 dollars or the equivalent in Turkish money.

Swindling, etc. 13.—Swindling; receiving money, securities or other property, knowing the same to have been embezzled, stolen or fraudulently obtained; when the amount of money or the value of the property exceeds 200 dollars or the equivalent in Turkish money.

Breach of trust, etc. 14.—Fraud or breach of trust by any person; notably, by a depositary, agent, banker, or trustee, or by the president, a member or any officer of a company or association, if the loss suffered exceeds 200 dollars or the equivalent in Turkish money.

Perjury. 15.—Perjury or subornation of perjury.

16.—Crimes or offenses against the laws of both countries relative to the suppression of slavery and the slave trade. Slave trading.

17.—Fraudulent bankruptcy. Fraudulent bankruptcy.

18.—Bribery. Bribery.

19.—Serious woundings the minimum punishment of which is not less than one year of imprisonment. Mayhem.

20.—Attempt to commit offenses mentioned above, when such attempt is punishable as a crime. Attempted crimes.

21.—Complicity in any of the above mentioned crimes or offenses provided such complicity is punishable by imprisonment or a more severe penalty by the laws of both the Contracting Parties. Complicity in foregoing crimes.

Article III.

Extradition shall not take place for political crimes or offenses nor for acts connected with such crimes or offenses. Not to apply to political offenses, etc.

The attack upon the life of the Head of a State or the members of his family shall not be deemed a political crime or offense. Attack against Head of the State, etc.

No person surrendered by one of the High Contracting Parties to the other Party shall be prosecuted or punished for an offense committed before the demand of extradition other than that for which the extradition has been granted, unless such person expressly consents in writing, which shall be communicated to the Government of the Party which effected the extradition; or unless, having had during 30 days since his definitive release the opportunity of leaving the territory of the State which demanded his extradition, he has not availed himself of this opportunity; or finally, unless he returns to such territory after having left it. Prosecution limited to offense for which surrendered. Condition.

Article IV.

When the person whose extradition is demanded is under prosecution, whether in custody or out on bail, for another offense committed in the country in which he has sought asylum, or when he has been convicted of such offense, his extradition may be deferred until the penal proceedings be determined and until he shall have been definitively set at liberty in due course of law. Surrender deferred if under prosecution for another crime where found.

Article V.

The High Contracting Parties shall not be bound to accord the extradition of their respective nationals. Extraditing nationals.

Article VI.

Demands for extradition shall be made through diplomatic channels. Requisitions.

When the person whose extradition is demanded shall have been sentenced for the offense which occasioned the demand for extradition, the demand must be accompanied by an authentic copy of the sentence pronounced. If the person claimed is merely charged with an offense, the demand must be accompanied by a duly certified copy Papers required.

of the warrant of arrest issued by the competent magistrate of the Party demanding the extradition, as well as by duly authenticated copies of the depositions or other evidence upon the basis of which the warrant was issued. These documents must contain the precise indication of the offense charged and of the place where and the time when it was committed. They must be accompanied by a duly certified copy of the provisions of law applicable to the offense charged as well as by the elements necessary to establish the identity of the person claimed.

Form; translation.

The documents above indicated shall be drawn up in the form prescribed by the laws of the Party demanding the extradition and shall be accompanied by a translation, in the language of the Party from which the extradition is demanded or in French, certified to be in conformity with the original.

Procedure governed by existing regulations.

It is understood that the extradition procedure shall be governed by the regulations in force at the time of the demand in the State upon which the demand is made.

Article VII.

Provisional arrests.

When provisional arrest of a person is requested before the demand for extradition has been presented, the demand relating thereto shall be made through the diplomatic channel or addressed directly to the competent authorities of the Party on which it is made by the competent Consul of the Party making the demand or by another person duly authorized by such Party. The procedure to be followed for the arrest shall be governed by the regulations in force in the State on which the demand is made.

Time limitation.

The provisional detention must cease and the person arrested must be set at liberty unless within three months, dating from the arrest, not including the day of the arrest, a formal demand for extradition, accompanied by the necessary documents, is presented in the manner prescribed in Article VI.

Article VIII.

Refusal if penalty imposed is barred by limitation.

Extradition shall not be accorded when under the law of the Party on which demand is made or under that of the Party making the requisition the prosecution or the penalty imposed is barred by limitation.

Article IX.

Articles seized with fugitive.

All articles seized which are in the possession of the person demanded, at the time of his arrest, shall, at the time of the extradition, be delivered up with his person to the Party making the demand; such delivery shall extend not only to articles acquired by means of the offense with which the accused is charged but also to all other articles that may serve to prove the offense. The rights of third parties with regard to the articles in question shall, however, be duly respected.

Article X.

The expenses of the arrest, detention and transportation of the persons extradited shall be paid by the Party making the requisition. Expenses of arrest, etc.

Article XI.

The present Treaty shall come into force two months after the date of the exchange of ratifications and shall remain in force for five years Exchange of ratifications.

If this Treaty is not denounced by one of the High Contracting Parties at least six months before the expiration of the said period of five years, it shall remain in force until it is denounced, such denunciation becoming effective only after the expiration of a period of six months. Duration.

Article XII.

The present Treaty, in French, English and Turkish, shall be ratified. In case of divergence the French text shall prevail. Ratification. Languages. *Post*, pp. 2698, 2704.

The ratifications shall be exchanged at Constantinople as soon as possible.

IN WITNESS WHEREOF the above mentioned Plenipotentiaries have signed the present Treaty and have affixed their seals thereto. Signatures.

DONE AT LAUSANNE, August 6, 1923.

JOSEPH C. GREW.	[SEAL]	M. ISMET
[SEAL]	[SEAL]	Dr. RIZA NOUR
	[SEAL]	HASSAN

TRAITÉ D'EXTRADITION ENTRE LES ÉTATS-UNIS D'AMÉRIQUE ET LA TURQUIE

LES ÉTATS-UNIS D'AMÉRIQUE
et
LA TURQUIE,

ayant jugé utile, afin d'assurer une meilleure administration de la justice, de se livrer réciproquement, dans certaines circonstances déterminées, les personnes condamnées ou poursuivies pour les crimes et délits indiqués ci-après, ont résolu de conclure un nouveau Traité d'Extradition, et ont nommé, à cet effet, pour leurs Plénipotentiaires, savoir:

LE PRÉSIDENT DES ÉTATS-UNIS D'AMÉRIQUE:

JOSEPH C. GREW, Envoyé Extraordinaire et Ministre Plénipotentiaire des Etats-Unis d'Amérique auprès de la Confédération Suisse,

LE GOUVERNEMENT DE LA GRANDE ASSEMBLÉE NATIONALE DE TURQUIE:

ISMET PACHA, Ministre des Affaires Etrangères du Gouvernement de la Grande Assemblée Nationale de Turquie, Député d'Andrinople à la même Assemblée,

le Docteur RIZA NOUR BEY, Ministre des Affaires Sanitaires et de l'Assistance Sociale du Gouvernement de la Grande Assemblée Nationale de Turquie, Député de Sinope à la même Assemblée,

et HASSAN BEY, ancien Ministre de l'Economie Nationale du Gouvernement de la Grande Assemblée Nationale de Turquie, Député de Trébizonde à la même Assemblée;

LESQUELS, après avoir exhibé leurs pleins pouvoirs, trouvés en bonne et due forme, ont convenu des dispositions suivantes:

Article 1.

Le Gouvernement des Etats-Unis d'Amérique et le Gouvernement de la Grande Assemblée Nationale de Turquie s'engagent à se livrer réciproquement, sur demande, les personnes qui, étant poursuivies ou condamnées par les autorités judiciaires de l'une des Hautes Parties Contractantes pour un des crimes ou délits énumérés à l'article 2 et commis sur un territoire soumis à la juridiction de cette Partie, se réfugieraient ou se trouveraient sur le territoire de l'autre Partie.

Néanmoins, l'extradition n'aura lieu que si les preuves de culpabilité sont telles que, d'après les lois du lieu où se trouve le fugitif ou la personne prévenue, elles justifieraient son arrestation et donneraient lieu à des poursuites pénales si le fait y avait été commis.

Article 2.

L'extradition sera accordée pour les crimes et délits suivants, pourvu qu'ils soient punissables tant d'après la législation du lieu de refuge que d'après celle de l'Etat requérant, savoir:

1° Homicide volontaire, y compris le parricide, l'assassinat, l'empoisonnement et l'infanticide.

2° Incendie.

3° Piraterie; émeute à bord d'un navire, lorsque l'équipage ou une partie de l'équipage ou d'autres personnes se trouvant à bord, se seraient emparés du navire, usant de fraude ou de violence envers le capitaine.

4° L'acte de s'introduire pendant la nuit avec effraction dans une habitation avec intention d'y commettre un crime dont la nature devra être spécifiée dans les documents visés à l'Article 6 (crime de burglary).

5° Contrefaçon ou falsification de documents publics ou privés; usage frauduleux de documents contrefaits ou falsifiés.

6° Falsification, contrefaçon ou altération de monnaie, de papier-monnaie, de titres publics et de leurs coupons, de billets de banque, d'obligations ou d'autres titres ou instruments de crédit, leur émission, leur mise en circulation ou leur usage avec intention frauduleuse; contrefaçon ou falsification de sceaux, poinçons, timbres ou marques publics, ainsi que l'usage frauduleux de ces objets contrefaits ou falsifiés.

7° Détournement de fonds publics commis par leurs dépositaires ou par des fonctionnaires publics, lorsque les fonds détournés dépasseront 200 dollars ou l'équivalent en argent turc.

8° Détournement commis par une ou plusieurs personnes employées ou salariées, au détriment de ceux qui les emploient, à condition que ce crime ou ce délit soit punissable d'emprisonnement ou de peine plus forte dans les législations des deux pays et que les fonds détournés dépassent 200 dollars ou l'équivalent en argent turc.

9° Destruction ou obstruction volontaire et illégale de chemins de fer, mettant en danger la vie humaine.

10° Avortement; rapt; viol; enlèvement de mineurs ou d'adultes, étant entendu par ce terme le détournement ou la séquestration d'une personne ou de personnes, dans le but de leur extorquer, à eux ou à leur famille, de l'argent ou dans tout autre but illégal.

11° Vol commis avec violence ou intimidation (robbery); vol commis avec effraction ou escalade dans une maison ou un magasin (housebreaking ou shop-breaking).

12° Vol simple, si l'argent soustrait ou la valeur des objets volés dépasse 25 dollars ou l'équivalent en argent turc.

13° Escroquerie, recel d'argent, de valeurs ou d'autres biens sachant qu'ils ont été détournés, volés ou acquis frauduleusement, lorsque le montant en argent ou la valeur des biens dépassera 200 dollars ou l'équivalent en argent turc.

14° Fraude ou abus de confiance commis par toute personne, notamment par un dépositaire, mandataire, banquier, administrateur de la fortune d'un tiers, ou par le président, un membre ou un fonctionnaire d'une société ou association, si la perte subie dépasse 200 dollars ou l'équivalent en argent turc.

15° Parjure ou subornation de témoins.

16° Crimes ou délits contre les lois des deux pays relatives à la suppression de l'esclavage et à la traite d'esclaves.

17° Banqueroute frauduleuse.

18° Corruption.

19° Coups et blessures graves dont la peine minimum n'est pas inférieure à un an d'emprisonnement.

20° Tentative d'infractions, énumérées ci-dessus, punie de peine criminelle.

21° Complicité dans l'un quelconque des crimes ou délits mentionnés ci-dessus, si cette complicité est passible d'emprisonnement ou d'une peine plus forte, par les lois des deux Hautes Parties Contractantes.

Article 3.

L'extradition n'aura pas lieu pour crime ou délit politique ou pour les faits connexes à un semblable crime ou délit.

Ne sera pas réputé crime ou délit politique l'attentat contre la vie d'un Chef d'Etat ou des membres de sa famille.

Aucune personne livrée par l'une des Hautes Parties Contractantes à l'autre Partie ne sera poursuivie ou punie pour une infraction commise avant la demande d'extradition, autre que celle pour laquelle l'extradition a été accordée, à moins qu'elle n'y consente expressément, par écrit, ce qui sera communiqué à la Partie ayant effectué l'extradition, ou qu'ayant eu pendant les 30 jours, depuis son élargissement définitif, la faculté de quitter le territoire de l'Etat requérant, elle n'ait pas usé de cette faculté, ou bien qu'elle y revienne après l'avoir quitté.

Article 4.

Lorsque la personne dont l'extradition est demandée est poursuivie, qu'elle soit détenue préventivement ou qu'elle soit en liberté provisoire, ou lorsqu'elle a été condamnée pour une autre infraction dans le pays où elle s'est réfugiée, son extradition pourra être différée jusqu'à la clôture de la procédure pénale et sa mise en liberté définitive conformément à la loi.

Article 5.

Les Hautes Parties Contractantes ne sont pas tenues d'accorder l'extradition de leurs ressortissants respectifs.

Article 6.

Les demandes d'extradition seront présentées par la voie diplomatique.

Lorsque la personne dont l'extradition est demandée aura été condamnée à raison de l'infraction qui a motivé la demande d'extradition, cette demande devra être accompagnée d'une expédition authentique de l'arrêt prononcé. Si la personne réclamée est seulement prévenue d'une infraction, la demande devra être accompagnée d'une copie dûment certifiée du mandat d'arrêt délivré par le magistrat compétent de la Partie requérante, ainsi que des copies dûment légalisées des dépositions ou autres preuves sur la base desquelles le mandat d'arrêt a été délivré. Ces documents devront contenir l'indication précise de l'infraction incriminée, du lieu où elle a été commise et de sa date. Ils devront être accompagnés d'une copie dûment certifiée des dispositions légales applicables aux infractions incriminées ainsi que des éléments nécessaires pour établir l'identité de la personne réclamée.

Les documents susindiqués seront dressés dans la forme prescrite par les lois de la Partie requérante et accompagnés d'une traduction, dans la langue de la Partie requise ou en français, certifiée conforme.

Il est entendu que la procédure d'extradition sera réglée d'après les dispositions en vigueur, à l'époque de la demande, dans l'Etat requis.

Article 7.

Lorsque l'arrestation provisoire d'une personne sera requise avant que la demande d'extradition ait été présentée, la demande y afférente sera faite par la voie diplomatique ou adressée directement aux autorités compétentes de la Partie requise par le Consul compétent de la Partie requérante, ou par une autre personne autorisée par cette Partie. La procédure à suivre pour l'arrestation sera réglée d'après les dispositions en vigueur dans l'Etat requis.

La détention provisoire devra cesser et la personne arrêtée devra être mise en liberté si, dans le délai de trois mois, à dater de l'arrestation, le jour de l'arrestation non compris, une demande formelle d'extradition, accompagnée des pièces nécessaires, n'est pas présentée de la manière prescrite dans l'article 6.

Article 8.

L'extradition ne sera pas accordée lorsque d'après la loi de la Partie requise ou d'après celle de la Partie requérante l'action pénale ou la peine prononcée est prescrite.

Article 9.

Tous les objets saisis, trouvés en la possession de la personne réclamée lors de son arrestation, doivent être remis à la Partie requérante, au moment de l'extradition en même temps que cette personne; cette remise ne s'étendra pas seulement aux objets acquis par l'infraction pour laquelle la personne est poursuivie, mais encore à tous autres objets pouvant servir à établir la preuve de l'infraction. Toutefois, les droits des tiers sur les objets en question devront être dûment respectés.

Article 10.

Les frais de l'arrestation, de la détention et du transport des individus réclamés seront payés par la Partie requérante.

Article 11.

Le présent Traité entrera en vigueur deux mois après la date de l'échange des ratifications et aura une durée de cinq ans.

Si ce Traité n'est pas dénoncé par l'une ou l'autre des Hautes Parties Contractantes au moins six mois avant l'expiration de la dite période de cinq ans, il restera en vigueur jusqu'à ce qu'il soit dénoncé, cette dénonciation ne devant produire ses effets qu'après l'expiration d'un délai de six mois.

Article 12.

Le présent Traité, rédigé en français, en anglais et en turc, sera ratifié. En cas de divergence le texte français fera foi.

Les ratifications seront échangées à Constantinople aussitôt que possible.

EN FOI DE QUOI les Plénipotentiaires susnommés ont signé le présent Traité et y ont apposé leurs sceaux.

FAIT A LAUSANNE, le 6 août 1923.

[SEAL]	JOSEPH C. GREW.	[SEAL]	M. ISMET
		[SEAL]	Dr. RIZA NOUR
		[SEAL]	HASSAN

[SEAL] JOSEPH C. GREW. [SEAL] M. ISMET
[SEAL] Dr. RIZA NOUR
[SEAL] HASSAN

ماده : ٨

مطلوب منه اولان ویاخود طالب اولان طرفك قانونی موجبنجه جزا دعواسی ویا اعطا اولنان حکم مرور زمانه اوغرامش اولدیغی تقدیرده اماده طلبنه موافقت اولنیه‌جقدر .

ماده : ٩

طلب اولنان شخصك حین توقیفنده ید تصرفنده بولنوب ضبط ایدلش اولان بالجمله اشیا اماده اثناسنده اشبو شخص ایله برلکده طالب اولان طرفه تسلیم ایدلك لازمدر . اشبو تسلیم بالکز شخص مزبورك تعقیب ایدلکده اولدیغی جرم طولایسیله احراز ایدلش اشیایه دکل ، عینی زمانده جرمك دلیلی تعیینه مدار اولهبیله‌جك سائر بالجمله اشیایه شاملدر . مع هذا اشیای مبحوث عنها اوزرنده اشخاص ثالثه‌نك حقوقنه لایقیله رعایت ایدلك لازمدر .

ماده : ١٠

طلب اولنان اشخاصك توقیفی ، حبسی و نقلی مصارفی طالب اولان طرف جانبندن تأدیه ایدیله‌جکدر .

ماده : ١١

اشبو معاهده تصدیقنامه‌لرك تعاطیسی تاریخندن ایکی آی صوکره موقع مرعیته کیره‌جك و بش سنه مدتله مرعی قاله‌جقدر .

اکر اشبو معاهده بالاده مذکور بش سنه مدتك انقضاسندن لااقل آلتی آی اول طرفین عالیین عاقدینندن بری ویاخود دیکری جانبندن فسخ ایدیله‌جك اولورسه فسخ کیفیتی تأثیرینی آنجق آلتی آیلق برمدتك انقضاسندن صوکره حصوله کتیره‌جکی جهتله فسخ ایدیلنجیه قدر موقع مرعیتده قاله‌جقدر .

ماده : ١٢

فرانسزجه ، انکلیزجه وترکجه تنظیم ایدلش اولان اشبو معاهده تصدیق ایدیله‌جکدر . اختلاف حالنده فرانسزجه متن معتبر اوله‌جقدر .

تصدیقنامه‌لر مرعت ممکنه ایله استانبولده تعاطی ایدیله‌جکدر .

تصدیقاً للمقال مذکورالاسامی مرخصلر اشبو معاهده‌یی امضا ومهرلریله تخمیم ایتمشلردر .

لوزانده ٦ اغستوس ١٩٢٣ تاریخنده تنظیم اولونمشدر .

موقتاً تخلیه ایدلش اولسون تعقیب اولندیغی ویا محکوم ایدلش بولندیغی تقدیرده اعادهسی معاملات جزائیه‌نك ختامنه وقانونه توفیقاً صورت قطعیه‌ده تخلیه‌سنه دكین تعلیق اولنه‌بیله‌جكدر .

ماده : ٥

متعاقدین عالیین متقابلاً کندی تبعه‌لرینك اعادهسنه موافقته مجبوردكلدرلر .

ماده : ٦

اعادهٔ مجرمین طلبنامه‌لری دیپلوماسی طریقیله اعطا اولنه‌جقدر .

اعادهسی طلب اولنان شخص اعاده طلبی ایجاب ایدن جرمدن دولایی محکوم اولمش بولنیورسه اشبو اعاده طلبنه اعطا اولنان قرارك برصورت موثوقهسی ربط اولونمق لازم كله‌جكدر. طلب اولنان شخص برجرمدن‌دولایی یالکز مظنون علیه ایسه ، طلبنامه‌یه طالب دولتك صلاحیتدار حاکمی طرفندن ویرلمش توقیف مذکرهسنك اصولنه موافق صورتده مصدق برصورتی وكذلك توقیف مذکرهسنك مستندعلیهی اولان شهادات وسائر دلائلك اصولنه موافق اوله‌رق تصدیق ایدلمش صورتلری ربط ایدلمش بولنمق لازمدر . اشبو وثائقك موجب اتهام اولان جرمه‌ء ایقاع ایدیلدیکی محله‌وتاریخنه دائرمعلومات صریحه‌یی احتوا ایتمسی لازمدر. اشبو وثائقه موجب اتهام اولان جرائمه قابل تطبیق احكام قانونیه‌نك اصولنه موافق اوله‌رق مصدق بر صورتیله طلب اولنان شخصك هویتنی کوسترمکه مقتضی خصوصات ربط ایدلمش بولنلیدر .

بالاده کوسترلیان وثائق طالب طرفك قانونلرینك امر ایتدیکی شکلده تنظیم اولنه‌جق وآقاره اصلنه مطابقتی مصدق اولمق اوزره مطلوب منه اولان طرفك لسانینده ویا فرانسزجه برترجمه‌لری مربوط اوله‌جقدر .

شورامی مقرردركه اعاده‌نك تابع اوله‌جغی اصول اعاده طلبنك وقوعه كلدیکی تاریخده مطلوب منه دولتده مرعی اولان احكامه توفیقاً تنظیم اولنه‌جقدر .

ماده : ٧

اعاده طلبی وقوعه كلمزدن مقدم برکیسه‌نك صورت موقته‌ده توقیفی طلب اولنه‌جغی زمان بوبابده‌کی طلب دیپلوماسی طریقیله یاپیله‌جق ویاخود اعاده‌یی طالب اولان طرفك صلاحیتدار شهبندری ویا اشبو طرف جانبندن مأذون دیکر برکیسه طرفندن دوغروجه مطلوب منه طرفك صلاحیتدار مأمورینه کوندریله‌جکدر . توقیف ایچون تعقیب ایدیله‌جك اصول مطلوب منه دولتده مرعی احكامه توفیقاً تنظیم ایدیله‌جکدر .

توقیف کونی داخل اولمامق اوزره توقیفدن اعتباراً اوچ آیلق بر مهلت ظرفنده آلتنجی ماده‌ده کوسترلیان شکلده اوراق لازمه‌سی مربوط اوله‌رق قطعی بر اعاده طلبنامه‌سی کوندرلیه‌جك اولورسه توقیف موقتك ختام بولمسی و توقیف ایدیلن شخصك سربست براقلمسی ایجاب ایدر .

۱۱ — جبر وشدتله ویا تهدیدات ایله سرقت (روبه‌ری) ؛ کسر و شکست وزور ایله ویا دیوار آشیه‌رقی یرخانه ویا برمغازه‌ده ایقاع اولنان سرقت (هاوز برهکینغ وشوب برهکینغ)

۱۲ — سرقت اولنان مبلغ ویا اشیانك قیمتی یکرمی بش دولاری ویا بوملغك تورك پاره‌سیله معادلی متجاوز اولدیغی تقدیرده سرقت عادیه .

۱۳ — دولاندیریجیلق ؛ نقود مقداری ویا اشیا قیمتی ایکیوز دولاری ویا تورك پاره‌سیله معادلی تجاوز ایتمك شرطیله طولاندیرلش، سرقت ایدلش ویا حیله ایله الده ایدلش اولدیغی بیلهرك نقود ویا اسهام وتحویلات ویا سائر اشیا ایجون یاناقلق ایتمك .

۱٤ — دوچاراولنان ضرر مقداری ایکی یوز دولاری ویا تورك پاره‌سیله معادلی تجاوزایتدیکی تقدیرده هرهانکی برشخص وبالخاصه بر ودیع ، وکیل ، بانکر ، برشخص ثالث مالی اداره ایدن کیمسه یاخود برشرکت ویا جمعیتك رئیسی، اعضاسی ویا برمأموری طرفندن ارتکاب اولنان ساختهکارلق ویا امنیتی سوء استعمال.

۱۵ — یالان یره یمین واطماع شهود .

۱٦ — اسارتك الغاسنه واسیر تجارتنه متعلق ایکی مملکتك قانونلری علیهنه ارتکاب اولنان جنایت ویا جنحهلر .

۱۷ — حیله‌لی افلاس .

۱۸ — ارتشا

۱۹ — اصغری جزاسی پر سنه حبسدن دون اولمیان آغر ضرب وجرح .

۲۰ — بالاده تعداداولنان جرائمدن برینه تشبث فعلی . اشبوتشبث جنایت جزاسیله مجازات ایدلش اولمق لازمدر.

۲۱ — طرفین عاقدینك قانونلری موجبنجه حبس جزاسی ویا دها آغیر بر جزایی مستلزم اولدیغی تقدیرده بالاده ذکر اولنان هرهانکی برجنایت ویا جنحهده معین وذی مدخل اولمق .

ماده : ۳

سیاسی جنایت ویاجنحهلر ویاخود بوکبی برجنایت ویا جنحهیه مرتبط افعال ایجون اعادهٔ مجرمین واقع اولیهجقدر .

برر ئیس دولتك ویاخود آنك عائله‌سی افرادینك حیاتی علیهنه یاپیلان سوءقصد، سیاسی جنایت ویاجنحه عدایدلیه جکدر.

متعاقدین عالیه‌دن بری جانبندن دیکرینه تسلیم اولنان برشخصك کیفیت اعادهیی اجرا ایدن طرفه تبلیغ ایدیلهجك اولان تحریری وصریح رضاسی اولمدقجه ویاخود تخلیهٔ قطعیه‌سی آنندن اعتباراً اوتوز کون ظرفنده طالب دولتك اراضیسنی ترك ایتمکده مختار اولدیغی حالده بو اختیاری استعمال ایتمش بولنمدقجه ویاخود اراضیٔ مذکوره‌دن چیقدقدن صوکره اورایه عودت ایلمش اولمدقجه شخص مذکور اعاده‌سنه موافقت ایدلسنك سببی تشکیل ایدن جرمدن غیری اولهرق اعاده‌سی حقنده‌کی طلبدن اول ارتکاب ایدلش بر جرم ایجون تعقیب ویاخود تجزیه ایدیلهجکدر .

ماده : ٤

اعاده‌سی طلب اولنان شخص التجا ایتدیکی مملکتده دیکر بر جرم ایجون کرك مظنوناً موقوف بولنش وکرك

ماده : ۱

آمریقا دول‌متحده‌سی حکومتی ایله تورکیه بیوك ملت‌مجلسی حکومتی ایکنجی ماده‌ده تعداد اولنان ومتعاقدین عالیه‌دن برینك قضاسنه تابع اراضیده ایقاع ایدیلن بر جنایت و یا جنحه طولایسیله اشبو طرفك مأمورین عدلیه‌سی جانبندن محکوم ویا تعقیب ایدیلوب‌ده دیکر طرفك اراضیسنه التجا ایلین ویا اوراده بولنان اشخاصی ، طلب اوزرینه ، متقابلاً یکدیکره تسلیم ایتمکی تعهد ایدرلر .

مع‌هذا مجرمك اعاده‌سی خصوصی آتیده‌ق دلائل جرمیه قراریك ویا مظنون علیه اولان شخصك بولندیغی محل قوانینی موجبنجه توقیفی محق کوسترمه‌جك و فعل اوراده ایقاع‌ایدلمش اولسه ایدی تعقیبات جزائیه‌یه میدان ویرمه‌جك صورتلرده اولدیغی تقدیرده واقع اولمه‌جقدر .

ماده : ۲

مجرمك اعاده‌سنه هم محل‌التجائك وهم طالب‌دولتك قوانینی موجبنجه مستلزم مجازات‌اولمق شرطیله آتیده‌کی جنایات وجنحه‌لر ایچون موافقت اولنه‌جقدر ، یعنی :

۱ — قتل‌ابوین ، قتل ، تسمیم ایله قتل اولاد داخل اولمق اوزره قصداً قتل .

۲ — ایقاع‌حریق .

۳ — دکرخرسزلغی ، طائفه‌نك ویا طائفه‌دن برقسمنك ویا کمیده بولنان سائر اشخاصك قاپودانه قارشو حیله ویا جبر استعمالی ایله کمی‌یی ضبط ایتمش اولمق حالنده‌کی کمی عصیانی .

٤ — داخلنده ماهیتی آتیدنجی ماده‌ده اشارت‌اولنان وتأثقده تصریح ایدلمك لازمکلن برجنایتی ارتکاب مقصدیله کیجه وقتی برمسکنه کسر وشکست وزور ایله دخول (بورغله‌ری‌جرمی)

۵ — رسمی ویا خصوصی وثائقی تقلید ویا تغییر ، مقلد ویا تغییر ایدلمش وثائقی حیله ایله استعمال .

٦ — مسکوکات ، و اوراق نقدیه ، اسهام ایله قوپونلری ، بانقنوطلر ، تحویلات یاخود سائر سندات واوراق‌اعتباریه‌نك تحریف، تقلیدویا تغییری ، اخراجی، موقع تداوله‌وضعی ویا حیله‌لی برمقصدله استعمالی، عمومی مهرلره، آلتون وکموش مصنوعاته موضوع عمومی‌تمغالر، پولر ویا مارقه‌لرك تقلید ویا تغییری ، مقلد ویا تغییر اولونمش اشبو اشیانك حیله‌لی برمقصدله استعمالی .

۷ — مقداری ایکی یوز دولاری ویا تورك پارەسیله بومبلغك معادلی تجاوز ایتمك شرطیله ودیعلر ویا رسمی مأمورلر طرفندن ارتکاب اولنان اموال عمومیه اختلاسی .

۸ — مقداری ایکی یوز دولاری ویا تورك پارەسیله بومبلغك معادلی تجاوز ایتمك وهرایکی مملکتك قانونلرنجه اشبو جنحه ویا جنایت حبس ایله ویا دها آغیر بر جزا ایله تجزیه ایدلمش اولمق شرطیله بر ویا متعدد مأمورین ومستخدمین طرفندن کندیلرینی استخدام ایدنلرك علیهنه ارتکاب اولنان اختلاس .

۹ — حیات‌بشری تهلکه‌یه‌جق صورتده شمندوفرخطوطنك غیرقانونی اوله‌رق وبالاختیار تخریبی ویاسدی .

۱۰ — اسقاط جنین ، قیز قاچیرمق ، ازالهٔ بکر ، صغار ویا کاهلرك قالدیرلمسی ؛ بو صوك تعبیردن مراد بر ویا متعدد اشخاصی کندیلرندن ویا فاملیالرندن جبراً پاره چکمك ایچون ویا هر هانکی دیکر بر غیر قانونی مقصدله قالدیرمق وتوقیف ایلمکدر .

امریقا دول متحده‌سی ایله تورکیه بیننده اعادهٔ مجرمین معاهده‌نامه‌سی

آمریقا دول متحده‌سی

و

تورکیه

عدالتك احسن صورتله توزیعی تأمین مقصدیله زیرده مصرح جنایات و جنحه‌لردن طولایی محکوم اولان ویا تعقیب ایدیلن اشخاصی معین بعض احوالده متقابلاً تسلیم ایتمکی فائده‌لی عد ایتدکلرندن ، یکی براعادهٔ مجرمین معاهده‌سی عقدینه قرار ویرمشلر و بو مقصدله مرخصلری اولمق اوزره

آمریقا دول متحده‌سی حکومتی رئیسی

اسویچره قونفه‌دراسیونی نزدنده فوق‌العاده مرخصی و اورتـه ایلچیسی جوزه‌ف ق ، غروویی

و

تورکیه بیوك ملت مجلسی حکومتی :

تورکیه بیوك ملت مجلسی حکومتنك خارجیه وکیلی وعینی مجلسده ادرنه مبعوثی عصمت پاشایی،

تورکیه بیوك ملت مجلسی حکومتنك صحیه و معاونت اجتماعیه وکیلی وعینی مجلسده سینوب مبعوثی دوقتور رضا نور بکی ،

و تورکیه بیوك ملت مجلسی حکومتنك سابق اقتصاد وکیلی وعینی مجلسده طربزون مبعوثی حسن بکی ،

تعیین ایتمشلردر .

مشارالیهم اصولله موافق کوریلن صلاحیتنامه‌لرینی بعدالابراز احکام آتیه‌یی قرارلاشدیرمشلردر .

AND WHEREAS the said Treaty has been duly ratified on both parts and the ratifications of the two Governments were exchanged at Ankara on the eighteenth day of June, one thousand nine hundred and thirty-four; Ratifications exchanged.

AND WHEREAS it is stipulated by Article XI thereof that the said Treaty shall come into force two months after the date of the exchange of ratifications, namely, on the eighteenth day of August, one thousand nine hundred and thirty-four; Effective date. *Ante*, p. 2697.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Treaty to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof. Proclamation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this eighteenth day of August in the year of our Lord one thousand nine hundred and [SEAL] thirty-four and of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:

WILLIAM PHILLIPS

Acting Secretary of State.

May 19, 1934. *Supplementary Extradition Treaty between the United States of America and Austria. Signed at Vienna, May 19, 1934; ratification advised by the Senate, June 15, 1934; ratified by the President, June 28, 1934; ratified by Austria August 21, 1934; ratifications exchanged at Vienna September 5, 1934; proclaimed, September 10, 1934.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Supplementary Extradition Treaty with Austria.

WHEREAS a Supplementary Extradition Treaty between the United States of America and Austria was concluded and signed by their respective Plenipotentiaries at Vienna on the nineteenth day of May, one thousand nine hundred and thirty-four, the original of which Treaty, being in the English and German languages, is word for word as follows:

Contracting Powers.

The United States of America and Austria, desiring to enlarge the list of crimes on account of which extradition may be granted under the Convention concluded between the United States and Austria on January 31, 1930, with a view to the better administration of justice and prevention of crime within their respective territories and jurisdictions, have resolved to conclude a Supplementary Convention for this purpose and have appointed the following Plenipotentiaries:

Vol. 46, p. 2779.

Die Vereinigten Staaten von Amerika sowie Österreich haben, von dem Wunsche beseelt, das Verzeichnis der Verbrechen, derentwegen nach dem am 31. Jänner 1930 zwischen ihnen geschlossenen Vertrag die Auslieferung bewilligt werden kann, zum Behufe der besseren Rechtspflege und der wirksameren Verhinderung von Verbrechen innerhalb ihres Gebietes und ihrer Gerichtsbarkeit zu ergänzen, beschlossen, zu diesem Zwecke ein Zusatzabkommen abzuschließen, und haben zu ihren Bevollmächtigten ernannt:

Plenipotentiaries.

The President of the United States of America:
Mr. Alfred W. Kliefoth, his Chargé d'Affaires ad interim to Austria,
and

Der Präsident der Vereinigten Staaten von Amerika:
Herrn Alfred W. Kliefoth, seinen Geschäftsträger ad interim in Österreich,
und

The Federal President of Austria:
Dr. Engelbert Dollfuß, Federal Chancellor.

der Bundespräsident von Österreich:
Herrn Dr. Engelbert Dollfuß, Bundeskanzler.

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon and concluded the following articles:

Diese haben nach Austausch ihrer in guter und gehöriger Form befundenen Vollmachten die folgenden Artikel vereinbart und beschlossen:

Extraditable crimes.

Article I. The following crimes are added to the list of crimes numbered 1 to 22 in Article II of the said Convention of January

Vol. 46, pp. 2780–2783.

Artikel I. Das Verzeichnis der im Artikel II des Vertrages vom 31. Jänner 1930 unter Nr. 1 bis 22 angeführten Verbrechen, derentwegen die Aus-

31, 1930, on account of which extradition may be granted, that is to say:

23. Crimes against the bankruptcy laws.

Article II. The Present Convention shall be considered as an integral part of the said extradition Convention of January 31, 1930, and Article II of the last-mentioned Convention shall be read as if the list of crimes there-in contained had originally comprised the additional crimes numbered 23 in the first Article of the present Convention.

The present Convention shall be ratified by the High Contracting Parties in accordance with their respective constitutional methods, and shall take effect on the date of the exchange of ratifications which shall take place at Vienna as soon as possible.

In witness whereof the above-mentioned Plenipotentiaries have signed the present Convention in both the English and German languages, and have hereunto affixed their seals.

Done, in duplicate, at Vienna, this 19th day of May, nineteen hundred and thirty-four.

lieferung bewilligt werden kann, wird durch folgendes Verbrechen ergänzt:

23. Betrügerische Krida.

Crimes against bankruptcy laws.

Artikel II. Das vorliegende Abkommen soll einen Bestandteil des Vertrages vom 31. Jänner 1930 bilden, und Artikel II dieses Vertrages soll so gelten, als ob das darin enthaltene Verzeichnis der Verbrechen von Anfang an das unter Nr. 23 im Artikel I des vorliegenden Abkommens hinzugefügte Verbrechen mitumfaßt hätte.

Considered part of original Convention.

Das vorliegende Abkommen wird durch die Hohen Vertragschließenden Teile nach den Bestimmungen ihrer Verfassung ratifiziert werden und wird mit dem Austausch der Ratifikationsurkunden, der in Wien so bald wie möglich erfolgen soll, in Kraft treten.

Exchange of ratifications.

Effective date.

Zu Urkund dessen haben die oben erwähnten Bevollmächtigten das vorliegende, in englischer und deutscher Sprache abgefaßte Abkommen unterzeichnet und ihre Siegel beigesetzt.

Signatures.

Geschehen in zweifacher Ausfertigung zu Wien, am 19. Mai eintausendneunhundertvierunddreißig.

[SEAL] ALFRED W. KLIEFOTH

[SEAL] DOLLFUSS

AND WHEREAS, the said Treaty has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Vienna on the fifth day of September, one thousand nine hundred and thirty-four;

Ratifications exchanged.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Treaty to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

Proclamation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this tenth day of September, in the year of our Lord one thousand nine hundred and [SEAL] thirty-four and of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:

WILLIAM PHILLIPS

Acting Secretary of State.

June 28, 1919.

Membership of the United States of America in the International Labor Organization. Proclamation by the President of the United States, September 10, 1934, with the Constitution of the International Labor Organization Annexed and Other Related Papers. Effective August 20, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

International Labor Organization, membership.
Preamble.
Vol. 48, p. 1182.
Post, p. 2736.

WHEREAS, by a Joint Resolution of the Congress of the United States of America, approved June 19, 1934, the President was authorized to accept membership for the Government of the United States of America in the International Labor Organization, provided that in accepting such membership the President should assume on behalf of the United States of America no obligation under the Covenant of the League of Nations;

Invitation.
Post, p. 2738.

AND WHEREAS, by a Resolution adopted unanimously by the Eighteenth Session of the International Labor Conference on June 22, 1934, the Government of the United States of America was invited to accept membership in the International Labor Organization on the understanding that such membership should not involve any obligation under the Covenant of the League of Nations;

Acceptance.
Post, p. 2738.

AND WHEREAS, by virtue of the authority conferred upon him by the Joint Resolution of Congress aforesaid, and subject to the *proviso* thereof, the President accepted such membership for the Government of the United States of America, and his acceptance was officially and formally notified to the Director of the International Labor Office at Geneva on August 20, 1934, as effective on that day;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, do hereby proclaim and make public the Constitution of the International Labor Organization, a certified copy of which is hereto annexed, to the end that the same and every article and clause thereof may be observed with good faith by the United States of America and the citizens thereof, subject to the understanding that no obligation under the Covenant of the League of Nations is assumed on behalf of the United States of America.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE this tenth day of September in the year of our Lord one thousand nine hundred and thirty-four and of the Inde-
[SEAL] pendence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:

WILLIAM PHILLIPS
Acting Secretary of State.

THE CONSTITUTION OF THE INTERNATIONAL LABOUR ORGANISATION.

Constitution.

(The Constitution of the International Labour Organisation formed Part XIII of the Treaty of Versailles of 28 June 1919, Part XIII of the Treaty of St. Germain of 10 September 1919, Part XIII of the Treaty of Trianon of 4 June 1920 and Part XII of the Treaty of Neuilly of 27 November 1919. The numbering of the articles in the present text is that of Part XIII of the Treaty of Versailles.)

Section I.

ORGANISATION DU TRAVAIL.

Attendu que la Société des Nations a pour but d'établir la paix universelle, et qu'une telle paix ne peut être fondée que sur la base de la justice sociale;

Attendu qu'il existe des conditions de travail impliquant pour un grand nombre de personnes l'injustice, la misère et les privations, ce qui engendre un tel mécontentement que la paix et l'harmonie universelles sont mises en danger, et attendu qu'il est urgent d'améliorer ces conditions: par exemple, en ce qui concerne la réglementation des heures de travail, la fixation d'une durée maxima de la journée et de la semaine de travail, le recrutement de la main-d'oeuvre, la lutte contre le chômage, la garantie d'un salaire assurant des conditions d'existence convenables, la protection des travailleurs contre les maladies générales ou professionnelles et les accidents résultant du travail, la protection des enfants, des adolescents et des femmes, les pensions de vieillesse et d'invalidité, la défense des intérêts des travailleurs occupés à l'étranger, l'affirmation du principe de la liberté syndicale, l'organisation de l'enseignement professionnel et technique et autres mesures analogues;

Section I.

ORGANISATION OF LABOUR.

Organization of labor.

Whereas the League of Nations has for its object the establishment of universal peace, and such a peace can be established only if it is based upon social justice;

And whereas conditions of labour exist involving such injustice, hardship and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperilled; and an improvement of those conditions is urgently required: as, for example, by the regulation of the hours of work, including the establishment of a maximum working day and week, the regulation of the labour supply, the prevention of unemployment, the provision of an adequate living wage, the protection of the worker against sickness, disease and injury arising out of his employment, the protection of children, young persons and women, provision for old age and injury, protection of the interests of workers when employed in countries other than their own, recognition of the principle of freedom of association, the organisation of vocational and technical education and other measures;

Attendu que la non-adoption par une nation quelconque d'un régime de travail réellement humain fait obstacle aux efforts des autres nations désireuses d'améliorer le sort des travailleurs dans leurs propres pays;

Les HAUTES PARTIES CONTRACTANTES, mues par des sentiments de justice et d'humanité aussi bien que par le désir d'assurer une paix mondiale durable, ont convenu ce qui suit:

Whereas also the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries;

The HIGH CONTRACTING PARTIES, moved by sentiments of justice and humanity as well as by the desire to secure the permanent peace of the world, agree to the following:

CHAPITRE PREMIER.

Organisation.

CHAPTER I.

Organisation.

ARTICLE 387.

Objects and membership.

Il est fondé une organisation permanente chargée de travailler à la réalisation du programme exposé dans le préambule.

Les Membres originaires de la Société des Nations seront Membres originaires de cette organisation, et, désormais, la qualité de membre de la Société des Nations entraînera celle de membre de ladite organisation.

ARTICLE 387.

A permanent organisation is hereby established for the promotion of the objects set forth in the Preamble.

The original Members of the League of Nations shall be the original Members of this organisation, and hereafter membership of the League of Nations shall carry with it membership of the said organisation.

ARTICLE 388.

Divisions of.

L'organisation permanente comprendra:

1° Une Conférence générale des représentants des Membres;

2° Un bureau international du Travail sous la direction du Conseil d'administration prévu à l'article 393.

ARTICLE 388.

The permanent organisation shall consist of:

(1) a General Conference of Representatives of the Members and,

(2) an International Labour Office controlled by the Governing Body described in Article 393.

ARTICLE 389.

Meetings, etc.

La Conférence générale des représentants des Membres tiendra des sessions chaque fois que besoin sera et, au moins, une fois par an. Elle sera composée de quatre représentants de chacun des Membres dont deux seront

ARTICLE 389.

The meetings of the General Conference of Representatives of the Members shall be held from time to time as occasion may require, and at least once in every year. It shall be composed of four Representatives of each of

les Délégués du Gouvernement et dont les deux autres représenteront respectivement, d'une part, les employeurs, d'autre part, les travailleurs ressortissant à chacun des Membres.

Chaque Délégué pourra être accompagné par des conseillers techniques dont le nombre pourra être de deux au plus pour chacune des matières distinctes inscrites à l'ordre du jour de la session. Quand des questions intéressant spécialement des femmes doivent venir en discussion à la Conférence, une au moins parmi les personnes désignées comme conseillers techniques devra être une femme.

Les Membres s'engagent à désigner les délégués et conseillers techniques non gouvernementaux d'accord avec les organisations professionnelles les plus représentatives soit des employeurs, soit des travailleurs du pays considéré, sous la réserve que de telles organisations existent.

Les conseillers techniques ne seront autorisés à prendre la parole que sur la demande faite par le délégué auquel ils sont adjoints et avec l'autorisation spéciale du Président de la Conférence; ils ne pourront prendre part aux votes.

Un délégué peut, par une note écrite adressée au Président, désigner l'un de ses conseillers techniques comme son suppléant, et ledit suppléant, en cette qualité, pourra prendre part aux délibérations et aux votes.

Les noms des délégués et de leurs conseillers techniques seront communiqués au Bureau international du Travail par le Gouvernement de chacun des Membres.

the Members, of whom two shall be Government Delegates and the two others shall be Delegates representing respectively the employers and the workpeople of each of the Members.

Each Delegate may be accompanied by advisers, who shall not exceed two in number for each item on the agenda of the meeting. When questions specially affecting women are to be considered by the Conference, one at least of the advisers should be a woman.

The Members undertake to nominate non-Government Delegates and advisers chosen in agreement with the industrial organisations, if such organisations exist, which are most representative of employers or workpeople, as the case may be, in their respective countries.

Advisers shall not speak except on a request made by the Delegate whom they accompany and by the special authorization of the President of the Conference, and may not vote.

A Delegate may by notice in writing addressed to the President appoint one of his advisers to act as his deputy, and the adviser, while so acting, shall be allowed to speak and vote.

The names of the Delegates and their advisers will be communicated to the International Labour Office by the Government of each of the Members.

Les pouvoirs des délégués et de leurs conseillers techniques seront soumis à la vérification de la Conférence, laquelle pourra, par une majorité des deux-tiers des suffrages exprimés par les délégués présents, refuser d'admettre tout délégué ou tout conseiller technique qu'elle ne jugera pas avoir été désigné conformément aux termes du présent article.

The credentials of Delegates and their advisers shall be subject to scrutiny by the Conference, which may, by two-thirds of the votes cast by the Delegates present, refuse to admit any Delegate or adviser whom it deems not to have been nominated in accordance with this Article.

ARTICLE 390.

Voting.

Chaque délégué aura le droit de voter indivuellement sur toutes les questions soumises aux délibérations de la Conférence.

Dans le cas où l'un des Membres n'aurait pas désigné l'un des délégués non gouvernementaux auquel il a droit, l'autre délégué non gouvernemental aura le droit de prendre part aux discussions de la Conférence, mais n'aura pas le droit de voter.

Au cas où la Conférence, en vertu des pouvoirs que lui confère l'article 389, refuserait d'admettre l'un des délégués d'un des Membres, les stipulations du présent article seront appliquées comme si ledit délégué n'avait pas été désigné.

ARTICLE 390.

Every Delegate shall be entitled to vote individually on all matters which are taken into consideration by the Conference.

If one of the Members fails to nominate one of the non-Government Delegates whom it is entitled to nominate, the other non-Government Delegate shall be allowed to sit and speak at the Conference, but not to vote.

If in accordance with Article 389 the Conference refuses admission to a Delegate of one of the Members, the provisions of the present Article shall apply as if that Delegate had not been nominated.

ARTICLE 391.

Place of meetings.

Les sessions de la Conférence se tiendront au siège de la Société des Nations ou en tout autre lieu qui aura pu être fixé par la Conférence, dans une session antérieure, à la majorité des deux-tiers des suffrages exprimés par les délégués présents.

ARTICLE 391.

The meetings of the Conference shall be held at the seat of the League of Nations, or at such other place as may be decided by the Conference at a previous meeting by two-thirds of the votes cast by the Delegates present.

ARTICLE 392.

International Labor Office. Establishment, at seat of League.

Le Bureau international du Travail sera établi au siège de la Société des Nations et fera partie de l'ensemble des institutions de la Société.

ARTICLE 392.

The International Labour Office shall be established at the seat of the League of Nations as part of the organisation of the League.

ARTICLE 393.

Le Bureau international du Travail sera placé sous la direction d'un Conseil d'administration composé de trente-deux personnes:

seize représentant les Gouvernements,
huit représentant les patrons et
huit représentant les ouvriers.

Sur les seize personnes représentant les Gouvernements, huit seront nommées par les Membres dont l'importance industrielle est la plus considérable et huit seront nommées par les Membres désignés à cet effet par les délégués gouvernementaux à la Conférence, exclusion faite des délégués des huit Membres susmentionnés. Sur les seize Membres représentés, six devront être des Etats extra-européens.

Les contestations éventuelles sur la question de savoir quels sont les Membres ayant l'importance industrielle la plus considérable seront tranchées par le Conseil de la Société des Nations.

Les personnes représentant les patrons et les personnes représentant les ouvriers seront élues respectivement par les délégués patronaux et les délégués ouvriers à la Conférence. Deux représentants des patrons et deux représentants des ouvriers devront appartenir à des Etats extra-européens.

Le Conseil sera renouvelé tous les trois ans.

La manière de pourvoir aux sièges vacants, la désignation des suppléants et les autres questions de même nature pourront être réglées par le Conseil sous réserve de l'approbation de la Conférence.

ARTICLE 393.

Government of.

The International Labour Office shall be under the control of a Governing Body consisting of thirty-two persons:

Sixteen representing Governments,
Eight representing the Employers, and
Eight representing the Workers.

Of the sixteen persons representing Governments, eight shall be appointed by the Members of chief industrial importance, and eight shall be appointed by the Members selected for that purpose by the Government Delegates to the Conference excluding the Delegates of the eight Members mentioned above. Of the sixteen Members represented six shall be non-European States.

Any question as to which are the Members of chief industrial importance shall be decided by the Council of the League of Nations.

The persons representing the Employers and the persons representing the Workers shall be elected respectively by the Employers' Delegates and the Workers' Delegates to the Conference. Two Employers' representatives and two Workers' representatives shall belong to non-European States.

The period of office of the Governing Body shall be three years.

The method of filling vacancies and of appointing substitutes, and other similar questions, may be decided by the Governing Body subject to the approval of the Conference.

Le Conseil d'administration élira un Président dans son sein et établira son règlement. Il se réunira aux époques qu'il fixera lui-même. Une session spéciale devra être tenue chaque fois que douze personnes faisant partie du Conseil auront formulé une demande écrite à cet effet.

The Governing Body shall, from time to time, elect one of its number to act as its Chairman, shall regulate its own procedure, and shall fix its own times of meeting. A special meeting shall be held if a written request to that effect is made by at least twelve of the representatives on the Governing Body.

ARTICLE 394.

Director to be appointed.

Un Directeur sera placé à la tête du Bureau international du Travail; il sera désigné par le Conseil d'administration de qui il recevra ses instructions et vis-à-vis de qui sera responsable de la bonne marche du Bureau ainsi que de l'exécution de toutes autres tâches qui auront pu lui être confiées.

Le Directeur ou son suppléant assisteront à toutes les séances du Conseil d'administration.

ARTICLE 394.

There shall be a Director of the International Labour Office, who shall be appointed by the Governing Body, and, subject to the instructions of the Governing Body, shall be responsible for the efficient conduct of the International Labour Office and for such other duties as may be assigned to him.

The Director or his deputy shall attend all meetings of the Governing Body.

ARTICLE 395.

Office staff.

Le personnel du Bureau international du Travail sera choisi par le directeur. Le choix fait devra porter, dans toute la mesure compatible avec le souci d'obtenir le meilleur rendement, sur des personnes de différentes nationalités. Un certain nombre de ces personnes devront être des femmes.

ARTICLE 395.

The staff of the International Labour Office shall be appointed by the Director, who shall, so far as is possible with due regard to the efficiency of the work of the Office, select persons of different nationalities. A certain number of these persons shall be women.

ARTICLE 396.

Functions.

Les fonctions du Bureau international du Travail comprendront la centralisation et la distribution de toutes informations concernant la réglementation internationale de la condition des travailleurs et du régime du travail et, en particulier, l'étude des questions qu'il est proposé de soumettre aux discussions de la Conférence en vue de la conclusion des conventions

ARTICLE 396.

The functions of the International Labour Office shall include the collection and distribution of information on all subjects relating to the international adjustment of conditions of industrial life and labour, and particularly the examination of subjects which it is proposed to bring before the Conference with a view to the conclusion of international

internationales, ainsi que l'exécution de toutes enquêtes spéciales prescrites par la Conférence.

Il sera chargé de préparer l'ordre du jour des sessions de la Conférence.

Il s'acquittera, en conformité des stipulations de la présente Partie du présent Traité, des devoirs qui lui incombent en ce qui concerne tous différends internationaux.

Il rédigera et publiera en français, en anglais, et dans telle autre langue que le Conseil d'administration jugera convenable, un bulletin périodique consacré à l'étude des questions concernant l'industrie et le travail et présentant un intérêt international.

D'une manière générale il aura, en sus des fonctions indiquées au présent article, tous autres pouvoirs et fonctions que la Conférence jugera à propos de lui attribuer.

conventions, and the conduct of such special investigations as may be ordered by the Conference.

It will prepare the agenda for the meetings of the Conference.

It will carry out the duties required of it by the provisions of this Part of the present Treaty in connection with international disputes.

It will edit and publish in French and English, and in such other languages as the Governing Body may think desirable, a periodical paper dealing with problems of industry and employment of international interest.

Generally, in addition to the functions set out in this Article, it shall have such other powers and duties as may be assigned to it by the Conference.

ARTICLE 397.

Les ministères des Membres qui s'occupent des questions ouvrières pourront communiquer directement avec le Directeur par l'intermédiaire du représentant de leur Gouvernement au Conseil d'administration du Bureau international du Travail, ou, à défaut de ce représentant, par l'intermédiaire de tel autre fonctionnaire dûment qualifié et désigné à cet effet par le Gouvernement intéressé.

ARTICLE 397.

Communications, etc.

The Government Departments of any of the Members which deal with questions of industry and employment may communicate directly with the Director through the Representative of their Government on the Governing Body of the International Labour Office, or failing any such Representative, through such other qualified official as the Government may nominate for the purpose.

ARTICLE 398.

Le Bureau international du Travail pourra demander le concours du Secrétaire général de la Société des Nations pour toutes questions à l'occasion desquelles ce concours pourra être donné.

ARTICLE 398.

Secretary-General of League to assist.

The International Labour Office shall be entitled to the assistance of the Secretary-General of the League of Nations in any matter in which it can be given.

ARTICLE 399.

Travel and subsistence expenses.

Chacun des Membres payera les frais de voyage et de séjour de ses délégués et de leurs conseillers techniques ainsi que de ses représentants prenant part aux sessions de la Conférence et du Conseil d'administration selon les cas.

Other expenses.

Tous autres frais du Bureau international du Travail, des sessions de la Conférence ou de celles du Conseil d'administration, seront remboursés au Directeur par le Secrétaire général de la Société des Nations sur le budget général de la Société.

Le Directeur sera responsable, vis-à-vis du Secrétaire général de la Société des Nations, pour l'emploi de tous fonds à lui versés, conformément aux stipulations du présent article.

ARTICLE 399.

Each of the Members will pay the travelling and subsistence expenses of its Delegates and their advisers and of its Representatives attending the meetings of the Conference or Governing Body, as the case may be.

All the other expenses of the International Labour Office and of the meetings of the Conference or Governing Body shall be paid to the Director by the Secretary-General of the League of Nations out of the general funds of the League.

The Director shall be responsible to the Secretary-General of the League for the proper expenditure of all moneys paid to him in pursuance of this Article.

CHAPITRE II.

Procedure.

Fonctionnement.

ARTICLE 400.

Agenda for meetings.

Le Conseil d'administration établira l'ordre du jour des sessions de la Conférence après avoir examiné toutes propositions faites par le Gouvernement d'un des Membres ou par toute autre organisation visée à l'article 389 au sujet des matières à inscrire à cet ordre du jour.

Ante, p. 2714.

ARTICLE 401.

Secretary of Conference; duty respecting agenda.

Le Directeur remplira les fonctions de Secrétaire de la Conférence, et devra faire parvenir l'ordre du jour de chaque session, quatre mois avant l'ouverture de cette session, à chacun des Membres, et, par l'intermédiaire de ceux-ci, aux délégués non gouvernementaux, lorsque ces derniers auront été désignés.

CHAPTER II.

Procedure.

ARTICLE 400.

The agenda for all meetings of the Conference will be settled by the Governing Body, who shall consider any suggestion as to the agenda that may be made by the Government of any of the Members or by any representative organisation recognised for the purpose of Article 389.

ARTICLE 401.

The Director shall act as the Secretary of the Conference, and shall transmit the agenda so as to reach the Members four months before the meeting of the Conference, and, through them, the non-Government Delegates when appointed.

ARTICLE 402.

Chacun des Gouvernements des Membres aura le droit de contester l'inscription, à l'ordre du jour de la session, de l'un ou plusieurs des sujets prévus. Les motifs justifiant cette opposition devront être exposés dans un mémoire explicatif adressé au Directeur, lequel devra le communiquer aux Membres de l'Organisation permanente.

Les sujets auxquels il aura été fait opposition resteront néanmoins inclus à l'ordre du jour si la Conférence en décide ainsi à la majorité des deux-tiers des suffrages exprimés par les délégués présents.

Toute question au sujet de laquelle la Conférence décide, à la même majorité des deux-tiers, qu'elle doit être examinée (autrement que prévu dans l'alinéa précédent), sera portée à l'ordre du jour de la session suivante.

ARTICLE 403.

La Conférence formulera les règles de son fonctionnement; elle élira son président; elle pourra nommer des commissions chargées de présenter des rapports sur toutes questions qu'elle estimera devoir mettre à l'étude.

La simple majorité des suffrages exprimés par les membres présents de la Conférence décidera dans tous les cas où une majorité plus forte n'est pas spécialement prévue par d'autres articles de la présente Partie du présent Traité.

Aucun vote n'est acquis si le nombre des suffrages exprimés est inférieur à la moitié du nombre des délégués présents à la session.

ARTICLE 402.

Filing, etc., objections.

Any of the Governments of the Members may formally object to the inclusion of any item or items in the agenda. The grounds for such objection shall be set forth in a reasoned statement addressed to the Director, who shall circulate it to all the Members of the Permanent Organisation.

Items to which such objection has been made shall not, however, be excluded from the agenda, if at the Conference a majority of two-thirds of the votes cast by the Delegates present is in favour of considering them.

If the Conference decides (otherwise than under the preceding paragraph) by two-thirds of the votes cast by the Delegates present that any subject shall be considered by the Conference, that subject shall be included in the agenda for the following meeting.

ARTICLE 403.

Conduct of procedure.

The Conference shall regulate its own procedure, shall elect its own President, and may appoint committees to consider and report on any matter.

Except as otherwise expressly provided in this Part of the present Treaty, all matters shall be decided by a simple majority of the votes cast by the Delegates present.

The voting is void unless the total number of votes cast is equal to half the number of the Delegates attending the Conference.

ARTICLE 404.

Experts to committees.

La Conférence pourra adjoindre aux Commissions qu'elle constitue des conseillers techniques qui auront voix consultative mais non délibérative.

ARTICLE 404.

The Conference may add to any committees which it appoints technical experts, who shall be assessors without power to vote.

ARTICLE 405.

Proposals.

Si la Conférence se prononce pour l'adoption de propositions relatives à un objet à l'ordre du jour, elle aura à déterminer si ces propositions devront prendre la forme: a) d'une "recommandation" à soumettre à l'examen des Membres, en vue de lui faire porter effet sous forme de loi nationale ou autrement; b) ou bien d'un projet de convention internationale à ratifier par les Membres.

Dans les deux cas, pour qu'une recommandation ou qu'un projet de convention soient adoptés au vote final par la Conférence, une majorité des deux-tiers des voix des délégués présents est requise.

Recommendations or draft convention.

En formant une recommandation ou un projet de convention d'une application générale, la Conférence devra avoir égard aux pays dans lesquels le climat, le développement incomplet de l'organisation industrielle ou d'autres circonstances particulières rendent les conditions de l'industrie essentiellement différentes, et elle aura à suggérer telles modifications qu'elle considérerait comme pouvant être nécessaires pour répondre aux conditions propres à ces pays.

Un exemplaire de la recommandation ou du projet de convention sera signé par le Président de la Conférence et le Directeur et sera déposé entre les mains du Secré-

ARTICLE 405.

When the Conference has decided on the adoption of proposals with regard to an item in the agenda, it will rest with the Conference to determine whether these proposals should take the form: (a) of a recommendation to be submitted to the Members for consideration with a view to effect being given to it by national legislation or otherwise, or (b) of a draft international convention for ratification by the Members.

In either case a majority of two-thirds of the votes cast by the Delegates present shall be necessary on the final vote for the adoption of the recommendation or draft convention, as the case may be, by the Conference.

In framing any recommendation or draft convention of general application the Conference shall have due regard to those countries in which climatic conditions, the imperfect development of industrial organisation or other special circumstances make the industrial conditions substantially different and shall suggest the modifications, if any, which it considers may be required to meet the case of such countries.

A copy of the recommendation or draft convention shall be authenticated by the signature of the President of the Conference and of the Director and shall be deposited

taire général de la Société des Nations. Celui-ci communiquera une copie certifiée conforme de la recommandation ou du projet de convention à chacun des Membres.

Chacun des Membres s'engage à soumettre dans le délai d'un an à partir de la clôture de la session de la Conférence (ou, si par suite de circonstances exceptionnelles, il est impossible de procéder dans un délai d'un an, dès qu'il sera possible, mais jamais plus de dix-huit mois après la clôture de la session de la Conférence), la recommandation ou le projet de convention à l'autorité ou aux autorités dans la compétence desquelles rentre la matière, en vue de la transformer en loi ou de prendre des mesures d'un autre ordre.

S'il s'agit d'une recommandation, les Membres informeront le Secrétaire général des mesures prises.

S'il s'agit d'un projet de convention, le Membre qui aura obtenu le consentement de l'autorité ou des autorités compétentes, communiquera sa ratification formelle de la convention au Secrétaire général et prendra telles mesures qui seront nécessaires pour rendre effectives les dispositions de ladite convention.

Si une recommandation n'est pas suivie d'un acte législatif ou d'autres mesures de nature à rendre effective cette recommandation ou bien si un projet de convention ne rencontre pas l'assentiment de l'autorité ou des autorités dans la compétence desquelles rentre la matière, le Membre ne sera soumis à aucune autre obligation.

with the Secretary-General of the League of Nations. The Secretary-General will communicate a certified copy of the recommendation or draft convention to each of the Members.

Each of the Members undertakes that it will, within the period of one year at most from the closing of the session of the Conference, or if it is impossible owing to exceptional circumstances to do so within the period of one year, then at the earliest practicable moment and in no case later than eighteen months from the closing of the session of the Conference, bring the recommendation or draft convention before the authority or authorities within whose competence the matter lies, for the enactment of legislation or other action.

In the case of a recommendation, the Members will inform the Secretary-General of the action taken.

In the case of a draft convention, the Member will, if it obtains the consent of the authority or authorities within whose competence the matter lies, communicate the formal ratification of the convention to the Secretary-General and will take such action as may be necessary to make effective the provisions of such convention.

If on a recommendation no legislative or other action is taken to make a recommendation effective, or if the draft convention fails to obtain the consent of the authority or authorities within whose competence the matter lies, no further obligation shall rest upon the Member.

Dans le cas où il s'agit d'un Etat fédératif dont le pouvoir d'adhérer à une convention sur des objets concernant le travail est soumis à certaines limitations, le Gouvernement aura le droit de considérer un projet de convention auquel s'appliquent ces limitations comme une simple recommandation et les dispositions du présent article en ce qui regarde les recommandations s'appliqueront dans ce cas.

L'article ci-dessus sera interprété en conformité du principe suivant:

En aucun cas il ne sera demandé à aucun des Membres, comme conséquence de l'adoption par la Conférence d'une recommandation ou d'un projet de convention, de diminuer la protection déjà accordée par sa législation aux travailleurs dont il s'agit.

In the case of a federal State, the power of which to enter into conventions on labour matters is subject to limitations, it shall be in the discretion of that Government to treat a draft convention to which such limitations apply as a recommendation only, and the provisions of this Article with respect to recommendations shall apply in such case.

The above Article shall be interpreted in accordance with the following principle:

In no case shall any Member be asked or required, as a result of the adoption of any recommendation or draft convention by the Conference, to lessen the protection afforded by its existing legislation to the workers concerned.

ARTICLE 406.

Effect of ratification.

Toute convention ainsi ratifiée sera enregistrée par le Secrétaire général de la Société des Nations, mais ne liera que les Membres qui l'ont ratifiée.

ARTICLE 406.

Any convention so ratified shall be registered by the Secretary-General of the League of Nations, but shall only be binding upon the Members which ratify it.

ARTICLE 407.

Convention failing to secure necessary votes.

Tout projet qui, dans le scrutin final sur l'ensemble, ne recueillera pas la majorité des deux tiers des suffrages exprimés par les membres présents peut faire l'objet d'une convention particulière entre ceux des Membres de l'Organisation permanente qui en ont le désir.

Toute convention particulière de cette nature devra être communiquée par les Gouvernements intéressés au Secrétaire général de la Société des Nations, lequel la fera enregistrer.

ARTICLE 407.

If any convention coming before the Conference for final consideration fails to secure the support of two-thirds of the votes cast by the Delegates present, it shall nevertheless be within the right of any of the Members of the Permanent Organisation to agree to such convention among themselves.

Any convention so agreed to shall be communicated by the Governments concerned to the Secretary-General of the League of Nations, who shall register it.

ARTICLE 408.

Chacun des Membres s'engage à présenter au Bureau international du Travail un rapport annuel sur les mesures prises par lui pour mettre à exécution les conventions auxquelles elle a adhéré. Ces rapports seront rédigés sous la forme indiquée par le Conseil d'administration et devront contenir les précisions demandées par ce dernier. Le Directeur présentera un résumé de ces rapports à la plus prochaine session de la Conférence.

ARTICLE 408.

Reports.

Each of the Members agrees to make an annual report to the International Labour Office on the measures which it has taken to give effect to the provisions of conventions to which it is a party. These reports shall be made in such form and shall contain such particulars as the Governing Body may request. The Director shall lay a summary of these reports before the next meeting of the Conference.

ARTICLE 409.

Toute réclamation adressée au Bureau international du Travail par une organisation professionnelle ouvrière ou patronale et aux termes de laquelle l'un quelconque des Membres n'aurait pas assuré d'une manière satisfaisante l'exécution d'une convention à laquelle ledit Membre a adhéré, pourra être transmise par le Conseil d'administration au Gouvernement mis en cause et ce Gouvernement pourra être invité à faire sur la matière telle déclaration qu'il jugera convenable.

ARTICLE 409.

Reports of failure to observe treaty provisions.

In the event of any representation being made to the International Labour Office by an industrial association of employers or of workers that any of the Members has failed to secure in any respect the effective observance within its jurisdiction of any convention to which it is a party, the Governing Body may communicate this representation to the Government against which it is made and may invite that Government to make such statement on the subject as it may think fit.

ARTICLE 410.

Si aucune déclaration n'est reçue du Gouvernement mis en cause dans un délai raisonnable, ou si la déclaration reçue ne paraît pas satisfaisante au Conseil d'administration, ce dernier aura le droit de rendre publique la réclamation reçue et, le cas échéant, la réponse faite.

ARTICLE 410.

Action, if no satisfactory statement received.

If no statement is received within a reasonable time from the Government in question, or if the statement when received is not deemed to be satisfactory by the Governing Body, the latter shall have the right to publish the representation and the statement, if any, made in reply to it.

ARTICLE 411.

Chacun des Membres pourra déposer une plainte au Bureau international du Travail contre un autre Membre qui, à son avis,

ARTICLE 411.

Complaints.

Any of the Members shall have the right to file a complaint with the International Labour Office if it is not satisfied that any other

n'assurerait pas d'une manière satisfaisante l'exécution d'une convention que l'un et l'autre auraient ratifiée en vertu des articles précédents.

Le Conseil d'administration peut, s'il le juge à propos, et avant de saisir une Commission d'enquête selon la procédure indiquée ci-après, se mettre en rapports avec le Gouvernement mis en cause de la manière indiquée à l'article 409.

Si le Conseil d'administration ne juge pas nécessaire de communiquer la plainte au Gouvernement mis en cause, ou, si cette communication ayant été faite, aucune réponse ayant satisfait le Conseil d'administration n'a été reçue dans un délai raisonnable, le Conseil pourra provoquer la formation d'une commission d'enquête qui aura mission d'étudier la question soulevée et de déposer un rapport à ce sujet.

La même procédure pourra être engagée par le Conseil, soit d'office, soit sur la plainte d'un délégué à la Conférence.

Lorsqu'une question soulevée par l'application des articles 410 ou 411 viendra devant le Conseil d'administration, le Gouvernement mis en cause, s'il n'a pas déjà un représentant au sein du Conseil d'administration, aura le droit de désigner un délégué pour prendre part aux délibérations du Conseil relatives à cette affaire. La date à laquelle ces discussions doivent avoir lieu sera notifiée en temps utile au Gouvernement mis en cause.

ARTICLE 412.

Commission of Enquiry.

La Commission d'enquête sera constituée de la manière suivante:

Member is securing the effective observance of any convention which both have ratified in accordance with the foregoing Articles.

The Governing Body may, if it thinks fit, before referring such a complaint to a Commission of Enquiry, as hereinafter provided for, communicate with the Government in question in the manner described in Article 409.

If the Governing Body does not think it necessary to communicate the complaint to the Government in question, or if, when they have made such communication, no statement in reply has been received within a reasonable time which the Governing Body considers to be satisfactory, the Governing Body may apply for the appointment of a Commission of Enquiry to consider the complaint and to report thereon.

The Governing Body may adopt the same procedure either of its own motion or on receipt of a complaint from a Delegate to the Conference.

When any matter arising out of Articles 410 or 411 is being considered by the Governing Body, the Government in question shall, if not already represented thereon, be entitled to send a representative to take part in the proceedings of the Governing Body while the matter is under consideration. Adequate notice of the date on which the matter will be considered shall be given to the Government in question.

ARTICLE 412.

The Commission of Enquiry shall be constituted in accordance with the following provisions:

Chacun des Membres s'engage à désigner, dans les six mois qui suivront la date de mise en vigueur du présent Traité, trois personnes compétentes en matières industrielles, la première représentant les patrons, la deuxième représentant les travailleurs et la troisième indépendante des uns et des autres. L'ensemble de ces personnes formera une liste sur laquelle seront choisis les membres de la Commission d'enquête.

Le Conseil d'administration aura le droit de vérifier les titres desdites personnes et de refuser, à la majorité des deux tiers des suffrages exprimés par les représentants présents, la nomination de celles dont les titres ne satisferaient pas aux prescriptions du présent article.

Sur la demande du Conseil d'administration, le Secrétaire général de la Société des Nations désignera trois personnes respectivement choisies dans chacune des trois catégories de la liste pour constituer la Commission d'enquête et désignera, en outre, l'une de ces trois personnes pour présider ladite Commission. Aucune des trois personnes ainsi désignées ne pourra relever d'un des Membres directement intéressés à la plainte.

ARTICLE 413.

Dans le cas où une plainte serait renvoyée, en vertu de l'article 411, devant une Commission d'enquête, chacun des Membres, qu'il soit ou non directement intéressé à la plainte, s'engage à mettre à la disposition de la Commission toute information qui se trouverait en sa possession relativement à l'objet de la plainte.

Each of the Members agrees to nominate within six months of the date on which the present Treaty comes into force three persons of industrial experience, of whom one shall be a representative of employers, one a representative of workers, and one a person of independent standing, who shall together form a panel from which the Members of the Commission of Enquiry shall be drawn.

The qualifications of the persons so nominated shall be subject to scrutiny by the Governing Body, which may by two-thirds of the votes cast by the representatives present refuse to accept the nomination of any person whose qualifications do not in its opinion comply with the requirements of the present Article.

Upon the application of the Governing Body, the Secretary-General of the League of Nations shall nominate three persons, one from each section of this panel, to constitute the Commission of Enquiry, and shall designate one of them as the President of the Commission. None of these three persons shall be a person nominated to the panel by any Member directly concerned in the complaint.

ARTICLE 413.

Information to be furnished.

The Members agree that, in the event of the reference of a complaint to a Commission of Enquiry under Article 411, they will each, whether directly concerned in the complaint or not, place at the disposal of the Commission all the information in their possession which bears upon the subject-matter of the complaint.

ARTICLE 414.

Report of Commission.

La Commission d'enquête, après un examen approfondi de la plainte, rédigera un rapport dans lequel elle consignera ses constatations sur tous les points de fait permettant de préciser la portée de la contestation, ainsi que les recommandations qu'elle croira devoir formuler quant aux mesures à prendre pour donner satisfaction au Gouvernement plaignant et quant aux délais dans lesquels ces mesures devraient être prises.

Ce rapport indiquera également, le cas échéant, les sanctions d'ordre économique contre le Gouvernement mis en cause que la Commission jugerait convenables et dont l'application par les autres Gouvernements lui paraîtrait justifiée.

ARTICLE 414.

When the Commission of Enquiry has fully considered the complaint, it shall prepare a report embodying its findings on all questions of fact relevant to determining the issue between the parties and containing such recommendations as it may think proper as to the steps which should be taken to meet the complaint and the time within which they should be taken.

It shall also indicate in this report the measures, if any, of an economic character against a defaulting Government which it considers to be appropriate, and which it considers other Governments would be justified in adopting.

ARTICLE 415.

Report to be published.

Le Secrétaire général de la Société des Nations communiquera le rapport de la Commission d'enquête à chacun des Gouvernements intéressés dans le différend et en assurera la publication.

Reference to Permanent Court of International Justice.

Chacun des Gouvernements intéressés devra signifier au Secrétaire général de la Société des Nations, dans le délai d'un mois, s'il accepte ou non les recommandations contenues dans le rapport de la Commission, et, au cas où il ne les accepte pas, s'il désire soumettre le différend à la Cour permanente de justice internationale de la Société des Nations.

ARTICLE 415.

The Secretary-General of the League of Nations shall communicate the report of the Commission of Enquiry to each of the Governments concerned in the complaint, and shall cause it to be published.

Each of these Governments shall within one month inform the Secretary-General of the League of Nations whether or not it accepts the recommendations contained in the report of the Commission; and if not, whether it proposes to refer the complaint to the Permanent Court of International Justice of the League of Nations.

ARTICLE 416.

Dans le cas où l'un des Membres ne prendrait pas, relativement à une recommandation ou à

ARTICLE 416.

In the event of any Member failing to take the action required by Article 405, with regard to a

un projet de Convention, les mesures prescrites à l'article 405, tout autre Membre aura le droit d'en référer à la Cour permanente de justice internationale.

recommendation or draft Convention, any other Member shall be entitled to refer the matter to the Permanent Court of International Justice.

ARTICLE 417.

La décision de la Cour permanente de justice internationale concernant une plainte ou une question qui lui aurait été soumise conformément aux articles 415 ou 416 ne sera pas susceptible d'appel.

ARTICLE 417.

Court decision final.

The decision of the Permanent Court of International Justice in regard to a complaint or matter which has been referred to it in pursuance of Article 415 or Article 416 shall be final.

ARTICLE 418.

Les conclusions ou recommandations éventuelles de la Commission d'enquête pourront être confirmées, amendées ou annulées par la Cour permanente de justice internationale, laquelle devra, le cas échéant, indiquer les sanctions d'ordre économique, qu'elle croirait convenable de prendre à l'encontre d'un Gouvernement en faute, et dont l'application par les autres Gouvernements lui paraîtrait justifiée.

ARTICLE 418.

Powers of Court.

The Permanent Court of International Justice may affirm, vary or reverse any of the findings or recommendations of the Commission of Enquiry, if any, and shall in its decision indicate the measures, if any, of an economic character which it considers to be appropriate, and which other Governments would be justified in adopting against a defaulting Government.

ARTICLE 419.

Si un Membre quelconque ne se conforme pas dans le délai prescrit aux recommandations éventuellement contenues soit dans le rapport de la Commission d'enquête, soit dans la décision de la Cour permanente de justice internationale, tout autre Membre pourra appliquer audit Membre les sanctions d'ordre économique que le rapport de la Commission ou la décision de la Cour auront déclarées applicables en l'espèce.

ARTICLE 419.

Executing Commission's recommendations.

In the event of any Member failing to carry out within the time specified the recommendations, if any, contained in the report of the Commission of Enquiry, or in the decision of the Permanent Court of International Justice, as the case may be, any other Member may take against that Member the measures of an economic character indicated in the report of the Commission or in the decision of the Court as appropriate to the case.

ARTICLE 420.

Le Gouvernement en faute peut, à tout moment, informer le Conseil d'administration qu'il a

ARTICLE 420.

Compliance, by defaulting Government.

The defaulting Government may at any time inform the Governing Body that it has

pris les mesures nécessaires pour se conformer soit aux recommandations de la Commission d'enquête, soit à celles contenues dans la décision de la Cour permanente de justice internationale, et peut demander au Conseil de bien vouloir faire constituer par le Secrétaire général de la Société des Nations une Commission d'enquête chargée de vérifier ses dires. Dans ce cas les stipulations des articles 412, 413, 414, 415, 417 et 418 s'appliqueront, et si le rapport de la Commission d'enquête ou la décision de la Cour permanente de Justice internationale sont favorables au Gouvernement en faute, les autres Gouvernements devront aussitôt rapporter les mesures d'ordre économique qu'ils auront prises à l'encontre dudit Etat.

taken the steps necessary to comply with the recommendations of the Commission of Enquiry or with those in the decision of the Permanent Court of International Justice, as the case may be, and may request it to apply to the Secretary-General of the League to constitute a Commission of Enquiry to verify its contention. In this case the provisions of Articles 412, 413, 414, 415, 417 and 418 shall apply, and if the report of the Commission of Enquiry or the decision of the Permanent Court of International Justice is in favour of the defaulting Government, the other Governments shall forthwith discontinue the measures of an economic character that they have taken against the defaulting Government.

Chapitre III

Prescriptions générales.

ARTICLE 421.

Application of conventions to colonies, etc.

Les Membres s'engagent à appliquer les conventions auxquelles ils auront adhéré, conformément aux stipulations de la présente Partie du présent Traité, à celles de leurs colonies ou possessions et à ceux de leurs protectorats qui ne se gouvernent pas pleinement eux-mêmes, cela sous les réserves suivantes :

1° Que la convention ne soit pas rendue inapplicable par les conditions locales;

2° Que les modifications, qui seraient nécessaires pour adapter la convention aux conditions locales, puissent être introduites dans celle-ci.

Chacun des Membres devra notifier au Bureau international du Travail la décision qu'il se propose de prendre en ce qui

Chapter III

General.

ARTICLE 421.

The Members engage to apply conventions which they have ratified in accordance with the provisions of this Part of the present Treaty to their colonies, protectorates and possessions which are not fully self-governing:

(1) Except where owing to the local conditions the convention is inapplicable, or

(2) Subject to such modifications as may be necessary to adapt the convention to local conditions.

And each of the Members shall notify to the International Labour Office the action taken in respect of each of its colonies, protecto-

concerne chacune de ses colonies ou possessions ou chacun de ses protectorats ne se gouvernant pas pleinement eux-mêmes.

rates and possessions which are not fully self-governing.

ARTICLE 422.

Les amendements à la présente Partie du présent Traité, qui seront adoptés par la Conférence à la majorité des deux-tiers des suffrages émis par les délégués présents, deviendront exécutoires lorsqu'ils auront été ratifiés par les Etats dont les représentants forment le Conseil de la Société des Nations et par les trois quarts des Membres.

ARTICLE 422.

Adoption of amendments.

Amendments to this Part of the present Treaty which are adopted by the Conference by a majority of two-thirds of the votes cast by the Delegates present shall take effect when ratified by the States whose representatives compose the Council of the League of Nations and by three-fourths of the Members.

ARTICLE 423.

Toutes questions ou difficultés relatives à l'interprétation de la présente Partie du présent Traité et des conventions ultérieurement conclues par les Membres, en vertu de ladite Partie, seront soumises à l'appréciation de la Cour permanente de Justice internationale.

ARTICLE 423.

Question of interpretation.

Any question or dispute relating to the interpretation of this Part of the present Treaty or of any subsequent convention concluded by the Members in pursuance of the provisions of this Part of the present Treaty shall be referred for decision to the Permanent Court of International Justice.

CHAPITRE IV.

Mesures transitoires.

CHAPTER IV.

Transitory provisions.

Transitory provisions.

ARTICLE 424.

La première session de la Conférence aura lieu au mois d'octobre 1919. Le lieu et l'ordre du jour de la session sont arrêtés dans l'Annexe ci-jointe.

La convocation et l'organisation de cette première session seront assurées par le Gouvernement désigné à cet effet dans l'Annexe susmentionnée. Le Gouvernement sera assisté, en ce qui concerne la préparation des documents, par une Commission internationale, dont les membres seront désignés à la même annexe.

ARTICLE 424.

First meeting.

The first meeting of the Conference shall take place in October, 1919. The place and agenda for this meeting shall be as specified in the Annex hereto.

Arrangements for the convening and the organisation of the first meeting of the Conference will be made by the Government designated for the purpose in the said Annex. That Government shall be assisted in the preparation of the documents for submission to the Conference by an International Committee constituted as provided in the said Annex.

Les frais de cette première session et de toute session ultérieure jusqu'au moment où les crédits nécessaires auront pu être inscrits au budget de la Société des Nations, à l'exception des frais de déplacement des délégués et des conseillers techniques, seront répartis entre les Membres dans les proportions établies pour le Bureau international de l'Union postale universelle.

The expenses of the first meeting and of all subsequent meetings held before the League of Nations has been able to establish a general fund, other than the expenses of Delegates and their advisers, will be borne by the Members in accordance with the apportionment of the expenses of the International Bureau of the Universal Postal Union.

ARTICLE 425.

Addressing communications.

Jusqu'à ce que la Société des Nations ait été constituée toutes communications qui devraient être adressées, en vertu des articles précédents, au Secrétaire général de la Société seront conservées par le Directeur du Bureau international du travail, lequel en donnera connaissance au Secrétaire général.

ARTICLE 425.

Until the League of Nations has been constituted all communications which under the provisions of the foregoing Articles should be addressed to the Secretary-General of the League will be preserved by the Director of the International Labour Office, who will transmit them to the Secretary-General of the League.

ARTICLE 426.

Settlement of disputes.

Jusqu'à la création de la Cour permanente de justice internationale, les différends qui doivent lui être soumis en vertu de la présente Partie du présent Traité seront déférés à un tribunal formé de trois personnes désignées par le Conseil de la Société des Nations.

ARTICLE 426.

Pending the creation of a Permanent Court of International Justice, disputes which in accordance with this Part of the present Treaty would be submitted to it for decision will be referred to a tribunal of three persons appointed by the Council of the League of Nations.

ANNEXE.

First annual Labor Conference, 1919.

Première session de la Conférence du travail, 1919.

Place of meeting.

Le lieu de la Conférence sera Washington.

Le Gouvernement des Etats-Unis d'Amérique sera prié de convoquer la Conférence.

International Organizing Committee.

Le Comité international d'organisation sera composé de sept personnes désignées respectivement par les Gouvernements des Etats-Unis, de la Grande-Bre-

ANNEX.

First meeting of annual Labour Conference, 1919.

The place of meeting will be Washington.

The Government of the United States of America is requested to convene the Conference.

The International Organising Committee will consist of seven Members, appointed by the United States of America, Great Britain, France, Italy, Japan,

tagne, de la France, de l'Italie, du Japon, de la Belgique et de la Suisse. Le Comité pourra, s'il le juge nécessaire, inviter d'autres Membres à se faire représenter dans son sein.

L'ordre du jour sera le suivant:

1° Application du principe de la journée de 8 heures ou de la semaine de 48 heures.

2° Questions relatives aux moyens de prévenir le chômage et de remédier à ses conséquences.

3° Emploi des femmes:

a) Avant ou après l'accouchement (y compris la question de l'indemnité de maternité);
b) Pendant la nuit;
c) Dans les travaux insalubres.

4° Emploi des enfants:

a) Age d'admission au travail;
b) Travaux de nuit;
c) Travaux insalubres.

5° Extension et application des conventions internationales adoptées à Berne en 1906 sur l'interdiction du travail de nuit des femmes employées dans l'industrie et l'interdiction de l'emploi du phosphore blanc (jaune) dans l'industrie des allumettes.

Belgium and Switzerland. The Committee may, if it thinks necessary, invite other Members to appoint representatives.

Agenda: Agenda.

(1) Application of principle of the 8-hours day or of the 48-hours week.

(2) Question of preventing or providing against unemployment.

(3) Women's employment:

(a) Before and after childbirth, including the question of maternity benefit;

(b) During the night;
(c) In unhealthy processes.

(4) Employment of children:

(a) Minimum age of employment;
(b) During the night;
(c) In unhealthy processes.

(5) Extension and application of the International Conventions adopted at Berne in 1906 on the prohibition of night work for women employed in industry and the prohibition of the use of white phosphorus in the manufacture of matches.

Section II.

PRINCIPES GENERAUX.

ARTICLE 427.

Les Hautes Parties Contractantes, reconnaissant que le bien-être physique, moral et intellectuel des travailleurs salariés est d'une importance essentielle au point de vue international, ont établi pour parvenir à ce but élevé, l'organisme permanent prévu à la Section I et associé à celui de la Société des Nations.

Section II.

GENERAL PRINCIPLES. General principles.

ARTICLE 427.

The High Contracting Parties, recognising that the well-being, physical, moral and intellectual, of industrial wage-earners is of supreme international importance, have framed, in order to further this great end, the permanent machinery provided for in Section I and associated with that of the League of Nations.

Elles reconnaissent que les différences de climat, de moeurs et d'usages, d'opportunité économique et de tradition industrielle rendent difficile à atteindre, d'une manière immédiate, l'uniformité absolue dans les conditions du travail. Mais, persuadées qu'elles sont que le travail ne doit pas être considéré simplement comme un article de commerce, elles pensent qu'il y a des méthodes et des principes pour la réglementation des conditions du travail que toutes les communautés industrielles devraient s'efforcer d'appliquer, autant que les circonstances spéciales dans lesquelles elles pourraient se trouver, le permettraient.

They recognise that differences of climate, habits and customs, of economic opportunity and industrial tradition, make strict uniformity in the conditions of labour difficult of immediate attainment. But, holding as they do, that labour should not be regarded merely as an article of commerce, they think that there are methods and principles for regulating labour conditions which all industrial communities should endeavour to apply, so far as their special circumstances will permit.

Methods, etc.

Parmi ces méthodes et principes, les suivants paraissent aux Hautes Parties Contractantes être d'une importance particulière et urgente:

1. Le principe dirigeant ci-dessus énonce que le travail ne doit pas être considéré simplement comme une marchandise ou un article de commerce.

2. Le droit d'association en vue de tous objets non contraires aux lois, aussi bien pour les salariés que pour les employeurs.

3. Le payement aux travailleurs d'un salaire leur assurant un niveau de vie convenable tel qu'on le comprend dans leur temps et dans leur pays.

4. L'adoption de la journée de huit heures ou de la semaine de quarante-huit heures comme but à atteindre partout où il n'a pas encore été obtenu.

5. L'adoption d'un repos hebdomadaire de vingt-quatre heures au minimum, qui devrait comprendre le dimanche toutes les fois que ce sera possible.

Among these methods and principles, the following seem to the High Contracting Parties to be of special and urgent importance:

First.—The guiding principle above enunciated that labour should not be regarded merely as a commodity or article of commerce.

Second.—The right of association for all lawful purposes by the employed as well as by the employers.

Third.—The payment to the employed of a wage adequate to maintain a reasonable standard of life as this is understood in their time and country.

Fourth.—The adoption of an eight hours day or a forty-eight hours week as the standard to be aimed at where it has not already been attained.

Fifth.—The adoption of a weekly rest of at least twenty-four hours, which should include Sunday wherever practicable.

6. La suppression du travail des enfants et l'obligation d'apporter au travail des jeunes gens des deux sexes les limitations nécessaires pour leur permettre de continuer leur éducation et d'assurer leur développement physique.

7. Le principe du salaire égal, sans distinction de sexe, pour un travail de valeur égale.

8. Les règles édictées dans chaque pays au sujet des conditions du travail devront assurer un traitement économique équitable à tous les travailleurs résidant légalement dans le pays.

9. Chaque Etat devra organiser un service d'inspection, qui comprendra des femmes, afin d'assurer l'application des lois et règlements pour la protection des travailleurs.

Sans proclamer que ces principes et ces méthodes sont ou complets, ou définitifs, les Hautes Parties Contractantes sont d'avis qu'ils sont propres à guider la politique de la Société des Nations; et que, s'ils sont adoptés par les communautés industrielles qui sont membres de la Société des Nations, et s'ils sont maintenus intacts dans la pratique par un corps approprié d'inspecteurs, ils répandront des bienfaits permanents sur les salariés du monde.

Sixth.—The abolition of child labour and the imposition of such limitations on the labour of young persons as shall permit the continuation of their education and assure their proper physical development.

Seventh.—The principle that men and women should receive equal remuneration for work of equal value.

Eighth.—The standard set by law in each country with respect to the conditions of labour should have due regard to the equitable economic treatment of all workers lawfully resident therein.

Ninth.—Each State should make provision for a system of inspection in which women should take part, in order to ensure the enforcement of the laws and regulations for the protection of the employed.

Without claiming that these methods and principles are either complete or final, the High Contracting Parties are of opinion that they are well fitted to guide the policy of the League of Nations; and that, if adopted by the industrial communities who are Members of the League, and safeguarded in practice by an adequate system of such inspection, they will confer lasting benefits upon the wage-earners of the world.

Certificate.

Certified true copy.

E J PHELAN
Acting Director of the International Labour Office.

22 August 1934.

[SEAL]

Other related papers.

OTHER RELATED PAPERS

June 19, 1934.
Pub. Res. 43, 73d Congress.

[PUBLIC RESOLUTION—NO. 43—73D CONGRESS]

[S.J.Res. 131]

JOINT RESOLUTION

Providing for membership of the United States in the International Labor Organization.

International Labor Organization. Preamble.

Whereas progress toward the solution of the problems of international competition in industry can be made through international action concerning the welfare of wage earners; and

Vol. 48, p. 1182.

Whereas the failure of a nation to establish humane conditions of labor is an obstacle in the way of other nations which desire to maintain and improve the conditions in their own countries; and

Whereas the United States early recognized the desirability of international cooperation in matters pertaining to labor and took part in 1900 in establishing, and for many years thereafter supported, the International Association for Labor Legislation; and

Whereas the International Labor Organization has advanced the welfare of labor throughout the world through studies, recommendations, conferences, and conventions concerning conditions of labor; and

Whereas other nations have joined the International Labor Organization without being members of the League of Nations; and

Whereas special provision has been made in the constitution of the International Labor Organization by which membership of the United States would not impose or be deemed to impose any obligation or agreement upon the United States to accept the proposals of that body as involving anything more than recommendations for its consideration: Therefore be it

President authorized to accept membership therein.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to accept membership for the Government of the United States of America in the International Labor Organization, which, through its general conference of representatives of its members and through its International Labor Office, collects information concerning labor throughout the world and prepares international conventions for the consideration of member governments with a view to improving conditions of labor.

No obligation assumed under covenant of League of Nations.

SEC. 2. That in accepting such membership the President shall assume on behalf of the United States no obligation under the covenant of the League of Nations.

Approved, June 19, 1934.

The American Consul at Geneva (Gilbert) to the Director of the International Labor Office (Butler)

Note of American Consul at Geneva to Director of the International Labor Office.

AMERICAN CONSULAR SERVICE
Geneva, Switzerland, June 22, 1934.

HAROLD B. BUTLER, Esquire,
Director, the International Labor Office,
Geneva, Switzerland.

SIR:

I have the honor to enclose the text of a joint resolution of Congress signed by the President of the United States of America on June 19, 1934 which you may, if you so desire, make known to the International Labor Conference at present in session.

I am, my dear Mr. Butler,
Respectfully yours,

PRENTISS GILBERT.

Enclosure:
No. 1: Text of resolution.

The Director of the International Labor Office (Butler) to the American Consul at Geneva (Gilbert)

Note from Director transmitting invitation, etc.

INTERNATIONAL LABOUR OFFICE
LEAGUE OF NATIONS
Genève, 22 June 1934.

SIR,

With reference to your letter of to-day's date, I have the honour to inform you that the International Labour Conference adopted unanimously the Resolution, of which a copy certified by the President of the Conference is enclosed, inviting the Government of the United States of America to accept membership of the International Labour Organisation.

I should be glad if you would be good enough to transmit this invitation to your Government.

I have the honour to be, Sir,
Your obedient Servant,

HAROLD BUTLER

Mr. PRENTISS GILBERT,
American Consulate,
Geneva.

[Enclosure]

Resolution.

RESOLUTION

ADOPTED UNANIMOUSLY BY THE EIGHTEENTH SESSION OF THE INTERNATIONAL LABOUR CONFERENCE ON 22ND JUNE, 1934

Invitation to United States.

The International Labour Conference

takes note of the communication of 22 June 1934 addressed to the Director of the International Labour Office by the authorised representative of the Government of the United States of America,

heartily welcomes the decision of the Congress of the United States authorising the President to accept on behalf of the Government of the United States Membership in the International Labour Organisation, recalling that it has always been the firm conviction of the Organisation that its ends could be more effectively advanced if the Membership of the Organisation could be made universal,

hereby decides

to invite the Government of the United States to accept Membership in the International Labour Organisation it being understood that such acceptance involves only those rights and obligations provided for in the constitution of the Organisation and shall not involve any obligations under the Covenant of the League of Nations,

and further decides

That, in the event of the Government of the United States accepting Membership, the Governing Body is hereby authorised to arrange with the Government of the United States any questions arising out of its Membership including the question of its financial contribution.

CERTIFIED on behalf of the
Eighteenth International Labour Conference:
JUSTIN GODART
President.

Acceptance by United States.

The American Consul at Geneva (Gilbert) to the Director of the International Labor Office (Butler)

AMERICAN CONSULAR SERVICE
Geneva, Switzerland, August 20, 1934

HAROLD BUTLER, Esquire,
Director of the International Labor Office,
Geneva, Switzerland.

SIR:

In your letter to me of June 22, 1934 you advised that the International Labor Conference had unanimously adopted a resolution inviting the Government of the United States of America to accept membership in the International Labor Organization and there was transmitted with your letter a copy of the resolution, which in extending the invitation states "that such acceptance involves only those

rights and obligations provided for in the Constitution of the Organization and shall not involve any obligations under the Covenant of the League of Nations."

I am now writing to say that, exercising the authority conferred on him by a joint resolution of the Congress of the United States approved June 19, 1934, the President of the United States accepts the invitation heretofore indicated, such acceptance to be effective on August 20, 1934, and, of course, subject to understandings expressed in the Conference resolution, and has directed me to inform you accordingly.

Yours respectfully,

PRENTISS B. GILBERT

The Acting Director of the International Labor Office (Phelan) to the American Consul at Geneva (Gilbert)

Acknowledgment.

LEAGUE OF NATIONS — INTERNATIONAL LABOUR OFFICE

No. Do/61/6 — *Genève, 21, Aug. 1934*

SIR,

I have the honour to acknowledge the receipt of your letter of 20th August in which you inform the Director of the International Labour Office that the President of the United States of America, exercising the authority conferred on him by a joint resolution of the Congress of the United States approved June 19, 1934, accepts the invitation to assume Membership of the International Labour Organisation extended to the Government of the United States by the resolution adopted by the International Labour Conference of 22 June 1934, and communicated to you in the Director's letter of the same date.

I note that such acceptance is effective on August 20, 1934, and is subject to the understandings expressed in the Conference resolution.

I have the honour to be, Sir,

Your obedient Servant,

E. J. PHELAN
Acting Director.

PRENTISS GILBERT, Esq.,
American Consul,
3, rue du Mont-Blanc,
Geneva.

NOTE BY THE DEPARTMENT OF STATE

The membership of the International Labor Organization on August 20, 1934, consisted of the following countries: United States of America, Albania, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, British Empire, Bulgaria, Canada, Chile, China, Colombia, Cuba, Czechoslovakia, Denmark, Dominican Republic, Estonia, Ethiopia, Finland, France, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, India, Iran, Iraq, Irish Free State, Italy, Japan, Latvia, Liberia, Lithuania, Luxemburg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Poland, Portugal, Rumania, El Salvador, Siam, South Africa, Spain, Sweden, Switzerland, Turkey, Uruguay, Venezuela, Yugoslavia.

Universal Postal Union. Signed at Cairo, March 20, 1934; ratified and approved by the Postmaster General, September 13, 1934; approved by the President, October 4, 1934.

March 20, 1934.

UNION POSTALE UNIVERSELLE.

UNIVERSAL POSTAL UNION[1]

CONVENTION POSTALE UNIVERSELLE.

UNIVERSAL POSTAL CONVENTION

Universal Postal Convention.

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TITLE I

UNIVERSAL POSTAL UNION

CHAPTER I

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[1] English translation by Post Office Department.

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Universal Postal Convention.

CONVENTION POSTALE UNIVERSELLE

CONCLUE ENTRE

Contracting Powers.

L'AFGHANISTAN, l'UNION DE L'AFRIQUE DU SUD, l'ALBANIE, l'ALLEMAGNE, les ETATS-UNIS D'AMÉRIQUE, l'ensemble des POSSESSIONS INSULAIRES des ETATS-UNIS D'AMÉRIQUE autres que les ILES PHILIPPINES, les ILES PHILIPPINES, le ROYAUME DE L'ARABIE SAOUDITE, la RÉPUBLIQUE ARGENTINE, la COMMONWEALTH DE L'AUSTRALIE, l'AUTRICHE, la BELGIQUE, la COLONIE DU CONGO BELGE, la BOLIVIE, le BRÉSIL, la BULGARIE, le CANADA, le CHILI, la CHINE, la RÉPUBLIQUE DE COLOMBIE, la RÉPUBLIQUE DE COSTA-RICA, la RÉPUBLIQUE DE CUBA, le DANEMARK, la VILLE LIBRE DE DANZIG, la RÉPUBLIQUE DOMINICAINE, l'EGYPTE, l'EQUATEUR, l'ESPAGNE, l'ensemble des COLONIES ESPAGNOLES, l'ESTONIE, l'ETHIOPIE, la FINLANDE, la FRANCE, l'ALGÉRIE, les COLONIES ET PROTECTORATS FRANÇAIS DE L'INDOCHINE, l'ensemble des autres COLONIES FRANÇAISES, le ROYAUME-UNI DE LA GRANDE-BRETAGNE ET DE L'IRLANDE DU NORD, LA GRÈCE, le GUATÉMALA, la RÉPUBLIQUE D'HAÏTI, la RÉPUBLIQUE DU HONDURAS, la HONGRIE, l'INDE BRITANNIQUE, l'IRAQ, l'ETAT LIBRE D'IRLANDE, l'ISLANDE, l'ITALIE, l'ensemble des COLONIES ITALIENNES, le JAPON, le CHOSEN, l'ensemble des autres DÉPENDANCES JAPONAISES, la LETTONIE, les ETATS DU LEVANT SOUS MANDAT FRANÇAIS (SYRIE ET LIBAN), la RÉPUBLIQUE DE LIBÉRIA, la LITHUANIE, le LUXEMBOURG, le MAROC (à l'exclusion de la ZONE ESPAGNOLE), le MAROC (ZONE ESPAGNOLE), le MEXIQUE, le NICARAGUA, la NORVÈGE, la NOUVELLE-ZÉLANDE, la RÉPUBLIQUE DE PANAMA, le PARAGUAY, les PAYS-BAS, CURAÇAO et SURINAM, les INDES NÉER-

UNIVERSAL POSTAL CONVENTION

CONCLUDED BETWEEN

AFGHANISTAN, the UNION OF SOUTH AFRICA, ALBANIA, GERMANY, the UNITED STATES OF AMERICA, the whole of the INSULAR POSSESSIONS OF THE UNITED STATES OF AMERICA other than the PHILIPPINE ISLANDS, the PHILIPPINE ISLANDS, the KINGDOM OF SAUDI ARABIA, the ARGENTINE REPUBLIC, the COMMONWEALTH OF AUSTRALIA, AUSTRIA, BELGIUM, the COLONY OF THE BELGIAN CONGO, BOLIVIA, BRAZIL, BULGARIA, CANADA, CHILE, CHINA, the REPUBLIC OF COLOMBIA, the REPUBLIC OF COSTA RICA, the REPUBLIC OF CUBA, DENMARK, the FREE CITY OF DANZIG, the DOMINICAN REPUBLIC, EGYPT, ECUADOR, SPAIN, the whole of the SPANISH COLONIES, ESTONIA, ETHIOPIA, FINLAND, FRANCE, ALGERIA, the FRENCH COLONIES AND PROTECTORATES IN INDOCHINA, the whole of the other FRENCH COLONIES, the UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, GREECE, GUATEMALA, the REPUBLIC OF HAITI, the REPUBLIC OF HONDURAS, HUNGARY, BRITISH INDIA, IRAQ, the IRISH FREE STATE, ICELAND, ITALY, the whole of the ITALIAN COLONIES, JAPAN, CHOSEN, the whole of the other JAPANESE DEPENDENCIES, LATVIA, the STATES OF THE LEVANT UNDER FRENCH MANDATE (SYRIA AND LEBANON), the REPUBLIC OF LIBERIA, LITHUANIA, LUXEMBURG, MOROCCO (EXCEPT THE SPANISH ZONE), MOROCCO (SPANISH ZONE), MEXICO, NICARAGUA, NORWAY, NEW ZEALAND, the REPUBLIC OF PANAMA, PARAGUAY, the NETHERLANDS, CURAÇAO AND SURINAM, the DUTCH EAST INDIES, PERU, PERSIA, the PORTUGUESE COLONIES IN WEST AFRICA, the PORTUGUESE COLONIES IN EAST AF-

landaises, le Pérou, la Perse, la Pologne, le Portugal, les Colonies portugaises de l'Afrique occidentale, les Colonies portugaises de l'Afrique orientale, de l'Asie et de l'Océanie, la Roumanie, la République de Saint-Marin, la République de El Salvador, le Territoire de la Sarre, le Siam, la Suède, la Confédération Suisse, la Tchécoslovaquie, la Tunisie, la Turquie, l'Union des Républiques Soviétiques Socialistes, la République O. de l'Uruguay, l'Etat de la Cité du Vatican, les Etats-Unis de Vénézuela, l'Yémen et le Royaume de Yougoslavie.

Les soussignés, Plénipotentiaires des Gouvernements des Pays ci-dessus énumérés, s'étant réunis en Congrès au Caire en vertu de l'article 12 de la Convention postale universelle conclue à Londres le 28 juin 1929, ont, d'un commun accord et sous réserve de ratification, revisé ladite Convention conformément aux dispositions suivantes:

Titre I

DE L'UNION POSTALE UNIVERSELLE.

Chapitre I

ORGANISATION ET RESSORT DE L'UNION.

Article Premier

Constitution de l'Union.

Les Pays entre lesquels est conclue la présente Convention forment, sous la dénomination d'Union postale universelle, un seul territoire postal pour l'échange réciproque des correspondances.

L'Union postale a également pour objet d'assurer l'organisation et le perfectionnement des divers services postaux internationaux.

rica, in Asia and Oceania, Rumania, the Republic of San Marino, the Republic of El Salvador, the Saar Territory, Siam, Sweden, the Swiss Confederation, Czechoslovakia, Tunis, Turkey, the Union of Socialistic Soviet Republics, the Eastern Republic of Uruguay, the Vatican City State, the United States of Venezuela, Yemen, and the Kingdom of Yugoslavia.

The undersigned, plenipotentiaries of the Governments of the countries above enumerated, being assembled in Congress at Cairo by virtue of Article 12 of the Universal Postal Convention concluded at London on June 28, 1929, have, by common consent and subject to ratification, revised the said Convention to read as follows:

Vol. 46, p. 2532.

Title I

UNIVERSAL POSTAL UNION

Universal Postal Union.

Chapter I

ORGANIZATION AND EXTENT OF THE UNION

Article 1

Constitution of the Union

The countries between which the present Convention is concluded form, under the name of *Universal Postal Union*, a single postal territory for the reciprocal exchange of correspondence.

Constitution.

The purpose of the Postal Union is also to assure the organization and perfection of the various international postal services.

Purpose.

ARTICLE 2

Adhésions nouvelles. Procédure.

Adhesions.

Tout Pays est admis en tout temps à adhérer à la Convention.

Procedure.

L'adhésion doit être notifiée par voie diplomatique au Gouvernement de la Confédération Suisse et par celui-ci aux Gouvernements de tous les Pays de l'Union.

ARTICLE 3

Convention et Arrangements de l'Union.

Regular service governed hereby.

Le service de la poste aux lettres est réglé par les dispositions de la Convention.

Other services.

D'autres services, tels que ceux des lettres et des boîtes avec valeur déclarée, des colis postaux, des mandats de poste, des virements postaux, des valeurs à recouvrer et des abonnements aux journaux et écrits périodiques, font l'objet d'Arrangements entre Pays de l'Union.

Effect.

Ces Arrangements ne sont obligatoires que pour les Pays qui y ont adhéré.

Provisions governing.

L'adhésion à un ou plusieurs de ces Arrangements est soumise aux dispositions de l'article 2.

ARTICLE 4

Règlements d'exécution.

Executory regulations.
Post, p. 2802.

Les Administrations postales des Pays de l'Union arrêtent d'un commun accord, dans des Règlements d'exécution, les mesures d'ordre et de détail nécessaires à l'exécution de la Convention et des Arrangements.

ARTICLE 5

Traités et arrangements spéciaux. Unions restreintes.

Special treaties, etc.

1.—Les Pays de l'Union ont le droit de maintenir et de conclure des traités, ainsi que de maintenir et d'établir des Unions restreintes, en vue de la réduction des taxes ou de toute autre amélioration des relations postales.

ARTICLE 2

New adhesions. Procedure

Any country is permitted at any time to adhere to the Convention.

Notice of the adhesion shall be given thru diplomatic channels to the Government of the Swiss Confederation and by the latter to the Governments of all the countries of the Union.

ARTICLE 3

Convention and Agreements of the Union

The regular-mail service is governed by the provisions of the Convention.

Other services, such as those of insured letters and boxes, parcel post, money orders, postal checks, collection orders, and subscriptions to newspapers and periodicals, form the subject of Agreements between countries of the Union.

Such Agreements are binding only upon countries which have adhered to them.

Adhesion to one or more of those Agreements is subject to the provisions of Article 2.

ARTICLE 4

Regulations of Execution

The Postal Administration of the countries of the Union draw up, by mutual agreement, in the form of Regulations of Execution, the measures of order and detail necessary for the execution of the Convention and the Agreements.

ARTICLE 5

Special treaties and agreements. Restricted Unions

1. Countries of the Union have the right to maintain and conclude treaties, as well as to maintain and establish restricted Unions, with a view to the reduction of rates or any other improvement of postal relations.

2.—Dans les Pays où la législation ne s'y oppose pas, les Administrations sont autorisées à prendre entre elles les arrangements nécessaires au sujet des questions qui n'intéressent pas l'ensemble de l'Union, sous réserve de ne pas y introduire des dispositions moins favorables que celles qui sont prévues par les Actes de l'Union. Elles peuvent, notamment, en ce qui concerne les objets de correspondance, s'entendre pour l'adoption de taxes réduites.

ARTICLE 6

Législation intérieure.

Les stipulations de la Convention et des Arrangements de l'Union ne portent pas atteinte à la législation de chaque Pays dans tout ce qui n'est pas expressément prévu par ces Actes.

ARTICLE 7

Relations exceptionnelles.

Les Administrations qui desservent certains territoires non compris dans l'Union sont tenues d'être les intermédiaires des autres Administrations. Les dispositions de la Convention et de son Règlement sont applicables à ces relations exceptionnelles.

ARTICLE 8

Colonies, Protectorats, etc.

Sont considérés comme formant un seul Pays ou une seule Administration de l'Union, suivant le cas, au sens de la Convention et des Arrangements en ce qui concerne, notamment, leur droit de vote aux Congrès, aux Conférences et dans l'intervalle entre les réunions ainsi que leur contribution aux dépenses du Bureau international de l'Union postale universelle:

1° l'ensemble des Possessions insulaires des Etats-Unis d'Amérique, autres que les Iles Philippines, et comprenant Hawaï, Porto-Rico, Guam et les Iles Vierges des Etats-Unis d'Amérique;

2. Administrations of countries whose legislation does not oppose it are authorized to make the necessary agreements among themselves relative to questions which do not interest the whole of the Union, provided that they do not introduce any provisions less favorable than those laid down by the Acts of the Union. They may, in particular, with regard to articles of correspondence, make agreements for the adoption of reduced postage rates. Restricted Unions.

ARTICLE 6

Domestic legislation

The provisions of the Convention and Agreements of the Union do not affect the legislation of any country concerning anything which is not expressly provided for by those Acts. Domestic legislation not affected.

ARTICLE 7

Exceptional relations

Administrations which serve certain territories not comprised in the Union are bound to act as intermediary for the other Administrations. The provisions of the Convention and its Regulations are applicable to such exceptional relations. Exceptional relations.

ARTICLE 8

Colonies, Protectorates, etc. Colonies, protectorates, etc.

The following are considered as forming a single country or a single Administration of the Union, as the case may be, in the sense of the Convention and Agreements, particularly in regard to their right to vote in Congresses and Conferences and in the interval between meetings, as well as their contribution to the expenses of the International Bureau of the Universal Postal Union: Designated, considered as single countries or administrations.

1° The whole of the Insular Possessions of the United States of America other than the Philippine Islands, comprising Hawaii, Puerto Rico, Guam, and the Virgin Islands of the United States of America;

2° les Iles Philippines;
3° la Colonie du Congo belge;
4° l'ensemble des Colonies espagnoles;
5° l'Algérie;
6° les Colonies et Protectorats français de l'Indochine;
7° l'ensemble des autres Colonies françaises;
8° l'ensemble des Colonies italiennes;
9° le Chosen;
10° l'ensemble des autres Dépendances japonaises;
11° Curaçao et Surinam;
12° les Indes néerlandaises;
13° les Colonies portugaises de l'Afrique occidentale;
14° les Colonies portugaises de l'Afrique orientale, de l'Asie et de l'Océanie.

2° The Philippine Islands;
3° The Colony of the Belgian Congo;
4° The whole of the Spanish Colonies;
5° Algeria;
6° The French Colonies and Protectorates in Indochina;
7° The whole of the other French Colonies;
8° The whole of the Italian Colonies;
9° Chosen;
10° The whole of the other Japanese Dependencies;
11° Curaçao and Surinam;
12° The Dutch East Indies;
13° The Portuguese Colonies in West Africa;
14° The Portuguese Colonies in East Africa, Asia and Oceania.

ARTICLE 9

Application de la Convention aux Colonies, Protectorats, etc.

Application of Convention to colonies, protectorates, etc.

1.—Toute Partie contractante peut déclarer, soit au moment de sa signature, de sa ratification ou de son adhésion, soit ultérieurement, que l'acceptation par elle de la présente Convention comprend toutes ses Colonies, tous ses Territoires d'outre-mer, Protectorats ou Territoires sous suzeraineté ou sous mandat ou certains d'entre eux seulement. Ladite déclaration, à moins qu'elle ne soit faite au moment de la signature de la Convention, devra être adressée au Gouvernement de la Confédération Suisse.

Limitation.

2.—La Convention ne s'appliquera qu'aux Colonies, Territoires d'outre-mer, Protectorats ou Territoires sous suzeraineté ou sous mandat au nom desquels des déclarations auront été faites en vertu du § 1.

Application may be denounced.

3.—Toute Partie contractante peut en tout temps adresser au Gouvernement de la Confédération Suisse une notification en vue de dénoncer l'application de la Convention à toute Colonie, tout Territoire d'outre-mer, Protec-

ARTICLE 9

Application of the Convention to Colonies, Protectorates, etc.

1. Any contracting party may declare, either at the time of its signature, ratification or adhesion, or subsequently, that its acceptance of the present Convention includes all its colonies, oversea territories, protectorates and territories under suzerainty or mandate, or certain of them only. The said declaration, unless made at the time of signing the Convention, shall be addressed to the Government of the Swiss Confederation.

2. The Convention will apply only to the colonies, oversea territories, protectorates or territories under suzerainty or mandate in whose name declarations have been made by virtue of Section 1.

3. Any contracting party may at any time address to the Government of the Swiss Confederation a notification with a view to denouncing the application of the Convention to any colony, oversea territory, protectorate or terri-

torat ou Territoire sous suzeraineté ou sous mandat au nom duquel cette Partie a fait une déclaration en vertu du § 1. Cette notification produira ses effets un an après la date de sa réception par le Gouvernement de la Confédération Suisse.

4.—Le Gouvernement de la Confédération Suisse communiquera à toutes les Parties contractantes copie de chaque déclaration ou notification reçue en vertu des § § 1 à 3.

5.—Les dispositions du présent article ne s'appliquent à aucune Colonie, aucun Territoire d'outremer, aucun Protectorat ou Territoire sous suzeraineté ou sous mandat qui figure dans le préambule de la Convention.

tory under suzerainty or mandate in the name of which that party has made a declaration by virtue of Section 1. That notification will become effective one year after the date of its receipt by the Government of the Swiss Confederation.

4. The Government of the Swiss Confederation will transmit to all the contracting parties a copy of every declaration or notification received by virtue of Sections 1 to 3.

Territory excluded.

5. The provisions of the present Article do not apply to any colony, oversea territory, protectorate or territory under suzerainty or mandate enumerated in the Preamble of the Convention.

ARTICLE 10

Ressort de l'Union.

Sont considérés comme appartenant à l'Union postale universelle:

a) les bureaux de poste établis par des Pays de l'Union dans des territoires non compris dans l'Union;

b) la Principauté de Liechtenstein, comme relevant de l'Administration des postes de Suisse;

c) les Iles Féroë et le Groenland, comme faisant partie du Danemark;

d) les Possessions espagnoles de la côte septentrionale d'Afrique, comme faisant partie de l'Espagne;

e) les Vallées d'Andorre, comme desservies par l'Administration des postes espagnoles et l'Administration des postes françaises;

f) la Principauté de Monaco, comme relevant de l'Administration des postes de France;

g) Walfisch-Bay, comme faisant partie de l'Union de l'Afrique du Sud; Basutoland, comme relevant de l'Administration des postes de l'Union de l'Afrique du Sud.

ARTICLE 10

Extent of the Union

Offices comprehended.

The following are considered as belonging to the Universal Postal Union:

(*a*) The post offices established by countries of the Union in territories not included in the Union;

(*b*) The Principality of Liechtenstein, as belonging to the Postal Administration of Switzerland;

(*c*) The Faeroe Islands and Greenland, as forming part of Denmark;

(*d*) The Spanish possessions on the north coast of Africa, as forming part of Spain;

(*e*) The Valleys of Andorra, as served by the Spanish and French Postal Administrations;

(*f*) The Principality of Monaco, as belonging to the Postal Administration of France;

(*g*) Walvis Bay, as forming part of the Union of South Africa; Basutoland, as belonging to the Postal Administration of the Union of South Africa.

ARTICLE 11

Arbitrages.

Arbitration of disputes. By members.

1.—En cas de dissentiment entre deux ou plusieurs membres de l'Union relativement à l'interprétation de la Convention et des Arrangements ou de la responsabilité dérivant, pour une Administration, de l'application de ces Actes, la question en litige est réglée par jugement arbitral. A cet effet, chacune des Administrations en cause choisit un autre membre de l'Union qui n'est pas directement intéressé dans l'affaire.

By International Bureau on default.

Au cas où l'une des Administrations en désaccord ne donne pas suite à une proposition d'arbitrage dans le délai de six mois, ou de neuf mois pour les Pays éloignés, le Bureau international, si la demande lui en est faite, provoque à son tour la désignation d'un arbitre par l'Administration défaillante ou en désigne un lui-même, d'office.

Decision.

2.—La décision des arbitres est donnée à la majorité absolue des voix.

Tie vote, etc.

3.—En cas de partage des voix, les arbitres choisissent, pour trancher le différend, une autre Administration également désintéressée dans le litige.

A défaut d'une entente sur le choix, cette Administration est désignée par le Bureau international parmi les membres de l'Union non proposés par les arbitres.

Qualification of arbitrators.

4.—S'il s'agit d'un différend concernant l'un des Arrangements, les arbitres ne peuvent être désignés en dehors des Administrations qui exécutent cet Arrangement.

ARTICLE 12

Sortie de l'Union. Cessation de participation aux Arrangements.

Withdrawals, etc.

Chaque Partie contractante a la faculté de se retirer de l'Union ou de cesser sa participation aux Arrangements moyennant aver-

ARTICLE 11

Arbitration

1. In case of disagreement between two or more members of the Union as to the interpretation of the Convention and Agreements, or as to the responsibility imposed upon an Administration by the application of those Acts, the question in dispute is settled by arbitration. To that end, each of the Administrations concerned chooses another member of the Union which is not directly interested in the matter.

If one of the Administrations involved in the dispute does not take any action on a proposal for arbitration within a period of six months, or nine months in the case of distant countries, the International Bureau, if a request is made of it to that effect, calls upon the defaulting Administration to appoint an arbitrator, or appoints one itself officially.

2. The decision of the arbitrators is made on an absolute majority of votes.

3. In case of a tie vote, the arbitrators, for the purpose of settling the difference, choose another Administration which likewise has no interest in the dispute.

In case of disagreement as to a choice, that Administration is designated by the International Bureau from among the members of the Union not proposed by the arbitrators.

4. If it is a question of a dispute concerning one of the Agreements, only such Administrations as execute that Agreement may be designated as arbitrators.

ARTICLE 12

Withdrawal from the Union. Termination of participation in the Agreements

Any contracting party has the option of withdrawing from the Union or of ceasing to participate in the Agreements by notice given

tissement donné un an à l'avance par voie diplomatique au Gouvernement de la Confédération Suisse et par celui-ci aux Gouvernements des Pays contractants.

CHAPITRE II

CONGRÈS. CONFÉRENCES. COMMISSIONS.

ARTICLE 13

Congrès.

1.—Les délégués des Pays de l'Union se réunissent en Congrès au plus tard cinq ans après la date de mise à exécution des Actes du Congrès précédent, en vue de soumettre ces Actes à revision ou de les compléter, s'il y a lieu.

Chaque Pays se fait représenter au Congrès par un ou plusieurs délégués plénipotentiaires munis, par leur Gouvernement, des pouvoirs nécessaires. Il peut, au besoin, se faire représenter par la délégation d'un autre Pays. Toutefois, il est entendu qu'une délégation ne peut être chargée que de la représentation de deux Pays, y compris celui qui l'a primitivement accréditée.

Dans les délibérations, chaque Pays dispose d'une seule voix.

2.—Chaque Congrès fixe le lieu de réunion du Congrès suivant. Celui-c est convoqué par les soins du Gouvernement du Pays dans lequel il doit avoir lieu, après entente avec le Bureau international. Ce Gouvernement est également chargé de la notification à tous les Gouvernements des Pays de l'Union des décisions prises par le Congrès.

ARTICLE 14

Ratifications. Mise à exécution et durée des Actes des Congrès.

Les Actes des Congrès sont ratifiés aussitôt que possible et les ratifications sont communiquées au Gouvernement du Pays, siège du Congrès, et par ce Gouvernement aux Gouvernements des Pays contractants.

one year in advance thru diplomatic channels to the Government of the Swiss Confederation and by the latter to the Governments of the contracting countries.

CHAPTER II

CONGRESSES. CONFERENCES. COMMITTEES

ARTICLE 13

Congresses

Congresses.

Meetings.

1. Delegates from the countries of the Union meet in Congress not later than five years after the effective date of the Acts of the preceding Congress, with a view to revising or completing those Acts, if necessary.

Representatives.

Each country is represented at the Congress by one or more plenipotentiary delegates, provided with the necessary credentials by their Government. It may, if necessary, be represented by the delegation of another country. However, it is understood that a delegation may be charged with representing only two countries, including the one by which it was originally accredited.

Each country one vote.

In the deliberations, each country has but one vote.

Subsequent meeting place.

2. Each Congress fixes the meeting-place of the next Congress. The latter is called together by the Government of the country in which it is to be held, in consultation with the International Bureau. That Government is likewise charged with notifying all the Governments of the countries of the Union of the decisions made by the Congress.

ARTICLE 14

Ratifications. Entry into force and duration of the Acts of Congresses

Ratifications of Acts of Congresses.

The Acts of Congresses are ratified as soon as possible, and the ratifications are communicated to the Government of the country where the Congress was held, and by that Government to the Governments of the contracting countries.

Validity.

Dans le cas où une ou plusieurs des Parties contractantes ne ratifieraient pas l'un ou l'autre des Actes signés par elles, ceux-ci n'en seraient pas moins valables pour les Etats qui les auront ratifiés.

Effect and duration.

Ces Actes sont mis à exécution simultanément et ont la même durée.

Dès le jour fixé pour la mise à exécution des Actes adoptés par un Congrès, tous les Actes du Congrès précédent sont abrogés.

In case that one or more of the contracting countries do not ratify one or another of the Acts signed by them, the latter will nevertheless be valid for the countries which have ratified them.

Those Acts are put into effect simultaneously and have the same duration.

From the date fixed for the entry into force of the Acts adopted by a Congress, all the Acts of the preceding Congress are abrogated.

ARTICLE 15

Congrès extraordinaires.

Extraordinary sessions.

Lorsque la demande en est faite ou approuvée par les deux tiers au moins des Pays contractants, un Congrès extraordinaire est réuni après entente avec le Bureau international.

Rules applicable.

Les règles édictées aux articles 13 et 14 sont applicables aux délégations, aux délibérations et aux Actes des Congrès extraordinaires.

ARTICLE 15

Extraordinary Congresses

An extraordinary Congress is called together by agreement with the International Bureau when a request to that effect is made or approved by at least two-thirds of the contracting countries.

The rules laid down by Articles 13 and 14 are applicable to the delegations, the deliberations, and the Acts of extraordinary Congresses.

ARTICLE 16

Règlement des Congrès.

Regulations.

Chaque Congrès arrête le règlement nécessaire à ses travaux et à ses délibérations.

ARTICLE 16

Regulations for Congresses

Each Congress draws up the necessary regulations for its work and deliberations.

ARTICLE 17

Conférences.

Conferences on administrative questions.

Des Conférences chargées de l'examen de questions purement administratives peuvent être réunies à la demande ou avec l'assentiment des deux tiers au moins des Administrations de l'Union.

Elles sont convoquées après entente avec le Bureau international.

Chaque Conférence arrête son règlement.

ARTICLE 17

Conferences

Conferences charged with the examination of purely administrative questions may be called together at the request or with the consent of at least two-thirds of the Administrations of the Union.

They are called together by agreement with the International Bureau.

Each Conference draws up its own regulations.

ARTICLE 18

Commissions.

Committee meetings.

Les Commissions chargées par un Congrès ou une Conférence de l'étude d'une ou de plusieurs

ARTICLE 18

Committees

Committees charged by a Congress or a Conference with the study of one or more particular

questions déterminées sont convoquées par le Bureau international après entente, le cas échéant, avec l'Administration du Pays où ces Commissions doivent se réunir.

questions are called together by the International Bureau, in consultation, if necessary, with the Administration of the country where such Committees are to meet.

Chapitre III

PROPOSITIONS DANS L'INTERVALLE DES RÉUNIONS.

Article 19

Introduction des propositions.

Dans l'intervalle des réunions, toute Administration a le droit d'adresser aux autres Administrations, par l'intermédaire du Bureau international, des propositions concernant la Convention, son Protocole final et son Règlement.

Le même droit est accordé aux Administrations des Pays participant aux Arrangements en ce qui concerne ces Arrangements, leurs Règlements et leurs Protocoles finals.

Pour être mises en délibération, toutes les propositions introduites par une Administration dans l'intervalle des réunions doivent être appuyées par au moins deux autres Administrations. Ces propositions restent sans suite lorsque le Bureau international ne reçoit pas, en même temps, le nombre nécessaire de déclarations d'appui.

Article 20

Examen des propositions.

Toute proposition est soumise à la procédure suivante:

Un délai de six mois est laissé aux Administrations pour examiner la proposition et, le cas échéant, pour faire parvenir leurs observations au Bureau international. Les amendements ne sont pas admis. Les réponses sont réunies par les soins du Bureau international et communiquées aux Administrations avec invitation de se prononcer pour ou contre. Celles qui n'ont pas fait parvenir leur vote dans un délai de six mois sont considérées

Chapter III

PROPOSITIONS IN THE INTERVAL BETWEEN MEETINGS

Propositions between meetings.

Article 19

Introduction of proposition

In the interval between meetings any Administration has the right to address to the other Administrations, thru the intermediary of the International Bureau, propositions concerning the Convention, its Final Protocol, and its Regulations.

Submission of, by members.

The same right is accorded to the Administration of the countries participating in the Agreements in regard to those Agreements, their Regulations, and their Final Protocols.

In order to be considered, all propositions introduced by an Administration in the interval between meetings must be supported by at least two other Administrations. Such propositions are ignored when the International Bureau does not receive, at the same time, the necessary number of declarations of support.

Support necessary.

Article 20

Examination of propositions

Every proposition is submitted to the following procedure:

Procedure for considering.

A period of six months is allowed for the Administrations to examine the propositions and send in their observations, if any, to the International Bureau. Amendments are not admitted. The replies are assembled by the International Bureau and communicated to the Administrations, with an invitation to pronounce themselves for or against. Those which have not sent in their votes within a period of six months are considered as abstain-

comme s'abstenant. Les délais précités comptent à partir de la date des circulaires du Bureau international.

Si la proposition concerne un Arrangement, son Règlement ou leurs Protocoles finals, seules les Administrations ayant adhéré à cet Arrangement peuvent prendre part aux opérations indiquées ci-dessus.

ing. The periods above mentioned are counted from the dates of the circulars of the International Bureau.

If the proposition concerns an Agreement, its Regulations, or their Final Protocols, only the Administrations which have adhered to that Agreement may take part in the procedure indicated above.

ARTICLE 21

Conditions d'approbation.

Requirements.

1.—Pour devenir exécutoires, les propositions doivent réunir:

Unanimity of votes.

a) l'unanimité des suffrages, s'il s'agit de l'addition de nouvelles dispositions ou de la modification des dispositions des Titres I et II et des articles 33 à 37, 54 à 59, 61 à 63, 65 à 68, 70 à 82 de la Convention, de tous les articles de son Protocole final et des articles 101, 105, 116, 161, 171 et 192 de son Règlement

Two-thirds in certain cases.

b) les deux tiers des suffrages, s'il s'agit de la modification des dispositions autres que celles qui sont mentionnées à l'alinéa précédent;

Majority.

c) la majorité absolue, s'il s'agit de l'interprétation des dispositions de la Convention, de son Protocole final et de son Règlement, hors le cas de dissentiment à soumettre à l'arbitrage prévu à l'article 11.

Ante, p. 2750.

Conditions to be fixed.

2.—Les Arrangements fixent les conditions auxquelles est subordonnée l'approbation des propositions qui les concernent.

ARTICLE 21

Conditions of approval

1. In order to become effective, the propositions must obtain:

(*a*) Unanimity of votes, if it is a question of adding new provisions or modifying the provisions of Titles I and II or of Articles 33 to 37, 54 to 59, 61 to 63, 65 to 68, 70 to 82 of the Convention, of any of the Articles of its Final Protocol, or of Articles 101, 105, 116, 161, 171 and 192 of its Regulations;

(*b*) Two-thirds of the votes, if it is a question of modifying provisions other than those mentioned in the preceding paragraph;

(*c*) A simple majority, if it is a question of interpreting the provisions of the Convention, its Final Protocol or its Regulations, except in the case of disagreement to be submitted to arbitration as provided for by Article 11.

2. The Agreements fix the conditions to which the approval of propositions concerning them is subject.

ARTICLE 22

Notification des résolutions.

Notices of changes. From Swiss Confederation.

Les additions et les modifications apportées à la Convention, aux Arrangements et aux Protocoles finals de ces Actes sont consacrées par une déclaration diplomatique que le Gouvernement de la Confédération Suisse est chargé d'établir et de transmettre, à la demande du Bureau international, aux Gouvernements des Pays contractants.

ARTICLE 22

Notification of decisions

Additions to and modifications of the Convention, the Agreements and the Final Protocols of those Acts are sanctioned by a diplomatic declaration which the Government of the Swiss Confederation is charged with making up and transmitting, at the request of the International Bureau, to the Governments of the contracting countries.

Les additions et les modifications apportées aux Règlements et à leurs Protocoles finals sont constatées et notifiées aux Administrations par le Bureau international. Il en est de même des interprétations visées à l'article 21, § 1, lettre (*c*).

ARTICLE 23

Exécution des résolutions.

Toute addition ou modification adoptée n'est exécutoire que trois mois, au moins, après sa notification.

CHAPITRE IV

DU BUREAU INTERNATIONAL.

ARTICLE 24

Attributions générales.

1.—Un Office central, fonctionnant à Berne sous la dénomination de Bureau international de l'Union postale universelle, et placé sous la haute surveillance de l'Administration des postes suisses, sert d'organe de liaison, d'information et de consultation aux Pays de l'Union.

Ce Bureau est chargé, notamment, de réunir, de coordonner, de publier et de distribuer les renseignements de toute nature qui intéressent le service international des postes; d'émettre, à la demande des Parties en cause, un avis sur les questions litigieuses; d'instruire les demandes en modification des Actes du Congrès; de notifier les changements adoptés et, en général, de procéder aux études et aux travaux de rédaction ou de documentation que la Convention, les Arrangements et leurs Règlements lui attribuent ou dont il serait saisi dans l'intérêt de l'Union.

2.—Il intervient, à titre d'office de compensation, dans la liquidation des comptes de toute nature relatifs au service international des postes, entre les Administrations qui réclament cette intervention.

Additions to and modifications of the Regulations and their Final Protocols are drawn up and communicated to the Administrations by the International Bureau. The same applies to the interpretations contemplated in Article 21, Section 1, letter (*c*). From International Bureau.

ARTICLE 23

Effective date of decisions

No addition or modification adopted is effective until at least three months after its notification. Effective date.

CHAPTER IV

INTERNATIONAL BUREAU International Bureau.

ARTICLE 24

General functions

1. A central Office, operating at Berne under the name of *International Bureau of the Universal Postal Union*, and placed under the supervision of the Swiss Postal Administration, serves as an organ of liaison, information and consultation for the countries of the Union. Operating, as a central office.

That Bureau is charged, in particular, with assembling, coordinating, publishing and distributing information of all kinds concerning the international postal service; with giving, at the request of the interested parties, an opinion on questions in dispute; with making known requests for modification of the Acts of the Congress; with giving notice of the changes adopted; and, in general, with undertaking such studies and work in connection with editing and arranging material as the Convention, the Agreements and their Regulations may assign to it, or which may be entrusted to it in the interests of the Union. Functions, duties, etc.

2. It acts as a clearing-house for the settlement of accounts of all kinds relative to the international postal service, between Administrations requesting such intervention. Settling postal accounts.

ARTICLE 25

International Bureau expenses.

Dépenses du Bureau international.

Maximum, fixed by each Congress.

1.—Chaque Congrès arrête le chiffre maximum que peuvent atteindre annuellement les dépenses ordinaires du Bureau international.

Ces dépenses, ainsi que les frais extraordinaires auxquels donne lieu la réunion d'un Congrès, d'une Conférence ou d'une Commission, et les frais que pourraient entraîner des travaux spéciaux confiés à ce Bureau sont supportés en commun par tous les Pays de l'Union.

Proportionate share of expenses.

2.—Ceux-ci sont divisés, à cet effet, en 7 classes dont chacune contribue au payement des dépenses dans la proportion ci-après:

1re	classe,	25	unités
2e	"	20	"
3e	"	15	"
4e	"	10	"
5e	"	5	"
6e	"	3	"
7e	"	1	unité.

New adhesions.

3.—En cas d'adhésion nouvelle, le Gouvernement de la Confédération Suisse détermine, d'un commun accord avec le Gouvernement du Pays intéressé, la classe dans laquelle celui-ci doit être rangé au point de vue de la répartition des frais du Bureau international.

ARTICLE 25

Expenses of the International Bureau

1. Each Congress fixes the maximum figure for the ordinary annual expenses of the International Bureau.

Those expenses, as well as the extraordinary expenses arising from the meeting of a Congress, a Conference or a Committee, and the expenses incurred in connection with special work entrusted to that Bureau, are shared by all the countries of the Union.

2. The latter are divided, for that purpose, into 7 classes, each of which contributes to the payment of the expenses in the following proportion:

1st	class,	25	units
2d	"	20	"
3d	"	15	"
4th	"	10	"
5th	"	5	"
6th	"	3	"
7th	"	1	unit

3. In case of a new adhesion, the Government of the Swiss Confederation determines, by mutual agreement with the Government of the country concerned, the class in which the latter is to be placed for the apportionment of the expenses of the International Bureau.

TITRE II

General regulations.

RÉGLES D'ORDRE GENERAL

CHAPITRE UNIQUE

ARTICLE 26

Liberté de transit.

Liberty of transit.

1.—La liberté de transit est garantie dans le territoire entier de l'Union.

Limitations.

2.—La liberté du transit des colis postaux est limitée au territoire des Pays participant à ce service.

TITLE II

GENERAL REGULATIONS

SOLE CHAPTER

ARTICLE 26

Liberty of transit

1. Liberty of transit is guaranteed thruout the entire territory of the Union.

2. Liberty of transit for parcel post is limited to the territory of countries participating in that service.

Les envois avec valeur déclarée peuvent transiter en dépêches closes par le territoire des Pays qui n'assurent pas le service des envois de l'espèce ou par des services maritimes pour lesquels la responsabilité des valeurs n'est pas acceptée par les Pays, mais la responsabilité de ces Pays est limitée à celle qui est prévue pour les envois recommandés.

Le transit des petits paquets par les territoires des Pays qui n'admettent pas les envois de l'espèce est facultatif.

Insured articles may be sent in transit in closed mails thru the territory of countries which do not take part in such service, or by maritime services where responsibility for insured articles is not accepted by the countries, but the responsibility of those countries is limited to that prescribed for registered articles. Insured articles.

The transit of small packets thru the territory of countries which do not admit articles of that kind is optional. Optional transit of small packets through unauthorized territory.

ARTICLE 27

Interdiction de taxes non prévues.

Il est interdit de percevoir des taxes postales, de quelque nature que ce soit autres que celles qui sont prévues par la Convention et les Arrangements.

ARTICLE 27

Prohibition against unauthorized charges

It is forbidden to collect postal charges of any kind whatever other than those prescribed by the Convention and Agreements. Unauthorized charges forbidden.

ARTICLE 28

Suspension temporaire de services.

Lorsque, par suite de circonstances extraordinaires, une Administration se voit obligée de suspendre temporairement et d'une manière générale ou partielle l'exécution de services, elle est tenue d'en donner immédiatement avis, au besoin par télégraphe, à l'Administration ou aux Administrations intéressées.

ARTICLE 28

Temporary suspension of services

When, as a result of exceptional circumstances, an Administration finds itself obliged to suspend the execution of services temporarily, in whole or in part, it is bound to give notice thereof immediately, by telegraph if necessary, to the Administration or Administrations concerned. Temporary suspension provisions.

ARTICLE 29

Monnaie-type.

Le franc pris comme unité monétaire dans les dispositions de la Convention et des Arrangements est le franc-or à 100 centimes d'un poids de 10/31e de gramme et d'un titre de $0,_{900}$.

ARTICLE 29

Monetary standard

The franc used as the monetary unit in the provisions of the Convention and Agreements is the gold franc of 100 centimes weighing 10/31 of a gram and having a fineness of 0.900. Monetary unit.

ARTICLE 30

Equivalents.

Dans chaque Pays de l'Union, les taxes sont établies d'après une équivalence correspondant aussi exactement que possible, dans la monnaie de ce Pays, à la valeur du franc.

ARTICLE 30

Equivalents

In each country of the Union, the postage rates are fixed according to equivalents corresponding as exactly as possible to the value of the franc in the money of that country. Equivalent rates.

ARTICLE 31

Formules. Langue.

Forms.

1.—Les formules à l'usage des Administrations pour leurs relations réciproques doivent être rédigées en langue française, avec ou sans traduction interlinéaire dans une autre langue, à moins que les Administrations intéressées n'en disposent autrement par une entente directe.

Use of French language.

2.—Les formules à l'usage du public doivent comporter une traduction interlinéaire en langue française, lorsqu'elles ne sont pas imprimées en cette langue.

Texts, dimensions, etc.

3.—Les textes, couleurs et dimensions des formules dont il est question aux §§1 et 2 doivent être ceux que prescrivent les Règlements de la Convention et des Arrangements.

Official correspondence.

4.—Les Administrations peuvent s'entendre au sujet de la langue à employer pour la correspondance de service dans leurs relations réciproques.

ARTICLE 31

Forms. Language

1. The forms used by the Administrations in their reciprocal relations shall be drawn up in the French language, with or without an interlinear translation in another language, unless the Administrations concerned arrange otherwise by direct agreement.

2. The forms used by the public shall include an interlinear translation in the French language when they are not printed in that language.

3. The texts, colors and dimensions of the forms mentioned in Sections 1 and 2 shall be those prescribed by the Regulations of the Convention and of the Agreements.

4. Administrations may come to agreements as to the language to be employed for official correspondence in their reciprocal relations.

ARTICLE 32

Cartes d'identité.

Identity cards.

Issue, on application.

1.—Chaque Administration peut délivrer, aux personnes qui en font la demande, des cartes d'identité valables comme pièces justificatives pour toutes les transactions effectuées par les bureaux de poste des Pays qui n'auraient pas notifié leur refus de les admettre.

Charge therefor.

2.—L'Administration qui fait délivrer une carte d'identité est autorisée à percevoir, de ce chef, une taxe qui ne peut être supérieure à 1 franc.

Responsibility released on delivery.

3.—Les Administrations sont dégagées de toute responsabilité lorsqu'il est établi que la livraison d'un envoi postal ou le payement d'un mandat a eu lieu sur la présentation d'une carte d'identité régulière.

ARTICLE 32

Identity cards

1. Any Administration may issue, to persons who apply for them, identity cards valid as proof of identity for all post-office business in the countries which have not given notice of their refusal to admit them.

2. The Administration issuing an identity card is authorized to collect a charge therefor not exceeding 1 franc.

3. Administrations are released from all responsibility when it is proved that a mail article was delivered or a money order paid upon presentation of a valid identity card.

Elles ne sont pas, non plus, responsables des conséquences que peuvent entraîner la perte, la soustraction ou l'emploi frauduleux d'une carte d'identité régulière.

4.—La carte d'identité est valable pendant trois ans à partir du jour de son émission.

Neither are they responsible for the consequences of loss, theft or fraudulent use of a valid identity card.

4. The identity card is valid for three years from the date of issue. Validity.

TITRE III

DISPOSITIONS CONCERNANT LES CORRESPONDANCES POSTALES.

TITLE III

PROVISIONS CONCERNING POSTAL CORRESPONDENCE Correspondence.

CHAPITRE I

DISPOSITIONS GÉNÉRALES.

ARTICLE 33

Objets de correspondance.

La dénomination d'objets de correspondance s'applique aux lettres, aux cartes postales simples et avec réponse payée, aux papiers d'affaires, aux imprimés de toute nature, y compris les impressions en relief à l'usage des aveugles, aux échantillons de marchandises et aux petits paquets.

Le service des petits paquets est limité aux pays qui conviennent de l'assurer dans leurs relations réciproques ou dans une seule direction.

CHAPTER I

GENERAL PROVISIONS

ARTICLE 33

Articles of correspondence

The term *articles of correspondence* applies to letters, single and reply-paid post cards, commercial papers, prints of all kinds including raised print for the blind, samples of merchandise. and small packets. Articles of correspondence.

The service of small packets is limited to the countries which agree to execute it in their reciprocal relations or in one direction only. Small packets.

ARTICLE 34

Taxes et conditions générales.

1.—Les taxes d'affranchissement pour le transport des objets de correspondance dans toute l'étendue de l'Union, y compris leur remise au domicile des destinataires dans les pays où le service de distribution est ou sera organisé, ainsi que les limites de poids et de dimensions sont fixées conformément aux indications du tableau ci-après:

ARTICLE 34

Postage rates and general conditions

1. The postage rates for the transportation of articles of correspondence thruout the entire extent of the Union, including their delivery at the residence of the addressees in countries where the delivery service is or may be established, and the limits of weight and dimensions, are fixed in accordance with the indications of the following table: Rates of postage.

Table.
Limits of weight and of dimensions.

Objets	Unités de poids	Taxes	Limites de poids	Limites de dimensions
1	2	3	4	5
	g	c		Longueur, largeur et épaisseur additionnées: 90 cm., sans que la plus grande dimension puisse dépasser 60 cm.; en rouleaux: longueur et deux fois le diamètre: 100 cm., sans que la plus grande dimension puisse dépasser 80 cm.
Lettres: 1er échelon de poids	20	25	2 kg.	
Par échelon supplémentaire		15		
Cartes postales: Simples		15		Maxima: 15×10,5 cm. Minima: 10×7 cm.
Avec réponse payée		30		
Papiers d'affaires	50	5	2 kg.	
Minimum de taxe		25		
Imprimés	50	5	2 kg. (3 kg. pour les volumes expédiés isolément).	Comme pour les lettres.
Impressions en relief pour les aveugles	1000	3	5 kg.	Les imprimés expédiés à découvert sous forme de cartes pliées ou non pliées sont soumis aux mêmes limites minima que les cartes postales.
Echantillons de marchandises	50	5	500 g.	
Minimum de taxe		10		
Petits paquets	50	10	1 kg.	
Minimum de taxe		50		

Articles	Units of weight	Rates	Limits of— Weight	Limits of— Dimensions
1	2	3	4	5
	g	c		Length, breadth, and thickness combined, 90 cm.; but greatest length, 60 cm.; in rolls: length and twice the diameter, 100 cm.; but greatest length, 80 cm.
Letters: First unit of weight	20	25	2 kg.	
Each additional unit		15		
Post cards: Single		15		Maximum 15 by 10.5 cm.; minimum 10 by 7 cm.
With reply paid		30		
Commercial papers	50	5	2 kg.	
Minimum charge		25		
Prints	50	5	2 kg. (3 kg. for single volumes).	As for letters.
Raised print for the blind	1,000	3	5 kg.	Prints sent open in the form of folded or unfolded cards are subject to the same minimum limits as post cards.
Samples of merchandise	50	5	500 g.	
Minimum charge		10		
Small packets	50	10	1 kg.	
Minimum charge		50		

Franked matter not affected.

2.—Les limites de poids et de dimensions fixées au § 1 ne s'appliquent pas aux correspondances relatives au service postal, dont il est question à l'article 49, § 1, ci-après.

Post, p. 2768.

Newspapers and periodicals.

3.—Dans les relations avec les Administrations qui ont donné leur consentement, chaque Administration a la faculté de concéder aux journaux et écrits périodiques publiés dans son pays et expédiés directement par les éditeurs ou leurs mandataires, une réduction de 50% sur le tarif général des imprimés. Sont exclus de cette réduction, quelle que soit la régularité de leur publica-

Catalogs excluded.

2. The limits of weight and dimensions fixed by Section 1 do not apply to the correspondence relative to the postal service mentioned in Article 49, Section 1, hereafter.

3. In relations with Administrations which have given their consent, each Administration has the option of granting to newspapers and periodicals published in its country and sent directly by the publishers or their representatives, a reduction of 50 per cent in the general rate for prints. There are excluded from this reduction, regardless of the regularity of their publication, com-

tion, les imprimés commerciaux tels que catalogues, prospectus, prix courants, etc.

Les Administrations peuvent également, avec le consentement des Administrations destinataires, concéder la même réduction, quels que soient les expéditeurs, aux livres ainsi qu'aux brochures ou papiers de musique qui ne contiennent aucune publicité ou réclame autre que celle qui figure sur la couverture ou les pages de garde des volumes.

4.—Les envois autres que les lettres recommandées sous enveloppe close ne peuvent renfermer des pièces de monnaie, des billets de banque, des billets de monnaie ou des valeurs quelconques au porteur, du platine, de l'or ou de l'argent, manufacturés ou non, des pierreries, des bijoux et autres objets précieux.

5.—Les Administrations des pays d'origine et de destination ont la faculté de traiter, selon leur législation interne, les lettres qui contiennent des documents ayant la caractère de correspondance actuelle et personnelle à l'adresse de personnes autres que le destinataire ou les personnes habitant avec ce dernier.

6.—Sauf les exceptions prévues au Règlement, les papiers d'affaires, les imprimés de toute nature, les échantillons de marchandises et les petits paquets:

a) doivent être conditionnés de manière à pouvoir être facilement vérifiés;

b) ne peuvent porter aucune annotation ni contenir aucun document ayant le caractère de correspondance actuelle et personnelle;

c) ne peuvent contenir aucun timbre-poste, aucune formule d'affranchissement, oblitérés ou non, ni aucun papier représentatif d'une valeur.

7.—Les paquets d'échantillons de marchandises ne puevent renfermer aucun objet ayant une valeur marchande.

8.—La réunion en un seul envoi d'objets de correspondance de catégories différentes (objets

mercial prints such as catalogs, prospectuses, price lists, etc.

Books, sheet music, etc.

Administrations may also, with the consent of the Administrations of destination, grant the same reduction, irrespective of the senders, to books and pamphlets or sheet-music which do not contain any publicity or advertising matter other than that appearing on the covers or flyleaves of the volumes.

Letter restrictions.

4. Articles other than registered letters in sealed envelopes may not contain coins, banknotes, paper money or any values payable to the bearer; manufactured or unmanufactured platinum, gold or silver; precious stones, jewelry, or other precious articles.

Enclosures intended for other than addressee.

5. The Administrations of the countries of origin and destination have the option of treating, in accordance with their domestic legislation, letters which contain documents having the character of actual personal correspondence addressed to persons other than the addressee or persons residing with the latter.

Commercial papers, etc.

6. With the exceptions provided for in the Regulations, commercial papers, prints of all kinds, samples of merchandise, and small packets shall:

(*a*) be made up in such a way as to be able to be easily inspected;

(*b*) not bear any annotation or contain any document having the character of actual personal correspondence;

(*c*) not contain any postage stamp or form of prepayment, canceled or uncanceled, or any paper representing a value.

Samples to be without salable value.

7. Packages of samples of merchandise may not contain any article having a salable value.

Grouped articles.

8. The inclusion in a single package of articles of correspondence of different classes (grouped

groupés) est autorisée dans les conditions fixées par le Règlement.

Rejection, if not meeting requirements.

9.—Sauf les exceptions prévues par la Convention et son Règlement, il n'est pas donné cours aux envois qui ne remplissent pas les conditions requises par le présent article et par les articles correspondants du Règlement.

Return, etc.

Les objets qui auraient été admis à tort doivent être renvoyés à l'Administration d'origine. Toutefois, l'Administration de destination est autorisée à les remettre aux destinataires. Dans

Delivery, etc., charges.

ce cas, elle leur applique, s'il y a lieu, les taxes et surtaxes prévues pour la catégorie de correspondances dans laquelle les font placer leur contenu, leur poids ou leurs dimensions. En ce qui con-

Excess weight.

cerne les envois dépassant les limites de poids maxima fixées au § 1, ils peuvent être taxés d'après leur poids réel.

ARTICLE 35

Affranchissement.

Prepayment.

Articles included. *Ante*, p. 2759.

En règle générale, tous les envois désignés à l'article 33 doivent être complètement affranchis par l'expéditeur.

Unprepaid, etc., articles.

Il n'est pas donné cours aux envois non ou insuffisamment affranchis autres que les lettres et les cartes postales simples, ni aux cartes postales avec réponse payée dont les deux parties ne sont pas entièrement affranchies au moment du dépôt.

ARTICLE 36

Insufficiently prepaid matter.

Taxe en cas d'absence ou d'insuffisance d'affranchissement.

Liability to double charges. *Post*, p. 2836.

En cas d'absence ou d'insuffisance d'affranchissement et sauf les exceptions prévues par l'article 145, §§ 3, 4 et 5, du Règlement pour certaines catégories d'envois réexpédiés, les lettres et les cartes postales simples sont passibles, à la charge des destinataires, d'une taxe double du montant de l'affranchissement manquant, sans que cette taxe puisse être inférieure à 5 centimes.

articles) is authorized under the conditions fixed by the Regulations.

9. With the exceptions provided for by the Convention and its Regulations, articles which do not fulfill the conditions prescribed by the present Article and the corresponding Articles of the Regulations are not forwarded.

Articles which have been wrongly accepted shall be returned to the country of origin. However, the Administration of destination is authorized to deliver them to the addressees. In such a case, it applies to them, if need be, the rates and surcharges prescribed for the class of correspondence in which they have to be placed because of their contents, weight or dimensions. As for articles exceeding the maximum weight-limits fixed by Section 1, they may be rated in accordance with their actual weight.

ARTICLE 35

Prepayment

As a general rule, all the articles designated in Article 33 must be fully prepaid by the sender.

Articles other than letters and single post cards which are unprepaid or insufficiently prepaid, or reply post cards both halves of which are not fully prepaid at the time of mailing, are not dispatched.

ARTICLE 36

Charge on unprepaid or insufficiently prepaid correspondence

With the exceptions provided for by Article 145, Sections 3, 4 and 5 of the Regulations for certain classes of redirected articles, letters and single post cards not prepaid or insufficiently prepaid are liable to a charge equal to double the amount of the missing postage, to be paid by the addressee; but that charge may not be lower than 5 centimes.

Le même traitement peut être appliqué, dans les cas précités, aux autres objets de correspondance qui auraient été transmis à tort au pays de destination.

The same treatment may be applied, in the cases above contemplated, to other articles of correspondence which have been improperly dispatched to the country of destination.

Same treatment to missent, etc., matter.

ARTICLE 37

Surtaxes.

Pour tout objet transporté par des services extraordinaires donnant lieu à des frais spéciaux, il peut être perçu, en sus des taxes fixées par l'article 34, une surtaxe en rapport avec ces frais.

Lorsque le tarif d'affranchissement de la carte postale simple comprend la surtaxe autorisée par l'alinéa précédent, ce même tarif est applicable à chacune des parties de la carte postale avec réponse payée.

ARTICLE 37

Surcharges

Surcharges.

There may be collected, in addition to the rates fixed by Article 34, for every article transported by extraordinary services involving special expenses, a surcharge proportionate to those expenses.

Special services, etc.

Ante, p. 2759.

When the rate of prepayment of the single post card includes the surcharge authorized by the preceding paragraph, the same rate is applicable to each half of the reply-paid post card.

Reply-paid post cards.

ARTICLE 38

Taxes spéciales.

1.—Les Administrations sont autorisées à frapper d'une taxe additionelle, selon les dispositions de leur législation, les objets remis à leurs services d'expédition en dernière limite d'heure.

2.—Les objets adressés poste restante peuvent être frappés par les Administrations des pays de destination de la taxe spéciale qui serait prévue par leur législation pour les objets de même nature du régime interne.

3.—Les Administrations des pays de destination sont autorisées à percevoir une taxe spéciale de 50 centimes au maximum pour chaque petit paquet remis au destinataire. Cette taxe peut être augmentée de 25 centimes au maximum en cas de remise à domicile.

ARTICLE 38

Special charges

Special charges.

1. The Administrations are authorized to charge late fees in accordance with the provisions of their own legislation for articles posted in their services for dispatch after the mails have closed.

Post mailing.

2. Articles addressed to general delivery may be subjected by the Administrations of the countries of destination to such special charge as may be prescribed by their legislation for articles of the same kind in the domestic service.

General-delivery charges.

3. The Administrations of the countries of destination are authorized to levy a special charge of 50 centimes at most for each small packet delivered to the addressee. That charge may be increased by 25 centimes at most in case of delivery at the addressee's residence.

Levying delivery charge.

ARTICLE 39

Objets passibles de droits de douane.

Les petits paquets et les imprimés passibles de droits de douane sont admis.

ARTICLE 39

Dutiable articles

Dutiable articles.

Small packets and prints liable to customs duty are admitted.

Small packets.

Letters.

Il en est de même des lettres et des échantillons de marchandises contenant des objets passibles de droits de douane lorsque le pays de destination a donné son consentement.

Shipping serums, etc. *Post*, p. 2822.

Les envois de sérums et de vaccins, bénéficiant de l'exception stipulée à l'article 122 du Règlement, sont admis dans tous les cas.

ARTICLE 40

Contrôle douanier.

Customs inspection.

Officially opening articles for.

L'Administration du pays destinataire est autorisée à soumettre au contrôle douanier les envois cités à l'article 39 et, le cas échéant, à les ouvrir d'office.

ARTICLE 41

Droit de dédouanement.

Customs-clearance fee.

Service charge permitted.

Les envois soumis au contrôle douanier dans le pays de destination peuvent être frappés de ce chef, au titre postal, d'un droit de dédouanement de 50 centimes au maximum par envoi.

ARTICLE 42

Droits de douane et autres droits non postaux.

Non-postal charges.

Collecting, etc.

Les Administrations sont autorisées à percevoir, sur les destinataires des envois, les droits de douane et tous autres droits non postaux éventuels.

ARTICLE 43

Envois francs de droits.

Prepayment of customs duty.

Sender permitted to assume.

1.—Dans les relations entre les pays qui se sont déclarés d'accord à cet égard, les expéditeurs peuvent prendre à leur charge, moyennant déclaration préalable au bureau de départ, la totalité des droits postaux et non postaux dont les envois sont grevés à la livraison.

Surety to be posted.

Dans ce cas, les expéditeurs doivent s'engager à payer les sommes qui pourraient être réclamées par le bureau destinataire, et, le cas échéant, verser des arrhes suffisantes.

The same applies to letters and samples of merchandise containing dutiable articles when the country of destination has given its consent.

Shipments of serums and vaccines, benefiting by the exception stipulated by Article 122 of the Regulations, are admitted in all cases.

ARTICLE 40

Customs inspection

The Administration of the country of destination is authorized to submit the articles mentioned in Article 39 to customs inspection and, if necessary, to open them officially.

ARTICLE 41

Customs-clearance fee

Articles submitted to customs inspection in the country of destination may be charged on that account, by the postal service, with a customs-clearance fee of 50 centimes at most per article.

ARTICLE 42

Customs duties and other non-postal charges

The Administrations are authorized to collect from the addressees of mail articles the customs duties and all other non-postal charges which may be due.

ARTICLE 43

Prepayment of customs duty, etc.

1. In relations between countries which have come to an agreement to that effect, senders may, by means of a previous declaration at the office of mailing, assume payment of the whole of the postal and non-postal charges with which the articles are assessed on delivery.

In such a case, senders must promise to pay such amounts as may be claimed by the office of destination, and, if need be, post sufficient surety.

L'Administration destinataire est autorisée à percevoir un droit de commission qui ne peut dépasser 50 centimes par envoi. Ce droit est indépendant de celui qui est prévu à l'article 41.

2.—Toute Administration a le droit de limiter le service des envois francs de droits aux objets recommandés.

The Administration of destination is authorized to collect a commission fee which may not exceed 50 centimes per article. This fee is independent of the one provided for by Article 41.

2. Any Administration has the right to limit this prepayment service to registered articles.

Commission allowed.

Ante, p. 2764.

Limitation.

ARTICLE 44

Annulation des droits de douane et autres droits non postaux.

Les Administrations s'engagent à intervenir auprès des services intéressés de leur pays pour que les droits de douane et autres droits non postaux soient annulés sur les envois renvoyés au pays d'origine, détruits pour cause d'avarie complète du contenu ou réexpédiés sur un tiers pays.

ARTICLE 44

Cancelation of customs duty and other non-postal charges

The Administrations undertake to make representations to the interested services of their countries with a view to having the customs duties and other non-postal charges annulled on articles returned to the country of origin, destroyed because of complete deterioration of the contents, or forwarded to a third country.

Cancelation of duty in certain cases.

ARTICLE 45

Envois exprès.

1.—Les objets de correspondance sont, à la demande des expéditeurs, remis à domicile par porteur spécial immédiatement après l'arrivée, dans les pays dont les Administrations consentent à se charger de ce service dans leurs relations réciproques.

2.—Ces envois, qualifiés "exprès", sont soumis, en sus du port ordinaire, à une taxe spéciale s'élevant au minimum au double de l'affranchissement d'une lettre ordinaire de port simple et au maximum à 70 centimes. Cette taxe doit être acquittée complètement et à l'avance par l'expéditeur.

3.—Lorsque le domicile du destinataire se trouve en dehors du rayon de distribution locale du bureau de destination, la remise par exprès peut donner lieu à la perception d'une taxe complémentaire jusqu'à concurrence de celle qui est fixée dans le service interne.

La remise par exprès n'est toutefois pas obligatoire dans ce cas.

ARTICLE 45

Special-delivery articles

Special delivery.

1. Articles of correspondence are, at the request of the senders, delivered to the addressees by special messenger immediately after their arrival, in countries whose Administrations agree to undertake that service in their reciprocal relations.

Reciprocal service.

2. Such articles, known as *special-delivery articles*, are liable, in addition to the regular postage, to a special fee amounting at least to double the postage on an ordinary single-rate letter, and at most to 70 centimes. This fee must be fully prepaid by the sender.

Special fee permitted.

Prepayment.

3. When the addressee's residence is situated outside the local delivery zone of the office of destination, delivery by special messenger may give rise to the collection of a supplementary charge not exceeding that collected in the domestic service.

Supplementary charge.

However, special delivery is not obligatory in such cases.

Discretionary delivery.

Ordinary delivery, if not fully prepaid.

4.—Les objets exprès non complètement affranchis pour le montant total des taxes payables à l'avance sont distribués par les moyens ordinaires, à moins qu'ils n'aient été traités comme exprès par le bureau d'origine. Dans ce dernier cas, les envois sont taxés d'après les dispositions de l'article 36.

Rate.
Ante, p. 2762.

Discretionary delivery.

5.—Il est loisible aux Administrations de s'en tenir à un seul essai de remise par exprès. Si cet essai est infructueux, l'objet peut être traité comme un envoi ordinaire.

4. Special-delivery articles upon which the total amount of the charges payable in advance has not been prepaid are delivered by the ordinary means, unless they have been treated as special-delivery articles by the office of origin. In the latter case, the articles are rated in accordance with the provisions of Article 36.

5. It is permissible for Administrations to make only one attempt to deliver by special messenger. If such attempt is unsuccessful, the article may be treated as an ordinary article.

ARTICLE 46

Prohibitions.

Interdictions.

Articles forbidden.

1.—L'expédition des objets visés dans la colonne 1 du tableau ci-après est interdite. Lorsque ces objets ont été admis à tort à l'expédition, ils doivent subir le traitement indiqué dans la colonne 2.

ARTICLE 46

Prohibitions

1. The sending of the articles mentioned in Column 1 of the table below is prohibited. When such articles have been wrongly accepted for mailing, they shall undergo the treatment indicated in Column 2.

Objets 1	Traitement des envois admis à tort 2
a) Les objets qui, par leur nature ou leur emballage, peuvent présenter du danger pour les agents, salir ou détériorer les correspondances; *b*) les objets passibles de droits de douane (sauf les exceptions prévues à l'article 39) ainsi que les échantillons expédiés en nombre en vue d'éviter la perception de ces droits; *c*) l'opium, la morphine, la cocaïne et autres stupéfiants; *d*) les objets dont l'admission ou la circulation est interdite dans le pays de destination;	à traiter selon les règlements intérieurs de l'Administration qui en constate la présence; toutefois, les objets visés sous *c*) ne sont en aucun cas ni acheminés à destination, ni délivrés aux destinataires, ni renvoyés à l'origine;
e) les matières explosibles, inflammables ou dangereuses; *f*) les objets obscènes ou immoraux;	à détruire sur place par l'Administration qui en constate la présence;
g) les animaux vivants, à l'exception des abeilles, des sangsues et des vers à soie.	à renvoyer au pays d'origine; toutefois, si leur présence n'est constatée que par l'Administration de destination, celle-ci est autorisée à les remettre aux destinataires, aux conditions prévues par ses règlements intérieurs.

Articles 1	Treatment of articles wrongly accepted 2
(*a*) Articles which, by their nature or packing, may expose postal employees to danger, or soil or damage the mails; (*b*) Articles liable to customs duty (with the exceptions provided for by Article 39), as well as samples sent in quantities for the purpose of avoiding the collection of such duty; (*c*) Opium, morphine, cocaine, and other narcotics; (*d*) Articles whose admission or circulation is prohibited in the country of destination;	To be treated in accordance with the domestic regulations of the Administration which discovers their presence; however, the articles mentioned under (c) are in no case either forwarded to destination, delivered to the addresses or returned to origin;
(*e*) Explosive, inflammable or dangerous substances; (*f*) Obscene or immoral articles;	To be destroyed on the spot by the Administration which discovers their presence;
(*g*) Live animals, with the exception of bees, leeches, and silk worms.	To be returned to the country of origin; however, if their presence is discovered only by the Administration of destination, the latter is authorized to deliver them to the addressees, under the conditions prescribed by its domestic regulations.

2.—Dans les cas où des envois admis à tort à l'expédition ne seraient ni renvoyés à l'origine, ni remis au destinataire, l'Administration expéditrice doit être informée, d'une manière précise, du traitement appliqué à ces envois.

3.—Est d'ailleurs réservé le droit de tout pays de ne pas effectuer, sur son territoire, le transport en transit à découvert des objets autres que les lettres et les cartes postales, à l'égard desquels il n'a pas été satisfait aux dispositions légales qui règlent les conditions de leur publication ou de leur circulation dans ce pays.

Ces objets doivent être renvoyés à l'Administration d'origine.

ARTICLE 47

Modalités d'affranchissement.

1.—L'affranchissement est opéré, soit au moyen de timbres-poste valables dans le pays d'origine pour la correspondance des particuliers, soit au moyen d'empreintes de machines à affranchir, officiellement adoptées et fonctionnant sous le contrôle immédiat de l'Administration ou, en ce qui concerne les imprimés, au moyen d'empreintes à la presse d'imprimerie ou par un autre procédé lorsqu'un tel système d'impression est autorisé par les règlements intérieurs de l'Administration d'origine.

2.—Sont considérés comme dûment affranchis: les cartes-réponse portant, imprimés ou collés, des timbres-poste du pays d'émission de ces cartes, les envois régulièrement affranchis pour leur premier parcours et dont le complément de taxe a été acquitté avant leur réexpédition, ainsi que les journaux ou paquets de journaux et écrits périodiques dont la suscription porte la mention " Abonnements-poste " et qui sont expédiés en vertu de l'Arrangement concernant les abonnements aux journaux et écrits périodiques.

2. In cases where articles wrongly accepted for mailing are neither returned to origin nor delivered to the addressee, the dispatching Administration shall be notified, in a precise manner, of the disposal made of such articles. Wrongly accepted articles.

3. Moreover, the right is reserved for any country not to convey in transit in open mail over its territory articles other than letters and post cards in regard to which the legal provisions regulating the conditions of their publication or circulation in that country have not been observed. Right reserved as to publications.

Such articles shall be returned to the country of origin.

ARTICLE 47

Methods of prepayment

1. Prepayment of postage is effected either by means of postage stamps valid in the country of origin for the correspondence of private individuals, or by means of impressions of stamping machines officially adopted and operating under the immediate control of the Administration; or, in the case of prints, by means of impressions, printed or otherwise obtained, when such a system of indicia is authorized by the domestic regulations of the Administration of origin. Methods of prepayment.

2. The following are considered as duly prepaid: Reply post cards bearing printed or adhesive postage stamps of the country of issue of such cards; articles regularly prepaid for their first transmission on which the additional postage has been paid before their redirection; as well as newspapers or packages of newspapers and periodicals whose address bears the words *Abonnements-poste* (Subscription by mail) which are sent under the Agreement concerning subscriptions to newspapers and periodicals. Articles included.

ARTICLE 48

Affranchissement des correspondances à bord des navires.

Ship postage requirements.

Les correspondances déposées en pleine mer dans la boîte d'un navire ou entre les mains des agents des postes embarqués ou des commandants de navires peuvent être affranchies, sauf arrangement contraire entre les Administrations intéressées, au moyen de timbres-poste et d'après le tarif du pays auquel appartient ou dont dépend ledit navire. Si le dépôt à bord a lieu pendant le stationnement aux deux points extrêmes du parcours ou dans l'une des escales intermédiaires, l'affranchissement n'est valable que s'il est effectué au moyen de timbres-poste et d'après le tarif du pays dans les eaux duquel se trouve le navire.

ARTICLE 48

Prepayment of correspondence on board ships

Correspondence mailed on the high seas, in the box on board a vessel, or handed to postal agents on board or to the commanders of vessels, may be prepaid, barring contrary agreement between the Administrations concerned, by means of the postage stamps and according to the postage rates of the country to which the said vessel belongs or by which it is maintained. If the mailing on board takes place during the stay at one of the two terminal points of the voyage or at one of the ports of call, the prepayment is valid only if it is effected by means of the postage stamps and according to the postage rates of the country in whose waters the vessel happens to be.

ARTICLE 49

Franchise postale.

Franking privilege.

1.—Sont exonérées de toutes taxes postales les correspondances relatives au service postal échangées entre les Administrations des postes, entre ces Administrations et le Bureau international, entre les bureaux de poste des pays de l'Union, et entre ces bureaux et les Administrations ainsi que celles dont le transport en franchise est expressément prévu par les dispositions de la Convention, des Arrangements et de leurs Règlements.

Mail for prisoners of war.

2.—Les correspondances, à l'exception des envois grevés de remboursement, destinées aux prisonniers de guerre ou expédiées par eux sont également exonérées de toutes taxes postales, aussi bien dans les pays d'origine et de destination que dans les pays intermédiaires.

Il en est de même des correspondances concernant les prisonniers de guerre, expédiées ou reçues, soit directement, soit à titre d'intermédiaire, par les bureaux de renseignements qui se-

ARTICLE 49

Franking privilege

1. Correspondence relating to the postal service exchanged between Postal Administrations, between those Administrations and the International Bureau, between post offices of countries of the Union, and between those offices and the Administrations, as well as that for which the franking privilege is expressly provided by the stipulations of the Convention, the Agreements and their Regulations, is exempt from all postal charges.

2. Correspondence, with the exception of C. O. D. articles, addressed to prisoners of war or mailed by them, is likewise exempt from all postal charges, not only in the countries of origin and destination but also in intermediate countries.

The same is true of correspondence concerning prisoners of war, sent or received either directly or as intermediary by the information offices which may be established on behalf of such persons in

raient établis éventuellement pour ces personnes dans des pays belligérants ou dans les pays neutres ayant recueilli des belligérants sur leur territoire.

Les belligérants recueillis et internés dans un pays neutre sont assimilés aux prisonniers de guerre proprement dits en ce qui concerne l'application des dispositions ci-dessus.

belligerent countries or in neutral countries which have received belligerents on their territory.

Belligerents received and interned in a neutral country are assimilated to prisoners of war properly so called, insofar as the application of the above provisions is concerned.

Belligerents interned in neutral country.

ARTICLE 50

Coupons-réponse.

Des coupons-réponse sont mis en vente dans les pays de l'Union.

Le prix de vente en est déterminé par les Administrations intéressées, mais ne peut être inférieur à 35 centimes ou à l'équivalent dans la monnaie du pays de débit.

Chaque coupon est échangeable dans tout pays contre un timbre ou des timbres représentant l'affranchissement d'une lettre ordinaire de port simple originaire de ce pays à destination de l'étranger.

Est, en outre, réservée à chaque pays la faculté d'exiger le dépôt simultané des coupons-réponse et des envois de correspondance à affranchir en échange de ces coupons.

ARTICLE 50

Reply coupons

Reply coupons.

Reply coupons are placed on sale in the countries of the Union.

Sale authorized.

Their selling-price is determined by the interested Administrations, but may not be less than 35 centimes or the equivalent in money of the country selling them.

Each coupon is exchangeable in any country for a stamp or stamps representing the postage on a single-rate ordinary letter originating in that country and addressed to a foreign country.

Exchangeability.

Moreover, the right is reserved for any country to require that the reply coupons and the articles of correspondence for the prepayment of which they are to be exchanged be presented at the same time.

Use of, reserved.

ARTICLE 51

Retrait. Modification d'adresse.

1.—L'expéditeur d'un objet de correspondance peut le faire retirer du service ou en faire modifier l'adresse tant que cet objet n'a pas été livré au destinataire.

2.—La demande à formuler à cet effet est transmise, par voie postale ou par voie télégraphique, aux frais de l'expéditeur qui doit payer, pour toute demande par voie postale, la taxe applicable à une lettre recommandée de port simple et, pour toute demande par voie télégraphique, la taxe du télégramme.

ARTICLE 51

Withdrawal. Change of address

Withdrawal, etc.

1. The sender of an article of correspondence may cause it to be withdrawn from the mails or have its address changed, provided that such article has not been delivered to the addressee.

Right of sender, before delivery.

2. The request to be made to that effect is sent by mail or by telegraph at the expense of the sender, who shall pay, for every request by mail, the charge applicable to a single-rate registered letter; and, for every request by telegraph, the charge for the telegram.

Charge for request, etc.

Si la demande de retrait ou de modification d'adresse concerne plusieurs envois remis simultanément au même bureau par le même expéditeur à l'adresse du même destinataire, l'expéditeur paie, pour toute demande postale, la taxe applicable à une seule lettre recommandée de port simple et, pour toute demande télégraphique, la taxe du télégramme contenant les données de tous les envois visés.

If the request for withdrawal or modification of address relates to several articles mailed simultaneously at the same office by the same sender addressed to the same addressee, the sender pays, for every request by mail, the charge applicable to one single-rate registered letter; and, for every request by telegraph, the charge for the telegram containing the particulars of all the articles contemplated.

ARTICLE 52

ARTICLE 52

Forwarding.

Réexpédition. Rebuts.

Forwarding. Undelivered correspondence

In case of change of address.

1.—En cas de changement de résidence du destinataire, les objets de correspondance lui sont réexpédiés, à moins que l'expéditeur n'ait interdit la réexpédition par une annotation portée sur la suscription en une langue connue dans le pays de destination.

1. In case of change of residence by the addressee, articles of correspondence are forwarded to him, unless the sender has forbidden the forwarding by a notation placed on the address side in a language known in the country of destination.

Undeliverable correspondence.

2.—Les correspondances tombées en rebut doivent être renvoyées immédiatement au pays d'origine.

2. Correspondence which is undeliverable shall be returned immediately to the country of origin.

General delivery, etc.

3.—Le délai de conservation des correspondances gardées en instance à la disposition des destinataires ou adressées poste restante est fixé par les règlements du pays de destination. Toutefois, ce délai ne peut dépasser, en règle générale, deux mois, sauf dans des cas particuliers où l'Administration de destination juge nécessaire de le prolonger jusqu'à quatre mois au maximum. Le renvoi au pays d'origine doit avoir lieu dans un délai plus court, si l'expéditeur l'a demandé par une annotation portée sur la suscription en une langue connue dans le pays de destination.

3. The period of retention for correspondence held at the disposal of the addressees or addressed to general delivery is fixed by the regulations of the country of destination. However, such period may not exceed two months as a general rule, except in particular cases where the Administration of destination deems it necessary to extend it to four months at most. The return to the country of origin must take place within a shorter period, if the sender has so requested by a notation placed on the address side in a language known in the country of destination.

Prints without value.

4.—Les imprimés dénués de valeur ne sont pas renvoyés, sauf si l'expéditeur en a demandé le retour par une annotation portée sur l'envoi. Les imprimés recommandés doivent toujours être renvoyés.

4. Prints without value are not returned, unless the sender has requested their return by a notation placed on the article. Registered prints shall always be returned.

No extra charge for forwarding, etc.

5.—La réexpédition d'objets de correspondance de pays à pays ou leur renvoi au pays d'origine ne donne lieu à la perception d'aucun

5. The forwarding of articles of correspondence from country to country, or their return to the country of origin, does not give

supplément de taxe, sauf les exceptions prévues au Règlement.

6.—Les objets de correspondance qui sont réexpédiés ou tombés en rebut sont livrés aux destinataires ou aux expéditeurs contre payement des taxes dont ils ont été grevés au départ, à l'arrivée ou en cours de route par suite de réexpédition au delà du premier parcours, sans préjudice du remboursement des droits de douane ou autres frais spéciaux dont le pays de destination n'accorde pas l'annulation.

7.—En cas de réexpédition sur un autre pays ou de non-remise, la taxe de poste restante, le droit de dédouanement, le droit de commission, la taxe complémentaire d'exprès et le droit spécial de remise aux destinataires des petits paquets sont annulés.

rise to the collection of any additional charge, apart from the exceptions provided for by the Regulations.

Returned or forwarded articles.

6. Forwarded or returned articles of correspondence are delivered to the addressees or senders upon payment of the charges due on them on departure, on arrival, or in the course of transmission, as a result of redirection after the first transmission, without prejudice to the repayment of the customs duties or other special charges which the country of destination does not agree to cancel.

General-delivery, etc., fees canceled.

7. In case of forwarding to another country, or of non-delivery, the general-delivery fee, the customs-clearance fee, the commission fee, the additional special-delivery fee, and the special fee for the delivery of small packets to the addressees, are canceled.

ARTICLE 53

Réclamations.

1.—La réclamation de tout envoi peut donner lieu à la perception d'un droit de 50 centimes au maximum.

Ce droit est perçu pour chaque envoi, même si la réclamation concerne plusieurs envois déposés simultanément par le même expéditeur à l'adresse du même destinataire.

En ce qui concerne les envois recommandés, aucun droit n'est perçu si l'expéditeur a déjà acquitté le droit spécial pour un avis de réception.

2.—Les réclamations ne sont admises que dans le délai d'un an à compter du lendemain du dépôt de l'envoi.

Chaque Administration est, toutefois, tenue de donner suite aux simples demandes de renseignements, introduites après ce délai, dont elle est saisie par une autre Administration au sujet d'envois expédiés depuis moins de deux ans.

3.—Chaque Administration est obligée d'accepter les réclamations

ARTICLE 53

Inquiries

Inquiries.

Fees authorized.

1. An inquiry as to the disposal made of any article may give rise to the collection of a fee of 50 centimes at most.

That fee is collected for each article, even if the inquiry relates to several articles mailed simultaneously by the same sender addressed to the same addressee.

As for registered articles, no fee is collected if the sender has already paid the special fee for a return receipt.

Time limit for.

2. Inquiries are accepted only within the period of one year, counting from the day following that of mailing of the article.

However, every Administration is bound to comply with simple requests for information presented after that period which it receives from another Administration regarding articles mailed less than two years previously.

Acceptance.

3. Every Administration is obliged to accept inquiries con-

concernant des envois déposés sur le territoire d'autres Administrations.

Return, if fault of service.

4.—Lorsqu'une réclamation a été motivée par une faute de service, le droit de réclamation est restitué.

cerning articles mailed on the territory of other Administrations.

4. When an inquiry has been made necessary thru a fault of the service, the inquiry fee is returned.

CHAPITRE II

Registered articles.

ENVOIS RECOMMANDÉS.

ARTICLE 54

Charges.

Taxes.

Designated articles.

Ante, p. 2759.

1.—Les objets de correspondance désignés à l'article 33 peuvent être expédiés sous recommandation.

Advance postage required.

2.—La taxe de tout envoi recommandé doit être acquittée à l'avance. Elle se compose:

a) du port ordinaire de l'envoi, selon sa nature;

b) d'un droit fixe de recommandation de 40 centimes au maximum.

Le droit fixe de recommandation afférent à la partie "Réponse" d'une carte postale ne peut être valablement acquitté que par l'expéditeur de cette partie.

Receipt.

3.—Un récépissé doit être délivré gratuitement, au moment du dépôt, à l'expéditeur d'un envoi recommandé.

Special charge for assumed risk.

4.—Les pays disposés à se charger des risques pouvant dériver du cas de force majeure sont autorisés à percevoir une taxe spéciale de 40 centimes au maximum pour chaque envoi recommandé.

Insufficiently, etc., prepaid registered mail.

5.—Les envois recommandés non ou insuffisamment affranchis qui auraient été transmis à tort au pays de destination sont passibles, à la charge des destinataires, d'une taxe égale au montant de l'affranchissement manquant.

ARTICLE 55

Return receipts.

Avis de réception.

Charge.

L'expéditeur d'un envoi recommandé peut demander un avis de réception en payant, au moment du dépôt, un droit fixe de 40 centimes au maximum.

CHAPTER II

REGISTERED ARTICLES

ARTICLE 54

Charges

1. The articles of correspondence designated in Article 33 may be sent under registration.

2. The postage on all registered articles must be paid in advance. It consists of:

(*a*) The ordinary postage on the article, according to its class;

(*b*) A fixed registration fee of 40 centimes at most.

The fixed registration fee applicable to the reply half of a post card can not be legally paid by anyone but the sender of that half.

3. A receipt shall be delivered without charge to the sender of a registered article at the time of mailing.

4. Countries disposed to undertake risks arising from *force majeure* (causes beyond control) are authorized to collect a special charge of 40 centimes at most for each registered article.

5. Unprepaid or insufficiently prepaid registered articles which have been wrongly sent to the country of destination are liable, at the expense of the addressees, to a charge equal to the amount of the missing postage.

ARTICLE 55

Return receipts

The sender of a registered article may request a return receipt by paying, at the time of mailing, a fixed charge of 40 centimes at most.

L'avis de réception peut être demandé postérieurement au dépôt de l'envoi dans le délai et moyennant la taxe prévus à l'article 53 pour les réclamations.

The return receipt may be requested after the mailing of the article, within the period and upon payment of the fee prescribed by Article 53 for inquiries.

Request for.

ARTICLE 56

Etendue de la responsabilité.

1.—Sauf les cas prévus à l'article 57 ci-après, les Administrations répondent de la perte des envois recommandés.

L'expéditeur a droit, de ce chef, à une indemnité dont le montant est fixé à 50 francs par objet.

2.—Les Administrations n'assument aucune responsabilité pour les envois saisis par la douane par suite de fausse déclaration de leur contenu.

ARTICLE 56

Extent of responsibility

Responsibility.

1. With the exceptions provided for by Article 57 following, Administrations are responsible for the loss of registered articles.

Indemnity due.

The sender is entitled, on that account, to indemnity, the amount of which is fixed at 50 francs per article.

2. Administrations assume no responsibility for articles seized by the customs as a result of false declaration of their contents.

False customs declaration.

ARTICLE 57

Exceptions au principe de la responsabilité.

Les Administrations sont dégagées de toute responsabilité pour la perte d'envois recommandés:

a) en cas de force majeure; toutefois, la responsabilité subsiste à l'égard de l'Administration expéditrice qui a accepté de couvrir les risques de force majeure (article 54, § 4). Le pays responsable de la perte doit, suivant sa législation intérieure, décider si cette perte est due à des circonstances constituant un cas de force majeure;

b) lorsque, la preuve de leur responsabilité n'ayant pas été administrée autrement, elles ne peuvent rendre compte des envois par suite de la destruction des documents de service résultant d'un cas de force majeure;

c) lorsqu'il s'agit d'envois dont le contenu tombe sous le coup des interdictions prévues aux articles 34, § § 4 et 6, lettre (*c*), et 46, § 1;

d) lorsque l'expéditeur n'a formulé aucune réclamation dans le délai d'un an prévu à l'article 53.

ARTICLE 57

Exceptions to the principle of responsibility

Nonresponsibility.

Lost articles.

Administrations are released from all responsibility for loss of registered articles:

(*a*) In case of *force majeure;* however, responsibility is maintained in regard to an Administration of origin which has undertaken to cover risks of *force majeure* (Article 54, Section 4). The country responsible for the loss must decide, in accordance with its domestic legislation, whether such loss is due to circumstances constituting a case of *force majeure;*

By *force majeure.*

Ante, p. 2772.

Circumstances to determine.

(*b*) When, proof of their responsibility not having been furnished otherwise, they can not account for articles as a result of destruction of service records due to a case of *force majeure;*

Destruction of records.

(*c*) When it is a question of articles whose contents fall within the scope of the prohibitions laid down by Articles 34, Sections 4 and 6, letter (*c*), and 46, Section 1;

With prohibited contents.

Ante, pp. 2759, 2766.

(*d*) When the sender has not made any inquiry within the period of one year contemplated by Article 53.

No inquiry made.

Ante, p. 2771.

ARTICLE 58

Cessation de la responsabilité.

Responsibility terminated on delivery.

Les Administrations cessent d'être responsables des envois recommandés dont elles ont effectué la remise dans les conditions prescrites par leur règlement intérieur pour les envois de même nature.

ARTICLE 59

Payement de l'indemnité.

Payment of indemnity.

L'obligation de payer l'indemnité incombe à l'Administration dont relève le bureau expéditeur de l'envoi, sous réserve de son droit de recours contre l'Administration responsable.

ARTICLE 60

Délai de payement de l'indemnité.

Period for indemnity payment.

1.—Le payement de l'indemnité doit avoir lieu le plus tôt possible et, au plus tard, dans le délai de six mois à compter du lendemain du jour de la réclamation. Ce délai est porté à neuf mois dans les relations avec les pays éloignés.

Postponement.

L'Administration expéditrice qui n'accepte pas de se charger des risques dérivant du cas de force majeure peut différer le règlement de l'indemnité au delà du délai prévu à l'alinéa précédent lorsque la question de savoir si la perte de l'envoi est due à un cas de l'espèce n'est pas tranchée.

Settlement of intermediation, etc., office.

2.—L'Administration d'origine est autorisée à désintéresser l'expéditeur pour le compte de l'Administration intermédiaire ou destinataire qui, régulièrement saisie, a laissé s'écouler trois mois sans donner de solution à l'affaire; ce délai est porté à six mois dans les relations avec les pays éloignés.

ARTICLE 61

Responsibility.

Détermination de la responsabilité.

Of receiving Administration.

1.—Jusqu'à preuve du contraire, la responsabilité pour la perte d'un envoi recommandé incombe à l'Administration qui, ayant reçu l'objet sans faire d'ob-

ARTICLE 58

Termination of responsibility

Administrations cease to be responsible for registered articles the delivery of which they have effected under the conditions prescribed by their domestic regulations for articles of the same nature.

ARTICLE 59

Payment of indemnity

The obligation of paying indemnity falls upon the Administration to which the office of origin of the article belongs, subject to its right to make a claim against the responsible Administration.

ARTICLE 60

Period for payment of indemnity

1. Payment of indemnity must take place as soon as possible, and at the latest within the period of six months, counting from the day following the date of the inquiry. That period is extended to nine months in relations with distant countries.

A dispatching Administration which does not accept risks arising from *force majeure* may, as an exception, postpone settlement for the indemnity beyond the period prescribed by the preceding paragraph when the question of knowing whether the loss of the article was due to a case of that kind has not yet been settled.

2. The Administration of origin is authorized to settle with the sender on behalf of an Administration of intermediation or destination which, duly notified, has let three months pass without settling the matter; that period is extended to six months in relations with distant countries.

ARTICLE 61

Fixing of responsibility

1. Until the contrary is proved, responsibility for the loss of a registered article falls on the Administration which, having received the article without making any

servation et étant mise en possession de tous les moyens réglementaires d'investigation, ne peut établir ni la délivrance au destinataire ni, s'il y a lieu, la transmission régulière à l'Administration suivante.

Une Administration intermédiaire ou destinataire est, jusqu'à preuve du contraire, dégagée de toute responsabilité:

a) lorsqu'elle a observé les dispositions de l'article 159, § 3, du Règlement;

b) lorsqu'elle peut établir qu'elle n'a été saisie de la réclamation qu'après la destruction des documents de service relatifs à l'envoi recherché, le délai de garde prévu à l'article 177 du Règlement ètant expiré; cette réserve ne porte pas atteinte aux droits du réclamant.

Toutefois, si la perte a eu lieu en cours de transport sans qu'il soit possible d'établir sur le territoire ou dans le service de quel pays le fait s'est accompli, les Administrations en cause supportent le dommage par parts égales.

2.—Lorsqu'un objet recommandé a été perdu dans des circonstances de force majeure, l'Administration sur le territoire ou dans le service de laquelle la perte a eu lieu n'en est responsable envers l'Administration expéditrice que si les deux pays se chargent des risques dérivant du cas de force majeure.

3.—Les droits de douane et autres dont l'annulation n'a pu être obtenue tombent à la charge des Administrations responsables de la perte.

4.—L'Administration qui a effectué le payement de l'indemnité est subrogée, jusqu'à concurrence du montant de cette indemnité, dans les droits de la personne qui l'a reçue, pour tout recours éventuel, soit contre le destinataire, soit contre l'expéditeur ou contre destiers.

5.—En cas de découverte ultérieure d'un envoi recommandé considéré comme perdu, la personne à qui l'indemnité a été payée doit être avisée qu'elle peut

observations, and, being furnished all particulars of inquiry prescribed by the regulations, can not establish either delivery to the addressee or regular transmission to the next Administration, as the case may be.

Release of intermediate, etc., Administration.

An Administration of intermediation or destination is, until the contrary is proved, released from all responsibility:

Verification observed. *Post*, p. 2853.

(*a*) When it has observed the provisions of Article 159, Section 3, of the Regulations;

Inquiry received after records destroyed. *Post*, p. 2874.

(*b*) When it can establish that it did not receive the inquiry until after the destruction of the service records relating to the article sought, the retention-period prescribed by Article 177 of the Regulations having expired; this reservation does not affect the rights of the claimant.

When place of loss cannot be determined.

However, if the loss has taken place in the course of transmission, without its being possible to determine on the territory or in the service of what country the loss occurred, the Administrations concerned bear the loss in equal shares.

Loss by *force majeure*.

2. When a registered article has been lost under circumstances of *force majeure*, the Administration on whose territory or in whose service the loss took place is not responsible therefor to the Administration of origin unless both countries undertake risks arising from cases of *force majeure*.

Customs, etc., duties.

3. The customs duties and other charges whose cancelation it has been impossible to obtain are charged to the Administrations responsible for the loss.

Subrogation of rights to paying Administration.

4. The Administration which has effected payment of the indemnity is subrogated up to the amount of such indemnity in the rights of the person who has received it for all eventual recourse against the addressee, the sender, or third parties.

Subsequent recovery.

5. In case of subsequent recovery of a registered article considered as lost, the person to whom indemnity has been paid shall be advised that he may obtain pos-

prendre possession de l'envoi contre restitution du montant de l'indemnité.

ARTICLE 62

Remboursement de l'indemnité à l'Administration expéditrice.

Repayment to Administration of origin.

1.—L'Administration responsable ou pour le compte de laquelle le payement est effectué en conformité de l'article 60 est tenue de rembourser à l'Administration expéditrice, dans un délai de trois mois à compter de l'envoi de la notification du payement, le montant de l'indemnité effectivement payée à expéditeur.

Ante, p. 2774.

Si l'indemnité doit être supportée par plusieurs Administrations en conformité de l'article 61, l'intégralité de l'indemnité due doit être versée à l'Administration expéditrice, dans le délai mentionné à l'alinéa précédent, par la première Administration qui, ayant dûment reçu l'envoi réclamé, ne peut en établir la transmission régulière au service correspondant. Il appartient à cette Administration de récupérer sur les autres Administrations responsables la quote-part éventuelle de chacune d'elles dans le dédommagement de l'ayant droit.

Method of reimbursement.

2.—Le remboursement à l'Administration créancière s'effectue sans frais pour cette Administration, soit au moyen d'un mandat de poste, d'un chèque ou d'une traite payable à vue sur la capitale ou sur une place commerciale du pays créancier, soit en espèces ayant cours dans ce pays.

Lorsque la responsabilité a été reconnue, de même que dans le cas prévu à l'article 60, § 2, le montant de l'indemnité peut également être repris d'office sur le pays responsable par la voie d'un décompte quelconque, soit directement, soit par l'intermédiaire d'une Administration qui échange régulièrement des décomptes avec l'Administration responsable.

Passé le délai de trois mois, la somme due à l'Administration ex-

session of the article upon repayment of the amount of the indemnity.

ARTICLE 62

Repayment of the indemnity to the Administration of origin

1. The Administration which is responsible, or on whose behalf payment is made in accordance with Article 60, is bound to reimburse the Administration of origin, within a period of three months, counted from the sending of the notification of payment, for the amount of indemnity actually paid to the sender.

If the indemnity must be paid by several Administrations in conformity with Article 61, the whole of the indemnity due must be turned over to the Administration of origin, within the period mentioned in the preceding paragraph, by the first Administration which, having duly received the article inquired about, can not establish its regular transmission to the corresponding service. It is incumbent upon that Administration to recover from the other responsible Administrations the eventual share of each of them in the indemnity paid to the rightful claimant.

2. The reimbursement of the creditor Administration is effected without expense for that Administration by means of either a money order, a check or a draft payable at sight on the capital or a commercial city of the creditor country, or in coin current in that country.

When responsibility has been acknowledged, as well as in the case contemplated by Article 60, Section 2, the amount of indemnity may likewise be recovered from the responsible country officially thru any account, either directly or thru the intermediary of an Administration which regularly exchanges accounts with the responsible Administration.

At the expiration of the period of three months, the sum due to

péditrice est productive d'intérêt à raison de 5% l'an à compter du jour de l'expiration dudit délai.

3.—L'Administration d'origine ne peut réclamer le remboursement de l'indemnité à l'Administration responsable que dans le délai de deux ans à compter de l'envoi de la notification de la perte, ou, s'il y a lieu, du jour de l'expiration du délai prévu à l'article 60, § 2.

4.—L'Administration dont la responsabilité est dûment établie et qui a tout d'abord décliné le payement de l'indemnité doit prendre à sa charge tous les frais accessoires résultant du retard non justifié apporté au payement.

5.—Les Administrations peuvent s'entendre pour liquider périodiquement les indemnités qu'elles ont payées aux expéditeurs et dont elles ont reconnu le bien-fondé.

the Administration of origin bears interest at the rate of 5 per cent a year, counting from the date of expiration of the said period.

Time limit.

3. The Administration of origin may claim repayment of the indemnity from the responsible Administration only within the period of two years, counting from the date of sending the notification of the loss; or, if occasion arises, from the date of expiration of the period contemplated by Article 60, Section 2.

Ante, p. 2774.

Arrearage penalty.

4. An Administration whose responsibility is duly established and which has at first declined to pay the indemnity must bear all the additional expenses resulting from the unjustified delay in making payment.

Periodical settlements.

5. Administrations may agree among themselves to make periodical settlements of the indemnities which they have paid to the senders and the justness of which they have recognized.

Chapitre III

ENVOIS CONTRE REMBOURSEMENT.

Article 63

Taxes et conditions. Liquidation.

1.—Les correspondances recommandées peuvent être expédiées contre remboursement dans les relations entre les pays dont les Administrations conviennent d'assurer ce service.

2.—Les objets expédiés contre remboursement sont soumis aux formalités et aux taxes des envois recommandés. En outre, l'expéditeur paie à l'avance:

a) une taxe fixe qui ne peut dépasser 50 centimes par envoi et un droit proportionnel de ½% au maximum du montant du remboursement, s'il désire que ce montant soit liquidé au moyen d'un mandat de remboursement émis gratuitement à son profit;

b) une taxe fixe de 25 centimes au maximum, s'il demande la liquidation au moyen d'un versement en compte courant postal dans le pays de destination de l'envoi.

Chapter III

COLLECT-ON-DELIVERY ARTICLES

Collect-on-delivery articles.

Article 63

Rates and conditions. Settlement

Rules and settlement.

Between countries agreeing to perform service.

1. Registered articles may be sent C. O. D. in relations between countries whose Administrations agree to perform such service.

Rates, etc.

2. Articles sent C. O. D. are subject to the conditions and rates applicable to registered articles. Moreover, the sender pays in advance:

Maximum.

(*a*) A fixed fee which may not exceed 50 centimes per article and a proportional fee of ½ percent at most of the amount of the C. O. D. charge, if he desires that such amount be settled by means of a C. O. D. money order issued free of charge in his favor;

(*b*) A fixed fee of 25 centimes at most, if he requests settlement by means of a transfer to a current postal-check account in the country of destination of the article.

Method of settlement.

3.—Le mode de liquidation prévu au § 2, lettre *b*, n'est admis que si les Administrations intéressées se chargent d'appliquer ce procédé de liquidation. L'Administration de destination verse en compte courant, au moyen d'un bulletin de versement du régime intérieur, le montant encaissé sur le destinataire, après déduction d'une taxe fixe de 25 centimes au maximum et de la taxe ordinaire des versements applicable dans son service intérieur.

Maximum charge.

4.—Quel que soit le mode de liquidation, le montant maximum du remboursement est égal à celui qui est fixé pour les mandats de poste à destination du pays d'origine de l'envoi.

C. O. D. charge.

5.—Sauf arrangement contraire, le montant du remboursement est exprimé dans la monnaie du pays d'origine de l'envoi. Toutefois, en cas de versement en compte courant postal tenu dans le pays de destination de l'envoi, ce montant doit être indiqué dans la monnaie de ce pays.

Collection.

6.—Chaque Administration a la faculté d'adopter, pour la perception du droit proportionnel prévu au § 2, lettre *a*, l'échelle qui répond le mieux à ses convenances de service.

3. The method of settlement contemplated by Section 2, letter (b), is permitted only if the Administrations concerned undertake to apply such procedure for settlement. The Administration of destination turns over to the current account, by means of a domestic transfer bulletin, the amount collected from the addressee, after deducting a fixed fee of 25 centimes at most and the ordinary transfer fee applicable in its domestic service.

4. Irrespective of the method of settlement, the maximum amount of the C. O. D. charge is equal to that fixed for money orders addressed to the country of origin of the article.

5. In the absence of contrary agreement, the amount of the C. O. D. charge is expressed in money of the country of origin of the article. However, in case of transfer to a current postal-check account held in the country of destination of the article, such amount shall be indicated in money of that country.

6. Each Administration has the option of adopting, for the collection of the proportional fee contemplated by Section 2, letter (*a*), the scale which is most convenient for its service.

ARTICLE 64

Annulation ou réduction du montant du remboursement.

Cancelation, etc., of amount.

L'expéditeur d'un envoi recommandé grevé de remboursement peut demander le dégrèvement total ou partiel du montant du remboursement.

Requests for cancelation.

Les demandes de cette nature sont soumises aux mêmes dispositions que les demandes de retrait ou de modification d'adresse.

Si la demande de dégrèvement total ou partiel du montant du remboursement doit être transmise par voie télégraphique, la taxe du télégramme est augmentée de la taxe applicable à une lettre recommandée de port simple.

ARTICLE 64

Cancelation or reduction of the amount to be collected

The sender of a registered C. O. D. article may request total or partial cancelation of the amount to be collected.

Requests of this nature are subject to the same provisions as requests for withdrawal or change of address.

If the request for total or partial cancelation of the C. O. D. charge must be sent by telegraph, the charge for the telegram is increased by the rate applicable to a single-rate registered letter.

ARTICLE 65

Responsabilité en cas de perte de l'envoi.

La perte d'un envoi recommandé grevé de remboursement engage la responsabilité du service postal dans les conditions déterminées par les articles 56 et 57.

ARTICLE 66

Garantie des sommes encaissées régulièrement.

Les sommes encaissées régulièrement du destinataire, qu'elles aient été ou non converties en mandats de poste ou versées en compte courant postal, sont garanties à l'expéditeur dans les conditions déterminées par l'Arrangement concernant les mandats de poste ou par les prescriptions régissant le service des chèques et virements postaux.

ARTICLE 67

Indemnité en cas de non-encaissement du montant du remboursement, d'encaissement insuffisant ou frauduleux.

1.—Si l'envoi a été livré au destinataire sans encaissement du montant du remboursement, l'expéditeur a droit à une indemnité, pourvu qu'une réclamation ait été formulée dans le délai prévu à l'article 53, § 2, et à moins que le non-encaissement ne soit dû à une faute ou à une négligence de sa part, ou que le contenu de l'envoi ne tombe sous le coup des interdictions prévues aux articles 34, §§ 4 et 6, lettre *c*, et 46, § 1.

Il en est de même si la somme encaissée du destinataire est inférieure au montant du remboursement indiqué ou si l'encaissement a été effectué frauduleusement.

L'indemnité ne pourra dépasser, en aucun cas, le montant du remboursement.

2.—L'Administration qui a effectué le payement de l'indemnité est subrogée, jusqu'à concurrence du montant de cette indemnité, dans les droits de la personne qui l'a reçue, pour tout recours even-

ARTICLE 65

Responsibility in case of loss of articles

The loss of a registered C. O. D. article involves the responsibility of the postal service under the conditions laid down by Articles 56 and 57. Responsibility for loss.

ARTICLE 66

Guarantee of sums regularly collected

The sums regularly collected from the addressees, whether or not they been have converted into money orders or turned over to a current postal-check account, are guaranteed to the sender under the conditions laid down by the Agreement concerning money orders, or by the provisions governing the postal-check service. Guarantee of sums regularly collected.

ARTICLE 67

Indemnity in case of non-collection, insufficient or fraudulent collection of the C. O. D. charge

1. If the article has been delivered to the addressee without collecting the amount of the C. O. D. charge, the sender is entitled to indemnity, provided that inquiry has been made within the period prescribed by Article 53, Section 2, and unless the non-collection is due to fault or negligence on his part, or unless the contents of the article come under the prohibitions laid down by Articles 34, Sections 4 and 6, letter (*c*), and 46, Section 1. Indemnity for non-collection, etc. *Ante*, p. 2771. *Ante*, pp. 2759, 2766.

The same applies if the sum collected from the addressee is lower than the amount of the C. O. D. charge indicated, or if the collection has been made fraudulently. Deficiency or fraud.

In no case may the indemnity exceed the amount to be collected on delivery.

2. The Administration which has effected payment of the indemnity is subrogated up to the amount of such indemnity in the rights of the person who has received it for all eventual recourse Subrogation of rights to paying Administration.

tuel, soit contre le destinataire, soit contre l'expéditeur ou contre des tiers.

ARTICLE 68

Sommes encaissées régulièrement. Indemnités. Payement et recours.

Payment, etc., of collections.

L'obligation de payer les sommes encaissées régulièrement ou l'indemnité dont il est question à l'article 67 incombe à l'Administration dont relève le bureau expéditeur de l'envoi, sous réserve de son droit de recours contre l'Administration responsable.

ARTICLE 69

Délai de payement.

Periods for paying. *Ante*, p. 2774.

Les dispositions de l'article 60 concernant les délais de payement de l'indemnité pour la perte d'un envoi recommandé s'appliquent au payement des sommes encaissées ou de l'indemnité pour les envois contre remboursement.

ARTICLE 70

Détermination de la responsabilité.

Fixing responsibility.

Le payement, par l'Administration expéditrice, des sommes encaissées régulièrement ou de l'indemnité prévue à l'article 67 se fait pour le compte de l'Administration destinataire. Celle-ci est responsable, à moins qu'elle ne puisse prouver que la faute est due à la non-observation d'une disposition réglementaire par l'Administration expéditrice.

Ante, p. 2774.

En cas d'encaissement frauduleux à la suite de la disparition, dans le service, d'un envoi contre remboursement, la responsabilité des Administrations en cause est déterminée selon les règles prévues à l'article 61 pour la perte d'un envoi recommandé.

Ante, p. 2773.

Toutefois, la responsabilité d'une Administration intermédiaire qui ne participe pas au service des remboursements est limitée à celle qui est prévue aux articles 56 et 57 pour les envois recommandés. Les autres Administrations supportent par parts égales le montant non couvert.

against the addressee, the sender, or third parties.

ARTICLE 68

Sums regularly collected. Indemnity. Payment and recourse

The obligation of paying the sums regularly collected, or the indemnity referred to in Article 67, falls upon the Administration to which the office of origin of the article belongs, subject to its right to make a claim against the responsible Administration.

ARTICLE 69

Period of payment

The provisions of Article 60 concerning the periods for payment of indemnity for the loss of a registered article are applicable to the payment of the sums collected or of the indemnity for C. O. D. articles.

ARTICLE 70

Fixing the responsibility

The payment by the dispatching Administration of the sums regularly collected, or of the indemnity provided for by Article 67, is effected on behalf of the Administration of destination. The latter is responsible, unless it can prove that the irregularity was due to the failure of the dispatching Administration to observe a provision of the regulations.

In case of fraudulent collection as a result of the loss of a C. O. D. article in the service, the responsibility of the Administrations involved is determined in accordance with the rules laid down by Article 61 for the loss of a registered article.

However, the responsibility of an intermediate Administration which does not participate in the C. O. D. service is limited to that prescribed by Articles 56 and 57 for registered articles. The other Administrations pay the amount not covered in equal shares.

ARTICLE 71

Remboursement des sommes avancées.

L'Administration destinataire est tenue de rembourser à l'Administration expéditrice dans les conditions prévues à l'article 62 les sommes qui ont été avancées pour son compte.

ARTICLE 72

Mandats de remboursement et bulletins de versement.

1.—Le montant d'un mandat de remboursement qui, pour un motif quelconque, n'a pas été payé au bénéficiaire, n'est pas remboursé à l'Administration d'émission. Il est tenu à la disposition du bénéficiaire par l'Administration expéditrice de l'envoi grevé de remboursement et revient définitivement à cette Administration après l'expiration du délai légal de prescription.

A tous les autres égards, et sous les réserves prévues au Règlement, les mandats de remboursement sont soumis aux dispositions fixées par l'Arrangement concernant les mandats de poste.

2.—Lorsque, pour une cause quelconque, un bulletin de versement émis en conformité des prescriptions de l'article 63 ne peut être porté au crédit du bénéficiaire indiqué par l'expéditeur de l'envoi contre remboursement, le montant de ce bulletin doit être mis, par l'Administration qui l'a encaissé, à la disposition de l'Administration d'origine pour être payé à l'expéditeur de l'envoi.

Si ce payement ne peut être effectué, il est procédé comme il est prévu au §1.

ARTICLE 73

Bonification de la taxe et du droit de remboursement.

L'Administration d'origine bonifie à l'Administration de destination, dans les conditions prescrites par le Règlement, une

ARTICLE 71

Repayment of sums advanced

Repayment of advances.

The Administration of destination is bound to reimburse the Administration of origin, under the conditions prescribed by Article 62, for the sums which have been advanced on its behalf.

ARTICLE 72

C. O. D. money orders and transfer bulletins

Money orders and transfer bulletins.

1. The amount of a C. O. D. money order which, for any reason, has not been paid to the payee, is not repaid to the Administration of issue. It is held at the disposal of the payee by the Administration of origin of the C. O. D. article, and finally reverts to that Administration, after the expiration of the period prescribed by law.

In all other respects, and apart from the exceptions laid down by the Regulations, C. O. D. money orders are subject to the provisions of the Agreement concerning money orders.

Unpaid transfer bulletins.

2. When, for any reason, a transfer bulletin issued in accordance with the provisions of Article 63 can not be entered to the credit of the payee indicated by the sender of the C. O. D. article, the amount of such bulletin shall be placed, by the Administration which has cashed it, at the disposal of the Administration of origin, to be paid to the sender of the article.

If this payment can not be effected, the procedure outlined in Section 1 is followed.

ARTICLE 73

Sharing of C. O. D. charges and fees

Sharing of C. O. D. charges and fees.

The Administration of origin credits the Administration of destination, under the conditions fixed by the Regulations, with a

quote-part fixe de 20 centimes par remboursement, plus ¼% de la somme totale des mandats de remboursement payés.

CHAPITRE IV

ATTRIBUTION DES TAXES. FRAIS DE TRANSIT.

ARTICLE 74

Attribution des taxes.

Retention of postage by each Administration.

Sauf les cas expressément prévus par la Convention, chaque Administration garde en entier les taxes qu'elle a perçues.

ARTICLE 75

Frais de transit.

Transit charges.

1.—Les correspondances échangées en dépêches closes entre deux Administrations, au moyen des services d'une ou de plusieurs autres Administrations (services tiers), sont soumises, au profit de chacun des pays traversés ou dont les services participent au transport, aux frais de transit indiqués dans le tableau suivant:

Table.

	Par kilogramme	
	de lettres et de cartes postales	d'autres objets
	Fr. c.	Fr. c.
1° Parcours territoriaux:		
Jusqu'à 1000 km	—. 60	—. 08
Au delà de 1000 jusqu'à 2000 km	—. 80	—. 12
Au delà de 2000 jusqu'à 3000 km	1. 20	—. 16
Au delà de 3000 jusqu'à 6000 km	2. —	—. 24
Au delà de 6000 jusqu'à 9000 km	2. 80	—. 32
Au delà de 9000 km	3. 60	—. 40
2° Parcours maritimes:		
Jusqu'à 300 milles marins	—. 60	—. 08
Au delà de 300 jusqu'à 1500 milles marins	1. 60	—. 20
Entre l'Europe et l'Amérique du Nord	2. 40	—. 32
Au delà de 1500 jusqu'à 6000 milles marins	3. 20	—. 40
Au delà de 6000 milles marins	4. 80	—. 60

CHAPTER IV

RETENTION OF POSTAGE. TRANSIT CHARGES

ARTICLE 74

Retention of postage

Except in cases expressly provided for by the Convention, each Administration retains the whole of the postage which it collects.

ARTICLE 75

Transit charges

1. Articles of correspondence exchanged in closed mails between two Administrations, by means of the services of one or more other Administrations (third services), are liable, for the benefit of each of the countries traversed or whose services participate in the conveyance, to the transit charges indicated in the following table:

	Per kilogram	
	of letters and post cards	of other articles
	Fr. c.	Fr. c.
1° *Territorial transit:*		
Up to 1,000 km	0. 60	0. 08
From 1,000 to 2,000 km	0. 80	0. 12
From 2,000 to 3,000 km	1. 20	0. 16
From 3,000 to 6,000 km	2. 00	0. 24
From 6,000 to 9,000 km	2. 80	0. 32
Over 9,000 km	3. 60	0. 40
2° *Maritime transit:*		
Up to 300 nautical miles	0. 60	0. 08
From 300 to 1,500 nautical miles	1. 60	0. 20
Between Europe and North America	2. 40	0 . 32
From 1,500 to 6,000 nautical miles	3. 20	0. 40
Over 6,000 nautical miles	4. 80	0. 60

2.—Les frais de transit pour le transport maritime sur un trajet n'excédant pas 300 milles marins sont fixés au tiers des sommes prévues au § 1, si l'Administration intéressée reçoit déjà, du chef des dépêches transportées, la rémunération afférente au transit territorial.

3.—En cas de transport maritime effectué par deux ou plusieurs Administrations, les frais du parcours maritime total ne peuvent pas dépasser 4 francs 80 par kilogramme de lettres et de cartes postales et 60 centimes par kilogramme d'autres objets. Le cas échéant, ces montants maxima sont répartis entre les Administrations participant au transport, au prorata des distances parcourues.

4.—Sont considérés comme services tiers, à moins d'arrangement contraire, les transports maritimes effectués directement entre deux pays au moyen de navires de l'un d'eux ainsi que les transports effectués entre deux bureaux d'un même pays par l'intermédiaire de services d'un autre pays.

5.—Sont considérés comme autres objets, en ce qui concerne le transit, les petits paquets, les journaux ou paquets de journaux et écrits périodiques expédiés en vertu de l'Arrangement concernant les abonnements aux journaux et écrits périodiques ainsi que les boîtes avec valeur déclarée expédiées en vertu de l'Arrangement concernant les lettres et les boîtes avec valeur déclarée.

6.—Les dépêches mal dirigées sont considérées, en ce qui concerne le payement des frais de transit, comme si elles avaient suivi leur voie normale.

2. The transit charges for maritime conveyance on a route not exceeding 300 nautical miles are fixed at one-third the amounts set forth in Section 1, if the Administration concerned already receives, on account of the mails transported, compensation for territorial transit. Maritime service.

3. In the case of maritime transit effected by two or more Administrations, the total maritime transit charges may not exceed 4 francs 80 centimes per kilogram of letters and post cards or 60 centimes per kilogram of other articles. When occasion arises, those maximum amounts are divided between the Administrations taking part in the transportation in proportion to the distances traversed. By two or more Administrations.

4. Barring contrary agreement, maritime transportation effected directly between two countries by means of ships of one of them, as well as conveyance effected between two offices of one and the same country thru the intermediary of services of another country, is considered as a third service. Third service.

5. Small packets, newspapers or packages of newspapers and periodicals sent by virtue of the Agreement concerning subscriptions to newspapers and periodicals, as well as insured boxes sent by virtue of the Agreement concerning insured letters and boxes, are considered as *other articles* in regard to transit. Newspapers, etc.

6. Missent dispatches are considered, in regard to the payment of transit charges, as if they had followed their normal route. Missent dispatches.

Article 76

Exemption de frais de transit.

Sont exempts de tous frais de transit territorial ou maritime, les correspondances en franchise postale mentionnées à l'article 49, les cartes postales-réponse renvoyées au pays d'origine, les envois réexpédiés, les rebuts, les

Article 76

Freedom from transit charges

The following are exempt from all territorial or maritime transit charges: The correspondence sent free of postage mentioned in Article 49; reply post cards returned to the country of origin; redirected articles; returned un- Transit charges. Matter exempt. *Ante*, p. 2768.

avis de réception, les mandats de poste et tous autres documents relatifs au service postal, notamment les plis concernant les virements postaux.

ARTICLE 77

Services extraordinaires.

Extraordinary services.

Les frais de transit spécifiés à l'article 75 ne s'appliquent pas au transport au moyen de services extraordinaires spécialement créés ou entretenus par une Administration sur la demande d'une ou de plusieurs autres Administrations. Les conditions de cette catégorie de transports sont réglées de gré à gré entre les Administrations intéressées.

Transit charges. *Ante*, p. 2782.

ARTICLE 78

Payements et décomptes.

Payments and accounts.

Transit.

1.—Les frais de transit sont à la charge de l'Administration du pays d'origine.

Basis for charges.

2.—Le décompte général de ces frais a lieu d'après les données de relevés statistiques établis, une fois tous les trois ans, pendant une période de quatorze jours. Cette période est portée à vingt-huit jours pour les dépêches échangées moins de six fois par semaine par les services d'un pays quelconque.

Le Règlement détermine la période et la durée d'application des statistiques.

Arbitration of differences.

3.—Toute Administration est autorisée à soumettre à l'appréciation d'une Commission d'arbitres les résultats d'une statistique qui, d'après elle, différeraient trop de la réalité. Cet arbitrage est constitué ainsi qu'il est prévu à l'article 11.

Ante, p. 2750.

Les arbitres ont le droit de fixer en bonne justice le montant des frais de transit à payer.

ARTICLE 79

Echange de dépêches closes avec des bâtiments de guerre.

Exchange with warships.

1.—Des dépêches closes peuvent être échangées entre les bureaux de poste de l'un des pays

deliverable articles; return receipts; money orders; and all other documents relating to the postal service, particularly correspondence relative to postal checks.

ARTICLE 77

Extraordinary services

The transit charges specified in Article 75 do not apply to transportation by means of extraordinary services specially created or maintained by one Administration at the request of one or more other Administrations. The conditions for that class of conveyance are fixed by mutual agreement between the Administrations concerned.

ARTICLE 78

Payments and accounts

1. The cost of transit is borne by the Administration of the country of origin.

2. The general accounting for such charges is effected on the basis of statistics taken once every three years, during a period of fourteen days. That period is extended to twenty-eight days for dispatches exchanged less than six times a week thru the services of any country.

The Regulations determine the period and length of application of the statistics.

3. Any Administration is authorized to submit to a board of arbiters for consideration the results of statistics which, in its opinion, differ too greatly from reality. Such arbitration is effected in accordance with the provisions of Article 11.

The arbitrators are authorized to determine the proper amount of transit charges to be paid.

ARTICLE 79

Exchange of closed mails with warships

1. Closed mails may be exchanged between the post offices of any one of the contracting

contractants et les commandants de divisions navales ou bâtiments de guerre de ce même pays en station à l'étranger, ou entre le commandant d'une de ces divisions navales ou d'un de ces bâtiments de guerre et le commandant d'une autre division ou d'un autre bâtiment du même pays, par l'intermédiaire des services territoriaux ou maritimes d'autres pays.

2.—Les correspondances de toute nature comprises dans ces dépêches doivent être exclusivement à l'adresse ou en provenance des états-majors et des équipages des bâtiments destinataires ou expéditeurs des dépêches; les tarifs et conditions d'envoi qui leur sont applicables sont déterminés, d'après ses règlements intérieurs, par l'Administration des postes du pays auquel appartiennent les bâtiments.

3.—Sauf arrangement contraire entre les Administrations intéressées, l'Administration postale expéditrice ou destinataire des dépêches dont il s'agit est redevable, envers les Administrations intermédiaires, de frais de transit calculés conformément aux dispositions de l'article 75.

countries and the commanding officers of naval divisions or warships of the same country stationed abroad, or between the commanding officer of one of those naval divisions or warships and the commanding officer of another division or ship of the same country, thru the intermediary of land or sea services of other countries.

2. Correspondence of all kinds comprised in such dispatches shall be exclusively addressed to or sent by the officers and crews of the ships of destination or origin of the mails; the rates and conditions of dispatch applicable to them are determined, according to its domestic regulations, by the Postal Administration of the country to which the ships belong. Restriction.

3. Barring contrary agreement between the Administrations concerned, the Postal Administration dispatching or receiving the mails in question is indebted to the intermediate Administrations for transit charges calculated in accordance with the provisions of Article 75. Payment to intermediate Administrations.

DISPOSITIONS DIVERSES.

ARTICLE 80

Inobservation de la liberté de transit.

Lorsqu'un pays n'observe pas les dispositions de l'article 26 concernant la liberté de transit, les Administrations ont le droit de supprimer le service postal avec ce pays. Elles doivent donner préalablement avis de cette mesure par télégramme aux Administrations intéressées.

VARIOUS PROVISIONS

ARTICLE 80

Failure to observe liberty of transit Liberty of transit.

When a country does not observe the provisions of Article 26 concerning liberty of transit, Administrations have the right to discontinue postal service with that country. They must give advance notice of that measure by telegraph to the Administrations concerned. Discontinuance, on failure to observe. *Ante*, p. 2756.

ARTICLE 81

Engagements.

Les Pays contractants s'engagent à prendre, ou à proposer à leurs pouvoirs législatifs respectifs, les mesures nécessaires:

ARTICLE 81

Obligations Obligations.

The contracting countries undertake to adopt, or to propose to their respective legislative bodies, the necessary measures: Measures to be proposed.

Punishing counterfeiting.

a) pour punir la contrefaçon des timbres-poste et des coupons-réponse internationaux;

Fraudulent use of reply coupons, stamps, etc.

b) pour punir l'usage frauduleux des coupons-réponse internationaux et l'emploi frauduleux, pour l'affranchissement d'envois postaux, de timbres-poste contrefaits ou ayant déjà servi ainsi que d'empreintes contrefaites ou ayant déjà servi de machines à affranchir ou de presses d'imprimerie;

Fraudulent manufacture, etc, of stamps.

c) pour interdire et réprimer les opérations frauduleuses de fabrication, vente, colportage ou distribution de vignettes et timbres en usage dans le service des postes, contrefaits ou imités de telle manière qu'ils pourraient être confondus avec les vignettes et timbres émis par l'Administration d'un des Pays contractants;

Fraudulent identity cards.

d) pour punir les opérations frauduleuses de fabrication et de mise en circulation de cartes d'identité postales ainsi que l'emploi frauduleux de ces cartes;

Unlawful mailing of narcotics.

e) pour empêcher et, le cas échéant, punir l'insertion d'opium, de morphine, de cocaïne et autres stupéfiants dans les envois postaux en faveur desquels cette insertion ne serait pas expressément autorisée par la Convention et les Arrangements.

(*a*) For punishing the counterfeiting of postage stamps and international reply coupons;

(*b*) For publishing the fraudulent employment of international reply coupons and the fraudulent use, for the prepayment of mail articles, of counterfeit or used postage stamps, as well as of counterfeit or used impressions of stamping machines or printed indicia;

(*c*) For prohibiting and suppressing the fraudulent manufacture, sale, peddling or distribution of embossed or adhesive stamps in use in the postal service which are counterfeited or imitated in such a way that they might be mistaken for embossed or adhesive stamps issued by the Administration of one of the contracting countries;

(*d*) For punishing the fraudulent manufacture and circulation of postal identity cards, as well as the fraudulent employment of such cards;

(*e*) For preventing, and, if occasion arises, punishing the insertion of opium, morphine, cocaine and other narcotics in mail articles in favor of which such insertion is not expressly authorized by the Convention and Agreements.

DISPOSITIONS FINALES.

ARTICLE 82

Mise à exécution et durée de la Convention.

Effective date and duration.

La présente Convention sera mise à exécution le 1er janvier 1935 et demeurera en vigueur pendant un temps indéterminé.

Signatures.

En foi de quoi, les Plénipotentiaires des Gouvernements des Pays ci-dessus énumérés ont signé la présente Convention en un exemplaire qui restera déposé aux Archives du Gouvernement de l'Egypte et dont une copie sera remise à chaque Partie.

Fait au Caire, le 20 mars 1934.

FINAL PROVISIONS

ARTICLE 82

Effective date and duration of the Convention

The present Convention will become effective on January 1, 1935, and will remain in force for an indefinite period.

In faith of which, the plenipotentiaries of the Governments of the countries above enumerated have signed the present Convention in one copy, which will be filed in the Archives of the Government of Egypt, and a copy of which will be delivered to each party.

Done at Cairo, March 20, 1934.

Plenipotentiaries.

Pour l'Afghanistan:

Pour l'Union de l'Afrique du Sud:
Pour M. H. J. LENTON:
F. G. W. TAYLOR.
F. G. W. TAYLOR.

Pour l'Albanie:
PAN. NASSE.

Pour l'Allemagne:
K. ORTH.
K. ZIEGLER.
Dr. W. SEEBASS.

Pour les Etats-Unis d'Amérique:
JOHN E. LAMIELL.
Pour GEORGE F. SMITH:
JOHN E. LAMIELL.

Pour l'ensemble des Possessions insulaires des Etats-Unis d'Amérique autres que les Iles Philippines:
JOHN E. LAMIELL.
Pour GEORGE F. SMITH:
JOHN E. LAMIELL.

Pour les Iles Philippines:
FELIPE CUADERNO.

Pour le Royaume de l'Arabie Saoudite:
FAWZAN EL-SABEK.

Pour la République Argentine:
R. R. TULA.

Pour la Commonwealth de l'Australie:
Pour ARCHDALE PARKHILL:
M. B. HARRY.
M. B. HARRY.

Pour l'Autriche:
Dr. RUDOLF KUHN.

Pour la Belgique:
O. SCHOCKAERT.
E. MONS.

Pour la Colonie du Congo belge:
G. TONDEUR.

Pour la Bolivie:
ERNESTO CÁCERES.
Pour EDMUNDO DE LA FUENTE:
ERNESTO CÁCERES.

Pour le Brésil:
C. M. DE FIGUEIREDO.
J. SANCHEZ PEREZ.

Pour la Bulgarie:
IV. KATZAROFF.

Pour le Canada:
Pour ARTHUR SAUVÉ:
E. J. UNDERWOOD.
Pour H. BEAULIEU:
E. J. UNDERWOOD.
E. J. UNDERWOOD.

Pour le Chili:
R. SUAREZ BARROS.

Pour la Chine:
HOO CHI-TSAI.
CHANG HSIN-HAI.
HUANG NAI-SHU.

Pour la République de Colombie:
E. ZAULDÚA P.

Pour la République de Costa-Rica:
Ad Referendum,
P. MARTINEZ T.

Pour la République de Cuba:
ALFREDO ASSIR.

Pour le Danemark:
C. MONDRUP.
ARNE KROG.

Pour la Ville libre de Danzig:
R. STARZYŃSKI.

Pour la République Dominicaine:
LUIS ALEJANDRO AGUILAR.

Pour l'Egypte:
M. CHARARA.
E. MAGGIAR.
S. A. GHALWASH.

Pour l'Equateur:
E. L. ANDRADE.

Pour l'Espagne:
ALONSO CARO.
A. RAMOS.

Pour l'ensemble des Colonies espagnoles:
DEMETRIO PEREDA.

Plenipotentiaries—Continued.

Pour l'Estonie:
G. E. F. ALBRECHT.

Pour l'Ethiopie:
ALAMOU TCH.

Pour la Finlande:
G. E. F. ALBRECHT.

Pour la France:
M. LEBON.
L. GENTHON.
P. GRANDSIMON.
A. CABANNE.
DUSSERRE.

Pour l'Algérie:
E. HUGUENIN.

Pour les Colonies et Protectorats français de l'Indochine:
NICOLAS.

Pour l'ensemble des autres Colonies françaises:
J. CASSAGNAC.

Pour le Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord:
F. H. WILLIAMSON.
W. G. GILBERT.
D. O. LUMLEY.

Pour la Grèce:
V. DENDRAMIS.
J. LACHNIDAKIS.

Pour le Guatémala:
VICTOR DURÁN M.

Pour la République d'Haïti:

Pour la République du Honduras:
DR. TUCCIMEI.

Pour la Hongrie:
GABRIEL BARON SZALAY.
CHARLES DE FORSTER.

Pour l'Inde britannique:
P. N. MUKERJI.
S. C. GUPTA.
MOHD. AL HASAN.

Pour l'Iraq:
DOUGLAS W. GUMBLEY.
JOS. SHAUL.

Pour l'Etat libre d'Irlande:
P. S. Ó'H-ÉIGEARTAIGH.
S. S. PUIRSÉAL.

Pour l'Islande:
C. MONDRUP.
ARNE KROG.

Pour l'Italie:
PIETRO TOSTI.
GALDI MICHELE.

Pour l'ensemble des Colonies italiennes:
DONATO CRETY.

Pour le Japon:
MASAO SEKI.
T. HARIMA.
J. KAGEYAMA.

Pour le Chosen:
MASAO SEKI.
RYUZO KAWAZURA.

Pour l'ensemble des autres Dépendances japonaises:
T. HARIMA.
H. FUJIKAWA.

Pour la Lettonie:
DR. REINHOLD FURRER.
LS ROULET.

Pour les Etats du Levant sous Mandat français (Syrie et Liban):
CIANFARELLI.
L. PERNOT.

Pour la République de Libéria:

Pour la Lithuanie:

Pour le Luxembourg:

Pour le Maroc (à l'exclusion de la Zone espagnole):
H. DUTEIL.

Pour le Maroc (Zone espagnole):
A. RAMOS.

Plenipotentiaries—Continued.

Pour le Mexique:
P. MARTINEZ T.

Pour le Nicaragua:
VICTOR DURÁN M.

Pour la Norvège:
KLAUS HELSING.
OSKAR HOMME.

Pour la Nouvelle-Zélande:
G. MCNAMARA.

Pour la République de Panama:
E. ZALDÚA P.

Pour le Paraguay:
R. R. TULA.

Pour les Pays-Bas:
DUYNSTEE.
V. GOOR.

Pour Curaçao et Surinam:
HOOGEWOONING.

Pour les Indes néerlandaises:
PERK.
BRIL.
HOOGEWOONING.

Pour le Pérou:
ERNESTO CÁCERES.
POUR EDMUNDO DE LA FUENTE.
ERNESTO CÁCERES.

Pour la Perse:
S. A. RAD.
R. ARDJOMENDE.

Pour la Pologne:
R. STARZYŃSKI.

Pour le Portugal:
A. DE Q. R. VAZ PINTO.
A. C. BIANCHI.

Pour les Colonies portugaises de l'Afrique occidentale:
ERNESTO JULIO NAVARRO.

Pour les Colonies portugaises de l'Afrique orientale, de l'Asie et de l'Océanie:
MARIO CORRÊA BARATA DA CRUZ.

Pour la Roumanie:
ILARIU MANEANU.
CONST. STEFANESCU.

Pour la République de Saint-Marin:
CRETY DONATO.

Pour la République de El Salvador:

Pour le Territoire de la Sarre:

Pour le Siam:

Pour la Suède:
ANDERS ÖRNE.
GUNNAR LAGER.
ARVID BILDT. /

Pour la Confédération Suisse:
DR. REINHOLD FURRER.
LS ROULET.

Pour la Tchécoslovaquie:
VÁCLAV KUCERA.
JOSEF RADA.

Pour la Tunisie:
H. DUTEIL.

Pour la Turquie:
YUSUF ARIFI.
M. SAKIN.
M. TEVFIK.

Pour l'Union des Républiques Soviétiques Socialistes:
DR. EUGÈNE HIRSCHFELD
DR. S. RAPOPORT.
HEL. SEREBRIAKOVA.

Pour la République O. de l'Uruguay:
ARTURO C. MASANÉS.

Pour l'Etat de la Cité du Vatican:
MGR. GIUSEPPE MAZZOLI.

Pour les Etats-Unis de Vénézuela:
LUIS ALEJANDRO AGUILAR.

Pour l'Yémen·

Pour le Royaume de Yougoslavie:
KOSTA ZLATANOVITCH.

Plenipotentiaries—Continued.

La délégation de l'Union de l'Afrique du Sud déclare que l'acceptation par elle de la présente Convention comprend le Territoire sous mandat de l'Afrique du Sud-Ouest.

Le Caire, le 20 mars 1934.

Pour M. H. J. LENTON:
F. G. W. Taylor.
F. G. W. Taylor.

The delegation of the Union of South Africa declares that the acceptance by it of the present Convention comprises the Mandated Territory of South-West Africa.

Cairo, March 20, 1934.

La délégation de la Commonwealth de l'Australie déclare que l'acceptation par elle de la présente Convention comprend les Territoires d'outre-mer ou Territoires sous mandat énumérés ci-après:

Lord Howe Island.
Nauru.
Norfolk Island.
Papua.
Le Territoire de la Nouvelle-Guinée et les autres Territoires de l'Océan Pacifique sous mandat de la Commonwealth de l'Australie.

Le Caire, le 20 mars 1934.

Pour ARCHDALE PARKHILL:
M. B. HARRY.
M. B. HARRY.

The delegation of the Commonwealth of Australia declares that the acceptance by it of the present Convention comprises the Oversea Territories and Mandated Territories enumerated below:

Lord Howe Island.
Nauru.
Norfolk Island.
Papua.
The Territory of New Guinea and the other Territories in the Pacific Ocean under Mandate of the Commonwealth of Australia.

Cairo, March 20, 1934

La délégation de la Grande-Bretagne et de l'Irlande du Nord déclare que l'acceptation par elle de la présente Convention comprend les Colonies, Territoires d'outre-mer, Protectorats ou Territoires sous suzeraineté ou sous mandat énumérés ci-après:

Terre-Neuve.
Rhodésia du Sud.

Les Territoires de la *South African High Commission:*
(*a*) Bechuanaland (Protectorat),
(*b*) Basutoland,
(*c*) Swaziland.
Bahamas (Iles).
Barbade.
Bermudes.
Guyane britannique.
Honduras britannique.

The delegation of Great Britain and Northern Ireland declares that the acceptance by it of the present Convention comprises the Colonies, Oversea Territories, Protectorates or Territories under Suzerainty or under Mandate enumerated below:

Newfoundland.
Southern Rhodesia.

The Territories of the South African High Commission:
(*a*) Bechuanaland (Protectorate),
(*b*) Basutoland,
(*c*) Swaziland.
Bahamas (Islands).
Barbados.
Bermuda.
British Guiana.
British Honduras.

Plenipotentiaries—Continued.

Ceylan.
Chypre.
Falkland (Iles et Dépendances).

Fidji (Iles).
Gambie (Colonie et Protectorat).

Gibraltar.
Côte d'Or:
(*a*) Colonie,
(*b*) Ashanti,
(*c*) Territoires du Nord,
(*d*) Togoland sous mandat britannique.
Hong-Kong.
Jamaïque (y compris les îles Turques, Caïques et Cayman).
Kenya (Colonie et Protectorat).
Iles Leeward:
Antigoa.
Dominique.
Montserrat.
St-Christophe et Nevis.
Vierges (Iles).
Etats malais:
(*a*) Etats malais fédérés:
Negri Sembilan.
Pahang.
Perak.
Selangor.
(*b*) Etats malais non fédérés:
Johore.
Kedah.
Kelantan.
Perlis.
Trengganu.
Brunei.
Malte.
Maurice.
Nigéria:
(*a*) Colonie,
(*b*) Protectorat,
(*c*) Cameroun sous mandat britannique.
Bornéo du Nord (Etat).
Rhodésia du Nord.
Nyasaland (Protectorat).
Palestine et Transjordanie.
Ste-Hélène et Ascension.
Sarawak.
Seychelles.
Sierra Leone (Colonie et Protectorat).
Somaliland (Protectorat).
Straits Settlements.

Ceylon.
Cyprus.
Falkland (Islands and Dependencies).
Fiji (Islands).
Gambia (Colony and Protectorate).
Gibraltar.
Gold Coast:
(*a*) Colony,
(*b*) Ashanti,
(*c*) Northern Territories,
(*d*) Togoland under British Mandate.
Hong Kong.
Jamaica (including Turks, Caicos, and Cayman Islands).
Kenya (Colony and Protectorate)
Leeward Islands:
Antigua.
Dominica.
Montserrat.
St. Christopher and Nevis.
Virgin (Islands).
Malay States:
(*a*) Federated Malay States:
Negri Sembilan.
Pahang.
Perak.
Selangor.
(*b*) Non-Federated Malay States:
Johore.
Kedah.
Kelantan.
Perlis.
Trengganu.
Brunei.
Malta.
Mauritius.
Nigeria:
(*a*) Colony,
(*b*) Protectorate,
(*c*) Cameroons under British Mandate.
North Borneo (State).
Northern Rhodesia.
Nyasaland (Protectorate).
Palestine and Trans-Jordan.
St. Helena and Ascension.
Sarawak.
Seychelles.
Sierra Leone (Colony and Protectorate).
Somaliland (Protectorate).
Straits Settlements.

Plenipotentiaries—Continued.

Tanganyika (Territoire).	Tanganyika (Territory).
Trinité et Tobago.	Trinidad and Tobago.
Uganda (Protectorat).	Uganda (Protectorate).
Iles du Pacifique de l'Ouest:	West Pacific Islands:
Salomon (Iles) (Protectorat).	Solomon (Islands) (Protectorate).
Gilbert et Ellice (Iles) (Colonie).	Gilbert and Ellice (Islands) (Colony).
Tonga.	Tonga.
Iles Windward:	Windward Islands:
Grenade.	Grenada.
Ste-Lucie.	St. Lucia.
St-Vincent.	St. Vincent.
Zanzibar (Protectorat).	Zanzibar (Protectorate).

Le Caire, le 20 mars 1934. Cairo, March 20, 1934.

F. H. WILLIAMSON.
W. G. GILBERT.
D. O. LUMLEY.

La délégation de la Nouvelle-Zélande déclare que l'acceptation par elle de la présente Convention comprend le Territoire sous mandat de Samoa occidental.

The delegation of New Zealand declares that the acceptance by it of the present Convention comprises the Mandated Territory of Western Samoa.

Le Caire, le 20 mars 1934. Cairo, March 20, 1934.

G. MCNAMARA.

Ratified and approved by Postmaster General. Vol. 46, p. 2523.

Having examined and considered the provisions of the foregoing Convention, signed at Cairo on the 20th day of March, 1934, revising the Universal Postal Convention which was concluded at London on the 28th day of June, 1929; the same is by me, by virtue of the powers vested by law in the Postmaster General, hereby ratified and approved, by and with the advice and consent of the President of the United States of America.

Ante, p. 2747.

This ratification is applicable to the United States of America, the insular possessions of the United States of America mentioned in Article 8 (1°), and to Samoa and the Panama Canal Zone.

In witness whereof, I have caused the seal of the Post Office Department of the United States of America to be hereto affixed this thirteenth day of September, 1934.

[SEAL] JAMES A FARLEY
Postmaster General.

Approval by the President.

I hereby approve the above-mentioned Convention, and in testimony thereof have caused the seal of the United States of America to be hereto affixed.

[SEAL] FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State

Washington, October 4, 1934.

PROTOCOLE FINAL DE LA CONVENTION

Au moment de procéder à la signature de la Convention postale universelle conclue à la date de ce jour, les Plénipotentiaires soussignés sont convenus de ce qui suit:

I

Retrait. Modification d'adresse.

Les dispositions de l'article 51 ne s'appliquent pas à la Grande-Bretagne, ni aux Dominions, Colonies et Protectorats britanniques, dont la législation intérieure ne permet pas le retrait ou la modification d'adresse de correspondances à la demande de l'expéditeur.

II

Equivalents. Limites maxima et minima.

1.—Chaque pays a la faculté de majorer de 40 % ou de réduire de 20% au maximum les taxes prévues à l'article 34, § 1, conformément aux indications du tableau ci-après:

	Limites inférieures	Limites supérieures
	Centimes	Centimes
Lettres: premier échelon	20	35
Lettres: par échelon supplémentaire	12	21
Cartes postales: simples	12	21
Cartes postales: avec réponse payée	24	42
Papiers d'affaires, par 50 grammes	4	7
minimum de taxe	20	35
Imprimés, par 50 grammes	4	7
Impressions en relief pour les aveugles, par 1000 grammes	2,4	4,2
Échantillons de marchandises, par 50 grammes	4	7
minimum de taxe	8	14
Petits paquets, par 50 grammes	8	14
minimum de taxe	40	70

Les taxes choisies doivent, autant que possible, être entre elles dans les mêmes proportions que les taxes de base, chaque Administration ayant la faculté d'arrondir ses taxes suivant les convenances de son système monétaire.

FINAL PROTOCOL OF THE CONVENTION

Final protocol.

At the moment of proceeding to sign the Universal Postal Convention concluded on the present date, the undersigned plenipotentiaries have agreed as follows:

Agreement of Plenipotentiaries.

I

Withdrawal. Change of address

Withdrawal or change of address.

The provisions of Article 51 do not apply to Great Britain, nor to the British Dominions, Colonies and Protectorates, whose domestic legislation does not permit the withdrawal or change of address of correspondence at the request of the sender.

Provisions not applicable to Great Britain, etc.

II

Equivalents. Maximum and minimum limits

1. Each country has the option of increasing by 40 per cent, or of decreasing by 20 per cent, at most, the postage rates fixed by Article 34, Section 1, in accordance with the indications of the following table:

Limiting rates.

Ante, p. 2759.

Table.

	Minimum limits	Maximum limits
	Centimes	*Centimes*
Letters: First unit	20	35
Each additional unit	12	21
Post cards: Single	12	21
With reply paid	24	42
Commercial papers: Each 50 grams	4	7
Minimum charge	20	35
Prints: Each 50 grams	4	7
Raised print for the blind: Each 1,000 grams	2.4	4.2
Samples of merchandise: Each 50 grams	4	7
Minimum charge	8	14
Small packets: Each 50 grams	8	14
Minimum charge	40	70

The rates chosen shall, as far as possible, be in the same proportion among themselves as the basic rates, each Administration having the option of rounding off its rates to suit the convenience of its monetary system.

Basis of changed rates.

Post cards.

2.—Il est loisible à chaque pays de réduire à 10 centimes la taxe de la carte postale simple et à 20 centimes celle de la carte postale avec réponse payée.

Unpaid or deficient postage.

3.—Le tarif adopté par un pays s'applique aux taxes à percevoir à l'arrivée par suite d'absence ou d'insuffisance d'affranchissement.

III

Avoirdupois ounce.

Once avoirdupois.

Optional substitution of equivalent in grams.

Il est admis, par mesure d'exception, que les pays qui, à cause de leur régime intérieur, ne peuvent adopter le type de poids métrique décimal, ont la faculté d'y substituer l'once avoirdupois ($28_{,3465}$ grammes) en assimilant 1 once à 20 grammes pour les lettres et 2 onces à 50 grammes pour les papiers d'affaires, imprimés, échantillons et petits paquets.

IV

Mailing correspondence in another country.

Dépôt de correspondances à l'étranger.

Prevention, etc.

Aucun pays n'est tenu d'acheminer, ni de distribuer aux destinataires, les envois que des expéditeurs quelconques domiciliés sur son territoire déposent ou font déposer dans un pays étranger en vue de bénéficier des taxes plus basses qui y sont établies. La règle s'applique sans distinction, soit aux envois préparés dans le pays habité par l'expéditeur et transportés ensuite à travers la frontière, soit aux envois confectionnés dans un pays étranger. L'Administration intéressée a le droit, ou de renvoyer les objets en question à l'origine, ou de les frapper de ses taxes intérieures. Les modalités de la perception des taxes sont laissées à son choix.

V

Reply coupons.

Coupons-réponse.

Sale optional.

Les Administrations ont la faculté de ne pas se charger du débit des coupons-réponse.

2. It is permissible for any country to reduce the postage on single post cards to 10 centimes, and that on reply post cards to 20 centimes.

3. The rates adopted by a country are applicable to the charges to be collected upon arrival as a result of absence or insufficiency of prepayment.

III

Avoirdupois ounce

It is agreed, as an exceptional measure, that countries which, on account of their domestic legislation, can not adopt the decimal metric system of weights, have the option of substituting therefor the avoidupois ounce (28.3465 grams), assimilating one ounce to 20 grams for letters and 2 ounces to 50 grams for commercial papers, prints, samples and small packets.

IV

Mailing of correspondence in another country

No country is bound to forward or deliver to addressees articles which any senders domiciled on its territory mail or cause to be mailed in a foreign country with a view to profiting by lower rates which are established there. The rule applies, without distinction, either to articles prepared in the country inhabited by the sender and subsequently transported across the border, or to articles prepared in a foreign country. The Administration concerned has the right either to return the articles in question to origin or to charge them with its domestic postage rates. The methods of collecting the charges are left to its discretion.

V

Reply coupons

Administrations have the option of not undertaking the sale of reply coupons.

VI

Droit de recommandation.

Les pays qui ne peuvent pas fixer à 40 centimes le droit de recommandation prévu à l'article 54, § 2, sont autorisés à percevoir un droit pouvant s'élever jusqu'à 50 centimes ou éventuellement jusqu'au taux fixé pour leur service intérieur.

VI

Registration fee

Registration fee.

Countries which can not fix at 40 centimes the registration fee contemplated by Article 54, Section 2, are authorized to collect a fee which may amount to as much as 50 centimes, or their domestic registration fee if this is higher.

Increase permitted.

Ante, p. 2772.

VII

Services aériens.

Les dispositions concernant le transport de la poste aux lettres par voie aérienne sont annexées à la Convention postale universelle et sont considérées comme faisant partie intégrante de celle-ci et de son Règlement.

Toutefois, par dérogation aux dispositions générales de la Convention, la modification de ces dispositions peut être envisagée de temps à autre par une Conférence comprenant les représentants des Administrations directement intéressées.

Cette Conférence peut être convoquée par l'intermédiaire du Bureau international à la demande de trois au moins de ces Administrations.

L'ensemble des dispositions proposées par cette Conférence devra être soumis, par l'intermédiaire du Bureau international, au vote des Pays de l'Union. La décision sera prise à la majorité des voix exprimées.

VII

Air services

Air services.

The provisions concerning the transportation of regular mails by air are appended to the Universal Postal Convention and are considered as forming an integral part of it and its Regulations.

Provisions concerning, considered part of Convention.

However, by exception to the general provisions of the Convention, the modification of those provisions may be undertaken from time to time by a Conference comprising the representatives of the Administrations directly interested.

Modification permitted.

That Conference may be called together thru the intermediary of the International Bureau, at the request of three at least of those Administrations.

Conference at call of International Bureau.

All the provisions proposed by that Conference shall be submitted, thru the medium of the International Bureau, to the other countries of the Union, to be voted upon. The decision will be made on a majority of the votes cast.

Submission of proposals.

VIII

Frais spéciaux de transit par le Transsibérien et le Transandin.

Par dérogation aux dipositions de l'article 75, § 1 (Tableau), l'Administration postale de l'Union des Républiques Soviétiques Socialistes est autorisée à percevoir les frais de transit par la voie du Transsibérien pour les deux directions (Mandchourie ou Vladi-

VIII

Special transit charges for the Trans-Siberian and Trans-Andean routes

Trans-Siberian and Trans-Andean routes.

By exception to the provisions of Article 75, Section 1 (Table), the Postal Administration of the Union of Socialistic Soviet Republics is authorized to collect transit charges for the Trans-Siberian Railway for both routes (Manchuria or Vladivostok) at the rate

Special transit charges allowed.

Ante, p. 2782.

vostok), à raison de 4 francs 50 par kilogramme de lettres et de cartes postales et de 50 centimes par kilogramme d'autres objets, pour les distances dépassant 6000 kilomètres.

of 4 francs 50 centimes per kilogram of letters and post cards and 50 centimes per kilogram of other articles, for distances exceeding 6,000 kilometers.

Argentine Republic.

L'Administration de la République Argentine est autorisée à percevoir un supplément de 30 centimes sur les frais de transit mentionnés à l'article 75, § 1, chiffre 1°, de la Convention, pour chaque kilogramme de correspondance de toute nature transportée en transit par la section argentine du "Ferrocarril Trasandino".

The Administration of the Argentine Republic is authorized to collect a charge of 30 centimes in addition to the transit charges mentioned in Article 75, Section 1, Figure 1°, of the Convention, for each kilogram of correspondence of any kind carried in transit by the Argentine section of the Trans-Andean Railway.

IX

Frais spéciaux de transit par la République O. de l'Uruguay.

IX

Special transit charges for the Eastern Republic of Uruguay

Uruguay.

Exceptionnellement, la République O. de l'Uruguay est autorisée à percevoir pour toutes les dépêches d'outre-mer débarquées à Montevideo qu'elle réachemine par ses propres services sur les pays au delà, les frais de transit territoriaux prévus par l'article 75, soit 60 centimes par kilogramme de lettres et de cartes postales et 8 centimes par kilogramme d'autres objets.

As an exceptional measure, the Eastern Republic of Uruguay is authorized to collect, for all oversea dispatches unloaded at Montevideo which it forwards by its own services to countries beyond, the territorial transit charges contemplated by Article 75, or 60 centimes per kilogram of letters and post cards and 8 centimes per kilogram of other articles.

X

Frais d'entrepôt spéciaux à Aden.

X

Special warehousing charges at Aden

Special warehousing charges at Aden.

A titre exceptionnel, l'Administration de l'Inde britannique est autorisée à percevoir une taxe de 40 centimes par sac pour les sacs entreposés à Aden, pourvu que l'Administration indo-britannique ne reçoive aucun droit de transit territorial ou maritime pour les sacs de l'espèce.

As an exceptional measure, the Administration of British India is authorized to collect a charge of 40 centimes per sack for sacks warehoused at Aden, provided that the British Indian Administration does not receive any territorial or maritime transit charges for such sacks.

XI

Frais spéciaux de transbordement.

XI

Special charges for transshipment

Transshipment at Lisbon.

Exceptionnellement, l'Administration portugaise est autorisée à percevoir 40 centimes par sac pour toutes les dépêches transbordées au port de Lisbonne.

As an exceptional measure, the Portuguese Administration is authorized to collect 40 centimes per sack for all mails transshipped at the port of Lisbon.

XII

Protocole laissé ouvert aux Pays non représentés.

L'Afghanistan, la République d'Haïti, la République de Libéria, le Luxembourg, la République de El Salvador, le Territoire de la Sarre, le Siam et l'Yémen, qui font partie de l'Union postale, ne s'étant pas fait représenter au Congrès, le Protocole leur reste ouvert pour adhérer à la Convention et aux Arrangements qui y ont été conclus, ou seulement à l'un ou à l'autre d'entre eux.

XII

Protocol left open to the countries not represented

Protocol left open to countries not represented at Congress.

As Afghanistan, the Republic of Haiti, the Republic of Liberia, Luxemburg, the Republic of El Salvador, the Saar Territory, Siam and Yemen, which form part of the Postal Union, were not represented at the Congress, the Protocol remains open to them in order that they may adhere to the Convention and Agreements concluded there, or merely to one or another of them.

XIII

Protocole laissé ouvert aux Pays représentés pour signatures et adhésions.

Le Protocole demeure ouvert en faveur des Pays dont les représentants n'ont signé aujourd'hui que la Convention ou un certain nombre seulement des Arrangements arrêtés par le Congrès, à l'effet de leur permettre d'adhérer aux autres Arrangements signés ce jour, ou à l'un ou à l'autre d'entre eux.

XIII

Protocol left open to the countries represented for signatures and adhesions

Protocol left open for further signatures.

The Protocol remains open to those countries whose representatives have today signed only the Convention or only a certain number of the Agreements drawn up by the Congress, for the purpose of permitting them to adhere to the other Agreements signed on this date, or to one or another of them.

XIV

Délai pour la notification des adhésions.

Les adhésions prévues aux articles XII et XIII devront être notifiées, en la forme diplomatique, par les Gouvernements intéressés au Gouvernement de l'Egypte et par celui-ci aux autres Etats de l'Union. Le délai accordé auxdits Gouvernements pour cette notification expirera le 1er janvier 1935.

XIV

Period for notification of adhesions

Period for notifying adhesions.

The adhesions contemplated in Articles XII and XIII shall be communicated by the respective Governments, thru diplomatic channels, to the Government of Egypt, and by the latter to the other States of the Union. The period which is allowed to the said Governments to make such notification will expire on January 1, 1935.

Signatures.

En foi de quoi, les Plénipotentiaires ci-dessous ont dressé le présent Protocole, qui aura la même force et la même valeur que si ses dispositions étaient insérées dans le texte même de la Convention à laquelle il se rapporte, et ils l'ont signé en un exemplaire qui restera déposé aux Archives du Gouvernement de l'Egypte et dont une copie sera remise à chaque Partie.

Fait au Caire, le 20 mars 1934.

In faith of which, the undersigned plenipotentiaries have drawn up the present Protocol, which will have the same force and validity as if its provisions were included in the text itself of the Convention to which it relates, and they have signed it in one copy, which will be filed in the Archives of the Government of Egypt, and a copy of which will be delivered to each party.

Done at Cairo, March 20, 1934.

Plenipotentiaries.

Pour l'Afghanistan:

Pour l'Union de l'Afrique du Sud:
Pour M. H. J. LENTON:
F. G. W. TAYLOR.
F. G. W. TAYLOR.

Pour l'Albanie:
PAN. NASSE.

Pour l'Allemagne:
K. ORTH.
K. ZIEGLER.
DR. W. SEEBASS.

Pour les Etats-Unis d'Amérique:
JOHN E. LAMIELL.
POUR GEORGE F. SMITH:
JOHN E. LAMIELL.

Pour l'ensemble des Possessions insulaires des Etats-Unis d'Amérique autres que les Iles Philippines:
JOHN E. LAMIELL.
POUR GEORGE F. SMITH:
JOHN E. LAMIELL.

Pour les Iles Philippines:
FELIPE CUADERNO.

Pour le Royaume de l'Arabie Saoudite:
FAWZAN EL SABEK.

Pour la République Argentine:
R. R. TULA.

Pour la Commonwealth de l'Australie:
Pour ARCHDALE PARKHILL:
M. B. HARRY.
M. B. HARRY.

Pour l'Autriche:
DR. RUDOLF KUHN.

Pour la Belgique:
O. SCHOCKAERT.
E. MONS.

Pour la Colonie du Congo belge:
G. TONDEUR.

Pour la Bolivie:
ERNESTO CÁCERES.
POUR EDMUNDO DE LA FUENTE:
ERNESTO CÁCERES.

Pour le Brésil:
C. M. DE FIGUEIREDO.
J. SANCHEZ PEREZ.

Pour la Bulgarie:
IV. KATZAROFF.

Pour le Canada:
Pour ARTHUR SAUVÉ:
E. J. UNDERWOOD.
Pour H. BEAULIEU:
E. J. UNDERWOOD.
E. J. UNDERWOOD.

Pour le Chili:
R. SUAREZ BARROS

Pour la Chine:
HOO CHI-TSAI.
CHANG HSIN-HAI.
HUANG NAI-SHU.

Pour la République de Colombie:
E. ZALDÚA P.

Pour la République de Costa-Rica:
AD REFERENDUM,
P. MARTINEZ T.

Pour la République de Cuba:
ALFREDO ASSIR.

Pour le Danemark:
C. MONDRUP.
ARNE KROG.

Pour la Ville libre de Danzig:
R. STARZYŃSKI.

Pour la République Dominicaine:
LUIS ALEJANDRO AGUILAR.

Pour l'Egypte:
M. CHARARA.
E. MAGGIAR.
S. A. GHALWASH.

Pour l'Equateur:
E. L. ANDRADE.

Pour l'Espagne:
ALONSO CARO.
A. RAMOS.

Pour l'ensemble des Colonies espagnoles:
DEMETRIO PEREDA.

Pour l'Estonie:
G. E. F. ALBRECHT.

Pour l'Ethiopie:
ALAMOU TCH.

Pour la Finlande:
G. E. F. ALBRECHT.

Pour la France:
M. LEBON.
L. GENTHON.
P. GRANDSIMON.
A. CABANNE.
DUSSERRE.

Pour l'Algérie:
E. HUGUENIN.

Pour les Colonies et Protectorats français de l'Indochine:
NICOLAS.

Pour l'ensemble des autres Colonies françaises:
J. CASSAGNAC.

Pour le Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord:
F. H. WILLIAMSON.
W. G. GILBERT.
D. O. LUMLEY.

Pour la Grèce:
V. DENDRAMIS.
J. LACHNIDAKIS.

Pour la Guatémala:
VICTOR DURÁN M.

Pour la République d'Haïti:

Pour la République du Honduras:
DR. TUCCIMEI.

Pour la Hongrie:
GABRIEL BARON SZALAY.
CHARLES DE FORSTER.

Pour l'Inde britannique:
P. N. MUKERJI.
S. C. GUPTA.
MOHD. AL HASAN.

Pour l'Iraq:
DOUGLAS W. GUMBLEY.
JOS. SHAUL.

Pour l'Etat libre d'Irlande:
P. S. Ó'H-ÉIGEARTAIGH.
S. S. PUIRSÉAL.

Pour l'Islande:
C. MONDRUP.
ARNE KROG.

Pour l'Italie:
PIETRO TOSTI.
GALDI MICHELE.

Pour l'ensemble des Colonies italiennes:
CRETY DONATO.

Pour le Japon:
MASAO SEKI.
T. HARIMA.
J. KAGEYAMA.

Pour le Chosen:
MASAO SEKI.
RYUZO KAWAZURA.

Pour l'ensemble des autres Dépendances japonaises:
T. HARIMA.
H. FUJIKAWA.

Pour la Lettonie:
DR. REINHOLD FURRER.
LS ROULET.

Plenipotentiaries—Continued.

Pour les Etats du Levant sous Mandat français (Syrie et Liban):
CIANFARELLI.
L. PERNOT.

Pour la République de Libéria:

Pour la Lithuanie:

Pour le Luxembourg:

Pour le Maroc (à l'exclusion de la Zone espagnole):
H. DUTEIL.

Pour le Maroc (Zone espagnole):
A. RAMOS.

Pour le Mexique:
P. MARTINEZ T.

Pour le Nicaragua:
VICTOR DURÁN M.

Pour la Norvège:
KLAUS HELSING.
OSKAR HOMME.

Pour la Nouvelle-Zélande:
G. MCNAMARA.

Pour la République de Panama:
E. ZALDÚA P.

Pour le Paraguay:
R. R. TULA.

Pour les Pays-Bas:
DUYNSTEE.
v. GOOR.

Pour Curaçao et Surinam:
HOOGEWOONING.

Pour les Indes néerlandaises:
PERK.
BRIL.
HOOGEWOONING.

Pour le Pérou:
ERNESTO ÁCERES.
Pour EDMUNDO DE LA FUENTE: ERNESTO CÁCERES.

Pour la Perse:
S. A. RAD.
R. ARDJOMENDE.

Pour la Pologne:
R. STARZYŃSKI.

Pour le Portugal:
A. DE Q. R. VAZ PINTO.
A. C. BIANCHI.

Pour les Colonies portugaises de l'Afrique occidentale:
ERNESTO JULIO NAVARRO.

Pour les Colonies portugaises de l'Afrique orientale, de l'Asie et de l'Océanie:
MARIO CORRÊA BARATA DA CRUZ.

Pour la Roumanie:
ILARIU MANEANU.
CONST. STEFANESCU.

Pour la République de Saint-Marin:
CRETY DONATO.

Pour la République de El Salvador:

Pour le Territoire de la Sarre:

Pour le Siam:

Pour la Suède:
ANDERS ÖRNE.
GUNNAR LAGER.
ARVID BILDT.

Pour la Confédération Suisse:
DR. REINHOLD FURRER.
LS ROULET.

Pour la Tchécoslovaquie:
VÁCLAV KUČERA.
JOSEF RADA.

Pour la Tunisie:
H. DUTEIL.

Pour la Turquie:
YUSEF ARIFI.
M. SAKIN.
M. TEVFIK.

Pour l'Union des Républiques Soviétiques Socialistes:
DR. EUGÈNE HIRSCHFELD.
DR. S. RAPOPORT.
HEL. SEREBRIAKOVA.

Pour la République O. de l'Uruguay:
ARTURO C. MASANÉS.

Pour l'Etat de la Cité du Vatican:
MGR. GIUSEPPE MAZZOLI.

Pour les Etats-Unis de Vénézuela:
LUIS ALEJANDRO AGUILAR.

Pour l'Yémen:

Pour le Royaume de Yougoslavie:
KOSTA ZLATANOVITCH.

Plenipotentiaries—Continued.

Having examined and considered the provisions of the foregoing Final Protocol, signed at Cairo on the 20th day of March, 1934, relative to the Universal Postal Convention of Cairo, signed the same day; the same is by me, by virtue of the powers vested by law in the Postmaster General, hereby ratified and approved, by and with the advice and consent of the President of the United States of America.

Final Protocol approved by Postmaster General.

This ratification is applicable to the United States of America, the insular possessions of the United States of America mentioned in Article 8 (1°), and to Samoa and the Panama Canal Zone.

Ante, p. 2747.

In witness whereof, I have caused the seal of the Post Office Department of the United States of America to be hereto affixed this thirteenth day of September, 1934.

[SEAL]

JAMES A FARLEY
Postmaster General

I hereby approve the above-mentioned Final Protocol, and in testimony thereof have caused the seal of the United States of America to be hereto affixed.

Approval by the President.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL
Secretary of State

Washington, October 4, 1934.

Executory regulations.

RÈGLEMENT D'EXÉCUTION DE LA CONVENTION POSTALE UNIVERSELLE

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RÈGLEMENT D'EXÉCUTION DE LA CONVENTION POSTALE UNIVERSELLE

Measures adopted. *Ante*, p. 2746.

Les soussignés, vu l'article 4 de la Convention postale universelle conclue au Caire le 20 mars 1934, ont, au nom de leurs Administrations respectives, arrêté, d'un commun accord, les mesures suivantes pour assurer l'exécution de ladite Convention:

TITRE I

General provisions.

DISPOSITIONS GÉNÉRALES.

CHAPITRE UNIQUE

ARTICLE 101

Transit en dépêches closes et transit à découvert.

Use of closed and open mails.

Les Administrations peuvent s'expédier réciproquement, par l'intermédiaire d'une ou de plusieurs d'entre elles, tant des dépêches closes que des correspondances à découvert, suivant les besoins du trafic et les convenances du service. La transmission des correspondances à découvert à une Administration intermédiaire doit se limiter strictement aux cas où la confection de dépêches closes ne se justifie pas.

Open mail to intermediate.

Administration limited.

ARTICLE 102

Echange en dépêches closes.

Exchange in closed mails.

1.—L'échange des correspondances en dépêches closes est réglé d'un commun accord entre les Administrations intéressées.

Il est obligatoire de former des dépêches closes toutes les fois qu'une des Administrations intermédiaires en fait la demande, se basant sur le fait que le nombre de correspondances à découvert est de nature à entraver ses opérations.

REGULATIONS OF EXECUTION OF THE UNIVERSAL POSTAL CONVENTION

The undersigned, in view of Article 4 of the Universal Postal Convention concluded at Cairo on March 20, 1934, have, in the name of their respective Administrations, drawn up, by common consent, the following measures to assure the execution of the said Convention:

TITLE I

GENERAL PROVISIONS

SOLE CHAPTER

ARTICLE 101

Transit in closed mails and transit in open mail

Administrations may send reciprocally, thru the intermediary of one or more of them, both closed mails and correspondence in open mail, in accordance with the needs of the traffic and the requirements of the service. The transmission of correspondence in open mail to an intermediate Administration must be limited strictly to cases where the preparation of closed mails is not justified.

ARTICLE 102

Exchange in closed mails

1. The exchange of correspondence in closed mails is governed by mutual agreement between the Administrations concerned.

It is obligatory to make up closed mails whenever one of the intermediate Administrations so requests, basing its request on the fact that the number of articles in open mail is such as to hinder its operations.

2.—Les Administrations par l'intermédiaire desquelles des dépêches closes sont à expédier doivent être prévenues en temps opportun.

3.—En cas de changement dans un service d'échange en dépêches closes établi entre deux Administrations par l'entremise d'un ou de plusieurs pays tiers, l'Administration qui a provoqué le changement en donne connaissance aux Administrations de ces pays.

ARTICLE 103

Acheminement des correspondances.

1.—Chaque Administration est obligée d'acheminer, par les voies les plus rapides qu'elle emploie pour ses propres envois, les dépêches closes et les correspondances à découvert qui lui sont livrées par une autre Administration.

Lorsqu'une dépêche se compose de plusieurs sacs, ceux-ci doivent, autant que possible, rester réunis et être acheminés par le même courrier.

Les objets de toute nature mal dirigés sont, sans aucun délai, réexpédiés sur leur destination par la voie la plus prompte.

2.—L'Administration du pays d'origine a la faculté d'indiquer la voie à suivre par les dépêches closes qu'elle expédie, pourvu que l'emploi de cette voie n'entraîne pas, pour une Administration intermédiaire, des frais spéciaux.

Sous la même réserve, les Administrations intervenant dans le transport doivent tenir compte de la voie à suivre portée par l'expéditeur sur les envois qui leur sont transmis à découvert.

3.—Les Administrations qui usent de la faculté de percevoir des taxes supplémentaires, en représentation des frais extraordinaires afférents à certaines voies, sont libres de ne pas diriger par ces voies les correspondances non ou insuffisamment affranchies.

2. The Administrations thru whose intermediary closed mails are to be exchanged shall be duly notified in advance

3. In case of alteration in an exchange of closed mails established between two Administrations thru the intermediary of one or more third countries, the Administration which has caused the change gives notice thereof to the Administrations of those countries.

ARTICLE 103

Routing of mails

Routing of mails.

1. Each Administration is bound to forward by the most rapid routes which it employs for its own dispatches the closed mails and articles in open mail which are delivered to it by another Administration.

When a mail is composed of several sacks, they shall, as far as possible, remain together and be forwarded in the same dispatch.

Missent articles of all kinds are forwarded without any delay to their destination by the most rapid route.

Optional routes may be designated.

2. The Administration of the country of origin has the option of indicating the route to be followed by the closed mails which it dispatches, provided that the employment of that route does not involve special expenses for an intermediate Administration.

With the same reservation, the Administrations intervening in the transportation shall take account of the route to be followed indicated by the sender on articles sent to them in open mail.

Collection of extra charges therefor.

3. Administrations which make use of the option of collecting supplementary charges, representing the extraordinary expenses pertaining to certain routes, are at liberty not to send unprepaid or insufficiently prepaid correspondence by those routes.

ARTICLE 104

Pays éloignés.

Distant countries.

1.—Sont considérés comme pays éloignés les pays entre lesquels la durée des transports par la voie de terre ou de mer la plus rapide est de plus de dix jours ainsi que ceux entre lesquels la fréquence moyenne des courriers est inférieure à deux voyages par mois.

2.—Sont assimilés aux pays éloignés, en ce qui concerne les délais prévus par la Convention et les Arrangements, les pays de très grande étendue ou dont les voies de communication intérieures sont peu développées, pour les questions où ces facteurs jouent un rôle prépondérant.

Lists prepared.

3.—Le Bureau international dresse la liste des pays visés aux §§ 1 et 2.

ARTICLE 104

Distant countries

1. Countries between which the shortest transit time by land or sea is more than ten days, as well as those between which the average frequency of the mails is less than two trips a month, are considered as distant countries.

2. Countries of very great extent, or those whose internal routes of communication are but little developed, for questions where those factors play a decisive part, are assimilated to distant countries, in regard to the periods prescribed by the Convention and Agreements.

3. The International Bureau prepares a list of the countries mentioned in Sections 1 and 2.

ARTICLE 105

Fixation des équivalents.

Fixing equivalents.

Rates, etc.

1.—Les Administrations fixent les équivalents des taxes et droits prévus par la Convention et les Arrangements après entente avec l'Administration des postes suisses, à laquelle il appartient de les faire notifier par l'intermédiaire du Bureau international. La même procédure est suivie en cas de changement d'équivalents.

Notice to be given.

Effective dates.

Les équivalents ou les changements d'équivalents ne peuvent entrer en vigueur que le premier d'un mois et, au plus tôt, quinze jours après leur notification par le Bureau international.

Tables to be prepared, etc.

Ce Bureau dresse un tableau indiquant, pour chaque pays, les équivalents des taxes et droits mentionnés au 1er alinéa, et renseignant, le cas échéant, sur le pourcentage de la majoration ou de la réduction de taxe appliquée en vertu de l'article II du Protocole final de la Convention.

Monetary fractions.

2.—Les fractions monétaires résultant du complément de taxe applicable aux correspondances insuffisamment affranchies peu-

ARTICLE 105

Fixing of equivalents

1. Administrations fix the equivalents of the rates and fees contemplated by the Convention and Agreements by agreement with the Swiss Postal Administration, which latter Administration shall give notice of the equivalents thru the intermediary of the International Bureau. The same procedure is followed in case of change of equivalents.

The equivalents or changes of equivalents can not enter into force except on the first of a month, and at the earliest fifteen days after their notification by the International Bureau.

That Bureau makes up a table indicating, for each country, the equivalents of the rates and fees mentioned in the first paragraph, showing the percentage of increase or reduction, if any, made in the rates by virtue of article II of the Final Protocol of the Convention.

2. Monetary fractions resulting from the additional charge applicable to shortpaid correspondence may be rounded off by the Ad-

vent être arrondies par les Administrations qui en effectuent la perception. La somme à ajouter de ce chef ne peut excéder la valeur de 5 centimes.

3.—Chaque Administration notifie directement au Bureau international l'équivalent fixé par elle pour l'indemnité prévue à l'article 56 de la Convention.

ARTICLE 106

Timbres-poste et empreintes d'affranchissement.

1.—Les timbres-poste représentant les taxes-types de l'Union ou leurs équivalents dans la monnaie de chaque pays sont confectionnés dans les couleurs suivantes:

en bleu, le timbre représentant la taxe d'une lettre de port simple;

en rouge, le timbre représentant la taxe d'une carte postale;

en vert, le timbre représentant la taxe d'un imprimé de port simple.

Les empreintes produites par les machines à affranchir doivent être de couleur rouge vif, quelle que soit la valeur qu'elles représentent.

2.—Les timbres-poste et les empreintes d'affranchissement doivent porter, autant que possible en caractères latins, l'indication du pays d'origine et mentionner leur valeur d'affranchissement d'après le tableau des équivalents adoptés. L'indication du nombre d'unités ou de fractions de l'unité monétaire, servant à exprimer cette valeur, est faite en chiffres arabes.

En ce qui concerne les imprimés affranchis au moyen d'empreintes obtenues à la presse d'imprimerie ou par un autre procédé d'impression (article 47 de la Convention), les indications du pays d'origine et de la valeur d'affranchissement peuvent être remplacées par le nom du bureau d'origine et la mention "Taxe perçue", "Port payé" ou une expression analogue. Cette mention peut être libellée en français ou dans la langue du pays

ministrations which collect such charge. The sum to be added on that account may not exceed the value of 5 centimes.

3. Each Administration notifies the International Bureau directly of the equivalent fixed by it for the indemnity contemplated by Article 56 of the Convention. Changing equivalent.

ARTICLE 106

Postage stamps and postage-paid impressions Postage stamps, etc.

1. The postage stamps representing the basic rates of the Union or their equivalents in the money of each country are made up in the following colors: Colors.

The stamp representing the postage on a single-rate letter, in blue; Letter.

The stamp representing the rate for a post card, in red; Post card.

The stamp representing the postage on a single-rate print, in green. Print.

Impressions produced by stamping machines shall be bright red, whatever value they represent. Stamping machine impressions.

2. Postage stamps and postage-paid impressions shall bear, in Latin characters as far as possible, the indication of the country of origin, and mention their postage value in accordance with the table of equivalents adopted. The number of monetary units or fractions of the unit serving to express that value is indicated in Arabic figures. Lettering, etc.

As for prints prepaid by means of indicia, printed or otherwise obtained (Article 47 of the Convention), the indication of the country of origin and the postage value may be replaced by the name of the office of origin and the note *Taxe perçue* (postage collected), *Port payé* (postage paid), or a similar expression. That note may be worded in French or in the language of the country of origin; it may also be abbreviated, Prepaid prints.

d'origine; elle peut aussi revêtir une forme abrégée, par exemple "T. P." ou "P. P.". Dans tous les cas, l'indication adoptée doit être encadrée ou soulignée d'un fort trait.

Commemorative, etc., stamps.

3.—Les timbres-poste commémoratifs ou de charité, pour lesquels un supplément de taxe est à payer indépendamment de la valeur d'affranchissement, doivent être confectionnés de façon à éviter tout doute au sujet de cette valeur.

Perforated stamps.

4.—Les timbres-poste peuvent être marqués à l'emporte-pièce de perforations distinctives selon les conditions fixées par l'Administration qui les a émis.

e. g.: *T. P.* or *P. P.* In all cases, the indication adopted shall be underscored or inclosed with a heavy line.

3. Commemorative or charity stamps, for which an additional charge is to be paid in addition to the postage value, shall be made up in such a way as to avoid any doubt as to that value.

4. Postage stamps may be marked with distinctive perforations, under the conditions fixed by the Administration which has issued them.

Titre II

General conditions.

CONDITIONS D'ACCEPTATION DES OBJETS DE CORRESPONDANCE.

Chapitre I

DISPOSITIONS APPLICABLES À TOUTES LES CATÉGORIES D'ENVOIS.

Article 107

Preparation and address.

Conditionnement et adresse.

Recommendations.

1—Les Administrations doivent recommander au public:

a) de libeller l'adresse en caractères latins et de la mettre dans le sens de la longueur de façon à ménager la place nécessaire pour les mentions ou étiquettes de service;

b) d'indiquer l'adresse d'une manière précise et complète, afin que l'acheminement de l'envoi et sa remise au destinataire puissent avoir lieu sans recherches;

c) d'appliquer les timbres-poste ou les empreintes d'affranchissement à l'angle droit supérieur du côté de la suscription;

d) d'indiquer le nom et le domicile de l'expéditeur, soit au recto et de préférence du côté gauche de façon à ne nuire ni à la clarté de l'adresse, ni à l'application des mentions ou étiquettes de service, soit au verso;

Title II

CONDITIONS OF ACCEPTANCE OF ARTICLES OF CORRESPONDENCE

Chapter I

PROVISIONS APPLICABLE TO ALL CLASSES OF ARTICLES

Article 107

Preparation and address

1. The Administrations shall advise the public:

(*a*) To address mail articles in Latin characters, and to place the address lengthwise, in such a way as to leave the necessary space for the service notations or labels;

(*b*) To indicate the address in a precise and complete manner, so that the dispatch of the article and its delivery to the addressee may be effected without research;

(*c*) To place postage stamps or postage-paid impressions in the upper right-hand corner of the address side;

(*d*) To indicate the name and address of the sender, either on the front (preferably in the upper left-hand corner, in such a way as not to affect either the clarity of the address or the application of the service notations or labels) or on the back;

e) d'utiliser pour les envois de toute nature des enveloppes dont les dimensions ne soient pas inférieures à 10 cm. en longueur et 7 cm. en largeur;

f) de conditionner solidement leurs envois, particulièrement s'ils sont destinés à des pays éloignés;

g) en ce qui concerne les envois expédiés à la taxe réduite, d'indiquer, par des annotations telles que "Papiers d'affaires", "Imprimés", "Echantillon," "Petit paquet", etc., la catégorie à laquelle ils appartiennent.

2.—Les envois de toute nature, dont le côté réservé à l'adresse a été divisé, en tout ou en partie, en plusieurs cases destinées à recevoir des adresses successives, ne sont pas admis.

3.—Les timbres non postaux et les vignettes de bienfaisance ou autres susceptibles d'être confondus avec les timbres-poste, ne peuvent être appliqués du côté de la suscription. Il en est de même des empreintes de timbres qui pourraient être confondues avec les empreintes d'affranchissement.

4.—Les correspondances du service postal expédiées en franchise de port doivent porter au recto l'annotation "Service des postes" ou une mention analogue.

(*e*) To use, for articles of all kinds, envelopes whose dimensions are not less than 10 centimeters in length and 7 centimeters in width;

(*f*) To make up their articles securely, particularly if they are addressed to distant countries;

(*g*) On articles sent at the reduced rate, to indicate, by annotations such as: *Papiers d'affaires* (commercial papers), *Imprimés* (prints), *Echantillon* (sample), *Petit paquet* (small packet), etc.; the class to which they belong.

2. Articles of any kind whose address side has been wholly or partly divided into several spaces intended to receive successive addresses are not admitted.

Non-postage stamps, etc.

3. Non-postage stamps and charity or other stamps capable of being mistaken for postage stamps may not be affixed to the address side. The same applies to imprints of stamps which might be confused with postage-paid impressions.

Franked correspondence.

4. Correspondence of the postal service sent under frank shall bear on the front the note *Service des postes* (postal service) or a similar notation.

ARTICLE 108

Envois poste restante.

L'adresse des envois expédiés poste restante doit indiquer le nom du destinataire. L'emploi d'initiales, de chiffres, de simples prénoms, de noms supposés ou de marques conventionnelles quelconques n'est pas admis pour ces envois.

ARTICLE 108

General-delivery articles

General-delivery articles.

The address of articles sent to general delivery shall indicate the name of the addressee. The use of initials, figures, simple given names, fictitious names, or conventional marks of any kind, is not permitted for such articles.

ARTICLE 109

Envois sous enveloppe à panneau.

1.—Les envois sous enveloppe à panneau transparent sont admis aux conditions suivantes:

a) le panneau doit être disposé parallèlement à la plus grande dimension, de façon que l'adresse du destinataire apparaisse dans

ARTICLE 109

Articles in panel envelopes

Articles in panel envelopes.

1. Articles in transparent-panel envelopes are admitted under the following conditions:

(*a*) The panel shall lie parallel to the longest dimension, so that the address of the addressee appears in the same direction and

le même sens et que l'application du timbre à date ne soit pas entravée;

b) la transparence du panneau doit assurer une parfaite lisibilité de l'adresse, même à la lumière artificielle, et ne pas empêcher l'application d'une écriture; les enveloppes à panneau dont la partie vitrifiée provoque des reflets à la lumière artificielle sont exclues;

c) seuls les nom et adresse du destinataire doivent apparaître à travers le panneau; le contenu de l'enveloppe doit être plié de façon que l'adresse ne puisse se trouver masquée, en tout ou en partie, par suite de glissement;

d) l'adresse doit être indiquée, d'une façon bien lisible, à l'encre ou à la machine à écrire; les envois dont l'adresse est écrite au crayon ou au crayon-encre ne sont pas admis.

Entirely transparent, etc., not admitted.

2.—Les envois sous enveloppe entièrement transparente ou à panneau ouvert ne sont pas admis.

ARTICLE 110

Envois soumis au contrôle douanier.

Articles subject to customs inspection. Marking.

1.—Les envois à soumettre au contrôle douanier doivent être revêtus, au recto, d'une étiquette verte, conforme au modèle C 1 ci-annexé. En ce qui concerne les petits paquets, l'apposition de cette étiquette est obligatoire dans tous les cas.

Post, p. 2889.

Appending separate declarations.

Si le pays de destination l'exige ou si l'expéditeur le préfère, les envois visés à l'alinéa précédent sont, en outre, accompagnés de déclarations en douane séparées, conformes au modèle C 2 ci-annexé et au nombre prescrit; ces déclarations sont reliées à l'envoi extérieurement et d'une manière solide par un croisé de ficelle ou insérées dans l'envoi même. Dans ce cas, la partie supérieure de l'étiquette C 1 est seule apposée sur l'envoi.

Post, p. 2890.

Official responsibility not assumed.

2.—Les Administrations n'assument aucune responsabilité du chef des déclarations en douane, sous quelque forme qu'elles soient faites.

the application of the date stamp is not hindered;

(*b*) The transparency of the panel shall assure perfect legibility of the address, even by artificial light, and shall not interfere with the application of a written note; panel envelopes whose vitrified part allows reflection of artificial light are excluded;

(*c*) Only the name and address of the addressee shall appear thru the panel; the contents of the envelope shall be folded in such a way that the address can not be wholly or partly covered as a result of slipping;

(*d*) The address shall be indicated legibly, in pen and ink or in typewriting; articles whose addresses are written in ordinary or indelible pencil are not admitted.

2. Articles in entirely transparent envelopes or open-panel envelopes are not admitted.

ARTICLE 110

Articles subject to customs inspection

1. Articles to be submitted to customs inspection shall bear on the front a green label conforming to Model C 1 hereto appended. In regard to small packets, the affixing of that label is obligatory in all cases.

If the country of destination requires it or if the sender prefers, the articles mentioned in the preceding paragraph are also accompanied by the prescribed number of separate customs declarations conforming to Model C 2 hereto appended, attached securely to the outside of the article by a crossed string or inserted within the article itself. In this case, only the upper part of the label C 1 is affixed to the article.

2. The Administrations do not assume any responsibility for the customs declarations, regardless of the form in which they are made up.

ARTICLE 111

Envois francs de droits.

1.—Les envois à remettre aux destinataires francs de tous droits doivent porter sur le recto l'entête très apparent "Franc de droits" ou une mention analogue dans la langue du pays d'origine. Ces envois sont pourvus, du côté de la suscription, d'une étiquette de couleur jaune portant également, en gros caractères, l'indication "Franc de droits".

2.—Tout envoi expédié franc de droits est accompagné d'un bulletin d'affranchissement conforme au modèle C 3 ci-annexé, confectionné en carton de couleur jaune et dont le recto est rempli par le bureau expéditeur. Le bulletin d'affranchissement est solidement attaché à l'envoi.

ARTICLE 111

Prepayment of customs duty, etc. Prepayment of customs duty, etc.

1. Articles to be delivered to the addressees free of all charges shall bear at the top of the address side the conspicuous heading *Franc de droits* (free of charges) or a similar notation in the language of the country of origin. Such articles shall bear, on the address side, a yellow label also bearing in large letters the notation *Franc de droits* (free of charges). Articles free of charge.

2. Every article sent free of charges is accompanied by a prepayment bulletin conforming to Model C 3 hereto appended, made of yellow cardboard, the front of which is filled in by the office of mailing. The prepayment bulletin is securely attached to the article. Bulletin to accompany.

CHAPITRE II

DISPOSITIONS SPÉCIALES APPLICABLES À CHAQUE CATÉGORIE D'ENVOIS.

CHAPTER II

SPECIAL PROVISIONS APPLICABLE TO EACH CLASS OF ARTICLES Special provisions.

ARTICLE 112

Lettres.

Aucune condition de forme ou de fermeture n'est exigée pour les lettres, sous réserve de l'observation des prescriptions de l'article 109. La place nécessaire au recto pour l'affranchissement, l'adresse et les mentions ou étiquettes de service doit être laissée entièrement libre.

ARTICLE 112

Letters

No condition of form or make-up is prescribed for letters, provided that the stipulations of Article 109 are observed. The necessary space must be left absolutely free on the front for the prepayment, the address, and the service notes or labels. Letters.

ARTICLE 113

Cartes postales simples.

1.—Les cartes postales doivent être confectionnées en carton ou en papier assez consistant pour ne pas entraver la manipulation.

Elles doivent porter, en tête du recto, le titre "Carte postale" en français ou l'équivalent de ce titre dans une autre langue. Ce titre n'est pas obligatoire pour les cartes postales émanant de l'industrie privée.

ARTICLE 113

Single post cards

1. Post cards shall be made of cardboard, or of paper strong enough not to hinder manipulation. Post cards.

They shall bear, at the top of the address side, the heading *Carte postale* (post card) in French or the equivalent of that heading in another language. That heading is not obligatory for post cards of private manufacture.

Uninclosed.

2.—Les cartes postales doivent être expédiées à découvert, c'est-à-dire sans bande ni enveloppe.

Reserved, etc., spaces.

3.—La moitié droite au moins du recto est réservée à l'adresse du destinataire et aux mentions ou étiquettes de service; les timbres-poste ou empreintes d'affranchissement doivent être appliqués au recto et, autant que possible, sur la partie droite de la carte. L'expéditeur dispose du verso et de la partie gauche du recto, sous réserve des dispositions du § 4 ci-après.

Prohibitions.

4.—Il est interdit de joindre ou d'attacher aux cartes postales des échantillons de marchandises ou des objets analogues. Toutefois, des vignettes, des photographies, des timbres de toute espèce, des étiquettes et des coupuresde toute sorte, en papier ou autre matière très mince, de même que des bandes d'adresse ou des feuilles à replier, peuvent y être collés, à condition que ces objets ne soient pas de nature à altérer le caractère des cartes postales et qu'ils soient complètement adhérents à la carte. Ces objets ne peuvent être collés que sur le verso ou sur la partie gauche du recto des cartes postales, sauf les bandes ou étiquettes d'adresse qui peuvent occuper tout le recto. Quant aux timbres de toute espèce, susceptibles d'être confondus avec les timbres d'affranchissement, ils ne sont admis qu'au verso.

5.—Les cartes postales ne remplissant pas les conditions prescrites pour cette catégorie d'envois sont traitées comme lettres.

2. Post cards shall be sent uninclosed, i. e., without wrapper or envelope.

3. At least the right half of the front is reserved for the address of the addressee and the service notes or labels; the postage stamps or postage-paid impressions shall be applied to the front, and, as far as possible, to the right half of the card. The sender may use the back and the left half of the front, subject to the provisions of Section 4 following.

4. It is forbidden to join or attach samples of merchandise or similar articles to post cards. However, illustrations, photographs, stamps of any kind, labels and clippings of any kind, of paper or other very thin material, as well as address labels or slips to be folded back, may be affixed thereto, on condition that such articles are not of such a nature as to alter the character of the post cards, and that they adhere completely to the card. These articles may be placed only on the back or on the left half of the address side of the post card, except address labels or slips, which may occupy the entire front. As for stamps of any kind likely to be mistaken for postage stamps, they may be placed only on the back.

5. Post cards not fulfilling the conditions laid down for that class of articles are treated as letters.

Article 114

Cartes postales avec réponse payée.

Reply-paid post cards.

1.—Les cartes postales avec réponse payée doivent présenter au recto, en langue française, comme titre sur la première partie: "Carte postale avec réponse payée"; sur la seconde partie: "Carte postale-réponse". Les deux parties doivent d'ailleurs remplir, chacune, les autres conditions imposées à la carte

Article 114

Post cards with reply paid

1. Post cards with reply paid shall have on the front, in the French language, as the heading of the first part: *Carte postale avec réponse payée* (post card with reply paid), and *Carte postale-réponse* (reply post card) on the second part. Each of the two halves shall, moreover, fulfill the other conditions laid down

postale simple; elles sont repliées l'une sur l'autre de façon que le pli forme le bord supérieur et ne peuvent être fermées d'une manière quelconque.

2.—L'adresse de la carte-réponse doit se trouver à l'intérieur de l'envoi.

Il est loisible à l'expéditeur d'indiquer son nom et son adresse au recto de la partie "Réponse".

L'expéditeur est également autorisé à faire imprimer au verso de la carte-réponse un questionnaire destiné à être rempli par le destinataire.

3.—L'affranchissement de la partie "Réponse" au moyen de timbres-poste du pays qui a émis la carte n'est valable que si les deux parties de la carte postale avec réponse payée sont parvenues adhérentes du pays d'origine et si la partie "Réponse" est expédiée du pays où elle est parvenue par la poste à destination dudit pays d'origine.

Si ces conditions ne sont pas remplies, elle est traitée comme carte postale non affranchie.

for a single post card; they are folded, one over the other, so that the fold forms the upper edge, and may not be fastened in any manner.

2. The address of the reply card shall be found on the inside of the article. Addresses.

It is permissible for the sender to indicate his name and address on the front of the reply half.

The sender is also authorized to have printed on the back of the reply card a questionnaire to be filled in by the addressee. Permissive printing.

3. The prepayment of the reply half by means of postage stamps of the country which has issued the card is valid only if both halves of the post card with reply paid have arrived joined together from the country of origin and if the reply half is sent from the country where it was received by mail and is addressed to the said country of origin. Prepayment of reply.

If those conditions are not fulfilled, it is treated as an unprepaid post card.

Article 115

Papiers d'affaires.

1.—Sont considérés comme papiers d'affaires, à condition qu'ils n'aient pas le caractère d'une correspondance actuelle et personnelle, toutes les pièces et tous les documents écrits ou dessinés en tout ou partie, tels que les correspondances—lettres ouvertes et cartes postales—de date ancienne qui ont déjà atteint leur but primitif, et leurs copies, les pièces de procédure, les actes de tout genre dressés par les officiers ministériels, les lettres de voiture ou connaissements, les factures, certains documents des compagnies d'assurance, les copies ou extraits d'actes sous seing privé écrits sur papier timbré ou non timbré, les partitions ou feuilles de musique manuscrites, les manuscrits d'ouvrages ou de journaux expédiés isolément, les devoirs originaux et corrigés d'élèves, à l'exclusion de toute indi-

Article 115

Commercial papers

1. The following are considered as commercial papers, on condition that they do not have the character of actual personal correspondence: All papers and documents, wholly or partly written or drawn; such as out-of-date articles of correspondence (opened letters and post cards) which have already reached their original destination, and copies thereof; papers of legal procedure; documents of all kinds drawn up by ministerial officers; waybills or bills of lading; invoices; certain documents of insurance companies; copies of or extracts from documents under private seal written on stamped or unstamped paper; scores or sheets of music in manuscript; manuscripts of works or newspapers sent separately; original and corrected exercises of students, but without any notes not relating Commercial papers.

cation ne se rapportant pas directement à l'exécution du travail.

Notations which may accompany.

Ces documents peuvent être accompagnés de fiches de rappel ou bordereaux d'envoi portant les mentions suivantes ou des indications analogues: énumération des pièces composant l'envoi, références à une correspondance échangée entre l'expéditeur et le destinataire, telles que:

"Annexe à notre lettre du _____ à M. _____ Notre référence _____ Références du client _____".

Les correspondances de date ancienne peuvent être munies des timbres-poste oblitérés qui ont servi à leur affranchissement primitif.

Commercial papers.

2.—Les papiers d'affaires sont soumis, en ce qui concerne la forme et le conditionnement, aux dispositions prescrites à l'article 119 ci-après pour les imprimés.

Post, p. 2820.

directly to the execution of the work.

Such documents may be accompanied by reference slips or notes bearing the following or similar notations: Enumeration of the pieces composing the shipment, references to correspondence exchanged between the sender and the addressee, such as:

"Inclosure for our letter of_____addressed to M. _____. Our reference _____. Customer's reference _____."

Out-of-date correspondence may bear canceled postage stamps which have served to pay the original postage.

2. Commercial papers are subject, in regard to form and make-up, to the provisions laid down by Article 119 hereafter for prints.

ARTICLE 116

Imprimés.

Prints.

Articles considered as.

1.—Sont considérés comme imprimés, les journaux et ouvrages périodiques, les livres, les brochures, les papiers de musique, les cartes de visite, les cartes-adresse, les épreuves d'imprimerie, les gravures, les photographies et les albums contenant des photographies, les images, les dessins, plans, cartes géographiques, patrons à découper, catalogues, prospectus, annonces et avis divers, imprimés, gravés, lithographiés ou autographiés, et, en général, toutes les impressions ou reproductions obtenues sur papier ou autre matière assimilable au papier, sur parchemin ou sur carton, au moyen de la typographie, de la gravure, de la lithographie et de l'autographie, ou de tout autre procédé mécanique, facile à reconnaître, hormis le décalque, les timbres à caractères mobiles ou non et la machine à écrire.

Exclusions.

2.—La taxe des imprimés n'est pas applicable aux imprimés qui portent des signes quelconques

ARTICLE 116

Prints

1. The following are considered as prints: Newspapers and periodicals, books, pamphlets, sheet-music, visiting cards, address cards, printing proofs, engravings, photographs and albums containing photographs, pictures, drawings, plans, maps, cut-out patterns, catalogs, prospectuses, advertisements, and printed, engraved, lithographed or autographed notices of various kinds, and, in general, all impressions or reproductions obtained on paper or other material assimilable to paper, on parchment or on cardboard, by means of printing, engraving, lithography, autography or any other easily recognizable mechanical process, with the exception of the copying press, stamps with movable or immovable type, and the typewriter.

2. The print rate does not apply to prints which bear any marks capable of constituting a

susceptibles de constituer un langage conventionnel, ni, sauf les exceptions explicitement autorisées par les articles 117 et 118 ci-après, à ceux dont le texte a été modifié après tirage.

3.—Les films cinématographiques, les disques pour gramophones ainsi que les papiers perforés destinés à être adaptés à des instruments de musique automatiques ne sont pas admis au tarif des imprimés.

Il en est de même des articles de papeterie proprement dits, dès l'instant où il apparaît clairement que la partie imprimée n'est pas l'essentiel de l'objet.

4.—Les cartes portant le titre "Carte postale" ou l'équivalent de ce titre dans une langue quelconque sont admises au tarif des imprimés, pourvu qu'elles répondent aux conditions générales applicables aux imprimés. Celles qui ne remplissent pas ces conditions sont traitées comme cartes postales ou éventuellement comme lettres, par application des dispositions de l'article 113, § 5.

conventional language, or, with the exceptions specifically authorized by Articles 117 and 118 hereafter, to those whose text has been modified after printing.

3. Motion-picture films, phonograph records, as well as perforated papers intended to be used on automatic musical instruments, are not admitted at the print rate. Motion-picture films, etc.

The same applies to articles of stationery properly so called, when it appears clearly that the printed text is not the essential part of the article. Stationery articles.

4. Cards bearing the heading *Carte postale* (post card) or the equivalent of that heading in any language are admitted at the print rate, provided that they fulfill the general conditions applicable to prints. Those which do not fulfill such conditions are treated as post cards, or, if occasion arises, as letters, by application of the provisions of Article 113, Section 5. Post cards. *Ante*, p. 2813.

ARTICLE 117

Objets assimilés aux imprimés.

Sont assimilés aux imprimés, en tant qu'ils sont déposés dans les conditions prescrites par les règlements intérieurs de l'Administration d'origine et au nombre minimum de 20 envois contenant des exemplaires identiques, les reproductions, par un procédé mécanique de polygraphie, chromographie, etc., d'une copie-type faite à la plume ou à la machine à écrire. Ces reproductions peuvent recevoir les annotations autorisées pour les imprimés.

ARTICLE 117

Articles assimilated to prints

The following are assimilated to prints, provided that they are mailed under the conditions prescribed by the domestic regulations of the Administration of origin and in the minimum number of 20 articles containing identical copies: Reproductions, by a mechanical process of polygraphy, chromography, etc., of a manuscript or typewritten original. Such reproductions may receive the annotations authorized for prints. Reproductions of prints.

ARTICLE 118

Imprimés. Annotations autorisées.

1.—Il est permis, à l'extérieur et à l'intérieur de tous les envois d'imprimés:

a) d'indiquer les nom, qualité, profession, raison sociale et adresse de l'expéditeur et du

ARTICLE 118

Prints. Authorized annotations

1. It is permissible, on the outside and inside of all print articles: Authorized annotations.

(*a*) To indicate the name, title, profession, firm and address of the sender and the addressee, the Name, etc., of sender.

destinataire, la date d'expédition, la signature, le numéro d'appel au téléphone, l'adresse et le code télégraphiques, le compte courant postal ou bancaire de l'expéditeur ainsi qu'un numéro d'ordre ou d'immatriculation se rapportant exclusivement à l'envoi;

Corrections.

b) de corriger les fautes d'impression;

References by marks, etc.

c) de biffer, de souligner ou d'encadrer, au moyen de traits, certains mots ou certaines parties du texte imprimé, à moins que ces opérations ne soient faites dans le dessein de constituer une correspondance.

Other annotations.

2.—Il est, en outre, permis d'indiquer ou d'ajouter:

Maritime movements.

a) sur les avis concernant les départs et les arrivées des navires:

les dates et heures des départs et arrivées ainsi que les noms des navires et des ports de départ, d'escale et d'arrivée;

Travelers' announcements.

b) sur les avis de passage:

le nom du voyageur, la date, l'heure et le nom de la localité par laquelle il compte passer ainsi que l'endroit où il descend;

Order blanks, etc.

c) sur les bulletins de commande et de souscription relatifs à des ouvrages de librairie, livres, journaux, gravures, morceaux de musique:

les ouvrages et le nombre des exemplaires demandés ou offerts, le prix de ces ouvrages ainsi que des annotations représentant des éléments constitutifs du prix, le mode de payement, l'édition, les noms des auteurs et des éditeurs, le numéro du catalogue et les mots "broché" "cartonné" ou "relié";

Illustrated, etc., cards.

d) sur les cartes illustrées, les cartes de visite imprimées ainsi que sur les cartes de Noël et de nouvel an:

des souhaits, félicitations, remerciements, compliments de condoléance ou autres formules de politesse exprimés en cinq mots ou au moyen de cinq initiales conventionnelles, au maximum;

date of mailing, the signature, telephone number, telegraphic address and code, and current postal-check or bank account of the sender, as well as an order or entry number relating exclusively to the article;

(*b*) To correct mistakes in printing;

(*c*) To strike out, underline or inclose by means of marks certain words or passages in the printed text, unless that is done with the intention of constituting correspondence.

2. It is also permissible to indicate or add:

(*a*) On notices concerning the departure and arrival of ships:

The dates and hours of such departures and arrivals, as well as the names of the ships and the ports of departure, call and arrival;

(*b*) On travelers' announcements:

The name of the traveler, the date, hour and name of the place thru which he contemplates passing, as well as the place where he intends to stop;

(*c*) On order and subscription blanks for publications, books, newspapers, engravings and pieces of music:

The works and the number of copies ordered or offered, the price of such works, as well as annotations representing elements affecting the price, the method of payment, the edition, the names of the authors and publishers, the catalog number and the words *broché* (stitched or paper-bound), *cartonné* (boards), or *relié* (bound);

(*d*) On illustrated cards, printed visiting cards, as well as on Christmas and New Year cards:

Good wishes, congratulations, thanks, condolences or other forms of politeness expressed in five words or by means of five conventional initials at most;

e) sur les épreuves d'imprimerie:

les changements et additions qui se rapportent à la correction, à la forme et à l'impression ainsi que des mentions telles que "Bon à tirer", "Vu-Bon à tirer" ou toutes autres analogues se rapportant à la confection de l'ouvrage. En cas de manque de place, les additions peuvent être faites sur des feuilles spéciales;

f) sur les images de mode, les cartes géographiques, etc.:

les couleurs;

g) sur les listes de prix courants, les offres d'annonces, les cotes de bourse et de marché, les circulaires de commerce et les prospectus:

des chiffres;

toutes autres annotations représentant des éléments constitutifs des prix;

h) sur les livres, brochures, journaux, photographies, gravures, papiers de musique et, en général, sur toutes les productions littéraires ou artistiques imprimées, gravées, lithographiées ou autographiées:

une dédicace consistant en un simple hommage et, sur les photographies, une légende explicative très succincte d'autres indications sommaires se référant à la photographie même;

i) sur les passages découpés de journaux et publications périodiques:

le titre, la date, le numéro et l'adresse de la publication dont l'article est extrait.

3.—Les additions et les corrections prévues aux §§ 1 et 2 peuvent être faites à la main ou par un procédé mécanique quelconque.

4.—Il est, enfin, permis de joindre:

a) aux épreuves d'imprimerie corrigées ou non:

le manuscrit s'y rapportant;

b) aux envois des catégories mentionnées sous § 2, lettre *h*:

la facture ouverte se rapportant à l'objet envoyé, réduite à ses énonciations constitutives;

(*e*) On printing proofs: Print proofs.

Such changes and additions as relate to corrections, form and printing, as well as notes such as *Bon à tirer* (ready for printing), *Vu-Bon à tirer* (O. K. for printing), or any similar note relating to the preparation of the work. In case of lack of space, the additions may be made on separate sheets;

(*f*) On fashion plates, maps, etc.: Fashion plates, maps, etc.

The colors;

(*g*) On current price lists, offers for advertisements, market and stock quotations, commercial circulars and prospectuses: Colors.

Figures; Figures.

Any other notations representing elements affecting the prices;

(*h*) On books, pamphlets, newspapers, photographs, engravings, sheet-music, and, in general, on all printed, engraved, lithographed or autographed literary or artistic productions: Books, etc., dedications.

A dedication consisting of a simple tribute; and, on photographs, a very concise explanatory legend and other summary information concerning the photograph itself;

(*i*) On passages cut from newspapers and periodicals: Press clippings.

The name, date, number and address of the publication from which the article is taken.

3. The additions and corrections contemplated in Sections 1 and 2 may be made by hand or by any mechanical process.

4. Finally, it is permissible to attach: Proof manuscript.

(*a*) To corrected or uncorrected printing proofs:

The manuscript belonging thereto;

(*b*) To articles of the classes mentioned under Section 2, letter (*h*):

An open invoice covering the article sent, reduced to its essential terms; Invoice of article sent.

c) à tous les imprimés:

une carte, une enveloppe ou une bande, munie de l'adresse de l'expéditeur de l'envoi et affranchie pour le retour au moyen de timbres-poste du pays de destination de l'envoi.

(*c*) To all prints:

A card, envelope or wrapper bearing the address of the sender of the article and prepaid for the reply by means of postage stamps of the country of destination of the article.

ARTICLE 119

Imprimés. Conditionnement des envois.

ARTICLE 119

Prints. Make-up of packets

Wrapping prints.

1.—Les imprimés doivent être, soit placés sous bande, sur rouleau, entre des cartons, dans un étui ouvert ou dans une enveloppe non fermée munie, s'il y a lieu, de fermoirs faciles à enlever et à replacer et n'offrant aucun danger, soit entourés d'une ficelle facile à dénouer.

1. Prints shall be placed either under wrapper, in rolls, between boards, in an open case, or in an unsealed envelope, provided, if need be, with easily removable fasteners offering no danger, or be fastened with a string which is easily untied.

Cards, without wrapper.

2.—Les imprimés présentant la forme et la consistance d'une carte peuvent être expédiés à découvert sans bande, enveloppe ou lien. Le même mode d'expédition est admis pour les imprimés pliés de façon qu'ils ne puissent se déplier pendant le transport.

2. Prints in the shape and consistency of a card may be sent open, without wrapper, envelope or fastening. The same mode of dispatch is allowed for prints folded in such a way that they can not become unfolded en route.

Printed cards.

3.—Les imprimés expédiés sous forme de cartes, y compris les cartes postales illustrées bénéficiant de la taxe réduite, sont soumis aux dispositions de l'article 113, § 3.

3. Prints sent in the form of cards, including illustrated post cards benefiting by the reduced rate, are subject to the provisions of Article 113, Section 3.

Ante, p. 2813.

Make-up of packets.

4.—Dans tous les cas, les envois doivent être conditionnés de façon que d'autres objets ne risquent pas de s'y fourvoyer.

4. In all cases, the articles shall be made up in such a way that other articles do not run the risk of becoming lost within them.

ARTICLE 120

Echantillons. Annotations autorisées.

ARTICLE 120

Samples. Authorized annotations

Samples.

Annotations authorized.

Il est permis d'indiquer à la main ou par un procédé mécanique, à l'extérieur ou à l'intérieur des envois d'échantillons, les nom, qualité, profession, raison sociale et adresse de l'expéditeur et du destinataire ainsi que la date d'expédition, la signature, le numéro d'appel au téléphone, l'adresse et le code télégraphiques, le compte courant postal ou bancaire de l'expéditeur, une marque de fabrique ou de marchand,

It is permissible to indicate, by hand or by a mechanical process, on the outside or inside of packages of samples, the name, title, profession, firm and address of the sender and of the addressee, as well as the date of mailing, the signature, telephone number, telegraphic address and code, current postal-check or bank account of the sender, a manufacturer's mark or trade-mark, order numbers, prices and any other annotations

des numéros d'ordre, des prix et toutes autres annotations représentant des éléments constitutifs des prix, des indications relatives au poids, au métrage et à la dimension ainsi qu'à la quantité disponible et celles qui sont nécessaires pour préciser la provenance et la nature de la marchandise.

ARTICLE 121

Echantillons. Conditionnement des envois.

1.—Les échantillons de marchandises doivent être placés dans des sacs des boîtes ou des enveloppes mobiles.

2.—Les objets en verre ou autres matières fragiles, les envois de liquides, huiles, corps gras, poudres sèches, colorantes ou non, ainsi que les envois d'abeilles vivantes, de sangsues et de graines de vers à soie sont admis au transport comme échantillons de marchandises, pourvu qu'ils soient conditionnés de la manière suivante:

a) les objets en verre ou autres matières fragiles doivent être emballés solidement (boîtes en métal, en bois ou en carton ondulé de qualité solide), de manière à prévenir tout danger pour les agents et les correspondances;

b) les liquides, huiles et corps facilement liquéfiables doivent être insérés dans des récipients hermétiquement fermés. Chaque récipient doit être placé dans une boîte spéciale en métal, en bois résistant ou en carton ondulé de qualité solide garnie de sciure de bois, de coton ou de matière spongieuse en quantité suffisante pour absorber le liquide en cas de bris du récipient. Le couvercle de la boîte doit être fixé de manière qu'il ne puisse se détacher facilement;

c) les corps gras difficilement liquéfiables, tels que les onguents, le savon mou, les résines, etc., ainsi que les graines de vers à soie, dont le transport offre moins d'inconvénients, doivent être enfermés sous une première enve-

representing elements affecting the price, particulars relative to weight, measurements and size, as well as the quantity available, and such as are necessary to determine the origin and character of the merchandise.

ARTICLE 121

Samples. Make-up of packets

Samples.

1. Samples of merchandise shall be placed in sacks, boxes or removable envelopes.

Packing, etc.

2. Articles of glass or other fragile materials, articles containing liquids, oils, fatty substances, dry powders (whether dyes or not), as well as articles containing live bees, leeches and silkworm eggs, are accepted for transmission as samples of merchandise, provided that they are packed in the following manner:

Special directions.

(*a*) Articles of glass or other fragile materials shall be securely packed (in boxes of metal, wood or strong corrugated pasteboard), so as to avoid all danger to postal employees and the mails;

Glass, etc.

(*b*) Liquids, oils and substances which easily liquefy shall be inclosed in hermetically sealed containers. Each receptacle shall be placed in a separate box of metal, strong wood or strong corrugated pasteboard containing sawdust, cotton or spongy material in sufficient quantity to absorb the liquid in case of breakage of the receptacle. The lid of the box shall be fastened in such a way that it can not be easily detached;

Liquids, etc.

(*c*) Fatty substances which do not easily liquefy, such as ointments, soft soap, resin, etc., as well as silkworm eggs, the transmission of which presents fewer difficulties, shall be inclosed in an inside cover (box, bag of linen or

Fatty substances.

loppe (boîte, sac en toile, parchemin, etc.), placée elle-même dans une seconde boîte en bois, en métal ou en cuir fort et épais;

Dyes, etc.

d) les poudres sèches colorantes, telles que le bleu d'aniline, etc., ne sont admises que dans des boîtes en fer-blanc résistant, placées à leur tour dans des boîtes en bois avec de la sciure entre les deux emballages. Les poudres sèches non colorantes doivent être placées dans des boîtes en métal, en bois ou en carton; ces boîtes doivent être elles-mêmes enfermées dans un sac en toile ou en parchemin;

Live bees and leeches.

e) les abeilles vivantes et les sangsues doivent être enfermées dans des boîtes disposées de façon à éviter tout danger.

Sealed containers.

3.—Les objets qui se gâteraient s'ils étaient emballés d'après les règles générales peuvent, exceptionnellement, être admis sous un emballage hermétiquement fermé. Dans ce cas, les Administrations intéressées peuvent exiger que l'expéditeur ou le destinataire facilite la vérification du contenu, soit en ouvrant quelques-uns des envois désignés par elles, soit d'une autre manière satisfaisante.

Single articles.

4.—Il n'est pas exigé d'emballage pour les objets d'une seule pièce, tels que pièces de bois, pièces métalliques, etc., qu'il n'est pas dans les usages du commerce d'emballer.

Addressing, etc.

5.—L'adresse du destinataire doit être indiquée, autant que possible, sur l'emballage ou sur l'objet lui-même. Si l'emballage ou l'objet ne se prête pas à l'inscription de l'adresse et des indications de service ou à l'application des timbres-poste, il doit être fait usage d'une étiquette volante, de préférence en parchemin, attachée solidement. Il en est de même lorsque le timbrage est susceptible de provoquer la détérioration de l'envoi.

ARTICLE 122

Objets assimilés aux échantillons.

Analogous articles.

Sont admis au tarif des échantillons: les clichés d'imprimerie, les clefs isolées, les fleurs fraîches coupées, les objets d'histoire na-

parchment, etc.), which shall itself be placed in a second box of wood, metal or stout, thick leather;

(*d*) Dry powdered dyes such as aniline blue, etc., are not admitted unless enclosed in stout tin boxes, placed in turn inside wooden boxes, with sawdust between the two packings. Dry non-coloring powders shall be placed in boxes of metal, wood or pasteboard; those boxes themselves shall be inclosed in a bag of linen or parchment;

(*e*) Live bees and leeches shall be inclosed in boxes so constructed as to avoid all danger.

3. Articles which would deteriorate if packed in accordance with the general rules may, as an exception, be admitted in a hermetically sealed container. In such a case, the Administrations concerned may require the sender or the addressee to facilitate inspection of the contents, either by opening certain articles indicated by them, or in some other satisfactory manner.

4. No packing is required for articles consisting of a single piece, such as pieces of wood, metal, etc., which it is not the custom of the trade to pack.

5. The address of the addressee shall be indicated, as far as possible, on the wrapper or on the article itself. If the packing or the article is not suitable for the inscription of the address and service information, or for the application of the postage stamps, use shall be made of a tag, preferably of parchment, to be securely attached. The same applies when stamping is likely to damage the article.

ARTICLE 122

Articles assimilated to samples

The following are admitted at the sample rate: Electrotypes, keys sent singly, fresh cut flowers, articles of natural history (dried or

turelle (animaux et plantes séchés ou conservés, spécimens géologiques, etc.), tubes de sérum ou de vaccin et objets pathologiques rendus inoffensifs par leur mode de préparation et d'emballage. Ces objets, à l'exception des tubes de sérum et de vaccin expédiés dans un intérêt général par les laboratoires ou institutions officiellement reconnus, ne peuvent être envoyés dans un but commercial. Leur emballage doit être conforme aux prescriptions générales concernant les échantillons de marchandises.

ARTICLE 123

Objets groupés.

1.—La réunion dans un seul envoi d'objets de correspondance de catégories différentes est limitée aux papiers d'affaires, aux imprimés, à l'exception des impressions en relief à l'usage des aveugles, et aux échantillons de marchandises, sous réserve:

a) que chaque objet pris isolément ne dépasse pas les limites qui lui sont applicables quant au poids et aux dimensions;

b) que le poids total ne dépasse pas 2 kilogrammes par envoi;

c) que la taxe payée soit au moins la taxe minimum des papiers d'affaires si l'envoi contient des papiers d'affaires, et la taxe minimum des échantillons s'il se compose d'imprimés et d'échantillons.

2.—Ces dispositions ne sont applicables qu'aux objets soumis à la même taxe unitaire. Lorsqu'une Administration constate la réunion dans un même envoi d'objets passibles de taxes différentes, cet envoi est frappé pour son poids total de la taxe afférente à la catégorie dont le tarif est le plus élevé.

ARTICLE 124

Petits paquets.

1.—Les petits paquets sont soumis aux dispositions prescrites pour les échantillons de marchandises en ce qui concerne le conditionnement et l'emballage.

preserved animals and plants, geological specimens, etc.), tubes of serum or vaccine and pathological objects rendered inoffensive by their mode of preparation and packing. Those articles, with the exception of tubes of serum and vaccine sent in the general interest by laboratories or institutions officially recognized, may not be sent for commercial purposes. Their packing shall be in accordance with the general regulations concerning samples of merchandise.

ARTICLE 123

Grouped articles

Grouped articles.

Limitations.

1. The inclusion in a single packet of articles of correspondence of different classes is limited to commercial papers, to prints other than raised print for the blind, and to samples of merchandise, on condition:

(*a*) That each article taken singly does not exceed the limits which are applicable to it in regard to weight and dimensions;

(*b*) That the total weight does not exceed 2 kilograms per packet;

(*c*) That the postage paid is at least the minimum charge for commercial papers if the packet contains commercial papers, and the minimum charge for samples if it is composed of prints and samples.

Articles of different classes.

2. These provisions are applicable only to articles subject to the same rate per unit. When an Administration detects the inclusion in one and the same packet of articles liable to different rates, that packet is charged, for its total weight, with the rate applicable to the class for which the rate is highest.

ARTICLE 124

Small packets

Small parcels.

1. Small packets are subject to the provisions laid down for samples of merchandise in regard to preparation and packing.

Use of open invoice permitted.

2.—Il est permis d'y insérer une facture ouverte, réduite à ses énonciations constitutives, ainsi qu'une simple copie de la suscription de l'objet avec mention de l'adresse de l'expéditeur.

Names and addresses.

3.—Les nom et adresse des expéditeurs doivent figurer à l'extérieur des envois.

2. It is permissible to inclose therein an open invoice, reduced to its essential elements, as well as a simple copy of the address of the article with mention of the address of the sender.

3. The names and addresses of the senders shall appear on the outside of the packets.

Titre III

ENVOIS RECOMMANDÉS. AVIS DE RÉCEPTION.

Chapitre Unique

Article 125

Registered articles.

Envois recommandés.

Marking, etc.

1.—Les envois recommandés doivent porter au recto l'en-tête très apparent "Recommandé" ou une mention analogue dans la langue du pays d'origine.

Sauf les exceptions ci-après, aucune condition spéciale de forme, de fermeture ou de libellé de l'adresse n'est exigée pour ces envois.

Correspondence in pencil.

2.—Les objets de correspondance qui portent une adresse écrite au crayon ou constituée par des initiales ne sont pas admis à la recommandation.

In transparent-panel envelopes.

Toutefois, l'adresse des envois autres que ceux qui sont expédiés sous enveloppe à panneau transparent peut être écrite au crayon-encre.

Registry requirements.

3.—Les envois recommandés doivent être revêtus, à l'angle gauche supérieur de la suscription, d'une étiquette conforme au modèle C 4 ci-annexé, avec l'indication en caractères latins de la lettre "R", du nom du bureau d'origine et du numéro d'ordre de l'envoi.

Substitution of stamps for labels.

Toutefois, il est permis aux Administrations dont le régime intérieur s'oppose actuellement à l'emploi des étiquettes d'ajourner la mise à exécution de cette mesure et d'employer pour la désignation des envois recommandés des timbres "Recommandé" ou "R", à côté desquels doivent figurer l'indication du bureau d'origine et celle du numé-

Title III

REGISTERED ARTICLES. RETURN RECEIPTS

Sole Chapter

Article 125

Registered articles

1. Registered articles shall bear on the address side the conspicuous notation *Recommandé* (registered), or a similar notation in the language of the country of origin.

With the exceptions below, no special conditions as to form, make-up or wording of the address are laid down for such articles.

2. Articles of correspondence which bear an address written in pencil or consisting of initials are not accepted for registration.

However, the address of articles other than those which are sent in transparent-panel envelopes may be written with indelible pencil.

3. Registered articles shall bear, in the upper left-hand corner of the address side, a label conforming to Model C 4 hereto appended, with indication in Latin characters of the letter *R*, the name of the office of origin and the order number of the article.

However, it is permissible for Administrations whose domestic legislation at present opposes the use of labels to defer the adoption of this measure and to use, for the designation of registered articles, stamps reading *Recommandé* (registered) or *R*, beside which shall appear the indication of the office of origin and that of the order number. Those stamps shall like-

ro d'ordre. Ces timbres doivent être apposés également à l'angle gauche supérieur de la suscription.

4.—Aucun numéro d'ordre ne doit être porté au recto des objets recommandés par les Administrations intermédiaires.

ARTICLE 126

Avis de réception.

1.—Les envois dont l'expéditeur demande un avis de réception doivent porter, au recto, l'annotation très apparente "Avis de réception" ou l'empreinte d'un timbre "A. R.".

2.—Ils sont accompagnés d'une formule de la consistance d'une carte postale, de couleur rouge clair, conforme au modèle C 5 ci-annexé; cette formule est établie par le bureau d'origine ou par tout autre bureau à désigner par l'Administration expéditrice et réunie à l'objet extérieurement et d'une manière solide. Si elle ne parvient pas au bureau de destination, celui-ci dresse d'office un nouvel avis de réception.

3.—Le bureau de destination renvoie la formule C 5, dûment remplie, dans le courrier ordinaire, à découvert et en franchise de port, à l'adresse de l'expéditeur de l'objet.

4.—Lorsque l'expéditeur réclame un avis de réception qui ne lui est pas parvenu dans les délais voulus, il est procédé conformément aux règles tracées à l'article 127 ci-après. Dans ce cas, il n'est pas perçu une deuxième taxe et le bureau d'origine inscrit en tête de la formule C 5 la mention "Duplicata de l'avis de réception, etc.".

ARTICLE 127

Avis de réception demandé postérieurement au dépôt.

1.—Lorsque l'expéditeur demande un avis de réception postérieurement au dépôt de l'envoi, le bureau d'origine remplit une formule C 5.

wise be applied in the upper left-hand corner of the address side.

4. No order number shall be placed on the front of registered articles by the intermediate Administrations.

ARTICLE 126

Return receipts

Marking return receipts.

1. Articles for which the sender requests a return receipt shall bear, on the front, the conspicuous notation: *Avis de réception* (return receipt); or the imprint of a stamp: *A. R.*

Prescribed form.

2. They are accompanied by a form of the consistency of a post card, light red in color, conforming to Model C 5 hereto appended; that form is made up by the office of origin or any other office to be designated by the Administration of origin, and fastened securely to the outside of the article. If it does not reach the office of destination, the latter officially makes up a new return receipt.

Post, p. 2894.

Return to sender.

3. The office of destination returns the Form C 5, duly completed, in the ordinary mail, without cover and free of postage, to the address of the sender of the article.

Tracers.

4. When the sender makes inquiry about a return receipt which has not reached him within a reasonable period, the procedure set forth in Article 127 hereafter is followed. In such a case, a second fee is not collected, and the office of origin enters at the head of the Form C 5 the note: *Duplicata de l'avis de réception, etc.* (duplicate return receipt requested, etc.).

ARTICLE 127

Return receipts requested after mailing

Return receipts requested after mailing.

1. When the sender requests a return receipt after mailing the article, the office of origin fills out a Form C 5.

Attached to tracer.

La formule C 5 est attachée à une réclamation C 13 mentionnée à l'article 151 ci-après; cette réclamation, après avoir été revêtue d'un timbre-poste représentant la taxe due, est traitée selon les prescriptions dudit article 151, sauf que, en cas de distribution régulière de l'envoi, le bureau de destination retire la formule C 13 et renvoie la formule C 5 à l'origine de la manière prescrite à l'article 126, § 3.

Post, p. 2842.

Provisions applicable.

2.—Les dispositions particulières adoptées par les Administrations en vertu de l'article 151 ci-après, pour la transmission des réclamations d'envois recommandés, sont applicables aux demandes d'avis de réception formulées postérieurement au dépôt.

The Form C 5 is attached to a tracer, Form C 13, mentioned in Article 151 hereafter; that tracer, after having been provided with a postage stamp representing the fee payable, is treated in accordance with the provisions of the said Article 151, except that, in case of regular delivery of the article, the office of destination removes the Form C 13 and returns the Form C 5 to origin in the manner prescribed by Article 126, Section 3.

2. The special provisions adopted by the Administrations by virtue of Article 151 hereafter, for the transmission of inquiries for registered articles, are applicable to requests for return receipts made after mailing.

TITRE IV

Collect-on-delivery articles.

ENVOIS CONTRE REMBOURSEMENT.

CHAPITRE UNIQUE

ARTICLE 128

Indications à porter sur l'envoi.

Notations required.

1.—Les envois recommandés grevés de remboursement doivent porter au recto, d'une manière très apparente, l'en-tête "Remboursement", suivi de l'indication du montant du remboursement en caractères latins, en toutes lettres et en chiffres arabes, sans ratures ni surcharges, même approuvées.

2.—L'expéditeur doit indiquer au recto de l'envoi son nom et son adresse en caractères latins.

Form where sums credited to postal account.

Lorsque le montant encaissé est à verser en compte courant postal dans le pays de destination ou d'origine, l'envoi doit porter, en outre, du côté de la suscription, l'annotation suivante libellée en français ou dans une autre langue connue dans le pays de destination:

"A porter au crédit du compte courant postal No_____ de M_____ à _____ tenu par le bureau de chèques d_____".

TITLE IV

COLLECT-ON-DELIVERY ARTICLES

SOLE CHAPTER

ARTICLE 128

Notations to be made on the article

1. Registered C. O. D. articles shall bear on the address side the conspicuous heading *Remboursement* (collect on delivery), followed by the amount of the trade charge, spelled out in full in Latin characters, and in Arabic figures, without erasure or correction, even if certified.

2. The sender shall indicate on the front of the article his name and address in Latin characters. When the amount collected is to be turned over to a current postal-check account in the country of destination or origin, the article shall also bear, on the address side, the following notation in French or in another language known in the country of destination:

"To be credited to current postal-check account No. _____ of M. _____at_____, kept by the check office of_____"

ARTICLE 129

Etiquette.

Les envois contre remboursement doivent être revêtus, au recto, d'une étiquette de couleur orange conforme au modèle C 6 ci-annexé. L'étiquette modèle C 4 prévue par l'article 125, § 3, ou l'empreinte du timbre spécial en tenant lieu doit être appliquée autant que possible à l'angle supérieur de l'étiquette modèle C 6.

Toutefois, il est loisible aux Administrations de faire usage, au lieu des deux étiquettes prévues à l'alinéa précédent, d'une seule étiquette conforme au modèle C 7 ci-annexé, portant en caractères latins le nom du bureau d'origine, la lettre R, le numéro d'ordre de l'envoi et un triangle de couleur orange où figure le mot "Remboursement".

ARTICLE 129

Label

C. O. D. articles shall bear, on the front, an orange-colored label conforming to Model C 6 hereto appended. The label, Form C 4, prescribed by Article 125, Section 3, or the imprint of the special stamp taking its place, shall be applied as far as possible in the upper corner of the label, Form C 6.

Label.

Ante, p. 2824.

However, it is permissible for Administrations to make use, instead of the two labels mentioned in the preceding paragraph, of a single label conforming to Model C 7 hereto appended, bearing in Latin characters the name of the office of origin, the letter *R*, the order number of the article, and an orange-colored triangle on which appears the word *Remboursement* (C. O. D.).

ARTICLE 130

Mandat de remboursement.

Sauf le cas prévu à l'article 131 ci-après, tout envoi contre remboursement est accompagné d'une formule de mandat de remboursement en carton résistant, de couleur vert clair, conforme au modèle C 8 ci-annexé. Cette formule doit, en règle générale, indiquer l'expéditeur de l'envoi comme bénéficiaire du mandat. Lorsque le règlement de l'Administration d'origine le permet, l'expéditeur a la faculté de mentionner sur ce titre, aux lieu et place de son adresse, le titulaire et le numéro d'un compte courant postal tenu dans le pays d'origine ainsi que le bureau qui tient ce compte. Chaque Administration est libre de faire adresser aux bureaux d'origine des envois ou à d'autres de ses bureaux les mandats afférents aux envois originaires de son service.

Le mandat est réuni d'une manière solide à l'objet auquel il se rapporte.

ARTICLE 130

C. O. D. money order

Except in the case contemplated by Article 131 following, every C. O. D. article is accompanied by a form of C. O. D. money order of strong cardboard, of light green color, conforming to Model C 8 hereto appended. That form shall, as a general rule, indicate the sender of the article as the payee of the money order. When the regulations of the Administration of origin permit, the sender has the option of mentioning on that order, instead of his address, the holder and number of a current postal-check account held in the country of origin, as well as the office where that account is kept. Any Administration is at liberty to cause money orders relating to articles originating in its service to be addressed to the offices of origin of the articles, or to others of its offices.

Money-order form to accompany article.

The money order is securely attached to the article to which it relates.

ARTICLE 131

Versement en compte courant postal dans le pays de destination de l'envoi.

Transfer bulletin.

Tout envoi dont le montant encaissé doit être versé en compte courant postal dans le pays de destination est accompagné, sauf arrangement contraire, d'un bulletin de versement conforme à la formule prescrite dans le service intérieur de ce pays. Le bulletin doit désigner le titulaire du compte à créditer et contenir toutes les autres indications que comporte le texte de la formule, à l'exception du montant à créditer qui sera inscrit par l'Administration de destination après encaissement du montant du remboursement. Si le bulletin de versement est pourvu d'un coupon, l'expéditeur y mentionne son nom et son adresse ainsi que les autres indications qu'il juge nécessaires.

Le bulletin de versement est réuni solidement à l'objet.

ARTICLE 132

Conversion du montant du remboursement.

Conversion of collections.

Sauf entente contraire, le montant du remboursement exprimé dans la monnaie du pays d'origine de l'envoi est converti en monnaie du pays destinataire par les soins de l'Administration de ce pays, qui se sert du taux de conversion dont elle fait usage pour les mandats de poste à destination du pays d'origine des envois.

ARTICLE 133

Divergence entre les indications du montant du remboursement.

Settlement of differences in delivery charges.

En cas de divergence entre les indications du montant du remboursement figurant sur l'envoi et sur le mandat, la somme la plus élevée doit être encaissée sur le destinataire.

ARTICLE 131

Transfer to a current postal-check account in the country of destination of the article

Every article whose amount, when collected, is to be turned over to a current postal-check account in the country of destination is accompanied, barring contrary agreement, by a transfer bulletin conforming to the model prescribed in the domestic service of that country. The bulletin shall designate the holder of the account to be credited, and shall contain all other information called for by the text of the form, with the exception of the amount to be credited, which will be entered by the Administration of destination after collecting the amount of the C. O. D. charge. If the transfer bulletin has a coupon, the sender mentions thereon his name and address, as well as such other information as he deems necessary.

The transfer bulletin is attached securely to the article.

ARTICLE 132

Conversion of the amount collected

Barring contrary agreement, the amount of the trade charge, expressed in money of the country of origin of the article, is converted into money of the country of destination by the Administration of that country, which makes use of the conversion rate which it employs for money orders destined for the country of origin of the articles.

ARTICLE 133

Difference between indications of the amount of the C. O. D. charge

In case of difference between the indications of the amount of the charge to be collected on delivery shown on the article and on the money order, the higher sum shall be collected from the addressee.

Si celui-ci refuse de verser cette somme, l'envoi peut être livré, sauf l'exception prévue ci-après, contre payement de la somme inférieure, mais sous réserve qu'un payement complémentaire sera effectué, s'il y a lieu, dès réception des renseignements qui seront fournis par l'Administration expéditrice. Si le destinataire n'accepte pas cette condition, il est sursis à la livraison de l'envoi.

Dans tous les cas, une demande de renseignements est transmise immédiatement à l'Administration expéditrice qui doit y répondre, dans le plus court délai possible, en précisant le montant exact du remboursement et en appliquant, le cas échéant, les prescriptions de l'article 135, § 2, ci-après.

Lorsque le destinataire est de passage ou doit s'absenter, le payement de la somme la plus élevée est toujours exigé. En cas de refus, l'envoi n'est livré qu'à la réception de la réponse à la demande de renseignements.

If the latter refuses to pay that sum, the article may be delivered, except as provided below, upon payment of the lower sum, but with the understanding that an additional payment is to be made, if necessary, upon receipt of the information to be furnished by the Administration of origin. If the addressee does not accept that condition, delivery of the article is postponed. Refusal to pay.

In all cases, a request for information is sent immediately to the Administration of origin, which shall reply thereto as soon as possible, stating the precise amount to be collected, and applying, if occasion arises, the provisions of Article 135, Section 2, hereafter.

When the addressee is traveling or must be away, payment of the higher sum is always required. In case of refusal, the article is not delivered until reply is received to the request for information. When addressee away.

ARTICLE 134

Délai de payement.

Le montant du remboursement doit être payé dans un délai de sept jours à compter du lendemain de l'arrivée de l'envoi au bureau destinataire. Ce délai peut être porté à un mois au maximum lorsque la législation interne du pays de destination l'exige. A l'expiration du délai de garde, l'objet est renvoyé au bureau d'origine. L'expéditeur peut toutefois demander, par une annotation, le retour immédiat de l'objet au cas où le destinataire ne payerait pas le montant du remboursement lors de la première présentation. Le renvoi immédiat a également lieu si de destinataire, lors de la présentation, a formellement refusé tout payement.

ARTICLE 134

Period for payment

The amount to be collected shall be paid within a period of seven days, counting from the day following the arrival of the article at the office of destination. That period may be extended to one month at most when the domestic legislation of the country of destination so requires. At the expiration of the period of retention, the article is returned to the office of origin. The sender may, however, by an annotation, request the immediate return of the article in case that the addressee does not pay the amount of the C. O. D. charge when the article is first tendered for delivery. Immediate return is also effected if the addressee, on presentation, has formally refused to make any payment. Time for paying amount of order. Return to sender.

ARTICLE 135

Réduction ou annulation du remboursement.

Reduction, etc., of sums to be collected.

1.—Les demandes d'annulation ou de réduction du montant du remboursement sont soumises aux règles et formalités prescrites par l'article 148 ci-après.

Telegraphic requests.

S'il s'agit d'une demande télégraphique, celle-ci doit être confirmée, par le premier courrier, par une demande postale accompagnée du facsimilé dont il est question à l'article 148, § 1, ci-après, et portant en tête l'annotation soulignée au crayon de couleur "Confirmation de la demande télégraphique du . . .".

Post, p. 2840.

Dans ce cas, le bureau destinataire se borne à retenir l'envoi, à la réception du télégramme, et attend la confirmation postale pour faire droit à la demande.

Toutefois, l'Administration destinataire peut, sous sa propre responsabilité, donner suite à une demande télégraphique sans attendre cette confirmation.

Mail requests.

2.—Excepté le cas prévu à l'article 131, toute demande par voie postale de réduction du montant du remboursement doit être accompagnée d'une nouvelle formule de mandat de remboursement indiquant le montant rectifié.

Ante, p. 2828.

Forms.

Lorsqu'il s'agit d'une demande par voie télégraphique, le mandat de remboursement doit être remplacé par le bureau destinataire dans les conditions déterminées par l'article 138 ci-après.

ARTICLE 135

Reduction or cancelation of the amount to be collected on delivery

1. Requests for cancelation or reduction of the amount to be collected are subject to the rules and formalities prescribed by Article 148 hereafter.

In case of a telegraphic request, it shall be confirmed, by the first mail, by a postal request accompanied by the facsimile mentioned in Article 148, Section 1, hereafter, bearing at the head the notation, underlined in colored pencil: *Confirmation de la demande télégraphique du . . . . . .*" (confirmation of the telegraphic request of . . . . . .).

In that case, the office of destination merely holds the article on receipt of the telegram, and waits for confirmation by mail before complying with the request.

However, the Administration of destination may, on its own responsibility, comply with a telegraphic request without awaiting such confirmation.

2. Except in the case contemplated by Article 131, every request by mail for reduction of the amount to be collected on delivery shall be accompanied by a new C. O. D. money-order form indicating the correct amount.

In case of a request by telegraph, the C. O. D. money order shall be replaced by the office of destination under the conditions fixed by Article 138 hereafter.

ARTICLE 136

Réexpédition.

Forwarding to new destination.

Les envois recommandés grevés de remboursement peuvent être réexpédiés si le pays de la nouvelle destination assure, avec celui d'origine, le service des envois de cette catégorie. Dans ce cas, les envois sont accompagnés des formules de mandats de remboursement établies par le service d'origine. L'Administration de la

ARTICLE 136

Forwarding

Registered C. O. D. articles may be forwarded if the country of new destination carries on the C. O. D. service with the country of origin. In such a case, the articles are accompanied by C. O. D. money-order forms made out by the service of origin. The Administration of new destination proceeds to settle for the C. O. D.

nouvelle destination procède à la liquidation des remboursements comme si les envois lui avaient été expédiés directement.

Les envois dont le montant encaissé doit être versé en compte courant postal dans le pays de destination primitif ne peuvent être réexpédiés.

charges as if the article had been sent to it direct.

Articles on which the amount collected is to be turned over to a current postal-check account in the original country of destination may not be forwarded.

Exception.

ARTICLE 137

Emission du mandat de remboursement ou du bulletin de versement.

Immédaitement après avoir encaissé le montant du remboursement, le bureau de destination, ou tout autre bureau désigné par l'Administration destinataire, remplit la partie "Indications de service" du mandat de remboursement et, après avoir apposé son timbre à date, le renvoie sans taxe à l'adresse indiquée.

Lorsqu'une demande de renseignements sur le montant exact du remboursement a été adressée à l'Administration d'origine, il est sursis à l'envoi du mandat jusqu'à la réception de la réponse.

Les bulletins de versement des envois contre remboursement, dont le montant doit être porté à un compte courant postal dans le pays de destination, sont traités d'après le régime intérieur des chèques et virements postaux de ce pays.

ARTICLE 137

Issuance of the C. O. D. money order or transfer bulletin

Immediately after collecting the amount of the C. O. D. charge, the office of destination, or any other office designated by the Administration of destination, fills in the part of the C. O. D. money order entitled "Service Information", and, after placing its date stamp thereon, returns it free of postage to the address indicated.

Issue of C. O. D. money order.

When a request for information as to the exact amount of the C. O. D. charge has been sent to the Administration of origin, the sending of the money order is postponed until the reply is received.

Charge inquiry.

The transfer bulletins of C. O. D. articles whose amounts are to be transferred to a current postal-check account in the country of destination are treated in accordance with the domestic regulations of that country concerning postal checks and transfers.

Treatment of transfer bulletins, etc.

ARTICLE 138

Annulation ou remplacement des formules de mandats de remboursement ou de bulletins de versement.

1.—Les formules de mandats de remboursement qui deviennent inutilisables pour cause de divergence entre les indications du montant du remboursement ou par suite d'annulation ou de réduction du montant, de même que les formules de bulletins de versement devenues inutilisables en cas d'annulation du montant du remboursement, sont détruites par les soins de l'Administration destinataire des envois.

ARTICLE 138

Cancelation or replacement of C. O. D. money-order or transfer-bulletin forms

Money-order and transfer-bulletin forms.

1. C. O. D. money-order forms which become useless because of difference between the indications of the amount to be collected or as a result of cancelation or reduction of the amount, as well as transfer-bulletin forms which have become useless in case of cancelation of the amount of the trade charge, are destroyed by the Administration of destination of the articles.

Cancelation, etc.

2.—Les formules afférentes aux envois grevés de remboursement qui, pour un motif quelconque, sont renvoyés à l'origine doivent être annulées par les soins de l'Administration qui effectue le renvoi.

Duplicates for lost articles.

3.—Lorsque les formules afférentes aux envois grevés de remboursement sont égarées, perdues ou détruites avant l'encaissement du montant du remboursement, le bureau destinataire en établit des duplicata sur formule C 8 ou sur formule de bulletin de versement, selon le cas.

Post, p. 2895.

2. The forms relating to C. O. D. articles which are returned to origin for any reason shall be canceled by the Administration which effects the return.

3. When forms relating to C. O. D. articles are lost, misplaced or destroyed before the amounts of the trade charges are collected, the office of destination makes up duplicates on Form C 8, or on the transfer-bulletin form, as the case may be.

ARTICLE 139

Mandats de remboursement non délivrés ou non encaissés.

Undelivered or unpaid money orders.

Les mandats de remboursement qui n'ont pu être délivrés aux bénéficiaires sont, après avoir été éventuellement soumis à la formalité du visa pour date, quittancés par l'Administration d'origine des envois que ces titres concernent et portés en compte à l'Administration qui les a émis.

Il en est de même des mandats de remboursement qui ont été remis aux ayants droit, mais dont le montant n'a pas été encaissé. Toutefois, ces titres doivent, au préalable, être remplacés par des autorisations de payement dressées par l'Administration d'origine des mandats.

ARTICLE 139

Undelivered or unpaid C. O. D. money orders

C. O. D. money orders which it has been impossible to deliver to the payees are, after having been submitted, if necessary, to the formality of indorsement for extension of validity, receipted by the Administration of origin of the articles to which such orders relate, and debited in the account to the Administration which has issued them.

The same applies to C. O. D. money orders which have been delivered to the payees, but whose amounts have not been collected. However, such orders should first be replaced by authorizations for payment made up by the Administration of origin of the orders.

ARTICLE 140

Décompte des mandats de remboursement.

Accounting, etc.

1.—Sauf entente contraire, le décompte relatif aux mandats de remboursement payés est établi sur formule conforme au modèle C 9 ci-annexé et joint au compte mensuel des mandats de poste.

Post, p. 2896.

Entries.

2.—Dans ce compte particulier, qui est accompagné des, mandats de remboursement payés et quittancés, les mandats sont inscrits dans l'ordre alphabétique des bureaux d'émission et suivant

ARTICLE 140

Account of C. O. D. money orders

1. Barring contrary agreement, the account relative to C. O. D. money orders paid is made up on a form agreeing with Model C 9 hereto appended, and is attached to the monthly money-order account.

2. In this individual account, which is accompanied by the paid and receipted C. O. D. money orders, the orders are entered in the alphabetical order of the offices of issue and in the numeri-

l'ordre numérique de leur inscription aux registres de ces bureaux. L'Administration qui a établi le compte déduit de la somme totale de sa créance le montant des taxes et droits revenant à l'Administration correspondante, conformément à l'article 73 de la Convention.

3.—Le solde du compte C 9 est ajouté, autant que possible, à celui du compte mensuel des mandats de poste établi pour la même période. La vérification et la liquidation de ces comptes sont effectuées selon les règles fixées par l'Arrangement et le Règlement des mandats de poste.

cal order of their entry in the records of those offices. The Administration which has made up the account deducts, from the total amount of its credit balance, the amount of the charges and fees due to the corresponding Administration, in accordance with Article 73 of the Convention.

Ante, p. 2782.

3. The balance of the account C 9 is added, as far as possible, to that of the monthly money-order account made up for the same period. The verification and settlement of those accounts are effected in accordance with the rules fixed by the Agreement and Regulations concerning money orders.

Verification, etc.

Post, p. 2896.

TITRE V

OPÉRATIONS AU DÉPART ET À L'ARRIVÉE.

CHAPITRE UNIQUE

ARTICLE 141

Application du timbre à date.

1.—Les correspondances sont frappées au recto par le bureau d'origine d'un timbre indiquant, autant que possible en caractères latins, le lieu d'origine et la date du dépôt à la poste.

Dans les localités pourvues de plusieurs bureaux de poste, le timbre doit indiquer quel est le bureau de dépôt.

L'application du timbre prévu aux alinéas précédents n'est pas obligatoire pour les correspondances affranchies au moyen d'empreintes de machines à affranchir si l'indication du lieu d'origine et de la date du dépôt à la poste figure dans ces empreintes. L'application du timbre dont il s'agit n'est pas non plus exigée pour les objets à tarif réduit non recommandés, à condition que le lieu d'origine soit indiqué sur ces envois.

2.—Tous les timbres-poste valables doivent être oblitérés.

Les timbres-poste non oblitérés par suite d'erreur ou d'omission dans le service d'origine doivent être biffés d'un fort trait ou

TITLE V

OPERATIONS UPON DEPARTURE AND ARRIVAL

Departure and arrival of mails.

SOLE CHAPTER

ARTICLE 141

Application of the date stamp

1. Correspondence is postmarked on the front by the office of origin with a stamp indicating, in Latin characters as far as possible, the place of origin and the date of mailing.

In localities having several post offices, the stamp shall indicate which is the office of mailing.

Use of date stamp.

The application of the stamp contemplated in the preceding paragraphs is not obligatory for correspondence prepaid by means of impressions of stamping machines if the indication of the place of origin and date of mailing appears in such impressions. Neither is the application of the stamp in question required for unregistered articles at the reduced rate, on condition that the place of origin is indicated on such articles.

Optional application.

2. All valid postage stamps shall be canceled.

Postage stamps not canceled thru error or oversight on the part of the service of origin shall be marked thru with a heavy

Cancelation.

annulés d'une autre manière par le bureau qui constate l'irrégularité, mais ils ne sont pas frappés du timbre à date.

Missent, etc., mails.

3.—Les correspondances mal dirigées doivent être frappées de l'empreinte du timbre à date du bureau auquel elles sont parvenues par erreur. Cette obligation incombe non seulement aux bureaux sédentaires, mais aussi aux bureaux ambulants, dans la mesure du possible.

Ship letters.

4.—Le timbrage des correspondances déposées sur les navires incombe à l'agent des postes ou à l'officier du bord chargé du service ou, à leur défaut, au bureau de poste de l'escale auquel ces correspondances sont livrées à découvert. Dans ce cas, le bureau les frappe de son timbre à date et y appose la mention "Navire", "Paquebot" ou toute autre analogue.

Notation.

line or canceled in some other manner by the office which detects the irregularity, but they are not struck with the date stamp.

3. Missent correspondence shall be struck with the impression of the date stamp of the office at which it arrives thru error. This obligation is imposed not only upon fixed post offices, but also upon traveling post offices as far as possible.

4. The postmarking of correspondence mailed on board ships is incumbent upon the postal agent or the officer on board in charge of the service, or in their absence upon the post office at the port of call where such correspondence is delivered in open mail. In such a case, the office strikes the articles with its date stamp and places on them the note *Navire* (ship), *Paquebot* (mail steamer), or a similar notation.

ARTICLE 142

Envois exprès.

Special delivery.

Les envois à remettre par exprès sont pourvus, autant que possible à côté de l'indication du lieu de destination, d'une étiquette imprimée, de couleur rouge foncé, portant en gros caractères le mot "Exprès".

ARTICLE 142

Special-delivery articles

Articles to be specially delivered shall have affixed, as far as possible beside the indication of the place of destination, a printed label of dark red color bearing in large characters the word *Exprès* (special delivery).

ARTICLE 143

Envois non affranchis ou insuffisamment affranchis.

Unpaid, etc., charges.

1.—Les correspondances pour lesquelles une taxe quelconque doit être perçue postérieurement au dépôt, soit sur le destinataire, soit sur l'expéditeur, en cas de mise en rebut, sont frappées du timbre T (taxe à payer) à l'angle droit supérieur du recto; l'indication en francs et centimes du montant à percevoir est inscrite en chiffres très lisibles, à côté de ce timbre.

Stamp, etc., requirements.

2.—L'application du timbre T ainsi que l'indication du montant à percevoir incombent à l'Administration d'origine ou, en cas

ARTICLE 143

Unprepaid or insufficiently prepaid articles

1. Articles of correspondence on which any charge is to be collected after mailing, either from the addressee, or from the sender in the case of return as undeliverable, are marked with the T-stamp (postage due) in the upper right-hand corner of the front; the indication in francs and centimes of the amount to be collected is entered in very legible figures beside that stamp.

2. The application of the T-stamp, as well as the indication of the amount to be collected, is incumbent upon the Administra-

de réexpédition ou de mise en rebut, à l'Administration réexpéditrice.

Toutefois, s'il s'agit d'envois provenant de pays qui appliquent des taxes réduites dans les relations avec l'Administration réexpéditrice, le montant à percevoir est indiqué par l'Administration qui effectue la distribution.

3.—L'Administration de distribution frappe l'envoi de la taxe à percevoir.

4.—Tout envoi ne portant pas le timbre T est considéré comme dûment affranchi et traité en conséquence, sauf erreur évidente.

5.—Il n'est pas tenu compte des timbres-poste et des empreintes d'affranchissement non valables pour l'affranchissement. Dans ce cas, le chiffre zéro (0) est placé à côté de ces timbres-poste ou de ces empreintes, qui doivent être encadrés au crayon.

ARTICLE 144

Renvoi des bulletins d'affranchissement.
Récupération des droits avancés.

1.—Après la livraison au destinataire d'un envoi franc de droits, le bureau qui a fait l'avance des frais de douane ou autres pour le compte de l'expéditeur complète, en ce qui le concerne, les indications qui figurent au verso du bulletin d'affranchissement et transmet ce dernier, accompagné des pièces justificatives, au bureau d'origine de l'envoi; cette transmission a lieu sous enveloppe fermée, sans indication du contenu.

Toutefois, chaque Administration a le droit de faire effectuer, par des bureaux spécialement désignés, le renvoi des bulletins d'affranchissement grevés de frais et de demander que les bulletins soient transmis à un bureau déterminé.

Le nom du bureau auquel les bulletins doivent être renvoyés est inscrit, dans tous les cas, par le bureau expéditeur de l'envoi au recto du bulletin d'affranchissement.

tion of origin, or, in case of reforwarding or return as undeliverable, upon the redispatching Administration.

However, if it is a question of articles coming from countries which apply reduced rates in relations with the redispatching Administration, the amount to be collected is indicated by the Administration which effects delivery.

Amount due to be stated.

3. The delivering Administration marks the article with the amount of postage to be collected.

Presumption of prepayment.

4. Every article not bearing the T-stamp is considered as duly prepaid and treated accordingly, save in case of obvious error.

Without valid stamps.

5. Account is not taken of postage stamps or postage-paid impressions not valid for prepayment. In such a case, the figure zero (0) is placed beside such stamps or impressions, which shall be inclosed in pencil.

ARTICLE 144

Return of prepayment bulletins. Recovery of charges advanced

Recovery of customs, etc., advances.

1. After the delivery to the addressee of an article free of charges, the office which has advanced the customs or other charges on behalf of the sender completes, in regard to itself, the indications which appear on the back of the prepayment bulletin, and transmits the latter, accompanied by the supporting papers, to the office of origin of the article; such transmission is effected in a sealed envelope, without indication of the contents.

Return of prepayment bulletins.

However, each Administration has the right to cause the return of prepayment bulletins bearing charges to be effected by offices specially designated, and to request that the bulletins be sent to a certain office.

The name of the office to which the bulletins are to be returned is indicated, in all cases, by the office of origin of the article on the front of the prepayment bulletin.

Duplicate bulletin substituted for lost original.

2.—Lorsqu'un envoi qui porte l'étiquette "Franc de droits" parvient au service destinataire sans bulletin d'affranchissement, le bureau chargé du dédouanement établit un duplicata du bulletin sur lequel il mentionne le nom du pays d'origine et, autant que possible, la date du dépôt de l'envoi.

Lorsque le bulletin d'affranchissement est perdu après livraison de l'envoi, un duplicata est établi dans les mêmes conditions.

Cancelation, on return of article.

3.—Les bulletins d'affranchissement afférents aux envois qui, pour un motif quelconque, sont renvoyés à l'origine doivent être annulés par les soins de l'Administration destinataire.

Currency conversion.

4.—A la réception d'un bulletin d'affranchissement indiquant les frais déboursés par le service destinataire, l'Administration d'origine convertit le montant de ces frais dans sa propre monnaie à un taux qui ne doit pas être supérieur au taux fixé pour l'émission des mandats de poste à destination du pays correspondant. Le résultat de la conversion est indiqué dans le corps de la formule et sur le coupon latéral. Après avoir recouvré le montant des frais, le bureau d'origine remet à l'expéditeur le coupon du bulletin et, le cas échéant, les pièces justificatives.

2. When an article bearing the label *Franc de droits* (free of charges) reaches the office of destination without any prepayment bulletin, the office charged with the customs clearance makes up a duplicate bulletin, on which it mentions the name of the country of origin and, as far as possible, the date of mailing of the article.

When the prepayment bulletin is lost after the delivery of the article, a duplicate is prepared under the same conditions.

3. Prepayment bulletins belonging to articles which are returned to origin for any reason shall be canceled by the Administration of destination.

4. On receipt of a prepayment bulletin indicating the charges paid by the service of destination, the Administration of origin converts the amount of those charges into its own money at a rate which shall not be higher than the rate fixed for the issuance of money orders destined for the corresponding country. The result of the conversion is indicated in the body of the form and on the coupon at the side. After having recovered the amount of the charges, the office of origin delivers the coupon of the bulletin, and, if need be, the supporting papers, to the sender.

Article 145

Envois réexpédiés.

Forwarded articles.

1.—Les correspondances adressées à des destinataires ayant changé de résidence sont considérées comme adressées directement du lieu d'origine au lieu de la nouvelle destination.

Insufficiently, etc., prepaid.

2.—Les envois non ou insuffisamment affranchis pour leur premier parcours sont frappés de la taxe qui leur aurait été appliquée s'ils avaient été adressés directement du point d'origine au lieu de la destination nouvelle.

Article 145

Forwarded articles

1. Correspondence addressed to persons who have changed their residence is considered as addressed directly from the place of origin to the place of new destination.

2. Articles which are not prepaid, or which are insufficiently prepaid for the first part of their journey, are marked with the charge which would have been applied to them if they had been addressed directly from the point of origin to the place of new destination.

3.—Les envois régulièrement affranchis pour leur premier parcours, et dont le complément de taxe afférent au parcours ultérieur n'a pas été acquitté avant leur réexpédition, sont frappés d'une taxe égale à la différence entre le prix d'affranchissement déjà acquitté et celui qui aurait été perçu si les envois avaient été expédiés primitivement sur leur nouvelle destination.

3. Articles regularly prepaid for the first part of their journey and on which the additional charge for their subsequent transmission has not been paid before their redirection are marked with a charge equal to the difference between the amount of postage already paid and that which would have been collected if the articles had originally been sent to their new destination.

Prepaid for part of journey.

4.—Les envois primitivement adressés à l'intérieur d'un pays et dûment affranchis selon le régime intérieur sont considérés comme des envois régulièrement affranchis pour leur premier parcours.

4. Articles originally addressed to the interior of a country and duly prepaid in accordance with the domestic rates are considered as articles regularly prepaid for their first transmission.

For interior delivery.

5.—Les envois ayant circulé primitivement en franchise postale dans l'intérieur d'un pays sont frappés de la taxe qu'ils auraient dû acquitter s'ils avaient été adressés directement du point d'origine au lieu de la destination nouvelle.

5. Articles originally sent free of postage in the domestic service of a country are marked with the charge to which they would have been liable if they had been addressed directly from the point of origin to the place of new destination.

Franked articles.

6.—Lors de la réexpédition, le bureau réexpéditeur applique, dans tous les cas, son timbre à date au recto des lettres et des cartes postales.

6. At the time of forwarding, the redispatching office applies its date stamp in all cases to the front of letters and post cards.

Application of date stamp.

7.—Les correspondances ordinaires ou recommandées qui sont renvoyées aux expéditeurs pour qu'ils en complètent ou en rectifient l'adresse, ne sont pas considérées, lors de leur remise dans le service, comme des correspondances réexpédiées; elles sont traitées comme de nouveaux envois et deviennent, par suite, passibles d'une nouvelle taxe.

7. Ordinary or registered articles which are returned to the senders for completion or correction of the address are not considered as redirected correspondence when returned to the service; they are treated as new correspondence, and are therefore liable to new postage charges.

Incorrectly addressed.

8.—Les droits de douane et les autres droits non postaux dont l'annulation n'a pu être obtenue à la réexpédition ou au renvoi à l'origine (article 147 ci-après) sont recouvrés, par voie de remboursement, sur l'Administration de la nouvelle destination. Dans ce cas, l'Administration de la destination primitive joint à l'envoi une note explicative et un mandat de remboursement (modèle C 8).

Si le service de remboursement n'existe pas dans les relations entre les Administrations inté-

8. The customs duties and other non-postal charges whose cancelation it has been impossible to obtain upon redirection or return to origin (Article 147 hereafter) are recovered, thru the C. O. D. service, from the Administration of new destination. In that case, the Administration of original destination attaches to the article an explanatory note and a C. O. D. money order (Form C 8).

If the C. O. D. service is not in operation between the Administrations concerned, the charges

Customs duties, etc. Recovery.

Post, p. 2839.

Post, p. 2895.

ressées, les droits en cause sont recouvrés par voie de correspondance.

Undeliverable articles.

9.—Dans le cas où l'essai de remise d'un objet exprès à domicile par un porteur spécial est resté infructueux, le bureau réexpéditeur doit biffer l'étiquette ou la mention "Exprès" par deux forts traits transversaux.

in question are recovered thru correspondence.

9. In case that the attempt to deliver an article at the addressee's residence by special messenger has been unsuccessful, the redispatching office shall strike out the label or the notation *Exprès* (special delivery) by means of two heavy transverse lines.

ARTICLE 146

ARTICLE 146

Special forwarding envelopes.

Enveloppes de réexpédition et enveloppes collectrices.

Forwarding envelopes and collective envelopes

Ordinary mail with corrected address.

1.—Les objets de correspondance ordinaires à réexpédier à une même personne ayant changé de résidence peuvent être insérés dans des enveloppes spéciales conformes au modèle C 10 ci-annexé, fournies par les Administrations et sur lesquelles doivent seuls être inscrits le nom et la nouvelle adresse du destinataire.

Post, p. 2897.

1. Articles of ordinary correspondence to be forwarded to one and the same person who has changed his residence may be inclosed in special envelopes conforming to Model C 10 hereto appended, furnished by the Administrations, on which shall be written only the name and new address of the addressee.

Exclusions.

2.—Il ne peut être inséré dans ces enveloppes des envois à soumettre au contrôle douanier, ni des objets dont la forme, le volume et le poids risqueraient d'occasionner des déchirures; le poids global d'une enveloppe et de son contenu ne doit en aucun cas dépasser 500 grammes.

2. Articles subject to customs examination or articles whose form, volume or weight gives rise to risks of tearing may not be included in such envelopes; the total weight of an envelope and its contents shall in no case exceed 500 grams.

Not to be sealed.

3.—L'enveloppe doit être présentée ouverte au bureau réexpéditeur pour lui permettre de percevoir, s'il y a lieu, les compléments de taxe dont les objets qu'elle contient pourraient être passibles ou d'indiquer sur ces objets la taxe à percevoir à l'arrivée, lorsque le complément d'affranchissement n'est pas acquitté. Après vérification, le bureau réexpéditeur ferme l'enveloppe et y applique, le cas échéant, le timbre T avec l'indication, en francs et centimes, du montant total des taxes à percevoir.

3. The envelope shall be presented open to the reforwarding office, to permit it to collect such additional charges, if any, as may be due on the articles which it contains, or to indicate on such articles the charges to be collected on arrival when the additional postage has not been prepaid. After verification, the forwarding office seals the envelope and applies the T-stamp to it if necessary, indicating in francs and centimes the total amount of the charges to be collected.

Verification on arrival.

4.—A l'arrivée à destination, l'enveloppe peut être ouverte et son contenu vérifié par le bureau distributeur, qui perçoit, s'il y a lieu, les compléments de taxe non acquittés.

4. On arrival at destination, the envelope may be opened and its contents verified by the office of delivery, which collects the additional charges not already paid, if any.

Ship mail.

5.—Les objets de correspondance ordinaires adressés, soit aux

5. Ordinary articles of correspondence addressed either to sail-

marins et passagers embarqués sur un même navire, soit à des personnes prenant part en commun à un voyage, peuvent être traités également d'après les dispositions des §§ 1 à 4. Dans ce cas, les enveloppes collectrices doivent être revêtues de l'adresse du navire, de l'agence de navigation ou de voyage, etc., à qui elles doivent être remises.

ARTICLE 147

Envois tombés en rebut.

1.—Avant de renvoyer à l'Administration d'origine les correspondances non distribuées pour un motif quelconque, le bureau de destination doit indiquer d'une manière claire et concise, en langue française, au verso de ces objets, la cause de la non-remise sous la forme suivante: inconnu, refusé, en voyage, parti, non réclamé, décédé, etc. En ce qui concerne les cartes postales et les imprimés sous forme de cartes, la cause de la non-remiseest indiquée sur la moitié droite du recto.

Cette indication est fournie par l'application d'un timbre ou l'apposition d'une étiquette. Chaque Administration a la faculté d'ajouter la traduction, dans sa propre langue, de la cause de la non-remise et les autres indications qui lui conviennent.

Le bureau de destination doit biffer les indications de lieu qui le concernent et porter au recto de l'objet la mention "Retour" à côté de l'indication du bureau d'origine. Il doit, en outre, appliquer son timbre à date au verso des lettres et au recto des cartes postales.

2.—Le renvoi des correspondances tombées en rebut se fait, soit isolément, soit en une liasse spéciale étiquetée "Rebuts".

Les correspondances recommandées tombées en rebut sont renvoyées au bureau d'échange du pays d'origine comme s'il s'agissait de correspondances recommandées à diriger sur ce pays.

ors and passengers on board one and the same ship, or to persons taking part in a joint voyage, may likewise be treated in accordance with the provisions of Sections 1 to 4. In that case, the collective envelopes shall be marked with the address of the ship, navigation or travel agency, etc., to which they are to be delivered.

ARTICLE 147

Undeliverable articles

Undeliverable articles.

1. Before returning correspondence which has not been delivered for any reason to the Administration of origin, the office of destination shall indicate in a clear and concise manner, in the French language, on the back of such articles, the cause of the non-delivery, in the following form: *Inconnu* (unknown), *Refusé* (refused), *En voyage* (traveling), *Parti* (removed), *Non réclamé* (unclaimed), *Décédé* (deceased), etc. In the case of post cards and prints in the form of cards, the reason for the non-delivery is indicated on the right half of the front.

Cause of nondelivery to be indicated.

Optional method.

That indication is furnished by applying a stamp or affixing a label. Each Administration has the option of adding a translation in its own language of the cause of non-delivery, and any other indications which may be convenient for it.

The office of destination shall strike out the indications of place which concern it, and place on the front of the article the note *Retour* (return), beside the indication of the office of origin. It shall also apply its date stamp to the back of letters and the front of post cards.

Return.

2. Undelivered articles are returned either singly or in a special bundle labeled *Rebuts* (dead mail matter).

Registered articles which are undeliverable are returned to the exchange office of the country of origin as if it were a question of registered correspondence addressed to that country.

Correspondence of domestic service.

3.—Les correspondances du régime intérieur qui tombent en rebut et doivent, pour restitution aux expéditeurs, être envoyées à l'étranger, sont traitées d'après les dispositions de l'article 145.

Ante, p. 2836.

Seamen's, etc., mail.

4.—Les correspondances pour les marins et autres personnes, adressées aux soins d'un Consul et rendues par celui-ci au bureau de poste comme non réclamées, doivent être traitées comme rebuts.

Refund of collections.

Le montant des taxes perçues sur ces correspondances doit être restitué.

3. Correspondence of the domestic service which is undeliverable and must, for return to the senders, be sent to a foreign country, is treated in accordance with the provisions of Article 145.

4. Correspondence for seamen and other persons addressed in care of a Consul and returned by him to the post office as unclaimed shall be treated as rebuts.

The amount of the charges collected on such correspondence shall be refunded.

ARTICLE 148

Withdrawal or changes of address.

Retrait. Modification d'adresse.

Form of request.

1.—Les demandes de retrait de correspondances ou de modification d'adresse donnent lieu à l'établissement, par l'expéditeur, d'une formule conforme au modèle C 11 ci-annexé; une seule formule peut être utilisée pour plusieurs envois remis simultanément au même bureau par le même expéditeur à l'adresse du même destinataire. En remettant cette demande au bureau de poste, l'expéditeur doit justifier de son identité et produire, s'il y a lieu, le bulletin de dépôt. Après la justification, dont l'Administration du pays d'origine assume la responsabilité, il est procédé de la manière suivante:

Post, p. 2898.

By mail.

a) si la demande est destinée à être transmise par voie postale, la formule, accompagnée d'un fac-similé parfait de l'enveloppe ou de la suscription de l'envoi, est expédiée directement, sous pli recommandé, au bureau destinataire;

Request by telegraph, etc.

b) si la demande doit être faite par voie télégraphique, la formule est déposée au service télégraphique chargé d'en transmettre les termes au bureau de poste destinataire. Le télégramme est rédigé en langue française.

Searches.
Post, p. 2898.

2.—A la réception de la formule C 11 ou du télégramme en tenant lieu, le bureau destinataire recherche la correspondance signalée et donne à la demande la suite nécessaire.

ARTICLE 148

Withdrawal. Change of address

1. Requests for withdrawal of correspondence or for change of address give rise to the preparation, by the sender, of a form agreeing with Model C 11 hereto appended; a single form may be used for several articles mailed simultaneously at the same office by the same sender addressed to the same addressee. In submitting that request to the post office, the sender shall prove his identity and produce the certificate of mailing, if any. After he has proved his identity, for which the Administration of the country of origin assumes responsibility, the procedure is as follows:

(*a*) If the request is intended to be sent by mail, the form, accompanied by a perfect facsimile of the envelope or address of the article, is sent directly, under registered cover, to the office of destination;

(*b*) If the request is to be made by telegraph, the form is turned over to the telegraph service, which is charged with transmitting the terms thereof to the post office of destination. The telegram is worded in the French language.

2. On receipt of the Form C 11 or the telegram taking its place, the office of destination searches for the correspondence in question and takes the necessary action.

Si la recherche est infructueuse, si l'envoi a déjà été remis au destinataire ou si la demande par voie télégraphique n'est pas assez explicite pour permettre de reconnaître sûrement l'envoi, le fait est signalé immédiatement au bureau d'origine, qui en prévient le réclamant.

3.—Toute Administration peut demander, par une notification adressée au Bureau international, que l'échange des demandes, en ce qui la concerne, soit effectué par l'entremise de son Administration centrale ou d'un bureau spécialement désigné.

Dans les cas où l'échange des demandes s'effectue par l'entremise des Administrations centrales, il doit être tenu compte des demandes expédiées directement par les bureaux d'origine aux bureaux de destination, dans ce sens que les correspondances y relatives sont exclues de la distribution jusqu'à l'arrivée de la demande de l'Administration centrale.

Les Administrations qui usent de la faculté prévue au premier alinéa prennent à leur charge les frais que peut entraîner la transmission, dans leur service intérieur, par voie postale ou télégraphique, des communications à échanger avec le bureau destinataire.

Le recours à la voie télégraphique est obligatoire lorsque l'expéditeur a lui-même fait usage de cette voie et que le bureau destinataire ne peut pas être prévenu en temps utile par la voie postale.

If the search is fruitless, if the article has already been delivered to the addressee, or if the telegraphic request is not explicit enough to permit the article to be surely recognized, the fact is reported at once to the office of origin, which advises the applicant accordingly.

Report to be made.

3. Any Administration may request, by a notification addressed to the International Bureau, that the exchange of requests concerning it be effected thru the intermediary of its central Administration or an office specially designated.

Exchange of requests with Administrations.

In case that the exchange of requests is effected thru the intermediary of the central Administrations, account shall be taken of requests sent directly by the offices of origin to the offices of destination, to the extent that the correspondence in question is withheld from delivery pending the arrival of the request from the central Administration.

Administrations which avail themselves of the option provided for by the first paragraph assume any expense which may be incurred by the transmission, in their domestic service, by mail or telegraph, of the communications to be exchanged with the office of destination.

Expenses to be assumed.

Employment of the telegraph service is obligatory when the sender himself has made use of that service, and when the office of destination can not be advised in time by mail.

Telegraph service.

ARTICLE 149

Simple correction d'adresse.

Une simple correction d'adresse (sans modification du nom ou de la qualité du destinataire) peut être demandée directement par l'expéditeur au bureau destinataire, c'est-à-dire sans l'accomplissement des formalités prescrites pour le changement d'adresse proprement dit.

ARTICLE 149

Simple correction of address

A simple correction of address (without modification of the name or description of the addressee) may be requested directly by the sender of the office of destination; that is to say, without fulfilling the formalities prescribed for change of address properly so called.

Simple address corrections.

ARTICLE 150

Inquiries.

Réclamations. Envois ordinaires.

Form for ordinary articles. *Post*, p. 2900.

1.—Toute réclamation relative à un envoi ordinaire donne lieu à l'établissement d'une formule conforme au modèle C 12 ci-annexé.

Procedure.

Le bureau qui reçoit la réclamation transmet directement cette formule, sans lettre d'envoi et sous enveloppe fermée, au bureau correspondant. Celui-ci, après avoir recueilli les renseignements nécessaires auprès du destinataire ou de l'expéditeur, selon le cas, renvoie la formule de la même manière au bureau qui l'a dressée.

Si la réclamation est reconnue fondée, ce dernier bureau fait parvenir la formule à son Administration centrale en vue des investigations ultérieures.

Une seule formule peut être utilisée pour plusieurs envois remis simultanément au même bureau par le même expéditeur à l'adresse du même destinataire.

Optional designation.

2.—Toute Administration peut demander, par une notification adressée au Bureau international, que les réclamations qui concernent son service soient transmises à son Administration centrale ou à un bureau spécialement désigné.

ARTICLE 150

Inquiries. Ordinary articles

1. Every inquiry relative to an ordinary article gives rise to the preparation of a form agreeing with Model C 12 hereto appended.

The office which receives the inquiry sends that form directly, without letter of transmittal, and in a sealed envelope, to the corresponding office. The latter, after having obtained the necessary information from the addressee or from the sender, as the case may be, returns the form in the same manner to the office which has prepared it.

If the inquiry is seen to be well founded, the latter office sends the form to its central Administration, for purposes of further investigation.

A single form may be used for several articles mailed simultaneously at the same office by the same sender addressed to the same addressee.

2. Any Administration may request, by a notification addressed to the International Bureau, that inquiries concerning its service be transmitted to its central Administration or an office specially designated.

ARTICLE 151

Inquiries.

Réclamations. Envois recommandés.

Registered articles. *Post*, p. 2903.

1.—Toute réclamation relative à un envoi recommandé est établie sur une formule conforme au modèle C 13 ci-annexé qui doit être accompagnée, autant que possible, d'un fac-similé de l'enveloppe ou de la suscription de l'envoi.

Courses of inquiry. *Post*, p. 2895.

Si la réclamation concerne un envoi contre remboursement, elle doit être accompagnée, en outre, d'un duplicata de mandat C 8 ou d'un bulletin de versement, selon le cas.

Articles for same addressee.

Une seule formule peut être utilisée pour plusieurs envois remis simultanément au même

ARTICLE 151

Inquiries. Registered articles

1. Every inquiry relative to a registered article is made on a form agreeing with Model C 13 hereto appended, which shall be accompanied, as far as possible, by a facsimile of the envelope or address of the article.

If the inquiry concerns a C. O. D. article, it shall also be accompanied by a duplicate of the money order C 8 or by a transfer bulletin, as the case may be.

A single form may be used for several articles mailed simultaneously at the same office by the

bureau par le même expéditeur à l'adresse du même destinataire

2.—La réclamation est, en règle générale, envoyée directement par le bureau d'origine au bureau de destination; cette transmission a lieu sans lettre d'envoi et sous enveloppe fermée. Si le bureau destinataire est en état de fournir les renseignements sur le sort définitif de l'envoi, il complète la formule et la retourne au bureau d'origine.

Lorsque le sort de l'envoi ne peut être établi par le bureau de destination, celui-ci constate le fait sur la formule et la réexpédie au bureau d'origine en y ajoutant, autant que possible, une déclaration du destinataire constatant qu'il n'a pas reçu l'envoi. Dans ce cas, l'Administration d'origine complète la formule en y indiquant les données de la transmission à la première Administration intermédiaire. Il l'adresse ensuite à cette dernière Administration, qui y consigne ses observations et la transmet éventuellement à l'Administration suivante. La réclamation passe ainsi d'une Administration à l'autre jusqu'à ce que le sort de l'envoi réclamé soit établi. L'Administration qui a effectué la remise au destinataire, ou qui, le cas échéant, ne peut établir ni la remise, ni la transmission régulière à une autre Administration, constate le fait sur la formule et la renvoie à l'Administration d'origine.

3.—Les Administrations d'origine et de destination peuvent, d'un commun accord, faire transmettre la réclamation de bureau à bureau en suivant la même voie d'acheminement que l'envoi.

Dans ce cas, les recherches se poursuivent depuis l'Administration d'origine jusqu'à l'Administration de destination en observant la procédure visée au dernier alinéa du § 2.

4.—Toute Administration peut demander, par une notification adressée au Bureau international, que les réclamations qui concernent son service soient

same sender addressed to the same addressee.

Action by office of destination.

2. The inquiry is, as a general rule, sent directly by the office of origin to the office of destination; such transmission takes place without letter of transmittal and in a sealed envelope. If the office of destination is in a position to furnish information as to the final disposal made of the article, it completes the form and returns it to the office of origin.

When the disposal of the article can not be established by the office of destination, the latter states the fact on the form and returns it to the office of origin, attaching thereto, as far as possible, a declaration of the addressee stating that he has not received the article. In that case, the Administration of origin completes the form by indicating thereon the particulars of dispatch to the first intermediate Administration. It then transmits it to this latter Administration, which places its observations thereon and transmits it to the following Administration, if any. The inquiry thus passes from one Administration to another until the disposal of the article inquired about is established. The Administration which has effected delivery to the addressee, or which can not prove either delivery or regular transmission to another Administration, as the case may be, shows the fact on the form and returns it to the Administration of origin.

Investigation through the several Administrations.

3. The Administrations of origin and destination may, by common consent, cause the inquiry to be transmitted from office to office, following the same route as the article.

In that case, the investigations are continued from the Administration of origin as far as the Administration of destination, observing the procedure indicated in the last paragraph of Section 2.

Transmission to designated Administration.

4. Any Administration may request, by a notification addressed to the International Bureau, that inquiries concerning its service be

cernent son service soient transmises à son Administration centrale ou à un bureau spécialement désigné.

Time limitation. *Post*, p. 2902.

5.—La formule C 13 et les pièces y annexées doivent, dans tous les cas, faire retour à l'Administration d'origine de l'envoi réclamé, dans le plus bref délai possible et au plus tard dans un délai de trois mois à partir de la date de la réclamation. Ce délai est porté à six mois dans les relations avec les pays éloignés.

Rifling of mails.

6.—Les dispositions qui précèdent ne s'appliquent pas aux cas de spoliation de dépêche, manque de dépêche ou autres cas semblables qui comportent une correspondance plus étendue entre les Administrations.

transmitted to its central Administration or an office specially designated.

5. The Form C 13 and the papers attached thereto shall in all cases be returned to the Administration of origin of the article inquired about within the shortest period possible, and at the latest within a period of three months, counting from the date of the inquiry. That period is extended to six months in relations with distant countries.

6. The foregoing provisions do not apply to cases of rifling of mails, shortage of a dispatch or other similar cases which involve more extended correspondence between the Administrations.

ARTICLE 152

Inquiries.

Réclamations concernant des envois déposés dans un autre pays.

Articles mailed in another country. *Ante*, p. 2771; *Post*, p. 2900.

Dans le cas prévu à l'article 53, § 3, de la Convention, la formule de réclamation C 12 ou C 13 est transmise à l'Administration d'origine. La formule C 13 doit être accompagnée du récépissé de dépôt.

L'Administration d'origine doit être mise en possession de la formule dans le délai prévu à l'article 53, § 2, de la Convention.

ARTICLE 152

Inquiries concerning articles mailed in another country

In the case contemplated by Article 53, Section 3, of the Convention, the tracer form C 12 or C 13 is transmitted to the Administration of origin. The Form C 13 shall be accompanied by the certificate of mailing.

The Administration of origin shall be put in possession of the form within the period prescribed by Article 53, Section 2, of the Convention.

ARTICLE 153

Use of presumed fraudulent stamps, etc.

Emploi de timbres-poste présumés frauduleux ou d'empreintes contrefaites de machines à affranchir.

Procedure.

Sous réserve expresse des dispositions que comporte la législation de chaque pays, la procédure ci-après est suivie pour la constatation de l'emploi, pour l'affranchissement, de timbres-poste frauduleux ou d'empreintes contrefaites de machines à affranchir:

Action upon detection.

a) lorsque la présence, sur un envoi quelconque, d'un timbre-poste frauduleux (contrefait ou ayant déjà servi) ou d'empreintes contrefaites de machines à affranchir est constatée au départ, la

ARTICLE 153

Employment of postage stamps presumed to be fraudulent or of counterfeit impressions of stamping machines

Subject expressly to the provisions of the legislation of each country, the following procedure is followed for establishing the use, for the prepayment of postage, of fraudulent postage stamps or counterfeit impressions of stamping machines:

(*a*) When the presence on any article of a fraudulent stamp (counterfeit or already used) or of counterfeit impressions of stamping machines is detected upon dispatch, the stamp or im-

figurine n'est altérée d'aucune façon et l'envoi, accompagné d'une formule conforme au modèle C 14 ci-annexé, est adressé sous enveloppe recommandée d'office au bureau destinataire. Un exemplaire de cette formule C 14 est transmis, pour information, aux Administrations des pays d'origine et de destination;

b) l'envoi n'est remis au destinataire, convoqué pour constater la contravention, que s'il paie le port dû, fait connaître le nom et l'adresse de l'expéditeur et met à la disposition de la poste, après avoir pris connaissance du contenu, soit l'envoi entier s'il est inséparable du corps du délit, soit la partie de l'envoi (enveloppe, bande, portion de lettre, etc.) qui contient la suscription et l'empreinte ou le timbre signalé comme frauduleux. Le résultat de la convocation est constaté par un procès-verbal conforme au modèle C 15 ci-annexé, signé par l'agent des postes et par le destinataire. Le refus éventuel de ce dernier est constaté sur ce document.

Le procès-verbal est transmis, avec pièces à l'appui, sous recommandation d'office, à l'Administration du pays d'origine, qui y donne la suite que comporte sa législation.

Les Administrations dont la législation ne permet pas la procédure prévue sous les lettres (*a*) et (*b*) en font part aux autres Administrations par l'intermédiaire du Bureau international.

pression is not altered in any way, and the article, accompanied by a form agreeing with Model C 14 hereto appended, is addressed under official registered cover to the office of destination. A copy of that Form C 14 is transmitted to the Administrations of the countries of origin and destination, for their information.

Post, p. 2904.

Notice to offices of origin and destination.

(*b*) The article is not delivered to the addressee, who is summoned to establish the violation, unless he pays the postage due, makes known the name and address of the sender, and places at the disposal of the post office, after having taken note of the contents, either the entire article, if it is inseparable from the evidence of the violation, or the part of the article (envelope, wrapper, part of letter, etc.) which contains the address and the impression or stamp pointed out as fraudulent. The result of the summons is set forth in a report of proceedings conforming to Model C 15 hereto appended, signed by the postal agent and the addressee. If the latter refuses, the fact is stated in that document.

Procedure where received.

Report of proceedings.

Post, p. 2905.

The report is transmitted, with supporting papers, under official registration, to the Administration of the country of origin, which takes the necessary action thereon in accordance with its legislation.

Transmittal to country of origin.

Administrations whose legislation does not permit the procedure contemplated under letters (a) and (b) give notice of the fact to the other Administrations thru the intermediary of the International Bureau.

Titre VI

ECHANGE DES ENVOIS.

Chapitre Unique

Article 154

Feuilles d'avis.

1.—Les feuilles d'avis accompagnant les dépêches sont conformes au modèle C 16 ci-annexé. Elles sont placées sous des enveloppes de couleur bleue portant

Title VI

EXCHANGE OF MAILS

Exchange of mails.

Sole Chapter

Article 154

Letter bills

1. The letter bills accompanying the dispatches are in conformity with Model C 16 hereto appended. They are placed in blue envelopes bearing in large

Letter bills.

Post, p. 2906.

en gros caractères l'indication "Feuille d'avis".

Details required.

2.—Le bureau expéditeur remplit la feuille d'avis avec tous les détails qu'en comporte la contexture et en tenant compte des dispositions suivantes:

On Table I.

a) Tableau I: La présence d'envois ordinaires à faire remettre par exprès est signalée par un trait soulignant la mention correspondante;

Table II.

b) Tableau II: Sauf arrangement contraire, les bureaux expéditeurs numérotent les feuilles d'avis d'après une série annuelle pour chaque bureau de destination lorsque les dépêches ne sont pas formées tous les jours. Chaque dépêche prend, dans ce cas, un numéro distinct, même s'il s'agit d'une dépêche supplémentaire empruntant la même voie ou le même navire que la dépêche ordinaire.

A la première expédition de chaque année, la feuille doit porter, outre le numéro d'ordre de la dépêche, celui de la dernière dépêche de l'année précédente.

Le nom du navire qui emporte la dépêche est indiqué lorsque le bureau expéditeur est à même de le connaître;

Table III.

c) Tableau III: Il peut être fait usage d'une ou de plusieurs listes spéciales conformes au modèle C 17 ci-annexé, soit pour remplacer le tableau V, soit pour servir comme feuille d'avis supplémentaire.

Post, p. 2907.

L'emploi exclusif de listes spéciales est obligatoire si l'Administration de destination en fait la demande.

Lorsque plusieurs listes sont employées, elles doivent être numérotées.

Le nombre des envois recommandés qui peuvent être inscrits sur une seule et même liste spéciale est limité à 60;

Table IV.

d) Tableau IV: Le cas échéant, le nombre des sacs vides appartenant à une Administration autre que celle à laquelle la dépêche est adressée doit être mentionné séparément avec indication de cette Administration.

characters the indication *Feuille d'avis* (letter bill).

2. The dispatching office fills in the letter bill with all the details called for by the text, observing the following provisions:

(*a*) Table I: The presence of ordinary articles to be specially delivered is indicated by a line underscoring the corresponding notation;

(*b*) Table II: Barring contrary agreement, the dispatching offices number the letter bills according to an annual series for each office of destination, when the dispatches are not formed every day. In that case, each dispatch takes a separate number, even if it is a question of a supplementary dispatch taking the same route or the same ship as the ordinary dispatch.

For the first dispatch of each year, the bill shall bear, in addition to the order number of the dispatch, that of the last dispatch of the preceding year.

The name of the ship which carries the dispatch is indicated when the dispatching office is in a position to know it;

(*c*) Table III: Use may be made of one or more special lists conforming to Model C 17 hereto appended, either to replace Table V or to serve as a supplementary letter bill.

The exclusive use of special lists is obligatory if the Administration of destination so requests.

When more than one list is employed, they shall be numbered.

The number of registered articles which may be entered in one and the same special list is limited to 60;

(*d*) Table IV: If occasion arises, the number of empty sacks belonging to an Administration other than the one to which the dispatch is addressed shall be mentioned separately, with indication of that Administration.

Sont, en outre, mentionnées au tableau IV les lettres de service ouvertes et les communications ou recommandations diverses du bureau expéditeur ayant trait au service d'échange;

e) Tableau V: Ce tableau est destiné à l'inscription des envois recommandés lorsqu'il n'est pas exclusivement fait usage de listes spéciales.

Dans le cas où les Administrations correspondantes se sont entendues pour l'inscription globale des objets recommandés sur les feuilles d'avis, le nombre total de ces objets doit être indiqué en chiffres et en toutes lettres.

Lorsque la dépêche ne contient pas d'envois recommandés, la mention "Néant" est portée au tableau V.

3.—Les Administrations peuvents'entendre pour créer d'autres tableaux ou rubriques sur la feuille d'avis lorsqu'elles le jugent nécessaire. Elles peuvent, notamment, disposer les tableaux V et VI conformément à leurs besoins.

4.—Lorsqu'un bureau d'échange n'a aucun objet à livrer à un bureau correspondant, l'envoi d'une dépêche n'a lieu que si, dans les relations entre les Administrations intéressées, les feuilles d'avis ne sont pas numérotées par application du § 2, lettre *b*. Dans ce cas, le bureau d'échange doit envoyer, dans la forme ordinaire, une dépêche qui se compose uniquement d'une feuille d'avis négative.

5.—Quand les dépêches closes doivent être transmises au moyen de navires que l'Administration intermédiaire dont ils dépendent n'utilise pas régulièrement pour ses propres transports, le poids des lettres et autres objets doit être indiqué à la feuille d'avis et sur l'adresse de ces dépêches lorsque l'Administration chargée d'assurer l'embarquement le demande

The open letters on official business and the various communications or notes of the dispatching office relative to the exchange service are also mentioned in Table IV;

(*e*) Table V: This Table is set aside for the entry of the registered articles when exclusive use is not made of special lists. Table V.

In case that the corresponding Administrations have agreed upon the bulk billing of registered articles in the letter bills, the total number of such articles shall be indicated in figures and spelled out in full.

When the dispatch does not contain any registered articles, the note *Néant* (nil) is entered in Table V.

3. Administrations may come to an agreement to create other tables or headings in the letter bill, when they deem it necessary. They may, in particular, arrange Tables V and VI in accordance with their requirements. Other tables authorized.

4. When an exchange office has no articles to deliver to a corresponding office, a dispatch is not sent unless, in relations between the Administrations concerned, the letter bills are not numbered, by application of Section 2, letter (b). In that case, the exchange office shall send, in the usual form, a dispatch composed only of a negative letter bill. If no mail.

5. When closed mails must be sent by means of ships which the intermediate Administration to which they belong does not regularly utilize for the transportation of its own mails, the weight of the letters and other articles shall be indicated in the letter bill and in the address of such mails when the Administration charged with assuring the embarkation so requests. Closed mails by merchant ships.

ARTICLE 155

Transmission.

Transmission des envois recommandés.

Making up in separate packets.

1.—Les envois recommandés et, s'il y a lieu, les listes spéciales prévues à l'article 154, § 2, sont réunis en un ou plusieurs paquets ou sacs distincts qui doivent être convenablement enveloppés ou fermés et cachetés ou plombés de manière à en préserver le contenu. Les envois recommandés sont classés dans chaque paquet d'après leur ordre d'inscription. Quand on emploie plusieurs listes spéciales, chacune d'elles est enliassée avec les objets recommandés auxquels elle se rapporte.

En aucun cas, les envois recommandés ne peuvent être confondus avec les correspondances ordinaires.

Special envelope attachment.

2.—Au paquet d'envois recommandés est attachée extérieurement, par un croisé de ficelle, l'enveloppe spéciale contenant la feuille d'avis; lorsque les envois recommandés sont renfermés dans un sac, ladite enveloppe est fixée au col de ce sac.

Use of additional sacks.

3.—S'il y a plus d'un paquet ou sac d'envois recommandés, chacun des paquets ou sacs supplémentaires est muni d'une étiquette indiquant la nature du contenu.

ARTICLE 155

Transmission of registered articles

1. Registered articles, and, if occasion arises, the special lists mentioned in Article 154, Section 2, are made up into one or more separate packets or sacks, which shall be suitably wrapped or inclosed and sealed with wax or lead in such a manner as to protect the contents. The registered articles are arranged in each packet according to their entry numbers. When several special lists are used, each of them is tied up with the registered articles to which it relates.

In no case may registered articles be mixed with ordinary correspondence.

2. To the outside of the packet of registered articles is attached, by means of a crossed string, the special envelope containing the letter bill; when the registered articles are contained in a sack, the said envelope is tied to the neck of such sack.

3. If there is more than one packet or sack of registered articles, each of the supplementary packets or sacks is provided with a label indicating the nature of the contents.

ARTICLE 156

Transmission des envois exprès.

Transmission of special-delivery mail.

1.—Les envois exprès ordinaires sont réunis en une liasse spéciale munie d'une étiquette portant en gros caractères la mention "Exprès" et insérés, par les bureaux d'échange, dans l'enveloppe contenant la feuille d'avis qui accompagne la dépêche.

Toutefois, si cette enveloppe doit être fixée au col du sac des envois recommandés (article 155, § 2), la liasse des envois exprès est placée dans le sac extérieur. La présence, dans la dépêche, des correspondances de l'espèce est alors annoncée par une fiche placée dans l'enveloppe contenant la

ARTICLE 156

Transmission of special-delivery articles

1. Ordinary special-delivery articles are tied together in a special bundle having a label bearing the note *Exprès* (special delivery) in large characters and inserted by the exchange offices in the envelope containing the letter bill which accompanies the dispatch.

However, if that envelope must be affixed to the neck of the sack of registered articles (Article 155, Section 2), the bundle of special-delivery articles is placed in the outside sack. The presence in the dispatch of articles of that kind is then announced by a slip placed inside the envelope contain-

feuille d'avis. La même procédure est suivie lorsque les envois exprès n'ont pu être joints à la feuille d'avis en raison de leur nombre, de leur forme ou de leurs dimensions.

2.—Les envois exprès recommandés sont classés, à leur ordre, parmi les autres envois recommandés et la mention "Exprès" est portée dans la colonne "Observations" du tableau V de la feuille d'avis ou des listes spéciales, en regard de l'inscription de chacun d'eux. En cas d'inscription globale, la présence d'envois recommandés à remettre par exprès est signalée simplement par la mention "Exprès" au tableau V de la feuille d'avis.

ing the letter bill. The same procedure is followed when it has not been possible to inclose the special-delivery articles with the letter bill because of their number, form or dimensions.

2. Registered special-delivery articles are arranged in order among the other registered articles, and the note *Exprès* (special delivery) is placed in the *Observations* column of Table V of the letter bill or of the special lists, opposite the entry concerning each of them. In case of bulk billing, the presence of registered articles to be specially delivered is indicated simply by the note *Exprès* (special delivery) in Table V of the letter bill.

Registered special-delivery articles.

ARTICLE 157

Confection des dépêches.

1.—En règle générale, les objets sont classés et enliassés par nature de correspondances, les lettres et les cartes postales étant comprises dans la même liasse et les journaux et écrits périodiques devant faire l'objet de liasses distinctes de celles des imprimés ordinaires. Les liasses sont désignées par des étiquettes portant l'indication du bureau destinataire ou réexpéditeur des envois insérés dans les liasses. Les objets de correspondance susceptibles d'être enliassés doivent être disposés dans le sens de l'adresse. Les objets affranchis sont séparés de ceux qui ne le sont pas ou le sont insuffisamment et les étiquettes de liasses d'objets non ou insuffisamment affranchis sont frappées du timbre T.

Les lettres portant des traces d'ouverture, de détérioration ou d'avarie doivent être munies d'une mention du fait et frappées du timbre à date du bureau qui l'a constaté.

Les mandats de poste expédiés à découvert sont réunis en une liasse distincte qui doit être insérée dans un paquet ou sac d'objets recommandés. Si la dépêche ne comprend pas d'objets recom-

ARTICLE 157

Preparation of dispatches

1. As a general rule, articles are sorted and tied in bundles according to the nature of the correspondence, letters and post cards being included in the same bundle, and newspapers and periodicals being made up into packets apart from those containing ordinary prints. The bundles are designated by labels bearing the indication of the office of destination or redispatch of the articles contained in the bundles. Articles of correspondence capable of being tied in bundles shall be arranged in the direction of the address. Prepaid articles are separated from those which are unprepaid or shortpaid, and the labels of bundles of articles which are unprepaid or shortpaid are marked with the T-stamp.

Preparing dispatches. Bundles according to classes.

Letters bearing traces of opening, deterioration or damage shall be marked with a mention of the fact and be struck with the date stamp of the office which has detected it.

Money orders sent uninclosed are tied in a separate bundle, which shall be included in a packet or sack of registered articles. If the dispatch does not contain any registered articles, the orders

mandés, les mandats sont placés dans l'enveloppe contenant la feuille d'avis ou enliassés avec celle-ci.

Closed sacks, etc.

2.—Les dépêches sont renfermées dans des sacs convenablement clos, cachetés ou plombés et étiquetés. Lorsqu'il est fait usage de ficelle, elle doit être passée deux fois autour du col avant d'être nouée. Les empreintes des cachets ou des plombs doivent reproduire, en caractères latins très lisibles, le nom du bureau d'origine ou une indication suffisante pour permettre de déterminer ce bureau.

Labels, etc., attached.

Les étiquettes des dépêches doivent être en toile, carton fort, parchemin ou en papier collé sur une planchette; dans les relations entre bureaux limitrophes, il peut être fait usage d'étiquettes en papier fort. Les étiquettes sont

Color designations.

confectionnées dans les couleurs suivantes:

a) en rouge vermillon, pour les sacs contenant des envois recommandés;

b) en blanc, pour les sacs ne contenant que des lettres et des cartes postales ordinaires;

c) en bleu clair, pour les sacs contenant exclusivement d'autres objets ordinaires;

d) en vert, pour les sacs contenant seulement des sacs vides renvoyés à l'origine.

Les sacs contenant de la correspondance ordinaire mixte (lettres, cartes postales et autres objets) doivent être munis de l'étiquette blanche.

Optional uses.

Toutefois, l'emploi des étiquettes de couleur blanche, bleu clair ou verte, n'est obligatoire que pour les Administrations dont le régime intérieur ne s'y oppose pas. D'autre part, les étiquettes vertes ne sont utilisées que si l'Administration de destination l'exige.

Data to be furnished.

Les étiquettes portent l'indication imprimée en petits caractères latins du nom du bureau expéditeur et, en caractères latins gras, du nom du bureau destinataire, précédés respectivement des mots "de" et "pour". Dans les échanges par voie maritime effectués dans

are placed in the envelope containing the letter bill or tied up with the latter.

2. Dispatches are inclosed in sacks suitably closed, sealed with wax or lead, and labeled. When use is made of string, it shall be passed twice around the neck of the sack before being tied. The imprints on the wax or lead seals shall reproduce, in very legible Latin characters, the name of the office of origin or an indication sufficient to permit that office to be determined.

The labels of the dispatches shall be of cloth, strong cardboard, parchment, or paper pasted on a wooden block; in relations between adjacent offices, use may be made of labels of strong paper. The labels are made up in the following colors:

(*a*) In vermillion red, for sacks containing registered articles;

(*b*) In white, for sacks containing only ordinary letters and post cards;

(*c*) In light blue, for sacks containing only ordinary *other articles;*

(*d*) In green, for sacks containing only empty sacks returned to origin.

Sacks containing mixed ordinary correspondence (letters, post cards and other articles) shall bear the white label.

However, the use of white, light blue or green labels is obligatory only for Administrations whose internal legislation does not oppose it. Moreover, green labels are used only if the Administration of destination so demands.

The labels bear the indication, printed in small Latin characters, of the name of the dispatching office, and, in heavy Latin characters, the name of the office of destination, preceded by the words *de* (from) and *pour* (for) respectively. In exchanges by

des délais indéterminés, ces indications sont complétées par la mention de la date d'expédition, du numéro de l'envoi et du port de débarquement si l'Administration intéressée le demande.

Les sacs doivent indiquer d'une façon lisible, en caractères latins, le bureau ou le pays d'origine, et porter la mention "Postes" ou toute autre analogue les signalant comme dépêches postales.

Les bureaux intermédiaires ne doivent porter aucun numéro d'ordre sur les étiquettes des sacs ou paquets de dépêches closes en transit.

3.—Sauf arrangement contraire, les dépêches peu volumineuses ou négatives sont simplement enveloppées de papier fort de manière à éviter toute détérioration du contenu, puis ficelées et cachetées ou plombées.

En cas de plombage, ces dépêches doivent être conditionnées de telle façon que la ficelle ne puisse pas être détachée. Lorsqu'elles ne contiennent que des correspondances ordinaires, elles peuvent être fermées au moyen de cachets gommés portant l'indication imprimée du bureau ou de l'Administration expéditrice. Les suscriptions des paquets doivent correspondre, en ce qui concerne les indications imprimées et les couleurs, aux prescriptions prévues au § 2 pour les étiquettes des sacs de correspondances.

4.—Lorsque le nombre ou le volume des envois exige l'emploi de plus d'un sac, des sacs distincts doivent, autant que possible, être utilisés:

a) pour les lettres et cartes postales;

b) pour les autres objets; le cas échéant, des sacs distincts doivent encore être utilisés pour les petits paquets; les étiquettes de ces derniers sacs portent la mention "Petits paquets".

Le paquet ou sac des envois recommandés, réuni avec la feuille d'avis de la façon prévue à l'article 155, § 2, est placé dans un des sacs de lettres ou dans un

sea effected at irregular intervals, those indications are completed by the mention of the date of dispatch, the number of the mail, and the port of debarkation, if the Administration concerned so requests.

The sacks shall indicate legibly, in Latin characters, the office or country of origin, and shall bear the note *Postes* (posts) or some other similar note characterizing them as postal dispatches.

Intermediate offices shall not place any order number on labels of sacks or packets of closed mails in transit.

3. Barring contrary agreement, dispatches of small size or negative dispatches are simply wrapped in strong paper in such a manner as to avoid all harm to the contents, then tied and sealed with wax or lead. Unimportant, etc., matter.

In case of lead sealing, those dispatches shall be prepared in such a way that the string can not be detached. When they contain nothing but ordinary correspondence, they may be fastened by means of gummed seals bearing the printed indication of the dispatching office or Administration. The addresses of the packets shall comply, in regard to the printed indications and the colors, with the provisions laid down by Section 2 for the labels of sacks of mail. Sealing.

4. When the number or volume of the mails requires the employment of more than one sack, separate sacks shall be used, as far as possible: When volume exceeds one sack.

(*a*) For letters and post cards;

(*b*) For other articles; if occasion arises, separate sacks shall also be used for small packets; the labels of these latter sacks bear the note *Petits paquets* (small packets).

The packet or sack of registered articles, tied together with the letter bill in the manner prescribed by Article 155, Section 2, is placed in one of the letter sacks Letter bill attached.

Ante, p. 2848.

sac spécial; le sac extérieur doit porter, en tout cas, l'étiquette rouge. Lorsqu'il y a plus d'un sac d'envois recommandés, les sacs supplémentaires ne contenant que des objets recommandés autres que des lettres et des cartes postales peuvent être expédiés à découvert munis de l'étiquette rouge.

Marking.

L'étiquette du sac ou paquet renfermant la feuille d'avis, même si celle-ci est négative, est toujours revêtue de la lettre F tracée d'une manière apparente.

Weight.

5.—Le poids de chaque sac ne doit pas dépasser 30 kilogrammes.

Combination of small packets for given office.

6.—Les bureaux d'échange insèrent autant que possible, dans leurs propres dépêches pour un bureau déterminé, toutes les dépêches de petites dimensions (paquets ou sacs) qui leur parviennent pour ce bureau.

ARTICLE 158

Remise des dépêches.

Delivery.

Prescribed conditions.

1.—La remise des dépêches entre deux bureaux correspondants s'effectue suivant les dispositions prises par les Administrations intéressées.

Seuls les sacs et paquets signalés par des étiquettes rouges doivent, au moment de la livraison, être soumis à une vérification complète de leur fermeture et de leur conditionnement. Quant aux autres sacs et paquets, la vérification en est facultative et ils sont toujours remis globalement.

Status.

2.—Les dépêches doivent être livrées en bon état. Cependant, une dépêche ne peut pas être refusée pour cause d'avarie. Lorsqu'une dépêche est reçue en mauvais état par un bureau intermédiaire, elle doit être mise telle quelle sous nouvel emballage. Le bureau qui effectue le remballage doit porter les indications de l'étiquette originale sur la nouvelle étiquette et apposer sur celle-ci une empreinte de son timbre à date, précédée de la mention "Remballé à _____".

Rewrapping, if in bad condition.

or in a separate sack; the outside sack shall in any case bear the red label. When there is more than one sack of registered articles, the additional sacks containing nothing but registered articles other than letters and post cards may be sent uninclosed, bearing the red label.

The label of the sack or packet containing the letter bill, even if the latter is negative, is always marked with the letter *F*, traced in a conspicuous manner.

5. The weight of each sack shall not exceed 30 kilograms.

6. As far as possible, the exchange offices insert in their own dispatches for a given office, all dispatches of small dimensions (packets or sacks) which reach them for that office.

ARTICLE 158

Delivery of dispatches

1. The delivery of dispatches between two corresponding offices is effected in accordance with the conditions prescribed by the Administrations concerned.

Only the sacks and packets designated by red labels need, at the time of delivery, be subjected to complete verification of their closing and condition. As for the other sacks and packets, their verification is optional and they are always delivered in bulk.

2. Dispatches shall be delivered in good condition. However, a dispatch may not be refused because of damage. When a dispatch is received in bad condition by an intermediate office, it shall be placed, just as it is, under new packing. The office which effects the repacking shall enter the indications of the original label on the new label and place on the latter an imprint of its date stamp, preceded by the note *Remballé à* _____ (repacked at _____).

ARTICLE 159

Vérification des dépêches.

1.—Lorsqu'un bureau intermédiaire doit procéder au remballage d'une dépêche, il en vérifie le contenu s'il présume que celui-ci n'est pas resté intact.

Il dresse un bulletin de vérification conforme au modèle C 18 ci-annexé en se conformant aux dispositions du § 3 ci-après. Ce bulletin est envoyé au bureau d'échange d'où la dépêche a été reçue; une copie en est adressée au bureau d'origine et une autre est insérée dans la dépêche remballée.

2.—Le bureau destinataire vérifie si la dépêche est au complet et si les inscriptions de la feuille d'avis et, le cas échéant, des listes spéciales d'envois recommandés sont exactes. En cas de manque d'une dépêche ou d'un ou plusieurs sacs en faisant partie, d'objets recommandés, d'une feuille d'avis, d'une liste spéciale d'envois recommandés, ou lorsqu'il s'agit de toute autre irrégularité, le fait est constaté immédiatement par deux agents. Ceux-ci font les rectifications nécessaires sur les feuilles ou listes en ayant soin de biffer les indications erronées de manière à laisser reconnaître les inscriptions primitives. A moins d'une erreur évidente, les rectifications prévalent sur la déclaration originale.

3.—Les faits constatés sont signalés, au moyen d'un bulletin de vérification, au bureau d'origine de la dépêche et, en cas de manquant réel, au dernier bureau intermédiaire, par le premier courrier utilisable après vérification complète de la dépêche.

Les indications de ce bulletin doivent spécifier aussi exactement que possible de quel sac, paquet ou objet il s'agit.

Un duplicata du bulletin de vérification est envoyé, dans les mêmes conditions que l'original, à l'Administration dont relève le bureau d'origine de la dépêche, lorsque cette Administration l'ex-

ARTICLE 159

Verification of dispatches

Verification.

By intermediate office when repacked.

1. When an intermediate office must proceed to repack a dispatch, it verifies the contents thereof if it presumes that they have not remained intact.

Post, p. 2908.

It makes up a bulletin of verification conforming to Model C 18 hereto appended, complying with the provisions of Section 3 hereafter. That bulletin is sent to the exchange office from which the dispatch was received; a copy thereof is addressed to the office of origin and another is inserted in the repacked dispatch.

By office of destination.

2. The office of destination verifies whether the dispatch is intact, and whether the entries on the letter bill, and on the special lists of registered articles, if any, are correct. In case of shortage of a dispatch, or of one or more sacks forming part thereof, of registered articles, of a letter bill, of a special list of registered articles, or when it is a question of any other irregularity, the fact is established at once by two employees. The latter make the necessary corrections on the bills or lists, taking care to strike out the erroneous items in such a manner as to allow the original entries to be recognized. Except in case of obvious error, the corrections prevail over the original statement.

Bulletin of verification to be sent.

3. The facts established are reported by means of a bulletin of verification to the office of origin of the dispatch, and, in case of actual loss, to the last intermediate office, by the first mail available after complete verification of the dispatch.

The indications of that bulletin shall specify as exactly as possible of what sack, packet or article it is a question.

Duplicate, on demand.

A duplicate of the bulletin of verification is sent, under the same conditions as the original, to the Administration to which the office of origin of the dispatch belongs, when that Administra-

In event of irregularities.

ige. Lorsqu'il s'agit d'irrégularités importantes permettant de présumer une perte ou une spoliation, l'enveloppe ou le sac et le cachet de fermeture du paquet ou du sac des envois recommandés sont joints au bulletin de vérification destiné au bureau d'origine. Il en est de même de l'enveloppe ou du sac extérieurs, avec leur ficelle, leur étiquette, leur cachet ou plomb de fermeture, chaque fois que l'envoi de ces pièces justificatives est possible.

tion so demands. When it is a question of important irregularities giving rise to the presumption of loss or rifling, the envelope or sack and the seal which fastens the packet or sack of registered articles are attached to the bulletin of verification addressed to the office of origin. The same applies to the outer envelope or sack, with its string, label and wax or lead seal, whenever the transmission of such pieces of evidence is possible.

Report to be attached.

Dans l'échange avec les Administrations qui exigent l'envoi d'un duplicata, les pièces justificatives mentionnées ci-dessus sont annexées au duplicata.

In the exchange with Administrations which require the sending of a duplicate, the supporting evidence mentioned above is attached to the duplicate.

Telegraphic notice.

Dans les cas prévus aux §§ 1 et 2, le bureau d'origine et, le cas échéant, le dernier bureau d'échange intermédiaire peuvent, en outre, être avisés par télégramme aux frais de l'Administration qui expédie celui-ci.

In the cases contemplated by Sections 1 and 2, the office of origin, and the last intermediate exchange office, if any, may also be advised by telegram at the expense of the Administration sending the telegram.

Traces of rifling, etc.

Un avis télégraphique doit être émis toutes les fois que la dépêche présente des traces évidentes de spoliation, afin que le bureau expéditeur ou intermédiaire procède sans aucun retard à l'instruction de l'affaire et, le cas échéant, avise également par télégramme l'Administration précédente pour la continuation de l'enquête.

Telegraphic notice shall be given whenever the dispatch shows evident traces of rifling, in order that the dispatching or intermediate office may proceed without any delay to investigate the matter, and, if need be, advise the preceding Administration, likewise by telegram, for the continuance of the investigation.

When bulletin is unnecessary.

4.—Lorsque l'absence d'une dépêche est le résultat d'un défaut de coïncidence des courriers ou lorsqu'elle est dûment expliquée sur le bordereau de remise, l'établissement d'un bulletin de vérification n'est nécessaire que si la dépêche ne parvient pas au bureau destinataire par le plus prochain courrier.

4. When the absence of a dispatch is the result of a failure of mails to connect, or when it is duly explained on the waybill, the preparation of a bulletin of verification is not necessary, unless the dispatch does not reach the office of destination by the next mail.

When duplicate delayed.

L'envoi du duplicata prévu au § 3 peut être différé si l'on présume que le manque de la dépêche provient d'un retard ou d'une fausse direction.

The sending of the duplicate provided for by Section 3 may be postponed if it is presumed that the shortage of the dispatch is due to delay or misdirection.

Second bulletin necessary.

Dès la rentrée d'une dépêche dont l'absence avait été signalée au bureau d'origine et, le cas échéant, au dernier bureau d'échange intermédiaire, il y a lieu d'adresser à ces bureaux un second bulletin de vérification annonçant la réception de cette dépêche.

When a dispatch, the absence of which had been reported to the office of origin, and to the last intermediate exchange office, if any, is located, it is necessary to send a second bulletin of verification to the said offices announcing the receipt of that mail.

5.—Les bureaux auxquels sont adressés les bulletins de vérification les renvoient le plus promptement possible après les avoir examinés et y avoir mentionné leurs observations, s'il y a lieu.

Si ces bulletins ne sont pas renvoyés à l'Administration d'origine dans le dèlai de deux mois à compter de la date de leur expédition, ils sont considérés, jusqu'à preuve du contraire, comme dûment acceptés par les bureaux auxquels ils ont été adressés.

Ce délai est porté à quatre mois dans les relations avec les pays éloignés.

6.—Lorsqu'un bureau réceptionnaire auquel la vérification de la dépêche incombait n'a pas fait parvenir au bureau d'origine et, le cas échéant, au dernier bureau d'échange intermédiaire, par le premier courrier utilisable après la vérification, un bulletin constatant des irrégularités quelconques, il est considéré, jusqu'à preuve du contraire, comme ayant reçu la dépêche et son contenu. La même présomption existe pour les irrégularités dont la mention a été omise ou signalée d'une manière incomplète dans le bulletin de vérification.

7.—Les bulletins de vérification et les duplicata sont transmis sous pli recommandé.

5. The offices to which the bulletins of verification are addressed return them as promptly as possible after having examined them, and after having entered thereon their observations, if any. Return of bulletin by receiving office.

If those bulletins are not returned to the Administration of origin within the period of two months, counting from the date of their issue, they are considered, until the contrary is proved, as duly accepted by the offices to which they were addressed. Presumption of acceptance.

That period is extended to four months in relations with distant countries.

6. When a receiving office upon which the verification of the dispatch was incumbent has not sent to the office of origin, and to the last intermediate exchange office, if any, by the first mail available after verification, a bulletin reporting any irregularities, it is considered, until the contrary is proved, as having received the dispatch and its contents. The same presumption exists in the case of irregularities which have not been mentioned, or which have been reported in an incomplete manner, in the bulletin of verification. Correctness implied.

7. The bulletins of verification and the duplicates are transmitted under registered cover. Bulletins of verification, etc.

ARTICLE 160

Renvoi des sacs vides.

1.—Sauf arrangement contraire entre les Administrations correspondantes, les sacs doivent être renvoyés vides, par le prochain courrier, dans une dépêche directe pour le pays auquel ces sacs appartiennent. Le nombre des sacs renvoyés par chaque dépêche doit être inscrit sous la rubrique "Indications de service" de la feuille d'avis.

Le renvoi est effectué entre les bureaux d'échange désignés à cet effet.

Les sacs vides doivent être roulés en paquets convenables; le cas échéant, les planchettes à étiquettes ainsi que les étiquettes

ARTICLE 160

Return of empty sacks Empty sacks.

1. Barring contrary agreement between the corresponding Administrations, sacks shall be returned empty, by the next mail, in a direct dispatch for the country to which such sacks belong. The number of sacks returned by each mail shall be entered under the *Service Information* heading of the letter bill. Provisions for prompt return.

The return is effected between the exchange offices designated for that purpose.

The empty sacks shall be rolled up in suitable bundles; the label blocks, as well as the labels of cloth, parchment or other strong

en toile, parchemin ou autre matière solide doivent être placées à l'intérieur des sacs. Les paquets doivent être revêtus d'une étiquette indiquant le nom du bureau d'échange d'où les sacs ont été reçus, chaque fois qu'ils sont renvoyés par l'intermédiaire d'un autre bureau d'échange.

Si les sacs vides à renvoyer ne sont pas trop nombreux, ils peuvent être placés dans les sacs contenant la correspondance; dans le cas contraire, ils doivent être placés à part dans des sacs cachetés, étiquetés au nom des bureaux d'échange. Les étiquettes doivent porter la mention "Sacs vides".

Administration to have control of its sacks.

2.—Dans le cas où le contrôle exercé par une Administration sur le renvoi des sacs qui lui appartiennent démontrerait que 10% du nombre total des sacs utilisés pendant une année pour la confection des dépêches n'ont pas été renvoyés avant la fin de cette année, l'Administration qui ne peut établir le renvoi des sacs vides est tenue de rembourser à l'Administration expéditrice la valeur des sacs manquants. Le remboursement doit également avoir lieu si le nombre des sacs manquants n'atteint pas 10% mais excède 50 unités.

Average value.

Chaque Administration fixe, périodiquement et uniformément pour toutes les espèces de sacs qui sont utilisés par ses bureaux d'échange, une valeur moyenne en francs et la communique aux Administrations intéressées par l'intermédiaire du Bureau international.

TITRE VII

Transit charges.

DISPOSITIONS CONCERNANT LES FRAIS DE TRANSIT.

CHAPITRE I

OPÉRATIONS DE STATISTIQUE.

ARTICLE 161

Statistique des frais de transit.

Transit cost statistics computed once every three years. *Ante*, p. 2782.

1.—Les frais de transit exigibles en exécution des articles 75 et suivants de la Convention sont établis sur la base de statistiques, une fois tous les trois ans.

material, if any, shall be placed inside the sacks. The bundles shall be provided with a label indicating the name of the exchange office from which the sacks were received, whenever they are returned thru the intermediary of another exchange office.

If the empty sacks to be returned are not too numerous, they may be placed inside the sacks containing the correspondence; otherwise, they shall be placed in separate sealed sacks labeled with the names of the exchange offices. The labels shall bear the note *Sacs vides* (empty sacks).

2. In case that the check made by an Administration on the return of sacks belonging to it shows that 10 per cent of the total number of sacks used during a year for the preparation of dispatches have not been returned before the end of that year, the Administration which can not prove the return of the empty sacks is bound to reimburse the dispatching Administration for the value of the missing sacks. Reimbursement shall also be effected if the number of missing sacks does not reach 10 per cent but exceeds 50 sacks.

Each Administration fixes, periodically, and uniformly for all kinds of sacks which are used by its exchange offices, an average value in francs, and communicates it to the Administrations concerned thru the intermediary of the International Bureau.

TITLE VII

PROVISIONS CONCERNING TRANSIT CHARGES

CHAPTER I

STATISTICAL OPERATIONS

ARTICLE 161

Transit statistics

1. The transit charges collectible under Articles 75 *et seq.* of the Convention are computed on the basis of statistics taken once

tistiques dressées une fois tous les trois ans et alternativement pendant les quatorze ou vingt-huit premiers jours du mois de mai ou pendant les quatorze ou vingt-huit premiers jours qui suivent le 14 octobre.

La statistique est dressée pendant la deuxième année de chaque période triennale.

Les dépêches confectionnées à bord des navires sont comprises dans les statistiques lorsqu'elles sont débarquées pendant la période de statistique.

2.—La statistique d'octobre—novembre 1933 ainsi que les comptes y relatifs, dressés d'après les dispositions de la Convention de Londres, s'appliqueront jusqu'à fin 1934.

La statistique de mai 1936 s'appliquera aux années 1935, 1936 et 1937; celle d'octobre—novembre 1939 aux années 1938, 1939 et 1940.

3.—Les payements annuels des frais de transit à effectuer en raison d'une statistique doivent être continués, provisoirement, jusqu'à ce que les comptes établis d'après la statistique suivante soient approuvés ou considérés comme admis de plein droit (article 169 ci-après). A ce moment, il est procédé à la régularisation des payements effectués à titre provisoire.

4.—Lorsqu'il se produit une modification importante dans l'acheminement des correspondances d'un pays pour un autre et si cette modification affecte une période ou des périodes s'élevant à un total d'au moins douze mois, chaque Administration intéressée peut demander une revision des comptes de frais de transit. Dans ce cas, les sommes à payer par les Administrations expéditrices sont déterminées d'après les services intermédiaires réellement employés, mais les poids totaux qui servent de base aux nouveaux comptes doivent normalement être les mêmes que ceux des dépêches expédiées pendant la période de statistique mentionnée au § 1.

every three years, and alternately during the first fourteen or twenty-eight days of the month of May or during the first fourteen or twenty-eight days following the 14th of October.

The statistics are taken during the second year of each triennial period.

Ship dispatches.

Dispatches made up on board ships are included in the statistics when they are unloaded during the statistical period.

Prescribed periods.

2. The statistics of October–November, 1933, as well as the accounts relating thereto made up in accordance with the provisions of the Convention of London, will apply up to the end of 1934.

The statistics of May, 1936, will apply to the years 1935, 1936 and 1937; those of October–November, 1939, to the years 1938, 1939 and 1940.

Annual payments continued, etc.

3. The annual payments of transit charges to be made on the basis of a set of statistics shall be continued provisionally, until the accounts made up in accordance with the following statistics are approved or considered as automatically accepted (Article 169 hereafter). The adjustment of the payments made provisionally is undertaken at that time.

Post, p. 2864.

Important traffic modifications.

4. When an important modification takes place in the routing of correspondence from one country for another, and if such modification affects a period or periods amounting to a total of at least twelve months, any Administration concerned may request a revision of the transit-charge accounts. In that case, the sums to be paid by the dispatching Administrations are determined in accordance with the intermediate services actually employed, but the total weights which serve as the basis for the new accounts shall normally be the same as those of the dispatches sent during the statistical period mentioned in Section 1. When an agreement as to the manner of

Revision of charge accounts.

Lorsqu'une entente sur le mode de répartition ne peut être obtenue, une statistique spéciale doit être dressée pour régler le partage de ces poids entre les divers services empruntés. Aucune modification dans l'acheminement des correspondances pour un pays déterminé n'est considérée comme importante si elle n'affecte pas de plus de 5000 francs par an les comptes entre l'Administration d'origine et l'Administration intermédiaire intéressée. Si la modification dépasse cette somme, elle a sa répercussion sur les décomptes de l'Administration d'origine avec les Administrations qui ont effectué le transit antérieurement et les Administrations qui l'assurent postérieurement à la modification survenue, même lorsque la réduction des comptes n'atteint pas pour certaines Administrations le minimum fixé. La demande d'une revision des comptes et, le cas échéant, d'une statistique spéciale peut être faite lorsque la modification dans l'acheminement des correspondances dont il s'agit a duré au moins neuf mois. Toutefois, les données de cette statistique ne sont prises en considération que si la période de douze mois est réellement accomplie.

division can not be reached, special statistics shall be taken in order to adjust the apportionment of those weights among the various services employed. No modification in the routing of correspondence for a given country is considered as important unless it affects the accounts between the Administration of origin and the intermediate Administration concerned by more than 5000 francs a year. If the modification exceeds that amount it has its effect on the accounts of the Administration of origin with the Administrations which have performed the transit previously and the Administrations which perform it subsequent to the modification brought about, even when the reduction of the accounts does not attain the prescribed minimum for certain Administrations. The request for a revision of the accounts, and, if need be, for special statistics, may be made when the modification in the routing of the correspondence in question has lasted at least nine months. However, the results of those statistics are not taken into consideration unless the period of twelve months is actually completed.

Basis for charges in special cases.

Si, lors d'une statistique spéciale, il est établi que les poids totaux des courriers échangés entre deux Administrations et transportés par une tierce Administration ont augmenté de 100% ou diminué de 50% par rapport aux données de la dernière statistique périodique et que le compte de la tierce Administration subirait de ce chef une modification de plus de 5000 francs par an, les nouveaux poids constatés doivent servir de base pour les frais de transit dus à cette Administration.

If, when special statistics are taken, it is found that the total weights of the mails exchanged between two Administrations and transported by a third Administration have increased by 100 percent or diminished by 50 per cent as compared with the results of the last statistical period, and that the account of the third Administration would undergo, for that reason, a modification of more than 5000 francs a year, the new weights established shall serve as the basis for the transit charges due to that Administration.

Changes following statistical period.

De même, lorsqu'une Administration intermédiaire constate, dans les six mois qui suivent la statistique, qu'il existe entre les expéditions faites par une autre

Likewise, when an intermediate Administration establishes, during the six months following the statistics, that a difference of 20 percent at least in the total

Administration pendant la période de statistique et le trafic normal une différence de 20% au moins sur les poids totaux du transport, l'Administration intéressée peut exiger l'établissement d'une nouvelle statistique si les comptes entre deux Administrations sont affectés d'une modification de plus de 5000 francs par an.

ARTICLE 162

Confection et désignation des dépêches closes pendant la période de statistique.

1.—Pendant chaque période de statistique, l'échange des correspondances en dépêches closes à travers le territoire ou au moyen des services d'une ou de plusieurs Administrations intermédiaires donne lieu à l'utilisation de sacs distincts pour les "lettres et les cartes postales" et pour les "autres objets".

Lorsque le volume des dépêches le permet, les sacs distincts doivent être réunis dans un seul sac collecteur.

2.—Par dérogation aux dispositions des articles 155 et 156, chaque Administration a la faculté, pendant la période de statistique, de comprendre les objets recommandés et les envois exprès, autres que les lettres et les cartes postales, dans un des sacs destinés aux autres objets, en faisant mention de ce fait sur la feuille d'avis; mais si, conformément aux articles 155 et 156, ces objets sont compris dans un sac de lettres, ils sont considérés comme lettres en ce qui concerne la statistique.

3.—Pendant la période de statistique, toutes les dépêches échangées en transit doivent être munies, en dehors des étiquettes ordinaires, d'une étiquette spéciale portant en gros caractères la mention "Statistique", suivie de l'indication "5 kilogrammes", "15 kilogrammes" ou "30 kilogrammes" selon la catégorie de poids (article 163, § 1, ci-après). L'étiquette "Statistique" doit porter en outre la mention "L. C." ou "A. O.", suivant le cas.

weights conveyed exists between the dispatches sent by another Administration during the statistical period and the normal traffic, the Administration concerned may demand the taking of new statistics, if the accounts between two Administrations are affected by a modification of more than 5000 francs a year.

ARTICLE 162

Preparation and designation of closed mails during the statistical period

Preparation and designation of closed mails during statistical period.

1. During each statistical period, the exchange of correspondence in closed mails across the territory or by means of the services of one or more intermediate Administrations gives rise to the employment of separate sacks for *letters and post cards* and for *other articles*.

When the volume of the mails permits, the separate sacks shall be inclosed in a single collective sack.

Optional inclusions.

Ante, p. 2848.

2. By exception to the provisions of Articles 155 and 156, every Administration has the option, during the statistical period, of including registered and special-delivery articles other than letters and post cards in one of the sacks intended for *other articles*, mentioning that fact on the letter bill; but if, in accordance with Articles 155 and 156, those articles are included in a sack of letters, they are considered as letters insofar as the statistics are concerned.

Marking transit mails.

3. During the statistical period all dispatches exchanged in transit shall bear, in addition to the ordinary labels, a special label bearing in large letters the note *Statistique* (statistics), followed by the indication *5 kilograms*, *15 kilograms*, or *30 kilograms*, according to the division of weight (Article 163, Section 1, hereafter). The statistical label shall also bear the note *L. C.* or *A. O.*, as the case may be.

Sacks exempt.

Ante, p. 2783.

4.—En ce qui concerne les sacs qui ne contiennent que des sacs vides, des correspondances exemptes de tous frais de transit (article 76 de la Convention) ou une feuille d'avis négative, la mention "Statistique" est suivie du mot "Exempt".

Notation.

Inclosed sacks.

5.—Lorsque des sacs composant la dépêche sont réunis dans un sac collecteur, celui-ci doit être pourvu de l'étiquette spéciale "Statistique", sur laquelle la mention "S.C." est ajoutée. Les indications concernant la statistique qui figurent sur les sacs intérieurs ne sont pas répétées sur le sac collecteur.

4. In regard to sacks which contain nothing but empty sacks, correspondence exempt from all transit charges (Article 76 of the Convention), or a negative letter bill, the note *Statistique* is followed by the word *Exempt*.

5. When the sacks composing the dispatch are inclosed in a collective sack, the latter shall be provided with the special *Statistique* label, on which the note *S. C.* is added. The indications concerning the statistics which appear on the inside sacks are not repeated on the collective sack.

ARTICLE 163

Constatation du nombre de sacs et du poids des dépêches closes.

Fixing number of sacks, weight of mails, etc.

Post, p. 2909.

1.—En ce qui concerne les dépêches qui donnent lieu au payement de frais de transit, le bureau d'échange expéditeur fait usage d'une feuille d'avis spéciale conforme au modèle C 19 ci-annexé. Il inscrit à cette feuille d'avis le nombre de sacs en les répartissant, le cas échéant, dans les catégories suivantes:

ARTICLE 163

Fixing of the number of sacks and weight of closed mails

1. For dispatches which give rise to the payment of transit charges, the dispatching exchange office makes use of a special letter bill conforming to Model C 19 hereto appended. It enters on that letter bill the number of sacks, dividing them, if occasion arises, into the following classes:

Classes.

Description des sacs	Nombre de sacs dont le poids brut		
	ne dépasse pas 5 kg (sacs légers)	dépasse 5 kg sans excéder 15 kg (sacs moyens)	dépasse 15 kg sans excéder 30 kg (sacs lourds)
1	2	3	4
L. C.			
A. O.			
Nombre de sacs exempts de frais de transit: ----			

Description of the sacks	Number of sacks whose gross weight		
	does not exceed 5 kg. (light sacks)	exceeds 5 kg. but not 15 kg. (medium sacks)	exceeds 15 kg. but not 30 kg. (heavy sacks)
1	2	3	4
L. C			
A. O.			
Number of sacks exempt from transit charges			

Exempted sacks, entry.

Ante, p. 2859.

Le nombre de sacs exempts de frais de transit doit être le total de ceux qui portent l'indication "Statistique—Exempt", d'après les prescriptions de l'article 162, § 4.

The number of sacks exempt from transit charges shall be the total of those bearing the indication *Statistique—Exempt* in accordance with the provisions of Article 162, Section 4.

Verification.

2.—Les indications des feuilles d'avis sont vérifiées par le bureau d'échange destinataire. Si ce bu-

2. The entries in the letter bills are verified by the exchange office of destination. If that office finds

reau constate une erreur dans les nombres inscrits, il rectifie la feuille et signale immédiatement l'erreur au bureau d'échange expéditeur au moyen d'un bulletin de vérification conforme au modèle C 20 ci-annexé. Toutefois, en ce qui concerne le poids d'un sac, l'indication du bureau d'échange expéditeur est tenue pour valable, à moins que le poids réel ne dépasse de plus de 250 grammes le poids maximum de la catégorie dans laquelle ce sac a été inscrit.

ARTICLE 164

Confection des relevés des dépêches closes.

1.—Aussitôt que possible après la clôture des opérations de statistique, les bureaux destinataires dressent en autant d'expéditions qu'il y a d'Administrations intéressées, y compris celle du lieu de départ, des relevés conformes au modèle C 21 ci-annexé et transmettent ces relevés aux bureaux d'échange de l'Administration expéditrice pour être revêtus de leur acceptation. Ces bureaux, après avoir accepté les relevés, les transmettent à leur Administration centrale qui les répartit entre les Administrations intéressées.

2.—Si les relevés C 21 ne sont pas parvenus aux bureaux d'échange de l'Administration expéditrice ou leur sont parvenus en nombre insuffisant dans le délai de trois mois (quatre mois dans les échanges avec les pays éloignés), à compter du jour de l'expédition de la dernière dépêche à comprendre dans la statistique, ces bureaux dressent eux-mêmes lesdits relevés, en nombre suffisant, d'après leurs propres indications et en inscrivant sur chacun d'eux la mention: "Les relevés C 21 du bureau destinataire ne sont pas parvenus dans le délai réglementaire." Ils les transmettent ensuite à leur Administration centrale qui les répartit entre les Administrations en cause.

an error in the numbers entered, it corrects the bill and immediately reports the error to the dispatching exchange office by means of a bulletin of verification conforming to Model C 20 hereto appended. However, in regard to the weight of a sack, the statement of the dispatching exchange office is considered as valid unless the actual weight exceeds the maximum weight of the class in which that sack has been entered by more than 250 grams.

Weight of sacks.

Post, p. 2910.

ARTICLE 164

Preparation of statements for closed mails

1. As soon as possible after the close of statistical operations, the offices of destination make up, in as many copies as there are Administrations concerned, including that of the country of origin, statements conforming to Model C 21 hereto appended, and transmit such statements to the exchange offices of the dispatching Administration to be indorsed with their acceptance. Those offices, after having accepted the statements, transmit them to their central Administration, which distributes them among the Administrations concerned.

Preparing statements for closed mails.

Post, p. 2911.

2. If the Forms C 21 have not reached the exchange offices of the Administration of origin, or if they have not arrived there in sufficient numbers, within a period of three months (four months in exchanges with distant countries), counting from the date of dispatch of the last mail to be included in the statistics, those offices themselves make up the said forms in sufficient numbers in accordance with their own records, and enter on each one of them the note: *Les relevés C 21 du bureau destinataire ne sont pas parvenus dans le délai réglementaire* (The Forms C 21 of the office of destination did not arrive within the prescribed period). They then transmit them to their central Administration, which distributes them among the Administrations concerned.

If not received.

Post, p. 2911.

ARTICLE 165

Liste des dépêches closes échangées en transit.

List of closed mails exchanged in transit.

1.—Aussitôt que possible et, au plus tard, dans un délai de trois mois après chaque période de statistique, sauf le cas où la voie d'acheminement n'a pu être constatée dans ce délai, les Administrations qui ont expédié des dépêches en transit envoient, sur formule conforme au modèle C 22 ci-annexé, la liste de ces dépêches aux différentes Administrations dont elles ont emprunté l'intermédiaire.

Post, p. 2912.

Explanatory notes.

2.—Si cette liste indique des dépêches en transit qui, d'après les dispositions de l'article 162, ne donnent pas lieu à l'établissement d'un relevé C 21, elle doit porter une mention explicative, telle que "Sacs vides", "Correspondances exemptes", "Feuille d'avis négative".

Ante, p. 2859.
Post, p. 2911.

Notations.

ARTICLE 166

Dépêches closes échangées avec des bâtiments de guerre.

Exchanges with warships.

Il incombe aux Administrations des pays dont relèvent des bâtiments de guerre de dresser les relevés C 21 relatifs aux dépêches expédiées ou reçues par ces bâtiments. Les dépêches expédiées, pendant la période de statistique, à l'adresse des bâtiments de guerre doivent porter, sur des étiquettes, la date d'expédition.

Forwarding warship mail.

Dans le cas où ces dépêches sont réexpédiées, l'Administration réexpéditrice en informe l'Administration du pays dont le bâtiment relève.

ARTICLE 167

Bulletin de transit.

Transit bulletin.

1.—Lorsque la route à suivre et les services de transport à utiliser pour les dépêches expédiées pendant la période de statistique sont inconnus ou incertains, l'Admi-

ARTICLE 165

List of closed mails exchanged in transit

1. As soon as possible, and at the latest within a period of three months after each statistical period, except in cases where the route could not be determined within that period, the Administrations which have sent dispatches in transit send a list of such dispatches on a form agreeing with Model C 22 hereto appended to the various Administrations whose intermediary they have employed.

2. If that list indicates dispatches in transit which, in accordance with the provisions of Article 162, do not give rise to the preparation of a Form C 21, it shall bear an explanatory note, such as: *Sacs vides* (empty sacks), *Correspondances exemptes* (correspondence exempt from transit charges), *Feuille d'avis négative* (negative letter bill).

ARTICLE 166

Closed mails exchanged with warships

It is incumbent upon the Administrations of countries to which warships belong to make up the Forms C 21 relative to the mails dispatched or received by those vessels. Mails dispatched during the statistical period destined for warships shall bear, on labels, the date of dispatch.

In case that such dispatches are forwarded, the forwarding Administration so advises the Administration of the country to which the vessel belongs.

ARTICLE 167

Transit bulletin

1. When the route to be followed and the transportation services to be utilized for mails dispatched during the statistical period are unknown or uncertain, the Ad-

nistration d'origine doit, à la demande de l'Administration destinataire, préparer pour chaque dépêche un bulletin de couleur verte conforme au modèle C 23 ci-annexé. L'Administration d'origine peut également expédier ce bulletin sans une demande formelle de l'Administration destinataire, si les circonstances paraissent l'exiger.

Les feuilles d'avis des dépêches qui donnent lieu à l'établissement dudit bulletin doivent être revêtues, en tête, de l'annotation très apparente "Bulletin de transit". La même mention soulignée au crayon rouge est portée sur les étiquettes spéciales "Statistique" dont il est question à l'article 162.

2.—Le bulletin de transit doit être transmis à découvert, avec les dépêches auxquelles il se rapporte, aux différents services qui participent à leur transport. Dans chaque pays intéressé, les bureaux d'échange d'entrée et de sortie, à l'exclusion de tout autre bureau intermédiaire, consignent sur le bulletin les renseignements concernant le transit effectué par eux. Le dernier bureau d'échange intermédiaire transmet le bulletin C 23 au bureau de destination. Le bulletin est renvoyé ensuite par ce bureau au bureau d'origine à l'appui du relevé C 21. Lorsqu'un bulletin de transit dont l'expédition a été demandée ou est annoncée en tête de la feuille d'avis fait défaut, le bureau de destination est tenu de le réclamer sans aucun retard.

ministration of origin shall, at the request of the Administration of destination, prepare for each dispatch a bulletin, green in color, conforming to Model C 23 hereto appended. The Administration of origin may also send such bulletin without a formal request from the Administration of destination, if circumstances appear to require it.

Post, p. 2913.

Notation.

The letter bills of the dispatches which give rise to the preparation of the said bulletin shall be marked at the head with the conspicuous notation: *Bulletin de transit* (transit bulletin). The same notation, underlined in red pencil, is entered on the special *Statistique* (statistical) labels mentioned in Article 162.

Ante, p. 2859.

Bulletin to be sent uninclosed.

2. The transit bulletin shall be sent uninclosed, together with the dispatches to which it relates, to the different services which participate in their transportation. In each country concerned, the exchange offices of entry and departure, to the exclusion of all other intermediate offices, enter on the bulletin the information concerning the transit effected by them. The last intermediate exchange office sends the bulletin C 23 to the office of destination. The bulletin is then returned by that office to the office of origin in support of the Form C 21. When a transit bulletin whose issuance was requested or is announced at the head of the letter bill is missing, the office of destination is bound to make inquiry about it without any delay.

Post, p. 2913.

Post, p. 2911.

When missing.

ARTICLE 168

Services extraordinaires.

Indépendamment des transports aériens, sont seuls considérés comme services extraordinaires donnant lieu à des frais de transit spéciaux, le service entretenu pour le transport territorial accéléré de la Malle dite des Indes et les services spéciaux automobiles Palestine ou Syrie-Iraq.

ARTICLE 168

Extraordinary services

Extraordinary services.

Apart from transportation by air mail, the service maintained for the accelerated land conveyance of the so-called India Mail, and the special motor services from Palestine or Syria to Iraq, are alone considered as extraordinary services giving rise to special transit charges.

CHAPITRE II

Accounting, etc.

COMPTABILITÉ. RÈGLEMENT DES COMPTES.

ARTICLE 169

Compte des frais de transit.

Transit charges. Calculation of. *Ante*, p. 2860.

1.—Pour l'établissement des comptes de transit, les sacs légers, moyens ou lourds, tels qu'ils sont définis à l'article 163, sont portés en compte respectivement pour les poids moyens de 3, 12 ou 24 kilogrammes.

2.—Le poids des dépêches closes est multiplié par 26 ou 13, selon le cas, et le produit sert de base à des comptes particuliers établissant en francs les sommes annuelles revenant à chaque Administration.

Dans le cas où le multiplicateur 26 ou 13 ne répond pas au trafic normal, les Administrations intéressées s'entendent pour l'adoption d'un autre multiplicateur qui vaut pendant les années auxquelles s'applique la statistique.

Le soin de dresser les comptes incombe à l'Administration créancière qui les transmet à l'Administration débitrice.

3.—Afin de tenir compte du poids des sacs et de l'emballage ainsi que des catégories de correspondances exemptes de tous frais de transit en conformité des dispositions de l'article 76 de la Convention, le montant total du compte des dépêches closes est réduit de 10%.

Ante, p. 2783.

4.—Les comptes particuliers sont dressés en double expédition. sur formule conforme au modèle C 24 ci-annexé, d'après les relevés C 21. Ils sont transmis à l'Administration expéditrice aussitôt que possible et, au plus tard, dans un délai de dix mois suivant l'expiration de la période de statistique.

Post, p. 2914.

5.—Si l'Administration qui a envoyé le compte particulier n'a reçu aucune observation rectificative dans un intervalle de quatre mois à compter de l'envoi, ce compte est considéré comme admis de plein droit.

CHAPTER II

ACCOUNTING. ADJUSTMENT OF ACCOUNTS

ARTICLE 169

Transit-charge account

1. For the preparation of transit accounts, the light, medium or heavy sacks, as defined by Article 163, are considered as having their average weights of 3, 12 or 24 kilograms respectively.

2. The weight of the closed mails is multiplied by 26 or 13, as the case may be, and the product serves as the basis for individual accounts showing, in francs, the annual payments due to each Administration.

In case that the multiplier 26 or 13 does not correspond to the normal traffic, the Administrations concerned come to an agreement for the adoption of another multiplier which holds good during the years to which the statistics apply.

The duty of making up the accounts is incumbent upon the creditor Administration, which transmits them to the debtor Administration.

3. In order to take account of the weight of the sacks and packing, as well as of the classes of correspondence exempt from all transit charges in accordance with the provisions of Article 76 of the Convention, the total amount of the account for closed mails is reduced by 10 per cent.

4. The individual accounts are made up in duplicate on forms agreeing with Model C 24 hereto appended, on the basis of the statements C 21. They are sent to the dispatching Administration as soon as possible, and at the latest within a period of ten months following the expiration of the statistical period.

5. If the Administration which has sent the individual account has not received any corrective observation within an interval of four months, counting from the date of transmission, that account is considered as automatically accepted.

ARTICLE 170

Décompte général annuel. Intervention du Bureau international.

1.—Sauf entente contraire entre les Administrations intéressées, le décompte général comprenant les frais de transit est établi annuellement par le Bureau international.

2.—Aussitôt que les comptes particuliers entre deux Administrations sont approuvés ou considérés comme admis de plein droit (article 169, § 5), chacune de ces Administrations transmet sans retard, au Bureau international, un relevé conforme au modèle C 25 ci-annexé et indiquant les montants totaux de ces comptes. Lors de la réception d'un relevé émanant d'une Administration, le Bureau international en avertit l'autre Administration intéressée.

Dans le solde, il est fait abandon des centimes.

En cas de différences entre les indications correspondantes fournies par deux Administrations, le Bureau international les invite à se mettre d'accord et à lui indiquer les sommes définitivement arrêtées.

Lorsqu'une Administration seulement a fourni le relevé C 25, les indications de cette Administration font foi, à moins que le relevé correspondant de l'Administration retardataire ne parvienne au Bureau international en temps opportun pour l'établissement du prochain décompte général annuel.

Dans le cas prévu à l'article 169, § 5, les relevés doivent porter la mention "Aucune observation de l'Administration débitrice n'est parvenue dans le délai réglementaire".

Si deux Administrations se mettent d'accord pour faire un règlement spécial, leurs relevés C 25 portent la mention "Compte réglé à part—à titre d'information" et ne sont pas compris dans le décompte général annuel.

ARTICLE 170

General annual account. Intervention of the International Bureau

General annual account.

1. Barring contrary agreement between the Administrations concerned, the general account covering transit charges is made up annually by the International Bureau.

Transmission.

2. As soon as the individual accounts between two Administrations are approved or considered as automatically accepted (Article 169, Section 5), each of those Administrations transmits without delay, to the International Bureau, an account conforming to Model C 25 hereto appended and indicating the total amounts of those accounts. Upon receipt of an account coming from one Administration, the International Bureau so advises the other Administration concerned.

Ante, p. 2864.

Post, p. 2915.

Centimes are ignored in the balances.

Settlement of differences.

In case of difference between the corresponding items furnished by two Administrations, the International Bureau invites them to come to an agreement and to communicate to it the sums definitely arrived at.

When only one statement furnished.

When only one of the Administrations has furnished the Form C 25, the amounts indicated by that Administration hold good, unless the corresponding statement is received by the International Bureau from the Administration in arrears in time for the preparation of the next general annual account.

Post, p. 2915.

Notation.

In the case provided for by Article 169, Section 5, the accounts shall bear the note: *Aucune observation de l'Administration débitrice n'est parvenue dans le délai réglementaire* (No observation received from the debtor Administration within the prescribed period).

Special settlement between two Powers.

If two Administrations agree to make a special settlement, their Forms C 25 bear the note: *Compte réglé à part—à titre d'information* (Account settled separately—for purposes of information); and are not included in the general annual account.

Post, p. 2915.

Transit charge accounts.

3.—Le Bureau international établit, à la fin de chaque année, sur la base des relevés qui lui sont parvenus jusque-là et qui sont considérés comme admis de plein droit, un décompte général annuel des frais de transit. Le cas échéant, il se conforme à la règle fixée à l'article 161, § 3, pour les payements annuels.

Ante, p. 2856.

Le décompte indique:

a) le Doit et l'Avoir de chaque Administration;

b) le solde débiteur ou le solde créditeur de chaque Administration;

c) les sommes à payer par les Administrations débitrices;

d) les sommes à recevoir par les Administrations créancières.

Le Bureau international procède par voie de compensation, de manière à restreindre au minimum le nombre des payements à effectuer.

Transmission.

4.—Les décomptes généraux annuels doivent être transmis aux Administrations par le Bureau international, aussitôt que possible et, au plus tard, avant l'expiration du premier trimestre de l'année qui suit celle de leur établissement.

3. The International Bureau makes up, at the end of each year, on the basis of the forms which have reached it up to that time and which are considered as duly accepted, a general account of transit charges. If occasion arises, it complies with the rule laid down by Article 161, Section 3, for annual payments.

The account indicates:

(*a*) The debit and credit of each Administration;

(*b*) The debit or credit balance of each Administration;

(*c*) The sums to be paid by the debtor Administrations;

(*d*) The sums to be received by the creditor Administrations.

The International Bureau proceeds by way of compensation in such a manner as to restrict to the minimum the number of payments to be made.

4. The general annual accounts shall be transmitted to the Administrations by the International Bureau as soon as possible, and at the latest before the expiration of the first quarter of the year following that of their preparation.

ARTICLE 171

Liquidation des frais de transit.

Settlement of transit charges.

1.—Le solde résultant du décompte général annuel du Bureau international ou des règlements spéciaux, y compris, le cas échéant, la régularisation prévue à l'article 161, § 3, est payé par l'Administration débitrice à l'Administration créancière de l'une des manières suivantes:

Ante, p. 2856.

a) au choix de l'Administration débitrice, en or ou au moyen de chèques ou de traites répondant aux conditions prévues au § 2 ci-après et payables à vue sur la capitale ou sur une place commerciale du pays créancier, ou

b) suivant accord entre les deux Administrations, par l'intermédiaire d'une banque utilisant le clearing de la Banque des Règle-

ARTICLE 171

Settlement of transit charges

1. The balance resulting from the general annual account of the International Bureau or from special settlements, including, if occasion arises, the adjustment provided for in Article 161, Section 3, is paid by the debtor Administration to the creditor Administration in one of the following manners:

(*a*) At the choice of the debtor Administration, in gold or by means of checks or drafts fulfilling the conditions prescribed by Section 2 hereafter and payable at sight in the capital or in a commercial city of the creditor country; or

(*b*) Following agreement between the two Administrations, thru the intermediary of a bank utilizing the clearing-house of the

ments Internationaux à Bâle ou par tout autre moyen.

2.—En cas de payement au moyen de chéques ou traites, ces chèques ou traites sont exprimés en monnaie d'un pays où la banque centrale d'émission ou une autre institution officielle d'émission achète et vend de l'or ou des devises-or contre la monnaie nationale à des taux fixes déterminés par la loi ou en vertu d'un arrangement avec le Gouvernement.

Si les monnaies de plusieurs pays répondent à ces conditions, c'est au pays créancier de désigner la monnaie qui lui convient. La conversion se fait au pair des monnaies d'or.

3.—Lorsque les deux pays se sont mis d'accord à ce sujet, les chèques ou traites peuvent être exprimés aussi en monnaie du pays créancier, même si cette monnaie ne répond pas aux conditions prévues au § 2. Dans ce cas, le solde est converti au pair des monnaies d'or en monnaie d'un pays répondant aux conditions prévues au § 2. Le résultat obtenu est ensuite converti dans la monnaie du pays débiteur et de celle-ci dans la monnaie du pays créancier au cours de la bourse de la capitale ou d'une place commerciale du pays débiteur au jour de la remise de l'ordre d'achat du chèque ou de la traite.

4.—Les frais de payement sont supportés par l'Administration débitrice.

5.—Le payement précité doit être effectué dans le plus bref délai possible et, au plus tard, avant l'expiration d'un délai de quatre mois à partir de la date d'envoi du décompte par le Bureau international ou de l'invitation à payer, adressée par l'Administration créancière à l'Administration débitrice, quand il s'agit d'un compte réglé à part. Ce délai peut être porté à cinq mois dans les relations entre pays éloignés.

Passé ces délais, les sommes dues sont productives d'intérêt à

Bank for International Settlements at Basel, or by any other means.

2. In case of payment by means of checks or drafts, such checks or drafts are expressed in money of a country where the central bank of issue or other official issuing institution buys and sells gold or gold currency for national money at fixed rates determined by law or by virtue of an agreement with the Government.

If the moneys of several countries fulfill those conditions, it is incumbent upon the creditor country to designate the money which is convenient for it. The conversion is effected at the gold par rate.

3. When the two countries have come to an agreement on that subject, the checks or drafts may also be expressed in money of the creditor country, even if such money does not fulfill the conditions laid down by Section 2. In that case, the balance is converted at the gold par rate into money of a country fulfilling the conditions prescribed by Section 2. The result obtained is then converted into money of the debtor country and from the latter into money of the creditor country at the rate of exchange prevailing in the capital or in a commercial city of the debtor country on the day of delivery of the order to purchase the check or draft.

Expenses.

4. The expenses of payment are borne by the debtor Administration.

Early payment.

5. The payment above mentioned shall be made as soon as possible, and at the latest before the expiration of a period of four months, counting from the date of transmission of the account by the International Bureau, or of the invitation to pay sent by the creditor Administration to the debtor Administration when it is a question of accounts settled separately. That period may be extended to five months in relations between distant countries.

Interest.

After those periods have expired, the sums due bear interest

raison de 5% l'an, à compter du jour d'expiration desdits délais.

Arrearage.

6.—Si le payement n'est pas effectué un an après l'expiration des délais fixés au § 5, il est loisible à l'Administration créancière d'en informer le Bureau international, lequel invite l'Administration débitrice à payer dans un délai qui ne doit pas dépasser quatre mois.

Si le payement n'est pas effectué jusqu'à l'expiration de ce nouveau délai, le Bureau international fait figurer la somme en cause, augmentée des intérêts, dans le décompte général annuel suivant, à l'Avoir de l'Administration créancière.

En cas d'application des dispositions de l'alinéa précédent, le décompte général dont il s'agit et ceux des quatre années qui suivent ne doivent, autant que possible, pas contenir, dans les soldes du Tableau 2, des sommes à payer par l'Administration défaillante à l'Administration créancière intéressée.

Titre VIII

Various provisions.

DISPOSITIONS DIVERSES.

Chapitre Unique

Article 172

Reply coupons.

Coupons-réponse.

Form, etc.

Post, p. 2916.

1.—Les coupons-réponse sont conformes au modèle C 26 ci-annexé. Ils sont imprimés, sur papier portant en filigrane les lettres U P U en grands caractères, par les soins du Bureau international qui les livre aux Administrations au prix coûtant.

Options.

2.—Chaque Administration a la faculté:

a) de donner aux coupons-réponse une perforation distinctive qui ne nuise pas à la lecture du texte et ne soit pas de nature à entraver la vérification de ces valeurs;

b) de modifier, à la main ou au moyen d'un procédé d'impres-

at the rate of 5 per cent a year, counting from the date of expiration of the said periods.

6. If payment has not been effected one year after the expiration of the periods fixed by Section 5, it is permissible for the creditor Administration to so advise the International Bureau, which invites the debtor Administration to pay within a period which shall not exceed four months.

If payment has not been made by the end of that new period, the International Bureau enters the sum in question, increased by the interest, in the following general annual account, to the credit of the creditor Administration.

In case of application of the provisions of the preceding paragraph, the general annual account in question and those for the four years following shall not, as far as possible, contain, in the balances of Table 2, any amounts to be paid by the defaulting Administration to the creditor Administration concerned.

Title VIII

VARIOUS PROVISIONS

Sole Chapter

Article 172

Reply coupons

1. Reply coupons conform to Model C 26 hereto appended. They are printed, on paper having in the watermark the letters *U P U* in large characters, under the supervision of the International Bureau, which furnishes them to the Administrations at cost.

2. Each Administration has the option:

(*a*) Of giving the reply coupons a distinctive perforation which does not interfere with the reading of the text and is not of such a nature as to hinder verification of the coupons;

(*b*) Of modifying, by hand or by means of a printing process,

sion, le prix de vente indiqué sur les coupons.

3.—Dans les décomptes entre Administrations, la valeur des coupons-réponse est calculée à raison de 35 centimes par unité.

4.—Sauf entente contraire, les coupons échangés sont envoyés annuellement, au plus tard dans un délai de trois mois après expiration de l'année, aux Administrations qui les ont émis, avec l'indication globale de leur nombre et de leur valeur.

5.—Aussitôt que deux Administrations se sont mises d'accord sur le nombre des coupons échangés dans leurs relations réciproques, elles dressent chacune et transmettent au Bureau international un relevé conforme au modèle C 27 ci-annexé indiquant le solde débiteur ou créditeur, si ce solde dépasse 25 francs et si un règlement spécial n'a pas été prévu entre les deux pays. A défaut d'accord dans un délai de six mois, l'Administration créancière établit son décompte et l'envoie au Bureau international.

Dans le cas où l'une des Administrations seulement fournit son relevé, les indications de celui-ci font foi.

Le solde est compris par le Bureau international dans un décompte annuel et le payement a lieu dans les conditions prévues à l'article 171.

6.—Lorsque, dans les rapports entre deux Administrations, le solde annuel ne dépasse pas 25 francs, l'Administration débitrice est exonérée de tout payement.

the selling price indicated on the coupons.

3. In accounts between Administrations, the value of reply coupons is calculated at the rate of 35 centimes per unit.

Annual settlement.

4. Barring contrary agreement, exchanged coupons are sent annually, at the latest within a period of three months after the expiration of the year, to the Administrations which have issued them, with an indication of their total number and value.

Procedure.

5. As soon as two Administrations have come to an agreement as to the number of coupons exchanged in their reciprocal relations, they each make up and transmit to the International Bureau a statement conforming to Model C 27 hereto appended, indicating the debit or credit balance, if such balance exceeds 25 francs and if special settlement has not been provided for between the two countries. In the absence of an agreement within a period of six months, the creditor Administration makes up its account and sends it to the International Bureau.

Post, p. 2916.

If only one statement received.

In case that only one of the Administrations furnishes its statement, the indications of the latter are considered as valid.

The balance is included by the International Bureau in an annual account and payment takes place under the conditions prescribed by Article 171.

Ante, p. 2866.

Small balances.

6. When, in the relations between two Administrations, the annual balance does not exceed 25 francs, the debtor Administration is released from all payment.

ARTICLE 173

Cartes d'identité.

1.—Chaque Administration désigne les bureaux ou les services qui délivrent les cartes d'identité.

2.—Ces cartes sont établies sur des formules conformes au modèle C 28 ci-annexé. Ces formules sont fournies, au prix coûtant, par le Bureau international.

ARTICLE 173

Identity cards

Identity cards.

Issuing offices.

1. Each Administration designates the offices or services which issue identity cards.

Forms.

2. Such cards are made up on forms agreeing with Model C 28 hereto appended. Those forms are furnished at cost by the International Bureau.

Post, p. 2917.

Requirements.

3.—Au moment de la demande, le requérant remet sa photographie et justifie de son identité. Les Administrations édictent les prescriptions nécessaires pour que les cartes ne soient délivrées qu'après examen minutieux de l'identité du requérant.

L'agent inscrit cette demande sur un registre, remplit à l'encre et en caractères latins toutes les indications que comporte la formule de carte d'identité, colle sur celle-ci la photographie à l'endroit désigné, applique mi-partie sur cette photographie et mi-partie sur la carte un timbre-poste représentant la taxe perçue et annule cette figurine au moyen d'une empreinte bien nette du timbre à date.

Il appose ensuite de nouveau l'empreinte de ce timbre ou de son sceau officiel, de manière qu'elle porte à la fois sur la partie supérieure de la photographie et sur la carte, puis reproduit cette empreinte au recto de la carte, signe celle-ci et la remet à l'intéressé après avoir recueilli sa signature.

Renewal of photograph.

4.—Lorsque la physionomie du titulaire s'est modifiée au point qu'elle ne réponde plus à la photographie ou au signalement, la carte doit être renouvelée.

Rights reserved.

5.—Chaque pays conserve la faculté de délivrer les cartes d'identité du service international selon les règles appliquées pour les cartes en usage dans son service intérieur.

Post, p. 2917.

Les Administrations peuvent ajouter un feuillet à la formule C 28, destiné à recevoir des annotations spéciales pour les besoins de leur service interne.

3. At the time of application, the applicant submits his photograph and proves his identity. The Administrations fix the necessary requirements so that cards may not be issued until after careful investigation as to the identity of the applicant.

The employee enters that application in a register; fills in with ink, and in Latin characters, all the information called for by the form of identity card; affixes the photograph to it in the designated place; applies, half on the photograph and half on the card, a postage stamp representing the charge collected; and cancels that stamp by means of a very neat impression of the date stamp.

He then also applies an impression of that stamp or his official seal in such a manner that it appears both on the upper part of the photograph and on the card, then reproduces that impression on the third page of the card, signs the latter, and delivers it to the interested party after obtaining his signature.

4. When the appearance of the holder becomes changed to such an extent that it no longer agrees with the photograph or description, the card shall be renewed.

5. Each country reserves the right to issue identity cards for the international service in accordance with the rules applicable to cards used in its domestic service.

Administrations may attach a leaflet to Form C 28 to receive such special annotations as may be required in the domestic service.

ARTICLE 174

Dépêches échangées avec des bâtiments de guerre.

Warship mails.

Exchange.

1.—L'établissement d'un échange, en dépêches closes, entre une Administration postale et des divisions navales ou des bâtiments de guerre de même nationalité, ou entre une division navale ou un bâtiment de guerre et une autre

ARTICLE 174

Mails exchanged with warships

1. Notice shall be given, as far as possible in advance, to the intermediate Administrations, of the establishment of an exchange of closed mails between a Postal Administration and naval divisions or warships of the same

division navale ou un autre bâtiment de guerre de même nationalité, doit être notifié, autant que possible à l'avance, aux Administrations intermédiaires.

2.—La suscription de ces dépêches est rédigée comme suit:

Du bureau de_____

Pour { la division navale (nationalité) de (désignation de la division) à___ / le bâtiment (nationalité) le (nom du bâtiment) à__ } (Pays).

ou

De la division navale (nationalité) de (désignation de la division) à__
Du bâtiment (nationalité) le (nom du bâtiment) à_____ } (Pays).
Pour le bureau de_____

ou

De la division navale (nationalité) de (désignation de la division) à__
Du bâtiment (nationalité) le (nom du bâtiment) à_____ } (Pays).

Pour { la division navale (nationalité) de (désignation de la division) à___ / le bâtiment (nationalité) le (nom du bâtiment) à__ } (Pays).

3.—Les dépêches à destination ou provenant de divisions navales ou de bâtiments de guerre sont acheminées, sauf indication d'une voie spéciale sur l'adresse, par les voies les plus rapides et dans les mêmes conditions que les dépêches échangées entre bureaux de poste.

Le capitaine d'un paquebot postal qui transporte des dépêches à destination d'une division navale ou d'un bâtiment de guerre les tient à la disposition du commandant de la division ou du

nationality, or between one naval division or warship and another naval division or warship of the same nationality.

Details.

2. The address of such dispatches is worded as follows:

From the office of_____

For { the_____ naval (nationality) / division of_____ (name of division) / at_____ / the_____ship_____ (nationality) (name of ship) / at_____ } (Country)

or

From the_____naval (nationality)
division of_____ (name of division)
at_____ } (Country)
From the_____ship_____ (nationality) (name of ship)
at_____
For the office of_____

or

From the_____naval (nationality)
division of_____ (name of division)
at_____ } (Country)
From the_____ship_____ (nationality) (name of ship)
at_____

For { the_____ naval (nationality) / division of_____ (name of division) / at_____ / the_____ship_____ (nationality) (name of ship) / at_____ } (Country)

Forwarding, etc.

3. Dispatches addressed to or coming from naval divisions or warships are forwarded, in the absence of any indication of a special route in the address, by the most rapid routes, and under the same conditions as dispatches exchanged between post offices.

The captain of a mail steamer carrying mails addressed to a naval division or warship holds them at the disposal of the commanding officer of the division or vessel of destination, in case

bâtiment destinataire en prévision du cas où celui-ci viendrait lui en demander la livraison en route.

Retention, etc.

4.—Si les bâtiments ne se trouvent pas au lieu de destination quand les dépêches à leur adresse y parviennent, ces dépêches sont conservées au bureau de poste jusqu'à leur retrait par le destinataire ou leur réexpédition sur un autre point. La réexpédition peut être demandée, soit par l'Administration postale d'origine, soit par le commandant de la division navale ou du bâtiment destinataire, soit enfin par un Consul de même nationalité.

Redirecting, etc.

In care of Consul.

5.—Celles des dépêches dont il s'agit qui portent la mention "Aux soins du Consul d . . ." sont consignées au Consulat indiqué. Elles peuvent ultérieurement, à la demande du Consul, être réintégrées dans le service postal et réexpédiées sur le lieu d'origine ou sur une autre destination.

Dispatches considered in transit until delivery to commander.

6.—Les dépêches à destination d'un bâtiment de guerre sont considérées comme étant en transit jusqu'à leur remise au commandant de ce bâtiment, alors même qu'elles auraient été primitivement adressées aux soins d'un bureau de poste ou à un Consul chargé de servir d'agent de transport intermédiaire; elles ne sont donc pas considérées comme étant parvenues à leur adresse tant qu'elles n'ont pas été livrées au bâtiment de guerre destinataire.

that the latter should happen to request their delivery en route.

4. If the ships are not found at the place of destination when the dispatches addressed to them arrive there, such dispatches are held at the post office until they are withdrawn by the addressee or forwarded to another point. Redirection may be requested either by the Postal Administration of origin or by the commanding officer of the naval division or vessel of destination; or, finally, by a Consul of the same nationality.

5. Those of the dispatches in question which bear the note: *Aux soins du Consul d* _____ (in care of the Consul of _____) are delivered to the Consulate indicated. Later on, they may, at the request of the Consul, be turned back to the postal service and returned to the place of origin or forwarded to another destination.

6. Dispatches addressed to a warship are considered as being in transit up to their delivery to the commanding officer of that ship, even if they were originally addressed in care of a post office or to a Consul charged with serving as intermediate forwarding agent; they are not, therefore, considered as having arrived at their address as long as they have not been delivered to the warship of destination.

ARTICLE 175

Prepayment bulletin.

Bulletins d'affranchissement. Décompte des frais de douane, etc.

Monthly account of customs charges, etc.

1.—Le décompte relatif aux frais de douane, etc., déboursés par chaque Administration pour le compte d'une autre, est effectué au moyen de comptes particuliers mensuels conformes au modèle C 29 ci-annexé, qui sont établis par l'Administration débitrice dans la monnaie du pays créancier. Les bulletins d'affranchissement sont inscrits par ordre alphabétique des bureaux qui ont fait

Post, p. 2918.

ARTICLE 175

Prepayment bulletins. Accounting for customs charges, etc.

1. The accounting for customs charges, etc., paid out by each Administration on behalf of another, is effected by means of individual monthly accounts conforming to Model C 29 hereto appended, which are made up by the debtor Administration in money of the creditor country. The prepayment bulletins are entered in the alphabetical order of the offices which have ad-

l'avance des frais et suivant l'ordre numérique qui leur a été donné.

Si les deux Administrations intéressées assurent également le service des colis postaux dans leurs relations réciproques, elles peuvent comprendre, sauf avis contraire, dans les décomptes des bulletins d'affranchissement de ce dernier service, ceux de la poste aux lettres.

2.—Le compte particulier, accompagné des bulletins d'affranchissement, est transmis à l'Administration créancière au plus tard à la fin du mois qui suit celui auquel il se rapporte. Il n'est pas dressé de compte négatif.

3.—La vérification des comptes a lieu dans les conditions fixées par le Réglement des mandats de poste.

4.—Les décomptes donnent lieu à une liquidation spéciale. Chaque Administration peut, toutefois, demander que ces comptes soient annexés aux comptes des mandats de poste ou aux comptes CP 15 ou CP 16 des colis postaux.

vanced the charges, and in the numerical order which has been given them.

If the two Administrations also participate in the parcel-post service in their reciprocal relations, they may, in the absence of contrary notification, include in the accounts of prepayment bulletins relative to the latter service those relative to the regular-mail service. Parcel-post service may be included.

2. The individual account, accompanied by the prepayment bulletins, is transmitted to the creditor Administration, at the latest, by the end of the month following the one to which it relates. No negative accounts are made up. Prompt transmission.

3. Verification of the accounts takes place under the conditions fixed by the Regulations of the Agreement concerning money orders. Verification.

4. The accounts give rise to a special settlement. Each Administration may, however, request that such accounts be appended either to the money-order accounts or to the parcel-post accounts C P 15 or C P 16. Settlement.

ARTICLE 176

Formules à l'usage du public.

En vue de l'application des dispositions de l'article 31, § 2, de la Convention, sont considérées comme formules à l'usage du public les formules:

C 1 (Etiquette de douane),
C 2 (Déclaration en douane),
C 3 (Bulletin d'affranchissement),
C 5 (Avis de réception),
C 8 (Mandat de remboursement),
C 10 (Enveloppe de réexpédition),
C 11 (Demande de retrait / modification d'adresse / modification du remboursement),

ARTICLE 176

Forms for the use of the public

In view of the application of the provisions of Article 31, Section 2, of the Convention, the following Forms are considered as forms for the use of the public: Forms for public use. *Ante*, p. 2758.

C 1 (customs label),
C 2 (customs declaration),
C 3 (prepayment bulletin), *Post*, pp. 2889–2917.

C 5 (return receipt),
C 8 (C. O. D. money order),

C 10 (forwarding envelope),

C 11 (request for return, change of address, or modification of C. O. D. charge),

C 12 (Réclamation d'un envoi ordinaire non parvenu),
C 13 (Réclamation d'un envoi recommandé, etc.),
C 26 (Coupon-réponse),
C 28 (Carte d'identité).

C 12 (inquiry about an ordinary article not received),
C 13 (tracer for a registered article, etc.),
C 26 (reply coupon),
C 28 (identity card).

ARTICLE 177

Retention of documents.

Délai de garde des documents.

Period of.

Les documents du service international doivent être conservés pendant une période minimum de deux ans.

ARTICLE 177

Period for retention of documents

The records of the international service shall be kept for a minimum period of two years.

ARTICLE 178

Adresse télégraphique.

Telegraphic address.

Les Administrations font usage, pour les communications télégraphiques qu'elles échangent entre elles, de l'adresse télégraphique "Postgen", suivie de l'indication de la ville où se trouve le siège de l'Administration centrale.

ARTICLE 178

Telegraphic address

Administrations make use, for telegraphic communications which they exchange among themselves, of the telegraphic address *Postgen*, followed by the name of the city in which the central Administration is located.

TITRE IX

International Bureau.

BUREAU INTERNATIONAL.

CHAPITRE UNIQUE

ARTICLE 179

Congresses, etc.

Congrès et Conférences.

Functions, etc.

Le Bureau international prépare les travaux des Congrès et des Conférences. Il pourvoit aux impressions et à la distribution des documents nécessaires.

Attendance of director.

Le Directeur de ce Bureau assiste aux séances des Congrès et des Conférences et prend part aux discussions, sans voix délibérative.

TITLE IX

INTERNATIONAL BUREAU

SOLE CHAPTER

ARTICLE 179

Congresses and Conferences

The International Bureau prepares the agenda for Congresses and Conferences. It provides for the printing and distribution of the necessary documents.

The director of that Bureau attends the sessions of Congresses and Conferences and takes part in the discussions, without the power of voting.

ARTICLE 180

Renseignements. Demandes de modification des Actes.

Furnishing information.

Le Bureau international doit se tenir en tout temps à la disposition des membres de l'Union pour leur fournir, sur les questions relatives au service, les renseignements dont ils pourraient avoir besoin.

ARTICLE 180

Information. Requests for modification of the Acts

The International Bureau shall hold itself at all times at the disposal of members of the Union, to furnish them, on questions relative to the service, such information as they may require.

Il instruit les demandes de modification ou d'interprétation des dispositions qui régissent l'Union et notifie les résultats des consultations.

ARTICLE 181

Publications.

1.—Le Bureau international rédige, à l'aide des documents qui sont mis à sa disposition, un journal spécial en langues allemande, anglaise, espagnole et française.

2.—Il publie, d'après les informations fournies en vertu des prescriptions de l'article 189 ci-après, un recueil officiel de tous les renseignements d'intérêt général concernant l'exécution de la Convention et du Règlement dans chaque pays.

Des recueils analogues concernant l'exécution des Arrangements sont publiés sur la demande des Administrations participant à ces Arrangements.

3.—Le Bureau international publie également, au moyen des éléments fournis par les Administrations:

a) un recueil de renseignements sur l'organisation des Administrations de l'Union et sur leurs services internes;

b) un recueil des taxes appliquées par les Administrations dans leur service interne;

c) une liste des objets interdits;

d) une liste des lignes de paquebots;

e) une liste des distances kilométriques afférentes aux parcours territoriaux;

f) une liste des pays éloignés et assimilés;

g) un tableau des équivalents.

4.—Les modifications éventuelles apportées aux divers documents énumérés aux §§ 2 et 3 sont notifiées par circulaire.

5.—Les documents publiés par le Bureau international sont distribués aux Administrations dans la proportion du nombre d'unités contributives assignées à chacune d'elles par application de l'article 25 de la Convention.

It prepares a statement of requests for modification or interpretation of the provisions governing the Union, and makes known the results of consultations. Statement of requests for changes, etc.

ARTICLE 181

Publications

Publications.

1. The International Bureau publishes, with the aid of the documents which are placed at its disposal, a special journal in the German, English, Spanish and French languages. Special journal.

2. It publishes, in accordance with the information furnished under the provisions of Article 189 hereafter, an official digest of all information of general interest concerning the execution of the Convention and the Regulations in each country. Digest of information. *Post*, p. 2880.

Similar digests concerning the execution of the Agreements are published at the request of the Administrations participating in those Agreements.

3. The International Bureau also publishes, with the aid of the information furnished by the Administrations: Other publications.

(*a*) A digest of information concerning the organization of the Administrations of the Union and their domestic services;

(*b*) A digest of the rates applied by the Administrations in their domestic services;

(*c*) A list of prohibited articles;

(*d*) A list of steamship lines;

(*e*) A list of distances in kilometers on land routes;

(*f*) A list of distant countries and countries assimilated thereto;

(*g*) A table of equivalents.

4. Any modifications made in the various documents enumerated in Sections 2 and 3 are communicated by circular. Changes in list to be reported.

5. The documents published by the International Bureau are distributed among the Administrations in proportion to the number of contributive units assigned to each of them by application of Article 25 of the Convention. Distribution. *Ante*, p. 2756.

Les exemplaires supplémentaires de ces documents qui seraient réclamés par les Administrations sont payés à part, d'après leur prix de revient.

Additional copies of those documents requested by Administrations are paid for separately, at cost price.

Postal directory of the world.

6.—Le Bureau international est chargé de publier un dictionnaire alphabétique de tous les bureaux de poste du monde, avec une mention spéciale pour ceux de ces bureaux chargés de services qui ne sont pas encore généralisés. Ce dictionnaire est tenu au courant au moyen de suppléments ou de toute autre manière que le Bureau international juge convenable.

6. The International Bureau is charged with publishing an alphabetical dictionary of all the post offices in the world, with special mention of those of such offices charged with services which have not yet been generalized. That dictionary is kept up to date by means of supplements, or in any other manner which the International Bureau deems convenient.

Distribution.

Le dictionnaire est distribué aux Administrations à raison de 10 exemplaires par unité contributive assignée à chacune d'elles par application de l'article 25 de la Convention. Les exemplaires supplémentaires demandés par les Administrations sont payés à part, d'après leur prix de revient.

The dictionary is distributed among the Administrations at the rate of 10 copies for each contributive unit assigned to each of them by application of Article 25 of the Convention. Additional copies requested by Administrations are paid for separately, at cost price.

Ante, p. 2756.

ARTICLE 182

Rapport annuel.

ARTICLE 182

Annual report

Annual report.

Le Bureau international fait sur sa gestion un rapport annuel qui est communiqué à toutes les Administrations.

The International Bureau makes an annual report of its operations, which is sent to all the Administrations.

ARTICLE 183

Langue officielle du Bureau international.

ARTICLE 183

Official language of the International Bureau

Official language.

La langue officielle du Bureau international est la langue française.

The official language of the International Bureau is the French language.

ARTICLE 184

ARTICLE 184

Reply coupons and identity cards.

Coupons-réponse. Cartes d'identité.

Reply coupons. Identity cards

Manufacture and supply.

Le Bureau international est chargé de faire confectionner les coupons-réponse et les cartes d'identité et d'en approvisionner, sur leur demande, les Administrations.

The International Bureau is charged with causing reply coupons and identity cards to be manufactured, and with supplying them to the Administrations on request.

ARTICLE 185

Balance et liquidation des comptes.

ARTICLE 185

Balancing and settlement of accounts

Settlement of accounts.

1.—Le Bureau international est chargé d'opérer la balance et la liquidation des comptes de toute

1. The International Bureau is charged with effecting the balancing and settlement of accounts of

nature relatifs au service international des postes entre les Administrations qui déclarent vouloir emprunter son intermédiaire. Celles-ci se concertent, à cet effet, entre elles et avec ce Bureau.

2.—Sur la demande des Administrations intéressées, les décomptes télégraphiques peuvent aussi être indiqués au Bureau international pour entrer dans la compensation des soldes.

3.—Chaque Administration conserve le droit d'établir à son choix des décomptes spéciaux pour diverses branches du service et d'en opérer à sa convenance le règlement avec ses correspondants, sans employer l'intermédiaire du Bureau international, auquel elle se borne à indiquer pour quelles branches de service et pour quels pays elle réclame ses offices.

4.—Les Administrations qui empruntent l'intermédiaire du Bureau international pour la balance et la liquidation des décomptes peuvent cesser d'user de cet intermédiaire trois mois après en avoir donné avis.

all kinds relating to the international postal service between Administrations which express their desire to use its intermediary. The latter come to an agreement to that effect between themselves and with the Bureau.

Telegraphic accounts.

2. At the request of the Administrations concerned, telegraphic accounts may also be transmitted to the International Bureau, to be included in the striking of balances.

Special accounts.

3. Each Administration reserves the right to make up, at its option, special accounts for various branches of the service, and to settle them, at its convenience, with its correspondents, without employing the intermediary of the International Bureau, to which it merely gives notice of those branches of the service and the countries for which it requests its offices.

Use of intermediary.

4. Administrations which employ the intermediary of the International Bureau in balancing and settling accounts may cease to use that intermediary three months after having given notice thereof.

ARTICLE 186

Etablissement des comptes.

1.—Lorsque les comptes particuliers ont été débattus et arrêtés d'un commun iaccord, les Administrations débitrices transmettent aux Administrations créancières, pour chaque nature d'opérations, une reconnaissance, établie en francs et centimes, du montant de la balance des deux comptes particuliers, avec l'indication de l'objet de la créance et de la période à laquelle elle se rapporte.

Sauf entente contraire, l'Administration qui désire, pour sa comptabilité ntérieure, avoir des comptes généraux, doit les établir elle-même et les soumettre à l'acceptation de l'Administration correspondante.

Les Administrations peuvent s'entendre pour pratiquer un autre système dans leurs relations.

ARTICLE 186

Preparation of accounts

Preparing accounts.

Transmittal from debtor to creditor.

1. When the detailed accounts have been checked and agreed upon, the debtor Administrations transmit to the creditor Administrations, for each class of operations, an acknowledgment, stated in francs and centimes, of the amount of the balance of the two detailed accounts, with indication of the subject of the credit and the period to which it relates.

General accounts.

Barring contrary agreement, an Administration which desires, for its own accounting purposes, to have general accounts, shall make them up itself, and submit them to the corresponding Administration for acceptance.

Other systems.

Administrations may come to agreements to apply another system in their relations.

Detailed tables.

2.—Chaque Administration adresse au Bureau international mensuellement ou trimestriellement, si des circonstances spéciales le rendent désirable, un tableau indiquant son Avoir du chef des décomptes particuliers ainsi que le total des sommes dont elle est créancière envers chacune des Administrations contractantes; chaque créance figurant dans ce tableau doit être justifiée par une reconnaissance de l'Administration débitrice.

Ce tableau doit parvenir au Bureau international le 19 de chaque mois ou du premier mois de chaque trimestre au plus tard. A défaut, il n'est compris que dans la liquidation du mois ou du trimestre suivant.

Examination by Bureau.

3.—Le Bureau international examine, en rapprochant les reconnaissances, si les tableaux sont exacts. Toute rectification nécessaire est notifiée aux Administrations intéressées.

Le Doit de chaque Administration envers une autre est reporté dans un tableau récapitulatif; l'addition des sommes portées dans les diverses colonnes de ce tableau forme le solde débiteur global de chaque Administration.

2. Each Administration addresses to the International Bureau monthly, or quarterly, if special circumstances render it desirable, a table indicating its credit resulting from the detailed accounts, as well as the total of the sums due to it by each of the contracting Administrations; each credit figuring in that table shall be justified by an acknowledgment from the debtor Administration.

That table shall reach the International Bureau by the 19th of each month or of the first month of each quarter at the latest. Otherwise, it is carried over for settlement to the account for the following month or quarter.

3. The International Bureau examines, by comparing the acknowledgments, whether the tables are correct. Notice of any necessary correction is given to the Administrations concerned.

The debit of each Administration to another is carried over to a recapitulatory table; the sum of the amounts entered in the various columns of that table constitutes the total debit balance of each Administration.

ARTICLE 187

General balance.

Balance générale.

Preparation, etc.

1.—Le Bureau international réunit les tableaux et les récapitulations en une balance générale indiquant:

a) le total du Doit et de l'Avoir de chaque Administration;

b) le solde débiteur ou le solde créditeur de chaque Administration;

c) les sommes à payer par les Administrations débitrices et la répartition de ces sommes entre les Administrations créancières.

Il veille, dans la mesure du possible, à ce que chaque Administration n'ait à effectuer, pour se libérer, qu'un ou deux payements distincts.

Toutefois, l'Administration qui se trouve habituellement à découvert envers une autre Administra-

ARTICLE 187

General balance

1. The International Bureau assembles the tables and recapitulations into a general balance sheet indicating:

(*a*) The total debit and credit of each Administration;

(*b*) The debit or credit balance of each Administration;

(*c*) The sums to be paid by the debtor Administrations, and the distribution of those sums among the creditor Administrations.

As far as possible, it sees that each Administration does not have to make more than one or two separate payments in order to settle its obligations.

However, an Administration which habitually finds a sum exceeding 50,000 francs due to it by

tion d'une somme supérieure à 50,000 francs a le droit de réclamer des acomptes.

Ces acomptes sont inscrits, tant par l'Administration créancière que par l'Administration débitrice, au bas des tableaux à adresser au Bureau international.

2.—Les reconnaissances transmises au Bureau international avec les tableaux sont classées par Administration.

Elles servent de base pour l'établissement de la liquidation des comptes de chacune des Administrations intéressées. Dans cette liquidation doivent figurer:

a) les sommes afférentes aux comptes spéciaux portant sur les divers échanges;

b) le total des sommes résultant de tous les comptes spéciaux par rapport à chacune des Administrations intéressées;

c) les totaux des sommes dues à toutes les Administrations créancières pour chaque branche du service ainsi que leur total général.

Ce total doit être égal au total du Doit qui figure dans la récapitulation.

Au bas du bordereau de liquidation, la balance est établie entre le Doit et l'Avoir résultant des tableaux adressés par les Administrations au Bureau international. Le montant net du Doit ou de l'Avoir doit être égal au solde débiteur ou au solde créditeur porté dans la balance générale. En outre, le bordereau indique les Administrations en faveur desquelles le payement doit être effectué par l'Administration débitrice.

Les bordereaux de liquidation doivent être transmis aux Administrations intéressées, par le Bureau international, au plus tard le 22 de chaque mois.

another Administration has the right to claim payments on account.

Such remittances are entered, by both the creditor and the debtor Administrations, at the bottom of the tables which they address to the International Bureau.

Classifying acknowledgments.

2. The acknowledgments transmitted to the International Bureau with the tables are classified according to Administrations.

They serve as the basis for settlement of the accounts of each of the Administrations concerned. In the balance-sheet shall appear:

(*a*) The sums relative to the special accounts concerning the various exchanges;

(*b*) The total of the sums resulting from all the special accounts relating to each of the Administrations concerned;

(*c*) The totals of the sums due to all the creditor Administrations for each branch of the service, as well as their grand total.

That total must be equal to the debit appearing in the recapitulation.

At the bottom of the balance-sheet, the balance is struck between the debit and the credit resulting from the tables addressed by the Administrations to the International Bureau. The net amount of the debit or credit must be equal to the debit or credit balance carried into the general balance sheet. Moreover, the sheet indicates the Administrations in favor of which the payment is to be effected by the debtor Administration.

The balance sheets shall be sent to the Administrations concerned by the International Bureau by the 22d of each month at the latest.

ARTICLE 188

Payement.

Le payement des sommes dues, en vertu d'une liquidation, par une Administration à une autre

ARTICLE 188

Payment

Prompt settlement.

Payment of the sums due, by virtue of a balance sheet, by one Administration to another Ad-

Administration, doit être effectué aussitôt que possible et au plus tard quinze jours après la réception du bordereau de liquidation par l'Administration débitrice. Les dispositions de l'article 171, § 1, sont applicables en ce qui concerne les autres conditions de payement. Les dispositions du § 5 dudit article font règle en cas de non-payement du solde dans le délai fixé.

Ante, p. 2366.

Small balances.

Les soldes débiteurs ou créditeurs n'excédant pas 500 francs peuvent être reportés à la liquidation du mois suivant, à la condition toutefois que les Administrations intéressées soient en rapport mensuel avec le Bureau international. Il est fait mention de ce report dans les récapitulations et dans les liquidations pour les Administrations créancières et débitrices. L'Administration débitrice fait parvenir, le cas échéant, à l'Administration créancière, une reconnaissance de la somme due, pour être portée au prochain tableau.

ministration, shall be made as soon as possible, and at the latest fifteen days after receipt of the balance sheet by the debtor Administration. The provisions of Article 171, Section 1, are applicable in regard to the other conditions of payment. The provisions of Section 5 of the said Article govern in case of non-payment of the balance within the period fixed.

Debit or credit balances not exceeding 500 francs may be carried over to the balance sheet for the following month; provided, however, that the Administrations concerned are in monthly communication with the International Bureau. Mention is made of such carrying over in the recapitulations and in the settlement accounts for the creditor and debtor Administrations. The debtor Administration, in such a case, sends the creditor Administration an acknowledgment of the sum due, to be carried over to the next table.

ARTICLE 189

Communications à adresser au Bureau international.

Communications through Bureau.

1.—Les Administrations se transmettent, par l'intermédiaire du Bureau international, la collection en trois exemplaires de leurs timbres-poste et des impressions-types de leurs machines à affranchir, avec indication de la date à partir de laquelle les timbres-poste des émissions antérieures cessent d'avoir cours.

Particulars.

2.—Elles doivent, en outre, communiquer au Bureau international:

a) la mention qu'elles ont adoptée, par application de l'article 106, § 2, comme équivalent de l'expression "Taxe perçue" ou "Port payé";

Ante, p. 2819.

b) les taxes modérées qu'elles ont adoptées en vertu de l'article 5 de la Convention et l'indication des relations auxquelles ces taxes sont applicables;

Ante, p. 2746.

c) l'indication des surtaxes qu'elles perçoivent pour frais de

ARTICLE 189

Communications to be addressed to the International Bureau

1. Administrations communicate to one another, thru the intermediary of the International Bureau, a triplicate collection of their postage stamps and specimen impressions of their stamping machines, with indication of the date from which postage stamps of previous issues cease to be valid.

2. They shall also communicate to the International Bureau:

(*a*) The annotation which they have adopted, by application of Article 106, Section 2, as the equivalent of the expression *Taxe perçue* or *Port payé;*

(*b*) The reduced rates which they have adopted by virtue of Article 5 of the Convention, and an indication of the relations to which such rates are applicable;

(*c*) An indication of the surcharges which they collect as

tranport extraordinaire en vertu des articles 37 et 77 de la Convention ainsi que la nomenclature des pays auxquels s'appliquent ces surtaxes et, s'il y a lieu, la désignation des services qui en motivent la perception;

d) tous les renseignements utiles concernant les prescriptions douanières ou autres ainsi que les interdictions ou restrictions réglant l'importation et le transit des envois postaux dans leurs services;

e) le nombre de déclarations en douane éventuellement exigé pour les envois soumis au contrôle douanier à destination de leur pays et les langues dans lesquelles ces déclarations peuvent être rédigées;

f) l'indication qu'elles admettent ou non, dans les envois affranchis au tarif des lettres ou des échantillons, des objets passibles de droits de douane;

g) la liste des distances kilométriques pour les parcours territoriaux suivis dans leur pays par les dépêches en transit;

h) la liste des lignes de paquebots en partance de leurs ports et utilisées pour le transport des dépêches, avec indication des parcours, des distances et des durées de parcours entre le port d'embarquement et chacun des ports d'escale successifs, de la périodicité du service et des pays auxquels les frais de transit maritime, en cas d'utilisation des paquebots, doivent être payés;

i) leur liste des pays éloignés et assimilés;

j) leur décision au sujet de la faculté d'appliquer ou non certaines dispositions générales de la Convention et du Règlement;

k) les renseignements utiles sur leur organisation et leurs services internes;

l) leurs taxes postales intérieures.

3.—Toute modification aux renseignements visés au § 2 doit être notifiée sans retard.

extraordinary transit charges by virtue of Articles 37 and 77 of the Convention, as well as a list of the countries to which such surcharges apply, and, if necessary, a designation of the services which give rise to their collection; *Ante*, pp. 2763, 2784.

(*d*) All necessary information concerning their customs or other regulations, as well as the prohibitions or restrictions concerning the importation and transit of mail articles in their services;

(*e*) The number of customs declarations, if any, required for articles subject to customs examination addressed to their countries, and the languages in which such declarations may be worded;

(*f*) Information as to whether or not they admit, in articles prepaid at the letter or sample rate, articles liable to customs duty;

(*g*) A list of distances in kilometers on land routes followed in their countries by dispatches in transit;

(*h*) A list of the steamship lines whose ships leave their ports and are used for the conveyance of mails, with indication of the routes, distances, transit times between the port of embarkation and each of the subsequent ports of call, frequency of the service, and the countries to which the maritime transit charges are to be paid if use is made of the steamships;

(*i*) Their list of distant countries and countries assimilated thereto;

(*j*) Their decision in regard to the option of applying or not applying certain general provisions of the Convention and Regulations;

(*k*) Appropriate information concerning their organization and domestic services;

(*l*) Their domestic postage rates.

Notices of changes.

3. Notice of any modification in the information contemplated in Section 2 shall be given without delay.

Bureau to be furnished with 2 copies of each document.

4.—Les Administrations doivent fournir au Bureau international deux exemplaires des documents qu'elles publient, tant sur le service intérieur que sur le service international.

4. Administrations shall furnish the International Bureau with two copies of the documents which they publish, in regard to both the domestic and the international services.

ARTICLE 190

Statistique générale.

General statistics. Annual preparation.

1.—Le Bureau international dresse une statistique générale pour chaque année.

A cet effet, les Administrations lui font parvenir une série aussi complète que possible de renseignements statistiques sur formules conformes aux modèles C 30 et C 31 ci-annexés. Le tableau C 30 est transmis à la fin du mois de juillet de chaque année, mais les renseignements compris dans les parties I, II et IV de ce tableau ne sont fournis que tous les trois ans; le tableau C 31 est également transmis tous les trois ans, à la même date. Les renseignements fournis se apportent toujours à l'année précédente.

Post, pp. 2921, 2923.

Use of periodical statements.

2.—Les opérations de service qui donnent lieu à enregistrement font l'objet de relevés périodiques, d'après les écritures effectuées.

All other operations.

3.—Pour toutes les autres opérations, il est procédé chaque année à un comptage des objets de toute nature, sans distinction entre les lettres, cartes postales, papiers d'affaires, imprimés, échantillons de marchandises et petits paquets et, au moins tous les trois ans, à un dénombrement des différentes catégories de correspondances.

Chaque Administration fixe elle-même l'époque et la durée de ces comptages.

Intermediate count.

4.—Dans l'intervalle qui s'écoule entre les statistiques spéciales, le dénombrement des différentes catégories est fait d'après les chiffres proportionnels tirés de la précédente statistique spéciale.

Forms to be used.

5.—Le Bureau international fait imprimer et distribue les formules de statistique à remplir par chaque Administration. Il four-

ARTICLE 190

General statistics

1. The International Bureau makes up a set of general statistics for each year.

For that purpose, the Administrations send it a set of statistical information, as complete as possible, on forms agreeing with Models C 30 and C 31 hereto appended. Table C 30 is sent out as the end of the month of July of each year; but the information comprised in Parts I, II, and IV of that table is furnished only once every three years; Table C 31 is likewise sent out once every three years, on the same date. The information furnished always relates to the preceding year.

2. Service operations which give rise to detailed recording form the subject of periodical statements based on the actual records.

3. For all other operations, a count is made each year of articles of all kinds, without distinction between letters, post cards, commercial papers, prints, samples of merchandise, and small packets; and, at least once every three years, a count is made of the different classes of correspondence.

Each Administration itself fixes the time and duration of such counts.

4. In the interval which elapses between special statistics, the numbers of the different classes are estimated in accordance with proportional figures taken from the preceding special statistics.

5. The International Bureau prints and distributes the statistical forms to be filled in by each Administration. It furnishes, to

nit aux Administrations qui en font la demande toutes les indications nécessaires sur les règles à suivre pour assurer l'uniformité des opérations de statistique.

ARTICLE 191

Dépenses du Bureau international.

1.—Les dépenses ordinaires du Bureau international ne doivent pas dépasser, par année, la somme de 350,000 francs.

2.—L'Administration des postes suisses surveille les dépenses du Bureau international, fait les avances nécessaires et établit le compte annuel qui est communiqué aux autres Administrations.

3.—Les sommes avancées par l'Administration des postes suisses, suivant le § 2, doivent être remboursées par les Administrations débitrices dans le plus bref délai possible, et au plus tard avant le 31 décembre de l'année d'envoi du compte. Passé ce délai, les sommes dues sont productives d'intérêt au profit de ladite Administration à raison de 5% l'an, à compter du jour d'expiration dudit délai.

4.—Les pays de l'Union sont classés ainsi qu'il suit en vue de la répartition des frais:

1re classe: Union de l'Afrique du Sud, Allemagne, Etats-Unis d'Amérique, République Argentine, Commonwealth de l'Australie, Canada, Chine, Espagne, France, Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord, Inde britannique, Italie, Japon, Nouvelle-Zélande, Pologne, Union des Républiques Soviétiques Socialistes;

2e classe:—

3e classe: Ensemble des Possessions insulaires des Etats-Unis d'Amérique autres que les Iles Philippines, Belgique, Brésil, Egypte, Algérie, Colonies et Protectorats français de l'Indochine, Ensemble des autres Colonies françaises, Mexique, Pays-Bas, Indes néerlandaises, Roumanie,

Administrations which so request, all necessary information concerning the rules to be followed in order to assure uniformity in statistical operations.

ARTICLE 191

Expenses of the International Bureau

Bureau expenses.

Limitation.

1. The ordinary expenses of the International Bureau shall not exceed the sum of 350,000 francs a year.

Supervision.

2. The Swiss Postal Administration supervises the expenses of the International Bureau, makes the necessary advances, and makes up the annual account which is communicated to the other Administrations.

Repaying advances.

3. The sums advanced by the Swiss Postal Administration in accordance with Section 2 shall be repaid by the debtor Administrations as soon as possible, and at the latest before the 31st of December of the year in which the account is sent out. After that period, the sums due bear interest, payable to the said Administration, at the rate of 5 per cent a year, counting from the date of expiration of the said period.

Countries classified.

4. The countries of the Union are classified as follows, in view of the distribution of the expenses:

First class.

1st class: Union of South Africa, Germany, United States of America, Argentine Republic, Commonwealth of Australia, Canada, China, Spain, France, United Kingdom of Great Britain and Northern Ireland, British India, Italy, Japan, New Zealand, Poland, Union of Socialistic Soviet Republics;

2d class:—

Third class.

3d class: Whole of the Insular Possessions of the United States of America other than the Philippine Islands, Belgium, Brazil, Egypt, Algeria, French Colonies and Protectorates in Indochina, Whole of the other French Colonies, Mexico, Netherlands, Dutch East Indies, Rumania, Sweden,

Suède, Confédération Suisse, Tchécoslovaquie, Turquie, Royaume de Yougoslavie;

Fourth class.

4e classe: Autriche, Danemark, Finlande, Hongrie, Etat libre d'Irlande, Chosen, Norvège, Portugal, Colonies portugaises de l'Afrique occidentale, Colonies portugaises de l'Afrique orientale, de l'Asie et de l'Océanie;

Fifth class.

5e classe: Bulgarie, Chili, République de Colombie, Estonie, Grèce, Lettonie, Maroc (à l'exclusion de la Zone espagnole), Maroc (Zone espagnole), Pérou, Perse, Tunisie;

Sixth class.

6e classe: Afghanistan, Albanie, Bolivie, République de Costa-Rica, République de Cuba, Ville libre de Danzig, République Dominicaine, Equateur Ethiopie, Guatémala, République d'Haïti, République du Honduras, Lithuanie, Luxembourg, Nicaragua, République de Panama, Paraguay, Curaçao et Surinam, République de El Salvador, Territoire de la Sarre, Siam, République O. de l'Uruguay, Etats-Unis de Vénézuela;

Seventh class.

7e classe: Iles Philippines, Royaume de l'Arabie Saoudite, Colonie du Congo belge, Ensemble des Colonies espagnoles, Iraq, Islande, Ensemble des Colonies italiennes, Ensemble des Dépendances japonaises autres que le Chosen, Etats du Levant sous Mandat français (Syrie et Liban), République de Libéria, République de Saint-Marin, Etat de la Cité du Vatican, Yémen.

Final provisions.

DISPOSITIONS FINALES.

ARTICLE 192

Mise à exécution et durée du Règlement.

Effective date and duration.

Le présent Règlement sera exécutoire à partir du jour de la mise en vigueur de la Convention postale universelle.

Il aura la même durée que cette Convention, à moins qu'il ne soit renouvelé d'un commun accord entre les Parties intéressées.

Fait au Caire, le 20 mars 1934.

Swiss Confederation, Czechoslovakia, Turkey, Kingdom of Yugoslavia;

4th class: Austria, Denmark, Finland, Hungary, Irish Free State, Chosen, Norway, Portugal, Portuguese Colonies in West Africa, Portuguese Colonies in East Africa, Asia and Oceania;

5th class: Bulgaria, Chile, Republic of Colombia, Estonia, Greece, Latvia, Morocco (except the Spanish Zone), Morocco (Spanish Zone), Peru, Persia, Tunis;

6th class: Afghanistan, Albania, Bolivia, Republic of Costa Rica, Republic of Cuba, Free City of Danzig, Dominican Republic, Ecuador, Ethiopia, Guatemala, Republic of Haiti, Republic of Honduras, Lithuania, Luxemburg, Nicaragua, Republic of Panama, Paraguay, Curaçao and Surinam, Republic of El Salvador, Saar Territory, Siam, Eastern Republic of Uruguay, United States of Venezuela;

7th class: Philippine Islands, Kingdom of Saudi Arabia, Colony of the Belgian Congo, Whole of the Spanish Colonies, Iraq, Iceland, Whole of the Italian Colonies, Whole of the Japanese Dependencies other than Chosen, States of the Levant under French Mandate (Syria and Lebanon), Republic of Liberia, Republic of San Marino, Vatican City State, Yemen.

FINAL PROVISIONS

ARTICLE 192

Effective date and duration of the Regulations

The present Regulations will be in force from the effective date of the Universal Postal Convention.

They will have the same duration as that Convention, unless they are renewed by mutual agreement among the parties concerned.

Done at Cairo, March 20, 1934.

Plenipotentiaries.

Pour l'Afghanistan:

Pour l'Union de l'Afrique du Sud:
Pour M. H. J. LENTON:
F. G. W. TAYLOR.
F. G. W. TAYLOR.

Pour l'Albanie:
PAN. NASSE.

Pour l'Allemagne:
K. ORTH.
K. ZIEGLER.
DR. W. SEEBASS.

Pour les Etats-Unis d'Amérique:
JOHN E. LAMIELL.
Pour GEORGE F. SMITH:
JOHN E. LAMIELL.

Pour l'ensemble des Possessions insulaires des Etats-Unis d'Amérique autres que les Iles Philippines:
JOHN E. LAMIELL.
Pour GEORGE F. SMITH:
JOHN E. LAMIELL.

Pour les Iles Philippines:
FELIPE CUADERNO.

Pour le Royaume de l'Arabie Saoudite:
FAWZAN EL-SABEK.

Pour la République Argentine:
R. R. TULA.

Pour la Commonwealth de l'Australie:
Pour ARCHDALE PARKHILL:
M. B. HARRY.
M. B. HARRY.

Pour l'Autriche:
DR. RUDOLF KUHN.

Pour la Belgique:
O. SCHOCKAERT.
E. MONS.

Pour la Colonie du Congo belge:
G. TONDEUR.

Pour la Bolivie:
ERNESTO CÁCERES.
Pour EDMUNDO DE LA FUENTE:
ERNESTO CÁCERES.

Pour le Brésil:
C. M. DE FIGUEIREDO.
J. SANCHEZ PEREZ.

Pour la Bulgarie:
IV. KATZAROFF.

Pour le Canada:
Pour ARTHUR SAUVÉ:
E. J. UNDERWOOD.
Pour H. BEAULIEU:
E. J. UNDERWOOD.
E. J. UNDERWOOD.

Pour le Chili:
R. SUAREZ BARROS.

Pour la Chine:
HOO CHI-TSAI.
CHANG HSIN-HAI.
HUANG NAI-SHU.

Pour la République de Colombie:
E. ZALDÚA P.

Pour la République de Costa-Rica:
AD REFERENDUM,
P. MARTINEZ T.

Pour la République de Cuba:
ALFREDO ASSIR.

Pour le Danemark:
C. MONDRUP.
ARNE KROG.

Pour la Ville libre de Danzig:
R. STARZYŃSKI.

Pour la République Dominicaine:
LUIS ALEJANDRO AGUILAR.

Pour l'Egypte:
M. CHARARA.
E. MAGGIAR.
S. A. GHALWASH.

Pour l'Equateur:
E. L. ANDRADE.

Pour l'Espagne:
ALONSO CARO.
A. RAMOS.

Pour l'ensemble des Colonies espagnoles:
DEMETRIO PEREDA.

Plenipotentiaries—Continued.

Pour l'Estonie:
G. E. F. ALBRECHT.

Pour l'Ethiopie:
ALAMOU TCH.

Pour la Finlande:
G. E. F. ALBRECHT.

Pour la France:
M. LEBON.
L. GENTHON.
P. GRANDSIMON.
A. CABANNE.
DUSSERRE.

Pour l'Algérie:
E. HUGUENIN.

Pour les Colonies et Protectorats français de l'Indochine:
NICOLAS.

Pour l'ensemble des autres Colonies françaises:
J. CASSAGNAC.

Pour le Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord:
F. H. WILLIAMSON.
W. G. GILBERT.
D. O. LUMLEY.

Pour la Grèce:
V. DENDRAMIS.
J. LACHNIDAKIS.

Pour le Guatémala:
VICTOR DURÁN M.

Pour la République d'Haïti:

Pour la République du Honduras:
DR. TUCCIMEI.

Pour la Hongrie:
GABRIEL BARON SZALAY.
CHARLES DE FORSTER.

Pour l'Inde britannique:
P. N. MUKERJI.
S. C. GUPTA.
MOHD. AL HASAN.

Pour l'Iraq:
DOUGLAS W. GUMBLEY.
JOS. SHAUL.

Pour l'Etat libre d'Irlande:
P. S. Ó'H-ÉIGEARTAIGH.
S. S. PUIRSÉAL.

Pour l'Islande:
C. MONDRUP.
ARNE KROG.

Pour l'Italie:
PIETRO TOSTI.
GALDI MICHELE.

Pour l'ensemble des Colonies italiennes:
CRETY DONATO.

Pour le Japon:
MASAO SEKI.
T. HARIMA.
J. KAGEYAMA.

Pour le Chosen:
MASAO SEKI.
RYUZO KAWAZURA.

Pour l'ensemble des autres Dépendances japonaises:
T. HARIMA.
H. FUJIKAWA.

Pour la Lettonie:
DR. REINHOLD FURRER.
LS ROULET.

Pour les Etats du Levant sous Mandat français (Syrie et Liban):
CIANFARELLI.
L. PERNOT.

Pour la République de Libéria:

Pour la Lithuanie:

Pour le Luxembourg:

Pour le Maroc (à l'exclusion de la Zone espagnole):
H. DUTEIL.

Pour le Maroc (Zone espagnole):
A. RAMOS.

Plenipotentiaries—Continued.

Pour le Mexique:
P. MARTINEZ T.

Pour le Nicaragua:
VICTOR DURÁN M.

Pour la Norvège:
KLAUS HELSING.
OSKAR HOMME.

Pour la Nouvelle-Zélande:
G. MCNAMARA.

Pour la République de Panama:
E. ZALDÚA P.

Pour le Paraguay:
R. R. TULA.

Pour les Pays-Bas:
DUYNSTEE.
V. GOOR.

Pour Curaçao et Surinam:
HOOGEWOONING.

Pour les Indes néerlandaises:
PERK.
BRIL.
HOOGEWOONING.

Pour le Pérou:
ERNESTO CÁCERES.
Pour EDMUNDO DE LA FUENTE:
ERNESTO CÁCERES.

Pour la Perse:
S. A. RAD.
R. ARDJOMENDE.

Pour la Pologne:
R. STARZYŃSKI.
DR. BLACHIER.
RENÉ MACHALSKI.

Pour le Portugal:
A. DE Q. R. VAZ PINTO.
A. C. BIANCHI.

Pour les Colonies portugaises de l'Afrique occidentale:
ERNESTO JULIO NAVARRO.

Pour les Colonies portugaises de l'Afrique orientale, de l'Asie et de l'Océanie:
MARIO CORRÊA BARATA DA CRUZ.

Pour la Roumanie:
ILARIU MANEANU.
CONST. STEFANESCU.

Pour la République de Saint-Marin:
CRETY DONATO.

Pour la République de El Salvador:

Pour le Territoire de la Sarre:

Pour le Siam:

Pour la Suède:
ANDERS ÖRNE.
GUNNAR LAGER.
ARVID BILDT.

Pour la Confédération Suisse:
DR. REINHOLD FURRER.
LS ROULET.

Pour la Tchécoslovaquie:
VÁCLAV KUČERA.
JOSEF RADA.

Pour la Tunisie:
H. DUTEIL.

Pour la Turquie:
YUSUF ARIFI.
M. SAKIN.
M. TEVFIK.

Pour l'Union des Républiques Soviétiques Socialistes:
DR. EUGÈNE HIRSCHFELD.
DR. S. RAPOPORT.
Hel. SEREBRIAKOVA.

Pour la République O. de l'Uruguay:
ARTURO C. MASANÉS.

Pour l'Etat de la Cité du Vatican:
MGR. GIUSEPPE MAZZOLI.

Pour les Etats-Unis de Vénézuela:
LUIS ALEJANDRO AGUILAR.

Pour l'Yémen:

Pour le Royaume de Yougoslavie:
KOSTA ZLATANOVITCH.

Ratified and approved by Postmaster General.

Having examined and considered the provisions of the foregoing Regulations, signed at Cairo on the 20th day of March, 1934, relative to the Universal Postal Convention of Cairo, signed the same day; the same are by me, by virtue of the powers vested by law in the Postmaster General, hereby ratified and approved, by and with the advice and consent of the President of the United States of America.

This ratification is applicable to the United States of America, the insular possessions of the United States of America mentioned in Article 8 (1°), and to Samoa and the Panama Canal Zone.

In witness whereof, I have caused the seal of the Post Office Department of the United States of America to be hereto affixed this thirteenth day of September, 1934.

[SEAL]

JAMES A FARLEY
Postmaster General.

Approval by the President.

I hereby approve the above-mentioned Regulations, and in testimony thereof have caused the seal of the United States of America to be hereto affixed.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL
Secretary of State.

Washington, October 4, 1934.

FORMULES

C 1
(Règl., art. 110, § 1, 1er al.)

C 1.

DOUANE

(peut être ouvert d'office)

A remplir seulement en cas d'absence de déclaration séparée; sinon à détacher

Nature de la marchandise.....

.....

Poids net.....

Valeur.....

.....

(Dimensions: 44×62 mm., couleur verte)

Forms.
C 2.

C 2
(Règl., art. 110, § 1, 2e al.)

LIEU D'EXPÉDITION ---------- LIEU DE DESTINATION ----------

ADMINISTRATION DES POSTES d ----------

DÉCLARATION EN DOUANE

M. ----------
(Nom et adresse du destinataire)

Envois		Désignation du Contenu	Valeur avec indication précise de l'unité monétaire employée	Poids		Observations
Nombre	Espèce			Brut Grammes	Net Grammes	
1	2	3	4	5	6	7
Pays d'origine ou de fabrication de la marchandise:						

---------- le ---------- 19---- L'expéditeur:

(Dimensions: 125×176 ou 148×210 mm.)

C 3 (Recto)
(Règl., art. 111, § 2)

Forms.
C 3 (Obverse).

COUPON

Timbre du bureau d'origine

L'expéditeur d.....*)

N°.....

avec valeur déclarée de.....

déposé.... à .....

.....

pour M.....

à .....

a payé les droits indiqués au verso.

PAYS D'ORIGINE.....

Timbre du bureau d'origine

BULLETIN D'AFFRANCHISSEMENT

L.....*) N°..... de..... avec valeur

déclarée de Fr. ....., expédié..... par.....

à .....

à l'adresse de .....

.....

à .....

(*Lieu de destination*) (*Rue et numéro*)

doit être remis franc ..... de tous droits

.....

(*Signature de l'expéditeur*)

A renvoyer au bureau d.....

(Indiquer le nom du bureau chargé du recouvrement des frais ou, le cas échéant, celui du bureau auquel la formule doit être renvoyée.)

*) Indiquer la nature de l'objet.

(Dimensions: 105×148 mm., couleur jaune)

Forms.
C 3 (Reverse).

C 3 (Verso)

(Doit être imprimé en sens inverse du recto)

DÉTAIL DES DROITS DUS

(dans la monnaie du pays destinataire)

Droit de commission

Droits de douane

Droit de dédouanement

Autres frais

Total

TOTAL DES FRAIS DÉBOURSÉS

(Voir le détail sur le coupon)

en chiffres arabes

(dans la monnaie du pays de destination de l'envoi)

Timbre du bureau qui a fait l'avance des frais

en chiffres arabes

soit

(à convertir par l'Administration d'origine de l'envoi)

soit *)

Timbre du bureau recouvrant

*) Dans la monnaie du pays d'origine de l'envoi.

Date de l'avance	N° du registre	Bureau qui a fait l'avance	Signature de l'agent

Registre d'arrivée

N° .....

Converti par

(Signature de l'agent)

Timbre du bureau recouvrant

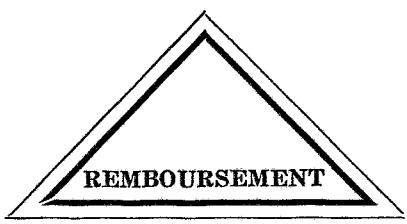
C 4
(Règl., art. 125, § 3)

Forms.
C 4.

(Dimentions: 13×37 mm.)

C 6
(Règl., art. 129, 1er al.)

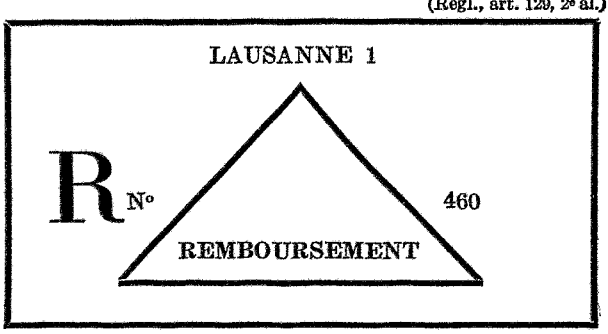
C 6.



(Dimensions: hauteur 18 mm., base 37 mm., couleur orange)

C 7
(Règl., art. 129, 2e al.)

C 7.



(Le triangle en couleur orange)

Forms.
C 5.

C 5 (Recto)
(Règl., art. 126, § 2)

ADMINISTRATION DES POSTES

d_____

(A remplir par le bureau d'origine)

Envoi recommandé (_____) [1] [2]

Lettre / Boîte / Colis } avec valeur déclarée de_____ [2]

Mandat de poste de_____ [2]

déposé___ au bureau de poste d_____

_____

le _____ 19___ sous le N°_____

expédié___ par M_____

et adressé___ à M_____

à_____

[1] (Indiquer dans la parenthèse la nature de l'envoi (lettre, imprimé, etc.)
[2] (Biffer les indications inutiles.

Timbre du bureau renvoyant l'avis

AVIS DE { RÉCEPTION / PAYEMENT } [2]

(A remplir par l'expéditeur qui mentionnera ci-dessous son adresse complète)

M_____

_____

à _____
(*Lieu de destination, en gros caractères*)

_____
(*Rue et numéro*)

_____
(*Pays de destination*)

SERVICE DES POSTES

(Dimensions: 105×148 mm., couleur rouge clair).

C 5 (Verso)

Le soussigné déclare que l'envoi / le mandat mentionné d'autre part

a été dûment livré / payé le_____ 19____

Timbre du bureau destinataire

Signature [1]

du destinataire:

de l'agent du bureau destinataire:

[1]) Cet avis doit être signé par le destinataire ou, si les règlements du pays de destination le comportent, par l'agent du bureau destinataire et renvoyé par le premier courrier directement à l'expéditeur.

C 8 (Recto) Forms.
(Règl., art. 130, 1er al.) C 8.

COUPON

(Peut être détaché par le destinataire du mandat)

Timbre du bureau d'émission

Montant du remboursement en chiffres arabes

pour l'envoi N°

déposé le 19

à

par M

à l'adresse de

à

Pays de destination de l'envoi grevé de remboursement

Service des objets de correspondance

MANDAT DE REMBOURSEMENT INTERNATIONAL

de la somme de

(en chiffres arabes)

(les unités en toutes lettres et en caractères latins)

Pour l'envoi N° expédié le 19

Payable à M

Lieu de destination

Rue et numéro

Pays de destination

INDICATIONS DE SERVICE [1])

Numéro, Date, Bureau, Pays d'émission

Signature de l'agent qui a dressé le mandat:

Somme versée

(Monnaie du pays destinataire de l'envoi grevé de remboursement)

Timbre du bureau d'émission

[1]) Indications à remplir par l'Administration destinataire de l'envoi après encaissement du montant du remboursement.

(Dimensions: 114×162 ou 105×148 mm., couleur vert clair)

C 8 (Verso)

(Cadre réservé aux endossement, s'il y a lieu)

QUITTANCE DU DESTINATAIRE

Reçu la somme indiquée d'autre part

Lieu

Le 19

Signature du destinataire:

Registre d'arrivée

N°

Timbre du bureau payeur

Forms.
C 9.

C 9
(Règl., art. 140, § 1)

ADMINISTRATION DES POSTES

d.....

COMPTE PARTICULIER

des mandats de remboursement payés par l'Administration d.....

pour le compte de l'Administration d.....

pendant le mois d..... 19.....

N° d'ordre	Numéro d'émission	Date d'émission	Bureau d'émission	Montant des mandats	Observations
1	2	3	4	5	6
			Total		
			A déduire ¼% du total.....		
			A déduire Quote-part fixe		
			A déduire (....par mandat).....		
			Reste au profit de l'Administration d.....		

(Dimensions: 210×297 mm.)

C 10 (Recto)
(Règl., art. 146, § 1)

Forms C 10.

PEUT ÊTRE OUVERT PAR LE BUREAU DISTRIBUTEUR

Montant des taxes à percevoir.....

Timbre à date

SERVICE DES POSTES

M.....
(Nom du destinataire ou nom du navire, de l'agent du bureau de voyage, etc.)

Aux soins de.....

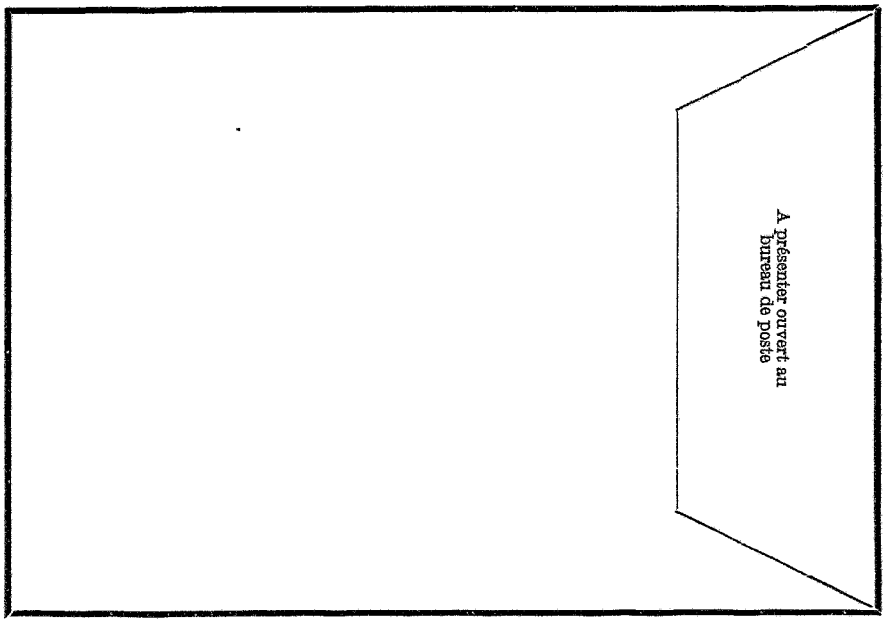
.....
(Rue et numéro)

.....
(Bureau de destination)

.....
(Pays de destination)

(Dimensions: 162×229 mm.)

C 10 (Verso)



Forms.
C 11 (Obverse).

ADMINISTRATION DES POSTES

d _____

C 11 (Recto)
(Règl., art. 148, §1)

BUREAU d _____

DEMANDE [1] DE { RETRAIT [2] / MODIFICATION D'ADRESSE [2] / MODIFICATION DU REMBOURSEMENT [2] }

adressée à _____

DEMANDE PAR VOIE POSTALE

(Note à transmettre sous pli recommandé et aux frais du requérant)

I. DEMANDE DE RETRAIT [2]

Prière de renvoyer au bureau d _____ *(d'origine)*
pour être remis à l'expéditeur l _____ *(nature de l'objet)*
numéro _____ adressé _____ à votre bureau le _____ 19____ et
dont la suscription est conforme au fac-similé ci-joint.

II. DEMANDE DE MODIFICATION D'ADRESSE [2]

Prière de substituer _____ *(telle indication)*
à _____ *(telle autre indication)* sur la suscription
de l _____ *(nature de l'objet)* numéro _____
adressé _____ à votre bureau le _____ 19____ du bureau d _____
_____ et dont la suscription est conforme au fac-similé ci-joint.

III. DEMANDE D'ANNULATION OU DE MODIFICATION DU REMBOURSEMENT [2]

Prière [1] { d'annuler / de réduire à } _____ le remboursement grevant
(montant, les unités en toutes lettres)
l _____ numéro _____ du bureau d _____
(nature de l'objet)
adressé _____ le _____ 19____ à _____
(adresse exacte du destinataire)
_____
et dont la suscription est conforme au fac-similé ci-joint.
Ci-joint le mandat de remboursement rectifié.[3]

_____, le _____ 19____ _____, le _____ 19____

Timbre du bureau

Le Chef du bureau d'où émane la demande:

Signature de l'expéditeur:

_____ _____

[1]) Biffer le recto ou le verso, suivan le cas.
[2]) Biffer les indications inutiles;
[3]) Biffer l'indication, s'il y a lieu.

(Dimensions: 210×297 mm.)

Forms.
C 11 (Reverse).

C 11 (Verso)

DEMANDE PAR VOIE TÉLÉGRAPHIQUE

(Télégramme aux frais du réclamant)

I. DEMANDE DE RETRAIT [1]

Renvoyer (*tel objet*) _____ (*numéro*) _____
adressé _____ le _____ 19____ à (*adresse exacte du destinataire*)
_____
_____
_____
(*Description: Indication éventuelle de l'expéditeur, format et couleur de l'envoi, cachet éventuel, annotations et signes de toute nature*) _____
_____
_____
_____

Postes (*Sans signature*)

II. DEMANDE DE MODIFICATION D'ADRESSE [1] [2]

Substituer (*telle indication*) _____ à (*telle autre indication*) _____ sur (*nature de l'objet, bordereau d'un envoi avec valeurs à recouvrer*) _____
_____ (*numéro*) _____
adressé _____ le _____ 19_____ à (*adresse exacte de destinataire*)
_____
_____
_____
(*Description: Indication éventuelle de l'expéditeur, format et couleur de l'envoi, cachet éventuel, annotations et signes de toute nature*) _____
_____
_____
_____

Postes (*Sans signature*)

III. DEMANDE D'ANNULATION OU DE MODIFICATION DU REMBOURSEMENT [1] [2]

[1] { Annuler remboursement / Réduire à _____ remboursement
(*montant, les unités en toutes lettres*)
(*nature de l'objet*) _____ numéro _____
adressé _____ le _____ 19_____ à (*adresse exacte du destinataire*)
_____
_____
_____

Postes (*Sans signature*)

_____, le _____ 19____ _____, le _____ 19____
Timbre du bureau

Le Chef du bureau
d'où émane la demande:

_____

Signature de l'expéditeur:

_____

[1]) Biffer les indications inutiles.
[2]) Il ne peut être satisfait, le cas échéant, à cette demande qu'après réception du fac-similé par la poste.

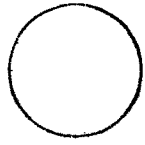
Forms.
O 12 (Obverse).

ADMINISTRATION DES POSTES

d ----------

BUREAU d ----------

C. 12 (Recto)
(Règl., art. 150, § 1)
Timbre du bureau expéditeur de la demande



RÉCLAMATION D'UN ENVOI ORDINAIRE NON PARVENU

I. RENSEIGNEMENTS A FOURNIR PAR LE RÉCLAMANT (EXPÉDITEUR OU DESTINATAIRE)

Demandes 1	Réponses 2
a) Nature de l'envoi (*lettre, carte postale, papiers d'affaires, journal ou autre imprimé, échantillon ou petit paquet*).	----------
b) Adresse portée sur l'envoi.	----------
c) Quelle est l'adresse exacte du destinataire?	----------
d) L'envoi était-il volumineux?	----------
e) Que renfermait-il? (*Signalement aussi exact et complet que possible*).	----------
f) Date précise ou approximative du dépôt à la poste.	----------
g) Nom et domicile de l'expéditeur.	----------
h) En cas de recherches fructueuses, à qui, de l'expéditeur ou du destinataire, doit-on faire parvenir l'envoi réclamé?	----------

II. RENSEIGNEMENTS A FOURNIR PAR L'EXPÉDITEUR

i) L'envoi était-il affranchi et, dans l'affirmative, quelle était la valeur des timbres-poste apposés?	----------
j) Date et heure du dépôt à la poste.	----------
k) Le dépôt a-t-il eu lieu au guichet ou à la boîte? Dans ce dernier cas, à quelle boîte?	----------
l) Le dépôt a-t-il été effectué par l'expéditeur lui-même ou par un tiers? Dans ce dernier cas, par quelle personne?	----------

m) Renseignements particuliers du bureau d'origine. ----------

---

La présente formule doit être renvoyée à ----------

(Dimensions: 210×297 mm.)

C 12 (Verso) Forms. C 12 (Reverse).

III. RENSEIGNEMENTS A FOURNIR PAR LE DESTINATAIRE EN CAS DE RÉCLAMATION D'UN ENVOI ORDINAIRE NON PARVENU

Demandes 1	Réponses 2
n) L'envoi est-il parvenu au destinataire?	
o) Les correspondances sont-elles d'ordinaire retirées au bureau de poste ou distribuées à domicile?	
p) A qui sont-elles confiées dans le premier cas?	
q) Dans le second cas, sont-elles remises directement au destinataire ou à une personne attachée à son service, ou bien déposées dans une boîte particulière? Le cas échéant, cette boîte est-elle bien fermée et régulièrement levée?	
r) La perte de correspondances s'est-elle déjà produite souvent? Dans l'affirmative, indiquer la provenance des correspondances perdues.	
s) Renseignements particuliers du bureau de destination.	

La présente formule doit être renvoyée à _____

Forms.
C 13 (Obverse).

ADMINISTRATION DES POSTES

d_____

BUREAU d_____

C 13 (Recto)
(Règl., art. 151, §1)

Timbre du bureau d'origine

RÉCLAMATION

A remplir dans le service d'origine

d'un envoi recommandé (_____) (*a*) remboursement (_____) ou d'une lettre / boîte de valeur déclarée de (_____) (*b*) rembo ursement (_____) contenant (_____) (*c*) déposé____ par M_____ le _____ 19____ sous le N° _____ au bureau d_____ à l'adresse suivante:

_____

_____

_____(*d*)

et faisant l'objet d'une demande d'avis de réception_____(*e*)

A remplir dans le service de destination

en cas de distribution

Le soussigné déclare que l'envoi susmentionné a été dûment livré à l'ayant droit le_____

Le montant du remboursement a été transmis à l'expéditeur de l'envoi par le mandat N°_____ le_____ 19____

Le montant du remboursement a été transmis au bureau de chèques postaux d_____ par le mandat N°_____ le _____ 19____ Le montant du remboursement a été mis en compte courant postal le _____ 19____

Timbre du bureau distributeur

Le Chef du bureau distributeur:

_____

en cas de non-distribution

Le soussigné déclare que l'envoi susmentionné _____est encore en instance au bureau d_____ a été renvoyé au bureau d'origine le _____ 19____ a été réexpédié le _____ 19____ à _____(*f*) n'est pas parvenu au bureau de destination. La déclaration du destinataire est ci-jointe.

Timbre du bureau distributeur

Le Chef du bureau distributeur:

_____

(*a*) Lettre, imprimé, échantillon, etc.
(*b*) Montant de la valeur déclarée.
(*c*) Description du contenu, autant que possible.
(*d*) Cadre à remplir par l'expéditeur ou, à défaut, par le bureau d'origine; mentionner l'adresse exacte et complète.
(*e*) Biffer, le cas échéant.
(*f*) Indiquer l'adresse exacte et complète.

(Dimensions: 210×297 mm.)

C 13 (Verso) Forms. C 13 (Reverse).

A REMPLIR SEULEMENT DANS LE CAS OÙ LE SORT DE L'ENVOI N'A PU ÊTRE ÉTABLI PAR LES RECHERCHES PRÉVUES AU RECTO

A remplir dans le service d'origine.

L'envoi désigné d'autre part a été inséré dans la dépêche du bureau d'échange Timbre du bureau
d_____
du_____ 19____(___e envoi) pour le bureau d'échange
d_____ Il a été inscrit sous le N°_____
du tableau V de la feuille d'avis ou de la liste spéciale.
de la feuille d'envoi.
Signature:

A remplir dans les services intermédiaires.

L'envoi désigné d'autre part a été inséré dans la dépêche du bureau d'échange Timbre du bureau
d_____
du_____ 19____ (___e envoi) pour le bureau d'échange
d_____ Il a été inscrit sous le N°_____
du tableau V de la feuille d'avis ou de la liste spéciale.
de la feuille d'envoi.
Signature:

L'envoi désigné d'autre part a été inséré dans la dépêche du bureau d'échange Timbre du bureau
d_____
du_____ 19____ (___e envoi) pour le bureau d'échange
d_____ Il a été inscrit sous le N°_____
du tableau V de la feuille d'avis ou de la liste spéciale.
de la feuille d'envoi.
Signature:

L'envoi désigné d'autre part a été inséré dans la dépêche du bureau d'échange Timbre du bureau
d_____
du_____ 19____ (___e envoi) pour le bureau d'échange
d_____ Il a été inscrit sous le N°_____
du tableau V de la feuille d'avis ou de la liste spéciale.
de la feuille d'envoi.
Signature:

RÉPONSE DÉFINITIVE

de l'Administration destinataire ou, le cas échéant, de l'Administration intermédiaire qui ne peut établir la transmission régulière de l'envoi réclamé à l'Administration suivante.

Forms.
C 14.

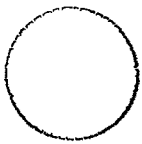
C 14
(Règl., art. 153, lettre a)

ADMINISTRATION DES POSTES

d.....

BUREAU d.....

Timbre du bureau expéditeur



AVIS DE L'ENVOI

sous recommandation d'office, de l'objet de correspondance décrit ci-après paraissant revêtu d'un timbre poste frauduleux ou d'une empreinte contrefaite de machine à affranchir

Nature de l'objet	Bureau d'origine et date d'expédition	Copie textuelle de l'adresse	Indication de l'irrégularité présumée	Observations
1	2	3	4	5

Le Chef du bureau:

.....

(Dimensions: 148×210 mm.)

ADMINISTRATION DES POSTES

d _____

C 15
(Règl., art. 153, lettre *b*)
Timbre du bureau de destination

Forms.
C 15.

PROCÈS-VERBAL

dressé à _____ par application de l'article 81 de la Convention de l'Union postale universelle et de l'article 153 de son Règlement.

Emploi d'un timbre-poste frauduleux ou d'une empreinte contrefaite de machine à affranchir

L'an mil neuf cent _____, le _____ 19____
Nous soussigné, _____ des postes à _____, agissant en vertu de l'article 81 de la Convention de l'Union postale universelle et de l'article 153 de son Règlement et assistant à la vérification d_____
_____ [1]) expédié_ le _____ 19____
d _____ à l'adresse de M_____
à _____, pesant _____ et affranchi _____
à raison de _____, avons constaté que cet envo

[1]) Nature de l'envoi (lettre, papiers d'affaires, imprimé, échantillon, etc.).

était revêtu [2]) {d'un timbre-poste présumé frauduleux, / d'une empreinte contrefaite de machine à affranchir, ce qui constitue la contravention prévue par l'article 81 de la Convention.

[2]) Biffer, suivant le cas, l'une ou l'autre de ces indications.

Le destinataire nous a déclaré [2]) {que l'expéditeur est M [3])_____ / _____ / que l'expéditeur lui est inconnu. / qu'il refusait de faire connaître l'expéditeur.

Nom et adresse du contrevenant (s'il habite une grande ville, indiquer la rue et le numéro de la maison).

En conséquence,
[2]) {nous lui avons remis_____ / _____ / nous avons saisi_____ / _____
à l'effet de l___ transmettre à l'Administration des postes d_____
De quoi nous avons dressé le présent procès-verbal en simple expédition pour qu'il y soit donné suite conformément à l'article 81 de la Convention et à l'article 153 du Règlement susmentionnés.

Signature du destinataire ou de son fondé de pouvoir:
_____

Signature de l'agent du bureau de destination:
_____

(Dimensions: 148×210 ou 210×297 mm.)

Forms.
C 16.

C 16
(Règl., art. 154, § 1)

PAYS D'ORIGINE

PAYS DE DESTINATION

Timbre du bureau expéditeur

Timbre du bureau destinataire

FEUILLE D'AVIS

Dépêche (...e envoi) du bureau d'échange d.....
pour le bureau d'échange d.....
expédiée le..... 19....., à.....h. ....m.

I. Envois Ordinaires

par exprès [1]) par avion [1])

[1]) Souligner la mention valable.

II. Numéro de la Dépêche et Nombre des Sacs

Numéro d'ordre de la dépêche.....
Paquebot.....
Via.....
Nombre des sacs composant la dépêche (y compris les sacs contenant les sacs vides renvoyés)...

III. Récapitulation des Envois Inscrits

	Nombre
Sacs / Paquets contenant des envois recommandés	
Listes spéciales d'objets recommandés	
Total des envois recommandés	
Sacs / Paquets contenant des envois avec valeur déclarée	
Feuilles d'envoi d'objets avec valeur déclarée	
Total des envois avec valeur déclarée	

IV. Indications de Service

	Nombre
Sacs utilisés pour la confection de la dépêche appartenant à l'Administration *expéditrice*, y compris les sacs pour les objets recommandés	
Sacs en retour appartenant à l'Administration *destinataire*	
----	---- *)

V. Liste des Envois Recommandés

(S'il n'y a pas d'objets recommandés porter la mention "Néant")

N° d'ordre	Bureau d'origine	N° d'ordre de l'envoi	Observations
1	2	3	4
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			

VI. Dépêches Closes Insérées dans la Présente Dépêche

Bureau d'origine	Bureau de destination	Nombre des sacs ou paquets
1	2	3
		*)

L'agent du bureau d'échange expéditeur:

L'agent du bureau d'échange destinataire:

(Dimensions: 210×297 mm.)

*) *Note du Bureau international.*—Prévoir encore quelques lignes.

C 17
(Règl., art. 154 § 2, lettre c)

Forms.
C 17.

PAYS D'ORIGINE ---------- PAYS DE DESTINATION ----------

Timbre du bureau expéditeur

Timbre du bureau destinataire

LISTE SPÉCIALE N°_____

des envois recommandés de la dépêche N°_____(___e envoi)

d_____ pour_____

N° d'ordre	Bureau d'origine	Numéro d'ordre de l'envoi	Observations	N° d'ordre	Bureau d'origine	Numéro d'ordre de l'envoi	Observations
1	2	3	4	1	2	3	4
1				31			
2				32			
3				33			
4				34			
5				35			
6				36			
7				37			
8				38			
9				39			
10				40			
11				41			
12				42			
13				43			
14				44			
15				45			
16				46			
17				47			
18				48			
19				49			
20				50			
21				51			
22				52			
23				53			
24				54			
25				55			
26				56			
27				57			
28				58			
29				59			
30				60			

L'agent du bureau d'échange expéditeur: ----------

L'agent du bureau d'échange destinataire: ----------

(Dimensions: 210×297 mm.)

Forms.
C 18.

C 18
(Règl., art. 159, § 1)

ADMINISTRATION DES POSTES

d_____

BUREAU d_____

CORRESPONDANCE AVEC L'ADMINISTRATION

d_____

BULLETIN DE VÉRIFICATION

Timbre du bureau expéditeur du bulletin

Timbre du bureau destinataire du bulletin

pour la constatation et la rectification des erreurs et irrégularités de toute nature reconnues dans la dépêche

N°_____

du bureau d'échange d_____

pour le bureau d'échange d_____

_____ expédition du _____ 19____, à____ h. _____.

ERREURS OU IRRÉGULARITÉS DIVERSES

(Manque de la dépêche, manque d'envois recommandés ou de la feuille d'avis, dépêche spoliée, sac déchiré ou en mauvais état, etc.)

_____, le_____ 19____

Les agents du bureau d'échange destinataire de la dépêche:

_____

_____, le _____ 19____

Vu et accepté:

Le Chef du bureau d'échange expéditeur de la dépêche:

_____

Dimensions: 148×210 mm.)

C 19
(Règl., art. 163, § 1)

Forms.
C 19.

PAYS D'ORIGINE ---------- PAYS DE DESTINATION ----------

Timbre du bureau expéditeur

FEUILLE D'AVIS

Timbre du bureau destinataire

Dépêche (...e envoi) bureau d'échange d ----------

pour le bureau d'échange d ----------

expédiée le ---------- 19...., à ------ h. ---------- m.

Transit en dépêches closes	Description des sacs	Nombre de sacs dont le poids brut ne dépasse pas 5 kg (sacs légers)	dépasse 5 kg sans excéder 15 kg (sacs moyens)	dépasse 15 kg sans excéder 30 kg (sacs lourds)
	L. C.			
	A. O.			

Nombre de sacs exempts de frais de transit ----------

I.—Envois Ordinaires

par exprès [1]) par avion [1])

[1]) Souligner la mention valable.

II.—Numéro de la Dépêche et Nombre des Sacs

Numéro d'ordre de la dépêche ----------

Paquebot ----------

Via ----------

Nombre des sacs composant la dépêche (y compris les sacs contenant les sacs vides renvoyés) ----------

III.—Récapitulation des Envois Inscrits

	Nombre
Sacs contenant des envois recommandés	
Paquets mandés	
Listes spéciales d'objets recommandés	
Total des envois recommandés	
dont ... "A.O." et ... "Exempt" dans les sacs "ad hoc" [1])	
Sacs contenant des envois avec valeur déclarée	
Paquets leur déclarée	
Feuilles d'envoi d'objets avec valeur déclarée	
Total des envois avec valeur déclarée	

[1]) Ne remplir que lorsque les envois recommandés "A.O." et "Exempt" (art. 75 de la Convention) ont été insérés dans les sacs "ad hoc" (art. 162, § 2, du Règlement de la Convention).

IV.—Indications de Service

	Nombre
Sacs utilisés pour la confection de la dépêche appartenant à l'Administration *expéditrice* y compris sacs pour les objets recommandés	
Sacs en retour appartenant à l'Administration *destinataire*	
---------- *)	

V.—Liste des Envois Recommandés

(S'il n'y a pas d'objets recommandés, porter la mention "Néant")

N° d'ordre	Bureau d'origine	No d'ordre de l'envoi	Observations
1	2	3	4
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			

VI.—Dépêches Closes Insérées dans la Présente Dépêche

Bureau d'origine	Bureau de destination	Nombre des sacs ou paquets
1	2	3
		*)

L'agent du bureau d'échange expéditeur: ----------

L'agent du bureau d'échange destinataire: ----------

(Dimensions: 210×297 mm.)

*) *Note du Bureau international.*—Prévoir encore quelques lignes.

Forms.
C 20.

C 20
(Règl., art. 163, § 2)

ADMINISTRATION DES POSTES

d.....

BUREAU d.....

Timbre du bureau expéditeur

STATISTIQUE DE TRANSIT

BULLETIN DE VÉRIFICATION

Timbre du bureau destinataire

pour la constatation et la rectification des erreurs et irrégularités reconnues dans la dépêche

du bureau d'échange d.....

pour le bureau d'échange d.....

.....e expédition du ..... 19.... à ..... h. .....

Transit en dépêches closes	Nombre de sacs d'après la déclaration du bureau expéditeur 1	Nombre de sacs d'après la constatation du bureau destinataire 2
a) L. C. Sacs légers		
Sacs moyens		
Sacs lourds		
b) A. O. Sacs légers		
Sacs moyens		
Sacs lourds		
c) Sacs exempts de tous frais de transit		

OBSERVATIONS

Prière de renvoyer ce bulletin après examen et acceptation au bureau de poste d.....

....., le..... 19..

Les agents du bureau d'échange destinataire:

.....

....., le..... 19....

Vu et accepté:

Le Chef du bureau d'échange expéditeur:

.....

(Dimensions: 210×297 mm.)

ADMINISTRATION DES POSTES

C 21
(Règl., art. 164, §1)

Forms.
C 21.

BUREAU d.....

Administration expéditrice: Administration destinataire:

TRANSIT EN DÉPÊCHES CLOSES

Dépêches du bureau d'échange d.....
pour le bureau d'échange d.....
expédiées par l'intermédiaire d.....
et par des paquebots d.....

Date	Première dépêche expédiée à ....h. du....						Deuxième dépêche expédiée à ....h. du....					
	Lettres et cartes postales			Autres objets			Lettres et cartes postales			Autres objets		
	Nombre de sacs						Nombre de sacs					
	jusqu'à 5 kg	de plus de 5 jusqu'à 15 kg	de plus de 15 kg	jusqu'à 5 kg	de plus de 5 jusqu'à 15 kg	de plus de 15 kg	jusqu'à 5 kg	de plus de 5 jusqu'à 15 kg	de plus de 15 kg	jusqu'à 5 kg	de plus de 5 jusqu'à 15 kg	de plus de 15 kg
	Sacs légers	Sacs moyens	Sacs lourds	Sacs légers	Sacs moyens	Sacs lourds	Sacs légers	Sacs moyens	Sacs lourds	Sacs légers	Sacs moyens	Sacs lourds
1	2	3	4	5	6	7	8	9	10	11	12	13
Totaux												

....., le ..... 19.... ....., le ..... 19....

Le Chef du bureau d'échange destinataire:

Vu et accepté:
Le Chef du bureau d'échange expéditeur:

(Dimensions: 210×297 mm.)

Forms.
O 22.

O 22
(Règl., art. 165, §1)

ADMINISTRATION EXPÉDITRICE

LISTE DES DÊPÊCHES CLOSES

expédiées par l'intermédiaire de l'Administration d.....

pendant la période de statistique du.....

Bureau		Date d'expédition	Voie de transmission	Observations
expéditeur	destinataire			
1	2	3	4	5

(Dimensions: 210×297 mm.)

C 23
(Règl., art. 167, § 1)

Forms.
C 23.

AVIS.—A transporter à découvert simultanément avec la dépêche à laquelle ce bulletin se rapporte et à remplir avant la remise.

ADMINISTRATION EXPÉDITRICE: ---

ADMINISTRATION DESTINATAIRE: ---

BULLETIN DE TRANSIT DES DÉPÊCHES

Bureau d'origine: ---

Bureau de destination: ---

Date de l'expédition: --- N° de la dépêche: --- Nombre de sacs: ---

Attention! Chaque Administration ne dispose que d'une seule ligne pour les indications concernant le transit territorial et d'une seule autre ligne pour le transit maritime éventuel.

Les renseignements concernant le transit doivent être indiqués successivement par le bureau d'échange d'entrée et le bureau d'échange de sortie de chaque Administration participant au transport des dépêches, à l'exclusion de tout autre bureau intermédiaire, en commençant par le premier bureau d'échange étranger. Le dernier bureau d'échange intermédiaire doit transmettre le bulletin directement au bureau de destination qui le renvoie au bureau d'origine joint au relevé C 21 respectif.

1	Date d'arrivée 2	Timbre du bureau d'échange d'entrée 3	Date d'expédition 4	Timbre du bureau d'échange de sortie 5	Services utilisés (En cas de transit territorial, indiquer T. t., et la route suivie. En cas de transit maritime, indiquer T. m., la route suivie et le nom et la nationalité du paquebot) 6	Pays auquel revient le transit 7
Premier parcours				[1]		
Deuxième parcours						
Troisième parcours						
Quatrième parcours						
Cinquième parcours						
Sixième parcours						
Septième parcours						
Huitième parcours						
Neuvième parcours						
Dixième parcours						

[1]) NOTA.—Prévoir un espace suffisant entre les différents parcours pour permettre l'apposition des timbres à date. (Procès-verbal de la Sous-Commission des formules, 2e séance, page 581 du Tome II du Congrès postal du Caire, 1934.)

(Dimensions: 210×297 mm., couleur verte)

Forms. C 24.

ADMINISTRATION DES POSTES

d_____

C 24
(Règl., art. 169, § 4)

TRANSIT EN DÊPÊCHES CLOSES

Compte des sommes dues à l'Administration d _____ pour le transport des dépêches closes expédiées par l'Administration d _____ en transit par les services _____ pendant l'année 19 _____

Bureau d'origine	Bureau de destination	Dépêches expédiées pendant la période de la statistique													Observations
		Lettres et cartes postales							Autres objets						
		Nombre de sacs du poids moyen de			Poids totaux	Prix de transit par kg		Avoir de	Nombre de sacs du poids moyen de			Poids totaux	Prix de transit par kg	Avoir de	
		3 kg	12 kg	24 kg					3 kg	12 kg	24 kg				
1	2	3	4	5	6	7		8	9	10	11	12	13	14	15
					kg	Fr.	c.	Fr. c.				kg	c.	Fr. c.	
Total des lettres et des cartes postales									Total des autres objets						
Report du total des lettres et des cartes postales															
Total															
Multiplié par 26 (ou 13) A déduire 10%															
Total à reporter au relevé (Formule C 25)															

_____ le _____ 19____

_____, le _____ 19____

Vu et accepté:

_____

(Dimensions: 210×297 mm.)

ADMINISTRATION DES POSTES

d----------

C 25
(Règl., art. 170, § 2)

Forms.
C 25.

FRAIS DE TRANSIT ORDINAIRES

RELEVÉ

indiquant les montants totaux des comptes particuliers réciproques entre les Administrations des postes d---------- et d----------

Sommes dues pour chacune des années---------- sur la base de la statistique d----------	Avoir de l'Administration	
	d----------	d----------
1	2	3
	Fr.	Fr.
Dépêches closes		
Envois d----------		
Envois d----------		
Totaux		
Déduction		
Solde au crédit de l'Administration d----------		

----------, le ---------- 19----.

Signature:

(Dimensions: 148×210 ou 210×297 mm)

Forms.
C 26.

C 26
(Règl., art. 172, § 1)

COUPON-RÉPONSE INTERNATIONAL

a) _____

b) _____

c)

(Dessin)

Timbre du bureau d'origine

Timbre du bureau d'échange

d) Ce coupon est échangeable dans tous les pays de l'Union contre un timbre-poste ou des timbres-poste représentant le montant de l'affranchissement d'une lettre ordinaire de port simple à destination de l'étranger.

(Nom du pays d'émission)

a) Traduction de l'en-tête dans la langue du pays d'émission.
b) Cet espace est occupé par une traduction du texte d) dans la langue du pays d'émission.
c) Prix de vente dans le pays d'émission.
d) Cette explication est répétée au verso dans les langues de plusieurs pays.

(Dimensions: 74×105 mm.)

Forms.
C 27.

C 27
(Règl., art. 172, § 5)

ADMINISTRATION DES POSTES

d_____

COUPONS—RÉPONSE

RELEVÉ

des coupons échangés dans les relations réciproques entre les Administrations d_____ et d_____ pendant_____ 19____

1	2	3	
	Nombre	Valeur calculée à 35 c. par unité	
		Fr.	c.
Coupons émis par_____ et échangés contre des timbres-poste d_____			
Coupons émis par_____ et échangés contre des timbres-poste d_____			
Solde au {crédit / débit} de l'Administration d_____			

_____, le _____ 19____

_____

(Dimensions: 148×210 mm.)

C 28
(Règl., art. 173, § 2)

Forms.
C 28.

4

SIGNALEMENT [1])

Date de naissance: .....

Lieu de naissance: .....

Taille: .....

Cheveux: .....

Yeux: .....

Teint: .....

Marques particulières: .....

[1]) Les indications du signalement doivent, le cas échéant, porter une traduction interlinéaire en langue française.

1

UNION POSTALE UNIVERSELLE

Administration des Postes

d.....

CARTE D'IDENTITÉ

1. Cette carte est reconnue comme pièce justificative d'identité pour les opérations postales.
2. Les cartes d'identité sont délivrées exclusivement par le service des postes. Elles sont valables pendant trois ans.
   Toutefois si, pendant cette période, la physionomie du titulaire s'est modifiée au point de ne plus répondre à la photographie ou au signalement, la carte doit être renouvelée.
3. Les Administrations des postes ne sont pas responsables des conséquences que peuvent entraîner la perte, la soustraction ou l'emploi frauduleux de la présente carte.

(Dimensions: 105×148 mm.)

C 28 (suite)

2

PHOTOGRAPHIE

Timbre-poste

(La moitié sur la photographie)

Signature du titulaire:

3

CARTE D'IDENTITÉ

N°.....

valable jusqu'au ..... 19....

Titulaire

Nom:.....

Prénoms:.....

Profession:.....

Domicile:.....

Délivrée par le bureau ou le service

d.....

le ..... 19....

Le Chef de service:

Timbre à date ou sceau officiel.

Forms.
C 29.

C 29
(Règl., art. 175, § 1).

ADMINISTRATION DES POSTES

d.....

COMPTE

des frais de douane, etc., payés par l'Administration d.....

pour le compte de l'Administration d.....

Mois d..... 19.....

Numéro d'ordre	Date des avances	Numéro du bulletin d'affranchissement	BUREAU qui a fait l'avance	Montant de chaque bulletin d'affranchissement	Observations
1	2	3	4	5	6
			TOTAL		

(Dimensions: 210×297 mm.)

C 30
(Règl., art. 190, §1)

Forms.
C 30.

ADMINISTRATION DES POSTES d_____

TABLEAU STATISTIQUE

DU SERVICE POSTAL EN_____

ANNÉE 19____

(Dimensions: 210×297 ou 420×594 mm.)

I. GÉNÉRALITÉS

Colonne			Colonne		
	Année		5	Nombre d'habitants par bureau de poste	
1	Pays		6	Nombre, par habitant, des lettres et cartes postales soumises à la taxe dans le service intérieur et des mêmes objets pour l'étranger	
2	Superficie en kilomètres carrés				
3	Nombre d'habitants				
4	Nombre de kilomètres carrés par bureau de poste		7	Nombre, par habitant, des autres objets de correspondance soumis à la taxe dans le service intérieur et des mêmes objets pour l'étranger	

II. ORGANISATION DES POSTES

Colonne			Colonne		
	Nombre des bureaux de poste:			Nombre des fonctionnaires, employés, etc.:	
8	à l'intérieur		14	Service de l'Administration centrale et des Administrations régionales	
	a) Bureaux chargés de la réception et de la distribution des envois postaux de toute nature		15	Service des bureaux de poste	
			16	Total du personnel	
	b) Bureaux dont les attributions de réception et de distribution d'envois postaux sont restreintes		17	Nombre des entrepreneurs du transport des malles	
			18	Nombre des relais de la poste aux chevaux de l'Etat et privés	
	c) Bureaux ambulants (Nombre de services fonctionnant tant à l'aller qu'au retour)		19	Nombre des chevaux de trait, etc., de l'Etat et privés (Services gratuits et services subventionnés)	
9	à l'étranger		20	Nombre des voitures (à l'exception des automobiles) et des traîneaux de l'Etat et privés (Services gratuits et services subventionnés)	
10	Total des bureaux de poste				
11	Nombre des Administrations des postes régionales		21	Nombre des automobiles et des motocyclettes de l'Etat et privés (Services gratuits et services subventionnés)	
12	Nombre des boîtes aux lettres à l'usage du public				
13	Nombre des machines à affranchir en usage		22	Nombre des vélocipèdes (tricycles et bicycles)	

Forms.
O 30—Continued.

III. SERVICE POSTAL

	Service intérieur		Service international					
			Réception		Expédition		Transit	
Objets de la poste aux lettres ordinaires et recommandés:	Colonne		Colonne		Colonne		Colonne	
Envois soumis à la taxe (Nombre):								
Lettres affranchies	23		57		91		123*)	
" non affranchies	24		58		92		124*)	
Cartes postales (simples et avec réponse payée)	25		59		93		125*)	
Papiers d'affaires	26		60		94		126*)	
Imprimés	27		61		95		127*)	
Echantillons de marchandises	28		62		96		128*)	
Petits paquets	29		63		97		129*)	
Envois admis à la franchise de port (Nombre)	30		64		98		130*)	
Totaux des envois inscrits aux colonnes 23 à 30, 57 à 64, 91 à 98 et 123 à 130 (Nombre)	31		65		99		131*)	
Envois recommandés trouvés parmi les correspondances inscrites aux colonnes 31, 65, 99 et 131 (Nombre)	32		66		100		132*)	
Envois "par avion" trouvés parmi les correspondances inscrites aux colonnes 31, 65, 99 et 131 (Nombre)	33		67		101		133*)	
Lettres et boîtes avec valeur déclarée:								
Nombre	34		68		102		134*)	
Valeur (Francs)	35		69		103		135*)	
Envois "par avion" trouvés parmi les envois inscrits aux colonnes 34, 68, 102 et 134 (Nombre)	36		70		104		136*)	
Colis:								
Colis ordinaires (Nombre)	37		71		105		137*)	
Colis avec valeur déclarée:								
Nombre	38		72		106		138*)	
Valeur (Francs)	39		73		107		139*)	
Colis "par avion" trouvés parmi les envois inscrits aux colonnes 37, 71, 105, 137 et 38, 72, 106, 138 (Nombre)	40		74		108		140*)	
Remboursements:								
Objets de correspondance (Nombre)	41		75		109		—	—
Montant des remboursements (Francs)	42		76		110		—	—
Colis (Nombre)	43		77		111		—	—
Montant des remboursements (Francs)	44		78		112		—	—
Remboursements non recouvrés (Nombre)	45		79		113		—	—
Mandats de poste:								
Nombre	46		80		114		—	—
Valeur (Francs)	47		81		115		—	—
Bons postaux de voyage:								
Nombre	—	—	82		116		—	—
Valeur (Francs)	—	—	83		117		—	—

*) Les chiffres à indiquer dans les colonnes 123 à 140 ne doivent se rapporter qu'au transit à découvert.

Forms.
C 30—Continued.

III. SERVICE POSTAL (SUITE)

	Service intérieur		Service international					
			Réception		Expédition		Transit	
	Colonne		Colonne		Colonne		Colonne	
Recouvrements:								
Nombre	48		84		118		—	—
Valeurs à encaisser (Francs)	49		85		—	—	—	—
Non encaissés (Nombre)	50		86		—	—	—	—
Chèques et virements postaux:								
Nombre de comptes	51		—	—	—	—	—	—
Opérations (versements, remboursements et virements - Service intérieur) - Nombre	52		—	—	—	—	—	—
Montant (Francs)	53		—	—	—	—	—	—
Virements dans le service international - Nombre	—	—	87		119		—	—
Montant (Francs)	—	—	88		120		—	—
Journaux et écrits périodiques servis par abonnement:								
Nombre des abonnements	54		89		121		—	—
Nombre des numéros	55		90		122		—	—
Nombre des voyageurs transportés	56		—	—	—	—	—	—
Nombre des dépeches closes en transit	—	—	—	—	—	—	141	—

IV. CORRESPONDANCES-REBUT. SERVICE INTÉRIEUR

	Colonne	Correspondances ordinaires et recommandées tombées en rebut (Nombre)	Colonne	Correspondances en rebut qui ont pu être remises en distribution ou renvoyées aux expéditeurs	Colonne	Correspondances restées en souffrance
Lettres et cartes postales ordinaires et recommandées	142		144		146	
Papiers d'affaires, imprimés, échantillons et petits paquets ordinaires et recommandés	143		145		147	

IV. CORRESPONDANCES—REBUT. SERVICE INTERNATIONAL

	Colonne	Correspondances de l'intérieur pour l'étranger qui sont rentrées au bureau des rebuts.	Colonne	Correspondances en rebut renvoyées de l'étranger et qui ont pu être placées.	Colonne	Correspondances renvoyées de l'étranger qui sont restées en souffrance.	Colonne	Correspondances de l'étranger tombées en rebut et renvoyées au pays d'origine.
Lettres et cartes postales ordinaires et recommandées	148		150		152		154	
Papiers d'affaires, imprimés, échantillons et petits paquets ordinaires et recommandés	149		151		153		155	

Forms.
C 30—Continued.

V. RÉSULTAT FINANCIER

Colonne	RECETTES	Francs	Colonne	DÉPENSES	Francs
156	Produit de la vente des timbres-poste et autres formules d'affranchissement		161	Traitements et émoluments: *a*) des fonctionnaires et employés *b*) des facteurs et autres agents subalternes	
157	Recettes effectuées en numéraire (y compris les machines à affranchir)		162	Achat et entretien des bâtiments et du matériel des postes, frais de location, de chauffage et d'éclairage, fournitures de bureau et autres menus frais	
158	Taxes perçues pour le transport des voyageurs et pour surpoids de bagages et autres recettes diverses		163	Frais de transport par les voies ferrées, pavées, macadamisées, maritimes, fluviales et aériennes (y compris les frais de construction et d'entretien des voitures postales ainsi que les subventions aux entrepreneurs de relais de poste)	
159	Bonifications reçues des Administrations étrangères		164	Indemnités pour perte et avarie d'envois postaux	
160	Total des recettes		165	Subventions aux compagnies de navigation	
			166	Bonifications payées aux Administrations étrangères	
			167	Autres dépenses diverses	
			168	Total des dépenses	
			—	Total des recettes	
			169	Excédent des recettes	
			170	Excédent des dépenses	

C 31 Forms. C 31.

(Règl., art. 190, § 1)

ADMINISTRATION DES POSTES D_____

TABLEAU STATISTIQUE

DU SERVICE INTERNATIONAL (EXPÉDITION)

POUR L'ANNÉE 19____

(Dimensions: 210×297 ou 420×594 mm.)

Pays	Objets de la poste aux lettres ordinaires et recommandés: Envois soumis à la taxe:							Envois admis à la franchise de port	Totaux des envois inscrits aux colonnes 2–9	Envois recommandés trouvés parmi les correspondances inscrites aux colonnes 2–9	Envois "par avion" trouvés parmi les correspondances inscrites aux colonnes 2–9
	Lettres		Cartes postales simples et avec réponse payée	Papiers d'affaires	Imprimés	Echantillons de marchandises	Petits paquets				
	affranchies	non affranchies									
	Nombre	Nombre	Nombre	Nombre	Nombre	Nombre	Nombre	Nombre	Nombre	Nombre	Nombre
1	2	3	4	5	6	7	8	9	10	11	12
I. EUROPE											
II. AFRIQUE											
III. AMÉRIQUE											
IV. ASIE											
V. AUSTRALIE ET OCÉANIE											
TOTAUX											

Forms.
C 31—Continued.

Lettres et boîtes avec valeur déclarée			Colis				Remboursements				Mandats de poste		Bons postaux de voyage		Recouvrements	Virements postaux		Journaux, etc., servis par abonnement
Nombre	Valeur	Envois "par avion" trouvés parmi les envois inscrits à la colonne 13	ordinaires	avec valeur déclarée		Colis "par avion" trouvés parmi les envois inscrits aux colonnes 16 et 17	Objets de correspondance	Montant des remboursements	Colis	Montant des remboursements	Nombre	Valeur	Nombre	Valeur		Nombre	Montant	
	Fr.	Nombre	Nombre	Nombre	Valeur Fr.	Nombre	Nombre	Fr.	Nombre	Fr.		Fr.		Fr.	Nombre		Fr.	Nombre des numéros
13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31

DISPOSITIONS CONCERNANT LE TRANSPORT DE LA POSTE AUX LETTRES PAR VOIE AÉRIENNE.

PROVISIONS CONCERNING THE TRANSPORTATION OF REGULAR MAILS BY AIR

Air-mail transportation.

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DISPOSITIONS CONCERNANT LE TRANSPORT DE LA POSTE AUX LETTRES PAR VOIE AÉRIENNE.

CHAPITRE I

DISPOSITIONS GÉNÉRALES.

ARTICLE PREMIER

Objets de correspondance admis au transport aérien.

1.—Sont admis au transport aérien, sur tout ou partie du parcours, tous les objets désignés à l'article 33 de la Convention, savoir: les lettres, cartes postales simples et avec réponse payée, papiers d'affaires, imprimés de toute nature (y compris les impressions en relief à l'usage des aveugles), échantillons de marchandises, petits paquets ainsi que les mandats de poste, les valeurs à recouvrer et les abonnements-poste. Ces envois prennent, dans ce cas, la dénomination de "Correspondances-avion".

2.—Les objets mentionnés à l'article 33 de la Convention peuvent être soumis à la formalité de la recommandation et grevés de remboursement.

3.—Les lettres et les boîtes avec valeur déclarée peuvent être également transportées par la voie de l'air dans les relations entre pays qui admettent d'échanger des objets de l'espèce par cette voie.

ARTICLE 2

Liberté de transit.

La liberté de transit prévue à l'article 26 de la Convention est garantie aux correspondances-avion dans le territoire entier de l'Union, que les Administrations intermédiaires prennent part ou non au réacheminement des correspondances.

PROVISIONS CONCERNING THE TRANSPORTATION OF REGULAR MAILS BY AIR

Air-mail transportation.

CHAPTER I

GENERAL PROVISIONS

ARTICLE 1

Articles of correspondence admitted to aerial transportation

1. There are admitted to aerial transportation, over all or part of the route, all the articles designated in Article 33 of the Convention, namely: Letters, post cards (single and with reply paid), commercial papers, prints of all kinds (including raised print for the blind), samples of merchandise, small packets, as well as money orders, collection orders, and subscriptions by mail. Such articles take, in that case, the name of *air-mail correspondence*.

Articles admitted to aerial transportation. *Ante*, p. 2759.

Term defined.

2. The articles mentioned in Article 33 of the Convention may be submitted to the formality of registration and sent C. O. D.

Registration. *Ante*, p. 2759.

3. Insured letters and boxes may also be transported by air in relations between countries which agree to exchange articles of that kind by that route.

Insurance.

ARTICLE 2

Liberty of transit

The liberty of transit provided for in Article 26 of the Convention is guaranteed to air-mail correspondence thruout the entire territory of the Union, whether or not the intermediate Administrations take part in the forwarding of the correspondence.

Liberty of transit guaranteed. *Ante*, p. 2756.

ARTICLE 3

Acheminement des correspondances-avion.

Dispatch of correspondence.

1.—Les Administrations qui se servent des communications aériennes pour le transport de leurs propres correspondances sont tenues d'acheminer, par ces mêmes communications, les correspondances-avion qui leur parviennent des autres Administrations.

Absence of air service.

2.—Les Administrations qui ne disposent pas d'un service aérien acheminent les correspondances-avion par les voies les plus rapides utilisées par la poste.

If more advantageous service provided.

Il en est de même si, pour une raison quelconque, l'acheminement par ces autres voies offre des avantages sur une voie aérienne existante.

Routing notations.

3.—Le cas échéant, il est tenu compte des indications de voie d'acheminement portées sur les correspondances-avion par les expéditeurs, sous réserve que la voie demandée soit normalement utilisée pour les transports postaux sur le parcours intéressé.

Reciprocal routes.

4.—Les dépêches-avion closes doivent être acheminées par la voie demandée par l'Administration du pays d'origine, sous réserve que cette voie soit utilisée par l'Administration du pays de transit pour la transmission de ses propres dépêches.

ARTICLE 4

Taxes et conditions générales d'admission des correspondances-avion.

Surcharges, etc.

1.—Les objets à transmettre par la voie aérienne acquittent, en sus des taxes postales réglementaires, une surtaxe spéciale de transport aérien dont il appartient à l'Administration du pays d'origine de fixer le montant.

Ordinary services.

2.—Dans les relations considérées comme services ordinaires (article 12, § 10, ci-après), cette surtaxe ne doit pas dépasser 15 centimes par 20 grammes et par 1000 kilomètres de parcours aérien; pour les cartes postales et les

ARTICLE 3

Dispatch of air-mail correspondence

1. Administrations which make use of aerial communications for the transportation of their own correspondence are bound to forward by those same routes the air-mail correspondence received by them from other Administrations.

2. Administrations having no air service forward air-mail correspondence by the most rapid routes utilized by the mails.

The same applies if, for any reason, dispatch by such other means offers advantages over an existing air route.

3. If occasion arises, account is taken of the indications of routing placed on air-mail articles by the senders, provided that the routing asked for is normally utilized for the transportation of mails on the stretch concerned.

4. Closed air-mail dispatches shall be sent by the route requested by the Administration of the country of origin, provided that such route is utilized by the Administration of the transit country for the transmission of its own dispatches.

ARTICLE 4

Rates and general conditions for admission of air-mail correspondence

1. Articles to be sent by the air route are liable, in addition to the regular postage rates, to a special surcharge for aerial transportation, the amount of which shall be fixed by the Administration of the country of origin.

2. In relations considered as ordinary services (Article 12, Section 10, hereafter), that surcharge shall not exceed 15 centimes per 20 grams and per 1000 kilometers of the air route; for post cards and money orders, it

mandats de poste, elle est de 15 centimes au maximum par objet et par 1000 kilomètres de parcours aérien.

Des surtaxes uniformes doivent être fixées pour tout le territoire d'un pays de destination, quel que soit l'acheminement utilisé.

Dans les relations entre les pays d'Europe, la surtaxe s'élève au maximum à 15 centimes par 20 grammes, quelle que soit la distance.

3.—Les surtaxes des correspondances-avion transportées par les services extraordinaires (article 12, § 11, ci-après) sont fixées compte tenu des frais extraordinaires que l'utilisation de ces services occasionne.

4.—Pour les objets autres que les lettres, cartes postales, mandats de poste et valeurs à recouvrer, les surtaxes perçues par application des §§ 2 et 3 peuvent être réduites à ⅕ au minimum.

5.—Les Administrations ont la faculté de ne percevoir aucune surtaxe de transport aérien, sous réserve d'information à donner au pays de destination et d'un accord préalable avec les pays de transit.

6.—Les surtaxes doivent être acquittées au départ.

7.—La surtaxe d'une carte postale avec réponse payée est perçue pour chaque partie séparément, au point de départ de chacune de ces parties.

8.—Les correspondances-avion sont affranchies dans les conditions prévues par l'article 47 de la Convention. Toutefois, et sans égard à la nature de ces correspondances, l'affranchissement peut être représenté par une mention manuscrite, en chiffres, de la somme perçue, exprimée en monnaie du pays d'origine sous la forme:

"Taxe perçue: Fr. c."

Cette mention peut, soit figurer dans une griffe spéciale ou sur une figurine ou étiquette spéciale, soit encore être simplement portée,

is 15 centimes at most per article and per 1000 kilometers of the air route.

Uniform surcharges shall be fixed for all the territory of one country of destination, regardless of the route used. Surcharges to be uniform.

In relations between countries of Europe, the surcharge amounts at most to 15 centimes per 20 grams regardless of the distance.

3. The surcharges for air-mail correspondence transported by extraordinary services (Article 12, Section 11, hereafter) are fixed to take account of the extraordinary expenses to which the use of those services gives rise. Extraordinary services.

Post, p. 2933.

4. For articles other than letters, post cards, money orders and collection orders, the surcharges collected by application of Sections 2 and 3 may be reduced to a minimum of ⅕. Articles other than letters, etc.

Ante, p. 2927.

5. Administrations have the option of not collecting any surcharge for aerial transportation, on condition that they give information to the country of destination and that a previous agreement has been made with the transit countries. Optional collection.

6. The surcharges shall be prepaid at the time of mailing. Prepayment.

7. The surcharge for a reply post card is collected separately for each half at the place of mailing of each of those halves.

8. Air-mail correspondence is prepaid under the conditions fixed by Article 47 of the Convention. However, regardless of the nature of such correspondence, the prepayment may be represented by a handwritten notation, in figures, of the sum collected, expressed in money of the country of origin, in the following form: Methods of.

Ante, p. 2767.

"*Taxe perçue* (postage collected): Fr. c." Notation.

That notation may appear either in a special hand-stamp impression or on a special adhesive stamp or label, or, finally, it may

par un procédé quelconque, du côté de la suscription de l'objet. Dans tous les cas, la mention doit être appuyée du timbre à date du bureau d'origine.

ARTICLE 5

Unprepaid, etc., articles.

Correspondances-avion non affranchies ou insuffisamment affranchies.

Treatment and charges.

1.—En cas d'absence totale d'affranchissement, les correspondances-avion sont traitées conformément aux dispositions des articles 35 et 36 de la Convention. Les objets dont l'affranchissement postal n'est pas obligatoire au départ sont transmis par les voies ordinaires.

Ante, p. 2762.

If prepayment equals surcharge.

2.—En cas d'insuffisance d'affranchissement, les correspondances-avion sont transmises par la voie de l'air lorsque les taxes acquittées représentent au moins le montant de la surtaxe aérienne. Les Administrations d'origine ont la faculté de transmettre ces correspondances par la voie de l'air lorsque les taxes acquittées représentent 25% au moins du montant de la surtaxe aérienne.

Ante, p. 2762.

Les dispositions de l'article 36 de la Convention sont applicables en ce qui concerne la perception des taxes non acquittées au départ.

Ordinary means.

3.—Lors de la transmission par voie ordinaire des envois ne portant pas 25% au moins de la surtaxe aérienne, le bureau de dépôt ou le bureau d'échange doit biffer toute annotation relative au transport aérien et indiquer brièvement les motifs de la transmission par voie ordinaire.

ARTICLE 6

Distribution des correspondances-avion.

Air-mail delivery.

1.—Les correspondances-avion sont distribuées dans les meilleures conditions de rapidité possibles et doivent au moins être comprises dans la première distribution qui suit leur arrivée au bureau de distribution.

be simply indicated on the address side of the article by any process whatever. In all cases, the notation shall be supported by the date stamp of the office of origin.

ARTICLE 5

Unprepaid or insufficiently prepaid air-mail correspondence

1. In case of total lack of prepayment, air-mail correspondence is treated in accordance with the provisions of Articles 35 and 36 of the Convention. Articles whose prepayment at the time of mailing is not obligatory are sent by the ordinary means.

2. In case of insufficient prepayment, air-mail correspondence is sent by the air route when the postage paid represents at least the amount of the aerial surcharge. The Administrations of origin have the option of sending such correspondence by the air route when the postage paid represents at least 25 percent of the amount of the aerial surcharge.

The provisions of Article 36 of the Convention are applicable in regard to the collection of charges not paid at the time of mailing.

3. When articles not bearing at least 25 percent of the aerial surcharge are sent by the ordinary means, the office of mailing or the exchange office shall strike out all annotations relative to the air transportation, and indicate briefly the reason for transmission by the ordinary means.

ARTICLE 6

Delivery of air-mail correspondence

1. Air-mail correspondence is delivered as rapidly as possible, and shall at least be included in the first delivery following its arrival at the office of destination.

2.—Les expéditeurs ont la faculté de demander la remise à domicile par porteur spécial immédiatement après l'arrivée, en acquittant la taxe spéciale d'exprès prévue par l'article 45 de la Convention. Cette faculté n'existe que dans les relations entre pays qui ont organisé le service des envois exprès dans leurs relations réciproques.

3.—Lorsque le règlement du pays de destination le permet, les destinataires peuvent demander au bureau chargé de la distribution que les correspondances-avion parvenant à leur adresse leur soient remises dès leur arrivée. Dans ce cas, les Administrations destinataires sont autorisées à percevoir, au moment de la distribution, un droit spécial qui ne pourra être supérieur à la taxe d'exprès prévue par l'article 45 de la Convention.

4.—Moyennant rémunération supplémentaire, les Administrations peuvent, après entente, procéder à la remise à domicile par des moyens spéciaux, notamment par utilisation des tubes pneumatiques.

ARTICLE 7

Réexpédition et renvoi des correspondances-avion.

1.—Les correspondances-avion adressées à des destinataires ayant changé de résidence sont réexpédiées sur la nouvelle destination par les moyens de transport ordinaires, à moins que le destinataire n'ait demandé expressément la réexpédition par la voie aérienne et n'ait payé d'avance au bureau réexpéditeur la surtaxe aérienne du nouveau parcours. Les correspondances tombées en rebut sont renvoyées à l'origine par la voie ordinaire.

2.—Si la réexpédition ou le renvoi a lieu par les moyens ordinaires de la poste, l'étiquette "Par avion" et toute annotation se rapportant à la transmission par la voie aérienne doivent être biffées d'office au moyen de deux forts traits transversaux.

2. Senders have the option of requesting delivery at the addressee's residence by special carrier immediately after arrival, by paying the special-delivery fee provided for by Article 45 of the Convention. That option exists only in relations between countries which have organized the special-delivery service in their reciprocal relations.

Special-carrier service.

Ante, p. 2765.

3. When the regulations of the country of destination permit it, addressees may ask the office charged with the delivery to have air-mail correspondence arriving addressed to them delivered to them upon arrival. In that case, the Administrations of destination are authorized to collect, at the time of delivery, a special fee which may not be higher than the special-delivery fee provided for by Article 45 of the Convention.

Request by addressee.

4. For additional compensation, Administrations may, after agreement, undertake delivery at the residence of the addressee by special means; for example, by the use of pneumatic tubes.

Delivery by special means.

ARTICLE 7

Redirection and return of air-mail correspondence

1. Air-mail correspondence addressed to persons who have changed their residence is forwarded to the new destination by the ordinary means, unless the addressee has expressly requested redirection by air mail and has paid in advance, to the forwarding office, the aerial surcharge for the new route. Undeliverable correspondence is returned to origin by the ordinary means.

Reforwarding in case of change of address.

Undeliverable matter.

2. If redirection or return is effected by the ordinary means, the *Par avion* label and all notations relative to transmission by the air route shall be crossed out officially by means of two heavy transverse lines.

Treatment of redirected mail.

CHAPITRE II

Registered, etc., articles.

ENVOIS RECOMMANDÉS OU AVEC VALEUR DÉCLARÉE.

ARTICLE 8

Envois recommandés.

Postage rates, etc.

Les envois recommandés sont soumis aux taxes postales et conditions générales d'admission prévues par la Convention. Ils acquittent, en outre, les mêmes surtaxes aériennes que les envois ordinaires.

ARTICLE 9

Responsabilité.

Responsibility.

Les Administrations assument à l'égard des envois recommandés acheminés par voie aérienne la même responsabilité que pour les autres envois recommandés.

ARTICLE 10

Insured mail.

Envois avec valeur déclarée.

Surcharge, etc.

1.—Les Administrations qui admettent les envois avec valeur déclarée au transport aérien sont autorisées à percevoir du chef de ces envois un droit spécial d'assurance dont elles fixent le montant.

Le total du droit d'assurance ordinaire et du droit spécial ne doit pas dépasser le double de la limite fixée par l'article 3, lettre (*c*), de l'Arrangement concernant les lettres et les boîtes avec valeur déclarée.

Transit articles.

2.—En ce qui concerne les envois avec valeur déclarée qui transitent en dépêches closes par le territoire de pays non adhérents à l'Arrangement concernant les envois de l'espèce ou qui transitent par des services aériens pour lesquels les pays en cause n'acceptent pas la responsabilité des valeurs, la responsabilité de ces pays est limitée à celle qui est prévue pour les envois recommandés.

CHAPTER II

REGISTERED OR INSURED ARTICLES

ARTICLE 8

Registered articles

Registered articles are subject to the postage rates and general conditions for admission provided for by the Convention. They are also liable to the same aerial surcharges as ordinary articles.

ARTICLE 9

Responsibility

Administrations assume, in regard to registered articles sent by the air route, the same responsibility as for other registered articles.

ARTICLE 10

Insured articles

1. Administrations which accept insured articles for transportation by air mail are authorized to collect, on account of such articles, a special insurance fee, the amount of which they are to fix.

The sum of the ordinary insurance fee and the special fee shall not exceed double the limit fixed by Article 3, letter (*c*), of the Agreement concerning insured letters and boxes.

2. As for insured articles passing in transit in closed mails thru the territory of countries not adhering to the aforesaid Agreement, or passing in transit thru air services where the countries concerned do not accept responsibility for insured articles, the responsibility of those countries is limited to that provided for registered articles.

CHAPITRE III

ATTRIBUTION DES SURTAXES AÉRIENNES. FRAIS DE TRANSPORT.

ARTICLE 11

Attribution des surtaxes.

Chaque Administration garde en entier les surtaxes aériennes qu'elle a perçues.

ARTICLE 12

Frais de transport aérien des dépêches closes.

1.—Les dispositions de l'article 75 de la Convention, concernant les frais de transit, ne s'appliquent aux correspondances-avion que pour leurs parcours territoriaux ou maritimes éventuels.

2.—Chaque Administration qui assure le transport des correspondances-avion par la voie aérienne, soit comme Administration intermédiaire, soit comme Administration de destination, a droit, de ce chef, à la bonification des frais de transport.

En ce qui concerne l'Administration de destination, cette bonification doit être uniforme pour tous les parcours effectués sur son réseau intérieur.

3.—Si deux pays sont reliés par plusieurs lignes aériennes, les frais de transport sont calculés d'après la distance moyenne de ces parcours et leur importance pour le trafic international. Il en est de même de la bonification due pour le transport dans l'intérieur du pays de destination.

4.—Les frais de transport afférents à un même parcours aérien sont uniformes pour toutes les Administrations qui font emploi de ce service sans participer aux frais d'exploitation.

5.—Sauf les exceptions prévues aux §§ 6 et 7 ci-après, les frais de transport aérien sont payables à l'Administration des postes du pays où se trouve l'aéroport dans lequel les dépêches ont été prises en charge par le service aérien.

CHAPTER III

RETENTION OF AERIAL SURCHARGES, TRANSPORTATION CHARGES

ARTICLE 11

Retention of surcharges

Each Administration retains the whole of the aerial surcharges which it has collected. Surcharges retained.

ARTICLE 12

Aerial transportation charges for closed mails

1. The provisions of Article 75 of the Convention concerning transit charges apply to air-mail correspondence only for its eventual transmission by land or sea. Transit charges for closed mails. *Ante*, p. 2782.

2. Every Administration which assures the transportation of air-mail correspondence by the air route, either as intermediate Administration or as Administration of destination, is entitled, on that account, to the payment of transportation charges. Internal transportation charges.

As far as the Administration of destination is concerned, that payment shall be uniform for all routes traversed in its domestic service. Uniform rates.

3. If two countries are connected by several air lines, the transportation charges are calculated in accordance with the average length of those routes and their importance for the international service. The same also applies to the payment due for transportation within the country of destination. Calculation of charges.

4. The transportation charges relative to one and the same air route are uniform for all Administrations using that service without participating in the operating costs.

5. With the exceptions provided for in Sections 6 and 7 following, the aerial transportation charges are payable to the Postal Administration of the country in which the airport where the dispatches have been taken in charge by the air service is located. Payment to receiving office.

Direct settlement with air transport service.

6.—L'Administration qui remet à une entreprise de transport aérien des dépêches destinées à emprunter successivement plusieurs services aériens distincts peut, si elle est d'accord avec les Administrations intermédiaires, régler directement avec cette entreprise les frais de transport pour la totalité du parcours. Les Administrations intermédiaires ont, de leur côté, le droit de demander l'application pure et simple des dispositions du § 5.

Collection by intermediate Administration.

7.—Par dérogation aux stipulations des §§ 5 et 6, est réservé à chaque Administration dont dépend un service aérien le droit de percevoir directement de chaque Administration qui utilise ce service les frais de transport afférents à la totalité du parcours.

Charges against country of origin.

8.—Les frais de transport aérien des correspondances-avion expédiées en dépêches closes sont à la charge de l'Administration du pays d'origine.

Supervision over transfers en route.

9.—Sauf entente contraire entre les Administrations des postes intéressées, le transbordement en cours de route, dans un même aéroport, des dépêches qui empruntent successivement plusieurs services aériens distincts, se fait obligatoirement par l'intermédiaire de l'Administration des postes du pays où a lieu le transbordement.

Exception.

Cette règle ne s'applique pas lorsque ce transbordement a lieu entre des appareils assurant les sections successives d'un même service.

Basic rate fixed.

10.—Le tarif de base à appliquer aux règlements de compte entre les Administrations du chef des transports aériens (services ordinaires) est fixé, par kilogramme de poids brut et par kilomètre, à 6 millièmes de franc au maximum. Ce tarif est appliqué proportionnellement aux fractions de kilogramme.

Domestic service rate.

Les dépêches aériennes transportées en service intérieur sont soumises au même tarif.

Long distance, etc., rates.

11.—Le tarif de transport spécifié ci-dessus ne s'applique pas aux transports effectués au moyen

6. An Administration which delivers to an air-transport enterprise mails intended for conveyance by several separate air services in succession may, if it has agreed with the intermediate Administrations, settle directly with that enterprise for the transportation charges for the whole route. The intermediate Administrations, for their part, have the right to request the application pure and simple of the provisions of Section 5.

7. By exception to the provisions of Sections 5 and 6, every Administration maintaining an air service reserves the right to collect directly from each Administration utilizing that service the transportation charges for the whole route.

8. The air-transportation charges for air-mail correspondence sent in closed mails are chargeable to the Administration of the country of origin.

9. Barring contrary agreement between the Postal Administrations concerned, the transfer en route, in one and the same airport, of mails which employ several separate air services in succession, must be effected thru the intermediary of the Postal Administration of the country where the transshipment takes place. This rule does not apply when the transfer is made between machines performing successive sections of one and the same service.

10. The basic rate to be applied in the settlement of accounts between Administrations for aerial transportation (ordinary services) is fixed, for each kilogram of gross weight and for each kilometer, at 6 thousandths of a franc at most. That rate is applied proportionally to fractions of a kilogram.

Air-mail dispatches carried in the domestic service are subject to the same rate.

11. The transportation rate specified above does not apply to transportation effected by means

de services dont la création et l'entretien nécessitent des frais extraordinaires (services extraordinaires). Les prix de transport afférents à ces services sont fixés, par kilogramme, par les Administrations dont ces services dépendent; ils sont appliqués proportionnellement aux fractions de kilogramme.

12.—Les frais de transport précités sont dus aussi pour les correspondances exemptes de frais de transit ainsi que pour les dépêches ou correspondances mal dirigées, dans le cas où elles sont acheminées par la voie aérienne.

13.—Les Administrations des pays survolés n'ont droit à aucune rémunération pour les dépêches transportées par voie aérienne au-dessus de leur territoire.

of services whose creation and upkeep give rise to extraordinary expenses (extraordinary services). The transportation charges relative to those services are fixed, for each kilogram, by the Administrations to which such services belong; they are applied proportionally to fractions of a kilogram.

12. The transportation charges above mentioned are also due for correspondence exempt from transit charges, as well as for missent dispatches or mail articles, in case that they are transmitted by the air route. Other classes applicable.

13. Administrations of countries flown over have no right to any compensation for dispatches transported by air over their territory. Dispatches in transit.

ARTICLE 13

Frais de transport des correspondances-avion à découvert.

1.—Les frais de transport des correspondances-avion qui sont échangées à découvert entre deux Administrations doivent être calculés d'après les dispositions de l'article 12, §§ 1 à 5 et 10 à 12.

Pour déterminer les frais de transport, le poids net de ces envois est majoré de 10%.

2.—L'Administration qui remet des correspondances-avion en transit à découvert à une autre Administration doit lui payer en entier les frais de transport calculés pour tout le parcours aérien ultérieur.

ARTICLE 13

Transportation charges for aerial correspondence in open mail Transit charges for open mail.

1. The transportation charges for air-mail correspondence exchanged in open mail between two Administrations shall be calculated in accordance with the provisions of Article 12, Sections 1 to 5 and 10 to 12. Exchanges.

In order to determine the transportation charges, the net weight of such articles is increased by 10 per cent. Calculation.

2. An Administration which delivers air-mail correspondence in transit in open mail to another Administration shall pay it the entire amount of the transportation charges calculated for all the subsequent aerial transmission.

CHAPITRE IV

BUREAU INTERNATIONAL.

ARTICLE 14

Communications à adresser au Bureau international et aux Administrations.

1.—Les Administrations doivent communiquer au Bureau international, au moyen d'une

CHAPTER IV

INTERNATIONAL BUREAU International Bureau.

ARTICLE 14

Communications to be addressed to the International Bureau and to the Administrations

1. The Administrations shall communicate to the International Bureau, by means of a list con- Addressing communications to Bureau and to Administrations.

Post, p. 2953.

liste conforme au modèle A V 1 ci-annexé, les renseignements utiles concernant la poste aérienne.

Transmittal of lists.

2.—La liste prévue au § 1 doit être envoyée régulièrment deux fois par an, au moins quinze jours avant l'ouverture du service d'été et du service d'hiver. Toute modification doit être notifiée sans retard.

General information distributed.

3.—Le Bureau international dresse, d'après les renseignements consignés sur les formules A V 1 et les autres communications qui lui parviennent, une liste de renseignements généraux concernant le service postal aérien.

Cette liste générale, qui doit correspondre au modèle A V 1, est répartie sans délai entre les Administrations.

Maps.

Le Bureau international est chargé également de dresser des cartes indiquant les lignes postales de communications aériennes intérieures et internationales de tous les pays.

Direct transmission.

4.—A titre de renseignement provisoire, une copie de la liste A V 1 visée au § 1 est transmise directement par chaque Administration à toutes les Administrations qui en expriment le désir.

Schedules, etc.

5.—Les Administrations communiquent, en outre, régulièrement, au moins quinze jours avant le commencement de chaque saison, à toutes les Administrations avec lesquelles elles sont reliées par des lignes aériennes, les horaires complets des lignes aériennes de leurs réseaux intérieur et international. Dans les relations avec les autres Administrations, ces indications sont fournies seulement sur demande.

forming to Model A V 1 hereto appended, the necessary information concerning the air-mail service.

2. The list contemplated in Section 1 shall be transmitted regularly twice a year, at least fifteen days before the opening of the summer and winter services. Notice of any modification shall be given without delay.

3. The International Bureau prepares, on the basis of the information contained in the forms A V 1 and the other communications which it receives, a list of general information concerning the air-mail service.

That general list, which shall conform to Model A V 1, is distributed without delay among the Administrations.

The International Bureau is also charged with making up maps indicating the lines of domestic and international air-mail communications of all countries.

4. For provisional information, a copy of the list A V 1 contemplated in Section 1 is sent directly by each Administration to all Administrations which express their desire to receive it.

5. The Administrations also communicate regularly, at least fifteen days before the beginning of each season, to all Administrations with which they are connected by air lines, the complete schedules of the air lines of their domestic and international services. In relations with other Administrations, such information is furnished only on request.

Chapitre V

Règlement de compte.

Settlement of accounts.

Article 15

Statistique de décompte.

Method, etc.

1.—Le décompte général des frais de transport aérien a lieu d'après des relevés statistiques

Chapter V

Settlements of accounts

Article 15

Accounting statistics

1. The general accounting for aerial transportation charges is effected in accordance with sta-

établis dans les sept jours qui suivent le 14 juin et le 14 novembre de chaque année. Les données de la statistique de juin forment la base des bonifications dues pour le service d'été; celles de novembre comptent pour le service d'hiver.

2.—Les statistiques concernant des services qui ne fonctionnent pas pendant les périodes de statistique régulières sont établies après entente entre les Administrations intéressées.

3.—Par mesure transitoire, l'Administration chargée du transport par voie aérienne a la faculté de demander que les règlements de compte aient lieu, trimestriellement ou semestriellement, sur la base du poids brut des dépêches ou du poids net majoré de 10% des envois à découvert transportés réellement pendant la période envisagée. Dans ce cas, les dispositions des articles 17, 19 et 20 ci-après sont appliquées à la constatation du poids et à l'établissement des comptes, étant entendu que les relevés A V 3 et A V 4 doivent être établis mensuellement pour tous les transports aériens effectués.

tistical tables made up during the seven days following the 14th of June and the 14th of November of each year. The results of the June statistics form the basis for the payments due for the summer service; those of November are used for the winter service.

2. Statistics concerning services which do not operate during the regular statistical periods are made up after agreement between the Administrations concerned. Special cases.

3. As a temporary measure, the Administration charged with the transportation by air has the option of requesting that the settlement of accounts be made, quarterly or semiannually, on the basis of the gross weight of the dispatches, or the net weight increased by 10 percent of the articles in open mail, actually transported during the period involved. In such a case, the provisions of Articles 17, 19 and 20 hereafter are applied to the ascertainment of weight and preparation of accounts, with the understanding that the statements A V 3 and A V 4 are to be made up monthly for all air transportation effected. Quarterly settlements optional.

ARTICLE 16

Confection des dépêches ordinaires ou des dépêches-avion pendant les périodes de statistique des frais de transport aérien.

Les dispositions de l'article 162 du Règlement d'exécution de la Convention ne s'appliquent pas aux statistiques biannuelles pour l'évaluation des frais du transport aérien. Toutefois, pendant la période de ces statistiques, les étiquettes ou suscriptions de dépêches qui contiennent des correspondances-avion doivent porter, d'une manière apparente, la mention "Statistique-avion".

ARTICLE 16

Preparation of ordinary or aerial dispatches during the statistical periods for air-mail transportation charges

The provisions of Article 162 of the Regulations of Execution of the Convention do not apply to the semiannual statistics for the fixing of aerial transportation charges. However, during such statistical periods, the labels or addresses of dispatches containing air-mail correspondence shall bear the conspicuous notation *Statistique-avion* (air-mail statistics). Preparing dispatches during statistical periods.

Ante, p. 2859.

ARTICLE 17

Fixing weight of air-mail correspondence.

Constatation du poids des correspondances-avion.

Date and weight to be indicated.

1.—Pendant les périodes de statistique, la date d'expédition et le poids brut de la dépêche sont indiqués sur l'étiquette ou sur la suscription extérieure de la dépêche. L'insertion de dépêches-avion entrantes dans une autre dépêche de même nature est interdite.

Redispatched mail.

2.—Dans le cas où des correspondances à découvert, destinées à être réacheminées par voie aérienne, sont comprises dans une dépêche ordinaire ou dans une dépêche-avion, ces correspondances, réunies en une liasse spéciale étiquetée "Par avion", sont accompagnées d'un bordereau conforme au modèle A V 2 ci-annexé. Le poids des correspondances en transit à découvert est indiqué séparément pour chaque pays de destination. La feuille d'avis est revêtue de la mention "Bordereau A V 2".

Post, p. 2954.

Verification.

3.—Ces indications sont vérifiées par le bureau d'échange destinataire. Si ce bureau constate que le poids réel diffère de plus de 20 grammes du poids annoncé, il rectifie l'étiquette ou le bordereau A V 2 et signale immédiatement l'erreur au bureau d'échange expéditeur par bulletin de vérification. Lorsqu'il s'agit de dépêches closes, une copie de ce bulletin est adressée à chaque Administration intermédiaire. Si les différences de poids constatées restent dans les limites précitées, les indications du bureau expéditeur sont tenues pour valables.

ARTICLE 18

Liste des dépêches-avion closes.

List of closed mails to be furnished.

Aussitôt que possible et, en tout cas, dans un délai de quinze jours après chaque période de statistique, les Administrations qui ont expédié des dépêches-avion closes envoient la liste de ces dépêches aux différentes Administrations dont elles ont em-

ARTICLE 17

Fixing the weight of air-mail correspondence

1. During the statistical periods, the date of dispatch and the gross weight of the mail are indicated on the label or outside address of the dispatch. The inclusion of air-mail dispatches in another dispatch of the same kind is prohibited.

2. In case that open-mail correspondence intended to be redispatched by the air route is included in an ordinary or air-mail dispatch, such correspondence, made up into a special bundle labeled *Par avion* (by air mail), is accompanied by a list conforming to Model A V 2 hereto appended. The weight of the correspondence in transit in open mail is indicated separately for each country of destination. The letter bill is provided with the note *Bordereau A V 2* (List A V 2).

3. Those entries are verified by the exchange office of destination. If that office finds that the actual weight differs by more than 20 grams from the weight announced, it corrects the label or the list A V 2 and immediately reports the error to the dispatching exchange office by bulletin of verification. When it is a question of closed mails, a copy of that bulletin is addressed to each intermediate Administration. If the differences in weight detected remain within the limits above mentioned, the entries of the dispatching office are considered as valid.

ARTICLE 18

List of closed air mails

As soon as possible, and in any case within a period of fifteen days after each statistical period, the Administrations which have dispatched closed air mails send a list of such dispatches to the different Administrations whose air services they have used, in-

prunté les services aériens, y compris, le cas échéant, celle de destination.

ARTICLE 19

Compte des frais de transport aérien régiés sur la base des statistiques.

1.—Pendant les périodes de statistique, les Administrations intermédiaires prennent note, dans un relevé conforme au modèle A V 3 ci-annexé, des poids indiqués sur les étiquettes ou suscriptions extérieures des dépêches-avion qu'elles ont réacheminées par la voie aérienne, soit dans leur réseau interne, soit au delà des frontières de leur pays. Il est dressé un relevé pour chaque bureau d'échange expéditeur de dépêches-avion.

2.—Les Administrations de réception des dépêches-avion, qui assurent par la voie aérienne le réacheminement des correspondances-avion qu'elles contiennent, soit dans leur réseau interne, soit au delà des frontières de leur pays, dressent un relevé conforme au modèle A V 4 ci-annexé d'après les indications figurant sur les bordereaux A V 2. Il est procédé de la même manière en ce qui concerne les correspondances-avion contenues dans les dépêches ordinaires.

3.—Aussitôt que possible et, au plus tard, six semaines après la clôture de opérations de statistique, les relevés A V 3 et A V 4 sont transmis aux bureaux d'échange expéditeurs pour être revêtus de leur acceptation. Ces bureaux, après avoir accepté les relevés, les transmettent à leur tour à leur Administration centrale qui les fait parvenir à l'Administration centrale créancière.

4.—Si l'Administration créancière n'a reçu aucune observation rectificative dans un intervalle de trois mois à compter de l'envoi, les relevés sont considérés comme admis de plein droit. Dans les relations entre pays éloignés, ce délai est porté à quatre mois.

cluding that of destination, if occasion arises.

ARTICLE 19

Account of air-transportation charges settled on the basis of statistics

Air-transportation charge account.

1. During the statistical periods, the intermediate Administrations take note, on a form agreeing with Model A V 3 hereto appended, of the weights indicated on the labels or outside addresses of the air-mail dispatches which they have reforwarded by the air route, either in their domestic services or beyond the frontiers of their countries. A statement is made up for each exchange office of origin of air mails.

Settled on basis of statistics.

Post, p. 2955.

2. Administrations receiving air mails, which assure the reforwarding of the air-mail correspondence which they contain by the air route, either in their domestic services or beyond the frontiers of their countries, prepare a statement conforming to Model A V 4 hereto appended, in accordance with the entries appearing in the lists A V 2. The same procedure is followed in regard to air-mail correspondence contained in ordinary dispatches.

Post, pp. 2956, 2954.

3. As soon as possible, and at the latest six weeks after the close of statistical operations, the forms A V 3 and A V 4 are sent to the dispatching exchange offices for acceptance. Those offices, after accepting the statements, send them in turn to their central Administration, which forwards them to the central Administration of the creditor country.

4. If the creditor Administration has not received any statement of differences within an interval of three months, counting from the date of transmittal, the statements are considered as automatically accepted. In relations between distant countries, that period is extended to four months.

ARTICLE 20

Compte des frais de transport aérien.

Auditing aerial transportation accounts.

1.—Les poids bruts des dépêches et les poids nets majorés de 10% des envois à découvert, figurant dans les relevés A V 3 ou A V 4, sont multipliés par un chiffre établi d'après la fréquence des services d'été et d'hiver; les produits ainsi obtenus servent de base à des comptes particuliers établissant en francs les prix de transport revenant à chaque Administration pour le semestre en cours.

Duty on creditor Administration.

2.—Le soin de dresser ces comptes incombe à l'Administration créancière qui les transmet à l'Administration débitrice.

Prepared in duplicate.

3.—Les comptes particuliers sont dressés en double expédition et transmis aussitôt que possible à l'Administration débitrice. Si

Presumption on acceptance.

l'Administration créancière n'a reçu aucune observation rectificative dans un intervalle de trois mois à compter de l'envoi, ce compte est considéré comme admis de plein droit.

ARTICLE 21

Décompte général.

General account.

Sauf entente contraire entre les Administrations intéressées, le décompte général des frais de transport aérien est établi deux fois par an par le Bureau international d'après les règles fixées pour le décompte des frais de transit.

CHAPITRE VI

Various provisions.

DISPOSITIONS DIVERSES.

ARTICLE 22

Signalisation des correspondances-avion.

Air-mail designations.

Les correspondances-avion sont revêtues, au départ, d'une étiquette spéciale ou d'une empreinte de couleur bleue comportant les

Labeling correspondence.

ARTICLE 20

Aerial transportation account

1. The gross weights of the dispatches, and the net weights increased by 10 per cent of the articles in open mail, shown in the statements A V 3 or A V 4, are multiplied by a figure determined by the frequency of the summer and winter services; the products thus obtained serve as the basis for individual accounts showing, in francs, the transportation charges due to each Administration for the current six-month period.

2. The duty of preparing those accounts is incumbent upon the creditor Administration, which transmits them to the debtor Administration.

3. The individual accounts are made up in duplicate and transmitted as soon as possible to the debtor Administration. If the creditor Administration has not received any statement of differences within an interval of three months, counting from the date of transmittal, such accounts are considered as automatically accepted.

ARTICLE 21

General account

In the absence of contrary agreement between the Administrations concerned, the general account of air-transportation charges is made up twice a year by the International Bureau, in accordance with the rules fixed for the transit-charge account.

CHAPTER VI

VARIOUS PROVISIONS

ARTICLE 22

Designation of air-mail correspondence

Air-mail correspondence is provided, at the time of mailing, with a special blue label or imprint bearing the words *Par avion*

mots "Par avion" avec traduction facultative dans la langue du pays d'origine.

ARTICLE 23

Signalisation des dépêches-avion.

Lorsque les objets à transmettre par voie aérienne donnent lieu à la formation de dépêches distinctes, celles-ci doivent être confectionnées avec du papier bleu ou au moyen de sacs, soit entièrement bleus, soit portant de larges bandes bleues.

ARTICLE 24

Acheminement par la voie aérienne sur une partie du parcours seulement.

Lorsque l'expéditeur désire que sa correspondance soit expédiée par la voie aérienne sur une partie du parcours aérien seulement, il doit en faire mention sur cette correspondance par l'annotation, en langue du pays d'origine et en langue française: "Par avion de . . . à . . .". A la fin de la transmission aérienne, l'étiquette "Par avion" ainsi que l'annotation spéciale doivent être biffée d'office par deux forts traits transversaux.

ARTICLE 25

Mode d'expédition des correspondances-avion.

1.—Les dispositions des articles 154, § 2, lettre (*a*), et 156 du Règlement d'exécution de la Convention s'appliquent, par analogie, aux correspondances-avion insérées dans des dépêches ordinaires. Les étiquettes des liasses doivent porter l'annotation "Par avion".

En cas d'insertion de correspondances-avion recommandées dans des dépêches ordinaires, la mention "Par avion" doit être portée à la place prescrite au § 2 dudit article 156 pour la mention "Exprès".

(by air mail), with an optional translation into the language of the country of origin.

ARTICLE 23

Designation of air-mail dispatches

When the articles to be sent by the air route give rise to the formation of separate dispatches, the latter shall be made up with blue paper or by means of sacks either entirely blue or bearing wide blue stripes. Distinctive sacks.

ARTICLE 24

Aerial transportation over part of the route only

When the sender desires that his correspondence be dispatched by air mail over a part of the air route only, he shall indicate that fact on the correspondence by the note, in the language of the country of origin and in French: *Par avion de* ------ *à* ------ (by air mail from ------ to ------). At the end of the aerial transmission, the *Par avion* label, as well as the special annotation, shall be crossed out officially by means of two heavy transverse lines. Partly by air mail.

ARTICLE 25

Method of dispatching air-mail correspondence

1. The provisions of Articles 154, Section 2, letter (*a*), and 156 of the Regulations of Execution of the Convention are applied, by analogy, to air-mail correspondence included in ordinary dispatches. The labels of the bundles shall bear the annotation *Par avion* (by air mail). Dispatching air mail. *Ante*, p. 2845.

In case of inclusion of registered air-mail articles in ordinary dispatches, the note *Par avion* shall be entered in the place prescribed by Section 2 of the aforesaid Article 156 for the note *Exprès* (special delivery). Registered articles. *Ante*, p. 2848.

Insured articles.

S'il s'agit de correspondances-avion avec valeur déclarée insérées dans des dépêches ordinaires, la mention "Par avion" est portée dans la colonne "Observations" des feuilles d'envoi, en regard de l'inscription de chacune d'elles.

If it is a question of insured air-mail articles included in ordinary dispatches, the note *Par avion* is entered in the *Observations* column of the insured bills, opposite the entry of each of them.

Reforwarding in open mail.

2.—Les correspondances-avion expédiées en transit à découvert dans une dépêche-avion ou dans une dépêche ordinaire et qui doivent être réacheminées par voie aérienne par le pays destinataire de la dépêche, sont réunies en une liasse spéciale étiquetée "Par avion".

2. Air-mail articles sent in transit in open mail in an air-mail or ordinary dispatch, which are to be reforwarded by the air route by the country of destination of the dispatch, are tied in a special bundle labeled *Par avion*.

Segregation of bundles.

3.—Le pays de transit peut demander la formation de liasses spéciales par pays de destination. Dans ce cas, chaque liasse est revêtue d'une étiquette portant la mention "Par avion pour . . .".

3. The transit country may request the formation of separate bundles by countries of destination. In that case, each bundle is provided with a label bearing the note: *Par avion pour* _____ (by air mail for _____).

ARTICLE 26

Annotations à porter sur les feuilles d'avis, sur les feuilles d'envoi et sur les étiquettes des dépêches-avion.

ARTICLE 26

Annotations to be made on the letter bills, insured bills and labels of air-mail dispatches

Annotations to be made.

Les feuilles d'avis et les feuilles d'envoi accompagnant des dépêches-avion doivent être revêtues dans leur en-tête de l'étiquette "Par avion". La même étiquette est appliquée sur les étiquettes ou suscriptions de ces dépêches.

The letter bills and insured bills accompanying air-mail dispatches shall be provided, in their headings, with the *Par avion* label. The same label is affixed to the labels or addresses of such dispatches.

ARTICLE 27

Interruption accidentelle du vol d'un avion postal.

ARTICLE 27

Accidental interruption of the flight of a mail plane

Accidental interruptions.

1.—Lorsque, par suite d'un accident survenu en cours de route, un avion ne peut poursuivre son voyage et livrer aux escales prévues, le personnel du bord doit remettre les dépêches au bureau de poste le plus proche du lieu de l'accident ou le plus qualifié pour le réacheminement du courrier. Ce bureau, après

1. When, as the result of an accident occurring en route, a plane can not continue its trip and make delivery at the stops scheduled, the personnel on board shall deliver the dispatches to the post office nearest to the place of the accident or best qualified to reforward the mails. That office, after determining the condition

constatation de l'état et, éventuellement, reconstitution des correspondances endommagées, dirige les dépêches sur les bureaux destinataires par les voies les plus rapides.

2.—Les circonstances de l'incident et les constatations faites sont signalées par bulletin de vérification aux bureaux destinataires des dépêches accidentées; une copie du bulletin de vérification est adressée au bureau d'origine des dépêches.

of the damaged correspondence and repairing it if necessary, forwards the dispatches to the offices of destination by the most rapid routes.

2. The circumstances of the accident and the facts determined are reported by bulletin of verification to the offices of destination of the dispatches involved; a copy of the bulletin of verification is addressed to the office of origin of the dispatches.

ARTICLE 28

Dédouanement des correspondances passibles de droits de douane.

Les Administrations prennent des mesures pour accélérer autant que possible le dédouanement des correspondances-avion passibles de droits de douane.

ARTICLE 28

Customs clearance of correspondence liable to duty

The Administrations take steps to accelerate, as far as possible, the clearance of air-mail correspondence liable to customs duty. Customs clearance.

ARTICLE 29

Application des dispositions de la Convention et des Arrangements.

Les dispositions de la Convention et des Arrangements ainsi que de leurs Règlements, exception faite de l'Arrangement des colis postaux et de son Règlement, sont applicables en tout ce qui n'est pas expressément réglé par les articles précédents.

ARTICLE 29

Application of the provisions of the Convention and Agreements Convention and Agreements.

The provisions of the Convention and Agreements, as well as of their Regulations, with the exception of the Parcel-Post Agreement and its Regulations, are applicable in everything which is not expressly regulated by the foregoing Articles. Scope.

ARTICLE 30

Mise à exécution et durée des Dispositions adoptées.

Les présentes Dispositions seront exécutoires à partir du jour de la mise en vigueur de la Convention.

Elles auront la même durée que cette Convention, à moins qu'elles ne soient renouvelées d'un commun accord entre les Parties intéressées.

ARTICLE 30

Effective date and duration of the Provisions adopted

The present Provisions will be in force from the effective date of the Convention. Effective date and duration.

They will have the same duration as that Convention, unless they are renewed by mutual agreement among the parties concerned.

Fait au Caire, le 20 mars 1934.

Done at Cairo, March 20, 1934.

Plenipotentiaries.

Pour l'Afghanistan:

Pour l'Union de l'Afrique du Sud:
Pour M. H. J. LENTON:
F. G. W. TAYLOR.
F. G. W. TAYLOR.

Pour l'Albanie:
PAN. NASSE.

Pour l'Allemagne:
K. ORTH.
K. ZIEGLER.
DR. W. SEEBASS.

Pour les Etats-Unis d'Amérique:
JOHN E. LAMIELL.
Pour GEORGE F. SMITH:
JOHN E. LAMIELL.

Pour l'ensemble des Possessions insulaires des Etats-Unis d'Amérique autres que les Iles Philippines:
JOHN E. LAMIELL.
Pour GEORGE F. SMITH:
JOHN E. LAMIELL.

Pour les Iles Philippines:
FELIPE CUADERNO.

Pour le Royaume de l'Arabie Saoudite:
FAWZAN EL-SABEK.

Pour la République Argentine:
R. R. TULA.

Pour la Commonwealth de l'Australie:
Pour ARCHDALE PARKHILL:
M. B. HARRY.
M. B. HARRY.

Pour l'Autriche:
DR. RUDOLF KUHN

Pour la Belgique:
O. SCHOCKAERT.
E. MONS.

Pour la Colonie du Congo belge:
G. TONDEUR.

Pour la Bolivie:
ERNESTO CÁCERES.
Pour EDMUNDO DE LA FUENTE:
ERNESTO CÁCERES.

Pour le Brésil:
C. M. DE FIGUEIREDO.
J. SANCHEZ PEREZ.

Pour la Bulgarie:
IV. KATZAROFF.

Pour le Canada:
Pour ARTHUR SAUVÉ:
E. J. UNDERWOOD.
Pour H. BEAULIEU:
E. J. UNDERWOOD.
E. J. UNDERWOOD.

Pour le Chili:
R. SUAREZ BARROS.

Pour la Chine:
HOO CHI-TSAI.
CHANG HSIN-HAI.
HUANG NAI-SHU.

Pour la République de Colombie:
E. ZALDÚA P.

Pour la République de Costa-Rica:
AD REFERENDUM,
P. MARTINEZ T.

Pour la République de Cuba:
ALFREDO ASSIR.

Pour le Danemark:
C. MONDRUP.
ARNE KROG.

Pour la Ville libre de Danzig:
R. STARZYŃSKI.

Pour la République Dominicaine:
LUIS ALEJANDRO AGUILAR.

Pour l'Egypte:
M. CHARARA.
E. MAGGIAR.
S. A. GHALWASH.

Pour l'Equateur:
E. L. ANDRADE.

Plenipotentiaries—Continued.

Pour l'Espagne:
ALONSO CARO.
A. RAMOS.

Pour l'ensemble des Colonies espagnoles:
DEMETRIO PEREDA.

Pour l'Estonie:
G. E. F. ALBRECHT.

Pour l'Ethiopie:
ALAMOU TCH.

Pour la Finlande:
G. E. F. ALBRECHT.

Pour la France:
M. LEBON.
L. GENTHON.
P. GRANDSIMON.
A. CABANNE.
DUSSERRE.

Pour l'Algérie:
E. HUGUENIN.

Pour les Colonies et Protectorats français de l'Indochine:
NICOLAS.

Pour l'ensemble des autres Colonies françaises:
J. CASSAGNAC.

Pour le Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord:
F. H. WILLIAMSON.
W. G. GILBERT.
D. O. LUMLEY.

Pour la Grèce:
V. DENDRAMIS.
J. LACHNIDAKIS.

Pour le Guatémala:
VICTOR DURÁN M.

Pour la République d'Haïti:

Pour la République du Honduras:
DR. TUCCIMEI.

Pour la Hongrie:
GABRIEL BARON SZALAY.
CHARLES DE FORSTER.

Pour l'Inde britannique:
P. N. MUKERJI.
S. C. GUPTA.
MOHD. AL HASAN.

Pour l'Iraq:
DOUGLAS W. GUMBLEY.
JOS. SHAUL.

Pour l'Etat libre d'Irlande:
P. S. Ó'H-ÉIGEARTAIGH.
S. S. PUIRSÉAL.

Pour l'Islande:
C. MONDRUP.
ARNE KROG.

Pour l'Italie:
PIETRO TOSTI.
GALDI MICHELE.

Pour l'ensemble des Colonies italiennes:
CRETY DONATO.

Pour le Japon:
MASAO SEKI.
T. HARIMA.
J. KAGEYAMA.

Pour le Chosen:
MASAO SEKI.
RYUZO KAWAZURA.

Pour l'ensemble des autres Dépendances japonaises:
T. HARIMA.
H. FUJIKAWA.

Pour la Lettonie:
DR. REINHOLD FURRER.
LS L. ROULET.

Pour les Etats du Levant sous Mandat français (Syrie et Liban):
CLANFARELLI.
L. PERNOT.

Pour la République de Libéria:

Pour la Lithuanie:

Pour le Luxembourg:

Pour le Maroc (à l'exclusion de la Zone espagnole):
H. DUTEIL.

Plenipotentiaries—Continued.

Pour le Maroc (Zone espagnole):
A. RAMOS.

Pour le Mexique:
P. MARTINEZ T.

Pour le Nicaragua:
VICTOR DURÁN M.

Pour la Norvège:
KLAUS HELSING.
OSKAR HOMME.

Pour la Nouvelle-Zélande:
G. MCNAMARA.

Pour la République de Panama:
E. ZALDÚA P.

Pour le Paraguay:
R. R. TULA.

Pour les Pays-Bas:
DUYNSTEE.
V. GOOR.

Pour Curaçao et Surinam:
HOOGEWOONING.

Pour les Indes néerlandaises:
PERK.
BRIL.
HOOGEWOONING.

Pour le Pérou:
ERNESTO CÁCERES.
POUR EDMUNDO DE LA FUENTE:
ERNESTO CÁCERES.

Pour la Perse:
S. A. RAD.
R. ARDJOMENDE.

Pour la Pologne:
R. STARZYŃSKI.

Pour le Portugal:
A. DE Q. R. VAZ PINTO.
A. C. BIANCHI.

Pour les Colonies portugaises de l'Afrique occidentale:
ERNESTO JULIO NAVARRO.

Pour les Colonies portugaises de l'Afrique orientale, de l'Asie et de l'Océanie:
MARIO CORRÊA BARATA DA CRUZ.

Pour la Roumanie:
ILARIU MANEANU.
CONST. STEFANESCU.

Pour la République de Saint-Marin:
CRETY DONATO.

Pour la République de El Salvador:

Pour le Territoire de la Sarre:

Pour le Siam:

Pour la Suède:
ANDERS ÖRNE.
GUNNAR LAGER.
ARVID BILDT.

Pour la Confédération Suisse:
DR. REINHOLD FURRER.
LS ROULET.

Pour la Tchécoslovaquie:
VÁCLAV KUČERA.
JOSEF RADA.

Pour la Tunisie:
H. DUTEIL.

Pour la Turquie:
YUSUF ARIFI.
M. SAKIN.
M. TEVFIK.

Pour l'Union des Républiques Soviétiques Socialistes:
DR. EUGÉNE HIRSCHFELD.
DR. S. RAPOPORT.
HEL. SEREBRIAKOVA.

Pour la République O. de l'Uruguay:
ARTURO C. MASANÉS.

Pour l'Etat de la Cité du Vatican:
MGR. GIUSEPPE MAZZOLI.

Pour les Etats-Unis de Vénézuela:
LOUIS ALEJANDRO AGUILAR.

Pour l'Yémen:

Pour le Royaume de Yougoslavie:
KOSTA ZLATANOVITCH.

Having examined and considered the provisions of the foregoing Air-Mail Provisions, signed at Cairo on the 20th day of March, 1934, relative to the Universal Postal Convention of Cairo, signed the same day; the same are by me, by virtue of the powers vested by law in the Postmaster General, hereby ratified and approved, by and with the advice and consent of the President of the United States of America. Ratified and approved by Postmaster General.

This ratification is applicable to the United States of America, the insular possessions of the United States of America mentioned in Article 8 (1°), and to Samoa and the Panama Canal Zone. *Ante*, p. 2747.

In witness whereof, I have caused the seal of the Post Office Department of the United States of America to be hereto affixed this thirteenth day of September, 1934.

(SEAL)

JAMES A FARLEY
Postmaster General.

I hereby approve the above-mentioned Air-Mail Provisions, and in testimony thereof have caused the seal of the United States of America to be hereto affixed. Approved by the President.

(SEAL)

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State

Washington, October 4, 1934

Final Protocol.

PROTOCOLE FINAL DES DISPOSITIONS CONCERNANT LE TRANSPORT DE LA POSTE AUX LETTRES PAR VOIE AÉRIENNE.

I

Frais de transport aérien des dépêches closes.

British India and Soviet Republics transit charges.

Les Administrations de l'Inde britannique et de l'Union des Républiques Soviétiques Socialistes ont la faculté de percevoir, pour chaque parcours de leur réseau aérien interne, les frais de transport prévus à l'article 12.

II

Faculté de réduire l'échelon de poids unitaire des correspondances-avion.

Reducing weight-unit.

Les Administrations dont le système de poids le permet ont la faculté d'adopter des échelons d'un poids inférieur à celui de 20 grammes prévu à l'article 4, § 2. Dans ce cas, la surtaxe est fixée suivant l'échelon de poids adopté.

III

Surtaxes exceptionnelles en faveur de certains pays d'Europe.

Exceptional surcharges by certain European countries.

Les Administrations d'Europe qui, par suite de la situation géographique de leurs pays, éprouvent des difficultés à adopter une surtaxe uniforme pour toute l'Europe sont autorisées à percevoir des surtaxes proportionnelles aux distances, suivant les dispositions de l'article 4, § 2.

Cette faculté est accordée également aux autres pays d'Europe pour leur trafic avec les pays mentionnés à l'alinéa précédent.

Fait au Caire, le 20 mars 1934.

FINAL PROTOCOL OF THE PROVISIONS CONCERNING THE TRANSPORTATION OF REGULAR MAILS BY AIR

I

Aerial transportation charges for closed mails

The Administrations of British India and the Union of Socialistic Soviet Republics have the option of collecting, for each section of their domestic air systems, the transportation charges provided for in Article 12.

II

Option of reducing the weight-unit for air-mail correspondence

Administrations whose system of weights permits it have the option of adopting units of weight lower than that of 20 grams provided for in Article 4, Section 2. In that case, the surcharge is fixed in accordance with the scale of weight adopted.

III

Exceptional surcharges in favor of certain European countries

Administrations of Europe which, due to the geographic situation of their countries, find it difficult to adopt a uniform surcharge for all Europe, are authorized to collect surcharges in proportion to the distances, in accordance with the provisions of Article 4, Section 2.

That option is also granted to other European countries in their relations with the countries mentioned in the preceding paragraph.

Done at Cairo, March 20, 1934.

Pour l'Afghanistan:

Pour l'Union de l'Afrique du Sud:
Pour M. H. J. LENTON:
F. G. W. TAYLOR.
F. G. W. TAYLOR.

Pour l'Albanie:
PAN. NASSE.

Pour l'Allemagne:
K. ORTH.
K. ZIEGLER.
DR. W. SEEBASS.

Pour les Etats-Unis d'Amérique:
JOHN E. LAMIELL.
Pour GEORGE F. SMITH:
JOHN E. LAMIELL.

Pour l'ensemble des Possessions insulaires des Etats-Unis d'Amérique autres que les Iles Philippines:
JOHN E. LAMIELL.
Pour GEORGE F. SMITH:
JOHN E. LAMIELL.

Pour les Iles Philippines:
FELIPE CUADERNO.

Pour le Royaume de l'Arabie Saoudite:
FAWZAN EL-SABEK.

Pour la République Argentine:
R. R. TULA.

Pour la Commonwealth de l'Australie:
Pour ARCHDALE PARKHILL:
M. B. HARRY.
M. B. HARRY.

Pour l'Autriche:
DR. RUDOLF KUHN.

Pour la Belgique:
O. SCHOCKAERT.
E. MONS.

Pour la Colonie du Congo belge:
G. TONDEUR.

Pour la Bolivie:
ERNESTO CÁCERES.
Pour EDMUNDO DE LA FUENTE:
ERNESTO CÁCERES.

Pour le Brésil:
C. M. DE FIGUEIREDO.
J. SANCHEZ PEREZ.

Pour la Bulgarie:
IV. KATZAROFF.

Pour le Canada:
Pour ARTHUR SAUVÉ:
E. J. UNDERWOOD.
Pour H. BEAULIEU:
E. J. UNDERWOOD.
E. J. UNDERWOOD.

Pour le Chili:
R. SUAREZ BARROS.

Pour la Chine:
HOO CHI-TSAI.
CHANG HSIN-HAI.
HUANG NAI-SHU.

Pour la République de Colombie:
E. ZALDÚA P.

Pour la République de Costa-Rica:
AD REFERENDUM,
P. MARTINEZ T.

Pour la République de Cuba:
ALFREDO ASSIR.

Pour le Danemark:
C. MONDRUP.
ARNE KROG.

Pour la Ville libre de Danzig:
R. STARZYŃSKI.

Pour la République Dominicaine:
LUIS ALEJANDRO AGUILAR.

Pour l'Egypte:
M. CHARARA.
E. MAGGIAR.
S. A. GHALWASH.

Pour l'Equateur:
E. L. ANDRADE.

Pour l'Espagne:
ALONSO CARO.
A. RAMOS.

Pour l'ensemble des Colonies espagnoles:
DEMETRIO PEREDA.

Pour l'Estonie:
G. E. F. ALBRECHT.

Plenipotentiaries—Continued.

Pour l'Ethiopie:
ALAMOU TCH.

Pour la Finlande:
G. E. F. ALBRECHT.

Pour la France:
M. LEBON.
L. GENTHON.
P. GRANDSIMON.
A. CABANNE.
DUSSERRE.

Pour l'Algérie:
E. HUGUENIN.

Pour les Colonies et Protectorats français de l'Indochine:
NICOLAS.

Pour l'ensemble des autres Colonies françaises:
J. CASSAGNAC.

Pour le Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord:
F. H. WILLIAMSON.
W. G. GILBERT.
D. O. LUMLEY.

Pour la Grèce:
V. DENDRAMIS.
J. LACHNIDAKIS.

Pour le Guatémala:
VICTOR DURÁN M.

Pour la République d'Haiti:

Pour la République du Honduras:
DR. TUCCIMEI.

Pour la Hongrie:
GABRIEL BARON SZALAY.
CHARLES DE FORSTER.

Pour l'Inde britannique:
P. N. MUKERJI.
S. C. GUPTA.
MOHD. AL HASAN.

Pour l'Iraq:
DOUGLAS W. GUMBLEY.
JOS. SHAUL.

Pour l'Etat libre d'Irlande:
P. S. Ó'H-ÉIGEARTAIGH.
S. S. PUIRSÉAL.

Pour l'Islande:
C. MONDRUP.
ARNE KROG.

Pour l'Italie:
PIETRO TOSTI.
GALDI MICHELE.

Pour l'ensemble des Colonies italiennes:
CRETY DONATO.

Pour le Japon:
MASAO SEKI.
T. HARIMA.
J. KAGEYAMA.

Pour le Chosen:
MASAO SEKI.
RYUZO KAWAZURA.

Pour l'ensemble des autres Dépendances japonaises:
T. HARIMA.
H. FUJIKAWA.

Pour la Lettonie:
DR. REINHOLD FURRER.
LS ROULET.

Pour les Etats du Levant sous Mandat français (Syrie et Liban):
CIANFARELLI.
L. PERNOT.

Pour la République de Libéria:

Pour la Lithuanie:

Pour le Luxembourg:

Pour le Maroc (à l'exclusion de la Zone espagnole):
H. DUTEIL.

Pour le Maroc (Zone espagnole):
A. RAMOS.

Pour le Mexique:
P. MARTINEZ T.

Plenipotentiaries—Continued.

Pour le Nicaragua:
VICTOR DURÁN M.

Pour la Norvège:
KLAUS HELSING.
OSKAR HOMME

Pour la Nouvelle-Zélande:
G. MCNAMARA.

Pour la République de Panama:
E. ZALDÚA P.

Pour le Paraguay:
R. R. TULA.

Pour les Pays-Bas:
DUYNSTEE.
V. GOOR.

Pour Curaçao et Surinam:
HOOGEWOONING.

Pour les Indes néerlandaises:
PERK
BRIL.
HOOGEWOONING.

Pour le Pérou:
ERNESTO CÁCERES.
POUR EDMUNDO DE LA FUENTE:
ERNESTO CÁCERES.

Pour la Perse:
S. A. RAD.
R. ARDJOMENDE.

Pour la Pologne:
R. STARZYŃSKI.

Pour le Portugal:
A. DE Q. R. VAZ PINTO.
A. C. BIANCHI.

Pour les Colonies portugaises de l'Afrique occidentale:
ERNESTO JULIO NAVARRO.

Pour les Colonies portugaises de l'Afrique orientale, de l'Asie et de l'Océanie:
MARIO CORRÊA BARATA DA CRUZ.

Pour la Roumanie:
ILARIU MANEANU.
C. STEFANESCU.

Pour la République de Saint-Marin:
CRETY DONATO.

Pour la République de El Salvador:

Pour le Territoire de la Sarre:

Pour le Siam:

Pour la Suède:
ANDERS ÖRNE.
GUNNAR LAGER.
ARVID BILDT.

Pour la Confédération Suisse:
DR. REINHOLD FURRER.
LS ROULET.

Pour la Tchécoslovaquie:
VÁCLAV KUČERA.
JOSEF RADA.

Pour la Tunisie:
H. DUTEIL.

Pour la Turquie:
YUSUF ARIFI.
M. SAKIN.
M. TEVFIK.

Pour l'Union des Républiques Soviétiques Socialistes:
DR. EUGÈNE HIRSCHFELD.
DR. S. RAPOPORT.
HEL. SEREBRIAKOVA.

Pour la République O. de l'Uruguay:
ARTURO C. MASANÉS.

Pour l'Etat de la Cité du Vatican:
MGR. GIUSEPPE MAZZOLI.

Pour les Etats-Unis de Vénézuela:
LUIS ALEJANDRO AGUILAR.

Pour l'Yémen:

Pour le Royaume de Yougoslavie:
KOSTA ZLATANOVITCH.

Approved by the Postmaster General.

Having examined and considered the provisions of the foregoing Final Protocol to the Air-Mail Provisions, signed at Cairo on the 20th day of March, 1934, relative to the Universal Postal Convention of Cairo, signed the same day; the same is by me, by virtue of the powers vested by law in the Postmaster General, hereby ratified and approved, by and with the advice and consent of the President of the United States of America.

This ratification is applicable to the United States of America, the insular possessions of the United States of America mentioned in Article 8 (1°), and to Samoa and the Panama Canal Zone.

Ante, p. 2747.

In witness whereof, I have caused the seal of the Post Office Department of the United States of America to be hereto affixed this thirteenth day of September, 1934.

[SEAL]

JAMES A FARLEY
Postmaster General.

Approved by the President.

I hereby approve the above-mentioned Final Protocol to the Air-Mail Provisions, and in testimony thereof have caused the seal of the United States of America to be hereto affixed.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL
Secretary of State

Washington, October 4, 1934.

ADMINISTRATION DES POSTES
d----------

AV 1
(Art. 14, § 1)

LISTE DES LIGNES AÉRIENNES, DES PAYS DESSERVIS ET DES SURTAXES AÉRIENNES

N° d'ordre	Noms des pays desservis par voie aérienne	Parcours	Nom de la Compagnie	Longueur réelle de la ligne et classement des services (S. O. ou S. E.) (km.)	Durée du trajet en		Périodicité du service	Frais de transport par kilogramme pour le parcours aérien				Pays auquel les frais de transport aérien doivent être payés	Surtaxe aérienne perçue en monnaie de leur pays	Renseignements complémentaires (période d'exploitation, admission de lettres et boîtes avec valeur déclarée, décision au sujet de l'usage du droit stipulé à l'article 12, § 7, etc.)
					jours	heures		jusqu'au pays de destination		dans le pays de destination même				
1	2	3a	3b	4	5	6	7	8		9		10	11	12
								Fr.	c.	Fr.	c.			
	1. SERVICE INTÉRIEUR													
	Distance moyenne pour la bonification du transport aérien des correspondances-avion destinées à l'intérieur----------km.													
1														
2														
3														
4														
etc.														
	2. SERVICE INTERNATIONAL													
1														
2														
3														
4														
5														
etc.														

(Dimensions: 210×297 mm.)

FORMULES

Appendixes.
Forms.
AV 1.

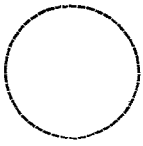
Forms.
AV 2.

AV 2
(Art. 17, § 2)

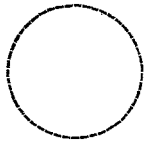
ADMINISTRATION EXPÉDITRICE
DE LA DÉPÊCHE:

ADMINISTRATION DESTINATAIRE
DE LA DÉPÊCHE:

Timbre du bureau expéditeur



Timbre du bureau destinataire



BORDEREAU

DES POIDS DES CORRESPONDANCES-AVION

contenues dans la dépêche $\frac{\text{ordinaire}}{\text{-avion}}$

du bureau d'échange d_____

pour le bureau d'échange d_____

expédiée le _____ 19____à____h___m.

Numéro d'ordre 1	Noms des pays de destination des correspondances-avion 2	Poids net Grammes 3	Observations 4

(Dimensions: 210×297 mm.)

AV 3 (Art. 19, § 1) Forms. AV 3.

ADMINISTRATION EXPÉDITRICE DE LA DÉPÊCHE:

ADMINISTRATION RÉACHEMINANT LA DÉPÊCHE:

TRANSPORT AÉRIEN DE DÉPÊCHES-AVION CLOSES

Relevé des poids bruts des dépêches-avion réacheminées par le bureau d'échange d _____

pendant la période de la statistique [1]) du _____ au _____ 19

Numéro d'ordre	Date d'expédition du bureau d'origine	Bureau d'origine	N° de la dépêche	Bureau de destination	La dépêche a été réacheminée par voie aérienne d _____ à _____	N° de la ligne aérienne utilisée	Poids brut de la dépêche Grammes	Observations
1	2	3	4	5	6	7	8	9
						Total		

_____, le _____ 19____

Le Chef du bureau transitaire:

_____, le _____ 19____

Vu et accepté:
Le Chef du bureau d'origine:

[1]) Lorsque le décompte a lieu sur la base des poids réellement transportés, le relevé est établi par mois.

(Dimensions: 210×297 mm.)

Forms.
AV 4.

AV 4
(art. 19, § 2)

ADMINISTRATION EXPÉDITRICE DE LA DÉPÊCHE: ----------

OFFICE DESTINATAIRE DE LA DÉPÊCHE: ----------

TRANSPORT AÉRIEN DE CORRESPONDANCES-AVION

Relevé du poids net des correspondances-avion contenues dans les dépêches $\frac{\text{-avion}}{\text{ordinaires}}$ du bureau d'échange

d---------- pour le bureau d'échange d---------- expédiées pendant la période de la stastitique [1]) du ---------- au ---------- 19

N° d'ordre	N° de la dépêche	Date d'expédition du bureau d'origine	N° de la ligne aérienne utilisée	Poids des correspondances-avion destinées au pays de réception de la dépêche [2])	Poids net des correspondances-avion destinées à d'autres pays		Pays de destination	Observations
					Parcours aériens inter médiaires	Parcours aérien dans le pays de destination [2])		
				Grammes	Grammes	Grammes		
1	2	3	4	5	6	7	8	9
			Total----					

[1]) Lorsque le décompte a lieu sur la base des poids réellement transportés, le relevé est établi par mois.
[2]) Les colonnes 5 et 7 ne sont remplies que dans le cas où le pays de destination des correspondances-avion se charge de leur réacheminement par la voie aérienne à l'intérieur de son territoire. Les correspondances-avion destinées à la localité de l'aéroport de réception d'une dépêche-avion n'entrent pas dans le calcul de poids.

----------, le ---------- 19----

Le Chef du bureau transitaire:

----------, le ---------- 19----

Vu et accepté:
Le Chef du bureau d'origine:

(Dimensions: 210×297 mm.)

Convention between the United States of America and other American Republics on Nationality of Women. Signed at Montevideo, December 26, 1933; ratification advised by the Senate, May 24, 1934; ratified by the President, June 30, 1934; ratification of the United States of America deposited with the Pan American Union, July 13, 1934; proclaimed, October 11, 1934.

December 26, 1933.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Pan American convention on nationality of women. Preamble.

WHEREAS a Convention on the Nationality of Women was signed by the respective Plenipotentiaries of the United States of America, with a reservation; Honduras, with a reservation; El Salvador, with a reservation; Dominican Republic; Haiti; Argentina; Uruguay; Paraguay; Mexico; Panama; Bolivia; Guatemala; Brazil; Ecuador; Nicaragua; Colombia; Chile; Peru and Cuba at the Seventh International Conference of American States at Montevideo, Uruguay, on December 26, 1933, the English and Spanish texts of which Convention are word for word as follows:

CONVENTION ON THE NATIONALITY OF WOMEN

The Governments represented in the Seventh International Conference of American States:

Plenipotentiaries.

Wishing to conclude a Convention on the Nationality of Women, have appointed the following Plenipotentiaries:

Honduras:
MIGUEL PAZ BARAONA
AUGUSTO C. COELLO
LUIS BOGRÁN

United States of America:
CORDELL HULL
ALEXANDER W. WEDDELL
J. REUBEN CLARK
J. BUTLER WRIGHT
SPRUILLE BRADEN
Miss SOPHONISBA P. BRECKINRIDGE.

El Salvador:
HÉCTOR DAVID CASTRO
ARTURO RAMÓN AVILA
J. CIPRIANO CASTRO.

Dominican Republic:
TULIO M. CESTERO.

Plenipotentiaries—Continued.

Haiti:

JUSTIN BARAU
FRANCIS SALGADO
ANTOINE PIERRE-PAUL
EDMOND MANGONÉS.

Argentina:

CARLOS SAAVEDRA LAMAS
JUAN F. CAFFERATA
RAMÓN S. CASTILLO
CARLOS BREBBIA
ISIDORO RUIZ MORENO
LUIS A. PODESTÁ COSTA
RAÚL PREBISCH
DANIEL ANTOKOLETZ.

Venezuela:

CÉSAR ZUMETA
LUIS CHURION
JOSÉ RAFAEL MONTILLA.

Uruguay:

ALBERTO MAÑÉ
JUAN JOSÉ AMÉZAGA
JOSÉ G. ANTUÑA
JUAN CARLOS BLANCO
Señora SOFÍA A. V. DE DEMICHELI
MARTÍN R. ECHEGOYEN
LUIS ALBERTO DE HERRERA
PEDRO MANINI RÍOS
MATEO MARQUES CASTRO
RODOLFO MEZZERA
OCTAVIO MORATÓ
LUIS MORQUIO
TEÓFILO PIÑEYRO CHAIN
DARDO REGULES
JOSÉ SERRATO
JOSÉ PEDRO VARELA.

Paraguay

JUSTO PASTOR BENÍTEZ
GERÓNIMO RIART
HORACIO A. FERNÁNDEZ
Señorita MARÍA F. GONZÁLEZ

Mexico:

JOSÉ MANUEL PUIG CASAURANC
ALFONSO REYES
BASILIO VADILLO
GENARO V. VÁSQUEZ
ROMEO ORTEGA
MANUEL J. SIERRA
EDUARDO SUÁREZ

Panama:

J. D. AROSEMENA
EDUARDO E. HOLGUÍN
OSCAR R. MULLER
MAGÍN PONS

Plenipotentiaries—Continued.

Bolivia:

CASTO ROJAS
DAVID ALVÉSTEGUI
ARTURO PINTO ESCALIER

Guatemala:

ALFREDO SKINNER KLEE
JOSÉ GONZÁLEZ CAMPO
CARLOS SALAZAR
MANUEL ARROYO

Brazil:

AFRANIO DE MELLO FRANCO
LUCILLO A. DA CUNHA BUENO
FRANCISCO LUIS DA SILVA CAMPOS
GILBERTO AMADO
CARLOS CHAGAS
SAMUEL RIBEIRO.

Ecuador:

AUGUSTO AGUIRRE APARICIO
HUMBERTO ALBORNOZ
ANTONIO PARRA
CARLOS PUIG VILASSAR
ARTURO SCARONE.

Nicaragua:

LEONARDO ARGÜELLO
MANUEL CORDERO REYES
CARLOS CUADRA PASOS.

Colombia:

ALFONSO LÓPEZ
RAIMUNDO RIVAS
JOSÉ CAMACHO CARREÑO.

Chile:

MIGUEL CRUCHAGA TOCORNAL
OCTAVIO SEÑORET SILVA
GUSTAVO RIVERA
JOSÉ RAMÓN GUTIÉRREZ
FÉLIX NIETO DEL RÍO
FRANCISCO FIGUEROA SÁNCHEZ
BENJAMÍN COHEN.

Peru:

ALFREDO SOLF Y MURO
FELIPE BARREDA LAOS
LUIS FERNÁN CISNEROS.

Cuba:

ANGEL ALBERTO GIRAUDY
HERMINIO PORTELL VILÁ
ALFREDO NOGUEIRA.

Who, after having exhibited their Full Powers, which were found in good and due form, have agreed upon the following:

ARTICLE 1

Sex equality as regards nationality.

There shall be no distinction based on sex as regards nationality, in their legislation or in their practice.

ARTICLE 2

Ratification.

The present convention shall be ratified by the High Contracting Parties in conformity with their respective constitutional procedures. The Minister of Foreign Affairs of the Republic of Uruguay shall transmit authentic certified copies to the governments for the aforementioned purpose of ratification.

Deposit of.

The instrument of ratification shall be deposited in the archives of the Pan American Union in Washington, which shall notify the signatory governments of said deposit.

Notice to signatories.

Such notification shall be considered as an exchange of ratifications.

ARTICLE 3

Effect.

The present convention will enter into force between the High Contracting Parties in the order in which they deposit their respective ratifications.

ARTICLE 4

Duration.

The present convention shall remain in force indefinitely but may be denounced by means of one year's notice given to the Pan American Union, which shall transmit it to the other signatory governments. After the expiration of this period the convention shall cease in its effects as regards the party which denounces but shall remain in effect for the remaining High Contracting Parties.

ARTICLE 5

Adherence, etc., by nonsignatories.

The present convention shall be open for the adherence and accession of the States which are not signatories. The corresponding instruments shall be deposited in the archives of the Pan American Union which shall communicate them to the other High Contracting Parties.

Signatures.

In witness whereof, the following Plenipotentiaries have signed this convention in Spanish, English, Portuguese and French and hereunto affix their respective seals in the city of Montevideo, Republic of Uruguay, this 26th day of December, 1933.

Honduras

Reservations, etc., by Honduras.

The Delegation of Honduras adheres to the Convention on Equality of Nationality, with the reservations and limitations which the Constitution and laws of our country determine.

M. PAZ BARAONA.—AUGUSTO C. COELLO.—LUIS BOGRÁN.

United States of America:

Reservation by United States of America.

The Delegation of the United States of America, in signing the Convention on the Nationality of Women makes the reservation that the agreement on the part of the United States is, of course and of necessity, subject to congressional action.

ALEXANDER W. WEDDELL.—J. BUTLER WRIGHT.

El Salvador

Reservation by El Salvador.

Reservation to the effect that in El Salvador the Convention cannot be the object of immediate ratification, but that it will be necessary to consider previously the desirability of reforming the existing Naturalization Law, ratification being obtained only in the event that such legislative reform is undertaken, and after it may have been effected.

HÉCTOR DAVID CASTRO.—ARTURO R. AVILA.

Dominican Republic: TULIO M. CESTERO.

Haiti: J. BARAU.—F. SALGADO.—EDMOND MANGONÉS (avec réserves).—A. PRRE. PAUL (avec réserves).

Argentina: CARLOS SAAVEDRA LAMAS.—JUAN F. CAFFERATA.—RAMÓN S. CASTILLO.—I. RUIZ MORENO.—L. A. PODESTÁ COSTA.—D. ANTOKOLETZ.

Uruguay: A. MAÑÉ.—JOSÉ PEDRO VARELA.—MATEO MARQUES CASTRO.—DARDO REGULES.—SOFÍA ALVAREZ VIGNOLI DE DEMICHELI.—TEÓFILO PIÑEYRO CHAIN.—LUIS A. DE HERRERA.—MARTÍN R. ECHEGOYEN.—JOSÉ G. ANTUÑA.—J. C. BLANCO.—PEDRO MANINI RÍOS.—RODOLFO MEZZERA.—OCTAVIO MORATÓ.—LUIS MORQUIO.—JOSÉ SERRATO.

Paraguay: JUSTO PASTOR BENÍTEZ.—MARÍA F. GONZÁLEZ.

Mexico: B. VADILLO.—M. J. SIERRA.—EDUARDO SUÁREZ.

Panama: J. D. AROSEMENA.—MAGIN PONS.—EDUARDO E. HOLGUIN.

Bolivia: ARTURO PINTO ESCALIER.

Guatemala: A. SKINNER KLEE.—J. GONZÁLEZ CAMPO.—CARLOS SALAZAR.—M. ARROYO.

Brazil: LUCILLO A. DA CUNHA BUENO.—GILBERTO AMADO.

Ecuador: A. AGUIRRE APARICIO.—H. ALBORNOZ.—ANTONIO PARRA V.—C. PUIG V.—ARTURO SCARONE.

Nicaragua: LEONARDO ARGÜELLO.—M. CORDERO REYES.—CARLOS CUADRA PASOS.

Colombia: ALFONSO LÓPEZ.—RAIMUNDO RIVAS.

Chile: MIGUEL CRUCHAGA.—J. RAMÓN GUTIÉRREZ.—F. FIGUEROA.—F. NIETO DEL RÍO.—B. COHEN.

Peru: ALFREDO SOLF Y MURO.

Cuba: ALBERTO GIRAUDY.—HERMINIO PORTELL VILÁ.—Ing. A. E. NOGUEIRA.

CONVENCIÓN SOBRE NACIONALIDAD DE LA MUJER

Los Gobiernos representados en la Séptima Conferencia Internacional Americana,

Deseosos de concertar un convenio acerca de Nacionalidad de la Mujer, han nombrado los siguientes Plenipotenciarios:

Honduras:

MIGUEL PAZ BARAONA
AUGUSTO C. COELLO
LUIS BOGRÁN

Estados Unidos de América:

CORDELL HULL
ALEXANDER W. WEDDELL
J. REUBEN CLARK
J. BUTLER WRIGHT
SPRUILLE BRADEN
Miss SOPHONISBA P. BRECKINRIDGE.

El Salvador:

HÉCTOR DAVID CASTRO
ARTURO RAMÓN AVILA
J. CIPRIANO CASTRO.

República Dominicana:

TULIO M. CESTERO.

Haití:

JUSTIN BARAU
FRANCIS SALGADO
ANTOINE PIERRE-PAUL
EDMOND MANGONÉS.

Argentina:

CARLOS SAAVEDRA LAMAS
JUAN F. CAFFERATA
RAMÓN S. CASTILLO
CARLOS BREBBIA
ISIDORO RUIZ MORENO
LUIS A. PODESTÁ COSTA
RAÚL PREBISCH
DANIEL ANTOKOLETZ.

Venezuela:

CÉSAR ZUMETA
LUIS CHURION
JOSÉ RAFAEL MONTILLA.

Uruguay:

ALBERTO MAÑÉ
JUAN JOSÉ AMÉZAGA
JOSÉ G. ANTUÑA
JUAN CARLOS BLANCO
Señora SOFÍA A. V. DE DEMICHELI
MARTÍN R. ECHEGOYEN
LUIS ALBERTO DE HERRERA
PEDRO MANINI RÍOS
MATEO MARQUES CASTRO
RODOLFO MEZZERA
OCTAVIO MORATÓ
LUIS MORQUIO
TEÓFILO PIÑEYRO CHAIN
DARDO REGULES
JOSÉ SERRATO
JOSÉ PEDRO VARELA.

Paraguay:

JUSTO PASTOR BENÍTEZ
GERÓNIMO RIART
HORACIO A. FERNÁNDEZ
Señorita MARÍA F. GONZÁLEZ

México:

José Manuel Puig Casauranc
Alfonso Reyes
Basilio Vadillo
Genaro V. Vasquez
Romeo Ortega
Manuel J. Sierra
Eduardo Suárez

Panamá:

J. D. Arosemena
Eduardo E. Holguín
Oscar R. Muller
Magín Pons

Bolivia:

Casto Rojas
David Alvéstegui
Arturo Pinto Escalier

Guatemala:

Alfredo Skinner Klee
José González Campo
Carlos Salazar
Manuel Arroyo
Ramiro Fernández.

Brasil:

Afranio de Mello Franco
Lucillo A. da Cunha Bueno
Francisco Luis da Silva Campos
Gilberto Amado
Carlos Chagas
Samuel Ribeiro.

Ecuador:

Augusto Aguirre Aparicio
Humberto Albornoz
Antonio Parra
Carlos Puig Vilassar
Aturo Scarone.

Nicaragua:

Leonardo Argüello
Manuel Cordero Reyes
Carlos Cuadra Pasos.

Colombia:

Alfonso López
Raimundo Rivas
José Camacho Carreño.

Chile:

Miguel Cruchaga Tocornal
Octavio Señoret Silva
Gustavo Rivera
José Ramón Gutiérrez
Féliz Nieto del Río
Francisco Figueroa Sánchez
Benjamín Cohen.

Peru:

ALFREDO SOLF Y MURO
FELIPE BARREDA LAOS
LUIS FERNÁN CISNEROS.

Cuba:

ANGEL ALBERTO GIRAUDY
HERMINIO PORTELL VILÁ
ALFREDO NOGUEIRA.

Quienes, después de haber exhibido sus Plenos Poderes, que fueron hallados en buena y debida forma, han convenido en lo siguiente:

ARTÍCULO 1

No se hará distinción alguna, basada en el sexo, en materia de nacionalidad, ni en la legislación ni en la práctica.

ARTÍCULO 2

La presente Convención será ratificada por las Altas Partes Contratantes, de acuerdo con sus procedimientos constitucionales. El Ministerio de Relaciones Exteriores de la República Oriental del Uruguay queda encargado de enviar copias certificadas auténticas a los Gobiernos para el referido fin. Los instrumentos de ratificación serán depositados en los archivos de la Unión Panamericana, en Wáshington, que notificará dicho depósito a los Gobiernos signatarios; tal notificación valdrá como canje de ratificaciones.

ARTÍCULO 3

La presente Convención entrará en vigor entre las Altas Partes Contratantes en el orden en que vayan depositando sus respectivas ratificaciones.

ARTÍCULO 4

La presente Convención regirá indefinidamente, pero podrá ser denunciada mediante aviso anticipado de un año a la Unión Panamericana, que la transmitirá a los demás Gobiernos signatarios. Transcurrido este plazo, la Convención cesará en sus efectos para el denunciante, quedando subsistente para las demás Altas Partes Contratantes.

ARTÍCULO 5

La presente Convención quedará abierta a la adhesión y accesión de los Estados no signatarios. Los instrumentos correspondientes serán depositados en los archivos de la Unión Panamericana, que los comunicará a las otras Altas Partes Contratantes.

En fé de lo cual, los Plenipotenciarios que a continuación se indican, firman y sellan la presente Convención en español, inglés, portugués y francés, en la ciudad de Montevideo, República Oriental del Uruguay, este vigésimosexto día del mes de diciembre del año de mil novecientos treinta y tres.

Honduras

La Delegación de Honduras se adhiere a la Convención de Igualdad de la Nacionalidad, con las reservas y limitaciones que determinen la Constitución y Leyes de nuestro país.

M. PAZ BARAONA.—AUGUSTO C. COELLO.—LUIS BOGRÁN.

Estados Unidos de America:

La Delegación de los Estados Unidos de América al firmar la Convención sobre Nacionalidad de la Mujer, hace la reserva de que el convenio, en cuanto atañe a los Estados Unidos está, como es de rigor y necesario, sujeto a la acción del Congreso.

ALEXANDER W. WEDDELL.—J. BUTLER WRIGHT.

El Salvador

Reserva de que en el El Salvador la Convención no podrá ser objeto de ratificación inmediata, sino que será necesario considerar primero la conveniencia de reformar la Ley de Extranjería vigente, obteniéndose la ratificación solamente en el caso de que tal reforma legislativa se verifique, y después de que ésta se haya realizado.

HÉCTOR DAVID CASTRO.—ARTURO R. AVILA.

Republica Dominicana: TULIO M. CESTERO.

Haiti: J. BARAU.—F. SALGADO.—EDMOND MANGONÉS (avec réserves).—A. PRRE. PAUL (avec réserves).

Argentina: CARLOS SAAVEDRA LAMAS.—JUAN F. CAFFERATA.—RAMÓN S. CASTILLO.—I. RUIZ MORENO.—L. A. PODESTÁ COSTA.—D. ANTOKOLETZ.

Uruguay: A. MAÑÉ.—JOSÉ PEDRO VARELA.—MATEO MARQUES CASTRO. — DARDO REGULES. — SOFÍA ALVAREZ VIGNOLI DE DEMICHELI.—TEÓFILO PIÑEYRO CHAIN.—LUIS A. DE HERRERA.—MARTÍN R. ECHEGOYEN.—JOSÉ G. ANTUÑA.—J. C. BLANCO.—PEDRO MANINI RÍOS.—RODOLFO MEZZERA.—OCTAVIO MORATÓ.—LUIS MORQUIO.—JOSÉ SERRATO.

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Brasil: LUCILLO A. DA CUNHA BUENO.—GILBERTO AMADO.

Ecuador: A. AGUIRRE APARICIO.—H. ALBORNOZ.—ANTONIO PARRA V.—C. PUIG V.—ARTURO SCARONE.

Nicaragua: LEONARDO ARGÜELLO.—M. CORDERO REYES.—CARLOS CUADRA PASOS.

Colombia: ALFONSO LÓPEZ.—RAIMUNDO RIVAS.

Chile: MIGUEL CRUCHAGA.—J. RAMÓN GUTIÉRREZ.—F. FIGUEROA.—F. NIETO DEL RÍO.—B. COHEN.

Peru: ALFREDO SOLF Y MURO.

Cuba: ALBERTO GIRAUDY.—HERMINIO PORTELL VILÁ.—Ing. A. E. NOGUEIRA.

Effective date.

Ante, p. 2960.

AND WHEREAS it is stipulated in Article 3 of the said Convention that the Convention will enter into force between the High Contracting Parties in the order in which they deposit their respective ratifications;

Ratification by United States of America and Chile.

AND WHEREAS the said Convention has been duly ratified on the parts of the United States of America and the Republic of Chile and their instruments of ratification were deposited with the Pan American Union on July 13, 1934, and August 29, 1934, respectively, in accordance with Article 2 of the said Convention;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Convention to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this eleventh day of October in the year of our Lord one thousand nine hundred and thirty-four and of the Independence of the United States of America the one hundred and fifty-ninth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

Parcel post agreement between the United States of America and Netherlands India, with regulations of execution. Signed at Bandoeng, June 14, 1934, at Washington, October 4, 1934; approved by the President, October 11, 1934.

June 14, 1934.
October 4, 1934.

AGREEMENT BETWEEN NETHERLANDS INDIA AND THE UNITED STATES OF AMERICA CONCERNING THE EXCHANGE OF PARCEL POST.

The undersigned, provided with full powers by their respective Governments, have by common consent and subject to ratifications by the competent superior authorities drawn up the following Agreement:

OVEREENKOMST TUSSCHEN NEDERLANDSCH-INDIË EN DE VEREENIGDE STATEN VAN AMERIKA BETREFFENDE DE UITWISSELING VAN POSTPAKKETTEN.

De ondergeteekenden, daartoe door hunne respectieve Regeeringen gevolmachtigd, hebben, in gemeen overleg en onder voorbehoud van bekrachtiging door de bevoegde hoogere autoriteiten, de navolgende Overeenkomst opgesteld:

Parcel post agreement with Netherlands India.

ARTICLE I.

OBJECT OF THE AGREEMENT.

Between the United States of America (including Alaska, Porto Rico, the Virgin Islands, Guam, Samoa, and Hawaii) on one hand, and Netherlands India on the other hand, there may be exchanged, under the denomination of parcel post, parcels up to the maximum weight and the maximum dimensions indicated in the Regulations of Execution.

ARTIKEL I.

DOEL VAN DE OVEREENKOMST.

Tusschen de Vereenigde Staten van Amerika (met inbegrip van Alaska, Porto Rico, de Vergineische Eilanden, Guam, Samoa en Hawaii) eenerzijds en Nederlandsch-Indië anderzijds, kunnen onder de benaming van postpakketten, pakketten worden uitgewisseld tot het maximum gewicht en de maximum afmetingen, aangegeven in het Reglement van Uitvoering.

Object.

Territory embraced.

ARTICLE II.

TRANSIT PARCELS.

1. Each Postal Administration guarantees the right of transit through its service, to or from any country with which it has parcel-post communication, of parcels originating in or addressed for delivery in the service of the other contracting Administration.

2. Each Postal Administration shall inform the other to which countries parcels may be sent through it as intermediary, and

ARTIKEL II.

TRANSITPAKKETTEN.

1. Iedere Postadministratie waarborgt het recht van doorvoer door haar dienst, naar of van eenig land waarmede zij een pakketpostverkeer onderhoudt, van pakketten afkomstig van of bestemd voor de andere contracteerende Administratie.

2. Elke Postadministratie deelt de andere mede: naar welke landen pakketten door haar tusschenkomst kunnen worden ver-

Transit parcels.

Rights guaranteed.

Notices.

the amount of the charges due to it therefore, as well as other conditions.

Intermediate Administration, requirements.

3. To be accepted for onward transmission, parcels sent by one of the contracting Administrations through the service of the other Administration must comply with the conditions prescribed from time to time by the intermediate Administration.

zonden, het bedrag van de haar daarvoor toekomende vergoedingen, zoomede andere voorwaarden.

3. Teneinde ter verdere doorzending te kunnen worden aangenomen, moeten pakketten, welke door een der contracteerende Administratiën in doorvoer door de andere Administratie worden verzonden, voldoen aan de voorwaarden, welke van tijd tot tijd door de Administratie die haar tusschenkomst verleent, worden vastgesteld.

Article III.

POSTAGE AND FEES.

Postage, etc. Collecting, from sender.

1. The Administration of origin is entitled to collect from the sender of each parcel the postage and the fees for requests for information as to the disposal of a parcel made after it has been posted, and also, in the case of insured parcels, the insurance fees and the fees for return receipts, that may from time to time be prescribed by its regulations.

Prepayment.

2. Except in the case of returned or redirected parcels, the postage and such of the fees mentioned in the preceding section as are applicable, must be prepaid.

Artikel III.

PORTEN EN RECHTEN.

1. De Administratie van oorsprong heeft het recht van den afzender van elk pakket het port te heffen en de rechten voor een navraag, gedaan na de terpostbezorging van een pakket, zoomede, met betrekking tot pakketten met aangegeven waarde, het recht wegens aangegeven waarde en het recht voor een bericht van ontvangst, zooals deze rechten van tijd tot tijd bij haar reglementen zullen worden vastgesteld.

2. Behoudens in geval van na- of teruggezonden pakketten, moeten het port en de rechten bedoeld in de voorgaande paragraaf, voor zoover zij worden toegepast, worden vooruitbetaald.

Article IV.

Preparation of parcels.

PREPARATION OF PARCELS.

Packing.

Every parcel shall be packed in a manner adequate for the length of the journey and the protection of the contents as set forth in the Regulations of Execution.

Post, p. 2986.

Artikel IV.

WIJZE VAN VERPAKKING VAN PAKKETTEN.

Elk pakket moet verpakt zijn op een wijze, waarbij rekening gehouden is met den duur van het vervoer en de beveiliging van den inhoud, zooals in het Reglement van Uitvoering is aangegeven.

Article V.

Prohibitions.

PROHIBITIONS.

Articles specified.

1. The following articles are prohibited transmission by parcel post:

Letters, etc.

(a) A letter or a communication having the nature of a letter.

Artikel V.

VERBODSBEPALINGEN.

1. De navolgende artikelen mogen niet in postpakketten worden verzonden:

(a) Een brief of een mededeeling, welke het karakter van een

Nevertheless it is permitted to enclose in a parcel an open invoice, confined to the particulars which constitute an invoice, and also a simple copy of the address of the parcel, that of the sender being added.

(b) An enclosure which bears an address different from that placed on the cover of the parcel.

(c) Any live animal.

(d) Any article the admission of which is forbidden by the Customs or other laws or regulations in force in either country.

(e) Any explosive or inflammable article, and in general, any article the conveyance of which is dangerous, including articles which from their nature or packing may be a source of danger to postal employees or may soil or damage other parcels.

(f) Obscene or immoral articles.

(g) It is, moreover, forbidden to send coin, bank notes, currency notes, or any kind of securities payable to bearer, platinum, gold or silver (whether manufactured or unmanufactured), precious stones, jewels, or other precious articles in uninsured parcels.

2. When a parcel contravening any of these prohibitions is handed over by one Administration to the other, the latter shall proceed in accordance with its laws and inland regulations. Explosive or inflammable articles, as well as documents, pictures and other articles injurious to public morals may be destroyed on the spot by the Administration which has found them in the mails.

The fact that a parcel contains a letter, or a communication having the nature of a letter, may not, in any case, entail the return

brief heeft. Niettemin is het geoorloofd een open factuur, die alleen de gewone opgaven van een dergelijk stuk bevat in een pakket te sluiten, alsmede een afschrift van het adres van het pakket waarop dat van den afzender eveneens kan worden vermeld.

With different address.

(b) Een stuk, hetwelk een ander adres draagt dan dat vermeld op den omslag van het pakket.

Live animals.

(c) Levende dieren.

Nonadmissible articles.

(d) Voorwerpen, waarvan de invoer door douane- of andere wetten of reglementen, welke in een van beide landen van kracht zijn, is verboden.

Explosives.

(e) Ontplofbare of ontvlambare stoffen, en in het algemeen, stoffen, waarvan het vervoer gevaarlijk is, waaronder mede zijn te begrijpen artikelen, welke door hun aard of verpakking gevaar kunnen opleveren voor postambtenaren of andere pakketten kunnen verontreinigen of beschadigen.

Obscene, etc., articles.

(f) Voorwerpen van onzedelijken of voor de eerbaarheid aanstootelijken aard.

Designated uninsured articles.

(g) Bovendien is de verzending verboden van muntstukken, bank- en muntbiljetten, of andere waarden aan toonder, platina, goud of zilver (al dan niet bewerkt), edelgesteenten, juweelen, of andere kostbaarheden in pakketten zonder aangegeven waarde.

Prohibited articles erroneously handled.

2. Wanneer een pakket vallende onder deze verbodsbepalingen door de eene Administratie aan de andere is afgegeven, handelt de laatste in overeenstemming met haar wetten en binnenlandsche reglementen. Ontplofbare of ontvlambare stoffen, zoowel als stukken, afbeeldingen en andere voorwerpen, aanstootelijk voor de eerbaarheid, kunnen door de Administratie, die ze in haar pakketpostzendingen aantreft, ter plaatse worden vernietigd.

Parcel containing a letter.

Het feit, dat een pakket een brief of schrifturen, het karakter van een brief hebbende, bevat, kan nimmer de terugzending van

of the parcel to the sender. The letter is, however, marked for the collection of postage due from the addressee at the regular rate.

het pakket aan den afzender ten gevolge hebben. De brief wordt op de gewone wijze met port belast, welk port door den geadresseerde verschuldigd is.

List of prohibited articles to be published.

The two Administrations advise each other, by means of the List of Prohibited Articles published by the International Bureau of the Universal Postal Union, of all prohibited articles. However, they do not assume, on that account, any responsibility towards the customs or police authorities, or the sender.

De beide Administratiën doen elkander, door middel van de "Liste des Objets Interdits", uitgegeven door het Internationaal Bureel van de Wereldpostvereeniging, mededeeling van alle verboden artikelen. Evenwel aanvaarden zij uit dien hoofde geenerlei aansprakelijkheid tegenover de douane, de politieautoriteiten of den afzender.

Article VI.

Artikel VI.

Insurance.

INSURANCE.

AANGEGEVEN WAARDE.

Maximum.

Parcels may be insured up to the amount of 500 francs gold or its equivalent in the currency of the country of origin. However, the Chiefs of the Postal Administrations of the two contracting countries may, by mutual consent, increase or decrease this maximum amount of insurance.

Pakketten kunnen worden verzonden met een aangegeven waarde van ten hoogste 500 goudfranken of de tegenwaarde daarvan in de munt van het land van oorsprong. Evenwel kunnen de Hoofden van de Postadministratiën van beide contracteerende Landen bij onderling goedvinden, dit maximum-bedrag van de aangegeven waarde verhoogen of verlagen.

Limitation.

A parcel cannot give rise to the right to an indemnity higher than the actual value of its contents, but it is permissible to insure it for only part of that value.

Voor een pakket kan geen hoogere schadevergoeding worden verkregen dan de werkelijke waarde van den inhoud daarvan; evenwel is het geoorloofd slechts een gedeelte van die waarde aan te geven.

Article VII.

Artikel VII.

Indemnity.

INDEMNITY.

SCHADEVERGOEDING.

Allowance to sender.

1. Except in the cases mentioned in the section following, the Administrations are responsible for the loss of insured parcels mailed in one of the two contracting countries for delivery in the other and for the loss, abstraction of or damage to their contents, or a part thereof.

1. Met uitzondering van de gevallen genoemd in de volgende paragraaf, zijn de Administratiën verantwoordelijk voor het verloren gaan van pakketten met aangegeven waarde, terpostbezorgd in een van beide contracteerende landen en bestemd voor het andere land, zoomede voor het verlies, de berooving of de beschadiging van hun inhoud of een gedeelte daarvan.

Amount restricted.

The sender or other rightful claimant, is entitled on this account to an indemnity corresponding to the actual amount of

De afzender, of andere rechthebbende, heeft deswege recht op een schadevergoeding overeenkomende met het werkelijke bedrag

the loss, abstraction or damage. The amount of indemnity is calculated on the basis of the actual value (current price, or, in the absence of current price, at the ordinary estimated value) at the time and place of mailing, of the parcel, provided in any case that the indemnity shall not exceed the amount for which the parcel was insured and on which the insurance fee has been collected, or the maximum of 500 francs gold.

van het verlies, de berooving of de schade. Het bedrag der schadevergoeding wordt berekend op basis van de werkelijke waarde (den couranten prijs, of bij gebreke daarvan de normaal geschatte waarde) op het tijdstip en ter plaatse van de terpostbezorging van het pakket, onder voorbehoud, dat de schadevergoeding in geen geval het bedrag der aangegeven waarde waarover het recht was betaald, of het maximum van 500 goudfranken, mag overschrijden.

Return of postage on loss of parcel.

In the case where indemnity is payable for the loss of a parcel or for the destruction or abstraction of the whole of the contents thereof, the sender is entitled to the return of the postal charges, if claimed. However, the insurance fees are not in any case returned.

Ingeval de schadevergoeding verschuldigd is wegens het verlies van een pakket of uit hoofde van de vernietiging of berooving van den geheelen inhoud, heeft de afzender recht op terugbetaling van de kosten van verzending, indien zulks wordt verlangd. Het recht wegens aangegeven waarde wordt echter in geen geval terugbetaald.

Transit originating in a third country destined for either contracting power.

In the absence of special agreement to the contrary between the countries involved no indemnity will be paid by either country for the loss of transit insured parcels originating in a country not participating in this Agreement and destined for one of the two contracting countries.

Tenzij tusschen de betrokken landen het tegendeel bijzonderlijk is overeengekomen, wordt door geen der beide landen schadevergoeding betaald wegens het verlies van transitpakketten met aangegeven waarde afkomstig uit een land, dat niet aan deze Overeenkomst deelneemt, welke bestemd zijn voor een van de beide contracteerende landen.

Parcel reforwarded to a third country.

When an insured parcel originating in one country and addressed for delivery in the other country is reforwarded from there to a third country or is returned to a third country at the request of the sender or addressee, the party entitled to the indemnity, in case of loss, rifling or damage occurring subsequent to the reforwarding or return of the parcel by the original country of destination, can lay claim, in such cases, only to the indemnity which the country where the loss, rifling or damage occurred consents to pay, or which that country is obligated to pay in accordance with the agreement made between the countries directly interested in the reforWanneer een pakket met aangegeven waarde afkomstig uit het eene land en bestemd voor het andere land vandaar, op verzoek van den afzender of geadresseerde, naar een derde land wordt na- of teruggezonden, kan de partij, die recht heeft op de schadevergoeding, in geval het verlies, de berooving of de beschadiging plaats vindt nadat het pakket door het oorspronkelijke land van bestemming is na- of teruggezonden, slechts de schadevergoeding eischen, welke het land, waar het verlies, de berooving of de beschadiging plaats had, bereid is te betalen, of welke dat land verplicht is te betalen ingevolge hetgeen tusschen de bij de na- of terugzen-

Responsibility for error.

warding or return. Either of the two countries signing the present Agreement which wrongly forwards an insured parcel to a third country is responsible to the sender to the same extent as the country of origin, that is, within the limit of the present Agreement.

Release of responsibility; when.

2. The Administrations are relieved of all responsibility:

Unconditional acceptance.

(a) in case of parcels which have been delivered in accordance with their internal regulations and of which the addressee or his agent has accepted delivery without reservation;

Loss, etc., through force majeure.

(b) in case of loss or damage through force majeure (causes beyond control) although either Administration may at its option and without recourse to the other Administration pay indemnity for loss or damage due to force majeure even in cases where the Administration of the country in the service of which the loss or damage occurred recognizes that the loss or damage was due to force majeure;

Destruction of official documents.

(c) when they are unable to account for parcels in consequence of the destruction of official documents through force majeure;

Damage through fault of sender, addressee, etc.

(d) when the damage has been caused by the fault or negligence of the sender or the addressee or the representative of either, or when it is due to the nature of the article;

Prohibited articles. *Ante*, p. 2968.

(e) for parcels which contain prohibited articles (Article V);

Declared above real value.

(f) in case the sender of an insured parcel, with intent to defraud, shall declare the contents to be above their real value; this rule, however, shall not prejudice any legal proceedings necessitated by the legislation of the country of origin;

ding rechtstreeks betrokken landen is overeengekomen. Elk der beide landen, die deze Overeenkomst onderteekenen, hetwelk een pakket met aangegeven waarde ten onrechte naar een derde land doorzendt, is binnen de grenzen van deze Overeenkomst tegenover den afzender in dezelfde mate verantwoordelijk als het land van oorsprong.

2. De Administratiën zijn van alle verantwoordelijkheid ontheven:

(a) ingeval de pakketten uitgereikt zijn in overeenstemming met haar binnenlandsche voorschriften en de geadresseerde of zijn gemachtigde ze zonder voorbehoud hebben aangenomen;

(b) ingeval van verlies of beschadiging door force majeure (overmacht); elke Administratie kan evenwel naar verkiezing en zonder verhaal op de andere Administratie, schadevergoeding betalen voor verlies of beschadiging als gevolg van force majeure, zelfs in de gevallen waarin de Administratie van het land in wiens dienst het verlies of de beschadiging plaats had, erkent, dat het verlies of de beschadiging aan force majeure was te wijten;

(c) indien zij geen rekenschap kunnen geven van de pakketten ten gevolge van de vernietiging van de officieele bescheiden wegens force majeure;

(d) indien de schade veroorzaakt is door schuld of nalatigheid van den afzender of den geadresseerde, of van hun gemachtigde, dan wel voortkomt uit den aard van het voorwerp;

(e) voor pakketten, welke verboden goederen bevatten (Artikel V);

(f) ingeval de afzender van een pakket met aangegeven waarde, met bedriegelijk oogmerk, de waarde van den inhoud boven de werkelijke waarde aangeeft; deze bepaling doet geen afbreuk aan de gerechtelijke vervolging, welke de wetgeving van het land van oorsprong noodzakelijk maakt;

(g) for parcels seized by the customs because of false declaration of contents;

(g) voor pakketten, welke wegens valsche inhoudsopgave door de douane in beslag zijn genomen; — Seized, because of false declarations.

(h) when no inquiry or application for indemnity has been made by claimant or his representative within a year commencing with the day following the posting of the insured parcel;

(h) indien door eischer of zijn gemachtigde geen navraag of aanvraag om schadevergoeding is ingediend binnen een jaar, gerekend van den dag volgende op dien van terpostbezorging van het pakket met aangegeven waarde; — Unclaimed within a year.

(i) for parcels which contain matter of no intrinsic value or perishable matter or which did not conform to the stipulations of this agreement or which were not posted in the manner prescribed, but the country responsible for the loss, rifling or damage may pay indemnity in respect of such parcels without recourse to the other Administration.

(i) voor pakketten, welke goederen zonder intrinsieke waarde of aan bederf onderhevige goederen bevatten, of welke niet voldeden aan de bepalingen van deze Overeenkomst of welke niet op de voorgeschreven wijze waren terpostbezorgd; het voor het verlies, de berooving of de beschadiging verantwoordelijke land kan evenwel ten aanzien van dergelijke pakketten schadevergoeding betalen zonder verhaal op de andere Administratie. — Matter of no intrinsic value, etc.

3. No compensation shall be given for indirect loss or loss of profits of any parcel transmitted under this Agreement.

3. Voor indirecte schade of winstderving wordt voor een pakket, onder deze Overeenkomst verzonden, geen schadevergoeding toegekend. — Indirect loss, etc.

4. The payment of compensation for an insured parcel shall be made to the rightful claimant as soon as possible and at the latest within a period of one year counting from the day following that on which the application is made.

4. De betaling van schadevergoeding voor een pakket met aangegeven waarde moet zoo spoedig mogelijk aan den rechthebbende geschieden uiterlijk binnen een termijn van een jaar te rekenen van den dag volgende op dien, waarop de aanvraag is ingediend. — Indemnity payment.

However, the paying Postal Administration may exceptionally defer payment of indemnity for a longer period than that stipulated if, at the expiration of that period, it has not been able to determine the disposition made of the article in question or the responsibility incurred.

Echter kan de Postadministratie, die te betalen heeft, bij uitzondering de betaling van de schadevergoeding tot na dien termijn uitstellen, indien zij tot het verstrijken van den termijn, niet heeft kunnen nagaan, hoe met het pakket is gehandeld, of niet in staat is geweest de aansprakelijkheid vast te stellen. — Deferred, in exceptional cases.

5. Except in cases where payment is exceptionally deferred as provided in the second paragraph of the foregoing section, the Postal Administration which undertakes the payment of compensation is authorized to pay indemnity on behalf of the Office

5. Uitgezonderd in de gevallen, bedoeld bij het 2e lid van de voorafgaande paragraaf, waarin de betaling bij uitzondering wordt opgeschort, is de Postadministratie die voor de betaling van de schadevergoeding zorgdraagt, bevoegd de schadever- — Payment by country of origin if country of destination delays 9 months.

which, after being duly informed of the application for indemnity has let nine months pass without settling the matter.

Country responsible.

6. The obligation of paying the indemnity shall rest with the Postal Administration to which the mailing office is subordinate, provided that in cases where the indemnity is paid to the addressee in accordance with the second paragraph of the first section, it shall rest with the Postal Administration of destination.

Claim for repayment.

The paying Administration retains the right to make a claim against the Administration responsible.

Responsibility of receiving country unable to show disposition.

7. Until the contrary is proved, responsibility for an insured parcel rests with the Postal Administration which having received the parcel without making any observation and being furnished all necessary particulars for inquiry is unable to show its proper disposition.

Dispatching office responsible if loss discovered by receiving office.

8. Responsibility for loss, abstraction or damage of an insured parcel discovered by the receiving office of exchange at the time of opening the receptacles and duly notified to the dispatching office of exchange by Bulletin of Verification shall fall upon the Postal Administration to which the dispatching office of exchange is subordinate unless it be proved that the damage occurred in the service of the receiving Administration.

Loss, etc., in transit.

9. If the loss, abstraction or damage has occurred in course of conveyance, without it being possible to ascertain in which serv-

goeding uit te keeren voor rekening van de Administratie die, na behoorlijk met de aanvraag om schadevergoeding in kennis te zijn gesteld, negen maanden heeft laten verloopen, zonder de aangelegenheid te hebben geregeld.

6. De verplichting tot betaling van de schadevergoeding rust op de Postadministratie, waartoe het kantoor van terpostbezorging behoort, behalve in de gevallen waarin de schadevergoeding wordt uitbetaald aan den geadresseerde in overeenstemming met het tweede lid van de eerste paragraaf, in welke gevallen zij op de Postadministratie van het land van bestemming rust.

De Administratie, die voor de uitbetaling zorgdraagt, behoudt het recht van verhaal op de verantwoordelijke Administratie.

7. Tot het bewijs van het tegendeel is geleverd, rust de verantwoordelijkheid voor een pakket met aangegeven waarde op de Postadministratie, die het pakket heeft ontvangen zonder eenige aanmerking te maken en na in kennis te zijn gesteld met alle noodige bijzonderheden voor het onderzoek, niet in staat is aan te toonen hoe verder met het pakket is gehandeld.

8. Ingeval het verlies, de berooving of de beschadiging van een pakket met aangegeven waarde ontdekt is door het uitwisselingskantoor van ontvangst op het tijdstip van opening van de verzendingsmiddelen, en zulks door middel van een bericht van bevinding behoorlijk is medegedeeld aan het uitwisselingskantoor van afzending, valt de verantwoordelijkheid op de Postadministratie, waartoe het uitwisselingskantoor van afzending behoort, tenzij wordt bewezen, dat de beschadiging plaats vond in den dienst van de Administratie van ontvangst.

9. Indien het verlies, de berooving of de beschadiging heeft plaats gehad gedurende het vervoer, zonder dat het mogelijk is

ice the irregularity took place, the Postal Administrations concerned bear the loss in equal shares.

10. The Postal Administration responsible or on whose account payment is made in accordance with section 5 is bound to repay to the country making payment on its behalf, without delay and within not more than six months after receiving notice of payment, the amount of indemnity paid.

11. Repayments are to be made free of cost to the creditor Administration by means of either a money order or a draft, in money valid in the creditor country, or by such other means as may be mutually agreed upon by correspondence.

12. Repayments of indemnity by one country to the other will be made on the gold basis.

13. The responsibility of properly enclosing, packing and sealing insured parcels rests upon the sender, and the postal service of neither country will assume liability for loss, rifling or damage arising from defects which may not be observed at the time of posting.

14. Customs and other charges which it has not been possible to cancel shall be borne by the Office responsible for the loss, damage or abstraction.

15. By paying compensation the Office concerned takes over, to the extent of the amount paid, the rights of the person who has received compensation in any action which may be taken against the addressee, the sender or a third party.

vast te stellen in den dienst van welk land de onregelmatigheid plaats vond, dragen de betrokken Postadministratiën de schade in gelijke deelen.

Repayment to country paying.

10. De verantwoordelijke Postadministratie of die, voor welker rekening de betaling overeenkomstig paragraaf 5 heeft plaats gehad, is gehouden aan het land, dat de betaling voor haar gedaan heeft, onverwijld en binnen een termijn van zes maanden na ontvangst van de kennisgeving van betaling, het bedrag van de betaalde schadevergoeding te restitueeren.

Means to be used.

11. De terugbetaling geschiedt zonder kosten aan de Administratie, die te vorderen heeft, hetzij door middel van een postwissel of van een wissel uitgedrukt in de munt van het land, dat te vorderen heeft, dan wel op eenige andere wijze, welke onderling schriftelijk is overeengekomen.

Repayments on gold basis.

12. De terugbetaling van schadevergoedingen door het eene land aan het andere geschiedt op de goud-basis.

Sender responsible for proper packing, etc.

13. De verantwoordelijkheid voor het behoorlijk sluiten, verpakken en verzegelen van paketten met aangegeven waarde rust op den afzender; de postdienst van geen der beide landen aanvaardt aansprakelijkheid voor het verlies, de berooving of de beschadiging, voortkomende uit gebreken, welke op het tijdstip van terpostbezorging niet mochten zijn opgemerkt.

Customs, etc., charges to be borne by Office responsible.

14. Douane- en andere rechten, waarvan geen ontheffing is kunnen worden verkregen, komen ten laste van de Administratie, die voor het verlies, de beschadiging of de berooving verantwoordelijk is.

Rights assumed by paying Office.

15. Door de betaling van schadevergoeding treedt de betrokken Administratie, tot het bedrag daarvan, in de rechten van dengeen, die de schadevergoeding heeft ontvangen, voor zooveel betreft mogelijk verhaal, hetzij op den geadresseerde, hetzij op den afzender, hetzij op derden.

If lost parcel is found.

If, however, a parcel which has been regarded as lost is subsequently found, in whole or in part, the person to whom compensation has been paid shall be informed that he is at liberty to take possession of the parcel against repayment of the amount paid as compensation.

No responsibility for ordinary parcels.

16. The Postal Administrations of the two contracting countries will not be responsible for the loss, abstraction or damage of an ordinary parcel; but either Administration is at liberty to indemnify for the loss, abstraction or damage which may occur in its service, without recourse to the other Administration.

Article VIII.

Certificate of mailing.

CERTIFICATE OF MAILING. RECEIPTS.

Furnished sender, on request.

The sender will, on request at the time of mailing an ordinary (uninsured) parcel, receive a certificate of mailing from the post office where the parcel is mailed, on a form provided for the purpose; and each country may fix a reasonable fee therefor.

Receipt.

The sender of an insured parcel receives without charge, at the time of posting, a receipt for his parcel.

Article IX.

Return receipts and inquiries.

RETURN RECEIPTS AND INQUIRIES.

Advice of delivery.

1. The sender of an insured parcel may obtain an advice of delivery upon payment of such additional charge, if any, as the country of origin of the parcel shall stipulate and under the conditions laid down in the Regulations.

Request for information.

2. A fee may be charged, at the option of the country of origin, on a request for information as to the disposal of an ordinary parcel and also of an insured par-

Wanneer een pakket, dat als verloren is beschouwd, nadien geheel of gedeeltelijk wordt teruggevonden, moet degeen, aan wien de schadevergoeding is uitbetaald, worden ingelicht, dat hij het pakket in ontvangst kan nemen tegen terugbetaling van het bedrag der uitbetaalde schadevergoeding.

16. De Postadministratiën van de beide contracteerende landen zijn niet aansprakelijk voor het verlies, de berooving of de beschadiging van een gewoon pakket; iedere Administratie is evenwel vrij om voor het verlies, de berooving of de beschadiging, welke in haar dienst heeft plaats gehad, zonder verhaal op de andere Administratie, schadevergoeding uit te keeren.

Artikel VIII.

BEWIJZEN VAN TERPOSTBEZORGING.

De afzender ontvangt, op verzoek, bij de terpostbezorging van een gewoon pakket (zonder aangegeven waarde) van het postkantoor, waar het pakket is terpostbezorgd, een bewijs van terpostbezorging op een voor dat doel geëigend formulier; elk land kan daarvoor een redelijk recht vaststellen.

De afzender van een pakket met aangegeven waarde ontvangt bij de terpostbezorging kosteloos een ontvangbewijs voor zijn pakket.

Artikel IX.

BERICHTEN VAN ONTVANGST EN NAVRAGEN.

1. De afzender van een pakket met aangegeven waarde kan tegen betaling van een zoodanig aanvullingsrecht als door het land van oorsprong van het pakket mocht worden bepaald en op de voorwaarden vastgelegd in het Reglement, een bericht van ontvangst verkrijgen.

2. Door het land van oorsprong, kan voor een na de terpostbezorging gedaan verzoek om inlichtingen betreffende een gewoon pakket, en eveneens betref-

cel made after it has been posted if the sender has not already paid the special fee to obtain an advice of delivery.

3. A fee may also be charged, at the option of the country of origin, in connection with any complaint of any irregularity which prima facie was not due to the fault of the Postal Service.

fende een pakket met aangegeven waarde, een recht worden geheven, indien de afzender niet reeds het bijzondere recht voor een bericht van ontvangst heeft voldaan.

3. Eveneens kan door het land van oorsprong een recht worden geheven voor klachten omtrent onregelmatigheden, welke op het eerste gezicht niet aan een fout van den Postdienst zijn te wijten. Irregularity complaints.

Article X.

RECALL AND CHANGE OF ADDRESS.

So long as a parcel has not been delivered to the addressee, the sender may recall it or cause its address to be changed. The Postal Administration of the country of origin may collect and retain, for this service, the charge fixed by its regulations. The requests for recall or change of address of parcels to be delivered in the United States of America shall be addressed to the Central Administration at Washington; those relating to parcels for delivery in Netherlands India shall be addressed to the office of destination.

Artikel X.

TERUGVORDERING EN WIJZIGING VAN ADRES. Recall and change of address.

Zoolang een pakket niet aan den geadresseerde is afgeleverd, kan de afzender het terugvorderen of het adres daarvan doen wijzigen. De Postadministratie van het land van oorsprong kan hiervoor het bij haar reglementen vastgestelde recht invorderen en behouden. De verzoeken om terugvordering of wijziging van adres van pakketten bestemd voor de Vereenigde Staten van Amerika moeten worden gericht aan de "Central Administration" te Washington, die betreffende pakketten bestemd voor Nederlandsch-Indië aan de kantoren van bestemming. Allowed, on request.

Article XI.

CUSTOMS CHARGES.

The parcels are subject to all customs laws and regulations in force in the country of destination. The duties collectible on that account are collected from the addressee on delivery of the parcel in accordance with the customs regulations.

Artikel XI.

DOUANERECHTEN. Customs charges.

De pakketten zijn onderworpen aan alle douane-wetten en -reglementen, welke in het land van bestemming van kracht zijn. De uit dien hoofde te heffen rechten worden van den geadresseerde bij de aflevering van het pakket ingevorderd overeenkomstig de douanereglementen. Imposed by country of destination.

Article XII.

CUSTOMS CHARGES TO BE CANCELLED.

The customs charges on parcels sent back to the country of origin or redirected to another country shall be cancelled both in Netherlands India and the United States of America.

Artikel XII.

ONTHEFFING VAN DOUANERECHTEN.

De douanerechten, waarmede de naar het land van oorsprong teruggezonden of naar een ander land nagezonden pakketten zijn bezwaard, worden zoowel in Nederlandsch-Indië als in de Vereenigde Staten van Amerika afgeschreven. Cancelation, if returned, or redirected.

ARTICLE XIII.

Customs clearance.

FEE FOR CUSTOMS CLEARANCE.

Fee.

The office of delivery may collect from the addressee either in respect of delivery to the customs and clearance through the customs or in respect of delivery to the customs only, a fee not exceeding the equivalent of 50 centimes per parcel.

ARTIKEL XIII.

RECHT WEGENS VRIJMAKING DOOR DE DOUANE.

Het kantoor van aflevering kan van den geadresseerde, hetzij voor de inklaring en vrijmaking door de douane, hetzij voor de inklaring alleen, een recht heffen, dat de tegenwaarde van 50 centiemen per pakket niet te boven gaat.

ARTICLE XIV.

Delivery.

DELIVERY TO THE ADDRESSEE. FEE FOR DELIVERY AT THE PLACE OF ADDRESS.

To addressee.

Parcels are delivered to the addressees as quickly as possible in accordance with the conditions in force in the country of destination. This country may collect, in respect of delivery of parcels to the addressee a fee not exceeding the equivalent of 50 centimes per parcel. The same fee may be charged, if the case arises, for each presentation after the first at the addressee's residence or place of business.

Charges.

ARTIKEL XIV.

UITREIKING AAN DEN GEADRESSEERDE. RECHT VOOR AFLEVERING AAN HUIS.

De postpakketten worden zoo spoedig mogelijk aan de geadresseerden afgeleverd overeenkomstig de in het land van bestemming geldende bepalingen. Dit land kan voor de aflevering van de pakketten aan den geadresseerde een recht heffen, dat de tegenwaarde van 50 centiemen per pakket niet te boven gaat. Hetzelfde recht kan in voorkomende gevallen worden geheven voor elke volgende aanbieding aan de woning of het kantoor van den geadresseerde.

ARTICLE XV.

WAREHOUSING CHARGES.

Warehousing charges.

The country of destination is authorized to collect the warehousing charge fixed by its legislation for parcels addressed "Poste Restante" or which are not claimed within the prescribed period. This charge may in no case exceed the equivalent of five francs.

ARTIKEL XV.

BEWAARLOON.

Het land van bestemming is bevoegd het door zijn wetgeving vastgestelde bewaarloon te heffen voor pakketten, welke "Poste Restante" zijn geadresseerd, of welke niet binnen den voorgeschreven termijn zijn opgeëischt. Dit recht mag in geen geval meer dan de tegenwaarde van vijf franken bedragen.

ARTICLE XVI.

Missent parcels.

MISSENT PARCELS.

Provisions concerning ordinary parcels.

Ordinary parcels, when missent, are reforwarded to their correct destination by the most direct route at the disposal of the reforwarding Administration. They must not be charged with

ARTIKEL XVI.

VERKEERD GEZONDEN PAKKETTEN.

Gewone pakketten worden, wanneer zij verkeerd zijn gezonden, naar hun juiste bestemming nagezonden langs den kortsten weg, welke ter beschikking van de nazendende Admini-

customs or other charges by that Administration. Insured parcels when missent, may not be reforwarded to their destination except as insured mail. If this is impossible, they must be returned to origin.

stratie staat. Zij mogen door deze Administratie niet met douane- of andere rechten worden belast. Pakketten met aangegeven waarde mogen, wanneer zij verkeerd zijn gezonden, alleen als zoodanig naar hun bestemming worden nagezonden. Indien zulks niet mogelijk is, moeten zij naar het land van oorsprong worden teruggezonden.

Insured parcels.

When the reforwarding involves the return of the parcel to the office of origin, the retransmitting Administration refunds to that office the credits received and reports the error by a Bulletin of Verification.

Wanneer de doorzending gelijk staat aan de terugzending van het pakket naar de Administratie van oorsprong, geeft de Administratie van terugzending aan de andere Administratie de ontvangen vergoedingen terug en doet mededeeling van de misvatting door middel van een bericht van bevinding.

Refunding, if parcel returned.

When the reforwarding involves the dispatch of a parcel to a third country and if the amount credited to the retransmitting Administration is insufficient to cover the expenses of retransmission which it has to defray, the retransmitting Administration then recovers the amount of the deficiency by claiming it from the office of exchange from which the missent parcel was directly received. The reason for this claim is notified to the latter by means of a Bulletin of Verification.

Wanneer de doorzending de verzending van een pakket naar een derde land inhoudt en het aan de nazendende Administratie te goed gedane bedrag onvoldoende is om de kosten van de doorzending, welke te haren laste komen, te dekken, brengt de Administratie van nazending het bedrag van het ontbrekende in rekening aan het uitwisselingskantoor, waarvan het verkeerd gezonden pakket rechtstreeks werd ontvangen. De reden van deze vordering wordt aan laatstbedoeld kantoor medegedeeld door middel van een bericht van bevinding.

Reforwarding to a third country.

Article XVII.

REDIRECTION.

Artikel XVII.

NAZENDING.

Redirection.

1. A parcel may be redirected in consequence of the addressee's change of address in the country of destination, at the request of either the sender or the addressee, or when it is prescribed by the internal regulations of the country of destination.

1. Een pakket kan tengevolge van verandering van de woonplaats van den geadresseerde in het land van bestemming worden nagezonden op verzoek van den afzender of den geadresseerde, of wanneer zulks bij de binnenlandsche voorschriften van het land van bestemming is voorgeschreven.

Allowed on payment of additional charges.

For the parcels redirected in its territory, the Postal Administration of the country of destination may collect additional charges fixed by its internal regulations. These charges shall not

De Postadministratie van het land van bestemming kan voor de binnen haar grondgebied nagezonden pakketten de door haar binnenlandsche reglementen vastgestelde aanvullingsrechten hef-

be cancelled even in case the parcel is returned to origin or reforwarded to another country.

Forwarding to another country.

2. A parcel may be redirected out of the country of original address only at the sender's or the addressee's request and provided that the parcel complies with the conditions required for its further conveyance. Insured parcels shall not be redirected to another country except as insured mail.

Charges may be collected on delivery.

New postage, as well as new insurance fees, in the case of insured parcels, may, if not prepaid, be collected upon delivery.

Forbidden, if so instructed.

The sender is entitled to forbid, by means of a suitable entry on the customs declaration and on the parcel, any redirection.

Article XVIII.

Sale or destruction.

SALE OR DESTRUCTION.

Articles liable to deterioration.

1. Articles liable to deterioration or corruption, and these only, may be sold immediately even on the outward or return journey, without previous notice or judicial formality, for the benefit of the right party.

If for any reason a sale is impossible, the spoilt or worthless articles shall be destroyed. The sale or destruction shall be recorded and report made to the Postal Administration of the country of origin.

Parcels marked "Abandon".

2. After the expiration of thirty days from the date of receipt at the office of destination, undeliverable parcels which the sender has marked "Abandon" may be sold at auction or otherwise disposed of as provided by

fen. Van deze rechten wordt geen ontheffing verleend, ook niet wanneer de pakketten naar het kantoor van oorsprong worden teruggezonden of naar een ander land worden nagezonden.

2. Een pakket kan slechts naar buiten het land van oorspronkelijke bestemming worden nagezonden, op verzoek van den afzender of den geadresseerde en mits het pakket voldoet aan de voorwaarden, voor het verder vervoer gesteld. Pakketten met aangegeven waarde mogen slechts als zoodanig naar een ander land worden nagezonden.

Nieuw port, en voor pakketten met aangegeven waarde nieuw recht wegens aangegeven waarde, wordt, voorzoover het niet is vooruitbetaald, bij de aflevering ingevorderd.

De afzender heeft het recht, door middel van een duidelijke vermelding op de douaneverklaring en op het pakket zelf, elke nazending te verbieden.

Artikel XVIII.

VERKOOP OF VERNIETIGING.

1. Alleen goederen, welke aan waardevermindering of bederf onderhevig zijn, kunnen onmiddellijk, ook onderweg bij de heen- of terugzending, zonder voorafgaand bericht of gerechtelijke formaliteit, ten voordeele van de rechthebbende partij worden verkocht.

Indien om de een of andere reden de verkoop onmogelijk is, worden de in waarde verminderde of waardelooze goederen vernietigd. Van den verkoop of de vernietiging wordt proces-verbaal opgemaakt en de Postadministratie van het land van oorsprong kennis gegeven.

2. Na verstrijking van dertig dagen vanaf den datum van ontvangst ten kantore van bestemming, kunnen onbestelbare pakketten, welke de afzenders middels een op het pakket gestelde aanwijzing als afgestaan wen-

the legislation of the country of destination. When insured parcels are involved, proper record will be made and the Administration of the country of origin notified as to the disposition made of the parcels. The Administration of the country of origin shall also be notified when for any other reason an insured parcel which is not delivered is not returned to the country of origin.

schen te zien beschouwd, in het openbaar worden verkocht, of er kan over worden beschikt overeenkomstig de wetgeving van het land van bestemming. Wanneer het pakketten met aangegeven waarde betreft, wordt van een en ander behoorlijk proces-verbaal opgemaakt en wordt de Administratie van het land van oorsprong omtrent de wijze, waarop over de pakketten is beschikt, ingelicht. De Administratie van het land van oorsprong wordt ook ingelicht, wanneer een pakket met aangegeven waarde hetwelk niet is afgeleverd, om andere redenen niet naar het land van oorsprong wordt teruggezonden.

Insured parcels.

Article XIX.

NONDELIVERY.

1. The sender of a parcel may make a request at the time of mailing as to the disposal of the parcel in the event of it not being deliverable as addressed, the particulars of which are set forth in the Regulations.

2. If the sender does not make any request in accordance with the foregoing section, or the sender's request has not resulted in delivery, undeliverable parcels will be returned to the sender without previous notification at the expiration of thirty days, while parcels refused by the addressee will be returned at once.

3. The provisions of Article XX, section 3 shall be applied to a parcel to be returned to the country of origin in consequence of nondelivery.

New postage, as well as new insurance fees, in the case of insured parcels, may, if not prepaid, be collected from the sender upon the return of his parcel.

Artikel XIX.

NIET-AFLEVERING.

Nondelivery.

1. De afzender van een pakket kan bij de terpostbezorging met betrekking tot hetgeen met het pakket moet geschieden ingeval het niet aan het aangegeven adres kan worden afgeleverd, een verzoek doen waarvan de bijzonderheden in het Reglement zijn uiteengezet.

Request, at time of mailing.

2. Indien de afzender geen verzoek gedaan heeft overeenkomstig de voorgaande paragraaf of indien het verzoek van den afzender niet tot de aflevering heeft geleid, worden onbestelbare pakketten na verstrijking van dertig dagen zonder voorafgaande kennisgeving aan den afzender teruggezonden, terwijl pakketten, welke door den geadresseerde zijn geweigerd, dadelijk worden teruggezonden.

Return to sender, if not otherwise indicated.

3. Op een als gevolg van de niet-aflevering naar het land van oorsprong terug te zenden pakket, zijn de bepalingen van Artikel XX paragraaf 3 van toepassing.

Voor zoover niet vooruitbetaald, kan van den afzender bij de terugzending van zijn pakket nieuw port en voor pakketten met aangegeven waarde eveneens nieuw recht wegens aangegeven waarde worden ingevorderd.

Provisions governing nondeliverable parcel.

ARTICLE XX.

Charges.

CHARGES.

Credits.

1. For each parcel exchanged between the contracting countries, the dispatching Office credits to the Office of destination, in the parcel bills, the quotas due to the latter, and indicated in the Regulations of Execution.

Post, p. 2986.

Parcel in transit.

2. The sums to be paid for a parcel in transit, that is, a parcel destined either for a possession or for a third country, are likewise indicated in the Regulations of Execution.

In case of reforwarding, etc.

3. In case of reforwarding or return to origin of a parcel, if new postage and new insurance fees (in the case of insured parcels) are collected by the redispatching Office, the parcel is treated as if it had originated in that country. Otherwise, the redispatching Office recovers from the other Office the quota due to it, namely, as the case may be:

(a) the charges prescribed by section 1 above;

(b) the charges for reforwarding or return;

Ante, p. 2978.

(c) the customs clearance, delivery and storage charges provided for by Articles XIII, XIV and XV.

Parcels to or from a third country.

In case of reforwarding or return to a third country, the accrued charges, that is, such of the charges mentioned in (a), (b) and (c) above as are applicable, shall follow the parcel, but in the case that the third country concerned refuses to assume the charges because they cannot be collected from the addressee or sender, as the case may be, or for any other reason, they shall be charged back to the country of origin.

ARTIKEL XX.

RECHTEN.

1. Voor elk tusschen de contracteerende landen uitgewisseld pakket vergoedt de Administratie van afzending aan die van bestemming, op de pakketpostadviezen, de aan laatstbedoelde Administratie verschuldigde bedragen, welke in het Reglement van Uitvoering zijn aangegeven.

2. De te betalen bedragen voor een transitpakket, dat is een pakket bestemd voor een bezitting of voor een derde land, zijn eveneens in het Reglement van Uitvoering aangegeven.

3. Ingeval van nazending of terugzending naar het kantoor van oorsprong, wordt het pakket, indien door de nazendende Administratie nieuw port en nieuw recht wegens aangegeven waarde (in het geval van pakketten met aangegeven waarde) zijn geheven, behandeld alsof het van dat land afkomstig was. In overige gevallen brengt de nazendende Administratie aan de andere Administratie het aan de eerste verschuldigde aandeel in rekening namelijk in voorkomende gevallen:

(a) de aandeelen bedoeld in paragraaf 1 hierboven;

(b) de aandeelen wegens na- of terugzending;

(c) het recht wegens vrijmaking door de douane, het afleveringsrecht en het bewaarloon, bedoeld in de Artikelen XIII, XIV en XV.

Ingeval van na- of terugzending naar een derde land blijft het pakket bezwaard met de daarop gevallen kosten bedoeld onder (a), (b) en (c) hierboven, voorzoover zij van toepassing zijn; ingeval het betrokken derde land weigert de kosten voor zijn rekening te nemen, omdat zij, in voorkomende gevallen, van den geadresseerde of van den afzender dan wel om eenige andere reden niet kunnen worden ingevorderd, worden zij weder aan het land van oorsprong in rekening gebracht.

In the case of a parcel returned or reforwarded in transit through one of the two Administrations to or from the other, the intermediary Administration may claim also the sum due to it for any additional territorial or sea service provided, together with any amounts due to any other Administration or Administrations concerned.

Ingeval een pakket in doorvoer door een van beide Administratiën naar de andere Administratie wordt terug- of nagezonden, kan de Administratie die haar tusschenkomst verleent, ook het haar voor elk bijkomend land- of zeevervoer toekomend bedrag vorderen, tegelijk met alle aan elke andere betrokken Administratie toekomende bedragen.

Article XXI.

Artikel XXI.

POSTAL CHARGES OTHER THAN THOSE PRESCRIBED NOT TO BE COLLECTED.

ANDERE DAN DE VOORGESCHREVEN RECHTEN MOGEN VANWEGE DEN POSTDIENST NIET WORDEN INGEVORDERD.

Charges other than prescribed.

Prohibition of.

The parcels to which this Agreement applies shall not be subject to any postal charges other than those contemplated by the different articles hereof.

De pakketten, waarop deze Overeenkomst betrekking heeft, worden aan geen andere postale porten en rechten onderworpen dan die genoemd in de verschillende artikelen van deze Overeenkomst.

Article XXII.

Artikel XXII.

AIR PARCELS.

LUCHTPOSTPAKKETTEN.

Air parcels.

Surtax.

The Chiefs of the Postal Administrations of the two contracting countries have the right to fix by mutual consent the air surtax and other conditions in the case where parcels are conveyed by the air routes.

De Hoofden van de Postadministratiën van de beide contracteerende landen hebben het recht bij onderling goedvinden het luchtrecht en de andere voorwaarden vast te stellen, in geval pakketten langs de luchtwegen worden vervoerd.

Article XXIII.

Artikel XXIII.

TEMPORARY SUSPENSION OF SERVICE.

TIJDELIJKE OPSCHORTING VAN DEN DIENST.

Temporary suspension of service.

In extraordinary circumstances such as will justify the measure, either Administration may temporarily suspend the parcel post service, either entirely or partially, on condition of giving immediate notice, if necessary by telegraph, to the other Administration.

In zoodanige buitengewone omstandigheden, dat de maatregel erdoor wordt gerechtvaardigd, kan elke Administratie tijdelijk den pakketpostdienst staken, hetzij geheel of gedeeltelijk, op voorwaarde, dat daarvan onmiddellijk, zoo noodig per telegraaf, kennis wordt gegeven aan de andere Administratie.

ARTICLE XXIV.

MATTERS NOT PROVIDED FOR IN THE PRESENT AGREEMENT.

Matters not herein provided for.

1. Unless they are provided for in the present Agreement, all questions concerning requests for recall or return of parcels and the obtaining and disposition of return receipts and adjustment of indemnity claims in connection with insured parcels shall be governed by the provisions of the Universal Postal Convention and its Regulations of Execution, insofar as they are applicable and are not contrary to the foregoing provisions. If the case is not provided for at all, the domestic legislation of the United States or of Netherlands India, or the decisions made by one country or the other, are applicable in the respective country.

Universal Postal Convention, etc., provisions to govern.
Post, p. 2986.
Vol. 46, p. 2523.
Ante, p. 2741.

Details to be fixed by common consent.

2. The details relative to the application of the present Agreement will be fixed by the two Administrations in Regulations of Execution, the provisions of which may be modified or completed by common consent by way of correspondence. A similar agreement through correspondence may be made with a view to the exchange of C. O. D. parcels.

Mutual notice of postal laws, etc.

3. The two Administrations notify each other mutually of their laws, ordinances and tariffs concerning the exchange of parcel post, as well as of all modifications in rates which may be subsequently made.

ARTIKEL XXIV.

AANGELEGENHEDEN, WAARIN DEZE OVEREENKOMST NIET VOORZIET.

1. Tenzij deze Overeenkomst daarin voorziet, worden alle aangelegenheden betreffende verzoeken om terugvordering of terugzending van pakketten zoomede het verkrijgen en de behandeling van berichten van ontvangst, en schikkingen betreffende verzoeken om schadevergoeding met betrekking tot pakketten met aangegeven waarde, beheerscht door de bepalingen van het Verdrag en de Overeenkomsten van de Wereldpostvereeniging en de Reglementen ter Uitvoering daarvan, voorzoover zij toepasselijk zijn en niet in strijd zijn met de voorgaande bepalingen. Indien in een geval in het geheel niet is voorzien, is de binnenlandsche wetgeving van de Vereenigde Staten of van Nederlandsch-Indië, of zijn de beslissingen genomen door het eene of door het andere land, in het betrokken land van toepassing.

2. De bijzonderheden met betrekking tot de toepassing van de tegenwoordige Overeenkomst worden door beide Administratiën vastgelegd in het Reglement van Uitvoering, waarvan de bepalingen bij onderling schriftelijk overleg kunnen worden veranderd of aangevuld. Een gelijke overeenkomst kan schriftelijk tot stand komen met betrekking tot de uitwisseling van verrekenpakketten.

3. Beide Administratiën doen elkander mededeeling van hunne wetten, verordeningen en tarieven betreffende de uitwisseling van postpakketten, zoowel als van alle wijzigingen, welke later in de tarieven mochten worden aangebracht.

ARTICLE XXV.

ENTRY INTO FORCE AND DURATION OF AGREEMENT.

Entry into force, etc.

1. This Agreement substitutes and abrogates that signed at Washington, the fifteenth day of February, one thousand nine hundred and twenty-four, and at Batavia the second day of October, one thousand nine hundred and twenty-two.

Former Agreement abrogated. Vol. 43, p. 1717.

2. It shall become effective on ratification, but pending ratification it may be put into force administratively on a date to be mutually settled between the Administrations of the two countries.

Effective date.

It shall remain in force until one of the Administrations of the two contracting countries has given notice to the other, six months in advance, of its intention to terminate it.

Duration.

Both the English and Dutch texts of this Agreement shall have equal force.

Done in duplicate and signed at Bandoeng the 14th day of June 1934, and at Washington the 4th day of October 1934.

Signatures.

The chief of Posts, Telegraphs and Telephones of Netherlands India,

[SEAL] C. HILLEN.

The Postmaster General of the United States of America,

[SEAL] JAMES A FARLEY

ARTIKEL XXV.

INWERKINGTREDING EN DUUR VAN DE OVEREENKOMST.

Entry into force, etc.

1. Deze Overeenkomst vervangt die, geteekend te Washington op den vijftienden Februari negentienhonderdvierentwintig en te Batavia op den tweeden October negentienhonderdtweeëntwintig.

Former Agreement abrogated. Vol. 43, p. 1717.

2. Zij zal bij de bekrachtiging in werking treden, doch in afwachting van de bekrachtiging, kan zij administratief op een tusschen de Administratiën van beide contracteerende landen zes te komen datum van kracht worden verklaard.

Effective date.

Zij zal van kracht blijven totdat een der Administratiën van beide contracteerende landen zes maanden tevoren aan de andere van haar voornemen, haar te beeindigen, heeft kennis gegeven.

Duration.

De Engelsche en de Nederlandsche tekst van deze Overeenkomst hebben gelijke kracht.

Gedaan in tweevoud en geteekend te Batavia, den 14 Juni 1934, en te Washington, den 4th of October 1934.

Signatures.

Het Hoofd van den Post-, Telegraaf- en Telefoondienst in Nederlandsch-Indië,

[SEAL] C. HILLEN.

De "Postmaster General" van de Vereenigde Staten van Amerika,

[SEAL] JAMES A FARLEY

Approval by the President.

The foregoing Agreement between Netherlands India and the United States of America concerning the exchange of parcel post has been negotiated and concluded with my advice and consent and is hereby approved and ratified.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed.

[SEAL] FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL
Secretary of State.

WASHINGTON, *October 11, 1934.*

DETAILED REGULATIONS FOR THE EXECUTION OF THE PARCEL POST AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND NETHERLANDS INDIA.

Regulations for execution.

The following Detailed Regulations for the Execution of the Parcel Post Agreement have been agreed upon by the Chiefs of the Postal Administrations of the United States of America and Netherlands India. They may be changed from time to time as may be deemed necessary:

ARTICLE 1.

LIMITS OF WEIGHT AND SIZE.

Limits of weight and size.

The parcels to be exchanged under the provisions of this Agreement may not exceed 22 pounds (10 kilograms) in weight.

The following are the maximum dimensions of parcels from the United States of America: greatest length 4 feet, on condition that parcels over 42 inches but not over 44 inches long do not exceed 24 inches in girth; that parcels over 44 inches but not over 46 inches long do not exceed 20 inches in girth; that parcels over 46 inches but not over 48 inches long do not exceed 16 inches in girth; and that parcels up to 3½ feet in length do not exceed 6 feet in length and girth combined.

The following are the maximum dimensions of parcels from Netherlands India: greatest length 125 centimetres; limit of contents 55 cubic decimetres.

The limit of weight and maximum dimensions stated above may be changed from time to time by agreement made through correspondence.

REGLEMENT TER UITVOERING VAN DE PAKKETPOSTOVEREENKOMST TUSSCHEN DE VEREENIGDE STATEN VAN AMERIKA EN NEDERLANDSCH-INDIË.

De Hoofden van de Postadministratiën van de Vereenigde Staten van Amerika en van Nederlandsch-Indië hebben het volgende Reglement ter Uitvoering van de Pakketpostovereenkomst vastgesteld. Het kan van tijd tot tijd, al naar het noodig mocht worden geacht, worden gewijzigd:

ARTIKEL 1.

GRENZEN VAN GEWICHT EN AFMETING.

De pakketten, welke onder de bepalingen van deze Overeenkomst worden uitgewisseld, mogen niet meer wegen dan 22 pounds (10 kilogram).

De pakketten afkomstig van de Vereenigde Staten van Amerika mogen niet langer zijn dan 4 feet, op voorwaarde dat pakketten langer dan 42 inches doch niet meer dan 44 inches geen grooteren omtrek mogen hebben dan 24 inches; dat pakketten langer dan 44 inches doch niet meer dan 46 inches, geen grooteren omtrek mogen hebben dan 20 inches; dat pakketten langer dan 46 inches doch niet meer dan 48 inches, geen grooteren omtrek mogen hebben dan 16 inches en dat ten aanzien van pakketten met een lengte van niet meer dan 3½ feet, de som van lengte en omtrek niet meer mag bedragen dan 6 feet.

De pakketten afkomstig van Nederlandsch-Indië mogen niet langer zijn dan 125 centimeter, terwijl de inhoud niet meer mag bedragen dan 55 kubieke decimeter.

Het maximum gewicht en de maximum afmetingen hierboven vastgesteld, kunnen van tijd tot tijd bij onderling overleg worden gewijzigd.

ARTICLE 2.

PREPARATION OF PARCELS.

1. The name and address of the sender and of the addressee must be legibly and correctly written in every case when possible on the parcel itself or on a label or tag firmly attached thereto. It is not allowed to write with initials the name and address of the sender or addressee, unless the initials are the adopted trade name of the senders or addressees which is generally understood. Addresses in pencil are also not allowed, except those written with copying ink on a surface previously dampened.

A slip bearing the name and address of the sender and addressee must be enclosed in the parcel when the address is written on a label or tag which is not gummed to the parcel. It is advisable that such slips be enclosed in all parcels.

2. Every parcel must be packed in a manner adequate for the length of the journey and the character of the contents, and in such a way as to prevent the contents from damaging other parcels or objects or injuring the postal agents. The packing must protect the contents sufficiently that, in case of rifling, the traces thereof may be easily discovered.

Every insured parcel containing coin, bank notes, currency notes, cheques, bonds and similar documents, platinum, gold or silver (whether manufactured or not), precious stones, jewelry or other precious articles, must be packed in a metal box or in a wooden box of which the boards are at least one centimetre thick.

ARTIKEL 2.

WIJZE VAN VERPAKKING VAN PAKKETTEN.

Preparation of parcels.

1. De naam en het adres van den afzender en van den geadresseerde moeten leesbaar en nauwkeurig worden geschreven zooveel mogelijk op het pakket zelf of anders op een stevig daaraan bevestigde label. Het is niet geoorloofd den naam en het adres van den afzender of geadresseerde alleen met initialen te schrijven, tenzij de initialen den aangenomen handelsnaam van de afzenders of geadresseerden zijn, welke algemeen bekend is. Adressen in potlood, zijn evenmin toegelaten behalve die, welke met inktpotlood zijn geschreven op een vooraf bevochtigde plaats.

Een strook met vermelding van naam en adres van den afzender en van den geadresseerde moet in het pakket worden gesloten, wanneer het adres op een label is geschreven, dat niet op het pakket is geplakt. Het verdient aanbeveling, dat een dergelijk afschrift in alle pakketten wordt gesloten.

2. Elk pakket moet worden verpakt op een wijze, waarbij rekening gehouden is met den duur van het vervoer en den aard van den inhoud en wel zoodanig, dat voorkomen wordt, dat de inhoud andere pakketten of voorwerpen beschadigt of de postambtenaren verwondt. De verpakking moet den inhoud afdoende beveiligen en zoodanig zijn, dat, ingeval van berooving, de sporen daarvan gemakkelijk opvallen.

Elk pakket met aangegeven waarde, dat muntstukken, bankbiljetten, muntbiljetten, chèques, obligaties en soortgelijke documenten, platina, goud of zilver (al dan niet bewerkt), edelgesteenten, juweelen of andere kostbaarheden bevat, moet worden verpakt in een metalen doos of in een houten kistje waarvan de wanden ten minste een centimeter dik zijn.

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Any liquid or any substance which easily liquefies must be packed in a double receptacle. Between the first receptacle (bottle, flask, pot, box, etc.) and the second (box of metal, of strong wood, of strong corrugated cardboard or of strong fibreboard or receptacle of equal strength) shall be left a space which shall be filled with sawdust, bran or some other absorbent material, in sufficient quantity to absorb all the liquid contents in the case of breakage.

Powders and dyes in powder form must be packed in lead-sealed metal containers which must be enclosed in substantial outer covers, so as to obviate all damage to the accompanying mail matter.

3. Insured parcels must be sealed by means of wax, by lead or other seals. Ordinary parcels may be sealed at the option of the sender, or careful tying is sufficient as a mode of closing. Either Administration may require a special design or mark of the sender in the sealing of insured parcels mailed in its service as a means of protection.

The customs of the country of destination, for the purpose of customs examination, shall have the right to break the seals. After customs examination is concluded, the parcels shall be officially resealed.

4. On the address side, each insured parcel and customs declaration must bear a label with the words "Insured" or "Valeur déclarée", or be stamped or marked with the same words in close proximity to the number given the parcel.

Each insured parcel and customs declaration must also bear

Vloeistoffen of zelfstandigheden, welke gemakkelijk vloeibaar worden, moeten in een dubbel omhulsel worden verpakt. Tusschen het eerste omhulsel (flesch, flacon, pot, doos, enz.) en het tweede (doos van metaal of stevig hout, van sterk gegolfd carton of soortgelijke stof, of omhulsel van gelijke stevigheid) moet ruimte worden gelaten, welke wordt opgevuld met zaagsel, zemelen of een andere opslorpende stof in voldoende hoeveelheid om den vloeibaren inhoud ingeval van breken te kunnen opnemen.

Poeders en verfstoffen in poedervorm moeten in dichtgesoldeerde, metalen doozen worden verpakt, welke in degelijke buitenomhulsels moeten worden gesloten, zoodanig dat elke beschadiging van de medegezonden post wordt voorkomen.

3. Pakketten met aangegeven waarde moeten verzegeld worden door middel van lak, lood of andere zegels. Gewone pakketten kunnen naar verkiezing van den afzender worden verzegeld; voor de sluiting kan echter reeds met een behoorlijk vastgeknoopt touw worden volstaan. Elke Administratie kan als voorzorgsmaatregel eischen, dat de lakken van de pakketten met aangegeven waarde, welke in haar dienst zijn terpostbezorgd, van een bijzonder kenteeken of merk van den afzender zijn voorzien.

De douane van het land van bestemming heeft, ten behoeve van het douane-onderzoek, het recht de zegels te verbreken. Nadat het douane-onderzoek heeft plaats gehad worden de pakketten ambtshalve opnieuw verzegeld.

4. Elk pakket met aangegeven waarde en de douaneverklaring moet op de adreszijde voorzien zijn van een etiket met de woorden "Insured" of "Valeur déclarée", of gestempeld of gemerkt zijn met deze woorden in de onmiddellijke nabijheid van het aan het pakket gegeven nummer.

Elk pakket met aangegeven waarde en de douaneverklaring

an indication of the amount of the insured value, mentioned fully and legibly in the currency of the country of origin and in Roman letters. This amount must be converted into gold francs by the sender or by the office of origin and the result of conversion is added below the original description. The amount of the insured value must also be indicated on the customs declaration.

5. The seals, as well as any kind of labels or stamps, affixed to insured parcels, must be so placed as not to hide injuries to the package. Moreover, the labels or stamps must not be folded over two sides of the package so as to cover the edge.

moeten eveneens een aanduiding dragen van het bedrag der aangegeven waarde, in Latijnsche letters voluit en leesbaar vermeld in de munt van het land van oorsprong. Dit bedrag moet door den afzender of door het kantoor van oorsprong in goudfranken worden herleid; het herleide bedrag wordt onder de oorspronkelijke omschrijving bijgeschreven. Het bedrag van de aangegeven waarde moet ook op de douaneverklaring worden aangegeven.

5. De zegels zoowel als de etiketten of frankeerzegels welke op pakketten met aangegeven waarde zijn geplakt, moeten zoo geplaatst worden, dat zij beschadigingen van de verpakking niet kunnen verbergen. Evenmin mogen de etiketten of frankeerzegels over twee zijden van het pakket worden gevouwen, zoodat zij den rand bedekken.

Article 3.

CUSTOMS DECLARATIONS.

1. The sender shall prepare one customs declaration for each parcel sent from Netherlands India and two customs declarations for each parcel sent from the United States of America, upon a special form provided for the purpose by the country of origin.

The customs declaration shall give a general description of the parcel, an accurate statement in detail of its contents and value, date of mailing, actual weight, the sender's name and address, and the name and address of the addressee, and shall be securely attached to the parcel.

As an exception to the foregoing, for each shipment of not more than three uninsured parcels mailed simultaneously by the same sender in one country to the same addressee at the same address in the other country, the sender need prepare only one customs declaration in the case of

Artikel 3.

DOUANEVERKLARINGEN.

1. Voor elk vanuit Nederlandsch-Indië verzonden pakket moet de afzender één douaneverklaring en voor elk vanuit de Vereenigde Staten van Amerika verzonden pakket moet de afzender twee douaneverklaringen invullen op een voor dat doel door het land van oorsprong vastgesteld formulier. Customs declarations.

De douaneverklaring moet aangeven: een algemeene omschrijving van het pakket, een nauwkeurig gespecificeerde opgave van den inhoud en de waarde, de datum van terpostbezorging, het werkelijk gewicht, de naam en het adres van den afzender en de naam en het adres van den geadresseerde; zij wordt op hechte wijze aan het pakket bevestigd.

In afwijking van het voorgaande, behoeft de afzender voor elke zending van niet meer dan drie pakketten zonder aangegeven waarde, tegelijk terpostbezorgd door denzelfden afzender in het eene land bestemd voor denzelfden geadresseerde aan hetzelfde adres in het andere

parcels to be sent to the United States of America or two customs declarations in the case of parcels to be sent to Netherlands India, for the entire shipment, which customs declaration shall show, in addition to the particulars set forth in the preceding sentence, the total number of parcels comprising the shipment, and shall be securely attached to one of the parcels.

2. The Administrations accept no responsibility for the correctness of the customs declarations.

land, ingeval van verzending van pakketten naar de Vereenigde Staten van Amerika slechts één douaneverklaring, of ingeval van verzending van pakketten naar Nederlandsch-Indië slechts twee douaneverklaringen voor de geheele zending op te maken; deze douaneverklaringen moeten, behalve de in het vorige lid vastgestelde bijzonderheden, ook het totaal aantal pakketten aangeven, waaruit de zending bestaat, en moeten op hechte wijze aan een der pakketten worden bevestigd.

2. De Administratiën nemen ten aanzien van de juistheid van de douaneverklaringen geenerlei verantwoordelijkheid op zich.

Article 4.

RETURN RECEIPTS.

Return receipts.

1. As to a parcel for which a return receipt is asked, the office of origin impresses on the parcel and on the customs declaration the letters or words "A.R." or "Avis de réception." The office of origin or any other office appointed by the dispatching Administration shall fill out a return receipt form and attach it to the parcel. If the form does not reach the office of destination that office makes out a duplicate.

2. The office of destination, after having duly filled out the return receipt form, returns it free of postage to the address of the sender of the parcel.

3. When the sender applies for a return receipt after a parcel has been posted, the office of origin duly fills out a return receipt form and attaches it to a form of inquiry which is entered with the details concerning the transmission of the parcel and then forwards it to the office of destination of the parcel. In the case of the due delivery of the parcel, the office of destination withdraws the inquiry form, and the return receipt is treated in

Artikel 4.

BERICHTEN VAN ONTVANGST.

1. Op een pakket, waarvoor een bericht van ontvangst is gevraagd, en op de douaneverklaring stempelt het kantoor van oorsprong de letters "A.R." of de woorden "Avis de réception". Het kantoor van oorsprong of eenig ander door de Administratie van afzending daartoe aangewezen kantoor vult een formulier voor een bericht van ontvangst in en bevestigt het aan het pakket. Indien het formulier het kantoor van bestemming niet bereikt, maakt dat kantoor een duplicaat op.

2. Het kantoor van bestemming zendt het formulier voor het bericht van ontvangst, na het behoorlijk te hebben ingevuld, portvrij terug aan het adres van den afzender van het pakket.

3. Indien de afzender een bericht van ontvangst verzoekt na de terpostbezorging van een pakket, vult het kantoor van oorsprong een formulier voor een bericht van ontvangst in en hecht dit aan een navraagformulier, waarop de bijzonderheden betreffende de doorzending van het pakket worden ingevuld, en zendt dit door naar het kantoor van bestemming van het pakket. Ingeval van regelmatige uitreiking van het pakket, houdt het

the manner prescribed in the foregoing paragraph.

kantoor van bestemming het navraagformulier aan en wordt het bericht van ontvangst behandeld op de in de voorgaande paragraaf voorgeschreven wijze.

Article 5.

RECEPTACLES.

Receptacles.

1. The Postal Administrations of the two contracting countries shall provide the respective bags necessary for the dispatch of their parcels and each bag shall be marked to show the name of the office or country to which it belongs.

2. Bags must be returned empty to the dispatching office by the next mail. Empty bags to be returned are made up in bundles of ten, enclosing nine bags in one. The total number of bags returned shall be entered on the relative parcel bills.

3. In case ten percent of the total number of bags used during the year have not been returned, the value of the missing bags must be repaid to the Administration of origin.

Artikel 5.

VERZENDINGSMIDDELEN.

1. De Postadministratiën van beide contracteerende landen leveren de onderscheidene zakken, welke voor de verzending van haar pakketten nooding zijn; elke zak wordt gemerkt met den naam van het kantoor of het land, waaraan hij toebehoort.

2. De zakken moeten per keerende mail ledig aan het kantoor van afzending worden teruggezonden. De ledige zakken worden teruggezonden in bundels van tien stuks, negen zakken in een zak verpakt. Het totaal aantal teruggezonden zakken wordt op de betrekkelijke pakketpostadviezen ingeschreven.

3. Ingeval tien percent van het totaal aantal in een jaar gebruikte zakken niet is teruggezonden, moet de waarde van de ontbrekende zakken aan de Administratie van oorsprong worden vergoed.

Article 6.

METHOD OF EXCHANGE OF PARCELS.

1. The parcels shall be exchanged, in sacks duly fastened and sealed, by the offices appointed by agreement between the two Administrations, and shall be dispatched to the country of destination by the country of origin at its cost and by such means as it provides.

2. Insured parcels shall be enclosed in separate sacks from those in which ordinary parcels are contained, and the labels of sacks containing insured parcels shall be marked with such distinctive symbols as may from time to time be agreed upon.

Artikel 6.

WIJZE VAN UITWISSELING VAN PAKKETTEN.

Method of exchange of parcels.

1. De pakketten worden uitgewisseld in behoorlijk gesloten en verzegelde zakken door dekantoren, daartoe in onderling overleg tusschen de beide Administratiën aangewezen; zij worden door het land van oorsprong op diens kosten en met de middelen waarover het beschikt, naar het land van bestemming verzonden.

2. Pakketten met aangegeven waarde worden gesloten in afzonderlijke zakken, waarin geen gewone pakketten worden opgenomen; de labels van de zakken, welke de pakketten met aangegeven waarde bevatten worden van zoodanige kenteekenen voorzien als van tijd tot tijd wordt overeengekomen.

ARTICLE 7.

BILLING OF PARCELS.

Billing.

1. The following procedure will be put into practice in the United States of America Service:

(a) The insured parcels and the ordinary parcels are entered on separate parcel bills.

(b) The ordinary parcels shall be advised on the parcel bills by the simple entry of their total number, acording to the divisions of weight (a) up to 2 pounds (1 kilogram), (b) over 2 pounds up to 11 pounds (5 kilograms), and (c) over 11 pounds up to 22 pounds (10 kilograms).

(c) The insured parcels shall be entered individually on the parcel bills. The entries concerning each insured parcel shall show the insurance number and the name of the office of origin. An indication of the division of weight of the insured parcels must also be shown the same as in the case of ordinary parcels.

(d) Transit parcels sent à découvert must be entered separately on the parcel bills.

(e) Returned or redirected parcels must be entered individually on the parcel-bills and must be followed by the word "Returned" or "Redirected", as the case may be. A statement of the charges which may be due on these parcels should be shown in the "observations" column.

2. The Netherlands Indian Service shall adopt the following procedure:

(a) The insured parcels and the ordinary parcels are entered on separate parcel bills.

ARTIKEL 7.

INSCHRIJVING VAN PAKKETTEN OP ADVIEZEN.

1. De navolgende werkwijze wordt door den dienst van de Vereenigde Staten van Amerika gebezigd:

(a) De pakketten met aangegeven waarde en de gewone pakketten worden op afzonderlijke pakketpostadviezen ingeschreven.

(b) Van de gewone pakketten wordt op de pakketpostadviezen het totaal aantal vermeld, gesplitst naar de gewichtscoupures (a) tot en met 2 pond (1 kilogram), (b) van meer dan 2 tot en met 11 pond (5 kilogram), en (c) van meer dan 11 pond tot en met 22 pond (10 kilogram).

(c) De pakketten met aangegeven waarde worden stuksgewijze op de pakketpostadviezen ingeschreven. De inschrijvingen betreffende elk pakket met aangegeven waarde bestaan uit het nummer van het waardepakket en den naam van het kantoor van oorsprong. Evenals zulks met betrekking tot de gewone pakketten het geval is, moet op de adviezen van de pakketten met aangegeven waarde een specificatie naar de gewichtscoupures voorkomen.

(d) Transit pakketten welke "à découvert" worden verzonden moeten afzonderlijk op de pakketpostadviezen worden ingeschreven.

(e) Terug- of nagezonden pakketten moeten stuksgewijze op de pakketpostadviezen worden ingeschreven met vermelding achter de inschrijving naar gelang van omstandigheden van het woord "Returned" of "Redirected". In de kolom "Observations" moet een opgave voorkomen van de kosten, waarmee deze pakketten zijn belast.

2. De Nederlandsch-Indische dienst past de volgende werkwijze toe:

(a) De pakketten met aangegeven waarde en de gewone pakketten worden op afzonderlijke pakketpostadviezen ingeschreven.

(b) The ordinary parcels shall be entered on the parcel bills to show their total number.

(c) The insured parcels shall be entered individually on the parcel bills. The entries concerning each insured parcel shall show the number, the names of the offices of origin and of destination and the amount of declared value.

(d) The total number and the total weights of all parcels—except those mentioned under (e)—must also be entered on the parcel bills.

(e) Returned or redirected parcels and transit parcels sent à découvert must be entered on separate parcel bills in the way mentioned under (c). The charges on these parcels shall be entered individually in a separate column.

3. The United States of America Service as well as the Netherlands Indian Service prepares the parcel bills in duplicate. The original is sent in the regular mails, while the duplicate is inserted in one of the sacks. The sack containing the parcel bill is designated by the letter "F", traced in a conspicuous manner on the label.

4. The total number of sacks comprising each dispatch must also be shown on the parcel bills as well as the total amount to be credited to the Administration of destination.

5. Each dispatching office of exchange shall number the parcel bills in the upper left-hand corner, commencing each year a fresh series for each office of exchange of destination. The last number of the year shall be shown on the parcel bill of the first dispatch of the following year.

(b) Van de gewone pakketten wordt het totaal aantal op de pakketpostadviezen vermeld.

(c) De pakketten met aangegeven waarde worden stuksgewijze op de pakketpostadviezen ingeschreven. De inschrijvingen betreffende elk pakket met aangegeven waarde bestaan uit het nummer, de namen van de kantoren van oorsprong en van bestemming en het bedrag der aangegeven waarde.

(d) Het totaal aantal en het totaal gewicht van alle pakketten—uitgezonderd die bedoeld onder (e)—worden eveneens op de pakketpostadviezen vermeld.

(e) Terug- of nagezonden pakketten en "à découvert" verzonden transitpakketten worden op afzonderlijke pakketpostadviezen ingeschreven op de wijze bedoeld onder (c). De op deze pakketten vallende kosten worden pakket voor pakket in een afzonderlijke kolom vermeld.

3. De diensten van de Vereenigde Staten van Amerika en van Nederlandsch-Indië maken de pakketpostadviezen in tweevoud op. Het origineel wordt met de brievenpost verzonden, terwijl het duplicaat in een van de zakken wordt gesloten. De zak, welke het pakketpostadvies inhoudt, wordt aangeduid met de letter "F", welke op duidelijk zichtbare wijze op de label wordt aangebracht.

4. Het totaal aantal zakken, waaruit elke zending bestaat, moet ook op de pakketpostadviezen worden aangegeven, evenals het aan de Administratie van bestemming uit te keeren totaal bedrag.

5. Elk uitwisselingskantoor van afzending nummert de pakketpostadviezen in den linkerbovenhoek, waarbij elk jaar voor elk uitwisselingskantoor van bestemming met een nieuwe reeks wordt begonnen. Het laatste nummer van het jaar wordt op het pakketpostadvies van de eerste zending van het volgende jaar vermeld.

6. The exact method of advising parcels or the receptacles containing them sent by one Administration in transit through the other together with any details of procedure in connection with the advice of such parcels or receptacles for which provision is not made in this Agreement, shall be settled by mutual agreement through correspondence between the two Administrations.

6. De wijze van inschrijving van de pakketten of van de verzendingsmiddelen, die ze bevatten, welke door de eene Administratie in doorvoer door de andere worden verzonden, zoomede alle bijzonderheden inzake de werkwijze met betrekking tot de inschrijving van dergelijke pakketten of verzendingsmiddelen, waarvoor in deze Overeenkomst geen voorzieningen zijn getroffen, worden onderling bij schriftelijk overleg tusschen de beide Administratiën geregeld.

Article 8.

CHECKING OF PARCELS.

Checking.

1. The office of exchange which has received a parcel mail shall check the parcels and the accompanying bills. If a parcel is missing or any other irregularity is noted, it shall be immediately reported to the dispatching office of exchange by means of a bulletin of verification. The report of such a serious irregularity as to involve the responsibility of the respective Administrations shall be accompanied by such vouchers as the strings and wax or lead seals used for closing the bag which contained the parcels, if they are available.

If no report is made by the next mail it will be assumed that the mail has been received in proper order until the contrary is proved.

2. If a parcel bill is missing a duplicate shall be made out and a copy sent to the dispatching office of exchange from which the dispatch was received.

3. If any parcel which is in the course of transmission is observed to bear evidence of violation or damage, it must have the facts noted on it and be marked with the stamp of the office making the note, or a document drawing at-

Artikel 8.

ONDERZOEK VAN DE PAKKETTEN.

1. Het uitwisselingskantoor dat een pakketpostzending heeft ontvangen, vergelijkt de pakketten en de daarbij gevoegde adviezen. Indien een pakket wordt vermist, of eenige andere onregelmatigheid wordt opgemerkt, wordt daarvan onmiddellijk door middel van een bericht van bevinding aan het uitwisselingskantoor van afzending mededeeling gedaan. Bij onregelmatigheid van ernstigen aard waarbij de verantwoordelijkheid van de Administratiën betrokken is, gaat het proces-verbaal vergezeld van de bewijsstukken voorzoover deze beschikbaar zijn, zooals de touwtjes en de lakzegels of de loodjes gebezigd voor de sluiting van den zak, waarin de pakketten gesloten waren.

Indien per keerende mail geen bericht is verzonden, wordt aangenomen, dat de zending in goede orde is ontvangen, totdat het tegendeel is bewezen.

2. Indien een pakketpostadvies ontbreekt, wordt een duplicaat opgemaakt; een afschrift wordt gezonden aan het uitwisselingskantoor van afzending, waarvan de zending werd ontvangen.

3. Indien onderweg wordt opgemerkt, dat een pakket sporen van schending of beschadiging draagt, moeten de bijzonderheden daarvan op het pakket worden aangeteekend, welke aanteekeningen worden bekrachtigd met

tention to the violation or damage must be forwarded with the parcel.

een afdruk van den stempel van het kantoor, dat de aanteekeningen heeft gesteld; ook kan een nota, waarin de aandacht wordt gevestigd op de schending of de berooving, met het pakket worden medegezonden.

Article 9.

UNDELIVERED PARCELS.

1. The sender of a parcel may request, at the time of mailing, that if the parcel cannot be delivered as addressed it shall be either (a) treated as abandoned, or (b) tendered for delivery at a second address in the country of destination, or (c) returned immediately.

If the sender avails himself of this facility, his request must appear on the address side of the parcel and on the relative customs declaration and must be in conformity with or analogous to one of the following forms:

"If not deliverable as addressed _____ Abandon."
"If not deliverable as addressed _____ Deliver to _____."
"If not deliverable as addressed _____ Return immediately."

2. The parcels to be returned as undeliverable to the country of origin shall be marked to show the reason for nondelivery.

Artikel 9.

ONBESTELBARE PAKKETTEN.

Undelivered parcels.

1. De afzender van een pakket kan bij de terpostbezorging verzoeken, dat, indien het pakket niet kan worden afgeleverd aan het opgegeven adres: (a) het pakket als afgestaan wordt beschouwd; of (b) het pakket aan een tweede adres binnen het land van bestemming wordt afgeleverd, of (c) het pakket dadelijk wordt teruggezonden.

Indien de afzender van bovenbedoelde bevoegdheid gebruik maakt, moet het desbetreffend verzoek op de adreszijde van het pakket en op de betrekkelijke douaneverklaring zijn aangegeven in bewoordingen, gelijkluidend aan of overeenkomende met de volgende zinsneden:

"If not deliverable as addressed _____ Abandon".
"If not deliverable as addressed _____ Deliver to _____".
"If not deliverable as addressed _____ Return immediately".

2. Op de als onbestelbaar naar het land van oorsprong terug te zenden pakketten moet de reden van de niet-uitreiking vermeld worden.

Article 10.

PAYMENTS.

Payments.

1. For each parcel dispatched by one country to the other, the dispatching Administration shall pay a terminal credit as follows:

(a) For parcels originating in Netherlands India addressed to the United States of America, 70 centimes gold per kilogram computated on the bulk net weight of each dispatch.

Artikel 10.

VERGOEDINGEN.

Payments.

1. Voor elk door het eene land aan het andere verzonden pakket, keert de Administratie van afzending de navolgende eindtaksen uit:

(a) Voor pakketten afkomstig uit Nederlandsch-Indië en bestemd voor de Vereenigde Staten van Amerika, 70 goudcentiemen per kilogram berekend over het totaal nettogewicht van elke zending.

(b) For parcels originating in the United States of America addressed to Netherlands India, 2.10 francs gold for each parcel weighing up to 1 kilogram, 2.50 francs gold for each parcel weighing over 1 up to 5 kilograms and 3.50 francs gold for each parcel weighing over 5 up to 10 kilograms, in case the mails are conveyed directly to Netherlands Indian harbours. When the parcel mails are transshipped in the Straits Settlements, in addition to these rates, 15 centimes gold per parcel up to 1 kilogram, 25 centimes gold per parcel from 1 up to 5 kilograms and 50 centimes gold per parcel from 5 up to 10 kilograms must be credited in respect of the sea conveyance from the Straits Settlements to Netherlands India with ships under contract with the Netherlands Indian Government.

In addition for each insured parcel regardless of its insured value not exceeding 500 gold francs (100 dollars) sent from either country to the other there shall be paid a terminal insurance credit of 10 centimes gold per parcel. Moreover, in respect of parcel mails from the United States of America to Netherlands India transshipped in the Straits Settlements, in addition to the insurance credit provided for in the preceding sentence, an additional insurance rate of 10 centimes gold for each insured parcel regardless of its insured value shall be credited to the Netherlands Indian Administration, in case of onward sea conveyance from the Straits Settlements with ships under contract with the Netherlands Indian Government.

(b) Voor pakketten afkomstig uit de Vereenigde Staten van Amerika en bestemd voor Nederlandsch-Indië, 2.10 goudfranken voor elk pakket van een gewicht tot en met 1 kilogram, 2.50 goudfranken voor elk pakket wegende meer dan 1 tot en met 5 kilogram en 3.50 goudfranken voor elk pakket wegende meer dan 5 tot en met 10 kilogram, ingeval de zendingen rechtstreeks naar Nederlandsch-Indische havens worden vervoerd. Wanneer de pakketpostzendingen in de Straits Settlements worden overgescheept, moet boven deze vergoedingen 15 goudcentiemen per pakket tot en met 1 kilogram, 25 goudcentiemen per pakket van 1 tot en met 5 kilogram en 50 goudcentiemen per pakket van 5 tot en met 10 kilogram, worden tegoed gedaan voor het zeevervoer van de Straits Settlements naar Nederlandsch-Indië met schepen, welke onder contract met het Nederlandsch-Indische Gouvernement varen.

Bovendien wordt voor elk van het eene naar het andere land verzonden pakket met aangegeven waarde, ongeacht het bedrag der aangegeven waarde, hetwelk 500 goudfranken (100 dollars) niet te boven mag gaan voor de aangifte der waarde een bedrag van 10 goudcentiemen per pakket tegoed gedaan. Bovendien wordt ten aanzien van pakketpostzendingen afkomstig van de Vereenigde Staten van Amerika en bestemd voor Nederlandsch-Indië, overgescheept in de Straits Settlements, ingeval het verdere zeevervoer vanaf de Straits Settlements plaats heeft met schepen, welke onder contract met het Nederlandsch-Indische Gouvernement varen, boven het bedrag voor de aangegeven waarde bedoeld in het voorgaande lid, een bedrag voor deze aangegeven waarde van 10 goudcentiemen aan de Nederlandsch-Indische Administratie uitgekeerd voor elk aangegeven waarde pakket, ongeacht het bedrag der aangegeven waarde.

2. In the case of parcels originating in Netherlands India which are sent to the United States of America for onward dispatch to a possession of the latter country or, in closed mails, to a third country, the Administration of Netherlands India shall pay to the Administration of the United States of America as a transit credit 70 centimes gold per kilogram when only sea transit is provided, francs 1.15 gold per kilogram, when only land transit is provided, and francs 1.50 gold per kilogram when both land and sea transit are provided, based on the bulk net weight of each dispatch.

In addition, for each insured parcel regardless of its insured value not exceeding 500 gold francs (100 dollars), there shall be paid an insurance transit credit of 10 centimes gold for each land or sea transit involved.

Also, in the case of parcels for the possessions of the United States of America, the Administration of Netherlands India shall pay to the Administration of the United States of America the following terminal credits:

for parcels for Alaska, 70 centimes gold per kilogram computed on the bulk net weight of each dispatch;

for parcels for Puerto Rico, the Virgin Islands, Guam, Samoa, and Hawaii, 35 centimes gold per kilogram computed on the bulk net weight of each dispatch.

In addition for each insured parcel regardless of its insured value not exceeding 500 gold francs (100 dollars), there shall be paid a terminal insurance credit of 10 centimes gold per parcel.

2. Ingeval pakketten afkomstig van Nederlandsch-Indië naar de Vereenigde Staten van Amerika worden gezonden ter verdere doorzending naar een bezitting van laatstgenoemd land of, in gesloten zendingen naar een derde land worden gezonden, vergoedt de Administratie van Nederlandsch-Indië aan de Administratie van de Vereenigde Staten van Amerika een transitvergoeding van 70 goudcentiemen per kilogram wanneer de doorzending alleen over zee plaats heeft, 1.15 goudfranken per kilogram wanneer de doorzending alleen overland geschiedt en 1.50 goudfranken per kilogram wanneer de doorzending zoowel over land als over zee plaats vindt, berekend over het totaal netto gewicht van elke zending.

Bovendien wordt voor elk pakmet met aangegeven waarde, ongeacht het bedrag der aangegeven waarde, hetwelk 500 goudfranken (100 dollars) niet te boven mag gaan, een transitvergoeding voor de aangegeven waarde van 10 goudcentiemen voor elk plaats hebbend land- of zeevervoer uitgekeerd.

Insgelijks vergoedt de Administratie van Nederlandsch-Indië, voor pakketten bestemd voor de bezittingen van de Vereenigde Staten van Amerika, aan de Administratie van de Vereenigde Staten van Amerika de navolgende eindtaksen:

voor pakketten voor Alaska, 70 goudcentiemen per kilogram berekend over het totaal nettogewicht van elke zending;

voor pakketten voor Porto Rico, de Virginische Eilanden, Guam, Samoa en Hawai, 35 goudcentiemen per kilogram berekend over het totaal nettogewicht van elke zending.

Bovendien wordt voor elk pakket met aangegeven waarde, ongeacht het bedrag der aangegeven waarde, hetwelk 500 goudfranken (100 dollars) niet te boven mag gaan, een bedrag voor de aangifte der waarde van 10 goudcentiemen per pakket uitgekeerd.

3. In the case of parcels originating in the United States of America which are sent to Netherlands India for onward dispatch to a third country, the Administration of the United States of America shall pay to the Administration of Netherlands India such credits as shall be notified by the latter Administration.

4. The terminal charges and transit rates above specified may be reduced or increased on three months' previous notice given by one country to the other. The reduction or increase shall hold good for at least one year.

3. Ingeval pakketten afkomstig uit de Vereenigde Staten van Amerika naar Nederlandsch-Indië worden verzonden ter verdere doorzending naar een derde land, vergoedt de Administratie van de Vereenigde Staten van Amerika aan de Administratie van Nederlandsch-Indië de vergoedingen, welke door de laatste Administratie worden opgegeven.

4. De hierboven genoemde eindtaksen en transitvergoedingen kunnen worden verlaagd of verhoogd, op voorwaarde, dat daarvan door het eene land drie maanden tevoren aan het andere land kennis wordt gegeven. De verlaging of verhooging geldt voor tenminste een jaar.

Article 11.

ACCOUNTING.

Accounting.

1. Each Administration shall prepare quarterly an account showing the sums due for parcels sent by the other Administration.

2. These accounts accompanied by the parcel bills and, if any, copies of verification notes relating thereto shall be submitted to the examination of the corresponding Administration in the course of the quarter following the quarter to which they relate.

3. The compilation, transmission, verification and acceptance of the accounts must be effected as early as possible and the payment resulting from the balance must be made at the latest before the expiration of three months following the date of the sending of the accounts by the creditor Administration.

4. Payment of the balances due on these accounts between the two Administrations shall be effected by means of drafts on New York or on Bandoeng, or in any other manner which may from time to time be agreed upon between the Chiefs of the Postal

Artikel 11.

AFREKENING.

1. Elke Administratie maakt kwartaalsgewijs een rekening op van de bedragen verschuldigd voor de door de andere Administratie verzonden pakketten.

2. Deze rekeningen, welke vergezeld gaan van de pakketpostadviezen en, eventueel, van afschriften van de daarop betrekking hebbende berichten van bevinding, worden in den loop van het kwartaal volgende op dat, waarop zij betrekking hebben, aan het onderzoek van de andere Administratie onderworpen.

3. De samenstelling, verzending, verificatie en goedkeuring van de rekeningen moeten in den kortst mogelijken tijd geschieden en de betaling van het saldo moet plaats vinden binnen een termijn van uiterlijk drie maanden volgende op den datum van verzending van de rekeningen door de Administratie die te vorderen heeft.

4. De verrekening tusschen de beide Administratiën van de op deze rekeningen verschuldigde saldi geschiedt door middel van wissels op New York of op Bandoeng, of op eenige andere van tijd tot tijd tusschen de Hoofden van de Postadministratiën van

Administrations of the two contracting countries, the expenses attendant on the payment being at the charge of the indebted Administration.

beide contracteerende landen overeengekomen wijze; de kosten voor de betaling komen ten laste van de Administratie die te betalen heeft.

ARTICLE 12.

MISCELLANEOUS NOTIFICATIONS.

The Administrations shall communicate to each other a summary of the provisions of their laws or regulations applicable to the parcels exchanged between the two contracting countries, and other items necessary for carrying out the exchange of parcels.

Miscellaneous.

These Regulations shall come into operation on the day on which the Parcel Post Agreement comes into force and shall have the same duration as the Agreement.

Effective date and duration.

Both the English and Dutch texts of these Regulations shall have equal force.

Done in duplicate and signed at Bandoeng the 14th day of June 1934 and at Washington the 4th day of October 1934.

The Chief of Posts, Telegraphs and Telephones of Netherlands India,

[SEAL] C. HILLEN.

The Postmaster General of the United States of America;

[SEAL] JAMES A FARLEY

ARTIKEL 12.

MEDEDEELINGEN VAN ALLERLEI AARD.

De Administratiën geven elkander een beknopt overzicht van de bepalingen van hun wetgeving of reglementen, welke van toepassing zijn op de tusschen beide contracteerende landen uitgewisselde pakketten, en doen elkander mededeeling van andere voor de uitvoering van de uitwisseling van pakketten noodige gegevens.

Dit Reglement treedt in werking op den dag, waarop de Pakketpostovereenkomst van kracht wordt en het zal voor denzelfden tijd gelden als de Overeenkomst.

De Engelsche en Nederlandsche tekst van dit Reglement hebben gelijke kracht.

Gedaan in tweevoud en onderteekend te Bandoeng, den 14 Juni 1934 en te Washington, den 4th of October 1934.

Het Hoofd van den Post-, Telegraaf- en Telefoondienst in Nederlandsch-Indië.

Signatures.

[SEAL] C. HILLEN.

De "Postmaster General" van de Vereenigde Staten van Amerika,

[SEAL] JAMES A FARLEY

Approval.

The foregoing Regulations for the Execution of the Agreement between Netherlands India and the United States of America concerning the exchange of parcel post has been negotiated and concluded with my advice and consent and are hereby approved and ratified.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed.

[SEAL] FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

WASHINGTON, *October 11, 1934.*

October 12, 1929. *Convention and additional protocol between the United States of America and other powers relating to International Air Transportation. Concluded at Warsaw, October 12, 1929; adherence advised by the Senate, with reservation, June 15, 1934; adherence declared by the President, with reservation, June 27, 1934; declaration of adherence of the United States deposited at Warsaw, July 31, 1934; proclaimed, October 29, 1934.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Proclamation of the President.

WHEREAS a convention for the unification of certain rules relating to international transportation by air and an additional protocol thereto relating to Article 2 of the convention, were signed at Warsaw by the respective plenipotentiaries of certain countries, the originals of which convention and additional protocol, done at Warsaw, in the French language, October 12, 1929, and left open for signature until January 31, 1930, are word for word as follows:

Post, p. 3025.

CONVENTION POUR L'UNIFICATION DE CERTAINES RÈGLES RELATIVES AU TRANSPORT AÉRIEN INTERNATIONAL.

LE PRÉSIDENT DU REICH ALLEMAND, LE PRÉSIDENT FÉDÉRAL DE LA RÉPUBLIQUE D'AUTRICHE, SA MAJESTÉ LE ROI DES BELGES, LE PRÉSIDENT DES ÉTATS-UNIS DU BRÉSIL, SA MAJESTÉ LE ROI DES BULGARES, LE PRÉSIDENT DU GOUVERNEMENT NATIONALISTE DE CHINE, SA MAJESTÉ LE ROI DE DANEMARK ET D'ISLANDE, SA MAJESTÉ LE ROI D'ÉGYPTE, SA MAJESTÉ LE ROI D'ESPAGNE, LE CHEF D'ÉTAT DE LA RÉPUBLIQUE D'ESTONIE, LE PRÉSIDENT DE LA RÉPUBLIQUE DE FINLANDE, LE PRÉSIDENT DE LA RÉPUBLIQUE FRANÇAISE, SA MAJESTÉ LE ROI DE GRANDE-BRETAGNE, D'IRLANDE ET DES TERRITOIRES BRITANNIQUES AU DELÀ DES MERS, EMPEREUR DES INDES, LE PRÉSIDENT DE LA RÉPUBLIQUE HELLÉNIQUE, SON ALTESSE SÉRÉNISSIME LE RÉGENT DU ROYAUME DE HONGRIE, SA MAJESTÉ LE ROI D'ITALIE, SA MAJESTÉ L'EMPEREUR DU JAPON, LE PRÉSIDENT DE LA RÉPUBLIQUE DE LETTONIE, SON ALTESSE ROYALE LA GRANDE DUCHESSE DE LUXEMBOURG, LE PRÉSIDENT DES ÉTATS-UNIS DU MÉXIQUE, SA MAJESTÉ LE ROI DE NORVÈGE, SA MAJESTÉ LA REINE DES PAYS-BAS, LE PRÉSIDENT DE LA RÉPUBLIQUE DE POLOGNE, SA MAJESTÉ LE ROI DE ROUMANIE, SA MAJESTÉ LE ROI DE SUÈDE, LE CONSEIL FÉDÉRAL SUISSE, LE PRÉSIDENT DE LA RÉPUBLIQUE TCHÉCOSLOVAQUE, LE COMITÉ CENTRAL EXÉCUTIF DE L'UNION DES RÉPUBLIQUES SOVIÉTISTES SOCIALISTES, LE PRÉSIDENT DES ÉTATS-UNIS DU VENEZUELA, SA MAJESTÉ LE ROI DE YOUGOSLAVIE,

ayant reconnu l'utilité de régler d'une manière uniforme les conditions du transport aérien international en ce qui concerne les documents utilisés pour ce transport et la responsabilité du transporteur,

à cet effet ont nommé leurs Plénipotentiaires respectifs lesquels, dûment autorisés, ont conclu et signé la Convention suivante:

Chapitre Premier. Objet—Définitions.

Article Premier.

(1) La présente Convention s'applique à tout transport international de personnes, bagages ou marchandises, effectué par aéronef contre rémunération. Elle s'applique également aux transports gratuits effectués par aéronef par une entreprise de transports aériens.

(2) Est qualifié „transport international", au sens de la présente Convention, tout transport dans lequel, d'après les stipulations des parties, le point de départ et le point de destination, qu'il y ait ou non interruption de transport ou transbordement, sont situés soit sur le territoire de deux Hautes Parties Contractantes, soit sur le territoire d'une seule Haute Partie Contractante, si une escale est prévue dans un territoire soumis à la souveraineté, à la suzeraineté, au mandat ou à l'autorité d'une autre Puissance même non Contractante. Le transport sans une telle escale entre les territoires soumis à la souveraineté, à la suzeraineté, au mandat ou à l'autorité de la même Haute Partie Contractante n'est pas considéré comme international au sens de la présente Convention.

(3) Le transport à exécuter par plusieurs transporteurs par air successifs est censé constituer pour l'application de cette Convention un transport unique lorsqu'il a été envisagé par les parties comme une seule opération, qu'il ait été conclu sous la forme d'un seul contrat ou d'une série de contrats et il ne perd pas son caractère international par le fait qu'un seul contrat ou une série de contrats doivent être exécutés intégralement dans un territoire soumis à la souveraineté, à la suzeraineté, au mandat ou à l'autorité d'une même Haute Partie Contractante.

Article 2.

(1) La Convention s'applique aux transports effectués par l'État ou les autres personnes juridiques de droit public, dans les conditions prévues à l'article 1er.

(2) Sont exceptés de l'application de la présente Convention les transports effectués sous l'empire de conventions postales internationales.

Chapitre II. Titres de Transport.

Section I.—Billet de passage.

Article 3.

(1) Dans le transport de voyageurs, le transporteur est tenu de délivrer un billet de passage qui doit contenir les mentions suivantes:

a) le lieu et la date de l'émission;

b) les points de départ et de destination;

c) les arrêts prévus, sous réserve de la faculté pour le transporteur de stipuler qu'il pourra les modifier en cas de nécessité et sans que cette modification puisse faire perdre au transport son caractère international;

d) le nom et l'adresse du ou des transporteurs;

e) l'indication que le transport est soumis au régime de la responsabilité établi par la présente Convention.

(2) L'absence, l'irrégularité ou la perte du billet n'affecte ni l'existence, ni la validité du contrat de transport, qui n'en sera pas moins soumis aux règles de la présente Convention. Toutefois si le transporteur accepte le voyageur sans qu'il ait été délivré un billet de passage, il n'aura pas le droit de se prévaloir des dispositions de cette Convention qui excluent ou limitent sa responsabilité.

SECTION II.—BULLETIN DE BAGAGES.

Article 4.

(1) Dans le transport de bagages, autres que les menus objets personnels dont le voyageur conserve la garde, le transporteur est tenu de délivrer un bulletin de bagages.

(2) Le bulletin de bagages est établi en deux exemplaires, l'un pour le voyageur, l'autre pour le transporteur.

(3) Il doit contenir les mentions suivantes:

a) le lieu et la date de l'émission;

b) les points de départ et de destination;

c) le nom et l'adresse du ou des transporteurs;

d) le numéro du billet de passage;

e) l'indication que la livraison des bagages est faite au porteur du bulletin;

f) le nombre et le poids des colis;

g) le montant de la valeur déclarée conformément à l'article 22 alinéa 2;

h) l'indication que le transport est soumis au régime de la responsabilité établi par la présente Convention.

(4) L'absence, l'irrégularité ou la perte du bulletin n'affecte ni l'existence, ni la validité du contrat de transport que n'en sera pas moins soumis aux règles de la présente Convention. Toutefois si le transporteur accepte les bagages sans qu'il ait été délivré un bulletin ou si le bulletin ne contient pas les mentions indiquées sous les lettres d), f), h), le transporteur n'aura pas le droit de se prévaloir des dispositions de cette Convention qui excluent ou limitent sa responsabilité.

SECTION III.—LETTRE DE TRANSPORT AÉRIEN.

Article 5.

(1) Tout transporteur de marchandises a le droit de demander à l'expéditeur l'établissement et la remise d'un titre appelé: „lettre de transport aérien"; tout expéditeur a le droit de demander au transporteur l'acceptation de ce document.

(2) Toutefois, l'absence, l'irrégularité ou la perte de ce titre n'affecte ni l'existence, ni la validité du contrat de transport qui n'en sera pas moins soumis aux règles de la présente Convention, sous réserve des dispositions de l'article 9.

Article 6.

(1) La lettre de transport aérien est établie par l'expéditeur en trois exemplaires originaux et remise avec la marchandise.

(2) Le premier exemplaire porte la mention „pour le transporteur"; il est signé par l'expéditeur. Le deuxième exemplaire porte la mention „pour le destinataire"; il est signé par l'expéditeur et le transporteur et il accompagne la marchandise. Le troisième exemplaire est signé par le transporteur et remis par lui à l'expéditeur après acceptation de la marchandise.

(3) La signature du transporteur doit être apposée dès l'acceptation de la marchandise.

(4) La signature du transporteur peut être remplacée par un timbre; celle de l'expéditeur peut être imprimée ou remplacée par un timbre.

(5) Si, à la demande de l'expéditeur, le transporteur établit la lettre de transport aérien, il est considéré jusqu'à preuve contraire. comme agissant pour le compte de l'expéditeur.

Article 7.

Le transporteur de marchandises a le droit de demander à l'expéditeur l'établissement de lettres de transport aérien différentes lorsqu'il y a plusieurs colis.

Article 8.

La lettre de transport aérien doit contenir les mentions suivantes:

a) le lieu où le document a été créé et la date à laquelle il a été établi;

b) les points de départ et de destination;

c) les arrêts prévus, sous réserve de la faculté, pour le transporteur, de stipuler qu'il pourra les modifier en cas de nécessité et sans que cette modification puisse faire perdre au transport son caractère international;

d) le nom et l'adresse de l'expéditeur;

e) le nom et l'adresse du premier transporteur;

f) le nom et l'adresse du destinataire, s'il y a lieu;

g) la nature de la marchandise;

h) le nombre, le mode d'emballage, les marques particulières ou les numéros des colis;

i) le poids, la quantité, le volume ou les dimensions de la marchandise;

j) l'état apparent de la marchandise et de l'emballage;

k) le prix du transport s'il est stipulé, la date et le lieu de paiement et la personne qui doit payer;

l) si l'envoi est fait contre remboursement, le prix des marchandises et, éventuellement, le montant des frais;

m) le montant de la valeur déclarée conformément à l'article 22, alinéa 2;

n) le nombre d'exemplaires de la lettre de transport aérien;

o) les documents transmis au transporteur pour accompagner la lettre de transport aérien;

p) le délai de transport et indication sommaire de la voie à suivre (*via*) s'ils ont été stipulés;

q) l'indication que le transport est soumis au régime de la responsabilité établi par la présente Convention.

Article 9.

Si le transporteur accepte des marchandises sans qu'il ait été établi une lettre de transport aérien, ou si celle-ci ne contient pas toutes les mentions indiquées par l'article 8 [a) à i) inclusivement et q)], le transporteur n'aura pas le droit de se prévaloir des dispositions de cette Convention qui excluent ou limitent sa responsabilité.

Article 10.

(1) L'expéditeur est responsable de l'exactitude des indications et déclarations concernant la marchandise qu'il inscrit dans la lettre de transport aérien.

(2) Il supportera la responsabilité de tout dommage subi par le transporteur ou toute autre personne à raison de ses indications et déclarations irrégulières, inexactes ou incomplètes.

Article 11.

(1) La lettre de transport aérien fait foi, jusqu'à preuve contraire, de la conclusion du contrat, de la réception de la marchandise et des conditions du transport.

(2) Les énonciations de la lettre de transport aérien, relatives au poids, aux dimensions et à l'emballage de la marchandise ainsi qu'au nombre des colis font foi jusqu'à preuve contraire; celles relatives à la quantité, au volume et à l'état de la marchandise ne font preuve contre le transporteur qu'autant que la vérification en a été faite par lui en présence de l'expéditeur, et constatée sur la lettre de transport aérien, ou qu'il s'agit d'énonciations relatives à l'état apparent de la marchandise.

Article 12.

(1) L'expéditeur a le droit sous la condition d'exécuter toutes les obligations résultant du contrat de transport, de disposer de la marchandise, soit en la retirant à l'aérodrome de départ ou de destination, soit en l'arrêtant en cours de route lors d'un atterrissage, soit en la faisant délivrer au lieu de destination ou en cours de route à une personne autre que le destinataire indiqué sur la lettre de transport aérien, soit en demandant son retour à l'aérodrome de départ, pour autant que l'exercice de ce droit ne porte préjudice ni au transporteur, ni aux autres expéditeurs et avec l'obligation de rembourser les frais qui en résultent.

(2) Dans le cas ou l'exécution des ordres de l'expéditeur est impossible, le transporteur doit l'en aviser immédiatement.

(3) Si le transporteur se conforme aux ordres de disposition de l'expéditeur, sans exiger la production de l'exemplaire de la lettre de transport aérien délivré à celui-ci, il sera responsable, sauf son recours contre l'expéditeur, du préjudice qui pourrait être causé par ce fait à celui qui est régulièrement en possession de la lettre de transport aérien.

(4) Le droit de l'expéditeur cesse au moment où celui du destinataire commence, conformément à l'article 13 ci-dessous. Toutefois, si le destinataire refuse la lettre de transport ou la marchandise, ou s'il ne peut être atteint, l'expéditeur reprend son droit de disposition.

Article 13.

(1) Sauf dans les cas indiqués à l'article précédent, le destinataire a le droit, dès l'arrivée de la marchandise au point de destination, de demander au transporteur de lui remettre la lettre de transport aérien et de lui livrer la marchandise contre le paiement du montant des créances et contre l'exécution des conditions de transport indiquées dans la lettre de transport aérien.

(2) Sauf stipulation contraire, le transporteur doit aviser le destinataire dès l'arrivée de la marchandise.

(3) Si la perte de la marchandise est reconnue par le transporteur ou si, à l'expiration d'un délai de sept jours après qu'elle aurait dû arriver, la marchandise n'est pas arrivée, le destinataire est autorisé à faire valoir vis-à-vis du transporteur les droits résultant du contrat de transport.

Article 14.

L'expéditeur et le destinataire peuvent faire valoir tous les droits qui leur sont respectivement conférés par les articles 12 et 13, chacun en son propre nom, qu'il agisse dans son propre intérêt ou dans l'intérêt d'autrui, à condition d'exécuter les obligations que le contrat impose.

Article 15.

(1) Les articles 12, 13 et 14 ne portent aucun préjudice ni aux rapports de l'expéditeur et du destinataire entre eux, ni aux rapports des tiers dont les droits proviennent, soit de l'expéditeur, soit du destinataire.

(2) Toute clause dérogeant aux stipulations des articles 12, 13 et 14 doit être inscrite dans la lettre de transport aérien.

Article 16.

(1) L'expéditeur est tenu de fournir les renseignements et de joindre à la lettre de transport aérien les documents qui, avant la remise de la marchandise au destinataire, sont nécessaires à l'accomplissement des formalités de douane, d'octroi ou de police. L'expéditeur est responsable envers le transporteur de tous dommages qui pourraient résulter de l'absence, de l'insuffisance ou de l'irrégularité de ces renseignements et pièces, sauf le cas de faute de la part du transporteur ou de ses préposés.

(2) Le transporteur n'est pas tenu d'examiner si ces renseignements et documents sont exacts ou suffisants.

Chapitre III. Responsabilité du Transporteur.

Article 17.

Le transporteur est responsable du dommage survenu en cas de mort, de blessure ou de toute autre lésion corporelle subie par un voyageur lorsque l'accident qui a causé le dommage s'est produit à bord de l'aéronef ou au cours de toutes opérations d'embarquement et de débarquement.

Article 18.

(1) Le transporteur est responsable du dommage survenu en cas de destruction, perte ou avarie de bagages enregistrés ou de marchandises lorsque l'événement qui a causé le dommage s'est produit pendant le transport aérien.

(2) Le transport aérien, au sens de l'alinéa précédent, comprend la période pendant laquelle les bagages ou marchandises se trouvent sous la garde du transporteur, que ce soit dans un aérodrome ou à bord d'un aéronef ou dans un lieu quelconque en cas d'atterrissage en dehors d'un aérodrome.

(3) La période du transport aérien ne couvre aucun transport terrestre, maritime ou fluvial effectué en dehors d'un aérodrome. Toutefois lorsqu'un tel transport est effectué dans l'exécution du contrat de transport aérien en vue du chargement, de la livraison ou du transbordement, tout dommage est présumé, sauf preuve contraire, résulter d'un événement survenu pendant le transport aérien.

Article 19.

Le transporteur est responsable du dommage résultant d'un retard dans le transport aérien de voyageurs, bagages ou marchandises.

Article 20.

(1) Le transporteur n'est pas responsable s'il prouve que lui et ses préposés ont pris toutes les mesures nécessaires pour éviter le dommage ou qu'il leur était impossible de les prendre.

(2) Dans les transports de marchandises et de bagages, le transporteur n'est pas responsable, s'il prouve que le dommage provient d'une faute de pilotage, de conduite de l'aéronef ou de navigation, et que, à tous autres égards, lui et ses préposés ont pris toutes les mesures nécessaires pour éviter le dommage.

Article 21.

(1) Dans le cas où le transporteur fait la preuve que la faute de la personne lésée a causé le dommage ou y a contribué, le tribunal pourra, conformément aux dispositions de sa propre loi, écarter ou atténuer la responsabilité du transporteur.

Article 22.

(1) Dans le transport des personnes, la responsabilité du transporteur envers chaque voyageur est limitée à la somme de cent vingt cinq mille francs. Dans le cas où, d'après la loi du tribunal saisi, l'indemnité peut être fixée sous forme de rente, le capital de la rente ne peut dépasser cette limite. Toutefois par une convention spéciale avec le transporteur, le voyageur pourra fixer une limite de responsabilité plus élevée.

(2) Dans le transport de bagages enregistrés et de marchandises, la responsabilité du transporteur est limitée à la somme de deux cent cinquante francs par kilogramme, sauf déclaration spéciale d'intérêt à la livraison faite par l'expéditeur au moment de la remise du colis au transporteur et moyennant le paiement d'une taxe supplémentaire éventuelle. Dans ce cas, le transporteur sera tenu de payer jusqu'à concurrence de la somme déclarée, à moins qu'il ne prouve qu'elle est supérieure à l'intérêt réel de l'expéditeur à la livraison.

(3) En ce qui concerne les objets dont le voyageur conserve la garde, la responsabilité du transporteur est limitée à cinq mille francs par voyageur.

(4) Les sommes indiquées ci-dessus sont considérées comme se rapportant au franc français constitué par soixante-cinq et demie milligrammes d'or au titre de neuf cents millièmes de fin. Elles pourront être converties dans chaque monnaie nationale en chiffres ronds.

Article 23.

Toute clause tendant à exonérer le transporteur de sa responsabilité ou à établir une limite inférieure à celle qui est fixée dans la présente Convention est nulle et de nul effet, mais la nullité de cette clause n'entraîne pas la nullité du contrat qui reste soumis aux dispositions de la présente Convention.

Article 24.

(1) Dans les cas prévus aux articles 18 et 19 toute action en responsabilité, à quelque titre que ce soit, ne peut être exercée que dans les conditions et limites prévues par la présente Convention.

(2) Dans les cas prévus à l'article 17, s'appliquent également les dispositions de l'alinéa précédent, sans préjudice de la détermination des personnes qui ont le droit d'agir et de leurs droits respectifs.

Article 25.

(1) Le transporteur n'aura pas le droit de se prévaloir des dispositions de la présente Convention qui excluent ou limitent sa responsabilité, si le dommage provient de son dol ou d'une faute qui, d'après la loi du tribunal saisi, est considérée comme équivalente au dol.

(2) Ce droit lui sera également refusé si le dommage a été causé dans les mêmes conditions par un de ses préposés agissant dans l'exercice de ses fonctions.

Article 26.

(1) La réception des bagages et marchandises sans protestation par le destinataire constituera présomption, sauf preuve contraire,

que les marchandises ont été livrées en bon état et conformément au titre de transport.

(2) En cas d'avarie le destinataire doit adresser au transporteur une protestation immédiatement après la découverte de l'avarie et, au plus tard, dans un délai de trois jours pour les bagages et de sept jours pour les marchandises à dater de leur réception. En cas de retard, la protestation devra être faite au plus tard dans les quatorze jours à dater du jour où le bagage ou la marchandise auront été mis à sa disposition.

(3) Toute protestation doit être faite par réserve inscrite sur le titre de transport ou par un autre écrit expédié dans le délai prévu pour cette protestation.

(4) À défaut de protestation dans les délais prévus, toutes actions contre le transporteur sont irrecevables, sauf le cas de fraude de celui-ci.

Article 27.

En cas de décès du débiteur, l'action en responsabilité, dans les limites prévues par la présente Convention, s'exerce contre ses ayants droit.

Article 28.

(1) L'action en responsabilité devra être portée, au choix du demandeur, dans le territoire d'une des Hautes Parties Contractantes, soit devant le tribunal du domicile du transporteur, du siège principal de son exploitation ou du lieu où il possède un établissement par le soin duquel le contrat a été conclu, soit devant le tribunal du lieu de destination.

(2) La procédure sera réglée par la loi du tribunal saisi.

Article 29.

(1) L'action en responsabilité doit être intentée, sous peine de déchéance, dans le délai de deux ans à compter de l'arrivée à destination ou du jour où l'aéronef aurait dû arriver, ou de l'arrêt du transport.

(2) Le mode du calcul du délai est déterminé par la loi du tribunal saisi.

Article 30.

(1) Dans les cas de transport régis par la définition du troisième alinéa de l'article premier, à exécuter par divers transporteurs successifs, chaque transporteur acceptant des voyageurs, des bagages ou des marchandises est soumis aux règles établies par cette Convention, et est censé être une des parties contractantes du contrat de transport, pour autant que ce contrat ait trait à la partie du transport effectuée sous son contrôle.

(2) Au cas d'un tel transport, le voyageur ou ses ayants droit ne pourront recourir que contre le transporteur ayant effectué le transport au cours duquel l'accident ou le retard s'est produit, sauf dans le cas où, par stipulation expresse, le premier transporteur aura assuré la responsabilité pour tout le voyage.

(3) S'il s'agit de bagages ou de marchandises, l'expéditeur aura recours contre le premier transporteur et le destinataire qui a le droit à la délivrance contre le dernier, et l'un et l'autre pourront, en outre, agir contre le transporteur ayant effectué le transport au cours duquel la destruction, la perte, l'avarie ou le retard se sont produits. Ces transporteurs seront solidairement responsables envers l'expéditeur et le destinataire.

CHAPITRE IV. DISPOSITIONS RELATIVES AUX TRANSPORTS COMBINÉS.

Article 31.

(1) Dans le cas de transports combinés effectués en partie par air et en partie par tout autre moyen de transport, les stipulations de la présente Convention ne s'appliquent qu'au transport aérien et si celui-ci répond aux conditions de l'article premier.

(2) Rien dans la présente Convention n'empêche les parties, dans le cas de transports combinés, d'insérer dans le titre de transport aérien des conditions relatives à d'autres modes de transport, à condition que les stipulations de la présente Convention soient respectées en ce qui concerne le transport par air.

CHAPITRE V. DISPOSITIONS GÉNÉRALES ET FINALES.

Article 32.

(1) Sont nulles toutes clauses du contrat de transport et toutes conventions particulières antérieures au dommage par lesquelles les parties dérogeraient aux règles de la présente Convention soit par une détermination de la loi applicable, soit par une modification des règles de compétence. Toutefois, dans le transport des marchandises, les clauses d'arbitrage sont admises, dans les limites de la présente Convention, lorsque l'arbitrage doit s'effectuer dans les lieux de compétence des tribunaux prévus à l'article 28 alinéa 1.

Article 33.

Rien dans la présente Convention ne peut empêcher un transporteur de refuser la conclusion d'un contrat de transport ou de formuler des règlements qui ne sont pas en contradiction avec les dispositions de la présente Convention.

Article 34.

La présente Convention n'est applicable ni aux transports aériens internationaux exécutés à titre de premiers essais par des entreprises de navigation aérienne en vue de l'établissement de lignes régulières de navigation aérienne ni aux transports effectués dans des circonstances extraordinaires en dehors de toute opération normale de l'exploitation aérienne.

Article 35.

Lorsque dans la présente Convention il est question de jours, il s'agit de jours courants et non de jours ouvrables.

Article 36.

La présente Convention est rédigée en français en un seul exemplaire qui restera déposé aux archives du Ministère des Affaires Étrangères de Pologne, et dont une copie certifiée conforme sera transmise par les soins du Gouvernement Polonais au Gouvernement de chacune des Hautes Parties Contractantes.

Article 37.

(1) La présente Convention sera ratifiée. Les instruments de ratification seront déposés aux archives du Ministère des Affaires Étrangères de Pologne, qui en notifiera le dépôt au Gouvernement de chacune des Hautes Parties Contractantes.

(2) Dès que la présente Convention aura été ratifiée par cinq des Hautes Parties Contractantes, elle entrera en vigueur entre Elles le quatre-vingt-dixième jour après le dépôt de la cinquième ratification. Ultérieurement elle entrera en vigueur entre les Hautes Parties

Contractantes qui l'auront ratifiée et la Haute Partie Contractante qui déposera son instrument de ratification le quatre-vingt dixième jour après son dépôt.

(3) Il appartiendra au Gouvernement de la République de Pologne de notifier au Gouvernement de chacune des Hautes Parties Contractantes la date de l'entrée en vigueur de la présente Convention ainsi que la date du dépôt de chaque ratification.

Article 38.

(1) La présente Convention, après son entrée en vigueur, restera ouverte à l'adhésion de tous les États.

(2) L'adhésion sera effectuée par une notification adressée au Gouvernement de la République de Pologne, qui en fera part au Gouvernement de chacune des Hautes Parties Contractantes.

(3) L'adhésion produira ses effets à partir du quatre-vingt-dixième jour après la notification faite au Gouvernement de la République de Pologne.

Article 39.

(1) Chacune des Hautes Parties Contractantes pourra dénoncer la présente Convention par une notification faite au Gouvernement de la République de Pologne, qui en avisera immédiatement le Gouvernement de chacune des Hautes Parties Contractantes.

(2) La dénonciation produira ses effets six mois après la notification de la dénonciation et seulement à l'égard de la Partie qui y aura procédé.

Article 40.

(1) Les Hautes Parties Contractantes pourront, au moment de la signature, du dépôt des ratifications, ou de leur adhésion, déclarer que l'acceptation qu'Elles donnent à la présente Convention ne s'applique pas à tout ou partie de leurs colonies, protectorats, territoires sous mandat, ou tout autre territoire soumis à leur souveraineté ou à leur autorité, ou à tout autre territoire sous suzeraineté.

(2) En conséquence Elles pourront ultérieurement adhérer séparément au nom de tout ou partie de leurs colonies, protectorats, territoire sous mandat, ou tout autre territoire soumis à leur souveraineté ou à leur autorité, ou tout territoire sous suzeraineté ainsi exclus de leur déclaration originelle.

(3) Elles pourront aussi, en se conformant à ses dispositions, dénoncer la présente Convention séparément ou pour tout ou partie de leurs colonies, protectorats, territoires sous mandat, ou tout autre territoire soumis à leur souveraineté ou à leur autorité, ou tout autre territoire sous suzeraineté.

Article 41.

Chacune des Hautes Parties Contractantes aura la faculté au plus tôt deux ans après la mise en vigueur de la présente Convention de provoquer la réunion d'une nouvelle Conférence Internationale dans le but de rechercher les améliorations qui pourraient être apportées à la présente Convention. Elle s'adressera dans ce but au Gouvernement de la République Française qui prendra les mesures nécessaires pour préparer cette Conférence.

La présente Convention, faite à Varsovie le 12 octobre 1929 restera ouverte à la signature jusqu'au 31 janvier 1930.

Pour l'Allemagne:

(—) R. Richter
(—) Dr. A. Wegerdt
(—) Dr. E. Albrecht
(—) Dr. Otto Riese

Pour l'Autriche:
(—) STROBELE
(—) REINOEHL

Pour la Belgique:
(—) BERNARD DE L'ESCAILLE

Pour les États-Unis du Brésil:
(—) ALCIBIADES PEÇANHA

Pour la Bulgarie:

Pour la Chine:

Pour le Danemark:
(—) L. INGERSLEV
(—) KNUD GREGERSEN

Pour l'Égypte:

Pour l'Espagne:
(—) SILVIO FERNANDEZ-VALLIN

Pour l'Estonie:

Pour la Finlande:

Pour la France:
(—) PIERRE ÉTIENNE FLANDIN
(—) GEORGES RIPERT

Pour la Grande-Bretagne et l'Irlande du Nord:
(—) A. H. DENNIS
(—) ORME CLARKE
(—) R. L. MEGARRY

Pour le Commonwealth d'Australie:
(—) A. H. DENNIS
(—) ORME CLARKE
(—) R. L. MEGARRY

Pour l'Union Sud-Africaine:
(—) A. H. DENNIS
(—) ORME CLARKE
(—) R. L. MEGARRY

Pour la République Hellénique:
(—) G. C. LAGOUDAKIS

Pour la Hongrie:

Pour l'Italie:
(—) A. GIANNINI

Pour le Japon:
(—) KAZUO NISHIKAWA

Pour la Lettonie:
(—) M. NUKŠA

Pour le Luxembourg:
(—) E. ARENDT

Pour le Mexique:

Pour la Norvège:
(—) N. CHR. DITLEFF

Pour les Pays-Bas:
(—) W. B. ENGELBRECHT

Pour la Pologne:
(—) AUGUSTE ZALESKI
(—) ALFONS KÜHN

Pour la Roumanie:
(—) G. CRETZIANO

Pour la Suède:

Pour la Suisse:
(—) EDM. PITTARD
(—) Dr. F. HESS

Pour la Tchécoslovaquie:
(—) Dr. V. GIRSA

Pour l'Union des Républiques Soviétistes Socialistes:
(—) KOTZUBINSKY

Pour le Venezuela:

Pour la Yougoslavie:
(—) IVO DE GIULLI

Protocole Additionnel.

Ad Article 2.

Les Hautes Parties Contractantes se réservent le droit de déclarer au moment de la ratification ou de l'adhésion que l'article 2 alinéa premier, de la présente Convention ne s'appliquera pas aux transports internationaux aériens effectués directement par l'État, ses colonies, protoctorats, territoires sous mandat ou tout autre territoire sous sa souveraineté, sa suzeraineté ou son autorité.

Pour l'Allemagne:
(—) R. RICHTER
(—) Dr. A. WEGERDT
(—) Dr. E. ALBRECHT
(—) Dr. iur. OTTO RIESE

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(—) KOTZUBINSKY
Pour le Venezuela:
Pour la Yougoslavie:
(—) IVO DE GIULLI

AND WHEREAS the said convention came into force on February 13, 1933, and, pursuant to a provision of the first paragraph of Article 38, remained open thereafter for adherence by any state;

Adherence, subject to reservation.

AND WHEREAS the said convention and the said additional protocol have been definitively adhered to by the United States of America, subject to the reservation, as is provided for in the additional protocol, that the first paragraph of Article 2 of the convention shall not apply to international transportation that may be performed by the United States of America or any territory or possession under its jurisdiction, and the instrument of adherence was deposited in the archives of the Ministry for Foreign Affairs of Poland on July 31, 1934;

Effective date.

AND WHEREAS, in accordance with the third paragraph of Article 38 of the convention, the adherence of the United States of America took effect from the ninetieth day after the said day of deposit, namely, from the twenty-ninth day of October, one thousand nine hundred and thirty-four;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said convention and additional protocol to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof, subject to the reservation aforesaid.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this twenty-ninth day of October, in the year of our Lord one thousand nine hundred and
[SEAL] thirty-four, and of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
WILLIAM PHILLIPS
Acting Secretary of State.

Translation

Multilateral Convention relating to international air transportation.

CONVENTION FOR THE UNIFICATION OF CERTAIN RULES RELATING TO INTERNATIONAL TRANSPORTATION BY AIR

Contracting Powers.

THE PRESIDENT OF THE GERMAN REICH, THE FEDERAL PRESIDENT OF THE REPUBLIC OF AUSTRIA, HIS MAJESTY THE KING OF THE BELGIANS, THE PRESIDENT OF THE UNITED STATES OF BRAZIL, HIS MAJESTY THE KING OF THE BULGARIANS, THE PRESIDENT OF THE NATIONALIST GOVERNMENT OF CHINA, HIS MAJESTY THE KING OF DENMARK AND ICELAND, HIS MAJESTY THE KING OF EGYPT, HIS MAJESTY THE KING OF SPAIN, THE CHIEF OF STATE OF THE REPUBLIC OF ESTONIA, THE PRESIDENT OF THE REPUBLIC OF FINLAND, THE PRESIDENT OF THE FRENCH REPUBLIC, HIS MAJESTY THE KING OF GREAT BRITAIN, IRELAND, AND THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA, THE PRESIDENT OF THE HELLENIC REPUBLIC, HIS MOST SERENE HIGHNESS THE REGENT OF THE KINGDOM OF HUNGARY, HIS MAJESTY THE KING OF ITALY, HIS MAJESTY THE EMPEROR OF JAPAN, THE PRESIDENT OF THE REPUBLIC OF LATVIA, HER ROYAL HIGHNESS THE GRAND DUCHESS OF LUXEMBURG, THE PRESIDENT OF THE UNITED MEXICAN STATES, HIS MAJESTY THE KING OF NORWAY, HER MAJESTY THE QUEEN OF THE NETHERLANDS, THE PRESIDENT OF THE REPUBLIC OF POLAND, HIS MAJESTY THE KING OF RUMANIA, HIS MAJESTY THE KING OF SWEDEN, THE SWISS FEDERAL COUNCIL, THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC, THE CENTRAL EXECUTIVE COMMITTEE OF THE UNION OF SOVIET SOCIALIST REPUBLICS, THE PRESIDENT OF THE UNITED STATES OF VENEZUELA, HIS MAJESTY THE KING OF YUGOSLAVIA:

Having recognized the advantage of regulating in a uniform manner the conditions of international transportation by air in respect of the documents used for such transportation and of the liability of the carrier,

Have nominated to this end their respective Plenipotentiaries, who, being thereto duly authorized, have concluded and signed the following convention:

CHAPTER I. SCOPE—DEFINITIONS

Article 1

Scope.

(1) This convention shall apply to all international transportation of persons, baggage, or goods performed by aircraft for hire. It shall apply equally to gratuitous transportation by aircraft performed by an air transportation enterprise.

Definitions.

(2) For the purposes of this convention the expression "international transportation" shall mean any transportation in which, according to the contract made by the parties, the place of departure and the place of destination, whether or not there be a break in the transportation or a transshipment, are situated either within the territories of two High Contracting Parties, or within the territory of a single High Contracting Party, if there is an agreed stopping place within a territory subject to the sovereignty, suzerainty, mandate or authority of another power, even though that power is not a party to this convention. Transportation without such an agreed stopping place between territories subject to the sovereignty, suzerainty, mandate, or authority of the same High Contracting Party shall not be deemed to be international for the purposes of this convention.

(3) Transportation to be performed by several successive air carriers shall be deemed, for the purposes of this convention, to be one undivided transportation, if it has been regarded by the parties as a single operation, whether it has been agreed upon under the form of a single contract or of a series of contracts, and it shall not lose its international character merely because one contract or a series of contracts is to be performed entirely within a territory subject to the sovereignty, suzerainty, mandate, or authority of the same High Contracting Party.

Article 2

Application of convention.

(1) This convention shall apply to transportation performed by the state or by legal entities constituted under public law provided it falls within the conditions laid down in article 1.

(2) This convention shall not apply to transportation performed under the terms of any international postal convention.

CHAPTER II. TRANSPORTATION DOCUMENTS

Transportation documents.

SECTION I—PASSENGER TICKET

Article 3

Passenger ticket.

(1) For the transportation of passengers the carrier must deliver a passenger ticket which shall contain the following particulars:

(*a*) The place and date of issue;

(*b*) The place of departure and of destination;

(*c*) The agreed stopping places, provided that the carrier may reserve the right to alter the stopping places in case of necessity, and that if he exercises that right, the alteration shall not have the effect of depriving the transportation of its international character;

(*d*) The name and address of the carrier or carriers;

(*e*) A statement that the transportation is subject to the rules relating to liability established by this convention.

(2) The absence, irregularity, or loss of the passenger ticket shall not affect the existence or the validity of the contract of transportation, which shall none the less be subject to the rules of this convention. Nevertheless, if the carrier accepts a passenger without a passenger ticket having been delivered he shall not be entitled to avail himself of those provisions of this convention which exclude or limit his liability.

SECTION II.—BAGGAGE CHECK

Article 4

Baggage check.

(1) For the transportation of baggage, other than small personal objects of which the passenger takes charge himself, the carrier must deliver a baggage check.

(2) The baggage check shall be made out in duplicate, one part for the passenger and the other part for the carrier.

(3) The baggage check shall contain the following particulars:

(*a*) The place and date of issue;

(*b*) The place of departure and of destination;

(*c*) The name and address of the carrier or carriers;

(*d*) The number of the passenger ticket;

(*e*) A statement that delivery of the baggage will be made to the bearer of the baggage check;

(*f*) The number and weight of the packages;

(*g*) The amount of the value declared in accordance with article 22 (2);

(*h*) A statement that the transportation is subject to the rules relating to liability established by this convention.

(4) The absence, irregularity, or loss of the baggage check shall not affect the existence or the validity of the contract of transportation which shall none the less be subject to the rules of this convention. Nevertheless, if the carrier accepts baggage without a baggage check having been delivered, or if the baggage check does not contain the particulars set out at (*d*), (*f*), and (*h*) above, the carrier shall not be entitled to avail himself of those provisions of the convention which exclude or limit his liability.

SECTION III.—AIR WAYBILL

Article 5

Air waybill.

(1) Every carrier of goods has the right to require the consignor to make out and hand over to him a document called an "air waybill": every consignor has the right to require the carrier to accept this document.

(2) The absence, irregularity, or loss of this document shall not affect the existence or the validity of the contract of transportation which shall, subject to the provisions of article 9, be none the less governed by the rules of this convention.

Article 6

Requirements.

(1) The air waybill shall be made out by the consignor in three original parts and be handed over with the goods.

(2) The first part shall be marked "for the carrier", and shall be signed by the consignor. The second part shall be marked "for the consignee"; it shall be signed by the consignor and by the carrier and shall accompany the goods. The third part shall be signed by the carrier and handed by him to the consignor after the goods have been accepted.

(3) The carrier shall sign on acceptance of the goods.

(4) The signature of the carrier may be stamped; that of the consignor may be printed or stamped.

(5) If, at the request of the consignor, the carrier makes out the air waybill, he shall be deemed, subject to proof to the contrary, to have done so on behalf of the consignor.

Article 7

The carrier of goods has the right to require the consignor to make out separate waybills when there is more than one package.

Article 8

Contents.

The air waybill shall contain the following particulars:

(*a*) The place and date of its execution;

(*b*) The place of departure and of destination;

(*c*) The agreed stopping places, provided that the carrier may reserve the right to alter the stopping places in case of necessity, and that if he exercises that right the alteration shall not have the effect of depriving the transportation of its international character;

(*d*) The name and address of the consignor;

(*e*) The name and address of the first carrier;

(*f*) The name and address of the consignee, if the case so requires;

(*g*) The nature of the goods;

(*h*) The number of packages, the method of packing, and the particular marks or numbers upon them;

(*i*) The weight, the quantity, the volume, or dimensions of the goods;

(*j*) The apparent condition of the goods and of the packing;
(*k*) The freight, if it has been agreed upon, the date and place of payment, and the person who is to pay it;
(*l*) If the goods are sent for payment on delivery, the price of the goods, and, if the case so requires, the amount of the expenses incurred;
(*m*) The amount of the value declared in accordance with article 22 (2);
(*n*) The number of parts of the air waybill;
(*o*) The documents handed to the carrier to accompany the air waybill;
(*p*) The time fixed for the completion of the transportation and a brief note of the route to be followed, if these matters have been agreed upon;
(*q*) A statement that the transportation is subject to the rules relating to liability established by this convention

Article 9

Liabilities.

If the carrier accepts goods without an air waybill having been made out, or if the air waybill does not contain all the particulars set out in article 8 (*a*) to (*i*), inclusive, and (*q*), the carrier shall not be entitled to avail himself of the provisions of this convention which exclude or limit his liability.

Article 10

Responsibility for correctness.

(1) The consignor shall be responsible for the correctness of the particulars and statements relating to the goods which he inserts in the air waybill.
(2) The consignor shall be liable for all damages suffered by the carrier or any other person by reason of the irregularity, incorrectness or incompleteness of the said particulars and statements.

Article 11

Prima facie evidence of contract.

(1) The air waybill shall be *prima facie* evidence of the conclusion of the contract, of the receipt of the goods and of the conditions of transportation.
(2) The statements in the air waybill relating to the weight, dimensions, and packing of the goods, as well as those relating to the number of packages, shall be *prima facie* evidence of the facts stated; those relating to the quantity, volume, and condition of the goods shall not constitute evidence against the carrier except so far as they both have been, and are stated in the air waybill to have been, checked by him in the presence of the consignor, or relate to the apparent condition of the goods.

Article 12

Consignor's right to dispose of goods.

(1) Subject to his liability to carry out all his obligations under the contract of transportation, the consignor shall have the right to dispose of the goods by withdrawing them at the airport of departure or destination, or by stopping them in the course of the journey on any landing, or by calling for them to be delivered at the place of destination, or in the course of the journey to a person other than the consignee named in the air waybill, or by requiring them to be returned to the airport of departure. He must not exercise this right of disposition in such a way as to prejudice the carrier or other consignors, and he must repay any expenses occasioned by the exercise of this right.
(2) If it is impossible to carry out the orders of the consignor the carrier must so inform him forthwith.

(3) If the carrier obeys the orders of the consignor for the disposition of the goods without requiring the production of the part of the air waybill delivered to the latter, he will be liable, without prejudice to his right of recovery from the consignor, for any damage which may be caused thereby to any person who is lawfully in possession of that part of the air waybill.

(4) The right conferred on the consignor shall cease at the moment when that of the consignee begins in accordance with article 13, below. Nevertheless, if the consignee declines to accept the waybill or the goods, or if he cannot be communicated with, the consignor shall resume his right of disposition.

Article 13

Delivery of goods and waybill.

(1) Except in the circumstances set out in the preceding article, the consignee shall be entitled, on arrival of the goods at the place of destination, to require the carrier to hand over to him the air waybill and to deliver the goods to him, on payment of the charges due and on complying with the conditions of transportation set out in the air waybill.

(2) Unless it is otherwise agreed, it shall be the duty of the carrier to give notice to the consignee as soon as the goods arrive.

(3) If the carrier admits the loss of the goods, or if the goods have not arrived at the expiration of seven days after the date on which they ought to have arrived, the consignee shall be entitled to put into force against the carrier the rights which flow from the contract of transportation.

Article 14

Enforcement of respective rights.

The consignor and the consignee can respectively enforce all the rights given them by articles 12 and 13, each in his own name, whether he is acting in his own interest or in the interest of another, provided that he carries out the obligations imposed by the contract.

Article 15

Respective relationship.

(1) Articles 12, 13, and 14 shall not affect either the relations of the consignor and the consignee with each other or the relations of third parties whose rights are derived either from the consignor or from the consignee.

Variations in waybill.

(2) The provisions of articles 12, 13, and 14 can only be varied by express provision in the air waybill.

Article 16

Customs, etc., formalities.

(1) The consignor must furnish such information and attach to the air waybill such documents as are necessary to meet the formalities of customs, octroi, or police before the goods can be delivered to the consignee. The consignor shall be liable to the carrier for any damage occasioned by the absence, insufficiency, or irregularity of any such information or documents, unless the damage is due to the fault of the carrier or his agents.

(2) The carrier is under no obligation to enquire into the correctness or sufficiency of such information or documents.

Liability of carrier.

CHAPTER III. LIABILITY OF THE CARRIER

Article 17

Personal injuries, etc.

The carrier shall be liable for damage sustained in the event of the death or wounding of a passenger or any other bodily injury suffered by a passenger, if the accident which caused the damage so sustained took place on board the aircraft or in the course of any of the operations of embarking or disembarking.

Article 18

Checked baggage, etc.

(1) The carrier shall be liable for damage sustained in the event of the destruction or loss of, or of damage to, any checked baggage or any goods, if the occurrence which caused the damage so sustained took place during the transportation by air.

(2) The transportation by air within the meaning of the preceding paragraph shall comprise the period during which the baggage or goods are in charge of the carrier, whether in an airport or on board an aircraft, or, in the case of a landing outside an airport, in any place whatsoever.

(3) The period of the transportation by air shall not extend to any transportation by land, by sea, or by river performed outside an airport. If, however, such transportation takes place in the performance of a contract for transportation by air, for the purpose of loading, delivery or transshipment, any damage is presumed, subject to proof to the contrary, to have been the result of an event which took place during the transportation by air.

Article 19

Transportation delay.

The carrier shall be liable for damage occasioned by delay in the transportation by air of passengers, baggage, or goods.

Article 20

Exemptions.

(1) The carrier shall not be liable if he proves that he and his agents have taken all necessary measures to avoid the damage or that it was impossible for him or them to take such measures.

(2) In the transportation of goods and baggage the carrier shall not be liable if he proves that the damage was occasioned by an error in piloting, in the handling of the aircraft, or in navigation and that, in all other respects, he and his agents have taken all necessary measures to avoid the damage.

Article 21

Contributory negligence.

If the carrier proves that the damage was caused by or contributed to by the negligence of the injured person the court may, in accordance with the provisions of its own law, exonerate the carrier wholly or partly from his liability.

Article 22

Maximum liability.

(1) In the transportation of passengers the liability of the carrier for each passenger shall be limited to the sum of 125,000 francs. Where, in accordance with the law of the court to which the case is submitted, damages may be awarded in the form of periodical payments, the equivalent capital value of the said payments shall not exceed 125,000 francs. Nevertheless, by special contract, the carrier and the passenger may agree to a higher limit of liability.

(2) In the transportation of checked baggage and of goods, the liability of the carrier shall be limited to a sum of 250 francs per kilogram, unless the consignor has made, at the time when the package was handed over to the carrier, a special declaration of the value at delivery and has paid a supplementary sum if the case so requires. In that case the carrier will be liable to pay a sum not exceeding the declared sum, unless he proves that that sum is greater than the actual value to the consignor at delivery.

(3) As regards objects of which the passenger takes charge himself the liability of the carrier shall be limited to 5,000 francs per passenger.

(4) The sums mentioned above shall be deemed to refer to the French franc consisting of 65½ milligrams of gold at the standard of fineness of nine hundred thousandths. These sums may be converted into any national currency in round figures.

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Article 23

Provision for relieving, etc., liability void.

Any provision tending to relieve the carrier of liability or to fix a lower limit than that which is laid down in this convention shall be null and void, but the nullity of any such provision shall not involve the nullity of the whole contract, which shall remain subject to the provisions of this convention.

Article 24

Actions for certain damages.

(1) In the cases covered by articles 18 and 19 any action for damages, however founded, can only be brought subject to the conditions and limits set out in this convention.

(2) In the cases covered by article 17 the provisions of the preceding paragraph shall also apply, without prejudice to the questions as to who are the persons who have the right to bring suit and what are their respective rights.

Article 25

Carrier's wilful misconduct.

(1) The carrier shall not be entitled to avail himself of the provisions of this convention which exclude or limit his liability, if the damage is caused by his wilful misconduct or by such default on his part as, in accordance with the law of the court to which the case is submitted, is considered to be equivalent to wilful misconduct.

(2) Similarly the carrier shall not be entitled to avail himself of the said provisions, if the damage is caused under the same circumstances by any agent of the carrier acting within the scope of his employment.

Article 26

Evidence of delivery in good condition.

(1) Receipt by the person entitled to the delivery of baggage or goods without complaint shall be *prima facie* evidence that the same have been delivered in good condition and in accordance with the document of transportation.

In case of damage.

(2) In case of damage, the person entitled to delivery must complain to the carrier forthwith after the discovery of the damage, and, at the latest, within 3 days from the date of receipt in the case of baggage and 7 days from the date of receipt in the case of goods. In case of delay the complaint must be made at the latest within 14 days from the date on which the baggage or goods have been placed at his disposal.

Complaints in writing.

(3) Every complaint must be made in writing upon the document of transportation or by separate notice in writing dispatched within the times aforesaid.

(4) Failing complaint within the times aforesaid, no action shall lie against the carrier, save in the case of fraud on his part.

Article 27

Liability of estate of deceased person.

In the case of the death of the person liable, an action for damages lies in accordance with the terms of this convention against those legally representing his estate.

Article 28

Venue of action.

(1) An action for damages must be brought, at the option of the plaintiff, in the territory of one of the High Contracting Parties, either before the court of the domicile of the carrier or of his principal place of business, or where he has a place of business through which the contract has been made, or before the court at the place of destination.

(2) Questions of procedure shall be governed by the law of the court to which the case is submitted. Procedure.

Article 29

(1) The right to damages shall be extinguished if an action is not brought within 2 years, reckoned from the date of arrival at the destination, or from the date on which the aircraft ought to have arrived, or from the date on which the transportation stopped. Time limitation.

(2) The method of calculating the period of limitation shall be determined by the law of the court to which the case is submitted.

Article 30

(1) In the case of transportation to be performed by various successive carriers and falling within the definition set out in the third paragraph of article 1, each carrier who accepts passengers, baggage or goods shall be subject to the rules set out in this convention, and shall be deemed to be one of the contracting parties to the contract of transportation insofar as the contract deals with that part of the transportation which is performed under his supervision. Transportation by successive carriers.

(2) In the case of transportation of this nature, the passenger or his representative can take action only against the carrier who performed the transportation during which the accident or the delay occurred, save in the case where, by express agreement, the first carrier has assumed liability for the whole journey.

(3) As regards baggage or goods, the passenger or consignor shall have a right of action against the first carrier, and the passenger or consignee who is entitled to delivery shall have a right of action against the last carrier, and further, each may take action against the carrier who performed the transportation during which the destruction, loss, damage, or delay took place. These carriers shall be jointly and severally liable to the passenger or to the consignor or consignee.

Chapter IV. Provisions Relating to Combined Transportation

Combined transportation.

Article 31

(1) In the case of combined transportation performed partly by air and partly by any other mode of transportation, the provisions of this convention shall apply only to the transportation by air, provided that the transportation by air falls within the terms of article 1. Provisions relating to.

(2) Nothing in this convention shall prevent the parties in the case of combined transportation from inserting in the document of air transportation conditions relating to other modes of transportation, provided that the provisions of this convention are observed as regards the transportation by air.

Chapter V. General and Final Provisions

Article 32

Any clause contained in the contract and all special agreements entered into before the damage occurred by which the parties purport to infringe the rules laid down by this convention, whether by deciding the law to be applied, or by altering the rules as to jurisdiction, shall be null and void. Nevertheless for the transportation of goods arbitration clauses shall be allowed, subject to this convention, if the arbitration is to take place within one of the jurisdictions referred to in the first paragraph of article 28. General, etc., provisions.

Article 33

Rights of carriers to refuse, etc.

Nothing contained in this convention shall prevent the carrier either from refusing to enter into any contract of transportation or from making regulations which do not conflict with the provisions of this convention.

Article 34

Transportation excluded from application of convention.

This convention shall not apply to international transportation by air performed by way of experimental trial by air navigation enterprises with the view to the establishment of regular lines of air navigation, nor shall it apply to transportation performed in extraordinary circumstances outside the normal scope of an air carrier's business.

Article 35

"Days" defined.

The expression "days" when used in this convention means current days, not working days.

Article 36

Deposit of original covenant; certified copies to be furnished.

This convention is drawn up in French in a single copy which shall remain deposited in the archives of the Ministry for Foreign Affairs of Poland and of which one duly certified copy shall be sent by the Polish Government to the Government of each of the High Contracting Parties.

Article 37

Deposit of ratifications.

(1) This convention shall be ratified. The instruments of ratification shall be deposited in the archives of the Ministry for Foreign Affairs of Poland, which shall give notice of the deposit to the Government of each of the High Contracting Parties.

Effective dates, etc.

(2) As soon as this convention shall have been ratified by five of the High Contracting Parties it shall come into force as between them on the ninetieth day after the deposit of the fifth ratification. Thereafter it shall come into force between the High Contracting Parties which shall have ratified and the High Contracting Party which deposits its instrument of ratification on the ninetieth day after the deposit.

Notification.

(3) It shall be the duty of the Government of the Republic of Poland to notify the Government of each of the High Contracting Parties of the date on which this convention comes into force as well as the date of the deposit of each ratification.

Article 38

Adherence.

(1) This convention shall, after it has come into force, remain open for adherence by any state.

Notices to be given.

(2) The adherence shall be effected by a notification addressed to the Government of the Republic of Poland, which shall inform the Government of each of the High Contracting Parties thereof.

(3) The adherence shall take effect as from the ninetieth day after the notification made to the Government of the Republic of Poland.

Article 39

Denunciations.

(1) Any one of the High Contracting Parties may denounce this convention by a notification addressed to the Government of the Republic of Poland, which shall at once inform the Government of each of the High Contracting Parties.

(2) Denunciation shall take effect six months after the notification of denunciation, and shall operate only as regards the party which shall have proceeded to denunciation.

Article 40

Colonies, protectorates, etc.; application of convention.

(1) Any High Contracting Party may, at the time of signature or of deposit of ratification or of adherence, declare that the acceptance which it gives to this convention does not apply to all or any of its colonies, protectorates, territories under mandate, or any other territory subject to its sovereignty or its authority, or any other territory under its suzerainty.

(2) Accordingly any High Contracting Party may subsequently adhere separately in the name of all or any of its colonies, protectorates, territories under mandate, or any other territory subject to its sovereignty or to its authority or any other territory under its suzerainty which have been thus excluded by its original declaration.

(3) Any High Contracting Party may denounce this convention, in accordance with its provisions, separately or for all or any of its colonies, protectorates, territories under mandate, or any other territory subject to its sovereignty or to its authority, or any other territory under its suzerainty.

Article 41

Succeeding conferences.

Any High Contracting Party shall be entitled not earlier than two years after the coming into force of this convention to call for the assembling of a new international conference in order to consider any improvements which may be made in this convention. To this end it will communicate with the Government of the French Republic which will take the necessary measures to make preparations for such conference.

Signatures.

This convention, done at Warsaw on October 12, 1929, shall remain open for signature until January 31, 1930.

For Germany:
R. RICHTER
Dr. A. WEGERDT
Dr. E. ALBRECHT
Dr. OTTO RIESE

For Austria:
STROBELE
REINOEHL

For Belgium:
BERNARD DE L'ESCAILLE

For the United States of Brazil:
ALCIBIADES PEÇANHA

For Bulgaria:

For China:

For Denmark:
L. INGERSLEV
KNUD GREGERSEN

For Egypt:

For Spain:
SILVIO FERNANDEZ-VALLIN

Signatures—Contd.

For Estonia:

For Finland:

For France:
PIERRE ÉTIENNE FLANDIN
GEORGES RIPERT

For Great Britain and Northern Ireland:
A. H. DENNIS
ORME CLARKE
R. L. MEGARRY

For the Commonwealth of Australia:
A. H. DENNIS
ORME CLARKE
R. L. MEGARRY

For the Union of South Africa:
A. H. DENNIS
ORME CLARKE
R. L. MEGARRY

For the Hellenic Republic:
G. C. LAGOUDAKIS

For Hungary:

For Italy:
A. GIANNINI

For Japan:
KAZUO NISHIKAWA

For Latvia.
M. NUKŠA

For Luxemburg:
E. ARENDT

For Mexico:

For Norway:
N. CHR. DITLEFF

For the Netherlands:
W. B. ENGELBRECHT

For Poland:
AUGUSTE ZALESKI
ALFONS KÜHN

For Rumania:
G. CRETZIANG

For Sweden:

For Switzerland:
EDM. PITTARD
DR. F. HESS

Signatures—Contd.

For Czechoslovakia:
Dr. V. GIRSA

For the Union of Soviet Socialist Republics:
KOTZUBINSKY

For Venezuela:

For Yugoslavia:
IVO DE GIULLI

Additional Protocol

Additional Protocol.

With Reference to Article 2

Ante, p. 3001.

International transportation by State, etc.

The High Contracting Parties reserve to themselves the right to declare at the time of ratification or of adherence that the first paragraph of article 2 of this convention shall not apply to international transportation by air performed directly by the state, its colonies, protectorates, or mandated territories, or by any other territory under its sovereignty, suzerainty, or authority.

Signatures.

For Germany:
R. RICHTER
Dr. A. WEGERDT
Dr. E. ALBRECHT
Dr. OTTO RIESE

For Austria:
STROBELE
REINOEHL

For Belgium:
BERNARD DE L'ESCAILLE

For the United States of Brazil:
ALCIBIADES PEÇANHA

For Bulgaria:

For China:

For Denmark:
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KNUD GREGERSEN

For Egypt:

For Spain:
SILVIO FERNANDEZ-VALLIN

For Estonia:

For Finland:

For France:
PIERRE ÉTIENNE FLANDIN
GEORGES RIPERT

Signatures—Contd.

For Great Britain and Northern Ireland:
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G. C. LAGOUDAKIS

For Hungary:

For Italy:
A. GIANNINI

For Japan:
KAZUO NISHIKAWA

For Latvia:
M. NUKŠA

For Luxemburg:
E. ARENDT

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Dr. F. HESS

For Czechoslovakia:
Dr. V. GIRSA

For the Union of Soviet Socialist Republics:
KOTZUBINSKY

For Venezuela:

For Yugoslavia:
IVO DE GIULLI

Convention between the United States of America and other Powers revising the General Act of Berlin of February 26, 1885, and the General Act and Declaration of Brussels of July 2, 1890. Signed at Saint-Germain-en-Laye, September 10, 1919; ratification advised by the Senate of the United States, with an understanding, April 3, 1930; ratified by the President of the United States, subject to the said understanding, April 11, 1930; ratification of the United States deposited with the Government of the French Republic, October 29, 1934; proclaimed, November 3, 1934.

September 10, 1919.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

International convention revising general slave trade Act and Declaration of Brussels. Preamble. Vol. 27, p. 886.

WHEREAS a Convention between and among the United States of America, Belgium, the British Empire, France, Italy, Japan and Portugal, revising the General Act of Berlin of February 26, 1885, and the General Act and Declaration of Brussels of July 2, 1890, was concluded and signed by their respective Plenipotentiaries at St. Germain-en-Laye on the tenth day of September, one thousand nine hundred and nineteen, the original of which Convention, being in the French language, is word for word as follows:

LES ÉTATS-UNIS D'AMÉRIQUE, LA BELGIQUE, L'EMPIRE BRITANNIQUE, LA FRANCE, L'ITALIE, LE JAPON ET LE PORTUGAL,

Considérant que l'Acte Général de la Conférence africaine, signé à Berlin le 26 février 1885, a eu pour objet essentiel de constater l'accord des Puissances relativement aux principes généraux devant guider leur action commerciale et civilisatrice dans les régions, mal connues ou insuffisamment organisées, d'un continent où sévissaient encore l'esclavage et la traite;

Considérant que le régime de la franchise d'entrée, instauré pour vingt ans par l'article 4 dudit Acte, a dû être modifié pour une période provisoire de quinze ans par la Déclaration de Bruxelles du 2 juillet 1890, et que, depuis lors, aucun accord n'est intervenu, malgré les dispositions desdits Actes;

Considérant que les territoires intéressés sont actuellement placés sous des autorités reconnues, qu'ils sont dotés d'institutions administratives conformes aux conditions locales et que l'évolution des populations indigènes s'y poursuit progressivement;

Désireux d'assurer par des dispositions appropriées aux exigences modernes l'application des principes généraux de civilisation consacrés par les Actes de Berlin et de Bruxelles,

Ont désigné pour leurs Plénipotentiaires:

LE PRÉSIDENT DES ÉTATS-UNIS D'AMÉRIQUE:

L'Honorable Frank Lyon POLK, Sous-Secrétaire d'État;

L'Honorable Henry WHITE ancien Ambassadeur extraordinaire et plénipotentiaire des États-Unis à Rome et à Paris;

Le General Tasker H. BLISS, Représentant militaire des États-Unis au Conseil supérieur de Guerre;

SA MAJESTÉ LE ROI DES BELGES:

M. Paul HYMANS, Ministre des Affaires étrangères, Ministre d'État;

M. Jules van den HEUVEL, Envoyé extraordinaire et Ministre plénipotentiaire de S. M. le Roi des Belges, Ministre d'État;

M. Émile VANDERVELDE, Ministre de la Justice, Ministre d'État;

SA MAJESTÉ LE ROI DU ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE ET DES TERRITOIRES BRITANNIQUES AU DELÀ DES MERS, EMPEREUR DES INDES:

Le Très Honorable Arthur James BALFOUR, O. M., M. P., Secrétaire d'État pour les Affaires étrangères;

Le Très Honorable Andrew BONAR LAW, M. P., Lord du Sceau privé;

Le Très Honorable Vicomte MILNER, G. C. B., G. C. M. G., Secrétaire d'État pour les Colonies;

Le Très Honorable George Nicoll BARNES, M. P., Ministre sans portefeuille;

Et:

pour le DOMINION du CANADA:

L'Honorable Sir Albert Edward KEMP, K. C. M. G., Ministre des Forces d'Outre-Mer,

pour le COMMONWEALTH d'AUSTRALIE:

L'Honorable George Foster PEARCE, Ministre de la Défense;

pour l'UNION SUD-AFRICAINE:

Le Très Honorable Vicomte MILNER, G. C. B., G. C. M. G.;

pour le DOMINION de la NOUVELLE-ZÉLANDE:

L'Honorable Sir Thomas MACKENZIE, K. C. M. G., Haut-Commissaire pour la Nouvelle-Zélande dans le Royaume-Uni;

pour l'INDE:

Le Très Honorable Baron SINHA, K. C., Sous-Secrétaire d'État pour l'Inde;

LE PRÉSIDENT DE LA RÉPUBLIQUE FRANÇAISE:

M. Georges CLEMENCEAU, Président du Conseil, Ministre de la Guerre;

M. Stephen PICHON, Ministre des Affaires étrangères;

M. Louis-Lucien KLOTZ, Ministre des Finances;

M. André TARDIEU, Commissaire général aux Affaires de guerre franco-américaine;

M. Jules CAMBON, Ambassadeur de France;

SA MAJESTÉ LE ROI D'ITALIE:

L'Honorable Tommaso TITTONI, Sénateur du Royaume, Ministre des Affaires étrangères;

L'Honorable Vittorio SCIALOJA, Sénateur du Royaume;

L'Honorable Maggiorino FERRARIS, Sénateur du Royaume;

L'Honorable Guglielmo MARCONI, Sénateur du Royaume;

L'Honorable Silvio CRESPI, Député;

SA MAJESTÉ L'EMPEREUR DU JAPON:

Le Vicomte CHINDA, Ambassadeur extraordinaire et plénipotentiaire de S. M. l'Empereur du Japon à Londres;

M. K. MATSUI, Ambassadeur extraordinaire et plénipotentiaire de S. M. l'Empereur du Japon à Paris;

M. H. IJUIN, Ambassadeur extraordinaire et plénipotentiaire de S. M. l'Empereur du Japon à Rome;

LE PRÉSIDENT DE LA RÉPUBLIQUE PORTUGAISE:

Le Docteur Affonso DA COSTA, ancien Président du Conseil des Ministres;

Le Docteur Augusto Luiz Vieira SOARES, ancien Ministre des des Affaires étrangères;

Lesquels, après avoir échangé leurs pleins pouvoirs, reconnus en bonne et due forme,

Ont convenu des dispositions suivantes:

ARTICLE 1er.

Les Puissances signataires s'engagent à maintenir entre leurs ressortissants respectifs et ceux des Etats, Membres de la Société des Nations, qui adhéreront à la présente Convention, une complète égalité commerciale dans les territoires placés sous leur autorité dans les limites à l'article 1er de l'Acte Général de Berlin du 26 février 1885, avec la réserve prévue au dernier alinéa de cet article, rapporté dans l'Annexe ci-jointe.

ANNEXE.

ARTICLE 1er DE L'ACTE GÉNÉRAL DE BERLIN DU 26 FÉVRIER 1885.

Le commerce de toutes les nations jouira d'une complète liberté:

1. Dans tous les territoires constituant le Bassin du Congo et de ses affluents. Ce bassin est délimité par les crêtes des bassins contigus, à savoir: notamment les bassins du Niari, de l'Ogowé, du Schari et du Nil, au nord; par la ligne de faîte orientale des affluents du lac Tanganyka à l'est; par les crêtes des Bassins du Zambèze et de la Logé au sud. Il embrasse, en conséquence, tous les territoires drainés par le Congo et ses affluents, y compris le lac Tanganyka et ses tributaires orientaux.

2. Dans la zone maritime s'étendant sur l'Océan Atlantique depuis le parallèle situé par 2°30 de latitude sud jusqu'à l'embouchure de la Logé.

La limite septentrionale suivra le parallèle situé par 2°30, depuis la côte jusqu'au point où il rencontre le bassin géographique du Congo, en évitant le bassin de l'Ogowé, auquel ne s'appliquent pas les stipulations du présent Acte.

La limite méridionale suivra le cours de la Logé jusqu'à la source de cette rivière et se dirigera de là vers l'est jusqu'à la jonction avec le bassin géographique du Congo.

3. Dans la zone se prolongeant à l'est du bassin du Congo, tel qu'il est délimité ci-dessus, jusqu'à l'Océan Indien, depuis le cinquième degré de latitude Nord jusqu'à l'embouchure du Zambèze au Sud; de ce point la ligne de démarcation suivra le Zambèze jusqu'à 5 milles en amont du confluent du Shiré et continuera par la ligne de faîte séparant les eaux qui coulent vers le lac Nyassa des eaux tributaires du Zambèze pour rejoindre enfin la ligne de partage des eaux du Zambèze et du Congo.

Il est expressément entendu qu'en étendant à cette zone orientale le principe de la liberté commerciale, les Puissances représentées à la Conférence ne s'engagent que pour elles-mêmes et que ce principe ne s'appliquera aux territoires appartenant actuellement à quelque État indépendant et souverain, qu'autant que celui-ci y donnera son consentement. Les Puissances conviennent d'employer leurs bons offices auprès des Gouvernements établis sur le littoral africain de la mer des Indes afin d'obtenir ledit consentement et, en tout cas, d'assurer au transit de toutes les nations les conditions les plus favorables.

ARTICLE 2.

Les marchandises appartenant aux ressortissants des Puissances signataires et des États, Membres de la Société des Nations, qui adhéreront à la présente Convention, auront libre accès à l'intérieur des régions visées à l'article 1er. Aucun traitement différentiel ne pourra être imposé à ces marchandises, à l'entrée ou à la sortie, le transit demeurant exempt de tous droits, taxes ou redevances autres que ceux perçus pour services rendus.

Les navires battant pavillon d'une desdites Puissances auront également accès à tout le littoral et à tous les ports maritimes des territoires énumérés à l'article 1er; aucun traitement différentiel ne pourra leur être imposé.

Sous réserve de ces dispositions, les États intéressés conservent le droit de fixer librement les règles et les tarifs de douane ou de navigation applicables sur leurs territoires.

ARTICLE 3.

Sur les territoires visés à l'article 1er et soumis à l'autorité de l'une des Puissances signataires, les ressortissants de ces Puissances ou des États, Membres de la Société des Nations, qui adhéreront à la présente Convention, jouiront indistinctement et sous la seule réserve des restrictions nécessaires au maintien de la sécurité et de l'ordre publics, tant pour la protection de leurs personnes et de leurs biens que pour l'acquisition et la transmission de leurs propriétés mobilières et immobilières et pour l'exercice de leur profession, du même traitement et des mêmes droits que les ressortissants de la Puissance exerçant son autorité sur le territoire.

ARTICLE 4.

Chaque Etat conserve le droit de disposer librement de ses biens et d'accorder des concessions pour l'exploitation des richesses naturelles du territoire, mais toute réglementation relative à ces objets ne pourra comporter aucun traitement différentiel entre les ressortissants des Puissances signataires et des États, Membres de la Société des Nations, qui adhéreront à la présente Convention.

ARTICLE 5.

La navigation du Niger, de ses embranchements et issues, et de tous les fleuves, de leurs embranchements et issues coulant sur les territoires visés à l'article 1, ainsi que la navigation des lacs situés sur ces territoires, sera, sous réserve des dispositions du présent chapitre, entièrement libre aussi bien pour les navires de commerce que pour le transport des marchandises et des voyageurs.

Les bateaux de toute nature appartenant aux ressortissants des Puissances signataires et des Etats, Membres de la Société des Nations, qui adhéreront à la présente Convention, seront traités, sous tous les rapports, sur le pied d'une parfaite égalité.

ARTICLE 6.

La navigation ne pourra être assujettie à aucune entrave ni redevance basée sur le seul fait de la navigation.

Elle ne subira aucune obligation d'échelle, d'étape, de dépôt, de rupture de charge ou de relâche forcée.

Il ne sera établi sur les navires aucun péage maritime ni fluvial, basé sur le seul fait de la navigation, ni aucun droit de transit sur les marchandises qui se trouvent à bord. Pourront seuls être perçus

des taxes ou droits qui auront le caractère de rétribution pour services rendus à la navigation même. Les tarifs de ces taxes ou droits ne comporteront aucun traitement différentiel.

ARTICLE 7.

Les affluents des fleuves et des lacs visés à l'article 5 seront soumis, à tous égards, au même régime que les fleuves ou les lacs, dont ils sont tributaires.

Les routes, chemins de fer ou canaux latéraux, qui pourront être établis dans le but spécial de suppléer à l'innavigabilité ou aux imperfections de la voie fluviale sur certaines sections des fleuves et des lacs visés à l'article 5, de leurs affluents, de leurs embranchements et issues, seront considérés, en tant que moyens de communication, comme des dépendances de ces fleuves et lacs, et seront également ouverts au trafic des ressortissants des Puissances signataires et des États, Membres de la Société des Nations, qui adhéreront à la présente Convention.

Il ne pourra être perçu sur ces routes, chemins de fer et canaux que des péages qui devront être calculés en tenant compte des dépenses de construction, d'entretien et d'administration, ainsi que du bénéfice équitable dû à l'entreprise. Le taux en devra être maintenu rigoureusement égal pour tous les ressortissants des Puissances signataires et pour ceux des États, Membres de la Société des Nations, qui adhéreront à la présente Convention.

ARTICLE 8.

Chacune des Parties signataires demeurera libre d'établir les règlements qu'elle jugera utiles pour assurer la sécurité et le contrôle de la navigation, étant entendu que ces règlements devront tendre à faciliter autant que possible la circulation des navires de commerce.

ARTICLE 9.

Dans les sections des fleuves et de leurs affluents ainsi que sur les lacs, dont l'utilisation n'est pas nécessaire à plusieurs États riverains, les Gouvernements exerçant l'autorité resteront libres, pour le maintien de la sécurité et de l'ordre publics, et pour les autres nécessités de l'œuvre civilisatrice et coloniale, d'établir tel régime que de besoin; mais la réglementation ne pourra comporter aucun traitement différentiel entre les navires ou entre les ressortissants des Puissances signataires et des États, Membres de la Société des Nations, qui adhéreront à la présente Convention

ARTICLE 10.

Les Puissances signataires reconnaissent l'obligation de maintenir, dans les régions relevant de leur autorité, l'existence d'un pouvoir et de moyens de police suffisants pour assurer la protection des personnes et des biens et, le cas échéant, la liberté du commerce et du transit.

ARTICLE 11.

Les Puissances signataires, exerçant des droits de souveraineté ou une autorité dans les territoires africains, continueront à veiller à la conservation des populations indigènes ainsi qu'à l'amélioration de leurs conditions morales et matérielles; elles s'efforceront, en particulier, d'assurer la suppression complète de l'esclavage sous toutes ses formes et de la traite des noirs, sur terre et sur mer.

Elles protégeront et favoriseront, sans distinction de nationalité ni de culte, les institutions et les entreprises religieuses, scientifiques ou charitables, créées et organisées par les ressortissants des autres Puissances signataires et des États, Membres de la Société des Nations, qui adhéreront à la présente Convention, qui tendront à conduire les indigènes dans la voie du progrès et de la civilisation. Les missions scientifiques, leur matériel et leurs collections seront également l'objet d'une sollicitude spéciale.

La liberté de conscience et le libre exercice de tous les cultes sont expressément garantis à tous les ressortissants des Puissances signataires et à ceux des États, Membres de la Société des Nations, qui deviendront parties à la présente Convention. Dans cet esprit, les missionnaires auront le droit d'entrer, de circuler et de résider sur le territoire africain, avec faculté de s'y établir pour poursuivre leur œuvre religieuse.

L'application des dispositions prévues aux deux alinéas précédents ne comportera pas d'autres restrictions que celles qui seront nécessaires au maintien de la sécurité et de l'ordre publics ou qui résulteront de l'application du droit constitutionnel de chacune des Puissances exerçant l'autorité dans les territoires africains.

ARTICLE 12.

Les Puissances signataires conviennent que, s'il venait à s'élever entre elles un différend quelconque touchant l'application de la présente Convention et ne pouvant être réglé par voie de négociation, ce différend devra être soumis à un Tribunal d'arbitrage conformément aux dispositions du Pacte de la Société des Nations.

ARTICLE 13.

Sauf les stipulations visées à l'article 1er de la présente Convention, l'Acte général de Berlin du 26 février 1885, et l'Acte général de Bruxelles du 2 juillet 1890, ainsi que la Déclaration en date du même jour, seront considérés comme abrogés, en tant qu'ils lient entre elles les Puissances qui sont parties à la présente Convention

ARTICLE 14.

Pourront adhérer à la présente Convention les États qui exercent l'autorité sur des territoires africains et les autres États, Membres de la Société des Nations, qui étaient parties soit à l'Acte de Berlin, soit à l'Acte de Bruxelles ou à la Déclaration y annexée. Les Puissances signataires feront tous leurs efforts pour obtenir l'adhésion de ces Etats.

Cette adhésion sera signifiée, par la voie diplomatique, au Gouvernement de la République Française et par celui-ci à tous les États signataires ou adhérents. Elle portera effet à dater du jour de sasignification au Gouvernement français.

ARTICLE 15.

Les Puissances signataires se réuniront à l'expiration d'une période de dix ans, à dater de la mise en vigueur de la présente Convention, pour apporter à celle-ci les modifications que l'expérience aura rendues nécessaires.

La présente Convention sera ratifiée le plus tôt possible.

Chaque Puissance adressera sa ratification au Gouvernement français, par les soins duquel il en sera donné avis à toutes les autres Puissances signataires.

Les ratifications resteront déposées dans les archives du Gouvernement français.

La présente Convention entrera en vigueur, pour chaque Puissance signataire, à dater du dépôt de sa ratification et, dès ce moment, cette Puissance sera liée vis-à-vis des autres Puissances ayant déjà procédé au dépôt de leurs ratifications.

Dès la mise en vigueur de la présente Convention, le Gouvernement français adressera une copie certifiée de celle-ci aux Puissances qui, en vertu des Traités de paix, se sont engagées à reconnaître et agréer ladite Convention et dont le nom sera notifié aux États adhérents.

En foi de quoi, les Plénipotentiaires susnommés ont signé la présente Convention.

Fait à Saint-Germain-en-Laye, le dix septembre mil neuf cent dix-neuf, en un seul exemplaire qui restera déposé dans les archives du Gouvernement de la République française et dont les expéditions authentiques seront remises à chacune des Puissances signataires.

(L. S.) FRANK L. POLK.
(L. S.) HENRY WHITE.
(L. S.) TASKER H. BLISS.
(L. S.) HYMANS.
(L. S.) J. VAN DEN HEUVEL.
(L. S.) E. VANDERVELDE.
(L. S.) ARTHUR JAMES BALFOUR.
(L. S.)
(L. S.) MILNER.
(L. S.) G. N. BARNES.
(L. S.) A. E. KEMP.
(L. S.) G. F. PEARCE.
(L. S.) MILNER.
(L. S.) THOS. MACKENZIE.
(L. S.) SINHA OF RAIPUR.
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(L. S.) L. L. KLOTZ.
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(L. S.) TOM. TITTONI.
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(L. S.) GUGLIELMO MARCONI.
(L. S.) S. CHINDA.
(L. S.) K. MATSUI.
(L. S.) H. IJUIN.
(L. S.) AFFONSO COSTA.
(L. S.) AUGUSTO SOARES.

Pour copie certifiée conforme:
Le Ministre des Affaires étrangerès,
S. PICHON

Ratifications exchanged with reservation.

AND WHEREAS the said Convention was ratified by the United States of America, subject to the understanding that, in the event of a dispute in which the United States of America may be involved arising under the Convention, such dispute shall, if the United States of America so requests, be submitted to a court of arbitration constituted in accordance with the Convention for the Pacific Settlement of International Disputes, signed at The Hague on October 18, 1907, or to some other court of arbitration; and the ratification embracing the said understanding was deposited with the Government of the French Republic on the twenty-ninth day of October, one thousand nine hundred and thirty-four, on which day, the Convention, pursuant to a provision of Article 15 thereof, came into force as between the United States of America and the other signatory governments, all of whose ratifications had been deposited with the Government of the French Republic;

Vol. 36, p. 2221.

Ante, p. 3032.

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Convention to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof, subject to the aforesaid understanding.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this third day of November in the year of our Lord one thousand nine hundred and [SEAL] thirty-four and of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:

WILLIAM PHILLIPS

Acting Secretary of State.

Translation of the Convention

THE UNITED STATES OF AMERICA, BELGIUM, THE BRITISH EMPIRE, FRANCE, ITALY, JAPAN, AND PORTUGAL, Contracting Powers.

Whereas the General Act of the African Conference, signed at Berlin on February 26, 1885, was primarily intended to demonstrate the agreement of the Powers with regard to the general principles which should guide their commercial and civilizing action in the little known or inadequately organized regions of a continent where slavery and the slave trade still flourished; and Objects declared.

Whereas by the Brussels Declaration of July 2, 1890, it was found necessary to modify for a provisional period of fifteen years the system of free imports established for twenty years by Article 4 of the said Act, and since that date no agreement has been entered into, notwithstanding the provisions of the said Act and Declaration; and

Whereas the territories in question are now under the control of recognized authorities, are provided with administrative institutions suitable to the local conditions, and the evolution of the native populations continues to make progress;

Wishing to ensure by arrangements suitable to modern requirements the application of the general principles of civilization established by the Acts of Berlin and Brussels,

Have appointed as their Plenipotentiaries: Plenipotentiaries.

THE PRESIDENT OF THE UNITED STATES OF AMERICA:

The Honorable FRANK LYON POLK, Under-Secretary of State;
The Honorable HENRY WHITE, formerly Ambassador Extraordinary and Plenipotentiary of the United States at Rome and Paris;
General TASKER H. BLISS, Military Representative of the United States on the Supreme War Council;

HIS MAJESTY THE KING OF THE BELGIANS:

Mr. PAUL HYMANS, Minister for Foreign Affairs, Minister of State;
Mr. JULES VAN DEN HEUVEL, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the King of the Belgians, Minister of State;
Mr. ÉMILE VANDERVELDE, Minister of Justice, Minister of State;

HIS MAJESTY THE KING OF GREAT BRITAIN AND IRELAND AND OF THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA:

The Right Honorable ARTHUR JAMES BALFOUR, O. M., M. P., His Secretary of State for Foreign Affairs;
The Right Honorable ANDREW BONAR LAW, M. P., His Lord Privy Seal;
The Right Honorable Viscount MILNER, G. C. B., G. C. M. G., His Secretary of State for the Colonies;
The Right Honorable GEORGE NICOLL BARNES, M. P., Minister without Portfolio;

Plenipotentiaries—Continued.

And:

for the DOMINION OF CANADA:
The Honorable Sir ALBERT EDWARD KEMP, K. C. M. G., Minister of the Overseas Forces;

for the COMMONWEALTH OF AUSTRALIA:
The Honorable GEORGE FOSTER PEARCE, Minister of Defence;

for the UNION OF SOUTH AFRICA:
The Right Honorable Viscount MILNER, G. C. B., G. C. M. G.;

for the DOMINION OF NEW ZEALAND:
The Honorable Sir THOMAS MACKENZIE, K. C. M. G., High Commissioner for New Zealand in the United Kingdom;

for INDIA:
The Right Honorable Baron SINHA, K. C., Under-Secretary of State for India;

THE PRESIDENT OF THE FRENCH REPUBLIC:
Mr. GEORGES CLEMENCEAU, President of the Council, Minister of War;
Mr. STEPHEN PICHON, Minister for Foreign Affairs;
Mr. LOUIS-LUCIEN KLOTZ, Minister of Finance;
Mr. ANDRÉ TARDIEU, Commissary-General for Franco-American Military Affairs;
Mr. JULES CAMBON, Ambassador of France;

HIS MAJESTY THE KING OF ITALY:
The Honorable TOMMASO TITTONI, Senator of the Kingdom, Minister for Foreign Affairs;
The Honorable VITTORIO SCIALOJA, Senator of the Kingdom;
The Honorable MAGGIORINO FERRARIS, Senator of the Kingdom;
The Honorable GUGLIELMO MARCONI, Senator of the Kingdom;
The Honorable SILVIO CRESPI, Deputy;

HIS MAJESTY THE EMPEROR OF JAPAN:
Viscount CHINDA, Ambassador Extraordinary and Plenipotentiary of H. M. the Emperor of Japan at London;
Mr. K. MATSUI, Ambassador Extraordinary and Plenipotentiary of H. M. the Emperor of Japan at Paris;
Mr. H. IJUIN, Ambassador Extraordinary and Plenipotentiary of H. M. the Emperor of Japan at Rome;

THE PRESIDENT OF THE PORTUGUESE REPUBLIC:
Dr. AFFONSO DA COSTA, formerly President of the Council of Ministers;
Dr. AUGUSTO LUIZ VIEIRA SOARES, formerly Minister for Foreign Affairs;

Who, after having communicated their full powers recognized in good and due form,

Have agreed as follows:

ARTICLE 1

Commercial equality.

The Signatory Powers undertake to maintain between their respective nationals and those of States, Members of the League of Nations, which may adhere to the present Convention a complete commercial equality in the territories under their authority within the area defined by Article 1 of the General Act of Berlin of February 26, 1885, set out in the Annex hereto, but subject to the reservation specified in the final paragraph of that article.

ANNEX

Annex.

ARTICLE 1 OF THE GENERAL ACT OF BERLIN OF FEBRUARY 26, 1885.

Art. 1, General Act of Feb. 26, 1885.

The trade of all nations shall enjoy complete freedom:

1. In all the regions forming the basin of the Congo and its affluents. This basin is bounded by the watersheds (or mountain ridges) of the adjacent basins, namely, in particular, those of the Niari, the Ogowé, the Shari, and the Nile, on the north; by the eastern watershed line of the affluents of Lake Tanganyika on the east; and by the watersheds of the basins of the Zambesi and the Logé on the south. It therefore comprises all the regions watered by the Congo and its affluents, including Lake Tanganyika, with its eastern tributaries.

2. In the maritime zone extending along the Atlantic Ocean from the parallel situated in 2° 30′ of south latitude to the mouth of the Logé.

The northern boundary will follow the parallel situated in 2° 30′ from the coast to the point where it meets the geographical basin of the Congo, avoiding the basin of the Ogowé, to which the provisions of the present Act do not apply.

The southern boundary will follow the course of the Logé to its source, and thence pass eastward till it joins the geographical basin of the Congo.

3. In the zone stretching eastward from the Congo Basin as above defined, to the Indian Ocean from 5° of north latitude to the mouth of the Zambesi in the south, from which point the line of demarcation will ascend the Zambesi to 5 miles above its confluence with the Shiré, and then follow the watershed between the affluents of Lake Nyassa and those of the Zambesi, till at last it reaches the watershed between the waters of the Zambesi and the Congo.

It is expressly recognized that in extending the principle of free trade to this eastern zone, the Conference Powers only undertake engagements for themselves, and that in the territories belonging to an independent Sovereign State this principle shall only be applicable in so far as it is approved by such State. But the Powers agree to use their good offices with the Governments established on the African shore of the Indian Ocean for the purpose of obtaining such approval, and in any case of securing the most favorable conditions to the transit of all nations.

ARTICLE 2

Transit of merchandise.

Merchandise belonging to the nationals of the Signatory Powers, and to those of States, Members of the League of Nations, which may adhere to the present Convention, shall have free access to the interior of the regions specified in Article 1. No differential treatment shall be imposed upon the said merchandise on importation or exportation, the transit remaining free from all duties, taxes or dues, other than those collected for services rendered.

Access to all maritime ports.

Vessels flying the flag of any of the said Powers shall also have access to all the coast and to all maritime ports in the territories specified in Article 1; they shall be subject to no differential treatment.

Customs and navigation regulations.

Subject to these provisions, the States concerned reserve to themselves complete liberty of action as to the customs and navigation regulations and tariffs to be applied in their territories.

ARTICLE 3

Personal and property protection.

In the territories specified in Article 1 and placed under the authority of one of the Signatory Powers, the nationals of those Powers, or of States, Members of the League of Nations, which may adhere to the present Convention shall, subject only to the limitations necessary for the maintenance of public security and order, enjoy without distinction the same treatment and the same rights as the nationals of the Power exercising authority in the territory, with regard to the protection of their persons and effects, with regard to the acquisition and transmission of their movable and real property, and with regard to the exercise of their occupations.

ARTICLE 4

Rights reserved by State.

Each State reserves the right to dispose freely of its property and to grant concessions for the development of the natural resources of the territory, but no regulations on these matters shall admit of any

No differential treatment between nationals, etc.

differential treatment between the nationals of the Signatory Powers and of States, Members of the League of Nations, which may adhere to the present Convention.

ARTICLE 5

Navigation of the Niger.

Subject to the provisions of the present chapter, the navigation of the Niger, of its branches and outlets, and of all the rivers, and of their branches and outlets, within the territories specified in Article 1, as well as of the lakes situated within those territories, shall be entirely free for merchant vessels and for the transport of goods and passengers.

Equality of treatment.

Craft of every kind belonging to the nationals of the Signatory Powers and of States, Members of the League of Nations, which may adhere to the present Convention shall be treated in all respects on a footing of perfect equality.

ARTICLE 6

Navigation to be unrestricted, etc.

The navigation shall not be subject to any restriction or dues based on the mere fact of navigation.

It shall not be held to any obligation in regard to landing, stopping, warehousing, bulk breaking or enforced lay over.

No maritime or river toll, based on the mere fact of navigation, shall be levied on vessels, nor shall any transit duty be levied on goods on board. Only such taxes or duties shall be collected as may be in compensation for services rendered to navigation itself. The tariff of these taxes or duties shall not admit of any differential treatment.

ARTICLE 7

Affluents of rivers, etc.

The affluents of the rivers and lakes specified in Article 5 shall in all respects be subject to the same rules as the rivers or lakes of which they are tributaries.

Traffic on roads, canals, etc.

The roads, railways or lateral canals which may be constructed with the special object of obviating the innavigability or correcting the imperfections of the water route on certain sections of the rivers and lakes specified in Article 5, their affluents, branches and outlets, shall be considered, in their quality of means of communication, as dependencies of these rivers and lakes, and shall be equally open to the traffic of the nationals of the Signatory Powers and of the States, Members of the League of Nations, which may adhere to the present Convention.

Toll limitations, equality, etc.

On these roads, railways and canals only such tolls shall be collected as are calculated on the cost of construction, maintenance and management, and on the profits reasonably accruing to the undertaking. As regards the tariff of these tolls, the nationals of the Signatory Powers and of States, Members of the League of Nations, which may adhere to the present Convention, shall be treated on a footing of perfect equality.

ARTICLE 8

Navigation rules.

Each of the Signatory Powers shall remain free to establish the rules which it may consider expedient for the purpose of ensuring the safety and supervision of navigation, on the understanding that these rules shall facilitate, as far as possible, the circulation of merchant vessels.

ARTICLE 9

Maintenance of public safety, etc.

In such sections of the rivers and of their affluents, as well as on such lakes, as are not necessarily utilized by more than one riparian State, the Governments exercising authority shall remain free to establish such systems as may be required for the maintenance of public safety and order, and for other necessities of the work of civilization and colonization; but the regulations shall not admit of any differential treatment between vessels or between nationals of the Signatory Powers and of States, Members of the League of Nations, which may adhere to the present Convention.

No differential treatment.

ARTICLE 10

Forces for safeguarding persons and property to be maintained.

The Signatory Powers acknowledge their obligation to maintain in the regions under their control actual authority and police forces sufficient to insure protection for persons and property and, if the case should arise, freedom for commerce and transit.

ARTICLE 11

Conservation and civilization provisions.

The Signatory Powers exercising sovereign rights or authority in African territories will continue to see to the preservation of the native populations and the improvement of their moral and material

Suppression of slavery.

conditions. They will, in particular, endeavor to secure the complete suppression of slavery in all its forms and of the black slave trade by land and sea.

Religious, etc., institutions.

They will protect and favor, without distinction of nationality or of religion, the religious, scientific or charitable institutions and undertakings created and organized by the nationals of the other Signatory Powers and of States, Members of the League of Nations, which may adhere to the present Convention, which aim at leading the natives in the path of progress and civilization. Scientific missions, their outfits and their collections, shall likewise be the objects of special solicitude.

Scientific missions.

Freedom of conscience, etc., guaranteed.

Freedom of conscience and the free exercise of all forms of religion are expressly guaranteed to all nationals of the Signatory Powers and to those of the States, Members of the League of Nations, which may become parties to the present Convention. Accordingly, missionaries shall have the right to enter into, and to travel and reside in, African territory with a view to pursuing their religious work.

Rights of missionaries.

Foregoing, subject to public order provisions.

The application of the provisions of the two preceding paragraphs shall be subject only to such restrictions as may be necessary for the maintenance of public security and order, or as may result from the enforcement of the constitutional law of any of the Powers exercising authority in African territories.

ARTICLE 12

Settlement of disputes.

The Signatory Powers agree that if any dispute whatever should arise between them relating to the application of the present Convention which cannot be settled by negotiation, this dispute shall be submitted to an arbitral tribunal in conformity with the provisions of the Covenant of the League of Nations.

ARTICLE 13

Designated Acts, etc., abrogated.

Except in so far as the stipulations contained in Article 1 of the present Convention are concerned, the General Act of Berlin of 26th February, 1885, and the General Act of Brussels of 2nd July, 1890, with the accompanying Declaration of equal date, shall be considered as abrogated, in so far as they are binding between the Powers which are Parties to the present Convention.

Vol. 27, p. 886.

ARTICLE 14

Adhesion of States exercising authority over African territory.

States exercising authority over African territories, and other States, Members of the League of Nations, which were parties either to the Act of Berlin or to the Act of Brussels or the Declaration annexed thereto, may adhere to the present Convention. The Signatory Powers will use their best endeavors to obtain the adhesion of these States.

Notices, etc.

This adhesion shall be notified through the diplomatic channel to the Government of the French Republic, and by it to all the Signatory or adhering States. The adhesion will come into force from the date of its notification to the French Government.

ARTICLE 15

Signatory Powers to reassemble after ten years.

The Signatory Powers will reassemble at the expiration of ten years from the coming into force of the present Convention, in order to introduce into it such modifications as experience may have shown to be necessary.

Ratification.

The present Convention shall be ratified as soon as possible.

Each Power will address its ratification to the French Government, which will inform all the other Signatory Powers.

Deposit of.

The ratifications will remain deposited in the archives of the French Government.

Force of.

The present Convention will come into force for each Signatory Power from the date of the deposit of its ratification, and from that moment that Power will be bound in respect of other Powers which have already deposited their ratifications.

Notice thereof to Signatories.

On the coming into force of the present Convention, the French Government will transmit a certified copy to the Powers which, under the Treaties of Peace, have undertaken to accept and observe it. The names of these Powers will be notified to the States which adhere.

Signatures.

In faith whereof the above-named Plenipotentiaries have signed the present Convention.

Done at Saint-Germain-en-Laye, the 10th day of September, 1919, in a single copy, which will remain deposited in the archives of the Government of the French Republic, and of which authenticated copies will be sent to each of the Signatory Powers.

(L. S.) FRANK L. POLK
(L. S.) HENRY WHITE
(L. S.) TASKER H. BLISS
(L. S.) HYMANS
(L. S.) J. VAN DEN HEUVEL
(L. S.) E. VANDERVELDE
(L. S.) ARTHUR JAMES BALFOUR
(L. S.)
(L. S.) MILNER
(L. S.) G. N. BARNES
(L. S.) A. E. KEMP
(L. S.) G. F. PEARCE
(L. S.) MILNER
(L. S.) THOS. MACKENZIE
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(L. S.) K. MATSUI
(L. S.) H. IJUIN
(L. S.) AFFONSO COSTA
(L. S.) AUGUSTO SOARES

October 6, 1934. November 9, 1934.

Parcel post convention between the United States of America and Norway. Signed at Oslo, October 6, 1934, at Washington, November 9, 1934; approved by the President, November 13, 1934.

PARCEL POST CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND NORWAY.

Parcel post convention with Norway. Preamble.

For the purpose of concluding an arrangement for the exchange of parcel post packages between the United States of America (including Alaska, Hawaii, Porto Rico, Guam, Samoa and the Virgin Islands of the United States) and Norway, the Postmaster General of the United States of America and the Director General of Posts of Norway, by virtue of authority vested in them, have agreed upon the following articles:

Ordinary and insured parcels.

A. ORDINARY AND INSURED PARCELS.

ARTICLE 1.

LIMITS OF WEIGHT AND SIZE.

Limits of weight and size.

1. No parcel shall exceed forty-four pounds (twenty kilograms) in weight, three feet six inches (one hundred and ten centimeters) in length, or six feet (one hundred and eighty-five centimeters) in length and girth combined.

Basis of calculation.

2. As regards the exact calculation of the weight and dimensions of parcels, the view of the dispatching office shall be accepted, save in cases of obvious error.

Subsequent arrangements.

3. The Postal Administrations of the two countries reserve the right to fix subsequently, by common consent, if their respective regulations permit, the rates and conditions applicable to parcels exceeding the limits of weight and size specified in Section 1.

PAKKEOVERENSKOMST MELLEM NORGE OG DE FORENTE STATER.

I den hensikt å treffe avtale om utveksling av pakker mellem Norge og De Forente Stater (innbefattet Alaska, Hawaii, Puerto Rico, Guam, Samoaøiene og de amerikanske Virgin Islands) har Postdirektøren i Norge og Generalpostmesteren i De Forente Stater, i henhold til fullmakt som er gitt dem, kommet overens om følgende artikler:

A. ALMINDELIGE PAKKER OG VERDIPAKKER.

ARTIKKEL 1.

BEGRENSNING AV VEKT OG MÅL.

1. Ingen pakke må ha en vekt av over fire og førti pund (20 kilogram) og en lengde av over tre fot og seks tommer (ett hundre og ti centimeter), eller en lengde og omkrets sammenlagt av over seks fot (ett hundre og fem og åtti centimeter).

2. Når det gjelder den nøiaktige beregning av pakkenes vekt og dimensjoner, skal avsenderpostverkets opfatning godtas medmindre det foreligger åpenbar feiltagelse.

3. I tilfelle deres respektive reglementer tillater det, skal de to poststyrer ha adgang til senere efter felles overenskomst å fastsette takster og vilkar for utveksling av pakker som overstiger den vekt og de mål som er anført i paragraf 1.

ARTICLE 2.

POSTAGE AND FEES.

Postage and fees.

1. The Administration of origin is entitled to collect from the sender of each parcel such postage and fees for requests for information as to the disposal of a parcel made after it has been posted, and also, in the case of insured parcels, such insurance fees and fees for return receipts, as may from time to time be prescribed by its regulations.

Collection from sender.

2. Except in the case of returned or redirected parcels, the postage and such of the fees mentioned in the preceding section as are applicable, must be prepaid.

Prepayment.

ARTIKKEL 2.

PORTO OG AVGIFTER.

1. Avsenderpostverket har rett til å kreve op hos avsenderen av hver pakke den porto som til enhver tid gjelder i dets posttjeneste. Det samme gjelder avgift for efterspørsel som fremsettes efter pakkens innlevering, samt assuranseavgift og avgift for mottagelsesbevis for verdipakker.

2. Portoen og i tilfelle de i foregående avsnitt nevnte avgifter må, undtagen når det gjelder returnerte og omekspederte pakker, betales på forhånd.

ARTICLE 3.

PREPARATION OF PARCELS.

Preparation of parcels.

1. The name and address of the sender and of the addressee must be legibly and correctly written in every case when possible on the parcel itself, or on a label gummed thereto, and in the case of parcels addressed by tag only because of their shape or size, must also be written on a separate slip, which slip must be enclosed in the parcel; such address slips should be enclosed in all parcels.

Addressing requirements.

Parcels will not be accepted when sent by or addressed to initials, unless the initials are the adopted trade name of the senders or addressees.

Addresses in ordinary pencil are not allowed, but copying ink or indelible pencil on a surface previously dampened may be used.

2. The sender shall prepare one customs declaration for each parcel sent from either country, upon a special form provided for the purpose, which customs declaration shall give a general description of the parcel, an accurate statement in detail of its contents and value, date of mailing, the weight, the sender's name and ad-

Customs declaration.

ARTIKKEL 3.

PAKKENES UTSTYR.

Preparation of parcels.

1. Avsenderens og adressatens navn og adresse må være tydelig og nøiaktig skrevet på selve pakken i alle tilfelle hvor det er mulig, eller på en seddel som klebes på pakken. Dersom pakken har en sådan form eller størrelse at adressen bare har kunnet settes på en merkelapp, må avsenderens og adressatens navn og adresse også skrives på en særskilt seddel som legges inn i pakken; slike adressesedler bør for øvrig legges inn i alle pakker.

Addressing requirements.

Pakker hvis avsendere eller adressater er betegnet med initialer mottas ikke til befordring, medmindre disse er avsendernes eller adressatenes registrerte forretningsnavn.

Adresser skrevet med almindelig blyant er ikke tillatt; kopiblekk eller kopiblyant på fuktet papir kan dog anvendes.

2. Avsenderen skal på en dertil bestemt blankett utferdige en tollangivelse for hver pakke som sendes fra det ene eller det annet av landene. Tollangivelsen skal gi en almindelig beskrivelse av pakken, en nøiaktig og detaljert opgave over innhold og verdi, innleveringsdatum, vekt, avsenderens og adressatens navn og

Customs declaration.

dress, and the name and address of the addressee, and shall be securely tied to the parcel. The customs declarations of insured parcels must be marked or labeled or stamped "Insured".

No official responsibility for correctness.

3. The Administrations accept no responsibility for the correctness of the customs declarations.

Packing, etc.

4. Every parcel shall be packed in a manner adequate for the length of the journey and for the protection of the contents. Ordinary parcels may be closed by means of wax, lead seals, or otherwise.

Insured parcels must be closed and securely sealed with wax or otherwise, but the country of destination shall have the right to open them as well as ordinary parcels (including the right to break the seals) in order to inspect the contents. Parcels which have been so opened shall be closed again and officially sealed, except that in the case of ordinary parcels they need not be sealed if they were not sealed by the sender in the first instance.

Either Administration may require a special impress or mark of the sender in the sealing of insured parcels mailed in its service, as a means of protection.

Stamping requirements.

5. On the address side, each insured parcel must bear a label with the word "insured", or be stamped or marked with the same word in close proximity to the number given the parcel, and it must also bear an indication of

Insured value.

the amount of the insured value, mentioned fully and legibly in the currency of the country of origin and in Roman letters. This amount must be converted into gold francs by the sender or by the office of origin and the result of the conversion is added below the original description.

Affixing stamps.

6. The labels or stamps on insured parcels must be so placed that they can not serve to conceal injuries to the covers. They must not be folded over two sides of the cover so as to hide the edge.

adresse, og skal festes forsvarlig til pakken. Tollangivelsen til verdipakker skal merkes, påsettes seddel eller stemples "Verdi".

3. Postverkene overtar intet ansvar for at tollangivelsene er riktig utfylt.

4. Enhver pakke må være innpakket på en måte som svarer til transportens varighet og slik at innholdet beskyttes. Almindelige pakker kan lukkes med lakk, blyplomber eller på annen måte.

Verdipakker må lukkes og forsegles forsvarlig med lakk eller på annen måte, men adresselandet skal ha rett til å åpne såvel disse som almindelige pakker (herunder rett til å bryte seglene) for å besiktige innholdet. Pakker som er blitt åpnet på denne måte, skal innpakkes og tjenstlig forsegles; det er dog ikke nødvendig å forsegle almindelige pakker, dersom de ikke har vært forseglet av avsenderen fra først av.

Hvert postverk kan som en sikkerhetsforanstaltning forlange at avsenderen anbringer et spesielt avtrykk eller merke i de segl som settes på verdipakker som innleveres ved dets poststeder.

5. Verdipakker skal på adressesiden ha en seddel med ordet "Verdi" eller være stemplet eller merket med dette ord i umiddelbar nærhet av det nummer som pakken har fått, samt ha en fullstendig og tydelig angivelse av verdibeløpet i utgangslandets mynt, skrevet med latinske bokstaver. Dette beløp skal omsettes til gullfrank av avsenderen eller avsenderposststedet; gullfrankbeløpet føies til under den oprinnelige anførsel.

6. Merkelapper eller stempler på verdipakker må være plasert slik at de ikke kan tjene til å skjule skader på omslaget. De må ikke brettes over to sider av omslaget således at kanten skjules.

7. Any liquid or any substance which easily liquefies must be packed in a double receptacle. Between the first receptacle (bottle, flask, pot, box, etc.) and the second (box of metal, strong wood, strong corrugated cardboard or strong fibreboard or receptacle of equal strength) shall be left a space which shall be filled with sawdust, bran, or some other absorbent material, in sufficient quantity to absorb all the liquid contents in the case of breakage.

8. Powders and dyes in powder form must be packed in metal containers which containers must be enclosed in substantial outer covers, so as to afford the utmost protection to the accompanying mail matter.

7. Flytende saker og ethvert stoff som lett går over i flytende form, må pakkes i dobbelt innpakning. Mellem den første innpakning (flaske, krukke, eske etc.) og den annen innpakning (eske av metall, sterkt tre, sterk bølgepapp, sterkt fibertre eller likeså sterk innpakning) skal det være et rum som fylles med sagmugg, kli eller et annet absorberende stoff, i tilstrekkelig mengde til å absorbere det flytende innhold i tilfelle av skade. Containers for liquids.

8. Pulver og farver i pulverform må pakkes i metallbeholdere; disse beholdere må igjen være pakket inn i en så solid ytre pakning at denne yder den størst mulige beskyttelse for den øvrige post. Powders, etc.

Article 4.

PROHIBITIONS.

1. The following articles are prohibited transmission by parcel post:

a) A letter or a communication having the nature of an actual and personal correspondence. Nevertheless, it is permitted to enclose in a parcel an open invoice, confined to the particulars which constitute an invoice, and also a simple copy of the address of the parcel, that of the sender being added.

b) An enclosure which bears an address other than that of the addressee of the parcel or that of a person living with him.

c) Any live animals (except leeches).

d) Any article of which the admission is not authorised by the Customs or other laws or regulations in force in either country.

e) Any explosive or inflammable article, and, in general, any article of which the conveyance is dangerous.

2. When a parcel contravening any of these prohibitions is handed over by one Administra-

Artikkel 4.

FORBUD. Prohibitions.

1. Følgende saker kan ikke sendes i pakkeposten: Articles specified.

a) Brev eller en meddelelse som har karakter av virkelig og personlig korrespondanse. Det er dog tillatt å legge inn i en pakke en åpen faktura, som ikke inneholder annet enn de for fakturaer almindelige anførsler og likeledes en blott og bar avskrift av pakkens adresse med avsenderens adresse tilføid. Letters, etc.

b) Innlagte ting som er adressert til andre enn pakkens adressat eller personer som bor sammen med ham. With different address.

c) Levende dyr (undtatt igler). Live animals.

d) Saker som ikke er tillatt innført ifølge toll-lover eller tollreglementer eller andre gjeldende lover eller reglementer i noget av landene. Admission not authorized.

e) Eksplosive eller lett antendelige saker og, som regel, alle slags saker som det er farlig å føre. Explosives.

2. Når en pakke som støter an mot noget av disse forbud, er overlevert fra det ene postverk Action to be taken.

tion to the other, the latter shall proceed in accordance with its laws and its inland regulations.

List of prohibited articles to be furnished.

3. The two Postal Administrations shall furnish each other with a list of prohibited articles; but they will not thereby undertake any responsibility whatever towards the police, the Customs Authorities, or the senders of the parcels.

til det annet, skal det sistnevnte behandle pakken overensstemmende med sine lover og innenrikske forskrifter.

3. De to poststyrer skal gjensidig tilstille hinannen en liste over forbudte saker; men de vil ikke dermed ha overtatt noget ansvar, hverken overfor politiet, tollvesenet eller pakkenes avsendere.

ARTICLE 5.

ARTIKKEL 5.

Customs duties.

CUSTOMS DUTIES.

TOLLAVGIFTER.

Parcels subject to.

The parcels shall be subject in the country of destination to all customs duties and all customs regulations in force in that country for the protection of its customs revenue, and the customs duties properly chargeable thereon shall be collected on delivery, in accordance with the customs regulations of the country of destination.

Pakkene skal i adresselandet være underkastet alle de tollavgifter og tollforskrifter som gjelder der i landet for å sikre dets tollinntekter; de rettmessig pålagte tollavgifter skal kreves op ved pakkenes utlevering i overensstemmelse med adresselandets tollforskrifter.

ARTICLE 6.

ARTIKKEL 6.

Exchange of parcels.

METHOD OF EXCHANGE OF PARCELS.

FREMGANGSMÅTEN VED UTVEKSLINGEN AV PAKKER.

Sealed sacks.

1. The parcels shall be exchanged, in sacks duly fastened and sealed, by the offices appointed by agreement between the two Administrations, and shall be dispatched to the country of destination by the country of origin at its cost and by such means as it provides.

1. Pakkene skal utveksles i tilbørlig ombundne og forseglede sekker mellem de kontorer som de to poststyrer efter avtale bestemmer; avsenderlandet skal fremsende pakkene til adresselandet for sin regning og på den måte som det selv avgjør.

Insured parcels.

2. Insured parcels shall be enclosed in separate sacks from those in which ordinary parcels are contained and the labels of sacks containing insured parcels shall be marked with such distinctive symbols as may from time to time be agreed upon.

2. Verdipakker og almindelige pakker skal pakkes i sekker hver for sig; merkelappene på sekker med verdipakker skal være merket med sådanne tydelige kjennetegn som det til enhver tid er truffet avtale om.

ARTICLE 7.

ARTIKKEL 7.

Billing of parcels.

BILLING OF PARCELS.

KARTERING AV PAKKER.

Separate entries; prepared in duplicate.

1. The insured parcels and the ordinary parcels are entered in separate parcel bills. The parcel bills are prepared in duplicate. The original is sent in the regular

1. Verdipakker og almindelige pakker føres op i særskilte pakkepostkarter. Pakkepostkartene utferdiges i to eksemplarer. Originalen sendes i brevposten,

mails, while the duplicate is inserted in one of the parcel sacks. The sack containing the parcel bill is designated by the letter "F", traced in a conspicuous manner on the label.

2. The ordinary parcels included in each dispatch sent to the United States of America shall be entered on the parcel bills to show the total number of parcels and the total net weight thereof.

The ordinary parcels enclosed in each dispatch sent to Norway shall be entered on the parcel bills to show the total number therof, according to the divisions of weight a) up to 1 kilogram (2 pounds), b) over 1 up to 5 kilograms (11 pounds), c) over 5 up to 10 kilograms (22 pounds), d) over 10 up to 15 kilograms (33 pounds), and e) over 15 up to 20 kilograms (44 pounds).

Insured parcels shall be entered individually on the parcel bills. The entries concerning each parcel shall show the insurance number and the name of the office of origin. In the case of parcels sent to the United States of America, the total net weight of all the parcels must also be shown. In the case of parcels sent to Norway, an indication of the division of weight must also be shown, the same as in the case of ordinary parcels.

3. Returned or redirected parcels must be entered individually on the parcel bills and must be followed by the word "Returned" or "Redirected", as the case may be. A statement of the charges which may be due on these parcels should be shown in the "Observations" column.

4. The total number of sacks comprising each dispatch must also be shown on the parcel bills.

5. Parcels sent á decouvert must be entered separately on the parcel bills.

6. Each dispatching office of exchange shall number the parcel bills in the upper left-hand corner, commencing each year a

mens gjenparten legges ned i en av pakkepostposene. Den pose som pakkepostkartet ligger i, merkes med bokstaven "F" som skrives tydelig på merkelappen.

Ordinary.

2. De almindelige pakker som optas i postene til De Forente Stater, skal føres op i pakkekartene med det samlede antall pakker og deres samlede nettovekt.

De almindelige pakker som sendes i postene til Norge, skal føres op i kartene med det samlede antall pakker av vektgruppene a) inntil 1 kilogram (2 pund), b) over 1 inntil 5 kilogram (11 pund), c) over 5 inntil 10 kilogram (22 pund), d) over 10 inntil 15 kilogram (33 pund) og e) over 15 inntil 20 kilogram (44 pund).

Insured.

Verdipakkene skal føres op enkeltvis i pakkekartene. For hver pakke skal angis verdinummer og avsenderpoststedets navn. For pakker som sendes til De Forente Stater, skal også den samlede nettovekt av pakkene angis. For pakker som sendes til Norge, skal også vektgruppe angis på samme måte som for almindelige pakker.

Returned, etc.

3. Tilbakesendte eller eftersendte pakker skal føres op enkeltvis i pakkekartene med tilføielse av ordet "Retur" eller "Eftersendt" efter tilfellets art. De avgifter som måtte hvile på disse pakker, skal anføres i anmerkningsrubrikken.

Contents to be shown.

4. Det samlede antall poser i hver post skal også angis i pakkekartene.

Sent á découvert.

5. Pakker som sendes i enkelttransitt, skal føres op særskilt i pakkekartene.

Numbering by dispatching office.

6. Avsender-utvekslingskontoret skal nummerere pakkepostkartene øverst i venstre hjørne, idet det hvert år begynner med

fresh series for each office of exchange of destination. The last number of the year shall be shown on the parcel bill of the first dispatch of the following year.

Advising articles in transit.

7. The exact method of advising parcels or the receptacles containing them sent by one Administration in transit through the other together with any details of procedure in connection with the advice of such parcels or receptacles for which provision is not made in this Convention, shall be settled by mutual agreement through correspondence between the two Administrations.

en ny serie for hvert adresse-utvekslingskontor. Det siste nummer i året skal anføres i pakkepostkartet for den første kartavslutning i det følgende år.

7. Den nøiaktige fremgangsmåte ved kartering av pakker eller pakkepostsekker som sendes av det ene postverk i transitt gjennem det annet, tillikemed enhver detalj ved fremgangsmåten vedkommende ekspedisjonen av sådanne pakker eller sekker som det ikke er satt bestemmelser for i denne overenskomst, skal ordnes ved gjensidig avtale gjennem korrespondanse mellem de to poststyrer.

Article 8.

Certificates of mailing.

CERTIFICATES OF MAILING.

Furnished sender on request.

The sender will, on request at the time of mailing an ordinary (uninsured) parcel, receive a certificate of mailing from the post office where the parcel is mailed, on a form provided for the purpose, and each country may fix a reasonable fee therefor.

No certificate of mailing, other than the insurance receipt, will be furnished the sender of insured parcels.

Artikkel 8.

INNLEVERINGSBEVIS.

På forlangende får avsenderen ved innleveringen av en almindelig (uassurert) pakke et innleveringsbevis av det poststed hvor pakken innleveres. Innleveringsbeviset skrives ut på den blankett som er bestemt til det; hvert land kan fastsette en rimelig avgift herfor.

Annen bevidnelse enn at pakken er sendt som verdipakke, vil ikke bli gitt til avsenderen av verdipakker.

Article 9.

RESPONSIBILITY NOT ACCEPTED FOR ORDINARY PARCELS.

No responsibility for ordinary parcels.

Neither the sender nor the addressee of an ordinary (uninsured) parcel shall be entitled to compensation for the loss of the parcel or for the abstraction of or damage to its contents.

Artikkel 9.

ANSVAR OVERTAS IKKE FOR ALMINDELIGE PAKKER.

Hverken avsenderen av en almindelig (uassurert) pakke eller adressaten er berettiget til erstatning for tap av pakken, eller for inngrep i eller skade på dens innhold.

Article 10.

Insurance.

INSURANCE.

Fee.

1. The sender of a parcel may have the same insured by paying in addition to the postage such insurance fee as is prescribed by the country of origin, and in the event of loss, rifling

Artikkel 10.

VERDI.

1. Avsenderen av en pakke kan få den sendt som verdipakke ved å betale i tillegg til portoen den assuranseavgift som er fastsatt i avsenderlandet. I tilfelle av tap, plyndring eller beskadi-

or damage, indemnity shall be paid for the actual amount, based on the actual value at the time and place of mailing, of the loss, rifling, or damage up to an amount of 500 gold francs.

No insured parcel shall be indemnified for an amount above the real value of its contents.

Both Administrations reserve the right to arrange by mutual agreement through correspondence for a higher or lower limit of indemnity than that mentioned in this Convention.

2. The insurance of all parcels containing coin, bank notes, paper money, bullion, jewelry, or any other precious article exchanged between the two Administrations is obligatory.

If a parcel containing coin, bank notes, paper money, bullion, jewelry, or any other precious article, is mailed uninsured, it shall be placed under insurance by the post office which first observes the fact of its having been mailed uninsured and treated in accordance with the regulations of the country placing the matter under insurance.

3. The Administration of origin is entitled to fix its own fees for different limits of indemnity within the maximum provided.

Indemnity limited.

gelse skal det betales erstatning som svarer til den skade som virkelig er forvoldt ved tapet, plyndringen eller beskadigelsen, beregnet efter den virkelige verdi på innleveringstiden og innleveringsstedet. Erstatningen kan ikke overstige 500 gullfrank.

Det ydes ikke erstatning for en verdipakke utover innholdets virkelige verdi.

Other limits by agreement.

Begge poststyrer forbeholder sig rett til efter gjensidig overenskomst gjennem korrespondanse å avtale en høiere eller lavere grense for erstatning enn den som er nevnt i denne overenskomst.

Coin, jewelry, etc.

2. Alle pakker som inneholder mynt, banknoter, pengesedler, umyntet gull eller sølv, edelstener eller andre kostbare gjenstander som utveksles mellem de to land må sendes under verdiangivelse.

Hvis en pakke som inneholder mynt, banknoter, pengesedler, umyntet gull eller sølv, edelstener eller andre kostbare gjenstander er sendt uten angitt verdi, skal det poststed som først merker at pakken er sendt uten angitt verdi, behandle pakken som verdipakke overensstemmende med vedkommende lands forskrifter.

Fees for indemnity.

3. Avsenderpostvérket har rett til å fastsette størrelsen av de avgifter som det vil kreve op for forskjellige erstatningssatser, innenfor det fastsatte maksimum.

Article 11.

RETURN RECEIPTS AND INQUIRIES.

Artikkel 11.

MOTTAGELSESBEVIS OG EFTERSPØRSLER.

Return receipts and inquiries.

Advice of delivery.

1. The sender of an insured parcel may obtain an advice of delivery upon payment of such additional charge, if any, as the country of origin of the parcel shall stipulate.

1. Avsenderen av en verdipakke kan få et mottagelsesbevis mot å betale den tilleggsavgift som måtte være fastsatt av utgangslandet.

Request for information.

2. A fee may be charged, at the option of the country of origin, on a request for information as to the disposal of an ordinary parcel and also of an insured parcel

2. Utgangslandet kan kreve op en avgift for efterspørsel efter en almindelig pakke; det samme gjelder for efterspørsel efter en verdipakke, fremsatt efter inn-

made after it has been posted if the sender has not already paid the special fee to obtain an advice of delivery.

Complaint of irregularity.

A fee may also be charged, at the option of the country of origin, in connection with any complaint of any irregularity which prima facie was not due to the fault of the Postal Service.

Marking requests.

3. When an advice of delivery is desired, the sender or office of origin shall write or stamp on the parcel and the customs declaration in a conspicuous manner, the words "Return receipt requested", "Advice of delivery requested", or the letters "A. R.".

leveringen, dersom avsenderen ikke allerede har betalt den særskilte avgift for mottagelsesbevis.

Utgangslandet har også adgang til å kreve op en avgift i forbindelse med enhver klage over uregelmessigheter som ikke straks kan sees å skyldes feil fra postverkets side.

3. Når mottagelsesbevis ønskes, skal avsenderen eller utgangsposststedet på en tydelig måte skrive eller stemple på pakken og tollangivelsen ordene "Mottagelsesbevis forlangt", "Utleveringsbevis forlangt" eller kun bokstavene "A. R."

Article 12.

Indemnity.

INDEMNITY.

Allowance to sender.

1. Except in cases of loss or damage through force majeure (causes beyond control) as that term is defined by the legal decisions or rulings of the country in the service of which the loss or damage occurs, when an insured parcel has been lost, rifled, or damaged, the sender, or other rightful claimant, is entitled to an indemnity corresponding to the actual amount of loss, rifling or damage, based on the actual value at the time and place of mailing of the lost, rifled, or damaged article, unless the loss, rifling, or damage has arisen from the fault or negligence of the sender or the addressee or of the representative of either or from the nature of the article, but the indemnity shall not exceed the insured value.

Limitation.

Loss by force majeure.

While, as stated in the preceding paragraph, the Administrations are not obligated to pay indemnity in the case of loss or damage due to force majeure, either Administration may, at its option and without recourse to the other Administration, pay indemnity for loss or damage due

Artikkel 12.

ERSTATNING.

1. Undtagen i tilfelle av tap eller skade på grunn av force majeure (uavvendelig begivenhet), således som dette begrep er definert ved de lovmessige avgjørelser eller av reglementsbestemmelser i det land i hvis posttjeneste tapet eller skaden inntreffer, har avsenderen eller mulig annen rettighetshaver, når en verdipakke er gått tapt, blitt plyndret eller skadet, rett til en erstatning som svarer til tapets, plyndringens eller skadens virkelige verdi. Erstatningen fastsettes på grunnlag av den tapte, plyndrede eller skadede gjenstands virkelige verdi på den tid og på det sted hvor den blev innlevert til postbehandling, medmindre tapet, plyndringen eller skaden skyldes feil eller forsømmelse av avsenderen eller adressaten eller den som representerer en av disse, eller skyldes innholdets natur; erstatningen skal dog ikke overstige den angitte verdi.

Tiltross for at poststyrene som bestemt i foregående avsnitt, ikke er forpliktet til å betale erstatning for tap eller skade som skyldes "force majeure", kan dog hvert land for sitt vedkommende, men uten regress hos det annet land, betale erstatning for tap eller skade som skyldes force ma-

to force majeure even in the cases where the Administration of the country in the service of which the loss or damage occurred recognises that the damage was due to force majeure.

jeure. Dette gjelder også i de tilfelle hvor poststyret i det land i hvis postverk tapet eller skaden har funnet sted, har uttalt at skaden skyldes force majeure.

2. In the absence of special agreement to the contrary between the countries involved (which agreement may be made through correspondence) no indemnity will be paid by either country for the loss, rifling, or damage of transit insured parcels originating in one of the two contracting countries addressed for delivery in some other country not a party to this Convention or originating in a third country addressed for delivery to one of the two contracting countries.

Agreement of, for delivery in a third country.

2. Medmindre det motsatte spesielt er avtalt mellem de omhandlede land (hvilken avtale kan inngåes ved korrespondanse), skal det ikke betales erstatning av noget av landene for tap og plyndring av eller skade på transiterende verdipakker som er utgått fra et av de to kontraherende land og bestemt til et land som ikke er tilsluttet denne overenskomst, eller som er utgått fra et tredje land og bestemt til et av de to kontraherende land.

3. In case an insured parcel originating in one country and addressed for delivery in the other country is forwarded or returned from the country of original address to a third country, the rightful claimant shall be entitled to only such indemnity, if any, for any loss, rifling, or damage which occurs subsequent to the redispatch of the parcel in the country of original address, as the country in which the loss, rifling, or damage occurred is willing or obligated to pay under any agreement in force between the countries directly involved in the forwarding or return. Either country adhering to this Convention which improperly forwards an insured parcel to a third country, shall be responsible therefor to the extent of liability of the country of origin to the sender within the limit of indemnity fixed by this Convention.

Parcels forwarded to a third country.

3. Når en verdipakke utgått fra et av landene og adressert til det annet land, fremsendes eller sendes tilbake fra det oprinnelige addresseland til et tredje land, har rettighetshaveren i tilfelle bare rett til sådan erstatning for tap, plyndring eller skade opstått efter omekspedisjonen av pakken i adresselandet, som det land i hvilket tapet, plyndringen eller skaden opstår er villig eller forpliktet til å betale i henhold til gjeldende overenskomst mellem de land som direkte berøres av fremsendingen eller tilbakesendingen.

Hvis et av de kontraherende land feilaktig fremsender en verdipakke til et tredje land, er vedkommende land ansvarlig herfor sålangt avsenderlandets ansvar går overfor avsenderen innen de grenser som er satt i denne overenskomst.

4. No application for indemnity will be entertained unless a claim or an initial inquiry, oral or written, shall be filed by claimant or his representative within a year commencing with the day following the posting of the insured parcel.

Claim to be filed.

4. Ingen søknad om erstatning vil bli tatt under overveielse, medmindre krav eller efterspørsel, muntlig eller skriftlig, er fremsatt av rettighetshaveren eller hans representant innen ett år, regnet fra dagen efter innleveringen av verdipakken.

No compensation for indirect loss.

5. No compensation shall be given for loss, injury, or damage consequential upon, i. e., indirectly arising from, the loss, nondelivery, damage, misdelivery, or delay of any insured parcel transmitted under this Convention, nor for parcels seized by the Customs because of false declaration of contents.

5. Erstatning utbetales ikke for tap, verdiforringelse eller skade som middelbart, d. e. indirekte følger av tap, ikke utlevering, skade, feilutlevering eller forsinkelse av verdipakker som utveksles i henhold til denne overenskomst. Heller ikke betales det erstatning for pakker som er beslaglagt av tollvesenet på grunn av uriktig angivelse av innhold.

Matter not entitled to indemnity.

6. No indemnity will be paid for insured parcels which contain matter of no intrinsic value nor for perishable matter or matter prohibited transmission in the parcel post mails exchanged between the contracting Administrations, or which did not conform to the stipulations of this Convention, or which were not posted in the manner prescribed, but the country responsible for the loss, rifling, or damage may pay indemnity in respect of such parcels without recourse to the other Administration.

6. Erstatning betales ikke for verdipakker som inneholder saker uten verdi i sig selv, heller ikke for pakker inneholdende lett bedervelige saker, eller saker hvis befordring er forbudt i pakkeposten mellem de kontraherende postverk, eller for pakker som ikke er i overensstemmelse med forskriftene i denne overenskomst, eller som ikke er innlevert på foreskreven måte. Det land som er ansvarlig for tapet, plyndringen eller skaden kan dog betale erstatning for sådanne pakker uten regress hos det annet postverk.

Reimbursement of postage, etc., on loss of parcel.

7. Either of the Administrations may at its option reimburse the rightful claimant in the event of complete loss, irreparable damage of entire contents or rifling of entire contents for the amount of postage or special charges borne by an insured parcel, if claimed. The insurance fees are not in any case returned.

7. Hvis det kreves har hvert postverk, om det vil, adgang til å tilbakebetale den rettmessige fordringshaver portoen eller spesielle avgifter vedkommende en helt tapt, fullstendig skadd eller fullstendig plyndret verdipakke. Assuranseavgiften betales ikke i noget tilfelle tilbake.

No responsibility admitted if official documents destroyed.

8. No responsibility will be admitted for insured parcels which can not be accounted for in consequence of the destruction of official documents through causes beyond control.

8. Erstatning betales ikke for verdipakker som ikke kan eftervises som følge av tilintetgjørelse av offentlige dokumenter på grunn av force majeure.

Reservation in case of false statements, etc.

9. In case the sender, addressee, or owner of an insured parcel, or his representative, shall at any time knowingly allege the contents to be above their real value, or whenever any false, fictitious, or fraudulent evidence is knowingly and wilfully introduced, the Administration responsible for the indemnity reserves the right without any refund of fee or postage to decline to pay indemnity or to pay such indemnity as may in its discretion be considered equitable in the light of

9. I tilfelle avsenderen, adressaten, eller eieren av en verdipakke, eller hans fullmektig med vidende og vilje opgir innholdet til en høiere verdi enn den virkelige, eller forsettlig avgir falsk erklæring, er det ansvarlige postverk berettiget til uten tilbakebetaling av avgift eller porto å avslå erstatning eller til å betale sådan erstatning som efter dets opfatning måtte ansees billig under hensyn til det foreliggende forhold. Håndhevingen av denne regel skal ikke kunne avskjære

the evidence produced. The enforcement of this rule shall not prejudice any legal proceedings to which such fraudulent evidence may have rendered the claimant liable.

noget som helst rettslig skritt som sådant svikaktig forhold måtte gjøre berettiget overfor den som krever erstatning.

Administration of origin to pay indemnity within one year.

10. When an insured article has been lost, rifled, or damaged, the Administration of origin shall pay indemnity to the rightful claimant as soon as possible and at the latest within a period of one year counting with the day following that on which the application is made, which payment shall be made on account of the Administration of destination, if that Administration is responsible for the loss, rifling, or damage, and has been duly notified.

10. Når en verdipakke er gått tapt, blitt plyndret eller skadet, skal utgangspostverket betale erstatning til rettighetshaveren så snart som mulig og senest innen et tidsrum av ett år regnet fra dagen efter den dag kravet er fremsatt; erstatningen skal utbetales for regning av adresselandets postverk, såfremt dette postverk er ansvarlig for tapet, plyndringen eller skaden og er blitt tilbørlig underrettet.

Deferred payment.

11. However, the Administration of origin may, in the cases indicated in the foregoing section, exceptionally defer payment of indemnity for a longer period than that stipulated if, at the expiration of that period, it has not been able to determine the disposition made of the article in question or the responsibility incurred.

11. I de tilfelle som er anført i foregående paragraf kan dog utgangslandets postverk undtagelsesvis utsette med betalingen av erstatning i et lengere tidsrum enn fastsatt, såfremt det ved utløpet av fristen ikke har vært mulig å fastslå vedkommende sendings skjebne eller å avgjøre ansvarsspørsmålet.

Country of origin may pay if country of destination delays nine months.

12. Except in cases where payment is exceptionally deferred as provided in the foregoing section, the country of origin is authorised to pay indemnity on behalf of the country of destination if that country has, after being duly informed of the application for indemnity, let nine months pass without settling the matter.

12. Undtagen i tilfelle hvor betalingen undtagelsesvis er utsatt, således som omhandlet i foregående paragraf, har utgangslandet rett til å utbetale erstatning på vegne av adresselandet, hvis dette land, efter å være tilbørlig underrettet om erstatningskravet, har latt gå hen ni måneder uten å ordne saken.

Country responsible.

13. The obligation of paying the indemnity shall rest with the country to which the mailing office is subordinate. That country can make a claim on the country responsible, that is to say, against the Administration on the territory or in the service of which the loss, rifling, or damage took place.

13. Forpliktelsen til å betale erstatningen påhviler det land hvorunder utgangspoststedet hører. Dette land kan fremsette krav overfor det ansvarlige land, det vil si, mot det postverk på hvis territorium eller i hvis tjeneste tapet, plyndringen eller skaden har funnet sted.

Repayment to country paying.

14. The country responsible for the loss, rifling, or damage and on whose account payment is made is bound to repay to the country making payment on its

14. Det land som er ansvarlig for tapet, plyndringen eller skaden og for hvis regning utbetaling er foretatt, er forpliktet til å refundere det utbetalte er-

behalf, without delay and within not more than nine months after receiving notice of payment, the amount of indemnity paid.

Reimbursement on gold basis.

15. Reimbursements for indemnity from one country to the other shall be made on the gold basis.

Means to be used.

16. Repayments are to be made free of cost to the creditor country by means of either a money order or a draft or in money valid in the creditor country, or by such other means as may be mutually agreed upon by correspondence.

Responsibility of receiving country unable to show proper disposition.

17. Until the contrary is proved, responsibility for an insured parcel rests with the country which, having received the parcel without making any observation and being furnished all necessary particulars for inquiry, is unable to show its proper disposition.

If lost in transit.

If the loss, abstraction, or damage has occurred in the course of conveyance without its being possible to ascertain in which service the irregularity took place, the Postal Administrations concerned bear the loss in equal shares.

Dispatching office responsible if loss discovered by receiving office.

18. Responsibility for loss, rifling, or damage of an insured parcel discovered by the receiving office of exchange at the time of opening the receptacles and duly notified to the dispatching office of exchange by bulletin of verification, shall fall upon the Administration to which the dispatching office of exchange is subordinate unless it be proved that the loss, rifling, or damage occurred in the service of the receiving Administration.

Responsibility for proper packing, etc.

19. The responsibility of properly enclosing, packing, and sealing insured parcels rests upon the sender, and the postal service of neither country will assume liability for loss, rifling, or damage arising from defects which may not be observed at the time of posting.

statningsbeløp til det land som har foretatt utbetalingen på dets vegne, uten ophold og innen et tidsrum av ikke over ni måneder efter mottagelsen av underretning om utbetalingen.

15. Refusjoner av erstatningsbeløp fra det ene land til det annet skal skje på gull-basis.

16. Tilbakebetalinger skal skje utgiftsfritt for det tilgodehavende land enten ved postanvisning, veksel eller ved mynt som er gangbar i det tilgodehavende land, eller på den måte som det måtte bli truffet gjensidig avtale om gjennem korrespondanse.

17. Inntil det motsatte bevises påhviler ansvaret for en verdipakke det land som har mottatt pakken uten nogen bemerkning, og som efter å være blitt meddelt alle nødvendige oplysninger til hjelp for undersøkelsen, ikke er i stand til å eftervise pakken.

Dersom tapet, plyndringen eller skaden er opstått under postføringen uten at det har vært mulig å fastslå i hvilket postverk dette er skjedd, deler vedkommende poststyrer tapet likt.

18. Ansvaret for tap, plyndring eller skade på en verdipakke som opdages av mottagerutvekslingskontoret ved åpningen av posene skal — når underretning riktig er sendt avsenderutvekslingskontoret ved en tilbakemelding — falle på det postverk hvorunder avsenderutvekslingskontoret hører, medmindre det bevises at tapet, plyndringen eller skaden er opstått på mottagerpostverkets område.

19. Ansvaret for riktig innhold i og for tilstrekkelig innpakning og forsegling av verdipakker påhviler avsenderen; de to postverk overtar intet ansvar for tap, plyndring eller skade som er forårsaket ved mangler som ikke måtte opdages ved innleveringen.

ARTICLE 13.

TRANSIT PARCELS.

1. Each Administration guarantees the right of transit over its territory, to or from any country with which it has parcel post communication, of parcels originating in or addressed for delivery in the territory of the other contracting Administration.

2. Each Administration shall inform the other to which countries parcels may be sent through it as intermediary.

3. To be accepted for onward transmission, parcels sent by one of the contracting Administrations through the service of the other Administration must comply with the conditions prescribed from time to time by the intermediary Administration.

ARTIKKEL 13.

TRANSITTPAKKER.

Transit parcels.

1. Hvert postverk garanterer rett til transitt over dets territorium til eller fra hvilket som helst land som det har pakkeutveksling med, for pakker som er utgått fra eller bestemt til utlevering i det annet kontraherende land.

Right of transit guaranteed.

2. Hvert postverk skal gi det annet underretning om de land som det kan sendes pakker til ved dets mellemkomst.

Notice.

3. For å kunne gå i transitt må pakker som sendes fra ett av de kontraherende postverk gjennem det annet, være i overensstemmelse med de forskrifter som fra tid til annen fastsettes av det mellemliggende postverk.

Conditions to be complied with.

ARTICLE 14.

CHECK BY OFFICE OF EXCHANGE.

1. On the receipt of a Parcel Mail, the receiving office of exchange shall check it. The insured parcels must be carefully compared with the accompanying bills. Any discrepancies or irregularities noted shall be immediately reported to the dispatching office of exchange by means of a bulletin of verification. If report is not made promptly, it will be assumed that the mail and the accompanying bills were in every respect in proper order.

2. In the case of any discrepancies or irregularities in a mail, such record shall be kept as will permit of the furnishing of information regarding the matter in connection with any subsequent investigation or claim for indemnity which may be made.

3. If a parcel bill is missing a duplicate shall be made out and a copy sent to the dispatching office of exchange from which the dispatch was received.

ARTIKKEL 14.

KONTROLL VED UTVEKSLINGSKONTORENE.

Check by office of exchange.

1. Mottagerutvekslingskontoret skal kontrollere den ankomne pakkepost. Verdipakkene må omhyggelig sammenholdes med det medfølgende pakkepostkart. Enhver uoverensstemmelse eller uregelmessighet skal øieblikkelig meldes til avsenderutvekslingskontoret ved en tilbakemelding. Hvis tilbakemelding ikke er sendt straks, vil det bli gått ut fra at posten og de medfølgende karter har vært i orden i enhver henseende.

Duty of receiving office.

2. Dersom det opdages nogen uoverensstemmelse eller uregelmessighet i en kartavslutning, skal det gjøres nødvendige noteringer slik at det kan gis tilstrekkelige oplysninger om forholdet i tilfelle av senere undersøkelser eller krav om erstatning.

Record of discrepancies.

3. Hvis pakkepostkart mangler, skal det utferdiges et duplikat og en kopi skal sendes til det utvekslingskontor som kartavslutningen er mottatt fra.

Duplicate parcel bill.

Notation of evident damage, etc.

4. Insured parcels bearing evidence of violation or damage must have the facts noted on them and be marked with the stamp of the office making the note, or a document drawing attention to the violation or damage must be forwarded with the parcels.

4. Verdipakker som bærer tydelig spor av inngrep eller skade, skal gis påtegning om forholdet og stemples av det poststed som har gitt påtegningen, eller det skal sendes en skrivelse sammen med pakkene hvori gjøres opmerksom på inngrepet eller skaden.

ARTICLE 15.

ARTIKKEL 15.

Fees.

FEES FOR CUSTOMS FORMALITIES AND FOR DELIVERY. DEMURRAGE CHARGES.

AVGIFTER FOR TOLLBEHANDLING OG UTLEVERING. LIGGEAVGIFTER.

Customs formalities.

1. The Administration of the country of destination may collect from the addressee for the fulfilment of customs formalities a charge not exceeding 50 centimes gold for each parcel.

1. Postverket i adresselandet kan for tollbehandling kreve op hos adressaten en avgift som ikke må overstige 50 gullcentimer for hver pakke.

Delivery charges.

2. The Administration of delivery may collect from the addressee for delivery a fee not exceeding 50 centimes gold for each parcel and an additional delivery charge of like amount for each time a parcel is presented at the residence of the addressee after one unsuccessful presentation.

2. Utleveringspostverket kan for utleveringen kreve op hos adressaten en avgift av ikke over 50 gullcentimer for hver pakke; en utleveringsavgift av samme beløp kan kreves op for hver gang en pakke søkes avlevert i adressatens bopel efter den første resultatløse forevisning.

Storage or demurrage.

3. Each Administration may impose reasonable storage or demurrage charges in case the addressee fails to accept delivery of any parcel within such reasonable time as is prescribed by the Administration of the country of destination.

3. Hvert postverk kan kreve op en rimelig lageravgift eller liggeavgift i tilfelle av at adressaten undlater å motta pakken innenfor et rimelig tidsrum som fastsettes av adresselandets postverk.

Cancelled, if returned.

4. In the event of the return of the parcel to the country of origin, the charges mentioned above shall be cancelled.

4. Sendes pakken tilbake til utgangslandet, skal ovennevnte avgifter eftergis.

ARTICLE 16.

ARTIKKEL 16.

Redirection.

REDIRECTION.

EFTERSENDING.

Charges specified.

1. Any parcel redirected within the country of destination or delivered to an alternate addressee at the original office of address shall be liable to such additional charges as may be prescribed by the Administration of that country.

1. Enhver pakke som eftersendes innen adresselandet eller utleveres til en ny adressat på det oprinnelige adresseposttsted, skal være undergitt de tilleggsavgifter som måtte være fastsatt av adresselandets postverk.

2. When a parcel is redirected to either country, new postage as well as new insurance fees, in the case of insured parcels (which, when redirected, must be dispatched in the same kind of mails as received) may, if not prepaid, be collected upon delivery and retained by the Administration making the collection. The Administration making delivery shall fix the amount of such fees and postage when not prepaid.

Collecting new fees.

2. Når en pakke eftersendes til et av landene og forutbetaling ikke har funnet sted, skal ny porto og—når det gjelder verdipakker (som må sendes i samme slags kartavslutning som de er mottatt i)—også ny assuranseavgift kreves op ved utleveringen og beholdes av det postverk som foretar opkrevingen. Det postverk som leverer pakken ut, fastsetter de avgifter og den porto som skal kreves op, når forutbetaling ikke har funnet sted.

3. Insured parcels shall not be forwarded or returned to another country unless they are forwarded or returned as insured mail. Senders may indorse insured parcels "Do not forward to a third country", in which event the parcels shall not be forwarded to any other country. Unless such parcels are indorsed to indicate that the senders do not wish them forwarded to any country other than that of mailing or within the country of original address, they may be forwarded to a third country if they are forwarded as insured mail. Insured parcels may be returned to the sender in a third country in accordance with a return address on the parcels, if they can be returned as insured mail. In the case of the loss, rifling, or damage of an insured parcel forwarded or returned to a third country, indemnity will be paid only in accordance with the stipulations of Article 12, Section 3, of this Convention.

Restoration, etc., on forwarding to any other country.

3. Verdipakker skal ikke eftersendes eller sendes tilbake til annet land medmindre de eftersendes eller sendes tilbake som verdipakker. Avsenderne kan skrive på verdipakker: "Eftersendes ikke til et tredje land"; pakkene skal i slike tilfelle ikke eftersendes til noget annet land. Medmindre verdipakker er gitt påtegning om at avsenderne ikke ønsker dem eftersendt til noget annet land enn utgangslandet eller innen det oprinnelige adresseland, kan de eftersendes til et tredje land; de må i tilfelle eftersendes som verdipakker. Verdipakker kan sendes tilbake til avsenderen i et tredje land efter den returadresse som måtte være påført pakkene, under forutsetning av at de kan sendes til vedkommende land som verdipakker. For tap og plyndring av eller skade på en verdipakke som er eftersendt eller tilbakesendt til et tredje land, betales erstatning bare efter forskriftene i artikkel 12, § 3, i denne overenskomst.

Ante, p. 3051.

Article 17.

POSTAL CHARGES OTHER THAN THOSE PRESCRIBED NOT TO BE COLLECTED.

The parcels to which this Convention applies shall not be subjected to any postal charges other than those contemplated by the different articles hereof.

Artikkel 17.

ANDRE POSTALE AVGIFTER ENN DE SOM ER FORESKREVET, OPKREVES IKKE.

Other charges.

Collection, not allowed.

Pakker som går inn under denne overenskomst, skal ikke kunne pålegges andre postale avgifter enn de som er omhandlet i de forskjellige artikler i overenskomsten.

ARTICLE 18.

RECALL AND CHANGE OF ADDRESS.

Recall and change of address.

So long as a parcel has not been delivered to the addressee, the sender may recall it or cause its address to be altered. The requests for return or change of address, which must conform to the rules laid down by the domestic regulations of the contracting Administrations, are to be addressed to the Central Administration at Washington when they relate to parcels sent to the United States of America, and to the office of destination when they relate to parcels sent to Norway.

ARTIKKEL 18.

TILBAKEFORDRING OG ADRESSEFORANDRING.

Så lenge en pakke ikke er blitt utlevert til adressaten, kan avsenderen forlange den sendt tilbake eller foranledige at adressen blir forandret. Krav om tilbakesending eller adresseforandring som må være overensstemmende med de gjeldende innenrikske regler i de kontraherende land, adresseres til adressepostkontoret når det gjelder pakker som er sendt til Norge, og til centraladministrasjonen i Washington når det gjelder pakker som er sendt til De Forente Stater.

ARTICLE 19.

NONDELIVERY.

Nondelivery.

Return to sender.

1. In the absence of a request by the sender to the contrary, a parcel which can not be delivered shall be returned to the sender without previous notification.

New postage, etc., required.

New postage as well as new insurance fees, in the case of insured parcels (which must be returned in the same kind of mail as received), may be collected from the sender and retained by the Administration making the collection.

Requests from sender allowed.

2. The sender of a parcel may request, at the time of mailing, that, if the parcel can not be delivered as addressed, it shall be either a) treated as abandoned, or b) tendered for delivery at a second address in the country of destination. No other alternative is admissible. If the sender avails himself of this facility, his request must appear on the parcel and on the customs declaration tied to the parcel and must be in conformity with or analogous to one of the following forms:

"If not deliverable as addressed_____Abandon."

ARTIKKEL 19.

IKKE-UTLEVERING.

1. Medmindre avsenderen har gitt ordre om det motsatte, skal en pakke som ikke kan bli utlevert, sendes tilbake til avsenderen uten forutgående underretning. Ny porto og—når det gjelder verdipakker (som må sendes tilbake i samme slags kartavslutning som de er mottatt i)—også ny assuranseavgift kan kreves op hos avsenderen og beholdes av det postverk som foretar opkrevingen.

2. Avsenderen av en pakke kan ved innleveringen forlange at pakken i tilfelle den ikke kan utleveres efter adressen skal enten a) behandles som abandonnert, eller b) søkes utlevert efter en annen adresse i adresselandet. Noget annet alternativ er ikke tillatt. Hvis avsenderen benytter sig av denne adgang, må hans forlangende være påført pakken og den tollangivelse som er bundet til pakken, og må være i overensstemmelse med eller lik en av følgende former:

"Hvis pakken ikke kan utleveres efter adressen, skal den tilintetgjøres".

"If not deliverable as addressed_____ Deliver to _____".

3. Except as otherwise provided, undeliverable parcels will be returned to the senders, at the expiration of thirty days from the date of receipt at the post office of destination, while refused parcels will be returned at once, the parcels in each case to be marked to show the reason for non-delivery.

4. Articles liable to deterioration or corruption, and these only, may, however, be sold immediately, even on the outward or return journey, without previous notice or judicial formality, for the benefit of the right party.

If for any reason a sale is impossible, the spoilt or worthless articles shall be destroyed. The sale or destruction shall be recorded and report made to the Administration of origin.

5. Undeliverable parcels which the sender has marked "Abandon" may be sold at auction at the expiration of thirty days, but in case such disposition is made of insured parcels proper record will be made and the Administration of origin notified as to the disposition made of the parcels. The Administration of origin shall also be notified when for any reason an insured parcel which is not delivered is not returned to the country of origin.

"Hvis pakken ikke kan utleveres efter adressen, skal den utleveres til_____"

Time for returning undeliverable parcels.

3. Medmindre det er bestemt anderledes, sendes ubesørgelige pakker tilbake til avsenderen efter utløpet av 30 dager regnet fra den dag de er ankommet til adresseposststedet; pakker hvis mottagelse er nektet, sendes straks tilbake. Grunnen til at de ikke er utlevert, skal i hvert tilfelle anføres på pakkene.

Sale of perishable articles.

4. Saker som lett er utsatt for å skades eller bederves, og bare disse, kan dog selges straks, endog under frem- eller tilbakesendingen, uten forutgående underretning eller rettslige formaliteter til fordel for rettighetshaveren.

Destroyed, if sale impossible.

Hvis salg av en eller annen grunn er umulig, skal de bedervede eller verdiløse saker tilintetgjøres. Om salget eller tilintetgjørelsen skal det settes op protokoll og underretning gis til utgangslandets poststyre.

Sale of articles marked "Abandon."

5. Ubesørgelige pakker som avsenderen har merket "Tilintetgjøres" kan selges ved auksjon efter utløpet av 30 dager; i tilfelle dette er skjedd med verdipakker, skal fornøden protokoll settes op og utgangslandets poststyre underrettes om hvad det er foretatt med pakkene. Utgangslandets poststyre skal også underrettes, når en ikke utlevert verdipakke av en eller annen grunn ikke er sendt tilbake til utgangslandet.

Notice to be given.

Article 20.

CUSTOMS CHARGES TO BE CANCELLED.

Provided the formalities prescribed by the customs authorities concerned are fulfilled, the customs charges, properly so-called, on parcels sent back to the country of origin, or redirected to another country shall be cancelled both in the United States of America and in Norway.

Artikkel 20.

EFTERGIVELSE AV TOLLAVGIFTER.

Customs charges.

Cancelled, if parcel destroyed.

Forutsatt at de formaliteter som er foreskrevet av vedkommende tollmyndigheter, er efterkommet, skal de egentlige tollavgifter som hviler på pakker som er sendt tilbake til utgangslandet, eller omekspedert til et annet land, eftergis såvel i Norge som i De Forente Stater.

ARTICLE 21.

ARTIKKEL 21.

Retransmission.

RETRANSMISSION.

OMEKSPEDISJON.

Ordinary parcels.

1. Missent ordinary parcels shall be forwarded to their destination by the most direct route at the disposal of the reforwarding Administration, but must not be marked with customs or other charges by the reforwarding Administration. Missent insured parcels shall not be reforwarded to their destination unless they can be forwarded as insured mail. If they can not be forwarded as insured mail, they shall be returned to the country of origin.

Insured parcels.

1. Feilsendte almindelige pakker skal fremsendes til sitt adressested ad den mest direkte rute som står til rådighet for det postverk som omekspederer pakken; de må ikke belastes med tollavgifter eller andre avgifter av det postverk som foretar omekspedisjonen.

Feilsendte verdipakker skal ikke fremsendes til sitt adressested, medmindre de kan fremsendes som verdipakker. Hvis de ikke kan bli fremsendt som verdipakker, skal de sendes tilbake til utgangslandet.

Credit, etc., parcels returned to country of origin.

2. When this retransmission involves the return of the parcels to the office of origin, the retransmitting office of exchange shall credit that office with the allowances received after having called attention to the error by means of a verification note.

2. Når denne omekspedisjon medfører tilbakesending av pakken til utgangspoststedet, skal det utvekslingskontor som omekspederer, godskrive utgangslandet de mottatte beløp efter å ha gjort opmerksom på feilen ved en tilbakemelding.

Recovery of deficiency.

In the contrary case, and if the amount allowed by the dispatching office to the retransmitting office is insufficient to cover the expences of retransmission which it has to defray, it shall recover the difference by making a suitable amendment to the parcel bill of the dispatching office of exchange. The reason for this amendment shall be notified to the said office by means of a verification note.

I det motsatte tilfelle og hvis det beløp utgangspostverket har godskrevet det omekspederende postverk ikke er tilstrekkelig til å dekke utgiftene ved omekspedisjonen, skal det omekspederende utvekslingskontor godskrive sig forskjellen ved å foreta fornøden beriktigelse i avsenderutvekslingskontorets pakkepostkart. Grunnen til denne endring skal meddeles vedkommende utvekslingskontor ved en tilbakemelding.

Erroneous dispatch of parcel.

3. When a parcel has been wrongly allowed to be dispatched in consequence of an error on the part of the postal service and has for this reason to be returned to the country of origin, the procedure followed shall be the same as if the parcel had to be sent back to the dispatching office in consequence of missending.

When the return is the consequence of an error on the part of the sender or is the consequence of one of the prohibitions laid down in Article 4 of the Arrangement, the charges due for the return of the parcel are collected

3. Når en pakke er blitt feilaktig mottatt til postsending som følge av feil fra postverkets side og av den grunn må sendes tilbake til utgangslandet, skal der gåes frem på samme måte som om pakken skulde ha vært sendt tilbake til avsenderpoststedet som følge av feilsending.

Når tilbakesendingen skyldes en feil fra avsenderens side eller et av forbudene i artikkel 4 i overenskomsten, skal de avgifter som påløper for tilbakesendingen av pakken kreves op hos avsenderen. Fordringen føres op i

from the sender. The claim is entered in the parcel bills as mentioned in Article 23, Section 3.

4. A redirected parcel shall be accompanied by the customs declaration prepared at the office of origin. In case the parcel, for any reason whatsoever, has to be repacked or the original customs declaration replaced by a substitute declaration it is essential that the name of the office of origin of the parcel and the original serial number appear on the parcel and that the name of the office of origin of the parcel appears on the customs declaration.

pakkekartet som angitt i artikkel 23, § 3.

4. En omekspedert pakke skal ledsages av den originale tollangivelse. Dersom pakken av en eller annen grunn må ompakkes eller dersom den originale tollangivelse må erstattes med en nødtollangivelse, er det nødvendig at utgangspoststedets navn og det oprinnelige registernummer settes på pakken og at utgangspoststedets navn settes på tollangivelsen.

Customs declaration, etc., to accompany redirected parcel.

ARTICLE 22.

RECEPTACLES.

Each Administration shall provide the bags necessary for the dispatch of its parcels. The bags shall be returned empty to the country of origin by the next mail. Empty bags shall be made up in bundles of ten (nine bags enclosed in one) and the total number of such bags shall be advised on the parcel bill.

ARTIKKEL 22.

PAKNINGSMATERIELL.

Receptacles.

Bags to be provided.

Hvert postverk skal sørge for de sekker som er nødvendige til fremsendingen av dets pakker. Sekkene skal sendes tomme tilbake til utgangslandet med første post. Tomme sekker skal pakkes i bunter på ti (ni sekker innpakket i én) og det samlede antall av sådanne sekker angis i pakkepostkartet.

ARTICLE 23.

CHARGES.

1. For each parcel dispatched by one country to the other, the dispatching Administration shall pay to the receiving Administration a terminal credit as follows:

a) For parcels originating in Norway addressed to the United States of America, 70 centimes per kilogram based on the net bulk weight of each dispatch.

b) For parcels originating in the United States of America addressed to Norway, the same terminal credits as are collected in the general international exchange.

These terminal credits may be reduced or increased on three months' previous notice given by one country to the other. These reductions or increases shall hold good for at least one year.

ARTIKKEL 23.

AVGIFTER.

Charges.

Terminal credit.

1. For hver pakke som sendes fra det ene land til det annet, skal avsenderpostverket betale til adressepostverket følgende terminalgodtgjørelse:

United States.

a) for pakker som er innlevert i Norge og adressert til De Forente Stater, 70 centimer pr. kilogram beregnet efter den samlede nettovekt av hver kartavslutning.

Norway.

b) for pakker innlevert i De Forente Stater og adressert til Norge, den terminalgodtgjørelse som oppebæres i almindelig internasjonal utveksling.

Modifications allowed.

Disse terminalavgifter kan nedsettes eller forhøies med tre måneders varsel som gis av det ene av landene til det annet. Disse nedsettelser eller forhøielser skal gjelde for minst ett år.

Parcels to a possession or a third country.

2. The amounts to be allowed in respect to parcels sent from one Administration to the other for onward transmission to a possession of either country or to a third country shall be fixed by the intermediate Administration.

Unpaid charges.

3. On every parcel returned or redirected unpaid by one of the two Administrations to the other, the returning or retransmitting Administration shall be entitled to recover from the other Administration:

a) The charges prescribed by Section 1 above;

b) The charges for reforwarding or return.

In case of reforwarding or return to a third country, the charges mentioned shall follow the parcel, but in case the third country concerned refuses to assume the charges, because they can not be collected from the addressee or sender, as the case may be, or for any other reason, they shall be charged back to the country of origin.

In the case of a parcel returned or redirected unpaid in transit through one of the two Administrations to or from the other, the intermediary office may claim also the sum due to it for any additional territorial or sea service provided, together with any amounts due to any other Administration or Administrations concerned.

2. De beløp som skal godskrives for pakker som sendes fra det ene postverk til det annet for videre befordring til et av landenes besiddelser eller til et tredje land, skal fastsettes av det mellemliggende postverk.

3. For hver pakke som tilbakesendes eller eftersendes ubetalt fra det ene av de to land til det annet, er det postverk som tilbakesender eller eftersender pakken, berettiget til å kreve fra det annet postverk:

a) de avgifter som er foreskrevet i ovenstående § 1;

b) avgiftene for eftersending eller tilbakesending.

I tilfelle av eftersending eller tilbakesending til et tredje land, skal de nevnte avgifter hefte på pakken. Nekter imidlertid vedkommende tredje land å overta de påhvilende avgifter fordi de ikke kan fåes betalt av adressat eller avsender, eller av andre grunner, skal de tilkarteres utgangslandet.

Dersom en pakke sendes tilbake eller omekspederes ubetalt i transitt gjennem et av de to land til eller fra det annet, kan det transittydende postverk godskrive sig mulig land- eller sjøtransitt-godtgjørelse som det tilkommer i tillegg til beløp som det er debitert av et annet eller andre postverk.

Article 24.

Accounting.

ACCOUNTING.

Terminal parcels.

1. Terminal parcels. At the end of each quarter the Administrations shall prepare an account of the amounts due for the parcel mails received from the exchange offices of the other Administration.

Transit parcels.

2. Transit parcels. Each Administration shall also prepare quarterly an account showing the sums due for parcels sent by the other Administration for onward transmission.

Artikkel 24.

AVREGNING.

1. Terminalpakker. Ved utløpet av hvert kvartal skal poststyrene utferdige en avregning over de beløp som tilkommer det for den pakkepost som er mottatt fra det annet postverks utvekslingskontorer.

2. Transittpakker. Hvert poststyre skal også hvert kvartal utferdige en avregning over sitt tilgodehavende for de transittpakker som det har mottatt fra det annet postverk.

3. These accounts shall be submitted to the examination of the corresponding Administration, if possible in the course of the month which follows the quarter to which they relate. The totals should not be summarily altered but any errors which may be discovered must form the subject of statements of differences.

Accounts submitted to examination.

4. The compilation, transmission, verification and acceptance of the accounts must be effected as early as possible, and the payment resulting from the balance must be made at the latest before the end of the following quarter.

Verification, etc.

5. Payment of the balances due on these accounts between the two Administrations shall be effected by means of drafts on New York or in any other manner which may be agreed upon mutually by correspondence between the two Administrations, the expense attendant on the payment being at the charge of the indebted Administration.

Payment of balances.

3. Disse avregninger skal tilstilles det annet postverk til revisjon, om mulig i løpet av den måned som følger efter det kvartal de angår. Totalbeløpene skal ikke rettes summarisk, men mulige feil som måtte finnes, skal gjøres til gjenstand for anteg-nelser.

4. Utferdigelse, oversending, gjennemgåelse og vedtagelse av avregningene må utføres så snart som mulig, og betaling av saldoen må skje senest innen utløpet av det påfølgende kvartal.

5. Betalingen av avregningenes saldo skal skje ved tratter på New York eller på en hvilken som helst annen måte som det måtte bli truffet gjensidig avtale om ved korrespondanse mellem de to poststyrer; de utgifter som følger med betalingen, skal bæres av det skyldige postverk.

B. COLLECT-ON-DELIVERY SERVICE.

Collect-on-delivery service.

ARTICLE 25.

SUBJECT.

Subject.

1. Parcels, having charges to be collected on delivery, shall be accepted for mailing to any money order post office in the United States of America or in Norway.

Acceptance.

2. C. O. D. parcels shall be accepted only when insured.

Insurance necessary.

3. The provisions of the Articles 25–36 of this Convention do not cover transit C. O. D. parcels.

Transit parcels.

ARTICLE 26.

POSTAGE AND FEES.

Postage.

1. Parcels bearing charges for collection on delivery shall be subject to the postage rates, fees, conditions of mailing, and other formalities applicable to insured parcels without trade charges. The Administration of origin is

Rates, etc.

B. OPKRAVSTJENESTEN.

ARTIKKEL 25.

HVAD SOM ER GJENSTAND FOR OPKRAV.

1. Pakker som det hefter opkrav på skal mottas for utlevering ved alle de poststeder i Norge og i De Forente Stater som deltar i utvekslingen av postanvisninger.

2. Opkrav kan bare heftes på verdipakker.

3. Forskriftene i artikkel 25–36 i denne overenskomst gjelder ikke for opkravspakker i transitt.

ARTIKKEL 26.

PORTO OG AVGIFTER.

1. Pakker som det hefter opkrav på, skal være undergitt de samme postavgifter, forskrifter for postsending og andre forskrifter som gjelder for verdipakker uten opkrav. For hver opkravspakke som innleveres, har

Additional fee.

entitled to collect from the sender of each parcel mailed collect-on-delivery, such collect-on-delivery fee, in addition to the required postage and other fees, as may be prescribed by its regulations.

Retained by country collecting.

2. The postage rates and fees shall belong entirely to the country collecting them. No special account of these fees is to be made between the two Administrations except as stated in Article 23.

Ante, p. 3061.

avsenderpostverket rett til å kreve op hos avsenderen den opkravsavgift som måtte være satt i dets forskrifter i tillegg til vanlig porto og andre avgifter.

2. Portoen og avgiftene beholdes udelt av det land som krever dem op. Det foretas ingen særskilt avregning av disse avgifter mellem de to poststyrer utenom det som er fastsatt i artikkel 23.

Article 27.

Amount of C. O. D.

AMOUNT OF C. O. D.

Maximum to be collected.

1. The maximum amount to be collected on delivery shall be one hundred dollars. This amount may be increased or decreased at any time by mutual agreement through correspondence between the two Administrations. The amount to be collected on delivery shall invariably be expressed in dollars and cents.

Request for reduction, etc.

2. When the sender makes a request for any reduction or cancellation of the amount to be collected on delivery, the request shall be handled between the exchange offices which have handled the parcel, unless otherwise agreed to through correspondence.

Artikkel 27.

OPKRAVSBELØP.

1. Det høieste opkravsbeløp som kan heftes på en pakke, er 100 dollars. Dette beløp kan til enhver tid forhøies eller nedsettes efter gjensidig avtale gjennem skriftveksel mellem de to poststyrer. Opkravsbeløpet skal i begge retninger angis i dollars og cents.

2. Når avsenderen stiller krav om nedsettelse eller strykning av opkravsbeløpet, skal kravet sendes gjennem de utvekslingskontorer som har behandlet pakken, medmindre det gjennem skriftveksel er truffet annen ordning.

Article 28.

Settlement.

SETTLEMENT.

Entire amount remitted to sender.

1. The entire amount of the collect-on-delivery charges without any deduction for money order fee or collection charges is to be remitted to the sender by means of an international money order. The post office delivering the C. O. D. parcel will collect from the addressee the full amount of the C. O. D. charges and in addition thereto such money order fees as are required to remit the amount of the C. O. D. charges to the sender in the country of origin.

Artikkel 28.

OPGJØR.

1. Hele opkravsbeløpet uten noget fradrag av anvisningsporto eller opkravsavgift, skal tilstilles avsenderen ved en internasjonal postanvisning. Det poststed som leverer opkravspakken ut, krever hele opkravsbeløpet op hos adressaten og i tillegg hertil den anvisningsporto som er nødvendig for å oversende opkravsbeløpet til avsenderen i utgangslandet.

2. The country effecting delivery of a C. O. D. parcel may at its option collect a reasonable amount, not in excess of five cents (thirty øre), from the addressee as a collection charge, but this amount is not to be deducted from the collection charges which are remitted to the sender.

Collection charges.

2. Det land som leverer ut en opkravspakke kan, hvis det vil, som opkravsavgift avkreve adressaten et rimelig beløp, dog ikke over 30 øre (5 cents); avgiften skal ikke trekkes fra det opkravsbeløp som sendes til avsenderen.

3. Examination of the contents of a C. O. D. parcel by the addressee is prohibited until the C. O. D. charges and any other charges that may be due thereon have been collected even though the sender or addressee may make request that such action be permitted.

No examination by addressee until charges paid.

3. Adressaten har ikke adgang til å undersøke innholdet i en opkravspakke før opkravsbeløpet og andre avgifter som måtte hefte på pakken er blitt innkassert, selv om avsenderen eller adressaten måtte forlange at dette skulde tillates.

Article 29.

C. O. D. MONEY ORDERS.

C. O. D. money orders.

1. Every advice of a money order, issued in either country in payment of C. O. D. charges on a parcel, must show plainly the C. O. D. (Insured) number of the parcel and bear the letters "C. O. D." or the word "Remboursement" in a conspicuous position.

Advice of a money order.
Entries.

2. The C. O. D. money order advice lists shall show, in addition to the usual details, the C. O. D. (insured) number of the parcels. No C. O. D. money order shall be listed unless the remitter's name and payee's name and exact address are included.

Accompanying data.

Artikkel 29.

OPKRAVSANVISINGER.

1. De anvisninger som utstedes i begge land til betaling av opkravsbeløp på en pakke, må tydelig angi pakkens opkravs- (verdi-) nummer og på et iøinefallende sted være merket "Opkrav" eller "Remboursement".

2. I listene over opkravsanvisninger skal foruten de vanlige anførsler også pakkenes opkravs- (verdi-) nummer angis. Ingen opkravsanvisning skal listeføres medmindre avsenderens navn og mottagerens navn og nøiaktige adresse er angitt.

Article 30.

EXCHANGE AND BILLING OF C. O. D. PARCELS.

Exchange and billing.

Exchange offices.

1. Parcels with C. O. D. charges shall be exchanged through the same offices as are appointed for the exchange of insured parcels without C. O. D. charges. The exchanges shall be effected in direct dispatches in sacks containing nothing but C. O. D. parcels, the letters "C. O. D." or the word "Remboursement" being entered very conspicuously in the documents covering them, as well as on the labels of the sacks. Such

Artikkel 30.

UTVEKSLING OG KARTERING AV OPKRAVSPAKKER.

1. Pakker med opkrav skal utveksles gjennem de samme kontorer som er utpekt til utvekslingen av verdipakker uten opkrav. Utvekslingen skal skje i direkte kartavslutninger i poser som ikke inneholder annet enn opkravspakker. Ordene "Opkrav" eller "Remboursement" skal være meget tydelig satt både på følgepapirene og på posenes merkelapper. Disse pakker skal føres på særskilte lister som for

parcels will be listed in separate bills to show, in respect to each parcel, the C. O. D. number, post office and state of origin and the C. O. D. amount.

Report of receipt, etc.

2. Upon receipt of a dispatch of C. O. D. parcels, at the exchange office of the country of destination, the dispatch must be carefully checked and otherwise treated as provided in Article 14.

Ante, p. 3055.

ARTICLE 31.

Lists of C. O. D. money orders.

LISTS OF C. O. D. MONEY ORDERS.

Authorized offices.

The offices of New York and Oslo shall be the only ones to send lists of C. O. D. money orders, and such money orders shall be listed separately from the ordinary money orders and the list shall be marked "Collect-on-Delivery" or "Remboursement".

ARTICLE 32.

Unpayable money orders.

UNPAYABLE MONEY ORDERS.

Disposition of.

1. The C. O. D. money orders which have not been paid to the payee for any reason shall be subject to the disposition of the Administration of the country of origin of the parcels to which they relate.

Fraudulent schemes.

2. When it appears that the C. O. D. service was used in furtherance of a scheme to defraud, payment of the money orders in question will be withheld, if practicable, and the orders disposed of in accordance with the equities of each case under the rules and regulations of the country of origin of the C. O. D. parcels involved.

Other formalities.

3. As for other formalities, C. O. D. money orders shall be subject to the provisions governing the money order exchange between the two countries.

ARTICLE 33.

RESPONSIBILITY FOR C. O. D. PARCELS.

Responsibility for C. O. D. parcels.

1. In case an insured C. O. D. parcel has been lost, rifled or damaged, the postal Administra-

hver pakke angir opkravsnummeret, avsenderkontoret og stat og opkravsbeløpet.

2. Ved mottagelsen av en kartavslutning med opkravspakker på utvekslingskontoret i adresselandet, skal posten omhyggelig kontrolleres og forøvrig behandles efter forskriftene i artikkel 14.

ARTIKKEL 31.

LISTER FOR OPKRAVSANVISNINGER.

Lister over opkravsanvisninger skal bare utveksles mellem postkontorene i Oslo og New York. Opkravsanvisninger skal listeføres adskilt fra de vanlige postanvisninger og listene skal merkes "Opkrav" eller "Remboursement".

ARTIKKEL 32.

UBETALTE ANVISNINGER.

1. Opkravsanvisninger som av en eller annen grunn ikke er blitt utbetalt til adressaten, skal stilles til disposisjon for postverket i pakkenes utgangsland.

2. Hvis det viser sig at opkravstjenesten er blitt brukt i bedragersk hensikt, skal betaling av anvisningene om mulig nektes, og anvisningene behandles på den måte som det finnes riktig i hvert tilfelle efter forskriftene i det land som vedkommende opkravspakker er sendt fra.

3. For øvrig gjelder for opkravsanvisninger de forskrifter som er satt for anvisningsutvekslingen mellem de to land.

ARTIKKEL 33.

ANSVAR FOR OPKRAVSPAKKER.

1. For opkravspakker som er kommet bort, blitt plyndret eller skadd, overtar poststyrene ansvar

tions are responsible as for an insured parcel, in conformity with the provisions in Article 12.

2. When a C. O. D. parcel has been delivered to the addressee but the charges have not been remitted, the sender or other rightfull claimant is entitled to an indemnity corresponding to the C. O. D. amount not remitted, provided that he has made his claim in due time and unless the delivery without collecting the charges has arisen from the fault or negligence of the sender or from the transmission of the contents in parcel post mails being prohibited.

This stipulation also applies to the case that a lower amount than the full C. O. D. charge is collected from the addressee.

The indemnity provided for in this section may not in any case exceed the C. O. D. amount.

3. As to the fixing of the responsibility and the payment of the indemnity the same stipulations shall be applied as are provided for insured parcels not sent C. O. D.

4. When a C. O. D. parcel for which indemnity has been paid is recovered, the postmaster at the delivering office will deliver the parcel and collect the charges, hold such amount and request instructions from the Administration to which his office is subordinate. If the addressee, however, refuses to accept a recovered parcel and pay the charges, the postmaster will hold it and likewise seek instructions as to its disposition. In the latter case the Administration responsible for the indemnity shall determine the disposition to be made of the parcel involved.

som for verdipakker overensstemmende med forskriftene i artikkel 12.

Indemnity when charges not remitted.

2. Er en opkravspakke blitt levert til adressaten uten at opkravsbeløpet er blitt betalt, har avsenderen eller annen rettighetshaver rett til en erstatning som svarer til det beløp som ikke er blitt betalt, forutsatt at hans krav er fremsatt i rett tid og medmindre utleveringen uten innkrevning av beløpet skyldes en feil eller en uaktsomhet fra avsenderens side eller at fremsendingen av innholdet var forbudt i pakkeposten.

Denne forskrift gjelder også for de tilfelle hvor et lavere beløp enn det fulle opkravsbeløp er blitt avkrevd adressaten.

Den erstatning som er bestemt i denne paragraf, må ikke i noget tilfelle overstige opkravsbeløpet.

Responsibility and payment to be fixed.

3. Med hensyn til avgjørelsen av ansvaret og betalingen av erstatningen, gjelder de samme regler som er satt for verdipakker uten opkrav.

Recovery of parcel for which indemnity has been paid.

4. Når en opkravspakke som det er betalt erstatning for kommer tilrette, skal adresseposteds tedet utlevere pakken og innkreve opkravsbeløpet, opbevare beløpet og be om forholdsordre fra det overordnede poststyre. Hvis imidlertid pakkens adressat nekter å ta imot en pakke som er kommet tilrette og betale opkravet, skal adresseposteds tedet opbevare pakken og likeledes innhente forholdsordre for behandlingen av den. I det siste tilfelle skal det erstatningspliktige postverk bestemme hvordan det skal forholdes med vedkommende pakke.

Article 34.

Marking of C. O. D. parcels.

Marking.

Official stamp, etc.

1. Each C. O. D. parcel and the relative customs declaration must bear, on the address side, the conspicuous impression of a stamp or label reading "COL-

Artikkel 34.

Merkning av opkravspakker.

1. Hver opkravspakke og den tilhørende tollangivelse skal på adressesiden være tydelig merket "Opkrav", "P. O." eller "Remboursement" med stempel eller

LECT-ON-DELIVERY" or "C. O. D." or "REMBOURSEMENT", and in close proximity to these words there must appear the number given the parcel which shall be the insured number (only one original number) and after it must be shown in Roman letters and in Arabic figures, the exact amount of the collect-on-delivery charges which should not include the additional money order fees that will be collected in the country making delivery of the parcel for making the remittance to the sender in the country of mailing.

Additional tag authorized.

2. In addition to being marked or labelled in the manner indicated in section 1 above, each C. O. D. parcel may have a C. O. D. tag attached in a form mutually agreed upon.

seddel. I umiddelbar nærhet av disse ord settes pakkens verdinummer (bare ett utgangsnummer), efterfulgt av det nøiaktige opkravsbeløp som skal skrives med latinske bokstaver og arabiske tall. I opkravsbeløpet medregnes ikke anvisningsportoen for fremsending av beløpet til avsenderen i innleveringslandet. Anvisningsportoen vil bli krevd op i det land som leverer ut pakken.

2. Foruten å være merket eller påsatt sedler som nevnt i ovenstående § 1, kan hver opkravspakke påsettes en opkravs-seddel. Om seddelens form treffes gjensidig avtale.

Article 35.

Redirection and recall.

REDIRECTION. RECALL.

Reforwarding.

1. Unless mutually otherwise agreed, C. O. D. parcels shall not be reforwarded to a third country.

Recall by sender.

2. The sender of a C. O. D. parcel may cause it to be recalled upon complying with such requirements as may be established in this connection by the country of origin.

Artikkel 35.

EFTERSENDING. TILBAKEFORDRING.

1. Dersom ikke annet er avtalt, skal opkravspakker ikke eftersendes til et tredje land.

2. Avsenderen av en opkravspakke kan forlange den sendt tilbake overensstemmende med de forskrifter som gjelder i pakkens utgangsland.

Article 36.

Nondelivery.

NONDELIVERY.

Disposition of undeliverable parcels.

The sender may provide, in case his C. O. D. parcel is undeliverable as originally addressed, for other disposition to be made of it, the same as in the case of parcels without trade charges and as stipulated in Article 19.

Ante, p. 3058.

Artikkel 36.

UBESØRGELIGE PAKKER.

For det tilfelle at en opkravspakke ikke kan besørges efter sin oprinnelige adresse, kan avsenderen gi de samme forholdsordrer som for pakker uten opkrav efter forskriftene i artikkel 19.

Final provisions.

C. FINAL PROVISIONS.

Article 37.

Matters not provided for.

MATTERS NOT PROVIDED FOR IN THE CONVENTION.

Application of other conventions.

1. All matters concerning requests for recall or return of insured parcels, the obtaining and

C. SLUTTBESTEMMELSER.

Artikkel 37.

SPØRSMÅL SOM IKKE ER OMHANDLET I OVERENSKOMSTEN.

1. Alle spørsmål angående krav om tilbakelevering eller tilbakesending av verdipakker, utferdi-

disposition of return receipts therefor, and the adjustment of indemnity claims in connection therewith, not covered by this Convention shall be governed by the provisions of the Universal Postal Union Convention and the Detailed Regulations for its Execution, and of the Postal Money Order Convention in force between the two countries, insofar as they are applicable and not inconsistent with the provisions of this Convention, and then if no other arrangement has been made, the internal legislation, regulations and rulings of the United States of America and Norway, according to the country involved, shall govern.

2. The Postmaster General of the United States of America and the Director General of Posts of Norway shall have authority jointly to make from time to time by correspondence such changes and modifications and further regulations of order and detail as may become necessary to facilitate the operation of the services contemplated by this Convention.

3. The Administrations shall communicate to each other from time to time the provisions of their laws or regulations applicable to the conveyance of parcels by Parcel Post.

gelse og behandling av mottagelsesbevis for verdipakker, og behandling av krav om erstatning som ikke er omhandlet i nærværende overenskomst, skal ordnes overensstemmende med forskriftene i Verdenspostkonvensjonen og dens ekspedisjonsreglement og den gjeldende overenskomst om postanvisninger mellem de to land, i den utstrekning som de er anvendelige og ikke er uforenlige med forskriftene i denne overenskomst og dernæst, om det ikke er truffet annen avtale, skal den innenrikske lovgivning, forskrifter og regler i Norge og De Forente Stater gjelde, eftersom det angår det ene eller det annet av landene. Vol. 46, p. 2523.

Further provisions authorized.

2. Postdirektøren i Norge og Generalpostmesteren i De Forente Stater har fullmakt til i forening fra tid til annen gjennem korrespondanse å vedta de endringer og tillempninger og ytterligere detaljforskrifter som måtte vise sig nødvendige for å lette utførelsen av de tjenester som er omhandlet i denne overenskomst.

Exchange of regulations.

3. Poststyrene skal fra tid til annen meddele hinannen de lovforskrifter og andre forskrifter som gjelder for pakkepostutvekslingen.

Article 38.

TEMPORARY SUSPENSION OF SERVICE.

Either Administration may temporarily suspend the insurance and the C. O. D. services, in whole or in part, when there are special reasons for doing so, or restrict them to certain offices; but on the condition that previous and opportune notice of such a measure is given to the other Administration, such notice to be given by the most rapid means if necessary.

Artikkel 38.

MIDLERTIDIG INNSTILLING AV TJENESTEGRENER.

Temporary suspension of service.

Hvert postverk kan midlertidig opheve verdi- og opkravstjenesten helt eller delvis, når det er spesielle grunner herfor, eller innskrenke den til visse poststeder, men på den betingelse at det i forveien gis betimelig underretning om sådan forholdsregel til det annet postverk; sådan underretning må, hvis det er nodvendig, meddeles på hurtigste måte.

ARTICLE 39.

Duration, etc.

DURATION OF CONVENTION.

Former convention abrogated. Vol. 46, p. 2226.

1. This Convention substitutes and abrogates that signed at Washington on the 30th day of March 1929, and in Oslo on the 28th day of February 1929, and

Effective date.

shall take effect and operations thereunder shall begin on a date to be mutually settled between the Administrations of the two countries.

Duration.

2. It shall remain in force until one of the two contracting Administrations has given notice to the other, six months in advance, of its intention to terminate it.

Signatures.

3. Done in duplicate and signed at Washington, the 9th day of November, 1934 and at Oslo, the 6th day of October 1934.

JAMES A FARLEY

ARTIKKEL 39.

OVERENSKOMSTENS VARIGHET.

1. Denne overenskomst trer istedenfor og ophever den som er undertegnet i Oslo den 28 februar 1929, og i Washington den 30 mars 1929, og skal tre i kraft og dens virke begynne fra det tidspunkt som fastsettes ved gjensidig avtale mellem poststyrene i de to land.

2. Den skal være i kraft inntil et av de to kontraherende poststyrer underretter det annet seks måneder i forveien om at det har til hensikt å ophøre med den.

3. Utferdiget i to eksemplarer og undertegnet i Oslo, den 6. oktober 1934 og i Washington, den 9. november 1934.

KLAUS HELSING

Approval by the President.

The foregoing Parcel Post Convention between the United States of America and Norway has been negotiated and concluded with my advice and consent and is hereby approved and ratified.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL,
Secretary of State.

WASHINGTON, November 13, 1934.

Convention between the United States of America and Mexico providing for en bloc settlement of special claims. Signed at Mexico City, April 24, 1934; ratification advised by the Senate, June 15, 1934; ratified by the President of the United States, November 27, 1934; ratified by Mexico, November 23, 1934; ratifications exchanged at Mexico City, December 13, 1934; proclaimed, December 22, 1934.

April 24, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Convention with Mexico providing for the en bloc settlement of special claims. Preamble.

WHEREAS a Convention between the United States of America and the United Mexican States providing for the en bloc settlement of the claims presented by the Government of the United States to the Commission established by the Special Claims Convention concluded September 10, 1923, was concluded and signed by their respective Plenipotentiaries at Mexico City on the twenty-fourth day of April, one thousand nine hundred and thirty-four, the original of which Convention, being in the English and Spanish languages, is word for word as follows:

Vol. 42, p. 1722.

CONVENTION COVERING THE EN BLOC SETTLEMENT OF THE CLAIMS PRESENTED BY THE GOVERNMENT OF THE UNITED STATES TO THE COMMISSION ESTABLISHED BY THE SPECIAL CLAIMS CONVENTION CONCLUDED SEPTEMBER 10, 1923.

CONVENCION RELATIVA AL ARREGLO GLOBAL DE LAS RECLAMACIONES PRESENTADAS POR EL GOBIERNO DE LOS ESTADOS UNIDOS ANTE LA COMISION CREADA POR LA CONVENCION ESPECIAL DE RECLAMACIONES CELEBRADA EL 10 DE SEPTIEMBRE DE 1923.

Contracting Powers.

The United States of America and the United Mexican States, desiring to settle and adjust amicably the claims comprehended by the terms of the Special Claims Convention concluded by the two Governments on the 10th day of September, 1923, without resort to the method of international adjudication provided by the said agreement, have decided to enter into a Convention for that purpose, and to this end have nominated as their Plenipotentiaries:

Los Estados Unidos de América y los Estados Unidos Mexicanos, deseando arreglar y ajustar amigablemente las reclamaciones comprendidas dentro de las disposiciones de la Convención Especial de Reclamaciones celebrada entre ambos Gobiernos el día 10 de septiembre de 1923, sin recurrir al sistema de arbitraje internacional establecido en dicho Convenio, han resuelto celebrar una Convención con tal fin, y al efecto han nombrado como sus Plenipotenciarios:

Plenipotentiaries.

The President of the United States:

The Honorable Josephus Daniels, Ambassador Extraordinary and Plenipotentiary of the United States of America in Mexico, and

El Presidente de los Estados Unidos:

Al Honorable Josephus Daniels, Embajador Extraordinario y Plenipotenciario de los Estados Unidos en México, y

The President of the United Mexican States:

The Honorable José Manuel Puig Casauranc, Secretary of State for Foreign Affairs

Who, after having communicated to each other their respective full powers, found to be in due and proper form, have agreed upon the following articles:

El Presidente de los Estados Unidos Mexicanos:

Al Honorable José Manuel Puig Casauranc, Secretario de Relaciones Exteriores,

Quienes, después de haberse comunicado mutuamente sus respectivos plenos poderes y encontrándolos en buena y debida forma, han convenido en los Artículos siguientes:

ARTICLE I

Settlement of designated United States claims.

Vol. 42, p. 1722.

The claims of the United States of America covered by the Special Claims Convention of September 10, 1923, shall be adjusted, settled and forever thereafter barred from further consideration, by the payment by the Government of Mexico to the Government of the United States of a sum of money which shall equal the same proportion of the total amount claimed by the United States in all such cases (after the deductions provided for in Article IV hereof), as the proportion represented—in respect to the total sum claimed by the Governments of Belgium, France, Germany, Great Britain, Italy and Spain—by the total amount found to be due from the Mexican Government in the settlement of similar claims and under the conventions concluded with those Governments by the Government of Mexico during the years from September 25, 1924 to December 5, 1930.

Determining general average percentage.

To determine said general average percentage resulting from the settlements with said countries for similar claims, the classic arithmetical procedure shall be used, that is to say, the total amount awarded to Belgium, France, Germany, Great Britain, Italy and Spain shall be multiplied by one hundred and the product shall be divided by the total amount claimed by said countries.

Ascertaining amount payable to United States.

Having thus determined the general average percentage, in order to ascertain the amount that

ARTICULO I.

Las reclamaciones de los Estados Unidos de América comprendidas en la Convención Especial de 10 de septiembre de 1923, quedarán ajustadas, arregladas y para siempre excluidas de toda consideración ulterior, mediante el pago por el Gobierno de México al Gobierno de los Estados Unidos de una suma de dinero que representará la misma proporción de la suma total reclamada por los Estados Unidos en todos los casos (después de las deducciones que establece el Artículo IV de esta Convención), que la proporción que significa—respecto de la suma total reclamada por los Gobiernos de Bélgica, Francia, Alemania, Gran Bretaña, Italia y España—el monto total que se halló debe el Gobierno de México en el arreglo de esas reclamaciones similares y de acuerdo con los términos de las convenciones concluidas con esos Gobiernos por el de México durante el período de tiempo comprendido entre el 25 de septiembre de 1924 y el 5 de diciembre de 1930.

Para hallar ese porcentaje promedio general que resulte de los arreglos con dichos países en reclamaciones similares, se usará el procedimiento aritmético clasico, es decir, se multiplicará el monto total de las cantidades concedidas a Bélgica, Francia, Alemania, Gran Bretaña, Italia y España, por cien y el producto se dividirá entre el monto total de las cantidades reclamadas por esos países.

Encontrado así el porcentaje promedio general, para determinar la cantidad que deberá pagar

Mexico should pay to the United States, said percentage shall be multiplied by the total amount claimed by the United States (after the deductions provided for in Article IV of this Convention) and the resulting products shall be divided by one hundred.

ARTICLE II

The amount provided for in Article I above shall be paid at Washington, in dollars of the United States, at the rate of 500,000.00 (five hundred thousand dollars) per annum, beginning January 1, 1935, and continuing until the whole amount thereof shall have been paid.

ARTICLE III

Deferred payments, by which term is meant all payments made after January 2, 1935, shall bear interest at the rate of one-fourth of one percent per annum for the first year counting from January 1, 1935, and an additional one-fourth of one percent for each additional year until the maximum of one percent is reached which shall be applied beginning January 1, 1939. In the event of failure to make annual payments when due, however, this rate shall be increased at the rate of one-fourth of one percent per annum on the amount of deferred payments during the period of any such delay until a maximum additional rate of three percent on such overdue amounts is reached.

ARTICLE IV

In computing the total amount of claims mentioned in Article I above, there shall be deducted from the total amount of all special claims filed by the United States under the terms of the Special Claims Convention of September 10, 1923, the following items:

México a los Estados Unidos, se multiplicará este porcentaje por la cantidad total reclamada por los Estados Unidos (después de las deducciones que establece el artículo IV de esta Convención) y el producto así encontrado se dividirá entre cien.

ARTICULO II

Payments.

La cantidad de que habla el Artículo I que precede será pagada en Washington, en dólares de los Estados Unidos, a razón de 500.000.00 (quinientos Mil) dólares por año, comenzando el primero de enero de 1935, y continuando hasta que aquella cantidad haya sido pagada totalmente.

ARTICULO III

Interest on deferred payments.

Los pagos a plazo, expresión que significa todos los pagos que se efectúen después del 2 de enero de 1935, causarán interés a razón de un cuarto de uno por ciento por año, para el primer año contado a partir del primero de enero de 1935, y un cuarto de uno por ciento adicional para cada año subsiguiente, hasta llegar a uno por ciento, rédito máximo que se aplicará a partir del 1º de enero de 1939, Sin embargo, en caso de que no se efectuaren los pagos anuales a su vencimiento, dicho rédito será aumentado a razón de un cuarto de uno por ciento por año sobre la cantidad de pagos diferidos durante el período de cualesquiera de esas demoras, hasta llegar a un máximo de rédito adicional de tres por ciento sobre tales pagos retrasados.

ARTICULO IV

Items to be deducted.

Al computar el importe total de las reclamaciones a que se refiere el Artículo I anterior, se deducirán del importe total de todas las reclamaciones registradas en la Comisión Especial por los Estados Unidos de conformidad con lo dispuesto por la Convención Especial de Reclamaciones de 10 de septiembre de 1923, las siguientes partidas:

First: Claims decided.

Second: One-half of the amount represented by the total claimed in all cases in which the same claim has been filed twice, either for the same or for different amounts, with the Special Claims Commission.

Third: From the claims registered for the same reason with both Commissions, there shall be deducted the total amount of all claims that in fact or apparently should have registered only with the General Claims Commission established by the Convention of September 8, 1923.

The determination, by the representatives of both Governments referred to in Article V of this Convention, of claims that ought to be withdrawn from the Special Commission because in fact or apparently they should have been registered only with the General Commission for presentation and adjudication, does not prejudge the jurisdiction in and validity of said claims, which shall be determined in each case when examined and adjudicated by the Commissioners or Umpire in accordance with the provisions of the General Claims Convention of September 8, 1923 and the Protocol of April 24, 1934, or the Special Claims Convention of September 10, 1923, and the Protocol of June 18, 1932,[1] in the event it shall be found by the Commissioners or Umpire to have been improperly eliminated from the Special Claims settlement. In the latter event, the claims improperly eliminated in the opinion of the Commissioners or Umpire, shall be settled and adjusted by the same en bloc procedure prescribed by this Convention for all claims registered with the Special Commission.

Vol. 42, p. 1730; Vol. 48, p. 1844; Vol. 42, p. 1722.

[1] Not in force.

Primero: Las reclamaciones falladas:

Segundo: La mitad de la cantidad correspondiente al importe total reclamado en todos los casos en los que una misma reclamación ha sido registrada dos veces, ya sea por la misma cantidad o por sumas distintas, ante la Comisión Especial de Reclamaciones.

Tercero: De las reclamaciones registradas en ambas Comisiones por el mismo concepto, se deducirá el importe total de todas las reclamaciones que debida o aparentemente debieron registrarse sólo en la Comisión General de Reclamaciones creada por la Convención de 8 de septiembre de 1923.

La determinación por los Representantes de ambos Gobiernos a que se refiere el Artículo V de esta Convención, de las reclamaciones que deben retirarse de la Comisión Especial, porque debida o aparentemente sólo debieron haberse registrado ante la Comisión General para su tramitación y fallo, no prejuzga de la competencia en dichas reclamaciones ni de su validez, lo cual se determinará en cada una de ellas al ser consideradas y falladas por los Comisionados o el Arbitro de acuerdo con lo establecido en la Convención General de Reclamaciones de 8 de septiembre de 1923 y en el Protocolo de abril 24 de 1934, o en la Convención Especial de Reclamaciones de 10 de septiembre de 1923 y el Protocolo de 18 de junio de 1932, si es que los Comisionados o el Arbitro encontraren que las referidas reclamaciones fueron indebidamente eliminadas del arreglo global de las reclamaciones presentadas ante la Comisión Especial. En este último caso, las reclamaciones indebidamente eliminadas a juicio de los Comisionados o del Arbitro, se arreglarán y ajustarán mediante el mismo procedimiento de arreglo global que para todas las reclamaciones registradas ante la Comisión Especial establece esta Convención.

ARTICLE V

The total amount of the special claims of the United States, as well as the deductions to be made therefrom, in accordance with Article IV above, and the proportionate amount thereof to be paid in accordance with Article I above, shall be determined by a Joint Commitee consisting of two members, one to be appointed by each Government, whose joint report, after due conference and consideration, shall be accepted as final.

ARTICULO V

El importe total de las reclamaciones presentadas por los Estados Unidos ante la Comisión Especial, así como las deducciones que deben hacerse de dicha cantidad de acuerdo con el Artículo IV anterior y la cantidad proporcional de dicha suma que deberá pagarse según el Artículo I de esta Convención, serán determinadas por un Comité Unido compuesto de dos miembros, cada uno nombrado por su respectivo Gobierno, cuyo dictamen, que se emitirá conjuntamente, después de discutido y considerado debidamente, será aceptado como definitivo.

Joint Committee authorized to determine amount.

ARTICLE VI

It is agreed that, for the purpose of facilitating a proper distribution by the United States to the respective claimants of the amount to be paid as provided for herein, the Mexican Government shall deliver to the United States, upon request, all evidence in its possession bearing upon the merits of particular claims and to procure, at the cost of the United States, such additional evidence as may be available in Mexico and as may be indicated by the Government of the United States to be necessary to the proper adjudication of particular claims, leaving to the judgment of the Mexican Government the furnishing of originals or certified copies thereof and with the specific reservation that no documents shall be delivered which owing to their nature cannot be furnished by said Government.

ARTICULO VI.

Se conviene en que, con objeto de facilitar la debida distribución por los Estados Unidos entre los reclamantes respectivos de la cantidad que deberá pagarse de acuerdo con esta Convención, el Gobierno Mexicano entregará al de los Estados Unidos, a solicitud de este último, todas las pruebas que obren en su poder relativas a los fundamentos de determinadas reclamaciones en particular y recabar, a costa de los Estados Unidos, todas aquellas pruebas adicionales que puedan obtenerse en México y que manifieste el Gobierno de los Estados Unidos ser necesarias para la debida adjudicación de determinados casos, quedando a juicio del Gobierno Mexicano proporcionar los originales o copias certificadas de ellos y con la salvedad expresa de que no se entregarán documentos que por su propia naturaleza no puedan ser suministrados por este Gobierno.

Evidence to be furnished to facilitate distribution to claimants.

ARTICLE VII

The present Convention shall be ratified by the High Contracting Parties in accordance with their respective Constitutions, such ratifications being exchanged in Mexico City as soon as practicable and the Convention shall take effect on the date of the exchange of ratifications.

ARTICULO VII.

La presente Convención será ratificada por las Altas Partes Contratantes de acuerdo con sus respectivas Constituciones, ratificaciones que serán canjeadas en la ciudad de México tan pronto como sea factible, y empezará a surtir sus efectos en la fecha del canje de ratificaciones.

Ratification.

Effective date.

Signatures.

In witness whereof, the respective Plenipotentiaries have signed and affixed their seals to this Convention.

Done in duplicate, in english and spanish, at Mexico City this 24th day of April 1934.

JOSEPHUS DANIELS

[SEAL]

En testimonio de lo cual, los Plenipotenciarios respectivos firmaron esta Convención y fijaron en ella sus sellos.

Hecha por duplicado en inglés y en español en la Ciudad de México, el día 24 de abril de 1934.

PUIG

[SEAL]

Ratifications exchanged.

AND WHEREAS the said Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in Mexico City, on the thirteenth day of December, one thousand nine hundred and thirty-four;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this twenty-second day of December, in the year of our Lord one thousand nine hundred
[SEAL] and thirty-four, and of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

Supplementary extradition treaty between the United States of America and Lithuania. Signed at Washington, May 17, 1934; ratification advised by the Senate, June 15, 1934; ratified by the President, August 18, 1934; ratified by Lithuania, November 14, 1934; ratifications exchanged at Washington, January 8, 1935; proclaimed, January 9, 1935.

May 17, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

WHEREAS a Supplementary Extradition Treaty between the United States of America and Lithuania was concluded and signed by their respective Plenipotentiaries at Washington, on the seventeenth day of May, one thousand nine hundred and thirty-four, the original of which Supplementary Treaty is word for word as follows:

Supplementary Extradition Treaty with Lithuania.

Preamble.

The United States of America and the Republic of Lithuania desiring to promote the cause of justice by enlarging the list of crimes on account of which extradition may be granted under the Treaty concluded between the United States of America and the Republic of Lithuania on April 9, 1924, have resolved to conclude a Supplementary Treaty for this purpose and have appointed as their Plenipotentiaries, to wit:

Contracting Powers.

Vol. 43, p. 1835.

Plenipotentiaries.

The President of the United States of America, Cordell Hull, Secretary of State of the United States of America; and

The President of the Republic of Lithuania, Mikas Bagdonas, Chargé d'Affaires ad interim of the Republic of Lithuania at Washington,

Who, after having communicated to each other their respective full powers, which were found to be in due and proper form, have agreed to and concluded the following articles:

ARTICLE I

The following crimes are added to the list of crimes numbered 1 to 24 in Article II of the said Treaty of April 9, 1924, on account of which extradition may be granted, that is to say:

Additions to extraditable crimes.
Vol. 43, p. 1837.

25. Crimes and offenses against the bankruptcy laws.

Bankruptcy law violations.

26. Crimes and offenses, or attempted crimes or offenses, against the laws relating to the traffic in narcotic drugs.

Narcotic drug traffic.

ARTICLE II

The present Treaty shall be considered as an integral part of the said Extradition Treaty of April 9, 1924, and Article II of the last-mentioned Treaty shall be read as if the list of crimes therein contained had originally comprised the additional crimes specified and numbered 25 and 26 in the first Article of the present Treaty.

Considered part of former Treaty.

The present Treaty shall be ratified by the High Contracting Parties in accordance with their respective constitutional methods, and shall take effect on the date of the exchange of ratifications which shall take place at Washington as soon as possible.

Exchange of ratifications.

Signatures.

IN WITNESS WHEREOF, the above-mentioned Plenipotentiaries have signed the present Treaty and have hereunto affixed their seals.

DONE, in duplicate, at Washington this seventeenth day of May, one thousand nine hundred and thirty-four.

CORDELL HULL [SEAL]
MIKAS BAGDONAS [SEAL]

Ratifications exchanged.

AND Whereas the said Supplementary Treaty has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the City of Washington, on the eighth day of January, one thousand nine hundred and thirty-five;

Proclamation.

NOW, Therefore, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Supplementary Treaty to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this ninth day of January, in the year of our Lord one thousand nine hundred and thirty-
[SEAL] five, and of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

Convention between the United States of America and other Powers for the Regulation of Whaling. Concluded at Geneva, September 24, 1931; signed on the part of the United States of America, March 31, 1932; ratification advised by the Senate of the United States, June 10, 1932; ratified by the President, June 17, 1932; ratification of the United States of America deposited at Geneva, July 7, 1932; proclaimed, January 16, 1935.

September 24, 1931.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Regulation of whaling. Preamble.

WHEREAS a convention for the regulation of whaling, dated Geneva, September 24, 1931, and left open for signature until March 31, 1932, was signed by the respective Plenipotentiaries of the United States of America; Albania; Germany; Belgium; Great Britain and Northern Ireland and all parts of the British Empire which are not separate members of the League of Nations; Canada; Australia; New Zealand; the Union of South Africa; India; Colombia; Denmark; Spain; Finland; France; Greece; Italy; Mexico; Norway; the Netherlands, including the Netherland Indies; Poland; Rumania; Switzerland; Czechoslovakia; Turkey and Yugoslavia; a true copy of which convention in the English and French languages is word for word as follows:

CONVENTION POUR LA RÈGLEMENTATION DE LA CHASSE A LA BALEINE

SA MAJESTÉ LE ROI DES ALBANAIS; LE PRÉSIDENT DU REICH ALLEMAND; LE PRÉSIDENT DES ETATS-UNIS D'AMÉRIQUE; SA MAJESTÉ LE ROI DES BELGES; SA MAJESTÉ LE ROI DE GRANDE-BRETAGNE ET D'IRLANDE ET DES DOMINIONS BRITANNIQUES AU DELA DES MERS, EMPEREUR DES INDES; LE PRÉSIDENT DE LA RÉPUBLIQUE DE COLOMBIE; SA MAJESTÉ LE ROI DE DANEMARK ET D'ISLANDE; LE PRÉSIDENT DU GOUVERNEMENT DE LA RÉPUBLIQUE ESPAGNOLE; LE PRÉSIDENT DE LA RÉPUBLIQUE DE FINLANDE; LE PRÉSIDENT DE LA RÉPUBLIQUE FRANÇAISE; LE PRÉSIDENT DE LA RÉPUBLIQUE HELLÉNIQUE; SA MAJESTÉ LE ROI D'ITALIE; LE PRÉSIDENT DES ETATS-UNIS DU MEXIQUE; SA MAJESTÉ LE ROI DE NORVÈGE; SA MAJESTÉ LA REINE DES PAYS-BAS; LE PRÉSIDENT DE LA RÉPUBLIQUE DE POLOGNE; SA MAJESTÉ LE ROI DE ROUMANIE; LE CONSEIL FÉDÉRAL SUISSE; LE PRÉSIDENT DE LA RÉPUBLIQUE TCHÉCOSLOVAQUE; LE PRÉSIDENT DE LA RÉPUBLIQUE DE TURQUIE; SA MAJESTÉ LE ROI DE YOUGOSLAVIE

ont désigné pour leurs plénipotentiaires, savoir:

SA MAJESTÉ LE ROI DES ALBANAIS:

M. Lec KURTI, Ministre résident, Délégué permanent auprès de la Société des Nations.

LE PRÉSIDENT DU REICH ALLEMAND:

M. Hans Hermann VÖLCKERS, Consul général à Genève.

LE PRÉSIDENT DES ETATS-UNIS D'AMÉRIQUE:

M. Hugh R. WILSON, Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil fédéral suisse.

SA MAJESTÉ LE ROI DES BELGES:

M. P. HYMANS, Ministre des Affaires étrangères.

SA MAJESTÉ LE ROI DE GRANDE-BRETAGNE ET D'IRLANDE ET DES DOMINIONS BRITANNIQUES AU DELA DES MERS, EMPEREUR DES INDES:

Pour la Grande-Bretagne et l'Irlande du Nord, ainsi que toutes parties de l'Empire britannique non membres séparés de la Société des Nations:

Le très honorable vicomte CECIL OF CHELWOOD, K.C

Pour le Dominion du Canada:

L'honorable Hugh GUTHRIE, P.C., K.C., M.P., Ministre de la Justice, Procureur général.

Pour le Commonwealth d'Australie:

Mr. James R. COLLINS, C.M.G., C.B.E., Secrétaire officiel et Conseiller financier au Bureau du Haut Commissaire à Londres.

CONVENTION FOR THE REGULATION OF WHALING.

Contracting Powers.

His Majesty the King of the Albanians; the President of the German Reich; the President of the United States of America; His Majesty the King of the Belgians; His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India; the President of the Republic of Colombia; His Majesty the King of Denmark and Iceland; the President of the Government of the Spanish Republic; the President of the Republic of Finland; the President of the French Republic; the President of the Hellenic Republic; His Majesty the King of Italy; the President of the United States of Mexico; His Majesty the King of Norway; Her Majesty the Queen of the Netherlands; the President of the Polish Republic; His Majesty the King of Roumania; the Swiss Federal Council; the President of the Czechoslovak Republic; the President of the Turkish Republic; His Majesty the King of Yugoslavia

Plenipotentiaries.

have appointed as their Plenipotentiaries the following:

His Majesty the King of the Albanians:

M. Lec Kurti, Resident Minister, Permanent Delegate accredited to the League of Nations.

The President of the German Reich:

M. Hans Hermann Völckers, Consul-General at Geneva.

The President of the United States of America:

Mr. Hugh R. Wilson, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.

His Majesty the King of the Belgians:

M. P. Hymans, Minister for Foreign Affairs.

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:

For Great Britain and Northern Ireland and all parts of the British Empire which are not separate Members of the League of Nations:

The Right Honourable Viscount Cecil of Chelwood, K.C.

For the Dominion of Canada:

The Honourable Hugh Guthrie, P.C., K.C., M.P., Minister of Justice and Attorney-General.

For the Commonwealth of Australia:

Mr. James R. Collins, C.M.G., C.B.E., Official Secretary and Financial Adviser in the Office of the High Commissioner in London.

Pour le Dominion de la Nouvelle-Zélande:
Sir Thomas Mason WILFORD, K.C.M.G., K.C., Haut Commissaire à Londres.

Pour l'Union Sud-Africaine:
Mr. C. T. TE WATER, Haut Commissaire à Londres.

Pour l'Inde:
Sir Brojendra L. MITTER, Kt., Membre juridique du Conseil exécutif du Vice-Roi.

LE PRÉSIDENT DE LA RÉPUBLIQUE DE COLOMBIE:
Le Docteur A. J. RESTREPO, Délégué permanent auprès de la Société des Nations.

SA MAJESTÉ LE ROI DE DANEMARK ET D'ISLANDE:
M. William BORBERG, Délégué permanent auprès de la Société des Nations.

LE PRÉSIDENT DU GOUVERNEMENT DE LA RÉPUBLIQUE ESPAGNOLE:
M. Alejandro LERROUX GARCÍA, Ministre d'Etat.

LE PRÉSIDENT DE LA RÉPUBLIQUE DE FINLANDE:
M. Evald GYLLENBÖGEL, Conseiller de Légation, Délégué permanent *a.i.* auprès de la Société des Nations.

LE PRÉSIDENT DE LA RÉPUBLIQUE FRANÇAISE:
M. Louis ROLLIN, Député, Ministre du Commerce et de l'Industrie.

LE PRÉSIDENT DE LA RÉPUBLIQUE HELLÉNIQUE:
M. R. RAPHAËL, Délégué permanent auprès de la Société des Nations.

SA MAJESTÉ LE ROI D'ITALIE:
M. Augusto Rosso, Ministre plénipotentiaire, Délégué adjoint au Conseil de la Société des Nations.

LE PRÉSIDENT DES ETATS-UNIS DU MEXIQUE:
M. Salvador MARTÍNEZ DE ALVA, Directeur du Bureau permanent auprès de la Société des Nations.

SA MAJESTÉ LE ROI DE NORVÈGE:
M. Birger BRAADLAND, Ministre des Affaires étrangères.

SA MAJESTÉ LA REINE DES PAYS-BAS:
Le Jonkheer F. BEELAERTS VAN BLOKLAND, Ministre des Affaires étrangères.

LE PRÉSIDENT DE LA RÉPUBLIQUE DE POLOGNE:
M. Auguste ZALESKI, Ministre des Affaires étrangères.

SA MAJESTÉ LE ROI DE ROUMANIE:
M. Constantin ANTONIADE, Envoyé extraordinaire et Ministre plénipotentiaire auprès de la Société des Nations.

LE CONSEIL FÉDÉRAL SUISSE:
M. Giuseppe MOTTA, Président de la Confédération suisse, Chef du Département politique fédéral.

LE PRÉSIDENT DE LA RÉPUBLIQUE TCHÉCOSLOVAQUE:
M. Zdeněk FIERLINGER, Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil fédéral suisse, Délégué permanent auprès de la Société des Nations.

Plenipotentiaries—Continued.

For the Dominion of New Zealand:
Sir Thomas Mason WILFORD, K.C.M.G., K.C., High Commissioner in London.

For the Union of South Africa:
Mr. C. T. TE WATER, High Commissioner in London.

For India:
Sir Brojendra L. MITTER, Kt., Law Member of the Viceroy's Executive Council.

THE PRESIDENT OF THE REPUBLIC OF COLOMBIA:
Dr. A. J. RESTREPO, Permanent Delegate accredited to the League of Nations.

HIS MAJESTY THE KING OF DENMARK AND ICELAND:
M. William BORBERG, Permanent Delegate accredited to the League of Nations.

THE PRESIDENT OF THE GOVERNMENT OF THE SPANISH REPUBLIC:
M. Alejandro LERROUX GARCÍA, Minister of State.

THE PRESIDENT OF THE REPUBLIC OF FINLAND:
M. Evald GYLLENBÖGEL, Counsellor of Legation, Permanent Delegate *a.i.* accredited to the League of Nations.

THE PRESIDENT OF THE FRENCH REPUBLIC:
M. Louis ROLLIN, Deputy, Minister of Commerce and Industry.

THE PRESIDENT OF THE HELLENIC REPUBLIC:
M. R. RAPHAËL, Permanent Delegate accredited to the League of Nations.

HIS MAJESTY THE KING OF ITALY:
M. Augusto Rosso, Minister Plenipotentiary, Substitute Delegate to the Council of the League of Nations.

THE PRESIDENT OF THE UNITED STATES OF MEXICO:
M. Salvador MARTÍNEZ DE ALVA, Head of the Permanent Office accredited to the League of Nations.

HIS MAJESTY THE KING OF NORWAY:
M. Birger BRAADLAND, Minister for Foreign Affairs.

HER MAJESTY THE QUEEN OF THE NETHERLANDS:
Jonkheer F. BEELAERTS VAN BLOKLAND, Minister for Foreign Affairs.

THE PRESIDENT OF THE POLISH REPUBLIC:
M. Auguste ZALESKI, Minister for Foreign Affairs.

HIS MAJESTY THE KING OF ROUMANIA:
M. Constantin ANTONIADE, Envoy Extraordinary and Minister Plenipotentiary accredited to the League of Nations.

THE SWISS FEDERAL COUNCIL:
M. Giuseppe MOTTA, President of the Swiss Confederation, Head of the Federal Political Department.

THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC:
M. Zdeněk FIERLINGER, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council, Permanent Delegate accredited to the League of Nations.

LE PRÉSIDENT DE LA RÉPUBLIQUE DE TURQUIE:
Cemal HÜSNÜ bey, Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil fédéral suisse.

SA MAJESTÉ LE ROI DE YOUGOSLAVIE:
M. Voislav MARINKOVITCH, Ministre des Affaires étrangères.

Lesquels, après avoir communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des dispositions suivantes:

Article premier.

Les Hautes Parties contractantes conviennent de prendre, dans les limites de leurs juridictions respectives, des mesures appropriées pour assurer l'application des dispositions de la présente Convention et pour punir les infractions auxdites dispositions.

Article 2.

La présente Convention est applicable seulement aux baleines à fanons.

Article 3.

La présente Convention ne s'applique pas aux aborigènes habitant les côtes des territoires des Hautes Parties contractantes à la condition que:

1° Ils fassent seulement usage de canots, de pirogues ou d'autres embarcations exclusivement indigènes et mues à la voile ou à rames;
2° Ils ne se servent pas d'armes à feu;
3° Ils ne soient pas au service de personnes non aborigènes;
4° Ils ne soient pas tenus de livrer à des tiers le produit de leur chasse.

Article 4.

Il est interdit de capturer ou de tuer les "right whales", qui seront considérées comme comprenant la baleine du cap Nord, la baleine du Groenland, la "right whale" australe, la "right whale" du Pacifique et la "right whale" pygmée australe.

Article 5.

Il est interdit de capturer ou de tuer les baleineaux ou jeunes baleines non sevrées, les baleines non adultes et les baleines femelles accompagnées de baleineaux (ou jeunes non sevrés).

Article 6.

Les carcasses de baleines capturées devront être utilisées aussi complètement que possible. En particulier:

1° L'huile devra être extraite, par ébullition ou par tout autre procédé, de tout le blanc ainsi que de la tête et de la langue et, en outre, de la queue jusqu'à l'ouverture extérieure du gros intestin.

Les dispositions du présent paragraphe ne seront applicables qu'aux carcasses ou parties de carcasses non destinées à être utilisées comme comestibles.

Plenipotentiaries—Continued.

THE PRESIDENT OF THE TURKISH REPUBLIC:
Cemal HÜSNÜ Bey, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.

HIS MAJESTY THE KING OF YUGOSLAVIA:
M. Voislav MARINKOVITCH, Minister for Foreign Affairs.

Who, having communicated their full powers, found in good and due form, have agreed on the following provisions:

Article 1.

Mutual agreement to ensure execution of Convention.

The High Contracting Parties agree to take, within the limits of their respective jurisdictions, appropriate measures to ensure the application of the provisions of the present Convention and the punishment of infractions of the said provisions.

Article 2.

Applicable to baleens only.

The present Convention applies only to baleens or whalebone whales.

Article 3.

Not to apply to aborigines.

The present Convention does not apply to aborigines dwelling on the coasts of the territories of the High Contracting Parties provided that:

Conditions.

(1) They only use canoes, pirogues or other exclusively native craft propelled by oars or sails;
(2) They do not carry firearms;
(3) They are not in the employment of persons other than aborigines;
(4) They are not under contract to deliver the products of their whaling to any third person.

Article 4.

Taking, etc., of right whales prohibited.

The taking or killing of right whales, which shall be deemed to include North-Cape whales, Greenland whales, southern right whales, Pacific right whales and southern pigmy right whales, is prohibited.

Article 5.

Other prohibitions.

The taking or killing of calves or suckling whales, immature whales, and female whales which are accompanied by calves (or suckling whales) is prohibited.

Article 6.

Fullest use of carcases to be made.

The fullest possible use shall be made of the carcases of whales taken. In particular:

1. There shall be extracted by boiling or otherwise the oil from all blubber and from the head and the tongue and, in addition, from the tail as far forward as the outer opening of the lower intestine.

The provisions of this sub-paragraph shall apply only to such carcases or parts of carcases as are not intended to be used for human food.

2° Toute usine, flottante ou non, servant à traiter les carcasses de baleine, devra être munie de l'outillage nécessaire pour extraire l'huile du blanc, de la chair et des os.

3° Si des baleines sont amenées au rivage, des mesures appropriées devront être prises pour utiliser les résidus après l'extraction de l'huile.

Article 7.

Les canonniers et les équipages des navires baleiniers devront être embauchés à des conditions qui feront, dans une grande mesure, dépendre leur rémunération de facteurs tels que la taille, l'espèce, la valeur des baleines capturées et la quantité d'huile extraite, et non pas seulement du nombre des baleines capturées, pour autant que cette rémunération dépende des résultats de la chasse.

Article 8.

Aucun navire des Hautes Parties contractantes ne pourra se livrer à la capture ou au traitement des baleines sans qu'une licence spéciale ait été concédée à ce navire par la Haute Partie contractante dont il porte le pavillon, ou sans que son propriétaire ou affréteur ait notifié au gouvernement de cette Haute Partie contractante son intention d'utiliser ce navire pour la chasse à la baleine et qu'il ait reçu dudit gouvernement une attestation de cette notification.

Le présent article ne porte nullement atteinte au droit, pour l'une quelconque des Hautes Parties contractantes, d'exiger, en outre, une licence émanant de ses propres autorités, pour tout navire désireux d'utiliser son territoire ou ses eaux territoriales en vue de capturer, d'amener à terre ou de traiter des baleines. La délivrance de cette licence pourra être, soit refusée, soit subordonnée aux conditions que la Haute Partie contractante intéressée estimera nécessaires ou opportunes, quelle que soit la nationalité du navire.

Article 9.

La zone géographique d'application des articles de la présente Convention s'étendra à toutes les eaux du monde entier, y compris à la fois la haute mer et les eaux territoriales et nationales.

Article 10.

1. Les Hautes Parties contractantes devront obtenir des navires baleiniers portant leur pavillon les renseignements les plus complets possible au point de vue biologique sur chaque baleine capturée, et en tout cas en ce qui concerne les points suivants:

a) Date de la capture;
b) Lieu de la capture;
c) Espèce;
d) Sexe;
e) Longueur, mesurée si l'animal est retiré de l'eau; approximative si la baleine est découpée dans l'eau;
f) S'il y a un fœtus, longueur du fœtus et son sexe, s'il peut être déterminé;
g) Renseignements sur le contenu de l'estomac, lorsque cela est possible.

2. Every factory, whether on shore or afloat, used for treating the carcases of whales shall be equipped with adequate apparatus for the extraction of oil from the blubber, flesh and bones.

3. In the case of whales brought on shore, adequate arrangements shall be made for utilising the residues after the oil has been extracted.

Article 7.

Vessel gunners and crews; remuneration.

Gunners and crews of whaling vessels shall be engaged on terms such that their remuneration shall depend to a considerable extent upon such factors as the size, species, value and yield of oil of whales taken, and not merely upon the number of whales taken, in so far as payment is made dependent on results.

Article 8.

Licenses, etc.

No vessel of any of the High Contracting Parties shall engage in taking or treating whales unless a licence authorising such vessel to engage therein shall have been granted in respect of such vessel by the High Contracting Party, whose flag she flies, or unless her owner or charterer has notified the Government of the said High Contracting Party of his intention to employ her in whaling and has received a certificate of notification from the said Government.

Nothing in this article shall prejudice the right of any High Contracting Party to require that, in addition, a licence shall be required from his own authorities by every vessel desirous of using his territory or territorial waters for the purposes of taking, landing or treating whales, and such licence may be refused or may be made subject to such conditions as may be deemed by such High Contracting Party to be necessary or desirable, whatever the nationality of the vessel may be.

Article 9.

Geographical limits.

The geographical limits within which the articles of this Convention are to be applied shall include all the waters of the world, including both the high seas and territorial and national waters.

Article 10.

Biological information to be obtained.

1. The High Contracting Parties shall obtain, with regard to the vessels flying their flags and engaged in the taking of whales, the most complete biological information practicable with regard to each whale taken, and in any case on the following points:

(*a*) Date of taking;
(*b*) Place of taking;
(*c*) Species;
(*d*) Sex;
(*e*) Length; measured, when taken out of water; estimated, if cut up in water;
(*f*) When fœtus is present, length and sex if ascertainable;
(*g*) When practicable, information as to stomach contents.

2. La longueur mentionnée aux paragraphes *e*) et *f*) du présent article sera celle de la ligne droite depuis l'extrémité du museau jusqu'à l'intersection des nageoires caudales.

Article 11.

Chacune des Hautes Parties contractantes se fera adresser par toutes les usines, flottantes ou établies sur la terre ferme, soumises à sa juridiction, des relevés indiquant le nombre des baleines de chaque espèce traitées dans chacune des usines et les quantités d'huile de chaque qualité, poudre, guano et autres sous-produits tirés de ces baleines.

Article 12.

Chacune des Hautes Parties contractantes communiquera les renseignements statistiques relatifs aux opérations, concernant les baleines, qui ont eu lieu dans le ressort de leur juridiction, au Bureau international de Statistiques baleinières, à Oslo. Les renseignements fournis devront comprendre au moins les détails mentionnés à l'article 10 et: 1° le nom et le tonnage de chaque usine flottante; 2° le nombre et le tonnage global des navires baleiniers; 3° une liste des stations terrestres ayant fonctionné au cours de la période envisagée. Ces renseignements seront fournis à des intervalles appropriés ne dépassant pas une année.

Article 13.

L'obligation, pour l'une quelconque des Hautes Parties contractantes, de prendre des mesures en vue d'assurer l'observation des dispositions de la présente Convention dans ses territoires et dans ses eaux territoriales et par ses navires, sera limitée à ceux de ses territoires auxquels s'applique la Convention et aux eaux territoriales contiguës, ainsi qu'aux navires immatriculés dans ces territoires.

Article 14.

La présente Convention, dont les textes français et anglais feront également foi, pourra être signée, jusqu'au trente et un mars 1932, au nom de tout Membre de la Société des Nations ou de tout Etat non membre.

Article 15.

La présente Convention sera ratifiée. Les instruments de ratification seront déposés auprès du Secrétaire général de la Société des Nations, qui en notifiera le dépôt à tous les Membres de la Société des Nations et aux Etats non membres, en indiquant les dates auxquelles ces dépôts ont été effectués.

Article 16.

A partir du premier avril 1932, tout Membre de la Société des Nations et tout Etat non membre au nom duquel la Convention n'a pas été signée à cette date, pourra y adhérer.

2. The length referred to in sub-paragraphs (*e*) and (*f*) of this article shall be the length of a straight line taken from the tip of the snout to the notch between the flukes of the tail.

Article 11.

Statistics to be furnished.

Each High Contracting Party shall obtain from all factories, on land or afloat, under his jurisdiction, returns of the number of whales of each species treated at each factory and of the amounts of oil of each grade and the quantities of meal, guano and other products derived from them.

Article 12.

Transmission to International Bureau for Whaling Statistics.

Contents.

Each of the High Contracting Parties shall communicate statistical information regarding all whaling operations under their jurisdiction to the International Bureau for Whaling Statistics at Oslo. The information given shall comprise at least the particulars mentioned in Article 10 and: (1) the name and tonnage of each floating factory; (2) the number and aggregate tonnage of the whale catchers; (3) a list of the land stations which were in operation during the period concerned. Such information shall be given at convenient intervals not longer than one year.

Article 13.

Extent of obligation to ensure observance of conditions.

The obligation of a High Contracting Party to take measures to ensure the observance of the conditions of the present Convention in his territories and territorial waters, and by his vessels, shall not apply to those of his territories to which the Convention does not apply, and the territorial waters adjacent thereto, or to vessels registered in such territories.

Article 14.

Open for signature until Mar. 31, 1932.

The present Convention, the French and English texts of which shall both be authoritative, shall remain open until the thirty-first of March 1932 for signature on behalf of any Member of the League of Nations or of any non-member State.

Article 15.

Ratification.

The present Convention shall be ratified. The instruments of ratification shall be deposited with the Secretary-General of the League of Nations, who shall notify their receipt to all Members of the League of Nations and non-member States indicating the dates of their deposit.

Article 16.

Accession of non-signatory powers.

As from the first of April 1932, any Member of the League of Nations and any non-member State, on whose behalf the Convention has not been signed before that date, may accede thereto.

Les instruments d'adhésion seront déposés auprès du Secrétaire général de la Société des Nations, qui notifiera le dépôt et la date de ce dernier à tous les Membres de la Société des Nations et aux Etats non membres.

Article 17.

La présente Convention entrera en vigueur quatre-vingt-dix jours après que le Secrétaire général de la Société des Nations aura reçu des ratifications ou des adhésions au nom d'au moins huit Membres de la Société des Nations ou Etats non membres. Dans ce nombre doivent être compris le Royaume de Norvège et le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord.

A l'égard de chacun des Membres ou Etats non membres au nom desquels un instrument de ratification ou d'adhésion sera ultérieurement déposé, la Convention entrera en vigueur le quatre-vingt-dixième jour après la date du dépôt de cet instrument.

Article 18.

Si, après l'entrée en vigueur de la présente Convention et à la demande de deux Membres de la Société, ou deux Etats non membres, à l'égard desquels la présente Convention sera à ce moment en vigueur, le Conseil de la Société des Nations convoque une conférence pour la revision de la Convention, les Hautes Parties contractantes s'engagent à s'y faire représenter.

Article 19.

1. La présente Convention pourra être dénoncée à l'expiration d'une période de trois années à partir de la date à laquelle elle sera entrée en vigueur.

2. La dénonciation de la Convention s'effectuera par une notification écrite, adressée au Secrétaire général de la Société des Nations, qui informera tous les Membres de la Société et les Etats non membres de chaque notification, ainsi que de la date de la réception.

3. La dénonciation prendra effet six mois après la réception de la notification.

Article 20.

1. Chacune des Hautes Parties contractantes peut déclarer, au moment de la signature, de la ratification ou de l'adhésion, que par son acceptation de la présente Convention, elle n'entend assumer aucune obligation en ce qui concerne l'ensemble ou toute partie de ses colonies, protectorats, territoires d'outre-mer ou territoires placés sous sa suzeraineté ou son mandat; dans ce cas, la présente Convention ne sera pas applicable aux territoires faisant l'objet d'une telle déclaration.

2. Chacune des Hautes Parties contractantes pourra ultérieurement notifier au Secrétaire général de la Société des Nations qu'elle entend rendre la présente Convention applicable à l'ensemble ou à toute partie de ses territoires ayant fait l'objet de la déclaration prévue au

Deposit.

The instruments of accession shall be deposited with the Secretary-General of the League of Nations, who shall notify all the Members of the League of Nations and non-member States of their deposit and the date thereof.

Article 17.

Effective date.

The present Convention shall enter into force on the ninetieth day following the receipt by the Secretary-General of the League of Nations of ratifications or accessions on behalf of not less than eight Members of the League or non-member States, including the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland.

As regards any Member of the League or non-member State on whose behalf an instrument of ratification or accession is subsequently deposited, the Convention shall enter into force on the ninetieth day after the date of the deposit of such instrument.

Article 18.

Revision provided.

If after the coming into force of the present Convention the Council of the League of Nations, at the request of any two Members of the League or non-member States with regard to which the Convention is then in force, shall convene a Conference for the revision of the Convention, the High Contracting Parties agree to be represented at any Conference so convened.

Article 19.

Denunciation.

1. The present Convention may be denounced after the expiration of three years from the date of its coming into force.

2. Denunciation shall be effected by a written notification addressed to the Secretary-General of the League of Nations, who shall inform all the Members of the League and the non-member States of each notification received and of the date of its receipt.

3. Each denunciation shall take effect six months after the receipt of its notification.

Article 20.

Reservations permitted.

1. Any High Contracting Party may, at the time of signature, ratification or accession, declare that, in accepting the present Convention, he does not assume any obligations in respect of all or any of his colonies, protectorates, overseas territories or territories under suzerainty or mandate; and the present Convention shall not apply to any territories named in such declaration.

2. Any High Contracting Party may give notice to the Secretary-General of the League of Nations at any time subsequently that he desires that the Convention shall apply to all or any of his territories which have been made the subject of a declaration under the preced-

paragraphe précédent. Dans ce cas, la Convention s'appliquera à tous les territoires visés dans la notification quatre-vingt-dix jours après la réception de cette notification par le Secrétaire général de la Société des Nations.

3. Chacune des Hautes Parties contractantes peut, à tout moment après l'expiration de la période de trois ans prévue à l'article 19, déclarer qu'elle entend voir cesser l'application de la présente Convention à l'ensemble ou à toute partie de ses colonies, protectorats, territoires d'outre-mer ou territoires placés sous sa suzeraineté ou son mandat; dans ce cas, la Convention cessera d'être applicable aux territoires faisant l'objet d'une telle déclaration six mois après la réception de cette déclaration par le Secrétaire général de la Société des Nations.

4. Le Secrétaire général de la Société des Nations communiquera à tous les Membres de la Société des Nations et aux Etats non membres les déclarations et notifications reçues en vertu du présent article, ainsi que les dates de leur réception.

Article 21.

La présente Convention sera enregistrée par le Secrétaire général de la Société des Nations dès qu'elle sera entrée en vigueur.

ing paragraph, and the Convention shall apply to all the territories named in such notice ninety days after its receipt by the Secretary-General of the League of Nations.

3. Any High Contracting Party may, at any time after the expiration of the period of three years mentioned in Article 19, declare that he desires that the present Convention shall cease to apply to all or any of his colonies, protectorates, overseas territories or territories under suzerainty or mandate and the Convention shall cease to apply to the territories named in such declaration six months after its receipt by the Secretary-General of the League of Nations.

4. The Secretary-General of the League of Nations shall communicate to all the Members of the League of Nations and the non-member States all declarations and notices received in virtue of this article and the dates of their receipt.

Article 21.

The present Convention shall be registered by the Secretary-General of the League of Nations as soon as it has entered into force. Registry, on entry into force.

Signatures.

EN FOI DE QUOI les Plénipotentiaires susmentionnés ont signé la présente Convention.

IN FAITH WHEREOF the abovementioned Plenipotentiaries have signed the present Convention.

FAIT à Genève, le vingt-quatre septembre mil neuf cent trente et un, en un seul exemplaire qui sera conservé dans les archives du Secrétariat de la Société des Nations et dont copie certifiée conforme sera remise à tous les Membres de la Société et aux Etats non membres.

DONE at Geneva, on the twenty-fourth day of September one thousand nine hundred and thirty-one, in a single copy which shall be kept in the archives of the Secretariat of the League of Nations and of which certified true copies shall be delivered to all the Members of the League of Nations and to the non-member States.

ALBANIE — ALBANIA

Lec KURTI

ALLEMAGNE — GERMANY

Dr. Hans Hermann VÖLCKERS

ETATS-UNIS D'AMÉRIQUE — UNITED STATES OF AMERICA

Hugh R. WILSON

BELGIQUE — BELGIUM

HYMANS

GRANDE-BRETAGNE ET IRLANDE DU NORD, ainsi que toutes parties de l'Empire britannique non membres séparés de la Société des Nations.

GREAT BRITAIN AND NORTHERN IRELAND, and all parts of the British Empire which are not separate Members of the League of the Nations.

CECIL

CANADA — CANADA

H. GUTHRIE

COMMONWEALTH D'AUSTRALIE — COMMONWEALTH OF AUSTRALIA

James R. COLLINS

NOUVELLE-ZÉLANDE — NEW ZEALAND

Thomas M. WILFORD

UNION SUD-AFRICAINE — UNION OF SOUTH AFRICA

C. T. TE WATER.

INDE — INDIA

B. L. MITTER

COLOMBIE — COLOMBIA

A. J. RESTREPO

DANEMARK — DENMARK

Avec réserve, jusqu'à nouvel ordre, pour ce qui concerne le Groenland.[1]

William BORBERG.

[1] *Translation:* With reservation, until further notice, as regards Greenland. [Footnote in the certified copy.]

ESPAGNE	A. LERROUX	SPAIN
FINLANDE	Evald GYLLENBÖGEL.	FINLAND
FRANCE	Louis ROLLIN	FRANCE
GRÈCE	R. RAPHAËL	GREECE
ITALIE	Augusto ROSSO	ITALY
MEXIQUE	S. Martínez DE ALVA	MEXICO
NORVÈGE	Birger BRAADLAND.	NORWAY
PAYS-BAS	Pour le Royaume en Europe et les Indes néerlandaises.[1] BEELAERTS VAN BLOKLAND	THE NETHERLANDS
POLOGNE	Auguste ZALESKI	POLAND
ROUMANIE	C. ANTONIADE	ROUMANIA
SUISSE	MOTTA.	SWITZERLAND
TCHÉCOSLOVAQUIE	Zd. FIERLINGER	CZECHOSLOVAKIA
TURQUIE	Cemal HÜSNÜ	TURKEY
YOUGOSLAVIE	Dr V. MARINKOVITCH	YUGOSLAVIA

AND WHEREAS the said convention has been duly ratified by the Government of the United States of America and its instrument of ratification was deposited with the Secretary General of the League of Nations on July 7, 1932; Deposit of ratification.

AND WHEREAS the number of ratifications or accessions required under Article 17 of the said convention for the entry into force thereof, including, as is required, the ratifications of the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland, were received by the Secretary General of the League of Nations, the latest, the ratification of the Government of the United Kingdom of Great Britain and Northern Ireland, on October 18, 1934, and the fact of the deposit of such ratifications with him was notified to the Ratifications exchanged. *Ante*, p. 3091.

[1] *Translation:* For the Kingdom in Europe and the Netherlands Indies. [Footnote in the certified copy.]

Government of the United States of America by the Secretary General;[1]

AND WHEREAS, in pursuance of Article 17 of the convention, the convention entered into effect on the ninetieth day following October 18, 1934, the date of the deposit of the ratification of the United Kingdom of Great Britain and Northern Ireland, that is to say on January 16, 1935;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said convention to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this sixteenth day of January, in the year of our Lord one thousand nine hundred and thirty-five and of the Independence of the United States of America the one hundred and fifty-ninth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

[1 The following ratifications and accessions were received by the Secretary General of the League of Nations on or before Oct. 18, 1934:

Ratifications: United States of America, Czechoslovakia, Denmark (including Greenland), Great Britain and Northern Ireland (not including colonies, protectorates, overseas territories or territories under suzerainty or under mandate exercised by the British Government), Italy (with reservation that the convention can in no way constitute a precedent for future agreements providing for the limitation of fishing in extraterritorial sea), Mexico, Netherlands (including Netherland India, Surinam, and Curaçao), Norway, Poland, Spain, Switzerland, Union of South Africa, Turkey, and Yugoslavia.

Accessions: Brazil, Egypt, Monaco, Nicaragua, and Sudan.]

Convention between the United States of America and other American Republics on Rights and Duties of States. Signed at Montevideo, December 26, 1933; ratification advised by the Senate, with a reservation, June 15, 1934; ratified by the President, with the said reservation, June 29, 1934; ratification of the United States of America deposited with the Pan American Union, July 13, 1934; proclaimed, January 18, 1935.

December 26, 1933.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a convention on rights and duties of States was adopted by the Seventh International Conference of American States at Montevideo, Uruguay, and signed on December 26, 1933, by plenipotentiaries of the United States of America with a reservation which the delegation of the United States of America had presented to the plenary session of the conference on December 22, 1933, and by plenipotentiaries of Honduras, El Salvador, Dominican Republic, Haiti, Argentina, Venezuela, Uruguay, Paraguay, Mexico, Panama, Guatemala, Brazil with a reservation, Ecuador, Nicaragua, Colombia, Chile, Peru with a reservation, and Cuba, the English and Spanish texts of which convention are word for word as follows:

Rights and duties of States. Preamble.

Contracting Powers.

CONVENTION ON RIGHTS AND DUTIES OF STATES

The Governments represented in the Seventh International Conference of American States:

Plenipotentiaries.

Wishing to conclude a Convention on Rights and Duties of States, have appointed the following Plenipotentiaries:

Honduras:
MIGUEL PAZ BARAONA
AUGUSTO C. COELLO
LUIS BOGRÁN.

United States of America:
CORDELL HULL
ALEXANDER W. WEDDELL
J. REUBEN CLARK
J. BUTLER WRIGHT
SPRUILLE BRADEN
Miss SOPHONISBA P. BRECKINRIDGE.

El Salvador:
HÉCTOR DAVID CASTRO
ARTURO RAMÓN AVILA
J. CIPRIANO CASTRO.

Plenipotentiaries—Continued.

Dominican Republic:
TULIO M. CESTERO.

Haiti:
JUSTIN BARAU
FRANCIS SALGADO
ANTOINE PIERRE-PAUL
EDMOND MANGONÉS.

Argentina:
CARLOS SAAVEDRA LAMAS
JUAN F. CAFFERATA
RAMÓN S. CASTILLO
CARLOS BREBBIA
ISIDORO RUIZ MORENO
LUIS A. PODESTÁ COSTA
RAÚL PREBISCH
DANIEL ANTOKOLETZ

Venezuela:
CÉSAR ZUMETA
LUIS CHURION
JOSÉ RAFAEL MONTILLA

Uruguay:
ALBERTO MAÑÉ
JUAN JOSÉ AMÉZAGA
JOSÉ G. ANTUÑA
JUAN CARLOS BLANCO
Señora SOFÍA A. V. DE DEMICHELI
MARTÍN R. ECHEGOYEN
LUIS ALBERTO DE HERRERA
PEDRO MANINI RÍOS
MATEO MARQUES CASTRO
RODOLFO MEZZERA
OCTAVIO MORATÓ
LUIS MORQUIO
TEÓFILO PIÑEYRO CHAIN
DARDO REGULES
JOSÉ SERRATO
JOSÉ PEDRO VARELA

Paraguay:
JUSTO PASTOR BENÍTEZ
GERÓNIMO RIART
HORACIO A. FERNÁNDEZ
Señorita MARÍA F. GONZÁLEZ

Mexico:
JOSÉ MANUEL PUIG CASAURANC
ALFONSO REYES
BASILIO VADILLO
GENARO V. VASQUEZ
ROMEO ORTEGA
MANUEL J. SIERRA
EDUARDO SUÁREZ

Plenipotentiaries—Continued.

Panama:
J. D. Arosemena
Eduardo E. Holguín
Oscar R. Muller
Magín Pons

Bolivia:
Casto Rojas
David Alvéstegui
Arturo Pinto Escalier

Guatemala:
Alfredo Skinner Klee
José González Campo
Carlos Salazar
Manuel Arroyo

Brazil:
Afranio de Mello Franco
Lucillo A da Cunha Bueno
Francisco Luis da Silva Campos
Gilberto Amado
Carlos Chagas
Samuel Ribeiro

Ecuador:
Augusto Aguirre Aparicio
Humberto Albornoz
Antonio Parra
Carlos Puig Vilassar
Arturo Scarone

Nicaragua:
Leonardo Argüello
Manuel Cordero Reyes
Carlos Cuadra Pasos

Colombia:
Alfonso López
Raimundo Rivas
José Camacho Carreño.

Chile:
Miguel Cruchaga Tocornal
Octavio Señoret Silva
Gustavo Rivera
José Ramón Gutiérrez
Félix Nieto del Río
Francisco Figueroa Sánchez
Benjamín Cohen.

Peru:
Alfredo Solf y Muro
Felipe Barreda Laos
Luis Fernán Cisneros.

Cuba:
Angel Alberto Giraudy
Herminio Portell Vilá
Alfredo Nogueira.

Who, after having exhibited their Full Powers, which were found to be in good and due order, have agreed upon the following:

ARTICLE 1

Qualifications of a State.

The state as a person of international law should possess the following qualifications: *a*) a permanent population; *b*) a defined territory; *c*) government; and *d*) capacity to enter into relations with the other states.

ARTICLE 2

To constitute a sole person.

The federal state shall constitute a sole person in the eyes of international law.

ARTICLE 3

Independent of recognition.

The political existence of the state is independent of recognition by the other states. Even before recognition the state has the right to defend its integrity and independence, to provide for its conservation and prosperity, and consequently to organize itself as it sees fit, to legislate upon its interests, administer its services, and to define the jurisdiction and competence of its courts.

The exercise of these rights has no other limitation than the exercise of the rights of other states according to international law.

ARTICLE 4

Juridically equal, etc.

States are juridically equal, enjoy the same rights, and have equal capacity in their exercise. The rights of each one do not depend upon the power which it possesses to assure its exercise, but upon the simple fact of its existence as a person under international law.

ARTICLE 5

Fundamental rights.

The fundamental rights of states are not susceptible of being affected in any manner whatsoever.

ARTICLE 6

Recognition; significance of.

The recognition of a state merely signifies that the state which recognizes it accepts the personality of the other with all the rights and duties determined by international law. Recognition is unconditional and irrevocable.

ARTICLE 7

May be express or tacit.

The recognition of a state may be express or tacit. The latter results from any act which implies the intention of recognizing the new state.

ARTICLE 8

Intervention in affairs of another.

No state has the right to intervene in the internal or external affairs of another.

ARTICLE 9

Jurisdiction.

The jurisdiction of states within the limits of national territory applies to all the inhabitants.

Nationals and foreigners are under the same protection of the law and the national authorities and the foreigners may not claim rights other or more extensive than those of the nationals.

ARTICLE 10

Peace deemed of primary interest.

The primary interest of states is the conservation of peace. Differences of any nature which arise between them should be settled by recognized pacific methods.

ARTICLE 11

Acquisitions or advantages obtained by force.

The contracting states definitely establish as the rule of their conduct the precise obligation not to recognize territorial acquisitions or special advantages which have been obtained by force whether this consists in the employment of arms, in threatening diplomatic representations, or in any other effective coercive measure. The territory of a state is inviolable and may not be the object of military occupation nor of other measures of force imposed by another state directly or indirectly or for any motive whatever even temporarily.

Inviolability of territory.

ARTICLE 12

Prior conventions not affected.

The present Convention shall not affect obligations previously entered into by the High Contracting Parties by virtue of international agreements.

ARTICLE 13

Ratification and deposit.

The present Convention shall be ratified by the High Contracting Parties in conformity with their respective constitutional procedures. The Minister of Foreign Affairs of the Republic of Uruguay shall transmit authentic certified copies to the governments for the aforementioned purpose of ratification. The instrument of ratification shall be deposited in the archives of the Pan American Union in Washington, which shall notify the signatory governments of said deposit. Such notification shall be considered as an exchange of ratifications.

ARTICLE 14

Effective date.

The present Convention will enter into force between the High Contracting Parties in the order in which they deposit their respective ratifications.

ARTICLE 15

Duration.

The present Convention shall remain in force indefinitely but may be denounced by means of one year's notice given to the Pan American Union, which shall transmit it to the other signatory governments. After the expiration of this period the Convention shall cease in its effects as regards the party which denounces but shall remain in effect for the remaining High Contracting Parties.

ARTICLE 16

Adhesions.

The present Convention shall be open for the adherence and accession of the States which are not signatories. The corresponding instruments shall be deposited in the archives of the Pan American Union which shall communicate them to the other High Contracting Parties.

Signatures.

In witness whereof, the following Plenipotentiaries have signed this Convention in Spanish, English, Portuguese and French and hereunto affix their respective seals in the city of Montevideo, Republic of Uruguay, this 26th day of December, 1933.

Reservations.

United States.

RESERVATIONS

The Delegation of the United States of America, in signing the Convention on the Rights and Duties of States, does so with the express reservation presented to the Plenary Session of the Conference on December 22, 1933, which reservation reads as follows:

The Delegation of the United States, in voting "yes" on the final vote on this committee recommendation and proposal, makes the same

reservation to the eleven articles of the project or proposal that the United States Delegation made to the first ten articles during the final vote in the full Commission, which reservation is in words as follows:

"The policy and attitude of the United States Government toward every important phase of international relationships in this hemisphere could scarcely be made more clear and definite than they have been made by both word and action especially since March 4. I have no disposition therefore to indulge in any repetition or rehearsal of these acts and utterances and shall not do so. Every observing person must by this time thoroughly understand that under the Roosevelt Administration the United States Government is as much opposed as any other government to interference with the freedom, the sovereignty, or other internal affairs or processes of the governments of other nations.

"In addition to numerous acts and utterances in connection with the carrying out of these doctrines and policies, President Roosevelt, during recent weeks, gave out a public statement expressing his disposition to open negotiations with the Cuban Government for the purpose of dealing with the treaty which has existed since 1903. I feel safe in undertaking to say that under our support of the general principle of non-intervention as has been suggested, no government need fear any intervention on the part of the United States under the Roosevelt Administration. I think it unfortunate that during the brief period of this Conference there is apparently not time within which to prepare interpretations and definitions of these fundamental terms that are embraced in the report. Such definitions and interpretations would enable every government to proceed in a uniform way without any difference of opinion or of interpretations. I hope that at the earliest possible date such very important work will be done. In the meantime in case of differences of interpretations and also until they (the proposed doctrines and principles) can be worked out and codified for the common use of every government, I desire to say that the United States Government in all of its international associations and relationships and conduct will follow scrupulously the doctrines and policies which it has pursued since March 4 which are embodied in the different addresses of President Roosevelt since that time and in the recent peace address of myself on the 15th day of December before this Conference and in the law of nations as generally recognized and accepted".

Brazil and Peru.

Ante, p. 3101.

The delegates of Brazil and Peru recorded the following private vote with regard to article 11: "That they accept the doctrine in principle but that they do not consider it codifiable because there are some countries which have not yet signed the Anti-War Pact of Rio de Janeiro of which this doctrine is a part and therefore it does not yet constitute positive international law suitable for codification".

Honduras: M. Paz Baraona.—Augusto C. Coello.—Luis Bográn.

United States of America: Alexander W. Weddell.—J. Butler Wright.

El Salvador: Héctor David Castro.—Arturo R. Avila.

Dominican Republic: Tulio M. Cestero.

Haiti: J. Barau.—F. Salgado.—Edmond Mangonés.—A. Prre. Paul.

Argentina: Carlos Saavedra Lamas.—Juan F. Cafferata.—Ramón S. Castillo.—I. Ruiz Moreno.—L. A. Podestá Costa.—D. Antokoletz.

Venezuela: Luis Churion.—J. R. Montilla.

Uruguay: A. Mañé.—José Pedro Varela.—Mateo Marques Castro.—Dardo Regules.—Sofía Alvarez Vignoli de Demicheli.—Teófilo Piñeyro Chain.—Luis A. de Herrera.—Martín R. Echegoyen.—José G. Antuña.—J. C. Blanco.—Pedro Manini Ríos.—Rodolfo Mezzera.—Octavio Morató.—Luis Morquio.—José Serrato.

Paraguay: Justo Pastor Benítez.—María F. González.

Mexico: B. Vadillo.—M. J. Sierra.—Eduardo Suárez.

Panama: J. D. Arosemena.—Magin Pons.—Eduardo E. Holguin.

Guatemala: M. Arroyo.

Brazil: Lucillo A. Da Cunha Bueno.—Gilberto Amado.

Ecuador: A. Aguirre Aparicio.—H. Albornoz.—Antonio Parra V.—C. Puig V.—Arturo Scarone.

Nicaragua: Leonardo Argüello.—M. Cordero Reyes.—Carlos Cuadra Pasos.

Colombia: Alfonso López.—Raimundo Rivas.

Chile: Miguel Cruchaga.—J. Ramón Gutiérrez.—F. Figueroa.—F. Nieto del Río.—B. Cohen.

Peru: (con la reserva establecida) Alfredo Solf y Muro.

Cuba: Alberto Giraudy.—Herminio Portell Vilá.—Ing. Nogueira.

CONVENCIÓN SOBRE DERECHOS Y DEBERES DE LOS ESTADOS

Los Gobiernos representados en la Séptima Conferencia Internacional Americana,

Deseosos de concertar un convenio acerca de los Derechos y Deberes de los Estados, han nombrado los siguientes Plenipotenciarios:

Honduras:
Miguel Paz Baraona
Augusto C. Coello
Luis Bográn.

Estados Unidos de América:
Cordell Hull
Alexander W. Weddell
J. Reuben Clark
J. Butler Wright
Spruille Braden
Miss Sophonisba P. Breckinridge.

El Salvador:
Héctor David Castro
Arturo Ramón Avila
J. Cipriano Castro.

República Dominicana:
TULIO M. CESTERO.

Haití:
JUSTIN BARAU
FRANCIS SALGADO
ANTOINE PIERRE-PAUL
EDMOND MANGONÉS.

Argentina:
CARLOS SAAVEDRA LAMAS
JUAN F. CAFFERATA
RAMÓN S. CASTILLO
CARLOS BREBBIA
ISIDORO RUIZ MORENO
LUIS A. PODESTÁ COSTA
RAÚL PREBISCH
DANIEL ANTOKOLETZ.

Venezuela:
CÉSAR ZUMETA
LUIS CHURION
JOSÉ RAFAEL MONTILLA.

Uruguay:
ALBERTO MAÑÉ
JUAN JOSÉ AMÉZAGA
JOSÉ G. ANTUÑA
JUAN CARLOS BLANCO
Señora SOFÍA A. V. DE DEMICHELI
MARTÍN R. ECHEGOYEN
LUIS ALBERTO DE HERRERA
PEDRO MANINI RÍOS
MATEO MARQUES CASTRO
RODOLFO MEZZERA
OCTAVIO MORATÓ
LUIS MORQUIO
TEÓFILO PIÑEYRO CHAIN
DARDO REGULES
JOSÉ SERRATO
JOSÉ PEDRO VARELA.

Paraguay:
JUSTO PASTOR BENÍTEZ
GERÓNIMO RIART
HORACIO A. FERNÁNDEZ
Señorita MARÍA F. GONZÁLEZ

México:
JOSÉ MANUEL PUIG CASAURANC
ALFONSO REYES
BASILIO VADILLO
GENARO V. VÁSQUEZ
ROMEO ORTEGA
MANUEL J. SIERRA
EDUARDO SUÁREZ

Panamá:

J. D. Arosemena
Eduardo E. Holguín
Oscar R. Muller
Magín Pons

Bolivia:

Casto Rojas
David Alvéstegui
Arturo Pinto Escalier

Guatemala:

Alfredo Skinner Klee
José González Campo
Carlos Salazar
Manuel Arroyo

Brasil:

Afranio de Mello Franco
Lucillo A. da Cunha Bueno
Francisco Luis da Silva Campos
Gilberto Amado
Carlos Chagas
Samuel Ribeiro.

Ecuador:

Augusto Aguirre Aparicio
Humberto Albornoz
Antonio Parra
Carlos Puig Vilassar
Aturo Scarone.

Nicaragua:

Leonardo Argüello
Manuel Cordero Reyes
Carlos Cuadra Pasos.

Colombia:

Alfonso López
Raimundo Rivas
José Camacho Carreño.

Chile:

Miguel Cruchaga Tocornal
Octavio Señoret Silva
Gustavo Rivera
José Ramón Gutiérrez
Féliz Nieto del Río
Francisco Figueroa Sánchez
Benjamín Cohen.

Perú:

Alfredo Solf y Muro
Felipe Barreda Laos
Luis Fernán Cisneros.

Cuba:

Angel Alberto Giraudy
Herminio Portell Vilá
Alfredo Nogueira.

Quienes, después de haber exhibido sus Plenos Poderes, que fueron hallados en buena y debida forma, han convenido en lo siguiente:

ARTÍCULO 1

El Estado como persona de Derecho Internacional debe reunir los siguientes requisitos:

I. Población permanente.
II. Territorio determinado.
III. Gobierno.
IV. Capacidad de entrar en relaciones con los demás Estados.

ARTÍCULO 2

El Estado federal constituye una sola persona ante el Derecho Internacional.

ARTÍCULO 3

La existencia política del Estado es independiente de su reconocimiento por los demás Estados. Aun antes de reconocido el Estado tiene el derecho de defender su integridad e independencia, proveer a su conservación y prosperidad y, por consiguiente, de organizarse como mejor lo entendiere, legislar sobre sus intereses, administrar sus servicios y determinar la jurisdicción y competencia de sus tribunales.

El ejercicio de estos derechos no tiene otros límites que el ejercicio de los derechos de otros Estados conforme al Derecho Internacional.

ARTÍCULO 4

Los Estados son jurídicamente iguales, disfrutan de iguales derechos y tienen igual capacidad para ejercitarlos. Los derechos de cada uno no dependen del poder de que disponga para asegurar su ejercicio, sino del simple hecho de su existencia como persona de Derecho Internacional.

ARTÍCULO 5

Los derechos fundamentales de los Estados no son susceptibles de ser afectados en forma alguna.

ARTÍCULO 6

El reconocimiento de un Estado meramente significa que el que lo reconoce acepta la personalidad del otro con todos los derechos y deberes determinados por el Derecho Internacional. El reconocimiento es incondicional e irrevocable.

ARTÍCULO 7

El reconocimiento del Estado podrá ser expreso o tácito. Este último resulta de todo acto que implique la intención de reconocer al nuevo Estado.

ARTÍCULO 8

Ningún Estado tiene derecho de intervenir en los asuntos internos ni en los externos de otro.

ARTÍCULO 9

La jurisdicción de los Estados en los límites del territorio nacional se aplica a todos los habitantes. Los nacionales y los extranjeros se hallan bajo la misma protección de la legislación y de las autoridades nacionales y los extranjeros no podrán pretender derechos diferentes, ni más extensos que los de los nacionales.

ARTÍCULO 10

Es interés primordial de los Estados la conservación de la paz. Las divergencias de cualquier clase que entre ellos se susciten deben arreglarse por los medios pacíficos reconocidos.

ARTÍCULO 11

Los Estados contratantes consagran en definitiva como norma de su conducta, la obligación precisa de no reconocer las adquisiciones territoriales o de ventajas especiales que se realicen por la fuerza, ya sea que ésta consista en el uso de armas, en representaciones diplomáticas conminatorias o en cualquier otro medio de coacción efectiva. El territorio de los Estados es inviolable y no puede ser objeto de ocupaciones militares ni de otras medidas de fuerza impuestas por otro Estado, ni directa ni indirectamente, ni por motivo alguno, ni aún de manera temporal.

ARTÍCULO 12

La presente Convención no afecta los compromisos contraídos anteriormente por las Altas Partes Contratantes en virtud de acuerdos internacionales.

ARTÍCULO 13

La presente Convención será ratificada por las Altas Partes Contratantes, de acuerdo con sus procedimientos constitucionales. El Ministerio de Relaciones Exteriores de la República Oriental del Uruguay queda encargado de enviar copias certificadas auténticas a los Gobiernos para el referido fin. Los instrumentos de ratificación serán depositados en los archivos de la Unión Panamericana, en Wáshington, que notificará dicho depósito a los Gobiernos signatarios; tal notificación valdrá como canje de ratificaciones.

ARTÍCULO 14

La presente Convención entrará en vigor entre las Altas Partes Contratantes en el orden en que vayan depositando sus respectivas ratificaciones.

ARTÍCULO 15

La presente Convención regirá indefinidamente, pero podrá ser denunciada mediante aviso anticipado de un año a la Unión Panamericana, que la transmitirá a los demás Gobiernos signatarios. Transcurrido este plazo, la convención cesará en sus efectos para el denunciante, quedando subsistente para las demás Altas Partes Contratantes.

ARTÍCULO 16

La presente Convención quedará abierta a la adhesión y accesión de los Estados no signatarios. Los instrumentos correspondientes serán depositados en los Archivos de la Unión Panamericana que los comunicará a las otras Altas Partes Contratantes.

En fé de lo cual, los Plenipotenciarios que a continuación se indican, firman y sellan la presente Convención en español, inglés, portugués y francés, en la ciudad de Montevideo, República Oriental del Uruguay, este vigésimosexto día del mes de diciembre del año de mil novecientos treinta y tres.

RESERVAS

La Delegación de los Estados Unidos de América, al firmar la Convención sobre Derechos y Deberes de los Estados, lo hace con la reserva expresa presentada ante la Sesión Plenaria de la Conferencia, el 22 de diciembre de 1933, reserva que reza como sigue:

La Delegación de los Estados Unidos, al pronunciarse afirmativamente en la votación final sobre esta recomendación y proposición de la Comisión, hace las mismas reservas a los once artículos del proyecto o propuesta que la Delegación Estadounidense hizo a los primeros diez artículos durante la votación final de la comisión en pleno, reserva que tiene el tenor siguiente:

"La política y actitud del gobierno de los Estados Unidos en todas y cada una de las faces importantes de las relaciones internacionales en este hemisferio difícilmente podrían hacerse más claras y definidas de lo que ya lo han sido, tanto de palabra como de hecho, especalmente desde el 4 de Marzo. Por lo tanto no es mi ánimo hacer una repetición o reseña de tales actos y manifestaciones, y no la haré. Cualquier observador debe a estas horas comprender perfectamente que bajo el régimen del Presidente Roosevelt el gobierno de los Estados Unidos se opone, tanto como cualquier otro gobierno, a toda ingerencia en la libertad, la soberanía u en otros asuntos internos o procedimientos de los gobienos de otras naciones.

Además de sus muchos actos y declaraciones relacionadas con la aplicación de estas doctrinas y políticas, el Presidente Roosevelt, durante las últimas semanas, manifestó públicamente su voluntad de entrar en negociaciones con el Gobierno Cubano a fin de considerar el tratado que ha estado en vigor desde 1903. Creo, pues, estar en lo cierto al decir que con nuestro apoyo al principio general de la no intervención, conforme ha sido propuesto, ningún gobierno necesita abrigar temores de una intervención de los Estados Unidos durante el Gobierno del Presidente Roosevelt. Estimo infortunado el que, durante la breve duración de esta Conferencia, al parecer no se dispone de tiempo suficiente para elaborar interpretaciones y definiciones de aquellos términos fundamentales consignados en la ponencia. Tales definiciones e interpretaciones permitirían que cada gobierno procediera de manera uniforme, sin ninguna diferencia de opiniones o de interpretaciones. Espero que, a la mayor brevedad posible, se realizará tan importantísimo trabajo. Entretanto, y en el caso de que haya diferencias de interpretación y, asimismo, mientras es posible elaborar y codificar las doctrinas y principios propuestos, para uso común de todos los gobiernos, deseo manifestar que en todos sus contactos, relaciones y conducta internacionales, el Gobierno de los Estados Unidos seguirá escrupulosamente las doctrinas y políticas que ha perseguido desde el 4 de marzo, consignados en los diversos discursos pronunciados por el presidente Roosevelt desde entonces, en el reciente discurso pacifista que pronuncié el 15 de diciembre ante esta Conferencia y en el Derecho de Gentes, tal como se le reconoce y acepta generalmente".

Los señores Delegados del Brasil y del Perú hicieron constar el siguiente voto particular respecto al artículo 11 de la presente convención: "Que aceptan la doctrina en principio; pero no la estiman codificable porque hay países que aún no han firmado el pacto antibélico de Río de Janeiro, del cual ella forma parte, y por tanto no constituye todavía derecho internacional positivo apto para la codificación."

Honduras: M. Paz Baraona.—Augusto C. Coello.—Luis Bográn.

Estados Unidos de America: ALEXANDER W. WEDDELL.—J. BUTLER WRIGHT.

El Salvador: HÉCTOR DAVID CASTRO.—ARTURO R. AVILA.

Republica Dominicana: TULIO M. CESTERO.

Haiti: J. BARAU.—F. SALGADO.—EDMOND MANGONÉS.—A. PRRE. PAUL.

Argentina: CARLOS SAAVEDRA LAMAS.—JUAN F. CAFFERATA.—RAMÓN S. CASTILLO.—I. RUIZ MORENO.—L. A. PODESTÁ COSTA.—D. ANTOKOLETZ.

Venezuela: LUIS CHURIÓN.—J. R. MONTILLA.

Uruguay: A. MAÑÉ.—JOSÉ PEDRO VARELA.—MATEO MARQUES CASTRO.—DARDO REGULES.—SOFÍA ALVAREZ VIGNOLI DE DEMICHELI.—TEÓFILO PIÑEYRO CHAIN.—LUIS A. DE HERRERA.—MARTÍN R. ECHEGOYEN.—JOSÉ G. ANTUÑA.—J. C. BLANCO.—PEDRO MANINI RÍOS.—RODOLFO MEZZERA.—OCTAVIO MORATÓ.—LUIS MORQUIO.—JOSÉ SERRATO.

Paraguay: JUSTO PASTOR BENÍTEZ.—MARÍA F. GONZÁLEZ.

Mexico: B. VADILLO.—M. J. SIERRA.—EDUARDO SUÁREZ.

Panama: J. D. AROSEMENA.—MAGIN PONS.—EDUARDO E. HOLGUIN.

Guatemala: M. ARROYO.

Brasil: LUCILLO A. DA CUNHA BUENO.—GILBERTO AMADO.

Ecuador: A. AGUIRRE APARICIO.—H. ALBORNOZ.—ANTONIO PARRA V.—C. PUIG V.—ARTURO SCARONE.

Nicaragua: LEONARDO ARGÜELLO.—M. CORDERO REYES.—CARLOS CUADRA PASOS.

Colombia: ALFONSO LÓPEZ.—RAIMUNDO RIVAS.

Chile: MIGUEL CRUCHAGA.—J. RAMÓN GUTIÉRREZ.—F. FIGUEROA.—F. NIETO DEL RÍO.—B. COHEN.

Peru: (con la reserva establecida) ALFREDO SOLF Y MURO.

Cuba: ALBERTO GIRAUDY.—HERMINIO PORTELL VILÁ.—Ing. A. E. NOGUEIRA.

Ratification.

AND WHEREAS the said convention, as signed, was duly ratified by the United States of America, and the instrument of ratification of the United States of America embracing the aforesaid reservation made by its delegation at the conference, as follows:

Reservation by United States.

"The delegation of the United States, in voting 'yes' on the final vote on this committee recommendation and proposal, makes the same reservation to the eleven articles of the project or proposal that the United States delegation made to the first ten articles during the final vote in the full Commission, which reservation is in words as follows:

"The policy and attitude of the United States Government toward every important phase of international relationships in this hemisphere could scarcely be made more clear and definite than they have been made by both word and action especially since March 4. I have no disposition therefore to indulge in any repetition or rehearsal

of these acts and utterances and shall not do so. Every observing person must by this time thoroughly understand that under the Roosevelt administration the United States Government is as much opposed as any other government to interference with the freedom, the sovereignty, or other internal affairs or processes of the governments of other nations.

"In addition to numerous acts and utterances in connection with the carrying out of these doctrines and policies, President Roosevelt, during recent weeks, gave out a public statement expressing his disposition to open negotiations with the Cuban Government for the purpose of dealing with the treaty which has existed since 1903. I feel safe in undertaking to say that under our support of the general principle of nonintervention as has been suggested, no government need fear any intervention on the part of the United States under the Roosevelt administration. I think it unfortunate that during the brief period of this conference there is apparently not time within which to prepare interpretations and definitions of these fundamental terms that are embraced in the report. Such definitions and interpretations would enable every government to proceed in a uniform way without any difference of opinion or of interpretations. I hope that at the earliest possible date such very important work will be done. In the meantime in case of differences of interpretations and also until they (the proposed doctrines and principles) can be worked out and codified for the common use of every government, I desire to say that the United States Government in all of its international associations and relationships and conduct will follow scrupulously the doctrines and policies which it has pursued since March 4, which are embodied in the different addresses of President Roosevelt since that time and in the recent peace address of myself on the 15th day of December before this conference and in the law of nations as generally recognized and accepted.",

was deposited with the Pan American Union on July 13, 1934,

Ratification by Dominican Republic.

AND WHEREAS, the said convention has been duly ratified also by the Dominican Republic, whose ratification thereof was deposited with the Pan American Union on December 26, 1934, on which day the convention, pursuant to a provision in Article 14 thereof, entered into force between the United States of America and the Dominican Republic;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said convention to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof subject to the reservation aforesaid.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this eighteenth day of January, in the year of our Lord one thousand nine hundred and thirty-five and of the Independence of the United States of America the one hundred and fifty-ninth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

Extradition convention between the United States of America and other American Republics. Signed at Montevideo, December 26, 1933; ratification advised by the Senate, with an understanding, June 15, 1934; ratified by the President, with the said understanding, June 29, 1934; ratification of the United States of America deposited with the Pan American Union, July 13, 1934; proclaimed, January 25, 1935.

December 26, 1933.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a convention on extradition between the United States of America and other countries represented at the Seventh International Conference of American States, was signed by their respective plenipotentiaries at Montevideo, Uruguay, on December 26, 1933, with reservations on the parts of the United States of America, El Salvador, Mexico and Ecuador, the English and Spanish texts of which convention are word for word as follows:

Pan American extradition convention.

Governments represented.

CONVENTION ON EXTRADITION

The Governments represented in the Seventh International Conference of American States:

Wishing to conclude a Convention on Extradition, have appointed the following Plenipotentiaries:

Plenipotentiaries.

Honduras:
MIGUEL PAZ BARAONA
AUGUSTO C. COELLO
LUIS BOGRÁN.

United States of America:
CORDELL HULL
ALEXANDER W. WEDDELL
J. REUBEN CLARK
J. BUTLER WRIGHT
SPRUILLE BRADEN
Miss SOPHONISBA P. BRECKINRIDGE.

El Salvador:
HÉCTOR DAVID CASTRO
ARTURO RAMÓN AVILA
J. CIPRIANO CASTRO.

Dominican Republic:
TULIO M. CESTERO.

Haiti:
JUSTIN BARAU
FRANCIS SALGADO
ANTOINE PIERRE-PAUL
EDMOND MANGONÉS.

Plenipotentiaries—Continued.

Argentina:

CARLOS SAAVEDRA LAMAS
JUAN F. CAFFERATA
RAMÓN S. CASTILLO
CARLOS BREBBIA
ISIDORO RUIZ MORENO
LUIS A. PODESTÁ COSTA
RAÚL PREBISCH
DANIEL ANTOKOLETZ

Venezuela:

CÉSAR ZUMETA
LUIS CHURION
JOSÉ RAFAEL MONTILLA

Uruguay:

ALBERTO MAÑÉ
JUAN JOSÉ AMÉZAGA
JOSÉ G. ANTUÑA
JUAN CARLOS BLANCO
Señora SOFÍA A. V. DE DEMICHELI
MARTÍN R. ECHEGOYEN
LUIS ALBERTO DE HERRERA
PEDRO MANINI RÍOS
MATEO MARQUES CASTRO
RODOLFO MEZZERA
OCTAVIO MORATÓ
LUIS MORQUIO
TEÓFILO PIÑEYRO CHAIN
DARDO REGULES
JOSÉ SERRATO
JOSÉ PEDRO VARELA

Paraguay:

JUSTO PASTOR BENÍTEZ
GERÓNIMO RIART
HORACIO A. FERNÁNDEZ
Señorita MARÍA F. GONZÁLEZ

Mexico:

JOSÉ MANUEL PUIG CASAURANC
ALFONSO REYES
BASILIO VADILLO
GENARO V. VASQUEZ
ROMEO ORTEGA
MANUEL J. SIERRA
EDUARDO SUÁREZ

Panama:

J. D. AROSEMENA
EDUARDO E. HOLGUÍN
OSCAR R. MULLER
MAGÍN PONS

Bolivia:

CASTO ROJAS
DAVID ALVÉSTEGUI
ARTURO PINTO ESCALIER

Plenipotentiaries—Continued.

Guatemala:
ALFREDO SKINNER KLEE
JOSÉ GONZÁLEZ CAMPO
CARLOS SALAZAR
MANUEL ARROYO

Brazil:
AFRANIO DE MELLO FRANCO
LUCILLO A DA CUNHA BUENO
FRANCISCO LUIS DA SILVA CAMPOS
GILBERTO AMADO
CARLOS CHAGAS
SAMUEL RIBEIRO

Ecuador:
AUGUSTO AGUIRRE APARICIO
HUMBERTO ALBORNOZ
ANTONIO PARRA
CARLOS PUIG VILASSAR
ARTURO SCARONE

Nicaragua:
LEONARDO ARGÜELLO
MANUEL CORDERO REYES

Colombia:
ALFONSO LÓPEZ
RAIMUNDO RIVAS
JOSÉ CAMACHO CARREÑO.

Chile:
MIGUEL CRUCHAGA TOCORNAL
OCTAVIO SEÑORET SILVA
GUSTAVO RIVERA
JOSÉ RAMÓN GUTIÉRREZ
FÉLIX NIETO DEL RÍO
FRANCISCO FIGUEROA SÁNCHEZ
BENJAMÍN COHEN.

Peru:
ALFREDO SOLF Y MURO
FELIPE BARREDA LAOS
LUIS FERNÁN CISNEROS.

Cuba:
ANGEL ALBERTO GIRAUDY
HERMINIO PORTELL VILÁ
ALFREDO NOGUEIRA.

Who, after having exhibited their Full Powers, which were found in good and due form, have agreed upon the following:

ARTICLE 1

Reciprocal surrender of accused persons under certain circumstances.

Each one of the signatory States in harmony with the stipulations of the present Convention assumes the obligation of surrendering to any one of the States which may make the requisition, the persons

who may be in their territory and who are accused or under sentence. This right shall be claimed only under the following circumstances:

Jurisdiction of demanding State.

a) That the demanding State have the jurisdiction to try and to punish the delinquency which is attributed to the individual whom it desires to extradite.

That the act constitutes a crime, etc.

b) That the act for which extradition is sought constitutes a crime and is punishable under the laws of the demanding and surrendering States with a minimum penalty of imprisonment for one year.

ARTICLE 2

Discretionary delivery of country's citizens.

When the person whose extradition is sought is a citizen of the country to which the requisition is addressed, his delivery may or may not be made, as the legislation or circumstances of the case may, in the judgment of the surrendering State, determine. If the accused is not surrendered, the latter State is obliged to bring action against him for the crime with which he is accused, if such crime meets the conditions established in sub-article (*b*) of the previous article. The sentence pronounced shall be communicated to the demanding State.[1]

ARTICLE 3

Subjects not extraditable.

Extradition will not be granted:

a) When, previous to the arrest of the accused person, the penal action or sentence has expired according to the laws of the demanding or the surrendering State.

b) When the accused has served his sentence in the country where the crime was committed or when he may have been pardoned or granted an amnesty.

c) When the accused has been or is being tried by the State to which the requisition was directed for the act with which he is charged and on which the petition of extradition is based.

d) When the accused must appear before any extraordinary tribunal or court of the demanding State (tribunal o juzgado de excepción del Estado requiriente). Military courts will not be considered as such tribunals.[2]

e) When the offense is of a political nature or of a character related thereto. An attempt against the life or person of the Chief of State or members of his family, shall not be deemed to be a political offense.

f) When the offense is purely military or directed against religion.

ARTICLE 4

Determination of applicability.

The determination of whether or not the exceptions referred to in the previous article are applicable shall belong exclusively to the State to which the request for extradition is addressed.

ARTICLE 5

Requisitions.

A request for extradition should be formulated by the respective diplomatic representative. When no such representative is available, consular agents may serve, or the governments may communicate directly with one another. The following documents in the language of the country to which the request for extradition is directed, shall accompany every such request:

Information to accompany.

[1] Art. 2 was not accepted by the United States of America.
[2] Par. *d* of art. 3 was not accepted by the United States of America.

a) An authentic copy of the sentence, when the accused has been tried and condemned by the courts of the demanding State.

b) When the person is only under accusation, an authentic copy of the order of detention issued by the competent judge, with a precise description of the imputed offense, a copy of the penal laws applicable thereto, and a copy of the laws referring to the prescription of the action or the penalty.

c) In the case of an individual under accusation as also of an individual already condemned, there shall be furnished all possible information of a personal character which may help to identify the individual whose extradition is sought.

ARTICLE 6

Prior, etc., offenses.

When a person whose extradition is sought shall be under trial or shall be already condemned in the State from which it is sought to extradite him, for an offense committed prior to the request for extradition, said extradition shall be granted at once, but the surrender of the accused to the demanding State shall be deferred until his trial ends or his sentence is served.

ARTICLE 7

Persons claimed by other Powers.

When the extradition of a person is sought by several States for the same offense, preference will be given to the State in whose territory said offense was committed. If he is sought for several offenses, preference will be given to the State within whose bounds shall have been committed the offense which has the greatest penalty according to the law of the surrendering State.

If the case is one of different acts which the State from which extradition is sought esteems of equal gravity, the preference will be determined by the priority of the request.

ARTICLE 8

Jurisdiction of surrendering State.

The request for extradition shall be determined in accordance with the domestic legislation of the surrendering State and the individual whose extradition is sought shall have the right to use all the remedies and resources authorized by such legislation, either before the judiciary or the administrative authorities as may be provided for by the aforesaid legislation.

ARTICLE 9

Apprehending fugitive.

Once a request for extradition in the form indicated in Article 5 has been received, the State from which the extradition is sought will exhaust all necessary measures for the capture of the person whose extradition is requested.

ARTICLE 10

Provisional detention.

The requesting State may ask, by any means of communication, the provisional or preventive detention of a person, if there is, at least, an order by some court for his detention and if the State at the same time offers to request extradition in due course. The State from which the extradition is sought will order the immediate arrest of the accused. If within a maximum period of two months after the requesting State has been notified of the arrest of the person, said State has not formally applied for extradition, the detained person will be set at liberty and his extradition may not again be requested except in the way established by Article 5.

Liability to rest with demanding State.

The demanding State is exclusively liable for any damages which might arise from the provisional or preventive detention of a person.

ARTICLE 11

Time limitation for holding fugitive.

Extradition having been granted and the person requested put at the disposition of the diplomatic agent of the demanding State, then, if, within two months from the time when said agent is notified of same, the person has not been sent to his destination, he will be set at liberty, and he cannot again be detained for the same cause.

The period of two months will be reduced to forty days when the countries concerned are conterminous.

ARTICLE 12

If extradition refused, no further application permitted.

Once extradition of a person has been refused, application may not again be made for the same alleged act.[3]

ARTICLE 13

Guards.

The State requesting the extradition may designate one or more guards for the purpose of taking charge of the person extradited, but said guards will be subject to the orders of the police or other authorities of the State granting the extradition or of the States in transit.

ARTICLE 14

Place of surrender.

The surrender of the person extradited to the requesting State will be done at the most appropriate point on the frontier or in the most accessible port, if the transfer is to be made by water.

ARTICLE 15

Articles seized with fugitive.

The objects found in the possession of the person extradited, obtained by the perpetration of the illegal act for which extradition is requested, or which might be useful as evidence of same, will be confiscated and handed over to the demanding country, notwithstanding it might not be possible to surrender the accused because of some unusual situation such as his escape or death.[4]

ARTICLE 16

Costs of arrest, etc.

The costs of arrest, custody, maintenance, and transportation of the person, as well as of the objects referred to in the preceding article, will be borne by the State granting the extradition up to the moment of surrender and from thereon they will be borne by the demanding State.[5]

ARTICLE 17

Undertaking, if extradition granted.

Once the extradition is granted, the demanding State undertakes:

a) Not to try nor to punish the person for a common offense which was committed previous to the request for extradition and which has not been included in said request, except only if the interested party expressly consents.

b) Not to try nor to punish the person for a political offense, or for an offense connected with a political offense, committed previous to the request for extradition.

c) To apply to the accused the punishment of next lesser degree than death if according to the legislation of the country of refuge the death penalty would not be applicable.

d) To furnish to the State granting the extradition an authentic copy of the sentence pronounced.

[3] Art. 12 was not accepted by the United States of America.
[4] Art. 15 was not accepted by the United States of America.
[5] Art. 16 was not accepted by the United States of America.

ARTICLE 18

Transit via third country.

The signatory States undertake to permit the transit through their respective territories of any person whose extradition has been granted by another State in favor of a third, requiring only the original or an authentic copy of the agreement by which the country of refuge granted the extradition.[6]

ARTICLE 19

Prior offenses, extradition of.

No request for extradition may be based upon the stipulations of this Convention if the offense in question has been committed before the ratification of the Convention is deposited.

ARTICLE 20

Ratification.

The present Convention will be ratified by means of the legal forms in common use in each of the signatory States, and will come into force, for each of them, thirty days after the deposit of the respective ratification.

The Minister of Foreign Affairs of the Republic of Uruguay shall transmit authentic certified copies to the governments for the aforementioned purpose of ratification. The instrument of ratification shall be deposited in the archives of the Pan-American Union in Washington, which shall notify the signatory governments of said deposit. Such notification shall be considered as an exchange of ratifications.

ARTICLE 21

Existing treaties not abrogated hereby.

The present Convention does not abrogate or modify the bilateral or collective treaties, which at the present date are in force between the signatory States. Nevertheless, if any of said treaties lapse, the present Convention will take effect and become applicable immediately among the respective States, if each of them has fulfilled the stipulations of the preceding article.

ARTICLE 22

Duration.

The present Convention shall remain in force indefinitely but may be denounced by means of one year's notice given to the Pan-American Union, which shall transmit it to the other signatory governments. After the expiration of this period the Convention shall cease in its effects as regards the party which denounces but shall remain in effect for the remaining High Contracting Parties.

Denunciation.

ARTICLE 23

Adherence.

The present Convention shall be open for the adherence and accession of the States which are not signatories. The corresponding instruments shall be deposited in the archives of the Pan-American Union, which shall communicate them to the other High Contracting Parties.

Signatures.

In witness whereof, the following Plenitotentiaries have signed this convention in Spanish, English, Portuguese and French and hereunto affix their respective seals in the city of Montevideo, Republic of Uruguay, this 26th day of December, 1933.

RESERVATIONS

Reservations. United States.

The Delegation of the United States of America, in signing the present Extradition Convention, reserves the following articles:

Ante, pp. 3114, 3116.

Article 2. (second sentence, English text);
Article 3, paragraph *d*;
Articles 12, 15, 16 and 18.

[6] Art. 18 was not accepted by the United States of America.

El Salvador.
Ante, p. 3117.

Reservation to the effect that El Salvador, although it accepts in general principle Article XVIII of the Inter-American Treaty of Extradition, concretely stipulates the exception that it cannot cooperate in the surrender of its own nationals, prohibited by its Political Constitution, by permitting the transit through its territory of said nationals when one foreign State surrenders them to another.

Mexico.
Ante, p. 3114.

Mexico signs the Convention on Extradition with the declaration with respect to Article 3, paragraph *f*, that the internal legislation of Mexico does not recognize offenses against religion. It will not sign the optional clause of this Convention.

Ecuador.

The Delegation from Ecuador, in dealing with the Nations with which Ecuador has signed Conventions on Extraditions, accepts the stipulations herein established in all respects which are not contrary to said Conventions.

Honduras: M. PAZ BARAONA.—AUGUSTO C. COELLO.—LUIS BOGRÁN.

United States of America: ALEXANDER W. WEDDELL.—J. BUTLER WRIGHT.

El Salvador: HÉCTOR DAVID CASTRO.—ARTURO R. AVILA.

Dominican Republic: TULIO M. CESTERO.

Haiti: J. BARAU.—F. SALGADO.—EDMOND MANGONÉS.—A. PRRE. PAUL.

Argentina: CARLOS SAAVEDRA LAMAS.—JUAN F. CAFFERATA.—RAMÓN S. CASTILLO.—I. RUIZ MORENO.—L. A. PODESTÁ COSTA.—D. ANTOKOLETZ.

Uruguay: A. MAÑÉ.—JOSÉ PEDRO VARELA.—MATEO MARQUES CASTRO.—DARDO REGULES.—SOFÍA ALVAREZ VIGNOLI DE DEMICHELI.—TEÓFILO PIÑEYRO CHAIN.—LUIS A. DE HERRERA.—MARTÍN R. ECHEGOYEN.—JOSÉ G. ANTUÑA.—J. C. BLANCO.—PEDRO MANINI RÍOS.—RODOLFO MEZZERA.—OCTAVIO MORATÓ.—LUIS MORQUIO.—JOSÉ SERRATO.

Paraguay: JUSTO PASTOR BENÍTEZ.—MARÍA F. GONZÁLEZ.

Mexico: B. VADILLO.—M. J. SIERRA.—EDUARDO SUÁREZ.

Panama: J. D. AROSEMENA.—MAGIN PONS.—EDUARDO E. HOLGUIN.

Guatemala: A. SKINNER KLEE.—J. GONZÁLEZ CAMPO.—CARLOS SALAZAR.—M. ARROYO.

Brazil: LUCILLO A. DA CUNHA BUENO.—GILBERTO AMADO.

Ecuador: A. AGUIRRE APARICIO.—H. ALBORNOZ.—ANTONIO PARRA V.—C. PUIG V.—ARTURO SCARONE.

Nicaragua: LEONARDO ARGÜELLO.—M. CORDERO REYES.—CARLOS CUADRA PASOS.

Colombia: ALFONSO LÓPEZ.—RAIMUNDO RIVAS.

Chile: MIGUEL CRUCHAGA.—J. RAMÓN GUTIÉRREZ.—F. FIGUEROA.—F. NIETO DEL RÍO.—B. COHEN.

Peru: ALFREDO SOLF Y MURO.

Cuba: ALBERTO GIRAUDY.—HERMINIO PORTELL VILÁ.—Ing. A. E. NOGUEIRA.

OPTIONAL CLAUSE

Optional clause.

Nationality not to impede extradition.

The States signing this clause, notwithstanding Article 2 of the preceding Convention on Extradition, agree among themselves that in no case will the nationality of the criminal be permitted to impede his extradition.

The present clause is open to those States signing said Treaty of Extradition, which desire to be ruled by it in the future, for which purpose it will be sufficient to communicate their adherence to the Pan American Union.

Argentina: L. A. PODESTÁ COSTA.—D. ANTOKOLETZ.

Uruguay: A. MAÑÉ.—JOSÉ PEDRO VARELA.—MATEO MARQUES CASTRO.—DARDO REGULES.—SOFÍA ALVAREZ VIGNOLI DE DEMICHELI.—TEÓFILO PIÑEYRO CHAIN.—LUIS A. DE HERRERA.—MARTÍN R. ECHEGOYEN.—JOSÉ G. ANTUÑA.—J. C. BLANCO.—PEDRO MANINI RÍOS.—RODOLFO MEZZERA.—OCTAVIO MORATÓ.—LUIS MORQUIO.—JOSÉ SERRATO.

CONVENCIÓN SOBRE EXTRADICIÓN

Los Gobiernos representados en la Séptima Conferencia Internacional Americana,

Deseosos de concertar un convenio acerca de Extradición, han nombrado los siguientes Plenipotenciarios:

Honduras:
MIGUEL PAZ BARAONA
AUGUSTO C. COELLO
LUIS BOGRÁN

Estados Unidos de América:
CORDELL HULL
ALEXANDER W. WEDDELL
J. REUBEN CLARK
J. BUTLER WRIGHT
SPRUILLE BRADEN
Miss SOPHONISBA P. BRECKINRIDGE.

El Salvador:
HÉCTOR DAVID CASTRO
ARTURO RAMÓN AVILA
J. CIPRIANO CASTRO.

República Dominicana:
TULIO M. CESTERO.

Haití:
JUSTIN BARAU
FRANCIS SALGADO
ANTOINE PIERRE-PAUL
EDMOND MANGONÉS.

Argentina:
CARLOS SAAVEDRA LAMAS
JUAN F. CAFFERATA
RAMÓN S. CASTILLO
CARLOS BREBBIA
ISIDORO RUIZ MORENO
LUIS A. PODESTÁ COSTA
RAÚL PREBISCH
DANIEL ANTOKOLETZ.

Venezuela:
CÉSAR ZUMETA
LUIS CHURION
JOSÉ RAFAEL MONTILLA.

Uruguay:
ALBERTO MAÑÉ
JUAN JOSÉ AMÉZAGA
JOSÉ G. ANTUÑA
JUAN CARLOS BLANCO
Señora SOFÍA A. V. DE DEMICHELI
MARTÍN R. ECHEGOYEN
LUIS ALBERTO DE HERRERA
PEDRO MANINI RÍOS
MATEO MARQUES CASTRO
RODOLFO MEZZERA
OCTAVIO MORATÓ
LUIS MORQUIO
TEÓFILO PIÑEYRO CHAIN
DARDO REGULES
JOSÉ SERRATO
JOSÉ PEDRO VARELA.

Paraguay:
JUSTO PASTOR BENÍTEZ
GERÓNIMO RIART
HORACIO A. FERNÁNDEZ
Señorita MARÍA F. GONZÁLEZ

México:
JOSÉ MANUEL PUIG CASAURANC
ALFONSO REYES
BASILIO VADILLO
GENARO V. VÁSQUEZ
ROMEO ORTEGA
MANUEL J. SIERRA
EDUARDO SUÁREZ

Panamá:
J. D. AROSEMENA
EDUARDO E. HOLGUÍN
OSCAR R. MULLER
MAGÍN PONS

Bolivia:
CASTO ROJAS
DAVID ALVÉSTEGUI
ARTURO PINTO ESCALIER

Guatemala:
ALFREDO SKINNER KLEE
JOSÉ GONZÁLEZ CAMPO
CARLOS SALAZAR
MANUEL ARROYO

Brasil:
AFRANIO DE MELLO FRANCO
LUCILLO A. DA CUNHA BUENO
FRANCISCO LUIS DA SILVA CAMPOS
GILBERTO AMADO
CARLO CHAGAS
SAMUEL RIBEIRO.

Ecuador:
AUGUSTO AGUIRRE APARICIO
HUMBERTO ALBORNOZ
ANTONIO PARRA
CARLOS PUIG VILASSAR
ARTURO SCARONE.

Nicaragua:
LEONARDO ARGÜELLO
MANUEL CORDERO REYES
CARLOS CUADRA PASOS.

Colombia:
ALFONSO LÓPEZ
RAIMUNDO RIVAS
JOSÉ CAMACHO CARREÑO.

Chile:
MIGUEL CRUCHAGA TOCORNAL
OCTAVIO SEÑORET SILVA
GUSTAVO RIVERA
JOSÉ RAMÓN GUTIÉRREZ
FÉLIX NIETO DEL RÍO
FRANCISCO FIGUEROA SÁNCHEZ
BENJAMÍN COHEN.

Perú:
ALFREDO SOLF Y MURO
FELIPE BARREDA LAOS
LUIS FERNÁN CISNEROS.

Cuba:
ANGEL ALBERTO GIRAUDY
HERMINIO PORTELL VILÁ
ALFREDO NOGUEIRA.

Quienes, después de haber exhibido sus Plenos Poderes, que fueron hallados en buena y debida forma, han convenido en lo siguiente:

ARTÍCULO 1

Cada uno de los Estados signatarios se obliga a entregar, de acuerdo con las estipulaciones de la presente Convención, a cualquiera de los otros Estados que los requiera, a los individuos que se hallen en su territorio y estén acusados o hayan sido sentenciados, siempre que concurran las circunstancias siguientes:

a) Que el Estado requiriente tenga jurisdicción para juzgar el hecho delictuoso que se imputa al individuo reclamado.

b) Que el hecho por el cual se reclama la extradición tenga el carácter de delito y sea punible por las leyes del Estado requiriente y por las del Estado requerido con la pena mínima de un año de privación de la libertad.

ARTÍCULO 2

Cuando el individuo fuese nacional del Estado requerido, por lo que respecta a su entrega ésta podrá o no ser acordada según lo que determine la legislación o las circunstancias del caso a juicio del Estado requerido. Si no entregare al individuo, el Estado requerido queda obligado a juzgarlo por el hecho que se le imputa, si en él concurren las condiciones establecidas por el inciso *b*) del artículo anterior, y a comunicar al Estado requiriente la sentencia que recaiga.[7]

[7] El art.º 2 no fué aceptado por los Estados Unidos de América.

ARTÍCULO 3

El Estado requerido no estará obligado a conceder la extradición:

a) Cuando estén prescriptas la acción penal o la pena, según las leyes del Estado requiriente y del requerido con anterioridad a la detención del individuo inculpado.

b) Cuando el individuo inculpado haya cumplido su condena en el país del delito o cuando haya sido amnistiado o indultado.

c) Cuando el individuo inculpado haya sido o esté siendo juzgado en el Estado requerido por el hecho que se le imputa y en el cual se funda el pedido de extradición.

d) Cuando el individuo inculpado hubiera de comparecer ante tribunal o juzgado de excepción del Estado requiriente, no considerándose así a los tribunales del fuero militar.[8]

e) Cuando se trate de delito político o de los que le son conexos. No se reputará delito político el atentado contra la persona del Jefe de Estado o de sus familiares.

f) Cuando se trate de delitos puramente militares o contra la religión.

ARTÍCULO 4

La apreciación del carácter de las excepciones a que se refiere el artículo anterior corresponde exclusivamente al Estado requerido.

ARTÍCULO 5

El pedido de extradición debe formularse por el respectivo representante diplomático, y a falta de éste por los agentes consulares o directamente de gobierno a gobierno, y debe acompañarse de los siguientes documentos, en el idioma del país requerido:

a) Cuando el individuo ha sido juzgado y condenado por los tribunales del Estado requiriente, una copia auténtica de la sentencia ejecutoriada.

b) Cuando el individuo es solamente un acusado, una copia auténtica de la orden de detención, emanada de juez competente; una relación precisa del hecho imputado, una copia de las leyes penales aplicables a ésta, así como de las leyes referentes a la prescripción de la acción o de la pena.

c) Ya se trate de condenado o de acusado, y siempre que fuera posible, se remitirá la filiación y demás datos personales que permitan identificar al individuo reclamado.

ARTÍCULO 6

Cuando el individuo reclamado se hallare procesado o condenado en el Estado requerido, por delito cometido con anterioridad al pedido de extradición, la extradición podrá ser desde luego concedida; pero la entrega al Estado requiriente deberá ser diferida hasta que se termine el proceso o se extinga la pena.

ARTÍCULO 7

Cuando la extradición de un individuo fuere pedida por diversos Estados con referencia al mismo delito, se dará preferencia al Estado en cuyo territorio éste se haya cometido.

Si se solicita por hechos diferentes, se dará preferencia al Estado en cuyo territorio se hubiere cometido el delito que tenga pena mayor, según la ley del Estado requerido.

[8] El inciso *d* del art.° 3 no fué aceptado por los Estados Unidos de América.

Si se tratare de hechos diferentes que el Estado requerido reputa de igual gravedad, la preferencia será determinada por la prioridad del pedido.

ARTÍCULO 8

El pedido de extradición será resuelto de acuerdo con la legislación interior del Estado requerido; y, ya corresponda, según ésta, al poder judicial o al poder administrativo. El individuo cuya extradición se solicite podrá usar todas las instancias y recursos que aquella legislación autorice.

ARTÍCULO 9

Recibido el pedido de extradición en la forma determinada por el artículo 5.°, el Estado requerido agotará todas las medidas necesarias para proceder a la captura del individuo reclamado.

ARTÍCULO 10

El Estado requiriente podrá solicitar, por cualquier medio de comunicación, la detención provisional o preventiva de un individuo siempre que exista a lo menos, una orden de detención dictada en su contra y ofrezca pedir oportunamente la extradición. El Estado requerido ordenará la inmediata detención del inculpado. Si dentro de un plazo máximo de dos meses, contados desde la fecha en que se notificó al Estado requiriente el arresto del individuo, no formalizara aquél su pedido de extradición, el detenido será puesto en libertad y no podrá solicitarse de nuevo su extradición sino en la forma establecida por el artículo 5.°.

Las responsabilidades que pudieran originarse de la detención provisional o preventiva corresponden exclusivamente al Estado requiriente.

ARTÍCULO 11

Concedida la extradición y puesta la persona reclamada a disposición del agente diplomático del Estado requiriente, si dentro de dos meses contados desde la comunicación en ese sentido no hubiera sido aquella enviada a su destino será puesta en libertad, no pudiendo ser de nuevo detenida por el mismo motivo.

El plazo de dos meses se reducirá a cuarenta días si se tratare de países limítrofes.

ARTÍCULO 12

Negada la extradición de un individuo no podrá solicitarse de nuevo por el mismo hecho imputado.[9]

ARTÍCULO 13

El Estado requiriente podrá nombrar agentes de seguridad para hacerse cargo del individuo extradido; pero la intervención de aquéllos estará subordinada a los agentes o autoridades con jurisdicción en el Estado requerido o en los de tránsito.

ARTÍCULO 14

La entrega del individuo extradido al Estado requiriente se efectuará en el punto más apropiado de la frontera o en el puerto más adecuado si su traslación hubiera de hacerse por la vía marítima o fluvial.

[9] El art.° 12 no fué aceptado por los Estados Unidos de América.

ARTÍCULO 15

Los objetos que se encontraren en poder del individuo requerido, obtenidos por la perpetración del delito que motiva el pedido de extradición, o que pudieran servir de prueba para el mismo, serán secuestrados y entregados al país requiriente aun cuando no pudiera verificarse la entrega del individuo por causas extrañas al procedimiento, como fuga o fallecimiento de dicha persona.[10]

ARTÍCULO 16

Los gastos de prisión, custodia, manutención y transporte de la persona, así como de los objetos a que se refiere el artículo anterior, serán por cuenta del Estado requerido, hasta el momento de su entrega, y desde entonces quedarán a cargo del Estado requiriente.[11]

ARTÍCULO 17

Concedida la extradición, el Estado requiriente se obliga:

a) A no procesar ni a castigar al individuo por un delito común cometido con anterioridad al pedido de extradición y que no haya sido incluído en él, a menos que el interesado manifieste expresamente su conformidad.

b) A no procesar ni a castigar al individuo por delito político, o por delito conexo con delito político, cometido con anterioridad al pedido de extradición.

c) A aplicar al individuo la pena inmediata inferior a la pena de muerte, si, según la legislación del país de refugio, no correspondiera aplicarle pena de muerte.

d) A proporcionar al Estado requerido una copia auténtica de la sentencia que se dicte.

ARTÍCULO 18

Los Estados signatarios se obligan a permitir el tránsito por su territorio de todo individuo cuya extradición haya sida acordada por otro Estado a favor de un tercero, sin más requisito que la presentación, en original o en copia auténtica del acuerdo por el cual el país de refugio concedió la extradición.[12]

ARTÍCULO 19

No podrá fundarse en las estipulaciones de esta Convención ningún pedido de extradición por delito cometido antes del depósito de su ratificación.

ARTÍCULO 20

La presente Convención será ratificada mediante las formalidades legales de uso en cada uno de los Estados signatarios, y entrará en vigor, para cada uno de ellos, treinta días después del depósito de la respectiva ratificación. El Ministerio de Relaciones Exteriores de la República Oriental del Uruguay queda encargado de enviar copias certificadas auténticas a los Gobiernos para el referido fin. Los instrumentos de ratificación serán depositados en los archivos de la Unión Panamericana, en Wáshington, que notificará dicho depósito a los Gobiernos signatarios; tal notificación valdrá como canje de ratificaciones.

[10] El art.° 15 no fué aceptado por los Estados Unidos de América.
[11] El art.° 16 no fué aceptado por los Estados Unidos de América.
[12] El art.° 18 no fué aceptado por los Estados Unidos de América.

ARTÍCULO 21

La presente Convención no abroga ni modifica los tratados bilaterales o colectivos que en la fecha del actual estén en vigor entre los Estados signatarios. No obstante, si alguno de aquéllos dejara de regir, entrará a aplicarse de inmediato la presente Convención entre los Estados respectivos, en cuanto cada uno de ellos hubiere cumplido con las estipulaciones del artículo anterior.

ARTÍCULO 22

La presente Convención regirá indefinidamente, pero podrá ser denunciada mediante aviso anticipado de un año a la Unión Panamericana, que la transmitirá a los demás Gobiernos signatarios. Transcurrido este plazo, la Convención cesará en sus efectos para el denunciante, quedando subsistente para las demás Altas Partes Contratantes.

ARTÍCULO 23

La presente Convención quedará abierta a la adhesión y accesión de los Estados no signatarios. Los instrumentos correspondientes serán depositados en los Archivos de la Unión Panamericana que los comunicará a las otras Altas Partes Contratantes.

En fe de lo cual, los Plenipotenciarios que a continuación se indican, firman y sellan la presente Convención en español, inglés, portugués y francés, en la ciudad de Montevideo, República Oriental del Uruguay, este vigésimosexto día del mes de diciembre del año de mil novecientos treinta y tres.

RESERVAS

La Delegación de los Estados Unidos de América, al firmar la presente Convención de Extradición, reserva los siguientes artículos:

Artículo 2 (Segunda frase del Texto Inglés);
Artículo 3, párrafo *d*;
Artículos 12, 15, 16 y 18.

Reserva de que El Salvador, aunque acepta en tesis general el Artículo XVIII del Tratado Interamericano de Extradición, establece concretamente la excepción de que no puede cooperar a la entrega de sus propios nacionales, prohibida por su Constitución Política, permitiendo el paso por su territorio de dichos nacionales cuando un Estado extranjero los entrega a otro.

México suscribe la Convención sobre Extradición con la declaración respecto del Artículo 3, fracción *f*, que la legislación interna de México no reconoce los delitos contra la religión. No suscribirá la cláusula opcional de esta Convención.

La Delegación del Ecuador, tratándose de las Naciones con las cuales su país tiene celebradas Convenciones sobre Extradición, acepta las estipulaciones aquí establecidas en todo aquello que no estuvieren en desacuerdo con aquellas Convenciones.

Honduras: M. PAZ BARAONA.—AUGUSTO C. COELLO.—LUIS BOGRÁN.

Estados Unidos de America: ALEXANDER W. WEDDELL.—J. BUTLER WRIGHT.

El Salvador: HÉCTOR DAVID CASTRO.—ARTURO R. AVILA.

Republica Dominicana: TULIO M. CESTERO.

Haiti: J. BARAU.—F. SALGADO.—EDMOND MANGONÉS.—A. PRRE. PAUL.

Argentina: CARLOS SAAVEDRA LAMAS.—JUAN F. CAFFERATA.—RAMÓN S. CASTILLO.—I. RUIZ MORENO.—L. A. PODESTÁ COSTA.—D. ANTOKOLETZ.

Uruguay: A. MAÑÉ.—JOSÉ PEDRO VARELA.—MATEO MARQUES CASTRO.—DARDO REGULES.—SOFÍA ALVAREZ VIGNOLI DE DEMICHELI.—TEÓFILO PIÑEYRO CHAIN.—LUIS A. DE HERRERA.—MARTÍN R. ECHEGOYEN.—JOSÉ G. ANTUÑA.—J. C. BLANCO.—PEDRO MANINI RÍOS.—RODOLFO MEZZERA.—OCTAVIO MORATÓ.—LUIS MORQUIO.—JOSÉ SERRATO.

Paraguay: JUSTO PASTOR BENÍTEZ.—MARÍA F. GONZÁLEZ.

Mexico: B. VADILLO.—M. J. SIERRA.—EDUARDO SUÁREZ.

Panama: J. D. AROSEMENA.—MAGIN PONS.—EDUARDO E. HOLGUIN.

Guatemala: A. SKINNER KLEE.—J. GONZÁLEZ CAMPO.—CARLOS SALAZAR.—M. ARROYO.

Brasil: LUCILLO A. DA CUNHA BUENO.—GILBERTO AMADO.

Ecuador: A. AGUIRRE APARICIO.—H. ALBORNOZ.—ANTONIO PARRA V.—C. PUIG V.—ARTURO SCARONE.

Nicaragua: LEONARDO ARGÜELLO.—M. CORDERO REYES.—CARLOS CUADRA PASOS.

Colombia: ALFONSO LÓPEZ.—RAIMUNDO RIVAS.

Chile: MIGUEL CRUCHAGA.—J. RAMÓN GUTIÉRREZ.—F. FIGUEROA.—F. NIETO DEL RÍO.—B. COHEN.

Peru: ALFREDO SOLF Y MURO.

Cuba: ALBERTO GIRAUDY.—HERMINIO PORTELL VILÁ.—Ing. A. E. NOGUEIRA.

CLAUSULA OPCIONAL

Los Estados signatarios de esta cláusula, no obstante lo establecido por el Art. 2.°, de la Convención sobre Extradición que antecede, convienen entre sí que en ningún caso la nacionalidad del reo pueda impedir la extradición.

La presente cláusula queda abierta a los Estados signatarios de la referida Convención sobre Extradición, que deseen adherirse a ella en lo futuro, para lo cual bastará comunicar ese propósito a la Unión Panamericana.

Argentina: L. A. PODESTÁ COSTA.—D. ANTOKOLETZ.

Uruguay: A. MAÑÉ.—JOSÉ PEDRO VARELA.—MATEO MARQUES CASTRO.—DARDO REGULES.—SOFÍA ALVAREZ VIGNOLI DE DEMICHELI.—TEÓFILO PIÑEYRO CHAIN.—LUIS A. DE HERRERA.—MARTÍN R. ECHEGOYEN.—JOSÉ G. ANTUÑA.—J. C. BLANCO.—PEDRO MANINI RÍOS.—RODOLFO MEZZERA.—OCTAVIO MORATÓ.—LUIS MORQUIO.—JOSÉ SERRATO.

AND WHEREAS the said convention was duly ratified by the United States of America, subject to the understanding that Article 2, paragraph *d* of Article 3, and Articles 12, 15, 16 and 18, are reserved from the convention as declared by the delegation of the United States of America at the said conference, and that such articles and paragraph shall not be binding upon the United States of America, unless and until subsequently ratified in accordance with the Constitution and laws of the United States of America; and the instrument of ratification of the United States of America, embracing the said understanding, was deposited at the Pan American Union on July 13, 1934;

Ratification. Reservations. *Ante*, pp. 3114, 3116, 3117.

AND WHEREAS the said convention has been duly ratified also by the Dominican Republic, and the instrument of ratification of the Dominican Republic was deposited with the Pan American Union on December 26, 1934;

Ratification by Dominican Republic.

AND WHEREAS, pursuant to Article 20 of the convention, the convention will come into force as between the United States of America and the Dominican Republic thirty days after December 26, 1934, the day of deposit of the instrument of ratification of the Dominican Republic, that is to say, on January 25, 1935;

Ante, p. 3117.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said convention to be made public to the end that the same, as ratified by the United States of America, may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

Proclamation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this twenty-fifth day of January, in the year of our Lord one thousand nine hundred and [SEAL] thirty-five and of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

June 18, 1932.

Convention between the United States of America and Mexico further extending the duration of the General Claims Commission provided for in the Convention of September 8, 1923. Signed at Mexico City, June 18, 1932; ratified by the President, January 14, 1935; ratified by Mexico, October 7, 1932; ratifications exchanged at Washington, February 1, 1935; proclaimed, February 1, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Claims convention with Mexico, further extending term of Commission.
Preamble.

WHEREAS a convention between the United States of America and the United Mexican States further extending the term assigned by Article VI of the convention signed September 8, 1923, between the two Governments, as extended by the two conventions concluded between them on August 16, 1927, and September 2, 1929, respectively, for the hearing, examination and decision of certain claims therein defined, was signed by their respective Plenipotentiaries at the city of Mexico on the eighteenth day of June, one thousand nine hundred and thirty-two, the original of which convention, being in the English and Spanish languages, is word for word as follows:

CONVENTION BETWEEN THE UNITED STATES AND MEXICO EXTENDING DURATION OF THE GENERAL CLAIMS COMMISSION PROVIDED FOR IN THE CONVENTION OF SEPTEMBER 8, 1923

Vol. 43, p. 1730.

WHEREAS a convention was signed on September 8, 1923, between the United States of America and the United Mexican States for the settlement and amicable adjustment of certain claims therein defined; and

Vol. 43, p. 1734.

WHEREAS under Article VI of said Convention the Commission constituted pursuant thereto was required to hear, examine and decide within three years from the date of its first meeting all the claims filed with it, except as

Vol. 43, p. 1734.

provided in Article VII; and

Vol. 45, p. 2453.

WHEREAS by a convention concluded between the two Governments on August 16, 1927, the time for hearing, examining and deciding the said claims was extended for a period of two years; and

CONVENCION ENTRE LOS ESTADOS UNIDOS Y MEXICO QUE PRORROGA EL PLAZO FIJADO PARA LA COMISION GENERAL DE RECLAMACIONES EN LA CONVENCION DEL 8 DE SEPTIEMBRE DE 1923

CONSIDERANDO que el 8 de septiembre de 1923 se firmó una Convención entre los Estados Unidos de América y los Estados Unidos Mexicanos, para el arreglo y ajuste amistoso de ciertas reclamaciones que en ella se definen; y

CONSIDERANDO que según el Artículo VI de dicha Convención, la Comisión que según aquélla se constituyó, está obligada a oir, examinar y decidir dentro de los tres años después de la fecha de su primera junta, todas las reclamaciones presentadas ante ella, excepto lo que previene el Artículo VII; y

CONSIDERANDO que el día 16 de agosto de 1927 se concluyó una Convención entre ambos Gobiernos extendiendo por un período de dos años el plazo para oir, examinar y decidir dichas reclamaciones; y

WHEREAS by a convention concluded between the two Governments on September 2, 1929, the time for hearing, examining and deciding the said claims was extended for a further period of two years; and

WHEREAS it has been found that the said Commission could not hear, examine, and decide such claims within the time limit thus fixed;

The President of the United States of America and the President of the United Mexican States are desirous that the time thus fixed for the duration of the said Commission should be further extended, and to this end have named as their respective plenipotentiaries, that is to say:

The President of the United States of America, J. Reuben Clark, Jr., Ambassador Extraordinary and Plenipotentiary of the United States of America to Mexico; and

The President of the United Mexican States, Manuel C. Téllez, Secretary of State for Foreign Affairs;

Who, after having communicated to each other their respective full powers found in good and due form, have agreed upon the following articles:

ARTICLE I.

The High Contracting Parties agree that the term assigned by Article VI of the Convention of September 8, 1923, as extended by Article I of the Convention concluded between the two Governments on September 2, 1929, for the hearing, examination, and decision of claims for loss or damage accruing prior to August 30, 1927, and filed with the Commission prior to said date, shall be, and the same is hereby extended from August 30, 1931, the date on which, pursuant to the provisions of the said Article I of the Convention of 1929, the functions of the said Commission terminated in respect to such claims, for a further period which shall expire in two full years from

CONSIDERANDO que por la Convención firmada entre los dos Gobiernos el 2 de septiembre de 1929 el plazo para oir, examinar y decidir dichas reclamaciones fue prorrogado por un período adicional de dos años; y

CONSIDERANDO que dicha Comisión no pudo oir, examinar y decidir tales reclamaciones dentro del plazo convenido;

Vol. 46, p. 2393.

El Presidente de los Estados Unidos de América y el Presidente de los Estados Unidos Mexicanos, deseando que se prorrogue nuevamente el plazo así fijado para la duración de dicha Comisión, han nombrado para ese objeto como sus Plenipotenciarios respectivos:

Contracting Powers.

El Presidente de los Estados Unidos de América, al Señor J. Reuben Clark, Jr., Embajador Extraordinario y Plenipotenciario de los Estados Unidos de América en México; y

El Presidente de los Estados Unidos Mexicanos, al Señor Manuel C. Téllez, Secretario de Relaciones Exteriores;

Quienes, después de haberse comunicado sus Plenos Poderes respectivos, hallándolos en buena y debida forma, han convenido en los siguientes artículos:

Plenipotentiaries.

ARTICULO I.

Las Altas Partes Contratantes convienen en que el plazo designado por el Artículo VI de la Convención del 8 de septiembre de 1923, según quedó extendido por el Artículo I de la Convención concluída entre los dos Gobiernos el 2 de septiembre de 1929 para la audiencia, examen y decisión de reclamaciones por pérdida o daños acaecidos antes del 30 de agosto de 1927 y presentadas a la Comisión antes de dicha fecha, se prorrogue, y por la presente nuevamente se prorroga, del 30 de agosto de 1931, día en que, según las disposiciones de dicho Artículo I de la Convención de 1929 antes mencionada, terminarían las funciones de tal Comisión por lo que toca a esas

Time further extended for consideration of claims.
Vol. 43, p. 1730; Vol. 45, p. 2453; Vol. 46, p. 2394.

the date of the exchange of ratifications of this Convention.

Limitation.

It is agreed that nothing contained in this Article shall in any wise alter or extend the time originally fixed in the said Convention of September 8, 1923, for the presentation of claims to the Commission, or confer upon the Commission any jurisdiction over any claim for loss or damage accruing subsequent to August 30, 1927.

ARTICLE II.

Exchange of ratifications.

The present Convention shall be ratified and the ratifications shall be exchanged at Washington as soon as possible.

Signatures.

In witness whereof the above-mentioned Plenipotentiaries have signed the same and affixed their respective seals.

Done in duplicate at the City of Mexico, in the English and Spanish languages, this eighteenth day of June in the year one thousand nine hundred and thirty-two.

J. REUBEN CLARK JR

[SEAL]

reclamaciones, por un período adicional que terminará en dos años contados desde la fecha del canje de ratificaciones de la presente Convención.

Se conviene, además, en que nada de lo contenido en este Artículo altera o prorroga, en modo alguno, el plazo fijado originariamente en dicha Convención del 8 de septiembre de 1923, para la presentación de reclamaciones a la Comisión, ni confiere a ésta jurisdicción alguna sobre reclamaciones por pérdida o daños ocurridos con posterioridad al 30 de agosto de 1927.

ARTICULO II.

Esta Convención se ratificará en cuanto sea posible, canjeándose las ratificaciones en la ciudad de Washington.

En testimonio de lo cual, los supradichos Plenipotenciarios la han firmado, fijando en ella sus sellos respectivos.

Hecha por duplicado, en inglés y en español, en la ciudad de México, el día diez y ocho de junio del año de mil novecientos treinta y dos.

MANUEL C. TÉLLEZ

[SEAL]

Ratifications exchanged.

AND WHEREAS the said convention has been duly ratified on both parts and the ratifications of the two Governments were exchanged in the city of Washington on the first day of February, one thousand nine hundred and thirty-five;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said convention to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this first day of February in the year of our Lord one thousand nine hundred and thirty-

[SEAL] five, and of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

Supplementary Extradition Treaty between the United States of America and Latvia. Signed at Washington, October 10, 1934; ratification advised by the Senate, February 6, 1935; ratified by the President of the United States, February 14, 1935; ratified by Latvia, February 15, 1935; ratifications exchanged at Riga, March 29, 1935; proclaimed, April 10, 1935.

October 10, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a Supplementary Extradition Treaty between the United States of America and the Republic of Latvia was concluded and signed by their respective Plenipotentiaries at Washington on the tenth day of October, one thousand nine hundred and thirty-four, the original of which Supplementary Treaty, being in the English language, is word for word as follows:

Supplementary extradition treaty with Latvia.
Preamble.

The United States of America and the Republic of Latvia, being desirous of enlarging the list of crimes on account of which extradition may be granted under the Treaty concluded between the two countries on October 16, 1923, with a view to the better administration of justice and the prevention of crime within their respective territories and jurisdictions, have resolved to conclude a supplementary treaty for this purpose and have appointed as their plenipotentiaries, to wit:

Contracting Powers.

Vol. 43, p. 1738.

Plenipotentiaries.

The President of the United States of America; Mr. Cordell Hull, Secretary of State of the United States of America; and

The President of the Republic of Latvia; Mr. Arturs Lule, Consul General of Latvia in New York,

Who, after having communicated to each other their respective full powers, which were found to be in due and proper form, have agreed to and concluded the following articles:

ARTICLE I

The following crimes are added to the list of crimes numbered 1 to 24 in Article II of the said Treaty of October 16, 1923, on account of which extradition may be granted, that is to say:

Addition to extraditable crimes.
Vol. 43, pp. 1738-1739.

25. Crimes against the bankruptcy laws.

Crimes against bankruptcy laws.

ARTICLE II

The present Treaty shall be considered as an integral part of the said Extradition Treaty of October 16, 1923, and Article II of the last mentioned Treaty shall be read as if the list of crimes therein contained had originally comprised the additional crime specified and numbered 25 in the first article of the present Treaty.

Considered part of former treaty.
Vol. 43, p. 1739.

ARTICLE III

The present Treaty shall be ratified by the High Contracting Parties in accordance with their respective constitutional methods, and shall take effect on the date of the exchange of ratifications, which shall take place at Riga as soon as possible.

Exchange of ratifications.
Effective date.

Signatures

IN WITNESS WHEREOF, the above named plenipotentiaries have signed the present Treaty and have hereunto affixed their seals.

DONE in duplicate at Washington, this tenth day of October, one thousand nine hundred and thirty-four.

CORDELL HULL [SEAL]
ARTURS LULE [SEAL]

Ratifications exchanged.

AND WHEREAS, the said Supplementary Treaty has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Riga on the twenty-ninth day of March, one thousand nine hundred and thirty-five;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Supplementary Treaty to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this tenth day of April, in the year of our Lord one thousand nine hundred and thirty-
[SEAL] five and of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

Parcel post agreement between the United States of America and Malaya. Signed at Kuala Lumpur, January 21, 1935, at Washington, March 22, 1935; approved by the President, April 11, 1935.

January 21, 1935.
March 22, 1935.

PARCEL POST AGREEMENT BETWEEN MALAYA AND THE UNITED STATES OF AMERICA.

Parcel-post agreement with Malaya.

For the purpose of concluding arrangements for the direct exchange of parcel post packages between the United States of America (including Alaska, Hawaii, Puerto Rico, Guam, Samoa and the Virgin Islands of the United States) and Malaya (which for the purposes of this Agreement means the Straits Settlements, the Federated Malay States of Perak, Selangor, Negri Sembilan and Pahang and any Malay State under British Protection which may subsequently form part of the Malayan Postal Union) the undersigned, James A. Farley, Postmaster-General of the United States of America, and Thomas Perowne Coe, M. C., M. C. S., Acting Director-General of Posts and Telegraphs, Malaya, by virtue of authority vested in them, have agreed upon the following articles:—

Territory included.

I.

Limits of Weight and Size.

Limits of weight and size.

1. No parcel shall exceed twenty two pounds (ten kilograms) in weight, three feet six inches (one hundred and five centimetres) in length, or six feet (one hundred and eighty centimetres) in length and girth combined.

2. As regards the exact calculation of the weight and dimensions of parcels, the view of the despatching office shall be accepted, save in the case of obvious error.

II.

Postage and Fees.

Postage, etc.

1. The Post Office of the country of origin is entitled to collect from the sender of each parcel such postage and fees for requests for information as to the disposal of a parcel made after it has been posted, and also, in the case of insured parcels, such insurance fees and fees for return receipts, as may from time to time be prescribed by its regulations.

Prepayment.

2. Except in the case of returned or redirected parcels, the postage and such of the fees mentioned in the preceding section as are applicable, must be prepaid.

III.

Preparation of Parcels.

Preparation of parcels.

Addressing requirements.

1. The name and address of the sender and of the addressee must be legibly and correctly written in every case when possible on the parcel itself, or on a label gummed thereto, and, in the case of parcels addressed by tag only because of their shape or size, must also be written on a separate slip, which slip must be enclosed in the parcel;

but such address slips should be enclosed in all parcels. Parcels will not be accepted when sent by or addressed to initials, unless the initials are the adopted trade name of the senders or addressees.

Addresses in ordinary pencil are not allowed, but copying ink or indelible pencil on a surface previously dampened may be used.

Customs declaration.

2. The sender shall prepare one customs declaration for each parcel sent from either country, upon a special form provided for the purpose, which customs declaration shall give a general description of the parcel, an accurate statement in detail of the contents and value, date of mailing, number of rates prepaid, the sender's name and address and the name and address of the addressee, and shall be securely attached to the parcel.

No official responsibility for correctness.

3. The contracting Post Offices accept no responsibility for the correctness of the Customs declarations.

Packing, etc.

4. Every parcel shall be packed in a manner adequate for the length of the journey and for the protection of the contents. Ordinary parcels may be closed by means of wax, lead seals, or otherwise.

Insured parcels must be closed and securely sealed with wax or otherwise, but the country of destination shall have the right to open them as well as ordinary parcels (including the right to break the seals) in order to inspect the contents. Parcels which have been so opened shall be closed again and officially sealed, except that in the case of ordinary parcels they need not be sealed if they were not sealed by the sender in the first instance. Either Post Office may require a special impress or mark of the sender in the sealing of insured parcels mailed on its service as a means of protection.

Amount of insurance to be stated.

5. On the address side of each insured parcel there must be written, both in Arabic figures and in Roman letters, the amount for which the parcel is insured in the currency of the country of origin. This amount must be converted into gold francs by the sender or office of origin and the result of the conversion must be added below the original inscription.

Stamping requirement.

6. Each insured parcel must be marked or labelled or stamped "Insured" in a conspicuous manner on the address side and in close proximity to such indorsement there must appear the insurance number given the parcel. The customs declaration, if not gummed to the parcel, must also be marked or labelled or stamped "Insured".

Placing stamps.

7. The labels or stamps on insured parcels must be so placed that they cannot serve to conceal injuries to the covers. They must not be folded over two sides of the cover so as to hide the edge.

Containers for liquids.

8. Any liquid or any substance which easily liquefies must be packed in a double receptacle. Between the first receptacle (bottle, flask, pot, box, etc.) and the second (box of metal or of strong wood) shall be left a space which shall be filled with sawdust, bran or some other absorbent material, in sufficient quantity to absorb all the liquid contents in the case of breakage.

Powders, etc.

9. Powders and dyes in powder form must be packed in lead sealed metal containers which containers must be enclosed in substantial outer covers, so as to afford the utmost protection to the accompanying mail matter.

IV.

Prohibitions.

Prohibitions.

Articles specified.

1. The following articles are prohibited transmission by parcel post:

Letters, etc.

(a) A letter or a communication having the nature of a letter. Nevertheless it is permitted to enclose in a parcel an open invoice, confined to the particulars which constitute an invoice, and also a

simple copy of the address of the parcel, that of the sender being added.

(b) An enclosure which bears an address different from that placed on the cover of the parcel. With different address.

(c) Any live animal. Live animal.

(d) Any article of which the admission is not authorised by the customs or other laws or regulations in force in either country. Admission not authorized.

(e) Any explosive or inflammable article, and, in general, any article of which the conveyance is dangerous. Explosive.

2. When a parcel contravening any of these prohibitions is handed over by one Post Office to another, the latter shall proceed in accordance with its laws and its inland regulations. Action to be taken.

3. The two Post Offices shall furnish each other with a list of prohibited articles; but they will not thereby undertake any responsibility whatever towards the police, the customs authorities, or the senders of parcels. List of prohibited articles to be furnished.

V.

Customs Duties.

Customs duties.

The Parcels shall be subject in the country of destination to all customs duties and all customs regulations in force in that country for the protection of its customs revenues, and the customs duties properly chargeable thereon shall be collected on delivery in accordance with the customs regulations of the country of destination. Parcels subject to.

VI.

Method of Exchange of Parcels.

Exchange of parcels.

1. The Parcels shall be exchanged, in sacks duly fastened and sealed by the offices appointed by agreement between the two Post Offices, and shall be despatched to the country of destination by the country of origin at its cost and by such means as it provides. Sealed sacks.

2. Insured parcels shall be enclosed in separate sacks. These sacks may be enclosed in sacks containing ordinary parcels or sent separately enclosed in outer sacks, provided that in all cases the outer sacks shall be marked with such distinctive symbols as may from time to time be agreed upon. Insured parcels.

VII.

Billing of Parcels.

1. The ordinary (uninsured) parcels included in each despatch from the United States of America shall be advised on a parcel bill by the simple entry of their total number. As regards ordinary parcels from Malaya particulars sufficient to identify them shall be advised on the parcel bills. Billing provisions.

2. Ordinary and insured parcels shall each be entered in separate parcel bills and the insured parcels shall be listed individually. The entries shall show in respect to each insured parcel the insurance number, and the office (and state or country) of origin and such other particulars as may by mutual agreement from time to time be deemed necessary. Separate entries.

3. The entry on the bill of any returned parcel must be followed by the word "Returned". Returned parcels.

4. Each despatching office of exchange shall number the parcel bills in the upper left hand corner, commencing each year a fresh series for each office of exchange of destination. The last number Numbering by despatching office.

of the year shall be shown on the parcel bill of the first despatch of the following year.

Articles in transit.

5. The exact method of advising parcels or the receptacles containing them sent by one Post Office in transit through the postal territory of the other together with any details of procedure in connection with the advice of such parcels or receptacles for which provision is not made in this Agreement, shall be settled by mutual agreement through correspondence between the two Post Offices.

VIII.

Certificates of mailing.

Certificates of Mailing.

Furnished sender on request.

A certificate of mailing for an ordinary parcel shall be issued to the sender at the time of mailing in accordance with and subject to the regulations prescribed by the country of despatch and each country may fix a reasonable fee therefor. No receipt other than the insurance receipt shall be furnished to the sender in the case of an insured parcel.

IX.

Responsibility Not Accepted for Ordinary Parcels.

No responsibility for ordinary parcels.

Neither the sender nor the addressee of an ordinary (uninsured) parcel shall be entitled to compensation for the loss of the parcel or for the abstraction of or damage to its contents.

X.

Insurance.

Insurance.

Fee.

1. The sender of a parcel may have the same insured by paying in addition to the postage such insurance fee as is prescribed by the country of origin and in the event of complete loss or loss, abstraction or damage of any article of pecuniary value enclosed in or forming part thereof indemnity shall be paid up to a sum not exceeding $100 gold, when mailed in the United States of America or the equivalent thereof $180 (Straits), when mailed in Malaya, provided that the sum paid by way of compensation for the loss, abstraction or damage shall not exceed the amount of the actual loss, abstraction or damage.

Indemnity limited.

No insured parcel shall be indemnified for an amount above the real value of its contents.

Other limits by agreement.

Both Post Offices reserve the right to arrange by mutual agreement through correspondence for a higher or lower limit of indemnity than that mentioned in this agreement.

Coin, jewelry, etc.

2. The insurance of all parcels containing coin, bullion, valuable jewelry, or any other precious article exchanged between the two Post Offices is obligatory.

If a parcel containing coin, bullion, jewelry or any other precious article is mailed uninsured it shall be placed under insurance by the post office which first observes the fact of its having been mailed uninsured, and treated in accordance with the regulations of the country placing the matter under insurance.

Fees for indemnity.

3. The Post Office of the country of origin is entitled to fix its own fees for different limits of indemnity within the maximum provided.

XI.

Return Receipts and Inquiries.

Return receipts and inquiries.

1. The sender of an insured parcel may obtain an advice of delivery upon payment of such additional charge, if any, as the country of origin of the parcel shall stipulate. Advice of delivery.

2. A fee may be charged, at the option of the country of origin, on a request for information as to the disposal of an ordinary parcel and also of an insured parcel made after it has been posted if the sender has not already paid the special fee to obtain an advice of delivery. Request for information.

A fee may also be charged, at the option of the country of origin, in connection with any complaint of any irregularity which prima facie was not due to the fault of the Postal service. Complaint of irregularity.

3. When an advice of delivery is desired, the sender or office of origin shall write or stamp on the parcel, in a conspicuous manner, the words "Return receipt requested," "Advice of Delivery requested", or, boldly the letters "A.R". Marking requests.

XII.

Indemnity.

Indemnity.

1. Except in case of loss or damage through force majeure (causes beyond control) as the term is defined by the legal decisions or rulings of the country in the service of which the loss or damage occurs, when an insured parcel has been lost, rifled or damaged, the sender, or other rightful claimant, is entitled to an indemnity corresponding to the actual amount of loss, rifling or damage based on the actual value at the time and place of mailing of the lost, rifled or damaged article, unless the loss rifling or damage has arisen from the fault or negligence of the sender or the addressee or of the representative of either or from the nature of the article, provided that the indemnity shall not exceed the sum for which the required insurance fee was paid in the country of origin. Allowance to sender. Limitation.

In the absence of special agreement to the contrary between the countries involved (which agreement may be made through correspondence) no indemnity will be paid by either country for the loss, rifling or damage of transit insured parcels, that is, insured parcels originating in one of the two contracting countries or a third country, addressed for delivery in some other country not a party to this Agreement. Agreement of, for delivery in a third country.

2. Neither Post Office is bound to pay indemnity in case of loss due to force majeure under any particular definitions of that term unless the other Post Office will assume liability reciprocally under the same definitions of the term, although either country may at its option and without recourse to the other country, pay indemnity for losses occurring through force majeure under any definition of that term. Loss by force majeure.

3. In case an insured parcel originating in one country and addressed for delivery in the other country is forwarded or returned from the country of original address to a third country, the rightful claimant shall be entitled only to such indemnity, if any, for any loss, rifling, or damage which occurs subsequent to the re-despatch of the parcel in the country of original address, as the country in which the loss, rifling, or damage occurred is willing or obligated to pay under any agreement in force between the countries directly involved in the forwarding or return. Either country adhering to this Agreement which improperly forwards an insured parcel to a third Parcels forwarded to a third country.

country, shall be responsible therefor to the extent of the liability of the country of origin to the sender within the limit of the liability fixed by this Agreement.

Claim to be filed.

4. No application for indemnity will be entertained unless a claim or an initial inquiry, oral or written, shall be filed by claimant or his representative within a year commencing with the day following the posting of the insured parcel.

No compensation for indirect loss.

5. No compensation shall be given for loss, injury or damage consequential upon, i.e., indirectly arising from, the loss, non-delivery or mis-delivery of any insured parcel transmitted under this Agreement.

Matter not entitled to indemnity.

6. No indemnity will be paid for insured parcels which contain matter of no intrinsic value nor for perishable matter or matter prohibited transmission in the parcel post mails exchanged between the contracting Post Offices, or which did not conform to the stipulations of this Agreement, or which were not posted in the manner prescribed, but the country responsible for the loss may pay indemnity in respect of such parcels without recourse to the other Post Office.

Reimbursement of postage, etc., on loss of parcel.

7. Either of the Post Offices may at its option reimburse the rightful claimant in the event of complete loss, irreparable damage of entire contents, or rifling of entire contents, for the amount of postage or special charges borne by an insured parcel, if claimed. The insurance fees are not in any case returned.

No responsibility admitted if official documents destroyed.

8. No responsibility will be admitted for insured parcels which cannot be accounted for in consequence of the destruction of official documents through causes beyond control.

Reservation in case of false statements, etc.

9. In case the sender, addressee or owner of an insured parcel, or his representative, shall at any time knowingly allege the contents to be above their real value, or whenever any false, fictitious, or fraudulent evidence is knowingly and wilfully introduced, the Post Office responsible for the indemnity reserves the right without any refund of fee or postage to decline to pay indemnity or to pay such indemnity as may in its discretion be considered equitable in the light of the evidence procured. The enforcement of this rule shall not prejudice any legal proceedings to which such fraudulent evidence may have rendered the claimant liable.

Administration of origin to pay indemnity within a year.

10. When an insured article has been lost or its contents abstracted or damaged the Post Office of the country of origin shall pay indemnity to the rightful claimant as soon as possible and at the latest within a period of one year counting with the day following that on which the application is made, which payment shall be made on account of the Post Office of the country of destination, if that Post Office is responsible for the loss and has been duly notified.

Deferred payment.

11. However, the Post Office of the country of origin may, in the case indicated in the foregoing paragraph, exceptionally defer payment of indemnity for a longer period than that stipulated if, at the expiration of that period, it has not been able to determine the disposition made of the article in question or the responsibility incurred.

Country of origin may pay, if country of destination delays nine months.

12. Except in cases where payment exceptionally deferred as provided in the foregoing paragraph, the country of origin is authorised to pay indemnity on behalf of the country of destination if that country has, after being duly informed of the application for indemnity, let nine months pass without settling the matter.

Country responsible.

13. The obligation of paying the indemnity shall rest with the country to which the mailing office is subordinate. That country can make a claim on the country responsible, that is to say, against the Post Office on the territory or in the service of which the loss rifling or damage took place.

Repayment to country paying.

14. The country responsible for the loss rifling or damage and on whose account payment is made is bound to repay to the country making payment on its behalf, without delay and within not more than nine months after receiving notice of payment, the amount of indemnity paid.

Reimbursement on gold basis.

15. Reimbursements for indemnity from one country to the other shall be made on the gold basis.

Means to be used.

16. Repayments are to be made free of cost to the creditor country by means of either a money order or a draft, in money valid in the creditor country, or by such other means as may be mutually agreed upon by correspondence.

Responsibility of receiving country unable to show proper disposition.

17. Until the contrary is proved, responsibility for an insured parcel rests with the country which having received the parcel without making any observations and being furnished all necessary particulars for inquiry is unable to show its proper disposition.

Despatching office responsible if loss discovered by receiving office.

18. Responsibility for loss rifling or damage of an insured parcel discovered to be missing by the receiving office of exchange at the time of opening the receptacles and duly notified to the despatching office of exchange by bulletin of verification, shall fall upon the Post Office to which the despatching office of exchange is subordinate unless it be proved that the loss rifling or damage occurred in the service of the receiving Post Office.

Loss in transit.

If the loss, rifling or damage occurred in the course of conveyance and it should not be possible to ascertain on the territory or in the service of which country the loss, rifling or damage took place the indemnity shall be shared equally.

Responsibility for proper packing, etc.

19. The responsibility of properly enclosing, packing, and sealing insured parcels rests upon the sender, and the postal service of neither country will assume liability for loss rifling or damage arising from defects which may not be observed at the time of posting.

XIII.

Transit Parcels.

Transit parcels.

Right of transit guaranteed.

1. Each Post Office guarantees the right of transit over its territory, to or from any country with which it has parcel post communication, of parcels originating in or addressed for delivery in the territory of the other contracting Post Office.

Notice.

2. Each Post Office shall inform the other to which countries parcels may be sent through it as intermediary.

Conditions to be complied with.

3. To be accepted for onward transmission, parcels sent by one of the contracting Post Offices through the service of the other Post Office must comply with the conditions prescribed from time to time by the intermediary Post Office.

XIV.

Check by Office of Exchange.

Check by office of exchange.

Duty of receiving office.

1. On the receipt of a parcel mail, the receiving office of exchange shall check it. Insured and ordinary parcels (when particulars of the latter are advised) must be carefully compared with the accompanying bills. Any discrepancies or irregularities noted shall be immediately reported to the despatching office of exchange by means of a bulletin of verification. If report is not made promptly it will be assumed that the mail and the accompanying bills were in every respect in proper order.

Record of discrepancies.

2. In the case of any discrepancies or irregularities in a mail, such record shall be kept as will permit of the furnishing of information regarding the matter in connection with any subsequent investigation or claim for indemnity which may be made.

Duplicate parcel bill.

3. If a parcel bill is missing a duplicate shall be made out and a copy sent to the despatching office of exchange from which the despatch was received.

Notation of evident damage, etc.

4. Insured parcels bearing evidence of violation or damage must have the facts noted on them and be marked with the stamp of the office making the note, or document drawing attention to the violation or damage must be forwarded with the parcels.

XV.

Fees.

Fees for Delivery and for Customs Formalities Demurrage Charges.

Customs formalities.

1. The Post Office of the country of destination may collect from the addressee for delivery and for the fulfillment of customs formalities a charge not exceeding fifteen cents gold for each parcel, and an additional delivery charge of like amount for each time a parcel is presented at the residence of the addressee after one unsuccessful presentation.

Cancelled if returned.

2. Each Post Office may impose reasonable storage or demurrage charges in the case of the addressee failing to accept delivery of any parcel within such reasonable time as is prescribed by the Post Office of the country of destination. Any such charges as may be prescribed shall be cancelled in the event of the return of the parcel to the country of origin.

XVI.

Redirection.

Redirection.

Charges specified.

1. Any parcel redirected within the country of destination or delivered to an alternate addressee at the original office of address shall be liable to such additional charges as may be prescribed by the Post Office of that country.

Collecting new fees.

2. When a parcel is redirected to either country, new postage as well as new insurance fees, in the case of insured parcels (which when redirected, must be despatched in the same kind of mails as received, that is, insured mails), may, if not prepaid, be collected upon delivery and retained by the Post Office making the collection. The Post Office making delivery shall fix the amount of such fees and postage when not prepaid.

Restoration, etc., on forwarding to any other country.

3. Insured parcels shall not be forwarded or returned to another country unless they may be forwarded or returned as insured mail. Senders may indorse insured parcels "Do not forward to a third country", in which event the parcels shall not be forwarded to any other country. Unless such parcels are indorsed to indicate that the senders do not wish them forwarded to any other country other than that of mailing or within the country of original address, they may be forwarded to a third country if they can be forwarded as insured mail. Insured parcels may be returned to the sender in a third country in accordance with a return address on the parcels if they can be returned as insured mail. In case of the loss, rifling or damage of an insured parcel forwarded or returned to a third country indemnity will be paid only in accordance with the stipulations of Article XII, paragraph 3 of this Agreement.

Ante, p. 3137.

XVII.

Postal Charges Other Than Those Prescribed Not To Be Collected.

Other charges.

1. The parcels to which this agreement applies shall not be subjected to any postal charges other than those contemplated by the different articles hereof.

Collection not allowed.

XVIII.

Recall and Change of Address.

An incoming parcel cannot be recalled nor can it be delivered at an address other than that written on the parcel. Exceptionally, this rule shall not apply to a parcel which is undeliverable at the original address (or at an alternative address if one is furnished) owing to the absence of the addressee or any other cause; such parcels may, subject to the provision of this Agreement, at the request of the sender or the addressee be delivered at another address.

Recall and change of address.

XIX.

Nondelivery.

Nondelivery.

1. In the absence of a request by the sender to the contrary a parcel which cannot be delivered shall be returned to the sender, without previous notification. New postage, as well as new insurance, fees in the case of insured parcels (which must be returned in the same kind of mail as received), may be collected from the sender and retained by the Post Office making the collection.

Return to sender.

New postage, etc., required.

2. The sender of a parcel may request, at the time of mailing, that if a parcel cannot be delivered as addressed, it shall be either (a) treated as abandoned, or (b) tendered for delivery at a second address in the country of destination. No other alternative is admissible. If the sender avails himself of this facility, his request must appear on the parcel or on a despatch note or customs declaration attached to or stuck to the parcel and must be in conformity with or analogous to one of the following form:

Requests from sender allowed.

"If not deliverable as addressed_____ 'abandon'."

"If not deliverable as addressed_____ 'deliver to _____'."

3. Except as otherwise provided, undeliverable parcels will be returned to the senders at the expiration of thirty days from the date of receipt at the post office of destination, while refused parcels shall be returned at once, the parcels in each case to be marked to show the reason for nondelivery.

Time for returning undeliverable parcels.

4. Articles liable to deterioration or corruption, and these only, may, however, be sold immediately even on the outward or return journey, without previous notice or judicial formality for the benefit of the right party.

Sale of perishable articles.

If for any reason a sale is impossible the spoilt or worthless articles shall be destroyed. The sale or destruction shall be recorded and report made to the Post Office of origin.

Destroyed, if sale impossible.

5. Undeliverable parcels which the sender has marked "Abandon" may be sold at auction at the expiration of thirty days, but in case such disposition is made of insured parcels proper record will be made and the Post Office of the country of origin notified as to the disposition made of the parcels. The Post Office of the country of origin shall also be notified when for any reason an insured parcel which is not delivered is not returned to the country of origin.

Sale of articles marked "Abandon."

Notice to be given.

XX.

Customs charges.

Customs Charges To Be Cancelled.

Cancelled, if parcel destroyed.

Provided the formalities prescribed by the customs authorities concerned are fulfilled, the customs charges, properly so called, on parcels destroyed, abandoned by the sender, sent back to the country of origin, or redirected to another country shall be cancelled both in Malaya and in the United States of America.

XXI.

Retransmission.

Retransmission.

Ordinary parcels.

Missent ordinary parcels shall be forwarded to their destination by the most direct route at the disposal of the reforwarding Post Office but must not be marked with customs or other charges by the reforwarding Post Office. Missent insured parcels shall not be forwarded to their destination unless they can be forwarded as insured mails. If they cannot be forwarded as insured mails, they shall be returned to the country of origin.

Insured parcels.

XXII.

Receptacles.

Receptacles.

Bags to be provided.

Each Post Office shall provide the bags necessary for the despatch of its parcels. The bags shall be returned empty to the country of origin by the next mail. Empty bags shall be made up in bundles of ten (nine bags enclosed in one) and the total number of such bags shall be advised on the parcel bill.

XXIII.

Charges.

Charges.

Terminal credits. Malaya.

1. For every parcel addressed for delivery in Malaya whether ordinary or insured a payment of 80 centimes (gold) for each parcel not exceeding 3 pounds in weight, 1 franc 40 centimes (gold) for each parcel over 3 pounds and not exceeding 7 pounds in weight, 2 francs (gold) for each parcel over 7 pounds and not exceeding 11 pounds in weight and 3 francs (gold) for each parcel over 11 pounds and up to the weight limit of 22 pounds, shall be made by the United States of America. Malaya shall pay the United States of America 32 centimes (gold) per pound on the bulk net weight of each despatch from Malaya to the United States of America.

United States.

Parcels to a possession or a third country.

2. The amount to be allowed in respect to parcels sent from one Post Office to the other for onward transmission to a possession of either country or to a third country shall be fixed by the intermediate Post Office.

Unpaid charges.

3. On every parcel returned, or redirected unpaid, by one of the two Post Offices to the other, the returning or retransmitting Post Office shall be entitled to claim a payment for its territorial service as set forth in above paragraph 1 of this Article together with any sum due in respect of the sea service which it provides. In the case of a parcel returned or redirected unpaid, in transit through one of the two Post Offices to the other, the intermediary office may claim also the amounts due to any other Post Office or Post Offices concerned.

4. Except as provided in this Article each Post Office shall keep the whole of the sums which it collects by virtue of the various articles of this Agreement.

XXIV.

ACCOUNTING.

Accounting.

1. *Terminal parcels:* At the end of each quarter the creditor country shall prepare an account of the amount due to it in respect of the parcels received in excess of those despatched. Terminal parcels.

2. *Transit parcels:* Each Post Office shall also prepare quarterly an account showing the sums due for parcels sent by the other Post Office for onward transmission. Transit parcels.

3. These accounts shall be submitted to the examination of the corresponding Post Office in the course of the month which follows the quarter to which they relate. Accounts submitted to examination.

4. The compilation, transmission, verification and acceptance of the accounts must be effected as early as possible and the payment resulting from the balance must be made the latest before the end of the following quarter. Verification, etc.

5. Payment of the balance due on these accounts between the two Post Offices shall be effected by means of drafts on New York or in any other manner which may be agreed upon mutually by correspondence between the two Post Offices, the expense attendant on the payment being at the charge of the indebted Post Office. Payment of balances.

XXV.

MATTERS NOT PROVIDED FOR IN THE AGREEMENT.

Matters not provided for.

1. All matters concerning the exchange of parcels, the obtaining and disposition of return receipts for insured parcels and the adjustment of indemnity claims in connection therewith not covered by this Agreement shall be governed by the provisions of the Universal Postal Union Convention and the Detailed Regulations for its Execution, in so far as they are applicable and not inconsistent with the provisions of this Agreement, and then if no other arrangement has been made, the internal legislation, regulations and rulings of the United States of America and Malaya, according to the country involved, shall govern. Application of other conventions. Vol. 46, p. 2523.

2. The Postmaster-General of the United States of America and the Director-General of Posts and Telegraphs, Malaya, shall have authority jointly to make from time to time by correspondence such changes and modifications and further regulations of order and detail as may become necessary to facilitate the operation of the service contemplated by this Agreement as well as to provide arrangements for the registration of parcel post packages and for the exchange of parcels subject to collect on delivery charges, should both countries at any time desire either or both of these services. Further provisions authorized.

3. The Post Offices shall communicate to each other from time to time the provisions of their laws or regulations applicable to the conveyance of parcels by parcel post.

XXVI.

DURATION OF AGREEMENT.

Duration of Agreement.

1. This Agreement substitutes and abrogates that signed at Washington on the tenth day of January, one thousand nine hundred and twenty-nine and at Kuala Lumpur on the twentieth day of October, one thousand nine hundred and twenty-eight and shall take effect and operations thereunder shall begin on a date to be mutually settled between the Post Offices of the two countries. Prior agreement abrogated. Effective date.

Duration.

2. It shall remain in force until one of the two contracting Post Offices has given notice to the other, six months in advance, of its intention to terminate it.

Insurance restriction.

Either Post Office may temporarily suspend the insurance service in whole or in part, when there are special reasons for doing so, or restrict it to certain offices; but on the conditions that previous and opportune notice of such measure is given to the other Post Office, such notice to be given by the most rapid means if necessary.

Signatures.

3. Done in duplicate and signed at Kuala Lumpur the 21st day of January, 1935 and at Washington the 22nd day of March 1935.

[SEAL] JAMES A FARLEY
Postmaster-General of the United States of America.

T. P. COE
Acting Director-General of Posts and Telegraphs, Malaya.

Approval by the President.

The foregoing Parcel Post Agreement between the United States of America and Malaya has been negotiated and concluded with my advice and consent, and is hereby approved and ratified.

In testimony thereof I have caused the seal of the United States to be hereunto affixed.

[SEAL] FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

WASHINGTON, *April 11, 1935*

Convention and Protocol between the United States of America and France concerning Double Taxation. Signed at Paris, April 27, 1932; ratification advised by the Senate, June 15, 1932; ratified by the President, July 25, 1932; ratified by France, April 8, 1935; ratifications exchanged at Paris, April 9, 1935; proclaimed, April 16, 1935.

April 27, 1932.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Double taxation regulation with France.

WHEREAS a convention between the United States of America and the French Republic to regulate certain questions relative to double taxation, and a protocol relating thereto, were signed by their respective Plenipotentiaries at Paris on April 27, 1932, the original of which convention and protocol, being in the English and French languages, are word for word as follows:

Preamble.

Contracting Powers.

The PRESIDENT of the UNITED STATES of AMERICA and the PRESIDENT of the FRENCH REPUBLIC being desirous of regulating certain questions relative to double taxation, have decided to conclude a Convention on that subject, and for that purpose they have appointed as their respective Plenipotentiaries:

Le PRESIDENT des ETATS-UNIS d'AMERIQUE et le PRESIDENT de la REPUBLIQUE FRANCAISE, animés du désir de régler certaines questions relatives aux doubles impositions, ont décidé de conclure une Convention spéciale et ont nommé à cet effet pour leurs Plénipotentiaires:

Plenipotentiaries.

The PRESIDENT OF THE UNITED STATES of AMERICA,

Mr. Walter E. EDGE, Ambassador Extraordinary and Plenipotentiary of the United States of America to France.

The PRESIDENT OF THE FRENCH REPUBLIC,

M. André TARDIEU, Member of the House of Representatives, President of the Council of Ministers, Minister for Foreign Affairs, Officer of the Legion of Honour,

Le PRESIDENT des ETATS-UNIS d'AMERIQUE:

M. Walter E. EDGE, Ambassadeur Extraordinaire et Plénipotentiaire des Etats-Unis d'Amérique en France.

Le PRESIDENT DE LA REPUBLIQUE FRANCAISE:

M. André TARDIEU, Député, Président du Conseil, Ministre des Affaires Etrangères, Officier de la Légion d'Honneur,

who, having communicated to one another their full powers found in good and due form, have agreed upon the following articles:

lesquels, après avoir échangé leurs pleins pouvoirs reconnus en bonne et due forme, sont convenus récipro quement des dispositions suivantes:

ARTICLE I

Industrial profits nontaxable except allocations to capital, etc.

Enterprises of one of the contracting States are not subject to taxation by the other contracting

ARTICLE I

Les entreprises de l'un des Etats contractants ne sont soumises à l'impôt de l'autre Etat

State in respect of their industrial and commercial profits except in respect of such profits allocable to their permanent establishments in the latter State.

Purchases of merchandise.

No account shall be taken, in determining the tax in one of the contracting States, of the purchase of merchandise effected therein by an enterprise of the other State for the purpose of supplying establishments maintained by such enterprise in the latter State.

ARTICLE II

Statements of American enterprises to be submitted to French fiscal administration.

American enterprises having permanent establishments in France are required to submit to the French fiscal administration the same declarations and the same justifications, with respect to such establishments, as French enterprises.

The French fiscal administration has the right, within the provisions of its national legislation and subject to the measures of appeal provided in such legislation, to make such corrections in the declaration of profits realized in France as may be necessary to show the exact amount of such profits.

Same application to French enterprises in United States.

The same principle applies mutatis mutandis to French enterprises having permanent establishments in the United States.

ARTICLE III

Income from aircraft.

Income which an enterprise of one of the contracting States derives from the operation of aircraft registered in such State and engaged in transportation between the two States is taxable only in the former State.

ARTICLE IV

Profits diverted from French enterprise by an American enterprise.

When an American enterprise, by reason of its participation in the management or capital of a French enterprise, makes or imposes on the latter, in their commercial or financial relations,

contractant, en ce qui concerne les bénéfices industriels et commerciaux, qu'en raison des bénéfices provenant des établissements stables qu'elles exploitent dans ce dernier Etat.

N'entrent pas en compte pour l'assiette de l'impôt dans l'un des Etats contractants les achats de marchandises qui y sont effectués par une entreprise de l'autre Etat pour l'approvisionnement des établissements que ladite entreprise exploite dans ce dernier Etat.

ARTICLE II

Les entreprises américaines qui possèdent des établissements stables en France sont tenues de fournir à l'administration fiscale française les mêmes déclarations et les mêmes justifications, en ce qui concerne les dits établissements, que les entreprises françaises.

L'administration fiscale française a le droit, dans la limite des dispositions de sa législation nationale et sous réserve des recours prévus par cette législation, d'apporter à la déclaration des bénéfices réalisés en France, les redressements nécessaires pour dégager le chiffre exact de ces bénéfices.

Le même principe s'applique, mutatis mutandis, aux entreprises françaises ayant des établissements stables aux Etats-Unis.

ARTICLE III

Les revenus qu'une entreprise de l'un des Etats contractants tire de l'exploitation d'aéronefs immatriculés dans cet Etat et effectuant le transport entre les deux pays ne sont imposables que dans le premier Etat.

ARTICLE IV

Lorsqu'une entreprise américaine, du fait de sa participation à la gestion ou au capital d'une entreprise française, fait ou impose à cette dernière, dans leurs relations commerciales ou financières,

conditions different from those which would be made with a third enterprise, any profits which should normally have appeared in the balance sheet of the French enterprise, but which have been, in this manner, diverted to the American enterprise, are, subject to the measures of appeal applicable in the case of the tax on industrial and commercial profits, incorporated in the taxable profits of the French enterprise.

The same principle applies mutatis mutandis, in the event that profits are diverted from an American enterprise to a French enterprise

des conditions différentes de celles qui seraient faites à une tierce entreprise, tous bénéfices qui auraient dû normalement apparaître au bilan de l'entreprise française, mais qui ont été, de la sorte, transférés à l'entreprise américaine, sont, sous réserve des recours applicables en matière d'impôt sur les bénéfices industriels et commerciaux, incorporés aux bénéfices imposables de l'entreprise française.

American enterprise by a French enterprise.

Le même principe s'applique, mutatis mutandis, lorsque des bénéfices sont transférés d'une entreprise américaine à une entreprise française.

ARTICLE V.

American corporations which maintain in France permanent establishments may, in derogation of Article 3 of the Decree of December 6, 1872, elect to pay the tax on income from securities on three-fourths of the profits actually derived from such establishments, the industrial and commercial profits being determined in accordance with Article I.

An American corporation which wishes to place itself under the regime of the preceding paragraph must make a declaration to that effect at the Bureau of Registration within six months after the date upon which this Agreement becomes effective or within six months after the creation of its establishment in France. The election made for one establishment applies to all the establishments of such corporation. Any such election is irrevocable.

ARTICLE V

Tax on income from securities.

Les sociétés américaines qui possèdent en France des établissements stables ont, par dérogation à l'article 3 du décret du 6 décembre 1872, la faculté d'acquitter l'impôt sur le revenu des valeurs mobilières sur les trois quarts des bénéfices effectivement retirés de ces établissements, les bénéfices industriels et commerciaux étant déterminés en conformité des dispositions de l'article Ier.

Une société américaine qui veut se placer sous le régime prévu à l'alinéa qui précède doit en faire la déclaration au bureau de l'enregistrement dans les six mois de l'entrée en vigueur du présent accord ou dans les six mois qui suivent la création par elle d'un établissement en France. L'option faite pour un établissement vaut pour tous les établissements de la même société; elle est irrévocable.

ARTICLE VI

An American corporation shall not be subject to the obligations prescribed by Article 3 of the Decree of December 6, 1872, by reason of any participation in the management or in the capital of, or any other relations with, a French corporation, if such American corporation and French corporation conform to the require-

ARTICLE VI

Obligations waived if conforming to present requirements.

Une société américaine ne sera pas assujettie aux prescriptions de l'article 3 du décret du 6 décembre 1872 en raison d'une participation dans la gestion ou dans le capital ou à cause de toute autre relation avec une société française, si lesdites société américaine et société française se conforment aux dispositions du pré-

Tax on dividends, etc., of securities distributed by French enterprise.

ments of the present article. In such case, the tax on income from securities continues to be levied, in conformity with French legislation, on the dividends, interest and all other products distributed by the French enterprise; but it is moreover exigible, if the occasion arises, and subject to the measures of appeal applicable in the case of the tax on income from securities, on the profits which the American corporation derives from the French corporation under the conditions prescribed in Article IV.

Profits American corporation derives from French corporation.

Joint declarations to be made under such regime.

An American corporation which wishes to place itself under the regime of the preceding paragraph must make a declaration to that effect at the Bureau of Registration jointly with the interested French corporation, within six months after the date upon which this Agreement becomes effective or within six months after the acquisition of the participation or the commencement of the relations of a nature to entail the application of Article 3 of the Decree of December 6, 1872. Any such election is irrevocable.

Benefits enjoyed by American corporations not so subjected.

American corporations which have not made the declaration and which are subjected to the provisions of Article 3 of the Decree of December 6, 1872, shall enjoy the benefits of Articles 27, 28 and 29 of the French law of July 31, 1920, and Article 25 of the French law of March 19, 1928, under the same conditions as French corporations.

Tax exemptions.

Pay of its citizens residing in other State.

ARTICLE VII

Compensation paid by one of the contracting States to its citizens for labor or personal services performed in the other State is exempt from tax in the latter State.

ARTICLE VIII

War pensions.

War pensions paid by one of the contracting States to persons residing in the territory of the other State are exempt from tax in the latter State.

sent article. Dans ce cas, l'impôt sur le revenu des valeurs mobilières continue à être perçu conformément à la législation française sur les dividendes, intérêts et tous autres produits distribués par l'entreprise française, mais il est, en outre, exigible, le cas échéant, et sous réserve des recours applicables en matière d'impôt sur le revenu des valeurs mobilières, sur les bénéfices que l'entreprise américaine retire de l'entreprise française dans les conditions prévues par l'article IV.

Une société américaine qui veut bénéficier de la faculté prévue à l'alinéa précédent doit en faire la déclaration au bureau de l'enregistrement, conjointement avec la société française intéressée, dans les six mois de l'entrée en vigueur du présent accord, ou dans les six mois de la prise de participation ou du commencement des relations de nature à entraîner l'application de l'article 3 du décret du 6 décembre 1872. L'option exercée est irrévocable.

Les sociétés américaines qui n'ont pas fait la déclaration et qui sont assujetties aux dispositions de l'article 3 du décret du 6 décembre 1872, bénéficient des articles 27, 28 et 29 de la loi du 31 juillet 1920 et de l'article 25 de la loi du 19 mars 1928, dans les mêmes conditions que les sociétés françaises.

ARTICLE VII

Les rémunérations payées par l'un des Etats contractants à ses citoyens pour travaux ou services personnels accomplis dans l'autre Etat sont exemptés d'impôt dans ce dernier Etat.

ARTICLE VIII

Les pensions pour faits de guer re payées par l'un des Etats contractants à des personnes résidant sur le territoire de l'autre Etat sont exemptes d'impôt dans ce dernier Etat.

ARTICLE IX

The following classes of income paid in one of the contracting States to a corporation of the other State, or to a citizen of the latter State residing there, are exempt from tax in the former State:

(a) amounts paid as consideration for the right to use patents, secret processes and formulas, trade marks and other analogous rights;

(b) income received as copyright royalties;

(c) private pensions and life annuities.

ARTICLE X

This Agreement shall be ratified and the instruments of ratification exchanged at Paris as soon as possible.

The Agreement shall become effective on the first day of January following the exchange of ratifications and shall remain effective for a period of five years, and thereafter until twelve months from the date on which either Contracting Party gives notice of its termination.

American corporations which prior to May 1, 1930, have not had their liability to tax under Article 3 of the Decree of December 6, 1872, finally determined, and which make the declaration prescribed in Article VI of the present convention, shall not be subject to the application of Article 3 of the Decree of December 6, 1872, for any years preceding the coming into force of the Agreement.

In witness whereof, the respective Plenipotentiaries have signed the above articles, both in the English and French languages, and have hereunto affixed their seals.

Done in duplicate at Paris, on the 27th of April, 1932.

ARTICLE IX

Les revenus des catégories ci-après payés dans l'un des Etats contractants à une société de l'autre Etat ou à un citoyen de ce dernier Etat y résidant sont exempts d'impôt dans le premier Etat. Certain payments made to parties in the other State.

a) Redevances versées en contre-partie du droit d'utiliser des brevets, procédés et formules secrets, marques de fabrique et autres droits analogues;

b) Revenus perçus comme droits d'auteur;

c) Pensions privées et rentes viagères.

ARTICLE X

Le présent accord sera ratifié et les instruments de ratification échangés à Paris dans le plus bref délai. Ratification.

L'accord entrera en vigueur le Ier janvier de l'année qui suivra celle de la ratification et restera en vigueur pour une période de cinq ans, et ensuite, jusqu'à l'expiration des douze mois à partir de la date où l'une des Parties contractantes aura notifié son intention d'y mettre fin. Effective date. Duration.

Les sociétés américaines qui n'ont pas été définitivement assujetties à l'impôt édicté par l'article 3 du décret du 6 décembre 1872 avant le Ier mai 1930, et qui ont fait la déclaration prévue à l'article VI de cet accord, ne seront pas soumises à l'application dudit article 3 du décret du 6 décembre 1872 pour la période antérieure à l'entrée en vigueur de l'accord. Provisional exemption. *Ante*, p. 3147.

En foi de quoi, les Plénipotentiaires ont signé la présente Convention et y ont apposé leur sceau. Signatures.

Fait à Paris, en double exemplaire, en anglais et en français le 27 avril 1932.

[SEAL] WALTER E. EDGE

[SEAL] ANDRE TARDIEU

Protocol.

PROTOCOL

PROTOCOLE

Construction of terms.

At the moment of signing the Convention on Double Taxation between the United States of America and the Republic of France, the undersigned Plenipotentiaries, duly authorized by their respective Governments, have agreed, as follows:

Au moment de procéder à la signature de la présente Convention, les Plénipotentiaires soussignés, dûment autorisés par leurs Gouvernements respectifs, ont fait les déclarations concordantes suivantes qui forment partie intégrante de la Convention.

Taxes.

(1) The taxes referred to in this Agreement are:

(a) for the United States:

the Federal income tax—but it is understood that Article 1 does not exempt from tax (1) compensation for labor or personal services performed in the United States; (2) income derived from real property located in the United States, or from any interest in such property, including rentals and royalties therefrom, and gains from the sale or the disposition thereof; (3) dividends; (4) interest.

I°) Les impôts visés dans le présent accord sont:

(a) pour les Etats-Unis: l'impôt fédéral sur le revenu (Federal income tax), mais il est entendu que l'article Ier n'exempte pas:

1/ les rémunérations pour travaux ou services personnels accomplis aux Etats-Unis;

2/ les revenus provenant des immeubles situés aux Etats-Unis ou de quelque droit que ce soit sur de telles propriétés, y compris les loyers et redevances et tous bénéfices provenant de la vente ou de toute autre disposition de ces propriétés;

3/ les dividendes;

4/ les intérêts;

(b) For France:

—in articles I, II, III and IV, the tax on industrial and commercial profits (impôt sur les bénéfices industriels et commerciaux);

—in articles III, V and VI, the tax on income from securities (impôt sur les revenus des valeurs mobilières);

—in articles VII, VIII and IX, the tax on wages and salaries, pensions and life annuities (impôt sur les traitements et salaires, pensions et rentes viagères), and other schedular taxes (impôts cédulaires) appropriate to the type of income specified in said articles;

(b) pour la France:

Dans les articles I, II, III et IV, l'impôt sur les bénéfices industriels et commerciaux;

Dans les articles III, V et VI, l'impôt sur le revenu des valeurs mobilières;

Dans les articles VII, VIII et IX, l'impôt sur les traitements et salaires, pensions et rentes viagères et autres impôts cédulaires appro priés aux revenus visés dans ces articles.

(2) The provisions of this Agreement shall not be construed to affect in any manner any exemption, deduction, credit or other allowance accorded by the laws of one of the contracting States in the determination of the tax imposed by such State.

2°) Les dispositions de l'accord ne restreignent pas les exemptions, déduc tions, réductions ou abattements ou autres avantages accordés par la législation de l'un des Etats contractants, dans la détermination de la taxe imposée par cet Etat.

(3) As used in this Agreement:

(a) The term "permanent establishment" includes branches, mines and oil wells, factories, workshops, warehouses, offices, agencies, and other fixed places of business, but does not include a subsidiary corporation.

When an enterprise of one of the States carries on businnes in the other State through an agent established there who is authorised to contract for its account, it is considered as having a permanent establishment in the latter State.

But the fact that an enterprise of one of the contracting States has business dealings in the other State through a bona fide commission agent or broker shall not be held to mean that such enterprise has a permanent establishment in the latter State.

(b) The term "enterprise" includes every form of undertaking whether carried on by an individual, partnership (société en nom collectif), corporation (société anonyme), or any other entity.

(c) The term "enterprise of one of the contracting States" means, as the case may be, "American enterprise" or "French enterprise".

(d) The term "American enterprise" means an enterprise carried on in the United States by a citizen of the United States or by an American corporation or other entity; the term "American corporation or other entity" means a partnership, corporation or other entity created or organized in the United States or under the law of the United States or of any State or Territory of the United States.

(e) The term "French enterprise" is defined in the same manner, mutatis mutandis, as the term "American enterprise".

3°) Pour l'interprétation du présent accord:

(a) Le terme "établissement stable" désigne les succursales, exploitations minières et pétrolifères, fabriques, ateliers, magasins, bureaux, agences et autres centres fixes d'affaires, mais ne comprend pas les sociétés filiales. "Permanent establishment."

Lorsqu'une entreprise de l'un des Etats contractants fait des affaires dans l'autre Etat par la voie d'un agent y établi qui est autorisé à contracter pour son compte, elle est considérée comme ayant un établissement stable dans ce dernier Etat.

Mais le fait pour une entreprise de l'un des Etats d'avoir des relations d'affaires dans l'autre Etat par l'intermédiaire d'un commissionnaire ou courtier vraiment autonome ne permet pas de considérer cette entreprise comme ayant un établissement stable dans ce dernier Etat.

(b) Le mot "entreprise" comprend toute forme d'exploitation appartenant à un particulier, société en nom collectif, société anonyme ou toute autre collectivité. "Enterprise."

(c) L'expression "entreprise d'un des Etats contractants" signifie, suivant le cas, "entreprise américaine" ou "entreprise française". "Enterprise of one of the contracting States."

(d) L'expression "entreprise américaine" désigne une entreprise exploitée aux Etats-Unis par un citoyen des Etats-Unis, ou par une société ou autre collectivité américaine. "American enterprise."

L'expression "société ou autre collectivité américaine" désigne toute société ou autre collectivité créée ou organisée dans les Etats-Unis ou suivant les lois des Etats-Unis ou d'un Etat ou Territoire des Etats-Unis.

(e) L'expression "entreprise française" se définit de la même façon, mutatis mutandis, que l'expression "entreprise américaine". "French enterprise."

American corporations.
Ante, p. 3147.

(f) The American corporations mentioned in Articles V and VI are those which, owing to their form of organization, are subject to Article 3 of the Decree of December 6, 1872. The present Agreement does not modify the regime of "abonnement" for securities.

(f) Les sociétés américaines visées aux articles V et VI sont celles qui, en raison de leur forme, sont soumises à l'article 3 du décret du 6 décembre 1872. Le pré sent accord ne modifie pas le régime de l'abonnement en matière de titres.

"United States."

(g) The term "United States", when used in a geographical sense, includes only the States and the Territories of Alaska and Hawaii, and the District of Columbia.

(g) Le terme "Etats-Unis", quand il est employé dans un sens géographique, ne comprend que les Etats, les Territoires d'Alaska et d'Hawai et le District de Columbia.

"France."

(h) The term "France", when used in a geographical sense, indicates the country of France, exclusive of Algeria and the Colonies.

(h) Le terme "France", quand il est employé dans un sens géographique, ne comprend que la France métropolitaine, à l'exclusion de l'Algérie et des colonies.

Done in duplicate at Paris, the 27th of April, 1932.

Fait en double expédition à Paris, le 27 avril 1932.

WALTER E. EDGE
ANDRE TARDIEU

Exchange of ratifications.

AND WHEREAS, the said convention and protocol have been ratified on both parts, and the ratifications of the two Governments were exchanged at Paris on the ninth day of April, one thousand nine hundred and thirty-five;

Effective date.

AND WHEREAS, it is stipulated in Article X of the said convention that the convention shall become effective on the first day of January following the exchange of ratifications, that is to say on the first day of January, one thousand nine hundred and thirty-six;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said convention and the said protocol to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof on and from the first day of January, one thousand nine hundred and thirty-six.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this sixteenth day of April in the year of our Lord one thousand nine hundred and thirty-five, and of the Independence of the United States of America the one hundred and fifty-ninth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

Inter-American Arbitration Treaty between the United States of America and other American Republics and Protocol of progressive arbitration. Signed at Washington, January 5, 1929; ratification advised by the Senate, with an understanding, April 1, 1935; ratified by the President, with the said understanding, April 16, 1935; ratification of the United States of America deposited April 16, 1935; proclaimed, April 16, 1935.

January 5, 1929.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Inter-American Arbitration Treaty. Preamble.

WHEREAS a General Treaty of Inter-American Arbitration was signed at Washington on January 5, 1929, by the respective Plenipotentiaries of the United States of America; Venezuela, with reservations; Chile, with a reservation; Bolivia, with reservations; Uruguay, with a reservation and an understanding; Costa Rica, with reservations; Peru; Honduras, with a reservation; Guatemala, with reservations; Haiti; Ecuador, with reservations; Colombia, with reservations; Brazil; Panama; Paraguay, with a reservation; Nicaragua; Mexico, with a reservation; El Salvador, with reservations; Dominican Republic, with an understanding; and Cuba, the original of which treaty, being in the English, Spanish, Portuguese and French languages, is word for word as follows:

TRATADO GENERAL DE ARBITRAJE INTERAMERICANO

Contracting Powers.

Los Gobiernos de Venezuela, Chile, Bolivia, Uruguay, Costa Rica, Perú, Honduras, Guatemala, Haití, Ecuador, Colombia, Brasil, Panamá, Paraguay, Nicaragua, México, El Salvador, República Dominicana, Cuba y Estados Unidos de América, representados en la Conferencia de Conciliación y Arbitraje reunida en Washington conforme a la Resolución aprobada el 18 de febrero de 1928, por la Sexta Conferencia Internacional Americana celebrada en la Ciudad de la Habana;

Purposes declared.

Consecuentes con las declaraciones solemnes hechas en dicha Conferencia de que las Repúblicas americanas condenan la guerra como instrumento de política nacional y adoptan el arbitraje obligatorio como el medio de resolver sus diferencias internacionales de carácter jurídico;

Convencidos de que las Repúblicas del Nuevo Mundo, regidas por los principios, instituciones y prácticas de la democracia y ligadas además por intereses mutuos cada dia más vastos, tienen no sólo la necesidad sino también el deber de evitar que la armonía continental sea perturbada en los casos de surgir entre ellas diferencias susceptibles de decisión judicial;

Conscientes de los grandes beneficios morales y materiales que la paz ofrece a la humanidad y de que el sentimiento y la opinión de América demandan de modo inaplazable la organización de un sistema arbitral que consolide el reinado permanente de la justicia y del derecho;

Y animados por el propósito de dar expresión convencional a estos postulados y anhelos, con el mínimo de limitaciones que se han considerado indispensables para resguardar la independencia

GENERAL TREATY OF INTER-AMERICAN ARBITRATION

The Governments of Venezuela, Chile, Bolivia, Uruguay, Costa Rica, Perú, Honduras, Guatemala, Haiti, Ecuador, Colombia, Brazil, Panamá, Paraguay, Nicaragua, Mexico, El Salvador, the Dominican Republic, Cuba, and the United States of America, represented at the Conference on Conciliation and Arbitration, assembled at Washington, pursuant to the Resolution adopted on February 18, 1928, by the Sixth International Conference of American States held in the City of Habana;

In accordance with the solemn declarations made at said Conference to the effect that the American Republics condemn war as an instrument of national policy and adopt obligatory arbitration as the means for the settlement of their international differences of a juridical character;

Being convinced that the Republics of the New World, governed by the principles, institutions and practices of democracy and bound furthermore by mutual interests, which are increasing each day, have not only the necessity but also the duty of avoiding the disturbance of continental harmony whenever differences which are susceptible of judicial decision arise among them;

Conscious of the great moral and material benefits which peace offers to humanity and that the sentiment and opinion of America demand, without delay, the organization of an arbitral system which shall strengthen the permanent reign of justice and law;

And animated by the purpose of giving conventional form to these postulates and aspirations with the minimum exceptions which they have considered indispensable to safeguard the in-

TRATADO GERAL DE ARBITRAMENTO INTERAMERICANO

Os Governos de Venezuela, Chile, Bolivia, Uruguay, Costa Rica, Perú, Honduras, Guatemala, Haiti, Equador, Colombia, Brasil, Panamá, Paraguay, Nicaragua, Mexico, O Salvador, Republica Dominicana, Cuba e Estados Unidos da America, representados na Conferencia de Conciliação e de Arbitramento reunida em Washington, conforme o disposto na Resolução approvada em 18 de Fevereiro de 1928, pela Sexta Conferencia Internacional Americana celebrada na cidade da Havana;

Em concordancia com as declarações solemnes feitas na dita Conferencia, de que as Republicas americanas condemnam a guerra como instrumento de politica nacional e adoptam o arbitramento obrigatorio como o meio de resolver as suas controversias internacionaes de caracter juridico;

Convencidos de que as Republicas do Novo Mundo, regidas pelos principios, instituições e praticas da democracia e além disso ligadas por interesses mutuos, cada dia mais vastos, têm, não só a necessidade, mas tambem o dever, de evitar que a harmonia continental seja perturbada por controversias susceptiveis de decisão judicial;

Conscientes dos grandes beneficios moraes e materiaes que a paz offerece á humanidade e de que o sentimento e a opinião publica da America exigem, quanto antes, a organização de um systema arbitral que consolide o regimen da justiça e do direito;

E animados do proposito de dar fórma convencional a estes postulados e aspirações, com o minimo de excepções consideradas indispensaveis para salvaguardar a independencia e a soberania dos

TRAITÉ GÉNÉRAL D'ARBITRAGE INTERAMERICAIN

Les Gouvernements du Vénézuéla, du Chili, de la Bolivie, de l'Uruguay, de Costa Rica, du Pérou, de l'Honduras, du Guatémala, d'Haiti, de l'Equateur, de la Colombie, du Brésil, du Panama, du Paraguay, du Nicaragua, du Mexique, d'El Salvador, de la République Dominicaine, de Cuba, et des Etats-Unis d'Amérique, représentés à la Conférence de Conciliation et d'Arbitrage tenue à Washington, conformément à la Résolution adoptée le 18 février 1928, par la Sixième Conférence Internationale Américaine qui eut lieu à La Havane;

Conformément aux déclarations solennelles faites à ladite Conférence que les Républiques américaines condamnent la guerre comme instrument de politique nationale et adoptent l'arbitrage obligatoire comme moyen de règlement de leurs différends internationaux d'un caractère juridique;

Étant convaincus que les Républiques du Nouveau Monde, régies par les principes, les institutions et les pratiques de la démocratie et liées en outre par des intérêts mutuels qui augmentent chaque jour, sont non seulement dans la nécessité mais aussi dans le devoir d'éviter que l'harmonie continentale ne soit troublée chaque fois que des différends susceptibles de décision judiciaire surgissent entre elles;

Conscients des grands avantages moraux et matériels que la paix offre à l'humanité et que le sentiment et l'opinion de l'Amérique demandent, sans délai, l'organisation d'un système arbitral qui consolide le règne permanent de la justice et du droit;

Et animés de l'intention de donner une forme conventionnelle à ces postulats et à ces aspirations avec le minimum d'exceptions qu'ils jugent indispensables pour sauvegarder l'indépen-

y soberanía de los Estados y en la forma más amplia que es posible en las circunstancias del actual momento internacional, han resuelto celebrar el presente tratado para lo cual han nombrado los Plenipotenciarios que a continuación se expresan:

Plenipotentiaries.

Venezuela:
Carlos F. Grisanti.
Francisco Arroyo Parejo.
Chile:
Manuel Foster Recabarren.
Antonio Planet.
Bolivia:
Eduardo Diez de Medina.
Uruguay:
José Pedro Varela.
Costa Rica:
Manuel Castro Quesada.
José Tible-Machado.
Perú:
Hernán Velarde.
Victor M. Maúrtua.
Honduras:
Rómulo Durón.
Marcos López Ponce.
Guatemala:
Adrián Recinos.
José Falla.
Haití:
Auguste Bonamy.
Raoul Lizaire.
Ecuador:
Gonzalo Zaldumbide.
Colombia:
Enrique Olaya Herrera.
Carlos Escallón.
Brasil:
S. Gurgel do Amaral.
A. G. de Araujo-Jorge
Panamá:
Ricardo J. Alfaro.
Carlos L. López.
Paraguay:
Eligio Ayala.
Nicaragua:
Maximo H. Zepeda
Adrián Recinos.
J. Lisandro Medina.
México:
Fernando González Roa.
Benito Flores.
El Salvador:
Cayetano Ochoa.
David Rosales h.

dependence and sovereignty of the States and in the most ample manner possible under present international conditions, have resolved to effect the present treaty, and for that purpose have designated the Plenipotentiaries hereinafter named:

Venezuela:
Carlos F. Grisanti.
Francisco Arroyo Parejo.
Chile:
Manuel Foster Recabarren.
Antonio Planet.
Bolivia:
Eduardo Diez de Medina.
Uruguay:
José Pedro Varela.
Costa Rica:
Manuel Castro Quesada.
José Tible-Machado.
Perú:
Hernán Velarde.
Victor M. Maúrtua.
Honduras:
Rómulo Durón.
Marcos López Ponce.
Guatemala:
Adrián Recinos.
José Falla.
Haití:
Auguste Bonamy.
Raoul Lizaire.
Ecuador:
Gonzalo Zaldumbide.
Colombia:
Enrique Olaya Herrera.
Carlos Escallón.
Brazil:
S. Gurgel do Amaral.
A. G. de Araujo-Jorge.
Panamá:
Ricardo J. Alfaro.
Carlos L. López.
Paraguay:
Eligio Ayala.
Nicaragua:
Maximo H. Zepeda
Adrián Recinos.
J. Lisandro Medina.
Mexico:
Fernando González Roa.
Benito Flores.
El Salvador:
Cayetano Ochoa.
David Rosales, Jr.

Estados, da forma mais ampla possivel, nas circumstancias do actual momento internacional, resolveram celebrar o presente tratado para o qual nomearam os Plenipotenciarios seguintes:

Venezuela:
Carlos F. Grisanti.
Francisco Arroyo Parejo.
Chile:
Manuel Foster Recabarren.
Antonio Planet.
Bolivia:
Eduardo Diez de Medina.
Uruguay:
José Pedro Varela.
Costa Rica:
Manuel Castro Quesada.
José Tible-Machado.
Perú:
Hernán Velarde.
Victor M. Maúrtua.
Honduras:
Rómulo Durón.
Marcos López Ponce.
Guatemala:
Adrián Recinos.
José Falla.
Haiti:
Auguste Bonamy.
Raoul Lizaire.
Equador:
Gonzalo Zaldumbide.
Colombia:
Enrique Olaya Herrera.
Carlos Escallón.
Brasil:
S. Gurgel do Amaral.
A. G. de Araujo-Jorge.
Panamá:
Ricardo J. Alfaro.
Carlos L. López.
Paraguay:
Eligio Ayala.
Nicaragua:
Maximo H. Zepeda
Adrián Recinos.
J. Lisandro Medina.
Mexico:
Fernando González Roa.
Benito Flores.
O Salvador:
Cayetano Ochoa.
David Rosales, Junior.

dance et la souveraineté des Etats et de la manière la plus étendue possible dans la situation internationale actuelle; ont résolu de conclure le présent traité et ont, dans ce but, désigné les Plénipotentiaires nommés ci-après:

Vénézuela:
Carlos F. Grisanti.
Francisco Arroyo Parejo.
Chili:
Manuel Foster Recabarren.
Antonio Planet.
Bolivie:
Eduardo Diez de Medina.
Uruguay:
José Pedro Varela.
Costa Rica:
Manuel Castro Quesada.
José Tible-Machado.
Pérou:
Hernán Velarde.
Victor M. Maúrtua.
Honduras:
Rómulo Durón.
Marcos López Ponce.
Guatémala:
Adrián Recinos.
José Falla.
Haiti:
Auguste Bonamy.
Raoul Lizaire.
Equateur:
Gonzalo Zaldumbide.
Colombie:
Enrique Olaya Herrera.
Carlos Escallón.
Brésil:
S. Gurgel do Amaral.
A. G. de Araujo-Jorge.
Panama:
Ricardo J. Alfaro.
Carlos L. López.
Paraguay:
Eligio Ayala.
Nicaragua:
Maximo H. Zepeda.
Adrián Recinos.
J. Lisandro Medina.
Mexique:
Fernando González Roa.
Benito Flores.
El Salvador:
Cayetano Ochoa.
David Rosales, fils.

Plenipotentiaries—Continued.

República Dominicana:
Angel Morales.
Gustavo A. Díaz.
Cuba:
Orestes Ferrara.
Gustavo Gutiérrez.
Estados Unidos de América:
Frank B. Kellogg.
Charles Evans Hughes.

Dominican Republic:
Angel Morales.
Gustavo A. Díaz.
Cuba:
Orestes Ferrara.
Gustavo Gutiérrez.
United States of America:
Frank B. Kellogg.
Charles Evans Hughes.

Quienes despues de haber depositado sus plenos poderes, que fueron hallados en buena y debida forma por la Conferencia, han convenido lo siguiente:

Who, after having deposited their full powers, found in good and due form by the Conference, have agreed upon the following:

ARTÍCULO 1

Arbitration of differences of international character.

Las Altas Partes Contratantes se obligan a someter a arbitraje todas las diferencias de carácter internacional que hayan surgido o surgieren entre ellas con motivo de la reclamación de un derecho formulada por una contra otra en virtud de un tratado o por otra causa, que no haya sido posible ajustar por la vía diplomática y que sea de naturaleza jurídica por ser susceptible de decisión mediante la aplicación de los principios del derecho.

ARTICLE 1

The High Contracting Parties bind themselves to submit to arbitration all differences of an international character which have arisen or may arise between them by virtue of a claim of right made by one against the other under treaty or otherwise, which it has not been possible to adjust by diplomacy and which are juridical in their nature by reason of being susceptible of decision by the application of the principles of law.

Scope.

Se consideran incluídas entre las cuestiones de órden jurídico:

(a) La interpretación de un tratado;
(b) Cualquier punto de derecho internacional;
(c) La existencia de todo hecho que si fuere comprobado constituiría violación de una obligación internacional;
(d) La naturaleza y extensión de la reparación que debe darse por el quebrantamiento de una obligación internacional.

There shall be considered as included among the questions of juridical character:

(a) The interpretation of a treaty;
(b) Any question of international law;
(c) The existence of any fact which, if established, would constitute a breach of an international obligation;
(d) The nature and extent of the reparation to be made for the breach of an international obligation.

Recourse to existing means of investigation.

Lo dispuesto en este tratado no impedirá a cualquiera de las Partes, antes de ir al arbitraje, recurrir a procedimientos de investigación y de conciliación establecidos en convenciones que estén vigentes entre ellas.

The provisions of this treaty shall not preclude any of the Parties, before resorting to arbitration, from having recourse to procedures of investigation and conciliation established in conventions then in force between them.

Republica Dominicana:
Angel Morales.
Gustavo A. Díaz.
Cuba:
Orestes Ferrara.
Gustavo Gutiérrez Sánchez.
Estados Unidos da America:
Frank B. Kellogg.
Charles Evans Hughes.

Os quaes, depois de terem depositado os seus plenos poderes, achados em bôa e devida forma pela Conferencia, concordaram no seguinte:

ARTIGO 1

As Altas Partes Contractantes obrigam-se a submetter a arbitramento todas as controversias de caracter internacional surgidas ou que surjam entre ellas originadas da reclamação de um direito formulada por uma contra outra em virtude de um tratado ou por outra causa, que se não tenha podido ajustar por via diplomatica e que, por sua natureza juridica, seja susceptivel de decisão mediante a applicação dos principios de direito.

Consideram-se incluidas entre as questões de ordem juridica:

(a) A interpretação de um tratado;
(b) Qualquer ponto de direito internacional;
(c) A existencia de um facto que, se fosse comprovado, constituiria a inobservancia de uma obrigação internacional;
(d) A natureza e extensão da reparação devida pela inobservancia de uma obrigação internacional.

O disposto neste tratado não impedirá qualquer das Partes, antes de ir ao arbitramento, recorrer aos methodos de investigação e de conciliação estabelecidos em convenções que estejam vigentes entre ellas.

République Dominicaine:
Angel Morales.
Gustavo A. Díaz.
Cuba:
Orestes Ferrara.
Gustavo Gutiérrez Sánchez.
Etats-Unis d'Amérique:
Frank B. Kellogg.
Charles Evans Hughes.

Lesquels, après avoir déposé leurs pleins pouvoirs, reconnus en bonne et due forme par la Conférence, sont convenus de ce qui suit:

ARTICLE 1

Les Hautes Parties Contractantes s'engagent à soumettre à l'arbitrage tous les différends de caractère international qui ont surgi ou qui pourraient surgir entre elles par le fait de la réclamation d'un droit faite par l'une contre l'autre en vertu d'un traité ou autrement, réclamation qu'il n'a pas été possible de régler par la voie diplomatique et qui est de nature juridique, vu qu'elle est susceptible d'une décision basée sur l'application des principes du droit.

Seront considérés comme compris parmi les questions d'un caractère juridique:

(a) L'interprétation d'un traité;
(b) Tout point de droit international;
(c) La réalité de tout fait qui, s'il était établi, constituerait la violation d'un engagement international;
(d) La nature ou l'étendue de la réparation due pour la rupture d'un engagement international.

Les dispositions du présent traité n'empêcheront pas l'une des Parties, avant de se soumettre à l'arbitrage, d'avoir recours aux procédures d'investigation et de conciliation établies dans les conventions qui sont en vigueur entre elles.

ARTÍCULO 2

Excepted controversies.

Quedan exceptuadas de las estipulaciones de este tratado las controversias siguientes:

(a) Las comprendidas dentro de la jurisdicción doméstica de cualquiera de las Partes en litigio y que no estén regidas por el derecho internacional; y

(b) Las que afecten el interés o se refieran a la acción de un Estado que no sea Parte en este tratado.

ARTÍCULO 3

Arbitrator or tribunal to be designated by agreement.

El árbitro o tribunal que debe fallar la controversia será designado por acuerdo de las Partes.

Procedure if no agreement reached.

A falta de acuerdo se procederá del modo siguiente:

Cada Parte nombrará dos árbitros, de los que sólo uno podrá ser de su nacionalidad o escogido entre los que dicha Parte haya designado para miembros del Tribunal Permanente de Arbitraje de La Haya, pudiendo el otro miembro ser de cualquier otra nacionalidad americana. Estos árbitros, a su vez, elegirán un quinto árbitro, quién presidirá el tribunal.

Selection of fifth arbitrator.

Si los árbitros no pudieren ponerse de acuerdo entre sí para escoger un quinto árbitro americano o, en subsidio, uno que no lo sea, cada Parte designará un miembro no americano del Tribunal Permanente de Arbitraje de La Haya, y los dos así designados elegirán el quinto árbitro, que podrá ser de cualquier nacionalidad distinta de la de las Partes en litigio.

ARTÍCULO 4

Statement of subject matter, etc., to be formulated.

Las Partes en litigio formularán de común acuerdo en cada caso un compromiso especial que definirá claramente la materia específica objeto de la controversia, la sede del tribunal, las reglas que se observarán en el procedimiento

ARTICLE 2

There are excepted from the stipulations of this treaty the following controversies:

(a) Those which are within the domestic jurisdiction of any of the Parties to the dispute and are not controlled by international law; and

(b) Those which affect the interest or refer to the action of a State not a Party to this treaty.

ARTICLE 3

The arbitrator or tribunal who shall decide the controversy shall be designated by agreement of the Parties.

In the absence of an agreement the following procedure shall be adopted:

Each Party shall nominate two arbitrators, of whom only one may be a national of said Party or selected from the persons whom said Party has designated as members of the Permanent Court of Arbitration at The Hague. The other member may be of any other American nationality. These arbitrators shall in turn select a fifth arbitrator who shall be the president of the court.

Should the arbitrators be unable to reach an agreement among themselves for the selection of a fifth American arbitrator, or in lieu thereof, of another who is not, each Party shall designate a non-American member of the Permanent Court of Arbitration at The Hague, and the two persons so designated shall select the fifth arbitrator, who may be of any nationality other than that of a Party to the dispute.

ARTICLE 4

The Parties to the dispute shall formulate by common accord, in each case, a special agreement which shall clearly define the particular subject-matter of the controversy, the seat of the court, the rules which will be observed in the

ARTIGO 2

Ficam exceptuadas das estipulações deste tratado as controversias seguintes:

(a) As comprehendidas na jurisdicção domestica de qualquer das Partes em litigio e que não estejam reguladas pelo direito internacional; e
(b) As que não affectem os interesses ou se refiram á acção de um Estado que não seja Parte neste tratado.

ARTIGO 3

O arbitro ou tribunal que deve decidir a controversia será designado por accordo das Partes.

Na falta de accordo, proceder-se-á do modo seguinte:

Cada Parte nomeará dois arbitros, dos quaes só um poderá ser da sua nacionalidade ou escolhido entre os que a dita Parte tenha designado para membros do Tribunal Permanente de Arbitramento da Haya, podendo o outro membro ser de qualquer outra nacionalidade americana. Estes arbitros, por sua vez, elegerão um quinto arbitro, o qual presidirá o tribunal.

Se os arbitros não puderem concordar na escolha de um quinto arbitro americano ou, em seu lugar, de um que o não seja, cada Parte designará um membro não americano do Tribunal Permanente de Arbitramento da Haya, e esses dois assim designados elegerão o quinto arbitro, que poderá ser de qualquer nacionalidade, diversa da das Partes em litigio.

ARTIGO 4

As Partes litigantes formularão de commum accordo, em cada caso, um compromisso especial que determinará claramente a materia em litigio, a séde do arbitro ou do tribunal, as regras que se observarão no processo e

ARTICLE 2

Les stipulations du présent traité ne s'appliquent pas aux controverses suivantes:

(a) Celles qui relèvent de la juridiction nationale d'une quelconque des Parties en litige et qui ne sont pas régies par le droit international; et
(b) Celles qui affectent l'intérêt ou se réfèrent à l'action d'un Etat qui n'est pas Partie au présent traité.

ARTICLE 3

L'arbitre ou le tribunal qui décidera la controverse sera désigné par un accord entre les Parties.

A défaut d'un accord, la procédure suivante sera adoptée:

Chaque Partie nommera deux arbitres dont un seul peut être un ressortissant de ladite Partie ou choisi parmi les personnes que ladite Partie a désignées comme membres du Tribunal Permanent d'Arbitrage de La Haye. L'autre membre peut être d'une autre nationalité américaine quelconque. Ces arbitres, à leur tour, choisiront un cinquième arbitre qui sera le président du tribunal.

Si les arbitres ne peuvent pas arriver à un accord pour l'élection d'un cinquième arbitre américain ou, à sa place, d'un arbitre d'une autre nationalité, chaque Partie désignera un membre non américain, du Tribunal Permanent d'Arbitrage de La Haye, et les deux personnes ainsi désignées choisiront le cinquième arbitre qui pourra être de n'importe quelle nationalité autre que celle de l'une des Parties.

ARTICLE 4

Les Parties en litige formuleront d'un commun accord, dans chaque cas, un compromis spécial qui définira clairement le sujet particulier de la controverse, le siège du tribunal, les règlements qui seront observés dans les

y las demás condiciones que las Partes convengan entre sí.

Court to formulate if no accord reached.

Si no se ha llegado a un acuerdo sobre el compromiso dentro de tres meses contados desde la fecha de la instalación del tribunal, el compromiso será formulado por éste.

proceedings, and the other conditions to which the Parties may agree.

If an accord has not been reached with regard to the agreement within three months reckoned from the date of the installation of the court, the agreement shall be formulated by the court.

ARTÍCULO 5

Filling vacancies.

En caso de fallecimiento, renuncia o incapacidad de uno o más de los árbitros la vacante se llenará en la misma forma de la designación original.

ARTICLE 5

In case of death, resignation or incapacity of one or more of the arbitrators the vacancy shall be filled in the same manner as the original appointment.

ARTÍCULO 6

When controversy interests more than two States.

Procedure.

Cuando haya más de dos Estados directamente interesados en una misma controversia, y los intereses de dos o más de ellos sean semejantes, el Estado o Estados que estén del mismo lado de la cuestión podrán aumentar el número de árbitros en el tribunal, de manera que en todo caso las Partes de cada lado de la controversia nombren igual número de árbitros. Se escogerá además un árbitro presidente que deberá ser elegido en la forma establecida en el párrafo final del Artículo 3, considerándose las Partes que estén de un mismo lado de la controversia como una sóla Parte para el efecto de hacer la designación expresada.

ARTICLE 6

When there are more than two States directly interested in the same controversy, and the interests of two or more of them are similar, the State or States who are on the same side of the question may increase the number of arbitrators on the court, provided that in all cases the Parties on each side of the controversy shall appoint an equal number of arbitrators. There shall also be a presiding arbitrator selected in the same manner as that provided in the last paragraph of Article 3, the Parties on each side of the controversy being regarded as a single Party for the purpose of making the designation therein described.

ARTÍCULO 7

Award.

La sentencia, debidamente pronunciada y notificada a las Partes, decide la controversia definitivamente y sin apelación.

Interpretation or execution of.

Las diferencias que surjan sobre su interpretación o su ejecución serán sometidas al juicio del tribunal que dictó el laudo.

ARTICLE 7

The award, duly pronounced and notified to the Parties, settles the dispute definitively and without appeal.

Differences which arise with regard to its interpretation or execution shall be submitted to the decision of the court which rendered the award.

ARTÍCULO 8

Effect of making reservations.

Las reservas hechas por una de las Altas Partes Contratantes tendrán el efecto de que las demás Partes Contratantes no se obligan respecto de la que hizo las reservas sino en la misma medida que las reservas determinen.

ARTICLE 8

The reservations made by one of the High Contracting Parties shall have the effect that the other Contracting Parties are not bound with respect to the Party making the reservations except to the same extent as that expressed therein.

as demais condições em que as Partes concordarem.

Se não se tiver chegado a um accordo sobre o compromisso dentro de tres mezes contados desde a data da installação do tribunal, o compromisso será formulado por este.

ARTIGO 5

No caso de fallecimento, renuncia ou incapacidade de um ou mais dos arbitros, preencherse-á a vaga na mesma fórma adoptada para a nomeação original.

ARTIGO 6

Quando houver mais de dois Estados directamente interessados em uma mesma controversia e os interesses de dois ou mais delles forem semelhantes, o Estado ou os Estados que estejam do mesmo lado da questão poderão augmentar o numero de arbitros no tribunal, comtanto que as Partes de cada lado da controversia nomeiem sempre egual numero de arbitros. Além disto, escolher-se-á um arbitro presidente que deverá ser nomeado conforme o disposto no paragrapho final do Artigo 3, considerando-se as Partes que estejam de um mesmo lado da controversia como uma só Parte para o effeito da referida designação.

ARTIGO 7

A sentença, devidamente proferida e notificada ás Partes, decide a controversia definitivamente e sem appelação.

As controversias que surjam sobre a sua interpretação ou execução serão submettidas ao juizo do arbitro ou tribunal que proferiu o laudo.

ARTIGO 8

As reservas feitas por uma das Altas Partes Contractantes terão o effeito de que as demais Partes Contractantes não se obrigam em relação á que fez as reservas, senão na mesma medida que as reservas determinem.

délibérations et les autres conditions dont les Parties pourraient convenir.

A défaut d'un accord en ce qui concerne le compromis dans les trois mois qui suivront la date de l'installation du tribunal, le compromis sera formulé par ce dernier.

ARTICLE 5

En cas de décès, de démission ou d'empêchement d'un ou de plusieurs des arbitres, il sera pourvu à leur remplacement selon le mode fixé pour leur nomination.

ARTICLE 6

Lorsqu'il y a plus de deux Etats directement intéressés dans la même controverse et lorsque les intérêts de deux ou de plusieurs d'entre eux sont semblables, l'Etat ou les Etats qui sont du même côté de la question peuvent augmenter le nombre des arbitres au tribunal, pourvu que dans tous les cas les Parties figurant de chaque côté de la controverse nomment un nombre égal d'arbitres. Il y aura également un arbitre président qui sera choisi de la façon prévue au dernier paragraphe de l'Article 3, les Parties de chaque côté de la controverse étant considérées comme une seule Partie dans le but de faire la nomination qui y est prévue.

ARTICLE 7

La sentence, dûment prononcée et notifiée aux Parties, décide définitivement et sans appel la contestation.

Les différends qui s'élèvent en ce qui concerne son interprétation ou son exécution seront soumis à la décision du tribunal qui a prononcé la sentence.

ARTICLE 8

Les réserves faites par l'une des Hautes Parties Contractantes auront l'effet que les autres Parties contractantes ne seront pas engagées envers la Partie qui fait les réserves si ce n'est dans la même mesure que celle déterminée dans ces réserves.

ARTÍCULO 9

Ratification.

El presente tratado será ratificado por las Altas Partes Contratantes de acuerdo con sus procedimientos constitucionales.

Deposit of original.

El tratado original y los instrumentos de ratificación serán depositados en la Secretaría de Estado de los Estados Unidos de América, la que comunicará las ratificaciones por la vía diplomática a los demás Gobiernos signatarios, entrando el tratado en vigor entre las Altas Partes Contratantes en el orden en que vayan depositando sus ratificaciones.

Notices of ratifications to be furnished signatories.

Duration.

Este tratado regirá indefinidamente, pero podrá ser denunciado mediante aviso anticipado de un año, transcurrido el cual cesará en sus efectos para el denunciante, quedando subsistente para los demás signatarios. La denuncia será dirigida a la Secretaría de Estado de los Estados Unidos de América, que la trasmitirá a los demás Gobiernos signatarios.

Denunciation.

Adhesions.

Los Estados americanos que no hayan suscrito este tratado podrán adherirse a él, enviando el instrumento oficial en que se consigne esta adhesión a la Secretaría de Estado de los Estados Unidos de América, la que lo notificará a las otras Altas Partes Contratantes en la forma antes expresada.

Signatures.

En testimonio de lo cual los Plenipotenciarios arriba nombrados firman el presente Tratado, en español, inglés, portugués, y francés, y estampan sus respectivos sellos.

Hecho en la ciudad de Washington, a los cinco días del mes de enero de mil novecientos veintinueve.

ARTICLE 9

The present treaty shall be ratified by the High Contracting Parties in conformity with their respective constitutional procedures.

The original treaty and the instruments of ratification shall be deposited in the Department of State of the United States of America which shall give notice of the ratifications through diplomatic channels to the other signatory Governments and the treaty shall enter into effect for the High Contracting Parties in the order that they deposit their ratifications.

This treaty shall remain in force indefinitely, but it may be denounced by means of one year's previous notice at the expiration of which it shall cease to be in force as regards the Party denouncing the same, but shall remain in force as regards the other signatories. Notice of the denunciation shall be addressed to the Department of State of the United States of America which will transmit it for appropriate action to the other signatory Governments.

Any American State not a signatory of this treaty may adhere to the same by transmitting the official instrument setting forth such adherence to the Department of State of the United States of America which will notify the other High Contracting Parties thereof in the manner heretofore mentioned.

In witness whereof the above mentioned Plenipotentiaries have signed this treaty in English, Spanish, Portuguese, and French and hereunto affix their respective seals.

Done at the city of Washington, on this fifth day of January, 1929.

ARTIGO 9

O presente tratado será ratificado pelas Altas Partes Contractantes de accordo com os seus preceitos constitucionaes.

O tratado original e os instrumentos de ratificação serão depositados no Ministerio de Estado das Relações Exteriores dos Estados Unidos da America, o qual communicará as ratificações pela via diplomatica aos demais Governos signatarios, começando o tratado a vigorar entre as Altas Partes Contractantes na ordem em que forem depositando as suas ratificações.

Este tratado vigorará indefinidamente, mas poderá ser denunciado mediante aviso dado com um anno de antecedencia, passado o qual cessará nos seus effeitos para o denunciante, continuando em vigor para os demais signatarios. A denuncia será dirigida ao Ministerio de Estado das Relações Exteriores dos Estados Unidos da America, que a transmittirá aos demais Governos signatarios.

Os Estados americanos que não tenham assignado este tratado poderão a elle adherir, enviando o instrumento official em que se consigne esta adhesão ao Ministerio de Estado das Relações Exteriores dos Estados Unidos da America, o qual a notificará ás outras Altas Partes Contractantes na fórma acima referida.

Em testemunho do que, os Plenipotenciarios acima nomeados assignam o presente tratado em portuguez, hespanhol, inglez e francez, e appõem nelle os seus respectivos sellos.

Dado na cidade de Washington, aos cinco dias do mez de Janeiro do anno de mil novecentos e vinte e nove.

ARTICLE 9

Le présent traité sera ratifié par les Hautes Parties Contractantes conformément à leurs procédures constitutionnelles respectives.

L'original du présent traité et les instruments de ratification seront déposés au Département d'Etat des Etats-Unis d'Amérique qui donnera l'avis de ratification, par la voie diplomatique, aux autres gouvernements signataires, et le présent traité entrera en vigueur pour les Hautes Parties Contractantes dans l'ordre du dépôt de leur ratification.

Le présent traité restera en vigueur indéfiniment, mais il peut être dénoncé par un avis préalable d'un an; à l'expiration de ce terme, il cessera d'être en vigueur en ce qui concerne la Partie qui l'a dénoncé, mais restera en vigueur pour les autres signataires. L'avis de dénonciation sera adressé au Département d'Etat des Etats-Unis d'Amérique qui le transmettra aux autres Gouvernements signataires pour les effets qui doivent en résulter.

Tout Etat américain qui n'est pas signataire au présent traité peut y adhérer en transmettant l'instrument officiel portant cette adhésion au Département d'Etat des Etats-Unis d'Amérique, qui le notifiera aux autres Hautes Parties Contractantes de la manière indiquée ci-dessus.

En foi de quoi, les Plénipotentiaires ci-dessus mentionnés ont signé le présent Traité en français, en espagnol, en anglais, et en portugais et y ont apposé leurs sceaux respectifs.

Fait dans la ville de Washington, le cinquième jour du mois de janvier de l'an mil neuf cent vingt-neuf.

La Delegación de Venezuela suscribe el presente Tratado de Arbitraje con las siguientes reservas:[1]

Primera. Quedan excluídos de este Tratado los asuntos que, conforme a la Constitución o a las Leyes de Venezuela, corresponden a la jurisdicción de sus Tribunales; y, especialmente, los relativos a reclamaciones pecuniarias de extranjeros. En estos asuntos no procederá el arbitraje sino cuando habiéndose agotado por el reclamante los recursos legales, aparezca que ha habido denegación de justicia.

Segunda. Quedan igualmente excluídos los asuntos regidos por acuerdos internacionales en vigencia para esta fecha.

CARLOS F. GRISANTI FR. ARROYO PAREJO [SEAL] [SEAL]

Chile no acepta Arbitraje obligatorio para las cuestiones que tengan origen en situaciones o hechos anteriores al presente Tratado, ni lo acepta tampoco para aquellas cuestiones, que, siendo de la competencia exclusiva de la jurisdicción nacional pretendan las partes interesadas sustraerlas del conocimiento de las autoridades judiciales establecidas, salvo que dichas autoridades se negasen a resolver sobre cualquiera acción o escepción que alguna persona natural o jurídica extrangera les presente en la forma establecida por las leyes del país

MANUEL FOSTER. [SEAL]
A. PLANET . [SEAL]

La Delegación de Bolivia, de acuerdo con la doctrina y la política invariablemente sostenidas por Bolivia en el campo jurídico internacional, presta plena adhesión y suscribe el Tratado General de Arbitraje Inter-Americano que han de sancionar las Repúblicas de América, formulando las siguientes expresas reservas:

Primera. Podrán exceptuarse de las estipulaciones del presente Convenio las cuestiones emergentes de hechos o de convenciones anteriores a la accesión del pacto indicado, asi como las que de conformidad con el Derecho Internacional corresponden a la competencia exclusiva del Estado.

Segunda. Queda igualmente entendido que para someterse al arbitraje una controversia o litigio territorial, debe préviamente determinarse en el compromiso la zona sobre que versará dicho arbitraje.

[SEAL] E. DIEZ DE MEDINA

Voto por la afirmativa el Tratado de Arbitraje, con la reserva formulada por la Delegación del Uruguay en la Quinta Conferencia Panamericana, propiciando el Arbitraje amplio; y en la inteligencia de que sólo procede el arbitraje en caso de denegación de justicia, cuando los tribunales nacionales tienen competencia, según su propia legislación.

[SEAL] JOSÉ PEDRO VARELA

Reservas de Costa Rica:

(*a*) Las obligaciones contraídas en este Tratado no anulan, abrogan ni restringen los convenios vigentes de arbitraje que existan ya entre Costa Rica y otra u otras de las altas partes contratantes y no implican arbitraje, desconocimiento o rediscusión de cuestiones que hayan sido ya resueltas por fallos arbitrales.

[1] For English, Portuguese, and French translations of the reservations of Venezuela and other signatory governments, see pp. 3170 ff.

(*b*) Las obligaciones contraídas en este Tratado no implican el arbitraje de sentencias dictadas por los Tribunales de Costa Rica en juicios civiles que les sean sometidos y respecto de los cuales las partes interesadas hayan reconocido la competencia de dichos Tribunales.

MANUEL CASTRO QUESADA [SEAL]
JOSÉ TIBLE-MACHADO [SEAL]

HERNÁN VELARDE [SEAL]
VICTOR M. MAURTUA [SEAL]

La Delegación de Honduras, al firmar el presente Tratado, formula expresa reserva haciendo constar que sus disposiciones no serán aplicables a los asuntos o controversias internacionales pendientes ni a los que se promuevan en lo sucesivo sobre hechos anteriores a la fecha en que dicho Tratado entre en vigor.

[SEAL] RÓMULO E. DURÓN.
[SEAL] M. LÓPEZ PONCE

La Delegación de Guatemala hace las siguientes reservas:

1. Para someter a arbitraje cualesquiera cuestiones relativas a los límites de la Nación, deberá preceder, en cada caso, la aprobación de la Asamblea Legislativa, de conformidad con la Constitución de la República.

2. Las disposiciones de la presente Convención no alteran ni modifican los convenios y tratados celebrados con anterioridad por a República de Guatemala.

[SEAL] ADRIÁN RECINOS
[SEAL] JOSÉ FALLA

A. BONAMY [SEAL]
RAOUL LIZAIRE [SEAL]

La Delegación del Ecuador, siguiendo instrucciones de su Gobierno, reserva de la jurisdicción del arbitraje obligatorio convenido en el presente tratado:

1° Las cuestiones actualmente regidas por convenios o tratados vigentes;

2° Las que surgieren por causas anteriores o provinieren de hechos preexistentes a la firma de este tratado;

3° Las reclamaciones pecuniarias de extranjeros que no hubiesen agotado previamente los tribunales de justicia del país, entendiendo que tal es el espíritu que informó y tal el alcance que el Gobierno ecuatoriano ha dado siempre a la Convención de Buenos Aires de 11 de Agosto de 1910.

GONZALO ZALDUMBIDE [SEAL]

La Delegación de Colombia suscribe la anterior Convención con las dos siguientes declaraciones o reservas:

Primera: Las obligaciones que por ella contraiga la República de Colombia se refieren a las diferencias que surgieren de hechos posteriores a la ratificación de la Convención;

Segunda: A menos que se trate de un caso de denegación de justicia, el arbitraje previsto en esta Convención no es aplicable a las cuestiones que se hayan originado o se originaren entre un ciudadano, una socie-

dad o una corporación de una de las Partes y el otro Estado contratante cuando los Jueces o Tribunales de este último Estado son, de acuerdo con su legislación, competentes para resolver a controversia.

[SEAL] ENRIQUE OLAYA HERRERA
[SEAL] C ESCALLÓN

[SEAL] S. GURGEL DO AMARAL
[SEAL] A ARAUJO JORGE

R. J. ALFARO [SEAL]
CARLOS L. LÓPEZ [SEAL]

Reserva de la Delegación del Paraguay:

Suscribo este tratado con la reserva de que el Paraguay excluye de su aplicación las cuestiones que afectan directa o indirectamente la integridad del territorio nacional y no sean meramente de fronteras o de límites.

ELIGIO AYALA [SEAL]

MÁXIMO H ZEPEDA
ADRIÁN RECINOS [SEAL]
J LISANDRO MEDINA

Reserva mexicana:

México hace la reserva de que las diferencias que caigan bajo la jurisdicción de los tribunales, no serán objeto del procedimiento previsto por la Convención, sino por denegación de justicia, y hasta después que la sentencia dictada por la autoridad nacional competente naya pasado a la categoría de cosa juzgada.

[SEAL] FERDO GONZÁLEZ ROA
BENITO FLORES

La Delegación de El Salvador a la Conferencia de Conciliación y Arbitraje reunida en Washington, acepta y suscribe el Tratado General de Arbitraje Inter-Americano celebrado el día de hoy por dicha Conferencia, con las reservas o restricciones siguientes:

1ª. Después de las palabras del inciso 1° del Art. 1° en que se dice: "*en virtud de un Tratado o por otra causa*" deben agregarse éstas: "posterior a la presente convención". Continúa el artículo sin otra variación.

2ª. El inciso A) del Art. 2° lo acepta la Delegación sin las palabras finales que dicen: "*y que no estén regidas por el Derecho Internacional*", las que deben tenerse como suprimidas.

3ª. No quedan comprendidas en este Tratado las controversias o diferencias sobre puntos o cuestiones que, según la Constitución Política de El Salvador, no deben someterse al Arbitraje, y

4ª. Las reclamaciones pecuniarias contra la Nación, serán decididas por sus jueces y tribunales por corresponder a ellos el conocimiento y sólo se recurrirá al Arbitraje Internacional en los casos previstos por la Constitución y leyes Salvadoreñas, esto es por denegación de justicia o retardo anormal en administrarla.

[SEAL] DAVID ROSALES, HIJO CAYETANO OCHOA
[SEAL]

La República Dominicana al suscribir el Tratado General de Arbitraje Interamericano lo hace en la inteligencia de que las controversias relativas a cuestiones que son de la competencia de sus tribunales no serán deferidas a la jurisdicción arbitral sino de acuerdo con los principios del Derecho Internacional.

A MORALES [SEAL]
G A DÍAZ [SEAL]

ORESTES FERRARA [SEAL]
GUSTAVO GUTIÉRREZ [SEAL]

FRANK B KELLOGG [SEAL]
CHARLES EVANS HUGHES [SEAL]

Ratification of United States with specified understanding.

AND WHEREAS, the said treaty has been ratified on the part of the United States of America, with the understanding, made a part of such ratification, "that the special agreement in each case shall be made only by the President, and then only by and with the advice and consent of the Senate, provided two-thirds of the Senators present concur"; and the instrument of ratification was deposited in the archives of the Department of State of the United States of America, in accordance with Article 9 of the treaty, on the sixteenth day of April, one thousand nine hundred and thirty-five;[2]

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said treaty to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof, as ratified.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this sixteenth day of April, in the year of our Lord one thousand nine hundred and thirty-
[SEAL] five and of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[2] On the date of the President's proclamation, Apr. 16, 1935, this treaty was in effect also in respect of Brazil, Chile, Cuba, Dominican Republic, El Salvador, Guatemala, Haiti, Mexico, Nicaragua, Panama, Peru, and Venezuela.

[TRANSLATION OF RESERVATIONS]

The Delegation of Venezuela signs the present treaty of arbitration with the following reservations:

First. There shall be excepted from this Treaty those matters which, according to the Constitution or the laws of Venezuela, are under the jurisdiction of its courts; and especially those matters relating to pecuniary claims of foreigners. In such matters arbitration shall not be resorted to except when legal remedies having been exhausted by the claimant it shall appear that there has been a denial of justice.

Second. There shall also be excepted those matters controlled by international agreements now in force.

Chile does not accept obligatory arbitration for questions which have their origin in situations or acts antedating the present treaty nor does it accept obligatory arbitration for those questions which, being under the exclusive competency of the national jurisdiction, the interested parties claim the right to withdraw from the cognizance of the established judicial authorities, unless said authorities decline to pass judgment on any action or exception which any natural or juridical foreign person may present to them in the form established by the laws of the country.

The Delegation of Bolivia, in accordance with the doctrine and policy invariably maintained by Bolivia in the field of international jurisprudence, gives full adherence to and signs the General Treaty of Inter-American Arbitration which the Republics of America are to sanction, formulating the following express reservations:

First. There may be excepted from the provisions of the present agreement, questions arising from

[TRADUCÇÃO DAS RESERVAS]

A delegação da Venezuela assigna o presente tratado de arbitramento com as seguintes reservas:

Primeira. Ficam excluidos deste tratado os assumptos que, conforme a Constituição ou as leis da Venezuela, correspondam á jurisdicção dos seus tribunaes; e, especialmente, os relativos a reclamações pecuniarias de extranjeiros. Nestes assumptos não procederá o arbitramento senão quando, tendo-se exgotado pelo reclamante os recursos legaes, houver evidencia de denegação de justiça.

Segunda. Ficam egualmente excluidos os assumptos regidos por accordos internacionaes em vigor nesta data.

O Chile não acceita o arbitramento obrigatorio para as questões que tenham origem em situações ou factos anteriores ao presente tratado, nem a acceita para as questões que, sendo da competencia exclusiva da jurisdicção nacional, pretendam as partes interessadas subtrai-las ao conhecimento das auctoridades judiciaes estabelecidas, salvo que as ditas auctoridades se negassem a resolver sobre qualquer acção ou excepção que alguma pessoa natural ou juridica extranjeira apresente na forma estabelecida pelas leis do paiz.

A delegação da Bolivia, de accordo com a doutrina e politica invariavelmente mantidas pela Bolivia no campo juridico internacional, presta plena adhesão e assigna o tratado geral de arbitramento inter-Americano que hão de sanccionar as Republicas da America, formulando as seguintes expressas reservas:

Primeira. Poder-se-ão exceptuar das estipulações do convenio presente as questões emergentes

[TRADUCTION DES RÉSERVES]

La délégation du Vénézuéla signe le présent traité d'arbitrage avec les réserves suivantes:

Premièrement. Sont exclues de ce traité les questions qui, conformément à la Constitution ou aux lois du Vénézuéla, relèvent de la juridiction de ses tribunaux, et, particulièrement, celles qui se réfèrent aux réclamations pécuniaires faites par des étrangers. Dans de tels cas, il ne sera procédé à l'arbitrage que lorsque, tous les moyens légaux ayant été épuisés par le réclamant, il sera évident qu'il y a eu refus de justice.

Deuxièmement. Sont également exclues les questions régies par des accords internationaux actuellement en vigueur.

Le Chili n'accepte pas l'arbitrage obligatoire pour les questions qui ont leur origine dans des situations ou faits antérieurs au présent traité, ni ne l'accepte pour les questions relevant de la compétence exclusive de la juridiction nationale, que les parties intéressées prétendent retirer de la connaissance des autorités judiciaires établies, sauf lorsque les dites autorités refusent de prendre une décision en ce qui concerne toute action ou exception que toute personne étrangère naturelle ou juridique pourrait leur soumettre de la manière établie par les lois du pays.

La délégation de la Bolivie, conformément à la doctrine et à la politique invariablement suivies par la Bolivie dans le domaine juridique international, donne entièrement son adhésion et signe le traité général d'arbitrage interaméricain que les Républiques d'Amérique doivent sanctionner, en formulant expressément les réserves suivantes:

Premièrement. Seront exceptées des stipulations du présent traité les questions surgissant d'actes

acts occurring or conventions concluded before the said treaty goes into effect, as well as those which, in conformity with international law, are under the exclusive jurisdiction of the state.

Second. It is also understood that, for the submission to arbitration of a territorial controversy or dispute, the zone to which the said arbitration is to apply must be previously determined in the arbitral agreement.

I vote in favor of the Treaty of Arbitration, with the reservation formulated by the Delegation of Uruguay at the Fifth Pan American Conference, favoring broad arbitration; and with the understanding that arbitration will be resorted to only in case of denial of justice, when the national tribunals have jurisdiction, according to the legislation of their own country.

Reservations of Costa Rica:

(a) The obligations contracted under this Treaty do not annul, abrogate, or restrict the arbitration conventions which are now in force between Costa Rica and another or others of the high contracting parties and do not involve arbitration, disavowal, or renewed discussion of questions which may have already been settled by arbitral awards.

(b) The obligations contracted under this Treaty do not involve the arbitration of judgments handed down by the courts of Costa Rica in civil cases which may be submitted to them and with regard to which the interested parties have recognized the jurisdiction of said courts.

The Delegation of Honduras, in signing the present Treaty, formulates an express reservation making it a matter of record that the provisions thereof shall not be applicable to pending international questions or contro-

de acontecimentos ou de convenções anteriores á accessão do pacto indicado, assim como as que de conformidade com o direito internacional correspondem á competencia exclusiva do Estado.

Segunda. Fica egualmente entendido que para submetter-se ao arbitramento uma controversia ou um litigio territorial, se deve determinar previamente no compromisso a zona sobre a qual versará o dito arbitramento.

Voto a favor do tratado de arbitramento, com a reserva formulada pela delegação do Uruguay na Quinta Conferencia Internacional Americana, advogando o arbitramento amplo; e na intelligencia de que se terá recurso ao arbitramento só em caso de denegação de justiça, quando teem competencia os tribunaes nacionaes, segundo a sua propria legislação.

Reservas de Costa Rica:

(*a*) As obrigações contrahidas neste tratado não annulam, revogam nem restringem os convenios vigentes de arbitramento que já existem entre Costa Rica e outra ou outras das Altas Partes Contractantes e não implicam arbitramento, desconhecimento ou rediscussão de questões que já tiverem sido resolvidas por laudos arbitraes.

(*b*) As obrigações contrahidas neste tratado não implicam o arbitramento de sentenças passadas pelos tribunaes de Costa Rica em juizos civis que lhes sejam submettidos e a respeito dos quaes as partes interessadas tenham reconhecido a competencia dos ditos tribunaes.

A delegação de Honduras, ao assignar o presente tratado, formula a expressa reserva, fazendo constar que as suas disposições não serão applicaveis aos assumptos ou ás controversias internacionaes pendentes, nem aos que se

ou de conventions antérieurs à l'entrée en vigueur du dit traité, ainsi que celles qui, conformément au droit international, relèvent de la juridiction exclusive de l'Etat.

Deuxièmement. Il est également entendu que pour soumettre à l'arbitrage une controverse territoriale ou un conflit territorial, il faudra déterminer, précédemment dans le compromis, la zone affectée par le dit arbitrage.

Je vote en faveur du traité d'arbitrage avec la réserve formulée par la délégation de l'Uruguay à la Cinquième Conférence Internationale Américaine favorisant un arbitrage étendu, et avec l'entente qu'il ne sera fait recours à l'arbitrage que dans le cas de refus de justice, lorsque les tribunaux nationaux auront juridiction conformément à la législation de leur propre pays.

Réserves de Costa Rica:

(*a*) Les obligations contractées par le présent traité n'annullent, ni n'abrogent, ni ne limitent les conventions d'arbitrage actuellement en vigueur entre Costa Rica et une quelconque des Hautes Parties Contractantes et n'impliquent ni l'arbitrage, ni la rétractation, ni la discussion nouvelle de questions qui ont déjà été réglées par des sentences arbitrales.

(*b*) Les obligations contractées par le présent traité n'impliquent pas l'arbitrage de décisions prises par les tribunaux de Costa Rica dans des cas civils qui peuvent leur être soumis et au sujet desquels les parties intéressées ont reconnu la compétence des dits tribunaux.

La délégation de l'Honduras, en signant le présent traité, fait expressément la réserve que ses termes ne seront applicables, ni à des questions ou controverses internationales en litige, ni à celles pouvant s'élever à l'avenir

versies or to those which may arise in the future relative to acts prior to the date on which the said Treaty goes into effect.

The Delegation of Guatemala makes the following reservations:

1. In order to submit to arbitration any questions relating to the boundaries of the nation, the approval of the Legislative Assembly must first be given, in each case, in conformity with the Constitution of the Republic.

2. The provisions of the present Convention do not alter or modify the conventions and treaties previously entered into by the Republic of Guatemala.

The Delegation of Ecuador, pursuant to instructions of its Government, reserves from the jurisdiction of the obligatory arbitration agreed upon in the present Treaty:

1. Questions at present governed by conventions or treaties now in effect;

2. Those which may arise from previous causes or may result from acts preceding the signature of this treaty;

3. Pecuniary claims of foreigners who may not have previously exhausted all legal remedies before the courts of justice of the country, it being understood that such is the interpretation and the extent of the application which the Government of Ecuador has always given to the Buenos Aires Convention of August 11, 1910.

The Delegation of Colombia signs the foregoing Convention with the following two declarations or reservations:

First. The obligations which the Republic of Colombia may contract thereby refer to the differences which may arise from acts subsequent to the ratification of the Convention;

Second. Except in the case of a denial of justice, the arbitration provided for in this convention

promovam no futuro sobre acontecimentos anteriores á data em que o dito tratado entre em vigor.

A delegação da Guatemala faz as seguintes reservas:

1. Para submetter ao arbitramento quaesquer questões relativas aos limites da Nação, deverá preceder, em cada caso, a approvação da assemblea legislativa, de conformidade com a Constituição da Republica.

2. As disposições da presente convenção não alteram nem modificam os convenios e tratados celebrados com anterioridade pela Republica da Guatemala.

A delegação do Equador, seguindo instrucções do seu Governo, reserva da jurisdicção do arbitramento obrigatorio accordado no presente tratado:

1. As questões actualmente regidas por convenios ou tratados vegintes;

2. As que surgirem por causas anteriores ou resultem de acontecimentos antecedentes á assignatura deste tratado;

3. As reclamações pecuniarias de extranjeiros que não tivessem exgotado previamente o recurso aos tribunaes de justiça, entendendo que tal é o espirito que dominou e tal o alcance que o Governo equatoriano sempre deu á convenção de Buenos Aires de 11 de Agosto de 1910.

A delegação da Colombia assigna a convenção anterior com as duas seguintes declarações ou reservas:

Primeira. As obrigações que forem contrahidas pela Republica da Colombia, em virtude da presente convenção, referem-se ás controversias que surgirem de acontecimentos posteriores á ratificação da convenção;

Segunda. A não ser que se trate de um caso de denegação de justiça, o arbitramento prepar suite d'actes antérieurs à la date à laquelle le dit traité entre en vigueur.

La délégation du Guatémala fait les réserves suivantes:

1. Afin que toutes questions relatives aux frontières de la nation puissent être soumises à l'arbitrage, il faut obtenir ou préalable et dans chaque cas, l'approbation de l'assemblée législative conformément à la Constitution de la République.

2. Les dispositions du présent traité n'altèrent ni ne modifient les conventions et traités antérieurement conclus par la République du Guatémala.

La délégation de l'Equateur, conformément aux instructions de son Gouvernement, exclut de la juridiction de l'arbitrage obligatoire convenu dans le présent traité:

1. Les questions actuellement régies par des conventions ou traités qui sont en vigueur en ce moment.

2. Celles qui peuvent surgir par suite de causes ou d'actes antérieurs à la signature du présent traité.

3. Les réclamations pécuniaires faites par des étrangers où la juridiction des tribunaux de justice du pays n'a pas été épuisée, étant entendu que telle est l'interprétation et la portée de l'application que le Gouvernement de l'Equateur a toujours données à la convention de Buenos Ayres du 11 août 1910.

La délégation de la Colombie signe la convention qui précède en faisant les deux déclarations ou réserves suivantes:

Premièrement. Les obligations que contracte la République de Colombie en vertu de la présente convention se réfèrent aux différends qui pourraient surgir par suite d'actes subséquents à sa ratification;

Deuxièmement. Sauf dans le cas de refus de justice, l'arbitrage prévu par la présente convention

is not applicable to the questions which may have arisen or which may arise between a citizen, an association or a corporation of one of the parties and the other contracting state when the judges or courts of the latter state are, in accordance with its legislation, competent to settle the controversy.

Reservation of the Delegation of Paraguay:

I sign this treaty with the reservation that Paraguay excludes from its application questions which directly or indirectly affect the integrity of the national territory and are not merely questions of frontiers or boundaries.

Mexican Reservation:

Mexico makes the reservation that differences, which fall under the jurisdiction of the courts, shall not form a subject of the procedure provided for by the Convention, except in case of denial of justice, and until after the judgment passed by the competent national authority has been placed in the class of *res judicata*.

The Delegation of El Salvador to the Conference on Conciliation and Arbitration assembled in Washington accepts and signs the General Treaty of Inter-American Arbitration concluded this day by said Conference, with the following reservations or restrictions:

1. After the words of paragraph 1 of Article 1 reading: "under treaty or otherwise", the following words are to be added: "subsequent to the present Convention." The article continues without any other modification.

2. Paragraph (a) of Article 2 is accepted by the Delegation without the final words which read: "and are not controlled by international law", which should be considered as eliminated.

visto nesta convenção não é applicavel ás questões que se tiverem originado ou se originem entre um cidadão, uma sociedade ou uma corporação de uma das Partes e o outro Estado contractante quando os juizes ou tribunaes deste ultimo Estado são, de accordo com a sua legislação, competentes para resolver a controversia.

Reserva da Delegação do Paraguay:

Assigno este tratado com a reserva de que o Paraguay exclue da sua applicação as questões que affectem directa ou indirectamente a integridade do territorio nacional e que não sejam meramente de fronteiras ou de limites.

Reserva Mexicana:

O Mexico faz a reserva de que as controversias que caiam sob a jurisdicção dos tribunaes, não serão objecto do procedimento previsto pela Convenção, senão por denegação de justiça, e até depois que a sentença passada pela autoridade nacional competente tenha passado á categoria de causa julgada.

A delegação de O Salvador á conferencia de conciliação e de arbitramento, reunida em Washington, acceita e assigna o Tratado Geral de Arbitramento Interamericano celebrado no dia de hoje pela dita conferencia, com as reservas ou restricções seguintes:

1. Depois das palavras do paragrapho 1 do Artigo 1, em que se diz: "Em virtude de um Tratado ou por outra causa" devem ajuntar-se: "Posterior á convenção presente". Continua o artigo sem outra variação.

2. O paragrapho (a) do Artigo 2 é acceito pela Delegação sem as palavras finaes que dizem: "e que não estejam regidas pelo Direito Internacional", as quaes devem considerar-se supprimidas.

ne s'applique pas aux questions qui se sont élevées ou pourraient s'élever entre un citoyen, une société ou une corporation d'une des parties et l'autre Etat contractant, lorsque les juges ou tribunaux de ce dernier sont, conformément à sa législation, compétents pour régler la controverse.

Réserve de la Délégation du Paraguay:

Je signe ce traité avec la réserve que le Paraguay ne l'appliquera pas à des questions affectant, directement ou indirectement, l'intégrité du territoire national et qui ne sont pas simplement des questions de frontières ou de limites.

Réserve des Etats-Unis du Mexique:

Le Mexique fait la réserve que les différends relevant de la juridiction des tribunaux ne seront pas sujets à la procédure prévue par la Convention, sauf dans le cas de refus de justice, et après que la sentence prononcée par l'autorité nationale compétente aura été classifiée comme question réglée.

La délégation de l'El Salvador à la conférence de conciliation et d'arbitrage réunie à Washington accepte et signe le Traité Général d'Arbitrage Interaméricain conclu ce jour par ladite conférence, avec les réserves ou restrictions suivantes:

1. Dans la clause 1 de l'Article 1, après les mots: "Par suite d'un traité ou autrement", les mots suivants devraient être ajoutés: "Subséquemment à la présente Convention". L'article continue sans autre changement.

2. Clause (a), Article 2, est acceptée par la Délégation à l'exception des derniers mots: "et qui ne sont pas régies par le droit international" qui doivent être considérés comme supprimés.

3. This Treaty does not include controversies or differences with regard to points or questions which, according to the Political Constitution of El Salvador, must not be submitted to arbitration, and

4. Pecuniary claims against the nation shall be decided by its judges and courts, since they have jurisdiction thereof, and recourse shall be had to international arbitration only in the cases provided in the Constitution and laws of El Salvador, that is in cases of denial of justice or unusual delay in the administration thereof.

The Dominican Republic, in signing the General Treaty of Inter-American Arbitration, does so with the understanding that controversies relating to questions which are under the jurisdiction of its courts shall not be referred to arbitral jurisdiction except in accordance with the principles of international law.

3. Não ficam comprehendidas neste tratado as controversias ou differenças sobre pontos ou questões que, segundo a constituição politica de O Salvador, não se devem submetter ao arbitramento, e

4. As reclamações pecuniarias contra a Nação serão decididas pelos seus juizes e tribunaes, por corresponder-lhes o conhecimento, e só se recorrerá ao Arbitramento Internacional nos casos previstos pela Constituição e leis salvadorenses isto é, por denegação de justiça ou retardamento anormal em administral-a.

Ao assignar o Tratado Geral de Arbitramento Interamericano, a Republica Dominicana declara que o faz na intelligencia de que as controversias relativas a questões que são da competencia dos seus tribunaes não serão deferidas á jurisdicção arbitral senão nos casos de denegação de justiça, de accordo com os principios do Direito Internacional.

3. Ne sont pas comprises dans le présent traité les controverses ou différends concernant des points ou des questions qui, selon la constitution politique de l'El Salvador, ne doivent pas être soumis à l'arbitrage, et

4. Les réclamations pécuniaires contre la nation qui relèvent de la juridiction de ses juges et tribunaux seront jugées par ces derniers et il ne sera fait recours à l'arbitrage international que dans les cas prévus dans la Constitution et dans les lois de l'El Salvador, c'est-à-dire pour refus de justice ou délai anormal dans son administration.

La République Dominicaine, en signant le Traité Général d'Arbitrage Interaméricain, le fait avec l'entente que les controverses relatives à des questions relevant de la juridiction de ses propres tribunaux ne seront pas soumises à la juridiction arbitrale, sauf conformément aux principes du droit international.

PROTOCOLO DE ARBITRAJE PROGRESIVO

Protocol of progressive arbitration.

Signatories.

Por cuanto: Los Gobiernos de Venezuela, Chile, Bolivia, Uruguay, Costa Rica, Perú, Honduras, Guatemala, Haití, Ecuador, Colombia, Brasil, Panamá, Paraguay, Nicaragua, México, El Salvador, la República Dominicana, Cuba, y Estados Unidos de América, por medio de sus Plenipotenciarios han firmado hoy, en Washington, un Tratado General de Arbitraje Interamericano;

Procedure established for abandoning exceptions, etc.

Por cuanto: Por sus disposiciones ese tratado exceptua de sus estipulaciones ciertas controversias;

Por cuanto: Por medio de reservas hechas al tratado al tiempo de su firma, ratificación o adhesión, algunas otras controversias han sido o pueden ser también exceptuadas de las estipulaciones del tratado o sustraidas de sus efectos;

Por cuanto: Se considera conveniente establecer un procedimiento mediante el cual tales excepciones o reservas puedan ser abandonadas gradualmente, en todo o en parte, por los Estados que sean o lleguen a ser Partes en dicho tratado, extendiendo así progresivamente el alcance de la jurisdicción arbitral;

Los Gobiernos arriba mencionados han convenido lo siguiente:

ARTÍCULO 1

Deposit of instrument of abandonment.

Cualquier Parte en el Tratado General de Arbitraje Interamericano, firmado en Washington el dia cinco de enero de 1929, puede depositar, en cualquier tiempo, en la Secretaría de Estado de los Estados Unidos de América, un instrumento en que conste formalmente que ha abandonado en todo o en parte las excepciones al arbitraje estipuladas en dicho tratado o la reserva o reservas hechas por ella al mismo.

PROTOCOL OF PROGRESSIVE ARBITRATION

Whereas, a General Treaty of Inter-American Arbitration has this day been signed at Washington by Plenipotentiaries of the Governments of Venezuela, Chile, Bolivia, Uruguay, Costa Rica, Perú, Honduras, Guatemala, Haiti, Ecuador, Colombia, Brazil, Panama, Paraguay, Nicaragua, Mexico, El Salvador, the Dominican Republic, Cuba, and the United States of America;

Whereas, that treaty by its terms excepts certain controversies from the stipulations thereof;

Whereas, by means of reservations attached to the treaty at the time of signing, ratifying or adhering, certain other controversies have been or may be also excepted from the stipulations of the treaty or reserved from the operation thereof;

Whereas, it is deemed desirable to establish a procedure whereby such exceptions or reservations may from time to time be abandoned in whole or in part by the Parties to said treaty, thus progressively extending the field of arbitration;

The Governments named above have agreed as follows:

ARTICLE 1

Any Party to the General Treaty of Inter-American Arbitration signed at Washington the fifth day of January, 1929, may at any time deposit with the Department of State of the United States of America an appropriate instrument evidencing that it has abandoned in whole or in part the exceptions from arbitration stipulated in the said treaty or the reservation or reservations attached by it thereto.

PROTOCOLLO DE ARBITRAMENTO PROGRESSIVO

Considerando: que os Governos de Venezuela, Chile, Bolivia, Uruguay, Costa Rica, Perú, Honduras, Guatemala, Haiti, Equador, Colombia, Brasil, Panamá, Paraguay, Nicaragua, Mexico, Salvador, Republica Dominicana, Cuba e Estados Unidos da America, por meio de seus Plenipotenciarios assignaram hoje, em Washington, um Tratado Geral de Arbitramento Interamericano;

Considerando: que por suas disposições esse tratado exceptúa das suas estipulações certas controversias;

Considerando: que por meio de reservas feitas ao tratado no tempo da sua assignatura, ratificação ou adhesão, algumas outras controversias foram ou poderão ser exceptuadas das disposições do tratado ou excluidas dos seus effeitos;

Considerando: que é conveniente estabelecer um processo pelo qual taes excepções ou reservas possam ser abandonadas gradualmente, em todo ou em parte, pelos Estados que sejam ou venham a ser Partes no dito tratado, ampliando-se assim progressivamente o alcance da jurisdicção arbitral;

Os Governos acima mencionados concordam no seguinte:

ARTIGO I

Qualquer Parte no Tratado Geral de Arbitramento Interamericano, assignado em Washington aos cinco de Janeiro de 1929, pode em qualquer tempo depositar no Ministerio de Estado das Relações Exteriores dos Estados Unidos da America um instrumento em que conste formalmente que abandonou no todo ou em parte as excepções ao arbitramento estipuladas no dito tratado ou a reserva ou reservas feitas pela dita Parte ao mesmo.

PROTOCOLE D'ARBITRAGE PROGRESSIF

Attendu qu'un Traité Général d'Arbitrage Interaméricain a été signé ce jour à Washington par les Plénipotentiaires des Gouvernements du Vénézuéla, du Chili, de la Bolivie, de l'Uruguay, de Costa Rica, du Pérou, de l'Honduras, du Guatémala, d'Haiti, de l'Equateur, de la Colombie, du Brésil, du Panama, du Paraguay, du Nicaragua, du Mexique, d'El Salvador, de la République Dominicaine, de Cuba, et des Etats-Unis d'Amérique;

Attendu qu'en vertu de ce traité, certaines controverses font exception aux stipulations qui y sont prévues;

Attendu que, par des réserves faites au traité au moment de la signature, de la ratification ou de l'adhésion, certaines autres controverses ont fait ou peuvent faire également exception aux stipulations du traité ou en ce qui concerne son application;

Attendu qu'il est jugé désirable d'établir une procédure par laquelle ces exceptions ou ces réserves puissent, de temps à autre, être abandonnées entièrement ou partiellement par les Parties au dit traité, étendant ainsi progressivement le domaine de l'arbitrage;

Les Gouvernements ci-dessus mentionnés sont convenus de ce qui suit:

ARTICLE 1

Toute Partie ou Traité Général d'Arbitrage Interaméricain signé à Washington le cinquième jour de janvier 1929, peut, à tout moment, déposer au Département d'Etat des Etats-Unis d'Amérique un instrument approprié témoignant qu'elle a abandonné, en tout ou en partie, les exceptions à l'arbitrage stipulées au dit traité ou la ou les réserves qui y ont été faites.

ARTÍCULO 2

Certified copies thereof to be transmitted to every other Party to treaty.

La Secretaría de Estado de los Estados Unidos de América trasmitirá por la vía diplomática a todas las Partes en el Tratado General de Arbitraje Interamericano arriba mencionado, copia certificada de cada instrumento depositado conforme a las disposiciones del Artículo 1 de este protocolo.

Signatures.

En testimonio de lo cual los Plenipotenciarios arriba nombrados firman el presente protocolo, en castellano, inglés, portugués, y francés, y estampan sus respectivos sellos.

Hecho en la ciudad de Washington, a los cinco días del mes de enero de mil novecientos veintinueve.

ARTICLE 2

A certified copy of each instrument deposited with the Department of State of the United States of America pursuant to the provisions of Article 1 of this protocol shall be transmitted by the said Department through diplomatic channels to every other Party to the above-mentioned General Treaty of Inter-American Arbitration.

In witness whereof the abovementioned Plenipotentiaries have signed this protocol in English, Spanish, Portuguese, and French and hereunto affix their respective seals.

Done at the city of Washington, on this fifth day of January, 1929.

ARTIGO II

O Miniterio de Estado das Relações Exteriores dos Estados Unidos da America transmittirá por via diplomatica a todas as Partes no Tratado Geral de Arbitramento Interamericano, acima mencionado, copia authentica de cada instrumento depositado conforme as disposições do Artigo 1 deste Protocollo.

Em testemunho do que, os Plenipotenciarios acima nomeados assignam o presente protocollo em portuguez, hespanhol, inglez e francez e appõem nelle os seus respectivos sellos.

Dado na cidade de Washington, aos cinco dias do mez de Janeiro do anno de mil novecentos e vinte e nove.

ARTICLE 2

Une copie certifiée conforme de chaque instrument déposé au Département d'Etat des Etats-Unis d'Amérique, conformément aux dispositions de l'Article 1 du présent protocole, sera transmise par le dit Département, par la voie diplomatique, à chacune des autres Parties au Traité Général d'Arbitrage Interaméricain ci-dessus mentionné.

En foi de quoi, les Plénipotentiaires ci-dessus mentionnés ont signé le présent protocole en français, en espagnol, en anglais, et en portugais et y ont apposé leurs sceaux respectifs.

Fait dans la ville de Washington, le cinquième jour du mois de janvier, de l'an mil neuf cent vingt-neuf.

[SEAL] CARLOS F. GRISANTI
[SEAL] FR. ARROYO PAREJO

[SEAL] MANUEL FOSTER
[SEAL] A. PLANET.

[SEAL] E. DIEZ DE MEDINA

JOSÉ PEDRO VARELA [SEAL]

MANUEL CASTRO QUESADA [SEAL]
JOSÉ TIBLE MACHADO [SEAL]

HERNÁN VELARDE [SEAL]
VICTOR M. MAURTUA [SEAL]

RÓMULO E. DURÓN. [SEAL]
M. LÓPEZ PONCE [SEAL]

ADRIÁN RECINOS [SEAL]
JOSÉ FALLA [SEAL]

A. BONAMY [SEAL]
RAOUL LIZAIRE

[SEAL] GONZALO ZALDUMBIDE

[SEAL] ENRIQUE OLAYA HERRERA
[SEAL] C ESCALLÓN

[SEAL] S. GURGEL DO AMARAL
[SEAL] A ARAUJO JORGE

[SEAL] R. J. ALFARO
[SEAL] CARLOS L. LÓPEZ

[SEAL] ELIGIO AYALA

MÁXIMO H ZEPEDA
[SEAL] ADRIÁN RECINOS
J LISANDRO MEDINA.

FERDO GONZÁLEZ ROA [SEAL]
BENITO FLORES

CAYETANO OCHOA [SEAL]
DAVID ROSALES, HIJO

A MORALES [SEAL]
G A DÍAZ [SEAL]

[SEAL] ORESTES FERRARA
[SEAL] GUSTAVO GUTIÉRREZ

FRANK B KELLOGG [SEAL]
CHARLES EVANS HUGHES [SEAL]

Additional protocol to the Inter-American Conciliation Convention of January 5, 1929, between the United States of America and other American republics. Signed at Montevideo, December 26, 1933; ratification advised by the Senate of the United States, June 15, 1934; ratified by the President, June 29, 1934; ratification of the United States of America deposited with the Government of Chile, August 18, 1934; proclaimed, May 8, 1935.

December 26, 1933.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS an Additional Protocol to the General Convention of Inter-American Conciliation which was signed at Washington on January 5, 1929, was signed by the respective Plenipotentiaries of the United States of America, Uruguay, Ecuador, and Chile, to the Seventh International Conference of American States at Montevideo, Uruguay, on December 26, 1933, a certified copy of which Additional Protocol, in the English and Spanish languages, is word for word as follows:

Inter-American Conciliation Convention. Additional Protocol. *Ante*, p. 3153. Vol. 46, p. 2209.

ADDITIONAL PROTOCOL TO THE GENERAL CONVENTION OF INTER-AMERICAN CONCILIATION

The High Contracting Parties of the General Convention of Inter-American Conciliation of the 5th of January, 1929, convinced of the undeniable advantage of giving a permanent character to the Commissions of Investigation and Conciliation to which Article 2 of said Convention refers, agree to add to the aforementioned Convention the following and additional Protocol.

Commissions of Investigation and Conciliation. Permanence, deemed of advantage.

ARTICLE 1

Each country signatory to the Treaty signed in Santiago, Chile, the 3rd of May, 1923, shall name, as soon as possible, by means of a bilateral agreement which shall be recorded in a simple exchange of notes with each one of the other signatories of the aforementioned Treaty, those members of the various commissions provided for in Article 4 of said Treaty. The commissions so named shall have a permanent character and shall be called Commissions of Investigation and Conciliation.

Members of, to be designated by signatories of Treaty.

Vol. 46, p. 2215.

ARTICLE 2

Any of the contracting parties may replace the members which have been designated, whether they be nationals or foreigners; but, at the same time, the substitute shall be named. In case the substitution is not made, the replacement shall not be effective.

Replacements.

ARTICLE 3

The commissions organized in fulfillment of Article 3 of the aforementioned Treaty of Santiago, Chile, shall be called Permanent Diplomatic Commissions of Investigation and Conciliation.

Designated commissions to be called Permanent Diplomatic Commissions of Investigations, etc.

ARTICLE 4

Notices to Pan American Union.

To secure the immediate organization of the commissions mentioned in the first Article hereof, the High Contracting Parties engage themselves to notify the Pan American Union at the time of the deposit of the ratification of the present Additional Protocol in the Ministry of Foreign Relations of the Republic of Chile, the names of the two members whose designation they are empowered to make by Article 4 of the Convention of Santiago, Chile, and said members, so named, shall constitute the members of the Commissions which are to be organized with bilateral character in accordance with this Protocol.

ARTICLE 5

Nomination of fifth member of each Commission.

It shall be left to the Governing Board of the Pan American Union to initiate measures for bringing about the nomination of the fifth member of each Commission of Investigation and Conciliation in accordance with the stipulation established in Article 4 of the Convention of Santiago, Chile.

ARTICLE 6

Deposit, etc., of ratification.

In view of the character which this Protocol has as an addition to the Convention of Conciliation of Washington, of January 5, 1929, the provision of Article 16 of said Convention shall be applied thereto.

Signatures.

In witness whereof, the Plenipotentiaries hereinafter indicated, have set their hands and their seals to this Additional Protocol in English, and Spanish, in the city of Montevideo, Republic of Uruguay, this twenty-sixth day of the month of December in the year nineteen hundred and thirty-three.

United States of America: ALEXANDER W. WEDDELL.—J. BUTLER WRIGHT.

Uruguay: A. MAÑÉ.—JOSÉ PEDRO VARELA.—MATEO MARQUES CASTRO.—DARDO REGULES.—SOFÍA ALVAREZ VIGNOLI DE DEMICHELI.—TEÓFILO PIÑEYRO CHAIN.—LUIS A. DE HERRERA.—MARTÍN R. ECHEGOYEN.—JOSÉ G. ANTUÑA.—J. C. BLANCO.—PEDRO MANINI RÍOS.—RODOLFO MEZZERA.—OCTAVIO MORATÓ.—LUIS MORQUIO.—JOSÉ SERRATO.

Ecuador: A. AGUIRRE APARICIO.—ARTURO SCARONE.

Chile:—J. RAMÓN GUTIÉRREZ.—F. FIGUEROA.—B. COHEN.

REPUBLICA DEL URUGUAY [1]

Ministerio de Relaciones Exteriores

Certified copy.

Es copia fiel y conforme del ejemplar original en inglés del Protocolo Adicional a la Convención General de Conciliación Interamericana

[1] *Translation:*

REPUBLIC OF URUGUAY

Ministry of Foreign Relations

This is a true copy and in conformity with the original in English of the Additional Protocol to the General Convention of Inter-American Conciliation approved by the Seventh International American Conference which is deposited in the archives of this Ministry of Foreign Relations.

Montevideo, March 31, 1934.

[Seal: Ministry of Foreign Relations]

MATEO MARQUES CASTRO,
Minister Plenipotentiary.
Assistant Secretary of State in the Department of Foreign Relations.

aprobado por la VII Conferencia Internacional Americana que queda depositado en los archivos de este Ministerio de Relaciones Exteriores.

Montevideo, Marzo 31 de 1934.

[Sello: Ministerio de Relaciones Exteriores]

MATEO MARQUES CASTRO
Ministro Plenipotenciario.
Subsecretario de Estado en el Departamento de Relaciones Exteriores.

PROTOCOLO ADICIONAL A LA CONVENCIÓN GENERAL DE CONCILIACIÓN INTERAMERICANA

Las Altas Partes Contratantes de la Convención General de Conciliación Interamericana de 5 de Enero de 1929, representadas en la Séptima Conferencia Internacional Americana, convencidas de la innegable ventaja de dar carácter permanente a las Comisiones de Investigación y Conciliación a que se refiere el artículo 2.° de dicha Convención, convienen agregar a la Convención mencionada el siguiente protocolo Adicional:

ARTÍCULO 1

Cada país signatario del Tratado suscrito en Santiago de Chile el 3 de Mayo de 1923, nombrará a la mayor brevedad posible, por medio de un acuerdo bilateral que se hará constar en un simple cambio de notas con cada uno de los otros signatarios del mencionado Tratado, los miembros de las diversas comisiones previstas por el Artículo 4.° de dicho Tratado. Las comisiones así nombradas tendrán un carácter permanente y se denominarán Comisiones de Investigación y Conciliación.

ARTÍCULO 2

Cualquiera de las Partes Contratantes podrá reemplazar a los miembros que hubiere designado, sean estos nacionales o extranjeros; pero en el mismo acto deberá indicar al reemplazante. En caso de no hacerlo, la remoción se tendrá por no formulada.

ARTÍCULO 3

Las Comisiones organizadas en cumplimiento del Artículo 3.° del Tratado suscrito en Santiago de Chile, antes mencionado, se denominarán Comisiones Diplomáticas Permanentes.

ARTÍCULO 4

A efecto de obtener la organización inmediata de las Comisiones a que se refiere el Artículo 1.°, las Altas Partes Contratantes se comprometen a notificar a la Unión Panamericana, en el momento del depósito de la ratificación del presente Protocolo Adicional en el Ministerio de Relaciones Exteriores de la República de Chile, los nombres de los dos miembros cuya designación les atribuye el Artículo 4.° del Tratado de Santiago de Chile, y dichos miembros así nombrados constituirán los de las Comisiones que deberán organizarse con carácter bilateral, de acuerdo con este Protocolo.

ARTÍCULO 5

Confíase al Consejo Directivo de la Unión Panamericana la misión de provocar el nombramiento del quinto miembro de cada Comisión de Investigación y Conciliación en las condiciones establecidas por el Artículo 4.° del Tratado de Santiago de Chile.

ARTÍCULO 6

Dado el carácter que este protocolo tiene de adicional a la Convención de Conciliación de Washington de 5 de Enero de 1929, regirá a su respecto la disposición del Artículo 16 de dicha Convención.

En fé de lo cual, los Plenipotenciários que a continuación se indican, firman y sellan este Protocolo Adicional, en lengua española e inglesa en la Ciudad de Montevideo, República Oriental del Uruguay este vigésimosexto día del mes de diciembre del año mil novecientos treinta y tres.

Estados Unidos de America: ALEXANDER W. WEDDELL.—J. BUTLER WRIGHT.

Uruguay: A. MAÑÉ.—JOSÉ PEDRO VARELA.—MATEO MARQUES CASTRO.—DARDO REGULES.—SOFÍA ALVAREZ VIGNOLI DE DEMICHELI.—TEÓFILO PIÑEYRO CHAIN.—LUIS A. DE HERRERA.—MARTÍN R. ECHEGOYEN.—JOSÉ G. ANTUÑA.—J. C. BLANCO.—PEDRO MANINI RÍOS.—RODOLFO MEZZERA.—OCTAVIO MORATÓ.—LUIS MORQUIO.—JOSÉ SERRATO.

Ecuador: A. AGUIRRE APARICIO.—ARTURO SCARONE.

Chile: J. RAMÓN GUTIÉRREZ.—F. FIGUEROA.—B. COHEN.

REPUBLICA DEL URUGUAY
Ministerio de Relacionès Exteriores

Es copia fiel y conforme del ejemplar original en español del Protocolo Adicional a la Convención General de Conciliación Interamericana aprobado por la VII Conferencia Internacional Americana que queda depositado en los archivos de este Ministerio de Relaciones Exteriores.

Montevideo, Marzo 31 de 1934.

MATEO MARQUES CASTRO
Ministro Plenipotenciario.
Subsecretario de Estado en el Departamento de Relaciones Exteriores.

[Sello: Ministerio de Relaciones Exteriores]

Ratification.

AND WHEREAS the said Additional Protocol has been duly ratified by the United States of America and the instrument of ratification of the United States of America was deposited with the Government of Chile on August 18, 1934;

Ratification by Chile.

AND WHEREAS the said Additional Protocol has been duly ratified also by Chile, whose ratification thereof was deposited in the Ministry for Foreign Affairs of the Republic of Chile on March 10, 1935, on which day the Additional Protocol entered into force between the United States of America and Chile;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Additional Protocol to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this eighth day of May, in the year of our Lord one thousand nine hundred and thirty-
[SEAL] five and of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

October 10, 1934.

Supplementary extradition treaty between the United States of America and Estonia. Signed at Washington, October 10, 1934; ratification advised by the Senate, February 6, 1935; ratified by the President, February 14, 1935; ratified by Estonia, December 5, 1934; ratifications exchanged at Tallinn, May 7, 1935; proclaimed, May 9, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Supplementary extradition treaty with Estonia.
Preamble.

WHEREAS a Supplementary Extradition Treaty between the United States of America and the Republic of Estonia was signed by their respective Plenipotentiaries at Washington on the tenth day of October, one thousand nine hundred and thirty-four, the original of which Treaty is word for word as follows:

Contracting Powers.

The United States of America and the Republic of Estonia, being desirous of enlarging the list of crimes on account of which extradition may be granted under the Treaty concluded between the two countries on November 8, 1923, with a view to the better administration of justice and the prevention of crime within their respective territories and jurisdictions, have resolved to conclude a supplementary Treaty for this purpose and have appointed as their plenipotentiaries, to wit:

Vol. 43, p. 1849.

Plenipotentiaries.

The President of the United States of America; Cordell Hull, Secretary of State of the United States of America; and

The President of the Republic of Estonia; Mr. Charles Kuusik, Acting Consul General of the Republic of Estonia in the City of New York,

Who, after having communicated to each other their respective full powers, which were found to be in due and proper form, have agreed to and concluded the following articles:

ARTICLE I

Addition to extraditable crimes.
Vol. 43, p. 1851.

The following crimes are added to the list of crimes numbered 1 to 25 in Article II of the said Treaty of November 8, 1923, on account of which extradition may be granted, that is to say:

Crimes against bankruptcy laws.

26. Crimes and offenses against the bankruptcy laws.

ARTICLE II

Considered part of former treaty.

The present Treaty shall be considered as an integral part of the said extradition Treaty of November 8, 1923, and Article II of the last mentioned Treaty shall be read as if the list of crimes therein contained had originally comprised the additional crimes specified and numbered 26 in the first article of the present Treaty.

ARTICLE III

The present Treaty shall be ratified by the High Contracting Parties in accordance with their respective constitutional methods, and shall take effect on the date of the exchange of ratifications, which shall take place at Tallinn as soon as possible. Exchange of ratifications.

IN WITNESS WHEREOF, the above named plenipotentiaries have signed the present Treaty and have hereunto affixed their seals. Signatures.

DONE in duplicate at Washington, this tenth day of October, one thousand nine hundred and thirty-four.

CORDELL HULL [SEAL]
CHARLES KUUSIK [SEAL]

AND WHEREAS the said Treaty has been duly ratified on both parts and the ratifications of the two Governments were exchanged at Tallinn on the seventh day of May, one thousand nine hundred and thirty-five; Ratifications exchanged.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Treaty to be made public to the end that the same may be observed and fulfilled with good faith by the United States of America and the citizens thereof. Proclamation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this ninth day of May, in the year of our Lord one thousand nine hundred and thirty-five and [SEAL] of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

January 10, 1935. *Supplementary extradition treaty between the United States of America and Switzerland. Signed at Washington, January 10, 1935; ratification advised by the Senate, February 6, 1935; ratified by the President, March 13, 1935; ratified by Switzerland, April 27, 1935; ratifications exchanged at Washington, May 16, 1935; proclaimed, May 17, 1935.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Supplementary extradition treaty with Switzerland.

Preamble.

WHEREAS, a Supplementary Extradition Treaty between the United States of America and the Swiss Federal Council was concluded and signed by their respective Plenipotentiaries at Washington on the tenth day of January, one thousand nine hundred and thirty-five, the original of which Supplementary Treaty, being in the English and French languages, is word for word as follows:

Contracting Powers.

The President of the United States of America and the Swiss Federal Council, animated by the desire of assuring a better administration of justice and suppressing crime on their territory and under their jurisdiction, have resolved to conclude an additional treaty enlarging the list of the crimes or offenses which are extraditable under the treaty concluded, May 14, 1900, between the United States of America and Switzerland and have named as their Plenipotentiaries:

Vol. 31, p. 1929.

Plenipotentiaries.

The President of the United States of America: Mr. Cordell Hull, Secretary of State of the United States of America;

The Swiss Federal Council:

Marc Peter, Envoy Extraordinary and Minister Plenipotentiary of the Swiss Confederation to the United States of America;

Who, after having exchanged their full powers, which were found to be in good and due form, have agreed upon the following articles:

Le Président des Etats-Unis d'Amérique et le Conseil Fédéral Suisse, animés du désir d'assurer une meilleure administration de la justice et de réprimer les crimes sur leur territoire et sous leur juridiction, ont résolu de conclure un traité additionnel élargissant la liste des crimes ou délits donnant lieu à extradition en vertu du traité conclu, le 14 mai 1900, entre les Etats-Unis d'Amérique et la Suisse et ont nommé pour leurs Plénipotentiaires, savoir:

Le Président des Etats-Unis d'Amérique: Monsieur Cordell Hull, Secrétaire d'Etat des Etats-Unis d'Amérique;

Le Conseil Fédéral Suisse: Monsieur Marc Peter, Envoyé extraordinaire et Ministre plénipotentiaire de la Confédération suisse aux Etats-Unis d'Amérique,

lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des articles suivants:

ARTICLE I

The following crimes or offenses shall be added to the list of the crimes or offenses for which extradition may be granted, enumerated under Numbers 1 to 11 in Article II of the said treaty of May 14, 1900, to wit:

12. Fraudulent bankruptcy.

13. Intentional violation of the laws relative to narcotics provided such violation carries in Switzerland a penalty of one year's imprisonment or a more severe penalty, and that in the United States of America such violation is punishable as a felony.

ARTICLE Ier

Addition to extraditable crimes.

Les crimes ou délits suivants sont ajoutés à la liste des crimes ou délits pour lesquels l'extradition peut être accordée, énumérés sous chiffres 1 à 11, à l'article II dudit traité du 14 mai 1900, savoir:

Vol. 31, p. 1930.

12. Banqueroute frauduleuse.

Fraudulent bankruptcy.

13. Infraction volontaire aux dispositions concernant les stupéfiants en tant que cette infraction entraîne en Suisse une peine d'emprisonnement d'un an ou une peine plus grave et que, aux Etats-Unis d'Amérique, elle est punissable comme un crime (felony).

Violating narcotic laws.

ARTICLE II

This treaty shall be considered as an integral part of the treaty of May 14, 1900, and Article II of the latter treaty shall be read as if the list of the crimes or offenses which appear therein had from the first included the crimes or offenses which are added and specified under numbers 12 and 13 in Article I of this treaty.

ARTICLE II

Considered part of former treaty.

Le présent traité sera considéré comme partie intégrante dudit traité du 14 mai 1900 et l'article II de ce dernier traité sera lu comme si la liste des crimes ou délits qui y figurent avait compris des l'origine les crimes ou délits qui sont ajoutés et spécifiés sous chiffres 12 et 13 dans l'article Ier du présent traité.

This treaty shall be ratified by the High Contracting Parties and shall become effective on the date of the exchange of the instruments of ratification, which shall take place at Washington as soon as possible.

Exchange of ratifications.

Le présent traité sera ratifié par les Hautes Parties contractantes et entrera en vigueur à la date de l'échange des instruments de ratification, qui aura lieu à Washington aussitôt que faire se pourra.

IN WITNESS WHEREOF, the above-named Plenipotentiaries have signed this treaty and have hereunto affixed their seals.

Signatures.

EN FOI DE QUOI, les Plénipotentiaires susnommés ont signé le présent traité et y ont apposé leurs sceaux.

DONE at Washington, in duplicate, in the English and French languages, the 10th day of January, 1935.

FAIT à Washington, en double expédition, en langue anglaise et française, le 10 janvier 1935.

CORDELL HULL [SEAL]
MARC PETER [SEAL]

AND WHEREAS, the said Supplementary Treaty has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Washington on the sixteenth day of May, one thousand nine hundred and thirty-five;

Ratifications exchanged.

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Supplementary Treaty to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this seventeenth day of May, in the year of our Lord one thousand nine hundred and [SEAL] thirty-five and of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

Convention between the United States of America and Sweden exempting from military service persons having dual nationality. Signed at Stockholm, January 31, 1933; ratification advised by the Senate, February 6, 1935; ratified by the President, February 11, 1935; ratified by Sweden, June 2, 1933; ratifications exchanged at Washington, February 20, 1935; proclaimed, May 20, 1935.

January 31, 1933.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Convention with Sweden, exempting from military service persons having dual nationality.

Preamble.

WHEREAS, a Convention between the United States of America and Sweden, exempting persons possessing the nationality of both parties who habitually reside in the territory of one of them and who are in fact most closely connected with that party from all military obligations in the territory of the other party, was concluded and signed by their respective Plenipotentiaries at Stockholm on the thirty-first day of January, one thousand nine hundred and thirty-three, the original of which Convention, in the English and Swedish languages, is word for word as follows:

Contracting Powers.

The President of the United States of America and His Majesty the King of Sweden, being desirous of regulating the question of exemption from military obligations of persons possessing the nationality of both the High Contracting Parties, have decided to enter into a Convention for that purpose, and have appointed as Their Plenipotentiaries:

Hans Majestät Konungen av Sverige och Amerikas Förenta Staters President, vilka önska ordna frågan rörande undantag från värnplikt för personer, som äro båda de höga parternas medborgare, hava beslutat ingå en konvention i dylikt syfte och hava till sina fullmäktige utsett:

Plenipotentiaries.

The President of the United States of America:

The Honorable John Motley Morehead, Envoy Extraordinary and Minister Plenipotentiary of the United States of America at Stockholm;

His Majesty the King of Sweden:

Mr. Östen Undén, acting Chief of His Ministry for Foreign Affairs, Minister without portfolio;

Hans Majestät Konungen av Sverige:

Tillförordnade Chefen för Sitt Utrikesdepartement, Statsrådet Herr Östen Undén;

Amerikas Förenta Staters President:

Amerikas Förenta Staters Envoyé extraordinaire och Ministre plénipotentiaire i Stockholm, the Honorable John Motley Morehead;

who, having communicated their full powers found in good and due form, have agreed as follows:

vilka, efter att hava delgivit varandra sina fullmakter, som befunnits i god och behörig ordning, överenskommit om följande bestämmelser:

ARTICLE 1.

Military service, etc. Person possessing dual nationality.

A person possessing the nationality of both the High Contracting Parties who habitually resides in the territory of one of them and who is in fact most closely connected with that Party shall be exempt from all military obligations in the territory of the other Party.

ARTIKEL 1.

Den, som är båda de höga fördragsslutande parternas medborgare och vanligen är bosatt inom den ena partens område och faktiskt äger närmast samhörighet med denna part, skall vara befriad från alla militära förpliktelser inom den andra partens område.

ARTICLE 2.

Ratification.

The present Convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by His Majesty the King of Sweden with the consent of the Riksdag of Sweden and shall enter in effect three months after the exchange of ratifications at Washington and shall remain in force until the expiration of six months from the day on which one of the Parties shall have given notice to the other for its termination.

Effective date.

Signatures.

In witness whereof the respective Plenipotentiaries have signed the present Convention in duplicate in the English and Swedish languages and have thereunto affixed their seals.

Done at Stockholm the 31st day of January, 1933.

JOHN MOTLEY MOREHEAD. [SEAL]

ARTIKEL 2.

Denna konvention skall ratificeras av Hans Majestät Konungen av Sverige med svenska Riksdagens samtycke och av Amerikas Förenta Staters President efter hörande och med samtycke av Förenta Staternas Senat. Den skall träda i kraft tre månader från det ratifikationsinstrumenten utväxlats i Washington och skall gälla intill dess sex månader förflutit från det densamma blivit av någondera parten uppsagd.

Till bekräftelse härav hava de fullmäktige undertecknat denna konvention i två exemplar, vartdera utfärdat å svenska och engelska språken, och försett densamma med sina sigill.

Som skedde i Stockholm den 31 januari 1933.

ÖSTEN UNDÉN [SEAL]

Ratifications exchanged.

AND WHEREAS, the said Convention has been duly ratified on both parts and the ratifications of the two Governments were exchanged at the city of Washington on the twentieth day of February, one thousand nine hundred and thirty-five;

Entering into force.

AND WHEREAS, in accordance with a provision of Article 2 of the said Convention, the Convention entered into effect on the twentieth day of May, one thousand nine hundred and thirty-five;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this twentieth day of May in the year of our Lord one thousand nine hundred and thirty-five and of the Independence of the United States of America the one hundred and fifty-ninth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

October 10, 1934.

Supplementary Extradition Convention between the United States of America and San Marino. Signed at Washington, October 10, 1934; ratification advised by the Senate, February 6, 1935; ratified by the President, February 25, 1935; ratified by San Marino, April 10, 1935; ratifications exchanged at Washington, June 28, 1935; proclaimed, July 2, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Supplementary Extradition Convention with San Marino. Preamble.

WHEREAS a Supplementary Extradition Convention between the United States of America and the Republic of San Marino was concluded and signed by their respective Plenipotentiaries at Washington on the tenth day of October, one thousand nine hundred and thirty-four, the original of which Supplementary Convention, being in the English and Italian languages, is word for word as follows:

Contracting Powers.

The United States of America and the Republic of San Marino, being desirous of enlarging the list of crimes on account of which extradition may be granted under the Convention concluded between the United States of America and San Marino on January 10, 1906, with a view to the better administration of justice and the prevention of crime within their respective territories and jurisdictions, have resolved to conclude a Supplementary Convention for this purpose and have appointed as their Plenipotentiaries:

Vol. 35, p. 1971.

Plenipotentiaries.

The President of the United States of America, Cordell Hull, Secretary of State of the United States of America; and

The Captains-Regent of the Republic of San Marino, J. Robert Hewitt, Consul General of the Republic of San Marino in the city of New York, and Count Alfonso Facchetti Guiglia, Counselor of the Republic of San Marino;

Who, after having communicated to each other their respective full powers, which were found to be in due and proper form, have agreed to and concluded the following articles:

Gli Stati Uniti d'America e la Repubblica di San Marino, desiderando di ampliare la lista dei reati a causa dei quali può essere accordata l'estradizione in base alla convenzione concluso fra gli Stati Uniti d'America e San Marino il 10 Gennaio 1906, allo scopo di una migliore amministrazione della giustizia e prevenzione dei misfatti entro i loro rispettivi territorii e giurisdizioni, hanno deciso di concludere una convenzione supplementare a tale scopo ed hanno nominato come loro Plenipotenziarii:

Il Presidente degli Stati Uniti d'America, Cordell Hull, Segretario di Stato degli Stati Uniti d'America; e

I Capitani Reggenti della Repubblica di San Marino, J. Robert Hewitt, Console Generale della Repubblica di San Marino nella città di New York, ed il Conte Alfonso Facchetti Guiglia, Consulente della Repubblica di San Marino;

I quali dopo essersi comunicati i loro rispettivi pieni poteri, che sono stati trovati in dovuta e corretta forma, hanno concluso ed accettato i seguenti articoli:

ARTICLE I

The following crimes are added to the list of crimes numbered 1 to 14 in Article II of the said Convention of January 10, 1906, on account of which extradition may be granted, that is to say:

15. Crimes and offenses against the laws for fraudulent bankruptcy and those of fraud or breach of guaranty by a banker, agent, factor, trustee, executor, administrator, guardian, director or officer of any company or corporation or by any person having a legal fiduciary position.

ARTICLE II

The present Convention shall be considered as an integral part of said Extradition Convention of January 10, 1906, and Article II of the last-mentioned Convention shall be read as if the list of crimes therein contained had originally comprised the additional crimes specified and numbered 15 in the first Article of the present Convention.

The present Convention shall be ratified by the High Contracting Parties in accordance with their respective constitutional methods, and shall take effect on the date of the exchange of ratifications which shall take place at Washington as soon as possible.

IN WITNESS WHEREOF, the above - named Plenipotentiaries have signed the present Convention in the English and Italian languages and have hereunto affixed their seals.

DONE, in duplicate, at Washington this 10th day of October, 1934.

[SEAL] CORDELL HULL

ARTICOLO I

I seguenti reati sono aggiunti alla lista dei reati, elencati dal N° 1 al N° 14 del Articolo II della detta convenzione del 10 Gennaio 1906, per causa dei quali l'estradizione può essere accordata e cioè:

Addition to extraditable crimes. Vol. 35, p. 1973.

15. Crimini od offese contro le leggi per bancarotta fraudolenta e quelle per frode o infrazioni di garanzia da parte di banchiere, agente, fattore, fiduciario, esecutore, amministratore, tutore, direttore o funzionario di qualsiasi compagnia o corporazione o da parte di qualsiasi persona che abbia una posizione di fiducia legale.

Crimes against bankruptcy, etc., laws.

ARTICOLO II

La presente convenzione sarà considerata come parte integrante di detta convenzione di estradizione del 10 Gennaio 1906 e l'articolo II della sumenzionata convenzione sarà letto come se la lista dei reati contenuti nello stesso abbia originariamente compreso i crimini aggiunti, specificati e numerati al N° 15 del primo articolo della presente convenzione.

Considered part of Convention.

La presente convenzione verrà ratificata dalle Alte Parti Contraenti in conformità delle loro rispettive leggi costituzionali ed avrà effetto dalla data dello scambio delle ratifiche, che avranno luogo a Washington, non appena sarà possibile.

Exchange of ratifications.

Effective date.

IN TESTIMONIANZA DI CHE, i sopra menzionati Plenipotenziarii hanno firmato la presente convenzione nelle lingue inglese ed italiana e vi hanno apposto i loro sigilli.

Signatures.

FATTO, in duplicato, a Washington addì 10 Ottobre, 1934.

J ROBERT HEWITT [SEAL]

ALFONSO FACCHETTI GUIGLIA [SEAL]

AND WHEREAS the said Supplementary Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Washington on the twenty-eighth day of June, one thousand nine hundred and thirty-five;

Ratifications exchanged.

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Supplementary Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this second day of July in the year of our Lord one thousand nine hundred and thirty-five, and of the Independence of the United States of America the one hundred and fifty-ninth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

Parcel post agreement between the United States of America and Turkey, with regulations of execution. Signed at Ankara, May 25, 1935, at Washington, July 2, 1935; approved by the President, July 9, 1935.

May 25, 1935.
July 2, 1935.

ARRANGEMENT ENTRE LA TURQUIE ET LES ÉTATS-UNIS D'AMÉRIQUE CONCERNANT L'ÉCHANGE DES COLIS POSTAUX

Les soussignés, en vertu des pouvoirs qui leur sont conférés par leur gouvernement respectif ont, d'un commun accord et sous réserve d'approbation par l'autorité supérieure compétente, arrêté l'arrangement suivant:

ARTICLE I.

OBJET DE L'ARRANGEMENT

Entre les États-Unis d'Amérique (y compris Alaska, Puerto Rico, Îles Vierges, Guam, Samoa et Hawai) d'une part et la Turquie d'autre part, il peut être échangé, sous la dénomination des colis postaux, des envois ne dépassant pas les poids et les dimensions maxima indiqués dans le Règlement d'exécution de cet Arrangement.

ARTICLE II.

COLIS EN TRANSIT.

1. Chaque Administration garantit la liberté de transit sur son territoire, dans les relations avec les pays avec lesquels elle entretient un échange de colis, pour tout colis originaire ou à destination de l'autre Administration contractante.

2. Chaque Administration doit notifier à l'autre les pays pour lesquels les colis peuvent être expédiés par son intermédiaire, les droits qui doivent lui être bonifiés de ce chef, et les autres conditions.

AGREEMENT BETWEEN TURKEY AND THE UNITED STATES OF AMERICA CONCERNING THE EXCHANGE OF PARCEL POST

The undersigned, by virtue of the powers conferred upon them by their respective governments, have by common consent and subject to approval by the competent superior authorities, drawn up the following Agreement:

Parcel post agreement with Turkey.

ARTICLE I.

OBJECT OT THE AGREEMENT.

Object.

Territory embraced.

Between the United States of America (including Alaska, Puerto Rico, the Virgin Islands, Guam, Samoa, and hawaii) on one hand, and Turkey, on the other hand, there may be exchanged, under the denomination of parcel post, parcels up to the maximum weight and the maximum dimensions indicated in the Regulations of Execution of this Agreement.

Post, p. 3217.

ARTICLE II.

TRANSIT PARCELS.

Transit parcels.

Rights guaranteed.

1. Each Administration guarantees liberty of transit over its territory, in relations with countries with which it maintains an exchange of parcels, for every parcel originating in or destined for the other contracting Administration.

Notices.

2. Each Administration shall inform the other to which countries parcels may be sent through it as intermediary, the charges due to it therefor, and other conditions.

Requirements.

3. Pour être acceptés au transit, les colis doivent être conformes aux prescriptions du pays intermédiaire.

ARTICLE III.

Postage, etc.

TAXES ET DROITS.

Collecting, from sender.

1. L'Administration du pays d'origine est autorisée à percevoir sur l'expéditeur de chaque colis, suivant les prescriptions en vigueur dans son service, les taxes de transport, les taxes à la valeur, ainsi que les droits pour les avis de réception et les recherches.

Prepayment.

2. Les taxes et droits prévus au § 1 doivent être payés d'avance, sauf en cas de réexpédition ou de renvoi des colis.

No other charges.

3. Il ne peut être perçu aucun droit et aucune taxes autres que ceux prévus par le présent Arrangement ou par son Règlement d'exécution.

ARTICLE IV.

Preparation of parcels.

CONDITIONNEMENT DES COLIS.

Packing.

Chaque colis doit être emballé conformément aux prescriptions du Règlement d'Exécution.

Post, p. 3217.

ARTICLE V.

Prohibitions.

INTERDICTIONS.

Articles specified.

1. Il est interdit d'insérer dans les colis postaux:

(a) des lettres, notes, ou documents ayant le caractère de correspondance actuelle et personnelle. Il est cependant permis d'insérer dans l'envoi la facture ouverte réduite à ses énonciations constitutives et une copie simple de l'adresse du colis avec mention de l'adresse de l'expéditeur;

(b) un objet portant une adresse autre que celle du destinataire de l'envoi;

(c) tout animal vivant, excepté les sangsues;

(d) des objets dont l'admission n'est pas autorisée par les lois ou règlements de douane ou autres d'un des deux pays;

3. To be accepted in transit, parcels must be in conformity with the provisions of the intermediate country.

ARTICLE III.

POSTAGE AND FEES.

1. The Administration of the country of origin is authorized to collect from the sender of each parcel, in accordance with the provisions in force in its service, the postage charges and insurance fees, as well as the fees for return receipts and inquiries.

2. The charges and fees provided for in Section 1 must be paid in advance, save in case of reforwarding or return of parcels.

3. No fee or postage charge other than those provided for by the present Agreement or its Regulations of Execution may be collected.

ARTICLE IV.

PREPARATION OF PARCELS.

Every parcel shall be packed in accordance with the provisions of the Regulations of Execution.

ARTICLE V.

PROHIBITIONS.

1. It is forbidden to inclose in parcels:

(a) letters, notes or documents having the character of actual and personal correspondence. It is permissible, however, to inclose in the parcel the open invoice, reduced to essential features, and a simple copy of the address of the parcel with mention of the address of the sender;

(b) an article bearing an address other than that of the addressee of the parcel;

(c) any live animal, except leeches.

(d) any articles the admission of which is not authorized by the Customs or other laws or regulations of one of the two countries;

(e) Toutes les matières explosibles ou inflammables et, en général, tout objet qui par sa nature ou par son emballage peut présenter du danger pour les agents, salir ou détériorer les autres envois;

(f) des objets obscènes ou immoraux;

(g) il est, en outre, interdit d'expédier dans des colis non assurés:

Des pièces de monnaie, des billets de banque, des billets de monnaie, des valeurs quelconques au porteur, du platine, de l'or ou de l'argent (manufacturés ou non) des pierreries, des bijoux ou d'autres objets précieux.

Si un colis contenant des objets énumérés sous (g) est expédié sans être assuré, il le sera fait par le pays destinataire et sera traité en conséquence.

2. Quand un colis tombant sous le coup de ces interdictions est expédié par une Administration à l'autre, cette dernière procédera en conformité de ses propres lois et règlements intérieures.

Les matières explosibles ou inflammables ainsi que les documents, images et autres objets injurieus à la morale publique pourront être détruits sur place par l'Administration qui en constatera la présence.

Le fait qu'un colis contient une lettre, note ou document ayant le caractère de correspondance actuelle et personnelle ne peut, en aucun cas, entraîner le renvoi du colis à l'expéditeur. La lettre, etc., est, toutefois, frappée du timbre pour la perception du destinataire de la taxe postale réglementaire.

Les deux Administrations se communiquent, au moyen de la liste des objets interdits publiée par le Bureau International de l'Union Postale Universelle, tous les objets prohibés. Toutefois, elles n'assument de ce chef aucune responsabilité envers les organes de la douane et de la police ou envers l'expéditeur.

(e) any explosive or inflammable material, and in general, any article which by its nature or packing may be a source of danger to postal employees or may soil or damage other parcels.

(f) obscene or immoral articles;

(g) it is, moreover, forbidden to send in uninsured parcels: Designated uninsured articles.

Coins, bank notes, currency notes, securities payable to bearer, platinum, gold or silver (whether manufactured or unmanufactured), precious stones, jewels, or other precious articles.

If a parcel which contains articles enumerated under (g) is sent uninsured, it shall be placed under insurance by the country of destination and treated accordingly.

2. When a parcel contravening these prohibitions is sent by one Administration to the other, the latter shall proceed in accordance with its own laws and inland regulations. Prohibited articles erroneously handled.

Explosive or inflammable materials as well as documents, pictures and other articles injurious to public morals may be destroyed on the spot by the Administration which discovers them.

The fact that a parcel contains a letter, note or document having the character of actual and personal correspondence may not, in any case, entail the return of the parcel to the sender. The letter, etc., is, however, stamped for the collection of postage due from the adressee at the regular rate. Parcel containing a letter.

The two Administrations advise each other, by means of the List of Prohibited Articles published by the International Bureau of the Universal Postal Union, of all prohibited articles. However, they do not assume, on that account, any responsibility towards the customs and police authorities, or towards the sender. List of articles to be published.

ARTICLE VI.

Insurance.

COLIS AVEC VALEUR DÉCLARÉE.

Maximum.

Les colis peuvent être assurés jusqu'à concurrence de 500 francs-or ou son équivalent dans la monnaie du pays d'origine. Toutefois, les Administrations Postales des deux pays contractants peuvent d'un commun accord, modifier cette limite.

Limitation.

Un colis ne peut donner lieu à un droit d'indemnité supérieure à la valeur réelle de son contenu, mais il est permis de l'assurer pour une partie seulement de cette valeur.

ARTICLE VII.

Indemnity.

INDEMNITÉ.

Allowance to sender.

1. Sauf les cas prévus au paragraphe suivant, les Administrations sont responsables de la perte des colis assurés déposés dans l'un des deux pays contractants pour être délivrés dans l'autre et de la perte, de la spoliation, ou de l'avarie, complète ou partielle, de leurs contenus.

Basis.

L'expéditeur, ou l'ayant-droit a droit, de ce chef, à une indemnité correspondant au montant réel de la perte, de la spoliation ou de l'avarie. Le montant de l'indemnité est calculé d'après le prix courant des marchandises de même nature, au lieu et à l'époque où le colis fut déposé (à defaut de prix courant d'après la valeur ordinaire estimée) pourvu qu'en aucun cas l'indemnité ne dépasse pas le montant pour lequel le colis fut assuré et sur lequel le droit d'assurance a été perçu, ou le maximum de 500 francs-or.

Return of postage on loss of parcel.

Dans le cas où l'indemnité est payable pour la perte d'un colis ou pour la destruction complète ou pour la spoliation complète de son contenu, l'expéditeur a droit à la restitution des taxes postales s'il les réclame.

ARTICLE VI.

INSURANCE.

Parcels may be insured up to the amount of 500 francs gold or its equivalent in the currency of the country of origin. However, the Postal Administrations of the two contracting countries may, by mutual consent, modify this limit.

A parcel cannot give rise to the right to an indemnity higher than the actual value of its contents, but it is permitted to insure it for only part of that value.

ARTICLE VII.

INDEMNITY.

1. Except in the cases mentioned in the Section following, the Administrations are responsible for the loss of insured parcels mailed in one of the two contracting countries for delivery in the other and for the loss, abstraction of or damage, complete or partial, to their contents.

The sender, or other rightful claimant, is entitled on this account to an indemnity corresponding to the actuel amount of the loss, abstraction or damage. The amount of the indemnity is calculated according to the current price of merchandise of the same kind at the time and place of mailing the parcel (in the absence of the current price according to the ordinary estimated value) provided in any case that the indemnity shall not exceed the amount for which the parcel was insured and on which the insurance fee has been collected, or the maximum of 500 francs gold.

In the case where indemnity is payable for the loss of a parcel or for the destruction or abstraction of the whole of the contents thereof, the sender is entitled to the return of the postal charges, if claimed.

Sauf arrangement spécial contraire entre les pays adhérents, aucune indemnité ne sera payée pour la perte des colis assurés en transit originaires d'un pays ne participant pas à cet Arrangement et destinés à l'un des deux pays contractants.

Quand un colis assuré originaire d'un pays et destiné à être remis dans l'autre est réexpédié de là sur un tiers pays ou y est renvoyé à la demande de l'expéditeur ou du destinataire, l'ayant droit à l'indemnité en cas de perte, de spoliation ou d'avarie survenue subséquemment à la réexpédition ou au renvoi du colis par le premier pays de destination, ne peut prétendre, le cas échéant, qu'à l'indemnité que consent à verser ou—suivant l'entente intervenue entre les pays intéressés directement à la réexpédition ou au renvoi—que doit payer le pays où le fait s'est produit. Chacun des deux pays signataires du présent Arrangement qui réexpédie à tort un colis assuré sur un tiers pays est responsable envers l'expéditeur dans la même mesure que le pays d'origine, donc dans les limites du présent Arrangement.

2. Les Administrations sont dégagées de toute responsabilité:

(a) En cas d'acceptation de la remise du colis sans réserve par le destinataire.

(b) En cas de perte ou d'avarie dérivant de force majeure; toutefois chacune des Administrations pourra payer sans avoir recours à l'autre Administration, l'indemnité même dans le cas où l'Administration du pays dans le service duquel la perte ou l'avarie a eu lieu reconnaîtrait que le dommage a été motivé par la force majeure.

(c) Lorsqu'elles ne peuvent rendre compte des colis par suite de la destruction des documents du service résultant d'un cas de force majeure.

In the absence of special agreement to the contrary between the countries involved no indemnity will be paid for the loss of transit insured parcels originating in a country not participating in this Agreement and destined for one of the two contracting countries.

Transit originating in a third country destined for either contracting power.

When an insured parcel originating in one country and addressed for delivery in the other country is reforwarded from there to a third country or is returned to a third country at the request of the sender or addressee, the party entitled to the indemnity, in case of loss, rifling or damage occurring subsequent to the reforwarding or return of the parcel by the original country of destination, can lay claim, in such cases, only to the indemnity which the country where the loss, rifling or damage occured consents to pay, or which that country is obligated to pay in accordance with the agreement made between the countries directly interested in the reforwarding or return. Either of the two countries signing the present Agreement which wrongly forwards an insured parcel to a third country is responsible to the sender to the same extent as the country of origin, that is, within the limit of the present Agreement.

Parcel reforwarded to a third country.

Responsibility for error.

2. The Administrations are relieved of all responsibility:

Release of responsibility; when.

(a) In case of parcels of which the addressee has accepted delivered without reservation.

Unconditional acceptance.

(b) In case of loss or damage through force majeure although either Administration may without recourse to the other Administration pay indemnity for loss or damage due to force majeure even in cases where the Administration of the country in the service of which the loss or damage occurred recognizes that the damage was due to force majeure.

Loss, etc., through force majeure.

(c) When they are unable to account for parcels in consequence of the destruction of official documents through force majeure.

Destruction of official documents.

Damage through fault of sender, addressee, etc.

(d) Lorsque le dommage a été causé par la faute ou la négligence de l'expéditeur, du destinataire ou de leur représentant ou lorsqu'il provient de la nature de l'objet.

(d) When the damage has been caused by the fault or negligence of the sender, the addressee or their representative, or when it is due to the nature of the article.

Prohibited articles.

(e) Pour les colis contenant des objets interdits.

(e) For parcels which contain prohibited articles.

Declared above real value.

(f) Dans le cas où l'expéditeur d'un colis déclare frauduleusement une valeur supérieure à la valeur réelle du contenu; cette règle ne portera préjudice aux poursuites légales prévues dans la législation du pays d'origine.

(f) In case the sender of a parcel fraudulently declares the contents to be above their real value; this rule shall not prejudice any legal proceedings necessitated by the legislation of the country of origin.

Seized because of false declarations.

(g) Pour les colis saisis par les douanes à cause de fausse déclaration de leurs contenus.

(g) For parcels seized by the customs because of false declaration of contents.

Unclaimed within a year.

(h) Quand aucune réclamation verbale ou écrite n'a été formulée par l'expéditeur ou son représentant dans le délai d'un an à partir du jour qui suit celui du dépôt du colis assuré.

(h) When no verbal or written inquiry has been made by the sender or his representative within the period of a year commencing with the day following the posting of the insured parcel.

Matter of no intrinsic value, etc.

(i) Pour les colis contenant des matières sans valeur intrinsèque, des objets périssables ou des objets qui ne sont pas conformes aux dispositions de cet Arrangement, ainsi que pour les colis qui n'étaient pas déposées de la manière prescrite; mais le pays responsable de la perte, de la spoliation ou de l'avarie pourra payer l'indemnité à l'egard de tels colis sans recours à l'autre Administration.

(i) For parcels which contain matter of no intrinsic value, perishable articles or articles which do not conform to the stipulations of this Agreement, as well as parcels which were not posted in the manner prescribed, but the country responsible for the loss, rifling or damage may pay indemnity in respect of such parcels without recourse to the other Administration.

Indirect loss, etc.

3. Il ne sera payé aucun indemnité pour les dommage indirects ou pour la perte de profits d'un colis transmis en vertu des dispositions du présent Arrangement.

3. No indemnity shall be given for indirect damage or loss of profits of a parcel transmitted by virtue of the provisions of this Agreement.

Indemnity payment.

4. Le payement de l'indemnité pour un colis assuré doit avoir lieu le plus tôt possible et, au plus tard, dans le délai d'un an à compter du lendemain du jour de la réclamation.

4. The payment of indemnity for an insured parcel shall be made as soon as possible and at the latest within a period of one year counting from the day following that on which the application is made.

Deferred, in exceptional cases.

Toutefois, l'Administration d'origine peut différer exceptionnellement le payement de l'indemnité au delà d'un an, lorsque, dans ce délai, le sort du colis n'a pu être établi ou la question de responsabilité être tranchée.

However, the Administration of origin may exceptionally defer payment of indemnity beyond a year if, at the expiration of that period, the disposition of the parcel has not been able to be determined nor the responsibility fixed.

5. Sauf dans le cas où le payement est différé exceptionellement, d'après le deuxième alinéa du paragraphe précédent, l'Administration Postale qui s'engage à faire le payement est autorisée à payer l'indemnité pour le compte de l'Office qui, régulièrement saisi, a laissé s'écouler neuf mois sans donner de solution à l'affaire.

6. L'obligation de payer l'indemnité incombe à l'Administration dont relève le bureau expéditeur du colis; mais dans le cas où l'indemnité sera payée au destinataire en conformité du second alinéa du premier paragraphe du présent article l'obligation du payement incombe à l'Administration destinataire. L'Administration payante réserve son droit de recours contre l'Administration responsable.

7. Jusqu' à preuve du contraire la responsabilité pour un colis assuré incombe à l'Administration qui, ayant reçu le colis sans faire d'observation et étant mise en possession de tous les moyens réglementaires d'investigation ne peut établir le sort du colis.

8. La responsabilité pour la perte, la spoliation ou l'avarie d'un colis assuré, découverte par le bureau d'échange destinataire au moment d'ouverture des récipients et dûment notifiée au bureau d'échange expéditeur par un bulletin de vérification, incombera à l'Administration dont relève le bureau d'échange expéditeur, à moins qu'il ne soit prouvé que le dommage a eu lieu dans le service de l'Administration réceptionnaire.

9. Si la perte, la spoliation ou l'avarie s'est produite en cours de transport, sans qu'il soit possible d'établir dans quel service le fait s'est accompli, les Administrations Postales en cause supportent le dommage par parts égales.

10. L'Administration responsable ou pour le compte de laquelle le payement est effectué

5. Except in cases where payment is exceptionally deferred as provided in the second paragraph of the foregoing section, the Postal Administration which undertakes the payment of compensation is authorized to pay indemnity on behalf of the Office, which, after being duly notified, has let nine months pass without settling the metter.

Payment by country of origin if country of destination delays 9 months.

6. The obligation of paying the indemnity shall rest with the Administration to which the mailing Office is subordinate, provided that in cases where the indemnity is paid to the addressee in accordance with the second paragraph of the first section of this Article, the obligation of payment shall rest with the Administration of destination. The paying Administration retains the right to make a claim against the Administration responsible.

Country responsible.

7. Until the contrary is proved, responsibility for an insured parcel rests with the Administration which having received the parcel without making any observation and being furnished all regular means of investigation is unable to determine the disposition of the parcel.

Responsibility of receiving country unable to show disposition.

8. Responsibility for loss, abstraction or damage of an insured parcel discovered by the exchange office of destination at the time of opening the receptacles and duly notified to the dispatching office of exchange by Bulletin of Verification shall fall upon the Administration to which the dispatching office of exchange is subordinate unless it be proved that the damage occurred in the service of the receiving Administration.

Dispatching office responsible if loss discovered by receiving office.

9. If the loss, abstraction or damage has occurred in the course of conveyance, without its being possible to ascertain in which service the irregularity took place, the Postal Administrations concerned bear the loss in equal shares.

Loss, etc., in transit.

10. The Administration responsible or on whose account payment is made in accordance with

Repayment to country paying.

en conformité des dispositions du paragraphe 5 du présent Article est tenue de rembourser à l'Administration qui a fait le payement pour son compte, sans retard et, au plus tard, dans un délai de six mois, après réception de la notification du payement, le montant de l'indemnité effectivement payé.

Means to be used.

11. Les remboursements doivent être effectués sans frais à l'Office créditeur soit au moyen d'un mandat-poste, d'une traite, en monnaie ayant cours dans le pays créditeur, soit par d'autres moyens qui seront convenus mutuellement par voie de correspondance.

Repayments on gold basis.

12. Les remboursements des indemnités d'un pays à l'autre seront effectués sur la base de la monnaie-or.

Sender responsible for proper packing, etc.

13. L'expéditeur est responsable des défectuosités de l'emballage et de l'insuffisance de la fermeture et des cachets des colis avec valeur déclarée. D'autre part, les deux Administrations sont dégagées de toute responsabilité en cas de perte, de spoliation ou d'avarie causée par des défectuosités non remarquées au moment du dépôt.

No responsibility for ordinary parcels.

14. Les Administrations Postales des deux pays contractants ne seront pas responsables pour la perte, la spoliation ou l'avarie d'un colis ordinaire. Toutefois, chaque Administration aura la liberté d'indemniser la perte, la spoliation ou l'avarie qui pourront survenir dans son service sans recours contre l'autre pays.

Article VIII.

Certificate of mailing.

certificat de dépôt. récépissé.

Furnished sender, on request.

L'expéditeur peut recevoir, au moment du dépôt d'un colis ordinaire (non assuré) un certificat de dépôt, sur une formule ad hoc, du bureau de dépôt. Chaque pays pourra fixer pour les dits certificats, un droit raisonnable.

Receipt.

L'expéditeur d'un colis assuré reçoit sans frais, au moment du dépôt, un récépissé de son colis.

the provisions of Section 5 of this Article is bound to repay to the Administration making payment on its behalf, without delay and within not more than six months after receiving notice of payement, the amount of indemnity actually paid.

11. Repayments are to be made free of cost to the creditor Administration by means of either a money order, a draft, in money valid in the creditor country, or by such other means as may be mutually agreed upon by correspondence.

12. Repayments of indemnity by one country to the other will be made on the gold basis.

13. The sender is responsible for defects in the packing and insufficiency in the closing and sealing of insured parcels. Furthermore, the two Administrations are relieved of all responsibility in case of loss, rifling or damage caused by defects not observed at the time of posting.

14. The Postal Administrations of the two contracting countries will not be responsible for the loss, abstraction or damage of an ordinary parcel. However, either Administration is at liberty to indemnify for the loss, abstraction or damage which may occur in its service, without recourse to the other Administration.

Article VIII.

certificate of mailing. receipts.

The sender may receive at the time of mailing an ordinary (uninsured) parcel, a certificate of mailing from the post office where the parcel is mailed, on a form provided for the purpose. Each country may fix a reasonable fee for the said certificate.

The sender of an insured parcel receives without charge, at the time of posting, a receipt for his parcel.

ARTICLE IX.

AVIS DE RÉCEPTION ET RÉCLAMATIONS.

1. L'expéditeur d'un colis assuré peut obtenir un avis de réception en payant une taxe additionnelle stipulée, s'il y a lieu, par le pays d'origine et sous les conditions fixées dans le Règlement.

2. Le pays d'origine pourra percevoir, à son gré, une taxe spéciale pour une réclamation d'un colis ordinaires ou assuré si l'expéditeur n'a pas déjà payé la taxe spéciale pour un avis de réception.

3. Le pays d'origine a aussi le droit de percevoir une taxe spéciale pour toute plainte motivée par une irrégularité quelconque qui ne peut pas être attribuée à première vue à la faute du service postal.

ARTICLE IX.

RETURN RECEIPTS AND INQUIRIES. Return receipts and inquiries.

1. The sender of an insured parcel may obtain an advice of delivery upon payment of such additional charge, if any, as the country of origin shall stipulate and under the conditions laid down in the Regulations. Advice of delivery.

2. The country of origin may charge at its option a special fee on a request for information as to the disposal of an ordinary or insured parcel if the sender has not already paid the special fee for an advice of delivery. Request for information.

3. The country of origin may also charge a special fee for any complaint of any irregularity which prima facie was not due to the fault of the Postal Service. Irregularities.

ARTICLE X.

RETRAIT ET MODIFICATION D'ADRESSE.

Tant qu'un colis n'est pas remis au destinataire, l'expéditeur peut le faire retirer du service ou en modifier l'adresse. L'Administration du pays d'origine peut percevoir et retenir, pour ce service, la taxe fixée par ses règlements. Les demandes de retrait ou de modification d'adresse des colis à délivrer dans les États-Unis d'Amérique seront adressées à l'Administration Centrale à Washington; les demandes relatives aux colis à destination de Turquie devront être adressées à la Direction des Affaires postales, 3me Section, à Ankara.

ARTICLE X.

RECAD AND CHANGE OF ADDRESS. Recall and change of address.

So long as a parcel has not been delivered to the addressee, the sender may recall it or cause its address to be changed. The Administration of the country of origin may collect and retain, for this service, the charges fixed by its regulations. The requests for recall or change of address of parcels to be delivered in the United States of America shall be addressed to the Central Administration at Washington; those relating to parcels for delivery in Turkey shall be addressed to La Direction des Affaires postales, 3me Section, at Ankara. Allowance of, on request.

ARTICLE XI.

DROITS DE DOUANE.

Les colis sont assujettis à tous les lois et règlements douaniers en vigueur dans le pays de destination. Les droits exigibles de ce chef sont perçus sur le destinataire, lors de la remise du colis, suivant les règlements douaniers.

ARTICLE XI.

CUSTOMS CHARGES. Customs charges.

The parcels are subject to all customs laws and regulations in force in the country of destination. The duties collectible on that account are collected from the addressee on delivery of the parcel in accordance with the customs regulations. Imposed by country of destination.

ARTICLE XII.

ANNULATION DES DROITS DE DOUANE.

Canceled, if returned or redirected.

Les droits de douane pour les colis retournés au pays d'origine ou réexpédiés à un autre pays seront annulés tant en Turquie qu'aux États-Unis d'Amérique.

ARTICLE XII.

CANCELATION OF CUSTOMS CHARGES.

The customs charges on parcels sent back to the country of origin or redirected to another country shall be cancelled both in Turkey and the United States of America.

ARTICLE XIII.

Customs clearance.

DROIT DE DÉDOUANEMENT.

Fee.

L'Office destinataire peut percevoir du destinataire soit pour la remise à la douane et le dédouanement soit pour la remise à la douane seulement, un droit n'excédant pas 10 cents (50 centimes-or) par colis.

ARTICLE XIII.

FEE FOR CUSTOMS CLEARANCE.

The office of delivery may collect from the addressee either for delivery to the customs and clearance through the customs or for delivery to the customs only, a fee not exceeding 10 cents (50 centimes gold) per parcel.

ARTICLE XIV.

Delivery.

REMISE AU DESTINATAIRE. DROIT DE REMISE À DOMICILE.

To addressee.

1. Les colis sont remis aux destinataire le plus tôt possible et conformément aux dispositions en vigueur dans le pays de destination. Ce pays peut percevoir pour la remise des colis à domicile un droit n'excédant pas 10 cents (50 centimes-or) par colis. Le même droit peut être appliqué, le cas échéant, à chaque présentation, autre que la première faite au domicile du destinataire ou à son lieu d'affaire.

Charges.

ARTICLE XIV.

DELIVERY TO THE ADDRESSEE. FEE FOR DELIVERY AT THE RESIDANCE.

1. Parcels are delivered to the addressees as quickly as possible in accordance with the conditions in force in the country of destination. This country may collect, in respect of delivery of parcels to the residence, a fee not exceeding 10 cents (50 centimes gold) per parcel. The same fee may be charged, if the case arises, for each presentation after the first at the addressees's residence or place of business.

ARTICLE XV.

DROIT DE MAGASINAGE.

Warehousing charges.

Le pays destinataire est autorisé à percevoir le droit de magasinage fixé par sa législation pour les colis adressés "Poste restante" ou non retirés dans les délais prescrits. Ce droit ne peut en aucun cas excéder un dollar (5 francs-or).

ARTICLE XV.

WAREHOUSING CHARGES.

The country of destination is authorized to collect the warehousing charge fixed by its legislation for parcels addressed "Poste Restante" or which are not claimed within the prescribed periods. This charge may in no case exceed one dollar (5 francs gold).

ARTICLE XVI.

Missent parcels.

LES COLIS MAL DIRIGÉS.

Provisions concerning ordinary parcels.

Les colis ordinaires, mal dirigés, seront réexpédiés à leur vraie destination par la voie la plus directe

ARTICLE XVI.

MISSENT PARCELS.

Ordinary parcels, when missent, are reforwarded to their correct destination by the most direct

dont l'Administration réexpéditrice dispose. Il ne doivent pas être grevés de droits de douane ni d'autres droits par l'Administration réexpéditrice. Les colis assurés mal dirigés, ne peuvent être réexpédiés à leur destination que comme des envois assurés. Si cela est impossible, ils doivent être renvoyés à l'origine.

Lorsque la réexpédition implique le renvoi du colis au bureau d'origine, l'Administration réexpéditrice restitue à ce bureau les bonifications reçues et signale l'erreur par un bulletin de vérification.

Lorsque la réexpédition implique l'envoi d'un colis à un tiers pays et si le montant crédité à l'Administration réexpéditrice est insuffisant à couvrir les frais de transmission qu'elle doit supporter, l'Administration réexpéditrice se fait payer la différence en la réclamant du bureau d'échange duquel le colis mal dirigé a été directement reçu. Le motif de cette réclamation est notifié à ce bureau par un bulletin de vérification.

route at the disposal of the reforwarding Administration. They must not be charged with customs or other charges by the reforwarding Administration. Insured parcels, when missent, may not be reforwarded to their destination except as insured mail. If this is impossible, they must be returned to origin. Insured parcels.

When the reforwarding involves the return of the parcel to the office of origin, the retransmitting Administration refunds to that office the credits received and reports the error by a Bulletin of Verification. Refunding, if parcel returned.

When the reforwarding involves the dispatch of a parcel to a third country and if the amount credited to the retransmitting Administration is insufficient to cover the expenses of transmission which it has to defray, the retransmitting Administration recovers the amount of the deficiency by claiming it from the office of exchange from which the missent parcel was directly received. The reason for this claim is notified to the latter by means of a Bulletin of Verification. Reforwarding to a third country.

ARTICLE XVII.

RÉEXPÉDITION.

1. Un colis peut, à la demande aussi bien de l'expéditeur que du destinataire, être réexpédié par suite de changement d'adresse du destinataire dans le pays de destination.

Pour les colis réexpédiés dans son territoire, l'Administration postale du pays de destination peut percevoir des taxes additionelles fixées par ses règlements intérieurs. Ces taxes ne seront pas annulées même dans le cas où le colis est retourné à l'origine ou réexpédié à un autre pays.

2. La réexpédition d'un colis hors du pays de destination primitif n'a lieu que sur la demande de l'expéditeur ou du destinataire pourvu que le colis réponde aux

ARTICLE XVII.

REDIRECTION. Redirection.

1. A parcel may be redirected in consequence of the addressee's change of address in the country of destination, at the request of either the sender or the addressee. Allowed, on payment of additional charges.

For the parcels redirected in its territory, the Postal Administration of the country of destination may collect additional charges fixed by its internal regulations. These charges shall not be cancelled even in case the parcel is returned to origin or reforwarded to another country.

2. A parcel may be redirected out of the country of original address only at the sender's or the addressee's request, provided that the parcel complies with the Forwarding to another country.

conditions requises pour le nouveau transport. Les colis assurés ne seront réexpédiés à un autre pays que comme des envois assurés.

New charges.

Les nouvelles taxes postales ainsi que les nouveaux droits d'assurance, dans le cas des colis assurés, peuvent, s'ils ne sont pas acquittés d'avance, être perçus au moment de la remise des colis.

Forbidden, if so instructed.

L'expéditeur est autorisé à interdire toute réexpédition au moyen d'une annotation appropriée sur le bulletin d'expédition et sur le colis.

conditions required for its further conveyance. Insured parcels shall not be redirected to another country except as insured mail.

New postage, as well as new insurance fees, in the case of insured parcels, may, if not prepaid, be collected upon delivery.

The sender is entitled to forbid, by means of a suitable entry on the dispatch note and on the parcel, any redirection.

ARTICLE XVIII.

Sale or destruction.

VENTE OU DESTRUCTION.

Articles liable to deterioration.

1. Les articles sujets à détérioration ou à corruptions peuvent seuls être vendus immédiatement, même en route à l'aller ou au retour, sans avis préalable ni formalité judiciaire, au profit de l'ayant droit.

Si pour une raison quelconque la vente est impossible, les objets détériorés ou corrompus seront détruits. La vente ou la destruction sera l'objet d'un procès-verbal et le fait sera communiqué à l'Administration postale du pays d'origine.

Abandoned articles.

2. Les colis qui n'ont pu être délivrés au destinataire et dont les expéditeurs ont fait abandon peuvent, à l'expiration de trente jours à partir de la date d'arrivée au bureau de destination, être vendus aux enchères ou être traités d'après la législation du pays de destination.

Insured parcels.

Lorsqu'il s'agit des colis assurés, un procès-verbal sera dûment dressé et le traitement auquel est soumis le colis sera notifié à l'Administration du pays d'origine. L'Administration du pays d'origine sera également avisée quand, pour une raison quelconque, le colis assuré ne serait ni livré au destinataire ni retourné à l'origine.

ARTICLE XVIII.

SALE OR DESTRUCTION.

1. Articles liable to deterioration or corruption, and these only, may be sold immediately even on the outward or return journey, without previous notice or judicial formality, for the benefit of the right party.

If for any reason a sale is impossible, the spoilt or worthless articles shall be destroyed. The sale or destruction shall be the subject of a procès-verbal and the fact communicated to the Postal Administration of the country of origin.

2. After the expiration of thirty days from the date of receipt at the office of destination; undeliverable parcels which the sender has caused to be abandoned may be sold at auction or otherwise disposed of as provided by the legislation of the country of destination.

When insured parcels are involved, a procès-verbal will be made up and the Administration of the country of origin notified as to the disposition made of the parcels. The Administration of the country of origin shall also be notified when for any reason an insured parcel is neither delivered nor returned to the country of origin.

ARTICLE XIX.

NON-REMISE.

1. L'expéditeur d'un colis peut, au moment du dépôt et dans les conditions prévues au Règlement, faire une demande concernant la manière dont il entend disposer du colis en cas de non-livraison.

2. Lorsque l'expéditeur n'a fait aucune demande conformément au paragraphe précédent ou la demande de l'expéditeur n'a pas abouti à la remise, le colis non-remis sera retourné à l'expéditeur, sans préavis, à l'expiration de trente jours; quant aux colis refusés par le destinataire, ils seront retournés immédiatement.

3. Les dispositions de l'Article XX, § 3, seront appliquées à un colis retourné au pays d'origine à cause de non-remise.

Les nouvelles taxes postales, ainsi que les nouveaux droits d'assurance, dans le cas des colis assurés, peuvent, s'ils ne sont pas perçus d'avance, être perçus sur l'expéditeur au retour de son colis.

ARTICLE XX.

BONIFICATIONS.

1. Pour chaque colis échangé entre les pays contractants (Art. I) l'Office expéditeur bonifie à l'Office destinataire, sur les feuilles de route des colis, les quote-parts dues à ce dernier qui sont indiquées dans le Règlement d'Exécution.

2. Les sommes à payer pour les colis en transit, c'est à dire, pour les colis destinés soit à une possession soit à un tiers pays, sont de même indiqués dans le Règlement d'Exécution.

3. Dans le cas de réexpédition ou de renvoi à l'origine d'un colis, si les nouvelles taxes postales et les nouveaux droits d'assurance (en cas des colis assurés) sont perçus par l'Office réexpéditeur, le colis est traité comme s'il a été originaire de ce pays. Autrement, l'Office réexpéditeur se fait

ARTICLE XIX.

NONDELIVERY.

Nondelivery.

1. The sender of a parcel may make a request at the time of mailing and under the conditions set forth in the Regulations, as to the manner in which he intends to dispose of the parcel in case of nondelivery.

Request, at time of mailing.

2. When the sender has not made any request in accordance with the foregoing Section, or the sender's request has not resulted in delivery, the undelivered parcel will be returned to the sender without previous notification at the expiration of thirty days, while parcels refused by the addressee will be retourned at once.

Return to sender, if not otherwise indicated.

3. The provisions of Article XX, Sec. 3, shall be applied to a parcel to be returned to the country of origin in consequence of nondelivery.

Provisions governing nondeliverable parcel.

New postage, as well as new insurance fees, in the case of insured parcels, may, if not prepaid, be collected from the sender upon the return of his parcel.

ARTICLE XX.

CHARGES.

Charges.

Credits.

1. For each parcel exchanged between the contracting countries (Article I), the dispatching office credits to the office of destination, in the parcel bills, the quotas due the latter, which are indicated in the Regulations of Execution.

Ante, p. 3201.

Post, p. 3217.

Parcels in transit.

2. The sums to be paid for parcels in transit, that is, parcels destined either for a possession or for a third country, are likewise indicated in the Regulations of Execution.

In case of reforwarding, etc.

3. In case of reforwarding or return to origin of a parcel, if new postage and new insurance fees (in the case of insured parcels) are collected by the redispatching Office, the parcel is treated as if it had originated in that country. Otherwise, the redispatching Office recovers from the other Office

rembourser par l'autre Office la quote-part qui lui revient suivant le cas, à savoir:

(a) les quotes-parts prévues au Ier paragraphe du présent article;

(b) les quotes-parts pour réexpédition ou renvoi;

(c) les droits de dédouanement, les droits de remise et de magasinage prévus par les Articles XIII, XIV et XV.

Ante, p. 3210.

Parcels to or from a third country.

Dans le cas de réexpédition ou de renvoi à un tiers pays, les quotes-parts et droits accrus, qui sont applicables comme il est mentionné plus haut en (a), (b) et (c), suivront les colis; mais dans le cas où le tiers pays aurait refusé de prendre à sa charge ces quotes-parts et droits parce qu'ils ne sont pas encaissables du destinataire ou de l'expéditeur, comme cela peut être, soit pour n'importe quelle autre raison, ils seront imposés au pays d'origine.

Au cas où un colis est retourné ou réacheminé en transit par l'une des deux Administrations de ou pour l'autre, l'Administration intermédiaire peut aussi exiger la somme lui revenant pour tout autre service territorial ou maritime rendu ainsi que les montants dus, le cas échéant, à une ou plusieurs autres Administrations intéressées.

Article XXI.

Charges other than prescribed.

TAXES POSTALES AUTRES QUE CELLE PRESCRITES NE DEVANT PAS ÊTRE PERÇUES.

Prohibition of.

Les colis auxquels cet Arrangement s'applique ne devront pas être sujets à aucune autre taxe postale que celles prévues par les différents articles y insérés.

Article XXII.

Air parcels.

COLIS POSTAUX-AVION.

Surtax.

Les Administrations postales des deux pays ont le droit de fixer d'un commun accord, la surtaxe aérienne et les autres conditions dans le cas où les colis sont envoyés par la voie aérienne.

the quota due to it, namely, as the case may be:

(a) the quotas prescribed by Section 1 above;

(b) the quotas for reforwarding or return;

(c) the customs-clearance, delivery and storage charges provided for by Articles XIII, XIV and XV.

In case of reforwarding or return to a third country, the accrued quotas and charges, that is, such of the charges mentioned in (a), (b) and (c) above as are applicable, shall follow the parcel, but in the case that the third country refuses to assume these quotas and charges because they cannot be collected from the addressee or sender, as the case may be, or for any other reason, they shall be charged back to the country of origin.

In the case of a parcel returned or reforwarded in transit through one of the two Administrations from or to the other, the intermediary Administration may claim also the sum due to it for any additional territorial or sea service provided, together with any amouts due to any other Administration or Administrations concerned.

Article XXI.

POSTAL CHARGES OTHER THAN THOSE PRESCRIBED NOT TO BE COLLECTED.

The parcels to which this Agreement applies shall not be subject to any postal charges other than those contemplated by the different Articles hereof.

Article XXII.

AIR PARCELS.

The Postal Administrations of the two countries have the right to fix by mutual consent the air surtax and other conditions in the case where the parcels are conveyed by the air route.

ARTICLE XXIII.

SUSPENSION TEMPORAIRE DU SERVICE

Dans les circonstances extraordinaires, justifiant la mesure, chaque Administration peut suspendre temporairement et d'une façon générale ou partielle le service des colis postaux, sous condition d'en donner immédiatement avis, au besoin par télégraphe, à l'autre Administration.

ARTICLE XXIII.

TEMPORARY SUSPENSION OF SERVICE.

In extraordinary circumstances such as will justify the measure, either Administration may temporarily suspend the parcel post service, either entirely or partially, on condition of giving immediate notice, if necessary by telegraph, to the other Administration.

Temporary suspension of service.

ARTICLE XXIV.

DISPOSITIONS NON PRÉVUES PAR LE PRÉSENT ARRANGEMENT.

1. Toutes les questions relatives aux demandes de retrait ou de renvoi des colis, à l'obtention et disposition des avis de réception et au règlement des réclamations d'indemnité pour les colis assurés, qui ne sont pas prévues par le présent Arrangement, seront réglées suivant les dispositions de la Convention Postale Universelle et de son Règlement d'Exécution, en tant qu'elles sont applicables et ne dérogent pas aux termes du présent Arrangement.

Si le cas n'est prévu du tout, les législations intérieures des États-Unis et de la Turquie, ou les décisions prises par l'un ou l'autre pays, seront applicables dans le pays respectif.

2. Les détails relatifs à l'application du présent Arrangement seront fixés par les deux Administrations dans un Règlement d'Exécution, les dispositions duquel peuvent être modifiées ou complétées d'un commun accord, par la voie de correspondance. Un arrangement similaire par correspondance peut être conclu pour l'échange des colis grevés de remboursement.

3. Les deux Administrations se communiquent mutuellement leurs lois, décrets et tarifs concernant l'échange des colis postaux ainsi que toutes les modifications qu'on pourra faire subséquemment au sujet du tarif.

ARTICLE XXIV

MATTERS NOT PROVIDED FOR IN THE PRESENT AGREEMENT.

1. Unless they are provided for in the present Agreement, all questions concerning requests for recall or return of parcels and the obtaining and disposition of return receipts and adjustment of indemnity claims in connection with insured parcels, shall be governed by the provisions of the Universal Postal Convention and its Regulations of Execution, insofar as they are applicable and are not contrary to the provisions of the present Agreement.

If the case is not provided for at all, the domestic legislation of the United States or of Turkey, or the decisions made by one country or the other, are applicable in the respective country.

2. The details relative to the application of the present Agreement will be fixed by the two Administrations in Regulations of Execution, the provisions of which may be modified or completed by common consent by way of correspondence. A similar agreement through correspondance may be made with a view to the exchange of collect-on-delivery parcels.

3. The two Administrations notify each other mutually of their laws, ordinances and tariffs concerning the exchange of parcel post, as well as of all modifications in rates which may be subsequently made.

Matters not herein provided for.

Provisions to govern.

Ante, pp. 2741, 2802.
Vol. 46, p. 2523.

Details by common consent.

Mutual notice of postal laws, etc.

ARTICLE XXV.

MISE À EXÉCUTION ET DURÉE DE L'ARRANGEMENT.

Entry into force.

1. Le présent Arrangement entrera en vigueur dès sa ratification, toutefois en attendant la ratification, il peut être mis administrativement à exécuition à partir d'une date qui sera fixée par les Administrations des deux pays.

Duration.

Il demeurera en vigueur jusqu'à ce que l'une des deux Administrations des pays contractants communique à l'autre, six mois à l'avance, son intention d'y mettre fin.

Signatures.

2. Fait en double et signé à Ankara, le 25 mai 1935
et à Washington, le 2 juillet, 1935.

ARTICLE XXV.

ENTRY INTO FORCE AND DURATION OF AGREEMENT.

1. This Agreement shall become effective on ratification, but pending ratification it may be put into force administratively on a date to be mutually settled between the Administrations of the two countries.

It shall remain in force until one of the Administrations of the two contracting countries has given notice to the other, six months in advance, of its intention to terminate it.

2. Done in duplicate and signed at Ankara, on the 25th of May 1935 and at Washington, the 2nd day of July, 1935.

NAZIF BEY
Le Directeur Général des Postes, Télégraphes et Téléphones de la Turquie

[SEAL]

JAMES A FARLEY
The Postmaster General of the United States of America.

Approval by the President.

The foregoing Parcel Post Agreement between the United States of America and Turkey has been negotiated and concluded with my advice and consent and is hereby approved and ratified.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed.

[SEAL] FRANKLIN D ROOSEVELT

By the President
CORDELL HULL
Secretary of State.

WASHINGTON, *July 9, 1935.*

REGULATIONS FOR THE EXECUTION OF THE AGREEMENT CONCERNING THE EXCHANGE OF PARCEL POST BETWEEN THE UNITED STATES OF AMERICA AND TURKEY

RÈGLEMENT D'EXÉCUTION DE L'ARRANGEMENT CONCERNANT L'ÉCHANGE DES COLIS POSTAUX

Les chefs des Administrations Postales des États-Unis d'Amérique et de Turquie sont tombés d'accord sur le Règlement circonstancié ci-dessous relatif à l'Exécution de l'Arrangement concernant l'Echange des Colis Postaux. Ce Règlement peut, le cas échéant, être modifié de temps en temps.

ARTICLE 1.

LIMITES DE POIDS ET DE DIMENSIONS.

Le poids des colis à échanger conformément aux dispositions du présent Règlement ne doit pas dépasser 44 livres (20 kilogrammes). Ces colis ne doivent pas dépasser les dimensions suivantes:

Longueur maximum de 4 pieds (122 centimètres), à condition que les colis de plus de 42 pouces (inches) (107 centimètres), mais ne dépassant pas 44 pouces (112 centimètres) de longueur, n'excédent pas 24 pouces (61 centimètres) de pourtour en sens de largeur; les colis de plus de 44 pouces (112 centimètres) mais ne dépassant pas 46 pouces (117 centimètres) de longueur, n'excédent pas 20 pouces (51 centimètres) de pourtour en sens de largeur; les colis de plus de 46 pouces (117 centimètres), mais ne dépassant pas 48 pouces (122 centimètres) de longueur, n'excédent pas 16 pouces (41 centimètres) de pourtour en sens de largeur; les colis jusqu'à 3½ pieds (107 centimètres) de longueur n'excédent pas 6 pieds (183 centimètres) de longueur et pourtour en sens de largeur ensemble.

DETAILED REGULATIONS FOR THE EXECUTION OF THE PARCEL POST AGREEMENT

Regulations for execution.

The Chiefs of the Postal Administrations of the United States of America and Turkey have agreed upon the following detailed regulations concerning the execution of the Agreement relative to the exchange of parcel post. These regulations can, if need be, be modified from time to time.

ARTICLE 1.

LIMITS OF WEIGHT AND SIZE

Limits of weight and size.

The weight of the parcels to be exchanged under the provisions of the Regulations may not exceed 44 pounds (20 kilograms).

These parcels may not exceed the following dimensions:

Greatest length 4 feet (122 centimeters), on condition that parcels over 42 inches (107 centimeters) but not exceeding 44 inches (112 centimeters) in length do not exceed 24 inches (61 centimeters) in latitudinal girth; parcels over 44 inches (112 centimeters) but not exceeding 46 inches (117 centimeters) in length do not exceed 20 inches (51 centimeters) in latitudinal girth; parcels over 46 inches (117 centimeters) but not exceeding 48 inches (122 centimeters) in length do not exceed 16 inches (41 centimeters) in latitudinal girth; parcels up to 3½ feet (107 centimeters) in length do not exceed 6 feet (183 centimeters) in length and latitudinal girth combined.

La limite maximum du poids et des dimensions indiquée ci-dessus peut être modifiée de temps en temps par arrangement par voie de correspondance.

ARTICLE 2.

CONDITIONNEMENT DES COLIS.

Preparation of parcels.

1. Le nom et l'adresse de l'expéditeur et du destinataire doivent être écrits d'une façon lisible et exacte et, si possible, toujours sur le colis même ou sur une étiquette ou une fiche volante fixée solidement à l'envoi. Les colis dont le nom et l'adresse de l'expéditeur et du destinataire consistent en initiales seulement ne sont pas admis, à moins que ces initiales ne constituent les désignations commerciales (raisons sociales) de l'expéditeur ou du destinataire, ce qui généralement est entendu. Les addresses au crayon ne sont pas admises. Sont toutefois acceptées les adresses écrites au crayon-encre, sur un fond préalablement mouillé.

Une étiquette portant le nom et l'adresse de l'expéditeur et du destinataire doit être insérée dans le colis dans le cas où l'adresse est écrite sur une étiquette ou sur une fiche volante qui n'est pas collée au colis. Il est recommandé d'insérer de telles étiquettes dans tous les colis.

2. Chaque colis doit être emballé de manière que le contenu soit préservé pendant toute la durée du transport et qu'il ne puisse endommager les autres colis ou objets, ou blesser les fonctionnaires postaux. L'emballage doit efficacement protéger le contenu de sorte qu'en cas de spoliation (rifling) il soit facile d'en constater les traces.

Tous les liquides ou corps facilement liquefiables doivent être expédiés dans un double récipient. Entre le premier (bouteille, flacon, pot, boîte, etc.) et le second (boîte en métal, en bois résistant, en carton solide plissé, en fibre de solide qualité ou récipient de résistance équivalente), un espace doit être ménagé qu'on

The maximum limit of weight and dimensions stated above may be changed from time to time by agreement made through correspondence.

ARTICLE 2.

PREPARATION OF PARCELS.

1. The name and address of the sender and of the addressee must be legibly and correctly written if possible always on the parcel itself or on a label or tag firmly attached to the article. Parcels on which the name and address of the sender and addressee consist of initials only are not admitted unless the initials are the adopted trade name of the senders or addressees which is generally understood. Addresses in pencil are also not admitted. However, addresses written with indelible pencil on a previously dampened surface are accepted.

A slip bearing the name and address of the sender and addressee must be enclosed in the parcel in case the address is written on a label or tag which is not pasted on the parcel. It is recommended that such slips be enclosed in all parcels.

2. Every parcel must be packed in a manner so the contents will be protected for the entire duration of the transportation and cannot damage other parcels or objects or injure the postal employees. The packing must protect the contents sufficiently that, in case of rifling, the traces thereof may be easily discovered.

Any liquid or any easily liquefiable substance must be packed in a double receptacle. Between the first receptacle (bottle, flask, pot, box, etc.) and the second (box of metal, of strong wood, of strong corrugated cardboard or of strong fibreboard or receptacle of equal strength) shall be left a space which shall be filled with sawdust,

remplira de sciure, de son ou de toute autre matière spongieuse, en quantité suffisante pour absorber tout le liquide en cas de bris du récipient.

Les poudres et les matières colorantes en poudre doivent être emballées dans de fortes boîtes de fer-blanc qui, après avoir été soudées, seront placées à leur tour dans d'autres récipients de résistance égale, de manière à exclure tout endommagement d'autres envois.

3. Les colis avec valeur déclarée doivent être scellés par des cachets à la cire, par des plombs ou par un autre moyen servant à sceller. Pour des colis ordinaires, ils peuvent être scellés selon le désir de l'expéditeur, bien qu'un ficelage soigneux soit suffisant comme moyen de fermeture. Comme mesure de sécurité, chaque Administration peut exiger qu'une empreinte ou marque spéciale de l'expéditeur figure sur les plombs ou cachets de fermeture des colis avec valeur déclarée expédiés par ses bureaux.

L'Administration des douanes du pays de destination est autorisée à ouvrir les colis aux fins d'examen. A cet effet, les cachets ou toute autre fermeture peuvent être brisés ou rompus. Après l'examen, les colis seront à nouveau scellés d'Office.

4. Chaque colis avec valeur déclarée doit porter du côté de l'adresse une étiquette où figure l'indication "Insured" ou "Valeur déclarée", cette indication pouvant également être estampillée ou marquée à proximité du numéro donné au colis, ainsi que le montant de la valeur déclarée lisible et complet dans la monnaie du pays d'origine en caractères romains. Ce montant doit être converti par l'expéditeur ou par le bureau d'origin en francs-or le produit de la conversion devant être inscrit au-dessous de l'indication originale. Le montant de la valeur déclarée doit figurer sur la déclaration en douane.

5. Les scellés, ainsi que toutes les étiquettes ou timbres-poste apposé aux colis avec valeur

bran or any other spongy material, in sufficient quantity to absorb all the liquid contents in the case of breakage of the receptacle.

Powders and dyes in powder form must be packed in strong tin boxes which after being soldered must be enclosed in their turn in outer covers of equal strength so as to obviate all damage to the accompanying mail matter.

3. Insured parcels must be sealed by means of wax, by lead or other means of sealing. Ordinary parcels may be sealed at the option of the sender, although careful tying is sufficient as a mode of closing. As a means of protection, either Administration may require that a special design or mark of the sender figure in the lead or seals of insured parcels dispatched by its offices.

The customs administration of the country of destination is authorized to open the parcels for the purpose of examination. To that end the seals or other fastenings may be broken. After examination, the parcels shall be officially resealed.

4. Each insured parcel shall bear on the address side a label with the notation "Insured" or "Valeur déclarée", or this notation may be stamped or marked in proximity to the number given the parcel; the parcel must also bear an indication of the amount of insured value, mentioned fully and legibly in the currency of the country of origin and in Roman letters. This amount must be converted by the sender or by the office of origin into gold francs and the result of conversion should be added below the original description. The amount of the insured value must appear on the customs declaration.

5. The seals, as well as all the labels or postage stamps, affixed to insured parcels, must be so

déclarée, doivent être espacés afin qu'ils ne puissent servir à cacher les lésions de l'emballage. Ils ne doivent pas, non plus, être repliés sur deux faces de l'emballage de manière à couvrir la bordure.

ARTICLE 3.

BULLETINS D'EXPÉDITION ET DÉCLARATIONS EN DOUANE.

Dispatch notes and customs declarations.

1. Pour chaque colis ou expédition collective de trois colis ordinaires au plus, destinés à la même personne et soumis à la même bonification, l'expéditeur doit remplir un bulletin d'expédition et une déclaration en douane conformes aux formules en usage dans le pays d'origine.

Les bulletins d'expédition doivent porter les indications suivantes: bureau de dépôt, non et adresse de l'expéditeur, nombre des declarations en douane, poids, port payé, nom et adresse du destinataire et bureau de destination. Pour les colis avec valeur déclarée, le numéro (insurance number) et le montant de la valeur déclarée doivent aussi figurer sur le bulletin d'expédition.

Les déclarations en douane doivent fournir les indications suivantes: description générale du colis, mention exacte et détaillée du contenu, valeur, poids brut, date d'expédition, nom et adresse de l'expéditeur et du destinataire et pays d'origine de la marchandise.

2. Les Administrations n'assument aucune responsibilité en ce qui concerne l'exactitude des déclarations en douane, ou des bulletins d'expédition.

3. Les bulletins d'expédition et les déclarations en douane doivent être solidement fixés aux colis.

ARTICLE 4.

AVIS DE RÉCEPTION.

Return receipts.

1. Lorsqu'un avis de réception est demandé pour un colis, le bureau d'origine doit imrpimer sur le colis les lettres ou la mention "A. R." ou "Avis de Réception". Le bureau d'origine

spaced that they can not hide injuries to the packing. Neither should they be folded over two sides of the package so as to cover the edge.

ARTICLE 3.

DISPATCH NOTES AND CUSTOMS DECLARATIONS.

1. For each parcel or collective shipment of three or more ordinary parcels addressed to the same person and subject to the same payment, the sender must make out a dispatch note and a customs declaration in accordance with the forms in use in the country of origin.

The dispatch notes must bear the following information: office of mailing, name and address of the sender, number of customs declarations, weight, postage paid, name and address of the addressee, and the office of destination. For insured parcels, the insurance number and amount of insured value must also appear on the dispatch note.

The customs declaration must show the following information; general descrption of the parcel, exact detailed description of the contents, value, gross weight, date of mailing, name and address of the sender and addressee, and country of origin of the merchandise.

2. The Administrations assume no responsibility as to correctness of the customs declarations or dispatch notes.

3. The dispatch notes and customs declarations must be securely attached to the parcels.

ARTICLE 4.

RETURN RECEIPTS.

1. When a return receipt is requested for a parcel, the office of origin must impress on the parcel the letters or words "A. R." or "Avis de Réception". The office of origin or any other

ou tout autre bureau affecté à cette fin par l'Administration expéditrice, remplira un avis de réception et l'attachera au colis. Au cas où cette feuille n'arriverait pas au bureau de destination, ce dernier en remplit une autre.

2. Le bureau de destination, ayant dûment rempli l'avis de réception, le retourne en franchise de port à l'adresse de l'expéditeur du colis.

3. Au cas où l'expéditeur demanderait un avis de réception après l'expédition du colis, le bureau d'origine remplit dûment la formule de l'avis de réception en l'attachant à une formule de réclamation qui mentionne les détails concernant l'expédition du colis, et l'expedie ensuite au bureau de destination de ce dernier. Si la livraison a eu lieu, le bureau de destination détache la réclamation et l'avis de réception suit la procédure prévue sous ce rapport dans l'alinéa précédent.

ARTICLE 5.

RÉCIPIENTS.

1. Les Administrations Postales des deux parties contractantes pourvoient à l'acquisition des sacs nécessaires pour l'expédition de ses colis, chaque sac portant l'indication du nom du bureau ou du pays dont il est la propriété.

2. Les sacs vides doivent être renvoyés au bureau d'expédition par le prochain courrier. Les sacs vides sont renvoyés par paquets de dix sacs chacun, l'un des sacs renfermant les neuf autres. Le nombre des sacs renvoyés est porté sur les feuilles de route y relatives.

3. Au cas où dix pour cent du nombre des sacs utilisés au cours de l'année n'ont pas été retournés la valeur des sacs manquants doit être remboursée à l'Office expéditeur.

ARTICLE 6.

ECHANGE DES COLIS.

1. Les colis sont échangés, dans des sacs dûment clos au moyen

office appointed for this purpose by the dispatching Administration shall fill out a return receipt and attach it to the parcel. In case this form should not reach the office of destination, the latter makes out a duplicate.

2. The office of destination, having duly filled out the return receipt, returns it free of postage to the address of the sender of the parcel.

3. In case the sender should request a return receipt after the mailing of the parcel, the office of origin duly fills out the return receipt form, attaching it to a form of inquiry which contains the details concerning the transmission of the parcel, and then forwards it to the office of destination of the parcel. If the delivery has taken place, the office of destination detaches the inquiry and the return receipt follows the procedure prescribed in this connection in the foregoing paragraph

ARTICLE 5.

RECEPTACLES.

Receptacles.

1. The Postal Administrations of the two contracting parties provide the necessary bags for the dispatch of their parcels each bag bearing the indication of the name of the office or country whose property it is.

2. The empty bags must be returned to the dispatching office by the next mail. The empty bags are returned in bundles of ten bags each, one of the bags enclosing the other nine. The number of bags returned is entered on the relative parcel bills.

3. In case ten percent of the total number of bags used during the year have not been returned, the value of the missing bags must be repaid to the dispatching Office.

ARTICLE 6.

EXCHANGE OF PARCELS.

Exchange of parcels.

1. The parcels are exchanged, in sacks duly closed by means of

de plombs, entre les bureaux désignés par les deux Administrations et sont transmis au pays de destination aux frais du pays d'origine et de la manière qui convient à ce dernier.

2. Les colis avec valeur déclarée sont compris dans des sacs séparés de ceux contenant des colis ordinaires, et les fiches des sacs renfermant des colis avec valeur déclarée seront marqués aux signes distinctifs sur lesquels on tomberait d'accord de temps en temps.

lead seals, between the Offices appointed by the two Administrations, and are dispatched to the country of destination at the expense of the country of origin and by the means which are convenient to the latter.

2. Insured parcels are enclosed in separate sacks from those containing ordinary parcels, and the labels of sacks containing insured parcels shall be marked with the distinctive symbols agreed upon from time to time.

ARTICLE 7.

INSCRIPTION DES COLIS.

Billing.

1. Les colis avec valeur déclarée et les colis ordinaires sont inscrits sur des feuilles de route distinctes. Les feuilles de route sont faites en duplicata. L'original est expédié par la poste aux lettres tandis que le duplicata est inséré dans un des sacs. Le sac renfermant la feuille de route est désigné par la lettre "F", tracée d'une manière apparante sur l'étiquette.

2. Pour les colis ordinaires contenus dans chaque envoi (d'épêche) à destination des Etats-Unis d'Amérique, la feuille de route les concernant porte l'indication du nombre total des colis ainsi que celle de leur poids net total.

Quant aux colis ordinaires contenus dans chaque envoi (d'épêche) à destination de la Turquie, la feuille de route les concernant porte l'indication de leur total d'après les divers poids:

(a) Jusqu'à 2 livres (1 kilogramme);
(b) Plus de 2 livres jusqu'à 11 livres (5 kilogrammes);
(c) Plus de 11 livres jusqu'à 22 livres (10 kilogrammes);
(d) Plus de 22 livres jusqu'à 33 livres (15 kilogrammes);
(e) Plus de 33 livres jusqu'à 44 livres (20 kilogrammes).

ARTICLE 7.

BILLING OF PARCELS.

1. The insured parcels and the ordinary parcels are entered on different parcel bills. The parcel bills are prepared in duplicate. The original is sent in the regular letter mails, while the duplicate is inserted in one of the sacks. The sack containing the parcel bill is designated by the letter "F", traced in a conspicuous manner on the label.

2. For the ordinary parcels contained in each dispatch sent to the United States of America, the parcel bill concerning them shows the total number of parcels and their total net weight.

As to the ordinary parcels contained in each dispatch sent to Turkey, the parcel bill concerning them bears the indication of their total according to the various weights:

(a) Up to 2 pounds (1 kilogram);
(b) Over 2 pounds up to 11 pounds (5 kilograms);
(c) Over 11 pounds up to 22 pounds (10 kilograms);
(d) Over 22 pounds up to 33 pounds (15 kilograms);
(e) Over 33 pounds up to 44 pounds (20 kilograms).

3. Les colis avec valeur déclarée sont inscrits isolément sur les feuilles de route. L'enregistrement de chaque colis doit indiquer le numéro (insurance number) et le nom du bureau d'origine. Pour ce qui est des colis à destination des Etats-Unis d'Amérique, il y a lieu également d'indiquer le poids net total de tous les colis. Dans le cas des colis à destination de la Turquie, la coupure de poids à laquelle le colis appartient doit aussi être indiquée.

4. Les colis transmis à découvert sont inscrits séparément sur les feuilles de route.

5. Les colis renvoyés à l'origine ou réexpédiés sont inscrits isolément sur la feuille de route et y sont désignés par la mention "retour" (returned) ou "réexpédié" (redirected) selon le cas. L'indication des frais occasionnés par ces colis doit être inscrits à la partie de la feuille réservée aux "Observations".

6. Le nombre total des sacs contenus dans chaque envoi (dépêche) doit être également indiqué sue les feuilles de route ainsi que le montant total devant être porté au crédit de l'Administration destinataire.

7. Chaque bureau d'échange expéditeur numérote chaque feuille de route au coin gauche d'en haut en commencant chaque année par une nouvelle série pour chaque bureau d'échange expéditeur. Le dernier numéro de l'année précédente doit être mentionné sur la première feuille de route du premier envoi de la nouvelle année.

8. Le mode de procéder détaillé et le mode exact d'inscription et de transmission des colis en transit, c'est-à-dire à destination de tiers pays, ou des récipients qui les renferment, au sujet desquels des dispositions n'ont pas été prises par le présent Règlement, seront fixés par arrangement réciproque, par voie de correspondance.

3. Insured parcels shall be entered individually on the parcel bills. The entries concerning each parcel shall show the insurance number and the name of the office of origin. In the case of parcels sent to the United States of America, the total net weight of all the parcels must also be shown. In the case of parcels sent to Turkey, the division of weight to which the parcel belongs must also be shown.

4. Parcels sent à découvert must be entered separately on the parcel bills.

5. Returned or redirected parcels must be entered individually on the parcel bill and must be followed by the word "Returned" or "Redirected", as the case may be. The indication of the charges brought about by these parcels should be shown in the part of the bill reserved for "Observations".

6. The total number of sacks contained in each dispatch must also be shown on the parcel bills, as well as the total amount to be credited to the Administration of destination.

7. Each dispatching office of exchange numbers each parcel bill in the upper left-hand corner, commencing each year a fresh series for each dispatching office of exchange. The last number of the preceding year must be shown on the parcel bill of the first dispatch of the new year.

8. The detailed method of procedure and the exact method of billing and transmission of parcels in transit, that is, destined to third countries, or of the receptacles which contain them, concerning which provisions have not been made in the present Regulations, will be settled by mutual agreement by way of correspondance.

ARTICLE 8.

VÉRIFICATION DES COLIS.

Checking.

1. Le bureau d'échange destinataire ayant reçu une dépêche vérifie les colis et les feuilles de route les accompagnant. Si l'on constate le manque d'un colis ou quelque autre irrégularité on en donne notification immédiatement au bureau d'échange expéditeur au moyen d'un bulletin de vérification. Le procès-verbal relative à une irrégularité grave telle pouvant impliquer la responsabilité de l'Administration respective doit être accompagné de toutes les preuves servant à l'appui, s'il y en a, comme ficelle, scellés en cire ou plomb utilisés pour la fermeture du sac renfermant les colis.

Une dépêche est considérée comme ayant été trouvée en ordre à tous égards, lorsqu'il n'est pas établi à son égard un bulletin de vérification par le prochain courrier, en attendant toutefois que le contraire soit constaté.

2. En cas de manque d'une feuille de route, il en est établi un duplicata dont une copie est envoyée au bureau d'échange expéditeur de la dépêche.

3. Lorsqu'un colis en transmission porte des traces évidentes de spoliation ou d'avarie, il doit être revêtu d'une mention s'y rapportant et d'une empreinte de timbre du bureau qui a fait la constatation; ou un procès-verbal est dressé, attirant l'attention sur la spoliation ou l'avarie, qu'on transmet avec le colis.

ARTICLE 8.

CHECKING OF PARCELS.

1. The receiving office of exchange having received a dispatch checks the parcels and the accompanying bills. If a parcel is missing or any other irregularity is noted, it is immediately reported to the dispatching office of exchange by means of a bulletin of verification. The report of such a serious irregularity as to involve the responsibility of the respective Administration must be accompanied by all supporting proofs, if any, such as strings and wax or lead seals used for closing the bag which contained the parcels.

A dispatch is considered as having been found in order in all respects if no Bulletin of Verification concerning it is prepared by the next mail, unless the contrary is proved.

2. If a parcel bill is missing a duplicate is made out of which a copy is sent to the dispatching office of exchange of the dispatch.

3. If a parcel in transmission bears evident traces of violation or damage, it must have the facts noted on it and be marked with the stamp of the office making the note, or a report is prepared drawing attention to the violation or damage, which is forwarded with the parcel.

ARTICLE 9.

REBUTS.

Undelivered parcels.

1. Au moment du dépôt l'expéditeur peut demander pour le cas de non-remise au destinataire (1) que le colis soit considéré comme abandonné, (2) qu'il soit remis à une autre adresse dans le pays de destination, ou (3) qu'il lui soit immédiatement renvoyé.

Si l'expéditeur use de cette faculté, il doit indiquer sa demande sur le colis à la face de l'adresse et sur la déclaration en

ARTICLE 9.

REBUTS.

1. The sender may request, at the time of mailing, that in case of nondelivery to the addressee, the parcel shall be either (a) treated as abandoned, (b) delivered at another address in the country of destination, or (c) returned to him immediately.

If the sender avails himself of this faculty, he must indicate his request on the address side of the parcel and on the relative

douane y relative, en se servant des formules suivantes ou analogues:

"En cas de non-remise à l'adresse indiquée, le colis doit être _____ abandonné";

"En cas de non-remise à l'adresse indiquée, le colis doit être _____ délivré à _____";

"En cas de non-remise à l'adresse indiquée, le colis doit être _____ renvoyé immédiatement".

2. Les colis devant être renvoyés au pays d'origine comme non-remis, doivent porter la mention du motif de la non-remise.

customs declaration using the following forms or analogous ones: Forms.

"In case of non-delivery to the address indicated, the parcel is to be _____ abandoned";

"In case of non-delivery to the address indicated, the parcel is to be _____ delivered to _____";

"In case of non-delivery to the address indicated, the parcel is to be _____ returned immediately".

2. The parcels to be returned to the country of origin as undeliverable shall bear an indication of the reason for nondelivery.

ARTICLE 10.

BONIFICATION.

1. Les quotes-parts terminales à bonifier par l'Administration expéditrice pour chaque colis expédié d'un pays à destination de l'autre, sont comme suite:

(a)—I. Pour les colis provenant de la Turquie à destination des Etats-Unis d'Amérique, 70 centimes-or par kilogramme sur base du poids net global de chaque expédition.

(a)—II. Taxe à la valeur (s'il s'agit de colis avec valeur déclarée) en sus de la taxe au poids: 10 centimes-or par colis.

(b) Pour les colis provenant des Etats-Unis d'Amérique à destination de la Turquie:

(b)—I. Pour les bureaux de la Turquie d'Europe:

	frs.or
Jusqu'à 1 kilogramme	0. 85
au delà de 1 jusqu'à 5 kg	1. 25
au delà de 5 jusqu'à 10 kg	2. 25
au delà de 10 jusqu'à 15 kg	3. 25
au delà de 15 jusqu'à 20 kg	4. 25

Pour les bureaux de la Turquie d'Asie:

	frs.or
Jusqu'à 1 kilogramme	1. 35
au delà de 1 jusqu'à 5 kg	1. 75
au delà de 5 jusqu'à 10 kg	2. 75
au delà de 10 jusqu'à 15 kg	3. 75
au delà de 15 jusqu'à 20 kg	4. 75

Pour les bureaux éloignés des chemins de fer et des côtes en Turquie d'Asie:

	frs.or
Jusqu'à 1 kilogramme	2. 60
au delà de 1 jusqu'à 5 kg	3. 00
au delà de 5 jusqu'à 10 kg	4. 00

ARTICLE 10.

PAYMENT.

1. The terminal quotas to be paid by the dispatching Administration for each parcel sent from one country to the other are as follows: Payment.

(a)—I. For parcels originating in Turkey destined for the United States of America, 70 gold centimes per kilogram on the basis of the bulk net weight of each dispatch.

(a)—II. Rate by value (if it is a question of insured parcels) in addition to the rate by weight: 10 gold centimes per parcel.

(b) For parcels originating in the United States of America, destined for Turkey:

(b)—I. For offices of European Turkey:

	gold frs.
Up to 1 kilogram	0. 85
over 1 up to 5 kg	1. 25
over 5 up to 10 kg	2. 25
over 10 up to 15 kg	3. 25
over 15 up to 20 kg	4. 25

For the office of Asiatic Turkey:

	gold frs.
Up to 1 kilogram	1. 35
over 1 up to 5 kg	1. 75
over 5 up to 10 kg	2. 75
over 10 up to 15 kg	3. 75
over 15 up to 20 kg	4. 75

For offices far removed from the railroads and coasts of Asiatic Turkey:

	gold frs.
Up to 1 kilogram	2. 60
over 1 up to 5 kg	3. 00
over 5 up to 10 kg	4. 00

(Les colis excédant 10 kilogrammes ne sont pas admis pour ces bureaux).

(b)—II. Taxe à la valeur (s'il s'agit de colis avec valeur déclarée) en sus de la taxe au poids: 10 centimes-or par colis.

2. Pour ce qui est des quotes-parts à bonifier pour des colis provenant de la Turquie à destination des Etats-Unis d'Amérique en vue de leur transmission à une possession de ce pays ou en sacs clos à un pays tiers, l'Administration de la Turquiebonifiera à l'Administration des Etats-Unis d'Amérique à titre de transit une quote-part (a transit credit) de 70 centimes-or par kilogramme au cas où l'expédition n'a lieu que par voie de mer; francs-or 1.15 par kilogramme au cas où l'expédition ne se fait que par voie de terre; et francs-or 1.50, au cas où l'expédition se fait par voie de terre et par celle de mer, sur base du poids net en bloc de chaque dépêche.

Taxe à la valeur (s'il s'agit de colis avec valeur déclarée) en sus de la taxe au poids: 10 centimes-or par colis pour chaque service territorial ou maritime utilisé.

De même, en cas de transmission de colis à destination des possessions des Etats-Unis d'Amérique, l'Administration de la Turquie payera à l'Administration des Etats-Unis d'Amérique les quote-parts terminales suivantes:

Pour des colis à destination de l'Alaska, 70 centimes-or par kilogramme sur base du poids net global de chaque dépêche.

Pour des colis à destination de Puerto Rico, des Îles Vierges, de Guam, de Samoa, (Archipel des Navigateurs), et de Hawai, 35 centimes-or par kilogramme sur base du poids net global de chaque expédition.

Taxe à la valeur (s'il s'agit de colis avec valeur déclarée) en sus de la taxe au poids: 10 centimes-or par colis.

3. Pour ce qui est des quotes-parts à bonifier pour les colis provenant des Etats-Unis d'Amérique expédiés en Turquie en vue de leur transmission à un pays tiers, l'Administration des Etats-

(Parcels exceeding 10 kilograms are not admitted for these offices).

(b)—II. Rate by value (if it is a question of insured parcels), in addition to the rate by weight: 10 gold centimes per parcel.

2. As to the quotas to be paid for parcels originating in Turkey which are sent to the United States of America for onward dispatch to a possession of that country or, in closed sacks, to a third country, the Administration of Turkey shall pay to the Administration of the United States of America for the transit a quota of 70 centimes gold per kilogram when only sea service is provided, francs 1.15 gold per kilogram when only land service is provided, and francs 1.50 gold per kilogram when both land and sea service are provided, based on the bulk net weight of each dispatch.

Rate by value (if it is a question of insured parcels), in addition to the rate by weight: 10 gold centimes per parcel for each land or sea service provided.

Also, in the case of parcels for the possessions of the United States of America, the Administration of Turkey shall pay to the Administration of the United States of America the following terminal credits:

For parcels for Alaska, 70 centimes gold per kilogram computed on the bulk net weight of each dispatch.

For parcels for Puerto Rico, the Virgin Islands, Guam, Samoa, and Havaii, 35 centimes gold per kilogram computed on the bulk net weight of each dispatch.

Rate by value (if it is a question of insured parcels), in addition to the rate by weight: 10 gold centimes per parcel.

3. Insofar as concerns the quotas to be paid for parcels originating in the United States of America sent to Turkey for onward transmission to a third country, the Administration of

Unis d'Amérique bonifie à l'Administration de la Turquie:

Pour les colis en transit par la Turquie d'Europe seulement:

	frs.or
Jusqu'à 1 kilogram	0. 30
au-delà de 1 jusqu'à 5 kg	0. 50
au-delà de 5 jusqu'à 10 kg	1. 00
au-delà de 10 jusqu'à 15 kg	1. 50
au-delà de 15 jusqu'à 20 kg	2. 00

Le débit de transit territorial ci-dessus mentionné sera porté à 2 francs 50 pour les colis en transit pour la Turquie d'Asie; cette surtaxe sera portée à 4 francs pour les colis pour la Perse traversant la voie Trabzon-Erzurum-Bayazit. (Les colis excédant 10 kilogrammes ne sont pas admis en transit par des localités en Turquie d'Asie éloignées des chemins de fer et des côtes et dont le transport est effectué par les courriers terrestres).

Taxe à la valeur (s'il s'agit de colis avec valeur déclarée) en sus de la taxe au poids: 10 centimes-or par colis.

4. Les taxes terminales et taux de transmission indiqués ci-dessus peuvent être réduits ou augmentés à la suite d'un préavis de trois mois qu'un des deux pays aurait fait à l'autre. Ces réduc ou augmentations restent en vigueur pendant la durée minimum d'un an.

ARTICLE 11.

DÉCOMPTE

1. A la fin de chaque trimestre chacune des Administrations établit un compte indiquant les montants dus pour les colis expédiés par l'autre Administration.

2. Ces comptes, accompagnés de feuilles de route et, s'il y a lieu, de copies des bulletins de vérification y relatifs, sont soumis à l'examen de l'Administration correspondante dans le courant du mois qui suit le trimestre auquel ils se rapportent.

3. La récapitulation, l'envoi, l'examen, et l'acceptation de ces comptes doivent être faites au plus tôt, et le règlement du solde aura lieu, au plus tard, avant l'expiration du trimestre suivant

the United States of America pays to the Administration of Turkey:

For parcels in transit through European Turkey only:

	gold frs.
Up to 1 kilogram	0. 30
over 1 up to 5 kg	0. 50
over 5 up to 10 kg	1. 00
over 10 up to 15 kg	1. 50
over 15 up to 20 kg	2. 00

The land transit charge mentioned above will be fixed at 2.50 francs for parcels in transit through Asiatic Turkey; this surtax will be fixed at 4.00 francs for parcels for Persia traversing the Trabzon-Erzurum-Bayazit route. (Parcels exceeding 10 kilograms are not admitted in transit through localities in Asiatic Turkey far removed from railroads and coasts and whose transportation is effected by the overland mails.)

Rate by value (if it is a question of insured parcels), in addition to the rate by weight: 10 gold centimes per parcel.

4. The terminal charges and transit rates above specified may be reduced or increased on three months' previous notice given by one country to the other. The reduction or increase shall remain in force for at least one year.

ARTICLE 11.

ACCOUNTING.

Accounting.

1. At the end of each quarter each Administration prepares an account showing the sums due for the parcels sent by the other Administration.

2. These accounts accompanied by the parcel bills, and, if any, copies of verification notes relating thereto are submitted to the examination of the corresponding Administration in the course of the month following the quarter to which they relate.

3. The compilation, transmission, verification and acceptance of these accounts must be effected as early as possible and the settlement of the balance will take place at the latest before the

à compter de la date de l'envoi des comptes par l'Administration créditrice.

4. Le solde résultant de la balance des comptes entre les deux Administrations est payé par traite à vue tirée sur New York ou sur Ankara, ou par tout autre moyen convenu réciproquement de temps à autre par les Chefs des Administrations Postales des deux pays contractants, les frais relatifs au payement étant à la charge de l'Administration débitrice.

ARTICLE 12.

NOTIFICATIONS DIVERSES.

Miscellaneous notifications.

Les Administrations se communiqueront réciproquement un abrégé des dispositions de leur lois ou règlements s'appliquant aux colis échangés entre les deux pays contractants, ainsi que d'autres renseignements nécessaires à l'exécution de l'échange de colis.

Effective date and duration.

Ce Règlement commencera à produire ses effets le jour de l'entrée en vigueur de l'Arrangement concernant les Colis Postaux, et aura la durée dudit Arrangement.

Signatures.

Fait en double et signé à Ankara, le 25 mai 1935 et à Washington, le 2 juillet, 1935.

expiration of the quarter following the date of the sending of the accounts by the creditor Administration.

4. The amount resulting from the balance of the accounts between the two Administrations shall be paid by means of drafts on New York or on Ankara, or in any other manner which may from time to time be mutually agreed upon by the chiefs of the Postal Administrations of the two contracting countries, the expenses attendant on the payment being at the charge of the indebted Administration.

ARTICLE 12.

MISCELLANEOUS NOTIFICATIONS.

The Administrations shall mutually communicate to each other a summary of the provisions of their laws or regulations applicable to the parcels exchanged between the two contracting countries, and other information necessary for carrying out the exchange of parcels.

These Regulations shall come into operation on the day of the entry into force of the Parcel Post Agreement and shall have the duration of the said Agreement.

Done in duplicate and signed at Ankara, on the 25th of May 1935. and at Washington, on the 2nd day of July, 1935.

NAZIF BEY
Le Directeur Général des Postes, Télégraphes et Téléphones de la Turquie.

[SEAL]

JAMES A FARLEY
The Postmaster General of the United States of America

Approval.

The foregoing Regulations for the Execution of the Parcel Post Agreement between the United States of America and Turkey have been negotiated and concluded with my advice and consent and are hereby approved and ratified.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed.

[SEAL] FRANKLIN D ROOSEVELT

By the President
CORDELL HULL
Secretary of State.

WASHINGTON, *July 9, 1935.*

Parcel post agreement between the United States of America and the Windward Islands. Signed at Grenada, May 20, 1935, at Washington, June 21, 1935; approved by the President, July 10, 1935.

May 20, 1935.
June 21, 1935.

AGREEMENT
between

THE POST OFFICE DEPARTMENT OF THE UNITED STATES OF AMERICA AND THE WINDWARD ISLANDS FOR THE DIRECT EXCHANGE OF PARCELS BY PARCEL POST.

Parcel post agreement with the Windward Islands. Preamble.

For the purpose of concluding arrangements for the exchange of parcels by parcel post between the United States of America (including Alaska, Hawaii, Porto Rico, Guam, Samoa, and the Virgin Islands of the United States) and the Windward Islands (Grenada, St. Lucia, and St. Vincent), the undersigned, Postmaster General of the United States of America, and the Governor of the Windward Islands, by virtue of authority vested in them, have agreed upon the following articles:

I. Limits of Weight and Size.

Limits of weight and size.

1. No parcel shall exceed 22 pounds in weight, 3 feet 6 inches (105 centimeters) in length, or 6 feet (180 centimeters) in length and girth combined.

Basis of calculation.

2. As regards the exact calculation of the weight and dimensions of parcels, the view of the dispatching office shall be accepted, save in cases of obvious error.

II. Postage and Fees.

Postage and fees.

Collection from sender.

1. The Administration of Origin is entitled to collect from the sender of each parcel such postage and fees for requests for information as to the disposal of a parcel made after it has been posted, and also, in the case of insured parcels, such insurance fees and fees for return receipts, as may from time to time be prescribed by its regulations.

Prepayment required.

2. Except in the case of returned or redirected parcels, the postage and such of the fees mentioned in the preceding section as are applicable, must be prepaid.

III. Preparation of Parcels.

Preparation of parcels.

Addressing requirements.

1. The name and address of the sender and of the addressee must be legibly and correctly written in every case when possible on the parcel itself, or on a label gummed thereto, and in the case of parcels addressed by tag only because of their shape or size, must also be written on a separate slip, which slip must be enclosed in the parcel, but it is recommended that such address slips should be enclosed in all parcels. Parcels will not be accepted when sent by or addressed to initials, unless the initials are the adopted trade name of the senders or addressees.

Addresses in ordinary pencil are not allowed, but copying ink or indelible pencil on a surface previously dampened may be used.

Customs declaration.

2. The sender shall prepare one customs declaration for each parcel sent from either country, upon a form provided for the purpose, which customs declaration shall give a general description of the parcel, an accurate statement in detail of its contents and value, date of mailing, number of rates prepaid, the sender's name and address, and the name and address of the addressee, and shall be securely attached to the parcel.

However, the use of only one customs declaration may be allowed for a single consignment of any number of uninsured parcels sent by the same sender to the same addressee at the same time.

No official responsibility for correctness.

3. The Administrations accept no responsibility for the correctness of the customs declarations.

Packing, etc.

4. Every parcel shall be packed in a manner adequate for the length of the journey and for the protection of the contents. Ordinary parcels may be closed by means of wax, lead seals, or otherwise.

Insured parcels must be closed and securely sealed with wax or otherwise, but the country of destination shall have the right to open them, as well as ordinary parcels (including the right to break the seals) in order to inspect the contents. Parcels which have been so opened shall be closed again and officially sealed, except that in the case of ordinary parcels they need not be sealed if they were not sealed by the sender in the first instance.

Either Administration may require a special impress or mark of the sender in the sealing of insured parcels mailed in its service, as a means of protection.

Insured value.

5. Each insured parcel must bear on the outside a statement of the amount of the insured value expressed in the currency of the country of origin.

Labeling, etc., requirements.

6. Each insured parcel must be marked or labeled or stamped "Insured," in a conspicuous manner on the address side and in close proximity to such indorsement there must appear the insurance number given the parcel. The customs declaration, if not gummed to the parcel, must also be marked or labeled or stamped "Insured."

Placing of stamps.

7. The labels or stamps on insured parcels must be so placed that they can not serve to conceal injuries to the covers. They must not be folded over two sides of the cover so as to hide the edge.

Containers for liquids.

8. Any liquid or any substance which easily liquefies must be packed in a double receptacle. Between the first receptacle (bottle, flask, pot, box, etc.,) and the second (box of metal or of strong wood) shall be left a space which shall be filled with sawdust, bran, or some other absorbent material, in sufficient quantity to absorb all the liquid contents in the case of breakage.

Powders, etc.

9. Powders and dyes in powder form must be packed in lead sealed metal containers which containers must be enclosed in substantial outer covers, so as to afford the utmost protection to the accompanying mail matter.

Prohibitions.

IV. Prohibitions.

Articles specified.

1. The following articles are prohibited transmission by parcel post:—

Letters, etc.

(*a*) A letter or a communication having the nature of a letter. Nevertheless, it is permitted to enclose in a parcel an open invoice, confined to the particulars which constitute an invoice, and also a simple copy of the address of the parcel, that of the sender being added.

(*b*) An enclosure which bears an address different from that placed on the cover of the parcel. With different address.

(*c*) Any live animals, except leeches. Live animals.

(*d*) Any article of which the admission is not authorised by the Customs or other laws or regulations in force in either country. Admission not authorized.

(*e*) Any explosive or inflammable article, and, in general, any article of which the conveyance is dangerous. Explosives.

2. When a parcel contravening any of these prohibitions is handed over by one Administration to the other, the latter shall proceed in accordance with its laws and its inland regulations. Action to be taken.

3. The two Postal Administrations shall furnish each other with a list of prohibited articles; but they will not thereby undertake any responsibility whatever towards the police, the Customs authorities, or the senders of parcels. List of prohibited articles to be furnished.

V. Customs Duties. Customs duties.

The parcels shall be subject in the country of destination to all customs duties and all customs regulations in force in that country for the protection of its customs revenues, and the customs duties properly chargeable thereon shall be collected on delivery, in accordance with the customs regulations of the country of destination. Parcels subject to.

VI. Method of Exchange of Parcels. Exchange of parcels.

1. The parcels shall be exchanged, in sacks duly fastened and sealed, by the Offices appointed by agreement between the two Administrations, and shall be dispatched to the country of destination by the country of origin at its cost and by such means as it provides. Sealed sacks.

2. Insured parcels shall be enclosed in separate sacks from those in which ordinary parcels are contained, and the labels of sacks containing insured parcels shall be marked with such distinctive symbols as may from time to time be agreed upon. Insured parcels.

VII. Billing of Parcels. Billing of parcels.

1. The ordinary (uninsured parcels) included in each dispatch sent to the Windward Islands shall be advised on the parcel bill by the simple entry of their total number, according to the divisions of weight (*a*) up to 11 pounds and (*b*) over 11 up to 22 pounds. Ordinary.

The ordinary parcels included in each dispatch sent to the United States of America are to be entered on the parcel bills to show the total number of parcels and the total net weight thereof.

2. Insured parcels shall be entered individually on separate parcel bills. The entries concerning each parcel shall show the insurance number, the office (and state or country) of origin. In the case of parcels sent to the United States of America, the bulk net weight of all the parcels must also be shown. In the case of parcels sent to the Windward Islands, an indication of the division of weight must also be shown the same as in the case of ordinary parcels. Insured.

3. Returned or redirected parcels must be entered individually on the parcel bills and must be followed by the word "Returned" or "Redirected", as the case may be. A statement of the charges which may be due on these parcels should be shown in the "Observations" column. Returned, etc., parcels.

4. The total amounts to be credited by one Administration to the other and the total number of sacks comprising each dispatch must also be shown on the parcel bills. Statement to accompany.

Sent à découvert.

5. Parcels sent à découvert must be entered separately on the parcel bills.

Numbering parcels by dispatching office.

6. Each dispatching office of exchange shall number the parcels in the upper left-hand corner, commencing each year a fresh series for each office of exchange of destination. The last number of the year shall be shown on the parcel bill of the first dispatch of the following year.

To be prepared in duplicate.

7. The parcel bills are prepared in duplicate. The original is sent in the regular mails, while the duplicate is inserted in one of the parcel sacks. The sack containing the parcel bill is designated by the letter "F", traced in a conspicuous manner on the label.

Articles in transit.

8. The exact method of advising parcels or the receptacles containing them sent by one Administration in transit through the other together with any details of procedure in connection with the advice of such parcels or receptacles for which provision is not made above, shall be settled by mutual agreement through correspondence between the two Administrations.

Certificates of mailing.

VIII. Certificates of Mailing.

Furnished sender on request.

The sender will, on request at the time of mailing an ordinary (uninsured) parcel, receive a certificate of mailing from the post office where the parcel is mailed on a form provided for the purpose; and each country may fix a reasonable fee therefor, but no certificate of mailing, other than the insurance receipt, will be furnished the sender of insured parcels.

IX. Responsibility Not Accepted for Ordinary Parcels.

No responsibility for ordinary parcels.

Neither the sender nor the addressee of an ordinary (uninsured) parcel shall be entitled to compensation for the loss of the parcel or for the abstraction of or damage to its contents.

Insurance.

X. Insurance.

Fee.

1. The sender of a parcel may have the same insured by paying in addition to the postage such insurance fee, as is prescribed by the country of origin, and in the event of loss, rifling, or damage, indemnity shall be paid for the actual amount, based on the actual value at the time and place of mailing of the loss, rifling or damage up to a sum not exceeding $100 gold, when mailed in the United States of America, or £20 when mailed in the Windward Islands.

Indemnity limited.

No insured parcel shall be indemnified for an amount above the real value of its contents.

Other limits by agreement.

Both Administrations reserve the right to arrange by mutual agreement through correspondence for a higher or lower limit of indemnity than that mentioned in this Agreement.

Coin, jewelry, etc.

2. Every parcel containing coin, bullion, jewelry or any other precious article must be insured. If a parcel containing coin, bullion, jewelry or any other precious article is posted uninsured the Administration which delivers it shall treat if in accordance with its own regulations. Every parcel containing jewelry or any other precious article exceeding £100 ($500), in value must be packed in a box measuring not less than 2 feet 6 inches in length and girth combined.

Fees for indemnity.

3. The Administration of origin is entitled to fix its own fees for different limits of indemnity within the maximum provided.

XI. Return Receipts and Inquiries.

Return receipts and inquiries.

1. The sender of an insured parcel may obtain an advice of delivery upon payment of such additional charge, if any, as the country of origin of the parcel shall stipulate.

Advice of delivery.

2. A fee may be charged, at the option of the country of origin, on a request for information as to the disposal of an ordinary parcel and also of an insured parcel made after it has been posted if the sender has not already paid the special fee to obtain an advice of delivery.

Request for information.

A fee may also be charged, at the option of the country of origin, in connection with any complaint of any irregularity which prima facie was not due to the fault of the Postal Service.

Complaint of irregularity.

3. When an advice of delivery is desired, the sender or office of origin shall write or stamp on the parcel, in a conspicuous manner, the words "Return receipt requested," "Advice of delivery requested," or boldly, the letters "A.R."

Marking requests.

XII. Indemnity.

Indemnity.

1. Except in cases of loss or damage through force majeure (causes beyond control) as that term is defined by the legal decisions or rulings of the country in the service of which the loss or damage occurs, when an insured parcel has been lost, rifled or damaged the sender, or other rightful claimant, is entitled to an indemnity corresponding to the actual amount of loss, rifling, or damage, based on the actual value at the time and place of mailing of the lost, rifled or damaged article, unless the loss, rifling or damage has arisen from the fault or negligence of the sender or the addressee or of the representative of either or from the nature of the article, provided that the indemnity shall not exceed the sum for which the required insurance fee was paid in the country of origin.

Allowance to sender.

Limitation.

While, as stated in the preceding paragraph, the Administrations are not obligated to pay indemnity in the case of loss or damage due to force majeure, either Administration may, at its option and without recourse to the other Administration, pay indemnity for loss or damage due to force majeure even in the cases where the Administration of the country in the service of which the loss or damage occurred recognises that the damage was due to force majeure.

Loss by force majeure.

2. In the absence of special agreement to the contrary between the countries involved (which agreement may be made through correspondence) no indemnity will be paid by either country for the loss, rifling, or damage of transit parcels, that is, parcels originating in one of the two contracting countries addressed for delivery in some other country not a party to this Agreement or parcels originating in a third country addressed for delivery in one of the two contracting countries.

Agreement of, for delivery in a third country.

3. In case an insured parcel originating in the United States or the Windward Islands addressed to the other country is forwarded or returned from the United States or the Windward Islands to a third country, the rightful claimant shall be entitled to only such indemnity, if any, for any loss, rifling, or damage which occurs subsequent to the redispatch of the parcel in the country of original address as the country in which the loss, rifling, or damage occurred is willing or obligated to pay under any agreement in force between the countries directly involved in the forwarding or return. Either country adhering to this Agreement which improperly forwards an insured parcel to a third country, shall be responsible therefor to the extent of the liability of the country of origin to the sender within the limit of indemnity fixed by this Agreement.

Parcels forwarded to a third country.

Claim to be filed.

4. No application for indemnity will be entertained unless a claim or an initial inquiry, oral or written, shall be filed by claimant or his representative within a year commencing with the day following the posting of the insured parcel.

No compensation for indirect loss.

5. No compensation shall be given for loss, injury, or damage consequential upon *i. e.*, indirectly arising from the loss, nondelivery, damage, misdelivery, or delay of any insured parcel transmitted under this Agreement, nor for parcels seized by the Customs because of false declaration of contents.

Matter not entitled to indemnity.

6. No indemnity will be paid for insured parcels which contain matter of no intrinsic value nor for perishable matter or matter prohibited transmission in the parcel-post mails exchanged between the contracting Administrations, or which did not conform to the stipulations of this Agreement, or which were not posted in the manner prescribed, but the country responsible for the loss, rifling or damage, may pay indemnity in respect of such parcels without recourse to the other Administration.

Reimbursement of postage, etc., on loss of parcel.

7. Either of the Administrations may at its option reimburse the rightful claimant in the event of complete loss, irreparable damage of entire contents or rifling of entire contents, for the amount of postage or special charges borne by an insured parcel, if claimed. The insurance fees are not in any case returned.

No responsibility admitted if official documents destroyed.

8. No responsibility will be admitted for insured parcels which can not be accounted for in consequence of the destruction of official documents through causes beyond control.

Declared above real value, etc.

9. In case the sender, addressee, or owner of an insured parcel, or his representative, shall, at any time knowingly allege the contents to be above their real value, or whenever any false, fictitious, or fraudulent evidence is knowingly and wilfully introduced, the Administration responsible for the indemnity reserves the right without any refund of fee or postage, to decline to pay indemnity or to pay such indemnity as may in its discretion be considered equitable in the light of the evidence produced. The enforcement of this rule shall not prejudice any legal proceedings to which such fraudulent evidence may have rendered the claimant liable.

Administration of origin to pay indemnity within a year.

10. When an insured article has been lost, rifled, or damaged, the Administration of origin shall pay indemnity to the rightful claimant as soon as possible and at the latest within a period of one year counting with the day following that on which the application is made, which payment shall be made on account of the Administration of destination, if that Administration is responsible for the loss, rifling, or damage, and has been duly notified.

Deferred payment.

11. However, the Administration of origin may, in the cases indicated in the foregoing paragraph, exceptionally defer payment of indemnity for a longer period than that stipulated if, at the expiration of that period, it has not been able to determine the disposition made of the article in question or the responsibility incurred.

Country of origin may pay, if country of destination delays 9 months.

12. Except in cases where payment is exceptionally deferred as provided in the foregoing paragraph, the country of origin is authorised to pay indemnity on behalf of the country of destination if that country has, after being duly informed of the application for indemnity, let nine months pass without settling the matter.

Country responsible.

13. The obligation of paying the indemnity shall rest with the country to which the mailing office is subordinate. That country can make a claim on the country responsible, that is to say, against the Administration on the territory or in the service of which the loss, rifling or damage took place.

Repayment to country paying.

14. The country responsible for the loss, rifling or damage and on whose account payment is made is bound to repay to the country making payment on its behalf, without delay and within not more than six months after receiving notice of payment, the amount of indemnity paid.

Reimbursements on gold basis.

15. Reimbursements for indemnity from one country to the other shall be made on the gold basis.

Means to be used.

16. Repayments are to be made free of cost to the creditor country by means of either a money order or a draft, in money valid in the creditor country, or by such other means as may be mutually agreed upon by correspondence.

Responsibility of receiving country unable to show proper disposition.

17. Until the contrary is proved, responsibility for an insured parcel rests with the country which having received the parcel without making any observation and being furnished all necessary particulars for inquiry is unable to show its proper disposition.

Dispatching office responsible if loss discovered by receiving office.

18. Responsibility for loss, rifling, or damage of an insured parcel discovered by the receiving office of exchange at the time of opening the receptacles and duly notified to the dispatching office of exchange by bulletin of verification, shall fall upon the Administration to which the dispatching office of exchange is subordinate unless it be proved that the loss, rifling, or damage occurred in the service of the receiving Administration.

Loss in transit.

If the loss, rifling or damage occurred in the course of conveyance and it should not be possible to ascertain on the territory or in the service of which Country the loss, rifling or damage took place, the indemnity shall be shared equally.

Sender responsible for proper packing, etc.

19. The responsibility of properly enclosing, packing and sealing insured parcels rests upon the sender, and the postal service of neither country will assume liability for loss, rifling, or damage arising from defects which may not be observed at the time of posting.

XIII. Transit Parcels.

Transit parcels.

Rights guaranteed.

1. Each administration guarantees the right of transit over its territory, to or from any country with which it has parcel-post communication, of parcels originating in or addressed for delivery in the territory of the other contracting Administration.

Notice.

2. Each Administration shall inform the other to which countries parcels may be sent through it as intermediary.

Other requirements.

3. To be accepted for onward transmission, parcels sent by one of the contracting Administrations through the service of the other Administration must comply with the conditions prescribed from time to time by the Intermediary Administration.

XIV. Check by Office of Exchange.

Check by office of exchange.

Duty of receiving office.

1. On the receipt of a Parcel Mail the receiving Office of Exchange, shall check it. The insured parcels must be carefully compared with the accompanying Bill. Any discrepancies or irregularities noted shall be immediately reported to the dispatching Office of Exchange by means of a bulletin of verification. If report is not made promptly, it will be assumed that the Mail and the accompanying bills were in every respect in proper order.

Record of discrepancies.

2. In the case of any discrepancies or irregularities in a Mail, such record shall be kept as will permit of the furnishing of information regarding the matter in connection with any subsequent investigation or claim for indemnity which may be made.

Duplicate bill.

3. If a parcel bill is missing a duplicate shall be made out and a copy sent to the dispatching Office of Exchange from which the dispatch was received.

Noting of damage, etc., to registered, etc., parcels.

4. Insured parcels bearing evidence of violation or damage must have the facts noted on them and be marked with the stamp of the office making the note or a document drawing attention to the violation or damage must be forwarded with the parcels.

XV. Fees for Delivery and for Customs Formalities. Demurrage Charges.

Customs and delivery charges.

1. The Administration of the country of destination may collect from the addressee, for the fulfilment of customs formalities and delivery at his residence, a charge not exceeding 20 cents (100 gold centimes) per parcel, as well as a supplementary charge of 10 cents (50 gold centimes) per parcel for each new presentation, when the first presentation has been unsuccessful.

Demurrage.

2. Each Administration may impose reasonable storage or demurrage charges in case the addressee fails to accept delivery of any parcel within such reasonable time as is prescribed by the Administration of the country of destination. Any such charges shall be cancelled in the event of the return of the parcel to the country of origin.

Redirection.

XVI. Redirection.

Prescribed charges.

1. Any parcel redirected within the Country of destination or delivered to an alternate addressee at the original office of address shall be liable to such additional charges as may be prescribed by the Administration of that country.

Collecting new fees.

2. When a parcel is redirected to either country, new postage as well as new insurance fees, in the case of insured parcels (which, when redirected, must be dispatched in the same kind of mails as received, that is, insured) may, if not prepaid, be collected upon delivery and retained by the Administration making the collection. The Administration making delivery shall fix the amount of such fees and postage when not prepaid.

Restriction as to another country.

3. Insured parcels shall not be forwarded or returned to another country unless they may be forwarded or returned as insured mail. Senders may indorse insured parcels "Do not forward to a third country," in which event the parcels shall not be forwarded to any other country. Unless such parcels are indorsed to indicate that the senders do not wish them forwarded to any country other than that of mailing or within the country of original address, they may be forwarded to a third country if they can be forwarded as insured mail. Insured parcels may be returned to the sender in a third country in accordance with a return address on the parcels, if they can be returned as insured mail. In case of the loss, rifling, or damage of an insured parcel forwarded or returned to a third country, indemnity will be paid only in accordance with the stipulations of Article XII, section 3, of this Agreement.

Indemnity for loss, etc.

Ante, p. 3233.

Charges other than those prescribed.

XVII. Postal Charges Other Than Those Prescribed Not To Be Collected.

Not to be collected.

1. The parcels to which this Agreement applies shall not be subject to any postal charges other than those contemplated by the different articles hereof.

XVIII. Non-delivery.

Non-delivery.

Return to sender.

1. In the absence of a request by the sender to the contrary, a parcel which cannot be delivered shall be returned to the sender without previous notification. New postage as well as new insurance fees, in the case of insured parcels (which must be returned in the same kind of mail as received) may be collected from the sender and retained by the Administration making the collection.

New postage, fees, etc.

Requests from sender allowed.

2. The sender of a parcel may request, at the time of mailing, that if the parcel cannot be delivered as addressed, it shall be either (a) treated as abandoned, or (b) tendered for delivery at a second address in the country of destination. No other alternative is admissible. If the sender avails himself of this facility, his request must appear on the parcel or on a Customs Declaration attached to or stuck on the parcel and must be in conformity with or analogous to one of the following forms:

Marks.

"If not deliverable as addressed_____'Abandon'"

"If not deliverable as addressed__'Deliver to _____"

Time for returning undeliverable parcels.

3. Except as otherwise provided, undeliverable parcels will be returned to the senders at the expiration of thirty days from the date of receipt at the post office of destination, while refused parcels will be returned at once, the parcels in each case to be marked to show the reason for non-delivery.

Perishable articles.

4. Articles liable to deterioration or corruption, and these only, may, however, be sold immediately even on the outward or return journey, without previous notice or judicial formality for the benefit of the right party.

If for any reason a sale is impossible, the spoilt or worthless articles shall be destroyed. The sale or destruction shall be recorded and report made to the Administration of origin.

Sale of abandoned parcels.

5. Undeliverable parcels which the sender has marked "Abandon" may be sold at auction at the expiration of thirty days, but in case such disposition is made of insured parcels, proper record will be made and the Administration of origin notified as to the disposition made of the parcels. The Administration of origin shall also be notified when for any reason an insured parcel which is not delivered is not returned to the country of origin.

XIX. Customs Charges to be Cancelled.

Customs charges.

Cancelation, if parcel destroyed, etc.

Provided the formalities prescribed by the Customs authorities concerned are fulfilled the customs charges, properly so-called, on parcels sent back to the country of origin or redirected to another country shall be cancelled both in the Windward Islands and in the United States of America.

XX. Retransmission.

Retransmission.

Ordinary parcels.

1. Missent ordinary parcels shall be forwarded to their destination by the most direct route at the disposal of the reforwarding Administration but must not be marked with the customs or other charges by the reforwarding Administration.

Insured.

Missent insured parcels shall not be forwarded to their destination unless than can be forwarded as insured mail. If they cannot be forwarded as insured mail, they shall be returned to the country of origin.

Credits refund.

2. When the reforwarding involves the return of the parcel to the office of origin, the retransmitting Administration refunds to that office the credits received and reports the error by a Bulletin of Verification.

Reforwarding through a third country.

3. When the reforwarding involves the dispatch of a parcel to a third country and if the amount credited to the retransmitting Administration is insufficient to cover the expenses of retransmission which it has to defray, the retransmitting Administration allows to the Administration to which it forwards the parcel the credits due it; it then recovers the amount of the deficiency by claiming it from the office of exchange from whch the missent parcel was directly received. The reason for this claim is notified to the latter by means of a Bulletin of Verification.

Receptacles.

XXI. Receptacles.

Bags to be provided.

Each Administration shall provide the bags necessary for the dispatch of its parcels. The bags shall be returned empty to the country of origin by the next mail. Empty bags shall be made up in bundles of ten (nine bags enclosed in one) ad the total number of such bags shall be advised on the parcel bill.

Charges.

XXII. Charges.

Terminal credits. Windward Islands.

1. For each parcel, ordinary or insured, sent to the Windward Islands payment shall be made as follows:

For parcels weighing not over 11 pounds, 1 franc gold,

For parcels over 11 up to 22 pounds, 2 francs gold,

United States.

For each parcel, ordinary or insured, sent to the United States of America; payments shall be made as follows:

6 cents per pound, based on the bulk net weight of each dispatch.

Modifications allowed.

These terminal charges may be reduced or increased on 3 months' previous notice given by one country to the other. These reductions or increases shall hold good for at least one year.

Parcels to a possession or to a third country.

2. The amounts to be allowed in respect to parcels sent from one Administration to the other for onward transmission to a possession of either country, or to a third country shall be fixed by the intermediary Administration.

Recovering unpaid charges.

3. On every parcel returned or redirected unpaid by one of the two Administrations to the other, the returning or retransmitting Administration shall be entitled to recover from the other Anministration:

(*a*) The charges prescribed by section 1 above;

(*b*) The charges for reforwarding or return.

In case of reforwarding or return to a third country, the charges mentioned shall follow the parcel, but in case the third country concerned refuses to assume the charges because they cannot be collected from the addressee or sender, as the case may be, or for any other reason, they shall be charged back to the country of origin.

In the case of a parcel returned or reforwarded unpaid in transit through one of the two Administrations to or from the other, the intermediary office may claim also the sum due to it for any additional territorial or sea service provided, together with any amounts due to any other Administration or Administrations concerned.

Retention of fees.

4. Except as provided in this Article, each Administration shall keep the whole of the sums which it collects by virtue of the various articles of this Agreement.

Accounting.

XXIII. Accounting.

Terminal parcels.

1. Terminal parcels.

At the end of each quarter the creditor Administration shall prepare an account of the amount due to it in respect of the parcels received in excess of those dispatched.

2. Transit parcels.

Each Administration shall also prepare quarterly an account showing the sums due for parcels sent by the other Adminstration for onward transmission. Transit parcels.

3. These accounts shall be submitted to the examination of the corresponding Administration in the course of the month which follows the quarter to which they relate. Accounts submitted to examination.

4. The compilation, transmission, verification and acceptance of the accounts must be effected as early as possible and the payment resulting from the balance must be made at the latest before the end of the following quarter. Verification, etc.

5. Payment of the balances due on these accounts between the two Administrations shall be effected by means of drafts on New York or in any other manner which may be agreed upon mutually by correspondence between the two administrations, the expense attendant on the payment being at the charge of the indebted Administration. Payment of balances.

XXIV. Matters Not Provided for in the Agreement.

Matters not provided for.

1. All matters concerning the obtaining and disposition of return receipts for insured parcels and the adjustment of indemnity claims in connection therewith not covered by this Agreement shall be governed by the provisions of the Universal Postal Union Convention and the Detailed Regulations for its Execution insofar as they are applicable and not inconsistent with the provisions of this Agreement, and then, if no other arrangement has been made, the internal legislation, regulations, and rulings of the United States of America and the Windward Islands, according to the country invloved, shall govern. Application of Universal Postal Union. Vol. 46, p. 2523. *Ante*, p. 2741.

2. The Postmaster General of the United States of America and the Governor of the Windward Islands shall have authority jointly to make from time to time by correspondence such changes and modifications and further regulations of order and detail as may become necessary to facilitate the operation of the services contemplated by this Agreement as well as to provide arrangements for the exchange of registered parcels and parcels subject to collect-on-delivery charges should both countries at any time desire such services. Agreement on details.

3. The Administrations shall communicate to each other from time to time the provisions of their laws or regulations applicable to the conveyance of parcels by Parcel Post. Mutual notice of postal laws, etc.

XXV. Duration of Agreement.

1. This Agreement substitutes and abrogates that signed at Washington on January 24, 1892, and shall take effect and operations thereunder shall begin on a date to be mutually settled between the Administrations of the two countries. Former convention abrogated. Vol. 27, p. 941.

2. It shall remain in force until one of the two contracting Administrations has given notice to the other, six months in advance, of its intention to terminate it. Duration.

Either Administration may temporarily suspend the insurance service, in whole or in part, when there are special reasons for doing so, or restrict it to certain offices; but on the condition that previous and opportune notice of such a measure is given to the other Administration, such notice to be given by the most rapid means if necessary. Discretionary discontinuance of insurance service.

Signatures.

3. Done in duplicate and signed at Grenada the 20th day of May, 1935, and at Washington the 21st day of June 1935.

[SEAL] S. M. GRIER,
Governor of the Windward Islands.

[SEAL] JAMES A FARLEY
Postmaster General of the United States of America.

Approval by the President.

The foregoing Agreement between the Post Office Department of the United States of America and the Windward Islands for the direct exchange of parcels by parcel post has been negotiated and concluded with my advice and consent and is hereby approved and ratified.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed.

[SEAL] FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

WASHINGTON, *July 10, 1935.*

Naturalization Treaty between the United States of America and Albania. Signed at Tirana, April 5, 1932; ratification advised by the Senate, February 6, 1935; ratified by the President, March 13, 1935; ratified by Albania, April 12, 1935; ratifications exchanged at Tirana, July 22, 1935; proclaimed, July 29, 1935.

April 5, 1932.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Naturalization Treaty with Albania. Preamble.

WHEREAS a Treaty of Naturalization between the United States of America and the Kingdom of Albania was concluded and signed by their respective Plenipotentiaries at Tirana on the fifth day of April, one thousand nine hundred and thirty-two, the original of which Treaty, being in the English and Albanian languages, is word for word as follows:

TREATY OF NATURALIZATION BETWEEN THE UNITED STATES AND ALBANIA

Contracting Powers.

The Government of the United States of America and the Government of the Kingdom of Albania, being desirous of reaching an agreement concerning the status of naturalized citizens or subjects of either country who were formerly nationals of the other, and the liability for military service and other acts of allegiance of such persons and of persons born in the territory of either state of parents having the nationality of the other, have resolved to conclude a treaty on these subjects, and for that purpose have appointed their plenipotentiaries, that is to say:

Plenipotentiaries.

The President of the United States of America: Herman Bernstein, Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Albania, and

His Majesty, the King of the Albanians: His Excellency, Pandeli J. Evangheli, Prime Minister and Minister for Foreign Affairs ad interim;

TRAKTÂT NATURALIZIMI MIDÍS SHTÉTEVE TË BASHKUAR EDHÉ SHQIPËRISË

Qeveria e Shtéteve të Bashkuar t' Amerikës dhe Qeveria Mbretnore Shqiptare, dyke patur dëshirë të arrijnë në një marrëveshje që i përkét pozitës së qytétasve osé të shtétasve të naturalizuar të njërit osé tjatrit Shtet të cilët më parë ishin shtetas të tjatrit, dhe përgjigjësisë për shërbím ushtëràk edhé për të tjera vepërime besnikërije nga ana e këtyre persónave, osé e persónave të lindur në tokën e njërit osé tjatrit Shtet prej prindërsh që kanë shtetësín' e tjatrit, kanë vendosur të lidhin një traktát mbi këtó pika, edhé për atê qëllím kanë emëruar fuqiplotët e tyre, domethënë:

Presidenti i Shtéteve të Bashkuar t'Amerikës: Z. Herman Bernstein, i Dërguar i Jashtëzakonshëm dhe Ministër Fuqiplotë i Shtéteve të Bashkuar t'Amerikës në Shqipërí, edhé

Nalt Madhënia e Tij, Mbreti i Shqiptárëve: Shkëlqesën e Tij, Z. Pandeli J. Evangheli, Kryeministër dhe Ministër i Púnëve të Jashtme ad interim;

Who, having communicated to each other their full powers, found to be in good and due form, have agreed upon the following Articles:

Të cilët, passí i-a komunikuan njërijatrit fuqít' e tyre të plotta, që u-gjendën në formë të mirë e të régullshme, rranë në marrëveshje mbi Artikujt që vazhdojnë:

ARTICLE I

ARTIKULL I

Reciprocal recognition of loss of former nationality by naturalization.

Nationals of the United States who have been or shall be naturalized in Albanian territory shall be held by the United States to have lost their former nationality and to be nationals of Albania.

Reciprocally, nationals of Albania who have been or shall be naturalized in territory of the United States shall be held by Albania to have lost their original nationality and to be nationals of the United States.

Shtétasit e Shtéteve të Bashkuar të cilët janë naturalizuar osé do të naturalizohen në tokë Shqiptare, do të quhen prej Shtéteve të Bashkuar si persona q'e kanë humbur shtetësín' e tyre të mëpárëshme dhe që janë shtetas Shqiptarë.

Reciprokísht, shtétasit e Shqipërisë të cilët janë naturalizuar osé do të naturalizohen në tokë të Shtéteve të Bashkuar, do të quhen prej Shqipërisë si persona q'e kanë humbur shtetësín' e tyre origjinale dhe që janë shtetas të Shtéteve të Bashkuar.

Terms defined.

The word "national", as used in this convention, means a person owing permanent allegiance to, or having the nationality of, the United States or Albania, respectively, under the laws thereof.

The word "naturalized", as used in this convention, refers only to the naturalization of persons of full age, upon their own applications, and to the naturalization of minors, through the naturalization of their parents. It does not apply to the acquisition of nationality by a woman through marriage. Minor children of persons naturalized in either country shall not acquire the nationality of that country until they shall have established their habitual residence there.

Fjala "shtetas", ashtú sikundër përdorohet në këtê ujdí, tregón një personë e cila i-a detyrón për gjithherë besnikërinë, osé e cila ka shtetësinë, respektivísht, të Shtéteve të Bashkuar osé të Shqipërisë, si pas lígjëve të tyre.

Fjalët "i naturalizuar", ashtú sikundër përdorohen në këtê ujdí, u-referohen vetëm naturalizimit të persónave në moshë të plottë, që janë naturalizuar me dëshirën e vet, dhe naturalizimit të së míturve, me anën e naturalizimit të príndërve të tyre. Këtó fjalë nuk i aplikohen fitimit të shtetësisë prej një grúaje me anën e martesës. Fëmijët të mitur të persónave të naturalizuar në njërin osé tjatrin Shtet, nuk do të fitojnë shtetësín' e atí Shteti, gjer sa të mos e kenë stabiluar banesën e tyre të régullshme në 'të.

ARTICLE II

ARTIKULL II

Status of naturalized person returning to former country.

Nationals of either country, who have or shall become naturalized in the territory of the other, as contemplated in Article I, shall not, upon returning to the country of former nationality, be punished for the original act of emigration, or for failure to respond to calls for military

Shtétasit e njërit osé tjatrit Shtet, të cilët janë naturalizuar osé do të naturalizohen në tokë të tjatrit, sikundër u-projektua n'Artíkullin I, kur të kthehen në Shtetin e kombësijës së mëpárëshme, nuk do ndëshkohen sa për veprën origjinale t'emigrimit, osé për shkak që munguan t'i

service accruing after bona fide residence was acquired in the territory of the country whose nationality was obtained by naturalization.

ARTICLE III

If a national of either country, who comes within the purview of Article I, shall renew his residence in his country of origin without the intent to return to that in which he was naturalized, he shall be held to have renounced his naturalization.

The intent not to return may be held to exist when a person naturalized in one country shall have resided more than two years in the other; but this presumption may be overcome by evidence to the contrary.

ARTICLE IV

A person born in the territory of one party of parents who are nationals of the other party, and having the nationality of both parties under their laws, shall not, if he has his habitual residence, that is, the place of his general abode, in the territory of the state of his birth, be held liable for military service or any other act of allegiance during a temporary stay in the territory of the other party.

ARTICLE V

The present Treaty shall go into effect immediately upon the exchange of ratifications, and shall continue in force for ten years. If neither party shall have given to the other six months previous notice of its intention then to terminate the Treaty, it shall further remain in force until the end of twelve months after either of the contracting parties shall have given notice to the other of such intention.

përgjigjen thirrjes për shërbím ushtërák të bërë passí këtá të kenë fituar qëndresën regullísht në tokën e Shtetit, shtetësia e të cilit ka qënë fituar me anën e naturalizimit.

ARTIKULL III

Naturalization renounced by residence in country of origin.

Në qoftë se një shtetas i njërit osé tjatrit Shtet, i cili përfshihet brenda kufinjve të Artíkullit I, do të përsëritë banimin në Shtetin e origjinës së tij, pa patur qëllím të kthehet në Shtetin në të cilin ka qënë naturalizuar, aý do të quhet se ka hequr dorë nga naturalizimi i tij.

Qëllimi i mos-kthimit munt të quhet që ekzistón kur një persón' e naturalizuar në njërin Shtet, do të ketë banuar më tepër se dy vjet në Shtetin tjatër; por ky presumím munt të mposhtet kur ka prova për të kúndërtën.

ARTIKULL IV

Native whose parents are natives of the other party.

Një persón' e lindur në tokë të njërës Anë prej prindërsh që janë shtetas t'Anës tjetër, dhe që, si pas lígjëve të tyre, ka shtetësín' e të dy Ánëve, në qoftë se e ka banimin e saj të régullshmë, domethënë, vëndin ku përgjithësísht e ka qendrën e ndenjjes së saj, në tokën e Shtetit ku ka lindur, nuk do quhet që ësht e detyruar të bëjë shërbím ushtërák, osé çfarëdó tjatër vepër besnikërije, në një kohë banese të përkóhëshme, në tokën e Anës tjetër.

ARTIKULL V

Effective immediately.

Ky Traktát do të hyjë në fuqí me njëherë passí të bëhet këmbimi i ratifikímeve, dhe do të vazhdojë të ketë fuqí për dhjetë vjet. Në qoftë se as njëra as tjetra Anë nuk do t'i ketë njoftuar Anës tjetër me gjashtë muaj paralajmím qëllimin e saj ahere për t'a pushuar Traktatin, ky do të mbetet në fuqí deri në funt të dymbëdhjetë mújave, passí njëra osé tjetra Anë kontraktónjëse t'a ketë lajmëruar Anën tjetër për një qëllím të këtillë.

Signatures.

IN WITNESS WHEREOF, the respective plenipotentiaries have signed this Treaty and have hereunto affixed their seals.

Done in duplicate at Tirana, this fifth day of April, 1932.

[SEAL]

PËR TË DËSHMUAR KËTÓ, fuqiplotët përkatës e nënshkruan këtê Traktát dhe e vulosnë me vulat e tyre.

Bërë në dy kopje, në Tiranë, sot më pesëtë múajit Prillë, 1932.

[SEAL]

HERMAN BERNSTEIN
PANDELI J. EVANGHELI

Ratifications.

AND WHEREAS the said Treaty has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Tirana on the twenty-second day of July, one thousand nine hundred and thirty-five;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Treaty to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this twenty-ninth day of July, in the year of our Lord one thousand nine hundred and [SEAL] thirty-five and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
WILLIAM PHILLIPS
Acting Secretary of State.

Convention between the United States of America and the Dominion of Canada relative to the establishment of a tribunal to decide questions of indemnity and future regime arising from the operation of smelter at Trail, British Columbia. Signed at Ottawa, April 15, 1935; ratification advised by the Senate, June 5, 1935; ratified by the President, June 12, 1935; ratified by His Majesty in respect of Canada, July 20, 1935; ratifications exchanged at Ottawa, August 3, 1935; proclaimed, August 7, 1935.

April 15, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Convention with Canada relative to certain damages arising from smelter operations at Trail, British Columbia.

Preamble.

WHEREAS a Convention between the President of the United States of America and His Majesty the King of Great Britain, Ireland, and the British Dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada, for the final settlement of the difficulties arising through complaints of damage done in the State of Washington by fumes discharged from the smelter of the Consolidated Mining and Smelting Company, Trail, British Columbia, was concluded and signed by their respective Plenipotentiaries at Ottawa on the fifteenth day of April, one thousand nine hundred and thirty-five, the original of which Convention, being in the English language, is word for word as follows:

Contracting Powers.

The President of the United States of America, and His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada,

Considering that the Government of the United States has complained to the Government of Canada that fumes discharged from the smelter of the Consolidated Mining and Smelting Company at Trail, British Columbia, have been causing damage in the State of Washington, and

Considering further that the International Joint Commission, established pursuant to the Boundary Waters Treaty of 1909, investigated problems arising from the operation of the smelter at Trail and rendered a report and recommendations thereon, dated February 28, 1931, and

Recognizing the desirability and necessity of effecting a permanent settlement,

Plenipotentiaries.

Have decided to conclude a Convention for the purposes aforesaid, and to that end have named as their respective plenipotentiaries:

The President of the United States of America:

PIERRE DE L. BOAL, Chargé d'Affaires ad interim of the United States of America at Ottawa;

His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, for the Dominion of Canada:

The Right Honourable RICHARD BEDFORD BENNETT, Prime Minister, President of the Privy Council and Secretary of State for External Affairs;

Who, after having communicated to each other their full powers, found in good and due form, have agreed upon the following Articles:

ARTICLE I

Payment by Canada for damages occurring prior to 1932.

The Government of Canada will cause to be paid to the Secretary of State of the United States, to be deposited in the United States Treasury, within three months after ratifications of this Convention have been exchanged, the sum of three hundred and fifty thousand dollars, United States currency, in payment of all damage which occurred in the United States, prior to the first day of January, 1932, as a result of the operation of the Trail Smelter.

ARTICLE II

Tribunal constituted.

The Governments of the United States and of Canada, hereinafter referred to as "the Governments", mutually agree to constitute a tribunal hereinafter referred to as "the Tribunal", for the purpose of deciding the Questions referred to it under the provisions of Article III. The Tribunal shall consist of a chairman and two national members.

Chairman, qualifications, selection, etc.

The chairman shall be a jurist of repute who is neither a British subject nor a citizen of the United States. He shall be chosen by the Governments, or, in the event of failure to reach agreement within nine months after the exchange of ratifications of this Convention, by the President of the Permanent Administrative Council of the Permanent Court of Arbitration at The Hague described in Article 49 of the Convention for the Pacific Settlement of International Disputes concluded at The Hague on October 18, 1907.

Vol. 36, p. 2221.

The two national members shall be jurists of repute, who have not been associated directly or indirectly, in the present controversy. One member shall be chosen by each of the Governments.

The Governments may each designate a scientist to assist the Tribunal.

ARTICLE III

Questions to be adjudicated.

The Tribunal shall finally decide the questions, hereinafter referred to as "the Questions", set forth hereunder, namely:—

(1) Whether damage caused by the Trail Smelter in the State of Washington has occurred since the first day of January, 1932, and, if so, what indemnity should be paid therefor?

(2) In the event of the answer to the first part of the preceding Question being in the affirmative, whether the Trail Smelter should be required to refrain from causing damage in the State of Washington in the future and, if so, to what extent?

(3) In the light of the answer to the preceding Question, what measures or regime, if any, should be adopted or maintained by the Trail Smelter?

(4) What indemnity or compensation, if any, should be paid on account of any decision or decisions rendered by the Tribunal pursuant to the next two preceding Questions?

ARTICLE IV

Law and practice.

The Tribunal shall apply the law and practice followed in dealing with cognate questions in the United States of America as well as International Law and Practice, and shall give consideration to the desire of the High Contracting Parties to reach a solution just to all parties concerned.

ARTICLE V

Procedure.

The procedure in this adjudication shall be as follows:

1. Within nine months from the date of the exchange of ratifications of this agreement, the Agent for the Government of the United States shall present to the Agent for the Government of Canada a statement of the facts, together with the supporting evidence, on which the Government of the United States rests its complaint and petition.

2. Within a like period of nine months from the date on which this agreement becomes effective, as aforesaid, the Agent for the Government of Canada shall present to the Agent for the Government of the United States a statement of the facts, together with the supporting evidence, relied upon by the Government of Canada.

3. Within six months from the date on which the exchange of statements and evidence provided for in paragraphs 1 and 2 of this Article has been completed, each Agent shall present in the manner prescribed by paragraphs 1 and 2 an answer to the statement of the other with any additional evidence and such argument as he may desire to submit.

ARTICLE VI

Presentation of record to each member.

When the development of the record is completed in accordance with Article V hereof the Governments shall forthwith cause to be forwarded to each member of the Tribunal a complete set of the statements, answers, evidence and arguments presented by their respective Agents to each other.

ARTICLE VII

Meetings, etc.

After the delivery of the record to the members of the Tribunal in accordance with Article VI the Tribunal shall convene at a time and place to be agreed upon by the two Governments for the purpose of deciding upon such further procedure as it may be deemed necessary to take. In determining upon such further procedure and arranging subsequent meetings, the Tribunal will consider the individual or joint requests of the Agents of the two Governments.

ARTICLE VIII

Evidence and investigations.

The Tribunal shall hear such representations and shall receive and consider such evidence, oral or documentary, as may be presented by the Governments or by interested parties, and for that purpose shall have power to administer oaths. The Tribunal shall have authority to make such investigations as it may deem necessary and expedient, consistent with other provisions of this Convention.

ARTICLE IX

Conduct of meetings, etc.

The Chairman shall preside at all hearings and other meetings of the Tribunal, and shall rule upon all questions of evidence and procedure. In reaching a final determination of each or any of the Questions, the Chairman and the two members shall each have one vote, and, in the event of difference, the opinion of the majority shall prevail, and the dissent of the Chairman or member, as the case may be, shall be recorded. In the event that no two members of the Tribunal agree on a question, the Chairman shall make the decision.

Article X

Ascertaining indemnity for damages in 1932 and 1933.

The Tribunal, in determining the first question and in deciding upon the indemnity, if any, which should be paid in respect to the years 1932 and 1933, shall give due regard to the results of investigations and inquiries made in subsequent years.

Investigations permitted.

Investigators, whether appointed by or on behalf of the Governments, either jointly or severally, or the Tribunal, shall be permitted at all reasonable times to enter and view and carry on investigations upon any of the properties upon which damage is claimed to have occurred or to be occurring, and their reports may, either jointly or severally, be submitted to and received by the Tribunal for the purpose of enabling the Tribunal to decide upon any of the Questions.

Article XI

Report of decisions.

The Tribunal shall report to the Governments its final decisions, together with the reasons on which they are based, as soon as it has reached its conclusions in respect to the Questions, and within a period of three months after the conclusion of proceedings. Proceedings shall be deemed to have been concluded when the Agents of the two Governments jointly inform the Tribunal that they have nothing additional to present. Such period may be extended by agreement of the two Governments.

Upon receiving such report, the Governments may make arrangements for the disposition of claims for indemnity for damage, if any, which may occur subsequently to the period of time covered by such report.

Article XII

Measures for performing obligations.

The Governments undertake to take such action as may be necessary in order to ensure due performance of the obligations undertaken hereunder, in compliance with the decision of the Tribunal.

Article XIII

Expenses.

Each Government shall pay the expenses of the presentation and conduct of its case before the Tribunal and the expenses of its national member and scientific assistant.

All other expenses, which by their nature are a charge on both Governments, including the honorarium of the neutral member of the Tribunal, shall be borne by the two Governments in equal moieties.

Article XIV

Exchange of ratifications.

This agreement shall be ratified in accordance with the constitutional forms of the Contracting Parties and shall take effect immediately upon the exchange of ratifications, which shall take place at Ottawa as soon as possible.

Signatures.

In Witness Whereof, the respective Plenipotentiaries have signed this Convention and have hereunto affixed their seals.

Done in duplicate at Ottawa this fifteenth day of April, in the year of our Lord, one thousand, nine hundred and thirty-five.

[seal] Pierre de L. Boal

[seal] R. B. Bennett

AND WHEREAS the said Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Ottawa on the third day of August, one thousand nine hundred and thirty-five; Ratifications exchanged.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof. Proclamation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this seventh day of August in the year of our Lord one thousand nine hundred and thirty-five and of the Independence of the United States of America the one hundred and sixtieth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

June 8, 1934. *Supplementary Extradition Treaty between the United States of America and Bulgaria. Signed at Washington, June 8, 1934; ratification advised by the Senate, February 6, 1935; ratified by the President, April 10, 1935; ratified by Bulgaria, July 27, 1935; ratifications exchanged at Sofia, August 15, 1935; proclaimed, August 19, 1935.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Supplementary Extradition Treaty with Bulgaria. Preamble.

WHEREAS a Supplementary Extradition Treaty between the United States of America and Bulgaria was concluded and signed by their respective Plenipotentiaries at Washington on the eighth day of June, one thousand nine hundred and thirty-four, the original of which Supplementary Extradition Treaty, being in the English and Bulgarian languages, is word for word as follows:

Contracting Powers.

The United States of America and Bulgaria being desirous of enlarging the list of crimes on account of which extradition may be granted under the treaty concluded between the United States of America and Bulgaria on March 19, 1924, with a view to the better administration of justice and the prevention of crime within their respective territories and jurisdictions, have resolved to conclude a supplementary treaty for this purpose and have appointed as their Plenipotentiaries, to wit:

Vol. 43, p. 1886.

Съединенитѣ Щати на Америка и България, въ желанието си да разширятъ списъка на престжпленията, които могатъ да дадатъ поводъ за предаване, въ съгласие съ Договора сключенъ между Съединенитѣ Щати на Америка и България на 19 мартъ 1924 г., съ огледъ на едно по-добро прилагане на правосждието и предотвратяване на престжпността въ респективнитѣ си територии и подсждни области, решиха да сключатъ за тая цѣлъ единъ допълнителенъ договоръ и назначиха за свои пълномощници, именно:

Plenipotentiaries.

The President of the United States of America; Mr. Cordell Hull, Secretary of State of the United States of America; and

His Majesty the King of the Bulgarians; Mr. Stoyan Petroff-Tchomakoff, Chargé d'Affaires of Bulgaria to the United States of America,

Who, after having communicated to each other their respective full powers, which were found to be in due and proper form, have agreed to and concluded the following articles:

Председателя на Съединенитѣ Щати на Америка: господинъ Корделъ Хжлъ, Държавенъ Секретарь на Съединенитѣ Щати на Америка; и

Негово Величество Царя на Българитѣ: господинъ Стоянъ Петровъ Чомаковъ, Управляющъ Българската Царска Легация въ Съединенитѣ Щати на Америка,

Които, следъ като си представиха взаимно пълномощията, които се намериха въ изправность, се съгласиха и сключиха следнитѣ членове:

ARTICLE I.

The following crimes are added to the list of crimes numbered 1 to 24 in Article II of the said treaty of March 19, 1924, on account of which extradition may be granted, that is to say:

25. Crimes or offenses against the laws of bankruptcy.

Addition to extraditable crimes. Vol. 43, p. 1888.

Crimes against bankruptcy laws.

ARTICLE II.

The present treaty shall be considered as an integral part of the extradition treaty of March 19, 1924, and Article II of the last-mentioned treaty shall be read as if the list of crimes therein contained had originally comprised the additional crimes specified and numbered 25 in the first Article of the present treaty.

Considered part of former treaty.

The present treaty shall be ratified by the High Contracting Parties in accordance with their respective constitutional methods, and shall take effect on the date of the exchange of ratifications which shall take place at Sofia as soon as possible.

Exchange of ratifications.

In witness whereof the above-named Plenipotentiaries have signed the present treaty and have hereunto affixed their seals.

Done, in duplicate, at Washington, this eighth day of June, nineteen hundred and thirty-four.

Signatures.

CORDELL HULL [SEAL]
S. PETROFF TCHOMAKOFF [SEAL]

Член Първи.

Следующитѣ престжпления се прибавятъ къмъ списъка на престжпленията изброени въ точки 1 до 24 отъ членъ Втори отъ казания Договоръ отъ 19 мартъ 1924 г., които могатъ да дадатъ поводъ за предаване, именно:

25. Престжпления или нарушения срещу закона по банкрутство.

Член Втори.

Настоящия Договоръ ще се счита като нераздѣлна часть отъ Договора за предаване отъ 19 мартъ 1924 г., чийто членъ Втори ще трѣбва да се чете като че ли списъка на престжпленията изброени въ него е съдържалъ отъ самото начало и добавъчнитѣ престжпления, опредѣлени и изброени подъ точка 25-та въ членъ Първи на настоящия Договоръ.

Настоящия Договоръ ще бжде ратифициранъ отъ Високодоговорящитѣ Страни по респективния имъ конституционенъ редъ и ще влезе въ сила на датата на размѣната на ратификациитѣ, която ще стане въ София при най-близка възможность.

Въ удостовѣрение на това, горепоменатитѣ Пълномощници подписаха настоящия Договоръ и го скрѣпиха съ печатитѣ си.

Направенъ въ два екземпляра въ Вашингтонъ, днесъ осмия день на Юни, хилядо деветстотинъ тридесеть и четвъртата година.

AND WHEREAS the said Supplementary Extradition Treaty has been duly ratified on both parts, and the ratification of the two Governments were exchanged in the city of Sofia on the fifteenth day of August, one thousand nine hundred and thirty-five;

Ratifications exchanged.

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Supplementary Extradition Treaty to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be hereunto affixed.

DONE at the city of Washington this nineteenth day of August, in the year of our Lord one thousand nine hundred and thirty-
[SEAL] five and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

Supplementary extradition treaty between the United States of America and Czechoslovakia. Signed at Washington, April 29, 1935; ratification advised by the Senate, June 5, 1935; ratified by the President, June 15, 1935; ratified by Czechoslovakia, August 17, 1935; ratifications exchanged at Prague, August 28, 1935; proclaimed, August 30, 1935.

April 29, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Supplementary Extradition Treaty with Czechoslovakia.

WHEREAS a Supplementary Extradition Treaty between the United States of America and the Czechoslovak Republic was concluded and signed by their respective Plenipotentiaries at Washington, on the twenty-ninth day of April, one thousand nine hundred and thirty-five, the original of which Supplementary Extradition Treaty, being in the English and Czech languages is word for word as follows:

Contracting Powers.

The United States of America and the Czechoslovak Republic, being desirous of enlarging the list of crimes and offenses on account of which extradition may be granted under the treaty concluded between the two countries on July 2, 1925, and of amending Article IV of that treaty, with a view to the better administration of justice and the prevention of crime within their respective territories and jurisdictions, have resolved to conclude a supplementary treaty for this purpose and have appointed as their plenipotentiaries, to wit:

Spojené Státy Americké a republika Československá přejíce si rozšířiti seznam zločinů a přečinů, pro které může býti povoleno vydání podle smlouvy sjednané mezi oběma státy dne 2. července 1925, a opraviti článek IV. této smlouvy se zřetelem na dokonalejší konání spravedlnosti a zabránění zločinům na jejích území a v jejich pravomoci, rozhodly se, že sjednají k tomu účelu dodatkovou smlouvu a jmenovaly plnomocníky, totiž:

Vol. 44, p. 2367.

Plenipotentiaries.

The President of the United States of America:

Mr. Cordell Hull, Secretary of State of the United States of America;

The President of the Czechoslovak Republic:

Dr. Ferdinand Veverka, Envoy Extraordinary and Minister Plenipotentiary of the Czechoslovak Republic in Washington,

President Spojených Států Amerických:

Pana Cordella Hulla, státního sekretáře Spojených Států Amerických,

President republiky Československé:

Pana Dra Ferdinanda Veverku, mimořádného vyslance a zplnomocněného ministra republiky Československé ve Washingtoně,

Who, after having communicated to each other their respective full powers, which were found to be in due and proper form, have agreed to and concluded the following articles:

kteří sdělivše si navzájem své plné moci a shledavše je v řádné a náležité formě, shodli se mezi sebou a ujednali tyto články:

ARTICLE I

Addition to extraditable crimes. Vol. 44, pp. 2368–2371.

The following crimes and offenses are added to the list numbered 1 to 22 in Article II of the said treaty of July 2, 1925, on account of which extradition may be granted, that is to say:

Offenses against bankruptcy laws.

23. Crimes and offenses against the laws of bankruptcy.

ČLÁNEK I.

V seznamu trestných činů vypočtených pod čis. 1–22 v článku II. řečené smlouvy z 2. července 1925, pro něž může býti vydání povoleno, se připojují tyto trestné činy:

23. Zločiny a přečiny proti zákonům o podvodném úpadku.

ARTICLE II

Considered part of former treaty.

The present treaty shall be considered as an integral part of the said extradition treaty of July 2, 1925, and Article II of the last mentioned treaty shall be read as if the list of crimes and offenses therein contained had originally comprised the additional crimes and offenses specified and numbered 23 in the first article of the present treaty.

Vol. 44, p. 2371.

ČLÁNEK II.

Tato smlouva se považuje za nedílnou část řečené smlouvy o vydávaní z 2. července 1925 a článek II. posléz zmíněné smlouvy zní tak, jako by seznam zločinů a přečinů v něm obsažených již původné obsahoval zločiny a přečiny dodatečně uvedené a označené v článku I. této smlouvy jako číslo 23.

ARTICLE III

Limitations modified.

Article IV of the said treaty of July 2, 1925, is hereby amended by adding thereto the following words, "or be extradited to another country, unless he shall have been allowed one month to leave the country after having been set at liberty as a result of the disposition of the charges upon which he was extradited", so that the article will now read:

"No person shall be tried for any crime or offense committed before his extradition other than that for which he was surrendered, or be extradited to another country, unless he shall have been allowed one month to leave the country after having been set at liberty as a result of the disposition of the charges upon which he was extradited."

ČLÁNEK III.

Článek IV. zmíněné smlouvy z 2. července 1925 se tímto opravuje a připojí se k němu tato slova: "nebo býti vydána jinému státu, leč by měla volnost opustiti během jednoho měsíce území poté, když byla propuštěna na svobodu v důsledku opatření pro trestné činy, pro které byla vydána." Tento článek bude tedy zníti:

"Žádná osoba nesmí býti souzena nebo vydána jinému státu pro jakýkoliv zločin nebo přečin před tím spáchaný, než pro který bylo povoleno její vydání, leč by měla volnost opustiti území během jednoho měsíce poté, když byla propuštěna na svobodu v důsledku opatření pro trestné činy, pro které byla vydána."

ARTICLE IV

Exchange of ratifications.

The present treaty shall be ratified by the High Contracting Parties in accordance with their respective constitutional method, and shall take effect on the date of the exchange of ratifications which shall take place at Prague as soon as possible.

ČLÁNEK IV.

Tato smlouva bude ratifikována Vysokými Smluvními Stranami podle jejích ústavních předpisů a nabude účinnosti dnem výměny ratifikačních listin, k níž dojde v Praze pokud možno nejdříve.

In witness whereof the above named plenipotentiaries have signed the present treaty in both the English and Czechoslovak languages, each of which texts is equally authentic, and have hereunto affixed their seals.

Done, in duplicate, at Washington, this 29th day of April, 1935.

Čemuž na svědomí výše jmenovaní zmocněnci podepsali tuto smlouvu ve znění anglickém a československém, jejichž obojí text jest stejně autentickým a připojili k ní své pečetě. Signatures.

Dáno ve dvojím vyhotovení ve Washingtoně, dne 29. dubna. 1935.

CORDELL HULL [SEAL]
FERDINAND VEVERKA [SEAL]

AND WHEREAS the said Supplementary Extradition Treaty has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Prague, on the twenty-eighth day of August, one thousand nine hundred and thirty-five; Ratifications exchanged.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Supplementary Extradition Treaty to be made public, to the end that the same and every article and clause thereof, may be observed and fulfilled with good faith by the United States of America and the citizens thereof. Proclamation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this thirtieth day of August, in the year of our Lord one thousand nine hundred and
[SEAL] thirty-five and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

August 22, 1935. *Declaration by which the Free City of Danzig becomes a contracting party of the extradition treaty of November 22, 1927, between the United States of America and Poland. Signed at Washington, August 22, 1935; effective, September 6, 1935.*

The Polish Chargé d'Affaires ad interim (Sokolowski) to the Secretary of State (Hull)

AMBASSADE DE POLOGNE,
Washington, le 22 août, 1935.

MONSIEUR LE SECRÉTAIRE D'ETAT,

Declaration by which the Free City of Danzig becomes a contracting party of the extradition treaty of 1927 with Poland.

D'ordre de mon Gouvernement, j'ai l'honneur de porter à la connaissance de Votre Excellence ce qui suit:

Le Gouvernement Polonais, auquel il appartient d'assurer la conduite des affaires extérieures de la Ville Libre de Dantzig en vertu de l'article 104 du Traité de Paix, signé à Versailles le 28 juin 1919 et des articles 2 et 6 de la Convention entre la Pologne et la Ville Libre de Dantzig, signé à Paris le 9 novembre 1920, déclare, en agissant pour la Ville Libre de Dantzig et en exécution de l'article 2 du Protocole annexé du Traite d'Extradition entre la Pologne et les Etats Unis d'Amérique signé à Varsovie le 22 novembre 1927, que la Ville Libre de Dantzig devient Partie Contractante audit Traité d'Extradition à partir du 15-ème jour de la date de la réception de la présente notification par le Gouvernement Fédéral des Etats Unis d'Amérique.

J'ai l'honneur de prier Votre Excellence de bien vouloir m'accuser réception de la présente note.

Veuillez agréer, Monsieur le Secrétaire d'Etat, les assurances de ma très haute considération.

W. SOKOLOWSKI

Son Excellence
Monsieur CORDELL HULL,
Secrétaire d'Etat.

No. 78–c/SZ–6.

The Secretary of State (Hull) to the Polish Chargé d'Affaires ad interim (Sokolowski)

DEPARTMENT OF STATE,
Washington, August 22, 1935.

SIR:

Acceptance by United States.

The receipt is acknowledged, on behalf of the Government of the United States of America of your note of August 22, 1935, reading in translation as follows:

"Under instructions from my Government, I have the honor to communicate to your Excellency the following:

"The Polish Government, which is entrusted with the conduct of the foreign affairs of the Free City of Danzig under Article 104 of the Treaty of Peace, signed at Versailles, June 28, 1919, and Articles 2 and 6 of the Convention between Poland and the Free City of Danzig, signed at Paris, November 9, 1920, declares, on behalf of the Free City of Danzig and in execution of Article 2 of the Protocol accompanying the Treaty of Extradition between Poland and the United States of America, signed at Warsaw, November 22, 1927, that the Free City of Danzig shall become a contracting party of the said Treaty of Extradition from the fifteenth day following the date of the receipt of this notification by the Government of the United States of America.

Vol. 46, pp. 2283, 2287.

Vol. 46, p. 2291.

"I have the honor to request your Excellency to acknowledge receipt of this note."

The Government of the United States of America takes note of this declaration and will recognize the Free City of Danzig as a contracting party to the treaty of extradition between the United States of America and Poland signed at Warsaw, November 22, 1927, on and from September 6, 1935, the fifteenth day following the date on which the declaration hereby acknowledged was received by the Government of the United States of America.

Accept, Sir, the renewed assurances of my high consideration.

CORDELL HULL

Mr. WLADYSLAW SOKOLOWSKI,
Chargé d'Affaires ad interim of Poland.

June 3, 1935.

Agreement between the United States of America and Germany terminating parts of Article VII of the Treaty of Friendship, Commerce and Consular Rights of December 8, 1923. Signed at Washington, June 3, 1935; ratification advised by the Senate, August 24, 1935; ratified by the President, August 28, 1935; ratified by Germany, September 28, 1935; ratifications exchanged at Berlin, October 7, 1935; proclaimed, October 25, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Agreement with Germany terminating parts of existing Treaty of Friendship, Commerce, etc.
Vol. 44, p. 2137.

WHEREAS an Agreement between the United States of America and Germany terminating parts of Article VII of the Treaty of Friendship, Commerce and Consular Rights between the two countries signed December 8, 1923, was concluded and signed by their respective Plenipotentiaries at Washington on the third day of June, one thousand nine hundred and thirty-five, the original of which Agreement, being in the English and German languages, is word for word as follows:

The undersigned duly authorized representatives of the United States of America and Germany on behalf of their respective Governments have reached the following Agreement:

ARTICLE I

Most-favored-nation, etc., provisions abrogated.

The second, third, fourth, sixth and seventh paragraphs of Article VII of the Treaty of Friendship, Commerce and Consular Rights between the United States of America and Germany signed December 8th, 1923, shall cease to have force and effect on and after the day on which this Agreement comes into force.

ARTICLE II

Effective date.

The present Agreement shall become operative on October 14th, 1935, and on and after that day shall have full force and effect as an integral part of the said Treaty of Friendship, Commerce and Consular Rights.

Die unterzeichneten gehörig bevollmächtigten Vertreter der Vereinigten Staaten von Amerika und des Deutschen Reichs haben namens ihrer Regierungen das folgende Abkommen abgeschlossen:

ARTIKEL I.

Die Absätze zwei, drei, vier, sechs und sieben des Artikels VII des Freundschafts-, Handels- und Konsularvertrags zwischen den Vereinigten Staaten von Amerika und dem Deutschen Reich vom 8. Dezember 1923 treten von dem Tage an ausser Kraft, an dem dieses Abkommen in Kraft tritt.

ARTIKEL II.

Das Abkommen tritt am 14. Oktober 1935 in Kraft und hat von diesem Tage an als Bestandteil des genannten Freundschafts-, Handels- und Konsularvertrages volle Gültigkeit.

The present Agreement shall be ratified, and the ratifications thereof shall be exchanged at Berlin as soon as possible.

Done in duplicate, in the English and German languages, both authentic, at the city of Washington, this 3rd day of June, 1935.

Das Abkommen soll ratifiziert werden, und die Ratifikationsurkunden sollen sobald wie möglich in Berlin ausgetauscht werden. Exchange of ratifications.

Ausgefertigt in doppelter Urschrift in englischer und deutscher Sprache zu Washington am 3. Juni 1935. Signatures.

CORDELL HULL [SEAL]
HANS LUTHER. [SEAL]

AND WHEREAS the said Agreement has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Berlin on the seventh day of October, one thousand nine hundred and thirty-five; Ratifications exchanged.

AND WHEREAS the said Agreement, in accordance with Article II thereof, became operative on October 14, 1935;

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Agreement to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof. Proclamation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this twenty-fifth day of October in the year of our Lord one thousand nine hundred and [SEAL] thirty-five and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

July 15, 1934. *Agreement between the United States of America and other Powers concerning the nonapplication of most-favored-nation clause in respect of certain multilateral economic conventions. Opened for signature in the Pan American Union, July 15, 1934; signed ad referendum on the part of the United States of America at Washington, September 20, 1934; ratification advised by the Senate, August 24, 1935; ratified by the President, August 30, 1935; ratification of the United States of America deposited with the Pan American Union at Washington, September 12, 1935; proclaimed, October 25, 1935.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Multilateral Agreement concerning obligations of most-favored-nation clause. Preamble.

WHEREAS an Agreement to refrain from invoking the obligations of the most-favored-nation clause in respect of certain multilateral economic conventions, which was opened for signature in the Pan American Union on July 15, 1934, in accordance with a resolution adopted by the Seventh International Conference of American States on December 24, 1933, was signed ad referendum by the Plenipotentiary of the United States of America on September 20, 1934, and since that date, by the Plenipotentiaries of certain other countries, also ad referendum, the original of which Agreement, being in the English, Spanish, Portuguese and French languages, is word for word as follows:

Purposes declared.

The High Contracting Parties, desirous of encouraging the development of economic relations among the peoples of the world by means of multilateral conventions, the benefits of which ought not to inure to countries which refuse to assume the obligations thereof; and desirous also, while reaffirming as a fundamental doctrine the policy of equality of treatment, to develop such policy in a manner harmonious with the development of general economic rapprochement in which every country shall do its part; have decided to enter into an agreement for these purposes, as set forth in the following articles:

Las Altas Partes Contratantes, deseosas de fomentar el desarrollo de relaciones económicas entre los pueblos del mundo, por medio de convenciones multilaterales cuyos beneficios no deberían aprovechar los países que rehusen asumir las obligaciones; y a la vez que reafirmando como doctrina fundamental la política de igualdad de tratamiento, deseosas también de desarrollar esa política en armonía con el desenvolvimiento de una general aproximación económica en el cual cada país hará lo que le corresponda; han decidido celebrar una convención con ese fin, y al efecto han convenido en los artículos siguientes:

ARTICLE I

Nonapplication in respect of certain multilateral economic conventions.

The High Contracting Parties, with respect to their relations with one another, will not, except as provided in Article II hereof, invoke the obligations of the most-favored-nation clause for the purpose of obtaining from Parties to multilateral conventions of the type hereinafter stated, the advantages or benefits enjoyed by the Parties thereto.

The multilateral economic conventions contemplated in this article are those which are of general applicability, which include a trade area of substantial size, which have as their objective the liberalization and promotion of international trade or other international economic intercourse, and which are open to adoption by all countries.

ARTICULO I

Las Altas Partes Contratantes, en sus relaciones entre sí, salvo el caso previsto en el Artículo II, se comprometen a no invocar las obligaciones de la cláusula de la nación más favorecida, con el fin de obtener de las Partes en convenciones multilaterales del tipo mencionado de seguida, las ventajas o beneficios de que gozan las Partes en dichas convenciones.

Este artículo se refiere a las convenciones económicas multilaterales de aplicación general, que incluyen una área comercial de tamaño considerable, que tienen por objeto la liberalización y fomento del comercio u otro intercambio económico internacional y que estén abiertas a la participación de todos los países.

ARTICLE II

Treaty provisions between signatories.

Notwithstanding the stipulation of Article I, any High Contracting Party may demand, from a State with which it maintains a treaty containing the most-favored-nation clause, the fulfillment of that clause insofar as such High Contracting Party accords in fact to such State the benefits which it claims.

ARTICULO II

No obstante la estipulación del Artículo I, cualquiera Alta Parte Contratante puede pedir a un Estado con el cual mantiene un tratado que contiene la cláusula de la nación más favorecida, el cumplimiento de dicha cláusula en la medida en que tal Alta Parte Contratante acuerde de hecho a tal Estado los beneficios que ella reclama.

As Altas Partes Contratantes, desejosas de fomentar o desenvolvimento de relações econômicas entre os povos do mundo, por meio de convenções multilaterais, cujos benefícios não devem redundar em favor dos países que recusarem assumir as obrigações de tais convenções; e desejosas, outrossim, ao mesmo tempo que reafirmam como doutrina fundamental a política de igualdade de tratamento, de desdobrar tal política de um modo consentâneo com o desenvolvimento da aproximação econômica geral em que cada país fará a sua parte; decidiram, para êsse fim, entrar em um convênio, tal como se encontra estabelecido nos seguintes artigos:

ARTIGO I

As Altas Partes Contratantes, em suas relações mútuas, não invocarão, exceto no caso estabelecido no Artigo II do presente acôrdo, as obrigações da cláusula de nação mais favorecida com o fim de obter de Partes de uma convenção multilateral do tipo mais abaixo declarado, as vantagens ou benefícios de que gozem as Partes em tais convenções.

Este artigo se refere ás convenções multilaterais de aplicação geral, que incluam uma área comercial de tamanho considerável, que tenham como seu objetivo a liberalização e fomento do comércio internacional ou outro intercâmbio econômico internacional, e que estejam abertas á participação de todos os países.

ARTIGO II

Não obstante a estipulação do Artigo I, qualquer Alta Parte Contratante poderá pedir a um Estado com o qual mentenha um tratado contendo a cláusula de nação mais favorecida, o cumprimento dessa cláusula na medida em que tal Alta Parte Contratante conceda de fato a tal Estado os benefícios que ela reclama.

Les Hautes Parties Contractantes, désireuses de favoriser le développement des relations économiques entre les nations du monde au moyen de conventions multilatérales dont les avantages ne devraient pas s'étendre aux pays qui refusent d'en prendre les obligations; désireuses également, tout en confirmant comme doctrine fondamentale le principe de l'égalité de traitement, de faire progresser ce principe en harmonie avec le progrès d'un rapprochement général économique où chaque pays aura sa part; ont décidé, à ces fins, de conclure un accord aux termes des articles ci-après;

ARTICLE I

Les Hautes Parties Contractantes ne feront pas appel, dans leurs relations entre Elles, sauf dans les cas prévus à l'Article II du présent accord, aux obligations découlant de la clause de la nation la plus favorisée, dans le but de se procurer des pays Parties à des conventions multilatérales du genre exposé ci-après, les avantages ou bénéfices dont jouissent les Parties à ces conventions.

Le présent article vise les conventions économiques multilatérales susceptibles d'une application générale, qui englobent une zone commerciale sensiblement étendue, qui ont pour objet de faciliter et de stimuler le commerce international ou d'autres relations économiques internationales, et auxquelles tous les pays sont admis à adhérer.

ARTICLE II

Nonobstant les dispositions de l'Article I, toute Haute Partie Contractante peut demander à un État, avec lequel Elle aura un traité contenant la clause de la nation la plus favorisée, l'observation de cette clause, pour autant que ladite Haute Partie Contractante accorde en fait audit État les avantages qu'Elle réclame.

ARTICLE III

Operative date.

The present agreement is operative as respects each High Contracting Party on the date of signature by such Party. It shall be open for signature on behalf of any State and shall remain operative indefinitely, but any Party may terminate its own obligations hereunder three months after it has given to the Pan American Union notice of such intention.

Termination.

Signing *ad referendum*.

Notwithstanding the stipulations of the foregoing paragraph, any State desiring to do so may sign the present agreement *ad referendum*, which agreement in this case, shall not take effect, with respect to such State, until after the deposit of the instrument of ratification, in conformity with its constitutional procedure.

ARTICLE IV

Deposit of agreement.

This agreement is a single document in English, Spanish, Portuguese and French, all of which texts are equally authoritative. It shall be deposited with the Pan American Union, which is charged with the duty of keeping it open for signature or resignature indefinitely, and with transmitting certified copies, with invitations to become parties, to all of the States of the world. In performing this function, the Pan American Union may invoke the assistance of any of its members signatory hereto.

Signatures.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries have signed this agreement on behalf of their respective Governments, and have affixed hereto their seals on the dates appearing opposite their signatures.

Open for signature.

Opened for signature by the Pan American Union, in accordance with a resolution of the Seventh International Conference of American States, this fifteenth day of July, 1934, at Washington.

ARTICULO III

El presente convenio entrará en vigor respecto de cada una de las Altas Partes Contratantes desde la fecha de su firma por dicha Parte Contratante, quedará abierto a la firma de todos los Estados, y permanecerá indefinidamente en vigor, pero cualquiera de las Partes puede terminar las obligaciones contraídas por el convenio tres meses después de haber notificado su intención a la Unión Panamericana.

No obstante lo estipulado en el párrafo anterior, cualquier Estado que lo desee, puede firmar *ad referendum* el presente convenio, que en este caso no entrará en vigor respecto de dicho Estado sino después del depósito del instrumento de la ratificación conforme a su procedimiento constitucional.

ARTICULO IV

El original de este convenio, redactado en español, portugués, francés e inglés, que tendrán la misma autenticidad, se depositará en la Unión Panamericana, la cual queda encargada de mantenerlo abierto a la firma y resuscripción indefinidamente, y de transmitir copias certificadas con invitaciones a hacerse parte a todos los Estados del mundo. Al ejercer esa función la Unión Panamericana puede invocar la cooperación de cualquiera de sus miembros signatarios de este convenio.

EN FE DE LO CUAL, los suscritos Plenipotenciarios han firmado y sellado este acuerdo en nombre de sus respectivos Gobiernos, en las fechas indicadas junto a sus firmas.

Abierto a la firma por la Unión Panamericana, en conformidad con una resolución de la Séptima Conferencia Internacional Americana, hoy quince de julio de mil novecientos treinta y cuatro, en la ciudad de Wáshington.

ARTIGO III

O presente convênio entrará em vigor, relativamente a cada Alta Parte Contratante, na data da sua assinatura pela dita Parte Contratante. Ficará aberto á assinatura de qualquer Estado e permanecerá em vigor indefinidamente, podendo, porém, qualquer das Partes terminar as suas própias obrigações constantes da presente convenção tres mêses após ter notificado á União Panamericana essa intenção.

Não obstante as estipulações do parágrafo anterior, qualquer Estado que assim o desejar, poderá assinar *ad referendum* o presente convênio, que nesse caso não entrará em vigor relativamente ao dito Estado senão depois do depósito do instrumento de ratificação conforme o seu procedimento constitucional.

ARTIGO IV

O original dêste convênio, redigido em português, espanhol, francês e inglês, tendo todos êsses textos a mesma autoridade, será depositado na União Panamericana, a qual fica encarregada de o manter indefinidamente aberto á assinatura e reassinatura, e de transmitir cópias certificadas, juntamente com convites para se tornarem partes, a todos os Estados do mundo. Ao desempenharse desta atribuição, a União Panamericana poderá solicitar o auxílio de qualquer dos seus membros que seja signatário dêste convênio.

EM FÉ DO QUE, os Plenipotenciários abaixo assinados, firmaram o presente convênio em nome dos seus respectivos governos e apuzeram ao mesmo os seus selos, nas datas que aparecem em lugar oposto ás suas assinaturas.

Aberto á assinatura pela União Panamericana, de acôrdo com uma resolução da Sétima Conferência Internacional Americana, aos 15 dias de julho de 1934, na cidade de Washington.

ARTICLE III

Le présent accord produira effet pour chaque Haute Partie Contractante, le jour de sa signature par ladite Partie. Tout État sera admis à le signer et il restera en vigueur pendant un temps indéterminé; mais toute Partie pourra mettre fin aux engagements qu'Elle y aura pris, trois mois après avoir notifié son intention à cet effet à l'Union Panaméricaine.

Nonobstant les dispositions de l'alinéa précédent, tout État pourra, s'il le désire, signer le présent accord *ad referendum;* ledit accord, dans ce cas, ne produira effet pour ledit État, qu'après le dépôt de l'instrument de ratification, suivant sa procédure constitutionnelle.

ARTICLE IV

Le présent accord est constitué par un seul document rédigé en français, en espagnol, en portugais et en anglais, chacun de ces textes ayant la même autorité. Il sera déposé aux archives de l'Union Panaméricaine que est chargée d'y recevoir, en tous temps, soit une signature, soit le rétablissement d'une signature, et d'en transmettre des copies certifiées conformes à tous les États du monde, avec l'invitation d'en faire partie. Pour l'exécution de ces fonctions, l'Union Panaméricaine peut demander le concours de tout État membre signataire do présent accord.

EN FOI DE QUOI, les soussignés Plénipotentiaires ont signé le présent accord au nom de leurs Gouvernements respectifs et y ont apposé leurs sceaux, à la date figurant en regard de leurs signatures.

Ouvert pour signtaures par les soins de l'Union Panaméricaine, en exécution d'une résolution adoptée par la Septième Conférence Internationale des États Américains, audjourd'hui, le quinze juillet, 1934, à Washington.

Signatures, *ad referendum*.

For the United States of America:
CORDELL HULL, *ad referendum*, September 20, 1934. [SEAL]

For the Republic of Panama:
R. J. ALFARO, *ad referendum*, Septiembre 29, 1934. [SEAL]

For the Republic of Cuba:
M. MÁRQUEZ STERLING, *ad referendum*, Octubre 16/ 1934. [SEAL]

For the Ruepublic of Nicaragua:
HENRI DE BAYLE, *ad referendum*, Enero 23, 1935. [SEAL]

Au nom de l'Union Economique Belgo-Luxembourgeoise:
Cte. R. STRATEN, *ad referendum*, 14 Mars 1935. [SEAL]

For the Republic of Guatemala:
ADRIÁN RECINOS, *ad referendum*, 11 de mayo de 1935. [SEAL]

For the Republic of Greece:
D. SICILIANOS, *ad referendum*, 20 July 1935. [SEAL]

Por la República de Colombia:
M. LÓPEZ PUMAREJO, *ad referendum*, 15 de agosto de 1935. [SEAL]

Deposit of ratification.

AND WHEREAS the said Agreement has been duly ratified by the United States of America, whose instrument of ratification was deposited with the Pan American Union on September 12, 1935;

Ratified by Cuba.

AND WHEREAS the said Agreement has been duly ratified also by the Republic of Cuba, whose instrument of ratification was deposited with the Pan American Union on February 25, 1935;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Agreement to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this twenty-fifth day of October in the year of our Lord one thousand nine hundred and [SEAL] thirty-five and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

April 15, 1935.

Treaty between the United States of America and other American Republics on the Protection of Artistic and Scientific Institutions and Historic Monuments. Signed at Washington, April 15, 1935; ratification advised by the Senate, July 2, 1935; ratified by the President, July 10, 1935; ratification of the United States of America deposited with the Pan American Union at Washington, July 13, 1935; proclaimed, October 25, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Pan American Treaty on the Protection of Artistic and Scientific Institutions and Historic Monuments. Preamble.

WHEREAS a Treaty on the Protection of Artistic and Scientific Institutions and Historic Monuments was signed by the respective plenipotentiaries of the United States of America and the other twenty American Republics on April 15, 1935, the original of which Treaty, being in the English, Spanish, Portuguese and French languages, is word for word as follows:

Purposes.

The High Contracting Parties, animated by the purpose of giving conventional form to the postulates of the Resolution approved on December 16, 1933, by all the States represented at the Seventh International Conference of American States, held at Montevideo, which recommended to "the Governments of America which have not yet done so that they sign the 'Roerich Pact', initiated by the Roerich Museum in the United States, and which has as its object, the universal adoption of a flag, already designed and generally known, in order thereby to preserve in any time of danger all nationally and privately owned immovable monuments which form the cultural treasure of peoples", have resolved to conclude a treaty with that end in view, and to the effect that the treasures of culture be respected and protected in time of war and in peace, have agreed upon the following articles:

Las Altas Partes Contratantes, animadas por el propósito de dar expresión convencional a los postulados de la Resolución aprobada el 16 de diciembre de 1933 por la totalidad de los Estados representados en la Séptima Conferencia Internacional Americana celebrada en Montevideo, que recomendó "a los Gobiernos de América que no lo hubieren hecho, la suscripción del 'Pacto Roerich', iniciado por el 'Museo Roerich' de los Estados Unidos y que tiene por objeto la adopción universal de una bandera, ya creada y difundida, para preservar con ella, en cualquiera época de peligro, todos los monumentos inmuebles de propiedad nacional y particular que forman el tesoro cultural de los pueblos", y con el fin de que los tesoros de la cultura sean respetados y protegidos en tiempo de guerra y de paz, han resuelto celebrar un tratado, y a este efecto han convenido en los siguientes artículos:

ARTICLE I

Protection of historic monuments, etc.

The historic monuments, museums, scientific, artistic, educational and cultural institutions shall be considered as neutral and as such respected and protected by belligerents.

Personnel included.

The same respect and protection shall be due to the personnel of the institutions mentioned above.

Accorded in time of peace or war.

The same respect and protection shall be accorded to the historic monuments, museums, scientific, artistic, educational and cultural institutions in time of peace as well as in war.

ARTICULO I

Serán considerados como neutrales, y como tales, respetados y protegidos por los beligerantes, los monumentos históricos, los museos y las instituciones dedicadas a la ciencia, al arte, a la educación y a la conservación de los elementos de cultura.

Igual respeto y protección se acordará al personal de las instituciones arriba mencionadas.

Se acordará el mismo respeto y protección a los monumentos históricos, museos, e instituciones científicas, artísticas, educativas y culturales, así en tiempo de paz como de guerra.

As altas partes contractantes, animadas pelo proposito de dar expressão convencional aos postulados da Resolução approvada a 16 de dezembro de 1933 pela totalidade dos Estados representados na Setima Conferencia Internacional Americana, celebrada em Montevideo, que recommendou "aos Governos da America que não o tivessem feito, a assignatura do 'Pacto Roerich', iniciado pelo 'Museu Roerich' dos Estados Unidos e que tem por objecto a adopção universal de uma bandeira, já creada e diffundida, para preservar com ella, em qualquer epoca de perigo, todos os monumentos e moveis de propriedade nacional e particular que formam o thesouro cultural dos povos", e afim de que os thesouros da cultura sejam respeitados e protegidos em tempo de guerra e de paz, resolveram celebrar um tratado e com esse fim convieram nos seguintes artigos:

ARTIGO I

Serão considerados como neutros, e, como taes, respeitados e protegidos pelos belligerantes, os monumentos historicos, os museus e as instituições dedicadas á sciencia, á arte, á educação e á conservação dos elementos culturaes.

Igual respeito e protecção se concederá ao pessoal das instituições acima mencionadas.

Conceder-se-á o mesmo respeito e protecção aos monumentos historicos, museus e instituições scientificas, artisticas, educativas e culturaes, tanto em tempo de paz como de guerra.

Les Hautes Parties Contractantes, animées du désir de donner une forme conventionnelle aux termes de la Résolution approuvée le 16 décembre, 1933, par tous les Etats représentés à la Septième Conférence Internationale des Etats Américains, qui a eu lieu à Montevideo, "qui recommande aux Gouvernements d'Amérique ne l'ayant pas encore fait, de signer le 'Pacte Roerich', initié par le 'Musée Roerich' des Etats-Unis, qui a pour objet l'adoption universelle d'un drapeau, dont le modèle existe déjà et qui est connu de manière générale, afin de préserver ainsi en temps de danger tous les monuments immeubles, qu'ils soient propriété nationale ou privée, qui constituent le patrimoine de la culture des peuples", ont décidé de conclure un traité ayant ce but en vue et afin que le patrimoine de la culture soit respecté et protégé en temps de guerre et de paix, ont convenu des articles suivants:

ARTICLE I

Les monuments historiques, les musées, les institutions dédiées aux sciences, aux arts, à l'éducation, et à la culture seront considérés comme neutres, et comme tels seront respectés et protégés par les belligérants.

Le même respect et la même protection seront dus au personnel des institutions mentionnées ci-dessus.

Les mêmes respect et protection seront accordés aux monuments historiques, musées, institutions scientifiques, artistiques, d'éducation et de culture en temps de paix aussi bien qu'en temps de guerre.

ARTICLE II

Territorial scope.

The neutrality of, and protection and respect due to, the monuments and institutions mentioned in the preceding article, shall be recognized in the entire expanse of territories subject to the sovereignty of each of the signatory and acceding States, without any discrimination as to the State allegiance of said monuments and institutions. The respective Governments agree to adopt the measures of internal legislation necessary to insure said protection and respect.

Internal legislation.

ARTICULO II

La neutralidad, protección y respeto a los monumentos e instituciones mencionados en el artículo anterior, se acordará en todo el territorio de cada uno de los Estados signatarios y accedentes, sin hacer distinción en razón de la nacionalidad a que pertenezcan. Los Gobiernos respectivos se comprometen a dictar las medidas de legislación interna necesarias para asegurar dicha protección y respeto.

ARTICLE III

Distinctive flag to identify reservations.

In order to identify the monuments and institutions mentioned in article I, use may be made of a distinctive flag (red circle with a triple red sphere in the circle on a white background) in accordance with the model attached to this treaty.

ARTICULO III

Con el fin de identificar los monumentos e instituciones a que se refiere el artículo I, se podrá usar una bandera distintiva (círculo rojo, con una triple esfera roja dentro del círculo, sobre un fondo blanco) conforme al modelo anexo a este tratado.

ARTICLE IV

Signatories to furnish and receive lists of monuments, etc.

The signatory Governments and those which accede to this treaty, shall send to the Pan American Union, at the time of signature or accession, or at any time thereafter, a list of the monuments and institutions for which they desire the protection agreed to in this treaty.

The Pan American Union, when notifying the Governments of signatures or accessions, shall also send the list of monuments and institutions mentioned in this article, and shall inform the other Governments of any changes in said list.

ARTICULO IV

Los Gobiernos signatarios y los que accedan al presente convenio, comunicarán a la Unión Panamericana, en el acto de la firma o de la accesión, o en cualquier tiempo después de dicho acto, una lista de los monumentos o instituciones que deseen someter a la protección acordada por este tratado.

La Unión Panamericana, al notificar a los Gobiernos los actos de la firma o de la accesión, comunicará también la lista de los monumentos e instituciones mencionada en este artículo, e informará a los demás Gobiernos de cualquier cambio que ulteriormente se haga en dicha lista.

ARTICLE V

Military uses.

The monuments and institutions mentioned in article I shall cease to enjoy the privileges recognized in the present treaty in case they are made use of for military purposes.

ARTICULO V

Los monumentos e instituciones a que se refiere el artículo I cesarán en el goce de los privilegios que les reconoce el presente convenio, cuando sean usados para fines militares.

ARTIGO II

A neutralidade, protecção e respeito aos monumentos e instituições mencionados no artigo anterior, serão outorgados em todo o territorio de cada um dos Estados signatarios e accedentes, sem fazer distincção por motivo da nacionalidade a que pertençam. Os Governos respectivos compromettem-se a adoptar as medidas de legislação interna necessárias para assegurar a referida protecção e respeito.

ARTIGO III

Com o fim de identificar os monumentos e instituições a que se refere o artigo I, poder-se-á usar uma bandeira distinctiva (circulo vermelho, com uma tripla esfera vermelha dentro do circulo, sobre um fundo branco) conforme o modelo annexo a este tratado.

ARTIGO IV

Os Governos signatarios e os que accedam ao presente convenio, communicarão á União Pan-Americana, no acto da assignatura ou da accessão, ou em qualquer tempo depois do referido acto, uma lista dos monumentos e instituições que desejam submetter á protecção outorgada por este tratado.

A União Pan-Americana, ao notificar aos Governos os actos da assignatura ou da accessão, communicará tambem a lista dos monumentos e instituições mencionada neste artigo, e informará os demais Governos de qualquer mudança que ulteriormente se faça na referida lista.

ARTIGO V

Os monumentos e instituições a que se refere o artigo I cessarão de gozar os privilegios que lhes reconhece o presente convenio, quando sejam usados para fins militares.

ARTICLE II

La neutralité, la protection et le respect dus aux monuments et institutions mentionnés à l'article précédent, seront accordés dans tout le territoire soumis à la souveraineté de chaque Etat signataire ou adhérant, sans aucune distinction concernant l'allégeance nationale desdits monuments et institutions. Les Gouvernements s'engagent à adopter les mesures législatives intérieures nécessaires pour assurer le respect et la protection en question.

ARTICLE III

Pour désigner les monuments et institutions mentionnés à l'article I, on pourra se servir d'un drapeau distinctif conforme au modèle annexé au présent traité (un cercle rouge renfermant une triple sphére, le tout sur fond blanc).

ARTICLE IV

Les Gouvernements signataires et ceux qui adhéreront au présent traité, communiqueront à l'Union Panaméricaine, à l'époque de la signature ou de l'adhésion, ou à toute époque postérieure audit acte, une liste des monuments et institutions pour lesquels ils désirent la protection stipulée par ce traité.

L'Union Panamericaine, en notifiant les Gouvernements des signatures ou adhésions, leur communiquera aussi la liste des monuments et des institutions mentionnés dans cet article, et communiquera aux autres Gouvernements tout changement dans ladite liste.

ARTICLE V

Les monuments et institutions mentionnés à l'article premier cesseront de jouir des avantages stipulés au présent traité quand ils seront utilisés pour des fins militaires.

ARTICLE VI

Future adherence.

The States which do not sign the present treaty on the date it is opened for signature, may sign or adhere to it at any time.

ARTICLE VII

Deposit with Pan American Union.

The instruments of accession, as well as those of ratification and denunciation of the present treaty, shall be deposited with the Pan American Union, which shall communicate notice of the act of deposit to the other signatory or acceding States.

ARTICLE VIII

Denunciation.

The present treaty may be denounced at any time by any of the signatory or acceding States, and the denunciation shall go into effect three months after notice of it has been given to the other signatory or acceding States.

Signatures.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries, after having deposited their full powers found to be in due and proper form, sign this treaty on behalf of their respective governments, and affix thereto their seals, on the dates appearing opposite their signatures.

ARTICULO VI

Los Estados que no suscriban este tratado en su fecha podrán firmarlo o acceder a él en cualquier tiempo.

ARTICULO VII

Los instrumentos de accesión, así como los de ratificación y denuncia del presente Convenio, se depositarán en la Unión Panamericana, la cual comunicará el hecho del depósito a los Estados signatarios o accedentes.

ARTICULO VIII

Cualquiera de los Estados que suscriban el presente convenio o que accedan a él podrá denunciarlo en cualquier tiempo, y la denuncia tendrá efecto tres meses después de su notificación a los otros signatarios o accedentes.

EN FE DE LO CUAL, los infrascritos Plenipotenciarios, después de haber depositado sus plenos Poderes, que se han encontrado en buena y debida forma, firman y sellan este Convenio en nombre de sus respectivos Gobiernos en las fechas indicadas junto a sus firmas.

Em fé do que, os Plenipotenciários respectivos assinam o presente Tratado, em um exemplar, nas línguas espanhola e portuguesa, e lhe apõem seus selos, no Rio de Janeiro, D. F., aos dez dias do mês de Outubro do ano de mil novecentos e trinta e três.

Pela República Argentina:
(L. S.) CARLOS SAAVEDRA LAMAS,
Ministro das Relações Exteriores e Culto.

Pela República dos Estados Unidos do Brasil:
(L. S.) AFRANIO DE MELLO FRANCO,
Ministro de Estado das Relações Exteriores.

Pela República do Chile: Com as reservas das letras *a*, *b*, *c* e *d* do Artigo V.
(L. S.) MARCIAL MARTINEZ DE FERRARI,
Embaixador Extraordinário e Plenipotenciário no Rio de Janeiro.

Pelos Estados Unidos Mexicanos:
(L. S.) ALFONSO REYES,
Embaixador Extraordinário e Plenipotenciário no Rio de Janeiro.

Pela República do Paraguai:
(L. S.) ROGELIO IBARRA,
Enviado Extraordinário e Ministro Plenipotenciário no Rio de Janeiro.

Pela República Oriental do Uruguai:
(L. S.) JUAN CARLOS BLANCO,
Embaixador Extraordinário e Plenipotenciário no Rio de Janeiro

For the Argentine Republic: FELIPE A. ESPIL	April 15, 1935.	[SEAL]
For Bolivia: ENRIQUE FINOT	April 15, 1935.	[SEAL]
For Brazil: OSWALDO ARANHA	April 15, 1935.	[SEAL]
For Chile: M. TRUCCO	April 15, 1935.	[SEAL]
For Colombia: M. LOPEZ PUMAREJO	April 15, 1935.	[SEAL]
For Costa Rica: MAN. GONZALEZ Z.	April 15, 1935.	[SEAL]
For Cuba: GUILLERMO PATTERSON	April 15, 1935.	[SEAL]
For the Dominican Republic: RAF. BRACHE	April 15, 1935.	[SEAL]
For Ecuador: C. E. ALFARO	April 15, 1935.	[SEAL]
For El Salvador: HECTOR DAVID CASTRO	April 15, 1935.	[SEAL]
For Guatemala: ADRIAN RECINOS	April 15, 1935.	[SEAL]
For Haiti: A. BLANCHET	April 15, 1935.	[SEAL]
For Honduras: M. PAZ BARAONA	April 15, 1935.	[SEAL]
For Mexico F. CASTILLO NAJERA	April 15, 1935.	[SEAL]
For Nicaragua HENRI DE BAYLE	April 15, 1935.	[SEAL]
For Panama: R. J. ALFARO	April 15, 1935.	[SEAL]
For Paraguay: ENRIQUE BORDENAVE	April 15, 1935.	[SEAL]
For Peru: M. DE FREYRE Y S.	April 15, 1935.	[SEAL]
For United States of America: HENRY A. WALLACE	April 15, 1935.	[SEAL]
For Uruguay: J. RICHLING	April 15, 1935.	[SEAL]
For Venezuela: PEDRO M. ARCAYA	April 15, 1935.	[SEAL]

Ratification.

AND WHEREAS the said Treaty has been duly ratified by the United States of America, whose instrument of ratification was deposited with the Pan American Union on July 13, 1935;

Ratification by Cuba.

AND WHEREAS the said Treaty has been duly ratified also by the Republic of Cuba, whose instrument of ratification was deposited with the Pan American Union on August 26, 1935;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Treaty to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have caused the Seal of the United States of America to be hereunto affixed.

DONE at the city of Washington this twenty-fifth day of October in the year of our Lord one thousand nine hundred and
[SEAL] thirty-five, and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT.

By the President:

CORDELL HULL

Secretary of State.

June 20, 1935. *Supplementary Extradition Convention Between the United States of America and Belgium. Signed at Washington, June 20, 1935; ratification advised by the Senate, August 24, 1935; ratified by the President, August 29, 1935; ratified by Belgium, August 19, 1935; ratifications exchanged at Brussels, October 7, 1935; proclaimed, October 25, 1935.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Supplementary Extradition Convention with Belgium.

WHEREAS a Supplementary Extradition Convention between the United States of America and Belgium was concluded and signed by their respective Plenipotentiaries at Washington on the twentieth day of June, one thousand nine hundred and thirty-five, the original of which Supplementary Extradition Convention, in the English and French languages, is word for word as follows:

Contracting Powers.

The Governments of the United States of America and His Majesty the King of the Belgians, being desirous of enlarging the list of crimes on account of which extradition may be granted under the Convention concluded between the two countries on October 26, 1901, have resolved to conclude a Supplementary Convention for this purpose and have appointed as their Plenipotentiaries:

Vol. 32, p. 1894.

Plenipotentiaries.

The President of the United States of America:

Mr. Cordell Hull, Secretary of State of the United States of America; and

His Majesty the King of the Belgians:

Count Robert van der Straten Ponthoz, His Majesty's Ambassador Extraordinary and Plenipotentiary to the United States of America;

Who, after having communicated to each other their respective full powers, which were found to be in due and proper form, have agreed upon the following articles:

Les Gouvernements des Etats-Unis d'Amérique et de Sa Majesté le Roi des Belges, désireux d'élargir la liste des crimes pour lesquels l'extradition peut être accordée conformément à la convention conclue entre les deux pays le 26 octobre 1901, sont convenus de conclure à cette fin une convention additionnelle et ont désigné comme leurs plénipotentiaires:

Le Président des Etats-Unis d'Amérique:

M. Cordell Hull, Secrétaire d'Etat des Etats-Unis d'Amérique; et

Sa Majesté le Roi des Belges:

Le Comte Robert van der Straten Ponthoz, Ambassadeur Extraordinaire et Plénipotentiaire de Sa Majesté aux Etats-Unis d'Amérique;

lesquels, après s'être communiqué leurs pleins pouvoirs respectifs, qui ont été trouvés en bonne et due forme, sont convenus des articles suivants:

ARTICLE I

The following crimes and offenses are added to the list of crimes and offenses numbered 1 to 14 in Article II of the said Convention of October 26, 1901, on account of which extradition may be granted, that is to say;

15. Crimes and offenses committed in violation of legislation on bankruptcy.

16. Fraud or breach of trust on the part of a depositary, banker, agent, middleman, trustee, executor, administrator, guardian, director or agent of any company or corporation, or on the part of any person occupying a position of trust.

ARTICLE II

The present Convention shall be considered as an integral part of the said Extradition Convention of October 26, 1901, and Article II of the last mentioned Convention shall be read as if the list of crimes and offenses therein contained had originally comprised the additional crimes and offenses specified and numbered 15 and 16 in the first article of the present Convention.

ARTICLE III

The present Convention shall be ratified by the High Contracting Parties in accordance with their respective constitutional methods and shall go into effect one month after the exchange of ratifications, which shall take place at Brussels, as soon as possible.

IN WITNESS WHEREOF, the above named Plenipotentiaries have signed the present Convention, both in the English and French languages, and have hereunto affixed their seals.

DONE in duplicate, at Washington, this twentieth day of June, one thousand nine hundred and thirty-five.

ARTICLE I.

Les crimes et délits suivants sont ajoutés à la liste des crimes et délits énumérés de 1 à 14 à l'article II de la dite convention du 26 octobre 1901, pour lesquels l'extradition peut-être accordée, à savoir;

Addition to extraditable crimes, etc.

15. les crimes et délits commis en violation de la législation sur les faillites.

Violation of legislation on bankruptcy.

16. les fraudes ou manquements de la part d'un dépositaire, banquier, agent, commissionnaire, fidéicommissaire, exécuteur testamentaire, administrateur, curateur, directeur ou agent d'une société ou corporation quelconque, ou de la part de quiconque occupe un poste de confiance.

Fraud or breach of trust.

ARTICLE II.

La présente convention sera considérée comme une partie intégrante de la dite convention d'extradition du 26 octobre 1901 et l'article II de cette dernière convention sera considéré comme si la liste des crimes et délits y figurant avait à l'origine comporté les crimes et délits additionnels spécifiés et énumérés sous les Nos. 15 et 16 dans le premier article de la présente convention.

Considered part of former Convention.

ARTICLE III.

La présente convention sera ratifiée par les hautes parties contractantes conformément à leur méthode constitutionnelle respective et entrera en vigueur un mois après l'échange des ratifications, qui aura lieu à Bruxelles le plus tôt possible.

Exchange of ratifications.

EN FOI DE QUOI, les plénipotentiaires prénommés ont signé la présente convention, établie en langues anglaise et française et y ont apposé leurs sceaux.

Signatures.

FAIT en double exemplaire, à Washington, le vingtième jour de juin, mil neuf cent trente-cinq.

CORDELL HULL [SEAL]
Cte R. V. STRATEN [SEAL]

Ratifications exchanged.

AND WHEREAS the said Supplementary Extradition Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Brussels on the seventh day of October, one thousand nine hundred and thirty-five;

Effective date.

AND WHEREAS the said Supplementary Extradition Convention shall, in accordance with Article III thereof, go into effect one month after the exchange of ratifications, that is to say, on November 7, 1935;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Supplementary Extradition Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof on and from the seventh day of November, one thousand nine hundred and thirty-five.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this twenty-fifth day of October in the year of our Lord one thousand nine hundred and [SEAL] thirty-five and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

Sanitary Aerial Navigation Convention between the United States of America and other Powers. Concluded at The Hague, April 12, 1933; signed on the part of the United States, with reservations, April 6, 1934; ratification advised by the Senate, with the said reservations, June 5, 1935; ratified by the President, with the said reservations, June 13, 1935; ratification of the United States deposited with the Government of the Netherlands, July 25, 1935; proclaimed, October 25, 1935.

April 12, 1933.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

International Sanitary Convention for Aerial Navigation. Preamble.

WHEREAS an International Sanitary Convention for Aerial Navigation done at The Hague on April 12, 1933, and left open for signature for one year from that date, was signed by the Plenipotentiary of the United States of America on April 6, 1934, subject to two reservations, and by the respective Plenipotentiaries of certain other countries on various dates between April 12, 1933, and April 12, 1934, the original of which Convention, in the French language, is word for word as follows:

[Translation] [1]

CONVENTION SANITAIRE INTERNATIONALE POUR LA NAVIGATION AÉRIENNE.

En vue de régler le contrôle sanitaire de la navigation aérienne,

les soussignés, plénipotentiaires des Hautes Parties contractantes, munis de pleins pouvoirs reconnus en bonne et due forme,

sont convenus des dispositions suivantes:

PREMIÈRE PARTIE.

Dispositions générales.

ARTICLE PREMIER.

Aux effets de la présente Convention, les Hautes Parties contractantes adoptent les définitions suivantes:

I. Le mot *aéronef* désigne tout appareil pouvant se soutenir dans l'atmosphère grâce aux réactions de l'air et destiné à la navigation aérienne.

La présente Convention n'est applicable qu'aux aéronefs:

1°. dont le lieu de départ et le lieu d'atterrissage final sont situés sur des territoires différents;

International Sanitary Convention for Aerial Navigation.

INTERNATIONAL SANITARY CONVENTION FOR AERIAL NAVIGATION

With a view to the regulation of the sanitary control of aerial navigation,

the undersigned, plenipotentiaries of the High Contracting Parties, furnished with full powers found in good and due form,

have agreed on the following articles:

PART I

General Provisions

General provisions.

ARTICLE 1

Definitions.

For the purposes of this convention the High Contracting Parties adopt the following definitions:

Aircraft.

I. The word *aircraft* includes any machine which can derive support in the atmosphere from the reactions of the air and is intended for aerial navigation.

The present convention applies only to aircraft—

1. of which the place of departure and place of final landing are situated in different territories;

[1] The original proclamation does not include the translation.

2°. qui, leur lieu de départ et leur lieu d'atterrissage final étant situés sur le même territoire, font une escale intermédiaire sur un territoire différent;

3°. qui survolent sans escale plus d'un territoire,

que ces territoires soient placés sous la souveraineté, la suzeraineté, le mandat ou l'autorité de la même Puissance ou de Puissances différentes.

Authorized aerodrome.

II. On entend par *aérodrome autorisé* un aérodrome, douanier ou autre, spécialement désigné par l'autorité compétente de l'Etat où il se trouve et sur lequel les aéronefs peuvent effectuer le premier atterrissage en pénétrant sur un territoire ou prendre le départ pour quitter un territoire.

Sanitary aerodrome.

III. On entend par *aérodrome sanitaire* un aérodrome autorisé qui est organisé et outillé conformément aux dispositions de l'article 5 de la présente Convention et désigné comme tel par l'autorité compétente du Pays.

Crew.

IV. Le mot *équipage* comprend toute personne ayant à bord une fonction relative à la conduite ou à la sécurité du vol de l'aéronef, ou employée à bord, d'une manière quelconque, au service de l'aéronef, des passagers ou de la cargaison.

Local area.

V. Le mot *circonscription* désigne une partie de territoire bien déterminée, ainsi une province, un gouvernement, un district, un département, un canton, une île, une commune, une ville, un quartier de ville, un village, un port, une agglomération, etc., quelles que soient l'étendue et la population de ces portions de territoire.

Post, p. 3283.

Un aérodrome peut constituer une circonscription, sous les conditions prévues à l'article 8 de la présente Convention.

Observation.

VI. Le mot *observation* signifie isolement des personnes dans un local approprié.

Surveillance.

Le mot *surveillance* signifie que les personnes ne sont pas isolées, qu'elles peuvent se déplacer librement, mais qu'elles sont signalées à l'autorité sanitaire dans les

2. which, although the place of departure and place of final landing are situated on the same territory, make an intermediate landing on a different territory;

3. which fly without landing over more than one territory, whether these territories are placed under the sovereignty, suzerainty, mandate, or authority of the same power or of different powers.

II. The words *authorized aerodrome* denote a customs or other aerodrome specially designated as such by the competent authority of the state in which it is situated and on which aircraft may make their first landing on entering a territory or from which they may depart on leaving a territory.

III. The words *sanitary aerodrome* denote an authorized aerodrome organized and equipped in accordance with the terms of article 5 of the present convention and designated as such by any competent authority of the country.

IV. The word *crew* includes any person having duties on board in connection with the flying or the safety of the flight of the aircraft, or employed on board, in any way, in the service of the aircraft, the passengers, or the cargo.

V. The words *local area* denote a well-defined area, such as a province, a government, a district, a department, a canton, an island, a commune, a town, a quarter of a town, a village, a port, an agglomeration, etc., whatever may be the extent and population of such areas.

Subject to the conditions laid down in article 8 of the present convention, an aerodrome may constitute a local area.

VI. The word *observation* means the isolation of persons in a suitable place.

The word *surveillance* means that persons are not isolated, that they may move about freely, but that they are notified to the sanitary authorities of the several

divers endroits où elles se rendent et soumises à un examen médical constatant leur état de santé.

VII. Le mot *jour* signifie un intervalle de vingt-quatre heures.

places whither they are bound and are subjected to a medical examination with a view to establishing their state of health.

VII. The word *day* means an interval of 24 hours. Day.

ARTICLE 2.

Tout ce qui, dans la présente Convention, concerne les aérodromes doit être entendu comme s'appliquant *mutatis mutandis* aux emplacements pour l'amérissage des hydravions et appareils similaires.

ARTICLE 2

Whatever relates in the present convention to aerodromes is to be understood as applying *mutatis mutandis* to places for the landing on water of hydroplanes and similar craft. Hydroplane, etc., landings.

SECTION I.

Des aérodromes en général et de leur personnel.

SECTION I

Aerodromes in General and Their Staff Aerodromes in general and their staff.

ARTICLE 3.

Chacune des Hautes Parties contractantes s'engage à pourvoir ses aérodromes autorisés d'une organisation sanitaire adaptée aux besoins courants de la prophylaxie et comprenant au minimum des arrangements déterminés assurant le concours d'un médicin toutes les fois que sa présence peut être nécessaire pour les inspections médicales envisagées par la présente Convention.

ARTICLE 3

Each High Contracting Party undertakes to provide its authorized aerodromes with a sanitary organization adapted to the current needs of prophylaxis which as a minimum shall consist of definite arrangements to insure the attendance of a medical practitioner at such times as may be necessary for the medical examinations contemplated by the present convention. Sanitary organizations.

ARTICLE 4.

Il appartient à chaque Haute Partie contractante, en tenant compte des risques de maladies infectieuses auxquels son territoire peut être exposé, de décider si elle constituera, ou non, des aérodromes sanitaires et quels aérodromes autorisés seront choisis à cet effet.

ARTICLE 4

It rests with each High Contracting Party, taking into account the risks of infectious disease to which its territory may be exposed, to decide whether or not to establish sanitary aerodromes and which authorized aerodromes shall be selected for this purpose. Sanitary aerodromes.

ARTICLE 5.

L'aérodrome sanitaire doit avoir, en tout temps, à sa disposition:

a) un service médical organisé, auquel soient affectés un médecin au moins et un ou plusieurs agents sanitaires, étant entendu que ce personnel ne sera pas nécessairement présent en permanence à l'aérodrome;

b) un local pour la visite médicale;

ARTICLE 5

The sanitary aerodrome shall at all times have at its disposal— Provisions required.

(*a*) an organized medical service, with one medical officer at least and one or more sanitary inspectors, it being understood that this staff will not necessarily be in permanent attendance at the aerodrome;

(*b*) a place for medical inspection;

c) l'outillage pour le prélèvement et l'envoi de matériel suspect aux fins d'examen dans un laboratoire, s'il n'y a pas possibilité de procéder sur place à cet examen;

d) les moyens pour pouvoir, en cas de nécessité, isoler, transporter et soigner les malades, isoler les contacts séparément des malades et accomplir toute autre mesure prophylactique dans des locaux appropriés, soit dans l'aérodrome, soit à proximité;

e) le matériel indispensable pour procéder, le cas échéant, à la désinfection, la désinsectisation et la dératisation, ainsi qu'à l'application des autres mésures établies par la présente Convention.

Il devra être pourvu d'un service d'eau potable non suspecte en quantité suffisante, ainsi que d'un système, présentant toute la sécurité possible, pour l'enlèvement des déchets et ordures et pour l'évacuation des eaux usées. Il devra être, dans toute la mesure possible, à l'abri des rats.

(*c*) equipment for taking and dispatching suspected material for examination in a laboratory, if such examination cannot be made on the spot;

(*d*) facilities, in the case of necessity, for the isolation, transport, and care of the sick, for the isolation of contacts separately from the sick, and for carrying out any other prophylactic measure in suitable premises, either within the aerodrome, or in proximity to it;

(*e*) apparatus necessary for carrying out disinfection, disinsectization, and deratization, if required, as well as any other measures laid down in the present convention.

The aerodrome shall be provided with a sufficient supply of wholesome drinking water and with a proper and safe system for the disposal of excreta and refuse and for the removal of waste water. The aerodrome shall, as far as possible, be protected from rats.

ARTICLE 6.

Medical officer.

Le médecin de l'aérodrome sanitaire doit être un fonctionnaire dépendant de l'autorité sanitaire compétente, ou être agrée par elle.

ARTICLE 6

The medical officer of the sanitary aerodome shall be an official of or approved by the competent sanitary authority.

ARTICLE 7.

Lists of sanitary aerodromes to be announced.

Chacune des Hautes Parties contractantes communiquera, pour qu'elle soit portée à la connaissance des autres Hautes Parties contractantes, la liste de ses aérodromes sanitaires soit à l'Office international d'Hygiène publique, soit à la Commission internationale de la Navigation aérienne, qui se transmettront mutuellement les informations ainsi reçues. La communication devra comprendre, pour chaque aérodrome, des données concernant sa situation, ses installations sanitaires et son personnel sanitaire.

Notice through intermediary.

Pour les Hautes Parties contractantes ayant adhéré au Code sanitaire panaméricain, la notifica-

ARTICLE 7

Each High Contracting Party shall communicate, either to the Office International d'Hygiène Publique, or to the International Commission for Air Navigation, which will transmit to each other the information thus received, a list of its sanitary aerodomes in order that it may be brought to the knowledge of the other High Contracting Parties. The communication shall include, in the case of each aerodrome, details as to its situation, its sanitary equipment, and its sanitary staff.

The notification of the Office International d'Hygiène Publique provided for in the present article,

tion à l'Office international d'Hygiène publique prévue au présent article, ainsi qu'aux articles 8, 37, 40, 58, 59 et 60 de la présente Convention, pourra être faite par l'intermédiaire du Bureau sanitaire panaméricain.

as well as in articles 8, 37, 40, 58, 59 and 60 of the present convention, may, in the case of those High Contracting Parties who have adhered to the Pan American Sanitary Code, be made through the intermediary of the Pan American Sanitary Bureau.

Post, pp. 3295, 3297, 3304, 3305.

ARTICLE 8.

Pour qu'un aérodrome sanitaire puisse être désigné comme constituant une circonscription, aux effets de la notification des maladies infectieuses et pour l'application des autres dispositions de la présente Convention, il faut:

1°. qu'il soit organisé pour que l'entrée ou la sortie de toute personne puisse être contrôlée par l'autorité compétente;

2°. au cas où une maladie visée par l'article 18 de la présente Convention existerait sur le territoire environnant, que l'accès de l'aérodrome soit interdit à toute personne suspecte d'être contaminée, arrivant par toute autre voie que la voie aérienne, et que des mesures soient appliquées, à la satisfaction de l'autorité compétente, en vue d'empêcher que les personnes qui séjournent ou qui sont de passage dans l'aérodrome encourent le risque de contagion, soit par contact avec les personnes du dehors soit par tout autre moyen.

Pour qu'un aérodrome autorisé qui n'est pas un aérodrome sanitaire puisse être, de même, désigné comme constituant une circonscription, il faut, en outre, qu'il soit, par sa situation topographique, pratiquement à l'abri de toute possibilité de contamination.

Les Hautes Parties contractantes notifieront à l'Office international d'Hygiène publique les aérodromes constituées en circonscription conformément aux termes du présent article, et l'Office communiquera cette désignation aux autres Hautes Parties contractantes et à la Commission internationale de la Navigation aérienne.

ARTICLE 8

Local area, organization.

In order that a sanitary aerodrome may be designated as a local area for the purpose of notification of infectious diseases and for other purposes as provided by the present convention, it must be so organized that—

1. the entry or exit of any person is under the supervision and control of the competent authority;

2. in the case of a disease specified in article 18 of this convention occurring in the surrounding territory, access to the aerodrome by any route other than the air is forbidden to persons suspected of being infected, and measures are applied, to the satisfaction of the competent authority, with a view to preventing persons who are resident in or passing through the aerodrome from being exposed to the risk of infection, either by contact with persons from outside or by any other means.

In order that an authorized aerodrome which is not a sanitary aerodrome may similarly be designated a local area it is necessary, in addition, that it shall be so situated topographically as to be beyond all probable risk of infection from without.

The High Contracting Parties shall notify to the Office International d'Hygiène Publique aerodromes which have been constituted local areas in accordance with the terms of the present article, and the Office International d'Hygiène Publique will communicate the notification to the other High Contracting Parties and to the International Commission for Air Navigation.

SECTION II.

Documents sanitaires de bord.

ARTICLE 9.

Aircraft sanitary documents.

Les inscriptions suivantes seront portées au carnet de route, sous la rubrique, "Observations":

1°. les faits d'ordre sanitaire survenus sur l'aéronef au cours du voyage;

2°. les mesures sanitaires subies par l'aéronef avant le départ ou pendant les escales, par application de la présente Convention;

Post, p. 3287.

3°. éventuellement des informations concernant l'apparition, dans le pays que quitte l'aéronef d'une des maladies infectieuses visées dans la Troisième Partie de la présente Convention, ladite inscription étant faite en vue de faciliter les enquêtes médicales auxquelles les passagers arrivant sur les aérodromes d'un autre territoire pourraient être soumis.

A cet effet, le Gouvernement de tout pays indemne dans lequel apparaît une desdites maladies devra, indépendamment des autres voies par lesquelles il est déjà tenu de notifier aux autres pays la survenance et la nature des cas dont il s'agit, transmettre les informations nécessaires aux autorités compétentes de tous ses aérodromes autorisés. Celles-ci devront les porter sur les carnets de route, au départ de l'aéronef, pendant une période de 15 jours à partir de la réception de la première communication.

Les aéronefs ne sont pas tenus d'avoir une patente de santé. Les inscriptions portées au carnet de route en exécution du présent article seront vérifiées et certifiées gratuitement par l'autorité compétente de l'aérodrome.

SECTION II

Aircraft Sanitary Documents

ARTICLE 9

The following entries shall be made in the journey logbook, under the heading "Observations":

1. Any facts relevant to public health which have arisen on the aircraft in the course of the voyage;

2. Any sanitary measures undergone by the aircraft before departure or at places of call in application of the present Convention;

3. Information concerning the appearance in the country from which the aircraft is departing of any of the infectious diseases mentioned in part III of the present convention. This entry is made with a view to facilitating the medical examinations which passengers arriving at aerodromes in another territory may be required to undergo.

For this purpose, the government of any noninfected country in which one of the said diseases makes its appearance shall, in addition to other means by which it is already required to inform other countries of the outbreak of such diseases and their nature, transmit the necessary information to the competent authorities of each of its authorized aerodromes. The latter shall enter the information in the journey log of any aircraft leaving the aerodrome during a period of 15 days from the date on which the information was first received.

Aircraft shall not be required to carry bills of health. The entries made in the journey logbook in accordance with the terms of this article shall be verified and certified free of charge by the competent authority of the aerodrome.

SECTION III.

Marchandises et Poste.

ARTICLE 10.

Les marchandises se trouvant à bord des aéronefs peuvent, outre les mesures spécifiées aux articles 25, 29, 33, 42, 44, 47, 49 et 51 de la présente Convention, être soumises à celles qui seraient appliquées légalement dans le pays aux marchandises importées par un moyen quelconque de transport.

ARTICLE 11.

Ne sont soumis à aucune mesure: les lettres et correspondance, imprimés, livres, journaux, papiers d'affaires, colis postaux et tous envois par la poste, à moins qu'ils ne contiennent des objets se trouvant dans les conditions prévues à article 33 de la présente Convention.

DEUXIÈME PARTIE.

Régime sanitaire couramment applicable.

ARTICLE 12.

Dans les aérodromes sanitaires ou autorisés, le médecin attaché à l'aérodrome a le droit de procéder—soit avant le départ, soit après l'atterrissage des aéronefs—à une visite de reconnaissance sanitaire des voyageurs et de l'équipage, lorsque les circonstances justifient cette mesure.

Toutefois, cette visite devra être combinée avec les autres opérations usuelles de police et de douane, pour éviter tout retard et pour ne pas entraver la continuation du voyage. Elle ne devra donner lieu à la perception d'aucune taxe. Réserve est faite du droit, pour le Conseil sanitaire maritime et quarantenaire d'Egypte, de percevoir les taxes prévues par son régime spécial.

SECTION III

Merchandise and Mail

ARTICLE 10

In addition to the measures prescribed in articles 25, 29, 33, 42, 44, 47, 49, and 51 of the present convention, merchandise in aircraft may be subjected to the laws of the country as regards measures to be applied to merchandise imported by whatever means of transport.

Merchandise and mail.

Post, pp. 3290, 3292, 3293, 3297, 3299, 3300, 3301.

ARTICLE 11

Letters and correspondence, printed matter, books, newspapers, business documents, postal packages, and anything sent by post shall not be subject to any sanitary measure unless they contain articles coming within the terms of article 33 of the present convention.

Post, p. 3293.

PART II

Sanitary Regulations Generally Applicable

Sanitary regulations generally applicable.

ARTICLE 12

In the case of sanitary or authorized aerodromes, the medical officer attached to the aerodrome has the right, either before the departure or after the landing of aircraft, to proceed to inspect the sanitary condition of passengers and crew, whenever circumstances justify this measure.

Inspection.

This visit should, however, be so arranged in relation to the other ordinary administrative and customs operations as to avoid any delay or interference with the continuation of the voyage. No fees shall be charged for this inspection. Reservation is made of the right of the Maritime and Quarantine Sanitary Board of Egypt to levy dues in accordance with its special powers.

ARTICLE 13.

Quarantine of infected persons.

Dans tout aérodrome, et sous réserve du transport de malades par un aéronef qui leur soit spécialement affecté, l'autorité compétente, sur l'avis du médecin attaché à l'aérodrome, a le droit d'interdire l'embarquement des personnes présentant des symptômes de maladies infectieuses.

S'il n'y a pas de médecin présent, l'autorité compétente de l'aérodrome peut différer le départ desdites personnes, jusqu'à ce qu'elle ait pris l'avis d'un médecin à leur sujet.

ARTICLE 13

The competent authority of any aerodrome may, on the advice of the medical officer attached to the aerodrome, prohibit the embarkation of persons with symptoms of infectious disease, except in the case of the transport of sick persons by aircraft specially allocated for the purpose.

In the absence of a medical officer, the competent authority of the aerodrome may defer the departure of such persons until the advice of a doctor has been obtained.

ARTICLE 14.

Infectious matter dropped in flight.

Il est interdit aux aéronefs de jeter ou de laisser tomber en vol des matières capables de provoquer l'éclosion de maladies infectieuses.

ARTICLE 14

Aircraft in flight are forbidden to throw or to drop matter capable of producing the outbreak of infectious disease.

ARTICLE 15.

Disembarking sick persons.

S'il a besoin de débarquer un malade, le commandant de l'aéronef avisera, autant que possible, l'aérodrome d'arrivée en temps utile avant l'atterrissage.

ARTICLE 15

If the commander of the aircraft wishes to disembark a sick person, he shall, so far as he is able, notify the aerodrome of arrival in good time before landing.

ARTICLE 16.

Infectious disease not specified.

Post, p. 3287.

Si, à bord d'un aéronef, il existe un cas d'une maladie infectieuse non visée dans la Troisième Partie de la présente Convention, confirmé par le médecin de l'aérodrome, on appliquera les mesures ordinaires en vigueur dans le pays où l'aérodrome se trouve. Le malade pourra être débarqué et, si l'autorité sanitaire compétente le juge à propos, isolé dans un local approprié; les autres passagers et l'équipage auront la faculté de reprendre le voyage, après visite médicale et, s'il y a lieu, exécution des mesures sanitaires appropriées.

Celles de ces mesures sanitaires qui sont applicables sur l'aérodrome devront être combinées avec les opérations de police et de douane de manière à ne retenir l'aéronef que le moins de temps possible.

ARTICLE 16

If there is on board an aircraft a case of an infectious disease, duly verified by the medical officer attached to the aerodrome, not being a disease specified in part III of the present convention, the usual measures in force in the country in which the aerodrome is situated shall be applied. The sick person may be landed and, if the competent sanitary authority considers it desirable, isolated in a suitable place; the other passengers and the crew shall have the right to continue the voyage, after medical inspection and, if necessary, the carrying out of the appropriate sanitary measures.

Such of these sanitary measures as can be carried out at the aerodrome shall be so arranged in relation to the administrative and customs operations that the aircraft may be detained as short a time as possible.

ARTICLE 17.

Sauf dans les cas expressément prévus par la présente Convention les aéronefs seront dispensés des formalités sanitaires tant sur les aérodromes d'escale que sur l'aérodrome de destination.

TROISIÈME PARTIE.

Régime sanitaire applicable au cas de certaines maladies.

ARTICLE 18.

Les maladies visés par la présente Partie de la Convention comme devant faire l'objet des dispositions y spécifiées sont: la peste, le choléra, la fièvre jaune, le typhus exanthématique et la variole.

ARTICLE 19.

Aux effets de la présente Convention, la période d'incubation est comptée:

pour six jours s'il s'agit de peste;
pour cinq s'il s'agit de choléra;
pour six s'il s'agit de fièvre jaune;
pour douze s'il s'agit de typus exanthématique; et
pour quatorze jours s'il s'agit de variole.

ARTICLE 20.

Les administrations supérieures d'hygiène transmettront aux aérodromes sanitaires et autorisés de leurs pays respectifs tous les renseignements, contenus dans les notifications et communications épidémiologiques reçues de l'Office international d'Hygiène publique (et des Bureaux régionaux avec lesquels il a conclu des accords à cet effet) en exécution des dispositions de la Convention sanitaire internationale du 21 juin 1926, qui seraient de nature à influer sur le contrôle sanitaire à exercer dans ces aérodromes.

ARTICLE 21.

Les mesures telles qu'elles sont prévues dans la présente Partie de la Convention doivent être interprétées comme constituant un

ARTICLE 17

Except as expressly provided for in the present convention, aircraft shall be exempt from sanitary formalities at the aerodromes both of call and of final destination.

Formalities not provided for.

PART III

Sanitary Regulations Applicable in the Case of Certain Diseases

Sanitary regulations in the case of certain diseases.

ARTICLE 18

The diseases which are the subject of the special measures prescribed by this part of the convention are: Plague, cholera, yellow fever, exanthematous typhus, and smallpox.

Specified diseases.

ARTICLE 19

For the purposes of the present convention, the period of incubation is reckoned as:

6 days in the case of plague;
5 days in the case of cholera;
6 days in the case of yellow fever;
12 days in the case of exanthematous typhus; and
14 days in the case of smallpox.

Reckoning incubation period.

ARTICLE 20

The chief health authorities shall transmit to the sanitary and authorized aerodromes of their respective countries all information contained in the epidemiological notifications and communications received from the Office International d'Hygiène Publique (and the regional bureaus with which it has made agreements for this purpose) in execution of the provisions of the International Sanitary Convention of June 21, 1926, which may affect the exercise of sanitary control in those aerodromes.

Notification of prescribed measures. Vol. 45, p. 2560.

ARTICLE 21

The measures prescribed in this part of the convention shall be regarded as constituting a maximum, within the limits of which

Measures prescribed to constitute maximum.

maximum, dans les limites duquel les Hautes Parties contractantes pourront réglementer le traitement des aéronefs.

Il appartient à chacune des Hautes Parties contractantes de décider si des mesures doivent être appliquées, dans les limites de la présente Convention, aux provenances d'une circonscription ou d'un aérodrome étrangers.

Post, p. 3302.

Il sera tenu compte, à cet égard, le plus largement possible des renseignements reçus des mesures antérieurement appliquées, conformément aux dispositions de l'article 54 ci-après.

ARTICLE 22.

Local infected area construed. Vol. 45, p. 2558.

Pour l'application des dispositions de la présente Partie, une circonscription est considérée comme atteinte quand elle est qualifiée comme telle aux termes de la Convention sanitaire internationale du 21 juin 1926.*)

CHAPITRE PREMIER.

Plague, cholera, typhus, and smallpox.

DISPOSITIONS APPLICABLES EN CAS DE PESTE, CHOLÉRA, TYPHUS EXANTHÉMATIQUE ET VARIOLE.

SECTION I.

Mesures au départ.

ARTICLE 23.

Measures on departure.

Les mesures à appliquer, au départ des aéronefs d'une circonscription atteinte de l'une des maladies visées au présent Chapitre, sont les suivantes:

*) Aux termes de l'article 10 et de l'article 11, premier alinéa, de la Convention sanitaire internationale du 21 juin 1926, une circonscription est „atteinte" de l'une des maladies visées quand il s'agit: pour la *peste* et la *fièvre jaune*, d'un premier cas reconnu non importé; pour le *choléra*, de cas formant „foyer"—c'est-à-dire lorsque l'apparition de nouveaux cas au delà de l'entourage des premiers prouve qu'on n'est pas parvenu à limiter l'expansion de la maladie là où elle s'était manifestée à son début;—pour le *typhus exanthématique* et la *variole* de manifestations de la maladie sous forme épidémique. [Footnote in the original.]

the High Contracting Parties may regulate the procedure which may be applied to aircraft.

It is for each High Contracting Party to determine whether measures should be applied, within the limits of the present convention, to arrivals from a foreign local area or aerodrome.

In this respect, information received and measures already applied shall, in accordance with article 54 of the present convention, be taken into the fullest possible account.

ARTICLE 22

For the purpose of part III of the present convention, a local area is considered to be infected when the conditions specified in the International Sanitary Convention of June 21, 1926,* are applicable to it.

CHAPTER I

MEASURES APPLICABLE IN CASE OF PLAGUE, CHOLERA, TYPHUS, AND SMALLPOX

SECTION I

Measures on Departure

ARTICLE 23

The measures to be applied on the departure of aircraft from a local area infected by one of the diseases mentioned in this chapter are the following:

*According to the terms of the International Sanitary Convention of June 21, 1926, art. 10 and the first paragraph of art. 11, a local area is considered "infected" by one of the diseases in question in the following circumstances: For *plague* and *yellow fever*, when the first case recognized as nonimported is reported; for *cholera*, when forming a "foyer"—that is, when the occurrence of new cases outside the immediate surroundings of the first cases proves that the spread of the disease has not been confined to the place where it began; for *exanthematous typhus* and *smallpox*, when they appear in epidemic form. [Footnote in the original.]

1°. nettoyage à fond de l'aéronef, surtout des parties pouvant se prêter à la contamination;

2°. visite médicale des passagers et de l'équipage;

3°. exclusion de toute personne présentant des symptômes de l'une des maladies visées, ainsi que des personnes de l'entourage des malades se trouvant dans des conditions telles qu'elles puissent transmettre la maladie;

4°. visite des effets personnels, qui ne seront admis qu'en état de propreté suffisante;

5°. en cas de peste, dératisation, s'il y a lieu de soupçonner l'existence de rats à bord;

6°. en cas de typhus exanthématique, désinsectisation, limitée aux personnes qui, à la suite de la visite médicale, pourront être regardées comme susceptibles de transmettre l'infection, ainsi qu'à leurs bagages.

Les documents de bord seront pourvus des annotations conformes aux dispositions de l'article 9.

1. Thorough cleansing of the aircraft, especially the parts liable to be contaminated;

2. Medical inspection of passengers and crew;

3. Exclusion of any person showing symptoms of one of the diseases in question, as well as of persons in such close relation with the sick as to render them liable to transmit the infection of these diseases;

4. Inspection of personal effects, which shall only be accepted if in a reasonable state of cleanliness;

5. In the case of plague, deratization, if there is any reason to suspect the presence of rats on board;

6. In case of exanthematous typhus, disinsectization, limited to persons who, after medical inspection, are considered as likely to convey infection, and to their effects.

The aircraft's papers shall be annotated in accordance with the requirements of article 9.

Ante, p. 3284.

SECTION II.

Mesures à l'arrivée.

ARTICLE 24.

Les aéronefs, même venant d'une circonscription atteinte de l'une des maladies auxquelles s'applique le présent Chapitre, peuvent atterrir dans tous les aérodromes autorisés. Toutefois, chacune des Hautes Parties contractantes aura la faculté, si les conditions épidémiologiques l'exigent, d'imposer aux aéronefs en provenance de certaines circonscriptions l'obligation d'atterrir sur des aérodromes sanitaires ou autorisés déterminés, compte tenu de la position géographique de ces aérodromes et des trajets suivis par les aéronefs, de manière à ne pas entraver la navigation aérienne.

Les seules mesures éventuellement applicables dans les aérodromes autorisés qui ne sont pas en même temps des aérodromes

SECTION II

Measures on Arrival

ARTICLE 24

Measures on arrival.

Aircraft, even when coming from a local area infected by one of the diseases to which this chapter applies, may land at any authorized aerodrome. Nevertheless, each High Contracting Party, if epidemiological conditions demand such action, has the right to require aircraft coming from particular local areas to land at prescribed sanitary or authorized aerodromes, account being taken of the geographical position of those aerodromes and of the routes followed by the aircraft, in such manner as not to hamper aerial navigation.

The only measures which, if necessary, may be taken at authorized aerodromes which are not also sanitary aerodromes are the

sanitaires sont la visite médicale de l'équipage et des passagers, le débarquement et l'isolement des malades. Les passagers et l'équipage ne pourront pas franchir les limites fixées par l'autorité de l'aérodrome, sauf autorisation du médecin chargé de la visite. Cette interdiction pourra être imposée dans les escales à l'aéronef jusqu'à ce qu'il atterrisse dans un aérodrome sanitaire, où il subira les mesures prévues au présent Chapitre.

medical inspection of crew and passengers and the landing and isolation of the sick. Passengers and crew may not move beyond the limits prescribed by the aerodrome authority except with the permission of the visiting medical officer. This restriction may continue to be imposed on the aircraft at each landing place until it arrives at a sanitary aerodrome, where it will be subject to the measures laid down in this chapter.

ARTICLE 25.

Commander's duties on arrival.

Le commandant de l'aéronef est tenu, dès l'atterrissage, de se mettre à la disposition de l'autorité sanitaire, de répondre à toute demande de renseignements sanitaires qui lui sera faite par le service compétent et de présenter, pour examen, les documents de bord.

Au cas où laéronef, en pénétrant sur un territoire, atterrirait en dehors d'un aérodrome sanitaire ou autorisé, le commandant de l'aéronef devra, si l'aéronef provient d'une circonscription atteinte ou est lui-même atteint, en faire la déclaration à l'autorité locale la plus proche, qui prendra les dispositions compatibles avec les circonstances en s'inspirant des principes généraux de la présente Convention et dirigera, si possible, l'aéronef sur un aérodrome sanitaire. Aucune marchandise ne sera débarquée et aucun passager ou membre de l'équipage ne pourra s'éloigner de l'aéronef sans l'autorisation de l'autorité sanitaire compétente.

ARTICLE 25

The commander of the aircraft is required, on landing, to place himself at the disposal of the sanitary authority, to answer all requests for information affecting public health which are made to him by the competent service, and to produce the aircraft's papers for examination.

Should an aircraft, on entering a territory, land elsewhere than on a sanitary or authorized aerodrome, the commander of the aircraft shall, if the aircraft comes from an infected local area or is itself infected, notify the nearest local authority to this effect, and the latter shall take such measures as are appropriate to the circumstances, being guided by the general principles on which the present convention is based, and shall, if possible, direct the aircraft to a sanitary aerodrome. No cargo shall be unloaded and no passenger or member of the crew may leave the vicinity of the aircraft without the permission of the competent sanitary authority.

ARTICLE 26.

Replacing surveillance by observation.

Pour l'application de la présente Convention, la surveillance ne peut pas être remplacée par l'observation, sauf:

a) dans les circonstances où elle ne serait pas jugée practicable avec une efficacité satisfaisante; ou

b) si le risque d'introduction de l'infection dans le pays est considéré comme exceptionnellement grave; ou

ARTICLE 26

In the application of the present convention, surveillance may not be replaced by observation except—

(*a*) in circumstances in which it would not be practicable to carry out surveillance with sufficient thoroughness; or

(*b*) if the risk of the introduction of infection into the country is considered to be exceptionally serious; or

c) si la personne devant être soumise à la surveillance ne présente pas des garanties sanitaires suffisantes.

Les personnes soumises à l'observation ou à la surveillance doivent se prêter à toutes recherches que l'autorité sanitaire juge nécessaires.

(*c*) if the person who would be subject to surveillance does not furnish adequate sanitary guarantees.

Persons under observation or surveillance shall submit themselves to any examination which the competent sanitary authority may consider necessary.

A. Peste.

A. Plague

Plague.

ARTICLE 27.

ARTICLE 27

S'il n'y a pas eu de cas de peste à bord, les seules mesures pouvant être prescrites sont:

1°. la visite médicale des passagers et de l'équipage;

2°. la dératisation et la désinsectisation, dans les cas exceptionnels où elles seraient considérées comme nécessaires, et si elles n'ont pas été appliquées dans l'aérodrome de départ;

3°. l'équipage et les passagers peuvent être soumis à la surveillance, qui ne dépassera pas six jours à partir de la date à laquelle l'aéronef a quitté la circonscription atteinte.

When absent.

If there has not been a case of plague on board, the only measures which may be prescribed are—

1. Medical inspection of passengers and crew;

2. Deratization and disinsectization, if in exceptional cases these operations are considered necessary, and if they have not been carried out at the aerodrome of departure;

3. The crew and passengers may be subjected to surveillance, not exceeding 6 days from the date on which the aircraft left the infected local area.

ARTICLE 28.

ARTICLE 28

S'ily a, à bord, un cas avéré ou suspect de peste, les mesures applicables sont les suivantes:

1°. visite médicale;

2°. le malade est immédiatement débarqué et isolé;

3°. toutes les personnes qui ont été en contact avec le malade et celles que l'autorité sanitaire a des motifs de considérer comme suspectes sont soumises à la surveillance pour un laps de temps n'excédant pas six jours à dater de l'arrivée de l'aéronef;

4°. les effets à usage, le linge et tous les autres objets qui, de l'avis de l'autorité sanitaire, sont considérés comme contaminés sont désinsectisés et, s'il y a lieu, désinfectés;

5°. les parties suspectes de l'aéronef sont désinsectisées;

When present.

If there is on board a recognized or suspected case of plague, the following measures are applicable:

1. Medical inspection;

2. The sick shall be immediately disembarked and isolated;

3. All persons who have been in contact with the sick and those whom the sanitary authority has reasons to consider suspect shall be subject to surveillance for a period not exceeding 6 days from the date of arrival of the aircraft;

4. Personal effects, linen, and any other articles which, in the opinion of the sanitary authority, are infected shall be disinsectized and, if necessary, disinfected;

5. Any parts of the aircraft which are suspected of being infected shall be disinsectized;

6°. l'autorité sanitaire pourra, dans des cas exceptionnels, appliquer la dératisation, s'il y a lieu de soupçonner la présence de rats à bord et si l'opération n'a pas été effectuée au départ.

6. The sanitary authority may carry out deratization, in exceptional cases, if there is any reason to suspect the presence of rats on board and if the operation was not carried out on departure.

ARTICLE 29.

Merchandise from plague-infected area.

Si l'autorité estime que des marchandises, en provenance d'une circonscription atteinte de peste, peuvent renfermer des rats ou des puces, ces marchandises ne seront déchargées qu'avec les précautions nécessaires.

ARTICLE 29

If the sanitary authority considers that merchandise coming from an area infected with plague may harbor rats or fleas, such merchandise shall not be discharged except with the necessary precautions.

Cholera.

B. Choléra.

B. CHOLERA

ARTICLE 30.

When absent.

S'il n'y a pas eu à bord de cas de choléra, les seules mesures pouvant être prescrites sont:

1°. la visite médicale des passagers et de l'équipage;

2°. la surveillance des passagers et de l'équipage, pour une période qui ne dépassera pas cinq jours à partir de la date à laquelle l'aéronef a quitté la circonscription atteinte.

ARTICLE 30

If there has not been a case of cholera on board, the only measures which may be prescribed are—

1. Medical inspection of passengers and crew;

2. Surveillance of passengers and crew for a period not exceeding 5 days from the date on which the aircraft left the infected local area.

ARTICLE 31.

When present.

Si, pendant le voyage, il s'est produit à bord un cas de maladie présentant les symptômes cliniques du choléra, l'aéronef est soumis, dans les escales ou à l'arrivée, au régime suivant:

1°. visite médicale;

2°. le ou les malades sont immédiatement débarqués et isolés;

3°. l'équipage et les passagers sont soumis à la surveillance, pour un laps de temps n'excédant pas cinq jours à dater de l'arrivée de l'aéronef;

4°. les effets à usage, le linge et tous les autres objets qui, de l'avis de l'autorité sanitaire, sont considérés comme contaminés sont désinfectés;

5°. les parties de l'aéronef qui ont été habitées par les malades ou qui sont considérées comme pouvant être contaminées sont désinfectées;

ARTICLE 31

If a case of disease presenting clinical signs of cholera appears on board during the voyage, the aircraft shall be subject, at places of call or on arrival, to the following procedure:

1. Medical inspection;

2. The sick shall be immediately disembarked and isolated;

3. The crew and passengers shall be kept under surveillance for a period not exceeding 5 days from the date of arrival of the aircraft;

4. Personal effects, linen, and all other articles which, in the opinion of the sanitary authority, are infected shall be disinfected;

5. The parts of the aircraft which have been occupied by the sick or which are regarded as liable to have been infected shall be disinfected;

6°. lorsque l'eau potable à bord est considérée comme suspecte, elle est désinfectée et, sauf impossibilité, déversée et remplacée par une eau de bonne qualité, après désinfection du réservoir.

Dans les pays où la recherche des porteurs de germes cholériques est prescrite à l'égard des ressortissants, les personnes arrivées par aéronefs et qui veulent séjourner dans le pays doivent se soumettre aux obligations imposées, dans les mêmes circonstances, auxdits ressortissants.

6. When the drinking water on board is considered suspect, it shall be disinfected and, if practicable, emptied out and replaced, after the disinfection of the container, by wholesome water.

In countries in which investigation for detection of carriers of the cholera vibrio is prescribed for the inhabitants, persons arriving by aircraft who wish to remain in the country shall submit to the obligations imposed on the inhabitants under the same circumstances.

ARTICLE 32.

Les personnes justifiant qu'elles ont été vaccinées contre le choléra depuis moins de six mois et plus de six jours ne pourront être soumises qu'à la surveillance.

La justification consistera en une attestation écrite signée d'un médecin, dont la signature sera légalisée; à défaut de légalisation, l'attestation sera contresignée par: soit *a*) le médecin affecté à un aérodrome sanitaire; soit *b*) une personne, autre que celle chargée d'effectuer les inoculations, ayant qualité pour certifier une demande de passeport, d'après les règlements du Pays.

ARTICLE 32

Persons producing proof that they have been vaccinated against cholera within less than 6 months and more than 6 days may be subjected to surveillance only. Vaccinated persons.

Proof shall consist of a written certificate signed by a doctor whose signature shall be officially authenticated; or, failing such authentication, the certificate shall be countersigned by either (*a*) the medical officer attached to a sanitary aerodrome, or (*b*) a person, other than the person performing the vaccination, who is authorized to witness an application for a passport under the regulations of the country.

ARTICLE 33.

Le débarquement des aliments frais suivants: poissons, coquillages, fruits et légumes, en provenance d'une circonscription atteinte de choléra, peut être prohibé.

ARTICLE 33

The unloading from aircraft of the following fresh foods may be prohibited: Fish, shellfish, fruit, and vegetables coming from a local area infected with cholera. Unloading fresh foods from infected area.

C. Typhus exanthématique

C. Exanthematous Typhus Exanthematous typhus.

ARTICLE 34.

a) S'il n'y a pas eu de cas de typhus à bord, aucune mesure sanitaire ne peut être appliquée, à l'exception de celles, prescrites à l'article 52 de la présente Convention, concernant les personnes qui ont quitté depuis moins de 12 jours une circonscription où le typhus exanthématique est épidémique.

ARTICLE 34

(*a*). If there has not been a case of typhus on board, no sanitary measure may be carried out save those prescribed in article 52 of the present convention, for persons who have within 12 days left a local area where exanthematous typhus is epidemic. When absent.

Post, p. 3301.

When present.

b) S'il y a un cas de typhus exanthématique à bord, les mesures suivantes sont applicables:

1°. visite médicale;

2°. le malade est immédiatement débarqué, isolé et épouillé;

3°. les autres personnes qu'il y aurait lieu de croire être porteuses de poux, ou avoir été exposées à l'infection, sont aussi épouillées et peuvent être soumises à une surveillance dont la durée ne pourra jamais dépasser douze jours, à compter de la date de l'épouillage;

4°. le linge, les effets à usage et les autres objets qui, de l'avis de l'autorité sanitaire, sont considérés comme contaminés sont désinsectisés;

5°. les parties de l'aéronef où a séjourné le typhique et qui, de l'avis de l'autorité sanitaire, sont considérées comme contaminées sont désinsectisées.

(*b*). The following measures are applicable if there is a case of exanthematous typhus on board:

1. Medical inspection;

2. The sick shall be immediately disembarked, isolated, and deloused;

3. Any person suspected of harboring lice or having been exposed to infection shall also be deloused and may be subjected to surveillance for a period not exceeding 12 days, reckoned from the date of delousing;

4. Linen, personal effects, and other articles which the sanitary authority considers to be infected shall be disinsectized;

5. The parts of the aircraft which have been occupied by persons suffering from typhus and which the sanitary authority considers to be infected shall be disinsectized.

Smallpox.

D. Variole.

D. Smallpox

ARTICLE 35.

ARTICLE 35

When absent.

a) S'il n'y a pas eu de cas de variole à bord, aucune mesure sanitaire ne peut être appliquée, sauf à l'égard des personnes qui ont quitté depuis moins de 14 jours une circonscription où la variole est épidémique et qui, de l'avis de l'autorité sanitaire, ne sont pas suffisamment immunisées. Ces personnes peuvent, sans préjudice des dispositions de l'article 52, être soumises soit à la vaccination soit à la surveillance, soit à la vaccination suivie de surveillance, la durée de celle-ci ne pouvant excéder 14 jours, à compter de la date d'arrivée de l'aéronef.

Post, p. 3301.

(*a*). If there has not been a case of smallpox on board, no sanitary measure may be carried out save in the case of persons who have within 14 days left a local area where smallpox is epidemic and who, in the opinion of the sanitary authority, are not sufficiently immunized. Such persons may be subjected, without prejudice to the terms of article 52, to vaccination, or to surveillance, or to vaccination followed by surveillance, the period of which shall not exceed 14 days from the date of arrival of the aircraft.

When present.

b) S'il y a un cas de variole à bord, les mesures suivantes sont applicables:

1°. visite médicale;

2°. le malade est immédiatement débarqué et isolé;

3°. les autres personnes qu'il y aurait lieu de croire avoir été exposées à l'infection et qui, de l'avis de l'autorité sanitaire, ne sont pas suffisamment immunisées peuvent être soumises aux dispositions prévues au paragraphe *a* du présent article;

(*b*). The following measures are applicable if there is a case of smallpox on board:

1. Medical inspection;

2. The sick shall be immediately disembarked and isolated;

3. Other persons who there is reason to believe have been exposed to infection and who, in the opinion of the sanitary authority, are not sufficiently immunized, may be subjected to the measures provided in paragraph (*a*) of this article;

4°. le linge, les effets à usage et les autres objets qui, de l'avis de l'autorité sanitaire, sont considérés comme ayant été récemment contaminés sont désinfectés;

5°. les parties de l'aéronef où a séjourné le varioleux ou qui, de l'avis de l'autorité sanitaire, sont considérées comme contaminées sont désinfectées.

Au sens du présent article, seront considérées comme immunisées les personnes: *a*) pouvant justifier qu'elles ont subi une attaque antérieure de la maladie ou qu'elles ont été vaccinées depuis moins de trois ans et plus de 12 jours; ou *b*) présentant des signes locaux de réaction précoce attestant une immunité suffisante. En dehors des cas où ces signes existent, la justification sera donnée par une attestation écrite d'un médecin, authentifiée de la manière prévue au deuxième alinéa de l'article 32.

4. Linen, personal effects, and other articles which the sanitary authority considers to have been recently infected shall be disinfected;

5. The parts of the aircraft which have been occupied by persons suffering from smallpox and which the sanitary authority considers to be infected shall be disinfected.

For the purposes of this article, persons shall be considered immune (*a*) if they can produce proof of a previous attack of smallpox or if they have been vaccinated within less than 3 years and more than 12 days, or (*b*) if they show local signs of early reaction attesting an adequate immunity. Apart from cases where these signs are present, proof shall be afforded by a written certificate of a doctor, authenticated in the manner prescribed in the second paragraph of article 32.

Ante, p. 3293.

CHAPITRE II.

Dispositions Applicables en Cas de Fièvre Jaune.

SECTION I.

Dispositions générales.

ARTICLE 36.

Dans les territoires où l'endémicité de la fièvre jaune peut être soupçonnée, les Hautes Parties contractantes prendront les dispositions nécessaires pour rechercher si la fièvre jaune existe sur leur territoire sous une forme non reconnaissable cliniquement, mais décelable par examen biologique.

ARTICLE 37.

Indépendamment de la notification des cas et des circonstances relatives aux cas avérés de fièvre jaune, telle qu'elle est réglée par les articles 1, 2, 3, 4, 5 et 8 de la Convention sanitaire internationale du 21 juin 1926, chacune des Hautes Parties contractantes s'engage à notifier immédiatement aux autres Hautes Parties contractantes et, en même temps, à

CHAPTER II

Measures Applicable in Case of Yellow Fever

Yellow fever.

SECTION I

General Provisions

General provisions.

ARTICLE 36

In territories where endemicity of yellow fever is suspected, the High Contracting Parties shall take the necessary steps to ascertain whether yellow fever exists in their territory in a form which, though not clinically recognizable, might be revealed by biological examination.

Where endemicity of yellow fever is suspected.

ARTICLE 37

Independently of the notification of the cases of and circumstances relating to recognized cases of yellow fever, as laid down in articles 1, 2, 3, 4, 5, and 8 of the International Sanitary Convention of June 21, 1926, each High Contracting Party undertakes to notify immediately to the other High Contracting Parties and at the same time to the

Notices to be sent to signatories.

Vol. 45, pp. 2498-2499.

l'Office international d'Hygiène publique (soit directement soit par l'intermédiaire des Bureaux régionaux avec lesquels il a conclu des accords à cet effet) la découverte, sur son territoire, de l'existence actuelle de la fièvre jaune sous la forme susvisée.

SECTION II.

Dispositions concernant les régions dans lesquelles la fièvre jaune est constatée ou existe à l'état endémique.

ARTICLE 38.

Provisions governing infected regions.
Ante, p. 3281.
Post, p. 3299.

Nonobstant l'article 4 et sous réserve des dispositions prévues à l'article 46 ci-après, tout aérodrome ouvert aux aéronefs désignés à l'article 1er, I, deuxième alinéa, de la présente Convention et qui est installé dans une région, c'est-à-dire une partie de territoire, où la fièvre jaune existe sous une forme cliniquement ou biologiquement reconnaissable, devra être un aérodrome sanitaire répondant à la définition de la présente Convention et, en outre:

a) être situé à une distance adéquate du centre habité le plus proche;

b) être pourvu d'un système d'approvisionnement en eau complètement protégé contre les moustiques et être débarrassé, dans toute la mesure possible, des moustiques au moyen de mesures systématiquement destinées à supprimer les gîtes et à détruire les insectes à tous les stades de leur développement;

c) être pourvu de logements protégés contre les moustiques, pour les équipages des aéronefs et pour le personnel de l'aérodrome;

d) être pourvu d'un bâtiment d'habitation protégé contre les moustiques, dans lequel les passagers pourront être logés ou hospitalisés en cas d'application des mesures prévues ci-après aux articles 42 et 44.

Office International d'Hygiène Publique (either directly or indirectly through the regional bureaus with which it has made agreements for this purpose) the discovery in its territory of the actual existence of yellow fever in the abovementioned form.

SECTION II

Provisions Concerning Regions in Which Yellow Fever Is Discovered or Exists in the Endemic Form

ARTICLE 38

Notwithstanding article 4 of the present convention and subject to the terms of article 46 hereafter, every aerodrome which receives aircraft to which article 1, I, second paragraph, applies and which is situated in a region, that is to say, a part of a territory, in which yellow fever exists in a form clinically or biologically recognizable, shall become a sanitary aerodrome as defined in the present convention and, in addition, shall be—

(*a*) situated at an adequate distance from the nearest inhabited center;

(*b*) provided with arrangements for a water supply completely protected against mosquitoes, and kept as free as possible from mosquitoes by systematic measures for the suppression of breeding places and the destruction of the insects in all stages of development;

(*c*) provided with mosquito-proofed dwellings for the crews of the aircraft and for the staff of the aerodrome;

(*d*) provided with a mosquito-proofed dwelling in which passengers can be accommodated or hospitalized when it is necessary to apply the measures specified in articles 42 and 44 below.

ARTICLE 39.

Si, dans la région où la fièvre jaune est constatée ou existe à l'état endémique, il n'y a pas déjà un aérodrome répondant aux conditions spécifiées à l'article qui précède, toute navigation aérienne de cette région vers un autre territoire sera suspendue jusqu'à ce qu'un tel aérodrome ait été installé.

ARTICLE 39

If, in the region where yellow fever has occurred or exists in an endemic form, there is not already an aerodrome fulfilling the conditions specified in the preceding article, all aerial navigation from this region to any other territory shall be suspended until such an aerodrome has been established.

Suspension of navigation until aerodrome fulfilling conditions is established.

ARTICLE 40.

Tout aérodrome établi et équipé conformément aux dispositions de l'article 38 ci-dessus sera appelé aérodrome *antiamaril* et considéré comme formant une circonscription séparée. La création d'un tel aérodrome devra être notifiée, par la Haute Partie contractante sur le territoire de laquelle il est situé, aux autres Hautes Parties contractantes et soit à l'Office international d'Hygiène publique, soit à la Commission internationale de la Navigation aérienne, dans les conditions prévues à l'article 7. Par suite de cette notification, la déclaration de l'existence de la fièvre jaune dans une ville ou un village adjacents ou dans une autre circonscription ne s'appliquera pas à l'aérodrome. Ledit aérodrome ne pourra être déclaré atteint que si des cas de fièvre jaune se sont produits parmi les personnes y résidant.

ARTICLE 40

Every aerodrome established and equipped in accordance with the provisions of article 38 above shall be called an "anti-amaril" aerodrome and shall be deemed to be a separate local area. The creation of such an aerodrome shall be notified, by the High Contracting Party in whose territory it is situated, to the other High Contracting Parties and either to the Office International d'Hygiène Publique or to the International Commission for Air Navigation, under the conditions laid down in article 7. Consequent on this notification, the declaration of the presence of yellow fever in an adjacent town or village or in another local area shall not apply to the aerodrome, and the aerodrome shall not be declared infected unless yellow fever occurs among the persons residing therein.

"Anti-amaril" aerodrome, establishment, etc.

Notice of, to other Powers, etc.

Ante, p. 3282.

ARTICLE 41.

Si un aérodrome antiamaril devient une circonscription atteinte, la navigation aérienne de cet aérodrome vers tout autre territoire sera interrompue jusqu'à ce que toutes les mesures destinées à le libérer de l'infection aient été prises et que tous les risques de propagation de la fièvre jaune aient disparu.

ARTICLE 41

If an anti-amaril aerodrome becomes an infected local area, aerial navigation from that aerodrome to any other territory shall be discontinued until all measures have been taken to free it from infection and all risk of the spread of the yellow fever has ceased.

When local area infected.

ARTICLE 42.

Dans le cas où l'aérodrome antiamaril n'est pas contaminé, mais où la fièvre jaune existe dans la région, les mesures suivantes

ARTICLE 42

Where the anti-amaril aerodrome is not infected, but yellow fever exists in the region, the following measures shall be taken

Uninfected but existing in region.

seront prises au départ ou, en tout cas, le moins de temps possible avant le départ d'un aéronef:

1°. inspection de l'aéronef et de sa cargaison, pour s'assurer qu'ils ne contiennent pas de moustiques, et démoustication éventuelle. Mention en devra figurer au carnet de route;

2°. inspection médicale des passagers et des membres de l'équipage; ceux qui sont suspects d'être atteints de fièvre jaune ou pour lesquels il est dûment établi qu'ils ont été exposés à l'infection amarile seront astreints à rester sous observation soit dans l'enceinte de l'aérodrome, soit ailleurs dans des conditions approuvées par l'autorité sanitaire, jusqu'a ce qu'ils aient complété une période de six jours, à compter du dernier jour où ils ont été exposés à l'infection;

3°. les noms des passagers et des membres de l'équipage seront inscrits au carnet de route, ainsi que les renseignements touchant leur exposition à l'infection, la durée et les conditions de l'observation subie par eux avant le départ.

on the departure, or, in any event, as late as possible before the departure, of an aircraft:

1. Inspection of the aircraft and cargo to insure that they do not contain mosquitoes and, if necessary, disinsectization. A record of this inspection and any action taken shall be entered in the journey logbook;

2. Medical inspection of passengers and crew; those who are suspected to be suffering from yellow fever or in whose case it has been duly established that they have been exposed to the infection of yellow fever shall be required to remain under observation either within the precincts of the aerodrome or elsewhere, under conditions approved by the sanitary authority, until 6 days have elapsed since the last day on which they were exposed to infection;

3. The names of the passengers and crew shall be entered in the journey logbook, together with the relevant information with regard to their exposure to infection and the period and conditions of observation which they have undergone prior to departure.

ARTICLE 43.

Aircraft from uninfected area at anti-amaril aerodrome for supplies.

Tout aéronef en transit, ne venant pas d'une région où la fièvre jaune existe et faisant escale pour se ravitailler dans un aérodrome antiamaril, sera dispensé des mesures sanitaires prévues au départ de cet aérodrome. Dans la suite de son voyage, il ne sera pas soumis aux dispositions du présent chapitre, à la condition que le carnet de route porte la mention qu'il n'a touché l'aérodrome antiamaril que pour se ravitailler.

ARTICLE 43

Aircraft in transit, not coming from a region in which yellow fever exists and landing for the purpose of taking in supplies in an anti-amaril aerodrome, shall be exempt from the prescribed sanitary measures on leaving that aerodrome. In the further course of the voyage they shall not be subject to the provisions of this chapter, provided that the fact that they have called at an anti-amaril aerodrome for the sole purpose of taking in supplies is entered in the journey logbook.

ARTICLE 44.

Voyages between infected regions.
Ante, p. 3280.

Les aéronefs désignés à l'article 1er, I, deuxième alinéa, de la présente Convention, naviguant entre deux régions où la fièvre jaune existe, devront prendre leur

ARTICLE 44

Aircraft to which article 1, I, second paragraph, of the present convention applies, flying between two regions where yellow fever exists, must depart from and land

départ et atterrir à un aérodrome antiamaril de ces régions. Les passagers, l'équipage et les marchandises ne pourront être débarqués ou embarqués qu'a un aérodrome antiamaril.

Au cours de leur voyage entre ces aérodromes, les aéronefs pourront faire escale, pour se ravitailler, dans tout aérodrome non situé dans une région où existe la fièvre jaune.

Les mesures à prendre à l'arrivée à l'aérodrome antiamaril seront les suivantes:

1°. inspection de l'aéronef et de sa cargaison, pour s'assurer qu'ils ne contiennent pas de moustiques, et démoustication éventuelle;

2°. examen médical des passagers et des membres de l'équipage, pour s'assurer qu'ils ne présentent pas de symptômes de fièvre jaune.

Si une personne est soupçonnée d'être atteinte de fièvre jaune, ou s'il n'est pas établi, à la satisfaction de l'autorité sanitaire de l'aérodrome d'arrivée, qu'une personne a complété une période de six jours depuis qu'elle a pu être exposée à l'infection, l'observation pourra lui être imposée, soit dans l'enceinte de l'aérodrome, soit ailleurs, dans des conditions approuvées par l'autorité sanitaire, pendant une période ne dépassant pas six jours à compter du dernier jour où ladite personne a pu être infectée.

ARTICLE 45.

Les aéronefs ayant pris leur départ de l'aérodrome antiamaril dans une région où existe la fièvre jaune et arrivant dans une région où elle n'existe pas seront régis par les dispositions des Sections III et IV ci-après.

ARTICLE 46.

Aux fins de la navigation aérienne locale, rien dans la présente Section ne sera considéré comme empêchant les Gouvernements de territoires voisins dans lesquels la fièvre jaune est constatée ou existe à l'état endémique d'établir

at an anti-amaril aerodrome in these regions. Passengers, crew, and cargo shall not be disembarked or embarked except at an anti-amaril aerodrome.

During the voyage between these aerodromes, aircraft may land for the purpose of taking in supplies in any aerodrome not situated within a region where yellow fever exists.

Measures provided.

The measures to be taken on arrival at the anti-amaril aerodrome are the following:

1. Inspection of the aircraft and cargo to insure that they do not contain mosquitoes and, if necessary, disinsectization;

2. Medical examination of passengers and crew to ascertain that they are free from symptoms of yellow fever.

Suspected persons subject to observation.

If a person is suspected to be suffering from yellow fever, or if it has not been established to the satisfaction of the sanitary authority of the aerodrome of arrival that a person has completed a period of 6 days since possible exposure to infection, he may be subjected to observation, either within the precincts of the aerodrome or elsewhere, under conditions approved by the sanitary authority, for a period not exceeding 6 days, reckoned from the last day on which that person could have been infected.

ARTICLE 45

From an infected to an uninfected region.

Aircraft having departed from an anti-amaril aerodrome in a region where yellow fever exists and arriving at a region where yellow fever does not exist shall be subject to the provisions of sections III and IV below.

ARTICLE 46

Rights of neighboring territories in local navigation.

For the purposes of local aerial navigation, nothing in this section shall be deemed to prevent the governments of neighboring territories in which yellow fever is found or exists endemically from establishing or employing,

et d'utiliser, par accord réciproque, des aérodromes qui ne soient pas des aérodromes antiamarils, pour les besoins de la navigation aérienne entre lesdits territoires exclusivement.

by mutual agreement, aerodromes which are not anti-amaril aerodromes, for the needs of aerial navigation exclusively between these territories.

SECTION III.

Dispositions concernant les territoires ou régions dans lesquels la fièvre jaune n'existe pas, mais pourrait trouver des conditions permettant son développement.

SECTION III

Provisions in Respect of Territories or Regions in Which Yellow Fever Does Not Exist, but in Which There May Be Conditions Which Permit of Its Development

ARTICLE 47.

Uninfected regions, but possible of development.

Dans les territoires ou régions où la fièvre jaune n'existe pas, mais pourrait trouver des conditions permettant son développement, les mesures qui peuvent être prises à l'arrivée d'un aéronef sur un aérodrome sanitaire sont les suivantes:

1°. inspection de l'aéronef et de sa cargaison, pour s'assurer qu'ils ne contiennent pas de moustiques, et démoustication éventuelle;

2°. examen médical des passagers et des membres de l'équipage, pour s'assurer qu'ils ne présentent pas de symptômes de fièvre jaune.

Si une personne est soupçonnée d'être atteinte de fièvre jaune, ou s'il n'est pas établi, à la satisfaction de l'autorité sanitaire de l'aérodrome, qu'une personne a complété une période de six jours depuis qu'elle a pu être exposée à l'infection, l'observation pourra lui être imposée soit dans l'enceinte de l'aérodrome, soit ailleurs, dans les conditions approuvées par l'autorité sanitaire, pendant une période ne dépassant pas six jours à compter du dernier jour où ladite personne a pu être infectée.

ARTICLE 47

In territories or regions where yellow fever does not exist, but where there may be conditions which permit of its development, the measures which may be taken on the arrival of an aircraft at a sanitary aerodrome are the following:

1. Inspection of aircraft and cargo to insure that they do not contain mosquitoes, and, if necessary, disinsectization;

2. Medical examination of passengers and crew to ascertain that they are free from symptoms of yellow fever.

If a person is suspected to be suffering from yellow fever, or if it has not been established, to the satisfaction of the sanitary authority of the aerodrome, that a person has completed a period of 6 days since possible exposure to infection, he may be subjected to observation either within the precincts of the aerodrome or elsewhere, under conditions approved by the sanitary authority, for a period not exceeding 6 days, reckoned from the last day on which that person could have been infected.

ARTICLE 48.

Measures taken by signatories.

Les Hautes Parties contractantes s'engagent, sauf circonstances exceptionnelles dont il devra être justifié, à ne pas invoquer de motifs d'ordre sanitaire pour interdire l'atterrissage dans les territoires visés à l'article

ARTICLE 48

The High Contracting Parties undertake, save in exceptional circumstances which will require to be justified, not to invoke sanitary reasons for prohibiting the landing in the territories referred to in article 47 of aircraft

47 des aéronefs provenant des régions où la fièvre jaune existe, à la condition que les dispositions de la Section II du présent Chapitre, notamment celles concernant les mesures prescrites au départ, y soient observées.

ARTICLE 49.

Néanmoins, les Hautes Parties contractantes peuvent désigner des aérodromes sanitaires déterminés, où devront atterrir les aéronefs en provenance de territoires, où la fièvre jaune existe, lorsqu'ils auront a débarquer des passagers, l'équipage ou des marchandises.

SECTION IV.

Dispositions concernant les territoires ou régions où les conditions ne permettent pas à la fièvre jaune de s'implanter.

ARTICLE 50

Dans les territoires ou régions où les conditions ne permettent pas à la fièvre jaune de s'implanter, les aéronefs provenant des régions où existe la fièvre jaune pourront atterrir dans tout aérodrome sanitaire ou autorisé.

ARTICLE 51.

Les mesures à prendre à l'arrivée sont les suivantes:

1°. inspection de l'aéronef et de sa cargaison, pour s'assurer qu'ils ne contiennent pas de moustiques, et démoustication éventuelle;

2°. examen médical des passagers et des membres de l'équipage.

CHAPITRE III.

Dispositions Communes.

ARTICLE 52.

Les personnes, arrivant à bord d'un aéronef sur le territoire d'une des Hautes Parties contractantes, qui ont été exposées au risque d'infection par l'une des maladies visées à l'article 18 de la présente Convention et qui sont dans les

coming from regions where yellow fever exists, provided that the provisions of section II of this chapter, particularly those concerning the measures to be taken on departure, are observed there.

ARTICLE 49

Nevertheless, the High Contracting Parties may designate particular sanitary aerodromes as those at which aircraft from territories where yellow fever exists shall land for the purpose of disembarking passengers, crew, or cargo.

SECTION IV

Provisions in Respect of Territories or Regions Where the Conditions Do Not Permit of the Development of Yellow Fever.

ARTICLE 50

In territories or regions where the conditions do not permit of the development of yellow fever, aircraft coming from regions where yellow fever exists may land on any sanitary or authorized aerodrome.

Territories where conditions unfavorable to development.

ARTICLE 51

The measures to be taken on arrival are the following:

1. Inspection of the aircraft and cargo to insure that they do not contain mosquitoes and, if necessary, disinsectization;

2. Medical inspection of passengers and crew.

Measures to be taken on arrival.

CHAPTER III

General Provisions

General provisions.

ARTICLE 52

Persons who arrive in aircraft in the territory of any High Contracting Party, and who have been exposed to risk of infection by one of the diseases referred to in article 18 of the present convention and who are within the

Surveillance of persons exposed to risk of infection.

Ante, p. 3287.

limites de la période d'incubation, peuvent, sous réserve des dispositions du Chapitre II de la présente Partie, être soumises à la surveillance jusqu'à l'achèvement de cette période.

Cholera and smallpox.
Ante, pp. 3293, 3294.

En ce qui concerne le choléra et la variole, les dispositions des articles 32 et 35, relatives aux personnes immunisées, s'appliquent également aux mesures prévues au présent article.

ARTICLE 53.

Persons liable to surveillance in transit.

Les personnes qui, à leur arrivée à un aérodrome, sont considérées, aux termes des dispositions de la présente Partie, comme passibles de la surveillance jusqu'à expiration de la période d'incubation de la maladie peuvent néanmoins continuer leur voyage, à la condition que le fait soit notifié aux autorités des escales suivantes et du lieu de destination, soit par inscription au carnet de route visé à l'article 9 de la présente Convention, soit par tout autre moyen propre à assurer qu'elles pourront être soumises à la visite médicale à chacun des aérodromes suivants situés sur leur route.

Under observation.
Ante, pp. 3290, 3298, 3300.

Celles qui seraient passibles de l'observation, dans les conditions prévues aux articles 26, 44, quatrième alinéa, et 47, deuxième alinéa, de la présente Convention, ne pourront être autorisées à continuer le voyage qu'à l'expiration de la période d'incubation, sauf—pour les maladies autres que la fièvre jaune—avec l'approbation des autorités sanitaires du lieu de destination.

ARTICLE 54.

Application of sanitary measures.

L'autorité sanitaire de chaque aérodrome tiendra compte le plus largement possible, pour l'application des mesures sanitaires à un aéronef en provenance d'une circonscription atteinte, de celles qui auront déjà été imposées à cet aéronef, dans un autre aérodrome sanitaire d'un pays étranger ou du même pays, et dûment notées au carnet de route visé à l'article 9 de la présente Convention.

Ante, p. 3284.

period of incubation, may, subject to the provisions of chapter II of this part, be subjected to surveillance until the termination of that period.

In the case of cholera and smallpox, the provisions of articles 32 and 35, relating to immunized persons, equally apply to action under this article.

ARTICLE 53

Persons who, on their arrival at an aerodrome, are considered, under the terms of this part, liable to surveillance up to the expiration of the period of incubation of the disease, may nevertheless continue the voyage, on condition that the fact is notified to the authorities of subsequent landing places and of the place of arrival, either by means of an entry in the journey logbook as prescribed in article 9 of the present convention, or by some other method sufficient to secure that they can be subjected to medical inspection in any subsequent aerodromes on the route.

Persons who are liable to observation under the terms of articles 26, 44 (fourth paragraph), and 47 (second paragraph) of this convention, shall not be authorized until the expiration of the period of incubation to continue their voyage except, in the case of diseases other than yellow fever, with the approval of the sanitary authorities of the place of their destination.

ARTICLE 54

In applying sanitary measures to an aircraft coming from an infected local area, the sanitary authority of each aerodrome shall, to the greatest possible extent, take into account all measures which have already been applied on the aircraft, in another sanitary aerodrome abroad or in the same country, and which are duly noted in the journey logbook referred to in article 9 of the present convention.

Les aéronefs, en provenance d'une circonscription atteinte, qui auront été l'objet de mesures sanitaires appliquées d'une façon satisfaisante ne subiront pas une seconde fois ces mesures à leur arrivée dans un autre aérodrome, que celui-ci appartienne ou non au même pays, à la condition qu'il ne se soit produit depuis lors aucun incident entraînant l'application desdites mesures et que l'aéronef n'ait pas fait escale dans un aérodrome atteint, sauf pour s'approvisionner en combustible.

Aircraft coming from an infected local area which have already been subjected to satisfactory sanitary measures shall not be subjected to these measures a second time on arrival at another aerodrome, whether the latter belongs to the same country or not, provided that no subsequent incident has occurred which calls for the application of the sanitary measures in question and that the aircraft has not called at an infected aerodrome except to take in fuel.

ARTICLE 55.

L'autorité de l'aérodrome qui applique des mesures sanitaires délivrera gratuitement, au commandant de l'aéronef ou à toute personne intéressée, toutes les fois que la demande en sera faite, un certificat spécifiant la nature des mesures, les méthodes employées, les parties de l'aéronef traitées et les raisons pour lesquelles les mesures ont été appliquées.

Elle délivrera, de même, gratuitement, sur demande, aux passagers arrivés par un aéronef sur lequel serait survenu un cas des maladies infectieuses visées à l'article 18, un certificat indiquant la date de leur arrivée et les mesures auxquelles eux et leurs bagages ont été soumis.

ARTICLE 55

Certificate from aerodrome authority; contents.

The aerodrome authority applying sanitary measures shall, whenever requested, furnish free of charge to the commander of the aircraft or any other interested person a certificate specifying the nature of the measures, the methods employed, the parts of the aircraft treated, and the reason why the measures have been applied.

The authority shall also issue, on demand and without charge, to passengers arriving by an aircraft in which a case of one of the infectious diseases referred to in article 18 has occurred, a certificate showing the date of their arrival and the measures to which they and their luggage have been subjected.

Ante, p. 3287.

ARTICLE 56.

Sauf dans les cas expressément prévus par la présente Convention, les aéronefs ne devront pas être retenus pour des motifs sanitaires.

Si un aéronef a été occupé par un malade atteint de peste, de choléra, de fièvre jaune, de typhus exanthématique ou de variole, il ne sera retenu que le temps strictement nécessaire pour être soumis aux mesures prophylactiques applicables a l'aéronef dans chaque cas prévu par la présente Convention.

ARTICLE 56

Detention of aircraft for sanitary reasons.

Save as expressly provided in the present convention, aircraft shall not be detained for sanitary reasons.

If an aircraft has been occupied by a person suffering from plague, cholera, yellow fever, exanthematous typhus, or smallpox, its detention shall be limited to the period strictly necessary for it to undergo the prophylactic measures applicable to the aircraft in the case of each disease referred to in the present convention.

ARTICLE 57.

Discretionary landings. *Ante*, pp. 3295, 3300.

Sous réserve des dispositions du Chapitre II de la présente Convention et notamment de son article 47, tout aéronef qui ne veut pas se soumettre aux obligations imposées par l'autorité de l'aérodrome, en vertu des stipulations de la présente Convention, est libre de continuer sa route. Il ne pourra, toutefois, s'arrêter dans un autre aérodrome du même pays, sauf pour s'y ravitailler.

Discharging cargo. *Ante*, p. 3285.

Il sera autorisé à débarquer ses marchandises, à la condition qu'il soit isolé et que les marchandises soient soumises, le cas échéant, aux mesures prévues à l'article 10 de la présente Convention.

Passengers.

Il sera également autorisé à débarquer les passagers qui en feront la demande, à la condition que ceux-ci se soumettent aux mesures prescrites par l'autorité sanitaire.

Taking in fuel, etc.

L'aéronef peut aussi embarquer du combustible, des pièces de rechange, des vivres et de l'eau en restant isolé.

ARTICLE 57

Subject to the provisions of chapter II of the present convention and particularly those of article 47, any aircraft which does not wish to submit to the measures prescribed by the aerodrome authority, in virtue of the provisions of the present convention, is at liberty to continue its voyage. It may not, however, land in another aerodrome of the same country, except for purposes of taking in supplies.

An aircraft shall be permitted to land goods on condition that it is isolated and that the goods are subjected, if necessary, to the measures laid down in article 10 of the present convention.

Aircraft shall also be permitted to disembark passengers at their request, on the condition that such passengers submit to the measures prescribed by the sanitary authority.

Aircraft may also take in fuel, replacements, food, and water while remaining in isolation.

Quatrième Partie.

Final provisions.

Dispositions finales.

ARTICLE 58.

Bilateral agreements permitted. *Ante*, p. 3295.

Deux ou plusieurs des Hautes Parties contractantes ont la faculté de conclure entre elles, sur la base des principes de la présente Convention, des accords spéciaux touchant des points particuliers de la réglementation sanitaire aérienne, notamment en ce qui concerne l'application sur leurs territoires du Chapitre II de la Troisième Partie.

Notice of agreements. *Ante*, p. 3282.

Ces accords, ainsi que ceux visés à l'article 46, devront être notifiés, dès leur mise en vigueur, soit à l'Office international d'Hygiène publique, soit à la Commission internationale de la Navigation aérienne, dans les conditions prévues à l'article 7.

Part IV

Final Provisions

ARTICLE 58

Any two or more High Contracting Parties have the right to conclude between themselves, on the basis of the principles of the present convention, special agreements relating to particular points concerning aerial sanitary measures, notably as regards the application within their territories of chapter II of part III.

These agreements, as well as those referred to in article 46, shall be notified, as soon as they come into force, either to the Office International d'Hygiène Publique, or to the International Commission for Air Navigation, under the conditions laid down in article 7.

ARTICLE 59.

Les Hautes Parties Contractantes conviennent de demander l'avis du Comité permanent de l'Office international d'Hygiène publique, avant d'avoir recours à toute autre procédure, au cas où un dissentiment s'élèverait entre elles relativement à l'interprétation de la présente Convention.

ARTICLE 60.

Sans préjudice de la disposition prévue au dernier alinéa de l'article 12, les Hautes Parties contractantes s'engagent à appliquer, pour les opérations sanitaires dans leurs aérodromes, aux aéronefs des autres Hautes Parties contractantes le même tarif qu'à leurs aéronefs nationaux.

Ce tarif sera aussi modéré que possible et notifié soit à l'Office international d'Hygiène publique, soit à la Commission internationale de la Navigation aérienne, dans les conditions prévues à l'article 7.

ARTICLE 61.

Toute Haute Partie contractante qui désirera voir apporter des modifications à la présente Convention devra communiquer ses propositions au Gouvernement des Pays-Bas. Celui-ci en saisira l'Office international d'Hygiène publique, qui, s'il le juge opportun, rédigera un protocole amendant la Convention et le transmettra au Gouvernement des Pays-Bas.

Le Gouvernement des Pays-Bas soumettra par circulaire datée le texte dudit protocole aux Gouvernements des autres Hautes Parties contractantes, en leur demandant s'ils, acceptent les modifications proposées. L'adhésion de chacune des Hautes Parties contractantes à ces modifications résultera soit d'une approbation expresse donnée au Gouvernement des Pays-Bas, soit du fait qu'elle se sera abstenue de notifier à celui-ci des objections dans les douze mois à partir de la date de la circulaire susvisée.

ARTICLE 59

Recourse in case of disagreement.

The High Contracting Parties agree to seek the opinion of the Permanent Committee of the Office International d'Hygiène Publique, before having recourse to any other procedure, should any disagreement arise between them as to the interpretation of the present convention.

ARTICLE 60

Charges for sanitary operations.
Ante, p. 3285.

Without prejudice of the provisions of the last paragraph of article 12, the High Contracting Parties undertake to apply the same tariff of charges to the aircraft of other High Contracting Parties as they apply to their own national aircraft for sanitary operations in their aerodromes.

This tariff shall be as moderate as possible and shall be notified either to the Office International d'Hygiène Publique or to the International Commission for Air Navigation, under the conditions laid down in article 7. *Ante*, p. 3282.

ARTICLE 61

Modifications in Convention.

Any High Contracting Party which desires to introduce modifications in the present convention shall communicate its proposals to the Government of the Netherlands. The latter will inform the Office International d'Hygiène Publique, which, if it thinks fit, will prepare a protocol amending the convention and will transmit it to the Government of the Netherlands.

The Government of the Netherlands will submit, by dated circular letter, the text of the said protocol to the governments of the other High Contracting Parties, asking them if they accept the proposed modifications. The accession of a High Contracting Party to these modifications will result either from explicit approval given to the Government of the Netherlands or from the fact that it refrains from notifying the latter of any objection within 12 months from the date of the circular letter above referred to.

Lorsque le nombre des adhésions expresses ou tacites représentera les deux tiers au moins des Gouvernements des Hautes Parties contractantes, le Gouvernement des Pays-Bas le constatera au moyen d'un procès-verbal qu'il communiquera à l'Office international d'Hygiène publique et aux Gouvernements de toutes les Hautes Parties contractantes. Le protocole entrera en vigueur, entre les Hautes Parties contractantes mentionnées audit procès-verbal, à l'expiration d'un délai de six mois à partir de la date de ce procès-verbal. La présente Convention continuera à être appliqueé sans modification par les autres Hautes Parties contractantes jusqu'au jour où elles auront adhéré au protocole.

When the number of expressed or tacit accessions represents at least two-thirds of the governments of the High Contracting Parties, the Government of the Netherlands will certify the fact by means of a *procès-verbal* which it will communicate to the Office International d'Hygiène Publique and to the governments of all the High Contracting Parties. The protocol will enter into force between the High Contracting Parties mentioned in the said *procès-verbal*, after a period of 6 months from the date of the *procès-verbal*. The present convention will continue to be applied without modification by the other High Contracting Parties until such time as they shall have acceded to the protocol.

ARTICLE 62.

Date; open one year for signature.

La présente Convention portera la date de ce jour et pourra être signée pendant la durée d'un an à partir de cette date.

ARTICLE 62

The present convention shall bear today's date and may be signed within 1 year from this date.

ARTICLE 63.

Ratification.

La présente Convention sera ratifiée et les instruments de ratification seront remis au Gouvernement des Pays-Bas aussitôt que faire se pourra.

Dès que dix ratifications auront été déposées, le Gouvernement des Pays-Bas en dressera procès-verbal. Il transmettra des copies de ce procès-verbal aux Gouvernements des Hautes Parties contractantes et à l'Office international d'Hygiène publique. La présente Convention entrera en vigueur le cent-vingtième jour après la date dudit procès-verbal.

Chaque dépôt ultérieur de ratifications sera constaté par un procès-verbal établi et communiqué selon la procédure indiquée ci-dessus. La présente Convention entrera en vigueur à l'égard de chacune des Hautes Parties contractantes le cent-vingtième jour après la date du procès-verbal constatant le dépôt de ses ratifications.

ARTICLE 63

The present convention shall be ratified and the ratifications shall be deposited with the Government of the Netherlands as soon as possible.

As soon as 10 ratifications have been deposited, the Government of the Netherlands will draw up a *procès-verbal* and transmit copies of the *procès-verbal* to the governments of the High Contracting Parties and to the Office International d'Hygiène Publique. This convention shall come into force on the one hundred and twentieth day after the date of the said *procès-verbal*.

Each subsequent deposit of ratification will be notified by a *procès-verbal* prepared and communicated according to the procedure indicated above. This convention shall come into force in regard to each of the High Contracting Parties on the one hundred and twentieth day following the date of the *procès-verbal* attesting the deposit of its ratification.

ARTICLE 64.

Les Pays non signataires de la présente Convention seront admis à y adhérer à tout moment à partir de la date du procès-verbal constatant le dépôt des dix premières ratifications.

Chaque adhésion sera effectuée au moyen d'une notification par la voie diplomatique adressée au Gouvernement des Pays-Bas. Celui-ci déposera l'acte d'adhésion dans ses archives; il informera aussitôt les Gouvernements de tous les Pays participant à la Convention, ainsi que l'Office international d'Hygiène publique, en leur faisant connaître la date du dépôt. Chaque adhésion produira effet le cent-vingtième jour à partir de cette date.

ARTICLE 64

Accessions.

Countries which have not signed the present convention shall be allowed to accede to it at any time after the date of the *procès-verbal* recording the deposit of the first 10 ratifications.

Each accession shall be effected by a notification through the diplomatic channel addressed to the Government of the Netherlands. The latter will deposit the document of accession in its archives and will forthwith inform the governments of all the countries participating in the convention, as well as the Office International d'Hygiène Publique, informing them at the same time of the date of the deposit of the accession. Each accession shall come into force on the one hundred and twentieth day from that date.

ARTICLE 65.

Chacune des Hautes Parties contractantes peut déclarer, au moment de la signature, de la ratification ou de l'adhésion, que, par son acceptation de la présente Convention, elle n'entend assumer aucune obligation en ce qui concerne l'ensemble ou toute partie de ses colonies, protectorats, territoires d'outre-mer ou territoires placés sous sa suzeraineté ou son mandat; dans ce cas, la présente Convention ne sera pas applicable aux territoires faisant l'objet d'une telle déclaration.

Chacune des Hautes Parties contractantes pourra ultérieurement notifier au Gouvernement des Pays-Bas qu'elle entend rendre la présente Convention applicable à l'ensemble ou à toute partie de ses territoires ayant fait l'objet de la déclaration prévue à l'alinéa précédent. Dans ce cas, la Convention s'appliquera aux territoires visés dans la notification le cent-vingtième jour à partir de la date du dépôt de cette notification dans les archives du Gouvernement des Pays-Bas.

ARTICLE 65

Declarations as to colonies, etc.

Any High Contracting Party may declare, at the time of its signature, ratification, or accession, that its acceptance of this convention does not bind any or all of its colonies, protectorates, territories beyond the sea, or territories under its suzerainty or mandate. In that event the present convention shall not apply to any territories named in such declaration.

Any High Contracting Party may give notice to the Government of the Netherlands at any subsequent date that it desires that the present convention shall apply to any or all of its territories which have been made the subject of a declaration under the preceding paragraph. In that case, the convention shall apply to all the territories named in such notice on the one hundred and twentieth day from the date of the deposit of the notification in the archives of the Government of the Netherlands.

De même chacune des Hautes Parties contractantes peut, à tout moment, après l'expiration de la période mentionnée à l'art. 66, déclarer qu'elle entend voir cesser l'application de la présente Convention à l'ensemble ou à toute partie de ses colonies, protectorats, territoires d'outre-mer ou territoires placés sous sa suzeraineté ou son mandat; dans ce cas, la Convention cessera d'être applicable aux territoires faisant l'objet d'une telle déclaration un an après la date du dépôt de cette déclaration dans les archives du Gouvernement des Pays-Bas.

Notification to all participating countries.

Le Gouvernement des Pays-Bas informera les Gouvernements de tous les Pays participant à la présente Convention, ainsi que l'Office international d'Hygiène publique, des notifications et déclarations faites par application des dispositions ci-dessus, en leur faisant connaître la date du dépôt de celles-ci dans ses archives.

Any High Contracting Party may likewise declare, at any time after the expiration of the period mentioned in article 66, that it desires that the present convention shall cease to apply to any or all of its colonies, protectorates, territories beyond the sea, or territories under its suzerainty or mandate. The convention shall in that case cease to apply to the territories named in such declaration 1 year after the date of deposit of this declaration in the archives of the Government of the Netherlands.

The Government of the Netherlands will inform the governments of all countries participating in the present convention, as well as the Office International d'Hygiène Publique, of the notifications and declarations made in pursuance of the above provisions, informing them at the same time of the date of their deposit in its archives.

ARTICLE 66.

Denunciation.

Le Gouvernement de chacun des Pays participant à la présente Convention pourra, à tout moment, après que la Convention aura été en vigueur à son égard pendant cinq ans, la dénoncer par notification écrite adressée par voie diplomatique au Gouvernement des Pays-Bas. Celui-ci déposera l'acte de dénonciation dans ses archives; il informera aussitôt les Gouvernements de tous les Pays participant à la Convention, ainsi que l'Office international d'Hygiène publique, en leur faisant connaître la date du dépôt; chaque dénonciation produira effet un an après cette date.

ARTICLE 66

The government of each country participating in the present convention may, at any time after the convention has been in force for that country for 5 years, denounce it by notification in writing addressed to the Government of the Netherlands through the diplomatic channel. The latter will deposit the act of denunciation in its archives; it will forthwith inform the governments of all the countries participating in the convention, as well as the Office International d'Hygiène Publique, and will at the same time notify them of the date of such deposit; each denunciation will come into force 1 year after that date.

ARTICLE 67.

Reservations.

La signature de la présente Convention ne pourra être accompagnée d'aucune réserve qui n'aura pas été préalablement approuvée par les Hautes Parties contractantes déjà signataires. De même il ne sera pas pris acte de ratifications ni d'adhésions accompagnées

ARTICLE 67

The signature of the present convention shall not be accompanied by any reservation which has not previously been approved by the High Contracting Parties who are already signatories. Moreover, ratifications or accessions cannot be accepted if they

de réserves qui n'auront pas été approuvées préalablement par tous les Pays participant à la Convention.

EN FOI DE QUOI les Plénipotentiaires respectifs ont signé la présente Convention.

Fait à la Haye, le douze avril mil neuf cent trente-trois, en un seul exemplaire, qui restera déposé dans les archives du Gouvernement des Pays-Bas et dont des copies, certifiées conformes, seront remises par la voie diplomatique à chacune des Hautes Parties contractantes.

Pour l'Union de l'Afrique du Sud:

A. J. BOSMAN.

Pour l'Allemagne:

JULIUS Graf VON ZECH-BURKERSRODA.

Pour les Etats-Unis d'Amérique:

(1) With reference to Article 61 no amendments to the Convention will be binding on the Government of the United States of America or territory subject to its jurisdiction unless such amendments be accepted by the Government of the United States of America.

(2) The Government of the United States of America reserves the right to decide whether from the standpoint of the measures to be applied a foreign district is to be considered as infected, and to decide what requirements shall be applied under special circumstances to aircraft and personnel arriving at an aerodrome in the United States of America or territory subject to its jurisdiction.

GRENVILLE T. EMMET.

Pour l'Australie:

In signing the present Convention in respect of the Commonwealth of Australia I declare that my signature is subject to the following reservation:

„His Majesty's Government in the Commonwealth of Australia reserve the right to accept only those certificates which are signed

are accompanied by reservations which have not previously been approved by all the countries participating in the convention.

In virtue of which the respective plenipotentiaries have signed the present convention. Signatures.

Done at The Hague, April 12, 1933, in a single original copy, which shall remain deposited in the archives of the Government of the Netherlands and of which certified true copies shall be sent through diplomatic channels to each of the High Contracting Parties.

For the Union of South Africa:

A. J. BOSMAN

For Germany:

JULIUS Graf VON ZECH-BURKERSRODA

For the United States of America: Reservations by the United States.

(1) With reference to article 61 no amendments to the convention will be binding on the Government of the United States of America or territory subject to its jurisdiction unless such amendments be accepted by the Government of the United States of America.

(2) The Government of the United States of America reserves the right to decide whether, from the standpoint of the measures to be applied, a foreign district is to be considered as infected, and to decide what requirements shall be applied under special circumstances to aircraft and personnel arriving at an aerodrome in the United States of America or territory subject to its jurisdiction.

GRENVILLE T. EMMET

For Australia: Reservation by Australia.

In signing the present convention in respect of the Commonwealth of Australia I declare that my signature is subject to the following reservation:

"His Majesty's Government in the Commonwealth of Australia reserve the right to accept only those certificates which are signed

by a recognized official of the Public Health Service of the country concerned, and which carry within the text of the certificate an intimation of the office occupied by the person signing the certificate, if the circumstances appear to be such that certificates delivered under the conditions laid down in article 32 of the Convention do not provide all the necessary guarantees."

Ante, p. 3293.

In accordance with the provisions of article 65, I further declare that the acceptance of the Convention does not bind the territories of Papua and Norfolk Island or the Mandated Territories of New Guinea and Nauru.

Ante, p. 3307.

HUBERT MONTGOMERY.

Pour l'Autriche:
GEORG ALEXICH.

Pour la Belgique:
CH. MASKENS.

Pour l'Egypte:
HAFEZ AFIFI.

Pour l'Espagne:
J. GÓMEZ OCERIN.

Pour la France:
VITROLLES.

Pour le Maroc:
VITROLLES.

Pour la Tunisie:
VITROLLES.

Pour la Syrie:
VITROLLES.

Pour le Liban:
VITROLLES.

Reservation by Great Britain, Northern Ireland, etc.

Pour la Grande-Bretagne et l'Irlande du Nord, ainsi que toutes parties de l'Empire britannique non membres séparés de la Société des Nations:

In accordance with the provisions of paragraph I of Article 65 of the convention I hereby declare that my signature does not include Newfoundland or any British Colony or Protectorate or any mandated territory in respect of

by a recognized official of the Public Health Service of the country concerned, and which carry within the text of the certificate an intimation of the office occupied by the person signing the certificate, if the circumstances appear to be such that certificates delivered under the conditions laid down in article 32 of the convention do not provide all the necessary guarantees."

In accordance with the provisions of article 65, I further declare that the acceptance of the convention does not bind the territories of Papua and Norfolk Island or the Mandated Territories of New Guinea and Nauru.

HUBERT MONTGOMERY

For Austria:
GEORG ALEXICH

For Belgium:
CH. MASKENS

For Egypt:
HAFEZ AFIFI

For Spain:
J. GÓMEZ OCERIN

For France:
VITROLLES

For Morocco:
VITROLLES

For Tunisia:
VITROLLES

For Syria:
VITROLLES

For the Lebanon:
VITROLLES

For Great Britain and Northern Ireland, as well as all parts of the British Empire not separate members of the League of Nations:

In accordance with the provisions of paragraph 1 of article 65 of the convention I hereby declare that my signature does not include Newfoundland or any British colony or protectorate or any mandated territory in respect of

which the mandate is exercised by His Majesty's Government in the United Kingdom.[1]

ODO RUSSELL.

Pour la Grèce:
TRIANTAFYLLAKOS.

Pour l'Etat libre d'Irlande:
O'KELLY DE GALLAGH.

Pour l'Italie:
FRANCESCO MARIA TALIANI.

Pour Monaco:
HENRI E. REY.

Pour la Nouvelle-Zélande:
ODO RUSSELL.

Pour les Pays-Bas,
à l'exception des Indes neerlandaises, du Surinam et de Curaçao:
BEELAERTS VAN BLOKLAND.

Pour la Pologne:
W. BABINSKI.

Pour la Roumanie:
GR. BILCIURESCO.

Pour la Suède:
ADLERCREUTZ.

which the mandate is exercised by His Majesty's Government in the United Kingdom.[1]

ODO RUSSELL

For Greece:
TRIANTAFYLLAKOS

For the Irish Free State:
O'KELLY DE GALLAGH

For Italy:
FRANCESCO MARIA TALIANI

For Monaco:
HENRI E. REY

For New Zealand:
ODO RUSSELL

For the Netherlands,
excepting Netherland India, Surinam, and Curaçao:

BEELAERTS VAN BLOKLAND

For Poland:
W. BABINSKI

For Rumania:
GR. BILCIURESCO

For Sweden:
ADLERCREUTZ

Ratifications deposited.

AND WHEREAS, in accordance with the second paragraph of Article 63 of the said Convention, the Convention came into force on August 1, 1935, the one hundred and twentieth day after April 3, 1935, the date of the procès-verbal attesting that ten ratifications of the Convention had been deposited with the Government of the Netherlands, as follows:

Monaco, June 11, 1934; Egypt, August 8, 1934; the Netherlands, September 13, 1934; the United Kingdom of Great Britain and

[1] By virtue of a notification given to the Netherland Government by the British Government on Apr. 3, 1935, in accordance with the second paragraph of art. 65 of the convention, the convention applied, from Aug. 1, 1935, to the Bahamas; Barbados; Bermuda; British Guiana; British Honduras; Cyprus; Falkland Islands and Dependencies; Gold Coast: (*a*) Colony, (*b*) Ashanti, (*c*) Northern Territories, (*d*) Togoland under British mandate; Hong Kong; Kenya (Colony and Protectorate); Leeward Islands: Antigua, Dominica, Montserrat, St. Christopher and Nevis, Virgin Islands; Malay States: (*a*) Federated Malay States: Negri Sembilan, Pahang, Perak, Selangor; (*b*) Unfederated Malay States: Johore, Kedah, Kelantan, Perlis, Trengganu and Brunei, Mauritius; Nigeria: (*a*) Colony, (*b*) Protectorate, (*c*) Cameroons under British mandate; State of North Borneo; Nyasaland Protectorate; Palestine (excluding Trans-Jordan); Sarawak; Sierra Leone (Colony and Protectorate); Southern Rhodesia; Straits Settlements; Tanganyika Territory; Trans-Jordan; Uganda Protectorate; Zanzibar Protectorate.—EDITOR.

Northern Ireland, September 15, 1934; Syria, November 28, 1934; Lebanon, November 28, 1934; Australia, February 18, 1935; Morocco, March 13, 1935; Tunis, March 13, 1935, and Rumania March 25, 1935;

AND WHEREAS the said Convention has since become effective with respect to Germany, Austria and Poland, by the deposit of ratifications, and with respect to Bolivia, Brazil with reservations, Chile, Iraq with a reservation and the Sudan, by adherence, and will become effective with respect to Italy on December 13, 1935, by deposit of ratification made on August 15, 1935, and with respect to Turkey on November 14, 1935, by adherence notified on July 17, 1935;

Deposit of ratification by United States, with reservations.

AND WHEREAS the said Convention has been duly ratified on the part of the United States of America, whose instrument of ratification thereof was deposited with the Government of the Netherlands on July 25, 1935, subject to the two reservations made by the Plenipotentiary of the United States of America at the time of signing the Convention, to wit:

(1) With reference to article 61 no amendments to the convention will be binding on the Government of the United States of America or territory subject to its jurisdiction unless such amendments be accepted by the Government of the United States of America;

(2) The Government of the United States of America reserves the right to decide whether from the standpoint of the measures to be applied a foreign district is to be considered as infected, and to decide what requirements shall be applied under special circumstances to aircraft and personnel arriving at an aerodrome in the United States of America or territory subject to its jurisdiction;

AND WHEREAS the said Convention, in accordance with the third paragraph of Article 63 thereof, and subject to the two aforesaid reservations, will come into force with regard to the United States of America on November 22, 1935;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Convention to be made public, to the end that, subject to the reservations aforesaid, the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof on and after November 22, 1935.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this twenty-fifth day of October in the year of our Lord one thousand nine hundred and thirty-five and of the Independence of the United States of America the one hundred and sixtieth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

Extradition Treaty between the United States of America and Albania. Signed at Tirana, March 1, 1933; ratification advised by the Senate, February 2, 1934; ratified by the President, February 21, 1934; ratified by Albania, April 20, 1935; ratifications exchanged at Washington, November 14, 1935; proclaimed, November 19, 1935.

March 1, 1933.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS an Extradition Treaty between the United States of America and Albania was concluded and signed by their respective Plenipotentiaries at Tirana on the first day of March, one thousand nine hundred and thirty-three, the original of which Treaty, being in the English and Albanian languages, is word for word as follows:

Extradition Treaty with Albania. Preamble.

TREATY OF EXTRADITION BETWEEN THE UNITED STATES OF AMERICA AND THE KINGDOM OF ALBANIA.

The United States of America and Albania, desiring to promote the cause of justice, have resolved to conclude a treaty for the extradition of fugitives from justice between the two countries and have appointed for that purpose the following Plenipotentiaries:

The President of the United States of America: Herman Bernstein, Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Albania;

His Majesty the King of the Albanians: His Excellency M. Djafer Vila, Minister for Foreign Affairs;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon and concluded the following articles:

ARTICLE I

It is agreed that the Government of the United States and the Government of Albania shall, upon requisition duly made as herein provided, deliver up to

TRAKTAT EKSTRADIMI MIDIS SHTETEVET TE BASHKUAR T'AMERIKES EDHE MBRETERISE SHQIPETARE.

Shtetet e Bashkuar t'Amerikës edhe Shqipëria, dyke dashur të vijnë në ndihmë të drejtësisë, kanë vendosur të lidhin midís të dy Shtétevet një traktát për ekstradimin e të aratísurve që u shmangen drejtësisë dhe kanë emëruar për këtë qëllím Fuqiplotët që vijojnë:

Contracting Powers.

Plenipotentiaries.

Presidenti i Shtétevet të Bashkuar t'Amerikës: Ekselencën e Tij Z. Herman Bernstein, i Dërguar i Jashtëzakonshëm dhe Ministër Fuqiplottë i Shtétevet të Bashkuar t'Amerikës në Shqipërí;

Nalt-Madhëria e Tij Mbreti i Shqiptárëve: Ekselencën e Tij Z. Djafer Vila, Ministër i Púnëvet të Jashtme;

Të cilët, passí i-a komunikuan njërijatrit fuqit' e plotta të tyre përkátëse, që u-gjentnë në formë të mirë dhe të duhur, ranë në ujdí dhe përfunduan artikujt që vijojnë:

ARTIKULL I

Qeveria e Shtétevet të Bashkuar dhe Qeveria e Shqipërisë pranojnë që t'i dorëzojnë drejtësisë, mbi kërkimin e bërë regullisht sikundër parashifet këtú,

Reciprocal delivery of persons charged with specified crimes.

justice any person who may be charged with, or may have been convicted of, any of the crimes or offenses specified in Article II of the present Treaty committed within the jurisdiction of one of the High Contracting Parties, and who shall seek an asylum or shall be found within the territories of the other; provided that such surrender shall take place only upon such evidence of criminality, as according to the laws of the place where the fugitive or person so charged shall be found, would justify his apprehension and commitment for trial if the crime or offense had been there committed.

cilindó persón që munt të jetë akuzuar osé munt të jetë dënuar për cilindó prej delikteve të caktuar në Artíkullin II të këti Traktati, kryer mbrenda jurisdiksionit të njërës nga Palët e Nalta Kontraktúëse, dhe që ka për të kërkuar strehë osé ka për t'u ndodhur mbrenda tokës së tjatrës; me konditë që ky dorëzím do të bëhet vetëm pas asísh provash fajtorije që si mbas lígjevet të shtetit ku i aratísuri osé personi i akuzuar si i këtillë ndodhet, munt të justifikojnë zênien dhe dorëzimin e tij për t'u gjykuar po të ish që delikti t'ish kryer atjé.

Article II

Extraditable crimes, etc.

Persons shall be delivered up according to the provisions of the present Treaty, who shall have been charged with or convicted of any of the following crimes or offenses:

Murder, etc.

1. Murder, (including crimes designated by the terms parricide, poisoning, and infanticide); manslaughter, when voluntary.

Assault.

2. Malicious wounding or inflicting grievous bodily harm with premeditation.

Rape, etc.

3. Rape, abortion, carnal knowledge of children under the age of 15 years.

Abduction, etc.

4. Abduction or detention of women or girls for immoral purposes.

Bigamy.

5. Bigamy.

Arson.

6. Arson.

Damage, etc., to railroads.

7. Willful and unlawful destruction or obstruction of railroads, which endangers human life.

Crimes at sea.

8. Crimes committed at sea:

Piracy.

(a) Piracy, as commonly known and defined by the law of nations, or by statutes;

Destroying vessel, etc., at sea.

(b) Wrongfully sinking or destroying a vessel at sea or attempting to do so;

Mutiny.

(c) Mutiny or conspiracy by two or more members of the crew or other persons on board of a vessel on the high seas, for the purpose of rebelling against the

Artikull II

Do të dorëzohen atá persona që, si mbas këtí Traktati, do të jenë akuzuar osé dënuar për cilindó prej delíkteve që vijojnë:

1. Vrasje, (dyke përfsnirë edhé deliktet e caktuar prej térmeve prindvrasje, helmím, dhe foshnjëvrasje); vrasje me qëllím.

2. Plagosje me qëllím osé lezión i rëndë trupór me paramendím.

3. Turpërím me violencë, dështím, turpërím fëmijësh nën moshën 15 vjetsh.

4. Rëmbím osé mbajtje grash osé vajzash për qëllime luksuri.

5. Bigamí.

6. Vënje zjarri me paramendím.

7. Prishje osé pengím me dashje dhe i pa-ligjshëm i hekurúdhave, që ve në rezík jetën njerëzore.

8. Delikte të kryer në det:

(a) Piratësí, sikundër njihet zakonísht dhe sikundër ësht caktuar prej të drejtës nërkombëtare osé prej ligjevet;

(b) Fundosje osé prishje pa të drejtë e një aníeje në det osé tentativë për gjë të këtillë;

(c) Rebelím osé konspirím prej dy osé më shumë pjesëtarësh të ekipazhit osé personash të tjerë që ndodhen mbi një anie në det të hapët, me qëllím që të rebelojnë

authority of the Captain or Commander of such vessel, or by fraud or violence taking possession of such vessel;

(d) Assault on board ship upon the high seas with intent to do bodily harm.

9. Burglary; house-breaking.

10. The act of breaking into and entering the offices of the Government or public authorities, or other buildings not dwellings with intent to commit a felony therein.

11. Robbery.

12. Forgery or the utterance of forged papers.

13. The forgery or falsification of the official acts of the Government or public authorities, including Courts of Justice, or the uttering or fraudulent use of any of the same.

14. The fabrication of counterfeit money, whether coin or paper, counterfeit titles or coupons of public debt, created by National, State, Provincial, Territorial, Local or Municipal Governments, bank notes or other instruments of public credit, counterfeit seals, stamps, dies and marks of State or public administrations, and the utterance, circulation or fraudulent use of the above mentioned objects.

15. Embezzlement.

16. Kidnapping of minors or adults, defined to be the abduction or detention of a person or persons, in order to exact money from them, their families or any other person or persons, or for any other unlawful end.

17. Larceny, defined to be the theft of effects, personal property, or money, of the value of twenty-five dollars or more, or Albanian equivalent.

kundër autoritetit të Kapitenit osé Komandantit të kësáj aníeje, osé me mashtrím osé violencë të shtjenë në dorë këtê anie;

(d) Msymje mbrenda në anie në det të hapët me qëllím lesioni trupór. Assault on ship-board.

9. Hyrje dyke thyer osé hyrje me çdo mënyrë tjatër në godinë osé banesë për vjedhje. Burglary, etc.

10. Hyrja dyke thyer dhe hyrja me çdo mënyrë tjatër në zyrat qeveritare osé t'autoritétevet publike, osé në të tjera ndërtesa që nuk janë banesa, me qëllím për të kryer një delikt aty mbrenda. Unlawful entry of public offices, etc.

11. Vjedhje me violencë a frikësím. Robbery.

12. Kontrafaqím dhe vumje në qarkullím letrash të kontrafaquara. Forgery, etc.

13. Kontrafaqím osé falsifikím i ákteve zyrtare qeveritare osé t'autoritétevet publike, dyke përfshirë edhé të Gjykatórevet të Drejtësisë, osé vumje në qarkullím osé përdorím me qëllím mashtrimi i një akti të tillë. Forgery of public documents.

14. Fabrikim monedhash të kontrafaqúara, si metalike ashtú edhé karte, titujsh osé kuponash të kontrafaqúara të dettës publike, të emettúara prej Qeverivet Kombëtare, Shtetënore, Provinciale, Teritoriale, Lokale osé Bashkiake, bank-notash osé instrumentash të tjera të kredisë publike, vulash, timbrash, kallëpesh monedhe dhe shenjash të kontrafaqúara të administrátavet shtetënore osé publike, dhe nxjerja, qarkullimi osé përdorimi me qëllím mashtrimi i objéktevet të sipërpërmendur. Counterfeiting.

15. Përvetím (keqpërdorím besimi). Embezzlement.

16. Grabitje e të míturve osé e adultve, do me thënë rëmbím osé robërím i një personi osé personash, për të nxjerë pare prej tyre, prej famílieve të tyre osé prej nonjê personi tjatër osé personash të tjerë, osé për çfarëdó qëllím të pa-ligjshëm tjatër. Kidnapping.

17. Vjedhje, do me thënë vjedhje teshash, sendesh personale, osé paresh, me vleftë prej njëzét e pesë dollarësh osé mê tepër, osé me aqevleftë në monedhë shqiptare. Larceny.

Obtaining property by false pretenses.

18. Obtaining money, valuable securities or other property by false pretenses, or receiving any money, valuable securities or other property knowing the same to have been unlawfully obtained, where the amount of money or the value of the property so obtained or received exceeds two hundred dollars, or Albanian equivalent.

18. Obtením paresh, titujsh me vleftë osé pasunirash të tjera me dinakërí, osé marrje e çfarëdó páreje, titujsh me vleftë osé pasunirash të tjera dyke ditur se këtó kanë qënë shtënë në dorë me mënyra të pa-lígjëshme, kur shuma e páreve osé vlefta e séndevet të obtenúeme osé të márruna me këtê mënyrë kalón dy-qint dollarët osé nj'atê vleftë në monedhë shqiptare.

Perjury.

19. Perjury.

19. Dëshmím i remë.

Breach of trust, etc.

20. Fraud or breach of trust by a bailee, banker, agent, factor, trustee, executor, administrator, guardian, director or officer of any company or corporation, or by any one in any fiduciary position, where the amount of money or the value of the property misappropriated exceeds two hundred dollars, or Albanian equivalent.

20. Mashtrím osé keqpërdorím besimi nga ana e një depozitari, bankieri, agjenti, komisionari, të besúari (trustee), ekzekutori testamentar, administratori, tutori, drejtori osé zyrtari të çdo shoqërie osé korporate, osé nga ana e çfarëdó personi që mban një pozitë besimi (fiduciare), kur shuma e páreve osé vlefta e pasurisë së përvetuar kalón dy-qint dollarët osé ekuivalencën në monedhë shqiptare.

Slave trading.

21. Crimes and offenses against the laws of both countries for the suppression of slavery and slave trading.

21. Delikte kundër lígjevet të të dy Shtétevet për shdukjen e skllavërisë dhe kundër tregëtimit të skllévëve.

Desertion, etc.

22. Wilful desertion or wilful non-support of minor or dependent children, or of other dependent persons, provided that the crime or offense is punishable by the laws of both countries.

22. Neveritje dáshasi osé mospërkujdesje dáshazi fëmijësh të mitun osé të pa-zottë të shikojnë veten osé personash të tjerë të këtillë, me konditë që delikti të jetë i ndëshkúeshëm prej lígjevet të të dy shtétevet.

Bribery.

23. Bribery.

23. Mitë.

Bankruptcy law violations.

24. Crimes or offenses against the bankruptcy laws.

24. Delikte kundër lígjeve të bankrutës.

Narcotic traffic.

25. Crimes or offenses against the laws for the suppression of traffic in narcotics.

25. Delikte kundër lígjeve për të shdukur trafikun e narkotíkeve.

Accessories.

26. Extradition shall also take place for participation in any of the crimes or offenses before mentioned as an accessory before or after the fact, or in any attempt to commit any of the aforesaid crimes or offenses.

26. Gjith ashtú ekstradimi ka për t'u bërë edhé për bashkpuním në cilindó prej delíkteve të nalt-permendur si komplic para osé pas ngjarjes osé në çfarëdó tentativë për të kryer cilindó prej delíktevet të sipërpërmendura.

Article III

Artikull III

Political, etc., crimes excluded.

The provisions of the present Treaty shall not import a claim of extradition for any crime or offense of a political character, nor for acts connected with such crimes or offenses; and no person surrendered by or to either of the

Dispozitat e këtíj Traktati nuk japin të drejtë të kërkohet ekstradimi për ndonjë delíkt me karaktér politík, as për vepra që kanë lidhje me kësísh delikte; dhe asnjë persón i dorëzuar nga njëra Palë e Naltë Kontraktúëse tjetrës

High Contracting Parties in virtue of this Treaty shall be tried or punished for a political crime or offense committed before his extradition. The State applied to, or courts of such State, shall decide whether the crime or offense is of a political character. When the offense charged comprises the act either of murder or assassination or of poisoning, either consummated or attempted, the fact that the offense was committed or attempted against the life of the Sovereign or Head of the State of one of the High Contracting Parties, or against the Sovereign or Head of a foreign State, or against the life of any member of his family, shall not be deemed sufficient to sustain that such crime or offense was of a political character, or was an act connected with crimes or offenses of a political character.

Palë në themél të këtíj Traktati nuk do të gjykohet osé ndëshkohet për ndonjê delíkt politík të kryer përpara ekstradimit të tij. Shteti prej të cilit kërkohet ekstradimi, osé Gjykatoret e këtíj Shteti, do të vendosin nësé delikti ka karaktér politík. Kur faji i ngarkuar ësht osé vrasje osé asasiním osé helmím, qoftë i kryer qoftë i tentuar, fakti që faji ësht kryer osé tentuar kundër jetës së Sovranit osé Shefit të Shtetit të njërës nga Palët e Nalta Kontraktúëse, osé kundër Sovranit osé Shefit të një Shteti të huaj, osé kundër jetës së ndonjanit prej anëtárëvet të families së tij, mjaftón për të mos i dhënë këtij delikti karaktér politík as për t'a lidhur këtê me delikte me karaktér politík.

Offense against Head of State, etc., not deemed a political crime.

Article IV

No person shall be tried for any crime or offense, committed prior to his extradition, other than that for which he was surrendered, unless he has been at liberty for one month after having been tried, to leave the country, or, in case of conviction, for one month after having suffered his punishment or having been pardoned.

Artikull IV

Askúsh nuk do të gjykohet për ndonjê delíkt të kryer përpara ekstradimit të tij, veç se për deliktin për të cilin ësht dorëzuar, posë rastit kur ky ka qënë i lirë për një muaj resht të dalë jashtë shtetit passí të ketë qënë gjykuar, osé në rast dënimi, të ketë vúajtur ndëshkimin osé të jetë falur.

Time limitation.

Article V

A fugitive criminal shall not be surrendered under the provisions hereof, when, from lapse of time or other lawful cause, according to the laws of the demanding country, the criminal is exempt from prosecution or punishment for the offense for which the surrender is asked.

Artikull V

Një kriminál i aratisur nuk do të dorëzohet në mbështetje të dispozítavet të këtí Traktati, kur, për shkak parashkrimi osé për arësye ligjore tjatër, si mbas lígjevet të Shtetit kërkuës, kriminali përjashtohet nga ndjekja osé ndëshkimi për deliktin për të cilin kërkohet ekstradimi.

Exemption by reason of statutes of limitation, etc.

Article VI

If a fugitive criminal whose surrender may be claimed pursuant to the stipulations hereof, be actually under prosecution, out on bail or in custody, for a crime or offense committed in the country where he has sought asylum, or shall have been convicted thereof, his extradition

Artikull VI

Kur një kriminál i aratisur, ekstradimi i të cilit kërkohet si mbas stipulátavet të këtí Traktati, ndodhet nën ndjekje, ësht i liruar me garancí, osé mbahet i burgosur, për ndonjê delikt të kryer në shtetin ku ka kërkuar strehë, osé ka qënë dënuar për atê delíkt, ekstradimi i tij munt

Fugitive under prosecution where found.

may be deferred until such proceedings be determined, and until he shall have been set at liberty in due course of law.

të shtyhet deri sa ndjekjet në fjalë të jenë përfunduar, dhe aý të jetë liruar si mbas dispozítavet ligjore.

ARTICLE VII

ARTIKULL VII

Claim by another power.

If a fugitive criminal claimed by one of the two parties hereto, shall be also claimed by one or more powers pursuant to treaty provisions, on account of crimes or offenses committed within their jurisdiction, such criminal shall be delivered to that State whose demand is first received unless the demand is waived.

Kur një kriminál i aratisur që reklamohet prej njërës nga të dy palët e kësáj marrëvéshjeje, kërkohet edhé prej një osé më tepër shtéteve në bazë dispozitash të traktáteve, për delikte të kryer mbrenda jurisdiksióneve të tyre, ky kriminál do t'i dorëzohet atí Shteti, kërkesa e të cilit ka arrijtur e para, veç kur hiqet dorë nga kërkesa.

Existing treaty relations not affected.

This article shall not affect such treaties as have previously been concluded by one of the contracting parties with other States.

Ky artikull nuk do të cënojë traktatet që janë lidhur qysh më parë prej njërës osé tjatrës nga Palët Kontraktúëse me Shtete të tjerë.

ARTICLE VIII

ARTIKULL VIII

Extraditing nationals.

Under the stipulations of this Treaty, neither of the High Contracting Parties shall be bound to deliver up its own citizens, except in cases where such citizenship has been obtained after the perpetration of the crime for which extradition is sought. The State appealed to shall decide whether the person claimed is its own citizen.

Si mbas stipulátavet të këtí Traktati, as njëra nga Palët e Nalta Kontraktúëse nuk do të jetë e detyruar të ekstradojë shtétasët e vetë, veç kur shtetësia ësht marrë pas krýerjes së deliktit për të cilin kërkohet ekstradimi. Shteti prej të cilit kërkohet ekstradimi ka me vendosë nësé personi i reklamuar ësht shtetas i tij.

ARTICLE IX

ARTIKULL IX

Expense of transporting fugitive.

Assistance.

Compensation.

The expense of transportation of the fugitive shall be borne by the government which has preferred the demand for extradition. The appropriate legal officers of the country where the proceedings of extradition are had, shall assist the officers of the government demanding the extradition before the respective judges and magistrates, by every legal means within their power; and no claim other than for the board and lodging of a fugitive prior to his surrender, arising out of the arrest, detention, examination and surrender of fugitives under this treaty, shall be made against the government demanding the extradition; provided, however, that any officer or officers of the

Shpenzimet e transportimit të të aratísurit do të paguhen prej qeverisë që paraqét kërkesën për ekstradím. Nënpúnësët kompetentë të drejtësisë së shtetit ku janë dyke u kryer vepërimet e ekstradimit, do të ndihmojnë nënpúnësët e qeverisë që kërkón ekstradimin përpara gjykátësve dhe magjistrátëve përkatës, me të gjitha mjetet ligjore që disponojnë; dhe asnjé shpenzím nuk do të kërkohet nga qeveria që reklamón ekstradimin përvéç shpenzímevet për ushqimin dhe fjetjen e të aratísurit përpara dorëzimit të tij, të shkakëtúara prej arrestimit, burgimit, hetimit dhe ekstradimit të të aratísurit si mbas këtí Traktati; por me konditë që, nënpúnësi osé

surrendering government giving assistance, who shall, in the usual course of their duty receive no salary or compensation other than specific fees for services performed, shall be entitled to receive from the government demanding the extradition the customary fees for the acts or services performed by them in the same manner and to the same amount as though such acts or services had been performed in ordinary criminal proceedings under the laws of the country of which they are officers.

nënpúnësët e qeverisë dorëzúëse që ndihmojnë, të cilët në vazhdím të régulltë të detyrës së tyre nuk kanë për të marrë asnjë rrogë osé shpërblím veç táksave specifike për shërbime të kryera, do të kenë të drejtë të marrin nga qeveria që kërkón ekstradimin, taksat e zakónëshme për vepërimet osé shërbimet e kryera prej tyre në mënyrën dhe në sasinë sikúr këtó vepërime osé shërbime të ishin kryer në proceset penale ordinare si mbas lígjevet të Shtetit në shërbimin e të cilit ndodhen si nënpunës.

Article X

Everything found in the possession of the fugitive criminal at the time of his arrest, whether being the proceeds of the crime or offense, or which may be material as evidence in making proof of the crime, shall so far as practicable, according to the laws of either of the High Contracting Parties, be delivered up with his person at the time of surrender. Nevertheless, the rights of a third party with regard to the articles referred to, shall be duly respected.

Artikull X

Articles seized with fugitive.

Çdo send që gjendet në posedimin e kriminalit të aratisur në kohën e arrestimit të tij, qoftë se këtó sende rjedhin nga delikti, qoftë se munt të përdoren si materiál prove në provimin e deliktit, me sa të jetë e mundur, si mbas lígjevet të seicilës nga Palët e Nalta Kontraktúëse, do të dorëzohen së bashku me personin në kohën e ekstradimit të tij. Sidó qoftë, të drejtat e një personi të tretë përsá u përkét séndeve të naltpërméndura, do të respektohen duhësísht.

Article XI

Territorial jurisdiction.

The stipulations of the present Treaty shall be applicable to all territory wherever situated, belonging to either of the High Contracting Parties or in the occupancy and under the control of either of them, during such occupancy or control.

Artikull XI

Stipulatat e këtí Traktati do të jenë t'aplikúëshme në të gjitha tokat kudó që të ndodhen, që janë nën zotërimin e njërës osé tjatrës nga Palët e Nalta Kontraktúëse osé nën okupimin dhe nën kontrollimin e njërës osé tjatrës prej tyre, sa kohë që vazhdón ky okupím osé kontrollím.

Requisitions.

Requisitions for the surrender of fugitives from justice shall be made by the respective diplomatic agents of the High Contracting Parties. In the event of the absence of such agents from the country or where extradition is sought from territory included in the preceding paragraphs, other than the United States or Albania, requisitions may be made by superior consular officers.

Kërkesat për ekstradímin e të aratísurve nga drejtësia do të bëhen me anën e agjéntëvet diplomatikë përkatës të Pálëvet të Nalta Kontraktúëse. Në rast të mos-ndodhjes së agjéntëve të tillë në Shtet osé kur ekstradimi kërkohet nga ndonjë tokë e përfshirë në paragrafet e parakaluem, posë Shtétevet të Bashkuar osé Shqipërisë, kërkesat munt të bëhen me anën e zyrtárëve eprorë konsullorë.

Arrest.

The arrest of the fugitive shall be brought about in accordance with the laws of the respective countries, and if, after an examination, it shall be decided, according to the law and the evidence, that extradition is due pursuant to this treaty, the fugitive shall be surrendered in conformity to the forms of law prescribed in such cases.

Release, if formal request not forthcoming.

The person provisionally arrested, shall be released, unless within two months from the date of arrest in Albania, or from the date of commitment in the United States, the formal requisition for surrender with the documentary proofs hereinafter prescribed be made as aforesaid by the diplomatic agent of the demanding Government, or, in his absence, by a consular officer thereof.

Papers required.

If the fugitive criminal shall have been convicted of the crime or offense for which his surrender is asked, a copy of the sentence of the court before which such conviction took place, duly authenticated, shall be produced. If, however, the fugitive is merely charged with crime, a duly authenticated copy of the warrant of arrest in the country where the crime was committed shall be produced, together with the evidence of criminality mentioned in Article I hereof.

Arrestimi i të aratísurit do të bëhet në konformitét me ligjet e Shtétevet respektive, dhe nësé, pas një shqyrtimi, do të vendoset, si mbas ligjës dhe próvavet, që ekstradimi duhet të akordohet në bazë të këtí Traktati, i aratísuri do të dorëzohet në konformitét me format e ligjës që disponojnë për kësish raste.

Personi i arrestuar përkohësísht, do të lirohet, veç në rastin kur mbrenda dy múajve nga data e arrestimit në Shqipërí osé në Shtetet e Bashkuar, kërkesa formale për dorëzím bashkë me dokumentat provúëse të përshkrúara këtú poshtë do të jenë paraqitur sikundër që përmendet këtú sipër prej agjentit diplomatik të Qeverisë kërkúëse, osé, në mungesë të tij, prej një nënpúnësi konsullór të asáj Qeverie.

Në rast se kriminali i aratisur do të jetë dënuar për deliktin për të cilin kërkohet ekstradimi i tij, duhet të paraqitet një kópie, duhësísht e authentikuar, e vendimit të gjykatores që ka caktuar këtê dëním. Por, kur i aratísuri ësht vetëm akuzuar me delíkt, do të paraqitet një kópie, duhësísht e authentikuar, e mandatit t'arrestimit të Shtetit ku ësht kryer delikti, së bashku me provën e fajësisë të përmendur në Artíkullin I të këtí Traktati.

Article XII

Ratification.

The present Treaty, of which the English and Albanian texts are equally authentic, shall be ratified by the High Contracting Parties in accordance with their respective constitutional methods, and shall take effect on the date of the exchange of ratifications which shall take place at Washington as soon as possible.

Artikull XII

Ky Traktát, tekstet anglísht dhe shqip të të cilit janë njësísht authentike, do të ratifikohet prej Pálëvet të Nalta Kontraktúëse në konformitét me régullat konstitucionale respektive dhe do të hyjë në fuqí ditën e shkëmbimit të ratifikímevet që do të bëhet në Wáshington sa mê shpejt që të jetë e mundur.

Article XIII

Duration.

The present Treaty shall remain in force for a period of five years, and in case neither of the

Artikull XIII

Ky Traktát do të mbetet në fuqí për një periudë prej pesë vjetsh, dhe në rast se as njëra nga

High Contracting Parties shall have given notice one year before the expiration of that period of its intention to terminate the Treaty, it shall continue in force until the expiration of one year from the date on which such notice of termination shall be given by either of the High Contracting Parties.

Palët e Nalta Kontraktúëse nuk do të ketë njoftuar një vjet para mbarimit të asáj periude qëllimin e vetë për t'i dhënë funt Traktatit, ky do të vazhdojë të mbesë në fuqí deri në mbarimin e një vjeti prej datës në të cilën të jetë dhënë një njoftím i tillë prej njërës osé tjatrës nga Palët e Nalta Kontraktúëse.

In witness whereof the above named Plenipotentiaries have signed the present Treaty and have hereunto affixed their seals.

Done in duplicate at Tirana this first day of March, nineteen hundred and thirty-three.

HERMAN BERNSTEIN

[SEAL]

Në dëshmí të të cilëvet Fuqiplotët e përmendur sipër e kanë nënshkruar këtê Traktât dhe kanë vënë vulat e tyre mbi 'tê.

Signatures.

Bërë në duplikatë në Tiranë sot të parën ditë të Marsit, një mij' e nëntë qint e tridhjét' e tre.

DJAFER VILA

[SEAL]

AND WHEREAS the said Treaty has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Washington on the fourteenth day of November, one thousand nine hundred and thirty-five;

Ratifications exchanged.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Treaty to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

Proclamation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this nineteenth day of November in the year of our Lord one thousand nine hundred and [SEAL] thirty-five and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

December 7, 1935.
December 30, 1935.

Parcel post convention between the United States of America and France. Signed at Paris, December 7, 1935, at Washington, December 30, 1935; approved by the President, January 9, 1936.

CONVENTION RELATIVE A L'ECHANGE DES COLIS POSTAUX ENTRE LA FRANCE ET LES ETATS-UNIS d'AMERIQUE.

Parcel post convention with France. Territory included.

En vue de conclure des arrangements pour l'échange de colis postaux entre les Etats-Unis d'Amérique (y compris l'Alaska, Hawaï, Puerto Rico, Guam, Samoa et les Iles Vierges des Etats-Unis) et la France (y compris la Corse et l'Algérie) les soussignés, Postmaster General des Etats-Unis d'Amérique et Ministre des Postes, Télégraphes et Téléphones de France, en vertu des pouvoirs qui leur sont conférés, sont convenus des dispositions suivantes:

ARTICLE 1.

LIMITES DE POIDS, DE VOLUME ET DE DIMENSIONS.

Limits of weight, size, etc.

1. Les colis sont admis jusqu'au poids de 20 kilogrammes (44 livres). Ils ne peuvent excéder la longueur de 1 m. 25 (4 pieds) en tous sens, ni avoir un volume supérieur à 55 decimètres cubes (2 pieds cubes).

2. En ce qui concerne le calcul exact du poids, du volume et des dimensions, les indications fournies par le bureau expéditeur seront acceptées, sauf dans le cas d'erreur évidente.

ARTICLE 2.

Postage, etc.

AFFRANCHISSEMENTS ET TAXES.

Collecting, from sender.

1. L'Administration d'origine est autorisée à percevoir sur l'expéditeur les taxes d'affranchissement, les taxes pour demandes de renseignements faites postérieurement au dépôt, et, en ce qui concerne les colis assurés (colis

CONVENTION RELATIVE TO THE EXCHANGE OF PARCEL POST BETWEEN FRANCE AND THE UNITED STATES OF AMERICA.

With a view to concluding arrangements for the exchange of parcel post between the United States of America (including Alaska, Hawaii, Puerto Rico, Guam, Samoa, and the Virgin Islands of the United States) and France (including Corsica and Algeria), the undersigned Postmaster General of the United States of America and Minister of Posts, Telegraphs, and Telephones of France, by virtue of the powers which are conferred upon them, have agreed upon the following provisions:

ARTICLE 1.

LIMITS OF WEIGHT, VOLUME, AND DIMENSIONS.

1. Parcels are admitted up to the weight of 20 kilograms (44 pounds). They may not exceed the length of 1 meter 25 centimeters (4 feet) in any direction, nor have a volume greater than 55 cubic decimeters (2 cubic feet).

2. In regard to the exact calculation of the weight, volume, and dimensions, the indications furnished by the dispatching office will be accepted, save in the case of obvious error.

ARTICLE 2.

POSTAGE AND FEES.

1. The Administration of origin is authorized to collect from the sender the postage charges, the fees for requests for information made after mailing, and, in the case of insured parcels (parcels with declared value), the in-

avec valeur déclarée), les taxes d'assurance et les taxes de renvoi des accusés de réception et, en général, toutes les taxes prévues soit par la présente Convention, soit par sa législation intérieure.

2. La taxe d'affranchissement à percevoir d'avance sur l'expéditeur du colis est fixée par chaque Administration.

ARTICLE 3.

COLIS ASSURÉS (COLIS AVEC VALEUR DÉCLARÉE).

1. L'expéditeur d'un colis peut le faire assurer en payant, en plus des taxes d'affranchissement, une taxe d'assurance de:

40 centimes or pour les colis déposés dans la France continentale;

70 centimes or pour les colis déposés en Algérie et en Corse;

20 cents pour les colis déposés aux Etats-Unis d'Amérique, et qui sont assurés pour une somme n'excédant pas 10 dollars;

25 cents pour les colis déposés aux Etats-Unis d'Amérique, et qui sont assurés pour une somme de $10.01 à $25.

35 cents pour les colis déposés aux Etats-Unis d'Amérique, et qui sont assurés pour une somme de $25.01 à $50.

55 cents pour les colis déposés aux Etats-Unis d'Amérique, et qui sont assurés pour une somme de $50.01 à $100.

Ces taxes pourront être modifiées sur notification par lettre.

Le montant maximum de l'assurance est fixé à 100 dollars or pour les colis déposés aux Etats-Unis d'Amérique et à 500 francs or pour les colis déposés en France.

2. Un colis ne peut donner droit à une indemnité supérieure à la valeur réelle de son contenu, mais il est permis d'assurer tout colis pour une partie seulement de cette valeur ou pour une somme supérieure.

Toute déclaration frauduleuse d'une valeur supérieure à la valeur réelle de colis est passible des poursuites judiciaires qui peu-

surance fees and the fees for return receipts, and, in general, all the charges provided for either by the present Convention or by its domestic regulations.

2. The postage to be collected in advance from the sender is fixed by each Administration. Prepayment.

ARTICLE 3.

INSURED PARCELS (PARCELS WITH DECLARED VALUE).

1. The sender of a parcel may have it insured by paying, in addition to the postage charges, an insurance fee of: Insurance.

40 gold centimes for parcels mailed in Continental France;

70 gold centimes for parcels mailed in Algeria and Corsica;

20 cents for parcels mailed in the United States of America which are insured for a sum not exceeding 10 dollars;

25 cents for parcels mailed in the United States of America which are insured for a sum from $10.01 to $25.00;

35 cents for parcels mailed in the United States of America which are insured for a sum from $25.01 to $50.00;

55 cents for parcels mailed in the United States of America which are insured for a sum from $50.01 to $100.00.

These fees may be modified upon notification by letter.

The maximum amount of the insurance is fixed at 100 dollars gold for parcels mailed in the United States of America and at 500 francs gold for parcels mailed in France. Maximum.

2. A parcel can not give the right to an indemnity higher than the actual value of its contents, but it is permissible to insure any parcel for only a part of that value or for a higher amount. Indemnity limited.

Any fraudulent declaration of a value higher than the actual value of the parcel is subject to the judicial prosecution which may be Declaration above real value.

vent être prescrites par la législation du pays d'origine.

Other limits by agreement.

Chaque Administration se réserve le droit de prendre des mesures, arrêtées d'un commun accord, par correspondance, en vue d'élever ou d'abaisser le montant maximum de l'assurance mentionné dans la présente Convention.

ARTICLE 4.

CONDITIONNEMENT DES COLIS.

Preparation of parcels.

1. Le nom et l'adresse de l'expéditeur et du destinataire doivent être écrits lisiblement et correctement sur le colis lui-même dans tous les cas où c'est possible, ou sur une étiquette adhérant fortement au colis.

Lorsqu'il s'agit de colis munis simplement d'une étiquette, en raison de leur forme ou de leurs dimensions, l'adresse doit également être inscrite sur une feuille séparée enfermée dans le colis. Il est d'ailleurs recommandé d'insérer dans tous les colis une copie de l'adresse du destinataire. Les adresses au crayon ordinaire sont interdites, mais on peut se servir d'encre à copier ou de crayon indélébile pour écrire sur une surface préalablement humectée.

Les colis dont les expéditeurs ou les destinataires sont désignés par des initiales ne sont pas acceptés lorsqu'ils sont destinés à la France. Ils sont admis lorsqu'ils sont à destination des Etats-Unis, si les initiales représentent le nom de commerce adopté par l'expéditeur ou par le destinataire.

Customs declarations.

2. L'expéditeur établira, pour chaque colis, à destination des Etats-Unis d'Amérique une déclaration en douane sur formule spéciale, et pour chaque colis à destination de la France deux déclarations en douane, donnant la description générale du colis, l'indication exacte et détaillée du contenu et de sa valeur, la date de dépôt, et portant la signature et l'adresse de l'expéditeur, ainsi que le nom et l'adresse du destinataire. Pour les colis à desti-

prescribed by the legislation of the country of origin.

Each Administration reserves the right to take action, approved by mutual consent through correspondence, with a view to increasing or decreasing the maximum amount of the insurance mentioned in the present Convention.

ARTICLE 4.

PREPARATION OF PARCELS.

1. The name and address of the sender and of the addressee must be legibly and correctly written in every case when possible on the parcel itself or on a tag securely attached to the parcel.

In the case of parcels bearing only a tag, by reason of their form or dimensions, the address must also be written on a separate sheet enclosed in the parcel. Also it is recommended that a copy of the address of the addressee be enclosed in all parcels. Addresses in ordinary pencil are prohibited, but use may be made of copying ink or of indelible pencil to write on a surface previously dampened.

Parcels whose senders or addressees are designated by initials are not accepted, when destined for France. They are admitted, when destined for the United States, if the initials represent the trade name adopted by the sender or by the addressee.

2. The sender will prepare for each parcel sent to the United States a customs declaration on a special form, and for each parcel sent to France two customs declarations giving a general description of the parcel, an exact and detailed indication of the contents and value, and the date of mailing, and bearing the signature and address of the sender, as well as the name and address of the addressee. For parcels destined for France, the special

nation de la France, la déclaration en douane spéciale indiquera également le poids brut du colis, le poids net du contenu et le pays d'origine de la marchandise, (ou celui dans lequel cette marchandise a été fabriquée). Les déclarations en douane afférentes aux colis expédiés de France aux Etats-Unis d'Amérique ou inversement, des Etats-Unis d'Amérique en France, doivent être solidement attachées aux colis.

L'expéditeur établira également un bulletin d'expédition sur formule spéciale pour chaque colis déposé dans l'un ou l'autre pays. Il indiquera, outre le nom et l'adresse de l'expéditeur, le bureau de dépôt, la date de dépôt, le nombre des déclarations en douane, le poids exact du colis, le nom et l'adresse du destinataire, le montant de l'affranchissement payé au moment du dépôt et, dans le cas d'un colis assuré, le numéro du colis et le montant de la déclaration de valeur (assurance).

Les bulletins d'expédition afférents aux colis envoyés de la France sur les Etats-Unis d'Amérique devront être solidement attachés aux colis. Les bulletins d'expédition afférents aux colis contenus dans chaque récipient envoyés des Etats-Unis d'Amérique sur la France sont réunis en une liasse qui est insérée dans ce récipient.

3. Les Administrations n'acceptent aucune responsabilité pour l'exactitude des indications portées sur les déclarations en douane, ou sur la partie du bulletin d'expédition remplie par le public.

4. Chaque colis doit être emballé d'une manière répondant à la longueur du parcours et permettant d'éviter que le contenu du colis puisse détériorer les autres colis ou objets ou bien blesser les agents des postes. L'emballage doit protéger suffisamment le contenu du colis pour qu'en cas de spoliation, les traces puissent en être aisément découvertes.

customs declaration will also indicate the gross weight of the parcel, the net weight of the contents, and the country of origin of the merchandise (or that in which the merchandise was manufactured. The customs declarations relating to parcels sent from France to the United States of America or vice versa, from the United States of America to France, must be securely attached to the parcels.

Dispatch note.

The sender will also prepare a dispatch note on a special form for each parcel mailed in either country. It will show, in addition to the name and address of the sender, the office of mailing, the date of mailing, the number of customs declarations, the exact weight of the parcel, the name and address of the addressee, the amount of postage paid at the time of mailing, and, in the case of an insured parcel, the number of the parcel and the amount of the declaration of value (insurance).

The dispatch notes relating to parcels sent from France to the United States of America must be securely attached to the parcels. The dispatch notes relating to parcels contained in each receptacle sent from the United States of America to France are included in a bundle which is inserted in that receptacle.

Customs declarations. No official responsibility for correctness.

3. The Administrations do not accept any responsibility for the correctness of the indications entered in the customs declarations, or on the part of the dispatch note filled in by the public.

Packing.

4. Every parcel must be packed in a manner adequate for the length of the journey, and in such a way as to prevent the contents from damaging other parcels or objects or injuring the postal agents. The packing must protect the contents sufficiently that, in case of rifling, the traces thereof may be easily discovered.

Ordinary parcels.

Aucun emballage n'est exigé pour les colis ordinaires formés d'un seul objet, tels que pièces de bois, de métal etc. qui ne sont point emballés habituellement dans le commerce.

No packing is required for ordinary parcels consisting of a single article, such as pieces of wood, metal, etc., which are not usually packed by the trade.

Containers for liquids.

5. Tout liquide, toute substance aisément liquéfiable doivent être emballés dans un double récipient. Entre le premier récipient (bouteille, flacon, pot, boîte, etc. . .) et le second (boîte en métal, en bois résistant, en carton ondulé solide ou en fibre de bois solide, ou tout autre récipient de résistance équivalente), il doit être réservé un espace rempli de sciure de bois, de son ou de toute autre matière absorbante, en quantité suffisante pour absorber tout le liquide, si le récipient vient à être brisé.

5. All liquids or easily liquefiable substances must be packed in a double container. Between the first container (bottle, flask, pot, box, etc.) and the second (box of metal, strong wood, strong corrugated pasteboard or fiberboard, or any other receptacle of equal strength) must be reserved a space filled with sawdust, bran, or some other spongy material, in sufficient quantity to absorb all the liquid if the container happens to become broken.

Powders and dyes.

6. Les poudres et les teintures en poudre doivent être contenues dans un étui en métal hermétiquement fermé et scellé, contenu lui-même dans un deuxième étui extérieur solide, de façon à assurer la plus grande protection possible aux autres correspondances.

6. Powders and dyes in powder form must be enclosed in a hermetically sealed metal box, enclosed in turn in another strong outside container, so as to afford the greatest possible protection to the other mail articles.

Sealing, etc., insured parcels.

7. Les colis assurés doivent obligatoirement être fermés et scellés au moyen de cachets en cire, au moyen de plombs ou autrement; il est recommandé d'apposer, sur les cachets ou les plombs une empreinte uniforme spéciale d'une façon bien apparente. Le cachetage (ou le plombage) des colis ordinaires est facultatif.

7. Insured parcels must be fastened and sealed with wax, lead, or otherwise; it is recommended that a special uniform imprint be placed in a conspicuous manner on the wax or lead seals. The sealing of ordinary parcels with wax (or lead) is optional.

Examination by customs service.

Le service du pays de destination a le droit d'ouvrir les colis pour en faire vérifier le contenu par la douane. Dans ce cas, ces colis doivent être refermés, et, si c'est nécessaire, recachetés à l'aide de cachets officiels, après la vérification.

The service of the country of destination has the right to open the parcels in order that the customs may inspect their contents. In this case, the parcels must be refastened, and, if necessary, resealed with the official seals after inspection.

Amount of insurance, etc., to be expressed.

8. Les colis assurés et les bulletins d'expédition y afférents doivent porter l'indication du montant de l'assurance exprimée en monnaie du pays d'origine. Cette indication doit être portée en caractères latins, en toutes lettres, et en chiffres arabes. Le montant de l'assurance doit égale-

8. Insured parcels and the dispatch notes relating thereto must bear an indication of the amount of the insurance, expressed in money of the country of origin. That information must be given in Roman letters, spelled out in full, and in Arabic figures. The amount of the insurance must

ment être converti en francs or par l'expéditeur ou le bureau d'origine. Le résultat de cette conversion est indiqué par de nouveaux chiffres placés à côté ou au-dessous de ceux qui représentent le montant de valeur assurée en monnaie du pays d'origine.

Le montant en francs or doit être souligné d'un fort trait.

Le montant de la déclaration de valeur doit être inscrit sur les bulletins d'expédition sans rature ni surcharge.

9. Les colis assurés, ainsi que les bulletins d'expédition y afférents doivent porter la mention "Insured" ou "Valeur déclarée" en caractères latins, en écriture manuscrite, ou appliquée au moyen d'un timbre ou d'une étiquette à côté de l'adresse du colis. Cette mention doit être complétée par le numéro d'inscription du colis (numéro d'assurance). Si la déclaration en douane n'est pas collée sur le colis, cette déclaration doit également porter la mention "Insured" ou "Valeur déclarée", écrite à la main ou apposée au moyen d'un cachet ou d'une étiquette.

Les étiquettes de toute nature, et, éventuellement, les timbres d'affranchissement apposés sur les colis, doivent être placés de façon à ne pas pouvoir cacher une détérioration subie par l'emballage extérieur. Elles ne doivent pas couvrir deux côtés de cet emballage, de façon à en cacher le bord.

10. Le numéro d'enregistrement (numéro d'assurance) (valeur déclarée) doit également être porté sur les colis assurés.

also be converted into gold francs by the sender or the office of origin. The result of that conversion is indicated by new figures placed beside or below those which represent the amount of the insured value in money of the country of origin.

The amount in gold francs must be underscored with a heavy line.

No erasure or correction is permitted in writing the amount of insurance on the dispatch note.

Marking insured parcels, etc.

9. Insured parcels, as well as dispatch notes relating thereto, must bear the note "Insured" or "Valeur déclarée" in Roman letters, written by hand or applied by means of a stamp or a sticker beside the address of the parcel. That note must be completed by the entry number of the parcel (insurance number). If the customs declaration is not affixed to the parcel, it must also bear the note "Insured" or "Valeur déclarée", written by hand or applied by means of a stamp or a sticker.

Affixing labels.

Labels of all kinds, and, if occasion arises, the postage stamps affixed to parcels, must be placed in such a way that they cannot conceal any deterioration suffered by the outside packing. They must not cover two sides of that packing so as to hide the edge.

Entry number.

10. The entry (insurance) number must also be placed on insured parcels.

ARTICLE 5.

OBJETS PROHIBÉS.

1. Il est interdit d'envoyer par colis postal les objets ci-après:

a) Lettre ou communication ayant le caractère d'une lettre.

Cependant, il est permis d'insérer dans un colis une facture ouverte, limitée aux renseignements constitutifs d'une facture.

ARTICLE 5.

PROHIBITED ARTICLES.

Prohibitions.

Articles specified.

1. It is forbidden to send the following articles by parcel post:

Letters, etc.

a) Letters or communications having the character of letters.

However, it is permissible to enclose in a parcel an open invoice, limited to the particulars constituting an invoice.

Enclosure with different address.

b) Pièce annexe portant une adresse différente de l'adresse portée sur l'emballage du colis;

b) Any enclosure bearing an address different from the address borne by the wrapper of the parcel.

Live animals.

c) animaux vivants, à l'exception des sangsues;

c) Live animals, except leeches.

Nonadmissible articles.

d) objets dont l'admission n'est pas autorisée par la douane ou par les autres lois ou règlements en vigueur dans l'un ou l'autre pays;

d) Articles whose admission is not authorized by the customs or other laws or regulations in force in either country.

Explosives.

e) matières explosibles ou inflammables, et, en général, tous objets dont le transport est dangereux.

e) Explosive or inflammable substances, and, in general, all articles whose transportation is dangerous.

Prohibited articles erroneously handled.

2. Quand un colis contenant des objets prohibés est transmis par une Administration à l'autre Administration, cette dernière doit agir conformément à ses lois et règlements intérieurs.

2. When a parcel containing prohibited articles is transmitted by one Administration to the other Administration, the latter shall act in accordance with its domestic laws and regulations.

Coins, etc.

3. Il est interdit d'expédier des pièces de monnaie, de l'or ou de l'argent, travaillé ou brut, et tous autres objets précieux, sauf dans les colis assurés.

Si un colis contenant des pièces de monnaie, de l'or ou de l'argent, travaillé ou non, ou d'autres objets précieux est envoyé sans déclaration de valeur, il doit être renvoyé d'office à l'origine, sauf dans le cas où l'Administration du pays de destination est autorisée par sa législation à en disposer autrement. Dans ce dernier cas, l'office expéditeur doit être informé du sort du colis.

3. It is forbidden to send coins, gold or silver (whether manufactured or not), or any other precious articles, except in insured parcels.

If a parcel containing coins, gold or silver (whether manufactured or not), or other precious articles is sent uninsured, it shall be returned officially to origin, except in case that the Administration of the country of destination is authorized by its legislation to dispose of it otherwise. In the latter case, the dispatching office shall be informed of the disposal of the parcel.

List of prohibited articles to be furnished.

4. Les deux Administrations postales se transmettent mutuellement la liste des objets prohibés; mais elles ne prendront, ce faisant, aucune responsabilité vis-à-vis de la police, de la douane ou des expéditeurs des colis.

4. The two Postal Administrations send each other a list of prohibited articles; but they will not thereby undertake any responsibility to the police, the customs or the senders of parcels.

ARTICLE 6.

Customs duties.

DROITS DE DOUANE.

Parcels subject to.

Les colis sont soumis dans le pays de destination à tous les droits de douane et à tous les règlements douaniers en vigueur dans ce pays en vue de la protection de ses recettes de douane et les droits dont sont passibles ces colis seront perçus au moment de

ARTICLE 6.

CUSTOMS DUTIES.

Parcels are subject in the country of destination to all customs duties and to all customs regulations in force in that country for the protection of its customs revenues and the duties to which such parcels are liable will be collected at the time of delivery, in

la livraison, conformément aux règlements du pays de destination.

ARTICLE 7.

MODE D'ÉCHANGE DES COLIS.

1. Les colis sont échangés, dans des sacs dûment ficelés et cachetés, par les bureaux désignés à la suite d'un accord entre les Administrations, et sont expédiés sur le pays de destination, par le pays d'origine, à ses frais et par les moyens dont il dispose.

2. Les colis assurés sont insérés dans des sacs distincts de ceux qui contiennent les colis ordinaires; les étiquettes des sacs contenant des colis assurés sont marquées de tel signe distinctif dont les Administrations pourront convenir éventuellement.

ARTICLE 8.

INSCRIPTION DES COLIS SUR LES FEUILLES DE ROUTE.

1. Les colis avec valeur déclarée et les colis ordinaires sont inscrits sur des feuilles de route distinctes. Les feuilles de route sont établies en double expédition. L'original est envoyé dans les dépêches régulières et le duplicata est inséré dans l'un des sacs. Le sac contenant la feuille de route est désigné par la lettre "F" tracée d'une manière apparente sur l'étiquette.

2. Les colis ordinaires compris dans chaque dépêche envoyée aux Etats-Unis d'Amérique sont annoncés sur les feuilles de route par l'indication du nombre total des colis et de leur poids net total.

Les colis ordinaires compris dans chaque dépêche envoyée à la France sont annoncés sur les feuilles de route par la seule indication de leur nombre total pour chacun des échelons de poids suivants:

a) jusqu'à 2 livres (1 kilogramme);
b) au-dessus de 2 livres et jusqu'à 11 livres (5 kilos);
c) au-dessus de 11 livres et jusqu'à 22 livres (10 kilos);

accordance with the regulations of the country of destination.

ARTICLE 7.

MODE OF EXCHANGE OF PARCELS.

Exchange of parcels.

1. Parcels are exchanged, in sacks duly tied and sealed, by the offices designated by agreement between the Administrations, and are dispatched to the country of destination by the country of origin at its cost and by the means which it has at its disposal.

Sealed sacks.

2. Insured parcels are enclosed in sacks apart from those which contain ordinary parcels; the labels of the sacks containing insured parcels are marked with such distinctive sign as the Administrations may eventually agree upon.

Insured parcels.

ARTICLE 8.

ENTRY OF THE PARCELS IN THE PARCEL BILLS.

Entry of parcels in parcel bills.

1. The insured parcels and the ordinary parcels are entered in separate parcel bills. The parcel bills are prepared in duplicate. The original is sent in the regular dispatches and the duplicate is inserted in one of the sacks. The sack containing the parcel bill is designated by the letter "F" traced in a conspicuous manner on the label.

Separate entries; prepared in duplicate.

2. The ordinary parcels included in each dispatch sent to the United States of America are entered in the parcel bills by the indication of the total number of parcels and their total net weight.

Ordinary.

The ordinary parcels included in each dispatch sent to France are entered in the parcel bills merely by the indication of their total number for each of the following divisions of weight:

a) Up to 2 pounds (1 kilogram);
b) Over 2 pounds and up to 11 pounds (5 kilograms);
c) Over 11 pounds and up to 22 pounds (10 kilograms);

Divisions of weight.

d) de plus de 22 livres, mais ne dépassant pas 33 livres (15 kilos);

e) de plus de 33 livres mais ne dépassant pas 44 livres (20 kilos).

Entries.

3. Les colis V.D. sont inscrits individuellement sur les feuilles de route. L'inscription pour chaque colis comprend le numéro d'orgine du colis ainsi que le nom du bureau d'origine.

Pour les colis envoyés aux Etats-Unis, le poids net total de tous les colis doit être aussi indiqué. Pour les colis envoyés à la France, on doit aussi porter de la même manière que dans le cas des colis ordinaires, l'indication relative à l'échelon de poids.

Open mail.

4. Les colis envoyés à découvert doivent être inscrits séparément sur les feuilles de route.

Returned or reforwarded parcels.

5. Les colis en retour ou réexpédiés doivent être inscrits individuellement sur les feuilles de route et l'inscription est suivie de la mention "en retour" ou "réexpédié", selon le cas. Il y a lieu d'indiquer éventuellement, dans une colonne spécialement affectée à l'inscription de ces frais, les droits pouvant grever ces colis.

Number of sacks.

6. Le nombre total des sacs dont se compose chaque envoi est indiqué aussi sur les feuilles de route, ainsi que la somme totale à créditer à l'Administration de destination.

Numbering dispatches.

7. Les bureaux d'échange expéditeurs doivent numéroter les feuilles de route au coin supérieur gauche, en commençant tous les ans une nouvelle série pour chacun des bureaux d'échange destinataires. Le dernier numéro de l'année précédente doit être indiqué sur la feuille d'envoi de la première dépêche de l'année suivante.

Method of entry.

8. Le mode exact d'inscription des colis ou des récipients qui les contiennent, envoyés en transit, par une Administration à l'autre Administration, ainsi que tous détails des opérations à effectuer au sujet du mode d'inscription de ces colis ou de ces dépêches, et pour lesquels il n'est rien prévu

d) Over 22 pounds, but not exceeding 33 pounds (15 kilograms);

e) Over 33 pounds but not exceeding 44 pounds (20 kilograms).

3. Insured parcels are entered individually in the parcel bills. The entry for each parcel comprises the number of origin of the parcel as well as the name of the office of origin.

For parcels sent to the United States, the total net weight of all the parcels must also be indicated. For parcels sent to France, the indication relative to the division of weight must also be entered, the same as in the case of ordinary parcels.

4. Parcels sent in open mail must be entered separately in the parcel bills.

5. Returned or reforwarded parcels must be entered individually in the parcel bills, and the entry is followed by the note "Returned" or "Reforwarded", as the case may be. It is also necessary to indicate any charges to which such parcels may be liable in a special column set aside for the entry of such charges.

6. The total number of sacks of which each dispatch is composed is also indicated in the parcel bills, as well as the total amount to be credited to the Administration of destination.

7. The dispatching exchange offices must number the parcel bills in the upper left-hand corner, beginning every year a new series for each exchange office of destination. The last number of the preceding year must be indicated on the parcel bill of the first dispatch of the following year.

8. The exact method of entering parcels or the receptacles containing them sent in transit by one Administration to the other Administration, as well as all details of the operations to be effected in connection with the method of entering such parcels or such dispatches, for which no

ci-dessus, seront réglés d'un commun accord, et par correspondance, par les deux Administrations.

ARTICLE 9.

RÉCÉPISSÉS DE DÉPÔT.

L'expéditeur d'un colis ordinaire recevra, sur sa demande, faite au moment du dépôt, un récépissé de dépôt délivré par le bureau de dépôt sur une formule spéciale; chaque pays pourra percevoir une taxe raisonnable pour ce récépissé, mais aucun certificat de dépôt autre que celui constatant le montant de la déclaration de valeur (assurance) ne sera délivré aux expéditeurs de colis assurés.

ARTICLE 10.

AVIS DE RÉCEPTION ET RÉCLAMATIONS.

1. L'expéditeur d'un colis assuré peut obtenir un avis de réception, moyennant, le cas échéant, le payement d'une taxe supplémentaire que le pays d'origine stipulera.

2. Le pays d'origine a la faculté de percevoir une taxe pour toute demande de renseignements, relative au sort d'un colis ordinaire ou avec valeur déclarée, formulée postérieurement au dépôt, et si l'expéditeur n'a pas déjà payé la taxe spéciale relative à l'avis de réception.

Le pays d'origine a également la faculté de percevoir une taxe pour toute réclamation relative à une irrégularité qui, à première vue, n'est pas imputable à une faute du service postal.

3. Lorsqu'il est demandé un avis de réception, l'expéditeur ou le bureau d'origine portent sur le colis, à la main ou au moyen d'un timbre, et d'une façon très apparente, la mention "Avis de réception" ou simplement les lettres "A. R.".

Dans ce cas, les colis doivent être accompagnés d'une formule conforme ou analogue au modèle annexé à la Convention Postale Universelle.

provision is made above, will be decided upon by mutual agreement through correspondence by the two Administrations.

ARTICLE 9.

CERTIFICATES OF MAILING. Certificate of mailing.

The sender of an ordinary parcel will receive, on his request at the time of mailing, a certificate of mailing issued by the office of origin on a special form; each country may collect a reasonable charge for that receipt, but no certificate of mailing other than the one showing the amount of the declaration of value (insurance) will be delivered to the senders of insured parcels. Furnished sender on request.

ARTICLE 10.

RETURN RECEIPTS AND INQUIRIES. Return receipts and inquiries.

1. The sender of an insured parcel may obtain a return receipt upon payment of such additional charge as the country of origin may stipulate. Charge.

2. The country of origin has the option of collecting a charge for all requests for information relative to the disposal of an ordinary or insured parcel made after mailing, if the sender has not already paid the special charge for a return receipt. Inquiry charge.

The country of origin also has the option of collecting a charge for an inquiry relative to an irregularity which is not, prima facie, imputable to a fault of the postal service. Inquiry relative to irregularity.

3. When a return receipt is requested, the sender or the office of origin shall enter on the parcel, by hand or by means of a stamp, in a very conspicuous manner, the note "Avis de Réception" (return receipt), or simply the letters "A. R.". Return receipt; form, etc.

In that case, the parcels must be accompanied by a form conforming or analogous to the model appended to the Universal Postal Convention.

Cette formule est établie par le bureau d'origine ou par tout autre bureau désigné par l'office d'origine; elle est fixée au bulletin d'expédition du colis qu'elle concerne lorsqu'il s'agit des colis envoyés en France, et, en cas des colis envoyés aux Etats-Unis d'Amérique, elle est fixée au colis même. Si elle ne parvient pas au bureau de destination, celui-ci établit d'office un nouvel avis de réception.

Le bureau de destination, après avoir complété la formule en question, la renvoie, à découvert et en franchise, à l'expéditeur du colis.

That form is made up by the office of origin or by any other office designated by the Administration of origin; it is attached to the dispatch note of the parcel to which it relates, in the case of parcels sent to France, and to the parcel itself in the case of parcels sent to the United States of America. If the form does not reach the office of destination, the latter makes up a new return receipt officially.

The office of destination, after having completed the form in question, returns it, unenclosed and free of postage, to the sender of the parcel.

ARTICLE 11.

ARTICLE 11.

Ordinary parcels.

NON RESPONSABILITÉ POUR LES COLIS ORDINAIRES.

NON-RESPONSIBILITY FOR ORDINARY PARCELS.

Nonresponsibility for loss, etc.

Ni l'expéditeur, ni le destinataire d'un colis ordinaire n'ont droit à une indemnité pour la perte du colis ou pour la soustraction ou la détérioration de son contenu.

Neither the sender nor the addressee of an ordinary parcel is entitled to indemnity for the loss of the parcel or for the abstraction or deterioration of its contents.

ARTICLE 12.

ARTICLE 12.

Insured parcels.

RESPONSABILITÉ POUR LES COLIS ASSURÉS.

RESPONSIBILITY FOR INSURED PARCELS.

Responsibility for loss, etc.

1. Sauf dans les cas prévus à l'article suivant, les Administrations contractantes sont responsables de la perte, de la spoliation ou de la détérioration des colis assurés.

L'expéditeur, ou le réclamant qualifié, a droit, par ce fait, à une indemnité correspondant au montant réel de la perte, de la spoliation ou du dommage, mais ne pouvant excéder le montant de la valeur assurée dans le pays de dépôt.

1. Save in the cases contemplated by the following Article, the contracting Administrations are responsible for the loss, rifling, or damage of insured parcels.

The sender or rightful claimant is entitled, on that account, to an indemnity corresponding to the actual amount of the loss, rifling, or damage, but which may not exceed the amount of the insured value in the country of mailing.

Indirect damage, etc.

2. Il n'est pas tenu compte des dommages indirects ou des bénéfices non réalisés.

2. No account is taken of indirect damage or unrealized benefits.

Calculation of indemnity.

3. L'indemnité est calculeé d'après le prix courant des marchandises de même nature au lieu du dépôt de la marchandise et au moment de ce dépôt. En l'absence de prix-courants, l'indemnité est calculeé d'après le prix

3. The indemnity is calculated in accordance with the current price of merchandise of the same nature at the place of mailing of the merchandise and at the time of such mailing. In the absence of current price lists, the in-

de la marchandise, évalué au moment et dans le lieu du dépôt.

4. Dans le cas où l'indemnité est due pour la perte totale, pour un dommage irréparable du contenu ou pour la spoliation complète de ce contenu, le réclamant qualifié a également droit au remboursement des taxes d'affrachissement. Il en est de même lorsqu'il s'agit de colis refusés par le destinataire à cause de leur mauvais état, si ce mauvais état est imputable au service postal et engage la responsabilité de ce service.

5. Les taxes d'assurance sont, dans tous les cas, conserveés par les Administrations contractantes.

demnity is calculated on the basis of the price of the merchandise evaluated at the time and place of mailing.

Return of postage on loss of parcel.

4. In case that indemnity is due for the total loss, for irreparable damage to the contents, or for complete rifling of the contents, the rightful claimant is also entitled to reimbursement of the postage charges. The same applies in the case of parcels refused by the addressee because of their bad condition, if such bad condition is imputable to the postal service and involves the responsibility of that service.

Refused, because of bad condition.

Fees retained by contracting Administrations.

5. The insurance fees are in all cases retained by the contracting Administrations.

ARTICLE 13.

EXCEPTIONS AU PRINCIPE DE LA RESPONSABILITÉ.

1. Les Administrations contractantes sont dégagées de toute responsabilité:

a) En cas de force majeure, ce terme étant défini par la législation ou la jurisprudence du pays dans le service duquel sont survenus la perte ou le dommage. Cependant, chacune des deux Administrations se réserve le droit de couvrir les risques résultant de la force majeure, étant bien entendu que l'exercice de cette faculté n'entraîne pas la responsabilité réciproque de l'autre Administration;

b) Quand elles ne peuvent pas rendre compte du sort d'un colis par suite de la destruction de documents officiels due à un cas de force majeure;

c) Quand le dommage est la conséquence d'une faute de l'expéditeur ou de sa négligence ou quand il provient de la nature de l'objet;

d) Pour les colis dont le contenu tombe sous le coup d'une des prohibitions de l'Article 5;

e) Pour les colis ayant fait l'objet d'une déclaration frauduleuse de valeur, supérieure à la valeur réelle du contenu;

ARTICLE 13.

EXCEPTIONS TO THE PRINCIPLE OF RESPONSIBILITY.

Release of responsibility, when.

1. The contracting Administrations are released from all responsibility:

Loss, etc., through force majeure.

a) In case of force majeure, as that term is defined by the legislation or jurisprudence of the country in the service of which the loss or damage has occurred. However, each of the two Administrations reserves the right to cover risks resulting from force majeure, it being understood that the exercise of that option does not involve the reciprocal responsibility of the other Administration.

Destruction of official records.

b) When they can not account for the disposal of a parcel as a result of the destruction of official records due to a case of force majeure;

Damage through fault, etc., of sender.

c) When the damage is the result of a fault of the sender or of his negligence, or when it arises from the nature of the article;

Prohibited articles. *Ante*, p. 3327.

d) For parcels whose contents come under one of the prohibitions in Article 5;

Declared above real value.

e) For parcels which have formed the subject of a fraudulent declaration of value, higher than the actual value of the contents;

Unclaimed.

f) Pour les colis qui n'ont donné lieu à aucune réclamation dans le délai d'un an à partir du lendemain du jour du dépôt.

Proper packing, etc.

2. L'expéditeur est tenu de confectionner, d'emballer et de cacheter convenablement les colis V.D. Le service postal n'assume aucune responsabilité pour les pertes, spoliations ou détériorations résultant de défectuosités qui ne pouvaient être constatées lors du dépôt du colis.

ARTICLE 14.

CESSATION DE LA RESPONSABILITÉ.

Cessation of responsibility.

Les Administrations contractantes cessent d'être responsables des colis qui ont été distribués dans les conditions prescrites par leurs règlements intérieurs et dont les destinataires ont pris livraison sans formuler des réserves.

ARTICLE 15.

Payment of indemnity.

PAYEMENT DE L'INDEMNITÉ.

Obligation upon dispatching office.
Ante, p. 3332.

L'obligation de payer l'indemnité incombe à l'office expéditeur, sauf les cas, prévus par l'Article 12 paragraphe 1, dans lesquels cette indemnité est payée par l'office de destination. L'office payeur a un droit de recours contre l'office responsable.

ARTICLE 16.

DÉLAI DE PAYEMENT.

Period of payment.

1. Le payement de l'indemnité sera effectué aussitôt que possible, et au plus tard dans le délai d'un an à partir du jour qui suit la date de la réclamation.

2. L'office auquel l'Article 15 impose le payement de l'indemnité est autorisé à désintéresser l'ayant droit pour le compte de l'office qui, régulièrement saisi, a laissé s'écouler neuf mois sans donner de solution à l'affaire.

Payment deferred in exceptional cases.

3. L'office expéditeur peut exceptionnellement différer le règlement de l'indemnité jusqu'au delà de la période d'un an si, à la fin de cette période, il n'a pas

f) For parcels about which no inquiry has been made within the period of one year from the day following the date of mailing.

2. The sender is bound to make up, pack, and seal insured parcels in an adequate manner. The postal service does not assume any responsibility for loss, rifling, or deterioration resulting from defects which could not be detected at the time of mailing of the parcel.

ARTICLE 14.

CESSATION OF RESPONSIBILITY.

The contracting Administrations cease to be responsible for parcels which have been delivered under the conditions prescribed by their internal regulations and whose addressees have accepted delivery without making any reservations.

ARTICLE 15.

PAYMENT OF INDEMNITY.

The obligation of paying indemnity is incumbent upon the dispatching Office, except in the cases contemplated by Article 12, Section 1, where such indemnity is paid by the Office of destination. The paying Office is entitled to recourse against the responsible Office.

ARTICLE 16.

PERIOD OF PAYMENT.

1. The payment of indemnity will be effected as soon as possible, and, at the latest, within the period of one year from the day following the date of the inquiry.

2. The Office upon which Article 15 imposes the payment of indemnity is authorized to indemnify the rightful party on behalf of the Office which, duly notified, has let nine months pass without settling the matter.

3. The dispatching Office may exceptionally postpone settlement of the indemnity beyond the period of a year if, at the end of that period, it has not been able to

été en mesure de déterminer ce qu'est devenu l'envoi en question ou de fixer la responsabilité encourue.

ARTICLE 17.

OFFICE RESPONSABLE.

1. Jusqu'à preuve du contraire, la responsabilité incombe à l'office qui, ayant reçu le colis de l'autre office sans faire des réserves, et, étant en possession de tous les éléments de recherches prescrits, ne peut établir, soit que le colis a été remis au destinataire, soit qu'il a été transmis à l'office suivant.

2. Si la perte, la spoliation ou l'avarie ont eu lieu en cours de route, sans qu'il soit possible de déterminer sur le territoire ou dans le service de quel pays elles se sont produites, les Administrations contractantes payent le dommage par moitié.

3. Les droits de douane et autres taxes dont l'annulation ne peut être obtenue sont à la charge de l'Administration responsable de la perte, de la spoliation ou de l'avarie.

4. Par le fait du payement de l'indemnité et jusqu'à concurrence du montant de cette indemnité, l'Administration responsable est subrogée dans les droits de la personne qui a reçu l'indemnité pour tout recours éventuel soit contre le destinataire, soit contre l'expéditeur, soit contre des tiers.

Cependant, si des colis considérés comme perdus sont retrouvés ultérieurement, en tout ou en partie, la personne à qui l'indemnité a été payée sera informée qu'elle peut rentrer en possession de l'objet retrouvé en remboursant le montant de l'indemnité qui lui a été payée.

ARTICLE 18.

REMBOURSEMENT DE L'INDEMNITÉ À L'OFFICE EXPÉDITEUR.

1. Le pays responsable de la perte, de la spoliation ou de l'avarie et pour le compte duquel

determine what has become of the article in question or to fix the responsibility incurred.

ARTICLE 17.

RESPONSIBLE OFFICE.

Responsible office.

1. Until the contrary is proved, the responsibility rests with the Office which, having received the parcel from the other Office without making any reservations and being furnished all the prescribed particulars for an investigation, can not establish either that the parcel has been delivered to the addressee or that it has been transmitted to the following Office.

2. If the loss, rifling, or damage has taken place en route without its being possible to determine on the territory or in the service of what country it occurred, the contracting Administrations pay the damage by halves.

3. The customs duties and other charges whose cancelation can not be obtained are charged to the Administration responsible for the loss, rifling, or damage.

4. By the fact of the payment of the indemnity, and up to the amount of such indemnity, the responsible Administration is subrogated in the rights of the person who has received the indemnity for all eventual recourse against either the addressee, the sender, or third parties.

However, if parcels considered as lost are subsequently found, in whole or in part, the person to whom the indemnity has been paid will be informed that he may regain possession of the recovered article by repaying the amount of the indemnity which has been paid to him.

ARTICLE 18.

REPAYMENT OF THE INDEMNITY TO THE DISPATCHING OFFICE.

Indemnity.

Repayment to dispatching office.

1. The country responsible for the loss, rifling, or damage and on behalf of which the payment is

le payement est fait, est tenu de rembourser le montant de l'indemnité au pays qui a payé pour son compte. Ce remboursement doit se faire sans délai, et, au plus tard, au bout de neuf mois après réception de la notification du payement.

2. Les remboursements de cette nature doivent être faits sans frais pour le pays créditeur, au moyen d'un mandat ou d'une traite, en monnaie ayant cours dans le pays créditeur, ou par tout autre moyen qui pourra être convenu d'un commun accord, par correspondance.

3. Les remboursements d'indemnités de pays à pays seront faits sur la base du franc or.

ARTICLE 19.

PAYEMENT DE L'INDEMNITÉ EN CAS DE COLIS RÉEXPÉDIÉS.

Insured parcel forwarded to a third country.

Dans le cas où un colis assuré, réexpédié par l'Administration destinataire sur un pays n'ayant pas adhéré à la présente Convention a été perdu, spolié ou avarié en cours de route, entre le lieu d'où il a été réexpédié et le lieu de destination définitive, l'ayant droit est indemnisé dans les limites fixées par les accords en vigueur dans les relations entre l'office réexpéditeur et l'office auquel le colis a été réexpédié.

En cas de réexpédition faite, par erreur, par l'Administration destinataire sur un pays n'ayant pas adhéré à la présente Convention, l'office réexpéditeur est responsable envers l'ayant droit, dans les limites fixées par ladite Convention.

ARTICLE 20.

PERTE, SPOLIATION OU AVARIE CONSTATÉES AU MOMENT DE LA RÉCEPTION DES DÉPÊCHES.

Loss, etc., detected when mails received.

La responsabilité, pour la perte, la spoliation ou l'avarie d'un colis assuré, qui sont constatées par le bureau d'échange destinataire, au moment de l'ouverture des dé-

made is bound to repay the amount of the indemnity to the country which has made payment on its behalf. That reimbursement must be effected without delay, and at the latest at the expiration of nine months after receipt of the notification of payment.

2. Reimbursements of this kind must be effected without expense for the creditor country, by means of a money order or a draft, in money valid in the creditor country, or by any other means which may be agreed upon by mutual consent through correspondence.

3. Repayments of indemnities by one country to the other will be made on the basis of the gold franc.

ARTICLE 19.

PAYMENT OF THE INDEMNITY (IN CASE OF FORWARDED PARCELS).

In case that an insured parcel forwarded by the Administration of destination to a country which has not adhered to the present Convention has been lost, rifled, or damaged en route between the place from which it was forwarded and the place of final destination, the rightful party is indemnified within the limits fixed by the agreements in force in relations between the redispatching Office and the Office to which the parcel was forwarded.

In case of forwarding effected through error by the Administration of destination to a country which has not adhered to the present Convention, the redispatching Office is responsible to the rightful person within the limits fixed by the said Convention.

ARTICLE 20.

LOSS, RIFLING, OR DAMAGE DETECTED AT THE TIME OF RECEIPT OF THE MAILS.

The responsibility for the loss, rifling, or damage of an insured parcel detected by the exchange office of destination at the time of opening the mails and reported

pêches, et qui sont signalées au bureau d'échange expéditeur conformément aux prescriptions de l'Article 22 ci-après, incombe à l'Administration à laquelle appartient le bureau d'échange expéditeur, à moins qu'il ne soit prouvé que la perte, la spoliation ou l'avarie ont eu lieu dans le service de l'Administration destinataire.

ARTICLE 21.

COLIS EN TRANSIT.

1. Chaque Administration garantit le droit de transit sur son territoire aux colis originaires du territoire de l'autre Administration contractante, et destinés à l'un quelconque des pays avec lequel elle échange des colis postaux et, inversement, aux colis originaires de l'un de ces derniers pays, et distribuables sur le territoire de l'autre Administration contractante.

2. Chaque Administration fera connaître à l'autre Administration quels sont les pays auxquels des colis peuvent être adressés par son intermédiaire, ainsi que les sommes à porter à son crédit, sur les feuilles de route, pour ces colis.

3. Pour être acceptés, les colis expédiés par l'un des pays contractants et destinés à transiter par l'autre pays, doivent remplir les conditions fixées par l'Administration intermédiaire.

ARTICLE 22.

CONTRÔLE PAR LES BUREAUX D'ÉCHANGE.

1. Dès la réception d'une feuille de route, le bureau d'échange procède à la vérification des colis et des divers documents qui les accompagnent.

2. S'il relève des erreurs, des omissions sur la feuille de route, il fait immédiatement les corrections nécessaires, en prenant soin de barrer à l'encre les indications erronées, de façon à laisser reconnaissables les inscriptions originales. Ces corrections sont faites

to the dispatching exchange office in accordance with the provisions of Article 22 hereafter, is incumbent upon the Administration to which the dispatching exchange office belongs, unless it is proven that the loss, rifling, or damage took place in the service of the Administration of destination.

ARTICLE 21.

PARCELS IN TRANSIT.

Parcels in transit.

1. Each Administration guarantees the right of transit over its territory for parcels originating in the territory of the other contracting Administration and destined for any country with which it exchanges parcel post, and, in the other direction, for parcels originating in one of these latter countries and destined for delivery on the territory of the other contracting Administration.

2. Each Administration will notify the other Administration regarding the countries to which parcels may be sent through its intermediary, as well as the amounts to be entered to its credit in the parcel bills for such parcels.

3. In order to be accepted, parcels sent by one of the contracting countries and destined to pass in transit through the other country must fulfill the conditions fixed by the intermediate Administration.

ARTICLE 22.

CHECK BY EXCHANGE OFFICES.

Check by exchange offices.

Duty of exchange office.

1. Upon receipt of a parcel bill, the exchange office proceeds to check the parcels and the various documents accompanying them.

2. If it discovers any errors or omissions in the parcel bill, it immediately makes the necessary corrections, taking care to cross out the erroneous indications in ink in such a way as to leave the original entries recognizable. Those corrections are made joint-

conjointement par deux agents. Sauf le cas d'erreur évidente, elles prévaudront sur la déclaration originale.

Office of destination also to prepare, etc., bulletin of verification.

Le bureau de destination établit, en outre, un bulletin de verification et l'envoie sans délai au bureau d'échange expéditeur, sous pli recommandé.

3. Les différences peu importantes, relatives au volume, aux dimensions et au poids des colis, ainsi que les irrégularités qui, d'une façon évidente, n'engagent pas la responsabilité des Administrations respectives, sont signalées par un bulletin de vérification.

4. Le bureau d'échange expéditeur renvoie le bulletin de vérification après l'avoir examiné et y avoir porté ses observations, s'il y a lieu. Ce bulletin est alors joint aux feuilles de route des colis qu'il concerne. Les rectifications apportées à une feuille de route et qui ne sont pas appuyées d'une pièce justificative sont considérées comme dépourvues de valeur.

5. La constatation de manquants, d'altérations ou d'irrégularités de nature à engager la responsabilité des Administrations respectives donne lieu à l'établissement d'un bulletin de vérification qui est envoyé sous pli recommandé au bureau d'échange expéditeur.

S'il s'agit d'un colis assuré, il est également établi un procès-verbal de constat qui est envoyé, sous pli recommandé d'office, à l'Administration Centrale du pays auquel appartient le bureau d'échange expéditeur, accompagné, si c'est possible, de la ficelle et des plombs ayant servi à la fermeture du récipient dans lequel étaient contenus les colis. Un duplicata de ce procès-verbal est adressé en même temps à l'Administration Centrale à laquelle appartient le bureau d'échange destinataire, ou à tout autre bureau désigné par cette dernière.

6. Si c'est nécessaire, le bureau d'échange expéditeur peut également être avisé par télégramme, aux frais de l'office qui envoie ce télégramme.

ly by two agents. Except in case of obvious error, they will prevail over the original declaration.

The office of destination also makes up a bulletin of verification and sends it without delay to the dispatching exchange office under registered cover.

3. Differences of slight importance, relative to the volume, dimensions, and weight of the parcels, as well as irregularities which evidently do not involve the responsibility of the respective Administrations are pointed out by a bulletin of verification.

4. The dispatching exchange office returns the bulletin of verification after having examined it and entered thereon its observations, if any. That bulletin is then attached to the parcel bills of the parcels to which it relates. Corrections made on a parcel bill which are not justified by a supporting paper are considered as devoid of value.

5. The discovery of shortages, alterations, or irregularities of such a nature as to involve the responsibility of the respective Administrations gives rise to the preparation of a bulletin of verification which is sent under registered cover to the dispatching exchange office.

If it is a question of an insured parcel, a report of proceedings is also prepared and sent under official registration to the Central Administration of the country to which the dispatching exchange office belongs, accompanied if possible by the string and the lead seals which have served to fasten the receptacle in which the parcels were contained. A duplicate of that report is addressed at the same time to the Central Administration to which the exchange office of destination belongs, or to some other office designated by the latter.

6. If necessary, the dispatching exchange office may also be advised by telegram, at the expense of the Office sending such telegram.

7. Quand le bureau d'échange destinataire n'a pas adressé au bureau d'échange expéditeur, par le premier courrier qui suit la vérification, un bulletin signalant les erreurs ou les irrégularités ce bureau destinataire est considéré comme ayant reçu les colis, à moins de preuve contraire.

8. Sans préjudice de l'application des dispositions du paragraphe 5 du présent article, le bureau d'échange qui reçoit d'un bureau correspondant un colis avarié ou insuffisamment emballé, doit réexpédier ce colis après l'avoir remballé, si c'est nécessaire, et en conservant autant que possible l'emballage original.

Si l'avarie est telle que le contenu du colis a pu être soustrait, le bureau doit d'abord ouvrir d'office le colis et en vérifier le contenu.

Dans les deux cas, le poids du colis sera vérifié avant et après le remballage, et indiqué sur l'emballage du colis même. Cette indication sera suivie de la mention "Remballé à_____" et de la signature des agents qui auront effectué cette réfection.

7. When the exchange office of destination has not addressed to the dispatching exchange office, by the first mail following the verification, a bulletin pointing out errors or irregularities, the office of destination is considered as having received the parcels, unless the contrary is proved.

8. Without prejudice to the application of the provisions of Section 5 of the present article, the exchange office which receives from a corresponding office a parcel which is damaged or insufficiently packed must redispatch such parcel after repacking, if necessary, preserving the original packing as far as possible. Parcels received in damaged, etc., condition.

If the damage is such that the contents of the parcel may have been abstracted, the office must first officially open the parcel and verify its contents.

In either case, the weight of the parcel will be verified before and after repacking, and indicated on the packing of the parcel itself. That indication will be followed by the note "Remballé à_____" (Repacked at_____) and the signatures of the agents who have effected such repacking.

ARTICLE 23.

DROITS DE FACTAGE, DE DÉDOUANEMENT ET DE MAGASINAGE.

1. L'Administration du pays de destination peut percevoir sur le destinataire, pour la livraison et l'accomplissement des formalités en douane, une taxe ne dépassant pas 20 cents or (1 franc or) par colis. Elle peut percevoir une taxe supplémentaire de 10 cents or (50 centimes or) pour chaque présentation du colis à l'adresse du destinataire, après la première présentation infructueuse. Ces taxes ne sont pas annulées en cas de réexpédition ou de renvoi des colis à l'origine.

2. Chaque Administration peut percevoir des taxes raisonnables de magasinage ou de surestarie, dans le cas où le destinataire

ARTICLE 23.

DELIVERY, CUSTOMS-CLEARANCE, AND STORAGE CHARGES.

1. The Administration of the country of destination may collect from the addressee, for delivery and the fulfillment of customs formalities, a charge not exceeding 20 cents gold (1 franc gold) per parcel. It may collect a supplementary charge of 10 cents gold (50 centimes gold) for each presentation of the parcel at the address of the addressee after the first unsuccessful presentation. These charges are not canceled in case of forwarding or return to origin of the parcel. Delivery, customs-clearance, and storage charges.

2. Each Administration may collect reasonable charges for storage or demurrage, in case that the addressee does not accept the

n'accepte pas la livraison d'un colis dans tel délai raisonnable prescrit par l'Administration du pays de destination. Les taxes de cette nature seront annulées dans le cas de renvoi du colis au pays d'origine.

ARTICLE 24.

RÉEXPÉDITION.

Forwarding parcels.

1. La réexpédition d'un colis, par suite du changement de résidence du destinataire, dans le territoire du pays de destination, peut être effectuée, sur la demande de l'expéditeur ou du destinataire, ou sans demande expresse, si les règlements du pays de destination le prescrivent.

La réexpédition d'un colis d'un pays sur un autre n'a lieu que sur la demande de l'expéditeur ou du destinataire, et sous réserve que ce colis remplisse les conditions exigées pour le nouveau transport.

L'expéditeur est autorisé à interdire toute réexpédition, par une mention appropriée sur le bulletin d'expédition et sur le colis.

Parcels forwarded to another country.

2. La réexpédition des colis sur un autre pays, par suite du changement de résidence du destinataire, donne lieu à une nouvelle perception des taxes fixées par l'Article 31. Quand un colis a été réexpédié sur le territoire du pays de destination, l'Administration de ce pays peut percevoir une taxe de réexpédition sur la base de ses règlements intérieurs. Ces taxes, qui sont exigibles en cas de réexpédition ultérieure ou de retour à l'envoyeur, sont perçues sur le destinataire ou sur l'expéditeur, suivant le cas, sans préjudice du payement des autres taxes dont le pays de destination n'accorde pas l'annulation.

Post, p. 3344.

Parcels redirected or returned in transit, recovery for service.

3. Dans le cas d'un colis réexpédié ou retourné en transit, par l'une des deux Administrations à l'autre, l'Administration intermédiaire peut reprendre sur l'autre Administration toutes les sommes qui lui sont dues pour tout service territorial ou maritime effec-

delivery of a parcel within such reasonable period as may be prescribed by the Administration of the country of destination. Charges of this nature will be canceled in the case of return of the parcel to the country of origin.

ARTICLE 24.

FORWARDING.

1. The forwarding of a parcel, as the result of change of address of the addressee, within the territory of the country of destination, may be effected, at the request of the sender or addressee, or without express request, if the regulations of the country so prescribe.

The forwarding of a parcel from one country to another is effected only at the request of the sender or addressee, and provided that such parcel fulfills the conditions required for the new transmission.

The sender is authorized to forbid any forwarding by an appropriate notation on the dispatch note and on the parcel.

2. The forwarding of parcels to another country, as a result of change of address of the addressee, gives rise to a new collection of the charges fixed by Article 31. When a parcel has been forwarded on the territory of the country of destination, the Administration of that country may collect a forwarding charge based on its domestic regulations. Those charges, which are collectible in case of subsequent forwarding or return to the sender, are collected from the addressee or from the sender, as the case may be, without prejudice to the payment of the other charges which the country of destination does not agree to cancel.

3. In the case of a parcel redirected or returned in transit, through one of the two Administrations to the other, the intermediate Administration may recover from the other Administration all the sums due to it for any territorial or maritime service

tué, ainsi que toutes les sommes qui doivent revenir à une ou plusieurs autres Administrations intéressées.

ARTICLE 25.

RÉEXPÉDITION DES COLIS EN FAUSSE DIRECTION.

Les colis ordinaires envoyés en fausse direction sont réexpédiés sur leur destination par la voie la plus directe dont dispose l'Administration qui les a reçus par erreur. Cette Administration ne peut frapper ces colis de droits de douane ou d'autres taxes quelconques.

Les colis assurés reçus en fausse direction ne sont réexpédiés que s'ils peuvent être réexpédiés comme colis assurés. Si cette condition n'est pas remplie, ces colis sont renvoyés à l'origine.

Lorsque le réacheminement comporte le retour du colis au bureau d'origine, l'Administration qui effectue la retransmission rembourse à ce bureau les crédits reçus et signale l'erreur par bulletin de vérification.

Lorsque le réacheminement comporte l'expédition d'un colis sur un tiers pays et que la somme créditée à l'Administration effectuant la retransmission ne suffit pas à couvrir les frais de celle-ci, la dite Administration récupère le montant de l'insuffisance par reprise sur le bureau d'échange dont elle a directement reçu le colis en fausse direction. Le motif de cette récupération est signalé à ce dernier bureau par un Bulletin de verification.

ARTICLE 26.

INTERDICTION DE PERCEVOIR DES TAXES POSTALES AUTRES QUE CELLES QUI SONT PRESCRITES.

Les colis auxquels s'applique la présente Convention ne seront soumis à aucune taxe postale autre que celles qui sont prévues dans les différents articles de la dite Convention.

performed, as well as all the amounts which must be credited to one or more other Administrations concerned.

ARTICLE 25.

FORWARDING OF MISSENT PARCELS.

Forwarding of missent parcels.

Missent ordinary parcels are forwarded to their destination by the most direct route at the disposal of the Administration which has received them through error. That Administration may not charge such parcels with customs duties or any other charges.

Ordinary.

Insured parcels received missent are not forwarded unless they can be forwarded as insured parcels. If that condition is not fulfilled, such parcels are returned to origin.

Insured.

When the reforwarding involves the return of the parcel to the office of origin, the Administration which effects the retransmission refunds to that office the credits received and points out the error by a bulletin of verification.

When the reforwarding involves the dispatch of a parcel to a third country, and if the sum credited to the Administration effecting the retransmission is not sufficient to cover the expenses of the latter, the said Administration recovers the amount of the insufficiency by debiting the exchange office from which it has directly received the missent parcel. The reason for such recovery is pointed out to the latter office by a bulletin of verification.

ARTICLE 26.

PROHIBITION AGAINST COLLECTING POSTAL CHARGES OTHER THAN THOSE PRESCRIBED.

Collecting other than prescribed charges.

The parcels to which the present Convention applies will not be subject to any postal charges other than those which are provided for in the different Articles of the said Convention.

ARTICLE 27.

RETRAIT ET CHANGEMENT D'ADRESSE.

Withdrawal and change of address.

Tant qu'un colis n'a pas été remis au destinataire, l'expéditeur peut en demander le retrait ou en faire modifier l'adresse. Les demandes de retrait ou de changement d'adresse, qui doivent être faites conformément aux règles établies par les règlements intérieurs des Administrations contractantes, doivent être adressées à l'Administration Centrale, s'il s'agit de colis destinés à être distribués aux Etats-Unis d'Amérique, et au bureau de destination, s'il s'agit de colis destinés à être distribués en France.

L'expéditeur est tenu de garantir à l'avance le payement des taxes d'affranchissement dues pour la nouvelle transmission.

ARTICLE 28.

NON REMISE.

Non-delivery.

1. En l'absence d'ordre contraire de la part de l'expéditeur tout colis qui ne peut être distribué doit être renvoyé à cet expéditeur sans préavis. La nouvelle taxe d'affranchissement, ainsi que les nouveaux droits d'assurance, s'il s'agit de colis assurés—lesquels doivent être renvoyés comme ils ont été reçus, c'est-à-dire par envoi assuré—doivent être perçus sur l'expéditeur.

L'office de première destination recouvre ses dépenses sur l'office d'origine, par une indication portée sur la feuille de route, ainsi qu'il est prévu à l'Article 8, paragraphe 5, pour les colis réexpédiés.

Ante, p. 3330.

Treatment in case of non-delivery.

2. L'expéditeur peut indiquer, par une mention portée au verso du bulletin d'expédition et sur le colis lui-même, de quelle façon doit être traité son colis, en cas de non-remise.

A cet effet, il peut demander que son colis soit:

a) considéré comme abandonné;

ARTICLE 27.

WITHDRAWAL AND CHANGE OF ADDRESS.

As long as a parcel has not been delivered to the addressee, the sender may request its return or have its address altered. The requests for withdrawal or change of address, which must be made in accordance with the rules established by the domestic regulations of the contracting Administrations, must be addressed to the Central Administration, if it is a question of parcels destined for delivery in the United States of America, and to the office of destination, if it is a question of parcels destined for delivery in France.

The sender is bound to guarantee in advance the payment of the postage charges due for the new transmission.

ARTICLE 28.

NON-DELIVERY.

1. In the absence of contrary instructions by the sender, any parcel which can not be delivered must be returned to the sender without previous notice. The new postage charges, as well as the new insurance fees in the case of insured parcels (which must be returned in the same form as received, i.e., as insured parcels), must be collected from the sender.

The Office of first destination recovers its expenses from the Office of origin, by an entry made in the parcel bill as provided by Article 8, Section 5, for forwarded parcels.

2. The sender may indicate, by a note placed on the back of the dispatch note and on the parcel itself, the manner in which he desires his parcel treated in case of non-delivery.

To that effect, he may request that his parcel be:

a) considered as abandoned;

b) présenté à un deuxième destinataire, dans le pays de destination;

c) renvoyé immédiatement à son origine.

3. Les colis qui n'ont pu être distribués sont renvoyés à l'origine, sauf demande contraire de l'expéditeur, à l'expiration d'une période de 30 jours, à partir de leur date d'arrivée au bureau de destination.

Tout colis renvoyé à l'expéditeur, ainsi que le bulletin d'expédition y afférent, doit porter l'indication très claire du motif de la non-remise.

4. Les colis susceptibles de se détériorer, et ceux-là seulement, peuvent être vendus immédiatement, même en cours de transport, à l'aller ou au retour, sans prèavis et sans formalités judiciaires. Le produit net de la vente sera remis à l'ayant droit après dèduction des taxes dont les colis pourront être passibles.

Si, pour une raison quelconque, la vente du colis est impossible, les objets détériorés ou sans valeur seront détruits. Il sera établi un procès-verbal de la vente ou de la destruction. La copie de ce procès-verbal est transmise à l'Administration d'origine.

5. Les colis non distribuables, abandonnés par l'expéditeur, ne sont pas renvoyés à l'origine par l'office de destination, lequel les traite d'après sa législation.

Dans le cas de colis assurés que l'expéditeur déclare vouloir abandonner et qui ne peuvent être distribués, il sera pris bonne note du sort du colis, et l'Administration d'origine en sera informée.

b) presented to a second addressee in the country of destination;

c) immediately returned to origin.

Undeliverable parcels, return to place of origin.

3. Undeliverable parcels are returned to origin, in the absence of a request to the contrary by the sender, at the expiration of a period of 30 days, counting from their date of arrival at the office of destination.

Every parcel returned to the sender, as well as the dispatch note belonging thereto, must bear a very clear indication of the reason for the non-delivery.

Parcels liable to deterioration.

4. Parcels liable to deterioration, and these only, may be sold immediately, even en route, on the outward or return journey, without previous notice and without judicial formalities. The net proceeds of the sale will be turned over to the rightful party after deducting the charges to which the parcel may be liable.

If, for any reason, the sale of the parcel is impossible, the deteriorated or worthless article will be destroyed. A report will be made up of the sale or destruction. A copy of that report is transmitted to the Administration of origin.

Abandoned parcels.

5. Undeliverable parcels which are abandoned by the sender are not returned to origin by the Office of destination, which treats them in accordance with its legislation.

In the case of insured parcels which the sender declares his desire to abandon and which can not be delivered, careful note will be taken of the disposal made of the parcel, and the Administration of origin will be advised thereof.

ARTICLE 29.

DROITS DE DOUANE À ANNULER.

Les droits de douane proprement dits—applicables aux colis détruits, renvoyés au pays d'origine ou réexpédiés sur un autre pays—seront annulés, en France et aux Etats-Unis d'Amérique,

ARTICLE 29.

CUSTOMS DUTIES TO BE CANCELED.

Customs duties to be canceled.

Parcels destroyed.

The customs duties, properly so called, applicable to parcels which are destroyed, returned to the country of origin, or forwarded to another country, will be canceled, in France and in the

pourvu que soient accomplies les formalités prescrites par la douane.

ARTICLE 30.

RÉCIPIENTS.

Receptacles.

Chaque Administration fournira les sacs nécessaires à l'expédition de ses colis. Les sacs vides seront renvoyés au pays d'origine par le courrier suivant. Les sacs vides seront réunis par paquets de dix (neuf sacs renfermés dans un dixième sac) et le nombre total de ces sacs sera porté sur la feuille de route des colis.

L'office réexpéditeur portera sur ses feuilles de route le nombre des récipients renvoyés; il sera responsable de la perte de ceux dont il ne pourra pas prouver le renvoi.

ARTICLE 31.

Payments.

BONIFICATIONS.

Terminal, etc., credits.

1. Pour chaque colis expédié par un pays à l'autre, l'Administration expéditrice paie un droit terminal sur les bases indiquées ci-après:

a) Pour les colis de France adressés aux Etats-Unis d'Amérique, 70 centimes or par kilogramme calculé sur le poids net global de chaque dépêche.

b) Pour les colis des Etats-Unis adressés à la France:

f			
0,45	or par colis de	0 à 1 kg.	(2 livres)
0,75	" " " de	1 à 5 kgs.	(11 livres)
1,20	" " " de	5 à 10 kgs.	(22 livres)
1,65	" " " de	10 à 15 kgs.	(33 livres)
2,10	" " " de	15 à 20 kgs.	(44 livres)

De plus, pour chaque colis avec valeur déclarée, l'Administration expéditrice paie, comme droit terminal de déclaration de valeur,

United States of America, provided that the formalities prescribed by the customs are fulfilled.

ARTICLE 30.

RECEPTACLES.

Each Administration will furnish the sacks necessary for the dispatch of its parcels. The empty sacks will be returned to the country of origin by the following mail. The empty sacks will be assembled in packages of ten (nine sacks enclosed in a tenth sack) and the total number of such sacks will be entered in the parcel bill covering the parcels.

The redispatching Office will enter in its parcel bills the number of receptacles returned; it will be responsible for the loss of those whose return it can not prove.

ARTICLE 31.

PAYMENTS.

1. For each parcel dispatched by one country to the other, the dispatching Administration shall pay a terminal credit as follows:

a) For parcels from France addressed to the United States of America, 70 centimes gold per kilogram computed on the bulk net weight of each dispatch.

b) For parcels from the United States of America addressed to France:

fr.			
0.45	gold per parcel from	0 to 1 kg.	(2 pounds)
0.75	" " " "	1 to 5 kgs.	(11 pounds)
1.20	" " " "	5 to 10 kgs.	(22 pounds)
1.65	" " " "	10 to 15 kgs.	(33 pounds)
2.10	" " " "	15 to 20 kgs.	(44 pounds)

In addition, for each insured parcel the dispatching Administration shall pay, as an insurance terminal credit, a uniform charge

un droit uniforme de 10 centimes or, quelle que soit la valeur déclarée.

Les droits terminaux et de déclaration de valeur spécifiés ci-dessus peuvent être réduits ou augmentés, sur préavis de 3 mois donné par un pays à l'autre. La réduction ou l'augmentation restera en vigueur pendant une durée d'un an au moins.

2. L'Administration intermédiaire fixe les sommes qui doivent être allouées pour les colis envoyés par une Administration à l'autre pour être transmis à une possession de l'un ou de l'autre pays ou à un tiers pays.

3. En cas de réacheminement ou de retour à l'origine d'un colis, si le bureau réexpéditeur perçoit un nouvel affranchissement et un nouveau droit de déclaration de valeur (dans le cas de colis V.D.), le colis est traité comme s'il était originaire de ce pays. Autrement, l'Administration effectuant la réexpédition recouvre sur l'autre Administration l'ensemble des frais qui lui sont dus, à savoir:

a) la quote-part fixée à la Section 1 ci-dessus;

b) les autres frais grevant le colis réexpédié ou renvoyé à l'origine et qui ne sont pas annulés par l'office de destination.

En cas de réexpédition sur un tiers pays, les droits accumulés, c'est-à-dire, les droits mentionnés ci-dessus en a) et b) suivent le colis; s'il s'agit d'une réexpédition sur l'ordre de l'expéditeur et dans le cas où le tiers pays intéressé n'accepte pas l'imputation des droits parce qu'ils ne peuvent être perçus du destinataire, ces droits sont repris sur le pays d'origine pour être récupérés de l'expéditeur.

ARTICLE 32.

RÈGLEMENT DES COMPTES.

1. Chaque Administration fait établir trimestriellement pour tous les colis reçus de l'autre Ad-

of 10 centimes gold regardless of the amount for which the parcel is insured.

The terminal and insurance credits above specified may be reduced or increased on three months' previous notice given by one country to the other. The reduction or increase shall hold good for at least one year.

Parcels sent through a third country.

2. The intermediate Administration fixes the sums which must be allowed for parcels sent by one Administration to the other Administration for onward dispatch to a possession of one or the other country, or to a third country.

Reforwarding or return to origin.

3. In case of reforwarding or return to origin of a parcel, if new postage and new insurance fees (in the case of insured parcels) are collected by the redispatching Office, the parcel is treated as if it had originated in that country. Otherwise, the redispatching Administration recovers from the other Administration the whole of the charges due to it, namely:

a) the quota prescribed by Section 1 above;

b) the other charges due on the parcel forwarded or returned to origin which are not annulled by the Office of destination.

In case of reforwarding to a third country, the accrued charges, that is, the charges mentioned in a) and b) above, shall follow the parcel; if it is a question of forwarding at the order of the sender and in the case that the third country concerned refuses to assume the charges, because they can not be collected from the addressee, such charges shall be charged back to the country of origin for recovery from the sender.

ARTICLE 32.

ADJUSTMENT OF ACCOUNTS.

Adjustment of accounts.

1. Each Administration causes to be made up quarterly, for all parcels received from the other

ministration des relevés (conformes ou analogues à la formule modèle CP.13 de l'Arrangement international) des sommes portées sur les feuilles de route, à son crédit ou à son débit. Les colis reçus pour être transmis à une autre Administration font l'objet de relevés et de comptes spéciaux.

2. Ces relevés sont récapitulés dans un compte établi sur une formule conforme ou analogue au modèle CP.14 de l'Arrangement international.

3. Ledit compte, accompagné des états récapitulatifs, des feuilles de route, et, le cas échéant, des bulletins de vérification, est soumis à l'office correspondant, aux fins de vérification, dans le courant du mois qui suit celui auquel il se rapporte.

Les totaux ne seront jamais rectifiés. Les erreurs relevées doivent faire l'object d'états de différences.

4. Après avoir été vérifiés et acceptés, les comptes sont récapitulés dans un compte général trimestriel, établi par l'office créditeur.

5. Le solde résultant du règlement des comptes généraux trimestriels est payé par l'office débiteur à l'office créditeur, en francs or, au moyen de traites payables à vue sur la Capitale ou sur une ville commerçante du pays créditeur ou de toute autre manière admise par correspondance entre les deux Administrations. Les frais du payement sont supportés par l'Administration débitrice.

6. L'établissement, la transmission et le payement du solde d'un compte général seront effectués, aussitôt que possible, et au plus tard dans un délai de trois mois après l'expiration du trimestre suivant. Après l'expiration de ce délai, les sommes dues par une Administration à l'autre porteront intérêt au taux de 5% l'an à partir de la date d'expiration de la dite période.

Administration, statements (conforming or analogous to Form C.P.13 of the International Agreement) of the sums entered in the parcel bills, to its credit or to its debit. Parcels received for transmission to another Administration form the subject of separate statements and accounts.

2. These statements are recapitulated in an account made up on a form conforming or analogous to Form C.P.14 of the International Agreement.

3. The said account, accompanied by the recapitulatory statements, the parcel bills, and the bulletins of verification if any, is submitted to the corresponding Office for examination within the course of the month which follows that to which it relates.

The totals are never to be corrected. Errors discovered must form the subject of statements of differences.

4. After having been verified and accepted, the accounts are recapitulated in a general quarterly account, made up by the creditor Office.

5. The balance resulting from the settlement of the general quarterly accounts is paid by the debtor Office to the creditor Office, in gold francs, by means of drafts payable at sight on the Capital or on a commercial city of the creditor country, or in any other manner agreed upon through correspondence between the two Administrations. The expenses of payment are borne by the debtor Administration.

6. The preparation, transmission, and payment of the balance of a general account will be effected as soon as possible, and at the latest within a period of three months after the expiration of the following quarter. After the expiration of that period, the sums due by one Administration to the other will bear interest at the rate of 5 percent a year, beginning with the date of expiration of the said period.

ARTICLE 33.

QUESTIONS NON RÉGLÉES PAR LA CONVENTION.

1. Toutes les questions concernant les demandes de retrait ou de changement d'adresse de colis, l'obtention d'avis de réception pour les colis V.D. ou leur envoi lorsque, déjà demandés, ils n'ont pas été fournis, et le règlement des demandes d'indemnité, qui ne sont pas traitées dans la présente Convention sont soumises aux dispositions de la Convention de l'Union Postale Universelle et de son Règlement d'exécution, dans la mesure où celles-ci sont applicables et non incompatibles avec les dispositions de la présente Convention et, enfin, à défaut d'autres dispositions, la législation, les règlements et la jurisprudence des Etats-Unis et de la France, suivant le pays intéressé, font autorité.

2. Le Postmaster General des Etats-Unis d'Amérique et le Chef de l'Administration des Postes de France, ont le pouvoir de faire, de concert, par correspondance, tous les changements et toutes le modifications et tous les règlements ultérieurs d'ordre et de détail qui pourront être nécessaires pour faciliter l'exécution du service envisagé par la présente Convention, ainsi que le pouvoir de conclure des accords pour la recommandation des colis et pour l'échange de colis contre remboursement.

Les Administrations postales des deux pays contractants se communiqueront réciproquement leurs dispositions législatives ou règlementaires applicables au transport des colis postaux.

ARTICLE 33.

QUESTIONS NOT COVERED BY THE CONVENTION.

Questions not covered by Convention.

1. All questions concerning requests for recall or change of address of parcels, the obtaining of return receipts for insured parcels, or their transmission when, already requested, they have not been furnished, and the adjustment of indemnity claims, which are not covered by this Convention shall be subject to the provisions of the Universal Postal Union Convention and the Regulations for its Execution in so far as they are applicable and not inconsistent with the provisions of this Convention and finally, if no other arrangement has been made, the internal legislation, regulations, and rulings of the United States of America and France, according to the country involved, shall govern.

Application of Universal Postal Union Convention, etc.
Ante, p. 2741.

2. The Postmaster General of the United States of America and the Chief of the Administration of Posts of France have the power to make, by agreement, through correspondence, any changes or modifications and any subsequent regulations of order and detail which may be necessary to facilitate the execution of the service contemplated by the present Convention, as well as the power to conclude agreements for the registration of parcels and for the exchange of parcels with charges to be collected on delivery.

Details to be fixed by common consent.

The Postal Administrations of the two contracting countries will reciprocally advise each other of their legislative or regulatory provisions applicable to the transportation of parcel post.

Mutual notice of applicable provisions, etc.

ARTICLE 34.

EXÉCUTION DU SERVICE PAR LES COMPAGNIES DE CHEMINS DE FER ET DE NAVIGATION.

1. Le Gouvernement français se réserve la droit de faire exé-

ARTICLE 34.

EXECUTION OF THE SERVICE BY THE RAILWAY AND STEAMSHIP COMPANIES.

1. The French Government reserves the right to have the

Execution of the service by railway and steamship companies.

cuter les clauses de la présente Convention par des entreprises de chemins de fer et de navigation. Il peut également limiter ce service aux colis originaires ou à destination de localités desservies par des entreprises de cette nature.

2. L'Administration des Postes de France conclura, avec les entreprises de chemins de fer et de navigation, un accord en vue de l'exécution, par ces entreprises, de toutes les clauses de la présente Convention et de l'organisation du service de l'expédition et de la réception des colis.

3. Elle leur servira d'intermédiaire dans toutes leurs relations avec l'Administration des Postes des Etats-Unis d'Amérique.

clauses of the present Convention executed by the railway and steamship companies. It may also limit this service to parcels originating in or destined for places served by enterprises of that nature.

2. The Administration of Posts of France will conclude, with the railway and steamship companies, an agreement for the execution by those enterprises of all the clauses of the present Convention and for the organization of the service of dispatch and receipt of parcels.

3. It will act as intermediary for them in all their relations with the Post Office Department of the United States of America.

ARTICLE 35.

DURÉE DE LA CONVENTION.

Former Convention abrogated. Vol. 35, p. 2015.

1. La présente Convention remplace et abroge celle qui avait été signée à Washington le 15 juin 1908, ainsi que les Accords supplémentaires des 7 février/ 15 mars 1911 et des 15 janvier/ 10 février 1921. Elle entrera en vigueur à la date qui sera fixée d'un commun accord par les Administrations des deux pays. Les opérations qui y sont prévues commenceront également à une date fixée d'un commun accord.

Effective date.

Duration.

2. Elle demeurera en vigueur jusqu'à ce que l'une des deux Administrations contractantes ait notifié à l'autre, six mois à l'avance, son intention d'y mettre fin.

Discretionary discontinuance of insurance service.

Chacune des deux Administrations peut suspendre temporairement le service des colis assurés, en totalité ou en partie, lorsqu'il existe des raisons spéciales pour le faire, ou restreindre ce service à certains bureaux, mais à la condition que l'autre Administration ait été informée de cette mesure à l'avance, et par les moyens les plus rapides, si c'est nécessaire.

ARTICLE 35.

DURATION OF THE CONVENTION.

1. The present Convention replaces and abrogates the one which had been signed at Washington on June 15, 1908, as well as the additional Agreements of February 7/March 15, 1911, and of January 15/February 10, 1921. It will enter into force on a date to be fixed by mutual consent between the Administrations of the two countries. The operations contemplated therein will likewise commence on a date fixed by mutual consent.

2. It will remain in force until one of the two contracting Administrations has notified the other, six months in advance, of its intention to abrogate it.

Either of the two Administrations may temporarily suspend the service of insured parcels, totally or partially, when there are special reasons for doing so, or restrict that service to certain offices, but on the condition that the other Administration has been informed of that measure in advance, and by the most rapid means if necessary.

Fait en double exemplaire et signé à Paris, le 7me jour de décembre 1935 et à Washington le 30me jour de décembre 1935.

GEORGES MANDEL
Le Ministre des Postes, Télégraphes et Téléphones de France.

Done in duplicate and signed at Paris, the 7th day of December 1935, and at Washington, the 30th day of December 1935. Signatures.

JAMES A FARLEY
The Postmaster General of the United States of America.
[SEAL]

The foregoing Convention between the United States of America and France for the exchange of parcels by parcel post has been negotiated and concluded with my advice and consent and is hereby approved and ratified. Approval by the President.

In testimony whereof I have caused the seal of the United States to be hereunto affixed.

[SEAL] FRANKLIN D ROOSEVELT

By the President.
CORDELL HULL
Secretary of State.
WASHINGTON, *January 9, 1936.*

April 21, 1926. *Protocol to International Convention creating the International Institute of Agriculture. Signed at Rome, April 21, 1926; adherence advised by the Senate, May 1, 1934; adherence declared by the President, August 25, 1934; deposited with Government of Italy, January 15, 1936; proclaimed, January 24, 1936.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Protocol to International Convention creating International Institute of Agriculture. Vol. 35, p. 1918.

WHEREAS a Protocol substituting new paragraphs for paragraphs 3 and 4 of Article 10 of the Convention Creating the International Institute of Agriculture, signed at Rome on June 7, 1905, was signed at Rome on April 21, 1926, for Governments members of the International Institute of Agriculture, but not including the Government of the United States of America, a true copy of which Protocol is word for word as follows:

PROTOCOLE

relatif à la Convention internationale du 7 Juin 1905

Les soussignés, dûment autorisés par leurs Gouvernements respectifs, sont convenus de ce qui suit:

Les paragraphes 3 et 4 de l'article 10 de la Convention internationale du 7 Juin 1905, pour la création de l'Institut international d'agriculture, sont remplacés par le texte suivant:

"Le montant de l'unité de cotisation est fixé chaque année de la manière suivante: le nombre des unités de cotisation est multiplié par le nombre des Pays de chaque groupe; la somme des produits fournit le nombre d'unités par lequel doit être divisée la dépense totale, autorisée par l'Assemblée générale, évaluée dans la monnaie courante en Italie, siège de l'Institut, déduction faite des recettes autres que les cotisations des Etats; le quotient donne le montant de l'unité de cotisation.

"En tout cas, la contribution correspondant à chaque unité de cotisation ne pourra jamais dépasser en valeur la somme de 4.000 francs-or maximum.

"Les cotisations encaissées postérieurement à la clôture de l'exercice viennent en déduction des dépenses de l'exercice suivant"

Le présent protocole entrera en vigueur le 1er Janvier 1927.

ROME, *le 21 avril 1926.*

Allemagne:	C. VON NEURATH.	[SEAL]
Argentine:	CARLOS BREBBIA	[SEAL]
Autriche:	LOTHAR EGGER sous réserve de ratification	[SEAL]
Belgique:	OS. BOLLE	[SEAL]
Congo Belge:	P. DE VUYST	[SEAL]
Brésil:	OSCAR DE TEFFÉ	[SEAL]

Bulgarie:	G. RADEFF	[SEAL]
Chili:	E VILLEGAS	[SEAL]
Danemark:	HARALD SCAVENIUS	[SEAL]
Egypte:	M. M. GAZAERLY	[SEAL]
Equateur:	LUIS ANTONIO PEÑAHERRERA	[SEAL]
Espagne:	EL CONDE DE LA VIÑAZA.	[SEAL]
Esthonie:	A JÜRGENSON	[SEAL]
Finlande:	ROLF THESLEFF	[SEAL]
France:	RENÉ BESNARD	[SEAL]
	A. MASSÉ	[SEAL]
Afrique Occidentale Française:	RENE BESNARD	[SEAL]
	LOUIS DOP	[SEAL]
Algérie:	RENÉ BESNARD	[SEAL]
	LOUIS DOP	[SEAL]
Indo-Chine:	RENÉ BESNARD	[SEAL]
	LOUIS DOP	[SEAL]
Madagascar:	RENÉ BESNARD	[SEAL]
	LOUIS DOP	[SEAL]
Maroc (partie française):	RENÉ BESNARD	[SEAL]
	LOUIS DOP	[SEAL]
Régence de Tunis:	RENÉ BESNARD	[SEAL]
	LOUIS DOP	[SEAL]
Grande-Bretagne et Irlande Septentrionale:	RONALD GRAHAM.	[SEAL]
Australie:	RONALD GRAHAM.	[SEAL]
Canada:	RONALD GRAHAM	[SEAL]
Empire Indo-Britannique:	RONALD GRAHAM. Subject to reservation indicated below.	[SEAL]
Etat libre Irlandais:	RONALD GRAHAM.	[SEAL]
Nouvelle-Zélande:	RONALD GRAHAM.	[SEAL]
Union de l'Afrique du Sud:	J. S. SMIT	[SEAL]
Grèce:	N. MAVROUDIS	[SEAL]
Hongrie:	R. MÁRFFY MANTUANO	[SEAL]
Italie:	BENITO MUSSOLINI	[SEAL]
Erythrée:	BENITO MUSSOLINI	[SEAL]
Cyrénaïque:	BENITO MUSSOLINI	[SEAL]
Somalie Italienne:	BENITO MUSSOLINI	[SEAL]
Tripolitaine:	BENITO MUSSOLINI	[SEAL]
Japon:	M. MATSUDA.	[SEAL]
Lettonie:	PIERRE LEYA	[SEAL]
Lithuanie:	VALDEMARAS ČARNECKIS	[SEAL]
Luxembourg:	P DE VUYST	[SEAL]
Mexique:	M. Y. DE NEGRI	[SEAL]
Norvège:	OVE P. L. VANGENSTEN	[SEAL]
Pays-Bas:	A VAN DER GOES	[SEAL]
Indes Néerlandaises:	A. VAN DER GOES	[SEAL]
Pérou:	G. CISNEROS Y RAYGADA	[SEAL]
Perse:	F. PAKREVAN	[SEAL]
Pologne:	S. PRZEZDZIECKI	[SEAL]
Portugal:	HENRIQUE TRINDADE COELHO	[SEAL]

Roumanie:	avec la spécification que la Roumanie adhère à la contribution des Etats de la seconde catégorie.	
	N. M. VLADESCO.	[SEAL]
Suède:	BILDT	[SEAL]
Suisse:	WAGNIÈRE	[SEAL]
Tchécoslovaquie:	MILOS ČERMÁK	[SEAL]

I hereby declare that my signature is given for India on the understanding that the Government of India accept the new method of fixing the contribution of the States acceding to the International Institute of Agriculture at Rome and agree to the amendments to paragraphs 3 and 4 of Article 10 of the convention of June 7th, 1905, subject to the reservation that if in any year their liability as a member of Group II under the new system exceeds eleven thousand rupees per annum in terms of Indian currency, they reserve to themselves the liberty of withdrawing to a lower group.

RONALD GRAHAM.

AND WHEREAS the said Protocol has been definitively adhered to by the United States of America and the President's instrument of adherence, dated August 25, 1934, was deposited with the Government of Italy on January 15, 1936,[1] with the understanding that the obligations assumed by the United States of America took effect as of the date of the said adherence:

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Protocol to be made public to the end that the same may be observed and fulfilled with good faith by the United States of America and the citizens thereof, on and from August 25, 1934.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this twenty-fourth day of January, in the year of our Lord one thousand nine hundred and [SEAL] thirty-six, and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

[1] In depositing the instrument of adherence by the United States, the Ambassador of the United States at Rome stated to the Italian Foreign Office in a note dated Jan. 15, 1936, that the adherence of the United States to the protocol extends to and embraces Hawaii, the Philippines, Puerto Rico, and the Virgin Islands, which, at the request of the United States, made in 1924, were admitted to form part of the International Institute of Agriculture in conformity with the last paragraph of article 10 of the convention of June 7, 1905.—EDITOR.

[Translation]

PROTOCOL

Relative to the International Convention of June 7, 1905

The undersigned, duly authorized by their respective Governments, have agreed as follows:

Paragraphs 3 and 4 of article 10 of the International Convention of June 7, 1905, for the creation of the International Institute of Agriculture, are replaced by the following text:

International Institute of Agriculture. Annual contributions, etc., fixed. Vol. 35, p. 1922.

"The amount of the contribution is fixed each year as follows: The number of the units of subscription is multiplied by the number of countries in each group; the total thus calculated gives the number of units by which the total expenditure authorized by the General Assembly shall be divided, reckoned in the currency of Italy, where the Institute has its headquarters, and after deducting the receipts other than the contributions of the states; the quotient gives the amount of the unit of subscription.

"In no case shall the contribution corresponding to each unit of subscription exceed the sum of 4,000 gold francs as a maximum.

Maximum amount.

"Contributions paid after the close of the financial year shall be deducted from the expenditure of the following year."

The present protocol shall take effect on January 1, 1927.

Effective date.

ROME, *April 21, 1926.*

Signatures.

Germany:	C. VON NEURATH	[SEAL]
Argentina:	CARLOS BREBBIA	[SEAL]
Austria:	LOTHAR EGGER Subject to ratification.	[SEAL]
Belgium:	OS. BOLLE	[SEAL]
Belgian Congo:	P. DE VUYST	[SEAL]
Brazil:	OSCAR DE TEFFÉ	[SEAL]
Bulgaria:	G. RADEFF	[SEAL]
Chile:	E. VILLEGAS	[SEAL]
Denmark:	HARALD SCAVENIUS	[SEAL]
Egypt:	M. M. GAZAERLY	[SEAL]
Ecuador:	LUIS ANTONIO PEÑAHERRERA	[SEAL]
Spain:	THE COUNT OF VIÑAZA	[SEAL]
Estonia:	A. JÜRGENSON	[SEAL]
Finland:	ROLF THESLEFF	[SEAL]
France:	RENÉ BESNARD	[SEAL]
	A. MASSÉ	[SEAL]
French West Africa:	RENÉ BESNARD	[SEAL]
	LOUIS DOP	[SEAL]
Algeria:	RENÉ BESNARD	[SEAL]
	LOUIS DOP	[SEAL]
Indochina:	RENÉ BESNARD	[SEAL]
	LOUIS DOP	[SEAL]

Madagascar:	RENÉ BESNARD	[SEAL]
	LOUIS DOP	[SEAL]
Morocco (French zone):	RENÉ BESNARD	[SEAL]
	LOUIS DOP	[SEAL]
Regency of Tunis:	RENÉ BESNARD	[SEAL]
	LOUIS DOP	[SEAL]
Great Britain and Northern Ireland:	RONALD GRAHAM	[SEAL]
Australia:	RONALD GRAHAM	[SEAL]
Canada:	RONALD GRAHAM	[SEAL]
British-Indian Empire:	RONALD GRAHAM Subject to reservation indicated below.	[SEAL]
Irish Free State:	RONALD GRAHAM	[SEAL]
New Zealand:	RONALD GRAHAM	[SEAL]
Union of South Africa:	J. S. SMIT	[SEAL]
Greece:	N. MAVROUDIS	[SEAL]
Hungary:	R. MÁRFFY MANTUANO	[SEAL]
Italy:	BENITO MUSSOLINI	[SEAL]
Eritrea:	BENITO MUSSOLINI	[SEAL]
Cirenaica:	BENITO MUSSOLINI	[SEAL]
Italian Somaliland:	BENITO MUSSOLINI	[SEAL]
Tripolitania:	BENITO MUSSOLINI	[SEAL]
Japan:	M. MATSUDA	[SEAL]
Latvia:	PIERRE LEYA	[SEAL]
Lithuania:	VALDEMARAS ČARNECKIS	[SEAL]
Luxemburg:	P. DE VUYST	[SEAL]
Mexico:	M. Y. DE NEGRI	[SEAL]
Norway:	OVE P. L. VANGENSTEN	[SEAL]
Netherlands:	A. VAN DER GOES	[SEAL]
Netherland India:	A. VAN DER GOES	[SEAL]
Peru:	G. CISNEROS Y RAYGADA	[SEAL]
Persia:	F. PAKREVAN	[SEAL]
Poland:	S. PRZEZDZIECKI	[SEAL]
Portugal:	HENRIQUE TRINDADE COELHO	[SEAL]
Rumania:	With the specification that Rumania adheres to the contribution of states of the second category.	
	N. M. VLADESCO	[SEAL]
Sweden:	BILDT	[SEAL]
Switzerland:	WAGNIÈRE	[SEAL]
Czechoslovakia:	MILOS ČERMÁK	[SEAL]

Reservation by India.

I hereby declare that my signature is given for India on the understanding that the Government of India accept the new method of fixing the contribution of the states acceding to the International Institute of Agriculture at Rome and agree to the amendments to paragraphs 3 and 4 of article 10 of the convention of June 7, 1905, subject to the reservation that if in any year their liability as a member of group II under the new system exceeds 11,000 rupees per annum in terms of Indian currency, they reserve to themselves the liberty of withdrawing to a lower group.

RONALD GRAHAM

Supplementary extradition treaty between the United States of America and Luxemburg. Signed at Luxemburg, April 24, 1935; ratification advised by the Senate, June 5, 1935; ratified by the President, June 18, 1935; ratified by Luxemburg, January 13, 1936; ratifications exchanged at Luxemburg, March 3, 1936; proclaimed, March 5, 1936.

April 24, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Supplementary Extradition Treaty with Luxemburg. Preamble.

WHEREAS a Supplementary Extradition Convention between the United States of America and the Grand Duchy of Luxemburg was concluded and signed by their respective plenipotentiaries at Luxemburg on the twenty-fourth day of April, one thousand nine hundred and thirty-five, the original of which Convention, in the English and French languages, is word for word as follows:

Contracting Powers.

The President of the United States of America

and

Her Royal Highness The Grand Duchess of Luxemburg

being desirous of enlarging the list of crimes on account of which extradition may be granted under the Convention concluded between the United States and the Grand Duchy of Luxemburg on October 29, 1883, with a view to the better administration of justice and prevention of crime within their respective territories and jurisdictions, have resolved to conclude a Supplementary Convention for this purpose and have appointed as their Plenipotentiaries, to wit:

Vol. 23, p. 808.

Plenipotentiaries.

The President of the United States,

the Honorable George Platt Waller, his Chargé d'Affaires ad interim near the Government of Her Royal Highness The Grand Duchess of Luxemburg; and

Her Royal Highness The Grand Duchess of Luxemburg,

His Excellency the President of Her Government Mr. Joseph Bech, Minister of State, Minister of Foreign Affairs, etc., etc., etc.,

Who, after having communicated to each other their respective full powers, which were found to be in due and proper form, have agreed to and concluded the following articles:

ARTICLE I.

Additions to extraditable crimes.

The following crimes are added to the list of crimes numbered 1 to 12 in Article II of the said Convention of October 29, 1883, on account of which extradition may be granted, that is to say:

Fraud, or breach of trust.

13. Fraud or breach of trust by a bailee, banker, agent, factor, trustee, executor, administrator, guardian, director or officer of any company or corporation, or by anyone in a fiduciary position, where the amount of money or the value of the property misappropriated exceeds two hundred dollars or Luxemburg equivalent.

Crimes against bankruptcy laws.
14. Crimes or offenses against the bankruptcy laws.

Kidnaping.
15. Kidnaping of minors or adults, defined to be the abduction or detention of a person or persons, in order to exact money from them, their families or any other person or persons, or for any unlawful end.

Larceny.
16. Larceny, defined to be the theft of effects, personal property, or money, of the value of twenty-five dollars or more, or Luxemburg equivalent.

Obtaining money, etc., by false pretenses.
17. Obtaining money, valuable securities, or other property by false pretenses, where the amount of money or the value of the property so obtained exceeds two hundred dollars or Luxemburg equivalent.

Perjury.
18. Perjury.

Bribery.
19. Bribery.

Desertion.
20. Wilful desertion or wilful non-support of minor or dependent children, or of other dependent persons.

Narcotic traffic.
21. Crimes or offenses against the laws for the suppression of the traffic in narcotics.

White Slave Traffic.
22. Crimes or offenses against the laws for the suppression of the traffic in women and children, otherwise known as the White Slave Traffic.

ARTICLE II.

Considered part of former Convention. Vol. 23, p. 810.
The present Convention shall be considered as an integral part of the said Extradition Convention of October 29, 1883, and Article II of the last mentioned Convention shall be read as if the list of crimes therein contained had originally comprised the additional crimes specified and numbered 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22, in the first Article of the present Convention.

Exchange of ratifications.
The present Convention shall be ratified by the High Contracting Parties in accordance with their respective constitutional methods, and shall take effect on the date of the exchange of ratifications which shall take place at Luxemburg as soon as possible.

Signatures.
In witness whereof the above mentioned plenipotentiaries have signed the present Convention both in the English and French languages and have hereunto affixed their seals.

Done, in duplicate, at Luxemburg, this twenty-fourth day of April in the year of our Lord one thousand nine hundred and thirty-five.

[SEAL] GEORGE PLATT WALLER

[SEAL] BECH

Son Altesse Royale la Grande-Duchesse de Luxembourg

et

le Président des Etats-Unis d'Amérique

ayant jugé opportun, en vue d'une meilleure administration de la justice et pour prévenir les crimes dans leurs territoires et juridictions respectifs, d'élargir la liste des infractions pour lesquelles l'extradition peut être accordée d'après le traité conclu entre le Grand-Duché de Luxembourg et les Etats-Unis le 29 octobre 1883, ont décidé de conclure à cet effet une convention supplémentaire et ont nommé plénipotentiaires, savoir:

Son Altesse Royale la Grande-Duchesse de Luxembourg,

Son Excellence M. Joseph Bech, Ministre d'Etat, Président du Gouvernement;

Le Président des Etats-Unis,

l'honorable George Platt Waller, Son chargé d'affaires ad interim près le Gouvernement de Son Altesse Royale la Grande-Duchesse de Luxembourg;

lesquels s'étant communiqué réciproquement leurs pleins pouvoirs et les ayant trouvés en bonne et due forme sont convenus des articles suivants:

ARTICLE I.

Les infractions suivantes sont ajoutées à celles énumérées sous les n° 1 à 12 de l'article II de la dite convention du 29 octobre 1883 pour lesquelles l'extradition peut être accordée, savoir:

13. La tromperie ou l'abus de confiance commis par un dépositaire, banquier, commissionnaire, gérant, fondé de pouvoir, chargé d'exécution, administrateur, tuteur, directeur ou fonctionnaire d'une société ou d'une corporation, ou par une personne occupant un poste de confiance, si le montant de la somme d'argent ou la valeur de la propriété qui a été frauduleusement détournée est supérieure à 200 dollars ou à son équivalent en monnaie luxembourgeoise.

14. Les crimes ou délits contre les lois sur les banqueroutes.

15. L'enlèvement de mineurs ou de majeurs, consistant dans l'enlèvement ou la détention d'une ou de plusieurs personnes soit pour extorquer de l'argent à celles-ci, à leurs familles ou à toute autre personne ou personnes, soit à quelque autre fin illégale.

16. Le vol d'effets, de propriété personnelle ou d'argent d'une valeur de 25 dollars au moins ou de son équivalent en monnaie luxembourgeoise.

17. L'obtention d'argent, de garanties représentant des valeurs appréciables ou de toute autre propriété sous de faux prétextes, lorsque la somme ou la valeur de la propriété ainsi obtenue est supérieure à 200 dollars ou à son équivalent en monnaie luxembourgeoise.

18. Le faux témoignage et le faux serment.

19. La corruption de fonctionnaire, d'officier public, d'une personne chargée d'un service public, ou d'un arbitre, la subornation de témoins, interprètes ou experts.

20. Le délaissement volontaire ou l'omission volontaire d'entretenir ses enfants mineurs ou des enfants ou d'autres personnes dont on a la charge.

21. Les crimes ou délits contre les lois pour la suppression du trafic des stupéfiants.

22. Crimes ou délits contre les lois prohibant le trafic des femmes et des enfants, autrement dit la traite des blanches.

ARTICLE II.

La présente convention sera considérée comme faisant partie intégrante de la susdite convention d'extradition du 29 octobre 1883 et l'article II de cette dernière convention sera conçu comme si la liste des infractions avait compris originairement également celles spécifiées et comprises sous les numéros 13, 14, 15, 16, 17, 18, 19, 20, 21 et 22 de l'article premier de la présente convention.

La présente convention sera ratifiée par les hautes parties contractantes conformément aux dispositions légales de leurs pays respectifs et elle entrera en vigueur le jour de l'échange des ratifications qui aura lieu à Luxembourg aussitôt que possible.

En foi de quoi les plénipotentiaires respectifs ont signé la présente convention dans les langues française et anglaise et y ont apposé leurs sceaux.

Ainsi fait par duplicata à Luxembourg, le vingt-quatre avril de l'an de grâce mil neuf cent trente-cinq.

[SEAL] BECH

[SEAL] GEORGE PLATT WALLER

Ratifications exchanged.

AND WHEREAS the said Supplementary Extradition Convention has been duly ratified on both parts and the ratifications of the two Governments were exchanged at Luxemburg on the third day of March, one thousand nine hundred and thirty-six, on which day the Convention went into effect;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Supplementary Extradition Convention to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this fifth day of March, in the year of our Lord one thousand nine hundred and thirty-six,
[SEAL] and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

Treaty between the United States of America and Mexico to facilitate assistance to and salvage of vessels in territorial waters. Signed at Mexico City, June 13, 1935; ratification advised by the Senate, August 24, 1935; ratified by the President, August 29, 1935; ratified by Mexico, January 14, 1936; ratifications exchanged at Washington, March 7, 1936; proclaimed, March 10, 1936.

June 13, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a Treaty between the United States of America and the United Mexican States to facilitate assistance to and salvage of vessels of either country in danger or shipwrecked on the coast or within the territorial waters of the other country, was concluded and signed by their respective plenipotentiaries at the city of Mexico on the thirteenth day of June, one thousand nine hundred and thirty-five, the original of which treaty, being in the English and Spanish languages, is word for word as follows:

Treaty with Mexico to facilitate assistance to and salvage of vessels in territorial waters.
Preamble.

TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE UNITED MEXICAN STATES FOR THE SENDING OF VESSELS FOR PURPOSES OF ASSISTANCE AND SALVAGE

CONVENCION ENTRE LOS ESTADOS UNIDOS DE AMERICA Y LOS ESTADOS UNIDOS MEXICANOS PARA EL ENVIO DE BARCOS CON FINES DE AUXILIO Y SALVAMENTO

The United States of America and the United Mexican States, being desirous, for humanitarian reasons, to facilitate the assistance and salvage of vessels in danger or shipwrecked on the coasts or within the territorial waters of the other country, have for that purpose resolved to conclude a treaty, and to that end have appointed as their plenipotentiaries:

Los Estados Unidos de América y los Estados Unidos Mexicanos, deseando, por razones humanitarias, facilitar el auxilio y salvamento de barcos en peligro o naufragados en las costas o dentro de las aguas territoriales del otro país, han resuelto celebrar una Convención con tal fin, y al efecto han nombrado como sus Plenipotenciarios:

Contracting Powers.

The President of the United States of America, R. Henry Norweb, Chargé d'Affaires ad interim of the United States of America to Mexico; and

El Presidente de los Estados Unidos de América, al señor R. Henry Norweb, Encargado de Negocios ad ínterim de los Estados Unidos de América en México; y

Plenipotentiaries.

The President of the United Mexican States, Emilio Portes Gil, Secretary of State for Foreign Affaires;

El Presidente de los Estados Unidos Mexicanos, al señor Licenciado Emilio Portes Gil, Secretario de Relaciones Exteriores;

Who, after having communicated to each other their full powers, which were found to be in due and proper form, have agreed to the following articles:

Quienes, después de haberse comunicado sus respectivos Plenos Poderes, y encontrándolos en buena y debida forma, han convenido en los artículos siguientes:

ARTICLE I

ARTÍCULO I

Facilities of either country may aid disabled vessels, etc., of their own nationality within the waters of the other.

The High Contracting Parties agree that vessels and rescue apparatus, public or private, of either country, may aid or assist vessels of their own nationality, including the passengers and crews thereof, which may be disabled or in distress on the shores or within the territorial waters of the other country within a radius of seven hundred and twenty nautical miles of the intersection of the International Boundary Line and the coast of the Pacific Ocean, or within a radius of two hundred nautical miles of the intersection of the International Boundary Line and the coast of the Gulf of Mexico.

Area.

Las Altas Partes Contratantes convienen en que los barcos y aparatos de salvamento, ya sean públicos o de particulares, de cualquiera de los dos países, podrán ayudar o auxiliar a los barcos de su propia nacionalidad, con inclusión de los pasajeros y tripulaciones de los mismos, que estuvieren incapacitados o en peligro en las costas o dentro de las aguas territoriales del otro país, dentro de un radio de *setecientas veinte millas marinas* medidas desde la intersección de la línea divisoria internacional con la costa del Océano Pacífico, o dentro de un radio de *doscientas millas marinas* medidas desde la intersección de la línea divisoria internacional con la costa del Golfo de México.

ARTICLE II

ARTÍCULO II

Notice of intention to competent authorities.

The Commanding Officer, master, or owner of a vessel or rescue apparatus of either country, entering or intending to enter the territory or territorial waters of the other, in order to assist a distressed vessel, shall, at the earliest practicable moment, send notice of such action or intention to the competent authorities of the port of entry of that other country nearest the scene of distress. This notice may be sent by radio or telegraphic dispatch or by any other expeditious method of communication. Such vessel or apparatus may freely proceed to, and assist, the distressed vessel unless advised by such competent authorities that adequate assistance is available, or that, for any other reason, such assistance is not considered necessary.

Means of communication.

El Jefe, Capitán o dueño de un barco o de aparatos de auxilio de cualquiera de los dos países que entrare, o pensare entrar, al territorio o a las aguas territoriales del otro, para auxiliar a algún barco en peligro, deberá, tan pronto como fuere practicable, notificar su proceder o intención a las autoridades competentes del puerto marítimo del otro país más cercano a la zona del peligro. Este aviso podrá darse por radio o telegráficamente, o por cualquier otro medio rápido de comunicación. Tal buque o aparato podrá dirigirse libremente al barco en dificultades y prestarle auxilio, a menos que las autoridades correspondientes le avisaren que hubiere auxilios adecuados disponibles, o que por cualquiera otra razón no consideraran necesario dicho auxilio.

ARTICLE III

The Commanding Officer, master, or owner of a vessel or apparatus which enters the territory or territorial waters of a country to render assistance to a distressed vessel under the authority of this treaty shall notify the competent authorities of such country upon departure from such territory or territorial waters; and private vessels, so entering, as well as private distressed vessels and the cargo, equipment, stores, crew and passengers thereof, shall be subject to the provisions of the laws in force in the country in whose territorial waters such assistance is rendered.

As used in this treaty, the word "assistance" means any act necessary or desirable to prevent the injury, arising from a marine peril, of persons or property, and the word "vessel" includes aircraft, as well as every kind of conveyance used or capable of being used for transportation on water.

ARTICLE IV

This Treaty shall remain in force for one year, and thereafter until terminated with three months notice by one of the High Contracting Parties.

ARTICLE V

The High Contracting Parties shall ratify this Treaty in conformity with their respective constitutional provisions. The exchange of ratifications shall take place in the city of Washington, D. C., as soon as possible, and the Treaty shall be in force from the time of the exchange of these ratifications.

ARTÍCULO III

Notice upon departure.

El Jefe, Capitán o dueño de cualquier barco o aparato que entrare al territorio o a las aguas territoriales del otro país para prestar auxilio a algún barco en peligro, de acuerdo con la autorización conferida por esta Convención, notificará a las autoridades competentes de tal país su salida de tal territorio o aguas territoriales. Una vez practicado el auxilio los barcos particulares que así entraren; los barcos particulares en peligro y el cargamento, equipo, provisiones, tripulación y pasajeros de los mismos quedarán sujetos a las disposiciones que sobre el particular establezcan las leyes del país dentro de cuyas aguas territoriales se hubiere prestado dicho auxilio.

Private vessels.

Terms construed.

Tal como se emplea en esta Convención, la palabra "auxilio" significa todo acto necesario o conveniente para impedir los daños originados por peligros de la mar, a las personas o la propiedad, y la palabra "barco" comprende a los aeroplanos, así como toda clase de aparato usado en el agua o capaz de ser empleado para transporte en dicho elemento.

ARTÍCULO IV

Duration.

Esta Convención durará un año, después del cual continuará en vigor mientras no sea denunciada por cualquiera de las Altas Partes Contratantes, con tres meses de anticipación.

ARTÍCULO V

Exchange of ratifications.

Las Altas Partes Contratantes ratificarán la presente Convención, de conformidad con las disposiciones constitucionales respectivas. El canje de ratificaciones se efectuará en la ciudad de Washington, D. C., tan pronto como fuere posible y la Convención entrará en vigor desde el momento en que se haga el canje de ratificaciones.

Signatures.

In faith whereof the respective Plenipotentiaries have signed this Treaty and have hereunto affixed their seals.

Done in duplicate in the English and Spanish languages in the city of Mexico, the thirteenth of the month of June in the year one thousand nine hundred and thirty-five.

En fe de lo cual, los Plenipotenciarios respectivos firmaron la presente Convención, poniendo en ella sus sellos.

Hecha por duplicado, en la ciudad de México, en los idiomas inglés y español, a los trece días del mes de junio de mil novecientos treinta y cinco.

[SEAL] R. HENRY NORWEB.

[SEAL] EMILIO PORTES GIL.

Ratifications exchanged.

AND WHEREAS the said treaty has been duly ratified on both parts and the ratifications of the two Governments were exchanged in the city of Washington on the seventh day of March, one thousand nine hundred and thirty-six, on which day the treaty entered into force;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said treaty to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this tenth day of March, in the year of our Lord one thousand nine hundred and thirty-
[SEAL] six, and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

Pan American anti-war treaty of nonaggression and conciliation. Signed at Rio de Janeiro, October 10, 1933; adhered to on behalf of the United States, subject to ratification, April 27, 1934; adherence advised by the Senate, subject to a reservation, June 15, 1934; adherence ratified by the President, subject to the said reservation, June 27, 1934; instrument of adherence of the United States deposited with the Government of the Argentine Republic, August 10, 1934; proclaimed, March 11, 1936.

October 10, 1933.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Pan American anti-war treaty of non-aggression and conciliation.
Preamble.

WHEREAS an anti-war treaty of non-aggression and conciliation was signed at Rio de Janeiro on the tenth day of October, one thousand nine hundred and thirty-three, by the respective plenipotentiaries of Argentina, the United States of Brazil, Chile, with a reservation, the United Mexican States, Paraguay, and Uruguay, which Treaty, in the Spanish and Portuguese languages, is word for word as follows:

TRATADO ANTIBELICO DE NO-AGRESIÓN Y DE CONCILIACIÓN

Los Estados abajo designados, en el deseo de contribuir a la consolidación de la paz y de expresar su adhesión a los esfuerzos realizados por todas las naciones civilizadas para fomentar el espíritu de armonía universal;

Con el propósito de condenar las guerras de agresión y las adquisiciones territoriales que sean obtenidas mediante la conquista por la fuerza de las armas, haciéndolas imposibles y sancionando su invalidez por las disposiciones positivas de este Tratado, para sustituirlas por soluciones pacíficas fundadas en elevados conceptos de justicia y de equidad;

Convencidos de que uno de los medios más eficaces de asegurar los beneficios morales y materiales que ofrece la paz al mundo, es la organización de un sistema permanente de conciliación de los conflictos internacionales, que se aplique de inmediato al producirse la violación de los principios mencionados;

Deciden concretar en forma convencional estos propósitos de no-agresión y de concordia, celebrando el presente Tratado, a cuyo efecto nombraron los Plenipotenciarios abajo firmantes, los cuales, habiendo exhibido sus respectivos Plenos Poderes, que fueron hallados en buena y debida forma, han convenido en lo siguiente:

Artículo I

Las Altas Partes Contratantes declaran solemnemente que condenan las guerras de agresión en sus relaciones mutuas o con otros Estados, y que el arreglo de los conflictos o divergencias de cualquier clase que se susciten entre ellas, no deberá realizarse sino por los medios pacíficos que consagra el Derecho Internacional.

Artículo II

Declaran que entre las Altas Partes Contratantes las cuestiones territoriales no deben resolverse por la violencia, y que no reconocerán arreglo territorial alguno que no sea obtenido por medios pacíficos, ni la validez de la ocupación o adquisición de territorios que sea lograda por la fuerza de las armas.

Artículo III

En caso de incumplimiento, por cualquier Estado en conflicto, de las obligaciones contenidas en los artículos anteriores, los Estados Contratantes se comprometen a emplear todos sus esfuerzos para el mantenimiento de la paz. A ese efecto, adoptarán en su calidad de neutrales una actitud común y solidaria; pondrán en ejercicio los medios políticos, jurídicos o económicos autorizados por el Derecho Internacional; harán gravitar la influencia de la opinión pública, pero no recurrirán en ningún caso a la intervención, sea diplomática o armada; salvo la actitud que pudiera corresponderles en virtud de otros Tratados colectivos de que esos Estados sean signatarios.

Artículo IV

Las Altas Partes Contratantes se obligan a someter al procedimiento de conciliación creado por el presente Tratado, los conflictos mencionados especialmente y cualesquiera otros que surjan en sus relaciones recíprocas, sin más limitaciones que las que se enumeran en el artículo siguiente, en todas las controversias que no hayan podido ser resueltas por la vía diplomática dentro de un plazo razonable.

TRATADO ANTI-BÊLICO DE NÃO-AGRESSÃO E DE CONCILIAÇAO

Os Estados infra indicados, no desejo de contribuir para a consolidação da paz e de exprimir a sua adesão aos esforços realizados por todas as nações civilizadas para desenvolver o espírito de harmonin universal;

Com o propósito de condenar as guerras de agressão e as aquisições territoriais obtidas mediante conquista pela fôrça das armas, tornando-as impossíveis e confirmando a sua invalidade por meio das disposições positivas do presente Tratado, para as substituir por soluções pacíficas, baseadas em conceitos elevados de justiça e de eqüidade;

Convencidas de que um dos meios mais eficazes de assegurar os benefícios morais e materiais, que a paz oferece ao mundo, é a organização, para os conflitos internacionais, de um sistema permanente de conciliação, aplicável logo que se verifique violação dos princípios mencionados;

Resolvem concretizar em forma de convenção estes propósitos de não-agressão e de concórdia, celebrando o presente Tratado, e, para êsse fim, nomearam os Plenipotenciários abaixo firmados, os quais, havendo exibido seus respectivos Plenos Poderes, achados em boa e devida forma, convieram no seguinte:

Artigo I

As Altas Partes contratantes declaram solenemente que, em suas relações mútuas, ou com outros Estados, condenam as guerras de agressão, e que a solução dos conflitos ou divergências de qualquer espécie, que se suscitem entre elas, será sempre obtida pelos meios pacíficos consagrados pelo Direito Internacional.

Artigo II

Declaram que entre as Altas Partes contratantes as questões territoriais não se devem resolver pela violência e que não reconhecerão estatuto territorial algum que não seja obtido por meios pacíficos, nem a validade da ocupação ou da aquisição de territórios obtida pela fôrça das armas.

Artigo III

Em caso de inadimplemento, por qualquer Estado em conflito, das obrigações contidas nos artigos anteriores, os Estados contratantes se comprometem a envidar todos os esforços para a manutenção da paz. Para êsse fim, adotarão, em sua qualidade de neutros, uma atitude comum e solidária; porão em prática os meios políticos, jurídicos ou econômicos autorizados pelo Direito Internacional; farão pesar a influência da opinião pública, mas não recorrerão, em caso algum, à intervenção, quer diplomática, quer armada; ressalvada a atitude que lhes possa caber em virtude dos tratados coletivos de que êsses Estados sejam signatários.

Artigo IV

As Altas Partes contratantes obrigam-se a submeter ao processo de conciliação, instituido pelo presente Tratado, as questões aquí especialmente mencionadas e quaisquer outras que surjam em suas relações recíprocas e se não tenham podido resolver, dentro em prazo razoável, por via diplomática, excetuadas ùnicamente as enumeradas no artigo seguinte.

ARTÍCULO V

Las Altas Partes Contratantes y los Estados que en adelante se adhieran al presente Tratado, no podrán formular en el momento de la firma, ratificación o adhesión otras limitaciones al procedimiento de conciliación que cualquiera de las que a continuación se señalan:

a) Las diferencias para cuya solución se hayan celebrado Tratados, Convenciones, Pactos o Acuerdos pacifistas de cualquier índole que sean, que en ningún caso se entenderán derogados por el presente convenio, sino complementados en cuanto propenden a asegurar la paz; así como las cuestiones o asuntos resueltos por tratados anteriores;

b) Los conflictos que las Partes prefieran resolver por arreglo directo o someter de común acuerdo a una solución arbitral o judicial;

c) Las cuestiones que el Derecho Internacional deja libradas a la competencia exclusiva de cada Estado, de acuerdo con su régimen constitucional, por cuyo motivo las Partes podrán oponerse a que sean sometidas al procedimiento de conciliación antes que la jurisdicción nacional o local se haya pronunciado en definitiva; salvo manifiesta denegación o retardo de justicia, en cuyo caso el trámite de la conciliación deberá iniciarse dentro del año a más tardar;

d) Los asuntos que afecten preceptos constitucionales de las Partes en controversia. En caso de duda, cada Parte recabará la opinión fundada de su respectivo Tribunal o Corte Suprema de Justicia, si ésta estuviere investida de tales atribuciones.

Las Altas Partes Contratantes podrán comunicar, en cualquier tiempo y en la forma establecida por el artículo XV, el instrumento en que conste que han abandonado en todo o en parte las limitaciones por ellas establecidas al procedimiento de conciliación.

Las limitaciones formuladas por una de las Partes Contratantes tendrán el efecto de que las demás Partes no se considerarán obligadas a su respecto sino en la medida de las excepciones establecidas.

ARTÍCULO VI

A falta de Comisión Permanente de Conciliación o de otro organismo internacional encargado de esta misión en virtud de tratados anteriores en vigencia, las Altas Partes Contratantes se comprometen a someter sus diferencias al examen e investigación de una Comisión de Conciliación que se formará del siguiente modo, salvo acuerdo en contrario de las Partes en cada caso:

La Comisión de Conciliación se compondrá de cinco Miembros. Cada Parte en controversia designará un Miembro que podrá ser elegido por ella entre sus propios nacionales. Los tres Miembros restantes serán designados de común acuerdo por las Partes entre los nacionales de terceras Potencias que deberán ser de nacionalidad diferente, no tener su residencia habitual en el territorio de las Partes interesadas ni estar al servicio de ninguna de ellas. Entre dichos tres Miembros las Partes elegirán al Presidente de la Comisión de Conciliación.

Si no pudieran ponerse de acuerdo sobre esas designaciones, podrán encomendarlas a una tercera Potencia o a cualquier otro organismo internacional existente. Si los candidatos así designados no fueren aceptados por las Partes o por alguna de ellas, cada Parte presentará una lista de candidatos en número igual al de los miembros por elegir, y la suerte decidirá cuáles candidatos deban integrar la Comisión de Conciliación.

ARTIGO V

As Altas Partes contratantes e os Estados que posteriormente aderirem ao presente Tratado não poderão, no ato da assinatura, ratificação ou adesão, formular outras limitações ao processo de conciliação além das seguintes:

a)—As controvérsias, para cuja solução já se hajam celebrado Tratados, Convenções, Pactos ou Acôrdos pacifistas de qualquer natureza, os quais, em caso algum, se considerarão derrogados pelo presente Tratado, mas completados, naquilo em que visarem assegurar a paz; e da mesma forma as questões ou quaisquer assuntos já resolvidos por tratados anteriores;

b)—Os conflitos que as Partes preferirem resolver por negociação direta ou submeter, de comum acôrdo, a solução arbitral ou judicial;

c)—As questões que o Direito Internacional deixa à competência exclusiva de cada Estado, de acôrdo com o seu regime constitucional, e que, por tal razão, possam as Partes opôr-se a que sejam submetidas ao processo de conciliação antes de decisão definitiva dos juízes ou tribunais competentes; salvo evidente denegação de justiça, ou delonga na aplicação desta,—casos estes em que os trâmites da conciliação deverão ter início no prazo máximo de um ano.

d)—Os assuntos que afetem princípios constitucionais das Partes litigantes. Em caso de dúvida, cada Parte pedirá a opinião fundamentada de seu respectivo Tribunal ou Côrte Suprema de Justiça, que tenha competência para se pronunciar sôbre a matéria.

Em qualquer tempo, as Altas Partes contratantes poderão comunicar, pelo modo determinado no art. XV, o instrumento em que declarem haver abandonado, totalmente ou em parte, as limitações por elas estabelecidas ao processo de conciliação.

Como efeito das limitações formuladas por uma das referidas Partes, as demais não se considerarão obrigadas em relação a essa senão na medida das exceções estabelecidas.

ARTIGO VI

À falta de Comissão Permanente de Conciliação ou de outro organismo internacional encarregado dessa missão em virtude de tratados anteriores em vigor, as Altas Partes contratantes se comprometem a submeter as suas divergências ao exame e investigação de uma Comissão de Conciliação, que será constituida do modo seguinte, salvo acôrdo em contrário das Partes, em cada caso:

A Comissão de Conciliação compor-se-á de cinco membros. Cada Parte designará um membro, que poderá ser por ela escolhido dentre os seus próprios nacionais. Os três membros restantes serão designados de comum acôrdo pelas Partes, dentre os nacionais de terceiras Potencias, e deverão ser de nacionalidades diferentes, não residir habitualmente no território das Partes interessadas nem se achar ao serviço de qualquer delas. As Partes elegerão o Presidente da Comissão de Conciliação dentre êsses três membros.

Se não lograrem entrar em acôrdo sôbre essas designações, poderão confiá-las a uma terceira Potência ou a qualquer outro organismo internacional existente. Se os candidatos assim designados não forem aceitos pelas Partes ou por alguma delas, cada Parte apresentará uma lista de candidatos em número igual ao dos membros a escolher, e a sorte decidirá quais os candidatos que deverão completar a Comissão de Conciliação.

ARTÍCULO VII

Los Tribunales o Cortes Supremas de Justicia que, según la legislación interna de cada Estado, tengan competencia para interpretar, en última o única instancia y en los asuntos de su respectiva jurisdicción, la Constitución, los tratados, o los principios generales del Derecho de Gentes, podrán ser designados con preferencia por las Altas Partes Contratantes para desempeñar las funciones encomendadas por el presente Tratado a la Comisión de Conciliación. En este caso el Tribunal o Corte funcionarán en pleno o designando algunos de sus miembros para actuar solos o formando Comisión mixta con miembros de otras Cortes o Tribunales, según convengan de común acuerdo las Partes en litigio.

ARTÍCULO VIII

La Comisión de Conciliación establecerá por sí misma las reglas de su procedimiento, el que deberá ser contencioso en todos los casos.

Las Partes en controversia podrán suministrar y la Comisión requerir de ellas todos los antecedentes e informaciones necesarios. Las Partes podrán hacerse representar por delegados y asistir por consejeros o peritos, así como también presentar toda clase de testimonios.

ARTÍCULO IX

Los trabajos y deliberaciones de la Comisión de Conciliación no se darán a publicidad sino por decisión de la misma, con asentimiento de las Partes.

A falta de estipulación en contrario, las decisiones de la Comisión se adoptarán por mayoría de votos, pero la Comisión no podrá expedirse sobre el fondo del asunto sin la presencia de todos sus miembros.

ARTÍCULO X

Es misión de la Comisión procurar el avenimiento conciliatorio de las diferencias sometidas a su consideración.

Después del estudio imparcial de las cuestiones que sean materia del conflicto, consignará en un informe los resultados de sus tareas y propondrá a las Partes bases de arreglo mediante solución justa y equitativa.

El informe de la Comisión en ningún caso tendrá carácter de sentencia ni de laudo arbitral, sea en lo concerniente a la exposición o interpretación de los hechos, sea en lo relativo a las consideraciones o conclusiones de derecho.

ARTÍCULO XI

La Comisión de Conciliación deberá presentar su informe en el término de un año contado desde su primera reunión, a menos que las Partes no resuelvan de común acuerdo abreviar o prorrogar este plazo.

Una vez iniciado el procedimiento de conciliación, sólo podrá interrumpirse por arreglo directo entre las Partes o por su decisión posterior de someter de común acuerdo el conflicto al arbitraje o a la justicia internacional.

ARTIGO VII

Os Tribunais ou Côrtes Supremas de Justiça que, segundo a legislação interna de cada Estado, tenham competência para interpretar, em última ou única instância e em matéria da sua respectiva jurisdição, a Constituïção, os tratados, ou os princípios gerais do Direito das Gentes, poderão ser, de preferência, designados pelas Altas Partes contratantes para desempenhar as funções atribuídas, no presente Tratado, à Comissão de Conciliação. Neste caso, o Tribunal ou Côrte funcionará com todos os seus membros, ou designará alguns dêles para servirem sós ou formando uma Comissão mixta, com membros de outras Côrtes ou Tribunais, conforme decidirem, de comum acôrdo, as Partes em litígio.

ARTIGO VIII

A Comissão de Conciliação estabelecerá, por si mesma, as regras do seu processo, que deverá ser contraditório em todos os casos.

As Partes divergentes poderão ministrar, e a Comissão poderá requerer-lhes todos os antecedentes e informações necessárias. As Partes poderão fazer-se representar por delegados e assistir por conselheiros ou peritos, assim como apresentar todo gênero de provas.

ARTIGO IX

Os trabalhos e deliberações da Comissão de Conciliação não serão dados à publicidade senão por decisão da mesma, com assentimento das Partes.

Na falta de estipulação em contrário, as decisões da Comissão serão adotadas por maioria de votos, mas a Comissão não poderá pronunciar-se sôbre o fundo da questão sem a presença de todos os seus membros.

ARTIGO X

A Comissão terá por encargo procurar solução conciliatória para todas as divergências submetidas à sua consideração.

Após estudo imparcial das questões que formem a matéria do conflito, ela consignará em um relatório o resultado dos seus trabalhos e proporá às Partes as bases de um acôrdo, mediante solução justa e equitativa.

O relatório da Comissão não terá, em caso algum, o caráter de sentença nem de laudo arbitral, já no que concerne à exposição ou interpretação dos fatos, já no que se refere às considerações ou às conclusões de direito.

ARTIGO XI

A Comissão de Conciliação deverá apresentar seu relatório ao cabo de um ano, a contar de sua primeira reunião, a menos que as Partes resolvam, de comum acôrdo, abreviar ou prorrogar êste prazo.

Uma vez iniciado, o processo de conciliação só se poderá interromper por ajuste direto entre as Partes, ou por sua decisão posterior de submeter o conflito, de comum acôrdo, à arbitragem ou à justiça internacional.

ARTÍCULO XII

Al comunicar su informe a las Partes, la Comisión de Conciliación les fijará un término que no excederá de seis meses, dentro del cual deberán pronunciarse sobre las bases del arreglo propuesto por la misma. Expirado este plazo, la Comisión hará constar en un Acta final la decisión de las Partes.

Transcurrido el plazo sin que las Partes hayan aceptado el arreglo, ni adoptado de común acuerdo otra solución amistosa, las Partes en litigio recuperarán su libertad de acción para proceder como crean conveniente, dentro de las limitaciones derivadas de los artículos I y II del presente Tratado.

ARTÍCULO XIII

Desde la iniciación del procedimiento conciliatorio hasta la expiración del plazo fijado por la Comisión para que las Partes se pronuncien, deberán abstenerse de toda medida perjudicial a la ejecución del arreglo que proponga la Comisión y, en general, de todo acto susceptible de agravar o prolongar la controversia.

ARTÍCULO XIV

Durante el procedimiento de conciliación los miembros de la Comisión percibirán honorarios cuyo monto será establecido de común acuerdo por las Partes en controversia. Cada una de ellas proveerá a sus proprios gastos y, por partes iguales, sufragará los gastos u honorarios comunes.

ARTÍCULO XV

El presente Tratado será ratificado por las Altas Partes Contratantes a la brevedad posible, de acuerdo con sus respectivos procedimientos constitucionales.

El Tratado original y los instrumentos de ratificación serán depositados en el Ministerio de Relaciones Exteriores y Culto de la República Argentina, el cual comunicará las ratificaciones a los demás Estados signatarios. El Tratado entrará en vigor entre las Altas Partes Contratantes treinta días después del depósito de las respectivas ratificaciones, y en el orden en que éstas se efectúen.

ARTÍCULO XVI

Este Tratado queda abierto a la adhesión de todos los Estados.

La adhesión se hará mediante el depósito del respectivo instrumento en el Ministerio de Relaciones Exteriores y Culto de la República Argentina, el cual notificará de ello a los demás Estados interesados

ARTÍCULO XVII

El presente Tratado se celebra por tiempo indeterminado, pero podrá ser denunciado mediante aviso previo de un año, transcurrido el cual cesará en sus efectos para el Estado denunciante, quedando subsistente para los demás Estados que sean parte en él, por firma o adhesión.

La denuncia será dirigida al Ministerio de Relaciones Exteriores y Culto de la República Argentina, el cual la transmitirá a los demás Estados interesados.

ARTIGO XII

Ao comunicar às Partes o seu relatório, a Comissão de Conciliação lhes fixará um prazo, não excedente de seis meses, dentro no qual se deverão pronunciar sôbre as bases do acôrdo por ela proposto. Expirado êsse prazo, a Comissão fará constar de uma ata final a decisão das Partes.

Transcorrido o prazo sem que as Partes hajam aceitado a solução proposta ou adotado, de comum acôrdo, outra deliberação pacífica, as Partes em litígio recuperarão liberdade de ação para proceder como julgarem conveniente, dentro nas limitações decorrentes dos artigos I e II do presente Tratado.

ARTIGO XIII

Desde o início do processo do conciliação até a expiração do prazo fixado pela Comissão para que as Partes se pronunciem, deverão estas abster-se de qualquer medida prejudicial à execução do acôrdo proposto pela Comissão e, em geral, de qualquer ato suscetível de agravar ou prolongar a controvérsia.

ARTIGO XIV

Durante o processo de conciliação, os membros da Comissão perceberão honorários, cuja importância será determinada, de comum acôrdo, pelas Partes em litígio. Cada uma delas proverá aos seus próprios gastos, e, em partes iguais, concorrerá para as despesas ou honorários comuns.

ARTIGO XV

O presente Tratado será ratificado pelas Altas Partes contratantes, dentro no mais breve prazo possível, consoante os seus respectivos processos constitucionais.

O Tratado original e os instrumentos de ratificação serão depositados no Ministério das Relações Exteriores e Culto da República Argentina, que comunicará as ratificações aos demais Estados signatários. O Tratado entrará em vigor entre as Altas Partes contratantes trinta dias depois do depósito das respectivas ratificações e na ordem em que estas se efetuarem.

ARTIGO XVI

O Tratado ficará aberto à adesão de todos os Estados.

A adesão far-se-á mediante o depósito do respectivo instrumento no Ministério das Relações Exteriores e Culto da República Argentina, que disso notificará os demais Estados interessados.

ARTIGO XVII

O presente Tratado é celebrado por tempo indeterminado, mas poderá ser denunciado mediante aviso prévio de um ano, decorrido o qual deixará de produzir efeito para o Estado denunciante, subsistindo para os demais Estados que nêle sejam parte, por assinatura ou adesão.

A denúncia será dirigida ao Ministério das Relações Exteriores e Culto da República Argentina, que a transmitirá aos demais Estados interessados.

En testimonio de lo cual los Plenipotenciarios respectivos firman el presente Tratado, en un ejemplar, en los idiomas español y portugués, y le ponen sus sellos, en Río de Janeiro, D. F., a los diez días del mes de Octubre de mil novecientos treinta y tres.

Por la República Argentina:
(L. S.) CARLOS SAAVEDRA LAMAS,
Ministro de Relaciones Exteriores y Culto.

Por la República de los Estados Unidos del Brasil:
(L. S.) AFRANIO DE MELLO FRANCO,
Ministro de Estado de Relaciones Exteriores.

Por la República de Chile: Con las reservas de las letras *a*, *b*, *c* y *d* del Artículo V.
(L. S.) MARCIAL MARTINEZ DE FERRARI,
Embajador Extraordinario y Plenipotenciario en Río de Janeiro.

Por los Estados Unidos Mexicanos:
(L. S.) ALFONSO REYES,
Embajador Extraordinario y Plenipotenciario en Río de Janeiro.

Por la República del Paraguay:
(L. S.) ROGELIO IBARRA,
Enviado Extraordinario y Ministro Plenipotenciario en Río de Janeiro.

Por la República Oriental del Uruguay:
(L. S.) JUAN CARLOS BLANCO,
Embajador Extraordinario y Plenipotenciario en Río de Janeiro.

Em fé do que, os Plenipotenciários respectivos assinam o presente Tratado, em um exemplar, nas línguas espanhola e portuguesa, e lhe apõem seus selos, no Rio de Janeiro, D. F., aos dez dias do mês de Outubro do ano de mil novecentos e trinta e três.

Pela República Argentina:
(L. S.) CARLOS SAAVEDRA LAMAS,
Ministro das Relações Exteriores e Culto.

Pela República dos Estados Unidos do Brasil:
(L. S.) AFRANIO DE MELLO FRANCO,
Ministro de Estado das Relações Exteriores.

Pela República do Chile: Com as reservas das letras *a*, *b*, *c* e *d* do Artigo V.
(L. S.) MARCIAL MARTINEZ DE FERRARI,
Embaixador Extraordinário e Plenipotenciário no Rio de Janeiro.

Pelos Estados Unidos Mexicanos:
(L. S.) ALFONSO REYES,
Embaixador Extraordinário e Plenipotenciário no Rio de Janeiro.

Pela República do Paraguai:
(L. S.) ROGELIO IBARRA,
Enviado Extraordinário e Ministro Plenipotenciário no Rio de Janeiro.

Pela República Oriental do Uruguai:
(L. S.) JUAN CARLOS BLANCO,
Embaixador Extraordinário e Plenipotenciário no Rio de Janeiro

Effective date.

AND WHEREAS it is stipulated in Article XV of the said Treaty that the Treaty shall go into effect between the high contracting parties thirty days after the deposit of the respective ratifications, and in the order in which they are effected;

Ratification by Argentina, Chile, and Mexico.

AND WHEREAS the said Treaty has been ratified by the Governments of Argentina, Chile, and Mexico, and the instruments of ratification by those Governments were deposited in the Ministry of Foreign Relations and Worship of the Argentine Republic on October 14, 1935, August 23, 1934, and February 17, 1936, respectively;

Adherence provision.

AND WHEREAS it is stipulated in Article XVI of the said Treaty that the Treaty shall remain open to the adherence of all states, and that adherence shall be effected by the deposit of the respective instrument of adherence in the Ministry of Foreign Relations and Worship of the Argentine Republic;

Adherence by the United States, with reservation.

AND WHEREAS the said Treaty has been definitively adhered to by the United States of America subject to the reservation that "In adhering to this Treaty the United States does not thereby waive any rights it may have under other treaties or conventions or under international law.", and the instrument of adherence was deposited with the Ministry of Foreign Relations and Worship of the Argentine Republic on August 10, 1934;

Deposit of instrument.

Treaty in force in respect of Chile and Argentina.

AND WHEREAS the said Treaty, pursuant to the aforesaid provision in Article XV, came into force as between Chile and Argentina on November 13, 1935, the thirtieth day after the deposit of the ratification of Argentina, and the adherence of the United States of America became effective on the same date;[1]

United States of America.

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Treaty to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof, subject to the reservation aforesaid.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this eleventh day of March, in the year of our Lord one thousand nine hundred and [SEAL] thirty-six, and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

[1] In addition to the Argentine Republic, Chile, and the United States of America, the treaty is in effect in respect of Bulgaria, Cuba, the Dominican Republic, El Salvador, Nicaragua, Rumania, and Venezuela, whose respective instruments of adherence were deposited with the Government of the Argentine Republic on Apr. 15, 1935, June 6, 1934, Sept. 20, 1935, Sept. 17, 1934, Aug. 13, 1935, June 10, 1935, and Dec. 27, 1935.

The treaty will, in accordance with art. XV thereof, come into effect with respect to Mexico on Mar. 18, 1936, the thirtieth day after the date of deposit of Mexico's instrument of ratification with the Government of the Argentine Republic, on Feb. 17, 1936.—EDITOR.

[Translation]

ANTI-WAR TREATY OF NONAGGRESSION AND CONCILIATION

Pan American anti-war treaty of non-aggression and conciliation.

The states designated below, in the desire to contribute to the consolidation of peace, and to express their adherence to the efforts made by all civilized nations to promote the spirit of universal harmony;

Purposes declared.

To the end of condemning wars of aggression and territorial acquisitions that may be obtained by armed conquest, making them impossible and establishing their invalidity through the positive provisions of this treaty, and in order to replace them with pacific solutions based on lofty concepts of justice and equity;

Convinced that one of the most effective means of assuring the moral and material benefits which peace offers to the world, is the organization of a permanent system of conciliation for international disputes, to be applied immediately on the violation of the principles mentioned;

Have decided to put these aims of nonaggression and concord in conventional form by concluding the present treaty, to which end they have appointed the undersigned plenipotentiaries, who, having exhibited their respective full powers, found to be in good and due form, have agreed upon the following:

ARTICLE I

Condemnation of wars of aggression. Adoption of pacific means.

The high contracting parties solemnly declare that they condemn wars of aggression in their mutual relations or in those with other states, and that the settlement of disputes or controversies of any kind that may arise among them shall be effected only by the pacific means which have the sanction of international law.

ARTICLE II

Territorial arrangements not recognized if obtained by other than pacific means, etc.

They declare that as between the high contracting parties territorial questions must not be settled by violence, and that they will not recognize any territorial arrangement which is not obtained by pacific means, nor the validity of the occupation or acquisition of territories that may be brought about by force of arms.

ARTICLE III

Position to be taken with respect to non-complying belligerents.

In case of noncompliance, by any state engaged in a dispute, with the obligations contained in the foregoing articles, the contracting states undertake to make every effort for the maintenance of peace. To that end they will adopt in their character as neutrals a common and solidary attitude; they will exercise the political, juridical, or economic means authorized by international law; they will bring the influence of public opinion to bear, but will in no case resort to intervention, either diplomatic or armed; subject to the attitude that may be incumbent on them by virtue of other collective treaties to which such states are signatories.

ARTICLE IV

Submission of disputes to conciliation procedure.

The high contracting parties obligate themselves to submit to the conciliation procedure established by this treaty the disputes specially mentioned and any others that may arise in their reciprocal relations, without further limitations than those enumerated in the following article, in all controversies which it has not been possible to settle by diplomatic means within a reasonable period of time.

ARTICLE V

Limitations, other than indicated, forbidden.

The high contracting parties and the states which may in the future adhere to this treaty may not formulate, at the time of signature, ratification, or adherence, other limitations to the conciliation procedure than those which are indicated below:

(*a*) Differences for the solution of which treaties, conventions, pacts, or pacific agreements of any kind whatever may have been concluded, which in no case shall be considered as annulled by this agreement, but supplemented thereby insofar as they tend to assure peace; as well as the questions or matters settled by previous treaties;

(*b*) Disputes which the parties prefer to solve by direct settlement or submit by common agreement to an arbitral or judicial solution;

(*c*) Questions which international law leaves to the exclusive competence of each state, under its constitutional system, for which reason the parties may object to their being submitted to the conciliation procedure before the national or local jurisdiction has decided definitively; except in the case of manifest denial or delay of justice, in which case the conciliation procedure shall be initiated within a year at the latest;

(*d*) Matters which affect constitutional precepts of the parties to the controversy. In case of doubt, each party shall obtain the reasoned opinion of its respective tribunal or supreme court of justice, if the latter should be invested with such powers.

Effect of abandonment by a signatory.

The high contracting parties may communicate, at any time and in the manner provided for by article XV, an instrument stating that they have abandoned wholly or in part the limitations established by them in the conciliation procedure.

The effect of the limitations formulated by one of the contracting parties shall be that the other parties shall not consider themselves obligated in regard to that party save in the measure of the exceptions established.

ARTICLE VI

Conciliation commission.

In the absence of a permanent conciliation commission or of some other international organization charged with this mission by virtue of previous treaties in effect, the high contracting parties undertake to submit their differences to the examination and investigation of a conciliation commission which shall be formed as follows, unless there is an agreement to the contrary of the parties in each case;

Composition, etc.

The conciliation commission shall consist of five members. Each party to the controversy shall designate a member, who may be chosen by it from among its own nationals. The three remaining members shall be designated by common agreement by the parties from among the nationals of third powers, who must be of different nationalities, must not have their customary residence in the territory of the interested parties, nor be in the service of any of them. The parties shall choose the president of the conciliation commission from among the said three members.

Choice of president.

If they cannot arrive at an agreement with regard to such designations, they may entrust the selection thereof to a third power or to some other existing international organism. If the candidates so designated are rejected by the parties or by any one of them, each party shall present a list of candidates equal in number to that of the members to be selected, and the names of those to sit on the conciliation commission shall be determined by lot.

ARTICLE VII

Designation of competent tribunals to discharge commission's duties.

The tribunals or supreme courts of justice which, in accordance with the domestic legislation of each state, may be competent to interpret, in the last or the sole instance and in matters under their respective jurisdiction, the constitution, treaties, or the general principles of the law of nations, may be designated preferentially by the high contracting parties to discharge the duties entrusted by the present treaty to the conciliation commission. In this case the tribunal or court may function as a whole or may designate some of its members to proceed alone or by forming a mixed commission with members of other courts or tribunals, as may be agreed upon by common accord between the parties to the dispute.

ARTICLE VIII

Rules of procedure.

The conciliation commission shall establish its own rules of procedure, which shall provide in all cases for hearing both sides.

Necessary evidence to be furnished.

The parties to the controversy may furnish, and the commission may require from them, all the antecedents and information necessary. The parties may have themselves represented by delegates and assisted by advisers or experts, and also present evidence of all kinds.

ARTICLE IX

Secret sessions, etc.

The labors and deliberations of the conciliation commission shall not be made public except by a decision of its own to that effect, with the assent of the parties.

Majority decisions necessary.

In the absence of stipulation to the contrary, the decisions of the commission shall be made by a majority vote, but the commission may not pronounce judgment on the substance of the case except in the presence of all its members.

ARTICLE X

Conciliatory settlements by commission.

It is the duty of the commission to secure the conciliatory settlement of the disputes submitted to its consideration.

Report of, to propose bases of settlement.

After an impartial study of the questions in dispute, it shall set forth in a report the outcome of its work and shall propose to the parties bases of settlement by means of a just and equitable solution.

Not a final decision, etc.

The report of the commission shall in no case have the character of a final decision or arbitral award either with respect to the exposition or interpretation of the facts, or with regard to the considerations or conclusions of law.

ARTICLE XI

Time limitation.

The conciliation commission must present its report within 1 year, counting from its first meeting, unless the parties should decide by common agreement to shorten or extend this period.

Interruption of procedure.

The conciliation procedure, having been once begun, may be interrupted only by a direct settlement between the parties or by their subsequent decision to submit the dispute by common accord to arbitration or to international justice.

ARTICLE XII

Decision.

In communicating its report to the parties, the conciliation commission shall fix for them a period, which shall not exceed 6 months, within which they must decide as to the bases of the settlement it has proposed. On the expiration of this term, the commission shall record in a final act the decision of the parties.

This period having expired without acceptance of the settlement by the parties, or the adoption by common accord of another friendly solution, the parties to the dispute shall regain their freedom of action to proceed as they may see fit within the limitations flowing from articles I and II of this treaty.

ARTICLE XIII

Acts prejudicial to commission's proposal.

From the initiation of the conciliatory procedure until the expiration of the period fixed by the commission for the parties to make a decision, they must abstain from any measure prejudicial to the execution of the agreement that may be proposed by the commission and, in general, from any act capable of aggravating or prolonging the controversy.

ARTICLE XIV

Honoraria, expenses, etc.

During the conciliation procedure the members of the commission shall receive honoraria the amount of which shall be established by common agreement by the parties to the controversy. Each of them shall bear its own expenses and a moiety of the joint expenses or honoraria.

ARTICLE XV

Ratifications.

The present treaty shall be ratified by the high contracting parties as soon as possible, in accordance with their respective constitutional procedures.

The original treaty and the instruments of ratification shall be deposited in the Ministry of Foreign Relations and Worship of the Argentine Republic, which shall communicate the ratifications to the other signatory states. The treaty shall go into effect between the high contracting parties 30 days after the deposit of the respective ratifications, and in the order in which they are effected.

ARTICLE XVI

Adherence.

This treaty shall remain open to the adherence of all states.

Adherence shall be effected by the deposit of the respective instrument in the Ministry of Foreign Relations and Worship of the Argentine Republic, which shall give notice thereof to the other interested states.

ARTICLE XVII

Duration.

The present treaty is concluded for an indefinite time, but may be denounced by 1 year's notice, on the expiration of which the effects thereof shall cease for the denouncing state, and remain in force for the other states which are parties thereto, by signature or adherence.

The denunciation shall be addressed to the Ministry of Foreign Relations and Worship of the Argentine Republic, which shall transmit it to the other interested states.

In witness whereof, the respective plenipotentiaries sign the present treaty in one copy, in the Spanish and Portuguese languages, and affix their seals thereto, at Rio de Janeiro, D. F., on the tenth day of the month of October nineteen hundred and thirty-three. Signatures.

For the Argentine Republic:

[SEAL] CARLOS SAAVEDRA LAMAS
Minister of Foreign Relations and Worship

For the Republic of the United States of Brazil:

[SEAL] AFRANIO DE MELLO FRANCO
Minister of Foreign Relations

For the Republic of Chile: with the reservations under letters *a*, *b*, *c*, and *d* of article V: Chile, with reservations.

[SEAL] MARCIAL MARTINEZ DE FERRARI
Ambassador Extraordinary and Plenipotentiary at Rio de Janeiro

For the United Mexican States:

[SEAL] ALFONSO REYES
Ambassador Extraordinary and Plenipotentiary at Rio de Janeiro

For the Republic of Paraguay:

[SEAL] ROGELIO IBARRA
Envoy Extraordinary and Minister Plenipotentiary at Rio de Janeiro

For the Oriental Republic of Uruguay:

[SEAL] JUAN CARLOS BLANCO
Ambassador Extraordinary and Plenipotentiary at Rio de Janeiro

June 7, 1934.

Extradition treaty between the United States of America and Iraq. Signed at Baghdad, June 7, 1934; ratification advised by the Senate, February 6, 1935; ratified by the President, February 25, 1935; ratified by Iraq, April 22, 1936; ratifications exchanged at Baghdad, April 23, 1936; proclaimed, April 28, 1936.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Extradition with Iraq. Preamble.

WHEREAS an Extradition Treaty between the United States of America and the Kingdom of Iraq was concluded and signed by their respective Plenipotentiaries at Baghdad, on the seventh day of June, one thousand nine hundred and thirty-four, the original of which Extradition Treaty, being in the English and Arabic languages is word for word as follows:

EXTRADITION TREATY BETWEEN THE KINGDOM OF IRAQ AND THE REPUBLIC OF THE UNITED STATES OF AMERICA.

Contracting Powers.

The President of the United States of America on the one part and His Majesty the King of Iraq on the other part

Being desirous to conclude a Treaty for the extradition of criminals, have appointed the following Plenipotentiaries:

Plenipotentiaries.

The President of the United States of America:

Paul Knabenshue, Minister Resident of the United States of America in Baghdad

His Majesty the King of Iraq:

His Excellency Doctor Abdullah Beg al Damluji, Minister for Foreign Affairs,

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following articles:

ARTICLE I

Reciprocal delivery of persons charged with certain crimes.

Agreement has been reached between the High Contracting Parties to deliver up to each other reciprocally, upon mutual requisition duly made pursuant to the provisions of this Treaty, any person charged with or convicted of any of the crimes specified in Article II of this Treaty committed within the jurisdiction of one of the High Contracting Parties while said person was actually within such jurisdiction when committing the crime and who shall be found within the territories of the other High Contracting Party, provided that such surrender shall take place only in the following circumstances:

Evidence to justify apprehension, etc., to be produced.

(*a*) When the person whose surrender is requested is charged with a crime, provided there shall be produced sufficient evidence, according to the laws of the country where that person is found, to justify his apprehension and commitment for trial if the crime had been there committed.

(*b*) When the person whose surrender is requested has been duly convicted, and when sufficient evidence is produced to prove that the said person is actually the person convicted. When person has been convicted.

ARTICLE II

Persons shall be delivered up according to the provisions of this Treaty, who shall have been charged with or convicted of any of the following crimes if they are punishable by the laws of both countries: Extraditable crimes.

1. Murder, including parricide, assassination, willful murder with premeditation, manslaughter when committed voluntarily by the perpetrator, and also the crimes of poisoning or infanticide. Murder.

2. The attempt to commit murder. Attempt to commit murder.

3. Rape, abortion, carnal knowledge of children under the age of 12 years. Rape, abortion, etc.

4. Illegal polygamy. Illegal polygamy.

5. Arson. Arson.

6. Any malicious act done with intent to endanger the safety of persons traveling or being on railroads. Endangering safety of railroad passengers, etc.

7. Crimes committed at sea: Crimes committed at sea.

(*a*) Piracy, as commonly known and defined by the law of nations, or by statute; Piracy.

(*b*) Willfully sinking or destroying vessels at sea or attempting to do so; Destroying vessels.

(*c*) Mutiny or conspiracy by two or more members of the crew or other persons on board of a vessel on the high seas for the purpose of rebelling against the authority of the captain or commander of such vessel, or by fraud or violence taking possession of such vessel; Mutiny, etc.

(*d*) Assault on board ships with intent to do bodily harm. Assault on shipboard.

8. Burglary, defined to be the act of breaking into and entering the house of another in the night with intent to commit a felony therein. Burglary.

9. The act of breaking into and entering into the offices of the Government and public authorities, or the offices of banks, banking houses, savings banks, trust companies, insurance companies, or other buildings not dwellings with intent to commit a felony therein. Entering Government buildings, banks, etc., to commit a felony therein.

10. Robbery, defined to be the act of feloniously and forcibly or unlawfully taking from the person of another, goods or money by violence or by putting him in fear. Robbery.

11. Forgery or the utterance or the use of anything forged. Forgery, etc.

12. The forgery or falsification of the official acts of the Government or public authority, including courts of justice, or the uttering or fraudulent use of the same.

13. The fabrication of counterfeit money, whether coin or paper, counterfeit titles or coupons of public debt, created by national, state, provincial, territorial, local, or municipal governments, banknotes or other instruments of public credit; also counterfeit seals, stamps, dies, and marks of state or public administrations, and the utterance, circulation, or fraudulent use of the above mentioned objects. Counterfeiting.

14. Embezzlement and malversation committed within the jurisdiction of one or the other High Contracting Party by public officials or depositaries, where the amount embezzled exceeds one hundred and fifty American Dollars or forty Iraq Dinars. Embezzlement, etc., by public officials.

15. Embezzlement by persons hired, salaried, or employed, to the detriment of their employers or principals, and where the amount embezzled exceeds one hundred and fifty American Dollars or forty Iraq Dinars. Embezzlement by employees.

Kidnapping.

16. Kidnapping of minors or adults, defined to be the abduction or detention of a person or persons, in order to exact money from them or their families, or for any other unlawful end.

Larceny.

17. Larceny, defined to be the theft of effects, personal property, or money, exceeding in value one hundred and fifty American Dollars or forty Iraq Dinars.

Obtaining money, etc., by false pretenses.

18. Obtaining money, valuable securities or other property by false pretenses or receiving any money, valuable securities or other property knowing the same to have been unlawfully obtained, where the amount of money or the value of the property so obtained or received exceeds one hundred and fifty American Dollars or forty Iraq Dinars.

Perjury, etc.

19. Perjury or subornation of perjury.

Fraud or breach of trust.

20. Fraud or breach of trust by a bailee, banker, agent, factor, trustee, executor, administrator, guardian, director, or official of any company or corporation, or by anyone in any fiduciary position, where the amount of money or the value of the property misappropriated exceeds one hundred and fifty American Dollars or forty Iraq Dinars.

Bribery.

21. Bribery.

Crimes against bankruptcy laws.

22. Crimes punishable by the bankruptcy laws.

Narcotic traffic.

23. Crimes punishable by the laws for the suppression of the traffic in narcotics.

Slavery, etc.

24. Crimes punishable by the laws for the suppression of slavery and slave trading.

Accessory before or after the fact.

25. Extradition shall also take place for participation in any of the aforesaid offences as an accessory before or after the fact, provided such participation be punishable by imprisonment by the laws of both High Contracting Parties even though after the fact it may be a crime within itself and known by a particular name in the laws of either of the Contracting States.

ARTICLE III

Not applicable to political, etc., crimes.

The provisions of this Treaty shall not import claim of extradition for crimes of a political character nor for acts connected with such crimes; and no person surrendered by or to either of the High Contracting Parties in virtue of this Treaty shall be tried or punished for a political crime.

Attack against head of the State, etc.

When the crime charged comprises the act either of murder or assassination or of poisoning, either consummated or attempted, the fact that the crime was committed or attempted against the life of the sovereign or head of a foreign state or against the life of any member of his family, shall not be deemed sufficient to sustain that such a crime was of a political character, or was an act connected with crimes of a political character.

ARTICLE IV

Prosecution limited to offense for which surrendered; condition.

No person surrendered shall be tried for any crime other than that for which he was surrendered without the consent of the surrendering High Contracting Party, unless he has been at liberty to leave the country one month after the date of his trial, or, in case of conviction, after having suffered his punishment or having been pardoned.

This Article shall not be applicable to crimes committed after the surrender.

ARTICLE V

Time limitation.

A fugitive criminal shall not be surrendered under the provisions of this Treaty, when from lapse of time or other lawful cause, according to the laws of the place within the jurisdiction of which the crime was committed, the criminal is exempt from prosecution or punishment for the crime for which the surrender is asked.

ARTICLE VI

Surrender deferred in certain cases.

If a fugitive criminal whose surrender is claimed pursuant to the stipulations of this Treaty, be actually under prosecution, out on bail or in custody, for a crime committed in the country where he has sought asylum, or shall have been convicted thereof, his extradition may be deferred until such proceedings be determined, and until he shall have been set at liberty in due course of law.

ARTICLE VII

Person claimed by another Power.

If a fugitive criminal claimed by one of the High Contracting Parties shall be also claimed by one or more powers pursuant to Treaty provisions, on account of crime committed within their jurisdiction, such criminal shall be delivered to that state whose demand is first received unless that state shall have abandoned its claim.

ARTICLE VIII

Extraditing nationals.

Under the stipulations of this Treaty, neither of the High Contracting Parties shall be bound to deliver up its own citizens.

ARTICLE IX

Arrest, transportation, etc., expenses.

The expense of the arrest of the person claimed, also the expense of his detention, examination and transportation shall be paid by the state which has preferred the demand for extradition.

ARTICLE X

Articles seized with fugitive.

Everything found in the possession of the fugitive criminal at the time of his arrest, whether being the proceeds of the crime, or which may be material as evidence in making proof of the crime, shall, so far as practicable, according to the laws of the High Contracting Parties, be delivered up with his person at the time of the surrender. Nevertheless, the rights of a third party with regard to the articles aforesaid shall be duly respected.

ARTICLE XI

Territory included.

The stipulations of this Treaty shall be applicable to all territory wherever situated, belonging to either of the High Contracting Parties or in the occupancy and under the control of either of them, during such occupancy or control.

Requisitions.

Requisitions for the surrender of fugitive criminals from justice pursuant to the stipulations of this Treaty shall be made by diplomatic intercourse.

Arrest, etc.

The arrest of the fugitive criminal shall be brought about in accordance with the laws of the country to which the request is made, and if, after an examination, it shall be decided, according to the law and evidence, that extradition is due pursuant to this Treaty, the fugitive criminal shall be surrendered according to the forms of law prescribed in such cases.

Release, if formal request not forthcoming.

The person provisionally arrested shall be released, unless within three months from the date of arrest in Iraq, or from the date of commitment in the United States of America, the formal requisition for surrender with the documentary proofs hereinafter prescribed be made as aforesaid.

Papers, etc., required.

If the fugitive criminal shall have been convicted of the crime for which his surrender is asked, a copy of the sentence of the court before which such conviction took place, duly authenticated, shall be produced.

If, however, the fugitive criminal is merely charged with crime, a duly authenticated copy of the warrant of arrest in the country where the crime was committed, and copies of the depositions upon which such warrant may have been issued, shall be produced, with such other evidence or proof as may be deemed competent in the case.

Judgment in default.

For the purpose of this Treaty, judgment in default shall not be considered as conviction but the person so convicted may be considered merely as charged with the crime.

ARTICLE XII

Legal assistance.

If a request is made by either of the High Contracting Parties for the arrest, detention, or extradition of fugitive criminals, the appropriate legal officials of the country where the proceedings of extradition are held, shall assist the officials of the High Contracting Party demanding the extradition before the appropriate judges and magistrates, by every legal means within their power; and no claim for compensation for the services so rendered shall be made against the High Contracting Party demanding the extradition; provided, however, that any official or officials of the surrendering High Contracting Party so giving assistance who shall, in the course of their duty, receive no salary or compensation other than specific fees for services performed, the High Contracting Party demanding the extradition shall pay such official or officials the customary fees for the acts or services performed by them, in the same manner and to the same amount as though such acts or services had been performed in ordinary criminal proceedings under the laws of the country of which they are officials.

Proviso. Compensation.

ARTICLE XIII

Ratification.

This Treaty shall be ratified by the High Contracting Parties in accordance with their respective constitutional methods and shall take effect from the day of the exchange of the ratifications thereof; but either High Contracting Party may at any time terminate the Treaty on giving to the other six months' notice of its intention to do so.

Effective date.

The ratification of the present Treaty shall be exchanged at Baghdad as soon as possible.

Signatures.

In witness whereof the respective Plenipotentiaries have signed this Treaty, and have hereunto affixed their seals.

Done in duplicate in Arabic and English, of which in the case of divergence, the English text shall prevail, at Baghdad this seventh day of June, 1934 corresponding with the twenty-fourth day of Safar, 1353 Hijrah.

ABDULLAH AL DAMLUJI
[Signature in Arabic]
[SEAL]

PAUL KNABENSHUE
[SEAL]

Arabic text.

واقرارا بما تقدم قد وقع المفوضان على هذه المعاهدة
ووضعا عليها ختميهما .

حررت بنسختين باللغتين العربية والانكليزية على ان يكون النص
الانكليزي وحده المعتبر عند وقوع اي خلاف في اليوم السابع
من شهر حزيران سنة ١٩٣٤ م الموافق لليوم الرابع والعشرين من شهر
صفر سنة ١٣٥٢ هـ .

[SEAL] [SEAL]

واذا كان المجرم الهارب متهما بارتكابه الجريمة فتقدم صورة مصدقة حسب الاصول من امر التوقيف الصادر في البلد الذي ارتكبت الجريمة فيه مع صورة الشهادات التي استند عليها في اصدار امر التوقيف المذكور وكذلك الادلة والبراهين الاخرى التي تعتبر لازمة في القضية .

لغرض هذه المعاهدة لا يعتبر الحكم الغيابي حكما بل يجوز اعتبار الشخص المحكوم عليه به متهما .

المادة الثانية عشرة

اذا وقع طلب من قبل احد الفريقين الساميين المتعاقدين بالقاء القبض على المجرمين الهاربين او توقيفهم او تسليمهم فعلى الموظفين العدليين المختصين في البلد الذي تجري فيه معاملات التسليم ان يساعدوا موظفي الفريق السامي المتعاقد الطالب للتسليم امام كل من الحكام وحاكم الجزاء المختصين بكافة الوسائل القانونية الداخلة في استطاعتهم . ولا يطلب التعويض عن الخدمات التي تسدى بهذه الصورة من الفريق السامي المتعاقد طالب التسليم ومع ذلك فاذا كان موظف او موظفو الفريق السامي المتعاقد الذي قام بالتسليم الذين ساعدوا بهذه الصورة لم تكن لهم حسب وظيفتهم رواتب تعويضات غير الاجور المعينة للخدمات التي يؤدونها فعلى الفريق السامي المتعاقد طالب التسليم ان يدفع لهم اولهم الاجور المعتادة عن الاعمال والخدمات التي ادوها بعين الطريقة وبالمقدار الذي يستحقونه فيما لو قاموا باجراءات قضية جزائية اعتيادية وفق قوانين البلد الذي هم موظفون فيه .

المادة الثالثة عشرة

تبرم هذه المعاهدة من قبل الفريقين السامين المتعاقدين وفق الاصول الدستورية المتبعة في بلديهما وتدخل في حيز التنفيذ في يوم تبادل وثائق ابرامها . على ان لكل من الفريقين السامين المتعاقدين انهاء هذه المعاهدة في اي وقت كان باشعار يقدم الى الفريق السامي المتعاقد الآخر لهذه الغاية قبل مدة ستة اشهر .

يتم تبادل وثائق ابرام هذه المعاهدة في بغداد باسرع وقت ممكن .

واقرارا

المادة الثامنة

لا يلزم احد الفريقين السامين المتعاقدين بتسليم رعاياه بموجب احكام هذه المعاهدة .

المادة التاسعة

تدفع نفقات القاء القبض على الشخص المطلوب تسليمه وكذلك نفقات توقيفه وتدقيق قضيته ونقله من قبل الدولة التي طلبت تسليمه .

المادة العاشرة

كل شيء وجد في حوزة المجرم الهارب عند القاء القبض عليه سواء كان حاصلا من الجريمة او كان من المواد التي يمكن ان تكون كدليل مثبت للجريمة يسلم بقدر الامكان وحسب قوانين الفريقين السامين المتعاقدين مع الشخص وقت التسليم على انه ينبغي محافظة حقوق الشخص الثالث في الاشياء المذكورة .

المادة الحادية عشرة

تطبق احكام هذه المعاهدة في كافة الاراضي العائدة لكل من الفريقين السامين المتعاقدين او الواقعة تحت اشغال او اشراف كل واحد منهما اينما وقعت وطول مدة ذلك الاشغال او الاشراف .

تجري طلبات تسليم المجرمين الهاربين بموجب احكام هذه المعاهدة بالطرق الدبلوماسية .

يجري القاء القبض على المجرم الهارب وفق قوانين البلد الذي قدم اليه طلب التسليم واذا تقرر — بعد التدقيق ونظرا الى القانون والادلة وجوب التسليم بموجب هذه المعاهدة فيسلم المجرم الهارب وفق الاصول القانونية المتبعة في مثل هذه القضايا .

يطلق سراح الشخص الذي اوقف مؤقتا اذا لم يقدم خلال مدة ثلاثة اشهر من تاريخ القاء القبض عليه في العراق او من تاريخ محاكمته في الولايات المتحدة الاميركية طلب التسليم مرفقا بالادلة والوثائق كما هو مشروح ادناه بالطريقة المبينة اعلاه .

اذا كان المجرم الهارب قد حكم عليه عن الجريمة التي طلب تسليمه من اجلها فتقدم صورة مصدقة حسب الاصول من حكم المحكمة التي نظرت في الدعوى .

واذا كان

الصفة السياسية او الاعمال التي لها علاقة بتلك الجرائم • ولا يحاكم او يعاقب الشخص المسلم من قبل او الى احد الفريقين السامين المتعاقدين بموجب احكام هذه المعاهدة عن جريمة سياسية • وعندما تكون الجريمة المتهم بها متضمنة فعل القتل او الاغتيال او التسميم او الشروع بذلك فان مجرد ارتكاب تلك الجريمة او الشروع فيها ضد حياة ملك او رئيس دولة اجنبية او احد افراد اسرته لا يعتبر سببا كافيا للادعاء بان تلك الجريمة ذات صفة سياسية او انها عمل لها علاقة بالجرائم ذات صفة سياسية •

المادة الرابعة

لا يحاكم شخص تم تسليمه عن اية جريمة غير التي سلم من اجلها من غير ان يوافق على ذلك الفريق السامي المتعاقد الذي سلمه ما لم تكن له الحرية لمغادرة البلاد مدة شهر بعد تاريخ محاكمته او بعد اكماله العقوبة او اعفائه عنها في حالة الحكم عليها بها •

ولا يطبق هذا الشرط على الجرائم التي ترتكب بعد التسليم •

المادة الخامسة

لا يسلم المجرم الهارب بموجب احكام هذه المعاهدة اذا كان قد اصبح — لسبب مرور الزمن او لسبب قانوني آخر نظرا لقوانين المحل الذي ارتكبت الجريمة ضمن حدود قضائه — معفى من التعقيبات او العقاب عن الجريمة المطلوب تسليمه من اجلها •

المادة السادسة

اذا كان المجرم الهارب المطلوب تسليمه وفق احكام هذه المعاهدة رهن التعقيب او الكفالة او التوقيف فضلا عن اية جريمة ارتكبها في البلد الذي التجأ اليه او كان قد حكم عليه من اجل ذلك فيجوز تأجيل تسليمه الى نهاية المحاكمة والى ان يطلق سراحه بمقتضى القانون •

المادة السابعة

اذا كان المجرم الهارب المطلوب تسليمه من قبل احد الفريقين السامين المتعاقدين قد طلب تسليمه ايضا من قبل دولة او دول اخرى بموجب احكام معاهدة ما من اجل الجرائم التي ارتكبها ضمن حدود قضائها فيسلم للدولة التي وصل طلبها اولا الا اذا صرفت هذه الدولة النظر عن طلبها •

المادة الثامنة

١٧ — السرقة متى كانت الاشياء او الاموال الشخصية والنقود المسروقة تزيد قيمتها عن مائة وخمسين ريال امريكي او اربعين دينارا عراقيا .

١٨ — الحصول على نقود او سندات مالية او اموال اخرى بادعاءات كاذبة او قبض نقود او تأمينات ثمينة او اموال اخرى مع العلم بان هذه الاشياء محوز عليها بصورة غير مشروعة وذلك عندما يكون مبلغ النقود او قيمة الاموال المحوز عليها او المقبوضة اكثر من مائة وخمسين ريال امريكي او اربعين دينارا عراقيا .

١٩ — اليمين الكاذبة او التحريض على ذلك .

٢٠ — الاختلال وخيانة الامانة من قبل الوديع او الصيرفي او الوكيل او العميل او الامين او الوصي او المدبر او القيم او المدير او الموظف في اية شركة او مؤسسة او من قبل شخص يشغل منصبا مؤتمنا وذلك عندما يكون مبلغ النقود او قيمة الاموال المتصرف بها بصورة غير مشروعة اكثر من مئة وخمسون ريال امريكي او اربعين دينارا عراقيا .

٢١ — الرشوة .

٢٢ — الجرائم المعاقب عليها بموجب قوانين الافلاس .

٢٣ — الجرائم المعاقب عليها بموجب قوانين منع المتاجرة بالمخدرات .

٢٤ — الجرائم المعاقب عليها بموجب قوانين منع الرق والمتاجرة بالرقيق .

٢٥ — وكذلك يجري تسليم المجرمين عن الاشتراك في اية جريمة من الجرائم المذكورة اعلاه قبل حدوثها او بعد ذلك على ان يكون الاشتراك المذكور معاقبا عليه بالسجن بموجب قوانين كلا الفريقين السامين المتعاقدين ولو كان بعد حدوثها يكون جريمة قائمة بنفسها ومعرفة باسم خاص في قوانين احدى الدولتين المتعاقدتين .

المادة الثالثة

لا تشمل احكام هذه المعاهدة طلب التسليم من اجل جرائم ذات

٩ — دخول دوائر الحكومة والسلطات العامة ودوائر البنوك والمصارف وبنوك التوفير وشركات التأمين وشركات الضمان وبنايات اخرى غير المساكن بصورة غير مشروعة وبلا علم ساكنها وذلك بقصد ارتكاب جناية فيها .

١٠ — الاغتصاب وهو اخذ اموال الغير او نقوده بفعل جنائي او بصورة غير مشروعة وذلك باستعمال العنف او القاء الرعب في نفسه .

١١ — التزوير او ترويج او استعمال ما هو مزور .

١٢ — تزوير او تحريف سندات الحكومة او السلطات العامة وضمنها محاكم العدل او ترويج ذلك او استعماله احتيالا .

١٣ — صنع العملة المزيفة سواء كانت سكة او ورقا مع السندات او كوبونات الدين العمومية الموضوعة من قبل الحكومة الوطنية او حكومة المملكة او الولاية او المقاطعة او المحل او البلدية او اوراق المصارف النقدية او مستمسكات الاعتمادات العامة الاخرى وكذلك تزييف الاختام والطوابع والتعفات والعلامات المائدة للدولة او الادارات العامة وترويج الاشياء المذكورة اعلاه ووضعها في التداول او استعمالها احتيالا .

١٤ — الخيانة والاختلاس التي يرتكبها الموظفون العامون او الامناء ضمن حدود قضاء احد الفريقين السامين المتعاقدين عندما يكون المبلغ المختلس اكثر من مائة وخمسون ريال امريكي او اربعين دينارا عراقيا .

١٥ — الخيانة التي تقع من قبل الاجيرين او اصحاب الرواتب او المستخدمين ضد مستخدميهم او رؤسائهم عندما يكون المبلغ المختلس اكثر من مائة وخمسين ريال امريكي او اربعين دينارا عراقيا .

١٦ — خطف الصغار او البالغين وهو خطف وحجز شخص او اشخاص بقصد ابتزاز دراهم منهم او من اسرهم او لاية غاية اخرى غير مشروعة .

— ٢ —

ب — اذا كان الشخص المطلوب محكوما عليه فعندما تقدم الدلائل التي تثبت ان الشخص المذكور هو المحكوم عليه حقيقة .

المادة الثانية

يجري بموجب احكام هذه المعاهدة تسليم الاشخاص المتهمين والمحكوم عليهم عن اية جريمة من الجرائم الآتية اذا كانت معاقبا عليها بموجب قوانين كلا البلدين : —

١ — القتل (ومنه جرائم قتل احد الابوين والقتل غيلة او بتعمد والقتل قصدا عندما تقع باختيار مرتكبها وكذلك جرائم القتل بالتسميم او قتل الاطفال) .

٢ — الشروع في القتل .

٣ — ازالة البكارة والزنا بغير رضا واسقاط الجنين ومواقعة الاطفال الذين يقل عمرهم عن ١٢ سنة .

٤ — تعدد الزوجات والازواج غير المشروع .

٥ — الاحراق عمدا .

٦ — كل فعل مؤذ يؤتي بقصد القاء الخطر على سلامة الاشخاص المسافرين او الذين على خط القطار .

٧ — الجرائم المرتكبة في البحر وهي : —

آ — القرصنة كما هي معلومة ومعرفة في حقوق الدول او القوانين العامة .

ب — اغراق البواخر او تخريبها في البحر عمدا او الشروع في ذلك .

ج — التمرد والمؤامرة من قبل اثنين او اكثر من البحارة او غيرهم في الباخرة في عرض البحر بقصد القيام بالعصيان ضد سلطة ربان او قائد تلك الباخرة او وضع اليد عليها بالغدر والعنف .

د — الاعتداء على ظهر الباخرة بقصد الايذاء الجسماني .

٨ — السطو وهو الدخول ليلا في دار آخر بصورة غير مشروعة وبلا علم ساكنه بقصد ارتكاب جناية فيها .

معاهدة تسليم المجرمين بين مملكة العراق وجمهورية الولايات المتحدة الامريكية

صاحب الجلالة ملك العراق
من جهة
وصاحب الفخامة رئيس جمهورية الولايات المتحدة الامريكية
من جهة اخرى

رغبة منهما في عقد معاهدة لتنظيم تسليم المجرمين عيّن كل من : —

صاحب الجلالة ملك العراق :

معالي الدكتور عبدالله بك الدملوجي — وزير الخارجية ·

وصاحب الفخامة رئيس جمهورية الولايات المتحدة الامريكية :

معالي المستر بول نابنشو — الوزير المقيم لجمهورية الولايات المتحدة الامريكية في بغداد ·

مندوبين مفوضين وبعد ان ابرز كل منهما الى الآخر اوراق تفويضه فوجدت صحيحة ومطابقة للاصول المرعية قد اتفقا على المواد الآتية : —

المادة الاولى

تم الاتفاق بين الفريقين السامين المتعاقدين على ان يسلم كل منهما الى الآخر — وذلك بناء على طلب متقابل يجري وفق احكام هذه المعاهدة — اي شخص متهم او محكوم عليه عن اية جريمة من الجرائم المدرجة في المادة الثانية من هذه المعاهدة مرتكبة ضمن حدود قضاء احد الفريقين السامين المتعاقدين حين وجود الشخص المذكور فعلا ضمن حدود ذلك القضاء اثناء ارتكابه الجريمة وجد داخل اراضي الفريق السامي المتعاقد الآخر على ان لا يجري التسليم الا في الاحوال الآتية : —

آ — اذا كان الشخص المطلوب متهما فعندما تقدم دلائل تكفي — نظرا الى قوانين البلاد الموجود فيها الشخص فيما لو حدثت الجريمة هناك — لالقاء القبض عليه وسوقه الى المحكمة ·

AND WHEREAS the said Extradition Treaty has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the City of Baghdad, on the twenty-third day of April, one thousand nine hundred and thirty-six; Ratifications exchanged.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Extradition Treaty to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof. Proclamation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this twenty-eighth day of April, in the year of our Lord one thousand nine hundred and [SEAL] thirty-six, and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

April 5, 1935. *Supplementary extradition treaty between the United States of America and Poland. Signed at Warsaw, April 5, 1935; ratification advised by the Senate, June 5, 1935; ratified by the President, June 14, 1935; ratified by Poland, March 9, 1936; ratifications exchanged at Washington, May 6, 1936; proclaimed, May 9, 1936.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Supplementary Extradition Treaty with Poland. Preamble.

WHEREAS a Supplementary Extradition Treaty between the United States of America and the Republic of Poland was concluded and signed by their respective Plenipotentiaries at Warsaw on the fifth day of April, one thousand nine hundred and thirty-five, the original of which Supplementary Extradition Treaty, in the English and Polish languages, is word for word as follows:

SUPPLEMENTARY EXTRADITION TREATY.

Contracting Powers. Vol. 46, p. 2282.

The United States of America and the Republic of Poland being desirous of enlarging the list of crimes on account of which extradition may be granted under the treaty signed between the United States of America and the Republic of Poland on November 22, 1927, with a view to the better administration of justice and the prevention of crime within their respective territories and jurisdictions, have resolved to conclude a supplementary treaty for this purpose and have appointed as their Plenipotentiaries:

Plenipotentiaries.

THE PRESIDENT OF THE UNITED STATES OF AMERICA:

Mr. JOHN CUDAHY, Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Poland,

THE PRESIDENT OF THE REPUBLIC OF POLAND:

Mr. JÓZEF BECK, Minister of Foreign Affairs,

DODATKOWY TRAKTAT EKSTRADYCYJNY.

Stany Zjednoczone Ameryki i Rzeczpospolita Polska, pragnąc rozszerzyć wykaz przestępstw, za które wydanie ma być przyznane na podstawie Traktatu podpisanego przez Stany Zjednoczone Ameryki i Rzeczpospolitą Polską dnia 22 listopada 1927 r., postanowiły, w celu usprawnienia wymiaru sprawiedliwości i zapobieżenia przestępstwom na swych terytorjach i w zakresie swej władzy zwierzchniej zawrzeć dodatkowy Traktat i mianowały w tym celu swymi Pełnomocnikami:

PREZYDENT STANÓW ZJEDNOCZONYCH AMERYKI:

Pana JOHN CUDAHY, Ambasadora Nadzwyczajnego i Pełnomocnego Stanów Zjednoczonych Ameryki w Rzeczypospolitej Polskiej,

PREZYDENT RZECZYPOSPOLITEJ POLSKIEJ:

Pana JÓZEFA BECKA, Ministra Spraw Zagranicznych,

Who, after having communicated to each other their respective full powers, which were found to be in due and proper form, have agreed to and concluded the following articles:

ARTICLE I.

The following crimes are added to the list of crimes numbered 1 to 18 in Article II of the said treaty of November 22, 1927, on account of which extradition may be granted, that is to say:

19. Offenses to the detriment of creditors in connection with a state of insolvency.

ARTICLE II.

The present treaty shall be considered as an integral part of the said Extradition Treaty of November 22, 1927, and Article II of the last mentioned treaty shall be read as if the list of crimes therein contained had originally comprised the additional crimes specified and numbered 19 in the first article of the present treaty.

The present treaty shall be ratified by the High Contracting Parties in accordance with their respective constitutional methods, and shall take effect on the 30-th day after the date of the exchange of ratifications, which shall take place at Washington as soon as possible.

In witness whereof the above named Plenipotentiaries have signed the present treaty in the English and Polish languages, both authentic, and have hereunto affixed their seals.

Done, in duplicate, at Warsaw, this fifth day of April nineteen hundred and thirty-five.

[SEAL] JOHN CUDAHY
[SEAL] J BECK

którzy, po zakomunikowaniu sobie wzajemnie swych pełnomocnictw, uznanych za dobre i w należytej formie sporządzone, zgodzili się na następujące artykuły:

Artykuł I.

Następujące przestępstwa zostaną dodane do wykazu przestępstw wyliczonych w punktach 1 do 18 Artykułu II wspomnianego Traktatu z dnia 22 listopada 1927 r., za które wydanie jest dopuszczalne, a mianowicie:

Extraditable crimes.

19. Przestępstwa na szkodę wierzycieli, związane ze stanem upadłości.

Offenses involving insolvency.

Artykuł II.

Niniejszy Traktat będzie uważany za część składową wspomnianego Traktatu Ekstradycyjnego z dnia 22 listopada 1927 r., a Artykuł II tegoż Traktatu będzie rozumiany w ten sposób, jak gdyby wykaz przestępstw w nim wymienionych obejmował od samego początku dodatkowe przestępstwa wyszczególnione i oznaczone w pierwszym artykule niniejszego Traktatu Nr. 19.

Considered part of original Treaty. Vol. 46, p. 2286.

Niniejszy Traktat będzie ratyfikowany przez Wysokie Umawiające się Strony, stosownie do ich przepisów konstytucyjnych i wejdzie w życie trzydziestego dnia po dniu wymiany dokumentów ratyfikacyjnych, która nastąpi w Waszyngtonie w terminie możliwie najbliższym.

Exchange of ratifications.

Effective date.

Na dowód czego wyżej wymienieni Pełnomocnicy podpisali niniejszy Traktat w języku angielskim i polskim, które są obydwa miarodajne i wycisnęli na nim swe pieczęcie.

Signatures.

Sporządzono w dwóch egzemplarzach, w Warszawie dnia 5 kwietnia 1935 roku.

[SEAL] JOHN CUDAHY
[SEAL] J BECK

Ratifications exchanged.

AND WHEREAS the said Supplementary Extradition Treaty has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Washington on the sixth day of May, one thousand nine hundred and thirty-six;

AND WHEREAS the said Supplementary Extradition Treaty shall, in accordance with Article II thereof, go into effect on the thirtieth day after the date of the exchange of ratifications, that is to say, on June 5, 1936;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Supplementary Extradition Treaty to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof on and from the fifth day of June 1936.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington, this ninth day of May, in the year of our Lord one thousand nine hundred and thirty-six, and of the Independence of the United States of America the one hundred and sixtieth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

PROCLAMATIONS

OF THE

PRESIDENT OF THE UNITED STATES

3397

PROCLAMATIONS

EXPORTATION OF ARMS OR MUNITIONS OF WAR TO CUBA UNLAWFUL

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

June 29, 1934.

A PROCLAMATION

Exportation of arms and munitions of war.

WHEREAS section I of a joint resolution of Congress, entitled "Joint Resolution To prohibit the exportation of arms or munitions of war from the United States to certain countries, and for other purposes", approved January 31, 1922, provides as follows:

Statutory authorization to prohibit. Vol. 42, p. 361.

"That whenever the President finds that in any American country, or in any country in which the United States exercises extraterritorial jurisdiction, conditions of domestic violence exist, which are or may be promoted by the use of arms or munitions of war procured from the United States, and makes proclamation thereof, it shall be unlawful to export, except under such limitations and exceptions as the President prescribes, any arms or munitions of war from any place in the United States to such country until otherwise ordered by the President or by Congress.";

AND WHEREAS it is provided by section II of the said joint resolution that—

"Whoever exports any arms or munitions of war in violation of section I shall, on conviction, be punished by fine not exceeding $10,000, or by imprisonment not exceeding two years, or both.";

Cuba; finding of condition of domestic violence.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority conferred in me by the said joint resolution of Congress, do hereby declare and proclaim that I have found that there exist in Cuba such conditions of domestic violence which are or may be promoted by the use of arms or munitions of war procured from the United States as contemplated by the said joint resolution; and I do hereby admonish all citizens of the United States and every person to abstain from every violation of the provisions of the joint resolution above set forth, hereby made applicable to Cuba, and I do hereby warn them that all violations of such provisions will be rigorously prosecuted.

Arms, etc., exportation to, unlawful.

Officers to prevent violations.

And I do hereby enjoin upon all officers of the United States, charged with the execution of the laws thereof, the utmost diligence in preventing violations of the said joint resolution and this my proclamation issued thereunder, and in bringing to trial and punishment any offenders against the same.

Secretary of State to prescribe exceptions, etc.

And I do hereby delegate to the Secretary of State the power of prescribing exceptions and limitations to the application of the said joint resolution of January 31, 1922, as made effective by this my proclamation issued thereunder.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this twenty-ninth day of June, in the year of our Lord nineteen hundred and thirty-four, and of the Independence of the United States of America the one hundred and fifty-eighth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2089]

REVOCATION OF PROCLAMATION NO. 2088 OF JUNE 5, 1934, SUSPENDING THE PROVISIONS OF THE DAVIS-BACON ACT OF MARCH 3, 1931

June 30, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Davis-Bacon Act of March 3, 1931. Vol. 46, p. 1494.

WHEREAS, the provisions of the Davis-Bacon Act of March 3, 1931 (ch. 411, 46 Stat. 1494), were suspended until otherwise provided by Proclamation No. 2088 of June 5, 1934, and

WHEREAS, it appears that a revocation of the said proclamation would be in the public interest:

Proclamation, suspending provisions of, revoked. Vol. 48, p. 1745.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do by this proclamation revoke the aforesaid proclamation of June 5, 1934.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 30'' day of June, in the year of our Lord nineteen hundred and thirty-four, and of the Independence of the United States of America the one hundred and fifty-eighth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2090]

ESTABLISHMENT OF SEPARATE SUGAR-PROCESSING TAX FUNDS FOR THE PHILIPPINE ISLANDS, PUERTO RICO, THE TERRITORY OF HAWAII, AND THE VIRGIN ISLANDS

June 30, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Sugar-processing tax funds for island possessions.

WHEREAS section 15 of the Agricultural Adjustment Act, approved May 12, 1933 (48 Stat. 31), as amended by section 8 of the act entitled "An Act To include sugar beets and sugarcane as basic agricultural commodities under the Agricultural Adjustment Act, and for other purposes", approved May 9, 1934 (Public, No. 213, 73d Congress), provides, in part:

Vol. 48, pp. 39, 675.

"The President, in his discretion, is authorized by proclamation to decree that all or part of the taxes collected from the processing of sugar beets or sugarcane in Puerto Rico, the Territory of Hawaii, the Philippine Islands, the Virgin Islands, * * * and/or upon the processing in continental United States of sugar produced in, or coming from, said areas, shall not be covered into the general fund of the Treasury of the United States but shall be held as a separate fund, in the name of the respective area to which related, to be used and expended for the benefit of agriculture and/or paid as rental or benefit payments in connection with the reduction in the acreage, or reduction in the production for market, or both, of sugar beets and/or sugarcane, and/or used and expended for expansion of markets and for removal of surplus agricultural products in such areas, respectively, as the Secretary of Agriculture, with the approval of the President, shall direct." Statutory authorization.

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid section 15 of the Agricultural Adjustment Act, as amended, do hereby proclaim and decree as follows: Separate funds established; purpose.

(1) Until otherwise provided, none of the taxes collected upon the processing in continental United States of sugar produced in or coming from the Philippine Islands shall be covered into the general fund of the Treasury of the United States, but all of such taxes shall be held as a separate fund in the name of the Philippine Islands to be used and expended for the benefit of agriculture and/or paid as rental or benefit payments in connection with the reduction in the acreage or reduction in the production for market, or both, of sugar beets and/or sugarcane, and/or used and expended for expansion of markets and for removal of surplus agricultural products in the Philippine Islands, as the Secretary of Agriculture, with the approval of the President, shall direct. Philippine Islands. *Post*, pp. 3416, 3422.

(2) Until otherwise provided, none of the taxes collected from the processing of sugar beets or sugarcane in Puerto Rico and/or upon the processing in continental United States of sugar produced in or coming from Puerto Rico shall be covered into the general fund of the Treasury of the United States, but all of such taxes shall be held as a separate fund in the name of Puerto Rico to be used and expended for the benefit of agriculture and/or paid as rental or benefit payments in connection with the reduction in the acreage or reduction in the production for market, or both, of sugar beets and/or sugarcane, and/or used and expended for expansion of markets and for removal of surplus agricultural products in Puerto Rico, as the Secretary of Agriculture, with the approval of the President, shall direct. Puerto Rico.

(3) Until otherwise provided, none of the taxes collected from the processing of sugar beets or sugarcane in the Territory of Hawaii and/or upon the processing in continental United States of sugar produced in or coming from the Territory of Hawaii shall be covered into the general fund of the Treasury of the United States, but all of such taxes shall be held as a separate fund in the name of the Territory of Hawaii to be used and expended for the benefit of agriculture and/or paid as rental or benefit payments in connection with the reduction in the acreage or reduction in the production for market, or both, of sugar beets and/or sugarcane, and/or used and expended for expansion of markets and for removal of surplus agricultural products in the Territory of Hawaii, as the Secretary of Agriculture, with the approval of the President, shall direct. Hawaii. *Post*, pp. 3418, 3448.

(4) Until otherwise provided, none of the taxes collected upon the processing in continental United States of sugar produced in or coming from the Virgin Islands shall be covered into the general fund of the Treasury of the United States, but all of such taxes shall be held as a Virgin Islands.

separate fund in the name of the Virgin Islands to be used and expended for the benefit of agriculture and/or paid as rental or benefit payments in connection with the reduction in the acreage or reduction in the production for market, or both, of sugar beets and/or sugarcane, and/or used and expended for expansion of markets and for removal of surplus agricultural products in the Virgin Islands, as the Secretary of Agriculture, with the approval of the President, shall direct.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 30″ day of June, in the year of our Lord nineteen hundred and thirty-four, and [SEAL] of the Independence of the United States of America the one hundred and fifth-eighth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2091]

August 9, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Coinage of silver. Vol. 48, pp. 52, 342.

WHEREAS, by Paragraph (2) of Section 43, Title III, of the Act of Congress, approved May 12, 1933 (Public No. 10), as amended by the Gold Reserve Act of 1934, the President is authorized "By proclamation to fix the weight of the gold dollar in grains nine tenths fine and also to fix the weight of the silver dollar in grains nine tenths fine at a definite fixed ratio in relation to the gold dollar at such amounts as he finds necessary from his investigation to stabilize domestic prices or to protect the foreign commerce against the adverse effect of depreciated foreign currencies, and to provide for the unlimited coinage of such gold and silver at the ratio so fixed, * * *"; and "The President, in addition to the authority to provide for the unlimited coinage of silver at the ratio so fixed, under such terms and conditions as he may prescribe, is further authorized to cause to be issued and delivered to the tenderer of silver for coinage, silver certificates in lieu of the standard silver dollars to which the tenderer would be entitled and in an amount in dollars equal to the number of coined standard silver dollars that the tenderer of such silver for coinage would receive in standard silver dollars"; and "The President is further authorized to issue silver certificates in such denominations as he may prescribe against any silver bullion, silver, or standard silver dollars in the Treasury not then held for redemption of any outstanding silver certificates, and to coin standard silver dollars or subsidiary currency for the redemption of such silver certificates"; and

Certificates against silver reserve.

Provisions in Silver Purchase Act. Vol. 48, pp. 1178, 1179.

WHEREAS, the Silver Purchase Act of 1934, approved June 19, 1934, provides in Sections 2, 5, and 7, in part, as follows:

"SEC. 2. It is hereby declared to be the policy of the United States that the proportion of silver to gold in the monetary stocks of the United States should be increased, with the ultimate objective of having and maintaining, one fourth of the monetary value of such stocks in silver."

"SEC. 5. The Secretary of the Treasury is authorized and directed to issue silver certificates in such denominations as he may from time to time prescribe in a face amount not less than the cost of all silver purchased under the authority of section 3, and such certificates shall

be placed in actual circulation. There shall be maintained in the Treasury as security for all silver certificates heretofore or hereafter issued and at the time outstanding an amount of silver in bullion and standard silver dollars of a monetary value equal to the face amount of such silver certificates. All silver certificates heretofore or hereafter issued shall be legal tender for all debts, public and private, public charges, taxes, duties, and dues, and shall be redeemable on demand at the Treasury of the United States in standard silver dollars; and the Secretary of the Treasury is authorized to coin standard silver dollars for such redemption."

"SEC. 7. Whenever in the judgment of the President such action is necessary to effectuate the policy of this Act, he may by Executive order require the delivery to the United States mints of any or all silver by whomever owned or possessed. The silver so delivered shall be coined into standard silver dollars or otherwise added to the monetary stocks of the United States as the President may determine; and there shall be returned therefor in standard silver dollars, or any other coin or currency of the United States, the monetary value of the silver so delivered less such deductions for seigniorage, brassage, coinage, and other mint charges as the Secretary of the Treasury with the approval of the President shall have determined: *Provided*, That in no case shall the value of the amount returned therefor be less than the fair value at the time of such order of the silver required to be delivered as such value is determined by the market price over a reasonable period terminating at the time of such order. * * *"

Necessity declared.

NOW, THEREFORE, finding it necessary, in my judgment, to effectuate the policy of the Silver Purchase Act of 1934, to assist in increasing and stabilizing domestic prices, to protect our foreign commerce against the adverse effect of depreciated foreign currencies, and to promote the objectives of the Proclamation of the 21st day of December, nineteen hundred and thirty-three, relating to the coinage of silver; by virtue of the power in me vested by the Acts of Congress above cited, and other legislation designated for national recovery, and by virtue of all other authority in me vested;

Vol. 48, p. 1723.

Mint directed to receive domestic silver; uses.

I, FRANKLIN D. ROOSEVELT, PRESIDENT of the UNITED STATES of AMERICA, do proclaim and direct that each United States mint shall receive for coinage or for addition to the monetary stocks of the United States, as hereinafter determined, any silver which such mint, subject to regulations prescribed hereunder by the Secretary of the Treasury, is satisfied was situated on the effective date hereof in the continental United States, including the Territory of Alaska.

Regulations.

Coinage.

The silver so delivered shall be added to the monetary stocks of the United States and shall be coined from time to time into standard silver dollars in such amounts as are required to carry out the provisions of this Proclamation and to provide for the redemption of silver certificates; and there shall be returned therefor in standard silver dollars, silver certificates, or any other coin or currency of the United States, the monetary value of the silver so delivered (that is, $1.2929+ a fine troy ounce), less a deduction of 61⅔ per cent thereof for seigniorage, brassage, coinage, and other mint charges, such deduction having been determined by the Secretary of the Treasury with my approval.

Charges.

Regulations prescribed supplementary to existing provisions. Vol. 48, p. 1723.

The provisions hereof are supplemental to the provisions of the Proclamation of the 21st day of December, nineteen hundred and thirty-three, and the United States coinage mints shall continue to receive for coinage in accordance with the provisions of such Proclamation silver which such mint, subject to regulations prescribed thereunder by the Secretary of the Treasury, is satisfied has been mined subsequently to the date of such Proclamation, from natural

deposits in the United States or any place subject to the jurisdiction thereof; *provided, however,* that the Director of the Mint shall, at the option of the tenderer of such silver, deliver silver certificates in lieu of the standard silver dollars to which the tenderer of such silver for coinage would be entitled and in an amount in dollars equal to the coined standard silver dollars that the tenderer of such silver for coinage would receive in standard silver dollars.

Proviso. Silver certificates in lieu.

Regulations to be prescribed.

The Secretary of the Treasury is authorized to prescribe regulations to carry out the purposes of this proclamation.

Rights reserved.

Notice is hereby given that I reserve the right by virtue of the authority vested in me to revoke or modify this Proclamation as the interest of the United States may seem to require.

Effective date, etc.

This Proclamation shall bear the date of, and becomes effective on, the day on which the Secretary or Acting Secretary of State countersigns the same, affixes thereto the Seal of the United States, and deposits this Proclamation so countersigned and sealed in the Office of the Secretary of State as a part of the archives of the Nation.

IN WITNESS WHEREOF I have hereunto set my hand.

FRANKLIN D ROOSEVELT

By the President; and countersigned and sealed with the Seal of the United States, by direction of the President, this 9th day of August, in the year of our Lord nineteen hundred and thirty-four, and of the Independence of the United States of America the one hundred and fifty-nine.

[SEAL]

CORDELL HULL
Secretary of State.

[No. 2092]

EMERGENCY DUE TO DROUGHT—FREE IMPORTATION OF FEED FOR LIVESTOCK

August 10, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Drought emergency.

WHEREAS an unusual lack of rain in the States of North Dakota, South Dakota, Nebraska, Texas, Missouri, Utah, and Nevada, and to a lesser extent in other States, has caused an acute shortage of feed for livestock, particularly in the affected area and elsewhere in the United States; and

Vol. 46, p. 696.

WHEREAS section 318 of the Tariff Act of 1930 (ch. 497, 46 Stat. 590, 696) provides in part as follows:

"Whenever the President shall by proclamation declare an emergency to exist by reason of a state of war, or otherwise, he may authorize the Secretary of the Treasury to extend during the continuance of such emergency the time herein prescribed for the performance of any act, and may authorize the Secretary of the Treasury to permit, under such regulations as the Secretary of the Treasury may prescribe, the importation free of duty of food, clothing, and medical, surgical, and other supplies for use in emergency relief work. * * *"

Duty-free livestock feed importation, until June 30, 1935, authorized.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the authority vested in me by the said section of the Tariff Act of 1930, and by virtue of all other authority vested in me, do hereby proclaim an emergency to exist and do hereby authorize the Secretary of the Treasury to permit, until June 30, 1935 (unless before that date it has been determined by the President and declared by his Proclamation that the emergency has terminated), within such limits and subject to such conditions as he may deem necessary to meet the

Conditions; regulations.

emergency, the importation of such feed for livestock as the Secretary of the Treasury may designate and under such regulations as he may impose, free of duty when imported by or directly for the account of any owner of livestock in any drought affected area, or by or for the account of any relief organization, not operated for profit, for distribution among distressed owners of livestock.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington on this 10" day of August in the year of our Lord nineteen hundred and thirty-four, and [SEAL] of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2093]

AMENDING REGULATIONS ON MIGRATORY GAME BIRDS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

August 20, 1934.

A PROCLAMATION

Protection of migratory birds.
Vol. 40, p. 755; U. S. C., p. 686.
Vol. 39, p. 1702.

WHEREAS the Secretary of Agriculture, by virtue of the authority vested in him by section 3 of the Migratory Bird Treaty Act (40 Stat. 755; U. S. C., title 16, secs. 703–711), has submitted to me for approval regulations further amendatory of the regulations approved and proclaimed July 31, 1918, which the Secretary of Agriculture has determined to be suitable amendatory regulations permitting and governing the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, and export of migratory birds and parts thereof and their nests and eggs, as follows:

Regulations modified.
Post, p. 3457.

Regulation 2, "Definitions of Terms", is amended to read as follows:

Vol. 40, p. 1813.

REGULATION 2.—DEFINITIONS OF TERMS

Terms construed.

For the purposes of these regulations the following terms shall be construed, respectively, to mean and to include—

Secretary.—The Secretary of Agriculture of the United States.

Person.—The plural or the singular, as the case demands, individuals, clubs, associations, partnerships, and corporations, unless the context otherwise requires.

Take.—Hunt, kill, or capture, or attempt to hunt, kill, or capture.

Premises.—The entire tract or body of land and water or land or water owned, leased, or otherwise controlled or occupied by any person on any part of which bait is employed in the shooting of waterfowl.

Bait.—Corn, wheat, oats, or other grain, or products thereof, salt, or any kind of feed, by whomsoever placed, deposited, distributed, scattered, or otherwise put out, whereby mourning doves or waterfowl are lured, attracted, or enticed.

Open season.—The time during which migratory birds may be taken.

Transport.—Shipping, transporting, carrying, exporting, receiving or delivering for shipment, transportation, carriage, or export.

Vol. 45, pp. 2901, 2942; Vol. 46, p. 2989; Vol. 47, pp. 2440, 2520.

Regulation 3, "Means By Which Migratory Game Birds May Be Taken", is amended to read as follows:

REGULATION 3.—MEANS BY WHICH MIGRATORY GAME BIRDS MAY BE TAKEN

Means for taking birds.

Post, p. 3458.

The migratory game birds specified in regulation 4 hereof may be taken during the open season with a gun only, not larger than no. 10 gage, fired from the shoulder, except as specifically permitted by regulations 7, 8, 9, and 10 hereof; they may be taken during the open season from the land and water, with the aid of a dog, the use of decoys, and from a blind or floating device, except that in the taking of wild ducks not more than twenty-five (25) live duck decoys may be shot over, and in the taking of wild geese in California the use of live goose decoys is not permitted; but nothing herein shall be deemed to permit the use of an automobile, airplane, power boat, sailboat, any boat under sail, any floating device towed by power boat or sailboat, or any sinkbox (battery), except that sinkboxes (batteries) may be used in the taking of migratory waterfowl in coastal sounds and bays (including Back Bay, Princess Anne County, State of Virginia) and other coastal waters; and nothing herein shall be deemed to permit the use of an airplane, or a power boat, sailboat, or other floating device for the purpose of concentrating, driving, rallying, or stirring up migratory waterfowl; and mourning doves shall not be shot or otherwise taken by means of bait.

Waterfowl.

Waterfowl (except those taken pursuant to regulation 8 of these regulations) shall not be shot or otherwise taken on any baited premises except under seasonal permits issued without charge by the Chief of the Bureau of Biological Survey of the Department of Agriculture; *Provided, however*, That such permits will be issued only upon the conditions and requirements hereinafter specified, which will be stated in every permit, and when said Chief shall, after investigation, ascertain and determine that any bait on any premises is or will be effective to subsist such waterfowl under stress of absence, failure, or diminution of the normal or natural food supply of waterfowl in that particular locality or section, or to concentrate such waterfowl under conditions conducive to safeguarding them from greater destruction that would otherwise occur, and when it shall additionally appear that such shooting will more nearly equalize waterfowl-hunting privileges in the various localities or sections within the jurisdiction of the United States and will not contribute to disproportioned destruction of such waterfowl in any such particular locality or section. Forms upon which to apply for permits will be furnished by the Chief of said Bureau upon request. Permits will be issued to and in the name of the person owning, leasing, or otherwise controlling or occupying any premises. Any permit may be revoked by the Secretary when he determines, after investigation, that baiting as employed on the premises constitutes a disproportioned agency in the killing of migratory waterfowl, or upon proof that the permittee has willfully violated or failed to comply with, or has suffered others hunting on the premises to violate or fail to comply with, any of the following conditions and requirements.—No waterfowl, except crippled birds not otherwise retrievable, shall be shot while resting on water or land on any premises. No waterfowl shall be shot on any premises after 3 o'clock p. m. Every permittee shall keep an accurate record of the number of persons shooting during each season on the premises covered by the permit; the species and the number of each species and the total number of all species of waterfowl killed on said premises during each season; and the number of blinds, the number of gunners

Proviso. Permits.

shooting from each blind each day, the number of birds killed each day by each gunner at each blind, and kinds of feed and interval of feeding; and shall send to the Chief of said Bureau, within one month after the close of the open season, a report containing the aforesaid information. No permit issued shall be construed to be effective to permit shooting of waterfowl on any premises in violation of State law or regulation.

Vol. 44, pp. 2580, 2605, 2614; Vol. 45, pp. 2905, 2922, 2942, 2956, 2964; Vol. 46, pp. 2989, 3013, 3018; Vol. 47, pp. 2441, 2476, 2481, 2521.

Regulation 4, "Open Seasons on and Possession of Certain Migratory Game Birds", is amended to read as follows:

REGULATION 4.—OPEN SEASONS ON AND POSSESSION OF CERTAIN MIGRATORY GAME BIRDS

Open seasons.

Time prescribed. Waterfowl, etc.

Waterfowl (except snow geese and brant in Florida and all States north thereof bordering on the Atlantic Ocean, Ross's goose, wood duck, ruddy duck, bufflehead duck, and swans), rails, coot, gallinules, woodcock, Wilson's snipe or jacksnipe, mourning doves, and band-tailed pigeons may be taken each day from sunrise to sunset (except waterfowl on baited premises as provided by regulation 3) during the open seasons prescribed therefor in this regulation, and they may be taken by the means and in the numbers permitted by regulations 3 and 5 hereof, respectively, and when so taken may be possessed in the numbers permitted by regulation 5 any day in any State, Territory, or District during the period constituting the open season where killed and for an additional period of 10 days next succeeding said open season, but no such bird shall be possessed in a State, Territory, or District at a time when such State, Territory, or District prohibits the possession thereof. Nothing herein shall be deemed to permit the taking of migratory birds on any refuge established under the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222–26), nor on any area of the United States set aside by any other law, proclamation, or Executive order for use as a wild-life refuge except insofar as may be permitted by the Secretary of Agriculture under existing law, nor on any area adjacent to any such refuge when such area is designated as a closed area under the Migratory Bird Treaty Act.

Geographical limitations.

Waterfowl (except snow geese and brant in Florida and all States north thereof bordering on the Atlantic Ocean, Ross's goose, wood duck, ruddy duck, bufflehead duck, and swans), Wilson's snipe or jacksnipe, and coot.—The open seasons for waterfowl (except snow geese and brant in Florida and all States north thereof bordering on the Atlantic Ocean, Ross's goose, wood duck, ruddy duck, bufflehead duck, and swans), Wilson's snipe or jacksnipe, and coot, in the several States and Alaska, shall be as follows:

California, October 20, 21, 27, 28; November 3, 4, 10, 11, 17, 18, 24, 25; December 1, 2, 8, 9, 15, 16, 22, 23, 29, 30;

Florida, November 22, 23, 24, 25, 29, 30; December 1, 2, 6, 7, 8, 9, 13, 14, 15, 16, 20, 21, 22, 23, 27, 28, 29, 30; January 3, 4, 5, 6, 10, 11;

Iowa, October 10, 11, 12, 13, 14, 17, 18, 19, 20, 21, 24, 25, 26, 27, 28, 31; November 1, 2, 3, 4, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18;

Kansas, October 11, 12, 13, 18, 19, 20, 25, 26, 27; November 1, 2, 3, 8, 9, 10, 15, 16, 17, 22, 23, 24, 29, 30; December 1, 6, 7, 8, 13, 14, 15;

Nebraska, October 16 to November 14, both dates inclusive;

New Mexico, October 13, 14, 20, 21, 27, 28; November 3, 4, 10, 11, 17, 18, 24, 25; December 1, 2, 8, 9, 15, 16, 22, 23, 29, 30; January 5, 6, 12, 13;

Oklahoma, October 20, 21, 22, 27, 28, 29; November 3, 4, 5, 10, 11, 12, 17, 18, 19, 24, 25, 26; December 1, 2, 3, 8, 9, 10, 15, 16, 17, 22, 23, 24;

Texas, October 26, 27, 28; November 2, 3, 4, 9, 10, 11, 16, 17, 18, 23, 24, 25, 30; December 1, 2, 7, 8, 9, 14, 15, 16, 21, 22, 23, 28, 29, 30;

Utah, October 12, 13, 14, 19, 20, 21, 26, 27, 28; November 2, 3, 4, 9, 10, 11, 16, 17, 18, 23, 24, 25, 30; December 1, 2, 7, 8, 9, 14, 15, 16;

West Virginia, November 1 to November 30, both dates inclusive;

Arizona, Idaho, and Illinois, October 6, 7, 13, 14, 20, 21, 27, 28; November 3, 4, 10, 11, 17, 18, 24, 25; December 1, 2, 8, 9, 15, 16, 22, 23, 29, 30; January 5, 6, 12, 13;

Colorado and Nevada, October 1, 2, 6, 7, 13, 14, 20, 21, 27, 28; November 3, 4, 10, 11, 17, 18, 24, 25; December 1, 2, 8, 9, 15, 16, 22, 23, 29, 30; January 5, 6;

Missouri, Oregon, and Washington, October 19, 20, 21, 26, 27, 28; November 2, 3, 4, 9, 10, 11, 16, 17, 18, 23, 24, 25, 30; December 1, 2, 7, 8, 9, 14, 15, 16, 21, 22, 23;

Arkansas and Mississippi, November 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 27, 28, 29, 30; December 1, 4, 5, 6, 7, 8, 11, 12, 13, 14, 15;

Kentucky, Louisiana, and Rhode Island, November 2, 3, 4, 9, 10, 11, 16, 17, 18, 23, 24, 25, 30; December 1, 2, 7, 8, 9, 14, 15, 16, 21, 22, 23, 28, 29, 30; January 4, 5, 6;

Michigan, Minnesota, North Dakota, Wisconsin, and Wyoming, October 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 17, 18, 19, 20, 21, 24, 25, 26, 27, 28, 31; November 1, 2, 3, 4, 7, 8, 9, 10, 11;

Connecticut, Massachusetts, New Jersey, and Pennsylvania, October 18, 19, 20, 25, 26, 27; November 1, 2, 3, 8, 9, 10, 15, 16, 17, 22, 23, 24, 29, 30; December 1, 6, 7, 8, 13, 14, 15, 20, 21, 22;

Alabama, Georgia, Maryland, North Carolina, South Carolina, Tennessee, and Virginia, November 8, 9, 10, 15, 16, 17, 22, 23, 24, 29, 30; December 1, 6, 7, 8, 13, 14, 15, 20, 21, 22, 27, 28, 29; January 3, 4, 5, 10, 11, 12;

Montana, New Hampshire, Vermont, and South Dakota, October 5, 6, 7, 12, 13, 14, 19, 20, 21, 26, 27, 28; November 2, 3, 4, 9, 10, 11, 16, 17, 18, 23, 24, 25, 30; December 1, 2, 7, 8, 9;

Indiana, Maine, New York (except Long Island), and Ohio, October 4, 5, 6, 11, 12, 13, 18, 19, 20, 25, 26, 27; November 1, 2, 3, 8, 9, 10, 15, 16, 17, 22, 23, 24, 29, 30; December 1, 6, 7, 8;

Delaware and that portion of New York known as Long Island, October 25, 26, 27; November 1, 2, 3, 8, 9, 10, 15, 16, 17, 22, 23, 24, 29, 30; December 1, 6, 7, 8, 13, 14, 15, 20, 21, 22, 27, 28, 29;

Alaska, September 1, 2, 3, 8, 9, 10, 15, 16, 17, 22, 23, 24, 29, 30; October 1, 6, 7, 8, 13, 14, 15, 20, 21, 22, 27, 28, 29; November 3, 4, 5.

Rails and gallinules.

Rails and gallinules (except coot).—The open season for sora and other rails and gallinules (except coot) shall be from September 1 to November 30, both dates inclusive, except as follows:

Massachusetts, October 4 to November 2, both dates inclusive;

Washington, October 1 to November 30, both dates inclusive;

New York (except Long Island), October 4, 5, 6, 11, 12, 13, 18, 19, 20, 25, 26, 27; November 1, 2, 3, 8, 9, 10, 15, 16, 17, 22, 23, 24, 29, 30; December 1, 6, 7, 8;

That portion of New York known as "Long Island", October 25, 26, 27; November 1, 2, 3, 8, 9, 10, 15, 16, 17, 22, 23, 24, 29, 30; December 1, 6, 7, 8, 13, 14, 15, 20, 21, 22, 27, 28, 29;

Wisconsin, October 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 17, 18, 19, 20, 21, 24, 25, 26, 27, 28, 31; November 1, 2, 3, 4, 7, 8, 9, 10, 11;

Louisiana, November 1 to January 31, both dates inclusive;

District of Columbia, no open season.

Woodcock.

Woodcock.—The open seasons for woodcock shall be as follows, both dates inclusive:

That portion of New York lying north of the tracks of the main line of the New York Central Railroad extending from Buffalo to

Albany and north of the tracks of the main line of the Boston & Albany Railroad extending from Albany to the Massachusetts State line, and in Maine, New Hampshire, Vermont, and North Dakota, October 1 to October 31;

Wisconsin, September 23 to October 22;

That portion of New York lying south of the line above described, including Long Island, and in New Jersey, Pennsylvania, Ohio, Indiana, Michigan, and Iowa, October 15 to November 14;

Massachusetts, Rhode Island, and Connecticut, October 20 to November 19;

Missouri, November 10 to December 10;

Delaware, Maryland, Virginia, West Virginia, Kentucky, Arkansas, and Oklahoma, November 15 to December 15; and

North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Louisiana, December 1 to December 31.

Doves.—The open season for mourning doves shall be as follows, both dates inclusive: Doves.

Delaware, Maryland, Virginia, Tennessee, Kentucky, Illinois, Minnesota, Nebraska, Kansas, Missouri, Arkansas, Oklahoma, New Mexico, Utah, Arizona, California, Nevada, Idaho, and Oregon, September 1 to December 15;

That portion of Texas (except Brazos County) lying west and north of a line beginning on the Rio Grande directly west of the town of Del Rio, Texas; thence east to the town of Del Rio; thence easterly following the center of the main track of the Southern Pacific Railroad through the towns of Spofford, Uvalde, and Hondo; thence to the point where the Southern Pacific Railroad crosses the International & Great Northern Railroad at or near San Antonio; thence following the center of the track of said International & Great Northern Railroad in an easterly direction, to the point in the city of Austin where it joins Congress Avenue, near the International & Great Northern Railroad depot; thence across Congress Avenue to the center of the main track of the Houston & Texas Central Railroad where said track joins said Congress Avenue, at or near the Houston & Texas Central Railroad depot; thence following the center line of the track of said Houston & Texas Central Railroad in an easterly direction through the towns of Elgin, Giddings, and Brenham, to the point where said railroad crosses the Brazos River; thence with the center of said Brazos River in a general northerly direction, to the point on said river where the Beaumont branch of the Gulf, Colorado & Santa Fe Railway crosses the same; thence with the center of the track of the said Gulf, Colorado & Santa Fe Railway in an easterly direction through the towns of Navasota, Montgomery, and Conroe, to the point at or near Cleveland where said Gulf, Colorado & Santa Fe Railway crosses the Houston East & West Texas Railway; thence with the center of said Houston East & West Texas Railway track to the point in said line where it strikes the Louisiana line, September 1 to October 31;

That portion of Texas lying south and east of the aforesaid line, October 1 to November 30;

Brazos County, Texas, November 15 to January 15;

North Carolina, South Carolina, Georgia, Alabama (except in Mobile, Baldwin, and Washington Counties), and Mississippi, September 1 to September 30 and November 20 to January 31;

That portion of Alabama comprising Mobile, Baldwin, and Washington Counties and in that portion of Florida comprising all counties west of the Ochlockonee River, November 1 to January 31;

Florida (except in Dade, Monroe, and Broward Counties and all ounties west of the Ochlockonee River), November 20 to January 31;

That portion of Florida comprising Dade, Monroe, and Broward Counties, September 16 to November 15; and

Louisiana, November 2 to January 31.

Band-tailed pigeons.

Band-tailed pigeons.—The open seasons for band-tailed pigeons shall be as follows, both dates inclusive:

California and Arizona, December 1 to December 15;

New Mexico, November 1 to November 15;

Washington and Oregon, October 16 to October 30.

Vol. 45, p. 2903; Vol. 46, p. 3014; Vol. 47, p. 2443.

Regulation 5, "Daily Bag and Possession Limits on Certain Migratory Game Birds", is amended to read as follows:

REGULATION 5.—DAILY BAG AND POSSESSION LIMITS ON CERTAIN MIGRATORY GAME BIRDS

Bag limits.

A person may take in any one day during the open seasons prescribed therefor in regulation 4 not to exceed the following numbers of migratory game birds, which numbers shall include all birds taken by any other person who for hire accompanies or assists him in taking migratory birds; and in the case of ducks, geese, brant, woodcock, and band-tailed pigeons when so taken these may be possessed in the numbers specified as follows:

Ducks (except wood duck, ruddy duck, and bufflehead duck).—Twelve in the aggregate of all kinds, but not more than 5 of any one, or more than 5 in the aggregate, of the following species—eider duck, canvasback, redhead, greater scaup, lesser scaup, ringneck, blue-wing teal, green-wing teal, cinnamon teal, shoveller, and gadwall; and any person at any one time may possess not more than 24 ducks in the aggregate of all kinds, but not more than 10 of any one, or more than 10 in the aggregate, of the following species—eider duck, canvasback, redhead, greater scaup, lesser scaup, ringneck, blue-wing teal, green-wing teal, cinnamon teal, shoveller, and gadwall.

Geese and brant (except snow geese and brant in Florida and all States north thereof bordering on the Atlantic Ocean, and Ross's goose).—Four in the aggregate of all kinds, and any person at any one time may possesses not more than eight geese and brant in the aggregate of all kinds.

Rails and gallinules (except sora and coot).—Twenty-five in the aggregate of all kinds, but not more than 15 of any one species.

Sora.—Twenty-five.

Coot.—Twenty-five.

Wilson's snipe or jacksnipe.—Twenty.

Woodcock.—Four, and any person at any one time may possess not more than 12.

Doves (mourning).—Eighteen.

Band-tailed pigeons.—Ten, and any person at any one time may possess not more than 10.

The possession limits hereinbefore prescribed shall apply as well to ducks, geese, brant, woodcock, and band-tailed pigeons taken in Canada and other foreign countries and brought into the United States, as to those taken in the United States.

Vol. 43, p. 1917; Vol. 46, p. 2992.

Regulation 9, "Permits to Collect Migratory Birds for Scientific Purposes", is amended to read as follows:

Permits for collecting specimens.

REGULATION 9.—PERMITS TO COLLECT MIGRATORY BIRDS FOR SCIENTIFIC PURPOSES

Scientific collections.

A person may take at any time migratory birds and their nests and eggs for scientific purposes when authorized by a permit issued by the Secretary, which permit shall be carried on his person when he is collecting specimens thereunder and shall be exhibited to any

person requesting to see the same; except that nothing herein shall be deemed to permit the taking of any migratory game bird on any day from sunset to sunrise or the taking of migratory game birds with a gun larger than 10 gage or from an automobile, airplane, powerboat, sailboat, or any boat under sail.

Applications to Secretary of Agriculture.

Application for a permit must be addressed to the Secretary of Agriculture, Washington, D. C., and must contain the following information: Name and address of the applicant, his age, and name of State, Territory, or District in which specimens are proposed to be taken, and the purpose for which they are intended, and the names and addresses of at least two well-known ornithologists, principals or superintendents of educational or zoological institutions, officials or members of zoological or natural-history organizations, or instructors in zoology in high schools, colleges, or universities from whom may be ascertained the qualifications of the applicant for a permit.

Limitations.

The permit may limit the number and species of birds, birds' nests, or eggs that may be collected thereunder and the places where they may be collected and may authorize the holder thereof to possess, buy, sell, exchange, and transport in any manner and at any time migratory birds, parts thereof, and their nests and eggs for scientific purposes; or it may limit the holder to one or more of these privileges. Public museums, zoological parks, and societies and public scientific and educational institutions may possess, buy, sell, exchange, and transport in any manner and at any time migratory birds and parts thereof and their nests and eggs for scientific purposes without a permit, but no specimens shall be taken without a permit. The plumage and skins of migratory game birds legally taken may be possessed and transported by a person without a permit.

Taxidermists.

A taxidermist, when authorized by a permit issued by the Secretary, may possess, buy, sell, exchange, and transport in any manner and at any time migratory birds and parts thereof legally taken, or he may be limited to one or more of these privileges. A taxidermist granted a permit under this regulation shall keep books and records, correctly setting forth the name and address of each person delivering each specimen of a migratory bird to him, together with the name of each species, the date of delivery, the disposition of such specimen, and the date thereof, which said books and records shall be available for inspection at all reasonable hours on request by any duly authorized representative of the Department of Agriculture.

Duration of permits.

Each permit shall be invalid after June 30 succeeding the date of issuance, shall not be transferable, and shall be revocable at any time at the discretion of the Secretary. A permit revoked by the Secretary shall be surrendered to him by the person to whom it was issued, on demand of any employee of the United States Department of Agriculture authorized to enforce the provisions of the Migratory Bird Treaty Act. A person holding a permit under this regulation shall report annually to the Secretary on or before the 10th day of July the number of skins, nests, or eggs of each species collected, bought, sold, received, possessed, mounted, exchanged, or transported during the preceding 12 months, and failure to make such report will be cause for refusal to renew the permit.

Reports required.

Marking packages.

Every package in which migratory birds or their nests or eggs are transported shall have clearly and conspicuously marked on the outside thereof the name and address of the sender, the number of the permit in every case when a permit is required, the name and address of the consignee, a statement that it contains specimens of birds, their nests, or eggs for scientific purposes, and, whenever such a package is transported or offered for transportation from the

Dominion of Canada into the United States or from the United States into the Dominion of Canada, an accurate statement of the contents.

Regulation 10, "Permits to Kill Migratory Birds Injurious to Property", is amended to read as follows:

Permits to kill migratory birds injurious to property.

REGULATION 10.—PERMITS TO KILL MIGRATORY BIRDS INJURIOUS TO PROPERTY

Community injury.

Community injury.—When information is furnished the Secretary that any species of migratory bird has become, under extraordinary conditions, seriously injurious to agriculture or other interests in any particular community, an investigation will be made to determine the nature and extent of the injury, whether the birds alleged to be doing the damage should be killed, and, if so, during what times and by what means. Upon his determination an appropriate order will be made.

Specific injury.

Specific injury.—Upon receipt by the Secretary of information from the owner, tenant, or share cropper that migratory birds are injuring his crops or other property on the land on which he resides, together with a statement of the location of the land, the nature of the crops or property being injured, the extent of such injury, and the particular species of birds committing the injury, an investigation will be made by the Bureau of Biological Survey of the Department of Agriculture; and if it is determined from such investigation that the injury complained of is substantial and can be abated only by killing the birds, or so many thereof as may be necessary, a permit to kill the birds will be issued by the Chief of said Bureau, in which permit will be specified the time during which, the means and methods by which, and the person or persons by whom the birds may be killed, and the disposition to be made of the birds so killed, and such other restrictions as may be deemed necessary and appropriate in the circumstances of the particular case: *Provided, however,* That in every permit issued as aforesaid it shall be specified that no such birds shall be shot at or killed at any time or in any manner not authorized by the laws of the State in which such permit is effective; and as to migratory waterfowl, that they shall not be shot at or killed (1) from any blind, sink, pit, or any other device or means of concealment, whether natural or artificial, movable or stationary, or on land or water; (2) by means of any gun larger than no. 10 gage, or of any gun to which a silencer has been attached or otherwise affixed; and (3) by the use of decoys of any description, or of traps or nets of any kind.

Proviso. Restriction.

AND WHEREAS upon consideration it appears that approval of the foregoing amendatory regulations will effectuate the purposes of the aforesaid Migratory Bird Treaty Act:

Approval of regulations.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby approve and proclaim the foregoing amendatory regulations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 20 day of August, in the year of our Lord nineteen hundred and thirty-four, and [SEAL] of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:

WILLIAM PHILLIPS

Acting Secretary of State.

[No. 2094]

COPYRIGHT—ARGENTINA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

August 23, 1934.

A PROCLAMATION

Copyright; Argentina.
Vol. 35, p. 1075.

WHEREAS it is provided by the act of Congress approved March 4, 1909 (ch. 320, 35 Stat. 1075–1088), entitled "An Act To amend and consolidate the Acts respecting copyright", that the copyright secured by the act, except the benefits under section 1 (e) thereof as to which special conditions are imposed, shall extend to the work of an author or proprietor who is a citizen or subject of a foreign state or nation, only upon certain conditions set forth in section 8 of the act, to wit:

Vol. 35, p. 1077.

"(a) When an alien author or proprietor shall be domiciled within the United States at the time of the first publication of his work; or

"(b) When the foreign state or nation of which such author or proprietor is a citizen or subject grants, either by treaty, convention, agreement, or law, to citizens of the United States the benefit of copyright on substantially the same basis as to its own citizens, or copyright protection substantially equal to the protection secured to such foreign author under this Act or by treaty; or when such foreign state or nation is a party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States may, at its pleasure, become a party thereto";

and

WHEREAS it is provided by section 1 (e) that the provisions of the act "so far as they secure copyright controlling the parts of instruments serving to reproduce mechanically the musical work, shall include only compositions published and copyrighted after this Act goes into effect, and shall not include the works of a foreign author or composer unless the foreign state or nation of which such author or composer is a citizen or subject grants, either by treaty, convention, agreement, or law, to citizens of the United States similar rights"; and

WHEREAS the President is authorized by section 8 to determine by proclamation made from time to time the existence of the reciprocal conditions aforesaid, as the purposes of the act may require; and

Action by Argentina.

WHEREAS satisfactory official assurances have been received that on and after August 23, 1934, citizens of the United States will be entitled to obtain copyright for their works in Argentina which is substantially equal to the protection afforded by the copyright laws of the United States, including rights similar to those provided by section 1 (e);

Benefits extended to citizens of Argentina.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do declare and proclaim:

That on and after August 23, 1934, the conditions specified in sections 8 (b) and 1 (e) of the act of March 4, 1909, will exist and be fulfilled in respect of the citizens of the Argentine Republic and that on and after August 23, 1934, citizens of the Argentine Republic shall be entitled to all the benefits of this act and acts amendatory thereof:

Provisos.
Conditions.

Provided, That the enjoyment by any work of the rights and benefits conferred by the act of March 4, 1909, and the acts amendatory thereof, shall be conditional upon compliance with the requirements and formalities prescribed with respect to such works by the copyright laws of the United States;

Mechanical musical reproductions included.

And provided further, That the provisions of section 1 (e) of the act of March 4, 1909, insofar as they secure copyright controlling parts of instruments serving to reproduce mechanically musical works shall

apply only to compositions published after July 1, 1909, and registered for copyright in the United States which have not been reproduced within the United States prior to August 23, 1934, on any contrivance by means of which the work may be mechanically performed.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 23d day of August, in the year of our Lord nineteen hundred and thirty-four, and [SEAL] of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
WILLIAM PHILLIPS
Acting Secretary of State.

[No. 2095]

EXTENDING THE PERIOD FOR THE ESTABLISHMENT OF AN ADEQUATE SHIPPING SERVICE FOR, AND DEFERRING EXTENSION OF THE COASTWISE LAWS TO, THE VIRGIN ISLANDS

August 29, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Virgin Islands. Preamble.

WHEREAS section 21 of the Merchant Marine Act, 1920, approved June 5, 1920 (ch. 250, 41 Stat. 997), provides:

Statutory provision. Vol. 41, p. 997.

"That from and after February 1, 1922, the coastwise laws of the United States shall extend to the island Territories and possessions of the United States not now covered thereby, and the board is directed prior to the expiration of such year to have established adequate steamship service at reasonable rates to accommodate the commerce and the passenger travel of said islands and to maintain and operate such service until it can be taken over and operated and maintained upon satisfactory terms by private capital and enterprise: *Provided*, That if adequate shipping service is not established by February 1, 1922, the President shall extend the period herein allowed for the establishment of such service in the case of any island Territory or possession for such time as may be necessary for the establishment of adequate shipping facilities therefor * * *";

Extending period.

WHEREAS an adequate shipping service to accommodate the commerce and the passenger travel of the Virgin Islands has not been established as provided in the aforesaid section;

WHEREAS the extension of the coastwise laws of the United States to the Virgin Islands, as provided in the aforesaid section, is dependent upon the establishment of such adequate shipping service; and

Vol. 48, p. 1703.

WHEREAS proclamations have been issued from time to time extending the period for the establishment of such service and deferring the extension of such laws to the Virgin Islands until September 30, 1934:

Time for establishing shipping service for, further extended to September 30, 1935.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 21 of the Merchant Marine Act, 1920, do hereby declare and proclaim that the period for the establishment of an adequate shipping service for the Virgin Islands

is further extended from September 30, 1934, to September 30, 1935, and that the extension of the coastwise laws of the United States to the Virgin Islands is further deferred from September 30, 1934, to September 30, 1935.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 29th day of August, in the year of our Lord nineteen hundred and thirty-four, and of [SEAL] the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
WILLIAM PHILLIPS
Acting Secretary of State.

[No. 2096]

NATIONAL FIRE PREVENTION WEEK—1934

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

September 10, 1934.

A PROCLAMATION

National Fire Prevention Week, 1934.

Disastrous fires destroy each year property of many kinds to a total greater than the whole value of all property in the Nation in the days of our forefathers. This loss seriously offsets our normal gain in national assets.

It is the simple obligation of every citizen to realize, knowing this, that a large proportion of these fires can be prevented by the exercise of proper care and by the use of appropriate fire-prevention measures.

I call special attention to the unfortunate fact that a very large percentage of fires in every part of the Nation is caused by acts of individual carelessness and that millions of dollars' worth of property could be preserved each year by the realization on the part of the individual of his or her responsibility to the community.

Week beginning October 7, 1934, designated as.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby proclaim and designate the week beginning October 7, 1934, as Fire Prevention Week, and I particularly urge State and municipal officials, civic and commercial organizations, school authorities, the clergy, and the press to emphasize the danger of and needless waste caused by fire and to encourage the study of ways and means whereby fire hazards and the disastrous consequences of fire may be prevented as far as possible.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 10th day of September, in the year of our Lord nineteen hundred and thirty-four, and [SEAL] of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
WILLIAM PHILLIPS
Acting Secretary of State.

[No. 2097]

EXTENDING THE PROVISIONS OF THE AGRICULTURAL ADJUSTMENT ACT TO THE PHILIPPINE ISLANDS IN THE CASE OF SUGAR BEETS AND SUGARCANE

September 11, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Sugar beets and sugarcane. Vol. 48, pp. 37, 675. *Post*, p. 3422.

WHEREAS section 10 (f) of the Agricultural Adjustment Act, approved May 12, 1933 (48 Stat. 37), as amended by section 7 of the act entitled "An Act to include sugar beets and sugarcane as basic agricultural commodities under the Agricultural Adjustment Act, and for other purposes", approved May 9, 1934 (Public, No. 213, 73d Cong.), provides in part:

"* * * except that, in the case of sugar beets and sugarcane, the President, if he finds it necessary in order to effectuate the declared policy of this Act, is authorized by proclamation to make the provisions of this title applicable to the Philippine Islands * * *";

AND WHEREAS I find it necessary in order to effectuate the declared policy of the aforesaid Agricultural Adjustment Act to make the provisions of title I thereof applicable to the Philippine Islands in the case of sugar beets and sugarcane:

Provisions of Agricultural Adjustment Act as to, extended to Philippine Islands.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 10 (f) of the Agricultural Adjustment Act, as amended, do hereby proclaim that the provisions of the Agricultural Adjustment Act, as amended, are extended and made applicable to the Philippine Islands in the case of sugar beets and sugarcane, effective as of September 12, 1934.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 11th day of September, in the year of our Lord nineteen hundred and thirty-four, [SEAL] and of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2098]

PULASKI MEMORIAL DAY

September 20, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Pulaski Memorial Day.

WHEREAS Count Casimir Pulaski emigrated as a young man to the United States, became a prototype of the multitudes of his countrymen who have followed him, joined the Revolutionary forces as a volunteer, rose to the grade of brigadier general in the Continental Army, and, contributing largely to the development of its cavalry, bequeathed the fruits of his experience to the defense of the young Republic before succumbing near Savannah, Georgia, to the wounds of a hero; and

WHEREAS on October 11, 1934, will occur the one hundred and fifty-fifth anniversary of the death of General Pulaski, whose deeds remain an inspiration to all Americans and whose memory it is fitting to hold in all honor; and

WHEREAS Public Resolution 24, Seventy-third Congress, approved May 18, 1934, provides, in part: Vol. 48, p. 784.

"That the President of the United States is authorized to issue a proclamation calling upon officials of the Government to display the flag of the United States on all governmental buildings on October 11, 1934, and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies of the death of General Casimir Pulaski.";

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid public resolution, do by this proclamation invite the people of the United States of America to honor on Thursday, the eleventh day of October 1934, the memory of Brigadier General Casimir Pulaski, by holding such exercises and ceremonies in schools and churches, or other suitable places, as may be deemed appropriate in commemoration of his death; and, further, I do direct that on that day the flag of the United States be appropriately displayed upon all Government buildings of the United States. Observance of anniversary of his death invited.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 20th day of September, in the year of our Lord nineteen hundred and thirty-four, and of [SEAL] the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2099]

AMENDMENT OF PROCLAMATION No. 2091, OF JUNE 30, 1934, ESTABLISHING SEPARATE SUGAR PROCESSING TAX FUNDS FOR THE PHILIPPINE ISLANDS, ETC.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA September 24, 1934.

A PROCLAMATION

WHEREAS paragraph numbered (3) of Proclamation No. 2091 of June 30, 1934, establishing separate sugar processing tax funds for the Philippine Islands, Puerto Rico, the Territory of Hawaii, and the Virgin Islands, provides: Sugar processing tax funds for island possessions.

"Until otherwise provided, none of the taxes collected from the processing of sugar beets or sugarcane in the Territory of Hawaii and/or upon the processing in continental United States of sugar produced in or coming from the Territory of Hawaii shall be covered into the general fund of the Treasury of the United States, but all of such taxes shall be held as a separate fund in the name of the Territory of Hawaii to be used and expended for the benefit of agriculture and or/paid as rental or benefit payments in connection with the *Ante*, p. 3401.

reduction in the acreage or reduction in the production for market, or both, of sugar beets and/or sugarcane, and/or used and expended for expansion of markets and for removal of surplus agricultural products in the Territory of Hawaii, as the Secretary of Agriculture, with the approval of the President, shall direct.";

AND WHEREAS it appears that amendment of the aforesaid paragraph as hereinafter made would be in the public interest:

Sugar tax funds of Hawaii not to be held as separate fund.
Vol. 48, pp. 39, 675.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 15 of the Agricultural Adjustment Act (48 Stat. 31), as amended by section 8 of the act of May 9, 1934 (Public, No. 213, 73d Cong.), do by this proclamation amend the aforesaid paragraph numbered (3) of Proclamation No. 2091, of June 30, 1934, to read as follows:

Ante, p. 3401.

"Until otherwise provided, taxes hereafter collected upon the processing of sugar beets and sugarcane in the Territory of Hawaii and/or upon the processing in continental United States of sugar produced in or coming from the Territory of Hawaii, shall not be held as a separate fund in the name of the Territory of Hawaii to be used and expended for the benefit of agriculture and/or paid as rental or benefit payments in connection with the reduction in the acreage or reduction in the production for market, or both, of sugar beets and/or sugarcane, and/or used and expended for expansion of markets and for removal of surplus agricultural products in the Territory of Hawaii, but, until otherwise provided, such taxes hereafter shall be covered into the General Fund of the Treasury of the United States."

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 24" day of September, in the year of our Lord nineteen hundred and thirty-four, [SEAL] and of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2100]

TERMINATING CERTAIN PROVISIONS OF THE AGRICULTURAL ADJUSTMENT ACT WITH RESPECT TO PEANUTS

September 25, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Agricultural Adjustment Act, amendments.
Vol. 48, pp. 40, 528.

WHEREAS I find that subsections (a) and (b) of section 16 of the Agricultural Adjustment Act, approved May 12, 1933 (48 Stat. 40), as amended, are not requisite to carrying out the declared policy of said act with respect to peanuts, a basic agricultural commodity:

Terminating certain provisions of, respecting peanuts.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid Agricultural Adjustment Act, as amended, do hereby proclaim that subsections (a) and (b) of sec-

tion 16 of the Agricultural Adjustment Act, as amended, are hereby terminated with respect to peanuts, a basic agricultural commodity.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 25 day of September in the year of our Lord nineteen hundred and thirty-four, and [SEAL] of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2100–A]

COLUMBUS DAY

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

September 30, 1934.

A PROCLAMATION

Columbus Day.

WHEREAS Public Resolution 21, Seventy-third Congress, approved April 30, 1934, provides:

Vol. 48, p. 657.

"That the President of the United States is authorized and requested to issue a proclamation designating October 12 of each year as Columbus Day and calling upon officials of the Government to display the flag of the United States on all Government buildings on said date and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies expressive of the public sentiment befitting the anniversary of the discovery of America.";

Designating October 12 of each year as.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid public resolution, do by this proclamation designate October 12 of each year as Columbus Day and do direct that on that day the flag of the United States be displayed on all Government buildings; and, further, I do invite the people of the United States to observe the day with appropriate ceremonies in schools and churches, or other suitable places.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 30th day of September, in the year of our Lord nineteen hundred and thirty-four, [SEAL] and of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2101]

COPYRIGHT—SPAIN

October 10, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Copyright; Spain. Vol. 35, p. 1075.

WHEREAS section 8 of the act of Congress entitled "An Act to amend and consolidate the Acts respecting copyright", approved March 4, 1909 (ch. 320, 35 Stat. 1075), provides that the copyright secured by the act, except as to the benefits of section 1 (e) thereof as to which special conditions are imposed, shall extend to the work of an author or proprietor who is a citizen or subject of a foreign state or nation, only:

Vol. 35, p. 1077.

"(a) When an alien author or proprietor shall be domiciled within the United States at the time of the first publication of his work; or

"(b) When the foreign state or nation of which such author or proprietor is a citizen or subject grants, either by treaty, convention, agreement, or law, to citizens of the United States the benefit of copyright on substantially the same basis as to its own citizens, or copyright protection substantially equal to the protection secured to such foreign author under this Act or by treaty; or when such foreign state or nation is a party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States may, at its pleasure, become a party thereto"; and

WHEREAS it is provided by section 1 (e) of the act that the provisions thereof "so far as they secure copyright controlling the parts of instruments serving to reproduce mechanically the musical work, shall include only compositions published and copyrighted after this Act goes into effect, and shall not include the works of a foreign author or composer unless the foreign state or nation of which such author or composer is a citizen or subject grants, either by treaty, convention, agreement, or law, to citizens of the United States similar rights"; and

WHEREAS the President is authorized by the aforesaid section 8 to determine by proclamation made from time to time the existence of the reciprocal conditions aforesaid, as the purposes of the act may require; and

Vol. 36, p. 2685.

WHEREAS the President by proclamation dated April 9, 1910, did determine and declare that one of the alternative conditions specified in the aforesaid section 8 was then, and since July 1, 1909, had been, fulfilled in respect to the subjects of Spain and that the subjects of Spain were, and since July 1, 1909, had been, entitled to all the benefits of the aforesaid act other than the benefits of section 1 (e) thereof; and

Action by Spain.

WHEREAS satisfactory official assurance has been given that in Spain the law now grants to citizens of the United States rights similar to those accorded by the aforesaid section 1 (e) of the act of March 4, 1909:

Benefits extended to nationals of Spain.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby declare and proclaim that on and after October 10, 1934, the conditions specified in sections 8 (b) and 1 (e) of the aforesaid act of March 4, 1909, will exist and be fulfilled in respect to nationals of Spain, and that on and after October 10, 1934, nationals of Spain shall be entitled to all the benefits of that act and acts amendatory thereof:

Provisos. Conditions.

Provided, That the enjoyment by any work of the rights and benefits conferred by the act of March 4, 1909, and acts amendatory

thereof, shall be conditional upon compliance with the requirements and formalities prescribed with respect to such works by the copyright laws of the United States;

And provided further, That the provisions of section 1 (e) of the act of March 4, 1909, insofar as they secure copyright controlling parts of instruments serving to reproduce mechanically musical works, shall apply only to compositions published after July 1, 1909, and registered for copyright in the United States, and which have not been reproduced within the United States prior to October 10, 1934, on any contrivance by means of which the work may be mechanically performed. Mechanical musical reproductions included.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 10th day of October, in the year of our Lord nineteen hundred and thirty-four, [SEAL] and of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2102]

AMENDMENT OF PROCLAMATION NO. 2091, OF JUNE 30, 1934, ESTABLISHING SEPARATE SUGAR-PROCESSING TAX FUNDS FOR THE PHILIPPINE ISLANDS, ETC.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

October 15, 1934.

A PROCLAMATION

WHEREAS paragraph numbered (1) of Proclamation No. 2091, of June 30, 1934, establishing separate sugar-processing tax funds for the Philippine Islands, Puerto Rico, the Territory of Hawaii, and the Virgin Islands, provides: Sugar-processing tax funds for island possessions.

"(1) Until otherwise provided, none of the taxes collected upon the processing in continental United States of sugar produced in or coming from the Philippine Islands shall be covered into the general fund of the Treasury of the United States, but all of such taxes shall be held as a separate fund in the name of the Philippine Islands to be used and expended for the benefit of agriculture and/or paid as rental or benefit payments in connection with the reduction in the acreage or reduction in the production for market, or both, of sugar beets and/or sugarcane, and/or used and expended for expansion of markets and for removal of surplus agricultural products in the Philippine Islands, as the Secretary of Agriculture, with the approval of the President, shall direct."; *Ante*, p. 3401.

WHEREAS the Secretary of Agriculture, in order to effectuate the declared policy of the Agricultural Adjustment Act, as amended, has found it necessary to secure advances of money pursuant to joint estimate of the Secretary of Agriculture and the Secretary of the Treasury of the amounts currently required for the purposes mentioned in section 12 (b) of the aforesaid act, to be expended for such purposes in the Philippine Islands; and Vol. 48, p. 33.

WHEREAS it appears that amendment of the aforesaid paragraph as hereinafter made would be in the public interest:

Sugar tax funds of Philippine Islands not to be held separately. Vol. 48, pp. 39, 675. *Ante*, pp. 3401, 3416.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 15 of the Agricultural Adjustment Act (48 Stat. 31), as amended by section 8 of the act of May 9, 1934 (Public, No. 213, 73d Cong.), do by this proclamation amend the aforesaid paragraph numbered (1) of Proclamation No. 2091, of June 30, 1934, to read as follows:

"(1) Until otherwise provided, taxes hereafter collected upon the processing of sugar beets or sugarcane in the Philippine Islands and/or the processing in continental United States of sugar produced in or coming from the Philippine Islands shall be covered into the general fund of the Treasury of the United States to the extent of the sums advanced for expenditure in the Philippine Islands under and for the purposes mentioned in said section 12 (b) of the aforesaid act, as amended, which sums shall in no event exceed the sum of $14,000,000; and, until otherwise provided, after covering into the general fund of the Treasury of the United States such sums, not in excess of $14,000,000, as may have been advanced for expenditure in the Philippine Islands, all further sums collected upon the processing of sugar beets or sugarcane in the Philippine Islands and/or the processing in continental United States of sugar produced in or coming from the Philippine Islands shall not be covered into the general fund of the Treasury of the United States, but all of such taxes shall be held as a separate fund in the name of the Philippine Islands to be used and expended for the benefit of agriculture and/or paid as rental or benefit payments in connection with the reduction in the acreage or reduction in the production for market, or both, of sugar beets and/or sugarcane, and/or used and expended for expansion of markets and for removal of surplus agricultural products in the Philippine Islands, as the Secretary of Agriculture, with the approval of the President, shall direct."

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington, this 15" day of October, in the year of our Lord nineteen hundred and thirty-four, [SEAL] and of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2103]

ARMISTICE DAY—1934

October 15, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Armistice Day, 1934.

WHEREAS the 11th of November 1918 marked the cessation of the most destructive, sanguinary, and far-reaching war in human annals; and

WHEREAS it is fitting that the recurring anniversary of this date should be commemorated by exercises designed to perpetuate peace through good will and mutual understanding between nations; and

WHEREAS Senate Concurrent Resolution 18, Sixty-ninth Congress, provides, in part: Vol. 44, p. 1982.

"That the President of the United States is requested to issue a proclamation calling upon the officials to display the flag of the United States on all Government buildings on November 11 and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies expressive of our gratitude for peace and our desire for the continuance of friendly relations with all other peoples";

Directing display of flag and inviting observance of.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby direct that the flag of the United States be displayed on all Government buildings on November 11, 1934, and do invite the people of the United States to observe the day with appropriate ceremonies in schools and churches, or other suitable places.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 15" day of October, in the year of our Lord nineteen hundred and thirty-four, and [SEAL] of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2104]

CHEROKEE NATIONAL GAME REFUGE NO. 1—TENNESSEE

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

October 22, 1934.

A PROCLAMATION

Cherokee National Game Refuge No. 1, Tennessee.

WHEREAS Cherokee National Game Refuge No. 1, in the State of Tennessee, was established by proclamation of August 5, 1924 (43 Stat. 1964); and

Preamble.
Vol. 43, p. 1964.

WHEREAS it now appears that it would be in the public interest to reduce the area of the aforesaid game refuge as hereinafter indicated:

Boundaries modified.
Vol. 39, p. 476; U. S. C., p. 683.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power vested in me by the act of Congress approved August 11, 1916 (39 Stat. 446, 476, 16 U. S. C., sec. 683), do proclaim that the boundaries of the aforesaid Cherokee National Game Refuge No. 1 are hereby modified and that there are hereby set aside for the protection of game animals, birds, and fish, all lands of the United States within the Cherokee National Forest in the State of Tennessee purchased under the provisions of the act of March 1, 1911 (36 Stat. 961), and the acts supplemental thereto and amendatory thereof, lying within the following-described boundaries:

Protection of game, etc.

Vol. 36, p. 961.

Description.

Beginning at a point on Big Frog Mountain within Polk County, Tennessee, at a Forest Service concrete post surrounded by a mound of stone marked "479—1934", whence a 7-in. white oak bears N. 80° E., 33 ft., blazed and scribed "BT 479", and a 6-in. white oak bears N. 62° W., 31 ft., blazed and scribed "BT 479"; thence in a northwesterly direction along the hydrographic divide between Big Creek on the east and Jacks River and Syclo Creek on the west to

Forest Service corner serial no. 530, which is a Forest Service standard concrete post marked "530—1934", whence a 10-in. red oak bears S. 57° W., 21 ft., blazed and scribed "BT 530", and an 8-in. chestnut-oak post bears N. 63° E., 13 ft., blazed and scribed "BT 530"; thence in an easterly direction following the property line between lands of the United States on the south and lands of the Tennessee Power Company on the north to Forest Service corner serial no. 528, a concrete post marked "528—1934", whence an 8-in. white oak bears S. 26° W., 18 ft., blazed and scribed "BT 528", and a 6-in. white oak bears S. 41° E., 14 ft., blazed and scribed "BT 528"; thence in a southeasterly direction along the divide between Short Creek on the west and Little Gassaway Creek on the east to the divide between Big Creek on the west and Rough Creek on the east to the point of beginning. This area is intended to include all of the watershed of Big Creek, Short Creek, and Tolliver Shanty Branch, tributaries of the Ocoee River.

Refuge No. 2 in Georgia not affected.

It is not intended by this proclamation to modify in any manner the boundaries of Cherokee National Game Refuge No. 2 in the State of Georgia, as defined by said proclamation of August 5, 1924.

Warning against unauthorized acts.

All persons are hereby informed that it is unlawful to hunt, catch, trap, wilfully disturb, or kill any kind of game animal, game or non-game bird, or fish, or to take the eggs of any such bird, on any lands herein designated or in or on the waters thereof, except under such general rules and regulations as may be prescribed from time to time by the Secretary of Agriculture.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 22d day of October, in the year of our Lord nineteen hundred and thirty-four, and of [SEAL] the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
WILLIAM PHILLIPS
Acting Secretary of State.

[No. 2105]

MERCHANDISE IN BONDED WAREHOUSE

November 8, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Merchandise in bonded warehouse.

WHEREAS section 318 of the Tariff Act of 1930 (46 Stat. 696) provides:

Statutory authorization.

"Whenever the President shall by proclamation declare an emergency to exist by reason of a state of war, or otherwise, he may authorize the Secretary of the Treasury to extend during the continuance of such emergency the time herein prescribed for the performance of any act * * *"; and

Vol. 46, p. 696.

Vol. 46, p. 744.

WHEREAS section 557 of the said act provides:

"Any merchandise subject to duty, with the exception of perishable articles and explosive substances other than firecrackers, may be entered for warehousing and be deposited in a bonded warehouse at the expense and risk of the owner, importer, or consignee. Such merchandise may be withdrawn, at any time within three years (or

ten months in the case of grain) from the date of importation, for consumption upon payment of the duties and charges accruing thereon at the rate of duty imposed by law upon such merchandise at the date of withdrawal * * * *Provided*, That the total period of time for which such merchandise may remain in bonded warehouse shall not exceed three years (or ten months in the case of grain) from the date of importation."

Emergency declared.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority vested in me by the foregoing provision of section 318 of the Tariff Act of 1930, do by this proclamation declare an emergency to exist.

Time extended for withdrawing merchandise, imported before 1930, for warehousing. Vol. 42, p. 977; Vol. 46, p. 744; Vol. 47, p. 2505.

And I do hereby authorize the Secretary of the Treasury, until further notice, to extend the warehousing period for all merchandise in warehouse imported on or before December 31, 1929, and entered for warehousing under section 557 of the Tariff Act of 1922 (42 Stat. 977) for not more than 1 year from and after the expiration of the 3-year period prescribed in sections 557 and 559 of the Tariff Act of 1922 as extended for 2 years under the authority of Proclamation No. 1993, dated March 15, 1932: *Provided, however*, That in each and every case the Secretary of the Treasury shall require that the principal on the warehouse-entry bond, in order to obtain the benefits under the extension granted, shall either furnish to the collector of customs for the district in which the merchandise is warehoused the agreement of the sureties on such bond to remain bound under the terms and provisions of the bond to the same extent as if no extension were granted, or furnish an additional bond with acceptable sureties to cover the period of extension: *And provided further*, That the extension of 1 year herein authorized shall not apply to merchandise on which the 2-year period of extension authorized in the said proclamation of March 15, 1932, has expired.

Provisos.
Bond required.

Previously warehoused merchandise.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 8th day of November, in the year of our Lord nineteen hundred and thirty-four, and [SEAL] of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
WILLIAM PHILLIPS
Acting Secretary of State.

[No. 2106]

THANKSGIVING DAY—1934

November 15, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Thursday, November 29, 1934, designated as Thanksgiving Day.

I, FRANKLIN D. ROOSEVELT, President of the United States of America, hereby designate Thursday, the twenty-ninth day of November 1934, as a Day of Thanksgiving for the people of the Nation.

Recommendations.

Thus to set aside in the autumn of each year a day on which to give thanks to Almighty God for the blessings of life is a wise and reverent custom, long cherished by our people. It is fitting that we should again observe this custom.

During the past year we have been given courage and fortitude to meet the problems which have confronted us in our national life. Our sense of social justice has deepened. We have been given vision to make new provisions for human welfare and happiness, and in a spirit of mutual helpfulness we have cooperated to translate vision into reality.

More greatly have we turned our hearts and minds to things spiritual. We can truly say, "What profiteth it a nation if it gain the whole world and lose its own soul."

With gratitude in our hearts for what has already been achieved, may we, with the help of God, dedicate ourselves anew to work for the betterment of mankind.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 15" day of November, in the year of our Lord nineteen hundred and thirty-four, [SEAL] and of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2107]

WHITE SANDS NATIONAL MONUMENT—NEW MEXICO

November 28, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

White Sands National Monument, N. Mex.

WHEREAS it appears that the public interest would be promoted by adding to the White Sands National Monument, New Mexico, certain adjoining lands for administrative purposes:

Area enlarged. Vol. 34, p. 225; U. S. C., p. 651.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of and pursuant to the power in me vested by section 2 of the act of June 8, 1906 (ch. 3060, 34 Stat. 225; U. S. C., title 16, sec. 431), do proclaim that, subject to all valid existing rights, the following-described land in New Mexico be, and it is hereby, reserved, and added to and made a part of the White Sands National Monument:

Description.

NEW MEXICO PRINCIPAL MERIDIAN

T. 18 S., R. 8 E., sec. 6, NW¼, 158.91 acres.

Reserved from settlement, etc.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, deface, or remove any feature of this monument and not to locate or settle upon any of the lands reserved by this proclamation.

Supervision, etc. Vol. 39, p. 535; Vol. 41, p. 732. U. S. C., p. 591.

The Director of the National Park Service, under direction of the Secretary of the Interior, shall have the supervision, management, and control of this monument as provided in the act of Congress entitled "An Act To establish a National Park Service, and for other purposes", approved August 25, 1916 (ch. 408, 39 Stat. 535; U. S. C., title 16, secs. 1 and 2), and acts additional thereto or amendatory thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 28'' day of November, in the year of our Lord nineteen hundred and thirty-four, and of [SEAL] the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2108]

MERCHANDISE IN BONDED WAREHOUSE

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

December 21, 1934.

A PROCLAMATION

Merchandise in bonded warehouse. Vol. 46, p. 696.

WHEREAS section 318 of the Tariff Act of 1930 (46 Stat. 696) provides:

Statutory authorization.

"Whenever the President shall by proclamation declare an emergency to exist by reason of a state of war, or otherwise, he may authorize the Secretary of the Treasury to extend during the continuance of such emergency the time herein prescribed for the performance of any act * * * ";

Vol. 46, p. 744.

AND WHEREAS section 557 of the said act provides:

"Any merchandise subject to duty, with the exception of perishable articles and explosive substances other than firecrackers, may be entered for warehousing and be deposited in a bonded warehouse at the expense and risk of the owner, importer, or consignee. Such merchandise may be withdrawn, at any time within three years (or ten months in the case of grain) from the date of importation, for consumption upon payment of the duties and charges accruing thereon at the rate of duty imposed by law upon such merchandise at the date of withdrawal * * * *Provided*, That the total period of time for which such merchandise may remain in bonded warehouse shall not exceed three years (or ten months in the case of grain) from the date of importation * * * ";

Emergency declared.

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States of America, acting under and by virtue of the authority vested in me by the foregoing provision of section 318 of the Tariff Act of 1930, do by this proclamation declare an emergency to exist.

Time extended for withdrawing merchandise, imported during 1930, for warehousing.

And I do hereby authorize the Secretary of the Treasury, until further notice, to extend the warehousing period for all merchandise imported during the calendar year 1930, and entered for warehousing under section 557 of the Tariff Act of 1922 (42 Stat. 977) or section 557 of the Tariff Act of 1930 (46 Stat. 744), except grain imported on or after June 18, 1930, for not more than 1 year from and after the expiration of the 3-year period prescribed in sections 557 and 559 of the Tariff Acts of 1922 and 1930, as extended for 2 years under the authority of Proclamation No. 2023, dated December 23, 1932: *Provided, however*, That in each and every case the Secretary of the Treasury shall require that the principal on the warehouse-entry bond, in order to obtain the benefits under the extension granted, shall either furnish to the collector of customs for the district in which the merchandise is warehoused the agreement of the sureties

Vol. 46, p. 744; Vol. 42, p. 977.

Vol. 48, p. 1726.

Proviso. Terms and provisions.

on such bond to remain bound under the terms and provisions of the bond to the same extent as if no extension were granted, or furnish an additional bond with acceptable sureties to cover the period of extension.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 21st day of December, in the year of our Lord nineteen hundred and thirty-four, and of the Independence of the United States of America the one hundred and fifty-ninth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2109]

MERCHANDISE IN BONDED WAREHOUSE

December 21, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Merchandise in bonded warehouse.

WHEREAS section 318 of the Tariff Act of 1930 (46 Stat. 696) provides:

Time extensions during emergency. Vol. 46, p. 696.

"Whenever the President shall by proclamation declare an emergency to exist by reason of a state of war, or otherwise, he may authorize the Secretary of the Treasury to extend during the continuance of such emergency the time herein prescribed for the performance of any act * * *";

Vol. 46, p. 744.

AND WHEREAS section 557 of the said act provides:

Entry for warehousing.

"Any merchandise subject to duty, with the exception of perishable articles and explosive substances other than firecrackers, may be entered for warehousing and be deposited in a bonded warehouse at the expense and risk of the owner, importer, or consignee. Such merchandise may be withdrawn, at any time within three years (or ten months in the case of grain) from the date of importation, for consumption upon payment of the duties and charges accruing thereon at the rate of duty imposed by law upon such merchandise at the date of withdrawal * * * *Provided*, That the total period of time for which such merchandise may remain in bonded warehouse shall not exceed three years (or ten months in the case of grain) from the date of importation * * *";

Withdrawals.

Time limit.

Emergency declared.

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States of America, acting under and by virtue of the authority vested in me by the foregoing provision of section 318 of the Tariff Act of 1930, do by this proclamation declare an emergency to exist.

Warehousing period for merchandise imported during 1931 further extended.

And I do hereby authorize the Secretary of the Treasury, until further notice, to extend the warehousing period for all merchandise (except grain) in warehouse imported during the calendar year 1931 and entered for warehousing under section 557 of the Tariff Act of 1930 for not more than 1 year from and after the expiration of the 3-year period prescribed in sections 557 and 559 of the Tariff Act of 1930 as extended for 1 year under the authority of Proclamation No. 2069, dated December 30, 1933: *Provided, however*, That in each and every case the Secretary of the Treasury shall require that the principal on the warehouse-entry bond, in order to obtain the benefits

Vol. 46, p. 744; Vol. 48, p. 1726.

Proviso. Bond, etc., required.

under the extension granted, shall either furnish to the collector of customs for the district in which the merchandise is warehoused the agreement of the sureties on such bond to remain bound under the terms and provisions of the bond to the same extent as if no extension were granted, or furnish an additional bond with acceptable sureties to cover the period of extension.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 21st day of December, in the year of our Lord nineteen hundred and thirty-four, and [SEAL] of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2110]

MERCHANDISE IN BONDED WAREHOUSE

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

December 22, 1934.

A PROCLAMATION

WHEREAS section 318 of the Tariff Act of 1930 (46 Stat. 696) provides: Bonded warehouses.

"Whenever the President shall by proclamation declare an emergency to exist by reason of a state of war, or otherwise, he may authorize the Secretary of the Treasury to extend during the continuance of such emergency the time herein prescribed for the performance of any act * * *" Time extension during emergency. Vol. 46, p. 696.

AND WHEREAS section 557 of the said act provides: Vol. 46, p. 744.

"Any merchandise subject to duty, with the exception of perishable articles and explosive substances other than firecrackers, may be entered for warehousing and be deposited in a bonded warehouse at the expense and risk of the owner, importer, or consignee. Such merchandise may be withdrawn, at any time within three years (or ten months in the case of grain) from the date of importation, for consumption upon payment of the duties and charges accruing thereon at the rate of duty imposed by law upon such merchandise at the date of withdrawal * * * *Provided*, That the total period of time for which such merchandise may remain in bonded warehouse shall not exceed three years (or ten months in the case of grain) from the date of importation." Entry for warehousing. Withdrawal. Time limit.

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States of America, acting under and by virtue of the authority invested in me by the foregoing provision of section 318 of the Tariff Act of 1930, do by this proclamation declare an emergency to exist. Emergency declared.

And I do hereby authorize the Secretary of the Treasury, until further notice, to extend the warehousing period for all merchandise (except grain) imported during the calendar year 1932 and entered for warehousing under section 557 of the Tariff Act of 1930 for not more than 1 year from and after the expiration of the 3-year period prescribed in sections 557 and 559 of the said act: *Provided, however*, That in each and every case the Secretary of the Treasury shall require that the principal on the warehouse-entry bond, in order to obtain the Warehousing period for merchandise imported during 1932 extended. Proviso. Conditions imposed.

benefits under the extension granted, shall either furnish to the collector of customs for the district in which the merchandise is warehoused the agreement of the sureties on such bond to remain bound under the terms and provisions of the bond to the same extent as if no extension were granted, or furnish an additional bond with acceptable sureties to cover the period of extension.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington, this 22d day of December, in the year of our Lord nineteen hundred and thirty-four, [SEAL] and of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2111]

FORT JEFFERSON NATIONAL MONUMENT—FLORIDA

January 4, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Fort Jefferson National Monument, Fla. Preamble.

WHEREAS it appears that the public interest would be promoted by revoking Executive Order No. 779, of April 6, 1908, creating the Dry Tortugas Keys Reservation; and by revoking (1) the Executive order of September 17, 1845, creating the Dry Tortugas Military Reservation, insofar as it relates to the Dry Tortugas group of islands, and (2) Executive Order No. 1613, of September 23, 1912, insofar as it closes the harbor of Tortugas, Florida, to navigation, and (3) Executive Order No. 5281, of February 17, 1930, insofar as it forbids air navigation over the said harbor; and by including the Dry Tortugas group of islands within a national monument for the preservation of Fort Jefferson and the historic and educational interest contained in such area:

Revoking designated Executive orders relating to the Dry Tortugas group of islands.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby revoke the aforesaid Executive Order No. 779, of April 6, 1908; and I do hereby revoke (1) the aforesaid Executive order of September 17, 1845, insofar as it relates to the Dry Tortugas group of islands, and (2) Executive Order No. 1613, of February 23, 1912, insofar as it closes the harbor of Tortugas, Florida, to navigation, and (3) Executive Order No. 5281, of February 17, 1930, insofar as it forbids air navigation over said harbor.

National monument set apart. Vol. 34, p. 225. U. S. C., p. 651.

And under and by virtue of the authority vested in me by section 2 of the act of June 8, 1906 (34 Stat. 225; U. S. C., title 16, sec. 431), I do proclaim that, subject to all existing rights and to the existing reservation for lighthouse purposes affecting a portion thereof, the area indicated on the diagram hereto attached and forming a part hereof is hereby reserved from all forms of appropriation under the public-land laws and set apart as the Fort Jefferson National Monument.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, deface, or remove any feature of this monument and not to locate or settle upon any of the lands reserved by this proclamation. Reserved from settlement.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of this monument as provided in the act of Congress entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (ch. 408, 39 Stat. 535; U. S. C., title 16, secs. 1 and 2), and acts additional thereto or amendatory thereof. Supervision. Vol. 39, p. 535. U. S. C., p. 591.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the city of Washington this fourth of January, in the year of our Lord nineteen hundred and thirty-five, and of [SEAL] the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

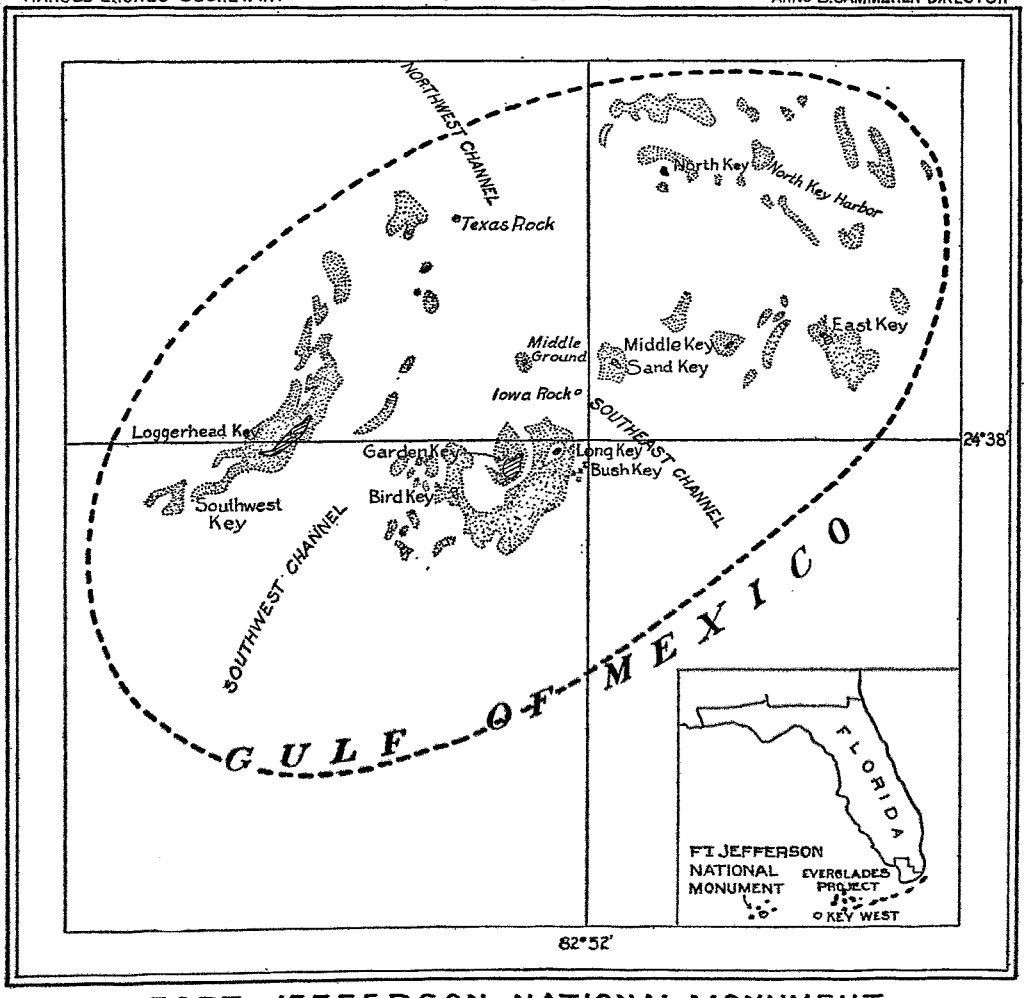
By the President:
CORDELL HULL
Secretary of State.

[No. 2112]

DEPARTMENT OF THE INTERIOR
HAROLD L. ICKES SECRETARY

FLORIDA
MONROE COUNTY

NATIONAL PARK SERVICE
ARNO B. CAMMERER DIRECTOR



FORT JEFFERSON NATIONAL MONUMENT

3431—1

EXTENDING THE PERIOD FOR FURNISHING PROOF OF USE IN MANUFACTURE OF BONDED WOOL AND CAMEL HAIR

January 7, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Bonded warehouses, etc.

WHEREAS section 318 of the Tariff Act of 1930 (46 Stat. 696) provides:

Statutory authorizations.
Vol. 46, p. 696.

"Whenever the President shall by proclamation declare an emergency to exist by reason of a state of war, or otherwise, he may authorize the Secretary of the Treasury to extend during the continuance of such emergency the time herein prescribed for the performance of any act * * *"

Vol. 42, p. 904.

WHEREAS paragraph 1101 of the Tariff Act of 1922 (42 Stat. 904) provides that wool of certain kinds

"* * * may be imported under bond in an amount to be fixed by the Secretary of the Treasury and under such regulations as he shall prescribe; and if within three years from the date of importation, or withdrawal from bonded warehouse satisfactory proof is furnished that the wools have been used in the manufacture of rugs, carpets, or any other floor coverings, the duties shall be remitted or refunded * * *"

Vol. 46, p. 646.

AND WHEREAS paragraph 1101 of the Tariff Act of 1930 (46 Stat. 646) provides that wools of certain kinds and hair of the camel

"* * * may be imported under bond in an amount to be fixed by the Secretary of the Treasury and under such regulations as he shall prescribe; and if within three years from the date of importation or withdrawal from bonded warehouse satisfactory proof is furnished that the wools or hair have been used in the manufacture of yarns which have been used in the manufacture of press cloth, camel's hair belting, rugs, carpets, or any other floor covering, or in the manufacture of knit or felt boots or heavy fulled lumberman's socks, the duties shall be remitted or refunded * * *"

Emergency declared.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority vested in me by the foregoing provision of section 318 of the Tariff Act of 1930, do by this proclamation declare an emergency to exist.

Extending period for withdrawing merchandise imported for warehousing.
Vol. 42, p. 904.

And I do hereby authorize the Secretary of the Treasury, until further notice, in the case of all wool imported or withdrawn from bonded warehouse during the calendar year 1930, under bond, under the provisions of paragraph 1101 of the Tariff Act of 1922, and all

Bonded wool.

wool or hair of the camel imported or withdrawn from bonded warehouse during the calendar year 1930, under bond, under the provisions

Vol. 46, p. 646.

of paragraph 1101 of the Tariff Act of 1930, to extend the period during which proof of use in manufacture may be furnished for not more than

Vol. 47, p. 2549.

1 year from and after the expiration of the 3-year period prescribed in the said paragraphs as extended for two years under the authority of Proclamation No. 2023, dated December 23, 1932; and in the case of all wool or hair of the camel imported or withdrawn from bonded warehouse during the calendar year 1931, under bond, under the provisions of paragraph 1101 of the Tariff Act of 1930, to extend the period during which proof of use in manufacture may be furnished

Vol. 48, p. 1726.

for not more than 1 year from and after the expiration of the 3-year period prescribed in the said paragraph as extended for 1 year under the authority of Proclamation No. 2069, dated December 30, 1933; and in the case of all wool or hair of the camel imported or withdrawn

from bonded warehouse during the calendar year 1932, under bond, under the provisions of paragraph 1101 of the Tariff Act of 1930, to extend the period during which proof of use in manufacture may be furnished for not more than 1 year from and after the expiration of the 3-year period prescribed in the said paragraph: *Provided, however,* that in each and every case the Secretary of the Treasury shall require that the principal on the bond, in order to obtain the benefits under the extension granted, shall either furnish to the collector of customs for the district in which the bond was given the agreement of the sureties on such bond to remain bound under the terms and provisions of the bond to the same extent as if no extension were granted, or furnish an additional bond with acceptable sureties to cover the period of extension: *And provided further,* that the extensions of 1 year herein authorized shall not apply to any wool or hair of the camel on which the 2-year period of extension authorized in the said proclamation of December 23, 1932, or the 1-year period of extension authorized in the said proclamation of December 30, 1933, has expired, or to any wool or hair of the camel imported or withdrawn from bonded warehouse under bond during the calendar year 1932 on which the 3-year period prescribed in paragraph 1101 of the Tariff Act of 1930 has expired.

Provisos.
Surety bond.

Exceptions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 7" day of January in the year of our Lord nineteen hundred and thirty-five, and [SEAL] of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2113]

FORT MATANZAS NATIONAL MONUMENT—FLORIDA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

January 9, 1935.

A PROCLAMATION

WHEREAS it appears that the public interest would be promoted by adding to the Fort Matanzas National Monument, Florida, certain adjoining lands which have been donated to the United States for the extension of the monument and the title to which is now vested in the United States in fee simple:

Fort Matanzas National Monument, Fla.
Preamble.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of and pursuant to the power vested in me by section 2 of the act of June 8, 1906 (ch. 3060, 34 Stat. 225; U. S. C., title 16, sec. 431), do proclaim that, subject to all valid existing rights, the following-described lands in Florida be, and they are hereby, reserved and added to and made a part of the Fort Matanzas National Monument:

Area enlarged.
Vol. 34, p. 225.
U. S. C., p. 651.

Beginning at a point in Government lot 4 of sec. 13, T. 9 S., R. 30 E., said point being the center of the United States Coast and Geodetic survey triangulation station designated "Corbett", run thence N.44°38'49" W., 81.75 ft., to a concrete monument marked with a bronze tablet

Description.

and the point of beginning of this survey; thence S. 36°26'11" W., 429.35 ft., to a concrete monument; thence, continuing on same course, 38.75 ft. to a point on the east shore of the Matanzas River; thence along the shore of the Matanzas River N. 53°43'49" W., 783.58 ft., to a point; thence, continuing along the shore of the Matanzas River N. 67°05'49" W., 462.2 ft., to a point; thence, continuing along the shore of the Matanzas River N. 59°23'49" W., 572.2 ft., to a concrete monument; thence N. 37°32'11" E., 88.07 ft., to a concrete monument; thence S. 64°52'49" E., 1,491.14 ft., to a concrete monument; thence N. 36°31'11" E., 675.96 ft., to a concrete monument; thence N. 60°13'11" E., 761.02 ft., to a concrete monument on the barrier to the Atlantic Ocean; thence S. 29°46'49" E., 311.57 ft., to a concrete monument on the barrier; thence S. 60°13'11" W., 601.14 ft., to a concrete monument; thence S. 36°26'11" W., 418.43 ft., to the point of beginning, excepting therefrom the right-of-way of the Ocean Shore Boulevard as now constructed across said property, the said right-of-way being 66 ft. in width, within lots 2, 3, and 4 of sec. 13, T. 9 S., R. 30 E.

Warning against unlawful acts.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, deface, or remove any feature of this monument and not to locate or settle upon any of the lands reserved by this proclamation.

Supervision.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of the monument as provided in the act of Congress entitled "An Act To establish a National Park Service, and for other purposes", approved August 25, 1916 (ch. 408, 39 Stat. 535), and acts additional thereto or amendatory thereof.

Vol. 39, p. 535.
U. S. C., p. 591.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 9" day of January, in the year of our Lord nineteen hundred and thirty-five, and of [SEAL] the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2114]

DECREASING RATE OF DUTY ON ALE, PORTER, STOUT, AND BEER

January 16, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Tariff on ale, porter, stout, and beer.
Statutory authorization.
Vol. 46, p. 701.

WHEREAS under and by virtue of section 336 of title III, part II, of the act of Congress approved June 17, 1930 (46 Stat. 590, 701), entitled "AN ACT To provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes", the United States Tariff Commission has investigated the differences in costs of production of, and all other facts and conditions enumerated in said section with respect to, ale, porter, stout, and beer, being wholly or in part the growth or product of the United States and of and with

respect to like or similar articles wholly or in part the growth or product of the principal competing country;

WHEREAS in the course of said investigation a hearing was held, of which reasonable public notice was given and at which parties interested were given reasonable opportunity to be present, to produce evidence, and to be heard;

WHEREAS the Commission has reported to the President the results of said investigation and its findings with respect to such differences in costs of production;

WHEREAS the Commission has found that the duties expressly fixed by statute do not equalize the difference in the costs of production of the domestic articles and the like or similar foreign articles when produced in the principal competing country, and has specified in its report the decrease in the rate of duty expressly fixed by statute found by the Commission to be shown by said investigation to be necessary to equalize such difference; and

WHEREAS in the judgment of the President such rate of duty is shown by such investigation of the Tariff Commission to be necessary to equalize such difference in costs of production:

Decreasing duty to equalize differences in costs of production. Vol. 46, p. 639. Rate.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby approve and proclaim a decrease in the rate of duty expressly fixed in paragraph 805 of title I of said act on ale, porter, stout, and beer, from $1 per gallon to 50 cents per gallon, the rate found to be shown by said investigation to be necessary (within the limit of total decrease provided for in said act) to equalize such difference in costs of production.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 16th day of January, in the year of our Lord nineteen hundred and thirty-five, and of the Independence of the United States of America the one hundred and fifty-ninth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2115]

AMENDING REGULATIONS ON MIGRATORY GAME BIRDS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

February 2, 1935.

A PROCLAMATION

Protection of migratory birds. Vol. 40, p. 755; U. S. C., p. 686. Vol. 39, p. 1702. Regulations amended.

WHEREAS the Secretary of Agriculture, by virtue of the authority vested in him by section 3 of the Migratory Bird Treaty Act (40 Stat. 755; U. S. C., title 16, secs. 703–711), has submitted to me for approval a regulation further amendatory of the regulations approved and proclaimed July 31, 1918, which the Secretary of Agriculture has determined to be a suitable amendatory regulation permitting and governing the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, and export of migratory birds and parts thereof and their nests and eggs, as follows:

Means for taking birds.

Regulation 3, "Means by Which Migratory Game Birds May Be Taken", as set forth in Proclamation No. 2094, of August 20, 1934,

Ante, p. 3406.

is amended by inserting in the third line of the first paragraph thereof, between the word "hereof" and the semicolon, a comma and the words

Automatic shotguns.

"but they shall not be taken with or by means of any automatic-loading or hand-operated repeating shotgun capable of holding more than three shells the magazine of which has not been cut off, or plugged with a 1-piece metal or wooden filler incapable of removal through the loading end thereof, so as to reduce the capacity of said gun to not more than three shells at one loading"

so that the paragraph as amended will read as follows.

"The migratory game birds specified in regulation 4 hereof may be taken during the open season with a gun only, not larger than no. 10 gage, fired from the shoulder, except as specifically permitted by regulations 7, 8, 9, and 10 hereof, but they shall not be taken with or by means of any automatic-loading or hand-operated repeating shotgun capable of holding more than three shells the magazine of which has not been cut off, or plugged with a 1-piece metal or wooden filler incapable of removal through the loading end thereof, so as to reduce the capacity of said gun to not more than three shells at one loading; they may be taken during the open season from the land and water, with the aid of a dog, the use of decoys, and from a blind or floating device, except that in the taking of wild ducks not more than 25 live duck decoys may be shot over, and in the taking of wild geese in California the use of live goose decoys is not permitted; but nothing herein shall be deemed to permit the use of an automobile, airplane, power boat, sailboat, any boat under sail, any floating device towed by power boat or sailboat, or any sinkbox (battery), except that sinkboxes (batteries) may be used in the taking of migratory waterfowl in coastal sounds and bays (including Back Bay, Princess Anne County, State of Virginia) and other coastal waters; and nothing herein shall be deemed to permit the use of an airplane, or a power boat, sailboat, or other floating device for the purpose of concentrating, driving, rallying, or stirring up migratory waterfowl; and mourning doves shall not be shot or otherwise taken by means of bait."

AND WHEREAS upon consideration it appears that approval of the foregoing amendatory regulation will effectuate the purposes of the aforesaid Migratory Bird Treaty Act and result in reducing the annual kill of migratory game birds:

Approval of regulation.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby approve and proclaim the foregoing amendatory regulation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 2d day of February, in the year of our Lord nineteen hundred and thirty-five, and of [SEAL] the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2116]

EXTENDING FOR TWO YEARS THE PERIOD WITHIN WHICH THE FEDERAL RESERVE BOARD MAY AUTHORIZE THE FEDERAL RESERVE BANKS TO OFFER, AND THE FEDERAL RESERVE AGENTS TO ACCEPT, DIRECT OBLIGATIONS OF THE UNITED STATES AS COLLATERAL SECURITY FOR FEDERAL RESERVE NOTES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

February 14, 1935.

A PROCLAMATION

Collateral security for Federal Reserve notes. Vol. 38, p. 265; Vol. 48, p. 398. Statutory provision.

WHEREAS the second paragraph of section 16 of the Federal Reserve Act (38 Stat. 265), as amended by the act of March 6, 1934 (48 Stat. 398), provides:

"Any Federal Reserve bank may make application to the local Federal Reserve agent for such amount of the Federal Reserve notes hereinbefore provided for as it may require. Such application shall be accompanied with a tender to the local Federal Reserve agent of collateral in amount equal to the sum of the Federal Reserve notes thus applied for and issued pursuant to such application. The collateral security thus offered shall be notes, drafts, bills of exchange, or acceptances acquired under the provisions of section 13 of this Act, or bills of exchange indorsed by a member bank of any Federal Reserve district and purchased under the provisions of section 14 of this Act, or bankers' acceptances purchased under the provisions of said section 14, or gold certificates: *Provided, however*, That until March 3, 1935, or until the expiration of such additional period not exceeding two years as the President may prescribe, the Federal Reserve Board may, should it deem it in the public interest, upon the affirmative vote of not less than a majority of its members, authorize the Federal Reserve banks to offer, and the Federal Reserve agents to accept, as such collateral security, direct obligations of the United States * * *."

AND WHEREAS it is deemed advisable that the authority of the Federal Reserve Board to authorize the Federal Reserve banks to offer, and the Federal Reserve agents to accept, direct obligations of the United States as collateral security for Federal Reserve notes issued to the Federal Reserve banks be continued for an additional period after March 3, 1935:

Use of United States direct obligations as, extended two years.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority conferred upon me by the aforesaid section 16 of the Federal Reserve Act, as amended, do hereby proclaim, declare, and prescribe an additional period of two years from and after March 3, 1935, during which the Federal Reserve Board may, should it deem it in the public interest, upon the affirmative vote of not less than a majority of its members, authorize the Federal Reserve banks to offer, and the Federal Reserve agents to accept, direct obligations of the United States as collateral security for Federal Reserve notes issued to the Federal Reserve banks under the provisions of the aforesaid section.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 14" day of February, in the year of our Lord nineteen hundred and thirty-five, and of [SEAL] the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2117]

MAKING EFFECTIVE WITH RESPECT TO THE CROP YEAR 1935–1936 THE PROVISIONS OF THE COTTON CONTROL ACT APPROVED APRIL 21, 1934

February 28, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Cotton Control Act, 1934; provisions of, respecting crop year, 1935–36.
Vol. 48, p. 598.

WHEREAS section 1 of the Cotton Control Act, approved April 21, 1934 (48 Stat. 598), provides:

"That in order to relieve the present acute economic emergency in that part of the agricultural industry devoted to cotton production and marketing by diminishing the disparity between prices paid to cotton producers and persons engaged in cotton marketing and prices of other commodities and by restoring purchasing power to such producers and persons so that the restoration of the normal exchange in interstate and foreign commerce of all commodities may be fostered, and to raise revenue to enable the payment of additional benefits to cotton producers under the Agricultural Adjustment Act—

It is hereby declared to be the policy of Congress to promote the orderly marketing of cotton in interstate and foreign commerce; to enable producers of such commodity to stabilize their markets against undue and excessive fluctuations, and to preserve advantageous markets for such commodity, and to prevent unfair competition and practices in putting cotton into the channels of interstate and foreign commerce, and to more effectively balance production and consumption of cotton."

WHEREAS section 2 of the aforesaid act provides:

"The provisions of this Act shall be effective only with respect to the crop years 1934–1935, but if the President finds that the economic emergency in cotton production and marketing will continue or is likely to continue to exist so that the application of this Act with respect to the crop year 1935–1936 is imperative in order to carry out the policy declared in section 1, he shall so proclaim, and this Act shall be effective with respect to the crop year 1935–1936. If at any time prior to the end of the crop year 1935–1936, the President finds that the economic emergency in cotton production and marketing has ceased to exist, he shall so proclaim, and no tax under this Act shall be levied with respect to cotton harvested after the effective date of such proclamation."

AND WHEREAS I have considered the basic economic data pertinent to the economic situation relative to cotton production and marketing in the United States set forth in a memorandum dated January 7, 1935, furnished by the Secretary of Agriculture, which is on file in the Department of Agriculture, and other pertinent data:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 2 of the aforesaid Cotton Control Act, do hereby find and proclaim that the economic emergency in cotton production and marketing is likely to continue to exist so that the application of said act with respect to the crop year 1935–1936 is imperative in order to carry out the policy declared in section 1 of the aforesaid act; from which finding and proclamation it follows that said act under its terms shall be effective with respect to the crop year 1935–1936 (June 1, 1935, to May 31, 1936).

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 28th day of February, in the year of our Lord nineteen hundred and thirty-five, and of [SEAL] the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
WILLIAM PHILLIPS
Acting Secretary of State.

[No. 2118]

OUACHITA NATIONAL GAME REFUGES—ARKANSAS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

March 8, 1935.

A PROCLAMATION

Ouachita National Forest, Ark.
Statutory provision.
Vol. 48, p. 128.

WHEREAS the act of June 13, 1933 (ch. 63, 48 Stat. 128), provides:

"That for the purpose of providing breeding places and for the protection and administration of game animals, birds, and fish, the President of the United States is hereby authorized, upon the recommendation of the Secretary of Agriculture, to establish by public proclamation certain specified areas within the Ouachita National Forest as game sanctuaries and refuges";

AND WHEREAS the Secretary of Agriculture has recommended that the specified areas within the said Ouachita National Forest hereinafter described be established as such sanctuaries and refuges:

Designated areas within, established as game sanctuaries, etc.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid act of June 13, 1933, do proclaim that for the purpose of providing breeding places and for the protection and administration of game animals, birds, and fish, the following described and designated areas within the Ouachita National Forest, Arkansas, be, and they are hereby, established as game sanctuaries and refuges:

REFUGE NO. 1—PIGEON CREEK REFUGE

Pigeon Creek Refuge.

Beginning at a point where the range line between T. 4 N., R. 26 W., and T. 4 N., R. 27 W., fifth principal meridian, crosses the summit of Petit Jean Mountain; thence along the summit of said mountain in a northeasterly direction to the hydrographic divide between the drainages of Jack Creek and Dry Creek; thence westerly along said divide to the north line of the NW¼SW¼ sec. 10, T. 4 N., R. 26 W., fifth principal meridian; thence westerly to the southwest corner of the SE¼NE¼ sec. 9, said township; thence north along the west line of the E½NE¼ said sec. 9, and the SE¼SE¼ sec. 4, said township, to the hydrographic divide between the drainages of Jack Creek and Dry Creek; thence northwesterly along said divide to the east and west center line of sec. 5 said township; thence west along said center line to the quarter corner common to secs. 5 and 6, said township; thence

south along the section line to the section corner common to secs. 5, 6, 7, and 8, said township; thence west along the section line to the range line between T. 4 N., R. 26 W., and T. 4 N., R. 27 W., fifth principal meridian; thence south along said range line to the divide between the drainage of Pigeon Creek and the drainages on the west thereof; thence south along said divide to the summit of Petit Jean Mountain; thence along said mountain to the point of beginning—containing an area of 8,440 acres, more or less.

Refuge No. 2—Oak Mountain Refuge

Oak Mountain Refuge.

Beginning at the intersection of highway no. 7 and the Alum Fork Road in sec. 35, T. 2 N., R. 20 W., fifth principal meridian; thence north along said highway no. 7 to a point where said highway intersects the south line of the N½NW¼ sec. 11, said township; thence east along the divide between the drainage of Little Bear Creek and streams to the north thereof to the southeast corner of the NE¼NE¼ sec. 12, said township; thence easterly along said divide to the Oak Mountain Lookout Towers; thence southerly along the Oak Mountain Lookout Road to the intersection of said road with the Alum Fork Road; thence southwesterly along said Alum Fork Road to the point of beginning—containing 8,500 acres, more or less.

Refuge No. 3—Muddy Creek Refuge

Muddy Creek Refuge.

Beginning at a point where the section line between secs. 13 and 14, T. 1 N., R. 24 W., fifth principal meridian, crosses the hydrographic divide to the south of Muddy Fork; thence north along the section line crossing Muddy Fork to the first hydrographic divide north of Muddy Fork leading to Muddy Creek Mountain; thence in a northerly direction along said divide to the summit of Muddy Creek Mountain at Lone Pine Lookout Tower; thence along the summit of Muddy Creek Mountain in a southwesterly direction to the section line between secs. 13 and 14, T. 1 N., R. 25 W., fifth principal meridian; thence along the divide around the head of Muddy Fork in a southerly direction to the section line between secs. 30 and 31, T. 1 N., R. 24 W., fifth principal meridian; thence continuing along the hydrographic divide separating the drainage of Muddy Fork from the drainage to the south thereof in a northeasterly direction to the point of beginning—containing 10,030 acres, more or less.

Refuge No. 4—Caney Creek Refuge

Caney Creek Refuge.

Beginning at a point where the range line between T. 4 S., R. 29 W., and T. 4 S., R. 30 W., fifth principal meridian, crosses the divide between Caney Creek and the drainage to the south thereof; thence along said divide, known as Porter Mountain, in an easterly direction to Tall Peak; thence along the divide around the head of Caney Creek and Short Creek in a northerly direction to Buckeye Mountain; thence westerly along the divide between Short Creek and Sugar Creek to the range line between T. 4 S., R. 29 W., and T. 4 S., R. 30 W., fifth principal meridian; thence southerly along the range line to the point of beginning—containing 8,300 acres, more or less.

Warning against unauthorized acts.

All persons are hereby informed that it is unlawful to hunt, catch, trap, willfully disturb, or kill any kind of game animals, game or nongame bird, or fish, or to take the eggs of any such bird, on any lands herein designated or in or on the waters thereof, except under

such general rules and regulations as may be prescribed from time to time by the Secretary of Agriculture.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the city of Washington this 8'' day of March, in the year of our Lord nineteen hundred and thirty-five, and of
[SEAL] the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2119]

TERMINATION OF THE EXISTENCE OF THE NATIONAL LONGSHOREMEN'S LABOR BOARD

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

March 11, 1935.

A PROCLAMATION

National Longshoremen's Labor Board. Preamble. Vol. 48, pp. 195, 1183. U. S. C., p. 582.

WHEREAS by virtue of the authority contained in title I of the National Industrial Recovery Act (48 Stat. 195; U. S. C., title 15, sec. 701), and the joint resolution of June 19, 1934 (48 Stat. 1183), and in order to effectuate the purposes of said act and joint resolution, the President, by Executive Order No. 6748, of June 26, 1934, created in connection with the Department of Labor the National Longshoremen's Labor Board;

WHEREAS said Board was authorized in connection with the longshoremen's strike on the Pacific coast and labor problems relating thereto to perform certain duties enumerated in section 3 of said Executive order;

WHEREAS section 4 of said Executive order provides that said Board shall cease to exist when in the opinion of the President it has completed the duties it is authorized to perform; and

WHEREAS I find that the said Board has completed the duties it was authorized to perform:

Termination of.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do proclaim that the aforesaid National Longshoremen's Labor Board has completed the duties it was authorized to perform and has ceased to exist.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 11'' day of March, in the year of our Lord nineteen hundred and thirty-five, and
[SEAL] of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2120]

Extending the Period for Exportation of Merchandise for Drawback Purposes

April 1, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Exportation of merchandise.

WHEREAS section 318 of the Tariff Act of 1930 (46 Stat. 696) provides:

Statutory authorization.
Vol. 46, p. 696.

"Whenever the President shall by proclamation declare an emergency to exist by reason of a state of war, or otherwise, he may authorize the Secretary of the Treasury to extend during the continuance of such emergency the time herein prescribed for the performance of any act * * *";

Vol. 46, p. 694.

AND WHEREAS section 313 (h) of the Tariff Act of 1930 (46 Stat. 694) provides:

"No drawback shall be allowed under the provisions of this section or of section 6 of the Act entitled 'An Act temporarily to provide revenue for the Philippine Islands and for other purposes,' approved March 8, 1902 (relating to drawback on shipments to the Philippine Islands), unless the completed article is exported, or shipped to the Philippine Islands, within three years after importation of the imported merchandise";

Emergency declared.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority vested in me by the foregoing provision of section 318 of the Tariff Act of 1930, do by this proclamation declare an emergency to exist.

Time extended on merchandise for shipment to Philippine Islands.

And I do hereby authorize the Secretary of the Treasury (1) in the case of articles manufactured or produced in the United States with the use of imported or substituted merchandise for drawback purposes where the imported merchandise involved was imported on or after June 18, 1930, and on or before December 31, 1930, to extend the period for exportation, or shipment to the Philippine Islands, of the completed article for not more than 1 year from and after the expiration of the 3-year period prescribed in section 313 (h)

Vol. 46, p. 694.

of the Tariff Act of 1930, as extended for 2 years under the authority

Vol. 47, p. 2548.

of Proclamation No. 2023, dated December 23, 1932; and (2) in the case of articles manufactured or produced in the United States with the use of imported or substituted merchandise for drawback purposes where the imported merchandise involved was imported during the calendar year 1931, to extend the period for exportation, or shipment to the Philippine Islands, of the completed article for not more than 1 year from and after the expiration of the 3-year period prescribed in the said section 313 (h), as extended for 1 year under the

Vol. 48, p. 1726.

authority of Proclamation No. 2069, dated December 30, 1933; and (3) in the case of articles manufactured or produced in the United States with the use of imported or substituted merchandise for drawback purposes where the imported merchandise involved was imported during the calendar year 1932, to extend the period for exportation, or shipment to the Philippine Islands, of the completed article for not more than 1 year from and after the expiration of the 3-year period prescribed in the said section 313 (h): *Provided, however*, that the extensions of 1 year herein authorized shall not apply in any case involving merchandise imported in 1931 where the 1-year period of extension authorized in the said proclamation of December 30, 1933, has expired, or in any case involving merchandise imported in 1932 where the 3-year period prescribed in section 313 (h) of the Tariff Act of 1930 has expired.

Proviso. Exceptions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 1 day of April, in the year of our Lord nineteen hundred and thirty-five, and of the [SEAL] Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2121]

ADDITION TO THE MUIR WOODS NATIONAL MONUMENT—CALIFORNIA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

April 5, 1935.

A PROCLAMATION

WHEREAS it appears that the public interest would be promoted by adding to the Muir Woods National Monument, California, the hereinafter-described adjoining lands which have been donated to the United States for the extension of the monument and the title to which is now vested in the United States in fee simple:

Muir Woods National Monument, Calif. Preamble.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 2 of the act of June 8, 1906 (34 Stat. 225; U. S. C., title 16, sec. 431), do proclaim that the following-described lands in California be, and they are hereby, reserved and added to and made a part of the Muir Woods National Monument:

Designated lands added. Vol. 34, p. 225. U. S. C., p. 651.

Beginning at a point on the southeastern boundary of the Muir Woods National Monument, designated corner no. 1, which is identical with the point designated stake "A7" in the description of that certain tract of land in Marin County, California, conveyed by William Kent and Elizabeth Thacher Kent (his wife) to the Secretary of the Interior for and in behalf of the United States of America on the 26th day of December 1907, recorded in liber 112 of Deeds at page 337, marked by a brass screw in a concrete block about 6 in. below the surface of the ground in the middle of the road in Redwood Canyon;

Description.

Thence from said initial point, by metes and bounds, along the southeastern boundary of Muir Woods National Monument, N. 45° 17′ E., 9.70 ft., to a galvanized iron pipe, 1½ in. diam., with bronze cap;

Thence leaving said Muir Woods National Monument boundary, S. 26°58½′ E., 198.13 ft., S. 38°29′ W., 244.00 ft., crossing Redwood Creek, N. 39°20′ W., 259.64 ft., to said southeastern boundary of Muir Woods National Monument;

Thence along said boundary, across Redwood Creek, N. 54°19′ E., 274.10 ft., to corner no. 1, the place of beginning, containing 1.36 acres.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of this monument, as provided in the act of August 25, 1916 (ch. 408, 39 Stat. 535), and acts additional thereto or amendatory thereof.

Supervision.

Vol. 39, p. 535. U. S. C., p. 591.

Warning against unauthorized acts.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 5 day of April, in the year of our Lord nineteen hundred and thirty-five, and of the Inde-
[SEAL] pendence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2122]

CHILD HEALTH DAY

April 10, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Child Health Day. Preamble. Vol. 45, p. 617.

WHEREAS the Congress by joint resolution of May 18, 1928, requests the President of the United States to proclaim annually May 1 as Child Health Day; and

WHEREAS the welfare of the Nation and the welfare of its children are inseparable; and

WHEREAS the future happiness and efficiency of the children depend upon our exercise of proper present care; and

WHEREAS it is of national importance that we pause each year to give serious thought to what has been done to promote the physical and mental development of children, and that we strive to improve the child-welfare program;

Setting apart May 1, 1935, as, and recommending observance of.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby proclaim and designate the first day of May of this year as Child Health Day, and do urge all agencies and organizations and all individuals seriously to consider the purpose for which this day is set apart and to observe it by such exercises as will awaken the people of the Nation to the fundamental necessity of a year-round program for the protection and development of the health of the Nation's children.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE in the City of Washington this tenth day of April, in the year of our Lord nineteen hundred and thirty-five, and of
[SEAL] the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2123]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA April 10, 1935.

A PROCLAMATION

Coinage of silver. Preamble. Vol. 48, p. 1723. *Ante*, p. 3402.

WHEREAS, by Proclamation of the twenty-first day of December, 1933, as modified by Proclamation of the ninth day of August, 1934, the United States coinage mints are directed to receive for coinage and addition to the monetary stocks of the United States silver mined subsequent to December 21, 1933 from natural deposits in the United States or any place subject to the jurisdiction thereof; and

WHEREAS, such Proclamation as so modified is subject to revocation or further modification as the interest of the United States may seem to require.

NOW, THEREFORE, finding that the interests of the United States require further modification of said Proclamation of the twenty-first day of December, 1933; by virtue of the power in me vested by the act of Congress cited in said Proclamation, and other legislation designated for national recovery, and by virtue of all other authority in me vested;

Deduction for seigniorage, etc., modified.

I, FRANKLIN D. ROOSEVELT, PRESIDENT of the UNITED STATES of AMERICA, do proclaim and direct that, with respect to all silver received by a United States coinage mint under the provisions of the Proclamation of the twenty-first day of December, 1933 which such mint, subject to regulations prescribed hereunder by the Secretary of the Treasury, is satisfied has been mined on or after April 10, 1935, from natural deposits in the United States or any place subject to the jurisdiction thereof, the deduction for seigniorage and services performed by the Government shall be 45 per cent and there shall be returned therefor in standard silver dollars, silver certificates, or any other coin or currency of the United States, the monetary value of the silver so received (that is, $1.2929+ a fine ounce), less such deduction of 45 per cent.

Right reserved.

Notice is hereby given that I reserve the right by virtue of the authority vested in me to revoke or modify this proclamation as the interest of the United States may seem to require.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 10th day of April, in the year of our Lord nineteen hundred and thirty-five, and of the [SEAL] Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL,
Secretary of State.

[No. 2124]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA April 24, 1935.

A PROCLAMATION

Coinage of silver. Preamble. Vol. 48, p. 1723. *Ante*, p. 3402.

WHEREAS, by Proclamation of the twenty-first day of December, 1933, as modified by Proclamations of the ninth day of August, 1934, and the tenth day of April, 1935, the United States coinage mints are directed to receive for coinage and addition to the monetary stocks

of the United States silver mined subsequent to December 21, 1933, from natural deposits in the United States or any place subject to the jurisdiction thereof; and

WHEREAS, such Proclamation as so modified is subject to revocation or further modification as the interest of the United States may seem to require.

NOW, THEREFORE, finding that the interests of the United States require further modification of said Proclamation of the twenty-first day of December, 1933; by virtue of the power in me vested by the act of Congress cited in said Proclamation, and other legislation designated for national recovery, and by virtue of all other authority in me vested;

Deduction for seigniorage, etc., further modified.

I, FRANKLIN D. ROOSEVELT, PRESIDENT of the UNITED STATES of AMERICA, do proclaim and direct that, with respect to all silver received by a United States coinage mint under the provisions of the Proclamation of the twenty-first day of December, 1933, which such mint, subject to regulations prescribed hereunder by the Secretary of the Treasury, is satisfied has been mined on or after April 24, 1935, from natural deposits in the United States or any place subject to the jurisdiction thereof, the deduction for seigniorage and services performed by the Government shall be 40 per cent and there shall be returned therefor in standard silver dollars, silver certificates, or any other coin or currency of the United States, the monetary value of the silver so received (that is, $1.2929+ a fine ounce), less such deduction of 40 per cent.

Right reserved.

Notice is hereby given that I reserve the right by virtue of the authority vested in me to revoke or modify this proclamation as the interest of the United States may seem to require.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 24th day of April, in the year of our Lord nineteen hundred and thirty-five, and of the [SEAL] Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2125]

NATIONAL MARITIME DAY

May 14, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

National Maritime Day. Preamble.

WHEREAS on May 22, 1819, the steamship *The Savannah* sailed from Savannah, Georgia, on the first successful transoceanic voyage under steam propulsion, thus making a material contribution to the advancement of ocean transportation; and

Vol. 48, p. 73.

WHEREAS Public Resolution 7, Seventy-third Congress, approved May 20, 1933, provides, in part:

"That May 22 of each year shall hereafter be designated and known as National Maritime Day, and the President is authorized and requested annually to issue a proclamation calling upon the people of

the United States to observe such National Maritime Day by displaying the flag at their homes or other suitable places and Government officials to display the flag on all Government buildings on May 22 of each year.";

Observance of May 22, 1935, as.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby call upon the people of the United States to observe May 22, 1935, as National Maritime Day by displaying the flag at their homes or other suitable places, and do direct Government officials to display the flag on all Government buildings on that day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 14th day of May, in the year of our Lord nineteen hundred and thirty-five, and of the [SEAL] Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2126]

AMENDMENT OF PROCLAMATION NO. 2091, OF JUNE 30, 1934 (AS AMENDED BY PROCLAMATION NO. 2100, OF SEPTEMBER 24, 1934), ESTABLISHING SEPARATE SUGAR-PROCESSING TAX FUNDS FOR THE PHILIPPINE ISLANDS, ETC.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

June 7, 1935.

A PROCLAMATION

Sugar-processing tax funds for island possessions.

WHEREAS paragraph numbered (3) of Proclamation No. 2091, of June 30, 1934, establishing separate sugar-processing tax funds for the Philippine Islands, Puerto Rico, the Territory of Hawaii, and the Virgin Islands, as amended by Proclamation No. 2100, of September 24, 1934, provides:

Ante, pp. 3400, 3417.

"Until otherwise provided, taxes hereafter collected upon the processing of sugar beets and sugarcane in the Territory of Hawaii and/or upon the processing in continental United States of sugar produced in or coming from the Territory of Hawaii, shall not be held as a separate fund in the name of the Territory of Hawaii to be used and expended for the benefit of agriculture and/or paid as rental or benefit payments in connection with the reduction in the acreage or reduction in the production for market, or both, of sugar beets and/or sugarcane, and/or used and expended for expansion of markets and for removal of surplus agricultural products in the Territory of Hawaii, but, until otherwise provided, such taxes hereafter shall be covered into the general fund of the Treasury of the United States."

AND WHEREAS I find that part of such taxes in the amount of $500,000.00 should not be covered into the general fund of the Treasury of the United States, but that such amount should be held as a separate fund in the name of the Territory of Hawaii to be used and expended for the benefit of agriculture, or paid as rental or benefit payments in connection with the reduction in the acreage or reduction in the production for market, or both, of sugar beets or sugarcane, or to be used and expended for the expansion of markets, or for removal

of surplus agricultural products, or for any or all of said purposes, in the Territory of Hawaii, as the Secretary of Agriculture, with the approval of the President, shall direct:

Existing provisions modified.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 15 of the Agricultural Adjustment Act (48 Stat. 31, 39), as amended by section 8 of the act of May 9, 1934 (48 Stat. 670, 675), do by this proclamation amend the aforesaid paragraph numbered (3) of Proclamation No. 2091, of June 30, 1934, as amended by the said proclamation of September 24, 1934, to read as follows:

Vol. 48, pp. 39, 675.

Portion of taxes collected in Hawaii to be held as separate fund.

"Of the taxes hereafter collected upon the processing of sugar beets and sugarcane in the Territory of Hawaii or upon the processing in continental United States of sugar produced in or coming from the Territory of Hawaii, or both, the sum of $500,000.00 shall be held as a separate fund in the name of the Territory of Hawaii to be used and expended for the benefit of agriculture, or paid as rental or benefit payments in connection with the reduction in the acreage or reduction in the production for market, or both, of sugar beets or sugarcane, or to be used and expended for the expansion of markets, or for the removal of surplus agricultural products in the Territory of Hawaii, or for any or all of said purposes, as the Secretary of Agriculture, with the approval of the President, shall direct, and after said sum of $500,000.00 shall have been collected, and until otherwise provided, all further taxes so collected shall be covered into the general fund of the Treasury of the United States: *Provided*, That nothing contained herein is to be construed as preventing such unobligated part of the moneys held in such separate fund, as may hereafter be determined as necessary, from being allocated by the President for use in the Territory of Hawaii for the purposes of, and under the authority contained in, 'The Emergency Relief Appropriation Act of 1935', approved April 8, 1935 (Public Resolution No. 11, 74th Cong.)."

Remainder covered into general fund.
Proviso.
Emergency relief allocations.

Ante, p. 115.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 7″ day of June, in the year of our Lord nineteen hundred and thirty-five, and of the [SEAL] Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2127]

BIG LEVELS GAME REFUGE—VIRGINIA

July 6, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Big Levels Game Refuge, Va.
Preamble.
Vol. 39, p. 476.

WHEREAS the act of August 11, 1916 (39 Stat. 446, 476), provides: "That the President of the United States is hereby authorized to designate such areas on any lands which have been, or which may hereafter be, purchased by the United States under the provisions of the Act of March first, nineteen hundred and eleven (Thirty-six Statutes at Large, page nine hundred and sixty-one), entitled 'An

Vol. 36, p. 961.
U. S. C., p. 668.

Act to enable any State to cooperate with any other State or States, or with the United States, for the protection of watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable streams,' and Acts supplementary thereto and amendatory thereof, as should, in his opinion, be set aside for the protection of game animals, birds, or fish; and whoever shall hunt, catch, trap, willfully disturb or kill any kind of game animal, game or nongame bird, or fish, or take the eggs of any such bird on any lands so set aside, or in or on the waters thereof, except under such general rules and regulations as the Secretary of Agriculture may from time to time prescribe, shall be fined not more than $500 or imprisoned not more than six months, or both";

WHEREAS certain lands in the State of Virginia now within the boundaries of the George Washington National Forest were acquired under said act of March 1, 1911; and

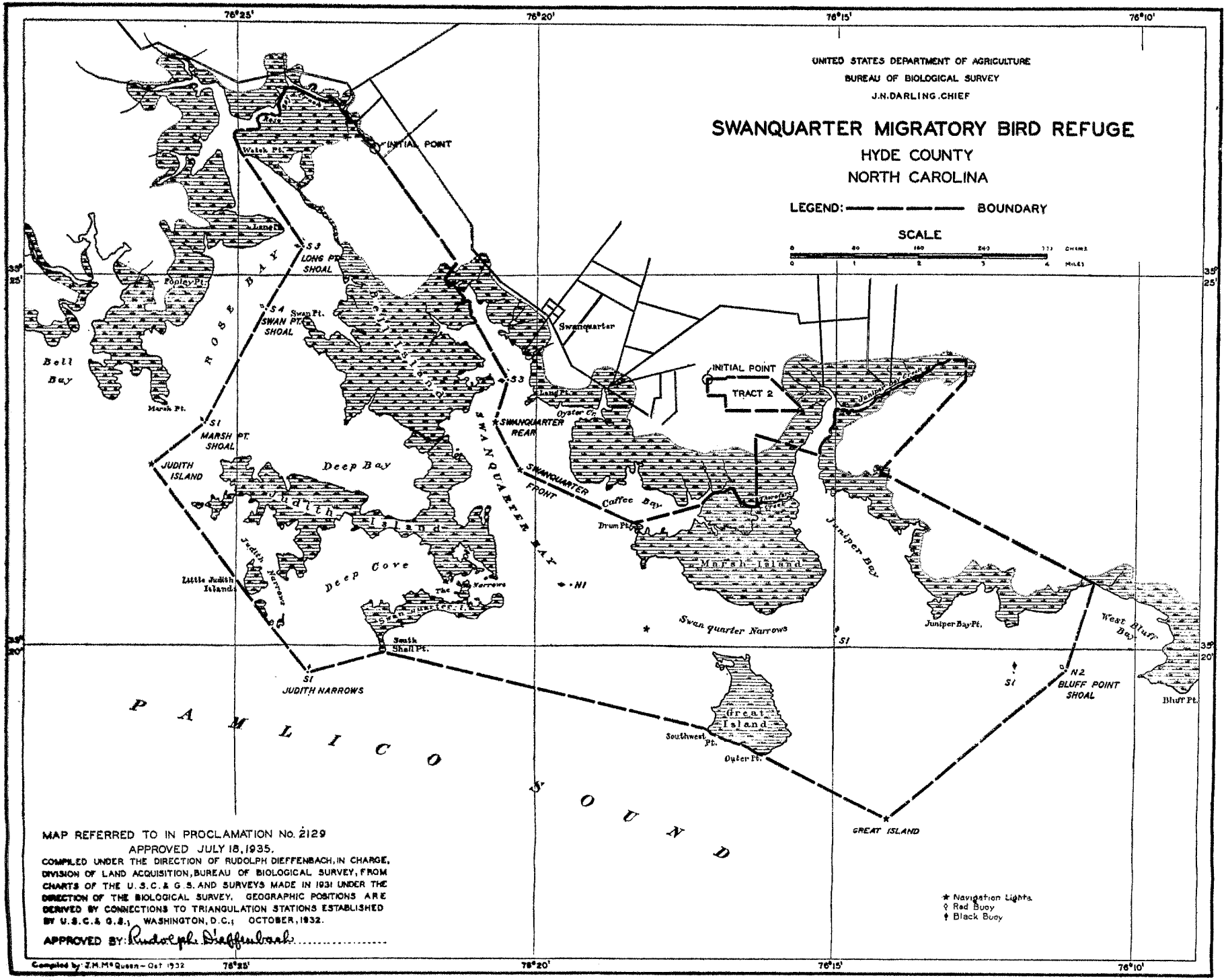
WHEREAS the Secretary of Agriculture has recommended that the hereinafter-described area within the George Washington National Forest be established as a game sanctuary and refuge:

Setting aside game sanctuary.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid act of August 11, 1916, do proclaim that the following-described area within the George Washington National Forest, Virginia, be, and it is hereby, set aside and established as a game sanctuary and refuge:

Description.

Beginning at a point approximately 0.3 of a mile north of Pkin, Virginia, where the road from Pkin to Cold Spring Station intersects the right-of-way of the Norfolk & Western railroad; thence in a northerly direction along the right-of-way of the Norfolk & Western railroad for a distance of approximately 0.3 of a mile to South River, sometimes called St. Mary River; thence up South River in an easterly direction for a distance of approximately 0.2 of a mile to a point where the river intersects the road leading from Pkin to Cold Spring Station; thence in a northerly direction along the Pkin–Cold Spring Station road for a distance of approximately 5.6 miles to a point where said road intersects Virginia State Road No. 660; thence in an easterly direction along the Cold Spring Station–Stuarts Draft road for a distance of approximately 7.4 miles to a point about 1 mile south of Stuarts Draft where this road intersects the Howardsville turnpike, designated as Virginia State Road No. 610; thence southeasterly along said road no. 610 for a distance of about 0.4 of a mile to a point where this road is intersected by the road leading to Mountain Lake; thence in a southeasterly direction on the road leading to Mountain Lake for a distance of approximately 0.7 of a mile to a point at the southwest corner of said lake; thence in an easterly direction along an old road on the south side of said lake for a distance of approximately 2 miles to a point where this road intersects the Howardsville turnpike; thence in an easterly direction along the Howardsville turnpike for a distance of approximately 1 mile to a point where this road intersects Virginia State Road No. 633; thence in a northerly direction along Virginia State Road No. 633 for a distance of approximately 1 mile to Beula Church, where said road intersects Virginia State Road No. 634; thence easterly along said road no. 634 to a point where it intersects the Howardsville turnpike, designated Virginia State Road No. 610; thence in an easterly direction along said road no. 610 for a distance of approximately 1 mile to a point where this road intersects Virginia State Road No. 664; thence in a southerly direction along State road no. 664 for a distance of approximately 8.6



MAP REFERRED TO IN PROCLAMATION No. 2129
APPROVED JULY 18, 1935.

COMPILED UNDER THE DIRECTION OF RUDOLPH DIEFFENBACH, IN CHARGE, DIVISION OF LAND ACQUISITION, BUREAU OF BIOLOGICAL SURVEY, FROM CHARTS OF THE U. S. C. & G. S. AND SURVEYS MADE IN 1931 UNDER THE DIRECTION OF THE BIOLOGICAL SURVEY. GEOGRAPHIC POSITIONS ARE DERIVED BY CONNECTIONS TO TRIANGULATION STATIONS ESTABLISHED BY U.S.C.& G.S., WASHINGTON, D.C.; OCTOBER, 1932.

APPROVED BY: Rudolph Dieffenbach

Compiled by J.H.McQueen - Oct 1932

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miles to a point on the summit of the Blue Ridge Mountains where this road crosses the Augusta–Nelson County line; thence in a northwesterly direction along the Augusta–Nelson County line which is the top of the Blue Ridge Mountains for a distance of approximately 4.3 miles to Bald Mountain; thence in a southwesterly direction along the Augusta–Nelson County line for a distance of approximately 5.3 miles to Lone Tree; thence in a northwesterly direction along the Augusta–Nelson County line to a point that is common to Augusta, Nelson, and Rockbridge Counties, which is approximately one-fourth of a mile distant from Lone Tree; thence in a northerly direction along the hydrographic divide between Spy Run and Groahs Creek for a distance of approximately 2.3 miles to the point of beginning.

Unlawful acts.

All persons are hereby informed that it is unlawful to hunt, catch, trap, willfully disturb, or kill any kind of game animal, game or non-game bird, or fish, or to take the eggs of any such bird, on any lands within the refuge established by this proclamation, or in or on the waters thereof, except under such general rules and regulations as may be prescribed from time to time by the Secretary of Agriculture.

Name.

This reservation shall be known as the Big Levels Game Refuge.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 6″ day of July, in the year of our Lord nineteen hundred and thirty-five, and of the Independence of the United States of America the one hundred and sixtieth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2128]

CLOSED AREA UNDER THE MIGRATORY BIRD TREATY ACT, NORTH CAROLINA

July 18, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Swanquarter Migratory Bird Refuge, N. C. Preamble.

WHEREAS the Acting Secretary of Agriculture has submitted to me for approval the following regulation adopted by him under authority of the Migratory Bird Treaty Act of July 3, 1918:

REGULATION DESIGNATING AS CLOSED AREA UNDER THE MIGRATORY BIRD TREATY ACT CERTAIN LANDS AND WATERS WITHIN THE BOUNDARY OF, ADJACENT TO, AND IN THE VICINITY OF THE SWANQUARTER MIGRATORY BIRD REFUGE, NORTH CAROLINA, ESTABLISHED UNDER THE MIGRATORY BIRD CONSERVATION ACT

Regulation designating certain lands, etc., within or adjacent to, as closed area.
Vol. 40, pp. 755–757, U. S. C., p. 686.

I, M. L. WILSON, Acting Secretary of Agriculture, by virtue of authority vested in me by the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755–757; U. S. C., title 16, secs. 703–711), and in extension of regulation 4 of the Migratory Bird Treaty Act Regulations, do hereby designate as closed area, in or on which hunting, taking, capturing, or killing, or attempting to hunt, take, capture, or kill, migratory birds is not permitted, all areas of land and water in Hyde County, North Carolina, embraced within the exterior boundary hereinbelow described, and as shown upon Bureau of Biological Survey

map entitled "Swanquarter Migratory Bird Refuge", dated October 1932, filed with this regulation in the archives of the Department of Agriculture, which have not been acquired by the United States for the purposes of the Migratory Bird Conservation Act (45 Stat. 1222–1226; U. S. C., Supp., title 16, ch. 7a).

Vol. 45, p. 1222.
U. S. C., p. 687.

All lands and waters within the aforesaid exterior boundaries acquired by the United States under the Migratory Bird Conservation Act are closed by said act to entry for any purpose except in accordance with regulations of the Secretary of Agriculture, and all hunting either of migratory or nonmigratory birds on said lands and waters is forbidden by said act; and said lands and waters, so acquired by the United States, are areas upon which hunting of migratory birds is also not permitted by the regulations under the Migratory Bird Treaty Act.

Hunting forbidden.

DESCRIPTION OF THE EXTERIOR BOUNDARY REFERRED TO ABOVE

Description.

(The surveys of the several boundaries of the following-described areas were executed under direction of the Bureau of Biological Survey, Department of Agriculture, from September 1931, to November 1931. All bearings in this description were turned from the true meridian as determined by altitude observations on the sun during the progress of the survey. The mean magnetic declination was found to be 5°30′ W.)

First Tract:

Beginning at a point at the head of Rose Bay Creek; this point, the approximate geographic position of which is in latitude 35°26′42″ N., and longitude 76°22′43″ W. from Greenwich, is identical with corner no. 1, John L. Roper Lumber Co. Tract no. 9, a U. S. Biological Survey standard concrete post set 14 in. in the ground and marked "1—COR 1 TR 1—COR 1 GR 510—1931"; from this post an 8-in. pine bears S. 48° W., 2.23 chs. distant, blazed and scribed "BT—1—1"; a 10-in. pine bears S. 23° W., 2.39 chs. distant, blazed and scribed "BT—1—1";

Thence from said initial point, down the left bank of Rose Bay Creek with the meanders thereof,

N. 54°08′ W., 17.32 chs.;
N. 29°30′ W., 2.82 chs.;
N. 22°13′ W., 1.18 chs.;
N. 64°45′ W., 1.74 chs.;
N. 34°31′ W., 9.59 chs.;
N. 26°22′ W., 5.12 chs.;
N. 54°32′ W., 15.05 chs.;
N. 14°15′ W., 2.73 chs.;
N. 51°49′ W., 8.40 chs.;
N. 20°46′ W., 8.60 chs.;
N. 54°10′ W., 2.33 chs.;
N. 68°20′ W., 7.87 chs.;
N. 78°20′ W., 3.11 chs.;
S. 54°15′ W., 1.75 chs.;
S. 85°34′ W., 3.63 chs.;
N. 78°20′ W., 8.03 chs.;
N. 82°20′ W., 4.70 chs.;
N. 41°48′ W., 5.44 chs.;
N. 13°30′ W., 2.26 chs.;
S. 19°29′ W., 2.00 chs.;
N. 60°46′ W., 8.66 chs.;
N. 80°31′ W., 6.36 chs.;

Description—Contd.

N. 53°03′ W., 5.16 chs.;
N. 75°01′ W., 3.18 chs.;
S. 67°24′ W., 2.65 chs.;
N. 76°17′ W., 2.94 chs.,
to a point on the left bank of Rose Bay Creek opposite the mouth of Bridge Creek; this point is identical with corner no. 2, John L. Roper Lumber Co. tract no. 9;
S. 89°28′ W., 3.00 chs.;
S. 32°55′ W., 6.49 chs.;
S. 65°28′ W., 1.89 chs.;
S. 21°32′ W., 9.80 chs.;
S. 43°59′ W., 5.29 chs.;
S. 57°31′ E., 2.91 chs.;
S. 23°06′ E., 4.77 chs.;
S. 36°01′ E., 2.20 chs.;
S. 36°44′ W., 7.78 chs.;
S. 30°29′ W., 2.76 chs.;
N. 55°31′ W., 3.18 chs.;
N. 88°32′ W., 6.41 chs.;
N. 74°21′ W., 5.96 chs.;
S. 88°30′ W., 4.01 chs.;
S. 59°41′ W., 4.20 chs.;
S. 45°54′ W., 2.42 chs.;
S. 4°00′ W., 2.51 chs.;
S. 38°30′ E., 6.36 chs.;
S. 33°38′ W., 6.52 chs.;
S. 38°00′ W., 2.79 chs.;
N. 84°57′ W., 11.04 chs.;
S. 87°05′ W., 5.71 chs.;
S. 76°16′ W., 3.88 chs.;
S. 59°08′ W., 2.32 chs.;
N. 84°35′ W., 2.08 chs.;
S. 76°16′ W., 1.82 chs.;
S. 54°40′ W., 1.48 chs.,
to a point on Rose Bay Point at the mouth and on the left bank of Rose Bay Creek;

Thence along the east shore of Rose Bay with the meanders thereof,
S. 6°19′ W., 3.88 chs.;
S. 25°31′ E., 7.42 chs.;
S. 34°01′ E., 2.70 chs.;
S. 26°25′ E., 11.90 chs.,
to a point on the east shore of Rose Bay at Watch Point; this point is identical with corner no. 3, John L. Roper Lumber Co. tract no. 9, a U. S. Biological Survey standard concrete post set 13 in. in the ground and marked "3—COR 3 TR 1—1931";

Thence S. 35°24′ E., across the waters of Rose Bay, 135.72 chs., to Long Point Shoal Buoy "S 3";

Thence S. 31°36′ W., 39.73 chs., to Swan Point Shoal Buoy "S 4";

Thence S. 29°25′ W., 166.03 chs., to Marsh Point Shoal Buoy "S 1";

Thence S. 50°46′ W., 87.63 chs., to "Judith Island" Light, on the south side of the entrance to Rose Bay;

Thence S. 38°20′ E., 234.16 chs., to a point on one of the Little Judith Islands; this point is identical with meander point no. 2–2, W. B. Rodman et al. tract no. 8b–I;

Thence S. 41°04′ E., 15.52 chs., to a point on the southwest shore of one of the Little Judith Islands; this point is identical with meander point 1–2, W. B. Rodman et al. tract no. 8b–II;

Description—Contd.

Thence S. 39°20′ E., 79.06 chs., to Judith Narrows Buoy "S 1";
Thence N. 73°47′ E., 98.06 chs., to South Shell Point on Swanquarter Island; this point is identical with corner no. 2, W. B. Rodman et al. tract no. 8a, a U. S. Biological Survey standard concrete post set 14 in. in the ground and marked "16—COR 2—TR 2A—1931";
Thence S. 76°42′ E., across the entrance to Swanquarter Bay, 419.47 chs., to Southwest Point on Great Island; this point is identical with meander point 1–38, W. B. Rodman et al. tract no. 8d;
Thence along the south shore of Great Island with the meanders thereof,

S. 48°35′ E., 5.68 chs.;
S. 47°35′ E., 3.41 chs.;
S. 59°22′ E., 6.52 chs.;
S. 66°44′ E., 3.45 chs.;
S. 67°46′ E., 12.98 chs.;
S. 72°52′ E., 7.77 chs.;
S. 89°34′ E., 4.51 chs.;
S. 59°48′ E., 6.81 chs.;
S. 67°42′ E., 11.04 chs.;
S. 48°34′ E., 5.04 chs.;
S. 62°19′ E., 6.36 chs.;
S. 89°02′ E., 9.72 chs.,

to a point on Outer Point, the southernmost point of Great Island; this point is identical with corner no. 2, W. B. Rodman et al. tract no. 8d;

Thence S. 61°41′ E., across the waters of Pamlico Sound, 171.88 chs., to "Great Island" Light;
Thence N. 49°48′ E., 291.30 chs., to Bluff Point Shoal Buoy "N 2";
Thence N. 17°46′ E., across the waters of West Bluff Bay, 114.17 chs., to an iron pipe on the north shore of West Bluff Bay; this pipe is identical with corner no. 2, Pamlico Timber Corporation tract no. 3;
Thence N. 63°03′ W., 301.05 chs., to a concrete post; this post is identical with corner no. 3, Pamlico Timber Corporation tract no. 3;
Thence N. 43°03′ E., 154.52 chs., to an iron pipe; this pipe is identical with corner no. 4, Pamlico Timber Corporation tract no. 3;
Thence N. 0°03′ E., 25.80 chs., to an iron pipe; this pipe is identical with corner no. 5, Pamlico Timber Corporation tract no. 3;
Thence S. 89°58′ W., 20.00 chs., to a concrete post on the south side and near the head of Juniper Bay Creek opposite the mouth of the Hydeland Canal; this point is identical with corner no. 1, Pamlico Timber Corporation tract no. 3;
Thence down the left bank of Juniper Bay Creek with the meanders thereof,

S. 70°17′ W., 1.99 chs.;
S. 42°01′ W., 3.08 chs.;
S. 66°53′ W., 3.91 chs.;
S. 79°48′ W., 8.04 chs.;
S. 57°13′ W., 3.48 chs.;
S. 44°07′ W., 6.74 chs.;
N. 82°04′ W., 3.79 chs.;
S. 3°41′ E., 2.40 chs.;
S. 49°20′ W., 7.76 chs.;
S. 56°29′ W., 3.00 chs.;
S. 13°02′ E., 1.09 chs.;
N. 87°26′ W., 6.66 chs.;
S. 65°11′ W., 4.71 chs.;
S. 46°05′ W., 3.67 chs.;
S. 77°15′ W., 2.33 chs.;

Description—Contd.

S. 64°02′ W., 3.99 chs.;
S. 75°31′ W., 4.24 chs.;
S. 72°19′ W., 5.38 chs.;
S. 28°36′ W., 4.09 chs.;
S. 68°54′ W., 11.08 chs.;
S. 35°01′ W., 7.12 chs.;
S. 77°28′ W., 8.84 chs.;
S. 64°31′ W., 1.36 chs.;
S. 28°39′ W., 8.37 chs.;
S. 61°53′ W., 9.80 chs.;
S. 65°14′ W., 8.78 chs.;
N. 75°47′ W., 1.88 chs.;
S. 4°02′ W., 1.44 chs.;
S. 77°30′ W., 6.57 chs.;
N. 56°28′ W., 4.39 chs.;
S. 31°02′ W., 3.94 chs.;
S. 77°04′ W., 4.93 chs.;
N. 21°05′ E., 3.94 chs.;
S. 87°09′ W., 3.32 chs.;
N. 27°42′ W., 1.59 chs.;
S. 15°18′ W., 2.42 chs.;
N. 65°40′ W., 5.78 chs.;
S. 88°48′ W., 5.91 chs.,

to a concrete post on the south bank and at the mouth of Juniper Bay Creek; this post is identical with meander point 1–38, Pamlico Timber Corporation tract no. 3;

Thence along the east shore of Juniper Bay with the meanders thereof,

S. 26°18′ W., 1.67 chs.;
S. 55°47′ E., 2.31 chs.;
S. 4°17′ W., 5.27 chs.;
S. 8°42′ E., 6.97 chs.;
S. 34°35′ W., 10.14 chs.;
S. 0°34′ W., 2.88 chs.;
S. 35°16′ W., 1.82 chs.;
S. 77°56′ E., 1.85 chs.;
S. 17°44′ W., 5.71 chs.;
S. 56°42′ W., 9.56 chs.;
S. 24°54′ W., 10.29 chs.;
S. 40°41′ E., 1.82 chs.;
S. 21°56′ W., 9.94 chs.,

to a point on the east shore of Juniper Bay; this point is identical with meander point 1–51, Pamlico Timber Corporation tract no. 3;

Thence N. 77°35′ W., across Juniper Bay, 26.42 chs., to an iron pipe on the right bank and at the mouth of Well Creek on the west shore of Juniper Bay; this pipe is identical with corner no. 4, John L. Roper Lumber Co. tract no. 9a;

Thence S. 85°48′ W., up the right bank of Well Creek with the meanders thereof, 6.03 chs., to a point at the forks of Well Creek; this point is identical with corner no. 5, John L. Roper Lumber Co. tract no. 9a;

Thence N. 48°44′ W., up the north fork of Well Creek with the meanders thereof, 2.41 chs., to a point at the head of the north fork of Well Creek and at the mouth of Ben Harris Canal; this point is identical with corner no. 6, John L. Roper Lumber Co. tract no. 9a;

Thence N. 74°19′ W., up the center of Ben Harris Canal, 47.13 chs., to a concrete post; this post is identical with corner no. 1, John L. Roper Lumber Co. tract no. 9a;

Description—Contd.

Thence S. 1°11′ E., 84.57 chs., to an iron pipe on the north bank of Thorofare Creek; this pipe is identical with corner no. 2, John L. Roper Lumber Co. tract no. 9a;

Thence S. 13°45′ W., crossing Thorofare Creek, 1.12 chs., to a point on the south bank of Thorofare Creek; this point is identical with meander point 1–16, W. B. Rodman et al. tract no. 8c;

Thence along the south bank of Thorofare Creek with the meanders thereof,

N. 60°39′ W., 3.17 chs.;
N. 81°30′ W., 2.23 chs.;
S. 81°40′ W., 3.26 chs.;
S. 55°58′ W., 3.12 chs.;
N. 61°58′ W., 5.26 chs.;
N. 24°07′ W., 1.71 chs.;
S. 47°10′ W., 4.70 chs.;
N. 61°53′ W., 1.62 chs.;
N. 41°38′ E., 5.67 chs.;
N. 39°14′ W., 2.92 chs.;
S. 47°29′ W., 3.60 chs.;
N. 11°59′ E., 1.64 chs.;
N. 77°23′ W., 1.57 chs.;
N. 6°04′ E., 2.74 chs.;
N. 43°20′ W., 2.00 chs.;
N. 32°04′ W., 7.18 chs.;
N. 7°48′ W., 2.55 chs.;
N. 18°36′ W., 2.76 chs.,

to a point at the confluence of Thorofare Creek with Caffee Creek;

Thence down the south bank of Caffee Creek with the meanders thereof,

S. 72°36′ W., 0.89 chs.;
N. 80°23′ W., 3.02 chs.;
S. 65°59′ W., 3.79 chs.;
S. 25°32′ W., 1.46 chs.;
S. 86°06′ W., 1.26 chs.;
S. 34°11′ W., 1.55 chs.;
S. 79°24′ W., 6.64 chs.;
N. 66°47′ W., 3.41 chs.;
S. 44°00′ W., 2.58 chs.;
S. 86°45′ W., 2.63 chs.;
N. 56°00′ W., 2.00 chs.,

to a point on the south bank and at the mouth of Caffee Creek on the southeast shore of Egg Island Bay;

Thence along the southeast shore of Egg Island Bay with the meanders thereof,

S. 50°33′ W., 4.05 chs.;
S. 41°34′ W., 14.81 chs.,

to a concrete post on the southeast shore of Egg Island Bay; this post is identical with corner no. 2, W. B. Rodman et al. tract no. 8c;

Thence S. 73°23′ W., across the waters of Caffee Bay, 88.53 chs., to a point near Drum Point; this point is identical with meander point 2–31, W. B. Rodman et al. tract no. 8c;

Thence N. 66°18′ W., across the waters of Swanquarter Bay, 159.29 chs., to Swanquarter Front Light;

Thence N. 27°37′ W., 68.13 chs., to Swanquarter Rear Light;

Thence N. 15°15′ E., 61.30 chs., to Judith Marsh Shoal Buoy "S 3";

Description—Contd. Thence N. 28°08′ W., 103.20 chs., to an iron pipe on the west shore of Swanquarter Bay; this pipe is identical with corner no. 9, John L. Roper Lumber Co. tract no. 9;

Thence along the west shore of Swanquarter Bay,

N. 15°00′ W., 4.24 chs.;
N. 60°27′ W., 2.41 chs.,
to a point at the mouth and on the right bank of Alligator Creek;

Thence up the right bank of Alligator Creek with the meanders thereof,

S. 57°07′ W., 1.82 chs.;
S. 17°57′ W., 1.62 chs.;
S. 72° 10′ W., 3.94 chs.;
N. 18°50′ W.,
crossing Alligator Creek, 1.50 chs., to a point on the left bank of Alligator Creek;

Thence down the left bank of Alligator Creek with the meanders thereof,

N. 50°23′ E., 4.89 chs.,
to a point on the left bank and at the mouth of Alligator Creek on the west shore of Swanquarter Bay;

Thence along the west shore of Swanquarter Bay with the meanders thereof,

N. 22°10′ W., 1.55 chs.;
N. 48°05′ W., 2.05 chs.;
S. 76°15′ W., 1.54 chs.;
N. 34°55′ W., 3.64 chs.;
N. 41°32′ W., 4.28 chs.;
N. 14°50′ W., 2.88 chs.;
N. 48°24′ W., 5.23 chs.;
N. 70°12′ W., 3.71 chs.;
S. 76°58′ W., 4.35 chs.;
N. 72°29′ E., 7.23 chs.;
N. 60°17′ W., 5.30 chs.;
S. 80°33′ W., 1.37 chs.;
N. 42°34′ W., 2.92 chs.;
N. 78°33′ W., 4.94 chs.,
to an iron pipe near the head of Swanquarter Bay; this pipe is identical with corner no. 10, John L. Roper Lumber Co. tract no. 9;

Thence N. 37°07′ E., 27.10 chs., to a concrete post; this post is identical with corner no. 11, John L. Roper Lumber Co. tract no. 9;

Thence N. 36°33′ W., 174.61 chs., to the place of beginning, containing 42,583.12 acres more or less.

Second Tract:

Beginning at a point in the Well Creek Swamp, the approximate geographic position of which is in latitude 35°23′35″ N., and longitude 76°17′08″ W. from Greenwich; this point is identical with corner no. 1, John L. Roper Lumber Co. tract no. 9b, a U. S. Biological Survey standard concrete post set 14 in. in the ground and marked "29—COR 1 TR 1B—1931"; from this post corner no. 11, John L. Roper Lumber Co. tract no. 9 bears N. 63°08′ W., 347.53 chs. distant; a 10-in. bay tree bears N. 39° W., 0.16 ch. distant, blazed and scribed "BT—1—1B"; a 14-in. bay tree bears N. 38° E., 0.70 ch. distant, blazed and scribed "BT—1—1B";

Thence from said initial point, S. 89°14′ E., with a marked line, 25.53 chs., to an iron pipe;

Thence N. 1°01′ W., 2.75 chs., to an iron pipe;

Description—Contd.

Thence N. 88°35′ E., with a marked line, 55.46 chs., to an iron pipe;
Thence S. 46°40′ E., with a marked line, 59.81 chs., to a concrete post near the head of Rattlesnake Creek; this post is identical with corner no. 5, John L. Roper Lumber Co. tract no. 9b;
Thence S. 89°37′ W., 99.57 chs., to an iron pipe in the center and near the west end of Kits Ditch;
Thence N. 0°45′ E., 18.82 chs., to an iron pipe;
Thence N. 89°15′ W., 25.53 chs., to an iron pipe;
Thence N. 0°45′ E., 18.82 chs., to the place of beginning, containing 365.54 acres, more or less.

AND WHEREAS it appears that such regulation is in the public interest and the establishment of the closed area designated therein will tend to effectuate the purposes of said Migratory Bird Treaty Act:

Regulation approved and proclaimed.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid Migratory Bird Treaty Act, do hereby approve the foregoing regulation of the Acting Secretary of Agriculture, and do hereby proclaim the establishment of the closed area designated in such regulation.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 18″ day of July, in the year of our Lord nineteen hundred and thirty-five, and of the [SEAL] Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
WILLIAM PHILLIPS
Acting Secretary of State.

[No. 2129]

AMENDING REGULATIONS ON MIGRATORY GAME BIRDS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

July 30, 1935.

A PROCLAMATION

Protection of migratory birds.
Preamble.
Vol. 40, p. 755.
U. S. C., p. 686.
Vol. 39, p. 1702.

WHEREAS the Secretary of Agriculture, by virtue of the authority vested in him by section 3 of the Migratory Bird Treaty Act (40 Stat. 755; U. S. C., title 16, secs. 703–711), has submitted to me for approval regulations further amendatory of the regulations approved and proclaimed July 31, 1918, which the Secretary of Agriculture has determined to be suitable amendatory regulations permitting and governing the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, and export of migratory birds and parts thereof and their nests and eggs, as follows:

Vol. 45, p. 1224.

Regulation 2, "Definitions of Terms", is amended to read as follows:

Definitions.

REGULATION 2.—DEFINITIONS OF TERMS

"Secretary."

For the purposes of these regulations the following terms shall be construed, respectively, to mean and to include—

Secretary.—The Secretary of Agriculture of the United States.

"Person." *Person.*—The plural or the singular, as the case demands, individuals, clubs, associations, partnerships, and corporations, unless the context otherwise requires.

"Take." *Take.*—Hunt, kill, or capture, or attempt to hunt, kill, or capture.

"Open season." *Open season.*—The time during which migratory birds may be taken.

"Transport." *Transport.*—Shipping, transporting, carrying, exporting, receiving or delivering for shipment, transportation, carriage, or export.

Vol. 45, pp. 2901, 2942; Vol. 46, p. 2989; Vol. 47, pp. 2440, 2520; Vol. 48, p. 1707.

Regulation 3, "Means by Which Migratory Game Birds May Be Taken", is amended to read as follows:

Means of taking birds.

REGULATION 3.—MEANS BY WHICH MIGRATORY GAME BIRDS MAY BE TAKEN

Regulations modified.

The migratory game birds specified in regulation 4 hereof may be taken during the open season with a shotgun only, not larger than no. 10 gage, fired from the shoulder, except as specifically permitted

Use of machine guns, etc., prohibited.

by regulations 7, 8, 9, and 10 hereof, but they shall not be taken with or by means of any automatic-loading or hand-operated repeating shotgun capable of holding more than three shells the magazine of which has not been cut off, or plugged with a 1-piece metal or wooden filler incapable of removal through the loading end thereof, so as to reduce the capacity of said gun to not more than three shells at one loading; they may be taken during the open season from the land or water, with the aid of a dog, and from a blind, boat, or floating craft of any kind, except as hereinafter provided, not more than 100 feet from the shore line as determined by ordinary high tide or, where there is continuous natural growth or vegetation extending beyond such shore line, not more than 100 feet from such growth or vegetation protruding above the surface of the water at the time of taking such birds, except that scoters (sea coots) may be taken in coastal waters without reference to such distance limitation; but migratory game birds are not permitted to be taken from or by aid of an automobile, airplane, sinkbox (battery), power boat, sailboat, any boat under sail, any floating craft or device of any kind towed by power boat or sailboat.

Waterfowl, etc.

Waterfowl (except those taken under permit for propagation pursuant to regulation 8 of these regulations) and mourning doves are not permitted to be taken with or by aid of corn, wheat, oats, or other grain or products thereof, salt, or any kind of feed by whomsoever, or for whatsoever purpose, placed, deposited, distributed, scattered, or otherwise put out in any environment whatsoever, whereby such waterfowl or doves are lured, attracted, or enticed to the hunter; and in the taking of waterfowl the use, directly or indirectly, of live waterfowl decoys is not permitted; nor shall anything in these regulations be deemed to permit the use of an airplane, power boat, sailboat, or other floating craft or device for the purpose of concentrating, driving, rallying, or stirring up migratory waterfowl.

Vol. 47, pp. 2442, 2447, 2482; Vol. 48, p. 1709.

Regulation 4, "Open Seasons on and Possession of Certain Migratory Game Birds", is amended to read as follows:

Open seasons.

REGULATION 4.—OPEN SEASONS ON AND POSSESSION OF CERTAIN MIGRATORY GAME BIRDS

Time construed.

Waterfowl (except snow geese in Florida and all States north thereof bordering on the Atlantic Ocean, Ross's goose, wood duck, ruddy duck, bufflehead duck, and swans), rails, woodcock, Wilson's snipe or jacksnipe, mourning doves, and band-tailed pigeons may be taken each day from 7:00 a. m. to 4:00 p. m., standard time, during the open

seasons prescribed therefor in this regulation, and they may be taken by the means and in the numbers permitted by regulations 3 and 5 hereof, respectively, and when so taken may be possessed in the numbers permitted by regulation 5 any day in any State, Territory, or District during the period constituting the open season where killed and for an additional period of 10 days next succeeding said open season, but no such bird shall be possessed in a State, Territory, or District at a time when such State, Territory, or District prohibits the possession thereof. Nothing herein shall be deemed to permit the taking of migratory birds on any reservation or sanctuary established under the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222), nor on any area of the United States set aside under any other law, proclamation, or Executive order for use as a bird, game, or other wildlife reservation, breeding grounds, or refuge except insofar as may be permitted by the Secretary of Agriculture under existing law, nor on any area adjacent to any such refuge when such area is designated as a closed area under the Migratory Bird Treaty Act.

Regulations modified.

Prohibitions.

Vol. 45, p. 1224.

Waterfowl (except snow geese in Florida and all States north thereof bordering on the Atlantic Ocean, Ross's goose, wood duck, ruddy duck, bufflehead duck, and swans), Wilson's snipe or jacksnipe, and coot.—The open seasons for waterfowl (except snow geese in Florida and all States north thereof bordering on the Atlantic Ocean, Ross's goose, wood duck, ruddy duck, bufflehead duck, and swans), Wilson's snipe or jacksnipe, and coot, in the several States and Alaska, shall be as follows, both dates inclusive:

Geographical limitations.

In Colorado, Connecticut, Idaho, Illinois, Indiana, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New York, including Long Island, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Utah, Vermont, West Virginia, Wisconsin, Washington, and Wyoming, October 21 to November 19;

In Alabama, Arizona, Arkansas, California, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, New Jersey, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia, November 20 to December 19; and

In Alaska west of the 141st meridian, September 1 to September 30, and east thereof, September 20 to October 19.

Rails (except coot).—The open season for rails (except coot) shall be from September 1 to November 30, both dates inclusive, except as follows:

Rails.

Washington and Massachusetts, October 1 to November 30;

New York, including Long Island, and Wisconsin, October 21 to November 19;

Louisiana, November 1 to January 31; and

District of Columbia, no open season.

Woodcock.—The open seasons for woodcock shall be as follows, both dates inclusive:

Woodcock.

Wisconsin, September 23 to October 23;

Maine, New Hampshire, Vermont, Michigan, and North Dakota, October 1 to October 31;

New York, including Long Island, Delaware, New Jersey, Pennsylvania, Ohio, Indiana, and Iowa, October 15 to November 14;

Massachusetts, Rhode Island, and Connecticut, October 21 to November 20;

Missouri, November 10 to December 10;

Maryland, Virginia, West Virginia, Kentucky, Arkansas, and Oklahoma, November 15 to December 15; and

North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Louisiana, December 1 to December 31.

Doves. *Doves.*—The open seasons for mourning doves shall be as follows, both dates inclusive:

Illinois, Missouri, Minnesota, South Dakota, Nebraska, Kansas, Colorado, Utah, Nevada, Idaho, and Oregon, September 1 to December 15; and

Delaware, Maryland, Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, Oklahoma, Texas, New Mexico, Arizona, and California, October 1 to January 15.

Band-tailed pigeons. *Band-tailed pigeons.*—The open seasons for band-tailed pigeons shall be as follows, both dates inclusive:

California, December 1 to December 15;
Arizona and Oregon, October 16 to October 30;
New Mexico, October 1 to October 15; and
Washington, September 16 to September 30.

Vol. 47, pp. 2443, 2524; Vol. 48, p. 1711. Regulation 5, "Daily Bag and Possession Limits on Certain Migratory Game Birds", is amended to read as follows:

REGULATION 5.—DAILY BAG AND POSSESSION LIMITS ON CERTAIN MIGRATORY GAME BIRDS

Bag and possession limits. A person may take in any 1 day during the open seasons prescribed therefor in regulation 4 not to exceed the following numbers of migratory game birds, which numbers shall include all birds taken by any other person who for hire accompanies or assists him in taking such birds; and when so taken these may be possessed in the numbers specified as follows:

Ducks. *Ducks (except wood duck, ruddy duck, and bufflehead duck).*—Ten in the aggregate of all kinds, and any person at any one time may possess not more than 10 ducks in the aggregate of all kinds.

Geese and brant. *Geese and brant (except snow geese in Florida and all States north thereof bordering on the Atlantic Ocean, and Ross's goose).*—Four in the aggregate of all kinds, and any person at any one time may possess not more than 4 geese and brant in the aggregate of all kinds.

Rails. *Rails (except sora and coot).*—Fifteen in the aggregate of all kinds, and any person at any one time may possess not more than 15 in the aggregate of all kinds.

Sora. *Sora.*—Twenty-five, and any person at any one time may possess not more than 25.

Coot. *Coot.*—Fifteen, and any person at any one time may possess not more than 15.

Wilson's snipe, etc. *Wilson's snipe or jacksnipe.*—Fifteen, and any person at any one time may possess not more than 15.

Woodcock. *Woodcock.*—Four, and any person at any one time may possess not more than 4.

Mourning doves. *Mourning doves.*—Twenty, and any person at any one time may possess not more than 20.

Band-tailed pigeons. *Band-tailed pigeons.*—Ten, and any person at any one time may possess not more than 10.

The possession limits hereinbefore prescribed shall apply as well to ducks, geese, brant, rails, Wilson's snipe or jacksnipe, woodcock, mourning doves, and band-tailed pigeons taken in Canada or other foreign country and brought into the United States, as to those taken in the United States.

Regulation 6, "Shipment, Transportation, and Possession of Certain Migratory Game Birds", is amended to read as follows: Vol. 47, pp. 2444, 2524; Vol. 48, p. 1712.

REGULATION 6.—SHIPMENT, TRANSPORTATION, AND POSSESSION OF CERTAIN MIGRATORY GAME BIRDS

Shipment, transportation, and possession.

Waterfowl (except snow geese in Florida and all States north thereof bordering on the Atlantic Ocean, Ross's goose, wood duck, ruddy duck, bufflehead duck, and swans), rails, woodcock, Wilson's snipe or jacksnipe, mourning doves, and band-tailed pigeons and parts thereof legally taken may be transported in any manner in or out of the State where taken during the respective open seasons in that State, and when legally taken in and exported from Canada may be imported into the United States during the open season in the Province where taken, but not more than the number thereof that may be taken in 1 day by one person under these regulations shall be transported by one person in 1 calendar week out of the State where taken or from Canada into the United States; any such birds or parts thereof in transit during the open season may continue in transit such additional time immediately succeeding such open season, not to exceed 5 days, necessary to deliver the same to their destination, and may be possessed in any State, Territory, or District during the period constituting the open season where killed, and for an additional period of 10 days next succeeding said open season; and any package in which such birds or parts thereof are transported shall have the name and address of the shipper and of the consignee and an accurate statement of the numbers and kinds of birds or parts thereof contained therein clearly and conspicuously marked on the outside thereof; but no such birds or parts thereof shall be transported from any State, Territory, or District to or through another State, Territory, or District or to or through a Province of the Dominion of Canada contrary to the laws of the State, Territory, or District in which they were taken or from which they are transported; nor shall any such birds or parts thereof be transported into any State, Territory, or District from another State, Territory, or District, or Province of the Dominion of Canada, or from any State, Territory, or District into any Province of the Dominion of Canada, at a time when any such State, Territory, or District, or Province of the Dominion of Canada, into which they are transported prohibits the possession or transportation thereof.

Additional restrictions.

Importation from other than Canada.

Migratory game birds imported from countries other than Canada.—Migratory game birds of a species for which an open season is prescribed by regulation 4, lawfully taken in and exported from a foreign country (other than Canada, for which provision is hereinbefore made), may be transported to and possessed in any State of the United States during the open season prescribed by regulation 4 in such State for that species and for a period of 10 days immediately succeeding such open season, and in the District of Columbia during the open season so prescribed for Maryland and 10 days thereafter, in numbers in any 1 calendar week not exceeding those permitted to be taken in 1 day by regulation 5, if transportation and possession of such birds is not prohibited by the laws of such State or District and if imported and transported in packages marked as hereinbefore provided.

Vol. 40, p. 1816; Vol. 47, p. 2525; Vol. 48, p. 1713.

The first paragraph of Regulation 9, "Permits to Collect Migratory Birds for Scientific Purposes", is amended to read as follows:

Permits for collecting specimens.

REGULATION 9.—PERMITS TO COLLECT MIGRATORY BIRDS FOR SCIENTIFIC PURPOSES

Additional restrictions.

A person may take at any time migratory birds and their nests and eggs for scientific purposes when authorized by a permit issued by the Secretary, which permit shall be carried on his person when he is collecting specimens thereunder and shall be exhibited to any person requesting to see the same; except that nothing herein shall be deemed to permit the taking of any migratory game bird during the open season therefor between 4:00 p. m. and 7:00 a. m. of the next succeeding day, standard time, or in any manner or by any means not permitted by regulation 3 of these regulations.

AND WHEREAS upon consideration it appears that approval of the foregoing amendatory regulations will tend to effectuate the purposes of the aforesaid Migratory Bird Treaty Act and result in reducin the annual kill of migratory game birds:

Amendatory regulations approved and proclaimed.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby approve and proclaim the foregoing amendatory regulations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 30'' day of July, in the year of our Lord nineteen hundred and thirty-five, and of the Independence of the United States of America the one hundred and sixtieth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:
WILLIAM PHILLIPS
Acting Secretary of State.

[No. 2130]

ESTABLISHMENT OF CUSTOMS ENFORCEMENT AREA No. 1

August 7, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Customs enforcement areas.
Ante, p. 517.

WHEREAS section 1(a) of the Anti-Smuggling Act, approved August 5, 1935 (Public No. 238, 74th Congress), provides, among other things, that whenever the President finds and declares that at any place or within any area on the high seas adjacent to but outside customs waters any vessel or vessels hover or are being kept off the coast of the United States, and that, by virtue of the presence of any such vessel or vessels at such place or within such area, the unlawful introduction or removal into or from the United States of any merchandise or person is being or may be occasioned, promoted, or threatened, the place or area so found and declared shall constitute a customs-enforcement area for the purposes of this Act:

NOW, THEREFORE, I, FRANKLIN DELANO ROOSEVELT, President of the United States of America, do hereby find and declare: Establishment of Area No. 1.

1. That vessels hover or are being kept off the coast of the United States on the high seas adjacent to but outside customs waters within the area described as follows: Description.

That area of waters of the North Atlantic Ocean bounded by:

(*a*) The arc of a circle described with a radius of one hundred nautical miles from a center at Latitude forty degrees thirty-seven minutes North (40°–37′ N) Longitude sixty-nine degrees twenty-three minutes West (69°–23′ W).

(*b*) That part of an irregular curve, included within the arc of the circle described in (*a*), which is the locus of points twelve nautical miles offshore from low water mark of the coast of the United States.

(*c*) That part of an irregular curve, included within the arc of the circle described in (*a*), which is the locus of points sixty-two nautical miles offshore from low water mark of the coast of the United States.

2. That the place or immediate area within the area described in paragraph 1 where such vessels are hovering or are being kept is:

That place or immediate area on the North Atlantic Ocean at Latitude forty degrees thirty-seven minutes North (40°–37′ N) Longitude sixty-nine degrees twenty-three minutes West (69°–23′ W).

3. That the area described in paragraph 1 does not include any waters more than 100 nautical miles from the place or immediate area where such vessels are and are hereby declared to be hovering or kept, and does not include any waters more than 50 nautical miles outwards from the outer limit of customs waters.

4. That, by virtue of the presence of such vessels within the area described in paragraph 1, the unlawful introduction or removal into or from the United States of merchandise or persons is being or may be occasioned, promoted, or threatened.

5. That all the waters within the area described in paragraph 1 are in such proximity to such vessels that such unlawful introduction or removal of merchandise or persons may be carried on by or to or from such vessels.

And I do hereby proclaim that under the terms of the said Anti-Smuggling Act, the area described in paragraph 1 constitutes a customs-enforcement area, to be designated as Customs Enforcement Area No. 1, and the provisions of law applying to the high seas adjacent to customs waters of the United States shall be enforced in such area upon any vessel, merchandise, or person found therein. Provisions of law to be enforced.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the city of Washington this 7″ day of August in the year of our Lord, one thousand nine hundred and thirty-five, and of the Independence of the United States of America the one hundred and sixtieth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2131]

Establishment of Customs Enforcement Area No. 2

August 27, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Customs enforcement areas.
Ante, p. 517.

WHEREAS section 1(a) of the Anti-Smuggling Act, approved August 5, 1935 (Public No. 238, 74th Congress), provides, among other things, that whenever the President finds and declares that at any place or within any area on the high seas adjacent to but outside customs waters any vessel or vessels hover or are being kept off the coast of the United States, and that, by virtue of the presence of any such vessel or vessels at such place or within such area, the unlawful introduction or removal into or from the United States of any merchandise or person is being or may be occasioned, promoted, or threatened, the place or area so found and declared shall constitute a customs-enforcement area for the purposes of this Act:

Area No. 2 established.

NOW, THEREFORE, I, FRANKLIN DELANO ROOSEVELT, President of the United States of America, do hereby find and declare:

Description.

1. That vessels hover or are being kept off the coast of the United States on the high seas adjacent to but outside customs waters within the area described as follows:

That area of waters of the North Atlantic Ocean bounded by:

(*a*) The arc of a circle described with a radius of one hundred nautical miles from a center at Latitude forty degrees twenty minutes North (40°–20′ N) Longitude seventy-two degrees twenty-eight minutes West (72°–28′ W).

(*b*) That part of an irregular curve, included within the arc of the circle described in (*a*), which is the locus of outermost points twelve nautical miles offshore from low water mark of the coast of the United States.

(*c*) That part of an irregular curve, included within the arc of the circle described in (*a*), which is the locus of outermost points sixty-two nautical miles offshore from low water mark of the coast of the United States.

2. That the place or immediate area within the area described in paragraph 1 where such vessels are hovering or are being kept is:

That place or immediate area on the North Atlantic Ocean at Latitude forty degrees twenty minutes North (40°–20′ N) Longitude seventy-two degrees twenty-eight minutes West (72°–28′ W).

3. That the area described in paragraph 1 does not include any waters more than 100 nautical miles from the place or immediate area where such vessels are and are hereby declared to be hovering or kept, and does not include any waters more than 50 nautical miles outwards from the outer limit of customs waters.

4. That, by virtue of the presence of such vessels within the area described in paragraph 1, the unlawful introduction or removal into or from the United States of merchandise or persons is being or may be occasioned, promoted, or threatened.

5. That all the waters within the area described in paragraph 1 are in such proximity to such vessels that such unlawful introduction or removal of merchandise or persons may be carried on by or to or from such vessels.

And I do hereby proclaim that under the terms of the said Anti-Smuggling Act, the area described in paragraph 1 constitutes a customs-enforcement area, to be designated as Customs Enforcement Area No. 2, and the provisions of law applying to the high seas adjacent to customs waters of the United States shall be enforced in such area upon any vessel, merchandise, or person found therein. Provisions of law to be enforced.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the city of Washington this 27 day of August in the year of our Lord, one thousand nine hundred and thirty-five, and [SEAL] of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2132]

AMENDING REGULATIONS ON MIGRATORY GAME BIRDS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

August 27, 1935.

A PROCLAMATION

WHEREAS the Secretary of Agriculture, by virtue of the authority vested in him by section 3 of the Migratory Bird Treaty Act (40 Stat. 755; U. S. C., title 16, secs. 703–711), has submitted to me for approval regulations further amendatory of the regulations approved and proclaimed July 31, 1918, which the Secretary of Agriculture has determined to be suitable amendatory regulations permitting and governing the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, and export of migratory birds and parts thereof and their nests and eggs, as follows: Protection of migratory birds. Preamble. Vol. 40, p. 755. U. S. C., p. 686. Vol. 40, p. 1812.

Regulation 3, "Means by Which Migratory Game Birds May Be Taken", is amended to read as follows: *Ante*, pp. 3406, 3435, 3458.

REGULATION 3.—MEANS BY WHICH MIGRATORY GAME BIRDS MAY BE TAKEN

The migratory game birds specified in regulation 4 hereof may be taken during the open season with a shotgun only, not larger than no. 10 gage, fired from the shoulder, except as specifically permitted by regulations 7, 8, 9, and 10 hereof, but they shall not be taken with or by means of any automatic-loading or hand-operated repeating shotgun capable of holding more than three shells the magazine of which has not been cut off, or plugged with a 1-piece metal or wooden filler incapable of removal through the loading end thereof, so as to reduce the capacity of said gun to not more than three shells at one loading; they may be taken during the open season from the land or water, with the aid of a dog, and from a blind, boat, or floating craft of any kind, except as hereinafter provided, not more than 100 feet from the shore line as determined by ordinary high water or, where there is natural growth or vegetation existing beyond such shore line, Regulations modified.

not more than 100 feet from such growth or vegetation protruding above the surface of the water at the time of taking such birds, except that scoters (sea coots) may be taken in coastal waters without reference to such distance limitation; but migratory game birds are not permitted to be taken from or by aid of an automobile, airplane, sinkbox (battery), power boat, sailboat, any boat under sail, any floating craft or device of any kind towed by power boat or sailboat.

Waterfowl, etc.

Waterfowl (except those taken under permit for propagation pursuant to regulation 8 of these regulations) and mourning doves are not permitted to be taken with or by aid of corn, wheat, oats, or other grain or products thereof, salt, or any kind of feed by whomsoever, or for whatsoever purpose, placed, deposited, distributed, scattered, or otherwise put out in any environment whatsoever, whereby such waterfowl or doves are lured, attracted, or enticed to the hunter; and in the taking of waterfowl the use, directly or indirectly, of live duck or goose decoys is not permitted; nor shall anything in these regulations be deemed to permit the use of an airplane, power boat, sailboat, or other floating craft or device for the purpose of concentrating, driving, rallying, or stirring up migratory waterfowl.

Vol. 47, pp. 2441, 2481; Vol. 48, p. 1708. *Ante*, p. 3458.

The first paragraph and the two subtitles prescribing open seasons on "Waterfowl (except snow geese in Florida and all States north thereof bordering on the Atlantic Ocean, Ross's goose, wood duck, ruddy duck, bufflehead duck, and swans), Wilson's snipe or jacksnipe, and coot", and "Doves of" Regulation 4 "Open Seasons on and Possession of Certain Migratory Game Birds", are amended to read as follows:

Open seasons.

REGULATION 4.—OPEN SEASONS ON AND POSSESSION OF CERTAIN MIGRATORY GAME BIRDS

Time specified. Regulations modified.

Waterfowl (except snow geese in Florida and all States north thereof bordering on the Atlantic Ocean, Ross's goose, wood duck, ruddy duck, bufflehead duck, and swans), coot, and Wilson's snipe or jacksnipe, may be taken each day from 7:00 a. m. to 4:00 p. m., standard time, and rails (other than coot), woodcock, mourning doves and band-tailed pigeons from 7:00 a. m., standard time, to sunset each day, during the open seasons prescribed therefor in this regulation, and they may be taken by the means and in the numbers permitted by regulations 3 and 5 hereof, respectively, and when so taken may be possessed in the numbers permitted by regulation 5 any day in any State, Territory, or District during the period constituting the open season where killed and for an additional period of 10 days next succeeding said open season, but no such bird shall be possessed in a State, Territory, or District at a time when such State, Territory, or District prohibits the possession thereof. Nothing herein shall be deemed to permit the taking of migratory birds on any reservation or sanctuary established under the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222), nor on any area of the United States set aside under any other law, proclamation, or Executive order for use as a bird, game, or other wildlife reservation, breeding grounds, or refuge except insofar as may be permitted by the Secretary of Agriculture under existing law, nor on any area adjacent to any such refuge when such area is designated as a closed area under the Migratory Bird Treaty Act.

Prohibitions.

Vol. 45, p. 1222.

Geographical limitations.

Waterfowl (except snow geese in Florida and all States north thereof bordering on the Atlantic Ocean, Ross's goose, wood duck, ruddy duck, bufflehead duck, and swans), Wilson's snipe or jacksnipe, and coot.—The open seasons for waterfowl (except snow geese in Florida and all States north thereof bordering on the Atlantic Ocean, Ross's

goose, wood duck, ruddy duck, bufflehead duck, and swans), Wilson's snipe or jacksnipe, and coot, in the several States and Alaska, shall be as follows, both dates inclusive:

In Colorado, Connecticut, Idaho, Illinois, Indiana, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New York, including Long Island, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Utah, Vermont, Wisconsin, Washington, and Wyoming, October 21 to November 19;

In Alabama, Arizona, Arkansas, California, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, New Jersey, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia, November 20 to December 19; and

In Alaska west of the 141st meridian, September 1 to September 30, and east thereof, September 20 to October 19.

Doves.—The open seasons for mourning doves shall be as follows, both dates inclusive: Doves.

Illinois, Missouri, Minnesota, South Dakota, Nebraska, Kansas, Colorado, Utah, Nevada, Idaho, and Oregon, September 1 to December 15; and

Delaware, Maryland, Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, Oklahoma, Texas, New Mexico, Arizona, and California, September 21 to January 5.

AND WHEREAS upon consideration it appears that approval of the foregoing amendatory regulations will tend to effectuate the purposes of the aforesaid Migratory Bird Treaty Act and result in reducing the annual kill of migratory game birds:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby approve and proclaim the foregoing amendatory regulations. Amendatory regulations approved and proclaimed.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 27" day of August, in the year of our Lord nineteen hundred and thirty five, and [SEAL] of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2133]

GENERAL PULASKI MEMORIAL DAY

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

September 10, 1935.

A PROCLAMATION

WHEREAS Count Casimir Pulaski came to the United States and proffered his services to the Continental Army, earned the commission of brigadier general, contributed largely to the triumph of the cause of American independence, and made the supreme sacrifice for that cause near Savannah, Georgia, on October 11, 1779; and Pulaski Memorial Day. Preamble.

WHEREAS October 11, 1935, will mark the one hundred and fifty-sixth anniversary of the death of General Pulaski; and

Ante, p. 327.

WHEREAS Public Resolution 23, Seventy-fourth Congress, approved June 6, 1935, provides:

"That the President of the United States is authorized and directed to issue a proclamation calling upon officials of the Government to display the flag of the United States on all governmental buildings on October 11, 1935, and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies in commemoration of the death of General Casimir Pulaski":

Directing display of flag and inviting observance of, on October 11, 1935.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid public resolution, do by this proclamation direct Government officials to display the flag on all Government buildings on Friday, the 11th day of October 1935, and, further, I do invite the people of the United States of America to honor on that day the memory of Brigadier General Casimir Pulaski by holding such exercises and ceremonies in schools and churches, or other suitable places, as may be deemed appropriate.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 10th day of September, in the year of our Lord nineteen hundred and thirty-five, and [SEAL] of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2134]

LEIF ERIKSON DAY

September 11, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Leif Erikson Day. Preamble.

WHEREAS Leif Erikson, through his explorations, greatly contributed to the advancement of civilization; and

WHEREAS it is fitting that this country, which was the field of the explorations of Leif Erikson and his intrepid followers, should commemorate his achievements; and

Ante, p. 392.

WHEREAS Public Resolution 33, Seventy-fourth Congress, approved June 19, 1935, provides:

"That the President of the United States is hereby authorized and requested to issue a proclamation designating October 9, 1935, as Leif Erikson Day and calling upon officials of the Government to display the flag of the United States on all Government buildings on said date and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies":

Directing display of flag and inviting observance of, on October 9, 1935.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid public resolution, do by this proclamation designate Wednesday, October 9, 1935, as Leif Erikson

Day and direct Government officials to display the flag on all Government buildings of the United States on that day, and, further, I do invite the people of the United States of America to honor on that day the memory of Leif Erikson by holding such exercises and ceremonies in schools and churches, or other suitable places, as may be deemed appropriate.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 11th day of September, in the year of our Lord nineteen hundred and thirty-five, and [SEAL] of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2135]

EXTENDING THE PERIOD FOR THE ESTABLISHMENT OF AN ADEQUATE SHIPPING SERVICE FOR, AND DEFERRING EXTENSION OF THE COASTWISE LAWS TO, THE VIRGIN ISLANDS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

September 13, 1935.

A PROCLAMATION

WHEREAS section 21 of the Merchant Marine Act, 1920, approved June 5, 1920 (ch. 250, 41 Stat. 997), provides:

Virgin Islands. Preamble. Vol. 41, p. 997; U. S. C., p. 2066.

"That from and after February 1, 1922, the coastwise laws of the United States shall extend to the island Territories and possessions of the United States not now covered thereby, and the board is directed prior to the expiration of such year to have established adequate steamship service at reasonable rates to accommodate the commerce and the passenger travel of said islands and to maintain and operate such service until it can be taken over and operated and maintained upon satisfactory terms by private capital and enterprise: *Provided*, That if adequate shipping service is not established by February 1, 1922, the President shall extend the period herein allowed for the establishment of such service in the case of any island Territory or possession for such time as may be necessary for the establishment of adequate shipping facilities therefor * * * ";

WHEREAS an adequate shipping service to accommodate the commerce and the passenger travel of the Virgin Islands has not been established as provided in the aforesaid section;

WHEREAS the extension of the coastwise laws of the United States to the Virgin Islands, as provided in the aforesaid section, is dependent upon the establishment of such adequate shipping service; and

WHEREAS proclamations have been issued from time to time extending the period for the establishment of such service and deferring the extension of such laws to the Virgin Islands until September 30, 1935;

Ante, p. 3414.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 21 of the Merchant Marine Act, 1920, do hereby declare and proclaim that the period for the establishment of an adequate shipping service for the Virgin Islands is further

Time for establishing shipping service for, further extended to September 30, 1936.

extended from September 30, 1935, to September 30, 1936, and that the extension of the coastwise laws of the United States to the Virgin Islands is further deferred from September 30, 1935, to September 30, 1936.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this thirteenth day of September, in the year of our Lord nineteen hundred and thirty-five, [SEAL] and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2136]

FIRE PREVENTION WEEK—1935

September 17, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Fire Prevention Week, 1935.

WHEREAS disastrous and destructive fires annually take an enormous toll of human life and property and disrupt the orderly course of business productivity; and

WHEREAS it is the duty of every citizen to aid in the prevention of such fires as far as possible; and

WHEREAS such fires can largely be prevented by the exercise of proper care and the use of appropriate fire-prevention measures; and

WHEREAS it is highly desirable that the attention of the people be directed to the necessity for the prevention of such fires:

Week beginning October 6, 1935, designated as.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby proclaim and designate the week beginning October 6, 1935, as Fire Prevention Week, and I particularly urge State and municipal officials, civic and commercial organizations, school authorities, the clergy, and the press to emphasize the danger of and needless waste caused by fire and to encourage the study of ways and means whereby fire hazards and the disastrous consequences of fire may be prevented as far as possible.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 17" day of September, in the year of our Lord nineteen hundred and thirty-five, [SEAL] and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2137]

ENUMERATION OF ARMS, AMMUNITION, AND IMPLEMENTS OF WAR

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

September 25, 1935.

A PROCLAMATION

Arms, ammunition, and implements of war. Preamble. *Ante*, p. 1082. *Post*, p. 3503.

WHEREAS section 2 of a joint resolution of Congress, entitled "JOINT RESOLUTION Providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states; for the registration and licensing of persons engaged in the business of manufacturing, exporting, or importing arms, ammunition, or implements of war; and restricting travel by American citizens on belligerent ships during war", approved August 31, 1935, provides in part as follows:

"The President is hereby authorized to proclaim upon recommendation of the Board from time to time a list of articles which shall be considered arms, ammunition, and implements of war for the purposes of this section",

Declaring designated articles as.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority conferred upon me by the said joint resolution of Congress, and pursuant to the recommendation of the National Munitions Control Board, declare and proclaim that the articles listed below shall be considered arms, ammunition, and implements of war for the purposes of section 2 of the said joint resolution of Congress:

Categories.

Category I

(1) Rifles and carbines using ammunition in excess of cal. 26.5, and their barrels;

(2) Machine guns, automatic rifles, and machine pistols of all calibers, and their barrels;

(3) Guns, howitzers, and mortars of all calibers, their mountings and barrels;

(4) Ammunition for the arms enumerated under (1) and (2) above, i. e., high-power steel-jacketed ammunition in excess of cal. 26.5; filled and unfilled projectiles and propellants with a web thickness of .015 inch or greater for the projectiles of the arms enumerated under (3), above;

(5) Grenades, bombs, torpedoes, and mines, filled or unfilled, and apparatus for their use or discharge;

(6) Tanks, military armored vehicles, and armored trains.

Category II

Vessels of war of all kinds, including aircraft carriers and submarines.

Category III

(1) Aircraft, assembled or dismantled, both heavier and lighter than air, which are designed, adapted, and intended for aerial combat by the use of machine guns or of artillery or for the carrying and dropping of bombs, or which are equipped with, or which by reason of design or construction are prepared for, any of the appliances referred to in paragraph (2), below.

(2) Aerial gun mounts and frames, bomb racks, torpedo carriers, and bomb or torpedo release mechanisms.

Category IV

Revolvers and automatic pistols of a weight in excess of 1 pound 6 ounces (630 grams), using ammunition in excess of cal. 26.5, and ammunition therefor.

Category V

(1) Aircraft assembled or dismantled, both heavier and lighter than air, other than those included in category III;

(2) Propellers or air screws, fuselages, hulls, tail units, and under carriage units;

(3) Aircraft engines.

Category VI

(1) Livens projectors and flame throwers;

(2) Mustard gas, lewisite, ethyldichlorarsine, and methyldichlorarsine.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 25th day of September, in the year of our Lord nineteen hundred and thirty-five, and of [SEAL] the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2138]

AMENDING REGULATIONS ON MIGRATORY GAME BIRDS

September 26, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Protection of migratory birds. Preamble. Vol. 40, p. 755. U. S. C., p. 686. Vol. 40, p. 1812.

WHEREAS the Secretary of Agriculture, by virtue of the authority vested in him by section 3 of the Migratory Bird Treaty Act (40 Stat. 755; U. S. C., title 16, secs. 703–711), has submitted to me for approval a regulation further amendatory of the regulations approved and proclaimed July 31, 1918, which the Secretary of Agriculture has determined to be a suitable amendatory regulation permitting and governing the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, and export of migratory birds and parts thereof and their nests and eggs, as follows:

Ante, p. 3460.

Subtitle "Doves" of Regulation 4, "Open Seasons on and Possession of Certain Migratory Game Birds" is amended to read as follows:

Open seasons for mourning doves.

Doves.—The open seasons for mourning doves shall be as follows, both dates inclusive:

Illinois, Missouri, Minnesota, South Dakota, Nebraska, Kansas, Utah, Nevada, Idaho, and Oregon, September 1 to December 15;

Maryland, North Carolina, South Carolina, Alabama (except in Mobile, Baldwin, and Washington Counties), Louisiana, and Arizona, September 21 to January 5;

That portion of Alabama comprising Mobile, Baldwin, and Washington Counties, September 21 to September 30 and November 1 to January 31;

Delaware, Virginia, Kentucky, Tennessee, Arkansas, Oklahoma, and New Mexico, September 21 to December 15;

California, in fish and game Districts 4, 4½ and 4¾ as defined by State law, September 21 to October 31; in the remaining Districts of the State, September 21 to September 30;

Georgia, September 21 to October 20 and November 20 to January 31;

Florida, September 21 to September 30 and November 20 to January 31;

Mississippi, September 21 to October 5 and November 20 to January 31;

That portion of Texas north or northerly of a line beginning at the Rio Grande west of Del Rio, thence to Del Rio, thence east along Southern Pacific Railway to San Antonio, thence along International-Great Northern Railway to Austin, thence east along Houston & Texas Central Railway to Brazos River, thence north up Brazos River to where Beaumont branch of Gulf, Colorado & Santa Fe Railway crosses said River, thence east along Gulf, Colorado & Santa Fe Railway to intersection with Houston East & West Texas Railway at Cleveland, thence along Houston East & West Texas Railway to the Louisiana border except the counties of Bastrop, Brazos, Burleson, Fayette, Grimes, Lee, Limestone, Milam, Montgomery, Robertson, San Jacinto, Smith, Washington, and Wood, September 21 to October 31; and

That portion of Texas south of the above described boundaries and the counties hereinabove excepted, December 1 to January 16.

AND WHEREAS upon consideration it appears that approval of the foregoing amendatory regulation will tend to effectuate the purposes of the aforesaid Migratory Bird Treaty Act:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby approve and proclaim the foregoing amendatory regulation. Amendatory regulation approved and proclaimed.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 26″ day of September, in the year of our Lord nineteen hundred and thirty-five, and [SEAL] of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2139]

AIR NAVIGATION WEEK—1935

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

September 26, 1935.

A PROCLAMATION

WHEREAS the social and economic progress of the Nation is dependent to a large degree upon the development of transportation and communication facilities; and Air Navigation Week, 1935. Preamble.

WHEREAS the development of safe and rapid commercial air transportation has made notable progress during the last decade; and

WHEREAS a vital factor contributing to the outstanding accomplishments of the United States of America in this field has been, and still is, the establishment and operation of a federal airways system reaching into all sections of continental United States; and

WHEREAS the National Aeronautic Association has determined upon recognition of the progress made in aviation, and has set aside the period between September 23 and November 1, 1935, in recognition thereof:

Week beginning October 14, 1935, designated as.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby designate and proclaim the week beginning October 14, 1935, as Air Navigation Week, and I particularly urge State and municipal officials, civic and commercial organizations, school authorities, and the press to call attention to the aerial-transportation achievements already accomplished, to set forth the advantages which may accrue as the result of continued development in this field, and to encourage the study of ways and means by which aerial transportation can contribute more effectively to the social and economic progress of the human race.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 26″ day of September, in the year of our Lord nineteen hundred and thirty-five, and [SEAL] of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2140]

EXPORT OF ARMS, AMMUNITION, AND IMPLEMENTS OF WAR TO ETHIOPIA AND ITALY

October 5, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Export of arms, etc. Preamble. *Ante*, p. 1081. *Post*, pp. 3498, 3527.

WHEREAS section 1 of a joint resolution of Congress, entitled "JOINT RESOLUTION Providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states; for the registration and licensing of persons engaged in the business of manufacturing, exporting, or importing arms, ammunition, or implements of war; and restricting travel by American citizens on belligerent ships during war", approved August 31, 1935, provides in part as follows:

Statutory provisions.

"That upon the outbreak or during the progress of war between, or among, two or more foreign states, the President shall proclaim such fact, and it shall thereafter be unlawful to export arms, ammunition, or implements of war from any place in the United States, or possessions of the United States, to any port of such belligerent states, or to any neutral port for transshipment to, or for the use of, a belligerent country."

AND WHEREAS it is further provided by section 1 of the said joint resolution that—

Ante, p. 3471; *Post*, p. 3503.

"The President, by proclamation, shall definitely enumerate the arms, ammunition, or implements of war, the export of which is prohibited by this Act."

AND WHEREAS it is further provided by section 1 of the said joint resolution that—

"Whoever, in violation of any of the provisions of this section, shall export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from the United States, or any of its possessions, shall be fined not more than $10,000 or imprisoned not more than five years, or both, and the property, vessel, or vehicle containing the same shall be subject to the provisions of sections 1 to 8, inclusive, title 6, chapter 30, of the Act approved June 15, 1917 (40 Stat. 223–225; U. S. C., title 22, secs. 238–245)."

Proclaiming existence of state of war between Ethiopia and Italy.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority conferred on me by the said joint resolution of Congress, do hereby proclaim that a state of war unhappily exists between Ethiopia and the Kingdom of Italy; and I do hereby admonish all citizens of the United States or any of its possessions and all persons residing or being within the territory or jurisdiction of the United States or its possessions to abstain from every violation of the provisions of the joint resolution above set forth, hereby made effective and applicable to the export of arms, ammunition, or implements of war from any place in the United States or its possessions to Ethiopia or to the Kingdom of Italy, or to any Italian possession, or to any neutral port for transshipment to, or for the use of, Ethiopia or the Kingdom of Italy.

Articles to be considered arms, etc.

And I do hereby declare and proclaim that the articles listed below shall be considered arms, ammunition, and implements of war for the purposes of section 1 of the said joint resolution of Congress:

Categories.

Category I

(1) Rifles and carbines using ammunition in excess of cal. 26.5, and their barrels;

(2) Machine guns, automatic rifles, and machine pistols of all calibers, and their barrels;

(3) Guns, howitzers, and mortars of all calibers, their mountings and barrels;

(4) Ammunition for the arms enumerated under (1) and (2) above, i. e., high-power steel-jacketed ammunition in excess of cal. 26.5; filled and unfilled projectiles and propellants with a web thickness of .015 inches or greater for the projectiles of the arms enumerated under (3) above;

(5) Grenades, bombs, torpedoes, and mines, filled or unfilled, and apparatus for their use or discharge;

(6) Tanks, military armored vehicles, and armored trains.

Category II

Vessels of war of all kinds, including aircraft carriers and submarines.

Category III

(1) Aircraft, assembled or dismantled, both heavier and lighter than air, which are designed, adapted, and intended for aerial combat by the use of machine guns or of artillery or for the carrying and dropping of bombs or which are equipped with, or which by reason of design or construction are prepared for, any of the appliances referred to in paragraph (2) below;

(2) Aerial gun mounts and frames, bomb racks, torpedo carriers, and bomb or torpedo release mechanisms.

Category IV

Revolvers and automatic pistols of a weight in excess of 1 pound 6 ounces (630 grams), using ammunition in excess of cal. 26.5, and ammunition therefor.

Category V

(1) Aircraft, assembled or dismantled, both heavier and lighter than air, other than those included in category III;

(2) Propellers or air screws, fuselages, hulls, tail units, and under carriage units;

(3) Aircraft engines.

Category VI

(1) Livens projectors and flame throwers;

(2) Mustard gas, lewisite, ethyldichlorarsine, and methyldichlorarsine.

Enforcement directed.

And I do hereby enjoin upon all officers of the United States, charged with the execution of the laws thereof, the utmost diligence in preventing violations of the said joint resolution, and this my proclamation issued thereunder, and in bringing to trial and punishment any offenders against the same.

Regulations to be prescribed by Secretary of State.

And I do hereby delegate to the Secretary of State the power of prescribing regulations for the enforcement of section 1 of the said joint resolution of August 31, 1935, as made effective by this my proclamation issued thereunder.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 5th day of October, in the year of our Lord nineteen hundred and thirty-five, and [SEAL] of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2141]

October 5, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

War between Ethiopia and Italy.

WHEREAS Section 6 of the Joint Resolution of Congress, approved August 31, 1935 (Public Resolution No. 67—74th Congress), provides that—

Statutory provisions. *Ante*, p. 1084. *Post*, p. 3498.

"Whenever, during any war in which the United States is neutral, the President shall find that the maintenance of peace between the United States and foreign nations, or the protection of the lives of citizens of the United States, or the protection of the commercial interests of the United States and its citizens, or the security of the United States requires that the American citizens should refrain from traveling as passengers on the vessels of any belligerent nation, he shall so proclaim, and thereafter no citizen of the United States shall travel on any vessel of any belligerent nation except at his own risk, unless in accordance with such rules and regulations as the President shall prescribe: *Provided, however*, That the provisions of this section shall not apply to a citizen traveling on the vessel of a belligerent whose voyage was begun in advance of the date of the President's proclamation, and who had no opportunity to discontinue his voyage after that date: *And provided further*, That they shall not apply under ninety days after the date of the President's proclamation to a citizen returning from a foreign country to the United States or to any of its possessions. When, in the President's judgment, the conditions which

have caused him to issue his proclamation have ceased to exist, he shall revoke his proclamation and the provisions of this section shall thereupon cease to apply."

AND WHEREAS war now unhappily exists between Ethiopia and the Kingdom of Italy; and

WHEREAS I find that the protection of the lives of citizens of the United States requires that American citizens should refrain from traveling as passengers on the vessels of either of the belligerent nations;

Citizens admonished to abstain from traveling on vessels of belligerents. *Post*, p. 3528.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority vested in me by the said Joint Resolution of Congress, do hereby admonish all citizens of the United States to abstain from traveling on any vessel of either of the belligerent nations contrary to the provisions of the said Joint Resolution; and

I do hereby give notice that any citizen of the United States who may travel on such a vessel, contrary to the provisions of the said Joint Resolution, will do so at his own risk.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the city of Washington this fifth day of October, in the year of our Lord nineteen hundred and thirty-five, and of [SEAL] the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2142]

FREMONT NATIONAL FOREST—OREGON

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

October 14, 1935.

A PROCLAMATION

Fremont National Forest, Oreg. Preamble.

WHEREAS it appears that the hereinafter-designated lands in the State of Oregon are desirable for the production of timber, protection of stream flow, or the regulation and improvement of grazing resources; and

Vol. 48, p. 590.

WHEREAS such lands are within the limitations contained in the act of April 14, 1934, entitled "AN ACT To authorize the revision of the boundaries of the Fremont National Forest in the State of Oregon" (48 Stat. 590); and

WHEREAS the addition of such lands to the Fremont National Forest would be in the public interest:

Area enlarged.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid act of April 14, 1934, do proclaim that the boundaries of the Fremont National Forest are hereby revised so as to include within that forest the lands shown as additions thereto on the diagram hereto annexed and made a part hereof, and that such lands shall be subject to all laws relating to the national forests.

Prior rights, etc., not affected.

The reservation made by this proclamation shall, as to any land which is at this date embraced in any valid claim or withdrawn for any public purpose other than classification, be subject to and shall

not interfere with or defeat legal rights under such claim nor prevent the use for such public purpose of any land so withdrawn, so long as such claim is legally maintained or such withdrawal remains in force.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 14th day of October, in the year of our Lord nineteen hundred and thirty-five, and of [SEAL] the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2143]

OZARK NATIONAL GAME REFUGE NO. 5—ARKANSAS

October 25, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Ozark National Game Refuge No. 5, Ark. Vol. 45, p. 2953.

WHEREAS it appears that it would be in the public interest to include the hereinafter-designated lands in national game refuge no. 5, established by proclamation of June 13, 1928, 45 Stat. 2953:

Area enlarged. Vol. 43, p. 1091.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the act of February 28, 1925, 43 Stat. 1091, do hereby change the boundaries of the aforesaid national game refuge no. 5 so as to include within such refuge the following-described additional lands lying within the Ozark National Forest in the State of Arkansas:

Description.

FIFTH PRINCIPAL MERIDIAN

T. 12 N., R. 27 W., sec. 15, W½, W½E½;
secs. 16 to 21, inclusive;
sec. 22, W½, W½E½, SE¼NE¼, E½SE¼;
secs. 27 to 33, inclusive;
sec. 34, N½.

T. 12 N., R. 28 W., secs. 13 and 14;
sec. 15, S½, E½NE¼;
sec. 16;
secs. 21 to 28, inclusive;
secs. 33 and 34;
sec. 35, N½, SW¼, N½SE¼, SW¼SE¼;
sec. 36.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 25″ day of October, in the year of our Lord nineteen hundred and thirty-five, and of [SEAL] the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2144]

ARMISTICE DAY—1935

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

October 29, 1935.

A PROCLAMATION

Armistice Day, 1935. Preamble.

WHEREAS the 11th day of November 1918 marked the cessation of the World War; and

Vol. 44, p. 1982.

WHEREAS by Senate Concurrent Resolution 18, Sixty-ninth Congress (44 Stat. 1982), the President was requested to issue a proclamation for the observance of the recurring anniversary of this date, known as Armistice Day; and

WHEREAS it is particularly fitting on this anniversary of the Armistice that we should express our determination to remain at peace with all nations and our conviction that permanent peace can and must be attained throughout the world:

Directing display of flag and inviting observance of.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby direct that the flag of the United States be displayed on all Government buildings on November 11, 1935, and do invite the people of the United States to observe the day with appropriate ceremonies in schools, churches, or other suitable places.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 29″ day of October, in the year of our Lord nineteen hundred and thirty-five, and of [SEAL] the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2145]

THANKSGIVING DAY—1935

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

November 12, 1935.

A PROCLAMATION

Thursday, November 28, 1935, designated as Thanksgiving Day.

I, FRANKLIN D. ROOSEVELT, President of the United States of America, hereby designate Thursday, the twenty-eighth of November, 1935, as a Day of National Thanksgiving.

In traversing a period of national stress our country has been knit together in a closer fellowship of mutual interest and common purpose. We can well be grateful that more and more of our people understand and seek the greater good of the greater number. We can be grateful that selfish purpose of personal gain, at our neighbor's loss, less strongly asserts itself. We can be grateful that peace at home is strengthened by a growing willingness to common counsel. We can be grateful that our peace with other nations continues through recognition of our own peaceful purpose.

But in our appreciation of the blessings that Divine Providence has bestowed upon us in America, we shall not rejoice as the Pharisee rejoiced. War and strife still live in the world. Rather, must America by example and in practice help to bind the wounds of others, strive against disorder and aggression, encourage the lessening of distrust among peoples and advance peaceful trade and friendship.

The future of many generations of mankind will be greatly guided by our acts in these present years. We hew a new trail.

Recommendation.

Let us then on the day appointed offer our devotions and our humble thanks to Almighty God and pray that the people of America will be guided by Him in helping their fellow men.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 12th day of November, in the year of our Lord nineteen hundred and thirty-five, and of [SEAL] the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2146]

SALE OF ARMS AND MUNITIONS TO BOLIVIA AND PARAGUAY

November 14, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Sale of arms, etc., to Bolivia and Paraguay. Vol. 48, pp. 1744, 811.

WHEREAS by a Proclamation of the President issued on May 28, 1934, pursuant to a Joint Resolution of Congress approved by the President on the same date, it was declared that the prohibition of the sale of arms and munitions of war in the United States to those countries then engaged in armed conflict in the Chaco might contribute to the reestablishment of peace between those countries; and

WHEREAS by virtue of the Joint Resolution and the Proclamation above mentioned it became unlawful to sell arms or munitions of war to Bolivia or Paraguay; and

WHEREAS the Peace Conference in Plenary Session in Buenos Aires formally adopted on October 28, 1935, a Resolution declaring that the war between Bolivia and Paraguay had come to an end; and

WHEREAS the duly authorized representatives of Bolivia and Paraguay reached an agreement in the names of those countries at Buenos Aires on June 12, 1935, and embodied that Agreement in a Protocol of that date as follows:

"* * * * *

"Their Excellencies the Ministers of Foreign Affairs of the Republic of Paraguay and of the Republic of Bolivia, having exhibited their full powers, which were found to be in good and due form, decided, under the auspices of the said Mediation Commission, to conclude an agreement, *ad referendum* to their respective Governments, on the following bases:

"* * * * *

"III

"The adoption of the following measures of security:

"* * * * *

"3. The obligation not to make new purchases of war material, other than that indispensable for replacement, until the conclusion of the Treaty of Peace."

Revocation of prohibition.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby declare and proclaim that I have found that the prohibition of the sale of arms and munitions of war in the United States to Bolivia or Paraguay will no longer be

necessary as a contribution to the reestablishment of peace between those countries, and the above-mentioned Proclamation of May 28, 1934, is hereby revoked as to the sale of arms and munitions of war to Bolivia or Paraguay from and after November 29, 1935, provided, however, that this action shall not have the effect of releasing or extinguishing any penalty, forfeiture or liability incurred under the aforesaid Proclamation of May 28, 1934, or the Joint Resolution of Congress approved by the President on the same date; and that the said Proclamation and Joint Resolution shall be treated as remaining in force for the purpose of sustaining any proper action or prosecution for the enforcement of such penalty, forfeiture or liability.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this 14th day of November, in the year of our Lord nineteen hundred and thirty-five, and of [SEAL] the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2147]

THE COMMONWEALTH OF THE PHILIPPINES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

November 14, 1935.

A PROCLAMATION

Commonwealth of the Philippines. Preamble. Vol. 48, p. 456.

WHEREAS pursuant to the provisions of the act of Congress entitled "An Act to provide for the complete independence of the Philippine Islands, to provide for the adoption of a constitution and a form of government for the Philippine Islands, and for other purposes", approved March 24, 1934 (48 Stat. 456), and in accordance with the Constitution of the Commonwealth of the Philippines heretofore adopted and ratified by the people of the Philippine Islands, an election was held in the Philippine Islands on September 17, 1935, for the purpose of electing officers of the government of the Commonwealth of the Philippines; and

WHEREAS the Governor General of the Philippine Islands has certified to me as President of the United States of America the result of the said election:

Announcing result of election of officers.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid Act and in conformity with section 4 thereof, do announce and proclaim that at the election so held in the Philippine Islands on September 17, 1935, officers of the government of the Commonwealth of the Philippines were duly elected as follows:

PRESIDENT: Manuel L. Quezon of Baler, Tayabas.
VICE PRESIDENT: Sergio Osmena of Cebu, Cebu.
MEMBERS OF THE NATIONAL ASSEMBLY:
ABRA, Quintin Paredes.
AGUSAN, Apolonio D. Curato.
ALBAY, 1st District, Jose Bonto.
2nd District, Justino Nuyda.
3rd District, Pedro Sabido.
4th District, Pedro Vera.

Announcing result of election of officers—Continued.

ANTIQUE, Calixto O. Zaldivar.
BATAAN, Teodoro Camacho.
BATANES, Vicente Agan.
BATANGAS, 1st District, Natalio Lopez.
2nd District, Eusebio Orense.
3rd District, Maximo Kalaw.
BOHOL, 1st District, Juan Torralba.
2nd District, Olegario B. Clarin.
3rd District, Margarito E. Revilles.
BUKIDNON, Manuel Fortich.
BULACAN, 1st District, Nicolas Buendia.
2nd District, Antonio Villarama.
CAGAYAN, 1st District, Marcelo Adduru.
2nd District, Regino Veridiano.
CAMARINES NORTE, Cayetano Lukban.
CAMARINES SUR, 1st District, Francisco Celebrado.
2nd District, Luis N. de Leon.
CAPIZ, 1st District, Manuel Roxas.
2nd District, Jose A. Dorado.
3rd District, Rafael Tumbokon.
CAVITE, Justiniano S. Montano.
CEBU, 1st District, Celestino Rodriguez.
2nd District, Hilario Abellana.
3rd District, Agustin Y. Kintanar.
4th District, Vicente Rama.
5th District, Miguel Cuenco.
6th District, Nicolas Rafols.
7th District, Buenaventura Rodriguez.
COTABATO, Datu Sinsuat.
DAVAO, Romualdo Quimpo.
ILOCOS NORTE, 1st District, Vicente T. Lazo.
2nd District, Julio Nalundasan.
ILOCOS SUR, 1st District, Benito Soliven.
2nd District, Sixto Brillantes.
ILOILO, 1st District, Jose C. Zulueta.
2nd District, Ruperto Montinola.
3rd District, Tomas Confesor.
4th District, Tomas Buenaflor.
5th District, Victorino Salcedo.
ISABELA, Mauro Versosa.
LAGUNA, 1st District, Tomas Dizon.
2nd District, Arsenio Bonifacio.
LANAO, Tomas Cabili.
LA UNION, 1st District, Camilo Osias.
2nd District, Agaton R. Yaranon.
LEYTE, 1st District, Jose Ma. Veloso.
2nd District, Dominador M. Tan.
3rd District, Tomas Oppus.
4th District, Francisco Enage.
5th District, Ruperto Kapunan.
MANILA, 1st District, Gregorio Perfecto.
2nd District, Pedro Gil.
MARINDUQUE, Cecilio A. Maneja.
MASBATE, Pio V. Corpus.
MINDORO, Juan L. Luna.
MISAMIS OCCIDENTAL, Jose Ozamis.
MISAMIS ORIENTAL, Leon Borromeo.

Announcing result of election of officers—Continued.

MOUNTAIN PROVINCE, 1st District, Saturnino Moldero.
2nd District, Felipe Jose.
3rd District, George K. Tait.
NEGROS OCCIDENTAL, 1st District, Enrique Magalona.
2nd District, Pedro C. Hernaez.
3rd District, Gil M. Montilla.
NEGROS ORIENTAL, 1st District, Guillermo Z. Villanueva.
2nd District, Jose E. Romero.
NUEVA ECIJA, 1st District, Manuel Alzate.
2nd District, Felipe Buencamino, Jr.
NUEVA VIZCAYA, Bernardo Buenafe.
PALAWAN, Claudio Sandoval.
PAMPANGA, 1st District, Eligio G. Lagman.
2nd District, Jose P. Fausto.
PANGASINAN, 1st District, Anacleto B. Ramos.
2nd District, Eugenio Perez.
3rd District, Daniel Maramba.
4th District, N. T. Rupisan.
5th District, Narciso Ramos.
RIZAL, 1st District, Pedro Magsalin.
2nd District, Emilio de la Paz.
ROMBLON, Gabriel F. Fabella.
SAMAR, 1st District, Antolin D. Tan.
2nd District, Serafin Marabut.
3rd District, Juan Bocar.
SORSOGON, 1st District, Norberto A. Roque.
2nd District, Tomas S. Clemente.
SULU, Datu Ombra Amilbangsa.
TARLAC, 1st District, Jose G. Cojuangco.
2nd District, Benigno Aquino.
TAYABAS, 1st District, Jose A. Angara.
2nd District, Francisco Lavides.
ZAMBALES, Potenciano Lesaca.
ZAMBOANGA, Juan S. Alano.

In SURIGAO the election resulted in a tie between Ricardo Navarro and Clementino V. Diez.

Effective date.

This proclamation shall be effective upon its promulgation at Manila, Philippine Islands, on November 15, 1935, by the Secretary of War of the United States of America, who is hereby designated as my representative for that purpose.

New Government proclaimed.

And I do further announce and proclaim that, in accordance with the provisions of the aforesaid Act, upon such promulgation of this proclamation the existing Philippine Government shall terminate and the government of the Commonwealth of the Philippines shall enter upon its rights, privileges, powers, and duties as provided under the said Constitution of the Commonwealth of the Philippines.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 14th day of November in the year of our Lord nineteen hundred and thirty-five, and [SEAL] of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2148]

ESTABLISHMENT OF CUSTOMS ENFORCEMENT AREA NO. 3

December 7, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Customs enforcement areas. *Ante*, p. 517.

WHEREAS section 1 (a) of the Anti-Smuggling Act, approved August 5, 1935 (Public No. 238, 74th Congress), provides, among other things, that whenever the President finds and declares that at any place or within any area on the high seas adjacent to but outside customs waters any vessel or vessels hover or are being kept off the coast of the United States, and that, by virtue of the presence of any such vessel or vessels at such place or within such area, the unlawful introduction or removal into or from the United States of any merchandise or person is being or may be occasioned, promoted, or threatened, the place or area so found and declared shall constitute a customs-enforcement area for the purposes of this Act:

Area No. 3 established.

NOW, THEREFORE, I, FRANKLIN DELANO ROOSEVELT, President of the United States of America, do hereby find and declare:

Description.

1. That vessels hover or are being kept off the coast of the United States on the high seas adjacent to but outside customs waters within the area described as follows:

That area of waters of the Gulf of Mexico bounded by:

(*a*) The arc of a circle described with a radius of one hundred nautical miles from a center at Latitude twenty-eight degrees forty-seven minutes North (28°–47′ N) Longitude ninety-one degrees forty-five minutes West (91°–45′ W).

(*b*) That part of an irregular curve, included within the arc of the circle described in (*a*), which is the locus of outermost points twelve nautical miles offshore from low water mark of the coast of the United States.

(*c*) That part of an irregular curve, included within the arc of the circle described in (*a*), which is the locus of outermost points sixty-two nautical miles offshore from low water mark of the coast of the United States.

2. That the place or immediate area within the area described in paragraph 1 where such vessels are hovering or are being kept is:

That place or immediate area on the Gulf of Mexico at Latitude twenty-eight degrees forty-seven minutes North (28°–47′ N) Longitude ninety-one degrees forty-five minutes West (91°–45′ W).

3. That the area described in paragraph 1 does not include any waters more than one hundred nautical miles from the place or immediate area where such vessels are and are hereby declared to be hovering or kept, and does not include any waters more than fifty nautical miles outward from the outer limit of customs waters.

4. That, by virtue of the presence of such vessels within the area described in paragraph 1, the unlawful introduction or removal into or from the United States of merchandise or persons is being or may be occasioned, promoted, or threatened.

5. That all the waters within the area described in paragraph 1 are in such proximity to such vessels that such unlawful introduction or removal of merchandise or persons may be carried on by or to or from such vessels.

Provisions of law to be enforced.

And I do hereby proclaim that under the terms of the said Anti-Smuggling Act, the area described in paragraph 1 constitutes a customs-enforcement area, to be designated as Customs Enforcement Area No. 3, and the provisions of law applying to the high seas adjacent to customs waters of the United States shall be enforced in such area upon any vessel, merchandise, or person found therein.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the city of Washington this 7" day of December, in the year of our Lord nineteen hundred and thirty-five, and of [SEAL] the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2149]

ESTABLISHMENT OF CUSTOMS ENFORCEMENT AREA NO. 4

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

December 7, 1935.

A PROCLAMATION

WHEREAS section 1 (a) of the Anti-Smuggling Act, approved August 5, 1935 (Public No. 238, 74th Congress), provides, among other things, that whenever the President finds and declares that at any place or within any area on the high seas adjacent to but outside customs waters any vessel or vessels hover or are being kept off the coast of the United States, and that, by virtue of the presence of any such vessel or vessels at such place or within such area, the unlawful introduction or removal into or from the United States of any merchandise or person is being or may be occasioned, promoted, or threatened, the place or area so found and declared shall constitute a customs-enforcement area for the purposes of this Act:

Customs enforcement areas. *Ante*, p. 517.

NOW, THEREFORE, I, FRANKLIN DELANO ROOSEVELT, President of the United States of America, do hereby find and declare:

Area No. 4 established.

1. That vessels hover or are being kept off the coast of the United States on the high seas adjacent to but outside customs waters within the area described as follows:

Description.

That area of waters of the Gulf of Mexico bounded by:

(*a*) The arc of a circle described with a radius of one hundred nautical miles from a center at Latitude twenty-eight degrees thirty-one minutes North (28°–31′ N) Longitude eighty-nine degrees fifty-three minutes West (89°–53′ W).

(*b*) That part of an irregular curve, included within the arc of the circle described in (*a*), which is the locus of outermost points twelve nautical miles offshore from low water mark of the coast of the United States.

(*c*) That part of an irregular curve, included within the arc of the circle described in (*a*), which is the locus of outermost points sixty-two nautical miles offshore from low water mark of the coast of the United States.

2. That the place or immediate area within the area described in paragraph 1 where such vessels are hovering or are being kept is:

That place or immediate area on the Gulf of Mexico at Latitude twenty-eight degrees thirty-one minutes North (28°–31′ N) Longitude eighty-nine degrees fifty-three minutes West (89°–53′ W).

3. That the area described in paragraph 1 does not include any waters more than one hundred nautical miles from the place or immediate area where such vessels are and are hereby declared to be hovering or kept, and does not include any waters more than fifty nautical miles outward from the outer limit of customs waters.

4. That, by virtue of the presence of such vessels within the area described in paragraph 1, the unlawful introduction or removal into or from the United States of merchandise or persons is being or may be occasioned, promoted, or threatened.

5. That all the waters within the area described in paragraph 1 are in such proximity to such vessels that such unlawful introduction or removal of merchandise or persons may be carried on by or to or from such vessels.

Provisions of law to be enforced.

And I do hereby proclaim that under the terms of the said Anti-Smuggling Act, the area described in paragraph 1 constitutes a customs-enforcement area, to be designated as Customs Enforcement Area No. 4, and the provisions of law applying to the high seas adjacent to customs waters of the United States shall be enforced in such area upon any vessel, merchandise, or person found therein.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the city of Washington this 7″ day of December, in the year of our Lord nineteen hundred and thirty-five, and of [SEAL] the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2150]

WILLAMETTE NATIONAL FOREST—OREGON

December 7, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Willamette National Forest, Oreg. Preamble. *Ante*, p. 338.

WHEREAS it appears that the hereinafter-described public lands in the State of Oregon, within the area described in the act of June 13, 1935, entitled "AN ACT To authorize an extension of exchange authority and addition of public lands to the Willamette National Forest in the State of Oregon" (Public, No. 130, 74th Cong.), are chiefly valuable for national-forest purposes; and

WHEREAS the Secretary of Agriculture has recommended that such lands be added to the Willamette National Forest; and

WHEREAS it appears that the addition of such lands to the said forest would be in the public interest:

Area enlarged.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid act of June 13, 1935, do proclaim that the following-described public lands in the State of Oregon are hereby added to and made a part of the Willamette National Forest:

Description.

WILLAMETTE MERIDIAN

T. 15 S., R. 3 E., sec. 32, NW¼NW¼;
sec. 34, SE¼SE¼;
sec. 35, NE¼SW¼;
T. 16 S., R. 3 E., sec. 1, lots 1, 2, 3, 6, 7, 8, 9;
sec. 2, lot 2, NW¼SE¼;
sec. 10, NW¼SE¼, S½S½;
sec. 11, NE¼SE¼, S½S½;

Description—Contd.

T. 16 S., R. 3 E., sec. 12, lots 5 to 12, inclusive, SW¼;
sec. 13, lots 1 to 12, inclusive, W½;
secs. 14 and 15, all;
sec. 18, SE¼NW¼, SE¼SE¼;
secs. 20, 22, and 23, all;
sec. 24, lots 1 to 8, inclusive, W½, W½SE¼;
sec. 25, lot 1, NW¼NE¼, N½NW¼, SE¼NW¼;
sec. 26, N½, N½S½, SE¼SE¼;
sec. 27, E½, E½W½;
sec. 28, all;
sec. 30, lots 1 to 12, inclusive, E½SW¼, W½SE¼;
sec. 32, lots 5 to 9, inclusive, S½NW¼;
sec. 34, N½, NE¼SE¼;
sec. 35, NE¼NE¼, S½NE¼, S½;

T. 17 S., R. 3 E., sec. 1, S½SE¼;
sec. 2, NW¼NE¼;
sec. 4, NW¼NW¼, lots 5, 6, 7;
sec. 6, SE¼NE¼, E½SW¼, SE¼, lot 7;
sec. 8, all;
sec. 10, SW¼SW¼;
sec. 12, NE¼, E½NW¼, N½SE¼;
sec. 13, SW¼SW¼, NE¼SE¼;
sec. 18, NE¼, NE¼NW¼, lots 1, 2, 3;
sec. 34, S½NE¼, SE¼NW¼, E½SW¼;

T. 16 S., R. 4 E., sec. 2, lot 1;
sec. 3, lots 1, 2, 4, NW¼SW¼, SE¼SW¼, SE¼;
secs. 4 and 5, exclusive of patented mineral entries;
sec. 6, lots 1, 2, 3, 4, exclusive of patented mineral entries, lots 5 to 8, inclusive, NE¼SW¼, W½SE¼;
sec. 7, NE¼NE¼, SE¼NW¼, lots 1 to 4, inclusive, E½SW¼, S½SE¼;
sec. 8, NE¼, N½NW¼, SW¼SW¼;
sec. 9, E½NW¼, lots 1, 2;
sec. 10, E½SE¼;
sec. 11, SW¼;
sec. 12, W½NW¼;
sec. 13, S½NE¼, lot 3;
sec. 14, N½NW¼;
sec. 17, lots 2, 3, 4, 7, NE¼SW¼;
sec. 18, NE¼, E½NW¼, lots 1 to 6, inclusive, NE¼SW¼, N½SE¼;
sec. 19, lots 1 to 4, inclusive, E½W½, W½SE¼, SE¼SE¼;
sec. 20, N½NE¼, NE¼NW¼, SW¼NE¼;
sec. 21, SE¼NE¼, E½SE¼;
sec. 22, SW¼NW¼, W½SW¼;
sec. 23, lots 6, 7, 8, SW¼SE¼, NE¼SE¼;
sec. 25, SW¼SW¼;
sec. 26, S½SE¼;
sec. 30, NW¼NE¼, lots 3, 6, SW¼SE¼;
sec. 32, S½SE¼;
sec. 33, NE¼SE¼, S½S½;
sec. 34, S½SE¼;
sec. 35, NE¼;

Description—Contd.

T. 17 S., R. 4 E., sec. 4, lots 1 to 4, inclusive, SW¼NE¼, SE¼NW¼, E½SW¼;
sec. 5, lots 1, 2, SW¼NE¼;
sec. 7, E½, lots 1 to 4, inclusive, lots 9 to 12, inclusive;
sec. 8, SW¼NW¼, W½SW¼, SE¼SW¼;
sec. 18, W½NE¼, lots 1, 2, 9;
sec. 31, lots 4, 9, 10, 11;
aggregating 19,074.97 acres.

Prior rights not affected.

The reservation made by this proclamation shall, as to all lands which are at this date embraced in any valid claim or withdrawn for any public purpose other than classification, be subject to and shall not interfere with or defeat legal rights under such claim or prevent the use for such public purpose of any land so withdrawn, so long as such claim is legally maintained or such withdrawal remains in force.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 7″ day of December, in the year of our Lord nineteen hundred and thirty-five, and of [SEAL] the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2151]

ESTABLISHMENT OF CUSTOMS ENFORCEMENT AREA NO. 5

December 27, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Customs enforcement areas.
Ante, p. 517.

WHEREAS section 1(a) of the Anti-Smuggling Act, approved August 5, 1935 (Public No. 238, 74th Congress), provides, among other things, that whenever the President finds and declares that at any place or within any area on the high seas adjacent to but outside customs waters any vessel or vessels hover or are being kept off the coast of the United States, and that, by virtue of the presence of any such vessel or vessels at such place or within such area, the unlawful introduction or removal into or from the United States of any merchandise or person is being or may be occasioned, promoted, or threatened, the place or areas so found and declared shall constitute a customs-enforcement area for the purposes of this Act:

Area No. 5 established.

NOW, THEREFORE, I, FRANKLIN DELANO ROOSEVELT, President of the United States of America, do hereby find and declare:

Description.

1. That vessels hover or are being kept off the coast of the United States on the high seas adjacent to but outside customs waters within the area described as follows:

That area of waters of the North Atlantic Ocean bounded by:

(*a*) The arc of a circle described with a radius of one hundred nautical miles from a center at Latitude forty-three degrees eight minutes North (43°–08′ N) Longitude sixty-nine degrees seventeen minutes West (69°–17′ W).

(*b*) That part of an irregular curve, included within the arc of the circle described in (*a*), which is the locus of outermost points twelve nautical miles offshore from low water mark of the coast of the United States.

(*c*) That part of an irregular curve, included within the arc of the circle described in (*a*), which is the locus of outermost points sixty-two nautical miles offshore from low water mark of the coast of the United States.

2. That the place or immediate area within the area described in paragraph 1 where such vessels are hovering or are being kept is:

That place or immediate area on the North Atlantic Ocean at Latitude forty-three degrees eight minutes North (43°–08′ N) Longitude sixty-nine degrees seventeen minutes West (69°–17′ W).

3. That the area described in paragraph 1 does not include any waters more than one hundred nautical miles from the place or immediate area where such vessels are and are hereby declared to be hovering or kept, and does not include any waters more than fifty nautical miles outward from the outer limit of customs waters.

4. That, by virtue of the presence of such vessels within the area described in paragraph 1, the unlawful introduction or removal into or from the United States of merchandise or persons is being or may be occasioned, promoted, or threatened.

5. That all the waters within the area described in paragraph 1 are in such proximity to such vessels that such unlawful introduction or removal of merchandise or persons may be carried on by or to or from such vessels.

Provisions of law to be enforced.

And I do hereby proclaim that under the terms of the said Anti-Smuggling Act, the area described in paragraph 1 constitutes a customs-enforcement area, to be designated as Customs Enforcement Area No. 5, and the provisions of law applying to the high seas adjacent to customs waters of the United States shall be enforced in such area upon any vessel, merchandise, or person found therein.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 27″ day of December, in the year of our Lord nineteen hundred and thirty-five, and [SEAL] of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
WILBUR J CARR
Acting Secretary of State.

[No. 2152]

EXTENDING POWERS CONFERRED BY SECTION 10 OF THE GOLD RESERVE ACT OF 1934 AND SECTION 43 OF THE ACT APPROVED MAY 12, 1933

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

January 10, 1936.

A PROCLAMATION

Gold Reserve Act of 1934. Vol. 48, p. 342. U. S. C., p. 1427.

WHEREAS, Section 10 of the Gold Reserve Act of 1934, approved January 30, 1934 (Public, Numbered 87, Seventy-third Congress), provides among other things:

"Sec. 10. * * *

Emergency provisions.

"(c) All the powers conferred by this section shall expire two years after the date of enactment of this Act, unless the President shall

sooner declare the existing emergency ended and the operation of the stabilization fund terminated; but the President may extend such period for not more than one additional year after such date by proclamation recognizing the continuance of such emergency."

and

Authority to extend. Vol. 48, pp. 52, 342.

WHEREAS, paragraph (b) (2), of Section 43, Title III, of the Act approved May 12, 1933 (Public, Numbered 10, Seventy-third Congress), as amended, provides among other things:

"(2) * * * The powers of the President specified in this paragraph shall be deemed to be separate, distinct, and continuing powers, and may be exercised by him, from time to time, severally or together, whenever and as the expressed objects of this section in his judgment may require; except that such powers shall expire two years after the date of enactment of the Gold Reserve Act of 1934 unless the President shall sooner declare the existing emergency ended, but the President may extend such period for not more than one additional year after such date by proclamation recognizing the continuance of such emergency."

and

Declaration of continued existence of emergency.

WHEREAS, such emergency which existed on January 30, 1934, the date of approval of said Gold Reserve Act of 1934, has not been terminated by international monetary agreement or otherwise, but, on the contrary, continues and has been intensified in divers respects by unsettled conditions in international commerce and finance and in foreign exchange; and

Necessity of extension.

WHEREAS, by virtue of the continuance of such emergency, it is necessary to extend the period during which the powers conferred by said Section 10 of said Gold Reserve Act of 1934 and the powers specified in said paragraph (b) (2), of Section 43, Title III, of said Act approved May 12, 1933, as amended, may be exercised,

Powers conferred extended one year.

NOW, THEREFORE, be it known that I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the authority vested in me by the Acts of Congress above set forth, and by virtue of all other authority in me vested, recognizing the continuance of the emergency existing on January 30, 1934, do hereby proclaim, order, direct and declare:

That the period of two years within which the powers conferred by Section 10 of the Gold Reserve Act of 1934, and the powers specified in paragraph (b) (2), of Section 43, Title III, of the Act approved May 12, 1933, as amended, may be exercised be, and it hereby is, extended for one additional year from January 30, 1936.

IN WITNESS WHEREOF, I have hereunto set my hand and have caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 10 day of January, in the year of our Lord nineteen hundred and thirty-six, and of [SEAL] the independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

[No. 2153]

MERCHANDISE IN BONDED WAREHOUSE

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

January 11, 1936.

A PROCLAMATION

Merchandise in bonded warehouse.

WHEREAS section 318 of the Tariff Act of 1930 (46 Stat. 696) provides:

Statutory authorization. Vol. 46, p. 696; U. S. C., p. 873.

"Whenever the President shall by proclamation declare an emergency to exist by reason of a state of war, or otherwise, he may authorize the Secretary of the Treasury to extend during the continuance of such emergency the time herein prescribed for the performance of any act * * *";

Vol. 46, p. 744.

AND WHEREAS section 557 of the said Act provides:

"Any merchandise subject to duty, with the exception of perishable articles and explosive substances other than firecrackers, may be entered for warehousing and be deposited in a bonded warehouse at the expense and risk of the owner, importer, or consignee. Such merchandise may be withdrawn, at any time within three years (or ten months in the case of grain) from the date of importation, for consumption upon payment of the duties and charges accruing thereon at the rate of duty imposed by law upon such merchandise at the date of withdrawal * * * *Provided*, that the total period of time for which such merchandise may remain in bonded warehouse shall not exceed three years (or ten months in the case of grain) from the date of importation * * *":

Emergency declared.

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States of America, acting under and by virtue of the authority vested in me by the foregoing provision of section 318 of the Tariff Act of 1930, do by this proclamation declare an emergency to exist.

And I do hereby authorize the Secretary of the Treasury, until further notice:

Warehousing period for merchandise imported during 1930 further extended. Vol. 42, p. 977; Vol. 46, p. 744.

(1) In the case of merchandise imported during the calendar year 1930 and entered for warehousing under section 557 of the Tariff Act of 1922 (42 Stat. 977) or section 557 of the Tariff Act of 1930 (46 Stat. 744), except grain imported on or after June 18, 1930, to extend the warehousing period for not more than one year from and after the expiration of the three-year period prescribed in sections 557 and 559 of the Tariff Acts of 1922 and 1930, as extended for two years under the authority of Proclamation No. 2023, dated December 23, 1932, and further extended for one year under the authority of Proclamation No. 2109, dated December 21, 1934.

Vol. 47, p. 2548. *Ante*, p. 3427.

Imports during 1931.

(2) In the case of merchandise imported during the calendar year 1931 (except grain) and entered for warehousing under section 557 of the Tariff Act of 1930, to extend the warehousing period for not more than one year from and after the expiration of the three-year period prescribed in sections 557 and 559 of the Tariff Act of 1930, as extended for one year under the authority of Proclamation No. 2069, dated December 30, 1933, and further extended for one year under the authority of Proclamation No. 2110, dated December 21, 1934..

Vol. 48, p. 1726. *Ante*, p. 3428.

Imports during 1932.

(3) In the case of merchandise imported during the calendar year 1932 (except grain) and entered for warehousing under section 557 of the Tariff Act of 1930, to extend the warehousing period for not more than one year from and after the expiration of the three-year period prescribed in sections 557 and 559 of the Tariff Act of 1930, as extended for one year under the authority of Proclamation No. 2111, dated December 22, 1934.

Ante, p. 3429.

Imports during 1933.

(4) In the case of merchandise imported during the calendar year 1933 (except grain) and entered for warehousing under section 557 of the Tariff Act of 1930, to extend the warehousing period for not more than one year from and after the expiration of the three-year period prescribed in sections 557 and 559 of the Tariff Act of 1930.

Provisos.
Bond required.

Provided, however, that in each and every case the Secretary of the Treasury shall require that the principal on the warehouse-entry bond, in order to obtain the benefits under the extension granted, shall either furnish to the collector of customs for the district in which the merchandise is warehoused the agreement of the sureties on such bond to remain bound under the terms and provisions of the bond to the same extent as if no extension were granted, or furnish an additional bond with acceptable sureties to cover the period of extension:

Merchandise excepted.

And provided further, that the extensions of one year herein authorized shall not apply to any merchandise imported during the calendar years 1930, 1931, and 1932 as to which the periods of extension authorized by Proclamations Nos. 2109 and 2110, dated December 21, 1934, and Proclamation No. 2111, dated December 22, 1934, have expired, or to any merchandise imported during the calendar year 1933 as to which the three-year period prescribed in sections 557 and 559 of the Tariff Act of 1930 has expired.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 11th day of January, in the year of our Lord nineteen hundred and thirty-six, and of [SEAL] the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2154]

EXTENDING THE PERIOD FOR FURNISHING PROOF OF USE IN MANUFACTURE OF BONDED WOOL AND CAMEL HAIR

January 18, 1936.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Bonded warehouses, etc.

WHEREAS section 318 of the Tariff Act of 1930 (46 Stat. 696) provides:

Statutory authorizations.
Vol. 46, p. 696; U. S. C., p. 873.

"Whenever the President shall by proclamation declare an emergency to exist by reason of a state of war, or otherwise, he may authorize the Secretary of the Treasury to extend during the continuance of such emergency the time herein prescribed for the performance of any act * * *";

Vol. 42, p. 904.

WHEREAS paragraph 1101 of the Tariff Act of 1922 (42 Stat. 904) provides that wool of certain kinds

"* * * may be imported under bond in an amount to be fixed by the Secretary of the Treasury and under such regulations as he shall prescribe; and if within three years from the date of importation or withdrawal from bonded warehouse satisfactory proof is furnished that the wools have been used in the manufacture of rugs, carpets, or any other floor coverings, the duties shall be remitted or refunded * * *".

AND WHEREAS paragraph 1101 of the Tariff Act of 1930 (46 Stat. 646) provides that wools of certain kinds and hair of the camel "* * * may be imported under bond in an amount to be fixed by the Secretary of the Treasury and under such regulations as he shall prescribe; and if within three years from the date of importation or withdrawal from bonded warehouse satisfactory proof is furnished that the wools or hair have been used in the manufacture of yarns which have been used in the manufacture of press cloth, camel's hair belting, rugs, carpets, or any other floor covering, or in the manufacture of knit or felt boots or heavy fulled lumbermen's socks, the duties shall be remitted or refunded * * *": Vol. 46, p. 646.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority vested in me by the foregoing provision of section 318 of the Tariff Act of 1930, do by this proclamation declare an emergency to exist. Emergency declared.

And I do hereby authorize the Secretary of the Treasury, until further notice:

(1) In the case of wool imported or withdrawn from bonded warehouse during the calendar year 1930, under bond, under the provisions of paragraph 1101 of the Tariff Act of 1922, and wool or hair of the camel imported or withdrawn from bonded warehouse during the calendar year 1930, under bond, under the provisions of paragraph 1101 of the Tariff Act of 1930, to extend the period during which proof of use in manufacture may be furnished for not more than one year from and after the expiration of the three-year period prescribed in the said paragraphs as extended for two years under the authority of Proclamation No. 2023, dated December 23, 1932, and further extended for one year under the authority of Proclamation No. 2113, dated January 7, 1935. Bonded wool and camel hair imported or withdrawn from bonded warehouse during 1930. Time extended for furnishing proof of use. Vol. 47, p. 2548. *Ante*, p. 3432.

(2) In the case of wool or hair of the camel imported or withdrawn from bonded warehouse during the calendar year 1931, under bond, under the provisions of paragraph 1101 of the Tariff Act of 1930, to extend the period during which proof of use in manufacture may be furnished for not more than one year from and after the expiration of the three-year period prescribed in the said paragraph as extended for one year under the authority of Proclamation No. 2069, dated December 30, 1933, and further extended for one year under the authority of Proclamation No. 2113, dated January 7, 1935. Imports or withdrawals during 1931. Vol. 48, p. 1726. *Ante*, p. 3432.

(3) In the case of wool or hair of the camel imported or withdrawn from bonded warehouse during the calendar year 1932, under bond, under the provisions of paragraph 1101 of the Tariff Act of 1930, to extend the period during which proof of use in manufacture may be furnished for not more than one year from and after the expiration of the three-year period prescribed in the said paragraph as extended for one year under the authority of Proclamation No. 2113, dated January 7, 1935. During 1932.

(4) In the case of wool or hair of the camel imported or withdrawn from bonded warehouse during the calendar year 1933, under bond, under the provisions of paragraph 1101 of the Tariff Act of 1930, to extend the period during which proof of use in manufacture may be furnished for not more than one year from and after the expiration of the three-year period prescribed in the said paragraph. During 1933.

Provided, however, that in each and every case the Secretary of the Treasury shall require that the principal on the bond, in order to obtain the benefits under the extension granted, shall either furnish to the collector of Customs for the district in which the bond was given the agreement of the sureties on such bond to remain bound *Provisos.* Surety bond.

under the terms and provisions of the bond to the same extent as if no extension were granted, or furnish an additional bond with acceptable sureties to cover the period of extension: *And provided further*, that the extensions of one year herein authorized shall not apply to any wools or hair of the camel imported or withdrawn from bonded warehouse under bond during the calendar years 1930, 1931, and 1932, on which the one-year period of extension authorized in the aforesaid proclamation of January 7, 1935, has expired, or to any wools or hair of the camel imported or withdrawn from bonded warehouse under bond during the calendar year 1933 on which the three-year period prescribed in paragraph 1101 of the Tariff Act of 1930 has expired.

Exceptions.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 18th day of January in the year of our Lord nineteen hundred and thirty-six and of the Independence of the United States of America the one hundred and sixtieth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2155]

EXTENDING THE PERIOD FOR EXPORTATION OF MERCHANDISE FOR DRAWBACK PURPOSES

January 18, 1936.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Exportation of merchandise.

WHEREAS section 318 of the Tariff Act of 1930 (46 Stat. 696) provides:

Statutory authorization.
Vol. 46, p. 696.

"Whenever the President shall by proclamation declare an emergency to exist by reason of a state of war, or otherwise, he may authorize the Secretary of the Treasury to extend during the continuance of such emergency the time herein prescribed for the performance of any act * * *";

Vol. 46, p. 694.

AND WHEREAS section 313(h) of the Tariff Act of 1930 (46 Stat. 694) provides:

"No drawback shall be allowed under the provisions of this section or of section 6 of the Act entitled 'An Act temporarily to provide revenue for the Philippine Islands, and for other purposes,' approved March 8, 1902 (relating to drawback on shipments to the Philippine Islands), unless the completed article is exported, or shipped to the Philippine Islands, within three years after importation of the imported merchandise":

Emergency declared.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority vested in me by the foregoing provision of section 318 of the Tariff Act of 1930, do by this proclamation declare an emergency to exist.

Time extended on merchandise for shipment to Philippine Islands.

And I do hereby authorize the Secretary of the Treasury:

(1) In the case of articles manufactured or produced in the United States with the use of imported or substituted merchandise for drawback purposes where the imported merchandise involved was imported

on or after June 18, 1930, and on or before December 31, 1930, to extend the period for exportation, or shipment to the Philippine Islands, of the completed article for not more than one year from and after the expiration of the three-year period prescribed in section 313(h) of the Tariff Act of 1930, as extended for two years under the authority of Proclamation No. 2023, dated December 23, 1932, and further extended for one year under the authority of Proclamation No. 2121, dated April 1, 1935.

Vol. 46, p. 694. Vol. 47, p. 2548. *Ante*, p. 3442.

(2) In the case of articles manufactured or produced in the United States with the use of imported or substituted merchandise for drawback purposes where the imported merchandise involved was imported during the calendar year 1931, to extend the period for exportation, or shipment to the Philippine Islands, of the completed article for not more than one year from and after the expiration of the three-year period prescribed in the said section 313(h), as extended for one year under the authority of Proclamation No. 2069, dated December 30, 1933, and further extended for one year under the authority of Proclamation No. 2121, dated April 1, 1935.

Imports during 1931.

Vol. 46, p. 694. Vol. 48, p. 1726. *Ante*, p. 3442.

(3) In the case of articles manufactured or produced in the United States with the use of imported or substituted merchandise for drawback purposes where the imported merchandise involved was imported during the calendar year 1932, to extend the period for exportation, or shipment to the Philippine Islands, of the completed article for not more than one year from and after the expiration of the three-year period prescribed in the said section 313(h), as extended for one year under the authority of Proclamation No. 2121, dated April 1, 1935.

During 1932.

(4) In the case of articles manufactured or produced in the United States with the use of imported or substituted merchandise for drawback purposes where the imported merchandise involved was imported during the calendar year 1933, to extend the period for exportation, or shipment to the Philippine Islands, of the completed article for not more than one year from and after the expiration of the three-year period prescribed in the said section 313(h).

During 1933.

Provided, however, that the extensions of one year herein authorized shall not apply in any case involving merchandise imported in 1931 or 1932 where the one-year period of extension authorized in the said Proclamation of April 1, 1935, has expired, or in any case involving merchandise imported in 1933 where the three-year period prescribed in section 313(h) of the Tariff Act of 1930 has expired.

Proviso. Exceptions.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 18th day of January in the year of our Lord nineteen hundred and thirty-six and of the Independence of the United States of America the one hundred and sixtieth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2156]

INCREASING RATE OF DUTY ON FROZEN SWORDFISH

January 23, 1936.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Tariff on frozen swordfish.
Statutory authorization.
Vol. 46, p. 701.

WHEREAS under and by virtue of section 336 of title III, part II, of the act of Congress approved June 17, 1930 (46 Stat. 590, 701), entitled "AN ACT To provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes", the United States Tariff Commission has investigated the differences in costs of production of, and all other facts and conditions enumerated in said section with respect to, swordfish, frozen (whether or not packed in ice), being wholly or in part the growth or product of the United States and of and with respect to a like or similar article wholly or in part the growth or product of the principal competing country;

WHEREAS in the course of said investigation a hearing was held, of which reasonable public notice was given and at which parties interested were given reasonable opportunity to be present, to produce evidence, and to be heard;

WHEREAS the Commission has reported to the President the results of said investigation and its findings with respect to such differences in costs of production;

WHEREAS the Commission has found it shown by said investigation that the principal competing country is Japan, and that the duty expressly fixed by statute does not equalize the difference in the costs of production of the domestic article and the like or similar foreign article when produced in said principal competing country, and has specified in its report the increase in the rate of duty expressly fixed by statute found by the Commission to be shown by said investigation to be necessary to equalize such difference; and

WHEREAS in the judgment of the President such rate of duty is shown by such investigation of the Tariff Commission to be necessary to equalize such difference in costs of production:

Increasing duty to equalize difference in production costs.
Vol. 46, p. 633.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby approve and proclaim an increase in the rate of duty expressly fixed in paragraph 717 (a) of title I of said act on frozen swordfish (whether or not packed in ice), whole, or beheaded or eviscerated or both, but not further advanced (except that the fins may be removed), from 2 cents per pound to 3 cents per pound, the rate found to be shown by said investigation to be necessary (within the limit of total increase provided for in said act) to equalize such difference in costs of production.

Rate.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 23rd day of January, in the year of our Lord nineteen hundred and thirty-six, and of [SEAL] the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2157]

INCREASING DUTY ON WOOL KNIT GLOVES AND MITTENS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

February 21, 1936.

A PROCLAMATION

Tariff on wool knit gloves, etc.
Statutory authorization.
Vol. 46, p. 701.

WHEREAS under and by virtue of section 336 of Title III, Part II, of the Act of Congress approved June 17, 1930 (46 Stat. 590, 701), entitled "AN ACT To provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes", the United States Tariff Commission has investigated the differences in costs of production of, and all other facts and conditions enumerated in said section with respect to, knit gloves and mittens, finished or unfinished, wholly or in chief value of wool, being wholly or in part the growth or product of the United States and of and with respect to like or similar articles wholly or in part the growth or product of the principal competing country;

WHEREAS in the course of said investigation a hearing was held, of which reasonable public notice was given and at which parties interested were given reasonable opportunity to be present, to produce evidence, and to be heard;

WHEREAS the Commission has reported to the President the results of said investigation and its findings with respect to such differences in costs of production;

WHEREAS the Commission has found it shown by said investigation that the principal competing country is Japan; that the duty expressly fixed in paragraph 1114 (b) of Title I of the said act on knit gloves and knit mittens, finished or unfinished, wholly or in chief value of wool, valued at not more than $1.75 per dozen pairs, does not equalize the difference in the costs of production of the domestic articles and the like or similar foreign articles when produced in the said principal competing country; and that such difference can not be equalized by proceeding under the provisions of subdivision (a) of the said section 336;

Vol. 46, p. 649.

American selling price.
Vol. 46, p. 710.

WHEREAS the Commission has specified in its report the specific rate of duty and the ad valorem rate of duty based upon the American selling price as defined in section 402 (g) of Title IV of the said act of the domestic articles found by the Commission to be shown by said investigation to be necessary (within the limit provided in the said section 336) to equalize such difference in costs of production; and

Vol. 46, p. 701.

WHEREAS in the judgment of the President such specific rate of duty and such ad valorem rate of duty based upon the said American selling price are shown by such investigation of the Commission to be necessary to equalize such difference in costs of production:

Increasing duty to equalize difference in production costs.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby approve the said report of the United States Tariff Commission and do proclaim that the rates of duty shown by the said investigation to be necessary (within the limit provided in said section 336) to equalize such difference on knit gloves and knit mittens, finished or unfinished, wholly or in chief value of wool, valued as defined in subdivisions (c), (d), (e), and (f) of section 402 of the said act of June 17, 1930, in the order specified in section 402 (a) at not more than $1.75 per dozen pairs, are 40 cents per pound and 35 per centum ad valorem based upon the American selling price as defined in the said section 402 (g) of knit gloves and knit mittens, finished or unfinished, wholly or in chief value of wool, manufactured or produced in the United States.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 21st day of February in the year of our Lord nineteen hundred and thirty-six, and of [SEAL] the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2158]

EXPORT OF ARMS, AMMUNITION, AND IMPLEMENTS OF WAR TO ETHIOPIA AND ITALY

February 29, 1936.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Export of arms, munitions, etc. *Ante*, p. 1081.

WHEREAS section 1 of a joint resolution of Congress, entitled "JOINT RESOLUTION Providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states; for the registration and licensing of persons engaged in the business of manufacturing, exporting, or importing arms, ammunition, or implements of war; and restricting travel by American citizens on belligerent ships during war", approved August 31, 1935, provides as follows:

Statutory authorization.

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That upon the outbreak or during the progress of war between, or among, two or more foreign states, the President shall proclaim such fact, and it shall thereafter be unlawful to export arms, ammunition, or implements of war from any place in the United States, or possessions of the United States, to any port of such belligerent states, or to any neutral port for transshipment to, or for the use of, a belligerent country.

Ante, p. 3474; *Post*, p. 3527.

Ante, p. 3471; *Post*, p. 3503.

"The President, by proclamation, shall definitely enumerate the arms, ammunition, or implements of war, the export of which is prohibited by this Act.

"The President may, from time to time, by proclamation extend such embargo upon the export of arms, ammunition, or implements of war to other states as and when they may become involved in such war.

"Whoever, in violation of any of the provisions of this section, shall export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from the United States, or any of its possessions, shall be fined not more than $10,000 or imprisoned not more than five years, or both, and the property, vessel, or vehicle containing the same shall be subject to the provisions of sections 1 to 8, inclusive, title 6, chapter 30, of the Act approved June 15, 1917 (40 Stat. 223–225; U. S. C., title 22, secs. 238–245).

Vol. 40, pp. 223–225; U. S. C., p. 962.

"In the case of the forfeiture of any arms, ammunition, or implements of war by reason of a violation of this Act, no public or private sale shall be required; but such arms, ammunition, or implements of war shall be delivered to the Secretary of War for such use or disposal thereof as shall be approved by the President of the United States.

"When in the judgment of the President the conditions which have caused him to issue his proclamation have ceased to exist he shall revoke the same and the provisions hereof shall thereupon cease to apply.

"Except with respect to prosecutions committed or forfeitures incurred prior to March 1, 1936, this section and all proclamations issued thereunder shall not be effective after February 29, 1936."

AND WHEREAS section 1 of a joint resolution of Congress extending and amending the joint resolution approved August 31, 1935, which was approved February 29, 1936, provides as follows: *Ante*, p. 1152.

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the joint resolution (Public Resolution Numbered 67, Seventy-fourth Congress) approved August 31, 1935, be, and the same hereby is, amended by striking out in the first section, on the second line, after the word 'assembled' the following words: 'That upon the outbreak or during the progress of war between', and inserting therefor the words: 'Whenever the President shall find that there exists a state of war between'; and by striking out the word 'may' after the word 'President' and before the word 'from' in the twelfth line, and inserting in lieu thereof the word 'shall'; and by substituting for the last paragraph of said section the following paragraph: 'except with respect to offenses committed, or forfeitures incurred prior to May 1, 1937, this section and all proclamations issued thereunder shall not be effective after May 1, 1937.' "

AND WHEREAS my proclamation of October 5, 1935, issued pursuant to section 1 of the joint resolution approved August 31, 1935, declared that a state of war unhappily existed between Ethiopia and the Kingdom of Italy. *Ante*, p. 3474.

Continued existence of state of war between Ethiopia and Italy proclaimed. *Post*, p. 3527.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority conferred on me by the said joint resolution as amended by the joint resolution of Congress approved February 29, 1936, do hereby proclaim that a state of war unhappily continues to exist between Ethiopia and the Kingdom of Italy; and I do hereby admonish all citizens of the United States or any of its possessions and all persons residing or being within the territory or jurisdiction of the United States or its possessions to abstain from every violation of the provisions of the joint resolution above set forth, hereby made effective and applicable to the export of arms, ammunition, or implements of war from any place in the United States or its possessions to Ethiopia or to the Kingdom of Italy, or to any Italian possession, or to any neutral port for transshipment to, or for the use of, Ethiopia or the Kingdom of Italy.

Export of arms, etc., to belligerents.

Categories.

And I do hereby declare and proclaim that the articles listed below shall be considered arms, ammunition, and implements of war for the purposes of section 1 of the said joint resolution of Congress:

Category I

(1) Rifles and carbines using ammunition in excess of caliber .22, and barrels for those weapons;

(2) Machine guns, automatic or autoloading rifles, and machine pistols using ammunition in excess of caliber .22, and barrels for those weapons;

(3) Guns, howitzers, and mortars of all calibers, their mountings and barrels;

(4) Ammunition in excess of caliber .22 for the arms enumerated under (1) and (2) above, and cartridge cases or bullets for such ammunition; filled and unfilled projectiles or forgings for such projectiles for the arms enumerated under (3) above; propellants with a web thickness of .015 inch or greater for the projectiles of the arms enumerated under (3) above;

(5) Grenades, bombs, torpedoes and mines, filled or unfilled, and apparatus for their use or discharge;

(6) Tanks, military armored vehicles, and armored trains.

Category II

Vessels of war of all kinds, including aircraft carriers and submarines.

Category III

(1) Aircraft, assembled or dismantled, both heavier and lighter than air, which are designed, adapted, and intended for aerial combat by the use of machine guns or of artillery or for the carrying and dropping of bombs, or which are equipped with, or which by reason of design or construction are prepared for, any of the appliances referred to in paragraph (2) below;

(2) Aerial gun mounts and frames, bomb racks, torpedo carriers, and bomb or torpedo release mechanisms.

Category IV

(1) Revolvers and automatic pistols using ammunition in excess of caliber .22;

(2) Ammunition in excess of caliber .22 for the arms enumerated under (1) above, and cartridge cases or bullets for such ammunition.

Category V

(1) Aircraft, assembled or dismantled, both heavier and lighter than air, other than those included in Category III;

(2) Propellers or air screws, fuselages, hulls, wings, tail units, and under-carriage units;

(3) Aircraft engines, assembled or unassembled.

Category VI

(1) Livens projectors and flame throwers;

(2) Mustard gas (dichlorethylsulphide), lewisite (chlorovinyldichlorarsine and dichlorodivinylchlorarsine), ethyldichlorarsine, methyldichlorarsine, ethyliodoacetate, brombenzylcyanide, diphenolchlorarsine, and dyphenolcyanoarsine.

Officers to prevent violations.

And I do hereby enjoin upon all officers of the United States, charged with the execution of the laws thereof, the utmost diligence in preventing violations of the said joint resolution, and this my proclamation issued thereunder, and in bringing to trial and punishment any offenders against the same.

Regulations by Secretary of State.

And I do hereby delegate to the Secretary of State the power of prescribing regulations for the enforcement of section 1 of the said joint resolution of August 31, 1935, as amended by section 1 of the joint resolution of Congress approved February 29, 1936, and as made effective by this my proclamation issued thereunder.

Former proclamation revoked.
Ante, p. 3474.

And I do hereby revoke my proclamation of October 5, 1935, concerning the export of arms, ammunition, and implements of war to Ethiopia and Italy, which was issued pursuant to the terms of section 1 of the joint resolution of Congress approved August 31, 1935, provided, however, that this action shall not have the effect of releasing or extinguishing any penalty, forfeiture or liability incurred under the aforesaid proclamation of October 5, 1935; and that the said proclamation shall be treated as remaining in force for the purpose of sustaining any proper action or prosecution for the enforcement of such penalty, forfeiture or liability.

Ante, p. 1081.
Incurred penalties, etc., not extinguished.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this 29 day of February, in the year of our Lord nineteen hundred and thirty-six, and of [SEAL] the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2159]

ENLARGING THE ROCKY MOUNTAIN NATIONAL PARK COLORADO

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

March 5, 1936.

A PROCLAMATION

Rocky Mountain National Park, Colo. Preamble. Vol. 46, p. 791.

WHEREAS the act of June 21, 1930, ch. 561, 46 Stat. 791, authorizes the President of the United States, upon the recommendation of the Secretary of the Interior, and with respect to lands located in a national forest upon the joint recommendation of the Secretaries of the Interior and of Agriculture, to add to the Rocky Mountain National Park, in the State of Colorado, by Executive proclamation, any or all of the lands described in the said act; and

WHEREAS the Secretary of the Interior has recommended the addition to the said park of certain of the lands described in the said act not within a national forest; and

WHEREAS it appears that the public interest would be promoted by including such lands within the said park for road purposes and administration as a part of the said park:

Area enlarged.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do proclaim that the lands hereinafter described shall be, and are hereby, added to and included within the Rocky Mountain National Park, in the State of Colorado, and as part of the said park such lands shall be, and are hereby, made subject to the provisions of the act entitled "An Act to establish a National Park Service, and for other purposes," approved August 25, 1916 (39 Stat. 535), and all acts supplementary thereto and amendatory thereof, and all other laws and rules and regulations applicable to the said park:

Former Act applicable. Vol. 39, p. 535.

SIXTH PRINCIPAL BASE AND MERIDIAN

Description.

Beginning at a point S. 6°48′ E. 557 feet from the northeast corner of Lot No. 3, Section 4, T. 4 N., R. 73 W.; thence southeasterly 50.2 feet along the center line of the Thompson River; thence easterly 473.4 feet on the true arc of a curve right with a radius equal to 1382.5 feet; thence S. 84°00′ E. 267.9 feet; thence southeasterly 44.2 feet on the true arc of a curve left with radius equal to 527.5 feet; thence north 100.5 feet; thence northwesterly 35.8 feet on the true arc of a curve right with a radius equal to 427.5 feet; thence N. 84°00′ W. 267.9 feet; thence westerly 507.6 feet on the true arc of a curve

left with a radius equal to 1482.5 feet to the center line of the Thompson River; thence southeasterly 50.2 feet along the center line of the Thompson River to the point of beginning; all of said tract being located in Lot No. 2, Section 4, T. 4 N., R. 73 W., in Larimer County, Colorado.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 5″ day of March, in the year of our Lord nineteen hundred and thirty-six and of [SEAL] the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2160]

CONTRIBUTIONS TO AMERICAN RED CROSS FOR FLOOD RELIEF

March 19, 1936.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

American Red Cross. Contributions to, for flood relief requested.

Flood waters raging throughout eleven states have driven 200,000 people from their homes, with every indication that this number may be materially increased within the next twenty-four hours. In this grave emergency the homeless are turning to our great national relief agency, the American Red Cross, for food, clothing, shelter and medical care.

To enable the Red Cross to meet this immediate obligation and to continue to carry the burden of caring for these unfortunate men, women and children until their homes are restored and they can return to normal living conditions, it is necessary that a minimum relief fund of three million dollars be raised as promptly as possible.

As President of the United States and as President of the American Red Cross, I am, therefore, urging our people to contribute promptly and most generously so that sufficient funds may be available for the relief of these thousands of our homeless fellow citizens. I am confident that in the face of this great need your response will be as immediate and as generous as has always been the case when the Red Cross has acted as your agent in the relief of human suffering.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 19″ day of March, in the year of our Lord nineteen hundred and thirty-six and of [SEAL] the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
WILLIAM PHILLIPS
Acting Secretary of State.

[No. 2161]

ARMY DAY

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

April 3, 1936.

A PROCLAMATION

Army Day. Preamble. *Ante*, p. 2385.

WHEREAS Senate Concurrent Resolution 30, 74th Congress, 2d Session, provides:

"That Monday, April 6, 1936 be recognized by the Senate and House of Representatives of the United States of America, as Army Day, and that the President of the United States be requested, as Commander in Chief, to order military units throughout the United States to assist civic bodies in appropriate celebration to such extent as he may deem advisable; to issue a proclamation declaring April 6, 1936, as Army Day, and in such proclamation to invite the governors of the various States to issue Army Day proclamations."

April 6, 1936, to be observed as.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby declare April 6, 1936, Army Day, and invite the governors of the various States to issue Army Day proclamations; and, as Commander in Chief, I do hereby order military units throughout the United States to assist civic bodies in appropriate celebration.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this third day of April, in the year of our Lord nineteen hundred and thirty-six, and of the Independence of the United States of America the one hundred and sixtieth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2162]

ENUMERATION OF ARMS, AMMUNITION, AND IMPLEMENTS OF WAR

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

April 10, 1936.

A PROCLAMATION

Arms, ammunition, and implements of war. Preamble. *Ante*, p. 1082.

WHEREAS section 2 of a joint resolution of Congress, entitled "JOINT RESOLUTION Providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states; for the registration and licensing of persons engaged in the business of manufacturing, exporting, or importing arms, ammunition, or implements or[1] war; and restricting travel by American citizens on belligerent ships during war", approved August 31, 1935, provides in part as follows:

"The President is hereby authorized to proclaim upon recommendation of the Board from time to time a list of articles which shall be considered arms, ammunition, and implements of war for the purposes of this section",

[1] So in original.

Declaring designated articles as.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority conferred upon me by the said joint resolution of Congress, and pursuant to the recommendation of the National Munitions Control Board, declare and proclaim that the articles listed below shall, on and after June 1, 1936, be considered arms, ammunition, and implements of war for the purposes of section 2 of the said joint resolution of Congress:

Categories.

Category I

(1) Rifles and carbines using ammunition in excess of caliber .22, and barrels for those weapons;

(2) Machine guns, automatic or auto-loading rifles, and machine pistols using ammunition in excess of caliber .22, and barrels for those weapons;

(3) Guns, howitzers, and mortars of all calibers, their mountings and barrels;

(4) Ammunition in excess of caliber .22 for the arms enumerated under (1) and (2) above, and cartridge cases or bullets for such ammunition; filled and unfilled projectiles for the arms enumerated under (3) above; propellants with a web thickness of .015 inch or greater for the projectiles of the arms enumerated under (3) above;

(5) Grenades, bombs, torpedoes and mines, filled or unfilled, and apparatus for their use or discharge;

(6) Tanks, military armored vehicles, and armored trains.

Category II

Vessels of war of all kinds, including aircraft carriers and submarines.

Category III

(1) Aircraft, assembled or dismantled, both heavier and lighter than air, which are designed, adapted, and intended for aerial combat by the use of machine guns or of artillery or for the carrying and dropping of bombs, or which are equipped with, or which by reason of design or construction are prepared for, any of the appliances referred to in paragraph (2), below;

(2) Aerial gun mounts and frames, bomb racks, torpedo carriers, and bomb or torpedo release mechanisms.

Category IV

(1) Revolvers and automatic pistols using ammunition in excess of caliber .22;

(2) Ammunition in excess of caliber .22 for the arms enumerated under (1) above, and cartridge cases or bullets for such ammunition.

Category V

(1) Aircraft, assembled or dismantled, both heavier and lighter than air, other than those included in Category III;

(2) Propellers or air screws, fuselages, hulls, wings, tail units, and under-carriage units;

(3) Aircraft engines, assembled or unassembled.

Category VI

(1) Livens projectors and flame throwers;

(2) Mustard gas (dichlorethylsulphide), lewisite (chlorovinyldichlorarsine and dichlorodivinylchlorarsine), ethyldichlorarsine, methyldichlorarsine, ethyliodoacetate, brombenzylcyanide, diphenolchlorarsine, and dyphenolcyanoarsine.

Former proclamation superseded. *Ante*, p. 3471.

This proclamation shall supersede the proclamation of September 25, 1935, entitled "Enumeration of Arms, Ammunition, and Implements of War", on June 1, 1936.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this tenth day of April in the year of our Lord nineteen hundred and thirty-six, and of [SEAL] the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2163]

CHILD HEALTH DAY

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

April 13, 1936.

A PROCLAMATION

Child Health Day. Preamble. Vol. 45, p. 617.

WHEREAS the Congress by joint resolution of May 18, 1928 (45 Stat. 617), has authorized and requested the President of the United States to proclaim annually May 1 as Child Health Day; and

WHEREAS the health and security of its children are essential to the well-being of the Nation; and

WHEREAS it is advisable this year as we launch the social security program to encourage by every possible means the development of plans to promote maternal and child health and to extend child-welfare services:

Designating May 1, 1936, as.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby proclaim and designate the first day of May of this year as Child Health Day, and do urge all agencies, public and private, concerned with the health and welfare of children, on this day to study the plans for Federal, State, and local cooperation in promoting the health and security of children, to note the extent to which those plans have so far been put into effect, and to make arrangements for carrying their benefits to the children in every county in the United States.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 13" day of April, in the year of our Lord nineteen hundred and thirty-six, and of [SEAL] the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President,
CORDELL HULL
Secretary of State.

[No. 2164]

JEFFERSON NATIONAL FOREST—VIRGINIA

April 21, 1936.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Jefferson National Forest, Va. Preamble. Acquisition of land. Vol. 36, p. 962. U. S. C., p. 666.

WHEREAS certain forest lands within the State of Virginia have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., Title 16, secs. 515 and 516); and

WHEREAS it appears that the reservation as the Jefferson National Forest of the said lands together with certain other lands heretofore forming parts of the George Washington National Forest and the Unaka National Forest would be in the public interest:

Establishment of. Vol. 26, p. 1103. U. S. C., p. 657.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., Title 16, sec. 471), the act of June 4, 1897, ch. 2, 30 Stat. 34 (U. S. C., Title 16, sec. 473), and by section 11 of the said act of March 1, 1911 (U. S. C., Title 16, sec. 521), do proclaim that all the lands of the United States within the following-described boundaries are hereby reserved and set apart as the Jefferson National Forest, and that all lands within the said boundaries which may hereafter be acquired by the United States under the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as part of said National Forest:

Vol. 30, p. 36; Vol. 36, p. 963. U. S. C., pp. 657, 666. Designated areas reserved.

Mountain Lake Division.

MOUNTAIN LAKE DIVISION

(NOTE—All Routes mentioned herein are State roads unless otherwise stated.)

Description.

Beginning at a point on the Allegheny Mountains at the intersection of U. S. Highway 60 with the Virginia-West Virginia State Line; thence with the center line of said U. S. Highway 60 in an easterly direction to the junction with State Route 646; thence with Route 646 to the junction with Route 251; thence in a southeasterly direction with Route 251 to the junction with Route 644; thence with Route 644 to the junction with Route 612; thence with Route 612 to the intersection with Route 662; thence with Route 662 to the junction with Route 661; thence with Route 661 to the junction with Route 611; thence with Route 611 to the intersection with U. S. Highway 11; thence with U. S. Highway 11 to the center of the bridge over James River at Buchanan, Virginia; thence up the center of James River to the mouth of Shirkey's Mill Branch; thence with Shirkey's Mill Branch, and with the old Shirkey Turnpike in a westerly direction to the intersection with Route 621; thence with Route 621 to the intersection with Route 615 near Strom; thence with Route 615 to the intersection with Route 682; thence with Route 682 to the intersection with Route 683; thence with Route 683 to the intersection with Route 12; thence with Route 12 to the intersection with Route 666; thence with Route 666 to the intersection with Route 606; thence northwesterly with Route 606 and 666 nine-tenths of a mile; thence with Route 666 to the intersection with Route 600; thence with Route 600 to the junction with Route 114; thence with Route 114 and 600 to the point of divergence of Route 114 and Route 600 near Tinker; thence with Route 600 to the intersection with Route 114; thence with Route 114 to the junction with Route 311; thence with Routes 311 and 114 to the point of divergence;

Description—Contd.

thence with Route 311 to the intersection with Route 624; thence with Route 624 to the junction with Route 649; thence with Route 649 to the intersection with Route 8 at Tom's Creek; thence down Tom's Creek to the intersection with Route 624; thence with Route 624 to the intersection with Route 652; thence with Route 652 crossing New River to Route 600; thence with Route 600 in a southerly direction to Back Creek; thence up Back Creek and down Bentley's Branch of Peak's Creek to Route 99; thence in an easterly direction with Route 99 to the intersection with Route 640; thence with Route 640 to the intersection with Route 99; thence with Route 99 to the intersection with Route 100; thence with Route 100 to the junction with Route 101 at Draper; thence with Route 101 to the intersection with U. S. Highway 11; thence with U. S. Highway 11 to the center of the bridge over Reed Creek; thence with Reed Creek to the center of bridge on Route 121; thence with Route 121 to the intersection with Route 610; thence with Route 610 to the center of bridge over Cove Creek; thence following Cove Creek to the center of bridge on Route 603; thence with Route 603 to the junction with Route 600; thence with Route 600 to the intersection with Route 659; thence with Route 659 to the junction with Route 661; thence with Route 661 to the junction with Route 600; thence with Route 600 to the intersection with Route 21; thence with Route 21 to the intersection with Route 90; thence with Route 90 to the intersection with Route 680; thence with Route 680 to the intersection with Route 617; thence with Route 617 up Black Lick Creek to Bear Creek and the Junction with Route 622; thence with Route 622 to the junction with Route 617; thence with Route 617 to the intersection with Route 88; thence with Route 88 to the intersection with Route 610; thence with Route 610 to the intersection with Route 620; thence with Route 620 to the intersection with Route 624; thence with Route 624 to the intersection with Route 618; thence with Route 618 to the intersection with Routes 88 and 42; thence with Route 42 to the junction with Route 81 at Broad Ford, Virginia; thence with Route 81 to the intersection of Route 81 with Route 633 at North Holston, Virginia; thence with Route 633 to MacCrady's Gap and the intersection with Route 613; thence with Route 613 to the intersection with Route 80; thence with Route 80 to the junction with Route 689 in Hayter's Gap; thence with Route 689 to the junction with U. S. Highway 19; thence with U. S. Highway 19 to the junction with Route 657; thence with Route 657 to the intersection with Route 656; thence with Route 656 to the junction with Route 80; thence with Route 80 to the junction with Route 603 near Elway, Virginia; thence with Route 603 to the junction with Route 609 at Midway, Virginia; thence with Route 609 to the intersection with Route 81 at Maiden Spring, Virginia; thence with Route 81 to the intersection with Route 604; thence with Route 604 to the intersection with Route 602; thence with Route 602 to the junction of Routes 602 and 601; thence with Route 601 to the top of Clinch Mountain; thence along the top of Clinch Mountain to Hutchinson Rock; thence along the divide between Roaring Fork and Burke Garden to Chestnut Bridge; thence with the Tazewell-Bland County line for approximately 16 miles; thence leaving the county line approximately ½ mile south of Crab Tree Gap, and following the divide between Wolf Creek and Burke Garden in a southwesterly direction approximately 2 miles to the intersection of Route 87 and Route 666 at Goses Mill, Virginia; thence with Route 87 to the junction with Route 61 at Gratton P. O., Virginia; thence with Route 61 to the intersection with U. S. Highway 19; thence with U. S. Highway 19 to the junction with Route 81;

Description—Contd. thence with Route 81 to the point of convergence of Routes 81 and 608 at Liberty Hill, Virginia; thence to the point of divergence of Routes 81 and 608; thence with Route 608 to the top of Paint Lick Mountain; thence with the top of Paint Lick Mountain to Wardell, Virginia; thence with the top of House and Barn Mountain and the top of Elks Garden Ridge to the confluence of Little Cedar Creek and Cedar Creek; thence following the divide between Little Cedar Creek and Clinch River to the junction of Routes 64 and 672; thence with Route 64 to the junction with Route 614; thence with Route 614 to the junction with Route 640; thence with Route 640 to Clinch River at St. Paul, Virginia; thence with Clinch River to the center of the bridge on Route 70 at Dungannon, Virginia; thence with Route 70 to the junction with Route 602; thence with Route 602 to the junction with Route 653 near Stanley Town, Virginia; thence with Route 653 to the junction of Route 653 with U. S. Highway 58; thence with U. S. Highway 58 to the top of Powell Mountain; thence with the top of Powell Mountain to Route 64 in Hunter Gap; thence with Route 64 to the center of bridge over Powell River; thence up Powell River to the center of the bridge on Routes 64 and 65; thence with Routes 64 and 65 to Niggerhead Rock in Pennington Gap; thence with the top of Big Stone Mountain to the Virginia-Kentucky State Line; thence with the Virginia-Kentucky State Line approximately 33 miles to the top of Black Mountain; thence along the top of Black Mountain to Herald, Virginia, on the Virginia-West Virginia State Line; thence following the Virginia-West Virginia State Line to Route 627; thence with Route 627 to the intersection with Route 626 at Lambert Store, Virginia; thence leaving Route 627 and with the divide between the Clinch River and Dry Fork to the village of Tip Top, Virginia, on Route 655; thence with Route 655 to U. S. Highway 19; thence with U. S. Highway 19 to the junction with Route 650; thence with Route 650 to the junction with Route 85; thence with Route 85 to the Virginia-West Virginia State Line; thence with the Virginia-West Virginia State Line approximately 100 miles to the place of beginning.

Unaka Division.

UNAKA DIVISION

(NOTE.—The term "present boundary" in the following descriptions refers to boundaries of National Forests as they existed just prior to the issuance of this proclamation.)

Description. Beginning at the Village of Cole, in Washington County, Virginia, a point on the present National Forest boundary; thence in a southeasterly direction with the present boundary to Route 604; thence leaving the present boundary and North 59° 00′ East, 3 miles to a corner of the W. B. and Mrs. J. L. Jackson Tract #131 a point about 3 chains southwest of Dry Fork, a tributary to St. Clair Creek; thence with the northern boundary of Tract #131 to a point where the boundary of Tract #131 intersects the present National Forest boundary; thence with the present boundary in a general northeasterly direction to the Smyth-Wythe County line; thence with the present boundary to the point of intersection with Route 615; thence with Route 615 to the point of intersection with Route 670; thence with Route 670 to the intersection with Route 90; thence with Route 90 to Cedar Springs, Virginia, a point on the present National Forest boundary; thence following the present boundary to the junction of the Virginia-North Carolina-Tennessee State lines; thence with the

Virginia-Tennessee State line in a northeasterly and westerly direction to a point where the State line intersects the present forest boundary, between Sharps Branch and Rock House Run; thence in a northeasterly direction with the present National Forest boundary to the place of beginning. Description—Contd.

NATURAL BRIDGE DIVISION Natural Bridge Division.

Description. Beginning at the junction of North River with James River approximately 1 mile southeast of the Village of Glasgow, Rockbridge County, Virginia, a point on the present National Forest boundary; thence in a southeasterly direction with James River to the mouth of Battery Creek; a point on the present National Forest boundary; thence with the present boundary to the junction of Routes 614 and 687 on Sheeps Creek; thence leaving the present boundary and due north to the Botetourt-Bedford County line, a point on the present National Forest boundary; thence with the present boundary to Route 622; thence with Route 622 to the Rocky Point Ferry on James River; thence with the east and south banks of the James River to the point of beginning; also that certain tract or parcel of land lying and being one-half mile north east of Sedalia Post Office, in Bedford County, Virginia, on the waters of Reed's Creek, a tributary of the James River:

Beginning at Corner 1, common to lands owned by H. K. Spinner, L. S. Hatcher and Fayette Long, a stump hole at fence corner on East Edge of State Route 122, at the intersection of said Route with State Route 640;

Thence with State Route 122;
Thence S. 21° 19′ W., 4.29 ch. to point in center of road;
Thence S. 30° 27′ W., 6.50 ch. to point in center of road;
Thence S. 23° 40′ W., 4.30 ch. to point in center of road;
Thence S. 15° 15′ W., 4.59 ch. to Corner 2, a point in center of said State Route 122.
Thence N. 72° 06′ W., 11.50 ch. to Corner 3;
Thence N. 12° 41′ W., 2.11 ch. to point in center of branch;
Thence N. 38° 58′ W., 3.29 ch. to point in center of branch;
Thence N. 8° 08′ W., 3.09 ch. to point in center of branch;
Thence N. 36° 01′ W., 3.92 ch. to Corner 4.
Thence N. 43° 52′ E., 14.16 ch. to Corner 5;
Thence N. 35° 30′ E., 0.42 ch. to Corner 6.
Thence S. 71° 34′ E., 3.47 ch. to point in center of road;
Thence S. 62° 18′ E., 10.27 ch. to point in center of road;
Thence S. 66° 07′ E., 2.39 ch. to the point of beginning.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 21″ day of April, in the year of our Lord nineteen hundred and thirty-six and of the Independence of the United States of America the one hundred and sixtieth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2165]

MONONGAHELA NATIONAL FOREST—WEST VIRGINIA

April 28, 1936. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Monongahela National Forest, W. Va. Preamble. Vol. 41, p. 1792; Vol. 45, p. 2961. *Post*, p. 3513.

WHEREAS certain lands have been transferred from the Monongahela National Forest, established by Proclamation of August 3, 1928, to the George Washington National Forest by Proclamation of this date; and

WHEREAS it is desired to include in and reserve as a part of the Monongahela National Forest certain lands within the State of West Virginia acquired by the United States for forestry purposes under sections 6 and 7 of the act of March 1, 1911, 36 Stat. 961, 962, as amended (U. S. C., Title 16, secs. 515 and 516), and contained within the boundaries hereinafter described; and

Vol. 36, p. 962. U. S. C., p. 666.

WHEREAS it appears that it would be in the public interest to redefine the boundaries of the Monongahela National Forest:

Boundaries modified.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power vested in me by section 24 of the act of March 3, 1891, 26 Stat. 1095, 1103, as amended (U. S. C., Title 16, sec. 471), the act of June 4, 1897, ch. 2, 30 Stat. 36 (U. S. C., Title 16, sec. 473), and by section 11 of the said act of March 1, 1911 (U. S. C., Title 16, sec. 521), do proclaim that all lands of the United States within the following-described boundaries shall be, and are hereby, included in, reserved as, and made a part of the Monongahela National Forest in the State of West Virginia, and that all lands within the said boundaries which may hereafter be acquired by the United States under the said act of March 1, 1911, as amended, shall, upon their acquisition, be permanently reserved and administered as a part of the Monongahela National Forest:

Vol. 26, p. 1103; U. S. C., p. 657. Vol. 30, p. 36; Vol. 36, p. 963. U. S. C., pp. 657, 666. Designated areas reserved.

Description.

Beginning at the Fairfax Stone, a corner between Maryland and West Virginia, at the southwest corner of the State of Maryland; thence with the Grant-Tucker County line to the Western Maryland Railroad; thence with the Western Maryland Railroad to Route 32 at Thomas, West Virginia (all routes mentioned herein are State routes unless otherwise stated); thence with Route 32 to the corporation line of Davis, West Virginia; thence with the corporation line of Davis in southerly and easterly directions to the intersection of the corporation line with Blackwater River; thence down Blackwater River to the mouth of a branch about one-half mile below Blackwater Falls; thence up branch to a point on line of tract 106; thence with tract 106, S 71° 39′ E, 14.39 chains to corner 63 thereof; thence continuing with tract 106 to corner 1 of tract 135; thence with tract 135, S 89° 58′ E, 126.99 chains to corner 2; thence S 03° 00′ E, 37.15 chains to Route 35; thence leaving tract 135 and with Route 35 to the intersection with Route 37 at Cortland, West Virginia; thence with Route 37 to Blackwater River; thence up Blackwater River to the mouth of Yokum Run; thence up Yokum Run to point on line of tract 21; thence with tract 21, N 11° 26′ E, 3.21 chains to corner 1; thence S 66° 00′ E, 259.47 chains to corner 1 of tract 38; thence with tract 38 to corner 1a of tract 21; thence with tract 21 to corner 4 of tract 319; thence with tract 319 to corner 6; thence leaving tract 319, S 73° 00′ E, to Jordan Run; thence down Jordan Run to the junction with the North Fork of the South Branch of the Potomac River; thence down the North Fork of the South Branch of the Potomac River to corner 31 of tract 194; thence with tract 194 to corner 33; thence leaving tract 194, and down the North Fork of the South Branch of the

Description—Contd.

Potomac River to the junction with the South Branch of the Potomac River; thence down the South Branch of the Potomac River to Royal Glen Dam; thence approximately S 22° 03′ E, to a point in U. S. Route 220 a[1] B. M. 1085; thence approximately S 33° 50′ W, 11 miles to point in old road at B. M. 1522; thence with old road to U. S. Route 220 at Upper Tract Bridge; thence with U. S. Route 220 to the intersection with Route 5; thence with Route 5 to corner 11 of tract 405a; thence with tract 405a and Route 5 to corner 16; thence leaving tract 405a and with Route 5 to corner 20 of tract 405a; thence with tract 405a and Route 5 to corner 21; thence leaving Route 5 and continuing with tract 405a to Route 5; thence leaving tract 405a and with Route 5 to a point about one-half mile west of Harman Rocks; thence approximately N 8° 45′ E, to the Dolly schoolhouse; thence approximately N 29° 10′ E, to the intersection of Routes 9 and 9/2; thence with Route 9/2 to the intersection with Route 5/5; thence with Route 5/5 to the North Fork of the South Branch of the Potomac River; thence down the North Fork of the South Branch of the Potomac River to the Mouth of Seneca Creek; thence up Seneca Creek approximately one-quarter mile to Route 28; thence with Route 28 approximately one-tenth mile to intersection with Route 5 at Mouth of Seneca, West Virginia; thence with Route 5 to the intersection with Route 6; thence with Route 6 to the Horton-Riverton Trail; thence with the Horton-Riverton Trail to a point on line of tract 38b; thence with tract 38b, S 38° 58′ W, 102.56 chains to corner 84; thence continuing with tract 38b to Route 15; thence leaving tract 38b and with Route 15 to the intersection with Route 28/9; thence with Route 28/9 to the intersection with Route 28; thence approximately East to the North Fork of the South Branch of the Potomac River; thence up the North Fork of the South Branch of the Potomac River to the junction of Laurel Fork and Straight Fork; thence up Straight Fork to the Virginia-West Virginia State line; thence with the Virginia-West Virginia State line to corner 1 of tract 550a; thence with tract 550a to corner 3; thence leaving tract 550a and by a straight line to corner 35 of tract 393; thence with tract 393 to corner 1 of tract 524; thence with tract 524 to corner 3; thence leaving tract 524 and with the divide between Anthony Creek and Howard Creek to a line of tract 507; thence with tract 507 to corner 1 of tract 547; thence with tract 547 to corner 16 of tract 497a; thence with tract 497a to corner 23; thence leaving tract 497a and by a straight line to corner 22 of tract 547; thence with tract 547 to corner 15; thence leaving tract 547 and up Greenbrier River to corner 46 of tract 497; thence with tract 497 to corner 47; thence leaving tract 497 and continuing up Greenbrier River to corner 5 of tract 446–I; thence with tract 446–I to corner 6; thence leaving tract 446–I and continuing up Greenbrier River to corner 1 of tract 579; thence with tract 579 to corner 23; thence leaving tract 579 and continuing up Greenbrier River to corner 21 of tract 579; thence with tract 579 to corner 15; thence leaving tract 579 and continuing up Greenbrier River to corner 11 of tract 579; thence with tract 579 to corner 10; thence leaving tract 579 and continuing up Greenbrier River to corner 96 of tract 437; thence with tract 437 to corner 98; thence leaving tract 437 and continuing up Greenbrier River to point on line of tract 437; thence with tract 437 to corner 103b; thence S 81° 30′ E, approximately 3.00 chains to point on line of tract 437; thence leaving tract 437 and continuing up Greenbrier River to a point on line of tract 354; thence with lines of tract 354, N 28° 07′ E, approximately 12.00 chains; thence N 39° 45′ E, approximately 4.00 chains to point on line of tract 354; thence leaving tract 354 and continuing up Greenbrier River to Route 15/2; thence with Route 15/2 to corner of tract 482; thence with tract 482 in westerly

[1] So in original.

Description—Contd. and northerly directions to corner 14 of tract 351; thence with tract 351 to corner 17; thence leaving tract 351 and with road to gap in the divide between Laurel Run and Lewis Lick Run; thence in a westerly direction with the top of the mountain to tract 652; thence with tract 652 to the divide between Greenbrier and Williams Rivers; thence leaving tract 652 and with the divide to tract 659; thence with tract 659 to the divide between Greenbrier and Williams Rivers; thence leaving tract 659 and with the divide to corner 47 of tract 506; thence with tract 506 to corner 1 of tract 395; thence with tract 395 to corner 27; thence leaving tract 395 and with the divide to corner CA 1609; thence by a straight line to corner 40 of tract 395; thence with tract 395 to corner 48; thence leaving tract 395 and approximately S 29° 40′ W, to a point on the Greenbrier-Pocahontas County line about one mile southeast of angle in county line; thence approximately S 48° 25′ W, to Twin Sugars Knob; thence with the crest of Cold Knob Mountain to the Cold Knob Road; thence with the Cold Knob Road to Beech Ridge; thence leaving the Cold Knob Road and with the divide between Laurel Creek on the north and east, and Clear Creek, Hominy Creek, Grassy Creek, Panther Creek, and Taylor Run on the south and west to Cherry River about one mile below the mouth of Laurel Creek; thence down Cherry River to the junction with Gauley River; thence up Gauley River to a line of tract 372; thence with tract 372 to corner 122; thence by straight line to the intersection of Route 15 and the old Summersville and Slavin Cabin Road; thence with the Old Summersville and Slavin Cabin Road to corner 13 of tract 478; thence with tract 478 to corner 18; thence leaving tract 478 and continuing with the old Summersville and Slavin Cabin Road to the junction with Route 15 in the gap between Kingfisher Creek and Sandy Run; thence with the divide between Elk and Gauley River to the western corner of tract 51a about one and one-half miles west of the Randolph-Webster County line; thence with tract 51a to Elk River; thence up Elk River to Route 49; thence with Route 49 to the intersection with Route 15; thence with Route 15 to the junction with U. S. Route 219; thence with U. S. Route 219 to the "Burnt Bridge" on Tygart Valley River; thence down Tygart Valley River to the mouth of Stalnaker Run; thence up Stalnaker Run to Route 24; thence with Route 24 to the junction with Route 33; thence with Route 33 to the junction with Route 30; thence with Route 30 to the junction with Route 22; thence with Route 22 to the junction with Route 27; thence with Route 27 to a branch about one and one-half miles south of Alpena, West Virginia; thence leaving Route 27 and up branch to an old road on top of Shavers Mountain; thence with old road to Shavers Fork of Cheat River about one-fifth mile below the mouth of Wilson Run; thence down Shavers Fork of Cheat River to Route 9; thence with Route 9 to the top of Cheat Mountain; thence with the top of Cheat Mountain to the Panther Run Road; thence with the Panther Run Road to Cherrytree Fork; thence with road up Cherrytree Fork to corner 15 of tract 173; thence with tract 173 to corner 2 of tract 138; thence with tract 138 to corner 8; thence leaving tract 138 and with the top of Cheat Mountain to corner 14 of tract 98; thence with tract 98 to corner 11; thence leaving tract 98 and with the top of Cheat Mountain to the corner between Barbour, Randolph, and Tucker counties; thence with the Barbour-Tucker County line to the Laurel Triangulation Station; thence leaving the county line and by a straight line to the intersection of Routes 8 and 19; thence with Route 19 to intersection with Route 6; thence with Route 6 to Cheat River; thence down Cheat River to the Preston-Tucker county line; thence with the Preston-Tucker county line to Route 112; thence with Route 112 to the intersection with Route 116;

thence with the Horseshoe Run divide to corner 15 of the tract 87m; thence with tract 87m to a point on the Preston-Tucker county line; thence leaving tract 87m and with the Preston-Tucker county line to the beginning.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington, this 28'' day of April, in the year of our Lord nineteen hundred and thirty-six and of [SEAL] the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2166]

GEORGE WASHINGTON NATIONAL FOREST—VIRGINIA AND WEST VIRGINIA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

April 28, 1936.

A PROCLAMATION

George Washington National Forest, Va., and W. Va. Preamble.

WHEREAS it is desired to transfer from the Monongahela National Forest to the George Washington National Forest certain of the lands contained within the boundaries hereinafter described, and to include in and reserve as a part of the George Washington National Forest certain lands acquired by the United States for forestry purposes within the States of Virginia and West Virginia under sections 6 and 7 of the act of March 1, 1911, 36 Stat. 961, 962, as amended (U. S. C., Title 16, secs. 515, 516), and contained within the said boundaries; and

Vol. 36, p. 962. U. S. C., p. 666.

WHEREAS it appears that it would be in the public interest to redefine the boundaries of the George Washington National Forest:

Boundaries modified.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power vested in me by section 24 of the act of March 3, 1891, 26 Stat. 1095, 1103, as amended (U. S. C., Title 16, sec. 471), the act of June 4, 1897, ch. 2, 30 Stat. 36 (U. S. C., Title 16, sec. 473), and by section 11 of the said act of March 1, 1911 (U. S. C., Title 16, sec. 521), do proclaim that all lands of the United States within the following-described boundaries shall be, and are hereby, included in, reserved as, and made a part of the George Washington National Forest in the States of Virginia and West Virginia, and that all lands within the said boundaries which may hereafter be acquired by the United States under the said act of March 1, 1911, as amended, shall, upon their acquisition, be permanently reserved and administered as part of the George Washington National Forest:

Vol. 26, p. 1103. U. S. C., p. 657. Vol. 30, p. 36; Vol. 36, p. 963. U. S. C., pp. 657, 666. Designated areas reserved.

SHENANDOAH UNIT

Shenandoah Unit.

(NOTE.—The term "present boundary" in the following descriptions refers to boundaries of National Forests as they existed just prior to the issuance of this Proclamation.)

Description.

Beginning at a point on the Allegheny Mountains at the intersection of U. S. Highway #60 with the Virginia-West Virginia State line; thence with the Virginia-West Virginia State line in a northeasterly

Description—Contd. direction approximately 85 miles to the intersection of said State line with Straight Fork at approximately ¼ of a mile north of the village of Hardscrabble, Highland County, Virginia, a point on the present Monongahela National Forest Boundary; thence southwesterly with said Boundary approximately 11 miles to a point common to the present Monongahela National Forest Boundary, the Monongahela Purchase Unit Boundary, State Route #5 and Back Creek; thence southwesterly with Back Creek approximately 16 miles to the intersection of said creek with the Highland-Bath County line; thence with said county line in a southeasterly direction to the Cowpasture River, a point on the present boundary; thence with the present boundary in a general northeasterly direction approximately 120 miles to a point where the present boundary leaves Lost River; thence easterly with Lost River approximately 1 mile to the mouth of Trout Run and the head of Cacapon River; thence with Cacapon River to the corporate limits of Wardensville; thence with south and easterly corporate limits of Wardensville to Route #55; thence with Route #55 in a northeasterly direction approximately 1.8 miles to the intersection of Route #55 with the present boundary; thence with the present boundary in a general northeasterly, southeasterly, and southwesterly direction for approximately 30 miles to corner 4 of the St. Lukes Hospital tract #75 b–2; thence leaving present boundary S. 6°00′ W. ⅞ mile to corner 2 of tract 752, a point on the present boundary; thence with present boundary in a general southwesterly direction approximately 26 miles to Liberty Furnace; thence with Route #717 at Liberty Furnace in a southwesterly direction via Jerome, approximately 4½ miles to a point where Route #717 intersects present boundary; thence with present boundary in a southwesterly direction approximately 17 miles to the mouth of Sours Run on Runions Creek; thence leaving the present boundary and down Runions Creek to the mouth of Runions Creek on the North Fork Shenandoah River, a point in the present boundary; thence with the present boundary in an easterly and a southwesterly direction direction[1] approximately 55 miles to the intersection of present boundary with the Augusta-Rockbridge County line; thence leaving the present boundary and with Augusta-Rockbridge County line in a southeasterly direction approximately 5 miles to a point where said county line crosses Route #602 near Walkers Creek; thence southwesterly with Route #602 approximately 9 miles to the junction of Route #602 with Route #501 (Warm Springs-Lexington Highway) at Rockbridge Baths in Rockbridge County; thence with said Route #501 northwesterly approximately .9 mile to the junction with Route #623; thence with Route #623 in a southwesterly direction along the base of Hog Back and Dale Mountain, approximately 10 miles to the junction of U. S. Highway #60; thence with said U. S. Highway #60 in a westerly direction via Clifton Forge and Covington, Virginia, approximately 57 miles to the point of beginning.

Massanutten Unit.

MASSANUTTEN UNIT

Description. Beginning at a concrete tank on top of hill over Massanutten Caverns, approximately 6 miles southeast of Harrisonburg, Rockingham County, Virginia, a point on the present boundary; thence with the present boundary northeasterly approximately 35 miles to the North Fork of Shenandoah River, a point approximately 1.5 miles

[1] So in original.

Description—Contd.

southeast of Edinburg, Virginia; thence leaving the present boundary and with the North Fork of Shenandoah River northeasterly and easterly approximately 3 miles to corner 2 of Town of Woodstock Tract #410 (acquired) a point on the North Fork of Shenandoah River and the present boundary; thence with the present boundary northeasterly, easterly, and southwesterly approximately 30 miles to a small creek flowing into the South Fork of Shenandoah River a point on the present boundary approximately 3.2 miles north of Bentonville, Warren County, Virginia, and about 3.4 miles southeast of Elizabeth Furnace; thence with said creek in an easterly direction approximately .02 mile to the south Fork of Shenandoah River; thence leaving the present boundary and up the South Fork of Shenandoah River in a southwesterly direction approximately 6 miles to where the said river meets the present boundary, a point approximately 2 miles northwest of Bentonville; thence with the South Fork of Shenandoah River and the present boundary southwesterly approximately 7 miles to a point approximately 1.8 miles west of Campton, Page County, Virginia; thence leaving the present boundary and up the South Fork of Shenandoah River for approximately 3 miles to a point where the said river meets the present boundary; thence with the present boundary southwesterly approximately 12 miles to where the present boundary leaves Route #615, a point approximately 4 miles northwesterly of Luray, Virginia, thence leaving the present boundary and with Route #615 in a southwesterly direction approximately 3 miles to the intersection of Route #615 with U. S. Highway #211; thence with U. S. Highway #211 southwesterly, approximately 1.5 miles to where U. S. Highway #211 meets the present boundary; thence leaving U. S. Highway #211 and with the present boundary southwesterly and northwesterly to the place of beginning.

NATURAL BRIDGE

Natural Bridge.

Description.

Beginning at the junction of North River with James River, approximately 1 mile southeast of the Village of Glasgow, Rockbridge County, Virginia, a point on the present boundary; thence with the present boundary in a northeasterly, easterly, and southwesterly direction to corner 2 of C. H. Foster Tract 16; thence leaving the present boundary S. 8°00′ E. approximately 3 miles to the junction of Route #647 with Route #649, approximately 1.7 miles west of Pedlar Mills; thence southeasterly with Route #649 approximately 4 miles to the end of said route on James River; thence in a northwesterly direction with James River to the place of beginning.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 28″ day of April, in the year of our Lord nineteen hundred and thirty-six and of the
[SEAL] Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2167]

OZARK NATIONAL FOREST—ARKANSAS

May 13, 1936.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Ozark National Forest, Ark. Preamble. Vol. 36, p. 962. U. S. C., p. 666.

WHEREAS certain lands within areas adjoining the Ozark National Forest, in Arkansas, have been acquired by the United States under authority of Sections 6 and 7 of the Act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., Title 16, Secs. 515, 516); and

WHEREAS it appears that it would be in the public interest to add such lands and certain adjoining public lands within the areas hereinafter designated to the said National Forest:

Reserving area for national forest. Vol. 26, p. 1103. U. S. C., p. 657.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by Section 24 of the Act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., Title 16, Sec. 471), the Act of June 4, 1897, 30 Stat. 1136, and Section 11 of the said Act of March 1, 1911, do proclaim that all lands of the United States within the areas shown as additions on the diagram hereto annexed and made a part hereof are included in and reserved as a part of the Ozark National Forest, and that all lands within such areas which may hereafter be acquired by the United States under the said Act of March 1, 1911, as amended, shall upon acquisition of title thereto be permanently reserved and administered as a part of the said Forest.

Prior rights not affected.

The reservation made by this proclamation shall as to all lands which are at this date legally appropriated under the public land laws or reserved for any public purpose other than for classification under Executive Order No. 6964 of February 5, 1935, be subject to, and shall not interfere with or defeat, legal rights under such appropriation, nor prevent the use for such public purpose of lands so reserved, so long as such appropriation is legally maintained or such reservation remains in force.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 13'' day of May, in the year of our Lord nineteen hundred and thirty-six and of the [SEAL] Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2168]

APALACHICOLA NATIONAL FOREST—FLORIDA

May 13, 1936.

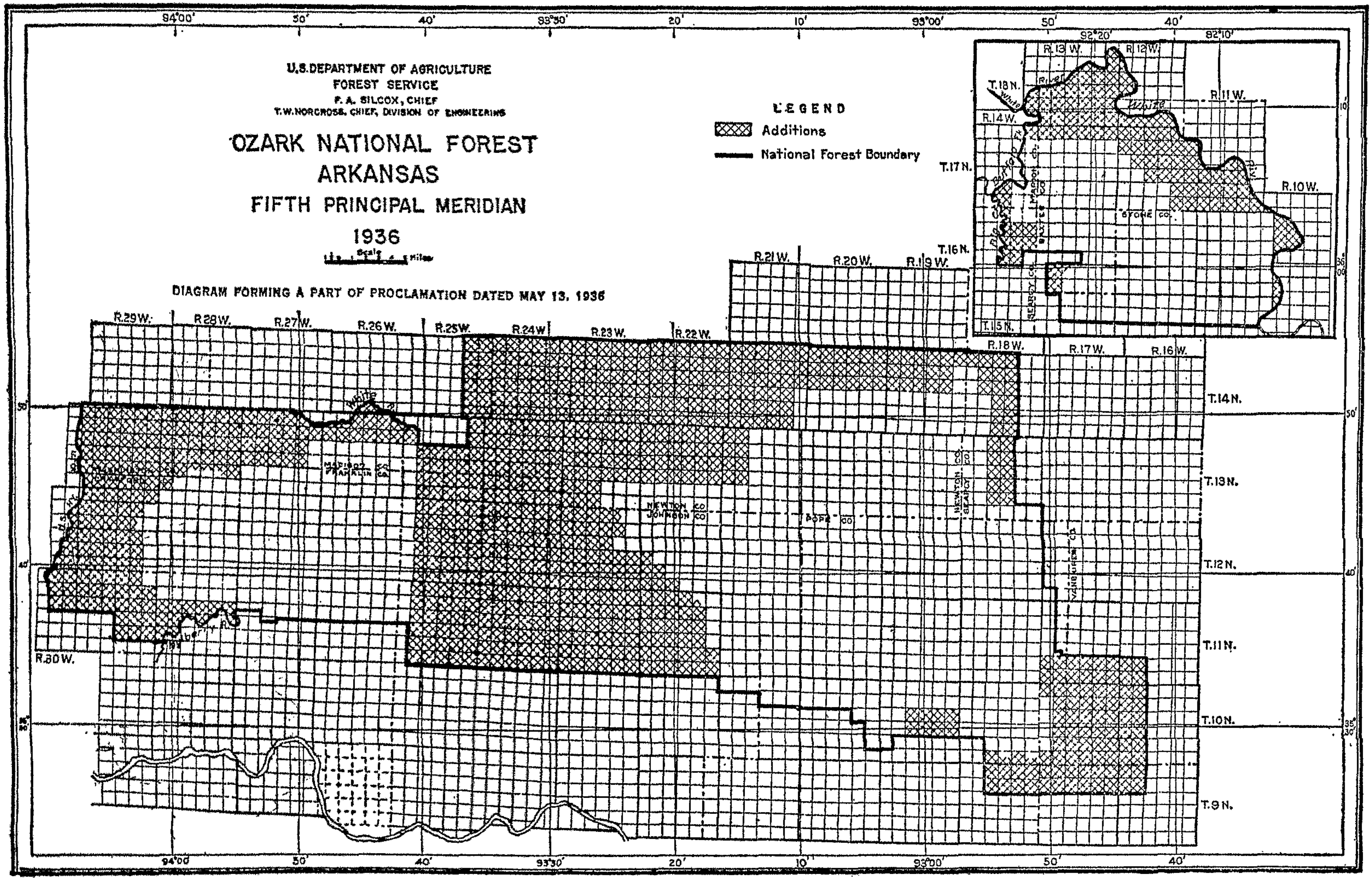
BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

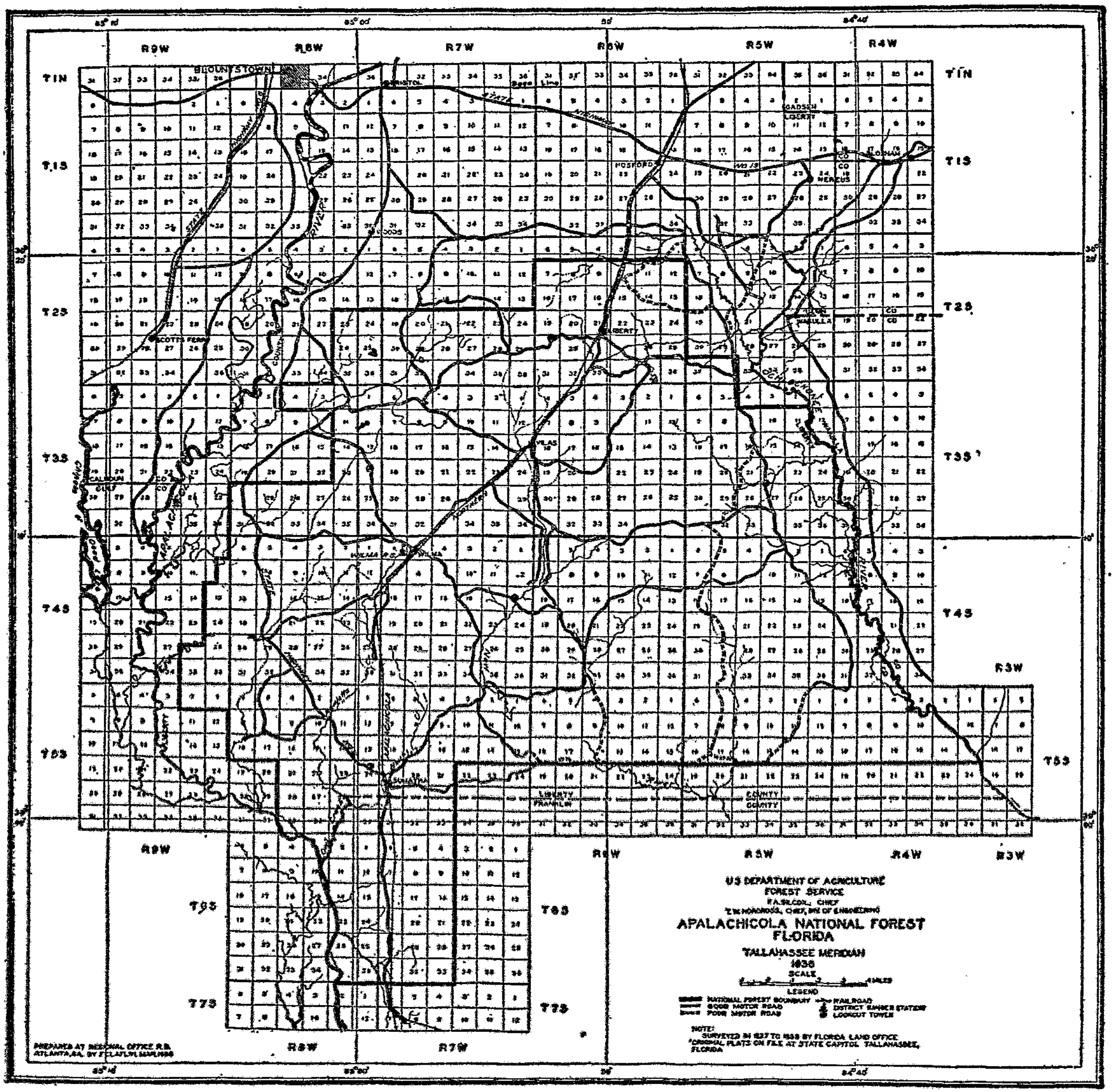
A PROCLAMATION

Apalachicola National Forest, Fla. Preamble. Vol. 36, p. 962. U. S. C., p. 666.

WHEREAS certain forest lands within the State of Florida have been or may hereafter be acquired by the United States of America under the authority of Sections 6 and 7 of the Act of March 1, 1911,

3516—1


U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
F. A. SILCOX, CHIEF
T. W. NORCROSS, CHIEF, DIVISION OF ENGINEERING
OZARK NATIONAL FOREST
ARKANSAS
FIFTH PRINCIPAL MERIDIAN
1936
Scale
Miles
DIAGRAM FORMING A PART OF PROCLAMATION DATED MAY 13, 1936
LEGEND
Additions
National Forest Boundary
R.29W.
R.28W.
R.27W.
R.26W.
R.25W.
R.24W.
R.23W.
R.22W.
R.21W.
R.20W.
R.19W.
R.18W.
R.17W.
R.16W.
R.30W.
T.14N.
T.13N.
T.12N.
T.11N.
T.10N.
T.9N.
NEWTON CO.
JOHNSON CO.
POPE CO.
NEWTON CO.
SEARCY CO.
VAN BUREN CO.
MADISON CO.
FRANKLIN CO.
R.13W.
R.12W.
R.11W.
R.10W.
R.14W.
T.18N.
T.17N.
T.16N.
T.15N.
STONE CO.
SEARCY CO.
White
94°00'
50'
40'
93°30'
20'
10'
93°00'
50'
40'
92°20'
92°10'



U S DEPARTMENT OF AGRICULTURE
FOREST SERVICE
APALACHICOLA NATIONAL FOREST
FLORIDA
TALLAHASSEE MERIDIAN
SCALE
LEGEND
NATIONAL FOREST BOUNDARY
RAILROAD
GOOD MOTOR ROAD
DISTRICT RANGER STATION
POOR MOTOR ROAD
LOOKOUT TOWER
NOTE:
ORIGINAL PLATS ON FILE AT STATE CAPITOL TALLAHASSEE, FLORIDA
R9W
R8W
R7W
R6W
R5W
R4W
R3W
T1N
T1S
T2S
T3S
T4S
T5S
T6S
T7S
BLOUNTSTOWN
BRISTOL
HOSFORD
SCOTTS FERRY
WOODS
VILAS
WILMA
SUMATRA
TELOGIA
WAKULLA
LIBERTY
FRANKLIN
COUNTY

3517—1

ch. 186, 36 Stat. 961, as amended (U. S. C., Title 16, Secs. 515 and 516); and

WHEREAS it appears that it would be in the public interest to designate said lands as the Apalachicola National Forest:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America by virtue of the power vested in me by Section 24 of the Act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., Title 16, Sec. 471), and by Section 11 of the said Act of March 1, 1911 (U. S. C., Title 16, Sec. 521), do proclaim that there are hereby reserved and set apart as the Apalachicola National Forest all lands of the United States within the area shown on the diagram hereto attached and made a part hereof, and that all lands therein which may hereafter be acquired by the United States under authority of said Act of March 1, 1911, as amended, shall, upon their acquisition, be reserved and administered as part of said National Forest. Reserving area for national forest. Vol. 26, p. 1103. U. S. C., pp. 657, 666.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington, this 13" day of May, in the year of our Lord nineteen hundred and thirty-six and of [SEAL] the independence of the United States of America, the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2169]

NATIONAL MARITIME DAY

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

May 18, 1936.

A PROCLAMATION

WHEREAS on May 22, 1819, the steamship *The Savannah* sailed from Savannah, Georgia, on the first successful transoceanic voyage under steam propulsion, thus making a material contribution to the advancement of ocean transportation; and National Maritime Day. Preamble.

WHEREAS Public Resolution 7, Seventy-third Congress, approved May 20, 1933, provides, in part: Vol. 48, p. 73.

"That May 22 of each year shall hereafter be designated and known as National Maritime Day, and the President is authorized and requested annually to issue a proclamation calling upon the people of the United States to observe such National Maritime Day by displaying the flag at their homes or other suitable places and Government officials to display the flag on all Government buildings on May 22 of each year.";

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby call upon the people of the United States to observe May 22, 1936, as National Maritime Day by displaying the flag at their homes or other suitable places, and do direct Government officials to display the flag on all Government buildings on that day. Inviting observance of May 22, 1936, as.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 18'' day of May, in the year of our Lord nineteen hundred and thirty-six, and of the [SEAL] Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2170]

INCREASING RATES OF DUTY ON COTTON CLOTH

May 21, 1936.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Tariff on cotton cloth, etc.
Statutory authorization.
Vol. 46, p. 701.

WHEREAS pursuant to section 336 of Title III, Part II, of the Tariff Act of 1930 (46 Stat. 590, 701), the United States Tariff Commission has investigated the differences in costs of production of, and all other facts and conditions enumerated in said section with respect to, cotton cloth, being wholly or in part the growth or product of the United States and of and with respect to a like or similar article wholly or in part the growth or product of the principal competing country;

WHEREAS in the course of said investigation a hearing was held, of which reasonable public notice was given and at which parties interested were given reasonable opportunity to be present, to produce evidence, and to be heard;

WHEREAS the Commission has reported to the President the results of said investigation and its findings with respect to such differences in costs of production;

WHEREAS the Commission has found it shown by said investigation that the principal competing country is Japan, and that the duties expressly fixed by statute do not equalize the differences in the costs of production of the domestic article and the like or similar foreign article when produced in said principal competing country, and has specified in its report the increases in the rates of duty expressly fixed by statute found by the Commission to be shown by said investigation to be necessary to equalize such differences; and

WHEREAS in the judgment of the President such rates of duty are shown by such investigation of the Tariff Commission to be necessary to equalize such differences in costs of production:

Increasing duty to equalize differences in costs of production.
Vol. 46, p. 701.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by sec. 336 (c), Title III, Part II of the said Act do hereby approve and proclaim increases in the rates of duty expressly fixed in Paragraph 904 (b) of Title I of the said Act on cotton cloth, bleached, containing yarns the average number of which exceeds number 30 but does not exceed number 50, from 13 per centum ad valorem and, in addition thereto, for each number, thirty-five one-hundredths of 1 per centum ad valorem, to 18½ per centum ad valorem and, in addition thereto, for each number, one-half of 1 per centum ad valorem; and increases in the rates of duty expressly fixed

Vol. 46, p. 641.

in Paragraph 904 (c) of Title I of the said Act on cotton cloth, printed, dyed, or colored, containing yarns the average number of which exceeds number 30 but does not exceed number 50, from 16 per centum ad valorem and, in addition thereto, for each number, thirty-five one-hundredths of 1 per centum ad valorem, to 22½ per centum ad valorem and, in addition thereto, for each number, one-half of 1 per centum ad valorem.

None of the foregoing increases in rates of duty shall be applied to any cotton cloth of a kind described in Paragraph 904 (d) of Title I of the said Act.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 21st day of May in the year of our Lord nineteen hundred and thirty-six, and of the [SEAL] Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2171]

EMERGENCY BOARD, WESTERN PACIFIC RAILROAD COMPANY, SACRAMENTO NORTHERN RAILWAY, TIDEWATER SOUTHERN RAILWAY—EMPLOYES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

May 21, 1936.

A PROCLAMATION

Labor disputes, Western Pacific Railroad Company, Sacramento Northern Railway, and Tidewater Southern Railway and their employees. Preamble.

WHEREAS the President, having been duly notified by the National Mediation Board that disputes between the Western Pacific Railroad Company, Sacramento Northern Railway and Tidewater Southern Railway, carriers, and certain of their employes represented by

Brotherhood of Locomotive Engineers;
Order of Railway Conductors;

which disputes have not been heretofore adjusted under the provisions of the Railway Labor Act, amended, now threaten substantially to interrupt interstate commerce within the States of California, Nevada and Utah, to a degree such as to deprive that section of the country of essential transportation service;

Emergency board created to investigate and to report thereon.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by the Constitution and laws of the United States, and by virtue of and under the authority in me vested by Section 10 of the Railway Labor Act, amended, do hereby create a board to be composed of three persons not pecuniarily or otherwise interested in any organization of railway employes or any carrier, to investigate and report their findings to me within thirty days from this date.

Vol. 44, p. 586. U. S. C., p. 1971.

Compensation, etc.

The members of this board shall be compensated for and on account of such duties in the sum of seventy-five dollars for every day actually employed with or upon account of travel and duties incident to such board. The members will be reimbursed for and they are hereby authorized to make expenditures for expenses for themselves and of the board, including traveling expenses and in conformity with

Expenditures.

Vol. 47, p. 405.

Public No. 212, 72d Congress, Approved June 30, 1932, 11:30 a. m., not to exceed five ($5.00) dollars per diem for expenses incurred for subsistence.

All expenditures of the board shall be allowed and paid for out of the appropriation "Emergency Boards, Railway Labor Act, May 20, 1926, 1936" on the presentation of itemized vouchers properly approved by the chairman of the board hereby created.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 21st day of May in the year of our Lord nineteen hundred and thirty-six, and of the
[SEAL] Independence of the United States of America the one hundred and sixtieth

FRANKLIN D ROOSEVELT

By the President.
CORDELL HULL
Secretary of State

[No. 2172]

KISATCHIE NATIONAL FOREST—LOUISIANA

June 3, 1936.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Kisatchie National Forest, La. Preamble. Vol. 36, p. 962. U. S. C., p. 666.

WHEREAS certain forest lands within the State of Louisiana have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

WHEREAS it appears that it would be in the public interest to designate such lands as the Kisatchie National Forest:

Reserving areas for national forest. Vol. 26, p. 1103. U. S. C., p. 657. U. S. C., p. 666.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, sec. 521), do proclaim that there are hereby reserved and set apart as the Kisatchie National Forest (consisting of the Catahoula, Evangeline, Kisatchie, and Vernon divisions) all lands of the United States within the areas shown on the diagrams hereto attached and made a part hereof, and that all lands therein which may hereafter be acquired by the United States under authority of the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Kisatchie National Forest.

Future acquisitions.

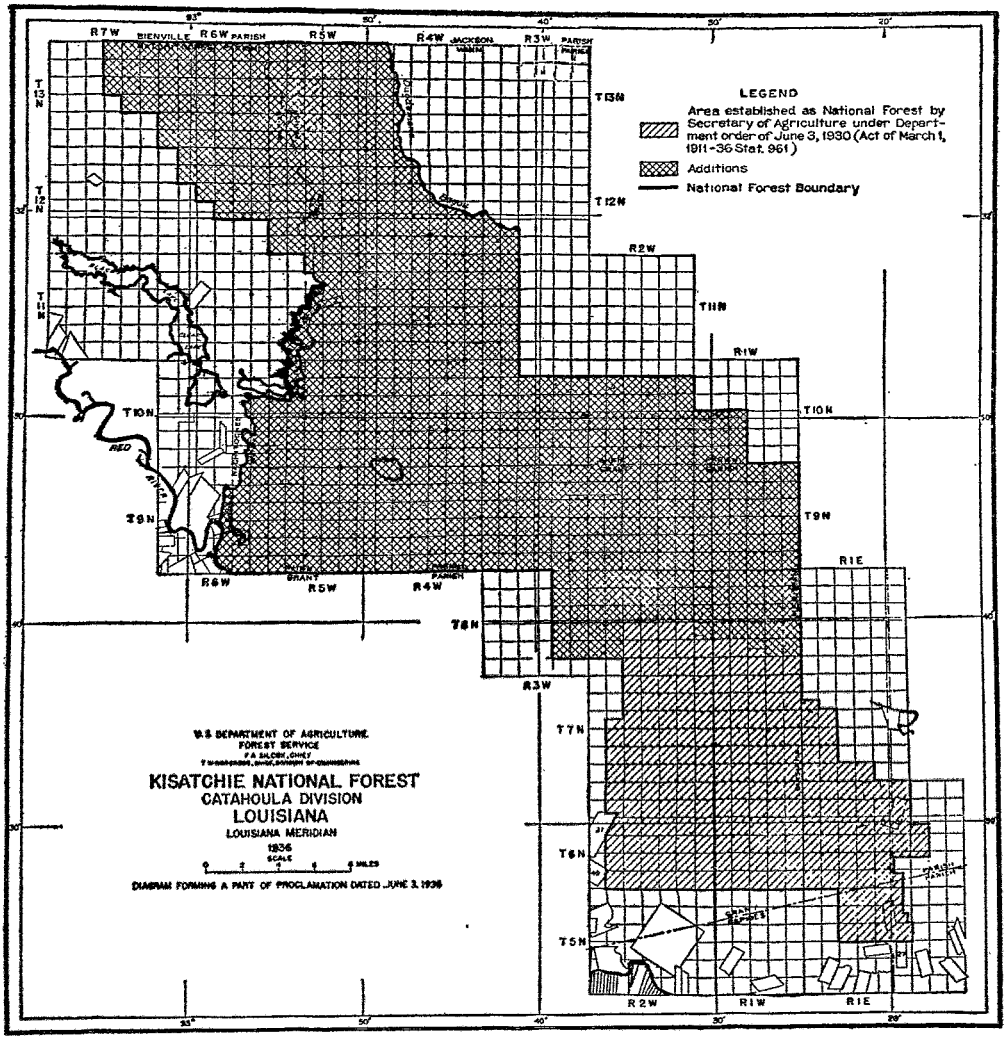
IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 3d day of June, in the year of our Lord nineteen hundred and thirty-six and of the
[SEAL] Independence of the United States of America the one hundred and sixtieth.

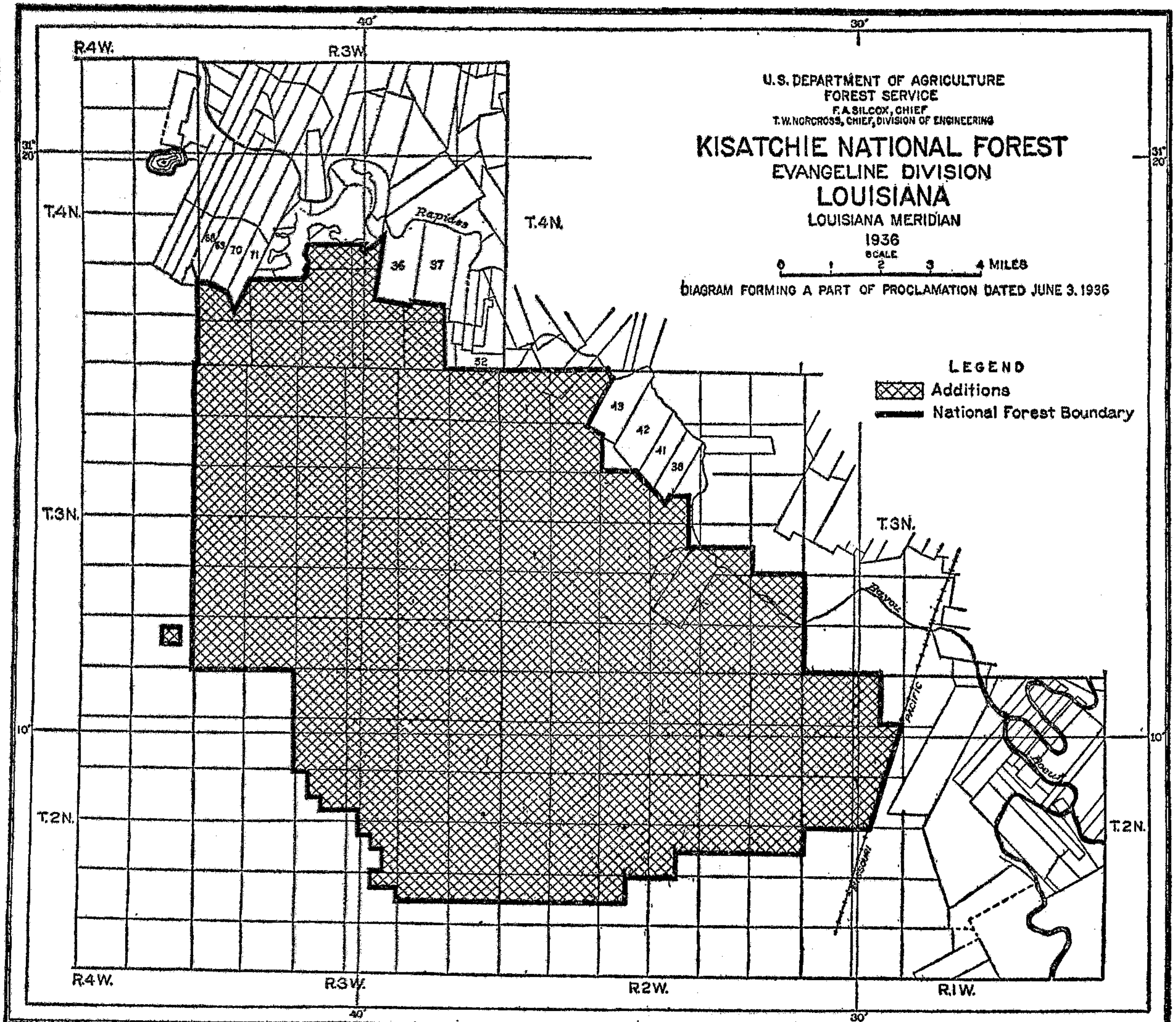
FRANKLIN D ROOSEVELT

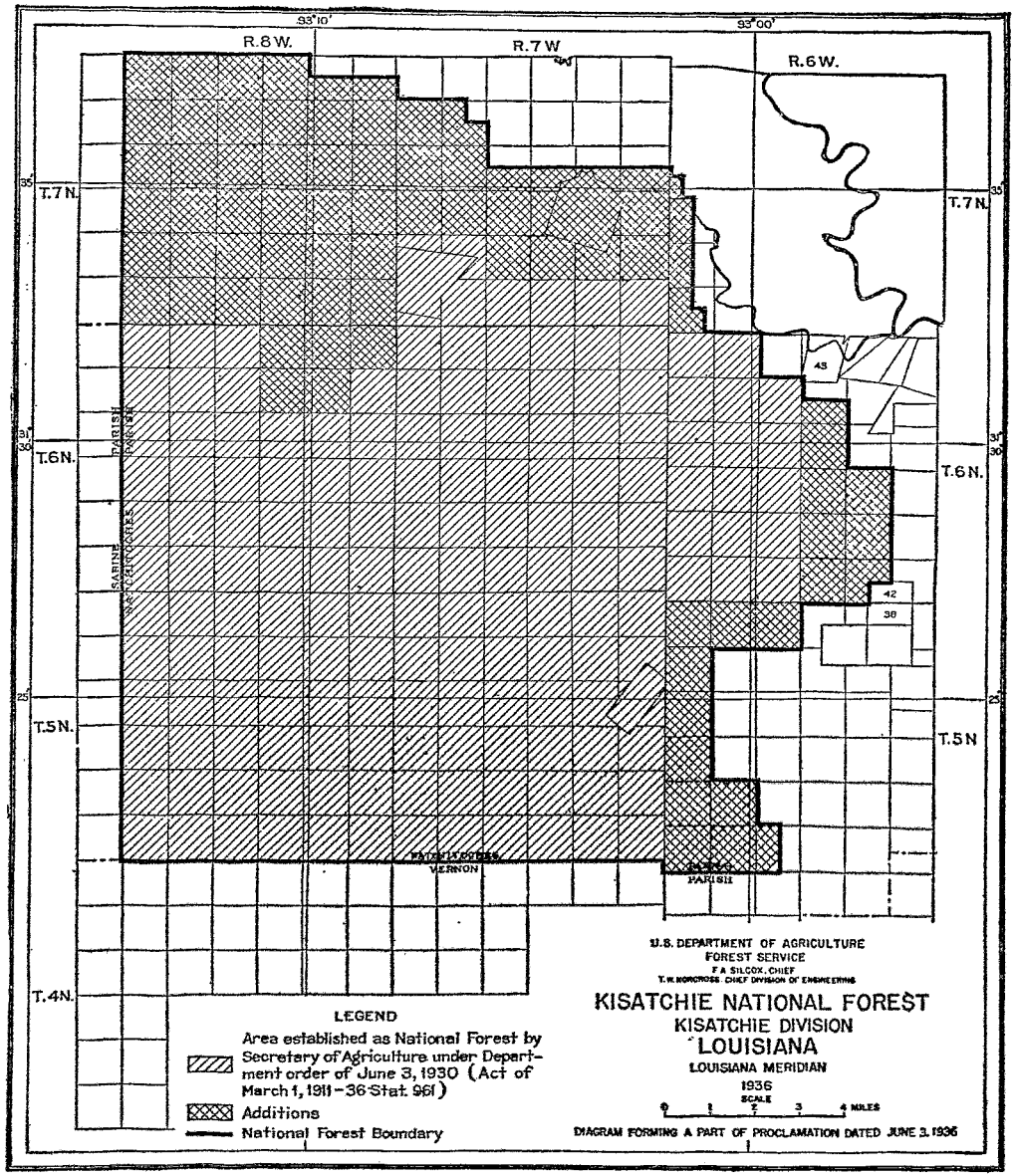
By the President:
CORDELL HULL
Secretary of State.

[No. 2173]


LEGEND
Area established as National Forest by Secretary of Agriculture under Department order of June 3, 1930 (Act of March 1, 1911 - 36 Stat. 961)
Additions
National Forest Boundary
U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
KISATCHIE NATIONAL FOREST
CATAHOULA DIVISION
LOUISIANA
LOUISIANA MERIDIAN
1936
SCALE
DIAGRAM FORMING A PART OF PROCLAMATION DATED JUNE 3, 1936
BIENVILLE PARISH
JACKSON PARISH
GRANT PARISH
CATAHOULA PARISH
RED
R7W
R6W
R5W
R4W
R3W
R2W
R1W
R1E
T13N
T12N
T11N
T10N
T9N
T8N
T7N
T6N
T5N

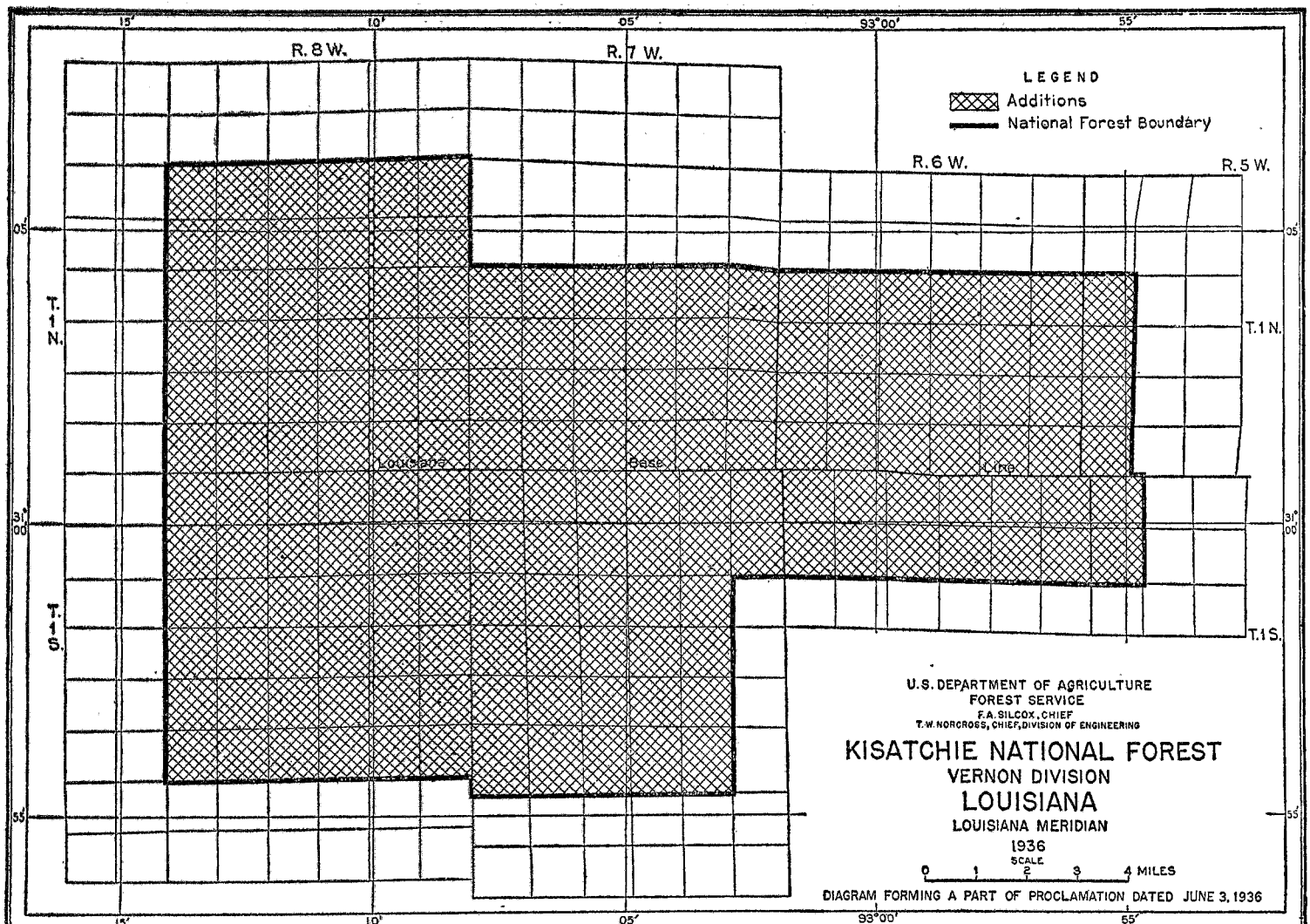
3520—2


U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
F. A. SILCOX, CHIEF
T. W. NORCROSS, CHIEF, DIVISION OF ENGINEERING
KISATCHIE NATIONAL FOREST
EVANGELINE DIVISION
LOUISIANA
LOUISIANA MERIDIAN
1936
SCALE
0 1 2 3 4 MILES
DIAGRAM FORMING A PART OF PROCLAMATION DATED JUNE 3, 1936
LEGEND
Additions
National Forest Boundary
R.4W.
R.3W.
R.2W.
R.1W.
T.4N.
T.3N.
T.2N.
40'
30'
31° 20'
10'


93°10'
93°00'
R.8W.
R.7W
R.6W.
T.7N.
T.6N.
T.5N.
T.4N.
35'
30'
25'
SABINE PARISH
SAN AUGUSTINE PARISH
VERNON PARISH
43
42
38
U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
F.A. SILCOX, CHIEF
T.H. NORCROSS, CHIEF DIVISION OF ENGINEERING
KISATCHIE NATIONAL FOREST
KISATCHIE DIVISION
LOUISIANA
LOUISIANA MERIDIAN
1936
SCALE
0 1 2 3 4 MILES
LEGEND
Area established as National Forest by Secretary of Agriculture under Department order of June 3, 1930 (Act of March 1, 1911 - 36 Stat. 961)
Additions
National Forest Boundary
DIAGRAM FORMING A PART OF PROCLAMATION DATED JUNE 3, 1936

3520—3

3520—4


15'
10'
05'
93°00'
55'
R. 8 W.
R. 7 W.
R. 6 W.
R. 5 W.
LEGEND
Additions
National Forest Boundary
05'
T. 1 N.
T. 1 S.
31° 00'
Louisiana Base Line
U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
F.A. SILCOX, CHIEF
T.W. NORCROSS, CHIEF, DIVISION OF ENGINEERING
KISATCHIE NATIONAL FOREST
VERNON DIVISION
LOUISIANA
LOUISIANA MERIDIAN
1936
SCALE
0 1 2 3 4 MILES
DIAGRAM FORMING A PART OF PROCLAMATION DATED JUNE 3, 1936

BIENVILLE NATIONAL FOREST—MISSISSIPPI

June 15, 1936.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Bienville National Forest, Miss. Preamble. Vol. 36, p. 962. U. S. C., p. 666.

WHEREAS certain forest lands within the State of Mississippi have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

WHEREAS it appears that it would be in the public interest to reserve and designate such lands as the Bienville National Forest:

Reserving areas for national forest. Vol. 26, p. 1103. U. S. C., p. 657. U. S. C., p. 666.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, sec. 521), do proclaim that there are hereby reserved and set apart as the Bienville National Forest all lands of the United States within the following-described areas, and that all lands therein which may hereafter be acquired by the United States under authority of said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Bienville National Forest:

Future acquisitions.

CHOCTAW MERIDIAN

Choctaw Meridian.

T. 3 N., R. 6 E., sections 1 to 3, inclusive;
sections 10 to 15, inclusive;
sections 22 to 27, inclusive;
sections 34 to 36, inclusive;
T. 3 N., R. 7 E.;
T. 3 N., R. 8 E., sections 1 to 12, inclusive;
sections 18, 19, 30, and 31;
T. 3 N., R. 9 E., sections 1 to 12, inclusive;
T. 3 N., R. 10 E., sections 1 to 12, inclusive;
T. 4 N., R. 6 E., sections 1 to 3, inclusive;
sections 10 to 15, inclusive;
sections 22 to 27, inclusive;
sections 34 to 36, inclusive;
Tps. 4 N., Rs. 7, 8, 9, and 10 E.;
T. 5 N., R. 6 E., sections 1 to 3, inclusive;
sections 10 to 15, inclusive;
sections 22 to 27, inclusive;
sections 34 to 36, inclusive;
Tps. 5 N., Rs. 7, 8, and 9 E.;
T. 5 N., R. 10 E., sections 19 to 36, inclusive;
T. 6 N., R. 6 E., sections 1 to 4, inclusive;
sections 9 to 16, inclusive;
sections 21 to 28, inclusive;
sections 33 to 36, inclusive;
Tps. 6 N., Rs. 7 and 8 E.;
T. 6 N., R. 9 E., sections 5 to 8, inclusive;
sections 17 to 21, inclusive;
sections 28 to 33, inclusive;
T. 7 N., R. 6 E., sections 1 to 3, inclusive;
sections 10 to 15, inclusive;
sections 21 to 28, inclusive;
sections 33 to 36, inclusive;

T. 7 N., R. 7 E., sections 4 to 9, inclusive;
sections 13 to 36, inclusive;
T. 7 N., R. 8 W., sections 19 to 22, inclusive;
sections 27 to 34, inclusive;
T. 8 N., R. 6 E., sections 1 to 4, inclusive;
sections 9 to 15, inclusive;
sections 22 to 27, inclusive;
sections 34 to 36, inclusive;
T. 8 N., R. 7 E., sections 19 to 21, inclusive;
sections 28 to 33, inclusive.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 15'' day of June, in the year of our Lord nineteen hundred and thirty-six and of the [SEAL] Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2175]

HOLLY SPRINGS NATIONAL FOREST—MISSISSIPPI

June 15, 1936.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Holly Springs National Forest, Miss. Preamble. Vol. 36, p. 962. U. S. C., p. 666.

WHEREAS certain forest lands within the State of Mississippi have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

WHEREAS it appears that it would be in the public interest to reserve and designate such lands as the Holly Springs National Forest:

Reserving areas for national forest.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471) and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, sec. 521), do proclaim that there are hereby reserved and set apart as the Holly Springs National Forest all lands of the United States within the following-described areas, and that all lands therein which may hereafter be acquired by the United States under authority of said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Holly Springs National Forest:

Vol. 26, p. 1103. U. S. C., p. 657.

U. S. C., p. 666.

Future acquisitions.

Chickasaw Meridian.

CHICKASAW MERIDIAN

T. 1 S., R. 2 E., sections 25 to 36, inclusive;
T. 1 S., R. 3 E., sections 27 to 34, inclusive;
T. 2 S., R. 2 E.;
T. 2 S., R. 3 E., sections 3 to 10, inclusive, 15 to 22, inclusive, and sections 27 to 34, inclusive;

T. 3 S., R. 2 W., sections 22 to 27, inclusive, and sections 34, 35, and 36;
T. 3 S., R. 1 W., sections 4 to 36, inclusive;
T. 3 S., R. 1 E., sections 7, 18, and 19, and sections 25 to 36 inclusive;
T. 3 S., R. 2 E.;
T. 3 S., R. 3 E., sections 3 to 10, inclusive, 15 to 22, inclusive, and sections 27 to 34, inclusive;
T. 4 S., R. 2 W., sections 1, 2, 3, and sections 10 to 36, inclusive;
Tps. 4 S., Rs. 1 W., and 1 E.;
T. 4 S., R. 2 E., sections 4 to 9, inclusive, 16 to 21, inclusive, and sections 28 to 33, inclusive;
Tps. 5 S., Rs. 1 and 2 W. and 1 E.;
T. 5 S., R. 2 E., sections 4 to 9, inclusive, 16 to 21, inclusive, and sections 28 to 33, inclusive;
Tps. 6 S., Rs. 1 and 2 W., and 1 E.;
T. 6 S., R. 2 E., sections 4, 5, and 6;
Tps. 7 S., Rs. 1 and 2 W.;
T. 7 S., R. 1 E., sections 4 to 9, inclusive, 16 to 21, inclusive, and sections 28 to 33, inclusive;
Tps. 8 S., Rs. 1 and 2 W.;
T. 8 S., R. 1 E., sections 4 to 9, inclusive, 16 to 21, inclusive, and sections 28 to 33, inclusive;

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 15" day of June, in the year of our Lord nineteen hundred and thirty-six and of the [SEAL] Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2176]

KATMAI NATIONAL MONUMENT—ALASKA

June 15, 1936.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Katmai National Monument, Alaska. Preamble. Vol. 40, p. 1855; Vol. 47, p. 2453.

WHEREAS it appears that it would be in the public interest to modify proclamation No. 1487 of September 24, 1918, establishing the Katmai National Monument, Alaska, and proclamation No. 1950 of April 24, 1931, enlarging such Monument, as hereinafter set out:

Reservations subject to prior existing rights since maintained. Vol. 34, p. 225. U. S. C., p. 651.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 2 of the act of June 8, 1906, ch. 3060, 34 Stat. 225 (U. S. C., Title 16, sec. 431), do proclaim that the aforesaid proclamations are hereby modified so as to make the reservations contained therein subject to valid claims under the public-land laws affecting any lands within the aforesaid Katmai National Monument existing when the proclamations were issued and since maintained.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 15'' day of June, in the year of our Lord nineteen hundred and thirty-six and of [SEAL] the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2177]

DE SOTO NATIONAL FOREST—MISSISSIPPI

June 17, 1936.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

De Soto National Forest, Miss. Preamble. Vol. 36, p. 962. U. S. C., p. 666.

WHEREAS certain forest lands within the State of Mississippi have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

WHEREAS it appears that it would be in the public interest to reserve and designate the said lands as the De Soto National Forest:

Reserving areas for national forest. Vol. 26, p. 1103. U. S. C., p. 657. U. S. C., p. 666. Future acquisitions.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, sec. 521), do proclaim that there are hereby reserved and set apart as the De Soto National Forest all lands of the United States within the following-described areas, and that all lands therein which may hereafter be acquired by the United States under authority of the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the De Soto National Forest:

Leaf River Division.

LEAF RIVER DIVISION

St. Stephens Meridian

T. 1 N., R. 8 W., sections 4 to 9, inclusive, sections 16 to 21, inclusive, and sections 27 to 34, inclusive;
Tps. 1 N., Rs. 9, 10, 11, 12, 13, 14, 15, and 16 W.;
T. 1 N., R. 17 W., sections 1 to 29, inclusive, and sections 32 to 36, inclusive;
T. 2 N., R. 9 W., sections 6 to 9, inclusive, and sections 13 to 36, inclusive;
Tps. 2 N., Rs. 10, 11, and 12 W.;
T. 2 N., R. 15 W., sections 2 to 11, inclusive, sections 14 to 23, inclusive, and sections 26 to 35, inclusive;
Tps. 2 N., Rs. 16 and 17 W.;
T. 3 N., R. 10 W., sections 26 to 36, inclusive;
T. 3 N., R. 11 W., sections 19 to 36, inclusive;
T. 3 N., R. 12 W., sections 22 to 25, inclusive, N½, E½SW, and SE¼ section 26, E½, E½W½ section 35, and section 36;

Tps. 3 N., Rs. 16 and 17 W.;
T. 1 S., R. 8 W., sections 4 to 9, inclusive, 16 to 21, inclusive, and sections 28 to 33, inclusive;
Tps. 1 S., Rs. 9, 10, 11, 12, 13, 14, and 15 W.;
T. 1 S., R. 16 W., sections 1 to 18, inclusive;
Tps. 2 S., Rs. 9 and 10 W.;
Tps. 3 S., Rs. 9 and 10 W.;
T. 3 S., R. 11 W., sections 13, 14, 23 to 26, inclusive, and sections 30, 31, 35, and 36;
T. 3 S., R. 12 W., sections 19 to 36, inclusive;
T. 3 S., R. 13 W., sections 21 to 28, inclusive, and sections 35 and 36;
Tps. 4 S., Rs. 9, 10, 11, and 12 W.;
T. 4 S., R. 13 W., sections 1, 2, 11 to 14, inclusive, 23 to 26, inclusive, and sections 35 and 36;
Tps. 5 S., Rs. 9, 10, 11, 12, and 13 W.;
Tps. 6 S., Rs. 9 and 10 W.;
T. 6 S., R. 11 W., sections 1 to 15, inclusive, sections 23, 24, and NE¼ section 25;
T. 6 S., R. 12 W., sections 1 to 12, inclusive;
T. 6 S., R. 13 W., sections 1 to 12, inclusive;

CHICKASAWHAY DIVISION

Chickasawhay Division.

St. Stephens Meridian

T. 4 N., R. 6 W., sections 5 and 6;
T. 4 N., R. 7 W., sections 1 to 6, inclusive;
T. 5 N., R. 6 W., sections 5 to 8, inclusive, sections 17 to 20, inclusive, and sections 29 to 32, inclusive;
T. 5 N., R. 7 W.;
Tps. 6 N., Rs. 7, 8, and 9 W.;
T. 6 N., R. 10 W., sections 1 to 17, inclusive, sections 20 to 27, inclusive, and sections 34 to 36, inclusive;
Tps. 7 N., Rs. 8, 9, and 10 W.

Prior rights, etc., not affected.

The reservation made by this proclamation shall as to all lands which are at this date legally appropriated under the public land laws or reserved for any public purpose other than classification, be subject to, and shall not interfere with or defeat, legal rights under such appropriations, or prevent the use for such public purposes of lands so reserved, so long as such appropriations are legally maintained or such reservations remain in force; and this reservation supersedes the withdrawal for classification of the above-described lands made by Executive Order No. 6964 of February 5, 1935.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 17" day of June, in the year of our Lord nineteen hundred and thirty-six and of the Independence of the United States of America the one hundred and sixtieth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2174]

BLACK WARRIOR NATIONAL FOREST—ALABAMA

June 19, 1936.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Black Warrior National Forest, Ala. Preamble. Vol. 36, p. 962. U. S. C., p. 666.

WHEREAS certain lands within areas adjoining the Alabama National Forest in the State of Alabama have been acquired by the United States under authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

WHEREAS it appears that it would be in the public interest to add such lands and certain adjoining public lands within the areas hereinafter designated to the said National Forest; and

Alabama National Forest. Name changed. Vol. 40, p. 1740.

WHEREAS it further appears that it would be in the public interest to change the name of said Alabama National Forest, as established by proclamation of January 15, 1918, 40 Stat. 1740, to the Black Warrior National Forest:

Area enlarged.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), the act of June 4, 1897, 30 Stat. 11, 34, 36, and section 11 of the said act of March 1, 1911, do proclaim that all lands of the United States within the following-described areas are included in and reserved as part of the Black Warrior National Forest, and that all lands within such areas which may hereafter be acquired by the United States under the said act of March 1, 1911, as amended, shall upon acquisition of title thereto be reserved and administered as part of the Black Warrior National Forest:

Vol. 26, p. 1103. U. S. C., p. 657. Vol. 30, pp. 34, 36. U. S. C., p. 666.

Future acquisitions.

Huntsville Meridian.

HUNTSVILLE MERIDIAN

Description.

T. 7 S., R. 6 W., section 31, S½ sections 32 to 34, inclusive;
T. 7 S., R. 7 W., S½ section 19, sections 30 and 31, and S½ sections 32 to 36, inclusive;
T. 7 S., R. 8 W., SW¼ section 13, S½ section 14, SE¼ section 22, section 23, W½ and SE¼ section 24, and sections 25 to 36, inclusive;
T. 7 S., R. 9 W., W½ and SE¼ section 19, S½ section 20, section 25, W½ section 28, and sections 29 to 36, inclusive;
T. 7 S., R. 10;
T. 8 S., R. 6 W., SW¼ section 1, sections 2 to 11, inclusive, NW¼ section 12, and sections 14 to 36, inclusive;
Tps. 8 S., Rs. 7, 8, 9, and 10 W.;
Tps. 9 S., Rs. 6, 7, 8, 9, and 10 W.;
Tps. 10 S., Rs. 6, 7, 8, 9, and 10 W.;
Tps. 11 S., Rs. 6, 7, 8, 9, and 10 W.;
T. 12 S., R. 6 W., All that part lying in Winston County;
T. 12 S., R. 7 W., sections 1 to 18, inclusive;
T. 12 S., R. 8 W., sections 1 to 18, inclusive;
T. 12 S., R. 9 W., sections 1 to 18, inclusive;
T. 12 S., R. 10 W., sections 1 to 18, inclusive.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 19″ day of June, in the year of our Lord nineteen hundred and thirty-six and of the
[SEAL] Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2178]

EXPORT OF ARMS, AMMUNITION, AND IMPLEMENTS OF WAR TO ETHIOPIA AND ITALY

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

June 20, 1936.

A PROCLAMATION

WHEREAS by my proclamation of February 29, 1936, issued pursuant to section 1 of the joint resolution of Congress approved on the same date, extending and amending the joint resolution of Congress approved August 31, 1935, I proclaimed that a state of war unhappily continued to exist between Ethiopia and the Kingdom of Italy,

Export of arms, etc., to Ethiopia and Italy. Preamble.
Ante, pp. 1152, 3474, 3498.

AND WHEREAS all citizens of the United States or any of its possessions and all persons residing or being within the territory or jurisdiction of the United States or its possessions were thereby admonished to abstain from every violation of the provisions of the joint resolution, made effective and applicable by that proclamation to the export of arms, ammunition, and implements of war from any place in the United States or its possessions to Ethiopia or to the Kingdom of Italy, or to any Italian possession, or to any neutral port for transshipment to, or for the use of, Ethiopia or the Kingdom of Italy,

AND WHEREAS section 1 of the aforesaid joint resolution of Congress approved August 31, 1935, as extended and amended by the aforesaid joint resolution of Congress of February 29, 1936, provides in part as follows:

Ante, p. 1081.
Ante, p. 1152.

"When in the judgment of the President the conditions which have caused him to issue his proclamation have ceased to exist he shall revoke the same and the provisions hereof shall thereupon cease to apply",

AND WHEREAS the conditions which caused me to issue my aforesaid proclamation of February 29, 1936, have ceased to exist,

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby revoke the aforesaid proclamation of February 29, 1936.

Revocation of former proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this 20″ day of June, in the year of our Lord nineteen hundred and thirty-six, and of the
[SEAL] Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2179]

TRAVEL BY AMERICAN CITIZENS ON ETHIOPIAN AND ITALIAN VESSELS

June 20, 1936.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Travel by American citizens on Ethiopian and Italian vessels. Preamble. *Ante*, pp. 3474, 1084.

WHEREAS by my proclamation of October 5, 1935, issued pursuant to section 6 of the joint resolution of Congress approved August 31, 1935, I proclaimed that war unhappily existed between Ethiopia and the Kingdom of Italy,

AND WHEREAS all citizens of the United States were thereby admonished to abstain from traveling on any vessel of either of the belligerent nations contrary to the provisions of the said joint resolution,

AND WHEREAS notice was thereby given that any citizen of the United States who might travel on such a vessel, contrary to the provisions of the said joint resolution, would do so at his own risk,

AND WHEREAS section 6 of the aforesaid joint resolution provides in part as follows:

"When, in the President's judgment, the conditions which have caused him to issue his proclamation have ceased to exist, he shall revoke his proclamation and the provisions of this section shall thereupon cease to apply",

AND WHEREAS the conditions which caused me to issue my aforesaid proclamation of October 5, 1935, have ceased to exist,

Revocation of former proclamation.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby revoke the aforesaid proclamation of October 5, 1935.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this 20'' day of June in the year of our Lord nineteen hundred and thirty-six, and of the [SEAL] Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 2180]

EXECUTIVE AGREEMENTS

3529

EXECUTIVE AGREEMENTS

Protocol and exchange of notes between the United States of America and Mexico relative to general claims. Signed at Mexico City, April 24, 1934; ratified by the President, January 14, 1935; ratified by Mexico, November 23, 1934; ratifications exchanged at Washington, February 1, 1935; proclaimed, February 1, 1935.

April 24, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a protocol[1] relative to claims presented to the General Claims Commission established by the convention of September 8, 1923, between the United States of America and the United Mexican States was signed by their respective Plenipotentiaries on the twenty-fourth day of April, one thousand nine hundred and thirty-four, the original of which protocol, being in the English and Spanish languages is word for word as follows:

Protocol with Mexico relative to General Claims Commission. Vol. 43, p. 1730; Vol. 48, p. 1844. *Ante*, p. 3128.

PROTOCOL RELATIVE TO CLAIMS PRESENTED TO THE GENERAL CLAIMS COMMISSION, ESTABLISHED BY THE CONVENTION OF SEPTEMBER 8, 1923.

Josephus Daniels, Ambassador Extraordinary and Plenipotentiary of the United States of America to the Government of Mexico, and José Manuel Puig Casauranc, Secretary for Foreign Affairs of the United Mexican States, duly authorized, have agreed on behalf of their two Governments to conclude the following Protocol:

Whereas, It is the desire of the two Governments to settle and liquidate as promptly as possible those claims of each Government against the other which are comprehended by, and which have been filed in pursuance of, the General Claims Convention between the two Governments, concluded on September 8, 1923;

PROTOCOLO RELATIVO A LAS RECLAMACIONES PRESENTADAS ANTE LA COMISION GENERAL DE RECLAMACIONES CREADA POR LA CONVENCION DE 8 DE SEPTIEMBRE DE 1923.

Josephus Daniels, Embajador Extraordinario y Plenipotenciario de los Estados Unidos de América ante el Gobierno de México, y José Manuel Puig Casauranc, Secretario de Relaciones Exteriores de los Estados Unidos Mexicanos, debidamente autorizados, convienen en firmar, en nombre de sus respectivos Gobiernos, el siguiente Protocolo:

Plenipotentiaries.

Considerando que es el deseo de ambos Gobiernos arreglar y liquidar, tan pronto como sea posible, las reclamaciones de cada uno de los dos Gobiernos en contra del otro, comprendidas en la Convención General de Reclamaciones celebrada el 8 de septiembre de 1923 entre los dos Gobiernos y registradas de acuerdo con la misma;

[1] NOTE BY THE DEPARTMENT OF STATE: The text of the Protocol between the United States of America and Mexico relative to general claims, signed April 24, 1934, which was printed in Volume 48 of the United States Statutes at Large, pages 1844–1854, is reprinted here together with the President's proclamation and the exchange of notes which were signed on February 1, 1935, after the publication of Volume 48 of the United States Statutes at Large.

Whereas, It is not considered expedient to proceed, at the present time, to the formal arbitration of the said claims in the manner provided in that Convention;

Whereas, It is considered to be conducive to the best interests of the two Governments, to preserve the *status quo* of the General Claims Convention above mentioned and the Convention extending the duration thereof, which latter was concluded on June 18, 1932, as well as the agreement relating to agrarian claims under Article I of the additional Protocol of June 18, 1932;

Whereas, It is advisable to endeavor to effect a more expeditious and more economical disposition of the claims, either by means of an *en bloc* settlement or a more simplified method of adjudication, and

Whereas, In the present state of development of the numerous claims the available information is not such as to permit the two Governments to appraise their true value with sufficient accuracy to permit of the successful negotiation of an *en bloc* settlement thereof at the present time;

Therefore, It is agreed that:

Proceedings.

First.—The two Governments will proceed to an informal discussion of the agrarian claims now pending before the General Claims Commission, with a view to making an adjustment thereof that shall be consistent with the rights and equities of the claimants and the rights and obligations of the Mexican Government, as provided by the General Claims Protocol of June 18, 1932. Pending such discussion no agrarian claims will be presented to the Commissioners referred to in Clause Third nor, in turn, to the Umpire referred to in Clause Fifth of this Protocol; but memorials of cases not yet memorial-

Considerando que no se juzga viable, en los momentos actuales, proceder al arbitraje formal de dichas reclamaciones mediante el procedimiento que establece la Convención mencionada;

Considerando que se juzga conducente para los mejores intereses de ambos Gobiernos conservar el "*statu quo*" de la Convención General de Reclamaciones arriba mencionada y de la Convención de Prórroga celebrada el 18 de junio de 1932, así como de lo convenido para las reclamaciones agrarias en el Artículo I del Protocolo adicional de 18 de junio de 1932;

Considerando que conviene intentar la resolución más rápida y más económica de las reclamaciones, ya sea por medio de un arreglo global o de un método más simplificado para fallarlas, y

Considerando que en el presente estado de tramitación de las numerosas reclamaciones, los datos de que se dispone son de tal naturaleza que no permiten a los dos Gobiernos estimar el verdadero valor de ellas con exactitud suficiente para permitir la negociación con éxito de un arreglo global de las mismas en los momentos actuales;

Por tanto, queda convenido que:

Primero.—Los dos Gobiernos procederán a discutir, de manera informal, las reclamaciones agrarias pendientes en la actualidad ante la Comisión General de Reclamaciones, con el propósito de llegar a un arreglo con respecto a ellas, en consonannancia con la equidad y con los derechos de los reclamantes y con los derechos y obligaciones del Gobierno Mexicano, según lo establecido por el Protocolo de la Comisión General de 18 de junio de 1932. Mientras esté pendiente esta discusión, no se presentarán reclamaciones agrarias a los Comisionados a que se refiere la Claúsula Tercera, ni, en su caso, al Arbitro a que alude

ized may be filed in order to regularize the awards made upon the agreed adjustments.

Consequently, the subsequent provisions of this Protocol shall apply to agrarian claims only insofar as they do not conflict with the status thereof, as exclusively fixed by the terms of the agreed Article I of the additional protocol to the extension of the General Claims Convention, signed June 18, 1932.

Second.—The two Governments shall proceed, in accordance with the provisions of clause Sixth below, promptly to complete the written pleadings and briefs in the remaining unpleaded and incompletely pleaded cases.

Third.—Each Government shall promptly designate, from among its own nationals, a Commissioner, who shall be an outstanding jurist and whose function it shall be to appraise, on their merits, as rapidly as possible, the claims of both Governments which have already been fully pleaded and briefed and those in which the pleadings and briefs shall be completed in accordance herewith.

Fourth.—Six months before the termination of the period herein agreed upon for the completion of the pleadings and briefs referred to in Clause Sixth or at an earlier time should they so agree, the said Commissioners shall meet, at a place to be agreed upon by them, for the purpose of reconciling their appraisals. They shall, as soon as possible, and not later than six months from the date of the completion of the pleadings and briefs, submit to the two Governments a joint report of the results of

la Claúsula Quinta de este Protocolo; pero podrán presentarse Memoriales de los casos en que aun no se hayan presentado, con objeto de formalizar los fallos que se dicten sobre los arreglos propalados.

Consideration of agrarian claims.

Por consiguiente, las disposiciones subsecuentes de este Protocolo serán aplicables a las reclamaciones agrarias únicamente en lo que no se opongan a la situación de dichas reclamaciones, como está fijada exclusivamente por los términos del Artículo I pactado en el Protocolo adicional a la Convención de Prórroga de la Convención General de Reclamaciones, firmada en 18 de junio de 1932.

Procedure to be followed.

Segundo.—Los dos Gobiernos, de acuerdo con las disposiciones de la Cláusula Sexta de este Protocolo, procederán desde luego a completar los escritos y alegatos en los casos en que éstos no se hayan presentado o estén incompletos.

Each party to appoint a Commissioner.

Tercero.—Cada uno de los dos Gobiernos designará en breve plazo a un Comisionado de su propia nacionalidad, quien deberá ser un destacado jurisconsulto y cuyas funciones serán las de estimar en cuanto a sus fundamentos y tan rápidamente como sea posible, las reclamaciones de ambos Gobiernos, en las cuales hayan sido completados todos los escritos y alegatos, así como aquellas en que hayan de completarse tales escritos y alegatos según lo dispuesto por este Protocolo.

Qualifications, functions, etc.

Reconciling appraisals.

Cuarto.—Seis meses antes de vencer el plazo para completar los escritos y alegatos a que se refiere la Cláusula Sexta, o en alguna fecha anterior, en caso de que así lo convengan, los referidos Comisionados se reunirán en el lugar que designen de común acuerdo con el objeto de armonizar sus estimaciones. Tan pronto como sea posible y dentro de los seis meses contados desde la fecha en que se completen los escritos y alegatos, presentarán a los dos Gobiernos un dictamen conjunto sobre el resultado de sus

Joint report to be submitted.

their conferences, indicating those cases in which agreement has been reached by them with respect to the merits and the amount of liability, if any, in the individual cases and also those cases in which they shall have been unable to agree with respect to the merits or the amount of liability, or both.

Claims convention to follow.

Fifth.—The two Governments shall, upon the basis of such joint report, and with the least possible delay, conclude a convention for the final disposition of the claims, which convention shall take one

Forms to be taken.

or the other of the two following forms, namely, first, an agreement for an *en bloc* settlement of the claims wherein there shall be stipulated the net amount to be paid by either Government and the terms upon which payment shall be made; or, second, an agreement for the disposition of the claims upon their individual merits. In this latter event, the two above-mentioned Commissioners shall be required to record their agreements with respect to individual claims and the bases upon which their conclusions shall have been reached in the respective cases.

Report to be final dispositions of cases.

The report shall be accepted, by the convention to be concluded by the two Governments, as final and conclusive dispositions of

Cases in disagreement.

those cases. With respect to those cases in which the Commissioners shall not have been able to reach agreements, the two Governments shall, by the said convention, agree that the pleadings and briefs in such cases, together with the written views of the two Commissioners concern-

Reference to Umpire; effect of decisions.

ing the merits of the respective claims, be referred to an Umpire, whose written decisions shall also be accepted by both Governments as final and binding. All matters relating to the designation of an Umpire, time within which his decisions should be rendered and general provisions relating

conferencias, en el que indicarán los casos en que hayan llegado a un acuerdo en cuanto a los fundamentos y al monto de la responsabilidad, si alguna resultare, en cada caso, indicando asímismo los casos en que no hayan podido ponerse de acuerdo, ya sea respecto a los fundamentos o al monto de la responsabilidad, o a ambas cosas.

Quinto.—Los dos Gobiernos, sobre la base del referido dictamen conjunto, y con el menor retardo posible, celebrarán una Convención para la resolución definitiva de las reclamaciones, debiendo en dicha Convención adoptarse una u otra de las dos formas siguientes, a saber: primero, la de un convenio para un arreglo global de las reclamaciones, en el que se estipulará la cantidad líquida que habrá de pagar alguno de los dos Gobiernos y las condiciones en que se habrá de efectuar tal pago; o, segundo, la de un convenio para la resolución de las reclamaciones sobre los fundamentos de cada una. En este último caso, se exigirá a los dos Comisionados arriba mencionados, que hagan constar los acuerdos celebrados por ellos con respecto a cada una de las reclamaciones y los fundamentos en que se basen sus conclusiones, en el caso respectivo.

El dictamen que rindan será aceptado, por medio de la Convención que celebren los dos Gobiernos, como la resolución definitiva y final de dichos casos. Con respecto a los casos en que los Comisionados no hayan podido ponerse de acuerdo, los dos Gobiernos, en esa misma Convención, estipularán que los escritos y alegatos presentados en ellos, juntamente con las opiniones escritas de los dos Comisionados sobre los fundamentos de las reclamaciones respectivas, se someterán a un Arbitro cuyos fallos escritos serán aceptados también por ambos Gobiernos como definitivos y obligatorios. Todo lo que se refiere a designación de Arbitro, período de tiempo de que dispondrá para fallar y mo-

to his work shall be fixed in a Convention to be negotiated under provisions of this Clause.

Sixth.—The procedure to be followed in the development of the pleadings and briefs, which procedure shall be scrupulously observed by the Agents of the two Governments, shall be the following:

(*a*) The time allowed for the completion of the pleadings and briefs shall be two years counting from a date hereafter to be agreed upon by the two Governments by an exchange of notes, which shall not be later than November 1, 1934.

(*b*) The pleadings and briefs of each Government shall be filed at the Embassy of the other Government.

(*c*) The pleadings and briefs to be filed shall be limited in number to four, namely, Memorial, Answer, Brief and Reply Brief. Only three copies of each need be presented to the other Agent, but four additional copies shall be retained by the filing Agency for possible use in future adjudication. Each copy of Memorial, Answer and Brief shall be accompanied by a copy of all evidence filed with the original thereof. The pleadings and briefs, which may be in either English or Spanish at the option of the filing Government, shall be signed by the respective Agents or properly designated substitutes.

(*d*) With the Memorial the claimant Government shall file all the evidence on which it intends to rely. With the Answer the respondent Government shall file all the evidence upon which it intends to rely. No further evidence shall be filed by either side except such evidence, with the Brief, as rebuts evidence filed with the Answer. Such evidence shall be strictly limited to evidence in rebuttal and there shall be explained at the beginning of the Brief the alleged justification

dalidades de su trabajo, serán fijados en la Convención de que habla esta Claúsula.

Pleadings and briefs.

Sexto.—El procedimiento que se seguirá en el desarrollo de los escritos y alegatos, procedimiento que observarán escrupulosamente los Agentes de los dos Gobiernos, será el siguiente:

(*a*) El plazo concedido para completar los escritos y alegatos será de dos años contados desde la fecha en que posteriormente convengan los dos Gobiernos por medio de un cambio de notas, que no se efectuará más tarde del 1° de noviembre de 1934.

(*b*) Los escritos y alegatos de cada uno de los dos Gobiernos serán presentados en la Embajada del otro Gobierno.

(*c*) Los escritos y alegatos que se presenten quedan limitados a cuatro, a saber: el Memorial, la Contestación, el Alegato y el Alegato de Réplica. Sólo será necesario presentar tres copias de cada uno al otro Agente, pero la Agencia que los presente conservará cuatro ejemplares adicionales para que se puedan usar al resolverse los casos en el futuro. Cada una de las copias de tales Memoriales, Contestaciones y Alegatos irá acompañada de una copia de todas las pruebas presentadas con el escrito original. Los escritos y alegatos, que podrán presentarse en inglés o en español, a voluntad del Gobierno que los presente, estarán firmados por los Agentes respectivos o por substitutos de éstos designados en debida forma.

Evidence.

(*d*) Con el Memorial, el Gobierno demandante presentará todas las pruebas en que se funde. Con su Contestación, el Gobierno demandado presentará todas las pruebas en que piense apoyarse. No se presentará prueba adicional alguna por ninguna de las dos partes exceptuando las pruebas que se presenten con el Alegato para refutar las pruebas presentadas con la Contestación. Tales constancias se limitarán a pruebas de refutación y se expresará al principio del Alegato las justi-

for the filing thereof. If the other side desires to object to such filing, its views may be set forth in the beginning of the Reply Brief, and the Commissioners, or the Umpire, as the case may require, shall decide the point, and if it is decided that the evidence is not in rebuttal to evidence filed with the Answer, the additional evidence shall be entirely disregarded in considering the merits of the claim.

Commissioners may order further evidence.

The Commissioners may at any time order the production of further evidence.

(*e*) In view of the desire to reduce the number of pleadings and briefs to a minimum in the interest of economy of time and expense, it shall be the obligation of both Agents fully and clearly to state in their Memorials the contention of the claimant Government with respect to both the factual bases of the claims in question and the legal principles upon which the claims are predicated and, in the Answer, the contentions of the respondent Government with regard to the facts and legal principles upon which the defense of the case rests. In cases in which Answers already filed do not sufficiently meet this provision so as to afford the claimant Government an adequate basis for preparing its legal Brief with full general knowledge of the factual and legal defenses of the respondent Government, it shall have the right to file a Counter Brief within thirty days following the date of filing the Reply Brief.

(*f*) For the purposes of the above pleadings and briefs, as well as the appraisals and decisions of the two Commissioners and the decisions of the Umpire, above mentioned, the provisions of the General Claims Convention of September 8, 1923, shall be considered as fully effective and binding upon the two Governments, except insofar as concerns the matter of procedure, which shall be that provided for herein.

ficaciones que se tengan para presentar dichas pruebas. Si la otra parte deseare objetar su presentación, sus objeciones pueden manifestarse al principio del Alegato de Réplica, y los Comisionados o el Arbitro, según sea el caso, decidirán el punto. Si se resolviera que las pruebas no refutan las presentadas con la Contestación, las adicionales no se tomarán en cuenta al considerarse los fundamentos de la reclamación.

Los Comisionados podrán en cualquier tiempo pedir que se presenten pruebas adicionales.

(*e*) En vista del deseo que hay de reducir el número de los escritos y alegatos al mínimo, en provecho de la economía de tiempo y gastos, será obligación de ambos Agentes exponer amplia y claramente en sus Memoriales los argumentos del Gobierno demandante con respecto tanto a los hechos en que se base alguna reclamación como a los principios jurídicos en que se funde, y, en la Contestación, los argumentos del Gobierno demandado relativos a los hechos y principios jurídicos en que se apoye la defensa del caso. En los casos en que las Contestaciones ya presentadas no se ajusten exactamente a esta disposición para dar al Gobierno reclamante una base adecuada para la preparación de su Alegato con perfecto conocimiento de los hechos y excepciones legales del Gobierno demandado, tendrá el derecho de presentar un Contra-alegato dentro de los treinta días siguientes a la fecha de la presentación del Alegato de Réplica.

(*f*) Por lo que respecta a los escritos y alegatos arriba mencionados, así como a las estimaciones y fallos de los dos Comisionados y los fallos del Arbitro, se considerarán como plenamente efectivas y obligatorias para ambos Gobiernos las disposiciones de la Convención General de Reclamaciones de 8 de septiembre de 1923, salvo en lo que respecta a la materia de procedimientos, la cual se regirá por el presente Protocolo.

(*g*) Whenever practicable, cases of a particular class shall be grouped for memorializing and/or for briefing.

(*h*) In order that the two Agents may organize their work in the most advantageous manner possible and in order that the two-year period allowed for pleadings and briefs may be utilized, in a manner which shall be most equitable to both sides, each Agent shall, within thirty days from the beginning of the two-year pleading period, submit to the other Agent a tentative statement showing the total number of Memorials and Briefs such Agent intends to file. Six months after the beginning of the two-year pleading period, the two Agents shall respectively submit in the same manner statements setting out definitely by name and docket number the claims in which it is proposed to complete the pleadings and briefs, indicating those in which they intend to combine cases in the manner indicated in paragraph (*g*) above. The number of pleadings and briefs so indicated shall not, except by later agreement between the two Governments, be exceeded by more than ten percent.

(*i*) In order to enable the Agencies to distribute their work equally over the two-year pleading period, each Agency shall be under the obligation to file its Memorials at approximately equal intervals during the first seventeen months of the two-year period, thus allowing the remaining seven months of the period for the completion of the pleadings and briefs in the last case memorialized. The same obligation shall attach with respect to the filing of the pleadings and briefs referred to in paragraph (*k*) below.

(*g*) Siempre que sea factible, se agruparán los casos de una clase determinada, para la presentación de los Memoriales y de los Alegatos, o de cualquiera de los dos.

(*h*) Para que los dos Agentes puedan organizar sus trabajos en la forma más eficiente que sea posible, y para que el período de dos años concedidos para la presentación de escritos y alegatos se pueda aprovechar del modo más equitativo para ambas partes, cada uno de los dos Agentes, dentro de los treinta días siguientes al comienzo de dicho período de dos años para la presentación de tales escritos, deberá presentar al otro Agente un estado previo que demuestre el número total de Memoriales y Alegatos que piense presentar. A los seis meses contados desde el comienzo del referido período de dos años para la presentación de escritos, los dos Agentes presentarán respectivamente, en la misma forma, estados que expongan definitivamente, especificando los nombres y números de registro, las reclamaciones en las que se propongan completar los escritos y alegatos con la indicación de los casos en que piensen agruparlos del modo indicado en el inciso (*g*) anterior. El número de escritos y alegatos mencionados no deberá, salvo acuerdo posterior entre los dos Gobiernos, excederse en más de un diez por ciento.

Time limit for filing Memorials.

(*i*) Para que las Agencias puedan distribuir sus trabajos uniformemente en todo el período de dos años para presentación de escritos, cada una de ellas estará obligada a presentar sus Memoriales a intervalos más o menos iguales durante los primeros diecisiete meses del referido período, a efecto de que durante los siete meses restantes se completen los escritos y alegatos en el último caso en que se hubiere presentado Memorial. Esta misma obligación existirá con respecto a la presentación de los escritos y alegatos a que se refiere el inciso (*k*) más adelante.

Answers.

(*j*) The time to be allowed for filing Answers shall be seventy days from the date of filing Memorials. The time to be allowed for filing Briefs shall be seventy days from the date of filing the Answers. The time to be allowed for filing Reply Briefs shall be seventy days from the date of filing the Briefs.

(*k*) In those cases in which some pleadings or briefs were filed with the General Claims Commission before the date of signature hereof, the Agency which has the right to file the next pleading or brief shall be allowed to determine when that document shall be filed, taking into consideration the necessity of complying with the provisions of paragraph (*i*) above.

(*l*) In counting the seventy-day periods mentioned in paragraph (*j*) above, no deductions shall be made for either Sundays or holidays. The date of filing the above described pleadings and briefs shall be considered to be the date upon which they shall be delivered at the Embassy of the other Government. If the due date shall fall on Sunday or a legal holiday, the pleading or brief shall be filed upon the next succeeding business day. The two Governments shall, for this purpose, instruct their respective Embassies to receive and give receipts for such pleadings and briefs any weekday between the hours of 10 and 16 (4 p.m.) except on the following legal holidays of both countries:

Of the United States	*Of Mexico*
January 1	January 1
February 22	February 5
May 30	May 1
July 4	May 5
First Monday in September	September 14
	September 15
Last Thursday in November	September 16
	October 12
December 25	November 20
	December 25
	December 31.

(*j*) El plazo que se concede para la presentación de Contestaciones será de setenta días contados desde la fecha de la presentación de los Memoriales. El plazo para la presentación de Alegatos será de setenta días contados desde la fecha de la presentación de las Contestaciones. El plazo para la presentación del Alegato de Réplica será de setenta días, contados desde la fecha de la presentación de los Alegatos.

(*k*) En aquellos casos en que se hayan presentado algunos escritos o alegatos ante la Comisión General de Reclamaciones con anterioridad a la fecha de la firma del presente Protocolo, la Agencia que tenga derecho a presentar el escrito o alegato siguiente estará autorizada para determinar la fecha en que se haya de presentar tal documento, tomando en consideración la necesidad que hay de cumplir las disposiciones del inciso (*i*) anterior.

(*l*) Al contar los períodos de setenta días de que habla el inciso (*j*) anterior, no se harán deducciones por concepto de domingos ni días de fiesta. La fecha de la presentación de los escritos y alegatos antes mencionados se considerará que es la fecha en que sean entregados en la Embajada del otro Gobierno. Si la fecha de vencimiento cayere en algún domingo o día de fiesta oficial, el escrito o alegato se presentará en el día hábil siguiente. Los dos Gobiernos, con este objeto, darán instrucciones a sus Embajadas respectivas de recibir y dar recibos por tales escritos y alegatos en todos los días hábiles, entre las 10 y las 16 horas, exceptuando los siguientes días de fiesta oficiales de ambos países:

De los Estados Unidos	*De México*
1° de enero	1° de enero
22 de febrero	5 de febrero
30 de mayo	1° de mayo
4 de julio	5 de mayo
Primer lunes de septiembre	14 de septiembre
	15 de septiembre
Ultimo jueves de noviembre	16 de septiembre
	12 de octubre
25 de diciembre	20 de noviembre
	25 de diciembre
	31 de diciembre.

(*m*) In view of the herein prescribed limitations upon the time allowed for the completion of the work of the Agencies and the Commissioners, it is recognized that the success of this simplified plan of procedure depends fundamentally upon the prompt and regular filing of the pleadings and briefs in accordance with the provisions of this Protocol. It is agreed, therefore, that any pleading or brief which shall be filed more than thirty days after the due date for the filing thereof, shall be disregarded by the Commissioners and the Umpire, and that the respective case shall be considered by them upon the pleadings and briefs preceding the tardy pleadings and briefs, unless, by agreement of the two Governments, the continued pleading of the respective case shall be resumed.

(*n*) It shall not be necessary to present original evidence but all documents hereafter submitted as evidence shall be certified as true and complete copies of the original if they be such. In the event that any particular document filed is not a true and complete copy of the original, that fact shall be so stated in the certificate.

(*o*) The complete original of any document filed, either in whole or in part, shall be retained in the Agency filing the document and shall be made available for inspection by any authorized representative of the Agent of the other side.

(*p*) Where the original of any document or other proof is filed at any Government office on either side, and cannot be conveniently withdrawn, and no copy of such document is in the possession of the Agent of the Government desiring to present the same to the Commissioners in support of the allegations set out

(*m*) En vista de las limitaciones prescritas en este protocolo respecto al período de tiempo fijado para la terminación de las labores de las Agencias y de los Comisionados, se reconoce que el éxito de este plan simplificado de procedimiento depende, fundamentalmente, de la presentación puntual y regular de los escritos y alegatos en los términos establecidos por las disposiciones de este Protocolo. Se conviene, por consiguiente, que cualquier escrito o alegato que se entregue más de treinta días después de la fecha fijada para su presentación, no será tomado en cuenta por los Comisionados y el Arbitro, y que el caso de que se trate será considerado por ellos únicamente sobre la base de los escritos y alegatos que precedan al que se hubiere presentado extemporáneamente, a menos de que, por acuerdo entre ambos Gobiernos, se autorice la continuación de las alegaciones en el caso respectivo.

(*n*) No será necesario presentar las pruebas originales, pero todos los documentos que de hoy en adelante se presenten en calidad de pruebas, serán certificados como copias fieles y completas de sus originales si así lo fueren. En el caso de que algún documento determinado que se presente no sea copia fiel y completa del original, ese hecho se hará constar en la certificación.

(*o*) El original completo de cualquier documento presentado, ya sea total o parcialmente, será conservado en la Agencia que lo presente y estará disponible para su inspección por cualquier representante autorizado del Agente de la otra parte.

(*p*) Cuando el original u otra prueba esté archivado en las oficinas de cualquiera de los dos Gobiernos, y no pueda ser retirado facilmente, ni exista copia de tal documento en poder del Agente del Gobierno que desee presentarlo a los Comisionados, en apoyo de los puntos contenidos en sus escritos o alegatos, enton-

in his pleadings or briefs, he shall notify the Agent of the other Government in writing of his desire to inspect such document. Should such inspection be refused, then the action taken in response to the request to inspect, together with such reasons as may be assigned for the action taken, shall be reported to the Commissioners and, in turn, to the Umpire mentioned in Clause Fifth of this Protocol, so that due notice thereof may be taken.

Signatures.

Done in duplicate in Mexico, D. F. in the English and Spanish languages this twenty fourth day of the month of April one thousand nine hundred and thirty four.

ces notificará por escrito al Agente de la parte contraria acerca de su deseo de examinar el referido documento. Si a una solicitud de examen se rehusa la exhibición del documento de que se trata, tal actitud, junto con las razones que se dieren para excusarla, serán puestas en conocimiento de los Comisionados y, en su caso, del Arbitro a que se refiere la Cláusula Quinta de este Protocolo, y ésto será tomado en cuenta por ellos.

Hecho por duplicado, en inglés y en español, en la Ciudad de México, el día veinticuatro del mes de abril del año de mil novecientos treinta y cuatro.

JOSEPHUS DANIELS [SEAL]
PUIG [SEAL]

Ratifications.

AND WHEREAS the said protocol has been ratified on both parts and the ratifications of the two Governments were exchanged at the city of Washington on the first day of February, one thousand nine hundred and thirty-five;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said protocol to be made public to the end that the same may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this first day of February in the year of our Lord one thousand nine hundred and thirty-
[SEAL] five, and of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

EXCHANGE OF NOTES

Exchange of notes.

The Mexican Chargé d'Affaires ad interim at Washington (Campos Ortiz) to the Secretary of State (Hull)

EMBAJADA DE MEXICO,
Washington, D. C., 1o. de febrero de 1935.

SEÑOR SECRETARIO:

De conformidad con lo que establece el inciso *a*) de la cláusula sexta del Protocolo relativo a las reclamaciones presentadas ante la Comisión General de Reclamaciones, firmado el 24 de abril de 1934, que dice:—"El plazo concedido para completar los escritos y alegatos será de dos años contados desde la fecha en que posteriormente convengan los dos Gobiernos por medio de un cambio de notas, que no se efectuará más tarde del 1o. de noviembre de 1934", y teniendo en cuenta que el 1o. de febrero expira el plazo de prórroga concedido por el Gobierno Mexicano al de los Estados Unidos por nota número 6509, de fecha 26 de septiembre de 1934, ambos Gobiernos, para los efectos de la cláusula transcrita, con esta fecha y por medio del canje de estas notas idénticas dan por iniciado el plazo de dos años a que se refiere la misma disposición del Protocolo.

Aprovecho esta oportunidad para reiterar a Vuestra Excelencia las seguridades de mi más alta y distinguida consideración.

P CAMPOS ORTIZ
Encargado de Negocios a. i.

Excelentísimo Señor
CORDELL HULL,
Secretario de Estado.
etc., etc., etc.

[Translation]

EMBASSY OF MEXICO,
Washington, D. C., February 1, 1935.

MR. SECRETARY:

In conformity with the provision of paragraph (*a*) of clause six of the protocol relating to claims presented before the General Claims Commission, signed on April 24, 1934, which states: "The time allowed for the completion of the pleadings and briefs shall be 2 years counting from a date hereafter to be agreed upon by the two governments by an exchange of notes, which shall not be later than November 1, 1934" and taking into account that the extension of time granted by the Mexican Government to that of the United States in note no. 6509 of September 26, 1934, expires on the 1st of February, both governments, for the purposes of the clause above mentioned, consider as initiated as of this date and by means of the exchange of these identic notes the period of 2 years to which the said provision of the protocol refers.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

P CAMPOS ORTIZ
Chargé d'Affaires ad interim.

His Excellency
Mr. CORDELL HULL,
Secretary of State,
etc., etc., etc.

The Secretary of State (Hull) to the Mexican Chargé d'Affaires ad interim at Washington (Campos Ortiz)

DEPARTMENT OF STATE,
Washington, February 1, 1935.

SIR:

In conformity with the provision of Paragraph (*a*) of Clause Sixth of the Protocol relating to claims presented before the General Claims Commission, signed on April 24, 1934, which states: "The time allowed for the completion of the pleadings and briefs shall be two years counting from a date hereafter to be agreed upon by the two Governments by an exchange of notes, which shall not be later than November 1, 1934," and taking into account that the extension of time granted by the Mexican Government to the Government of the United States in Note No. 6509 of September 26, 1934, expires on the first of February, both Governments, for the purposes of the clause above mentioned, consider as initiated as of this date and by means of the exchange of these identic notes the period of two years to which the said provision of the Protocol refers.

Accept, Sir, the renewed assurances of my high consideration.

CORDELL HULL

Señor Dr. Don PABLO CAMPOS-ORTIZ
Chargé d'Affaires ad interim of Mexico.

[No. 57]

Agreement between the United States of America and Brazil respecting a military mission to Brazil. Signed, May 10, 1934.

May 10, 1934.

AGREEMENT BETWEEN THE GOVERNMENTS OF THE UNITED STATES OF AMERICA AND THE UNITED STATES OF BRAZIL.

ACÔRDO ENTRE OS GOVERNOS DOS ESTADOS UNIDOS DA AMÉRICA E DOS ESTADOS UNIDOS DO BRASIL.

Agreement with Brazil respecting military mission.

In conformity with the request made on December 11, 1933, by the Brazilian Ambassador at Washington to the Secretary of State of the United States of America, the President of the United States of America, by virtue of the authority conferred by the Act of Congress, approved May 19, 1926, entitled "an Act to authorize the President to detail officers and enlisted men of the United States Army, Navy, and Marine Corps to assist the Governments of the Latin American Republics in military and naval matters", has authorized the detail of officers constituting a Military Mission to Brazil, upon the following agreed conditions:

De conformidade com o pedido feito a 11 de Dezembro de 1933 pelo Embaixador do Brasil em Washington ao Secretário de Estado dos Estados Unidos da América, o Presidente dos Estados Unidos da América, em virtude da autoridade que lhe é conferida pela lei do Congresso, aprovada a 19 de Maio de 1926, e intitulada "Lei que autoriza o Presidente a designar oficiais e homens alistados do Exército, da Marinha e dos Batalhões Navais dos Estados Unidos para assistirem os Governos das Repúblicas da América Latina em assuntos militares e navais.", autorizou a designação dos oficiais que constituem uma Missão Militar ao Brasil, nas seguintes condições contratuais:

Vol. 44, p. 565.

TITLE I

PURPOSE AND DURATION

ARTICLE 1. The purpose of the Mission is to cooperate with the General Staff, Office of the Chief of Coast Defense and the officers of the Brazilian Army in the development and functioning of the Coast Artillery Instruction Center, to superintend the courses and assist in the instruction.

TITULO I

FIM E DURAÇÃO

ARTIGO 1. O fim da Missão é cooperar com o Estado Maior do Exército, Inspetoria de Defesa de Costa e os oficiais do Exército Brasileiro no desenvolvimento e funcionamento do Centro de Instrução de Artilharia de Costa, para superintender os cursos e auxiliar a instrução.

ARTICLE 2. This Mission shall continue for two years from the date of the signing of this agreement by the accredited representatives of the Governments of the United States of America and of the United States of Brazil.

ARTICLE 3. If the Government of Brazil should desire that the service of the Mission should be extended, in whole or in part, beyond the period stipulated, a proposal to that effect must be made six months before the expiration of this agreement.

ARTICLE 4. If it should be necessary, in the interest of either one of the two Governments, that the present contract or its extension be terminated before the time specified, the Government so desiring must give notice to the other three months in advance.

ARTICLE 5. It is herein stipulated and agreed that while the Mission shall be in operation under this agreement, or under an extension thereof, the Government of Brazil will not engage the services of any Mission or personnel of any other foreign government for the duties and purposes contemplated by this agreement.

ARTIGO 2. Esta Missão durará dois anos a partir da data da assinatura dêste acôrdo pelos representantes autorizados dos Governos dos Estados Unidos da América e dos Estados Unidos do Brasil.

ARTIGO 3. Se o Govêrno do Brasil desejar que o serviço da Missão se prolongue, no todo ou em parte, além do período estipulado, uma proposta para êsse fim deve ser feita seis meses antes do termo dêste acôrdo.

ARTIGO 4. Se for necessario, no interêsse de qualquer dos dois Governos, que o presente contrato ou seu prolongamento termine antes do tempo especificado, o Govêrno que o desejar deverá notificar o outro três meses antes.

ARTIGO 5. É aquí estipulado e acordado que, enquanto a Missão funcionar sob este acôrdo, ou prolongamento dele, o Govêrno do Brasil não contratará os serviços de qualquer Missão ou pessoal de qualquer outro Govêrno estrangeiro para as funções e fins tratados neste acôrdo.

TITLE II

COMPOSITION AND PERSONNEL

ARTICLE 6. The Mission will be composed of two officers of the Coast Artillery Arm of the Army of the United States of America, a Lieutenant Colonel and a Major or a Captain, who have specialized in coast artillery, one in the technique of firing and the other in tactical organization, preferably officers who have had active service or officers experienced in teaching, so that they may serve

TITULO II

COMPOSIÇÃO E PESSOAL

ARTIGO 6. A Missão compôr-se-á de dois oficiais da Arma de Artilharia de Costa do Exército dos Estados Unidos da América, um tenente coronel e um major ou um capitão, especializados em artilharia de costa, um em técnica de tiro e outro em organização tática, de preferência oficiais arregimentados ou que tenham prática de ensino, afim de servirem como instrutores no Centro de

as instructors at the Army Center of Coast Artillery Instruction at Rio de Janeiro.

ARTICLE 7. Any additions to the personnel of the Mission that may be considered advisable or necessary shall be considered as an addendum to this agreement.

TITLE III

DUTIES, RANK AND PRECEDENCE

ARTICLE 8. The members of the Mission shall be responsible solely to the Brazilian Ministry of War through the senior member of the Mission, and shall act as technical advisers to the Chief of the General Staff and Chief of Coast Defense for the questions of organization and instruction in the matters pertaining to the specialty.

ARTICLE 9. It shall be the duty of the members of the Mission, under the direction of the senior member, to advise the Director of the Center of Coast Artillery Instruction and to cooperate with him in all matters pertaining to the same, prescribing the courses and assisting in the instruction.

ARTICLE 10. In case of war between Brazil and any other nation, the Mission shall terminate. In case of civil war no member of the Mission shall take part in the operations in any respect.

ARTICLE 11. The members of the Mission shall retain the rank which they held in the Army of the United States. Their precedence with respect to the Brazilian officers shall be in accordance with seniority. The mem-

Instrução de Artilharia de Costa do Exército, no Rio de Janeiro.

ARTIGO 7. Qualquer aumento do pessoal da Missão, que se julgar conveniente ou necessário será considerado como aditamento a êste acôrdo.

TITULO III

DEVERES, GRADUAÇÃO E PRECEDÊNCIA

ARTIGO 8. Os membros da Missão ficarão ùnicamente subordinados ao Ministério da Guerra do Brasil, por intermédio do membro mais antigo da Missão, e exercerão junto ao chefe do Estado Maior do Exército e Inspetor da Defêsa de Costa um papel de conselheiros técnicos para as questões de organização e instrução nos assuntos relativos à especialidade.

ARTIGO 9. É dever dos membros da Missão, sob a direção do membro mais antigo, aconselhar o Diretor do Centro de Instrução de Artilharia de Costa e com êle cooperar em todas as matérias relativas à mesma, prescrevendo os cursos e auxiliando a instrução.

ARTIGO 10. Em caso de guerra entre o Brasil e qualquer outra Nação, terminará a Missão. Em caso de guerra civil nenhum membro da Missão tomará parte nas operações em qualquer categoria.

ARTIGO 11. Os membros da Missão conservarão a graduação que têm no Exército dos Estados Unidos. Sua precedência em relação aos oficiais brasileiros será de acôrdo com a antiguidade. Os membros da Missão só usarão uni-

bers of the Mission will wear only uniforms of the Army of the United States of America.

TITLE IV

COMPENSATION AND PERQUISITES

ARTICLE 12. The members of the Mission shall receive from the Brazilian Government, for their services, the following annual compensation in Brazilian paper money, payable monthly in 12 equal installments:

Lieutenant Colonel	66:000$000 (Sixty-six contos)
Major	60:000$000 (Sixty contos)
Captain	54:000$000 (Fifty-four contos)

ARTICLE 13. The compensation of each member of the Mission will begin on the date of his leaving New York, traveling by sea, and will continue, upon completion of his service in the Mission, up to the date of his arrival in New York proceeding by usual sea route. Any member of the Mission who may return to the United States after serving less than two years, except in case of ill health, or termination of the Mission, or who returns on request of the Brazilian Government in accordance with Article 26, will only receive full pay up to the date of his leaving Rio de Janeiro.

Post, p. 3549.

ARTICLE 14. It is further stipulated that this compensation shall not be subject to any Brazilian tax now in force or which may hereafter be imposed.

ARTICLE 15. The expenses of transportation by land and sea of the members of the Mission, their families, household effects and baggage, including automobiles, from New York to Rio de Janeiro, shall be paid by the Brazilian

formes do Exército dos Estados Unidos da América.

TITULO IV

REMUNERAÇÃO E REQUISITOS

ARTIGO 12. Os membros da Missão receberão do Govêrno Brasileiro, por seus serviços, a seguinte remuneração anual em moeda papel brasileira, pagável mensalmente em 12 prestações iguais:

Tenente Coronel	66:000$000 (Sessenta e seis contos)
Major	60:000$000 (Sessenta contos)
Capitão	54:000$000 (Cincoenta e quatro contos)

ARTIGO 13. O pagamento de cada membro da Missão começará da data da sua partida de Nova-York, viajando por mar, e continuará, ao completar o seu serviço na Missão, até a data da sua chegada a Nova-York, seguindo pela via marítima usual. Qualquer membro da Missão que voltar aos Estados Unidos depois de servir menos de dois anos, exceto no caso de doença, ou terminação da Missão, ou que voltar a pedido do Govêrno Brasileiro, de acôrdo com o artigo 26, só receberá pagamento integral até a data da partida do Rio de Janeiro.

ARTIGO 14. Fica além disto estipulado que esta remuneração não estará sujeita a imposto algum brasileiro em vigor, ou que possa ser criado posteriormente.

ARTIGO 15. As despesas de transporte por terra e mar dos membros da Missão, suas famílias, objetos de casa e bagagem, inclusive automóveis, de Nova-York ao Rio de Janeiro, serão pagas pelo Govêrno Brasileiro adianta-

Government, being advanced prior to departure by the representative of that Government, the officers and their families being furnished with first-class accommodations, families being construed as wives and dependent children throughout the contract. There shall also be provided the following additional allowance to cover expenses of locating and housing each member of the Mission:

Lieutenant Colonel	5:500$000
Major	5:000$000
Captain	4:500$000

damente, antes da partida, pelo representante dêsse Govêrno, fornecendo-se aos oficiais e suas famílias passagens de primeira classe, entendendo-se por famílias, em todo êste contrato, as mulheres e os filhos sob a dependência dos mesmos oficiais. Será também concedida a seguinte ajuda de custo adicional para as despesas de instalação de cada membro da Missão:

Tenente Coronel	5:500$000 (cinco contos e quinhentos mil réis)
Major	5:000$000 (cinco contos de réis)
Capitão	4:500$000 (quatro contos e quinhentos mil réis)

The household effects and baggage including automobiles of the personnel of the Mission and their families shall be exempt from customs duties and imposts of any kind in Brazil.

ARTICLE 16. The members of the Mission who remain in Brazil two or more years, or until termination of the Mission, shall have the right to the payment of return transportation expenses of themselves and their families, and all effects, from Rio de Janeiro to New York. These expenses shall cover first-class accommodation for the officers and the families of the officers.

ARTICLE 17. During the stay of the Mission in Brazil, the Government of Brazil shall grant, on request of the senior officer, free entry for articles of personal and family use; families being construed as wives, and dependent children.

Os objetos de casa e a bagagem, inclusive automóveis, do pessoal da Missão e suas famílias estarão isentos de direitos aduaneiros e impostos de qualquer classe no Brasil.

ARTIGO 16. Os membros da Missão que permanecerem no Brasil dois ou mais anos, ou até terminar a Missão, terão direito ao pagamento das despesas de transporte de volta, seu e de suas famílias, e de todos os objetos, do Rio de Janeiro a Nova-York. Essas despesas compreenderão passagens de primeira classe para os oficiais e suas famílias.

ARTIGO 17. Durante a permanência da Missão no Brasil, o Govêrno do Brasil concederá, mediante pedido do oficial mais antigo, entrada livre para os artigos de uso pessoal e das famílias; considerando-se como famílias as mulheres e os filhos sob a dependência dos oficiais.

ARTICLE 18. In case of the renewal of this contract, each member of the Mission with two complete years of service at the Coast Artillery Instruction Center shall have the right to a leave of absence on full pay in Brazilian money for three months, exclusive of travel time, with the right of leaving Brazil. The senior member of the Mission shall arrange, after consultation with the Chief of the General Staff, that such leaves inconvenience as little as possible the interests of the Brazilian Army.

ARTICLE 19. Members of the Mission who may become ill, shall, if necessary in the judgment of the senior member of the Mission, be cared for by the Brazilian Government, in such hospital as the senior member of the Mission may, after consultation with the Brazilian authorities, consider suitable.

ARTICLE 20. In case of travel performed on official business to the fortifications outside of the Federal District and Nictheroy, by any member of the Mission, such member shall receive while engaged therein, besides his regular compensation, per diem allowances and transportation which shall be the same as those allowed to the officers of the Brazilian Army of the same rank and in like circumstances.

ARTICLE 21. The officers of the Mission shall be accorded the same rights and privileges which are enjoyed by diplomatic representatives accredited to Brazil and of corresponding rank, except as regards the rights of importation already covered in a preceding clause.

ARTIGO 18. No caso de renovação do presente contrato, cada membro da Missão com dois anos completos de serviço no Centro de Instrução de Artilharia de Costa fará jus a uma licença de três meses, não incluído o tempo de viagem, com vencimentos integrais em moeda brasileira e o direito de se ausentar do Brasil. O membro mais antigo da Missão providenciará, ouvindo o Chefe do Estado Maior do Exército, para que essas licenças prejudiquem o menos possível os interesses do Exército Brasileiro.

ARTIGO 19. Os membros da Missão que venham a adoecer serão, a juizo do membro mais antigo, internados pelo Govêrno Brasileiro no hospital que o membro mais antigo da Missão julgar conveniente, depois de ouvidas as autoridades brasileiras.

ARTIGO 20. No caso de viagem a service oficial nas fortificações fora do Distrito Federal e Niteroi, prestado por qualquer membro da Missão, receberá êle, durante êsse tempo, além dos vencimentos que lhe competem, as mesmas diárias e transporte que sejam concedidos aos oficiais do Exército Brasileiro, de idêntica graduação, em condições semelhantes.

ARTIGO 21. Serão concedidos aos oficiais da Missão os mesmos direitos e privilégios de que gozam os representantes diplomáticos de igual categoria acreditados no Brasil, *exceto no que diz respeito aos direitos de importação já tratados* em cláusula anterior.

ARTICLE 22. When it is necessary for the official service, there shall be placed at the disposal of the members of the Mission an automobile with chauffeur, or a properly manned and equipped vessel.

ARTICLE 23. Suitable offices and equipment shall be provided for the members of the Mission.

ARTICLE 24. Every member of the Mission shall have as an assistant instructor a Brazilian officer of the artillery arm.

ARTICLE 25. If cancellation of this contract be effected on the request of the United States of America, all expenses of the return of the Mission and the families and all effects thereof to the United States of America shall be borne by that Government. In case, however, the cancellation should be effected on the initiative of the Brazilian Government, or as the result of war between Brazil and a foreign power, the Brazilian Government shall bear all the costs of the return to the United States of America of the Mission and the families and all effects thereof, in accordance with the provisions of Articles 13 and 16, and in addition thereto, the Brazilian Government shall pay to each officer an amount equivalent to three months' compensation—from the date of his arrival in New York proceeding by usually traveled sea route.

ARTIGO 22. Quando for necessário para o serviço oficial, será posta à disposição dos membros da Missão um automóvel com motorista ou uma embarcação convenientemente equipada.

ARTIGO 23. Deverão ser postos à disposição dos membros da Missão escritórios e material adequados.

ARTIGO 24. Cada membro da Missão terá como auxiliar de ensino um oficial brasileiro, da arma de artilharia.

ARTIGO 25. Se êste contrato for rescindido a pedido dos Estados Unidos da América, todas as despesas com a volta da Missão e suas famílias e todos os seus objetos aos Estados Unidos da América serão feitas por êsse Govêrno. Se, porém, o for por iniciativa do Govêrno Brasileiro, ou em conseqüência de guerra entre o Brasil e uma potência estrangeira, o Govêrno Brasileiro pagará todas as despesas para o regresso aos Estados Unidos da América da Missão, respectivas famílias e objetos, de acôrdo com as estipulações dos artigos 13 e 16, devendo, outrossim, o Govêrno Brasileiro pagar a cada oficial uma quantia equivalente a três meses de vencimentos, a partir da data da sua chegada a Nova-York, havendo viajado pela via marítima usual.

TITLE V

RECALL AND REPLACEMENT OF MEMBERS OF THE MISSION

ARTICLE 26. The United States of America may, if the public interest so requires, recall, at any

TITULO V

RETIRADA E SUBSTITUÏÇÃO DOS MEMBROS DA MISSÃO

ARTIGO 26. Os Estados Unidos da América poderão, se o interêsse público o exigir, retirar, em

time, either a part or all of the members of the Mission, substituting for them other officers acceptable to the Brazilian Government, all the expenses connected therewith being incumbent on the Government of the United States of America. If on the request of the Brazilian Government, any member of the Mission is recalled for due and just cause other than that of the termination of his services on the Mission or his illness, all the expenses connected with the return shall be incumbent on the United States of America.

ARTICLE 27. Any member of the Mission may be relieved on request by the Government of the United States of America after two years of service, being replaced by members, of the same rank and grade, acceptable to the Brazilian Government.

ARTICLE 28. No member of the Mission relieved on his own request before he gives two years service shall be entitled to travel expenses and transportation of effects at the expense of the Brazilian Government except in case of illness.

ARTICLE 29. If any member of the Mission should be obliged by illness to discontinue service with the Mission, the Brazilian Government shall bear the expenses of return of himself, family and all effects thereof, to the United States as above stipulated for members with more than two years of service.

ARTICLE 30. If a member of the Mission or one of his family should die in Brazil, the Brazilian Government shall have his body transported to such place in the United States as the family of the deceased may designate. In case

qualquer tempo, parte dos membros da Missão ou todos êles, substituindo-os por outros oficiais do agrado do Govêrno Brasileiro, devendo todas as despesas daí resultantes correr por conta do Govêrno dos Estados Unidos da América. Se, a pedido do Govêrno Brasileiro, algum membro da Missão for retirado por qualquer outra justa causa que não a da terminação dos seus serviços na Missão ou sua doença, todas as despesas com o regresso correrão por conta dos Estados Unidos da América.

ARTIGO 27. Qualquer membro da Missão poderá ser exonerado, a pedido, pelo Govêrno dos Estados Unidos da América, depois de dois anos de serviço, sendo substituído por membros de igual patente e classe, da conveniência do Govêrno Brasileiro.

ARTIGO 28. Nenhum membro da Missão exonerado a seu pedido, antes de completar dois anos de serviço, fará jus às despesas de viagem e transporte de objetos à custa do Govêrno Brasileiro, exceto no caso de doença.

ARTIGO 29. Se algum membro da Missão for obrigado por doença a interromper o serviço, o Govêrno Brasileiro pagará as despesas de regresso do mesmo, sua família e objetos, aos Estados Unidos, na forma acima estipulada para os membros com mais de dois anos de serviço.

ARTIGO 30. Se algum membro da Missão, ou pessôa de sua família, falecer no Brasil, o Govêrno Brasileiro fará transportar o corpo para o lugar nos Estados Unidos que a família do morto indicar. Se o morto for um dos

the deceased should be a member of the Mission, the Brazilian Government shall pay the expenses of the travel of the family and the transportation of all their effects to New York.

ARTICLE 31. In case of substitution for a member of the Mission, all the clauses of this agreement, except in cases of express provisions to the contrary, shall apply to the substitute, including those specified in Articles 13 and 15.

ARTICLE 32. IN FAITH WHEREOF, the undersigned, being duly authorized, sign the present contract in two texts, each one in the English and Portuguese languages, at Washington, the tenth day of May, one thousand nine hundred and thirty-four.

contratados, o Govêrno Brasileiro pagará as despesas de viagem da família e transporte de objetos até Nova-York.

ARTIGO 31. No caso de substituïção de um membro da Missão, todas as cláusulas dêste acôrdo, exceto no caso de disposição expressa em contrário, se aplicarão ao substituído, inclusive as especificadas nos artigos 13 e 15.

ARTIGO 32. EM TESTEMUNHO DO QUE, os abaixo assinados, devidamente autorizados, assinam o presente contrato em dois textos cada um nos idiomas inglês e português, em Washington, no dia dez de maio de mil novecentos trinta e quatro.

CORDELL HULL [SEAL]
Secretary of State
of the United States of America.

R. DE LIMA E SILVA [SEAL]
Ambassador Extraordinary and Plenipotentiary
of the United States of Brazil.

[No. 64]

July 21, 23, 1934. *Supplementary agreement between the United States of America and Brazil respecting a military mission to Brazil. Effected by exchange of notes, signed July 21 and 23, 1934; effective, July 23, 1934.*

The Secretary of State to the Brazilian Chargé d'Affaires ad interim (Freitas-Valle)

DEPARTMENT OF STATE,
Washington, July 21, 1934.

SIR:

Detail in technical construction course.

Referring to previous correspondence concerning the proposed amendment of the Military Mission Agreement between the Governments of the United States of America and the United States of Brazil, signed at Washington on May 10, 1934, so as to permit of the designation of an officer of the Army of the United States of America to serve as a professor of Permanent Fortification Construction in the Course of Technical Construction of the Brazilian Army, the undersigned Secretary of State of the United States of America, duly authorized by his Government, begs to state that it will be entirely satisfactory to the Government of the United States of America to enter into such a supplementary agreement by an exchange of notes on the understanding that the said officer shall possess the same rights and privileges as the officers detailed in the original Contract of May 10, 1934; that the Agreement shall be considered as and be deemed to be an addendum to the said contract, in accordance with Article 7 thereof, and that it shall be regarded as having the same force and effect as if originally embodied in that contract.

The Government of the United States of America will be pleased to consider the above-stated understanding to be effective on the day of the receipt of a note from you stating the acceptance of the understanding by the Government of the United States of Brazil.

Accept, Sir, the renewed assurances of my high consideration.

CORDELL HULL

The Honorable
CYRO DE FREITAS-VALLE,
Minister Plenipotentiary,
Chargé d'Affaires ad interim of Brazil.

The Brazilian Chargé d'Affaires ad interim (Freitas-Valle) to the Secretary of State

Nº 75 EMBAIXADA DOS ESTADOS UNIDOS DO BRASIL,
Washington, em 23 de Julho de 1934.

SENHOR SECRETÁRIO DE ESTADO,

Com referência a um proposto aditamento ao contrato entre os Estados Unidos do Brasil e os Estados Unidos da América de uma missão militar, firmado em Washington a 10 de Maio de 1934, a fim de permitir a designação de um oficial do Exército dos Estados Unidos da América para servir como professor de construção de fortificações permanentes no curso de construção técnica do Exército brasileiro, o abaixo assinado, Encarregado de Negócios do Brasil, tem a honra de acusar o recebimento da nota de 21 do corrente, pela qual o Secretário de Estado, devidamente autorizado pelo seu Govêrno, tem a amabilidade de anunciar-lhe que o Govêrno dos Estados Unidos da América está pronto a concluir por troca de notas um acôrdo suplementar a êsse respeito, na convicção de que o dito oficial terá direitos e privilégios iguais aos reconhecidos aos oficiais mencionados no contrato original de 10 de Maio de 1934, considerando-se tal aditamento como feito de acôrdo com o artigo 7° do referido contrato e tão válido como se estivesse neste compreendido.

2. Devidamente autorizado por seu Govêrno, o Encarregado de Negócios do Brasil tem a honra de declarar que o Govêrno dos Estados Unidos do Brasil aceita as mencionadas condições e, nos termos da nota a que a presente responde, concorda em considerar o referido aditamento ao contrato de 10 de Maio de 1934 com o Govêrno dos Estados Unidos da América como em vigor a partir da data desta nota.

O abaixo assinado aproveita a oportunidade para renovar a Vossa Excelência os protestos de sua mais alta consideração.

C. DE FREITAS-VALLE

A Sua Excelência
o Senhor CORDELL HULL,
Secretário de Estado
dos Estados Unidos da América.

[Translation]

No. 75 EMBASSY OF THE UNITED STATES OF BRAZIL,
Washington, July 23, 1934.

MR. SECRETARY OF STATE:

With reference to a proposed supplement to the contract between the United States of Brazil and the United States of America as to a military mission, signed at Washington on May 10, 1934, for the purpose of permitting the appointment of an officer of the Army of the United States of America to serve as teacher of construction of permanent fortifications in the course of technical construction of the Brazilian Army, the undersigned, Chargé d'Affaires of Brazil, has the

honor to acknowledge receipt of the note of the 21st instant, whereby the Secretary of State, being duly authorized by his Government, is good enough to inform him that the Government of the United States of America is ready to conclude by exchange of notes a supplementary agreement in this respect, in the understanding that the said officer will have rights and privileges equal to those granted to the officers mentioned in the original contract of May 10, 1934, such addition being considered as made in accordance with article 7 of the said contract and as valid as if it were included therein.

2. Being duly authorized by his Government, the Chargé d'Affaires of Brazil, has the honor to state that the Government of the United States of Brazil accepts the said conditions and, in accordance with the terms of the note to which this is a reply, agrees in considering the said supplement to the contract of May 10, 1934, with the Government of the United States of America, as in force from the date of this note.

The undersigned avails himself of this opportunity to renew to Your Excellency the assurances of his very high consideration.

C. DE FREITAS-VALLE

His Excellency
CORDELL HULL,
Secretary of State
of the United States of America.

[No. 65]

Arrangement between the United States of America and Peru concerning radio communications between amateur stations on behalf of third parties. Effected by exchange of notes, signed February 16 and May 23, 1934; effective May 23, 1934.

February 16 and May 23, 1934.

The American Ambassador (Dearing) to the Peruvian Minister for Foreign Affairs (Polo)

No. 562 EMBASSY OF THE UNITED STATES OF AMERICA,
Lima, February 16, 1934.

EXCELLENCY:

Upon instructions from my Government, I have the honor to bring the following matter to Your Excellency's attention:

Arrangement with Peru concerning radio communications between amateur stations on behalf of third parties.

An important restriction upon the international exchange of messages by amateur radio stations on behalf of third parties was incorporated in Article 8 of the Radio Regulations annexed to the International Telecommunication Convention of Madrid, of which Sections 1 and 2 read as follows:

"§1. The exchange of communications between amateur stations and between private experimental stations of different countries shall be forbidden if the Administration of one of the countries concerned has given notice of its opposition to this exchange.

"§2. (1) When this exchange is permitted, the communications must be carried out in plain language and be limited to messages having to do with experiments and remarks of a private nature for which, by reason of their unimportance, there could be no question of resorting to the public telegraph service. Owners of amateur stations shall be strictly prohibited from transmitting international communications emanating from third parties.

"(2) The above provisions may be modified by special arrangements between the interested countries."

This prohibition upon the exchange of third party messages was not contained in the earlier Radio Regulations, and in deference to the wishes of those governments which might wish to permit the international exchange of such messages, the provision permitting the relaxation of the prohibition by special arrangements was introduced.

The Radio Regulations of Madrid were signed on behalf of Peru and the United States, but they have not yet been ratified by the United States, nor so far as my Government is aware, have they been ratified by Peru. In view of the possible future ratification of the Regulations, however, it is believed desirable to keep the prohibition above quoted from applying at the time of such ratification to messages transmitted by amateur radio stations on behalf of third parties.

In recognition of the important services which amateurs have rendered in the development of radio, my Government is suggesting to a number of other governments the conclusion of agreements which would give radio amateurs some relaxation from the restriction introduced at Madrid by authorizing, within narrow limits, the exchange of messages on behalf of third parties. Such relaxation of the restriction, however, would be of a kind which would not permit radio amateurs to compete with public or commercial radio or telegraph systems.

The proposed agreement refers only to messages exchanged on behalf of third parties, for, under the Madrid regulations, operators of amateur stations may exchange international messages on their own behalf in the absence of a prohibition upon such exchange by one of the interested governments.

I therefore suggest to Your Excellency, and my Government hopes that that of Peru will agree to, an exchange of notes in the following terms:

"Amateur radio stations of Peru and of the United States may interchange messages on behalf of third parties, provided that such messages shall be of the character that would not normally be sent by any existing means of electrical communication or except for the availability of the amateur stations, and on which no compensation must be directly or indirectly paid.

"This arrangement shall apply to the United States and its territories and possessions including Alaska, the Hawaiian Islands, Puerto Rico, the Virgin Islands, the Panama Canal Zone and the Philippine Islands.

"This arrangement shall be subject to termination by either government on sixty days' notice to the other government, by further arrangement between the two governments dealing with the same subject, or by the enactment of legislation in either country inconsistent therewith."

I avail myself of this occasion to extend to Your Excellency the renewed assurance of my highest consideration.

FRED MORRIS DEARING

His Excellency
Doctor SOLON POLO,
Minister for Foreign Affairs,
Lima, Peru.

The Peruvian Minister for Foreign Affairs (Polo) to the American Ambassador (Dearing)

Número 50. MINISTERIO DE RELACIONES EXTERIORES,
Lima, 23 de mayo de 1934.

SEÑOR EMBAJADOR:

Tengo a honra referirme a la estimable nota de Vuestra Excelencia No. 562, en la que se sirvió sugerir un intercambio de notas entre la Embajada a su digno cargo y este Ministerio, sobre el envío de

mensajes de terceros por las estaciones de radio de amateurs en la forma siguiente:

"Las estaciones de radio de amateurs del Perú y de los Estados Unidos pueden efectuar el intercambio de mensajes a terceros, con tal que dichos mensajes sean de tal clase que no puedan ser enviados por cualquier medio existente de comunicación eléctrica o excepto para el aprovechamiento de las estaciones de ameterus y para los que no haya que pagar compensación alguna directa o indirectamente."

"Este acuerdo se aplicará en los Estados Unidos y sus territorios y posesiones incluyendo Alaska, Las Islas Hawai, Puerto Rico, Isla de la Virgen, la Zona del Canal de Panamá y las Islas Filipinas."

"Cualquiera de los Gobiernos podrá poner fin a este acuerdo con un aviso previo de sesenta días dado por un Gobierno al otro, por un nuevo arreglo entre los dos Gobiernos concerniente al mismo asunto, o por la promulgación de una ley en cualesquiera de los países, contraria a dicho acuerdo."

Me es grato manifestar a Vuestra Excelencia que mi Gobierno acepta gustoso la propuesta que ha tenido a bien trasmitir en su citada nota, en los términos que anteceden.

Aprovecho la oportunidad para reiterarle, señor Embajador, las seguridades de mi más alta y distinguida consideración.

SOLÓN POLO.

Al Excelentísimo señor
FREDN MORRIS DEARING,
Embajador Extraordinario y Plenipotenciario
de los Estados Unidos de América.
Ciudad.

[Translation]

No. 50

MINISTRY OF FOREIGN RELATIONS,
Lima, May 23, 1934.

MR. AMBASSADOR:

I have the honor to refer to Your Excellency's kind note No. 562, in which you were good enough to suggest an interchange of notes between the Embassy under your worthy charge and this Ministry, concerning the transmission of messages of third parties by amateur radio stations in the following form:

"Amateur radio stations of Peru and of the United States may interchange messages on behalf of third parties, provided that such messages shall be of the character that would not normally be sent by any existing means of electrical communication or except for the availability of the amateur stations, and on which no compensation must be directly or indirectly paid.

"This arrangement shall apply to the United States and its territories and possessions including Alaska, the Hawaiian Islands, Puerto Rico, the Virgin Islands, the Panama Canal Zone and the Philippine Islands.

"This arrangement shall be subject to termination by either government on sixty days' notice to the other government, by further arrangement between the two governments dealing with the same subject, or by the enactment of legislation in either country inconsistent therewith."

I take pleasure in advising Your Excellency that my Government gladly accepts the proposal that you have been good enough to make in your note above mentioned, in the foregoing terms.

I avail myself of the opportunity to renew to you, Mr. Ambassador, the assurances of my highest and most distinguished consideration.

SOLÓN POLO

His Excellency
Mr. FRED MORRIS DEARING,
Ambassador Extraordinary and Minister Plenipotentiary of the United States of America,
City.

[No. 66]

Agreement and exchange of notes between the United States of America and Cuba respecting reciprocal trade. Signed at Washington, August 24, 1934; proclaimed by the President of the United States, August 24, 1934; proclaimed by the President of Cuba, August 30, 1934; effective September 3, 1934.

August 24, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Reciprocal trade agreement, etc., with Cuba.
Preamble.
Vol. 48, p. 943.

WHEREAS, I, Franklin D. Roosevelt, President of the United States of America, have, on August 24, 1934, pursuant to and in accordance with the provisions of the Act of Congress, approved June 12, 1934, entitled "An Act to Amend the Tariff Act of 1930", entered into a Trade Agreement, with two attached Schedules, with the President of the Republic of Cuba, which Agreement and Schedules in the English and Spanish languages are in words and figures as follows:

Purposes declared.

The President of the United States of America and the President of the Republic of Cuba, desirous of strengthening the traditional bonds of friendship and commerce between their respective countries by maintaining as the basis for their commercial relations the granting of reciprocal preferential treatment, in continuation of the policy adopted in the Convention of Commercial Reciprocity of 1902 between the two countries, and taking into consideration that changed conditions have rendered it necessary to modify the provisions of that Convention, have arrived at the following Agreement:

El Presidente de los Estados Unidos de América y el Presidente de la República de Cuba, deseosos de estrechar los lazos tradicionales de amistad y comercio entre sus respectivos países, manteniendo como base de sus relaciones comerciales la concesión de un tratamiento recíproco preferencial, continuando así la política adoptada en la Convención de Reciprocidad Comercial de 1902 entre ambos países, y tomando en consideración que el cambio de condiciones, desde entonces, ha hecho necesario variar las disposiciones de aquella Convención, han llegado al siguiente Acuerdo:

Vol. 33, p. 2136.

ARTICLE I

ARTÍCULO I

Free list continued.

During the term of this Agreement, all articles the growth, produce or manufacture of the United States of America which would have been admitted free of duty if imported into the Republic of Cuba on the day of signature of this Agreement, and all articles the growth, produce or manufacture of the Republic

Durante la vigencia de este Convenio, todos los artículos cosechados, producidos o fabricados en los Estados Unidos de América que hubieren sido admitidos libres de derechos de aduana si se hubieren importado en la República de Cuba en el día de la firma de este Convenio, y todos los artículos cosechados,

of Cuba which would have been admitted free of duty if imported into the United States of America on the day of signature of this Agreement, shall be so admitted by the respective country free of duty.

ARTICLE II

Enumerated imports from the United States. *Post*, p. 3570.

Articles the growth, produce or manufacture of the United States of America enumerated and described in Schedule I annexed hereto and made a part of this Agreement, shall, on their importation into the Republic of Cuba, be granted exclusive and preferential reductions in duties not less than the percentages specified respectively in Column 1 of the said Schedule, such percentages of reduction being applied to the lowest rates of duty, respectively, now or hereafter payable on like articles the growth, produce or manufacture of any other foreign country.

No excess duty.

No article the growth, produce or manufacture of the United States of America enumerated and described in Schedule I annexed hereto, with respect to which a rate of duty is specified in Column 2 of the said Schedule, shall in any case, except as provided in Article VIII or X, be subject to any customs duty in excess of the rate so specified.

Exception. *Post*, pp. 3564, 3565.

Preferential rate on imports not provided for.

Every article the growth, produce or manufacture of the United States of America which is not provided for in Article I, and which is not enumerated and described in Schedule I annexed to this Agreement, shall, on importation into the Republic of Cuba, be granted an exclusive and preferential reduction in duty of not less than the percentage of reduction which would have been accorded if imported into Cuba on the day of the signature of this Agreement, such percentage of

producidos o fabricados en la República de Cuba, que hubieren sido admitidos libres de tales derechos si se hubieren importado en los Estados Unidos de América en el día de la firma de este Convenio, serán así admitidos libres de derechos por el país respectivo.

ARTÍCULO II

A los artículos cosechados, producidos o fabricados en los Estados Unidos de América, enumerados y descritos en la Lista anexa número I que forma parte de este Convenio, se les concederán, al ser importados en la República de Cuba, reducciones exclusivas y preferenciales en los derechos de aduana no menores que los porcentajes especificados respectivamente en la Columna 1 de dicha Lista, siendo esos porcentajes de reducción aplicados a los tipos de derechos más bajos, respectivamente, pagaderos en la actualidad o en lo adelante, sobre artículos análogos cosechados, producidos o fabricados en cualquier otro país extranjero.

A ningún artículo cosechado, producido o fabricado en los Estados Unidos de América, enumerado y descrito en la Lista anexa número I, con respecto al cual se especifique un tipo de derechos en la Columna 2 de dicha Lista, se le someterá, en ningún caso, salvo lo dispuesto en el Artículo VIII o en el X, a derecho de aduana alguno en exceso del tipo así especificado.

A todo artículo cosechado, producido o fabricado en los Estados Unidos de América, que no esté comprendido en el Artículo I, y que no esté enumerado y descrito en la Lista I anexa a este Convenio, se le concederá, al ser importado en la República de Cuba, una reducción exclusiva y preferencial en los derechos aduaneros no menor del porcentaje de reducción que le hubiera sido concedido si hubiese sido importado en Cuba el día de la firma de este Convenio, siendo

reduction being applied to the lowest rate of duty now or hereafter payable on the like article the growth, produce or manufacture of any other foreign country.

ARTICLE III

Articles the growth, produce or manufacture of the Republic of Cuba enumerated and described in Schedule II annexed hereto and made a part of this Agreement, shall, on their importation into the United States of America, be granted exclusive and preferential reductions in duties not less than the percentages specified respectively in Column 1 of the said Schedule, such percentages of reduction being applied to the lowest rates of duty, respectively, now or hereafter payable on like articles the growth, produce or manufacture of any other foreign country.

No article the growth, produce or manufacture of the Republic of Cuba enumerated and described in Schedule II annexed hereto, with respect to which a rate of duty is specified in Column 2 of the said Schedule, shall in any case, except as provided in Article VIII or X, be subject to any customs duty in excess of the rate so specified.

Every article the growth, produce or manufacture of the Republic of Cuba which is not provided for in Article I, and which is not enumerated and described in Schedule II annexed to this Agreement, shall, on importation into the United States of America, be granted an exclusive and preferential reduction in duty of not less than 20 per centum, such percentage of reduction being applied to the lowest rate of duty now or hereafter payable on the like article the growth, produce or manufacture of any other foreign country.

aplicado dicho porcentaje de reducción al tipo de derecho más bajo pagadero actualmente o en lo adelante sobre el artículo análogo cosechado, producido o fabricado en cualquier otro país extranjero.

ARTÍCULO III

Specified imports from Cuba. *Post*, p. 3636.

A los artículos cosechados, producidos o fabricados en la República de Cuba, enumerados y descritos en la Lista anexa número II que forma parte de este Convenio, se les concederán al ser importados en los Estados Unidos de América, reducciones exclusivas y preferenciales en los derechos de aduana no menores que los porcentajes especificados respectivamente en la Columna 1 de dicha Lista, siendo estos porcentajes de reducción aplicados a los tipos de derechos más bajos, respectivamente, pagaderos en la actualidad o en lo adelante sobre artículos análogos cosechados, producidos o fabricados en cualquier otro país extranjero.

No excess duty.

A ningún artículo cosechado, producido o fabricado en la República de Cuba, enumerado y descrito en la Lista anexa número II, con respecto al cual se especifique un tipo de derechos en la Columna 2 de dicha Lista, se le someterá, en ningún caso, salvo lo dispuesto en el Artículo VIII o en el X, a derecho de aduana alguno en exceso del tipo así especificado.

Exception. *Post*, pp. 3564, 3565.

Preferential rate on imports not provided for.

A todo artículo cosechado, producido o fabricado en la República de Cuba, que no esté comprendido en el Artículo I, y que no esté enumerado y descrito en la Lista II anexa a este Convenio, se le concederá, al ser importado en los Estados Unidos de América, una reducción exclusiva y preferencial en los derechos aduaneros de no menos del 20 por ciento, siendo aplicado dicho porcentaje de reducción al tipo de derecho más bajo pagadero actualmente o en lo adelante sobre el artículo análogo cosechado, producido o fabricado en cualquier otro país extranjero.

ARTICLE IV

Notes considered parts of agreement. *Post*, pp. 3570, 3636.

The United States of America and the Republic of Cuba agree that the notes included in the Schedules I and II are hereby given force and effect as integral parts of this Agreement.

ARTICLE V

No quantitative restriction imposed.

No quantitative restriction shall be imposed by the Republic of Cuba on any article the growth, produce or manufacture of the United States of America enumerated and described in Schedule I annexed to this Agreement, nor by the United States of America on any article the growth, produce or manufacture of the Republic of Cuba enumerated and described in Schedule II: Provided, That the foregoing provision shall not apply to prohibitions or restrictions relating to public security; imposed on moral or humanitarian grounds; designed to protect human, animal or plant life; relating to prison-made goods or goods the product of forced labor; relating to the enforcement of police or revenue laws; or designed to extend to imported products a regime analogous to that affecting like or competing domestic products, such as restrictions imposed on imported products the production of which may be restricted within the importing country.

Proviso. Exceptions.

With respect to the allotment of quotas by the United States of America or the Republic of Cuba for any article on which quantitative restrictions are not prohibited by this Agreement, there shall be no discrimination against any person or company importing or exporting such articles between the two countries.

ARTICLE VI

Consular fees.

On and after July 1, 1935, fees, charges or exactions imposed by

ARTÍCULO IV

Los Estados Unidos de América y la República de Cuba convienen en que a las notas incluidas en las Listas I y II, se les dá por el presente fuerza y efecto como partes integrantes de este Convenio.

ARTÍCULO V

Ninguna restricción cuantitativa será impuesta por la República de Cuba sobre artículo alguno cosechado, producido o manufacturado en los Estados Unidos de América, enumerado y descrito en la Lista I anexa a este Convenio, ni por los Estados Unidos de América sobre artículo alguno cosechado, producido o manufacturado en la República de Cuba, enumerado y descrito en la Lista II, conviniéndose, sin embargo, en que la precedente disposición no se aplicará a prohibiciones o restricciones que se relacionen con la seguridad pública; impuestas con fundamentos morales o humanitarios; destinadas a la protección de la vida humana, animal o vegetal; relacionadas con mercancías fabricadas en prisiones o mercancías producidas por el trabajo forzado; relacionadas con el cumplimiento de leyes policiacas o fiscales; o destinadas a hacer extensivo a los productos importados un régimen análogo al que afecte a productos domésticos iguales o que compitan, tales como las restricciones impuestas sobre productos importados cuya producción pueda ser restringida en el país importador.

Con respecto a la distribución de cuotas por los Estados Unidos o la República de Cuba para cualquier artículo sobre el cual no esté prohibida la restricción cuantitativa por este Tratado, no podrá hacerse excepción alguna contra determinada persona o compañía que importe o exporte dichos artículos entre las dos naciones.

ARTÍCULO VI

A partir del día 1 de Julio de 1935, los derechos, cargas o exac-

the United States of America or the Republic of Cuba for consular certification of invoices and for other consular services pertaining to the documentation of any shipment of articles the growth, produce or manufacture of the territory of the other country shall not exceed in the aggregate 2 per centum of the free on board (F.O.B.) invoice value of the merchandise concerned, at the port of exportation, except that this limitation shall apply only when the charges for such services would otherwise be in excess of two dollars and a half on merchandise of Cuban origin or two pesos and a half on merchandise of origin in the United States of America. Such fees, charges or exactions shall not in any case be higher than those imposed by the United States of America or the Republic of Cuba, respectively, upon shipments of like merchandise from any other country. This article, however, shall not be construed to embrace such reasonable fees, charges or exactions pertaining to documentation required by the sanitary laws or regulations of the United States of America or the Republic of Cuba as are commensurate with the services performed.

ciones impuestos por los Estados Unidos de América o por la República de Cuba por la certificación consular de facturas y por otros servicios consulares correspondientes a la documentación de cualquier embarque de artículos cosechados, producidos o fabricados en el territorio del otro país, no excederán en total del 2 por ciento del valor libre a bordo (L.A.B.) de factura de la mercancía de referencia en el puerto de exportación, —excepto que esta limitación se aplicará sólo cuando los gastos por tales servicios en otro caso excedieren de dos y medio dólares sobre mercancía de orígen cubano o dos y medio pesos sobre mercancía de orígen de los Estados Unidos de América. Los derechos, cargas o exacciones precitados en ningún caso serán más elevados que los impuestos por los Estados Unidos de América o la República de Cuba, respectivamente, sobre embarques de igual mercancía de cualquier otro país. Este artículo, sin embargo, no se interpretará de manera que abarque los derechos, cargas o exacciones razonables correspondientes a la documentación requerida por las leyes o reglamentos sanitarios de los Estados Unidos de América o de la República de Cuba, que sean proporcionales a los servicios prestados.

Sanitary charges.

Article VII

In respect to articles the growth, produce or manufacture of the United States of America or the Republic of Cuba, imported into the other country, on which ad valorem rates of duty may be assessed, it is understood and agreed that the methods of determining dutiable value and of converting currencies shall be no less favorable to importers than the methods prescribed under presently existing laws and regulations of the respective importing country.

Artículo VII

Con respecto a los artículos cosechados, producidos o fabricados en los Estados Unidos de América o en la República de Cuba, importados en el otro país, a los que sean impuestos derechos ad-valorem, se entiende y conviene en que los métodos para determinar el valor adeudable y los de conversión de moneda, no serán en manera alguna menos favorables a los importadores que los métodos prescritos en las leyes y reglamentos actualmente existentes en el país importador respectivo.

Determining dutiable value, etc.

ARTICLE VIII

Equal treatment of imports.

All articles the growth, produce or manufacture of the United States of America or the Republic of Cuba, shall, after importation into the territory of the other country, be exempt from national or federal internal taxes, fees, charges or exactions, other or higher than those payable on like articles of national or any other foreign origin.

All articles enumerated and described in Schedule I annexed to this Agreement, with respect to which a rate of duty is specified in Column 2 of the said Schedule, shall be exempt from all taxes, fees, charges, or exactions, in excess of those imposed or required to be imposed by laws of the Republic of Cuba in effect on the day on which this Agreement comes into force; and all articles enumerated and described in Schedule II annexed to this Agreement, with respect to which a rate of duty is specified in Column 2 of the said Schedule, shall be exempt from all taxes, fees, charges or exactions, in excess of those imposed or required to be imposed by laws of the United States of America in effect on the day on which this Agreement comes into force.

Only U. S. Government taxes to be imposed.

The provisions of this Article, insofar as they apply to taxes, fees, charges, or exactions imposed within the United States of America, shall apply only to such taxes, fees, charges, or exactions as are subject to statutory control by the Federal Government of the United States of America.

ARTÍCULO VIII

Todos los artículos cosechados, producidos o fabricados en los Estados Unidos de América o en la República de Cuba, estarán exentos, después de su importación en el territorio del otro país, de impuestos, derechos, cargas o exacciones interiores, nacionales o federales, distintos o mayores que los pagaderos sobre análogos artículos de origen nacional o de otro país extranjero.

Todos los artículos enumerados y descritos en la Lista I, anexa a este Convenio, con respecto a los cuales se especifica un tipo de derechos en la Columna 2 de dicha Lista, estarán exentos de todos los impuestos, derechos, cargas o exacciones, en exceso de los establecidos o de los que las leyes de la República de Cuba vigentes en el día en que este Convenio entre en vigor requieran que sean establecidos; y todos los artículos enumerados y descritos en la Lista II, anexa a este Convenio, con respecto a los cuales se especifica un tipo de derechos en la Columna 2 de dicha Lista, estarán exentos de todos los impuestos, derechos, cargas o exacciones, en exceso de los establecidos o de los que las leyes de los Estados Unidos vigentes en el día en que este Convenio entre en vigor requieran que sean establecidos.

Las disposiciones de este Artículo, en cuanto sean aplicables a impuestos, derechos, cargas o exacciones establecidos en los Estados Unidos de América, sólo serán aplicables a los derechos, impuestos, cargas o exacciones que estén sujetos a la facultad legislativa del Gobierno Federal de los Estados Unidos de América.

ARTICLE IX

Status of imports on day of agreement.

On and after the day on which this Agreement comes into force, articles the growth, produce or manufacture of the United States of America and articles the growth, produce or manufacture

ARTÍCULO IX

A contar del día en que este Convenio se ponga en vigor, los artículos cosechados, producidos o fabricados en los Estados Unidos de América, y los artículos cosechados, producidos o fabricados

of the Republic of Cuba previously imported into the other country shall be subject to the provisions of this Agreement, if entry therefor has not been made, or if they have been previously entered without payment of duty and under bond for warehousing, transportation, or any other purpose, and without any permit of delivery to the importer or to his agent having been issued: Provided, That when duties are based upon the weight of merchandise deposited in any public or private warehouse, the said duties shall, except as may be otherwise specially provided in the tariff laws of the respective countries in force on the day of signature of this Agreement, be levied and collected upon the weight of such merchandise at the time of its entry.

en la República de Cuba importados con anterioridad en el otro país, estarán sujetos a las disposiciones de este Convenio, si no hubieren sido despachados, o si hubieren entrado con anterioridad sin el pago de los derechos y bajo fianza para su almacenaje, transporte o cualquier otro fin, y sin que se hubiere expedido permiso alguno de entrega al importador o a su agente: a condición de que cuando los derechos se basen en el peso de las mercancías depositadas en cualquier almacén público o particular, dichos derechos, excepto cuando otra cosa se disponga especialmente en las leyes arancelarias de los países respectivos, vigentes en el día de la firma de este Convenio, sean aforados y cobrados por el peso de esas mercancías en la fecha de su entrada.

Proviso. Duties based on weight.

ARTICLE X

In respect to articles subject to specific rates of duty, neither the United States of America nor the Republic of Cuba shall impose any additional duty, surtax, or other charge, by reason of any reduction in the value of its coin or currency with reference to the legal gold equivalent thereof as of June 1, 1934: Provided, That in the event that any such reduction shall have exceeded 10 per centum with reference to the legal gold equivalent of such coin or currency as of June 1, 1934, the rates of duty levied on a specific basis in the country whose coin or currency is so reduced in value on imported articles the growth, produce or manufacture of the other country may be increased to an extent no greater than is necessary to compensate for such reduction on the date of the arrival of the imported merchandise at the port of entry; except that any such increase in rates of duty imposed by either country on imported articles the growth, produce or manufacture of the other country, shall not be greater proportionately than the increase in rates of duty on like articles the

ARTÍCULO X

Con respecto a los artículos sujetos a tipos de derechos específicos, ni los Estados Unidos de América ni la República de Cuba impondrán derecho, recargo u otra carga alguna adicional, por razón de cualquiera reducción en el valor de su moneda acuñada o dinero corriente (Currency), con referencia al equivalente legal en oro de los mismos el día 1 de Junio de 1934; disponiéndose, sin embargo, que en el caso de que cualquiera reducción semejante haya excedido del 10 por ciento con referencia al equivalente legal en oro de esa moneda acuñada o dinero corriente (Currency) el 1 de Junio de 1934, los tipos de derechos impuestos sobre una base específica en el país cuya moneda o dinero corriente sea así reducido en valor, sobre artículos importados, cosechados, producidos o fabricados en el otro país, podrán ser aumentados en una cantidad no mayor que la necesaria para compensar esa reducción en el día de la llegada de la mercancía importada al puerto de entrada; excepto que cualquier aumento semejante en los tipos de derechos impuestos por uno u

Charges not affected because of currency devaluation.

Proviso. Limitation.

growth, produce or manufacture of any other foreign country.

otro país sobre los artículos importados, cosechados, producidos o manufacturados en el otro país no será proporcionalmente mayor que el aumento en los tipos de derechos sobre análogos artículos cosechados, producidos o manufacturados en cualquier otro país extranjero.

ARTICLE XI

ARTÍCULO XI

Customs preferences conditional.

The customs preferences and other benefits provided for in this Agreement are granted by the United States of America and the Republic of Cuba to each other subject to the condition that the Government of each country will refrain from subjecting payments or the transfer of means of payment or the disposition thereof to any regulation, restriction, charge or exaction, other or higher than was in force on April 1, 1934, which results in (one) impairing or circumventing any provision of this Agreement, (two) placing an undue burden on trade between the nationals or residents of the respective countries, or (three) preventing or hindering nationals of either country residing, doing business, or traveling in the territory of the other country from securing and transferring in or to either country the funds reasonably necessary for, or arising from, such residence, business, or travel. In the event that the Government of either country considers that the other country has failed to comply with the conditions expressed in this Article, and the latter country shall not have satisfactorily corrected the regulation, restriction, charge or exaction out of which such failure arose, after formal complaint has been made thereof, the Government of the country so complaining may terminate the Agreement thirty days after giving notice to the other Government.

Las preferencias aduanales y otros beneficios estipulados en este Convenio, son otorgados, de una parte a la otra, por los Estados Unidos de América y la República de Cuba, sujetos a la condición de que el Gobierno de cada país se abstenga de someter los pagos o la transferencia de los medios de pago o la disposición de éllos, a ningún reglamento, restricción, carga o exacción alguna distinta o mayor que la vigente el 1 de Abril de 1934, que dé por resultado (uno) menoscabar o eludir cualquiera de las disposiciones de este Convenio, (dos) imponer una carga indebida al comercio entre los nacionales o residentes de los países respectivos, o (tres) impedir o estorbar a los nacionales de uno u otro país que residan, negocien o viajen en el territorio del otro país, conseguir o transferir en o a uno u otro país, los fondos razonablemente necesarios para esa residencia, negocio o viaje, o que de éllos surjan. En el caso de que el Gobierno de uno u otro país considere que el otro país ha faltado al cumplimiento de las condiciones expresadas en este artículo, y de que este último país no ha corregido satisfactoriamente el reglamento, la restricción, carga o exacción de la cual se originó la falta, después de presentada formal queja de éllo, el Gobierno del país que así se hubiere quejado podrá dar por terminado el Convenio treinta días después de notificar al otro Gobierno.

Right to abrogate.

Exporting gold or silver.

Nothing in this Article shall be construed to prevent the adoption of measures prohibiting or restricting the exportation of gold or silver.

Nada de lo contenido en este Artículo se interpretará que impide la adopción de medidas que prohiban o restrinjan la exportación de oro o plata.

ARTICLE XII

The United States of America and the Republic of Cuba retain the right to apply such measures as they respectively may see fit with respect to the control of the export or sale for export of arms, munitions, or implements of war, and in exceptional circumstances of other material needed in war.

ARTÍCULO XII

Control of arms exportation, etc., reserved.

Los Estados Unidos de América y la República de Cuba, se reservan el derecho de adoptar las medidas que respectivamente crean convenientes con respecto al control de la exportación o la venta para la exportación de armas o pertrechos de guerra y en circunstancias excepcionales de todo otro material necesario para la guerra.

ARTICLE XIII

No administrative ruling by the United States of America or the Republic of Cuba effecting advances in duties or charges applicable under an established and uniform practice to imports from the territory of the other country shall be effective retroactively or with respect to articles either entered for or withdrawn for consumption prior to the expiration of thirty days after the date of publication of notice of such ruling in the usual official manner. The provisions of this Article do not apply to administrative orders imposing anti-dumping duties, nor relating to sanitation or public safety, nor giving effect to judicial decisions.

ARTÍCULO XIII

No retroactive ruling effecting advances, etc.

Ninguna disposición administrativa de los Estados Unidos de América o de la República de Cuba, que efectúe aumento en los derechos o cargas aplicables, conforme a una práctica establecida y uniforme, a las importaciones del territorio del otro país, tendrá efecto retroactivo o con respecto a artículos despachados o retirados para el consumo con anterioridad a la expiración de treinta días después de la fecha de publicación, de la manera oficial usual, del aviso de esa disposición. Las disposiciones de este artículo no son aplicables a las órdenes administrativas que impongan derechos contra el "Dumping", a las que se refieran a la sanidad o a la seguridad pública, ni a las que dén efecto a sentencias judiciales.

Anti-dumping duties.

ARTICLE XIV

Laws, regulations of administrative authorities, and decisions of administrative or judicial authorities, pertaining to the classification of articles for customs purposes and to rates of duty shall be published promptly in such a manner as to enable traders to become acquainted with them. Such laws, regulations, and decisions of the United States of America or the Republic of Cuba shall be applied uniformly at all ports of entry of the country, except as otherwise specifically provided in statutes of the United States of America relating to articles imported into Puerto Rico.

ARTÍCULO XIV

Laws, regulations, and decisions to be published.

Las leyes, los reglamentos de las autoridades administrativas, y las decisiones de las autoridades administrativas o judiciales referentes a la clasificación de artículos para fines aduanales y a los tipos de derechos, serán publicados prontamente de manera tal que permitan al comerciante tener conocimiento de éllos. Tales leyes, reglamentos y resoluciones de los Estados Unidos de América o de la República de Cuba, serán aplicados uniformemente en todos los puertos de entrada del país, excepto en cuanto otra cosa se disponga en los estatutos de los Estados Unidos con respecto a los artículos importados en Puerto Rico.

Uniform application.

ARTICLE XV

Territories, etc., not embraced.

The provisions of this Agreement shall not apply to the Philippine Islands, the Virgin Islands, American Samoa, the Island of Guam, nor to the Panama Canal Zone.

ARTICLE XVI

Convention of 1902 suspended during life of this Agreement. Vol. 33, p. 2136.

Automatic resumption upon expiration, etc., of Agreement.

The operation of the provisions of the Commercial Convention, concluded between the United States of America and the Republic of Cuba on December 11, 1902, shall be suspended on the day on which the present Agreement comes into force. In the event of the expiration or the denunciation of the present Agreement, the provisions of the aforesaid Convention of 1902 shall automatically resume operation and shall continue in full force and effect as provided therein until the expiration of one year from the day on which the Government of either country shall have given notice to the other Government of an intention to terminate it.

ARTICLE XVII

Effective date.

The present Agreement shall come into force on the tenth day following the day of the signature thereof, after proclamation by the President of the United States of America and the President of the Republic of Cuba, and shall remain in full force for the term of three years thereafter, unless terminated pursuant to the provisions of Article XI or of the third paragraph of this Article.

Duration.

Unless at least six months before the expiration of the aforesaid term of three years the Government of either country shall have given to the other Government notice of an intention to terminate the Agreement upon the expiration of the aforesaid term or it shall have been terminated pursuant to the provisions of Article XI or of the third paragraph of this Article, the Agree-

ARTÍCULO XV

Las disposiciones de este Convenio no serán aplicables a las Islas Filipinas, las Islas Vírgenes, la Samoa Americana, la Isla de Guam ni a la Zona del Canal de Panamá.

ARTÍCULO XVI

La vigencia de las disposiciones del Convenio comercial, celebrado entre los Estados Unidos de América y la República de Cuba el 11 de Diciembre de 1902, se suspenderá el día en que el presente Convenio sea puesto en vigor. En el caso de que expire o sea denunciado el presente Convenio, las disposiciones del antes mencionado Convenio de 1902 automáticamente volverán a su vigencia y continuarán en pleno vigor y efecto como en la misma se dispone, hasta que haya expirado un año a contar del día en que el Gobierno de uno u otro país notifique al otro Gobierno de su intención de darlo por terminado.

ARTÍCULO XVII

El presente Convenio entrará en pleno vigor el décimo día después de la firma del mismo, y de la proclamación por el Presidente de los Estados Unidos de América y por el Presidente de la República de Cuba, y permanecerá en pleno vigor, por el término de tres años después de tal fecha, a menos que sea terminado de acuerdo con las disposiciones contenidas en el Artículo XI o del párrafo tercero del presente Artículo.

A no ser que por lo menos seis meses antes de la terminación del precitado plazo de tres años el Gobierno del uno o del otro país le haya notificado al otro su intención de terminar el Convenio al cumplirse el antedicho plazo, o que hubiere terminado de acuerdo con las disposiciones contenidas en el Artículo XI o de acuerdo con las del párrafo tercero del presente Artículo, el Convenio

ment shall remain in full force thereafter until six months from such time as the Government of either country shall have given notice to the other Government.

If, however, the rates of duty on sugar or tobacco specified in Column 2 of Schedule II annexed to this Agreement shall be increased in accordance with the provisions set forth in the notes to paragraphs 501 or 605 of the said Schedule, this Agreement may be terminated by the Government of either country by giving notice to the other Government of an intention to terminate it at the expiration of thirty days from the date of such notice.

IN WITNESS WHEREOF, the respective Plenipotentiaries have signed this Agreement and have affixed their seals hereto.

DONE in duplicate, in the English and Spanish languages, both authentic, at the city of Washington, this 24th day of August, 1934.

quedará en pleno vigor después de tal fecha hasta seis meses de la en que el Gobierno de uno de los dos países haya notificado al otro.

Sugar and tobacco schedules.

En caso de que, sin embargo, los tipos de derechos sobre el azúcar o el tabaco especificados en la Columna 2 de la Lista II adjunta a este Convenio, sean aumentados conforme con las disposiciones expuestas en las notas del párrafo 501 o 605 de la citada Lista, este Convenio podrá terminarse por el Gobierno de uno u otro país, mediante la notificación por parte del Gobierno de uno de los dos países al otro, de la intención que tenga de terminarlo al vencimiento de los treinta días siguientes a la fecha del aviso correspondiente.

Signatures.

EN TESTIMONIO DE LO CUAL, los respectivos Plenipotenciarios han firmado este Convenio y han fijado sus sellos en el mismo.

FORMULADO por duplicado, en los idiomas inglés y español, ambos auténticos, en la ciudad de Washington, hoy día 24 de Agosto de 1934.

For the President of the United States of America:

[SEAL] CORDELL HULL
Secretary of State.

[SEAL] JEFFERSON CAFFERY
Ambassador Extraordinary and Plenipotentiary to the Republic of Cuba.

[SEAL] SUMNER WELLES
Assistant Secretary of State.

For the President of the Republic of Cuba:

[SEAL] COSME DE LA TORRIENTE
Secretary of State.

[SEAL] M. MÁRQUEZ STERLING
Ambassador Extraordinary and Plenipotentiary to the United States of America.

Schedule I.

SCHEDULE 1

Tariff Item	Description of Articles	Column 1 *Minimum preferential reduction to the United States.*	Column 2 *Maximum rates of duty. Specific rates in Cuban pesos.*
3	Earths employed in the arts and in manufacturing, and manufactures of gypsum:		
3–C	Cement, white, either natural or artificial, G.W.---100 Kgs..	50%	
3–D	Cement, other, G.W.---100 Kgs..	20%	0. 40
5	Asphalt, bitumens and shales in their natural state, tar, mineral pitch and mineral creosote: NOTE: No change will be made in the customs treatment of any article classified on the day of the signature of this Agreement under items 5 to 8, inclusive, of the Cuban Customs Tariff without prior negotiation with the United States of America.		
10	Common or ordinary glass:		
10–A	In containers of all kinds for industries, not constituting ornaments, G.W.T.---100 Kgs..	40%	1. 20
11	Ordinary colorless or artificially colored glass:		
11–A	In tableware, and other articles which do not constitute ornaments, plain, pressed or moulded, not chased, engraved, gilded or painted, T..100 Kgs..	40%	4. 008
11–B	In tableware and other objects which do not constitute ornaments, chased, engraved, gilded or painted, T.---100 Kgs..	40%	6. 408
12	Crystal:		
12–A	In articles of crystal, plain, chased, engraved, gilded or ornamented in any manner, not constituting ornaments or fancy articles, G.W.T.---100 Kgs..	35%	13. 00
13	Glass and crystal, plain or curved:		
13–B	For windows, T.---100 Kgs..	40%	2. 70
13–C	Ordinary or reinforced, not polished on the edges or ground, beveled, engraved or annealed, T.---100 Kgs..	40%	2. 70
15	Incandescent electric lamps:		
15–A	Miniature and special bulbs up to 25 watts, including automobile bulbs.---Per hundred..	60%	1. 50
15–B	All incandescent bulbs up to 50 watts capacity ---Per hundred..	60%	2. 24
15–C	All incandescent bulbs of more than 50 watts and up to 100 watts.---Per hundred..	60%	3. 00
15–D	All incandescent bulbs of more than 100 watts and up to 300 watts.---Per hundred..	50%	4. 50

LISTA I

Partida	Descripción de los Artículos	Columna 1 *Reducción preferencial mínima á los Estados Unidos*	Columna 2 *Derechos máximos de aduana. Derechos específicos en pesos cubanos.*
3	Tierras empleadas en las artes y las industrias, y las manufacturas de yeso:		
3-C	Cemento, blanco ya sea natural o artificial. P.B.---100 Kgs--	50%	
3-D	Los demás cementos. P.B.---100 Kgs--	20%	0. 40
5	Asfalto, betunes y esquistos en su estado natural, alquitrán, brea y aceite de creosota mineral:		
	NOTA: No se efectuará cambio alguno en el trato aduanal referente a cualquier artículo que esté clasificado el día de la firma de este Convenio, bajo las Partidas 5 a 8, inclusive, del vigente arancel de aduana Cubano, sin previa negociación con el Gobierno de los Estados Unidos de América.		
10	Vidrio común u ordinario:		
10-A	En envases de todas clases para las industrias, sin constituir adornos. P.B.T.---100 Kgs--	40%	1. 20
11	Vidrio ordinario incoloro o coloreado artificialmente:		
11-A	En servicio de mesa y otros objetos que no constituyan adornos, lisos, prensados o moldeados, no tallados, grabados, dorados o pintados. T.---100 Kgs--	40%	4. 008
11-B	En servicio de mesa y otros objetos que no constituyan adornos, tallados, grabados, dorados o pintados. T.---100 Kgs--	40%	6. 408
12	Cristal:		
12-A	En objetos de cristal, lisos, tallados, grabados, dorados u ornamentados en cualquier forma, que no constituyan adornos u objetos de fantasía. P.B.T.---100 Kgs--	35%	13. 00
13	Vidrio y cristal, plano o curvado:		
13-B	Para ventanas. T.---100 Kgs--	40%	2. 70
13-C	Corrientes o armados, y que no estén pulimentados en sus bordes o esmerilados, biselados, grabados o recocidos. T.---100 Kgs--	40%	2. 70
15	Lámparas eléctricas incandescentes:		
15-A	Bombillos en miniatura y especiales hasta 25 watts, incluyendo los bombillos de automóviles.-Ciento--	60%	1. 50
15-B	Todos los bombillos incandescentes hasta 50 watts de capacidad.---Ciento--	60%	2. 24
15-C	Todos los bombillos incandescentes de más de 50 watts y hasta 100 watts.---Ciento--	60%	3. 00
15-D	Todos los bombillos incandescentes de más de 100 watts y hasta 300 watts.---Ciento--	50%	4. 50

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
15–E	All incandescent bulbs of more than 300 watts ----------Per hundred--	50%	9. 00
	NOTE: Internal containers or wrappers of cardboard employed in the importation of incandescent bulbs, whether plain, or with printing or with designs in black or colors, shall be admitted duty free.		
16	Brick, flagging, fireclay and other articles of refractory earth:		
16–B	Brick, fireclay and other articles of refractory earth, G.W----------100 Kgs--	20%	0. 40
19	Manufactures of cement, with or without mixture of other materials, hollow or not:		
19–A	In roofing tile, plates and sheets, G.W---100 Kgs--	20%	0. 64
20	All classes of earthenware articles, not elsewhere specified:		
20–A	Not painted, gilded or in relief, T-------100 Kgs--	35%	2. 9575
29	Silver worked in any other form or article, N.W----------Kg--	30%	
30	Gold-plated or silver-plated articles of all kinds, and gold-plated or silver-plated metal jewelry with or without precious stones or their imitations:		
30–B	Other articles----------	40%	
	Plus 25% of the duty specified (Law of July 31, 1917)----------	40%	
32	Cast iron In articles not coated or ornamented with any other metal or with porcelain, and not polished or turned:		
32–A	In pipes and fittings for the same, with a diameter of 6 inches or less, for drains or sanitary installation, G.W----------100 Kgs--	35%	1. 625
32–B	In reinforced pipes and fittings for the same, with a diameter of 6 inches or less, for the conduction of water under pressure, G.W----------100 Kgs--	40%	0. 54
32–C	In pipes of all kinds and fittings for the same, with a diameter of more than 6 inches, G.W--100 Kgs--	40%	0. 36
32–D	Other accessories for pipes, not specifically classified, G.W----------100 Kgs--	40%	
32–G	Other articles, G.W----------100 Kgs--	40%	
34	In furniture and other objects:		
34–A	In furniture of all kinds, of cast iron, T--100 Kgs--	40%	3. 60
	Plus an ad valorem duty----------	40%	12%
34–B	In show cases and other articles, enameled, tinned or coated or ornamented with other metals or porcelain, T----------100 Kgs--	35%	2. 60
36	Wrought iron or steel, rolled:		
36–B	In bars of all shapes, including rods, rims, and hoops, G.W----------100 Kgs--	60%	0. 30

Partida	Descripción de los Artículos	Columna 1	Columna 2
15–E	Todos los bombillos incandescentes de más de 300 watts----------Ciento--	50%	9. 00
	NOTA: Los envases interiores o envolturas de cartón, empleados en la importación de bombillos electricos incandescentes, en blanco o impresos, con diseños en negro u otros colores, no estarán sujetos a derecho alguno.		
16	Ladrillos, baldosas, barro refractario y demás objetos de tierra refractaria:		
16–B	Ladrillos, barro refractario y demás objetos de tierra refractaria. P.B----------100 Kgs--	20%	0. 40
19	Manufacturas de cemento, con o sin mezcla de otras materias, sean o no huecas:		
19–A	En tejas, planchas y láminas. P.B-------100 Kgs--	20%	0. 64
20	Loza de barro en toda clase de objetos no especificados en otras partidas.		
20–A	Que no estén pintados, dorados ni en relieve. T. ----------100 Kgs--	35%	2. 9575
29	Plata labrada en cualquiera otra forma u objetos. P.N ----------Kg--	30%	
30	Objetos de todas clases, dorados o plateados, y joyería de metal, dorado o plateado, con o sin piedras preciosas o sus imitaciones:		
30–B	Los demás----------	40%	
	Más un 25% del derecho expresado. (Ley del 31 de Julio de 1917)----------	40%	
32	Hierro fundido En objetos que no tengan baño ni adorno de otro metal o de porcelana, y que no estén pulimentados ni torneados:		
32–A	En tubos y accesorios para el ajuste de los mismos, con diámetro de 6 pulgadas o menos, para drenaje e instalaciones sanitarias. P.B--------100 Kgs--	35%	1. 625
32–B	En tubos reforzados y accesorios para el ajuste de los mismos, con diámetro de 6 pulgadas o menos para la conducción de agua bajo presión. P.B. ----------100 Kgs--	40%	0. 54
32–C	En tubos de todas clases y accesorios para el ajuste de los mismos, con diámetro mayor de 6 pulgadas. P.B----------100 Kgs--	40%	0. 36
32–D	Los demás accesorios para tubos, no tarifados especialmente. P.B----------100 Kgs--	40%	
32–G	Los demás objetos. P.B----------100 Kgs--	40%	
34	En muebles y otros objetos:		
34–A	En muebles de todas clases, de hierro fundido o colado. T----------100 Kgs--	40%	3. 60
	Más un derecho ad valorem----------	40%	12%
34–B	En vitrinas y otros objetos esmaltados, estañados o con baños o adornos de otros metales o porcelana. T----------100 Kgs--	35%	2. 60
36	Hierro forjado o acero laminado:		
36–B	En barras de todas formas, incluyendo las varillas, llantas y aros, P.B----------100 Kgs--	60%	0. 30

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
37	Rolled sheets:		
37-A	Not polished or tinned, having a thickness of 3 or more millimeters, G.W.—100 Kgs.	40%	
37-B	Not polished or tinned, of less than 3 millimeters thickness, and strap-iron, G.W.—100 Kgs.	40%	
37-E	Polished, corrugated, perforated, cold-rolled, whether galvanized or not, and polished strap-iron, G.W.—100 Kgs.	40%	1. 20
39	Wrought iron or steel, in finished shapes:		
39-B	Wheels of 100 Kgs. or less, G.W.—100 Kgs.	30%	
39-C	Fishplates, bearings, sleepers, mill-roll axles or straight axles, springs for railways and tramcars and journal-boxes, G.W.—100 Kgs.	40%	
40	Piping, cylindrical, triangular, octagonal, or any other form, and whether or not coated or galvanized, except special tubes for boilers, G.W.—100 Kgs.	40%	
41	Wire, whether galvanized or not:		
41-A	More than 2 millimeters, up to 8 millimeters diameter, T.—100 Kgs.	30%	
41-B	More than ½ millimeter, up to 2 millimeters diameter, T.—100 Kgs.	40%	
41-D	In cables, G.W.—100 Kgs.	40%	
41-G	In fences and grille-work, not ornamental, for farms and pastures, G.W.—100 Kgs.	40%	
42	Large structural shapes:		
42-A	In beams, bars and shapes of all kinds, not cut to measure, without screws or rivets and not perforated, G.W.—100 Kgs.	60%	0. 32
43	Anchors, chain for vessels and for machinery, moorings, switches and signal disks, G.W.—100 Kgs.	35%	
45	Wire gauze:		
45-A	Up to 19 threads in an area 23 millimeters square, T.—100 Kgs.	50%	
47	Tools and implements not constituting apparatus:		
47-A	Fine, for arts, crafts and professions, made of fine crucible steel or fine steel cast by other methods, T.—100 Kgs.	40%	3. 00
47-E	Other tools and implements, T.—100 Kgs.	40%	1. 80
48	In screws, nuts, bolts, washers and rivets, nails, meat-hooks, tacks, brads and other articles not specified in other items:		
48-A	Nails, brads and rivets, T.—100 Kgs.	35%	1. 625
48-B	Those not covered by the preceding letter, T.—100 Kgs.	30%	2. 10
49	Bits, stirrups, spurs, trimmings, rings, hames, pins and other accessories of saddlery work, T.—100 Kgs.	30%	2. 10
50	Buckles of all kinds, T.—Kg.	30%	0. 14
52	Pins, hooks and eyes, hairpins and snaps, including the cardboard containers, N.W.—Kg.	30%	

Partida	Descripción de los Artículos	Columna 1	Columna 2
37	Planchas laminadas:		
37–A	Sin pulimentar ni estañar, de 3 o más milímetros de grueso. P.B.....100 Kgs..	40%	
37–B	Sin pulimentar, ni estañar, de menos de 3 milímetros de grueso y los flejes. P.B.....100 Kgs..	40%	
37–E	Las pulimentadas, onduladas, perforadas, las laminadas en frío, estén o nó galvanizadas, y las cintas de flejes pulimentadas. P.B.....100 Kgs..	40%	1. 20
39	Hierro forjado o acero, en piezas acabadas:		
39–B	Ruedas de 100 Kgs. o menos. P.B.....100 Kgs..	30%	
39–C	Eclisas, cojinetes, durmientes, los guijos o ejes rectos, los muelles para ferrocarriles y tranvias y las cajas de engrase. P.B.....100 Kgs..	40%	
40	Tubos cilíndricos, triangulares, octagonales, o de cualquiera otra forma, estén o nó enchapados o galvanizados, excepto los tubos especiales para calderas. P.B.....100 Kgs..	40%	
41	Alambre, esté o no galvanizado:		
41–A	De más de 2 milímetros a 8 milímetros de diámetro. T.....100 Kgs..	30%	
41–B	De más de ½ milímetro a 2 milímetros de diámetro. T.....100 Kgs..	40%	
41–D	En cables. P.B.....100 Kgs..	40%	
41–G	En cercas y enrejados no ornamentados, para granjas y potreros. P.B.....100 Kgs..	40%	
42	Piezas grandes estructurales:		
42–A	En vigas, barras y piezas de todas clases, no cortadas a medida, sin tornillos, ni remaches, y sin agujerear. P.B.....100 Kgs..	60%	0. 32
43	En anclas, cadenas para buques y para maquinarias, amarras, cambia-vías y discos de señales. P.B.....100 Kgs..	35%	
45	Tela metálica:		
45–A	Hasta 19 hilos en un cuadrado de 23 milímetros de lado. T.....100 Kgs..	50%	
47	Herramientas y aperos que no constituyan aparatos:		
47–A	Finas para artes, oficios y profesiones, hechas con acero fino fundido al crisol o por otros procedimientos. T.....100 Kgs..	40%	3. 00
47–E	Las demás herramientas e implementos. T..... 100 Kgs..	40%	1. 80
48	En tornillos, tuercas, pernos, arandelas y remaches, clavos, escarpias, tachuelas, puntillas, y demás objetos no especificados en otras partidas:		
48–A	Clavos, puntillas y remaches. T.....100 Kgs..	35%	1. 625
48–B	Los que no estén comprendidos en la letra anterior. T.....100 Kgs..	30%	2. 10
49	Bocados, estribos, espuelas, remates, argollas, horcates, pasadores y demás accesorios de talabartería. T.....100 Kgs..	30%	2. 10
50	Hebillas de todas clases. T.....Kg..	30%	0. 14
52	Alfileres, corchetes, horquillas y presillas, con inclusión de los envases de cartón. P.N.....Kg..	30%	

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
53	Cutlery:		
53–A	With handles of wood, iron, horn, bone or composition, for use of cooks, butchers, saddlers, shoemakers and those of other crafts or arts, including grinders; and table knives and forks with such handles, or with handles of the same material as the blade, whether or not they are tinned or nickeled in whole or in part. T.....Kg..	40%	
53–C	Pocketknives with handles of ordinary metals, or of other materials not coated, gold-plated or silver-plated, razors, including safety razors, not coated, gold-plated or silver-plated, and weapons of steel and their parts, including sabers, swords and foils for fencing, T.....Kg..	40%	
53–F	Steel blades for safety razors, in finished or unfinished state.....100 blades..	50%	0. 30
57	Beds and other articles of ordinary manufacture:		
57–B	Articles of all kinds not specifically classified, of ordinary manufacture, even though coated with lead, tin or zinc, or painted or varnished, T. 100 Kgs..	40%	
58	Beds and other articles of fine manufacture:		
58–B	In furniture of all kinds, of iron or steel, in any form in which imported, assembled or knocked down, finished or unfinished, T.....100 Kgs..	40%	3. 60
	Plus an ad valorem duty.....	40%	12%
58–C	In articles of all kinds not specifically classified, T.....100 Kgs..	45%	
	Copper and its alloys of ordinary metals (brass, bronze, etc.):		
61	In bars of all kinds, G. W.....100 Kgs..	30%	2. 45
62	Rolled in plates and in powder:		
62–A	Rolled, in plates, G. W.....100 Kgs..	40%	2. 40
62–B	Laminated, in rolls for roofing, with a weight not exceeding 3 ounces per square foot, G. W. 100 Kgs..	30%	2. 10
	NOTE: When the material included in the foregoing item is combined with or electroplated on any textile fabric, asbestos felt, paper, board or felt, whether or not impregnated or coated with tar, pitch, asphalt or similar material, for roofing, sheathing, and other building purposes it shall be subject to a surcharge of 20% of the duty specified.		
62–C	Leaf or powdered copper, N. W.....Kg..	30%	
63	Wire:		
63–A	Of one millimeter or more in diameter, T. 100 Kgs..	40%	
63–B	Of less than one millimeter in diameter, T. 100 Kgs..	30%	
64	Wire covered with fabric or insulating material, and cables for carrying electric current:		
64–A	Sheathed with lead pipe and various insulating or protective materials, T.....100 Kgs..	40%	
64–B	All others, T.....100 Kgs..	50%	8. 00

Partida	Descripción de los Artículos	Columna 1	Columna 2
53	Cuchillería:		
53–A	Con mangos de madera, hierro, asta, hueso o pasta, para uso de cocineros, carniceros, talabarteros, zapateros y de los de otros oficios o artes, incluyendo los afiladores; y los cuchillos y tenedores de mesa con los mangos dichos, o los de su propia materia, estén o nó, en todo o en parte, estañados o niquelados. T.....Kg..	40%	
53–C	Cuchillas de bolsillo con mangos de metales comunes u otras materias sin enchapado, dorado ni plateado, las navajas de afeitar, incluyendo las de seguridad, conocidas por máquinas de afeitar, sin enchapado, dorado ni plateado, y las armas blancas y sus piezas, comprendidas los sables, espadas y floretes para esgrima T.....Kg..	40%	
53–F	Las hojas de acero para navajas de seguridad, en estado acabado o sin acabar.....100 hojas..	50%	0. 30
57	Camas y otros artículos de manufactura ordinaria:		
57–B	Artículos de todas clases no tarifados especialmente, de manufactura ordinaria, aunque tengan baño de plomo, estaño o zinc, o estén pintados o barnizados. T.....100 Kgs..	40%	
58	Camas y otros artículos de manufactura fina:		
58–B	En muebles de todas clases, de hierro o acero, en cualquier forma que se importen, armados o desarmados, acabados o por acabar. T.100 Kgs..	40%	3. 60
	Más un derecho ad valorem.....	40%	12%
58–C	En artículos de todas clases no tarifados especialmente. T.....100 Kgs..	45%	
	Cobre y las aleaciones de metales comunes en que entra el cobre (latón, bronce, etc.):		
61	En barras de todas clases P.B.....100 Kgs..	30%	2. 45
62	Laminado en planchas y en polvo:		
62–A	Laminado, en planchas P.B.....100 Kgs..	40%	2. 40
62–B	Laminado, en rollos para techado, con peso que no exceda de 3 onzas por pie cuadrado. P.B .....100 Kgs..	30%	2. 10
	NOTA: Cuando el material incluído en la partida anterior esté combinado con o aplicado electrolíticamente a cualquier fibra textil, fieltro de asbestos, papel, cartón o fieltro, esté o nó impregnado o cubierto con chapapote, alquitrán, asfalto u otro material similar, para techar, forrar, y otros fines constructivos, estará sujeto a un recargo de 20% sobre el derecho especificado.		
62–C	En hojas o en polvo. P.N.....Kg..	30%	
63	Alambres:		
63–A	De un milímetro de diámetro, o más. T.100 Kgs..	40%	
63–B	De menos de un milímetro de diámetro. T. .....100 Kgs..	30%	
64	Alambres cubiertos de tejidos o con materias aisladoras, y los cables para la conducción de la electricidad:		
64–A	Resguardados con tuberías de plomo y varias cubiertas aisladoras. T.....100 Kgs..	40%	
64–B	Los demás, T.....100 Kgs..	50%	8. 00

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
65	Wire gauze:		
65–A	Up to 99 threads in an area 23 millimeters square, T.....Kg..	35%	0. 1625
65–B	Of 100 threads or more in an area 23 millimeters square, T.....Kg..	30%	0. 35
66	Pipe, plates for "hogares" (the "hogar" is that part of a boiler, stove, locomotive, etc., which holds the fire), pieces used in boiler-making, partly worked, and bearings:		
66–A	Pipe, plates for "hogares", and pieces used in boiler-making, partly worked, G.W.....100 Kgs..	20%	4. 48
66–B	Bearings, G.W.....100 Kgs..	20%	12. 00
67	Nails and tacks:		
67–B	All others, T.....Kg..	30%	0. 21
68	Pins, pens, crochet needles or hairpins and snaps, including cardboard containers, N.W.....Kg..	20%	0. 80
69	Articles not specifically classified:		
69–A	Polished, varnished or nickeled, T.....Kg..	40%	0. 30
69–B	Without polishing, varnishing or nickeling, T.Kg..	40%	0. 12
72	Nickel, aluminum and their alloys:		
72–B	In bars, plates, powder and wire, G.W...100 Kgs..	35%	3. 25
72–E	Aluminum hammered into fine leaves, with lithographic impressions, T.....Kg..	35%	
72–F	In other articles, T.....Kg..	40%	
73	Tin and its alloys (Britannia metal):		
73–B	In bars, plates and wire, G.W.....100 Kgs..	30%	
73–C	In pipe, and in containers for pastes, soaps and for other industrial uses, G.W.....100 Kgs..	35%	5. 6875
74	Zinc, lead and other metals not specifically classified, and the alloys thereof:		
74–B	In bars, plates and wire, G.W.....100 Kgs..	30%	
74–E	In varnished or nickeled articles, for other uses, T.....Kg..	30%	
74–M	In other articles, including printing type, T...Kg..	30%	
82–B	Malt, G.W.....100 Kgs..	40%	0. 18
84	Natural colors:		
84–A	In powder or lumps, G.W.....100 Kgs..	40%	0. 30
84–B	Prepared in any form, including prepared asphalt, G.W.....100 Kgs..	30%	0. 70
85	Artificial colors:		
85–A	In powder or lumps, G.W.T.....100 Kgs..	40%	0. 60
85–B	Coal-tar colors, G.W.T.....Kg..	30%	0. 14
85–C	Pigments or paints in paste or semi-paste containing artificial colors or a combination of artificial and natural colors, ground or mixed with oil or varnish and not for immediate application, G.W.T.....100 Kgs..	30%	7. 00
85–D	Lead or colored pencils, G.W.T.....100 Kgs..	40%	3. 00
86	Other artificial colors:		
86–A	Water paints and calcimines prepared with any of the colors provided for in Items 84 and 85, or a combination thereof, whether or not prepared for immediate use, G.W.T.....100 Kgs..	40%	4. 80

Partida	Descripción de los Artículos	Columna 1	Columna 2
65	Tela metálica:		
65–A	Hasta 99 hilos en cuadrado de 23 milímetros de lado. T.....Kg..	35%	0. 1625
65–B	De 100 hilos o más en cuadrado de 23 milímetros de lado. T.....Kg..	30%	0. 35
66	Tubos, planchas para hogares, piezas de calderería a medio labrar y cojinetes:		
66–A	Tubos, planchas para hogares y piezas de calderería a medio labrar. P.B.....100 Kgs..	20%	4. 48
66–B	Cojinetes. P.B.....100 Kgs..	20%	12. 00
67	Clavos y Tachuelas:		
67–B	Los demás. T.....Kg..	30%	0. 21
68	Alfileres, plumas, ganchos de crochet u horquillas, y presillas, con inclusión de los envases de cartón. P.N.....Kg..	20%	0. 80
69	Los artículos no tarifados especialmente:		
69–A	Pulimentados, barnizados o niquelados. T..Kg..	40%	0. 30
69–B	Sin pulimento, barniz ni niquelado. T.....Kg..	40%	0. 12
72	Níquel, aluminio y sus aleaciones:		
72–B	En barras, chapas, polvo y alambre. P.B.....100 Kgs..	35%	3. 25
72–E	Aluminio batido en hojas finas, con estampaciones litográficas. T.....Kg..	35%	
72–F	En los demás objetos. T.....Kg..	40%	
73	Estaño y sus aleaciones: (metal británico).		
73–B	En barras, chapas y alambres. P.B.....100 Kgs..	30%	
73–C	En tubos, y en envases para pastas, jabones y para otros usos industriales. P.B.....100 Kgs..	35%	5. 6875
74	Zinc, plomo y otros metales no tarifados especialmente y sus aleaciones:		
74–B	En barras, planchas y alambres. P.B...100 Kgs..	30%	
74–E	En objetos barnizados o niquelados, para otros usos. T.....Kg..	30%	
74–M	En los demás objetos, incluyendo tipos de imprenta. T.....Kg..	30%	
82–B	Malta. P.B.....100 Kgs..	40%	0. 18
84	Colores naturales:		
84–A	En polvo o terrón. P.B.....100 Kgs..	40%	0. 30
84–B	Preparados en cualquier forma, incluyendo el asfalto preparado. P.B.....100 Kgs..	30%	0. 70
85	Colores artificiales:		
85–A	En polvo o terrón. P.B.T.....100 Kgs..	40%	0. 60
85–B	Colores derivados del carbón de piedra. P.B..Kg..	30%	0. 14
85–C	Los pigmentos o pinturas en pasta o semi pasta que contengan colores artificiales o una combinación de colores artificiales y naturales, molidos o mezclados con aceite o barniz, no preparados para uso inmediato. P.B.T.....100 Kgs..	30%	7. 00
85–D	Lápices de grafito o de colores. P.B.T..100 Kgs..	40%	3. 00
86	Otros colores artificiales:		
86–A	Pinturas al agua y lechadas preparadas con cualquiera de los colores comprendidos en las Partidas 84 y 85, o una mezcla de estos; estén o no preparados para uso inmediato. P.B.T..100 Kgs..	40%	4. 80

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
86–B	Enamel paints and enamels, including cellulose lacquers and enamels and asphalt varnishes, ready for immediate application, G.W.T.----------100 Kgs--	30%	7.00
86–C	Other prepared paints ready for immediate application, not specially classified, G.W.T.---100 Kgs--	30%	7.00
86–D	Paints or colors in tablets or cakes, in tubes or similar containers for artists, schools, students, etc. G.W.T.----------Kg--	30%	0.175
87	Dyes:		
87–D	Other natural dyes, and dye extracts of sticks, bark and roots, etc., for dyeing, G.W.T.-100 Kgs--	30%	3.50
87–E	Other dyes, G.W.T.----------Kg--	30%	0.175
88	Inks:		
88–A	Writing and drawing inks, G.W.T.----------100 Kgs--	30%	
88–B	For printing work, G.W.T.----------100 Kgs--	35%	
88–C	For lithographing, G.W.T.----------100 Kgs--	35%	
89	Varnishes prepared without pigments and not specifically classified, G.W.T.----------100 Kgs--	20%	10.00
90	Blacking, G.W.----------100 Kgs--	20%	4.00
	* * * *		
	NOTE I: Compressed gases classified under items 91, 92, 93, 94 and 98 shall be dutiable on their actual net weight; all other products shall be dutiable on their gross weight, except as otherwise specified. NOTE II: All containers of compressed gases of any kind classified under items 91, 92, 93, 94 and 98 may be imported into Cuba without the payment of duty, under bond for their exportation within six months from the date of importation, which period may, in the discretion of the Secretary of the Treasury, be extended, upon application, for a further period not to exceed six months.		
91–B	Bromine, chlorine, boron, iodine and others not specifically classified, G.W.----------Kg--	30%	0.07
92	Inorganic acids:		
92–B	Liquid carbonic acid, N.W.----------Kg--	30%	0.14
93	Organic acids:		
93–B	Acetic, N.W.----------Kg--	30%	0.35
94	Oxides and oxyhydrates:		
94–A	Of ammonia, soda, potash and other caustic and barilla alkalis, including anhydrous ammonia---100 Kgs--	30%	0.175
95	Inorganic salts:		
95–A	Sodium chloride or common salt, in grains, G.W.----------100 Kgs--	35%	1.1375
95–B	Salt ground or manufactured in any other form, G.W.----------100 Kgs--	35%	1.4625
95–C	Salts of ammonia (except sulphate); chlorides of potassium and calcium; sulphates of potash, soda, iron, magnesium and barium (barytes); salts of copper, alum; oxide and carbonate of magnesia; hyposulphites and borax, G.W.---------100 Kgs--	40%	0.30

Partida	Descripción de los Artículos	Columna 1	Columna 2
86–B	Pinturas de esmalte y esmaltes, incluyendo lacas y esmaltes de celulosa y los barnices de asfalto preparados para uso inmediato. P.B.T.-100 Kgs..	30%	7. 00
86–C	Las demás pinturas preparadas, listas para su uso inmediato, no tarifadas especialmente. P.B.T.. ----------100 Kgs..	30%	7. 00
86–D	Pinturas y colores en tabletas o pastillas, en tubos o envases análogos, para artistas, escuelas, estudiantes etc. P.B.T.----------Kg..	30%	0. 175
87	Tintes:		
87–D	Los demás tintes naturales y extractos de palos, cortezas, raices, etc. tintóreos. P.B.T..100 Kgs..	30%	3. 50
87–E	Los demás tintes. P.B.T.----------Kg..	30%	0. 175
88	Tintas:		
88–A	Para escribir y dibujar. P.B.T.--------100 Kgs..	30%	
88–B	Para imprimir tipograficamente. P.B.T..100 Kgs..	35%	
88–C	Para imprimir litograficamente. P.B.T..100 Kgs..	35%	
89	Barnices preparados sin pigmentos, no tarifados especialmente. P.B.T.----------100 Kgs..	20%	10. 00
90	Betunes. P.B.----------100 Kgs..	20%	4. 00
	* * * *		
	NOTA I. Los gases comprimidos clasificados bajo partidas 91, 92, 93, 94, y 98 pagarán derechos sobre su peso neto real; todos los demás productos pagarán derechos sobre su peso bruto, excepto los especificados de otro modo. NOTA II. Los envases de gases comprimidos de cualquier clase clasificados bajo las partidas 91, 92, 93, 94, y 98 podrán ser importados en Cuba sin pagar derechos, bajo fianza para su reexportación dentro de los seis meses siguientes a la fecha de su importación, plazo que, a discreción del Secretario de Hacienda, podrá ser ampliado, previa solicitud, por un nuevo plazo que no excederá de seis meses.		
91–B	Bromo, cloro, boro, yodo y los demás no tarifados especialmente. P.B.----------Kg..	30%	0. 07
92	Acidos inorgánicos:		
92–B	Carbónico Líquido. P.N.----------Kg..	30%	0. 14
93	Acidos orgánicos:		
93–B	Acético. P.N.----------Kg..	30%	0. 35
94	Óxidos y oxhidratos:		
94–A	De amoníaco, sosa, potasa y demás álcalis cáusticos y barrillas, incluyendo el amoníaco anhídrico.----- ----------100 Kgs..	30%	0. 175
95	Sales inorgánicas:		
95–A	Cloruro de sodio, o sea, sal común en grano. P.B. ----------100 Kgs..	35%	1. 1375
95–B	Sal molida o manufacturada en cualquier otra forma. P.B.----------100 Kgs..	35%	1. 4625
95–C	Sales de amoníaco (excepto el sulfato); cloruro de potasio y calcio; sulfatos de potasa, sosa, hierro, magnesia y bario (Barita); sales de cobre; el alumbre; óxido y carbonato de magnesia; hiposulfitos y bórax. P.B.----------100 Kgs..	40%	0. 30

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
98	Chemical products not specifically classified; acetone and wood alcohol and scale-removers:		
98–A	Chemical products not specifically classified, when in large containers or in bulk, G.W.T.....Kg..	40%	
98–B	Chemical products not specifically classified, when in small containers, G.W.T.....Kg..	40%	
98–E	Ether, when in large containers, G.W.T.....Kg..	30%	0. 0385
98–F	Ether, when in small containers, G.W.T.....Kg..	30%	0. 049
	NOTE: Small containers are those of up to 1 kilo or 1 liter.		
98–G	Sulphonated oils and fats, G.W.....100 Kgs..	20%	0. 80
99	Pills, including those of quinine, capsules, medicinal lozenges and similar articles, T.....Kg..	35%	0. 26
100	Pharmaceutical products and insecticides not specifically classified:		
100–A	Constituting pharmaceutical specialties or those known as patent medicines, T.....Kg..	30%	0. 14
100–B	Biological and opotherapeutical products, in any form, T.....Kg..	30%	0. 175
100–D	Disinfectants such as creolin, lysol, bleaching powders, including hypochlorite of calcium, and similar substances, T.....100 Kgs..	30%	1. 05
100–F	Threads of silk, cotton, gauze, bandages, court plaster, taffeta, and other aseptic and antiseptic articles, in any form, T.....Kg..	30%	0. 07
100–G	Other pharmaceutical products, T.....Kg..	30%	
	NOTE II: The importation of pharmaceutical specialties and patent medicines remains subject to the provisions of Note I, or of any others that the Cuban Health Department may dictate. It is understood, however, that the Cuban Department of Health will not impose any certification requirement or any formality for the importation, registration, licensing and sale of pharmaceutical specialties and patent medicines, which will be impossible of fulfillment in the United States of America because of the lack of a duly authorized Federal agency. It is further agreed that no fee in connection with the registration or licensing of pharmaceutical specialties or patent medicines shall be greater than that existing on the day of signature of this Agreement.		
	NOTE III: No special customs treatment will be accorded to any third country with respect to any article of specified trade name or other exclusive designation classified on the day of the signature of this Agreement under Items 99 and 100 of the Cuban Customs Tariff, without prior negotiation between the Governments of the United States of America and the Republic of Cuba with respect to appropriate modifications in the nomenclature, import duties or preferences of the above-named tariff items.		

Partida	Descripción de los Artículos	Columna 1	Columna 2
98	Prodúctos químicos no tarifados especialmente; acetona y alcohol de madera y los desincrustantes:		
98–A	Prodúctos químicos no tarifados especialmente, cuando vengan en envases mayores o a granel. P.B.T.----------Kg--	40%	
98–B	Prodúctos químicos no tarifados especialmente, cuando vengan en envases menores. P.B.T.-Kg--	40%	
98–E	El éter cuando venga en envases mayores. P.B.T. ----------Kg--	30%	0. 0385
98–F	El éter cuando venga en envases menores. P.B.T. ----------Kg--	30%	0. 049
	NOTA I: Se entenderá por envases menores, aquellos cuyo peso, incluyendo el contenido, no sea mayor de un kilo.		
98–G	Aceites y grasas sulfonados. P.B-------100 Kgs--	20%	0. 80
99	Píldoras, incluso las de quinina, cápsulas, grajeas medicinales y sus análogos. T----------Kg--	35%	0. 26
100	Prodúctos farmacéuticos y los insecticidas no tarifados especialmente:		
100–A	Constituyendo especialidades farmacéuticas o los denominados medicinas de patente. T-----Kg--	30%	0. 14
100–B	Prodúctos biológicos y opoterápicos, en cualquier forma. T----------Kg--	30%	0. 175
100–D	Los desinfectantes como creolína, lisol y polvos para blanquear, incluyendo el hipoclorito de calcio y sustancias análogas. T----------100 Kgs--	30%	1. 05
100–F	Hilos de seda, algodones, gasas, vendajes, esparadrapos, tafetanes, y los demás artículos asépticos y antisépticos en cualquier forma. T-------Kg--	30%	0. 07
100–G	Los demás prodúctos farmacéuticos. T-------Kg--	30%	
	NOTA II: La importación de especialidades farmacéuticas y de medicinas de patente queda sujeta a las disposiciones de la Nota I, o de cualesquiera otras que la Sanidad de Cuba pueda dictar. Se entiende, sin embargo, que la Sanidad de Cuba no impondrá ningún requisito de certificación ni ninguna otra formalidad para la importación, registro, autorización y venta de especialidades farmacéuticas y medicinas de patente lo cual sería imposible de ejecutar en los Estados Unidos de América debido a la falta de una agencia federal debidamente autorizada. Además queda convenido que ningún derecho, en relación con el registro o licencia de especialidades farmacéuticas o patentes medicinales, será mayor que el que existe el día de la firma de este Convenio.		
	NOTA III: No se concederá ningún trato aduanero especial a un tercer país, tocante a cualquier artículo de marca específicada u otra designación exclusiva, tarifada el día de la firma de este Convenio bajo las partidas 99 y 100 del Arancel de Aduana Cubano, sin previa negociación entre los Gobiernos de los Estados Unidos de América y de la República de Cuba con respecto a apropiadas modificaciones en la nomenclatura, derechos de aduana o preferencias de las antedichas partidas.		

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
101	Crude or impure vegetable oils and fats: No reduction will be made in the customs duties or consumption taxes in force on the day this agreement becomes effective on any article classified under Items or sub-Items 101–A, 101–G, 102–D, 102–E, 239, 240, and 274–A, –B, –C and –D of the Cuban Customs Tariff unless simultaneous and proportionate reductions are made in the import duties or consumption taxes on all other articles, described in such tariff items. This note is without prejudice to the special provisions relating to the reduction in duty and the abolition of the consumption tax for articles classified under Item 239 of the Cuban Customs Tariff.		
101–A	Cottonseed, corn and soybean oil, G.W.--100 Kgs---	35%	1. 95
	The rate of duty to the United States may not be increased during the life of the Agreement, unless there is a simultaneous and proportionate increase in the rates of duty on all crude and refined vegetable oils dutiable under sub-Items 101–A, 101–G and 274–A, –B, –C, and –D.		
101–E	Hydrogenated vegetable oils and fats imported by the manufacturers themselves to be used in the manufacture of soap, provided they are presented for clearance denatured in accordance with one of the formulae prescribed in the note to sub-Item "C" of this tariff item, and their use guaranteed under oath in the usual manner already established, or which may be established by the Treasury Department, G.W.----------100 Kgs--	20%	1. 60
101–G	Other vegetable oils not specifically classified, G.W.----------100 Kgs--	30%	3. 01
101–H	Residues produced by refining cottonseed oil, with not more than 60% of free fatty acids, G.W.----------100 Kgs--	20%	0. 50
101–I	Residues produced by refining cottonseed oil, with more than 60% of free fatty acids, G.W.-100 Kgs--	20%	0. 80
	NOTE: The residues provided for in the above sub-Item will be granted a reduction of 75% from the duties specified therein when imported by the industrialists themselves to be used exclusively in the mining industry, and provided that this use is guaranteed under oath in the usual manner already established, or which may be established by the Treasury Department.		

Partida	Descripción de los Artículos	Columna 1	Columna 2
101	Aceites y grasas vegetales crudos o impuros: No serán rebajados los derechos aduanales ni los impuestos de consumo vigentes en el día que entre en vigor este Convenio, sobre cualquier artículo clasificado bajo las partidas 101–A, 101–G, 102–D, 102–E, 239, 240, y 274–A, –B, –C, y –D del Arancel de Aduana de Cuba a menos que se efectuen rebajas simultáneas y proporcionales en los derechos de aduana y los impuestos de consumo sobre todos los otros artículos incluídos en dichas partidas arancelarias. Para los efectos de esta nota quedan excluídas las disposiciones especiales que se refieren a la rebaja del derecho y la abolición del impuesto de consumo sobre los artículos clasificados bajo la partida 239 del Arancel de Cuba.		
101–A	Aceite de semilla de algodón, de maíz y de habas soyas. P.B.....100 Kgs..	35%	1. 95
	El tipo de derecho para los Estados Unidos no será aumentado durante la vigencia del Convenio, a menos que se efectue un aumento proporcional y simultáneo en los tipos de derecho sobre todos los aceites vegetales, crudos y refinados, a que se refieren las partidas 101–A, 101–G y 274–A, –B, –C, y –D.		
101–E	Aceites y grasas vegetales hidrogenados importados por los propios industriales para ser empleados exclusivamente en la fabricación de jabones, siempre que se presenten al despacho, desnaturalizados de acuerdo con algunas de las formulas establecidas en la nota de la letra "C" de esta partida, y cuyo empleo será garantizado bajo juramento en la forma usual establecida o que establezca la Secretaría de Hacienda. P.B.....100 Kgs..	20%	1. 60
101–G	Los demás aceites vegetales no tarifados especialmente. P.B.....100 Kgs..	30%	3. 01
101–H	Los residuos prodúctos de la refinación de aceite de semilla de algodón con no más del 60% de ácidos grasos libres. P.B.....100 Kgs..	20%	0. 50
101–I	Los residuos prodúctos de la refinación de aceite de semilla de algodón con más del 60% de ácidos grasos libres. P.B.....100 Kgs..	20%	0. 80
	NOTA: Los residuos comprendidos en la letra precedente cuando sean importados por los propios industriales para ser empleados exclusivamente en la minería y siempre que su empleo sea garantizado bajo juramento en la forma usual establecida o que establezca la Secretaría de Hacienda, gozarán de una rebaja del 75% de los derechos señalados.		

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
102	Animal oils and fats and their derivatives: No reduction will be made in the customs duties or consumption taxes in force on the day this agreement becomes effective on any article classified under Items or sub-Items 101–A, 101–G, 102–D, 102–E, 239, 240, and 274–A, –B, –C, and –D of the Cuban Customs Tariff unless simultaneous and proportionate reductions are made in the import duties or consumption taxes on all other articles described in such tariff items. This note is without prejudice to the special provisions relating to the reduction in duty and the abolition of the consumption tax for articles classified under Item 239 of the Cuban Customs Tariff.		
102–B	Crude glycerine and crude spermaceti, G.W._____100 Kgs..	20%	0. 80
102–C	Other crude animal oils and fats including neatsfoot oil and crude tallow, G.W._____100 Kgs..	20%	0. 20
	NOTE I: Crude oils and fats shall be understood to be those which have a dark color or a disagreeable odor and which contain more than 2% of free fatty acids and more than 1% of impurities, except water. NOTE II: Crude tallow shall be understood to be that which contains more than 2% of free fatty acids and more than 1% of impurities common to tallow, except water.		
102–D	Edible tallow, that is, the product obtained from the rendering of animal fats, except hog fat, white or cream colored, of an agreeable odor, and not containing more than 2% of free fatty acids, G.W._____100 Kgs..	20%	2. 40
102–E	Oleo stearine, that is, the solid part obtained from animal fat except hog fat, with a minimum fusion point of 47° Centigrade, and not containing more than 2% of free fatty acids, G.W._____100 Kgs..	20%	2. 40
102–F	Crude and impure hydrogenated animal oils and fats imported by the manufacturers themselves to be used in the manufacture of soap, provided they are presented for clearance denatured in accordance with one of the formulae prescribed in the note to tariff item 101, and their use guaranteed under oath in the usual manner already established, or which may be established by the Treasury Department, G.W._____100 Kgs..	20%	1. 60
105	Soaps:		
105–A	Common or ordinary for scouring or washing, in bars, paste or liquid, G.W.T._____100 Kgs..	30%	3. 50

Partida	Descripción de los Artículos	Columna 1	Columna 2
102	Grasas y aceites de origen animal y sus derivados: No serán rebajados los derechos aduanales ni los impuestos de consumo vigentes en el día que entre en vigor este Convenio sobre cualquier artículo clasificado bajo las partidas 101–A, 101–G, 102–D, 102–E, 239, 240 y 274–A, –B, –C y –D del Arancel de Aduana de Cuba a menos que se efectuen rebajas simultáneas y proporcionales en los derechos de aduana y los impuestos de consumo sobre todos los otros artículos incluídos en dichas partidas arancelarias. Para los efectos de esta nota quedan excluídas las disposiciones especiales que se refieren a la rebaja del derecho y la abolición del impuesto de consumo sobre los artículos clasificados bajo la partida 239 del Arancel de Cuba.		
102–B	Glicerina cruda y espermaceti en bruto. P.B_____100 Kgs__	20%	0. 80
102–C	Los demás aceites y grasas animales impuros, incluyendo el aceite de patas y el sebo impuro. P.B_____100 Kgs__	20%	0. 20
	NOTA I: Se entenderá por aceite y grasas animales impuros los que tengan color obscuro u olor desagradable; y que contengan más del 2% de ácidos grasos libres y más del 1% de impurezas, excepto el agua. NOTA II: Se entenderá por sebo impuro el que contenga más del 2% de ácidos grasos libres y más del 1% de impurezas comunes en los sebos, excepto el agua.		
102–D	Sebo comestible, de olor agradable, color blanco o ligeramente coloreado, o sea el producto que se obtiene por extracción de las grasas animales, excepto la del cerdo, y que no contenga más del 2% de ácidos grasos libres. P.B_____100 Kgs__	20%	2. 40
102–E	Oleo-estearina, o sea la parte solida obtenida del sebo animal, excepto la grasa del cerdo, con un punto mínimum de fusión de 47 grados centígrados y que no contenga más del 2% de ácidos grasos libres. P.B_____100 Kgs__	20%	2. 40
102–F	Aceites y grasas animales crudos o impuros e hidrogenados, importados por los propios industriales para ser empleados exclusivamente en la fabricación de jabones, siempre que se presenten al despacho desnaturalizados con alguna de las formulas establecidas en la nota de la letra "C" de la partida 101 y cuyo empleo será garantizado bajo juramento en la forma usual establecida o que establezca la Secretaría de Hacienda. P.B_____100 Kgs__	20%	1. 60
105	Jabones:		
105–A	Común u ordinario para fregar o lavar, en barras, en forma pastosa o líquida. P.B.T_____100 Kgs__	30%	3. 50

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
105–B	In blocks, cakes, flakes or shavings, or in powder, of ordinary class for scouring or washing, or the white soap called Castille or Marseilles soaps, and also those called bluing soaps, G.W.T.....100 Kgs..	35%	3. 90
105–C	In bars, of ordinary class, perfumed for bath or toilet, G.W.T.....Kg..	40%	0. 06
105–D	In powder and liquid, perfumed and in cakes, unwrapped, perfumed or not, G.W.T.....Kg..	40%	0. 18
	Plus an ad valorem duty.....	40%	6%
105–E	Wrapped, for toilet, or fine toilet soaps, even though not wrapped, G.W.T.....Kg..	45%	0. 275
	Plus an ad valorem duty.....	45%	11%
105–F	Medicinal soaps, G.W.T.....Kg..	40%	0. 18
106	Perfumery and essences:		
106–A	Toilet water obtained by mixture, lotions, oils, pomades, cosmetics, hair restorers and hair tonics; liquid dentifrices, and those in paste or powder; and any other articles of similar nature for toilet purposes, not elsewhere classified, the value of which is less than $1.25 per kilogram, T.....Kg..	50%	0. 50
	Plus an ad valorem duty.....	50%	10%
106–B	The articles covered by the preceding lettered sub-Item, when their value is $1.25 or more per kilogram, T.....Kg..	50%	0. 75
	Plus an ad valorem duty.....	50%	10%
106–C	Toilet powder, including those of talc, and those in compressed or paste form, rouge, face-paint of any color, including cosmetic pencils or crayons; solid and liquid products for manicuring, and skin creams, not specifically classified, T.....Kg..	50%	0. 50
	Plus an ad valorem duty.....	50%	10%
109	Prepared sizing and adhesives:		
109–A	Albumen, fibrin, gelatine, glues and other albumenoids in whatever form, G.W.....100 Kgs..	40%	3. 60
109–B	Mucilage, adhesives and sizing in powder, paste or liquid, manufactured on a base of dextrine, starches, gum Arabic and other similar products of vegetable origin, T.....100 Kgs..	25%	7. 50
111	Gunpowder and explosives:		
111–A	Gunpowder, explosive mixtures and fuses, G.W.T. .....100 Kgs..	20%	4. 00
112	Raw cotton and wastes:		
112–A	Raw cotton, G.W.....100 Kgs..	30%	0. 35
113	Thread or yarn:		
113–A	In skeins, spindles or in other forms for mechanical manufacture of fabrics of all kinds, cord or braid, T.....100 Kgs..	50%	
113–C	In cordage, rope and twine, not braided, and made-up fish-nets and hammocks of net, G.W.100 Kgs..	30%	7. 00
114	Plain and smooth fabrics, napped or not, unbleached or white, weighing 10 kilograms or more per 100 square meters:		
114–A	Up to 9 threads, N.W.....Kg..	30%	0. 112
114–B	From 10 to 15 threads, N.W.....Kg..	30%	0. 147

Partida	Descripción de los Artículos	Columna 1	Columna 2
105–B	En panes, pastillas, láminas o virutas, o en polvo, de clase ordinaria para fregar o lavar, o el blanco llamado de Castilla o de Marsella, y los llamados también de añil. P.B.T.----------100 Kgs--	35%	3. 90
105–C	En barras de clase ordinaria, perfumados para baño o tocador. P.B.T.----------Kg--	40%	0. 06
105–D	En polvo y líquido, perfumado y en pastilla, sin envoltura, y estén o no perfumados. P.B.T.-Kg--	40%	0. 18
	Más un derecho ad valorem----------	40%	6%
105–E	Con envoltura, para tocador, o los finos para tocador, aún cuando no tengan envoltura. P.B.T. ----------Kg--	45%	0. 275
	Más un derecho ad valorem----------	45%	11%
105–F	Los medicinales. P.B.T.----------Kg--	40%	0. 18
106	Perfumería y esencias:		
106–A	En aguas de tocador obtenidas por mezcla, las lociones, aceites, pomadas, cosméticos, tricóferos, y tónicos para el pelo; dentífricos líquidos, en pasta o en polvo; y cualquier otro artículo de índole análoga para uso del tocador no tarifado en otras partidas y cuyo valor sea menor de $1.25 el kilogramo. T----------Kg--	50%	0. 50
	Más un derecho ad valorem----------	50%	10%
106–B	Los artículos incluídos en la letra anterior, cuando su valor sea de $1.25 o más el kilogramo. T--Kg--	50%	0. 75
	Más un derecho ad valorem----------	50%	10%
106–C	Polvos de tocador, inclusive los de talco, y los comprimidos o en pasta, arrebol, coloretes de cualquier color, incluyendo los creyones o lápices para afeite; los prodúctos sólidos y líquidos para manicure, y las cremas para el cutis, no tarifados especialmente. T----------Kg--	50%	0. 50
	Más un derecho ad valorem----------	50%	10%
109	Aprestos preparados y pegamentos:		
109–A	Albumina, fibrina, gelatina, colas y demás albuminóides en cualquier forma. P.B.-------100 Kgs--	40%	3. 60
109–B	Mucílagos, pegamentos y aprestos en polvo, pasta o líquido, manufacturados a base de dextrina, almidones, goma arábiga y otros prodúctos análogos de origen vegetal. T----------100 Kgs--	25%	7. 50
111	Pólvoras y explosivos:		
111–A	Pólvora, mezclas explosivas y mechas. P.B.T. ----------100 Kgs--	20%	4. 00
112	Algodón en rama y desperdicios:		
112–A	Algodón en rama. P.B----------100 Kgs--	30%	0. 35
113	Hilo o hilazas:		
113–A	En madejas, husillos o en otras formas para la fabricación mecánica de toda clase de tejido, cordones o trenzas. T----------100 Kgs--	50%	
113–C	En cordelería y jarcia sin trenzar, y las redes de pescar y hamacas de malla hechas. P.B.-100 Kgs--	30%	7. 00
114	Tejidos lisos y llanos, estén o no cardados, crudos o blancos, cuyos 100 metros cuadrados pesen 10 o más kilogramos:		
114–A	Hasta 9 hilos. P.N----------Kg--	30%	0. 112
114–B	De 10 a 15 hilos. P.N----------Kg--	30%	0. 147

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
114–C	From 16 to 19 threads, N.W.—Kg.	30%	0. 196
114–D	From 20 to 23 threads, N.W.—Kg.	40%	0. 264
114–E	From 24 to 27 threads, N.W.—Kg.	40%	0. 312
114–F	From 28 to 31 threads, N.W.—Kg.	40%	0. 396
114–G	32 threads or more, N.W.—Kg.	40%	0. 51
115	Plain and smooth fabrics, napped or not, unbleached or white, weighing less than 10 kilograms per 100 square meters:		
115–A	Up to 6 threads, N.W.—Kg.	30%	0. 126
115–B	From 7 to 11 threads, N.W.—Kg.	30%	0. 168
115–C	From 12 to 15 threads, N.W.—Kg.	30%	0. 245
115–D	From 16 to 19 threads, N.W.—Kg.	40%	0. 276
115–E	From 20 to 23 threads, N.W.—Kg.	40%	0. 36
115–F	From 24 to 27 threads, N.W.—Kg.	40%	0. 444
115–G	From 28 to 31 threads, N.W.—Kg.	40%	0. 54
115–H	32 threads or more, N.W.—Kg.	40%	0. 636
116	Fabrics, twilled or figured on the loom, napped or not, unbleached or white, weighing 10 or more kilograms per 100 square meters:		
116–A	Up to 6 threads, N.W.—Kg.	30%	0. 126
116–B	From 7 to 11 threads, N.W.—Kg.	30%	0. 154
116–C	From 12 to 15 threads, N.W.—Kg.	30%	0. 175
116–D	From 16 to 19 threads, N.W.—Kg.	35%	0. 26
116–E	From 20 to 23 threads, N.W.—Kg.	35%	0. 338
116–F	From 24 to 27 threads, N.W.—Kg.	35%	0. 429
116–G	From 28 to 31 threads, N.W.—Kg.	35%	0. 546
116–H	32 threads or more, N.W.—Kg.	35%	0. 624
119	Piqués and imitations thereof; and fabrics called crêpes and similar ones:		
119–A	Piqués, unbleached or white, N.W.—Kg.	40%	0. 27
119–B	Piqué dyed a single color, or with stripes, squares or other designs, N.W.—Kg.	40%	0. 33
119–C	Crêpe, N.W.—Kg.	40%	0. 144
120	Napped fabrics in blankets for beds, steamer rugs or blankets used as wearing apparel:		
120–B	White, dyed a single color, or printed on white or unbleached material, N.W.—Kg.	35%	
121	Velvety fabrics, corduroy, plush and velveteen:		
121–B	Curled fabrics and plush, cut or uncut, except carpets, unbleached or white, N.W.—Kg.	50%	0. 375
121–C	The same, dyed a single color or figured, N.W.—Kg.	50%	0. 435
122	Knit fabrics:		
122–A	In the piece, N.W.—Kg.	40%	0. 27
122–C	Undershirts, drawers and corset-covers of double sewing or fine work, N.W.—Kg.	45%	1. 32
122–E	Stockings, socks, gloves and other small articles of double sewing or fine work, N.W.—Kg.	50%	1. 30
127	Trimmings and ribbons:		
127–A	Ribbons, braids and galloons not for ornamental purposes, but for finishing clothing and other made-up articles, or for manufacturing reins, bridles, cinches and footwear, including "alpargatas" (twine-soled sandals), N.W.—Kg.	40%	0. 12

Partida	Descripción de los Artículos	Columna 1	Columna 2
114–C	De 16 a 19 hilos. P.N.....Kg..	30%	0. 196
114–D	De 20 a 23 hilos. P.N.....Kg..	40%	0. 264
114–E	De 24 a 27 hilos. P.N.....Kg..	40%	0. 312
114–F	De 28 a 31 hilos. P.N.....Kg..	40%	0. 396
114–G	De 32 hilos en adelante. P.N.....Kg..	40%	0. 51
115	Tejidos lisos y llanos, estén o no cardados, crudos o blancos, cuyos 100 metros cuadrados pesen menos de 10 kilogramos:		
115–A	Hasta 6 hilos. P.N.....Kg..	30%	0. 126
115–B	De 7 a 11 hilos. P.N.....Kg..	30%	0. 168
115–C	De 12 a 15 hilos. P.N.....Kg..	30%	0. 245
115–D	De 16 a 19 hilos. P.N.....Kg..	40%	0. 276
115–E	De 20 a 23 hilos. P.N.....Kg..	40%	0. 36
115–F	De 24 a 27 hilos. P.N.....Kg..	40%	0. 444
115–G	De 28 a 31 hilos. P.N.....Kg..	40%	0. 54
115–H	De 32 hilos en adelante. P.N.....Kg..	40%	0. 636
116	Tejidos cruzados o labrados al telar, estén o no cardados, crudos o blancos, cuyos 100 metros cuadrados pesen 10, o más kilogramos:		
116–A	Hasta 6 hilos. P.N.....Kg..	30%	0. 126
116–B	De 7 a 11 hilos. P.N.....Kg..	30%	0. 154
116–C	De 12 a 15 hilos. P.N.....Kg..	30%	0. 175
116–D	De 16 a 19 hilos. P.N.....Kg..	35%	0. 26
116–E	De 20 a 23 hilos. P.N.....Kg..	35%	0. 338
116–F	De 24 a 27 hilos. P.N.....Kg..	35%	0. 429
116–G	De 28 a 31 hilos. P.N.....Kg..	35%	0. 546
116–H	De 32 hilos en adelante. P.N.....Kg..	35%	0. 624
119	Tejidos en piqué y sus imitaciones; y los llamados crepés y análogos:		
119–A	Piqué, crudo o blanco. P.N.....Kg..	40%	0. 27
119–B	Piqués teñidos a un solo color, o formando listas, cuadros u otros dibujos. P.N.....Kg..	40%	0. 33
119–C	Crepé. P.N.....Kg..	40%	0. 144
120	Tejidos cardados en mantas o frazadas:		
120–B	Blancos, teñidos a un solo color, o estampados sobre blanco o crudo. P.N.....Kg..	35%	
121	Tejidos aterciopelados, pana, felpas y veludillos:		
121–B	Los de felpa y rizo, cortado o sin cortar, con exclusión de las alfombras, crudos o blancos. P.N..Kg..	50%	0. 375
121–C	Los mismos, teñidos a un solo color o formando dibujos. P.N.....Kg..	50%	0. 435
122	Tejidos de punto de media:		
122–A	En piezas. P.N.....Kg..	40%	0. 27
122–C	Camisetas, calzoncillos y cubre-corsets de doble costura u obra fina. P.N.....Kg..	45%	1. 32
122–E	Medias, calcetines, guantes y otros artículos pequeños de doble costura u obra fina. P.N...Kg..	50%	1. 30
127	Pasamanería y cintas:		
127–A	Cintas, trenzas y galones no de adorno, para acabado de ropas y otras confecciones o para manufacturar riendas, cabezadas, cinchas y calzado, incluso alpargatas. P.N.....Kg..	40%	0. 12

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
128	Fabrics for sacks to be used as containers, wicks, and other articles not specifically classified:		
128–A	Fabrics of cotton, plain or smooth or twilled, regardless of the number of threads and the weight of 100 square meters, for the fabrication of sacks, provided that they are imported bearing in indelible lettering the name of the national industry to which they are destined, the lettering being so spaced as to appear on the material for each sack, in such manner as to occupy the greater part of the surface of both sides of the sacks, N.W.....Kg..	30%	0. 056
129–F	Rayon or other artificial, chemical or synthetic silk, in thread or yarn, on spools or spindles, in skeins, balls or hanks, or in other forms, T.....Kg..	60%	0. 14
132	Fabrics of hemp, flax, ramie, jute or other vegetable fibers not specifically classified, plain, smooth, twilled or damasked, unbleached, weighing 35 or more kilograms per 100 square meters: NOTE: Fabrics of rayon, the manufacture of the United States of America, dutiable under this Item, shall be granted exclusive and preferential reduction in duties as specified in Column 1, and the rates of duty on such fabrics specified in Column 2 shall not be increased during the life of this Agreement.		
132–A	Up to 5 threads, N.W.....Kg..	40%	0. 048
–B	From 6 to 8 threads, N.W.....Kg..	40%	0. 072
–C	From 9 to 12 threads, N.W.....Kg..	40%	0. 102
–D	From 13 to 16 threads, N.W.....Kg..	40%	0. 156
–E	From 17 to 20 threads, N.W.....Kg..	40%	0. 18
–F	From 21 to 24 threads, N.W.....Kg..	40%	0. 24
–G	From 25 to 28 threads, N.W.....Kg..	40%	0. 36
–H	From 29 to 32 threads, N.W.....Kg..	40%	0. 42
–I	33 threads or more, N.W.....Kg..	40%	0. 48
133	Fabrics, plain, smooth, twilled or damasked, unbleached, weighing from and including 20 kilograms to but not including 35 kilograms per 100 square meters: NOTE: Fabrics of rayon, the manufacture of the United States of America, dutiable under this Item, shall be granted exclusive and preferential reduction in duties as specified in Column 1, and the rates of duty on such fabrics specified in Column 2 shall not be increased during the life of the Agreement.		
133–A	Up to 5 threads, N.W.....Kg..	40%	0. 072
–B	From 6 to 8 threads, N.W.....Kg..	40%	0. 09
–C	From 9 to 12 threads, N.W.....Kg..	40%	0. 12
–D	From 13 to 16 threads, N.W.....Kg..	40%	0. 18
–E	From 17 to 20 threads, N.W.....Kg..	40%	0. 24
–F	From 21 to 24 threads, N.W.....Kg..	40%	0. 36
–G	From 25 to 28 threads, N.W.....Kg..	40%	0. 42
–H	From 29 to 32 threads, N.W.....Kg..	40%	0. 48
–I	33 threads or more, N.W.....Kg..	40%	0. 60

Partida	Descripción de los Artículos	Columna 1	Columna 2
128	Tejidos para sacos de envasar, mechas y demás artículos no especificados:		
128–A	Tejidos de algodón, lisos o llanos o cruzados, cualquiera que sea el número de hilos y el peso en 100 metros cuadrados, para la fabricación de sacos, siempre que se importen rotulados indeleblemente, en tramos correspondientes a cada saco, con el nombre de la industria nacional a que se destinen, y en tal forma que dichos rótulos ocupen la mayor parte de la superficie de los sacos por ambas caras. P.N.....Kg..	30%	0. 056
129–F	Rayon u otra seda artificial, química o sintética en hilos o hilazas, en carreteles, madejas, husillos, bolas, ovillos u otras formas. T.....Kg..	60%	0. 14
132	Tejidos de cáñamo, lino, ramio, yute u otras fibras vegetales no tarifados, llanos, lisos, cruzados o adamascados, crudos, cuyos 100 metros cuadrados pesen 35 o mas kilogramos: NOTA: Los tejidos de rayon, fabricados en los Estados Unidos de América, que adeuden por esta partida, gozarán de la rebaja exclusiva y preferencial de derechos expecificada en la Columna No. 1, y los tipos de derecho para dichos tejidos consignados en la Columna No. 2 no serán aumentados durante la vigencia de este Convenio.		
132–A	Hasta 5 hilos, P.N.....Kg..	40%	0. 048
–B	De 6 a 8 hilos, P.N.....Kg..	40%	0. 072
–C	De 9 a 12 hilos, P.N.....Kg..	40%	0. 102
–D	De 13 a 16 hilos, P.N.....Kg..	40%	0. 156
–E	De 17 a 20 hilos, P.N.....Kg..	40%	0. 18
–F	De 21 a 24 hilos, P.N.....Kg..	40%	0. 24
–G	De 25 a 28 hilos, P.N.....Kg..	40%	0. 36
–H	De 29 a 32 hilos, P.N.....Kg..	40%	0. 42
–I	De 33 hilos en adelante, P.N.....Kg..	40%	0. 48
133	Tejidos llanos, lisos, cruzados o adamascados, crudos, cuyos 100 metros cuadrados pesen desde 20, inclusive, hasta 35 kilogramos, exclusive: NOTA: Los tejidos de rayon, fabricados en los Estados Unidos de América, que adeuden por esta partida, gozarán de la rebaja exclusiva y preferencial de derechos especificada en la Columna No. 1, y los tipos de derecho para dichos tejidos consignados en la Columna No. 2 no serán aumentados durante la vigencia de este Convenio.		
133–A	Hasta 5 hilos, P.N.....Kg..	40%	0. 072
–B	De 6 a 8 hilos, P.N.....Kg..	40%	0. 090
–C	De 9 a 12 hilos, P.N.....Kg..	40%	0. 120
–D	De 13 a 16 hilos, P.N.....Kg..	40%	0. 180
–E	De 17 a 20 hilos, P.N.....Kg..	40%	0. 240
–F	De 21 a 24 hilos, P.N.....Kg..	40%	0. 360
–G	De 25 a 28 hilos, P.N.....Kg..	40%	0. 420
–H	De 29 a 32 hilos, P.N.....Kg..	40%	0. 480
–I	De 33 hilos en adelante, P.N.....Kg..	40%	0. 600

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
134	Fabrics, plain, smooth, twilled or damasked, unbleached, weighing from and including 10 kilograms to but not including 20 kilograms per 100 square meters: NOTE: Fabrics of rayon, the manufacture of the United States of America, dutiable under this Item, shall be granted exclusive and preferential reduction in duties as specified in Column 1, and the rates of duty on such fabrics specified in Column 2 shall not be increased during the life of the Agreement.		
134-A	Up to 8 threads, N.W.....Kg..	60%	0. 08
-B	From 9 to 12 threads, N.W.....Kg..	60%	0. 108
-C	From 13 to 16 threads, N.W.....Kg..	60%	0. 152
-D	From 17 to 20 threads, N.W.....Kg..	60%	0. 24
-E	From 21 to 24 threads, N.W.....Kg..	60%	0. 32
-F	From 25 to 28 threads, N.W.....Kg..	60%	0. 40
-G	From 29 to 32 threads, N.W.....Kg..	60%	0. 48
-H	From 33 to 36 threads, N.W.....Kg..	60%	0. 56
-I	37 threads or more, N.W.....Kg..	60%	0. 64
135	Fabrics, plain, smooth, twilled or damasked, unbleached, weighing less than 10 kilograms per 100 square meters: NOTE: Fabrics of rayon, the manufacture of the United States of America, dutiable under this Item, shall be granted exclusive and preferential reduction in duties as specified in Column 1, and the rates of duty on such fabrics specified in Column 2 shall not be increased during the life of the Agreement.		
135-A	Up to 8 threads, N.W.....Kg..	60%	0. 096
-B	From 9 to 12 threads, N.W.....Kg..	60%	0. 124
-C	From 13 to 16 threads, N.W.....Kg..	60%	0. 16
-D	From 17 to 20 threads, N.W.....Kg..	60%	0. 256
-E	From 21 to 24 threads, N.W.....Kg..	60%	0. 368
-F	From 25 to 28 threads, N.W.....Kg..	60%	0. 44
-G	From 29 to 32 threads, N.W.....Kg..	60%	0. 52
-H	From 33 to 36 threads, N.W.....Kg..	60%	0. 60
-I	37 threads or more, N.W.....Kg..	60%	0. 68
136	Velvet and plush of flax, jute, etc., N.W. NOTE: Fabrics of rayon, the manufacture of the United States of America, dutiable under this Item, shall be granted exclusive and preferential reduction in duties as specified in Column 1, and the rates of duty on such fabrics specified in Column 2 shall not be increased during the life of the Agreement .....Kg..	40%	0. 30
137	Knit fabrics of flax or hemp, with or without mixture of cotton or other vegetable fibers: NOTE: Fabrics of rayon, the manufacture of the United States of America, dutiable under this Item, shall be granted exclusive and preferential reduction in duties as specified in Column 1, and the rates of duty on such fabrics specified in Column 2 shall not be increased during the life of the Agreement.		

Partida	Descripción de los Artículos	Columna 1	Columna 2
134	Tejidos llanos, lisos cruzados o adamascados, crudos, cuyos 100 metros cuadrados pesen desde 10, inclusive, hasta 20 kilogramos, exclusive:		
	NOTA: Los tejidos de rayon, fabricados en los Estados Unidos de América, que adeuden por esta partida, gozarán de la rebaja exclusiva y preferencial de derechos especificada en la Columna No. 1, y los tipos de derecho para dichos tejidos consignados en la Columna No. 2 no serán aumentados durante la vigencia de este Convenio.		
134–A	Hasta 8 hilos, P.N.....Kg..	60%	0. 080
–B	De 9 a 12 hilos, P.N.....Kg..	60%	0. 108
–C	De 13 a 16 hilos, P.N.....Kg..	60%	0. 152
–D	De 17 a 20 hilos, P.N.....Kg..	60%	0. 240
–E	De 21 a 24 hilos, P.N.....Kg..	60%	0. 320
–F	De 25 a 28 hilos, P.N.....Kg..	60%	0. 400
–G	De 29 a 32 hilos, P.N.....Kg..	60%	0. 480
–H	De 33 a 36 hilos, P.N.....Kg..	60%	0. 560
–I	De 37 hilos en adelante, P.N.....Kg..	60%	0. 640
135	Tejidos llanos, lisos, cruzados o adamascados, crudos, cuyos 100 metros cuadrados pesen menos de 10 kilogramos:		
	NOTA: Los tejidos de rayon, fabricados en los Estados Unidos de América, que adeuden por esta partida, gozarán de la rebaja exclusiva y preferencial de derechos especificada en la Columna No. 1, y los tipos de derecho para dichos tejidos consignados en la Columna No. 2 no serán aumentados durante la vigencia de este Convenio.		
135–A	Hasta 8 hilos, P.N.....Kg..	60%	0. 096
–B	De 9 a 12 hilos, P.N.....Kg..	60%	0. 124
–C	De 13 a 16 hilos, P.N.....Kg..	60%	0. 160
–D	De 17 a 20 hilos, P.N.....Kg..	60%	0. 256
–E	De 21 a 24 hilos, P.N.....Kg..	60%	0. 368
–F	De 25 a 28 hilos, P.N.....Kg..	60%	0. 440
–G	De 29 a 32 hilos, P.N.....Kg..	60%	0. 520
–H	De 33 a 36 hilos, P.N.....Kg..	60%	0. 600
–I	De 37 hilos en adelante, P.N.....Kg..	60%	0. 680
136	Terciopelo y felpa de lino, yute, etc., P.N.		
	NOTA: Los tejidos de rayon, fabricados en los Estados Unidos de América, que adeuden por esta partida, gozarán de la rebaja exclusiva y preferencial de derechos especificada en la Columna No. 1, y los tipos de derecho para dichos tejidos consignados en la Columna No. 2 no serán aumentados durante la vigencia de este Convenio.....Kg..	40%	0. 30
137	Tejidos de punto de media, de lino o cáñamo, con o sin mezcla de algodón u otras fibras vegetales:		
	NOTA: Los tejidos de rayon, fabricados en los Estados Unidos de América, que adeuden por esta partida, gozarán de la rebaja exclusiva y preferencial de derechos especificada en la Columna No. 1, y los tipos de derecho para dichos tejidos consignados en la Columna No. 2 no serán aumentados durante la vigencia de este Convenio.		

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
137–A	In the piece, N.W.....Kg..	40%	0. 60
137–B	Worsted jackets, drawers and undershirts, N.W.....Kg..	40%	1. 05
137–C	Stockings, socks, gloves and other small articles, N.W.....Kg..	40%	3. 30
138	Tulles:		
	NOTE: Fabrics of rayon, the manufacture of the United States of America, dutiable under this Item, shall be granted exclusive and preferential reduction in duties as specified in Column 1, and the rates of duty on such fabrics specified in Column 2 shall not be increased during the life of the Agreement.		
138–A	Plain, N.W.....Kg..	40%	0. 78
138–B	Figured, N.W.....Kg..	40%	0. 90
138–C	Embroidered, after weaving, N.W.....Kg..	40%	1. 20
139	Lace, blondes and edging:		
	NOTE: Fabrics of rayon, the manufacture of the United States of America, dutiable under this Item, shall be granted exclusive and preferential reduction in duties as specified in Column 1, and the rates of duty on such fabrics specified in Column 2 shall not be increased during the life of the Agreement.		
139–A	Woven on the loom or by hand, N.W.....Kg..	40%	0. 90
	Plus an ad valorem duty.....	40%	15%
139–B	Fabrics known as openwork or made with darning stitch, made by hand or machine, N.W.....Kg..	40%	1. 35
140	Carpets of jute, hemp or other vegetable fibers without mixture of wool, N.W.		
	NOTE: Fabrics of rayon, the manufacture of the United States of America, dutiable under this Item, shall be granted exclusive and preferential reduction in duties as specified in Column 1, and the rates of duty on such fabrics specified in Column 2 shall not be increased during the life of the Agreement.....Kg..	40%	0. 06
141	Fabrics known as upholstery; and those of the same class in curtains, tablecovers and similar articles, with or without fringe:		
	NOTE: Fabrics of rayon, the manufacture of the United States of America, dutiable under this Item, shall be granted exclusive and preferential reduction in duties as specified in Column 1, and the rates of duty on such fabrics specified in Column 2 shall not be increased during the life of the Agreement.		
141–A	Unbleached or white, N.W.....Kg..	40%	0. 36
141–B	Printed or dyed a single color, with stripes, squares or other designs, N.W.....Kg..	40%	0. 60

Partida	Descripción de los Artículos	Columna 1	Columna 2
137–A	En piezas, P.N.....Kg..	40%	0. 60
137–B	En chaquetas de estambre, calzoncillos y camisetas, P.N.....Kg..	40%	1. 05
137–C	En medias, calcetines, guantes y otros artículos pequeños, P.N.....Kg..	40%	3. 30
138	Tules:		
	NOTA: Los tejidos de rayon, fabricados en los Estados Unidos de América, que adeuden por esta partida, gozarán de la rebaja exclusiva y preferencial de derechos especificada en la Columna No. 1, y los tipos de derecho para dichos tejidos consignados en la Columna No. 2 no serán aumentados durante la vigencia de este Convenio.		
138–A	Lisos, P.N.....Kg..	40%	0. 78
138–B	Labrados, P.N.....Kg..	40%	0. 90
138–C	Bordados fuera del telar, P.N.....Kg..	40%	1. 20
139	Encajes, blondas y puntillas:		
	NOTA: Los tejidos de rayon, fabricados en los Estados Unidos de América, que adeuden por esta partida, gozarán de la rebaja exclusiva y preferencial de derechos especificada en la Columna No. 1, y los tipos de derecho para dichos tejidos consignados en la Columna No. 2 no serán aumentados durante la vigencia de este Convenio.		
139–A	Tejidos al telar o a mano, P.N.....Kg..	40%	0. 90
	Más un derecho ad valorem.....	40%	15%
139–B	Tejidos llamados de punto de randa y zurcido, hechos a mano o a máquina, P.N.....Kg..	40%	1. 35
140	Alfombras de yute, cáñamo u otras fibras vegetales sin mezcla de lana, P.N.		
	NOTA: Los tejidos de rayon, fabricados en los Estados Unidos de América, que adeuden por esta partida, gozarán de la rebaja exclusiva y preferencial de derecho especificada en la Columna No. 1, y los tipos de derecho para dichos tejidos consignados en la Columna No. 2 no serán aumentados durante la vigencia de este Convenio.....Kg..	40%	0. 06
141	Tejidos denominados de tapicería; y los de la misma clase en cortinas, tapetes y objetos análogos, con o sin fleco:		
	NOTA: Los tejidos de rayon, fabricados en los Estados Unidos de América, que adeuden por esta partida, gozarán de la rebaja exclusiva y preferencial de derechos especificada en la Columna No. 1, y los tipos derecho para dichos tejidos consignados en la Columna No. 2 no serán aumentados durante la vigencia de este Convenio.		
141–A	Crudos o blancos, P.N.....Kg..	40%	0. 36
141–B	Estampados o teñidos a un solo color, formando listas, cuadros u otros dibujos, P.N.....Kg..	40%	0. 60

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
142	Trimmings, galloons, ribbons and other articles of hemp, jute, flax, ramie, etc.:		
	NOTE: Fabrics of rayon, the manufacture of the United States of America, dutiable under this Item, shall be granted exclusive and preferential reduction in duties as specified in Column 1, and the rates of duty on such fabrics specified in Column 2 shall not be increased during the life of the Agreement.		
142–A	Ribbons, braids and galloons, not for ornamental purposes, for finishing clothing and other made-up articles or for manufacturing reins, bridles, cinches and footwear, including "alpargatas" (twine-soled sandals), N.W.----Kg--	40%	0. 12
142–B	Trimmings for ornamental purposes, such as tassels, fringe and figured or openwork braid, or with spangles or beading, and fancy ribbons and galloons, N.W.----Kg--	40%	0. 42
142–C	Reins, bridles, cinches and other braided manufactures and cords, N.W.----Kg--	40%	0. 30
143	Bristles, hair and horsehair:		
143–B	In manufactured articles, including brooms and brushes ("cepillos") except toothbrushes----Ad valorem--	40%	27%
143–C	Toothbrushes, N.W.----Kg--	30%	0. 70
147	Fabrics of pure or mixed wool:		
147–B	In wearing apparel and knit articles in general----Ad valorem--	40%	24%
148	Silk or floss silk, twisted in thread or yarn, in reels, skeins or other forms for sewing, embroidering or the manufacture of fabrics:		
148–A	In reels, skeins or in any other form for the mechanical manufacture of all kinds of fabrics, cords or braids----Ad valorem--	50%	10%
148–B	In reels, skeins or in other forms for knitting, embroidering or sewing----Ad valorem--	40%	15%
149	In the piece, wearing apparel and other made-up articles:		
149–B	Men's and women's under-clothing, including stockings and knit articles in general---Ad valorem--	50%	50%
152	Paper in continuous rolls, folios or sheets, white or colored, glazed or calendared or not, with or without watermarks or pressure-marks, not cut to size or painted:		
152–A	Manufactured on a base of screenings or other ordinary pulp, and of straw, weighing not less than 30 grams per square meter, known as brown paper or wrapping paper, or "screenings" paper, T.----100 Kgs--	30%	2. 80
152–B	Manufactured on a base of soda pulp (Kraft), weighing not less than 10 grams per square meter, commonly known as Kraft paper for packing, T.----100 Kgs--	30%	2. 975

Partida	Descripción de los Artículos	Columna 1	Columna 2
142	Pasamanería, galones, cintas y otros artículos de cáñamo, yute, lino, ramio, etc. NOTA: Los tejidos de rayon, fabricados en los Estados Unidos de América, que adeuden por esta partida, gozarán de la rebaja exclusiva y preferencial de derechos especificada en la Columna No. 1, y los tipos de derecho para dichos tejidos consignados en la Columna No. 2 no serán aumentados durante la vigencia de este Convenio.		
142–A	Cintas, trenzas y galones no de adorno, para acabado de ropas y otras confecciones o para manufacturar riendas, cabezadas, cinchas y calzado, incluso alpargatas, P.N.....Kg..	40%	0. 12
142–B	Pasamanería de adorno, como borlas, flecos y las trenzas labradas o caladas, o con lentejuelas o abalorios y cintas y galones de fantasía, P.N.-Kg..	40%	0. 42
142–C	Riendas, cabezadas, cinchas y demas manufacturas trenzadas y cordones, P.N.....Kg..	40%	0. 30
143	Cerdas, pelos y crines:		
143–B	En artículos manufacturados, incluyendo las escobas y los cepillos excepto los de dientes.....Ad valorem..	40%	27%
143–C	Cepillos de dientes, P.N.....Kg..	30%	0. 70
147	Tejidos de lana pura o mezclada:		
147–B	En prendas de vestir y artículos en general de punto de media.....Ad valorem..	40%	24%
148	Seda, escarzo o borra de seda, torcída en hilo o hilaza, en carreteles, madejas, o en otra forma para coser, bordar o para la fabricación de tejidos:		
148–A	En carreteles, madejas o en cualquier otra forma para la fabricación mecánica de toda clase de tejidos, cordones o trenzas.....Ad valorem..	50%	10%
148–B	En carreteles, madejas o en otra forma para tejer a mano, bordar o coser.....Ad valorem..	40%	15%
149	En piezas, prendas de vestir y otras confecciones:		
149–B	En ropa interior de hombre o mujer, incluso las medias y artículos en general de punto de media.....Ad valorem..	50%	50%
152	Papel continuo en rollos, pliegos u hojas, blanco o de colores, esté o no satinado o alisado, con o sin marcas al agua o a presión, sin recortar ni pintar:		
152–A	Fabricado a base de pasta "screenings" u otras pastas ordinarias, y de paja con peso no menor de treinta gramos por metro cuadrado, conocido por papel de estraza o papel de embalar, o papel "screenings". T.....100 Kgs..	30%	2. 80
152–B	Fabricado a base de pasta a la sosa (Kraft) con peso no menor de diez gramos por metro cuadrado, comunmente conocido por papel Kraft para empaquetar. T.....100 Kgs..	30%	2. 975

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
152–C	Manufactured on a base of bisulphite pulp, weighing not less than 10 grams per square meter, commonly known as manila paper, fiber paper and cellulose paper; and glassine paper, T----------100 Kgs--	30%	3. 50
	NOTE: The papers of this sub-Item C, imported for wrapping fruits, with watermarks or pressure-marks, indicating their use, shall only be dutiable at 50% of the duties specified.		
152–D	Manufactured on a base of ground wood pulp, in a proportion of not less than 70% thereof and 30% of bisulphite, weighing not less than 50 nor more than 60 grams per square meter, not glazed, commonly known as newsprint, T------100 Kgs--	30%	2. 80
	NOTE: When paper of sub-Item 152–D is imported by newspaper companies expressly for the printing of their newspapers, and provided they make oath before the Collector of Customs in the manner specified by the Treasury Department, it shall be exempt from customs duties.		
152–E	Manufactured on a base of bisulphite or soda pulp, without ground wood pulp, or with a proportion of the latter not in excess of 30%; weighing not less than 60 nor more than 130 grams per square meter, such as sulphite bond and paper commonly known as paper for books, illustrated papers and lithography, T----------100 Kgs--	30%	3. 50
	NOTE: The paper of sub-Item 152–E, when imported to be used exclusively in illustrated papers and magazines, shall be exempt from duty; when imported to be used exclusively in the manufacture of printed books, it shall pay 50% of the duty specified under this sub-Item. The Secretary of the Treasury shall issue the rules he may consider proper covering applications for the benefits of this note.		
152–H	The paper specified in sub-Item G of this Item, not containing flax, pulp-sized only, commonly known as writing paper, T----------100 Kgs--	40%	4. 80
	NOTE: All importers of writing paper of the kinds covered by sub-Item 152–H, shall submit with the corresponding customs declaration the invoice containing the sworn statement of the manufacturer or shipper as to whether or not the pulp of the paper in question contains flax.		
152–J	Other continuous papers not made-up, not specifically classified, T----------100 Kgs--	40%	4. 80

Partida	Descripción de los Artículos	Columna 1	Columna 2
152–C	Fabricado a base de pasta bisulfito con peso no menor de diez gramos por metro cuadrado, comunmente conocido por papel manila, fibra y celulosa; y el papel glasine. T------100 Kgs--	30%	3. 50
	NOTA: Los papeles de esta letra que se importaren para envolver frutas, con marca al agua o a presión, indicadora de su empleo, adeudarán solamente el cincuenta por ciento del derecho señalado.		
152–D	Fabricado a base de pasta mecánica de madera con proporción de ésta no menor del 70%, y de 30% de bisulfito y peso no inferior a 50 ni mayor de 60 gramos por metro cuadrado, sin satinar, comunmente conocido por papel de periódicos. T---------- 100 Kgs--	30%	2. 80
	NOTA: Los papeles de la partida 152–D cuando se importen por las empresas periodísticas precisamente para la impresión de sus periódicos y siempre que presten el juramento ante el Administrador de la Aduana en la forma que se prescriba por la Secretaría de Hacienda, gozarán de franquicia arancelaria.		
152–E	Fabricado a base de pasta bisulfito o de soda, sin pasta mecánica de madera, o con una proporción de ésta que no exceda de 30%; con peso no menor de 60 ni mayor de 130 gramos por metro cuadrado, tal como sulfito "bond", y el papel comunmente conocido por papel para libros, periódicos ilustrados y estampaciones litográficas. T--100 Kgs--	30%	3. 50
	NOTA: Los papeles de la partida 152–E, cuando se importen para ser empleados únicamente en revistas y periódicos ilustrados, gozarán de franquicia arancelaria; cuando se importen para ser empleados únicamente en la confección de libros impresos, adeudarán con una reducción del 50% del adeudo de esta letra. El Secretario de Hacienda dictará las reglas que estime oportunas para poder optar a los beneficios señalados en esta Nota.		
152–H	El mismo papel que el tarifado en la letra G de esta partida, sin que en su elaboración entre el lino, encolado solamente en la pasta, comunmente conocido por papel de escribir. T----100 Kgs--	40%	4. 80
	NOTA: Todo importador de papel de escribir, de los comprendidos en la partida 152–H, acompañará a la Hoja de adeudo correspondiente la factura con la declaración jurada del fabricante o remitente expresiva de si la pasta del papel de que se trata, contiene o no lino.		
152–J	Los demás papeles en rama, continuos, no tarifados especialmente. T----------100 Kgs--	40%	4. 80

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
155	Manufactures of paper:		
155–A	In sacks, bags, pouches or other similar articles made-up of paper of the kinds covered by sub-Items A, B, and C of Item 152, not printed, ornamented or stamped, other than with size number or manufacturers' trademark, T.....100 Kgs..	30%	4. 20
	NOTE: The articles included in sub-Item A of Item 155, when printed, ornamented or stamped, shall be subject to a surtax of 30% of the duty therein fixed.		
155–D	Envelopes, T.....Kg..	30%	0. 105
	NOTE: They will be subject to a surtax of thirty per centum (30%) when printed; being dutiable under the respective sub-Items of Item 159 when engraved, photographed, chromolithographed or with any other kind of reproduction not specified.		
155–F	Paper on reels, of any of the classes dutiable under sub-Items A, B, and C of Item 152, for wrapping, covering or packing, gummed on one side, regardless of its width, commonly used for fastening boxes or packages, not printed, ornamented or stamped other than with size number or manufacturers' trademark, T.....100 Kgs..	20%	4. 80
	NOTE: The articles included under sub-Item F of Item 155, when printed, ornamented or stamped, shall be subject to a surtax of 30% of the duty therein fixed.		
155–H	Filter paper, in folios or cut in any form, T.....100 Kgs..	40%	3. 60
155–I	Books and notebooks for commercial use, ruled or blank, printed or unprinted, including the backs thereof, when of cardboard, and letter-press books, T.....Kg..	25%	0. 15
155–J	Abrasive paper, manufactured with glass, sand or pumice stone and other papers for smoothing or polishing, T.....100 Kgs..	40%	0. 90
155–M	Toilet tissue, paper towels, handkerchiefs and napkins, T.....100 Kgs..	40%	4. 80
155–N	Manufactures of paper not specifically classified and those in which paper constitutes the element of greatest value, T.....Kg..	35%	
156	Chemical papers:		
156–A	Having one or both sides covered with a coat of white lead or barium sulphate, kaolin, talc, etc., called artists' paper, "Couché" or chrome paper, commonly used for printing or lithography, T.....100 Kgs..	40%	2. 40
	NOTE: Papers of Item 156–A, when imported for use in the manufacture of illustrated papers and magazines, shall be exempt from duty, provided they contain a watermark or pressure-mark indicating the use to which they are to be applied, spaced not over 50 centimeters apart.		

Partida	Descripción de los Artículos	Columna 1	Columna 2
155	Manufacturas de papel:		
155–A	En sacos, cartuchos, bolsas u otros objetos similares confeccionados con papeles de los comprendidos en las letras A, B y C de la partida 152, sin impresiones, adornos o estampaciones, a excepción de los que expresen el número de su tamaño o la marca de fábrica. T.....100 Kgs..	30%	4. 20
	NOTA: Los artículos comprendidos en la letra A de la partida 155, pagarán cuando estuvieren impresos, adornados o estampados, un recargo del 30% sobre el derecho señalado en la misma.		
155–D	Sobres. T.....Kg..	30%	0. 105
	NOTA: Pagarán un recargo del 30% (treinta por ciento) cuando estuvieren tipografiados, aforándose por la partida 159 en sus respectivas letras; cuando estuvieren gravados, fotografiados, cromolitografiados o con cualquiera otra clase de reproducciones no mencionadas.		
155–F	Papel en bobinas de cualesquiera de las clases tarifadas en las letras A, B y C de la partida 152, para envolver, embalar o empaquetar, engomado por una de sus caras, sea cual fuere su ancho, comunmente destinado para precintas de cajas o paquetes, sin impresiones, adornos o estampaciones, a excepción de las que expresen el número de su tamaño o la marca de fábrica. T....100 Kgs..	20%	4. 80
	NOTA: Los artículos comprendidos en la letra F de la partida 155, pagarán, cuando estuvieren impresos, adornados o estampados, un recargo del 30% sobre el derecho señalado en la misma.		
155–H	Papel para filtrar, en pliegos o recortado en cualquier forma. T.....100 Kgs..	40%	3. 60
155–I	Libros y libretas para uso comercial, rayados o en blanco, con impresión o sin ella, incluso sus pastas cuando fueren de cartón, y los copiadores de cartas. T.....Kg..	25%	0. 15
155–J	Papel de lija, confeccionado con vídrio, arena o piedra pomez y demás papeles para alisar o pulimentar. T.....100 Kgs..	40%	0. 90
155–M	Papel higienico, papel para toallas, pañuelos y servilletas. T.....100 Kgs..	40%	4. 80
155–N	Las manufacturas de papel no mencionadas expresamente y aquellas en que el papel constituya el componente de mayor valor. T.....Kg..	35%	
156	Papeles químicos:		
156–A	Recubiertos por una o por las dos caras con una capa del albayalde o sulfato de barita, kaolín, talco, etc. llamado artístico, couché o papel cromo, usado comunmente para obras tipográficas o litográficas. T.....100 Kgs..	40%	2. 40
	NOTA: Los papeles de la partida 156–A, cuando se importen para ser empleados en la confección de revistas y periódicos ilustrados, gozarán de franquicia arancelaria, siempre que aquellos traigan una marca de agua o a presión indicando el uso a que los mismos se destinan, y en tramos no mayores de 50 centímetros.		

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
156–B	Impregnated, or coated with grease, oil, wax, paraffin, stearine, rubber, glue, etc., whether or not printed, typographed or lithographed, commonly known as water-proof paper; and tarred paper, reinforced or not with open-weave fabric of textile fibers, commonly used for baling, T.....100 Kgs..	35%	4. 0625
156–C	Carbon paper, T.....100 Kgs..	40%	3. 60
156–D	Sensitized paper for photographic use or for reproductions, T.....100 Kgs..	40%	4. 50
156–E	Gilded, silvered, nickeled, coated with quicksilver, etc., in sheets or strips, including paper or cardboard coated with aluminum, whether plain, fancy, colored or embossed, T.....Kg..	30%	0. 07
156–F	Transparent sheeting of cellulose or of any cellulose derivative, plain or colored, printed or not, cut to size or in rolls, T.....Kg..	60%	0. 07
	NOTE: Envelopes, bags, pouches, and other wrappers and containers made of the material specified in Item 156–F shall be subject to a surtax of 30% of the duties under this Item.		
158	Printed letterheads, forms for invoices, labels, checks, bills of exchange, accounts, receipts, bills of lading and similar forms, T.....Kg..	20%	0. 16
159	Engravings, photographs, lithographs, chromolithographs, oleographs, and any other class of reproduction not specifically classified:		
	NOTE: When lithographs or any other class of reproduction in any number of colors dutiable under this Item are imported in the form of large posters constituting cinema advertising material they shall pay 50% of the duties specified under letters A, C, E and G of this Item in effect on the day this Agreement comes into force.		
161	Cardboard, pasteboard and bristol-board, in sheets or rolls:		
161–A	Ordinary paperboard or pasteboard for corrugating, with a thickness not exceeding .01 of an inch, manufactured on a base of rye straw or other similar straws or sulphate pulp, provided that it is not glazed, colored, nor covered with paper or mineral substance, T.....100 Kgs..	30%	0. 70
161–B	Ordinary paperboard or pasteboard manufactured on a base or wholly of waste paper or newspaper, in natural color as manufactured, including those known as "chipboard" and "newsboard", T.....100 Kgs..	35%	1. 625

Partida	Descripción de los Artículos	Columna 1	Columna 2
156–B	Impregnados, o con baño de grasa, aceite, cera, parafina, estearína, goma, cola, etc., estén o no impresos, tipografiados o litografiados, denominados comunmente como papel impermeable; y el papel alquitranado reforzado o no de tejido claro de fibras textiles, usado comunmente para enfardar, T.....100 Kgs..	35%	4. 0625
156–C	Papel carbón, T.....100 Kgs..	40%	3. 60
156–D	Sensibilizado para usos fotográficos o para reproducciónes. T.....100 Kgs..	40%	4. 50
156–E	Dorado, plateado, niquelado, azogado, etc., en hojas o tiras, incluyendo papel o cartón cubierto con aluminio ya sea liso, de fantasía, en colores o repujado, T.....Kg..	30%	0. 07
156–F	Hojas transparentes, de celulosa o de cualquier derivado de celulosa, sencillas o coloreadas; estén o nó impresas, cortadas a tamaño o en rollos. T.....Kg..	60%	0. 07
	NOTA: Los sobres, cartuchos, bolsas y otras envolturas y envases hechos del material especificado en la partida 156–F, estarán sujetos a un recargo del 30% sobre los derechos de esta partida.		
158	Papel con membrete, modelos para facturas, etiquetas, cheques, letras de cambio, cuentas, recibos, conocimientos y análogos, impresos tipográficamente. T.....Kg..	20%	0. 16
159	Grabados, fotografías, litografías, cromolitografías, oleografías, y cualquiera otra clase de reproducciónes que no estén mencionadas especialmente.		
	NOTA: Cuando las litografías o cualquiera otra clase de reproducción con cualquier número de colores adeudables bajo las letras "A", "C", "E" y "G" de esta partida, sean importadas en forma de grandes carteles que constituyan material de anuncio cinematográfico, pagarán el 50% de los derechos especificados en esta partida en vigor el día en que este Convenio comienza a regir.		
161	Cartón de papel o de pasta y cartulinas, en hojas y rollos:		
161–A	Cartón ordinario de papel o de pasta para corrugar, con grueso que no exceda de 10 milésimas de pulgada, fabricado a base de paja de centeno u otras pajas análogas o de pasta de sulfato, siempre que no estén satinados, coloreados, ni recubiertos de papel o de materia mineral. T.....100 Kgs..	30%	0. 70
161–B	Cartón ordinario de papel o de pasta manufacturado a base o enteramente de desperdicios de papel o de papel de periódicos, en su color natural de fabricación incluyendo los conocidos per "chipboard" y "newsboard". T....100 Kgs..	35%	1. 625

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
161–C	Ordinary paperboard or pasteboard manufactured on a base of or entirely of waste paper or newspaper, but colored on one or both faces, or covered with white or colored paper not of a fancy nature, including those known as "chipboard" and "newsboard", also colored or covered with paper, T.....100 Kgs..	40%	1. 80
161–D	Fine and heavy Kraftboard, not specifically classified, manufactured principally from sulphate pulp; and manila board or imitations of manila board manufactured on a base of a combination of sulphite wood pulp and mechanical wood pulp or old waste rope or bagging and coated or lined with white or colored paper, T.....100 Kgs..	40%	1. 80
161–E	Paperboard coated with white lead, kaolin or other similar substances and all other ordinary cardboards not specifically classified, whether or not covered with white, colored, lustrous or fancy paper, T.....100 Kgs..	35%	1. 95
161–F	Bristol-board and fine cardboard manufactured wholly of sulphite pulp or fiber of flax (lino) or rags, colored or not, coated or uncoated, or covered or not with white, colored, painted, lustrous or fancy paper; whether or not embossed (stamped) or with any other kind of work, T.....100 Kgs..	40%	3. 30
162	Manufactures of cardboard and bristol-board:		
162–J	Exterior cases in which goods are imported, made of any kind of cardboard or any combination of cardboard and fabric whether or not waterproofed, with or without printing, G.W.100 Kgs..	45%	1. 65
	NOTE: Ordinary containers such as those classified under sub-Item 162–J, whose contents are subject to ad valorem duty, shall not be dutiable separately.		
162–K	Fine bristol and cardboard, cut to size, in the form of cards, without printing, engraving or ornamentation, T.....100 Kgs..	30%	10. 50
162–M	Playing cards of all kinds, T.....Kg..	40%	0. 24
162–N	Cardboard hoods and discs for milk bottles, whether plain or printed, T.....100 Kgs..	30%	3. 50
162–O	Assembled round cups, with or without detachable disc cap therefor, coated or not with paraffin or other waterproof substance, whether or not printed typographically or lithographically, T.....100 Kgs..	30%	4. 90
162–P	Other manufactures of bristol-board, fine cardboard, or cardboard, not specifically classified, T.....100 Kgs..	30%	10. 50

Partida	Descripción de los Artículos	Columna 1	Columna 2
161–C	Cartón ordinario de papel o de pasta fabricados a base o enteramente de desperdicios de papel o papel de periódico, pero coloreado por una o dos de sus caras o recubiertos de papel blanco o de color que no fuere de fantasía, incluyendo los conocidos por "chipboard" y "newsboard" también coloreados o recubiertos de papel. T----------100 Kgs--	40%	1. 80
161–D	Cartulina o cartón "Kraft" no tarifado especialmente, manufacturado principalmente de pasta de sulfato; y el cartón o cartulina manila, o el que imite al de manila, fabricado a base de una mezcla de pasta de madera al sulfito y pasta mecánica de madera o desperdicios de soga vieja o de sacos, revestidos o cubiertos de papel blanco o coloreado. T----------100 Kgs--	40%	1. 80
161–E	Cartón de papel revestido de albayalde, kaolín u otras sustancias similares y todos los demás cartones ordinarios no clasificados especialmente, estén o no cubiertos con papel blanco, coloreado, lustroso o de fantasía. T----------100 Kgs--	35%	1. 95
161–F	Cartulina y cartón fino fabricado totalmente de pasta de madera al sulfito o fibra de lino o de trapo, coloreados o no, revestidos o sin revestir o cubiertos o no con papel blanco, coloreado, pintado, lustroso o de fantasía; estampados, o con cualquiera otra clase de trabajo. T----------100 Kgs--	40%	3. 30
162	Manufacturas de cartón y de cartulína:		
162–J	Las cajas exteriores, envases de las mercancías importadas hechas de cualquier clase de cartón o las combinadas de cartón y tejidos, estén o nó recubiertas de materias impermeables, impresas o nó. P.B----------100 Kgs--	45%	1. 65
	NOTA: Los envases ordinarios tales como los tarifados en la letra J de esta partida, cuando se importen conteniendo mercancías sujetas a derechos ad valorem, no adeudarán separadamente.		
162–K	Cartulínas y cartones finos, recortados en forma de tarjetas, sin impresiones, grabados ni adornos. T----------100 Kgs--	30%	10. 50
162–M	Naipes de todas clases. T----------Kg--	40%	0. 24
162–N	Gorros y discos de cartón para botellas de leche, en blanco o impresos. T----------100 Kgs-	30%	3. 50
162–O	Vasos redondos armados, con o sin tapas de disco desmontable, revestidos o nó con parafina u otras sustancias impermeables, estén o nó impresos tipográfica o litográficamente. T-100 Kgs--	30%	4. 90
162–P	Las demás manufacturas de cartulínas, cartones finos o cartón no tarifadas especialmente. T----------100 Kgs--	30%	10. 50

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
165	Ordinary wood, in logs, or rough sawn or unplaned:		
165–B	Gumwoods, including tupelo, regardless of size or form, in logs, or rough sawn or unplaned, and unplaned veneers of the same woods, G.W.-100 Kgs--	20%	0. 08
165–C	Other ordinary wood, including spruce (Picea sp.), and redwood (Sequoia Sempervirens), regardless of size or form, in logs, or rough sawn or unplaned, but excluding strips, G.W----------100 Kgs--	20%	0. 20
166	Ordinary woods, further manufactured:		
166–A	Planed or dove-tailed or in strips, G.W--100 Kgs--	20%	0. 60
	NOTE: For the purposes of this sub-Item, strips ("cintas") shall be understood to be those boards having a thickness of less than 25 millimeters (1 English inch), except that rough-sawn or unplaned strips ("cintas") of the woods classified in sub-Item 165–A, regardless of size or form, shall be exempt from duty, and unplaned gumwood veneers shall be dutiable under sub-Item 165–B.		
166–B	Box shooks, G.W----------100 Kgs--	20%	0. 96
166–F	Packing cases in which articles are imported, G.W----------100 Kgs--	30%	0. 385
	NOTE: Ordinary containers such as those classified under sub-Item 166–F, whose contents are subject to ad valorem duty shall not be dutiable separately.		
168	Cooperage, assembled, G.W----------100 Kgs--	20%	1. 20
171	Furniture and manufactures of wood:		
171–A	Ordinary furniture and other articles, not elsewhere mentioned, manufactured from ordinary wood, assembled, or knocked down, varnished, painted or not; but plain, without any ornamentation of any kind applied, or adjusted in any manner, not covered in whole or in part with cloth, leather, skin or imitations thereof, or other materials, T----------Kg--	20%	0. 08
	Plus an ad valorem duty----------	20%	24%
171–B	Folding and theatre chairs of all kinds, and venetian blinds, T----------Kg--	30%	0. 07
	Plus an ad valorem duty----------	30%	21%
177	Charcoal, including that known as foundry covering, firewood, and other vegetable fuels, G.W---------- ----------100 Kgs--	20%	1. 60
	NOTE: Vegetable carbon imported for the refining of sugar shall be exempt from payment of duty.		
192	Tanned hides, without hair, in sole leather suitable for footwear or saddlery, ironed or not, including bellies and necks, T----------Kg--	20%	0. 112

Partida	Descripción de los Artículos	Columna 1	Columna 2
165	Madera ordinaria, en tozas, aserrada en bruto o sin cepillar:		
165–B	Maderas de goma, incluyendo la niza (Tupelo), prescindiendo del tamaño o forma, en tozas, o aserrada en bruto, o sin cepillar y las chapas sin cepillar de las mismas maderas. P.B--100 Kgs--	20%	0. 08
165–C	Las demás maderas ordinarias, incluyendo el abeto (picea sp.) y el pino de California (sequoia semper virens) en cualquier tamaño o forma, en troncos o aserrada en bruto o sin cepillar, pero excluyendo las cintas. P.B----------100 Kgs--	20%	0. 20
166	Maderas ordinarias elaboradas:		
166–A	Cepillada o machihembrada o en cintas. P.B. ----------100 Kgs--	20%	0. 60
	NOTA: A los efectos de esta letra, "cintas" (strips) se entenderá que son todas las tablas que tengan un espesor menor de 25 milímetros (una pulgada inglesa), excepto que las cintas aserradas en bruto o sin cepillar, de las maderas clasificadas en la partida 165–A, prescindiendo del tamaño o forma, estarán exentas de derechos, y las chapas de madera de goma (gumwood) sin cepillar pagarán derechos por la partida 165–B.		
166–B	En cortes para cajas. P.B----------100 Kgs--	20%	0. 96
166–F	Las cajas envases de los artículos importados. P.B----------100 Kgs--	30%	0. 385
	NOTA: Los envases ordinarios, tarifados en la letra "F" de esta partida, cuyos contenidos estén sujetos a derechos ad valorem, no adeudarán separadamente.		
168	Pipería armada. P.B----------100 Kgs--	20%	1. 20
171	Muebles y manufacturas de madera:		
171–A	Muebles corrientes y demás objetos, no mencionados en otra partida, fabricados con madera ordinaria, armados o desarmados, barnizados, pintados o en blanco; pero lisos, sin adorno alguno aplicado, o ajustado en cualquiera forma, que no estén recubiertos total ni parcialmente con telas, cueros, pieles y sus imitaciones, ni otras materias. T--Kg--	20%	0. 08
	Más un derecho ad valorem----------	20%	24%
171–B	Sillas plegadizas y de teatro, de todas clases, y persianas. T----------Kg--	30%	0. 07
	Más un derecho ad valorem----------	30%	21%
177	Carbón, incluso el conocido como cubierta de fundición, leña y otros combustibles vegetales. P.B----------100 Kgs--	20%	1. 60
	NOTA: El carbón vegetal importado para refinar azúcar, estará exento del pago de derecho.		
192	Cueros curtidos, sin pelo, en suela propia para el calzado o para la talabartería, planchada o sin planchar, incluso la de barrigada y cabezote. T----------Kg--	20%	0. 112

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
193	Tanned hides without hair, splits and similar hides:		
193–A	Pasted sheets, that is, in super-imposed and pasted layers, T.....Kg..	30%	0. 035
193–B	In "splits" for insoles or other uses, T.....Kg..	30%	0. 07
193–C	In "splits" chromed or chrome-tanned, T.....Kg..	30%	0. 14
193–D	In thin sole-leather, grained for belts, leggings and other uses; and leathers of like application, made of ungrained "splits", T.....Kg..	30%	0. 196
193–E	Entire hides or sheets, tanned by any process, whether or not plain, glazed or grained, in cow-hide, black or other colors, T.....Kg..	20%	0. 20
193–F	Entire hides or sheets, tanned by any process, whether or not plain, glazed or grained, in calf, kangaroo, horsehide and similar classes, black or other colors, T.....Kg..	30%	0. 175
193–G	Patent leather, in whole hides or sheets, T.....Kg..	30%	0. 35
194	Entire skins and those suitable for upholstering furniture:		
194–A	Entire sheep skins, in natural finish and colors, glazed or not, T.....Kg..	30%	0. 21
194–B	In goat skin and kid, calf and morocco, white, black or in other colors, varnished or glazed or not, T.....Kg..	30%	0. 448
195	Hides and skins not specifically classified and those prepared for conversion into manufactured articles:		
195–B	Hides and skins not specifically classified.....Ad valorem..	25%	15%
197	Men's boots, half-boots, shoes and slippers of all kinds and forms, ornamented or not, and with soles of leather, fiber, rubber or any other material, 24½ centimeters insole measurement, or No. 4 English measure for men, or 36⅓ Spanish or French measure, and over.....Pair..	30%	0. 49
	Plus an ad valorem duty.....	30%	7%
	NOTE I: When the boots, half-boots, shoes and slippers covered by this Item have rubber heels, they shall be subject to their corresponding duty, plus the following duty.....Pair..	30%	0. 028
198	Women's and children's boots, half-boots, shoes and slippers of all kinds and forms, ornamented or not, and with soles of leather, fiber, rubber or any other material, 18½ centimeters insole measurement, or No. 10 English measure for children, or 27½ Spanish or French, and over.....Pair..	30%	0. 35
	Plus an ad valorem duty.....	30%	7%
	NOTE I: When the articles covered by this Item have rubber heels, they shall be subject to their corresponding duty, plus the following duty..Pair..	30%	0. 014

Partida	Descripción de los Artículos	Columna 1	Columna 2
193	Cueros curtidos sin pelo, hendidos y análogos:		
193–A	En planchas empastadas, o sean, en láminas superpuestas y pegadas. T.....Kg..	30%	0. 035
193–B	En "Splits" o rebajos para plantillas u otros usos. T.....Kg..	30%	0. 07
193–C	En rebajos cromados o curtidos al cromo. T..Kg..	30%	0. 14
193–D	En suela delgada con flor para cintos, poláinas y otros usos; y los cueros de igual aplicación, hechos de rebajos sin flor. T.....Kg..	30%	0. 196
193–E	En cueros enteros o en hojas, curtidos por cualquier procedimiento, sean o no lisos, satinados o graneados, en vaquetilla, negros o de otros colores. T.....Kg..	20%	0. 20
193–F	En cueros enteros o en hojas, curtidos por cualquier procedimiento, sean o no lisos, satinados o graneados, en becerro, canguro, caballo y análogos, negros o de otros colores. T.....Kg..	30%	0. 175
193–G	En charol, enteros o en hojas, T.....Kg..	30%	0. 35
194	Pieles enteras y las propias para tapizar muebles:		
194–A	Pieles enteras en badanas al natural y de colores, sean o no glaseadas. T.....Kg..	30%	0. 21
194–B	En cabretas y cabritillas, becerrillos y chagrés, blancos, negros o de otros colores, estén o no barnizados o glaseados. T.....Kg..	30%	0. 448
195	Los cueros y pieles no especificados y los que vengan preparados para convertirlos en artículos manufacturados:		
195–B	Cueros y pieles no tarifados expresamente..... .....Ad valorem..	25%	15%
197	Botas, borceguíes, zapatos y pantuflas de todas clases y formas, tuvieren o no adornos, y con suelas de cuero, fibra, goma o cualquiera otra materia, para hombres, desde 24½ Cms., medidos en la plantilla interior, o No. 4 de la medida inglesa, para hombres, o 36½ medida española o francesa, en adelante: .....Par..	30%	0. 49
	Más un derecho ad valorem.....	30%	7%
	Nota I: Cuando las botas, borceguíes, zapatos y pantuflas comprendidos en esta partida, tengan tacones de goma, pagarán su correspondiente derecho, más el derecho siguiente: .....Par..	30%	0. 028
198	Botas, borceguíes, zapatos y pantuflas de todas clases y formas, tuvieren o no adornos, y con suelas de cuero, fibra, goma o cualquiera otra materia, para mujeres y muchachos de uno u otro sexo, de 18½ Cms., medidos en la plantilla interior, o No. 10 de la medida inglesa para muchachos o 27½ española o francesa, en adelante .....Par..	30%	0. 35
	Más un derecho ad valorem.....	30%	7%
	Nota I: Cuando los artículos comprendidos en esta partida tengan tacones de goma, pagarán su derecho correspondiente, más el derecho siguiente: .....Par..	30%	0. 014

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
199	Children's boots, half-boots, shoes and slippers of all kinds and forms, ornamented or not, and with soles of leather, fiber, rubber or any other material, in the sizes below those specified in Item 198.....Pair..	30%	0.21
	Plus an ad valorem duty.....	30%	7%
	NOTE I: When the articles covered by this item have rubber heels, they shall be subject to their corresponding duty, plus the following duty..Pair..	30%	0.007
201	Saddlery and harnessmakers' articles:		
201–D	Suitcases, hatboxes, traveling bags of leather, or those of cardboard, oilcloth, canvas, carpet or other materials, reinforced or combined with leather or skins, T.....Kg..	25%	
	Plus an ad valorem duty.....	25%	
202	Leggings, belts and other manufactures of leather, or lined, covered, reinforced or combined with leather or skins, not specifically classified:		
202–D	Other manufactures of leather or skin, or covered, lined, reinforced or combined with leather, the manufacture of which pertains to the saddlery, harness-making or shoemaking trades, and not specifically classified. T.....Kg..	30%	
	Plus an ad valorem duty.....	30%	
207	Pianos, player pianos, phonographs and similar articles, and accessories thereof:		
207–A	Pianos and player pianos.....Ad valorem..	30%	35%
207–D	Phonograph records.....Each..	30%	.07
207–H	Radio and television receiving and transmitting sets whether complete or chassis alone..... .....Ad valorem..	35%	26%
207–I	Parts and accessories, including tubes, for radio and television receiving and transmitting sets, and tubes for film reproducing apparatus..... .....Ad valorem..	35%	19.5%
207–J	Cinematographic projection apparatus for both pictures and sound and parts and accessories therefor, including projection arc lamps, motion picture sound discs and apparatus of any kind for the reproduction of sound adaptable to cinematographic projection, except tubes...Ad valorem..	50%	16%
211	Watches, clocks and chronometers:		
211–C	Alarm clocks of ordinary metal.....Ad valorem..	40%	12%
211–D	Clocks worked by weights, wall clocks, table clocks and any others not specifically classified..... .....Ad valorem..	40%	18%
212	Cases and loose parts for watches, clocks and chronometers, finished or not:		
212–B	For other timepieces.....Ad valorem..	30%	10.5%
213	Scientific apparatus and parts therefor:		
213–A	Scientific apparatus used in physics laboratories and those for geodetic, surveying and nautical use.....Ad valorem..	30%	10.5%

Partida	Descripción de los Artículos	Columna 1	Columna 2
199	Botas, borceguíes, zapatos y pantuflas de todas clases y formas, tuvieren o no adornos, y con suelas de cuero, fibra, goma o cualquiera otra materia, para niños, o sean los que no lleguen a la medida de la partida 198.....Par..	30%	0. 21
	Más un derecho ad valorem.....	30%	7%
	NOTA I: Cuando los artículos comprendidos en esta partída tengan tacones de goma, pagarán su derecho correspondiente, más el derecho siguiente: .....Par..	30%	0. 007
201	Artículos de talabartería y de guarnicionero:		
201–D	Las maletas, sombrereras, sacos de viaje de cuero o los de cartón, hule, lona, alfombra u otras materias, reforzadas o combinadas con cuero o piel. T.....Kg..	25%	
	Más un derecho ad valorem.....	25%	
202	Poláinas, cinturones y demás manufacturas de cuero o forradas, reforzadas o combinadas con cuero o piel, no tarifados especialmente:		
202–D	Las demás manufacturas de cuero o piel forradas, reforzadas o combinadas con cuero, cuya elaboración sea propia de la talabartería, guarnicionería o zapatería y que no estén tarifadas especialmente. T.....Kg..	30%	
	Más un derecho ad valorem.....	30%	
207	Pianos, auto-pianos, fonógrafos y sus similares y accesorios:		
207–A	Pianos y autopianos.....Ad valorem..	30%	35%
207–D	Discos para fonógrafos.....Cada uno..	30%	0. 07
207–H	Aparatos receptores y trasmisores de radio y televisión, ya sean completos o el chassis solo..... .....Ad valorem..	35%	26%
207–I	Piezas y accesorios, incluyendo tubos para aparatos receptores y trasmisores de radio y televisión, y tubos para aparatos reproductores de películas. .....Ad valorem..	35%	19. 5%
207–J	Aparatos cinematográficos para proyecciones de películas y reproducción del sonido, y sus piezas y accesorios, incluyendo lámparas de arco proyectoras, discos para el sonido de las películas cinematográficas y aparatos de cualquier clase, para la reproducción del sonido, adaptables a las proyecciones cinematográficas, exceptuando los tubos.....Ad valorem..	50%	16%
211	Relojes y cronómetros:		
211–C	Los despertadores de metal ordinario.Ad valorem..	40%	12%
211–D	Relojes de pesas, de pared, de mesa y cualesquiera otros no tarifados especialmente...Ad valorem..	40%	18%
212	Cajas y piezas sueltas para relojes y cronómetros, concluídas o no:		
212–B	Para los demás relojes.....Ad valorem..	30%	10. 5%
213	Aparatos científicos y piezas para los mismos:		
213–A	Los aparatos científicos usados en los laboratorios de física y los de geodesia, agrimensura y náutica .....Ad valorem..	30%	10. 5%

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
214	Platform scales, steelyards, balances and other apparatus for weighing, including loose parts and accessories for the same.....Ad valorem..	25%	12%
215	Machinery or apparatus for manufacturing or refining sugar or alcohol, including loose parts and accessories for the same, not specifically classified .....Ad valorem..	30%	7.98%
216	Agricultural and industrial machinery and instruments:		
216–A	Machinery, apparatus and instruments employed in working and improving the ground, planting, disinfecting plantations, cultivating, harvesting, classifying, conditioning, sterilizing or manipulating in any manner the fruits of agricultural labor, including loose parts and accessories for the same, not specifically classified.....Ad valorem..	25%	6%
216–B	Machinery, portable or fixed, apparatus or instruments for industry in general and for the transformation of products used in manufactures, including those used in aqueducts, not specifically provided for, and including loose parts and accessories for the same, not specifically classified .....Ad valorem..	30%	7.98%
216–C	Instruments and apparatus for measuring to be used in connection with agricultural and industrial machinery and apparatus, such as thermometers, manometers, pyrometers, pressure gauges, carbon dioxide gauges and vacuum gauges, etc..... .....Ad valorem..	30%	10.5%
217	Motors of all kinds fixed or not, including windmills, and the loose parts and accessories for the same not specifically classified.....Ad valorem..	30%	7.98%
218	Pumps of all kinds, including loose parts and accessories for the same not specifically classified .....Ad valorem..	30%	7.98%
219	Boilers of all kinds for generating steam and parts and accessories for the same:		
219–A	Boilers of all kinds for generating steam and parts and accessories for the same, not specifically classified, of iron or steel, including "fluses" and tubes, whether or not cut to measure and with or without threads.....Ad valorem..	30%	14%
219–B	"Fluses" and completely finished loose parts and accessories for boilers of copper or its alloys, not specifically classified.....Ad valorem..	30%	17.5%
	NOTE: In sub-Items 219–A and B the word "flus" shall be understood to mean special tubing for boilers equipped with flanges on one or both ends.		
220	Locomotives and other tractive equipment on rails, and loose parts and accessories for the same, not specifically classified.....Ad valorem..	25%	15%

Partida	Descripción de los Artículos	Columna 1	Columna 2
214	Básculas, romanas, balanzas y demás aparatos de pesar, incluyendo las piezas sueltas y accesorios para los mismos----------Ad valorem--	25%	12%
215	Máquinarias y aparatos para fabricar o refinar azúcar o alcohol, incluyendo piezas sueltas y accesorios para los mismos, no tarifados especialmente----------Ad valorem--	30%	7. 98%
216	Máquinarias e instrumentos agrícolas e industriales:		
216–A	Máquinaria, aparatos e instrumentos que se empleen en labrar y mejorar la tierra, sembrar, desinfectar las plantaciones, cultivar, recolectar, clasificar, acondicionar, esterilizar o manipular en cualquier forma los frutos del trabajo agricola, incluso las piezas sueltas y accesorios para los mismos no tarifadas especialmente----------Ad valorem--	25%	6%
216–B	Máquinas portátiles o fijas, aparatos e instrumentos para la industria en general y para la transformación de productos empleados en manufacturas, no tarifados especialmente, incluyendo los utilizados en acueductos, y las piezas sueltas y accesorios para dichas máquinas y aparatos, no tarifados especialmente----------Ad valorem--	30%	7. 98%
216–C	Aparatos e instrumentos para medir, usados en conexión con la máquinaria y aparatos industriales y agrícolas, tales como termómetros, manómetros, pirómetros, medidores de presión, medidores de bióxido de carbóno y medidores al vació, etc----------Ad valorem--	30%	10. 5%
217	Motores de todas clases, fijos o no, incluyendo los molinos de viento, y las piezas sueltas y accesorios para los mismos, no tarifados especialmente---- ----------Ad valorem--	30%	7. 98%
218	Bombas de todas clases, incluyendo las piezas sueltas y accesorios para las mismas, no tarifados especialmente----------Ad valorem--	30%	7. 98%
219	Calderas de todas clases generadoras de vapor y accesorios para las mismas:		
219–A	Calderas de todas clases generadoras de vapor y piezas sueltas y accesorios para las mismas no tarifados especialmente, de hierro o acero, incluyendo los fluses y tubos para las mismas, con o sin roscas, cortados a medida o no--Ad valorem--	30%	14%
219–B	Los fluses y piezas sueltas y accesorios para calderas, de cobre o sus aleaciones, cuando estén completamente terminados, no tarifados especialmente--- ----------Ad valorem--	30%	17. 5%
	NOTA: En las partidas 219–A y B se entenderá por fluses, los tubos especiales para calderas completamente terminados, con pestañas en una o dos de sus extremos.		
220	Locomotoras y demás máquinas de tracción sobre raíles, y las piezas sueltas y accesorios para las mismas, no tarifados especialmente-Ad valorem--	25%	15%

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
221	Turntables, cranes and cane loaders, including loose parts and accessories for the same, not specifically classified:		
221–A	Turntables and cranes, including loose parts and accessories for the same not otherwise specifically classified----------Ad valorem--	30%	15.96%
221–B	Cane loaders, with or without scales, including loose parts and accessories for the same, not specifically classified----------Ad valorem--	20%	24%
222	Office appliances, including typewriting machines, check protectors; sales registering machines and cash registers; machines for recording and reproducing dictation and conversation, including cylinders and machines for cleaning and shaving the same; calculating, bookkeeping, addressing machines; and all other machines for use in offices, banks, etc; and loose parts and accessories for the same, including ribbons therefor, not specifically classified----------Ad valorem--	30%	15.96%
223	Telephones, electric apparatus and machinery of all kinds, including loose parts and accessories for the same, not specifically classified, including batteries and storage batteries-----Ad valorem--	30%	11.9%
224	Machines for sewing, embroidering, spinning and weaving, and similar machines, and loose parts and accessories for the same, including needles ----------Ad valorem--	20%	4%
225	Other machinery and apparatus not for industrial use and not specifically classified, including loose parts and accessories for the same--Ad valorem--	30%	15.96%
227	Carriages, automobiles, velocipedes, and bicycles:		
227–B	Finished automobiles with bodies mounted, of any material, whose list price in factory does not exceed seven hundred and fifty dollars ($750) ----------Ad valorem--	25%	12%
227–C	Finished automobiles with bodies mounted, of any material, whose list price in the factory is more than seven hundred and fifty dollars ($750) and not more than one thousand five hundred dollars ($1,500)----------Ad valorem--	25%	16.5%
227–D	Finished automobiles, with bodies mounted, of any material, whose list price in the factory is more than one thousand five hundred dollars ($1,500) ----------Ad valorem--	25%	21%
	NOTE: For classification purposes the factory list price of automobiles classified under letters B, C, and D of this item, whether new or used, shall be based on the factory list price of the corresponding model, the value of which shall be certified in each shipment by the Chamber of Commerce of the place where the factory is located, or by that in the nearest place, duly sworn to before a Notary Public and visaed by the appropriate Cuban Consul.		

Partida	Descripción de los Artículos	Columna 1	Columna 2
221	Plataformas giratorias, grúas y trasbordadores de caña, incluyendo piezas sueltas y accesorios para los mismos, no tarifados especialmente:		
221–A	Plataformas giratorias, y grúas, incluyendo piezas sueltas y accesorios para las mismas, no tarifados especialmente.....Ad valorem..	30%	15. 96%
221–B	Los trasbordadores de caña, con o sin romanas, incluyendo las piezas sueltas y accesorios para los mismos, no tarifados especialmente.....Ad valorem..	20%	24%
222	Útiles de oficina, incluyendo máquinas de escribir, protectoras de cheques, máquinas registradoras de ventas, y de efectivo, máquinas para recoger y reproducir dictados y conversaciones, incluyendo los cilindros, y máquinas para limpiar y rebajar los mismos; máquinas de calcular, de teneduría de libros y para poner direcciones, y todas las demás máquinas para ser usadas en oficinas, bancos, etc., y las piezas sueltas y accesorios para las mismas, no tarifados especialmente, incluyendo las cintas.....Ad valorem..	30%	15. 96%
223	Teléfonos, máquinas y aparatos eléctricos de todas clases, incluyendo piezas sueltas y accesorios para los mismos no tarifados especialmente, incluyendo pilas y acumuladores....Ad valorem..	30%	11. 9%
224	Máquinas de coser, bordar, hilar, tejer y sus análogas, así como las piezas sueltas y accesorios para las mismas, incluyendo las agujas.....Ad valorem..	20%	4%
225	Las demás máquinas y aparatos que no sean para uso industrial y no tarifados especialmente, incluyendo las piezas sueltas y accesorios para los mismos.....Ad valorem..	30%	15. 96%
227	Carruajes, automóviles, velocípedos y bicicletas:		
227–B	Automóviles de construcción terminada con carrocería armada, de cualquier material, cuyo precio en fábrica no exceda de setecientos cincuenta dólares ($750.00).....Ad valorem..	25%	12%
227–C	Automóviles de construcción terminada con carrocería armada, de cualquier material, cuyo precio en fábrica sea mayor de setecientos cincuenta dólares ($750.00) y no exceda de mil quinientos dólares ($1,500.00).....Ad valorem..	25%	16. 5%
227–D	Automóviles de construcción terminada con carrocería armada, de cualquier material, cuyo precio en fábrica exceda de mil quinientos dólares ($1,500.00).....Ad valorem..	25%	21%
	NOTA: A los efectos de la clasificación de los automóviles tarifados en las letras "B", "C", y "D" de esta partida, ya sean estos nuevos o de uso, se tomará como base el precio del modelo correspondiente en fábrica, cuyo valor será certificado en cada embarque por la camara de comercio del lugar donde radique la fábrica, o por la más próxima, debidamente jurada ante Notario Público y visada por el Cónsul cubano correspondiente.		

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
227–E	Finished trucks, with mounted bodies, of wood and metal in which wood predominates—Ad valorem	25%	22.5%
227–F	The same with bodies of steel or other metal—Ad valorem	30%	14%
227–G	Automobile chassis without bodies—Ad valorem	25%	12%
227–H	Truck chassis with or without cabs for chauffeur, in which metal predominates, but without bodies, and bus chassis without bodies—Ad valorem	25%	7.5%
227–I	Bodies for automobiles, made of steel or other metal, combined or not with wood—Ad valorem	25%	18%
227–J	Bodies of steel or other metal for trucks and busses—Ad valorem	25%	15%
227–K	Bodies for trucks or busses, constructed of wood, combined or not with steel or other metal—Ad valorem	25%	18%
227–L	Parts and accessories not specifically classified, for automobiles and trucks—Ad valorem	30%	10.5%
227–M	Tractors—Ad valorem	20%	4%
227–N	Loose parts and accessories for tractors, not specifically classified—Ad valorem	20%	4%
227–O	Motorcycles and the like, and loose parts and accessories for the same not specifically classified—Ad valorem	30%	21%
227–P	Velocipedes, bicycles, and loose parts and accessories for the same, not elsewhere specified—Ad valorem	30%	10.5%
228	Railway passenger coaches of all classes—Ad valorem	20%	20%
229	Box cars, railway cars and mine cars:		
229–A	Box cars and all kinds of cars for railways—Ad valorem	20%	24%
229–B	Mine cars—Ad valorem	20%	12%
233	Vessels propelled by any mechanical means whatsoever; dredges and others:		
233–A	Of less than 200 tons, of iron or steel—Per ton	25%	1.50
233–B	Of less than 200 tons, of other metals, wood or mixed construction—Per ton	20%	1.28
233–D	Dredges, scows, floating watertanks, and other similar apparatus not destined for navigation, with or without motors—Ad valorem	20%	12%
234	Aeroplanes, hydroplanes, dirigible baloons, and in general all equipment for aerial navigation, and loose parts and accessories for the same—Ad valorem	20%	8%
238	Meat in brine or salted:		
238–C	Pork, T—100 Kgs	25%	9.00

Partida	Descripción de los Artículos	Columna 1	Columna 2
227–E	Camiones de construcción terminada, con carrocería armada de madera y metal, en que predomine la madera—Ad valorem—	25%	22. 5%
227–F	Los mismos con carrocería de acero u otro metal—Ad valorem—	30%	14%
227–G	Automóviles en chassis, sin carrocería—Ad valorem—	25%	12%
227–H	Camiones en chassis con o sin caseta para chauffeur, en la que predomine el metal, pero sin carrocería, y chassis para omnibus sin carrocería—Ad valorem—	25%	7. 5%
227–I	Carrocerías para automóviles, construídas de acero u otro metal, combinadas o no con madera—Ad valorem—	25%	18%
227–J	Carrocerías de acero u otro metal para camiones y omnibus—Ad valorem—	25%	15%
227–K	Carrocerías para camiones u omnibus, construídas de madera, combinada o no con acero u otro metal—Ad valorem—	25%	18%
227–L	Piezas y accesorios no tarifados especialmente, para automóviles y camiones—Ad valorem—	30%	10. 5%
227–M	Tractores—Ad valorem—	20%	4%
227–N	Piezas sueltas y accesorios para tractores, no tarifados especialmente—Ad valorem—	20%	4%
227–O	Motocicletas y sus análogos, y las piezas sueltas y accesorios para las mismas, no tarifados especialmente—Ad valorem—	30%	21%
227–P	Velocípedos y bicicletas, y las piezas sueltas y accesorios para los mismos, no tarifados especialmente—Ad valorem—	30%	10. 5%
228	Coches de ferrocarril para passajeros, de todas clases—Ad valorem—	20%	20%
229	Vagones, carros para ferrocarril y vagonetas para minas:		
229–A	Vagones y carros de todas clases para ferrocarril—Ad valorem—	20%	24%
229–B	Vagonetas para minas—Ad valorem—	20%	12%
233	Buques de propulsión mecánica de todas clases; dragas y otros:		
233–A	De menos de 200 toneladas, de hierro o acero—Por Ton—	25%	1. 50
233–B	De menos de 200 toneladas, de otros metales, madera o construcción mixta—Por Ton—	20%	1. 28
233–D	Dragas, gánguiles, depósitos de agua flotantes y otros aparatos análogos no destinados a la navegación, con o sin motor—Ad valorem—	20%	12%
234	Aeroplanos, hidroplanos, globos dirigibles, y en general todo equipo para navegación aérea, y piezas sueltas y accesorios para los mismos—Ad valorem—	20%	8%
238	Carne en salmuera o salada:		
238–C	De puerco, T—100 Kgs—	25%	9. 00

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
239	Pure hog lard, neutral hog lard, lard oil, lard stearine and any other edible derivative of hog lard except hydrogenated hog lard, N.W____100 Kgs__	20%	5.00
	NOTE I: The rate of duty on products of the United States classified under Item 239 of the Cuban Customs Tariff will be reduced to $4.10 per 100 kilograms on September 3, 1935, and to $3.20 per 100 kilograms on September 3, 1936. That rate may not be increased during the remainder of the life of this Agreement. NOTE II: The existing consumption tax applicable to products of the United States classified under Item 239 of the Cuban Customs Tariff will be eliminated not later than September 3, 1936.		
240	Compound lard, that is, a mixture of animal and/or vegetable oils and fats in any proportion, and hydrogenated animal and vegetable oils and fats. T_____100 Kgs__	20%	16.00
	NOTE I: When hydrogenated oils and fats classified under this Item are imported directly by manufacturers of crackers and biscuits for their exclusive use and provided their use is guaranteed under oath in the usual manner already established or which may be established by the Treasury Department, they shall enjoy a reduction of fifty percent from the duties indicated. NOTE II: No reduction will be made in the customs duties or consumption taxes in force on the day this Agreement becomes effective on any article classified under Items or sub-Items 101–A, 101–G, 102–D, 102–E, 239, 240 and 274–A, –B, –C and –D of the Cuban Customs Tariff unless simultaneous and proportionate reductions are made in the import duties or consumption taxes on all other articles described in such tariff items. This Note is without prejudice to the special provisions relating to the reduction in duty and the abolition of the consumption tax for articles classified under Item 239 of the Cuban Customs Tariff.		
241	Bacon and "tocineta", salted or smoked:		
241–A	Bacon or salted and smoked pork T____100 Kgs__	30%	13.125
241–B	"Tocineta" or fat pork, merely salted, T__100 Kgs__	25%	9.00
242	Hams or shoulders:		
242–A	Cured or smoked. T_____100 Kgs__	30%	14.42
242–B	Sugar-cured or otherwise prepared. T___100 Kgs__	30%	21.00

Partida	Descripción de los Artículos	Columna 1	Columna 2
239	Manteca pura de puerco, manteca neutra de puerco, aceite de manteca (Lard oil), estearina de manteca y cualquier otro derivado comestible de la manteca de puerco excepto la manteca de puerco hidrogenada. P.N.....100 Kgs..	20%	5.00
	NOTA I. El tipo de derecho sobre los productos de los Estados Unidos clasificados bajo la Partida 239 del Arancel de Aduanas de Cuba, será rebajada a $4.10 los 100 kilogramos el día 3 de Septiembre de 1935 y a $3.20 los 100 kilogramos el día 3 de Septiembre de 1936. Dicho tipo no podrá ser aumentado durante la vigencia de este Convenio.		
	NOTA II: El vigente impuesto de consumo aplicable a los productos de los Estados Unidos clasificados bajo la Partida 239 del Arancel de Aduana de Cuba, será derogado no después del día 3 de Septiembre de 1936.		
240	Manteca compuesta o sea la mezcla de grasas animales y vegetales, sola o entre sí, en cualquier proporción, y las grasas y aceites vegetales y animales, hidrogenados. T.....100 Kgs..	20%	16.00
	NOTA I. Cuando las grasas y aceites hidrogenados tarifados en esta partida, fueren importados directamente por los fabricantes de galletas para su uso exclusivo en la fabricación de las mismas, y siempre que su empleo sea garantizado bajo juramento en la forma usual establecida o que establezca la Secretaría de Hacienda, gozarán de una rebaja del 50% de los derechos señalados.		
	NOTA II. No serán rebajados los derechos aduanales ni los impuestos de consumo vigentes en el día en que entre en vigor este Convenio sobre cualquier artículo tarifado bajo las partidas 101-A, 101-G, 102-D, 102-E, 239, 240, y 274-A, B, C, y D del Arancel de Aduana de Cuba a menos que se efectúen rebajas simultáneas y proporcionales en los derechos de importación y los impuestos de consumo sobre todos los otros artículos incluídos en dichas partidas-arancelarias. Para los efectos de esta Nota quedan excluídas las disposiciones especiales que se refieren a la rebaja del derecho y a la abolición del impuesto de consumo sobre los artículos tarifados bajo la partida 239 del Arancel de Aduana de Cuba.		
241	Tocinos y tocinetas salados o ahumados.		
241-A	Tocino o carne de puerco, salada y ahumada. T.....100 Kgs..	30%	13.125
241-B	Tocineta o gordo de puerco, simplemente salado. T.....100 Kgs..	25%	9.00
242	Jamones o perniles.		
242-A	Curtidos o ahumados. T.....100 Kgs..	30%	14.42
242-B	En dulce o con otra preparación. T.....100 Kgs..	30%	21.00

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
244	Butter and similar articles, and oleo oil:		
244–C	Olein (oleo oil), that is, the oily part of animal fat, except hog fat, with a fusion point not exceeding 41° Centigrade, of an agreeable odor, containing less than 1% of impurities, and provided it does not contain more than 2% of free fatty acids, T.....100 Kgs..	20%	16.00
249	Mackerel, in brine, smoked, salted or pickled, T.....100 Kgs..	35%	1.69
251–A	Oysters of all kinds and dried or fresh shellfish, G.W.....100 Kgs..	20%	4.00
253	Rice:		
253–A	Unhulled, G.W.....100 Kgs..	50%	1.60
253–B	Hulled, suitable for consumption, and semi-hulled, G.W.....100 Kgs..	50%	1.85
255	Other cereals:		
255–A	Corn, G.W.....100 Kgs..	30%	2.73
255–B	Rye, G.W.....100 Kgs..	20%	0.80
255–C	Barley, G.W.....100 Kgs..	20%	0.80
255–D	Oats, G.W.....100 Kgs..	40%	0.78
256	Flour, meal and semolina:		
256–A	Wheat flour, G.W.....100 Kgs..	30%	0.91
	NOTE I: Wheat flour milled in the United States and made entirely of wheat grown in the United States shall enjoy a minimum preference of 40 percent. NOTE II: Within a period of not more than two years from the date on which this Agreement becomes effective the consumption tax on imported wheat flour of ½ cent per pound established by the Law of July 29, 1932 will be abolished. NOTE III: To determine whether products presented for clearance under sub-Items A and F should be considered as wheat flour or wheat semolina, a sample shall be tested with a No. 80 sieve, that is, one composed of silk fabrics with 80 holes to the square inch, or square of twenty-seven (27) millimeters. If the product passes through this sieve, it will be dutiable as flour, and if not, as semolina.		
256–C	Of corn, G.W.....100 Kgs..	30%	3.64
256–D	Of oats, G.W.....100 Kgs..	20%	1.30
256–E	Of other cereals, G.W.....100 Kgs..	20%	1.60
256–F	Wheat semolina, G.W.....100 Kgs..	30%	2.10
	NOTE: To determine whether products presented for clearance under sub-Items A and F should be considered as wheat flour or wheat semolina, a sample shall be tested with a No. 80 sieve, that is, one composed of silk fabric with 80 holes to the square inch, or square of twenty-seven (27) millimeters. If the product passes through this sieve, it will be dutiable as flour, and if not, as semolina.		

Partida	Descripción de los Artículos	Columna 1	Columna 2
244	Mantequilla y sus similares y el aceite de sebo (oleo oil).		
244–C	Oleina (oleo oil) o sea la parte aceitosa de la grasa animal, excepto la del cerdo, con un punto de fusión que no exceda de 41 grados cintígrados, de olor agradable, con menos de 1% de impurezas y siempre que contenga menos del 2% de acidos grasos libres. T.....100 Kgs..	20%	16. 00
249	Macarelas en salmuera, ahumadas, saladas o escabechadas. T.....100 Kgs..	35%	1. 69
251–A	Ostras de todas clases y los mariscos secos o frescos, P.B.....100 Kgs..	20%	4. 00
253	Arroz.		
253–A	Con cáscara, P.B.....100 Kgs..	50%	1. 60
253–B	Sin cáscara, propio para el consumo, y el semi-descascarado, P.B.....100 Kgs..	50%	1. 85
255	Otros cereales.		
255–A	Maíz, P.B.....100 Kgs..	30%	2. 73
255–B	Centeno, P.B.....100 Kgs..	20%	0. 80
255–C	Cebada, P.B.....100 Kgs..	20%	0. 80
255–D	Avena, P.B.....100 Kgs..	40%	0. 78
256	Harinas y sémolas.		
256–A	Harina de trigo, P.B.....100 Kgs..	30%	0. 91
	NOTA I: La harina de trigo molida en los Estados Unidos y elaborada totalmente de trigo cosechado en los Estados Unidos, gozará de una rebaja mínimo del 40%. NOTA II: Dentro de un período no mayor de dos años a contar de la fecha en que éste Convenio entre en vígor, el impuesto de consumo sobre la harina de trigo importada, de ½ centavo por libra, establecido por la Ley de 29 de Julio de 1932 se derogará. NOTA III: Para determinar si los productos que se presenten al despacho bajo las letras A y F de esta partida, pueden considerarse como harina de trigo o sémola de trigo, se someterá una muestra a la prueba del tamíz No. 80, o sea el que tenga en la tela de seda de que se forme 80 claros en una pulgada cuadrada o un cuadro de 27 milímetros. Si el producto pasa por este tamíz, adeudará como harina, y en caso contrario como sémola.		
256–C	De maíz, P.B.....100 Kgs..	30%	3. 64
256–D	De avena, P.B.....100 Kgs..	20%	1. 30
256–E	De los demás cereales, P.B.....100 Kgs..	20%	1. 60
256–F	Sémola de trigo, P.B.....100 Kgs..	30%	2. 10
	NOTA: Para determinar si los productos que se presenten al despacho bajo las letras A y F de esta partida, pueden considerarse como harina de trigo o sémola de trigo, se someterá una muestra a la prueba del tamíz No. 80, o sea el que tenga en la tela de seda de que se forme 80 claros en una pulgada cuadrada o un cuadro de 27 milímetros. Si el producto pasa por este tamíz, adeudará como harina, y en caso contrario como sémola.		

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
257	Beans and lentils:		
257–B	Red and pink beans, G.W.—100 Kgs.	25%	3. 75
257–C	White, and those commonly known as white navy beans, G.W.—100 Kgs.	50%	
257–E	Other beans and lentils, G.W.—100 Kgs.	40%	3. 00
258	Peas and chick-peas (garbanzos):		
258–A	Peas, G.W.—100 Kgs.	30%	1. 82
259	Onions and garlic:		
259–A	Onions, imported from November 15th to June 15th, inclusive, of each year, G.W.—100 Kgs.	20%	4. 00
259–B	Onions, imported from June 16th to November 14th, inclusive of each year, G.W.—100 Kgs.	50%	2. 50
260	Potatoes and other fresh vegetables and garden truck:		
260–B	Potatoes not specifically classified, imported from November 1st, to June 30th, inclusive, of each year, G.W.—100 Kgs.	20%	4. 00
260–C	Potatoes not specifically classified, imported from July 1st, to October 31st, inclusive, of each year, G.W.—100 Kgs.	50%	2. 00
260–D	Cauliflower, celery, cucumbers, tomatoes, and other fresh garden truck, G.W.—100 Kgs.	20%	1. 60
260–E	Other fresh garden truck not specifically classified, G.W.—100 Kgs.	20%	1. 60
262	Fresh Fruits:		
262–B	Apples, pears, peaches, plums, cherries, grapes and other similar fruits, G.W.—100 Kgs.	20%	1. 20
262–D	Melons, imported from July 15th, to January 31st, inclusive, G.W.—100 Kgs.	40%	1. 20
262–E	Others, G.W.—100 Kgs.	20%	1. 60
264	Dried or evaporated fruits:		
264–A	Figs and raisins, G.W.—100 Kgs.	30%	1. 365
264–B	Other dried or evaporated fruits, G.W.—100 Kgs.	30%	2. 80
265–B	Walnuts, filberts and similar nuts, G.W.—100 Kgs.	20%	1. 20
269	Feed for animals:		
269–A	Dried hay, G.W.—100 Kgs.	40%	1. 17
269–B	Stalks and heads of millet, G.W.—100 Kgs.	20%	1. 20
269–C	Other herbage used as feed, leaves and waste of plants, G.W.—100 Kgs.	20%	1. 04
269–D	Bran and hulls of cereals, G.W.—100 Kgs.	20%	0. 40
269–E	Grape (olive) bagasse, cakes, paste, powders and meal of oleaginous seeds, pulps, dregs and residues from industries, suitable for the feeding of live-stock and other uses, G.W.—100 Kgs.	40%	1. 20
269–G	Feed for fowls; mixtures of three or more grains, crushed, such as corn, wheat, oats, sunflower, etc; mixtures or compositions of animal substances, with or without other substances, finely ground; and oyster shells crushed for the same purpose, G.W.—100 Kgs.	30%	1. 40
269–H	Other feeds not specifically classified, G.W.—100 Kgs.	30%	3. 185

Partida	Descripción de los Artículos	Columna 1	Columna 2
257	Frijoles, habas y lentejas.		
257–B	Colorados y rosados, P.B.....100 Kgs..	25%	3. 75
257–C	Blancos y los comunmente conocidos por judías blancas, P.B.....100 Kgs..	50%	
257–E	Los demás frijoles, habas y lentejas, P.B..100 Kgs..	40%	3. 00
258	Chícharos y garbanzos.		
258–A	Chícharos, P.B.....100 Kgs..	30%	1. 82
259	Cebollas y ajos.		
259–A	Las cebollas, importadas desde el 15 de Noviembre hasta el 15 de Junio, inclusive, de cada año, P.B.....100 Kgs..	20%	4. 00
259–B	Las cebollas, importadas desde el 16 de Junio hasta el 14 de Noviembre, inclusive, de cada año, P.B.....100 Kgs..	50%	2. 50
260	Papas y demás hortalizas y legumbres frescas.		
260–B	Papas, no especialmente tarifadas, importadas desde 10. de Noviembre hasta el 30 de Junio, inclusive, de cada año, P.B.....100 Kgs..	20%	4. 00
260–C	Papas, no especialmente tarifadas, importadas desde 10. de Julio hasta 31 de Octubre, inclusive, de cada año, P.B.....100 Kgs..	50%	2. 00
260–D	Coliflor, apio, pepinos, tomates y demás hortalizas frescas, P.B.....100 Kgs..	20%	1. 60
260–E	Las demás legumbres frescas no tarifadas especialmente, P.B.....100 Kgs..	20%	1. 60
262	Frutas frescas.		
262–B	Manzanas, peras, melocotones, ciruelas, cerezas, uvas y otras análogas, P.B.....100 Kgs..	20%	1. 20
262–D	Melones importados desde el 15 de Julio hasta el 31 de Enero, inclusive, de cada año. P.B..100 Kgs..	40%	1. 20
262–E	Las demás, P.B.....100 Kgs..	20%	1. 60
264	Frutas secas o desecadas.		
264–A	Higos y pasas, P.B.....100 Kgs..	30%	1. 365
264–B	Otras frutas secas o desecadas, P.B.....100 Kgs..	30%	2. 80
265–B	Nueces, avellanas y sus similares, P.B...100 Kgs..	20%	1. 20
269	Alimentos para animales.		
269–A	Heno seco, P.B.....100 Kgs..	40%	1. 17
269–B	Tallos y espigas de millo, P.B.....100 Kgs..	20%	1. 20
269–C	Las demás hierbas de pasto, hojas y despojos de plantas, P.B.....100 Kgs..	20%	1. 04
269–D	Afrecho o salvado y cáscaras de cereales, P.B. .....100 Kgs..	20%	0. 40
269–E	Orujos, tortas, pastas, polvos y harinas de semillas oleaginosas, pulpas, heces y residuos de la industria, propios para la alimentación del ganado y otros usos, P.B.....100 Kgs..	40%	1. 20
269–G	Alimentos para aves; mezclas de tres o más granos triturados, tales como maíz, trigo, avena, girasol, etc.; mezclas o composiciones de sustancias animales, con o sin otras sustancias, trituradas finamente; y conchas de ostiones picadas para el mismo objeto, P.B.....100 Kgs..	30%	1. 40
269–H	Otros alimentos no especificados, P.B....100 Kgs..	30%	3. 185

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
270	Fish or shellfish canned in oil or in any other form, in tins or other containers:		
	NOTE: No change shall be made in the customs treatment provided for by Decree No. 1660 of November 5, 1927, promulgated in the Official Gazette of Cuba, No. 109 of November 7, 1927, affecting any article classified under Item 270 of the Cuban Customs Tariff, without prior negotiation with the Government of the United States of America.		
270-E	Sardines, not boned, in tomato sauce or oil of common or ordinary class, T.....Kg..	40%	0.024
270-G	Salmon, T.....Kg..	35%	0.13
270-H	Other fish and shellfish, not specifically classified, T.....Kg..	30%	0.084
	Plus an ad valorem duty.....	30%	14%
271	Vegetables canned and packed in any form:		
	NOTE: No change shall be made in the customs treatment provided for by Decree No. 1660 of November 5, 1927, promulgated in the Official Gazette of Cuba, No. 109 of November 7, 1927, affecting any article classified under Item 271 of the Cuban Customs Tariff, without prior negotiation with the Government of the United States of America.		
271-F	Canned peas, sweet corn and asparagus, T.....Kg..	40%	0.072
271-G	Paprika and other vegetables not specifically classified, T.....Kg..	30%	0.084
272	Preserved fruits, in brandy, syrup, or in any other form:		
272-B	Pears, peaches, plums, apricots and others, T.....Kg..	40%	0.06
273	Other preserved foods:		
273-A	Beef, mutton or pork, in tin cans, T.....Kg..	25%	
273-C	Sauces, mustards and food extracts for seasoning, T.....Kg..	40%	0.096
273-E	Other preserved foods not specifically classified, T.....Kg..	40%	0.144
274	Olive oil and other vegetable oils, pure, refined, semi-refined, or hydrogenated:		
	NOTE: No reduction will be made in the customs duties or consumption taxes in force on the day this Agreement becomes effective on any article classified under Items or sub-Items 101-A, 101-G, 102-D, 102-E, 239, 240, and 274-A, -B, -C, and -D of the Cuban Customs Tariff unless simultaneous and proportionate reductions are made in the import duties or consumption taxes on all other articles described in such tariff items. This note is without prejudice to the special provisions relating to the reduction in duty and the abolition of the consumption tax for articles classified under Item 239 of the Cuban Customs Tariff.		

Partida	Descripción de los Artículos	Columna 1	Columna 2
270	Pescados o mariscos conservados en aceite o en cualquiera otra forma, en latas u otros envases. NOTA: No se efectuará cambio alguno en el trato aduanal establecido por el Decreto No. 1660 de Noviembre 5 de 1927, promulgado en la Gaceta Oficial de Cuba No. 109 de Noviembre 7 de 1927, referente a cualquier artículo tarifado en la partida 270, del Arancel de Aduana de Cuba, sin una negociación previa con el Gobierno de los Estados Unidos de América.		
270–E	Sardinas con espinas, en tomate o en aceite de clase ordinaria o corriente, T.....Kg..	40%	0. 024
270–G	Salmón, T.....Kg..	35%	0. 13
270–H	Otros pescados y mariscos no tarifados especialmente.....Kg..	30%	0. 084
	Más un derecho ad valorem.....	30%	14%
271	Vegetales y legumbres conservados y envasados en cualquier forma. NOTA: No se efectuará cambio alguno en el trato aduanal establecido por el Decreto número 1660 de Noviembre 5 de 1927, promulgado en la Gaceta Oficial de Cuba No. 109 de Noviembre 7 de 1927, referente a cualquier artículo tarifado en la Partida 271, del Arancel de Aduana de Cuba, sin una negociación previa con el Gobierno de los Estados Unidos de América.		
271–F	Chícharos, maíz dulce y espárragos en conserva, T.....Kg..	40%	0. 072
271–G	Pimentón y los demás vegetales y legumbres no tarifados especialmente, T.....Kg..	30%	0. 084
272	Frutas conservadas, en aguardiente, en almíbar o en cualquiera otra forma.		
272–B	Las peras, melocotones, ciruelas, albaricoques y las demás, T.....Kg..	40%	0. 06
273	Otras conservas alimenticias.		
273–A	Carne de vaca, de carnero o de puerco, en latas, T.....Kg..	25%	
273–C	Las salsas, mostazas y extractos alimenticios para sazonar, T.....Kg..	40%	0. 096
273–E	Las demás conservas alimenticias, no tarifadas especialmente, T.....Kg..	40%	0. 144
274	Aceite de oliva y los demás aceites vegetales, puros, refinados, semirefinados o hidrogenados. NOTA: No serán rebajados los derechos aduanales ni los impuestos de consumo vigentes en el día que entre en vigor este Convenio sobre cualquier artículo clasificado bajo las Partidas 101–A, 101–G, 102–D, 102–E, 239, 240, y 274–A, –B, –C, y –D del Arancel de Aduana de Cuba a menos que se efectúen rebajas simultáneas y proporcionales en los derechos de aduana y los impuestos de consumo sobre todos los otros artículos incluídos en dichas partidas arancelarias. Para los efectos de esta nota, quedan excluídas las disposiciones especiales que se refieren a la rebaja del derecho y a la abolición del impuesto de consumo sobre los artículos clasificados bajo la partida 239 del Arancel de Cuba.		

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
274–C	Refined cottonseed, corn and soy bean oil, G.W. ----------100 Kgs--	30%	3. 01
	The rate of duty to the United States may not be increased during the life of the Agreement unless there is a simultaneous and proportionate increase in the rates of duty on all crude and refined vegetable oils entering under sub-Items 101–A, 101–G and 274–A, –B, –C and –D.		
274–D	Other refined vegetable oils not specifically classified, G.W----------100 Kgs--	30%	4. 025
286	Coffee, chicory root and chicory:		
	NOTE: At such time as the Secretary of Agriculture of the Republic of Cuba shall declare that the domestic production of coffee is inadequate to meet the requirements for local consumption, coffee in the bean, green, the product of Puerto Rico, shall enjoy a preferential reduction in duty of 50 percent from the duties in effect at such time.		
288–A	Cocoa ground or in paste form, cocoa without mixture; chocolate, bonbons, tablets, candies and sweetmeats, of which cocoa or chocolate forms a part, T----------Kg--	40%	0. 48
288–B	Cocoa mixed with milk in powdered form, sugar, flour or meal or any food product, T--------Kg--	40%	0. 60
289	Sweetened pastes, jellies, and gelatine; marmalade, quince paste, caramels; sweetmeats and candies of all kinds and chewing gum, T----------Kg--	40%	0. 18
291	Crackers:		
291–A	Ordinary, that is, composed of flour, salt and water, with or without shortening. T---100 Kgs--	20%	3. 20
291–B	Fine crackers of all classes, including those in the manufacture of which there enters butter, eggs, sugar, essences or sweets of any kind, and those made with chocolate, cocoa butter, almonds, nuts or sweetmeats of any kind, provided that they do not contain more than 15% of chocolate or sweetmeats, including the immediate container, T----------100 Kgs--	20%	6. 40
291–C	Fine crackers provided for under 291–B when they contain more than 15% and less than 30% of chocolate or sweetmeats, including the immediate container. T----------100 Kgs--	20%	16. 80
	NOTE: When fine crackers contain more than 30% of chocolate or sweetmeats, they shall be classified under Items 288 and 289.		
296	Unmanufactured tobacco:		
296–A	In the leaf, stripped or not, cuttings and fragments of leaves, N.W----------Kg--	20%	
296–B	Tobacco stems, whether entire or prepared in any manner, N.W----------Kg--	20%	

Partida	Descripción de los Artículos	Columna 1	Columna 2
274–C	Aceite refinado de semilla de algodón, maíz y habas soya, P.B.....100 Kgs..	30%	3. 01
	El tipo de derecho para los Estados Unidos no será aumentado durante la vigencia del Convenio, a menos que se efectúe un aumento proporcional y simultáneo en los tipos de derecho sobre todos los aceites vegetales, crudos y refinados, a que se refieren las partidas 101–A, 101–G, y 274–A, –B, –C, y –D.		
274–D	Los demás aceites vegetales refinados no tarifados especialmente, P.B.....100 Kgs..	30%	4. 025
286	Café, raices de achicoria y achicoria:		
	NOTA: Cuando el Secretario de Agricultura de la República de Cuba declare que la producción doméstica del café es inadecuada para hacer frente a los requerimientos del consumo local, el café en grano, verde, producto de Puerto Rico, gozará de una rebaja preferencial del 50% de los derechos vigentes en esa fecha.		
288–A	Cacao molido o en pasta, cocoa sin mezcla, chocolate, bombones, pastillas, confituras y dulces en que entren el cacao o el chocolate, T.....Kg..	40%	0. 48
288–B	Cacao mezclado con leche en polvo, azúcar, harinas o cualquier sustancia alimenticia, T.....Kg..	40%	0. 60
289	Pastas azucaradas, jaleas y gelatinas; mermeladas; membrillo, caramelos; dulces y confituras de todas clases y la goma de mascar, T.....Kg..	40%	0. 18
291	Galletas.		
291–A	Ordinarias, o sean las compuestas de harina, sal y agua, con o sin manteca, T.....100 Kgs..	20%	3. 20
291–B	Las finas de todas clases, comprendiendo aquellas en cuya elaboración entren mantequilla, huevos, azúcar, esencias o dulces de cualquier clase y las confeccionadas con chocolate, manteca de cacao, almendras, nueces o artículos de confitería de cualquier clase, siempre que no contengan más del 15% de chocolate o confituras, incluyendo el envase inmediato, T.....100 Kgs..	20%	6. 40
291–C	Las galletas finas comprendidas en la letra B de esta partida cuando contengan más de un 15% y menos de un 30% de chocolate o confituras, incluyendo el envase inmediato, T.....100 Kgs..	20%	16. 80
	NOTA: Cuando las galletas finas contengan más del 30% de chocolate o confituras, pagarán por los adendos correspondientes de las partidas 288 y 289.		
296	Tabaco en rama:		
296–A	En hojas, despalilladas o sin despalillar, recortes y fragmentos de hojas. P.N.....Kg..	20%	
296–B	Los palitos de tabaco, ya sean enteros o preparados en cualquier forma. P.N.....Kg..	20%	

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
297	Manufactured tobacco:		
297–A	In powder or snuff, or manufactured in other manner, N.W.....Kg..	20%	
297–B	In paste, called twist or plug, N.W.....Kg..	20%	0.104
297–C	Smoking tobacco manufactured in any form, N.W.....Kg..	20%	
297–D	Rolled into any kind of cigar, N.W.....Kg..	20%	
	Plus an ad valorem duty.....	20%	
297–E	Cigarettes, N.W.....Kg..	20%	4.00
	Plus an ad valorem duty.....	20%	20%
299	Ornaments and knickknacks of all kinds of materials, not specifically classified, N.W.....Kg..	30%	
	Plus 25% of the duty specified (Law of July 31, 1917).....	30%	
301	Amber, jet, tortoise-shell, coral, ivory, mother-of-pearl and meerschaum:		
301–D	The same products in buttons having a diameter of two centimeters or less, N.W.....Kg..	40%	4.20
301–E	The same products in buttons having a diameter of more than two centimeters, N.W.....Kg..	30%	1.75
302	Horn, whalebone, bone, and ivory nut; and galalith, synthetic resins, celluloid, cellulose acetate and other cellulose plastics, including all the materials and articles which imitate those included in this Item and Item 301, in a solid state, with or without fillers:		
302–A	Unmanufactured, or in plates or strips as raw material, and strips and plates laminated or not, N.W.....Kg..	40%	0.12
302–D	Manufactures of horn, whalebone, bone, ivory nut and celluloid, not specifically classified, N.W.Kg..	40%	1.05
302–E	Personal adornments and knickknacks manufactured of galalith, synthetic resins, cellulose acetate and other cellulose plastics, in a solid state with or without fillers, N.W.....Kg..	40%	0.90
302–F	Other manufactures which imitate the materials included in letter D and in Item 301, including articles made of galalith, synthetic resins, cellulose acetate and other cellulose plastics, in a solid state, with or without fillers, when not constituting articles of personal adornment and knickknacks, N.W.....Kg..	40%	0.48
306–A	Empty cartridges for hunting arms, and percussion caps therefor, T.....100 Kgs..	35%	13.00
307	India rubber or gutta percha in manufactured articles and packing:		
307–A	Rubber pipe and accessories for machinery and apparatus, T.....Kg..	20%	0.04
307–B	Heels for shoes, T.....Kg..	35%	0.26
307–D	Canvas footwear with a one-piece rubber sole, without heel, 24½ centimeters insole measurement and over.....Pair..	50%	0.31

Partida	Descripción de los Artículos	Columna 1	Columna 2
297	Tabaco manufacturado:		
297–A	En polvo, o rapé, o manufacturado de otro modo. P.N.....Kg..	20%	
297–B	En pasta, llamado breva o andullo. P.N.....Kg..	20%	0. 104
297–C	Picadura manufacturada en cualquier forma. P.N.....Kg..	20%	
297–D	Torcido en cualquier clase de vitola. P.N.....Kg..	20%	
	Más un derecho ad valorem.....	20%	
297–E	Cigarrillos. P.N.....Kg..	20%	4. 00
	Más un derecho ad valorem.....	20%	20%
299	Adornos y baratijas de todas clases de materias, no tarifadas expresamente. P.N.....Kg..	30%	
	Más un 25% del derecho expresado (Ley de 31 de Julio de 1917).....	30%	
301	Ambar, azabache, carey, coral, marfil, nácar y espuma de mar:		
301–D	Los mismos productos en botones, cuyo diámetro sea de dos centímetros o menos. P.N.....Kg..	40%	4. 20
301–E	Los mismos productos en botones, cuyo diámetro sea de más de dos centímetros. P.N.....Kg..	30%	1. 75
302	Asta, ballena, hueso, y coroczo; galalith, resina sintética, celuloide, acetato de celülosa y otras plásticas de celulosa, incluyendo todos los materiales y artículos que imiten los comprendidos en esta partida y en la partida 301, en estado sólido, con o sin rellenos:		
302–A	En bruto, o en planchas o cintas, importado como materia prima, y las cintas y planchas laminadas o no. P.N.....Kg..	40%	0. 12
302–D	Manufacturas de asta, ballena, hueso, coroczo y celuloide, no tarifadas especialmente. P.N.Kg..	40%	1. 05
302–E	Adornos personales y artículos de fantasía de galalith, resinas sinteticas, acetato de celulosa, y otras plásticas de celulosa, en estado sólido con o sin rellenos. P.N.....Kg..	40%	0. 90
302–F	Las demás manufacturas que imiten los materiales comprendidos en la letra D y en la partida 301, incluyendo los artículos fabricados de galalith, resinas sinteticas, acetato de celulosa, y otras plásticas de celulosa, en estado sólido, con o sin rellenos, cuando no constituyan adornos personales o artículos de fantasía. P.N.....Kg..	40%	0. 48
306–A	Cartuchos sin cargar para armas de caza y los fulminantes para los mismos. T.....100 Kgs..	35%	13. 00
307	Caucho o gutapercha en artículos manufacturados y empaquetaduras:		
307–A	Tubos de goma y accesorios para maquinarias y aparatos. T.....Kg..	20%	0. 04
307–B	Tacones para calzado. T.....Kg..	35%	0. 26
307–D	Calzado de lona con suela de goma enteriza, sin tacón, de 24½ centímetros en adelante, medidos en la plantilla interior.....Par..	50%	0. 31

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
307–E	Canvas footwear with a one-piece rubber sole, without heel, from 18½ to 24½ centimeters insole measurement—Pair—	50%	0. 26
307–F	Canvas footwear with a one-piece rubber sole, without heel, of less than 18½ centimeters insole measurement—Pair—	50%	0. 22
	NOTE: For the purposes of the sub-Items, D, E, and F, of this Item, the term "heel" shall not be construed to mean the wedge or heel formed by the undulation in the one-piece sole, even though as a result of said undulation the heel portion of the sole may be thicker than the outsole portion, provided always that the thickness of the wedge or heel shall not exceed the thickness of the outsole portion by more than three-fourths of a centimeter.		
307–J	Packing of all kinds, T—Kg—	20%	0. 04
307–K	All other articles not specifically classified, including rubber bathing caps and rubber thread, whether or not wound with cotton, silk or rayon, for sewing or for manufacturing rubber textiles, T—Kg—	35%	
308	Belting for power transmission:		
308–A	Leather—Ad valorem—	20%	16%
308–B	Rubber—Ad valorem—	20%	16%
308–C	Cotton canvas—Ad valorem—	30%	14%
308–D	Of other textile materials—Ad valorem—	30%	14%
309–A	Sanded or tarred tarpaulins of canvas or other fabrics, G.W—Kg—	20%	0. 064
312	Oilcloth and linoleum:		
312–A	Oilcloth for floors and for baling, T—Kg—	20%	0. 04
312–B	Linoleum, T—Kg—	30%	0. 28
312–C	Desk-pads, portfolios and other manufactures of oilcloth, T—Kg—	25%	0. 375
312–D	Other classes of oilcloth, T—Kg—	40%	0. 06
313	Games, toys and other articles of amusement or diversion, not specifically classified—Ad valorem—	40%	15%
314	Tires of rubber or of this material combined with fabrics, for all kinds of vehicles, and inner tubes:		
314–A	Solid tires, including perforated ones—Ad valorem—	20%	12%
314–B	Hollow tires, T—Kg—	40%	0. 24
314–C	Inner tubes, T—Kg—	30%	0. 28
315	Hose of rubber or with mixture of other material, or of other material only, simple or reinforced with wire, T—Kg—	20%	0. 04
318	Films and plates for photography and cinematography:		
318–A	Sensitized film for cinematography, N.W—Kg—	20%	0. 80

Partida	Descripción de los Artículos	Columna 1	Columna 2
307–E	Calzado de lona con suela de goma enteriza, sin tacón, desde 18½ hasta 24½ centímetros, medidos en la plantilla interior.....Par..	50%	0. 26
307–F	Calzado de lona con suela de goma enteriza, sin tacón, de menos de 18½ centímetros medidos en la plantilla interior.....Par..	50%	0. 22
	NOTA: A los efectos de lo que establecen las letras D, E, y F, de esta Partida, no se considerará como "tacón" la cuña o tacón formada por la ondulación que tiene la suela enteriza en la parte posterior, aun si como consecuencia de dicha ondulación resulta la parte posterior o cuña de un grueso algo mayor que la parte anterior de la suela, bien entendido que el grueso de la cuña no podrá exceder del grueso de la parte anterior de la plantilla en más de tres cuartos de un centímetro.		
307–J	Empaquetaduras de todas clases, T.....Kg..	20%	0. 04
307–K	Todos los demás artículos no tarifados especialmente, incluyendo los gorros de goma para baño y el hilo de goma forrado o no con algodón, seda o rayón, para coser o para la fabricación de tejidos elásticos. T.....Kg..	35%	
308	Correas para trasmitir fuerzas:		
308–A	De cuero.....Ad valorem..	20%	16%
308–B	De caucho.....Ad valorem..	20%	16%
308–C	De lona de algodón.....Ad valorem..	30%	14%
308–D	De otras materias textiles.....Ad valorem..	30%	14%
309–A	Encerados enarenados o alquitranados, de lona u otros tejidos. P.B.....Kg..	20%	0. 064
312	Hules y linóleos:		
312–A	Hules para suelos y para enfardar. T.....Kg..	20%	0. 04
312–B	Linóleos. T.....Kg..	30%	0. 28
312–C	Carpetas, carteras y demás manufacturas de hule. T.....Kg..	25%	0. 375
312–D	Las demás clases de hules. T.....Kg..	40%	0. 06
313	Juegos, juguetes y otros objetos de entretenimiento o diversión, no tarifados expresamente.....Ad valorem..	40%	15%
314	Llantas de caucho, o de este material combinado con tejidos, para toda clase de vehículos, y las cámaras de aire:		
314–A	Llantas macizas, incluyendo las perforadas.....Ad valorem..	20%	12%
314–B	Llantas huecas al interior. T.....Kg..	40%	0. 24
314–C	Cámaras de aire. T.....Kg..	30%	0 28
315	Mangueras de goma o con mezcla de otro material o simplemente de otro material, sencillas o reforzadas con alambres, T.....Kg..	20%	0. 04
318	Películas y placas para fotografía y cinematógrafo:		
318–A	Películas sensibles para cinematógrafo. P.N..Kg..	20%	0. 80

Schedule I.—Continued.

Tariff Item	Description of Articles	Column 1	Column 2
318–B	Cinematograph films, exposed or prepared for exhibition, N.W.....Kg..	20%	4. 80
318–C	Films for photograph cameras, N.W.....Kg..	25%	0. 375
318–D	Glass photograph plates, T.....Kg..	30%	0. 21
321	Hats, bonnets, and caps of all kinds:		
321–B	Of felt, rabbit hair and other similar material, for men and boys.....Ad valorem..	30%	
322	Waterproof fabrics, that is, those covered on one or both sides with a coating of rubber and also those having an interior coating of rubber:		
322–A	Of cotton in the piece, for automobile tops or upholstering, T.....Kg..	40%	0. 096
322–B	Other materials of cotton in the piece, including rubber friction tape, T.....Kg..	40%	0. 21
322–C	Of cotton, in manufactured articles, T.....Kg..	40%	0. 60
322–D	Of wool or silk, in the piece, T.....Kg..	40%	0. 42
322–E	Of wool or silk, in manufactured articles, T...Kg..	40%	1. 20
322–F	Of ramie or other vegetable fibers not specifically classified, in the piece, T.....Kg..	35%	0. 455
322–G	Of ramie or other vegetable fibers not specifically classified, in manufactured articles, T.....Kg..	35%	1. 30
323	All manufactured articles not included, generically or specifically, in any of the preceding items, and the assimilation whereof to those bearing greatest resemblance has not been directed by the Treasury Department, for inclusion in the classification to be opportunely added to this tariff .....Ad valorem..	30%	

Partida	Descripción de los Artículos	Columna 1	Columna 2
318–B	Películas de cinemátografo impresionadas o preparadas para ser exhibidas. P.N.....Kg..	20%	4. 80
318–C	Películas para cámaras fotográficas. P.N...Kg..	25%	0. 375
318–D	Placas sobre vidrio para fotografías. T.....Kg..	30%	0. 21
321	Sombreros, gorras y gorros de todas clases:		
321–B	De fieltro, pelo de conejo y otras materias análogas para hombres y niños.....Ad valorem..	30%	
322	Tejidos impermeables o sean los que estén cubiertos por una o por las dos caras de una capa de goma e igualmente los que tuvieren baño de goma en el interior:		
322–A	De algodón en piezas, para techos y vestiduras de automóviles o para tapizar. T.....Kg..	40%	0. 096
322–B	Los demás de algodón, en piezas, incluyendo la cinta aisladora, conocida por "tape". T...Kg..	40%	0. 21
322–C	De algodón, en artículos manufacturados. T..Kg..	40%	0. 60
322–D	De lana o seda, en piezas. T.....Kg..	40%	0. 42
322–E	De lana o seda, en artículos manufacturados. T. .....Kg..	40%	1. 20
322–F	De ramio u otras fibras vegetales no especificadas, en piezas. T.....Kg..	35%	0. 455
322–G	De ramio u otras fibras vegetales no especificadas, en artículos manufacturados. T.....Kg..	35%	1. 30
323	Todas las demás manufacturas no comprendidas, génerica o nominalmente, en alguna de las Partidas anteriores y cuya asimilación con las que puedan presentar mayor analogía no se haya determinado por la Secretaría de Hacienda para su inclusión en el repertorio que oportunamente se agregue a este arancel.....Ad valorem..	30%	.....

Schedule II.

SCHEDULE II

Tariff Act of 1930 Paragraph	Description of Articles	Column 1 *Minimum preferential reduction to Cuba*	Column 2 *Maximum rates of duty Specific rates in United States dollars*
	NOTE: The provisions of this Schedule shall be construed and given the same effect, and the application of collateral provisions of the tariff laws of the United States to the provisions of this Schedule shall be determined insofar as may be practicable, as if each provision of this Schedule appeared respectively in the paragraph of the Tariff Act of 1930 noted in the column at the left of the respective descriptions of articles.		
42	Glycerin, crude	50%	$0.004 per lb.
58	Distilled or essential grapefruit oil	20%	10% ad valorem
202(a)	Cement floor and wall tiles:		
	Valued at not more than 40 cents per square foot	20%	$0.04 per sq. ft. but not less than 20% nor more than 28% ad valorem
	Valued at more than 40 cents per square foot	20%	24% ad valorem
404 and Sec.601 (c) (6) Revenue Act of 1932	Mahogany in the form of sawed boards, planks, deals, and all other forms not further manufactured than sawed	20%	6% ad valorem and $1.20 per thousand feet, board measure
501	Sugars, tank bottoms, sirups of cane juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75 sugar degrees, and all mixtures containing sugar and water, testing by the polariscope above 50 sugar degrees and not above 75 sugar degrees	20%	$0.006165 per lb.
	and for each additional degree shown by the polariscopic test	20%	$0.000135 per lb. additional, and fractions of a degree in proportion.

LISTA II.

Ley de Arancel de Aduana de los E.U. de 1930 Párrafo	Descripción de los Artículos	Columna 1 *Reducción preferencial mínima á Cuba*	Columna 2 *Derechos máximos Derechos específicos en dólares de los Estados Unidos*
	NOTA: Las disposiciones de esta Lista serán interpretadas y se les dará el mismo efecto y la aplicación de las disposiciones complementarias de las leyes aduanales de los Estados Unidos a las disposiciones de esta Lista, será determinada en tanto pueda ser ello posible, como si cada disposición de esta Lista apareciese respectivamente en el párrafo de la Ley Arancelaria de 1930 anotada en la columna a la izquierda de las respectivas descripciones de los artículos.		
42	Glicerina, cruda	50%	$0.004 por lb.
58	Aceite de toronja destilado o esencial	20%	10% ad valorem
202(a)	Losas de cemento para pisos y paredes:		
	Valuadas a no más de 40 centavos por pié cuadrado	20%	$0.04 por pié cuadrado, pero no menos del 20% ni más del 28% ad valorem
	Valuadas en más de 40 centavos por pié cuadrado	20%	24% ad valorem
404 y Sec.601 (c) (6) Ley de Impuesto de 1932.	Caoba, en forma de tablas aserradas, planchas, tablones y en toda otra forma en que la mano de obra no exceda del aserrado	20%	6% ad valorem y $1.20 por millar de pies medida de tabla.
501	Azúcares, fondos de tanque, siropes de jugo de caña, melado, melado concentrado, mieles concretas y concentradas que no polaricen más de 75 grados y todas las mezclas que contengan azúcar y agua que polaricen más de 50 grados de azúcar y no más de 75 grados de azúcar	20%	$0.006165 por lb.
	y por cada grado de azúcar adicional mostrado por la prueba polariscópica	20%	0.000135 por lb. adicional, y las fracciones de un grado en proporción.

Schedule II.—Continued.

Tariff Act of 1930 Paragraph	Description of Articles	Column 1	Column 2
	NOTE: If and when the quota provisions of the Act "to include sugar beets and sugar cane as basic agricultural commodities under the Agricultural Adjustment Act, and for other purposes", approved May 9, 1934, become inoperative, and the Secretary of Agriculture gives public notice that no equivalent limitation on the importation of any article subject to that Act has been imposed, the duty on any such article imported into the United States of America from the Republic of Cuba shall be determined as though such article were not enumerated and described in this Schedule; provided, however, that such rate of duty shall not exceed that imposed on the day of the signature of this Agreement.		
601	Wrapper tobacco, and filler tobacco when mixed or packed with more than 35 per centum of wrapper tobacco,		
	If unstemmed	20%	$1.50 per lb.
601	Filler tobacco, not specially provided for,		
	If unstemmed	20%	$0.175 per lb.
	If stemmed	20%	$0.25 per lb.
603	Scrap tobacco	20%	$0.175 per lb.
605	Cigars, cigarettes, cheroots of all kinds and paper cigars and cigarettes, including wrappers	20%	$2.25 per lb. and 12½% ad valorem.
	NOTE: The total quantity (unstemmed equivalent) of dutiable tobacco and dutiable manufactures of tobacco imported into the United States of America from the Republic of Cuba, including cigars and tobacco by-products and wastes produced in customs bonded cigar-manufacturing warehouses from tobacco imported from Cuba, which may be entered for consumption or withdrawn from warehouse for consumption during any calendar year shall not exceed 18 per centum of the total quantity (unstemmed equivalent) of tobacco used in the manufacture of cigars in registered factories of the continental United States during the preceding calendar year, as determined by the Secretary of the Treasury of the United States.		

Ley de Arancel de Aduana de los E.U. de 1930 Párrafo	Descripción de los Artículos	Columna 1	Columna 2
	NOTA: Siempre y cuando las disposiciones relativas a la cuota de la Ley "para incluir la remolacha de azúcar y la caña de azúcar como artículos agrícolas básicos bajo la Ley de Ajuste Agrícola y para otros fines", aprobada en 9 de Mayo de 1934, fuesen derogadas y el Secretario de Agricultura de los Estados Unidos notificase públicamente que ninguna limitación equivalente a la importación de cualquier artículo sujeto a esta Ley ha sido impuesta, el derecho sobre cualquier artículo de esa clase importado en los Estados Unidos de América de la República de Cuba se aplicará como si tal producto no estuviere enumerado y descrito en esta Lista, conviniéndose, sin embargo, que la cuantía de ese derecho no excederá al derecho vigente en la fecha de la firma de este Tratado.		
601	La capa, y la tripa cuando esté mezclada o envasada con más del 35% de capa, si no estuviere despalillada	20%	1.50 por lb.
601	Tripa de tabaco para la que no se provea especialmente si no estuviere despalillada	20%	0.175 por lb.
	si estuviere despalillada	20%	0.25 por lb.
603	Picadura	20%	0.175 por lb.
605	Tabacos, cigarros, cherutos de todas clases y tabacos y cigarros de papel incluyendo capas	20%	2.25 por lb. y 12½% ad valorem
	NOTA: La cantidad total (en su equiven tabaco en rama sin despalillar) de tabaco en rama o manufacturas de tabaco que pagan derechos de Aduana al ser importados en los Estados Unidos de América, procedentes de la República de Cuba, incluyendo el tabaco elaborado, los derivados y desperdicios de tabaco, producidos en los almacenes afianzados de los fabricantes de tabaco importado de Cuba, que pueda ser introducida para el consumo o extraída de los almacenes para el consumo durante cualquier año natural no podrá exceder del 18 por ciento de la cantidad total (en su equivalente en tabaco en rama sin despalillar) del tabaco empleado durante el año natural anterior en la manufactura de los tabacos elaborados por las fábricas registradas en el territorio continental de los Estados Unidos según lo determine el Secretario de Hacienda de los Estados Unidos.		

Schedule II.—Continued.

Tariff Act of 1930 Paragraph	Description of Articles	Column 1	Column 2
	The Secretary of Agriculture of the United States shall notify the Secretary of the Treasury of the United States when the aforesaid quantity has been reached and collectors of customs of the United States shall not, after being advised of such notice and during the remainder of the current calendar year, release from customs custody for consumption in the United States any dutiable tobacco or dutiable manufactures of tobacco imported from Cuba. For the purposes of this provision, the quantity (unstemmed equivalent) of unstemmed leaf tobacco shall be its actual net weight as determined for the assessment of duties or taxes in the United States, and the quantity (unstemmed equivalent) of all other tobacco or manufactures of tobacco of any kind shall be 133 per centum of the actual net weight as determined for the assessment of duties or taxes in the United States. If and when the Secretary of Agriculture of the United States gives public notice that the cigar tobacco adjustment program in the United States has been abandoned or substantially abandoned, the duties on tobacco and manufactures of tobacco imported into the United States from Cuba shall be determined as though such commodities were not enumerated and described in this Schedule; provided, however, that the rates of such duties shall not exceed those imposed on the day of the signature of this Agreement.		
716	Honey	20%	0.012 per lb.
717(a)	Fish not specially provided for, fresh or frozen (whether or not packed in ice), whole, or beheaded or eviscerated or both, but not further advanced (except that the fins may be removed)	20%	0.004 per lb.
717(b)	Fish, fresh or frozen (whether or not packed in ice), filleted, skinned, boned, sliced, or divided into portions, not specially provided for	20%	0.01 per lb.

Ley de Arancel de Aduana de los E.U. de 1930 Párrafo	Descripción de los Artículos	Columna 1	Columna 2
	El Secretario de Agricultura de los Estados Unidos notificará al Secretario de Hacienda de los Estados Unidos cuando esté cubierta la cuota antes dicha y los Administradores de Aduanas de los Estados Unidos después de recibir dicha notificación y durante el resto de ese año natural no podrán permitir la salida para el consumo en los Estados Unidos de tabaco o productos de tabaco sujetos a derechos aduanales, que estén bajo su custodia en las Aduanas y hayan sido importados de Cuba. A los fines de esta disposición, la cantidad (en su equivalente en tabaco en rama sin despalillar) de tabaco en rama sin despalillar se determinará por su peso neto actual según lo dispuesto para la imposición de derechos o impuestos en los Estados Unidos y la cantidad (en su equivalente en tabaco en rama sin despalillar) de toda otra clase de tabaco o manufactura de tabaco de cualquier especie será el 133 por ciento de su peso neto actual de acuerdo con lo dispuesto para la imposición de derechos e impuestos en los Estados Unidos. Siempre y cuando el Secretario de Agricultura de los Estados Unidos notificase públicamente que el programa de ajuste para el tabaco para elaborar en los Estados Unidos, ha sido abandonado, o sustancialmente abandonado, los derechos sobre el tabaco o manufacturas de tabaco importados en los Estados Unidos de Cuba, se aplicarán como si tales productos no estuvieren enumerados y descritos en esta Lista; conviniendose, sin embargo, en que los tipos de esos derechos no excederán a los establecidos en la fecha de este Convenio.		
716	Miel de abejas	20%	0.012 por lb.
717(a)	Pescado no especialmente tarifado, fresco o helado (esté o no envasado en hielo), entero, o sin cabeza o vísceras, o sin ambas, pero no más adelantado (excepto que podrán ser removidas las aletas)	20%	0.004 por lb.
717(b)	Pescado, freso o helado (esté o no envasado en hielo), cortado en filetes, descamado, sin espinas, en tajadas, o dividido en porciones, no especialmente tarifado	20%	0.01 por lb.

Schedule II.—Continued.

Tariff Act of 1930 Paragraph	Description of Articles	Column 1	Column 2
724	Corn or maize, including cracked corn	20%	0.10 per bushel of 56 pounds
743	Limes in their natural state	20%	0.008 per lb.
	Grapefruit, when imported and entered for consumption during the period from August 1 to September 30, inclusive, in any year	40%	0.006 per lb.
747	Pineapples:		
	In crates	40%	0.20 per crate of 2.45 cubic feet
	In bulk	40%	0.005 each
	Candied, crystallized, or glacé	20%	14% ad valorem
	Otherwise prepared or preserved, and not specially provided for	20%	0.008 per lb.
807	Pineapples prepared or preserved in any manner, containing one-half of 1 per centum or more of alcohol	20%	2.50 per proof gallon on the alcohol contained therein, in addition to any other duty.
751	All jellies, jams, marmalades (except orange marmalade), and fruit butters	20%	14% ad valorem
752	Mango pastes and pulps, and guava pastes and pulps	50%	14% ad valorem
765	Lima beans, green or unripe, in their natural state, when imported and entered for consumption during the period from December 1 to the following May 31, inclusive, in any years	40%	0.014 per lb.
771	White or Irish potatoes, when imported and entered for consumption during the period from December 1 to the last day of the following February, inclusive, in any years	50%	0.30 per 100 lbs.
772	Tomatoes in their natural state, when imported and entered for consumption during the period from December 1 to the last day of the following February, inclusive, in any years	20%	0.018 per lb.
774	Cucumbers in their natural state, when imported and entered for consumption during the period from December 1 to the last day of the following February, inclusive, in any years	50%	0.012 per lb.

Ley de Arancel de Aduana de los E.U. de 1930 Párrafo	Descripción de los Artículos	Columna 1	Columna 2
724	Maíz, incluyendo la cabecilla (maíz partido)	20%	0.10 por "bushel" de 56 lbs.
743	Limones en su estado natural	20%	0.008 por lb.
	Toronjas, cuando se importen y entren para el consumo durante el período de Agosto 1° a Septiembre 30 inclusive, en cualquier año	40%	0.006 por lb.
747	Piñas:		
	En huacales	40%	0.20 por huacal de 2.45 piés cúbicos.
	Al granel	40%	0.005 cada una
	Azucaradas, cristalizadas o glacé	20%	14% ad valorem
	Preparadas en otra forma o en conserva y para las que no se provea especialmente	20%	0.008 por lb.
807	Piñas preparadas o conservadas de cualquier manera, conteniendo un medio de uno por ciento o más de alcohol	20%	2.50 por galón de prueba sobre el alcohol que contenga, además de cualquier otro derecho.
751	Todas las jaleas, compotas, mermeladas (excepto la mermelada de naranja) y mantequillas de frutas	20%	14% ad valorem
752	Pastas y pulpas de mango y pastas y pulpas de guayaba	50%	14% ad valorem
765	Habas lima, verdes o no maduras, en su estado natural, cuando se importen y entren para consumo durante el período de Diciembre 1° a Mayo 31 siguiente, inclusive, en cualquier año	40%	0.014 por lb.
771	Papas blancas o irlandesas, cuando se importen y entren para el consumo durante el período de Diciembre 1° al último día de Febrero siguiente, inclusive, en cualquier año	50%	0. 30 por 100 lbs.
772	Tomates en su estado natural, cuando se importen y entren para consumo durante el período de Diciembre 1° al último día de Febrero siguiente, inclusive, en cualquier año	20%	0.018 por lb.
774	Pepinos en su estado natural, cuando se importen y entren para consumo durante el período de Diciembre 1° al último día de Febrero siguiente, inclusive, en cualquier año	50%	0.012 por lb.

Schedule II. — Continued.

Tariff Act of 1930 Paragraph	Description of Articles	Column 1	Column 2
774	Eggplant in its natural state, when imported and entered for consumption during the period from December 1 to the following March 31, inclusive, in any years	50%	0.006 per lb.
774	Okra in its natural state, when imported and entered for consumption during the period from December 1 to the following May 31, inclusive, in any years	50%	20% ad valorem
774	Peppers in their natural state, when imported and entered for consumption during the period from January 1 to April 30, inclusive, in any year	20%	0.015 per lb.
774	Squash in its natural state, when imported and entered for consumption during the period from December 1 to the following May 31, inclusive, in any years	20%	0.012 per lb.
802	Rum, in bottles containing each one gallon or less	20%	2.50 per proof gallon
1545	Sponges commercially known as velvet	20%	12% ad valorem
1545	Sponges not specially provided for	20%	6% ad valorem

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Ley de Arancel de Aduana de los E.U. de 1930 Párrafo	Descripción de los Artículos	Columna 1	Columna 2
774	Berenjenas en su estado natural, cuando se importen y entren para consumo durante el período de Diciembre 1° al 31 de Marzo siguiente, inclusive, en cualquier año	50%	0.006 por lb.
774	Quimbombó en su estado natural, cuando se importen y entren para consumo durante el período de Diciembre 1° al 31 de Mayo siguiente, inclusive, en cualquier año	50%	20% ad valorem
774	Pimientos en su estado natural, cuando se importen y entren para consumo durante el período de Enero 1° al 30 de Abril, inclusive, en cualquier año	20%	0.015 por lb.
774	Calabazas en su estado natural, cuando se importen y entren para consumo durante el período de Diciembre 1° al 31 de Mayo siguiente, inclusive, en cualquier año	20%	0.012 por lb.
802	Ron, en botellas conteniendo cada una un galón o menos	20%	2.50 por galón de prueba.
1545	Esponjas comercialmente conocidas como terciopelo	20%	12% ad valorem
1545	Esponjas para las cuales no se provee especialmente	20%	6% ad valorem

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Ante, p. 3568.

AND WHEREAS it is provided in Article XVII of the said Agreement that the Agreement shall come into force on the tenth day following the day of the signature thereof, after proclamation by the President of the United States of America and the President of the Republic of Cuba;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, acting under the authority conferred by the Act of Congress aforesaid, do hereby proclaim and make public the said Agreement and the said Schedules, to the end that every article and clause of the said Agreement and every item of the said Schedules may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this twenty-fourth day of August in the year of our Lord one thousand nine hundred and [SEAL] thirty-four and of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

EXCHANGE OF NOTES BETWEEN THE SECRETARY OF STATE OF THE UNITED STATES OF AMERICA AND THE SECRETARY OF STATE OF THE REPUBLIC OF CUBA

Exchange of notes.

The Secretary of State (Hull) to the Secretary of State of Cuba (Torriente)

DEPARTMENT OF STATE,
Washington, August 24, 1934.

EXCELLENCY:

I have the honor to confirm my understanding of the views developed by the conversations which have recently taken place at Habana between the Government of the United States of America and the Government of the Republic of Cuba with reference to the exportation of avocados and pineapple slips from Cuba to the United States of America, its territories and possessions, as follows:

Cuban exports of avocados and pineapple slips.

The conversations between the two Governments have resulted in a mutual understanding that the Government of Cuba agrees not to permit the exportation of avocados to the United States of America by any carrier clearing from the final Cuban port or place of call except during the period from June 1 to September 30, inclusive, of each year, beginning with the calendar year 1935, and that the Government of Cuba will promulgate forthwith and enforce the regulations necessary to make this commitment effective.

These conversations between the two Governments have also developed a further understanding that the Cuban Government will permit the exportation of pineapple slips to the United States of America, its territories and possessions, subject to such regulations as the Cuban Department of Agriculture may establish. I shall be obliged if I may receive your confirmation of the correctness of this understanding.

I am happy to avail myself of this opportunity to renew to you, Excellency, the assurances of my highest and most distinguished consideration.

CORDELL HULL
Secretary of State of the United States of America.

Dr. COSME DE LA TORRIENTE,
Secretary of State of Cuba,
Washington, D.C.

The Secretary of State of Cuba (Torriente) to the Secretary of State (Hull)

EMBAJADA DE CUBA,
Washington, 24 de agosto de 1934.

EXCELENCIA:

Tengo el honor de acusar recibo de su nota de fecha de hoy, en que me comunica la opinión que ha formado en las conversaciones que tuvieron lugar recientemente en la Habana entre el Gobierno de los Estados Unidos de América y el Gobierno de la República de Cuba con referencia a la exportación de aguacates e hijos de piña de Cuba a los Estados Unidos de América, sus territorios y posesiones.

El criterio de Vuestra Excelencia está exactamente de acuerdo con el mío. Las conversaciones entre los dos Gobiernos han culminado en un acuerdo por el cual el Gobierno de Cuba no permitirá la exportación de aguacates a los Estados Unidos de América por ningún medio de transporte, despachado del puerto terminal cubano o punto de escala excepto durante el periodo de 1° de junio a 30 de septiembre, inclusive, de cada año, empezando con el año corriente de 1935, y que el Gobierno de Cuba promulgará inmediatamente y hará cumplir los reglamentos necesarios para hacer efectivo este compromiso.

Estas conversaciones entre los dos Gobiernos han producido también el entendimiento adicional de que el Gobierno de Cuba permitirá la exportación de los hijos de piña para los Estados Unidos de América, sus territorios y posesiones, sujeta a los reglamentos que el Departamento de Agricultura de Cuba pueda dictar.

Aprovecho esta oportunidad para reiterar a Vuestra Excelencia las seguridades de mi más alta consideración.

COSME DE LA TORRIENTE
Secretario de Estado de la República de Cuba.

A Su Excelencia
Mr. CORDELL HULL,
Secretario de Estado,
Washington.

[Translation]

EMBASSY OF CUBA,
Washington, August 24, 1934.

EXCELLENCY:

I have the honor to acknowledge the receipt of your note of today's date, communicating to me your understanding of the views developed by the conversations which have recently taken place at Habana between the Government of the United States of America and the Government of the Republic of Cuba with reference to the exportation of avocados and pineapple slips from Cuba to the United States of America, its territories and possessions.

Your Excellency's understanding is in exact accord with my own. The conversations between the two Governments have resulted in a mutual understanding that the Government of Cuba agrees not to permit the exportation of avocados to the United States of America

by any carrier clearing from the final Cuban port or place of call, except during the period from June 1 to September 30, inclusive, of each year, beginning with the calendar year 1935, and that the Government of Cuba will promulgate forthwith and enforce the regulations necessary to make this commitment effective.

These conversations between the two Governments have also developed the further understanding that the Cuban Government will permit the exportation of pineapple slips to the United States of America, its territories and possessions, subject to such regulations as the Cuban Department of Agriculture may establish.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

COSME DE LA TORRIENTE
Secretary of State of the Republic of Cuba.

His Excellency
Mr. CORDELL HULL,
Secretary of State,
Washington.

[No. 67]

July 24, 1934. *Agreement between the United States of America and Haiti, modifying the agreement of August 7, 1933, respecting the withdrawal of military forces from Haiti. Signed July 24, 1934.*

AGREEMENT BETWEEN THE UNITED STATES AND THE REPUBLIC OF HAITI

Agreement with Haiti modifying former agreement respecting withdrawal of military forces. Vol. 48, p. 1776.

Whereas the President of the United States of America and the President of the Republic of Haiti, in the course of their conversation at Cape Haitian on July 5, 1934, reached the agreement, because of the rapid progress made by the Garde d'Haiti, to terminate completely the services of the American officers in that organization on August 1 of this year, and

Whereas the President of the United States of America and the President of the Republic of Haiti, on the request of the Haitian Government, have furthermore agreed that the Marine forces of the United States of America will be withdrawn a fortnight later,

The undersigned Plenipotentiaries, duly authorized by their respective Governments, have agreed to the following arrangement:

ARTICLE I

On August 1, 1934, the service of the American officers in the Garde d'Haiti shall terminate. On the said date the Garde, under complete command of Haitian Officers, will be turned over to a colonel in active service whom the President of Haiti shall designate as Commandant.

ACCORD ENTRE LES ETATS-UNIS ET LA REPUBLIQUE D'HAITI

Considérant que le Président des Etats-Unis d'Amérique et le Président de la République d'Haiti, au cours de leurs conversations au Cap-Haitien le 5 juillet 1934, se sont mis d'accord, on raison des progrès rapides réalisés par la Garde d'Haiti, pour mettre fin complètement aux services des Officiers américains dans ce corps le 1 août de cette année,

Considérant que le Président des Etats-Unis d'Amérique et le Président de la République d'Haiti, à la demande du Gouvernement Haitien, sont en outre tombés d'accord pour que le retrait de la Brigade de Marines des Etats-Unis ait lieu dans la quinzaine suivante,

Les Plénipotentiaires soussignés, dûment autorisés par leurs Gouvernements respectifs, ont convenu de l'arrangement ci-après:

ARTICLE I

Le 1er août 1934, les services des Officiers américains dans la Garde d'Haiti prendront fin. A la dite date, la Garde, entièrement commandée par des Officiers haitiens, sera remise à un colonel en service actif que le Président d'Haiti désignera comme Commandant.

ARTICLE II

The Marine Brigade of the United States and the American Scientific Mission, established by the Accord of August 5, 1931, will be withdrawn a fortnight later.

ARTICLE III

The provisions of the present arrangement modify the stipulations contained in Articles 1, II and V of the accord of August 7, 1933.

Signed at Port-au-Prince in duplicate in the English and French languages this twenty-fourth day of july, 1934.

NORMAN ARMOUR

[SEAL]

ARTICLE II

La Brigade de Marines des Etats-Unis et la Mission Scientifique Américaine, établie par l'accord du 5 août 1931, seront retirées dans la quinzaine suivante.

ARTICLE III

Les dispositions du présent arrangement modifient les stipulations contenues dans les articles I, II et V de l'Accord du 7 août 1933.

Vol. 48, pp. 1776, 1777.

Fait en double exemplaire en anglais et français, à Port-au-Prince, le vingt-quatre juillet 1934.

LÉON LALEAU

[SEAL]

[No. 68]

September 11 and 17, 1934.

Arrangement between the United States of America and Great Britain for the reciprocal recognition of certificates of airworthiness for imported aircraft. Effected by exchange of notes, signed September 11 and 17, 1934, effective October 17, 1934.

The British Ambassador (Lindsay) to the Secretary of State (Hull)

No. 305

BRITISH EMBASSY,
Washington, D. C., September 11th, 1934.

SIR,

Reciprocal recognition of certificates of airworthiness for imported aircraft.

I have the honour, under instructions from His Majesty's Principal Secretary of State for Foreign Affairs, to state that His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland are prepared, in consideration of a reciprocal undertaking by the Government of the United States of America, and so long as they are satisfied that an adequate standard of airworthiness is maintained and enforced in the United States, to accord, subject to the conditions hereinafter set out, the following treatment to civil aircraft in respect of which a United States certificate, as defined below, has been issued:—

2. For the purposes of this Note the term "United States certificate" means a certificate of airworthiness for export issued by the competent authorities of the Government of the United States in respect of a civil aircraft constructed in, and under the regulations in force in, the continental United States of America, excluding Alaska.

3. Subject to the terms of this Note, United States certificates issued in respect of aircraft subsequently registered in the United Kingdom shall be validated by the competent United Kingdom authorities and shall thereupon have the same effect as if they had been issued under the regulations in force in the United Kingdom.

4. Persons applying in the United Kingdom for the validation of a United States certificate will be required to produce with the application the under-mentioned documents or their equivalents:—

(*a*) A United States certificate granted within sixty days of the date of application; if such certificate is more than sixty days old the applicant will be required to obtain a renewal by the issuing authority before validation is effected. It is understood that the granting of the United States certificate of airworthiness for export will guarantee that the special requirements agreed between the competent United Kingdom and United States authorities have been complied with.

(*b*) An "inspection record" or similar document; this record will contain:—(i) a list of the serial numbers or other identification marks of all the principal components of the aircraft and items of equipment, or, alternatively, the principal components and items of

equipment will be identified by labels attached with lead seals and bearing the serial number of the aircraft; (ii) details of the performance of the aircraft in its official flight test, and particulars of the normal engine speed in flight (with the airscrew fitted to the particular aircraft) and of the normal engine consumption of petrol and oil; (iii) rigging particulars where applicable.

(*c*) A "weight schedule" showing the ascertained tare weight of the particular aircraft with details of all the items that are included in the tare weight and the individual weights of each of the removable items so included; this "weight schedule" or one of the documents referred to at (*a*) or (*b*) above will also contain particulars of the ascertained position of the centre of gravity of the particular type of aircraft in the "tare" condition, and will define the limits between which the centre of gravity may be allowed to move.

5. A validation conferred by the competent United Kingdom authorities in accordance with the terms of this Note will, on expiry, be renewed under the conditions laid down for the renewal of United Kingdom certificates. Reference to the United States authorities will not be made unless special circumstances require it in any particular case.

6. The competent United Kingdom authorities shall have the right to make the validation of United States certificates dependent on the fulfilment of any special conditions which are for the time being required for the issue of certificates of airworthiness in the United Kingdom. Information with regard to these special conditions will from time to time be communicated to the competent United States authorities.

7. The competent United Kingdom authorities may at any time revise their standard of airworthiness. Any such revised standard may, as in the case of other aircraft, be enforced in respect of aircraft whose certificates of airworthiness are validated in accordance with the terms of this Note. Facilities will be given as and when necessary for referring the particular problems arising from any such revised standard to the authorities responsible for the approval of the original design of the aircraft.

8. The competent United Kingdom authorities shall be free to give special consideration to any type of aircraft which in practice appears to them to be unsafe, and, if they consider it necessary, to withhold or suspend validation.

9. The competent United States authorities shall afford to the competent United Kingdom authorities the fullest opportunity from time to time to satisfy themselves regarding the standards as to materials, structural conditions, inspectional methods, etc., laid down and enforced in the United States.

10. The competent United States authorities shall keep the competent United Kingdom authorities fully and currently informed of all regulations in force in regard to the airworthiness of civil aircraft and any changes therein that may from time to time be effected.

11. (*a*) The competent United States authorities shall arrange for the effective communication to the competent United Kingdom authorities of particulars of "compulsory modifications" prescribed in the United States, for the purpose of enabling the United Kingdom authorities to require, should they see fit, these modifications to be made to aircraft of the types affected, whose certificates have been validated by them.

(*b*) The competent United States authorities shall, where necessary, afford the competent United Kingdom authorities facilities for dealing with "non-compulsory modifications" which are such as to affect the validity of certificates of airworthiness validated under the terms of this Note, or any of the other original conditions of validation. They will similarly give facilities for dealing with cases of major repairs carried out otherwise than by the fitting of spare parts supplied by the original constructors.

12. The competent United Kingdom authorities will, if so required and insofar as may be practicable, provide facilities for the tuition of technical officers of the United States in the special inspectional methods in use in the United Kingdom for any particular type of aircraft or aero engine.

13. The competent United Kingdom and United States authorities shall exchange full and frank information as to the performance of any aircraft of which the certificate of airworthiness has been validated under the terms of this Note on any matter of material importance for reasons of safety.

14. The competent United Kingdom and United States authorities shall each have the right to determine absolutely the interpretation of their regulations on any point of doubt or difficulty which may arise in the application of their own standard of airworthiness.

15. The question of the procedure to be followed in the application of the above provisions shall be the subject of direct correspondence, where necessary, between the competent United Kingdom and United States authorities.

16. His Majesty's Government in the United Kingdom may terminate the arrangements set out in this Note at any time by means of a notification in writing addressed to the Government of the United States to take effect two calendar months after the date of its receipt.

17. I shall be glad if you will inform me whether the Government of the United States concur in the terms of this Note and are willing to grant reciprocal treatment to aircraft in respect of which United Kingdom certificates of airworthiness have been issued.

I have the honour to be, with the highest consideration, Sir,
Your most obedient, humble servant,

R. C. LINDSAY

The Honourable
CORDELL HULL,
Secretary of State of the United States,
Washington, D. C.

The Secretary of State (Hull) to the British Ambassador (Lindsay)

DEPARTMENT OF STATE,
Washington, September 17, 1934.

EXCELLENCY:

Concurrence by the United States.

I have the honor to invite reference to your Note No. 305 of September 11, 1934, setting forth the treatment which the Government of the United Kingdom is prepared, in return for reciprocal treatment, to accord to civil aircraft in respect of which a United States certificate of airworthiness for export has been issued, and to state in reply that the Government of the United States of America concurs in its terms and is prepared, in return for the treatment therein specified, and so long as it is satisfied that an adequate standard of airworthiness is maintained and enforced in the United Kingdom, to accord, subject to the conditions hereinafter set out, the following treatment to civil aircraft in respect of which a United Kingdom certificate, as defined below, has been issued:

2. For the purposes of this Note the term "United Kingdom certificate" means a certificate of airworthiness issued by the competent authorities of the Government of the United Kingdom in respect of a civil aircraft constructed in, and under the regulations in force in, the United Kingdom; and the term "United States licence" means a civil aircraft licence issued by the competent authorities of the Government of the United States in respect of a civil aircraft constructed in and under the regulations in force in the continental United States of America, excluding Alaska.

3. Subject to the terms of this Note, United Kingdom certificates issued in respect of aircraft subsequently registered in the continental United States excluding Alaska shall be validated by the competent United States authorities and shall thereupon have the same effect as if they had been aircraft licences issued under the regulations in force in the continental United States excluding Alaska.

4. Persons applying in the United States for the validation of a United Kingdom certificate will be required to produce with the application the undermentioned documents or their equivalent:

(*a*) A United Kingdom certificate granted within sixty days of the date of application; if such certificate is more than sixty days old the applicant will be required to obtain a renewal by the issuing authority before validation is effected. It is understood that the "inspection record" issued with the United Kingdom certificate of airworthiness will be endorsed with a guarantee that the special requirements agreed between the competent United States and United Kingdom authorities have been complied with.

(*b*) An "inspection record" or similar document; this record will contain:— (1) a list of the serial numbers or other identification marks of all the principal components of the aircraft and items of equipment, or, alternatively, the principal components and items of equipment will be identified by labels attached with lead seals and bearing the serial number of the aircraft; (2) details of the performance of the aircraft in its official flight test, and particulars of the normal engine speed in flight (with the airscrew fitted to the

particular aircraft) and of the normal engine consumption of petrol and oil; (3) rigging particulars where applicable.

(*c*) A "weight schedule" showing the ascertained tare weight of the particular aircraft with details of all the items that are included in the tare weight and the individual weights of each of the removable items so included; this "weight schedule" or one of the documents referred to at (*a*) or (*b*) above will also contain particulars of the ascertained position of the centre of gravity of the particular type of aircraft in the "tare" condition, and will define the limits between which the centre of gravity may be allowed to move.

5. A validation conferred by the competent United States authorities in accordance with the terms of this Note will, on expiry, be renewed under the conditions laid down for the renewal of United States licences. Reference to the United Kingdom authorities will not be made unless special circumstances require it in any particular case.

6. The competent United States authorities shall have the right to make the validation of United Kingdom certificates dependent on the fulfilment of any special conditions which are for the time being required for the issue of aircraft licences in the United States. Information with regard to these special conditions will from time to time be communicated to the competent United Kingdom authorities.

7. The competent United States authorities may at any time revise their standard of airworthiness. Any such revised standard may, as in the case of other aircraft, be enforced in respect of aircraft whose certificates of airworthiness are validated in accordance with the terms of this Note. Facilities will be given as and when necessary for referring the particular problems arising from any such revised standard to the authorities responsible for the approval of the original design of the aircraft.

8. The competent United States authorities shall be free to give special consideration to any type of aircraft which in practice appears to them to be unsafe and, if they consider it necessary, to withhold or suspend validation.

9. The competent United Kingdom authorities shall afford to the competent United States authorities the fullest opportunity from time to time to satisfy themselves regarding the standards as to materials, structural conditions, inspectional methods, etc., laid down and enforced in the United Kingdom.

10. The competent United Kingdom authorities shall keep the competent United States authorities fully and currently informed of all regulations in force in regard to the airworthiness of civil aircraft and any changes therein that may from time to time be effected.

11. (*a*) The competent United Kingdom authorities shall arrange for the effective communication to the competent United States authorities of particulars of "compulsory modifications" prescribed in the United Kingdom, for the purpose of enabling the United States authorities to require, should they see fit, these modifications to be made to aircraft of the types affected, whose certificates have been validated by them.

(*b*) The competent United Kingdom authorities shall, where necessary, afford the competent United States authorities facilities for dealing with "noncompulsory modifications" which are such as to affect the validity of certificates of airworthiness validated under the terms of this Note or any of the other original conditions of validation. They will similarly give facilities for dealing with cases of major repairs carried out otherwise than by the fitting of spare parts supplied by the original constructors.

12. The competent United States authorities will, if so required and insofar as may be practicable, provide facilities for the tuition of technical officers of the United Kingdom in the special inspectional methods in use in the United States for any particular type of aircraft or aero engine.

13. The competent United States and United Kingdom authorities shall exchange full and frank information as to the performance of any aircraft of which the certificate of airworthiness has been validated under the terms of this Note on any matter of material importance for reasons of safety.

14. The competent United States and United Kingdom authorities shall each have the right to determine absolutely the interpretation of their regulations on any point of doubt or difficulty which may arise in the application of their own standard of airworthiness.

15. The question of the procedure to be followed in the application of the above provisions shall be the subject of direct correspondence, where necessary, between the competent United States and United Kingdom authorities.

16. The Government of the United States may terminate the arrangements set out in this Note at any time by means of a notification in writing addressed to the Government of the United Kingdom to take effect two calendar months after the date of its receipt.

17. I shall be glad if Your Excellency will inform me whether the Government of the United Kingdom concurs in the terms of this Note and regards them as affording the reciprocal treatment referred to in Your Excellency's Note under reply. I have the honor to suggest, in that event, that the arrangements set out in the two Notes shall take effect one calendar month from this day's date.

Accept, Excellency, the renewed assurances of my highest consideration.

CORDELL HULL

His Excellency
The Honorable Sir RONALD LINDSAY,
P. C., G. C. M. G., K. C. B., C. V. O.,
British Ambassador.

The British Ambassador (Lindsay) to the Secretary of State (Hull)

No. 312

BRITISH EMBASSY,
Washington, D. C., September 17th, 1934

SIR,

Concurrence by Great Britain.

I have the honour under instructions from His Majesty's Principal Secretary of State for Foreign Affairs to acknowledge the receipt of your Note of today's date, setting forth the treatment which the Government of the United States are prepared, in return for the reciprocal treatment set out in my Note No. 305 of September 11th, to accord to civil aircraft in respect of which United Kingdom certificates of airworthiness have been issued.

2. I have the honour to state in reply that His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland concur in the terms of your Note under reply, and regard them as affording the reciprocal treatment referred to in my Note No. 305 of September 11th. His Majesty's Government in the United Kingdom also concur in your suggestion that the arrangements set out in the two Notes shall take effect one calendar month from this day's date.

I have the honour to be, with the highest consideration, Sir,
Your most obedient, humble servant,

R. C. LINDSAY

The Honourable
CORDELL HULL,
Secretary of State of the United States,
Washington, D. C.

[No. 69]

Arrangement effected by exchange of notes between the acting legal adviser of the Secretariat of the League of Nations and the American Consul at Geneva providing for the registration of treaties and other international agreements of the United States of America with the Secretariat of the League of Nations. Signed January 22 and 23, 1934, effective January 23, 1934. January 22 and 23, 1934.

The Acting Legal Adviser of the Secretariat of the League of Nations (McKinnon Wood) to the American Consul at Geneva (Gilbert)

LEAGUE OF NATIONS,
Geneva, January 22nd, 1934.

DEAR MR. GILBERT,

With reference to my recent conversations with you, I am authorised by the Secretary-General to confirm that provision for the registration with the Secretariat, by States not belonging to the League, of international agreements concluded by them is made in paragraph 13 of the memorandum regarding the registration and publication of treaties which was approved by the Council of the League of Nations on May 19th, 1920 (see Volume I, No. 1, of the Treaty Series, pp. 8–13). I annex the text of this paragraph in French and English. Arrangement for the registration of treaties, etc., of the United States of America with the Secretariat of the League of Nations.

Post, p. 3660.

You will observe from the terms of the paragraph that the Council recognised that such registration by a non-Member State would be absolutely voluntary.

It may be of interest for me to mention that, commencing in October 1920, Germany proceeded to register treaties with the Secretariat as contemplated in the paragraph, on the understanding that this did not imply that she considered herself as bound by the provisions of Article 18 of the Covenant (see Treaty Series, Volume II, p. 60). I might also mention that, since she ceased to be a member of the League, Brazil has continued to register treaties with the Secretariat.

In such cases a simple acknowledgment of the request for registration, and not a formal certificate of registration, is addressed by the Secretariat to the Government presenting a treaty for registration, in view of the fact that the registration is not legally obligatory.

Should, therefore, the United States decide to adopt the practice of registering international agreements concluded by it with the Secretariat, the position would be as follows:

a) Such registration would not involve acquiescence by the United States in the stipulation of Article 18 of the Covenant that no instrument shall be binding until registration.

b) Such registration would result in publication of treaties and executive agreements between the United States and Members of the League and likewise between the United States and other States

not Members of the League in the "League of Nations Treaty Series" in the same category and with the same promptitude as treaties registered by the Member States.

c) Such registration would result in the elimination of the delay in the publication of instruments which may hitherto have been caused by the suspension of publication of treaties sent to the Secretariat by the United States until appropriate notification had been made to the interested Member States.

If the United States requested registration of a treaty, such registration would be effected at once and the treaty be published in the same manner as though it had been presented by a Member State. Since registered treaties are published in the order of registration, the exact date at which a treaty appears in the Treaty Series necessarily depends on the progress made in producing the Series.

d) Such registration would not involve an obligation on the part of the United States to pay any charges or expenses.

I should perhaps add that under the memorandum approved by the Council, the instruments which the Secretariat registers comprise "not only every formal Treaty of whatsoever character and every International Convention, but also any other International Engagement or Act by which nations or their Governments intend to establish legal obligations between themselves and another State, Nation, or Government".

I am, Dear Mr. Gilbert,

Yours very sincerely,

H. McKINNON WOOD,
Acting Legal Adviser of the Secretariat.

Mr. PRENTISS B. GILBERT,
United States Consulate,
Rue du Mont Blanc,
Geneva.

[Enclosure]

Annex.

ANNEX

Paragraph 13 of Council's memorandum of May 19, 1920.

PARAGRAPH 13 OF MEMORANDUM APPROVED BY COUNCIL ON MAY 19TH, 1920.

French text:

French text.

"13. Dans cet ordre d'idées, on a suggéré de développer dès l'origine le système d'enregistrement des traités par le Secrétariat de la Société des Nations, de telle manière qu'il comprenne aussi l'enregistrement des traités, etc., conclus entre des Etats ou des collectivités qui n'auraient pas encore été admis comme Membres de la Société des Nations. On compléterait ainsi le système d'enregistrement des traités, et la collection des traités publiée dans la section des "Traités" du Journal Officiel de la Société des Nations. Bien qu'il s'agisse dans ce cas d'un enregistrement entièrement facultatif, le Secrétaire général propose d'accepter les demandes d'enregistrement des traités même au cas où aucune des parties ne serait au moment de la demande Membre de la Société des Nations.

English text.

English text.

"13. In connection with this last point, it has been suggested that the system of Registration of Treaties by the Secretariat of the League of Nations should from the beginning be so extended as to admit of the registration of Treaties, etc., made by and between States or Communities that have not yet been admitted as Members of the League of Nations. This would serve to complete the Registration of Treaties and the public collection of Treaties which will be formed by the Treaty Part of the League of Nations Journal. The Secretary-General therefore proposes, although the Registration will be for this part absolutely voluntary, to accept applications for the Registration of Treaties, etc., even if none of the Parties is at the time a Member of the League of Nations.

The American Consul at Geneva (Gilbert) to the Acting Legal Adviser of the Secretariat of the League of Nations (McKinnon Wood)

AMERICAN CONSULAR SERVICE,
Geneva, Switzerland, January 23, 1934.

MY DEAR MR. MCKINNON WOOD:

Acknowledgment by American Consul at Geneva.

I desire to acknowledge with appreciation your letter of January 22, 1934 in which, in line with our conversations, you set forth the position of the League of Nations with regard to the registration by the Secretariat and the publication in the "League of Nations Treaty Series" of international instruments concluded by the United States which shall be furnished by the Government of the United States for this purpose. My understanding of the League's position in this respect is as follows.

(a) Such registration will not involve acquiescence by the United States in the stipulation of Article 18 of the Covenant of the League of Nations that no instrument shall be binding until registration.

(b) Such registration will result in publication of treaties and executive agreements between the United States and Members of the League and likewise those between the United States and other states not members of the League in the "League of Nations Treaty Series", in the same category and with the same promptitude as treaties registered by the member states.

(c) Such registration will result in the elimination of the delay in publication of instruments which may hitherto have been caused by the suspension of publication of treaties sent to the Secretariat by the United States until appropriate notification had been made to the interested member states.

(d) Such registration will not involve an obligation on the part of the United States to pay any charges or expenses.

With regard to points (b) and (c) above, my understanding of the arrangement envisaged is that, upon the United States requesting the registration of a treaty, such registration will be effected at once and the treaty published in the same manner as though it had been presented by a member state; it is, however, entirely clear that,

inasmuch as registered treaties are published in the order of registration, the exact date at which a treaty appears in the "Treaty Series" necessarily depends on the progress made in producing the Series.

I further understand that in cases of this character a simple acknowledgment of the request for registration, and not a formal certificate of registration, is addressed by the Secretariat to the government presenting a treaty for registration, in view of the fact that the registration is not legally obligatory.

I take pleasure in informing you that my Government will be glad in accordance with the memorandum approved by the Council of the League on May 19, 1920 and in accordance with the understandings expressed in your letter which I have recapitulated above, to furnish the Secretariat through the American Minister at Bern for the purpose of registration and publication a certified copy of each international agreement to which the United States shall hereafter become a party.

I am, my dear Mr. McKinnon Wood,
Yours very sincerely,

PRENTISS GILBERT

H. MCKINNON WOOD, Esquire,
Legal Section,
League of Nations,
Geneva.

[No. 70]

January 17, March 14, and April 22, 1930.
October 5, 1934.

Agreement between the United States of America and Poland in regard to mutual recognition of ship measurement certificates. Effected by exchange of notes, signed January 17, March 14, and April 22, 1930, and October 5, 1934; effective April 22, 1930.

The Polish Ambassador (Filipowicz) to the Secretary of State (Stimson)

No. 1635/29 JANUARY 17, 1930.

SIR:

Proposal of Poland respecting mutual recognition of ship measurement certificates.

I have been instructed by my Government, desirous of negotiating with the Government of the United States an agreement relative to the tonnage measurement of ships, to present for your consideration translations of the following documents:[1]

Decree of the President of the Republic of Poland of May 17th, 1927, relating to the tonnage measurement of ships
Decree of the Minister of Industry and Commerce of November 24th, 1927
Regulations as to the tonnage measurement of ships, as well as copies of Polish certificates of tonnage.

In doing so, I have the honor to ask you, Mr. Secretary, to take cognizance of the attached documents and to inform me subsequently, if it be your pleasure to have representatives of the Department of State enter into negotiations with representatives of this Legation with a view to negotiating, on the basis of the attached documents, an agreement which would assure that certificates of tonnage of vessels of either High Contracting Party be reciprocally accepted as establishing the ships' tonnage in respect to levying of harbor duties and taxes.

Accept, Sir, the renewed assurances of my highest consideration.

T. FILIPOWICZ

Enclosures:
Translations of documents referred to above.

The Honorable
HENRY L. STIMSON,
Secretary of State.

[1] Not printed.

The Acting Secretary of State (Cotton) to the Polish Ambassador (Filipowicz)

DEPARTMENT OF STATE,
Washington, March 14, 1930.

EXCELLENCY:

Agreement by United States.

I have the honor to refer to Your Excellency's note No. 1635/29 of January 17, 1930, enclosing copies of documents relating to the tonnage measurement of ships. The regulations of Poland on this subject have been found to be substantially the same as those of the United States.

Accordingly, I have the honor to inform you that, in consideration of a like courtesy being extended to vessels of the United States in Polish ports, the appropriate agency of this Government will recognize the tonnage noted in the certificates of registry or other national papers carried by Polish vessels, determined pursuant to the decrees and regulations transmitted with your note of January 17, 1930, as fulfilling the requirements in regard to measurement under the laws and regulations of the United States, and that it will not be necessary for vessels of Poland to be remeasured at any port of the United States.

I shall be glad to be informed when appropriate steps under Polish laws or regulations have been taken to give effect to a reciprocal exemption in favor of vessels of the United States.

This Government considers that the existence of the arrangement between the two countries on this subject may appropriately be evidenced by this note and Your Excellency's reply thereto.

Accept, Excellency, the renewed assurances of my highest consideration.

J. P. COTTON
Acting Secretary of State.

His Excellency
Mr. TYTUS FILIPOWICZ,
Ambassador of Poland.

The Polish Ambassador (Filipowicz) to the Acting Secretary of State (Cotton)

No. 1030/30 APRIL 22, 1930.

SIR:

Recognition by Poland.

I have the honor to refer to your note of March 14th, 1930, with which you confirm the receipt of my note of January 17, 1930, and inform me that Poland's regulations on the subject of tonnage measurements of vessels having been found to be substantially the same as those of the United States, the appropriate agency of the United States Government, in consideration of a like courtesy being extended to vessels of the United States in Polish ports, will recognize the tonnage noted in the certificates of registry or other national

papers carried by Polish vessels issued in accordance with the regulations transmitted with my note of January 17, 1930, as fulfilling the requirements in regard to measurement under the laws and regulations of the United States, and that it will not be necessary for vessels of Poland to be remeasured at any port of the United States.

Simultaneously, I am informing my Government that, by transmitting to you this note, the agreement on the above subject between the United States and Poland has been definitely closed, in order to enable them to publish the above in the "Monitor Polski", official daily of the Polish Government and in order that the Minister of Industry and Commerce may issue proper instructions to the Polish harbor authorities.

In accordance with the wish expressed in your above mentioned note, I will inform you when appropriate steps have been taken to effect the reciprocal exemption in favor of vessels of the United States.

Accept, Sir, the renewed assurances of my highest consideration.

T. FILIPOWICZ

The Honorable
JOSEPH P. COTTON,
Acting Secretary of State.

The Polish Ambassador (Patek) to the Secretary of State (Hull)

AMBASSADE DE POLOGNE
99/SZ–3 OCTOBER 5, 1934.

SIR,

Referring to the exchange of notes which took place in 1930, between the Polish Government and the Government of the United States relative to the mutual recognition of the tonnage measurement of ships, I have the honor to enclose herewith a copy, with a certified translation, of the Proclamation, dated July 10, 1930, issued by the Minister of Industry and Commerce of the Republic of Poland. Proclamation by Poland.

The said Proclamation, which is published in the official "Monitor Polski" of July 22, 1930, No. 167, pos. 254, states that the Polish merchant marine authorities recognize the tonnage measurement certificates of the sea-going merchant vessels of the United States of North America equally with Polish certificates.

Accept, Sir, the renewed assurances of my highest consideration.

S PATEK

encl.

The Honorable
CORDELL HULL,
Secretary of State.

[Enclosure]

"Monitor Polski" Nr. 167 z dnia 22 lipca 1930r. poz. 254
The Polish Monitor No. 167 of July 22, 1930, pos. 254

OBWIESZCZENIE
Ministra Przemysłu i Handlu
z dnia 10 lipca 1930 r.

w sprawie uznawania przez polskie władze marynarki handlowej świadectw pomiarowych statków handlowych Stanów Zjednoczonych Ameryki Północnej.

Podaje się do wiadomości, że, zgodnie z porozumieniem, zawartem pomiędzy Rządem Polskim a Rządem Stanów Zjednoczonych Ameryki Północnej drogą wymiany not, a mianowicie noty Rządu Polskiego z dnia 17 stycznia 1930 r. i noty Rządu Stanów Zjednoczonych Ameryki Północnej z dnia 4 [*14*] marca 1930 r. —polskie władze marynarki handlowej uznają świadectwa pomiarowe morskich statków handlowych Stanów Zjednoczonych Ameryki Północnej narówni ze świadectwami polskiemi.

PROCLAMATION
of the Minister of Industry and Commerce
of July 10, 1930

in the matter of recognizing by Polish merchant marine authorities of tonnage measurement certificates of merchant vessels of the United States of North America.

Be it known that, in accordance with the agreement, concluded between the Polish Government and the Government of the United States of North America by way of an exchange of notes, to wit the note of the Polish Government dated January 17, 1930, and the note of the Government of the United States dated March 4 [*14*], 1930,—the Polish merchant marine authorities recognize the tonnage measurement certificates of the seagoing merchant vessels of the United States of North America equally with Polish certificates.

Minister Przemysłu i Handlu:
Minister of Industry and Commerce:
(—) E. KWIATKOWSKI.

I herewith certify that the original and the translation are substantially in agreement.

Washington, D. C., October 5, 1934.

Z. KLIMPEL
Secretary of Embassy.

[No. 71]

Arrangement between the United States of America and Chile concerning radio communications between amateur stations on behalf of third parties. Effected by exchange of notes, signed August 2 and 17, 1934; effective August 17, 1934.

August 2 and 17, 1934.

The American Ambassador (Sevier) to the Chilian Minister for Foreign Affairs (Cruchaga Tocornal)

No. 127. EMBASSY OF THE UNITED STATES OF AMERICA,
Santiago, August 2, 1934.

EXCELLENCY:

In view of the important services rendered by amateurs in the development of radio communication and the desirability of liberalizing the restrictions dealing with such amateurs, I have the honor to confirm to Your Excellency the terms of the following understanding between our respective governments, as provided for in Article 8 of the Radio Regulations annexed to the International Telecommunication Convention of Madrid, 1932:

Arrangement with Chile concerning amateur radio stations.

Amateur radio stations of Chile and of the United States may interchange messages on behalf of third parties, provided that such messages shall be of the character that would not normally be sent by any existing means of electrical communication or except for the availability of the amateur stations, and on which no compensation must be directly or indirectly paid.

This arrangement shall apply to the United States and its territories and possessions including Alaska, the Hawaiin Islands, Puerto Rico, the Virgin Islands, the Panama Canal [Zone] and the Philippine Islands.

This arrangement shall be subject to termination by either government on sixty days' notice to the other government, by further arrangement between the two governments dealing with the same subject, or by the enactment of legislation in either country inconsistent therewith.

It is understood that the above stated arrangement will be effective on the date of the receipt of a note from the Chilean Government stating its acceptance thereof.

I avail myself of this opportunity to reiterate to Your Excellency the assurances of my highest and most distinguished consideration.

HAL SEVIER

His Excellency
Señor don MIGUEL CRUCHAGA T.,
Minister for Foreign Affairs,
Santiago.

The Chilean Minister for Foreign Affairs (Cruchaga Tocornal) to the American Ambassador (Sevier)

REPÚBLICA DE CHILE
MINISTERIO
DE RELACIONES EXTERIORES
DEPARTAMENTO DIPLOMATICO

Nº 04976 SANTIAGO, *17 de Agosto de 1934.*

SEÑOR EMBAJADOR:

Tengo el honor de dar respuesta a la atenta nota de V. E. Nº 127 de 2 del mes en curso. Teniendo en vista los importantes servicios prestados por los aficionados al desarrollo de las radio-comunicaciones y en el deseo de disminuir las restricciones que les afectan, confirmo a V.E. los terminos del acuerdo entre ambos Gobiernos que modifica lo dispuesto en el Art. 8 del Reglamento de Radio anexo a la Convencion Internacional de Telecomunicacion de Madrid de 1932:

Las estaciones de radio de aficionados de Chile y de los Estados Unidos, pueden intercambiar mensajes de terceras personas, siempre que tales mensajes sean de tal indole que no serian normalmente transmitidos por ningun medio existente de comunicacion electrica si no se dispusiere de las estaciones de aficionados, y con relacion a los cuales no puede percibirse directa ni indirectamente retribucion alguna.

Este arreglo será aplicado a los Estados Unidos y a sus territorios y posesiones, incluso Alaska, las Islas Hawai, Puerto Rico, las Islas Virginias, la Zona del Canal de Panama, e Islas Filipinas.

Podra ponerse termino a este acuerdo por cualquiera de los dos Gobiernos mediante una notificacion al otro Gobierno hecha con sesenta dias de anticipación, por acuerdo entre los dos Gobiernos relacionado con el mismo asunto, o a causa de disposiciones legales en cualesquiera de los dos paises que fueren incompatibles con esta disposicion.

Este acuerdo empieza a regir desde la fecha de la la presente comunicacion.

Aprovecho esta oportunidad para reiterar a V.E. las seguridades de mi mas alta y distinguida consideracion.

MIGUEL CRUCHAGA T

Al Excmo. Señor HAL SEVIER
Embajador Extraordinario y Plenipotenciario de los Estados Unidos.

[Translation]

REPUBLIC OF CHILE
MINISTRY
OF FOREIGN RELATIONS
DIPLOMATIC DEPARTMENT

No. 04976 SANTIAGO, *August 17, 1934.*

MR. AMBASSADOR:

I have the honor to reply to Your Excellency's courteous note no. 127 of the 2d of the current month. Having in view the important services rendered by amateurs in the development of radio communications and with the desire of liberalizing the restrictions dealing with them, I confirm to Your Excellency the terms of the understanding between the two Governments which modifies the provision of article 8 of the radio regulations annexed to the International Telecommunication Convention of Madrid of 1932:

Amateur radio stations of Chile and of the United States may interchange messages of third parties provided that such messages are of such a character that they would not normally be transmitted by any existing means of electrical communication if it were not for the availability of the amateur stations, and with respect to which no compensation whatever can be collected.

This arrangement shall apply to the United States and its territories and possessions, including Alaska, the Hawaiian Islands, Puerto Rico, the Virgin Islands, the Panama Canal Zone, and the Philippine Islands.

This arrangement can be terminated by either of the two Governments by giving 60 days' advance notification to the other Government, by agreement between the two Governments dealing with the same subject, or because of legal provisions in either of the two countries which are incompatible with this provision.

This agreement takes effect from the date of the present communication.

I avail myself of this opportunity to reiterate to Your Excellency the assurances of my highest and most distinguished consideration.

MIGUEL CRUCHAGA T

To His Excellency MR. HAL SEVIER,
Ambassador Extraordinary and Plenipotentiary of the United States.

[No. 72]

October 25, 1934. *Claims agreement between the United States of America and Turkey. Signed October 25, 1934, ratified by the Grand National Assembly of Turkey, December 23, 1934.*

Claims agreement with Turkey.

The Government of the United States of America and the Government of the Republic of Turkey, being desirous of effecting an amiable, expeditious and economical adjustment of the claims embraced by the Agreement concluded by them through an exchange of notes dated December 24, 1923,[1] and confirmed by an Agreement through an exchange of notes dated February 17, 1927,[1] have resolved to conclude the present Agreement for that purpose, and have appointed as their plenipotentiaries:

Plenipotentiaries.

THE PRESIDENT
OF THE UNITED STATES OF AMERICA,
Fred Kenelm Nielsen,

and

THE PRESIDENT
OF THE REPUBLIC OF TURKEY,
Dr. Tevfik Rüştü Bey, Deputy of Izmir, Minister of Foreign Affairs of the Republic of Turkey,

Who, having communicated their full powers, found to be in good and due form, have agreed as follows:

ARTICLE I

Payments by Turkey.

The Government of the Republic of Turkey will pay to the Government of the United States of America the sum of $1,300,000 (one million three hundred thousand dollars) of the United States of America, without interest, in full settlement of claims of American citizens which are embraced by the Agreement of December 24, 1923.

In annual installments.

Payment of this sum will be made in thirteen annual installments of $100,000 (one hundred thousand dollars). Payment of the first installment will be made on June 1, 1936, following the ratification of the present Agreement by the Grand National Assembly of Turkey.

ARTICLE II

Payment considered full release of designated claims.

The two Governments agree that, by the payment of the aforesaid sum, the Government of the Republic of Turkey will be released from liability with respect to all of the above-mentioned claims formulated against it and further agree that every claim embraced by the Agreement of December 24, 1923, shall be considered and treated as finally settled.

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[1] Not printed.

Amerik Birleşik Devletleri Hükûmeti ile Türkiye Cumhuriyeti Hükûmeti, 24 Kânunuevvel 1923 tarihinde notalar teatisi suretiyle akteylediklerive 17 Şubat 1927 tarihinde notalar teatisi neticesinde hasıl olan itilâf ile teyit ettikleri anlaşmada dahil olan talepleri dostane, çabuk ve tasarruflu surette halletmek arzusiyle işbu İtilâfnameyi akte karar vermişler ve bu maksatla:

AMERİKA BİRLEŞİK DEVLETLERİ
REİSİ HAZRETLERİ

Fred Kenelm Nielsen'i,

ve

TURKİYE CUMHURİYETİ REİSİ
HAZRETLERİ

İzmir Meb'usu ve Türkiye Cumhuriyeti Hariciye Vekili Doktor Tevfik Rüştü Beyefendiyi

Murahhas tayin eylemişlerdir.

Bu Murahhaslar selahiyetnamelerini yekdiğere tebliğ ile usul ve kaidesine muvafık bularak atideki hükümleri kararlaştırmışlardır.

MADDE I.

Türkiye Cumhuriyeti Hükûmeti Amerika Birleşik Devletleri Hükûmetine, 24 Kânunuevvel 1923 tarihli anlaşmada dahil olan Amerika tebaaları taleplerinin temamen tesviyesini tazammun etmek üzere faizsiz olarak 1.300.000 Dolâr (bir milyon üç yüz bin dolâr) Amerika Birleşik Devletleri Dolârı verecektir. Bu meblağ, her senelik taksiti 100.000 Dolâr (yüz bin dolâr) olmak üzere on üç senede ödenecektir. İlk taksit işbu İtilâfnamenin Türkiye Büyük Millet Meclisince tasdikinden sonra 1 Haziran 1936 tarihinde tediye olunacaktır.

MADDE II.

Her iki Hükûmet yukarıda zikredilen meblağın tediyesi suretiyle Türkiye Cumhuriyeti Hükûmetinin kendisine karşı dermeyan edilen yukarıda mezkûr taleplere ait bütün borçlardan ibra edilmiş olacağını ve kezalik 24 Kânunuevvel 1923 anlaşmasına dahil bütün taleplerin de kat'î surette halledilmiş ad ve telakkî edileceğini kararlaştırmışlardır.

ARTICLE III

Effective date.

The present Agreement shall be effective from the date of its signature, subject to the ratification of the Agreement by the Grand National Assembly of Turkey.

Signatures.

Done at Ankara in duplicate in the English and Turkish languages, which have the same value, this twenty-fifth day of October, nineteen hundred and thirty-four.

[SEAL] FRED KENELM NIELSEN

MADDE III

İşbu İtilâfname Türkiye Büyük Millet Meclisi tarafından tasdik edilmek şartiyle imzasından itibaren mer'îyete girecektir.

Ankara'da yirmibeş Teşrinievvel bin dokuz yüz otuz dört tarihinde her ikisi de aynı kıymeti haiz olmak üzere İngilizce ve Türkçe iki nusha olarak tanzim edilmiştir.

[SEAL] T. RÜSTÜ

[No. 73]

March 29, 1935. *Agreement between the United States of America and Czechoslovakia amending the commercial agreement of October 29, 1923, as prolonged by the agreement of December 5, 1924. Effected by exchange of notes, signed March 29, 1935; effective May 1, 1935.*

The Secretary of State (Hull) to the Czechoslovak Minister (Veverka)

DEPARTMENT OF STATE,
Washington, March 29, 1935.

SIR:

Commercial agreement with Czechoslovakia.

Referring to recent conversations concerning the commercial relations between the United States of America and the Czechoslovak Republic, I have the honor to confirm and make of record by this note my understanding that pending the conclusion of a definitive agreement governing the commercial relations between the United States of America and the Czechoslovak Republic, the commercial agreement of October 29, 1923, as prolonged by the agreement signed December 5, 1924, shall be amended to read as follows:

Customs charges.

1. With respect to customs duties or charges of any kind imposed on or in connection with importation or exportation, and with respect to the method of levying such duties or charges, and with respect to all rules and formalities in connection with importation or exportation, and with respect to all laws or regulations affecting the sale, taxation or use of imported goods within the country, any advantage, favor, privilege or immunity which has been or may hereafter be granted by the United States of America or the Czechoslovak Republic to any article originating in or destined for any third country, shall be accorded immediately and unconditionally to the like article originating in or destined for the Czechoslovak Republic or the United States of America, respectively.

Foreign exchange.

2. If the Government of the United States of America or the Government of the Czechoslovak Republic establishes or maintains, directly or indirectly, any form of control of foreign exchange, it shall administer such control so as to insure that the nationals and commerce of the other country will be granted a fair and equitable share in the allotment of exchange.

Commercial relations.

3. If the Government of the United States of America or the Government of the Czechoslovak Republic establishes or maintains any form of quantitative restriction or control of the importation or sale of any article, or imposes a lower duty or charge on the importation or sale of a specified quantity of any such article than the duty or charge imposed on importations in excess of such quantity, it shall

accord fair and equitable treatment to the commerce of the other country in respect of the allotment among exporting countries of the total quantity, as originally established or as changed in any manner, of any such article permitted to be imported or sold or permitted to be imported or sold at such lower duty or charge.

Exemptions.

4. The advantages now accorded or which may hereafter be accorded by the United States of America or the Czechoslovak Republic to adjacent countries in order to facilitate frontier traffic, and advantages resulting from a customs union to which either the United States of America or the Czechoslovak Republic may become a party, shall be excepted from the operation of this Agreement.

The Czechoslovak Government will not invoke the provisions of this Agreement to obtain the advantages now accorded or which may hereafter be accorded by the United States of America, its territories and possessions, the Philippine Islands, and the Panama Canal Zone to one another or to the Republic of Cuba.

The United States will not invoke the provisions of the present temporary Agreement to obtain the advantages which have been or may be accorded by the Czechoslovak Republic to Austria or Hungary.

The United States will refrain from invoking the present temporary Agreement to obtain advantages which the Czechoslovak Republic is according at present to the commerce of Yugoslavia and Rumania, pending a satisfactory agreement with respect to this matter in connection with a comprehensive trade Agreement between the two countries.

Rights reserved.

5. Nothing in this Agreement shall be construed as a limitation of the right of either country to impose on such terms as it may see fit prohibitions or restrictions (1) relating to public security; (2) imposed on moral or humanitarian grounds; (3) designed to protect human, animal, or plant life; (4) relating to prison-made goods; (5) relating to the enforcement of police or revenue laws; or (6) relating to the control of the export or sale for export of arms, munitions, or implements of war, and, in exceptional circumstances, all other military supplies.

Effective date and duration.

6. The present Agreement shall become operative on the first day of May, 1935, and shall continue in force until superseded by a more comprehensive trade agreement or by a definitive treaty of commerce and navigation, or until denounced by either country by advance notice of not less than thirty days.

Accept, Sir, the renewed assurances of my highest consideration.

CORDELL HULL

The Honorable
Dr. FERDINAND VEVERKA,
Minister of Czechoslovakia.

The Czechoslovak Minister (Veverka) to the Secretary of State (Hull)

ČESKOSLOVENSKÉ VYSLANECTVÍ,
Washington, D. C., 29. března 1935.

EXCELENCE,

Odvolávaje se na nedávné rozhovory o obchodních vztazích mezi republikou Československou a Spojenými Státy Americkými dovoluji si touto notou potvrditi svůj souhlas, že dokud nebude sjednána konečná dohoda o obchodních stycích mezi republikou Československou a Spojenými Státy Americkými, obchodní dohoda z 29. října 1923, prodloužená dohodou z 5. prosince 1924, se doplní takto:

1. Pokud se týče cel anebo dávek jakéhokoliv druhu uvalených na dovoz nebo vývoz, anebo v souvislosti s těmito, dále způsobu jakým se podobná cla a dávky uvalují, dále pokud se týče všech pravidel a formalit, vztahujících se na dovoz a vývoz, dále pokud se týče všech zákonů anebo nařízení o zdanění prodeje nebo spotřeby dovezeného zboží v tuzemsku budou každá výhoda, prospěch, výsada anebo osvobození, které byly nebo mohly by býti v budoucnosti poskytnuty republikou Československou anebo Spojenými Státy Americkými jakémukoliv zboží pocházejícímu z kteréhokoliv třetího státu anebo určenému do kteréhokoliv třetího státu, poskytnuty ihned a bezpodmínečně na podobné zboží pocházející z republiky Československé anebo Spojených Států Amerických anebo určené do republiky Československé anebo do Spojených Států Amerických.

2. Jestliže republika Československá nebo Spojené Státy Americké zavedou anebo mají-li zavedenu přímo nebo nepřímo jakoukoliv formu kontroly devis budou je prováděti tak, aby zajistily příslušníkům a obchodu druhé země slušný a spravedlivý podíl při přídělu devis.

3. Jestliže republika Československá nebo Spojené Státy Americké zavedou anebo mají-li zavedenu jakoukoliv formu kvantitativního omezení nebo kontroly dovozu anebo prodeje kteréhokoliv zboží anebo zavedou-li na dovoz nebo prodej určitého množství takového zboží nižší dovozní clo nebo dávku než jest clo anebo dávka na dovoz nad takové množství, budou s obchodem druhé země slušně a spravedlivě zacházeti, pokud jde o rozvržení mezi vývozní země původně stanoveného nebo jakýmkoliv způsobem změněného celkového množství takového zboží přípuštěného k dovozu nebo k prodeji anebo přípuštěného k dovozu nebo k prodeji při takovém nižším cle anebo dávce.

4. Výhody nyní poskytované nebo které by mohly býti poskytnuty v budoucnosti republikou Československou nebo Spojenými Státy Americkými zemím s nimi sousedícím k usnadnění pohraničního styku a výhody plynoucí z celní unie, jejímiž členy by se mohla státi buď republika Československá nebo Spojené Státy Americké, vyjímají se z této dohody.

Republika Československá nebude se dovolávati ustanovení této dohody, aby dosáhla výhod nyní poskytovaných nebo které by mohly býti poskytnuty v budoucnosti Spojenými Státy Americkými,

jejich územími a državami, Filipinskými ostrovy a zonou Panamského kanálu sobě navzájem anebo republice Kubánské.

Spojené Státy Americké nebudou se dovolávati ustanovení této prozatímní dohody, aby dosáhly výhod, které byly nebo by mohly býti republikou Československou poskytnuty Rakousku nebo Maďarsku.

Spojené Státy Americké nebudou se dovolávati této prozatímní dohody, aby dosáhly výhod, které republika Československá poskytuje v přítomné době obchodu Jugoslavie a Rumunska, dokud nedojde k uspokojivé dohodě v této věci v podrobné obchodní dohodě mezi oběma zeměmi.

5. Nic v této dohodě nemá býti vykládáno jakožto omezení práva kterékoliv z obou zemí zavésti vhodná opatření, zákazy nebo omezení 1/ týkající se veřejné bezpečnosti; 2/ z důvodů mravnosti a lidskosti; 3/ k ochraně životů lidských, zvířecích a rostlinných; 4/ týkající se zboží vyrobeného ve věznicích; 5/ týkající se uplatňování zákonů policejních a důchodových anebo 6/ vztahující se na kontrolu vývozu anebo prodeje pro vývoz zbraní, munice nebo válečných potřeb a v mimořádných případech i všech dodávek vojenských.

6. Tato dohoda vstoupí v platnost dne 1. května 1935 a bude platiti do té doby, dokud nebude nahražena podrobnější obchodní dohodou nebo definitivní obchodní a plavební smlouvou nebo dokud nebude vypovězena kteroukoliv z obou zemí ve lhůtě nejméně 30-ti denní.

Přijměte, Excelence, ujištění mé hluboké úcty.

Dr Ferdinand Veverka
Mimořádný vyslanec a splnomocněný ministr republiky Československé.

čís. 1165/35

Jeho Excelenci,
Slovutnému státnímu tajemníku,
Washington, D. C.

The Czechoslovak Legation,
Washington, D. C., March 29, 1935.

Excellency,

Confirmation by Czechoslovakia.

Referring to recent conversations concerning the commercial relations between the United States of America and the Czechoslovak Republic, I have the honor to confirm and make of record by this note my understanding that pending the conclusion of a definitive agreement governing the commercial relations between the United States of America and the Czechoslovak Republic, the commercial agreement of October 29, 1923, as prolonged by the agreement signed December 5, 1924, shall be amended to read as follows:

1. With respect to customs duties or charges of any kind imposed on or in connection with importation or exportation, and with respect

to the method of levying such duties or charges, and with respect to all rules and formalities in connection with importation or exportation, and with respect to all laws or regulations affecting the sale, taxation or use of imported goods within the country, any advantage, favor, privilege or immunity which has been or may hereafter be granted by the United States of America or the Czechoslovak Republic to any article originating in or destined for any third country, shall be accorded immediately and unconditionally to the like article originating in or destined for the Czechoslovak Republic or the United States of America, respectively.

2. If the Government of the United States of America or the Government of the Czechoslovak Republic establishes or maintains, directly or indirectly, any form of control of foreign exchange, it shall administer such control so as to insure that the nationals and commerce of the other country will be granted a fair and equitable share in the allotment of exchange.

3. If the Government of the United States of America or the Government of the Czechoslovak Republic establishes or maintains any form of quantitative restriction or control of the importation or sale of any article, or imposes a lower duty or charge on the importation or sale of a specified quantity of any such article than the duty or charge imposed on importations in excess of such quantity, it shall accord fair and equitable treatment to the commerce of the other country in respect of the allotment among exporting countries of the total quantity, as originally established or as changed in any manner, of any such article permitted to be imported or sold or permitted to be imported or sold at such lower duty or charge.

4. The advantages now accorded or which may hereafter be accorded by the United States of America or the Czechoslovak Republic to adjacent countries in order to facilitate frontier traffic, and advantages resulting from a customs union to which either the United States of America or the Czechoslovak Republic may become a party, shall be excepted from the operation of this Agreement.

The Czechoslovak Government will not invoke the provisions of this Agreement to obtain the advantages now accorded or which may hereafter be accorded by the United States of America, its territories and possessions, the Philippine Islands, and the Panama Canal Zone to one another or to the Republic of Cuba.

The United States will not invoke the provisions of the present temporary agreement to obtain the advantages which have been or may be accorded by the Czechoslovak Republic to Austria or Hungary.

The United States will refrain from invoking the present temporary agreement to obtain advantages which the Czechoslovak Republic is at present according to the commerce of Yugoslavia and Rumania, pending a satisfactory agreement with respect to this matter in connection with a comprehensive trade agreement between the two countries.

5. Nothing in this Agreement shall be construed as a limitation of the right of either country to impose on such terms as it may see fit prohibitions or restrictions (1) relating to public security; (2) imposed on moral or humanitarian grounds; (3) designed to protect human, animal, or plant life; (4) relating to prison-made goods; (5) relating to the enforcement of police or revenue laws; or (6) relating to the control of the export or sale for export of arms, munitions, or implements of war, and, in exceptional circumstances, all other military supplies.

6. The present Agreement shall become operative on the first day of May, 1935, and shall continue in force until superseded by a more comprehensive trade agreement or by a definitive treaty of commerce and navigation, or until denounced by either country by advance notice of not less than thirty days.

Accept, Excellency, the renewed assurance of my highest consideration.

Dr. Ferdinand Veverka
Envoy Extraordinary and Minister Plenipotentiary of Czechoslovakia.

No. 1165/35

His Excellency,
The Honorable Secretary of State,
Washington, D. C.

[No. 74]

February 27, 1935. *Agreement between the United States of America and the Belgo-Luxemburg Economic Union respecting reciprocal trade. Signed at Washington, February 27, 1935; proclaimed by the President of the United States, April 1, 1935; published in the Moniteur Belge, April 1, 1935; effective May 1, 1935.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Reciprocal trade agreement, etc., with the Belgo-Luxemburg Economic Union. Vol. 48, p. 943.

WHEREAS It is provided in the Act of Congress of the United States of America, approved June 12, 1934 (48 Stat. 943), entitled "An Act to amend the Tariff Act of 1930", that

Statutory authorization.

"For the purpose of expanding foreign markets for the products of the United States (as a means of assisting in the present emergency in restoring the American standard of living, in overcoming domestic unemployment and the present economic depression, in increasing the purchasing power of the American public, and in establishing and maintaining a better relationship among various branches of American agriculture, industry, mining and commerce) by regulating the admission of foreign goods into the United States in accordance with the characteristics and needs of various branches of American production so that foreign markets will be made available to those branches of American production which require and are capable of developing such outlets by affording corresponding market opportunities for foreign products in the United States, the President, whenever he finds as a fact that any existing duties or other import restrictions of the United States or any foreign country are unduly burdening and restricting the foreign trade of the United States and that the purpose above declared will be promoted by the means hereinafter specified, is authorized from time to time—

"(1) To enter into foreign trade agreements with foreign governments or instrumentalities thereof; and

"(2) To proclaim such modifications of existing duties and other import restrictions, or such additional import restrictions, or such continuance, and for such minimum periods, of existing customs or excise treatment of any article covered by foreign trade agreements, as are required or appropriate to carry out any foreign trade agreement that the President has entered into hereunder";

Purpose declared.

WHEREAS, I, Franklin D. Roosevelt, President of the United States of America, have found as a fact that certain existing duties and other import restrictions of the United States of America and the Belgo-Luxemburg Economic Union are unduly burdening and restricting the foreign trade of the United States of America and that the purpose declared in the said Act of June 12, 1934, will be promoted by a foreign trade agreement between the United States of America and the Belgo-Luxemburg Economic Union;

WHEREAS reasonable public notice of the intention to negotiate such foreign trade agreement was given and the views presented by persons interested in the negotiation of such Agreement were received and considered;

Notice given.

WHEREAS, after seeking and obtaining information and advice with respect thereto from the United States Tariff Commission, the Departments of State, Agriculture, and Commerce, and from other sources, I entered into a foreign trade agreement by an exchange of notes, through my duly empowered plenipotentiary on February 27, 1935, with the Belgo-Luxemburg Economic Union, through the duly empowered plenipotentiary of His Majesty the King of the Belgians, which Agreement, in the English, French and Flemish languages, including two Schedules annexed thereto, in the English and French languages, is in words and figures as follows:

Trade agreement entered into by exchange of notes.

[*The Acting Secretary of State (Phillips) to the Plenipotentiary of the Belgo-Luxemburg Economic Union (Forthomme)*]

Exchange of notes.

DEPARTMENT OF STATE,
Washington, February 27, 1935.

MR. MINISTER:

The undersigned, Acting Secretary of State of the United States of America, being duly empowered thereto by the President of the United States of America, in pursuance of the authority conferred upon him by the Act of Congress of the United States of America, approved June 12, 1934, entitled "An Act to amend the tariff act of 1930", has the honor to advise you that the Government of the United States of America, being desirous of strengthening the traditional bonds of friendship with the Belgo-Luxemburg Economic Union, agrees (1) to accord unconditionally to the commerce of the Belgo-Luxemburg Economic Union, the treatment now or hereafter accorded to the commerce of the most favored foreign nation, the Republic of Cuba excepted; and (2) to exempt the products of the soil or industry of the Belgo-Luxemburg Economic Union, listed in Schedule II annexed hereto, on their importation into the customs territory of the United States of America, from ordinary customs duties in excess of those specified in the said Schedule.

Arrangement with the Belgo-Luxemburg Economic Union.

Vol. 48, p. 943.

Most favored nation treatment to be accorded to commerce of the Belgo-Luxemburg Union; trade with Cuba excepted.

To exempt listed products of soil or industry, from excessive duties.

Post, p. 3691.

It is understood that the Belgo-Luxemburg Economic Union, on its part, agrees (1) to accord unconditionally to the commerce of the United States of America the treatment now or hereafter accorded to the commerce of the most favored foreign nation; (2) to exempt the products of the soil or industry of the United States of America listed in Schedule I annexed hereto, on their importation into the customs territory of the Belgo-Luxemburg Economic Union, from ordinary customs duties in excess of those specified in the said Schedule; (3) with respect to products for which import quotas are specified in the said Schedule, to permit the importation of quantities not less than those specified therein; and (4) with respect to products

Reciprocal treatment of American commerce.

Post, p. 3684.

Quantitative provisions.

Luxury or license taxes.

for which luxury or license taxes are specified in the said Schedule, to exempt such products from taxes in excess of those specified therein.

Adjusting conflicting terms.

In the event that the Government of either country adopts any measure which, even though it does not conflict with the terms of this Agreement, is considered by the Government of the other country to have the effect of nullifying or impairing any object of the Agreement, the Government which has adopted any such measure shall consider such representations and proposals as the other Government may make with a view to effecting a mutually satisfactory adjustment of the matter.

Effective date.

The present Agreement shall come into force on the thirtieth day following proclamation thereof by the President of the United States of America and the simultaneous publication of the said Agreement in the Moniteur Belge; and, except as hereinafter provided, shall remain in force and effect until six months from the day on which either Government shall give notice of its intention to terminate it.

Duration.

It is understood, however, that:

Modifications, etc., due to currency variation.

(1) In the event that a wide variation occurs in the rate of exchange between the currencies of the United States of America and the Belgo-Luxemburg Economic Union, the Government of either country, if it considers the variation so substantial as to prejudice the industries or commerce of the country, shall be free to propose negotiations for the modification of this Agreement or to terminate it on thirty days' written notice.

Right to abrogate, etc.

(2) The Government of each country reserves the right to withdraw the concession granted on any article under this Agreement, or to impose quantitative restrictions on any such article if at any time there should be evidence that, as a result of the extension of such concession to third countries, such countries will obtain the major benefit of such concession and in consequence thereof an unduly large increase in importations of such article will take place: Provided that before the Government of either country shall avail itself of the foregoing reservation, it shall give notice in writing to the other Government of its intention to do so, and shall afford such other Government an opportunity within thirty days after receipt of such notice to consult with it in respect of the proposed action; and if an agreement with respect thereto is not reached within thirty days following receipt of the aforesaid notice, the Government which proposes to take such action shall be free to do so at any time thereafter, and the other Government shall be free within fifteen days after such action is taken to terminate this Agreement in its entirety on thirty days' written notice.

Proviso.
Previous notice to be given.

Supplemental Agreement provided for.

The provisions of this Agreement shall be supplemented as soon as possible by provisions of a general character concerning the treatment to be accorded in each country to the commerce of the other.

As long as the present Agreement shall remain in force, it shall supersede any provisions of the Treaty of Commerce and Navigation between the United States of America and His Majesty the King of the Belgians, concluded March 8, 1875, which may be inconsistent with the said Agreement. However, upon the expiration of the present Agreement, the provisions of the aforesaid Treaty of 1875 which have been temporarily superseded shall automatically resume operation and shall continue in full force and effect subject to termination as provided in that Treaty.

Inconsistent provisions of existing treaty hereby superseded. Vol. 19, p. 628.

Automatically operative on termination of this Agreement.

I shall be glad to have your confirmation of the accord thus reached.

I avail myself of this opportunity to offer to you, Mr. Minister, the assurances of my highest consideration.

WILLIAM PHILLIPS
Acting Secretary of State
of the United States of America.

The Honorable
PIERRE FORTHOMME, Senator,
Envoy Extraordinary and Minister Plenipotentiary,
Chief of the Belgian Delegation.

SCHEDULE I

[Translation from the French]

Numbers of the Belgian tariff	Name of Commodity	Unit of Collection	Applicable rate	Annual quotas allowed to be imported into the Belgo-Luxemburg Economic Union
11	Honey, natural	100 kgs net	60. 00	
16 a)	Natural lard			100 percent of the average of the imports during the years 1929 to 1933
47	Entrails, fresh, salted or dried		Free	
51 g)	Rice:			
1.	In the straw, unhusked		Free	
2.	Husked		Free	
55 a)	Groats and semolina of oats, including oats in the grain, peeled, husked, pearled or crushed, also oat flakes	100 kgs gross weight	30. 00	
57 b)	Starch and fecula from maize	100 kgs gross weight		678.528 kgs *
73 b)	Apricots, dried:			
1.	Imported in packages weighing over 25 kgs (Aggregate weight of container and contents)	100 kgs net	30. 00	
2.	Imported otherwise	(idem)	50. 00	
ex. 78 b)	Grapefruit	100 kgs gross weight	20. 00	
ex. 91	Peaches, dried	100 kgs net	50. 00	

93 a)	Fresh pears: imported in cases, small cases, boxes, baskets, or other packages weighing 20 kgs, or less (taking the aggregate weight of container and contents and including pears imported in containers weighing over 20 kgs, when the receptacles are inwardly divided into compartments, or when the fruit is wrapped in paper or other material, to protect it); from September 1 to January 31	100 kgs net	86. 25
ex. 94 a)	Pears, dried, for the table	idem	60. 00
95			
a)	Apples, fresh		
3.	Imported otherwise:		
A.	From April 1 to August 31	100 kgs gross weight	25. 00
B.	From September 1 to March 31		28. 75
95			
b)	Apples, dried:	idem	
1.	Peeled		41. 40
2.	Not peeled		20. 70
97	Prunes:		
a)	Imported in small cases or other packages weighing 10 kgs. or less (aggregate weight of container and contents)	100 kgs gross weight	103. 50
97			
b)	Imported otherwise:		
1.	In casks of at least 180 kgs. or in sacks of at least 80 kgs., without interior packing (combined weight of the container and the contents) having per half-kilogramme:		
A.	Up to 90 prunes		60. 00

*The quota increase of 72.128 kgs. is applicable only to starches and fecula imported in bags. [Footnote in the original.]

SCHEDULE I—Continued

Numbers of the Belgian tariff	Name of Commodity	Unit of Collection	Applicable rate	Annual quotas allowed to be imported into the Belgo-Luxemburg Economic Union
B.	From 91 to 100 prunes		45. 00	
C.	More than 100 prunes		30. 00	
2.	Otherwise, having per half-kilogramme:			
A.	Up to 90 prunes		75. 00	
B.	From 91 to 100 prunes		55. 50	
C.	More than 100 prunes		37. 50	
99 b)	Fruits not specifically rated, dried	100 kgs. gross weight	34. 50	
118	Gums, gum-resins and resins:			
b)	Other			
2.	Crude or purified Turpentine		Free	
3.	Not specified		Free†	
190	Mineral tar, from the distillation of coal		Free	
196	Paraffin	100 kgs. gross	Free	
212	Meat, not specified, merely cooked, smoked or salted, imported otherwise than in boxes, jars, crusts or other similar packing:			
a)	Of pig			
2.	Other			100 percent of the average of the imports during the years 1929 to 1933
ex 214	Canned pork tongue	100 kgs. net weight	90. 00‡	
ex 219	Fish, crustaceans and molluscs preserved in any way, imported in boxes, jars, crusts or other similar packing			
	Pilchards	100 kgs. net	34. 50	

225	Fruit, whole or divided, preserved in their own juice or by means of sugar or vinegar:			
b)	in receptacles weighing 3 kgs. or less	100 kgs. net	200. 00	
ex 273 a	Linseed oilcake		free §	
277	Unmanufactured tobacco:			
a)	not stemmed	100 kgs. net	500. 00	
278 b)	Cigarettes	idem	2500. 00	
363	Acetone, Ordinary (propanone)	100 kgs. gross weight	20. 00	
396	Coal tar dyes, dry or in paste			
c)	Aniline dyes		free	
431	Varnish, lacs, siccatives, whether mixed or not with coloring materials; so-called enamel paints:			
a)	with denatured ethyl alcohol; with alcohol other than ethylic	100 kgs. net	200. 00	
ex 456 b)	Dictating machine cylinders	ad valorem	17. 25%*	
466	Skins, painted or moroccoed, not specified:			
b)	Others			10,300 kgs.
467	Skins, varnished or lacquered	100 kgs. net	500. 00	38,000 kgs.
583	Pegamoid (artificial leather) and similar products	100 kgs. net	258. 75	
584	Oil cloth:			
b)	For flooring			
1.	Of one color	idem	69. 00	
2.	With printed designs		82. 80	
c)	For walls	idem	414. 00	
609	Hosiery of pure silk and hosiery mixed with silk			6,000 kgs.
612	Clothing for women, not specified or included elsewhere			6,000 kgs.

† Excluding white lacquer gums. [Footnote in the original.]

§ The license tax shall not exceed 7.50 francs per 100 kgs. [Footnote in the original.]

‡ The license tax shall not exceed 200 francs per 100 kgs. [Footnote in the original.]

* The luxury tax on this article is canceled. [Footnote in the original.]

SCHEDULE I—Continued

Numbers of the Belgian tariff	Name of Commodity	Unit of Collection	Applicable rate	Annual quotas allowed to be imported into the Belgo-Luxemburg Economic Union
622	Collars and cuffs, shirt-fronts and dickies			1,000 kgs.
638	Wood, sawn, not specified elsewhere			
a)	Beams and small beams, sawn, 15 cms. or more thick including wood squared with the axe, of whatever thickness:			
1.	Of oak, ash and walnut	cubic meter	30. 00	
2.	Others	idem	30. 00	
b)	Other:			
1.	Of oak, ash and walnut	idem	35. 00	
2.	Not specified	idem	35. 00	
672	Carpentry work, and wheelwrights' work, shaped:			
b)	Other	100 kgs. gross weight	8. 05	
ex 705	Machine belts of rubber, even if combined with fabric or with interwoven fabric	100 kgs. net	250. 00	
706	Pipes and tubes of rubber of all kinds			
b)	Other	100 kgs. net	250. 00	
1056	Typewriters, calculating machines, simple or combined, cash registers, automatic tills and component parts thereof, weighing:			
a)	50 kilograms or more:			
1.	Calculating machines and component parts thereof	100 kgs. net	1, 000. 00	
2.	Other	idem	1, 000. 00	
3.	Covers, racks, stands, and other accessories for office machines less than 50 kgs	ad valorem	10%	

b)	Less than 50 kgs.		
1.	Calculating machines and component parts thereof	100 kgs. net	1, 500. 00
2.	Other	idem	1, 500. 00
3.	Covers, racks, stands, and other accessories for office machines	ad valorem	10%
1088 bis	Radio-electric apparatus, for telegraphy, telephony, television and other applications		
a)	Complete apparatus		
1.	With valves (tubes or bulbs)	kg. net	17.00 plus per valve socket: 8.50
b)	Incomplete apparatus and mounted groups	kg. net	17.00 plus per valve socket: 8.50
d)	Valves, (tubes or bulbs including valves, tubes or bulbs mounted on apparatus	each	1. 45
1100	Automobile vehicles, with bodywork or complete		
a)	for carrying persons:		
	2. Other weighing each	100 kgs. net	
	B. 1150 kgs. inclusive to 1600 kgs. exclusive		935. 00
	C. 1600 kgs. inclusive to 1850 kgs. exclusive		1062. 50
	D. 1850 kgs. inclusive to 2200 kgs. exclusive		1190. 00
	E. 2200 kgs. and more		1530. 00
1100 *quater*	Component parts of motor vehicles and for bodies of motor vehicles, not specifically rated:		
a)	Unworked	ad valorem	12%
b)	Worked	100 kgs. net	

SCHEDULE I—Continued

Numbers of the Belgian tariff	Name of Commodity	Unit of Collection	Applicable rate	Annual quotas allowed to be imported into the Belgo-Luxemburg Economic Union
1.	Explosion or internal combustion motors and gas turbines:			
A.	Motors having at the same time more than 4 cylinders and more than 4 liters of cylinder capacity	idem	250. 00	
B.	Other	idem	250. 00	
2.	Motor cylinders of nonmalleable cast iron	idem	250. 00	
3.	Motor heads, motor crank and other cases of nonmalleable cast iron	idem	250. 00	
4.	Fly-wheels	idem	250. 00	
5.	Other component parts of motors	idem	250. 00	
7.	Change speed gear boxes	idem	250. 00	
8.	Steering gear with or without steering wheel	idem	250. 00	
9.	Clutches	idem	250. 00	
10.	Back driving axles	idem	250. 00	
11.	Shafts and semi-shafts: Clutch, cam, change speed, transmission; grooved shafts, driving shafts, water pump shafts; gearing	100 kgs. net wt	250. 00	
ex 1131	Dictating machines	idem	1, 050. 00*	

*The luxury tax on this article is canceled. [Footnote in the original.]

SCHEDULE II

Schedule II.

Tariff Act of 1930 paragraph	Description of Articles	Rates of duty
	NOTE: The provisions of this schedule shall be construed and given the same effect, and the application of collateral provisions of the customs laws of the United States to the provisions of this schedule shall be determined insofar as may be practicable, as if each provision of this schedule appeared respectively in the paragraph of the Tariff Act of 1930 noted in the column at the left of the respective descriptions of articles. In the case of articles enumerated in this Schedule, which are subject on the day of the signature of this Agreement to ordinary customs duties imposed under provisions of law other than the paragraph of the Tariff Act of 1930 noted in the column at the left of the respective description of the article, or imposed under a proviso of the paragraph so noted, such separate or additional duties shall continue in force until terminated in accordance with law, but shall not be increased.	
6	Aluminum sulphate	0.2¢ lb.
20	Chalk or whiting or Paris white:	
	Dry, ground, or bolted	0.2¢ lb.
	Ground in oil (putty)	0.5¢ lb.
24	Flavoring extracts, and natural or synthetic fruit flavors, fruit esters, oils and essences, all the foregoing and their combinations, containing more than 20 per centum and not more than 50 per centum of alcohol	30¢ lb. & 18% ad val.
27	Naphthalene which after the removal of all water present has a solidifying point of seventy-nine degrees centigrade or above	3.5¢ lb. & 20% ad val.
29	Cobalt sulphate	5¢ lb.
72	Lead pigments: White lead	2.1¢ lb.
81	Sodium phosphate (except pyro phosphate):	
	Containing by weight less than 45 per centum of water	1¢ lb.
	Not specially provided for	0.5¢ lb.
205(b)	Roman, Portland, and other hydraulic cement or cement clinker	4.5¢ per 100 lbs. inc. weight of container
207	Sand containing 95 per centum or more of silica and not more than six tenths of 1 per centum of oxide of iron and suitable for use in the manufacture of glass	$1 per ton

Schedule II—Continued.

SCHEDULE II.—Continued

Tariff Act of 1930 paragraph	Description of Articles	Rates of duty
220	Laminated glass composed of layers of glass and other material or materials, and manufactures wholly or in chief value of such glass	45% ad valorem
222(a)	Plate glass, by whatever process made:	
	Not exceeding three hundred and eighty-four square inches;	8.3¢ per sq. ft.
	Above that, and not exceeding seven hundred and twenty square inches	11.3 " " "
	Above that, and not exceeding one thousand and eight square inches	11.7 " " "
	All above that	13.2 " " "
	Provided, That none of the foregoing measuring one-half inch or over in thickness shall be subject to a less rate of duty than	50% ad valorem
222(b)	Plate glass containing a wire netting within itself;	
	Not exceeding three hundred and eighty-four square inches	10¢ per sq. ft.
	Above that, and not exceeding seven hundred and twenty square inches	13.2 " " "
	All above that	15.3 " " "
222(d)	Rolled, cylinder, crown, and sheet glass, not plate glass, if ground wholly or in part (whether or not polished) otherwise than for the purpose of ornamentation, or if one-fourth of one inch or more in thickness and obscured by coloring prior to solidification	Subject to specific duties in 222 (a) or (b) above.
	Provided, That none of the foregoing measuring one-half inch or more in thickness and not containing a wire netting within itself shall be subject to less than the following rates of duty:	
	If ground wholly or in part (whether or not polished) otherwise than for the purpose of ornamentation	50% ad valorem
	If not ground wholly or in part	40% ad valorem
231	Opal, enamel or cylinder glass tiles and tiling	30% ad valorem
303	Muck bars, pieces thereof except crop ends, bar iron, and round iron in coils or rods, iron in slabs, blooms, loops, or other forms less finished than iron in bars and more advanced than pig iron, except castings; all the foregoing valued at not above 1½ cents per pound	0.25¢ lb.
304	Steel ingots, cogged ingots, blooms and slabs, by whatever process made; billets and bars, whether solid or hollow, weighing more than thirty pounds per linear foot:	
	Valued at not above 1½ cents per pound	0.25¢ lb.

SCHEDULE II.—Continued

Tariff Act of 1930 paragraph	Description of Articles	Rates of duty
	Valued above 1½ and not above 2½ cents per pound	0.375¢ lb.
304	Billets and bars, whether solid or hollow, weighing not more than thirty pounds per linear foot, and concrete reinforcement bars:	
	Valued at not above 1½ cents per pound	0.25¢ lb.
	Valued above 1½ and not above 2½ cents per pound	0.4¢ lb.
304	Die blocks or blanks; shafting; pressed, sheared, or stamped shapes, not advanced in value or condition by any process or operation subsequent to the process of stamping; hammer molds or swaged steel; gun-barrel molds not in bars; all descriptions and shapes of dry sand, loam, or iron molded steel castings; sheets and plates and steel not specially provided for; all the foregoing:	
	Valued at not above 1½ cents per pound	0.25¢ lb.
	Valued above 1½ and not above 2½ cents per pound	0.4¢ lb.
307	Boiler or other plate iron or steel, except crucible plate steel and saw plate steel, not thinner than one hundred and nine one-thousandths of one inch, cut or sheared to shape or otherwise, or unsheared, and skelp iron or steel sheared or rolled in grooves, valued at not above 3 cents per pound	0.35¢ lb.
308	Sheets of iron or steel, common or black, of whatever dimensions, and skelp iron or steel, valued at 3 cents per pound or less:	
	Thinner than one hundred and nine one-thousandths and not thinner than thirty-eight one-thousandths of one inch	.35¢ lb.
	Thinner than thirty-eight one-thousandths and not thinner than twenty-two one-thousandths of one inch	.45¢ lb.
	Thinner than twenty-two one-thousandths and not thinner than ten one-thousandths of one inch	.60¢ lb.
	Thinner than ten one-thousandths of one inch	.70¢ lb.
	Corrugated or crimped	.60¢ lb.
312	Beams, girders, joists, angles, channels, car-truck channels, tees, columns and posts, or parts or sections of columns and posts, and deck and bulb beams, together with all other structural shapes of iron or steel; any of the foregoing machined, drilled, punched, assembled, fitted, fabricated for use, or otherwise advanced beyong hammering, rolling, or casting	15% ad valorem

Schedule II—Continued.

SCHEDULE II.—Continued

Tariff Act of 1930 paragraph	Description of Articles	Rates of duty
314	Hoop or band iron, and hoop or band steel, cut to lengths, or wholly or partly manufactured into hoops or ties, coated or not coated with paint or any other preparation, with or without buckles or fastenings, for baling cotton or any other commodity	0.2¢ lb.
315	Wire rods: Rivet, screw, fence, and other iron or steel wire rods, whether round, oval, or square, or in any other shape, nail rods and flat rods up to six inches in width ready to be drawn or rolled into wire or strips, all the foregoing in coils or otherwise, valued at not over 2½ cents per pound	0.25¢ lb.
365	Shotguns:	
	Valued at not more than $5 each	75¢ each & 22½% ad valorem
	Valued at more than $5 and not more than $10 each	$2 each & 22½% ad valorem
	Valued at more than $10 and not more than $25 each	$3 each & 22½% ad valorem
	Valued at more than $25 and not more than $50 each	$5 each & 22½% ad valorem
	Valued at more than $50 each	32½% ad valorem
365	Barrels for shotguns, further advanced in manufacture than rough bored only	$2 each & 25% ad valorem
365	Stocks for shotguns, wholly or partly manufactured	$2.50 each & 25% ad valorem
365	Parts of shotguns and fittings for shotgun stocks or barrels, finished or unfinished	27½% ad valorem
365	Shotguns imported without a lock or locks or other fittings	$5 each & 27½% ad valorem
365	Shotgun barrels, in single tubes, forged, rough bored	5% ad valorem
742	Hothouse grapes in bulk, crates, barrels or other packages	25¢ per cubic foot of such bulk or the capacity of the packages, according as imported.

SCHEDULE II.—Continued

Schedule II—Continued.

Tariff Act of 1930 paragraph	Description of Articles	Rates of duty
769	Peas, prepared or preserved in any manner, valued at 10 cents or more per pound	1.5¢ lb. on entire contents of container.
774	Endives in their natural state	35% ad valorem
776	Chicory, crude	1.5¢ lb.
907	Waterproof cloth, wholly or in chief value of cotton or other vegetable fiber, whether or not in part of India rubber	30% ad valorem
921	Imitation oriental rugs, wholly or in chief value of cotton	20% ad valorem
1001	Flax, not hackled, valued at $340 or more per ton	1¢ lb.
1005(a) (2)	Cordage, including cables, tarred or untarred, composed of three or more strands, each strand composed of two or more yarns, wholly or in chief value of sunn, or other bast fiber, but not including cordage made of jute	1.5¢ lb.
1009(b)	Woven fabrics, such as are commonly used for paddings or interlinings in clothing, wholly or in chief value of flax, or hemp, or of which these substances or either of them is the component material of chief value, exceeding thirty and not exceeding one hundred and twenty threads to the square inch, counting the warp and filling, and weighing not less than four and one-half and not more than twelve ounces per square yard	40% ad valorem
1009(c)	Woven fabrics, in the piece or otherwise, wholly or in chief value of vegetable fiber, except cotton, filled, coated, or otherwise prepared for use as artists' canvas	30% ad valorem
1010	Woven fabrics, not including articles finished or unfinished, of flax, hemp, ramie, or other vegetable fiber, except cotton, or of which these substances or any of them is the component material of chief value, not specially provided for	30% ad valorem
1109(a)	Woven green billiard cloths, in the piece, weighing more than eleven ounces but not more than fifteen ounces per square yard, wholly of wool	50¢ lb. & 40% ad valorem
1405	Vegetable parchment paper by whatever name known	2¢ lb. & 10% ad valorem
1405	Sensitized paper, to be used in photography	22½% ad valorem
1406	Transparencies, printed lithographically or otherwise:	

Schedule II—Continued.

SCHEDULE II.—Continued

Tariff Act of 1930 paragraph	Description of Articles	Rates of duty
	In not more than five printings (bronze printing to be counted as two printings)	30% ad valorem
	In more than five printings (bronze printing to be counted as two printings)	37½% ad valorem
1410	Unbound prayer books, bound prayer books except those bound wholly or in part in leather, and sheets or printed pages of prayer books bound wholly or in part in leather, all the foregoing not specially provided for, if of bona fide foreign authorship	7½% ad valorem
	All other prayer books, not specially provided for	12½% ad valorem
	Provided, That none of the foregoing composed in chief value of india paper or bible paper shall be subjected by virtue of the first proviso of paragraph 1404 to a higher rate of duty than	3¢ lb. and 10% ad valorem
1413	Ribbon fly catchers or fly ribbons in chief value of paper	27½% ad valorem
1501(c)	Asbestos shingles and articles in part of asbestos, if containing hydraulic cement or hydraulic cement and other material:	
	If not coated, impregnated, decorated, or colored, in any manner	0.60¢ lb.
	If coated, impregnated, decorated, or colored, in any manner	0.75¢ lb.
1520	Hatters' furs, or furs not on the skin, prepared for hatters' use, including fur skins carroted	27½% ad valorem
1525	Hair felt, made wholly or in chief value of animal hair, and manufactures of hair felt, all the foregoing not specially provided for	20% ad valorem
1529(a)	Laces, lace fabrics, and lace articles, if exceeding two inches in width and made wholly by hand without the use of any machine-made material or article provided for in paragraph 1529(a); articles made wholly of any of the foregoing; and articles, not wearing apparel, in part of any of the foregoing and containing no machine-made material or article provided for in paragraph 1529(a); all the foregoing, finished or unfinished, however described and provided for in paragraph 1529(a):	
	Valued at more than $50 and less than $150 per pound	60% ad valorem
	Valued at $150 or more per pound	45% ad valorem
1551	Photographic dry plates, not specially provided for	15% ad valorem

SCHEDULE II.—Continued

Schedule II—Continued.

Tariff Act of 1930 paragraph	Description of Articles	Rates of duty
1551	Photographic films, sensitized but not exposed or developed, of every kind except motion-picture films having a width of one inch or more	12½% ad valorem
1551	Motion-picture films, sensitized but not exposed or developed, having a width of one inch or more	0.2¢ per linear ft. of the standard width of 1⅜ inches, and all other widths of one inch or more shall be subject to duty in equal proportion thereto.
1606(a) & (b)	Horses	Free, subject to the provisions of para. 1606(a) and (b).
1651	Dead or creosote oil	Free
1685	Basic slag	Free
1685	Precipitated bone of a grade used chiefly for fertilizers, or chiefly as an ingredient in the manufacture of fertilizers	Free
1689	Ossein	Free

[*The Plenipotentiary of the Belgo-Luxemburg Economic Union (Forthomme) to the Acting Secretary of State (Phillips)*[1]]

AMBASSADE DE BELGIQUE

WASHINGTON, *le 27 Février 1935.*

MONSIEUR LE SECRÉTAIRE D'ETAT,

J'ai l'honneur d'accuser la réception de la lettre de Votre Excellence en date du 27 courant, m'informant des décisions amicales prises par les Etats-Unis d'Amérique en ce qui concerne le traitement à accorder au commerce de l'Union Economique Belgo-Luxembourgeoise et en ce qui concerne les droits à appliquer à certains produits du sol et de l'industrie de l'Union Economique Belgo-Luxembourgeoise.

Mon Gouvernement, également désireux de renforcer les traditionnels liens d'amitié avec les Etats-Unis d'Amérique, m'a donné les

[1] For translation of this note see p. 3717.

pouvoirs nécessaires pour vous déclarer en son nom que l'Union Economique Belgo-Luxembourgeoise décide de son côté:

(1) d'accorder inconditionnellement au commerce des Etats-Unis d'Amérique le traitement qui est ou sera accordé à la nation étrangère la plus favorisée; (2) d'exempter les produits du sol ou de l'industrie des Etats-Unis d'Amérique, énumérés à l'Annexe 1 ci-jointe, lors de leur importation dans le territoire douanier de l'Union Economique Belgo-Luxembourgeoise, de tous droits de douane ordinaires dépassant ceux qui sont spécifiés à la dite Annexe, (3), en ce qui concerne les produits pour lesquels des contingents d'importation sont spécifiés à la dite Annexe, de permettre l'importation de quantités non inférieures à celles qui y sont indiquées, et (4), en ce qui concerne les produits pour lesquels des taxes de luxe ou de licence sont spéficiées à la dite Annexe, d'exempter ces produits des taxes dépassant celles qui y sont spécifiées.

Il est entendu que les Etats-Unis d'Amérique conviennent de leur côté, (1) d'accorder inconditionnellement au commerce de l'Union Economique Belgo-Luxembourgeoise le traitement qui est ou sera accordé au commerce de la nation étrangère la plus favorisee, à l'exception de la République de Cuba, et (2) d'exempter les produits du sol ou de l'industrie de l'Union Economique Belgo-Luxembourgeoise, énumérés à l'Annexe II ci-jointe, lors de leur importation dans le territoire douanier des Etats-Unis d'Amérique, de tous droits de douane ordinaires dépassant ceux qui sont spécifiés à la dite Annexe.

Au cas où le Gouvernement de l'un des deux pays adopterait une mesure qui, tout en n'étant pas contraire aux termes du présent accord, aurait pour effet, de l'avis du Gouvernement de l'autre pays, de rendre inopérante ou d'altérer une clause quelconque de l'accord, le Gouvernement qui aura adopté pareille mesure examinera les représentations et les propositions que l'autre Gouvernement lui soumettrait en vue d'arriver à un arrangement satisfaisant pour les deux Parties.

Le présent accord entrera en vigueur le trentième jour après sa proclamation par le Président des Etats-Unis d'Amérique et la publication simultanée dudit accord au Moniteur Belge, et sauf ce qui est prévu ci-après, il restera en vigueur et sortira ses effets jusqu'à la fin d'un délai de six mois après le jour où l'un ou l'autre Gouvernement aura annoncé son intention d'y mettre fin. Il est entendu, toutefois, que

(1) au cas où un changement important se produirait dans le taux d'échange des monnaies de l'Union Economique Belgo-Luxembourgeoise et des Etats-Unis d'Amérique, le Gouvernement de l'un ou de l'autre pays, s'il estime que ce changement est de nature à porter préjudice aux industries ou au commerce de son pays, aura la faculté de proposer l'ouverture de négociations en vue de modifier l'accord ou de mettre fin à celui-ci, moyennant un préavis écrit de trente jours.

(2) chacun des deux Gouvernements se réserve le droit de retirer la concession accordée par le présent accord à un produit quelconque, ou d'établir des restrictions quantitatives à l'importation de ce

produit, si à n'importe quel moment il est prouvé que, à la suite de l'extension de ladite concession à des pays tiers ceux-ci en retirent le plus d'avantages et que, en conséquence, une forte augmentation des importations du dit produit se produise indûment; à condition qu'avant de recourir à la faculté mentionnée ci-dessus, le Gouvernement en cause avise par écrit l'autre Gouvernement de son intention et lui fournisse l'occasion, dans les trente jours qui suivront la réception du dit avis, de délibérer avec lui au sujet des mesures qu'il se propose de prendre; et si une entente n'est pas atteinte à ce sujet dans les trente jours après la réception du susdit avis, le Gouvernement qui se propose de prendre les mesures en question aura la faculté de le faire à tout moment après ce délai, et l'autre Gouvernement aura la faculté, dans les quinze jours après la mise en vigueur des dites mesures, de mettre fin au présent accord tout entier moyennant un préavis écrit de trente jours.

Les stipulations du présent accord seront complétées, aussi tôt que possible, par des dispositions d'un caractère général relatives au traitement qui sera accordé dans chacun des deux pays au commerce de l'autre.

Aussi longtemps que le présent accord restera en vigueur, il remplacera toute disposition du Traité de Commerce et de Navigation entre les Etats-Unis d'Amérique et Sa Majesté le Roi des Belges conclu le Huit Mars 1875, qui pourrait être en contradiction avec ledit accord. Cependant, à l'expiration du présent accord, les dispositions du susdit traité de 1875 qui ont été temporairement remplacées reprendront automatiquement leur portée pour rester en vigueur et sortir tous leurs effets jusqu'à l'expiration prévue par ce traité.

Je saisis cette occasion, Monsieur le Secrétaire d'Etat, de réitérer à Votre Excellence les assurances de ma plus haute considération.

P. FORTHOMME
Chef de la Délégation Belge.

A Son Excellence
Monsieur WILLIAM PHILLIPS
Secrétaire d'Etat f. f.,
Département d'Etat,
à Washington. D. C.

AMBASSADE DE BELGIQUE

WASHINGTON, *den 27sten februari 1935.*

MIJNHEER DE STAATSSEKRETARIS,

Ik heb de eer Uwe Excellentie ontvangst te berichten van haren brief van den 27sten dezer; deze brief geeft mij kennis van de vriendelijke beslissingen genomen door de Vereenigde Staten van Amerika, betreffende de behandeling te verleenen aan den handel van het Belgisch-Luxemburgsch Economisch Verbond, en betreffende de rechten toe te passen aan zekere natuurlijke of vervaardigde producten van het Belgisch-Luxemburgsch Economisch Verbond.

Mijne Regeering, wenschend ook, de op overlevering gegronde vriendschapsverbintenissen met de Vereenigde Staten van Amerika te versterken heeft mij noodige machten gegeven om Ued in haren naam te verklaren dat het Belgisch Economisch Verbond besluit van haren kant: (1) den handel van de Vereenigde Staten van Amerika de behandeling, nu of later aan de meest begunstigde vreemde natie verleend, onvoorwaardelijk te verleenen; (2) de natuurlijke of vervaardigde producten van de Vereenigde Staten van Amerika, opgesomd op lijst I bijgevoegd, bij hun invoer op het douanegebied van het Belgisch-Luxemburgsch Economisch Verbond, aan geene gewone douane rechten, hooger dan degene in gezegde lijst opgegeven te onderwerpen; (3) met betrekking tot de producten voor de welke invoercontingenten opgegeven zijn in gezegde lijst, den invoer van hoeveelheden niet geringer dan degene zoo opgegeven, te veroorloven, en (4) met betrekking tot de producten voor de welke luxustaksen of vergunningstaksen op gegeven zijn in gezegde lijst van taksen hooger dan deze die daarin op gegeven zijn, vrij te stellen.

Het is verstaan dat, van haren kant, de Regeering van de Vereenigde Staten van Amerika overeenkomt (1) den handel van het Belgisch-Luxemburgsch Economisch Verbond de behandeling, nu of later aan de meest begunstigde vreemde natie, de Republiek Cuba uitgezondert, verleend, onvoorwaardelijk te verleenen, en (2) de natuurlijke of vervaardigde producten van het Belgisch-Luxemburgsch Economisch Verbond, opgesomd op lijst II bijgevoegd, bij hun invoer op het douanegebied van de Vereenigde Staten van Amerika, aan geene gewone douanerechten, hooger dan degene in gezegde lijst opgegeven, te onderwerpen.

In het geval dat de Regeering van een der beide landen, maatregelen neemt, hoe zij ook zijn, en alhoewel zelfs niet in strijd met de bewoording van dit akkoord, waarvan de uitwerking beschouwd wordt door de Regeering van het ander land als veranderend of waardeloos makend een der onderwerpen van het akkoord, zal de Regeering die zulk maatregel getroffen heeft, zulke vertoogen en voorstellen in aanmerking nemen, dat de andere Regeering zou kunnen maken met het doel eene wederzijdsche voldoende regeling te bekomen.

Dit akkoord zal in werking treden dertig dagen na zijne afkondiging door den Voorzitter van de Vereenigde Staten van Amerika en de gelijktijdige bekendmaking van het gezegd akkoord in het Belgisch Staatsblad, en zal, uitgezonderd hetgeen hierin onder voorzien is, in werking en kracht blijven tot zes maanden na den datum waarop een van de Regeeringen kennis geeft van haar inzicht, het een einde te doen nemen.

Het is nochtans verstaan dat:

(1) in het geval dat een wijde verandering voorkomt in den wisselkoers der munten van de Vereenigde Staten van Amerika en van het Belgisch-Luxemburgsch Economisch Verbond, de Regeering van elk

land, zoo zij de verandering zoo voornaam beschouwt als nijverheid of handel van het land te benadeelen, vrij zal zijn onderhandelingen voor te stellen, met het doel dit akkoord te veranderen, of het op te zeggen onder dertig dagen schriftelijk preadvies.

(2) De Regeering van elk land voorbehoudt zich het recht de concessiën die verleend worden onder elk artikel van het akkoord, terug te trekken, of zulk artikel aan hoeveelheidbeperkingen te onderwerpen, als er zou op onverschillig welk oogenblik klaarblijkelijkheid zijn dat, ten gevolge van de toepassing van zulke concessiën aan derde landen, deze landen het aanzienlijkst voordeel ervan verwerven, en dat ten gevolge daarvan een tenonrecht groote vermeerdering van invoer van zulk artikel plaats grijpt: onder voorwaarde dat, vooraleer op voorafgaand voorbehoud te beroepen, de Regeering van het een of het ander land de andere Regeering van haar inzicht schriftelijk zal kennis geven, en die andere Regeering de gelegenheid geven zal, in de dertig dagen van den ontvangst dezer kennisgeving, met haar te beraadslagen ten opzicht van voorgesteld maatregel; en als geen akkoord getroffen is dit aangaande, in de dertig dagen na ontvangst van gemelde kennisgeving zal de Regeering die zich voorstelt zulk maatregel te nemen vrij zijn het te doen op elk oogenblik nadien, en de andere Regeering zal vrij zijn in de vijftien dagen nadat zulk maatregel genomen is, een einde te stellen aan dit akkoord in zijn geheel, onder dertig dagen schriftelijk preadvies.

De beschikkingen van dit akkoord zullen zoo speedig mogelijk aangevuld worden met beschikkingen van algemeene orde aangaande de behandeling die verleend zal worden in elk land aan den handel van het andere.

Zoo lang het tegenwoordig akkoord in werking zal blijven, zal het alle beschikkingen van het Handels en Scheepvaarts Verdrag door de Vereenigde Staten van Amerika en Zijne Majesteit de Koning der Belgen onderteekend op Achtsten Maart 1875, vervangen, die ermede tegenstrijdig zouden zijn. Echter, na den afloop van het tegenwoordig Akkoord, zullen de beschikkingen van voornoemd verdrag van 1875, die voorloopig opgeschorst zijn, van zich zelf hunne werking hervatten, en zullen in werking en kracht blijven, afhankelijk van beeindiging als voorzien in dat verdrag.

Ik neem deze gelegenheid te baat, Mijnheer de Staatssekretaris, om aan Uwe Excellentie de verzekering mijner hoogachting te vernieuwen.

P. FORTHOMME
Hoofd van de Belgische Delegatie.

Aan zijn Excellentie
Mijnheer WILLIAM PHILLIPS
d. d. Staatssekretaris.
Departement van Staat,
Washington. D. C.

ANNEXE I

Numéros du tarif belge	Désignation des marchandises	Unité de perception	Droits applicables	Contingents annuels admis à l'importation dans l'Union Economique Belgo-Luxembourgeoise
11	Miel naturel	100 kgs net	60. 00	
16 a)	Saindoux naturel			100% de la moyenne des importations au cours des années 1929 à 1933
47	Boyaux frais, salés ou secs		Exempts	
51 g)	Riz:			
1.	en paille ou non pelé		Exempt	
2.	pelé		Exempt	
55 a)	Gruaux et semoules d'avoine, y compris l'avoine en grains pelés, mondés, perlés ou concassés, ainsi que les flocons d'avoine	100 kgs brut	30. 00	
57 b)	Amidons et fécules de maïs			678.528 kgs *
73 b)	Abricots secs:			
1.	importés en emballages d'un poids de plus de 25 kgs. (poids résultant de la pesée cumulée du contenant et du contenu)	100 kgs net	30. 00	
2.	importés autrement	idem	50. 00	
ex. 78 b)	Pamplemousses	100 kgs brut	20. 00	
ex. 91	Pêches sèches	100 kgs net	50. 00	
93				
a)	Poires fraîches: importées en caisses, caissettes, boîtes, paniers ou autres emballages d'un poids de 20 kgs ou moins (poids résultant de la pesée cumulée du contenant			

		et du contenu et y comprises les poires importées en récipients d'un poids supérieur à 20 kgs, lorsque ceux-ci comportent des divisions intérieures, ou lorsque les fruits sont enveloppés de papier ou d'une autre matière protectrice)		
		du 1er septembre au 31 janvier	100 kgs net	86. 25
ex. 94				
a)		Poires sèches de table	100 kgs net	60. 00
95				
a)		Pommes fraîches		
3.		importées autrement:		
	A.	du 1er avril au 31 août	100 kgs brut	25. 00
	B.	du 1er septembre au 31 mars	idem	28. 75
95				
b)		Pommes sèches:		
1.		pelées	100 kgs brut	41. 40
2.		non pelées	idem	20. 70
97		Pruneaux:		
a)		importés en caissettes ou autres emballages d'un poids de 10 kgs ou moins (poids cumulé du contenant et du contenu)	100 kgs brut	103. 50
97				
b)		Importés autrement:		
1.		en tonneaux de 180 kgs au moins ou en sacs de 80 kgs au moins, sans emballage intérieur (poids cumulé du contenant et du contenu) comportant par demi-kg		
	A.	jusque 90 pièces	100 kgs net	60. 00
	B.	de 91 à 100 pièces	idem	45. 00
	C.	plus de 100 pièces	idem	30. 00

* L'augmentation de contingent de 72.128 kgs est uniquement applicable aux amidons et fécules importés en sachets.

ANNEXE I—Continuée

Numéros du Tarif belge	Désignation des marchandises	Unité de perception	Droits applicables	Contingents annuels admis à l'importation dans l'Union Economique Belgo-Luxembourgeoise
2.	autres, comportant par demi-kg:			
A.	jusque 90 pièces	idem	75. 00	
B.	de 91 à 100 pièces	idem	55. 50	
C.	plus de 100 pièces	idem	37. 50	
99 b)	Fruits non spécialement tarifés, secs	100 kgs brut	34. 50	
118	Gommes, gommes-résines et résines:			
b)	autres			
2.	Térébenthines brutes ou épurées		exemptes	
3.	non dénommées		exemptes†	
190	Goudron minéral provenant de la distillation de la houille		exempt	
196	Paraffine		exempte	
212	Viandes non dénommées simplement cuites, fumées ou salées, importées autrement qu'en boîtes, terrines, croûtes ou autres emballages de ce genre:			
a)	de porc			
2.	autres			100% de la moyenne des importations au cours des années 1929 à 1933.
ex 214	Langues de porc en boîtes	100 kgs net	90. 00‡	
ex 219	Poissons, crustacés et mollusques, conservés de toutes façons, importés en boîtes, terrines, croûtes ou autres emballages de ce genre:			
	pilchards	100 kgs net	34. 50	

225	Fruits entiers ou divisés, conservés au naturel ou à l'aide de sucre ou de vinaigre:			
b)	en récipients d'un poids de 3 kgs ou moins	100 kgs net	200. 00	
ex 273 a)	Tourteaux de lin		exempts§	
277	Tabacs non fabriqués:			
a)	non écotés	100 kgs net	500. 00	
278 b)	Cigarettes	100 kgs net	2. 500. 00	
363	Acétone ordinaire (propanone)	100 kgs brut	20. 00	
396	Teintures dérivées du goudron de houille à l'état sec ou en pâte:			
c)	Colorants d'aniline		exempts	
431	Vernis, laques et siccatifs, mélangés ou non avec des matières colorantes; couleurs dites à l'émail:			
a)	à l'alcool éthylique dénaturé; à l'alcool autre qu'éthylique	100 kgs net	200. 00	
ex 456 b)	Cylindres de machines à dicter	valeur	17. 25%*	
466	Peaux teintes ou maroquinées non dénommées ailleurs			
b)	autres			10.300 Kgs.
467	Peaux vernies ou laquées	100 kgs net	500. 00	38.000 kgs
583	Pégamoïd et produits similaires	100 kgs net	258. 75	
584	Toiles cirées:			
b)	pour parquets			
1.	unicolores	100 kgs net	69. 00	
2.	à dessins imprimés	idem	82. 80	
c)	pour tenture	idem	414. 00	
609	Bonneterie de soie pure et bonneterie mélangée de soie			6.000 kgs.

† A l'exclusion des gommes-laques blanchies.
‡ La taxe de licence ne dépassera pas 200 francs par 100 kgs.
§ La taxe de licence ne dépassera pas 7,50 francs par 100 kgs.
* La taxe de luxe sur cet article est supprimée.

ANNEXE I—Continuée

Numéros du tarif belge	Désignation des marchandises	Unité de perception	Droits applicables	Contingents annuels admis à l'importation dans l'Union Economique Belgo-Luxembourgeoise
612	Vêtements pour femme non dénommés ni compris ailleurs			6.000 kgs.
622	Faux-cols et manchettes, devants et plastrons de chemises			1.000 kgs.
638	Bois sciés, non dénommés ailleurs;			
a)	Poutres et poutrelles sciées, d'une épaisseur de 15 centimètres et plus, y compris les bois équarris à la hache, de toute épaisseur:			
1.	en bois de chêne, de frêne et de noyer	mètre cube	30. 00	
2.	autres	idem	30. 00	
b)	Autres:			
1.	en bois de chêne, de frêne et de noyer	idem	35. 00	
2.	non dénommés	idem	35. 00	
672	Pièces de charpente et de charronnage façonnées:			
b)	autres	100 kgs brut	8. 05	
ex 705	Courroies pour machines en caoutchouc, même combiné avec des tissus ou avec tissu intercalé	100 kgs net	250. 00	
706	Tubes et tuyaux en caoutchouc, de toute espèce:			
b)	autres	100 kgs net	250. 00	
1056	Machines à écrire, à calculer, simples ou combinées, caisses enregistreuses, caisses contrôle, et leurs pièces détachées, pesant:			
a)	50 kgs et plus:			
1.	machines à calculer et leurs pièces détachées	100 kgs net	1. 000. 00	
2.	autres	idem	1. 000. 00	

3.	Couvercles, étuis, supports, et autres accessoires pour machines de bureau	valeur		10%
b)	moins de 50 kgs:			
1.	machines à calculer et leurs pièces détachées	100 kgs net		1. 500. 00
2.	autres	idem		1. 500. 00
3.	couvercles, étuis, supports, chevalets et autres accessoires pour machines de bureau	valeur		10%
1088 bis	Appareils radio-électriques, pour la télégraphie, la téléphonie, la télévision et autres applications:			
a)	Appareils complets:			
1.	à valves (tubes ou lampes)	kg. net		17.00 plus par socket de valve: 8.50
b)	Appareils incomplets et groupes montés	kg. net		17.00 plus par socket de valve: 8.50
d)	Valves, tubes ou lampes (y compris les valves, tubes ou lampes montés sur les appareils)	pièce		1. 45
1100	Véhicules automobiles, carrossés ou complets:			
a)	pour le transport des personnes:			
2.	autres, pesant par unité:			
B.	de 1150 kgs inclusivement à 1600 kgs exclusivement	100 Kgs net		935. 00
C.	de 1600 kgs inclusivement à 1850 kgs exclusivement	idem		1. 062. 50
D.	de 1850 kgs inclusivement à 2200 kgs exclusivement	idem		1. 190. 00
E.	2200 kgs et plus	idem		1. 530. 00
1100 quater	Parties et pièces détachées pour véhicules automobiles et pour carrosseries d'automobiles, non spécialement tarifées:			
a)	brutes	valeur		12%

ANNEXE I—Continuée

Numéros du tarif belge	Désignation des marchandises	Unité de perception	Droits applicables	Contingents annuels admis à l'importation dans l'Union Economique Belgo-Luxembourgeoise
b)	ouvrées			
1.	Moteurs à explosion ou à combustion interne et turbines à gaz:			
A.	Moteurs ayant à la fois plus de quatre cylindres et plus de quatre litres de cylindrée	100 kgs net	250. 00	
B.	autres	idem	250. 00	
2.	Cylindres de moteurs en fonte non malléable	idem	250. 00	
3.	Culasses de moteurs et autres en fonte non malléable	idem	250. 00	
4.	Volants de moteurs	idem	250. 00	
5.	autres pièces détachées de moteurs	idem	250. 00	
7.	Boîtes de vitesse	idem	250. 00	
8.	Directions avec ou sans volant	idem	250. 00	
9.	Embrayages	idem	250. 00	
10.	Ponts arrière	idem	250. 00	
11.	Arbres et demi-arbres d'embrayage, de distribution, de changement de vitesse, de transmission; arbres cannelés, arbres de commandes, de pompes à eau; engrenages	idem	250. 00	
ex 1131	Machines à dicter	100 kgs net	1. 050. 00*	

* La taxe de luxe sur cet article est supprimée.

ANNEXE II.

Annex II.

Paragraphe du "Tariff Act" de 1930	Description des marchandises	Droits applicables
	NOTE: Les dispositions de la présente Annexe seront interprétées et produiront les mêmes effets, et l'application aux dispositions de la présente Annexe, de dispositions collatérales des lois douanières des Etats Unis, sera déterminée autant que possible, comme si chaque disposition de la présente Annexe apparaissait respectivement dans le paragraphe du "Tariff Act" de 1930 indiqué dans la colonne à la gauche de la description respective des marchandises. Dans le cas de marchandises énumérées à la présente Annexe, qui au jour de la signature de cet accord sont soumises à des droits de douane ordinaires imposés en vertu de dispositions légales autres que le paragraphe du "Tariff Act" de 1930 indiqué dans la colonne à la gauche de la description respective des marchandises, ou imposés en vertu d'une clause conditionnelle du paragraphe ainsi indiqué, les dits droits distincts ou additionnels resteront en vigueur jusqu'à ce qu'il y soit mis fin en vertu de dispositions légales, mais ils ne seront pas augmentés.	
6	Sulfate d'alumine	0.2¢ par livre
20	Craie (blanc d'Espagne ou de Paris):	
	Sèche, moulue, ou tamisée	0.2¢ par livre
	Broyée dans l'huile (mastic)	0.5¢ par livre
24	Extraits pour aromatiser, et produits à saveur de fruits naturels, synthétiques, esters, huiles et essences de fruits, tous ces produits et leurs combinaisons, contenant plus de vingt pour-cent et pas plus de cinquante pour-cent d'alcool	30¢ par livre et 18% ad val.
27	Naphtalène qui, privé complètement de l'eau qu'il contient, se solidifie à soixante dix-neuf degrés Centigrade ou plus	3.5¢ par livre et 20% ad val.
29	Sulfate de cobalt	5¢ par livre
72	Couleurs au plomb: céruse	2.1¢ par livre
81	Phosphate de sodium (à l'exception du pyrophosphate):	
	Contenant en poids moins de quarante-cinq pour-cent d'eau	1¢ par livre
	Non spécialement tarifé	0.5¢ par livre
205(b)	Ciments romains, Portland et autre ciment hydraulique et klinker de ciment	4.5¢ par 100 livres, y compris le poids du contenant

Annex II—Continued.

ANNEXE II.—Continuée

Paragraphe du "Tariff Act" de 1930	Description des marchandises	Droits applicables
207	Sable contenant quatrevingt-quinze pour-cent ou plus de silice et pas plus de six dixième pourcent d'oxyde de fer, convenant pour la fabrication du verre	$1 par Tonne
220	Verre laminé composé de couches de verre et d'autres matières et articles entièrement en verre laminé ou dans lesquels le verre laminé constitue l'élément de principale valeur	45% ad valorem
222(a)	Glaces fabriquées par tout procédé:	
	Ne dépassant pas trois cent quatre-vingt quatre pouces carrés	8.3¢ par pied carré
	Au-dessus de trois cent quatre-vingt quatre, mais ne dépassant pas sept cent vingt pouces carrés	11.3 par pied carré
	Au-dessus de sept cent vingt, mais ne dépassant pas mille et huit pouces carrés	11.7 par pied carré
	Au-dessus de mille et huit pouces carrés	13.2 par pied carré
	Toutefois, aucun des produits ci-dessus, d'une épaisseur de un demi pouce ou plus, ne pourra acquitter un droit inférieur à	50% ad valorem
222(b)	Glaces munies à l'intérieur d'un treillis métallique:	
	Ne dépassant pas trois cent quatre-vingt quatre pouces carrés	10¢ par pied carré
	Au-dessus de trois cent quatre-vingt quatre, mais ne dépassant pas sept cent vingt pouces carrés	13.2¢ par pied carré
	Au-dessus de sept cent vingt pouces carrés	15.3¢ par pied carré
222(d)	Verre cylindré, verre de manchon, "crown glass" et verre à vitres, autres que glaces, entièrement ou partiellement adoucis (polis ou non) d'une autre manière que pour l'ornementation, ou mesurant en épaisseur un-quart de pouce ou plus et fonçes par une coloration antérieure à la solidification	droits spécifiques prévus aux rubriques 222 (a) et (b) ci-dessus
	Toutefois, aucun des précédents ayant une épaisseur d'un demi pouce ou plus et non munis à l'intérieur d'un treillis métallique, ne sera soumis à des taux de droit moindres que les suivants:	
	S'ils sont entièrement ou partiellement adoucis (polis ou non) d'une autre manière que pour l'ornementation	50% ad valorem
	S'ils ne sont ni entièrement, ni partiellement adoucis	40% ad valorem

ANNEXE II.—Continuée

Annex II—Continued.

Paragraphe du "Tariff Act" de 1930	Description des marchandises	Droits applicables
231	Tuiles et carreaux en verre opale, en verre émaillé ou en verre de manchon	30% ad valorem
303	Barres de fer brutes ébauchées, parties de ces barres, à l'exception des chutes, fer en barres et fer rond en rouleaux ou en tiges, fer en plaques, blooms, loupes ou autres formes moins finies que le fer en barres, mais plus avancés que le fer en gueuses, hormis les moulages; tous ces produits évalués à pas plus d'un cent et demi la livre	0.25¢ par livre
304	Lingots d'acier, ainsi que lingots, blooms et plaques, ébauchés au laminoir, quel qu'en soit le procédé de fabrication; billettes et barres pleines ou creuses, pesant plus de trente livres par pied courant:	
	Evalués à pas plus d'un cent et demi la livre	0.25¢ par livre
	Evalués à plus d'un cent et demi et pas plus de deux cents et demi la livre	0.375¢ par livre
304	Billettes et barres, pleines ou creuses, pesant trente livres ou moins par pied courant, et barres pour béton armé:	
	Evalués à pas plus d'un cent et demi la livre	0.25¢ par livre
	Evalués à plus d'un cent et demi et pas plus de deux cents et demi la livre	0.4¢ par livre
304	Etampes ou matrices; arbres ébauchés; formes embouties, découpées ou estampées, n'ayant pas été soumises à un procédé ou à un travail ultérieur à l'estampage leur donnant plus de valeur ou un état plus avancé; moules à marteaux ou d'acier estampé; moules à canons de fusil autres qu'en barres; moulages en acier de toute sorte et de toute forme coulés dans des moules en sable sec, en argile ou en fer; tôles et plaques, ainsi qu'acier non spécialement tarifé; tous ces articles:	
	Evalués à pas plus d'un cent et demi la livre	0.25¢ par livre
	Evalués à plus d'un cent et demi et pas plus de deux cents et demi la livre	0.4¢ par livre
307	Plaques de fer ou d'acier pour chaudières ou autres, à l'exception des plaques d'acier ou creuset et des lames d'acier pour scies, d'une épaisseur non inférieure à cent et neuf millièmes de pouce, coupées ou cisaillées en formes ou autrement ou non cisaillées, et bandes en fer ou acier pour tubes ou canons de fusils, cisaillés ou laminés en cannelures, évalués à trois cents ou moins la livre	0.35¢ par livre

Annex II—Continued.

ANNEXE II.—Continuée

Paragraphe du "Tariff Act" de 1930	Description des marchandises	Droits applicables
308	Tôles de fer ou d'acier, communes ou noires, de toutes dimensions, et bandes en fer ou en acier pour tubes ou canons de fusils, évalués à trois cents ou moins la livre: ayant en épaisseur:	
	moins de cent et neuf millièmes et pas moins de trente-huit millièmes de pouce	0.35¢ par livre
	moins de trente-huit millièmes et pas moins de vingt-deux millièmes de pouce	0.45¢ par livre
	moins de vingt-deux millièmes et pas moins de dix millièmes de pouce	0.60¢ par livre
	moins de dix millièmes de pouce	0.70¢ par livre
	Ondulées ou gaufrées	0.60¢ par livre
312	Poutrelles, longuerines, solives, cornières, fers en U, fers en U pour wagons ("car-truck channels"), fers en T, colonnes et piliers, parties ou sections de colonnes ou de piliers, poutrelles pour ponts de navires ou à bourrelet, ainsi que toutes autres formes profilées de fer ou d'acier; tous les précédents travaillés à la machine, perforés, poinçonnés, assemblés, achevés, prêts à être employés ou ayant été soumis à un autre travail plus avancé que le martelage, le laminage ou le moulage	15% ad valorem
314	Feuillards ou bandes de fer ou d'acier, coupés de longueur ou bien manufacturés entièrement ou en partie en cercles ou liens, recouverts ou non de peinture ou d'une autre préparation, avec ou sans boucles ou attaches, pour l'emballage du coton ou de toute autre marchandise	0.2¢ par livre
315	Tiges en fil de fer ou d'acier, pour rivets, vis, clôtures et autres, rondes, ovales, carrées ou de toute autre forme, tiges à clous et tiges plates ayant jusqu'à six pouces de largeur, prêtes à être étirées ou laminées en fils ou rubans, tous ces articles en rouleaux ou autrement, évalués à pas plus de deux cents et demi la livre	0.25¢ par livre
365	Fusils à plombs:	
	Evalués à pas plus de cinq dollars la pièce	75¢ la pièce & 22½% ad val.
	Evalués à plus de cinq dollars et pas plus de dix dollars la pièce	$2. la pièce & 22½% ad val.
	Evalués à plus de dix dollars et pas plus de vingt-cinq dollars la pièce	$3. la pièce & 22½% ad val.

ANNEXE II.—Continuée

Annex II—Continued.

Paragraphe du "Tariff Act" de 1930	Description des marchandises	Droits applicables
	Evalués à plus de vingt-cinq dollars et pas plus de cinquante dollars la pièce	$5. la pièce & 22½% ad val.
	Evalués à plus de cinquante dollars la pièce	32½% ad val.
365	Canons pour fusils à plombs, ayant reçu une main d'oeuvre plus avancée que le simple forage	$2. la pièce & 25% ad valorem
365	Crosses pour fusils à plombs, entièrement ou partiellement ouvrées	$2.50 la pièce & 25% ad val.
365	Parties de fusils à plombs et accessoires pour crosses ou canons de fusils à plombs, finis ou non	27½% ad val.
365	Fusils à plombs importés sans platines ou autres accessoires	$5. la pièce & 27½% ad val.
365	Canons de fusils à plombs, à l'état de tubes simples, forgés, forés bruts	5% ad val.
742	Raisins de serre en vrac, caisses à claire-voie, barils ou autres emballages	25¢ par pied cube de raisins en vrac ou par pied cube de la capacité des emballages
769	Pois, préparés ou conservés d'une manière quelconque, évalués à dix cents ou plus la livre	1.5¢ par livre du contenu tout entier
774	Chicorées "witloof" à l'état naturel	35% ad valorem
776	Chicorée, brute	1.5¢ par livre
907	Tissus imperméables composés entièrement de coton ou d'autres fibres végétales, ou dans lesquels ces matières constituent l'élément de principale valeur, combinés ou non avec du caoutchouc	30% ad valorem
921	Tapis imitation d'Orient, composés entièrement de coton ou dans lesquels le coton constitue l'élément de principale valeur	20% ad valorem
1001	Lin, non sérancé, évalué à trois cent quarante dollars ou plus la tonne	1¢ par livre
1005(a)(2)	Cordages, y compris les câbles, goudronnés ou non, composés de trois torons ou plus, chaque toron étant composé de deux ou plusieurs filés, entièrement en fibre "sunn" ou autres fibres corticales, ou dans lesquels ces matières constituent l'élément de principale valeur, à l'exclusion des cordages en jute	1.5¢ par livre

Annex II—Continued.

ANNEXE II.—Continuée

Paragraphe du "Tariff Act" de 1930	Description des marchandises	Droits applicables
1009(b)	Tissus communément employés pour rembourrer ou doubler les vêtements, entièrement en lin ou en chanvre, ou dans lesquels ces matières ou l'une d'entre elles constituent l'élément de principale valeur, ayant en chaîne et en trame plus de trente mais pas plus de cent vingt fils par pouce carré, ne pesant pas moins de quatre et demi et pas plus de douze onces par yard carré	40% ad valorem
1009(c)	Tissus en pièces ou autrement, entièrement en fibres végétales, à l'exception du coton, ou dans lesquels ces fibres végétales constituent la matière de principale valeur, chargés, recouverts ou autrement préparés pour canevas d'artistes	30% ad valorem
1010	Tissus, non compris les articles finis ou non, en lin, chanvre, ramie ou autres fibres végétales, à l'exception du coton, ou dans lesquels ces textiles ou l'un d'entre eux constituent la matière de principale valeur, non spécialement tarifés	30% ad valorem
1109(a)	Drap de billard, vert, en pièces, pesant plus de onze onces mais pas plus de quinze onces par yard carré, entièrement en laine	50¢ par livre et 40% ad valorem
1405	Parchemin végétal, quel que soit le nom qu'il porte	2¢ par livre et 10% ad valorem
1405	Papier sensibilisé pour usages photographiques	22½% ad valorem
1406	Vitrauphanies ("transparencies"), imprimées par lithographie ou autrement:	
	En cinq impressions ou moins (l'impression en bronze étant comptée comme deux impressions)	30% ad valorem
	En plus de cinq impressions (l'impression en bronze étant comptée comme deux impressions)	37½% ad valorem
1410	Livres de prière, reliés ou non, à l'exception de ceux entièrement ou partiellement reliés en cuir, et feuillets ou pages imprimés de livres de prière entièrement ou partiellement reliés en cuir, tous les précédents non spécialement tarifés, s'ils sont réllement d'auteurs étrangers	7½% ad valorem
	Tous autres livres de prière, non spécialement tarifés	12½% ad valorem

ANNEXE II.—Continuée

Annex II—Continued.

Paragraphe du "Tariff Act" de 1930	Description des marchandises	Droits applicables
1404	*Toutefois*, aucun des précédents, dans lesquels le papier de l'Inde ou le papier bible constitue l'élément de principale valeur, ne sera soumis, en vertu du premier "proviso" du paragraphe 1404, à un droit plus élevé que	3¢ par livre & 10% ad valorem
1413	Attrape-mouches en forme de rubans, dans lesquels le papier constitue la matière de principale valeur	27½% ad valorem
1501(c)	Bardeaux en asbeste et articles partiellement en asbeste, s'ils contiennent du ciment hydraulique ou du ciment hydraulique combiné avec une autre matière:	
	Ni recouverts, ni imprégnés, ni décorés, ni colorés, d'une manière quelconque	0.60¢ par livre
	Recouverts, imprégnés, décorés ou colorés, d'une manière quelconque	0.75¢ par livre
1520	Poils pour chapeliers ou poils non en peaux, préparés pour chapeliers, y compris les peaux secrétées ("carroted")	27½% ad val.
1525	Feutre de poils, entièrement en poils d'animaux, ou dans lequel les poils d'animaux constituent la matière de principale valeur, et articles en feutre de poils, tous les précédents non spécialement tarifés	20% ad valorem
1529(a)	Dentelles, tissus en dentelles et articles en dentelles, d'une largeur dépassant deux pouces et faits uniquement à la main sans usage d'aucune matière fabriquée à la machine ni d'aucun article dénommé au paragraphe mille cinq cent vingt-neuf (a); articles composés entièrement des précédents; et articles, à l'exception des vêtements, partiellement composés des précédents et ne contenant aucune matière fabriquée à la machine ni aucun article dénommé au paragraphe mille cinq cent vingt-neuf (a); tous les précédents, finis ou non, quelle que soit la façon dont ils sont décrits et dénommés au paragraphe mille cinq cent vingt-neuf (a):	
	Evalués à plus de cinquante dollars et moins de cent cinquante dollars par livre	60% ad valorem
	Evalués à cent cinquante dollars ou plus par livre	45% ad valorem
1551	Plaques sèches pour la photographie, non spécialement tarifées	15% ad valorem
1551	Pellicules photographiques, sensibilisées mais non impressionnées ni développées, de toute sorte à l'exception des films cinématographiques ayant une largeur de un pouce ou plus	12½% ad valorem

Annex II—Continued.

ANNEXE II.—Continuée

Paragraphe du "Tariff Act" de 1930	Description des marchandises	Droits applicables
1551	Films cinématographiques, sensibilisés mais non impressionnés ni développés, ayant une largeur de un pouce ou plus	0.2¢ par pied courant de la largeur normale de 1⅜ de pouce, et les films de toutes autres largeurs, de 1 pouce ou plus, seront taxés en proportion.
1606 (a) & (b)	Chevaux	Exempts sous réserve des dispositions prévues au paragraphe 1606 (a) et (b)
1651	Huile morte ("dead oil") ou huile de créosote	Exempte
1685	Scories basiques	Exemptes
1685	Phosphate précipité d'os, d'une qualité utilisée principalement pour engrais ou utilisée principalement comme ingrédient dans la fabrication des engrais	Exempt
1689	Osseine	Exempte

Effective date.

AND WHEREAS it is provided in the said exchange of notes that the Agreement shall come into force on the thirtieth day following proclamation thereof by the President of the United States of America and the simultaneous publication of the said Agreement in the *Moniteur Belge;*

AND WHEREAS the understanding has been reached on both parts that the said proclamation of the Agreement by the President of the United States of America and the publication of the Agreement in the *Moniteur Belge* shall take place simultaneously on this first day of April, one thousand nine hundred and thirty-five; whereupon the said Agreement will come into effect on the first day of May, one thousand nine hundred and thirty-five;

WHEREAS such modifications of existing duties and other import restrictions and such continuances of existing customs and excise treatment as are set forth and provided for in that Agreement and the two Schedules thereunto annexed are required and appropriate to carry out the said Agreement:

Proclamation.

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States of America, acting under the authority conferred by

Vol. 48, p. 943.

the said Act of Congress of June 12, 1934, do hereby proclaim the said Agreement including the said Schedules, to the end that the whole and every part thereof may be observed and fulfilled with

good faith by the United States of America and the citizens thereof on and from the first day of May, one thousand nine hundred and thirty-five.

Pursuant to the proviso in subsection (a) (2) of Section 1 (Sec. 350.) of the said Act of Congress of June 12, 1934, I shall from time to time notify the Secretary of the Treasury of the countries with respect to which application of the duties herein proclaimed is to be suspended.

Suspension of application of duties. Vol. 48, p. 944.

IN TESTIMONY WHEREOF, I hereunto set my hand and cause the seal of the United States of America to be affixed.

Signature.

DONE this first day of April, in the year of our Lord one thousand nine hundred and thirty-five and of the Independence of [SEAL] the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State

The Plenipotentiary of the Belgo-Luxemburg Economic Union (Forthomme) to the Acting Secretary of State (Phillips)

[Translation [1]]

BELGIAN EMBASSY

WASHINGTON, *February 27, 1935.*

MR. SECRETARY OF STATE:

I have the honor to acknowledge receipt of Your Excellency's letter dated the 27th instant, advising me of the friendly decisions made by the United States of America in regard to the treatment to be accorded to the commerce of the Belgo-Luxemburg Economic Union with respect to the duties to be applied to certain products of the soil and industry of the Belgo-Luxemburg Economic Union.

My Government, being equally desirous of strengthening the traditional bonds of friendship with the United States of America, has given me the necessary powers to declare to you in its name that the Belgo-Luxemburg Economic Union has decided, on its part:

(1) To accord unconditionally to the commerce of the United States of America the treatment which is or will be accorded to the most favored foreign nation; (2) to exempt the products of the soil or the industry of the United States of America listed in schedule I [2] attached hereto, at the time of their importation into the customs territory of the Belgo-Luxemburg Economic Union, from all ordinary customs duties in excess of those specified in the said schedule, (3) with respect to those for which import quotas are specified in the said schedule, to permit the importation of quantities not less than those indicated therein, and (4) with respect to the products for which luxury or license taxes are specified in the annexed schedule, to exempt such products from taxes in excess of those specified therein.

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[1] For French and Flemish texts see pp. 3697, 3699.

[2] For English and French texts of schedule I see pp. 3684, 3702.

It is understood that the United States of America agrees on its part, (1) to accord unconditionally to the commerce of the Belgo-Luxemburg Economic Union the treatment which is or will be accorded to the commerce of the most favored foreign nation, with the exception of the Republic of Cuba, and (2) to exempt the products of the soil or industry of the Belgo-Luxemburg Economic Union, listed in schedule II[1] attached hereto, at the time of the importation into the customs territory of the United States of America, from all ordinary customs duties in excess of those specified in the said schedule.

In the event that the Government of either country adopts any measure which, even though it does not conflict with the terms of this agreement, is considered by the Government of the other country to have the effect of nullifying or impairing any clause of the agreement, the Government which has adopted any such measure shall consider such representations and proposals as the other Government may submit to it with a view to effecting an adjustment of the matter satisfactory to the two parties.

The present agreement shall come into force on the thirtieth day following proclamation thereof by the President of the United States of America and the simultaneous publication of the said agreement in the *Moniteur Belge*, and, except as hereinafter provided, shall remain in force and effect until 6 months from the day on which either Government shall give notice of its intention to terminate it. It is understood, however, that:

(1) In the event that a wide variation occurs in the rate of exchange between the currencies of the Belgo-Luxemburg Economic Union and the United States of America, the Government of either country, if it considers that such variation is of a nature to prejudice the industries or the commerce of the country, shall have the right to propose that negotiations be opened with a view to modifying the agreement or terminating it on 30 days' written notice;

(2) Each of the two Governments reserves the right to withdraw the concession granted on any article under this agreement, or to impose quantitative restrictions on the importation of such article, if at any time there should be evidence that, as a result of the extension of such concession to third countries, the latter will obtain the major benefit of such concession and that, in consequence thereof, an unduly large increase of the importations of such article will take place; provided that before availing itself of the right above mentioned, the Government concerned shall give notice in writing to the other Government of its intention to do so, and shall furnish such other Government an opportunity, within 30 days after the receipt of such notice, to consult with it in regard to the measures that it proposes to take; and if an agreement is not reached with respect thereto within 30 days following receipt of the aforesaid notice, the Government which proposes to take the measures in question shall

[1] For English and French texts of schedule II see pp. 3691, 3709.

have the right to do so at any time thereafter, and the other Government shall have the right within 15 days after such measures have been put into effect, to terminate this agreement in its entirety on 30 days' written notice.

The provisions of this agreement shall be supplemented, as soon as possible, by provisions of a general character relative to the treatment to be accorded in each of the two countries to the commerce of the other.

As long as the present agreement shall remain in force, it shall supersede any provisions of the Treaty of Commerce and Navigation between the United States of America and His Majesty the King of the Belgians concluded March 8, 1875, which may be inconsistent with the said agreement. However, upon the expiration of the present agreement, the provisions of the aforesaid treaty of 1875 which have been temporarily superseded, shall automatically resume operation, and shall continue in full force and effect, subject to termination as provided in that treaty. Vol. 19, p. 628.

I take this occasion to renew to Your Excellency the assurances of my highest consideration.

P. FORTHOMME
Head of the Belgian Delegation.

To His Excellency
Mr. WILLIAM PHILLIPS,
Acting Secretary of State,
Department of State,
Washington, D. C.

[No. 75]

March 28, 1935.
April 5, 1935.

Arrangement between the United States of America and Great Britain for air navigation. Effected by exchange of notes, signed March 28 and April 5, 1935; effective May 5, 1935.

The British Ambassador (Lindsay) to the Secretary of State (Hull)

No. 77

BRITISH EMBASSY,
Washington, D. C., March 28th, 1935

SIR,

Reciprocal arrangement with Great Britain for operating, etc., aircraft.

I have the honour, under instructions from His Majesty's Principal Secretary of State for Foreign Affairs, to state that, pending the conclusion of a Treaty in regard to air navigation, His Majesty's Government in the United Kingdom of Great Britain and Northern

Tentative provisions.

Ireland are prepared, in consideration of reciprocal treatment by the Government of the United States of America and subject to the conditions hereinafter set out, to accord the following treatment in respect of United States aircraft as defined below, their crews, passengers and cargoes:—

Territories affected.

2. (i) The territories in which the treatment specified in the subsequent paragraphs of this Note will be accorded (hereinafter referred to as the territories to which this Note applies) are: the United Kingdom of Great Britain and Northern Ireland and the territories specified in the schedule hereto, together with any territories to which the provisions of this Note may at any time be applicable by virtue of paragraph 17.

Post, p. 3724.

"United States aircraft" construed.

(ii) The term "United States aircraft", as used in this Note, means civil aircraft, including State aircraft used exclusively for commercial purposes, duly registered in territories under the sovereignty, jurisdiction or authority of the United States to which your reply to this Note shall apply.

Liberty of passage.

3. Subject to the provisions of this Note, United States aircraft will, in time of peace, be allowed liberty of passage to and over the

Regular air service by transport company; consent required.

territories to which this Note applies; provided however that no regular air route or service may be established or operated to, within or over any such territory, with or without a landing there, except by prior consent of His Majesty's Government in the United Kingdom.

Jurisdiction over aircraft, passengers, cargo, etc.

4. (i) United States aircraft, their crews and passengers, and goods carried thereon will, while within or over a territory to which this Note applies, be subject to the laws in force in that territory, including all regulations relating to air traffic applicable to foreign aircraft, the transport of passengers and goods, and public safety and order, as well as any regulations concerning immigration, passports,

quarantine and (subject to the provisions of paragraph 6) customs.

(ii) Subject to the provisions of the preceding sub-paragraph and to the laws and regulations therein specified, the carriage of passengers and the import or export of any goods which may lawfully be imported or exported will be permitted in United States aircraft into or out of the territories to which this Note applies; and (subject to the same proviso) such aircraft, their crews, passengers and cargoes shall enjoy in those territories the same privileges as and shall not, merely by reason of the nationality of the aircraft, be subjected to any other or higher duties or charges than those which are or may be imposed on British aircraft or the aircraft of the most favoured country not being part of the territories under His Majesty's Sovereignty, suzerainty, protection or authority, engaged in international commerce, or on their crews, passengers or cargoes.

Regulations to be furnished.

5. The regulations (together with any subsequent alterations therein) relative to air traffic in force in the territories to which this Note applies will be communicated to the Government of the United States.

Fuel retained on aircraft.

6. The fuel retained on board United States aircraft arriving in or leaving any territory to which this Note applies shall be exempt from customs duty, even though the fuel so retained is used by the aircraft on a flight in that territory, provided that such flight is definitely part of a journey from or to a place outside that territory.

Aerodromes open to U. S. aircraft.

7. Aerodromes open to public air traffic in the territories to which this Note applies will so far as they are under the control of His Majesty's Government in the United Kingdom, be open to United States aircraft, which (subject to the same proviso) will also be entitled to the assistance of the meteorological, wireless, lighting and day and night signalling services at such aerodromes. Subject again to the same proviso, the scale of charges at such aerodromes for landing and accommodation will be the same for United States as for British aircraft.

"Air commerce" defined.

8. (i) The term "air commerce" as used in the succeeding sub-paragraph means (a) the navigation of aircraft from one place to another both within the same or different territories under His Majesty's Sovereignty, suzerainty, protection or authority, in the conduct or in furtherance of a business, and (b) the commercial transport of passengers or goods between any two points both within such territories.

Reservations.

(ii) Air commerce may, in the territories to which this Note applies, be reserved exclusively to British aircraft whether registered in those territories or elsewhere. Nevertheless United States aircraft may proceed from any aerodrome which they may be entitled to use in those territories to any other such aerodrome for the purpose of taking on board or landing the whole or part of their cargoes or passengers, provided that such cargoes are covered by through bills of lading, and such passengers hold through tickets, issued respectively for a journey the starting place and end of which are not both points between which air commerce has been reserved; and such aircraft,

Points of call covered by through bills of lading.

while so proceeding from one aerodrome to another, will, notwithstanding that both such aerodromes are points between which air commerce has been reserved, be entitled to the treatment set out in this Note.

Prohibited areas.

9. (i) Air traffic may be prohibited over specified areas in the territories to which this Note applies, but no distinction will be made in this matter between British and United States aircraft engaged in international commerce. Lists of the areas above which air traffic is thus prohibited will be communicated to the Government of the United States, and any subsequent alterations therein will be notified immediately.

Emergency restrictions, etc.

(ii) In exceptional circumstances air traffic above the whole or any part of the territories to which this Note applies may temporarily, and with immediate effect, be limited or prohibited, but no distinction in this respect will be made between United States aircraft and the aircraft of any country not being part of the territories under His Majesty's Sovereignty, suzerainty, protection or authority.

Aircraft over prohibited area.

(iii) In the event of any United States aircraft finding itself over a prohibited area, it must, so soon as it is aware of the fact, give the signal of distress prescribed in the Rules of the Air in force in the territory in which the prohibited area is situated, and a landing must be effected as soon as possible at an aerodrome in that territory, outside but as near as possible to the prohibited area.

Distinctive marks, etc.

10. (i) All United States aircraft flying in or over the territories to which this Note applies must carry clear and visible nationality and registration marks whereby they may be recognised during flight.

Certificates required.

(ii) Such aircraft must also be provided with certificates of registration and airworthiness and with all the other documents prescribed for air traffic in the territories in which they are registered.

Crews with special permit.

(iii) The members of the crew of such aircraft who perform duties for which a special permit is required in the territories in which the aircraft is registered, must be provided with all the documents, and in particular with the certificates and licences, prescribed by the regulations in force in those territories.

Papers carried by crew members, passengers, etc.

(iv) The other members of the crew must carry documents showing their duties in the aircraft, their profession, identity and nationality.

(v) The crews and passengers of United States aircraft entering or leaving any of the territories to which this Note applies must be provided with the documents required by the regulations concerning international traffic in force in that territory, a list of which documents will be communicated under paragraph 5 of this Note.

Ante, p. 3721.

Register, manifest, etc.

(vi) Such aircraft carrying passengers or goods must also be provided with a list of the passengers' names and a manifest of the goods showing their nature and quantity.

Recognition of designated certificates.

(vii) The certificate of airworthiness, certificates of competency, and licences issued or rendered valid in respect of a United States aircraft or its crew by the competent United States authorities will be

recognised as having the same validity in the territories to which this Note applies as the corresponding documents issued or rendered valid by the competent authorities of those territories; provided that recognition may be refused as regards certificates of competency and licences issued or rendered valid in favour of British subjects or British protected persons.

Radio to be licensed.

11. (i) United States aircraft may, in or over the territories to which this Note applies carry wireless apparatus only if a licence to instal and work such apparatus (which licence must be carried in the aircraft) has been issued by the competent authorities of the territories in which the aircraft is registered. The use of such apparatus in the territories to which this Note applies must be in accordance with the regulations on the subject issued by the competent authorities of those territories.

Use limited to licensee.

(ii) Such apparatus may only be used by those members of the crew who are provided with a special licence for the purpose, issued by the competent authorities of the territories in which the aircraft is registered.

Radio equipment obligatory.

(iii) For reasons of safety the competent authorities of the territories to which this Note applies may issue regulations relative to the obligatory equipment of aircraft with wireless apparatus when in or over those territories.

Transporting war materials by aircraft restricted.

12. No arms of war, explosives of war or munitions of war may be carried by United States aircraft in or above any of the territories to which this Note applies, or by the crew or passengers, except by permission of the competent authorities of the territories concerned.

Right of search.

13. It will be open to the competent authorities of the territories to which this Note applies to search United States aircraft on landing or departure and to examine the certificates and other documents prescribed in the preceding paragraphs.

Landings, etc.

14. (i) United States aircraft entering or leaving any territory to which this Note applies may only land at or depart from aerodromes open to public air traffic and classed as customs aerodromes at which facilities exist for the enforcement of customs, passport, quarantine and immigration regulations and the clearance of aircraft; and no unauthorised intermediate landing other than a forced landing, may be effected before arriving at such an aerodrome on entry into, or after leaving it on departure from the territory concerned. In special cases, and subject to the same provision as to intermediate landing, the competent authorities may allow landing at or departure from other aerodromes, at which the above-mentioned facilities have been arranged.

Forced landings.

(ii) In the event of a forced landing or of a landing as provided in paragraph 9 (iii) not at an aerodrome of the class mentioned in the preceding sub-paragraph, the pilot of the aircraft, its crew and passengers must conform to the customs, passport, quarantine and immigration regulations in force in the territory in which the landing occurs.

Customs aerodromes.

(iii) Lists of the aerodromes in the territories to which this Note applies which are classed as Customs aerodromes for the purposes of this paragraph will be communicated as soon as possible to the Government of the United States. Any subsequent alterations in these lists will be notified forthwith.

Points of departure.

15. The competent authorities of the territory concerned may require that United States aircraft, on entering or leaving any territory to which this Note applies, shall do so between specified points. Any requirements in this respect and any subsequent alterations therein will be communicated to the Government of the United States. Subject to any such requirement and to the provisions of this Note, aircraft may choose their own route of entry or departure.

Unloading restrictions.

16. No article or substance, other than ballast, may be unloaded or otherwise discharged from United States aircraft in the course of flight in or over the territories to which this Note applies unless special permission to that effect is given by the competent authorities of the territory in which the unloading or discharge occurs. For the purposes of this paragraph ballast means fine sand or water only.

Provision for extending area.

17. (i) His Majesty's Government in the United Kingdom may at any time by means of a notification in writing addressed to the Government of the United States apply the provisions of this Note to all or any British colonies, overseas territories or protectorates or to any mandated territories in respect of which the mandate is exercised by His Majesty's Government in the United Kingdom, other than those specified in the schedule to this Note. Such application shall take effect two calendar months after the date of the receipt of the notification.

Termination of application to any British territory.

(ii) His Majesty's Government in the United Kingdom may subsequently give notice in writing to the Government of the United States of the termination of the application of this Note to any territory to which it has become applicable by notification under the preceding sub-paragraph. In that event such application shall cease two calendar months after the date of the receipt of the notification.

Termination of agreement.

18. His Majesty's Government in the United Kingdom may terminate the arrangements set out in this Note at any time by means of a Notification in writing addressed to the Government of the United States to take effect two calendar months after the date of its receipt.

19. I shall be glad if you will inform me whether the Government of the United States concur in the terms of this Note and are willing to grant reciprocal treatment in respect of British aircraft, registered in territories to which this Note applies, their crews, passengers and cargoes.

I have the honour to be, with the highest consideration, Sir,
Your most obedient, humble servant,

R. C. LINDSAY

The Honourable
CORDELL HULL,
Secretary of State of the United States,
Washington, D. C.

[Enclosure]

SCHEDULE Schedule.

Newfoundland including Labrador.
Bahamas.
Barbados.
Bermuda.
British Guiana.
British Honduras.
Jamaica (including Turks and Caicos Islands and the Cayman Islands).
Leeward Islands and their dependencies, including:—
Antigua.
Dominica.
Montserrat.
St. Christopher and Nevis.
Virgin Islands.
Trinidad and Tobago.
Windward Islands and their dependencies, including:—
Grenada.
St. Vincent.
St. Lucia.

The Secretary of State (Hull) to the British Ambassador (Lindsay)

DEPARTMENT OF STATE,
Washington, April 5, 1935.

EXCELLENCY:

I have the honor to invite reference to your Note of March 28, 1935, setting forth the treatment which His Majesty's Government in the United Kingdom is prepared, in return for reciprocal treatment, to accord to United States aircraft as therein defined, their crews, passengers and cargoes; and to state in reply that the Government of the United States of America concurs in its terms and is prepared in return for the treatment therein specified, and pending the conclusion of a Treaty in the matter of air navigation, to accord the following reciprocal treatment in respect of British aircraft as defined below, their crews, passengers and cargoes subject to the conditions hereinafter set out:— Concurrence by United States.

2. (i) The territories in which the treatment specified in the subsequent paragraphs of this Note will be accorded (hereinafter referred to as the territories to which this Note applies) are: the Continental United States of America and the territories specified in the Schedule hereto, together with any territories to which the provisions of this Note may at any time be applicable by virtue of paragraph 17. Territories affected. *Post*, p. 3729.

"British aircraft" construed.

(ii) The term "British aircraft", as used in this Note means civil aircraft, including State aircraft used exclusively for commercial purposes, duly registered in territories to which Your Excellency's Note under reference applies.

Liberty of passage.

3. Subject to the provisions of this Note, British aircraft will, in time of peace, be allowed liberty of passage to and over the territories

Regular air service; consent required.

to which this Note applies; provided, however, that no regular air route or service may be established or operated to, within or over any such territory, with or without a landing there, except by prior consent of the Government of the United States.

Jurisdiction over aircraft, passengers, cargo, etc.

4. (i) British aircraft, their crews and passengers, and goods carried thereon will, while within or over a territory to which this Note applies, be subject to the laws in force in that territory, including all regulations relating to air traffic applicable to foreign aircraft, the transport of passengers and goods, and public safety and order, as well as any regulations concerning immigration, passports, quarantine and (subject to the provisions of paragraph 6) customs.

(ii) Subject to the provisions of the preceding sub-paragraph and to the laws and regulations therein specified, the carriage of passengers and the import or export of any goods which may lawfully be imported or exported will be permitted in British aircraft into or out of the territories to which this Note applies; and (subject to the same proviso) such aircraft, their crews, passengers and cargoes shall enjoy in those territories the same privileges as and shall not, merely by reason of the nationality of the aircraft, be subjected to any other or higher duties or charges than those which are or may be imposed on United States aircraft or the aircraft of the most favored country not being part of the territories under United States sovereignty, jurisdiction or authority, engaged in international commerce, or on their crews, passengers or cargoes.

Regulations to be communicated.

5. The regulations (together with any subsequent alterations therein) relative to air traffic in force in the territories to which this Note applies will be communicated to His Majesty's Government in the United Kingdom.

Fuel retained on aircraft.

6. The fuel retained on board British aircraft arriving in or leaving any territory to which this Note applies shall be exempt from customs duty, even though the fuel so retained is used by the aircraft on a flight in that territory, provided that such flight is definitely part of a journey from or to a place outside that territory.

Aerodromes open to British aircraft.

7. Aerodromes open to public air traffic in the territories to which this Note applies will, so far as they are under the control of the Government of the United States, be open to British aircraft, which (subject to the same proviso) will also be entitled to the assistance of the meteorological, wireless, lighting and day and night signalling services at such aerodromes. Subject again to the same proviso, the scale of charges at such aerodromes for landing and accommodation will be the same for British as for United States aircraft.

"Air commerce" defined.

8. (i) The term "air commerce" as used in the succeeding sub-paragraph means (a) the navigation of aircraft from one place to another both within the same or different territories under United States sovereignty, jurisdiction or authority, in the conduct or in furtherance of a business, and (b) the commercial transport of passengers or goods between any two points both within such territories.

Reservations.

(ii) Air commerce may, in the territories to which this Note applies, be reserved exclusively to United States aircraft whether registered in those territories or elsewhere. Nevertheless British aircraft may proceed from any aerodrome which they may be entitled to use in those territories to any other such aerodrome for the purpose of taking on board or landing the whole or part of their cargoes or passengers, provided that such cargoes are covered by through bills of lading, and such passengers hold through tickets, issued respectively for a journey the starting place and end of which are not both points between which air commerce has been reserved; and such aircraft, while so proceeding from one aerodrome to another, will, notwithstanding that both such aerodromes are points between which air commerce has been reserved, be entitled to the treatment set out in this Note.

Points of call by through bills of lading.

Prohibited areas.

9. (i) Air traffic may be prohibited over specified areas in the territories to which this Note applies, but no distinction will be made in this matter between United States and British aircraft engaged in international commerce. Lists of the areas above which air traffic is thus prohibited will be communicated to His Majesty's Government in the United Kingdom, and any subsequent alterations therein will be notified immediately.

Emergency restrictions, etc.

(ii) In exceptional circumstances air traffic above the whole or any part of the territories to which this Note applies may temporarily, and with immediate effect, be limited or prohibited, but no distinction in this respect will be made between British aircraft and the aircraft of any country not being part of the territories under United States sovereignty, jurisdiction or authority.

Aircraft over prohibited area.

(iii) In the event of any British aircraft finding itself over a prohibited area, it must, so soon as it is aware of the fact, give the signal of distress prescribed in the Rules of the Air in force in the territory in which the prohibited area is situated, and a landing must be effected as soon as possible at an aerodrome in that territory, outside but as near as possible to the prohibited area.

Distinctive marks, etc.

10. (i) All British aircraft flying in or over the territories to which this Note applies must carry clear and visible nationality and registration marks whereby they may be recognized during flight.

Certificates required.

(ii) Such aircraft must also be provided with certificates of registration and airworthiness and with all the other documents prescribed for air traffic in the territories in which they are registered.

Crews with special permit.

(iii) The members of the crew of such aircraft who perform duties for which a special permit is required in the territories in which the

aircraft is registered, must be provided with all the documents, and in particular with the certificates and licenses, prescribed by the regulations in force in those territories.

Papers carried by crew members, passengers, etc.

(iv) The other members of the crew must carry documents showing their duties in the aircraft, their profession, identity and nationality.

(v) The crews and passengers of British aircraft entering or leaving any of the territories to which this Note applies must be provided with the documents required by the regulations concerning international traffic in force in that territory, a list of which documents will be communicated under paragraph 5 of this Note.

Ante, p. 3726.

Register, manifest, etc.

(vi) Such aircraft carrying passengers or goods must also be provided with a list of the passengers' names, and a manifest of the goods showing their nature and quantity.

Recognition of designated certificates.

(vii) The certificate of airworthiness, certificates of competency, and licenses issued or rendered valid in respect of a British aircraft or its crew by the competent British authorities will be recognized as having the same validity in the territories to which this Note applies as the corresponding documents issued or rendered valid by the competent authorities of those territories; provided that recognition may be refused as regards certificates of competency and licenses issued or rendered valid in favor of citizens of the United States or other persons owing allegiance thereto.

Radio to be licensed.

11. (i) British aircraft may, in or over the territories to which this Note applies, carry wireless apparatus only if a license to install and work such apparatus (which license must be carried in the aircraft) has been issued by the competent authorities of the territories in which the aircraft is registered. The use of such apparatus in the territories to which this Note applies must be in accordance with the regulations on the subject issued by the competent authorities of those territories.

Use limited to licensee.

(ii) Such apparatus may only be used by those members of the crew who are provided with a special license for the purpose, issued by the competent authorities of the territories in which the aircraft is registered.

Radio equipment obligatory.

(iii) For reasons of safety the competent authorities of the territories to which this Note applies may issue regulations relative to the obligatory equipment of aircraft with wireless apparatus when in or over those territories.

Transporting war materials by aircraft restricted.

12. No arms of war, explosives of war or munitions of war may be carried by British aircraft in or above any of the territories to which this Note applies, or by the crew or passengers, except by permission of the competent authorities of the territories concerned.

Right of search.

13. It will be open to the competent authorities of the territories to which this Note applies to search British aircraft on landing or departure and to examine the certificates and other documents prescribed in the preceding paragraphs.

Landings, etc.

14. (i) British aircraft entering or leaving any territory to which this Note applies may only land at or depart from aerodromes open to public air traffic and classed as customs aerodromes at which facilities exist for the enforcement of customs, passport, quarantine

and immigration regulations and the clearance of aircraft; and no unauthorized intermediate landing other than a forced landing, may be effected before arriving at such an aerodrome on entry into, or after leaving it on departure from the territory concerned. In special cases, and subject to the same provision as to intermediate landing, the competent authorities may allow landing at or departure from other aerodromes, at which the above-mentioned facilities have been arranged.

Forced landings.

(ii) In the event of a forced landing or of a landing as provided in paragraph 9 (iii) not at an aerodrome of the class mentioned in the preceding sub-paragraph, the pilot of the aircraft, its crew and passengers must conform to the customs, passport, quarantine and immigration regulations in force in the territory in which the landing occurs.

Customs aerodromes.

(iii) Lists of the aerodromes in the territories to which this Note applies which are classed as customs aerodromes for the purposes of this paragraph will be communicated as soon as possible to His Majesty's Government in the United Kingdom. Any subsequent alterations in these lists will be notified forthwith.

Points of departure.

15. The competent authorities of the territory concerned may require that British aircraft, on entering or leaving any territory to which this Note applies, shall do so between specified points. Any requirements in this respect and any subsequent alterations therein will be communicated to His Majesty's Government in the United Kingdom. Subject to any such requirement and to the provisions of this Note, aircraft may choose their own route of entry or departure.

Unloading restrictions.

16. No article or substance, other than ballast, may be unloaded or otherwise discharged from British aircraft in the course of flight in or over the territories to which this Note applies unless special permission to that effect is given by the competent authorities of the territory in which the unloading or discharge occurs. For the purposes of this paragraph ballast means fine sand or water only.

Provision for extending area.

17. (i) The Government of the United States may at any time by means of a notification in writing addressed to His Majesty's Government in the United Kingdom apply the provisions of this Note to all or any United States territories or possessions, other than those specified in the Schedule to this Note. Such application shall take effect two calendar months after the date of the receipt of the notification.

Termination of application to any territory of United States.

(ii) The Government of the United States may subsequently give notice in writing to the Government of the United Kingdom of the termination of the application of this Note to any territory to which it has become applicable by notification under the preceding sub-paragraph. In that event such application shall cease two calendar months after the date of the receipt of the notification.

Right to terminate agreement.

18. The Government of the United States may terminate the arrangements set out in this Note at any time by means of a Notification in writing addressed to His Majesty's Government in the United Kingdom to take effect two calendar months after the date of its receipt.

19. I shall be glad if Your Excellency will inform me whether His Majesty's Government in the United Kingdom concurs in the terms

of this Note and regards them as affording the reciprocal treatment referred to in Your Excellency's Note under reply. I have the honor to suggest, in that event, that the arrangements set out in the two Notes shall take effect one calendar month from this day's date.

Accept, Excellency, the renewed assurances of my highest consideration.

CORDELL HULL

His Excellency
The Honorable Sir RONALD LINDSAY, P.C., G.C., M.G., K.C.B., C.V.O.,
British Ambassador.

[Enclosure]

Schedule.

SCHEDULE

Alaska.

American Samoa (comprising the Island of Tutuila, the Manua Islands, and all other islands of the Samoan group east of longitude 171° west of Greenwich, together with Swains Island).

Puerto Rico (including Vieques, Culebra, Mona and Desecheo).

Virgin Islands of the United States, (comprising St. Thomas, St. John, St. Croix and dependent islets).

The British Ambassador (Lindsay) to the Secretary of State (Hull)

No. 90

BRITISH EMBASSY,
Washington, D. C., April 5th, 1935

SIR,

Acceptance by Great Britain.

I have the honour, under instructions from His Majesty's Principal Secretary of State for Foreign Affairs, to acknowledge receipt of your Note of to-day's date, setting forth the treatment which the Government of the United States are prepared, in return for the reciprocal treatment set out in my Note of March 28th to accord to British aircraft as defined in your Note, their crews, passengers and cargoes, in regard to air navigation.

2. I have the honour to state in reply that His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland concur in the terms of your Note under reply, and regard them as affording the reciprocal treatment referred to in my Note of March 28th. His Majesty's Government in the United Kingdom also concur in your suggestion that the arrangements set out in the two Notes shall take effect one calendar month from this day's date.

I have the honour to be, with the highest consideration, Sir,
Your most obedient, humble servant,

R. C. LINDSAY

The Honourable
CORDELL HULL,
Secretary of State of the United States,
Washington, D. C.

Arrangement between the United States of America and Great Britain in respect of pilot licenses to operate civil aircraft. Effected by exchange of notes, signed March 28 and April 5, 1935; effective, May 5, 1935.

March 28, 1935.
April 5, 1935.

The British Ambassador (Lindsay) to the Secretary of State (Hull)

No. 78.

BRITISH EMBASSY,
Washington, D. C. March 28th, 1935.

SIR,

I have the honour, under instructions from His Majesty's Principal Secretary of State for Foreign Affairs, to state that His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland are prepared, in consideration of reciprocal treatment by the Government of the United States of America, to accord to United States nationals as defined below the following treatment in respect of air pilots' licences:—

Reciprocal arrangement with Great Britain in respect of pilot licenses to operate civil aircraft.

2. (i) The territories in which the treatment specified in the subsequent paragraphs of this Note will be accorded (hereinafter referred to as the territories to which this Note applies) are: the United Kingdom of Great Britain and Northern Ireland and the territories specified in the schedule hereto, together with any territories to which the provisions of this Note may at any time be applicable by virtue of paragraph 4.

Terms.

(ii) The term "air pilots' licences" as used in this Note means pilot licences for the piloting of civil aircraft.

(iii) For the purposes of this Note the term "United States nationals" means all citizens of the United States of America and other persons owing allegiance thereto belonging to any territory under the sovereignty, jurisdiction or authority of the United States to which your reply to this Note shall apply.

3. In the territories to which this Note applies air pilots' licences will be issued to United States nationals upon the same conditions as they are issued to British subjects and British protected persons, and such licences will entitle United States nationals to the same rights and privileges in the matter of air pilotage as British subjects.

4. (i) His Majesty's Government in the United Kingdom may at any time by means of a notification in writing addressed to the Government of the United States apply the provisions of this Note to all or any British colonies, overseas territories or protectorates or to any mandated territories in respect of which the mandate is exercised by His Majesty's Government in the United Kingdom, other than those specified in the schedule to this Note. Such application shall take effect two calendar months after the date of the receipt of the notification.

(ii) His Majesty's Government in the United Kingdom may subsequently give notice in writing to the Government of the United

States of the termination of the application of this Note to any territory to which it has become applicable by notification under the preceding sub-paragraph. In that event such application shall cease two calendar months after the date of the receipt of the notification.

5. His Majesty's Government in the United Kingdom may terminate the arrangements set out in this Note at any time by means of a notification in writing addressed to the Government of the United States to take effect two calendar months after the date of its receipt.

6. I shall be glad if you will inform me whether the Government of the United States concur in the terms of this Note, and are willing to grant reciprocal treatment to British subjects and British protected persons belonging to territories to which this Note applies.

I have the honour to be with the highest consideration Sir,

Your most obedient, humble servant,

R. C. LINDSAY.

The Honourable
CORDELL HULL,
Secretary of State of the United States,
Washington, D. C.

[Enclosure]

Schedule.

SCHEDULE

Newfoundland, including Labrador
Bahamas
Barbados
Bermuda
British Guiana
British Honduras
Ceylon
Cyprus
Falkland Islands and Dependencies
Fiji
Gambia (Colony and Protectorate)
Gibraltar
Gold Coast—
(a) Colony,
(b) Ashanti,
(c) Northern Territories,
(d) Togoland under British Mandate.
Hong Kong
Jamaica (including Turks and Caicos Islands and the Cayman Islands.)
Kenya (Colony and Protectorate)
Leeward Islands—
Antigua.
Dominica.
Montserrat.
St. Christopher and Nevis.
Virgin Islands.

Malay States—
(a) Federated Malay States—
Negri Sembilan.
Pahang.
Perak.
Selangor.
(b) Unfederated Malay States—
Johore.
Brunei.
Malta
Mauritius
Nigeria—
(a) Colony.
(b) Protectorate.
(c) Cameroons under British Mandate.
North Borneo, State of
Northern Rhodesia
Nyasaland Protectorate
Palestine
St. Helena and Ascension
Seychelles
Sierra Leone (Colony and Protectorate).
Somaliland Protectorate
Straits Settlements
Tanganyika Territory
Trans-Jordan
Trinidad and Tobago
Uganda Protectorate
Western Pacific, Islands of—
British Solomon Islands Protectorate.
Gilbert and Ellice Islands Colony.
Windward Islands—
Grenada
St. Lucia
St. Vincent
Zanzibar Protectorate.

The Secretary of State (Hull) to the British Ambassador (Lindsay)

DEPARTMENT OF STATE,
Washington, April 5, 1935.

EXCELLENCY:

Concurrence by United States.

I have the honor to invite reference to your Note of March 28, 1935, setting forth the treatment which His Majesty's Government in the United Kingdom is prepared, in return for reciprocal treatment, to accord to United States nationals as therein defined, in respect of air pilots' licenses, and to state in reply that the Government of the United States of America concurs in its terms and is prepared in return for the treatment therein specified to accord the following reciprocal treatment to British subjects as defined below:—

2. (i) The territories in which the treatment specified in the subsequent paragraphs of this Note will be accorded (hereinafter referred to as the territories to which this Note applies) are: the Continental United States of America and the territories specified in the Schedule hereto, together with any territories to which the provisions of this Note may at any time be applicable by virtue of paragraph 4.

(ii) The term "air pilots' licences" as used in this Note means pilot licenses for the piloting of civil aircraft.

(iii) For the purposes of this Note the term "British subjects" means all British subjects and British protected persons belonging to any of the territories to which Your Excellency's Note under reference applies.

3. In the territories to which this Note applies air pilots' licenses will be issued to British subjects upon the same conditions as they are issued to United States nationals, and such licenses will entitle British subjects to the same rights and privileges in the matter of air pilotage as United States nationals.

4. (i) The Government of the United States may at any time by means of a notification in writing addressed to His Majesty's Government in the United Kingdom apply the provisions of this Note to all or any United States territories or possessions, other than those specified in the Schedule to this Note. Such application shall take effect two calendar months after the date of the receipt of the notification.

(ii) The Government of the United States may subsequently give notice in writing to His Majesty's Government in the United Kingdom of the termination of the application of this Note to any territory to which it has become applicable by notification under the preceding sub-paragraph. In that event such application shall cease two calendar months after the date of the receipt of the notification.

5. The Government of the United States may terminate the arrangements set out in this Note at any time by means of a notification in writing addressed to His Majesty's Government in the United Kingdom to take effect two calendar months after the date of its receipt.

6. I shall be glad if Your Excellency will inform me whether His Majesty's Government in the United Kingdom concurs in the terms of this Note, and regards them as affording the reciprocal treatment referred to in Your Excellency's Note under reply. I have the honor to suggest, in that event, that the arrangements set out in the two Notes shall take effect one calendar month from this day's date.

Accept, Excellency, the renewed assurances of my highest consideration.

CORDELL HULL

His Excellency
The Honorable Sir RONALD LINDSAY, P.C., G.C., M.G., K.C.B., C.V.O.,
British Ambassador.

[Enclosure]

SCHEDULE.

Alaska.

American Samoa (comprising the Island of Tutuila, the Manua Islands, and all other islands of the Samoan group east of longitude 171° west of Greenwich, together with Swains Island).

Puerto Rico (including Vieques, Culebra, Mona and Desecheo).

Virgin Islands of the United States (comprising St. Thomas, St. John, St. Croix and dependent islets).

The British Ambassador (Lindsay) to the Secretary of State (Hull)

No. 91

BRITISH EMBASSY,
Washington, D. C., April 5th, 1935

SIR,

Acceptance by Great Britain.

I have the honour, under instructions from His Majesty's Principal Secretary of State for Foreign Affairs, to acknowledge receipt of your Note of to-day's date, setting forth the treatment which the Government of the United States are prepared, in return for the reciprocal treatment set out in my Note of March 28th to accord to British subjects as defined in your Note, in respect of air pilots' licences.

2. I have the honour to state in reply that His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland concur in the terms of your Note under reply, and regard them as affording the reciprocal treatment referred to in my Note of March 28th. His Majesty's Government in the United Kingdom also concur in your suggestion that the arrangements set out in the two Notes shall take effect one calendar month from this day's date.

I have the honour to be, with the highest consideration, Sir,

Your most obedient, humble servant,

R. C. LINDSAY

The Honourable
CORDELL HULL,
Secretary of State of the United States,
Washington, D. C.

[No. 77]

Agreement between the United States of America and Haiti respecting reciprocal trade. Signed at Washington, March 28, 1935; proclaimed by the President of Haiti, April 29, 1935; proclaimed by the President of the United States, May 4, 1935; effective, June 3, 1935.

March 28, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

WHEREAS it is provided in the Tariff Act of 1930 of the United States of America, as amended by the Act of June 12, 1934, entitled "An Act to amend the Tariff Act of 1930" (48 Stat. 943), as follows:

Reciprocal trade agreement with Haiti. Vol. 46, p. 708; Vol. 48, p. 943.

Statutory provisions.

"Sec. 350. (a) For the purpose of expanding foreign markets for the products of the United States (as a means of assisting in the present emergency in restoring the American standard of living, in overcoming domestic unemployment and the present economic depression, in increasing the purchasing power of the American public, and in establishing and maintaining a better relationship among various branches of American agriculture, industry, mining, and commerce) by regulating the admission of foreign goods into the United States in accordance with the characteristics and needs of various branches of American production so that foreign markets will be made available to those branches of American production which require and are capable of developing such outlets by affording corresponding market opportunities for foreign products in the United States, the President, whenever he finds as a fact that any existing duties or other import restrictions of the United States or any foreign country are unduly burdening and restricting the foreign trade of the United States and that the purpose above declared will be promoted by the means hereinafter specified, is authorized from time to time—

"(1) To enter into foreign trade agreements with foreign governments or instrumentalities thereof; and

"(2) To proclaim such modifications of existing duties and other import restrictions, or such additional import restrictions, or such continuance, and for such minimum periods, of existing customs or excise treatment of any article covered by foreign trade agreements, as are required or appropriate to carry out any foreign trade agreement that the President has entered into hereunder. No proclamation shall be made increasing or decreasing by more than 50 per centum any existing rate of duty or transferring any article between the dutiable and free lists. The proclaimed duties and other import restrictions shall apply to articles the growth, produce, or manufacture of all foreign countries, whether imported directly, or indirectly: *Provided*, That the President may suspend the application to articles the growth, produce or manufacture of any country because of its discriminatory treatment of American commerce or because of other acts or policies which in his opinion tend to defeat the purposes set forth in this section; and the proclaimed duties and other import restrictions shall be in effect from and after such time as is specified in the proclamation. The President may at any time terminate any such proclamation in whole or in part."

Promotion of trade.

WHEREAS, I, Franklin D. Roosevelt, President of the United States of America, have found as a fact that certain existing duties and other import restrictions of the United States of America and Haiti are unduly burdening and restricting the foreign trade of the United States of America and that the purpose declared in the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, will be promoted by a foreign trade agreement between the United States of America and the Republic of Haiti;

Vol. 46, p. 708; Vol. 48, p. 943.

WHEREAS, reasonable public notice of the intention to negotiate such foreign trade agreement was given and the views presented by persons interested in the negotiation of such Agreement were received and considered;

WHEREAS, after seeking and obtaining information and advice with respect thereto from the United States Tariff Commission, the Departments of State, Agriculture, and Commerce, and from other sources, I entered into a foreign trade agreement, through my duly empowered plenipotentiary on March 28, 1935, with the President of the Republic of Haiti, through his duly empowered plenipotentiary, which Agreement, in the English and French languages, including two Schedules annexed thereto, is in words and figures as follows:

Purposes declared.

The President of the United States of America and the President of the Republic of Haiti, being desirous of strengthening the traditional bonds of friendship between the two countries by maintaining the principle of equality of treatment as the basis of commercial relations and by granting mutual and reciprocal concessions and advantages for the promotion of trade, have, through their respective plenipotentiaries, arrived at the following Agreement:

Le Président des Etats-Unis d'Amérique et le Président de la République d'Haiti, desirant renforcer les liens traditionnels d'amitié entre les deux pays en maintenant le principe d'égalité de traitement comme base de leurs relations commerciales, et en s'accordant des concessions mutuelles et des avantages réciproques pour l'extension du commerce, ont, par l'intermédiaire de leurs plénipotentiaires respectifs, arrêté la Convention suivante

ARTICLE I

Enumerated imports into Haiti from United States.

On and after the day on which this Agreement comes into force, all articles the growth, produce or manufacture of the United States of America, enumerated and described in Schedule I annexed to this Agreement and made a part thereof, except those enumerated and described under items numbered 11033, 12011, and 13007, shall, on their importation into the Republic of Haiti, be exempt from ordinary customs duties in excess of those set forth in the said Schedule and from all other duties, taxes, fees, charges or exactions, imposed on

Post, p. 3748.

Exceptions.

No excess duty, etc.

ARTICLE I

A partir du jour où cette Convention sera entrée en vigueur, tous les articles d'origine, de production ou de fabrication des Etats-Unis d'Amérique, énumérés et décrits dans la Liste I annexée à cette Convention et en faisant partie, excepté ceux énumérés et décrits aux paragraphes numérotés 11033, 12011 et 13007 seront exempts à leur importation dans la République d'Haiti, des droits ordinaires de douane excédant ceux énoncés dans la dite Liste, et de tous autres droits, taxes, impôts, obligations ou contributions établis à l'importation

or in connection with importation, in excess of those imposed or required to be imposed by laws of the Republic of Haiti in effect on the day of the signature of this Agreement.

Whenever the budget of expenditures of the Republic of Haiti for any fiscal year is promulgated in the amount of Gourdes 40,000,000 or more, articles the growth, produce, or manufacture of the United States of America, enumerated and described under items numbered 11033, 12011, and 13007 in Schedule I of this Agreement, shall, on their importation during such fiscal year into the Republic of Haiti, be exempt from ordinary customs duties in excess of those set forth in the said Schedule; and on and after the day of the signature of this Agreement, they shall be exempt, on their importation into the Republic of Haiti, from all duties, taxes, fees, charges or exactions, imposed on or in connection with importation, in excess of those imposed or required to be imposed by laws of the Republic of Haiti in effect on the day of the signature of this Agreement.

ou y relatifs, excédant ceux établis ou à établir par les lois de la République d'Haiti en vigueur au jour de la signature de cette Convention.

Lorsque le budget des dépenses de la République d'Haiti pour n'importe quelle année fiscale aura été promulgué au montant de 40.000.000 de gourdes ou plus, les articles d'origine, de production ou de fabrication des Etats-Unis d'Amérique énumérés et décrits aux paragraphes numérotés 11033, 12011 et 13007 dans la Liste I de cette Convention, à leur importation au cours d'une telle année fiscale dans la République d'Haiti, seront exempts des droits de douane ordinaires excédant ceux fixés dans la dite Liste; mais à partir du jour de la signature de cette Convention, ils seront exempts, à leur importation dans la République d'Haiti, de tous droits, taxes, impôts, obligations ou contributions, établis à l'importation ou y relatifs, excédant ceux établis ou à établir par les lois de la République d'Haiti en vigueur au jour de la signature de cette Convention.

ARTICLE II

Articles the growth, produce or manufacture of the Republic of Haiti, enumerated and described in Schedule II annexed to this Agreement and made a part thereof, shall, on their importation into the United States of America, be exempt from ordinary customs duties in excess of those set forth in the said Schedule, and from all other duties, taxes, fees, charges, or exactions, imposed on or in connection with importation, in excess of those imposed or required to be imposed by laws of the United States of America in effect on the day of the signature of this Agreement.

As long as the quota provisions of the Act "to include sugar beets and sugar cane as basic agricultural commodities under the Agri-

ARTICLE II

Les articles d'origine, de production ou de fabrication de la République d'Haiti, énumérés et décrits dans la Liste II annexée à cette Convention et en faisant partie, seront exempts à leur importation aux Etats-Unis d'Amérique des droits de douane ordinaires excédant ceux énoncés dans la dite Liste, et de tous autres droits, taxes, impôts, obligations ou contributions établis à l'importation ou y relatifs, excédant ceux établis ou à établir par les lois des Etats-Unis d'Amérique en vigueur le jour de la signature de cette Convention.

Specified imports from Haiti.

Post, p. 3752.

Aussi longtemps que les stipulations relatives au contingentement de la loi "tendant à comprendre les sucres de betterave et

Sugar beet quota provisions. Vol. 48, p. 672.

cultural Adjustment Act, and for other purposes," approved by the President of the United States of America on May 9, 1934, are operative, any sugar imported into the United States of America from the Republic of Haiti with respect to which a drawback of duty is allowed, under the provisions of Section 313 of the Tariff Act of 1930, shall not be charged against the quota established by the Secretary of Agriculture of the United States of America for the Republic of Haiti.

Drawbacks, etc.
Vol. 46, p. 693.
U. S. C., p. 872.

de canne comme produits agricoles de base d'après la loi d'ajustement des produits agricoles, et pour d'autres fins" approuvée par le Président des Etats-Unis d'Amérique le 9 Mai 1934, seront en vigueur, le sucre importé aux Etats-Unis d'Amérique de la République d'Haiti, à l'égard duquel une remise de droit est accordée, selon les stipulations de la section 313 de la loi sur le tarif de 1930, ne sera pas compris dans la limite de contingent fixé par le Secrétaire de l'Agriculture des Etats-Unis d'Amérique pour la République d'Haiti.

ARTICLE III

Force of designated notes.
Post, pp. 3748, 3752.

The United States of America and the Republic of Haiti agree that the notes included in Schedules I and II are hereby given force and effect as integral parts of this Agreement.

ARTICLE III

Les Etats-Unis d'Amérique et la République d'Haiti conviennent que les notes comprises dans les Listes I et II acquièrent par les présentes force et vigueur comme parties intégrantes de cette Convention.

ARTICLE IV

Equal treatment of imports.

Articles the growth, produce or manufacture of the United States of America or the Republic of Haiti, shall, after importation into the other country, be exempt from all internal taxes, fees, charges or exactions other or higher than those payable on like articles of national origin or any other foreign origin. The provisions of this Article in regard to the granting of national treatment shall not apply to taxes imposed in the United States of America on coconut oil or on any combination or mixture containing a substantial quantity of coconut oil, or to taxes imposed in the Republic of Haiti on cigarettes.

Coconut oil.

Cigarette exports to Haiti.

Cigarettes originating in the United States of America shall, after importation into the Republic of Haiti, be exempt from all internal taxes, fees, charges or exactions other or higher than those in effect on the day of the signature of this Agreement.

ARTICLE IV

Les articles d'origine, de production ou de fabrication des Etats-Unis d'Amérique ou de la République d'Haiti, une fois importés dans l'autre pays, seront exempts de tous taxes internes, impôts, obligations ou contributions autres ou plus forts que ceux qui sont payés sur de pareils articles d'origine nationale ou de toute autre origine étrangère. Les stipulations de cet Article concernant le traitement national ne s'appliquent pas aux taxes établies aux Etats-Unis d'Amérique sur l'huile de coco ou toute combinaison ou mélange contenant une forte quantité d'huile de coco ou aux taxes établies dans la République d'Haiti sur les cigarettes.

Les cigarettes de provenance des Etats-Unis d'Amérique, une fois importées dans la République d'Haiti, seront exemptes de tous taxes internes, impôts, obligations et contributions autres ou plus élevés que ceux en vigueur le jour de la signature de cette Convention.

ARTICLE V

In respect of articles the growth, produce or manufacture of the United States of America or the Republic of Haiti, enumerated and described in Schedules I and II, respectively, imported into the other country, on which ad valorem rates of duty are or may be assessed, it is understood and agreed that the bases and methods of determining dutiable value and of converting currencies shall be no less favorable to importers than the bases and methods prescribed under presently existing laws and regulations of the Republic of Haiti and the United States of America, respectively.

ARTICLE VI

No prohibition or restriction on importations shall be imposed by the United States of America or the Republic of Haiti on articles the growth, produce or manufacture of the other country with respect to which obligations have been assumed under Articles I or II of this Agreement: Provided, That the foregoing provision shall not apply to prohibitions or restrictions relating to public security; imposed on moral or humanitarian grounds; designed to protect human, animal, or plant life; relating to prison-made goods; relating to the enforcement of police or revenue laws; or designed to extend to imported products a regime analogous to that affecting like or competing domestic products.

ARTICLE VII

With respect to customs duties or charges of any kind imposed on or in connection with importation or exportation, and with respect to the method of levying such duties or charges, and with respect to all rules and formalities

ARTICLE V

A l'égard des articles d'origine, de production ou de fabrication des Etats-Unis d'Amérique ou de la République d'Haiti, énumérés et décrits dans les Listes I et II respectivement, et importés de l'un des deux pays dans l'autre, sur lesquels des taux et droits ad valorem sont ou peuvent être imposés, il est entendu et convenu que les bases et méthodes pour déterminer la valeur imposable et convertir les cours ne seront pas moins favorables aux importateurs que les bases et méthodes prescrites par les lois et règlements actuellement existants dans la République d'Haiti et aux Etats-Unis d'Amérique.

Method of determining dutiable value, etc.

ARTICLE VI

Aucune prohibition ou restriction d'importation ne sera établie par les Etats-Unis d'Amérique ou la République d'Haiti sur les articles d'origine, de production ou de fabrication de l'un ou de l'autre pays à l'égard desquels des obligations ont été prises aux articles I et II de cette Convention. Néanmoins cette disposition ne s'applique pas aux prohibitions ou restrictions concernant la sécurité publique, la protection de la vie humaine, animale ou végétale, les objets fabriqués dans les prisons, l'application des lois fiscales et de police, ni à celles établies dans un but moral ou humanitaire, ou destinées à étendre à des produits importés un régime analogue à celui affectant les produits indigènes qui remplacent ou concurrencent ces produits importés.

No restriction on imports where obligations assumed.

Proviso. Exceptions.

ARTICLE VII

Au sujet des droits de douane ou des obligations de toutes sortes établies ou relatives à l'importation ou à l'exportation, au sujet de la méthode de perception de pareils droits ou obligations, au sujet de toutes règles et formali-

Most-favored-nation treatment.

in connection with importation or exportation, any advantage, favor, privilege or immunity which has been or may hereafter be granted by the United States of America or the Republic of Haiti to any article originating in or destined for any third country, shall be accorded immediately and unconditionally to the like article originating in or destined for the Republic of Haiti or the United States of America, respectively.

Without prejudice to the provisions of Article VI of this Agreement, neither the United States of America nor the Republic of Haiti shall establish any prohibition or maintain any restriction on imports from the territory of the other country which is not applied to the importation of any like article originating in any third country.

Without prejudice to the provisions of Article VI of this Agreement, any abolition of an import prohibition or restriction which may be granted even temporarily by the United States of America or the Republic of Haiti in favor of an article of a third country shall be applied immediately and unconditionally to the like article originating in the territory of the Republic of Haiti or the United States of America, respectively.

Rations or quotas.

In the event of rations or quotas being established by the United States of America or the Republic of Haiti for the importation of any article restricted or prohibited, it is agreed, without prejudice to the provisions of Article VI, that in the allocation of the quantity of restricted goods which may be authorized for importation, the other country will be granted a share equivalent to the proportion of the trade which it enjoyed in a previous representative period.

tés relatives à l'importation ou à l'exportation, tout avantage, faveur, privilège ou immunité qui aura été ou sera à l'avenir accordé par les Etats-Unis d'Amérique ou de la République d'Haiti à tout article originaire d'un tiers pays ou y destiné, sera immédiatement et sans condition accordé à l'article semblable, originaire ou destiné soit à la République d'Haiti soit aux Etats-Unis d'Amérique, respectivement.

Sans préjudice des stipulations de l'article VI de cette Convention, aucune prohibition ne sera établie, ni aucune restriction maintenue, soit par les Etats-Unis d'Amérique sur les importations du territoire d'Haiti, soit par la République d'Haiti sur celles du territoire des Etats-Unis d'Amérique, qui ne soit appliquée à l'importation de tout article semblable originaire d'un tiers pays.

Sans préjudice des stipulations de l'article VI de cette Convention, toute abolition d'une prohibition à l'importation ou restriction qui pourra être même temporairement accordée par les Etats-Unis d'Amérique ou la République d'Haiti en faveur d'un article d'un tiers pays sera immédiatement et inconditionnellement accordée à l'article semblable originaire du territoire de la République d'Haiti ou des Etats-Unis d'Amérique, respectivement.

Dans le cas où des contingents ou quotités seraient établis par les Etats-Unis d'Amérique ou la République d'Haiti à l'importation de tout article contingenté ou prohibé il est convenu, sans préjudice des stipulations de l'article VI que dans l'allocation des contingents de marchandises qui pourront être autorisés à l'importation, il sera accordé à l'autre pays une quotité équivalente à la proportion de son importation dans une période antérieure considérée normale.

If either the United States of America or the Republic of Haiti establishes or maintains any system of control of foreign exchange or enters directly or indirectly into any arrangement which affects in fact the provision of foreign exchange or the regulation or control of the transfer or disposition of means of payment, or employs any other system of control or any other arrangement with respect to the settlement of international obligations, any advantage, favor, privilege, or immunity which may be granted in connection with any such system or arrangement or the administration thereof to the nationals or commerce of any third country shall be accorded immediately and unconditionally to the nationals or commerce of the Republic of Haiti or the United States of America, respectively.

The advantages now accorded or which may hereafter be accorded by the United States of America or the Republic of Haiti to adjacent countries in order to facilitate frontier traffic, and advantages resulting from a customs union to which either the United States of America or the Republic of Haiti may become a party, shall be excepted from the operation of this Agreement.

The advantages now accorded or which may hereafter be accorded by the United States of America, its territories and possessions and the Panama Canal Zone to one another or to the Republic of Cuba shall be excepted from the operation of this Agreement. The provisions of this paragraph shall continue to apply in respect of any advantages now or hereafter accorded by the United States of America, its territories or possessions or the Panama Canal Zone to the Philippine Islands irrespective of any change that may take place in the political status of the Philippine Islands.

Settlement of obligations.

Si les Etats-Unis d'Amérique ou la République d'Haiti établissait ou maintenait un système de contrôle des changes extérieurs ou entrait directement ou indirectement dans un arrangement qui affecte en fait la provision de change étranger, la règlementation, le contrôle du transfert ou la disposition des moyens de paiement, ou employait tout autre système de contrôle ou tout autre arrangement à l'égard du règlement des obligations internationales, tout avantage, faveur, privilège ou immunité qui pourra être accordé relativement à un tel système ou arrangement ou à l'administration de ce système ou de cet arrangement aux nationaux ou au commerce d'un tiers pays sera accordé immédiatement et inconditionnellement aux nationaux ou au commerce de la République d'Haiti ou des Etats-Unis d'Amérique, respectivement.

Exceptions.

Les avantages actuellement accordés ou qui pourront l'être par les Etats-Unis d'Amérique ou la République d'Haiti aux pays adjacents en vue de faciliter le trafic frontière, et les avantages résultant d'une union douanière dont les Etats-Unis d'Amérique ou la République d'Haiti peuvent faire partie, ne seront pas affectés par les effets de cette Convention.

De même les avantages actuellement accordés ou qui pourront l'être par les Etats-Unis d'Amérique, ses territoires et possessions et la Zone du Canal de Panama à l'un d'entre eux ou à la République de Cuba ne seront pas affectés par les obligations de cette Convention. Les stipulations du présent paragraphe continueront à s'appliquer à l'égard de tous avantages actuellement accordés ou qui pourront l'être par les Etats-Unis d'Amérique, ses territoires ou possessions ou la Zone du Canal de Panama aux Iles Philippines indépendamment de tout changement qui pourrait advenir dans le statut politique des Iles Philippines.

Police or sanitary regulations.

Gold or silver exportation.

Unless otherwise specifically provided in this Agreement, the provisions thereof shall not be construed to apply to police or sanitary regulations; and nothing in this Agreement shall be construed to prevent the adoption of measures prohibiting or restricting the exportation of gold or silver.

A moins que spécifiquement il n'en soit stipulé autrement, les articles de la présente Convention ne s'appliqueront pas aux règlements de police, ni aux règlements sanitaires; et elle n'empêchera, en quoi que ce soit, l'adoption des mesures prohibant ou restreignant l'exportation de l'or ou de l'argent.

ARTICLE VIII

Laws, regulations, and decisions to be published.

Uniform application.

Laws, regulations of administrative authorities and decisions of administrative or judicial authorities of the United States of America and the Republic of Haiti, respectively, pertaining to the classification of articles for customs purposes or to rates of duty shall be published promptly in such a manner as to enable traders to become acquainted with them. Such laws, regulations and decisions shall be applied uniformly at all ports of the respective country, except as otherwise specifically provided in statutes of the United States of America relating to articles imported into Puerto Rico.

ARTICLE VIII

Les lois, règlements des autorités administratives et les décisions des autorités administratives ou judiciaires des Etats-Unis d'Amérique et de la République d'Haiti, respectivement, concernant la classification des articles, conformément au tarif douanier, ou le taux des droits, seront publiés avec diligence, de manière à mettre les commerçants en mesure de se familiariser avec eux. De tels lois, règlements et décisions seront appliqués d'une manière uniforme dans tous les ports des deux pays respectivement à l'exception de ceux spécialement prévus dans les lois des Etats-Unis d'Amérique comme devant s'appliquer aux articles importés à Puerto-Rico.

No retroactive ruling effecting advances.

Anti-dumping duties.

No administrative ruling by the United States of America or the Republic of Haiti effecting advances in rates of duties or charges applicable under an established and uniform practice to imports originating in the territory of the other country, or imposing any new requirement with respect to such importations, shall be effective retroactively or with respect to articles either entered for or withdrawn for consumption prior to the expiration of thirty days after the date of publication of notice of such ruling in the usual official manner. The provisions of this paragraph do not apply to administrative orders imposing anti-dumping duties, or relating to regulations for the protection of human, animal, or plant life, or relating to public safety, or giving effect to judicial decisions.

Aucun règlement administratif des Etats-Unis d'Amérique ou de la République d'Haiti relatif à une augmentation dans le taux d'une taxe ou d'un droit perçu d'après une pratique constante, sur les importations originaires du territoire de l'autre days, ou établissant une nouvelle exigence à l'égard de telles importations, n'aura un effet rétroactif, ou à l'égard d'articles entrés ou retirés pour la consommation avant l'expiration de trente jours après la date de la publication d'un tel règlement de la manière officielle accoutumée. Les stipulations de ce paragraphe ne s'appliquent pas aux ordres administratifs établissant des droits anti-dumping, ou relatifs aux règlements pour la protection de la vie humaine, animale ou végétale ou relatifs à la sécurité publique, ou mettant en vigueur les décisions judiciaires.

ARTICLE IX

The United States of America and the Republic of Haiti retain the right to apply such measures as they respectively may see fit with respect to the control of the export or sale for export of arms, munitions, or implements of war, and, in exceptional circumstances, of other material needed in war.

ARTICLE X

Greater than nominal penalties will not be imposed in the United States of America or in the Republic of Haiti upon importations of articles the growth, produce or manufacture of the other country because of errors in documentation which the importer or other party in interest can establish to the satisfaction of the customs authorities to have been clerical in origin or to have been made in good faith.

The Government of each country will accord sympathetic consideration to, and when requested will afford adequate opportunity for consultation regarding, such representations as the other Government may make with respect to the operation of customs regulations, quantitative restrictions or the administration thereof, the observance of customs formalities, and the application of sanitary laws and regulations for the protection of human, animal, or plant life.

ARTICLE XI

Except as otherwise provided in the second paragraph of this Article, the provisions of this Agreement relating to the treatment to be accorded by the United States of America and the Republic of Haiti, respectively, to the commerce of the other country, shall not apply to the Philippine Islands, the Virgin Islands, American Samoa, the Island of Guam, or to the Panama Canal Zone.

ARTICLE IX

Control of war material exportation.

Les Etats-Unis d'Amérique et la République d'Haiti se réservent le droit d'appliquer telle mesure qu'ils auront jugé respectivement convenable à l'égard du contrôle de l'exportation ou de la vente pour l'exportation d'armes, de munitions, ou d'attirails de guerre, et, dans les circonstances exceptionnelles, de tout autre matériel dont il est fait usage à la guerre.

ARTICLE X

Penalties imposed because of errors in documentation.

Aucunes pénalités plus grandes que les pénalités minima édictées par la loi ne frapperont aux Etats-Unis d'Amérique ou dans la République d'Haiti les importations des produits d'origine, de production ou de fabrication de l'un ou de l'autre pays pour cause d'erreurs dans les documents que l'importateur ou l'autre partie intéressée pourra établir, à la satisfaction des autorités douanières, comme étant dues, à l'origine, à une erreur involontaire ou ayant été faites de bonne foi.

Reciprocal consideration concerning customs, etc.

Le Gouvernement de chacun des deux pays accordera une bienveillante attention, et quand cela lui sera demandé, fournira toute facilité en vue d'une consultation relative à telles observations que l'autre Gouvernement pourra produire à l'égard de l'application des règlements douaniers, des restrictions en quantité ou de leur application, de l'observance des formalités douanières et de l'application des lois et règlements sanitaires pour la protection de la vie humaine, animale ou végétale.

ARTICLE XI

Provisions not applicable to Philippine Islands, etc.

Excepté ce qui est stipulé dans le deuxième paragraphe de cet article, les dispositions de cette Convention, relatives au traitement à accorder par les Etats-Unis d'Amérique et la République d'Haiti, respectivement, au commerce de l'autre pays, ne s'appliqueront pas aux Iles Philippines, aux Iles Vierges, au Samoa Américain, à l'Ile de Guam ou à la Zone du Canal de Panama.

Subject to the reservations set forth in Article VII, the provisions of that Article shall apply to articles the growth, produce or manufacture of any area under the sovereignty or authority of the United States of America or the Republic of Haiti imported from or exported to any area under the sovereignty or authority of the other country. It is understood, however, that the provisions of this paragraph do not apply to the Panama Canal Zone.

Sous les réserves énoncées dans l'article VII, les stipulations de l'article VII s'appliqueront aux articles d'origine, de production et de fabrication de tout territoire sous la souveraineté ou l'autorité des Etats-Unis d'Amérique ou de la République d'Haiti importés de ou exportés dans tout territoire sous la souveraineté ou l'autorité de l'autre pays. Il est entendu, cependant, que les stipulations de ce paragraphe ne s'appliquent pas à la Zone du Canal de Panama.

ARTICLE XII

Present Agreement supplanted.

The present Agreement shall, from the date on which it comes into force, supplant the agreement by exchange of notes signed by the United States of America and the Republic of Haiti on July 8, 1926.

ARTICLE XII

La présente Convention, à partir de la date à laquelle elle entrera en vigueur, remplacera l'Accord conclu par échange de notes, entre les Etats-Unis d'Amérique et la République d'Haiti, le 8 juillet 1926.

ARTICLE XIII

Entries subject to agreement upon coming into force.

On and after the day on which this Agreement comes into force, articles the growth, produce or manufacture of the United States of America and articles the growth, produce or manufacture of the Republic of Haiti previously imported into the other country shall be subject to the provisions of this Agreement, if entry therefor has not been made, or if they have been entered previously without payment of duty and under bond for warehousing, transportation, or any other purpose, and without any permit of delivery to the importer or to his agent having been issued: *Provided*, That when duties are based upon the weight of merchandise deposited in any public or private warehouse, the said duties shall, except as otherwise may specially be provided in the tariff laws of the respective countries in force on the day of signature of this Agreement, be levied and collected upon the weight of such merchandise at the time of its entry.

ARTICLE XIII

A partir du jour où cette Convention sera entrée en vigueur, les articles d'origine, de production ou de fabrication des Etats-Unis d'Amérique et les articles d'origine, de production ou de fabrication de la République d'Haiti importés auparavant dans l'autre pays seront assujettis aux stipulations de cette Convention, si la vérification douanière n'a pas encore eu lieu, ou s'ils ont été introduits auparavant sans paiement de droit et sous caution aux fins d'emmagasinage, de transport, ou toutes autres fins, et sans qu'aucun permis de délivrance à l'importateur ou à son agent n'ait été émis; pourvu que, quand les droits sont basés sur le poids de la marchandise déposée dans un magasin public ou privé, lesdits droits, à l'exception de ce qui est stipulé de manière spécifique dans les tarifs en vigueur respectivement dans les deux pays, le jour de la signature de cette Convention, soient prélevés et encaissés sur le poids d'une telle marchandise au moment de son entrée.

Proviso. Duties based on weight.

ARTICLE XIV

The present Agreement shall come into full force on the thirtieth day following proclamation thereof by the President of the United States of America and the President of the Republic of Haiti, or should the proclamations be issued on different days, on the thirtieth day following the date of the later in time of such proclamations, and shall remain in force for the term of three years thereafter. The Government of each country shall notify the Government of the other country of the date of its proclamation.

Unless at least six months before the expiration of the aforesaid term of three years the Government of either country shall have given to the other Government notice of intention to terminate the Agreement upon the expiration of the aforesaid term, the Agreement shall remain in force thereafter, until six months from such time as the Government of either country shall have given notice to the other Government.

In witness whereof, the respective Plenipotentiaries have signed this Agreement and have affixed their seals hereto.

Done in duplicate, in the English and French languages, both authentic, at the city of Washington, the 28th day of March in the year 1935.

ARTICLE XIV

Effective date.

La présente Convention entrera en pleine vigueur le trentième jour après sa promulgation par le Président des Etats-Unis d'Amérique et le Président de la République d'Haiti, ou si les promulgations sont faites à des dates différentes, le trentième jour qui suivra la dernière date des dites promulgations, et demeurera en vigueur pour une période de trois années. Le Gouvernement de chacun des deux pays notifiera au Gouvernement de l'autre pays la date à laquelle la promulgation aura eu lieu.

Duration.

A moins que dans un délai minimum de six mois avant l'expiration de la susdite période de trois ans, le Gouvernement de l'un ou l'autre pays n'ait donné à l'autre Gouvernement avis de son intention de mettre fin à la Convention à l'expiration de la période susdite, la Convention restera en vigueur dans la suite jusqu'à six mois à partir de la date à laquelle l'une ou l'autre des parties aura manifesté son désir d'y mettre fin.

Signatures.

En foi de quoi, les Plénipotentiaires respectifs ont signé cette Convention et y ont apposé leurs sceaux.

Fait en duplicata, en langue anglaise et française, les deux faisant autorité, dans la ville de Washington, le 28 mars de l'an 1935.

For the President of the United States of America:
CORDELL HULL [SEAL]

For the President of the Republic of Haiti:
A. BLANCHET [SEAL]

Schedule I.

SCHEDULE I

Abbreviations:

N.K.—Net Kilo
G.K.—Gross Kilo

Haitian Tariff Item Number	Description of Articles	Maximum rates of duties. Specific rates in Haitian Gourdes
402	(Plain glass) not mounted and not set, not specified	G.K... 0.15
407	(Plate glass or cylinder glass) polished, beveled or engraved	G.K... 0.60 or 30% ad valorem
1304	Conduits and pipes (cast iron)	G.K... 0.06
1305	Pipe fittings (cast iron)	G.K... 0.20
1415	Pipes or conduits, black, galvanized, polished, painted or not, including stove pipes of wrought iron, steel or malleable cast iron	G.K... 0.07
1417	T-joints, elbows, valves, joints, sockets, cocks, taps and pipe or conduit accessories (wrought iron, steel or malleable cast iron)	G.K... 0.50
2126	Patent medicines, mixed or compound: containing no alcohol or not more than 14% of alcohol	N.K... 1.33⅓ or 33⅓% ad valorem
2128	Pharmaceutical products, medicinal preparations, plasters, poultices and empty capsules, not specified	N.K... 0.66⅔ or 13% ad valorem
	It is understood that the Haitian Department of Health will not impose any certification requirement or any formality for the importation, registration, licensing or sale of pharmaceutical specialties and patent medicines, which will be impossible of fulfillment in the United States of America because of the lack of a duly authorized Federal agency.	
	Hides and skins, tanned and curried:	
9019	—Goat and kid skins, including glazed kid	N. K... 3.10 or 20% ad valorem
11015	Electric and electrotechnical machines, apparatus and appliances for industrial use, and all other articles now dutiable under this item	10% ad valorem
11033	Radio receiving appliances, equipment and parts	15% ad valorem
	Sewing machines:	
11034	—Hand	N. K... 1.00 or 10% ad valorem
11035	—Provided with pedal or operated by pedal or motor	N. K... 0.75 or 10% ad valorem
11036	—Separate or spare parts	N. K... 0.75 or 10% ad valorem
	Automotive products:	
11104	—Trucks for the conveyance of goods	10% ad valorem
11105	—Busses for the conveyance of passengers	15% ad valorem
11106	—Automobiles, including vehicles electrically driven	15% ad valorem

LISTE I

Abréviations:

NK—Kilo net
GK—Kilo brut

Articles du tarif haitien	Description des articles	Taux maximum des droits. Taux spécifiques en gourdes haitiennes
402	(Verre uni) non monté et non serti, non dénommé	GK 0.15
407	(Verre à glace ou verre cylindré) poli, biseauté ou gravé	GK 0.60 ou 30% ad valorem
1304	Conduits et tuyaux (fonte)	GK 0.06
1305	Accessoires de tuyaux (fonte)	GK 0.20
1415	Tuyaux ou conduits, noirs, galvanisés, polis, peints ou non, comprenant les tuyaux de poêle de fer forgé, d'acier ou de fonte malléable	GK 0.07
1417	Raccords en T, coudes, soupapes, raccords manchons, robinets, cannelles et accessoires de tuyau ou de conduit (fer forgé, acier ou fonte malléable)	GK 0. 50
2126	Médicaments brevetés, mixtes ou composés, ne contenant pas d'alcool ou pas plus de 14% d'alcool	NK 1.33⅓ ou 33⅓% ad valorem
2128	Produits pharmaceutiques, préparations médicales, emplâtres, cataplasmes et capsules vides, non dénommés	NK 0.66⅔ ou 13% ad valorem
	Il est entendu que le Service d'Hygiène d'Haiti ne fera aucune demande de contrôle ou n'imposera aucune formalité pour l'importation, l'enregistrement, la licence ou la vente de spécialités pharmaceutiques et de médicaments brevetés auxquels il sera impossible de satisfaire aux Etats-Unis d'Amérique, faute d'une agence fédérale dûment autorisée	
	Cuirs et peaux, tannés et corroyés:	
9019	Cuirs de chèvre et de chevreau, y compris le chevreau glacé	NK 3.10 ou 20% ad valorem
11015	Machines électriques et électrotechniques, appareils et accessoires pour usage industriel, et tous autres articles susceptibles d'être taxés en vertu du présent alinéa	10% ad valorem
11033	Appareils et pièces récepteurs radiographiques et leurs parties	15% ad valorem
	Machines à coudre:	
11034	A main	NK 1.00 ou 10% ad valorem
11035	Pourvues de pédales ou actionnées au moyen de pédale ou de moteur	NK 0.75 ou 10% ad valorem
11036	Pièces détachées ou de rechange	NK 0.75 ou 10% ad valorem
	Produits de l'industrie automobile:	
11104	Camions pour le transport des marchandises	10% ad valorem
11105	Omnibus pour le transport des passagers	15% ad valorem
11106	Automobiles y compris les véhicles mus par l'électricité	15% ad valorem

Schedule I.—Contd.

Haitian Tariff Item Number	Description of Articles	Maximum rates of duties. Specific rates in Haitian Gourdes
11108	—Automotive parts and accessories, not specified, including finished electric batteries for automobiles	20% ad valorem
12003	Beef, mutton or pork, fresh or refrigerated	G.K... 0.10
12006	Beef and pork, smoked or salted, not specified, including dried beef	G.K... 0.30
12007	Beef and pork, pickled in brine	G.K... 0.25
12008	Tongues, heads, tails, jaws, or feet, salted or pickled in brine	G.K... 0.20
12011	Lard of pork or of other animal origin, howsoever packed	N.K... 0.375
12130–a	Fresh apples, grapes and pears	N.K... 0.06 or 20% ad valorem
12131–a	Raisins, prunes and apricots, pressed, dried or desiccated, packaged in any form	N.K... 0.16 or 20% ad valorem
12135–b	Certified seed potatoes, when cut in pieces, with the eyes plainly visible	Free
12314	Common red or white wines of a value at the port of importation not exceeding three gourdes per litre	0.40 per litre
12327	Mineral and medicinal waters, natural or artificial, not including other articles appearing under this tariff number, namely, aerated or carbonated waters, sweetened or flavored waters, kola, grape juice, ginger beer, root beer or other non-alcoholic beverages, not specified	0.20 per litre or 13% ad valorem
12404–a	Peaches, pears, apricots, berries, cherries, apples and fruits for salad, preserved in their juice, in syrup or in water	N.K... 0.26
12418	Common cheese, packaged or not, including Cheddar, swiss type, edam type, gouda type, processed cheese and the like	N.K... 0. 60
12420	Butter	N.K... 0. 30 or 20% ad valorem
12423	Evaporated milk or cream and any kind of milk, preserved, concentrated, condensed or powdered	10% ad valorem
12424	Malted milk, infants' foods and like preparations	10% ad valorem
13007	Rubber tires, combined or not with other materials, and inner tubes, for wheels of carriages, automobiles, bicycles and the like	20% ad valorem
13106	Cigarettes	Per 100: Gdes. 1.50 or 100% ad valorem

Articles du tarif haitien	Description des articles	Taux maximum des droits. Taux spécifiques en gourdes haitiennes
11108	Pièces d'automobiles et accessoires non dénommés, y compris les batteries électriques finies pour automobiles	20% ad valorem
12003	Boeuf, mouton, ou porc, frais ou frigorifiés	GK 0.10
12006	Boeuf et porc, fumé ou salé, non dénommé, y compris boeuf desséché	GK 0.30
12007	Boeuf et porc, conservé en saumure	GK 0.25
12008	Langues, têtes, queues, museaux ou pieds, salés ou en saumure	GK 0.20
12011	Saindoux de porc ou d'autre animal, quel que soit l'emballage	NK 0.375
12130–a	Pommes fraîches, raisins frais et poires fraîches	NK 0.06 ou 20% ad valorem
12131–a	Raisins, prunes et abricots, pressés, secs ou desséchés, emballés sous n'importe quelle forme	NK 0. 16 ou 20% ad valorem
12135–b	Pommes de terre contrôlées, quand coupées en morceaux avec les yeux bien visibles	Exempt
12314	Vin commun, rouge ou blanc d'une valeur au port d'importation n'excédant pas trois gourdes le litre	0.40 par litre
12327	Eaux minérales et médicinales, naturelles ou artificielles, non compris d'autres articles figurant sous ce no. du tarif, à savoir: eaux gazeuses ou carbonées, sucrées ou aromatisées, kola, jus de raisin, bière de gingembre, "root beer" ou autres boissons non alcooliques, non dénommés	0. 20 par litre ou 13% ad valorem
12404–a	Pêches, poires, abricots, baies, cerises, pommes et fruits pour salades, conservés dans leur jus, en sirop ou dans l'eau	NK 0. 26
12418	Fromage commun, emballé ou non, comprenant le Cheddar, les variétés suisses, edam, gouda, fromages préparés et les similaires	NK 0.60
12420	Beurre	NK 0.30 ou 20% ad valorem
12423	Lait ou crème évaporé, et toutes sortes de lait, conservé, concentré, condensé ou en poudre	10% ad valorem
12424	Lait malté, aliments pour enfants et préparations analogues	10% ad valorem
13007	Pneus de caoutchouc combiné, ou non avec d'autres matières, et chambres à air pour roues de voitures, automobiles, bicyclettes et analogues	20% ad valorem
13106	Cigarettes	Par 100: Gdes 1.50 ou 100% ad valorem

Schedule II.

SCHEDULE II

United States Tariff Act of 1930 Paragraph Number	Description of Articles	Maximum rates of duties. Specific rates in United States dollars
	NOTE: The provisions of this schedule shall be construed and given the same effect, and the application of collateral provisions of the tariff laws of the United States to the provisions of this Schedule shall be determined insofar as may be practicable, as if each provision of this Schedule appeared respectively in the paragraph of the Tariff Act of 1930 noted in the column at the left of the respective descriptions of articles.	
747	Pineapples:	
	In crates	0.35 per crate of 2.45 cubic ft.
	In bulk	0.009 each
752	Guavas prepared or preserved, and not specially provided for	17½% ad valorem
752	Mango pastes and pulps, and guava pastes and pulps	28% ad valorem
802	Rum, in containers holding each one gallon or less	2.50 per proof gallon
1618	Bananas, green or ripe	Free
1618	Plantains, green or ripe	Free
1653	Cocoa or cacao beans, and shells thereof	Free
1654	Coffee, except coffee imported into Puerto Rico and upon which a duty is imposed under the authority of Section 319	Free
1670	Logwood	Free
1684	Sisal fiber	Free
1768	Ginger root, not preserved or candied, unground	Free

LISTE II

Tarif des Etats-Unis de 1930 paragraphe numéro	Description des articles	Taux maximum des droits. Taux spécifiques en dollars des Etats-Unis
	NOTE: L'interprétation et les effets qui doivent être accordés aux dispositions de cette Liste ainsi que l'application des stipulations collatérales des lois conditionnant le tarif des Etats-Unis aux stipulations de ladite liste, seront fixés autant que possible, comme si chaque stipulation de cette liste figurait dans le paragraphe correspondant du tarif de 1930 et était mentionnée dans la colonne à gauche des descriptions particulières des articles.	
747	Ananas:	
	en caisse	0.35 par caisse de 2.45 pieds cubiques
	en vrac	0.009 chacun
752	Goyaves preparées ou conservées, et non spécialment prévues	17½% ad valorem
752	Pâtes et pulpes de mangue, et pâtes et pulpes de goyave	28% ad valorem
802	Rhum dans des récipients contenant chacun un gallon ou moins	2.50 par "proof" gallon
1618	Figues-bananes, vertes ou mures	Exempt
1618	Bananes, vertes ou mures	Exempt
1653	Cacao ou noix de cacao et leurs enveloppes	Exempt
1654	Café, excepté le café importé à Puerto-Rico et sur lequel un droit est établi en vertu de l'autorité de la section 319	Exempt
1670	Bois de campêche	Exempt
1684	Fibre de sisal	Exempt
1768	Racines de gingembre, non conservées ou candies, non moulues	Exempt

WHEREAS it is provided in the said Agreement that the Agreement shall come into force on the thirtieth day following proclamation thereof by the President of the United States of America and the President of the Republic of Haiti, or, should the proclamations be issued on different days, on the thirtieth day following the date of the later in time of such proclamations;

WHEREAS the said Agreement was proclaimed by the President of the Republic of Haiti on the twenty-ninth day of April, one thousand nine hundred and thirty-five, and the Agreement will come into full force on the thirtieth day following the date of this my proclamation, that is to say, on the third day of June, one thousand nine hundred and thirty-five;

WHEREAS such modifications of existing duties and other import restrictions and such continuances of existing customs and excise treatment as are set forth and provided for in the said Agreement and the two Schedules thereunto annexed are required and appropriate to carry out the said Agreement:

Proclamation. Vol. 46, p. 708; Vol. 48, p. 943.

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States of America, acting under the authority conferred by the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, do hereby proclaim the said Agreement including the said Schedules, to the end that the whole and every part thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof on and from the third day of June, one thousand nine hundred and thirty-five;

Pursuant to the proviso in Section 350 (a)(2) of the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, I shall from time to time notify the Secretary of the Treasury of the countries with respect to which application of the duties herein proclaimed is to be suspended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this fourth day of May, in the year of our Lord one thousand nine hundred and thirty-five, and [SEAL] of the Independence of the United States of America the one hundred and fifty-ninth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

[No. 78]

Agreement between the United States of America and Sweden respecting reciprocal trade. Signed at Washington, May 25, 1935; approved by the President of the United States, June 12, 1935; ratified by the King of Sweden, June 15, 1935; instrument of approval and instrument of ratification exchanged at Stockholm, July 6, 1935; proclaimed July 8, 1935; effective, August 5, 1935.

May 25, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Reciprocal trade agreement with Sweden.
Vol. 46, p. 708; Vol. 48, p. 943.

WHEREAS it is provided in the Tariff Act of 1930 of the Congress of the United States of America, as amended by the Act of June 12, 1934, entitled "AN ACT To Amend the Tariff Act of 1930" (48 Stat. 943), as follows:

Statutory provisions.

"Sec. 350. (a) For the purpose of expanding foreign markets for the products of the United States (as a means of assisting in the present emergency in restoring the American standard of living, in overcoming domestic unemployment and the present economic depression, in increasing the purchasing power of the American public, and in establishing and maintaining a better relationship among various branches of American agriculture, industry, mining, and commerce) by regulating the admission of foreign goods into the United States in accordance with the characteristics and needs of various branches of American production so that foreign markets will be made available to those branches of American production which require and are capable of developing such outlets by affording corresponding market opportunities for foreign products in the United States, the President, whenever he finds as a fact that any existing duties or other import restrictions of the United States or any foreign country are unduly burdening and restricting the foreign trade of the United States and that the purpose above declared will be promoted by the means hereinafter specified, is authorized from time to time—

"(1) To enter into foreign trade agreements with foreign governments or instrumentalities thereof; and

"(2) To proclaim such modifications of existing duties and other import restrictions, or such additional import restrictions, or such continuance, and for such minimum periods, of existing customs or excise treatment of any article covered by foreign trade agreements, as are required or appropriate to carry out any foreign trade agreement that the President has entered into hereunder. No proclamation shall be made increasing or decreasing by more than 50 per centum any existing rate of duty or transferring any article between the dutiable and free lists. The proclaimed duties and other import restrictions shall apply to articles the growth, produce, or manufacture of all foreign countries, whether imported directly, or indirectly: *Provided*, That the President may suspend the application to articles the growth, produce, or manufacture of any country because of its discriminatory treatment of American commerce or because of

other acts or policies which in his opinion tend to defeat the purposes set forth in this section; and the proclaimed duties and other import restrictions shall be in effect from and after such time as is specified in the proclamation. The President may at any time terminate any such proclamation in whole or in part."

Promotion of trade.

WHEREAS I, Franklin D. Roosevelt, President of the United States of America, have found as a fact that certain existing duties and other import restrictions of the United States of America and Sweden are unduly burdening and restricting the foreign trade of the United States of America and that the purpose declared in the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, will be promoted by a foreign trade agreement between the United States of America and Sweden;

Vol. 46, p. 708; Vol. 48, p. 943.

WHEREAS reasonable public notice of the intention to negotiate such foreign trade agreement was given and the views presented by persons interested in the negotiation of such agreement were received and considered;

WHEREAS, after seeking and obtaining information and advice with respect thereto from the United States Tariff Commission, the Departments of State, Agriculture, and Commerce, and from other sources, I entered into a foreign Trade Agreement on May 25, 1935, through my duly empowered plenipotentiary, with His Majesty the King of Sweden, through his duly empowered plenipotentiary, which Agreement, including two Schedules annexed thereto, all in the English and Swedish languages, is in words and figures as follows:

Purposes declared.

The President of the United States of America and His Majesty the King of Sweden, being desirous of strengthening the traditional bonds of friendship between the two countries by maintaining and giving the fullest possible effect to the principle of equality of treatment in their commercial relations and by granting mutual and reciprocal concessions and advantages for the promotion of trade, have through their respective Plenipotentiaries arrived at the following Agreement:

Amerikas Förenta Staters President och Hans Majestät Konungen av Sverige, vilka önska stärka de vänskapsband, som av ålder bestå mellan de båda länderna, genom att upprätthålla och giva största möjliga verkan åt principen om likabehandling i de kommersiella förbindelserna samt genom att medgiva varandra ömsesidiga och reciproka koncessioner och förmåner till handelns främjande, hava genom sina respektive fullmäktige ombud träffat följande överenskommelse:

ARTICLE I

ARTIKEL I

Most-favored-nation treatment.

The United States of America and Sweden will grant each other unconditional and unrestricted most-favored-nation treatment in all matters concerning the customs duties and subsidiary charges of every kind and in the method of levying duties, and, further, in all matters concerning the rules,

Amerikas Förenta Stater och Sverige skola tillerkänna varandra ovillkorlig och obegränsad behandling såsom mest gynnad nation i allt vad angår tullar och alla slags tilläggsavgifter samt sättet för tullarnas och avgifternas uppbärande ävensom i allt vad angår de regler, formaliteter

formalities and charges imposed in connection with the clearing of goods through the customs, and with respect to all laws or regulations affecting the sale or use of imported goods within the country.

Accordingly, natural or manufactured products having their origin in either of the countries shall in no case be subject, in regard to the matters referred to above, to any duties, taxes or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like products having their origin in any third country are or may hereafter be subject.

Similarly, natural or manufactured products exported from the territory of the United States of America or Sweden and consigned to the territory of the other country shall in no case be subject with respect to exportation and in regard to the above-mentioned matters, to any duties, taxes or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like products when consigned to the territory of any third country are or may hereafter be subject.

Any advantage, favor, privilege or immunity which has been or may hereafter be granted by the United States of America or Sweden in regard to the above-mentioned matters, to a natural or manufactured product originating in any third country or consigned to the territory of any third country shall be accorded immediately and without compensation to the like product originating in or consigned to the territory of Sweden or the United States of America, respectively, and irrespective of the nationality of the carrier.

och pålagor, som må vara föreskrivna med avseende på förfarandet vid tullbehandlingen samt beträffande alla lagar och förordningar rörande försäljningen eller användandet av importerade varor inom landet.

Följaktligen skola natur- eller industrialster, härrörande från ettdera landet, i ovannämnda hänseenden icke i något fall vara underkastade andra eller högre tullar, avgifter eller pålagor eller andra eller mera betungande regler eller formaliteter än de, vilka likartade varor, härrörande från vilket som helst tredje land, äro eller framdeles må bliva underkastade.

Likaledes skola natur- eller industrialster, som utföras från Amerikas Förenta Staters eller Sveriges område med destination till det andra landets område, i ovannämnda hänseenden med avseende å utförseln icke i något fall vara underkastade andra eller högre tullar, avgifter eller pålagor eller andra eller mera betungande regler eller formaliteter än de, vilka likartade varor destinerade till vilket som helst tredje land äro eller framdeles må bliva underkastade.

Varje företrädesrätt, förmån, privilegium eller befrielse, som Amerikas Förenta Stater eller Sverige i ovannämnda hänseenden medgivit eller framdeles må komma att tillerkänna natur- eller industrialster härrörande från eller destinerade till något tredje land, skall omedelbart och utan vederlag samt oberoende av transportfartygets nationalitet tillerkännas likartade varor, härrörande från eller destinerade till Sveriges respektive Amerikas Förenta Staters område.

Article II

Neither the United States of America nor Sweden shall establish any prohibition or main-

Artikel II

No excess charges, etc.

Varken Amerikas Förenta Stater eller Sverige må införa något förbud eller upprätthålla

tain any restriction on imports from the territory of the other country which is not applied to the importation of any like article originating in any third country. Any abolition of an import prohibition or restriction which may be granted even temporarily by either country in favor of an article of a third country shall be applied immediately and unconditionally to the like article originating in the territory of the other country. These provisions equally apply to exports.

någon inskränkning med avseende å införseln från det andra landets område, som icke tilllämpas beträffande införseln av likartade varor, härrörande från vilket som helst tredje land. Varje upphävande av förbud eller inskränkning med avseende å införseln, som må komma att, även temporärt, medgivas av endera landet till förmån för en vara från något tredje land, skall omedelbart och ovillkorligt tillämpas på likartad vara, härrörande från det andra landets område. Dessa bestämmelser skola jämväl tillämpas med avseende å utförseln.

Rations or quotas.

In the event of rations or quotas being established by either the United States of America or Sweden for the importation of any article it is agreed that in the allocation of the quantity of restricted goods which may be authorized for importation, the other country will be granted a share equivalent to the proportion of the trade which it would normally enjoy.

In all matters concerning the rules, formalities or charges imposed in connection with any form of quantitative restriction on the importation of any article, the United States of America and Sweden agree to extend to each other every favor granted to a third country.

Därest Amerikas Förenta Stater eller Sverige inför ransonering eller kontingentering av införseln av någon vara, är det överenskommet, att vid fördelning av de kvantiteter av importreglerade varor, som må tillåtas till införsel, det andra landet skall tillerkännas en andel, motsvarande den proportion, vari det normalt plägar deltaga i handeln.

I allt vad angår de regler, formaliteter eller pålagor, som må tillämpas i samband med kvantitativ inskränkning i någon form beträffande införseln av viss vara, överenskomma Amerikas Förenta Stater och Sverige att låta varandra komma i åtnjutande av varje förmån, som beviljas ett tredje land.

Article III

Enumerated American articles imported by Sweden.
Post, p. 3768.

Articles the growth, produce or manufacture of the United States of America, enumerated and described in Schedule I annexed to this Agreement and made a part thereof, shall, on their importation into Sweden, be exempt from ordinary customs duties in excess of those set forth in the said Schedule. The said articles shall also be exempt from all other duties, taxes, fees, charges or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required to be imposed there-

Artikel III

Varor, alstrade, frambringade eller tillverkade i Amerikas Förenta Stater samt upptagna i bilaga I, fogad till denna överenskommelse och utgörande integrerande del därav, skola vid införsel till Sverige vara befriade från ordinarie tullar utöver i nämnda bilaga angivna belopp. Sagda varor skola även vara befriade från alla andra tullar, skatter, avgifter, umgälder eller pålagor, som uppbäras vid eller i samband med införsel, utöver dem, som å dagen för undertecknandet av denna överenskommelse äro åsatta eller vilkas

after under laws of Sweden in force on the day of the signature of this Agreement.

ARTICLE IV

Articles the growth, produce or manufacture of Sweden enumerated and described in Schedule II annexed to this Agreement and made a part thereof, shall, on their importation into the United States of America, be exempt from ordinary customs duties in excess of those set forth in the said Schedule. The said articles shall also be exempt from all other duties, taxes, fees, charges, or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under laws of the United States of America in force on the day of the signature of this Agreement.

ARTICLE V

In respect of articles the growth, produce or manufacture of the United States of America or Sweden, enumerated and described in Schedules I and II, respectively, imported into the other country, on which ad valorem rates of duty, or duties based upon or regulated in any manner by value, are or may be assessed, it is understood and agreed that the bases and methods of determining dutiable value and of converting currencies shall be no less favorable to importers than the bases and methods prescribed under presently existing laws and regulations of Sweden and the United States of America, respectively.

ARTICLE VI

Articles the growth, produce or manufacture of the United States of America or Sweden, shall, after importation into the other country, be exempt from all internal

åsättande påfordras enligt i Sverige å dagen för undertecknandet av denna överenskommelse i kraft varande lagar och förordningar.

ARTIKEL IV

Varor, alstrade, frambringade eller tillverkade i Sverige samt upptagna i bilaga II, fogad till denna överenskommelse och utgörande integrerande del därav, skola vid införsel till Amerikas Förenta Stater vara befriade från ordinarie tullar utöver i nämnda bilaga angivna belopp. Sagda varor skola även vara befriade från alla andra tullar, skatter, avgifter, umgälder eller pålagor, som uppbäras vid eller i samband med införsel, utöver dem, som å dagen för undertecknandet av denna överenskommelse äro åsatta eller vilkas åsättande påfordras enligt i Amerikas Förenta Stater å dagen för undertecknandet av denna överenskommelse i kraft varande lagar och förordningar.

Specified imports from Sweden.
Post, p. 3774.

ARTIKEL V

Beträffande varor, alstrade, frambringade eller tillverkade i Amerikas Förenta Stater eller Sverige samt upptagna i bilagorna I respektive II, vilka införas till det andra landet och vilka äro eller må bliva underkastade värdetullar eller tullar, baserade å eller på något sätt bestämda genom varans värde, är förutsatt och överenskommet, att grunderna och metoderna för bestämmande av det tullpliktiga värdet samt för omräkning av valutor icke skola vara mindre gynnsamma för importörerna än de grunder och metoder, som äro föreskrivna i de för närvarande i Sverige respektive Amerikas Förenta Stater gällande lagar och förordningar.

Determining dutiable value and converting currencies.

ARTIKEL VI

Varor, alstrade, frambringade eller tillverkade i Amerikas Förenta Stater eller Sverige, skola efter införsel till det andra landet vara befriade från alla andra eller

Internal tax exemptions.

taxes, fees, charges or exactions other or higher than those payable on like articles of national origin or any other foreign origin.

Coconut oil.

The provisions of this Article in regard to the granting of national treatment shall not apply to taxes imposed in the United States of America on coconut oil or on any combination or mixture containing a substantial quantity of coconut oil; nor shall they affect the regulations which are now in force or which may in future come into force in Sweden whereby alcohol distilled from foreign raw materials, starch manufactured from foreign raw materials and tobacco imported from abroad are subject to special taxation. In these respects, however, most-favored-nation treatment shall apply.

högre inre skatter, avgifter, umgälder eller pålagor än de, som åvila likartade varor av inhemskt ursprung eller vilket som helst annat främmande ursprung.

Bestämmelserna i denna artikel angående tillerkännande av nationell behandling skola icke vara tillämpliga beträffande i Amerikas Förenta Stater pålagda avgifter å kokosnötolja eller å blandningar eller föreningar, innehållande en väsentlig kvantitet kokosnötolja; ej heller skola de beröra nu eller framdeles i Sverige gällande bestämmelser, enligt vilka särskild skatt erlägges för alkohol, framställd av utländska råämnen, stärkelse, tillverkad av utländska råämnen, samt från utlandet införda tobaksvaror. I dessa hänseenden skall likväl mest gynnad nationsbehandling tillämpas.

Article VII

No quantitative restriction.

No prohibitions, import quotas, import licenses, or any other form of quantitative regulation, whether or not operated in connection with any agency of centralized control, shall be imposed by Sweden on the importation or sale of any article the growth, produce or manufacture of the United States of America enumerated and described in Schedule I, nor by the United States of America on the importation or sale of any article the growth, produce or manufacture of Sweden enumerated and described in Schedule II.

Exception.

The foregoing provision shall not apply to quantitative restrictions in whatever form imposed by either country on the importation or sale of any article the growth, produce or manufacture of the other country in conjunction with governmental measures operating to regulate or control the production, market supply, or prices of like domestic articles. Whenever the Government of either country proposes to establish or change any restriction

Artikel VII

Inga förbud, införselkontingenteringar, licensförfaranden eller någon annan form av kvantitativ reglering, vare sig genomförandet därav sker i förbindelse med något organ för centraliserad kontroll eller icke, skola genomföras av Sverige med avseende å införsel eller försäljning av någon vara, alstrad, frambringad eller tillverkad i Amerikas Förenta Stater och upptagen i bilaga I, eller av Amerikas Förenta Stater med avseende å införsel eller försäljning av någon vara, alstrad, frambringad eller tillverkad i Sverige samt upptagen i bilaga II.

Föregående bestämmelse skall icke tillämpas beträffande kvantitativa restriktioner, i vilken form det vara må, genomförda av ettdera landet med avseende å införsel eller försäljning av någon vara, alstrad, frambringad eller tillverkad i det andra landet, i förening med administrativa åtgärder för reglering eller kontroll av produktion, distribution eller priser beträffande likartade inhemska varor. Närhelst regeringen i ettdera landet avser att

authorized by this paragraph, it shall give notice thereof in writing to the other Government and shall afford such other Government an opportunity within thirty days after receipt of such notice to consult with it in respect of the proposed action; and if an agreement with respect thereto is not reached within thirty days following receipt of the aforesaid notice, the Government which proposes to take such action shall be free to do so at any time thereafter, and the other Government shall be free within fifteen days after such action is taken to terminate this Agreement in its entirety on thirty days' written notice.

vidtaga eller ändra någon enligt detta moment tillåten restriktiv åtgärd, skall den lämna skriftligt meddelande därom till den andra regeringen samt bereda denna tillfälle att inom trettio dagar efter mottagandet av dylikt meddelande rådgöra med den förra regeringen beträffande den ifrågasatta åtgärden. Därest enighet med avseende å denna icke nås inom trettio dagar efter mottagandet av nyssnämnda meddelande, skall den regering, som avser att vidtaga åtgärd av angivet slag, äga frihet att när som helst därefter genomföra densamma, varvid den andra regeringen skall äga frihet att inom femton dagar efter det att åtgärden blivit genomförd bringa denna överenskommelse i sin helhet att upphöra vid utgången av trettio dagar från den dag, skriftlig uppsägning skett.

Article VIII

In the event that the United States of America or Sweden establishes or maintains a monopoly for the importation, production or sale of a particular commodity or grants exclusive privileges, formally or in effect, to one or more agencies to import, produce or sell a particular commodity, the Government of the country establishing or maintaining such monopoly, or granting such monopoly privileges, agrees that in respect of the foreign purchases of such monopoly or agency the commerce of the other country shall receive fair and equitable treatment. To this end it is agreed that in making its foreign purchases of any product such monopoly or agency will be influenced solely by those considerations, such as price, quality, marketability, and terms of sale, which would ordinarily be taken into account by a private commercial enterprise interested solely in purchasing such product on the most favorable terms.

Artikel VIII

Government monopolies; treatment.

I händelse Amerikas Förenta Stater eller Sverige inför eller upprätthåller monopol å införsel, produktion eller försäljning av viss vara eller, formellt eller reellt, upplåter uteslutande rättigheter åt ett eller flera organ att införa, frambringa eller försälja viss vara, medgiver den regering, som inför eller upprätthåller monopol eller som upplåter monopolrättigheter, att det andra landets handel skall komma i åtnjutande av lojal och rättvis behandling med avseende på dylika monopols eller organs inköp från utlandet. I detta syfte är det överenskommet, att ifrågavarande monopol eller organ vid verkställandet av sina inköp från utlandet av någon vara skola låta sig ledas uteslutande av hänsyn till sådana faktorer som pris, beskaffenhet, lämplighet för marknaden och försäljningsvillkor, vilka regelmässigt pläga tagas i betraktande av ett privat handelsföretag, som uteslutande är intresserat av att köpa varan på gynnsammaste villkor.

ARTICLE IX

Equitable share of commerce, etc.

The tariff advantages and other benefits provided for in this Agreement are granted by the United States of America and Sweden to each other subject to the condition that if the Government of either country shall establish or maintain, directly or indirectly, any form of control of foreign exchange, it shall administer such control so as to insure that the nationals and commerce of the other country will be granted a fair and equitable share in the allotment of exchange.

With respect to the exchange made available for commercial transactions, it is agreed that the Government of each country shall be guided in the administration of any form of control of foreign exchange by the principle that, as nearly as may be determined, the share of the total available exchange which is allotted to the other country shall not be less than the share employed in a previous representative period prior to the establishment of any exchange control for the settlement of commercial obligations to the nationals of such other country.

The Government of each country shall give sympathetic consideration to any representations which the other Government may make in respect of the application of the provisions of this Article.

ARTIKEL IX

De tariffmedgivanden och andra förmåner, som stadgas i denna överenskommelse, lämnas ömsesidigt av Amerikas Förenta Stater och Sverige på det villkoret, att om regeringen i ettdera landet, direkt eller indirekt, inför eller upprätthåller någon form av kontroll beträffande handeln med utländska valutor, skall den handhava kontrollen på sådant sätt, att därigenom säkerställes, att det andra landets medborgare och handel tillerkännas en skälig och rättvis anpart i valutatilldelningen.

Vad beträffar den valuta, som göres tillgänglig för kommersiella transaktioner, är det överenskommet, att regeringen i vartdera landet vid handhavandet av varje form för kontroll av handeln med utländska valutor skall låta sig ledas av den principen att, så nära det låter sig fastställa, den del av hela den tillgängliga valutamängden, som tillerkännes det andra landet, icke skall understiga den andel, som under en föregående representativ tidrymd, innan kontroll av valutahandeln infördes, använts för reglering av kommersiella fordringar, tillkommande medborgare i sistnämnda land.

Regeringen i vartdera landet skall till välvillig prövning upptaga alla framställningar med avseende å tillämpningen av bestämmelserna i denna artikel, som må göras av regeringen i det andra landet.

ARTICLE X

Modifications when rate of exchange prejudicial to either party.

In the event that a wide variation occurs in the rate of exchange between the currencies of the United States of America and Sweden, the Government of either country, if it considers the variation so substantial as to prejudice the industries or commerce of the country, shall be free to propose negotiations for the modification of this Agreement; and if an agreement with respect thereto is not reached within thirty days following receipt of such proposal, the

ARTIKEL X

I händelse en betydande förskjutning skulle inträda i kursför hållandet mellan valutorna i Amerikas Förenta Stater och Sverige, skall regeringen i vartdera landet, om den anser förskjutningen så väsentlig, att landets industri eller handel därigenom tillfogas skada, äga frihet att föreslå upptagande av förhandlingar rörande ändring av denna överenskommelse. Därest enighet i detta hänseende icke nås inom trettio dagar efter

Government making such proposal shall be free to terminate this Agreement in its entirety on thirty days' written notice.

mottagandet av dylikt förslag, skall den regering, som väckt sådant förslag, äga frihet att bringa förevarande överenskommelse i sin helhet att upphöra vid utgången av trettio dagar från den dag, skriftlig uppsägning skett.

Article XI

The Government of each country will accord sympathetic consideration to, and, when requested, will afford adequate opportunity for consultation regarding such representations as the other Government may make with respect to the operation of customs regulations, quantitative restrictions or the administration thereof, the observance of customs formalities, and the application of sanitary laws and regulations for the protection of human, animal, or plant life, or health.

In the event that the Government of either country adopts any measure which, even though it does not conflict with the terms of this Agreement, is considered by the Government of the other country to have the effect of nullifying or impairing any object of the Agreement, the Government which has adopted any such measure shall consider such representations and proposals as the other Government may make with a view to effecting a mutually satisfactory adjustment of the matter.

Artikel XI

Reciprocal consideration concerning customs, etc.

Regeringen i vartdera landet skall till välvillig prövning upptaga samt på anmodan bereda av omständigheterna påkallat tillfälle till samråd beträffande framställningar, som regeringen i det andra landet må göra beträffande tillämpningen av tullbestämmelser, kvantitativa restriktioner eller handhavandet därav, iakttagandet av tullformaliteter samt tillämpningen av hälsovårdsförfattningar och föreskrifter till skydd för människors, djurs eller växters liv eller hälsa.

Därest regeringen i ettdera landet vidtager någon åtgärd, som, även om den icke står i strid mot bestämmelserna i denna överenskommelse, av regeringen i det andra landet anses hava den verkan, att någon bestämmelse i överenskommelsen därigenom omintetgöres eller förringas i värde, skall den regering, som vidtagit åtgärden i fråga, till välvillig prövning upptaga av regeringen i det andra landet gjorda framställningar och förslag åsyftande att åstadkomma en ömsesidigt tillfredsställande reglering av frågan.

Article XII

The provisions of this Agreement relating to the treatment to be accorded by the United States of America or Sweden to the commerce of the other country do not apply to advantages now accorded or which may hereafter be accorded to neighboring states in order to facilitate frontier traffic, or to advantages resulting from a customs union to which either country may become a party.

Artikel XII

Exceptions. Neighboring states.

Bestämmelserna i denna överenskommelse angående den behandling, som av Amerikas Förenta Stater eller Sverige skall tillerkännas det andra landets handel, skola icke äga tillämplighet å förmåner, vilka för närvarande äro medgivna eller framdeles må tillerkännas angränsande stater för underlättande av gränstrafiken; eller å förmåner, härledande sig från en tullunion, som må komma att avslutas av ettdera landet.

Gold and silver trade.

War munitions control.

Nothing in this Agreement shall be construed to prevent the adoption of measures prohibiting or restricting the exportation or importation of gold or silver, or to prevent the adoption of such measures as either Government may see fit with respect to the control of the export or sale for export of arms, munitions, or implements of war, and, in exceptional circumstances, all other military supplies.

Ingen bestämmelse i denna överenskommelse skall kunna tolkas på sådant sätt att den utgör hinder vare sig mot vidtagande av åtgärder avseende förbud eller inskränkning beträffande utförsel eller införsel av guld eller silver eller mot vidtagande av åtgärder, som någondera regeringen må finna lämpliga beträffande kontroll över utförsel eller försäljning i exportsyfte av vapen, ammunition eller krigsredskap samt, under exceptionella omständigheter, alla andra militära förnödenheter.

Subject to the requirement that there shall be no arbitrary discrimination by either country against the other country in favor of any third country where similar conditions prevail, the provisions of this Agreement shall not extend to prohibitions or restrictions

1/ relating to public security;
2/ imposed on moral or humanitarian grounds;
3/ designed to protect human, animal or plant life or health;
4/ relating to prisonmade goods;
5/ relating to the enforcement of police or revenue laws.

Under iakttagande av att intetdera landet må vidtaga godtyckligt diskriminerande åtgärder gentemot det andra landet i förhållande till ett tredje land, varest likartade förhållanden råda, skola bestämmelserna i denna överenskommelse icke gälla beträffande förbud eller inskränkningar

1/ avseende allmän säkerhet;
2/ införda av moraliska eller humanitära skäl;
3/ avsedda att skydda människors, djurs eller växters liv eller hälsa;
4/ beträffande varor framställda av fångar; samt
5/ avsedda att bringa polis- eller statsinkomstförfattningar i verkställighet.

Article XIII

Provisions not applicable to Philippine Islands, etc.

Except as otherwise provided in the second paragraph of this Article, the provisions of this Agreement relating to the treatment to be accorded by the United States of America and Sweden, respectively, to the commerce of the other country, shall not apply to the Philippine Islands, the Virgin Islands, American Samoa, the Island of Guam or to the Panama Canal Zone.

Preferential treatment extended to territories, etc., of each other.

The provisions of this Agreement regarding most-favored-nation treatment shall apply to articles the growth, produce or manufacture of any territory

Artikel XIII

Med undantag för i andra stycket av denna artikel upptagna avvikande stadganden, skola bestämmelserna i denna överenskommelse angående den behandling, som av Amerikas Förenta Stater respektive Sverige skall tillerkännas det andra landets handel, icke vara tillämpliga beträffande Filippinerna, Virginska öarna, amerikanska Samoaöarna, ön Guam eller Panamakanalzonen.

Bestämmelserna i denna överenskommelse angående mest gynnad nationsbehandling skola äga tillämpning å varor, alstrade, frambringade eller tillverkade

under the sovereignty or authority of the United States of America or Sweden, imported from or exported to any territory under the sovereignty or authority of the other country. It is understood, however, that the provisions of this paragraph do not apply to the Panama Canal Zone.

The advantages now accorded or which may hereafter be accorded by the United States of America, its territories and possessions and the Panama Canal Zone to one another or to the Republic of Cuba shall be excepted from the operation of this Agreement. The provisions of this paragraph shall continue to apply in respect of any advantages now or hereafter accorded by the United States of America, its territories or possessions or the Panama Canal Zone to the Philippine Islands irrespective of any change that may take place in the political status of the Philippine Islands.

This Agreement shall not apply to the advantages which Sweden has granted or hereafter may grant to Denmark or Norway or both countries insofar as these advantages are not extended to any other country.

ARTICLE XIV

The Government of each country reserves the right to withdraw the concession granted on any article under this Agreement, or to impose quantitative restrictions on any such article if at any time there should be evidence that, as a result of the extension of such concession to any third country, such country will obtain the major benefit of such concession and in consequence thereof an unduly large increase in importations of such article will take place: Provided that before the Government of either country shall avail itself of the foregoing reservation, it shall give notice in writing to the other Government

inom vilket som helst område under Amerikas Förenta Staters eller Sveriges suveränitet eller överhöghet, vilka införas från eller utföras till något område under det andra landets suveränitet eller överhöghet. Det är likväl överenskommet, att bestämmelserna i detta stycke icke äro tillämpliga beträffande Panama kanalzonen.

Exceptions.

Från tillämpningen av denna överenskommelse undantagas de förmåner, vilka Amerikas Förenta Stater, dess territorier och besittningar samt Panamakanalzonen för närvarande medgivit eller framdeles må tillerkänna varandra inbördes eller republiken Cuba. Bestämmelserna i detta stycke skola fortfara att äga tillämpning beträffande alla förmåner, som Amerikas Förenta Stater, dess territorier eller besittningar eller Panamakanalzonen medgivit eller må tillerkänna Filippinerna, oberoende av varje ändring, som må komma att äga rum i Filippinernas politiska status.

Denna överenskommelse skall icke vara tillämplig å de förmåner, som Sverige medgivit eller framdeles må tillerkänna Danmark eller Norge eller båda dessa länder, så länge samma förmåner icke utsträckts till något annat land.

ARTIKEL XIV

Right to withdraw concessions, etc., reserved.

Vartdera landets regering förbehåller sig rätt att återtaga medgivande, som enligt denna överenskommelse gjorts beträffande någon vara, eller att införa kvantitativa importrestriktioner beträffande samma vara, om det vid någon tidpunkt skulle visa sig att till följd av utsträckande av samma medgivande att gälla i förhållande till tredje land detta drager största fördelen av medgivandet och därigenom införseln av varan ökas i otillbörlig grad.

Proviso. Previous notice to be given.

Innan regeringen i någotdera landet begagnar sig av nyssnämnda förbehåll skall den lämna skriftligt meddelande härom till den andra regeringen

of its intention to do so, and shall afford such other Government an opportunity within thirty days after receipt of such notice to consult with it in respect of the proposed action; and if an agreement with respect thereto is not reached within thirty days following receipt of the aforesaid notice, the Government which proposes to take such action shall be free to do so at any time thereafter, and the other Government shall be free within fifteen days after such action is taken to terminate this Agreement in its entirety on thirty days' written notice.

Termination of Agreement.

samt bereda denna tillfälle att inom trettio dagar efter mottagandet av dylikt meddelande rådgöra med den förra regeringen beträffande den ifrågasatta åtgärden. Därest enighet med avseende å denna icke nås inom trettio dagar efter mottagandet av nyssnämnda meddelande, skall den regering, som avser att vidtaga åtgärd av angivet slag, äga frihet att när som helst därefter genomföra densamma, varvid den andra regeringen skall äga frihet att inom femton dagar efter det att åtgärden blivit genomförd bringa denna överenskommelse i sin helhet att upphöra vid utgången av trettio dagar från den dag, skriftlig uppsägning skett.

Article XV

Approval.

The present Agreement shall be approved by the President of the United States of America and ratified by His Majesty the King of Sweden with the consent of the Riksdag.

Effective date.

The Agreement shall come into full force on the thirtieth day after the exchange at Stockholm of the instruments of approval and ratification, and shall remain in force for the term of three years thereafter, unless terminated pursuant to the provisions of Article VII, Article X, or Article XIV.

Ante, pp. 3762, 3765.

Duration.

Unless at least six months before the expiration of the aforesaid term of three years the Government of either country shall have given to the other Government notice of intention to terminate the Agreement upon the expiration of the aforesaid term, the Agreement shall remain in force thereafter, subject to termination under the provisions of Article VII, Article X, or Article XIV, until six months from such time as the Government of either country shall have given notice to the other Government.

Artikel XV

Denna överenskommelse skall gillas av Amerikas Förenta Staters President samt ratificeras av Hans Majestät Konungen av Sverige med Riksdagens godkännande.

Överenskommelsen skall träda i kraft å trettionde dagen efter utväxlingen i Stockholm av stadfästelsehandlingarna och skall, såvida den icke bringas att upphöra jämlikt bestämmelserna i artiklarna 7, 10 eller 14, förbliva i kraft under en tid av tre år.

Såvida icke regeringen i ettdera landet minst sex månader före utgången av nämnda tid av tre år delgivit regeringen i det andra landet sin avsikt att bringa överenskommelsen att upphöra vid utgången av sagda tid, skall överenskommelsen, med förbehåll för dess upphörande jämlikt bestämmelserna i artiklarna 7, 10 eller 14, förbliva i kraft intill utgången av sex månader, räknat från den dag, då regeringen i ettdera landet uppsagt densamma.

In witness whereof the respective Plenipotentiaries have signed this Agreement and have affixed their seals hereto.

Done in duplicate, in the English and Swedish languages, both authentic, at the City of Washington, this 25th day of May, 1935.

Till bekräftelse härav hava respektive befullmäktigade ombud undertecknat denna överenskommelse och försett densamma med sina sigill.

Som skedde i två exemplar, på engelska och svenska språken, vilka båda äga lika vitsord, i Washington, den 25 maj 1935.

Signatures.

For the President of the United States of America:
CORDELL HULL [SEAL]

For His Majesty the King of Sweden:
W. BOSTRÖM [SEAL]

Schedule I.

SCHEDULE I

NOTE: The goods covered by this schedule are those specified at the date of this Agreement under the Tariff and Statistical Numbers quoted.

Tariff Number	Statistical Number	Article	Basis of Assessment	Rate of duty in Swedish Crowns
Ex 11	26	Pork, salted	100 kg	12.00
Ex 14	46	Salmon and salmon trout, salted	—	Free
Ex 14	Ex 54	Salmon and salmon trout, sweet-salted	—	Free
Ex 67	Ex 130	Apples, fresh:		
		Entering during the period January 1 to April 30, inclusive	100 kg	10.00
		Entering during the period May 1 to December 31, inclusive	100 kg	20.00
Ex 67	Ex 131	Pears, fresh:		
		Entering during the period December 1 to April 30, inclusive	100 kg	10.00
		Entering during the period May 1 to November 30, inclusive	100 kg	20.00
Ex 67	Ex 132	Grapefruit	—	Free
Ex 68:1	Ex 135	Apricots and peaches, dried	—	Free
Ex 68:1	137	Plums, "quetsches" and damsons ("prunellos")	—	Free
Ex 68:1	Ex 138	Pears, dried	—	Free
Ex 68:1	Ex 139	Apples, dried	—	Free
Ex 68:1	140	Mixed fruits composed of fruits classified under statistical Nos. 135–139	—	Free
Ex 69	Ex 142	Raisins	—	Free
90	188	Rice groats	100 kg	2.00
Ex 94	198	Cornstarch	100 kg	20.00
Ex 94	202	Baking powder	100 kg	30.00
Ex 103	232	Gum rosin and wood rosin	—	Free
Ex 134	Ex 307	Products of cereals and other vegetable substances obtained by a process of swelling or toasting, and not otherwise specified	100 kg	15.00
Ex 137	Ex 310	Sweet-preserved pineapple in large containers	100 kg	20.00
140	313	Coffee substitutes without addition of coffee	100 kg	20.00
Ex 143	Ex 318	Preserved fruits:		
		Peaches, apricots, pears and mixed fruits for salad	100 kg	50.00
		Pineapples and grapefruit	100 kg	30.00
		Note: Under Tariff No. 143 (Statistical No. 318) are not classified those goods which are intended for use in the confectionery industry or for the manufacture of sweet-preserves or marmalades, and which are imported in containers that are designed only to protect the goods during transportation and are not suitable as packing for retail sale.		
Ex 143	Ex 321	Preserved soups	100 kg	50.00
Ex 143	Ex 321	Preserved "beans and pork"	100 kg	50.00
Ex 160	359	Cottonseed cake	—	Free
Ex 160	361	Linseed cake	—	Free
Ex 160	365:1	Copra cake	—	Free
Ex 160	365:2	Oil cake, not otherwise specified	—	Free

BILAGA I.

Anm. I denna bilaga förtecknade varuslag omfatta varor, som äro hänförliga till nedan angivna rubriker i tulltaxan och nummer i den statistiska varuförteckningen, sådana tulltaxan och varuförteckningen äro gällande å dagen för överenskommelsens undertecknande.

Tull-taxen:r	Stat. n:r	Artiklarnas benämning	Grund för beräkningen	Tullsats i Kronor
ur 11	26	Fläsk, saltat	100 kg	12:—
ur 14	46	Lax och laxöring, saltad	—	fri
ur 14	ur 54	Lax och laxöring, sockersaltad	—	fri
ur 67	ur 130	Äpplen, färska:		
		inkommande under tiden 1 januari–30 april	100 kg	10:—
		inkommande under tiden 1 maj–31 december	100 kg	20:—
ur 67	ur 131	Päron, färska:		
		inkommande under tiden 1 december–30 april	100 kg	10:—
		inkommande under tiden 1 maj–30 november	100 kg	20:—
ur 67	ur 132	Grapefrukt	—	fri
ur 68:1	ur 135	Aprikoser och persikor, torkade	—	fria
ur 68:1	137	Plommon, sviskon och bruneller	—	fria
ur 68:1	ur 138	Päron, torkade	—	fria
ur 68:1	ur 139	Äpplen, torkade	—	fria
ur 68:1	140	Blandad frukt av frukter, hänförliga till stat. n:ris 135–139	—	fria
ur 69	ur 142	Russin	—	fria
90	188	Risgryn	100 kg	2:—
ur 94	198	Majsstärkelse (majsena)	100 kg	20:—
ur 94	202	Bak- och jästpulver	100 kg	30:—
ur 103	232	Kolofonium	—	fritt
ur 134	ur 307	Genom svällning eller rostning erhållna produkter av spannmål eller andra vegetabilier, ej hänförliga till annat nummer	100 kg	15:—
ur 137	ur 310	Syltad ananas i stora kärl	100 kg	20:—
140	313	Kaffesurrogat utan tillsats av kaffe	100 kg	20:—
ur 143	ur 318	Fruktkonserver:		
		persikor, aprikoser, päron och blandad frukt (för sallad)	100 kg	50:—
		ananas och grapefrukt	100 kg	30:—
		Anm. Till tulltaxen:r 143 (stat. n:r 318) hänföras icke varor, som för användning inom konfityrindustrien samt för tillverkning av sylter och marmelader införas i kärl, vilka endast äro avsedda att skydda varan under transporten men icke tjäna som emballage vid detaljförsäljningen.		
ur 143	ur 321	Konserverade soppor	100 kg	50:—
ur 143	ur 321	Konserverade 'bönor och fläsk'	100 kg	50:—
ur 160	359	Bomullsfrökakor	—	fria
ur 160	361	Linfrökakor	—	fria
ur 160	365:1	Kokoskakor	—	fria
ur 160	365:2	Oljekakor, ej särskilt nämnda	—	fria

Schedule I—Contd.

Tariff Number	Statistical Number	Article	Basis of Assessment	Rate of duty in Swedish Crowns
Ex 162	387	Raw phosphate	—	Free
174	439	Gasoline Note: Reservation is made as concerns excise taxes and other charges involved in the regulation of the domestic market.	100 liter	0.10
Ex 177	449	Sulphur	—	Free
Ex 227	Ex 544	Motion picture film, developed	100 kg	1580.00
230	552	Lamp black, carbon black, and similar black coloring substances, not otherwise specified	100 kg	5.00
Ex 261	591	Tooth powder and tooth paste	100 kg	100.00
Ex 264	595	Shaving soap and shaving cream	100 kg	50.00
Ex 296	661	Patent leather, in pieces weighing 1 kg or more	100 kg	150.00
Ex 297	664	Patent leather, in pieces weighing less than 1 kg	100 kg	200.00
Ex 328	698	Rubber heels and rubber soles for footwear	100 kg	50.00
333	705	Transmission and conveyor belts, containing rubber, gutta percha or balata	100 kg	35.00
Ex 336:2	709	Rubber tire casings or parts	100 kg	100.00
344	767	Wooden shovels and oven spades, cramps, cramp-frames and plane stocks; also handles for axes, sledges, hammers, pick-axes, rakes, shovels, spades, forks, hoes, scythes and hay forks	100 kg	5.00
Ex 395	901	Cotton, uncarded	—	Free
649	1221	Synthetic grindstones, whetstones and polishing stones, not otherwise specified Note: In case the duty on this item be changed to an ad valorem basis the duty shall not exceed 15 percent.	100 kg	25.00
661	1242	Emery, glass, sand, and other abrasive or polishing paper, including that cut, stamped out or otherwise shaped	100 kg	10.00
662	1243	Polishing cloth, including that in clipped, cut or stamped out pieces; also including sewn	100 kg	35.00
823	1480	Blades for rail saws and for hack saws, for hand or machine operation	100 kg	60.00
Ex 896	1571	Copper, unwrought	—	Free
Ex 968	1721	Type-setting machines and parts and accessories thereof, not otherwise specified	—	Free
Ex 977	1739	Plows, including steam plows, double-mould-board plows, and subsoil plows	100 kg	6.00
Ex 977	1740	Harrows and other agricultural appliances similar to harrows	100 kg	6.00
Ex 977	1741	Harvesting machines Note: The duty applicable to goods classified under Tariff No. 977 (Statistical Nos. 1739–1741) may not be less than 15 percent ad valorem.	100 kg	6.00

Tull-taxen:r	Stat. n:r	Artiklarnas benämning	Grund för beräkningen	Tullsats i Kronor
ur 162	387	Råfosfat	—	fri
174	439	Bensin Anm. Förbehåll göres för accis och andra pålagor i samband med inre marknadsreglering.	100 liter	0:10
ur 177	449	Svavel	—	fritt
ur 227	ur 544	Fotografisk film, framkallad: kinematografisk film	100 kg	1580:—
230	552	Kimrök /även s.k. carbon black/ och likartade svarta färgämnen, ej särskilt nämnda	100 kg	5:—
ur 261	591	Tandpulver och tandpasta	100 kg	100:—
ur 264	595	Raktvål och rakkräm	100 kg	50:—
ur 296	661	Hudar och skinn: beredda, lackerade: i stycken vägande minst 1 kg	100 kg	150:—
ur 297	664	d:o i stycken vägande mindre än 1 kg	100 kg	200:—
ur 328	698	Gummiklackar och gummisulor till skodon	100 kg	50:—
333	705	Driv- och transportremmar, innehållande kautschuk, guttaperka eller balata	100 kg	35:—
ur 336:2	709	Ytterdäck eller delar därtill	100 kg	100:—
344	767	Skovlar och ugnsspadar, skruvtvingar, skruvknektar och hyvelstockar; ävensom skaft till yxor, släggor, hammare, korpar, krattor, skyfflar, spadar, grepar, hackor, liar och högafflar	100 kg	5:—
ur 395	901	Bomull, okardad	—	fri
649	1221	Slip-, bryn- och polerstenar, icke naturliga, ej särskilt nämnda Anm. För den händelse värdetull införes, skall bindningen avse en tullsats av 15 procent av värdet.	100 kg	25:—
661	1242	Smärgel-, glas-, sand- och annat slip- eller polerpapper, även nedskuret, utstansat eller på annat sätt tillformat	100 kg	10:—
662	1243	Polerduk, jämväl i tillklippta, tillskurna eller utstansade stycken, även med sömnadsarbete	100 kg	35:—
823	1480	Blad till rälssågar och till bågfilar för hand- eller maskinkraft	100 kg	60:—
ur 896	1571	Koppar, oarbetad	—	fri
ur 968	1721	Sättmaskiner samt delar och tillbehör, ej särskilt nämnda	—	fria
ur 977	1739	Plogar, även ångplogar, årder och alvluckrare	100 kg	6:—
ur 977	1740	Harvar och andra harvliknande åkerbruksredskap	100 kg	6:—
ur 977	1741	Skördemaskiner Anm. För artiklar, hänförliga till tulltaxen: r 977 (stat.n:ris 1739–1741) skall tullen i varje fall motsvara minst 15 procent av varans värde.	100 kg	6:—

Schedule I—Contd.

Tariff Number	Statistical Number	Article	Basis of Assessment	Rate of duty in Swedish Crowns
984	1757	Cylinders, slide boxes and pistons, worked, entering separately, for steam engines, motors, refrigerating machines, pumps, fire engines, and like machines	100 kg	35.00
		Note: Goods classified under this number, which are imported to replace a worn out or otherwise unserviceable part of a previously imported machine shall pay 75 percent of the duty otherwise chargeable thereon.		
		Manufactured carbon for electrotechnical purposes, not otherwise specified, weighing 3 kg or more each:		
1017	1847	Graphited	100 kg	3.00
1018	1848	Other kinds	—	Free
Ex 1056	1907	Automobiles for transportation of passengers	Ad valorem	20 percent
Ex 1056	1911	Chassis for automobiles	Ad valorem	20 percent
Ex 1056	1912	Automobile parts, not otherwise specified	Ad valorem	15 percent
1057	1916	Parts and accessories, except chassis and coach work, intended for the manufacturing or assembling of automobiles	Ad valorem	14 percent
		Note: This number also includes articles of rubber, textile materials and glass intended for the manufacturing or assembling of automobiles.		

Tull-taxen:r	Stat. n:r	Artiklarnas benämning	Grund för beräkningen	Tullsats i Kronor
984	1757	Cylindrar, slidskåp och kolvar, bearbetade, särskilt inkommande, avsedda för ångmaskiner, motorer, kylmaskiner, pumpar, sprutor och dylika maskiner	100 kg	35:—
		Anm. För vara, hänförlig till detta nummer, vilken införes för att ersätta en utsliten eller eljest obrukbar del till en tidigare införd maskin, utgör tullen 75 procent av den tull, som eljest skulle hava utgått.		
		För elektrotekniskt ändamål arbetat kol, ej särskilt nämnt, vägande per stycke: 3 kg eller däröver:		
1017	1847	grafiterat	100 kg	3:—
1018	1848	andra slag	—	fria
ur 1056	1907	Automobiler för personbefordran	Ad valorem	20 procent
ur 1056	1911	Underreden till automobiler	Ad valorem	20 procent
ur 1056	1912	Delar till automobiler, ej särskilt nämnda	Ad valorem	15 procent
1057	1916	För tillverkning eller sammansättning av automobiler avsedda delar och tillbehör med undantag av underreden och karosserier	Ad valorem	14 procent
		Anm. Till detta nummer hänföres även för tillverkning eller sammansättning av automobiler avsett material av kautschuk, spånadsämne och glas		

Schedule II.

SCHEDULE II

Tariff Act of 1930 paragraph	Description of Articles	Rates of Duty
	NOTE: The provisions of this schedule shall be construed and given the same effect, and the application of collateral provisions of the customs laws of the United States to the provisions of this schedule shall be determined insofar as may be practicable, as if each provision of this schedule appeared respectively in the paragraph of the Tariff Act of 1930 noted in the column at the left of the respective descriptions of articles. In the case of articles enumerated in this Schedule, which are subject on the day of the signature of this Agreement to ordinary customs duties imposed under provisions of law other than the paragraph of the Tariff Act of 1930 noted in the column at the left of the respective description of the article, or imposed under a proviso of the paragraph so noted, such separate or additional duties shall continue in force, subject to any reduction indicated in this schedule or hereafter provided for, until terminated in accordance with law, but shall not be increased.	
32	Compounds of cellulose, known as vulcanized or hard fiber, made wholly or in chief value of cellulose	20% ad val.
218 (f)	Articles provided for in paragraph 218(f) when primarily designed for ornamental purposes, decorated chiefly by engraving and valued at not less than $8 each	30% ad val.
226	Lighthouse lenses of glass or pebble, molded or pressed, or ground and polished to a spherical, cylindrical, or prismatic form, wholly or partly manufactured:	
	With edges unground	25% ad val.
	With edges ground or beveled	25% ad val., but not less than 17½% ad val. and 5¢ per dozen pairs.
234 (a)	Granite paving blocks, wholly or partly manufactured	40% ad val.
234 (a)	Granite suitable for use as monumental, paving, or building stone, not specially provided for, unmanufactured, or not dressed, pointed, pitched, lined, hewn, or polished	20¢ per cubic foot.
	Note: The existing customs classification treatment of granite suitable for use as monumental, paving, or building stone, which has been roughly squared merely for the purpose of facilitating its shipment to the United States, as "unmanufactured, or not dressed, pointed, pitched, lined, hewn, or polished" in accordance with the ruling announced in Treasury Decision 44791–4 (59 Treasury Decisions 850) shall be continued during the effective period of this agreement.	

BILAGA II

1930 års tarifflag rubrik	Varubeteckning	Tullsats
	Anm. Bestämmelserna i denna bilaga skola tolkas på samma sätt samt hava samma verkan, som om varje bestämmelse i denna bilaga funnes införd i den rubrik av 1930 års tarifflag, som är antecknad i kolumnen till vänster vid respektive varubeteckning; tillämpningen av kompletterande föreskrifter i Förenta Staternas tullagstiftning å bestämmelserna i denna bilaga skall, i den man så låter sig göra, avgöras på motsvarande sätt. Vad beträffar i denna bilaga uppräknade varuslag, vilka å dagen för denna överenskommelses undertecknande äro underkastade ordinarie tullsatser, pålagda enligt andra lagbestämmelser än den rubrik i 1930 års tarifflag, som finnes antecknad i kolumnen till vänster vid respektive varubeteckning, eller pålagda enligt en villkorlig föreskrift i den sålunda antecknade rubriken, skola sådana särskilda tullar eller tilläggstullar—med iakttagande av de nedsättningar, som upptagits i denna bilaga eller framdeles komma att föreskrivas—förbliva i kraft intill dess deras giltighet enligt lag upphör, men de skola ej höjas.	
32	Cellulosafiber (compounds of cellulose), vanligen betecknad vulkan- eller hård fiber, helt eller till större delen av värdet tillverkad av cellulosa	20 procent
218 (f)	Under rubr. 218 (f) angivna varor, väsentligen avsedda för prydnadsändamål, dekorerade huvudsakligen genom gravering, och med ett värde ej understigande 8 dollars stycket	30 procent
226	Linser för fyrbelysning, av glas eller kristallinisk kvarts, gjutna eller pressade, eller slipade och polerade till en sfärisk, cylindrisk eller prismatisk form, helt eller delvis bearbetade: med oslipade kanter med slipade eller snedslipade kanter	 25 procent 25 procent men ej mindre än 17½ procent samt 5 cents per dussin par
234 (a)	Granit för väg- eller gatubeläggning, helt eller delvis bearbetad	40 procent
234 (a)	Granit för användning såsom monument-, väg- och gatubeläggnings- eller byggnadssten, ej särskilt nämnd; oarbetad eller ej slipad, spetsad, hackad, stockhamrad med kantslag, huggen eller polerad	20 cents per kukikfot
	Anm. Med hänsyn till klassificeringen av sådan granit för användning såsom monument-, väg- och gatubeläggnings- eller byggnadssten, som huggits i råblock och jämnats uteslutande i syfte att underlätta transporten till Förenta Staterna, skall nuvarande tullbehandling såsom "oarbetad eller ej slipad, spetsad, hackad, stockhamrad med kantslag, huggen eller polerad", i överensstämmelse med beslut, som kungjorts i Treasury Decision 44791–4 (59 Treasury Decisions 850) fortfarande iakttagas, så länge denna överenskommelse är gällande.	

Schedule II—Contd.

Tariff Act of 1930 paragraph	Description of Articles	Rates of Duty
301	Granular or sponge iron	$1.25 per ton.
302 (k)	Ferrochrome or ferrochromium containing 3 per centum or more of carbon	1.25¢ per lb. on the chromium contained therein.
302 (k)	Ferrochrome or ferrochromium containing less than 3 per centum of carbon, and chrome metal or chromium metal	25% ad val.
303	Muck bars, pieces thereof except crop ends, bar iron, and round iron in coils or rods, iron in slabs, blooms, loops, or other forms less finished than iron in bars and more advanced than pig iron, except castings; all the foregoing	
	Valued above 2½ and not above 3½ cents per pound	0.5¢ per lb.
	Valued above 3½ and not above 5 cents per pound	0.8¢ per lb.
	Valued above 5 cents per pound	1.0¢ per lb.
304	Steel ingots, cogged ingots, blooms and slabs, by whatever process made; die blocks or blanks; billets and bars, whether solid or hollow; shafting; pressed, sheared, or stamped shapes, not advanced in value or condition by any process or operation subsequent to the process of stamping; hammer molds or swaged steel; gun-barrel molds not in bars; concrete reinforcement bars; all descriptions and shapes of dry sand, loam, or iron molded steel castings; sheets and plates and steel not specially provided for; all the foregoing valued above 2½ and not above 8 cents per pound	20% ad val.
305 (1)	The additional duty to be levied, collected, and paid under paragraph 305 (1) on any steel or iron in the materials and articles enumerated or described in paragraphs 303, 304, 307, 308, 312, 313, 315, 316, 317, 318, 319, 322, 323, 324, 327 and 328 and valued at more than 3½ but not more than 8 cents per pound shall be	4% ad val.
315	Wire rods: Rivet, screw, fence, and other iron or steel wire rods, whether round, oval, or square, or in any other shape, nail rods and flat rods up to six inches in width ready to be drawn or rolled into wire or strips, all the foregoing in coils or otherwise:	
	Valued over 2½ and not over 4 cents per pound	0.3¢ per lb.
	Valued over 4 cents per pound	0.6¢ per lb.
316 (a)	Round iron or steel wire, valued above 6 cents per pound	20% ad val.
316 (a)	All flat wires and all steel in strips not exceeding sixteen inches in width, whether in long or short lengths, in coils or otherwise, and whether rolled or drawn through dies or rolls, or otherwise produced:	
	Not thicker than 1/100 of one inch	15% ad val.
	Thicker than 1/100 and not thicker than 5/100 of one inch	20% ad val.

1930 års tarifflag rubrik	Varubeteckning	Tullsats
301	Järnsvamp	1.25 dollar per ton
302 (k)	Ferrokrom, innehållande 3 procent kol eller mera	1.25 cent per pound å kromhalten
302 (k)	Ferrokrom, innehållande mindre än 3 procent kol, samt krommetall	25 procent
303	Välljärn i form av råstänger och delar därav med undantag av skrotändar, stångjärn och rundjärn i ringar eller stänger, slabs, ämnen, smältstycken eller andra former av välljärn, mindre förädlat än stångjärn men mera förädlat än tackjärn, utom gjutgods; alla här uppräknade med ett värde	
	över 2½ men ej över 3½ cents per pound	0.5 cent per pound
	över 3½ men ej över 5 cents per pound	0.8 cent per pound
	över 5 cents per pound	1.0 cent per pound
304	Stål i form av göt, grovvalsade eller grovsmidda ämnen, blooms och slabs, oberoende av tillverkningsförfarandet; stansblock och stansämnen; billets och stänger, vare sig solida eller ihåliga; axelämnen; pressade, klippta eller hejade ämnen, som med avseende på värde eller beskaffenhet ej blivit ytterligare förädlade genom någon påföljande process eller operation efter hejningen; hejarsmide, sänksmide; gevärspipsämnen, ej i stänger; armeringsjärn i stänger; alla slag och former av i torrsands-, ler- eller järnformar gjutet stålgjutgods; tunnplåt, grovplåt samt stål, ej särskilt nämnda; alla här uppräknade med ett värde över 2½ men ej över 8 cents per pound	20 procent
305 (1)	Den tilläggstull, som skall påläggas, uttagas och betalas, jämlikt rubr. 305 (1) för järn och stål i de material och varuslag, vilka uppräknats och beskrivits under rubrikerna 303, 304, 307, 308, 312, 313, 315, 316, 317, 318, 319, 322, 323, 324, 327 och 328, och med ett värde över 3½ men ej över 8 cents per pound, skall utgå med	4 procent
315	Valstråd: Nit-, skruv-, stängsel- och annan valsad tråd av stål eller välljärn, vare sig rund, oval, fyrkantig eller av annan sektion, spik- och sömtråd samt plattråd upp till 6 tum i bredd, färdig att dragas eller valsas till tråd eller band, samtliga i rullar eller i annan form, med ett värde	
	över 2½ men ej över 4 cents per pound	0.3 cent per pound
	över 4 cents per pound	0.6 cent per pound
316 (a)	Rund dragen tråd av stål eller välljärn med ett värde över 6 cents per pound	20 procent
316 (a)	All plattråd och allt stål i strips ej mer än 16 tum i bredd, vare sig i långa eller korta längder, i ringar eller i annan form, och vare sig valsat eller draget genom dragskivor eller valsar eller framställt på annat sätt:	
	ej tjockare än $\frac{1}{100}$ tum	15 procent
	tjockare än $\frac{1}{100}$ tum men ej tjockare än $\frac{5}{100}$ tum	20 procent

Schedule II—Contd.

Tariff Act of 1930 paragraph	Description of Articles	Rates of Duty
321	Antifriction balls and rollers, metal balls and rollers commonly used in ball or roller bearings, metal ball or roller bearings, and parts thereof, whether finished or unfinished, for whatever use intended	8¢ per lb. and 35% ad val.
325	Anvils of iron or steel, or of iron and steel combined, by whatever process made, or in whatever stage of manufacture, weighing five pounds or more each	2¢ per lb.
339	Table, household, kitchen, and hospital utensils, and hollow or flat ware, not specially provided for, composed of iron or steel and enameled or glazed with vitreous glasses, whether or not containing electrical heating elements as constituent parts thereof	5¢ per lb. and 15% ad val.
340	Mill saws, pit and drag saws, and steel band saws, finished or further advanced than tempered and polished	12% ad val.
340	Crosscut saws, finished or further advanced than tempered and polished, hand, back, and other saws, not specially provided for, valued over 5 cents each	15% ad val.
353	Electric vacuum cleaners of the household type, electric motors therefor, and parts of the foregoing; any of the foregoing, finished or unfinished, wholly or in chief value of metal, and not specially provided for Note: The existing customs classification treatment of electric vacuum cleaners of the household type and motors therefor, finished or unfinished, wholly or in chief value of metal, as specially provided for in paragraph 353, Tariff Act of 1930, in accordance with the ruling announced in Treasury Decision 47218–2 (66 Treasury Decisions —) shall be continued during the effective period of this Agreement.	35% ad val.
353	Calculating machines specially constructed for multiplying and dividing, having an electric motor as an essential feature, and parts thereof; any of the foregoing, finished or unfinished, wholly or in chief value of metal, and not specially provided for	25% ad val.
354	Penknives and pocketknives which have folding blades and steel handles ornamented or decorated with etchings or/and gilded designs, valued at more than $6 per dozen	17.5¢ each and 27½% ad val.
356	Planing-machine knives, tannery and leather knives, tobacco knives, paper and pulp mill knives, roll bars, bed plates, and all other stock treating parts for pulp and paper machinery, shear blades, circular cloth cutters, circular cork cutters, circular cigarette cutters, meat-slicing cutters, and all other cutting knives and blades used in power or hand machines	20% ad val.

1930 års tarifflag rubrik	Varubeteckning	Tullsats
321	Kulor och rullar för kul- och rullager, metallkulor och rullar vanligen använda i kul- och rullager, kul- och rullager samt delar därtill, vare sig de äro färdigbearbetade eller ej, oberoende av det ändamål vartill de äro avsedda	8 cents per pound plus 35 procent
325	Städ av järn eller stål eller sammansatta av järn och stål, oberoende av tillverkningsförfarandet och i vilket tillverkningsstadium det vara må, vägande 5 pounds per stycke eller mera	2 cents per pound
339	Bords-, hushålls-, köks- och sjukhusutensilier samt hushållskärl, ej särskilt nämnda, bestående av järn eller stål samt emaljerade eller glaserade, vare sig med eller utan elektriska värmeelement såsom ingående delar	5 cents per pound plus 15 procent
340	Ramsågar, kransågar och släpsågar samt stålbandsågar, färdigarbetade eller mer bearbetade än anlöpta och polerade	12 procent
340	Stocksågar, färdigarbetade eller mer bearbetade än anlöpta och polerade, handsågar och rälssågblad, bågfilblad, eller andra sågar, ej särskilt nämnda, med ett värde över 5 cents stycket	15 procent
353	Elektriska dammsugare för hushållsbruk och elektriska motorer för sådana samt delar därtill, färdigbearbetade eller delvis bearbetade, helt eller till huvudsakliga värdet av metall; ej särskilt nämnda Anm. Med hänsyn till klassificeringen av elektriska dammsugare för hushållsbruk och motorer, färdigarbetade eller icke, helt eller till huvudsakligt värde av metall, såsom särskilt angivna i rubr. 353 av 1930 års tarifflag, skall nuvarande tullbehandling—i överensstämmelse med beslut, som kungjorts i Treasury Decision 47218–2 (66 Treasury Decisions —) fortfarande iakttagas, så länge denna överenskommelse är gällande.	35 procent
353	Räknemaskiner, särskilt konstruerade för multiplikation och division och försedda med en elektrisk motor såsom väsentlig beståndsdel, samt delar därtill; alla här uppräknade, färdigarbetade eller ej, helt eller till huvudsakligt värde av metall, och ej särskilt nämnda	25 procent
354	Hopfällbara pennknivar och fickknivar, med skaft av stål i etsat eller förgyllt utförande, med ett värde överstigande 6 dollars per dussin	17.5 cents stycket samt 27½ procent
356	Maskinhyvelknivar, garveri- och läderknivar, tobaksknivar, knivar för pappers- och cellulosatillverkning, valsar (roll bars), bottenplåtar (bed plates) samt alla andra i cellulosa- och pappersmaskiner förekommande delar för timrets bearbetning, saxblad, cirkelknivar för tygtillskärning, cirkelknivar för korktillverkning, cirkelknivar för cigarettillverkning, köttkvarnsknivar och alla andra slag av knivar eller klingor för handeller motordrivna maskiner	20 procent

Schedule II—Contd.

Tariff Act of 1930 paragraph	Description of Articles	Rates of Duty
	Note: The existing customs classification treatment of articles not more specifically provided for than in paragraph 356 or in the last clause of the first sentence of paragraph 352, Tariff Act of 1930, and described in both such provisions of law, as being more specifically provided for in paragraph 356, in accordance with the decision of the United States Customs Court published as Abstract 23625 (63 Treasury Decisions 1417), shall be continued during the effective period of this Agreement.	
361	Slip joint pliers valued at more than $2 per dozen	40% ad val.
361	Other pliers, pincers, and nippers, and hinged hand tools for holding and splicing wire, finished or unfinished, valued at more than $2 per dozen	80¢ per dozen and 40% ad val.
362	Files, file blanks, rasps and floats, of whatever cut or kind, seven inches in length and over	45¢ per dozen
372	Calculating machines specially constructed for multiplying and dividing, not specially provided for, and parts thereof, not specially provided for, wholly or in chief value of metal or porcelain	25% ad val.
372	Reciprocating gang-saw machines for sawing logs, and parts therefor, not specially provided for	27½% ad val.
372	Machines for making paper pulp or paper, not specially provided for, and parts thereof, not specially provided for, wholly or in chief value of metal or porcelain	20% ad val.
373	Scythes, sickles, grass hooks, and corn knives, and parts thereof, composed wholly or in chief value of metal, whether partly or wholly manufactured	20% ad val.
373	Forks, hoes, and rakes, all of the foregoing, if agricultural hand tools, and parts thereof, composed wholly or in chief value of metal, whether partly or wholly manufactured	15% ad val.
397	Portable cooking and heating stoves, designed to be operated by compressed air and kerosene and/or gasoline, and parts thereof not specially provided for, if composed wholly or in chief value of iron, steel, or other base metal, but not plated with platinum, gold, or silver, or colored with gold lacquer	25% ad val.
397	Cooking and heating stoves, of the household type, not specially provided for, and parts thereof not specially provided for, wholly or in chief value of iron, steel, or other base metal, but not plated with platinum, gold, or silver, or colored with gold lacquer, and not having as an essential feature an electrical element or device	25% ad val.

1930 års tarifflag rubrik	Varubeteckning	Tullsats
	Amn. Med hänsyn till klassificeringen av varor, som ej särskilt angivits i vidare mån än under rubr. 356 eller sista avsnittet av första meningen i rubr. 352 av 1930 års tarifflag, och som beröras i båda dessa lagrum, skall gällande tullbehandling av dessa varor såsom särskilt angivna i rubr. 356 i överensstämmelse med beslut av United States Customs Court, vilket offentliggjorts såsom Abstract 23625 (63 Treasury Decisions 1417), fortfarande iakttagas, så länge denna överenskommelse är gällande.	
361	Justerbara tänger (slip joint pliers) med ett värde överstigande 2 dollars per dussin	40 procent
361	Andra tänger, pincetter och avbitare, samt gängade handverktyg att hålla och splitsa metalltråd, färdigarbetade eller ej; med ett värde överstigande 2 dollars per dussin	80 cents per dussin och 40 procent
362	Filar, filämnen, raspar och ansatsfilar av alla slag och utföranden, med en längd av 7 tum eller mera	45 cents per dussin
372	Räknemaskiner, särskilt konstruerade för multiplikation och division, ej särskilt nämnda, samt delar därtill, ej särskilt nämnda, helt eller till huvudsakligt värde av metall eller porslin	25 procent
372	Ramsågmaskiner för timmerstocksågning samt delar för dessa; ej särskilt nämnda	27½ procent
372	Pappersmasse- eller pappersmaskiner, ej särskilt nämnda, samt delar därtill, ej särskilt nämnda, helt eller till huvudsakligt värde av metall eller porslin	20 procent
373	Liar, skäror, halmknivar och majsknivar, samt delar därtill, helt eller till huvudsakligt värde bestående av metall, vare sig delvis eller fullständigt bearbetade	20 procent
373	Grepar eller gafflar, hackor och räfsor, avsedda för användning såsom lantbrukshandredskap, samt delar därtill; tillverkade helt eller till huvudsakliga värdet av metall	15 procent
397	Transportabla apparater för kokning och uppvärmning, avsedda att drivas med komprimerad luft och fotogen eller bensin eller bådadera, samt delar därtill, ej särskilt nämnda; helt eller till huvudsakligt värde bestående av järn, stål eller annan grundmetall men icke belagda med platina, guld eller silver eller guldlackerade	25 procent
397	Spisar och värmeapparater för hushållsbruk, ej särskilt nämnda, och delar därtill, ej särskilt nämnda; helt eller till huvudsakligt värde av järn, stål eller annan grundmetall men icke belagda med platina, guld eller silver eller guldlackerade, och utan däri såsom väsentlig beståndsdel ingående elektriska element eller annan elektrisk anordning	25 procent

Schedule II—Contd.

Tariff Act of 1930 paragraph	Description of Articles	Rates of Duty
397	Blow torches and incandescent lamps, designed to be operated by compressed air and kerosene and/or gasoline, if composed wholly or in chief value of iron, steel, or other base metal, but not plated with platinum, gold, or silver, or colored with gold lacquer	25% ad val.
412	Spring clothespins	15 cents per gross
412	Clothespins other than spring clothespins, in chief value of wood	25% ad val.
1109 (b)	Felts, belts, blankets, jackets, or other articles of machine clothing, for papermaking, printing, or other machines, when woven, wholly or in chief value of wool, as units or in the piece, finished or unfinished:	
	Valued at not more than $1.25 per pound	50¢ per lb. and 25% ad val.
	Valued at more than $1.25, but not more than $2 per pound	50¢ per lb. and 27½% ad val.
	Valued at more than $2 per pound	50¢ per lb. and 30% ad val.
1402	Paper board, wallboard, and pulpboard, including cardboard, and leather board or compress leather, not plate finished, supercalendered or friction calendered, laminated by means of an adhesive substance, coated, surface stained or dyed, lined or vat-lined, embossed, printed, decorated, or ornamented in any manner, nor cut into shapes for boxes or other articles and not specially provided for, except pulpboard in rolls for use in the manufacture of wallboard	10% ad val.
1409	Wrapping paper not specially provided for, except straw paper	25% ad val.
1413	Paper board and pulpboard, including cardboard and leatherboard or compress leather, plate finished, supercalendered or friction calendered, laminated by means of an adhesive substance, coated, surface stained or dyed, lined or vat-lined, embossed, printed, or decorated or ornamented in any manner	$14.50 per ton of 2000 pounds, but not less than 15% nor more than 30% ad val.
1516	Matches, friction or lucifer, of all descriptions, per gross of one hundred and forty-four boxes, containing not more than one hundred matches per box	17.5¢ per gross
1623	Hard crisp bread made from rye flour and not more than 5 per centum of wheat flour, if any, with yeast as the leavening substance	Free
1716	Sulphate wood pulp, bleached and unbleached, and sulphite wood pulp, unbleached	Free

1930 års tarifflag rubrik	Varubeteckning	Tullsats
397	Blåslampor och lysapparater, avsedda att drivas med komprimerad luft samt fotogen eller bensin eller bådadera; helt eller till huvudsakligt värde bestående av järn, stål eller annan grundmetall men icke belagda med platina, guld eller silver eller guldlackerade	25 procent
412	Tvättklämmor med fjädrar	15 cents per gross
412	Tvättklämmor utan fjädrar, till huvudsakliga värdet av trä	25 procent
1109 (b)	Filt, remmar, filtar, överdrag (jackets) eller andra maskinfiltvaror för pappers-, tryckeri- eller andra maskiner, vävda helt eller till huvudsakligt värde av ull, hela eller i stycken, vare sig färdigarbetade eller ej:	
	med ett värde ej över 1.25 dollar per pound	50 cents per pound och 25 procent
	med ett värde över 1.25 dollar men ej över 2 dollars per pound	50 cents per pound och 27½ procent
	med ett värde över 2 dollars per pound	50 cents per pound och 30 procent
1402	Papp, wallboard, trämassepapp, inkl. kartong, och läderpapp eller läderimitation (compress leather), ej "plate finished", högglättat eller friktionsglättat, laminerat medelst klisterämne, glaserat, ytbehandlat eller färgat, refflat, duplex eller triplex, bosserat, tryckt, dekorerat eller på något sätt ornamenterat, ej heller tillskuret för lådor eller andra artiklar och ej hänförligt till annan rubrik, med undantag för trämassepapp i rullar för tillverkning av wallboard	10 procent
1409	Omslagspapper, ej hänförligt till annan rubrik, med undantag av halmpapper	25 procent
1413	Papp och trämassepapp, inkl. kartong och läderpapp eller läderimitation, "plate finished", högglättat eller friktionsglättat, laminerat medelst klisterämne, glaserat, ytbehandlat eller färgat, refflat, duplex eller triplex, bosserat, tryckt eller dekorerat eller på något sätt ornamenterat	14.50 dollars per ton om 2000 pounds men ej mindre än 15 procent eller mer än 30 procent
1516	Tändstickor, friktions- eller lucifer, av alla slag, per gross om 144 askar, innehållande ej mer än 100 tändstickor per ask	17.5 cents
1623	Knäckebröd, tillverkat av enbart rågmjöl eller rågmjöl och högst 5 procent vetemjöl, med jäst såsom jäsningsämne	fritt
1716	Sulfatmassa, blekt och oblekt, och sulfitmassa, oblekt	fri

WHEREAS the said Agreement has been formally approved and confirmed by me by virtue of the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, and has been ratified by His Majesty the King of Sweden, and the instrument of approval and confirmation and the instrument of ratification were, in accordance with a provision of Article XV of the said Agreement, exchanged at the city of Stockholm on the sixth day of July, one thousand nine hundred and thirty-five;

Ante, p. 3766.

WHEREAS, in accordance with a further provision of the said Article XV, the Agreement will enter into full force on the thirtieth day after the said exchange, that is to say on the fifth day of August, one thousand nine hundred and thirty-five;

WHEREAS such modifications of existing duties and other import restrictions and such continuances of existing customs and excise treatment as are set forth and provided for in the said Agreement and the two Schedules thereunto annexed are required and appropriate to carry out the said Agreement:

Proclamation. Vol. 46, p. 708; Vol. 48, p. 943.

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States of America, acting under the authority conferred by the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, do hereby proclaim the said Agreement, including the said Schedules, to the end that the whole and every part thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof on and from the fifth day of August, one thousand nine hundred and thirty-five.

Pursuant to the proviso in Section 350 (a) (2) of the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, I shall from time to time notify the Secretary of the Treasury of the countries with respect to which application of the duties herein proclaimed is to be suspended.

IN TESTIMONY WHEREOF, I hereunto set my hand and cause the Seal of the United States of America to be affixed.

DONE at the city of Washington this eighth day of July, in the year of our Lord one thousand nine hundred and thirty-five and of the Independence of the United States of America the one hundred and sixtieth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

[No. 79]

Agreement between the United States of America and other powers and protocol of signature with reference to statistics of causes of death. Signed at London, June 19, 1934; effective June 19, 1934.

June 19, 1934.

LES Gouvernements de l'Union de l'Afrique de Sud, du Reich allemand, du Commonwealth d'Australie, de l'État fédéral d'Autriche, du Canada, de la République de Chili, de Sa Majesté le Roi d'Égypte, de la République espagnole, de l'État libre d'Irlande, des États-Unis d'Amérique, du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, de la République hellénique, du Royaume de Hongrie, de Sa Majesté le Roi d'Italie, de la République de Lettonie, des États-Unis de Mexique, de Sa Majesté la Reine des Pays-Bas, de Nouvelle-Zélande, de la République de Panama, de la République de Paraguay, de Sa Majesté le Chah de Perse, de la République de Pologne, de la République tchécoslovaque, et des États-Unis de Venezuela, reconnaissant l'intérêt qu'il y a à assurer autant que possible l'uniformité et la comparabilité des statistiques des causes de décès, leurs Plénipotentiaires soussignés, dûment autorisés à cet effet, sont convenus des dispositions ci-après:

ARTICLE 1er.

Sous réserve des dispositions du protocole de signature qui y est annexé, le présent arrangement s'applique aux territoires métropolitains des Gouvernements contractants et à tous autres territoires auxquels il pourra être étendu en vertu de l'article 8.

ARTICLE 2.

1. Les statistiques des causes de décès seront établies et publiées d'après une seule et même nomenclature, appelée ci-après "nomenclature de base." Ces statistiques devront, soit être rigoureusement conformes à la nomenclature de base, soit, si elles sont présentées sous une forme plus détaillée, être ordonnées de telle manière qu'elles puissent être ramenées par voie de groupement à la nomenclature de base, chaque numéro d'ordre de ces statistiques plus détaillées étant suivi de l'indication entre parenthèses du numéro d'ordre correspondant de la nomenclature de base.

2. Les Gouvernements contractants conviennent d'adopter comme première nomenclature de base la "nomenclature intermédiaire," proposée à Paris le 19 octobre 1929 par la Commission internationale pour la Revision décennale des Nomenclatures nosologiques.

Multilateral agreement with reference to statistics of causes of death.

Contracting Powers.

THE Governments of the Union of South Africa, the German Reich, the Commonwealth of Australia, the Federal State of Austria, Canada, the Republic of Chile, His Majesty the King of Egypt, the Spanish Republic, the Irish Free State, the United States of America, the United Kingdom of Great Britain and Northern Ireland, the Hellenic Republic, the Kingdom of Hungary, His Majesty the King of Italy, the Republic of Latvia, the United States of Mexico, Her Majesty the Queen of the Netherlands, New Zealand, the Republic of Panamá, the Republic of Paraguay, His Majesty the Shah of Persia, the Republic of Poland, the Czechoslovak Republic and the United States of Venezuela, recognising the importance of ensuring as far as possible the uniformity and comparability of statistics of causes of death, the undersigned Plenipotentiaries, being duly authorised thereto, have agreed upon the following provisions:—

ARTICLE 1.

Territories included.

Without prejudice to the provisions of the protocol of signature annexed hereto, the present agreement applies to the metropolitan territories of the Contracting Governments, and to any other territories to which it may have been extended under article 8.

Post, p. 3791.

ARTICLE 2.

"Minimum nomenclature."

Compilation of statistics referred to as.

1. Statistics of causes of death shall be compiled and published according to one uniform nomenclature, hereinafter referred to as the "minimum nomenclature." These statistics shall either follow strictly the minimum nomenclature, or, if they are given in greater detail, be so arranged that by suitable grouping they can be reduced to the minimum nomenclature, each serial number of these more detailed statistics showing after it in brackets the corresponding serial number in the minimum nomenclature.

"Intermediate nomenclature."

2. The Contracting Governments agree to adopt as the first minimum nomenclature the "intermediate nomenclature" recommended at Paris on the 19th October, 1929, by the International Commission for the Decennial Revision of the International Nomenclature of Diseases.

ARTICLE 3.

Chacun des Gouvernements contractants s'engage à établir les statistiques des causes de décès dans les conditions fixées à l'article 2 à partir du 1er janvier suivant la date à laquelle il aura signé le présent arrangement ou y aura adhéré.

ARTICLE 4.

1. Des modifications pourront, dans les conditions fixées au présent article, être apportées à la nomenclature de base pour prendre effet à partir du 1er janvier 1940, ou du 1er janvier de toute dixième année subséquente (dates appelées ci-après "dates de revision"), mais non autrement.

2. En vue de reviser la nomenclature de base, les Gouvernements contractants conviennent de tenir pleinement compte des rapports de toute Commission internationale qui serait réunie de la même manière et aux mêmes effets que la Commission internationale de 1929 pour la Revision décennale des Nomenclatures nosologiques.

3. Pour faciliter l'application du paragraphe précédent, le Gouvernement français réunira en conférence, à l'issue de chacune des sessions de la Commission internationale, les délégations ayant représenté à cette Commission les Gouvernements participant au présent arrangement. Cette conférence examinera les résolutions de la Commission.

4. Chaque Gouvernement contractant aura le droit de demander la revision de la nomenclature de base en vigueur. La demande sera adressée au Gouvernement français, qui convoquera en conférence les Gouvernements contractants pour procéder à l'examen des propositions et à la rédaction des modifications.

5. Les modifications à la nomenclature de base qui seront adoptées au moins une année entière avant la date de revision la plus proche à une conférence réunie en vertu du paragraphe précédent par une majorité d'au moins les quatre cinquièmes des délégués des Gouvernements contractants, prendront effet à partir de la date de revision en question. Pour chaque Gouvernement contractant, la nomenclature de base ainsi modifiée remplacera la nomenclature de base en vigueur jusqu'alors, conformément aux dispositions de l'arrangement, à partir de la date de la revision ou, si le Gouvernement contractant en décide ainsi, à partir du 1er janvier qui suivra immédiatement la date de revision.

ARTICLE 5.

Les Gouvernements contractants qui désireront assurer l'établissement de statistiques plus détaillées que celles qui figurent dans la nomenclature de base pourront conclure entre elles un arrangement en vue d'augmenter, autant que possible, la comparabilité des statistiques, pourvu que cet arrangement ne porte pas atteinte aux dispositions de l'article 2 du présent arrangement.

ARTICLE 3.

Statistics to be compiled by each signatory.

Each Contracting Government undertakes to compile statistics of causes of death in accordance with the conditions laid down in article 2 from the 1st January following the date of its signature of or accession to the present agreement.

ARTICLE 4.

Modifications in minimum nomenclature.

1. Modifications may, in accordance with the conditions laid down in this article, be made in the minimum nomenclature to take effect from the 1st January, 1940, or the 1st January in any subsequent tenth year (hereinafter called "revision dates"), but not otherwise.

Use of other reports in revision.

2. For the purpose of revising the minimum nomenclature the Contracting Governments agree to take fully into account the reports of any International Commission which may be convened in the same manner and with the same objects as the International Commission of 1929 for the Decennial Revision of the International Nomenclature of Diseases.

Conferences authorized.

3. In order to facilitate the operation of the preceding paragraph the French Government shall, at the end of each session of the International Commission, call a conference of the delegations who have represented on that Commission the Governments which are parties to the present agreement. This conference shall consider the resolutions of the Commission.

Rights of signatories to demand revision.

4. Each Contracting Government shall have the right to demand the revision of the minimum nomenclature in force. The request shall be addressed to the French Government, which will thereupon convene a conference of the Contracting Governments to consider the recommendations and to draft the modifications.

Enactments, etc.

5. Modifications of the minimum nomenclature which have been adopted at least one clear year before the next ensuing revision date at a conference convened under the preceding paragraph by a majority of not less than four-fifths of the delegates of the Contracting Governments shall take effect as from such revision date. In respect of each Contracting Government the minimum nomenclature thus modified shall replace the minimum nomenclature hitherto in force in accordance with the provisions of the agreement as from the revision date, or, if the Contracting Government so decides, as from the 1st January next following the revision date.

ARTICLE 5.

Detailed compilations.

Contracting Governments wishing to secure the compilation of statistics in greater detail than those given in the minimum nomenclature may enter into a mutual agreement in order to increase as far as possible the comparability of statistics, provided that such an agreement shall not infringe the provisions of article 2 of the present agreement.

ARTICLE 6.

1. Le présent arrangement portera la date de ce jour et entrera en vigueur immédiatement.

2. Le Gouvernement de tout pays au nom duquel le présent arrangement n'aura pas été signé pourra y accéder, en tout temps, au moyen d'une notification par écrit adressée par la voie diplomatique au Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord et toute accession prendra effet à partir de la date de la réception de la notification.

3. Le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord avisera tous les autres Gouvernements contractants de chaque notification d'accession qu'il aura reçue.

ARTICLE 7.

Le présent arrangement pourra être dénoncé par une notification par écrit adressée par la voie diplomatique au Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord à tout moment, dans un délai de six mois à partir de la date de la réunion finale de l'une quelconque des conférences mentionnées à l'article 4. Toute dénonciation prendra effet à partir de la date de la réception de la notification. Le Gouvernement du Royaume-Uni fera tenir aux autres Gouvernements contractants des copies de tous les avis de dénonciation qu'il aura reçus.

ARTICLE 8.

1. Tout Gouvernement contractant pourra, au moment de sa signature ou de son accession ou dans la suite, par une déclaration écrite adressée au Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, faire connaître son désir que le présent arrangement s'applique à la totalité ou à l'un quelconque de ses colonies, territoires d'outre-mer, protectorats, ou territoires sous suzeraineté ou mandat, et le présent arrangement s'appliquera à tous les territoires mentionnés dans cette déclaration à partir de la date de la réception de celle-ci.

2. Tout Gouvernement contractant pourra, en tout temps, dans un délai de six mois à partir de la date de la réunion finale de l'une quelconque des conférences mentionnées à l'article 4, exprimer par une notification écrite adressée au Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord son désir que le présent arrangement cesse de s'appliquer à la totalité ou à l'un quelconque de ses colonies, territoires d'outre-mer, protectorats, ou territoires sous suzeraineté ou mandat, auxquels l'arrangement se sera appliqué en vertu du paragraphe précédent, et, dans ce cas, le présent arrangement cessera de s'appliquer, à partir de la date de la réception de la notification, à tous les territoires qui y seront mentionnés.

ARTICLE 6.

1. The present agreement shall bear this day's date, and shall come into force immediately. Effective date.

2. The Government of any country on whose behalf the present agreement has not been signed may accede thereto at any time by means of a notification in writing addressed through the diplomatic channel to the Government of the United Kingdom of Great Britain and Northern Ireland, and every accession shall take effect as from the date of the receipt of the notification thereof. Accessions by non-signatories.

3. The Government of the United Kingdom of Great Britain and Northern Ireland shall notify all the other Contracting Governments of each notification of accession received.

ARTICLE 7.

The present agreement may be denounced by a notification in writing addressed through the diplomatic channel to the Government of the United Kingdom of Great Britain and Northern Ireland at any time within six months from the date of the final meeting of any of the conferences referred to in article 4. Each denunciation shall take effect as from the date of the receipt of the notification thereof. The Government of the United Kingdom shall communicate to the other Contracting Governments copies of all notifications of denunciation received. Denunciation.

ARTICLE 8.

1. Any Contracting Government may, at the time of signature or accession or thereafter, by a declaration in writing addressed to the Government of the United Kingdom of Great Britain and Northern Ireland, declare its desire that the present agreement should apply to all or any of its colonies, oversea territories, protectorates, or territories under suzerainty or mandate, and the present agreement shall apply to all the territories mentioned in such declaration as from the date of the receipt thereof. Application of agreement to colonies, etc.

2. Any Contracting Government may, at any time within six months from the date of the final meeting of any of the conferences referred to in article 4, express its desire by a notification in writing addressed to the Government of the United Kingdom of Great Britain and Northern Ireland that the present agreement shall cease to apply to all or any of its colonies, oversea territories, protectorates, or territories under suzerainty or mandate, to which the agreement shall have been applied under the preceding paragraph, and in such case the present agreement shall cease to apply, as from the date of the receipt of the notification, to all the territories mentioned therein.

3. Le Gouvernement du Royaume-Uni avisera les autres Gouvernements contractants de toutes les déclarations ou notifications reçues en vertu des paragraphes précédents de cet article.

En foi de quoi les Plénipotentiaires soussignés ont signé le présent arrangement.

Fait à Londres, le dix-neuf juin 1934, en texte français et anglais, les deux textes étant également authentiques.

Pour le Gouvernement de l'Union de l'Afrique du Sud: [1]
C. T. TE WATER.

Pour le Gouvernement du Reich allemand:
HOESCH.

Pour le Gouvernement du Commonwealth d'Australie:
C. M. BRUCE.

Pour le Gouvernement de l'État fédéral d'Autriche:

Pour le Gouvernement du Canada:
G. H. FERGUSON.

Pour le Gouvernement de la République de Chili:
J. E. TOCORNAL.

Pour le Gouvernement de Sa Majesté le Roi d'Égypte:
A. W. DAWOOD.

Pour le Gouvernement de la République espagnole: [2]
RAMÓN PÉREZ DE AYALA.

Pour le Gouvernement de l'État libre d'Irlande:
J. W. DULANTY.

Pour le Gouvernement des États-Unis d'Amérique:
ROBERT W. BINGHAM.

Pour le Gouvernement du Royaume-Uni de Grande Bretagne et d'Irlande du Nord: [3]
JOHN SIMON.

Pour le Gouvernement de la République hellénique:
D. CACLAMANOS.

Pour le Gouvernement du Royaume de Hongrie:
SZECHENYI.

Pour le Gouvernement de Sa Majesté le Roi d'Italie:
DINO GRANDI.

Pour le Gouvernement de la République de Lettonie:
CH. ZARINE.

[1] Avec déclaration spéciale que le présent arrangement sera appliqué au territoire sous mandat de l'Afrique-Occidentale Anglaise, à l'exception des régions indigènes; voir l'appendice.

[2] Avec déclaration spéciale que le présent arrangement sera appliqué à la zone espagnole du protectorat marocain et aux colonies espagnoles, sous réserve, pour ces dernières, des alinéas 1 et 2 du protocole de signature; voir l'appendice.

[3] Avec déclaration spéciale que le présent arrangement sera appliqué à la Terre-Neuve et à la Rhodésie du Sud; voir l'appendice.

3. The Government of the United Kingdom shall inform the other Contracting Governments of all declarations or notifications received under the preceding paragraphs of this article.

In faith thereof the undersigned Plenipotentiaries have signed the present agreement.

Done at London this nineteenth day of June, 1934, in English and French texts, both being equally authentic.

Signatures.

For the Government of the Union of South Africa:[1]
C. T. TE WATER.

For the Government of the German Reich:
HOESCH.

For the Government of the Commonwealth of Australia:
C. M. BRUCE.

For the Government of the Federal State of Austria:

For the Government of Canada:
G. H. FERGUSON.

For the Government of the Republic of Chile:
J. E. TOCORNAL.

For the Government of His Majesty the King of Egypt:
A. W. DAWOOD.

For the Government of the Spanish Republic:[2]
RAMÓN PÉREZ DE AYALA.

For the Government of the Irish Free State:
J. W. DULANTY.

For the Government of the United States of America:
ROBERT W. BINGHAM.

For the Government of the United Kingdom of Great Britain and Northern Ireland:[3]
JOHN SIMON.

For the Government of the Hellenic Republic:
D. CACLAMANOS.

For the Government of the Kingdom of Hungary:
SZECHENYI.

For the Government of His Majesty the King of Italy:
DINO GRANDI.

For the Government of the Republic of Latvia:
CH. ZARINE.

[1] With a separate declaration that the agreement shall apply to the Mandated Territory of South-West Africa with the exception of native areas; see appendix.

[2] With a separate declaration that the agreement shall apply to the Spanish Zone of the Protectorate in Morocco and to the Spanish Colonies, subject, as regards the latter, to the reservations indicated in paragraphs 1 and 2 of the protocol of signature; see appendix.

[3] With a separate declaration that the agreement shall apply to Newfoundland and Southern Rhodesia; see appendix.

Pour le Gouvernement des États-Unis de Mexique:
J. SÁNCHEZ MEJORADA.

Pour le Gouvernement de Sa Majesté la Reine des Pays-Bas:
R. DE MAREES VAN SWINDEREN.

Pour le Gouvernement de Nouvelle-Zélande:
C. J. PARR.

Pour le Gouvernement de la République de Panama:

Pour le Gouvernement de la République de Paraguay:
R. ESPINOZA.

Pour le Gouvernement de Sa Majesté le Chah de Perse:
M. K. SCHAYESTEH.

Pour le Gouvernement de la République de Pologne:
SKIRMUNT.

Pour le Gouvernement de la République tchécoslovaque:
JAN MASARYK.

Pour le Gouvernement des États-Unis de Venezuela:
DIÓGENES ESCALANTE.

Signatures—Continued.

For the Government of the United States of Mexico:
J. SÁNCHEZ MEJORADA.

For the Government of Her Majesty the Queen of the Netherlands:
R. DE MAREES VAN SWINDEREN.

For the Government of New Zealand:
C. J. PARR.

For the Government of the Republic of Panamá:

For the Government of the Republic of Paraguay:
R. ESPINOZA.

For the Government of His Majesty the Shah of Persia:
M. K. SCHAYESTEH.

For the Government of the Republic of Poland:
SKIRMUNT.

For the Government of the Czechoslovak Republic:
JAN MASARYK.

For the Government of the United States of Venezuela:
DIÓGENES ESCALANTE.

PROTOCOLE DE SIGNATURE.

Au moment de signer l'arrangement en date de ce jour sur les statistiques des causes de décès, les Plénipotentiaires soussignés, dûment autorisés à cet effet, déclarent qu'ils sont convenus de ce qui suit:

1. Les Gouvernements contractants mentionnés ci-dessous, qui ne sont pas à même d'établir et de publier des statistiques centralisées pour l'ensemble de leur territoire métropolitain, limitent par les présentes leur acceptation des obligations dudit arrangement aux portions suivantes de leur territoire métropolitain:

Le Gouvernement de l'Union de l'Afrique du Sud—

(*a*) régions urbaines;
(*b*) régions non-urbaines auxquelles s'applique l'Acte No. 17 de 1923.

Le Gouvernement de Sa Majesté le Roi d'Égypte—

LOCALITÉS.

(Inspectorats de Santé.)

Gouvernorats.

Le Caire—
Abdin.
Bab-el-Sha'riya.
Bûlaq.
El Darb-el-Ahmar.
El Ezbekiya.
El Gamâliya.
Helwan.
El Khalifa.
El Musky.
Vieux Caire.
El Saiyeda-Zeinab.
Shubra.
El Wayli—
El Abbasiya.
Heliopolis.
El Zaytûn.

Alexandrie—
El Attarin.
El Gumruk.
Karmûs.
El Labban.
El Manshiya.
Mina-el-Basal.
El Hadra.
Muharram Bey.
El Raml.

Canal—
Ismaïlia (ville).
Port-Fouad.
Port-Saïd (ville).
Damiette.
Suez.

Basse-Égypte.

Beheira Province—
Abu El Matâmir-el-Qibliya.
Abu Hummus.
Damanhûr (chef-lieu).
El Dilingât.
Ezab Difshu.
Ityâi-el-Bârûd.
Kafr Dâwûd.
Kafr-el-Dauwâr.
Kôm Hamâda.
El Mahmûdiya.
El Montazah.
Rosetta.
Shubrâkhît.

Daqahliya Province—
Aga.
Dikirnis.
Fâriskûr.
El Kurdi.
Mahallet Anshaq.
El Mansûra (chef-lieu).
El Manzala.
El Matariya.
Mit Abu Khâlid.
Mit-el-'Amil.
Mit Ghamr.
El Simbillâwein.
Timai-el-Amdid.

Gharbiya Province—
Abu Mandûr.
Baltim.
Basyûn.
Bilqâs.

PROTOCOL OF SIGNATURE.

Protocol of Signature.

At the moment of signing the agreement of this day's date on statistics of causes of death, the undersigned Plenipotentiaries, being duly authorised thereto, declare that they have agreed as follows:—

1. The under-mentioned Contracting Governments, who are not in a position to compile and publish central statistics for the whole of their metropolitan territory, hereby limit their acceptance of the obligations of the said agreement to the following portions of their metropolitan territory:—

The Government of the Union of South Africa—

(*a*) Urban areas;
(*b*) Non-urban areas to which Act No. 17 of 1923 applies.

The Government of His Majesty the King of Egypt—

LOCALITIES.

(Health Inspectorates.)

Governorates.

Cairo—
- Abdin.
- Bab-el-Sha'riya.
- Bûlaq.
- El Darb-el-Ahmar
- El Ezbekiya.
- El Gamâliya.
- Helwan.
- El Khalifa.
- El Musky.
- Old Cairo.
- El Saiyeda-Zeinab.
- Shubra.
- El Wayli—
  - El Abbasiya.
  - Heliopolis.
  - El Zaytûn.

Alexandria—
- El Attarin.
- El Gumruk.
- Karmûs.
- El Labban.
- El Manshiya.
- Mina-el-Basal.
- El Hadra.
- Muharram Bey.
- El Raml.

Canal—
- Ismailia (town).
- Port Fouad.
- Port Said (town).
- Damietta.
- Suez.

Lower Egypt.

Beheira Province—
- Abu El Matâmir-el-Qibliya.
- Abu Hummus.
- Damanhûr (chief town).
- El Dilingât.
- Ezab Difshu.
- Ityâi-el-Bârûd.
- Kafr Dâwûd.
- Kafr-el-Dauwâr.
- Kôm Hamâda.
- El Mahmûdiya.
- El Montazah.
- Rosetta.
- Shubrâkhît.

Daqahliya Province—
- Aga.
- Dikirnis.
- Fâriskûr.
- El Kurdi.
- Mahallet Anshaq.
- El Mansûra (chief town).
- El Manzala.
- El Matariya.
- Mit Abu Khâlid.
- Mit-el-'Amil.
- Mit Ghamr.
- El Simbillâwein.
- Timai-el-Amdid.

Gharbiya Province—
- Abu Mandûr.
- Baltim.
- Basyûn.
- Bilqâs.

Basse-Égypte—(suite).

Gharbiya Province—(suite).
Disûq.
Fuwa.
Kafr-el-Sheikh.
Kafr-el-Zaiyât.
El Mahalla-el-Kubra.
Motobus.
Qallîn.
Qutûr.
Samannûd.
El Santa.
Shirbîn.
Talkha.
Tanta (chef-lieu).
Zifta.

Minufiya Province—
Ashmûn.
El Bâgûr.
El Batanoun.
Istanha.
Kafr Rabi'.
Minûf.
Shatânûf.
Shibin-el-Kom (chef-lieu).
El Shuhada et Sirsina.
Tala.

Qalyubiya Province—
El 'Amâr-el-Kubra.
Benha (chef-lieu).
El Khânka.
Qalyûb.
El Qanâter-el-Khairiya.
Sindbîs.
Shibîn-el-Qanâtir.
Shubra-el-Kheima.
Tûkh.

Sharqiya Province—
Abou Hammad.
Abou Kebir.
Belbeis.
Fâqûs.
Gezîret Seoûdi.
Hihya.
Kafr Saqr.
Mashtûl-el-Sûq.
Minyet-el-Qamh.
El Salhiya.
El Sanâfin.
Tal Rak.
Zagazig (chef-lieu).

Haute-Égypte.

Aswan Province—
El Alaqi.
Aswân (chef-lieu).
Edfu.
Kôm Ombo.
El Redissiya Bahari.
Ahiba.

Asyut Province—
Abnûb.
Abu Tig.
Asyût (chef-lieu).
El Badâri.
Dairût-el-Mahatta.
Deir Mawâs.

Haute-Égypte—(suite).

Asyut Province—(suite).
Mallawi.
Manfalût.
El Motea.
El Qûsiya.
El Roda.
Sidfa.

Beni-Suef Province—
Abu Sîr-el-Malaq.
Beni-Suef (chef-lieu).
Biba.
Ihnassia-el-Madina.
El Shantûr.
El Wasta.

Faiyûm Province—
El Faiyûm (chef-lieu).
Ibshawâi.
Itsa.
El Nazla.
Sinnûris.
Tâmia.

Girga Province—
Akhmîm.
Awlad Hamza.
El Balyana.
Girga.
El Khiyâm.
El Manshâh.
El Marâgha.
Nazlet 'Imara.
Sohâg (chef-lieu).
Tahua.
Tima.

Giza Province—
El Aîyat.
El Giza (chef-lieu).
El Hawamdia.
Imbâba.
Mazghouna.
Osim.
El Saff.
Sôal.

Minya Province—
Beni Mazâr.
El Fant.
El Fashn.
El Fikrîya.
El 'Idwa.
Maghâgha.
Minshât Matâi.
El Minya (chef-lieu).
Samâlût.

Qena Province—
Abu Shûsha.
Armant-el-Wabûrât.
El Deir.
Dishna.
Farshût.
Isna.
Luxor.
Nag' Hammâdi.
Naqâda.
Qaft.
Qena (chef-lieu).
Qûs.
El Waqf.

Lower Egypt—(contd.).

Gharbiya Province—(contd.).
Disûq.
Fuwa.
Kafr-el-Sheikh.
Kafr-el-Zaiyât.
El Mahalla-el-Kubra.
Motobus.
Qallîn.
Qutûr.
Samannûd.
El Santa.
Shirbîn.
Talkha.
Tanta (chief town).
Zifta.

Minufiya Province—
Ashmûn.
El Bâgûr.
El Batanoun.
Istanha.
Kafr Rabi'.
Minûf.
Shatânûf.
Shibin-el-Kom (chief town).
El Shuhada and Sirsina.
Tala.

Qalyubiya Province—
El 'Amâr-el-Kubra.
Benha (chief town).
El Khânka.
Qalyûb.
El Qanâter-el-Khairiya.
Sindbîs.
Shibîn-el-Qanâtir.
Shubra-el-Kheima.
Tûkh.

Sharqiya Province—
Abou Hammad.
Abou Kebir.
Belbeis.
Fâqûs.
Gezîret Seoûdi.
Hihya.
Kafr Saqr.
Mashtûl-el-Sûq.
Minyet-el-Qamh.
El Salhiya.
El Sanâfin.
Tal Rak.
Zagazig (chief town).

Upper Egypt

Aswan Province—
El Alaqi.
Aswân (chief town).
Edfu.
Kôm Ombo.
El Redissiya Bahari.
Ahiba.

Asyut Province—
Abnûb.
Abu Tig.
Asyût (chief town).
El Badâri.
Dairût-el-Mahatta.
Deir Mawâs.

Upper Egypt—(contd.).

Asyut Province—(contd.).
Mallawi.
Manfalût.
El Motea.
El Qûsiya.
El Roda.
Sidfa.

Beni-Suef Province—
Abu Sîr-el-Malaq.
Beni-Suef (chief town).
Biba.
Ihnassia-el-Madina.
El Shantûr.
El Wasta.

Faiyûm Province—
El Faiyûm (chief town).
Ibshawâi.
Itsa.
El Nazla.
Sinnûris.
Tâmia.

Girga Province—
Akhmîm.
Awlad Hamza.
El Balyana.
Girga.
El Khiyâm.
El Manshâh.
El Marâgha.
Nazlet 'Imara.
Sohâg (chief town).
Tahua.
Tima.

Giza Province—
El Aiyat.
El Giza (chief town).
El Hawamdia.
Imbâba.
Mazghouna.
Osim.
El Saff.
Sôal.

Minya Province—
Beni Mazâr.
El Fant.
El Fashn.
El Fikrîya.
El 'Idwa.
Maghâgha.
Minshât Matâi.
El Minya (chief town).
Samâlût.

Qena Province—
Abu Shûsha.
Armant-el-Wabûrât.
El Deir.
Dishna.
Farshût.
Isna.
Luxor.
Nag' Hammâdi.
Naqâda.
Qaft.
Qena (chief town).
Qûs.
El Waqf.

Le Gouvernement de Nouvelle-Zélande—

North Island et les îlots voisins;
South Island et les îlots voisins;
Stewart Island et les îlots voisins;
Chatham Islands.

2. Les Gouvernements contractants susmentionnés pourront en tout temps pendant que le présent arrangement sera en vigueur étendre l'application dudit arrangement à toutes portions de leurs territoires métropolitains autres que celles auxquelles l'arrangement est déjà applicable, en vertu du paragraphe précédent, par une notification adressée au Gouvernement du Royaume-Uni par la voie diplomatique.

3. Le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord transmettra à tous les autres Gouvernements contractants des copies de toutes les notifications qu'il recevra en vertu du paragraphe précédent.

Fait à Londres, le dix-neuf juin 1934, en texte français et anglais, les deux textes étant également authentiques.

Pour le Gouvernement de l'Union de l'Afrique du Sud:
C. T. TE WATER.

Pour le Gouvernement du Reich allemand:
HOESCH.

Pour le Gouvernement du Commonwealth d'Australie:
C. M. BRUCE.

Pour le Gouvernement de l'État fédéral d'Autriche:

Pour le Gouvernement du Canada:
G. H. FERGUSON.

Pour le Gouvernement de la République de Chili:
J. E. TOCORNAL.

Pour le Gouvernement de Sa Majesté le Roi d'Égypte:
A. W. DAWOOD.

Pour le Gouvernement de la République espagnole:
RAMÓN PÉREZ DE AYALA.

Pour le Gouvernement de l'État libre d'Irlande:
J. W. DULANTY.

Pour le Gouvernement des États-Unis d'Amérique:
ROBERT W. BINGHAM.

Pour le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord:
JOHN SIMON.

Pour le Gouvernement de la République hellénique:
D. CACLAMANOS.

Pour le Gouvernement du Royaume de Hongrie:
SZECHENYI.

The Government of New Zealand—

North Island and adjacent islets;
South Island and adjacent islets;
Stewart Island and adjacent islets;
Chatham Islands.

2. The above-mentioned Contracting Governments may, at any time while the present agreement is in force, extend the application of the said agreement to any portions of their metropolitan territories other than those to which the agreement is already applicable under the preceding paragraph by a notification addressed to the Government of the United Kingdom through the diplomatic channel.

3. The Government of the United Kingdom of Great Britain and Northern Ireland shall transmit to all the other Contracting Governments copies of all notifications received under the preceding paragraph.

Done at London this nineteenth day of June, 1934, in English and French texts, both texts being equally authentic.

For the Government of the Union of South Africa:
C. T. TE WATER.

For the Government of the German Reich:
HOESCH.

For the Government of the Commonwealth of Australia:
C. M. BRUCE.

For the Government of the Federal State of Austria:

For the Government of Canada:
G. H. FERGUSON.

For the Government of the Republic of Chile:
J. E. TOCORNAL.

For the Government of His Majesty the King of Egypt:
A. W. DAWOOD.

For the Government of the Spanish Republic:
RAMÓN PÉREZ DE AYALA.

For the Government of the Irish Free State:
J. W. DULANTY.

For the Government of the United States of America:
ROBERT W. BINGHAM.

For the Government of the United Kingdom of Great Britain and Northern Ireland:
JOHN SIMON.

For the Government of the Hellenic Republic:
D. CACLAMANOS.

For the Government of the Kingdom of Hungary:
SZECHENYI.

Pour le Gouvernement de Sa Majesté le Roi d'Italie:
DINO GRANDI.

Pour le Gouvernement de la République de Lettonie:
CH. ZARINE.

Pour le Gouvernement des États-Unis de Mexique:
J. SÁNCHEZ MEJORADA.

Pour le Gouvernement de Sa Majesté la Reine des Pays-Bas:
R. DE MAREES VAN SWINDEREN.

Pour le Gouvernement de Nouvelle-Zélande:
C. J. PARR.

Pour le Gouvernement de la République de Panama:

Pour le Gouvernement de la République de Paraguay:
R. ESPINOZA.

Pour le Gouvernement de Sa Majesté le Chah de Perse:
M. K. SCHAYESTEH.

Pour le Gouvernement de la République de Pologne:
SKIRMUNT.

Pour le Gouvernement de la République tchécoslovaque:
JAN MASARYK.

Pour le Gouvernement des États-Unis de Venezuela:
DIÓGENES ESCALANTE.

For the Government of His Majesty the King of Italy:
DINO GRANDI.

For the Government of the Republic of Latvia:
CH. ZARINE.

For the Government of the United States of Mexico:
J. SÁNCHEZ MEJORADA.

For the Government of Her Majesty the Queen of the Netherlands:
R. DE MAREES VAN SWINDEREN.

For the Government of New Zealand:
C. J. PARR.

For the Government of the Republic of Panamá:

For the Government of the Republic of Paraguay:
R. ESPINOZA.

For the Government of His Majesty the Shah of Persia:
M. K. SCHAYESTEH.

For the Government of the Republic of Poland:
SKIRMUNT.

For the Government of the Czechoslovak Republic:
JAN MASARYK.

For the Government of the United States of Venezuela:
DIÓGENES ESCALANTE.

Appendix.

APPENDIX

By a note of July 5, 1934, the British Secretary of State for Foreign Affairs, referring to the agreement on statistics of causes of death, informed the American Ambassador at London as follows:

" . . . In accordance with the provisions of the second [*third*] paragraph of Article 8 of the Agreement I have the honour to inform Your Excellency that the following declarations under the first paragraph of that Article were received by His Majesty's Government in the United Kingdom on the date of signature:—

"The Government of the United Kingdom of Great Britain and Northern Ireland; applying the Agreement to Newfoundland and Southern Rhodesia;

"The Government of the Union of South Africa: applying the Agreement to the Mandated Territory of South-West Africa with the exception of Native Areas;

"The Government of the Spanish Republic: applying the Agreement to the Spanish Zone of the Protectorate in Morocco and to the Spanish Colonies, subject, as regards the latter, to the reservations indicated in paragraphs 1 and 2 of the Protocol of Signature."

[No. 80]

Commercial agreement between the United States of America and the Union of Soviet Socialist Republics. Effected by exchange of notes, signed July 13, 1935; effective July 13, 1935.

July 13, 1935.

The American Ambassador (Bullitt) to the People's Commissar for Foreign Affairs (Litvinoff)

EMBASSY OF THE UNITED STATES OF AMERICA,
Moscow, July 13, 1935.

EXCELLENCY:

I have the honor to refer to recent conversations in regard to commerce between the United States of America and the Union of Soviet Socialist Republics and to the trade agreements program of the United States of America, and to confirm and to make of record by this note the following agreement which has been reached between the Governments of our respective countries:

Commercial, etc., agreement with the Union of Soviet Socialist Republics.

1. The duties proclaimed by the President of the United States of America pursuant to trade agreements entered into with foreign governments or instrumentalities thereof under the authority of the Act entitled, "An Act to Amend the Tariff Act of 1930", approved June 12, 1934, shall be applied to articles the growth, produce, or manufacture of the Union of Soviet Socialist Republics as long as this Agreement remains in force. It is understood that nothing in this Agreement shall be construed to require the application to articles the growth, produce, or manufacture of the Union of Soviet Socialist Republics of duties or exemptions from duties proclaimed pursuant to any trade agreement between the United States of America and the Republic of Cuba, which has been or may hereafter be concluded.

Vol. 48, p. 943.

2. On its part, the Government of the Union of Soviet Socialist Republics will take steps to increase substantially the amount of purchases in the United States of America for export to the Union of Soviet Socialist Republics of articles the growth, produce, or manufacture of the United States of America.

3. This Agreement shall come into force on the date of signature thereof. It shall continue in effect for 12 months. Both parties agree that not less than 30 days prior to the expiration of the aforesaid period of 12 months, they shall start negotiations regarding the extension of the period during which the present Agreement shall continue in force.

Accept, Excellency, the renewed assurances of my highest consideration.

WILLIAM C. BULLITT

His Excellency
MAXIM M. LITVINOV,
People's Commissar for Foreign Affairs,
Moscow.

The People's Commissar for Foreign Affairs (Litvinoff) to the American Ambassador (Bullitt)

Moscow, *July "13", 1935.*

MR. AMBASSADOR,

Agreement by the Union of Soviet Socialist Republics.

I have the honour to refer to recent conversations in regard to commerce between the Union of Soviet Socialist Republics and the United States of America and to the trade agreements program of the United States of America, and to confirm and to make of record by this note the following agreement which has been reached between the Governments of our respective countries:

1. The duties proclaimed by the President of the United States of America pursuant to trade agreements entered into with foreign governments or instrumentalities thereof under the authority of the Act entitled, "An Act to Amend the Tariff Act of 1930", approved June 12, 1934, shall be applied to articles the growth, produce, or manufacture of the Union of Soviet Socialist Republics as long as this Agreement remains in force. It is understood that nothing in this Agreement shall be construed to require the application to articles the growth, produce, or manufacture of the Union of Soviet Socialist Republics of duties or exemptions from duties proclaimed pursuant to any trade agreement between the United States of America and the Republic of Cuba, which has been or may hereafter be concluded.

2. On its part, the Government of the Union of Soviet Socialist Republics will take steps to increase substantially the amount of purchases in the United States of America for export to the Union of Soviet Socialist Republics of articles the growth, produce, or manufacture of the United States of America.

3. This Agreement shall come into force on the date of signature thereof. It shall continue in effect for 12 months. Both parties agree that not less than 30 days prior to the expiration of the aforesaid period of 12 months, they shall start negotiations regarding the extension of the period during which the present Agreement shall continue in force.

Accept, Mr. Ambassador, the renewed assurances of my highest consideration.

MAXIM LITVINOFF

MR. WILLIAM C. BULLITT,
Ambassador of the United States of America,
Moscow.

The American Ambassador (Bullitt) to the People's Commissar for Foreign Affairs (Litvinoff)

EMBASSY OF THE UNITED STATES OF AMERICA,
Moscow, July 11, 1935.

EXCELLENCY:

I have the honor to refer to our recent conversations in regard to commerce between the United States of America and the Union of Soviet Socialist Republics and to ask you to let me know the value of articles the growth, produce, or manufacture of the United States of America which the Government of the Union of Soviet Socialist Republics intends to purchase in the United States of America during the next twelve months for export to the Union of Soviet Socialist Republics.

Accept, Excellency, the renewed assurances of my highest consideration.

WILLIAM C. BULLITT

His Excellency
MAXIM M. LITVINOV,
People's Commissar for Foreign Affairs,
Moscow.

The People's Commissar for Foreign Affairs (Litvinoff) to the American Ambassador (Bullitt)

Moscow, *July "15", 1935.*

MR. AMBASSADOR,

In reply to your inquiry regarding the intended purchases by the Union of Soviet Socialist Republics in the United States of America within the next twelve months, I have the honour to bring to your knowledge that according to information received from the People's Commissariat for Foreign Trade it is intended to purchase in the United States of America during the above mentioned period American goods to the value of thirty million dollars.

Accept, Mr. Ambassador, the renewed assurances of my highest consideration.

MAXIM LITVINOFF

Mr. WILLIAM C. BULLITT,
Ambassador of the United States of America,
Moscow.

[No. 81]

February 2, 1935. *Agreement, Supplementary Agreement, and exchange of notes between the United States of America and Brazil respecting reciprocal trade. Signed at Washington, February 2, 1935; supplementary agreement signed at Rio de Janeiro, April 17, 1935; approved and confirmed by the President of the United States, March 6, and April 25, 1935; ratified by the President of Brazil, November 30, 1935; instruments of approval and confirmation and instrument of ratification exchanged at Rio de Janeiro, December 2, 1935; proclaimed, December 2, 1935; effective January 1, 1936.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Reciprocal trade agreement, etc., with Brazil. Vol. 46, p. 708; Vol. 48, p. 943.

WHEREAS it is provided in the Tariff Act of 1930 of the Congress of the United States of America, as amended by the Act of June 12, 1934, entitled "AN ACT To Amend the Tariff Act of 1930" (48 Stat. 943), as follows:

Statutory provisions.

"Sec. 350. (a) For the purpose of expanding foreign markets for the products of the United States (as a means of assisting in the present emergency in restoring the American standard of living, in overcoming domestic unemployment and the present economic depression, in increasing the purchasing power of the American public, and in establishing and maintaining a better relationship among various branches of American agriculture, industry, mining, and commerce) by regulating the admission of foreign goods into the United States in accordance with the characteristics and needs of various branches of American production so that foreign markets will be made available to those branches of American production which require and are capable of developing such outlets by affording corresponding market opportunities for foreign products in the United States, the President, whenever he finds as a fact that any existing duties or other import restrictions of the United States or any foreign country are unduly burdening and restricting the foreign trade of the United States and that the purpose above declared will be promoted by the means hereinafter specified, is authorized from time to time—

"(1) To enter into foreign trade agreements with foreign governments or instrumentalities thereof; and

"(2) To proclaim such modifications of existing duties and other import restrictions, or such additional import restrictions, or such continuance, and for such minimum periods, of existing customs or excise treatment of any article covered by foreign trade agreements, as are required or appropriate to carry out any foreign trade agreement that the President has entered into hereunder. No proclamation shall be made increasing or decreasing by more than 50 per centum any existing rate of duty or transferring any article between the dutiable and free lists. The proclaimed duties and other import restrictions shall apply to articles the growth, produce, or manufacture of all

foreign countries, whether imported directly, or indirectly: *Provided*, That the President may suspend the application to articles the growth, produce, or manufacture of any country because of its discriminatory treatment of American commerce or because of other acts or policies which in his opinion tend to defeat the purposes set forth in this section; and the proclaimed duties and other import restrictions shall be in effect from and after such time as is specified in the proclamation. The President may at any time terminate any such proclamation in whole or in part."

Promotion of trade.

WHEREAS I, Franklin D. Roosevelt, President of the United States of America, have found as a fact that certain existing duties and other import restrictions of the United States of America and the Republic of the United States of Brazil are unduly burdening and restricting the foreign trade of the United States of America and that the purpose declared in the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, will be promoted by a foreign trade agreement between the United States of America and the Republic of the United States of Brazil;

Vol. 46, p. 708; Vol. 48, p. 943.

Notice given.

WHEREAS reasonable public notice of the intention to negotiate such foreign trade agreement was given and the views presented by persons interested in the negotiation of such Agreement were received and considered;

Trade agreement entered into.

WHEREAS, after seeking and obtaining information and advice with respect thereto from the United States Tariff Commission, the Departments of State, Agriculture, and Commerce, and from other sources, I entered into a foreign trade agreement on February 2, 1935, through my duly empowered plenipotentiary, with the President of the Republic of the United States of Brazil, through his duly empowered plenipotentiary, which Agreement, including two Schedules, annexed thereto, all in the English and Portuguese languages, is in words and figures as follows:

Purposes declared.

The President of the United States of America and the President of the Republic of the United States of Brazil, desiring to strengthen the traditional bonds of friendship between the two countries; to give effect to the principles embodied in the Resolution on economic, commercial and tariff policies approved on December 16, 1933, by the Seventh International Conference of American States; and to supplement the principle of equality embodied in the Exchange of Notes signed October 18, 1923, by granting mutual and reciprocal advantages for the promotion of trade between the two countries, as well as for the expansion of international trade, have resolved to conclude a Trade Agree-

O Presidente dos Estados Unidos da America e o Presidente da Republica dos Estados Unidos do Brasil, animados do desejo de fortalecer os tradicionaes laços de amizade que unem os dois paizes; de levar a effeito os principios incorporados na Resolução sobre a politica economica, commercial e tarifaria, approvada em 16 de Dezembro de 1933, pela Setima Conferencia internacional americana; e de ampliar o principio de igualdade constante das notas trocadas em 18 de Outubro de 1923, pela concessão de vantagens mutuas e reciprocas para o desenvolvimento do commercio entre os dois paizes, assim como para o augmento do commercio internacional; resolveram celebrar um Tratado commercial,

ment, and for that purpose have appointed their plenipotentiaries, as follows:

Plenipotentiaries.

The President of the United States of America: Mr. Cordell Hull, Secretary of State of the United States of America, and

The President of the Republic of the United States of Brazil: Senhor Oswaldo Aranha, Ambassador Extraordinary and Plenipotentiary of the Republic of the United States of Brazil to the Government of the United States of America;

Who, after having exchanged their full powers, found to be in good and due form, have agreed upon the following articles:

ARTICLE I

Most-favored-nation treatment.

The United States of America and the United States of Brazil will grant each other unconditional and unrestricted most-favored-nation treatment in all matters concerning customs duties and subsidiary charges and in the method of levying duties, and, further, in all matters concerning the rules, formalities, and charges imposed in connection with the clearing of goods through the customs.

Accordingly, natural or manufactured products having their origin in the United States of America or the United States of Brazil shall in no case be subject in the other country, in regard to the matters referred to above, to any duties, taxes, or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like products of any third country are or may hereafter be subject.

Similarly, natural or manufactured products exported from the territory of the United States of America or the United States of Brazil and consigned to the territory of the other country shall in no case be subject with respect to exportation and in regard to the above-mentioned matters, to any duties, taxes, or charges other or higher, or to any rules or formalities other or more burdensome, than those to which like products destined for the territory of any third country are or may hereafter be subject.

e, para esse fim, nomearam seus plenipotenciarios, a saber:

O Presidente dos Estados Unidos da America, ao Senhor Cordell Hull, Secretario de Estado dos Estados Unidos da America;

O Presidente da Republica dos Estados Unidos do Brasil, ao Senhor Oswaldo Aranha, Embaixador Extraordinario e Plenipotenciario da Republica dos Estados Unidos do Brasil junto ao governo dos Estados Unidos da America;

Os quaes, depois de haverem trocado seus plenos poderes, achados em bôa e devida forma, convieram nos artigos seguintes:

ARTIGO I

Os Estados Unidos do Brasil e os Estados Unidos da America concederão um ao outro o tratamento incondicional e sem restricções da nação mais favorecida em relação a tudo quanto se referir a direitos alfandegarios e a encargos accessorios, ao modo de percepção dos direitos, e em relação ás regras, formalidades e encargos a que poderiam ser submettidas as operações de despacho alfandegario.

Os productos naturaes ou fabricados originarios dos Estados Unidos do Brasil ou dos Estados Unidos da America, não serão, consequentemente, em caso algum, sujeitos, no outro paiz, e nas supracitadas relações, a direitos, taxas ou impostos differentes ou mais elevados, nem a regras ou formalidades differentes ou mais onerosas do que aquelles aos quaes são ou vierem a ser sujeitos os productos da mesma natureza originarios de qualquer outro paiz.

Os productos naturaes ou fabricados exportados dos Estados Unidos do Brasil ou dos Estados Unidos da America, com destino ao territorio do outro paiz, não serão, da mesma forma, em caso algum, sujeitos, nas mesmas relações, a direitos, taxas ou impostos differentes ou mais elevados, nem a regras ou formalidades differentes ou mais onerosas, do que

ties other or more burdensome, than those to which the like products when consigned to the territory of any third country are or may hereafter be subject.

Any advantage, favor, privilege, or immunity which has been or may hereafter be granted by the United States of America or the United States of Brazil in regard to the above-mentioned matters, to a natural or manufactured product originating in any third country or consigned to the territory of any third country shall be accorded immediately and without compensation to the like product originating in or consigned to the territory of the United States of Brazil or the United States of America, respectively.

aquelles aos quaes são ou vierem a ser sujeitos os mesmos productos destinados ao territorio de qualquer outro paiz..

Todas as vantagens, favores, privilegios ou immunidades já concedidos ou que venham a ser concedidos, de futuro, pelos Estados Unidos do Brasil ou pelos Estados Unidos da America, nas supracitadas materias, aos productos naturaes ou fabricados, originarios de qualquer outro paiz, ou destinados ao territorio de qualquer outro paiz, serão, immediatamente e sem compensação, applicados aos productos da mesma natureza originarios do territorio dos Estados Unidos do Brasil ou dos Estados Unidos da America, respectivamente.

Article II

1. No prohibitions, import or customs quotas, import licenses or any other form of quantitative restriction or control shall be imposed by the United States of Brazil on the importation or sale of any article the growth, produce or manufacture of the United States of America enumerated and described in Schedule I annexed to this Agreement and made a part thereof, nor by the United States of America on the importation or sale of any article the growth, produce or manufacture of the United States of Brazil enumerated and described in Schedule II annexed to this Agreement and made a part thereof: Provided, That the foregoing provision shall not apply to prohibitions or restrictions (a) related to public security; (b) imposed on moral or humanitarian grounds; (c) designed to protect human, animal, or plant life, subject to the provisions of Article X; (d) related to prison-made goods; (e) related to the enforcement of police or revenue laws; or (f) permitted by paragraph 2 of this Article.

Artigo II

1. Nenhuma prohibição, quota de importação ou alfandegaria, licença de importação ou outra qualquer forma de restricção quantitativa ou de regulamentação, será imposta pelos Estados Unidos do Brasil, relativamente á importação ou venda de qualquer artigo cultivado, produzido ou fabricado nos Estados Unidos da America, entre os enumerados e descriptos na tabella I, annexa a este tratado, e do qual faz parte integrante, nem pelos Estados Unidos da America, relativamente á importação ou venda de qualquer artigo cultivado, produzido ou fabricado nos Estados Unidos do Brasil, entre os enumerados e descriptos na tabella II, annexa a este tratado, e do qual faz parte integrante; convindo-se, entretanto, em que a precedente disposição não se applicará a prohibições ou restricções: a) que se relacionem com a segurança publica; b) impostas por motivos moraes ou humanitarios; c) destinadas á protecção da vida humana, animal ou vegetal, resalvadas as disposições do artigo X; d) referentes a artigos feitos nas prisões; e) referentes á execução das leis policiaes ou fiscaes; ou f) permittidas pelo paragrapho no. 2 deste artigo.

No quantitative restriction imposed on enumerated articles.

Post, p. 3822.

Post, p. 3832.

Proviso. Articles, etc., excluded.

Post, p. 3818.

Exceptions.

2. The provisions of the first paragraph of this Article shall not apply to any quantitative restriction imposed by the United States of America or the United States of Brazil on the importation or sale of any article the growth, produce or manufacture of the other country in conjunction with governmental measures operating to regulate or control the production, market supply, or prices of like domestic articles: Provided, That before any quantitative restriction on importation under the foregoing provisions of this paragraph is established, or having been established, is materially changed, the Government of the country which proposes to establish or materially change such restriction shall give notice thereof in writing to the other Government and shall accord the latter Government thirty days from the receipt of such notice to examine such proposed restriction or change; and Provided further, That in the event such other Government objects to such proposed restriction or change, and if an agreement is not reached by the end of the thirtieth day following receipt of the notice of the intention to establish or change such restriction, the Government which proposes to take such action shall be free to do so at any time thereafter, and the other Government shall be free within fifteen days after the imposition of such restriction or change to terminate this Agreement on thirty days' notice.

Provisos.
Notice of changes.

Action upon disagreement.

Right to abrogate.

2. As disposições do paragrapho no. 1 deste artigo não terão applicação a nenhuma restricção quantitativa imposta pelos Estados Unidos do Brasil ou pelos Estados Unidos da America á importação ou venda de qualquer artigo cultivado, produzido ou fabricado no outro paiz, em conformidade com medidas administrativas destinadas a regulamentar a producção, abastecimento dos mercados ou preços de artigos nacionaes semelhantes; convindo-se, entretanto, em que, antes de se estabelecer qualquer restricção quantitativa de importação, de accôrdo com as precedentes disposições deste paragrapho, ou, estabelecida a restricção, antes de ser ella substancialmente alterada, o governo do paiz que desejar estabelecer ou modificar de maneira substancial a referida restricção deverá notifica-lo ao outro governo, facultando-lhe trinta dias, contados da data do recebimento da notificação, para examinar a restricção ou modificação proposta; convindo-se tambem em que, se o outro governo não concordar com a restricção ou modificação proposta, e, caso não se chegue a accôrdo, decorrido o prazo de trinta dias após o recebimento da nota em que se der a conhecer a intenção de estabelecer ou modificar a referida restricção, o governo que pretender tomar essa medida poderá fazê-lo em qualquer tempo depois desse prazo, podendo o outro governo, dentro de quinze dias depois da adopção da referida restricção ou modificação, denunciar este tratado mediante notificação de trinta dias.

Principles of Agreement.

3. The present Agreement being based on the principle of unconditional most-favored-nation treatment, the United States of America and the United States of Brazil agree that, if either Government should establish or maintain any form of quantitative restriction or control of the importation of any article or of the sale of any imported article the growth, produce or manufacture

3. Baseando-se o presente tratado no principio do tratamento incondicional da nação mais favorecida, os Estados Unidos do Brasil e os Estados Unidos da America convêm em que, se um ou o outro governo estabelecer ou mantiver qualquer forma de restricção quantitativa ou de regulamentação da importação de qualquer artigo, ou da venda de qualquer artigo importado, que

of the other country, it will give the widest possible application to the most-favored-nation principle and will administer any such prohibition or restriction in such a way as not to discriminate against the commerce of the other country. To this end it is agreed:

(a) That neither the United States of America nor the United States of Brazil shall establish or maintain any prohibition or quantitative restriction on the importation or sale of any article the growth, produce or manufacture of the other country which is not applied to the importation or sale of any like article the growth, produce or manufacture of any third country;

(b) That, in the event of a quantitative restriction being established by the United States of America or the United States of Brazil, on the importation or sale of any article with respect to which the other country has an interest, the total permitted importation of such article, unless otherwise mutually agreed, shall be allotted among exporting countries, and in such allotment the United States of America or the United States of Brazil, as the case may be, will grant to the other country a share of the permitted importation equivalent to the proportion of the total importation of such article which the other country supplied during a previous representative period;

(c) That, in the event that the United States of America or the United States of Brazil shall impose a lower import duty or charge on the importation or sale of a specified amount of any article with respect to which the other country has an interest than that applied to importations in excess of such amount, the total importation permitted at such lower duty or charge, unless otherwise mutually agreed, shall be allotted among exporting countries, and in such allotment the United States of America or the

seja cultivado, produzido ou fabricado no outro paiz, dará a mais ampla applicação ao principio da nação mais favorecida, regulando essa prohibição ou restricção de modo que não se façam discriminações desfavoraveis ao commercio do outro paiz. Com este fim concordam:

a) em que nem os Estados Unidos do Brasil nem os Estados Unidos da America venham a estabelecer ou manter prohibição ou restricção quantitativa quanto á importação ou venda de qualquer artigo cultivado, produzido ou fabricado no outro paiz, que não seja tambem applicada á importação ou venda de artigo semelhante cultivado, produzido ou fabricado em qualquer outro paiz;

b) em que, se os Estados Unidos do Brasil ou os Estados Unidos da America impuzerem uma restricção quantitativa á importação ou venda de algum artigo em relação ao qual o outro paiz estiver interessado, a importação total que se permittir do referido artigo, a menos que se convenha em contrario, será distribuida entre os paizes exportadores, e nessa distribuição os Estados Unidos do Brasil ou os Estados Unidos da America, conforme o caso, concederão ao outro paiz uma parte da importação permittida equivalente á proporção da importação total do referido artigo que o outro paiz tiver fornecido durante um periodo normal anterior;

c) em que, se os Estados Unidos do Brasil ou os Estados Unidos da America vierem a estabelecer sobre a importação ou venda de determinada quantidade de qualquer artigo, em relação ao qual o outro paiz estiver interessado, um direito de importação ou imposto mais baixo do que o que for applicado ás importações que excederem a referida quantidade, a importação total permittida e sujeita a esse direito ou imposto inferior, a menos que se convenha em contrario, será distribuida entre os

United States of Brazil, as the case may be, will grant to the other country a share equivalent to the proportion of the total importation of the article in question which the latter country supplied during a previous representative period.

Import licenses, etc.

4. Neither the United States of America nor the United States of Brazil shall regulate by import licenses or permits issued to individuals or organizations, the quantity of importations into its territory or sales therein of any article the growth, produce or manufacture of the other country, unless the quantity of permitted imports of such article, during a quota period of not less than three months, shall have been previously established, and unless the regulations covering the issuance of such licenses or permits shall be made public before they are put into force.

Provisions where quantitative restriction is imposed.

5. In the event of a quantitative restriction being established by the United States of America or the United States of Brazil for the importation into or sale in its territory of any article the growth, produce or manufacture of the other country, or in the event that either country shall impose a lower duty or charge on a specified amount of any such article than that applied to importations in excess of such amount, it is agreed that the United States of America or the United States of Brazil, as the case may be,

(a) shall give public notice of the total amount of such article permitted to be imported or sold, or the amount of such article to which such lower duty or charge is applied;

(b) shall give public notice of the allotments to exporting countries, in the event that the total quantity of such article permitted to be imported or sold, or permitted entry or sale at such lower

paizes exportadores, e nessa distribuição os Estados Unidos do Brasil ou os Estados Unidos da America, conforme o caso, concederão ao outro paiz uma parte equivlente á proporção da importação total do artigo em questão que o ultimo paiz tiver fornecido durante um periodo normal anterior.

4. Nem os Estados Unidos do Brasil nem os Estados Unidos da America virão a regulamentar, por meio de licenças ou autorizações de importação conferidas a individuos ou organizações, a quantidade das importações no seu territorio, ou as vendas dentro do mesmo, de qualquer artigo cultivado, produzido ou fabricado no outro paiz, a não ser que estabeleçam previamente a quantidade das importações autorizadas de tal artigo para um periodo de quota nunca inferior a tres mezes; e a menos que os regulamentos relativos á expedição de taes licenças ou autorizações sejam publicados antes de entrar em vigor.

5. No caso de vir a ser estabelecida pelos Estados Unidos do Brasil ou pelos Estados Unidos da America restricção quantitativa para a importação ou venda, em seu territorio, de qualquer artigo cultivado, produzido ou fabricado no outro paiz, ou no caso de um dos paizes impor sobre certa e determinada quantidade desse artigo direitos ou impostos inferiores aos que forem applicados ás importações que excederem tal quantidade, convem-se em que os Estados Unidos do Brasil ou os Estados Unidos da America, conforme o caso,

a) farão publicar a quantidade total do referido artigo cuja importação ou venda tenha sido autorizada, ou a quantidade do referido artigo a que se applicarem os direitos ou taxas inferiores;

b) farão publicar as quotas distribuidas aos paizes exportadores, no caso de ser distribuida entre elles a quantidade total do referido artigo cuja importação ou venda tenha sido autorizada, ou cujo

duty or charge, is allotted among exporting countries, and shall at all times upon request advise the Government of the other country of the amount of any such article the growth, produce or manufacture of each exporting country which has been imported or sold or for which licenses or permits for importation or sale have been granted;

(c) shall at all times give sympathetic consideration to any representations which the Government of the other country shall make to the effect that such restriction or imposition of duty or charge, or the administration thereof, is prejudicial to its trade.

despacho ou venda tenha sido autorizado mediante o pagamento de direitos ou impostos inferiores, e prestarão, em qualquer tempo, a pedido do governo do outro paiz, informação sobre a quantidade dos artigos cultivados, produzidos ou fabricados em cada paiz exportador, que tenha sido importada ou vendida, ou para cuja importação ou venda tenham sido concedidas licenças ou autorizações;

c) acolherão em qualquer tempo, com sympathia, quaesquer representações feitas pelo governo do outro paiz tendentes a mostrar que a referida restricção ou imposição de direitos ou encargos, ou o respectivo modo de applicação, prejudicam o seu commercio.

ARTICLE III

Articles the growth, produce or manufacture of the United States of America, enumerated and described in Schedule I annexed to this Agreement and made a part thereof, shall, on their importation into the United States of Brazil, if now free of duty, continue to be exempt from ordinary customs duties or, if now dutiable, shall be exempt from ordinary customs duties in excess of those set forth in the said Schedule. All of the said articles enumerated and described in Schedule I shall be exempt also from all other duties, taxes, fees, charges or exactions, imposed on or in connection with importation, in excess of those imposed or required to be imposed by laws of the United States of Brazil in effect on the day of the signature of this Agreement.

ARTIGO III

Enumerated American articles imported into Brazil.

Os artigos cultivados, produzidos ou fabricados nos Estados Unidos da America, enumerados e descriptos na tabella I, annexa a este tratado, e do qual faz parte integrante, quando importados nos Estados Unidos do Brasil, se actualmente livres de direitos, continuarão isentos de direitos alfandegarios ordinarios, e se actualmente sujeitos a direitos, ficarão isentos de direitos alfandegarios ordinarios em excesso dos que são estipulados na referida tabella. Todos os artigos enumerados e descriptos na tabella I ficarão tambem isentos de quaesquer outros direitos, taxas, custas, encargos ou exacções, referentes á importação, que excederem os estabelecidos ou previstos nas leis dos Estados Unidos do Brasil, em vigor no dia da assignatura deste tratado.

Post, p. 3822.

ARTICLE IV

Articles the growth, produce or manufacture of the United States of Brazil, enumerated and described in Schedule II annexed to this Agreement and made a part thereof, shall, on their importation into the United States of

ARTIGO IV

Specified imports from Brazil.

Os artigos cultivados, produzidos ou fabricados nos Estados Unidos do Brasil, enumerados e descriptos na tabella II, annexa a este tratado, e do qual faz parte integrante, quando importados nos Estados Unidos da America,

Post, p. 3832.

America, if now free of duty, continue to be exempt from ordinary customs duties or, if now dutiable, shall be exempt from ordinary customs duties in excess of those set forth in the said Schedule. All of the said articles enumerated and described in Schedule II shall be exempt also from all other duties, taxes, fees, charges, or exactions, imposed on or in connection with importation, in excess of those imposed or required to be imposed by laws of the United States of America in effect on the day of the signature of this Agreement.

se actualmente livres de direitos, continuarão isentos de direitos alfandegarios ordinarios, e se actualmente sujeitos a direitos, ficarão isentos de direitos alfandegarios ordinarios em excesso dos que são estipulados na referida tabella. Todos os artigos enumerados e descriptos na tabella II ficarão tambem isentos de quaesquer outros direitos, taxas, custas, encargos ou exacções, referentes á importação, que excederem os estabelecidos ou previstos nas leis dos Estados Unidos da America, em vigor no dia da assignatura deste tratado.

ARTICLE V

Government monopolies; treatment.

In the event that either the United States of America or the United States of Brazil establishes or maintains an official monopoly or centralized agency for the importation of or trade in a particular commodity, the Government establishing or maintaining such monopoly or centralized agency will give sympathetic consideration to all representations that the other Government may make with respect to alleged discriminations against its commerce in connection with purchases by such official monopoly or centralized agency.

ARTIGO V

Se os Estados Unidos do Brasil ou os Estados Unidos da America mantiverem ou vierem a estabelecer algum monopolio official ou agencia central para a importação ou o commercio de um determinado producto, o governo que estabelecer ou mantiver tal monopolio ou agencia central acolherá com sympathia todas as representações que o outro governo possa fazer com referencia a discriminações que allegue serem desfavoraveis ao seu commercio, no que respeite a compras feitas pelo referido monopolio ou agencia central.

ARTICLE VI

Foreign exchanges.

The two Governments agree that if they shall establish or maintain a control of the foreign exchanges, they will accord to the nationals and commerce of each other the most general and complete application of the unconditional most-favored-nation principle.

The provisions of this Article may be terminated by either Government on sixty days' written notice.

ARTIGO VI

Os dois governos convêm em que, se mantiverem ou vierem a estabelecer uma regulamentação de cambio estrangeiro, concederão aos nacionaes e ao commercio de um e outro paiz a applicação mais geral e completa do principio incondicional da nação mais favorecida.

Este artigo poderá ser denunciado por qualquer dos governos mediante notificação de sessenta dias.

ARTICLE VII

Internal tax exemptions.

All articles the growth, produce or manufacture of the United States of America or the United States of Brazil, shall, after importation into the other country,

ARTIGO VII

Todos os artigos cultivados, produzidos ou fabricados nos Estados Unidos do Brasil ou nos Estados Unidos da America, ficarão, depois de importados no

be exempt from all internal taxes, fees, charges or exactions other or higher than those payable on like articles of national origin or any other foreign origin, except as required by laws of either country in effect on the day of the signature of this Agreement.

Articles the growth, produce or manufacture of the United States of America or the United States of Brazil enumerated and described in Schedules I and II, respectively, after importation into the other country, shall be exempt from any national or federal internal taxes, fees, charges or exactions other or higher than those imposed or required to be imposed by laws of the United States of Brazil and the United States of America, respectively, in effect on the day of the signature of this Agreement, subject to constitutional requirements.

outro paiz, isentos de quaesquer taxas, custas, exacções ou encargos internos, que sejam differentes ou mais elevados do que os que forem cobrados sobre artigos semelhantes de origem nacional ou de qualquer outra origem estrangeira, com excepção do que estiver previsto nas leis de um e outro paiz em vigor no dia da assignatura deste tratado.

Os artigos cultivados, produzidos ou fabricados nos Estados Unidos do Brasil ou nos Estados Unidos da America, enumerados e descriptos nas tabellas I e II, respectivamente, ficarão, depois de importados no outro paiz, isentos de quaesquer taxas, custas, exacções ou encargos internos, nacionaes ou federaes, que sejam differentes ou mais elevados do que os estabelecidos ou previstos, respectivamente, nas leis dos Estados Unidos do Brasil e dos Estados Unidos da America, em vigor no dia da assignatura deste tratado, resalvadas as disposições constitucionaes.

Post, pp. 3822, 3832.

Article VIII

Laws, regulations of administrative authorities and decisions of administrative or judicial authorities of the United States of America and the United States of Brazil, respectively, pertaining to the classification of articles for customs purposes or to rates of duty shall be published promptly so that traders may become acquainted with them.

No administrative ruling by the United States of America or the United States of Brazil effecting advances in rates of duties or charges applicable under an established and uniform practice to imports originating in the territory of the other country, or imposing any new requirement with respect to such importations, shall be effective retroactively or with respect to articles either entered for or withdrawn for consumption prior to the expiration of thirty days

Artigo VIII

As leis, os regulamentos das autoridades administrativas e as decisões das autoridades administrativas ou judiciaes dos Estados Unidos do Brasil e dos Estados Unidos da America, respectivamente, referentes á classificação de artigos para fins aduaneiros ou aos direitos alfandegarios, serão publicados promptamente para que delles tomem conhecimento os commerciantes.

Publication of laws, regulations, and decisions.

Nenhuma disposição administrativa dos Estados Unidos do Brasil ou dos Estados Unidos da America, que determine augmento de direitos ou encargos applicaveis de accôrdo com a pratica estabelecida e uniforme ás importações provenientes do outro paiz, ou que estabeleça nova exigencia em relação a taes importações, poderá ter effeito retroactivo, ou estender-se a artigos despachados ou retirados para consumo, antes da expiração do prazo de trinta dias, a contar da

Uniform application.

after the date of official publication of notice of such ruling. The provisions of this paragraph do not apply to administrative orders imposing anti-dumping duties, or relating to sanitation or public safety, or giving effect to judicial decisions.

data da publicação official dessa disposição. O que neste paragrapho se estatue não é applicavel ás ordens administrativas que imponham direitos contra o "dumping", nem ás relativas á saúde ou segurança publica, nem ás destinadas a dar cumprimento a sentenças judiciaes.

ARTICLE IX

Control of arms exportation, etc.

The United States of America and the United States of Brazil retain the right to apply such measures as they respectively may see fit with respect to the control of the export or sale for export of arms, munitions, or implements of war, and, in exceptional circumstances, of other material needed in war.

ARTIGO IX

Os Estados Unidos do Brasil e os Estados Unidos da America reservam-se o direito de applicar as medidas que respectivamente considerarem convenientes á regulamentação da exportação, ou venda para exportação, de armas, munições ou instrumentos de guerra, e, em circumstancias excepcionaes, de outros materiaes necessarios para a guerra.

ARTICLE X

Reciprocal consideration regarding customs, etc.

The Government of the United States of America or the Government of the United States of Brazil, as the case may be, will accord sympathetic consideration to such representations as the other Government may make regarding the operation of customs regulations, the observance of customs formalities, and the application of sanitary laws and regulations for the protection of human, animal, or plant life.

In the event that the Government of either country makes representations to the Government of the other country in respect of the application of any sanitary law or regulation for the protection of human, animal, or plant life, and if there is disagreement with respect thereto, a committee of technical experts on which each Government shall be represented shall, on the request of either Government, be established to consider the matter and to submit recommendations to the two Governments.

Sanitary measures.

Whenever practicable each Government, before applying any new measure of a sanitary character, will consult with the Government of the other country with

ARTIGO X

O governo dos Estados Unidos do Brasil ou o governo dos Estados Unidos da America, conforme o caso, acolherá com sympathia as representações feitas pelo outro governo relativamente á execução dos regulamentos aduaneiros, ao cumprimento das formalidades alfandegarias, e á applicação das leis e regulamentos sanitarios destinados á protecção da vida humana, animal ou vegetal.

Se o governo de um dos paizes fizer representações ao do outro quanto á applicação de qualquer lei ou regulamento sanitario, destinado á protecção da vida humana, animal ou vegetal, e, se houver desaccôrdo a esse respeito, constituir-se-á, a pedido de qualquer delles, uma commissão technica, na qual ambos serão representados, e que terá por fim examinar a materia e submetter recommendações aos referidos governos.

Sempre que for isso realizavel, o governo de um ou outro paiz, antes de applicar uma medida nova de caracter sanitario, consultará, a esse respeito, o do

a view to insuring that there will be as little injury to the commerce of the latter country as may be consistent with the purpose of the proposed measure. The provisions of this paragraph do not apply to actions affecting individual shipments under sanitary measures already in effect or to actions based on pure food and drug laws.

outro paiz para que, tanto quanto for compativel com o objectivo da medida projectada, se reduza ao minimo possivel o prejuizo que da sua adopção possa advir ao commercio do outro paiz. As disposições deste paragrapho não se applicarão a acções relativas aos embarques que incidam em medidas sanitarias em vigor, ou a acções que se baseiem na legislação sobre productos alimenticios e pharmaceuticos.

ARTICLE XI

The advantages now accorded or which may hereafter be accorded by the United States of America or the United States of Brazil to other adjacent countries in order to facilitate frontier traffic, and advantages resulting from a customs union to which either country may become a party shall be excepted from the operation of this Agreement; and this Agreement shall not, subject to the provisions of Article X, apply to police or sanitary regulations or to the commerce of the United States of America with the Republic of Cuba, or to commerce between the United States of America and the Panama Canal Zone, the Philippine Islands, or any territory or possession of the United States of America, or to the commerce of the territories and possessions of the United States of America with one another.

Except as otherwise provided in the third paragraph of this Article, the provisions of this Agreement relating to the treatment to be accorded by the United States of America and the United States of Brazil, respectively, to the commerce of the other country shall not apply to the Philippine Islands, the Virgin Islands, American Samoa, the Island of Guam, or to the Panama Canal Zone.

Subject to the reservations set forth in the first paragraph of this Article the provisions of Article I, and the provisions for most-favored-nation treatment in

ARTIGO XI

Neighboring states.

As vantagens ora concedidas ou que vierem a ser concedidas pelos Estados Unidos do Brasil ou pelos Estados Unidos da America aos paizes limitrophes com o fim de se facilitar o trafego de fronteiras, assim como os favores resultantes de uma união aduaneira, da qual um ou outro paiz venha a fazer parte, ficam exceptuadas da applicação deste tratado, que tambem não se applicará aos regulamentos policiaes ou sanitarios (salvo o disposto no artigo X), ao commercio dos Estados Unidos da America com a Republica de Cuba, ao commercio entre os Estados Unidos da America e a zona do Canal do Panamá, ilhas Philippinas ou qualquer territorio ou possessão dos Estados Unidos da America, nem ao commercio dos territorios ou possessões dos Estados Unidos da America entre si.

Exceptions. *Ante*, p. 3818.

Provisions not applicable to Philippine Islands, etc.

Com excepção do previsto no paragrapho no. 3 deste artigo, as disposições deste tratado relativas ao tratamento a ser concedido pelos Estados Unidos do Brasil e pelos Estados Unidos da America, respectivamente, ao commercio do outro paiz, não se applicarão ás ilhas Philippinas, ás ilhas Virgens, á Samôa americana, á ilha de Guam, nem á zona do Canal do Panamá.

Preferential treatment extended to territories, etc., of each.

As disposições do artigo I e as relativas ao tratamento da nação mais favorecida, contidas nos artigos II e VI, applicar-se-ão, sob as reservas constantes do

Ante, p. 3810.

Ante, pp. 3811, 3816.

Articles II and VI shall apply to articles the growth, produce or manufacture of any area under the sovereignty or authority of either country imported from or exported to any area under the sovereignty or authority of the other country. It is understood, however, that the provisions of this paragraph do not apply to the Panama Canal Zone.

paragrapho no. 1, deste artigo, aos artigos cultivados, produzidos ou fabricados em qualquer região sujeita á soberania ou autoridade de um ou outro paiz, e que sejam importados de qualquer região sujeita á soberania ou autoridade do outro paiz ou exportados para qualquer das referidas regiões. Fica subentendido, comtudo, que o disposto neste paragrapho não se applicará á zona do Canal do Panamá.

ARTICLE XII

Former agreement supplanted.

The present Agreement shall, from the date on which it comes into force, supplant the agreement by exchange of notes signed by the United States of America and the United States of Brazil on October 18, 1923.

ARTIGO XII

A partir da data de sua entrada em vigor, o presente tratado revogará o accôrdo por troca de notas assignado pelos Estados Unidos do Brasil e pelos Estados Unidos da America em 18 de Outubro de 1923.

ARTICLE XIII

Further agreements to be considered.

The United States of America and the United States of Brazil, animated by their traditions of amity and by the spirit which impelled them to enter into this Agreement, declare their intention of studying the possibility of concluding other agreements designed to improve and strengthen their present relations, their trade interchange, their maritime, aerial and postal connections, with a view to bringing still closer together the peoples of the two nations. With this end in view, the competent branches of the two Governments will, on the first opportunity, exchange ideas on the most rapid and efficient ways of increasing trade interchange between the two countries through mutual and reciprocal concessions by each country to the products of the other or through transport, credit, or other facilities, with a view to developing the relations between them, and will endeavor to carry into effect to the greatest possible extent the recommendations and suggestions which will have been found suitable to this purpose.

ARTIGO XIII

Os Estados Unidos do Brasil e os Estados Unidos da America, animados pela sua tradição de amizade e pelo espirito que dictou este tratado, declaram a sua intenção de estudar a possibilidade da conclusão de outros accôrdos que visem melhorar e intensificar as suas relações actuaes, o intercambio de ambos os paizes, as suas ligações maritimas, aereas e postaes, a fim de aproximar, ainda mais, os povos das duas nações. Tendo em vista esse objectivo, os orgãos competentes dos dois governos trocarão ideias, na primeira opportunidade, sobre os meios mais rapidos e efficientes de augmentar o intercambio de mercadorias entre os dois paizes, mediante concessões mutuas e reciprocas em favor dos productos de um e outro paiz, facilidades de transporte e de credito, no intuito de desenvolver as relações entre elles, e procurarão realizar da melhor forma possivel as recommendações e suggestões que forem achadas mais opportunas para o fim proposto.

ARTICLE XIV

The present Agreement shall be approved and confirmed by the President of the United States of America by virtue of the Act of the Congress of the United States of America approved June 12, 1934, entitled "An Act to amend the Tariff Act of 1930", and shall be ratified by the President of the Republic of the United States of Brazil in accordance with the constitutional requirements of that country. It shall enter into full force thirty days after the exchange of the instrument of approval and confirmation and the instrument of ratification, which shall take place in the city of Rio de Janeiro, as soon as possible, and shall continue in force for two years, unless terminated in accordance with the provisions of Article II.

Unless at least six months before the expiration of the abovementioned term of two years the Government of either country shall denounce the Agreement, it shall continue in full force until denounced by either Government with six months' previous notice, or unless terminated in accordance with the provisions of Article II.

In witness thereof the respective Plenipotentiaries have signed this Agreement in duplicate, each in the English and Portuguese languages, and have affixed their seals hereto.

Done at the City of Washington, this second day of February, one thousand nine hundred and thirty-five.

ARTIGO XIV

O presente tratado será ratificado pelo Presidente da Republica dos Estados Unidos do Brasil, de accôrdo com preceitos constitucionaes brasileiros, e será approvado e confirmado pelo Presidente dos Estados Unidos da America, por força da lei do Congresso dos Estados Unidos da America approvada a 12 de Junho de 1934 e intitulada "An Act to amend the Tariff Act of 1930". Entrará em vigor trinta dias após a troca do instrumento de ratificação e do instrumento de approvação e confirmação, a effectuarse na cidade do Rio de Janeiro, dentro do prazo mais breve possivel, e continuará vigente durante dois annos, salvo se for denunciado de conformidade com o disposto no artigo II.

Approval.

Vol. 48, p. 943.

Effective date.

Duration.

A não ser que, pelo menos seis mezes antes da expiração do supracitado prazo de dois annos, o governo de um dos dois paizes denuncie o tratado, continuará este em vigor até ser denunciado por um dos governos, com seis mezes de antecedencia ou de conformidade com o disposto no artigo II.

Em fé do que, os plenipotenciarios acima indicados assignaram este tratado, em dois exemplares, cada um dos quaes nas linguas ingleza e portugueza, e lhes appuzeram os seus respectivos sellos.

Feito na cidade de Washington, em dois de Fevereiro de mil novecentos e trinta e cinco.

Signatures.

[SEAL] CORDELL HULL
[SEAL] OSWALDO ARANHA

Schedule I.

SCHEDULE I

NOTE: The provisions of this Schedule shall apply on and after the day on which the agreement comes into force to articles then lying in Customs warehouses and warehouses of the "Mesas de Rendas" and bonded depots or docks, on which the duties have not then been paid in full, as well as to articles imported thereafter, in accordance with the provisions of Article 7 of Decree No. 24343 of June 5, 1934.

ABBREVIATIONS:

Kg. —Kilogram
T. —Ton (metric)
NW—Net weight
LW—Legal weight
GW—Gross weight

Brazilian Tariff Item No.	Description of Articles	Unit	Rate of Duty
	HIDES AND SKINS:		
37	Prepared or tanned, not specified: colored or greased.	Kg. LW	11$440
	Patent leather, grained or not.	Kg. LW	15$600
	MILK:		
98	In powder, tablets or other state, with or without sugar.	Kg. LW	2$600
	FISH:		
106	Preserved by any process: Sardines, sprats, brislings or slids, "chicharros", "jurelos" and other small fish, herrings, and salmon, white, red or others.	Kg. LW	3$120
	FRUIT:		
225	Plums, cherries, quinces, figs, apples, melons, strawberries, peaches, pears, grapes, and similar, fresh or green.		Free
	PRESERVED FRUITS:		
230	Any other fruits: in alcohol, sugar sirup, or honey (jams) solid pack, jelly or pulp.	Kg. LW	6$240
	CEREALS, GARDEN PRODUCE AND VEGETABLES:		
240	Preserved asparagus.	Kg. LW	2$600
	All others, preserved in any manner, with or without mixture of fruits, in solid pack, except tomatoes, or prepared in any other manner.	Kg. LW	4$160
	FLOURS:		
245	Of oats.	Kg. LW	$780
	NOTE: Note No. 51 of the Brazilian Tariff is maintained in its entirety.		
	GUMS, GUM-RESINS, NATURAL RESINS AND BALSAMS:		
282	Turpentine:		
	Bordeaux or common.	Kg. GW	$780
	COTTON OILCLOTH:		
468	In the piece.	Kg. LW	6$930
	In galloons or strips, cut or not.	Kg. LW	8$320
	READY MADE CLOTHING (OF COTTON):		
474	Shirts, for both sexes, of any fabric (other than knitted or netted) plain or with pleats.	Each	7$800
	CEMENTS:		
582	The second and third subclassifications are combined as follows:		
	Of magnesium, white or magnesian, Portland or Roman.	T. NW	104$000

TABELLA I

NOTA: As taxas e as disposições contidas nesta tabella serão applicadas, a partir do dia em que entrar em vigôr o tratado, aos artigos existentes nos armazens das alfandegas e mesas de rendas, entrepostos ou trapiches, cujos direitos ainda não tiverem sido satisfeitos integralmente, bem como aos artigos importados depois dessa data, de accordo com o disposto no art. 7 do decreto n. 24.343, de 5 de junho de 1934.

ABREVIAÇÕES:

K°—kilogramma
Ton.—tonelada
PR—peso real
PL—peso legal
PB—peso bruto

N° na tarifa brasileira	Discriminação dos artigos	Unidade	Taxas convencionadas
	PELLES E COUROS:		
37	Preparados ou curtidos, não especificados: tintos ou engraxados	K° PL	11$440
	Envernizados, graneados ou não	K° PL	15$600
	LEITE:		
98	Em pó, tabloides ou outro estado, com ou sem assucar	K° PL	2$600
	PEIXES:		
106	Em conserva, de qualquer modo preparada: sardinhas, sprats, brislings ou slids, chicharros, jurelos e outros pequenos, arenques e salmão, branco, rosado ou outros	K° PL	3$120
	FRUTAS:		
225	Ameixas, cerejas, damascos, figos, maçãs, melões, morangos, pecegos, peras, uvas e semelhantes, frescas ou verdes		Isento
	EM CONSERVA:		
230	Quaesquer outras frutas: em alcool, calda de assucar, ou mel (compotas), em massa, geléa ou em polpa	K° PL	6$240
	CEREAES, HORTALIÇAS E LEGUMES:		
240	Aspargos em conserva	K° PL	2$600
	Quaesquer outros, em conserva de qualquer qualidade, com ou sem mixtura de frutos, em massa, excepto de tomates, ou de outro modo preparados	K° PL	4$160
	FARINHAS:		
245	De aveia	K° PL	$780
	NOTA: Mantida integralmente a nota n. 51 da tarifa brasileira		
	GOMMAS, GOMMAS-RESINAS, RESINAS E BALSAMOS NATURAES:		
282	Terebenthina:		
	De Bordeaux ou commum	K° PB	$780
	OLEADOS DE ALGODÃO:		
468	Em peças	K° PL	6$930
	Em galões ou tiras, recortados ou não	K° PL	8$320
	ROUPA FEITA (DE ALGODÃO):		
474	Camisas para ambos os sexos, de qualquer tecido (com excepção de tecido de ponto de meia ou de malharia), lisas ou com prégas:	Uma	7$800
	CIMENTOS:		
582	Reunidas as 2° e 3° alineas na seguinte:		
	De magnesio, branco ou magnesiano, Portland ou romano	Ton. PR	104$000

Schedule I—Continued.

Brazilian Tariff Item No.	Description of Articles	Unit	Rate of Duty
	IRON AND STEEL:		
851	Manufactures:		
	Furniture and furnishings, not classified, and parts therefor.	Kg. LW	2$600
	SOAPS, SAPOLIOS, SOAPY SUBSTANCES AND SIMILAR:		
977	Common, ordinary or hard, for domestic use, in bars, blocks, flakes, or in sheets, white such as Marseilles, variegated, or colored.	Kg. LW	2$080
	PAINTS:		
982	Prepared with oil: liquid, ready for use, producing on the painted surface an ordinary opaque or not very brilliant finish, with a maximum of 2% of natural or artificial resin.	Kg. LW	1$170
	Prepared with a base of varnish or resins, known as enamels, liquid, ready for use, producing a brilliant or lustrous finish.	Kg. LW	2$600
	Prepared with a base of pyroxylin (nitrocellulose) or acetylcellulose (acetate of cellulose):		
	In mass or paste, dark or opaque, for undercoat, known as "Preparation", "Surfacer", "Putty" and the like.	Kg. LW	2$340
	Liquid, to be applied by machinery (pistols or sprayers) opaque or brilliant, of any color, containing pigments or mineral lacquers.	Kg. LW	2$400
	VARNISHES:		
984	With a base of ethers of cellulose (nitro or acetocellulose), transparent, colored or not.	Kg. LW	5$200
	RADIO, TELEGRAPHIC, TELEPHONIC, AND TELEVISION APPARATUS:		
1583	Receiving or transmitting apparatus for telephones, telegraphs, radio-telephones, radio telegraphs or television, including radio-victrolas and any of their appurtenances and parts not classified:		
	Weighing up to 10 kilos.	Kg. LW	12$700
	Weighing more than 10 up to 50 kilos.	Kg. LW	10$200
	Weighing more than 50 up to 100 kilos.	Kg. LW	7$650
	Weighing more than 100 up to 250 kilos.	Kg. LW	6$800
	Weighing more than 250 up to 500 kilos.	Kg. LW	5$400
	Weighing more than 500 kilos.	Kg. LW	4$100
	FILMS, CINEMATOGRAPHIC:		
1601	Developed:		
	Up to 16 millimeters wide.	Kg. LW	28$500
	Same, more than 16 millimeters wide.	Kg. LW	56$990
	Unexposed.	Kg. LW	5$700
	ELECTRIC BATTERIES, DRY:		
1632	Separate or assembled in batteries:		
	Weighing up to 50 grams	Kg. LW	3$000
	Weighing more than 50 up to 100 grams.	Kg. LW	2$600
	Weighing more than 100 up to 500 grams.	Kg. LW	2$500
	Weighing more than 500 up to 1 kilo.	Kg. LW	2$400
	Weighing more than 1 kilo.	Kg. LW	1$900
	RADIO VALVES OR TUBES:		
1654	For radio-receiving and radio-transmitting apparatus:		
	Weighing up to 100 grams.	Kg. LW	30$660
	Weighing more than 100 grams.	Kg. LW	38$000

Nº na tarifa brasileira	Discriminação dos artigos	Unidade	Taxas convencionadas
	FERRO E AÇO:		
851	Em obras:		
	Mobilias e moveis não classificados e respectivas peças avulsas	Kº PL	2$600
	SABÕES, SAPOLIOS, SAPONACEOS E SEMELHANTES:		
977	Communs, ordinarios ou duros, para uso domestico, em barras, blocos, escamas ou em placas, brancos como o de Marselha, marmorizados ou coloridos	Kº PL	2$080
	TINTAS:		
	Preparadas a oleo: liquidas, promptas para uso, produzindo sobre a superficie pintada um acabamento commum, opaco ou de pouco brilho, podendo conter até 2% de resina natural ou artifical	Kº PL	1$170
	Preparadas a base de verniz ou resinas, denominadas esmaltes, liquidas, promptas para uso, produzindo sobre a superficie pintada um acabamento lustroso ou brilhante	Kº PL	2$600
	Preparadas a base de pyroxylina (nitro-cellulose) ou acetyl-cellulose (acetato de cellulose):		
	Em massa ou pasta, foscas ou opacas, para primeiras mãos, denominadas "Preparation", "Surfacer", "Putty" e semelhantes	Kº PL	2$340
	Liquidas, para serem applicadas por meio de machinas (pistolas ou pulverizadoras), opacas ou brilhantes, de qualquer côr, contendo pigmentos ou laccas mineraes	Kº PL	2$400
	VERNIZES:		
984	A base de etheres de cellulose (nitro ou aceto-cellulose), transparentes, coloridos ou não	Kº PL	5$200
	APPARELHOS:		
1583	Receptores ou transmissores de telephonia, telegraphia, radio-telephonia, radio-telegraphia ou televisão, inclusive radio-victrolas, qualquer de seus pertences e partes não classificados:		
	Pesando até 10 ks.	Kº PL	12$700
	Mais de 10 até 50 ks.	Kº PL	10$200
	Mais de 50 até 100 ks.	Kº PL	7$650
	Mais de 100 até 250 ks.	Kº PL	6$800
	Mais de 250 até 500 ks.	Kº PL	5$400
	Mais de 500 ks.	Kº PL	4$100
	FILMS CINEMATOGRAPHICOS:		
1601	Impressos, até 16 mm. de largura	Kº PL	28$500
	Idem, de mais de 16 mm.	Kº PL	56$990
	Virgens	Kº PL	5$700
	PILHAS ELECTRICAS SECCAS:		
1632	Avulsas ou em baterias:		
	Pesando até 50 grs.	Kº PL	3$000
	Mais de 50 até 100 grs.	Kº PL	2$600
	Mais de 100 até 500 grs.	Kº PL	2$500
	Mais de 500 grs. até 1 kilo	Kº PL	2$400
	Mais de 1 kilo	Kº PL	1$900
	VALVULAS OU TUBOS:		
1654	Para apparelhos radio-receptores e radio-transmissores:		
	Pesando até 100 grs.	Kº PL	30$660
	Idem mais de 100 grs.	Kº PL	38$000

Schedule I—Continued.

Brazilian Tariff Item No.	Description of Articles	Unit	Rate of Duty
	SURGICAL DRESSINGS:		
1673	Gauze, plain or with antiseptic or medical substance, in strips or in pieces and bandages of any cloth.	Kg. LW	6$740
	AUTOMOBILES:		
1779	Assembled or unassembled, complete; operated by gasoline, naphtha, benzine or other essence, by alcohol, oil or electricity:		
	For passengers, such as landaulets, limousines, phaetons, double phaetons, sedans, roadsters, and others:		
	Weighing up to 900 kilos.	Kg. LW	1$712
	Weighing more than 900 up to 1400 kilos.	Kg. LW	1$984
	Weighing more than 1400 up to 1900 kilos.	Kg. LW	3$080
	Weighing more than 1900 up to 2200 kilos.	Kg. LW	4$712
	Weighing more than 2200 kilos.	Kg. LW	6$344
	For passengers or freight delivery of merchandise including ambulances, trucks, hearses, busses, and others:		
	Weighing up to 2000 kilos.	Kg. LW	1$456
	Weighing more than 2000 up to 4000 kilos.	Kg. LW	1$704
	Weighing more than 4000 kilos.	Kg. LW	2$184
	MOTORCYCLES:		
1781	Assembled or unassembled, complete:		
	Two-wheeled, with one or more seats, with or without facilities for the transportation of packages, equipped with pneumatic tires.	Kg. LW	3$090
	Three-wheeled, with one or more seats, with or without basket or box, for the transportation of persons or goods including three-wheeled automobiles and sidecars.	Kg. LW	2$560
	AUTOMOTIVE PARTS, ACCESSORIES AND APPURTENANCES:		
1782	Of automobiles:		
	Chassis or trucks, without body, assembled or unassembled, complete with motor and its appurtenances, front and rear wheels, equipped with pneumatic tires, running boards, fenders, bumpers and all other parts necessary for functioning, including horn, lights and signals; for ambulances, trucks, omnibuses, and any others.	Kg. LW	1$270
	Separate parts: chassis frame (frame side members, cross members, brackets and similar connecting parts), hoods, chains, axles and brakes of the wheels and the transmission, bumpers, fenders, radiator and respective tank, wheels, grids or luggage carriers, gasoline tank and appurtenances, exhaust and muffler.	Kg. LW	2$180
	Gear shift levers and brake levers, shock absorbers, steering post and respective steering wheel, tank caps and grease caps, transmission case, brake rods and controls, differential, clutch, running boards and protectors, universal joint, radiator shell, tie rod bolts and king bolts, instrument board, support, fan and respective fan belt, and other unspecified parts of the chassis, even if connected with the motor.	Kg. LW	3$400

Nº na tarifa brasileira	Discriminação dos artigos	Unidade	Taxas convencionadas
	CURATIVOS CIRURGICOS:		
1673	Gaze, simples ou com substancia antiseptica ou medicanmentosa, em tiras ou em peças e ataduras de qualquer tecido	Kº PL	6$740
	CARROS:		
1779	Montados ou desmontados, completos; automoveis a gazolina, naphta, benzina ou outra essencia, a alcool, oleo ou a electricidade:		
	Proprios para passageiros, taes como landaulets, limousines, phaetons, double-phaetons, sedans, spiders e outros:		
	Até 900 ks.	Kº PL	1$712
	Mais de 900 até 1400 kilos	Kº PL	1$984
	Mais de 1400 até 1900 kilos	Kº PL	3$080
	Mais de 1900 até 2200 kilos	Kº PL	4$712
	Mais de 2200 kilos	Kº PL	6$344
	Proprios para passageiros ou carga, entrega de encommendas, soccorros pessoaes, serviço funerario e fins semelhantes, taes como: ambulancias, caminhões, omnibus e outros:		
	Até 2000 kilos	Kº PL	1$456
	Mais de 2000 até 4000 kilos	Kº PL	1$704
	Mais de 4000 kilos	Kº PL	2$184
	VELOCIPEDES, TAES COMO: BICYCLES E TRICYCLES:		
1781	Montados ou desmontados, completos:		
	A motor:		
	Bicycles de um ou mais assentos, com ou sem dispositivo para transporte de encommendas, providos de pneumaticos	Kº PL	3$090
	Tricycles de um ou mais assentos, com cesta ou caixa, ou sem ellas, para transporte de pessoas ou mercadorias, idem, comprehendidos os automoveis de tres rodas e os "sidecars"	Kº PL	2$560
	PARTES, ACCESSORIOS E PERTENCES:		
1782	De carros automoveis:		
	Chassis ou trucks, sem caixa de carro (carros-serie), montados ou desmontados, completos com motor e seus pertences, rodagens dianteira e trazeira, guarnecidas de pneumaticos, estribos, para-lamas, para-choques e todas as demais peças necessarias ao seu funccionamento, inclusive buzina, lanternas e signaes:—proprios para ambulancias, caminhões, omnibus e quaesquer outros	Kº PL	1$270
	Peças avulsas: armação de chassis (longarinas, travessas, braçadeiras e peças semelhantes de ligação), caixa ou cofre do motor, correntes anti-derrapantes, eixos e freios das rodas e da transmissão, para-choques, para-lamas, radiador e respectivo tanque, rodas, taboleiro ou bahú do carter, tanque de gazolina e pertences, tubo de descarga e silenciador	Kº PL	2$180
	Alavancas de mudança de velocidade e de freio, amortecedores, barras de direcção e respectivo volante, bujões de tanques e de graxa, caixa de velocidade, controles e tirantes dos freios, differencial, embrayagem, estribos e protectores, junta universal, moldura do radiador, pinos de lubrificação, quadro de instrumentos, supportes, ventilador e respectiva correia e outras peças não especificadas do chassis, ainda que se relacionem com o motor	Kº PL	3$400

Schedule I—Continued.

Brazilian Tariff Item No.	Description of Articles	Unit	Rate of Duty
	AUTOMOTIVE PARTS, ACCESSORIES AND APPURTENANCES—Continued.		
1782 (con.)	Of automobiles (continued):		
	Complete tops with frame, curtains and respective top covers, windshields with framework or only the glass, doors, seats, whether upholstered or not, glass for windows, doors or lights whether bevelled or not, indicating its application by its form, rear-vision mirrors, and other separate parts of bodies, not specified.	Kg. LW	8$520
	Current distributors, magnetos, starting motors and other electric parts of the motor, not classified.	Kg. LW	7$190
	Amperemeters, pressure gauges, thermostats, speedometers and other physical instruments.	Kg. LW	9$470
	Horns:		
	Of ordinary metal, simple, painted or nickel plated.	Kg. LW	7$000
	Same, gilt or silver plated.	Kg. LW	14$900
	AUTOMOBILE TIRES AND TUBES AND PARTS THEREFOR:		
1783	Weighing up to 5 kilos.	Kg. LW	8$880
	Weighing more than 5 up to 20 kilos.	Kg. LW	5$460
	Weighing more than 20 up to 50 kilos.	Kg. LW	3$750
	Weighing more than 50 kilos.	Kg. LW	2$895
	SCALES:		
1792	Platform scales, with platform of iron, wood, or wood and iron.		
	For weighing up to 100 kilos.	Each	130$000
	Same, more than 100 kilos up to 200 kilos.	Each	208$000
	Same, more than 200 kilos up to 500 kilos.	Each	312$000
	Same, more than 500 kilos up to 1,000 kilos.	Each	457$600
	Same, more than 1,000 kilos up to 2,000 kilos.	Each	759$200
	Same, more than 2,000 kilos up to 5,000 kilos.	Each	832$000
	Same, more than 5,000 kilos.	Each	1:664$000
	Automatic and semi-automatic computing scales, with or without platform, Dayton, Berkel, and similar types:		
	With capacity up to 10 kilos.	Each	130$000
	With capacity up to 20 kilos.	Each	156$000
	With capacity up to 50 kilos.	Each	182$000
	With capacity up to 100 kilos.	Each	234$000
	With capacity up to 200 kilos.	Each	312$000
	Spring, with cylinders, suspension, with or without pan.	Kg. LW	10$400
	Same, with stands of iron or marble, with only one pan.	Kg. LW	5$200
	Same, not specified.	Kg. LW	4$160
	PUMPS:		
1794	For gasoline or motor alcohol, simple or with indicator, propelled by whatever means, assembled or unassembled, and any of their parts, unclassified.	Kg. LW	3$120
	ELECTRICAL REFRIGERATION APPARATUS:		
1822/1831	Ice boxes, refrigerators, and similar of ordinary metal, with refrigeration apparatus.		
	Weighing up to 10 kilos.	Kg. LW	1$860
	Weighing more than 10 up to 50 kilos.	Kg. LW	1$550
	Weighing more than 50 up to 100 kilos.	Kg. LW	1$240
	Weighing more than 100 up to 250 kilos.	Kg. LW	1$120
	Weighing more than 250 up to 500 kilos.	Kg. LW	$990
	Weighing more than 500 up to 1,000 kilos.	Kg. LW	$750
	Weighing more than 1,000 up to 5,000 kilos.	Kg. LW	$620
	Weighing more than 5,000 up to 10,000 kilos.	Kg. LW	$500
	Weighing more than 10,000 kilos.	Kg. LW	$370

Nº na tarifa brasileira	Discriminação dos artigos	Unidade	Taxas convencionadas
	PARTES, ACCESSORIOS E PERTENCES (continuação):		
1782 (con.)	De carros automoveis (continuação):		
	Capotas completas, com armação, cortinas e respectiva capa, parabrisas com armação ou só os vidros, portas, assentos alcochoados ou não, vidros para janellas, portas ou vistas, bizelados ou não, indicando por sua forma a applicação, espelhos de direcção e retrovisão, e outras peças não especificadas de caixas de carro	Kº PL	8$520
	Distribuidores de corrente, magnétos, motores de partida e outras peças electricas não classificadas do motor	Kº PL	7$190
	Amperemetros, manometros, thermostaticos, velocimetros e outros instrumentos physicos	Kº PL	9$470
	Buzinas:		
	De metal ordinario, simples, pintado ou nickelado	Kº PL	7$000
	Idem dourado ou prateado	Kº PL	14$900
	PNEUMATICOS OU CAMARAS DE AR E SUAS PARTES OU PERTENCES:		
1783	Até 5 kilos	Kº PL	8$880
	Mais de 5 até 20 kilos	Kº PL	5$460
	Mais de 20 até 50 kilos	Kº PL	3$750
	Mais de 50 kilos	Kº PL	2$895
	BALANÇAS:		
1792	De plataforma com estrado de ferro, de madeira ou de madeira e ferro.		
	Para pesar até 100 kilos	Uma	130$000
	Mais de 100 até 200 kilos	Uma	208$000
	Mais de 200 até 500 kilos	Uma	312$000
	Mais de 500 até 1000 kilos	Uma	457$600
	Mais de 1000 até 2000 kilos	Uma	759$200
	Mais de 2000 até 5000 kilos	Uma	832$000
	Mais de 5000 kilos	Uma	1:664$000
	Automaticas e semi-automaticas, computadoras, com ou sem plataforma, typos Dayton, Berkel e semelhantes:		
	Com capacidade até 10 kilos	Uma	130$000
	Idem até 20 kilos	Uma	156$000
	Idem até 50 kilos	Uma	182$000
	Idem até 100 kilos	Uma	234$000
	Idem até 200 kilos	Uma	312$000
	Com móla:		
	De canudo, de suspender, com ou sem concha	Kº PL	10$400
	Com sócco de ferro ou marmore, de uma só concha	Kº PL	5$200
	Não especificadas	Kº PL	4$160
	BOMBAS:		
1794	Para gazolina ou para alcool-motor, simples ou com mostrador, de qualquer modo accionadas, armadas ou desarmadas e qualquer de suas partes não classificadas	Kº PL	3$120
	GELADEIRAS, REFRIGERADORES E SEMELHANTES, DE METAL ORDINARIO:		
1822/ 1831	Com apparelhagem frigorifica.		
	Pesando até 10 kilos	Kº PL	1$860
	Mais de 10 até 50 kilos	Kº PL	1$550
	Mais de 50 até 100 kilos	Kº PL	1$240
	Mais de 100 até 250 kilos	Kº PL	1$120
	Mais de 250 até 500 kilos	Kº PL	$990
	Mais de 500 até 1000 kilos	Kº PL	$750
	Mais de 1000 até 5000 kilos	Kº PL	$620
	Mais de 5000 até 10000 kilos	Kº PL	$500
	Mais de 10000 kilos	Kº PL	$370

Schedule I—Continued.

Brazilian Tariff Item No.	Description of Articles	Unit	Rate of Duty
	AGRICULTURAL MACHINERY AND IMPLEMENTS, such as:		
1825	Transplanters, plows, stump or tubercle pullers, reapers, cultivators, scarifiers, eradicators, harrows with stiff or flexible teeth, planters, Croskill, Cambridge and similar rollers, sowing machines, sulkies, tractors and similar.	Free	
	STEEL FILES:		
1828	Not specified:		
	Weighing up to 300 grams per dozen.	Kg. LW	3$900
	Weighing over 300 up to 1,500 grams per dozen.	Kg. LW	2$730
	Weighing over 1,500 grams per dozen.	Kg. LW	1$950
	MACHINERY:		
1831	For grinding knives and tools, sharpening pencils, for embroidering or sewing, cutting meats, paper, bread, cork or cloth, for threshing or crushing corn, for separating cream, up to a capacity of 10 liters, for bottling, ironing, making ice or sherbets, for washing glasses, bottles and dishes, for washing and wringing clothes, for cleaning knives, chopping meat, tobacco or vegetables, for shredding and similar uses, small, for domestic use, for offices, small stores and similar.	Kg. GW	$930
	Machines, for calculating and for accounting or statistics, Hollorith system and others.		
	Weighing up to 10 kilos.	Kg. LW	6$190
	Same, weighing from 10 to 50 kilos.	Kg. LW	4$950
	Same, weighing from 50 to 100 kilos.	Kg. LW	3$710
	Same, weighing from 100 to 250 kilos.	Kg. LW	2$470
	Same, weighing from 250 to 500 kilos.	Kg. LW	1$860
	Same, weighing over 500 kilos.	Kg. LW	1$240
	Typewriting machines:		
	With keyboard.	Kg. LW	7$960
	Machines: for registering payments, passengers in vehicles, and similar.	Kg. LW	5$700
	Machines: for typography: Linotypes, monotypes, autoplates, semi-autoplates.	Kg. LW	$750
1856	SPARK PLUGS FOR MOTORS:		7$900
	RUBBER AND GUTTA PERCHA, VULCANIZED OR NOT, EBANITE OR EBONITE, AND SIMILAR:		
1866	Rubber hose and tubes, covered or not with wire, with or without interior or exterior cloth:		
	Weighing over 250 grams up to 1 kilo per lineal meter.	Kg. LW	5$850
	Weighing over 1 kilo up to 5 kilos per lineal meter.	Kg. LW	3$900
	Belting for machinery.	Kg. LW	9$360
	CONFECTIONERY, SWEETS, BONBONS, PASTILLES, ETC.:		
1871	Add special subclassification for: "Chewing gum".	Kg. LW	5$000
	LINOLEUM, CONGOLEUM, AND SIMILAR:		
1885	In pieces and strips.		1$360
	In discs and carpets.		1$300

Nº na tarifa brasileira	Discriminação dos artigos	Unidade	Taxas convencionadas
	INSTRUMENTOS E MACHINAS AGRICOLAS TAES COMO:		
1825	Abaceladeiras, arados, arrancadores de tocos ou de tuberculos, carpideiras, ceifadeiras, charruas, cultivadeiras, escarificadeiras, extirpadeiras, grades com dentes rigidos ou flexiveis, plantadeiras, rolos Croskill, Cambridge e semelhantes, semeadeiras, tractores, transplantadores e semelhantes	Isento	
	LIMAS:		
1828	Não especificadas:		
	Pesando até 300 grs. por duzia	Kº PL	3$900
	Idem mais de 300 até 1500 grs.	Kº PL	2$730
	Idem mais de 1500 grs.	Kº PL	1$950
	MACHINAS:		
1831	Para amolar facas e ferramentas, aparar lapis, bordar ou costurar, cortar fiambre, pão, papel, rolhas ou tecidos, debulhar ou quebrar milho, desnatar leite, até a capacidade de 10 litros, engarrafar, engommar, fazer gelo ou sorvetes, lavar copos, garrafas ou pratos, lavar e espremer roupa, limpar facas, picar carne, fumo ou legumes, ralar e semelhantes, pequenas, de uso domestico, escriptorio, mercearia e semelhantes	Kº PB	$930
	Machinas para calcular e para contabilidade ou estatistica, systema Hollerith e outros:		
	Pesando até 10 kilos	Kº PL	6$190
	Mais de 10 até 50 kilos	Kº PL	4$950
	Mais de 50 até 100 kilos	Kº PL	3$710
	Mais de 100 até 250 kilos	Kº PL	2$470
	Mais de 250 até 500 kilos	Kº PL	1$860
	Mais de 500 kilos	Kº PL	1$240
	Machinas de escrever ou estenographar: com teclado	Kº PL	7$960
	Machinas para registrar pagamentos, passagens em vehiculos e semelhantes	Kº PL	5$700
	Machinas para typographia: linotipo, monotipo, autoplates e semi-autoplates	Kº PL	$750
1856	VÉLAS PARA MOTORES:	Kº PL	7$900
	BORRACHA E GUTTA-PERCHA, VULCANIZADAS OU NÃO, EBANITE OU EBONITE E SEMELHANTES:		
1866	Tubos revestidos ou não de arame, com ou sem tecido interior ou exterior:		
	Pesando mais de 250 grs. até 1 kilo por metro corrente	Kº PL	5$850
	Idem mais de 1 kilo até 5 kilos	Kº PL	3$900
	Correias para machinas	Kº PL	9$360
	CONFEITOS, BALAS, BONBONS, PASTILHAS, ETC.:		
1871	Accrescentar uma alinea especial para: "Chewing gum"	Kº PL	5$000
	LINOLEUM, CONGOLEUM E SEMELHANTES:		
1885	Em peças e passadeiras	Kº PL	1$360
	Em discos e tapetes	Kº PL	1$300

Schedule II.

SCHEDULE II

NOTE: The provisions of this Schedule shall be construed and given the same effect, and the application of collateral provisions of the customs laws of the United States to the provisions of this Schedule shall be determined insofar as may be practicable, as if each provision of this Schedule appeared respectively in the paragraph of the Tariff Act of 1930 noted in the column at the left of the respective descriptions of articles.

Tariff Act of 1930 Paragraph	Description of Articles	Rate of Duty
10	Copaiba balsam, natural and uncompounded, and not containing alcohol	5% ad valorem
35	Ipecac, natural and uncompounded, but advanced in value or condition by shredding, grinding, chipping, crushing, or any other process or treatment whatever beyond that essential to proper packing and the prevention of decay or deterioration pending manufacture, not containing alcohol	5% ad valorem
35	Maté, natural and uncompounded, but advanced in value or condition by shredding, grinding, chipping, crushing, or any other process or treatment whatever beyond that essential to proper packing and the prevention of decay or deterioration pending manufacture, not containing alcohol	5% ad valorem
302(a)	Manganese ore (including ferruginous manganese ore) or concentrates, and manganiferous iron ore, all the foregoing containing in excess of 10 per centum of metallic manganese	½ cent per pound on the metallic manganese contained therein.
757	Cream or Brazil nuts:	
	Not shelled	¾ cent per pound.
	Shelled	2¼ cents per pound.
762	Castor beans	¼ cent per pound.
1602	Ipecac, natural and uncompounded and in a crude state, not advanced in value or condition by shredding, grinding, chipping, crushing, or any other process or treatment whatever beyond that essential to proper packing and the prevention of decay or deterioration pending manufacture, not containing alcohol	Free
1602	Maté, natural and uncompounded and in a crude state, not advanced in value or condition by shredding, grinding, chipping, crushing, or any other process or treatment whatever beyond that essential to proper packing and the prevention of decay or deterioration pending manufacture, not containing alcohol	Free
1653	Cocoa or cacao beans, and shells thereof	Free
1654	Coffee, except coffee imported into Puerto Rico	Free
1697	Gutta balata	Free
1719	Zirconium ores or concentrates	Free
1727	Babassu nuts and kernels	Free
1732	Babassu-nut oil, expressed or extracted	Free
1765	Deerskins, raw	Free
1796	Carnauba wax	Free
1796	Beeswax, not specially provided for	Free
1803	Cabinet woods in the log	Free

TABELLA II

NOTA: Tanto quanto possivel, as disposições desta tabella serão interpretadas, e terão o mesmo effeito, como se cada item figurasse no paragrapho respectivo da tarifa de 1930, assignalado á esquerda da discriminação dos artigos, o mesmo se dando quanto á applicação das disposições accessorias das leis aduaneiras dos Estados Unidos da America, com relação ao que se acha estipulado na mesma tabella.

Paragrapho da tarifa de 1930	Discriminação dos artigos	Direitos
10	Balsamo de copahyba, natural e sem mistura, não contendo alcool	5% ad valorem
35	Ipecacuanha natural e sem mistura, beneficiada por corte, trituração, moagem ou quaesquer outros processos de tratamento, alem dos que forem essenciaes a um acondicionamento apropriado e á prevenção contra deteriorações ou estragos até ser o artigo manufacturado; não contendo alcool	5% ad valorem
35	Mate natural e sem mistura, beneficiado por corte, trituração, moagem ou quaesquer outros processos de tratamento, alem dos que forem essenciaes a um acondicionamento apropriado e á prevenção contra deteriorações ou estragos até ser o artigo manufacturado; não contendo alcool	5% ad valorem
302(a)	Minerio de manganez (inclusive minerio ferruginoso de manganez) ou concentrados, e minerio de ferro manganifero, contendo manganez metallico excedente a 10%	½ centavo por libra sobre o conteudo em manganez metallico.
757	Castanhas do Pará:	
	Com casca	¾ centavo por libra
	Descascadas	2¼ centavos por libra
762	Bagas de mamona	¼ centavo por libra
1602	Ipecacuanha, natural e sem mistura, em estado bruto, sem beneficiamento por corte, trituração, moagem ou quaesquer outros processos de tratamento, alem dos que forem essenciaes a um acondicionamento apropriado e á prevenção contra deteriorações ou estragos até ser o artigo manufacturado; não contendo alcool	Livre
1602	Mate, natural e sem mistura, em estado bruto, sem beneficiamento por corte, trituração, moagem ou quaesquer outros processos de tratamento, alem dos que forem essenciaes a um acondicionamento apropriado e á prevenção contra deteriorações ou estragos até ser o artigo manufacturado; não contendo alcool	Livre
1653	Cacao ou favas de cacao, inclusive cascas	Livre
1654	Café, exclusive café importado em Porto Rico	Livre
1697	Balata	Livre
1719	Minerios ou concentrados de zirconio	Livre
1727	Amendoas e caroços de babassú	Livre
1732	Oleo de babassú	Livre
1765	Couros de veado, crús	Livre
1796	Cera de carnauba	Livre
1796	Cera de abelhas, não classificada especialmente	Livre
1803	Madeiras para marcenaria, em toras	Livre

Supplementary agreement by exchange of notes.

Brazilian tariff on rosin, etc.

WHEREAS the said Agreement was supplemented by notes exchanged at Rio de Janeiro on April 17, 1935, between the respective plenipotentiaries of the President of the United States of America and the President of the United States of Brazil, so as to confirm the formal obligations which the Government of the United States of Brazil assumed at the time of the negotiation of the said Agreement with respect to the rates of duty in the Brazilian tariff which shall be applicable to rosin, which notes, made an integral part of the said Agreement, are word for word as follows:[1]

MINISTERIO DAS RELAÇÕES EXTERIORES,
RIO DE JANEIRO.
Em 17 de Abril de 1935.

SENHOR ENCARREGADO DE NEGOCIOS:

Tenho a honra de informar a Vossa Senhoria que, em additamento ás reducções aduaneiras estipuladas na Tabella I, annexa ao tratado de commércio assignado, em Washington, entre os Estados Unidos da America e os Estados Unidos do Brasil, a 2 de Febereiro ultimo, o Governo Brasileiro, attendo ao compromisso formal que havia assumido por occasião das negociações do referido tratado, resolveu taxar nas suas alfandegas o producto denominado colophónia do mesmo modo que o é, na nova tarifa aduaneira, o breu ou resina de pinho negra e de qualquer outra qualidade, permanecendo unicamente a resina denominada "de bourgogne" com os direitos que a mesma tarifa cobra, tanto para a "de bourgogne" como para a colophónia.

2. Para clareza do assumpto, lembro a Vossa Senhoria que se trata do artigo 282 da nova tarifa Brasileira, descriminado nas duas alineas seguintes:

De bourgogne e colophónia KG.P.L. $530.

Negra (breu) e de qualquer outra qualidade, ton.P.B. 132$730.

3. De acôrdo com a alteração que o Governo Brasileiro estabelece por esta troca de notas, essas alineas ficarão assim modificadas na nossa lei aduaneira:

De bourgogne KG.P.L. $530.

Colophónia, negra (breu) e de qualquer outra qualidade, ton.P.B. 132$730.

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[1] Translation of Brazilian note:

MINISTRY OF FOREIGN RELATIONS,
Rio de Janeiro, April 17, 1935.

MR. CHARGÉ D'AFFAIRES:

I have the honor to advise Your Excellency that in addition to the customs reductions provided for in schedule I annexed to the trade agreement signed at Washington between the United States of America and the United States of Brazil on February 2, last, the Brazilian Government, in accordance with the formal obligation which it assumed at the time of the negotiation of the said agreement, has resolved to tax, at its customhouses, the product designated "colophony" in the same way as pitch or black pine resin or that of any other quality now is taxed in the new customs tariff, only the resin called "Burgundy" remaining subject to the same rates which are levied by the said tariff both on "Burgundy" resin and on colophony.

2. For the sake of clarity in the matter, I recall to Your Excellency that it is a question of article 282 of the new Brazilian tariff, divided into the two following paragraphs:

Burgundy and colophony	Kg.—P. L.	$530
Pitch, black or of any other quality	Ton—P. B.	132$730

3. In accordance with the change which the Brazilian Government establishes by this exchange of notes, those paragraphs will be thus modified in our customs law:

Burgundy	Kg.—P. L.	$530
Colophony, black pitch, or of any other quality	Ton—P. B.	132$730

4. This modification will enter into force under the same conditions as those established for the entry into force of the trade agreement referred to above in its article XIV and in the note which clarifies the provisions and rates contained in schedule I of the said agreement, of which it will form an integral part.

I avail myself of the opportunity to renew to Your Excellency the assurances of my most distinguished consideration.

JOSÉ CARLOS DE MACEDO SOARES

4. Esta modificação começará a vigorar nas mesmas condições estabelecidas para a entrada em vigor do tratado de commércio acima referido, no seu artigo XIV e na nota que esclarece as disposições e taxas contidas na Tabella I do mesmo tratado do qual será parte integrante.

Aproveito a opportunidade para renovar a Vossa Senhoria os protestos da minha mui distincta consideração.

JOSÉ CARLOS DE MACEDO SOARES.

EMBASSY OF THE UNITED STATES OF AMERICA,
Rio de Janeiro, April 17, 1935.

EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's note of April 17, 1935 setting forth that in accordance with the formal obligation which the Brazilian Government assumed at the time of the negotiation of the trade agreement signed in Washington between the United States of America and the United States of Brazil on February 2, 1935 the Brazilian Government has resolved to modify article 282 of the present Brazilian customs tariff, in that part thereof which reads:

"Burgundy and colophony (common resin or rosin) K. G. P. L. 530 reis.

Black (pitch) and any other kind ton P. B. 132,730 reis" so as to read as follows:

"Burgundy K. G. P. L. 530 reis.

Colophony, black (pitch) and any other kind ton P. B. 132,730 reis."

Your Excellency's note further sets forth that this modification will enter into force under the same conditions as established for the entry into force of the trade agreement in article XIV and in the note to schedule 1 of the said agreement, of which it will form an integral part.

I have the honor to inform Your Excellency that my Government is in agreement with the modification to the Brazilian customs tariff and the provisions as to the entry into force thereof above set forth.

I avail myself of this occasion to renew to Your Excellency the assurances of my highest consideration.

GEORGE A. GORDON,
Chargé d'Affaires ad interim.

Approval, etc.

WHEREAS the said Agreement and the said notes have been formally approved and confirmed by me by virtue of the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, and have been ratified by the President of the Republic of the United States of Brazil, and the instruments of approval and confirmation and the instrument of ratification thereof were, in accordance with a provision of Article XIV of the said Agreement, exchanged in the city of Rio de Janeiro on the second day of December one thousand nine hundred and thirty-five;

Exchange of instrument of ratification.

Ante, p. 3821.

Effective date.

WHEREAS, in accordance with a further provision of the said Article XIV, the Agreement and notes will enter into full force thirty days after the said exchange, that is to say, on the first day of January, one thousand nine hundred and thirty-six;

Existing provisions continued.

WHEREAS such modifications of existing duties and other import restrictions and such continuances of existing customs and excise treatment as are set forth and provided for in the said Agreement and the two Schedules thereunto annexed and in the said notes supplemental thereto are required and appropriate to carry out the said Agreement and notes:

Proclamation. Vol. 46, p. 708; Vol. 48, p. 943.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under the authority conferred by the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, do hereby proclaim the said Agreement, including the said Schedules, and the said notes, to the end that the whole and every part thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof on and from the first day of January, one thousand nine hundred and thirty-six.

Suspension of application. Vol. 48, p. 944.

Pursuant to the proviso in Section 350 (a) (2) of the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, I shall from time to time notify the Secretary of the Treasury of the countries with respect to which application of the duties herein proclaimed is to be suspended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this second day of December in the year of our Lord one thousand nine hundred and thirty-five and of the Independence of the United States of America the one hundred and sixtieth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

EXCHANGE OF NOTES BETWEEN THE SECRETARY OF STATE OF THE UNITED STATES OF AMERICA AND THE BRAZILIAN AMBASSADOR

Exchange of notes.

The Brazilian Ambassador (Aranha) to the Secretary of State (Hull)

No. 11

EMBAIXADA DOS ESTADOS UNIDOS DO BRASIL,
Washington, em 2 de Fevereiro de 1935

Senhor SECRETARIO DE ESTADO,

Animado do proposito de esclarecer a perfeita intelligencia do artigo VI do tratado de commercio firmado hoje entre o Brasil e os Estados Unidos da America, o meu Governo autorizou-me a declarar a Vossa Excellencia que, emquanto tiver necessidade de manter o actual *contrôle* cambial, interpreta a promessa contida no referido artigo pela seguinte forma:

I) O Banco do Brasil dará cambio sufficiente para o pagamento, a medida que se tornar devido, de todas as futuras importações no Brasil de productos norte-americanos; alem disso, o Banco do Brasil fornecerá cambio bastante para liquidação gradual das dividas commerciaes norte-americanas actualmente em atraso, ficando entendido que o Banco do Brasil estabelecerá um systema de pagamento segundo o qual a importancia de cambio necessaria para os referidos fins não será inferior a uma percentagem calculada de accôrdo com a parte representada pelas mercadorias norte-americanas na importação total do Brasil durante os ultimos dez annos, mas ligeiramente augmentada para se alcançarem as finalidades visadas pelo novo tratado de commercio;

II) Quanto ás remessas de lucros e dividendos de companhias norte-americanas que funccionam no Brasil, não pode o meu Governo, até que se normalise a situação, senão prometter que taes companhias receberão tratamento nunca menos favoravel do que aquelle de que gozam ou vierem a gozar quaesquer companhias estrangeiras estabelecidas no paiz;

III) O meu Governo suggere a cooperação do Banco do Brasil com o "Federal Reserve Board" de Nova York (ou outra instituição que o Governo dos Estados Unidos da America vier a indicar), no sentido de ser inaugurado um serviço de informações em materia cambial, capaz de melhorar o conhecimento da situação de cada um dos dois paizes em relação ao outro e, dessa forma, intensificar entre elles a troca de productos;

IV) Se, como espera, chegarem a uma feliz conclusão as negociações em curso para obtenção de creditos bancarios, reservará o Governo brasileiro de sua disponibilidade de cambio o necessario para attender ao pagamento aos portadores de titulos de emprestimos negociados nos Estados Unidos da America das quantias fixadas pelo plano de pagamento de dividas de 5 de Fevereiro de 1934.

Desejo accrescentar que o Banco do Brasil continuará, como até agora, a pagar as obrigações contrahidas em Junho de 1933 para a consolidação das dividas commerciaes em atrazo, existentes naquella data.

Aproveito a opportunidade para renovar a Vossa Excellencia os protestos da minha mais alta consideração.

OSWALDO ARANHA

A Sua Excellencia o Senhor CORDELL HULL,
Secretario de Estado
dos Estados Unidos da America.

[Translation]

No. 11 EMBASSY OF THE UNITED STATES OF BRAZIL,
Washington, February 2, 1935.

MR. SECRETARY OF STATE:

Animated with the purpose of making article VI of the trade agreement between Brazil and the United States of America, signed today, perfectly clear, my Government has authorized me to advise Your Excellency that, so long as there may be any need for it to maintain the present control over foreign exchange, it interprets the promise contained in the said article as follows:

I. The Bank of Brazil will furnish sufficient exchange for the payments, as they become due, for all future importations of American products into Brazil; moreover, the Bank of Brazil will provide sufficient foreign exchange for the gradual liquidation of the American commercial debts now in arrears, it being understood that the Bank of Brazil will establish a system of payment under which the amount of foreign exchange required for the purposes mentioned shall not be less than a percentage calculated in accordance with the share represented by American goods in total Brazilian imports during the past 10 years, but slightly increased in order that the purposes contemplated by the new trade agreement may be accomplished;

II. With respect to transfers of profits and dividends of American companies operating in Brazil, my Government cannot, until the situation becomes normal, do more than promise that such companies will receive treatment never less favorable than that which is enjoyed or which may be enjoyed by any foreign companies established in the country;

III. My Government suggests the cooperation of the Bank of Brazil with the Federal Reserve Board of New York (or any other institution which the Government of the United States of America may indicate), in the sense of inaugurating a foreign exchange information service, affording greater knowledge of the situation of each of the two countries with relation to the other and, in this way, intensifying the exchange of products between them;

IV. If, as it hopes, the negotiations in progress for obtaining banking credits should come to a happy conclusion, the Brazilian Government will reserve from the foreign exchange at its disposal that

necessary to meet the payment, to the holders of bonds of loans negotiated in the United States of America, of the sums fixed by the plan of February 5, 1934, for payment of debts.

I wish to add that the Bank of Brazil will continue to meet, as hitherto, the obligations assumed in June 1933 for the refunding of the deferred commercial debts in arrears existing at that time.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

OSWALDO ARANHA

His Excellency Mr. CORDELL HULL,
Secretary of State of the United States of America.

The Secretary of State (Hull) to the Brazilian Ambassador (Aranha)

DEPARTMENT OF STATE,
Washington, February 2, 1935.

EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's note of this date.

My Government welcomes the declaration of the Government of Brazil contained in Your Excellency's note under acknowledgment in connection with the arrangements for the development of trade between the United States and Brazil embodied in the new Commercial Agreement between the two countries and has taken note of the determination of the Government of Brazil to resolve in so satisfactory and orderly a manner matters involving foreign exchange between the two countries.

The security in exchange matters these assurances will give to trade between the two countries should greatly assist in the development of that trade. They appear to this Government to be both reasonable and moderate and in no way to obstruct such plans or efforts as the Brazilian Government may wish to carry forward in furthering a liberal exchange policy.

Your Excellency will, of course, appreciate that the proffer by Your Excellency's Government of these assurances as contained in Your Excellency's note above referred to is not construed by this Government as modifying or affecting in any way the rights of American holders of Brazilian bonds issued in the United States.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

CORDELL HULL

His Excellency Mr. OSWALDO ARANHA,
Ambassador of Brazil.

[No. 82]

November 22, 1935. *Exchange of notes between the United States of America and the Union of Soviet Socialist Republics concerning execution of letters rogatory. Signed November 22, 1935.*

The American Ambassador (Bullitt) to the People's Commissar for Foreign Affairs (Litvinoff)

EMBASSY OF THE UNITED STATES OF AMERICA,
Moscow, November 22, 1935.

EXCELLENCY:

Exchange of notes with the Union of Soviet Socialist Republics concerning the execution of letters rogatory.

Confirming conversations between the American Embassy in Moscow and the People's Commissariat for Foreign Affairs with regard to the desirability of setting forth the procedure followed in our respective countries in the matter of the execution of letters rogatory issuing out of courts in the other, I have the honor to inform you of the conditions under which and the manner in which courts in the United States may execute letters rogatory issuing out of courts in the Union of Soviet Socialist Republics.

(1) Letters rogatory issuing out of courts in foreign countries are executed in the United States in accordance with the pertinent provisions of the laws of the United States, or of the State or Territory thereof in which resides the person whose testimony is desired, and in compliance with the rules of the executing court. The Government of the United States is, accordingly, not in a position to set forth with precision what may be the requirements of a particular court in the United States at a given time in respect of the execution of letters rogatory issuing out of a court in a foreign country. There are appended, however, copies of the texts of federal statutory provisions now in force which relate to the taking of testimony under commissions or letters rogatory addressed by foreign courts to federal courts of the United States.

It is understood that it is the practice of American courts of appropriate jurisdiction to execute letters rogatory issuing out of foreign courts, if properly prepared and presented, and that no difficulty is likely to be encountered by Soviet courts in obtaining the execution of letters rogatory by American courts. However, should a Soviet court encounter such difficulty, my Government would, it is understood, upon its attention being drawn thereto through the diplomatic channel, consider what steps it might appropriately take with a view to eliminating the difficulty.

(2) With respect to the question of the manner of transmittal of letters rogatory issuing out of courts in the Union of Soviet Socialist Republics and addressed to courts in the United States, I have the honor to say that neither the Department of State nor any other

part of the Executive Branch of the Government of the United States makes a practice of acting as a channel for the transmittal of letters rogatory issuing out of courts in foreign countries and addressed to courts in the United States. In some States of the United States, laws have been enacted requiring letters rogatory to be presented to the State court by the appropriate consular officer of the country in which the testimony is to be used. As my Government is of the opinion that this practice should be generally followed with respect to both Federal and State courts, letters rogatory issuing out of a court in the Soviet Union for execution in the United States should be presented to the court to which they are addressed by the consular officer of the Union of Soviet Socialist Republics in the United States within whose consular district the court in question is located.

(3) While my Government is not, as has been stated above, in a position to set forth with precision what the requirements of a particular court in the United States may be at a given time in respect of the execution of letters rogatory issuing out of a court in a foreign country, my Government desires me to suggest the following points which courts in the Union of Soviet Socialist Republics may find it advantageous to observe in preparing letters rogatory for execution in the United States:

(a) The letters rogatory should be addressed by name to the court in the United States which is to execute them, if that is known; or they may be addressed "To any court of competent jurisdiction in the United States".

(b) Requests for the execution of letters rogatory should specify the name of the court out of which they issue, as well as the names of the parties to the action in which the testimony called for by the letters rogatory is desired.

(c) Requests for the execution of letters rogatory should be accompanied by English translations thereof and of accompanying documents such as exhibits and any instructions to the executing court.

With respect to the service of documents on Soviet nationals in the United States in connection with cases pending in courts in the Soviet Union, my Government has informed me that, while it cannot undertake to obligate courts or officials in the United States, no restrictions are known to exist upon the service of such documents without the application of coercion by Soviet diplomatic and consular officers in the United States.

Accept, Excellency, the renewed assurances of my highest consideration.

WILLIAM C. BULLITT

His Excellency
MAXIM M. LITVINOV,
People's Commissar for Foreign Affairs,
Moscow.

Enclosure.

[Enclosure]

EXCERPTS FROM TITLE 28, UNITED STATES CODE.

Excerpts from United States Code. U. S. C., p. 1298.

"653. * * * When letters rogatory are addressed from any court of a foreign country to any district court of the United States, a commissioner of such district court designated by said court to make the examination of the witnesses mentioned in said letters, shall have power to compel the witnesses to appear and depose in the same manner as witnesses may be compelled to appear and testify in courts. (R. S. § 875; Feb. 27, 1887, C. 69, § 1, 19 Stat. 241)"

Testimony for use in foreign countries

"701. *Taking.* The testimony of any witness residing within the United States, to be used in any suit for the recovery of money or property depending in any court in any foreign country with which the United States are at peace, and in which the government of such foreign country shall be a party or shall have an interest, may be obtained, to be used in such suit. If a commission or letters rogatory to take such testimony, together with specific written interrogatories, accompanying the same, and addressed to such witness, shall have been issued from the court in which such suit is pending, on producing the same before the district judge of any district where the witness resides or shall be found, and on due proof being made to such judge that the testimony of any witness is material to the party desiring the same, such judge shall issue a summons to such witness requiring him to appear before the officer or commissioner named in such commission or letters rogatory, to testify in such suit. And no witness shall be compelled to appear or to testify under this section except for the purpose of answering such interrogatories so issued and accompanying such commission or letters. When counsel for all the parties attend the examination, they may consent that questions in addition to those accompanying the commission or letters rogatory may be put to the witness, unless the commission or letters rogatory exclude such additional interrogatories. The summons shall specify the time and place at which the witness is required to attend, which place shall be within one hundred miles of the place where the witness resides or shall be served with such summons. (R. S. § 4071.)

"702. *Privilege of witness.* No witness shall be required, on such examination or any other under letters rogatory, to make any disclosure or discovery which shall tend to criminate him either under the laws of the State or Territory within which such examination is had, or any other, or any foreign State. (R. S. § 4072.)

"703. *Punishment of witness for contempt.* If any person shall refuse or neglect to appear at the time and place mentioned in the summons issued, in accordance with section 701 of this title, or if upon his appearance he shall refuse to testify, he shall be liable to the same penalties as would be incurred for a like offense on the trial of a suit in the district court of the United States. (R. S. § 4073.)

"704. *Fees and mileage of witnesses.* Every witness who shall so appear and testify shall be allowed, and shall receive from the party at whose instance he shall have been summoned, the same fees and mileage as are allowed to witnesses in suits depending in the district courts of the United States. (R. S. § 4074.)"

The People's Commissar for Foreign Affairs (Litvinoff) to the American Ambassador (Bullitt)

Moscow, *November "22" 1935.*

MR. AMBASSADOR:

Confirmation by Union of Soviet Socialist Republics.

Confirming conversations between the People's Commissariat for Foreign Affairs and the American Embassy in Moscow with regard to the desirability of setting forth the procedure followed in our respective countries in the matter of the execution of letters rogatory issuing out of the courts in the other, I have the honor to inform you of the procedure according to which the courts of the Union of Soviet Socialist Republics will accept for execution letters rogatory of courts in the United States of America.

1. Letters rogatory issuing out of courts in the United States for execution in the Union of Soviet Socialist Republics should be delivered through the diplomatic channel, i. e., through the American Embassy in Moscow and the People's Commissariat for Foreign Affairs, to the appropriate court in the Union of Soviet Socialist Republics and, when executed, they will be returned through the same channel.

2. Letters rogatory issued out of a court in the United States forwarded for execution in the Union of Soviet Socialist Republics should be addressed to the Supreme Court of that constituent republic which is competent to execute such letters rogatory. In case the exact title of the Soviet court is unknown to the court which issues the letters rogatory, the letters rogatory may be addressed "to the competent court of the Union of Soviet Socialist Republics".

3. Requests of courts in the United States for the execution of letters rogatory addressed to courts in the Union of Soviet Socialist Republics should specify the name of the court out of which they issue, as well as the names of the parties to the action in which the testimony called for by the letters rogatory is desired.

4. Requests for the execution of letters rogatory should be accompanied by Russian translations of all the basic documents, such as the interrogatories themselves and any accompanying instructions to the executing court. It will be sufficient in the case of documents of secondary importance to forward short summaries of their contents in the Russian language.

5. Depending upon the nature of the letters rogatory, a fee varying from five to ten dollars ($5 to $10) will be charged for the execution of letters rogatory issued out of courts in the United

States. In addition to this fee, remuneration for the services of experts as well as for the travelling expenses and expenditure of time by witnesses may be requested in individual cases, such remuneration to be based on rates current at the time as fixed by law or regulation then existing. Payment of fees and other possible expenses of the nature referred to above will be effected in dollars by the American Embassy at Moscow upon receipt from the People's Commissariat for Foreign Affairs of the executed letters rogatory and an appropriate statement setting forth the amount due, and the fees and services covered thereby.

6. The court in the Union of Soviet Socialist Republics by which the letters rogatory are executed shall give effect to them in accordance with the procedural rules obtaining in the Union of Soviet Socialist Republics.

7. The court issuing the letters rogatory shall, if it so desires, be informed of the date and place where the proceedings will take place, in order that the interested parties or their legal representatives may, if they desire, be present.

8. The execution of letters rogatory issuing out of a court in the United States may be refused in whole or in part, if the appropriate authorities in the Union of Soviet Socialist Republics consider that the execution thereof would affect its sovereignty or safety. In returning letters rogatory unexecuted in whole or in part, the authorities refusing such execution shall affix under seal to the letters rogatory a written statement of the reasons for such refusal.

9. Any difficulties which may arise in connection with a request by a court in the United States for the execution of letters rogatory in the Union of Soviet Socialist Republics shall be settled through the diplomatic channel.

While letters rogatory must be transmitted through the diplomatic channel, American diplomatic and consular institutions may, in connection with cases pending in the United States courts, serve juridical documents on American nationals within the Union of Soviet Socialist Republics, without the application of coercion.

Accept, Mr. Ambassador, the renewed assurances of my highest consideration.

M. LITVINOFF

Mr. WILLIAM C. BULLITT,
Ambassador of the United States of America,
Moscow.

[No. 83]

Supplementary Agreement between the United States of America and Brazil further amending the Agreement of May 10, 1934, as amended by the Supplementary Agreement of July 21 and 23, 1934, respecting a military mission to Brazil. Effected by exchange of notes, signed June 20 and October 29, 1935; effective February 1, 1936.

June 20, 1935.
October 29, 1935.

The Secretary of State (Hull) to the Brazilian Ambassador (Aranha)

DEPARTMENT OF STATE,
Washington, June 20, 1935.

EXCELLENCY:

Supplementary Agreement with Brazil respecting a military mission.

With respect to the desire of the Brazilian Government, made known to me by your memorandum of February 20, 1935, that the Military Mission Agreement between the Governments of the United States of America and the United States of Brazil, signed at Washington on May 10, 1934, be further amended so as to permit of the designation of an officer of the Army of the United States of America to serve as a professor in the Technical School of the Brazilian Army in matters related to chemistry and its application to warfare, the undersigned the Secretary of State of the United States of America, duly authorized by his Government, begs to state that it will be entirely satisfactory to the Government of the United States of America to enter into such a supplementary agreement by an exchange of notes on the understanding that the said officer shall possess the same rights and privileges as the officers detailed in the original contract of May 10, 1934; that the agreement shall be considered and be deemed to be an addendum to the said contract, in accordance with Article 7 thereof, and that it shall be regarded as having the same force and effect as if originally embodied in that contract.

Ante, p. 3543.

Detail of U. S. Army officer to Brazilian Army Technical School permitted.

To be considered an addendum to contract.

Ante, p. 3545.

The Government of the United States of America will be pleased to consider the above-stated understanding to be effective on the day of the receipt of a note from you stating the acceptance of the understanding by the Government of the United States of Brazil.

Accept, Excellency, the renewed assurances of my highest consideration.

CORDELL HULL

His Excellency
OSWALDO ARANHA,
Ambassador of Brazil.

The Brazilian Ambassador (Aranha) to the Secretary of State (Hull)

No. 88 EMBAIXADA DOS ESTADOS UNIDOS DO BRASIL,
Washington, em 29 de Outubro de 1935.

SENHOR SECRETARIO DE ESTADO,

Com referencia a um proposto additamento ao contracto entre os Estados Unidos do Brasil e os Estados Unidos da America de uma missão militar, firmado em Washington a 10 de Maio de 1934, a fim de permittir a designação de um official do Exercito dos Estados Unidos da America para servir como professor de chimica e suas applicações militares na Escola Technica do Exercito Brasileiro, o abaixo assignado, Embaixador do Brasil, tem a honra de accusar o recebimento da nota nº 832.223/9, de 20 de Junho do corrente anno, pela qual Vossa Excellencia, devidamente autorizado pelo seu Governo, tem a amabilidade de annunciar-lhe que o Governo dos Estados Unidos da America está prompto a concluir por troca de notas um accordo supplementar a esse respeito, na convicção de que o dito official terá direitos e privilegios iguaes aos reconhecidos aos officiaes mencionados no contracto original de 10 de Maio de 1934, considerando-se tal additamento como feito de accordo com o artigo 7º do referido contracto e tão valido como se estivesse neste comprehendido.

2. Devidamente autorizado pelo seu Governo, o Embaixador do Brasil tem a honra de declarar que o Governo dos Estados Unidos do Brasil acceita as mencionadas condições e, nos termos da nota a que a presente responde, concorda em considerar o referido additamento ao contracto de 10 de Maio de 1934 com o Governo dos Estados Unidos da America como em vigor a partir de 1º de Fevereiro de 1936.

O abaixo assignado aproveita a opportunidade para reiterar a Vossa Excellencia os protestos de sua mais alta consideração.

OSWALDO ARANHA

A Sua Excellencia o Senhor CORDELL HULL,
Secretario de Estado dos Estados Unidos da America.

[Translation]

No. 88 EMBASSY OF THE UNITED STATES OF BRAZIL,
Washington, October 29, 1935.

MR. SECRETARY OF STATE:

Conditions accepted by Brazil.

With reference to a proposed addition to the contract between the United States of Brazil and the United States of America for a military mission, signed at Washington on May 10, 1934, for the purpose of permitting the designation of an officer of the Army of the United States of America to serve as professor of chemistry and its military applications in the Technical School of the Brazilian Army, the undersigned, Ambassador of Brazil, has the honor to acknowledge the receipt of note no. 832.223/9, of June 20 of the current year, by which Your Excellency, duly authorized by your Government, has the kindness to announce to the undersigned that the Government of the United States of America is ready to conclude, by exchange of notes, a supplementary agreement with respect to this matter, on the assurance that the said officer will have rights and privileges equal to those granted the officers mentioned in the original contract of May 10, 1934, such addition being considered as made in accordance with article 7 of the contract referred to and as valid as if it were included therein.

2. Being duly authorized by his Government, the Ambassador of Brazil has the honor to declare that the Government of the United States of Brazil accepts the conditions mentioned and, in the terms of the note to which this note is a reply, agrees to consider the said addition to the contract of May 10, 1934, with the Government of the United States of America, as in force on and after February 1, 1936.

The undersigned avails himself of the opportunity to repeat to Your Excellency the assurance of his very high consideration.

OSWALDO ARANHA

His Excellency Mr. CORDELL HULL,
Secretary of State of the United States of America.

[No. 84]

November 9, 1935.
December 16, 19, 1935.

Supplementary Agreement between the United States of America and Brazil extending the duration of the Agreements of May 10, 1934, July 21 and 23, 1934, and June 20 and October 29, 1935, respecting a military mission to Brazil. Effected by exchange of notes, signed November 9 and December 16 and 19, 1935; effective December 16, 1935.

The Brazilian Ambassador (Aranha) to the Secretary of State (Hull)

No. 94 EMBAIXADA DOS ESTADOS UNIDOS DO BRASIL,
Washington, em 9 de Novembro de 1935.

SENHOR SECRETARIO DE ESTADO,

Supplementary Agreement with Brazil extending duration of certain agreements respecting a military mission.
Ante, p. 3544.

De accôrdo com o artigo 3° do Accôrdo entre o Brasil e os Estados Unidos da America, firmado a 10 de Maio de 1934, a fim de permittir a ida para o Brasil de uma Missão de officiais do Exercito dos Estados Unidos, tenho a honra de annunciar a Vossa Excellencia que o meu Govêrno deseja que o referido contracto, si isso fôr do agrado do Govêrno norte-americano, seja prolongado pelo prazo de mais dois annos, continuando, portanto, em vigor até 10 de Maio de 1938.

Aproveito a opportunidade para renovar a Vossa Excellencia os protestos da minha mais alta consideração.

OSWALDO ARANHA.

A Sua Excellencia o Senhor CORDELL HULL,
Secretario de Estado dos Estados Unidos da America.

[Translation]

No. 94 EMBASSY OF THE UNITED STATES OF BRAZIL,
Washington, November 9, 1935.

MR. SECRETARY OF STATE:

In accord with article 3 of the agreement between Brazil and the United States of America signed on May 10, 1934, for the purpose of permitting the departure for Brazil of a mission of officers of the United States Army, I have the honor to announce to Your Excellency that my Government wishes the contract referred to to be extended for a further period of 2 years, continuing in force, therefore, until May 10, 1938, if this should be pleasing to the American Government.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

OSWALDO ARANHA

His Excellency
Mr. CORDELL HULL,
Secretary of State of the United States of America.

The Secretary of State (Hull) to the Brazilian Ambassador (Aranha)

DEPARTMENT OF STATE,
Washington, December 16, 1935.

EXCELLENCY:

I have the honor to acknowledge the receipt of your note of November 9, 1935, wherein, in accordance with Article 3 of the Military-Mission Agreement between the United States of America and the United States of Brazil, signed at Washington on May 10, 1934, you make known to me the wish of your Government that the said Agreement be extended for a period of two years, from May 10, 1936, to May 10, 1938, if such extension should be agreeable to the Government of the United States. Agreement by United States.

Duly authorized thereto, I am happy to inform you, in reply, that the extension of the Military-Mission Agreement of May 10, 1934, until May 10, 1938, will be entirely agreeable to the Government of the United States of America, and that the Government of the United States of America will be pleased to consider your note and this acknowledgment thereof as constituting an agreement extending the said Military-Mission Agreement from May 10, 1936, to May 10, 1938.

Your note does not specifically request that the extension include also the supplementary agreement effected by exchange of notes on July 21 and July 23, 1934, and the supplementary agreement effected by my note of June 20 and your note of October 29, 1935. If it is desired by your Government that these two supplementary agreements should also be included in the extension, the Government of the United States of America, upon being so informed by you, will be pleased to consider that the extensional agreement effected by your note of November 9, 1935, and my present note, applies not only to the agreement of May 10, 1934, but to the two supplementary agreements as well.

Accept, Excellency, the renewed assurances of my highest consideration.

CORDELL HULL

His Excellency
OSWALDO ARANHA,
Ambassador of Brazil.

The Brazilian Ambassador (Aranha) to the Secretary of State (Hull)

No. 110

EMBAIXADA DOS ESTADOS UNIDOS DO BRASIL,
Washington, em 19 de dezembro de 1935.

SENHOR SECRETARIO DE ESTADO,

Tenho a honra de accusar o recebimento da sua Nota No. 832.20/100, de 16 do corrente, com a qual Vossa Excellencia me informa, em resposta á minha No. 94, de 9 de novembro ultimo, que o Governo dos Estados Unidos da America concorda com o prolongamento, Confirmation by Brazil.

pelo prazo de mais dois annos, do Accôrdo entre o Brasil e os Estados Unidos da America, firmado a 10 de maio de 1934, a fim de permittir a ida para o Brasil de uma Missão de Officiaes do Exercito dos Estados Unidos.

2. Com referencia ao paragrapho terceiro da sua referida Nota, de 16 do corrente, é com prazer que confirmo a Vossa Excellencia a intenção do meu Governo de considerar como incluidos na referida prolongação os Accordos supplementares effectuados por troca de notas em 21 e 23 de julho de 1934 e por notas de 20 de junho e 29 de outubro do corrente anno, ficando, pois, entendido que o accordo supplementar effectuado com a minha nota No. 94, de 9 de novembro, e a de Vossa Excellencia de 16 do corrente, se applica não só ao accordo de 10 de maio de 1934, mas igualmente aos dois accordos supplementares de julho de 1934 e outubro de 1935.

Aproveito a opportunidade para renovar a Vossa Excellencia os protestos da minha mais alta consideração.

OSWALDO ARANHA

A Sua Excellencia o Senhor CORDELL HULL,
Secretario de Estado dos Estados Unidos
da America.

[Translation]

No. 110 EMBASSY OF THE UNITED STATES OF BRAZIL,
Washington, December 19, 1935.

MR. SECRETARY OF STATE:

I have the honor to acknowledge the receipt of your note no. 832.20/100 of the 16th instant, whereby Your Excellency informs me, in reply to my note no. 94 of November 9, last, that the Government of the United States of America agrees to the prolongation, for the period of 2 years more, of the agreement between Brazil and the United States of America, signed May 10, 1934, for the purpose of permitting the departure for Brazil of a mission of officers of the United States Army.

2. With reference to the third paragraph of your note, mentioned above, of the 16th instant, it is with pleasure that I confirm to Your Excellency my Government's intention to consider as included in the said prolongation the supplementary agreements effected by exchange of notes on the 21st and the 23d of July 1934, and by notes of June 20 and October 29 of the current year, it being understood, therefore, that the supplementary agreement effected by my note no. 94 of November 9, and Your Excellency's note of the 16th instant, applies not only to the agreement of May 10, 1934, but likewise to the two supplementary agreements of July 1934, and October 1935.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

OSWALDO ARANHA

His Excellency Mr. CORDELL HULL,
Secretary of State of the United States
of America.

[No. 85]

Agreement between the United States of America and Honduras respecting reciprocal trade. Signed at Tegucigalpa, December 18, 1935; proclaimed by the President of the Republic of Honduras, February 1, 1936; proclaimed by the President of the United States, February 1, 1936; effective March 2, 1936.

December 18, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS it is provided in the Tariff Act of 1930 of the Congress of the United States of America, as amended by the Act of June 12, 1934, entitled "AN ACT To Amend the Tariff Act of 1930" (48 Stat. 943), as follows:

Reciprocal trade agreement with Honduras.
Vol. 46, p. 708; Vol. 48, p. 943.

"Sec. 350. (a) For the purpose of expanding foreign markets for the products of the United States (as a means of assisting in the present emergency in restoring the American standard of living, in overcoming domestic unemployment and the present economic depression, in increasing the purchasing power of the American public, and in establishing and maintaining a better relationship among various branches of American agriculture, industry, mining, and commerce) by regulating the admission of foreign goods into the United States in accordance with the characteristics and needs of various branches of American production so that foreign markets will be made available to those branches of American production which require and are capable of developing such outlets by affording corresponding market opportunities for foreign products in the United States, the President, whenever he finds as a fact that any existing duties or other import restrictions of the United States or any foreign country are unduly burdening and restricting the foreign trade of the United States and that the purpose above declared will be promoted by the means hereinafter specified, is authorized from time to time—

Statutory provisions.

"(1) To enter into foreign trade agreements with foreign governments or instrumentalities thereof; and

"(2) To proclaim such modifications of existing duties and other import restrictions, or such additional import restrictions, or such continuance, and for such minimum periods, of existing customs or excise treatment of any article covered by foreign trade agreements, as are required or appropriate to carry out any foreign trade agreement that the President has entered into hereunder. No proclamation shall be made increasing or decreasing by more than 50 per centum any existing rate of duty or transferring any article between the dutiable and free lists. The proclaimed duties and other import restrictions shall apply to articles the growth, produce, or manufacture of all foreign countries, whether imported directly, or indirectly: *Provided*, That the President may suspend the application to articles the growth, produce, or manufacture of any country because of its discriminatory treatment of American commerce or because of other acts or policies which in his opinion tend to defeat the purposes set forth in this section; and the proclaimed duties and other import restrictions shall be in effect from and after such time as is specified in the proclamation. The President may at any time terminate any such proclamation in whole or in part."

Promotion of trade.

WHEREAS I, Franklin D. Roosevelt, President of the United States of America, have found as a fact that certain existing duties and other import restrictions of the United States of America and the Republic of Honduras are unduly burdening and restricting the foreign trade of the United States of America and that the purpose declared in the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, will be promoted by a foreign trade agreement between the United States of America and the Republic of Honduras;

Vol. 46, p. 708; Vol. 48, p. 943.

Notice given.

WHEREAS reasonable public notice of the intention to negotiate such foreign trade agreement was given and the views presented by persons interested in the negotiation of such agreement were received and considered;

Trade agreement entered into.

WHEREAS, after seeking and obtaining information and advice with respect thereto from the United States Tariff Commission, the Departments of State, Agriculture, and Commerce, and from other sources, I entered into a foreign Trade Agreement on December 18, 1935, through my duly empowered Plenipotentiary, with the President of the Republic of Honduras through his duly empowered Plenipotentiary, which Agreement, including two Schedules annexed thereto, in the English and Spanish languages, is in words and figures as follows:

PREAMBLE

Purposes declared.

The President of the United States of America and the President of the Republic of Honduras, being desirous of strengthening the traditional bonds of friendship between the two countries by maintaining the principle of equality of treatment as the basis of commercial relations and by granting mutual and reciprocal concessions and advantages for the promotion of trade, have through their respective Plenipotentiaries arrived at the following Agreement:

PREAMBULO

El Presidente de los Estados Unidos de América y el Presidente de la República de Honduras, deseando estrechar los vínculos tradicionales de amistad entre los dos países por el mantenimiento del principio de igualdad de tratamiento, como base de sus relaciones comerciales, y por concesiones y ventajas mutuas y reciprocas para la promoción del comercio, han llegado por medio de sus respectivos Plenipotenciarios al siguiente Convenio:

ARTICLE I

Enumerated American articles imported by Honduras.

Articles the growth, produce or manufacture of the United States of America, enumerated and described in Schedule I annexed to this Agreement and made a part thereof, shall, on their importation into the Republic of Honduras, be exempt from ordinary customs duties in excess of those set forth in the said Schedule. The said articles shall also be exempt from all other duties, taxes, fees, charges or

Post, p. 3866.

ARTICULO I

Los artículos cosechados, producidos, manufacturados o fabricados en Estados Unidos de América, enumerados y descritos en la Lista número I anexa a este Convenio y que forma parte del mismo, estarán exentos, al ser importados a la República de Honduras, de los derechos ordinarios de Aduana en exceso de los especificados en dicha Lista. Dichos artículos estarán también exentos de todos los otros derechos, impuestos,

exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under laws of the Republic of Honduras in force on the day of the signature of this Agreement.

With respect to soaps and butter, enumerated and described in Schedule I, the Republic of Honduras agrees to exempt them from the taxes to which they are now subject as a result of the provisions of Decree No. 84 of the National Congress of Honduras, published on March 3, 1934, on and after the date on which this Agreement comes into force, but, in accordance with the provisions of Article III of this Agreement, they may be subject, together with all other articles the growth, produce or manufacture of the United States of America, whether or not enumerated in Schedule I, to the taxes which in accordance with law the municipalities may establish.

ARTICLE II

Articles the growth, produce or manufacture of the Republic of Honduras, enumerated and described in Schedule II annexed to this Agreement and made a part thereof, shall, on their importation into the United States of America, be exempt from ordinary customs duties in excess of those set forth in the said Schedule. The said articles shall also be exempt from all other duties, taxes, fees, charges, or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under laws of the United States of America in force on the day of the signature of this Agreement.

contribuciones, cargas o exacciones establecidos sobre la importación o en relación con ella, en exceso de los que rijan en la fecha de la firma de este Convenio o cuya imposición se estableciere en lo sucesivo conforme las leyes de la República de Honduras vigentes el día en que se firma este Convenio.

Con respecto a jabones y mantequilla, enumerados y descritos en la lista número I, la República de Honduras conviene en eximirlos de los impuestos a que están actualmente sujetos como consecuencia de las disposiciones del Decreto No. 84 del Congreso Nacional de Honduras, promulgado el 3 de marzo de 1934, desde la fecha en que este Convenio entre en vigor y en lo sucesivo; pero pueden sujetarse, junto con todos los otros artículos de cosecha, producción, manufactura o fabricación de Estados Unidos de América, enumerados o no en la Lista número I, a los impuestos que de acuerdo con la ley fijen las Municipalidades y conforme a las disposiciones del Artículo III de este Convenio.

Soaps and butter.
Post, p. 3866.

Post, p. 3854.

ARTICULO II

Los artículos cosechados, producidos, manufacturados o fabricados en la República de Honduras, enumerados y descritos en la Lista número II anexa a este Convenio y que forma parte del mismo, estarán exentos, al ser importados a Estados Unidos de América, de los derechos ordinarios de Aduana en exceso de los especificados en dicha Lista.—Dichos artículos estarán también exentos de todos los otros derechos, impuestos, contribuciones, cargas o exacciones establecidos sobre la importación o en relación con ella, en exceso de los que rijan en la fecha de la firma de este Convenio o cuya imposición se estableciere en lo sucesivo conforme las leyes de Estados Unidos de América vigentes el día en que se firma este Convenio.

Specified imports from Honduras.

Post, p. 3869.

ARTICLE III

Internal tax exemptions.

Articles the growth, produce or manufacture of the United States of America or the Republic of Honduras, shall, after importation into the other country, be exempt from all internal taxes, fees, charges or exactions, other or higher than those payable on like articles of national origin or any other foreign origin.

ARTICULO III

Los artículos de cosecha, producción, manufactura o fabricación de los Estados Unidos de América o de la República de Honduras, estarán exentos, después de su entrada al territorio del otro país de impuestos, contribuciones, cargas o exacciones interiores, distintos o mayores de los pagaderos sobre artículos análogos de origen nacional o de cualquier otro país extranjero.

ARTICLE IV

Determining dutiable value, etc.

In respect of articles the growth, produce or manufacture of the United States of America or the Republic of Honduras, enumerated and described in Schedules I and II, respectively, imported into the other country, on which ad valorem rates of duty, or duties based upon or regulated in any manner by value, are or may be assessed, it is understood and agreed that the bases and methods of determining dutiable value and of converting currencies shall be no less favorable to importers than the bases and methods prescribed under laws and regulations of the Republic of Honduras and the United States of America, respectively, in force on the day of the signature of this Agreement.

Post, pp. 3866, 3869.

ARTICULO IV

Con respecto a los artículos cosechados, producidos, manufacturados o fabricados en los Estados Unidos de América o en la República de Honduras, enumerados y descritos en las Listas I y II, respectivamente, importados al otro país, sobre los cuales se imponen o se impusieren derechos *ad-valorem* o derechos basados sobre el valor o determinados, de cualquier manera, por él, es entendido y convenido que las bases y métodos para determinar el valor adeudable y para convertir las monedas, no serán menos favorables a los importadores que las bases y métodos prescritos en las leyes y reglamentos de la República de Honduras y de los Estados Unidos de América, respectivamente, vigentes el día de la firma de este Convenio.

ARTICLE V

No quantitative restrictions, etc.

1. No prohibitions, import or customs quotas, import licenses, or any other form of quantitative regulation, whether or not operated in connection with any agency of centralized control, shall be imposed by the Republic of Honduras on the importation or sale of any article the growth, produce or manufacture of the United States of America, enumerated and described in Schedule I, nor by the United States of America on the importation or sale of any article the growth,

ARTICULO V

1. Ninguna prohibición, cuota de importación o aduanera, permiso de importación, o cualquiera otra forma de reglamentación cuantitativa, ya sea que se efectúe o no en conexión con cualquier agencia de restricción centralizada, será impuesta por la República de Honduras sobre la importación o venta de artículo alguno de cosecha, producción, manufactura o fabricación de Estados Unidos de América, enumerado y descrito en la Lista anexa número I, ni por los Estados

produce or manufacture of the Republic of Honduras, enumerated and described in Schedule II.

2. The foregoing provision shall not apply to:

a) Prohibitions or restrictions (1) imposed on moral or humanitarian grounds; (2) designed to protect human, animal or plant life; (3) relating to prison-made goods; or (4) relating to the enforcement of police or revenue laws; or to

b) Quantitative restrictions in whatever form, imposed by the United States of America or the Republic of Honduras on the importation or sale of any article the growth, produce or manufacture of the other country, in conjunction with governmental measures operating to regulate or control the production, market supply, or prices of like domestic articles or tending to increase the labor costs of production of such articles. Whenever the Government of either country proposes to establish or change any restriction authorized by this subparagraph, it shall give notice thereof in writing to the other Government and shall afford such other Government an opportunity within thirty days after receipt of such notice to consult with it in respect of the proposed action; and if an agreement with respect thereto is not reached within thirty days following receipt of the aforesaid notice, the Government which proposes to take such action shall be free to do so at any time thereafter, and the other Government shall be free within fifteen days after such action is taken to terminate this Agreement in its entirety on thirty days' written notice.

Unidos de América sobre la importación o venta de artículo alguno de cosecha, producción, manufactura o fabricación de la República de Honduras, enumerado y descrito en la Lista II.

2. La disposición precedente no se aplicará a: Exceptions.

a) Las prohibiciones o restricciones: (1) impuestas con fundamentos morales o humanitarios; (2) destinadas a la protección de la vida humana, animal o vegetal; (3) relacionadas con mercancías fabricadas en prisiones; (4) relativas a la ejecución de leyes de policía o de hacienda; o a

b) Las restricciones cuantitativas, en cualquier forma, impuestas por los Estados Unidos de América o por la República de Honduras sobre la importación o venta de cualquier artículo cosechado, producido, manufacturado o fabricado en el otro país, en relación con las medidas gubernativas que regulen o restrinjan la producción, la oferta o los precios de artículos nacionales análogos, o que tiendan a aumentar los costos de trabajo en la producción de tales artículos. En caso de que el Gobierno de uno u otro país se proponga establecer o modificar cualquier restricción autorizada por este inciso, dará aviso de ello por escrito al otro Gobierno, y también le dará oportunidad, dentro de treinta días después del recibo de dicho aviso, para consultar con él respecto a la acción proyectada; y si no se llegare a un acuerdo con respecto a esa acción proyectada, dentro de treinta días después del recibo del susodicho aviso, el Gobierno que se proponga iniciar tal acción estará en libertad de emprenderla en cualquier momento, después de eso, y el otro Gobierno estará en libertad, dentro de quince días después de tal acción, para terminar este Convenio por completo, después de treinta días de haberlo notificado.

Notice of changes, etc.

Action upon disagreement.

Right to terminate.

Fraudulent practices.

3. It is understood that the provisions of this Article do not affect the application of measures directed against misbranding, adulteration and other fraudulent practices, or the application of measures directed against unfair practices in import trade, such as are provided for in laws of the United States of America or the Republic of Honduras.

3. Es entendido que las disposiciones de este Artículo no afectan la aplicación de medidas dirigidas contra el uso indebido de marcas de fábrica (misbranding), adulteración y demás prácticas fraudulentas, ni la aplicación de medidas dirigidas contra las prácticas injustas en el comercio de importación, tales como las que prescriben las leyes de los Estados Unidos de América o de la República de Honduras.

ARTICLE VI

ARTICULO VI

Reciprocal provisions where quantitative restrictions imposed.

1. If the Government of the United States of America or of the Republic of Honduras establishes or maintains any form of quantitative restriction or control of the importation or sale of any article in which the other country has an interest, or imposes a lower import duty or charge on the importation or sale of a specified quantity of any such article than the duty or charge imposed on importations in excess of such quantity, the Government taking such action will:

(a) Give public notice of the total quantity, or any change therein, of any such article permitted to be imported or sold or permitted to be imported or sold at such lower duty or charge, during a specified period;

(b) Allot to the other country for such specified period a share of such total quantity as originally established or subsequently changed in any manner, equivalent to the proportion of the total importation of such article which such other country supplied during a previous representative period, unless it is mutually agreed to dispense with such allotment; and

(c) Give public notice of the allotments of such quantity among the several exporting countries, and at all times, upon request,

1. Si el Gobierno de los Estados Unidos de América o el Gobierno de la República de Honduras establece o mantiene cualquier clase de restricción cuantitativa o de control sobre la importación o venta de cualquier artículo en el cual el otro país esté interesado, o decreta una tarifa o impuestos sobre la importación o venta de determinada cantidad de tal artículo, menor que la tarifa o impuestos establecidos sobre la importación en exceso de dicha cantidad, el Gobierno que así actúe deberá:

a) Dar aviso público de la cantidad total, o de cualquier cambio introducido, de cualquiera de dichos artículos, cuya importación o venta sea permitida o los cuales puedan ser importados o vendidos al mencionado tipo reducido de tarifa o impuesto, durante un período determinado;

b) Asignar al otro país durante tal determinado período una porción de dicha cantidad total, como estaba establecida originalmente o como haya sido posteriormente alterada en cualquier sentido, equivalente a la proporción de la importación total de dicho artículo, suministrada por el otro país, durante un período representativo anterior, a menos que se acuerde mutuamente prescindir de tal asignación; y

c) Dar aviso público de las asignaciones de tal cantidad entre los diferentes países exportadores; y, en todo tiempo, mediante

advise the Government of the other country of the quantity of any such article the growth, produce or manufacture of each exporting country, which has been imported or sold or for which licenses or permits for importation or sale have been granted.

2. Neither the United States of America nor the Republic of Honduras shall regulate the total quantity of importations into its territory or sales therein of any article in which the other country has an interest by import licenses or permits issued to individuals or organizations, unless the total quantity of such article permitted to be imported or sold during a quota period of not less than three months shall have been established, and unless the regulations covering the issuance of such licenses or permits shall have been made public before such regulations are put into force.

solicitud, informar al Gobierno del otro país acerca de la cantidad de cualquiera de dichos artículos cosechados, producidos, manufacturados o fabricados por cada país exportador que haya sido importada o vendida o para cuya importación o venta se haya concedido permiso o autorización.

Regulation of quantity by import licenses, etc.

2. Ni los Estados Unidos de América ni la República de Honduras fijarán la cantidad total de importaciones a su territorio o las ventas en el mismo, de cualquier artículo en el cual el otro país esté interesado, por autorizaciones o permisos de importación emitidos a individuos u organizaciones, a menos que la cantidad total de dicho artículo cuya importación o venta esté permitida haya sido establecida o fijada durante un período de cuota no menor de tres meses y a menos que los reglamentos que rijan la emisión de tales autorizaciones o permisos hayan sido publicados antes de que tales reglamentos entren en vigor.

Conditions.

Article VII

In the event that the Government of the United States of America or the Government of the Republic of Honduras establishes or maintains a monopoly for the importation, production or sale of a particular commodity, or grants exclusive privileges formally or in effect to one or more agencies to import, produce or sell a particular commodity, the Government of the country establishing or maintaining such monopoly, or granting such monopoly privileges, agrees that in respect of the foreign purchases of such monopoly or agency, the commerce of the other country shall receive fair and equitable treatment. To this end, it is agreed that in making its foreign purchases of any product such monopoly or agency will be influenced solely by those considerations, such as price, quality, marketability and terms of sale.

Artículo VII

Government monopolies; treatment.

En caso de que el Gobierno de los Estados Unidos de América o de la República de Honduras establezca o mantenga un monopolio (del Estado) para la importación, producción o venta de cierto artículo, u otorgue derechos o privilegios exclusivos, de hecho o de derecho, a una o más agencias para importar, producir o vender cierto artículo, el Gobierno del país que establezca o mantenga dicho monopolio o que otorgue tales privilegios de monopolio, conviene, respecto a las compras extranjeras de tal monopolio o agencia, en tratar al comercio del otro país imparcial y equitativamente. A este fin se conviene en que, al hacer sus compras de cualquier producto en el extranjero, tal monopolio o agencia se regirá únicamente por aquellas consideraciones, tales como precio, calidad, vendibilidad y condiciones de venta, que tomaría en cuenta

which would ordinarily be taken into account by a private commercial enterprise interested solely in purchasing such product on the most favorable terms.

ARTICLE VIII

Equitable share of commerce, etc.

The tariff advantages and other benefits provided for in this Agreement are granted by the United States of America and the Republic of Honduras to each other subject to the condition that if the Government of either country shall establish or maintain, directly or indirectly, any form of control of foreign exchange, it shall administer such control so as to insure that the nationals and commerce of the other country will be granted a fair and equitable share in the allotment of exchange.

With respect to the exchange made available for commercial transactions, it is agreed that the Government of each country shall be guided in the administration of any form of control of foreign exchange by the principle that, as nearly as may be determined, the share of the total available exchange which is allotted to the other country shall not be less than the share employed in a previous representative period prior to the establishment of any exchange control for the settlement of commercial obligations to the nationals of such other country.

The Government of each country will give sympathetic consideration to any representations which the other Government may make in respect of the application of the provisions of this Article, and if, within thirty days after the receipt of such representations, a satisfactory adjustment has not been made or an agreement has not been reached with respect to such representations, the Government making them may, within fifteen days after the expiration of the aforesaid period of thirty days, terminate this

ordinariamente una empresa comercial privada, interesada sólamente en comprar tal producto en las condiciones más favorables.

ARTICULO VIII

Los Estados Unidos de América y la República de Honduras se conceden mutuamente las ventajas aduaneras y los otros beneficios estipulados en este Convenio, sujetos a la condición de que si el Gobierno de uno u otro país estableciere o mantuviere, directa o indirectamente, cualquiera forma de control de cambio extranjero, administrará este control de manera que los nacionales y el comercio del otro país tengan la seguridad de recibir una porción justa y equitativa en la distribución del cambio.

Con respecto al cambio disponible para transacciones comerciales, se conviene en que el Gobierno de cada país se guiará en la administración de cualquiera forma de control de cambio, por el principio de que, lo más aproximadamente posible, la porción del total de cambio disponible que se haya asignado al otro país no sea menor que la porción empleada en un período representativo anterior al establecimiento de cualquier control de cambio para la liquidación de obligaciones comerciales contraídas con los nacionales de tal otro país.

El Gobierno de cada país prestará consideración amistosa a cualesquiera gestiones que pueda hacer el otro Gobierno con respecto a la aplicación de las disposiciones de este artículo; y si, dentro de treinta días después del recibo de tales gestiones, no se hubiere llegado a una solución satisfactoria o no se hubiere llegado a un acuerdo con respecto a tales gestiones, el Gobierno que las hubiere iniciado podrá, dentro de los quince días siguientes a la expiración del susodicho período de treinta días, poner fin

Article or this Agreement in its entirety on thirty days' written notice.

a este artículo o a este Convenio en su totalidad, previa notificación por escrito con treinta días de anticipación.

Article IX

With respect to customs duties or charges of any kind imposed on or in connection with importation or exportation, and with respect to the method of levying such duties or charges, and with respect to all rules and formalities in connection with importation or exportation, and with respect to all laws or regulations affecting the sale or use of imported goods within the country, any advantage, favor, privilege or immunity which has been or may hereafter be granted by the United States of America or the Republic of Honduras to any article originating in or destined for any third country, shall be accorded immediately and unconditionally to the like article originating in or destined for the Republic of Honduras or the United States of America, respectively.

Artículo IX

Most-favored-nation treatment respecting customs.

Con respecto a los derechos aduaneros o a las cargas de cualquier clase, impuestas sobre la importación o exportación o en relación con las mismas, y con respecto al método de imponer tales derechos o cargas, y con respecto a todas las reglas y formalidades en relación con la importación o la exportación, y con respecto a todas las leyes o disposiciones que afectaren la venta o el uso de las mercancías importadas al país, cualquier ventaja, favor, privilegio o inmunidad que se haya otorgado o que en lo sucesivo se otorgue por los Estados Unidos de América o por la República de Honduras a cualquier artículo que tenga su orígen en o se destine a cualquier tercer país, se otorgará inmediata e incondicionalmente al artículo análogo que tenga su origen en o se destine a la República de Honduras o los Estados Unidos de América, respectivamente.

Article X

Laws, regulations of administrative authorities and decisions of administrative or judicial authorities of the United States of America or the Republic of Honduras, respectively, pertaining to the classification of articles for customs purposes or to rates of duty shall be published promptly in such a manner as to enable traders to become acquainted with them. Such laws, regulations and decisions shall be applied uniformly at all ports of the respective country, except as otherwise specifically provided in statutes of the United States of America relating to articles imported into Puerto Rico.

Artículo X

Publication of laws, regulations, and decisions.

Las leyes, los reglamentos de autoridades administrativas y las decisiones de autoridades administrativas o judiciales de los Estados Unidos de América o de la República de Honduras, respectivamente, referentes a la clasificación de artículos para fines aduaneros o a los aforos o tipos de derechos, se publicarán sin demora en forma tal que facilite a los comerciantes enterarse de ellos. Se aplicarán estas leyes, reglamentos y decisiones uniformemente en todos los puertos del país respectivo, excepto lo dispuesto expresamente en forma distinta en leyes u ordenanzas de Estados Unidos de América relativas a artículos importados a Puerto Rico.

Uniform application.

No retroactive ruling effecting advances, etc.

No administrative ruling by the United States of America or by the Republic of Honduras effecting advances in rates of duties or in charges applicable under an established and uniform practice to imports originating in the territory of the other country, or imposing any new requirement with respect to such importations, shall be effective retroactively or with respect to articles either entered for or withdrawn for consumption prior to the expiration of thirty days after the date of publication of notice of such ruling in the usual official manner.

Antidumping duties, etc.

The provisions of this paragraph do not apply to administrative orders imposing antidumping duties, or relating to regulations for the protection of human, animal, or plant life, or relating to public safety, or giving effect to judicial decisions.

Ninguna ley o decreto emitido por los Estados Unidos de América o por la República de Honduras en que se aumenten los aforos o tipos de derechos, o las cargas aplicables conforme una práctica establecida y uniforme sobre importaciones que tengan su origen en el territorio del otro país, o que establezcan algún nuevo requisito con respecto a tales importaciones, tendrá efecto retroactivo, o con respecto a artículos, ya sean introducidos o retirados para el consumo con anterioridad a la expiración de un plazo de treinta días después de la fecha de publicación del aviso de tal ley o decreto en la forma oficial acostumbrada. Las disposiciones de este párrafo no son aplicables a leyes o decretos administrativos que impongan derechos contra el "dumping", ni a las órdenes administrativas que se refieran a disposiciones para la protección de la vida humana, animal o vegetal, ni a las que se relacionen con la seguridad pública, ni a las que se dicten para ejecutar decisiones o sentencias judiciales.

Article XI

Rate of exchange.

In the event that a wide variation occurs in the rate of exchange between the currencies of the United States of America and the Republic of Honduras, the Government of either country, if it considers the variation so substantial as to prejudice the industries or commerce of the country, shall be free to propose negotiations for the modification of this Agreement or to terminate this Agreement in its entirety on thirty days' written notice.

Artículo XI

En caso de una fluctuación considerable en el tipo de cambio entre la moneda de Estados Unidos de América y de la República de Honduras, el Gobierno de cualquiera de las Altas Partes Contratantes, se estimare tan substancial dicha fluctuación que pudiera perjudicar la industria o el comercio del mismo país, estará en libertad de iniciar gestiones o negociaciones para la modificación de este Convenio o para darlo por terminado en su totalidad, previo aviso por escrito, con treinta días de anticipación.

Article XII

Documentation errors.

Greater than nominal penalties will not be imposed in the United States of America or in the Republic of Honduras upon importations of articles the growth,

Artículo XII

No se impondrán en los Estados Unidos de América ni en la República de Honduras multas mayores que las nominalmente establecidas sobre la importa-

produce or manufacture of the other country because of errors in documentation obviously clerical in origin or where good faith can be established.

The Government of each country will accord sympathetic consideration to, and when requested, will afford adequate opportunity for consultation regarding, such representations as the other Government may make with respect to the operation of customs regulations, quantitative restrictions or the administration thereof, the observance of customs formalities, or the application of sanitary laws and regulations for the protection of human, animal, or plant life.

In the event that the Government of either country makes representations to the Government of the other country in respect of the application of any sanitary law or regulation for the protection of human, animal, or plant life, and if there is disagreement with respect thereto, a committee of technical experts on which each Government shall be represented shall, on the request of either Government, be established to consider the matter and to submit recommendations to the two Governments.

Whenever practicable the Government of either country, before applying any new measure of sanitary character, will consult with the Government of the other country with a view to insuring that there will be as little injury to the commerce of the latter country as may be consistent with the purpose of the proposed measure. The provisions of this paragraph do not apply to actions affecting individual shipments under sanitary measures already in effect or to actions based on pure food and drug laws.

ción de artículos cosechados, producidos, manufacturados o fabricados en el otro país, con motivo de errores en la documentación que patentemente se deben a la simple escritura o sean *lapsus plumae* o *lapsus machinae* (clerical errors); o cuando pueda establecerse la buena fé.

Consultations provided.

El Gobierno de cada una de las Altas Partes Contratantes prestará consideración amistosa, y, cuando sea solicitado, brindará oportunidad adecuada para que se le consulte con respecto a las gestiones que pudiera hacer la otra Alta Parte en relación con el funcionamiento de las disposiciones aduaneras, restricciones cuantitativas o administración de las mismas, el cumplimiento de formalidades aduaneras, o aplicación de las leyes y disposiciones sanitarias para la protección de la vida humana, animal o vegetal.

Sanitary measures.

En caso de que el Gobierno de uno u otro país hiciere representaciones al otro Gobierno con respecto a la aplicación de cualquier ley o disposición sanitaria para la protección de la vida humana, animal o vegetal, y hubiere desacuerdo sobre el particular, se establecerá, a petición de cualquiera de los Gobiernos, una Comision de expertos técnicos en la cual estarán representadas ambas Altas Partes Contratantes, para considerar el asunto y someter recomendaciones a los dos Gobiernos.

Siempre que sea factible, el Gobierno de uno u otro pais, antes de aplicar cualquier nueva disposición de carácter sanitario, consultará con el Gobierno del otro país a fin de garantizar que hasta donde lo permita la finalidad de la medida propuesta, el Comercio del segundo país sufra el menor daño o perjuicio. Las disposiciones de este párrafo no se aplican a los actos que afectan embarques individuales bajo medidas sanitarias ya en vigor, o a los actos basados en las leyes sobre drogas y alimentos puros.

ARTICLE XIII

Provisions not applicable to Philippine Islands, etc.

Except as otherwise provided in the second paragraph of this Article, the provisions of this Agreement relating to the treatment to be accorded by the United States of America or by the Republic of Honduras, respectively, to the commerce of the other country, shall not apply to the Philippine Islands, the Virgin Islands, American Samoa, the Island of Guam, or to the Panamá Canal Zone.

Preferential treatment extended to territories of each other.

Subject to the reservations set forth in the third and fourth paragraphs of this Article, the provisions of Article IX shall apply to articles the growth, produce or manufacture of any territory under the sovereignty or authority of the United States of America or of the Republic of Honduras, imported from or exported to any territory under the sovereignty or authority of the other country. It is understood, however, that the provisions of this paragraph do not apply to the Panamá Canal Zone.

Ante, p. 3859.

Neighboring states.

The advantages now accorded or which may hereafter be accorded by the United States of America or the Republic of Honduras to adjacent countries in order to facilitate frontier traffic and advantages resulting from a customs union to which either the United States of America or the Republic of Honduras may become a party shall be excepted from the operation of this Agreement.

Exceptions.

The advantages now accorded or which may hereafter be accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another or to the Republic of Cuba shall be excepted from the operation of this Agreement. The provisions of this paragraph shall continue to apply in respect of any advantages now or hereafter accorded by the United

ARTICULO XIII

Exceptuando lo estipulado en contrario en el segundo párrafo de este artículo, las disposiciones de este Convenio referentes al trato que los Estados Unidos de América o la República de Honduras, respectivamente, deberán dispensar al comercio de la otra alta parte contratante, no serán aplicables a las Islas Filipinas, Islas Vírgenes, Samoa Americana, Isla de Guam, ni a la Zona del Canal de Panamá.

Sujetas a las reservas establecidas en los párrafos tercero y cuarto de este artículo, las disposiciones del Artículo IX se aplicarán a los artículos cosechados, producidos, manufacturados o fabricados en cualquier territorio bajo la soberanía o jurisdicción de los Estados Unidos de América o de la República de Honduras, importados de o exportados a cualquier territorio bajo la soberanía o jurisdicción de la otra Alta Parte Contratante. Es entendido, sin embargo, que las disposiciones de este párrafo no son aplicables a la Zona del Canal de Panamá.

Las ventajas ya otorgadas o que en lo sucesivo se otorgaren por los Estados Unidos de América o la República de Honduras a países limítrofes para facilitar el tráfico fronterizo y las ventajas que resultaren de una unión aduanera, de la cual los Estados Unidos de América o la República de Honduras pudieran formar parte, se exceptuarán de los efectos de este Convenio.

Las ventajas ya otorgadas o que en lo sucesivo se otorgaren por Estados Unidos de América, sus territorios o posesiones o por la Zona del Canal de Panamá, entre sí, o a la República de Cuba, se exceptuarán de los efectos de este Convenio. Las disposiciones de este párrafo continuarán aplicándose con respecto a cualquiera ventaja ya otorgada o que en lo futuro se otorgare por Estados

States of America, its territories or possessions or the Panama Canal Zone to the Philippine Islands irrespective of any change that may take place in the political status of the Philippine Islands.

The advantages now accorded or which may hereafter be accorded by the Republic of Honduras to the commerce of Costa Rica, El Salvador, Guatemala, Nicaragua or Panama, so long as any such advantage is not accorded to any other country, shall be excepted from the operation of this Agreement.

Unless otherwise specifically provided in this Agreement, the provisions thereof shall not be construed to apply to police or sanitary regulations; and nothing in this Agreement shall be construed to prevent the adoption of measures prohibiting or restricting the exportation of gold or silver, or to prevent the adoption of such measures as the United States of America or the Republic of Honduras, respectively, may see fit with respect to the control of the export or sale for export of arms, munitions, or implements of war, and, in exceptional circumstances, of all other military supplies.

ARTICLE XIV

In the event that the United States of America or the Republic of Honduras adopts any measure which, even though it does not conflict with the terms of this Agreement, is considered by the Government of the other country to have the effect of nullifying or impairing any object of the Agreement, the Government of the country which has adopted any such measure shall consider such representations and proposals as the Government of the other country may make with a view to effecting a mutually satisfactory adjustment of the matter.

Unidos de América, sus territorios o posesiones, o por la Zona del Canal de Panamá a las Islas Filipinas, prescindiendo de cualquier cambio que pueda ocurrir en el *status* político de las Islas Filipinas.

Commerce of Honduras with Costa Rica, etc.

Las ventajas ya otorgadas o que en lo sucesivo se otorgaren por la República de Honduras al comercio de Costa Rica, El Salvador, Guatemala, Nicaragua o Panamá se exceptuarán de los efectos de este Convenio, mientras tales ventajas no se otorguen a cualquier otro país.

Police, etc., regulations.

A menos que en este Convenio se haya dispuesto expresamente lo contrario, las disposiciones del mismo no se interpretarán como aplicables a los reglamentos de policía o de sanidad; y nada de lo contenido en este Convenio se interpretará en un sentido que impida la adopción de medidas que prohiban o restrinjan la exportación de oro o plata, o que impida la adopción de las medidas que los Estados Unidos de América o la República de Honduras, respectivamente, estimen necesarias para el control de la exportación o venta para la exportación, de armas, municiones o implementos de guerra, y, en circunstancias excepcionales, de todo otro material de guerra.

ARTICULO XIV

Adoption of measures in conflict with Agreement.

En el caso de que los Estados Unidos de América o la República de Honduras adopten alguna medida que, aún cuando no se oponga a los términos de este Convenio, se estime por el Gobierno del otro país que tiene el efecto de invalidar o perjudicar cualquier finalidad del Convenio, el Gobierno del país que haya adoptado tal medida considerará las representaciones y proposiciones que le haga el Gobierno del otro país con el objeto de llegar a un arreglo mutuamente satisfactorio del asunto.

ARTICLE XV

Existing provisions superseded.

As long as the present Agreement remains in force, it shall replace any provisions of the Treaty of Friendship, Commerce and Consular Rights between the United States of America and the Republic of Honduras, signed at Tegucigalpa on December 7, 1927, which may be inconsistent with this Agreement. However, upon the expiration of this Agreement, the provisions of the aforesaid Treaty which have been temporarily suspended shall automatically resume operation and shall continue in full force and effect subject to termination as provided in that Treaty.

Vol. 45, p. 2618.

ARTICLE XVI

Effective date.

The present Agreement shall come into force on the thirtieth day following proclamation thereof by the President of the United States of America, and the President of the Republic of Honduras, or should the proclamations be issued on different days, on the thirtieth day following the date of the later in time of such proclamations, and shall remain in force for the term of one year thereafter, unless terminated pursuant to the provisions of Article V, Article VIII or Article XI. The Government of each country shall notify the Government of the other country of the date of its proclamation.

Ante, pp. 3854, 3858, 3860.

Duration.

Unless at least six months before the expiration of the aforesaid term of one year the Government of either country shall have given to the other Government notice of intention to terminate the Agreement upon the expiration of the aforesaid term, the Agreement shall remain in force thereafter, subject to termination under the provisions of Article V, Article VIII or Article XI, until six months from such time as the Government of either country shall have given notice to the other Government.

Ante, pp. 3854, 3858, 3860.

ARTICULO XV

Mientras el presente Convenio esté en vigencia, reemplazará cualesquiera disposiciones del Tratado de Amistad, Comercio y Prerrogativas Consulares entre los Estados Unidos de América y la República de Honduras, firmado en Tegucigalpa el siete de diciembre de mil novecientos veintisiete, que pudieran estar en oposición con los términos de este Convenio. Sin embargo, a la expiración de este Convenio, las disposiciones del susodicho Tratado que se hubiesen suspendido temporalmente reanudarán automáticamente sus efectos y continuarán en pleno vigor y efecto, sujetas a la terminación prevista en aquél Tratado.

ARTICULO XVI

El presente Convenio entrará en vigor treinta días después de su promulgación por el Presidente de los Estados Unidos de América y por el Presidente de la República de Honduras, o treinta días después de la última promulgación en caso de que éstas se efectuaren en fechas diferentes; y quedará en vigor por el término de un año, a menos que terminare de conformidad con las disposiciones de los artículos V, VIII o XI. El Gobierno de cada una de las Altas Partes Contratantes notificará al Gobierno de la otra Alta Parte la fecha de la promulgación.

Salvo que seis meses antes, por lo menos, de la expiración del antedicho plazo de un año el Gobierno de una u otra de las Altas Partes Contratantes haya notificado al otro Gobierno su intención de terminar el Convenio a la expiración del susodicho plazo, el presente Convenio quedará en vigor después de tal fecha, sujeto a la terminación prevista en las disposiciones de los artículos V, VIII o XI, hasta seis meses después de la fecha en que el Gobierno de una u otra de las Altas Partes Contratantes haya notificado al otro Gobierno.

In witness whereof the respective Plenipotentiaries have signed this Agreement and have affixed their seals hereto.

Done in duplicate, in the English and Spanish languages, both authentic, at the City of Tegucigalpa this eighteenth day of December, nineteen hundred and thirty-five.

En testimonio de lo cual los respectivos Plenipotenciarios han firmado y sellado este Convenio.

Hecho por duplicado, en los idiomas inglés e español, ambos textos auténticos, en la ciudad de Tegucigalpa, a los dieciocho días del mes de diciembre del año de mil novecientos treinta y cinco.

Signatures.

For the President of the United States of America:
LEO J KEENA [SEAL]

For the President of the Republic of Honduras:
ARMANDO FLORES FIALLOS. [SEAL]

SCHEDULE I

Description of Articles		Maximum Rates of Duty in Honduran Lempiras.
The articles described below which, on the effective date of the present agreement, have been in customs warehouses intended for domestic consumption and which have arrived within a period of sixty days prior to the effective date of this agreement, shall enjoy the benefits thereof on their importation, without prejudice to the regulations established for the use of national warehouses by the customs laws.		
Abbreviations: G. K.—Gross Kilo C. M.—Cubic Meter		
Numbers in parentheses refer to items of the Honduran tariff.		
Passenger automobiles, trucks and buses of all kinds (229)		Free
Hand tools for artisans (314, 318, 1397, 1398, 1415, 1682, 1716, 1797, 1941, 2201, 2308, 2364 and 2528)	G. K.	0. 10
Tanned kid, calf and cattle leather for shoe uppers, and patent leathers (349, 470 and 928)		Free
Cotton hosiery, not embroidered (503)	G. K.	0. 72
Cotton hosiery, clocked or embroidered (504)	G. K.	1. 12
Mercerized cotton hosiery, not embroidered (505)	G. K.	0. 72
Mercerized cotton hosiery, embroidered (506)	G. K.	1. 12
Cotton Lisle socks and stockings (513)	G. K.	1. 62
Cotton shirts, with or without collars to match (531)	G. K.	2. 50

LISTA I

Descripción de artículos		Tarifa máxima de derechos en Lempiras Hondureños
Los artículos abajo descritos que, al entrar en vigor el presente Convenio, estuvieren en los Almacenes de Aduana, destinados para el consumo interior, y que hubieren llegado dentro de un término de sesenta días antes de la vigencia de este Convenio, podrán acogerse para su importación a los beneficios del mismo, sin perjuicio de las reglas fijadas por las leyes aduaneras para el uso de los Almacenes Nacionales.		
Abreviaturas: G. K.—Kilo bruto C. M.—Metro cúbico		
Los números en paréntesis se refieren a los artículos de la tarifa hondureña.		
Automóviles, camiones y ómnibuses de toda clase (229)		Libre
Herramientas para artesanos (314, 318, 1397, 1398, 1415, 1682, 1716, 1797, 1941, 2201, 2308, 2364, 2528)	G. K.	0. 10
Cabritilla, becerro (cueros curtidos), cueros de ganado sin pelos para palas de calzado, y charol (349, 470, 928)		Libre
Calcetines y medias de algodón sin bordados (503)	G. K.	0. 72
Calcetines y medias de algodón con bordados o calados (504)	G. K.	1. 12
Calcetines y medias de algodón mercerizado sin bordados (505)	G. K.	0. 72
Calcetines y medias de algodón mercerizado con bordados (506)	G. K.	1. 12
Calcetines y medias de algodón e hilo de Escocia o imitación (513)	G. K.	1. 62
Camisas de algodón con o sin cuellos hermanados (531)	G. K.	2. 50

Hams, sausages and other kinds of meat, preserved or packed in containers of tin, earthenware or glass, except salt beef and corned beef (602, 1564 and 2287)	G. K.	0. 27
Breakfast foods other than rolled oats and oatmeal (687)	G. K.	0. 20
Rolled oats and oatmeal (687)	G. K.	0. 10
Ordinary empty sacks or bags of hemp, jute, or cotton, for packing coffee, sugar and other products (860, 2280 and 2281)		Free
Apples, pears, plums, grapes, cherries, strawberries, fresh, (1287)	G. K.	0. 05
Canned fruits (1288)	G. K.	0. 14
Dried fruits of all kinds (1289, 1290 and 1292)	G. K.	0. 08
Biscuits and crackers, not sweetened or flavored (1314)	G. K.	0. 16
Biscuits and crackers, sweetened or flavored (1314)	G. K.	0. 32
Tomatoes (including tomato paste), corn, peas, and asparagus, canned, (1390, 1648, 1737, 2017 and 2057)	G. K.	0. 11
Flour, wheat (1402)	G. K.	0. 12
Bath and toilet soaps of all kinds (except medicinal soaps), perfumed or not, wrapped or unwrapped, packaged in any form (1555, 1556 and 1557)	G. K.	0. 50
Hams, shoulders, bacon and sausages, smoked, in unspecified containers (1563, 2286, 2501)	G. K.	0. 22
Condensed milk (1644)	G. K.	0. 20
Evaporated milk (1644)	G. K.	0. 15
Dried skimmed milk (1645)	G. K.	0. 15
Dried whole milk (1645)	G. K.	0. 22
Tire casings of all kinds for passenger cars, trucks and buses (1711)		Free
Lumber, sawed, planed, including tongued and grooved, rough, in boards, planks or other forms (1730)	C. M.	0. 85

Jamones, salchichas, salchichones y otras clases de carnes, conservadas o empacadas en recipientes de lata, barro o vidrio con la excepción de carne de vaca salada o en media salmuera (602, 1564, 2287)	G. K	0. 27
Cereales preparados menos rolled oats y oatmeal (687)	G. K.	0. 20
Rolled oats y oatmeal (Avena triturada y oatmeal) (687)	G. K.	0. 10
Costales o sacos vacíos de cáñamo ordinario, de yute o de algodón para empacar azúcar, café y otros productos (860, 2280, 2281)		Libre
Manzanas, peras, ciruelas, uvas, cerezas y fresas, frescas (1287)	G. K.	0. 05
Frutas enlatadas (1288)	G. K.	0. 14
Frutas secas de toda clase (1289, 1290, 1292)	G. K.	0. 08
Galletas y bizcochos secos (1314)	G. K.	0. 16
Galletas y bizcochos dulces (1314)	G. K.	0. 32
Tomates (incluyendo pasta de tomate), maíz verde, guisantes y espárragos, en latas (1390, 1648, 1737, 2017, 2057)	G. K.	0. 11
Harina de trigo (1402)	G. K.	0. 12
Jabones de toda clase para baño y tocador (excepto jabones medicinales), perfumados o no, envueltos o desenvueltos, empacados de cualquier manera (1555, 1556, 1557)	G. K.	0. 50
Jamones, lomos, tocino, salchichas y salchichones, ahumadas, en recipientes sin especificar (1563, 2286, 2501)	G. K.	0. 22
Leche condensada (1644)	G. K.	0. 20
Leche evaporada (1644)	G. K.	0. 15
Leche desnatada en polvo (1645)	G. K.	0. 15
Leche entera en polvo (1645)	G. K.	0. 22
Llantas, de cualquier materia para automóviles, camiones y ómnibuses de toda clase (1711)		Libre
Madera acepillada o machihembrada, en bruto, tablazón u otras piezas (1730)	C. M.	0. 85

SCHEDULE I—Continued

Description of Articles		Maximum Rates of Duty in Honduran Lempiras.
Butter (1765)	G. K.	0. 42
Canned sardines, prepared or preserved in tomato, mustard or other sauces and canned salmon, prepared or preserved in any form (2053 and 2295)	G. K.	0. 14
Denim such as is used for overalls and uniforms (2403)	G. K.	0. 32
Patent medicines and pharmaceutical specialties (*Category I:* 3117 to 3127)	G. K.	0. 20
do do do (*Category II:* 3128 to 3190)	G. K.	0. 30
do do do (*Category III:* 3191 to 3199)	G. K.	0. 60
do do do (*Category IV:* 3200 to 3247)	G. K.	1. 00
do do do (*Category V:* 3248 to 3271)	G. K.	1. 00
do do do (*Category VI:* 3272 to 3472)	G. K.	1. 00

It is agreed that the Government of Honduras will not impose any certification requirement or any formality for the importation, registration, licensing or sale of pharmaceutical specialties and patent medicines which is impossible of fulfillment in the United States of America because of the lack of a duly authorized federal agency.

This clause does not affect the obligations assumed by Honduras in multilateral treaties and especially those relating to the manufacture and traffic in narcotic drugs, i. e., convention and protocols for the supression of the abuse of opium and other drugs, signed at The Hague January 23, 1912; international opium convention, signed at Geneva February 19, 1925, and the convention and protocol for limiting the manufacture and regulating the distribution of narcotic drugs, signed at Geneva July 13, 1931.

Schedule I—Continued.

LISTA I—Continúa

Descripción de artículos		Tarifa máxima de derechos en Lempiras Hondureños
Mantequilla (1765)	G. K.	0. 42
Sardinas en lata, preparadas o conservadas en tomate, mostaza u otra salsa y salmón en lata, preparado o conservado en cualquier manera (2053, 2295)	G. K.	0. 14
Dril (denim) como se usa para "overalls" y para uniformes (2403)	G. K.	0. 32
Medicinas patentadas y especialidades farmacéuticas (*Categoría I:* 3117 a 3127)	G. K.	0. 20
idem idem idem (*Categoría II:* 3128 a 3190)	G. K.	0. 30
idem idem idem (*Categoría III:* 3191 a 3199)	G. K.	0. 60
idem idem idem (*Categoría IV:* 3200 a 3247)	G. K.	1. 00
idem idem idem (*Categoría V:* 3248 a 3271)	G. K.	1. 00
idem idem idem (*Categoría VI:* 3272 a 3472)	G. K.	1. 00

Se acuerda que para la importación, registro, permiso o venta de especialidades farmacéuticas y medicinas patentadas, el Gobierno de Honduras no exigirá ningún requisito de certificación u otra formalidad que sea imposible de cumplimentar en los Estados Unidos de América por falta de una Agencia Federal debidamente autorizada.

Esta cláusula no afecta las obligaciones asumidas por Honduras en tratados multilaterales y especialmente aquellas que se refieren a la fabricación y comercio en drogas narcóticas, i. e. la convención y protocolos para la supresión del abuso del opio y otras drogas firmados en La Haya el 23 de enero de 1912; la convención internacional de opio, firmada en Ginebra el 19 de febrero de 1925, y la convención y protocolo para limitar la manufactura y regular la distribución de drogas narcóticas firmados en Ginebra el 13 de Julio de 1931.

SCHEDULE II

United States Tariff Act of 1930 Paragraph	Description of Articles	Maximum rates of duty. Specific rates in United States dollars
	NOTE: The provisions of this Schedule shall be construed and given the same effect, and the application of collateral provisions of the tariff laws of the United States to the provisions of this Schedule shall be determined, insofar as may be practicable, as if each provision of this Schedule appeared respectively in the paragraph of the Tariff Act of 1930 noted in the column at the left of the respective descriptions of articles.	
10	Balsams, not specially provided for, natural and uncompounded, and not containing alcohol.	5% ad valorem
747	Pineapples:	
	In crates	0.35 per crate of 2.45 cubic feet
	In bulk	0.009 each
752	Guavas prepared or preserved, and not specially provided for	17½% ad valorem
752	Mango pastes and pulps, and guava pastes and pulps	28% ad valorem
1618	Bananas, green or ripe	Free
1618	Plantains, green or ripe	Free
1653	Cocoa or cacao beans, and shells thereof	Free
1654	Coffee, except coffee imported into Puerto Rico and upon which a duty is imposed under the authority of Section 319	Free
1728	Sarsaparilla root	Free
1765	Deerskins, raw	Free

LISTA II

Ley de Arancel de 1930 de los Estados Unidos Párrafo	Descripción de artículos	Tarifa máxima de derechos. Razones especificadas en dolares de los Estados Unidos
	NOTA: Las disposiciones de esta Lista, para su interpretación y efecto, y la aplicación a ellas de las disposiciones colaterales de las leyes de Arancel de los Estados Unidos de América serán determinadas, en cuanto fuere posible, como si cada disposición de esta lista apareciera respectivamente en el párrafo de la ley de Arancel de 1930 señalado en la columna de la izquierda de las respectivas descripciones de los artículos.	
10	Bálsamos, no especialmente estipulados, naturales y que no tienen mezcla, y que no tienen alcohol	5% ad valorem
747	Piñas:	
	En canastos (cuévanos)	0.35 por canasto de 2.45 pies cúbicos
	Al granel	0.009 c/u
752	Guayabas preparadas o conservadas, y no especialmente estipuladas	17½% ad valorem
752	Pastas y pulpas de mango, y pastas y pulpas de guayaba	28% ad valorem
1618	Bananos, verdes o maduros	Libre
1618	Plátanos, verdes o maduros	Libre
1653	Cocoa o cacao, en grano, y las cáscaras de éstos	Libre
1654	Café, salvo café importado a Puerto Rico y sobre el cual está impuesto un derecho bajo la autoridad de Sección 319	Libre
1728	Raíz de Zarzaparrilla	Libre
1765	Cueros de venado, crudos	Libre

WHEREAS such modifications of existing duties and other import restrictions and such continuance of existing customs and excise treatment as are set forth and provided for in the said Agreement and the two Schedules thereunto annexed are required and appropriate to carry out the said Agreement;

Ante, p. 3864.

WHEREAS it is stipulated in Article XVI of the said Agreement that the Agreement shall come into force on the thirtieth day following proclamation thereof by the President of the United States of America and the President of the Republic of Honduras, or should the proclamations be issued on different days on the thirtieth day following the date of the later in time of such proclamations;

WHEREAS the said Agreement, including the two Schedules, was proclaimed by the President of the Republic of Honduras on February 1, 1936;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, acting under the authority

Vol. 46, p. 708; Vol. 48, p. 943.

conferred by the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, do hereby proclaim the said Agreement, including the said Schedules, to the end that the same and every part thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof on and after March 2, 1936, the thirtieth day following February 1, 1936, the date of this my proclamation of the said Agreement.

Suspension of application.
Vol. 48, p. 943.

Pursuant to the proviso in Section 350 (a) (2) of the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, I shall from time to time notify the Secretary of the Treasury of the countries with respect to which application of the duties herein proclaimed is to be suspended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this first day of February, in the year of our Lord one thousand nine hundred and thirty-six,

[SEAL] and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

[No. 86]

Arrangement between the United States of America and Belgium for reciprocal relief from double income tax on shipping profits. Effected by exchange of notes, signed January 28, 1936.

January 28, 1936.

The American Ambassador (Morris) to the Belgian Prime Minister and Minister for Foreign Affairs and Foreign Commerce (Van Zeeland)

No. 624 EMBASSY OF THE UNITED STATES OF AMERICA,
Brussels, January 28, 1936.

EXCELLENCY:

Arrangement with Belgium for reciprocal relief from double income tax on shipping profits.

I have the honor to inform you that, on condition of reciprocity, corporations, including maritime shipping companies, organized in Belgium, the vessels of which, documented under the laws of Belgium, call at American ports, either to load or to unload cargo, or to embark or to land passengers, shall be exempted by the Government of the United States from the payment of taxes on income or profits derived exclusively from the operation of such vessels.

This exemption shall apply even though a Belgian corporation or company has an agency or a branch office in the United States, provided that the activities of the agency or branch office be limited to the direct operation of vessels.

By "maritime shipping companies," shall be understood companies which are managed by an "owner" of vessels, the term "owner" including charterers.

The Government of the United States, on condition of reciprocity, shall likewise exempt from taxation the incomes of Belgian citizens, not residents in the United States, which consist exclusively of earnings derived from the operation of a vessel or vessels documented under the laws of Belgium.

Income or profits derived from the operation of vessels shall also include income or profits derived from the sale in the United States of steamship tickets issued by a Belgian corporation or company.

The exemption provided for above shall apply to profits or income received on or after January 1, 1931. The Government of the United States will, however, refund to a claimant taxes collected by it since January 1, 1931, subject to the statutory period of limitation against refunds.

This exemption may be terminated at any time by either Government on six months' notice given to the other Government.

Accept, Excellency, the renewed assurances of my highest consideration.

DAVE H. MORRIS

His Excellency
Monsieur PAUL VAN ZEELAND,
Prime Minister and Minister for
Foreign Affairs and Foreign Commerce.

The Belgian Prime Minister and Minister for Foreign Affairs and Foreign Commerce (Van Zeeland) to the American Ambassador (Morris)

MINISTÈRE DES AFFAIRES ETRANGÈRES
ET DU COMMERCE EXTÉRIEUR,
Bruxelles, le 28 Janvier 1936.

MONSIEUR L'AMBASSADEUR,

Je désire informer Votre Excellence que, sous réserve de réciprocité, les entreprises en général, y compris les compagnies de navigation maritime, constituées aux Etats-Unis, dont les navires, enregistrés conformément aux lois des Etats-Unis, visitent les ports belges, soit pour y charger ou y décharger des marchandises, soit pour y embarquer ou y débarquer des passagers, seront exemptées par le Gouvernement Belge du paiement de l'impôt sur les revenus ou bénéfices résultant exclusivement de l'exploitation de ces navires.

Cette exemption est acquise même si l'entreprise ou la compagnie des Etats-Unis possède en Belgique une agence ou une succursale, pourvu que l'activité de l'agence ou de la succursale ne s'écarte pas de l'exploitation directe des navires.

Par "entreprises de navigation maritime", il faut entendre celles qui sont dirigées par un "propriétaire" de navires le terme "propriétaire" comprenant tout affréteur.

Le Gouvernement Belge, sous réserve de réciprocité exemptera de même de la taxation les revenus de citoyens américains ne résidant pas en Belgique, lorsque ces revenus consistent exclusivement en bénéfices provenant de l'exploitation d'un ou de plusieurs navires enregistrés conformément aux lois des Etats-Unis.

Les revenus ou bénéfices de l'exploitation des navires comprennent également ceux provenant de la vente en Belgique de billets de passage délivrés par des entreprises ou compagnies américaines.

L'exemption prévue ci-dessus sera appliquée aux bénéfices ou revenus touchés le 1er janvier 1931 ou après cette date. Le Gouvernement Belge ne remboursera néanmoins aux requérants les impôts perçus par lui depuis le 1er janvier 1931 que sous réserve des dispositions légales limitant la période pour laquelle des remboursements peuvent être effectués.

Cette exemption pourra être retirée à tout moment par l'un des deux Gouvernements moyennant un préavis de six mois donné à l'autre Gouvernement.

Je saisis cette occasion, Monsieur l'Ambassadeur, de renouveler à Votre Excellence l'assurance de ma très haute considération.

PAUL VAN ZEELAND

Son Excellence Monsieur DAVE HENNEN MORRIS,
Ambassadeur des Etats-Unis,
a Bruxelles.

[No. 87]

Provisional agreement between the United States of America and the Kingdom of Afghanistan concerning friendship and diplomatic and consular representation. Signed, March 26, 1936; effective March 26, 1936.

March 26, 1936.

THE UNDERSIGNED,

Mr. Jesse Isidor Straus, Ambassador Extraordinary and Plenipotentiary of the United States of America at Paris, and Ali Mohamed Khan, Minister of the Kingdom of Afghanistan at London, desiring to confirm and make a record of the understanding which they have reached in the course of recent conversations in the names of their respective Governments in regard to Friendship, and Diplomatic and Consular Representation, have signed this Provisional Agreement.

LES SOUSSIGNES,

M. Jesse Isidor Straus, Ambassadeur Extraordinaire et Plénipotentiaire des Etats-Unis d'Amérique à Paris, et Ali Mohamed Khan, Ministre du Royaume d'Afghanistan à Londres, désirant confirmer et consigner l'entente résultant des conversations qu'ils ont eues récemment, au nom de leurs Gouvernements respectifs, en ce qui concerne l'amitié et la représentation diplomatique et consulaire, ont signé le présent Accord Provisoire.

Provisional agreement with Afghanistan concerning friendship and diplomatic, etc., representation.

ARTICLE I.

There shall be a firm and enduring peace and sincere friendship between the United States of America and its citizens, and His Majesty the King of Afghanistan, his successors and subjects, throughout all their territories and possessions.

ARTICLE I.

Il y aura une paix ferme et stable et une amitié sincère entre les Etats-Unis d'Amérique et leurs citoyens, d'une part, et Sa Majesté le Roi d'Afghanistan, ses successeurs et sujets, d'autre part, sur toute l'étendue de leurs territoires et possessions.

Mutual friendship.

ARTICLE II.

The diplomatic representatives of each country shall enjoy in the territories of the other the privileges and immunities derived from generally recognized international law. The consular representatives of each country, duly provided with exequatur, will be permitted to reside in the territories of the other; they shall enjoy the honorary privileges and the immunities accorded to such

ARTICLE II.

Les représentants diplomatiques de chacun des deux pays jouiront, sur les territoires de l'autre, des privilèges et immunités accordés par le droit international généralement reconnu. Les représentants consulaires de chacun des deux pays, dûment munis de l'exequatur, seront autorisés à résider dans les territoires de l'autre; ils jouiront des privilèges honoraires et des immuni-

Diplomatic and consular representation.

officers by general international usage; and they shall not be treated in a manner less favorable than similar officers of any other foreign country.

tés accordés à ces officiers par les usages généraux internationaux; et ils ne seront pas traités d'une façon moins favorable que les officiers similaires de n'importe quel autre pays.

ARTICLE III.

Effective date and duration.

The present stipulations shall become operative on the day of signature hereof and shall remain in effect until thirty days after notice of their termination shall have been given by the Government of either country.

ARTICLE III.

Les stipulations des présentes deviendront effectives le jour de la signature de celles-ci, et resteront en vigueur jusqu'à l'expiration d'une période de trente jours après qu'avis du désir d'y mettre fin aura été donné par un des deux Gouvernements.

ARTICLE IV.

Signatures.

In witness whereof the undersigned, duly authorized thereto by their respective Governments, have signed this Provisional Agreement, in duplicate, in the English and French languages, both texts having equal validity, at Paris, this twenty-sixth day of March, one thousand nine hundred and thirty-six.

ARTICLE IV.

En foi de quoi les soussignés, dûment autorisés par leurs Gouvernements respectifs, ont signé le présent Accord Provisoire, en double exemplaire, en langues anglaise et française, chacun des deux textes faisant également foi, à Paris, le vingt-six mars, mil neuf cent trente-six.

[SEAL] JESSE ISIDOR STRAUS
[SEAL] ALI MOHAMMAD

[No. 88]

Agreement and joint declaration between the United States of America and Colombia respecting reciprocal trade. Signed at Washington, September 13, 1935; approved and confirmed by the President of the United States, October 25, 1935; ratified by the President of the Republic of Colombia, April 20, 1936; instrument of approval and confirmation and instrument of ratification exchanged at Bogotá, April 20, 1936; proclaimed by the President of the United States, April 20, 1936; effective May 20, 1936.

September 13, 1935.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS it is provided in the Tariff Act of 1930 of the Congress of the United States of America, as amended by the Act of June 12, 1934, entitled "AN ACT To Amend the Tariff Act of 1930" (48 Stat. 943), as follows:

Reciprocal trade agreement with Colombia.
Vol. 46, p. 708; Vol. 48, p. 943.

"Sec. 350. (a) For the purpose of expanding foreign markets for the products of the United States (as a means of assisting in the present emergency in restoring the American standard of living, in overcoming domestic unemployment and the present economic depression, in increasing the purchasing power of the American public, and in establishing and maintaining a better relationship among various branches of American agriculture, industry, mining, and commerce) by regulating the admission of foreign goods into the United States in accordance with the characteristics and needs of various branches of American production so that foreign markets will be made available to those branches of American production which require and are capable of developing such outlets by affording corresponding market opportunities for foreign products in the United States, the President, whenever he finds as a fact that any existing duties or other import restrictions of the United States or any foreign country are unduly burdening and restricting the foreign trade of the United States and that the purpose above declared will be promoted by the means hereinafter specified, is authorized from time to time—

Statutory provisions.

"(1) To enter into foreign trade agreements with foreign governments or instrumentalities thereof; and

"(2) To proclaim such modifications of existing duties and other import restrictions, or such additional import restrictions, or such continuance, and for such minimum periods, of existing customs or excise treatment of any article covered by foreign trade agreements, as are required or appropriate to carry out any foreign trade agreement that the President has entered into hereunder. No proclamation shall be made increasing or decreasing by more than 50 per centum any existing rate of duty or transferring any article between the dutiable and free lists. The proclaimed duties and other import restrictions shall apply to articles the growth, produce, or manufacture of all foreign countries, whether imported directly, or indirectly: *Provided*, That the President may suspend the application to articles the growth, produce, or manufacture of any country because of its

discriminatory treatment of American commerce or because of other acts or policies which in his opinion tend to defeat the purposes set forth in this section; and the proclaimed duties and other import restrictions shall be in effect from and after such time as is specified in the proclamation. The President may at any time terminate any such proclamation in whole or in part."

Promotion of foreign trade.

WHEREAS I, Franklin D. Roosevelt, President of the United States of America, have found as a fact that certain existing duties and other import restrictions of the United States of America and the Republic of Colombia are unduly burdening and restricting the foreign trade of the United States of America and that the purpose declared in the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, will be promoted by a foreign trade agreement between the United States of America and the Republic of Colombia;

Vol. 46, p. 708; Vol. 48, p. 943. U. S. C., p. 879.

Notice given.

WHEREAS reasonable public notice of the intention to negotiate such foreign trade agreement was given and the views presented by persons interested in the negotiation of such Agreement were received and considered;

Trade agreement entered into.

WHEREAS, after seeking and obtaining information and advice with respect thereto from the United States Tariff Commission, the Departments of State, Agriculture, and Commerce, and from other sources, I entered into a foreign trade agreement on September 13, 1935, through my duly empowered Plenipotentiary, with the President of the Republic of Colombia, through his duly empowered Plenipotentiary, which Agreement, including two Schedules, annexed thereto, all in the English and Spanish languages, is in words and figures as follows:

Purposes declared.

The President of the United States of America and the President of the Republic of Colombia, desiring to strengthen the traditional bonds of friendship between the two countries by granting mutual advantages for the promotion of reciprocal trade and for the general expansion of international trade, have decided to conclude a trade agreement and for that purpose have appointed their Plenipotentiaries as follows:

The President of the United States of America: Cordell Hull, Secretary of State of the United States of America;

The President of the Republic of Colombia: Señor Don Miguel Lopez Pumarejo, Envoy Extraordinary and Minister Plenipotentiary of the Republic of Colombia to the United States of America,

Who, after having exchanged their full powers, found to be in

El Presidente de los Estados Unidos de América y el Presidente de la República de Colombia, deseando fortalecer los lazos tradicionales de amistad entre los dos países por medio de la concesión de ventajas mútuas para el fomento del comercio recíproco y para la expansión general del comercio internacional, han decidido concluir un convenio comercial, y para ese fin han designado sus plenipotenciarios, así:

El Presidente de los Estados Unidos de América: al señor Cordell Hull, Secretario de Estado de los Estados Unidos de América;

El Presidente de la República de Colombia: al señor don Miguel Lopez Pumarejo, Enviado Extraordinario y Ministro Plenipotenciario de la República de Colombia en los Estados Unidos de América,

Los cuales, después de haber canjeado sus plenos poderes, y de

good and due form, have agreed upon the following articles:

haberlos hallado en buena y debida forma, han convenido en los siguientes artículos:

ARTICLE I

Articles the growth, produce or manufacture of the United States of America, enumerated and described in Schedule I annexed to this Agreement and made a part thereof, shall, on their importation into the Republic of Colombia, be exempt from ordinary customs duties in excess of those set forth in the said Schedule. For purposes of this article the term "ordinary customs duties" means the duties set forth in the Tariff Schedule of Colombian law 62 of 1931 and the respective modifications thereof.

Except as provided in Article IV of this Agreement, no other or higher duties, taxes, fees, or charges of whatever denomination, other than customs duties, shall be imposed on or in connection with the importation into the Republic of Colombia of articles the growth, produce or manufacture of the United States of America, enumerated and described in Schedule I, than those imposed or required to be imposed by laws of the Republic of Colombia in effect on the day of the signature of this Agreement.

ARTICULO I

Enumerated imports into Colombia from United States.

Los artículos o productos naturales o manufacturados de los Estados Unidos de América enumerados y descritos en la lista I anexa a este convenio y del cual forma parte, al importarse a la República de Colombia, estarán exentos de derechos de aduana ordinarios en exceso de los mencionados en dicha lista. Para los efectos de este artículo, la expresión "derechos de aduana ordinarios" significa los derechos que aparecen en el arancel aduanero de la Ley 62 de 1931 de la República de Colombia y sus respectivas modificaciones.

Post, p. 3890.

No excess duties, etc.

Con excepción de lo estipulado en el Artículo IV de este convenio, a los artículos o productos naturales o manufacturados de los Estados Unidos de América, enumerados y descritos en la lista I, al importarse o a próposito de su importación a la República de Colombia, no se les impondrán derechos, impuestos o gravámenes de cualquier denominación, que no sean derechos de aduana, distintos o superiores a los establecidos o mandados imponer por las leyes de la República de Colombia vigentes el día de la firma de este convenio.

ARTICLE II

Articles the growth, produce or manufacture of the Republic of Colombia, enumerated and described in Schedule II annexed to this Agreement and made a part thereof, shall, on their importation into the United States of America, be exempt from ordinary customs duties in excess of those set forth in the said Schedule and, except as provided in Article IV of this Agreement, from all other duties, taxes, fees, charges or exactions, imposed on or in connection with importation, in excess of those imposed or

ARTICULO II

Specified imports from Colombia.

Los artículos o productos naturales o manufacturados de la República de Colombia, enumerados y descritos en la lista II anexa a este convenio y del cual forma parte, al importarse a los Estados Unidos de América, estarán exentos de derechos de aduana ordinarios en exceso de los que se exponen en dicha lista y, con excepción de lo estipulado en el Artículo IV de este convenio, de todos los demás derechos, impuestos, cargas, gravámenes o tributos que graven la importación o lo relativo a la importación, en

Post, p. 3912.

Post, p. 3879.

required to be imposed by laws of the United States of America in effect on the day of the signature of this Agreement.

ARTICLE III

Internal tax exemption.

All articles the growth, produce or manufacture of the United States of America or the Republic of Colombia, shall, after importation into the other country, be exempt from all internal taxes, fees, charges or exactions, other or higher than those payable on like articles of any foreign origin.

All articles the growth, produce or manufacture of the United States of America or the Republic of Colombia, shall, after importation into the other country, be exempt from all national or Federal internal taxes, fees, charges or exactions, other or higher than those payable on like articles of domestic origin: Provided, That the provisions of this paragraph shall not apply to taxes imposed in the United States of America on coconut oil or on any combination or mixture containing a substantial quantity of coconut oil nor to the canalization tax which the Republic of Colombia has established on merchandise and products imported or exported through its customs houses.

Proviso.
Coconut oil, etc.

All articles the growth, produce or manufacture of the Republic of Colombia, shall, after importation into the United States of America, be exempt from all State or Municipal taxes, fees, charges or exactions, other or higher than those payable on like articles of domestic origin.

Articles the growth, produce or manufacture of the United States of America, enumerated and described in Schedule I, shall, after importation into the Republic of Colombia, be exempt

exceso de los que impongan o manden imponer las leyes de los Estados Unidos de América vigentes el día de la firma de este convenio.

ARTICULO III

Todos los artículos o productos naturales o manufacturados de los Estados Unidos de América o de la República de Colombia, después de importados al otro país, estarán exentos de todo impuesto, derecho, gravamen o tributo interno, distinto o superior a los causados por artículos análogos de cualquier origen extranjero.

Todos los artículos o productos naturales o manufacturados de los Estados Unidos de América o de la República de Colombia, después de importados al otro país, estarán exentos de todo impuesto, derecho, gravamen o tributo interno, nacional o federal, distinto o superior a los pagaderos sobre artículos análogos de origen nacional, a condición de que las disposiciones de este inciso no se aplicarán a los impuestos establecidos en los Estados Unidos de América sobre aceite de coco o cualquier combinación o mezcla que contenga una cantidad considerable de aceite de coco ni al impuesto de canalización que la República de Colombia tiene establecido sobre las mercancías y productos que se introducen o se exportan por sus aduanas.

Todos los artículos o productos naturales o manufacturados de la República de Colombia, después de importados a los Estados Unidos de América, estarán exentos de todo impuesto, derecho, gravamen o tributo establecido por cualquier estado o municipio distinto o superior a los establecidos sobre artículos análogos de origen nacional.

Los artículos o productos naturales o manufacturados de los Estados Unidos de América enumerados y descritos en la lista I, después de importados a la República de Colombia, es-

from all internal taxes, fees, charges or exactions, imposed by any Department or Municipality of the Republic of Colombia, other or higher than those provided for by laws in effect in the Republic of Colombia on the day of signature of this Agreement.

Articles the growth, produce or manufacture of the United States of America or the Republic of Colombia, enumerated and described in Schedules I and II, respectively, shall, after importation into the other country, be exempt from any national or Federal internal taxes, fees, charges or exactions, other or higher than those imposed or required to be imposed by laws of the Republic of Colombia or the United States of America, respectively, in effect on the day of signature of this Agreement.

Insofar as rates and charges for transportation services within the United States of America or the Republic of Colombia are imposed or controlled by the Government of the respective country, goods which are grown, produced or manufactured in the territory of either country shall pay within the territory of the other country transportation rates and charges which are not discriminatory as compared with the rates and charges on like goods of domestic origin transported under like circumstances and conditions.

tarán exentos de todo impuesto, gravamen, derecho o tributo interno establecido por cualquier departamento o municipio de la República de Colombia distinto o superior a los autorizados por las leyes vigentes en la República de Colombia el día de la firma del presente convenio.

Los artículos o productos naturales o manufacturados de los Estados Unidos de América o de la República de Colombia enumerados y descritos en las listas I y II, respectivamente, después de importados al otro país, estarán exentos de todo impuesto, derecho, gravamen o tributo interno, nacional o federal, distinto o superior a los que impongan o manden imponer las leyes de la República de Colombia o las de los Estados Unidos de América, respectivamente, vigentes el día de la firma de este convenio.

Transportation charges.

En cuanto las tarifas y cargas de servicios de transporte dentro de los Estados Unidos de América o dentro de la República de Colombia sean impuestas o controladas por el gobierno del respectivo país, los artículos o productos que se cultiven, produzcan o manufacturen en el territorio de cualquiera de los dos países, pagarán dentro del territorio del otro país tarifas y cargas de transporte que no sean discriminatorias comparadas con las tarifas y cargas sobre artículos análogos de origen interno, transportados en iguales circunstancias y condiciones.

Article IV

Special duties.

The provisions of this Agreement shall not apply to such special duties as are or may be required by laws of the United States of America or the Republic of Colombia to be assessed on importations which are not properly marked to indicate their origin, nor to such special duties as may be required by such laws to be assessed on importations which have been sold at less than

Artículo IV

Las estipulaciones de este convenio no se aplicarán a aquellos derechos especiales que las leyes de los Estados Unidos de América o de la República de Colombia impongan o puedan imponer a las importaciones que no estén debidamente marcadas para indicar su lugar de origen; ni a aquellos gravámenes especiales que tales leyes ordenen sean impuestos a las importaciones que

the foreign market value, or, in the absence of such value, than the cost of production in the country of origin.

ARTICLE V

No restriction on imports where obligations assumed.

1. No prohibition or restriction on importations shall be imposed by the United States of America or the Republic of Colombia on articles the growth, produce or manufacture of the other country with respect to which obligations have been assumed under Articles II or I, respectively, of this Agreement: Provided, That the foregoing provision shall not apply to prohibitions or restrictions (a) relating to public security; (b) imposed on moral or humanitarian grounds; (c) designed to protect human, animal, or plant life, subject to the provisions of the second and third paragraphs of Article VIII; (d) relating to prison-made goods; (e) relating to the enforcement of police or revenue laws; or (f) permitted by paragraph 2 of this Article.

Ante, p. 3877.

Proviso. Exceptions.

No quantitative restriction.

2. The provisions of the first paragraph of this Article shall not apply to any quantitative restriction imposed by the United States of America or the Republic of Colombia on the importation or sale of any article the growth, produce or manufacture of the other country in conjunction with governmental measures operating to regulate or control the production, market supply, or prices of like domestic articles: Provided, That before any quantitative restriction on importation under the foregoing provisions of this paragraph is established, or having been established, is materially changed, the Government of the country which proposes to establish or materially change such restriction shall give notice thereof in writing to the other Government and shall accord the latter

Provisos. Notice to be given.

hayan sido vendidas a menor valor que el del mercado extranjero, o, a falta de tal valor, que el de su costo de producción en el país de origen.

ARTICULO V

1. Ni los Estados Unidos de América ni la República de Colombia podrán prohibir o restringir las importaciones de los artículos o productos naturales o manufacturados del otro país con respecto a los cuales han contraído obligaciones conforme a los Artículos II o I, respectivamente, de este convenio; pero la disposición precedente no se aplicará a prohibiciones o restricciones (a) relativas a la seguridad pública; (b) ni a las que se funden en razones morales o humanitarias; (c) ni a las encaminadas a proteger la vida humana, animal o vegetal, sujetas a las disposiciones de los incisos 2° y 3° del Artículo VIII; (d) ni a las aplicables a artículos hechos en las cárceles; (e) ni a las medidas tendientes a hacer efectivas las leyes de rentas o de policía; (f) ni a las permitidas conforme al inciso segundo de este Artículo.

2. Las disposiciones del primer inciso de este Artículo no se aplicarán a ninguna restricción cuantitativa impuesta por los Estados Unidos de América o la República de Colombia sobre la importación o la venta de cualquier artículo o producto natural o manufacturado del otro país relacionada con medidas gubernamentales tendientes a reglamentar o controlar la producción, el abastecimiento de los mercados o el precio de artículos análogos de origen nacional. Queda entendido que antes de que se establezca cualquiera restricción cuantitativa sobre las importaciones de acuerdo con las disposiciones precedentes de este inciso, o de que se modifique sustancialmente una ya establecida, el Gobierno del país que se proponga establecer o cambiar sustancial-

Government thirty days from the receipt of such notice to examine such proposed restriction or change; and Provided further, That in the event such other Government objects to such proposed restriction or change, and if an agreement is not reached by the end of the thirtieth day following receipt of the notice of the intention to establish or change such restriction, the Government which proposes to take such action shall be free to do so at any time thereafter, and the other Government shall be free within fifteen days after the imposition of such restriction or change to terminate this Agreement on thirty days' notice.

mente tal restricción deberá notificarlo por escrito al otro Gobierno y deberá conceder a éste el término de treinta días contados desde el recibo de dicha notificación para examinar el cambio o la restricción que se proyecte; y queda entendido, además, que en el caso de que el otro Gobierno se oponga a dicho cambio o restricción, y de que no se llegue a un acuerdo dentro de los treinta días siguientes al recibo del aviso de la intención de establecer o cambiar dicha restricción, el Gobierno que se proponga tomar tal medida podrá hacerlo dentro de cualquier tiempo después de expirado tal término, y el otro Gobierno podrá, dentro de los quince días siguientes al establecimiento de tal restricción o cambio, poner fin a este convenio, dando treinta días de aviso.

Action if restriction, etc., not agreed to.

3. It is understood that the sole purpose of proviso "(e)" of paragraph 1 of this Article is to reserve to the Governments of the United States of America and the Republic of Colombia the right to impose such import prohibitions or restrictions as may be necessary to enforce police or revenue laws now or hereafter in effect in the respective countries. That is to say, the only object of the proviso is to permit the operation of enforcement measures in conjunction with police or revenue laws.

3. Queda entendido que la disposición "(e)" del primer inciso de este Artículo no tiene otro propósito que el de reservar a los Gobiernos de los Estados Unidos de América y de la República de Colombia el derecho de imponer las prohibiciones o restricciones sobre importaciones que sean necesarias para hacer efectivas las leyes de policía o de rentas que estén o estuvieren en vigor en los países respectivos. Es decir, que dicha disposición no tiene otro fin que el de permitir el funcionamiento de las medidas tomadas en conexión con el cumplimiento de las leyes policiales y fiscales.

Enforcement of police or revenue laws.

ARTICLE VI

Laws, regulations of administrative authorities and decisions of administrative or judicial authorities of the United States of America or the Republic of Colombia, respectively, pertaining to the classification of articles for customs purposes or to rates of duty shall be published promptly in such a manner as to enable traders to become acquainted with them.

ARTICULO VI

Las leyes, los reglamentos de las autoridades administrativas y las decisiones de las autoridades administrativas o judiciales de los Estados Unidos de América o de la República de Colombia, respectivamente, referentes a la clasificación de artículos para efectos de aduana o a tasas de derechos, se publicarán prontamente de manera tal que permita a los comerciantes conocerlas.

Laws, regulations, and decisions to be published.

No retroactive, etc., application.

Unless otherwise required under constitutional provisions, no administrative ruling by the United States of America or the Republic of Colombia effecting advances in rates of duty or charges applicable under an established and uniform practice to imports from the territory of the other country, or imposing any new requirement with respect to such importations, shall be effective retroactively or with respect to articles either entered for or withdrawn for consumption prior to the expiration of thirty days after the date of publication of notice of such ruling in the usual official manner.

Antidumping duties, etc.

The provisions of this paragraph do not apply to administrative orders imposing antidumping duties, or relating to sanitation or public safety, or giving effect to judicial decisions or decisions of customs courts.

A menos que las disposiciones constitucionales exijan otra cosa, ninguna disposición administrativa de los Estados Unidos de América o de la República de Colombia que implique un aumento en las tarifas de derechos o gravámenes aplicables conforme a una práctica establecida y uniforme a las importaciones del territorio del otro país, o que imponga algún requisito nuevo con respecto a tales importaciones, tendrá efecto retroactivo o será efectiva respecto a artículos o introducidos o retirados para el consumo antes de cumplirse treinta días después de la fecha de la publicación de la notificación de la respectiva disposición en la forma oficial acostumbrada. Las disposiciones de este inciso no se aplican a las órdenes administrativas que impongan derechos contra la invasión de mercancías extranjeras a menos precio ("dumping") o que sean relativas a la sanidad o seguridad pública, o al cumplimiento de decisiones judiciales o decisiones de los tribunales de aduana.

Article VII

Most-favored-nation treatment.

It is agreed that the United States of America and the Republic of Colombia will grant each other unconditional and unrestricted most favored nation treatment in all matters concerning customs duties and subsidiary charges of every kind and in the method of levying duties, and, further, in all matters concerning the rules, formalities and charges, imposed in connection with the clearing of goods through the customs.

Accordingly, natural or manufactured products having their origin in the United States of America or the Republic of Colombia shall in no case be subject in the other country, in regard to the above mentioned matters, to any duties, taxes or charges other

Artículo VII

Queda convenido que los Estados Unidos de América y la República de Colombia se concederán mutuamente el tratamiento incondicional e irrestricto de la nación más favorecida en todos los asuntos pertinentes a los derechos de aduana y gravámenes subsidiarios de toda clase y en el método de imponer y percibir los derechos de aduana, y, además, en todos los asuntos concernientes a los reglamentos, formalidades y obligaciones que se impongan en relación con el despacho de las mercancías por las aduanas.

Por consiguiente, los productos naturales o manufacturados que tengan su origen en los Estados Unidos de América o la República de Colombia no estarán en ningún caso sujetos en el otro país, con respecto a los asuntos arriba mencionados, a ningún derecho,

or higher, or to any rules or formalities other or more burdensome, than those to which the like products of any third country are or may hereafter be subject.

Similarly, natural or manufactured products exported from the territory of the United States of America or the Republic of Colombia and consigned to the territory of the other country shall in no case be subject with respect to exportation and in regard to the above mentioned matters to any duties, taxes or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like products when consigned to the territory of any third country are or may hereafter be subject.

Any advantage, favor, privilege or immunity which has been or may hereafter be granted by the United States of America or the Republic of Colombia in regard to the above mentioned matters to a natural or manufactured product originating in any third country or consigned to the territory of any third country shall be accorded immediately and without compensation to the like product originating in or consigned to the territory of the Republic of Colombia or the United States of America, respectively.

Neither the United States of America nor the Republic of Colombia shall establish any prohibition or maintain any restriction on imports from the territory of the other country which is not applied to the importation of any like article originating in any third country. Any abolition of an import prohibition or restriction which may be granted even temporarily by the United States of America or the Republic of Colombia in favor of an article of

impuesto o gravamen distinto o mayor, ni a ninguna regla o formalidad distinta o más onerosa, que aquellos a que están o lleguen después a estar sujetos los productos análogos de cualquier tercer país.

Igualmente, los productos naturales o manufacturados que se exporten del territorio de los Estados Unidos de América o de la República de Colombia, consignados al territorio del otro país, no podrán en ningún caso en lo tocante a la exportación y en lo tocante a los asuntos arriba mencionados, estar sujetos a ningún derecho, impuesto o gravamen distinto o mayor, ni a ninguna regla o formalidad distinta o más onerosa, que aquellos a que están o lleguen después a estar sujetos los productos análogos consignados al territorio de cualquier tercer país.

Toda ventaja, favor, privilegio o inmunidad que los Estados Unidos de América o la República de Colombia hubiere ya concedido o en adelante concediere, con respecto a los asuntos arriba mencionados, a algún producto natural o manufacturado originario de cualquier tercer país, o consignado al territorio de cualquier tercer país, se concederá inmediatamente y sin compensación al producto análogo originario del territorio de la República de Colombia o de los Estados Unidos de América, respectivamente, o consignado a tal territorio.

Ni los Estados Unidos de América ni la República de Colombia podrán establecer prohibición alguna ni mantener restricción alguna sobre las importaciones procedentes del territorio del otro país, que no se apliquen a la importación de artículos similares originarios de cualquier tercer país. Toda derogación de cualquier prohibición o restricción de importación que los Estados Unidos de América o la República de Colombia concedan, aunque sea

a third country shall be applied immediately and unconditionally to the like article originating in the territory of the Republic of Colombia or the United States of America, respectively.

Rations or quotas.

In the event of rations or quotas being established by the United States of America or the Republic of Colombia for the importation of any article otherwise restricted or prohibited, it is agreed, that in the allocation of the quantity of restricted goods which may be authorized for importation, a share will be granted to the Republic of Colombia or the United States of America, respectively, equivalent to the proportion of the trade in such article which it enjoyed in a previous representative five year period or such other previous representative period as may be agreed upon by the Governments of the two countries.

The provisions of the two preceding paragraphs shall not be construed to authorize the United States of America or the Republic of Colombia to establish any prohibition or maintain any restriction on articles the growth, produce or manufacture of the other country with respect to which obligations have been assumed under Articles II or I, respectively, of this Agreement, other than such prohibitions and restrictions as are expressly authorized by the provisions of Article V.

Ante, pp. 3877, 3880.

Advantages accorded adjacent countries, etc.

Nevertheless, the advantages now accorded or which may hereafter be accorded by the United States of America or the Republic of Colombia to adjacent countries in order to facilitate frontier traffic and advantages resulting from a customs union to which either country may become a party shall be excepted from the operation of this Agreement, and, except as otherwise provided

temporalmente, en favor de algún artículo de un tercer país, se aplicará inmediata e incondicionalmente al artículo similar originario del territorio de la República de Colombia o de los Estados Unidos de América, respectivamente.

En el caso de que los Estados Unidos de América o la República de Colombia establecieren cupos o cuotas para la importación de algún artículo ya en otra forma restringido o prohibido, queda convenido que en la asignación de las cantidades de mercancías restringidas cuya importación se autorice, se concederá a la República de Colombia o a los Estados Unidos de América, respectivamente, una participación equivalente a la proporción del comercio en dicho artículo de que haya gozado en un quinquenio anterior típico o en cualquier otro período típico anterior en que convengan los Gobiernos de los dos países.

Las estipulaciones de los dos incisos precedentes no se interpretarán como autorización a los Estados Unidos de América ni a la República de Colombia para establecer prohibición alguna o mantener restricción alguna, distintas de las prohibiciones o restricciones expresamente autorizadas por el Artículo V de este convenio, respecto a artículos o productos naturales o manufacturados del otro país, a propósito de los cuales se han asumido obligaciones en virtud de los Artículos II o I, respectivamente, de este convenio.

No obstante, las ventajas actualmente concedidas o que después lo fueren por los Estados Unidos de América o por la República de Colombia a países adyacentes con el fin de facilitar el tráfico en las fronteras, y las ventajas resultantes de una unión aduanera de que cualquiera de los dos países se hiciere parte, se exceptuarán de los efectos de este convenio, y, salvo lo dispuesto en

in Article VIII, this Agreement shall not apply to police or sanitary regulations or to the advantages now or hereafter accorded by the United States of America to the commerce of the Republic of Cuba, or to commerce between the United States of America and the Panama Canal Zone, the Philippine Islands, or any territory or possession of the United States of America, or to the commerce of the territories and possessions of the United States of America with one another. The provisions of this paragraph which except from the operation of this Agreement the commerce between the United States of America and the Philippine Islands and the commerce of the territories and possessions of the United States of America with one another shall apply in respect of advantages now or hereafter accorded by the United States of America or any territory or possession of the United States of America to the Philippine Islands, notwithstanding any change that may take place in the political status of the Philippine Islands.

Police or sanitary regulations excepted.

United States commerce with Cuba, Canal Zone, etc.

Provisions applicable to the Philippine Islands.

Subject to the reservations set forth in the preceding paragraph, the provisions of this Article shall apply to articles the growth, produce or manufacture of any territory under the sovereignty or authority of the United States of America or the Republic of Colombia, imported from or exported to any territory under the sovereignty or authority of the Republic of Colombia or the United States of America, respectively. It is understood, however, that the provisions of this paragraph do not apply to the Panama Canal Zone.

Territories included.

ARTICLE VIII

The government of the United States of America and the Government of the Republic of Colombia,

otro sentido en el Artículo VIII, este convenio no se aplicará a los reglamentos de policía o de sanidad ni a las ventajas actualmente concedidas o que se concedieren por los Estados Unidos de América al comercio de la República de Cuba, ni al comercio entre los Estados Unidos de América y la Zona del Canal de Panamá, las Islas Filipinas o cualquier territorio o posesión de los Estados Unidos de América, ni al comercio de los territorios y posesiones de los Estados Unidos de América entre sí. Las disposiciones de este inciso que exceptúan de los efectos de este convenio al comercio entre los Estados Unidos de América y las Islas Filipinas y al comercio de los territorios y posesiones de los Estados Unidos de América entre sí se aplicarán en lo respectivo a las ventajas actualmente concedidas o que se concedieren por los Estados Unidos de América o por cualquier territorio o posesión de los Estados Unidos de América a las Islas Filipinas, no obstante cualquier cambio que ocurra en el *status* político de las Islas Filipinas.

Sujetas a las salvedades expuestas en el inciso precedente, las estipulaciones de este Artículo se aplicarán a los artículos o productos naturales o manufacturados de todo territorio bajo la soberanía o autoridad de los Estados Unidos de América o la República de Colombia que sean objeto de comercio de importación o exportación con cualquier territorio bajo la soberanía o autoridad de la República de Colombia o de los Estados Unidos de América, respectivamente. Queda entendido, sin embargo, que las disposiciones de este inciso no se aplicarán a la Zona del Canal de Panamá.

ARTICULO VIII

El Gobierno de los Estados Unidos de América y el Gobierno de la República de Colombia,

Mutual consideration to be accorded designated representations.

respectively, will accord sympathetic consideration to such reasonable representations as the other Government may make regarding the operation of customs regulations, the observance of customs formalities, and the application of sanitary laws and regulations for the protection of human, animal, or plant life.

In the event that the Government of either country makes representations to the Government of the other country in respect of the application of any sanitary law or regulation for the protection of human, animal, or plant life, and if there is disagreement with respect thereto, a committee of technical experts on which each Government shall be represented shall, on the request of either Government, be established to consider the matter and to submit recommendations to the two Governments.

Applying new sanitary measures.

Whenever practicable the Government of either country, before applying any new measure of a sanitary character, will consult with the Government of the other country with a view to insuring that there will be as little injury to the commerce of the latter country as may be consistent with the purpose of the proposed measure. The provisions of this paragraph do not apply to actions affecting individual shipments under sanitary measures already in effect or to actions based on pure food and drug laws.

respectivamente, prestarán atención benévola a las exposiciones razonables que le hiciere el otro Gobierno acerca de la aplicación de los reglamentos aduaneros, la observancia de las formalidades aduaneras y la aplicación de las leyes y reglamentos de higiene, sobre la protección de la vida humana, animal o vegetal.

En el caso de que el Gobierno de cualquiera de los dos países hiciere alguna manifestación al Gobierno del otro respecto a la aplicación de cualquier ley o reglamento sanitario sobre protección de la vida humana, animal o vegetal, y si hubiere desacuerdo en la materia, a solicitud de cualquiera de los dos Gobiernos, se organizará un comité de peritos técnicos en que cada Gobierno estará representado para que estudie el punto y proponga recomendaciones a los dos Gobiernos.

Cuando fuere factible, cada Gobierno, antes de aplicar cualquiera medida nueva de índole sanitaria, consultará con el Gobierno del otro país a fin de asegurarse de que al comercio de este país se le causará el menor perjuicio posible hasta donde permita el objeto de la medida proyectada. Las estipulaciones de este inciso no se aplicarán a las providencias que afecten determinados embarques bajo medidas sanitarias ya en vigor, ni a las providencias basadas en las leyes sobre pureza de alimentos y drogas.

ARTICLE IX

Provisions not applicable to Philippine Islands, etc.

Except as otherwise provided in Article VII the provisions of this Agreement relating to the treatment to be accorded by the United States of America or the Republic of Colombia, respectively, to the commerce of the other country, shall not apply to the Philippine Islands, the Virgin Islands, American Samoa, the Island of Guam, nor to the Panama Canal Zone.

ARTICULO IX

Con excepción de lo estipulado en otro sentido en el Artículo VII, las estipulaciones de este convenio relativas al tratamiento que los Estados Unidos de América o la República de Colombia, respectivamente, han de conceder al comercio del otro país, no se aplicarán a las Islas Filipinas, las Islas Vírgenes, la Samoa Americana, la isla de Guam, ni a la Zona del Canal de Panamá.

ARTICLE X

On and after the day on which this Agreement comes into force, articles the growth, produce or manufacture of the United States of America and articles the growth, produce or manufacture of the Republic of Colombia previously imported into the other country shall be subject to the provisions of this Agreement if entry therefor has not been made, or if they have been entered previously without payment of duty and under bond for warehousing, transportation, or any other purpose, and without any permit of delivery to the importer or to his agent having been issued: Provided, That when duties are based upon the weight of merchandise deposited in any public or private warehouse, the said duties shall, except as otherwise may specially be provided in the tariff laws of the Republic of Colombia or the United States of America, respectively, in effect on the day of the signature of this Agreement, be levied and collected upon the weight of such merchandise at the time of its entry.

ARTICULO X

Desde el día en que este convenio entre en vigencia, inclusive, y en adelante, los artículos o productos naturales o manufacturados de los Estados Unidos de América y los artículos o productos naturales o manufacturados de la República de Colombia, importados con anterioridad al otro país, quedarán amparados por las estipulaciones de este convenio, si aún no se les hubiere dado entrada, o si se les hubiere dado entrada con anterioridad para su almacenaje, transporte o cualquier otro fin sin pagar los derechos y bajo fianza, y sin que se hubiere expedido permiso de entrega al importador o a su agente; a condición de que cuando los derechos tengan por base el peso de la mercancía depositada en almacén de depósito público o privado, esos derechos, salvo lo que en otro sentido dispongan especialmente las leyes arancelarias de la República de Colombia o de los Estados Unidos de América, respectivamente, vigentes el día de la firma de este convenio, se tasarán y cobrarán sobre el peso de tal mercancía en el momento de darse la entrada.

Entries subject to agreement upon coming into force.

Proviso.
Duties based on weight.

ARTICLE XI

As long as the present Agreement remains in force, it shall supersede any provisions of the Treaty of Peace, Amity, Navigation and Commerce between the United States of America and the Republic of New Granada, signed at Bogotá, December 12, 1846, which may be inconsistent with this Agreement. However, upon the expiration of this Agreement, the provisions of the aforesaid Treaty which have been suspended temporarily shall automatically resume operation and shall continue in full force and effect subject to termination as provided in that Treaty.

ARTICULO XI

Este convenio, mientras permanezca en vigor, prevalecerá sobre todas las disposiciones del Tratado de Paz, Amistad, Navegación y Comercio entre los Estados Unidos de América y la República de la Nueva Granada, firmado en Bogotá, el 12 de diciembre de 1846, que fueren incompatibles con este convenio. Sin embargo, al expirar este convenio, las estipulaciones del sobredicho tratado que se hayan suspendido temporalmente, volverán automáticamente a entrar en vigencia y continuarán en pleno vigor y efecto, sujetas a las condiciones de terminación estipuladas en dicho tratado.

Inconsistent provisions of existing treaty superseded during life of agreement.
Vol. 9, p. 881.

Automatic resumption upon expiration of agreement.

Nothing in the present Agreement shall be construed in any way to affect any of the provisions of the treaty between the United States of America and the Republic of Colombia, signed at Bogotá, April 6, 1914.

Vol. 42, p. 2122.

Ninguna de las disposiciones del presente convenio podrá ser interpretada de manero que afecte cualquiera de las estipulaciones del tratado entre los Estados Unidos de América y la República de Colombia, firmado en Bogotá el 6 de abril de 1914.

ARTICLE XII

Purposes declared.

The Governments of the United States of America and the Republic of Colombia declare that the purpose of this Agreement is to grant mutual and reciprocal concessions and advantages for the promotion of commercial relations between the two countries; and that each and every one of the provisions contained herein shall be complied with and interpreted in accordance with this spirit and intention.

ARTICULO XII

Los Gobiernos de los Estados Unidos de América y de la República de Colombia declaran que el objeto de este convenio es otorgarse mútuas y recíprocas concesiones y ventajas para intensificar las relaciones comerciales entre los dos países; y que de acuerdo con este espíritu y propósito se cumplirán e interpretarán todas y cada una de las disposiciones aquí contenidas.

ARTICLE XIII

Approval.
Vol. 48, p. 943.

The present Agreement shall be approved and confirmed by the President of the United States of America by virtue of the Act of Congress of the United States of America approved June 12, 1934, entitled "An Act to Amend the Tariff Act of 1930", and shall be ratified by the President of the Republic of Colombia, after approval of the Congress of Colombia, in accordance with constitutional requirements. The Agreement shall enter into full force thirty days after the exchange of the instrument of approval and confirmation and the instrument of ratification, which shall take place in the city of Bogotá as soon as possible, and shall continue in force for a term of two years, unless terminated in accordance with the provisions of Article V.

Effective date.

Unless at least six months before the expiration of the aforesaid term of two years the Government of either country shall have given to the other Government notice of intention to termi-

Duration.

ARTICULO XIII

El presente convenio será aprobado y confirmado por el Presidente de los Estados Unidos de América en virtud de la ley de los Estados Unidos de América aprobada el 12 de junio de 1934 y titulada "Ley reformatoria de la ley arancelaria de 1930", y será ratificado por el Presidente de la República de Colombia, una vez obtenida la aprobación del Congreso de Colombia, de conformidad con los requisitos constitucionales. Entrará en pleno vigor trienta días después de canjeado el instrumento de aprobación y confirmación y el instrumento de ratificación, lo que se efectuará en la ciudad de Bogotá, tan pronto como sea posible, y continuará en vigor por el término de dos años de ahí en adelante, salvo que se termine de acuerdo con las disposiciones del Artículo V.

Si con no menos de seis meses de anticipación a la expiración del precitado término de dos años, el Gobierno de cualquiera de los dos países no diere al otro Gobierno aviso de su intención

nate the Agreement upon the expiration of the aforesaid term, the Agreement shall remain in force thereafter until six months from such time as the Government of either country shall have given notice to the other Government, or unless terminated in accordance with the provisions of Article V.

In witness whereof the respective Plenipotentiaries have signed this Agreement and have affixed their seals hereto.

Done in duplicate, in the English and Spanish languages, both authentic, at the City of Washington, this thirteenth day of September 1935.

de poner fin al convenio al expirar tal término, el convenio permanecerá vigente de ahí en adelante hasta cuando se cumplan seis meses después del día en que el Gobierno de cualquiera de los dos países diere tal aviso al Gobierno del otro, o salvo que se termine de acuerdo con las disposiciones del Artículo V. *Ante*, p. 3880.

En fé de lo cual los respectivos plenipotenciarios firman y sellan el presente convenio.

Hecho en duplicado en los idiomas inglés y español, que se considerarán ambos auténticos, en la ciudad de Washington el día trece de setiembre de 1935. Signatures.

CORDELL HULL [SEAL]
MIGUEL LÓPEZ PUMAREJO [SEAL]

Schedule I.

SCHEDULE I

Colombian Tariff Numeral	Product	Import Duty in Colombian Pesos per Gross Kilo
10	Oats and other cereals, crushed, pearled, husked, excluding wheat.	
	Under Numeral 10: Quaker Oats.	0. 08
12–A	Cornstarch (Maicena).	0. 15
16–A	Soda crackers and prepared breakfast cereals, such as Corn Flakes, Grape Nuts, Force, etc.	0. 60
19	Fresh potatoes.	0. 05
	Under Numeral 19: Sweet potatoes, potatoes and other edible tubers, fresh.	
21	Grains and vegetables designated in Numerals 18 to 20, preserved in tins, etc.	0. 30
22	Fresh fruits.	0. 20
	Under Numeral 22: Olives, almonds, peanuts, pistachio nuts, hazelnuts with or without shell, chestnuts, coconuts, nuts shelled or unshelled.	
23	Fruits of all kinds, dried in the natural.	0. 25
	Under Numeral 23: Dried fruits.	
24–A	Chiclets or gum for chewing with a base of "perillo".	0. 25
24–B	Fruits preserved in their own juice, in syrup or in liquor.	0. 50
44	Meats, different from those classified in Numerals 46 and 47, and fish, unprepared, smoked, in brine, dry, etc.	0. 30
	Under Numeral 44: Fish, preserved in brine.	
45	Meats, different from those classified under Numerals 46 and 47, fish, preserved in oil, sauce, etc.	0. 30
47	Hams, "butifarras", sausages and similar foodstuffs, even when preserved in boxes, etc.	0. 50
50	Milk, condensed, evaporated or in powder.	0. 10
50–A	Prepared milks for children, including those that have as a principal base milk and malt: such as Horlick's Malted Milk, Mellen's Food.	0. 05
	Note: Foods for children and for the sick with a base of flour will be classified under Numeral 13.	
50–B	Pure milk and cream, liquid.	0. 15
52	Hog lard.	0. 15
55	Food stuffs not specified in other parts of the tariff, Cocomalt, Toddy, Bosco and similar foods.	0. 30
	Under Numeral 55: Prepared soups for the table; extracts of malt with a consistency of syrup (liquid, see Numeral 58; with pharmaceutical products, see Numeral 633); fish eggs and others not designated, caviar, shellfish, lobsters, etc., preserved or alive; sauces of all kinds, and essences for seasoning.	
56	Leavenings, in powder, granulated paste (in liquid form, see Numeral 60).	0. 15
96	Tanned hides without hair, thin and light weight, for making shoes, saddlery, and other uses, in the natural state, white or colored, such as divided hides, thin and light weight, of cattle and horses and those of hogs, goats, sheep, deer, dogs, and other small animals, or the hides called glace, kangaroo (box-calf), dressed sheepskin, morocco, dressed kid, chamois (gamuza), etc., and patent leather of any kind.	2. 00
96–A	The same, of calfskin.	1. 50

LISTA NÚMERO I

Numeral del Arancel de Aduana de Colombia	Producto	Impuesto de Aduana en Pesos Colombianos, por Kilo bruto
10	Avena y otros cereales triturados, perlados, mondados, excluyendo el trigo.	0. 08
	Según el numeral 10: Quaker Oats.	
12–A	Maicena (cornstarch).	0. 15
16–A	Galletas de soda y cereales preparados para el desayuno, tales como Corn Flakes, Grape Nuts, Force, etc.	0. 60
19	Batatas frescas.	0. 05
	Según el numeral 19: Camotes, papas y demás tubérculos alimenticios, frescos.	
21	Granos y legumbres designados en los numerales 18 a 20, conservados en latas, etc.	0. 30
22	Frutas frescas.	0. 20
	Según el numeral 22: Aceitunas, almendras, maní, pistachos, avellanas con cáscara o sin ella, castañas, cocos, nueces naturales o sin cáscara.	
23	Frutas de todas especies, secas al natural.	0. 25
	Según el numeral 23: Frutas pasas.	
24–A	Chicles o gomas para mascar a base de perillo.	0. 25
24–B	Frutas conservadas en su jugo, en almíbar o en licor.	0. 50
44	Carnes distintas de las clasificadas en los numerales 46 y 47, y pescados sin preparar, ahumados, en salmuera, secos, etc.	0. 30
	Según el numeral 44: Pescado conservado en salmuera.	
45	Carnes distintas de las clasificadas en los numerales 46 y 47, pescados conservados en aceite, salsa, etc.	0. 30
47	Jamones, butifarras, salchichas y alimentos semejantes, aunque estén conservados en cajas, etc.	0. 50
50	Leche condensada, evaporada y en polvo.	0. 10
50–A	Leche preparada para niños, incluyendo aquellas que tienen como base principal leche y malta: tales como Leche Malteada de Horlick, Alimento Mellen.	0. 05
	Nota: Los alimentos para niños y enfermos a base de harinas se clasificarán por el numeral 13.	
50–B	Leche pura y crema, líquidas.	0. 15
52	Manteca de cerdo.	0. 15
55	Alimentos no especificados en otra parte de la Tarifa; Cocoamalt, Toddy, Bosco y alimentos similares.	0. 30
	Según el numeral 55: Sopas listas para la mesa; extracto de malta de la consistencia de la miel (líquido, véase el numeral 58; con productos farmacéuticos, véase el numeral 633); huevos de pescado y otros no designados, caviar, mariscos, langostas, etc., conservados o vivos; salsas de todas clases, y esencias para sazonar.	
56	Levadura en polvo, pasta granulada (líquida, véase el numeral 60).	0. 15
96	Cueros curtidos sin pelo, DELEGADOS E LIVIANOS, para zapatería, talabartería y otros usos, al natural, blancos o de color, tales como los cueros divididos, delgados y livianos, de res y de caballo y los provenientes de marrano, cabra, oveja, venado, perro y otros animales pequeños, o sean los cueros llamados glasé, kanguro (BOX-CALF), badana, tafilete, cabritilla, gamuza (CHAMOIX), etc., y los cueros charolados de cualquier clase.	2. 00
96–A	Los mismos de becerro.	1. 50

Schedule I—Con.

SCHEDULE I—Continued

Colombian Tariff Numeral	Product	Import Duty in Colombian Pesos per Gross Kilo
99	Transmission belts or bands in one single piece and fully manufactured.	0. 05
	Under Numeral 99: Transmission belts made of special pastes (imitation leather).	
109–A	Rubber soles and heels.	0. 60
113	Footwear of felt, of cloth of cotton, of wool, hemp, jute, ramie, and similar fibers, with the exception of animal, vegetable and artificial silk and of velvet or plush of any kind, with soles of leather, rubber, or other materials, for men and boys.	2. 50
113 bis	Footwear of felt, of cloth of cotton, of wool, hemp, jute, ramie and similar fibers, with the exception of animal, vegetable and artificial silk and of plush or velvet of any kind, with soles of leather, rubber, or other materials, for women.	2. 50
124	Planed wood, in beams, boards, laths, raftering, including posts when impregnated with protecting substances.	0. 10
	Under Numeral 124: Planed wood for floors, etc.	
152–A	Tooth brushes.	0. 20
181	Toilet paper.	0. 01
184–A	Patterns or models of paper, with or without printing, such as those called McCall, for making clothing and other articles of domestic use.	0. 02
184–B	Carbon paper.	0. 25
186	Catalogs of all kinds for propaganda.	Free
187	Almanacs, prospectus, advertising matter and propaganda in sheets or unbound, printed in one color only.	0. 40
188	The same, printed in different colors.	0. 45
189	Other prospectus, advertising matter and propaganda, bound, other than those mentioned in Numerals 187 and 188, printed in one color only.	0. 50
190	The same, printed in different colors.	0. 55
191	Other printed matter, other than that mentioned in Numerals 186 to 190, bound or not, in one color only.	0. 50
192	The same, printed in different colors.	0. 60
	Under Numerals 186 to 192: Tickets for public spectacles, railroads, etc.; bands for cigars, printed paper sacks; forms for accounts, checks, correspondence, etc.; paper with letterhead; oleographs; chromos; stamps; figures, engravings, printings or lithographs on paper or cardboard, with advertising (without advertising, see Numeral 197); envelopes or covers for correspondence with monograms, letterhead, printings, engravings; papers for wrapping, printed with the name of the person or the firm that uses them, with advertising or impressions of any kind; labels, tags, pictures in oil and hand paintings on cloth, paper, wood or ordinary metal, with or without frames; views for stereoscopes; pictures or portraits with or without frames; foreign postage stamps.	
197	Pictures, prints (estampas), engravings, photographs (products of the graphic arts) and paintings with or without frame, without advertisements.	0. 52

LISTA NÚMERO I—Continua

Numeral del Arancel de Aduana de Colombia	Producto	Impuesto de Aduana en Pesos Colombianos, por Kilo bruto
99	Bandas o correas de transmisión en una sola pieza y de manufactura completa.	0. 05
	Según el numeral 99: correas de transmisión hechas de pastas especiales (imitación cuero).	
109–A	Suelas y tacones de caucho.	0. 60
113	Calzado de fieltro, de tela de algodón, de lana, de cáñamo, de yute, de ramio y fibras semejantes, a excepción de la seda animal, vegetal y artificial y del peluche o velludo de todo género, con suelas de cuero, caucho u otra materia, para hombres y niños.	2. 50
113 bis	Los mismos, de fieltro, de tela de algodón, de lana, de cáñamo, de yute, de ramio y fibras semejantes, a excepción de la seda animal, vegetal y artificial y del peluche o velludo de todo género, con suelas de cuero, caucho u otra materia, para mujeres.	2. 50
124	Madera acepillada, en vigas, tablas, latas, listones, incluyendo postes impregnados de substancias que los inmunice.	0. 10
	Según el numeral 124: Madera acepillada para pisos, etc.	
152–A	Cepillos para los dientes.	0. 20
181	Papel toilette.	0. 01
184–A	Patrones o modelos de papel, con o sin impresiones, como los llamados McCall, para hacer ropa y otros artículos de uso doméstico.	0. 02
184–B	Papel carbón.	0. 25
186	Catálogos de todo género para propaganda.	Libres
187	Almanaques, prospectos, anuncios y propaganda en HOJAS O EN RUSTICA, impresos en un solo color.	0. 40
188	Los mismos, impresos en diferentes colores.	0. 45
189	Otros prospectos, anuncios y propaganda, empastados, fuera de los mencionados en los numerales 187 y 188, impresos en un solo color.	0. 50
190	Los mismos, impresos en diferentes colores.	0. 55
191	Otros impresos, fuera de los mencionados en los numerales 186 a 190, empastados o no, de un solo color.	0. 50
192	Los mismos, impresos en diferentes colores.	0. 60
	Según los numerales 186 a 192: Billetes para espectáculos públicos, ferrocarriles, etc.; anillos para cigarros, sacos de papel con impresiones; esqueletos para cuentas, cheques, correspondencia, etc.; papeles con membrete; oleografías; cromos; estampas; figuras, grabados, impresos, ó litografiados sobre papel o cartón, con anuncios (sin anuncios véase el numeral 197); sobres o cubiertas para correspondencia con monogramas, membrete, impresiones, grabados; papeles para empaque impresos con el nombre de la persona o establecimiento que haya de usarlos, con anuncios o impresiones de cualquier clase; etiquetas, rótulos, cuadros al óleo y pintados a mano sobre tela, papel, madera o metal ordinario, con marco o sin él; vistas para esteroscopios; retratos con marcos o sin ellos; estampillas extranjeras de correos.	
197	Imágenes, estampas, grabados, fotografías (productos de las artes gráficas) y pinturas con o sin marco, sin anuncios.	0. 52

Schedule I—Con.

SCHEDULE I—Continued

Colombian Tariff Numeral	Product	Import Duty in Colombian Pesos per Gross Kilo
	Under Numeral 197: Oleographs, chromos, prints (estampas), figures, engravings, printed or lithographed on paper or cardboard, even when having frames of wood or of metal that is not fine, without advertising (with advertising, see Numerals 187 to 192).	
218–C	Cotton strings and all cotton yarns of more than 3 strands.	0. 45
219	Unbleached cotton cloths, different from those mentioned in Numerals 223 and 224.	0. 70
219–B	Unbleached cotton canvas for ships, tents, cots, packsaddles, with a net weight not less than 400 grams per square meter.	0. 35
219–C	White and colored canvas that has the same weight and characteristics of that mentioned in the preceding Numeral.	0. 45
225	Cotton blankets, even with hems, binding, or sewn taped edge.	0. 70
232	Oil cloth for table covers, etc., for floors and for carriages, even containing hemp or linen, etc.	0. 60
282	Rubber, in cut sheets.	0. 25
	Under Numeral 282: Rings, washers, joints, pressure collars, stops or cams, rubber in sheets for surgical uses, for the sick, for dental uses, without tram; rubber for machine packings.	
285	Tubes and canals.	0. 06
	Under Numeral 285: Tubes of rubber for irrigators.	
286	Hose.	0. 01
	Note—As rubber hose is classified tubes of rubber of a diameter of 2 centimeters or more. (With a diameter of less than 2 centimeters, see Numeral 285).	
287	Solid or pneumatic tires of rubber for automobiles, coaches or bicycles, etc.	0. 05
288	Transmission belts.	0. 02
290	Rubberized tape for insulation.	0. 03
299	Films, photographic plates of celluloid, sensitized, unexposed, with the exception of plates for X-rays, which are dutiable under Numeral 545. (For exposed films and photographic plates, see Numeral 552).	0. 30
	Note—For photographic plates of glass, see Numeral 601.	
304	Underclothing of cloth of cotton, linen, hemp, ramie and similar materials, for men, women and children. (For knit goods, see Numerals 324 to 326–A).	2. 10
306	The same, of animal silk.	9. 00
306–A	The same, of artificial silk.	6. 00
	Under Numerals 304 to 306–A: Shirts, handkerchiefs, collars, cuffs, shirt bosoms, stomachers, bathing robes, drawers and undershirts, of cloth.	
309	Corsets, of cotton linen, hemp, ramie, and similar materials.	1. 50
310	Corsets of animal silk.	4. 00
310–A	Corsets of artificial silk.	2. 65

LISTA NÚMERO I—Continua

Numeral del Arancel de Aduana de Colombia	Producto	Impuesto de Aduana en Pesos Colombianos, por Kilo bruto
	Según el numeral 197: oleografías, cromos, estampas, figuras, grabados impresos o litografiados sobre papel o cartón, aunque tengan marcos de madera o de metal que no sea fino, sin anuncios (con anuncios, véanse los numerales 187 a 192).	
218–C	Cuerdas de algodón y todas las hilazas de algodón de más de tres cabos.	0. 45
219	Telas de algodón crudo, diferentes de las mencionadas en los numerales 223 y 224.	0. 70
219–B	Lona cruda de algodón para embarcaciones, toldas, catres, enjalmas, con un peso neto no menor de 400 gramos por metro cuadrado.	0. 35
219–C	Lona blanca y de color que tenga el mismo peso y características de las mencionadas en el numeral anterior.	0. 45
225	Frazadas de algodón, aunque tengan dobladillos, ribetes o una cinta cosida en los bordes.	0. 70
232	Hule para carpetas etc., para pisos y para coches, auncuando tenga cáñamo o lino, etc.	0. 60
282	Caucho en láminas cortadas.	0. 25
	Según el numeral 282: anillos, arandelas, empates, collares de presión, stops o topes, caucho en hojas para usos quirúrgicos, para enfermos, para usos dentales, sin trama; caucho para empaques de maquinarias.	
285	Tubos y canales.	0. 06
	Según el numeral 285: tubos de caucho para irrigadoras.	
286	Mangueras.	0. 01
	Nota—Se clasifican como mangueras de caucho los tubos de caucho de un diámetro de dos centímetros o más. (De un diámetro menor de dos centímetros, véase el numeral 285).	
287	Llantas sólidas o neumáticas de caucho para automóviles, coches o bicicletas, etc.	0. 05
288	Correas de transmisión.	0. 02
290	Cintas de tela encauchada para aislar.	0. 03
299	Películas, placas fotográficas de celuloide sensibilizadas, no impresionadas, con excepción de placas para rayos X que se gravan por el numeral 545. (Películas, placas fotográficas impresionadas, véase el numeral 552).	0. 30
	Nota—Placas fotográficas de vidrio, véase el numeral 601.	
304	Ropa interior de tela de algodón, lino, cáñamo, ramio y materias semejantes, para hombres, mujeres y niños. (De punto de media, véanse los numerales 324 a 326–A).	2. 10
306	Las mismas, de seda animal.	9. 00
306–A	Las mismas, de seda artificial.	6. 00
	Según los numerales 304 a 306–A: Camisas, pañuelos, cuellos, puños, pecheras, petos, batas para baño, calzoncillos y camisas interiores, de tela.	
309	Corsés de algodón, lino, cáñamo, ramio y materias semejantes.	1. 50
310	Corsés de seda animal.	4. 00
310–A	Corsés de seda artificial.	2. 65

Schedule I—Con.

SCHEDULE I—Continued

Colombian Tariff Numeral	Product	Import Duty in Colombian Pesos per Gross Kilo
324	Articles of knit fabrics, even in design or cut, with or without needlework, as caps, hosiery, gloves, and underwear and outer clothing, etc., of cotton, linen, hemp, ramie, and similar materials.	2. 00
326	The same, of animal silk, excluding hosiery:	10. 00
326–A	The same, of artificial silk, excluding hosiery.	8. 00
	Under Numerals 324 to 326–A: Trousers and drawers, shirts and knit undershirts, gloves, knit underclothing.	
326–B	Hosiery of animal silk.	9. 00
326–C	Hosiery of artificial silk.	7. 00
360	Sheets of iron or steel.	0. 02
	Under Numeral 360: Galvanized or varnished sheets, perforated or not, plain or corrugated for roofing, ordinary tinplate in sheets.	
360–B	Ordinary tinplate in sheets for the manufacture of containers.	0. 02
	(Replacing the respective numeral of decree 2194 of 1931).	
361	Tinplate in sheets, stamped, lacquered, painted, etc.	0. 04
362	Wire of iron or steel, bare or covered (insulated).	0. 012
	Under Numeral 362: Iron wire impregnated with steel, ungalvanized, appropriate for the manufacture of brads or nails; wire cables, of iron or steel. (For wire of plated steel for the manufacture of strings for musical instruments, see Numeral 551).	
362 bis	Barbed wire for fencing and staples.	0. 01
364	Tubes or elbows of iron or steel with a diameter of less than 5 centimeters (others, see Numeral 497).	0. 03
368	Buildings of any kind, of iron or steel.	0. 05
	Under Numeral 368: Columns or posts for fences; bridges and gratings for private uses (for public uses, see Numeral 395), columns and beams of iron or steel for buildings.	
368–A	Columns for telephones, telegraphs and electric installations and corrugated roofing lined with asbestos.	0. 025
369	Tools of iron or steel: for agriculture, mining, and the other large industries, such as hoes, mattocks, bars, levers, (barretones), axes, hatchets, adzes, "aguinches", pruning hooks, shovels, spades, picks, hand hammers for road men, flat picks, "pácoras", boring tools, drills, machetes, and pruning shears.	0. 01
370	Tools of iron or steel for other uses.	0. 05
	Under Numeral 370: Instruments for cutting glass with diamond or with steel, awls, hammers, tools for crafts or professions.	
372	Cloth or mesh of iron or steel wire of 3 or more millimeters.	0. 06
373	Chains of iron or steel, each link of which has an opening of more than 1 centimeter.	0. 03
374	Chains of iron or steel, each link of which has an opening of 1 centimeter or less.	0. 05
	Note—For watch chains, see Numerals 477, 772, and 773.	

LISTA NÚMERO I—Continua

Numeral del Arancel de Aduana de Colombia	Producto	Impuesto de Aduana en Pesos Colombianos, por Kilo bruto
324	Bonetería: Tejidos de punto, aunque estén diseñados o cortados, con o sin trabajos de aguja, como gorros, medias, guantes, ropa interior y exterior, etc., de algodón, lino, cáñamo, ramio y materias semejantes.	2. 00
326	Los mismos, de seda animal, excluyendo medias.	10. 00
326–A	Los mismos, de seda artificial, excluyendo medias.	8. 00
	Según los numerales 324 a 326–A: calzones y calzoncillos, camisas interiores y camisetas de punto, guantes, ropa interior de punto de media.	
326–B	Medias de seda animal.	9. 00
326–C	Medias de seda artificial.	7. 00
360	Hojas de hierro o acero.	0. 02
	Según el numeral 360: Hojas galvanizadas o barnizadas, perforadas o no, lisas o corrugadas para techos, hojalata común en láminas.	
360–B	Hojalata común en láminas para la fabricación de empaques.	0. 02
	(Reemplaza al numeral respectivo del Decreto 2194 de 1931).	
361	Hojalata en láminas estampadas, charoladas, pintadas, etc.	0. 04
362	Alambre de hierro o acero, desnudo o forrado (aislado).	0. 012
	Según el numeral 362: alambre de hierro acerado sin galvanizar, propio para la fabricación de puntillas o clavos; cables de alambre, de hierro o acero. (Alambre de acero plateado para la fabricación de cuerdas para instrumentos de música véase el numeral 551).	
362 bis	Alambre de púas para cercas y sus grapas.	0. 01
364	Tubos o codos de hierro o acero, de menos de cinco centímetros de diámetro (otros, véase el numeral 497).	0. 03
368	Edificios de cualquier género, de hierro o acero.	0. 05
	Según el numeral 368: columnas o postes para cercas; puentes y verjas para usos particulares (para usos públicos véase el numeral 395), columnas y vigas de hierro o acero para edificios.	
368–A	Columnas para teléfonos, telégrafos e instalaciones eléctricas y teja de hierro corrugado y forrada en asbestos para techos.	0. 025
369	Herramientas de hierro o acero: para agricultura y minería y otras grandes industrias, tales como azadas, azadones, barras, barretones, hachas, hachuelas, azuelas, agüinches, calabozos, hoces, palas, garlanchas, picos, almádenas, zapapicos, pácoras, taladros, hoyadoras, machetes y tijeras podadoras.	0. 01
370	Herramientas de hierro o acero para otros usos.	0. 05
	Según el numeral 370: instrumentos para cortar vidrios con diamante o con acero, leznas, martillos, herramientas para oficios y profesiones.	
372	Tela o malla de alambre de hierro o acero, de tres o más milímetros.	0. 06
373	Cadenas de hierro o acero de más de un centímetro de luz en cada eslabón.	0. 03
374	Cadenas de hierro o acero cuyos eslabones tengan un centímetro o menos de luz.	0. 05
	Nota—Cadenas para relojes, véanse los numerales 477, 772 y 773.	

Schedule I—Con.

SCHEDULE I—Continued

Colombian Tariff Numeral	Product	Import Duty in Colombian Pesos per Gross Kilo
375	Nails, brads, of iron or steel, with heads of iron.	0. 07
	Under Numeral 375: Horseshoe nails.	
376	Nails, brads, of iron or steel, with heads of metal other than gold, silver or platinum.	0. 08
	Under Numeral 376: Nails for shoemakers, scupper nails.	
377	Rivets, screws, nuts, bolts, of iron or steel, with cylinders having a diameter of 11 millimeters or more.	0. 05
377–A	Rivets of iron or steel, with cylinders of a diameter of 3/8 of an inch or more.	0. 005
377–B	Screws, nuts and bolts, of iron, with a cylinder or hole having a diameter of 3/8 of an inch or more.	0. 005
378	Rivets, screws, nuts, bolts, of iron or steel, with a cylinder or hole having a diameter of less than 11 millimeters.	0. 07
381	Cooking ranges, heaters, stoves, furnaces and ovens, other than those for large industries.	0. 06
	Under Numeral 381: Braziers, portable furnaces or cast braziers, boilers of cast iron, ideal steam ranges, cooking pots.	
382	Furniture of iron or steel, without mirrors or marble, even when having parts of wood and wire mesh, as beds and chairs.	0. 20
	Under Numeral 382: Beds or cots, hammocks of iron or steel in combination with wood, cotton or other textile materials, as long as the metallic parts predominate in weight.	
384	Safes and strong boxes.	0. 07
393	Machines for cutting the beard and the hair and for shaving.	1. 00
393–A	Blades for safety razors.	1. 50
410	Tubes or pipes, polished, nickeled or not.	0. 03
	Under Numeral 410: Connections, elbows, unions.	
411	Wire of any diameter, bare or covered.	0. 015
	Under Numeral 411: Cables of copper, cords and cables protected with gutta percha, pitch, or other substances, power transmission bands and cables of all kinds.	
414	Accessories for buildings, furniture, and carriage-making, for saddlery and shoe-making, not nickeled.	0. 12
	Under Numeral 414: Latches, handles for chests, trunks or doors, staples, buttons, drop boxes, key-hole plate, bushings for gas, spring bells (timbres), bolts, hooks for clothes racks, with or without heads of other material, knockers for doors, hinges, knobs for cots, springs, latch keys and treaders, shutter bolts, rollers for the legs of furniture, buckles, hooks, clamps, clasps, "mosquetones", rivets, etc.	
487	Machines for household use, and wrought or finished parts.	0. 06
	Under Numeral 487: Machines for grinding meat, coffee, sugar, drugs, corking bottles, churning butter, cutting potatoes, cleaning and grating fruits, for making frozen desserts, and other similar machines, appropriate for domestic uses, machines for washing clothes.	

LISTA NÚMERO I—Continua

Numeral del Arancel de Aduana de Colombia	Producto	Impuesto de Aduana en Pesos Colombianos, por Kilo bruto
375	Clavos, puntillas, de hierro o acero, con cabeza de hierro.	0. 07
	Según el numeral 375: clavos para herrar.	
376	Clavos, puntillas de hierro o acero, con cabeza de otro metal que no sea oro, plata o platino.	0. 08
	Según el numeral 376: puntillas para zapateros, estoperoles.	
377	Remaches, tornillos, tuercas, pernos de hierro o acero, cuyos cilindros o agujeros tengan 11 milímetros de diámetro o más.	0. 05
377–A	Remaches de hierro o acero, cuyos cilindros tengan 3/8 de pulgada de diámetro o más.	0. 005
377–B	Tornillos, tuercas y pernos de hierro, cuyos cilindros o agujeros tengan 3/8 de pulgada de diámetro o más.	0. 005
378	Remaches, tornillos, tuercas, pernos de hierro o acero, cuyos cilindros o agujeros tengan menos de 11 milímetros de diámetro.	0. 07
381	Cocinas, caloríferos, estufas, hornos y hornillas impropios para las grandes industrias.	0. 06
	Según el numeral 381: braseros, anafes o braseros colados, calderas de hierro colado, cocinas de vapor ideal, peroles.	
382	Muebles de hierro o acero, sin espejos ni mármoles, aunque tengan parte de madera y mallas de alambre, como las camas y sillas.	0. 20
	Según el numeral 382: camas o catres, hamacas de hierro o acero en combinación con madera, algodón u otras materias textiles, siempre que predomine el peso de las partes metálicas.	
384	Cofres y cajas fuertes.	0. 07
393	Máquinas para cortar la barba y el cabello y para afeitar.	1. 00
393–A	Cuchillas para máquinas de afeitar.	1. 50
410	Tubos o caños, pulidos, niquelados o no.	0. 03
	Según el numeral 410: conexiones, codos, uniones.	
411	Alambre de cualquier diámetro, desnudo o forrado.	0. 015
	Según el numeral 411: cables de cobre, cuerdas y cables protegidos con gutapercha, brea u otras substancias, bandas y cables de transmisión de fuerza de todas clases.	
414	Accesorios para construcciones, muebles y carretería; para talabartería y zapatería, no niquelados.	0. 12
	Según el numeral 414: aldabas, asas para cajones, baules o puertas, armellas, botones, buzones, bocallaves, boquillas para gas, campanillas de resorte (timbres), cerrojos, ganchos para percha, con o sin cabeza de otra materia, golpeadores para puertas, goznes, perillas para catres, muebles y resortes, picaportes y pisadores, fallebas, ruedecillas para pies de muebles, argollas, botones, ganchos, grapas, hebillas, mosquetones, remaches, etc.	
487	Máquinas para uso doméstico, y sus partes trabajadas o terminadas.	0. 06
	Según el numeral 487: máquinas para moler carne, café, azúcar, drogas, de corchar botellas, batir mantequilla, tajar papas, limpiar y rallar frutas, hacer helados y demás semejantes, propias para usos domésticos, máquinas para lavado de ropa.	

Schedule I—Con.

SCHEDULE I—Continued

Colombian Tariff Numeral	Product	Import Duty in Colombian Pesos per Gross Kilo
488	Sewing machines and wrought or finished parts.	0. 01
491	Mowers, seeders, and fertilizer spreaders.	0. 01
	Under Numeral 491: All machines for agriculture, not mentioned in other parts of the tariff.	
492	Balances and scales and their weights for weighing from 1000 grams up to 250 kilograms (when up to 1000 grams, see Numeral 545).	0. 20
	Under Numeral 492: Steelyards.	
493	Scales and their weights, for weighing more than 250 kilograms.	0. 10
	Note—For Numerals 492 and 493 whenever their importation is permitted under decree 956 of 1931.	
494	Dynamos, electric motors, transformers, rheostats.	0. 01
495	Steam motors, hydraulic motors, turbines, gasoline motors, petroleum motors, alcohol motors and other motors, not specified.	0. 01
496	Pumps of all kinds.	0. 01
	Under Numeral 496: Hydraulic rams for the elaboration of petroleum or naphtha, hydraulic machines and equipment for irrigation.	
497	Piping and accessories of iron or steel for large installations, as, for example, for aqueducts, oil pipe lines, etc., whenever the pipes have a diameter of 5 centimeters or more (for others, see Numeral 364).	0. 01
	Under Numeral 497: Valves and registers for aqueducts, etc., of iron or steel, copper or brass.	
498	Textile-working machinery.	0. 01
	Under Numeral 498: All machines for working cotton, rubber, textile fibers, for the manufacture of threads and fabrics, for the making of sacks, looms, darners for weaving hosiery, etc.	
499	Machinery for working wood, metals, stone, leather, for the paper industry.	0. 01
	Under Numeral 499: Machines for the manufacture of chinaware, porcelain, crystal, glass, bricks and paving tiles; for sawing, turning, for making buttons, saws for hewing stone.	
500	Machines for working and preparing foodstuffs and beverages, drugs, etc.	0. 01
	Under Numeral 500: Crushers, pounders of cereals, etc., evaporators, sugar evaporators, pails, boilers, and all machines for working sugar cane, wheat, rice, etc., for making beers and edible pastes; pressers for the extraction of oil from seed; large machines for making mixtures, dividing doses and making pills; stills; machines for making cigarettes; apparatus for the preparation of gaseous waters on a large scale.	
504	Other machines and mechanical utensils not classified in another part of the tariff and parts for machinery and mechanical utensils not mentioned in other places in the tariff.	0. 10

LISTA NÚMERO I—Continua

Numeral del Arancel de Aduana de Colombia	Producto	Impuesto de Aduana en Pesos Colombianos, por Kilo bruto
488	Máquinas para coser y sus partes trabajadas o terminadas.	0. 01
491	Segadoras, sembradoras y distribuídores de abono.	0. 01
	Según el numeral 491: todas las máquinas para agricultura, no mencionadas en otra parte de la tarifa.	
492	Balanzas y básculas y sus pesas para pesar desde 1.000 gramos hasta 250 kilogramos (hasta 1.000 gramos véase el numeral 545).	0. 20
	Según el numeral 492: Romanas.	
493	Básculas y sus pesas para pesar más de 250 kilogramos.	0. 10
	Nota—Para los numerales 492 y 493 siempre que su introducción sea permitida por el Decreto 956 de 1931.	
494	Dinamos, motores eléctricos, transformadores, reóstatos.	0. 01
495	Motores de vapor, motores hidraúlicos, turbinas, motores de gasolina, petróleo, alcohol y los otros motores no denominados.	0. 01
496	Bombas de todo género.	0. 01
	Según el numeral 496: arietes hidraúlicos para la elaboración de petróleo o nafta, máquinas y trenes hidraúlicos para regadíos.	
497	Tuberías y sus accesorios de hierro o acero para las grandes instalaciones, como, por ejemplo, para acueducto, oleoducto, etc., siempre que los tubos tengan cinco centímetros o más de diámetro (otros véase el numeral 364).	0. 01
	Según el numeral 497: llaves y registros para acueducto, etc., de hierro o acero, cobre o latón.	
498	Máquinas para trabajar las materias textiles.	0. 01
	Según el numeral 498: todas las máquinas para trabajar el algodón, el caucho, las fibras textiles, para la fabricación de hilados y tejidos, para la confección de sacos de empaque, telares; zurcidores para tejer medias, etc.	
499	Máquinas para trabajar la madera, los metales, la piedra, los cueros, para la industria de papel.	0. 01
	Según el numeral 499: máquinas para la fabricación de loza, porcelana, cristal, vidrio, ladrillos y baldosas; para aserrar, tornear, para fabricar botones; sierras para cantería.	
500	Máquinas para trabajar y preparar los alimentos y bebidas, drogas, etc.	0. 01
	Según el numeral 500: trituradoras, machacadoras de cereales, etc., evaporadoras, tachos, pailas, calderos, y todas las máquinas para trabajar la caña de azúcar, trigo, arroz, etc., para fabricar cervezas y pastas alimenticias; prensas para la extracción de aceite de semillas; píldoreros o sean máquinas grandes para hacer la mezcla, dividir las dosis y hacer las píldoras; alambiques; máquinas para hacer cigarrillos; aparatos para la preparación en grande de aguas gaseosas.	
504	Otras máquinas y útiles mecánicos no clasificados en otra parte de la tarifa y partes no mencionadas en otro lugar de la tarifa de máquinas y útiles mecánicos.	0. 01

Schedule I—Con.

SCHEDULE I—Continued

Colombian Tariff Numeral	Product	Import Duty in Colombian Pesos per Gross Kilo
	Under Numeral 504: Machines for the transmission of movement and their parts, as axles, bearings, cushions, supports for axles, gearings for axles, etc.; forges and anvils, hoists, machines for destroying ants, machines and drills for boring artesian wells, rammers for mines and other uses, diving equipment, bellows, ventilators, dredges, grinders of iron or steel for sugar mills, capstans, jacks, pulleys, sheaves, "pescantes".	
516	Velocipedes, bicycles and tricycles, with or without motors.	15% ad valorem
517	Automobiles for freight (motor trucks), with pneumatic rubber tires.	3% ad valorem
518–A	Auto busses with pneumatic tires.	3% ad valorem
	Note—By auto busses are understood those automobiles conditioned for the transport of more than eight persons.	
518–B	Automobiles, coaches, and cars for passengers:	
	Whose factory price does not exceed $1000,	6% ad valorem
	The same, whose factory price is from $1001 to $2000.	8% ad valorem
	The same, whose factory price is more than $2000.	16% ad valorem
	Note—Automobiles imported without bodies are classified under this Numeral.	
524	Finished parts for vehicles.	6% ad valorem
	Under Numeral 524: Springs for coaches and cars, wheels for automobiles, coaches, cars, etc., with or without rubber tires.	
535	Cells, batteries and storage batteries, and plates for storage batteries: each with a net weight less than 2 kilograms.	0. 03
	Note for Numeral 535: For pocket flashlight cells, see Numeral 776.	
536	The same with a net weight of 2 kilograms or more.	0. 02
538	Telephone and telegraph apparatus.	0. 03
	Under Numeral 538: Apparatus and magnetos for telephone centrals.	
538–A	Radio-electric apparatus, of simple reception of electric magnetic waves.	0. 10
544	Insulators of porcelain, earthenware, glass, unmounted, without parts of metal.	0. 01
	Under Numeral 544: Hooks of iron for fastening insulators, imported at the same time and in equal number.	
544–A	Insulators of porcelain, earthenware, glass, mounted, with parts of metal; insulators of paste, slate, wood, rubber, gutta percha, etc., and all accessories not specified in another part of the tariff, for electrical apparatus and installations, mounted or not, with or without parts of metal.	0. 03
	Under Numeral 544–A: Cylinders or bars of carbon or zinc, zinc in small bars, receptacles of glass or earthenware, wood, lead, for batteries; insulating disks or tablets of paste or wood, impregnated or not.	
545	Instruments and apparatus of ordinary metal: for medicine, surgery, chemistry, physics, bacteriology, pharmacy.	0. 12

LISTA NÚMERO I—Continua

Numeral del Arancel de Aduana de Colombia	Producto	Impuesto de Aduana en Pesos Colombianos, por Kilo bruto
	Según el numeral 504: Máquinas de transmisión de movimiento y sus partes, como ejes, chumaceras, cojinetes, soportes para ejes, ruedas de engranaje, etc.; fraguas y yunques, malacates, máquinas para destruir hormigueros, maquinaria y taladros para perforar pozos artesianos, pisones para minas y otros usos, escafandros, fuelles, ventiladores, dragas, masas de hierro o acero para trapiches, cabrestantes, gatos, poleas, garruchas, pescantes.	
516	Velocípedos, bicicletas y triciclos, con motores o sin ellos.	15% ad valorem
517	Automóviles para carga (autocamiones), con llantas neumáticas de caucho.	3% ad valorem
518–A	Autobuses con llantas neumáticas.	3% ad valorem
	Nota—Para el numeral 518–A: se entiende por autobuses los automóviles acondicionados para el transporte de más de ocho personas.	
518–B	Automóviles, coches y carros para pasajeros, cuyo costo en fábrica no pase de $1.000.	6% ad valorem
	Los mismos, cuyo costo en fábrica sea de $1.001 hasta $2.000.	8% ad valorem
	Los mismos, cuyo costo en fábrica sea más de $2.000.	16% ad valorem
	Nota—Los automóviles importados sin carrocería se clasificarán por este numeral.	
524	Partes terminadas de vehículos.	6% ad valorem
	Según el numeral 524: resortes para coches y carros, ruedas para automóviles, coches, carros, etc., con llantas de caucho o sin ellas.	
535	Pilas, baterías y acumuladores y placas para acumuladores: de un peso neto menor de 2 kilogramos cada pieza.	0. 03
	Nota—para el numeral 535: pilas para lámparas eléctricas de bolsillo, véase el numeral 776.	
536	Los mismos, de un peso neto de 2 kilogramos o más cada pieza.	0. 02
538	Aparatos telefónicos y telegráficos.	0. 03
	Según el numeral 538: aparatos y magnetos para centrales telefónicas.	
538–A	Aparatos radio-eléctricos de recepción simple de ondas electromagnéticas.	0. 10
544	Aisladores de porcelana, loza, vidrio, desmontados, sin partes de metal.	0. 01
	Según el numeral 544: ganchos de hierro para fijar aisladores, importados al mismo tiempo que éstos y en igual número.	
544–A	Aisladores de porcelana, loza, vidrio, montados, con partes de metal; aisladores de pasta, pizarra, madera, caucho, gutapercha, etc., y todos los accesorios no denominados en otro lugar de la tarifa para aparatos e instalaciones eléctricas, montados o no, con o sin partes de metal.	0. 03
	Según el numeral 544–A: cilindros o barras de carbón o zinc, zinc en barritas, vasos de vidrio o loza, madera, plomo, para baterías; discos o tabletas aislantes de pasta o madera, impregnados o no.	
545	Instrumentos y aparatos de metales comunes: para medicina, cirugía, química, física, bacteriología, farmacia.	0. 12

Schedule I—Con.

SCHEDULE I—Continued

Colombian Tariff Numeral	Product	Import Duty in Colombian Pesos per Gross Kilo
	Under Numeral 545: Syringes for injections, urethral baths and irrigators, nursing bottles of glass, hosiery and bands for varix and other medicinal uses, gauges of glass, porcelain, wood, etc., graduated or not; rules for surveyors, pessaries of any kind or substance, nipples of glass with or without bulbs or tubes of rubber, ordinary pill-making machines and those generally used in pharmacy (for large size, see machinery); pincers of any kind and substance for medical uses, dental forceps and other instruments for dentistry; pressure sprays, sprays with rubber bulbs or with piston, vapor sprays for inhaling; breast pumps of any kind; thermocauteries for medicinal uses or any other use; thermometers of any kind or substance, with or without cases; scissors for surgery, lathes for dentists, probers and candles; speculums, suspensories, belts of cotton, etc., for hygienic uses, needles for syringes or for medical sutures.	
	Orthopedic apparatus, canules of bone, gum and glass for syringes; masks and apparatus for the narcosis; abdominal bands, trusses, urinals; "peras" or bulbs, nasal siphons, areometers or hydrometers, instruments for weighing or measuring the density of syrups, salts, urine, and milk, and other instruments for verifying density; autoclaves, balances, and granatories for pharmacies and their weights, and also all balances up to 1000 grams, and all precision balances; barometers, hypsometers, anemometers and other instruments for meteorological observations; bistouries, dentition collars, cups of glass or gum and apparatus for cupping, spoons and cups for feeding the sick; droppers; scarificators; spatulas, frontal mirrors, laryngeal mirrors, dental and others for medical use; stoves for bacteriological laboratories; forceps; instruments for veterinary uses; acoustic horns, dental chairs, stretchers and tables of iron, etc., for surgical operations, disinfecting apparatus, inhalers, pedometers and counters for cattle; artificial eyes, small brushes with or without handles for medical uses; oxygen generating apparatus, basins of any substance for disinfecting surgical instruments, Pasteur filters, mounted filters, stethoscopes, plates for X-ray.	
545–A	Cotton, gauze, bandages, sanitary napkins and other articles for dressings.	0. 18
550	Graphophones and graphonolas; radio-electrolas and their parts.	0. 50
551	Separate parts of musical instruments and apparatus.	0. 25
	Under Numeral 551: Rolls of music for pianolas and piano-pianolas, strings of wire and of steel for musical instruments, strings of gut, axles and spools of cardboard and wood or paste for mounting rolls of music for pianolas, etc., wire of plated steel for the manufacture of strings for musical instruments.	

LISTA NÚMERO I—Continua

Numeral del Arancel de Aduana de Colombia	Producto	Impuesto de Aduana en Pesos Colombianos, por Kilo bruto
	Según el numeral 545: jeringas para inyecciones, lavados uretrales e irrigadores; mamadores o teteros de vidrio, medias y bandas para várices y demás usos médicos, medidas de vidrio, porcelana, madera, etc., graduadas o no; miras para agrimensores, pesarios de cualquier clase y substancia que sean, pezoneros de vidrio con bomba o tubo de caucho o sin ellos, pildoreros comunes o normales y los generalmente usados en las farmacias (grandes, véase máquinas); pinzas de cualquier clase y substancia para usos médicos, pinzas dentales y demás instrumentos para dentistería; pulverizadores de presión, de bomba de caucho o de émbolo, pulverizadores de vapor para inhalaciones; sacaleches de cualquier clase; termocauterios para usos médicos o cualesquiera otros; termómetros de cualquier clase o substancia, con o sin estuche; tijeras para cirujanos, tornos para dentistas, sondas y bujías; espéculos, suspensorios, cinturones de algodón, etc., para usos higiénicos, agujas para jeringas o para suturas médicas.	
	Aparatos ortopédicos; cánulas de hueso, goma y vidrio para jeringas; caretas y aparatos para narcosis; fajas abdominales, bragueros, orinales; peras o bombas, sifones nasales, aerómetros o pesalicores, pesajarabes, pesasales, pesaorines, pesaleches y demás instrumentos para averiguar densidades; autoclaves, balanzas y granatorios de farmacia y sus pesas, y también todas las balanzas hasta 1.000 gramos, y todas las balanzas de precisión; barómetros, hipsómetros, anemómetros y demás instrumentos para observaciones meteorológicas; bisturíes, collares de dentición, copitas de vidrio o goma y aparatos para ventosas, cucharas y pisteros para alimentar enfermos; cuentagotas; escarificadores; espátulas, espejos frontales, laríngicos, dentales y demás de uso médico; estufas para laboratorios bacteriológicos; forceps; instrumentos para usos veterinarios; cornetas acústicas, sillas para dentistas, camillas y mesas de hierro, etc., para operaciones quirúrgicas, aparatos de desinfección, inhaladores, podómetros y contadores para ganado; ojos artificiales, pinceles con o sin mango para usos médicos; aparatos generadores de oxígeno, cubetas de cualquier substancia para desinfectar instrumentos quirúrgicos, filtros Pasteur, filtros montados, estetoscopios, placas para rayos X.	
545–A	Algodones, gasas, vendajes, servilletas higiénicas y demás artículos de curación.	0. 18
550	Grafófonos, grafonolas; radio-electrolas y sus partes.	0. 50
551	Partes separadas de instrumentos y aparatos de música.	0. 25
	Según el numeral 551: rollos de música para pianolas y piano-pianolas; cuerdas de alambre y de acero para instrumentos de música, cuerdas de tripa; ejes y carretas de cartón y madera o pasta para montar rollos de música para pianola, etc., alambre de acero plateado para la fabricación de cuerdas para instrumentos de música.	

Schedule I—Con.

SCHEDULE I—Continued

Colombian Tariff Numeral	Product	Import Duty in Colombian Pesos per Gross Kilo
551–A	Needles for phonographs and graphophones.	0. 25
551–B	Disks and cylinders printed with music of Colombian composers for graphophones and graphonolas (that are not of paper or cardboard).	0. 25
551–C	Other disks and cylinders for graphophones and graphonolas (that are not of paper or cardboard).	0. 50
551–D	Disks of paper or cardboard for graphophones and graphonolas.	2. 50
551–E	Disks, printed with propaganda.	10. 00
552	Magic lanterns, cinematographs, cosmoramas and projectors.	0. 60
552–A	Parts for the same, including apparatus of any kind for the reproduction and amplification of sound adaptable to cinematographic projections, cylinders or disks.	0. 60
552–C	Printed films for cinematographs.	0. 60
552–D	Films for the popularization of scientific or educational matter.	0. 25
553	Typewriters.	0. 05
	Under Numeral 553: Machines for writing or filling the blanks in checks, perforators or protectors for checks.	
554	Machines for calculating.	0. 08
	Under Numeral 554: Machines for adding, subtracting, multiplying, dividing, as Rema, Marchant, Monroe, Burroughs, etc.	
554–A	Other machines for offices and banks.	0. 08
555	Gas and water meters.	0. 06
556	Registering machines for controlling sales, etc.	0. 08
	Under Numeral 556: National Cash Registers.	
557	Fire extinguishing apparatus and machines, powders, liquids, chemical products in cartridges for fire extinguishing apparatus.	Free
558	Other apparatus not designated especially.	0. 60
574	Earths and mineral materials for industrial uses not named in other parts of the tariff, raw, washed or calcinated.	0. 02
	Under Numeral 574: Feldspar, pulverized talc, cerite, kaolin, earth infusorial or of tripoli, decayed or refractory.	
579	Manufactured articles of amianthus or asbestos.	0. 08
	Under Numeral 579: Cloths, disks, circles, tubes, plates, etc., of amianthus or asbestos, even when combined with other materials for insulating, etc., cords and sheets of asbestos for machine packing.	
594	Sanitary waterclosets with indispensable accessories.	0. 05
	Under Numeral 594: Basins, baths, bowls, bidets, even when having parts of metal, etc.	
631	Quinine, pure or in salts, in its natural state, in pills, capsules, comprimés, solutions for hypodermic injections or in any other form.	0. 01
	Under Numeral 631: Plasmoquinine and quinoplasmine.	0. 01
633	Medicinal plants and their pure derivatives, medicinal raw materials.	0. 30
	Note for Numeral 633: Under Numeral 633 should be classified all drugs and pharmaceutical preparations described in the Pharmacopoeias Britannica and American, and in the French Codex, as well as all products, vegetable, animal or mineral, of an officinal character.	

LISTA NÚMERO I—Continua

Numeral del Arancel de Aduana de Colombia	Producto	Impuesto de Aduana en Pesos Colombianos, por Kilo bruto
551–A	Agujas para fonógrafos y grafófonos.	0. 25
551–B	Discos y cilindros impresos con música de autores colombianos, para grafófonos y grafonolas (que no sean de papel o cartón).	0. 25
551–C	Otros discos y cilindros para grafófonos y grafonolas (que no sean de papel o cartón).	0. 50
551–D	Discos de papel o cartón para grafófonos y grafonolas.	2. 50
551–E	Discos impresos con propaganda.	10. 00
552	Linternas mágicas, cinematógrafos, cosmoramas y proyectores.	0. 60
552–A	Partes para los mismos incluyendo aparatos de cualquier clase para la reproducción y amplificación del sonido adaptables a proyecciones cinematográficas, cilindros o discos.	0. 60
552–C	Películas impresas para cinematógrafos.	0. 60
552–D	Películas para la vulgarización de asuntos científicos o educativos.	0. 25
553	Máquinas para escribir. Según el numeral 553: máquinas para escribir o llenar los claros en los cheques, perforadores o protectores para los cheques.	0. 05
554	Máquinas para calcular. Según el numeral 554: máquinas para sumar, restar, multiplicar, dividir, como Rema, Marchant, Monroe, Burroughs, etc.	0. 08
554–A	Otras máquinas para oficinas y bancos.	0. 08
555	Contadores para el consumo del gas y del agua.	0. 06
556	Máquinas registradoras para controlar las ventas, etc. Según el numeral 556: registradoras National.	0. 08
557	Aparatos y máquinas para extinguir incendios, polvos, líquidos, productos químicos en cartuchos para aparatos de extinguir incendios.	Libre
558	Otros aparatos no designados especialmente.	0. 60
574	Tierras y materias minerales para usos industriales no denominadas en otro lugar de la tarifa, en bruto, lavadas o calcinadas. Según el numeral 574: feldespato, talco pulverizado y cericita, caolín, tierra infusoria o de Trípoli, podrida o refractaria.	0. 02
579	Artefactos de amianto o asbesto. Según el numeral 579: telas, discos, círculos, tubos, placas, etc., de amianto o asbesto, aunque estén combinadas con otras materias para aislamiento, etc., cordón y láminas de asbesto para empaques de maquinaria.	0. 08
594	Inodoros con sus accesorios indispensables. Según el numeral 594: lavabos, baños, lavamanos, bideles, aunque tengan partes de metal, etc.	0. 05
631	Quinina pura o en sales, sea al natural, en píldoras, cápsulas, comprimidos, soluciones para inyecciones hipodérmicas o en cualquiera otra forma. Según el numeral 631: plasmoquinina y quinoplasmina.	0. 01
633	Plantas medicinales y sus derivados puros, materias primas medicinales. Nota—Para el numeral 633: Bajo el numeral 633 deben gravarse todas las drogas y preparaciones farmacéuticas descritas en las farmacopeas británica y americana y en el codex francés, así como todos los productos vegetales, animales o minerales de carácter oficinal.	0. 30

Schedule I—Con.

SCHEDULE I—Continued

Colombian Tariff Numeral	Product	Import Duty in Colombian Pesos per Gross Kilo
633–A	Biological and opotherapeutic products, (glandular).	0. 40
633–C	Granules, pellets, tablets, pills, and dragees (pharmaceutical specialties and patent medicines).	0. 60
633–D	Solutions, emulsions, medicinal syrups and extracts (aqueous, glycerinated, alcoholic and hydro-alcoholic extracts, vegetable or organic); (pharmaceutical specialties and patent medicines).	0. 60
633–F	Disinfectants and antiseptics in small containers, with registered names.	0. 10
633–G	Unguents or pomades of known formula (pharmaceutical specialties and patent medicines).	0. 50
	The importation of pharmaceutical specialties and patent medicines remains subject to the provisions that the National Department of Hygiene of Colombia may dictate. It is understood, however, that the National Department of Hygiene of Colombia will not impose any certification requirement or any formality for the importation, registration, licensing and sale of pharmaceutical specialties and patent medicines, which will be impossible of fulfillment in the United States of America because of the lack of a duly authorized Federal agency.	
637	Dentifrice waters or elixirs, aromas, powders and pastes for the teeth.	0. 65
639	Perfumery and cosmetics, not designated.	6. 50
	Under Numeral 639: Sachets and perfumed papers for the clothes, brilliantines, cosmetics, creams for the hair, the skin, or the nails, as cream of pearls, almond, Simon, etc., Bella Aurora Cream, extracts of odor, commonly called essences for the handkerchief, that are not essential oils, essences of Florida water and Cologne, perfumed lotions for the hair, perfumed lotions such as Flores de Amor, Cigalia, Camia, etc., that are not exclusively for the hair; lotion of Dr. Ayer, perfumed, perfumed powders for the toilet and powder puffs for their use; tints and soaps for the hair and the beard; bay rum.	
640	Disinfectants, insecticides and fungicides with a base of phenol, formaldehyde, etc., of soap; hide poison, etc.	0. 01
	Under Numeral 640: Phenate of liquid soda, phormol, tricresol, etc., creoline, cresil, cresilic acid, cresol, cresodium, liquid or solid, MacDougall Specific, and similar substances, carbolacine, similar to creoline, "Activus" disinfectant, Cooper's tick eradicator, rat poison, medicinal powders for beasts, cresocresol, crephol, medicaments for animals, (gaseous fluid, white chemical embrocation), unguents for galls and for grubs, red purges and similar remedies for animals, Webbely's healer, Humphries' remedy for cattle.	
	When the disinfectants or antispetics mentioned in this Numeral are imported in small containers, with registered names, for retail sale, they will be dutiable under Numeral 633–F.	

LISTA NÚMERO I—Continua

Numeral del Arancel de Aduana de Colombia	Producto	Impuesto de Aduana en Pesos Colombianos, por Kilo bruto
633–A	Productos biológicos y opoterápicos (glandulares).	0. 40
633–C	Granulados, comprimidos, tabletas, píldoras y grajeas (especialidades farmacéuticas y medicinas de patente).	0. 60
633–D	Soluciones, emulsiones, jarabes medicinales y extractos (extractos acuosos, glicerinados, alcohólicos e hidroalcohólicos, vegetales u orgánicos); (especialidades farmacéuticas y medicinas de patente).	0. 60
633–F	Desinfectantes y antisépticos en pequeños envases, con nombre registrado.	0. 10
633–G	Ungentos o pomadas con fórmula conocida. (especialidades farmacéuticas y medicinas de patente).	0. 50
	La importación de especialidades farmacéuticas y medicinas de patente queda sujeta a las disposiciones que dicte el Departamento Nacional de Higiene de Colombia. Es entendido, sin embargo, que el Departamento Nacional de Higiene de Colombia para la importación, registro, licencia y venta de especialidades farmacéuticas o medicinas de patente, no exigirá ningún requisito de certificación o formalidad que no sea posible obtener en los Estados Unidos de América por falta de la entidad federal debidamente autorizada para expedirlo.	
637	Aguas o elíxires dentífricos, aromas, polvos y pastas para los dientes.	0. 65
639	Perfumería y cosméticos no designados.	6. 50
	Según el numeral 639: Almohadillas y papeles perfumados para la ropa, brillantinas, cosméticos, cremas para el pelo, la piel o las uñas, como la crema de perlas, de almendras, Simón, etc., crema Bella Aurora, extractos de olor, comunmente llamados esencias para el pañuelo, que no sean aceites esenciales, esencias de agua de Florida y de Colonia, lociones perfumadas para el cabello, lociones perfumadas, tales como Flores de Amor, Cigalia, Camia, etc., que no vengan exclusivamente para el cabello; loción del doctor Ayer, perfumada, polvos perfumados para el tocador y los plumones para usarlos; tintes y afeites para el cabello y la barba; bay-rum.	
640	Desinfectantes, insecticidas y fungicidas a base de fenol, de formaldehido, etc., de jabón; veneno para cueros, etc.	0. 01
	Según el numeral 640: fenato de soda líquido, formol, tricresol, etc., creolina, cresil, ácido cresílico, cresol, cresodio, específico MacDougall líquido o sólido y sus semejantes, carbolácena similar de la creolina, desinfectante "Activus", garrapaticida de Cooper, veneno para ratas, polvos medicinales para bestias, Kresokresol, krephol, medicamentos para animales (fluído gaseoso, embrocación química blanca), unguentos para mataduras y para gusanos, purgante rojo y remedios semejantes para animales, sanador de Webbely, remedio de Humphry para ganado. Cuando los desinfectantes o antisépticos mencionados en este numeral se importen en envases pequeños con nombre registrado, para la venta al detal, se gravarán por el numeral 633–F.	

Schedule I—Con.

SCHEDULE I—Continued

Colombian Tariff Numeral	Product	Import Duty in Colombian Pesos per Gross Kilo
643	Pine resin, colophony, yellow pitch.	0. 01
648	Turpentine or essences of turpentine and substitutes, such as "Leptina".	0. 12
717	Chemical products applicable to industry, not expressly mentioned.	0. 10
	Under Numeral 717: Cements for gluing leather, liquid cements for gluing chinaware, and crystal.	
721	Black powder for hunting.	0. 40
	Under Numeral 721: Powder for mines.	
738	Unprepared chemical colors, not specified in other parts of the tariff.	0. 12
	Under Numeral 738: Prussian and ultramarine blue, carmine, vermilion, chrome green, chrome yellow, red oxide of iron in powder.	
739	Inks for printing and lithographing.	0. 01
741	Other prepared colors.	0. 12
	Under Numeral 741: Bronzes (powders for bronzing), white lead, zinc white, red oxide of iron with oil.	
743	Varnishes, enamels not mentioned in other parts of the tariff.	0. 12
	Under Numeral 743: Enamel for application in the cold, with a base of silicate; lacquers, enamels, sapoline, enamel of gold or silver.	
750–A	Paraffin wax for industrial uses.	0. 05
756	Oils and greases not mentioned in other parts of the tariff, worked, lubricating pastes for machines, vehicles, etc.	0. 06
	Under Numeral 756: Prepared oils and greases, mixtures, lubricants, prepared oils and greases for tanning, as those called "gras", cremoline, acidoline, etc.	
763–A	Soap in cream for shaving when imported in original flexible tubes (collapsible).	1. 00
765	Products for cleaning, stain removing, impregnating, shoe polishing, etc., with a base of turpentine oil, benzine, etc., such as shoe polishes, creams and greases for the shoes, blacking for leather pastes, pomades and powders for cleaning metals, etc., prepared waxes for polishing floors.	0. 20
	Under Numeral 765: Bricks for cleaning metals.	
766	Tobacco in leaf, cut tobacco.	5. 00
768	Tobacco in cigarettes.	5. 00
776	Bulbs for electric incandescent lamps, voltaic arcs, cells for electric pocket lamps.	0. 06
777	Electric pocket lamps, with or without cells.	0. 40
786	Pencils, black or colored.	0. 21
	Under Numeral 786: Leads for pencil holders, pencil holders, pen holders, (for those of gold, silver, or platinum, see Numeral 477).	
790	Inked ribbons for typewriters.	0. 15

LISTA NÚMERO I—Continua

Numeral del Arancel de Aduana de Colombia	Producto	Impuesto de Aduana en Pesos Colombianos, por Kilo bruto
643	Resina de pino, colofonia, pez rubia.	0. 01
648	Aguarrás o esencia de trementina y los sustitutos, como la leptina.	0. 12
717	Productos químicos aplicables a la industria, no mencionados expresamente.	0. 10
	Según el numeral 717: cemento para pegar cuero, cemento líquido para pegar loza y cristal.	
721	Pólvora negra para cacería.	0. 40
	Según el numeral 721: pólvora para minas.	
738	Colores químicos sin preparar, no especificados en otra parte de la tarifa.	0. 12
	Según el numeral 738: azul de Prusia y ultramar, carmín, vermellón, verde cromo, amarillo cromo, óxido rojo de hierro en polvo.	
739	Tintas para imprenta y para litografía.	0. 01
741	Otros colores preparados.	0. 12
	Según el numeral 741: bronces (polvos para broncear), albayalde, blanco de zinc, óxido rojo de hierro con aceite.	
743	Barnices, esmaltes no mencionados en otra parte de la Tarifa.	0. 12
	Según el numeral 743: esmalte para aplicar en frío a base de silicato; lacas, esmalte, sapolín, esmalte de oro o plata.	
750–A	Cera de parafina para usos industriales.	0. 05
756	Aceites y grasas no mencionados en otra parte de la Tarifa, trabajados, pasta lubricante para máquinas, carruajes, etc.	0. 06
	Según el numeral 756: aceites y grasas preparados, mezclados, lubricantes, aceites y grasas preparados para curtiembre, como las llamadas de gras, cremolina, acidolina, etc.	
763–A	Jabón en crema para afeitar cuando se importe en tubos originales flexibles (colapsibles).	1. 00
765	Productos para limpiar, quitar manchas, impregnar, embetunar, etc., a base de esencia de trementina, de bencina, etc., tales como el betún, cremas y grasas para calzado, negro para cueros, pastas, pomadas y polvos para limpiar metales, etc., cera preparada para lustrar pisos.	0. 20
	Según el numeral 765: ladrillos para limpiar metales.	
766	Tabaco en rama, picadura.	5. 00
768	Tabaco en cigarrillos.	5. 00
776	Bombillas para luz eléctrica incandescente, arcos voltáicos, pilas para lámparas eléctricas de bolsillo.	0. 06
777	Lámparas eléctricas de bolsillo, con o sin pilas.	0. 40
786	Lápices negros o de color.	0. 21
	Según el numeral 786: minas para lapiceros, lapiceros, portaplumas, (de oro, plata o platino, véase el numeral 477).	
790	Cintas entintadas para máquinas de escribir.	0. 15

SCHEDULE II

United States Tariff Act of 1930 Paragraph	Description of Article	Rate of Duty
	NOTE: The provisions of this Schedule shall be construed and given the same effect, and the application of collateral provisions of the customs laws of the United States to the provisions of this Schedule shall be determined, insofar as may be practicable, as if each provision of this Schedule appeared respectively in the paragraph of the Tariff Act of 1930 noted in the column at the left of the respective descriptions of articles.	
10	Tolu balsam, natural and uncompounded, and not containing alcohol	5% ad valorem
35	Ipecac, natural and uncompounded, but advanced in value or condition by shredding, grinding, chipping, crushing, or any other process or treatment whatever beyond that essential to proper packing and the prevention of decay or deterioration pending manufacture, and not containing alcohol	5% ad valorem
762	Castor beans	¼ cent per pound
1602	Root of ipecac, crude, natural and uncompounded, not advanced in value or condition by shredding, grinding, chipping, crushing, or any other process or treatment whatever beyond that essential to proper packing and the prevention of decay or deterioration pending manufacture, and not containing alcohol	Free
1618	Bananas, green or ripe	Free
1654	Coffee, except coffee imported into Puerto Rico and upon which a duty is imposed under the authority of Section 319	Free
1668	Emeralds, rough or uncut, and not advanced in condition or value from their natural state by cleaving, splitting, cutting, or other process, whether in their natural form or broken, not set	Free
1697	Gutta balata, crude	Free
1744	Platinum, unmanufactured or in ingots, bars, sheets, or plates not less than one-eighth of one inch in thickness, sponge, or scrap	Free
1765	Reptile skins, raw	Free
1778	Tagua nuts	Free
1779	Tamarinds	Free

LISTA NÚMERO II

Numeral del Arancel de Aduana de los Estados Unidos de 1930	Descripción de los Artículos	Tarifa
	NOTA: Las disposiciones de esta lista serán interpretadas y se les dará el mismo efecto y la aplicación de las disposiciones complementarias de las leyes aduanales de los Estados Unidos a las disposiciones de esta lista, será determinada en tanto pueda ser ello posible, como si cada disposición de esta lista apareciese respectivamente en el párrafo de la Ley Arancelaria de 1930 anotada en la columna a la izquierda de las respectivas descripciones de los artículos	
10	Bálsamo de tolú, natural y no compuesto, y sin contener alcohol	5% ad valorem
35	Ipecacuana, natural y no compuesta, pero aumentada en valor o condición por desmenuzamiento, moledura, astillamiento, quebrantamiento, o cualquier otro proceso o tratamiento que sea, fuera del indispensable para el empaque apropiado y la prevención de descomposición o deterioro, antes de manufacturarse, y sin contener alcohol	5% ad valorem
762	Semillas de ricino	¼ cent por lb.
1602	Raíz de ipecacuana, cruda, natural y no compuesta, no aumentada en valor o condición por desmenuzamiento, moledura, astillamiento, quebrantamiento, o cualquier otro proceso o tratamiento que sea, fuera del indispensable para el empaque apropiado y la prevención de descomposición o deterioro antes de manufacturarse, y sin contener alcohol	Libre
1618	Plátanos, verdes o maduros	Libre
1654	Café, excepto el que se importe a Puerto Rico y sobre el cual se impone un derecho de aduana conforme a la autorización de la seccion 319	Libre
1668	Esmeraldas, en bruto o sin tallar, y que no hayan aumentado en condición o valor de su estado natural por rajadura, cuarteadura, talla, u otro procedimiento, ya sea en su forma natural o partida sin montar	Libre
1697	Goma de perillo, cruda (gutta balata, crude)	Libre
1744	Platino, sin manufacturar o en lingotes, barras, láminas, o planchas de un espesor no menor de un octavo de pulgada, esponja, o material de deshecho	Libre
1765	Pieles de reptiles, sin curtir	Libre
1778	Tagua (tagua nuts)	Libre
1779	Tamarindos	Libres

WHEREAS the said Agreement has been formally approved and confirmed by me by virtue of the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, and has been ratified by the President of the Republic of Colombia, after approval of the Congress of Colombia, and the instrument of approval and confirmation and the instrument of ratification were, in accordance with a provision of Article XIII of the said Agreement, exchanged in the city of Bogotá on the twentieth day of April, one thousand nine hundred and thirty-six;

Ante, p. 3888.

WHEREAS, in accordance with a further provision of the said Article XIII, the Agreement will enter into full force thirty days after the said exchange, that is to say, on the twentieth day of May, one thousand nine hundred and thirty-six;

WHEREAS such modifications of existing duties and other import restrictions and such continuances of existing customs and excise treatment as are set forth and provided for in the said Agreement and the two Schedules thereunto annexed are required and appropriate to carry out the said Agreement:

Proclamation.
Vol. 46, p. 708; Vol. 48, p. 943.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, acting under the authority conferred by the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, do hereby proclaim the said Agreement, including the said Schedules, to the end that the whole and every part thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof on and from the twentieth day of May, one thousand nine hundred and thirty-six.

Vol. 48, p. 943.

Pursuant to the proviso in Section 350 (a) (2) of the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, I shall from time to time notify the Secretary of the Treasury of the countries with respect to which application of the duties herein proclaimed is to be suspended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this twentieth day of April, in the year of our Lord one thousand nine hundred and thirty-six, and of the Independence of the United States of America the one hundred and sixtieth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

JOINT DECLARATION

The undersigned, the Secretary of State of the United States of America and the Minister of the Republic of Colombia at Washington, in proceeding to the signature of the reciprocal trade agreement between the United States of America and the Republic of Colombia, dated this day, do hereby confirm the understanding reached by them during the negotiations that the use or employment in Schedule I of the said Agreement of any name, word or combination of words, or designation to which any natural or juristic person may have a right of ownership or exclusive use, is intended to illustrate the type of products to which the respective rates of duty shall apply, and that the inclusion in the said Schedule of any such name, word or combination of words, or designation shall not prejudice or impair in any manner any rights which any natural or juristic person may have to the exclusive use or ownership of such name, word or combination of words, or designation.

WASHINGTON, *September 13, 1935.*

CORDELL HULL
MIGUEL LÓPEZ PUMAREJO

DECLARACION CONJUNTA

Joint declaration as to types of products named in Schedule I.

Los infrascritos, Secretario de Estado de los Estados Unidos de América y Ministro de la República de Colombia en Washington, al proceder a la firma del acuerdo de comercio recíproco entre los Gobiernos de los Estados Unidos de América y Colombia, de esta fecha, confirman por la presente el entendimiento a que llegaron durante las negociaciones de que el uso en la lista I de dicho acuerdo de cualquier nombre, palabra o combinación de palabras, o designación, sobre la cual tenga derecho de propiedad o de uso exclusivo cualquier persona natural o jurídica, tiene por objeto ilustrar el tipo de productos sobre los cuales deben aplicarse los respectivos derechos y que la inclusión en dicha lista de cualquier nombre, palabra o combinación de palabras o designación, no afectará ni restringirá en forma alguna cualesquiera derechos que cualquier persona natural o jurídica tenga sobre el uso exclusivo o la propiedad de dicho nombre, palabra o combinación de palabras, o designación.

[No. 89]

Agreement, declaration, and supplementary proclamation between the United States of America and Switzerland respecting reciprocal trade. Signed at Washington, January 9, 1936; approved and confirmed by the President, January 9, 1936; proclaimed, January 9, 1936; ratified by the Swiss Federal Council, April 28, 1936; instrument of approval and confirmation and instrument of ratification exchanged at Bern, May 7, 1936; supplementary proclamation by the President, May 7, 1936; articles I to XVII, inclusive, applied reciprocally February 15, 1936; entire agreement effective June 6, 1936.

January 9, 1936.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS it is provided in the Tariff Act of 1930 of the Congress of the United States of America, as amended by the Act of June 12, 1934, entitled "AN ACT To Amend the Tariff Act of 1930" (48 Stat. 943), as follows:

Reciprocal trade agreement, etc., with Switzerland. Vol. 46, p. 708; Vol. 48, p. 943.

"Sec. 350. (a) For the purpose of expanding foreign markets for the products of the United States (as a means of assisting in the present emergency in restoring the American standard of living, in overcoming domestic unemployment and the present economic depression, in increasing the purchasing power of the American public, and in establishing and maintaining a better relationship among various branches of American agriculture, industry, mining, and commerce) by regulating the admission of foreign goods into the United States in accordance with the characteristics and needs of various branches of American production so that foreign markets will be made available to those branches of American production which require and are capable of developing such outlets by affording corresponding market opportunities for foreign products in the United States, the President, whenever he finds as a fact that any existing duties or other import restrictions of the United States or any foreign country are unduly burdening and restricting the foreign trade of the United States and that the purpose above declared will be promoted by the means hereinafter specified, is authorized from time to time—

Statutory provisions.

"(1) To enter into foreign trade agreements with foreign governments or instrumentalities thereof; and

"(2) To proclaim such modifications of existing duties and other import restrictions, or such additional import restrictions, or such continuance, and for such minimum periods, of existing customs or excise treatment of any article covered by foreign trade agreements, as are required or appropriate to carry out any foreign trade agreement that the President has entered into hereunder. No proclamation shall be made increasing or decreasing by more than 50 per centum any existing rate of duty or transferring any article between the dutiable and free lists. The proclaimed duties and other import restrictions shall apply to articles the growth, produce, or manufacture of all foreign countries, whether imported directly, or indirectly: *Provided*, That the President may suspend the application to articles the growth, produce, or manufacture of any country because of its discriminatory treatment of American commerce or because of other acts or policies which in his opinion tend to defeat

the purposes set forth in this section; and the proclaimed duties and other import restrictions shall be in effect from and after such time as is specified in the proclamation. The President may at any time terminate any such proclamation in whole or in part."

Promotion of foreign trade.

WHEREAS I, Franklin D. Roosevelt, President of the United States of America, have found as a fact that certain existing duties and other import restrictions of the United States of America and Switzerland are unduly burdening and restricting the foreign trade of the United States of America and that the purpose declared in the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, will be promoted by a foreign trade agreement between the United States of America and the Swiss Federal Council;

Vol. 46, p. 708; Vol. 48, p. 943.

Notice given.

WHEREAS reasonable public notice of the intention to negotiate such foreign trade agreement was given and the views presented by persons interested in the negotiation of such agreement were received and considered;

Trade agreement entered into.

WHEREAS, after seeking and obtaining information and advice with respect thereto from the United States Tariff Commission, the Departments of State, Agriculture, and Commerce, and from other sources, I entered into a foreign Trade Agreement on January 9, 1936, through my duly empowered Plenipotentiary, with the Swiss Federal Council, through their duly empowered Plenipotentiary, which Agreement, including two Schedules and a Declaration annexed thereto, in the English and French languages, is in words and figures as follows:

Purposes declared.

The President of the United States of America and the Swiss Federal Council, being desirous of facilitating and extending the commercial relations existing between the United States of America and Switzerland by granting mutual and reciprocal concessions and advantages for the promotion of trade, have through their respective Plenipotentiaries arrived at the following Agreement:

Le Président des Etats-Unis d'Amérique et le Conseil fédéral suisse, désireux de faciliter et d'étendre les relations commerciales existant entre les Etats-Unis d'Amérique et la Suisse, en s'accordant réciproquement des concessions et avantages mutuels en vue de développer leurs échanges commerciaux, ont conclu, par l'intermédiaire de leurs Plénipotentiaires respectifs, l'accord suivant:

ARTICLE I

Enumerated imports into Switzerland from United States.

Articles the growth, produce or manufacture of the United States of America enumerated and described in Section A of Schedule I annexed to this Agreement shall, on their importation into the customs territory of Switzerland, be exempt from ordinary customs duties in excess of those set forth in the said Section. The said articles shall also be exempt from all other duties, taxes, fees, charges or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of

Post, p. 3930.

No excess duties, etc.

ARTICLE I

Les articles, produits naturels ou manufacturés des Etats-Unis d'Amérique énumérés et désignés dans la liste I partie A annexée au présent accord n'acquitteront pas, lors de leur importation dans le territoire douanier suisse, des droits de douane normaux plus élevés que ceux spécifiés dans la dite partie. Les articles en question seront également exemptés de tous autres droits, taxes, émoluments, frais ou contributions, perçus sur ou concernant les importations, plus élevés que ceux perçus le jour de la signature

this Agreement or required to be imposed thereafter under laws of Switzerland in force on the day of the signature of this Agreement.

With respect to articles enumerated and described in Section B of Schedule I for which import quotas are specified in the said Section, the quantities of such articles originating in the United States of America which shall be permitted to be imported annually into the customs territory of Switzerland, beginning with the day on which this Agreement comes into force, shall not be less than those specified in the said Section.

ARTICLE II

Articles the growth, produce or manufacture of Switzerland enumerated and described in Schedule II annexed to this Agreement shall, on their importation into the United States of America, be exempt from ordinary customs duties in excess of those set forth and provided for in the said Schedule. The said articles shall also be exempt from all other duties, taxes, fees, charges or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under laws of the United States of America in force on the day of the signature of this Agreement.

ARTICLE III

The provisions of Articles I and II of this Agreement shall not prevent the Government of either country from imposing at any time on the importation of any article a charge equivalent to an internal tax imposed in respect of a like domestic article or in respect of a commodity from which the imported article has been manufactured or produced in whole or in part.

ARTICLE IV

Schedules I and II annexed to this Agreement, the notes included in them, and the Declara-

du présent accord ou qui, à teneur des lois suisses en vigueur le jour de la signature de cet accord, doivent être perçus après cette date.

Specified import quotas.

En ce qui concerne les articles énumérés et désignés dans la partie B de la liste I pour lesquels des contingents d'importation sont spécifiés dans la dite partie, les quantités annuelles des dits articles originaires des Etats-Unis d'Amérique dont l'importation dans le territoire douanier suisse sera permise, à partir du jour de l'entrée en vigueur du présent accord, ne seront pas inférieures à celles spécifiées dans la dite partie.

ARTICLE II

Specified imports from Switzerland. *Post*, p. 3936.

Les articles, produits naturels ou manufacturés de Suisse énumérés et désignés dans la liste II annexée au présent accord n'acquitteront pas, lors de leur importation aux Etats-Unis d'Amérique, des droits de douane normaux plus élevés que ceux spécifiés et prévus dans la dite liste.

No excess duties, etc.

Les articles en question seront également exemptés de tous autres droits, taxes, émoluments, frais ou contributions, perçus sur ou concernant les importations, plus élevés que ceux perçus le jour de la signature du présent accord ou qui, à teneur des lois américaines en vigueur le jour de la signature de cet accord, doivent être perçus après cette date.

ARTICLE III

Internal taxation.

Les dispositions des articles I et II du présent accord n'empêcheront pas le Gouvernement de l'un ou l'autre des deux pays d'établir, à un moment quelconque, à l'importation d'un article quelconque, un droit équivalent à une taxe interne frappant un produit national similaire ou une marchandise ayant servi à la production ou à la fabrication, en tout ou partie, de l''article importé.

ARTICLE IV

Schedules, notes, and Declaration considered integral parts of Agreement.

Les listes I et II annexées au présent accord, ainsi que les notes insérées dans les dites listes et la

tion annexed to this Agreement shall have force and effect as integral parts of this Agreement.

déclaration annexée au présent accord auront force et effet en tant que parties intégrantes du présent accord.

ARTICLE V

ARTICLE V

Ad valorem rates of duty; determination, etc.

In respect of articles the growth, produce or manufacture of the United States of America or of Switzerland, enumerated and described in Schedules I and II, respectively, imported into the other country, on which ad valorem rates of duty, or duties based upon or regulated in any manner by value, are or may be assessed, it is understood and agreed that the bases and methods of determining dutiable value and of converting currencies shall be no less favorable to importers than the bases and methods prescribed under laws and regulations of Switzerland and the United States of America, respectively, in force on the day of the signature of this Agreement.

Au sujet des articles, produits naturels ou manufacturés des Etats-Unis d'Amérique ou de la Suisse énumérés et désignés dans les listes I et II respectivement, importés dans l'autre de ces pays, qui sont ou seraient frappés de droits ad valorem ou de droits basés sur la valeur ou déterminés de quelque manière que ce soit par cette valeur, il est entendu et convenu que les bases et les méthodes de détermination de la valeur imposable et de conversion des monnaies ne seront pas moins favorables pour les importateurs que les bases et les méthodes prescrites par les lois et règlements en vigueur en Suisse et aux Etats-Unis d'Amérique respectivement le jour de la signature du présent accord.

ARTICLE VI

ARTICLE VI

No quantitative restriction imposed.

Except as otherwise provided in this Agreement, no prohibitions, import or customs quotas, import licenses, or any other form of quantitative regulation, whether or not operated in connection with any agency of centralized control, shall be imposed by Switzerland on the importation or sale of any article the growth, produce or manufacture of the United States of America enumerated and described in Section A of Schedule I, nor by the United States of America on the importation or sale of any article the growth, produce or manufacture of Switzerland enumerated and described in Schedule II.

Post, p. 3930.

Post, p. 3936.

A moins qu'il n'en soit stipulé autrement dans cet accord, aucune prohibition, aucun contingentement douanier ou à l'importation, aucun permis d'importation ou autre forme quelconque de réglementation quantitative des échanges, qu'ils dépendent ou non d'un organisme central de contrôle, ne sera imposé par la Suisse sur l'importation ou la vente d'un article quelconque, produit naturel ou manufacturé des Etats-Unis d'Amérique énuméré et désigné dans la liste I partie A, ou par les Etats-Unis d'Amérique sur l'importation ou la vente d'un article quelconque, produit naturel ou manufacturé de Suisse énuméré et désigné dans la liste II.

Exceptions.

The foregoing provision shall not apply to quantitative restrictions in whatever form imposed by the United States of America or Switzerland on the importation or sale of any article the growth, produce or manufacture of the other country in conjunction with governmental measures operating to regulate or

La disposition précitée ne s'appliquera pas aux restrictions quantitatives de tous genres imposées par les Etats-Unis d'Amérique ou par la Suisse sur l'importation ou la vente d'un article quelconque, produit naturel ou manufacturé de l'autre de ces pays, conjointement avec des mesures gouvernementales instituées en

control the production, market supply, or prices of like domestic articles, or tending to increase the labor costs of production of such articles. The Government of the country imposing any such restriction will give sympathetic consideration to any representations which the Government of the other country may make in regard thereto and will consult promptly with the Government of such other country with respect to the subject matter of such representations; and if an agreement with respect thereto is not reached within thirty days following the receipt of written representations, the Government making them shall be free, within fifteen days after the expiration of the aforesaid period of thirty days, to terminate this Agreement in its entirety on thirty days' written notice.

Mutual consideration with respect to quantitative restrictions.

Right to abrogate.

ARTICLE VII

1. If the Government of the United States of America or Switzerland establishes or maintains any form of quantitative restriction or control of the importation or sale of any article in which the other country has an interest, or imposes a lower import duty or charge on the importation or sale of a specified quantity of any such article than the duty or charge imposed on importations in excess of such quantity, the Government taking such action shall:

(a) upon request inform the Government of the other country as to the total quantity, or any change therein, of any such article permitted to be imported or sold or permitted to be imported or sold at such lower duty or charge, during a specified period; and

(b) allot to the other country for such specified period a share of such total quantity as originally established or subsequently

vue de réglementer ou de contrôler la production, l'approvisionnement des marchés, ou les prix des produits nationaux similaires, ou tendant à accroître le prix de la main d'oeuvre utilisée pour la production de ces articles. Le Gouvernement du pays imposant une restriction quelconque de ce genre examinera avec bienveillance toutes les représentations que le Gouvernement de l'autre pays pourrait lui faire à ce sujet et confèrera à bref délai avec os Gouvernement au sujet de la question faisant l'objet de ces représentations; si un accord n'a pu être réalisé dans un délai de trente jours à partir de la date de réception de représentations écrites, le Gouvernement qui les aura faites sera libre de dénoncer le présent accord, dans son entier, dans les quinze jours suivant l'expiration de la période de trente jours en question, moyennant un préavis écrit de trente jours.

ARTICLE VII

Benefits granted where a lower duty imposed on portion of imports, etc.

1. Si le Gouvernement des Etats-Unis d'Amérique ou le Gouvernement suisse venait à établir ou maintenait une restriction quantitative ou un contrôle quelconque de l'importation ou de la vente d'un article intéressant l'autre de ces pays, ou frappait l'importation ou la vente d'une quantité déterminée de cet article d'un droit de douane ou d'une taxe inférieure au droit ou à la taxe perçus sur les importations dépassant cette quantité, le Gouvernement prenant ces mesures devra:

(a) faire connaître au Gouvernement de l'autre pays, sur sa demande, la quantité totale de l'article dont il s'agit ou toute modification affectant cette quantité, dont l'importation ou la vente est autorisée, ou est autorisée moyennant paiement du droit de douane ou de la taxe inférieure susmentionnés pendant une période déterminée; et

(b) allouer à l'autre pays, pour cette période déterminée, un contingent sur la quantité totale primitivement fixée ou modifiée par

changed in any manner equivalent to the proportion of the total importation of such article which such other country supplied during a previous representative period, unless it is mutually agreed to dispense with such allotment.

Regulation of quantity by import licenses, etc.

2. Neither the United States of America nor Switzerland shall regulate the total quantity of importations into its territory or sales therein of any article in which the other country has an interest, by import licenses or permits issued to individuals or organizations, unless the total quantity of such article permitted to be imported or sold, during a quota period of not less than three months, shall have been established. The Government of each country will, upon request, inform the Government of the other country of the total quantity of any such article permitted to be imported and of the regulations covering the issuance of such licenses or permits.

Condition.

ARTICLE VIII

Treatment of Government monopolies.

In the event that the United States of America or Switzerland establishes or maintains a monopoly for the importation, production or sale of an article or grants exclusive privileges, formally or in effect, to one or more agencies to import, produce or sell an article, the Government of the country establishing or maintaining such monopoly, or granting such monopoly privileges, agrees that in respect of the foreign purchases of such monopoly or agency the commerce of the other country shall receive fair and equitable treatment. It is agreed that in making its foreign purchases of any article such monopoly or agency will be influenced solely by competitive considerations, such as price, quality, marketability, and terms of sale.

la suite d'une façon quelconque, égal à la quote-part de l'importation totale de l'article en question que cet autre pays a fournie au cours d'une période de base antérieure, sauf si les deux parties conviennent de renoncer à une telle répartition.

2. Ni les Etats-Unis d'Amérique ni la Suisse ne réglementeront la quantité totale des importations ou des ventes autorisées sur leur territoire respectif, en ce qui concerne un article quelconque intéressant l'autre de ces pays, par des licences ou des permis d'importation délivrés à des particuliers ou à des groupements, à moins que la quantité totale d'un tel article dont l'importation ou la vente est autorisée au cours d'une période de contingentement de trois mois au moins, ait été fixée. Le Gouvernement de chacun des deux pays fera connaître, sur demande, au Gouvernement de l'autre pays, la quantité totale d'un article de ce genre dont l'importation est autorisée et les règlements concernant l'octroi des licences ou des permis précités.

ARTICLE VIII

Si les Etats-Unis d'Amérique ou la Suisse venaient à instituer ou maintenaient un monopole de l'importation, de la production ou de la vente d'un article ou accordaient, formellement ou en fait, à un ou plusieurs offices le droit exclusif d'importer, de produire ou de vendre un article, le Gouvernement du pays établissant ou maintenant un tel monopole ou accordant des privilèges de ce genre, convient que le commerce de l'autre pays recevra un traitment loyal et équitable, en ce qui concerne les achats effectués à l'étranger par le monopole ou par l'office en question. Il est entendu qu'en ce qui concerne ses achats d'un article quelconque à l'étranger, ce monopole ou cet office ne tiendra compte que des considérations d'ordre commercial telles que le prix, la qualité, les possibilités d'écoulement et les conditions de vente de la marchandise.

ARTICLE IX

Articles the growth, produce or manufacture of the United States of America or Switzerland, shall, after importation into the other country, be exempt from all internal taxes, fees, charges or exactions other or higher than those payable on like articles of domestic origin or any other foreign origin.

ARTICLE X

The United States of America and Switzerland agree to grant each other unconditional and unrestricted most-favored-nation treatment in all matters concerning customs duties and charges of every kind and in the method of levying duties and, further, in all matters concerning the rules, formalities and charges imposed in connection with the clearing of goods through the customs, and with respect to all laws or regulations affecting the sale or use of imported goods within the country.

Accordingly, natural or manufactured products having their origin in the United States of America or Switzerland shall in no case be subject in the other country, in regard to the matters referred to above, to any duties, taxes or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like products having their origin in any third country are or may hereafter be subject.

Similarly, natural or manufactured products exported from the territory of the United States of America or Switzerland and consigned to the territory of the other country shall in no case be subject, with respect to exportation and in regard to the above-mentioned matters, to any duties, taxes or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like products when consigned to any third country are or may hereafter be subject.

ARTICLE IX

Internal tax exemptions.

Les articles, produits naturels ou manufacturés des Etats-Unis d'Amérique ou de Suisse seront exempts, après leur importation dans l'autre de ces pays, de toutes taxes, droits, frais ou contributions internes, autres ou plus élevés que ceux qui sont acquittés par les articles similaires nationaux ou originaires de tout autre pays étranger.

ARTICLE X

Most-favored-nation treatment, etc.

Les Etats-Unis d'Amérique et la Suisse conviennent de s'accorder réciproquement le traitement inconditionnel et illimité de la nation la plus favorisée pour tout ce qui concerne les droits et autres frais de douane et le mode de perception des droits, pour les règles, formalités et charges auxquelles les opérations de dédouanement des marchandises pourraient être soumises, ainsi que pour toutes les lois ou règlements concernant la vente ou l'utilisation dans le pays de marchandises importées.

Par conséquent, les produits naturels ou manufacturés originaires des Etats-Unis d'Amérique ou de Suisse ne seront en aucun cas assujettis sous les rapports susvisés, dans l'autre de ces pays, à des droits, taxes ou charges, autres ou plus élevés, ni à des règles et formalités autres ou plus onéreuses que ceux auxquels sont ou seront assujettis les produits de même nature originaires d'un pays tiers quelconque.

De même, les produits naturels ou manufacturés exportés du territoire des Etats-Unis d'Amérique ou de Suisse à destination du territoire de l'autre de ces pays ne seront en aucun cas assujettis, sous les mêmes rapports, à des droits, taxes ou charges autres ou plus élevés, ni à des règles et formalités autres ou plus onéreuses que ceux auxquels sont ou seront assujettis les mêmes produits destinés au territoire d'un autre pays quelconque.

Any advantage, favor, privilege or immunity which has been or may hereafter be granted by the United States of America or Switzerland, in regard to the above-mentioned matters, to a natural or manufactured product originating in any third country or consigned to the territory of any third country, shall be accorded immediately and without compensation to the like product originating in or consigned to the territory of Switzerland or the United States of America, respectively.

Tous les avantages, faveurs, privilèges et immunités qui ont été ou seront accordés à l'avenir par les Etats-Unis d'Amérique ou la Suisse dans la matière susdite à un produit naturel ou manufacturé originaire d'un autre pays quelconque, ou destiné au territoire d'un autre pays quelconque, seront, immédiatement et sans compensation, appliqués au produit de même nature originaire de la Suisse ou des Etats-Unis d'Amérique respectivement ou destiné au territoire de l'un de ces pays.

ARTICLE XI

Modification where rate of exchange is prejudicial.

In the event that a wide variation occurs in the rate of exchange between the currencies of the United States of America and Switzerland, the Government of either country, if it considers the variation so substantial as to prejudice the industries or commerce of the country, shall be free to propose negotiations for the modification of this Agreement or to terminate this Agreement in its entirety on thirty days' written notice.

ARTICLE XI

Si le taux du change entre les monnaies américaine et suisse venait à varier considérablement, le Gouvernement de chacun des pays sera libre de proposer l'ouverture de négociations tendant à modifier le présent accord ou de dénoncer celui-ci, dans son entier, moyennant un préavis écrit de trente jours, s'il estime que la variation en question est de telle ampleur qu'elle peut porter préjudice aux industries ou au commerce du pays.

ARTICLE XII

Reciprocal consideration concerning customs, sanitary laws, etc.

The Government of the United States of America or the Government of Switzerland, as the case may be, will accord sympathetic consideration to, and when requested will afford adequate opportunity for consultation regarding, such representations as the other Government may make with respect to the operation of customs regulations, quantitative restrictions or the administration thereof, the observance of customs formalities, and the application of sanitary laws and regulations for the protection of human, animal, or plant life or health.

ARTICLE XII

Le Gouvernement des Etats-Unis d'Amérique ou le Gouvernement suisse, suivant le cas, accordera une bienveillante attention et, sur requête, fournira toute facilité en vue d'une consultation, relativement à toutes les représentations que le Gouvernement de l'autre de ces pays pourrait lui faire au sujet de l'application des règlements douaniers, des restrictions quantitatives ou de l'administration de ces dernières, de l'observation des formalités douanières et de l'application des lois et règlements sanitaires pour la protection de la vie ou de la santé de l'homme, des animaux ou des plantes.

Settlement of disagreements.

In the event that the Government of either country makes representations to the Government of the other country in respect of the application of any

Lorsque le Gouvernement de l'un des pays fera des représentations au Gouvernement de l'autre pays relativement à l'application de lois ou règlements sanitaires

sanitary law or regulation for the protection of human, animal, or plant life or health, and if there is disagreement with respect thereto, a committee of technical experts on which each Government will be represented shall, on the request of either Government, be established to consider the matter and to submit recommendations to the two Governments.

quelconques pour la protection de la vie ou de la santé de l'homme, des animaux ou des plantes et qu'il y aura désaccord à ce sujet, un comité d'experts techniques, dans lequel chaque Gouvernement sera représenté, sera établi sur requête de l'un ou l'autre Gouvernement, pour examiner le cas et soumettre ses recommandations aux deux Gouvernements.

ARTICLE XIII

Except as otherwise provided in the second paragraph of this Article, the provisions of this Agreement relating to the treatment to be accorded by the United States of America and Switzerland, respectively, to the commerce of the other country, shall not apply to the Philippine Islands, the Virgin Islands, American Samoa, the Island of Guam, or to the Panama Canal Zone.

The provisions of this Agreement regarding most-favored-nation treatment shall apply to articles the growth, produce or manufacture of any territory under the sovereignty or authority of the United States of America or Switzerland, imported from or exported to any territory under the sovereignty or authority of the other country. It is understood, however, that the provisions of this paragraph do not apply to the Panama Canal Zone.

The advantages now accorded or which may hereafter be accorded by the United States of America, its territories or possessions, the Philippine Islands, or the Panama Canal Zone to one another or to the Republic of Cuba shall be excepted from the operation of this Agreement. The provisions of this paragraph shall continue to apply in respect of any advantages now or hereafter accorded by the United States of America, its territories or possessions or the Panama Canal Zone to the Philippine Islands irrespec-

ARTICLE XIII

Les dispositions du présent accord relatives au traitement que les Etats-Unis d'Amérique et la Suisse, respectivement, sont convenus d'accorder au commerce de l'autre de ces pays, ne s'appliqueront pas aux îles Philippines, aux îles Vierges, au Samoa américain, à l'île de Guam, ni à la Zone du Canal de Panama à moins qu'il n'en soit stipulé autrement au deuxième alinéa du présent article.

Provisions not applicable to Philippine Islands, etc.

Les dispositions du présent accord relatives au traitement de la nation la plus favorisée s'appliqueront aux articles, produits naturels ou manufacturés de tout territoire placé sous la souveraineté ou l'autorité des Etats-Unis d'Amérique ou de la Suisse, importés de ou exportés dans tout territoire placé sous la souveraineté ou l'autorité de l'autre de ces pays. Il est entendu, cependant, que les dispositions du présent alinéa ne s'appliqueront pas à la Zone du Canal de Panama.

Preferential treatment extended to territories, etc., of each other.

Not to apply to Canal Zone.

Les avantages que les Etats-Unis d'Amérique, leurs territoires ou possessions, les îles Philippines ou la Zone du Canal de Panama se concèdent ou se concéderaient désormais réciproquement, ou qui sont ou seraient accordés à la République de Cuba, ne seront pas soumis aux dispositions du présent accord. Les stipulations du présent alinéa continueront à s'appliquer à tous les avantages accordés ou qui seraient désormais accordés par les Etats-Unis d'Amérique, leurs territoires ou possessions ou par la Zone du

Existing advantages excepted from operation of Agreement.

tive of any change in the political status of the Philippine Islands.

Application to Principality of Liechtenstein.

The provisions of this Agreement shall apply to the Principality of Liechtenstein as long as it is bound to Switzerland by a customs union treaty.

ARTICLE XIV

Exceptions; neighboring countries.

The provisions of this Agreement relating to the treatment to be accorded by the United States of America and Switzerland to the commerce of the other country do not apply to advantages now accorded or which may hereafter be accorded to adjacent countries in order to facilitate frontier traffic, and advantages resulting from a customs union to which either the United States of America or Switzerland is now or may become a party, shall be excepted from the operation of this Agreement.

Gold or silver trade.

Nothing in this Agreement shall be construed to prevent the adoption of measures prohibiting or restricting the exportation or importation of gold or silver, or to prevent the adoption of such measures as either Government may see fit with respect to the control of the export or sale for export of arms, ammunition, or implements of war, and, in exceptional circumstances, all other military supplies.

No discriminations respecting designated provisions.

Subject to the requirement that there shall be no arbitrary discrimination by either country against the other country in favor of any third country under like circumstances, the provisions of this Agreement shall not extend to prohibitions or restrictions (1) imposed on moral or humanitarian grounds; (2) designed to protect human, animal or plant life or health; (3) relating to prison-made goods; or (4) relating to the enforcement of police or revenue laws.

Canal de Panama aux îles Philippines, quelles que soient les modifications apportées au statut politique des îles Philippines.

Les dispositions du présent accord s'appliqueront à la Principauté de Liechtenstein aussi longtemps qu'elle sera liée à la Suisse par un traité d'union douanière.

ARTICLE XIV

Les dispositions du présent accord concernant le traitement que les Etats-Unis d'Amérique et la Suisse sont convenus d'accorder au commerce de l'autre de ces pays ne s'appliquent pas aux avantages concédés ou qui seraient désormais concédés à des pays limitrophes en vue de faciliter le trafic frontalier. Les avantages résultant d'une union douanière à laquelle soit les Etats-Unis d'Amérique soit la Suisse sont parties ou dont ils peuvent devenir parties ne seront également pas soumis aux dispositions du présent accord.

Dans le présent accord, rien ne sera interprété comme empêchant l'adoption de mesures prohibant ou restreignant l'exportation ou l'importation d'or ou d'argent ou s'opposant à l'adoption des mesures que l'un des Gouvernements pourrait juger opportun de prendre en vue de contrôler l'exportation, ou la vente en vue de l'exportation, d'armes, de munitions ou de matériel de guerre, et, dans certaines circonstances exceptionnelles, de toutes autres fournitures militaires.

A la condition que l'une des parties n'établisse pas arbitrairement de discrimination à l'égard de l'autre partie, dans des circonstances similaires, en faveur d'un pays tiers quelconque, les dispositions du présent accord ne s'appliqueront pas aux prohibitions ou restrictions (1) imposées pour des raisons d'ordre moral ou humanitaire; (2) ayant pour objet la protection de la vie ou de la santé de l'homme, des animaux ou des plantes; (3) concernant les marchandises fabriquées dans les prisons; ou (4) l'application des lois de police ou des lois fiscales.

ARTICLE XV

In the event that the Government of the United States of America or the Government of Switzerland adopts or changes any measure or practice which, even though it does not conflict with the terms of this Agreement, is considered by the Government of the other country to have the effect of nullifying or impairing any object of the Agreement, the Government which has adopted or changed any such measure or practice shall consider such written representations or proposals as the other Government may make with a view to effecting a mutually satisfactory adjustment of the matter. If no agreement is reached with respect to such representations or proposals within thirty days after they are received, the Government making them shall be free, within fifteen days after the expiration of the aforesaid period of thirty days, to terminate this Agreement in its entirety on sixty days' written notice.

ARTICLE XV

Adjustment of future proposals.

Au cas où le Gouvernement des Etats-Unis d'Amérique ou le Gouvernement suisse adopterait ou modifierait une mesure ou procédure ou pratique quelconque qui, tout en ne constituant pas une dérogation aux termes du présent accord, serait considérée par le Gouvernement de l'autre pays comme devant avoir pour effet de rendre nul ou de porter atteinte à l'un quelconque des buts poursuivis par l'accord, le Gouvernement qui aura pris ou modifié une telle mesure ou procédure ou pratique devra prendre en considération les représentations ou propositions écrites que l'autre Gouvernement pourrait lui faire en vue d'arriver à un règlement satisfaisant pour les deux parties de la question. Si un accord n'est pas intervenu en ce qui concerne ces représentations ou propositions dans un délai de trente jours à partir de la date de réception, le Gouvernement qui les aura faites sera libre de dénoncer le présent accord dans son entier dans les quinze jours suivant l'expiration de la période de trente jours susmentionnée, moyennant un préavis écrit de soixante jours.

ARTICLE XVI

The Government of the United States of America and the Government of Switzerland reserve the right to withdraw or to modify the concession granted on any article under this Agreement, or to impose quantitative restrictions on any such article if, as a result of the extension of such concession to third countries, such countries obtain the major benefit of such concession and in consequence thereof an unduly large increase in importations of such article takes place: *Provided*, That before the Government of either country shall avail itself of the foregoing reservation, it shall give notice in writing to the other Government of its intention to do so, and shall afford such other Government an opportunity within thirty

ARTICLE XVI

Right to withdraw concessions reserved.

Le Gouvernement des Etats-Unis d'Amérique et le Gouvernement suisse se réservent le droit de supprimer ou de modifier la concession accordée aux termes du présent accord en ce qui concerne un article quelconque, ou le droit d'imposer des restrictions quantitatives sur un tel article si, du fait de l'extension de cette concession à des pays tiers, ces derniers en sont les principaux bénéficiaires et si, par conséquent, il se produit un accroissement anormal des importations de l'article en question. Il est cependant entendu que le Gouvernement de l'un des pays, avant de faire usage de la réserve précitée, devra signifier à l'autre Gouvernement, par écrit, son intention d'agir de cette manière et donner à cet autre Gouverne-

Proviso. Previous notice to be given.

Termination of agreement.

days after receipt of such notice to consult with it in respect of the proposed action; and if an agreement with respect thereto is not reached within thirty days following receipt of the aforesaid notice, the Government which proposed to take such action shall be free to do so at any time thereafter, and the other Government shall be free within fifteen days after such action is taken to terminate this Agreement in its entirety on thirty days' written notice.

ment, dans un délai de trente jours à partir de la date de réception de l'avis en question, la possibilité de conférer avec lui au sujet de l'action qu'il se propose d'entreprendre. Si un accord à ce sujet ne peut être réalisé, dans un délai de trente jours à partir de la date de réception de l'avis précité, le Gouvernement qui avait l'intention d'agir sera libre de la faire désormais en tout temps, et l'autre Gouvernement sera libre de dénoncer le présent accord, dans son entier, dans les quinze jours suivant la date à laquelle une telle action serait entreprise, moyennant un préavis écrit de trente jours.

ARTICLE XVII

Smuggling.

The purpose of this Agreement being to facilitate and increase trade, it is understood and agreed that if the United States of America should make effective any measure with respect to the prevention of smuggling which the Government of Switzerland should consider as restricting unduly or having the effect of restricting unduly the legitimate importation of or trade in Swiss watches or watch movements, the Government of the United States of America will give most sympathetic consideration to any written representations which the Government of Switzerland may make with respect thereto. If, within thirty days after the receipt of such representations, no satisfactory understanding or adjustment has been effected, the Government of Switzerland shall have the right, within fifteen days after the expiration of the aforesaid period of thirty days, to terminate the Declaration annexed to this Agreement, or this Agreement in its entirety, on sixty days' written notice.

Termination of Declaration, etc.

ARTICLE XVII

Le but du présent accord étant de faciliter et d'accroître le commerce, il est entendu et convenu que si les Etats-Unis d'Amérique venaient à mettre en vigueur une mesure quelconque se rapportant à la lutte contre la contrebande que le Gouvernement suisse considérerait comme restreignant indûment ou ayant comme effet de restreindre indûment l'importation ou le commerce légitime des montres ou des mouvements de montres suisses, le Gouvernement des Etats-Unis accordera l'attention la plus sympathique à toutes représentations que le Gouvernement suisse pourrait lui faire par écrit à ce sujet. Si, dans les trente jours après réception de ces représentations, il n'a été conclu aucune entente ou aucun arrangement satisfaisant, le Gouvernement suisse aura le droit, dans les quinze jours après l'expiration de la période de trente jours indiquée ci-dessus, de dénoncer la déclaration annexée au présent accord ou cet accord dans son entier dans les soixante jours, par notification écrite.

ARTICLE XVIII

Approval, etc.

The present Agreement shall be approved and confirmed by the President of the United States of America by virtue of the Act of the Congress of the United States

ARTICLE XVIII

Le présent accord sera approuvé et confirmé par le Président des Etats-Unis d'Amérique en vertu de la loi du Congrès des Etats-Unis d'Amérique, du 12 juin 1934,

of America approved June 12, 1934, entitled "AN ACT To amend the Tariff Act of 1930", and shall be ratified by the Swiss Federal Council with the consent of the Federal Assembly of the Swiss Confederation.

Pending the exchange of the instrument of approval and confirmation and the instrument of ratification which shall take place at Bern as soon as possible, the provisions of Articles I to XVII, inclusive, shall be applied reciprocally by the United States of America and Switzerland on February 15, 1936, and thereafter until the day on which the entire Agreement shall come into force.

The entire Agreement shall come into force thirty days after the day of the exchange of the instrument of approval and confirmation and the instrument of ratification. The Agreement shall continue in force until February 14, 1939, subject to the provisions of Article VI, Article XI, Article XV, Article XVI and Article XVII.

Unless at least six months before February 14, 1939, the Government of either country shall have given to the other Government notice of intention to terminate this Agreement on that date, the Agreement shall remain in force thereafter, subject to the provisions of Article VI, Article XI, Article XV, Article XVI and Article XVII, until six months from the day on which the Government of either country shall have given such notice to the other Government.

In witness whereof the respective Plenipotentiaries have signed this Agreement and have affixed their seals hereto.

Done in duplicate, in the English and French languages, both authentic, at the City of Washington, this ninth day of January, nineteen hundred and thirty-six.

intitulé "AN ACT To amend the Tariff Act of 1930" et sera ratifié par le Conseil Fédéral Suisse avec l'approbation de l'Assemblée Fédérale de la Confédération Suisse.

Vol. 48, p. 943. U. S. C., p. 879.

En attendant l'échange de l'instrument d'approbation et de confirmation et de l'instrument de ratification, qui aura lieu à Berne aussitôt que possible, les dispositions des articles I à XVII inclusivement seront appliquées réciproquement par les Etats-Unis d'Amérique et la Suisse, dès le 15 février 1936, jusqu'au jour où l'accord dans son entier entrera en vigueur.

Effective dates.

L'accord dans son entier entrera en vigueur trente jours après la date de l'échange de l'instrument d'approbation et de confirmation et de l'instrument de ratification. L'accord restera en vigueur jusqu'au 14 février 1939, sous réserve des dispositions des articles VI, XI, XV, XVI et XVII.

Duration.

Si, au moins six mois avant le 14 février 1939, le Gouvernement de l'un des pays n'a pas notifié à l'autre son intention de mettre fin au présent accord à cette date, l'accord restera en vigueur, sous réserve des dispositions des articles VI, XI, XV, XVI et XVII, jusqu'à l'expiration d'une période de six mois à partir de la date à laquelle le Gouvernement de l'un des deux pays aura notifié à l'autre un préavis de dénonciation.

Signatures.

En foi de quoi, les Plénipotentiaries des deux pays ont signé le présent accord et y ont apposé leurs cachets.

Fait en double exemplaire, en langues anglaise et française, les deux textes faisant également foi, en la ville de Washington, le neuf janvier, mil neuf cent trente-six.

For the President of the United States of America:
CORDELL HULL [SEAL]

For the Swiss Federal Council:
MARC PETER [SEAL]

Schedule I.
Section A.

SCHEDULE I

Section A

Swiss Tariff Number	Description of Articles	Rate of Duty Swiss Francs per 100 kilograms
12	Rice in milled, husked or broken grains; groats and semolina of rice	4. 50
25 a [1]	Plums and prunes, dried or pressed, not pitted, in containers of all kinds weighing 50 kilograms or more	5. —
25 a [2]	Plums and prunes, dried or pressed, not pitted, in containers of all kinds weighing less than 50 kilograms	10. —
Ex 27	Apricots, dried or pressed, pitted	40. —
33	Raisins of all kinds, except Malaga-raisins and Denia-raisins in clusters	10. —
Ex 44 b	Preserved asparagus, in containers of all kinds weighing 5 kilograms or less	40. —
Ex 89 b	Sardines (pilchards) and herrings in tomato sauce; preserved salmon: in containers of all kinds weighing 3 kilograms or less	10. —
95	Lard	20. —
	Note to 95: The supplementary duty of 20 francs per 100 kilograms is suppressed.	
101 b	Preserved fruits of all kinds, including those in sugar or in alcohol, in any type of container (including candied fruits); except those classified under number 101 a	45. —
(102)	*Note to 102:* Chewing-gum is admitted under this number at the rate of 80.— francs per 100 kilograms.	
Ex 103	Shrimps, preserved	50. —
149	Bladders, intestines, rennet	2. —
Ex 184	Goat and kid leather, chrome-tanned	20. —
Ex 237	Douglas fir, for building and industrial purposes, sawn or split lengthwise or even completely squared, other than sleepers, vine-props and hoop-wood	2. 50
Ex 330 a	Wallboards of vegetable fiber, regardless of condition or size	15. —
341	Cotton, raw	0. 20
Ex 522	Pneumatic tire casings and inner tubes of rubber, combined with metal or fabric	20. —
Ex 541	Socks and stockings of natural silk	800. —
628 b	Electrodes, unmounted, other than those classified under number 628 a	1. 20
632 a	Emery powder, carborundum, and other similar artificially made polishing and sharpening substances: broken up (in grains, powder, etc.)	6. —
	Electric refrigerating machines and apparatus, and parts thereof, weighing each:	
Ex 882 e	—2500 kilograms and more	30. —
Ex 882 f	—500 kilograms to less than 2500 kilograms	80. —
Ex 882 g	—100 kilograms to less than 500 kilograms	150. —
Ex 882 h	—less than 100 kilograms	200. —
Ex 882 i	Refrigerator cabinets of all kinds, without internal mechanism	80. —
	Oil-burners, and parts thereof, weighing each:	
Ex 882 g	— 100 kilograms to less than 500 kilograms	120. —
Ex 882 h	— less than 100 kilograms	180. —
890 b	Typesetting machines for book printing and other graphic industries; bookbinding machinery, other than printing-presses classified under number 890 a	10. —
	Passenger automobiles and chassis therefor, weighing each:	
Ex 914 a	— less than 800 kilograms	110. —
Ex 914 b	— 800 to 1200 kilograms inclusive	130. —
Ex 914 c	— more than 1200 to 1600 kilograms inclusive	150. —

LISTE I

Partie A

Numéro du tarif suisse	Désignation des marchandises	Droits d'entrée frs. cts. par quintal
12	Riz en grains perlés, égrugés, mondés ou concassés, gruau et semoule de riz	4. 50
25 a [1]	Prunes et pruneaux, secs ou tapés, non désossés, en récipients de tout genre pesant 50 kg ou plus	5. —
25 a [2]	Prunes et pruneuax, secs ou tapés, non désossés, en récipients de tout genre pesant moins de 50 kg	10. —
ex 27	Abricots, secs ou tapés, désossés	40. —
33	Raisins secs de tout genre, à l'exception des raisins de Malaga, ainsi que des raisins secs de Dénia avec la grappe	10. —
ex 44 b	Asperges conservées, en récipients de tout genre pesant 5 kg ou moins	40. —
ex 89 b	Sardines (pilchards) et harengs en jus de tomates; saumon conservé: en récipients de tout genre pesant 3 kg ou moins	10. —
95	Saindoux *N. B. ad 95:* Le droit supplémentaire de 20 francs par 100 kg est supprimé.	20. —
101 b	Conserves de fruits de tout genre, aussi au sucre et à l'alcool, quel que soit leur emballage (y compris les fruits confits au sucre ou candis), exceptées celles reprises sous le numéro 101 a	45. —
(102)	*N. B. ad 102:* La gomme à mâcher est admise sous ce numéro au droit d'entrée de 80.— francs par quintal.	
ex 103	Crevettes, conservées	50. —
149	Vessies, boyaux, présure	2. —
ex 184	Cuirs de chèvres et de chevreaux, tannés au chrome	20. —
ex 237	Pin Douglas, de construction et d'œuvre, scié de long ou refendu, même complètement équarri, autre que traverses, échalas et bois de cerclage	2. 50
ex 330 a	Panneaux de revêtement pour parois, en fibres végétales, quels que soient l'état et la dimension	15. —
341	Coton, brut	0. 20
ex 522	Enveloppes et chambres à air en caoutchouc, pour véhicules, avec intercalation métallique ou de tissus	20. —
ex 541	Chaussettes et bas: de soie naturelle	800. —
628 b	Electrodes, non montés, autres que celles reprises sous le numéro 628 a	1. 20
632 a	Emeri en poudre, carborundum et autres matières artificielles semblables pour le polissage et l'aiguisage: divisés (en grains, en poudre, et cetera)	6. —
	Machines et appareils frigorifiques électriques, ainsi que leurs parties, pesant par pièce:	
ex 882 e	—2500 kg et plus	30. —
ex 882 f	—de 500 kg à 2500 kg exclusivement	80. —
ex 882 g	—de 100 kg à 500 kg exclusivement	150. —
ex 882 h	—moins de 100 kg	200. —
ex 882 i	Armoires frigorifiques de tout genre. sans appareillage intérieur	80. —
	Appareils pour le chauffage à l'huile, ainsi que leurs parties, pesant par pièce:	
ex 882 g	— de 100 kg à 500 kg exclusivement	120. —
ex 882 h	— moins de 100 kg	180. —
890 b	Machines pour l'imprimerie typographique et autres arts graphiques; machines pour la reliure, autres que les presses à imprimer du numéro 890 a	10. —
	Automobiles pour le transport des personnes et chassis pour de tels automobiles, pesant par pièce:	
ex 914 a	— moins de 800 kg	110. —
ex 914 b	— 800 kg jusqu'à 1200 kg inclusivement	130. —
ex 914 c	— plus de 1200 kg jusqu'à 1600 kg inclusivement	150. —

Schedule I, Section A—Continued.

SCHEDULE I, *Section A*—Continued

Swiss Tariff Number	Description of Articles	Rate of Duty Swiss Francs per 100 kilograms
Ex 914 d	— more than 1600 kilograms	170. —
948 a [1]	Typewriters and parts thereof	400. —
948 a [2]	Cash-registers, registering accounting machines, and parts thereof	80. —
	Calculating machines and parts thereof, weighing each:	
948 b [1]	— more than 100 kilograms	300. —
948 b [2]	— more than 20 to 100 kilograms inclusive	450. —
948 b [3]	— more than 12 to 20 kilograms inclusive	600. —
948 b [4]	— 12 kilograms or less	800. —
	Note to 948: Stands for the above will be classified under position 784 b as painted steel office furniture.	
1065 a	Coal-tar derivatives and auxiliary materials for the manufacture of aniline dyes, such as napthalene, anthracene, carbolic acid (phenol), toluol, benzoic acid, etc.	1. —
1129	Paraffin and ceresin, pure, unmanufactured	1. —
1130	Petrolatum	1. —
1132 a	Lubricating greases, mineral	9. —

Section B.

Section B

Swiss Tariff Number	Description of Articles	Annual Quotas in 100 kilograms
1	Wheat	1, 180, 000
12	Rice in milled, husked or broken grains; groats and semolina of rice	20, 000
24 a	Apricots, apples, pears, fresh, but not in bags or in bulk	24, 146
25 a [1]	Plums and prunes, dried or pressed, not pitted, in containers of all kinds weighing 50 kilograms or more	24, 709
25 a [2]	Plums and prunes, dried or pressed, not pitted, in containers of all kinds weighing less than 50 kilograms	
27	Fruits, dried or pressed, pitted or stoned	11, 000
44 b	Vegetables preserved in vinegar or otherwise, in containers of all kinds weighing 5 kilograms or less, other than preserved tomatoes, but including preserved asparagus	10, 000
95	Lard	90% of total Swiss imports

Note: The Swiss Government agrees that not less than ninety percent of the total permitted importations of lard shall consist of lard originating in the United States of America. The annual quota thus allotted to the United States shall be divided into four equal calendar quarter quotas. Should any part of such quarterly quota not be utilized, the unused portion thereof may be re-allocated to other countries. If, however, an import permit issued to a given importer has not been utilized within thirty days of its issuance, the Swiss authorities agree to offer to the other importers entitled to import lard from the United States the right to import, within thirty days, the quantity stipulated in the said permit.

The Swiss Government will authorize the importation of lard within three months after this Agreement comes into force.

LISTE I, *Partie A*—Continuée

Numéro du tarif suisse	Désignation des marchandises	Droits d'entrée frs. cts. par quintal
ex 914 d	— plus de 1600 kg	170. —
948 a [1]	Machines à écrire et leurs pièces détachées	400. —
948 a [2]	Caisses enregistreuses, machines comptables enregistreuses; pièces détachées de ces appareils	80. —
	Machines à calculer et leurs pièces détachées, pesant par pièce:	
948 b [1]	— plus de 100 kg	300. —
948 b [2]	— plus de 20 kg jusqu'à 100 kg inclusivement	450. —
948 b [3]	— plus de 12 kg jusqu'à 20 kg inclusivement	600. —
948 b [4]	— 12 kg ou moins	800. —
	N. B. ad 948: Les supports pour les machines susindiquées seront dédouanés sous position 784 b comme meubles de bureau peints en acier.	
1065 a	Dérivés du goudron de houille et matières auxiliaires pour la fabrication des couleurs d'aniline, tels que: naphtaline, anthracène, acide carbolique (phenique), toluol, acide benzoique, etc.	1. —
1129	Paraffine et cérésine pures, non travaillées	1. —
1130	Vaseline	1. —
1132 a	Graisses minérales de graissage	9. —

Partie B

Numéro du tarif suisse	Désignation des marchandises	Contingents annuels en quintaux
1	Froment	1'180'000
12	Riz en grains perlés, égrugés, mondés ou concassés, gruau et semoule de riz	20'000
24 a	Abricots, pommes, poires, frais, autrement emballés qu'en sacs ou à découvert	24'146
25 a [1]	Prunes et pruneaux, secs ou tapés, non désossés, en récipients de tout genre pesant 50 kg ou plus	24'709
25 a [2]	Prunes et pruneaux, secs ou tapés, non désossés, en récipients de tout genre pesant moins de 50 kg	
27	Fruits secs ou tapés, désossés ou sans pépins	11'000
44 b	Légumes conservés au vinaigre ou autrement en récipients de tout genre pesant 5 kg ou moins, autres que conserves de tomates, y compris asperges conservées	10'000
95	Saindoux	90% de l'importation totale en Suisse

N.B. ad 95: Le Gouvernement suisse est d'accord que non moins de 90% des importations totales autorisées de saindoux consiste en saindoux des Etats-Unis d'Amérique. Le contingent annuel ainsi attribué aux Etats-Unis sera divisé en quatre contingents trimestriels. Au cas où une partie d'un de ces contingents trimestriels ne serait pas utilisée, la quantité non utilisée pourra être redistribuée à d'autres Etats; si toutefois un permis d'importation octroyé à un importateur n'a pas été utilisé dans les 30 jours après son émission, les Autorités suisses sont d'accord d'offrir aux autres importateurs autorisés à importer du saindoux des Etats-Unis le droit d'importer dans les 30 jours la quantité stipulée dans le dit permis.

Le Gouvernement suisse autorisera l'importation du saindoux dans les trois mois après l'entrée en vigueur du présent accord.

Schedule I, Section B—Continued.

SCHEDULE I, *Section B*—Continued

Swiss Tariff Number	Description of Articles	Annual Quotas in 100 kilograms
237	Resinous wood, for building and industrial purposes, sawn or split lengthwise or even completely squared, other than sleepers, vine-props and hoop-wood	75, 000
Ex 330 a	Wallboards of vegetable fiber, regardless of condition or size	3, 000
Ex 522	Pneumatic tire casings and inner tubes of rubber, combined with metal or fabric	6, 912
541	Socks and stockings: of natural silk (without special permit) 15 of natural or artificial silk 15 Total	30
643 b	Petroleum residues for heating purposes	300, 000
Ex 882 e/i	Electric refrigerating machines and apparatus, and parts thereof	2, 821
Ex 882 e/h	Oil-burners, and parts thereof	280
Ex 914 a/d	Passenger automobiles and trucks, and chassis therefor	*Units* 4, 812
		in 100 kilograms
954 a	Radio apparatus, with or without cabinets *Note to 954 a:* 800 quintals correspond to 5,600 radio sets, with or without cabinets, provided that separately imported parts and accessories, including tubes, will be charged against the quota in the proportion of 100 kilograms equals 7 sets.	800
1065 b	Benzine and benzol for motors	650, 000
1126 and 1126 a	Kerosene	117, 000
1131 b	Mineral lubricating oils, unmanufactured	145, 000

LISTE I, *Partie B*—Continuée

Numéro du tarif suisse	Désignation des marchandises	Contingents annuels en quintaux
237	Bois d'essences résineuses, de construction et d'œuvre, sciés de long ou refendus, même complètement équarris, autres que traverses, échalas et bois de cerclage	75'000
ex 330 a	Panneaux de revêtement pour parois, en fibres végétales, quels que soient l'état et la dimension	3'000
ex 522	Enveloppes et chambres à air en caoutchouc, pour véhicules, avec intercalation métallique ou de tissus	6'912
541	Chaussettes et bas de soie: de soie naturelle, sans permis spécial 15 q de soie naturelle ou artificielle 15 q total	30
643 b	Résidus de pétrole pour chauffage	300'000
ex 882 e/i	Machines et appareils frigorifiques électriques, ainsi que leurs parties	2'821
ex 882 e/h	Appareils pour le chauffage à l'huile, ainsi que leurs parties	280
ex 914 a/d	Automobiles pour le transport des personnes et des marchandises et chassis pour de tels automobiles	*pièces* 4812 *en quintaux* 800
954 a	Appareils radiophoniques, avec ou sans cage *N. B. ad 954 a:* 800 quintaux correspondent à 5600 appareils radiophoniques avec ou sans cage, sous condition que les parties, fournitures, y compris les lampes, importées séparément seront portées au compte du contingent en calculant que 100 kg équivalent à sept appareils.	
1065 b	Benzine et benzol pour moteurs	650'000
1126 et 1126 a	Pétrole	117'000
1131 b	Huiles minérales pour graisser les machines, non travaillées	145'000

Schedule II.

SCHEDULE II

United States Tariff Act of 1930 Paragraph	Description of Articles	Rate of Duty
	NOTE: The provisions of this Schedule shall be construed and given the same effect, and the application of collateral provisions of the customs laws of the United States to the provisions of this Schedule shall be determined insofar as may be practicable, as if each provision of this Schedule appeared respectively in the statutory provision noted in the column at the left of the respective descriptions of articles. In the case of articles enumerated in this Schedule, which are subject on the day of the signature of this Agreement to additional or separate ordinary customs duties, whether or not imposed under the statutory provision noted in the column at the left of the respective description of the article, such separate or additional duties shall continue in force, subject to any reduction indicated in this Schedule or hereafter provided for, until terminated in accordance with law, but shall not be increased.	
1	Chloroacetic acid	2½¢ per lb.
1	Barbituric acids not specially provided for	25% ad val.
5	Salts and compounds of barbituric acids, and combinations and mixtures of any of the foregoing, not specially provided for	25% ad val.
5 and 23	Salts and compounds of gluconic acid and combinations and mixtures of any of the foregoing; digitalis glucosides, and ergotamine tartrate; all the foregoing not specially provided for, whether or not in any form or container specified in paragraph 23	15% ad val.
28 (a)	Coal-tar products: All colors, dyes, or stains, whether soluble or not in water, except those provided for in subparagraph (b) of paragraph 28	40% ad val., but not less than 3½¢ per lb. and 22½% ad val.
28 (a)	Artificial musk, not mixed and not compounded, and not containing alcohol, when obtained, derived, or manufactured in whole or in part from any of the products provided for in paragraph 27 or 1651	22½% ad val., and 7¢ per lb.
28 (a)	Heliotropin, not mixed and not compounded, and not containing alcohol, when obtained, derived, or manufactured in whole or in part from any of the products provided for in paragraph 27 or 1651	22½% ad val., and 3½¢ per lb.

LISTE II

Paragraphe du "United States Tariff Act" de 1930	Désignation des marchandises	Droits Applicables
	NOTE: Les dispositions de la présente annexe seront interprétées et produiront les mêmes effets, et l'application aux dispositions de la présente annexe, des dispositions collatérales des lois douanières des Etats-Unis, sera traitée, autant que faire se pourra, comme si chaque disposition de la présente annexe apparaissait respectivement dans le corps de la disposition légale indiquée dans la colonne à la gauche de la description respective des marchandises. Dans le cas de marchandises énumérées à la présente annexe, et qui sont soumises, au jour de la signature du présent accord, à des droits de douane ordinaires additionnels ou distincts, qu'ils soient ou non imposés en vertu de la disposition légale indiquée dans la colonne à la gauche de la description respective de la marchandise, les dits droits distincts ou additionnels resteront en vigueur, sous réserve de toute réduction indiquée dans la présente annexe, ou stipulée ultérieurement, jusqu'à ce que leur effet cesse en vertu de dispositions légales; mais ils ne seront pas augmentés.	
1	Acide chloracétique	2½¢ par lb.
1	Acides barbituriques, non spécialement dénommés ailleurs	25% ad val.
5	Compositions des acides barbituriques et leurs sels, combinaisons et mélanges quelconques des précédents, non spécialement dénommés ailleurs	25% ad val.
5 & 23	Compositions d'acide gluconique et ses sels, combinaisons et mélanges quelconques des précédents; glucosides digitaliques, et tartrate d'ergotamine; tous les précédents non spécialement dénommés ailleurs, qu'ils soient ou non sous une des formes ou dans un des récipients spécifiés au numéro 23 du tarif	15% ad val.
28 (a)	Dérivés du goudron de houille: toutes couleurs, colorants ou mordants, solubles ou insolubles dans l'eau, à l'exception des produits classés au paragraphe (b) du numéro 28 du tarif	40% ad val., mais pas moins de 3½¢ par lb et 22½% ad val.
28 (a)	Musc artificiel, non mélangé et non composé, ne contenant pas d'alcool, lorsqu'il est obtenu, extrait ou fabriqué en tout ou partie de l'un des produits classés au paragraphe 27 ou 1651 du tarif	22½% ad val. et 7¢ par lb.
28 (a)	Héliotropine, non mélangée et non composée, ne contenant pas d'alcool, lorsqu'elle est obtenue, extraite ou fabriquée en tout ou partie de l'un des produits classés au paragraphe 27 ou 1651 du tarif	22½% ad val. et 3½¢ par lb.

Schedule II—Continued.

SCHEDULE II—Continued

United States Tariff Act of 1930 Paragraph	Description of Articles	Rate of Duty
60	Perfume materials, not mixed and not compounded, not specially provided for, and not containing over 10 per centum of alcohol:	
	Geraniol	30% ad val.
	Hydroxycitronellal	22½% ad val.
72	Lead pigments: Pigments composed in chief value of suboxide of lead, dry, or in pulp, or ground in or mixed with oil or water, not specially provided for	3¢ per lb., but not less than 15% nor more than 30% ad val.
302 (j)	Alsimin, ferrosilicon aluminum, and ferroaluminum silicon:	
	Containing 20 but not more than 52 per centum of aluminum, and having silicon and iron as the other principal component elements	1¼¢ per lb.
	Not specially provided for	2½¢ per lb.
302 (o)	Alloys not specially provided for, used in the manufacture of steel or iron and containing not less than 28 per centum of iron, not less than 18 per centum of aluminum, not less than 18 per centum of silicon, and not less than 18 per centum of manganese	12½% ad val.
353	Testing machines for determining the strength of materials or articles in tension, compression, torsion, or shear, having as an essential feature an electrical element or device, and parts thereof; any of the foregoing, finished or unfinished, wholly or in chief value of metal, and not specially provided for	20% ad val.
353	Steam boilers operating with water under forced circulation at a rate of circulation at least eight times the rate of evaporation, and having combustion chambers designed for a working pressure exceeding 30 pounds absolute to the square inch, having as an essential feature an electrical element or device, and parts thereof; any of the foregoing, finished or unfinished, wholly or in chief value of metal, and not specially provided for	20% ad val.
360	Laboratory instruments, apparatus, or appliances, for determining the strength of materials or articles in tension, compression, torsion, or shear, and parts of the foregoing; any of the foregoing wholly or in chief value of metal, and not plated with gold, silver, or platinum, finished or unfinished, not specially provided for	20% ad val.

LISTE II—Continuée

Paragraphe du "United States Tariff Act" de 1930	Désignation des marchandises	Droits Applicables
60	Matières pour la parfumerie, non mélangées, non composées, non spécialement dénommées ailleurs et ne contenant pas plus de 10 pour-cent d'alcool:	
	Géraniol	30% ad val.
	Hydroxycitronellal	22½% ad val.
72	Pigments de plomb: Pigments, composés en valeur principale de suboxyde de plomb, secs ou en pâte, ou broyés ou mélangés avec de l'huile ou de l'eau, non spécialement dénommés ailleurs	3¢ par lb., mais pas moins de 15% et pas plus de 30% ad val.
302 (j)	Alsimin, ferrosilicium-aluminium et ferro-aluminium-silicium:	
	Contenant 20 pour-cent mais pas plus de 52 pour-cent d'aluminium et dont les autres éléments principaux sont le silicium et le fer	1¼¢ par lb.
	Non spécialement dénommés ailleurs	2½¢ par lb.
302 (o)	Alliages, non spécialement dénommés ailleurs, employés dans la fabrication de l'acier et du fer et ne contenant pas moins de 28 pour-cent de fer, pas moins de 18 pour-cent d'aluminium, pas moins de 18 pour-cent de silicium et pas moins de 18 pour-cent de manganèse	12½% ad val.
353	Machines d'essai pour déterminer la résistance des matériaux ou des objets à la traction, à la compression, à la torsion, ou au cisaillement, ayant comme partie essentielle un élément ou un dispositif électrique; pièces détachées de ces machines; les machines et pièces detachées sus-mentionnées, finies ou non finies, entièrement en métal ou dans lesquelles le métal entre comme valeur principale, et non spécialement dénommées ailleurs	20% ad val.
353	Chaudières à vapeur opérant avec circuit forcé de l'eau, le taux de circulation étant au moins égal à 8 fois le taux de vaporisation et pourvues de chambres construites pour résister à une pression d'exploitation absolue depassant 30 lbs. par pouce carré, ayant comme partie essentielle un élément ou dispositif électrique; les pièces détachées de telles chaudières; les machines et pièces détachées sus-mentionnées, finies ou non finies, entièrement en métal ou dans lesquelles le métal entre comme valeur principale, et non spécialement dénommées ailleurs	20% ad val.
360	Instruments de laboratoire, appareils ou outillage pour déterminer la résistance des matériaux ou des objets, à la traction, à la compression, à la torsion, ou au cisaillement; pièces détachées de ces appareils; les instruments, appareils et pièces détachées sus-mentionnés, entièrement en métal ou dans lesquels le métal entre comme valeur principale, non plaqués d'or, d'argent ou de platine, finis ou non finis, non spécialement dénommés ailleurs	20% ad val.

Schedule II—Continued.

SCHEDULE II—Continued

United States Tariff Act of 1930 Paragraph	Description of Articles	Rate of Duty
362	Files, file blanks, rasps, and floats, of whatever cut or kind:	
	2½ inches in length and under	20¢ per doz.
	Over 2½ and not over 4½ inches in length	25¢ " "
	Over 4½ and under 7 inches in length	35¢ " "
367 (a)	Watch movements, and time-keeping, time-measuring, or time-indicating mechanisms, devices, and instruments, whether or not designed to be worn or carried on or about the person, all the foregoing, if less than 1.77 inches wide and not having more than 17 jewels, whether or not in cases, containers, or housings:	
	(1) If more than 1 inch wide	$0.90 each
	If more than 9/10 of 1 inch but not more than 1 inch wide	$1.20 each
	If more than 5/10 of 1 inch but not more than 9/10 of 1 inch wide	$1.35 each
	If 5/10 of 1 inch or less wide	$1.80 each
	(2) Any of the foregoing having no jewels or only one jewel:	
	If 5/10 of 1 inch or less wide	90¢ each
	If more than 5/10 of 1 inch wide	75¢ each
	(3) Any of the foregoing having more than seven jewels shall be subject to an additional duty of	9¢ for each jewel in excess of seven
	(4) Any of the foregoing shall be subject for each adjustment of whatever kind (treating adjustment to temperature as two adjustments) in accordance with the marking as provided in subparagraph (b) of paragraph 367 to an additional duty of	50¢ for each adjustment
	(5) Any of the foregoing, if constructed or designed to operate for a period in excess of 47 hours without rewinding, or if self-winding, or if a self-winding device may be incorporated therein, shall be subject to an additional duty of	50¢ each
	Provided, That the foregoing provisions shall not apply to any movement, mechanism, device, or instrument which contains less than seven jewels if such movement, mechanism, device, or instrument contains a bushing or its equivalent (other than a substitute for a jewel) in any position customarily occupied by a jewel.	

LISTE II—Continuée

Paragraphe du "United States Tariff Act" de 1930	Désignation des marchandises	Droits Applicables
362	Limes, limes ébauchées, râpes, et rifloirs, de n'importe quelle taille ou sorte:	
	2½ pouces de longueur et au-dessous	20¢ par douz.
	au-dessus de 2½ pouces et pas plus de 4½ pouces de longueur	25¢ par douz.
	au-dessus de 4½ pouces et au-dessous de 7 pouces de longueur	35¢ par douz.
367 (a)	Mouvements de montres ainsi que mécanismes, dispositifs et instruments pour chronométrer, mesurer ou indiquer le temps, destinés ou non à être portés sur ou par la personne, tous ces articles ayant une largeur de moins de 1,77 pouce et n'ayant pas plus de 17 rubis, qu'ils soient ou non emboîtés dans des boîtes, contenants ou étuis:	
	(1) ayant une largeur de:	
	plus d'un pouce	$0.90 par pièce
	plus de 0,9, mais pas plus de 1 pouce	$1.20 par pièce
	plus de 0,6, mais pas plus de 0,9 pouce	$1.35 par pièce
	0,6 pouce ou moins	$1.80 par pièce
	(2) Si les articles ci-dessus n'ont pas de rubis ou n'ont qu'un rubis, les droits indiqués au chiffre (1) seront remplacés par les droits suivants:	
	ayant une largeur de:	
	0,6 pouce ou moins	$0.90 par pièce
	plus de 0,6 pouce	$0.75 par pièce
	(3) Les articles ci-dessus, ayant plus de 7 rubis, acquitteront un droit additionnel de	9¢ par rubis en plus de sept
	(4) Les articles ci-dessus acquitteront, pour chaque réglage quel qu'il soit (en comptant le réglage sur la température comme 2 réglages), conformément au marquage prévu par le sous-paragraphe (b) du paragraphe 367, un droit additionnel de	50¢ pour chaque réglage
	(5) Les articles ci-dessus, s'ils sont construits de façon à marcher plus de 47 heures sans devoir être remontés, ou s'ils sont à remontage automatique, ou si un dispositif de remontage automatique peut y être adapté, acquitteront un droit additionnel de	50¢ par pièce
	Remarque: Les dispositions ci-dessus ne s'appliqueront pas aux mouvements, mécanismes, dispositifs ou instruments contenant moins de 7 rubis, si ces mouvements, mécanismes, dispositifs ou instruments contiennent un bouchon ou son équivalent (autre qu'un substitut de rubis) à tout endroit qui usuellement est occupé par un rubis.	

Schedule II—Continued.

SCHEDULE II—Continued

United States Tariff Act of 1930 Paragraph	Description of Articles	Rate of Duty
367 (c)	Parts specified hereunder for any of the movements, mechanisms, devices, or instruments provided for in paragraph 367 shall be dutiable as follows:	
	(3) Each assembly or subassembly (unless dutiable under clause (1) of subparagraph 367(c)) consisting of two or more parts or pieces of metal or other material joined or fastened together shall be subject to a duty of	2¢ for each such part or piece of material,
	except that in the case of jewels the duty shall be	9¢ instead of 2¢,
	and except that in the case of pillar or bottom plates or their equivalent the duty shall be	the rate provided in clause (2) of subparagraph 367(c) instead of 2¢
	and except that in the case of a balance assembly the duty shall be	35¢ for the assembly instead of 2¢ for each part or piece thereof.
	No assembly or subassembly shall be subject to a greater amount of duty than would be borne by the complete movement, mechanism, device, or instrument for which suitable, nor to a less rate of duty than	45% ad val.
	For the purpose of this clause a balance assembly shall be an assembly consisting of a balance wheel, balance staff, and hairspring, with or without the other parts commercially known as parts of a balance assembly. For the purpose of this clause bimetallic balance wheels (not part of a balance assembly), and mainsprings with riveted ends, shall each be considered as one part or piece;	
	(4) All other parts (except jewels and except those provided for in subparagraph 367(c) (1) and (2)).	55% ad val.
367 (d)	Jewels, suitable for use in any movement, mechanism, device, or instrument, dutiable under paragraph 367 or paragraph 368, or in any meter or compass	10% ad val.
367 (e)	Dials for any of the movements, mechanisms, devices, or instruments provided for in paragraph 367, if such dials are less than 1.77 inches wide and are imported separately	2½¢ each and 45% ad val.

LISTE II—Continuée

Paragraphe du "United States Tariff Act" de 1930	Désignation des marchandises	Droits Applicables
367 (c)	Les pièces détachées indiquées ci-dessous, destinées aux mouvements, mécanismes, dispositifs ou instruments, classés au paragraphe 367, seront dédouanées comme suit:	
	(3) Tout assemblage ou sous-assemblage (à moins qu'il soit à dédouaner d'après la clause (1) du sous-paragraphe 367 (c)) consistant en deux ou en plusieurs parties ou pièces de métal ou d'une autre matière réunies ou attachées ensemble, acquittera un droit de	2¢ par partie ou pièce,
	toutefois, le droit pour les rubis sera de	9¢ au lieu de 2¢,
	le droit pour les platines à piliers ou inférieures ou leurs équivalents, sera	le droit prévu au paragraphe (2) du sous-paragraphe 367 (c), au lieu de 2¢
	et un assemblage d'échappement acquittera un droit de	35¢ pour l'assemblage au lieu de 2¢ pour chacune de ses parties ou pièces.
	Aucun assemblage ou sous-assemblage n'acquittera un droit supérieur à celui qui serait applicable aux mouvements, mécanismes, dispositifs ou instruments complets auxquels il est destiné, ni un droit inférieur à	45% ad val.
	Aux effets de cette clause, un assemblage d'échappement signifie un assemblage composé d'une roue de balancier, d'un axe de balancier et d'un spiral, avec ou sans les autres parties connues dans le commerce comme parties d'un assemblage d'échappement. Aux effets de cette clause, les roues de balancier bimétalliques (ne faisant pas partie d'un assemblage d'échappement) et les ressorts principaux à bouts rivés sont considérés chacun comme une partie ou une pièce distincte;	
	(4) Toutes les autres parties (à l'exception des rubis et à l'exception de celles classées aux sous-paragraphes 367 (c) (1) et (2))	55% ad val.
367 (d)	Rubis propres à n'importe quel mouvement, mécanisme, dispositif ou instrument, à dédouaner sous le paragraphe 367 ou le paragraphe 368, ou destinés à n'importe quel compteur ou boussole	10% ad val.
367 (e)	Cadrans destinés à n'importe quels mouvements, mécanismes, dispositifs ou instruments visés au paragraphe 367, si ces cadrans ont une largeur de moins de 1,77 pouce et sont importés séparément	2½¢ par pièce et 45% ad val.

Schedule II—Continued.

SCHEDULE II—Continued

United States Tariff Act of 1930 Paragraph	Description of Articles	Rate of Duty
367 (f)	All cases, containers, or housings, designed or suitable for the enclosure of any of the movements, mechanisms, devices, or instruments provided for in paragraph 367, whether or not containing such movements, mechanisms, devices, or instruments, and whether finished or unfinished, complete or incomplete, except such containers as are used for shipping purposes only:	
	(1) If made of gold or platinum	75¢ each and 30% ad val.
	(2) If in part of gold, silver, or platinum, or wholly of silver	40¢ each and 30% ad val.
	(3) If set with precious, semiprecious, or imitation precious, or imitation semiprecious stones, or if prepared for the setting of such stones	40¢ each and 30% ad val.
	(4) If of base metal (and not containing gold, silver, or platinum)	10¢ each and 25% ad val.
367	All articles provided for in paragraph 367, but not provided for heretofore in this Schedule	the rate or rates of duty prescribed in paragraph 367
368 (a)	Lever movements of plate and bridge type construction for clocks or other time-keeping, time-measuring, or time-indicating mechanisms, devices, or instruments, 1.77 inches or more but not over 2 inches in width as defined in subparagraph 367 (h), and having more than four jewels; clocks and other time-keeping, time-measuring, or time-indicating mechanisms, devices, or instruments containing such movements; synchronous and subsynchronous motors of less than one-fortieth of one horsepower valued at not more than $3 each, not including the value of gears or other attachments; mechanisms, devices, or instruments intended or suitable for measuring the flowage of electricity; time switches; all the foregoing which are provided for in paragraph 368 whether or not in cases, containers, or housings:	
	(1) If valued at not more than $1.10 each	27½¢ each
	Valued at more than $1.10 but not more than $2.25 each	50¢ each
	Valued at more than $2.25 but not more than $5 each	75¢ each

LISTE II—Continuée

Paragraphe du "United States Tariff Act" de 1930	Désignation des marchandises	Droits Applicables
367 (f)	Toutes boîtes, contenants, ou étuis, destinés ou convenant à l'emboîtage de n'importe quels mouvements, mécanismes, dispositifs ou instruments classés au paragraphe 367, qu'ils contiennent ou non de tels mouvements, mécanismes, dispositifs ou instruments, finis ou non finis, complets ou non complets, à l'exception des contenants employés uniquement pour l'expédition:	
	(1) En or ou en platine	$0,75 par pièce et 30% ad val.
	(2) Partiellement en or, argent ou platine, ou entièrement en argent	$0,40 par pièce et 30% ad val.
	(3) Garnis de pierres précieuses, demi-précieuses ou d'imitation des dites pierres, ou préparés pour recevoir de telles pierres	$0,40 par pièce et 30% ad val.
	(4) En métal non précieux (et ne contenant pas d'or, d'argent ou de platine)	$0,10 par pièce et 25% ad val.
367	Tous les articles classés au paragraphe 367, non dénommés ci-dessus dans cette annexe	le droit ou les droits de douane stipulés au paragraphe 367
368 (a)	Mouvements ancre du type de construction avec platines et ponts, destinés à des pendules ou autres mécanismes, dispositifs ou instruments pour chronométrer, mesurer ou indiquer le temps, mesurant 1,77 pouce ou plus, mais pas plus de 2 pouces, conformément aux dispositions du paragraphe 367 (h), et ayant plus de 4 rubis; pendules et autres mécanismes, dispositifs ou instruments, pour chronométrer, mesurer ou indiquer le temps, contenant les mouvements décrits ci-dessus; moteurs synchrones ou asynchrones de moins de 1/40éme de CV d'une valeur de $3 ou inférieure par pièce, non compris la valeur des transmissions et autres accessoires; mécanismes, dispositifs ou instruments destinés à ou convenant pour mesurer le courant de l'électricité; interrupteurs-horaires; tous ces articles classés au paragraphe 368, qu'ils soient ou non emboîtés dans des boîtes, contenants ou cabinets:	
	(1) Si leur valeur n'est pas supérieure à $1.10 pièce	27½¢ par pièce
	Si leur valeur est supérieure à $1.10, mais pas plus de $2.25 pièce	50¢ par pièce
	Si leur valeur est supérieure à $2.25 mais pas plus de $5.00 pièce	75¢ par pièce

Schedule II—Continued.

SCHEDULE II—Continued

United States Tariff Act of 1930 Paragraph	Description of Articles	Rate of Duty
	Valued at more than $5 but not more than $10 each	$1.50 each
	Valued at more than $10 each	$2.25 each
	(2) Any of the foregoing shall be subject to an additional duty of	32½% ad val.
	(3) Any of the foregoing containing jewels shall be subject to an additional cumulative duty of	12½¢ for each such jewel
372	Jig-boring machine tools	15% ad val.
372	Knitting machines (except full-fashioned hosiery and circular knitting machines), finished or unfinished, and not specially provided for	27½% ad val.
372	Hydraulic reaction turbines and hydraulic impulse wheels, not specially provided for	15% ad val.
372	Machines not specially provided for, finished or unfinished, for determining the strength of materials or articles in tension, compression, torsion, or shear	20% ad val.
382 (a)	Aluminum foil less than six one-thousandths of one inch in thickness	11¢ per lb., but not less than 20% nor more than 40% ad val.
397	Rivets, nuts, and washers, any of the foregoing having shanks, threads, or holes not exceeding twenty-four one-hundredths of one inch in diameter; screws, commonly called wood screws, having shanks not exceeding twelve one-hundredths of one inch in diameter; all the foregoing composed wholly or in chief value of base metal other than iron or steel, but not plated with platinum, gold, or silver, or colored with gold lacquer, and not specially provided for	30% ad val.
397	Screws, except those commonly called wood screws, having shanks or threads not exceeding twenty-four one-hundredths of one inch in diameter, composed wholly or in chief value of iron, steel, or other base metal, but not plated with platinum, gold, or silver, or colored with gold lacquer, and not specially provided for	30% ad val.
710	Cheese having the eye formation characteristic of the Swiss or Emmenthaler type; and Gruyere process-cheese	7¢ per lb., but not less than 20% ad val.
904 (b) (c)	Cotton cloth, bleached, printed, dyed, or colored, weighing less than one and two-thirds ounces per square yard and containing yarns the average number of which exceeds number 85, not woven with swivel attachments	35% ad val.

LISTE II—Continuée

Paragraphe du "United States Tariff Act" de 1930	Désignation des marchandises	Droits Applicables
	Si leur valeur est supérieure à $5.00 mais pas à $10 pièce	$1.50 par pièce
	Si leur valeur est supérieure à $10 pièce	$2.25 par pièce
	(2) Tous ces articles seront, en outre, astreints à un droit additionnel de	32½% ad val.
	(3) Tous ces articles contenant des rubis seront soumis à un droit additionnel cumulatif de	12½¢ pour chacun de ces rubis
372	Machines-outils à pointer (perceuses-aléseuses de haute précision)	15% ad val.
372	Machines à tricoter (sauf machines de bonneterie pour façon complète et machines à tricoter circulaires), finies ou non finies, non spécialement dénommées ailleurs	27½% ad val.
372	Turbines hydrauliques à réaction et couronnes à déviation libre, non spécialement dénommées ailleurs	15% ad val.
372	Machines non spécialement dénommées ailleurs, finies ou non finies, pour déterminer la résistance des matériaux ou objets à la traction, à la compression, à la torsion, ou au cisaillement	20% ad val.
382 (a)	Feuilles d'aluminium d'une épaisseur de moins de six millièmes de pouce	11¢ par lb., mais pas moins de 20% ni plus de 40% ad val.
397	Rivets, écrous ou rondelles, avec jambes, filets ou perçages, ne dépassant pas un diamètre de 24/100 de pouce; vis, dites vis à bois, avec jambes, ne dépassant pas un diamètre de 12/100 de pouce; les dits articles faits entièrement en métal non précieux ou dans lesquels la matière de principale valeur est un métal non précieux autre que le fer ou l'acier, mais non platinés, dorés, ou argentés, ni teints de vernis d'or, non spécialement dénommés ailleurs	30% ad val.
397	Vis, à l'exception des vis dites vis à bois, avec jambes ou filets ne dépassant pas un diamètre de 24/100 de pouce, faites entièrement en fer, en acier ou en un autre métal non précieux ou dans lesquelles le fer, l'acier ou autre métal non précieux constitue la matière de principale valeur, mais non platinées, dorées ou argentées, ni teintes de vernis d'or, non spécialement dénommées ailleurs	30% ad val
710	Fromage ayant les trous caractéristiques du fromage suisse ou d'Emmenthal; et Petit-Gruyère en boîtes	7¢ par lb., mais pas moins de 20% ad val.
904 (b)(c)	Tissu de coton, blanchi, imprimé, teint, ou coloré, d'un poids inférieur à 1⅔ once par yard carré et contenant des fils dont le numéro moyen est supérieur au numéro 85, non tissé avec chasse à brochage	35% ad val.

Schedule II—Continued.

SCHEDULE II—Continued

United States Tariff Act of 1930 Paragraph	Description of Articles	Rate of Duty
904 (b) (c) (d)	Cotton cloth, bleached, printed, dyed, or colored, containing yarns the average number of which exceeds number 40, and woven with swivel attachments	35% ad val.
917	Knit underwear, finished or unfinished, wholly or in chief value of cotton or other vegetable fiber, valued at more than $1.75 per pound, and not specially provided for	30% ad val.
1114 (c)	Knit underwear, finished or unfinished, wholly or in chief value of wool, valued at more than $1.75 per pound	50¢ per lb. and 30% ad val.
1205	Silk bolting cloth, not specially provided for	30% ad val.
1205	Woven fabrics in the piece, not exceeding thirty inches in width, whether woven with fast or split edges, the fibers of which are wholly of silk, yarn-dyed, whether or not Jacquard-figured, and valued at more than $5.50 per pound	45% ad val.
1205	Woven fabrics in the piece, not exceeding thirty inches in width, whether woven with fast or split edges, bleached, printed, dyed, or colored, but not Jacquard-figured, the fibers of which are chiefly but not wholly of silk, including umbrella silk or Gloria cloth	50% ad val.
1208	Knit underwear, finished or unfinished, wholly or in chief value of silk, valued at more than $1.75 per pound	35% ad val.
1301	Single filaments of rayon or other synthetic textile, known as artificial horsehair	35% ad val., but not less than 30¢ per lb.
1309	Knit underwear, finished or unfinished, wholly or in chief value of rayon or other synthetic textile, valued at more than $1.75 per pound	45¢ per lb. and 35% ad val.
1413	Stereotype-matrix mat or board valued at more than 1/45 of 1 cent per square inch	20% ad val.
1504 (a)	Braids, plaits, laces, and willow sheets or squares, in chief value of straw, chip, paper, grass, palm leaf, willow, osier, rattan, real horsehair, cuba bark, or manila hemp, and braids and plaits in chief value of ramie, all the foregoing suitable for making or ornamenting hats, bonnets, or hoods, and containing a substantial part of rayon or other synthetic textile (but not in chief value thereof)	24¢ per lb., but not less than 22½% nor more than 45% ad val.

LISTE II—Continuée

Paragraphe du "United States Tariff Act" de 1930	Désignation des marchandises	Droits Applicables
904 (b) (c) (d)	Tissu de coton, blanchi, imprimé, teint, ou coloré, contenant des fils dont le numéro moyen est supérieur au numéro 40, et tissé avec chasse à brochage	35% ad val.
917	Sous-vêtements tricotés, finis ou non finis, entièrement en coton ou autre fibre végétale, ou dont le coton ou une autre fibre végétale constitue la matière de principale valeur, évalués à plus de $1.75 par lb. et non spécialement dénommés ailleurs	30% ad val.
1114 (c)	Sous-vêtements tricotés, finis ou non finis, entièrement en laine, ou dont la laine constitue la matière de principale valeur, évalués à plus de $1.75 par lb.	50¢ par lb. et 30% ad val.
1205	Gaze pour bluterie en soie, non spécialement dénommée ailleurs	30% ad val.
1205	Tissus en pièces, ne dépassant pas en largeur 30 pouces, tissés ou non avec des lisières jumelles ou coupées, les fils étant exclusivement en soie, teints-en-fils, façonnés à la Jacquard ou non, et d'une valeur de plus de $5.50 par lb.	45% ad val.
1205	Tissus en pièces, ne dépassant pas en largeur 30 pouces, tissés ou non avec des lisières jumelles ou coupées, blanchis, imprimés, teints ou colorés, mais non façonnés à la Jacquard, les fils étant principalement mais pas exclusivement en soie, y compris les tissus-soie pour parapluies ou les tissus Gloria	50% ad val.
1208	Sous-vêtements tricotés, finis ou non finis, entièrement en soie, ou dont la soie constitue la matière de principale valeur, évalués à plus de $1.75 par lb.	35% ad val.
1301	Monofil de rayonne ou d'un autre textile synthétique dit crin artificiel	35% ad val., mais pas moins de 30¢ par lb.
1309	Sous-vêtements tricotés, finis ou non finis, entièrement en rayonne ou autre textile synthétique, ou dont la rayonne ou un autre textile synthétique constitue la matière de principale valeur, évalués à plus de $1.75 par lb.	45¢ par lb. et 35% ad val.
1413	Flan ou carton pour matrices de stéréotypie d'une valeur de plus de 1/45ème de cent par pouce carré	20% ad val.
1504 (a)	Tresses, galons, dentelles, feuilles ou carrés de saule, dans lesquels la paille, les copeaux, le papier, l'herbe, les feuilles de palmier, le saule, l'osier, le rotin, le crin naturel, l'écorce de Cuba, ou le chanvre de Manille, constitue la matière de valeur principale, et les tresses et les galons, où la valeur de la ramie est prépondérante; tous les articles précédents convenant à la confection et à l'ornementation de chapeaux, bonnets, ou de capelines, et contenant une quantité importante de rayonne, ou d'un autre textile synthétique (sans que celle-ci ou celui-ci en constitue la valeur principale)	24¢ par lb., mais pas moins de 22½%, ni plus de 45% ad val.

Schedule II—Continued.

SCHEDULE II—Continued

United States Tariff Act of 1930 Paragraph	Description of Articles	Rate of Duty
1504 (b) (3)	Men's Yeddo hats composed wholly or in chief value of unsplit straw, blocked but not trimmed (whether or not bleached, dyed, colored, or stained)	$3.50 per doz., but not less than $1.75 per doz. and 25% ad val.
1529 (a)	Braids (including braids or bandings made wholly or in part of braids, but not including materials or articles provided for in paragraph 1504), suitable for making or ornamenting hats, bonnets, or hoods, loom woven and ornamented in the process of weaving, or made by hand, or on a lace, knitting, or braiding machine, composed wholly or in chief value of rayon or other synthetic textile, or of yarn, threads, or filaments other than cotton, valued at more than $1 per pound	$1 per lb., but not less than 45% nor more than 90% ad val.
1529 (a)	Insertings, edgings, galloons, flouncings, and all-overs; articles in chief value of one or more of the foregoing, except articles of wearing apparel not specified by name in this provision; curtains, panels, paneling, valances, sheets, pillowcases, bedspreads, bolster cases, bed sets, mats, doilies, rounds, ovals, oblongs, squares, motifs, bureau or table scarfs and sets, piano scarfs, chair back and chair arm covers, antimacassars, table cloths, napkins, bridge or luncheon sets, handkerchief cases, glove cases, handbags, purses, collars, cuffs, collar and cuff sets, jabots, yokes, plastrons, aprons, and boudoir caps; all the foregoing, finished or unfinished, however described and provided for in paragraph 1529(a), which are embroidered or tamboured and which are wholly or in chief value of cotton	60% ad val.
	Provided, That this provision shall not apply to laces, lace fabrics, and lace articles, made in any part on a lace machine, nor to articles or materials embroidered or tamboured in any part by hand or otherwise than with the use of multiple-needle, Cornely, or Bonnaz embroidery machines (except that the edges may be embroidered with the use of other machines); but no article or material shall be excluded from this provision by reason of the incidental ornamentation thereof by hand by means of spider work, faggoting, or similar stitches, extending across openwork resulting from the removal of a part of the fabric.	

LISTE II—Continuée

Paragraphe du "United States Tariff Act" de 1930	Désignation des marchandises	Droits Applicables
1504 (b) (3)	Chapeaux d'hommes Yeddo, composés entièrement de paille non-fendue ou dont celle-ci constitue la valeur principale, formés mais non garnis (qu'ils soient ou non blanchis, teints, colorés, ou teintés)	$3.50 par douz., mais pas moins de $1.75 par douz. et 25% ad val.
1529 (a)	Tresses (y compris les tresses ou les bandeaux faits entièrement ou en partie de tresses, mais sans les matières et les articles classés au paragraphe 1504), convenant à la confection et à l'ornementation de chapeaux, bonnets ou capelines, tissés sur le métier et ornés pendant le procédé du tissage, ou faits à la main, ou sur une machine à dentelles, à tricoter, ou à tresser, consistant entièrement en rayonne ou en un autre textile synthétique, ou en filés, fils, ou filaments autres que du coton, ou dont l'une de ces matières constitue la valeur principale, évalués à plus de $1.00 par lb.	$1.00 par lb., mais pas moins de 45%, ni plus de 90% ad val.
1529 (a)	Entre-deux, bandes, galons, volants, et laizes; articles dont la valeur principale est constituée par un ou plusieurs articles sus-mentionnés, à l'exception d'articles d'habillement non désignés spécifiquement dans ce paragraphe; rideaux, "panels", "paneling", valances, draps, taies d'oreillers, couvre-lits, fourres de traversins, ensembles de lits (bedsets), dessous, napperons (doilies), ronds, ovales, oblongs, carrés, motifs, chemins et ensembles pour bureaux et tables, dessus de pianos, dessus pour bras de fauteuils et couvre-dossiers pour fauteuils, antimacassars, nappes, serviettes, ensembles pour bridge ou luncheon, sachets à mouchoirs, sachets à gants, sacs à main, bourses, cols, manchettes, parures de cols et manchettes, jabots, empiècements, plastrons, tabliers, bonnets de boudoir; tous ces articles, finis ou non finis, quelle que soit leur description et leur dénomination dans le paragraphe 1529(a), qu'il s'agisse d'articles brodés ou en broderie au point de chaînette (tamboured) et consistant entièrement en coton ou dont le coton constitue la valeur principale *Remarque:* Ce paragraphe ne s'applique ni aux dentelles, tissus en dentelles, et articles en dentelles, dont quelque partie est faite par une machine à dentelles, ni aux articles ou tissus brodés ou tambourés en quelque partie à la main ou autrement que par des métiers à broder à multiples aiguilles, des métiers Cornely ou Bonnaz (sauf que les bordures peuvent être brodées avec l'usage d'autres machines); mais aucun article ou tissu ne peut être exclu de ce paragraphe à cause de son ornementation occasionnelle faite à la main au moyen de broderies "spider-work", "faggoting", ou points similaires, liant l'ouvrage à jour résultant de l'élimination d'une partie du tissu.	60% ad val.

Schedule II—Continued.

SCHEDULE II—Continued

United States Tariff Act of 1930 Paragraph	Description of Articles	Rate of Duty
1529 (a)	Insertings, edgings, galloons, flouncings, and all-overs, any of the foregoing which are burnt-out laces, and finished or unfinished articles in chief value of one or more of the foregoing; all the foregoing, however described and provided for in paragraph 1529 (a)	60% ad val.
1529 (b)	Handkerchiefs, wholly or in part of machine-made lace; handkerchiefs embroidered (whether with a plain or fancy initial, monogram, or otherwise, and whether or not the embroidery is on a scalloped edge), tamboured, appliqued, or from which threads have been omitted, drawn, punched, or cut, and with threads introduced after weaving to finish or ornament the openwork, not including one row of straight hemstitching adjoining the hem; any of the foregoing, finished or unfinished, which contain no handmade lace and which are not embroidered or tamboured in any part by hand:	
	Composed wholly or in chief value of cotton	2¢ each and 30% ad val.
	Composed wholly or in chief value of vegetable fiber other than cotton:	
	If finished and valued at 80 cents or more per dozen	2¢ each and 30% ad val.
	If unhemmed and without any finished edge, and valued at 45 cents or more per dozen	2¢ each and 30% ad val.
1530 (e)	Turn or turned boots and shoes, made wholly or in chief value of leather, not specially provided for	10% ad val.
1541 (a)	Music boxes and parts thereof, not specially provided for	20% ad val.
1558	Preparations for flavoring or seasoning food, in chief value of yeast extract, containing no alcohol, and not including sauces	12½% ad val.
1626	Bolting cloths composed of silk, imported expressly for milling purposes, and so permanently marked as not to be available for any other use	Free

LISTE II—Continuée

Paragraphe du "United States Tariff Act" de 1930	Désignation des marchandises	Droits Applicables
1529 (a)	Entre-deux, bandes, galons, volants et laizes; l'un ou tous ces articles ci-dessus qui sont des broderies chimiques, et des articles finis ou non finis, dont la valeur principale est constituée par un ou plusieurs des articles ci-dessus; tous ces articles, quelle que soit leur description et dénomination dans le paragraphe 1529 (a)	60% ad val.
1529 (b)	Mouchoirs, entièrement ou partiellement en dentelle faite au métier; mouchoirs brodés (soit avec des initiales simples ou de fantaisie, des monogrammes, ou autrement, que la broderie soit ou non sur une bordure festonnée), tambourés, appliqués, ou dans lesquels des fils ont été omis, tirés, percés ou coupés, et ayant des fils insérés après le tissage afin de finir ou d'ornementer l'ouvrage à jour, non compris une seule rangée de point d'ourlet simple contiguë à l'ourlet; tous les articles précédents, finis ou non finis, ne contenant pas de dentelle faite à la main et dont aucune partie n'est brodée ou tambourée à la main:	
	Entièrement en coton ou dont la principale valeur est constituée par du coton	2¢ pièce et 30% ad val.
	Entièrement en fil végétal autre que le coton ou dans lesquels le fil végétal autre que le coton constitue la valeur principale:	
	Finis et ayant une valeur de 80¢ ou plus la douzaine	2¢ pièce et 30% ad val.
	Non ourlés, sans bordure finie, et ayant une valeur de 45¢ ou plus la douzaine	2¢ pièce et 30% ad val.
1530 (e)	Bottines et souliers, cousu chausson, composés entièrement de cuir, ou dont le cuir constitue la matière de principale valeur, non spécialement dénommés ailleurs	10% ad val.
1541 (a)	Boîtes à musique et leurs pièces détachées, non spécialement dénommées ailleurs	20% ad val.
1558	Préparations pour assaisonner la nourriture, dont les extraits de levure constituent la matière de principale valeur, sans alcool, à l'exclusion des sauces	12½% ad val.
1626	Gaze pour bluterie en soie, importée exclusivement pour la minoterie, marquée d'une façon indélébile, la rendant impropre à un autre usage	exempt

Declaration.

DECLARATION

Suppression of smuggling of watches, etc.

With a view to cooperating with the Government of the United States of America in its efforts to suppress the smuggling of watches and watch movements, the Government of Switzerland will establish and maintain with the collaboration of the appropriate organizations of the Swiss Watch Industry, the following system of regulation of the exportation of watches and watch movements from Switzerland to the United States:

1. Watches and watch movements other than those purchased at retail may not be exported from Switzerland to the United States except under export permits issued by a Swiss watch organization to be designated by the Government of Switzerland. Such permits shall be viséed by the Swiss Customs Authorities when the shipments are exported from Switzerland and shall be delivered to the appropriate American Consulate in Switzerland. The export permit shall be substantially in the form attached hereto.

2. Watches and watch movements destined for the United States shall be exported through the Swiss Custom House at the place or places to be designated by the Swiss Customs Authorities, for direct shipment to the United States.

3. Watches and watch movements exported from Switzerland to the United States shall be permanently marked with a distinguishing mark distinct for each importer in the United States. Current lists of such marks, and the names and addresses of the persons to whom allocated, shall be furnished by the Swiss Government to the American Legation at Bern. However, such mark shall not be required in the case of watches or watch movements which are or may hereafter be permitted to be legally imported into the United States without marking.

4. The appropriate organizations of the Swiss Watch Industry will take such measures as are necessary to insure:

(a) that their members keep regular accounts, periodically audited, and that they furnish complete information to a central organization in Switzerland regarding their exports of watches and watch movements to the United States, in particular, the dates, quantities and values of their shipments, the style of their products, the names of the suppliers of the exported articles, and the names of the importers in the United States; and

(b) that infringements of this system of regulation of exports are punished in accordance with the conventions of the Swiss Watch Industry; it being understood that one of the penalties to be imposed shall be the temporary or permanent refusal of export permits for future shipments to the United States.

5. Upon request through the appropriate channels, the Swiss watch organization which is designated by the Government of Switzerland for the issuance of export permits will furnish information to the American Customs Authorities regarding the smuggling or suspected smuggling into the United States of watches and watch movements.

DÉCLARATION

Dans le but de coopérer avec le Gouvernement des Etats-Unis d'Amérique dans ses efforts pour supprimer la contrebande des montres et des mouvements de montres, le Gouvernement suisse établira et maintiendra, avec la collaboration des organisations appropriées de l'industrie horlogère suisse, le système suivant de réglementation de l'exportation des montres et des mouvements de montres de Suisse aux Etats-Unis:

1. Les montres et les mouvements de montres autres que ceux achetés dans le commerce de détail ne peuvent pas être exportés de Suisse aux Etats-Unis s'ils ne sont pas accompagnés de permis délivrés par une organisation de l'industrie horlogère suisse désignée par le Gouvernement suisse. Ces permis doivent être visés par les Autorités douanières suisses au moment où les envois sont exportés de Suisse et doivent être remis au Consulat américain compétent en Suisse. Le permis d'exportation doit être conforme en principe au formulaire ci-joint.

2. Les montres et les mouvements de montres destinés aux Etats-Unis doivent être exportés par le ou les Bureaux des Douanes suisses désignés par les Autorités douanières suisses, d'où ils seront acheminés directement sur les Etats-Unis.

3. Les montres et les mouvements de montres exportés de Suisse aux Etats-Unis seront marqués de façon permanente d'une marque distinctive, distincte pour chaque importateur aux Etats-Unis. Des listes tenues à jour de ces marques, ainsi que les noms et adresses des personnes auxquelles elles sont assignées, seront fournies à la Légation des Etats-Unis à Berne par le Gouvernement suisse. Cependant, cette marque ne doit pas être exigée pour des montres et des mouvements de montres qui sont ou seraient subséquemment autorisés à être légalement importés aux Etats-Unis sans marquage.

4. Les organisations appropriées de l'industrie horlogère suisse prendront les mesures nécessaires pour assurer:

(a) que leurs membres tiennent une comptabilité régulière périodiquement revisée et qu'ils fournissent des informations complètes à une organisation centrale en Suisse, concernant leurs exportations de montres ou de mouvements de montres aux Etats-Unis, en particulier les dates, quantités et valeurs de leurs envois, le genre de leurs produits, les noms des fournisseurs des articles exportés et les noms des importateurs aux Etats-Unis; et

(b) que les infractions à ce système de réglementation des exportations seront punies en conformité des conventions de l'industrie horlogère suisse; il est entendu que l'une des sanctions à prendre sera le refus temporaire ou permanent de permis d'exportation pour les envois futurs à destination des Etats-Unis.

5. Sur requête présentée par les voies appropriées, l'organisation de l'industrie horlogère suisse désignée par le Gouvernement suisse pour l'émission des permis d'exportation fournira aux Autorités douanières américaines des informations concernant l'entrée aux Etats-Unis en contrebande effective ou supposée de montres et de mouvements de montres.

6. The Swiss watch organization which is designated by the Government of Switzerland for the issuance of export permits will, after due warning, refuse to issue export permits for the shipment of watches and watch movements for the account of any person in the United States if there is probable cause to believe that such person has smuggled or is engaged in the smuggling of watches or watch movements into the United States and if such person has refused to permit a duly accredited customs officer of the United States to inspect his stock or records pertaining to such merchandise or the purchase or importation thereof.

The system of regulation of exports described above shall be put into operation on May 1, 1936, and shall continue to operate as long as the trade agreement remains in force, subject to the provisions of Article XVII of the said trade agreement.

Form of Export Permit for Watches and Watch Movements

Mr. . . . . ,
(Name of Exporter)

residing at . . . . . Switzerland,

applies for an export permit for a shipment to the United States as described below.

Consignee: goods sent to. . . . . .
(Name and address)

Ultimate consignee . . . . . .
(Name and address)

Country of origin: SWITZERLAND

Nature and quantity of the goods (as described in the U. S. A. Customs tariff) . .

. . . . . .

Value of the goods sent . . . . . .
(in Swiss francs)

Goods exported from Switzerland through:

For importation into the U. S. A. through port of:

Marks and numbers on case or parcels . . . . . .

Signature of exporter . . . . . .
(Seal)

Date . . . . . 19 . .

La Chaux-de-Fonds, ... 19 . .
(SWITZERLAND)
THE SWISS WATCH CHAMBER OF COMMERCE
. . . . . .
(Seal)

Visa of the Swiss Customs
Authorities at
. . . . . .
(Seal)

6. L'organisation de l'industrie horlogère suisse désignée par le Gouvernement suisse pour l'émission des permis d'exportation refusera, après avertissement en due forme, d'établir des permis d'exportation visant des envois de montres ou de mouvements de montres pour le compte de toute personne aux Etats-Unis s'il y a raison d'admettre que cette personne a passé en contrebande ou est en train de passer en contrebande aux Etats-Unis des montres ou des mouvements de montres et si la dite personne a refusé de permettre à un fonctionnaire des douanes américaines, dûment autorisé, d'inspecter ses stocks ou documents relatifs à telle marchandise ou à son achat ou à son importation.

Le système de réglementation des exportations décrit ci-dessus devra être mis en application le premier mai 1936 et devra continuer à être appliqué aussi longtemps que l'accord commercial restera en vigueur, sous réserve des dispositions de l'Article XVII du dit accord commercial.

Formulaire de permis d'exportation pour les montres et mouvements de montres.

M. . . . . .
(Nom de l'exportateur)

domicilié à . . . . . Suisse

sollicite un permis d'exportation pour un envoi à destination des Etats-Unis, conforme à la description ci-dessous.

Destinataire: Marchandises envoyées à . . . . . .
(intermédiaire) (Nom et adresse)

Destinataire final: . . . . . .
(Nom et adresse)

Pays d'origine: SUISSE

Nature et quantité des marchandises (conformément à la nomenclature du tarif douanier des U. S. A.)

. . . . . .

. . . . . .

Valeur des marchandises expédiées: . . . . . .
(en francs suisses)

Marchandises exportées de Suisse par le bureau des douanes de:

. . . . . .

Pour l'importation aux U. S. A. par le port de . . . . . .

Marques et numéros figurant sur les caisses ou paquets . . . . . .

Signature de l'exportateur . . . . . .
(cachet)

Date . . . . . 19 . .

La Chaux-de-Fonds, ... 19 . .
(Suisse)

CHAMBRE SUISSE DE L'HORLOGERIE

. . . . . .
(cachet)

Visa du Bureau des douanes suisses

de . . . . . .
(cachet)

Modifications, etc.

WHEREAS such modifications of existing duties and other import restrictions and such continuance of existing customs and excise treatment as are set forth and provided for in the said Agreement and the two Schedules thereunto annexed are required and appropriate to carry out the said Agreement;

Provisions for approval.
Ante, p. 3928.

WHEREAS it is stipulated in Article XVIII of the said Agreement that the Agreement shall be approved and confirmed by the President of the United States of America, by virtue of the Act of the Congress of the United States of America approved June 12, 1934, entitled "AN ACT To Amend the Tariff Act of 1930", and shall be ratified by the Swiss Federal Council with the consent of the Federal Assembly of the Swiss Confederation, and that the entire Agreement shall come into force thirty days after the day of the exchange of the instrument of approval and confirmation and the instrument of ratification;

Vol. 48, p. 943.
U. S. C., p. 879.

AND WHEREAS the said Agreement has been formally approved and confirmed by the President of the United States of America;

AND WHEREAS it is further provided in the said Article XVIII that pending the exchange of the instrument of approval and confirmation and the instrument of ratification, the provisions of Articles I to XVII inclusive shall be applied reciprocally by the United States of America and Switzerland on February 15, 1936, and thereafter until the day on which the entire Agreement shall come into force;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, acting under the authority conferred by the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, do hereby proclaim the said Agreement including the said Schedules and Declaration to the end that the provisions of Articles I to XVII inclusive may be observed and fulfilled with good faith by the United States of America and the citizens thereof on and after February 15, 1936, until the day on which the entire Agreement shall come into force, pending the exchange of the instrument of approval and confirmation of the President of the United States of America and the instrument of ratification by the Swiss Federal Council, and that the entire Agreement and every part thereof may be so observed and fulfilled on and from the thirtieth day after the day on which the said exchange shall have taken place as provided for in Article XVIII of the Agreement.

Vol. 46, p. 708; Vol. 48, p. 943.

Pursuant to the proviso in Section 350(a) (2) of the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, I shall from time to time notify the Secretary of the Treasury of the countries with respect to which application of the duties herein proclaimed is to be suspended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this ninth day of January, in the year of our Lord one thousand nine hundred and thirty-six, and of the Independence of the United States of America the one hundred and sixtieth.

[SEAL]

By the President: FRANKLIN D ROOSEVELT

CORDELL HULL
Secretary of State.

[Supplementary Proclamation]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA. May 7, 1936.

A PROCLAMATION.

Supplementary proclamation.

WHEREAS, by my proclamation of January 9, 1936, I did make public the Trade Agreement, including two Schedules and a Declaration, which, pursuant to Section 350(a) of the Tariff Act of 1930 of the Congress of the United States of America, as amended by the Act of June 12, 1934, entitled "AN ACT To Amend the Tariff Act of 1930", I entered into on January 9, 1936, with the Swiss Federal Council, in order that the provisions of Articles I to XVII, inclusive, of the said Agreement should be observed and fulfilled with good faith by the United States of America and the citizens thereof on February 15, 1936, and thereafter, until the day on which the entire Agreement should come into force, as provided in Article XVIII of the said Agreement, and that the entire Agreement and every part thereof should be so observed and fulfilled on and from the thirtieth day after the day of the exchange of the instrument of approval and confirmation thereof by the President of the United States of America and the instrument of ratification by the Swiss Federal Council as is further provided in Article XVIII of the Agreement;

AND WHEREAS the instrument of approval and confirmation of the President of the United States of America and the instrument of ratification by the Swiss Federal Council were exchanged at Bern on May 7, 1936;

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, supplementing my said proclamation of January 9, 1936, do hereby proclaim that the entire Agreement entered into by me with the Swiss Federal Council on January 9, 1936, will come into force on June 6, 1936; and I do hereby call upon the United States of America and all the citizens thereof to observe and fulfill the said Agreement and every part thereof with good faith on and from that date.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this seventh day of May, in the year of our Lord one thousand nine hundred and thirty-six,
[SEAL] and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

[No. 90]

November 15, 1935. *Agreement, supplementary proclamation, and related notes between the United States of America and the Dominion of Canada respecting reciprocal trade. Signed at Washington, November 15, 1935; proclaimed, December 2, 1935; ratified by His Majesty in respect of Canada, April 20, 1936; proclamation and ratification exchanged at Ottawa, May 14, 1936; supplementary proclamation by the President, May 14, 1936; articles I, III, and IV applied on and after January 1, 1936; entire agreement effective May 14, 1936.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Reciprocal trade agreement with Canada.
Vol. 46, p. 708; Vol. 48, p. 943.
U. S. C., p. 879.

WHEREAS it is provided in the Tariff Act of 1930 of the Congress of the United States of America, as amended by the Act of June 12, 1934, entitled "AN ACT To Amend the Tariff Act of 1930" (48 Stat. 943), as follows:

Statutory provisions.

"Sec. 350. (a) For the purpose of expanding foreign markets for the products of the United States (as a means of assisting in the present emergency in restoring the American standard of living, in overcoming domestic unemployment and the present economic depression, in increasing the purchasing power of the American public, and in establishing and maintaining a better relationship among various branches of American agriculture, industry, mining, and commerce) by regulating the admission of foreign goods into the United States in accordance with the characteristics and needs of various branches of American production so that foreign markets will be made available to those branches of American production which require and are capable of developing such outlets by affording corresponding market opportunities for foreign products in the United States, the President, whenever he finds as a fact that any existing duties or other import restrictions of the United States or any foreign country are unduly burdening and restricting the foreign trade of the United States and that the purpose above declared will be promoted by the means hereinafter specified, is authorized from time to time—

"(1) To enter into foreign trade agreements with foreign governments or instrumentalities thereof; and

"(2) To proclaim such modifications of existing duties and other import restrictions, or such additional import restrictions, or such continuance, and for such minimum periods, of existing customs or excise treatment of any article covered by foreign trade agreements, as are required or appropriate to carry out any foreign trade agreement that the President has entered into hereunder. No proclamation shall be made increasing or decreasing by more than 50 per centum any existing rate of duty or transferring any article between the dutiable and free lists. The proclaimed duties and other import restrictions shall apply to articles the growth, produce, or manufacture of all foreign countries, whether imported directly, or indirectly: *Provided*, That the President may suspend the application to articles the growth, produce, or manufacture of any country because of its discriminatory treatment of American commerce or because

of other acts or policies which in his opinion tend to defeat the purposes set forth in this section; and the proclaimed duties and other import restrictions shall be in effect from and after such time as is specified in the proclamation. The President may at any time terminate any such proclamation in whole or in part."

Promotion of foreign trade.

WHEREAS I, Franklin D. Roosevelt, President of the United States of America, have found as a fact that certain existing duties and other import restrictions of the United States of America and the Dominion of Canada are unduly burdening and restricting the foreign trade of the United States of America and that the purpose declared in the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, will be promoted by a foreign trade agreement between the United States of America and the Dominion of Canada;

Vol. 46, p. 708; Vol. 48, p. 943.

Notice given.

WHEREAS reasonable public notice of the intention to negotiate such foreign trade agreement was given and the views presented by persons interested in the negotiation of such agreement were received and considered;

Trade agreement entered into.

WHEREAS, after seeking and obtaining information and advice with respect thereto from the United States Tariff Commission, the Departments of State, Agriculture, and Commerce, and from other sources, I entered into a foreign Trade Agreement on November 15, 1935, through my duly empowered Plenipotentiary, with His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada, through his duly empowered Plenipotentiary, which Agreement, including two Schedules annexed thereto, is in words and figures as follows:

Purposes declared.

The President of the United States of America and His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada, being desirous of facilitating and extending the commercial relations existing between the United States of America and Canada by granting mutual and reciprocal concessions and advantages for the promotion of trade, have resolved to conclude a Trade Agreement as a step toward the lowering of the barriers impeding trade between their two countries, and for this purpose have through their respective Plenipotentiaries agreed upon the following Articles:

ARTICLE I

Most-favored-nation treatment.

The United States of America and Canada will grant each other unconditional and unrestricted most-favored-nation treatment in all matters concerning customs duties and subsidiary charges of every kind and in the method of levying duties, and, further, in all matters concerning the rules, formalities and charges imposed in connection with the clearing of goods through the customs, and with respect to all laws or regulations affecting the sale or use of imported goods within the country.

Accordingly, natural or manufactured products having their origin in either of the countries shall in no case be subject, in regard to the matters referred to above, to any duties, taxes or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like products having their origin in any third country are or may hereafter be subject.

Similarly, natural or manufactured products exported from the territory of the United States of America or Canada and consigned to the territory of the other country shall in no case be subject with respect to exportation and in regard to the above-mentioned matters, to any duties, taxes or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like products when consigned to the territory of any third country are or may hereafter be subject.

Any advantage, favor, privilege or immunity which has been or may hereafter be granted by the United States of America or Canada in regard to the above-mentioned matters, to a natural or manufactured product originating in any third country or consigned to the territory of any third country shall be accorded immediately and without compensation to the like product originating in or consigned to the territory of Canada or the United States of America, respectively, and irrespective of the nationality of the carrier.

ARTICLE II

Freedom of imports.

Neither the United States of America nor Canada shall establish any prohibition or maintain any restriction on imports from the territory of the other country which is not applied to the importation of any like article originating in any third country. Any abolition of an import prohibition or restriction which may be granted even temporarily by either country in favor of an article of a third country shall be applied immediately and unconditionally to the like article originating in the territory of the other country. These provisions equally apply to exports.

Extension of advantages granted another country.

Quantitative restrictions; allocations.

In the event of quantitative restrictions being established by either the United States of America or Canada for the importation of any article it is agreed that in the allocation of the quantity of restricted goods which may be authorized for importation, the other country will be granted a share equivalent to the proportion of the trade which it enjoyed in a previous representative period prior to the establishment of such quantitative restrictions.

Rules, formalities, or charges.

In all matters concerning the rules, formalities or charges imposed in connection with any form of quantitative restriction on the importation of any article, the United States of America and Canada agree to extend to each other every favor granted to a third country.

ARTICLE III

Enumerated imports into Canada.
Post, p. 3968.

Articles the growth, produce or manufacture of the United States of America, enumerated and described in Schedule I annexed to this Agreement, shall, on their importation into Canada, be exempt from ordinary customs duties in excess of those set forth in the said Schedule. The said articles shall also be exempt from all other duties, taxes, fees, charges, or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under laws of Canada in force on the day of the signature of this Agreement.

No excess duty, etc.

Schedule I included in Agreement.

Schedule I and the notes included therein shall have full force and effect as integral parts of this Agreement.

ARTICLE IV

Specified imports from Canada.
Post, p. 3977.

Articles the growth, produce or manufacture of Canada, enumerated and described in Schedule II annexed to this Agreement, shall, on their importation into the United States of America, be exempt from

ordinary customs duties in excess of those set forth and provided for in the said Schedule. The said articles shall also be exempt from all other duties, taxes, fees, charges, or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under laws of the United States of America in force on the day of the signature of this Agreement.

No excess duty, etc.

Schedule II and the notes included therein shall have full force and effect as integral parts of this Agreement.

Schedule II included in Agreement.

ARTICLE V

The provisions of Articles III and IV of this Agreement shall not prevent the Government of either country from imposing on the importation of any product a charge equivalent to an internal tax imposed on a like domestic product or on a commodity from which the imported product has been manufactured or produced in whole or in part.

Internal taxation.

ARTICLE VI

Articles the growth, produce or manufacture of the United States of America or Canada shall, after importation into the other country, be exempt from all internal taxes, fees, charges or exactions other or higher than those payable on like articles of national origin or any other foreign origin.

No excess charges.

The provisions of this Article in regard to granting of national treatment shall not affect the laws now in force in Canada whereby leaf tobacco, spirits, beer, malt and malt syrup imported from abroad are subject to special taxes, nor shall they affect the applicability to goods produced or manufactured in the United States of America of special excise taxes imposed under existing provisions of the Special War Revenue Act. In these respects, however, most-favored-nation treatment shall apply.

Provisions not affected.

ARTICLE VII

No prohibitions, import or customs quotas, import licenses, or any other form of quantitative regulation, whether or not operated in connection with any agency of centralized control, shall be imposed by the United States of America on the importation or sale of any article the growth, produce or manufacture of Canada enumerated and described in Schedule II, nor by Canada on the importation or sale of any article the growth, produce or manufacture of the United States of America enumerated and described in Schedule I, except as specifically provided for in the said Schedules.

No quantitative regulation imposed.

Post, p. 3977.

Post, p. 3968.

Exceptions.

The foregoing provision shall not apply to quantitative restrictions in whatever form imposed by either country on the importation or sale of any article the growth, produce or manufacture of the other country in conjunction with governmental measures operating to regulate or control the production, market supply, or prices of like domestic articles, or tending to increase the labor costs of production of such articles. Whenever the Government of either country proposes to establish or change any restriction authorized by this paragraph, it shall give notice thereof in writing to the other Government and shall afford such other Government an opportunity within thirty days after receipt of such notice to consult with it in respect of the proposed action; and if an agreement with respect thereto is not reached within thirty days following receipt of the aforesaid notice, the Government which proposes to take such action shall be free to

Notice to other of proposed changes.

Right to abrogate.

do so at any time thereafter, and the other Government shall be free within fifteen days after such action is taken to terminate this Agreement in its entirety on thirty days' written notice.

ARTICLE VIII

Treatment of Government monopolies.

In the event that the United States of America or Canada establishes or maintains a monopoly for the importation, production or sale of a particular commodity or grants exclusive privileges, formally or in effect, to one or more agencies to import, produce or sell a particular commodity, the Government of the country establishing or maintaining such monopoly, or granting such monopoly privileges, agrees that in respect of the foreign purchases of such monopoly or agency the commerce of the other country shall receive fair and equitable treatment. To this end it is agreed that in making its foreign purchases of any product such monopoly or agency will be influenced solely by those considerations, such as price, quality, marketability, and terms of sale, which would ordinarily be taken into account by a private commercial enterprise interested solely in purchasing such product on the most favorable terms.

ARTICLE IX

Advantages provided, subject to equitable share in allotment of exchange.

The tariff advantages and other benefits provided for in this Agreement are granted by the United States of America and Canada to each other subject to the condition that if the Government of either country shall establish or maintain, directly or indirectly, any form of control of foreign exchange, it shall administer such control so as to insure that the nationals and commerce of the other country will be granted a fair and equitable share in the allotment of exchange.

With respect to the exchange made available for commercial transactions, it is agreed that the Government of each country shall be guided in the administration of any form of control of foreign exchange by the principle that, as nearly as may be determined, the share of the total available exchange which is allotted to the other country shall not be less than the share employed in a previous representative period prior to the establishment of any exchange control for the settlement of commercial obligations to the nationals of such other country.

Mutual consideration.

The Government of each country shall give sympathetic consideration to any representations which the other Government may make in respect of the application of the provisions of this Article.

ARTICLE X

Modification where rate of exchange prejudicial.

In the event that a wide variation occurs in the rate of exchange between the currencies of the United States of America and Canada, the Government of either country, if it considers the variation so substantial as to prejudice the industries or commerce of the country, shall be free to propose negotiations for the modification of this Agreement; and if an agreement with respect thereto is not reached within thirty days following receipt of such proposal, the Government making such proposal shall be free to terminate this Agreement in its entirety on thirty days' written notice.

ARTICLE XI

Mutual adjustment of terms.

In the event that the Government of either country adopts any measure which, even though it does not conflict with the terms of this

Agreement, is considered by the Government of the other country to have the effect of nullifying or impairing any object of the Agreement, the Government which has adopted any such measure shall consider such representations and proposals as the other Government may make with a view to effecting a mutually satisfactory adjustment of the matter.

Customs, etc.

The Government of each country will accord sympathetic consideration to, and when requested will afford adequate opportunity for consultation regarding, such representations as the other Government may make with respect to the operation of customs regulations, quantitative restrictions or the administration thereof, the observance of customs formalities, and the application of sanitary laws and regulations for the protection of human, animal, or plant life.

Sanitary, etc., regulations.

In the event that the Government of either country makes representations to the Government of the other country in respect of the application of any sanitary law or regulation for the protection of human, animal, or plant life, and if there is disagreement with respect thereto, a committee of technical experts on which each Government will be represented shall, on the request of either Government, be established to consider the matter and to submit recommendations to the two Governments.

ARTICLE XII

Gold or silver.

Nothing in this Agreement shall be construed to prevent the adoption of measures prohibiting or restricting the exportation or importation of gold or silver, or to prevent the adoption of such measures as either Government may see fit with respect to the control of the export or sale for export of arms, ammunition, or implements of war, and, in exceptional circumstances, all other military supplies.

War munitions.

No discriminations respecting designated provisions.

Subject to the requirement that there shall be no arbitrary discrimination by either country against the other country in favor of any third country where similar conditions prevail, the provisions of this Agreement shall not extend to prohibitions or restrictions (1) imposed on moral or humanitarian grounds; (2) designed to protect human, animal or plant life; (3) relating to prison-made goods; (4) relating to the enforcement of police or revenue laws; (5) directed against misbranding, adulteration, and other fraudulent practices, such as are provided for in the pure food and drug laws of either country; and (6) directed against unfair practices in import trade.

ARTICLE XIII

Provisions not to apply to Philippine Islands, etc.

Except as otherwise provided in the second paragraph of this Article, the provisions of this Agreement relating to the treatment to be accorded by the United States of America and Canada, respectively, to the commerce of the other country, shall not apply to the Philippine Islands, the Virgin Islands, American Samoa, the Island of Guam or to the Panama Canal Zone.

Commerce between possessions.

The provisions of this Agreement regarding most-favored-nation treatment shall apply to articles the growth, produce or manufacture of any territory under the sovereignty or authority of the United States of America or Canada, imported from or exported to any territory under the sovereignty or authority of the other country. It is understood, however, that the provisions of this paragraph do not apply to the Panama Canal Zone.

Canal Zone excepted.

U. S. trade with its possessions, Canal Zone, and Cuba.

The advantages now accorded or which may hereafter be accorded by the United States of America, its territories and possessions and

the Panama Canal Zone exclusively to one another or the Republic of Cuba shall be excepted from the operation of this Agreement. The provisions of this paragraph shall continue to apply in respect of any advantages now or hereafter accorded by the United States of America, its territories or possessions or the Panama Canal Zone to the Philippine Islands irrespective of any change in the political status of the Philippine Islands.

Trade of Canada with other British possessions.

The advantages now accorded or which may hereafter be accorded by Canada exclusively to other territories under the sovereignty of His Majesty the King of Great Britain, Ireland, and the British dominions beyond the Seas, Emperor of India, or under His Majesty's suzerainty or protection, shall be excepted from the operation of this Agreement.

ARTICLE XIV

Right to withdraw concessions reserved.

The Government of each country reserves the right to withdraw or to modify the concession granted on any article under this Agreement, or to impose quantitative restrictions on any such article if, as a result of the extension of such concession to third countries, such countries obtain the major benefit of such concession and in consequence thereof an unduly large increase in importations of such article takes place: Provided, That before the Government of either country shall avail itself of the foregoing reservation, it shall give notice in writing to the other Government of its intention to do so, and shall afford such other Government an opportunity within thirty days after receipt of such notice to consult with it in respect of the proposed action and in respect of such compensatory modifications of the terms of the present Agreement as may be appropriate; and if an agreement with respect thereto is not reached within thirty days following the receipt of the aforesaid notice, the Government which proposes to take such action shall be free to do so at any time thereafter, and the other Government shall be free within fifteen days after such action is taken to terminate this Agreement in its entirety on thirty days' written notice.

Proviso.
Previous notice in writing to be given.

Abrogation of Agreement.

ARTICLE XV

Agreement to be proclaimed.

The present Agreement shall be proclaimed by the President of the United States of America and shall be ratified by His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada.

Provisional application of designated provisions.
Ante, pp. 3961, 3962.

The provisions of Article I and of Articles IV and III, respectively, shall, subject to the reservations and exceptions elsewhere provided for in this Agreement, be applied by the United States of America and Canada, on and after January 1, 1936, pending ratification of the Agreement in respect of Canada as provided in the first paragraph of this Article.

Effective date and duration.

The entire Agreement shall come into force on the day of the exchange of the proclamation and ratification at Ottawa. The Agreement shall remain in force until December 31, 1938, subject to the provisions of Article VII, Article X and Article XIV.

Ante, pp. 3963, 3964.

Unless at least six months before December 31, 1938, the Government of either country shall have given to the other Government notice of intention to terminate the Agreement on that date, the Agreement shall remain in force thereafter, subject to the provisions of Article VII, Article X and Article XIV, until six months from such time as the Government of either country shall have given notice to the other Government.

Ante, pp. 3963, 3964.

In witness whereof the respective Plenipotentiaries have signed this Agreement and have affixed their seals hereto. Signatures.

Done in duplicate, at the City of Washington, this fifteenth day of November, 1935.

For the President of the United States of America:

CORDELL HULL [SEAL]
Secretary of State
of the United States of America.

For His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, for the Dominion of Canada:

W. L. MACKENZIE KING [SEAL]
Prime Minister,
President of the Privy Council and
Secretary of State for External Affairs
of the Dominion of Canada.

Schedule I.

Ante, p. 3962.

SCHEDULE I

(See Article III)

Number of Canadian Tariff Item	Description of Article		Tariff on Goods the Growth, Produce or Manufacture of the United States of America
10	Meats, prepared or preserved, other than canned:—		
	(b) n.o.p.	per pound	3 cts.
ex 47	Soya beans, n.o.p.		Free
54a	Indian corn, not including Indian corn for purposes of distillation, when imported or taken out of warehouse by manufacturers of starch or of cereal products for human consumption, for use exclusively in the manufacture of starch or such cereal products, in their own factories, under regulations prescribed by the Minister		Free
55	Indian corn, n.o.p.	per bushel	20 cts.
57	Oatmeal and rolled oats	per one hundred pounds	50 cts.
71a	Timothy seed	per pound	1 ct.
ex 73	Broom corn seed, when in packages weighing more than one pound each		Free
ex 74	Parsley seed, non-germinating, when in packages weighing more than one pound each, imported for use exclusively in manufacturing or blending operations		10 p.c.
ex 75	Lettuce seed, non-germinating, when in packages weighing more than one pound each, imported for use exclusively in manufacturing or blending operations		10 p.c.
ex 82 (e)	Nut trees, being seedling stock for grafting, and buds and scions for grafting such trees		Free
83 (c)	Sweet potatoes in their natural state		Free
84	Onions, in their natural state, including onions grown with tops, shallots, and onion sets		30 p.c.
	Provided that in no case shall any value for duty established under the authority of Section 43 of the Customs Act exceed the invoice value by more than 80 per centum of the lowest advance imposed on such goods under the authority of said section during the calendar years 1933 to 1935, inclusive.		
ex 85	Mushrooms, fresh		15 p.c.
	Provided that in no case shall any value for duty established under the authority of Section 43 of the Customs Act exceed the invoice value by more than 80 per centum of the lowest advance imposed on such goods under the authority of said section during the calendar years 1933 to 1935, inclusive.		
87	Vegetables, fresh, in their natural state:—		
	* (a) Asparagus		15 p.c.
	* (b) Beans, green		15 p.c.
	(c) Brussels sprouts		15 p.c.
	* (d) Cabbage		15 p.c.
	* (e) Carrots		15 p.c.
	* Beets, n.o.p.		15 p.c.
	* (f) Cauliflower		15 p.c.
	Eggplant		Free
	* (g) Celery		15 p.c.
	* (h) Cucumbers		15 p.c.
	* (i) Lettuce		15 p.c.
	(j) Parsley		15 p.c.
	* (k) Peas, green		15 p.c.
	* (l) Rhubarb		15 p.c.
	* (m) Spinach		15 p.c.
	(n) Tomatoes		15 p.c.
	Provided that the duty under any tariff less favorable than the British Preferential tariff shall at no time be less than two cents per pound, the weight of the packages to be included in the weight for duty.		

SCHEDULE I—Continued

Number of Canadian Tariff Item	Description of Article		Tariff on Goods the Growth, Produce or Manufacture of the United States of America
	(o) Watercress and whitloof or endive		15 p.c.
*	Peppers, green		15 p.c.
	Radishes		15 p.c.
	Artichokes		Free
	Horseradish		Free
	Okra		Free
	(p) N.o.p.		15 p.c.
	Provided that in respect of the goods dutiable under Tariff Item 87 no value for duty shall be established under the authority of Section 43 of the Customs Act except in the case of the sub-items indicated thus (*); and in no case shall any value so established exceed the invoice value by more than 80 per centum of the lowest advance imposed on like goods under the authority of said section during the calendar years 1933 to 1935, inclusive.		
89	Vegetables, prepared, in air-tight cans or other air-tight containers, the weight of the containers to be included in the weight for duty:—		
	(a) Beans, baked or otherwise prepared	per pound	2 cts.
	(b) Corn and tomatoes	per pound	2 cts.
	(c) Peas	per pound	2 cts.
	(d) N.o.p.		27½ p.c.
92	Fruits, fresh, in their natural state:—		
*	(a) Apricots		15 p.c.
*	(b) Cherries		15 p.c.
	(c) Cranberries		15 p.c.
	Provided that the duty under any tariff less favorable than the British Preferential tariff shall at no time be less than two cents per pound, the weight of the packages to be included in the weight for duty.		
*	(d) Peaches		15 p.c.
*	(e) Pears		15 p.c.
*	(f) Plums or prunes		15 p.c.
*	(g) Strawberries		15 p.c.
*	Raspberries and loganberries		15 p.c.
	(h) Berries, edible, n.o.p.		15 p.c.
	(i) Quinces and nectarines		15 p.c.
	Provided that in respect of the goods dutiable under Tariff Item 92, no value for duty shall be established under the authority of Section 43 of the Customs Act except in the case of the sub-items indicated thus (*); and in no case shall any value so established exceed the invoice value by more than 80 per centum of the lowest advance imposed on like goods under the authority of said section during the calendar years 1933 to 1935, inclusive.		
93	Apples, fresh, in their natural state		15 p.c.
	Provided that in no case shall any value for duty established under the authority of Section 43 of the Customs Act exceed the invoice value by more than 80 per centum of the lowest advance imposed on such goods under the authority of said section during the calendar years 1933 to 1935, inclusive.		

Schedule I—Continued.

SCHEDULE I—Continued

Number of Canadian Tariff Item	Description of Article		Tariff on Goods the Growth, Produce or Manufacture of the United States of America
94	Grapes, fresh, in their natural state, the weight of the packages to be included in the weight for duty	per pound	1½ cts.
	Provided that in no case shall any value for duty established under the authority of Section 43 of the Customs Act exceed the invoice value by more than 80 per centum of the lowest advance imposed on such goods under the authority of said section during the calendar years 1933 to 1935, inclusive.		
95	Cantaloupes and muskmelons		15 p.c.
	Provided that in no case shall any value for duty established under the authority of Section 43 of the Customs Act exceed the invoice value by more than 80 per centum of the lowest advance imposed on such goods under the authority of said section during the calendar years 1933 to 1935, inclusive.		
95a	Melons, n.o.p.	each	2½ cts.
96	Fruits, fresh, in their natural state, n.o.p.		15 p.c.
ex 96	Avocados or alligator pears		Free
100a	Grapefruit, n.o.p.	per pound	½ ct.
ex 101	Oranges, during the months of January, February, March, and April		Free
101a	Lemons		Free
ex 105b	Olives, ripe, in brine, not bottled		10 p.c.
106	Fruits, prepared, in air-tight cans or other air-tight containers, the weight of the containers to be included in the weight for duty:—		
	(a) Apricots, peaches and pears	per pound	4 cts.
	(b) Pineapples	per pound	4 cts.
	(c) N.o.p.	per pound	4 cts.
ex 109	Nuts of all kinds, n.o.p., but not including shelled peanuts, n.o.p.	per pound	1 ct.
ex 114	Nuts, shelled, n.o.p., but not including shelled almonds, peanuts or walnuts	per pound	2 cts.
116	Halibut, fresh, pickled or salted	per pound	1 ct.
ex 123	Lobsters, prepared or preserved		Free
ex 123a	Shrimps in sealed containers		27½ p.c.
124	Oysters, shelled, in bulk	per gallon	5 cts.
ex 133	Lobsters, fresh		Free
ex 133	Scallops, fresh but not frozen		Free
ex 169	Periodical publications, unbound or paper-bound, printed		
184b	and issued in the United States at regular intervals, not		
184c	less frequently than four times a year, and bearing dates		
184d	of issue		Free
	Provided, that nothing in this Item shall affect in any way the provisions of Item 1201 of Schedule "C" to the Customs Tariff.		
ex 174	Tourist literature, printed and issued in the United States by Federal or State Governments or departments thereof, boards of trade, chambers of commerce, municipal and automobile associations, and similar organizations or associations		Free
178a	Provided, that on the goods specified in Item 178 and imported by mail, duties may be paid by customs revenue stamps, under regulations by the Minister, at the rates specified in said Item, except that on each separate package weighing not more than one ounce, the duty shall be	each	2 cts.

SCHEDULE I—Continued

Number of Canadian Tariff Item	Description of Article	Tariff on Goods the Growth, Produce or Manufacture of the United States of America
181a	Pictorial post cards, greeting cards and similar artistic cards or folders	32½ p.c.
184	Newspapers, unbound, n.o.p.; tailors', milliners' and mantle-makers' fashion plates, when imported in single copies in sheet form with periodical trade journals; magazines published in other than the English or the French language	Free
187	Albumenized and other papers and films chemically prepared for photographers' use, n.o.p.	25 p.c.
195	Paper hanging or wall papers, including borders or bordering	32½ p.c.
196	Newsprinting paper and all printing paper, in sheets and rolls, valued at not more than two and one-quarter cents per pound	Free
197	Paper of all kinds, n.o.p.	22½ p.c.
197a	Super-calendered or machine finish grades of book paper, not coated, when used exclusively in the production of magazines, newspapers and periodicals, printed, published or issued regularly, under regulations prescribed by the Minister	22½ p.c.
199	Papeteries, envelopes, and all manufactures of paper, n.o.p.	30 p.c.
210	Peroxide of soda; silicate of soda in crystals or in solution; bichromate of soda; nitrate of soda or cubic nitre, n.o.p.; sulphide of sodium; nitrite of soda; arseniate, binarseniate, chlorate, bisulphite and stannate of soda; prussiate of soda and sulphite of soda	15 p.c.
213	Acetic acid, containing by weight more than 65 per centum of acetic acid per pound	1¼ cts.
236	Surgical dressings, antiseptic or aseptic, including absorbent cotton, lint, lamb's wool, tow, jute, oakum, woven fabric of cotton weighing not more than seven and one-half pounds per one hundred square yards, whether imported singly or in combination one with another, but not stitched or otherwise manufactured; surgical trusses and suspensory bandages of all kinds; sanitary napkins, spinal braces and abdominal supports	25 p.c.
239	Lamp black, carbon black, ivory black and bone black	Free
256	Printing Ink	17½ p.c.
263	Compounds of tetraethyl lead, in which tetraethyl lead is the preponderant constituent by weight	5 p.c.
281	Fire brick containing not less than ninety percent of silica; magnesite fire brick or chrome fire brick; other fire brick valued at not less than one hundred dollars per one thousand, rectangular shaped, the dimensions of each not to exceed one hundred and twenty-five cubic inches, for use exclusively in the construction or repair of a furnace, kiln, or other equipment of a manufacturing establishment	Free
281a	Fire brick, n.o.p., of a class or kind not made in Canada, for use exclusively in the construction or repair of a furnace, kiln, or other equipment of a manufacturing establishment	12½ p.c.
282	Building brick and paving brick	20 p.c.
305	Flagstone, sandstone and all building stone, not hammered, sawn or chiselled, and marble and granite, rough, not hammered or chiselled	12½ p.c.
306	Marble, sawn or sand-rubbed, not polished; granite, sawn; paving blocks of stone; flagstone and building stone, other than marble or granite, sawn on not more than two sides	20 p.c.

Schedule I—Continued.

SCHEDULE I—Continued

Number of Canadian Tariff Item	Description of Article	Tariff on Goods the Growth, Produce or Manufacture of the United States of America
ex 326a	Articles of glass, not plate or sheet, designed to be cut or mounted	10 p.c.
345	Zinc dust, strip and sheets; zinc plates for marine boilers; sal ammoniac skimmings and seamless drawn tubing of zinc	Free
350	Wire of all metals and kinds, n.o.p.	30 p.c.
351	Wire, single or several, covered with any material, including cable so covered, n.o.p.	27½ p.c.
ex 362	Electro-plated ware, n.o.p.	30 p.c.
367	Watch cases, and parts thereof, finished or unfinished	35 p.c.
388	Iron or steel angles, beams, channels, columns, girders, joists, tees, zees, and other shapes or sections, not punched, drilled or further manufactured than hot rolled, weighing not less than 35 pounds per lineal yard, n.o.p.; piling of iron or steel, not punched or drilled, weighing not less than 35 pounds per lineal yard, including interlocking sections, if any, used therewith, n.o.p. per ton	$3.00
394	Axles and axle bars, n.o.p., and axle blanks, and parts thereof, of iron or steel:— (b) For other vehicles, n.o.p.	30 p.c.
400	Fittings, of iron or steel, of every description, for iron or steel pipes and tubes	27½ p.c.
402a	Woven or welded wire fencing, of iron or steel, coated or not, n.o.p.; wire cloth or wire netting, of iron or steel, coated or not	30 p.c.
407a	Chains, of iron or steel, n.o.p., and complete parts thereof	30 p.c.
409b	Cultivators, harrows, seed-drills, horse-rakes, horse-hoes, scufflers, manure spreaders, garden seeders, weeders, and complete parts of all the foregoing	12½ p.c.
409c	Ploughs; farm, field, lawn or garden rollers; soil packers; complete parts of all the foregoing	12½ p.c.
409d	Mowing machines, harvesters, either self-binding or without binders, binding attachments, reapers, harvesters in combination with threshing machine separators including the motive power incorporated therein, and complete parts of all the foregoing	12½ p.c.
409e	(i) Spraying and dusting machines and attachments therefor, including hand sprayers; apparatus specially designed for sterilizing bulbs; pressure testing apparatus for determining maturity of fruit; pruning hooks; pruning shears; animal dehorning instruments; and complete parts of all the foregoing	12½ p.c.
	(ii) Fruit and vegetable grading, washing and wiping machines and combination bagging and weighing machines, and complete parts therefor	5 p.c.
409f	Hay loaders, hay tedders, potato planters, potato diggers, fodder or feed cutters, ensilage cutters, grain crushers and grain or hay grinders, for farm purposes only, post hole diggers, snaths, stumping machines and all other agricultural implements or agricultural machinery, n.o.p., and complete parts of all the foregoing	12½ p.c.
409g	Incubators for hatching eggs, brooders for rearing young fowl, and complete parts of all the foregoing	12½ p.c.
409h	Hay presses and complete parts thereof	12½ p.c.
409i	Scythes, sickles or reaping hooks, hay or straw knives, edging knives, hoes, pronged forks, rakes, n.o.p.	12½ p.c.
409j	Fanning mills; peaviners; corn husking machines; threshing machine separators, including wind stackers, baggers and self-feeders therefor; complete parts of all the foregoing	12½ p.c.

SCHEDULE I—Continued

Number of Canadian Tariff Item	Description of Article	Tariff on Goods the Growth, Produce or Manufacture of the United States of America
409k	Windmills and complete parts thereof, not including shafting	12½ p.c.
ex 409 l ex 427	Traction ditching machines (not being ploughs) and complete parts thereof	Free
ex 409m ex 409n ex 428	Internal combustion traction engines; traction attachments designed to be combined with automobiles in Canada for use as traction engines; complete parts of all the foregoing	Free
409n	Portable engines with boilers, in combination, for farm purposes; horse powers; complete parts of all the foregoing	15 p.c.
ex 409q	Complete parts for repairs, under regulations prescribed by the Minister:—	
	ex (i) For the machinery enumerated in tariff item 409e	5 p.c.
	(ii)	
	(v) For the machinery enumerated in tariff item 409k	10 p.c.
410 l	Ore crushers, rock crushers, stamp mills, grinding mills, rock drills, percussion coal cutters, coal augers, rotary coal drills, n.o.p., and complete parts of all the foregoing, for use exclusively in mining, metallurgical or quarrying operations	20 p.c.
411a	Machinery, logging cars, cranes, blocks and tackle, wire rope, but not including wire rope to be used for guy ropes or in braking logs going down grade, and complete parts of all the foregoing, for use exclusively in the operation of logging, such operation to include the removal of the log from stump to skidway, log dump, or common or other carrier	15 p.c.
412a	Machinery and apparatus, n.o.p., viz.: gun and mould apparatus for making press rollers; machines and apparatus for making electrotypes and stereotypes, engraving machines, photoengraving apparatus, machines for graining metal plates, machines for sensitizing metal plates, machines and apparatus for transferring by photographic processes to plates or rolls for use in lithography, rotogravure and printing, machines for addressing and wrapping newspapers, magazines, periodicals, pamphlets and catalogues, and machines for embossing, book-binding, bronzing, creasing, scoring, cutting, perforating, punching, gathering, gumming, pasting, jogging, numbering, patching, slitting, rewinding, ruling, sheet-piling, stitching, stripping or varnishing, when for use exclusively by printers, book-binders, manufacturers of stereotypes, electrotypes and printing plates or rolls, paper converters, and by manufacturers of articles made from paper or cardboard; and complete parts of all the foregoing not to include saws, knives, and motive power	5 p.c.
412b	Flat bed cylinder printing presses, to print sheets of a size 25 by 38 inches or larger, and complete parts thereof; machines designed to fold or sheet-feed paper or cardboard, and complete parts thereof	10 p.c.
412c	Typecasting and typesetting machines and parts thereof for use in printing offices	Free
412d	Offset presses; lithographic presses; printing presses and type making accessories therefor, n.o.p.; complete parts of the foregoing, not to include saws, knives and motive power	10 p. c.

Schedule I—Continued.

SCHEDULE I—Continued

Number of Canadian Tariff Item	Description of Article	Tariff on Goods the Growth, Produce or Manufacture of the United States of America
413	Machinery and apparatus, of a class or kind not made in Canada, and parts thereof, specially constructed for preparing, manufacturing, testing or finishing yarns, cordage, and fabrics made from textile fibres or from paper, imported for use exclusively by manufacturers and scholastic or charitable institutions in such processes only	5 p.c.
414c	Adding, bookkeeping, calculating and invoicing machines and complete parts thereof, n.o.p.	20 p.c.
415	Electric vacuum cleaners and attachments therefor; hand vacuum cleaners; and complete parts of all the foregoing, including suction hose, n.o.p.	20 p.c.
415a	Refrigerators, domestic or store, completely equipped or not:—	
	(i) electric	30 p.c.
415b	Washing machines, domestic, with or without motive power incorporated therein; complete parts of washing machines	25 p.c.
424	Fire engines and other fire extinguishing machines and chassis for same; complete parts of the foregoing, n.o.p.	30 p.c.
424a	Hand fire extinguishers, and sprinkler heads for automatic sprinkler systems for fire protection	30 p.c.
ex 427	Machinery and apparatus for operating oil-sands by mining operations and for extracting oil from the sands so mined; complete parts of the foregoing	Free
ex 427	Combination fish-preparing machines, designed for heading, finning, splitting, gutting and cleaning fish; complete parts of the foregoing	10 p.c.
ex 427	Motor-driven combination units, comprising sprinklers, front and side sweepers and gatherers, for use in sweeping or cleaning streets or highways	Free
ex 427	Machinery and apparatus enumerated in Tariff Item 412a, when for use by manufacturers of articles made from regenerated cellulose or cellulose acetate; complete parts of such machinery and apparatus, not to include saws, knives, and motive power	5 p.c.
ex 427 ex 446a et al	Motion picture projectors, arc lamps for motion picture work, motion picture or theatrical spot lights, light effect machines, motion picture screens, portable motion picture projectors complete with sound equipment; complete parts of all the foregoing, not to include electric light bulbs, tubes or exciter lamps	15 p.c.
ex 427	Veneer-drying machines, and complete parts thereof	5 p.c.
ex 427	Bakery machinery and apparatus, viz:—Combined suction-type sack cleaner and dust collector; flow meters with automatic or manual control for measuring of water; dough dividers, five-pocket capacity of 100 pieces per minute to eight-pocket capacity of 160 pieces per minute; combination mechanical eight-pocket roll divider and rounder, when combined with overhead dry bun proofer; adjustable roll moulder, with capacity of 100 rolls per minute; mechanical tray-type final steam proofer; trough elevators; automatic tray-type bread coolers; automatic pan-greasing machines; automatic measuring-knife type cake depositors; automatic bread-wrapping machines; automatic bread-slicing machines; automatic wafer-making machines; rotary biscuit-moulding machines; automatic steel band biscuit plant, including combination rotary moulding and cutting machine, automatic tunnel-type travelling-band biscuit oven with cooler, and	

SCHEDULE I—Continued

Number of Canadian Tariff Item	Description of Article	Tariff on Goods the Growth, Produce or Manufacture of the United States of America
	automatic biscuit stacking machine with packing table; steam-tube heated draw-plate ovens of one or two decks; travelling tray ovens, single or double lap; travelling tunnel-type ovens, with plate, chain, rod or wire-mesh conveyor; synchronized oven feeders; and complete parts of the foregoing	15 p.c.
ex 427	Milk clarifiers and complete parts thereof	Free
ex 427 ex 446a	Wire stitchers and staplers, either hand or power type, but not including motive power; complete parts of the foregoing	5 p.c.
ex 427	All machinery composed wholly or in part of iron or steel, n.o.p., of a class or kind not made in Canada; complete parts of the foregoing	20 p.c.
427	All machinery composed wholly or in part of iron or steel, n.o.p., and complete parts thereof	25 p.c. 27½ p.c.
427b	Ball and roller bearings	
428e	Diesel and semi-diesel engines, and complete parts thereof, n.o.p.	25 p.c.
432b	Hollow-ware, of iron or steel, coated with vitreous enamel	30 p.c.
432d	Manufactures of tinplate, painted, japanned, decorated or not, and manufactures of tin, n.o.p.	27½ p.c.
438g	Motor cycles or side cars therefor, and complete parts of the foregoing	20 p.c.
439c	Farm wagons, farm sleds, logging wagons, logging sleds, and complete parts thereof	15 p.c.
443	Apparatus designed for cooking or for heating buildings:—	
	(1) For coal or wood	25 p.c.
	(2) For gas	25 p.c.
	(3) For electricity	25 p.c.
	(4) For oil	25 p.c.
	(5) N.o.p.	25 p.c.
445c	(i) Electric telegraph apparatus and complete parts thereof	25 p.c.
	(ii) Electric telephone apparatus and complete parts thereof	25 p.c.
445d	Electric wireless or radio apparatus and complete parts thereof	25 p.c.
445f	Electric dynamos or generators and transformers, n.o.p., and complete parts thereof	30 p.c.
445g	Electric motors, n.o.p., and complete parts thereof	30 p.c.
ex 446a	Locomotive beds or frames of steel, cast in one piece; tender frames of steel, cast in one piece; cast steel cradles for the rear ends of locomotive frames; cast steel truck frames and bolsters for engines, tenders and passenger coaches; platform castings for passenger coaches; all the foregoing, whether in the rough or semi-manufactured, for use on railway rolling stock	20 p.c.
446a	Manufactures, articles or wares, of iron or steel or of which iron or steel or both are the component materials of chief value, n.o.p.	25 p.c.
500	Logs and round unmanufactured timber, handle, heading, stave and shingle bolts, n.o.p.; firewood, hop poles, fence posts and railway ties	Free
502	Mexican saddle trees and stirrups of wood, treenails; hub, last, wagon, oar and gun blocks, and all like blocks or sticks, rough hewn, or sawn only; felloes of hickory or oak, not further manufactured than rough sawn or bent to shape; staves of oak, sawn, split or cut, not further manufactured than listed or jointed; shingles of wood; spokes of hickory or oak, not further manufactured than	

Schedule I—Continued.

SCHEDULE I—Continued

Number of Canadian Tariff Item	Description of Article	Tariff on Goods the Growth, Produce or Manufacture of the United States of America
	rough turned, and not tenoned, mitred or sized, and scale board for cheese	Free
503	Planks, boards, clapboards, laths, plain pickets and other timber or lumber of wood, not further manufactured than sawn or split, whether creosoted, vulcanized, or treated by any other preserving process, or not	Free
504	Planks, boards and other lumber of wood, sawn, split or cut, and dressed on one side only, but not further manufactured	Free
505	Sawn boards, planks and deals planed or dressed on one or both sides, when the edges thereof are jointed or tongued and grooved	20 p.c.
506	Manufactures of wood, n.o.p.	20 p.c.
520	Raw cotton and cotton linters not further manufactured than ginned; rags and waste wholly of cotton unfit for use without further manufacture, not to include used garments nor waste portions of unused fabrics	Free
573	Enamelled carriage, floor, shelf and table oilcloth, linoleum, and cork matting or carpets	32½ p.c.
578	Regalia, badges and belts of all kinds, n.o.p.	30 p.c.
ex 598a	Brass band instruments, of a class or kind not made in Canada	25 p.c.
599	Hides and skins, raw, whether dry, salted, or pickled; and raw pelts	Free
601	Fur skins of all kinds, not dressed in any manner	Free
624a	(i) Dolls; toys of all kinds, n.o.p.	30 p.c.
	(ii) Mechanical toys of metal	30 p.c.
	(iii) Juvenile construction sets of metal, consisting of various stampings, punched, and connections therefor; parts of the foregoing	30 p.c.
654	Bristles, broom corn, and hair brush pads	Free
663	Fertilizers, compounded or manufactured, n.o.p.	7½ p.c.
ex 711	Rapeseed oil, blown, when for manufacturing purposes	Free

SCHEDULE II

(See Article IV)

Schedule II.

Ante, p. 3962.

United States Tariff Act of 1930 Paragraph	Description of Article	Rate of Duty
	NOTE: The provisions of this Schedule shall be construed and given the same effect, and the application of collateral provisions of the customs laws of the United States to the provisions of this Schedule shall be determined, insofar as may be practicable, as if each provision of this Schedule appeared respectively in the paragraph of the Tariff Act of 1930 or the section of the Revenue Act of 1932 noted in the column at the left of the respective descriptions of articles. In the case of articles enumerated in this Schedule, which are subject on the day of the signature of this Agreement to additional or separate ordinary customs duties, whether or not imposed under the statutory provision noted in column at the left of the respective description of the article, such separate or additional duties shall continue in force, subject to any reduction indicated in this Schedule or hereafter provided for, until terminated in accordance with law, but shall not be increased.	
1	Acetic acid containing by weight more than 65 per centum of acetic acid	1¼¢ per lb.
2	Vinyl acetate, polymerized or unpolymerized, and synthetic resins made in chief value therefrom, not specially provided for	3¢ per lb. and 15% ad val.
11	Synthetic resins made in chief value from vinyl acetate, not specially provided for	3¢ per lb. and 15% ad val.
29	Cobalt oxide	10¢ per lb.
52	Sperm oil, crude	2½¢ per gal.
71	Acetylene black, dry or ground in or mixed with oil or water, and not specially provided for	15% ad val.
201 (a)	Fire brick, not specially provided for	15% ad val.
203	Limestone (not suitable for use as monumental or building stone), crude, or crushed but not pulverized	2½¢ per 100 lbs.
203	Lime, not specially provided for	7¢ per 100 lbs., including the weight of the container.
203	Hydrated lime	8¢ per 100 lbs., including the weight of the container.
207	Crude feldspar	35¢ per ton
209	Talc, steatite or soapstone: Ground, washed, powdered, or pulverized (except toilet preparations), valued at not over $12.50 per ton	25% ad val.
214	Dead-burned basic refractory material containing 6 per centum or more of lime and consisting chiefly of magnesia and lime NOTE: The existing customs classification treatment of the merchandise described in this item as provided for in paragraph 214, Tariff Act of 1930, in accordance with the ruling announced in Treasury Decision 45041 (60 Treasury Decisions 114) shall be continued during the effective period of this Agreement.	27½% ad val.

Schedule II—Continued.

SCHEDULE II—Continued

United States Tariff Act of 1930 Paragraph	Description of Article	Rate of Duty
302 (d)	Ferromanganese containing not less than four per centum of carbon, on the metallic manganese contained therein	3/8¢ per lb., plus 1¼ times the lowest rate of ordinary customs duty provided for manganese ore containing in excess of 10 per centum of metallic manganese the product of any foreign country except Cuba, at the time such ferromanganese is entered, or withdrawn from warehouse, for consumption; but not more than 1⅝¢ per pound.
302 (i)	Ferrosilicon, containing 8 per centum or more of silicon and less than 30 per centum	1½¢ per lb. on the silicon contained therein.
302 (m)	Ferrotitanium, ferrovanadium, and ferrouranium	15% ad val.
353	Cooking stoves and ranges, having as an essential feature an electrical heating element, and parts thereof; any of the foregoing, finished or unfinished, wholly or in chief value of metal, and not specially provided for	25% ad val.
401	Timber hewn, sided, or squared, otherwise than by sawing, and round timber used for spars or in building wharves; sawed lumber and timber not specially provided for; all the foregoing, if of fir, spruce, pine, hemlock, or larch *Provided*, That any of the foregoing sawed timber and lumber of Douglas fir or Western hemlock entered, or withdrawn from warehouse, for consumption, in any calendar year after 1935 in excess of an aggregate quantity of 250,000,000 feet, board measure, shall not be subject to this provision.	50¢ per thousand feet, board measure.
402	Maple (except Japanese maple), birch, and beech: Flooring	4% ad val.
412	Ice-hockey sticks, wholly or in chief value of wood	20% ad val.
503	Maple sugar	4¢ per lb.
701	Cattle, weighing less than 175 pounds each	1½¢ per lb.
	Cattle, weighing 700 pounds or more each and not specially provided for	2¢ per lb.
	Cows, weighing 700 pounds or more each and imported specially for dairy purposes *Provided*, That none of the foregoing entered, or withdrawn from warehouse, for consumption in excess of the quantities respectively specified below in any calendar year after 1935 shall be subject to the above provisions: Cattle, weighing less than 175 pounds each: ¼ of 1 per centum of the average annual total number of cattle (including calves) slaughtered in the United States during the	1½¢ per lb.

SCHEDULE II—Continued

United States Tariff Act of 1930 Paragraph	Description of Article	Rate of Duty
	calendar years 1928 to 1932, both inclusive, (51,933 head). Cattle, weighing 700 pounds or more each and not specially provided for: ¾ of 1 per centum of the average annual total number of cattle (including calves) slaughtered in the United States during the calendar years 1928 to 1932, both inclusive, (155,799 head). Cows, weighing 700 pounds or more each and imported specially for dairy purposes: 20,000 head.	
707	Cream, fresh or sour *Provided*, That fresh or sour cream entered for consumption in excess of 1,500,000 gallons in any calendar year after 1935 shall not be subject to this provision.	35¢ per gal.
710	Cheddar cheese in original leaves	5¢ per lb., but not less than 25% ad val.
711	Birds, live: Chickens, ducks, geese, turkeys, and guineas	4¢ per lb.
712	Birds, dead, dressed or undressed, fresh, chilled, or frozen: Chickens and guineas	6¢ per lb.
714	Horses, unless imported for immediate slaughter, valued at not more than $150 per head	$20 per head
717 (a)	Fish, fresh or frozen (whether or not packed in ice), whole, or beheaded or eviscerated or both, but not further advanced (except that the fins may be removed):	
	Halibut	1¢ per lb.
	Salmon	1½¢ per lb.
	Swordfish (not including naturally or artificially frozen swordfish)	1½¢ per lb.
	Eels	½¢ per lb.
	Chubs, fresh-water mullet (*catostomus*), jacks, lake trout, saugers, tullibees, whitefish, and yellow pike	¾¢ per lb.
719	Fish, pickled or salted (except fish packed in oil or in oil and other substances and except fish packed in air-tight containers weighing with their contents not more than 15 pounds each):	
	Salmon	20% ad val.
	Alewives in bulk or in immediate containers weighing with their contents more than 15 pounds each	¾¢ per lb. net weight
720 (a)	Smoked herring (except herring packed in oil or in oil and other substances and except herring packed in air-tight containers weighing with their contents not more than 15 pounds each):	
	Hard dry-smoked, when whole or beheaded, but not further advanced	⅝¢ per lb.
	Boned, whether or not skinned	1½¢ per lb.
721 (b)	Razor clams (*siliqua patula*), packed in air-tight containers	15% ad val.
726	Hulled oats, unfit for human consumption	8¢ per bu. of 32 lbs.
729	Wheat, unfit for human consumption	10% ad val.
730	Bran, shorts, by-product feeds obtained in milling wheat or other cereals	10% ad val.
730	Mixed feeds, consisting of an admixture of grains or grain products with oil cake, oil-cake meal, molasses, or other feedstuffs	10% ad val.

Schedule II—Continued.

SCHEDULE II—Continued

United States Tariff Act of 1930 Paragraph	Description of Article	Rate of Duty
731	Screenings, scalpings, chaff, or scourings of wheat, flaxseed, or other grains or seeds: Unground, or ground	10% ad val.
732	Cereal breakfast foods, and similar cereal preparations, by whatever name known, processed further than milling, and not specially provided for	15% ad val.
734	Apples, green or ripe	15¢ per bu. of 50 lbs.
736	Strawberries in their natural condition or in brine	¾¢ per lb.
736	Blueberries, prepared or preserved, or frozen, but not in brine and not dried, desiccated, or evaporated, and not specially provided for	25% ad val.
737 (1)	Cherries in their natural state	1¢ per lb.
763	Grass seeds and other forage crop seeds:	
	Alfalfa	4¢ per lb.
	Alsike clover	4¢ per lb.
	Sweet clover	2¢ per lb.
	Timothy	1¢ per lb.
	Bluegrass	2½¢ per lb.
769	Peas, green or unripe, when imported and entered for consumption during the period from July 1 to September 30, inclusive, in any year	2¢ per lb.
771	White or Irish seed potatoes, certified by a responsible officer or agency of a foreign Government in accordance with the official rules and regulations of that Government to have been grown and approved especially for use as seed, in containers marked with the foreign Government's official certified seed potato tags, when entered for consumption during the period	
	From December 1 to the last day of the following February, inclusive, in any years	60¢ per 100 lbs.
	From March 1 to November 30, inclusive, in any year	45¢ per 100 lbs.
	Provided, That such potatoes entered for consumption in excess of an aggregate quantity of 750,000 bushels of 60 pounds each in the twelve-month period beginning on December 1 in any year shall not be subject to this provision.	
773	Turnips and rutabagas	12½¢ per 100 lbs.
779	Hay	$3 per ton of 2000 lbs.
802	Whiskey of all types and classes	$2.50 per proof gal.
	Provided, That this provision shall not apply to any whiskey consisting in whole or in any part of distilled spirits which have not been aged in wooden containers at least four years prior to the date the whiskey is entered, or withdrawn from warehouse, for consumption.	
1402	Pulpboard in rolls for use in the manufacture of wallboard, not plate finished, supercalendered or friction calendered, laminated by means of an adhesive substance, coated, surface stained or dyed, lined or vat-lined, embossed, printed, decorated or ornamented in any manner, nor cut into shapes for boxes or other articles and not specially provided for	5% ad val.
1413	Pulpboard in rolls for use in the manufacture of wallboard, surface stained or dyed, lined or vat-lined, embossed, or printed	15% ad val.
1502	Lacrosse sticks	15% ad val.

SCHEDULE II—Continued

United States Tariff Act of 1930 Paragraph	Description of Article	Rate of Duty
1502	Ice skates and parts thereof	15% ad val.
1530 (b)	Leather (except leather provided for in sub-paragraph (d) of paragraph 1530), made from hides or skins of cattle of the bovine species:	
	(3) leather to be used in the manufacture of harness or saddlery	10% ad val.
	(4) patent leather, rough, partly finished, or finished, or cut or wholly or partly manufactured into uppers, vamps, or any forms or shapes suitable for conversion into boots, shoes, or footwear	10% ad val.
1541 (a)	Pipe organs or pipe-organ player actions and parts thereof especially designed and constructed for installation and use in a particular church, or in a particular public auditorium at which it is not customary to charge an admission fee, which are imported for that specific use, and which are so installed and used within one year from the date of importation	25% ad val.
1601	Sulphuric acid or oil of vitriol	Free
1604	Agricultural implements: Plows, tooth or disk harrows, headers, harvesters, reapers, combination harvesting and threshing machines, agricultural drills and planters, mowers, horse-rakes, and cultivators, whether in whole or in parts, including repair parts	Free
1616	Asbestos, unmanufactured, asbestos crudes, fibers, stucco, and sand and refuse containing not more than 15 per centum of foreign matter	Free
1641	Calcium: Cyanamid or lime nitrogen	Free
1652	Cobalt and cobalt ore	Free
1667	Sodium cyanide	Free
1672	Crude artificial abrasives, not specially provided for	Free
1681	Furs and fur skins, not specially provided for, undressed: Mink, beaver, muskrat, and wolf	Free
1716	Wood pulp: Mechanically ground and soda, unbleached or bleached; and sulphite, bleached	Free
1734	Nickel ore, nickel matte, and nickel oxide	Free
1743	Plaster rock (including anhydrite) and gypsum, crude	Free
	NOTE: The existing customs classification treatment of gypsum which has been broken merely for the purpose of facilitating its shipment to the United States, as "crude" in accordance with the decision of the United States Court of Customs and Patent Appeals, published as Treasury Decision 45725 (61 Treasury Decisions 1215), shall be continued during the effective period of this agreement.	
1756	Sea herring and smelts, fresh or frozen, whether or not packed in ice, and whether or not whole	Free
1760	Shingles of wood	Free
	Provided, That the United States reserves the right to limit the total quantity of red cedar shingles which may be entered, or withdrawn from warehouse, for consumption, during any given half of any calendar year to a quantity not exceeding 25 per centum of the combined total of the shipments of red cedar shingles by producers in the United States and the imports of such shingles during the preceding half year.	

Schedule II—Continued.

SCHEDULE II—Continued

United States Tariff Act of 1930 Paragraph	Description of Article	Rate of Duty
1761	Lobsters, fresh or frozen (whether or not packed in ice), or prepared or preserved in any manner (including pastes and sauces), and not specially provided for	Free
1761	Clams, quahaugs, oysters (except seed oysters), and crabs, fresh or frozen (whether or not packed in ice), and not specially provided for	Free
1761	Scallops, fresh but not frozen (whether or not packed in ice)	Free
1772	Standard newsprint paper	Free
1803 (1)	Timber hewn, sided, or squared, otherwise than by sawing, and round timber used for spars or in building wharves; sawed lumber and timber, not further manufactured than planed, and tongued and grooved; all the foregoing, if not of balsa or teak, and not specially provided for	Free
1803 (2)	Logs; timber, round, unmanufactured; pulp woods; firewood, handle bolts, shingle bolts; and laths; all the foregoing, not cabinet woods, and not specially provided for	Free
1804	Posts, railroad ties, and telephone, trolley, electric-light, and telegraph poles of cedar or other woods	Free
1805	Pickets, palings hoops, and staves of wood of all kinds	Free

Revenue Act of 1932 Section	Description of Article	Rate of Import Tax
601 (c) (6)	Lumber, rough, or planed or dressed on one or more sides, except flooring made of maple (except Japanese maple), birch, and beech	$1.50 per thousand feet, board measure

Provided, That from and after the time when the aggregate quantity of sawed Douglas fir and Western hemlock timber and lumber entered, or withdrawn from warehouse, for consumption, in any calendar year after 1935 exceeds 250,000,000 feet, board measure (determined in the manner described in paragraph 401, Tariff Act of 1930), the foregoing provision shall not be in effect in respect of sawed timber and lumber of Douglas fir and Western hemlock during the remainder of such year.

Provided further, That no article described in paragraph 401, Tariff Act of 1930, of a kind which is being classified under section 601 (c) (6), Revenue Act of 1932, on the day of the signature of this Agreement but is thereafter excluded from such classification pursuant to a final judicial decision in which the Treasury Department acquiesces, shall be subject to the provisions of Article IV of this Agreement or any provision of this Schedule; but the total duties, taxes, and other exactions hereafter imposed on or in connection with the importation of any such article shall not exceed the total which would have accrued if such article had not been excluded from such classification.

Modifications, etc.

WHEREAS such modifications of existing duties and other import restrictions and such continuances of existing customs and excise treatment as are set forth and provided for in the said Agreement and the two Schedules thereunto annexed are required and appropriate to carry out the said Agreement;

Ante, p. 3966.

WHEREAS it is provided in Article XV of the said Agreement that it shall be proclaimed by the President of the United States of America and shall be ratified by His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada;

Ante, pp. 3961, 3962.

WHEREAS it is further provided in Article XV of the said Agreement that the provisions of Article I and of Articles IV and III, respectively, shall, subject to the reservations and exceptions elsewhere provided for in the Agreement, be applied by the United States of America and Canada, on and after January 1; 1936, pending ratification of the Agreement by His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada, and that the entire Agreement shall come into force on the day of the exchange of the proclamation of the said Agreement by the President of the United States of America and the ratification thereof by His Majesty, in respect of Canada;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, acting under the authority conferred by the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, do hereby proclaim the said Agreement, including the said Schedules, to the end that the provisions of Article I and of Articles IV and III, respectively, thereof, may be observed and fulfilled with good faith by the United States of America and the citizens thereof on and after January 1, 1936, pending ratification of the Agreement by His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada, and that the entire Agreement and every part thereof may be so observed and fulfilled on and from the day of the exchange of the proclamation and ratification at Ottawa as provided for in Article XV of the Agreement.

Vol. 46, p. 708; Vol. 48, p. 943.

Vol. 48, p. 943.

Pursuant to the proviso in Section 350 (a) (2) of the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, I shall from time to time notify the Secretary of the Treasury of the countries with respect to which application of the duties herein proclaimed is to be suspended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this second day of December, in the year of our Lord one thousand nine hundred and [SEAL] thirty-five, and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL
Secretary of State.

[Supplementary Proclamation]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

WHEREAS, by my proclamation of December 2, 1935, I did make public the Trade Agreement, including two annexed Schedules, which, pursuant to Section 350 (a) of the Tariff Act of 1930 of the Congress of the United States of America, as amended by the Act of June 12, 1934, entitled "AN ACT To amend the Tariff Act of 1930", I entered into on November 15, 1935, with His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada, in order that the provisions of Article I and of Articles IV and III, respectively, thereof, should be observed and fulfilled with good faith by the United States of America and the citizens thereof on and after January 1, 1936, as provided in Article XV of the said Agreement, and that the entire Agreement and every part thereof should be so observed and fulfilled on and from the day of the exchange of my aforesaid proclamation and the ratification of His Majesty at Ottawa as further provided in Article XV of the Agreement;

AND WHEREAS the proclamation of the President of the United States of America and the ratification of His Majesty in respect of the Dominion of Canada were exchanged at Ottawa on May 14, 1936;

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, supplementing my said proclamation of December 2, 1935, do hereby proclaim that the entire Agreement came into force on May 14, 1936; and I do hereby call upon the United States of America and all the citizens thereof to observe and fulfill the entire Agreement with good faith on and from that date.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this fourteenth day of May in the year of our Lord one thousand nine hundred and
[SEAL] thirty-six and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

EXCHANGE OF NOTES BETWEEN THE SECRETARY OF STATE OF THE UNITED STATES OF AMERICA AND THE CHARGÉ D'AFFAIRES AD INTERIM OF THE DOMINION OF CANADA

The Secretary of State (Hull) to the Chargé d'Affaires ad interim of the Dominion of Canada (Wrong)

DEPARTMENT OF STATE,
Washington, November 15, 1935.

SIR:

With reference to Article XIII of the Trade Agreement signed this day between the United States and Canada, the Government of the United States, as an exceptional measure, will refrain from claiming any advantages now accorded or which may hereafter be accorded by Canada exclusively to territories under His Majesty's mandate and administered as integral portions of territory under His Majesty's sovereignty. Exchange of Notes.

Accept, Sir, the renewed assurances of my high consideration.

CORDELL HULL

Mr. HUME WRONG,
Chargé d'Affaires ad interim of Canada.

The Chargé d'Affaires ad interim of the Dominion of Canada (Wrong) to the Secretary of State (Hull)

No. 159:

CANADIAN LEGATION,
Washington, November 15, 1935.

SIR:

At the moment of signature of the Trade Agreement between Canada and the United States of America, I am directed by the Secretary of State for External Affairs to state for the information of your Government that it is the intention of His Majesty's Government in Canada to invite Parliament at its next session to enact legislation amending the provisions of the Customs Act presently fixing the methods of determining the value of merchandise for duty purposes, as a step toward the realization of their declared objective of eliminating arbitrary executive interference with the normal courses of trade. They propose, at the first opportunity, to press forward with the reform of the administrative provisions of the Customs Act with this end in view, and believe that the modifications which they have had in mind and which have been discussed with representatives of your Government will stabilize and safeguard the value of the mutual concessions in rates of duty incorporated in today's Agreement.

In revising the methods of determining the value of merchandise for duty purposes the following principles, among others, will be incorporated in the contemplated amendments to the Customs Act of Canada:

(*a*) The value for duty established under authority of Section 36(2) will not include an advance for selling cost or profit greater than that which in the ordinary course of business under normal conditions of trade, is added, in the case of goods similar to the particular goods under consideration, by manufacturers or producers of goods of the same class or kind in the country of export.

(*b*) No rate of discount established under Section 37 will operate to increase the value for duty of any goods beyond the price at which such or similar goods are freely offered for sale to purchasers at the time and place of shipment in the country of export, in the usual quantities and in the ordinary course of trade.

(*c*) In the case of any value for duty which may be established under authority of Section 43, other than those provided for in Schedule I of the Trade Agreement signed today, opportunity will be afforded for appeal to the Tariff Board respecting any such value in order to ascertain and make public the finding whether, to what extent, and for what period, such value may be required to prevent the importation of the goods into Canada from prejudicially or injuriously affecting the interests of Canadian manufacturers and producers.

(*d*) In interpreting the words "of a class or kind made or produced in Canada", provision will be made to make it clear that the phrase "made or produced in Canada" in this context means "made or produced in Canada in commercial quantities" and arrangements will be made for giving adequate notice of the transfer, for customs purposes, of a product from the category "not of a class or kind made or produced in Canada" to the category "of a class or kind made or produced in Canada."

Pending the entry into force of amendments to the Customs Act incorporating the substance of the foregoing principles, the competent Departments of the Canadian Government will, to the extent of their administrative discretion, give the fullest possible effect to these general principles in the administration of the Act.

In the meantime, and pending the entry into force of the legislative changes foreshadowed in this Note, the Canadian Government are prepared as from the 1st January 1936, to cancel the values for duty purposes, established under authority of Section 43 of the Customs Act of Canada and now applicable to the undermentioned goods, the produce or manufacture of the United States, on importation into Canada:

Meats, fresh, prepared or preserved
Eggs, frozen, desiccated, powdered, etc.
Loganberries, dried
Slack cooperage stock

Lime
Doors of hardwood
Women's and children's clothing
Fabrics of cotton or of artificial silk
Fringes, gimps and tassels
Electric light fixtures; lamps and shades
Roses, cut
Canned asparagus
Eggs in the shell
Baby chicks
Peas, dried
Beans, dried
Market poultry
Livestock
Canned salmon
Sugar of milk

I am further directed to state that the Canadian Government propose to invite Parliament to permit the entry free of duty and charges of incidental purchases by residents of Canada returning from the United States of America, not exceeding the value of one hundred dollars, under regulations, particularly as to the frequency of such entry and duration of visits, to be prescribed, for such time as treatment substantially equivalent to that now in effect is accorded by the Government of the United States of America to incidental purchases by residents of that country returning from Canada.

I have the honour to be, with the highest consideration, Sir,
Your most obedient, humble servant,

H. H. WRONG
Chargé d'Affaires

The Hon. CORDELL HULL,
Secretary of State of the United States,
Washington, D. C.

The Secretary of State (Hull) to the Chargé d'Affaires ad interim of the Dominion of Canada (Wrong)

DEPARTMENT OF STATE,
Washington, November 29, 1935.

SIR:

The receipt is acknowledged of your note No. 159 of November 15, 1935, which was handed to me on the occasion of the signing of the trade agreement between our two Governments and which informed me that, pursuant to the discussions between our respective representatives, the Canadian Parliament will be invited, at its next session, to enact legislation amending the provisions of the Customs Act presently fixing the methods of determining the value of merchandise for duty purposes.

As I informed Mr. Herridge in my note of December 27, 1934,[1] this question is considered of importance by the United States Government and I am therefore gratified to receive the assurances set forth in your note under acknowledgment. I wish to thank you particularly for your assurance that pending the entry into force of the legislation in question, the Canadian authorities will, to the extent of their administrative discretion, give the fullest possible effect to the principles agreed upon.

It is also noted with appreciation that in accordance with our recent understanding, the Canadian Parliament will be invited to permit, under regulation, the entry free of duty and charges of incidental purchases by residents of Canada returning from the United States, not exceeding one hundred dollars in value.

Accept, Sir, the renewed assurances of my high consideration.

CORDELL HULL

Mr. HUME WRONG,
Chargé d'Affaires ad interim of the Dominion of Canada.

[1] Not printed.

[No. 91]

Agreement between the United States of America and Guatemala respecting reciprocal trade. Signed at Guatemala, April 24, 1936; proclaimed by the President of the Republic of Guatemala, May 9, 1936; proclaimed by the President of the United States, May 16, 1936; effective June 15, 1936.

April 24, 1936.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Reciprocal trade agreement with Guatemala. Vol. 46, p. 708; Vol. 48, p. 943. U. S. C., p. 879.

WHEREAS it is provided in the Tariff Act of 1930 of the Congress of the United States of America, as amended by the Act of June 12, 1934, entitled "AN ACT To amend the Tariff Act of 1930" (48 Stat. 943), as follows:

Statutory provisions.

"Sec. 350. (a) For the purpose of expanding foreign markets for the products of the United States (as a means of assisting in the present emergency in restoring the American standard of living, in overcoming domestic unemployment and the present economic depression, in increasing the purchasing power of the American public, and in establishing and maintaining a better relationship among various branches of American agriculture, industry, mining, and commerce) by regulating the admission of foreign goods into the United States in accordance with the characteristics and needs of various branches of American production so that foreign markets will be made available to those branches of American production which require and are capable of developing such outlets by affording corresponding market opportunities for foreign products in the United States, the President, whenever he finds as a fact that any existing duties or other import restrictions of the United States or any foreign country are unduly burdening and restricting the foreign trade of the United States and that the purpose above declared will be promoted by the means hereinafter specified, is authorized from time to time—

"(1) To enter into foreign trade agreements with foreign governments or instrumentalities thereof; and

"(2) To proclaim such modifications of existing duties and other import restrictions, or such additional import restrictions, or such continuance, and for such minimum periods, of existing customs or excise treatment of any article covered by foreign trade agreements, as are required or appropriate to carry out any foreign trade agreement that the President has entered into hereunder. No proclamation shall be made increasing or decreasing by more than 50 per centum any existing rate of duty or transferring any article between the dutiable and free lists. The proclaimed duties and other import restrictions shall apply to articles the growth, produce, or manufacture of all foreign countries, whether imported directly, or indirectly: *Provided*, That the President may suspend the application to articles the growth, produce, or manufacture of any country because of its discriminatory treatment of American commerce or because of other acts or policies which in his opinion tend to defeat the purposes set forth in this section; and the proclaimed duties and other import restrictions shall be in effect from and after such time as is specified in the proclamation. The President may at any time terminate any such proclamation in whole or in part."

Promotion of foreign trade.

WHEREAS I, Franklin D. Roosevelt, President of the United States of America, have found as a fact that certain existing duties and other import restrictions of the United States of America and the Republic of Guatemala are unduly burdening and restricting the foreign trade of the United States of America and that the purpose declared in the said Tariff Act of 1930, as amended by the said Act of June 12, 1934,

Vol. 46, p. 708; Vol. 48, p. 943.

will be promoted by a foreign trade agreement between the United States of America and the Republic of Guatemala;

Notice given.

WHEREAS reasonable public notice of the intention to negotiate such foreign trade agreement was given and the views presented by persons interested in the negotiation of such agreement were received and considered;

Trade agreement entered into.

WHEREAS, after seeking and obtaining information and advice with respect thereto from the United States Tariff Commission, the Departments of State, Agriculture, and Commerce, and from other sources, I entered into a foreign Trade Agreement on April 24, 1936, through my duly empowered Plenipotentiary, with the President of the Republic of Guatemala, through his duly empowered Plenipotentiary, which Agreement, including two Schedules annexed thereto, in the English and Spanish languages, is in words and figures as follows:

Purposes declared.

The President of the United States of America and the President of the Republic of Guatemala, being desirous of strengthening the bonds of friendship between the two countries by maintaining the principle of equality of treatment as the basis of commercial relations and by granting mutual and reciprocal concessions for the promotion of trade, have, through their respective Plenipotentiaries, arrived at the following Agreement:

El Presidente de la República de Guatemala y el Presidente de los Estados Unidos de América, deseosos de estrechar los vínculos de amistad entre ambos países por el mantenimiento del principio de igualdad de trato como base de relaciones comerciales y por la concesión de ventajas mutuas y recíprocas para la promoción del comercio, han llegado por medio de sus respectivos Plenipotenciarios al siguiente Convenio:

ARTICLE I

Enumerated imports into Guatemala.

Articles the growth, produce or manufacture of the United States of America, enumerated and described in Schedule I annexed to this Agreement and made a part thereof, shall, on their importation into the Republic of Guatemala, be exempt from ordinary customs duties in excess of those set forth in the said Schedule.

Post, p. 4002.

No excess duties, etc.

The said articles shall also be exempt from all other duties, taxes, fees, charges or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required

ARTICULO I

Los artículos cultivados, producidos o manufacturados en los Estados Unidos de América, enumerados y descritos en la Lista I anexa a este Convenio, del cual forma parte, se eximirán, a su importación en la República de Guatemala, de derechos aduaneros ordinarios que excedan a los establecidos en dicha Lista. Esos artículos estarán también exentos de cualesquiera otros derechos, impuestos, contribuciones, cargas o exacciones superiores a los que pesen el día de la firma de este Convenio sobre o respecto la importación, o cuya imposición

to be imposed thereafter under laws of the Republic of Guatemala in force on the day of the signature of this Agreement.

ARTICLE II

Articles the growth, produce or manufacture of the Republic of Guatemala, enumerated and described in Schedule II annexed to this Agreement and made a part thereof, shall, on their importation into the United States of America, be exempt from ordinary customs duties in excess of those set forth in the said Schedule. The said articles shall also be exempt from all other duties, taxes, fees, charges or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under laws of the United States of America in force on the day of the signature of this Agreement.

ARTICLE III

The United States of America and the Republic of Guatemala agree that the notes included in Schedules I and II, respectively, are hereby given force and effect as integral parts of this Agreement.

ARTICLE IV

Articles the growth, produce or manufacture of the United States of America or the Republic of Guatemala, shall, after importation into the other country, be exempt from all internal taxes, fees, charges or exactions, other or higher than those payable on like articles of national origin or any other foreign origin.

ARTICLE V

In respect of articles the growth, produce or manufacture of the United States of America or the Republic of Guatemala, enumerated and described in Schedules I

posterior requieran las leyes vigentes en la República de Guatemala el día de la firma de este Convenio.

ARTICULO II

Specified imports from Guatemala.

Los artículos cultivados, producidos o manufacturados en la República de Guatemala, enumerados y descritos en la Lista II anexa a este Convenio, del cual forma parte, se eximirán, a su importación en los Estados Unidos de América, de derechos aduaneros ordinarios que excedan a los establecidos en dicha Lista. Esos artículos estarán también exentos de cualesquiera otros derechos, impuestos, contribuciones, cargas o exacciones superiores a los que pesen el día de la firma de este Convenio sobre o respecto la importación, o cuya imposición posterior requieran las leyes vigentes en los Estados Unidos de América el día de la firma de este Convenio.

Post, p. 4010.

No excess duties, etc.

ARTICULO III

Notes in schedules considered part of Agreement.

La República de Guatemala y los Estados Unidos de América convienen en dar a las notas que forman parte de las Listas I y II, respectivamente, fuerza y efecto como partes integrantes de este Convenio.

Post, pp. 4002, 4010.

ARTICULO IV

Internal taxes, etc.

Los artículos cultivados, producidos o manufacturados en la República de Guatemala o en los Estados Unidos de América, después de su importación en el otro país, estarán exentos de cualesquiera impuestos, contribuciones, cargas o exacciones internas, diferentes o mayores que los pagaderos sobre artículos análogos de origen nacional o cualquier otro origen extranjero.

ARTICULO V

Ad valorem duties. Determination, etc., of rates.

En cuanto a los artículos cultivados, producidos o manufacturados en la República de Guatemala o en los Estados Unidos de América, enumerados y des-

Post, pp. 4002, 4010.

and II, respectively, imported into the other country, on which ad valorem rates of duty or duties based upon or regulated in any manner by value, are or may be assessed, it is understood and agreed that the bases and methods of determining dutiable value and of converting currencies shall be no less favorable to importers than the bases and methods prescribed under laws and regulations of the Republic of Guatemala and the United States of America, respectively, in force on the day of the signature of this Agreement.

ARTICLE VI

No quantitative restriction.

1. The Republic of Guatemala will not impose any prohibition, import or customs quotas, import licenses or any other form of quantitative regulation, whether or not operated in connection with any agency of centralized control, on the importation or sale of any article the growth, produce or manufacture of the United States of America, enumerated and described in Schedule I, nor will the United States of America impose any prohibition, import or customs quotas, import licenses or any other form of quantitative regulation, whether or not operated in connection with any agency of centralized control, on the importation or sale of any article the growth, produce or manufacture of the Republic of Guatemala, enumerated and described in Schedule II.

Post, p. 4002.

Post, p. 4010.

Exceptions.

2. The foregoing provision shall not apply to:

(a) Prohibitions or restrictions (1) imposed on moral or humanitarian grounds; (2) designed to protect human, animal or plant life; (3) relating to prison made goods; or (4) relating to the enforcement of police or revenue laws; or to

critos en las Listas II y I, respectivamente, sobre los cuales, al importarse de uno al otro país, se imponen o se impusieren derechos advalórem o derechos basados sobre o regidos de algún modo por el valor, se entiende y conviene que las bases y métodos para determinar el valor adeudable y convertir las monedas, no serán menos favorables a los importadores que las bases y métodos establecidos por las leyes y reglamentos de los Estados Unidos de América y de la República de Guatemala, respectivamente, vigentes el día de la firma de este Convenio.

ARTICULO VI

1. La República de Guatemala no impondrá prohibición alguna, ni cuotas de importación o aduaneras, licencias de importación ni otra forma de reglamento cuantitativo, obren o no en conexión con agencias de control centralizado, sobre la importación o venta de ninguno de los artículos cultivados, producidos o manufacturados en los Estados Unidos de América, que se enumeran y describen en la Lista I; ni los Estados Unidos de América impondrá prohibición alguna, ni cuotas de importación o aduaneras, licencias de importación ni otra forma de reglamento cuantitativo, obren o no en conexión con agencias de control centralizado sobre la importación o venta de ninguno de los artículos cultivados, producidos o manufacturados en la República de Guatemala, enumerados y descritos en la Lista II.

2. No se aplicará la estipulación anterior a:

a) prohibiciones o restricciones impuestas: 1) con fundamentos morales o humanitarios; 2) encaminadas a proteger la vida humana, animal o vegetal; 3) relativas a efectos fabricados en prisiones; o, 4) relativas al cumplimiento de leyes policiacas o fiscales; ni a

(b) Quantitative restrictions in whatever form, imposed by the United States of America or the Republic of Guatemala on the importation or sale of any article the growth, produce or manufacture of the other country, in conjunction with governmental measures operating to regulate or control the production, market supply or prices of like domestic articles, or tending to increase the labor costs of production of such articles. Whenever the Government of either country proposes to establish or change any restriction authorized by this subparagraph, it shall give notice thereof in writing to the other Government and shall afford such other Government an opportunity within thirty days after receipt of such notice to consult with it in respect of the proposed action; and if an agreement with respect thereto is not reached within thirty days following receipt of the aforesaid notice, the Government which proposes to take such action shall be free to do so at any time thereafter, and the other Government shall be free within fifteen days after such action is taken to terminate this Agreement in its entirety on thirty days' written notice.

3. It is understood that the provisions of this Article do not affect the application of measures directed against misbranding, adulteration and other fraudulent practices, such as are provided for in the pure food and drug laws of the United States of America, or the application of measures directed against unfair practices in import trade, such as are provided for in Section 337 of the United States Tariff Act of 1930.

ARTICLE VII

1. If the Government of the United States of America or the Government of the Republic of Guatemala establishes or maintains any form of quantitative restriction or control of the im-

b) restricciones cuantitativas de cualquier forma sobre importación o venta de artículo alguno cultivado, producido o manufacturado en uno u otro país, impuestas por la República de Guatemala o por los Estados Unidos de América en conexión con medidas gubernativas encaminadas a regir o controlar la producción, el abastecimiento del mercado, o los precios de artículos nacionales análogos, o tendientes a aumentar el costo del trabajo de producción de tales artículos. En caso de que el Gobierno de uno u otro país se proponga establecer o cambiar cualquier restricción autorizada en este inciso, lo notificará por escrito al otro Gobierno y le dará oportunidad para que dentro de treinta días del recibo de la notificación trate con él acerca de la acción propuesta; y si, dentro de los treinta días siguientes al recibo de aquella notificación, no se llegare a acuerdo respecto del asunto, el Gobierno que se proponga iniciar tal acción quedará en libertad de obrar en cualquier tiempo, y el otro Gobierno, dentro de los quince días de consumada la acción, queda también en libertad de dar por terminado todo este Convenio, a los treinta días de notificarlo por escrito.

Notice of proposed restriction, etc.

Right to abrogate.

3. Queda entendido que las estipulaciones de este artículo no afectan la aplicación de medidas dirigidas contra falsos marbetes, adulteración y otras prácticas fraudulentas, como las establecidas en las leyes de alimentos y drogas de los Estados Unidos de América; ni la aplicación de medidas encaminadas contra prácticas desleales en el comercio de importación, como las previstas en la Sección 337 de la Ley de Tarifas de 1930 de los Estados Unidos.

Fraudulent practices.

ARTICULO VII

1. Si el Gobierno de la República de Guatemala, o el Gobierno de los Estados Unidos de América, establece o mantiene alguna forma de restricción cuantitativa, o control de importación o venta de

Benefits granted where a lower rate is imposed on portion of imports, etc.

portation or sale of any article in which the other country has an interest, or imposes a lower import duty or charge on the importation or sale of a specified quantity of any such article than the duty or charge imposed on importations in excess of such quantity, the Government taking such action will:

(a) Give public notice of the total quantity, or any change therein, of any such article permitted to be imported or sold or permitted to be imported or sold at such lower duty or charge, during a specified period;

(b) Allot to the other country for such specified period a share of such total quantity as originally established or subsequently changed in any manner, equivalent to the proportion of the total importation of such article which such other country supplied during a previous representative period, unless it is mutually agreed to dispense with such allotment; and

(c) Give public notice of the allotments of such quantity among the several exporting countries, and at all times, upon request, advise the Government of the other country of the quantity of any such article the growth, produce or manufacture of each exporting country, which has been imported or sold or for which licenses or permits for importation or sale have been granted.

Import licenses, etc.

2. Neither the United States of America nor the Republic of Guatemala shall regulate the total quantity of importations into its territory or sales therein of any article in which the other country has an interest by import licenses or permits issued to individuals or organizations, unless the total quantity of such article permitted to be imported or sold during a quota period of not less than three months shall have been established, and unless the regulations covering the issuance of such licenses or permits shall have

cualquier artículo en que esté interesado el otro país, o, sobre importación o venta de determinada cantidad de cualquier artículo, impone derecho o carga menor que el derecho o carga impuesta a las importaciones en exceso de esa cantidad, el Gobierno que así actúe, deberá:

a) Dar aviso público de la cantidad total, o cualquier cambio de ésta, que de alguno de esos artículos se permita importar o vender o que se permita importar o vender con derecho o carga reducidos, durante determinado período.

b) Asignar al otro país, durante tal determinado período, parte de la cantidad total que originalmente se hubiere establecido, o posteriormente cambiado en modo alguno, en equivalencia a la proporción de la importación total del artículo que el otro país haya enviado durante un período representativo anterior, a menos que mútuamente se convenga en prescindir de tal asignación; y

c) Dar aviso público de las asignaciones de tal cantidad entre los diferentes países exportadores y en todo tiempo, mediante solicitud, informar al Gobierno del otro país sobre la cantidad de cualquier artículo cultivado, producido o manufacturado de cada país exportador que se haya importado o vendido, o para cuya importación o venta se hayan concedido licencias o permisos.

2. Ni la República de Guatemala ni los Estados Unidos de América regularán por licencias o permisos de importación a favor de individuos u organizaciones, la cantidad total de importaciones a su territorio o ventas en él de ningún artículo que interese al otro país, a menos que se haya sido establecida la cantidad total del artículo objeto del permiso de importación o venta durante un período de cuota no menor de tres meses, y a menos que los reglamentos sobre expedición de tales licencias o permisos se hu-

been made public before such regulations are put into force.

bieren publicado antes de su entrada en vigor.

ARTICLE VIII

In the event that the Government of the United States of America or the Government of the Republic of Guatemala establishes or maintains an official monopoly or centralized agency for the importation of or trade in a particular commodity the Government establishing or maintaining such monopoly or centralized agency will give sympathetic consideration to all representations that the other Government may make with respect to alleged discriminations against its commerce in connection with purchases by such monopoly or centralized agency.

ARTICULO VIII

Treatment of Government monopolies.

En caso de que el Gobierno de la República de Guatemala, o el Gobierno de los Estados Unidos de América, establezca o mantenga monopolio oficial o agencia centralizada para la importación o venta de determinado artículo el Gobierno que establezca o mantenga tal monopolio o agencia centralizada considerará amistosamente las representaciones que hará el otro Gobierno con respecto a las parcialidades alegadas contra su comercio en conexión con compras por tal monopolio o agencia centralizada.

ARTICLE IX

The tariff advantages and other benefits provided for in this Agreement are granted by the United States of America and the Republic of Guatemala to each other subject to the condition that if the Government of either country shall establish or maintain, directly or indirectly, any form of control of foreign exchange, it shall administer such control so as to insure that the nationals and commerce of the other country will be granted a fair and equitable share in the allotment of exchange.

With respect to the exchange made available for commercial transactions, it is agreed that the Government of each country shall be guided in the administration of any form of control of foreign exchange by the principle that, as nearly as may be determined, the share of the total available exchange which is allotted to the other country shall not be less than the share employed in a previous representative period prior to the establishment of any exchange control for the settlement of commercial obligations to the nationals of such other country.

ARTICULO IX

Control of foreign exchange.

La República de Guatemala y los Estados Unidos de América se conceden mútuamente las ventajas de tarifa y demás beneficios estipulados en este Convenio, sujetos a la condición de que si el Gobierno de uno u otro país, directa o indirectamente, estableciere o mantuviere alguna forma de control sobre el cambio extranjero, administrará tal control en forma que asegure a nacionales y comercio del otro país garantía de justa y equitativa parte en las asignaciones del cambio.

Respecto al cambio aprovechable para transacciones comerciales, se acuerda que, en la administración de cualquier forma de control de cambio extranjero, se regirá el Gobierno de cada país por el principio de que, hasta donde se pueda establecer aproximadamente, la parte del total de cambio disponible que se asigne al otro país no será menor que la parte empleada en período representativo anterior al establecimiento de cualquier control de cambio, para la liquidación de obligaciones comerciales a favor de nacionales de tal otro país.

With respect to non-commercial transactions it is agreed that the Government of each country shall apply any form of control of foreign exchange in a non-discriminatory manner as between the nationals of the other country and the nationals of any third country.

Con respecto a transacciones no comerciales se acuerda que el Gobierno de cada país administrará cualquiera forma de control de cambio extranjero de manera que no habrá discriminación entre los nacionales del otro país y los de cualquier tercer país.

Mutual consideration with respect to application of Article.

The Government of each country will give sympathetic consideration to any representations which the other Government may make in respect of the application of the provisions of this Article. If, within thirty days after the receipt of such representations, a satisfactory adjustment has not been made or an agreement has not been reached with respect to such representations, the Government making them may, within fifteen days after the expiration of the aforesaid period of thirty days, terminate this Article or this Agreement in its entirety on thirty days' written notice.

El Gobierno de cada país considerará amistosamente cualesquiera representaciones que el otro Gobierno pueda hacer respecto la aplicación de las estipulaciones de este Artículo. Si, dentro los treinta días de recibidas tales representaciones, no se llega a arreglo satisfactorio ni se ajusta acuerdo respecto de ellas, el Gobierno que las hace puede, dentro de los quince días, posteriores a la expiración del mencionado plazo de treinta días, terminar este Artículo o este Convenio en su totalidad a los treinta días de notificación escrita.

Article X

Extension of advantage, etc., granted any other country.

Any advantage, favor, privilege or immunity which has been or may hereafter be granted by the United States of America or the Republic of Guatemala to any article originating in or destined for any third country, shall be accorded immediately and unconditionally to the like article originating in or destined for the Republic of Guatemala or the United States of America, respectively. This provision refers to: customs duties or charges of any kind imposed on or in connection with importation or exportation; the method of levying such duties or charges; all rules and formalities in connection with importation or exportation; and all laws or regulations affecting the sale or use of imported goods within the country.

Artículo X

Cualquier ventaja, favor, privilegio o inmunidad que haya otorgado u otorgue después la República de Guatemala, o los Estados Unidos de América, sobre artículos originarios de o destinados a un tercer país, se acordarán inmediata e incondicionalmente a los correspondientes artículos originarios de o destinados a, respectivamente, los Estados Unidos de América o la República de Guatemala. Esta estipulación se refiere a: derechos aduaneros o cargas de cualquier género sobre o en conexión con importación o exportación; método de imponer tales derechos o cargas; todas las reglas y formalidades relativas a importación o exportación; y todas las leyes y reglamentos que afecten en el país la venta o uso de artículos importados.

Article XI

Laws, regulations, and decisions to be published.

Laws, regulations of administrative authorities and decisions of administrative or judicial authorities of the United States of

Artículo XI

Las leyes, los reglamentos de autoridades administrativas y las decisiones de autoridades administrativas o judiciales de la Re-

America or the Republic of Guatemala, respectively, pertaining to the classification of articles for customs purposes or to rates of duty shall be published promptly in such a manner as to enable traders to become acquainted with them. Such laws, regulations and decisions shall be applied uniformly at all ports of the respective country, except as otherwise specifically provided in statutes of the United States of America relating to articles imported into Puerto Rico.

No administrative ruling by the United States of America or the Republic of Guatemala effecting advances in rates of duties or in charges applicable under an established and uniform practice to imports originating in the territory of the other country, or imposing any new requirement with respect to such importations, shall be effective retroactively or with respect to articles either entered for or withdrawn for consumption prior to the expiration of thirty days after the date of publication of notice of such ruling in the usual official manner. The provisions of this paragraph do not apply to administrative orders imposing anti-dumping duties, or relating to regulations for the protection of human, animal, or plant life, or relating to public safety, or giving effect to judicial decisions.

ARTICLE XII

In the event that a wide variation occurs in the rate of exchange between the currencies of the United States of America and the Republic of Guatemala, the Government of either country, if it considers the variation so substantial as to prejudice the industries or commerce of the country, shall be free to propose negotiations for the modification of this Agreement or to terminate this Agreement in its entirety on thirty days' written notice.

pública de Guatemala o de los Estados Unidos de América, respectivamente, en cuanto a clasificación de artículos para fines aduaneros o tasa de derechos, se publicarán oportunamente en forma tal que facilite a los comerciantes enterarse de ellos. Tales leyes, reglamentos y decisiones se aplicarán con uniformidad en todos los puertos del país respectivo, a excepción de lo de otro modo dispuesto específicamente en estatutos de los Estados Unidos de América en relación con artículos importados a Puerto Rico.

Uniform application.

No tendrá efecto retroactivo disposición administrativa alguna de la República de Guatemala o de los Estados Unidos de América, que aumente la tasa de los derechos o cargas aplicables por práctica estable y uniforme a las importaciones originarias del territorio del otro país, o que imponga cualquier nuevo requisito para tales importaciones, ni deberá aplicarse tal disposición a artículos introducidos al país o retirados de la aduana para el consumo con anterioridad a la expiración de los treinta días a contar de la fecha de publicación del reglamento, en la forma oficial de costumbre. Las estipulaciones de este párrafo no son aplicables a órdenes administrativas que establezcan derechos contra el "dumping", o se refieran a reglamentos para la protección de la vida humana, animal o vegetal, o a la seguridad pública, o que hagan cumplir resoluciones judiciales.

Administrative ruling, etc.
No retroactive application.

Anti-dumping duties.

ARTICULO XII

En caso de que varíe sensiblemente el tipo de cambio entre las monedas de la República de Guatemala y de los Estados Unidos de América, cada uno de los Gobiernos, si considera la variación tan sustancial como para perjudicar las industrias o el comercio de su país, estará en libertad de proponer negociaciones para modificar este Convenio, o para darlo por completamente terminado a los treinta días de notificación escrita.

Modification where rate of exchange prejudicial.

ARTICLE XIII

Documentation errors.

There will not be imposed in the United States of America or in the Republic of Guatemala, on importations of articles the growth, produce or manufacture of the other country, greater than nominal penalties because of errors in documentation, made in the country of export, provided it can be established by the importer or other party in interest to the satisfaction of the customs authorities that the errors were clerical in origin or were made in good faith.

Mutual consideration with respect to customs, etc.

The Government of each country will accord sympathetic consideration to such representations as the other Government may make with respect to the operation of customs regulations, quantitative restrictions or the administration thereof, the observance of customs formalities, or the application of sanitary laws and regulations for the protection of human, animal, or plant life; and upon request it will afford adequate opportunity for consultation regarding such representations.

ARTICULO XIII

No se impondrán en la República de Guatemala ni en los Estados Unidos de América sobre la importación de artículos cultivados, producidos o manufacturados en el otro país, sanciones mayores que las nominalmente establecidas por causa de errores en la documentación, hechas en el país exportador, siempre que pueda establecerse por el importador u otra persona interesada a satisfacción de las autoridades de la Aduana que esos errores fueron de copia o que fueron hechos de buena fé.

El Gobierno de cada país considerará amistosamente las representaciones que el otro Gobierno pueda hacerle respecto al funcionamiento de las reglamentaciones de aduana, restricciones cuantitativas o su administración, observancia de formalidades aduaneras y aplicación de leyes sanitarias y disposiciones para protección de la vida humana, animal o vegetal; y a solicitud dará amplia oportunidad de consulta en relación con tales representaciones.

ARTICLE XIV

Provisions not to apply to Philippine Islands, etc.

Except as otherwise provided in the second paragraph of this Article, the provisions of this Agreement relating to the treatment to be accorded by the United States of America or the Republic of Guatemala, respectively, to the commerce of the other country, shall not apply to the Philippine Islands, the Virgin Islands, American Samoa, the Island of Guam, or to the Panama Canal Zone.

Preferential treatment extended to territories, etc., of each other.

Subject to the reservations set forth in the third, fourth, and fifth paragraphs, of this Article, the provisions of Article X shall apply to articles the growth, produce or manufacture of any territory under the sovereignty or authority of the United States of America or the Republic of Guatemala, imported from or ex-

ARTICULO XIV

A excepción de lo estipulado en contrario en el párrafo segundo de este Artículo, las disposiciones del presente Convenio relativas al tratamiento acordado, respectivamente, por la República de Guatemala o por los Estados Unidos de América al comercio del otro país, no se aplicarán a las Islas Filipinas, las Islas Vírgenes, la Samoa Estadunidense, la Isla de Guam, ni a la Zona del Canal de Panamá.

Con las reservas establecidas en los párrafos tercero, cuarto y quinto de este Artículo, las estipulaciones del Artículo X se aplicarán a artículos cultivados, producidos o manufacturados en cualquier territorio bajo la soberanía o autoridad de la República de Guatemala o de los Estados Unidos de América, y que se

ported to any territory under the sovereignty or authority of the other country. It is understood, however, that the provisions of this paragraph do not apply to the Panama Canal Zone.

Not applicable to Canal Zone.

The advantages now accorded or which may hereafter be accorded by the United States of America or the Republic of Guatemala to adjacent countries in order to facilitate frontier traffic and advantages resulting from a customs union to which either the United States of America or the Republic of Guatemala may become a party shall be excepted from the operation of this Agreement.

Existing advantages excepted from operation of Agreement.

The advantages now accorded or which may hereafter be accorded by the Republic of Guatemala to the commerce of Costa Rica, El Salvador, Honduras, Nicaragua or Panama, so long as any such advantage is not accorded to any other country, shall be excepted from the operation of this Agreement.

The advantages now accorded or which may hereafter be accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another or to the Republic of Cuba shall be excepted from the operation of this Agreement. The provisions of this paragraph shall continue to apply in respect to any advantages now or hereafter accorded by the United States of America, its territories or possessions or the Panama Canal Zone to the Philippine Islands irrespective of any change in the political status of the Philippine Islands.

Not applicable to police or sanitary regulations.

Unless otherwise specifically provided in this Agreement, the provisions thereof shall not be construed to apply to police or sanitary regulations; and nothing in this Agreement shall be construed to prevent the adoption of measures prohibiting or restricting the exportation of gold or silver, or to prevent the adoption of such measures as the United

importen de o se exporten a cualquier territorio bajo la soberanía o autoridad del otro país. Se entiende, sin embargo, que las disposiciones de este párrafo no se aplican a la Zona del Canal de Panamá.

Se exceptuarán de los efectos de este Convenio las ventajas ya acordadas o que en lo sucesivo se acordaren por la República de Guatemala o los Estados Unidos de América a países adyacentes para facilitar el tráfico fronterizo, y las ventajas resultantes de una unión aduanera de que la República de Guatemala o los Estados Unidos de América puedan formar parte.

Se exceptuarán de los efectos de este Convenio las ventajas acordadas o que después acuerde la República de Guatemala al comercio de Costa Rica, El Salvador, Honduras, Nicaragua o Panamá, mientras tales ventajas no se concedan a cualquier otro país.

Se exceptuarán de los efectos de este Convenio las ventajas ya acordadas o que en lo sucesivo se acordaren por los Estados Unidos de América, sus territorios o posesiones o por la Zona del Canal de Panamá entre sí o a la República de Cuba. Las disposiciones de este párrafo continuarán aplicándose respecto de cualesquiera ventajas que ahora o después acuerden los Estados Unidos de América, sus territorios o posesiones o la Zona del Canal de Panamá a las Islas Filipinas, con prescindencia de cualquier cambio en el estado político de las Islas Filipinas.

Salvo expresas disposiciones en contrario de este Convenio, sus estipulaciones no se tendrán como aplicables a los reglamentos de policía o sanidad; y nada de este Convenio se considerará como contrario a la adopción de medidas sobre prohibir o restringir la exportación de oro o plata, o para impedir la adopción de las medidas que la República de

States of America or the Republic of Guatemala, respectively, may see fit with respect to the control of the export or sale for export of arms, munitions, or implements of war, and, in exceptional circumstances, of all other military supplies.

Guatemala o los Estados Unidos de América respectivamente hallen oportunas para controlar la exportación o la venta para exportación de armas, municiones o implementos de guerra, y, en circunstancias excepcionales, de todo otro material de guerra.

ARTICLE XV

Adjustment of representations.

In the event that the United States of America or the Republic of Guatemala adopts any measure which, even though it does not conflict with the terms of this Agreement, is considered by the Government of the other country to have the effect of nullifying or impairing any object of the Agreement, the Government of the country which has adopted any such measure shall consider such representations and proposals as the Government of the other country may make with a view to effecting a mutually satisfactory adjustment of the matter.

ARTICULO XV

En caso de que la República de Guatemala o los Estados Unidos de América adopten cualquier medida que, aunque sin contradecir los términos de este Convenio, se considere por el Gobierno del otro país como nulificando o perjudicando cualquiera de los objetos del Convenio, el Gobierno del país que la haya adoptado considerará las representaciones y propuestas que el Gobierno del otro país pueda hacer con la mira de efectuar un arreglo mutuamente satisfactorio del asunto.

ARTICLE XVI

Former Agreement supplanted.

The present Agreement shall, from the date on which it comes into force, supplant the Agreement between the United States of America and the Republic of Guatemala, effected by exchange of notes signed on August 14, 1924.

ARTICULO XVI

El presente Convenio, desde la fecha de su entrada en vigor, sustituirá el que mediante cambio de notas efectuaron la República de Guatemala y los Estados Unidos de América el 14 de agosto de 1924.

ARTICLE XVII

Effective date.

The present Agreement shall come into force on the thirtieth day following proclamation thereof by the President of the United States of America and the President of the Republic of Guatemala, or should the proclamations be issued on different days, on the thirtieth day following the date of the later in time of such proclamations, and shall remain in force for the term of three years thereafter, unless terminated pursuant to the provisions of Article VI, Article IX or Article XII. The Government of each country shall notify the Government of the other country of the date of its proclamation.

Duration.

Ante, pp. 3992, 3995, 3997.

ARTICULO XVII

El presente Convenio entrará en vigor a los treinta días de su promulgación por los Presidentes de la República de Guatemala y de los Estados Unidos de América, o, si las promulgaciones se hicieren en días diferentes, a los treinta días de la fecha de la última promulgación; y estará vigente durante el término de tres años, a menos que antes se hubiere terminado en virtud de las estipulaciones de los Artículos VI, IX o XII. Cada uno de los Gobiernos notificará al otro la fecha de promulgación.

Unless at least six months before the expiration of the aforesaid term of three years the Government of either country shall have given to the other Government notice of intention to terminate this Agreement upon the expiration of the aforesaid term, the Agreement shall remain in force thereafter, subject to termination under the provisions of Article VI, Article IX or Article XII, until six months from such time as the Government of either country shall have given notice to the other Government.

A no ser que el Gobierno de uno de los países, por lo menos seis meses antes de la expiración del indicado plazo de tres años, notifique al otro su intención de terminar este Convenio al cumplirse dicho lapso, el Convenio continuará en vigencia, sujeto a terminación, conforme las cláusulas de los Artículos VI, IX o XII, a los seis meses de la fecha en que uno de los Gobiernos haga la notificación al otro Gobierno.

Termination.

Ante, pp. 3992, 3995, 3997.

In witness whereof the respective Plenipotentiaries have signed this Agreement and have affixed their seals hereto.

Done in duplicate, in the English and Spanish languages, both authentic, at the city of Guatemala, this 24th day of April nineteen hundred and thirty-six.

En testimonio de lo cual, los respectivos Plenipotenciarios firman y sellan este Convenio.

Hecho en duplicado, en los idiomas español e inglés, ambos textos auténticos, en la ciudad de Guatemala a los 24 días del mes de abril de mil novecientos treintiséis.

Signatures.

For the President of the United States of America:

[SEAL] SIDNEY E. O'DONOGHUE

For the President of the Republic of Guatemala:

[SEAL] J. GONZÁLES CAMPO.

Schedule I.

SCHEDULE I

Guatemalan Tariff Item Number	Description of Articles	Maximum Rates of Duty in Guatemalan Quetzales	
	The provisions of this Schedule will be interpreted as though they had been included in the current Guatemalan tariff law by an amendment to that law		
	Abbreviations: G. K.—Gross Kilo L. K.—Legal Kilo		
211–1–1–1	Fresh, refrigerated, salted, and unspecified meats	G. K.	.05
211–1–3–1	Bacon and ham in unspecified containers	G. K.	.20
211–1–4–1	Sausages of all kinds in unspecified containers	G. K.	.20
211–1–4–2	Sausages, poultry, game birds, and unspecified meats, in hermetically sealed containers, preserved or prepared in unspecified forms, with or without vegetables	G. K.	.30
211–3–1–1	Hog lard	G. K.	.05
211–3–2–2	Dried, powdered milk and cream without admixture of other substances	G. K.	.10
211–3–2–4	Evaporated or condensed milk and cream	G. K.	.15
211–3–2–6	Butter from milk, of all kinds, fresh, salted, melted, or in any other form, in all kinds of containers	G. K.	.20
211–3–2–7	Unspecified cheese in unspecified containers	G. K.	.15
211–4–4–1	Sardines, prepared in oil or sauces	G. K.	.075
211–4–4–3	Unspecified fish, preserved in oil, in sauce or their own liquid, raw, cooked, or pickled	G. K.	.15
211–4–4–4	Unspecified shellfish, preserved in oil, in sauces or in their own liquid, raw, cooked, or pickled	G. K.	.15
212–1–0–4	Wheat in its natural state	G. K.	.02
212–2–0–4	Wheat flour	G. K.	.03
212–3–0–2	Unspecified cereals, raw, in rolled, crushed or pearled grains, or prepared in similar forms	G. K.	.04
212–3–0–4	Cornstarch	G. K.	.15
212–5–0–1	Fresh grapes	G. K.	.03
212–5–0–5	Unspecified fresh fruit	G. K.	.15
212–5–0–6	Unspecified dried or evaporated fruits, peeled or unpeeled, in any kind or container	G. K.	.15
214–1–0–4	Unspecified fruits, in syrup or their juice, cooked or not	G. K.	.30

LISTA I

Partida de Tarifa Guatemalteca.	Descripción de Artículos	Tarifa Máxima en Quetzales Guatemaltecos	
	NOTA: Las estipulaciones de esta Lista se interpretarán como si estuvieran incluidas en el Arancel Actual de Aduanas de Guatemala como una enmienda a dicha ley.		
	Abreviaciones: K. B.—Peso bruto K. E.—Peso con envase o legal		
211–1–1–1–	Carnes frescas, refrigeradas o las mismas conservadas en sal y las no denominadas	K. B.	.05
211–1–3–1–	Tocino y jamón en empaque no denominado	K. B.	.20
211–1–4–1–	Salchichas, salchichones y embutidos, de toda clase, en empaque no denominado	K. B.	.20
211–1–4–2–	Salchichas, salchichones, embutidos, aves de corral y de caza y carnes no denominadas, en envases o recipientes herméticamente cerrados, conservadas o preparadas en formas no denominadas, con o sin legumbres	K. B.	.30
211–3–1–1–	Manteca de cerdo	K. B.	.05
211–3–2–2–	Leche y crema desecadas, en polvo, sin mezcla de otras substancias	K. B.	.10
211–3–2–4–	Leche y crema evaporadas o condensadas	K. B.	.15
211–3–2–6–	Mantequilla natural de leche, de toda clase, fresca, salada, fundida, o en cualquier otra forma, en envases de toda clase	K. B.	.20
211–3–2–7–	Quesos no denominados, en empaque no denominado	K. B.	.15
211–4–4–1–	Sardinas preparadas en aceite o salsas	K. B.	.075
211–4–4–3–	Pescados no denominados, conservados en aceite, en salsa o en su jugo, crudos, cocinados o encurtidos	K. B.	.15
211–4–4–4–	Mariscos y crustáceos no denominados, conservados en aceite, en salsas o en su propio jugo, crudos, cocinados o encurtidos	K. B.	.15
212–1–0–4–	Trigo en su estado natural	K. B.	.02
212–2–0–4–	Harina de trigo	K. B.	03
212–3–0–2–	Cereales no denominados, crudos, en granos triturados, perlados, mondados, o preparados en formas similares	K. B.	.04
212–3–0–4–	Maicena	K. B.	.15
212–5–0–1–	Uvas frescas	K. B.	.03
212–5–0–5–	Frutas frescas no denominadas	K. B.	.15
212–5–0–6–	Frutas secas no denominadas, desecadas o evaporadas, con o sin piel o cáscara, en cualquier clase de envase	K. B.	.15
214–1–0–4–	Frutas no denominadas, en almíbar o en su jugo, cocidas o no	K. B.	.30

Schedule I—Contd.

SCHEDULE I—Continued

Guatemalan Tariff Item Number	Description of Articles	Maximum Rates of Duty in Guatemalan Quetzales	
214–1–0–6	Preserved and pickled vegetables, mushrooms, fruits, and nuts, unspecified, in unspecified containers	G. K.	.30
322–6–0–2	Leaf tobacco, unspecified	G. K.	1.30
323–4–0–2	Impure cottonseed oil	G. K.	.02
414–3–1–2	Unspecified paints, prepared with oil, liquid or in a thick paste, ready for use	G. K.	.10
414–5–0–2	Varnishes prepared with oil	G. K.	.10
414–6–0–4	Unspecified prepared enamels and lacquers	G. K.	.15
441–0–0–1	Patent leather	G. K.	.50
441–0–0–5	Unspecified tanned leathers, dyed, dressed, polished, or not	G. K.	.50
451–5–0–1	Single or plied unbleached cotton yarn for weaving, in cones or skeins	G. K.	.10
451–5–0–2	Single or plied bleached cotton yarn for weaving, in cones or skeins	G. K.	.12
451–5–0–3	Single or plied colored cotton yarn for weaving, in cones or skeins	G. K.	.15
	Unbleached, unspecified cotton piece goods weighing less than 80 grams per square meter:		
466–1–1–1	With 130 threads or less per square inch	G. K.	.50
466–1–1–2	With 131 to 160 threads per square inch	G. K.	.75
466–1–1–3	With 161 to 240 threads per square inch	G. K.	1.00
466–1–1–4	With 241 threads or more per square inch	G. K.	1.50
	Unbleached, unspecified cotton piece goods weighing 80 grams or more per square meter:		
466–1–2–1	With 130 threads or less per square inch	G. K.	.22
466–1–2–2	With 131 to 160 threads per square inch	G. K.	.33
466–1–2–3	With 161 to 240 threads per square inch	G. K.	.45
466–1–2–4	With 241 threads or more per square inch	G. K.	.70
	Bleached or colored, unspecified cotton piece goods weighing less than 80 grams per square meter:		
466–1–3–1	With 130 threads or less per square inch	G. K.	.80
466–1–3–2	With 131 to 160 threads per square inch	G. K.	1.10
466–1–3–3	With 161 to 240 threads per square inch	G. K.	1.50
466–1–3–4	With 241 threads or more per square inch	G. K.	2.00
	Bleached or colored, unspecified cotton piece goods weighing from 80 to 149.99 grams per square meter:		

LISTA I—Continúa

Partida de Tarifa Guatemalteca.	Descripción de Artículos	Tarifa Máxima en Quetzales Guatemaltecos	
214–1–0–6–	Conservas y encurtidos de legumbres, hongos, frutas y nueces, no denominados, en envases no denominados	K. B.	.30
322–6–0–2–	Tabaco en rama, no denominado	K. B.	1.30
323–4–0–2–	Aceite de semilla de algodón, impuro	K. B.	.02
414–3–1–2–	Pinturas no denominadas, preparadas al aceite, líquidas o en pasta espesa, listas para usarse	K. B.	.10
414–5–0–2–	Barnices preparados al aceite	K. B.	.10
414–6–0–4–	Esmaltes y lacas preparados, no denominados	K. B.	.15
441–0–0–1–	Cueros charolados, charol	K. B.	.50
441–0–0–5–	Cueros curtidos no denominados, teñidos, adobados, lustrados o no	K. B.	.50
451–5–0–1–	Hilo flojo o torcido de algodón crudo, para tejer, en conos o madejones	K. B.	.10
451–5–0–2–	Hilo flojo o torcido, blanqueado, para tejer, en conos o madejones	K. B.	.12
451–5–0–3–	Hilo flojo o torcido de algodón de color, para tejer, en conos o madejones	K. B.	.15
	Tejidos de algodón, crudos, no denominados, con peso menor de 80 gramos por metro cuadrado:		
466–1–1–1–	De 130 hilos o menos por pulgada inglesa cuadrada	K. B.	.50
466–1–1–2–	De 131 a 160 hilos por pulgada inglesa cuadrada	K. B.	.75
466–1–1–3–	De 161 a 240 hilos por pulgada inglesa cuadrada	K. B.	1.00
466–1–1–4–	De 241 hilos o más por pulgada inglesa cuadrada	K. B.	1.50
	Tejidos de algodón, crudos, no denominados, con peso de 80 gramos o más por metro cuadrado:		
466–1–2–1–	De 130 hilos o menos por pulgada inglesa cuadrada	K. B.	.22
466–1–2–2–	De 131 a 160 hilos por pulgada inglesa cuadrada	K. B.	.33
466–1–2–3–	De 161 a 240 hilos por pulgada inglesa cuadrada	K. B.	.45
466–1–2–4–	De 241 hilos o más por pulgada inglesa cuadrada	K. B.	.70
	Tejidos de algodón blanqueados o de color, no denominados, con peso menor de 80 gramos por metro cuadrado:		
466–1–3–1–	De 130 hilos o menos por pulgada inglesa cuadrada	K. B.	.80
466–1–3–2–	De 131 a 160 hilos por pulgada inglesa cuadrada	K. B.	1.10
466–1–3–3–	De 161 a 240 hilos por pulgada inglesa cuadrada	K. B.	1.50
466–1–3–4–	De 241 hilos o más por pulgada inglesa cuadrada	K. B.	2.00
	Tejidos de algodón blanqueados o de color, no denominados, que pesen de 80 a 149.99 gramos por metro cuadrado:		

Schedule I—Contd.

SCHEDULE I—Continued

Guatemalan Tariff Item Number	Description of Articles	Maximum Rates of Duty in Guatemalan Quetzales
466–1–4–1	With 130 threads or less per square inch	G. K. .55
466–1–4–2	With 131 to 160 threads per square inch	G. K. .65
466–1–4–3	With 161 to 240 threads per square inch	G. K. 1.00
466–1–4–4	With 241 threads or more per square inch	G. K. 1.50
	Bleached or colored, unspecified cotton piece goods weighing 150 grams or more per square meter:	
466–1–5–1	With 130 threads or less per square inch	G. K. .40
466–1–5–2	With 131 to 160 threads per square inch	G. K. .50
466–1–5–3	With 161 to 240 threads per square inch	G. K. .60
466–1–5–4	With 241 threads or more per square inch	G. K. .85
469–2–2–1	Socks and stockings or pure natural silk, plain or embroidered	L. K. 9.00
469–4–5–2	Shirts made from cotton cloth of not more than 160 threads per square inch, and without embroidery, lace, or ornaments of other material	G. K. 1.00
469–4–5–3	Shirts made from cotton cloth of more than 160 threads per square inch, and those with small ornaments or stripes of natural or artificial silk, but without lace or embroidery	G. K. 2.25
471–1–0–6	Rubber tires, unspecified and inner tubes for all kinds of vehicles, and rubber for tires	Ad valorem 20%
483–3–1–9	Unspecified furniture of iron or steel, with or without ornaments of other ordinary metals	G. K. .10
491–1–3–1	Passenger automobiles of all kinds and of any list price	Ad Valorem 20%
491–1–3–2	Chassis for passenger automobiles of all kinds and of any list price	Ad Valorem 20%
491–1–3–3	Automotive trucks and buses of all kinds and chassis for same, with capacity of not more than 2 tons	G. K. .05
491–1–3–4	Automotive trucks and buses of all kinds and chassis for same, with capacity of (over two tons but) not more than three tons	G. K. .10
491–1–3–5	Automotive trucks and buses of all kinds and chassis for same, with capacity of (over three tons but) not more than four tons	G. K. .20
491–1–3–6	Automotive trucks and buses of all kinds and chassis for same, with capacity of over four tons	G. K. .40

LISTA I—Continúa

Partida de Tarifa Guatemalteca.	Descripción de Artículos	Tarifa Máxima en Quetzales Guatemaltecos
466–1–4–1–	De 130 hilos o menos por pulgada inglesa cuadrada	K. B. .55
466–1–4–2–	De 131 a 160 hilos por pulgada inglesa cuadrada	K. B. .65
466–1–4–3–	De 161 a 240 hilos por pulgada inglesa cuadrada	K. B. 1.00
466–1–4–4–	De 241 hilos o más por pulgada inglesa cuadrada	K. B. 1.50
	Tejidos de algodón blanqueados o de color, no denominados, que pesen 150 gramos o más por metro cuadrado:	
466–1–5–1	De 130 hilos o menos por pulgada inglesa cuadrada	K. B. .40
466–1–5–2–	De 131 a 160 hilos por pulgada inglesa cuadrada	K. B. .50
466–1–5–3–	De 161 a 240 hilos por pulgada inglesa cuadrada	K. B. .60
466–1–5–4–	De 241 hilos o mas por pulgada inglesa cuadrada	K. B. .85
469–2–2–1–	Calcetines y medias de seda natural pura, lisos o bordados	K. E. 9.00
469–4–5–2–	Camisas de tejidos de algodón cuyo número de hilos no exceda de 160 por pulgada inglesa cuadrada, y sin bordados, encajes o adornos de otras materias	K. B. 1.00
469–4–5–3–	Camisas de tejidos de algodón, cuyo número de hilos exceda de 160 por pulgada inglesa cuadrada, y las con pequeños adornos o lisas de seda natural o artificial, pero sin encajes ni bordados	K. B. 2.25
471–1–0–6–	Llantas no denominadas y neumáticos (cámaras de aire), para vehículos de toda clase y hule para llantas	Ad-valorem 20%
483–3–1–9–	Muebles no denominados, de hierro o acero, con o sin adorno de otros metales ordinarios	K. B. .10
491–1–3–1–	Coches automóviles de toda clase, cualquiera que sea su precio de lista	Ad-valorem 20%
491–1–3–2–	Chasises para coches automóviles de toda clase, cualquiera que sea su precio de lista	Ad-valorem 20%
491–1–3–3	Camiones, camionetas y autobuses de toda clase y los chasises para los mismos, con capacidad no mayor de dos toneladas	K. B. .05
491–1–3–4–	Camiones, camionetas y autobuses de toda clase, y los chasises para los mismos, con capacidad (mayor de dos toneladas, pero) no mayor de tres toneladas	K. B. .10
491–1–3–5–	Camiones, camionetas y autobuses de toda clase y los chasises para los mismos, con capacidad (mayor de tres toneladas, pero) no mayor de cuatro toneladas	K. B. .20
491–1–3–6	Camiones, camionetas y autobuses de toda clase, y los chasises para los mismos, con capacidad mayor de cuatro toneladas	K. B. .40

Schedule I—Contd.

SCHEDULE I—Continued

Guatemalan Tariff Item Number	Description of Articles	Maximum Rates of Duty in Guatemalan Quetzales
491–4–6–3	Wireless telephone, telegraph and television receiving apparatus	G. K. .25
491–6–7–1	Typewriters, unspecified, and apparatus for reproducing manuscripts and type scripts, for office use, electric or not	G. K. .25
491–6–7–2	Portable typewriters and their cases	G. K. .50
491–6–7–3	Calculating machines with or without special stands, and combination typewriting and calculating machines, with or without covers or cases, electric or not	G. K. .50

Notes.

NOTES

NOTE 1:

The Guatemalan Government will not require certificates or impose other regulations for the importation and sale of food products of any kind now classified under Sections I and II of the Guatemalan customs tariff which may be impossible of fulfillment in the United States because of the lack of a duly authorized Federal agency for that purpose.

NOTE 2:

The Guatemalan Government will not require certificates or impose other regulations for the importation, registration, licensing and sale of pharmaceutical specialties and patent medicines now classified under Section IV, Title II, Chapter Eight, of the Guatemalan customs tariff which may be impossible of fulfillment in the United States because of the lack of a duly authorized Federal agency for that purpose.

NOTE 3:

No special customs treatment will be accorded to any third country with respect to any article of specified trade name or other exclusive designation now classified under Section IV, Title II, Chapter Eight of the Guatemalan customs tariff, without prior negotiation between the Governments of the United States of America and the Republic of Guatemala with respect to appropriate modifications in the nomenclature, import duties or other charges or exactions on the pharmaceutical specialties and patent medicines classified under the above-named title and chapter.

LISTA I—Continúa

Partida de Tarifa Guatemalteca.	Descripción de Artículos	Tarifa Máxima en Quetzales Guatemaltecos	
491–4–6–3	Aparatos receptores de telegrafía, telefonía y televisión inalámbricas	K. B.	.25
491–6–7–1	Máquinas de escribir no denominadas, multígrafos, hectógrafos y aparatos reproductores de manuscritos, para uso de oficina, eléctricos o no	K. B.	.25
491–6–7–2	Máquinas de escribir portátiles, y sus correspondientes estuches	K. B.	.50
491–6–7–3	Máquinas calculadoras con o sin soportes especiales y máquinas de escribir provistas de mecanismos calculadores, con o sin cubiertas o fundas, eléctricas o no	K. B.	.50

NOTAS

NOTA 1. El Gobierno de Guatemala no exigirá certificados ni impondrá otras reglamentaciones para la importación y venta de productos alimenticios de cualquier naturaleza ahora clasificados en las Secciones Primera y Segunda del Arancel de Aduanas de Guatemala que no puedan cumplirse en los Estados Unidos de América por carecer de una Agencia Federal debidamente autorizada para dicho objeto.

NOTA 2. El Gobierno de Guatemala no exigirá certificados ni impondrá otras reglamentaciones para la importación, inscripción, licencias y venta de especialidades farmacéuticas y medicinas de patente ahora clasificados en la Sección IV, Título II, Capítulo 8, del Arancel de Aduanas de Guatemala, que no puedan cumplirse en los Estados Unidos de América por carecer de una Agencia Federal debidamente autorizada para dicho objeto.

NOTA 3. No se autorizará ningún tratamiento especial aduanero a ninguna tercera nación con respecto a ninguno del los artículos de nombre comercial especificado u otra designación exclusiva ahora clasificados en la Sección IV, Título II, Capítulo 8, del Arancel de Aduanas de Guatemala, sin previa negociación entre el Gobierno de los Estados Unidos de América y el Gobierno de la República de Guatemala con respecto a una modificación apropiada en la nomenclatura, derechos de importación u otras tasas o exigencias sobre las especialidades farmacéuticas y medicinas de patente clasificadas bajo el precitado título y capítulo.

Schedule II.

SCHEDULE II

United States Tariff Act of 1930 Paragraph	Description of Articles	Maximum rates of duties. Specific rates in United States dollars
	NOTE: The provisions of this Schedule shall be construed and given the same effect, and the application of collateral provisions of the tariff laws of the United States to the provisions of this Schedule shall be determined, insofar as may be practicable, as if each provision of this Schedule appeared respectively in the paragraph of the Tariff Act of 1930 noted in the column at the left of the respective descriptions of articles.	
716	Honey	0.02 per pound
747	Pineapples:	
	in crates	0.35 per crate of 2.45 cubic ft.
	in bulk	0.009 each
752	Guavas prepared or preserved, and not specially provided for	17½% ad valorem
752	Mango pastes and pulps, and guava pastes and pulps	28% ad valorem
1618	Bananas, green or ripe	Free
1618	Plantains, green or ripe	Free
1654	Coffee, except coffee imported into Puerto Rico and upon which a duty is imposed under the authority of Section 319	Free
1765	Deerskins, raw	Free
1803	Cabinet woods in the log	Free

LISTA II

Ley de tarifas de 1930, de los Estados Unidos. Párrafo número	Descripcion de Articulos	Tarifa máxima de aforos. Derechos específicos en dóllars de los Estados Unidos.
	NOTA: Las estipulaciones de esta lista se interpretarán y se les dará el mismo efecto, y la aplicación de estipulaciones colaterales de la ley de Tarifas de los Estados Unidos a las estipulaciones de esta lista se determinarán, siempre que sea factible, como si cada una de las estipulaciones de esta lista apareciera respectivamente en el párrafo de la ley de Tarifas de 1930, descrita en la columna a la izquierda de las descripciones respectivas de los artículos.	
716	Miel de abeja	. 02 por libra.
747	Piñas:	
	En jabas	.35 por jaba, de 2.45 pies cúbicos.
	Al granel	. 009 cada una.
752	Guayabas, preparadas o conservadas, y no especialmente estipuladas	17½% ad valorem.
752	Pastas y pulpas de mango y pastas y pulpas de guayaba	28% ad valorem
1618	Bananos, verdes y maduros	Libre.
1618	Plátanos, verdes y maduros	Libre.
1654	Café, con excepción del café importado en Puerto Rico, al cual se le impone aforo de acuerdo con lo estipulado por la Sección 319	Libre.
1765	Pieles de venado sin curtir	Libre.
1803	Maderas de ebanistería en trozas	Libre.

Modifications, etc.

WHEREAS such modifications of existing duties and other import restrictions and such continuance of existing customs and excise treatment as are set forth and provided for in the said Agreement and the two Schedules thereunto annexed are required and appropriate to carry out the said Agreement;

Ante, p. 4000.

WHEREAS it is stipulated in Article XVII of the said Agreement that the Agreement shall come into force on the thirtieth day following proclamation thereof by the President of the United States of America and the President of the Republic of Guatemala, or should the proclamations be issued on different days on the thirtieth day following the date of the later in time of such proclamations;

WHEREAS the said Agreement, including the two Schedules, was proclaimed by the President of the Republic of Guatemala on May 9, 1936;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, acting under the authority conferred by the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, do hereby proclaim the said Agreement, including the said Schedules, to the end that the same and every part thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof on and after June 15, 1936, the thirtieth day following May 16, 1936, the date of this my proclamation of the said Agreement.

PURSUANT to the proviso in Section 350 (a) (2) of the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, I shall from time to time notify the Secretary of the Treasury of the countries with respect to which application of the duties herein proclaimed is to be suspended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this sixteenth day of May in the year of our Lord one thousand nine hundred and thirty-six and of the Independence of the United States of America the one hundred and sixtieth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

[No. 92]

Provisional commercial agreement between the United States of America and Ecuador with reference to most-favored-nation treatment in customs matters. Effected by exchange of notes, signed June 12, 1936; effective June 12, 1936.

June 12, 1936.

The Secretary of State (Hull) to the Ecuadoran Minister (Alfaro)

DEPARTMENT OF STATE,
Washington, June 12, 1936.

SIR:

Provisional commercial agreement with Ecuador with reference to most-favored-nation treatment in customs matters.

I have the honor to make the following statement of my understanding of the agreement reached through recent conversations held at Washington by representatives of the Government of the United States of America and the Government of the Republic of Ecuador with reference to the treatment which the United States of America shall accord to the commerce of the Republic of Ecuador and which the Republic of Ecuador shall accord to the commerce of the United States of America.

1. These conversations have disclosed a mutual understanding between the two Governments which is that, in respect to import, export and other duties and charges affecting commerce, as well as in respect to transit, warehousing and other facilities, the United States of America will accord to the Republic of Ecuador and the Republic of Ecuador will accord to the United States of America, its territories and possessions, unconditional most-favored-nation treatment.

2. Accordingly, it is understood that with respect to customs duties or charges of any kind imposed on or in connection with importation or exportation, and with respect to the method of levying such duties or charges, and with respect to all rules and formalities in connection with importation or exportation, and with respect to all laws or regulations affecting the sale or use of imported goods within the country, any advantage, favor, privilege or immunity which has been or may hereafter be granted by the United States of America or the Republic of Ecuador to any article originating in or destined for any third country, shall be accorded immediately and unconditionally to the like article originating in or destined for the Republic of Ecuador or the United States of America, respectively.

3. It is understood that the advantages now accorded or which may hereafter be accorded by the United States of America, its territories or possessions, the Philippine Islands, or the Panama Canal Zone to one another or to the Republic of Cuba shall be excepted from the operation of this agreement.

4. Nothing in this agreement shall be construed as a limitation of the right of either country to impose on such terms as it may see fit prohibitions or restrictions (1) imposed on moral or humanitarian grounds; (2) designed to protect human, animal or plant life; (3) relating to prison-made goods; (4) relating to the enforcement of police or revenue laws; or (5) relating to the control of the export or sale for export of arms, ammunition, or implements of war, and, in exceptional circumstances, all other military supplies.

5. The present agreement becomes operative on this twelfth day of June, 1936, and shall continue in force until superseded by a more comprehensive commercial agreement or by a definitive treaty of commerce and navigation, or until denounced by either country by advance written notice of not less than thirty days.

Accept, Sir, the renewed assurances of my highest consideration.

CORDELL HULL

The Honorable
Capitán COLÓN ELOY ALFARO,
Minister of Ecuador.

The Ecuadoran Minister (Alfaro) to the Secretary of State (Hull)[1]

Nº 16

LEGACION DEL ECUADOR,
Washington, 12 de Junio de 1936.

SEÑOR SECRETARIO:

Tengo el honor de hacer la declaración siguiente de mi interpretación del acuerdo a que se ha llegado por medio de las conversaciones recientemente tenidas en Washington por representantes del Gobierno de los Estados Unidos de América y del Gobierno de la República del Ecuador, relativas al tratamiento que los Estados Unidos de América acordará al comercio de la República del Ecuador y que la República del Ecuador acordará al comercio de los Estados Unidos de América.

1. Estas conversaciones han demostrado una mutua inteligencia entre los dos Gobiernos, esto es que, con respecto a derechos de importación, exportación y otros impuestos y tasas que afectan al comercio, así como respecto a tránsito, bodegaje y otras facilidades, los Estados Unidos de América acordarán a la República del Ecuador y la República del Ecuador acordará a los Estados Unidos de América, a sus territorios y posesiones, al tratamiento incondicional de la nación más favorecida.

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[1] The text of this note in translation is identic with the text of the note of the Secretary of State, salutation and closing paragraph excepted.—EDITOR.

2. En consecuencia queda entendido que, con respecto a los derechos o tasas de aduana de cualquier clase, impuestos sobre la importación o la exportación o en relación con las mismas, y con respecto al método adoptado en la imposición de tales derechos o tasas, y con respecto a todas las reglas y formalidades en conexión con la importación o exportación, y con respecto a todas las leyes o reglamentaciones que afectan la venta o uso dentro del país de artículos importados, cualquier ventaja, favor, privilegio o inmunidad que hubieren concedido o pudieren conceder en el futuro los Estados Unidos de América o la República del Ecuador a cualquier artículo originario de o destinado a cualquier tercer país, serán inmediatamente e incondicionalmente concedidos al artículo similar originario de o destinado a la República del Ecuador o a los Estados Unidos de América, respectivamente.

3. Queda entendido que las ventajas ahora concedidas o que en el futuro se concedieren por los Estados Unidos de América, sus territorios o posesiones, las Islas Filipinas, o la Zona del Canal de Panamá, entre sí, o a la República de Cuba serán exceptuadas de los efectos de este Convenio.

4. Nada en este Convenio será interpretado como una limitación al derecho de cualquiera de los dos países para imponer, en los términos que crean convenientes, prohibiciones o restricciones (1) basadas sobre principios morales o humanitarios; (2) tendientes a proteger la vida del hombre, de los animales o de las plantas; (3) relativas a los artículos que se fabrican en las prisiones; (4) relativas a la ejecución de leyes policiales o de recaudación; o (5) relativas al control de la exportación o venta para exportación de armas, municiones, o instrumentos de guerra, y, en circunstancias excepcionales, de todo otro material de guerra.

5. El presente Convenio principiará a surtir sus efectos el día doce de Junio de mil novecientos treinta y seis y continuará en vigencia hasta que sea sustituido por un Convenio Comercial más amplio, o por un Tratado definitivo de Comercio y Navegación, o hasta que sea denunciado por cualquiera de los dos países, por medio de un aviso escrito con anticipación de treinta días por lo menos.

Aprovecho la oportunidad para renovar a Vuestra Excelencia el testimonio de mi más alta y distinguida consideración.

C. E. ALFARO

Al Excelentísimo señor don CORDELL HULL
Secretario de Estado
Washington

[No. 93]

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